



City of Broken Arrow
Minutes
Planning Commission

City of Broken Arrow
Council Chambers
220 S 1st Street
Broken Arrow OK
74012

Chairperson Ricky Jones
Vice Chair Fred Dorrell
Member Lee Whelpley
Member Carlyne Isbell-Carr
Member Mark Jones

Thursday, January 28, 2016

5:00 PM

Council Chambers

AMENDED AGENDA

1. Call To Order

The meeting was called to order by Chairman, Ricky Jones at 5:00 p.m.

2. Roll Call

Present 4 - Lee Whelpley, Ricky Jones, Fred Dorrell, and Carlyne Isbell-Carr

3. Old Business

None.

4. Consideration of Consent Agenda

Marcae Hilton presented the Consent Agenda items. She said the applicant for Item 4D would like it removed from Consent for discussion.

A. Minutes, Planning Commission meeting held January 14, 2016

MOTION: by Fred Dorrell to approve Items 4A, 4B and 4C, per Staff recommendations. The motion was seconded by Lee Whelpley.

Aye: 4 - Lee Whelpley, Ricky Jones, Fred Dorrell, and Carlyne Isbell-Carr

B. Consideration and possible action regarding BAL 1087, Mockley/Broken Arrow Public Schools Lot Split, 160.00 acres, A-1, northwest corner of Kenosha Street and 209th E. Avenue

MOTION: by Fred Dorrell to approve Items 4A, 4B and 4C, per Staff recommendations. The motion was seconded by Lee Whelpley.

Aye: 4 - Lee Whelpley, Ricky Jones, Fred Dorrell, and Carlyne Isbell-Carr

C. Consideration and possible action regarding PT15-119, Conditional Final Plat, Kum & Go 837, a replat of Lot 1, Block 1 of BOL Addition, 1 lot, 1.72 acres, CN to PUD 247/CN, west of Oneta Road, north of State Highway 51

MOTION: by Fred Dorrell to approve Items 4A, 4B and 4C, per Staff recommendations. The motion was seconded by Lee Whelpley.

Ricky Jones said Item 4C, Conditional Final Plat, Kum & Go 837 (a replat) will be heard by the City Council in their meeting of February 16, 2016, at 6:30 p.m.

Aye: 4 - Lee Whelpley, Ricky Jones, Fred Dorrell, andCarolyn Isbell-Carr

D. Consideration and possible action regarding PT16-100, Preliminary Plat, The Villas at Bel Lago, 97 lots, 31.38 acres, A-1 to RS-3, northwest corner of Houston Street and Evans Road

This Item was removed from the Consent Agenda, per the Applicant's request.

5. Consideration of Items Removed from Consent Agenda

4D. Consideration and possible action regarding PT16-100, Preliminary Plat, The Villas at Bel Lago, 97 lots, 31.38 acres, A-1 to RS-3, northwest corner of Houston Street and Evans Road

Brent Murphy presented the background. He said during the Technical Advisory Committee (TAC), the applicant voiced concerns regarding item 20 on the checklist, requiring one Home Owner's Association for Bel Lago I, II and Villas at Bel Lago. He said the applicant is in agreement with all other items on the checklist.

Ricky Jones asked if the applicant is present.

Jeff Tuttle, Tuttle & Associates, 9714 E. 55th Place, Tulsa, OK said Bel Lago I and Bel Lago II have different owners; therefore, the owner of The Villas at Bel Lago would like a separate Home Owners Association. There are no amenities in Bel Lago I and II for potential home buyers to enjoy. The Villas at Bel Lago would like to have its own Home Owners Association and have its own amenities.

Ricky Jones asked Staff if Bel Lago I and II even want The Village at Bel Lago as part of their Home Owners Association.

Jeff Tuttle said in the previous two subdivisions, the covenants stated that the developer has the right to add additional property to the association, in the future.

Michael Skates said he was not aware of the new ownership. Phase III was under the same ownership as Phase II and Phase I. Phase II ties into this project on the north end. He said, with the new ownership, there should be no issue with this project having a

separate Homeowners Association. They must follow all code requirements then turn it over to the homeowner's once it reaches a certain percentage of completion.

Discussion continued.

Ricky Jones opened the public hearing for Item 4D, Villas at Bel Lago and asked if anyone wished to discuss this item. No one spoke. Mr. Jones closed the public hearing.

Fred Dorrell asked if this new phase would be comparable to the previous phases.

Jeff Tuttle said this phase will be very similiar and would be difficult to determine the previous phase from this new one.

Farhad Daroga said the main association responsibility will be for a perimeter fence along 81st Street, in which a larger HOA can share the cost between more homeowners. A smaller HOA will result in higher costs if the fence needs repaired. This should not be a problem if the new property owner understands this.

MOTION: by Lee Whelpley to approve PT16-100, Preliminary Plat, The Villas at Bel Lago, per the the Staff report with an amendment to remove comment 20 from the checklist. The motion was seconded by Carolyne Isbell-Carr.

Aye: 4 - Lee Whelpley, Ricky Jones, Fred Dorrell, and Carolyne Isbell-Carr

6. Public Hearings

A. Public hearing, consideration, and possible action regarding BACP 150, Mockley/Broken Arrow Public Schools, 320.00 acres, Levels 4, 3, and 2, Public Recreation, and Public/Semi Public to Levels 4 and 2 and Public/Semi Public, west of 209th E. Avenue between Albany Street and Kenosha Street

Brent Murphy presented the background for BACP 150, Mockley/Broken Arrow Public Schools. He said Broken Arrow Public Schools is in the process of acquiring 42 of these 320 acres to build a new elementary school on this property. He said the Applicant proposes building a new middle school on this property in the future. SP 275 is on this same agenda, requesting a specific use permit for the proposed elementary school.

Ricky Jones said the applicant shows as the City of Broken Arrow and asked if Mr. Skates wished to comment.

Michael Skates, City of Broken Arrow Director of Development Services, 220 S. 1st Street, Broken Arrow said the City did the east side study and offered assistance with this application.

Ricky Jones said he likes this proposed amendment, as it leaves commercial development and a buffer up to Albany Street and 209th.

Ricky Jones opened the public hearing and asked if anyone wished to speak on this item.

Diana Mohler, 20926 East 65th Street, Broken Arrow said her home is behind the existing Wal-Mart. She said she is concerned about traffic as there is a large amount of traffic currently. Delivery trucks use 209th to access 61st Street as well as teenagers traveling to the high school. Adding one school and another in the future will add to the existing backup. In addition, the existing streets are patched the entire way up to 81st Street and can not sustain the addition of two schools.

Diana Mohler said she is also concerned about promises being made by the City that are not kept. The east side study promised a beautiful field that is dog friendly and to date the area is a dirt field, due to the removal of trees and vegetation. She said the City installed a new waterline along 209th and the subcontractor put sand around the pipe and removed all of the ditches along 209th up to 81st Street. She said the removal of the ditches caused extensive damage to the surrounding homes.

Ms. Mohler said she is concerned about the potential for flooding due to the removal of all the trees in order to build the proposed schools. She said not only is flooding an issue but new construction, from past developments, emits fine dust which kills the soil in the surrounding area. In addition, the spraying done behind Wal-Mart has killed vegetation and evergreen trees, behind the fence, including her trees on her property. Ms. Mohler suggested having a study regarding the underspray.

Michael Skates said 37th Street is under design to be widened from Kenosha to Omaha. The City is working with the schools on their proposed construction and the street construction. The mile from Kenosha to Albany will be open when the elementary opens. The mile to the north will be done after that. The City is working with the Corp. of Engineers regarding the area and Adams Creek.

Mr. Skates said as far as the concern with Wal-Mart and the powerline, they have planted trees there. Most likely the people spraying behind Wal-Mart were not the City, as that is not the City's property. He said it could have been PSO and to contact them. He said she could also call Okie before digging up any trees that belong to her.

Michael Skates said the east side study was not approved by City Council. The 80 acres of commercial land, south of the proposed school, could be developed in the

future similar to the study but that is an unknown.

Ricky Jones asked if anyone else wished to speak.

Dennis Garvaglia, 3012 East Vancouver, Broken Arrow asked what the change of comprehensive plan would potentially allow, for development, at the end of Vancouver Street.

Michael Skates said the request is for Level 2 and it is residential development; however, it is unknown what type of zoning it will be. If residential development occurs for the northern 150 acres, as called out in the comprehensive plan, then that development would tie onto Vancouver for access back and forth. There would most likely be access to 61st to 209th. If there are any rezoning applications, public notices will be mailed out.

Don Weber, 16590 South 257th East Avenue, Coweta said he has property in Camino Villa. He asked what Level 3 is.

Farhad Daroga said Level 3 of the comprehensive plan is a transitional district that allows a higher density of residential uses and could allow office type development. Level 2 is most likely single family residence and Level 3 is a higher density use.

Ricky Jones asked if anyone else wished to speak on this item. No one spoke. Ricky Jones closed the public hearing.

Ricky Jones said the action will be for the amended comprehensive plan that was passed out to Planning Commission and shown on the screen when this item was presented. Farhad said correct, it includes level 3 and 4 and shifting the school from the west side of this tract to the east side and having one-quarter mile of frontage along 209th.

MOTION: by Fred Dorrell to approve the amended Comprehensive Plan change, per Staff recommendations. The motion was seconded by Lee Whelpley.

Ricky Jones said this item will be heard by City Council on February 16, 2016, at 6:30 p.m.

Aye: 4 - Lee Whelpley, Ricky Jones, Fred Dorrell, and Carlyne Isbell-Carr

B. Public hearing, consideration, and possible action regarding SP 275, Broken Arrow Public Schools, 42.00 acres, A-1, one-quarter mile north of Kenosha Street, west of 209th E. Avenue

Brent Murphy said this request for a specific use permit for the property that was just discussed for a new elementary school, a future middle school and other school functions. Vehicular access to this property will be from Kenosha Street and 209th.

Bob Tolomeo, Broken Arrow Public Schools, 701 S. Main, Broken Arrow said they are in agreement with the Staff report.

Lee Whelpley asked if the drive lane is going to be split between Level 4 and if there is a problem putting Level 4 south of the school or abutting a school. Farhad Daroga said the school is a large tract and the 80 acres and there will be a lot of buffering and landscape. Mr. Daroga said they anticipate in the future, access points on Kenosha and 209th for this property.

Michael Skates asked if the southern portion will be a paved public road. Bob Tolomeo said it will be private but built to public standards. Mr. Tolomeo said once all issues are worked out, it will be like Highland Park and they will try to dedicate it to the City.

Ricky Jones asked if other properties will have access off the private road. Michael Skates said yes.

Ricky Jones asked if the Level 4 area develops, and a commercial development goes in that area, if they can access the school road to get to their property. Bob Tolomeo said once it is dedicated to the City, there will be access. Michael Skates said they would have access to this road when the commercial area develops; however, once travelers reach the School property to 209th, it will be private. Mr. Skates said it will be controlled by a fence or other means.

Discussion continued.

Ricky Jones opened the public hearing and asked if anyone wished to speak on this item. No one responded. Mr. Jones closed the public hearing.

MOTION: by Lee Whelpley to approve SP 275, per Staff recommendations. The motion was seconded by Carolyne Isbell-Carr.

Ricky Jones said this item will be heard by the City Council on February 17, 2016, at 6:30 p.m.

Aye: 4 - Lee Whelpley, Ricky Jones, Fred Dorrell, and Carolyne Isbell-Carr

7. Appeals

8. General Commission Business

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

10. Adjournment

MOTION: by Carolyne Isbell-Carr to adjourn (at 5:48 p.m.). The motion was seconded by Fred Dorrell.

Aye: 4 - Lee Whelpley, Ricky Jones, Fred Dorrell, and Carolyne Isbell-Carr