

**CITY OF BROKEN ARROW
MINUTES OF THE
REGULAR MEETING OF THE
PLANNING COMMISSION
November 15, 2012**

The Planning Commission agenda for this meeting was posted on November 7, 2012, at 4:26 p.m., on the City Hall Bulletin Board, 220 South First Street, Broken Arrow, Oklahoma.

1. The Broken Arrow Planning Commission met on Thursday, November 15, 2012, at 5:00 p.m. The meeting was called to order by Chairperson Ricky Jones.

2. Roll Call:

Present: Ricky Jones, Chairperson
Fred Dorrell, Vice Chairperson
Glenn Shaw, Commission Member
Lee Whelpley, Commission Member
Carolyne Isbell-Carr, Commission Member

Absent: None

Staff Present: Beth Anne Wilkening, City Attorney
Farhad Daroga, City Planner
Brent Murphy, Asst. City Planner
David Steele, Planning Division Engineer
Marcae' Hilton, Planning Intern
Joyce Snider, Admin Asst

3. **OLD BUSINESS**

None.

4. **CONSENT AGENDA**

The Commission considered the Consent Agenda. Marcae' Hilton reviewed the Consent Agenda items. Ricky Jones explained the Consent Agenda process and asked if anyone wished to discuss any of these items. There was no response.

Motion by Fred Dorrell to approve the Consent Agenda items as recommended by Staff. The motion was seconded by Carolyne Isbell-Carr.

Yes: Isbell-Carr, Whelpley, Shaw, Dorrell, Jones

No: None

Motion Approved

A. The minutes of the Planning Commission meeting held November 1, 2012, were approved as presented.

- B. PT12-106, preliminary plat, Abiding Harvest United Methodist Church Amended, 1 lot, 16.76 acres, A-1/SP 199/SP 220, east of Olive Avenue (129th East Avenue), one-quarter mile north of Florence Street (111th Street). The applicant was present. PT12-106 was approved as recommended by Staff.
- C. PT12-109, preliminary plat of Hi-Tec Industries, 1 lot, 6.31 acres, IL, PUD 218, one-eighth mile east of the northeast corner of 23rd Street (County Line Road/193rd East Avenue) and Washington Street (91st Street). The applicant was not present. PT12-109 was approved as recommended by Staff.

5. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

None.

6. PUBLIC HEARINGS

- A. The Commission considered PUD 219 and BAZ 1886, Janus IV Development, 5.93 acres, CG to CH, south and east of the southeast corner of New Orleans Street (101st Street) and Elm Place (161st East Avenue). Brent Murphy presented the background, saying Planned Unit Development No. 219 involves a 5.93 acre tract and BAZ 1886. This is a request to rezone this property from CG to CH in conjunction with PUD 219. With PUD 219, the applicant is requesting to use 54,640 square feet of the former Kmart/Old Tyme Pottery building for mini-storage. He said most of the mini-storage will be on the back part of the building, with commercial uses on the west and north sides of the building.

Mr. Murphy said in September of 2012, the City Council conditionally approved BACP 124, to change the Comprehensive Plan level from Level 4 to Level 6. BACP 124 was approved subject to a PUD being submitted that was similar in content to the draft PUD submitted with BACP 124. PUD 219 is similar to the draft PUD submitted with BACP 124, except for some variations that have been addressed in the Staff report. He indicated that Staff recommends that PUD 219 and BAZ 1886 be approved as presented. Since the property has already been platted and additional right-of-way and utility easements have been provided in accordance with the current Subdivision Regulations, Staff recommends that re-platting be waived.

Jorge DeQuesne, 216 East Township, Fayetteville, AR, the applicant, said they have removed the proposed landscaping and irrigation lines on the west side of the building because new parking islands and parking will be installed directly in front of the building with trees. He said they are in agreement with the Staff recommendations.

There were no protestants present.

Lee Whelpley asked when the proposed west façade would be completed.

Bill Keating, the project owner, said they plan to begin after Thanksgiving and talked about the sequence of related issues. The name to be placed on the façade of the building was discussed.

Carolyn Isbell-Carr asked if chain link fence would be used in the interior and Bill Keating indicated there will only be chain link mesh overhead of each unit and the size of the inside doors will be varied. He showed photographs of the proposed interior. Discussion followed.

6A. continued

Motion by Glenn Shaw to recommend approval of PUD 219 and BAZ 1886 as recommended by Staff. The motion was seconded by Carolyn Isbell-Carr.

Yes: Isbell-Carr, Whelpley, Shaw, Dorrell, Jones

No: None

Motion Approved

Ricky Jones said PUD 219 and BAZ 1886 will be considered by the City Council in their meeting of December 4, 2012, at 6:30 p.m.

- B. The Commission considered SP 199A, Abiding Harvest United Methodist Church, 16.76 acres, 1 lot, A-1/SP 199/SP 220, east of Olive Avenue (129th East Avenue), one-quarter mile north of Florence Street (111th Street). Brent Murphy presented the background, saying SP 199A is a request for a revised Specific Use Permit to expand the place of assembly use for Abiding Harvest Church. The property is zoned A-1/SP 199/SP 220.

Mr. Murphy said that SP 199 for the Abiding Harvest Church was approved by the City Council in January 2006, subject to the property being platted. Ten acres were platted and the church has obtained 6.76 additional acres of unplatted property to the east. He said initially they proposed to use the additional property for recreational fields. No information has been provided as to whether or not these fields will have lights.

Mr. Murphy said Staff recommends that SP 199A be approved for a place of assembly, subject to the additional 6.76 acres being platted and if the fields are to be lighted, that the applicant submit an application so the surrounding property owners can be notified.

Lee Whelpley said he thought the only neighbors are across the street and Mr. Murphy indicated that was correct. Ricky Jones asked if notification was given on this application and Mr. Murphy said it was, but only for an expanded church, not for lighted fields.

Alan Betchan, 17 East 2nd Street, Sand Springs, the applicant, said the lighting, had been discussed at the predevelopment meeting, but assumed that lighting would be allowed. He asked for an exception and that the standards that are currently imposed on commercial parking lots by the Zoning Ordinance be imposed on the recreational fields on the east. He explained that the church is in negotiation with a soccer club for use of the fields as part of a community outreach. Discussion followed regarding concerns about evening and nighttime use, the effect on the surrounding area, the flood plain to the east and whether the fields would be used for games as well as practice fields.

Harold Tohlen, 7801 East Commercial Street, Broken Arrow, a member of Abiding Harvest Church, said the site plan submitted is current and the original specific use permit provides for expansion of the church building within the original ten acres with additional parking. The future plan for expansion was discussed in relation to the initial plan for lighted soccer fields. Mr. Tohlen said they would agree to have the same lighting for the fields that exists in their parking area in front of the church. He said they don't know whether games will be played in addition to practice and are in agreement with ending all at ten pm. He has talked to two people in the adjacent addition who said they had no objection to the plan. He said they are willing to be in compliance with the City lighting code. Discussion followed.

6B. continued

There were no protestants present.

Farhad Daroga talked about the advantage of having a lighting plan and Carlyne Isbell-Carr asked if they planned a separate entrance. Mr. Tulane said they plan to use the existing entrance to avoid congestion on Olive Street and soccer at times the church is not meeting. Alan Betchan outlined the lighting they would install and Mr. Daroga pointed out that they would not be able to light the north half of the field due to the utility easements and the proximity of the proposed fields to the north boundary. Discussion followed.

Fred Dorrell said he would like to review details of the proposal.

Ricky Jones asked David Steele, Project Engineer, City of Broken Arrow, if the portion of the Code regarding parking lot lighting referred to by the applicants is enforceable and Mr. Steele said if it is part of the City Code it can and will be enforced.

Beth Anne Wilkening suggested the Commission may wish to continue this application for two weeks to allow formulation of conditions agreeable to the City and the applicant. She pointed out that the lighting proposed would be insufficient. Mr. Daroga pointed out that parking lot light is insufficient for the needs of the soccer club. Mr. Tohlen said their negotiations with the soccer club is in a preliminary stage. Discussion followed.

Ricky Jones said the options discussed include approval of SP 199A as approved by Staff, or with Zoning Ordinance lighting standards, or it can be continued to the next Planning Commission meeting on December 6, 2012 in order to develop lighting standards, or they can deny it. Discussion followed regarding the options available.

Alan Betchan said he didn't think they will have an answer from the soccer club in two weeks and Mr. Tohlen said they could live with either option.

Motion by Glenn Shaw to recommend approval of SP 199A as recommended by Staff, and allowing lighting to the commercial standard in accordance with the Broken Arrow Zoning Code, with games and practice to end by 10:00 pm. The motion was seconded by Lee Whelpley.

Yes: Isbell-Carr, Whelpley, Shaw, Jones

No: Dorrell

Motion Approved

Ricky Jones said SP 199A will be considered by the City Council in their meeting of December 4, 2012, at 6:30 p.m.

8. APPEALS

None

9. REMARKS, INQUIRIES AND COMMENTS BY PLANNING COMMISSION AND STAFF - (NO ACTION)

None.

10. ADJOURNMENT

At 5:57 p.m., Motion by Carolyn Isbell-Carr to adjourn. The motion was seconded by Fred Dorrell.

Yes: Isbell-Carr, Whelpley, Shaw, Dorrell, Jones

No: None

Motion approved.