



# City of Broken Arrow

City Hall  
220 S 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, December 19, 2024**

**Time 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:** 4 - Mindy Payne, Jaylee Klempa, Jason Coan, Robert Goranson

**Late:** 1 - Jonathan Townsend

**Item 6D was considered first on the agenda, due to the applicant's request to continue the item.**

**D. 24-1668 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)**

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

**Move to continue Item 6D COMP-001746- 2024 (per applicant request) College Street Development, 30.14 acres, Level 6 to Level 3, located west of County Line Road (23<sup>rd</sup> Street) and half a mile north of Houston Street (81<sup>st</sup> Street)**

The motion carried by the following vote:

**Aye:** 4 - Mindy Payne, Jaylee Klempa, Jason Coan, Robert Goranson

**Absent:** 1 - Jonathan Townsend

**Commissioner Jonathan Townsend arrived at 5:35 PM.**

### 3. Old Business

**A. 24-1658 Public hearing, consideration, and possible action 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)**

Joel Hensley, Senior Planner, presented Item 3A concerning a minor amendment (PUD-001814-2024) to a previously approved plan (PUD-001242-2023) for Antler Falls, a single-family residential development on 45.84 acres at Houston Street and Midway Road. The amendment involves reduced side setbacks, creating a master-planned zero-lot-line development with up to 160 lots, gated private streets, and landscaped areas with amenities. The proposal aligns with RS4 zoning and the comprehensive plan, with no floodplain issues, and staff recommends approval due to minimal deviations from the original plan.

The applicants, Justin Debruin, represented Wallace Design Collective, and Brad Hoffman, Hoffman Custom Homes, were present for questions.

Chairman Robert Goranson questioned the decision-making process behind the proposed changes, noting the shift from RS-4 zoning to a PUD with initially proposed one- and nine-foot side yards, now reduced to one and five feet. They also inquired about the decrease in the maximum number of lots from 160 to 149 and sought clarification on how these adjustments were determined.

Mr. Debruin stated the houses in the proposed development will not be larger than initially planned and will follow the same floor plans and site designs used in the Lakes at Rabbit Run. The adjustments primarily address clarifying architectural elements, such as bay windows, to avoid ambiguity during permitting. These changes do not affect the site's density, but if denied, modifications to lot width and frontage may be required depending on staff interpretations of the current designs.

Chairman Goranson questioned the progression of changes to the side yard setbacks, noting

that under straight RS-4 zoning, such adjustments would require a variance or waiver through the Board of Adjustments. They express concern that the PUD process has allowed deviations, initially approved as one- and nine-foot setbacks, now reduced to one and seven feet. While acknowledging that each case is judged on merit, they express uncertainty about whether this approach is appropriate.

Mr. Debruin explained that the PUD was initiated to create a master-planned community with enhancements beyond standard zoning requirements, including gated, privately maintained amenities managed by a property owner association, reducing the city's responsibilities. The development is at the conditional final plat stage and was designed to streamline progress and avoid issues.

Concerns about the appearance of tightly spaced lots from Houston Street and Midway Road were raised. While fences between houses are not planned, high-quality perimeter fencing (Trex and ornamental styles) will ensure an appealing streetscape.

Mr. Brad Hoffman of Hoffman Custom Homes explained that the purpose of the amendment is to align building permits with existing floor plans, avoiding confusion regarding architectural elements. With over 200 floor plans at Lakes at Rabbit Run, features like fireplaces, bay windows, Murphy bed niches, and dining room furniture bays often extend two feet outward. The amendment ensures these pop-outs are accommodated without ambiguity during permitting, streamlining the process for the builder and city staff while maintaining the same floor plans and designs.

Mr. Hoffman and Chairman Goranson discussed concerns about the recurring use of PUDs to modify zoning requirements instead of following strict zoning standards. Brad Hoffman confirmed the situation is similar to his Bella Rose project near Oklahoma City, where the same floor plans are used. He explained that the decision to pursue a PUD came after its acceptance. It was driven by the need to clarify the interpretation of architectural elements to align with existing floor plans. While acknowledging that the development meets fire codes and maintains density, the speaker questioned why stricter zoning, such as RS3, was not pursued initially. They noted that under strict zoning, side yard waivers would require a hardship to be approved through the Board of Adjustments, emphasizing that the PUD process appears to bypass this step.

Vice Chairman Jason Coan expressed concerns about the proximity of homes with setbacks less than 10 feet, specifically regarding the placement of condensing units. He noted that units would need to be installed on the larger setback side, potentially leaving very little clearance between homes. Mr. Hoffman clarified that pop-outs like Murphy beds, dining room niches, and fireplaces would only occupy about 20% of the home's length, preserving the original setback (e.g., one and nine feet) for the main structure. He suggested specifying conditions for pop-outs, such as limiting them to 30% of the home's length. Still, he cautioned that this might complicate the building permit process and create interpretation challenges for the city.

Vice Chairmen Coan and Chairman Goranson acknowledged concerns about reduced setbacks and the placement of HVAC units. It was suggested that, if approved, a motion could require condensing units to be installed on the nine-foot side for both houses, avoiding placement on the seven-foot setback side. Mr. Hoffman clarified that the seven-foot measurement applies only to areas with architectural bump-outs, maintaining nine feet for the main structure's setback.

Mr. Hoffman explained that the PUD design prioritizes creating usable side yard spaces by pushing homes to one side, resulting in nine feet between houses for the main structure, with occasional two-foot bump-outs (e.g., Murphy beds, bay windows, or fireplaces). Condensing units would be placed within the nine-foot spaces, ensuring at least 10 feet between homes, except where bump-outs occur, which reduce the distance to seven feet. This clarification ensures consistency with Rabbit Run developments and maintains the functional and aesthetic value of the floor plans.

Vice Chairman Coan emphasized understanding this approach and confirmed that only about 20% of a home's side length would feature bump-outs, leaving 80% of the wall available for condensing unit placement, minimizing crowding, and maintaining usable space between homes.

The discussion concerned lot sizes, setbacks, and maintenance logistics. Chairman Goranson questioned whether the development would have been better served with larger lot sizes initially, simplifying the current issues. Mr. Hoffman emphasized the commitment to maintaining the same concept and design principles as previous successful developments, like Rabbit Run and Lakes at Rabbit Run, focusing on preserving the established floor plans and community aesthetic. He noted that widening the lots would deviate from this concept.

Hoffman clarified that the design includes Trex fencing along the property edges and between homes, providing durability and maintaining community value. He addressed concerns about zero-lot-line maintenance, explaining that covenants include provisions allowing homeowners to access the neighboring property for maintenance with 24-hour notice, ensuring practicality and cooperation among residents.

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

**Move to approve Item 3A 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) with a maximum of 20% bump out.**

The motion carried by the following vote:

**Aye: 3 -** Jonathan Townsend, Jaylee Klempa, Jason Coan  
**Nay: 2 -** Robert Goranson, Mindy Payne

#### 4. Consideration of Consent Agenda

- A. 24-1652 Approval of LOT-001888-2024, Midway Cottages, 1 lot to 2 lots, 0.18 acres, DROD Area 2 / R-3 (Downtown Residential Overlay District Area 2 / Residential Single-Family 3) / PUD-001249-2023 (Planned Unit Development), one-eighth mile south of Kenosha St (71st Street) and one-third mile west of 9th Street (177th Avenue/Lynn Lane Road)**
- B. 24-1667 Approval of PT-001886-2024|PR-000784-2024, Preliminary Plat for Aspen Market, 30.54 acres, CN (Commercial Neighborhood), CG (Commercial General), RD (Residential Duplex) and R-2 (Single-Family Residential) to CH (Commercial Heavy) and PUD-001818-2024 via BAZ-001817-2024, generally located on the northeast corner of Tucson Street (121st Street) and Aspen Avenue (145th East Avenue)**
- C. 24-1670 Approval of LOT-001887-2024, Catlett Lot Split, 1 lot to 2 lots, 2.44 acres, R-1 (Single Family Residential), located approximately one-quarter mile west of Elm Place (161st E Ave), and one-third mile north of Houston Street (81st street).**

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

**Move to approve Item 4B PT-001886-2024|PR-000784-2024, Preliminary Plat for Aspen Market, 30.54 acres, CN (Commercial Neighborhood), CG (Commercial General), RD (Residential Duplex) and R-2 (Single-Family Residential) to CH (Commercial Heavy). And Item 4C LOT-001887-2024, Catlett Lot Split, 1 lot to 2 lots, 2.44 acres, R-1 (Single Family Residential), located approximately one-quarter mile west of Elm Place (161st E Ave), and one-third mile north of Houston Street (81st street) of Consent Agenda.**

The motion carried by the following vote:

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

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

Joel Hensley, Senior Planner, presented Item 4A, a request to split Lot 1888-2024, a 0.18-acre parcel in the DROD Area 2/R3/PUD 1249-2023 zoning district, into two lots to accommodate the construction of single-family homes. The property near Kenosha Street and 9th Street meets the minimum requirements for lot frontage (35 feet) and land area (4,000 square feet). Utilities are available, and there are no objections from relevant agencies. Staff recommends approval of the lot split, contingent on the simultaneous submission of new warranty deeds to the planning and development division for stamping before recording in Tulsa County.

Public Comments: Nancy Beasley and Jeff Beasley, in opposition, did not wish to speak. (After the meeting Nancy and Jeff Beasley clarified they meant to oppose item 6C.) The applicant chose not to speak.

MOTION: A motion was made by Jonathan Townsend, seconded by Jason Coan.

**Move to approve Item 4A LOT-001888-2024, Midway Cottages, 1 lot to 2 lots, 0.18 acres, DROD Area 2 / R-3 (Downtown Residential Overlay District Area 2 / Residential Single-Family 3) / PUD-001249-2023 (Planned Unit Development), one-eighth mile south of Kenosha St (71st Street) and one-third mile west of 9th Street (177th Avenue/Lynn Lane Road).**

The motion carried by the following vote:

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

#### 6. Public Hearings

- A. 24-1660 Public hearing, consideration, and possible action regarding COMP- 001761-2024 (Comprehensive Plan Change), 510M, 3.46 acres, Level 3 (Transition Area) & Level 6 (Regional Employment/Commercial) to Level 3, located approximately one-third mile north of Kenosha Street (71st Street), east of Elm Place (161st E. Avenue).**

Joel Hensley, Senior Planner, presented Comp 1761-2024, a request to amend the comprehensive plan designation of a 3.46-acre property located north of Kenosha Street and east of Elm Place from Levels III and VI to Level III. The change is intended to facilitate future commercial development and is accompanied by a pending rezoning request to Office Neighborhood (ON). The amendment aligns with surrounding land uses and zoning, and no part of the property lies within a 100-year floodplain, although a blue line stream crosses the eastern side. Utilities are available, and staff recommends approval based on the property's location and compatibility with nearby developments.

Chairman Robert Goranson inquired whether the proposed amendment for Comp 1761-2024 is connected to nearby developments, including the housing addition to the east and the furniture factory, suggesting a potentially more significant overall plan for the area. Mr. Hensley clarified that this application is separate and submitted by a different applicant. While the proposed Office Neighborhood zoning indicates a likely office use, it does not preclude other permitted uses, and no broader plan linking this project to surrounding developments is known. Chairman Goranson acknowledged that the proposal seemed a good fit but was curious about potential connections.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne.  
**Move to approve Item 6A COMP- 001761-2024 (Comprehensive Plan Change), 510M, 3.46 acres, Level 3 (Transition Area) & Level 6 (Regional Employment/Commercial) to Level 3, located approximately one-third mile north of Kenosha Street (71st Street), east of Elm Place (161st E. Avenue).**

The motion carried by the following vote:

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

**B. 24-1661 Public hearing, consideration, and possible action regarding COMP- 001872-2024 (Comprehensive Plan Change), Furniture Row Lot Split, 1.63 acres, Level 3 (Transition Area) to Level 6 (Regional Employment/Commercial), located approximately one-half mile north of Kenosha Street (71st Street), one-third mile east of Elm Place (161st E. Avenue).**

Joel Hensley, Senior Planner, presented Item 6B COMP 1872-2024 involves a request to amend the comprehensive plan designation of a 1.63-acre unplatted property from Level III to Level VI, located about one-half mile north of Kenosha Street and one-third mile east of Elm Place. The change aims to facilitate future rezoning and planned unit development (PUD), although no draft PUD documents or conceptual plans have been provided. The amendment would allow for potential rezoning to any district permitted under the Level VI designation, as outlined in the comprehensive plan. The property is not within a 100-year floodplain, and utilities are available. Staff recommends approval based on its location and compatibility with surrounding land uses.

The applicant, Lou Reynolds, explained that the request to amend the comprehensive plan for COMP 1872-2024 is to facilitate the purchase of the property from Furniture Row to expand the Ferguson car dealership. The dealership plans to use the site for a new facility. Recently, Oakland Street was installed in front of the property through a public-private improvement process. The amendment is necessary to proceed with rezoning and align with the project's timeline, which includes constructing a new Furniture Row store and the dealership on the site.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne.  
**Move to approve Item 6B COMP- 001872-2024 (Comprehensive Plan Change), Furniture Row Lot Split, 1.63 acres, Level 3 (Transition Area) to Level 6 (Regional Employment/Commercial), located approximately one-half mile north of Kenosha Street (71st Street), one-third mile east of Elm Place (161st E. Avenue).**

The motion carried by the following vote:

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

**C. 24-1665 Public hearing, consideration, and possible action regarding COMP- 001874-2024 (Comprehensive Plan Change), Bel Lago, 17.2 acres, Level 2 (Urban Residential) to Level 3 (Transition Area), located approximately one-quarter mile north of Houston Street (81st Street), one-half mile west of Evans Road (225th E. Avenue).**

Joel Hensley, Senior Planner, presented Item 6C COMP 1874-2024, a request to amend the comprehensive plan designation of a 17.2-acre unplatted property from Level II to Level III, located about a quarter mile north of Houston Street and half a mile west of Evans Road. This amendment aims to enable potential residential development, with an anticipated subsequent rezoning request and PUD submission. While no draft PUD documents or conceptual plans have been provided, Level III zoning could accommodate various residential and mixed-use designations outlined in the comprehensive plan. The property is surrounded by residential and undeveloped land, with a blue line stream along its eastern boundary but no presence in

the 100-year floodplain. Utilities are available, and staff recommends approval based on the property's location and compatibility with surrounding land uses.

Applicant Tom Vogt of Jones Gotcher Attorneys clarified that the request concerns a change to the comprehensive plan, not rezoning, and addressed potential concerns from the community. He stated that the property owner, Pat McGuire, has partnered with Glenwood Homes, a builder specializing in single-family homes, not apartments. Glenwood Homes recently acquired adjacent Level III property to the west and plans to combine it with the current property for potential RM zoning development.

The envisioned development would include increased-density housing, such as duplexes or single-story detached homes, rather than multi-story apartment complexes. Glenwood Homes intends to avoid connecting new development streets to the stubbed-out roads of adjacent single-family neighborhoods, alleviating traffic concerns. The nearby creek and flood zone will remain unaffected due to existing platted easements and natural barriers. Additionally, RM zoning would require increased buffering between the new development and the single-family neighborhoods to the east, ensuring minimal impact on those communities.

Chairman Robert Goranson raised concerns about the flexibility of zoning options under a comprehensive plan change from Level II to Level III. They emphasized that while RM zoning has been discussed, approval of the change would not limit future development to RM; any zoning type permitted within Level III could be pursued, including options like RD (duplex) or RS4 (single-family).

Chairman Goranson also noted that policies in the comprehensive plan suggest RD and RM zoning should typically be adjacent to arterial streets, raising doubts about the compatibility of such zoning in this location, as it sits deeper within the Bel Lago area than near an arterial. They referred to page 77 of the comprehensive plan to clarify policy guidelines, inviting Joel to confirm or provide additional insight into whether the proposed changes align with the plan's requirements.

Mr. Vogt clarified that the proposed change aims to align this tract's designation with the adjacent Level III property recently purchased for a combined PUD development. This approach may address concerns about adherence to arterial street adjacency policies, as the combined PUD would connect the tracts into a unified plan.

Chairman Goranson acknowledged the public's interest and emphasized that the current focus is on the comprehensive plan change from Level II to Level III, which expands potential zoning options. They requested visual clarification of the table outlining permissible zoning under Level III. Despite prior assurances to the contrary, they expressed concerns that development might still connect to existing stub streets.

Further discussion centered on the implications of the comprehensive plan change from Level II to Level III for the proposed development and the surrounding area. Concerns were highlighted about opening the property to zoning types that may not align with the comprehensive plan's intent or the neighborhood's character, explicitly questioning the appropriateness of higher-density zoning (like RM or RD) in a location not directly adjacent to an arterial. They emphasized the lack of a conceptual layout and the potential connectivity of the development to existing stub streets, which could impact traffic in adjacent neighborhoods.

Mr. Vogt clarified that the intent is to match the Level III designation of the adjacent property to the west, allowing for a unified PUD. He explained that the envisioned development involves detached, single-family homes or duplex-style structures on a single lot, similar to newer community designs like the Twill development in Jenks. He acknowledged that this type of development wouldn't fit traditional RS4 zoning but could be addressed through a PUD. Mr. Vogt also addressed concerns about ecological impacts, explaining that water runoff would be managed through a detention pond already on the property, which may require modifications to ensure proper containment and prevent issues like erosion or pollution of nearby creeks.

Mr. Hensley clarified that the comprehensive plan change intends to allow the property to match the adjacent tract to the west, which has frontage on 81st Street, an arterial. While stub streets in the area are shown, connectivity between the development and existing neighborhoods would depend on the development's design and approval process. Curtis emphasized that the recommendation for the comprehensive plan change is based on ensuring the combined properties have arterial frontage and are consistent with planning guidelines.

The discussion concluded with acknowledging the community's concerns and a reminder that details regarding the development, including connectivity and zoning, would be addressed during the rezoning and PUD processes.

Carl Knutson is in opposition but did not speak.

Doug Campbell is in opposition but did not speak.

Johnny Walker, a Bel Lago resident, expressed concerns regarding the proposed comprehensive plan change and the potential introduction of condensed housing near his neighborhood. He acknowledged Broken Arrow's growth and the benefits of increased rooftops, including revenue and school support. Still, he emphasized the importance of maintaining the quality of existing developments like Bel Lago and the Villas of Bel Lago.

Walker noted that Bel Lago, initially built by Home Creations (now part of Glenwood Homes), reflects a higher standard of housing compared to the densely packed developments being proposed. He cautioned that such housing, with minimal space between structures, may detract from the character and value of the existing community. He urged the city to uphold the neighborhood's standards by requiring new construction to align with Bel Lago's quality and design, arguing that Broken Arrow is in a strong position to prioritize the interests of its current residents while still benefiting from new development.

Rick Helm, a resident, expressed concerns about potential ingress and egress plans for the area under discussion, mainly a proposed road he believed could run through his property.

Chairman Goranson clarified that the road may have been part of a prior East Side Study on Kenosha, which included trails and roadways. Still, he emphasized that this was unrelated to the current proposal.

Mr. Helm further stated his opposition to the development of apartments in the area, reinforcing his concerns about maintaining the neighborhood's character. He humorously referenced the possibility of protected wildlife in the area, like a snail or pocket gopher, as an additional consideration for limiting development impacts.

Chairman Goranson and Hensley discussed the reasoning behind the comprehensive plan's land use intensities, emphasizing the importance of transitioning between different land use types. Joel explained that this approach avoids placing high-intensity uses, like industrial or large apartment complexes, directly next to low-intensity uses, such as single-family homes, as this could negatively impact both residential quality of life and the viability of higher-intensity developments.

The plan transitions from lower-intensity areas, like agricultural or single-family residential (yellow on the map), to higher-intensity uses, like apartments or offices (purple on the map), often near highways or significant roads for accessibility. Joel noted that the hashed yellow area aligns with single-family housing like Bel Lago. Still, while avoiding apartments, the request seeks to reclassify it to support slightly denser residential uses, such as smaller-lot homes or duplexes. This ensures a smoother progression of land uses and maintains continuity in planning.

Chairman Goranson clarified that the proposed change aims to accommodate denser housing without crossing into high-density categories like apartments, aligning with the goal of thoughtful and gradual land-use transitions. They ensured everyone understood the proposed shift and its implications for the area's development.

Kathleen Halloran, a Bel Lago resident, voiced significant concerns about water management and Glenwood Homes' track record. She noted frequent flooding along a creek behind her property, which affects her yard and creates substantial water accumulation during rains, even though the area is not officially designated as a flood zone. She questioned the accuracy of this classification and the impact of development on water flow and accumulation.

Ms. Halloran expressed concern about the proposal to convert an existing clear-water pond into a retention pond, fearing it would degrade the area's aesthetic and functionality. She cited issues with retention ponds in other Glenwood Homes developments, including Bel Lago, where costly repairs were required, and another retention pond graded incorrectly has become problematic. Additionally, Ms. Halloran highlighted communication issues and misinformation from Glenwood Homes, further eroding her confidence in their ability to manage future development effectively. She strongly opposed changing the zoning, arguing that the current zoning already supports single-family homes, which would align with the existing community.

Chairman Goranson acknowledged her concerns and suggested she contact the city to address current water issues. He noted that while development could include engineered improvements, her immediate issues shouldn't wait for future growth. Chairman Goranson emphasized that development is likely inevitable regardless of the zoning outcome, making it essential to address existing concerns proactively.

Linda Montgomery, representing residents of Bel Lago and nearby neighborhoods, opposed the proposed comprehensive plan change and presented a petition with significant neighborhood support for maintaining the current Level II designation. She emphasized concerns about overdevelopment, the lack of clarity in the proposal, and the potential environmental impact of changing the area to Level III.

Ms. Montgomery highlighted issues with water supply, noting the area's reliance on District Four water, which has faced shortages and rationing. She also raised concerns about removing trees near the creek, a migration route for birds and wildlife. She pointed out that federal wildlife regulations prohibit disturbing vegetation within 50 feet of the creek and stressed the importance of preserving this natural buffer.

Additionally, she expressed worry about the impact of increased concrete surfaces from new development on water runoff and the creek's health. Ms. Montgomery reiterated the community's preference for single-family homes that align with the existing Level II designation and cautioned against higher-density developments that could include apartments or multi-story buildings.

Ms. Montgomery emphasized the residents' desire for thoughtful, sustainable progress and submitted the petition to support their case against the proposed change.

Phillip Scott, a Bel Lago resident, opposed the proposed change to Level III zoning for the property abutting his residence. He highlighted that the adjacent property, cited as part of the development plan, does not yet have a recorded deed of purchase according to Wagner County records as of the previous day. This raised questions about its legitimacy in the rezoning proposal, especially since the area lacks direct frontage on an arterial street as required for such zoning changes.

Chairman Goranson noted that developers often conditionally acquire property, finalizing purchases only after receiving necessary approvals, which might explain the absence of a recorded deed. Scott acknowledged this possibility but maintained his objection, emphasizing the irregularity of the situation. He concluded without further remarks, reiterating his opposition to the rezoning request.

Applicant Tom Vogt addressed questions and concerns raised during the hearing, emphasizing the following points:

**Water Supply:** He countered claims about water availability from District Four, stating that his engineer disagreed with the assertion of insufficient water resources but acknowledged this issue would need resolution during the development phase.

**Tree Tagging:** Mr. Vogt denied any connection to the tagging of trees and explained that the eastern creek bank is within the existing subdivision and protected from development. Trees on the western side are similarly undevelopable in a flood zone. He added that the zoning and site planning stages would address tree-related actions. He also noted reports of unhealthy trees causing hazards in the area, potentially leading to unrelated tagging or removal efforts.

**Community Engagement:** Mr. Vogt assured attendees that before rezoning or PUD submissions, his team would engage with the community to present and discuss detailed plans.

**Buffers and Natural Features:** Mr. Hensley highlighted that if the property were rezoned for residential multifamily, buffers would be mandated by the city. Additionally, the creek, identified as a "blue line stream," is a natural buffer protected by regulations. He explained that modifying or removing the stream would be costly and challenging for any developer.

Chairman Goranson acknowledged residents' frustrations, noting the limited information provided by public notices. He clarified that concerns like buffers and development impacts would be addressed more thoroughly during the PUD process.

Mr. Vogt and Mr. Hensley reiterated that while current discussions focus on the comprehensive plan change, future phases would involve more detailed plans addressing resident concerns, regulatory requirements, and environmental protection.

Vice Chairman Jason Coan and Chairman Goranson expressed reservations about approving the comprehensive plan change from Level II to Level III for the property in question due to concerns about traffic, connectivity, and alignment with planning guidelines.

Vice Chairman Coan emphasized the lack of direct access to the proposed development and the potential for traffic to funnel through existing neighborhoods, particularly Bel Lago, via stub streets. He noted discomfort with changing the comprehensive plan without a defined

plan or PUD that clearly outlines the developer's intentions and connectivity solutions. Chairman Goranson echoed these concerns, pointing out that, based on the comprehensive plan, higher-density zoning (like RD or duplexes) should be adjacent to arterial roads, not embedded within a residential neighborhood.

They further clarified that a comprehensive plan change is an all-or-nothing decision and cannot include stipulations, unlike PUDs or rezoning requests. Chairman Goranson highlighted the table outlining land use allowances for Level II and Level III designations, explaining that Level II already allows for various residential developments, including smaller lots, with appropriate planning through a PUD.

Vice Chairman Coan and Chairman Goranson questioned the benefits of changing to Level III, emphasizing that the proposed change doesn't meet the city's comprehensive plan requirements, particularly regarding adjacency to arterial roads. They agreed that more detailed plans or a combined layout with the adjacent property would be needed to justify such a change.

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

**Move to deny Item 6C COMP- 001874-2024 (Comprehensive Plan Change), Bel Lago, 17.2 acres, Level 2 (Urban Residential) to Level 3 (Transition Area), located approximately one-quarter mile north of Houston Street (81st Street), one-half mile west of Evans Road (225th E. Avenue).**

The motion carried by the following vote:

Aye: 5 -

Mindy Payne, Jonathon Townsend, Jaylee Klempa, Jason Coan, Robert Goranson  
*Staff stated they would send a courtesy notice if the applicant chooses to appeal the decision to the City Council.*

**E. 24-1669 Public hearing, consideration, and possible action regarding BAZ-001873-2024 (Rezoning), Davis Duplex, 0.41 acres, R-3 (Single-Family Residential) to RD (Residential Duplex), located one-half mile north of Houston Street (81st Street), East of Lynn Lane (9th Street)**

Henry Bibelheimer, Planner II, presented BAZ 1873, a rezoning request for a 0.41-acre property currently zoned R3 (single-family residential) to RD (residential duplex). The property, located half a mile north of Houston Street and east of Lynn Lane, is unplatted. The property owner has also applied for a lot split (Lot 1877) and plans to construct a duplex on each resulting lot, creating four total dwelling units.

The property falls under comprehensive plan Level II, which supports RD zoning when located along an arterial street. This project meets that requirement and aligns with the comprehensive plan. Staff supports the rezoning based on the comprehensive plan, the property's location, and compatibility with surrounding land uses.

Staff recommends approval of BAZ 1873, with plating requirements waived, provided the ultimate right-of-way is dedicated along Lynn Lane and College Avenue and all required easements are filed before approving Lot 1877.

Applicant Trent Harris explained the challenges with the lot split and access plans for the rezoned property under BAZ 1873. Initially, the plan was to avoid curb cuts on Lynn Lane and provide access via a shared drive off College Avenue. However, meeting the city's frontage and square footage requirements for the lot split necessitated changes to the original design.

Chairman Robert Goranson raised concerns about potential sightline issues at the intersection of College Avenue and Lynn Lane, noting the importance of ensuring safe ingress and egress. Mr. Harris acknowledged the problem but stated that discussions or assessments of the sight triangle had not yet occurred. He emphasized their intention to design a layout that accommodates residents' access needs without exacerbating traffic issues on Lynn Lane.

Mr. Harris confirmed that the redesign aims to balance city requirements and practical access for future residents while minimizing disruptions to traffic flow. The conversation touched on the interconnectedness of rezoning, lot splits, and access plans, with Chairman Goranson emphasizing the need to consider all these elements holistically before proceeding further. It was clarified that the lot split is not currently under discussion but would come up in a future hearing.

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

**Move to approve Item 6E BAZ-001873-2024 (Rezoning), Davis Duplex, 0.41 acres, R-3 (Single-Family Residential) to RD (Residential Duplex), located one-half mile north of Houston Street (81st Street), East of Lynn Lane (9th Street).**



The motion carried by the following vote:

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

**7. Appeals - NONE**

**8. General Commission Business - NONE**

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

Commissioner Jaylee Klempa wished all a Merry Christmas. Commissioner Mindy Payne urged applicants to attend Planning Commission meetings for their items. Chairman Robert Goranson asked about requiring draft PUDs for all Comprehensive Plan changes, and Farhad Daroga, Special Projects Manager, clarified the current policy.

**10. Adjournment**

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

**Move to adjourn.**

**The motion carried by the following vote:**

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

The meeting adjourned at 7:21 p.m.