



# City of Broken Arrow

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

## Minutes - Draft

### Planning Commission

*Chairperson Ricky Jones*

*Vice Chair Fred Dorrell*

*Member Lee Whelpley*

*Member Glenn Shaw*

*Member Carlyne Isbell-Carr*

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Thursday, August 27, 2015

5:00 PM

Council Chambers

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#### 1. Call To Order

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

#### 2. Roll Call

**Present** 5 - Lee Whelpley, Ricky Jones, Fred Dorrell, Glenn Shaw, and Carlyne Isbell-Carr

#### 3. Old Business

None

#### 4. Consideration of Consent Agenda

Ricky Jones explained the Consent Agenda process and asked if anyone wished to pull any items from Consent to be discussed. No one responded. There were approximately 10 people in the audience.

Marcae Hilton presented the Consent Agenda.

**MOTION: by Fred Dorrell to approve Items 4A and 4B on the Consent Agenda, as recommended by Staff. The motion was seconded by Lee Whelpley.**

**Aye:** 5 - Lee Whelpley, Ricky Jones, Fred Dorrell, Glenn Shaw, and Carlyne Isbell-Carr

**A.** Minutes, Planning Commission meeting held August 13, 2015

**This item was approved as presented.**

**B.** Consideration and possible action regarding BAL 1079, Primus Properties Lot Split in the Original Town of Broken Arrow, 0.40 acres, R-3, located in the 200 block of West Detroit Street, between Ash Avenue and Birch Avenue

**This item was approved, per Staff recommendations. The applicant, Bill Leet, with Primus Properties was present and in**

**agreement with the Staff report.****5. Consideration of Items Removed from Consent Agenda**

None

**6. Public Hearings**

- A.** Public hearing, consideration, and possible action regarding PUD 240 and BAZ 1942, Villas at Bricktown, 11.58 acres, R-1 to PUD 240/RS-3, north of the northeast corner of Kenosha Street and Olive Avenue

Ricky Jones said his firm prepared the PUD for this item and would recuse himself from this discussion. Mr. Jones left the Council Chambers.

Fred Dorrell took over to Chair the meeting.

Brent Murphy presented the background saying Planned Unit Development (PUD) 240 involves 11.58 acres located north of the northeast corner of Kenosha Street and Olive Avenue. BAZ 1942 has also been submitted, requesting to rezone this property from R-1 (Single-Family Residential) to RS-3 (Single-Family Residential). The property is presently undeveloped.

Mr. Murphy said the applicant is proposing to develop a gated single-family detached residential development with up to 36 dwelling units on this property. The streets within the development are proposed to be private streets, constructed to City of Broken Arrow standards. A homeowners association shall be created which will be responsible for the maintenance of the streets and all common areas.

Brent Murphy said there are two development areas, A and B, proposed with PUD 240. Development Area A contains the proposed residential lots and streets and Development Area B will be left open, which is the part of the property located within the 100-year floodplain.

Mr. Murphy said there was a previous change to the Comprehensive Plan through BACP 87, changing the designation on this property associated with PUD 240 from Level 2 to Levels 3 and 4, was approved by the City Council on October 15, 2007, subject to the property being platted and a PUD being submitted. A rezoning request and PUD application has never been submitted, and the property has not been platted and as a result, BACP 87 never went forward. He said a summary of PUD 240 is included with the Staff report and the number of dwelling units within this PUD is limited to 36 for a density of 3.11 units per acre, slightly above the 3.00 dwelling unit density required by R-1 district presently associated with this property.

Brent Murphy said based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD 240 and BAZ 1942 be approved as presented in the document dated August 24, 2015, subject to the property being platted. In addition, Staff recommends that BACP 87 be abrogated.

Fred Dorrell asked if the applicant was present.

Jessica Shelton, Tanner Consulting, 5323 S. Lewis Avenue, Tulsa, said they are in agreement with Staff recommendations. She said this will be a compact development with gated streets, geared toward empty-nesters and the developer has expressed his desire for this property to be commonly maintained. She said drainage issues have been presented and they will address those issues at the Platting stage.

Fred Dorrell opened the public hearing.

JD Lind, 13507 E. 68th Street, Broken Arrow voiced concern regarding additional flooding to the area caused by this development and asked if a hydrology study has been done. Michael Skates said a hydrology study has not been done for this development yet; however, there have been many studies done on surrounding areas and a master drainage report exists for this particular branch of Haikey Creek. Mr. Lind asked if a detention pond will be required and how it will be drained. Michael Skates said detention will be required and it will drain through inlets into the detention pond and into a structure that will drain into the creek. Discussion continued.

Mr. Lind said traffic off Olive is also a concern as the existing traffic is highly congested and he is concerned that emergency personnel won't be able to get through the area in an emergency. He said he is also concerned that this development will eventually become rentals or Section 8.

Fred Dorrell asked if anyone else wished to speak on PUD 240 and BAZ 1942.

Terry Masengale, 13006 E. 68th Street, Broken Arrow said he has concerns regarding flooding and that there will be structures built in the floodplain. He said according to the County Map there appears to be only six acres of available land within this area. He asked if dirt will be allowed into a floodzone. Fred Dorrell said the case being considered is for a zoning change and PUD. Michael Skates said if dirt is allowed in a floodplain, the amount of dirt brought in must be equal to the dirt removed.

Mr. Dorrell said there are a lot of unknown answers at this point and before anything is built on this site, the zoning must be done first. Discussion continued.

Hyung Cho, 13000 E. 68th Street, Broken Arrow, representing the Korean Church of Tulsa, said he is concerned with flooding issues. He said the drawing for this development, on southeast corner of the property, appears to be blocking the water flow from the church. Michael Skates said the church, when developed, had issues and concerns with flooding that were addressed. Mr. Skates said the church was developed to drain east and this project should not block the drainage on the church property. Mr. Skates said Staff will ask the Consultant to verify where the water will go and they will not be allowed to block water coming off the church site. Mr. Skates said if needed they will be required to convey that to the creek.

Sharon Fuller, 3104 West Oakland Circle, Broken Arrow said she lives in Bricktown which is east of the property. She said she there is a wooded area and private park in the area and asked if this would be shared between the two developments. She asked if a fence could be installed and that she would like to be informed or involved with the Planning related to this area. Michael Skates said one-third of the park appears to be on the property for this application. Mr. Skates said he has mentioned the park to the Consultant and Developer and they can further address her concerns. Ms. Fuller also voiced concerns with traffic increasing in the area.

Fred Dorrell asked if anyone else wished to speak regarding this item. No one responded. Mr. Dorrell closed the public hearing.

Jessica Shelton, Tanner Consulting said they will do a hydrology study to Broken Arrow standards and there will not be any adverse impacts, upstream or downstream. She said there will be detention and traffic shouldn't have more density than R-1 zoning. She said they have reached out to the HOA (of Bricktown) and plan to work out maintenance agreements regarding the park. There will not be any structures built in the floodplain; drawings were for illustrative purposes only at this point in the project.

Lee Whelpley asked if there were any plans to expand the size of 129th (Olive). Michael Skates said one mile south of this location was widened to three lanes a few years ago and does not believe there are any plans to expand from Albany to Kenosha along Olive within the current bond plan. Mr. Skates said traffic does get backed up in this area and engineering will have to look at this area eventually. Discussion continued.

**MOTION: by Glenn Shaw to approve PUD 240 and BAZ 1942, per Staff recommendations. The motion was seconded by Lee Whelpley.**

**After the vote, Fred Dorrell said this item will be considered by the**

**City Council in their meeting of September 15, 2015, at 6:30 p.m.**

**Aye:** 4 - Lee Whelpley, Fred Dorrell, Glenn Shaw, and Carlyne Isbell-Carr

**Recused:** 1 - Ricky Jones

**7. Appeals**

None

**8. General Commission Business**

None

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

Farhad Daroga said the annual APA conference will be in October if members are interested in attending. He handed out items regarding the conference to the Planning Commission members.

**10. Adjournment**

**MOTION: by Carlyne Isbell-Carr to adjourn. The motion was seconded by Fred Dorrell.**

**Aye:** 5 - Lee Whelpley, Ricky Jones, Fred Dorrell, Glenn Shaw, and Carlyne Isbell-Carr