



# City of Broken Arrow

## Minutes Planning Commission

City Hall  
220 S 1st Street  
Broken Arrow OK  
74012

*Chairperson Fred Dorrell*  
*Vice Chairperson Lee Whelpley*  
*Commission Member Ricky Jones*  
*Commission Member Mark Jones*  
*Commission Member Jaylee Klempa*

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**Thursday, October 24, 2019**

**Time 5:00 p.m.**

**Council Chambers**

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**1. Call to Order**

Chairperson Fred Dorrell called the meeting to order at approximately 5:00 p.m.

**2. Roll Call**

**Present: 5 -** Jaylee Klempa, Mark Jones, Ricky Jones, Lee Whelpley, Fred Dorrell

**3. Old Business**

There was no Old Business.

**4. Consideration of Consent Agenda**

Staff Planner Amanda Yamaguchi presented the Consent Agenda.

**A. 19-1299**

**Approval of Planning Commission meeting minutes of October 10, 2019**

**B. 19-1266**

**Approval of BAL-2060CB (Lot Combination), New Heart Church Lot Combination, 2 Lots, 14.62 acres, A-1 to R-2 and FD, one-quarter mile north of Florence Street (111th Street), east of 23rd Street (County Line Road)**

Ms. Yamaguchi indicated the applicant was in agreement with the Staff report, but was unable to attend the Meeting.

Chairperson Dorrell explained the Consent Agenda consisted of routine items, minor in nature, and was approved in its entirety with a single motion and a single vote, unless an item was removed for discussion. He asked if there were any items to be removed from the Consent Agenda; hearing none, he called for a motion.

MOTION: A motion was made by Mark Jones, seconded by Lee Whelpley.

**Move to approve the Consent Agenda per Staff recommendation**

The motion carried by the following vote:

**Aye: 5 -** Jaylee Klempa, Mark Jones, Ricky Jones, Lee Whelpley, Fred Dorrell

**5. Consideration of Items Removed from Consent Agenda**

There were no Items removed from the Consent Agenda; no action was taken or needed.

**6. Public Hearings**

**A. 19-1296**

**Public hearing, consideration, and possible action regarding PUD-294 (Planned Unit Development) and BAZ-2036 (Rezoning), Spring Creek Plaza, 13.78 acres, CG (Commercial General) and R-2 (Single Family Residential) to PUD-294/CH (Commercial Heavy), located south and east of the southeast corner of Tucson Street (121st Street) and Elm Place (161st East Avenue)**

Ms. Yamaguchi reported BAZ-2036 was a request to change the underlying zoning from CG and R-2 to CH (Commercial Heavy). She indicated the request to change the Comprehensive Plan on this property from Level 4 to Level 6 was approved by City Council on April 21, 2003, subject to the property being platted and subject to any change in zoning be made through a Planned Unit Development. She reported on June 16, 2003, City Council approved BAZ-1599 and PUD-138, a request to change the zoning from C-2 (Planned Shopping Center) and R-2 (Single Family Residential) to C-4 (Automotive Sales and Services) and C-5 (Highway and Recreational Commercial) subject to the property being platted. She stated the property was not platted in the specified time and the PUD expired. She stated City Council approved abrogation of PUD-138 on February 3, 2009. She reported PUD-196, BAZ-1823 and SP-231 were approved by City Council on February 17, 2009; BAZ-1823 requested to change the zoning on the property from CG and R-2 to CH. She stated the development was proposed to have mini storage and indoor RV storage which required a Specific Use Permit to be approved on the property. She indicated the requests were approved subject to the property being platted, but no plat was completed and the PUD expired. She reported with PUD-294 the applicant proposed a development containing retail, restaurant, office, indoor RV storage and mini storage. She stated PUD-294 was similar in context and design as compared with the previously approved PUD-196. She noted the primary difference was PUD-196 proposed a street through the development and PUD-294 designated the previous

street area as a drainage channel. She noted PUD-294 was also more restrictive regarding permitted uses in tract C and D. She stated the development was divided into seven tracts with specific uses identified for each tract. She stated tract A and B were designated as retail and restaurants with a minimum lot size of 12,000 sq. feet, minimum lot frontage of 100 feet, maximum building height of 35 feet, all free standing signs were limited to 10 feet in height and would contain no more than 100 square feet, all signs would have monument style bases to match the principal building material, no portable signs or banners were permitted, and exterior building materials would be at least 90% masonry material. She stated tract C and D had the same requirements with the added requirement of maximum building height of 35 feet allowing masonry elements to exceed building height with site plan approval. She noted the landscaping edge along Tucson was increased from 10 feet to 15 feet in width. She reported tract E was designated for office use with modifications including reduced maximum building height of 35 feet, building setbacks increased to 50 feet, and landscape buffer increased to 15 feet in width. She noted PUD-294 required at least one tree per 20 linear feet of landscape area with 50% of the trees being evergreen. She reported tract F was designated as office/warehouse; use and development regulations would be as permitted in the CH district, except as detailed in the PUD and Staff report; no outdoor storage was permitted. She reported a landscape buffer of 50 feet in width would be provided along the south and east property lines abutting residential districts with an 8 foot high wooden opaque fence installed along the south and east boundaries of tract F with no light pole installation in the landscape buffer areas. She reported tract G was designated RV and mini storage; no outdoor storage was permitted, maximum building height was 26 feet, building setback was 50 feet, an 8 foot high fence was required along the east boundary, no free standing or wall signs were permitted in tract G, no light poles would be installed in tract G, any wall pack lighting would be shielded and directed downward, and the exterior wall would be constructed of masonry material. She noted the hours of operation for the RV and mini storage would be from 5 a.m. until 11 p.m. She indicated the applicant proposed to install one multiple tenant sign along Elm Place identifying the tenants located in tract A, F and G; it was limited to 20 feet in height with 300 sq. feet of display area with a monument style base.

She reported PUD-294 proposed access would be from Elm Place and Tucson Street. She stated the property associated with PUD-294 and BAZ-2036 was designated as Level 6 in the Comprehensive Plan, CH zoning was considered in conformance with the Comprehensive Plan in Level 6; therefore, the CH zoning requested with BAZ-2036 was in accordance with the Comprehensive Plan. She stated the applicant held a neighborhood meeting on October 17, 2019 with surrounding property owners. She reported approximately 20 to 25 residents were in attendance and according to the applicant the main concerns were the two story structures, and setbacks on the office, mini storage and RV storage tracts. She noted the applicant took these concerns into consideration and added clear-story windows on the second floor to alleviate the “looking into the neighbor’s yard” concern. She indicated a letter of protest was submitted to Staff on October 15, 2019 from a neighboring property owner; Staff received several calls, most were residents in search for information, but a couple were in opposition and a couple were not opposed. She stated based on the Comprehensive Plan, the existing zoning, design statement, conceptual site plan, location of the property and the surrounding land uses, Staff recommended PUD-294 and BAZ-2036 be approved subject to the property being platted in accordance with the City of Broken Arrow Subdivision Regulations.

Commissioner Ricky Jones asked about the lighting and light spillage from tract G and tract F. Ms. Yamaguchi responded the applicant would be required to submit light pole designs and light fixture designs; photometric standards indicated 0.03 foot candles and no pole lighting was permitted in tract G or in the 50 foot buffer area of tract F.

The Applicant, Mr. Tim Terral, stated his address was 9820 E. 41<sup>st</sup> Street, Suite 102. He indicated he was in agreement with Staff recommendations. He noted he was a planner and engineer for this project. He stated this PUD was essentially the same PUD which was approved in 2009 with a few changes, such as the internal street system being now a drainage way. He indicated the PUD was left to expire in 2009 due to the expense of installing a storm sewer; therefore, a drainage channel was now proposed. He noted there would no longer be a car wash on the property. He indicated the zoning request was only to allow for the mini storage and RV storage in tract G; all other proposed tract development was permitted with current zoning. He indicated the proposed allowed square footage of RV and mini storage space was increased to 100,000 square feet; however, only 89,500 square feet was proposed. He stated he did not believe the tract would allow for any additional square footage. He stated the mini storage was a proposed two story climate controlled storage space. He indicated resident concerns included the mini storage unit, noise and lighting. He noted a mini storage facility had lower traffic, noise and less lighting requirements than other commercial uses. He noted only wall packs would be installed in tract G; no light poles. He noted 50 foot landscape buffer would be developed with trees every 20 linear feet with an opaque 8 foot fence; the building exterior would be masonry with no windows and only one external access. He explained all garage door storage access would be located inside the building. He noted this project would have an excellent visual and noise screen. He noted

the other area of concern was office use in tract E; one resident asked for the 15 foot landscape buffer to be increased; however, the landscape buffer had been already increased by 50% and the building setback had been increased from 30 feet to 50 feet. He noted if parking was developed along the east border, the setback would increase further. He noted residents were concerned about second story office units being able to see down into neighboring yard space. He explained the landowner agreed to install opaque windows or clear story windows no lower than eye level to prevent visibility into residential yard space.

Chairperson Dorrell opened the public hearing for Item 6A. He indicated speakers would have five minutes to speak.

Citizen Katelynn Collins stated her address was 6904 S. Date Avenue. She indicated her biggest concern was for the safety of the school children as there was already a lot of traffic in the area. She worried adding retail, restaurant and office space would increase traffic and getting to and from school would increase in difficulty; it already took 45 minutes to pick up her daughter after school. She stated additional traffic would cause additional concern for children walking on the sidewalk and crossing the road. She indicated she worried her quality of life would change; she chose her neighborhood for its quiet environment. She noted her daughter was on the spectrum and had sensory processing issues. She stated she was concerned having a building behind her home would discourage her daughter from playing in the back yard. She stated she worried noise and visual distractions would hinder her service dog in his duties to assist with her daughter's mobility. She stated she worried RV storage would include semi truck storage (semi trucks were extremely loud). She noted her final concern was the project would devalue her property. She stated she chose her area knowing retail and restaurant might be developed, understanding mini storage and RV storage was not permitted. She noted higher crime rates were typically associated with mini storage areas; she worried this would put a negative stigma on her property or even increase the crime rate in her area.

Commissioner Mark Jones asked where Ms. Collins' home was located. Ms. Collins responded her property looked into tract F. She noted her daughter had a two story playhouse and it would not be difficult to look out a second story office window and see her daughter in the playhouse.

Commissioner Ricky Jones asked how long Ms. Collins had lived in her home. Ms. Collins noted she had lived in this home for a little over a year. Commissioner Ricky Jones asked if Ms. Collins had reviewed the Comprehensive Plan prior to purchasing her home. Ms. Collins noted she understood the area was not classified as Commercial Heavy. She indicated she had no problems with retail and restaurant. Commissioner Ricky Jones noted the Comprehensive Plan designated this area as Commercial. Ms. Collins noted her difficulty was with the Commercial Heavy which would bring in additional noise pollution along with the perception of a high crime area which would devalue her property. She stated 11 p.m. was very late to have cars and possibly RVs and semi trucks entering and exiting the property.

Commissioner Ricky Jones asked if the PUD had gone before the Technical Advisory Committee. Ms. Yamaguchi responded in the negative; PUDs did not go before the Technical Advisory Committee. She explained this project would go before the Technical Advisory Committee at the platting stage. Commissioner Ricky Jones asked if the schools would have an opportunity to voice concerns at the platting/Technical Advisory Committee stage. Ms. Yamaguchi responded in the affirmative.

Citizen Dan Leader stated his address was 427 W. Union Place. He stated he had owned his house for 25 years and had chosen this area for its quiet atmosphere and safety. He indicated he worried this development would bring noise, traffic and additional problems. He stated he believed there was no need for additional storage facilities in Broken Arrow as recently several storage facilities had been developed. He noted the western end of his property abutted storage tract G. He stated he worried this development would devalue his property. He indicated he did not believe this was the best use of this land.

Citizen Jerrikay Henry stated her address was 6600 S. Date Avenue. She stated her property abutted tract E. She indicated her concern was regarding the two story office building. She noted she had a pool in her backyard and she was concerned about the 15 foot landscape buffer not providing enough privacy, especially given the 50 foot landscape buffer indicated for the other tracts. She noted if a parking lot was developed plus the 15 foot landscape buffer it might be okay. Chairperson Dorrell noted there was, in fact, a 50 foot setback, meaning the building would be set back at least 50 feet from the fence line. Ms. Henry indicated this was more acceptable.

Chairperson Dorrell noted the Planning Commission was in place to consider the proper use of the land; the Planning Commission was not permitted to consider real estate value in its

assessment. He thanked those present for the comments. He asked if there were any other public comments; hearing none, he closed the public hearing.

Mr. Terral, in response to the citizens' concerns, noted there would be no semi truck storage on the property. Commissioner Ricky Jones asked if Mr. Terral would be willing to include this stipulation in the PUD as a matter of record. Mr. Terral agreed. He indicated he could not address the crime concerns; he was unsure why a mini storage/RV storage unit would bring crime to the area. He noted there would be more security surrounding the storage units than there would be surrounding any commercial use building. He noted in review of the previous PUD the Technical Advisory Committee did not raise any increased traffic concerns; however, he would be willing to address these concerns as they arose. He noted any commercial CG development would generate traffic and commercial CG was permitted through current zoning without any PUD. He noted there were more protections in this PUD than would be seen in a typical CG zoned development, including increased buffers, increased setbacks, etc. He noted in response to the noise and traffic concerns, he believed this development would be much less noisy and generate less traffic with the RV/mini storage than a typical CG development. He noted lighting would not be a problem. He agreed the setback for tract E was a minimum of 50 feet; the building might be set back even further if parking was developed on this side of the building with the 15 foot landscape buffer. He noted the tract was too narrow to allow for a 50 foot landscape buffer plus parking.

Chairperson Dorrell asked about tract G and tract E. Mr. Terral displayed and discussed the map which illustrated the layout of tract G and tract E. He noted there would be no windows in the buildings in tract G, and the windows in the tract E buildings would be clear-story windows set eye level or higher which would let in light, but not permit visibility down into residential yard space.

Mr. Ryan Bishop, the property owner, stated his address was 28990 East 65<sup>th</sup> Street South, Broken Arrow. He noted he was open to the idea of eye level windows and wondered what the definition of eye level was. Chairperson Dorrell stated he believed eye level should be considered 6 feet. Mr. Bishop concurred. He noted this building had not been designed yet; however, he was amenable to opaque windows in some locations and high clear-through windows in others to let in light. He indicated he understood the neighbors' concerns about privacy; he would feel the same.

Vice Chairperson Whelpley asked if this property was located in a flood plain. Mr. Terral responded in the negative. Vice Chairperson Whelpley asked if the drainage channel would be grass. Mr. Terral responded in the affirmative; there would be lawn and a cement channel. He noted this was being designed according to the terms of an Earth Change Permit.

Commissioner Mark Jones asked if the PUD required a certain size and height of trees along tract E. Mr. Terral responded in the negative; however, code required a 2 inch caliper tree. Ms. Yamaguchi agreed; code required a 2 inch caliper tree, and this would be further determined at the landscape plan level.

Mr. Bishop indicated he took great pride in security and his development would include high end digital camera systems to track individuals entering and exiting the facility; all tenants had private key codes and the computer system tracked the entrance and exit of units. He noted he owned 700,000 square feet of storage throughout the State of Oklahoma and there had been very few issues with crime and it was his experience there was very low traffic associated with storage facilities, especially with RV storage. Commissioner Klempa asked if the use of security cameras would be posted on the property. Mr. Bishop indicated the security cameras were at eye level and highly visible, there was gated security with cameras, cameras at the entrance, and cameras inside the building. Vice Chairperson Whelpley indicated he appreciated the security for the storage units. Mr. Bishop noted he was being paid to securely store goods; security was of utmost priority.

Commissioner Ricky Jones stated he believed the developer and consultant did an excellent job mitigating negative impact.

MOTION: A motion was made by Ricky Jones, seconded by Mark Jones.

**Move to approve Item 6A per Staff recommendations with the following additional stipulations: tract G would exclude semi truck parking or storage; opaque windows or clear-story windows at 6 feet or higher would be installed in the second floor of tract E buildings**

The motion carried by the following vote:

**Aye:        5 -**     Jaylee Klempa, Mark Jones, Ricky Jones, Lee Whelpley, Fred Dorrell

Chairperson Dorrell noted this Item would go before City Council on November 18, 2019 at 6:30 p.m. He explained if any individual desired to speak regarding this Item, said individual was required to fill out a Request to Appear before City Council form in advance.

**B. 19-1316      Public hearing, consideration, and possible action regarding PUD-30D (Planned Unit Development), Johanna Woods, 75.14 acres, PUD-30/RMH to PUD-30D/RMH, one-quarter mile east of 23rd Street (County Line Road), south of Omaha Street (51st Street)**Staff Planner II Jane Wyrick reported PUD-30D was a Planned Unit Development for Johanna Woods. She indicated the applicant requested this Item be continued until November 7, 2019. She noted it was originally advertised for the previous Planning Commission Meeting and had been continued once before; however, the applicant was not quite ready to move forward.

MOTION: A motion was made by Mark Jones, seconded by Lee Whelpley  
**Move to continue Item 6B per Staff recommendation**

The motion carried by the following vote:

**Aye:      5 -**      Jaylee Klempa, Mark Jones, Ricky Jones, Lee Whelpley, Fred Dorrell

**7. Appeals**

There were no Appeals.

**8. General Commission Business**

There was no General Commission Business

**9. Remarks, Inquiries, and Comments by Planning Commission and Staff (No Action)**

There were no Remarks, Inquiries, or Comments by Planning Commission and Staff.

**10. Adjournment**

The meeting adjourned at approximately 5:45 p.m.

MOTION: A motion was made by Mark Jones, seconded by Jaylee Klempa  
**Move to adjourn**

The motion carried by the following vote:

**Aye:      5 -**      Jaylee Klempa, Mark Jones, Ricky Jones, Lee Whelpley, Fred Dorrell