

**CITY OF BROKEN ARROW**  
**MINUTES OF THE**  
**REGULAR MEETING OF THE**  
**PLANNING COMMISSION**  
**April 9, 2015**

Approved by Planning  
Commission in their meeting of  
April 23, 2015

The Planning Commission agenda for this meeting was posted on April 1, 2015, at 3:44 p.m., on the City Hall Bulletin Board, 220 South First Street, Broken Arrow, Oklahoma.

1. The Broken Arrow Planning Commission met on Thursday, April 9, 2015 at 5:00 p.m. The meeting was called to order by Chairman Lee Whelpley.

2. **Roll Call:**

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

Absent: Glenn Shaw, Commission Member

Staff Present: Lesli Myers, Deputy City Attorney  
Michael Skates, Director of Development Services  
Farhad Daroga, City Planner  
Marcae Hilton, Staff Planner  
David Steele, Planning Division Engineer  
Karissa Fischer, Admin. Assistant  
Jeff Westfall, Project Engineer  
Kristina Penny, Project Coordinator

3. **OLD BUSINESS**

A. None.

4. **CONSENT AGENDA**

Marcae Hilton presented the Consent Agenda. She said in inadvertent error was made on the Staff report for BAL 1070, Hancock Lot Split. Requirement number two should read as a 20 foot utility easement, not a 17.5 foot easement. She said the applicant was aware of this and is in agreement with the Staff report.

Lee Whelpley explained the Consent Agenda process and asked if there were any items that need removed from the Consent Agenda. There were about 7 people in the audience. No one responded.

**Motion** by Ricky Jones to approve the Consent Agenda Items per Staff recommendations. The motion was seconded by Carolyne Isbell-Carr

Yes: Isbell-Carr, Dorrell, Jones, Whelpley

No: None

Abstain: None

**Motion** approved.

**4. CONSENT AGENDA CONTINUED**

- A. Minutes, Planning Commission meeting held March 26, 2015. This item was approved as presented.
- B. Consideration and possible action regarding BAL 1070, Hancock Lot Split, 4 lots, 40.04 acres, A-1, south of Florence Street, one-quarter mile west of 9th Street. Larry Pennington, Realtor representing the owner, was present and in agreement with the Staff Report. This item was approved per Staff recommendations.

**5. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**

None.

**6. PUBLIC HEARINGS**

- A. The Commission considered BAZ 1934, New Heart Fellowship Church (south parcel), 1.05 acres, A-1 to R-2, east of 23rd Street, one-half mile south of New Orleans Street.

Marcae Hilton presented the background saying BAZ 1934 is a request to rezone 1.05 acres from A-1 (Agricultural) to R-2 (Single-Family Residential). All of Reserve B is located in the 100-year floodplain of Broken Arrow Creek.

Ms. Hilton said staff has been informed that the property owner to the east, whose property is zoned A-1, wants to obtain this property so that his property has frontage onto 23<sup>rd</sup> Street. Access to his property is presently through a mutual access easement that passes through the New Heart Fellowship Church property. In the A-1 district, the minimum lot frontage is 330 feet onto a public street. In the R-2 district, the minimum lot frontage requirement is 70 feet. The Church is proposing to convey the property associated with BAZ 1934 to the property owner to the east in exchange for property that is under his ownership. They have requested the R-2 zoning so that property will meet the minimum lot frontage requirement of 70 feet.

Marcae Hilton said all of the property is presently platted as New Heart Fellowship Church and is under the ownership of the Church, and is zoned A-1/SP 172A. Rezoning only a part of this property to R-2 would not be in conformance with the Zoning Ordinance because it would raise the question as to which zoning applies to the property, A-1 or R-2. Applicant has advised Staff they propose to split the south 70 feet of their property and convey it to the abutting property owner to the east. This would be acceptable provided the abutting property to the east was also zoned R-2.

Ms. Hilton said therefore, based on the Comprehensive Plan, the location of the property, and surrounding land uses, Staff recommends BAZ 1934 be approved, subject to the property being split. As Staff has previously advised the parties associated with this request, if this property is going to be split and attached to the abutting property, the abutting property to the east will also need to be rezoned to R-2. Since there is presently Limits of No Access on the south 100 feet of this property, a request to change the points of access will also need to be submitted. Staff recommends the portion of SP 172A associated with this rezoning request be abrogated. Since the property has been platted previously, Staff recommends that platting be waived.

6A. Lee Whelpley asked if the applicant was present.

Joyce Sanders, representing the property owner, 107 S. Ash, Broken Arrow, OK said they are in agreement with the Staff report. Ricky Jones asked if they understood the requirement for a lot split as a requirement for this rezoning request. Ms. Sanders said yes.

Lee Whelpley opened the public hearing and asked if anyone wished to speak on item 6A, BAZ 1934. No one responded. There were about 5 people in the audience, other representatives of the property owners were also present.

**Motion** by Fred Dorrell to approve Item 6A, BAZ 1934 per Staff recommendations. The motion was seconded by Ricky Jones.

Yes: Isbell-Carr, Dorrell, Jones, Whelpley

No: None

Abstain: None

**Motion** approved

Lee Whelpley said Item 6A will be heard by the City Council on May 5, 2015, at 6:30 p.m.

6B. The Commission considered BAZ 1935, New Heart Fellowship Church (north parcel), 0.61 acres, A-1 to R-2, east of 23rd Street, one-third mile south of New Orleans Street.

Marcae Hilton presented the background saying BAZ 1935 is a request to rezone 0.61 acres from A-1 (Agricultural) to R-2 (Single-Family Residential). The property, which is located east of 23<sup>rd</sup> Street, one-third mile south of New Orleans Street, is the north 80 feet of the property platted as New Heart Fellowship Church.

Ms. Hilton said in the A-1 district, the minimum lot frontage is 350 feet onto a public street. In the R-2 district, the minimum lot frontage requirement is 70 feet. New Heart Fellowship Church wants to convey to a prospective buyer the property associated with BAZ 1935 along with approximately 45 acres of unplatted land that they own to the east. They have requested the R-2 zoning so the property will meet the minimum lot frontage requirement of 70 feet. When the New Heart Fellowship Church plat was filed, a 60 foot wide mutual access easement was provided along the north boundary that provided access to the property to the east.

Ms. Hilton said all of the property is presently platted as New Heart Fellowship Church, is under the ownership of the Church, and is zoned A-1/SP 172A. Rezoning only a part of this property to R-2 would not be in conformance with the Zoning Ordinance because it would raise the question as to which zoning applies to the property, A-1 or R-2. Applicant has advised Staff they propose to split the north 80 feet of their property and convey it, along with approximately 45 unplatted acres to the east that they own to a prospective buyer. This would be acceptable provided that the abutting property to the east was also zoned R-2.

Marcae Hilton said based on the Comprehensive Plan, the location of the property, and surrounding land uses, Staff recommends BAZ 1935 be approved, subject to the property being split. As Staff has previously advised the parties associated with this request, if this property is going to be split and attached to the abutting property, the abutting property to the east will also need to be rezoned to R-2. Staff recommends that the portion of SP 172A associated with this rezoning request be abrogated. Since the property has been platted previously, Staff recommends that platting be waived.

6B. Lee Whelpley asked if the applicant was present.

Joyce Sanders, representing the property owner, 107 S. Ash, Broken Arrow, OK said they are in agreement with the Staff report. She said there are two access points to the back property, one on 200<sup>th</sup> and one at the Elmwood Addition and 189<sup>th</sup>. She said joining the property will not land lock the property.

Lee Whelpley asked if anyone wished to speak on about items 6B, BAZ 1935. No one responded. There were other representatives of the property also present.

Lee Whelpley closed the public hearing.

**Motion** by Fred Dorrell to approve Item 6B, BAZ 1935 per Staff recommendations. The motion was seconded by Carolyne Isbell-Carr.

Yes: Isbell-Carr, Dorrell, Jones, Whelpley

No: None

Abstain: None

**Motion** approved

Lee Whelpley said this item will go before the City Council on May 5, 2015, at 6:30 p.m.

**7. APPEALS**

A. None.

**8. GENERAL COMMISSION BUSINESS**

A. None.

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

None.

**10. ADJOURNMENT**

At 5:11 p.m., motion by Carolyne Isbell-Carr to adjourn. The motion was seconded by Fred Dorrell.

Yes: Isbell-Carr, Dorrell, Jones, Whelpley

No: None

**Motion** approved.