



City of Broken Arrow

Minutes Planning Commission

City Hall
220 S 1st Street
Broken Arrow OK
74012

Chairperson Robert Goranson
Vice Chair Jason Coan
Member Jaylee Klempa
Member Jonathan Townsend
Member Mindy Payne

Thursday, July 25, 2024

Time 5:30 p.m.

Council Chambers

1. Call to Order

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

2. Roll Call

Present: 5 - Mindy Payne, Jaylee Klempa, Jonathan Townsend, Jason Coan, Robert Goranson

3. Old Business

There was no Old Business.

4. Consideration of Consent Agenda

A. 24-994 **Approval of Planning Commission meeting minutes of June 27, 2024**
B. 24-974 **Approval of LOT-001357-2024, Furniture Row Lot Split, 1 lot to 3 lots, 19.52 acres, RM (Residential Multi-Family) and RD (Residential Duplex), approximately one-quarter mile east of Elm Place (161st Avenue), three-quarter mile north of Kenosha Street (71st Street)**
C. 24-988 **Approval of LOT-001610-2024, Ross Lot Split, 1 lot to 2 lots, 0.4017 acres, DM (Downtown Mixed-Use Core District) DROD Area 5, located approximately one-quarter mile east of Elm Place (161st E Ave.), and approximately one-half mile north of Houston Street (81st street)**
D. 24-990 **Approval of PR-000101-2022 | PT-001591-2024, Preliminary Plat, RoseWood Village, 4.43 acres, RM (Residential Multifamily), and PUD-000737-2023, located Approximately one-quarter mile north of Houston Street (81st Street), one-eighth mile east of Aspen Avenue (145th East Avenue)**

Chairperson Goranson asked if there were any Items to be removed from the Consent Agenda; there were none.

MOTION: A motion was made by Jason Coan, seconded by Mindy Payne.

Move to approve the Consent Agenda per Staff recommendations

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jaylee Klempa, Jonathan Townsend, Jason Coan, Robert Goranson

5. Consideration of Items Removed from Consent Agenda

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

6. Public Hearings

A. 24-989 **Public hearing, consideration, and possible action regarding BAZ-001459-2024 (Rezoning), Broken Arrow West, approximately 109.55 acres, A-1 (Agricultural) to RS-3 (Single Family Residential) located west of 193rd E Ave/ County Line Rd (23rd Street), and one-eighth mile south of Jasper Street (131st Street)**

Senior Planner Chris Cieslak reported BAZ-001459-2024 was a request to change the zoning designation on 109.55 acres from A-1 (Agricultural) to RS-3 (Single-Family Residential). He stated the property was located West of 193rd E Ave/ County Line Rd (23rd Street), and one-eighth mile south of Jasper Street (131st Street) and was unplatte. He indicated the property owner was rezoning the property for future Single-Family Residential development. He stated the development would be comprised of approximately 458 lots. He stated the area was Comprehensive Plan Level 2 which supported rezoning to RS-3. He this item was considered by the Planning Commission on May 23, 2024; in that meeting, it was brought to the Planning Commission and Staff's attention that the general location identified on the meeting agenda was incorrect for this item; therefore, Staff requested the item be continued so new notices could be sent to ensure the proper noticing requirements were met. He stated this was completed and the item was ready for Planning Commission recommendation. He noted the item was requested to be tabled by the applicant due to scheduling issues and was voted by Planning Commission to be tabled to the July 25th, 2024, Planning Commission meeting. He stated based upon the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommended BAZ-001459-2024 be approved subject to

platting.

The applicant, Allan Betchan, with AAB Engineering stated RS-3 was the proposal, but the anticipated use was 70 by 130 foot lots which conformed to RS-2 frontage requirements and area requirements. He explained the reason RS-3 was requested was due to the topography of the property. He explained there were many curvilinear roads on which some of the lots would require a 60 foot lot frontage, so having RS-3 would allow the density the developer wished to achieve. He noted the bulk of the lots would be 70 feet by 130 feet. He stated this was a multiple phase development and there were 88 acres south of the property which had the potential to be developed should an annexation request come forward and should the City decide to annex the property. He stated on the zoning application submitted the layout had about 230 to 240 lots which indicated a 20,000 square foot density which was well beyond any urban density.

Chair Goranson asked if the 230 to 240 lots would be on the 109 acres.

Mr. Betchan responded in the affirmative. He stated he expected to come back in the future with an annexation phase, but there were questions for Staff he needed answered about how annexation would work and what the City preferred.

Chair Goranson stated this changed his questions as a reduction to 240 lots was significantly less dense than 457 lots.

Mr. Betchan explained City Staff calculated numbers for the overall development plan for the entire development, but this was the first phase only with 109 acres and perhaps 240 lots. He noted the southern portion of the development would be largely half acre lots, but the developer was still deciding whether it was appropriate to annex into Broken Arrow or to leave the land in the County. He noted this was an RS-3 zoning request, but the developer would not be near the density afforded in the RS-3 zoning; he simply wanted some flexibility with the curved streets.

Chair Goranson asked if there would be onsite detention. He asked about the channelization work in the area to the west.

Mr. Betchan stated from a drainage perspective, when the area was in the lower reaches of a basin, whether onsite detention was the right thing to do came into question. He stated he had done projects north, further up the creek, and it was agreed that detention was actually a negative, and this was further down the basin. He explained the developer would address the drainage as required by Staff, and there was room for detention, but he did not know if detention would be the best option.

Chair Goranson stated he understood this would be worked out with City Staff and Engineering, but he was wondering if the detention was why the number of lots was reduced to 240.

Mr. Betchan explained it was really about topography for this parcel of land. He explained it was really steep on the west side, near the creek, and there were fingers of the creek which extended into the parcel, and the developer did not want to go in and strip the land and make it level. He stated the developer wanted to respect the land and leave a large native buffer between this new development and the subdivision to the west. He stated the Planning Commission was considering the zoning request to RS-3 and the associated density requirements.

Chair Goranson agreed noting the zoning request did fit in the Comprehensive Plan for this land.

Mr. Betchan stated there was no way to fit 457 lots on these 109 acres. He stated this product was not small lot or entry level homes; this would be a \$400,000 dollars and up product and the lots were 130 feet deep and at least 10 to 20 feet longer in frontage than the 50 foot frontage lot sizes this developer typically built.

Chair Goranson asked if the additional 88 acres, Phase 2, would also be RS-3 if annexed into the City of Broken Arrow.

Mr. Betchan stated there was a portion of Phase 2 which would be small lot, and a portion which would be half acre lots, and the question of whether the half acre lots would be developed in the City of Broken Arrow came down to some conversations about roads and densities, water lines, and whether it was a Rural Water District or City Water District, etc. He stated Staff was trying to be transparent about this being a part of a bigger development which was why the number of lots was so high in the Staff Report.

Commissioner Jonathan Townsend asked if the Phase 2 portion of the project would be

considered separately.

Planning and Development Manager Amanda Yamaguchi responded Phase 2 would be considered separately from this application. She explained there was a portion of the property to the south, which was outside of City Limits at this time, and if this was brought into the City it would be a separate application.

Mr. Betchan agreed.

Vice Chair Jason Coan noted the platting would also come before the Planning Commission for review to verify what was being said.

Ms. Yamaguchi read the public comments emailed in by Citizens Mary Balcerak, Ed Balcerak, Cindy Fulps, Bret Carder, Chip Jones, Coleman and Elisa Wright, and Rob Schnare. The Citizens' concerns included overpopulation of the area with 457 additional homes, traffic count increases, traffic safety concerns, traffic congestion concerns, where the access points were located, noise pollution concerns, school overcrowding, current traffic difficulties, utility capacity concerns, traffic accident concerns, potholes in the area, reduced quality of life concerns, and increased crime concerns. The Citizens requested a change in access points, reduction in number of lots, increased lot sizes, and/or a denial of the application.

Ms. Yamaguchi indicated Robin Barber signed up in opposition but did not wish to speak.

Citizen Michael Ruzicka stated he was in opposition and had concerns regarding traffic.

Citizen Kevin Teakell stated he was in opposition and had concerns regarding traffic and wished for less density.

Citizen Carol Belk spoke in opposition. She stated she wanted RS-2 zoning on the property and had concerns regarding traffic.

Citizen Johnathan Barber spoke in opposition and had concerns regarding the utilities, too much density, and wanted RS-2 zoning.

Citizen Tom Lloyd stated he was in opposition and had concerns regarding the road conditions and the traffic. He indicated he wanted to see a guarantee for road improvements if approved.

Citizen Thena Lloyd was in opposition but did not wish to speak.

The applicant Alan Betchan stated his client, the developer, was building 115 homes on the east side, which was an 80 acre tract of land, and all the lots exceeded half acres. He stated the developer also owned 120 acres south which was undeveloped as well. He stated the sum total of the land owned by the developer was a little over 310 acres, and the total density would be less than 450 homes, which was far less and far lighter of a touch than would be found in the City of Broken Arrow. He stated the developer was very respectful of the area and type of development. He noted half acre lots were what were predominantly found in this area of Broken Arrow. He stated with this development the number of rooftops would increase which would encourage the City of Broken Arrow to make infrastructure improvements in the area as well. He stated this was not intended to be a Rausch Coleman project, Executive was looking to build these homes; it was not an entry level product. He explained again that RS-3 was only being requested to give the developer some wiggle room in the lot frontage requirements due to the curves in the roads; the development would exceed RS-3 lot sizes. He noted in terms of infrastructure the developer would bring in the necessary utilities and would meet City regulations. He stated the development would bring in the demand which would push the utilities companies to make improvements as well.

Chair Goranson asked if Mr. Betchan considered a PUD as this application was a bit misleading with the 457 lots. He said if Planning Commission approved this, the developer was not locked into 240 homes, but if there was a PUD it could be locked in.

Mr. Betchan stated the developer would be locked into 60 foot lots with 7,000 square feet of minimum square footage.

Chair Goranson noted this meant a lot more homes could be built on the property.

Mr. Betchan stated even so, it would be a less dense product than the developer otherwise would be looking at. He stated a PUD was considered, but it was his and Staff's opinion that this was in conformance with the Comprehensive Plan; the developer was not asking for excessive density or anything which would warrant a PUD.

Chair Goranson asked why the application listed 457 lots.

Ms. Yamaguchi explained during the predevelopment meeting, Staff received a conceptual exhibit which showed all of the areas which were not annexed into the City of Broken Arrow, so the 457 lots came from Staff looking at the overall plan. She stated Staff should have taken off the numbers for the parts which were not included in this application. She indicated Staff was very aware the applicant would have a much smaller number of lots. She noted over half of the development reviewed in the preconceptual meeting was not being considered at this time.

Chair Goranson stated this was a relief but with RS-3 zoning approved it was important to remember that the developer could return with a large number of lots for the property than 240 lots.

Mr. Betchan stated a conceptual development plan was not even needed for a rezoning application, but the developer was trying to be very clear and honest about what the development would be.

Commissioner Klempa noted the conceptual plan was not included in the Staff Report for this application.

Ms. Yamaguchi explained when Staff was looking for a PUD on a development it was to give relief from the zoning code for a specific reason. She stated in this case there was no reason to give relief because the developer could meet all of the criteria. She said Staff was not looking for a PUD on something which could be straight zoning; if there was no need for a PUD, Staff would not recommend a PUD. She stated when the developer came through platting, Staff would make sure the developer met the minimum lot frontage and size on every single lot, so if RS-3 were approved, Staff would hold the developer to the RS-3 standards; there would be no lots smaller than RS-3.

Mr. Betchan stated as part of the platting requirement there was a strenuous engineering and design criteria manual which had to be adhered to, and the developer had to be able to validate that there was adequate infrastructure to support the development. He stated this was the very first phase of the process and construction would likely not begin for over two years.

Chair Goranson asked if the City was taking any responsibility for fixing County Line Road or was this Wagoner County and Tulsa County. He noted the bridge was just replaced down by 141st.

Mr. Rocky Henkel stated a couple of years ago the City and the County swapped roads for replacement of the bridge. He stated the bridge which was replaced was a City of Broken Arrow bridge; Wagoner County took it over and other roads were swapped for the bridge, so the City was responsible for maintenance of County Line Road all the way down to 141st.

Mr. Betchan stated this was how the City obtained the right-of-way which would allow the City to make improvements to the street, through development. He stated the developer was required to give right-of-way to the City for this property.

Chair Goranson agreed. He agreed increasing the rooftops in the area would push the City to improve the roads in the area; an increased number of drivers showed an increased need for road improvements.

Mr. Betchan agreed.

Commissioner Klempa stated when it went through engineering there would be an evaluation to determine whether a turn lane into and out of the development were needed.

Chair Goranson agreed.

Mr. Betchan stated this development had such a light intensity he was unsure whether a traffic study would be required by the City, but if so, it would be done.

Chair Goranson asked if a possible stub street to the north was being considered.

Mr. Betchan responded there was no way to get to the north because of the creek. He stated the developer owned the property to the south which reached 141st but whether the development stubbed to 141st was a conversation with the County and the City to be held at a later date.

Vice Chair Coan noted there were a multitude of factors which would be considered during this process, this was the first step. He noted he rode his motorcycle in this area and the roads did need some work and he agreed the roads were much more likely to be improved as areas

developed. He stated he was not saying the City would jump to widen this road in the near future, but he believed the City would address the potholes in a timely manner. He said it was nice to hear there would be a nice reduction in the volume of homes and he felt this was a good compromise between some of the citizens' concerns and the overall development of the area.

Chair Goranson noted there was only a 10 foot frontage difference between lot sizes in RS-3 and RS-2 and it sounded like there was a lot less density planned for this property than what potentially could fit.

Vice Chair Coan asked what it would take to change a PUD.

Ms. Yamaguchi stated if the property was under one owner and the property wanted to make a change to the PUD, the property owner could submit an application to go before City Council and Planning Commission. She explained if there was a 200 home subdivision with individual property owners, then all 200 property owners would have to sign off to make any changes to the PUD.

Vice Chair Coan stated he only asked about changes to a PUD because it was important to understand a PUD was not always the best choice; it could complicate things for homeowners who might want to make changes on their property.

Ms. Yamaguchi stated this was not exactly correct. She explained there was a process to go through to get relief for one home in a subdivision which had a PUD, but if there was a larger development with a PUD and the overall PUD needed to be changed, then it became a much bigger issue.

Chair Goranson noted if the RS-3 request was denied, the applicant could return with an RS-4 application.

Ms. Yamaguchi stated Staff was recommending approval of the request of the applicant; this was not the City saying the property should be anything. She explained when an applicant made a request, Staff presented the request. She stated if the applicant returned with an RS-2 application it would be processed in the same way as this RS-3 application was processed. She explained the only thing the Planning Commission could consider was the application which was submitted.

Chair Goranson noted the Planning Commission also considered whether the application was in accordance with the Comprehensive Plan, and the Comprehensive Plan did permit RS-3 zoning for this property. He noted the Comprehensive Plan also permitted RS-2, RS-4 and even RD, residential duplex, was possible.

Chair Goranson closed the public hearing.

MOTION: A motion was made by Jaylee Klempa, seconded by Jason Coan.

Move to approve Item 6A per Staff recommendation

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jaylee Klempa, Jonathan Townsend, Jason Coan, Robert Goranson

Chairperson Goranson indicated this Item would go before City Council on August 20, 2024 at 6:30 p.m. He stated the public would have an opportunity to speak before City Council.

B. 24-995

Public hearing, consideration, and possible action regarding PUD-001521-2024 and BAZ-001569-2024, 81st Street Office Storage, 40 acres, A-1 (Agricultural) to IL (Industrial Light)/PUD (Planned Unit Development)-001521-2024, located north of Houston Street (81st Street), one-quarter mile west of 23rd Street (193rd East Avenue/County Line Road)

Staff Planner Henry Bibelheimer reported PUD-001521-2024 and BAZ-001569-2024 were a request to rezone 40 acres from A-1 to IL/PUD-001521-2024. He stated this property was currently un-platted and undeveloped and was located north of Houston Street (81st Street), one-quarter mile west of 23rd Street (193rd East Avenue/County Line Road). He stated PUD-001521-2024 was on the Planning Commission Agenda on June 13th 2024, where it was continued to July 11th 2024 per the applicant's and Staff's request. He stated during the July 11th Planning Commission, this item was continued to July 25th (today's) agenda. He stated BAZ-001569-2024 proposed to rezone this property to Industrial Light (IL). He indicated this property was Comprehensive Plan Level 6, which labeled rezoning to IL as possible. He noted in the Future Development Guide of the Comprehensive Plan (attached) it indicated IL would be considered in accordance with the comprehensive plan under the following conditions: "1) Done in association with a PUD; 2) Such sites adjoin an existing industrial park; 3) Such sites with high visibility from roadways have the appearance of a quality corporate campus or business park; featuring quality landscaping, masonry building facades and no outdoor storage of materials; and are carefully reviewed as to proposed

architectural styles, landscape, location of service areas, and according to the use of the PUD procedure; and 4) Such sites that may adjoin residential areas are thoroughly screened and buffered from such areas by landscaping and/or less intense land uses. He stated this site met the requirements of number 2 above, as the property abutted existing industrial sites on the west and the south of the proposed site. He stated BAZ-001569-2024 was submitted with PUD-001521-2024, which meant this project met number 1 above. He noted Staff believed the reason the Comprehensive Plan required a PUD for IL to be supported by Comprehensive Plan in level 6 was to increase the requirements listed above in number 3 and 4. He stated Staff believed this site had high visibility from Houston Street, which meant for a request to rezone to IL to align with the Comprehensive Plan number 3, the PUD must have requirements which gave the property the appearance of a quality corporate campus or business park. He noted some of the ways the Comprehensive Plan encouraged these businesses to have the appearance of a corporate campus was to increase landscaping requirements, incorporate masonry façade requirements, increase requirements for architectural styles, service locations, and use; additionally, number 4 above pointed out that thorough screening and buffering through landscape areas or less intense uses where the property may adjoin residential uses would be on the east side of the property.

Mr. Bibelheimer stated PUD-001521-2024 was submitted as a requirement to rezone to Industrial Light in level 6 of the Comprehensive Plan. He noted this development was being submitted with the intention of developing 12 acres of this site for the storage and distribution of portable buildings. He stated the other 28 acres were proposed to be used as a future industrial light development. He indicated the PUD proposed a development area 1 and 2; development area 1 was comprised of the 12 acres to be developed first, as shown in the conceptual site plan; development area 2 was proposed to be the remaining 28 acres on the eastern side of the parcel. He reviewed some of the relevant sections of PUD-001521-2024: 1) Landscaping: PUD-001521-2024 proposed development area 1 would be developed with a 300 foot landscape edge along Houston Street; this landscape area would contain a detention pond, and at least one tree per 30 linear feet of frontage. He noted if this were developed with straight zoning a 10 foot landscape edge would be required. 2) Development area 2 was proposed to be developed with a minimum of a 200 foot landscape edge; this landscape edge could contain a detention facility, as well as at least one tree per 30 linear feet. He stated Staff believes this was adequate to meet the Comprehensive Plan requirement for “quality landscaping” where the property was highly visible from an arterial street as laid out in condition number 3 above. He stated PUD-001521-2024 also proposed to buffer the existing residential to the east with a 15 foot landscape buffer which would be planted with a minimum of one tree per 30 linear feet. He noted this landscaping would only be required to be installed if the property to the east remained a residential use when development area 2 was developed. He stated the buffer to the residential property to the east was required by condition number 4 from the Comprehensive Plan. He stated Staff felt a 30 foot landscape edge would “thoroughly” screen and buffer the residential property to the east. He noted this was the recommended change by Staff. He indicated code required a 10 foot landscape edge, the PUD indicated a 15 foot landscape edge; additionally, code required 1 tree per 50 linear feet be planted and the applicant recommended 1 tree per 30 linear feet.

Mr. Bibelheimer reported development area 2 was proposed to be developed within the use regulations of the zoning ordinance; development area 1 was proposed to allow for storage yard as defined in the zoning ordinance and limited the allowed uses to outdoor storage and distribution of completed relocatable buildings. He stated the surrounding land uses and Comprehensive Plan were in the Staff Report. He stated according to Section 6.4.A of the Zoning Ordinance, the PUD provisions were established for one (1) or more of the purposes listed in the Staff Report. He stated Staff believed PUD-001521-2024 met provisions 1, 2, and 3 by providing a large landscape buffer and beautification along Houston Street. He stated according to FEMA maps, none of the property was located in the 100-year floodplain; water and sanitary sewer were available from the City of Broken Arrow. He stated based on the Comprehensive Plan and the surrounding land uses, staff recommended PUD-001521-2024 and BAZ-001569-2024 be approved subject to a 30 foot landscape edge being added on the eastern side, and the property being platted.

Chair Goranson asked about the 30 foot landscape buffer.

Mr. Bibelheimer explained the 30 foot buffer would only be required if the use remained a residential use when development area 2 was developed.

Chair Goranson asked why Staff was indicating the buffer only needed to be installed if the land remained residential.

Mr. Bibelheimer explained the Comprehensive Plan indicated the property was Level 6, so there was a chance the land was developed in a similar way with commercial or industrial use, and development area 2 might not be developed for 10 or 20 years and if the property became a higher density development to the east, then the PUD would not require a 30 foot landscape buffer.

Chair Goranson noted the language regarding when the 30 foot landscape buffer was required to be installed should be clearer. He noted the PUD could read when development area 2 began to be developed the landscape buffer had to be installed and if the property owner wished to make a change an amendment could be applied for.

The applicant, Nathan Cross, stated he was in agreement with Staff recommendation except was requesting a 15 foot landscape buffer instead of a 30 foot landscape buffer. He commended City Staff for their assistance in developing the PUD and the landscaping plan. He stated his client felt he was going above and beyond for the landscaping with the 300 foot buffer in the front, the 15 foot buffer to the east, and the increase in trees from one per 50 linear feet to one per 30 linear feet.

Chair Goranson asked if the detention area would be a wet or dry pond.

Mr. Cross stated the developer committed to a wet pond with a fountain in development area 1; the developer had not committed to anything in development area 2 other than putting in a 200 foot buffer.

Chair Goranson thanked Staff and the applicant for working together.

Ms. Yamaguchi indicated no members of the public had signed up to speak.

Chair Goranson closed the public hearing.

MOTION: A motion was made by Jason Coan, seconded by Mindy Payne.

Move to approve Item 6B per Staff recommendations but with a 15 foot landscape edge to east

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jaylee Klempa, Jonathan Townsend, Jason Coan, Robert Goranson

7. Appeals

There were no appeals.

8. General Commission Business

A. 24-971 **Consideration, discussion, and possible approval of PT-001571-2024|PR-000510-2023, Conditional Final Plat, Antler Falls, approximately 46 acres, 149 Lots, A-1 (Agricultural) to RS-4 (Single-Family Residential)/PUD-001242-2023 (Planned Unit Development), located south and east of the southeast corner of Houston Street (81st Street) and 257th Street (Midway Road)**

Ms. Yamaguchi reported this continued from the last meeting's Consent Agenda. She stated PUD-001521-2024 and BAZ-001569-2024 were a request to rezone 40 acres from A-1 to IL/PUD-001521-2024. She stated the property was currently un-platted and undeveloped and was located north of Houston Street (81st Street), one-quarter mile west of 23rd Street (193rd East Avenue/County Line Road). She stated she believed this was continued because Commissioner Payne had a question for the applicant who was not present at the previous meeting.

The applicant, Justin DeBruin, Wallace Design Collective, stated he was present with Brad Hoffman, the developer.

Commissioner Payne asked for Mr. DeBruin's thoughts on number 21, the basketball goals: "No basketball goals shall be visible from a public or private street." She asked if this development was for the older generation.

Mr. DeBruin stated this development would be similar to Lakes at Rabbit Run, a 55 and over community with higher than standard building façades. He stated there were a number of reserve areas which would allow for a number of amenities including basketball.

Commissioner Payne asked about the statement "Dogs shall be kept inside the dwelling between the hours of 10 p.m. and 7 a.m." She asked if there was any wiggle room on this because occasionally animals had to be let out in the middle of the night to use the restroom or before 7 a.m. in the morning.

Mr. DeBruin stated he believed the developer would be willing to sacrifice this time restraint.

Vice Chair Coan asked if it was safe to assume the idea was the developer did not want to have animals chained outside all night.

Mr. DeBruin responded in the affirmative.

Commissioner Klempa agreed residents would not want dogs outside barking while the

neighbors were trying to sleep.

Commissioner Payne stated she understood, but this was a bit restrictive.

Discussion ensued regarding the basketball goals in Section 21.

Mr. DeBruin stated this was a restriction similar to the one regarding trash receptacles; the idea was to keep the view aesthetically pleasing and for basketball goals to be placed out of site.

Discussion ensued about how to better word some of the covenant regulations.

Chair Goranson stated he felt this would be a very nice development.

MOTION: A motion was made by Mindy Payne, seconded by Jonathan Townsend.

Move to approve Item 8A per Staff recommendations

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jaylee Klempa, Jonathan Townsend, Jason Coan, Robert Goranson

Chair Goranson indicated this would go before City Council on August 5, 2024, at 6:30 p.m.

Vice Chair Coan thanked Commissioner Payne for asking these questions.

B. 24-997 Consideration, discussion and possible approval of a request for a variance from section 5.1 of the Land Subdivision Code for LOT-001645-2024, Northside Christian Church, 5.59 acres, located approximately one-quarter mile north of Kenosha Street (71st Street), east of Elm Place (161st Avenue)

Mr. Bibelheimer reported this request for a variance from the Land Subdivision Code involving 5.59 acres intended to split one lot into two to create an eastern lot of 3.46 acres and a western lot of 2.13 acres. He stated the property was located one-quarter mile north of Kenosha Street, east of Elm Place and was platted as Lot 1 Block 1 Northside Christian Church. He stated Article 5 Section 5.1 of the Land Subdivision Code was updated by Ordinance 3710 (attached), which stated the procedures of this section may be used instead of the subdivision procedures for all lot splits which were non-exempt land divisions of platted or unplatte property resulting in the creation of no more than three (3) lots, including any remainders of the parent tract. He stated Article 1 Section 1.4 provided the Planning Commission the authority in administration as a governing body. He indicated the applicant was requesting approval by the Planning Commission to create a fourth lot from the original platted Lot 1 Block 1 Northside Christian Church. He noted a lot split application was submitted as LOT-001645-2024, which would create the fourth lot. He stated this lot was shown in the attached exhibit as the dotted line which divided the property. He stated there was currently one building on the existing lot which faced Elm Place; additionally, the lot currently had two zoning districts and two land use categories. He stated the applicant should have a pre-development meeting with Staff before proceeding with any further lot splits, rezonings, or comprehensive plan changes. He noted the property owner for this application was now Jared James, not Mr. Carpenter. He stated additionally in the present zoning there was CH, R-2, RM, with a specific use permit 196A as the present zoning, which was three zonings; but there was a fourth zoning of CN on the southern end, and this was added to the Staff Report moving forward. He stated this was a request for a variance, not a request for a lot split; the variance would have to be approved by City Council before the applicant could submit for a lot split. He stated Staff recommended the Land Subdivision Code variance for Northside Christian Church be approved.

The applicant Jared James stated he was in agreement with Staff recommendations. He discussed the intended lot split and why it was being considered. He discussed the different zonings on this property.

Commissioner Payne asked if this was a cleanup item.

Ms. Yamaguchi explained this was originally one lot, split into three lots, and one of the lots which was created was strange because it had lots of zoning districts, was in two Comprehensive Plan areas, it was just different. She stated the reason the subdivision regulations prohibited the creation of no more than three lots stemmed from issues where unplatte properties were being divided into 20 lots and then it became difficult to account for easements and right-of-way and such. She stated this particular piece of property had the necessary frontage and easements and right-of-way; it was already platted; therefore, Staff was recommending approval.

Chair Goranson stated the restriction to three lot splits was in place so City Staff could evaluate each request on its own merit and to make sure the City had what it needed as well as the applicant.

Ms. Yamaguchi concurred.

MOTION: A motion was made by Jason Coan, seconded by Jaylee Klempa.

Move to approve Item 8B per Staff recommendations

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jaylee Klempa, Jonathan Townsend, Jason Coan, Robert Goranson

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

Commissioner Townsend requested an update on the New Orleans Square committee.

Mr. Rocky Henkel responded City Staff were trying to reach the property owners in the southwest quadrant of New Orleans Square to schedule the meetings.

Chair Goranson requested an update on the micro transit pilot program.

Mr. Henkel indicated the pilot program was getting about 100 users per week. He stated when the pilot program reached the 6th month it would be reassessed and expansion of services and service area would be considered, but it would be incremental increases over time. He said the program was exceeding expectations.

Chair Goranson asked if Mr. Henkel expected the program to be expanded.

Mr. Henkel indicated expansion of the program would be his recommendation to the City Manager's Office.

Ms. Yamaguchi stated the data regarding the micro transit program was not in a formal report but could be provided to the Planning Commission upon request.

Commissioner Klempa stated she would be curious to see the summer data compared to winter/spring data.

Ms. Yamaguchi stated the 6 month pilot program would enable the City to gather data from winter, spring and summer, as well as gather data during the beginning of the school year. She stated in September a recommendation would be made to City Council and City Manager and the implementation of any expansion would begin at the beginning of next year.

Mr. Henkel discussed some of the specific numbers related to the micro transit pilot program, noting the numbers were increasing as the summer went on which could be due to the program gaining popularity or the time of the year.

Chair Goranson asked if the ridership was single rides only or rideshare.

Mr. Henkel responded the program was a rideshare program, a dynamic riding program, so if an individual was requesting a ride which was somewhat on the way, the driver would pick up a second or third rider and drop off in whatever order optimized the route.

Chair Goranson asked who decided whether another rider would be picked up along the way.

Mr. Henkel responded the software made the decision. He stated the software was provided by Tulsa and told the driver where to go.

Chair Goranson requested an update on the subdivision regulations.

Ms. Yamaguchi explained the subdivision regulations were not moving forward as quickly as initially intended because the Zoning Ordinance needed to be approved first.

Mr. Henkel indicated the School District, City Council and City Staff would be meeting to review the updated Zoning Ordinance before it was approved. He stated the first meeting between these entities was held this morning and he hoped to have this completed by September or October.

Robert Goranson asked about the requirements for landscaping during a remodel.

Amanda Yamaguchi explained if the footprint of the building or the parking lot layout was changed, then the landscaping would need to be adjusted to meet current regulations; however, with an interior remodel or an exterior façade remodel, as long as the footprint was not being changed, the landscaping would not need to be updated. She stated if a property had a PUD which was approved in the 1970s, there were no landscaping requirements, and nothing would be required. She explained this was another reason Staff was selective about PUDs; PUDs permanently locked in certain design standards which would hold perpetually even if the City design standards changed.

A brief discussion ensued regarding PUDs and when a PUD was appropriate.

10. Adjournment

The meeting adjourned at approximately 7:13 p.m.

MOTION: A motion was made by Jonathan Townsend, seconded by Mindy Payne.

Move to adjourn

The motion carried by the following vote:

Aye: **5 -** Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson