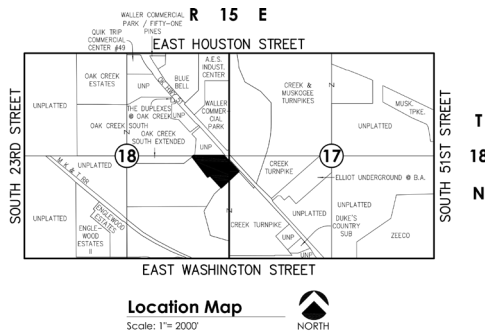
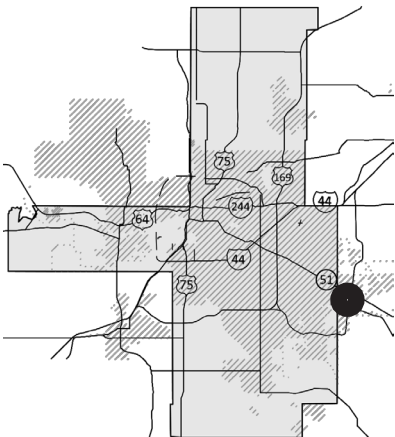


PUD-___

Creek 51 Business Park

APPROXIMATELY 11.877 ACRES
SOUTH AND WEST OF THE SOUTHWEST CORNER OF
EAST OKLAHOMA HIGHWAY 51 & CREEK TURNPIKE
BROKEN ARROW, OKLAHOMA



NOVEMBER, 2017

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I. PROPERTY DESCRIPTION

Creek 51 Business Park consists of 11.877 acres located at the southwest corner of State Highway 51 and the Creek Turnpike in the City of Broken Arrow, Wagoner County, Oklahoma, and is more particularly described within the following statement:

A TRACT OF LAND THAT IS A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER (E/2 SE/4) OF SECTION EIGHTEEN (18), AND A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION SEVENTEEN (17), ALL LYING WITHIN TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 18, THENCE SOUTH 88°51'46" WEST AND ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER FOR A DISTANCE OF 140.68 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 51, AS PRESENTLY LOCATED FOR THE FOLLOWING THREE (3) COURSES, SOUTH 43°41'37" EAST FOR A DISTANCE OF 138.88 FEET; THENCE SOUTH 48°16'03" EAST FOR A DISTANCE OF 125.40 FEET; THENCE SOUTH 43°41'38" EAST FOR A DISTANCE OF 285.79 FEET; THENCE SOUTH 45°51'22" WEST FOR A DISTANCE OF 648.12 FEET; THENCE NORTH 38°54'38" WEST FOR A DISTANCE OF 432.20 FEET; THENCE SOUTH 51°05'22" WEST FOR A DISTANCE OF 39.00 FEET; THENCE NORTH 38°54'38" WEST FOR A DISTANCE OF 650.22 FEET TO A POINT ON THE EASTERLY LINE OF "OAK CREEK SOUTH EXTENDED", A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA, AS RECORDED IN BOOK 2059 AT PAGE 671, COUNTY OF WAGONER RECORDS; THENCE NORTH 50°55'02" EAST AND ALONG SAID EASTERLY LINE FOR A DISTANCE OF 13.83 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18; THENCE NORTH 88°51'46" EAST AND ALONG SAID NORTH LINE FOR A DISTANCE OF 777.77 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINS 517,357 SQUARE FEET OR 11.877 ACRES.

The above described property will hereinafter be referred to as the "Site" or "Subject Property" and is depicted on Exhibit A, "Aerial Photography & Boundary Depiction."

II. DEVELOPMENT CONCEPT

Creek 51 Business Park is the first phase of an exciting new development strategically located at the crossroads of the three (3) largest highways in the City of Broken Arrow, the Creek and Muskogee Turnpikes and State Highway 51. Creek 51 Business Park is presented as a Planned Unit Development (PUD) proposing commercial, office, office-warehouse, and light industrial development of 11.877 acres located at the southwest corner of State Highway 51 and the Creek Turnpike in the City of Broken Arrow, Wagoner County, Oklahoma. A collector street, South 37th Street, will be extended south from S.H. 51 to serve the initial four (4) lots composing Phase I and will be extended in future phases to serve the balance of the Creek 51 Business Park development, an additional approximately 107.7 acres under common ownership with the site, which will be planned as an industrial park. Additional acreages under common ownership with the site include approximately 54.2 acres on the north side of S.H. 51 and approximately 13.9 acres south of the M K & T Railroad. These additional acreages are collectively referred to herein as the “future phases” and will be presented to the City of Broken Arrow by subsequent applications as master planning proceeds.

As outlined in the Broken Arrow Zoning Ordinance, this PUD is intended to provide a unified design and function of the development possibilities of the project site, to permit and encourage innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties, to permit flexibility within the development to best utilize the unique physical features of the subject property, to encourage the provision and preservation of meaningful open space, and to encourage a more productive use of land consistent with the public objectives and standards of accessibility, safety, infrastructure and land use compatibility. Further, this PUD intends to achieve a continuity of function and design within the development.

The subject property is presently zoned A-1 Agricultural District. On October 19, 2010, the Broken Arrow City Council approved PUD 204 and BAZ 1856, a request to change the zoning on the site and certain future phase areas from A-1 to CG and IL, subject to the property being platted. The property has not been platted and, as a result, the A-1 zoning remains on the property. Per the City of Broken Arrow, PUD 204 has since expired for the site but the property will be rezoned to CG and IL, pursuant to BAZ 1856, upon platting of the subject property or any part of the CG and IL-approved areas of BAZ 1856.

The Land Use Intensity Classification System (LUIS) of the Broken Arrow Comprehensive Plan indicates that both IL and CG zoning would be consistent with the LUIS Level 6 designation of the Broken Arrow Comprehensive Plan, when done in connection with a PUD.

The PUD will allow the most efficient use of the land which is harmonious with the surrounding land uses, as represented on Exhibit A, “Aerial Photography & Boundary Depiction.” A conceptual site plan depicting the Development Areas and design features is provided on Exhibit B “Conceptual Site Plan.” This PUD shall be developed in accordance with the City of Broken Arrow Zoning Ordinance and the use and development regulations of the IL (Industrial Light) and CG Commercial General Districts, except as otherwise specified herein.

This PUD will impose higher development standards than if developed with straight zoning.

Creek 51 Business Park

EXHIBIT A

AERIAL PHOTOGRAPHY & BOUNDARY DEPICTION WITH ADJACENT DEVELOPMENTS LABELED

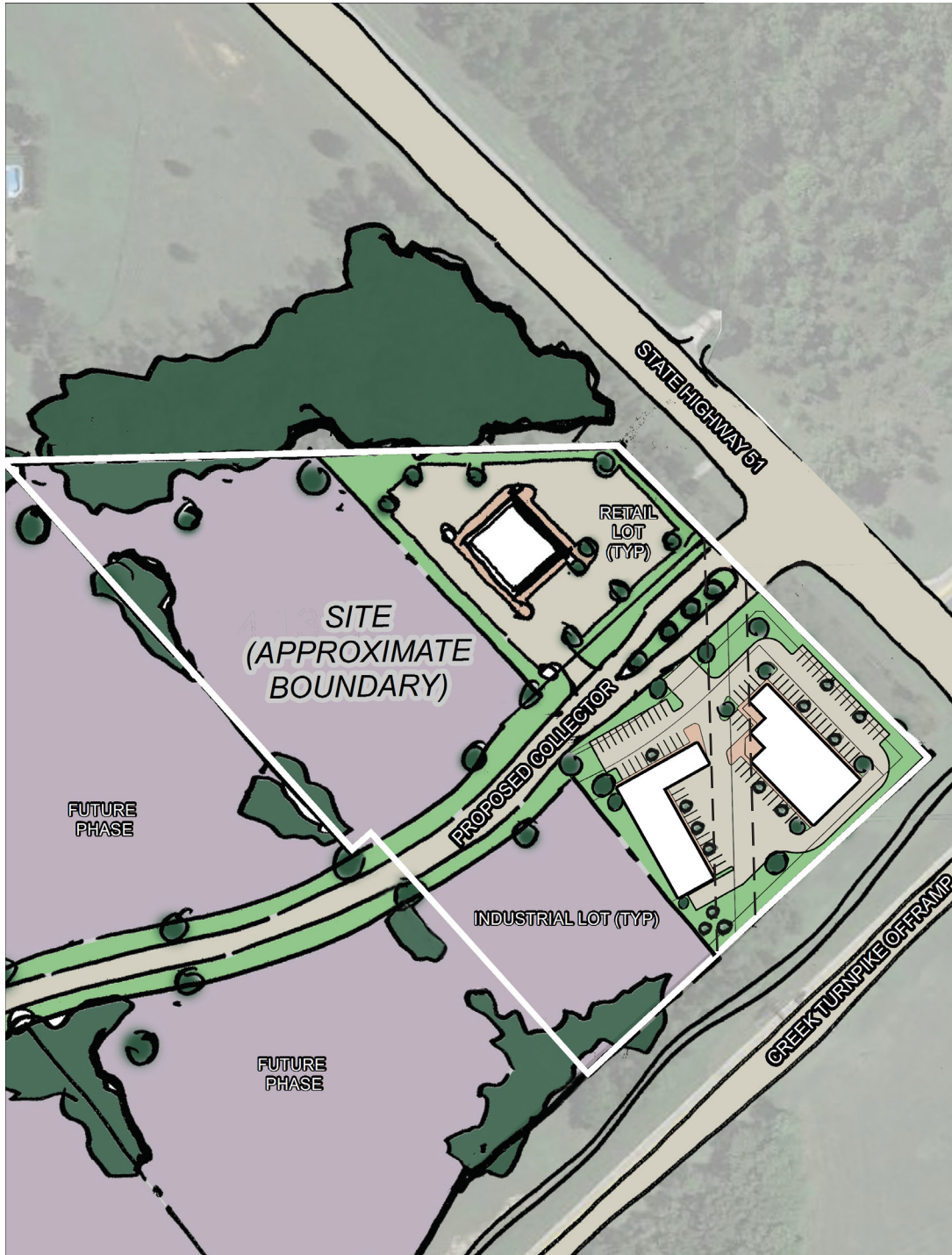


Creek 51 Business Park

EXHIBIT B

CONCEPTUAL SITE PLAN

CONCEPTUAL LAYOUT SHOWN AS OF NOVEMBER 20, 2017



III. DEVELOPMENT STANDARDS

Gross Land Area:	563,438 SF	12.935 AC
Net Land Area:	517,361 SF	11.877 AC
Permitted Uses: Uses permitted as a matter of right in the CG and IL Zoning Districts; provided, however, the following uses shall be excluded: all uses including open air storage and all sexually oriented businesses.		
Maximum Floor Area Ratio:	N/A	
Maximum Building Height:	50 FT OR 4 STORIES	
Minimum Public or Private Street Frontage:	100 FT *	
Minimum Building Setbacks:		
From Arterial Street Right-of-Way:	50 FT	
From Non-Arterial Street Right-of-Way:	30 FT	
Abutting R Zoning:	50 FT	
From All Other Lot Boundaries:	0 FT **	
Minimum Landscaping:	10% of Lot Area	
Minimum Parking Ratio:	As per Broken Arrow Zoning Ordinance	
Maximum Parking Restriction:	N/A	
Other Bulk and Area Requirements:	As required within IL District	

* Any interior lot having no frontage shall be provided access to a public street by access easement(s) approved by the City of Broken Arrow during platting review.

** No building shall be constructed over a utility easement.

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

IV.A. ACCESS AND CIRCULATION:

Access to the site is provided by State Highway 51. The Creek Turnpike abuts the subject property to the east and the offramps at S.H. 51 provide access to the site from both the Creek and Muskogee Turnpikes. From the site, access to the Creek and Muskogee Turnpikes is via the interchange with S.H. 51 to the northwest of the site. As a part of this PUD, and by extension in future phases, the South 37th Street (S. 209th E. Ave.) Sectionline Road is proposed as a collector street connecting S.H. 51 to East Washington Street (91st St. S.) under the Creek Turnpike bridge. The initial collector street will extend approximately 752' and will give access to all lots within Phase I, as indicated on "Conceptual Site Plan" Exhibit B. The collector street shall be designed and constructed in accordance with the City of Broken Arrow Subdivision Regulations and Engineering Design Criteria Manual, including a temporary turnaround until the street is extended. Final plans for access will be determined upon approval of the PUD subdivision plat.

Sidewalks shall be constructed along all streets by the developer or individual lot owners in accordance with the Broken Arrow Subdivision Regulations. Sidewalks shall be a minimum of five (5) feet in width, shall be ADA compliant, and shall be approved by the City of Broken Arrow. Any sidewalks which are proposed outside of public right-of-way shall be placed in a public sidewalk easement.

Limits of No Access (LNA) will be imposed by the future plat(s) along the S.H. 51 frontage.

III.B. SIGNS: Each lot having frontage on S.H. 51 shall be permitted ground and wall signage as provided in the Broken Arrow Zoning Ordinance. In addition, one (1) freestanding "Integrated Development Identification" sign, not to exceed 35 feet in height or 300 square feet in display surface area, shall be permitted by right at the intersection with S.H. 51, which will contain signage serving uses anywhere within the site or within the future phases of the Creek 51 Business Park development. Directional signage, appropriate in number and scale, shall be permitted within the site. All signage shall otherwise comply with the restrictions of the current Broken Arrow Zoning Ordinance. In addition, no portable signs or banners shall be placed on the property. Freestanding signs may be permitted within a utility easement only if approval is granted by all utility companies. All freestanding signs shall have a monument type base that covers support structures. Except for the Integrated Development Identification sign, the base of ground signs shall match the materials or otherwise be architecturally compatible with the principal building on the lot.

IV.C. UTILITIES AND DRAINAGE: Existing and conceptual plans for water and sanitary sewer are shown on Exhibit "C" of this PUD. Sanitary sewer and/or waterline extensions to and throughout the project will be required, and will be designed during the platting stage. City of Broken Arrow sanitary sewer is within adequate proximity to allow an extension to serve the site. As shown on Exhibit "C," Phase I is tentatively planned to connect to existing sanitary sewer serving Oak Creek South, abutting to the northwest. If this connection is not feasible, Phase I will tie in to existing sanitary sewer serving Englewood Estates to the south of the M K & T Railroad, as will future phases of the business park. Wagoner County Rural Water District #4 will provide water service. Exhibit "C" reflects connecting to a 6" waterline along S.H. 51 (including by extending same if/as required), and looping within the interior of the subdivision to provide water service and fire protection. Wagoner County Rural Water District #4 waterline information is being gathered from the district and by field surveying. Fire hydrant locations shall be coordinated with and approved by the Broken Arrow Fire Marshal during platting and commercial site plan stages.

The site is moderately sloped and drains to the south toward a drainageway coming from the Creek Turnpike right-of-way and draining southwesterly, ultimately to Broken Arrow Creek. Borrow ditches presently provide streetside drainage for S.H. 51 and the Creek Turnpike. An internal stormwater collection and detention system will be designed and constructed to drain the site to a stormwater detention facility or facilities. Final siting and design will be performed during the platting stage.

IV.D. ENVIRONMENTAL ANALYSIS AND TOPOGRAPHY: As represented on Exhibit “E” FEMA Floodplain Map, no portion of the subject property is located within the 100-year (1% Annual Chance) Special Flood Hazard Area (SFHA, the Regulatory Floodplain). Development of the subject property will be subject to compliance with City of Broken Arrow stormwater regulations.

The Soil Survey of Wagoner County, Oklahoma was used to help identify soils types and possible constraints to development. The site primarily contains Dennis-Radley Complex (0 to 15 percent slopes; 53% of site area), Dennis silt loam (1 to 3 percent slopes; 32% of site area), and Dennis silt loam (3 to 5 percent slopes; 15% of site area).

Development constraints associated with these soil types will be addressed in the engineering design phase of the project. Prior to construction, a geotechnical report will be performed to recommend paving sections and subgrade design. Soil types and associated topography are shown on Exhibit “D” of this PUD.

IV.E. EXISTING ZONING AND LAND USE: The site is zoned A-1 Agricultural District and is vacant and partially wooded. On October 19, 2010, the Broken Arrow City Council approved PUD 204 and BAZ 1856, a request to change the zoning on the site and certain future phase areas from A-1 to CG and IL, subject to the property being platted. The property has not been platted and, as a result, the A-1 zoning remains on the property. Per the City of Broken Arrow, PUD 204 has since expired for the site but the property will be rezoned to CG and IL, pursuant to BAZ 1856, upon platting of the subject property or any part of the CG and IL-approved areas of BAZ 1856.

IV.F. PLATTING AND SITE PLAN REQUIREMENTS: No building permit shall be issued until a subdivision plat has been submitted to and recommended upon by the Broken Arrow Planning Commission and approved by the Council of the City of Broken Arrow, and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved PUD and the City of Broken Arrow shall be a beneficiary thereof. Upon platting, no building permit shall be issued for any lot until a site plan has been submitted to and approved by the City of Broken Arrow as being in compliance with this PUD and all other applicable building and development codes.

IV.G. PARKING, LOADING, AND SCREENING REQUIREMENTS: “Conceptual Site Plan” Exhibit B indicates proposed commercial and industrial uses within the development site. Exhibit B reflects conceptual commercial buildings and associated parking and drives for the two (2) lots fronting S.H. 51. Site designs continue to be modified and ultimate site plans will vary from those indicated on Exhibit B. All development within the PUD shall meet minimum requirements for parking and loading, except that maximum parking restrictions shall not be applicable within this PUD.

One (1) side of the site abuts residential property, Oak Creek South and Oak Creek South Extended, which abuts to the north/west. In order to help secure the initial rezoning and PUD approvals on the site and future phases, Oak Creek South was zoned (along with PUD 204) and platted, allowing the conveyance of additional yard areas to the abutting single-family residential owners within Oak Creek South. The extended yard areas have since been conveyed and now provide additional buffering to the commercial and industrial uses contemplated for the site and future phases.

To provide additional buffering, the site will be screened from abutting residential uses by screening fences and landscaping as required by the Broken Arrow Zoning Ordinance, and will be further buffered by 50-foot building setbacks. Landscaped edges will be provided along S.H. 51, the Creek Turnpike right-of-way, and the proposed collector street, and will consist of shrubs, berms, and/or masonry walls in conformance with the Broken Arrow Zoning Ordinance.

IV.H. EXTERIOR BUILDING MATERIALS: The street-facing sides of all buildings at least partially located within 125’ of the right-of-way of a public street shall meet the building façade requirements of Section 5.8.G.1 of the Broken Arrow Zoning Ordinance.

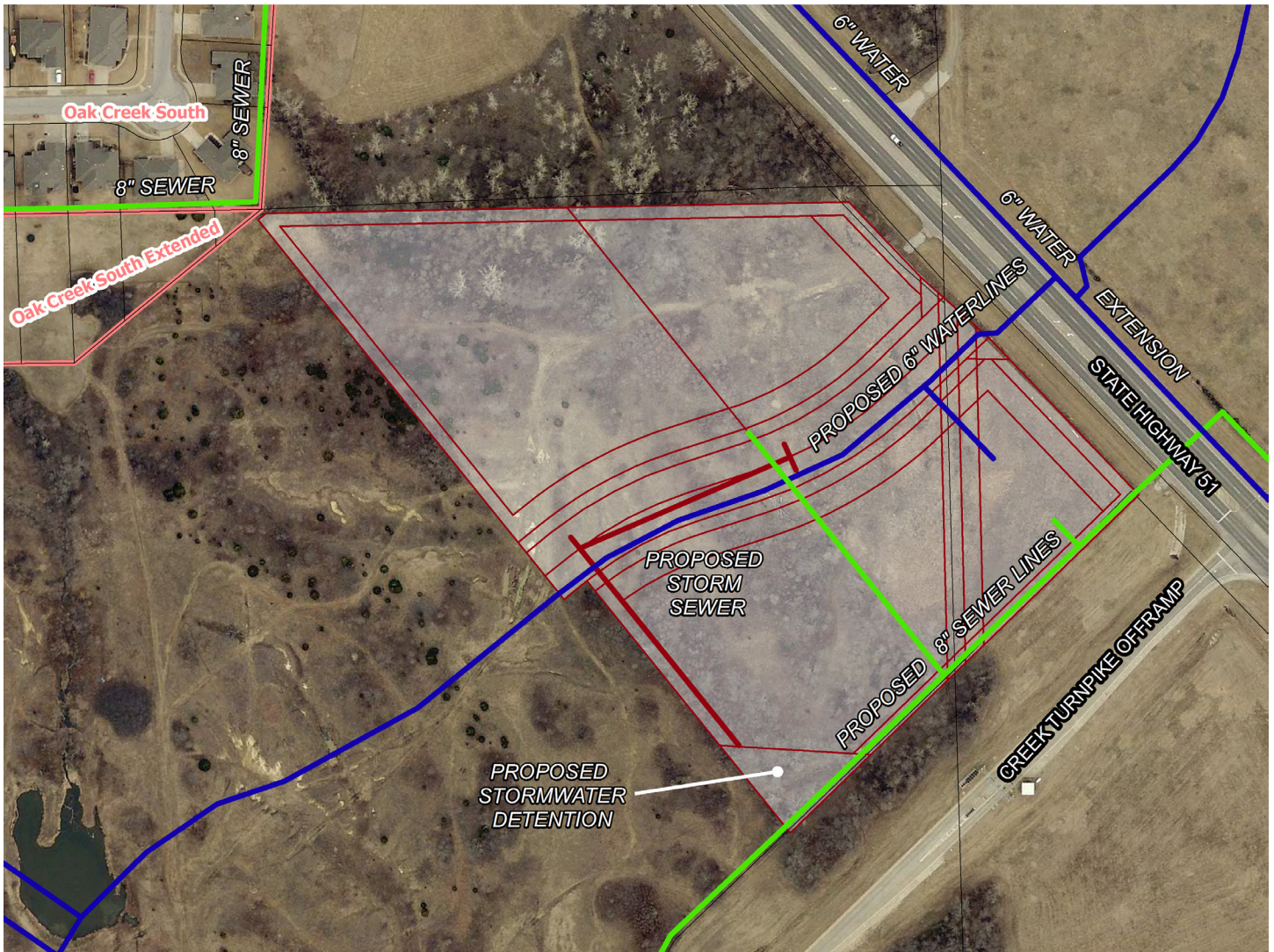
IV.I. SCHEDULE OF DEVELOPMENT: Development of the project is expected to commence and be phased and completed as market conditions permit.

Creek 51 Business Park

EXHIBIT C

EXISTING & PROPOSED UTILITIES

EXISTING UTILITIES REPRODUCED FROM CITY OF BROKEN ARROW ATLAS MAPS



Creek 51 Business Park

EXHIBIT D

EXISTING TOPOGRAPHY & SOILS

SOIL DATA FROM USDA WEB SOIL SURVEY, ACCESSED JULY 19, 2017



Creek 51 Business Park

EXHIBIT E

FEMA FLOODPLAIN MAP

FEMA DATA REFLECTS FEMA FIRM PANEL NOS.: 40145C0095J & 40145C0115J, REVISED 09/30/2016

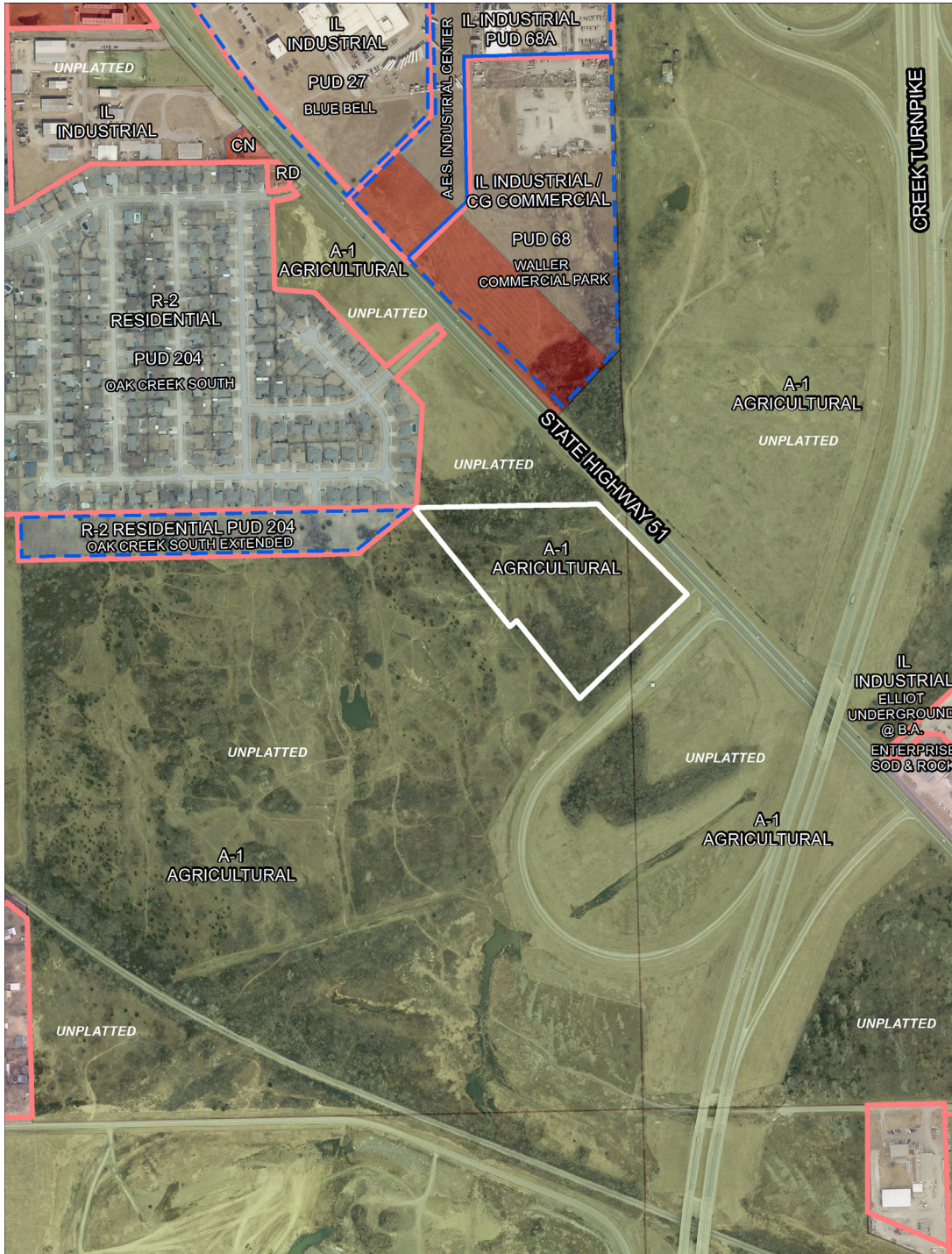


Creek 51 Business Park

EXHIBIT F

EXISTING ZONING MAP

DATA OBTAINED FROM INCOG GIS, ACCESSED JULY 25, 2017

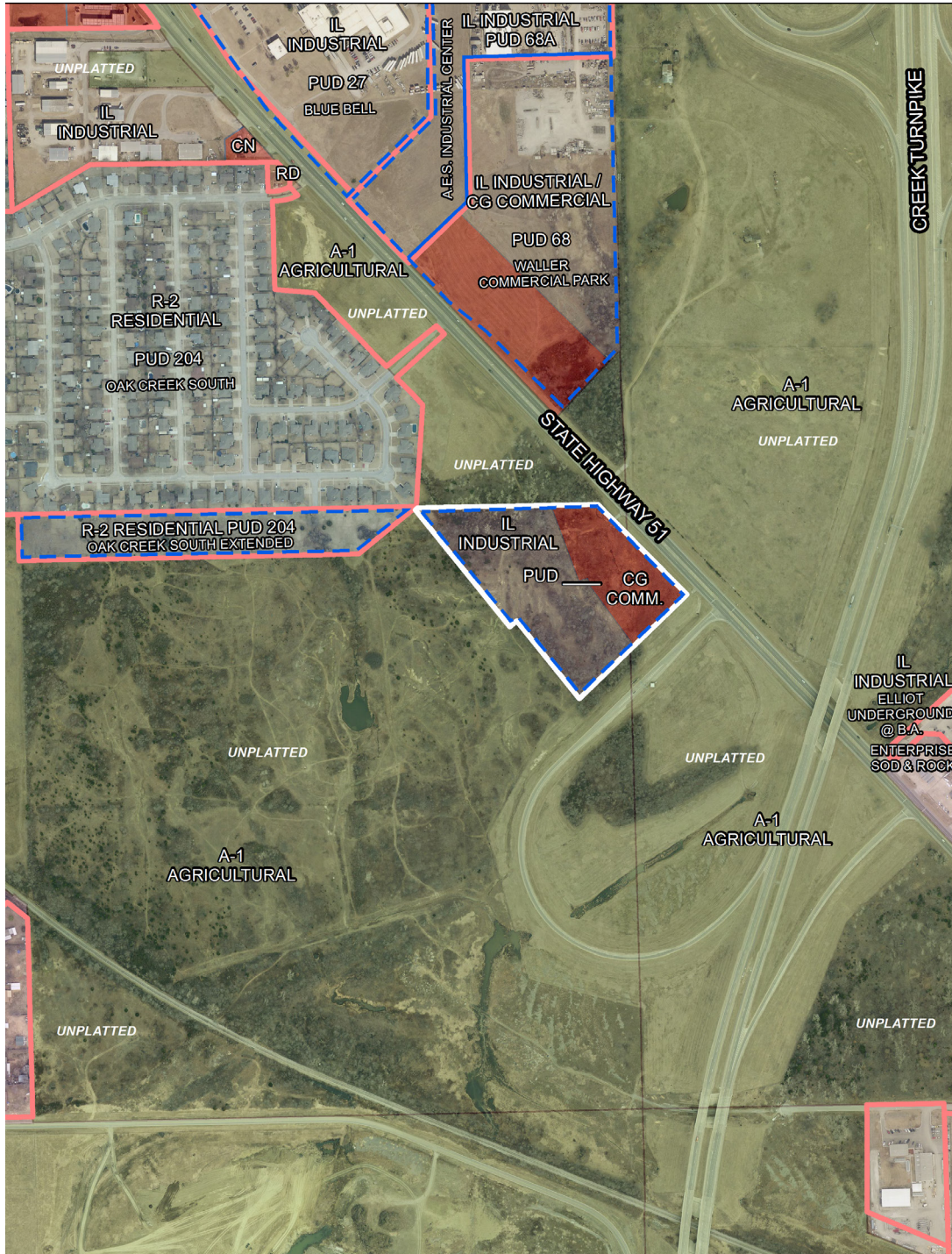


Creek 51 Business Park

EXHIBIT G

PROPOSED ZONING MAP

DATA OBTAINED AND MODIFIED FROM INCOG GIS, ACCESSED JULY 25, 2017



Creek 51 Business Park

EXHIBIT H

COMPREHENSIVE PLAN MAP

DATA OBTAINED FROM BROKEN ARROW FUTURE DEVELOPMENT GUIDE, EFFECTIVE 2012

