

## BROKEN ARROW PLANNING COMMISSION AND CITY COUNCIL

### Subdivision Plat Review Checklist

Preliminary Plat		Conditional Final Plat	
TAC		TAC	
Planning Commission		Planning Commission	
		City Council	

Case Number:	
Related Case Numbers:	
County:	
Section/Township/Range:	
General Location:	
Current Zoning:	

ENGINEER:	DEVELOPER:

### CONDITIONS TO BE MET PRIOR TO FINAL RELEASE OF PLAT

#### **Letter of approval from utility companies submitted?**

Natural gas company approval       Telephone company approval  
 Electric company approval       Cable company approval

#### **Certificate of records search from Oklahoma corporation commission submitted?**

OK Corporation Commission Certificate of Records Search  
Oklahoma Corporation Commission, 405-521-2271

#### **Engineering approval**

Stormwater plans, accepted on: \_\_\_\_\_  
 Paving plans, accepted on: \_\_\_\_\_  
 Water plans, accepted on: \_\_\_\_\_  
 Sanitary sewer plans, accepted on: \_\_\_\_\_  
 Sewage disposal plans, sent to department of environmental quality on: \_\_\_\_\_  
 Water plans sent to department of environmental quality on: \_\_\_\_\_  
 Is a sidewalk performance bond due? \_\_\_\_\_ Have they been submitted? \_\_\_\_\_  
 Are performance bonds or escrow agreement due for water, storm sewers, sanitary sewer and paving?  
(circle applicable) \_\_\_\_\_ have they been submitted? \_\_\_\_\_  
 Project engineer/development services review complete on: \_\_\_\_\_

**Planning approval**

Addresses reviewed and approved?  
 Detention determination # assigned and verified?  
 Planning department review complete on:  
 Final plat received in planning department after utility company sign off on:  
 Final plat sent to project engineer for final review on:

**Fees**

<input type="checkbox"/> Final plat processing fee (\$175 + (\$10 x ____ lots)	\$ _____
<input type="checkbox"/> Excess sewer capacity fee (\$700 x ____ acres (less any area in 100 year floodplain only or area in golf course)	\$ _____
<input type="checkbox"/> Street signs, lights, etc. (\$175 x ____ signs)	\$ _____
<input type="checkbox"/> Sidewalk escrow	\$ _____
<input type="checkbox"/> Storm water fee-in-lieu of detention (.40 x ____ (sf increased impervious area) (less any area in reserve area of 1/2 acre or more)	\$ _____
<b>Total fee(s)</b>	\$ _____

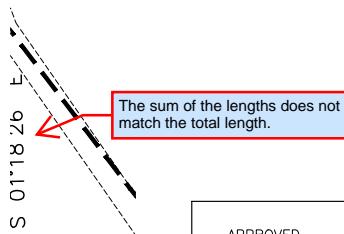
**FINAL PROCESSING OF PLAT**

Final plat submitted for mayor and city clerk signature on: \_\_\_\_\_  
 Fees paid on: \_\_\_\_\_ in the amount of: \_\_\_\_\_  
 Final plat picked up for recordation on: \_\_\_\_\_  
 PDF of recorded plat submitted to planning department



## Trails at Aspen Creek - Conditional Final Plat Summary

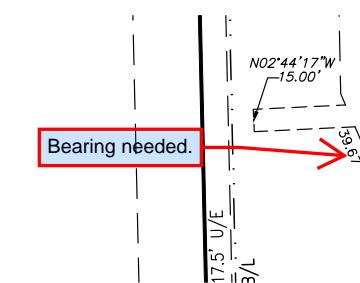
1 (13)



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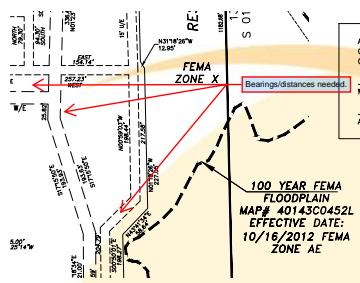
The sum of the lengths does not match the total length.

APPROVED \_\_\_\_\_



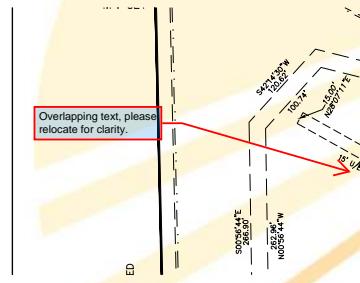
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Bearing needed.



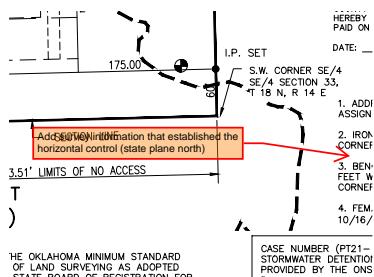
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Bearings/distances needed.



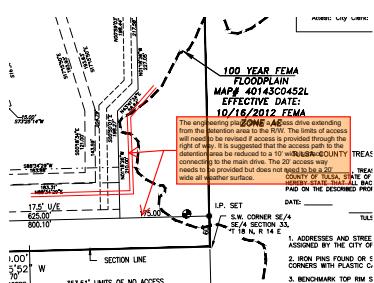
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Overlapping text, please relocate for clarity.



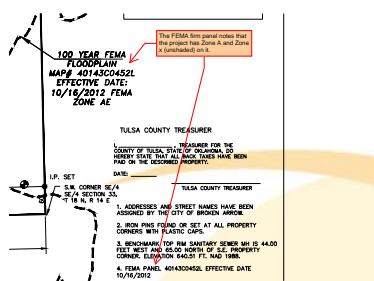
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Add survey information that established the horizontal control (state plane north)



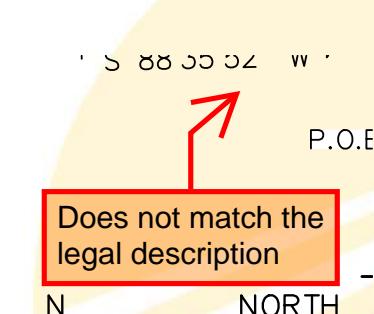
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The engineering plans show an access drive extending from the detention area to the R/W. The limits of access will need to be revised if access is provided through the right of way. It is suggested that the access path to the detention area be reduced to a 10' wide surface connecting to the main drive. The 20' access way needs to be provided but does not need to be a 20' wide all weather surface.



**Page Label:** 1  
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The FEMA firm panel notes that the project has Zone A and Zone x (unshaded) on it.



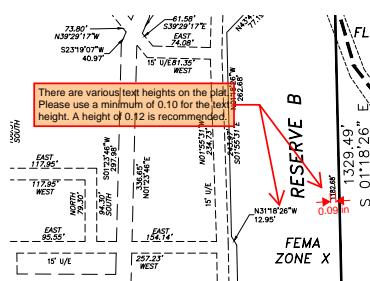
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Does not match the legal description

Does not match the legal description

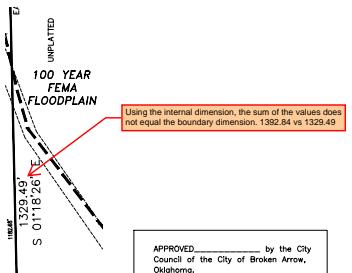
N NORTH

P.O.E



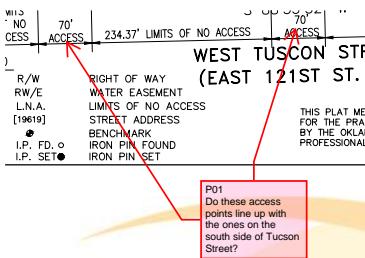
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There are various text heights on the plat. Please use a minimum of 0.10 for the text height. A height of 0.12 is recommended.



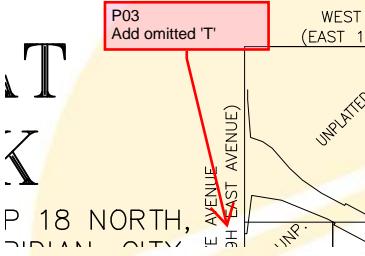
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Using the internal dimension, the sum of the values does not equal the boundary dimension. 1392.84 vs 1329.49



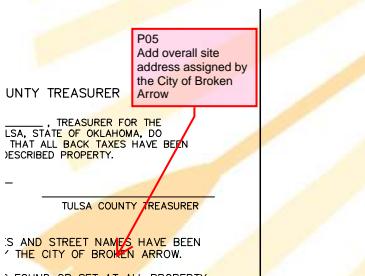
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P01  
Do these access points line up with the ones on the south side of Tucson Street?



**Page Label:** 1  
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P03  
Add omitted 'T'



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**Date:** 5/17/2022 10:05:17 AM  
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P05  
Add overall site address assigned by the City of Broken Arrow



# FINAL PLAT THE TRAILS AT ASPEN CREEK

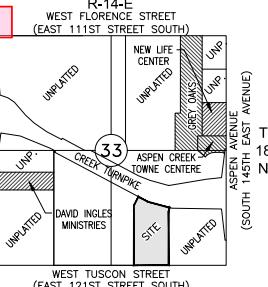
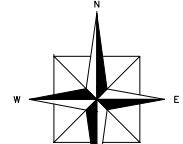
OWNER  
THE TRAILS ASPEN, LLC  
AN DELAWARE LIMITED LIABILITY COMPANY  
4200 E. Skelly Drive, Suite 800  
Tulsa, Oklahoma 74135  
Phone: (918) 492-1983  
scase@caseusa.com

A PART OF THE S/2 OF SECTION 33, TOWNSHIP 18 NORTH,  
RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, CITY  
OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA

## ENGINEER/SURVEYOR

Tuttle & Associates, Inc.  
P.O. Box 471313  
Tulsa, Oklahoma - 74147  
Phone: (918) 663-5567  
CERTIFICATE OF AUTHORITY CA 465  
EXPIRATION 6-30-23  
uttle-associates@sbcglobal.net

PUD#307A



## LOCATION MAP

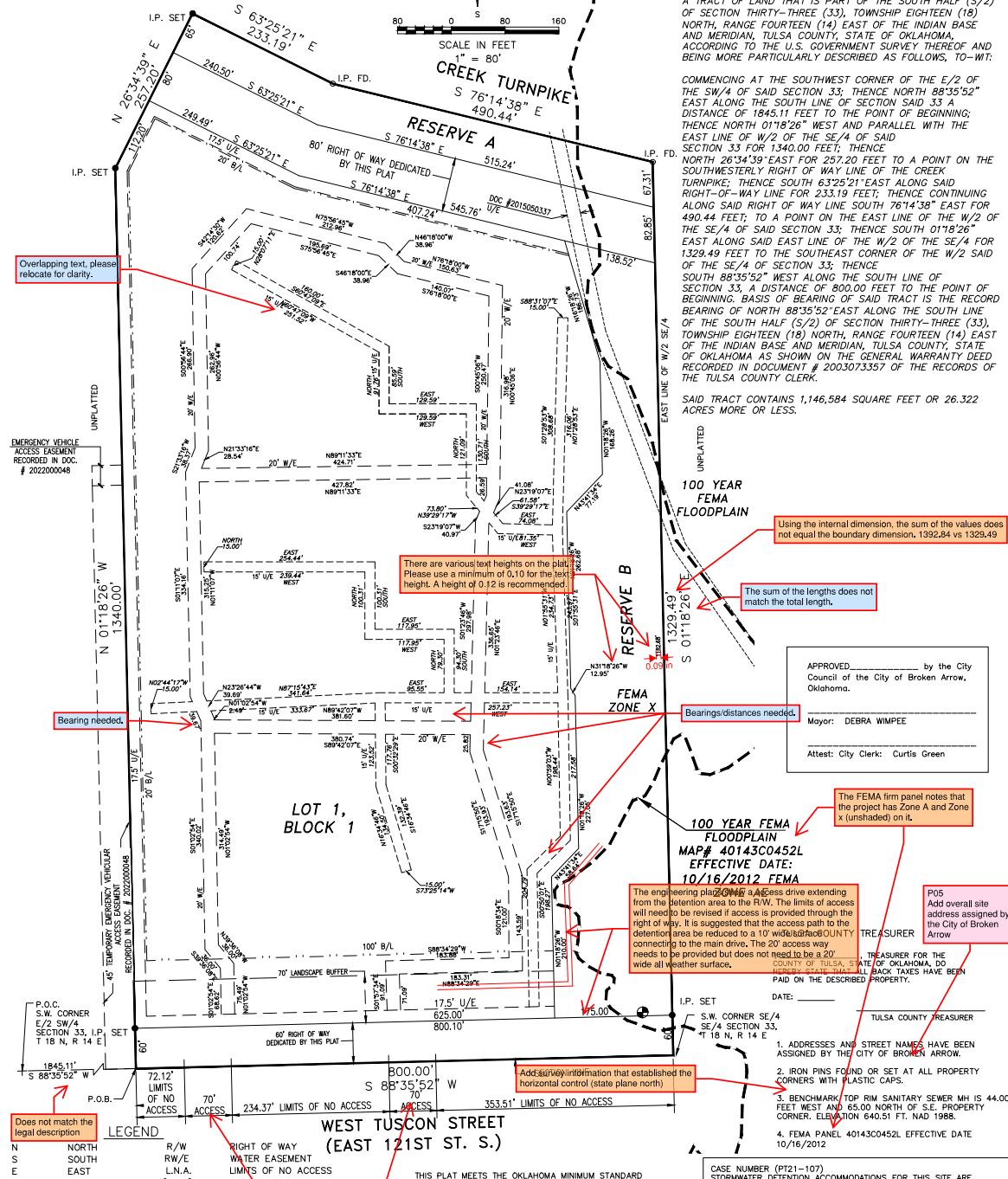
SCALE: 1" = 1000'  
1 LOT  
1,146,584 SQ. FT.  
26.322 ACRES

## LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF THE SOUTH HALF (S/2) OF SECTION THIRTY-THREE (33), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHWEST CORNER OF THE E/2 OF THE SW 1/4 OF SAID SECTION 33; THENCE NORTH 88°35'52" EAST ALONG THE SOUTH LINE OF SECTION SAID 33 A DISTANCE OF 1845.11 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01°18'26" WEST AND PARALLEL WITH THE EAST LINE OF W/2 OF THE SE/4 OF SAID SECTION 33 FOR 1340.00 FEET; THENCE NORTH 26°34'39" EAST FOR 257.20 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CREEK TURNPIKE; THENCE SOUTH 63°25'21" EAST ALONG SAID RIGHT-OF-WAY LINE FOR 233.19 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE SOUTH 76°14'38" EAST FOR 490.44 FEET; TO A POINT ON THE EAST LINE OF THE W/2 OF THE SE/4 OF SAID SECTION 33; THENCE SOUTH 01°18'26" EAST ALONG SAID EAST LINE OF THE W/2 OF THE SE/4 OF SAID SECTION 33 FOR 1329.49 FEET TO THE SOUTHEAST CORNER OF THE W/2 SAID OF THE SE/4 OF SECTION 33; THENCE NORTH 88°35'52" WEST ALONG THE SOUTH LINE OF SECTION 33, A DISTANCE OF 1392.84 FEET TO THE POINT OF BEGINNING; BASIS OF BEARING OF SAID TRACT IS THE RECORD BEARING OF NORTH 88°35'52" EAST ALONG THE SOUTH LINE OF THE SOUTH HALF (S/2) OF SECTION THIRTY-THREE (33), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA AS SHOWN ON THE GENERAL WARRANTY DEED RECORDED IN DOC # 2003073357 OF THE RECORDS OF THE TULSA COUNTY CLERK.

SAID TRACT CONTAINS 1,146,584 SQUARE FEET OR 26.322 ACRES MORE OR LESS.



**DEED OF DEDICATION  
AND  
RESTRICTIVE COVENANTS  
THE TRAILS AT ASPEN CREEK  
PUD#307A**

P04  
Add spacing and  
indentation for clarity

KNOW ALL MEN BY THESE PRESENTS:  
THE TRAILS AT ASPEN LLC, A DELAWARE LIMITED LIABILITY COMPANY (HEREINAFTER THE "OWNER/DEVELOPER"), IS THE OWNER OF THE FOLLOWING-DESCRIBED REAL PROPERTY SITUATED IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF THE SOUTH HALF (S/2) OF SECTION THIRTY-THREE (33), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, AS SHOWN ON THE U.S. GOVERNMENT SURVEY THEREOF AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO-WIT

COMMENCING AT THE SOUTHWEST CORNER OF THE E/2 OF THE SW/4 OF SAID SECTION 33; THENCE NORTH 88°35'52" EAST ALONG THE SOUTH LINE OF SECTION 33 A DISTANCE OF 1945.11 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01°26'08" WEST AND PARALLEL WITH THE EAST LINE OF W/2 OF THE SE/4 OF SAID SECTION 33 FOR 1340.00 FEET; THENCE NORTH 26°34'39" EAST FOR 1328.49 FEET; THENCE SOUTH 01°26'08" WEST AND PARALLEL WITH THE EAST LINE OF THE CREEK TURNPIKE; THENCE SOUTH 03°25'12" EAST ALONG SAID RIGHT-OF-WAY LINE.

FOR 490.44 FEET; THENCE TO THE POINT OF THE EAST LINE OF THE W/2 OF THE SE/4 OF SAID SECTION 33; THENCE NORTH 01°26'08" EAST ALONG THE EAST LINE OF THE W/2 OF THE SE/4 OF SAID SECTION 33 FOR 1328.49 FEET TO THE SOUTHEAST CORNER OF THE W/2 OF THE SE/4 OF SECTION 33; THENCE

SOUTH 88°35'52" WEST ALONG THE SOUTH LINE OF SECTION 33, A DISTANCE OF 800.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01°26'08" WEST AND PARALLEL WITH THE EAST LINE OF NORTH 88°35'52" EAST ALONG THE SOUTH LINE OF THE SOUTH HALF (S/2) OF SECTION THIRTY-THREE (33), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA AS SHOWN ON THE GENERAL WARRANTY DEED RECORDED IN DOCUMENT # 2003073357 OF THE RECORDS OF THE TULSA COUNTY CLERK.

SAID TRACT CONTAINS 1,146,584 SQUARE FEET OR 26.322 ACRES MORE OR LESS.

AND HAS CAUSE THE ABOVE-DESCRIBED LAND TO BE SURVEYED, STAKED, PLATED AND SUBDIVIDED INTO A LOT, TOGETHER WITH THE ACCOMPLISHMENT OF A PLAT AND SURVEY (HEREINAFTER THE "PLAT") AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS THE TRAILS AT ASPEN CREEK A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA (HEREINAFTER THE SUBDIVISION OR THE TRAILS AT ASPEN CREEK).

**I. EASMENTS AND UTILITIES**

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS  
THE OWNERS/DEVELOPERS DO HEREBY DEDICATE FOR PUBLIC USE THE STREETS, UTILITY EASEMENTS AND RIGHTS-OF-WAY AS DEPICTED ON THE PLAT AS 1/4" E.R. R/W FOR THE SEVERAL PURPOSES OF MAINTENANCE, OPERATION AND REPAIR OF THE STREETS, UTILITY EASEMENTS AND RIGHTS-OF-WAY AND ALL PUBLIC UTILITIES, INCLUDING WATER, SEWER, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES, AND TELEVISION LINES, TOGETHER WITH ALL OTHER MEANS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AS ARE NOW OR HEREINAFTER PROVIDED, WITH THE RIGHT OF INGRESS AND EGRESS AND UPON THE UTILITY EASEMENTS AND RIGHTS-OF-WAY FOR THE USES AND PURPOSES AFORESAID, PROVIDED, HOWEVER, THAT THE OWNERS/DEVELOPERS HEREBY RESERVE THE RIGHT TO DEDICATE ADDITIONAL UTILITY EASEMENTS AND RIGHTS-OF-WAY IN ADDITION TO THE UTILITY EASEMENTS AND RIGHTS-OF-WAY FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICE TO AREAS WITHIN OR OUTSIDE THE PLAT AND THE OWNERS/DEVELOPERS FURTHER RESERVE THE RIGHT TO CONSTRUCT AND MAINTAIN UTILITY EASEMENTS AND RIGHTS-OF-WAY IN ADDITION TO THE UTILITY EASEMENTS AND LANDSCAPING, SCREENING FENCES AND WALLS AND OTHER NON-OBSTRUCTING IMPROVEMENTS.

1. UNDERGROUND SERVICE CABLES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USE. THE OWNERS/DEVELOPERS FURTHER RESERVE THE RIGHT TO CONSTRUCT AND MAINTAIN UTILITY EASEMENTS AND RIGHTS-OF-WAY FOR THE UTILITY SERVICES, INCLUDING ELECTRIC, TELEPHONE, TELEVISION, CABLE TELEVISION, GAS, WATER, SEWER, SEWAGE, LANDSCAPING, SCREENING FENCES AND WALLS AND OTHER NON-OBSTRUCTING IMPROVEMENTS.

2. UNDERGROUND SERVICE CABLES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USE. THE OWNERS/DEVELOPERS FURTHER RESERVE THE RIGHT TO CONSTRUCT AND MAINTAIN UTILITY EASEMENTS AND RIGHTS-OF-WAY FOR THE UTILITY SERVICES, INCLUDING ELECTRIC, TELEPHONE, TELEVISION, CABLE TELEVISION, GAS, WATER, SEWER, SEWAGE, LANDSCAPING, SCREENING FENCES AND WALLS AND OTHER NON-OBSTRUCTING IMPROVEMENTS.

3. THE UTILITY EASEMENTS, THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES, HAVE THE RIGHT OF ACCESS TO ALL UTILITY WAYS DEPICTED ON THE PLAT AS PROVIDED FOR IN THE DEED OF DEDICATION FOR THE PURPOSE OF MAINTENANCE, REPAIR AND REPLACING ANY PORTION OF UNDERGROUND ELECTRIC OR COMMUNICATION FACILITIES INSTALLED BY THE OWNERS/DEVELOPERS.

4. OWNER OF EACH UTILITY EASEMENT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND WATER AND SEWER MAINS, SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH THE UTILITY EASEMENTS, IF THE OWNERS/DEVELOPERS DESIRE TO ERECT A UTILITY EASEMENT, THE OWNERS/DEVELOPERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION B SHALL BE ENFORCEABLE BY THE SUPPLIER OF SERVICE AND THE OWNER OF EACH LOT AGREES TO BE BOUND HERBY.

C. WATER AND SEWER SERVICE  
THE OWNERS/DEVELOPERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER AND SEWER MAINS LOCATED ON THE LOT.

2. WITHIN THE DEPICTED UTILITY EASEMENT AREAS, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET, THE REMOVAL AND EXCAVATION OF PUBLIC WATER AND SEWER MAINS, OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH PUBLIC WATER AND SEWER MAINS, SHALL BE PROHIBITED, WITHIN THE UTILITY EASEMENTS, IF THE OWNERS/DEVELOPERS DESIRE TO ERECT A UTILITY EASEMENT, THE OWNERS/DEVELOPERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF A PUBLIC WATER OR SEWER MAIN, ALL GROUND LEVEL APERTURE, INCLUDING VALVE BOXES, FIRE HYDRANTS AND MANHOLES SHALL BE ADJUSTED TO THE ALTERED GRADE OF THE PUBLIC WATER AND SEWER MAINS, PROVIDED, HOWEVER, THAT THE CITY OF BROKEN ARROW AND MAY MAKE SUCH ADJUSTMENT AT THE LOT OWNER'S EXPENSE.

3. THE CITY OF BROKEN ARROW OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE AND REPAIR OF THE PUBLIC WATER AND SEWER MAINS, PROVIDED, HOWEVER, THAT THE OWNERS/DEVELOPERS AND ITS CONTRACTORS SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO THE UTILITY EASEMENTS DEPICTED ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER OR SEWER FACILITIES.

4. WHERE WATERLINES FALL WITHIN A UTILITY EASEMENT, THAT PORTION OF THE UTILITY EASEMENT WHICH IS LOCATED ON THE LOT OWNER'S PROPERTY SHALL BE ENDED BY THE LOT OWNER.

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION C SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, SEWER, GAS AND SOLID WASTE MANAGEMENT DISTRICT NO. 4, TULSA COUNTY, OKLAHOMA, AS SHOWN ON THE RECORDS OF THE TULSA COUNTY CLERK.

6. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION C SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW OR ITS SUCCESSORS AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

**N. GAS SERVICE**

1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITY LOCATED ON THE LOT, PROVIDED, HOWEVER, THAT THE OWNERS/DEVELOPERS SHALL BE RESPONSIBLE FOR THE DEPICTED UTILITY EASEMENT AREAS, THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH THE UNDERGROUND GAS FACILITY.
2. THE SUPPLIER OF GAS SERVICE OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE GAS FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
3. THE SUPPLIER OF GAS SERVICE OR ITS SUCCESSORS SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO THE UTILITY EASEMENT FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND GAS FACILITIES PROVIDED, IN THE DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND GAS FACILITIES.

4. UNDERGROUND GAS LINES SHALL BE LOCATED AS NECESSARY TO THE POINT OF USE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED, HOWEVER, THAT THE OWNERS/DEVELOPERS SHALL BE RESPONSIBLE FOR THE STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET FROM THE OUTSIDE OF THE SERVICE LINE, EXCLUDING FROM THE GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION D SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE OR ITS SUCCESSORS AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

E. SERVICE DRAINAGE

1. THE LOT, IN ACCORDANCE WITH THE FINISH GRADING PLAN, SHALL RECEIVE AND DRAIN IN AN UNBLOCKED MANNER THE STORM AND SURFACE WATERS FROM THE LOTS AND DRAINAGE AREAS OF THE SUBDIVISION. THE OWNERS/DEVELOPERS SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE LOT.
2. PAVING AND LANDSCAPING WITHIN EASEMENTS  
THE OWNER OF THE LOT AGREED SHALL BE RESPONSIBLE FOR THE DAMAGE TO LANDSCAPING AND OTHER OBSTRUCTIONS BY NECESSARY MAINTENANCE OF UNDERGROUND WATER, SEWER, STORM, ELECTRIC, NATURAL GAS AND COMMUNICATION FACILITIES AS DEPICTED UPON THE PLAT, PROVIDED, HOWEVER, THE CITY OF BROKEN ARROW, OKLAHOMA OR THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.
3. PLANNED UNIT DEVELOPMENT RESTRICTIONS  
THE PLANNED UNIT DEVELOPMENT (ENTITLED 307A) AS PROVIDED WITHIN SECTION 6.4.E OF THE ZONING ORDINANCE OF THE CITY OF BROKEN ARROW, OKLAHOMA (ORDINANCE NO. 2931) AS AMENDED AND EXISTING ON, HEREAFTER APPROVED, BY THE CITY OF BROKEN ARROW, OKLAHOMA, AS SHOWN ON THE RECORDING OF THE BROKEN ARROW PLANNING COMMISSION ON JUNE 10, 2021, AND APPROVED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA ON JULY 20, 2021; AND THE FOREGOING COVENANTS SET FORTH IN THIS DEED OF DEDICATION FOR THE PURPOSE OF THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUATION OF THE PLANNED UNIT DEVELOPMENT.

WHEREAS, THE OWNER/DEVELOPERS DESIRE TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR ANOTHER DEVELOPMENT AND TO ENFORCE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF OWNERS/DEVELOPERS, THEIR SUCCESSORS AND ASSIGNS, AND THE CITY OF BROKEN ARROW, OKLAHOMA.

WHEREFORE, THE OWNER/DEVELOPERS DO HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS/DEVELOPERS, THEIR SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREAFTER SET FORTH:

F. USE OF LAND

1. ALL PROVISIONS OF THE BROKEN ARROW ZONING ORDINANCE SHALL APPLY TO THIS PUD EXCEPT AS MODIFIED BY THE DEVELOPMENT STANDARDS BELOW. THE DEVELOPMENT OF THE PLANNED UNIT DEVELOPMENT (ENTITLED 307A) AS PROVIDED WITHIN SECTION 6.4.E OF THE ZONING ORDINANCE OF THE CITY OF BROKEN ARROW, OKLAHOMA SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT APPROVED ON JULY 20, 2021.

G. DEVELOPMENT STANDARDS (PUD 307A)

THE DEVELOPMENT SHALL BE SUBJECT TO THE FOLLOWING DEVELOPMENT STANDARDS:

H. USE

1. THE USES PERMITTED AS A MATTER OF RIGHT IN THE RM RESIDENTIAL MULTI-FAMILY DISTRICT AND USES CUSTOMARILY ACCESSORY TO PERMITTED USES.
2. MAXIMUM NUMBER OF DWELLING UNITS  
THE NUMBER OF DWELLING UNITS SHALL NOT EXCEED 367.
3. MAXIMUM BUILDING HEIGHT  
-MULTIFAMILY DWELLING 3 STORY BDLS. 50 FT TO THE HIGHEST ROOF RIDGELINE  
-MULTIFAMILY GARAGE/DWELLING 2 STORY BDLS. 50 FT TO THE HIGHEST ROOF RIDGELINE  
-MULTIFAMILY GARAGE/DWELLING 2 STORY BDLS. 35 FT TO THE HIGHEST ROOF RIDGELINE
4. MINIMUM OPEN LIVABILITY SPACE  
THEIR SHALL BE LIVABILITY SPACE OF NOT LESS THAN 1200 SQUARE FEET PER DWELLING UNIT. (OPEN SPACE NOT UTILIZED FOR PARKING OR DRIVES).
5. MINIMUM OFF-STREET PARKING SPACE  
A MINIMUM OF 1.75 OFF-STREET PARKING SPACES SHALL BE REQUIRED OF EACH DWELLING UNIT.
6. BUILDING SETBACKS AND BUFFERS

A. NORTH (THE FUTURE FRONTRAGE ROAD) 20' SETBACK / 20' LANDSCAPE BUFFER

B. SOUTH ALONG TUSON STREET 100' SETBACK / 70' LANDSCAPE BUFFER

C. WEST PROPERTY LINE 20' SETBACK / 20' LANDSCAPE BUFFER

D. EAST PROPERTY LINE ABUTTING CREEK 20' SETBACK / 20' LANDSCAPE BUFFER\*

\* NO BUILDINGS OR STRUCTURES WILL BE PLACED IN THE 100'-YEAR FLOODPLAIN.

ALL CONSTRUCTION CONDENSING UNITS SHALL BE ALLOWED TO BE LOCATED WITHIN A BUILDING SETBACK OR LANDSCAPE BUFFER AREA, PROVIDED, HOWEVER, THAT NO CONSTRUCTION CONDENSING UNITS SHALL BE LOCATED ON THE RIGHT-OF-WAY BY LANDSCAPING MATERIALS. FURTHER, BALCONIES SHALL BE ALLOWED TO OVERLAP THE SETBACK AND LANDSCAPE BUFFER AREAS, BUT WILL NOT BE LOCATED IN ANY UTILITY EASEMENTS.

E. MINIMUM DISTANCE BETWEEN BUILDINGS  
(A) MINIMUM DISTANCE BETWEEN BUILDING SHALL BE 20 FEET.

F. BUILDING HEIGHTS  
AS REQUIRED AND REGULATED BY CHAPTER 5, SECTION 5.5 MULTI-FAMILY RESIDENTIAL BUILDING DESIGN STANDARDS EXCEPT:

(G) THE MAXIMUM LENGTH OF ANY MULTI-FAMILY BUILDING SHALL BE 220 FEET, SECTION 5.5.C.2.A

G. MINIMUM DISTANCE BETWEEN BUILDINGS

(A) MINIMUM DISTANCE BETWEEN BUILDING SHALL BE 20 FEET.

H. LANDSCAPING AND SCREENING

AS REQUIRED AND REGULATED BY CHAPTER 5, SECTION 5.2 LANDSCAPING AND SCREENING

(A) THE MAXIMUM LENGTH OF ANY CONTINUOUS MULTI-FAMILY ROOFLINE SHALL BE 105 FEET AND

(B) EXTERIOR BUILDING MATERIALS OF THE CLUBHOUSE, MULTI-FAMILY BUILDINGS, GARAGES AND ACCESSORIES (DOORS AND WINDOWS) SHALL BE AT THE MINIMUM PERCENTAGES (45%, 45%, 25% OR 0%) OR BRICK/STONE AS REFLECTED ON THE SITE PLAN AND ELEVATIONS INCLUDED IN EXHIBIT C OF THE AMENDED PUD TEXT. THE REMAINDER OF EXTERIOR BUILDING MATERIALS SHALL BE CONSTRUCTED WITH CEMENT FIBER MATERIAL.

I. LANDSCAPING AND SCREENING

AS REQUIRED AND REGULATED BY CHAPTER 5, SECTION 5.2.B EXCEPT SECTION 5.2.B.1.A.1. IS

MADE UNAPPLICABLE BY THE RECORDING OF THE RECORDING OF THE DEED OF DEDICATION UNIT (ZONING ORDINANCE DOES NOT REQUIRE ANY GROUNDCOVER OR FLOWERING SHRUBS).

J. LANDSCAPE EDGE REQUIREMENTS PER CHAPTER 5, SECTION 5.2.B.1.A.1. SHALL APPLY ALONG THE ARTERIAL STREET. THE LANDSCAPE EDGE REQUIRED BY SECTION 5.2.B.1.C.1.A.1. SHALL BE REPLACED BY STRIPED ACCESS AISLES LOCATED NEXT TO WALKWAYS THAT ARE HANDICAPPED ACCESSIBLE AND CONNECTED TO ALL GROUND FLOOR BREEZEWAYS. LANDSCAPE MATERIALS OTHERWISE REQUIRED AT THE PLAT SHALL BE LOCATED AS SHOWN ON THE RECORDING OF THE RECORDING OF THE DEED OF DEDICATION UNIT (ZONING ORDINANCE).

K. SCREENING

OFFSETS IN THE FENCE ALONG SOUTH PROPERTY LINES SHALL BE NO LONGER THAN 50'.

NORTH – AN ARCHITECTURAL VINYL OR ORNAMENTAL METAL FENCE WITH MASONRY COLUMNS

SOUTH – AN ARCHITECTURAL VINYL OR ORNAMENTAL METAL FENCE WITH MASONRY COLUMNS

EAST – 50' FEET ON CENTER, A VINYL SPLIT RAIL FENCE CAN ALSO BE USED.

WEST – 6' HIGH WOOD PRIVACY FENCE, BRAINCING AND POLES SHALL BE ORIENTED TOWARDS THE WEST.

TOP – HIGH ORNAMENTAL WHITE 3 RAIL FENCE OR ARCHITECTURAL METAL FENCE. ANY FENCING IN THE 100'-YEAR FLOODPLAIN SHALL BE REVIEWED AND APPROVED BY THE CITY OF BROKEN ARROW PRIOR TO INSTALLATION.

ALL PERIMETER FENCES SHALL BE MAINTAINED BY THE OWNER OF THE LOT ON WHICH LOCATED.

AS REQUIRED AND REGULATED BY CHAPTER 5, SECTIONS 5.2.D AND 5.2.E. AN ARCHITECTURAL OPEN VINYL OR ORNAMENTAL METAL FENCE WITH LIMITED MASONRY COLUMNS AND/OR WALLS SHALL BE PROVIDED ALONG THE SOUTH BOUNDARY ABUTTING TUSON STREET, EXCEPT ALONG THE NORTH BOUNDARY ABUTTING THE RECORDING OF THE DEED OF DEDICATION UNIT (ZONING ORDINANCE).

OPEN VINYL FENCE OR ORNAMENTAL METAL FENCE SHALL BE 50 FEET ALONG TUSON STREET, ALONG ALL OTHER PROPERTY BOUNDARIES, EXCEPT ALONG THE SOUTH BOUNDARY, AN OPAQUE FENCE SHALL BE PROVIDED.

ALL BRAINCING AND METAL POSTS SHALL BE INSTALLED ON THE INSIDE PART OF THE FENCE ALONG THE SOUTH BOUNDARY. THE REQUIRED SCREENING FENCES SHALL BE MAINTAINED BY THE OWNER OF THE LOT ON WHICH LOCATED.

L. LIGHTING

AS PROVIDED AND REGULATED BY CHAPTER 5, SECTION 5.6 EXTERIOR LIGHTING FOR THE USES PERMITTED IN THIS PUD.

M. OTHER REQUIREMENTS  
EXCEPT AS ABOVE SET FORTH, BUILDINGS AND OTHER IMPROVEMENTS SHALL COMPLY WITH THE BULK AND AREA REQUIREMENTS OF RM RESIDENTIAL MULTI-FAMILY DISTRICT AS SET FORTH WITHIN THE BROKEN ARROW ZONING CODE.

N. SIDEWALKS

THE DEVELOPER SHALL CONSTRUCT A 5' FOOT SIDEWALK ALONG WEST TUSON STREET.

O. SIGNS

AS WELL AS A SIDEWALK SYSTEM ON THE EXTERIOR OF THE DEVELOPMENT THAT LINKS THE OVERALL BUILDING COMPLEX.

P. ACCESS

AS PERMITTED AND REGULATED BY CHAPTER 5, SECTION 5. SIGN FOR USES PERMITTED IN THIS PUD AS PROVIDED IN THE RECORDING OF THE DEED OF DEDICATION UNIT (ZONING ORDINANCE).

ALL SIGNS SHALL BE LOCATED OUTSIDE THE PUBLIC RIGHT-OF-WAY AND UTILITY EASEMENT.

ADDITIONAL SINGLE SIDED FREESTANDING SIGN WILL BE ALLOWED ALONG THE CREEK TURNPIKE THAT SHALL NOT EXCEED 28 FEET IN TOTAL HEIGHT THAT DOES NOT EXCEED 125 SF OF SIGN SURFACE AREA. THE RECORDING OF THE DEED OF DEDICATION UNIT (ZONING ORDINANCE).

NON-CONFORMING, CAN CONTINUE TO EXIST AS IS IN CONFORMANCE WITH SECTION 8.5 OF THE ZONING ORDINANCE.

Q. SITE PLAN REVIEW

NO BUILDING PERMIT SHALL BE ISSUED FOR ANY BUILDING OR SIGN TO BE CONSTRUCTED WITHIN THE RECORDING OF THE DEED OF DEDICATION UNIT (ZONING ORDINANCE).

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