



City of Broken Arrow
Minutes
Planning Commission

City Hall
220 S 1st Street
Broken Arrow OK
74012

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

Thursday, November 21, 2024	Time 5:30 PM	Council Chambers
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1. Call to Order

Chairman Robert Goranson called the meeting to order.

2. Roll Call

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

3. Old Business - NONE

4. Consideration of Consent Agenda

- A. 24-1523 Approval of Planning Commission meeting minutes of September 26, 2024**
- B. 24-1524 Approval of Planning Commission meeting minutes of October 10, 2024**
- C. (no item 4C was included in the agenda)**
- D. 24-1521 Approval of PR-000131-2022|PT-001777-2024, Conditional Final Plat, Pine Valley Reserve Amended, approximately 18.5 acres, 65 lots, PUD- 326/RS-3/RM, located approximately one-eighth of a mile north of New Orleans Street (101st Street) and directly west Olive Avenue (129th East Avenue)**
- E. 24-1522 Approval of PR-000779-2024|PT-001830-2024, conditional final plat, Artesia II at Forest Ridge, 6.623 acres, 10 Lots, PUD-66/R-1, located one-half mile south of Kenosha Street (71st Street), one-half mile east of 79th Street (Midway Road/S. 257th E. Avenue)**

MOTION: A motion was made by Jason Coan, seconded by Mindy Payne.
Move to approve consent agenda per staff recommendations.

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

5. Consideration of Items Removed from Consent Agenda - NONE

6. Public Hearings

- A. 24-1491 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, stated the applicant requested to continue this item.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne.
Move to continue item per application request.
Aye: 4 - Mindy Payne, Jaylee Klempa, Jason Coan, Robert Goranson

Continue Item A to December 5, 2024 meeting.
- B. 24-1518 Public hearing, consideration, and possible action regarding PUD-001787-2024 (Planned Unit Development) and BAZ-001788-2024 (Rezoning), Gatesway Multi-Family, 35.5 acres, Level 3 and 6 to Level 3, located one-half mile north of East Houston Street (81st Street) and one-quarter mile east of 9th street (177th East Avenue/ Lynn Lane Road)**

Recess due to technical difficulties; session resumed at 5:37 PM.

Amanda Yamaguchi presented Items 6B PUD 1787 and BAZ 1788 are zoning change

requests for a 35.5-acre parcel near East Houston Street and Lynn Lane. The site, partly developed as part of the Gatesway Foundation campus, is proposed for a townhouse/duplex-style multi-family development with up to 108 dwellings, fewer than the 243 units allowed by current zoning. Fundamental changes in the PUD include:

Increased Landscaping Buffers: Proposed buffers of 60 feet (vs. 35 feet required) along East College Street and the east property line.

Enhanced Tree Requirements: One tree per 35 feet of landscaped edge (vs. one per 50 feet required).

Reduced Parking: 1.7 spaces per unit (vs. two spaces required).

Building Length and Articulation Adjustments: Maximum building length increased to 300 feet, with related design adjustments.

Access to the development is through College Street, which is not planned for widening, but surrounding roads are undergoing upgrades. A traffic study is in progress. Utilities are available, and the property is outside the 100-year floodplain. The proposed PUD aligns with the comprehensive plan (Level 3 designation).

Staff recommends approval of PUD 1787 and BAZ 1788, pending any questions or additional input from the applicant.

John Droz, Route 66 Engineering, stated that the Gatesway Foundation is excited to be part of this project, a long-term funding mechanism to support its ongoing mission. A completed traffic study indicates that all intersections will maintain acceptable service levels during weekday peak hours. Gatesway retains 51% ownership of the project, with the remaining 49% owned by the developer, who is available to address questions about the development process.

Mr. Droz clarified the development consists of multi-family units, not townhomes or duplexes, as initially described. This aligns with the underlying zoning and PUD language.

Travis Yates with Beacon/SOCAYR mentioned that the project, with a 49% developer stake, includes 180 units - per unit 1,2,3-bedroom, one car for household observed, and would be open to more parking and more landscaping. The proposed unit breakdown is approximately 25% one-bedroom units, 45% two-bedroom units, and the remainder as three-bedroom units. These figures are still being finalized.

The board and speakers discussed the project and the proposed 1.7 parking spaces per unit instead of the usual two. Concerns were raised about the reduction, particularly for one-bedroom units (25% of the total), which may only require one space each. The reduction saves space for landscaping and green areas, enhancing the property's overall appearance. However, the team is open to reverting to 2 spaces per unit if necessary, as the reduction is not critical to the project.

Key points discussed included:

Unit Breakdown: 25% one-bedroom, 45% two-bedroom, and the remainder three-bedroom units.

Parking Justification: 1.7 spaces is a common standard for multi-family projects, accounting for single-person households and the Gatesway residents, many of whom are unlikely to own multiple cars.

Green Space Commitment: Reducing parking allows for more trees, landscaping, and areas like a dog park.

Landscaping on the East Side: While not required due to adjacent industrial zoning, a 30-foot landscaped buffer with trees has been committed to separating and enhancing aesthetics.

Site Design: The layout includes a community building with space for school bus turnarounds and connects to the Gatesway campus for additional access.

A dog park, comparable in size to the pool, was praised for supporting service animals and resident pets. The development aims to balance functional needs with aesthetic and community-focused design.

Robert Goranson opened Public Comment.

Carman Robison, a long-time resident of 220 North 15th Street, living there for nearly 20 years, raised significant concerns about the proposed apartment complex, emphasizing the potential strain on local infrastructure. She has concerns regarding the infrastructure capability and questions whether the existing utilities and infrastructure can support the additional demands of the new complex.

Ms. Robison discussed traffic and road safety issues, including the narrow design of College Street, which is not up to modern standards and already struggles with heavy traffic, including around 500 daily bus movements. Concerns are exacerbated by recent increases in traffic due to road widening on Lynn Lane and County Line Road, with frequent accidents at College Street and Lynn Lane.

Ms. Robison stated concerns about the impact on local services, the effects of potential increased crime associated with low-income housing, and the current challenges with nearby Section 8 housing. She is also concerned about the impact on local schools, especially Arrowhead, which is already at capacity.

She suggests that there may be more suitable locations within the city for this development that would less adversely affect the existing community and infrastructure.

Ms. Robison supports progress and the mission of Gatesway but urges consideration of these significant community and infrastructure concerns.

Alicia Hinkle, from College Street, directly across from the proposed development, expressed concerns about the community's lack of interest in high-density housing based on a survey completed months prior. The resident feels that the current meeting discussing the development would not be necessary if their input and that of their neighbors had been considered. They oppose the idea of high-density, subsidized housing in their area, emphasizing that the development primarily benefits an out-of-state company, Beacon in Kentucky while using only 20% of the housing for Gatesway Foundation's benefit. The resident urged the decision-makers to consider the significant impact on residents versus the minimal benefit to Gatesway.

Paul Hinkle, living directly across from Gatesway, expressed concerns about the proposed development, emphasizing the community's support for Gatesway but questioning the area's suitability for low-income housing. They highlighted the lack of infrastructure, such as sidewalks and shoulders on College Street, which is already problematic given the existing Section 8 housing. The resident also noted inconsistencies in the information presented about the development at different meetings, contributing to a lack of trust. While supportive of Gatesway's mission, they feel that the proposed development, which could disrupt the quiet, low-density character of the neighborhood, is not the right approach. They suggest alternative solutions that would better align with the needs and expectations of the existing residents.

The board further discussed the proposed development and its impact on local infrastructure:

No Current Plans for College Street: There are no immediate plans to fund or upgrade College Street according to current city bonds or projects. Lynn Lane and Houston Street are under design, and 23rd Street has recently been completed.

Traffic Study Results: A recent traffic study, completed on November 18th, has been received but not yet shared with the city. It will be emailed to relevant parties and potentially included in the staff report for further council consideration.

Public and Official Observations: Officials acknowledged community concerns about traffic, particularly on College Street, which is noted for its narrow points. Anecdotal observations suggest typical school-day traffic, but the specific impact of the new development remains a topic of discussion.

MOTION: A motion was made by Robert Goranson, seconded by Mindy Payne.

Move to approve Item 6B 24-1518 Public hearing, consideration, and possible action regarding PUD-001787-2024 (Planned Unit Development) and BAZ-001788-2024 (Rezoning), Gatesway Multi-Family, 35.5 acres, Level 3 and 6 to Level 3, located one-half mile north of East Houston Street (81st Street) and one-quarter mile east of 9th street (177th East Avenue/ Lynn Lane Road)

Aye: 3 - Mindy Payne, Jason Coan, Robert Goranson
Nay: 1 - Jaylee Klempa

- C. 24-1552 **Public hearing, consideration, and possible action regarding PUD-001783-2024 (Planned Unit Development) minor amendment to PUD-94Y, The Cottages at Battle Creek, 20.45 acres, located north of the Broken Arrow Expressway, one-quarter mile north of Albany Street (61st Street), north of Albany Drive, one-quarter mile east of Aspen Avenue (145th E. Avenue)**

Amanda Yamaguchi presented a minor amendment to Item 6C PUD 1783 2024, originally part of PUD 94Y. The amendment pertains to a 20.45-acre area located north of the Broken Arrow Expressway and approximately a quarter mile north of Albany Street and east of Aspen Avenue. The amendment seeks relief for the developer from installing sidewalks at

specific locations within the development. These areas, generally along interior reserve areas, are detailed in an exhibit attached to the staff report. Sidewalks are proposed on the opposite side of the streets where they are not being installed on one side.

The staff has recommended approval of the amendment as presented.

There was a procedural clarification regarding the handling of amendments. Significant amendments to a PUD are forwarded to the city council, while minor amendments, such as this one, do not require council consideration.

Jack Taber, TEP, applicant, and the board further discussed the proposed minor amendment to a Planned Unit Development (PUD) regarding sidewalk installation in a new gated subdivision.

The amendment proposes not installing sidewalks in specific areas marked in red on the exhibit, primarily along interior reserve areas. Upon home construction, the developer would install sidewalks in areas marked in blue and by individual lot owners in grey areas.

Public Safety Concerns were raised about safety and accessibility, particularly if a bus stop was needed. It was discussed whether the city would need to install sidewalks later, which typically only happens on arterial or collector streets unless a unique circumstance arises.

Mr. Taber explained the request for relief from installing sidewalks in certain areas due to physical constraints like adjacent detention areas and ponds. They argued for minimizing pedestrian access near these features for safety.

While the subdivision is built to city standards, it was clarified that these are private roads and reserves, not public right-of-way, meaning they would not be turned over to the city in the future. This led to further discussion about the necessity and appearance of sidewalks before the gated areas to enhance public view and ensure uniformity with city beautification efforts.

Some commissioners argued for consistency with city ordinances that typically require sidewalks, citing past instances where individuals faced significant costs for sidewalk installation.

The board discussed the need to consider both the developer's request and the broader community's needs, emphasizing safety, aesthetics, and standard city practices.

The discussion concluded with preparations for a motion, suggesting a leaning towards requiring the installation of sidewalks for consistency and public benefit despite the private nature of the subdivision.

MOTION: A motion was made by Jason Coan, seconded by Mindy Payne.
Move to deny Item 6C 24-1552 Public hearing, consideration, and possible action regarding PUD-001783-2024 (Planned Unit Development) minor amendment to PUD-94Y, The Cottages at Battle Creek, 20.45 acres, located north of the Broken Arrow Expressway, one-quarter mile north of Albany Street (61st Street), north of Albany Drive, one-quarter mile east of Aspen Avenue (145th E. Avenue)

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

D. 24-1553 **Public hearing, consideration, and possible action regarding PUD-001785-2024, a major amendment to PUD-001521-2024, 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), a one-quarter mile west of 23rd Street (193rd East Avenue/County Line Road)**

Henry Bibelheimer, Planner II, presented Item 24-1553 6D, a major amendment to PUD 1521-2024, known as 81st Street Office Storage. The property, approximately 40 acres, is zoned A1, IL, and PUD 1521. It is located north of Houston Street, about a quarter mile west of 23rd Street or County Line Road. The City Council approved PUD 1521 and BAZ 1569 on August 5, 2024.

The applicant has requested a significant amendment to increase the outdoor storage and distribution area for relocatable buildings from 12 to 17.95 acres within Development Area 1 of PUD 1521-2024.

The amendment seeks to maintain the original 300-foot landscape buffer along Houston Street for Development Area 1. Still, it proposes reducing the landscape edge to 200 feet for the additional 241-foot eastern extension of Development Area 1, aligning it with the requirements of Development Area 2.

The amendment is presented with a conceptual layout and design statement. It aligns with zoning ordinance section 6.4.8, meeting provisions for beautification and buffer enhancements along Houston Street.

According to FEMA, the property is not within the 100-year floodplain. Both water and sanitary sewer services are available from the city of Broken Arrow.

Staff Recommendation: The staff recommends approval of PUD 1785, subject to the completion of the plotting process, citing compliance with the comprehensive plan and the appropriateness of the landscape changes for the surrounding land uses.

Nathan Cross, applicant, discusses optimizing access to the development project. Initially, the approved plan included a single access drive for Development Area One, designated for outdoor storage, while Development Area Two is planned for light industrial use. Upon further review, driveway spacing and safety challenges emerged due to existing curb cuts on the opposite side of the road and to the east. These constraints make adding multiple access points difficult while adhering to spacing requirements.

The board and Mr. Cross discussed improving access and safety for the development project. The primary challenge is the existing curb cuts, which complicate spacing for multiple access points. To address this, the client proposed a single, more expansive mutual access driveway serving both Development Areas (outdoor storage and future light industrial) built to city collector road standards. This design reduces traffic congestion and improves safety, especially for heavy vehicles.

The current outdoor storage project will absorb the cost of building the improved driveway, with an expansion to offset expenses. A healthy landscape buffer and stormwater detention remain in the plans, ensuring compliance with previous agreements. The new layout is a better solution for managing traffic and overall site functionality.

MOTION: A motion was made by Jason Coan, seconded by Jaylee Klempa.
Move to approve Item 6D 24-1553 Public hearing, consideration, and possible action regarding PUD-001785-2024, a major amendment to PUD-001521-2024, 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), a one-quarter mile west of 23rd Street (193rd East Avenue/County Line Road)
Mindy Payne, Jason Coan, Robert Goranson, Jaylee Klempa

Aye: 4 -

E. 24-1554 Public hearing, consideration, and possible action regarding PUD-001772-2024 (Planned Unit Development) and BAZ-001552-2024 (rezoning), Aspen Park, CH (Commercial Heavy), R-3 (Single-Family Residential), RD (Residential Duplex) and PUD-118A to IL (Industrial Light) and PUD-001772-2024, 7.4 acres, Comprehensive Plan Level 3 to Level 6 via COMP-001570-2024, generally located one-quarter mile north of west Kenosha Street (East 71st Street South) and one-quarter mile east of North Aspen Avenue (South 145th East Avenue)

Henry Bibelheimer, Planner II, presented Item 24-1554 6E, a public hearing and action regarding the rezoning and developing a 7.4-acre property near North Aspen Avenue and West Kenosha Street. Currently zoned under multiple classifications, including PUD 118A, the proposal seeks to rezone the property to Industrial Light (IL) and establish a new PUD (Planned Unit Development 1772).

The property is partially platted as Aspen Park Village and partially unplatted, currently undeveloped. The comprehensive plan, updated in 2024, allows for Level 6 land use, enabling industrial rezoning.

The rezoning request for BAZ 1552 proposes to rezone from CH, R-3, & RD to IL. PUD 1772 limits development to mini storage units with landscaping and screening as per code.

The development requirements include an 8-foot masonry fence on the north, east, and west sides, with opaque screening on the south (near an industrial zone). Surrounding land uses include residential and industrial areas, necessitating thorough screening and buffering. Access will utilize North Redbud Avenue, a suitable industrial route.

Staff recommends approval, contingent on the property being platted, existing PUD 118A, and amendments being aggregated. The project aligns with the comprehensive plan and industrial zoning requirements.

Joseph Watt, Sisemore & Associates, 6660 South Sheridan in Tulsa, and the board discussed the proposed development. It includes single-story mini storage buildings with standard profiles predominantly 15 feet wide and depths varying between 20, 25, and 30 feet. The

majority are planned as 15x20-foot units, and no two-story buildings are being considered.

All units are single-story; there are no plans for multi-story structures. The design details will be finalized after the process moves forward.

The facility will have electronic gates, potentially allowing 24/7 access. This is similar to other nearby facilities, but operational hours have not been definitively decided.

Given the proximity to residential areas, concerns about headlights, noise, and traffic during night hours were noted.

The developer is open to addressing these issues and adjusting operations based on feedback during the final design phase.

The development team plans to refine these elements further as the project progresses.

MOTION: A motion was made by Robert Goranson, seconded by Jaylee Klempa.
Move to approve Item 6E 24-1554 Public hearing, consideration, and possible action regarding PUD-001772-2024 (Planned Unit Development) and BAZ-001552-2024 (rezoning), Aspen Park, CH (Commercial Heavy), R-3 (Single-Family Residential), RD (Residential Duplex) and PUD-118A to IL (Industrial Light) and PUD-001772-2024, 7.4 acres, Comprehensive Plan Level 3 to Level 6 via COMP-001570-2024, generally located one-quarter mile north of west Kenosha Street (East 71st Street South) and one-quarter mile east of North Aspen Avenue (South 145th East Avenue)

Aye: 3 - Jason Coan, Robert Goranson, Jaylee Klempa
Nay: 1 - Mindy Payne

- F. 24-1555 **Public hearing, consideration, and possible action regarding PUD-001815- 2024 (Planned Unit Development) Major Amendment, The Enclave at Southern Trails, 20.49 acres, BAZ-000125-2022 CG (Commercial General), RM (Residential Multi-Family), CM (Community Mixed-Use) and PUD- 000126-2022, generally located at the southeast corner of Olive Avenue (129th East Avenue) and New Orleans Street (101st Street)**

Joel Hensley, Senior Planner, presented Item 6F 24-1555. This item addresses a major amendment to PUD 126-2022, proposing commercial mixed-use and multifamily development across 20.49 acres at the southeast corner of Olive Avenue and New Orleans Street. The amendment involves three development areas (A, B, and C) with changes to permitted uses, land areas, building standards, and setbacks.

Key Details of the Amendment are Development Area A (7.88 acres), permitted uses: Includes all uses allowed in Commercial General (CG), plus micro food and beverage production; excludes medical marijuana dispensaries, pawn shops, bail bonds, and payday lenders. Land Area: Increased from 7.08 acres to 7.88 acres. Building Floor Area: Capped at 200,095 sq. ft. (no cap in the original PUD). Setbacks: Right-of-way: 50 feet (reduced to 25 feet with no parking). Minimum setback between development areas: 10 feet.

Development Area B (0.76 acres): Permitted Uses: Multifamily on the second floor; ground floor for office, retail, fitness, art galleries, and maker spaces, excludes pawn shops. Land Area: Decreased from 1.26 acres to 0.76 acres. Building Standards: Height: Reduced to 2 stories (was three stories). Max dwelling units: 6 (minimum lot area of 2,300 sq. ft. per unit).Parking: Minimum 1.5 spaces for single-bedroom units and 2 for two-bedroom units.Max building floor area: 4,520 sq. ft.

Development Area C (11.48 acres): Permitted Uses: Multifamily dwellings, parks, pools, and neighborhood amenities; no more than four attached units unless in a row-house configuration. Land Area: Decreased from 12.2 acres to 11.48 acres. Dwelling Units: Increased to 160 units (was 145). Building Standards: Max building coverage: 60% (was 35%). Landscaping buffer: Reduced to 10 feet (was 20 feet).

Staff finds this amendment marks a significant change from the original PUD but aligns with the Comprehensive Plan's Level 3 and 4 zoning designations. The proposal meets zoning and development standards, and staff recommends PUD 1815-2024 approval.

On behalf of the developer, Erik Enyart, Tanner Consulting presented a major amendment to the previously approved PUD 126-2022 for a mixed-use development on a 20-acre site at the southeast corner of Olive Avenue and New Orleans Street. The amendment refines the site plan with updated layouts, building designs, and development standards while retaining the original zoning and general use intentions. He and the board discussed fundamental changes and details about the development layout.

The original PUD had a conceptual plan; the updated PUD includes a finalized, detailed site

plan. Areas A and B (commercial zones) were combined for simplicity. Area C (residential) remains gated, with townhouse-style units featuring enclosed garages for 1-4 bedroom layouts.

The residential updates include an increase from 145 to 155 dwelling units. Features a walkable, campus-style community with central amenities Larger clubhouse, and a pool. Big and small dog parks, playgrounds, pavilions, and sports courts incorporate communal lawns for connectivity.

The mixed-use units include six live-work units, allowing ground-floor businesses with upstairs residential units for tenants (or separate occupants). CM zoning was activated for mixed-use functionality and relocated to the southwest corner for better integration.

The design enhancements include detailed elevations and renderings were provided (unavailable in the original PUD). Commercial areas include wider landscaped edges, uniform building lines, variegated facades, patios, and pedestrian-friendly sidewalks.

Restricted and prohibited uses include pawn shops, medical marijuana dispensaries, and payday lenders—restrictions based on compatibility with surrounding neighborhoods and feedback from past developments and citizen input.

Community and Stakeholder Engagement was discussed and the developer clarified that no new neighborhood meetings were conducted for the amendment, as the proposal is a refinement of the existing plan. The team was willing to address public concerns during the meeting and provide expert responses as needed.

The refinement was praised for its attention to community standards and aesthetic improvements. The presentation emphasized the thoughtful integration of commercial and residential uses to align with community expectations and the comprehensive plan.

The updated PUD refines the original development with improved site design, enhanced amenities, and community-sensitive use restrictions. The team is prepared to address public concerns and provide additional details as necessary.

Mark Wagner, a resident of the Lakes at Rabbit Run, addressed concerns about the lack of fencing along the south side of the proposed development, which borders a pond and green space maintained by the neighborhood HOA. He noted that while the development plan includes landscaping along this edge, such as trees and shrubs, it does not create a sufficient barrier. Specifically, the landscaping design, with one tree every 30 feet and shrubs every 50 feet, does not meet the residents' expectations for privacy or separation. Wagner emphasized that the HOA has invested in creating and maintaining the pond and green space, and residents are concerned about the potential for people accessing the area from the new development, leading to disruptions or damage. He suggested that fencing, similar to the high-quality, 6–8-foot fences used in their community, would address these issues, emphasizing the principle that "good fences create good neighbors."

Another issue raised was the driveway and curb cut, which, in the revised development plan, is located closer to the pond than before. This change heightens the importance of creating a barrier to prevent encroachment on the neighborhood's shared space. Wagner also expressed concerns about flooding from the east side of the property, which has already begun to fill in the pond and could worsen with further development.

In response, it was clarified that the pond and surrounding area were designed during the Lakes at Rabbit Run development and were intended as a shared amenity. The original intent of the PUD was to maintain an open view of the pond for both the Rabbit Run residents and those in the new development. While the landscaping buffer was discussed in the original PUD, there was no mention of a barrier fence being required. Staff also noted that the developer could address these concerns and provide additional context, particularly about the shared use of the pond and the landscaping plan.

It was reiterated that the landscaping plan was designed to maintain visibility and aesthetic openness rather than creating a visual or physical barrier. The developer, they explained, could clarify these points and address whether further adjustments could be made to accommodate the neighborhood's concerns.

Mr. Wagner concluded by expressing hope for further discussions with the developer to find a solution that would satisfy both parties, particularly addressing privacy and environmental concerns like flooding.

Stacey Harden, a resident of the Lakes at Rabbit Run and a neighbor of the previous speaker, Mark Wagner, addressed the Commission to expand on the concerns raised earlier. Harden

explained that one of the primary concerns for the neighborhood is safety and security regarding the pond and reserve area, which the Lakes at Rabbit Run HOA owns and maintains. Currently, the HOA cannot install a fence along the border with the proposed development, leaving the area potentially accessible to the public.

Mr. Harden noted that the neighborhood had initiated discussions with the developer and expressed optimism about reaching a mutually beneficial agreement. The goal is to find a solution that enhances security by preventing unauthorized access to the pond area from the adjoining development. Mr. Harden emphasized that the concern is not about opposition to the project but ensuring the neighborhood's safety, security, and shared space.

When asked for clarification, Mr. Harden explained that the objective is to prevent people from quickly entering the pond area from the new development. He reiterated that the neighborhood is hopeful about resolving the issue, noting that many residents are still processing the details of the proposed changes and the associated implications. Harden expressed optimism that the ongoing dialogue with the developer will lead to a satisfactory outcome for both parties.

Keith Garoutte, a resident of Lakes at Rabbit Run who has lived in Broken Arrow for 25 years, shared concerns about changes in the proposed development under the revised PUD. He explained that he and his wife purchased a lot overlooking the pond for its serene views of wildlife, including deer, ducks, and geese. However, with the new plan, the access road has been moved closer to the pond, and the parking arrangement now positions cars north and south. This layout raises concerns about headlights shining directly into homes and disrupting the peaceful environment, particularly for homes with windows facing the water.

Mr. Garoutte pointed out that the access road in the original PUD was farther from the pond and apartments were positioned to maximize water views. In contrast, the revised design orients the apartments north-south, leaving them with limited or no views of the pond, which he feels diminishes the development's thoughtful design. He emphasized that the new road placement could lead to increased traffic noise and lights reflecting off the water, disrupting the tranquility currently enjoyed by the neighborhood.

Additionally, he questioned whether city regulations address the number of access roads allowed onto arterial streets, noting the proximity of multiple access points within a short distance. He also raised concerns that the landscaping buffer, which calls for one tree every 30 feet, would not be sufficient to shield against car headlights or noise without some fence or barrier.

In response, it was clarified that while there is no limit on the number of driveways onto arterial streets, there are spacing requirements of at least 250 feet between access points. Staff also explained that the landscaping plan exceeds the city's one tree per 50 feet standard, but the exact tree types and their density would depend on the final design. Staff acknowledged that water could amplify noise and light and reiterated that the conceptual plan could be adjusted during the final design phase to address these concerns better.

Mr. Garoutte reiterated that his main concerns are related to the potential impacts of the new access road and parking arrangement on the peace and privacy of the neighborhood, particularly the increased exposure to lights and noise.

Christine Detrick, a resident of the Lakes at Rabbit Run, raised concerns about the lack of fencing around the shared pond and the potential for unrestricted access between their neighborhood and the proposed development. They highlighted that the community was marketed as a gated neighborhood, which they believed should include a secure perimeter, not just entry gates. The open access, they argued, undermines the safety and exclusivity of the neighborhood.

Ms. Detrick also expressed severe liability concerns. Being an "attractive nuisance," the pond could be dangerous, particularly to children. They drew a comparison to swimming pools, which require fencing for safety. Without a barrier, they worried about potential accidents or injuries, such as a child falling into the pond, which would raise significant safety and liability concerns for the HOA and the neighborhood.

Additionally, Ms. Detrick noted that their community already struggles with unwanted visitors due to the incomplete fencing around the neighborhood. They suggested that a lack of secure boundaries would only exacerbate the issue, allowing more effortless movement between the two developments.

While Ms. Detrick acknowledged that perimeter fencing might not eliminate all access, they emphasized its importance as a deterrent and a measure to ensure safety and security. They echoed earlier comments about concerns regarding the placement of the driveway next to the pond, which reduces the buffer between the developments and increases exposure to noise

and lights in their neighborhood.

It was clarified that the lake and reserve area belong to the Lakes at Rabbit Run, making the HOA responsible for any security measures, including fencing. Staff also noted that "gated community" typically refers to gated streets rather than fully enclosed perimeters. They acknowledged, however, that the agreements regarding the shared reserve area were outside their jurisdiction and would require clarification from the property owner.

Ms. Detrick reiterated that the safety and security concerns are significant and must be addressed, even if they align with issues under the original PUD approved in January 2023.

Henry Bibelheimer, Planner II, read an email from Dan and Jeanette Scott. Mr. Scott expressed his concerns about PUD 1815 and the proposed major amendment to PUD 126, focusing on the strain the development could place on the local infrastructure and schools. He highlighted the rapid residential growth in the area around Olive Avenue and New Orleans Street, noting that there are already four other developments in various stages of construction or planning, which would add a significant number of new residences. These include the current PUD 1815 proposal, The Retreat on New Orleans between Olive and Aspen with 90 single-family homes, Pine Valley Ranch on Olive between Washington and New Orleans with 139 planned homes, Pine Valley Villas adjacent to Pine Valley Ranch with 65 additional single-family units, and The Villas at Rabbit Run, which is almost complete and comprises 100 single-family homes. Altogether, these developments account for 774 new residences in the immediate area.

Mr. Scott estimated that these residences would introduce approximately 1,161 additional vehicles to the local roads, assuming an average of 1.5 cars per household. He noted that Olive Avenue and New Orleans Street are primarily two-lane roads, which he argued are insufficient to accommodate the anticipated increase in traffic. He expressed concern about congestion during peak hours, including school drop-off and pick-up times, suggesting that the area is already under strain and would struggle to manage additional growth.

Turning his attention to schools, Mr. Scott analyzed the potential impact of these developments on enrollment at nearby Oliver Middle School and Wolf Creek Elementary School. Using an average of 1.5 students per residence, he projected that these developments would result in 1,117 new students enrolling in the two schools. This would significantly increase the student-to-teacher ratios, with Oliver Middle School's current ratio of 13:1 potentially rising to 26.3:1 and Wolf Creek Elementary's ratio increasing from 17.05:1 to 36:1. Scott highlighted the challenges these increased ratios would pose for maintaining educational quality and managing classroom sizes.

In conclusion, Mr. Scott urged the Commission to consider reducing the number of residences in the proposed development to alleviate the anticipated strain on roads and schools. Alternatively, he suggested that improvements to local infrastructure and facilities should be prioritized to accommodate the rapid growth in the area. He emphasized the importance of balancing development with the community's ability to sustain it effectively.

Justin Morgan, Tanner Consulting, applicant rebuttal: addressed concerns about landscaping, building orientation, and site planning for the proposed development. He emphasized that the setback from the neighboring residential area is substantial, with a 300-foot separation across the lake, compared to the typical 55 feet required in similar developments. He noted that many of the trees south of the property line were recently planted as part of a wetland mitigation effort and, while not yet mature, are expected to grow thick and dense over time, enhancing the natural buffer.

To address concerns about building orientation, Mr. Morgan explained that the apartments were reoriented from east-west to north-south. This design minimizes the disruption to neighboring properties by ensuring that balconies and active areas do not directly face the lake. Instead, the buildings' end caps, with windows but no balconies, are positioned toward the lake.

Mr. Morgan also detailed efforts to centralize amenities such as the pool, dog parks, and playgrounds within the community to draw residents away from the southern edge near the lake. He acknowledged restrictions on fencing in certain areas due to the lake's designation and ecological considerations, noting that these constraints influenced the overall site design. Morgan concluded by explaining that the current concept has been in development for some time and reflects efforts to balance community concerns with project requirements.

Mark Perkins, Perkins Development, clarified that the green space between the proposed development and the Lakes at Rabbit Run was intentionally designed as a shared amenity and conservation area. This space is protected by a conservation easement detailed in the deed, which prohibits the construction of major fencing or barriers. The easement was established to create a shared buffer and detention area benefiting both communities. He emphasized that

any solution must respect these legal restrictions and existing agreements with the Rabbit Run developer.

Mr. Perkins, acknowledging concerns from Rabbit Run residents, the owner committed to collaborating with them to find mutually agreeable solutions before the matter reached the city council. He reiterated that while a fence cannot be constructed due to legal restrictions, additional landscaping could be explored to address privacy and security concerns. However, he also pointed out that any such changes must avoid compromising the intent and feel of the area as a walkable neighborhood, particularly given the already significant nine-acre buffer.

Mr. Perkins reminded the Commission that the original PUD for the Lakes at Rabbit Run, approved in 2021, explicitly stated that no fencing would be required along the northern property line due to the conservation area acting as a natural buffer. He noted that if this was not communicated to homebuyers, it was not the responsibility of the current developer, as this plan had been in place from the beginning.

Regarding concerns about the health of trees in the area, Mr. Perkins agreed that a true mitigation area requires proper upkeep, including replanting dead trees. He also pointed out that the Rabbit Run HOA likely bears responsibility for maintaining the landscaping and the pond, as these were part of the original plat for the Lakes at Rabbit Run. Mr. Perkins reiterated his willingness to collaborate with the community to ensure a solution that benefits all parties while respecting the legal constraints.

MOTION: A motion was made by Robert Goranson, seconded by Mindy Payne.
Move to approve Item 6F 24-1555 Public hearing, consideration, and possible action regarding PUD-001815- 2024 (Planned Unit Development) Major Amendment, The Enclave at Southern Trails, 20.49 acres, BAZ-00012-2022 CG (Commercial General), RM (Residential Multi-Family), CM (Community Mixed-Use) and PUD- 000126-2022, generally located at the southeast corner of Olive Avenue (129th East Avenue) and New Orleans Street (101st Street)

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

G. 24-1556 **Public hearing, consideration, and possible action regarding PUD-001818-2024 (Planned Unit Development) and BAZ-001817-2024(rezoning), Aspen Market, CN (Commercial Neighborhood), CG(Commercial General), RD (Residential Duplex) and R-2 (Single-Family Residential) to CH (Commercial Heavy) and PUD-001818-2024, 30.5acres, Comprehensive Plan Level 6, generally located on the northeast corner of Tucson Street (121st Street) and Aspen Avenue (145th East Avenue)**

Henry Bibelheimer, Planner II, presented Item 24-1556 PUD 1818 and BAZ 1817, which pertain to the rezoning and development of a 30.5-acre site known as Aspen Market, located at the northeast corner of Tucson Street and Aspen Avenue. The currently unplatted and undeveloped property is designated Level 6 in the comprehensive plan. The rezoning request (BAZ 1817) seeks to change the zoning to Commercial Heavy (CH) in alignment with the comprehensive plan, while the PUD 1818 proposal limits use to those allowed in Commercial General (CG), including car washes, which are permitted under CH zoning.

The proposed development includes specific features such as three multi-tenant signs varying in size and placement, including a 40-foot sign along the Creek Turnpike, a 30-foot main entrance sign on Aspen Avenue, and a 9.5-foot sign on West Tucson Street. A setback reduction is proposed along West Tucson Street, decreasing the required setback from 50 to 20 feet. Access to the development will include a mix of public and private streets and drives, with three entrances on Aspen Avenue and Tucson Street, one of which will be signalized. Public sidewalks are planned along the arterial roads, supplemented by private sidewalks within the development.

Staff recommended approval of PUD 1818 and BAZ 1817, contingent on the platted property and specific comments being addressed during the planning process. The Commission noted that the final layout for streets and drives and compliance with zoning and engineering standards would be finalized as the development progresses. The proposal aligns with the comprehensive plan and surrounding land uses, with staff available to address any questions from the Commission.

Mark Capron, Wallace Design Collective applicant, presented on behalf of the Aspen Market project, providing additional details about the Planned Unit Development (PUD) and rezoning process. He explained that while the project could largely proceed under Commercial General (CG) zoning, including a car wash required an upgrade to Commercial Heavy (CH) zoning. The PUD was then used to refine the zoning to align with CG standards while allowing the car wash. Additionally, the PUD enabled the inclusion of a private street, as some of the larger stores in the development would not have frontage on a public road. The private street also allows for adjustments in pedestrian circulation, such as relocating

sidewalks to areas that better support access and flow rather than strictly adhering to street adjacency.

Mr. Capron emphasized the collaboration with city staff to refine the development details and highlighted the project's quality and scope. He expressed pride in the team's involvement in what he described as a significant and high-quality project. While the Commission praised the development's design and noted its thoroughness, the mood remained light with a humorous acknowledgment of missing a social gathering due to the meeting. Mr. Capron concluded by offering to address any questions, confident in the project's appeal and design.

MOTION: A motion was made by Mindy Payne, seconded by Jaylee Klempa.
Move to approve Item 6G 24-1556 Public hearing, consideration, and possible action regarding PUD-001818-2024 (Planned Unit Development) and BAZ-001817-2024(rezoning), Aspen Market, CN (Commercial Neighborhood), CG(Commercial General), RD (Residential Duplex) and R-2 (Single-Family Residential) to CH (Commercial Heavy) and PUD-001818-2024, 30.5acres, Comprehensive Plan Level 6, generally located on the northeast corner of Tucson Street (121st Street) and Aspen Avenue (145th East Avenue)

The motion carried by the following vote:

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

7. Appeals - NONE

8. General Commission Business - NONE

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

Robert Goranson requested a discussion at the next meeting on sidewalk waivers, gave a shoutout to the Parks Department, and expressed excitement at the soon-to-open Ace Pickleball facility. Staff and Commission wished everyone a happy Thanksgiving.

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

The meeting adjourned at approximately 7:30 PM.