



City of Broken Arrow

City of Broken Arrow
220 South 1st Street
Broken Arrow, OK
74012

Minutes

Planning Commission

Robert Goranson Chairman
Jason Coan Vice Chairman
Jaylee Klempa Commissioner
Jonathan Townsend Commissioner
Mindy Payne Commissioner

Thursday, January 16, 2025

5:30 p.m.

Council Chambers

1. Call to Order

Chairman Robert Goranson called the meeting to order at 5:30 p.m.

2. Roll Call

Present: 3 - Mindy Payne, Jaylee Klempa, Robert Goranson
Absent: 2 - Jonathan Townsend, Jason Coan

3. Old Business - NONE

4. Consideration of Consent Agenda

- A. 25-98 Approval of Planning Commission meeting minutes of December 19, 2024
- B. 25-99 Approval of Planning Commission meeting minutes of December 5, 2024
- C. 25-100 Approval of PT-001918-2024|PR-000689-2024, Preliminary Plat, Oak Creek Crossing, approximately 41.38 acres, 118 Lots, R-2(Single-Family Residential), located approximately one-quarter mile south of Houston Street (81st Street), and east of 23rd Street (193rd Avenue/County Line Road)
- D. 25-101 Approval of PT-001889-2024|PR-000222-2023, Preliminary Plat for East Quik Trip on Kenosha, 10.2 acres, 2 lots, A-1 (Agricultural), R-2 (Single Family Residential) & SP (Specific Use Permit) 53 to CN (Commercial Neighborhood), A-1 and R-2, & SP-53 via BAZ-001225-2023, on the northeast corner of Kenosha Street (71st Street) and Evans Road (225th E. Avenue)
- E. 25-110 Approval of PT-001962-2025|PR-000768-2024, Conditional Final Plat, Reserve at Pines III, approximately 0.35 acres, 1 Lot, RS-3(Single-Family Residential), (via BAZ-2041), located south of Omaha Street (51st Street) and west of 37th Street (209th E. Avenue)

MOTION: A motion was made by Mindy Payne, seconded by Jaylee Klempa

Move to approve Consent Agenda

The motion carried by the following vote:

Aye: 4 - Mindy Payne, Jaylee Klempa, Robert Goranson

5. Consideration of Items Removed from Consent Agenda - NONE

6. Public Hearings

- A. 25-104 Public hearing, consideration, and possible action regarding COMP-001746-2024 (Comprehensive Plan Change), College Street Development, 30.14 acres, Level 6 to Level 3, located west of County Line Road (23rd Street) and half a mile north of Houston Street (81st Street)

Applicant has requested Item A 25-104 be withdrawn from the agenda. If the applicant or any other party decides to move forward, new notices will be sent when the application is submitted.

- B. 25-102 Public hearing, consideration, and possible action regarding BAZ-001906-2024 (Rezoning), County Line 25, approximately 25 acres, A-1 (Agriculture) to RS-4 (Single-Family Residential), located approximately one-half mile south of Albany Street (61st Street), west of 37th Street (209th E. Avenue)

Joel Hensley, Senior Planner, presented Item 25-102, an application by Lou Reynolds, Eller & Detrich. A public hearing is being held to consider rezoning approximately 25 acres from A1 to RS-4 for a proposed single-family residential development south of Albany Street and west of 37th Street. The property is currently undeveloped and unplatted. The rezoning is linked to a potential subdivision, requiring compliance with RS-4 zoning standards, street access to 37th

Street, and adherence to city construction standards. The property is not in a floodplain; water is available from the City of Broken Arrow. The rezoning aligns with the comprehensive plan, and staff recommends approval, contingent on the property being platted.

The commission discussion focused on sidewalk placement along 37th Street and potential connectivity to the nearby school. While a sidewalk is planned for the new development, uncertainty remains about whether the school previously escrowed funds for a sidewalk along its frontage. The city has no immediate plans to install one, but road improvements on 209th may include pedestrian access.

Questions also arose about how Timber Ridge will connect to surrounding roads. The development is expected to extend from Bentree neighborhood to Albany Street, with an access road tying into 209th. A stub street may also connect northward in a future phase. Coordination between developments is ongoing to ensure proper alignment of streets and infrastructure. While the rezoning request is straightforward, future layout and connectivity details will be addressed as development progresses.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne
Move to approve Item 25-102 BAZ-001906-2024 (Rezoning), County Line 25, approximately 25 acres, A-1 (Agriculture) to RS-4 (Single-Family Residential), located approximately one-half mile south of Albany Street (61st Street), west of 37th Street (209th E. Avenue)

The motion carried by the following vote:

Aye: 3 -

Mindy Payne, Jaylee Klempa, Robert Goranson

C. 25-103

Public hearing, consideration, and possible action regarding SP-001884-2024, an amendment to SP-299, Church on the Move, 7.55 acres, located south of Kenosha Street (71st Street), east of 9th Street (Lynn Lane/177th E. Avenue)

Henry Bibelheimer, Planner II, presented Item 25-103, an application by Steven Torrez and Brenda Oaks. The public hearing concerns SP-001884-2024, an amendment to Specific Use Permit 299 for Church on the Move, seeking to expand its place of assembly use within a 7.55-acre shopping center at Kenosha Street and 9th Street (Lynn Lane). The church currently occupies 24,000 square feet, and the proposal requests an increase to 33,456 square feet.

A specific use permit is required for places of assembly in commercial zoning. While the comprehensive plan discourages non-commercial uses in commercial districts (Policies LU1 and LU10), the church argues that its presence will enhance activity in the area, with 500-700 members attending weekly services. The church has also agreed to waive the 300-foot spacing requirement that would otherwise restrict nearby liquor sales.

Approval of SP-001884-2024 would reset the permit's expiration date from 2031 to 2035. Landscaping and beautification requirements from the original SP 299 remain in place. While staff finds the proposal inconsistent with comprehensive plan policies, they recommend approval based on the existing use and surrounding land conditions, requiring platting to be waived.

The commission discussion centered on Church on the Move's request to expand its Specific Use Permit (SP-001884-2024) to include additional space within a shopping center at Kenosha and 9th Street (Lynn Lane Road). The expansion adds the former Dollar General space to the previously approved area but does not change the property boundaries.

Questions were raised regarding waiving the 300-foot restriction on liquor sales near religious facilities, but no waiver requests have been submitted since the original 2021 approval. The permit's duration was also debated—whether it should extend 10 more years from 2024 or remain within the original 2021-2031 timeframe. Since this aspect was not explicitly included in discussions with staff or public notice, the consensus was to keep the original expiration date (2031) and focus solely on the expansion for now.

Additionally, while landscaping improvements have already been made, no new requirements were added for the expanded footprint. The upgrades extend beyond the Dollar General site, and staff noted the enhanced landscaping looks great. The applicant and city staff confirmed the only change is the increase in assembly space, with no additional modifications to property boundaries, site conditions, or zoning restrictions.

Pastor Brenda Oaks highlighted that the Church on the Move expansion is about deepening community impact, not just adding space. Through partnerships with Broken Arrow Public Schools and Broken Arrow PD, the church has implemented initiatives like an on-site coffee shop, ensuring it remains open seven days a week. The expansion aligns with the vision shared with city officials four years ago, which they have successfully pursued and continue to build upon.

A significant focus of the expansion is the children's space, serving 500 kids each weekend and additional students during the week through school partnerships. The after-school program provides playground access, volunteer mentoring, and meals for needy families. The extra space will enhance these programs, expand kids' classes, and create new community connection points. Pastor Oaks expressed gratitude for the city's support in helping the church fulfill its mission to serve its members and the greater Broken Arrow community.

Further discussion focused on two main points: the 300-foot waiver for liquor sales and the timeline extension for the Specific Use Permit (SUP-001884-2024).

It was clarified that waiving the 300-foot liquor sale restriction is not legally binding for granting the permit. Any conflicts over liquor sales would be handled between the affected parties, not the city.

Regarding the permit's timeline, the original 10-year approval (2021-2031) was set because the church anticipated expanding into a larger space over time. The request to reset the clock to 2035 aligns with the church's plan to sign a 10-year lease on the newly added space, ensuring they can fully utilize it. Since the city council has final authority, the planning commission debated whether to keep the original 2031 expiration and let the council decide on an extension or approve the additional three years themselves. It was also noted that if the church vacates the space, the permit automatically expires, and the city retains the authority to revoke it if the property is misused.

Commissioner Jaylee Klempa wished to add three additional years to the timeline.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne.

Move to approve Item 25-103 SP-001884-2024, an amendment to SP-299, Church on the Move, 7.55 acres, located south of Kenosha Street (71st Street), east of 9th Street (Lynn Lane/177th E. Avenue)

The motion carried by the following vote:

Aye: 3 -

Mindy Payne, Jaylee Klempa, Robert Goranson

D. 25-106

Public hearing, consideration, and possible action regarding PUD-001893- 2024 (Planned Unit Development) and BAZ-001891-2024 (Rezoning), Aspen Creek Villas, approximately 90 acres, A-1 (Agricultural) to RS-4 (Residential Single Family) with a PUD, located north of Tucson Street (121st Street) and approximately one-quarter mile east of Olive Avenue (129th Avenue)

Joel Hensley, Senior Planner, presented Item 25-106 for applicant Alan Betchan. The public hearing concerns PUD-001893-2024 and BAZ-001891-2024 proposes rezoning 90 acres of undeveloped land north of Tucson Street, east of Olive Avenue, from A-1 to RS-4 with a Planned Unit Development (PUD) for the Aspen Creek Villas project.

The property was approved for a comprehensive plan change on May 7, 2024, shifting from Level 6 to Level 2, which permits RS-4 single-family zoning. The proposed development includes 415 single-family detached homes, a reduction from the originally planned 498 units. The minimum lot size would be reduced from 6,500 sq. ft. to 6,000 sq. ft., while permitted uses would be restricted to single-family homes under the PUD.

Primary access will be along Tucson Street, with additional roads constructed to Broken Arrow city standards. The property is not in a floodplain, and water and sanitary sewer services are available. City staff recommends approval based on the comprehensive plan, location, and surrounding land use, provided that the property is platted.

Alan Betchan of AAB Engineering presented the Aspen Creek Villas project as the next step following the comprehensive plan amendment approved by the city council a few months ago. The primary modification involves reducing the maximum number of dwelling units, with homes built on 52-foot-wide lots rather than the typical 55-foot-wide ones. This slightly smaller lot size accommodates an entry-level housing product while maintaining compatibility with similar developments in Broken Arrow.

The landscape and screening plan includes full screening along Tucson Street, with masonry columns and ornate entryways at designated points. The development will also feature substantial recreational amenities. AAB Engineering noted that while they are open to adjustments if concerns arise, city staff has not presented any objections. The proposal aligns with existing zoning standards and comparable developments in the area.

The commission further discussed PUD-001893-2024 and BAZ-001891-2024 for Aspen Creek Villas concerns regarding the lack of designated park space, the required frontage road, and billboards on the property. The developer, Alan Betchan of AAB Engineering, explained that

while a park is planned, its exact location is not yet determined due to the phased nature of the project, and adjustments may be needed as development progresses. City staff emphasized that the comprehensive plan requires a frontage road, similar to what was included in the adjacent apartment development, but the current PUD documents do not show it. The billboards issue was also raised, with the developer confirming that they would remain on separate parcels within the development, protected by lease agreements. Staff clarified that while they support approval of the PUD, the requirement for the frontage road remains in effect, even though it is absent from the conceptual plans. The planning commission debated whether to proceed with recommending approval to the city council without addressing the frontage road issue upfront, acknowledging that it may need to be revisited during final plat discussions or if connectivity in the area changes over time. The conversation concluded with an acknowledgment that the development would be phased from south to north over multiple stages, and city staff reiterated their intention to hold the developer accountable for the required frontage road.

James Mitchell, a homeowner south of the proposed development, vehemently opposed rezoning the area to RS-4, arguing that it does not fit the surrounding RS-3 neighborhoods. He believes that the existing apartments already meet the need for diverse housing and that reducing lot sizes for smaller, more affordable homes will negatively impact property values in the area. Additionally, Mr. Mitchell raised concerns about traffic congestion, noting that adding 415 new homes to a two-lane road with a stop sign at 121st and Olive would create significant traffic issues. Mitchell firmly stated that he is against the rezoning and believes the project should be limited to RS-3 zoning to better align with the surrounding community and maintain property values.

Chad McAuliffe, a resident, raised questions about potential compromises from the developer to address concerns from local neighborhoods. He inquired about what concessions developers typically make, such as larger parks, additional green spaces, or more trees and shrubbery. He referenced a similar development in North Broken Arrow, where a turn lane was added to a two-lane road to accommodate increased traffic. McAuliffe asked whether a similar solution, such as a dedicated turn lane for this development, could be considered to help manage congestion. He emphasized that these infrastructure and landscaping improvements could make the project more palatable to the community. He wondered whether such discussions were possible as the development moved forward.

Applicant did not wish to rebut.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne.
Move to approve Item 25-106 PUD-001893- 2024 (Planned Unit Development) and BAZ-001891-2024 (Rezoning), Aspen Creek Villas, approximately 90 acres, A-1 (Agricultural) to RS-4 (Residential Single Family) with a PUD, located north of Tucson Street (121st Street) and approximately one-quarter mile east of Olive Avenue (129th Avenue)

The motion carried by the following vote:

Aye: 3 -

Mindy Payne, Jaylee Klempa, Robert Goranson

E. 25-105

Public hearing, consideration, and possible action regarding BAZ-001900-2024 (Rezoning), April Barker, 2.62 acres, A-RE (Annexed Residential Estate), located one-half mile north of New Orleans Street (101st Street), one-third mile west of 23rd Street (193rd E. Avenue/County Line Road)

Henry Bibelheimer, Planner II, presented Item 25-105 for applicant April Barker. The public hearing for BAZ 1900 concerns a rezoning request on approximately 2.62 acres currently zoned Annexed Residential Estate (A-RE). The property is unplatted and located north of New Orleans Street and west of 23rd Street. The owner has applied for a lot split to build a second single-family home, which triggered the requirement to rezone the property to a permanent zoning district. A variance request for a sidewalk waiver has also been submitted.

The surrounding neighborhood consists of similar properties originally annexed as A-RE but have since been rezoned to Residential Estate (RE) or RS-1 during redevelopment. The comprehensive plan designates the area as Level 1, supporting rezoning to RE. Since A-RE is a transitional zoning classification, it must be rezoned before any development occurs. The property is not located in a floodplain, and based on the comprehensive plan, location, and surrounding land uses, staff recommends approval of the rezoning and the waiver of platting.

Martha Schmidt is in opposition and expressed concerns about the potential impact of the rezoning on the surrounding neighborhood, which includes barns and small businesses. They wanted to understand whether the approval would change land use patterns or create restrictions for existing properties. Additionally, they questioned why residents in the area did not receive official notification about the rezoning request. They pointed out that the property in question is located on a dead-end road, meaning that only a few people would have noticed the posted sign unless they happened to pass by. The resident mentioned discussing the issue with neighbors, who were unaware of the hearing and sought clarification on the notification

process for rezoning cases.

Ms. Schmidt and the commission further discussed concerns about the rezoning request for BAZ-001900-2024, specifically how it might impact the surrounding properties and the broader neighborhood. It was clarified that state law requires notification within 300 feet of the subject property, which is why some nearby residents may not have received direct notice. Since the lots in the area are large, the 300-foot radius does not cover many homes. The city also posted a public notice sign and published a notice in the *Tulsa World* to meet all legal requirements.

Regarding potential changes, it was emphasized that the rezoning would not affect existing properties, businesses, barns, or animal ownership. The request only applies to the applicant's lot and would allow them to split the property to build an additional home. The rezoning does not introduce new land use regulations beyond what is already permitted under Residential Estate (RE) zoning. Martha Schmidt expressed concerns that the rezoning could increase future density and disrupt the area's rural character. She also worried about the narrow two-lane road and how additional homes could impact traffic.

It was assured the lot sizes would remain relatively large, as each lot would still need a minimum of half an acre and at least 175 feet of road frontage. Due to the available frontage, the proposed split would only allow for two lots, not more. It was reiterated that property owners still have complete control over their land, and any future rezoning or lot splits would require a similar public process. It was emphasized that the rezoning aligns with previous land use changes in the area and follows city planning guidelines.

Dustin Hahn, a resident, is in opposition. He spoke on behalf of his neighbors, particularly one directly affected by the lot split to the west of the proposed rezoning. He explained that many families in the area have lived there for generations, maintaining an agricultural way of life with animals such as goats and cows. Before the city annexation, residents had no say in the process, and since then, residential lot splits have significantly impacted their properties. One concern was removing trees on the rezoned lot, which previously provided shade for animals on the neighboring property.

Mr. Hahn also noted that past housing developments to the west had negative consequences, including stormwater runoff issues that affected surrounding land. He pointed out that a new pond was recently added on the subject property, pushing the new homes closer to the neighbors on both the east and west sides, increasing concerns about proximity to fences and existing properties.

Beyond land use concerns, Mr. Hahn raised infrastructure limitations, emphasizing that the area lacks city water, sewage, and fire hydrants. With houses being built closer together, he worried about fire safety risks and the potential for animal displacement or conflicts with new neighbors who may not be accustomed to living near livestock. He concluded by expressing concerns that introducing new residential developments could gradually alter the close-knit, agricultural nature of the community and lead to ongoing disputes over land use and lifestyle differences.

Further discussion addressed concerns about setbacks, fire safety, and infrastructure limitations in the area. Jonathan Townsend clarified that minimum side setbacks are 15 feet on each side, meaning houses would be at least 30 feet apart, regardless of whether the zoning remains A-RE or changes to RE.

Mr. Hahn raised further concerns about the lack of infrastructure, particularly the absence of city sewer, water, and fire hydrants. It was explained that the property owner would need Department of Environmental Quality (DEQ) approval to install a septic system, which is common in rural areas. While residents could collectively request city sewer services, many parts of Broken Arrow still rely on septic and aerobic systems.

Regarding fire safety, the limited hydrant access was acknowledged but noted that a fire hydrant is planned near the neighboring subdivision to the west. Additionally, there will be a gated fire access road at the end of the new subdivision, which can be unlocked by emergency personnel if needed. However, this gate will remain closed to regular traffic, ensuring it does not alter existing traffic flow or create a new through-street. Hahn acknowledged the response but maintained concerns about the area's overall residential suitability given its rural infrastructure constraints. *Two letters from residents were also read for the record.*

MOTION: A motion was made by Mindy Payne, seconded by Jaylee Klempa.
Move to approve Item 25-105 BAZ-001900-2024 (Rezoning), April Barker, 2.62 acres, A-RE (Annexed Residential Estate), located one-half mile north of New Orleans Street (101st Street), one-third mile west of 23rd Street (193rd E. Avenue/County Line Road)
The motion carried by the following vote:

Aye: 3 - Mindy Payne, Jaylee Klempa, Robert Goranson

7. Appeals - NONE

8. General Commission Business

- A. 25-108 **Consideration, Discussion, and Possible action regarding a waiver to Section 4.1(n) of the Land Subdivision Code for April Barker, approximately 2.62 acres, A-RE (Annexed Residential Estate) to RE (Residential Estate) via BAZ-001900-2024, located one-half mile north of New Orleans Street (101st Street), one-third mile west of 23rd Street (193rd E. Avenue/County Line Road)**

Henry Bibelheimer, Planner II, presented Item 25-108 for applicant April Barker, which considers a waiver request to Section 4.1(N) of the Land Subdivision Code for April Barker's 2.62-acre property associated with BAZ-001900-2024. The property is located north of New Orleans Street and west of 23rd Street in a semi-rural area where sidewalks are not currently present. The owner has applied for a lot split to construct a second single-family home, triggering the requirement for a sidewalk along 96th Street frontage upon permit approval.

Mr. Bibelheimer noted that since 2017, four rezonings and four lot splits have occurred in the vicinity, resulting in three newly constructed homes, none of which were required to install sidewalks. Given the area's semi-rural character and lack of existing sidewalks, the applicant has requested a waiver of the sidewalk requirement. Based on the property's location and surrounding land uses, city staff recommended approving the waiver to Section 4.1(N), effectively removing the sidewalk requirement for the proposed home construction. Staff confirmed their availability for further questions regarding the request.

MOTION: A motion was made by Robert Goranson, seconded by Mindy Payne.
Move to approve Item 25-108 a waiver to Section 4.1(n) of the Land Subdivision Code for April Barker, approximately 2.62 acres, A-RE (Annexed Residential Estate) to RE (Residential Estate) via BAZ-001900-2024, located one-half mile north of New Orleans Street (101st Street), one-third mile west of 23rd Street (193rd E. Avenue/County Line Road)

The motion carried by the following vote:

Aye: 3 - Mindy Payne, Jaylee Klempa, Robert Goranson

- B. 25-107 **Consideration, discussion, and clarification regarding PUD-001814-2024 minor amendment, Antler Falls, 45.84 acres, PUD-001242-2023 (Planned Unit Development)/RS-4 (Single-Family Residential), located on the southeast corner of Houston Street (81st Street) and Midway Road (257th East Avenue)**

Amanda Yamaguchi, Planning and Development Manager, presented Item 25-107.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne.
Move to continue Item 25-107 PUD-001814-2024 minor amendment, Antler Falls, 45.84 acres, PUD-001242-2023 (Planned Unit Development)/RS-4 (Single-Family Residential), located on the southeast corner of Houston Street (81st Street) and Midway Road (257th East Avenue) to next Planning Commission Meeting.

The motion carried by the following vote:

Aye: 3 - Mindy Payne, Jaylee Klempa, Robert Goranson

9. Remarks, Inquiries, and Comments by Planning Commission and Staff (No Action) - NONE

10. Adjournment

The meeting adjourned at 6:47 p.m.

MOTION: A motion was made by Mindy Payne, seconded by Jaylee Klempa.

Move to adjourn

The motion carried by the following vote:

Aye: 3 - Mindy Payne, Jaylee Klempa, Robert Goranson