



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, May 23, 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.

THERE WAS NO AUDIO FOR THE FIRST 26 MINUTES OF THIS MEETING.

2. Roll Call

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

3. Old Business

There was no Old Business.

4. Consideration of Consent Agenda

A. 24-663 Approval of LOT-001490-2024 (Lot Consolidation), Solar Turbines Building Expansion, 2 Lots, 8.46 acres, Industrial Light (IL)/PUD-35, approximately one-half mile south of West Albany Street (East 61st Street South) and one-half mile west of Olive Avenue (South 129th East Avenue)

B. 24-686 Approval of Planning Commission meeting minutes of May 9, 2024

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

Move to approve the Consent Agenda per Staff recommendations

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, 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. 24-664 Public hearing, consideration, and possible action regarding BAZ-001472-2023 (Rezoning), Oak Crossing, 39.36 acres, R-2 (Single-Family Residential) to RS-4 (Single-Family Residential), located approximately one quarter mile south of Houston Street (81st Street), and east of 23rd Street (193rd Avenue/County Line Road)
Senior Planner Joel Henley reported on Item 6A.

The applicant, Mike Thedford with Wallace Design Collective, spoke.

Public comments were made by Mr. Charles Boyd, Mr. Sean Parrish, and Ms. Lori Hendricks.

Mr. Mike Thedford returned for rebuttal.

THE AUDIO BEGAN AT THIS POINT IN THE MEETING.

Commissioner Jonathan Townsend asked Mr. Thedford to speak regarding Ms. Hendricks' comments about the community benefit not being equal to the developer's benefit.

Mr. Thedford stated providing service for and growing Broken Arrow was important which enhanced Broken Arrow and the community as a whole, this was the purpose of development. He noted right now, there was a shortage of households in the City of Broken Arrow, and providing an affordable house was not something easily attainable. He stated it was important to look at the bigger picture; the developer was not trying to cram as many houses as possible on the property. He noted all the requirements had to be met as well. He indicated this development could enhance the infrastructure in terms of drainage and sanitary sewers and perhaps a layout could be developed to enhance the access as well.

Chairperson Goranson stated density was a big concern, but controlling the traffic was the most important concern and it should not pour through the existing addition. He stated if the

traffic could be directed to County Line it would be better. He stated he was not pushing for an emergency gate as Staff did not wish for an emergency gate to be placed.

Mr. Thedford stated this could be something all the subdivisions to the east might want access to.

Chairperson Goranson agreed. He stated it could be helpful for the existing subdivisions to have access through this new development. He noted the sewer did have to be taken care of, however.

Chairperson Goranson closed the public hearing.

Vice Chair Jason Coan asked if this were approved would there be a stub street to the north for future development and to help redirect traffic if there was a development to the north.

Planning and Development Manager Amanda Yamaguchi responded in the affirmative. She stated a stub street would be required to the undeveloped property to the north; however, she could not say when this stub street would connect to anything.

Chairperson Goranson stated he understood traffic was a legitimate concern.

Commissioner Mindy Payne asked if any traffic studies were done in the area.

Ms. Yamaguchi indicated construction was done on 23rd Street, so she imagined a traffic study was done at that point, but nothing for this specific development. She stated when the project underwent the engineering portion of the process, if certain criteria were met, the Engineering Department might require the developer to do a traffic study.

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

Move to approve Item 6A per Staff recommendation and take care of the sanitary sewer

The motion carried by the following vote:

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

Chairperson Goranson indicated this Item would go before City Council on June 17, 2024 at 6:30 p.m.; any who wished to speak at the City Council Meeting should fill out a Request to Speak form before the meeting began.

B. 24-688

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 Florence Street (111th 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); the property was located West of 193rd E Ave/ County Line Rd (23rd Street), and one-eighth mile south of Florence Street (111th Street) and was unplatted. He indicated the property owner was rezoning the property for future Single-Family Residential development; 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 stated based on the Comprehensive Plan, location of the property and the surrounding land uses, Staff recommended BAZ-001459-2024 be approved subject to platting.

The applicant, Alan Betchan with AAB Engineering, stated this property was in an odd location where County and City met, and had water district, sewer district, and other infrastructure issues. He stated everything which was wooded on this tract was undevelopable; there was a significant creek along the western side, and some pretty big fingers which fell back, so the development would fall into the open spaces. He stated there were about 35 to 40 spaces on this property which would forever be greenspaces. He stated the project aimed for 65 to 70 foot wide lots, 135 feet in depth, a deeper product allowing for more amenity in the rear yards. He noted there were some half acres with the potential to be developed. He stated the layouts did not preserve the existing city limits line perfectly right now, so there was the potential for an annexation of a portion of the land south of this property. He stated the current number of lots in the layout on this property was not near the 458 lots.

Chairperson Goranson asked where the number 458 came from then.

Mr. Betchan stated there was one layout using half acre and smaller lots which had 458 lots, but it included the parcel to the south, not just this parcel. He noted this was the rezoning application and there were several more steps in the development process. He indicated this was in conformance with the Comprehensive Plan. He stated this would be a nice product which would be a benefit to the City.

Commissioner Klempa asked how many units per acre the developer was aiming for on this parcel.

Mr. Betchan responded it would be close to 3 units per acre on this parcel. He noted whenever the lot size was 65 by 135 feet it was almost impossible to get 4 lots per acre as you would with a 50 by 120 foot lot. He said if there were no wooded areas he might be able to reach 3.5 units per acre, but the wooded areas limited the numbers as well.

Chairperson Goranson asked if Mr. Betchan was working on a Master Plan for the area which might be annexed.

Mr. Betchan stated conversation was held with the City regarding different potentials and how it would be annexed and if annexation was the right choice. He stated he did not know if there was a final resolution. He noted the half acre lots were not a very "city" product because it was not a curb and gutter street and did not conform from a municipal infrastructure. He stated there was a demand for half acre lot development in this part of town. He noted there would be two points of access as required by Fire, and there was depth of service for the two points of access. He stated whatever happened, the developer owned 90 acres to the south, so there would be stub streets and interconnectivity whether it was a City project or a County project.

Ms. Amanda Yamaguchi read a letter submitted by Patrick Lester who had concerns regarding increased traffic with RS-3, current traffic problems, and suggested RS-1 for this property.

Citizen James Belk spoke in opposition. He asked how many homes would be built on the area which was buildable. He asked for the property to be developed in accordance with the surrounding area. He had concerns about decreased property value.

Chairperson Goranson noted without the wooded area, the developer could build a lot more houses, even if the lot sizes were increased.

Citizen Gail Cullens spoke in opposition with concerns about traffic. She asked for a traffic study to be done before more development was allowed. She stated she worried smaller lot sizes would negatively impact her home value.

Chairperson Goranson noted there were existing traffic counts done in the area. He asked if the developer would be required to complete a traffic study.

Ms. Yamaguchi explained it would be the same as with the previous Item; once the Engineering process began, if certain criteria were met then a traffic study would be required.

Chairperson Goranson noted this was simply a zoning application to go from Agriculture to RS-3.

Ms. Cullens asked about RS-3.

Ms. Yamaguchi explained RS-3 was single family residential. She explained RS-1, RS-2, RS-3, and RS-4 were all single family residential, but as the numbers got bigger the lot sizes got smaller. She stated RS-3 had a minimum lot frontage of 60 feet with a minimum lot size of 7,000 square feet.

Chairperson Goranson noted RS-3 had side yard minimums of 5 feet as well.

Ms. Yamaguchi agreed, noting each one of the residential districts had slightly different criteria on frontage requirements, lot sizes, side yards, back yards, etc.

Commissioner Klempa noted the lot sizes indicated by Mr. Betchan, the lots would be about 8,700 square feet (65 x 135 feet).

Ms. Yamaguchi explained minimum lot sizes were just that, minimum; therefore, if Mr. Betchan chose to build 70 or 80 feet frontage lots, it would not be prohibited; Mr. Betchan would not be able to go smaller than 60 feet of frontage.

Citizen Kevin Teakell stated he developed the property to the east of this parcel and lived on 8 acres himself. He agreed the traffic was bad in this location and the roads were deteriorating. He stated he had concerns about the lot sizes as well. He recommended the lot sizes be no denser than 1 home per 1 acre lot. He noted to the southwest, Wagoner recently approved a new development, and this increased his traffic concerns. He recommended restricting the zoning to larger lot sizes, especially as Mr. Betchan indicated the lot sizes would be a little larger than RS-3. He asked to keep the density down, keep the lots larger, and build fewer homes. He stated he was unsure who was responsible for maintaining

County Line Road, whether it was the City or County or both, and he worried it would be quite some time before the roads in the area were improved. He stated building more houses would increase the already problematic traffic.

Planning and Development Director Rocky Henkel explained typically the County maintained the east half of the road, and the City of Broken Arrow maintained the west half of County Line Road.

Citizen Michael Egan asked, looking at the map, Jasper was 131st, but the document said 111th.

Chairperson Goranson noted the document was wrong, but the map was correct.

Mr. Egan stated there were many residents in the area who might have looked at the information on the website which reflected 111th and County Line Road, which was incorrect. He requested this Item be continued and the information be corrected, so the proper residents could be made aware.

Chairperson Goranson agreed there was an error.

Ms. Yamaguchi asked for a moment to check the information mailed to the residents.

Commissioner Jaylee Klempa stated all residents who lived within 300 feet of this property were mailed notice, and Ms. Yamaguchi was checking the information sent to the residents to see if it was correct or incorrect.

Discussion ensued regarding the poor traffic conditions in the area.

Chairperson Goranson asked how Mr. Egan liked the new bridge.

Mr. Egan responded the new bridge was very nice.

Chairperson Goranson asked how many residents received mailed notice.

Mr. Betchan responded the radius report was based on the legal description. He stated the mailed notice went to the correct residents, but he was unsure how many residents received notice.

Ms. Yamaguchi stated the legal notice which went to the newspaper was correct, and the same notice was mailed to the neighbors, so most likely the neighbors received the correct information; however, the information was incorrect on the actual Agenda, and this was posted online.

Assistant City Attorney Graham Parker recommended tabling this Item and correcting the information as needed.

Mr. Betchan stated from a value standpoint, the home product was far beyond entry level homes. He stated the product was a higher level product offering, so it would increase home values. He explained this would not be a high density subdivision; these lots, while not quite half acres, were the bigger of the lots found in standard municipal layouts. He noted if the traffic study were required, it would be done. He stated this would be a quality product which Broken Arrow needed and should be proud of.

Vice Chair Coan noted Mr. Betchan requested RS-3 to allow for narrower lots, but the lots would be longer lots.

Mr. Betchan agreed.

Commissioner Klempa asked about the width of RS-2 lots.

Ms. Yamaguchi responded RS-2 lots were 70 feet wide with a minimum of 8,000 square feet.

Commissioner Klempa noted while the lot would have less frontage it would be deeper and would exceed the minimum 8,000 square feet.

Mr. Betchan stated this product would be well in excess of \$400,000 dollar to \$500,000 dollar homes.

Ms. Yamaguchi stated City Staff would re-notice this Item to ensure everyone was noticed properly. She stated the newspaper and mailed notice would be done again, and the signs would be reposted. She proposed tabling the Item until the June 27, 2024 meeting to allow time for the notice.

Mr. Betchan asked why this was necessary if the residents received proper mailed notice and a continuance to the next meeting would allow a properly posted Agenda. He said legally mailed notice would not be again required.

Assistant City Attorney Parker noted there might have been some residents who did not attend due to the incorrect information on the website. He stated he would not be comfortable doing anything less than a full re-notice.

Ms. Yamaguchi agreed.

Mr. Betchan disagreed and asked to only delay this until the next meeting.

Ms. Yamaguchi noted there was only one City Council Meeting in July, on July 15th, so whether this Item was reviewed at the Planning Commission meeting on June 13th or June 27th, it would not go to City Council until July 27th.

Mr. Betchan stated he still felt if the Agenda was the only thing with misinformation, only the Agenda needed to be reposted; mailed notice was not necessary.

Ms. Yamaguchi stated she felt pretty confident the Agenda was the only thing with misinformation, but she could not be positive without doing further research, and as such she would feel more comfortable completely re-noticing the Item to make sure the legal requirements were all met.

Mr. Betchan said this was not a continuation request; no action was being taken by Planning Commission.

Ms. Yamaguchi agreed stating this would be completely re-noticed and the whole public hearing process would start again, but again, the approval date by City Council would not change for the application.

Chairperson Goranson asked if the Item was being withdrawn from the Agenda, or if Planning Commission should table the Item until another meeting.

Assistant City Attorney Parker recommended tabling the Item until another meeting.

Mr. James Belk requested to speak again.

Chairperson Goranson allowed it.

Mr. Belk stated he lived in River Ridge addition and his addition has had several power outages and gas outages. He stated this was very problematic in the wintertime. He asked if the electrical power and gas would be sufficient to handle this new neighborhood, as well as the existing neighborhood.

Chairperson Goranson stated this was another issue and unrelated to rezoning. He explained during the Technical Advisory Committee meetings these things would be addressed with the utility companies.

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

Move to table Item 6B until June 27, 2024

The motion carried by the following vote:

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

7. Appeals

There were no appeals.

8. General Commission Business

There was no General Commission Business.

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

Commissioner Payne requested an update on the Indian Springs Sports Complex, the Aspen Landing Study.

Ms. Yamaguchi responded nothing was moving forward at this point. She stated the Study was adopted but no further decisions were made.

Commissioner Payne asked if Aspen Road was up for widening and asked about the roundabout.

Mr. Henkel responded Aspen Road widening was a current 2018 bond project; it would be

widened from 121st down to the Sport Complex.

Ms. Yamaguchi noted the roundabout was on the Indian Springs property and was not part of the road widening.

Commissioner Klempa asked for an updated contact list for Commissioners and Staff.

Ms. Yamaguchi indicated she would email this information to the Planning Commission.

10. Adjournment

The meeting adjourned at approximately 6:34 p.m.

MOTION: A motion was made by Robert Goranson, seconded by Jason Coan.

Move to adjourn

The motion carried by the following vote:

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