



City of Broken Arrow

Meeting Agenda

Planning Commission

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

Thursday, December 18, 2025

5:30 PM

**City of Broken Arrow
Council Chambers
220 South 1st Street
Broken Arrow, OK
74012**

1. Call To Order

2. Roll Call

3. Old Business

4. Consideration of Consent Agenda

- A. [25-1761](#) Approval of Planning Commission meeting minutes of November 20, 2025

Attachments: [11-20-2025 Meeting Minutes](#)

- B. [25-1762](#) Approval of Planning Commission meeting minutes of December 4, 2025

Attachments: [12-04-2025 Meeting Minutes](#)

- C. [26-76](#) Approve LOT-002536 Ninth College Rentals, LLC Lot Line Adjustment 0.40 acres, 2 lots to 2 lots, RMD (Residential Medium Density), approximately one-half mile south of East Kenosha Street (71st Street), east of 9th Street (177th East Avenue, Lynn Lane Road)

Attachments: [2025.12.18 1a LOT-002536-2025 Case Map](#)
[2025.12.18 1b LOT-002536-2025 Aerial Map](#)
[2025.12.18 1c Existing Survey and Lot Lines](#)
[2025.12.18 1d LOT-002536-2025 Proposed Tract 1 Survey and Legal](#)
[2025.12.18 1e LOT-002536-2025 Proposed Tract 2 Survey and Legal](#)

- D. [26-89](#) Approval of PT-002546-2025|PR-000762-2024, Conditional Final Plat for Ferguson Kia, 6.37 acres, RMF (Residential Multifamily) to CH (Commercial Heavy)/PUD-236A via BAZ-2071 and PUD-001972-2025 via BAZ-001971-2025, one-half mile north of Kenosha Street (71st Street), one-quarter mile east of Elm Place (161st E. Avenue), south of the Broken Arrow Expressway

Attachments: [2-Conditional Final Plat](#)
[3-Checklist](#)

5. Consideration of Items Removed from Consent Agenda

6. Public Hearings

- A. [25-1716](#) Public hearing, consideration, and possible action regarding COMP-002532-2025, Comprehensive Plan Change, (Case Number) (Comprehensive Plan Change), Oneta71, LLC, 8.8 acres from Level 1 (Rural Residential/Greenway/Floodplain) to Level 4 (Commercial/Employment Nodes) located approximately one-tenth mile north of the northwest corner of E. Kenosha Street (71st Street) and Oneta Road (241st E. Avenue).

Attachments: [2025.12.18 1a COMP-002532-2025](#)
[2025.12.18 1b COMP-002532-2025](#)
[2025.12.18 1c COMP-002532-2025](#)

- B. [26-82](#) Public hearing, consideration, and possible action regarding PUD-002490-2025 (Planned Unit Development) and BAZ-002489-2025 (Rezoning), American Storage of BA, approximately 24.9 acres, A-1 (Agricultural) to PUD (Planned Unit Development) located west of the Creek Turnpike, east of South 209th East Avenue (N. 37th Street), and north of East Houston Street (East 81st Street)

Attachments: [BAZ-002489-2025 1a Case Map](#)
[BAZ-002489-2025 1b Aerial Map](#)
[2025.12.18 1c BAZ-002489 PUD-002490-2025](#)

- C. [25-1766](#) Public hearing, consideration, and possible action regarding BAZ-002469-2025 (Rezoning) and SP-002526-2025 (Conditional Use Permit), Islamic Center of Tulsa, 15.06 acres, AG (Agricultural) and FD (Floodplain) to CG (Commercial General) and FD (Floodplain), located approximately ½ mile north of Tucson Street (121st Street) and just east of Olive Avenue (129th E. Avenue)

Attachments: [2 - Case Map](#)
 [3 - Aerial](#)
 [4 - Current Comprehensive Plan](#)
 [5 - Conceptual Site Plan](#)

7. Appeals

8. General Commission Business

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

10. Adjournment

NOTICE:

- 1. ALL MATTERS UNDER “CONSENT” ARE CONSIDERED BY THE PLANNING COMMISSION TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. HOWEVER, ANY CONSENT ITEM CAN BE REMOVED FOR DISCUSSION, UPON REQUEST.**
- 2. IF YOU HAVE A DISABILITY AND NEED ACCOMMODATION IN ORDER TO PARTICIPATE IN THE MEETING, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT 918-259-8412, TO MAKE ARRANGEMENTS.**
- 3. EXHIBITS, PETITIONS, PICTURES, ETC. PRESENTED TO THE PLANNING COMMISSION MAY BE RECEIVED AND DEPOSITED IN CASE FILES TO BE MAINTAINED AT BROKEN ARROW CITY HALL.**
- 4. RINGING/SOUND ON ALL CELL PHONES AND PAGERS MUST BE TURNED OFF DURING THE PLANNING COMMISSION MEETING.**

A paper copy of this agenda is available upon request.

POSTED this ____ day of _____, _____, at _____ a.m./p.m.

City Clerk



City of Broken Arrow

Request for Action

File #: 25-1761, **Version:** 1

**Broken Arrow Planning Commission
12-18-2025**

To: Chairman and Commission Members
From: Community Development Department
Title:

Approval of Planning Commission meeting minutes of November 20, 2025

Background: Minutes recorded for the Broken Arrow Planning Commission meeting.

Attachments: 11 20 2025 Planning Commission Minutes

Recommendation: Approve minutes of Planning Commission meeting held November 20, 2025.

Reviewed By: Jane Wyrick

Approved By: Rocky Henkel



City of Broken Arrow

Minutes

Planning Commission

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

City of Broken Arrow
220 South 1st Street
Broken Arrow, OK
74012

Thursday, November 20, 2025	5:30 p.m.	Council Chambers
------------------------------------	------------------	-------------------------

1. Call to Order

Chairman Robert Goranson called the meeting to order at 5:30 p.m.

2. Roll Call

Present: 4 - Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson
Absent: 1 - Mindy Payne

3. Old Business - NONE

4. Consideration of Consent Agenda

- A. 25-1605 Approval of Planning Commission meeting minutes of November 6, 2025
- B. 25-1643 Approve COA-002492-2025, The Bank N.A., Change of Access, approximately 0.87 acres, Northeast Crossroads PUD-175, located at the northeast corner of Kenosha Street (41st Street) and 37th Street (209th E. Avenue)
- C. 25-1644 Approval of PT-002482-2025|PR-000336-2023, Conditional Final Plat, The Cottages at Battle Creek West, approximately 8.79 acres, 47 lots, CG (Commercial General)/PUD (Planned Unit Development) 94 to RS-P (Single Family Residential - Preservation)/PUD-94Y via BAZ-2087, located one-half mile north of Albany Street (61st Street), one-quarter mile east of Aspen Avenue (145th E. Avenue)

MOTION: A motion was made by Jaylee Klempa, seconded by Jonathan Townsend
Move to Approve Consent Agenda minus Item 25-1643

The motion carried by the following vote:

Aye: 4 - Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

5. Consideration of Items Removed from Consent Agenda

- A. 25-1643 Approve COA-002492-2025, The Bank N.A., Change of Access, approximately 0.87 acres, Northeast Crossroads PUD-175, located at the northeast corner of Kenosha Street (41st Street) and 37th Street (209th E. Avenue)

Rebecca Blaine, Planning Section Manager, presented Item 25-1643. The request seeks to amend the platted "no-access" restriction on 37th Street for a new bank site in Block 2 of Northeast Crossroads, zoned PUD-175 at the northeast corner of Kenosha and 37th. The original plat allowed a single 40-foot access point; the applicant wants to shift that driveway about 11.9 feet south, leaving roughly 237.5 feet of separation from the Kenosha/37th intersection. Staff supports the change, updating the no-access limit to 54 feet to account for a 20-foot driveway with 15-foot curb returns on each side.

MOTION: A motion was made by Jaylee Klempa, seconded by Jason Coan
Move to Approve Item 25-1643 COA-002492-2025, The Bank N.A., Change of Access, approximately 0.87 acres, Northeast Crossroads PUD-175, located at the northeast corner of Kenosha Street (41st Street) and 37th Street (209th E. Avenue)

The motion carried by the following vote:

Aye: 4 - Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

6. Public Hearings

- A. 25-1577 Public hearing, consideration, and possible action regarding SP-002481-2025 (Specific Use Permit), Pope Accessory Structure, 1.82 acres, RS (Single Family Residential),

located just south of Florence Street (111th Street) and approximately ¼ mile west of Aspen Avenue (145th E. Avenue)

Jose Jimenez, Planner II, presented Item 25-1577. This public hearing concerns a Specific Use Permit request for an accessory building that exceeds the 1,200-square-foot limit for lots under 2 acres. The 1.82-acre property—located just south of Florence and a quarter-mile west of Aspen—lost acreage during a previous lot split because right-of-way dedication reduced it from over two acres to its current size. The applicant wants to construct a 40-by-80-foot (3,200-square-foot) accessory structure. All setbacks have been met; a home is currently under construction, and the accessory structure permit is pending this decision. The surrounding area is single-family residential with vacant land to the north, and the site lies within the 100-year FEMA floodplain. Under the city's previous R-E zoning, the structure would have been permitted by right. Still, the new zoning ordinance reclassified the property to R-S, requiring this conditional use permit.

Commissioners clarified that the permit application was submitted after the new zoning ordinance took effect. They asked staff to confirm the building's intended use, and staff explained it will function strictly as a personal storage structure—not a dwelling, not commercial, and not something that would generate traffic or noise. Commissioners discussed whether a Specific Use Permit limits allowed uses; staff noted that while the permit itself doesn't list them, zoning regulations already restrict activities such as home occupations and prohibit running a commercial garage without meeting additional rules.

Questions were raised about the building's height, and staff noted that the accessory structure cannot exceed the home's height. Commissioners also asked about siding or façade requirements; staff confirmed none apply in the RS district unless conditions are added to the permit. The applicant was present and available to address details, including height.

Jay Pope, the applicant, explained that the shop's wall height will be 16 feet, with a 14-foot door to accommodate items like trailers, a side-by-side, and potentially a future motorhome. Commissioners said the use aligns with expectations for a personal storage shop and confirmed they were mainly concerned about height limits. They reiterated that the accessory structure must not exceed the height of the primary residence; since the home is two stories with a higher roof pitch, the proposed shop should remain compliant. The board noted past examples of accessory buildings overwhelming single-story homes, but in this case, they felt the height relationship would not be an issue.

MOTION: A motion was made by Jason Coan, seconded by Robert Goranson
Move to Approve Item 25-1577 SP-002481-2025 (Specific Use Permit), Pope Accessory Structure, 1.82 acres, RS (Single Family Residential), located just south of Florence Street (111th Street) and approximately ¼ mile west of Aspen Avenue (145th E. Avenue)

The motion carried by the following vote:

Aye: 4 - Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

B. 25-1639 Public hearing, consideration, and possible action regarding BAZ-002485-2025 (Rezoning), Snyder Rezone, approximately 21.81 acres, RMF (Residential multifamily) and PUD-340 to RSP (Single-family residential - Preservation), located 1/8th of a mile south of Tucson Street (121st Street) and west of Elm Place (161st E Ave)

Jose Jimenez, Planner II, presented Item 25-1639, a public hearing concerns a request to rezone approximately 21.81 acres from RMF and PUD 340 to the new RSP (Single-Family Residential Preservation) district, which would also abrogate PUD 340. The site, located one-eighth mile south of Tucson and west of Elm Place, is proposed for a single-family neighborhood using the RSP standards that allow smaller lots in exchange for increased open space. A conceptual plan has been submitted showing a potential layout. Surrounding properties include commercial uses and single-family neighborhoods, with some vacant land; part of the site lies within the 100-year floodplain. Utilities are available. The Comprehensive Plan identifies RS4—which corresponds to RSP under the new zoning ordinance—as appropriate for this Level 3 location, making the request consistent with the plan. Staff recommends approval, subject to the property being platted.

Erik Enyart of Tanner Consulting stated that he and the property owner agree with the staff's recommendation to approve. He noted they have an initial concept layout for the site and asked to display it, emphasizing that it includes significantly more open space than the RSP zoning district requires. He said they are enthusiastic about the project.

Commissioners noted that most of the proposed open space exists because drainage and portions of Elm Creek's floodplain run through the site. Mr. Enyart confirmed this, explaining that the project exceeds the RSP requirement of 25% open space and stays within the rule that no more than half of that space can be floodplain.

Commissioners asked whether the developer plans to add trails or other usable amenities. Mr. Enyart said it's early in the design process, but they expect neighborhood amenities and will include perimeter fencing, enhanced entryways, and on-site detention areas; any remaining usable open space could be used as amenity areas.

Commissioners said the single-family layout is an improvement over the previously approved multifamily plan. They also clarified for the public that this request is only a straight zoning change—from a PUD to RSP—and the concept plan shown is preliminary. The final layout, street connections, and design details will likely change during the platting and engineering review process.

A letter from nearby resident Melody Benintendi, who lives with her siblings at 15303 East 122nd Street South, directly southwest of the proposed RSP rezoning. She requested that a screen—ideally a privacy fence—be installed along the shared property line. Her concern is that, without a wall, new residents might mistakenly enter her family's private land, and she also believes a fence would improve the appearance of both her property and the future neighborhood.

The commission discussed the fencing request and clarified that, because this case is a straight rezoning and not a PUD, they cannot impose conditions such as mandatory fencing along the neighbor's property line. Under current zoning rules, residential-to-agricultural boundaries do not require screening or buffers, so any fence would be optional, installed by the developer or individual homeowners during platting, and not mandated by the city.

They also discussed access concerns. One nearby tract appears somewhat landlocked, but staff explained that the existing owners currently access their home via Albuquerque Street and a gravel drive. Rezoning alone does not create a new "landlocked" parcel; future platting rules would determine whether a stub street or connection is needed. The neighbors who sent the letter were largely unconcerned about the development itself—they mainly wanted a fence to prevent trespassing.

The commission concluded that the city cannot require the developer to provide a fence through this zoning action, and any fencing would have to come later, voluntarily, during platting or by the adjacent property owner.

Mr. Enyart confirmed that fencing is not required under zoning and would be a homeowner's choice, to be determined later through HOA covenants or personal preference. He noted that many future residents will likely choose to install privacy fencing, but that's not something the zoning action can mandate. He also clarified that he had spoken with the property owner—not the neighbors who submitted the letter—and that the expectation is simply that fencing decisions will be made lot by lot, as in any typical subdivision. Commissioners reiterated that adjacent property owners may install their own fence if they wish and that shifting from multifamily to single-family zoning is generally a positive outcome for surrounding neighbors.

MOTION: A motion was made by Jaylee Klempa, seconded by Jonathan Townsend
Move to Approve Item 25-1639 BAZ-002485-2025 (Rezoning), Snyder Rezone, approximately 21.81 acres, RMF (Residential multifamily) and PUD-340 to RSP (Single-family residential - Preservation), located 1/8th of a mile south of Tucson Street (121st Street) and west of Elm Place (161st E Ave)

The motion carried by the following vote:

Aye: 4 - Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

C. 25-1640 **Public hearing, consideration, and possible action regarding BAZ-002505-2025 (Rezoning), Arrow Forge, 99.52 acres, AG (Agricultural) to IL (Industrial Light), located one-half mile north of Tucson Street (121st Street), located on the south of Florence Street (111st Street), and ¼ mile east of Olive Ave (129th E Avenue)**

Jose Jimenez, Planner II, presented Item 25-1640. BAZ002505-2025 is a public hearing and action request to rezone 99.52 acres south of Florence Street and east of Olive from Agricultural (AG) to Industrial Light (IL) to support development of the Arrow Forge Innovation District. The project aligns with Broken Arrow voters' 2018 GO Bond commitment to build the infrastructure needed for an innovation district intended to attract advanced manufacturing and technology jobs, provide competitive wages, and strengthen the future workforce.

Surrounding properties include single-family residential, vacant land, agricultural uses, and public school property to the north; agrarian land to the east; vacant commercial-heavy and agricultural land across the Creek Turnpike to the south; and vacant agricultural land to the west. Portions of the site lie within the 100-year floodplain, and both water and sewer service are available.

Because the zoning request is consistent with the Comprehensive Plan amendment previously

approved (COMP 002424-2025), city infrastructure commitments, and the planned innovation district, staff recommends approval of the rezoning, subject to platting.

It was clarified that the whole 99.52-acre tract is being rezoned to IL for now to enable development of the innovation district, but the entire area is not intended to remain IL long-term; future development phases will come back with more tailored zoning. When asked whether a recent sign ordinance change affected this property, staff clarified that the signage update applied to the Events Park area, not this site. A question was then raised about whether the economic impact—such as projected job creation or private investment—could be quantified. It was noted that Mr. Jimenez could not provide those details himself, and staff from the Economic Development Authority were present to address them.

Amber Miller, Broken Arrow Economic Development Authority, explained that the Arrow Forge Innovation District has secured a prospective anchor tenant. This existing Broken Arrow company plans to expand on-site. The project would retain 110 high-wage jobs and add 50 more positions at or above the Tulsa County average wage while constructing a light-industrial, 50,000-square-foot aerospace components facility. The operation would be clean, low-traffic, and capable of doubling in size in the future. The company is expected to invest roughly \$10 million in capital improvements, with potential higher costs depending on construction conditions.

MOTION: A motion was made by Jonathan Townsend, seconded by Jaylee Klempa
Move to Approve Item 25-1640 BAZ-002505-2025 (Rezoning), Arrow Forge, 99.52 acres, AG (Agricultural) to IL (Industrial Light), located one-half mile north of Tucson Street (121st Street), located on the south of Florence Street (111st Street), and ¼ mile east of Olive Ave (129th E Avenue)

The motion carried by the following vote:

Aye: 4 - Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

- D. 25-1642 **Public hearing, consideration, and possible action regarding BAZ-002491-2025 (Rezoning), Broken Arrow Meeting House, 8.01 acres, AG (Agricultural) to ON (Office Neighborhood), located at the southwest corner of the intersection of Florence Street (111th Street) and Aspen Avenue (145th E Avenue)**

Jane Wyrick, Planning and Development Manager, presented Item 25-1642. The request seeks to rezone 8.01 acres at the southwest corner of Florence (111th) and Aspen from Agricultural to Office Neighborhood to allow development of a place of worship. Surrounding properties are largely vacant agricultural land with areas of floodplain, and single-family homes lie to the west. A small portion of the site's southeast corner falls within the 100-year floodplain, and city water and sewer are available. Staff recommends approval contingent upon the property being platted, although the applicant disagrees with the platting requirement.

David Frohling, GHN Architects & Engineers, the applicant, clarified that they will, in fact, plat the property. Although early discussions during the pre-development meeting created confusion about whether platting was required, the project manager confirmed that the owner now agrees to proceed with it. Commissioners noted that platting is essential because it allows the City to identify easements and other necessary site elements. With the applicant's agreement to plat, there were no remaining objections.

MOTION: A motion was made by Jason Coan, seconded by Jaylee Klempa
Move to Approve Item 25-1642 BAZ-002491-2025 (Rezoning), Broken Arrow Meeting House, 8.01 acres, AG (Agricultural) to ON (Office Neighborhood), located at the southwest corner of the intersection of Florence Street (111th Street) and Aspen Avenue (145th E Avenue)

The motion carried by the following vote:

Aye: 4 - Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

7. Appeals -NONE

8. General Commission Business - NONE

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

Staff reported that the wireless tower site has unusual conditions since it sits within an existing parking area, so it does not require landscaping beyond basic screening, which will be handled with fencing. Commissioners were satisfied as long as the installation looked appropriate and met city standards.

A broader discussion followed about landscape plans, including when they come before the Planning Commission and when staff handles them administratively. Staff explained that site plans for PUDs usually require Planning Commission review if the PUD specifically calls for

it. Still, other projects may be approved administratively unless a deviation or waiver is requested. Commissioners noted that sometimes built landscapes differ from what they recall seeing, prompting concern about whether plans were reviewed or correctly enforced. Staff acknowledged that older inspections may not have consistently identified landscape issues, but emphasized that inspectors are now paying closer attention.

They also clarified that administrative adjustments are allowed for narrowly defined situations, while anything outside that list must come back to the Commission. Commissioners discussed the importance of ensuring landscaping is installed as approved, maintaining Broken Arrow's Tree City USA standards, and possibly requesting landscape plans for specific projects when there is community concern. Staff confirmed that final inspections should catch missing plantings and committed to coordinating with inspectors as needed.

10. Adjournment

The meeting was adjourned at 6:16 p.m.

MOTION: A motion was made by Robert Goranson, seconded by Jonathan Townsend
Move to Adjourn

The motion carried by the following vote:

Aye: 4 -

Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson



City of Broken Arrow

Request for Action

File #: 25-1762, **Version:** 1

**Broken Arrow Planning Commission
12-18-2025**

To: Chairman and Commission Members
From: Community Development Department
Title:

Approval of Planning Commission meeting minutes of December 4, 2025

Background: Minutes recorded for the Broken Arrow Planning Commission meeting.

Attachments: 12 04 2025 Planning Commission Minutes

Recommendation: Approve minutes of Planning Commission meeting held December 4, 2025.

Reviewed By: Jane Wyrick

Approved By: Rocky Henkel



City of Broken Arrow

Minutes

Planning Commission

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

City of Broken Arrow
220 South 1st Street
Broken Arrow, OK
74012

Thursday, December 4, 2025	5:30 p.m.	Council Chambers
-----------------------------------	------------------	-------------------------

1. Call to Order

Chairman Robert Goranson called the meeting to order at 5:30 p.m.

2. Roll Call

Present: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

3. Old Business

4. Consideration of Consent Agenda

- A. 25-1687 Approve LOT-002521 Newcomb Lot Line Adjustment 0.48 acres, 2 lot to 2 lots, RS-P (Single-family residential - Preservation), one-eighth mile south of Houston Street (81st Street) and one-third mile east of Elm Place (161st E Avenue)
- B. 25-1688 Approve LOT-002522 Glowacki Lot Split 1.07 acres, 1 lot to 2 lots, RMH (Residential Manufactured Home), one-half mile south of Dearborn Street (41st Street) and one-half mile east of 37th Street (209th E Avenue)
- C. 25-1689 Approval of PT-002421-2025|PR-000629-2024, Conditional Final Plat, Oklahoma IOS Land Company Re-Do, approximately 40.14 acres, 2 Lots, IL (Industrial Light)/PUD-001785-2024, located approximately one-quarter mile west of 23rd Street (County Line Road) and north of Houston Street (81st Street)

MOTION: A motion was made by Mindy Payne, seconded by Jaylee Klempa
Move to Approve Consent Agenda

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

5. Consideration of Items Removed from Consent Agenda - NONE

6. Public Hearings - NONE

7. Appeals - NONE

8. General Commission Business - NONE

9. Remarks, Inquiries, and Comments by Planning Commission and Staff (No Action) - NONE

10. Adjournment

The meeting was adjourned at 5:31 p.m.

MOTION: A motion was made by Mindy Payne, seconded by Jonathan Townsend
Move to Adjourn

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson



City of Broken Arrow

Request for Action

File #: 26-76, Version: 1

Broken Arrow Planning Commission 12-18-2025

To: Chairman and Commission Members
From: Community Development Department
Title:

Approve LOT-002536 Ninth College Rentals, LLC Lot Line Adjustment 0.40 acres, 2 lots to 2 lots, RMD (Residential Medium Density), approximately one-half mile south of East Kenosha Street (71st Street), east of 9th Street (177th East Avenue, Lynn Lane Road)

Background:

Applicant: Stephen Carney
Owner: Ninth College Rentals, LLC
Developer: [Click here to enter text.](#)
Location: Northeast corner of 9th Street & College Street
Size of Tract Approximately 0.40 acres
Number of Lots: 2 lots
Present Zoning: Residential Medium Density
Comp Plan: Level 2 (Urban Residential)

LOT-002536-2025 is a request for a lot line adjustment. The property is a 0.40-acres, unplatted tract of land that is zoned RMD (Residential Medium Density) and is located at the northeast corner of 9th Street & College Street.

The current configuration is comprised of two 0.20-acre lots both having a non-rectangular shape. This lot split for the current configuration was under application LOT-001877-2024 that was approved by Planning Commission on February 13, 2025 to support a duplex development that would meet building setbacks of specific building footprint designs. The proposed configuration with the requested lot line adjustment would create two rectangular lots that both meet lot frontage and dimensional standards for updated building footprint designs.

The proposed lot line adjustment would create the following two tracts. ‘Tract 1’ being comprised of 0.20 acres/ 8880.00 square feet, and ‘Tract 2’ being comprised of 0.20 acres/8780.00 square feet.

This lot line adjustment request was heard by the Technical Advisory Committee on December 9, 2025, where none of the utility companies or other members had any comments.

Attachments: Case Map
Aerial Map
Existing Survey w/ Legal Descriptions
Proposed Survey for Tract 1w/ Legal Description
Proposed Survey for Tract 2 w/ Legal Description

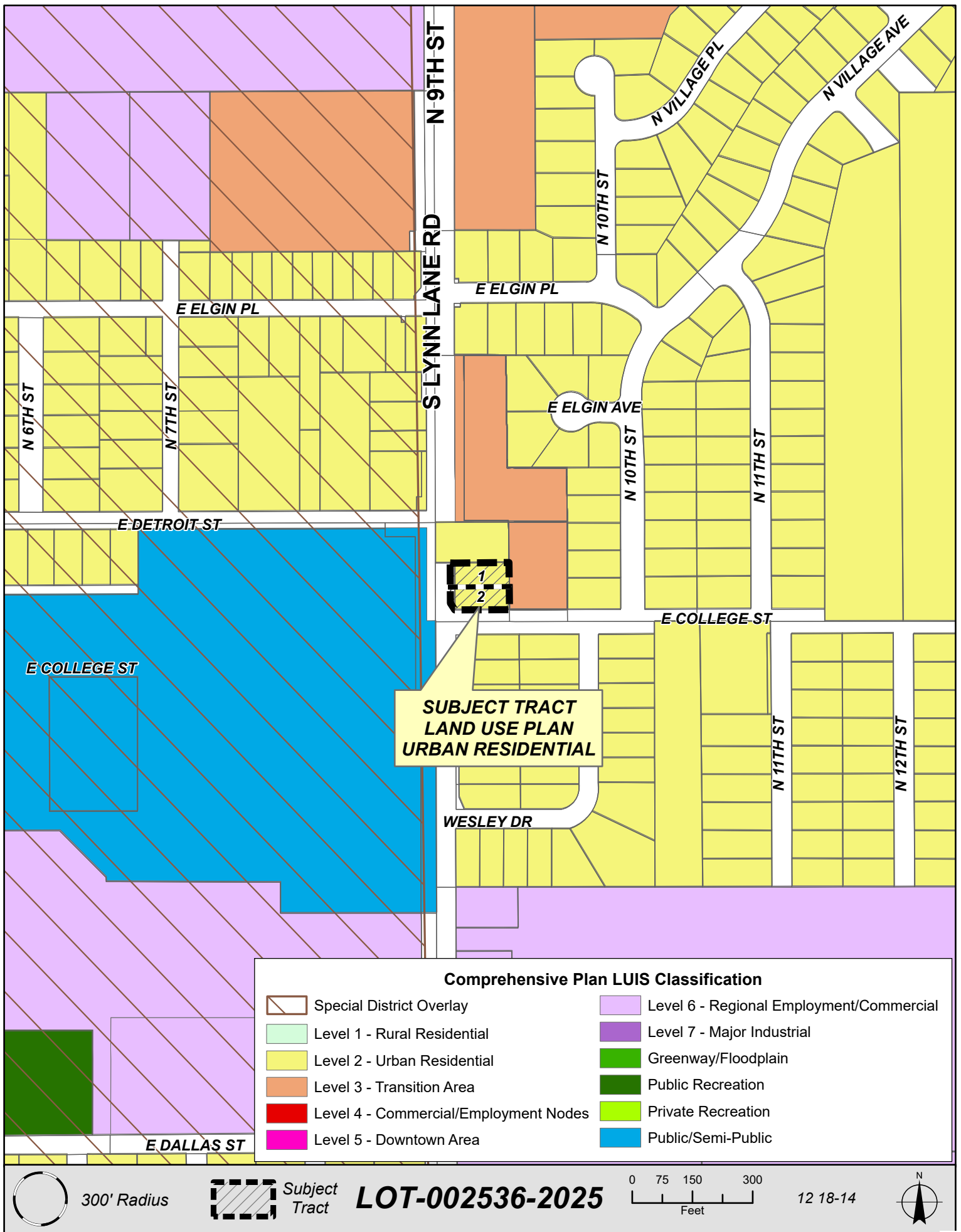
Recommendation:

Staff recommends that LOT-002536-2025, Ninth College Rentals, LLC lot split be approved subject to the following: The warranty deed for each parcel shall be brought to the City of Broken Arrow Planning and Development Division to be stamped prior to being recorded in Wagoner County.

Reviewed By: Jane Wyrick

Approved By: Rocky Henkel

RLB





Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2024



Subject
Tract

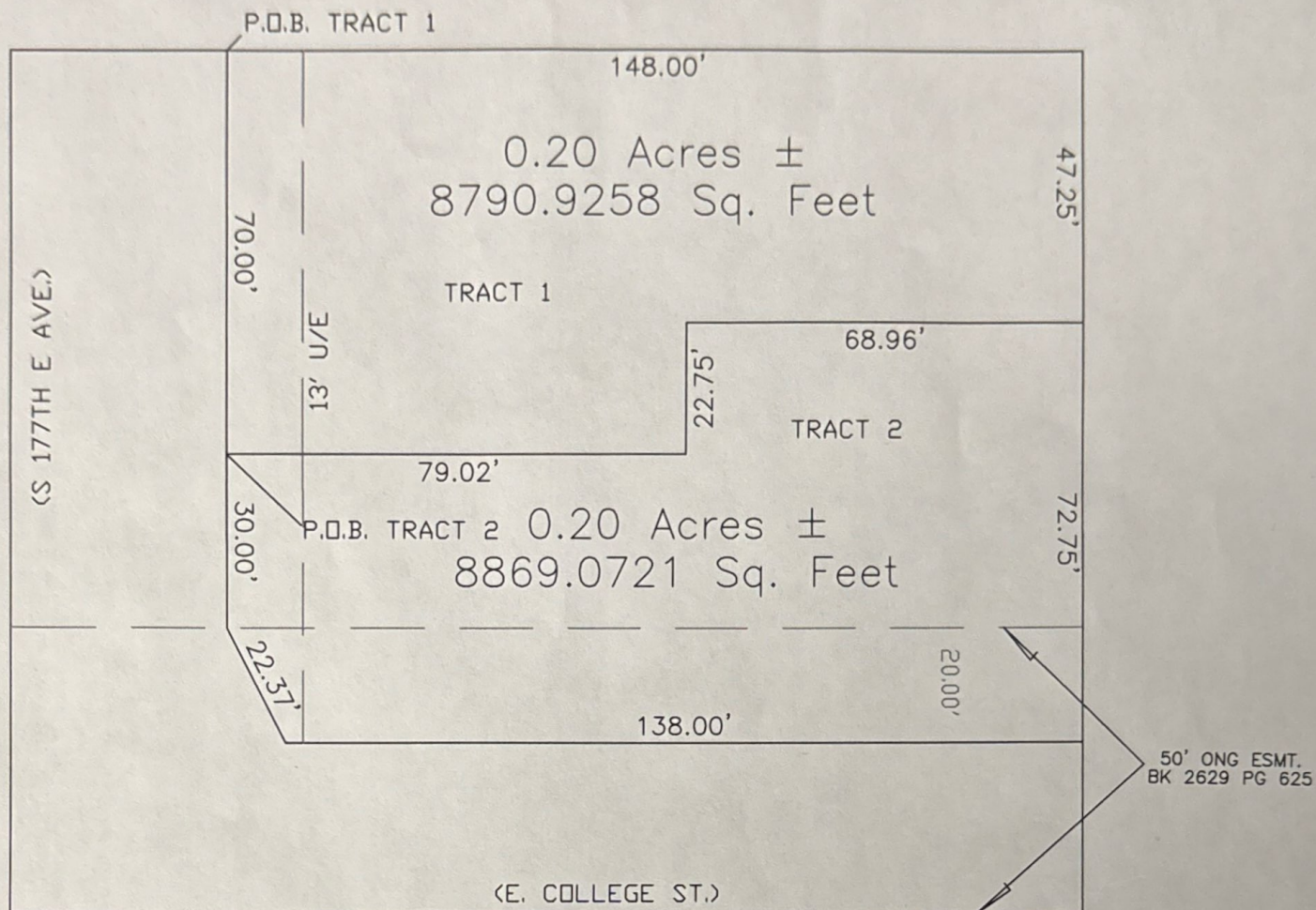
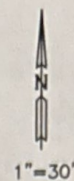
LOT-002536-2025

0 75 150 300
Feet

12 18-14



LOT SPLIT

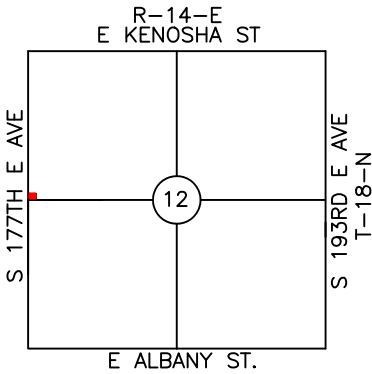


LEGAL DESCRIPTION TRACT 1

A tract of land situated in the W/2 NW/4 of Section 12, T18 N, R14 E of the I B & M, Tulsa County, Oklahoma, described as follows: Commencing at the SW corner of said W/2 NW/4, thence N 01°14'49" W along the West line of said Section a distance of 150.00 feet, thence N 88°46'51" E and parallel with the South line of said W/2 NW/4 a distance of 37.00 feet to the Point of Beginning; thence continuing N 88°46'51" E a distance of 148.00 feet; thence S 01°14'49" E and parallel with said West line a distance of 47.25 feet; thence S 88°46'51" W and parallel with said South line a distance of 68.96 feet; thence S 01°13'09" E a distance of 22.75 feet; thence S 88°46'51" W and parallel with said South line a distance of 79.02 feet; thence N 01°14'49" W and parallel with said West line a distance of 60.00 feet to the Point of Beginning, containing 0.20 acres, more or less...Basis of Bearings: Oklahoma State Plane Coordinate System North Zone NAD 83...Description prepared by Daniel S. Goss, PLS #1316 on November 4, 2024.

LEGAL DESCRIPTION TRACT 2

A tract of land situated in the W/2 NW/4 of Section 12, T18 N, R14 E of the I B & M, Tulsa County, Oklahoma, described as follows: Commencing at the SW corner of said W/2 NW/4, thence N 01°14'49" W along the West line of said Section a distance of 150.00 feet, thence N 88°46'51" E and parallel with the South line of said W/2 NW/4 a distance of 37.00 feet thence S 01°14'49" E and parallel with said West line a distance of 70.00 feet to the Point of Beginning; thence N 88°46'51" E and parallel with the South line of said W/2 NW/4 a distance of 79.02 feet; thence N 01°13'09" W a distance of 22.75 feet; thence N 88°46'51" E and parallel with said South line a distance of 68.96 feet; thence S 01°14'49" E and parallel with said West line a distance of 72.75 feet; thence S 88°46'51" W and parallel with said South line a distance of 138.00 feet; thence N 26°33'34" W a distance of 22.37 feet; thence N 01°14'49" W and parallel with said West line a distance of 30.00 feet to the Point of Beginning, containing 0.20 acres, more or less...Basis of Bearings: Oklahoma State Plane Coordinate System North Zone NAD 83...Description prepared by Daniel S. Goss, PLS #1316 on November 4, 2024.



LOCATION MAP
COUNTY: TULSA

PLAT OF SURVEY FOR LOT SPLIT

TRACT NO. 1

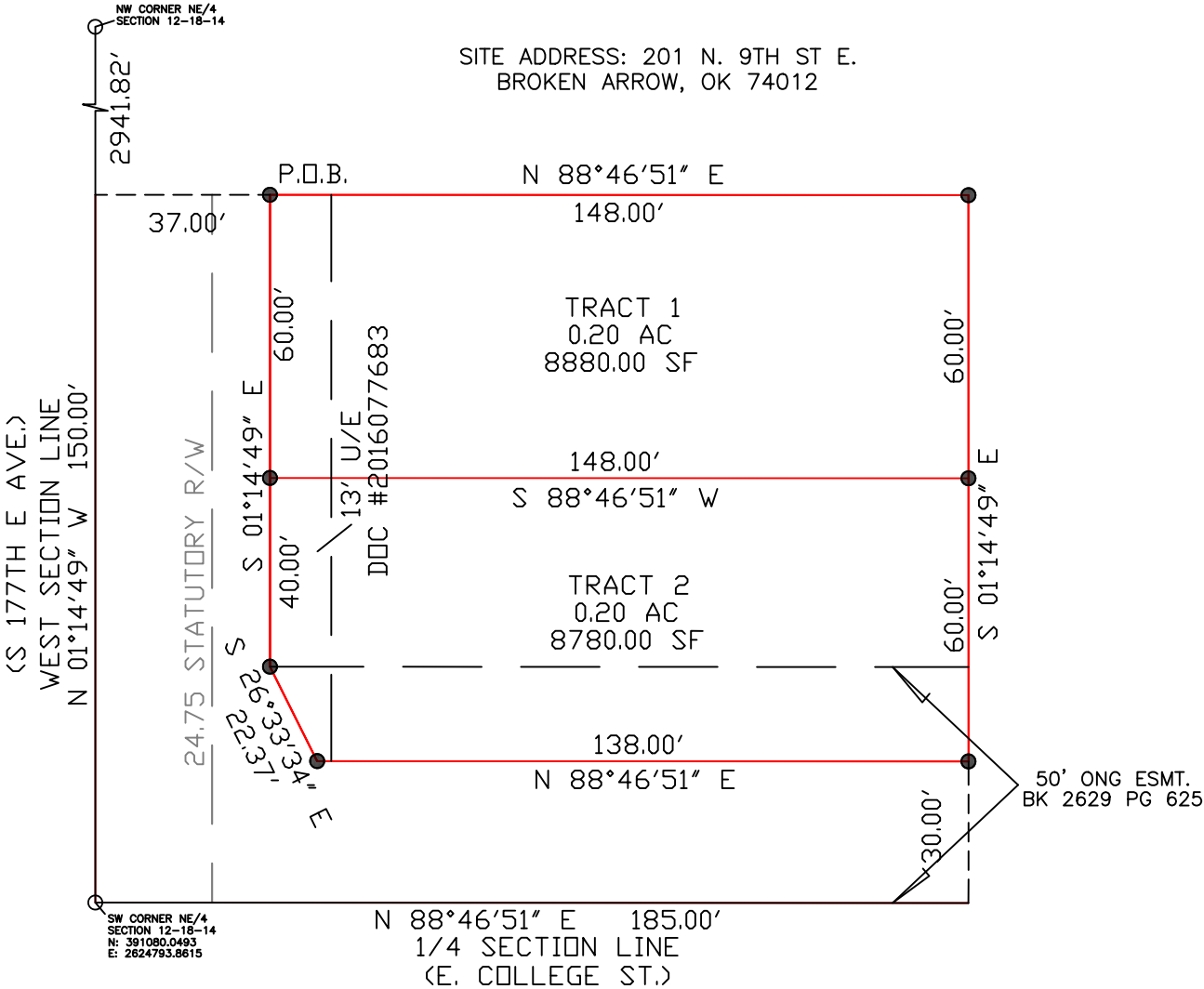
PREPARED JACOB AND RACHEL DAVIS

13705 S. 267TH E. AVE.
COWETA, OK 74429

LEGEND
● = SET MONUMENT
○ = FOUND MONUMENT

PRESENT ZONING: R-3
MIN LOT WIDTH: 60'
MIN LOT SIZE: 7000 SF
SET BACKS:
FRONT 25'
SIDE 10'
REAR 20'

SUBJECT PROPERTY LIES
WITHIN "UNSHADED X" AN
AREA OF MINIMAL FLOOD HAZARD
FEMA MAP: 40143C0392L
EFFECTIVE DATE: 9/30/2016



LEGAL DESCRIPTION TRACT 1

A tract of land situated in the W/2 NW/4 of Section 12, T18 N, R14 E of the I B & M, Tulsa County, Oklahoma, described as follows: Commencing at the SW corner of said W/2 NW/4, thence N 01°14'49" W along the West line of said Section a distance of 150.00 feet, thence N 88°46'51" E and parallel with the South line of said W/2 NW/4 a distance of 37.00 feet to the Point of Beginning; thence continuing N 88°46'51" E a distance of 148.00 feet; thence S 01°14'49" E and parallel with said West line a distance of 60.00 feet; thence S 88°46'51" W and parallel with said South line a distance of 148.00 feet; thence N 01°14'49" W parallel with said West line a distance of 60.00 feet to the Point of Beginning, containing 0.20 acres, more or less...Basis of Bearings: Oklahoma State Plane Coordinate System North Zone NAD 83...Description prepared by Daniel S. Goss, PLS #1316 on November 4, 2024.

CERTIFICATE

I, DANIEL S. GOSS, A REGISTERED SURVEYOR BY THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT THE THIS IS NOT A LAND OR BOUNDARY SURVEY AND THAT NO EFFORT WAS MADE TO RESEARCH FOR ANY OTHER EASEMENTS AT THE COUNTY CLERK OR OTHER RECORDS OFFICE.

WITNESS MY HAND AND SEAL THIS 4TH DAY OF NOVEMBER, 2024

DANIEL S. GOSS P.L.S. NO. 1316, CA NO. 3932...EXP: 6/30/2026



NORTH

D. GOSS & ASSOCIATES

12347 HEYWOOD HILL RD.

SAPULPA, OK 74066

PH. (918)371-0096

EMAIL: SURVEY@DGOSS-SURVEY.COM

WEBSITE: DGOSS-SURVEY.COM

Scale: NONE 30'

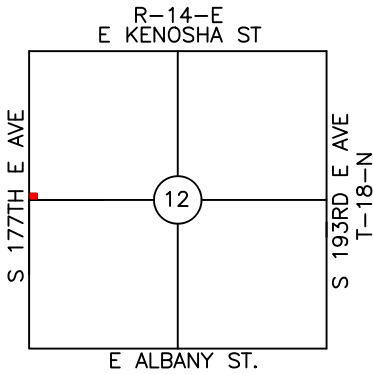
DATE: 11/04/2024

HARRIS

DRAWN BY: DG

JOB # 14470

SITE LAST VISTED:



LOCATION MAP

COUNTY: TULSA

PLAT OF SURVEY
FOR LOT SPLIT

TRACT NO. 2

PREPARED JACOB AND RACHEL DAVIS

13705 S. 267TH E. AVE.
COWETA, OK 74429

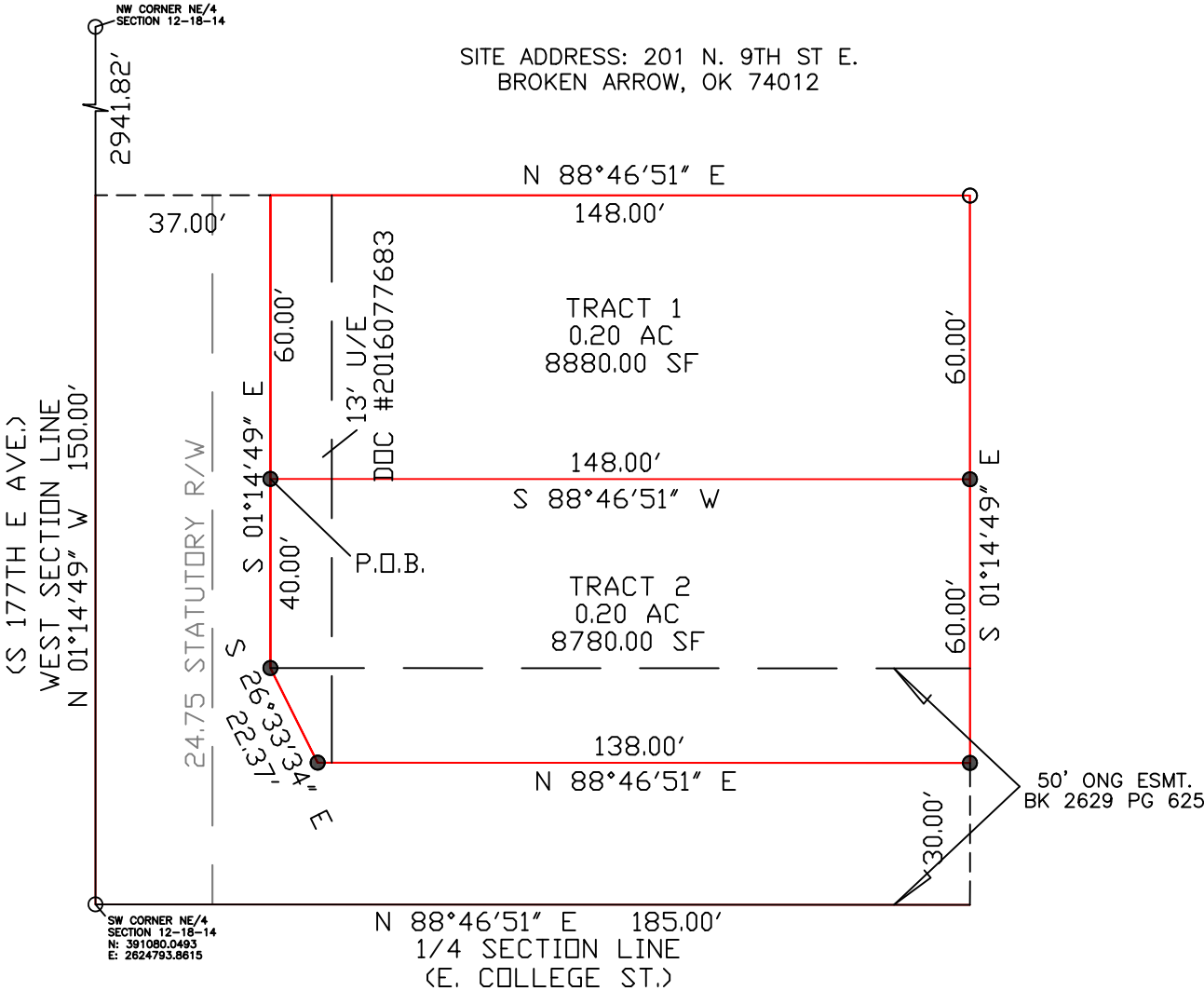
PRESENT ZONING: R-3
MIN LOT WIDTH: 60'
MIN LOT SIZE: 7000 SF
SET BACKS:
FRONT 25'
SIDE 10'
REAR 20'

SUBJECT PROPERTY LIES
WITHIN "UNSHADED X" AN
AREA OF MINIMAL FLOOD HAZARD
FEMA MAP: 40143C0392L
EFFECTIVE DATE: 9/30/2016

NO SCALE

LEGEND

● = SET MONUMENT
○ = FOUND MONUMENT



LEGAL DESCRIPTION TRACT 2

A tract of land situated in the W/2 NW/4 of Section 12, T18 N, R14 E of the I B & M, Tulsa County, Oklahoma, described as follows:
Commencing at the SW corner of said W/2 NW/4, thence N 01°14'49" W along the West line of said Section a distance of 150.00 feet, thence N 88°46'51" E and parallel with the South line of said W/2 NW/4 a distance of 37.00 feet thence S 01°14'49" E and parallel with said West line a distance of 60.00 feet to the Point of Beginning; thence N 88°46'51" E and parallel with the South line of said W/2 NW/4 a distance of 148.00 feet; thence S 01°14'49" E and parallel with said West line a distance of 60.00 feet; thence S 88°46'51" W and parallel with said South line a distance of 138.00 feet; thence N 26°33'34" W a distance of 23.27 feet; thence N 01°14'49" W parallel with said West line a distance of 60.00 feet to the Point of Beginning, containing 0.20 acres, more or less...Basis of Bearings: Oklahoma State Plane Coordinate System North Zone NAD 83...Description prepared by Daniel S. Goss, PLS #1316 on November 4, 2024.

CERTIFICATE

I, DANIEL S. GOSS, A REGISTERED SURVEYOR BY THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT THE THIS IS NOT A LAND OR BOUNDARY SURVEY AND THAT NO EFFORT WAS MADE TO RESEARCH FOR ANY OTHER EASEMENTS AT THE COUNTY CLERK OR OTHER RECORDS OFFICE.

WITNESS MY HAND AND SEAL THIS 4TH DAY OF NOVEMBER, 2024

DANIEL S. GOSS P.L.S. NO. 1316, CA NO. 3932...EXP: 6/30/2026



NORTH

D. GOSS & ASSOCIATES

12347 HEYWOOD HILL RD.

SAPULPA, OK 74066

PH. (918)371-0096

EMAIL: SURVEY@DGOSS-SURVEY.COM

WEBSITE: DGOSS-SURVEY.COM

Scale: NONE

DATE: 11/04/2024

HARRIS

DRAWN BY: DG

JOB # 14470



City of Broken Arrow

Request for Action

File #: 26-89, Version: 1

**Broken Arrow Planning Commission
12-18-2025**

To: Chairman and Commission Members
From: Community Development Department
Title:

Approval of PT-002546-2025|PR-000762-2024, Conditional Final Plat for Ferguson Kia, 6.37 acres, RMF (Residential Multifamily) to CH (Commercial Heavy)/PUD-236A via BAZ-2071 and PUD-001972-2025 via BAZ-001971-2025, one-half mile north of Kenosha Street (71st Street), one-quarter mile east of Elm Place (161st E. Avenue), south of the Broken Arrow Expressway

Background:

Applicant: Erik Enyart, Tanner Consulting
Owner: Jerry Ferguson, Ferguson Superstore
Developer: Jerry Ferguson, Ferguson Superstore
Engineer: Tanner Consulting
Location: one-half mile north of Kenosha Street (71st Street), one-quarter mile east of Elm Place (161st E. Avenue), south of the Broken Arrow Expressway
Size of Tract 6.37 acres
Number of Lots: 1
Present Zoning: RMF (Residential Multifamily)
Proposed Zoning: CH (Commercial Heavy)/PUD-236A via BAZ-2071 and PUD-001972-2025 via BAZ-001971-2025
Comp Plan: Level 6 - Regional Employment/Commercial

PT-002546-2025, the conditional final plat for Ferguson Kia, contains 1 lot on 6.37 acres. This property is located one-half mile north of Kenosha Street (71st Street), one-quarter mile east of Elm Place (161st E. Avenue), south of the Broken Arrow Expressway.

BAZ-2071, a request to rezone this property from RMF (Residential Multifamily) to CH (Commercial Heavy) and PUD-236A, was approved by City Council on December 15, 2020. PUD-001972-2025, a major amendment to PUD-236/236A, was approved by City Council on March 18, 2025 along with BAZ-001971-2025.

Access to this plat is available from West Oakland Place to the south. This conditional final plat was reviewed by the Technical Advisory Committee on December 9, 2025.

According to FEMA's National Flood Hazard Layer, none of the property is located in the 100-year floodplain, but a blue line stream is present. Water and sanitary sewer are available from the City of Broken Arrow.

Attachments: Conditional Final Plat
Checklist

Recommendation:

Staff recommends PT-002546-2025|PR-000762-2024, the Conditional Final Plat for Ferguson Kia, be approved subject to the attached checklist.

Reviewed by: Jane Wyrick

Approved by: Rocky Henkel

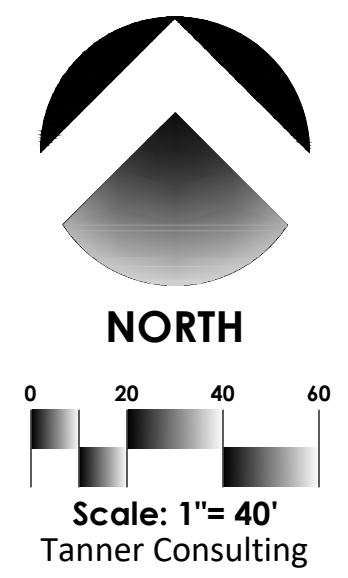
MEH

Conditional Final Plat
PUD-001972-2025
Ferguson Kia

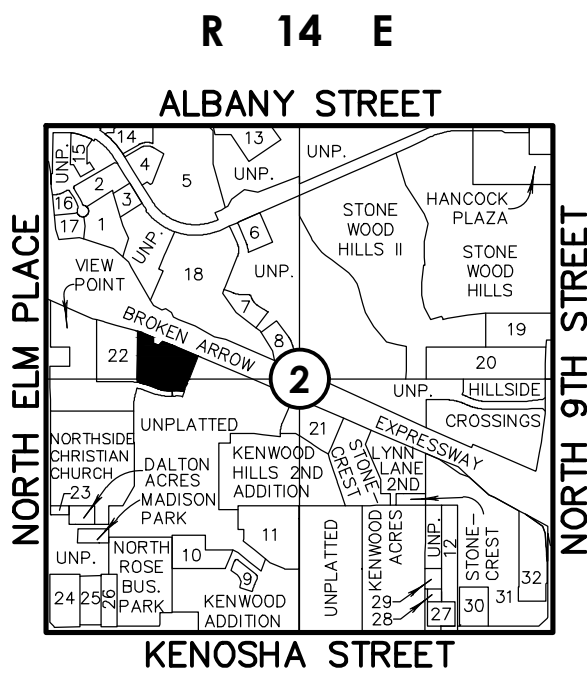
PART OF THE WEST HALF OF SECTION TWO (2),
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA

OWNER/DEVELOPER:
Ferguson Management Group LLC
CONTACT: JERRY FERGUSON
2720 North Hemlock Court, Suite B
Broken Arrow, Oklahoma 74012
Phone: (918) 258-1800

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2027
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



00
The review of the Conditional Final Plat (CFP) has been completed.
All revisions will be completed with the Final Plat using the Final Plat submittal application.
Additional files submitted under the CFP will not be reviewed.
Additional comments may be identified during the review of the Final Plat that will need to be addressed before the plat will be signed.



Location Map
Scale: 1"= 2000'

1. HOLIDAY INN EXPRESS HOTEL & SUITES AT THE V.A.S.W.H.
2. VILLAGE II RETAIL CENTER AT THE V.A.S.W.H.
3. RUNT'S BAR-B-QUE AT THE V.A.S.W.H.
4. UNPLATTED
5. STONEY CREEK HOTEL & CONFERENCE CENTER AT THE V.A.S.W.H.
6. LONE STAR STEAKHOUSE & SALOON AT THE V.A.S.W.H.
7. LOS CABOS AT THE V.A.S.W.H.
8. CHARLESTON'S AT THE V.A.S.W.H.
9. RESUBDIVISION LOT 1, 15, 16, 17 BLOCK 3 KENWOOD ADDITION
10. KENWOOD IV
11. KENWOOD HILLS
12. KNOLL VIEW ADDITION
13. FIRST BAPTIST CHURCH OF BROKEN ARROW (PART)
14. HILTON GARDEN INN AT THE V.A.S.W.H.
15. LA QUINTA AT THE V.A.S.W.H.
16. STEAK 'N SHAKE AT THE V.A.S.W.H.
17. ARKANSAS VALLEY STATE BANK AT THE V.A.S.W.H.
18. BASS PRO AT THE V.A.S.W.H. AMENDED
19. UNITED PENTECOSTAL
20. SHOPS AT LYNN LANE
21. SE-SUB BLOCK 1, LYNN LANE TERRACE SECOND PLAT
22. FERGUSON ADDITION
23. TAFT ENTERPRISES
24. BOARDWALK SHOPPING CENTER
25. BA LYNN & GARDEN
26. SHARP'S COMMERCIAL CENTER
27. VAQUERO ADDITION
28. RYAN'S ADDITION
29. CALVARY TEMPLE FAMILY CHRISTIAN CENTER
30. BILL KNIGHT COLLISION
31. LYNN LANE TERRACE AMENDED
32. LYNN LANE COMMERCIAL CENTER OF BROKEN ARROW
V.A.S.W.H. = VILLAGE AT STONE WOOD HILLS

- LEGEND**
- | | |
|-------|----------------------------------|
| B/L | BUILDING LINE |
| B/U | BUILDING LINE & UTILITY EASEMENT |
| BK PG | BOOK & PAGE |
| CB | CHORD BEARING |
| CD | CHORD DISTANCE |
| CL | CENTERLINE |
| Δ | DELTA ANGLE |
| DOC | DOCUMENT |
| ESMT | EASEMENT |
| GOVT | GOVERNMENT |
| LNA | LIMITS OF NO ACCESS |
| ODE | OVERLAND DRAINAGE EASEMENT |
| RES. | RESERVE |
| R/W | RIGHT-OF-WAY |
| U/E | UTILITY EASEMENT |
| ○ | FOUND MONUMENT |
| ● | SET MONUMENT (SEE NOTE 2) |

SUBDIVISION CONTAINS:
ONE (1) LOT
IN ONE (1) BLOCK
GROSS SUBDIVISION AREA: 6.371 ACRES

Benchmark #1
CHISELED BOX SET ON THE TOP OF CURB
AT APPROXIMATELY 18 FEET SOUTH AND
53 FEET WEST OF NORTHEAST CORNER OF
LOT 1, BLOCK 1, "FERGUSON ADDITION".
(396741.15N, 2620290.46E)
ELEVATION = 783.30' (NAVD 88)

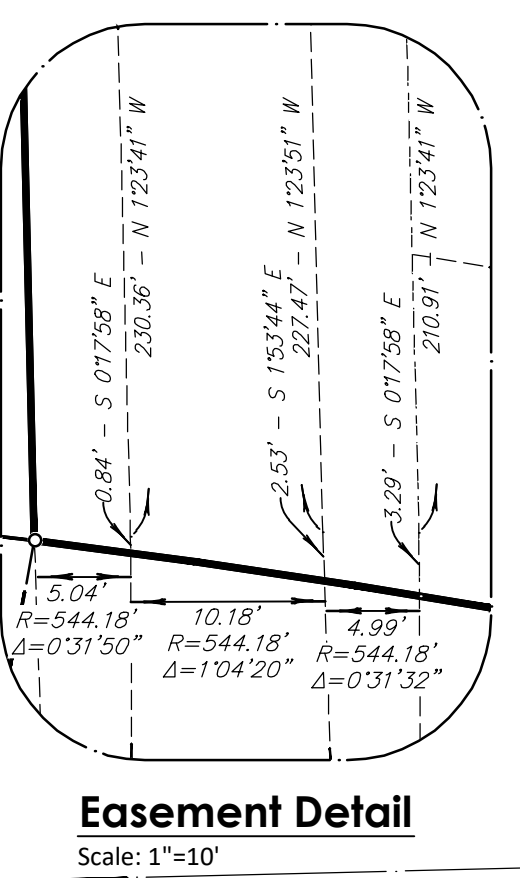
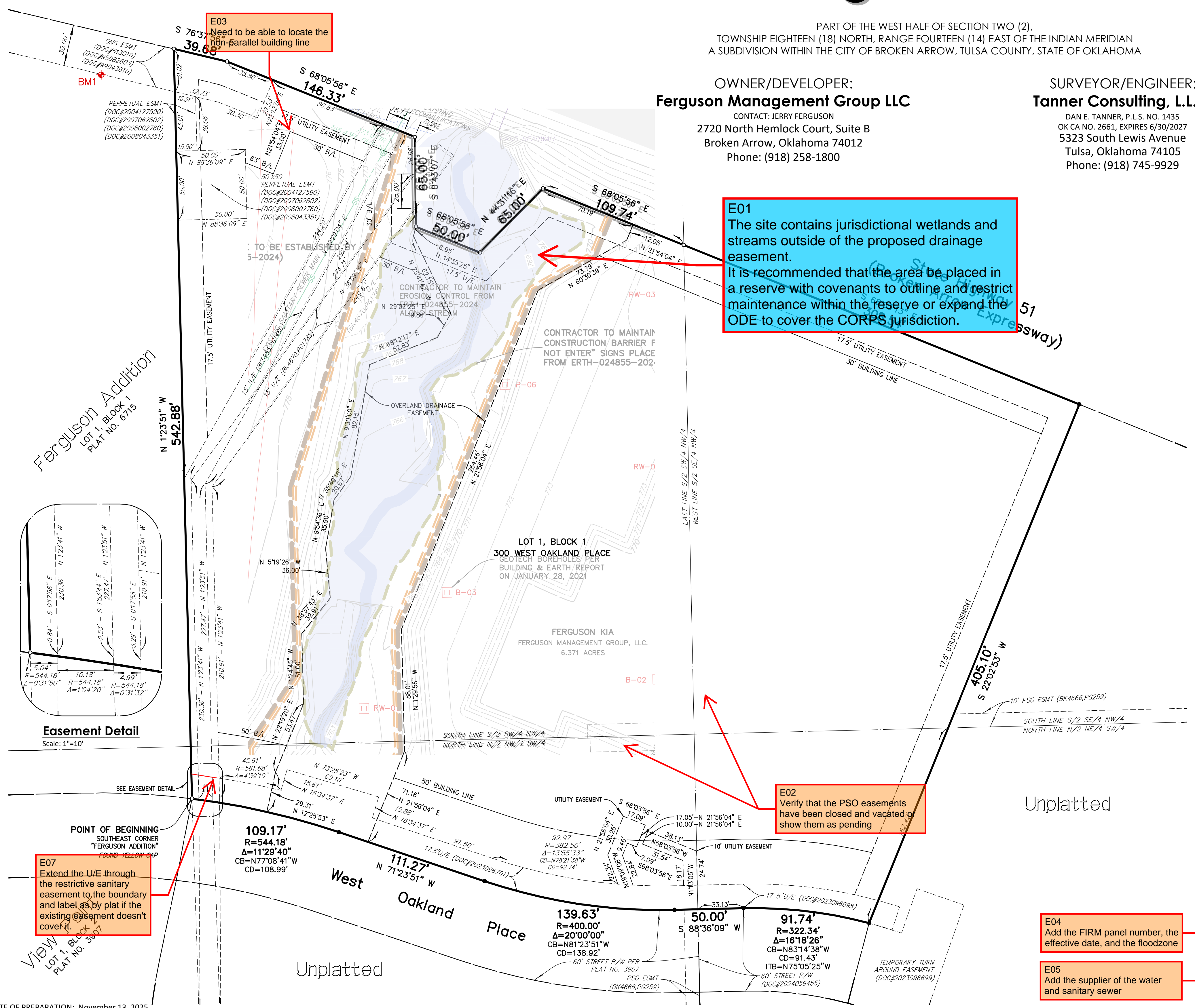
Notes:

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE FOUND OR SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" OR "TANNER CA2661" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
(A) FOUND CHISELED "X" AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 2;
(B) FOUND STEEL DISC AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 2;
THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°11'30" EAST.
- ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY WEST OAKLAND PLACE BEING A PUBLIC STREET.
- STORMWATER DETENTION ACCOMMODATIONS FOR THIS SITE ARE PROVIDED IN ACCORDANCE WITH FEE-IN-LIEU OF DETENTION DETERMINATION #DD-090924-51.

APPROVED _____ by the City
Council of the City of Broken Arrow,
Oklahoma.
Mayor
Attest: City Clerk

E06
Add the Project Number
PR-00762-2024 instead
of the case number

Ferguson Kia
CASE NO. -
SHEET 1 OF 3



DATE OF PREPARATION: November 13, 2025

Conditional Final Plat

PUD-001972-2025

Ferguson Kia

PART OF THE WEST HALF OF SECTION TWO (2),
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL PERSONS BY THESE PRESENTS:

THAT FERGUSON MANAGEMENT GROUP LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING REAL PROPERTY SITUATED IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA:

A TRACT OF LAND LOCATED IN THE WEST HALF (W/2) OF SECTION TWO (2), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT ONE (1), BLOCK ONE (1), "FERGUSON ADDITION", A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6715); THENCE NORTH 1°23'51" WEST AND ALONG THE EAST LINE OF SAID LOT 1 FOR A DISTANCE OF 542.88 FEET TO A POINT ON THE PRESENT SOUTH RIGHT-OF-WAY LINE OF OKLAHOMA STATE HIGHWAY 51; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE FOR THE FOLLOWING SEVEN (7) COURSES: SOUTH 76°37'56" EAST FOR A DISTANCE OF 39.68 FEET; THENCE SOUTH 68°05'56" EAST FOR A DISTANCE OF 146.33 FEET; THENCE SOUTH 0°43'07" EAST FOR A DISTANCE OF 65.00 FEET; THENCE SOUTH 68°05'56" EAST FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 44°31'16" EAST FOR A DISTANCE OF 65.00 FEET; THENCE SOUTH 68°05'56" EAST FOR A DISTANCE OF 109.74 FEET; THENCE SOUTH 68°03'13" EAST FOR A DISTANCE OF 308.54 FEET; THENCE SOUTH 22°02'53" WEST FOR A DISTANCE OF 405.10 FEET TO THE NORTH EAST CORNER OF WEST OAKLAND PLACE RIGHT-OF-WAY; THENCE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID WEST OAKLAND PLACE FOR THE REMAINING FIVE (5) COURSES: NORTHWESTERLY ALONG A 322.34 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, WITH AN INITIAL TANGENT BEARING OF NORTH 75°05'25" WEST, HAVING A CENTRAL ANGLE OF 16°18'26", A CHORD BEARING AND DISTANCE OF NORTH 83°14'38" WEST FOR 91.43 FEET, FOR AN ARC DISTANCE OF 91.74 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88°36'09" WEST FOR A DISTANCE OF 50.00 FEET TO A POINT OF CURVATURE; THENCE ALONG A 400.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 20°00'00", A CHORD BEARING AND DISTANCE OF NORTH 81°23'51" WEST FOR 138.92 FEET, FOR AN ARC DISTANCE OF 139.63 FEET TO A POINT OF TANGENCY; THENCE NORTH 71°23'51" WEST FOR A DISTANCE OF 111.27 FEET TO A POINT OF CURVATURE; THENCE ALONG A 548.18 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 11°29'40", A CHORD BEARING AND DISTANCE OF NORTH 77°08'41" WEST FOR 108.99 FEET, FOR AN ARC DISTANCE OF 109.17 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 277,538 SQUARE FEET OR 6.371 ACRES.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

- (A) FOUND CHISELED "X" AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 2;
- (B) FOUND STEEL DISC AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 2.

THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 1°11'30" EAST.

AND THE OWNER HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, DEDICATED, AND SUBDIVIDED INTO ONE (1) LOT IN ONE (1) BLOCK IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT"), AND HAS DESIGNATED THE SUBDIVISION AS "FERGUSON KIA", A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA (HEREINAFTER THE "SUBDIVISION" OR "FERGUSON KIA"). THE CITY OF BROKEN ARROW, OKLAHOMA, MAY HEREINAFTER SOMETIMES BE REFERRED TO AS "CITY OF BROKEN ARROW" OR SIMPLY THE "CITY".

SECTION I. PUBLIC EASEMENTS AND UTILITIES

A. PUBLIC UTILITY EASEMENTS.

THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, AND WATERLINES, TOGETHER WITH ALL VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, TOGETHER WITH SIMILAR EASEMENT RIGHTS IN THE PUBLIC STREETS, PROVIDED HOWEVER, THAT THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WATERLINES AND SEWER LINES WITHIN THE UTILITY EASEMENTS FOR THE PURPOSE OF FURNISHING WATER AND SEWER SERVICE TO AREAS WITHIN OR OUTSIDE THE PLAT AND THE OWNER FURTHER RESERVES THE RIGHT TO CONSTRUCT AND MAINTAIN WITHIN THE UTILITY EASEMENTS PROPERLY-PERMITTED PARKING AREAS, LANDSCAPING, SCREENING FENCES AND WALLS, AND OTHER NON-OBSTRUCTING IMPROVEMENTS.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE.

- THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWERS, STORM SEWERS, AND STORM WATER DRAINAGE FACILITIES LOCATED ON THE LOT.
- WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD, IN THE JUDGMENT OF THE CITY, INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, OR STORM SEWERS, SHALL BE PROHIBITED.
- THE CITY, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC SANITARY SEWER MAINS, PUBLIC WATER MAINS, AND PUBLIC STORM SEWERS AND APPURTENANCES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF SAID OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.
- THE CITY, OR ITS PROPER AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT, OR PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE UNDERGROUND WATER, SANITARY SEWER, AND STORM SEWER FACILITIES.
- THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE CITY, OR ITS SUCCESSORS, AND THE OWNER AND SUCCESSIVE OWNERS OF THE LOT AGREE TO BE BOUND BY THESE COVENANTS.

C. UNDERGROUND SERVICE.

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE PERIMETER UTILITY EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE THROUGHOUT THE SUBDIVISION AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY-PRECEDING SENTENCE, ALL SUPPLY LINES INCLUDING ELECTRIC, COMMUNICATION, AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT. PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIERS OF ELECTRIC, COMMUNICATION, AND GAS SERVICES, THROUGH THEIR RESPECTIVE AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON SAID OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, COMMUNICATION, OR GAS SERVICE FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF SAID OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION C. SHALL BE ENFORCEABLE BY EACH SUPPLIER OF ELECTRIC, COMMUNICATION, AND GAS SERVICE AND THE OWNER AND SUBSEQUENT OWNERS OF THE LOT AGREE TO BE BOUND HEREBY.

D. OVERLAND DRAINAGE EASEMENT

- FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE LOT WITHIN THE SUBDIVISION, AND FOR THE BENEFIT OF THE CITY OF BROKEN ARROW, OKLAHOMA, THE OWNER HEREBY ESTABLISHES AND GRANTS A PERPETUAL OVERLAND DRAINAGE EASEMENT ON, OVER, AND ACROSS THE AREA DESIGNATED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE EASEMENT" OR "ODE" FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM WITHIN THE SUBDIVISION, AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.
 - DRAINAGE FACILITIES WITHIN THE OVERLAND DRAINAGE EASEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH ADOPTED STANDARDS OF THE CITY OF BROKEN ARROW, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF BROKEN ARROW ENGINEERING DEPARTMENT.
 - NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN THE OVERLAND DRAINAGE EASEMENT AREA UNLESS APPROVED BY THE CITY OF BROKEN ARROW ENGINEERING DEPARTMENT, NOR SHALL THERE BE ANY ALTERATION OF THE GRADES OR CONTOURS IN THE OVERLAND DRAINAGE EASEMENT AREA UNLESS APPROVED BY THE CITY OF BROKEN ARROW ENGINEERING DEPARTMENT. PROVIDED, HOWEVER, THAT WHERE COINCIDENT WITH UTILITY EASEMENTS, CUSTOMARY ABOVE-GROUND UTILITY APPURTENANCES SHALL BE DEEMED NON-OBSTRUCTING AND SHALL BE PERMITTED.
 - THE OVERLAND DRAINAGE EASEMENT AREA AND FACILITIES THEREIN LOCATED SHALL BE MAINTAINED BY THE OWNER OF THE LOT CONTAINING THE EASEMENT, AND THE MAINTENANCE SHALL BE PERFORMED TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS, INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION.
 - IN THE EVENT THE OWNER OF ANY LOT AS SUBJECT TO THE OVERLAND DRAINAGE EASEMENT SHOULD FAIL TO PROPERLY MAINTAIN THE EASEMENT AREAS AS ABOVE PROVIDED, THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER THE OVERLAND DRAINAGE EASEMENT AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE LOT OWNER AS SUBJECT TO THE EASEMENT. IN THE EVENT SUCH OWNER SHOULD THEN FAIL TO PAY THE COST OF SAID MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BROKEN ARROW, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF BROKEN ARROW, OKLAHOMA.
- E. PAVING AND LANDSCAPING WITHIN EASEMENTS.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR REPAIR OF DAMAGE TO LANDSCAPING AND PAVING RESULTING FROM THE ACTIONS OF THE CITY OF BROKEN ARROW, OKLAHOMA, OR THE SUPPLIER OF UTILITY SERVICES, IN PERFORMING NECESSARY INSTALLATION OF OR MAINTENANCE TO THE UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, GAS, COMMUNICATION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT; PROVIDED, HOWEVER, THAT THE CITY OF BROKEN ARROW, OKLAHOMA, OR THE SUPPLIER OF THE UTILITY SERVICE, SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE PROPERTY COMPRISING FERGUSON KIA WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. PUD-001972-2025 "FERGUSON SUPERSTORE"), BEING A MAJOR AMENDMENT OF AND EXPANSION OF PUD-236 "FERGUSON SUPERSTORE", ALL AS PROVIDED WITHIN THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE ZONING ORDINANCE OF THE CITY OF BROKEN ARROW, OKLAHOMA, AS THE SAME EXISTED ON JANUARY 21, 2025 (DATE OF APPLICATION FILING), AND

WHEREAS, PUD-236 WAS RECOMMENDED UPON BY THE BROKEN ARROW PLANNING COMMISSION IN 2015 AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW ON JUNE 1, 2015; AND

WHEREAS, A MAJOR AMENDMENT OF AND EXPANSION OF PUD-236, PUD-236A "FERGUSON SUPERSTORE", WAS RECOMMENDED FOR APPROVAL BY THE BROKEN ARROW PLANNING COMMISSION NOVEMBER 19, 2020 AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW ON DECEMBER 15, 2020, AND EXPIRED ON OR AROUND DECEMBER 15, 2022; AND

WHEREAS, A MAJOR AMENDMENT OF AND EXPANSION OF PUD-236, PUD-001972-2025 "FERGUSON SUPERSTORE", WAS RECOMMENDED FOR APPROVAL BY THE BROKEN ARROW PLANNING COMMISSION FEBRUARY 27, 2025 AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BROKEN ARROW ON MARCH 18, 2025; AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BROKEN ARROW ZONING ORDINANCE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF BROKEN ARROW, SUFFICIENT TO ENSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND ANY AMENDMENTS THERETO; AND

WHEREAS, THE OWNER DESIRES TO ESTABLISH COVENANTS OF RECORD FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO ENSURE ADEQUATE COMPLIANCE WITH PUD-001972-2025 FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF BROKEN ARROW.

NOW, THEREFORE, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

A. GENERAL.

- DEVELOPMENT IN ACCORDANCE WITH PUD.

FERGUSON KIA SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF THE BROKEN ARROW ZONING ORDINANCE, AS MODIFIED BY PUD-001972-2025, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD-001972-2025 AS MAY BE SUBSEQUENTLY APPROVED.

- APPLICABLE ORDINANCE.

THE DEVELOPMENT OF FERGUSON KIA SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BROKEN ARROW ZONING ORDINANCE, AS SUCH PROVISIONS EXISTED ON JANUARY 21, 2025 (DATE OF APPLICATION FILING).

- DEVELOPMENT STANDARDS FOR LOT 1, BLOCK 1 (PUD-001972-2025 DEVELOPMENT AREA E).

GROSS LAND AREA:	585,362 SF	13.438 AC
NET LAND AREA:	585,362 SF	13.438 AC

PERMITTED USES:

USES PERMITTED AS A MATTER OF RIGHT IN THE CH ZONING DISTRICT, PLUS VEHICLE SALES AND RENTAL AS ALLOWED BY THIS PUD; PROVIDED, HOWEVER, THE FOLLOWING USES SHALL BE EXCLUDED: SEXUALLY-ORIENTED BUSINESSES AND MEDICAL MARIJUANA DISPENSARIES.

MAXIMUM FLOOR AREA RATIO:	0.75
MINIMUM / MAXIMUM BUILDING LOT COVERAGE:	75% MAXIMUM; NO MINIMUM
MAXIMUM BUILDING HEIGHT:	40 FT AND 3 STOREYS
MINIMUM PUBLIC OR PRIVATE STREET FRONTAGE:	100 FT *
MINIMUM BUILDING SETBACKS: **	
FROM W. OAKLAND P.L.:	50 FT
ABUTTING STATE HIGHWAY 51:	30 FT ***
SOUTH ABUTTING STORMWATER DETENTION FACILITY:	17.5 FT
SOUTH ABUTTING A-1 OR PUD-001623-2024:	50 FT
WEST DEVELOPMENT AREA BOUNDARY:	0 FT ****
EAST PUD BOUNDARY (S. OF OAKLAND PLACE):	50 FT
EAST PUD BOUNDARY (N. OF OAKLAND PLACE):	0 FT ****
BOUNDARIES INTERIOR TO DEVELOPMENT AREA:	0 FT ****
MINIMUM LANDSCAPING:	10% OF LOT AREA
MINIMUM PARKING RATIO:	AS PER BROKEN ARROW ZONING ORDINANCE
MAXIMUM PARKING RESTRICTION:	AS PER BROKEN ARROW ZONING ORDINANCE
MINIMUM LOADING BERTHS:	N/A *****
OTHER BULK AND AREA REQUIREMENTS:	AS REQUIRED WITHIN CH 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 OR UNDERGROUND PIPELINE EASEMENT.
- *** SETBACKS WILL BE INCREASED TO MEET THE 50-FOOT SETBACK FROM "HIGH PRESSURE PIPELINES" PER BROKEN ARROW LAND SUBDIVISION CODE SECTION 4.2.A.
- **** SHALL MEET BUILDING CODE REQUIREMENTS.
- ***** ANY PROPOSED LOADING BERTH SHALL COMPLY WITH THE BUILDING CODE BUT OTHERWISE MAY HAVE GEOMETRIC DESIGNS VARYING FROM ZONING ORDINANCE REQUIREMENTS UPON CITY OF BROKEN ARROW REVIEW AND APPROVAL OF THE SITE PLAN.

- DEVELOPMENT STANDARDS FOR ALL PUD DEVELOPMENT AREA LOTS.

- ACCESS AND CIRCULATION:

ACCESS TO DEVELOPMENT AREAS "A," "B," AND "C" IS PROVIDED BY NORTH ELM PLACE AND WEST OAKLAND PLACE AND BY INTERNAL PRIVATE DRIVES BETWEEN THEM. ACCESS TO DEVELOPMENT AREAS "D" AND "E" IS PROVIDED BY WEST OAKLAND PLACE. TO SERVE DEVELOPMENT AREA "E" AND THE FUTURE FURNITURE ROW DEVELOPMENT, THE WEST OAKLAND PLACE STREET EXTENSION HAS BEEN DESIGNED, APPROVED, PERMITTED,

AND IS NOW UNDER CONSTRUCTION. WEST / EAST OAKLAND PLACE IS EXPECTED TO CONTINUE FURTHER TO THE EAST AS THE "FURNITURE ROW" PROPERTY TO THE EAST DEVELOPS. IN THE INTERIM, THE NEW EAST END INCLUDES A TEMPORARY "HAMMERHEAD" TURNAROUND WITHIN AN EASEMENT. STREET GEOMETRIES FOR WEST / EAST OAKLAND PLACE MAY BE MODIFIED FROM BROKEN ARROW REQUIREMENTS DUE TO THE 60' RIGHT-OF-WAY WIDTH AT WHICH IT WAS PLATTED WITH VIEW POINT, AND EXTENDED BY SEPARATE INSTRUMENT RIGHT-OF-WAY DEDICATION. DRIVEWAY LOCATIONS AND SEPARATION REQUIREMENTS MAY BE MODIFIED FROM BROKEN ARROW ZONING ORDINANCE REGULATIONS THROUGH THE ENGINEERING VARIANCE PROCESS, AND FINAL PLANS FOR ACCESS WILL BE DETERMINED UPON APPROVAL OF THE PUD SUBDIVISION PLAT AND/OR SITE PLAN.

IN ACCORDANCE WITH THE BROKEN ARROW SUBDIVISION REGULATIONS, SIDEWALKS SHALL BE CONSTRUCTED AS A PART OF THE WEST OAKLAND PLACE ROADWAY OR AS EACH LOT IS DEVELOPED. SIDEWALKS SHALL BE A MINIMUM OF FIVE (5) FEET IN WIDTH, SHALL BE ADA COMPLIANT, SHALL BE APPROVED BY THE CITY OF BROKEN ARROW, AND SHALL TIE-IN TO OTHER SIDEWALKS ABUTTING SITE BOUNDARIES. ANY SIDEWALKS WHICH ARE PROPOSED OUTSIDE OF PUBLIC RIGHT-OF-WAY SHALL BE PLACED IN A PUBLIC SIDEWALK EASEMENT.

- SIGNS:

THERE IS AN EXISTING BILLBOARD LOCATED WITHIN THE NORTHWEST CORNER OF DEVELOPMENT AREA "E," WHICH WILL REMAIN. AS AN EXISTING CONDITION, THE BILLBOARD SHALL NOT BE CALCULATED IN ANY SIGN BUDGET REGULATIONS OF THE BROKEN ARROW ZONING ORDINANCE (NUMBER, DISPLAY SURFACE AREA, LOCATION, OR OTHER RESTRICTIONS ON OTHERWISE-PERMITTED SIGNAGE WHEN EXISTING SIGNS ARE PRESENT, ETC.). ALL SIGNAGE FOR DEVELOPMENT AREAS "D" AND "E" SHALL OTHERWISE COMPLY WITH ALL SIGNAGE REGULATIONS OF THE BROKEN ARROW ZONING ORDINANCE, EXCEPT THAT ALL FREESTANDING SIGNS SHALL BE LIMITED TO 24 FEET IN HEIGHT, AS REFLECTED IN THE KIA SIGN FAMILY EXHIBIT INCLUDED IN THE APPENDIX, AND 100 SQUARE FEET IN DISPLAY SURFACE AREA. NEW KIA SIGNAGE WILL BE FORTHCOMING DURING THE BUILDING PERMIT STAGE. THE SUPPORT STRUCTURE FOR ALL NEW SIGNS SHALL BE COVERED AND SHALL BE COORDINATED WITH THE EXTERIOR BUILDING MATERIALS OF THE PRINCIPAL BUILDING ON THE LOT. INFORMATION ON THE LOCATION, SIZE, AND HEIGHT OF ALL FREESTANDING SIGNS SHALL BE SHOWN ON THE REQUIRED SITE PLAN, OR WITH A SEPARATE SIGN PERMIT APPLICATION, FOR CITY OF BROKEN ARROW REVIEW AND APPROVAL.

- PLATTING AND SITE PLAN REQUIREMENTS:

WHILE REPRESENTED ON EXHIBIT B "CONCEPTUAL SITE PLAN AND PUD DEVELOPMENT AREAS," FOR PURPOSES OF THIS PUD MAJOR AMENDMENT, THE DEVELOPMENT AREA BOUNDARIES ARE APPROXIMATE AND THE LAND AREAS AND THE BOUNDARIES BETWEEN SUCH DEVELOPMENT AREAS WILL BE ESTABLISHED UPON PLATTING. THE 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.

- PARKING AND LOADING REQUIREMENTS:

ALL DEVELOPMENT WITHIN DEVELOPMENT AREAS "D" AND "E" SHALL MEET MINIMUM REQUIREMENTS FOR PARKING AND LOADING, EXCEPT THAT ANY PROPOSED LOADING BERTH MAY HAVE GEOMETRIC DESIGNS VARYING FROM ZONING ORDINANCE REQUIREMENTS UPON CITY OF BROKEN ARROW REVIEW AND APPROVAL OF THE SITE PLAN.

- LANDSCAPING, SCREENING, AND LIGHTING REQUIREMENTS:

REGARDING DEVELOPMENT AREA "E," THE ABUTTING PROPERTY TO THE EAST IS PRESENTLY ZONED RESIDENTIAL BUT HAS BEEN APPROVED FOR SOME CH ZONING AND PUD-339 "FURNITURE ROW." IF THE AREA TO THE EAST OF DEVELOPMENT AREA "E" STILL HAS RESIDENTIAL ZONING CLASSIFICATION WHEN THAT PART OF DEVELOPMENT AREA "E" IS DEVELOPED, EXCEPTING THE AREA APPROVED FOR CH ZONING, SCREENING AND LANDSCAPING SHALL BE PROVIDED ALONG THE EAST BOUNDARY IN ACCORDANCE WITH THE BROKEN ARROW ZONING ORDINANCE. THE SOUTH BOUNDARY OF DEVELOPMENT AREA "E" IS FORMED BY THE CITY OF BROKEN ARROW'S REGIONAL STORMWATER DETENTION FACILITY ZONED RM, AND BY A VACANT TRACT ZONED A-1 AND R-2 BUT RECENTLY APPROVED FOR CM ZONING (BAZ-001624-2024) AND PUD-001623-2024 "VEN," A PROPOSED GATED RESIDENTIAL COMMUNITY. BASED ON THESE USES, SCREENING AND LANDSCAPING SHALL BE PROVIDED ALONG THE SOUTH BOUNDARY SHARED WITH APPROVED CM ZONING IN ACCORDANCE WITH THE BROKEN ARROW ZONING ORDINANCE, BUT NOT ALONG THE REGIONAL STORMWATER DETENTION FACILITY. IN ADDITION TO MEETING THE LANDSCAPING AND SCREENING REQUIREMENTS ALONG THE EAST AND SOUTH BOUNDARIES SPECIFIED IN THIS PARAGRAPH, DEVELOPMENT AREAS "D" AND "E" SHALL MEET THE LANDSCAPING AND LIGHTING REQUIREMENTS OF DEVELOPMENT AREA "C" DESCRIBED LATER. COLORED METAL OR WROUGHT IRON GATES DESIGNED TO ENHANCE APPEARANCE OF THE FACILITY ARE ENCOURAGED BY THE ZONING ORDINANCE AND WILL BE CONSIDERED. THE USE OF CHAIN LINK OR BARBED WIRE FENCING WITHIN 200 FEET OF A PUBLIC STREET RIGHT-OF-WAY IS PROHIBITED. WITHIN DEVELOPMENT AREAS "D" AND "E," REFUSE COLLECTION RECEPTACLES AND OUTDOOR MECHANICAL EQUIPMENT SHALL BE SCREENED AS REQUIRED BY THE BROKEN ARROW ZONING ORDINANCE. ALL LOTS WITHIN DEVELOPMENT AREAS "D" AND "E" SHALL MAINTAIN A MINIMUM OF 10% OF LOT AREA AS LANDSCAPED OPEN SPACE.

ALL PROPOSED SECURITY, SCREENING, OR OTHER FENCES, REFUSE COLLECTION RECEPTACLES, LANDSCAPING, AND LIGHTING SHALL BE INCLUDED ON THE SITE PLAN SUBMITTED TO THE CITY OF BROKEN ARROW FOR REVIEW AND APPROVAL.

A. LANDSCAPED EDGE

- WIDTH
A LANDSCAPED EDGE OF AT LEAST 10 FEET IN WIDTH SHALL BE PROVIDED ALONG BOTH W. OAKLAND [PLACE] AND STATE HIGHWAY 51.

Conditional Final Plat

PUD-001972-2025

Ferguson Kia

PART OF THE WEST HALF OF SECTION TWO (2),
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION AND RESTRICTIVE COVENANTS (CONTINUED)

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS (CONTINUED)

ii. TREE REQUIREMENTS

THE NUMBER OF TREES FOR DEVELOPMENT AREA C WILL BE CALCULATED BASED ON ONE TREE FOR EVERY FIFTY LINEAR FEET (50') OF LANDSCAPED EDGE ALONG STATE HIGHWAY 51 (TOTAL OF 9 TREES) AND ONE TREE FOR EVERY FIFTY LINEAR FEET (50') OF LANDSCAPED EDGE ALONG OAKLAND PLACE (TOTAL OF 9 TREES). THE NUMBER OF REQUIRED TREES SHALL BE CALCULATED BASED ON THE LINEAR FRONTAGE OF THE PROPERTY AND SHALL BE ROUNDED TO THE NEAREST WHOLE NUMBER. TREES MAY BE GROUPED TOGETHER ALONG THE EASTERN BOUNDARY AS INDICATED ON THE INCLUDED CONCEPTUAL TREE PLAN. ALONG THE STATE HIGHWAY 51 LANDSCAPED EDGE 80% OF THE TREES WILL BE PLANTED ALONG THE RIGHT-OF-WAY WHERE NOT IN CONFLICT WITH THE ONG PIPELINE EASEMENT WITH THE REMAINING 20% PLANTED ALONG THE EASTERN BOUNDARY. TREES SHALL BE TWO-INCH (2") CALIPER MINIMUM AND SHALL BE ON THE CITY'S APPROVED TREE LIST. EXCEPT WHERE THERE ARE CONFLICTS WITH OVERHEAD POWER LINES, ALL TREES SHALL BE MEDIUM TO LARGE TREES.

iii. ADDITIONAL REQUIREMENT FOR PARKING LOTS AND DRIVES ABUTTING LANDSCAPED EDGE

- (A) WHERE PARKING LOTS AND DRIVES ABUT THE LANDSCAPED EDGE, AND THE LANDSCAPED EDGE IS LESS THAN THIRTY FEET (30') IN WIDTH, ALL PROPOSED DEVELOPMENTS SHALL PROVIDE TEN (10) SHRUBS THREE (3) GALLON MINIMUM) FOR EVERY FIFTY LINEAR FEET (50') OF ABUTMENT TO THE LANDSCAPED EDGE. THESE SHRUBS SHALL BE PLACED WITHIN THE LANDSCAPED EDGE AND ARE IN ADDITION TO THE REQUIRED NUMBER OF TREES. THE NUMBER OF REQUIRED SHRUBS SHALL BE CALCULATED BASED ON THE LINEAR FRONTAGE OF PARKING LOT/DRIVE ABUTMENT TO THE REQUIRED LANDSCAPED EDGE AND SHALL BE ROUNDED TO THE NEAREST WHOLE NUMBER

B. INTERIOR PARKING LOT LANDSCAPING

i. IN DEVELOPMENT AREA C, LANDSCAPED AREAS SHALL BE ESTABLISHED AND MAINTAINED IN OFF-STREET PARKING AREAS AS FOLLOWS:

- (A) AT LEAST ONE MEDIUM TO LARGE TREE SHALL BE PLANTED FOR EVERY FIFTEEN (15) CUSTOMER OR EMPLOYEE PARKING SPACES, VEHICLE SALES DISPLAY AREAS ARE EXEMPT FROM THIS REQUIREMENT. THE NUMBER OF REQUIRED TREES SHALL BE ROUNDED TO THE NEAREST WHOLE NUMBER. THESE TREES SHALL BE PLANTED INSIDE OR WITHIN FIFTEEN FEET (15') OF THE PARKING LOT, BUT SHALL NOT BE PLACED IN THE LANDSCAPED EDGE REQUIRED IN SUBSECTION A ABOVE. TREES SHALL BE TWO-INCH (2") CALIPER MINIMUM AND SHALL BE SELECTED FROM THE CITY'S APPROVED TREE LIST.
- (B) A LANDSCAPE ISLAND WITH A PLANTING AREA (MEASURED BACK OF CURB TO BACK OF CURB) AT LEAST TEN FEET (10') IN WIDTH AND EIGHTEEN FEET (18') IN LENGTH SHALL BE PROVIDED ON EACH SIDE OF ALL DRIVES THAT PROVIDE ACCESS FROM THE STREET TO THE PROPERTY.
- (C) ALL PARKING LOT LANDSCAPED AREAS SHALL BE PROTECTED BY A RAISED SIX-INCH (6") CONCRETE CURB. PAVEMENT SHALL NOT BE PLACED CLOSER THAN FOUR AND ONE-HALF FEET (4.5') FROM THE TRUNK OF A TREE.
- (D) NO CUSTOMER OR EMPLOYEE PARKING SPACE SHALL BE LOCATED MORE THAN SEVENTY-FIVE FEET (75') FROM A LANDSCAPED AREA;
- (E) LANDSCAPE ISLANDS SHALL CONTAIN AT LEAST ONE HUNDRED EIGHTY SQUARE FEET (180 SQ.FT.), WITH A MINIMUM WIDTH OF TEN FEET (10').
- (F) LANDSCAPE AREAS FROM WHICH PARKING SPACES CAN BE MEASURED SHALL INCLUDE THE FOLLOWING:
- (1) LANDSCAPE ISLANDS MEETING THE APPLICABLE SIZE REQUIREMENTS. HOWEVER, MEASUREMENTS CANNOT BE MADE FROM THE LANDSCAPED EDGE, AS IDENTIFIED IN SECTION 5.2.B.1.A OF THE CITY OF BROKEN ARROW ZONING CODE.
- (2) LANDSCAPE AREAS NEXT TO BUILDINGS THAT ARE AT LEAST THREE FEET (3') IN WIDTH AND CONTAIN AT LEAST ONE HUNDRED (100') SQUARE FEET.

C. BUFFERING OF ADJACENT RESIDENTIAL ZONES AND USES

NO ADJACENT PROPERTY TO DEVELOPMENT AREA C IS CURRENTLY ZONED FOR RESIDENTIAL USE. THE COMPREHENSIVE PLAN INCLUDES NO INDICATION OF RESIDENTIAL LEVEL DEVELOPMENT FOR ANY ADJACENT PROPERTIES.

D. IRRIGATION

A DRIP IRRIGATION SYSTEM WILL BE INSTALLED IN DEVELOPMENT AREA C TO WATER ALL REQUIRED TREES IN ACCORDANCE WITH THE ZONING ORDINANCE. THE DEVELOPER WILL IRRIGATE ALL OTHER AREAS MANUALLY TO REDUCE DAMAGE TO VEHICLES ON-SITE.

E. EXTERIOR LIGHTING:

DEVELOPMENT AREAS A AND B HAVE EXISTING EXTERIOR LIGHT POLES AND ARE NOT BEING MODIFIED AS PART OF THE PUD. DEVELOPMENT AREA C WILL HAVE EXTERIOR LIGHT POLES THAT SHALL MEET THE REQUIREMENTS LISTED BELOW:

DEVELOPMENT AREA C LIGHTS

TYPE - LSI GREENBRIER, FULL-CUT OFF LENSES 20' TALL
WITH 2" CONCRETE BASE
(22' ABOVE FINISHED GRADE).

NEW LIGHT POLES IN DEVELOPMENT AREA C SHALL BE LIMITED TO 20 FEET IN HEIGHT PLUS A 2' CONCRETE BASE (MAXIMUM HEIGHT OF 22'). IN ADDITION, ALL OUTDOOR LIGHT FIXTURES SHALL BE SHIELDED TO CONTROL LIGHT SPILLAGE ONTO ADJACENT PROPERTY, ALL LIGHTING PLANS WILL BE ACCOMPANIED BY A PHOTOMETRIC PLAN THAT LIMITS THE LIGHT INTENSITY AT THE PROPERTY LINES TO 3.0 FOOT-CANDLES OR LESS AT THE PERIMETER PROPERTY LINE. AS PER THE ZONING ORDINANCE, NO NEW LIGHT POLES WILL BE LOCATED IN A UTILITY EASEMENT THAT IS ADJACENT TO A STREET OR HIGHWAY UNLESS A WRITTEN LICENSE AGREEMENT FROM ALL THE UTILITY COMPANIES HAS BEEN GRANTED TO THE DEVELOPER.

1. ARCHITECTURAL DESIGN AND EXTERIOR BUILDING MATERIALS:

AS WITH DEVELOPMENT AREAS "A," "B," AND "C," BUILDINGS WITHIN DEVELOPMENT AREAS "D" AND "E" MAY USE METAL PANELS OR OTHER NON-MASONRY MATERIALS IF NECESSARY TO MEET THE AUTOMOBILE

MANUFACTURER'S ARCHITECTURAL FAÇADE REQUIREMENTS BUT SHALL OTHERWISE COMPLY WITH BROKEN ARROW ZONING ORDINANCE SECTION 5.8. BUILDINGS FOR ANY OTHER DEVELOPMENT TYPE SHALL FULLY COMPLY WITH BROKEN ARROW ZONING ORDINANCE SECTION 5.8. RECOGNIZING THE HIGHWAY DESIGN OVERLAY (HDO) DISTRICT, BUILDING FAÇADES FACING BOTH HIGHWAY 51 AND OAKLAND PLACE SHALL BE PROMINENT BUT DISTINCTIVE, AND SHALL NOT BE REQUIRED TO BE MIRROR IMAGES OF EACH OTHER. HDO REQUIREMENTS ARE OTHERWISE APPLICABLE. BUILDING ELEVATIONS SHALL BE SUBMITTED AS A PART OF THE REQUIRED SITE PLAN FOR CITY OF BROKEN ARROW REVIEW AND APPROVAL.

SECTION III. PRIVATE RESTRICTIONS

A. USE OF LAND.

THE LOT WITHIN THE SUBDIVISION SHALL BE USED SOLELY FOR THE USES PERMITTED IN THE APPROVED PLANNED UNIT DEVELOPMENT, OR AS THE SAME MAY BE AMENDED.

B. SETBACKS.

NO BUILDING, WHETHER PRINCIPAL OR ACCESSORY, SHALL BE ERECTED NEARER TO A PUBLIC STREET THAN THE BUILDING SETBACK LINES DEPICTED ON THE ACCOMPANYING PLAT, NOR SHALL ANY BUILDING ENCROACH UPON ANY UTILITY EASEMENT OR OTHER EASEMENT DEDICATED BY AND DEPICTED ON THE ACCOMPANYING PLAT.

C. ADDITIONAL PRIVATE RESTRICTIONS AND COVENANTS.

ADDITIONAL PRIVATE RESTRICTIONS AND COVENANTS MAY BE IMPOSED AND, IF IMPOSED, WILL BE CONTAINED IN A SEPARATE INSTRUMENT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, OR SIMILARLY-TITLED DOCUMENT. THIS DOCUMENT MAY INCLUDE THE FORMATION OF THE ARCHITECTURAL REVIEW COMMITTEE.

SECTION V. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY

A. ENFORCEMENT.

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. PUBLIC EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I., WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BROKEN ARROW ZONING ORDINANCE AND SHALL INURE TO THE BENEFIT OF THE CITY OF BROKEN ARROW, OKLAHOMA, ANY OWNER OF A LOT, AND THE PROPERTY OWNERS' ASSOCIATION (IF FORMED). IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II., IT SHALL BE LAWFUL FOR THE CITY OF BROKEN ARROW, ANY OWNER OF A LOT, OR THE PROPERTY OWNERS' ASSOCIATION (IF FORMED) TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT SUCH PERSON OR PERSONS FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. THE COVENANTS CONTAINED IN SECTION III. PRIVATE RESTRICTIONS SHALL INURE TO THE BENEFIT OF ANY OWNER OF THE LOT OR SUBDIVIDED PORTION THEREOF AND THE PROPERTY OWNERS' ASSOCIATION (IF FORMED). IF THE UNDERSIGNED OWNER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION III., IT SHALL BE LAWFUL FOR THE PROPERTY OWNERS' ASSOCIATION (IF FORMED), OR ANY OWNER OF THE LOT OR SUBDIVIDED PORTION THEREOF, TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT SUCH PERSON OR PERSONS FROM SO DOING, OR TO COMPEL COMPLIANCE WITH THE COVENANT. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW, IS HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY THE OWNER OF THE LOT OR SUBDIVIDED PORTION THEREOF OR THE PROPERTY OWNERS' ASSOCIATION (IF FORMED), WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED HEREIN OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY'S FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION.

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT OR TERMINATION.

THE COVENANTS CONTAINED WITHIN SECTION I. PUBLIC EASEMENTS AND UTILITIES AND SECTION IV. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BROKEN ARROW PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF BROKEN ARROW, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BROKEN ARROW PLANNING COMMISSION, OR ITS SUCCESSORS. NOTWITHSTANDING THE FOREGOING, THE COVENANTS CONTAINED WITHIN SECTION II. SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF AN AMENDMENT TO PUD-001972-2025 BY THE BROKEN ARROW PLANNING COMMISSION AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE BROKEN ARROW PLANNING COMMISSION WITH THE COUNTY CLERK.

THE COVENANTS CONTAINED WITHIN SECTION III. PRIVATE RESTRICTIONS AND ANY OTHER PROVISION OF THIS DEED OF DEDICATION AND RESTRICTIVE COVENANTS WHICH DID NOT INITIALLY REQUIRE THE APPROVAL OF THE BROKEN ARROW PLANNING COMMISSION OR THE CITY OF BROKEN ARROW MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE LOT OWNER. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY.

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, FERGUSON MANAGEMENT GROUP LLC HAS EXECUTED THIS INSTRUMENT ON THIS DAY OF _____ 2026.

FERGUSON MANAGEMENT GROUP LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
[NAME], [TITLE]

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2026, PERSONALLY APPEARED _____, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF FERGUSON MANAGEMENT GROUP LLC TO THE FOREGOING INSTRUMENT, AS ITS _____, AND ACKNOWLEDGED TO ME THAT _____ EXECUTED THE SAME AS _____ FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

CERTIFICATE OF SURVEY

I, DAN E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "FERGUSON KIA", A SUBDIVISION WITHIN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2026.



BY: _____
DAN E. TANNER
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THE _____ DAY OF _____, 2026, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS LICENSED PROFESSIONAL LAND SURVEYOR TO THE FOREGOING CERTIFICATE, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

03/08/2028
MY COMMISSION EXPIRES _____

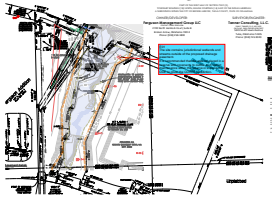
JENNIFER MILLER, NOTARY PUBLIC





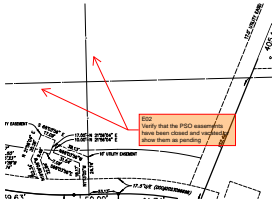
Ferguson Kia CFP Summary

1 (8)



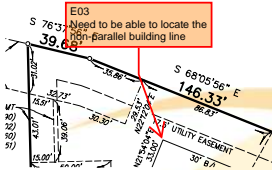
Subject: Group
Page Label: [1] 24264sdfp-PP1
Page Index: 1
Author: jdickeson
Date: 12/15/2025 2:31:32 PM
Creation Date: 12/15/2025 12:17:31 PM
Layer:

E01
The site contains jurisdictional wetlands and streams outside of the proposed drainage easement. It is recommended that the area be placed in a reserve with covenants to outline and restrict maintenance within the reserve or expand the ODE to cover the CORPS jurisdiction.



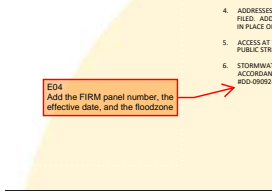
Subject: Jason Comments
Page Label: [1] 24264sdfp-PP1
Page Index: 1
Author: jdickeson
Date: 12/15/2025 2:22:50 PM
Creation Date: 12/15/2025 12:23:10 PM
Layer:

E02
Verify that the PSO easements have been closed and vacated or show them as pending



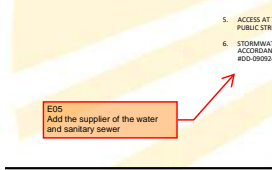
Subject: Jason Comments
Page Label: [1] 24264sdfp-PP1
Page Index: 1
Author: jdickeson
Date: 12/15/2025 2:22:55 PM
Creation Date: 12/15/2025 12:25:44 PM
Layer:

E03
Need to be able to locate the non-parallel building line



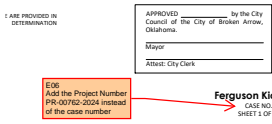
Subject: Jason Comments
Page Label: [1] 24264sdfp-PP1
Page Index: 1
Author: jdickeson
Date: 12/15/2025 2:23:18 PM
Creation Date: 12/15/2025 12:27:04 PM
Layer:

E04
Add the FIRM panel number, the effective date, and the floodzone



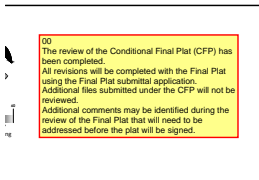
Subject: Jason Comments
Page Label: [1] 24264sdfp-PP1
Page Index: 1
Author: jdickeson
Date: 12/15/2025 2:23:02 PM
Creation Date: 12/15/2025 12:27:51 PM
Layer:

E05
Add the supplier of the water and sanitary sewer



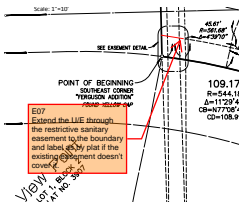
Subject: Jason Comments
Page Label: [1] 24264sdfp-PP1
Page Index: 1
Author: jdickeson
Date: 12/15/2025 2:24:36 PM
Creation Date: 12/15/2025 2:23:34 PM
Layer:

E06
Add the Project Number PR-00762-2024 instead of the case number



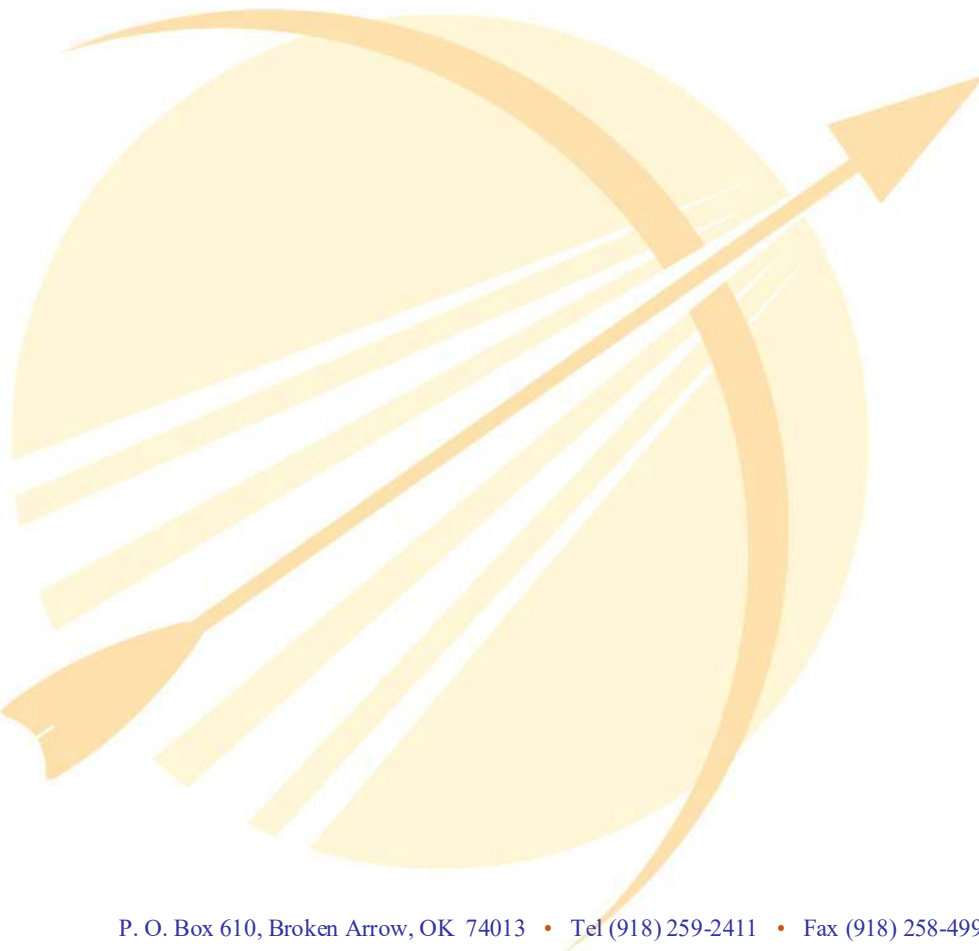
Subject: DEV COMMENT
Page Label: [1] 24264sdfp-PP1
Page Index: 1
Author: jdickeson
Date: 12/15/2025 2:31:07 PM
Creation Date: 12/15/2025 2:26:33 PM
Layer:

00
The review of the Conditional Final Plat (CFP) has been completed.
All revisions will be completed with the Final Plat using the Final Plat submittal application. Additional files submitted under the CFP will not be reviewed. Additional comments may be identified during the review of the Final Plat that will need to be addressed before the plat will be signed.



Subject: Group
Page Label: [1] 24264sdfp-PP1
Page Index: 1
Author: jdickeson
Date: 12/15/2025 2:36:05 PM
Creation Date: 12/15/2025 2:33:16 PM
Layer:

E07
Extend the U/E through the restrictive sanitary easement to the boundary and label as by plat if the existing easement doesn't cover it.





City of Broken Arrow

Request for Action

File #: 25-1716, **Version:** 1

**Broken Arrow Planning Commission
12-18-2025**

To: Chairman and Commission Members
From: Community Development Department
Title:

Public hearing, consideration, and possible action regarding COMP-002532-2025, Comprehensive Plan Change, (Case Number) (Comprehensive Plan Change), Oneta71, LLC, 8.8 acres from Level 1 (Rural Residential/Greenway/Floodplain) to Level 4 (Commercial/Employment Nodes) located approximately one-tenth mile north of the northwest corner of E. Kenosha Street (71st Street) and Oneta Road (241st E. Avenue).

Background:

Applicant: Nathalie Cornett, Eller & Detrich

Owner: Oneta71, LLC

Developer: N/A

Engineer: Kimley-Horn

Location: Approximately one-tenth mile north of the northwest corner of E. Kenosha Street (71st Street) and Oneta Road (241st E. Avenue).

Size of Tract 8.8 acres

Number of Lots: 1

Present Zoning: A-1 (Agriculture)

Comp Plan: Level 4 (Commercial/Employment Nodes)

COMP-002532-2025 is a request to change the Comprehensive Plan designation from Level 1 to Level 4 on approximately 8.8 acres which is currently unplatted. The property is located approximately one-tenth mile north of the northwest corner of E. Kenosha Street (71st Street) and Oneta Road (241st E. Avenue).

The applicant is requesting this change to the comprehensive plan for the purpose of a commercial development. Pending approval of this amendment to the comprehensive plan, the applicant intends to submit a rezoning request to change the zoning to CG (Commercial General). This request is congruent with the three parcels to the south of this property which are designated as Level 4 (Commercial/Employment Nodes) in the Comprehensive Plan. The project site would include four contiguous parcels on the northwest corner totaling 16.39 acres.

Amending the Comprehensive Plan to Level 4 would support a future rezoning request to CG (Commercial General). The anticipated CG (Commercial General) is in conformance with Level 4.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The surrounding properties contain the following uses, along with the following development guide and zoning designations:

Location	Comprehensive Plan	Zoning	Land Use
North	Level 1	A-1 (Agriculture)	Residential Estate
East	Level 4	A-1 (Agriculture)	Residential Estate
South	Level 4	A-1 (Agriculture)	Agriculture
West	Level 1	A-1 (Agriculture)	Power Substation

According to FEMA Maps, the western portion of this property is located within the 100-year floodplain (Zone AE). Water and Sanitary Sewer are available from the City of Broken Arrow.

Attachments: Case Map
Aerial Map
Comprehensive Plan Map

Recommendation:

Based on the location of the property and surrounding land uses, Staff recommends COMP-002532-2025 be approved, subject to the property being platted.

Reviewed by: Jane Wyrick

Approved by: Rocky Henkel

RLB



Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: 2025



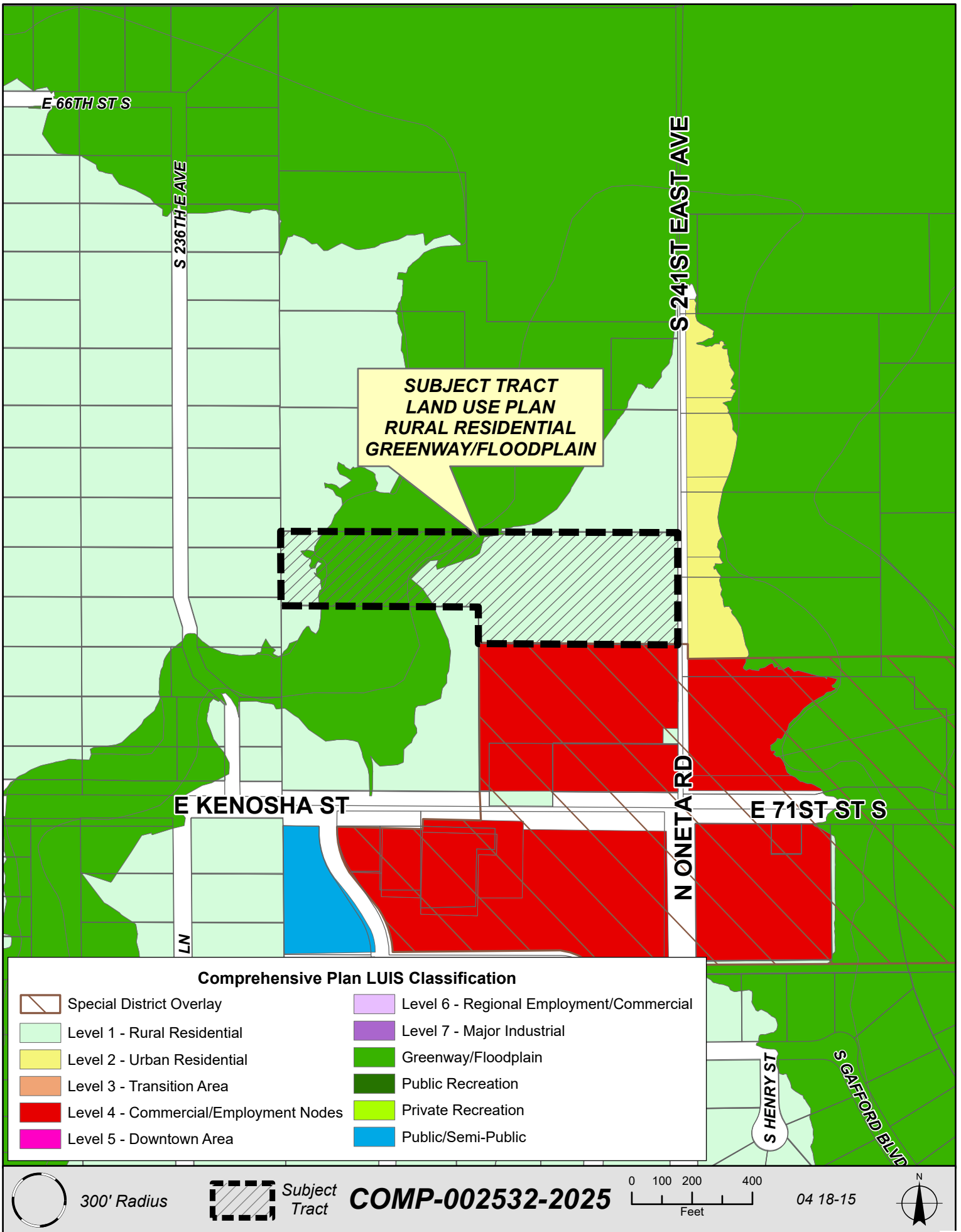
Subject
Tract

COMP-002532-2025

0 100 200 400
Feet

04 18-15







City of Broken Arrow

Request for Action

File #: 26-82, **Version:** 1

**Broken Arrow Planning Commission
12-18-2025**

To: Chairman and Commission Members
From: Community Development Department
Title:

Public hearing, consideration, and possible action regarding PUD-002490-2025 (Planned Unit Development) and BAZ-002489-2025 (Rezoning), American Storage of BA, approximately 24.9 acres, A-1 (Agricultural) to PUD (Planned Unit Development) located west of the Creek Turnpike, east of South 209th East Avenue (N. 37th Street), and north of East Houston Street (East 81st Street)

Background:

Applicant: Wallace Design Collective, PC

Owner: Nelson Family Trust

Developer: [Click here to enter text.](#)

Location: West of the Creek Turnpike, east of South 209th East Avenue (N. 37th Street), and north of East Houston Street (East 81st Street)

Size of Tract Approximately 24.9

Number of Lots: 2 lots

Present Zoning: A-1 (Agriculture)

Comp Plan: Level 6 (Regional Employment/Commercial)

PUD-002490-2025 and BAZ-002489-2025 involve approximately 24.9 acres, which is currently undeveloped. The property is located west of the Creek Turnpike, east of South 209th East Avenue (N. 37th Street), and north of East Houston Street (East 81st Street).

A rezoning request, BAZ-002489-2025, is proposing to change the zoning on this property from A-1 (Agricultural) to PUD-002490-2025 for CH (Commercial Heavy) and IL (Industrial Light) base zonings to allow for a retail, office/warehouse, and storage development to the north and mini-storage development to the south. Commercial Heavy (CH) is allowable in Level 6, and Industrial Light (IL) is possible when done in the context of a Planned Unit Development (PUD).

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The surrounding properties contain the following zoning designations, land uses, and Comprehensive Plan future development guide levels:

Direction	Comprehensive Plan	Zoning	Land Use
North	Level 6	A-1 w/ SP-164	House of Worship
East	Level 6	Agricultural	Undeveloped
South	Level 6	Agricultural	Undeveloped
West	Level 6	Agricultural	Undeveloped

Attachments: Case Map
Aerial Map
American Storage of BA PUD

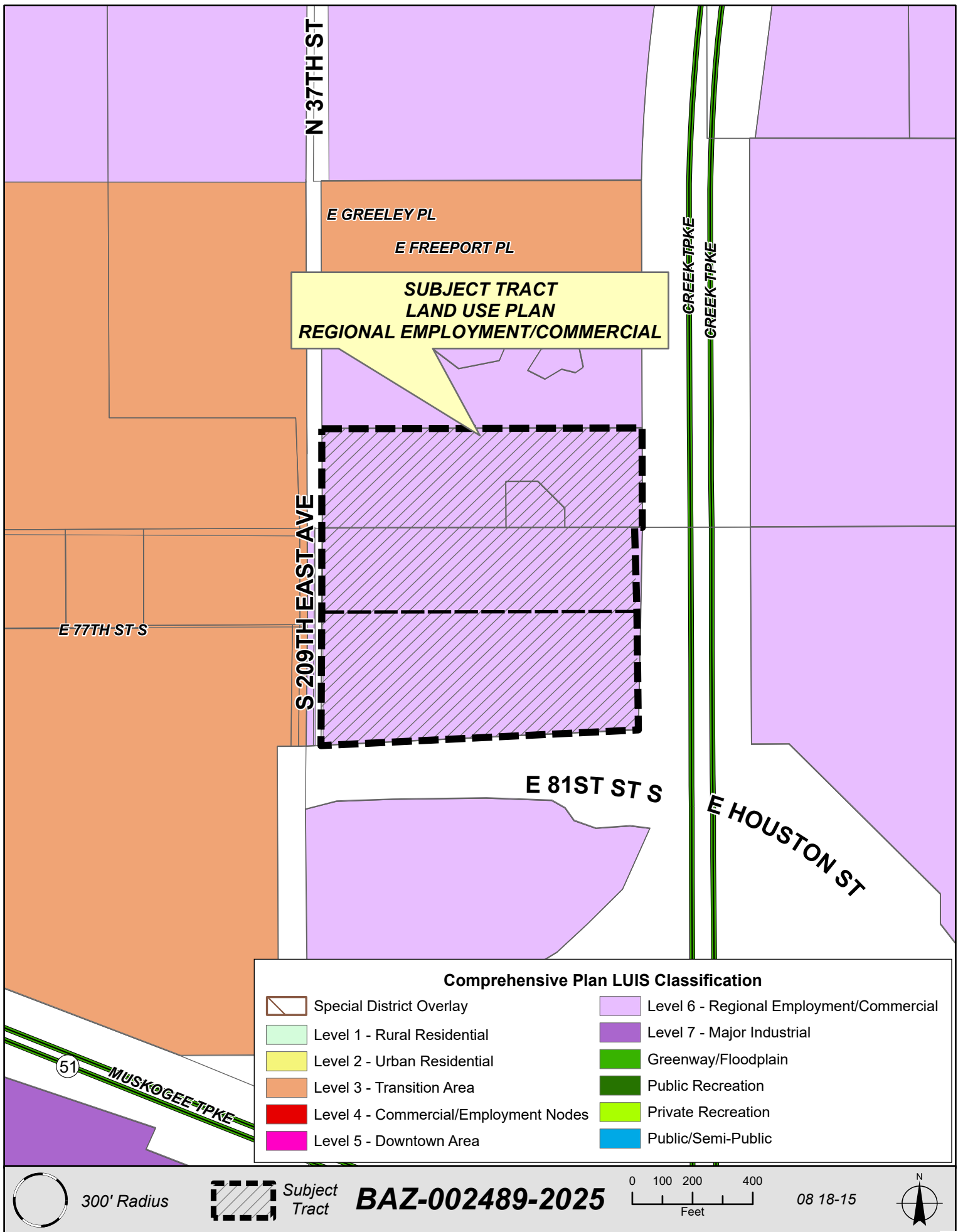
Recommendation:

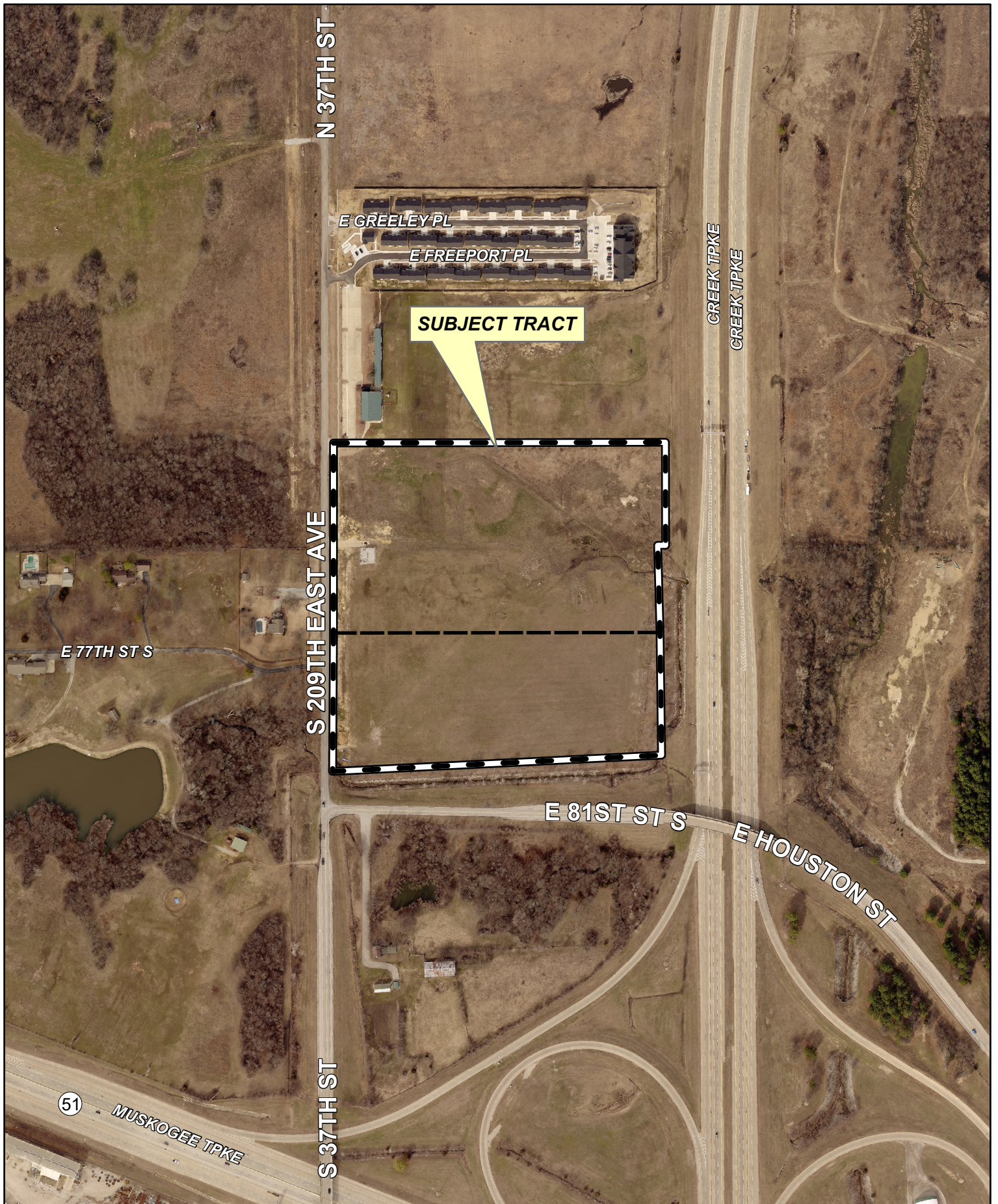
Based upon the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-002489-2025 be approved subject to the property being platted and PUD-002490-2025 be approved as submitted.

Reviewed By: Jane Wyrick

Approved By: Rocky Henkel

RLB





Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: 2023



Subject
Tract

BAZ-002489-2025

0 100 200 400
Feet

08 18-15

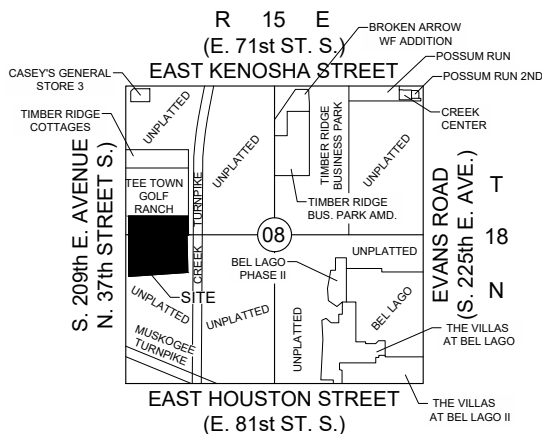
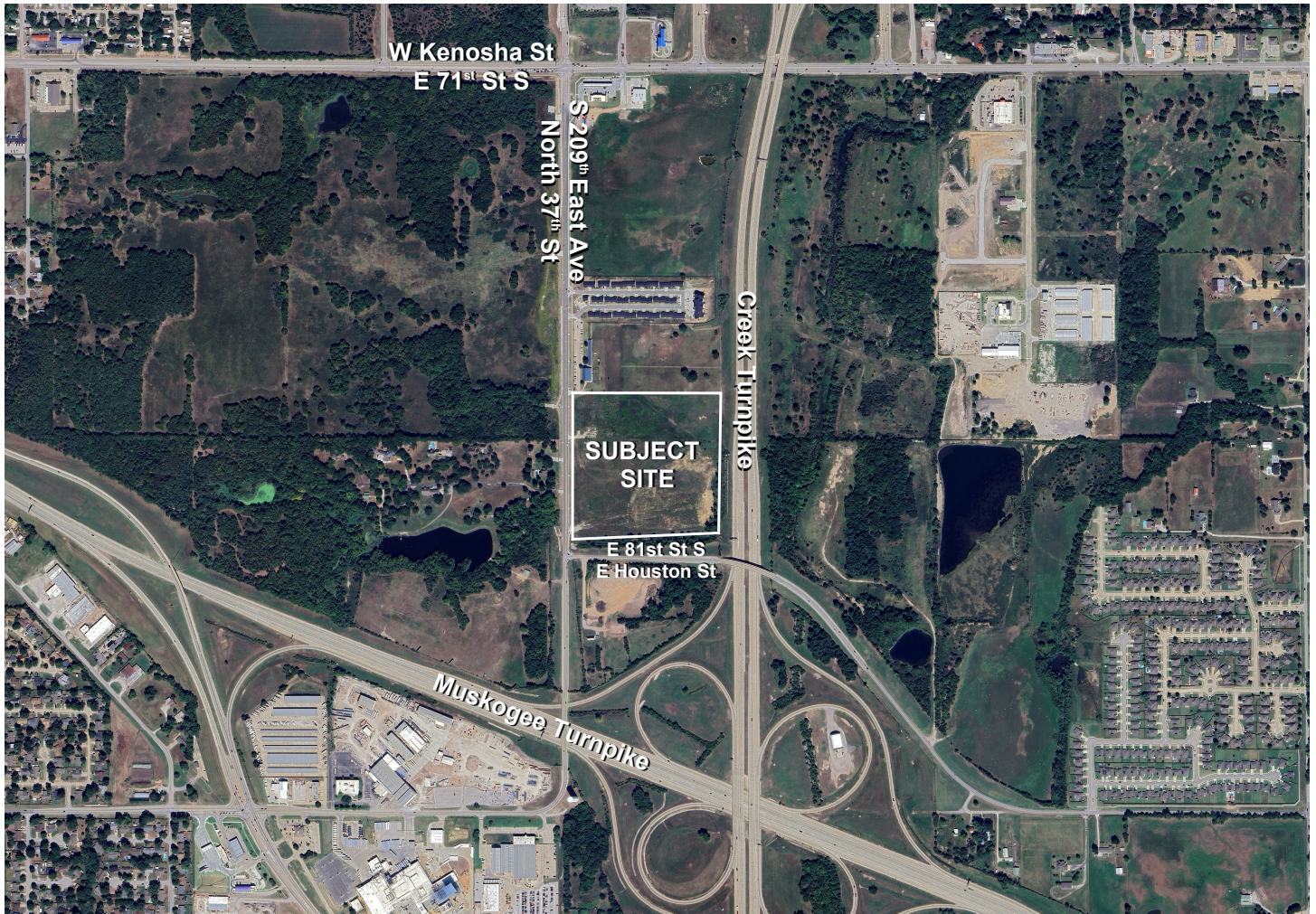


PUD-XXXXXX-2025

American Storage of BA Planned Unit Development

THE SOUTH 330 FEET OF LOT ONE (1), BLOCK ONE (1); AND RESERVE AREA "A", TEE TOWN GOLF RANCH, A SUBDIVISION IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; - AND -

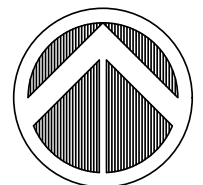
A TRACT OF LAND THAT IS PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION EIGHT (8), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SW/4; THENCE N 00°02'54" W ALONG THE WEST SECTION LINE FOR A DISTANCE OF 1896.39 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 00°02'54" W ALONG THE SECTION LINE FOR A DISTANCE OF 745.38 FEET; THENCE S 89°43'13" E FOR A DISTANCE OF 1087.17 FEET; THENCE S 01°25'02" E FOR A DISTANCE OF 666.95 FEET; THENCE S 86°11'48" W FOR A DISTANCE OF 1105.46 FEET TO THE POINT OF BEGINNING.



Location Map

OWNER
NELSON FAMILY TRUST
P. O. BOX 1082
CATOOSA, OK 74015

APPLICANT
WALLACE DESIGN COLLECTIVE, PC
123 N MARTIN LUTHER KING JR BLVD
TULSA, OK 74103



NORTH

NOVEMBER 2025



wallace
design
collectiv 35

TABLE OF CONTENTS

	<u>Page</u>
I. LEGAL DESCRIPTION:	3
II. DEVELOPMENT CONCEPT:.....	4
III. DEVELOPMENT STANDARDS:.....	5
IV. ACCESS AND CIRCULATION:	9
V. SIDEWALKS:	9
VI. PRIVATE AMENITIES:.....	9
VII. TOPOGRAPHY, UTILITIES, AND DRAINAGE:.....	9
VIII. SCHEDULE OF DEVELOPMENT:.....	9
IX. PLATTING:	9
X. EXHIBITS:	10

I. LEGAL DESCRIPTION:

The South 330 feet of Lot One (1), Block One (1); and Reserve Area "A", TEE TOWN GOLF RANCH, a Subdivision in the City of Broken Arrow, Wagoner County, State of Oklahoma, according to the recorded Plat thereof;

-AND-

A tract of land that is part of the Southwest Quarter (SW/4) of Section Eight (8), 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, more particularly described as follows: COMMENCING at the Southwest corner of said SW/4; thence N 00°02'54" W along the West Section line for a distance of 1896.39 feet to the Point of Beginning; thence continuing N 00°02'54" W along the Section line for a distance of 745.38 feet; thence S 89°43'13" E for a distance of 1087.17 feet; thence S 01°25'02" E for a distance of 666.95 feet; thence S 86°11'48" W for a distance of 1105.46 feet to the Point of Beginning.

II. DEVELOPMENT CONCEPT:

American Storage of BA is a proposed mixed-use development submitted as a Planned Unit Development (PUD) pursuant to the provisions of the City of Broken Arrow Zoning Code. The site consists of approximately 24.9 acres, located west of the Creek Turnpike, east of South 209th East Avenue (North 37th Street), and north of East Houston Street (East 81st Street South). The parcels surrounding the subject site are all zoned A-1, Agricultural District. The platted northern portion of the site and the parcel directly to north also has a Specific Use Permit approval (SP-164) to allow for a church.

The Land Use Intensity System classification for the subject site is 6 - Regional Employment/Commercial. The PUD site currently has an underlying zoning of A-1 (Agriculture); submitted concurrently with this PUD application is a rezoning request from A-1 (Agriculture) to CH (Commercial Heavy Industrial) and I-L (Industrial Light District) to allow for a retail, office/warehouse and storage development to the north and mini-storage development to the south.

The site will be split in two Development Areas, A and B. Development Area A located in the northern and western portions of the site will include mixed uses, including retail, office/warehouse and storage. Development Area B, which includes the 10.07 acres, will include mini storage uses. There is a shared stormwater detention facility proposed on the site for both development areas.

There is a USGS blue line going through the northern portion of the site; however, there is no floodplain associated with this stream. The site has an approximate 15-foot elevation change, sloping southwest to northeast. The existing drainage patterns will be maintained with the proposed development. The soil types for the project are typical for the area and should create no unusual developmental problems.

The northern lots in Development Area A will be accessed by a public road through the development area and the western lot(s) shall have access from a proposed private drive. Lots within Development Area A will not have direct access onto South 209th East Avenue (North 37th Street). The mini-storage will be accessed by private drives from Development Area A. Cross access between the development areas shall be permitted

III. DEVELOPMENT STANDARDS

III.A DEVELOPMENT AREA “A” STANDARDS:

Net Land Area:	14.89 acres
Underlying Zoning:	Unless otherwise specified, the CH District standards and regulations shall apply.
Permitted Uses:	<ul style="list-style-type: none">○ Government administration & civic buildings○ Places of assembly○ Public safety facility○ Art gallery or museum, public○ Library, public○ Medical office or clinic○ Broadcasting or recording studio (no tower)○ Veterinary clinic/animal hospital○ Financial institution, without drive-thru○ Catering service○ Micro food or beverage production○ Office, business or professional○ Research laboratory○ Art gallery or museum, private○ Fitness & recreational sports center○ General indoor recreation○ Dry cleaning & laundry service○ General personal services○ Instructional services○ Retail, general○ Boat and/or RV storage○ Fulfillment centers (less than 100,000 sq.ft.)○ Fulfillment centers (100,000 sq.ft. or greater)○ Mini-storage○ Office warehouse○ Storage yard○ Warehouse○ Wholesale establishment
Lot Area:	None
PUD Minimum Frontage along South 209th East Avenue (North 37th Street)	100 feet Note: This is the PUD minimum frontage. Individual lots and Development Areas within the PUD do not have a minimum lot frontage.
Maximum Building Coverage:	None
Maximum Building Height:	None

Minimum Yard Setbacks: Other than the setback listed below, there shall be no internal setbacks within the development, other than those required to meet building and fire code.	
From South 209th East Avenue (North 37th Street):	50 feet
Southern Boundary of Development Area A:	20 feet
Eastern Boundary of Development Area A:	17.5 feet
Northern Boundary of Development Area A:	17.5 feet
Front setback from internal road of Development Area A:	20 feet
Off-street Parking:	As required for the applicable use type as set forth within the City of Broken Arrow Code.
Other Bulk and Area Requirements:	As required within the CH District
Exterior Materials:	Structures proposed on lots directly abutting the Creek Turnpike right-of-way shall meet the Highway Design Overlay District requirements. There shall not be any minimum architectural or material standards for structures on lots not directly abutting the Creek Turnpike right-of-way.
Screening:	Outdoor storage areas shall be screened from view from all property lines and adjacent rights-of-way by an opaque fence or wall between six feet and eight feet in height that incorporates at least one of the predominant materials and one of the predominant colors used in the primary structure. No outdoor display and/or sales shall be visible from Creek Turnpike.
Signage:	All signage shall meet the requirements of the City of Broken Arrow Code. Two monument signs listing the businesses within this development area shall be allowed along South 209th East Avenue (North 37 th Street). These signs shall not exceed 100 square feet. One monument, pole or billboard sign shall be allowed along the Creek Turnpike frontage within this development area. Sign size and height shall be in accordance to code requirements.
Landscape Buffer:	A 10-foot landscape buffer shall be provided along the northern boundary of Development Area A. No additional buffers shall be required.

III.B DEVELOPMENT AREA “B” STANDARDS:

Net Land Area:	10.07 acres
Underlying Zoning:	Unless otherwise specified, the IL District standards and regulations shall apply.
Permitted Uses:	<ul style="list-style-type: none">○ Government administration & civic buildings○ Places of assembly○ Public safety facility○ Art gallery or museum, public○ Library, public○ Medical office or clinic○ Broadcasting or recording studio (no tower)○ Veterinary clinic/animal hospital○ Financial institution, without drive-thru○ Catering service○ Micro food or beverage production○ Office, business or professional○ Research laboratory○ Art gallery or museum, private○ Fitness & recreational sports center○ General indoor recreation○ Dry cleaning & laundry service○ General personal services○ Instructional services○ Retail, general○ Boat and/or RV storage○ Fulfillment centers (less than 100,000 sq.ft.)○ Fulfillment centers (100,000 sq.ft. or greater)○ Mini-storage○ Office warehouse○ Storage yard○ Warehouse○ Wholesale establishment
Lot Area:	None Mini-storage land area shall be allowed to be more than 20% of the entire PUD tract; however, maximum area for mini-storage area shall not exceed 10.07 acres of the total PUD land area.
PUD Minimum Frontage along South 209th East Avenue (North 37th Street)	100 feet Note: This is the PUD minimum frontage. Individual lots and Development Areas within the PUD do not have a minimum lot frontage.
Maximum Building Coverage:	None
Maximum Building Height:	None

<p>Minimum Yard Setbacks: Other than the setback listed below, there shall be no internal setbacks within the development, other than those required to meet building and fire code.</p> <p>Mini-storage facilities shall be set back a minimum of 20 feet from East Houston Street (East 81st Street South), 50 feet from Creek Turnpike and 250 feet from 209th East Avenue (North 37th Street)</p>	
From South 209th East Avenue (North 37th Street):	250 feet
Southern Boundary of Development Area B:	20 feet
Eastern Boundary of Development Area B:	50 feet
Northern Boundary of Development Area B:	0 feet
Off-street Parking:	<p>As required for the applicable use type as set forth within the City of Broken Arrow Code.</p> <p>There shall be no minimum parking requirement for the mini-storage use.</p>
Other Bulk and Area Requirements:	As required within the IL District
Exterior Materials:	<p>All structures along the Creek Turnpike right-of-way shall have vertical exteriors that are facing the highway constructed of but not limited to: masonry, concrete panels, glass block, glass curtain walls, Exterior Insulated Finished Systems (EIFS), stucco, or architectural metal. EIFS, however, shall not be used as the primary exterior building material.</p> <p>There shall not be any minimum architectural or material standards for structures within this development area.</p>
Screening:	The exterior most storage building shall serve as screening for the development area. No additional screening shall be required.
Signage:	<p>All signage shall meet the requirements of the City of Broken Arrow Code.</p> <p>One monument sign listing the businesses within Development Area B shall be allowed along South 209th East Avenue (North 37th Street). This sign shall not exceed 100 square feet.</p> <p>A wall sign not exceeding 300 sq.ft. will be along on the building along the Creek Turnpike frontage.</p>
Landscape Buffer:	A 50-foot landscape buffer shall be provided along the Creek Turnpike boundary of Development Area B. Additionally, a 20-foot landscape buffer shall be provided along the southern boundary of Development Area B.

IV. ACCESS AND CIRCULATION:

The subject property has frontage along South 209th East Avenue (North 37th Street) and two curb cuts are proposed along the 1,054-foot frontage (excluding the existing curb cut providing access to the church property to the north). The northern curb cut will provide access to a part of Development Area A via a public street and the southern curb cut will provide a private drive access to Development Areas A and B. Cross-access shall be permitted between development areas. Limits of No Access (LNA) will be provided along South 209th East Avenue (North 37th Street) outside of the proposed entrances to the development.

The proposed cul-de-sac within the northern portion of Development Area A shall be allowed to exceed 550 feet in length but shall be limited to a maximum of 600 feet.

V. SIDEWALKS:

There is an existing sidewalk along the South 209th East Avenue (North 37th Street) frontage of this PUD and it shall remain. Sidewalks shall not be required along East Houston Street (East 81st Street South) and the internal roadways and private drives.

VI. PRIVATE AMENITIES:

Not less than 12% of the net land area shall be preserved as common open space. These areas may include, but are not limited to, the onsite stormwater detention pond reserve areas and landscape buffer areas. All City of Broken Arrow engineering standards shall be met for the detention pond reserve areas.

VII. TOPOGRAPHY, UTILITIES, AND DRAINAGE:

There is no floodplain on the site; however, there is a blue line stream which runs through the northern portion of the site. Any improvements within this area shall be coordinating with the City of Broken Arrow and any other agencies as required. The site is sloped and drains from the southwest to the northeast, with an approximate 15-foot elevation change. The same drainage patterns will be maintained with the proposed development. An internal storm water collection system will be constructed and piped to the proposed detention areas throughout the property in accordance with the City of Broken Arrow design standards. A detailed hydraulic analysis report will be submitted to the City of Broken Arrow for approval during the engineering process.

VIII. SCHEDULE OF DEVELOPMENT AND PHASING:

Initial site development is anticipated to commence in early 2026, market conditions permitting.

Phasing shall be permitted within this PUD and shall be determined during the platting process.

IX. PLATTING:

No building permit shall be issued until the PUD project area has been included within a subdivision plat submitted to and approved by the Broken Arrow Planning Commission and the Broken Arrow City Council, and duly filed of record. The property shall be platted in accordance with the City of Broken Arrow subdivision code. The deed of dedication of the required subdivision plat shall include covenants of record, enforceable by the City of Broken Arrow, setting forth the development standards of the planned unit development.

X. EXHIBITS:

The following exhibit are hereby attached and incorporated into this PUD. These exhibits are:

- Exhibit A: Aerial Photography and Boundary Depiction
- Exhibit B: Conceptual Site Plan
- Exhibit C: Existing Zoning Map
- Exhibit D: Development Areas Plan
- Exhibit E: Conceptual Utility Plan



wallace
design
collective

wallace design collective, pc
structural · civil · landscape · survey
123 north martin luther king jr. blvd.
tulsa, oklahoma 74103
918.584.5858



EXHIBIT 'A'
AERIAL PHOTOGRAPHY AND BOUNDARY DEPICTION
AMERICAN STORAGE OF BA

PUD-XXXXXX-2025

Date: November 10, 2025



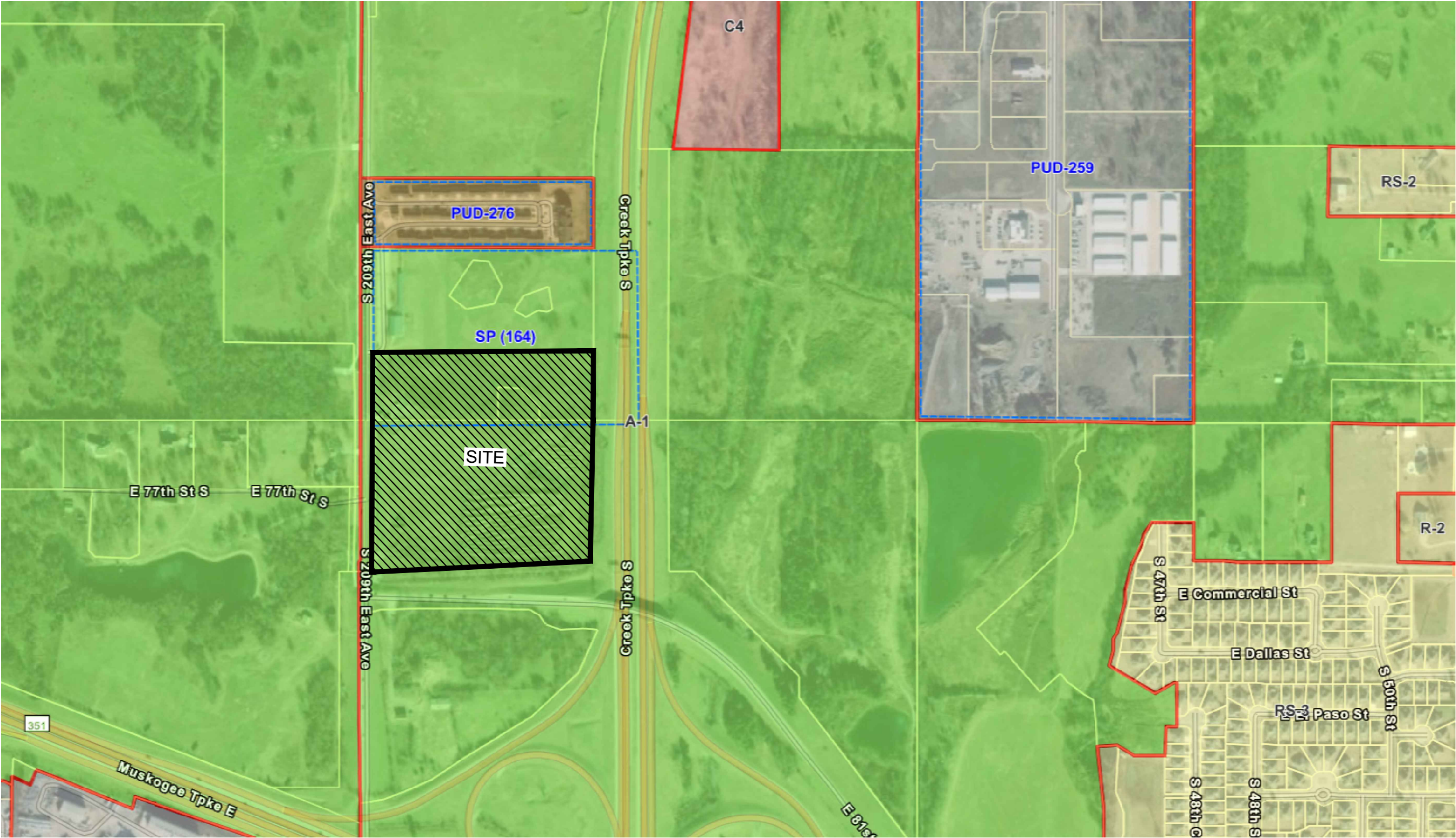
EXHIBIT 'B'

CONCEPTUAL SITE PLAN

AMERICAN STORAGE OF BA

PUD-XXXXXX-2025

Date: November 10, 2025



wallace
design
collective

wallace design collective, pc
structural · civil · landscape · survey
123 north martin luther king jr. blvd.
tulsa, oklahoma 74103
918.584.5858



EXHIBIT 'C'

EXISTING ZONING MAP

AMERICAN STORAGE OF BA

PUD-XXXXXX-2025

Date: November 10, 2025



wallace
design
collective

wallace design collective, pc
structural · civil · landscape · survey
123 north martin luther king jr. blvd.
tulsa, oklahoma 74103
918.584.5858

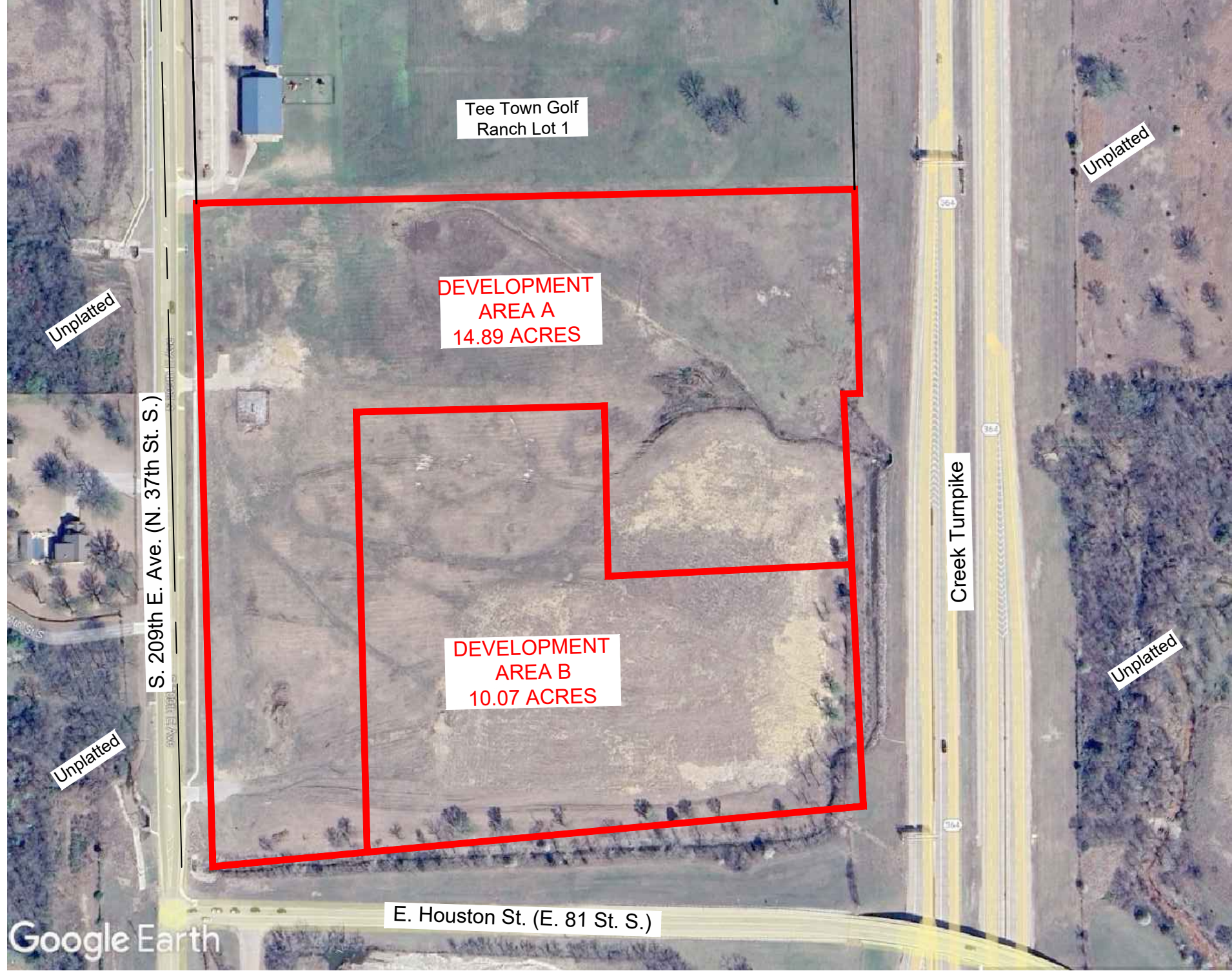


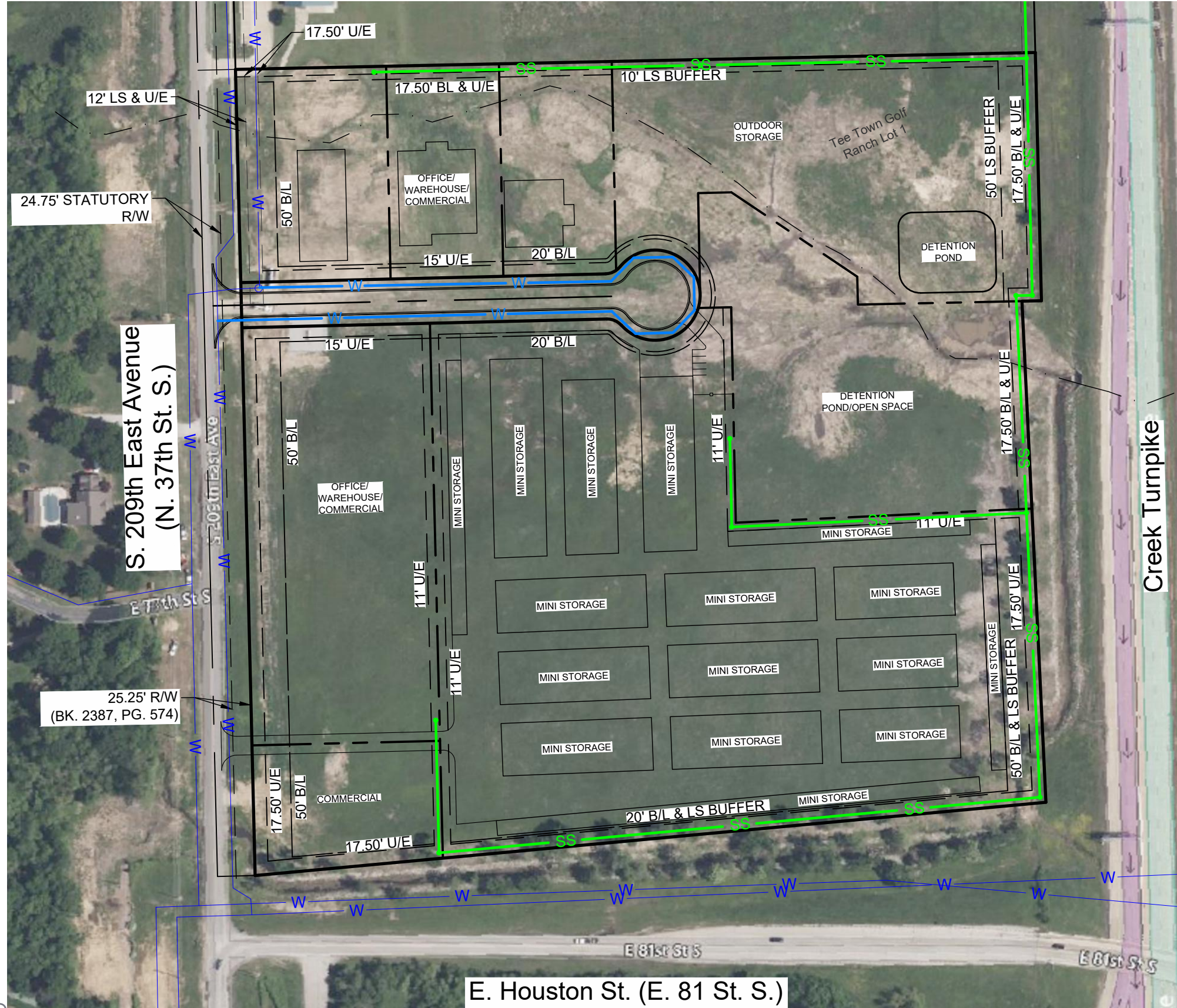
EXHIBIT 'D'
DEVELOPMENT AREAS
AMERICAN STORAGE OF BA
PUD-XXXXXX-2025

Date: November 10, 2025



wallace
design
collective

wallace design collective, pc
structural · civil · landscape · survey
123 north martin luther king jr. blvd.
tulsa, oklahoma 74103
918.584.5858



SANITARY SEWER
CONNECTION TO NORTH

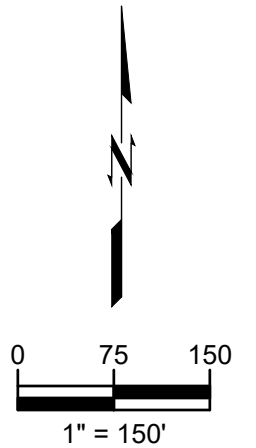


EXHIBIT 'E' CONCEPTUAL UTILITY PLAN

AMERICAN STORAGE OF BA

PUD-XXXXXX-2025

Date: November 10, 2025



City of Broken Arrow

Request for Action

File #: 25-1766, **Version:** 1

Broken Arrow Planning Commission 12-18-2025

To: Chair and Commission Members
From: Community Development Department
Title:

Public hearing, consideration, and possible action regarding BAZ-002469-2025 (Rezoning) and SP-002526-2025 (Conditional Use Permit), Islamic Center of Tulsa, 15.06 acres, AG (Agricultural) and FD (Floodplain) to CG (Commercial General) and FD (Floodplain), located approximately ½ mile north of Tucson Street (121st Street) and just east of Olive Avenue (129th E. Avenue)

Background:

Applicant: Richard Brown, RBA Architects

Owner: Islamic Society of Tulsa

Developer: N/A

Engineer: N/A

Location: Approximately ½ mile north of Tucson Street (121st Street) and just east of Olive Avenue (129th E. Avenue)

Size of Tract 15.08 acres

Number of Lots: 1

Present Zoning: AG (Agricultural)

Proposed Zoning: CG (Commercial General)

Comp Plan: Level 6 - Regional Employment/Commercial

BAZ-002469-2025 is a request to change the zoning designation of 15.08 acres from AG (Agricultural) to CG (Commercial General) and FD (Floodplain). The property is located approximately ½ mile north of Tucson Street (121st Street) and just east of Olive Avenue (129th E. Avenue). The Creek Turnpike and its interchange with Olive Avenue is north of this property.

The proposed development will have access from Olive Avenue. This property is Comprehensive Plan Level 6, which supports a rezoning to CG. The proposed development includes a commercial retail center along the frontage of the property, the Islamic Center in the center portion. The rear portion of the property is partially floodplain and is planned for a retention pond and vacant land. A Conditional Use Permit for a place of assembly is also a part of this item for consideration.

Parking requirements for places of assembly are 1 parking space per 4 seats in assembly area or 1 per 100 sq ft in meeting area without seats. The conceptual development layout details 726 total parking spaces, however, the final number will be determined and approved in the site plan review process for both the Islamic Center and the retail development.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The surrounding properties contain the following uses, along with the following development guide and zoning designations:

Location	Comprehensive Plan	Zoning	Land Use
North	Level 6 and Greenway/Floodplain	AG	Vacant
East	Level 6	AG	Vacant
South	Level 3 and Greenway/Floodplain	AG	Place of Assembly
West	Level 6 & Level 3	AG	Single Family Residence and Vacant

According to FEMA's National Flood Hazard Layer, the rear portion of the property features an area of 100-year flood plain. That area is planned to remain undeveloped currently. All developments will follow floodplain development requirements as set forth by the City of Broken Arrow and FEMA.

Attachments: Case Map
Aerial
Comprehensive Plan
Conceptual Development Layout

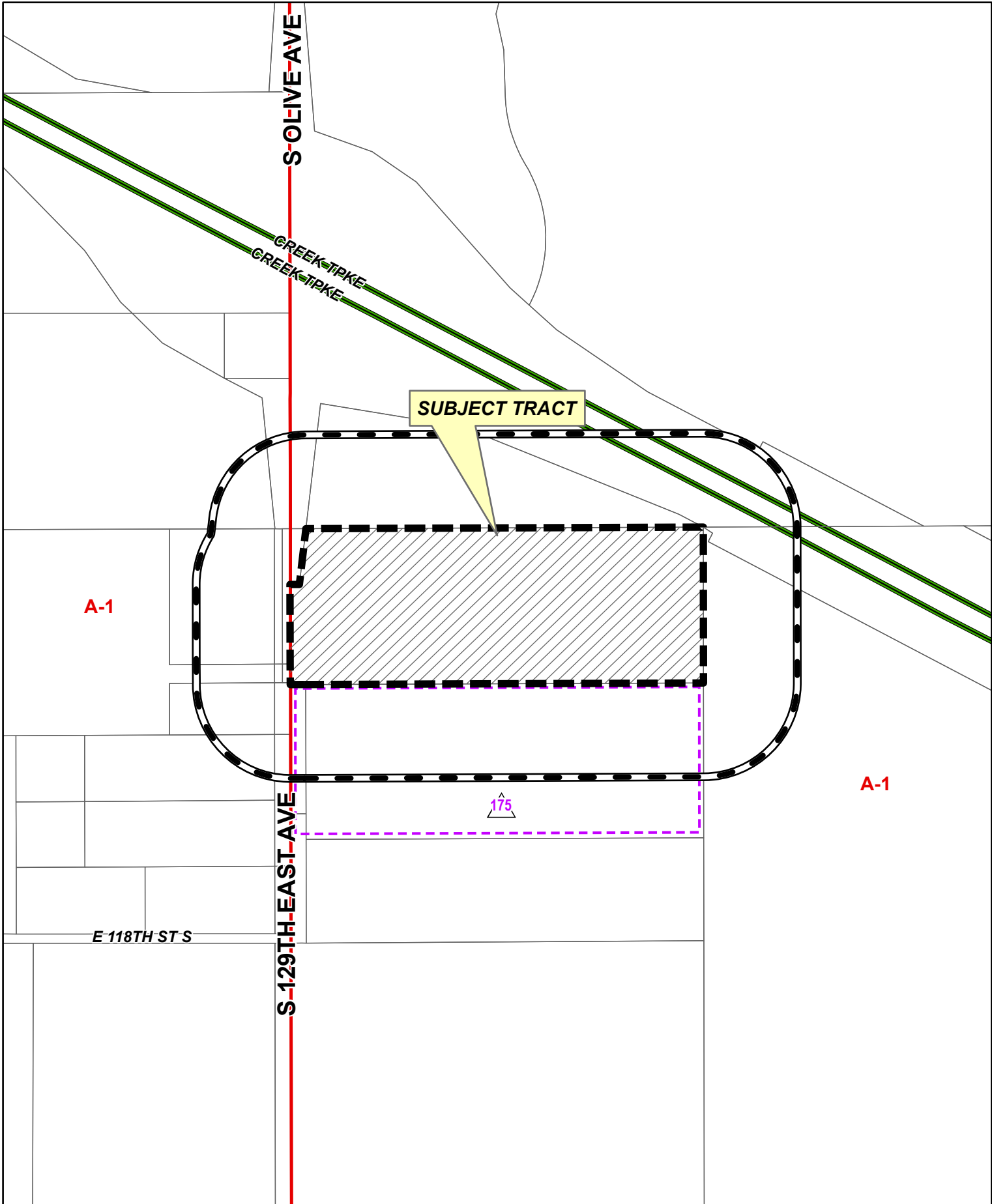
Recommendation:

Based upon the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-002469-2025 and SP-002526-2025 be approved subject to the property being platted.

Reviewed by: Jane Wyrick

Approved by: Rocky Henkel

JAJ

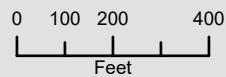


300' Radius



Subject
Tract

BAZ-002469-2025



33 18-14





Vexcel Imaging

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2024



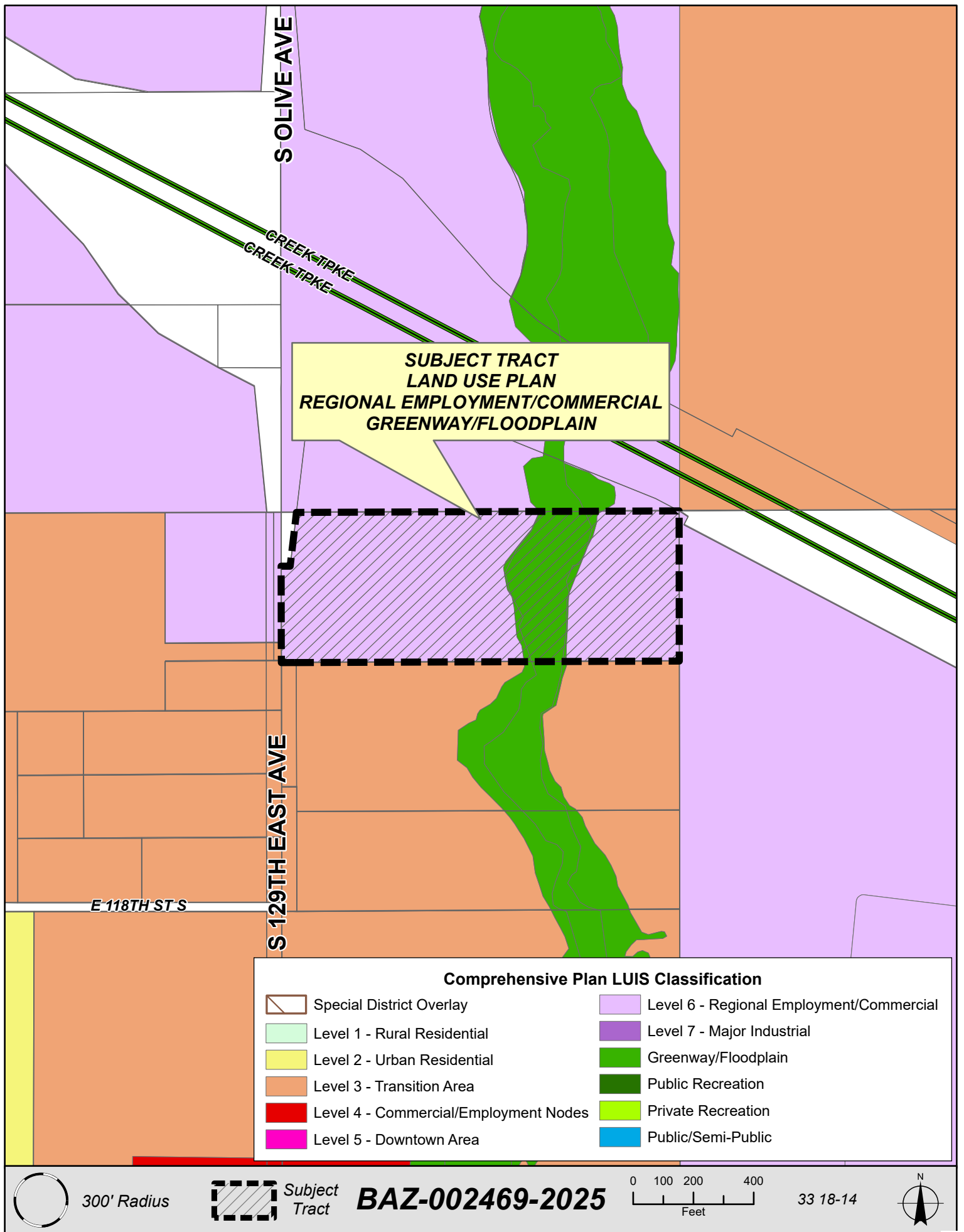
Subject
Tract

BAZ-002469-2025

0 100 200 400
Feet

33 18-14







PARKING TABULATIONS	
RETAIL @ 1:200	104 SPACES
RELIGIOUS	622 SPACES

SITE PLAN

PROJECT

TULSA ISLAMIC SOCIETY
NEW MASJID-PHASE ONE
BROKEN ARROW, OKLAHOMA

DRAWING ISSUE	
DESCRIPTION	DATE
PRELIMINARY	
PERMIT SET	
BID SET	
REVISED DESIGN -REISSUED	
CONSTRUCTION SET	
REVISION	

PROJECT NUMBER

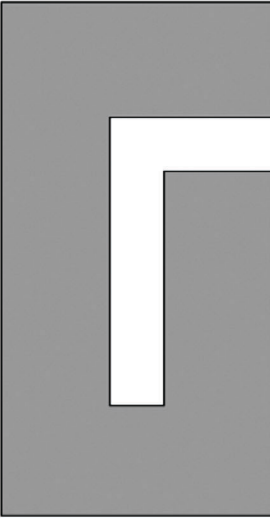
SHEET TITLE

SHEET NUMBER

A-1.01

RBA ARCHITECTS
architecture, planning, interior design.

14918 HERTZ QUAIL SPRINGS PARKWAY
OKLAHOMA CITY, OK 73134
V. 406.843.0622 F. 406.843.0623



NO REPRODUCTION OF THIS SHEET MAY BE MADE WITHOUT WRITTEN CONSENT OF RICHARD R. BROWN ASSOC.