



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 19, 2024

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

- A. [24-1658](#) Public hearing, consideration, and possible action regarding PUD-001814-2024 minor amendment, Antler Falls, 45.84 acres, PUD-001242-2023 (Planned Unit Development)/RS-4 (Single-Family Residential), located on the southeast corner of Houston Street (81st Street) and Midway Road (257th East Avenue)

Attachments: [2-Case Map PUD-001814-2024](#)
[3-Aerial Map PUD-001814-2024](#)
[2024.10.04 Antler Falls PUD](#)

4. Consideration of Consent Agenda

- A. [24-1652](#) Approval of LOT-001888-2024, Midway Cottages, 1 lot to 2 lots, 0.18 acres, DROD Area 2 / R-3 (Downtown Residential Overlay District Area 2 / Residential Single-Family 3) / PUD-001249-2023 (Planned Unit Development), one-eighth mile south of Kenosha St (71st Street) and one-third mile west of 9th Street (177th Avenue/Lynn Lane Road)

Attachments: [2-CaseMap LOT-001888-2024](#)
[3-Aerial LOT-001888-2024](#)
[Midway Cottages Exhibit](#)

- B. [24-1667](#) Approval of PT-001886-2024|PR-000784-2024, Preliminary Plat for Aspen Market, 30.54 acres, CN (Commercial Neighborhood), CG (Commercial General), RD (Residential Duplex) and R-2 (Single-Family Residential) to CH (Commercial Heavy) and PUD-001818-2024 via BAZ-001817-2024, generally located on the northeast corner of Tucson Street (121st Street) and Aspen Avenue (145th East Avenue)

Sponsors: Planning Commission

Attachments: [2- Preliminary Plat and Deed of Dedication with Comments](#)

- C. [24-1670](#) Approval of LOT-001887-2024, Catlett Lot Split, 1 lot to 2 lots, 2.44 acres, R-1 (Single Family Residential), located approximately one-quarter mile west of Elm Place (161st E Ave), and one-third mile north of Houston Street (81st street).

Sponsors: Planning Commission

Attachments: [2- Case Map](#)
[3- Aerial Map](#)
[4- Exhibit](#)

5. Consideration of Items Removed from Consent Agenda

6. Public Hearings

- A. [24-1660](#) Public hearing, consideration, and possible action regarding COMP-001761-2024 (Comprehensive Plan Change), 510M, 3.46 acres, Level 3 (Transition Area) & Level 6 (Regional Employment/Commercial) to Level 3, located approximately one-third mile north of Kenosha Street (71st Street), east of Elm Place (161st E. Avenue).

Attachments: [2-Case Map COMP-001761-2024](#)
[3- Aerial COMP-001761-2024\(a\)](#)
[4-Comprehensive Plan COMP-001761-2024](#)

- B. [24-1661](#) Public hearing, consideration, and possible action regarding COMP-001872-2024 (Comprehensive Plan Change), Furniture Row Lot Split, 1.63 acres, Level 3 (Transition Area) to Level 6 (Regional Employment/Commercial), located approximately one-half mile north of Kenosha Street (71st Street), one-third mile east of Elm Place (161st E. Avenue).

Attachments: [2-Case Map COMP-001872-2024](#)
[3-Aerial COMP-001872-2024](#)
[4-Comprehensive Plan COMP-001872-2024](#)

- C. [24-1665](#) Public hearing, consideration, and possible action regarding COMP-001874-2024 (Comprehensive Plan Change), Bel Lago, 17.2 acres, Level 2 (Urban Residential) to Level 3 (Transition Area), located approximately one-quarter mile north of Houston Street (81st Street), one-half mile west of Evans Road (225th E. Avenue).

Attachments: [2-Case Map COMP-001874-2024](#)
[3-Aerial COMP-001874-2024](#)
[4- Comprehensive Plan COMP-001874-2024](#)

- D. [24-1668](#) Public hearing, consideration, and possible action regarding COMP-001746-2024 (Comprehensive Plan Change), College Street Development, 30.14 acres, Level 6 to Level 3, located west of County Line Road (23rd Street) and half a mile north of Houston Street (81st Street)

Sponsors: Planning Commission

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

- E. [24-1669](#) Public hearing, consideration, and possible action regarding BAZ-001873-2024 (Rezoning), Davis Duplex, 0.41 acres, R-3 (Single-Family Residential) to RD (Residential Duplex), located one half mile north of Houston Street (81st Street), East of Lynn Lane (9th Street)

Sponsors: Planning Commission

Attachments: [2- Case Map](#)
[3- Aerial](#)
[4- Land Use Intensity System](#)

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 #: 24-1658, **Version:** 1

**Broken Arrow Planning Commission
12-19-2024**

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

Public hearing, consideration, and possible action regarding PUD-001814-2024 minor amendment, Antler Falls, 45.84 acres, PUD-001242-2023 (Planned Unit Development)/RS-4 (Single-Family Residential), located on the southeast corner of Houston Street (81st Street) and Midway Road (257th East Avenue)

Background:

Applicant: Brad Hoffman, Hoffman Custom Homes & Justin DeBruin, Wallace
Owner: Nora Gordon, Gada Construction
Developer: N/A
Engineer: N/A
Location: Southeast corner of Houston Street (81st Street) and Midway Road (257th East Avenue)
Size of Tract: 45.84 acres
Present Zoning: PUD-001242-2023 (Planned Unit Development)/RS-4 (Single-Family Residential)
Proposed: PUD-001814-2024 (Planned Unit Development Minor Amendment)
Comp Plan: Level 2 (Urban Residential)

PUD-001814-2024 is a request for a minor amendment to PUD-001242-2023 for the Antler Falls single-family residential development on 45.84 acres of land. This property is located on the southeast corner of Houston Street (81st Street) and Midway Road (257th East Avenue).

PUD-001814-2024 & PUD-001242-2023

The Antler Falls development proposes to create a master planned zero-lot-line single-family development. The development will include landscaping, reserve areas with amenities, and a maximum of 160 lots served by gated private streets built to the standards of the City of Broken Arrow with entry points on both Houston Street and Midway Road. PUD-001242 is proposed to be developed in accordance with RS-4 zoning requirements except as modified by the PUD (Planned Unit Development).

	PUD-001814-2024	PUD-001242-2023
Side Set Back	1 foot and 7 feet (minimum 8 feet between buildings, eaves may extend 1-foot past setback with 6 feet total between building eave to eave)	1 foot and 9 feet (10 feet between buildings)

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

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

Direction	Comprehensive Plan	Zoning	Land Use
North	Level 1,2, & 4	A-1	SF Residential/Vacant
East	Level 2	AG	SF Residential
South	Level 1	AG	SF Residential/Mobile Home
West	Level 2	AG	SF Residential/Vacant

This proposed development is designated as Level 2 (Urban Residential) in the Comprehensive Plan. This level supports the development of residential subdivisions.

According to FEMA maps, none of the property is located in the 100-year floodplain.

Attachments: Case Map
Aerial Map
Antler Falls PUD Minor Amendment

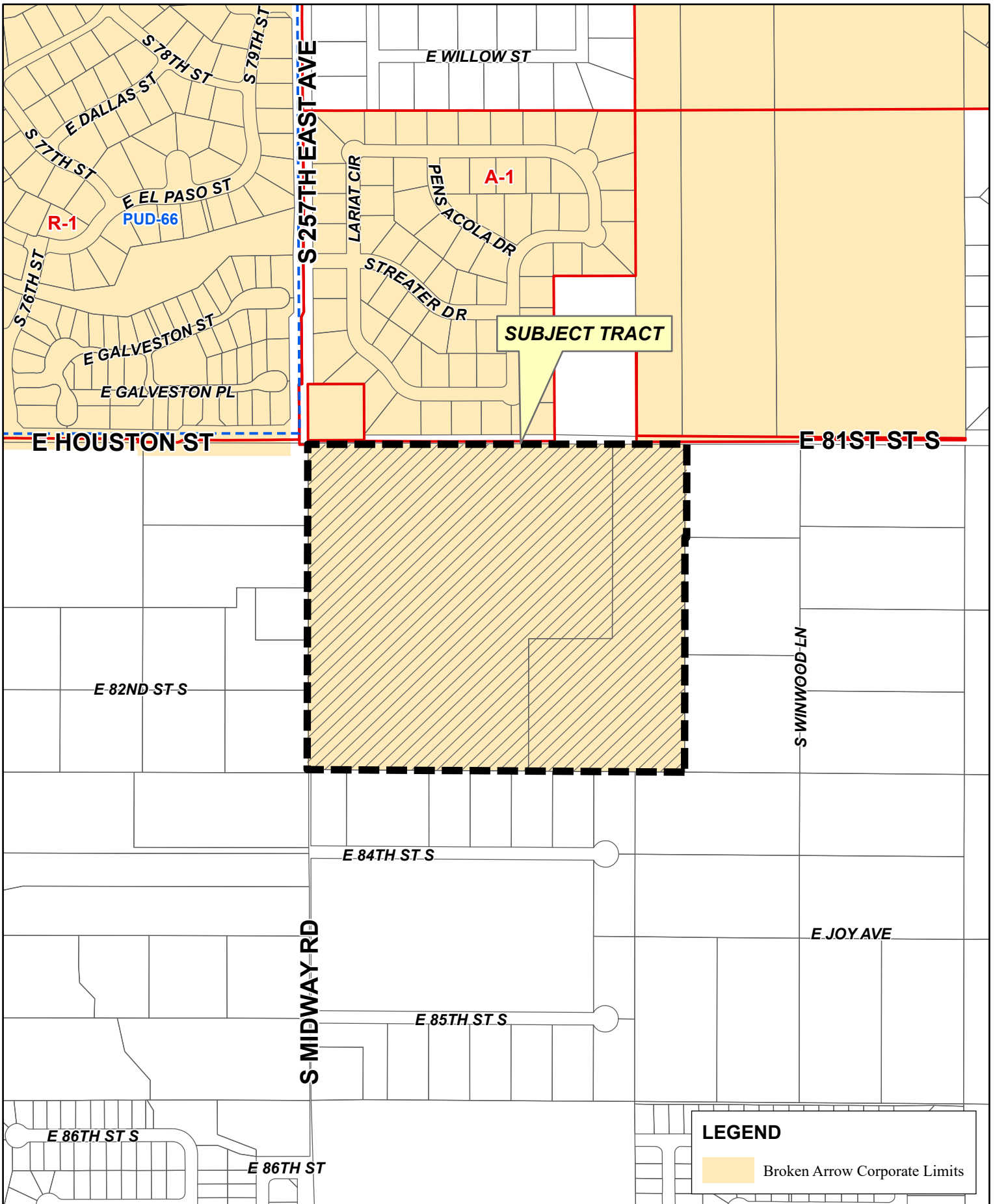
Recommendation:



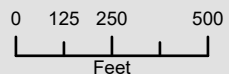

Based upon the Zoning Ordinance Planned Unit Development Procedures Staff does not see a significant departure from the approved plan and recommends that PUD-001814-2024 be approved.

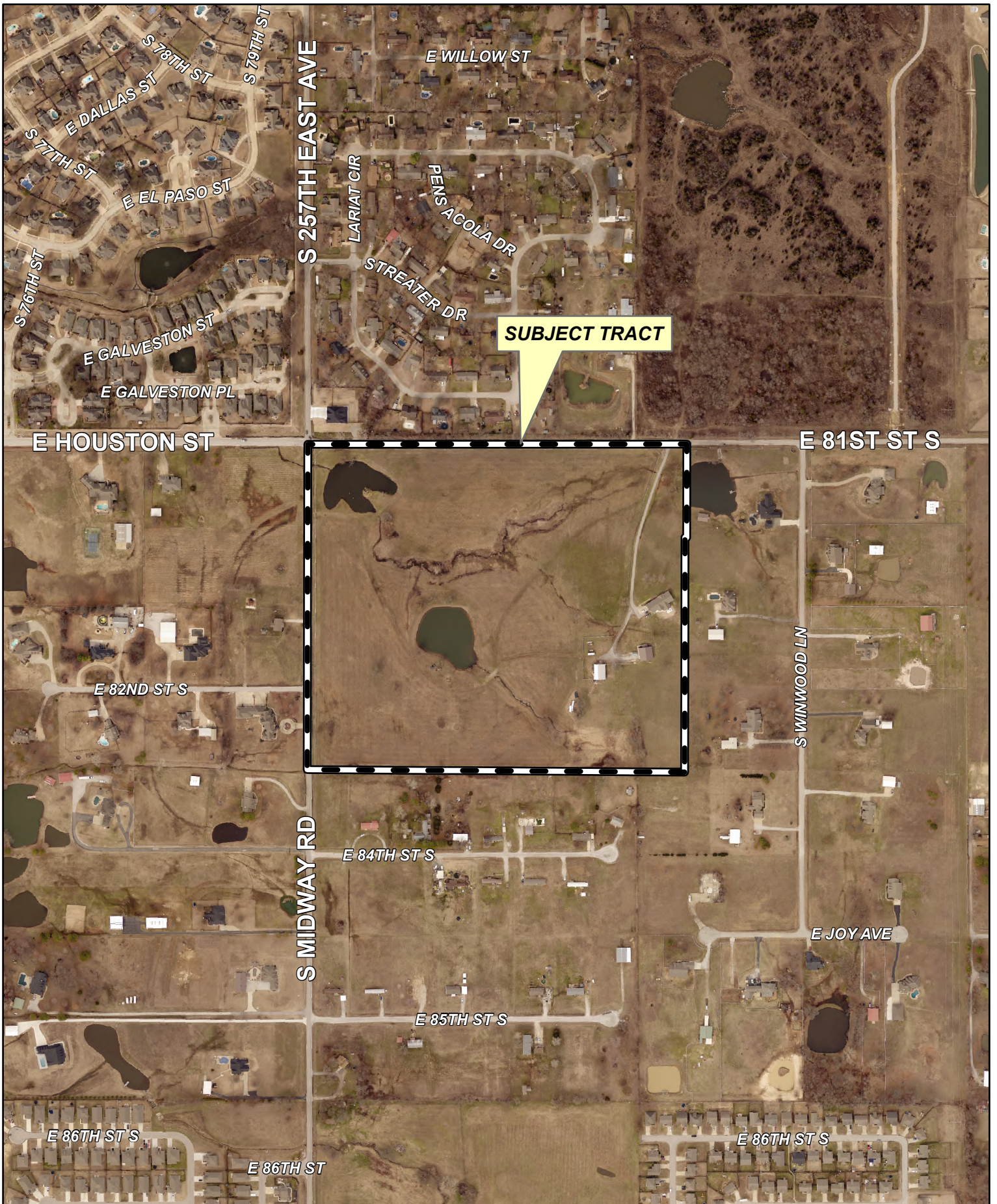
Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

JTH



 300' Radius
  Subject Tract
 PUD-001814-2024
 0 125 250 500 Feet
 14 18-15
  N



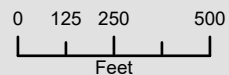
SUBJECT TRACT

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



Subject Tract

PUD-001814-2024



14 18-15



Design Guidelines for Antler Falls Planned Unit Development PUD-00814-2024

**25900 E. 81st St. S.
Broken Arrow, OK 74014**

PUD # _____

BAZ- _____

October 04, 2024

Submitted to:

The City of Broken Arrow, Oklahoma

On Behalf of:



**SPECTACULAR
HOMES**

2468 West New Orleans Street
Broken Arrow, OK 74014

APPLICANT:



wallace
design
collective

wallace design collective, pc
structural · civil · landscape · survey
123 north martin luther king jr. boulevard
tulsa, oklahoma 74103
918.584.5858 · 800.364.5858
wallace.design

TABLE OF CONTENTS

I.	Legal Description	2
II.	Development Concept.....	2
III.	Development Standards.....	3
IV.	Access and Traffic Circulation	5
V.	Landscape, Screening, and Open Space.....	5
VI.	Topography, Utilities, and Drainage.....	6
VII.	Existing Zoning and Land Use	6
VIII.	Site Plan Review	6
IX.	Schedule of Development.....	6
X.	Applicable Standards.....	6
XI.	Exhibits.....	7
	a. Exhibit A – Conceptual Site Plan	8
	b. Exhibit B – Access and Circulation Plan.....	9
	c. Exhibit C – Landscape and Screening Plan	10
	d. Exhibit D – Existing and Proposed Utilities & Topography.....	11
	e. Exhibit E – Existing Zoning Map	12
	f. Exhibit F – Aerial Photograph.....	13

I. LEGAL DESCRIPTION

The entirety of this property consists of 45.84 acres located on the southeast corner of E Houston St. & Midway Rd. in Broken Arrow, Oklahoma, and is more particularly described within the following statement:

THE EAST 290 FEET OF THE NORTH 760 FEET OF A TRACT OF LAND DESCRIBED AS FOLLOWS TO-WIT: THE NW/4 OF NW/4 AND THE WEST 198 FEET OF THE NW/4 OF NE/4 OF SECTION 14, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA.

AND

PART OF THE NW/4 OF NW/4 AND THE WEST 198 FEET OF NW/4 OF NW/4 AND THE WEST 198 FEET OF THE NW/4 OF NE/4 OF SECTION 14, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID WEST 198 FEET OF THE NW/4 OF NE/4 A DISTANCE OF 760 FEET SOUTH OF THE NE CORNER THEREOF; THENCE N89°49'19"W AND PARALLEL WITH THE NORTH LINE OF SAID NW/4 FOR 625 FEET; THENCE S0°06'02"W AND PARALLEL WITH THE EAST LINE OF SAID WEST 198 FEET OF THE NW/4 OF NE/4 FOR 557.25 FEET TO THE SOUTH LINE OF SAID NW/4 OF NW/4; THENCE S89°50'30"E FOR 625 FEET TO THE EAST LINE AND SE CORNER OF SAID WEST 198 FEET OF THE NW/4 OF NE/4; THENCE N0°06'02"E ALONG SAID EAST LINE FOR 557.03 FEET TO THE POINT OF BEGINNING.

AND

THE NW/4 OF NW/4 AND THE WEST 198 FEET OF THE NW/4 OF NE/4 OF SECTION 14, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, LESS AND EXCEPT THE EAST 290 FEET OF THE NORTH 760 FEET OF THE ABOVE DESCRIBED TRACT AND LESS AND EXCEPT A TRACT OF LAND DESCRIBED AS BEGINNING AT A POINT ON THE EAST LINE OF THE WEST 198 FEET OF SAID NW/4 OF NE/4 A DISTANCE OF 760 FEET SOUTH OF THE NE CORNER THEREOF; THENCE N89°49'19"W AND PARALLEL WITH THE NORTH LINE OF SAID NW/4 FOR 625 FEET; THENCE S0°06'02"W AND PARALLEL WITH THE EAST LINE OF SAID WEST 198 FEET OF THE NW/4 OF NE/4 FOR 557.25 FEET TO A POINT ON THE SOUTH LINE OF THE NW/4 OF NW/4; THENCE S89°50'31"E ALONG SAID SOUTH LINE FOR 625 FEET TO THE EAST LINE AND SE CORNER OF SAID WEST 198 FEET OF THE NW/4 OF NE/4; THENCE N0°06'02"E ALONG SAID EAST LINE FOR 557.03 FEET TO THE POINT OF BEGINNING.

II. DEVELOPMENT CONCEPT

Anter Falls is comprised of 45.84 acres of land south of E. Houston St. and east of Midway Rd. The subject property consists of two tracts of land that were approved for annexation by the Broken Arrow City Council on November 21, 2023.

Antler Falls is a master planned zero-lot-line single family residential development, similar to the existing Rabbit Run development, which includes a 9' / 1' internal side yard setbacks and private, internal streets. The Conceptual Site Plan for Antler Falls is attached hereto as Exhibit "A".

Antler Falls will include 160 lots and adequate Reserve Areas. The Reserve Areas will be designed as Project amenities and may contain many special features such as private streets, entry monuments, sidewalks, common parking areas, detention areas, signage, a clubhouse, a private park with walking trails, playground and recreational facilities, a pool, pickleball courts, and additional green amenities. A home owners association will be established to provide for the maintenance, repair and replacement of the perimeter fencing, common amenities, Reserve Areas and the improvements constructed therein. The developer will also construct all of the sidewalk within reserve areas / easements.

Antler Falls will be gated and served by private streets. Said private streets will be constructed to City of Broken Arrow standards within a thirty (30) foot wide Reserve Area. The pavement cross-section will be constructed to provide for a minimum of twenty-six (26) feet of paving for a two (2) lane road. A four (4) foot sidewalk will be constructed on one side of the street curb, except where parking bays and mailboxes are provided and at such locations the sidewalk width may be increased to five (5) feet. Such sidewalk will be at least four (4) feet in width, void of any mailboxes, above ground utility structures or other such encumbrances. Where mailboxes are located next to the curb the sidewalk will taper to 5' allowing 4' of non-encumbered sidewalk. Decorative paving materials such as brick, colored and or stamped concrete or colored concrete blocks may be substituted for plain concrete in key locations or for the entire sidewalk and walkway system.

Drainage ways traverse the property and will be wholly located within reserve areas and generally left in their natural condition, except for private street crossings, sidewalks, recreational facilities, detention facilities, and any required utilities. All of the trails shown in Reserve Areas in Exhibits "B" shall meet the City of Broken Arrow standards for sidewalk construction.

Except for utilities along the arterial streets, all utilities within the Project will be located underground.

Simultaneously with the filing of PUD ____, the Applicant has requested the Property be rezoned in BAZ _____ to Single-Family Residential-3 ("RS-4") in order to establish the permitted uses and intensity.

III. DEVELOPMENT STANDARDS

Land Area	45.84 acres	1,996,790 sf
Zoning	PUD (RS-4)	

PERMITTED USES:

Uses permitted as a matter of right in the RS-4 District, along with customary and accessory uses including but not limited to detached accessory buildings, gated entry, entry monuments, landscaped entrances, sidewalks, signage, security gate house, clubhouse and related recreational facilities, including food preparation facilities for residents only and meeting rooms, project sales offices, park and open spaces, playground and related recreational facilities, maintenance facilities, court gates, pool, pickle ball court, common parking areas, trails and walkways, detention facilities, picnic shelters and picnic facilities, gazebos and water features, private street crossing and related bridge, and other uses incidental thereto.

MAXIMUM NUMBER OF LOTS: 160

MINIMUM LOT WIDTH: 50 FT

Except for cul-de-sac lots which will have a minimum lot frontage of thirty (30) FT. The minimum lot frontage on cul-de-sac lots may be reduced provided drawings are submitted to and approved by the City of Broken Arrow for each such parcel that show the driveway width, mailboxes, curb returns, sidewalk (if applicable), and water meter location. Water meters will be located in an unpaved area.

MINIMUM LOT AREA: 5200 SF

MAXIMUM BUILDING HEIGHT:

Residential Structures:	35 FT
Non-Residential Structures on Residential Lots:	15 FT
Non-Residential Structures in Reserve Areas:	25 FT
Clubhouse	35 FT

MINIMUM SIZE OF DWELLING UNIT: 1600 SF

MINIMUM YARD REQUIREMENTS:

EXTERNAL BOUNDARIES:

From ROW line abutting E. Houston St.	30 FT
From ROW line abutting Midway Rd.	30 FT
From the south property line	20 FT
From the east property line	20 FT

INTERNAL BOUNDARIES:

Front Yard Setbacks:	
From lots that are not required to have a sidewalk	20 FT*
From lots required to have a sidewalk	25 FT*
For habitable or porch portion of structure	15 FT*

Front yard setbacks on corner lots shall be a minimum of fifteen (15) feet on no sidewalk side and 17.5 on the sidewalk side of the street providing the garage does not front upon the street.

* Such twenty-five (25) foot and twenty (20) foot front yard setback may be reduced to fifteen (15) feet for a garage provided the garage doors are located at 90 degrees from the street line and the garage is side loaded.

* A fifteen (15) foot setback shall be allowed for the habitable portion of the structure provided that any front-facing garage is setback at least twenty (20) feet on lots not required to have a sidewalk and twenty-five (25) feet on lots required to have a sidewalk.

Side Yard Setbacks: 1' / 7' **

** Side yard setbacks shall be a minimum of one (1) foot on one lot line and seven (7) feet

on the other lot line ensuring there will be a minimum of eight (8) feet between build lines. Eaves are allowed to extend past setback one (1) foot. Six (6) feet distance from roof eaves must be maintained between buildings per residential fire code. No architectural elements are allowed to protrude into the side yard setbacks. The side yard setback will be designated on the Final Plat.

Rear Yard Setbacks: 20 FT***

*** Except for lots that back up to open space reserve areas the minimum rear yard can be reduced to ten (10) feet provided drawings are submitted and sealed by a licensed engineer and acceptable to the City of Broken Arrow that demonstrates that the proposed improvements will not cause any substantial structural or maintenance issue for future houses or walls.

Detached accessory buildings shall comply with the minimum yard requirements for principal structures. This does not include gazebos and arbors 200 square feet or less, fire pits, water features, outdoor kitchens, or fire places.

PRIVATE STREETS:

Minimum width: 30 FT of right-of-way with 26 FT of paving

ENTRY GATES:

Entry gates shall meet the requirements of the City of Broken Arrow Subdivision Regulations.

SIGNS:

Entry identification signs shall be permitted with a maximum display surface area of 48 square feet of display surface area on each side of each entrance from Midway Rd. and Houston St. The total entry identification signage at each such entry will not exceed 96 square feet of display surface area.

IV. ACCESS AND TRAFFIC CIRCULATION

Entry into Antler Falls will be via two gated entry ways, one along E. Houston St. and the other along Midway Rd. Internal access will be via private streets within a reserve. Sidewalks will be designed on one side of the internal streets, not to conflict with water and / or sewer lines. In addition, public sidewalks will be constructed in accordance to the City of Broken Arrow regulations along Midway Rd. and E. Houston St.

V. LANDSCAPE, SCREENING, AND OPEN SPACE

Landscaping and open space will be provided per the requirements of the City of Broken Arrow Zoning Code. As this development would be classified as “nonresidential”, screening will be installed and maintained where necessary to comply with the City of Broken Arrow Zoning Code. The project will be

extensively landscaped, ensuring cohesion throughout the site. No fencing is required where open space acts as a buffer to adjacent properties. To this fact, a 6' ornamental fencing will be provided along the southeast corner of Houston St. and Midway where the reserve area abuts the public streets. This will additionally include a portion of the property along the southwest portion of the subject property where the reserve abuts the street. For perimeter locations abutting public frontage, exclusive of the reserve areas, a 6' high brick wall will be provided. Lastly, along the south and east property lines a 6' high brick or synthetic wood fence will provide screening to the adjacent properties (Exhibit C).

VI. TOPOGRAPHY, UTILITIES, AND DRAINAGE

Antler Falls is a generally undeveloped property with significant vegetation including large trees and drainage ways. Three (3) structures exist along the east side of the property. The property drains from south to the north, toward E. Houston St.

The project soil composition consists of variable classifications with mostly 'Bates, fine sandy loam'.

Stormwater detention will be provided by an on-site detention pond located on the northwest side of the subject property. This detention area will be designed to provide adequate detention for Antler Falls.

Electric, cable and gas are readily available to the site with services generally available. Water line and sanitary sewer service will be provided by the City of Broken Arrow.

The Existing and Proposed Utilities are shown on Exhibit "D" attached hereto.

VII. EXISTING ZONING AND LAND USE

The existing zoning is AG. Simultaneously with the filing of PUD ___ the Applicant has filed BAZ ___ to rezone the property to RS-4.

VIII. SITE PLAN REVIEW

One building permit is allowed prior to recording final plat using development parcel as lot. After the first building permit is issued, no building permit will be issued until a subdivision plat, which will serve as the site plan, is approved and filed of record with the Wagoner County Clerk.

IX. SCHEDULE OF DEVELOPMENT

Initial construction is anticipated to commence during the spring of 2025, once the PUD and subdivision plat have been completed and approved.

X. APPLICABLE STANDARDS

In addition to the standards set forth by this PUD, the development on the site will meet applicable standards of the underlying zoning district and the ordinances of the City of Broken Arrow.

XI. EXHIBITS

EXHIBIT A – CONCEPTUAL SITE PLAN

EXHIBIT B – ACCESS AND CIRCULATION PLAN

EXHIBIT C – LANDSCAPE AND SCREENING PLAN

EXHIBIT D – EXISTING AND PROPOSED UTILITIES & TOPOGRAPHY

EXHIBIT E – AREA ZONING MAP

EXHIBIT F – AERIAL PHOTOGRAPHY



City of Broken Arrow

Request for Action

File #: 24-1652, **Version:** 2

**Broken Arrow Planning Commission
12-19-2024**

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

Approval of LOT-001888-2024, Midway Cottages, 1 lot to 2 lots, 0.18 acres, DROD Area 2 / R-3 (Downtown Residential Overlay District Area 2 / Residential Single-Family 3) / PUD-001249-2023 (Planned Unit Development), one-eighth mile south of Kenosha St (71st Street) and one-third mile west of 9th Street (177th Avenue/Lynn Lane Road)

Background:

Applicant: Nick Parker
Owner: Nick Parker
Developer: Born Again Restored, LLC
Surveyor: N/A
Location: one-eighth mile south of Kenosha St (71st Street) and one-third mile west of 9th Street (177th Avenue/Lynn Lane Road)

Size of Tract 0.18 acres

Number of Lots: 2 proposed

Zoning: DROD Area 2 / R-3 (Downtown Residential Overlay District Area 2 / Residential Single-Family 3) / PUD-001249-2023 (Planned Unit Development)

Comp Plan: Level 2 - Urban Residential

Lot Split request LOT-001888-2024 involves 0.18 acres platted as Lot 8 of Lowery’s Addition. The property is located approximately one-eighth mile south of Kenosha St and one-third mile west of 9th Street. The applicant is requesting this lot split to facilitate the construction of two single family homes.

The DROD Area 2 overlay zoning district has minimum lot frontage of 35 feet and PUD-001249-2023 minimum land area of 4,000 square feet as shown below. All lots created by this lot split meet these dimensional requirements.

PUD-001249-2023 was approved by the City Council on February 20, 2024.

	PUD-001249-2023	DROD Area 2	Lot 1	Lot 2
Minimum Area:	4,000 sq. Ft. Min.		4000 sq ft	4000 sq ft
Minimum Frontage:		25ft	50ft	50ft

According to FEMA Maps, none of this property is located within the 100-year floodplain.

Water and Sanitary Sewer from the City of Broken Arrow are available to each lot.

LOT-001888-2024 was discussed by the Technical Advisory Committee on December 10, 2024. Oklahoma Natural Gas (ONG), Public Service Company of Oklahoma (PSO), Windstream, and Cox Communications did not indicate any issues with the proposed lot split. Additionally, the new eastern lot will need to connect to the sanitary sewer along 4th Street.

Attachments: Case map
 Aerial
 Exhibit

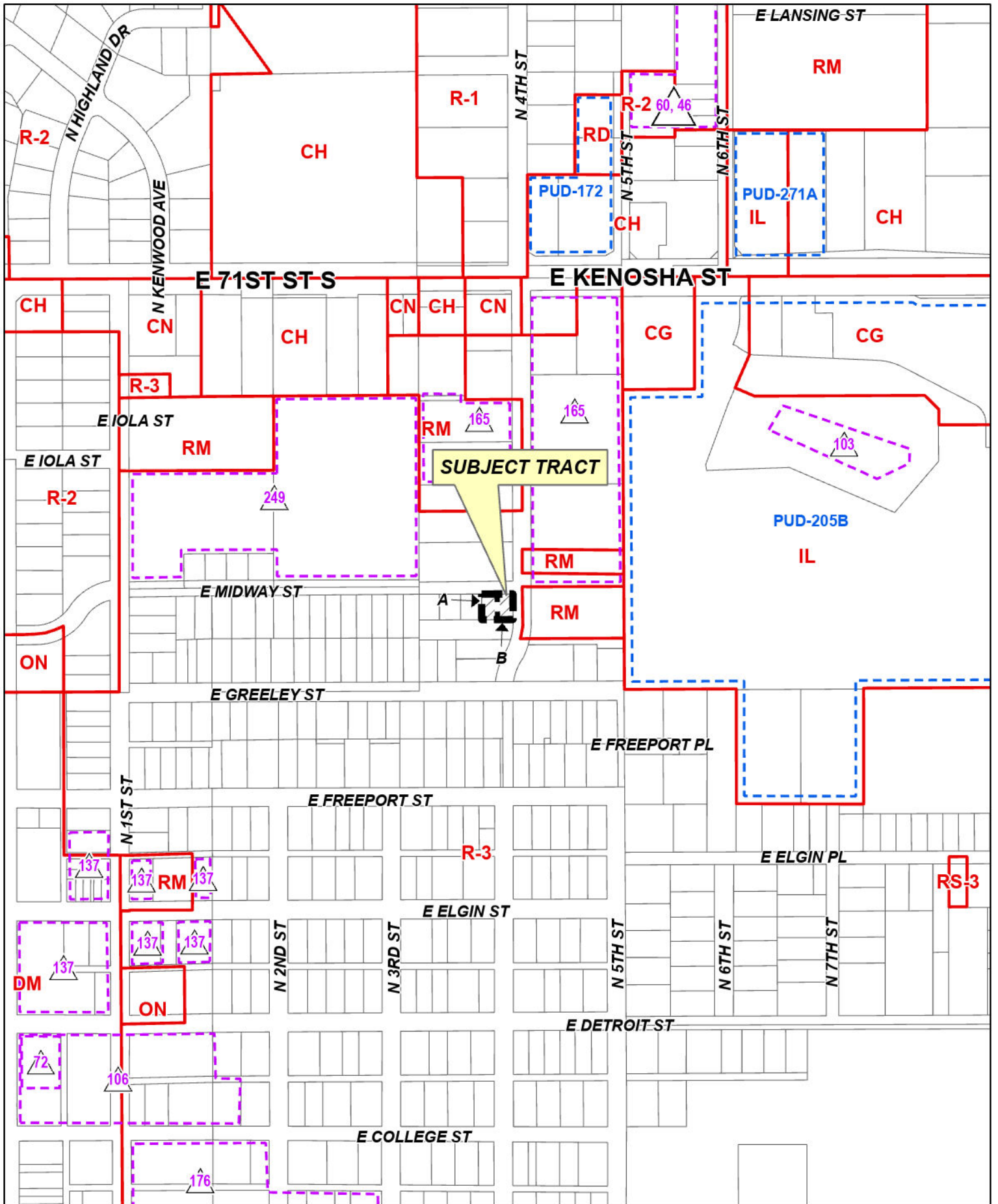
Recommendation:

Staff recommends LOT-001888-2024 be approved, subject to new warranty deeds for all parcels being brought simultaneously to the Planning & Development Division to be stamped prior to being recorded in Tulsa County.

Reviewed by: **Amanda Yamaguchi**

Approved by: **Rocky Henkel**

JTH



SUBJECT TRACT

LOT-001888-2024

300' Radius



Subject Tract



11 18-14





SUBJECT TRACT



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



Subject Tract

LOT-001888-2024



11 18-14



Found PK Nail

TRACT "A" LEGAL DESCRIPTION

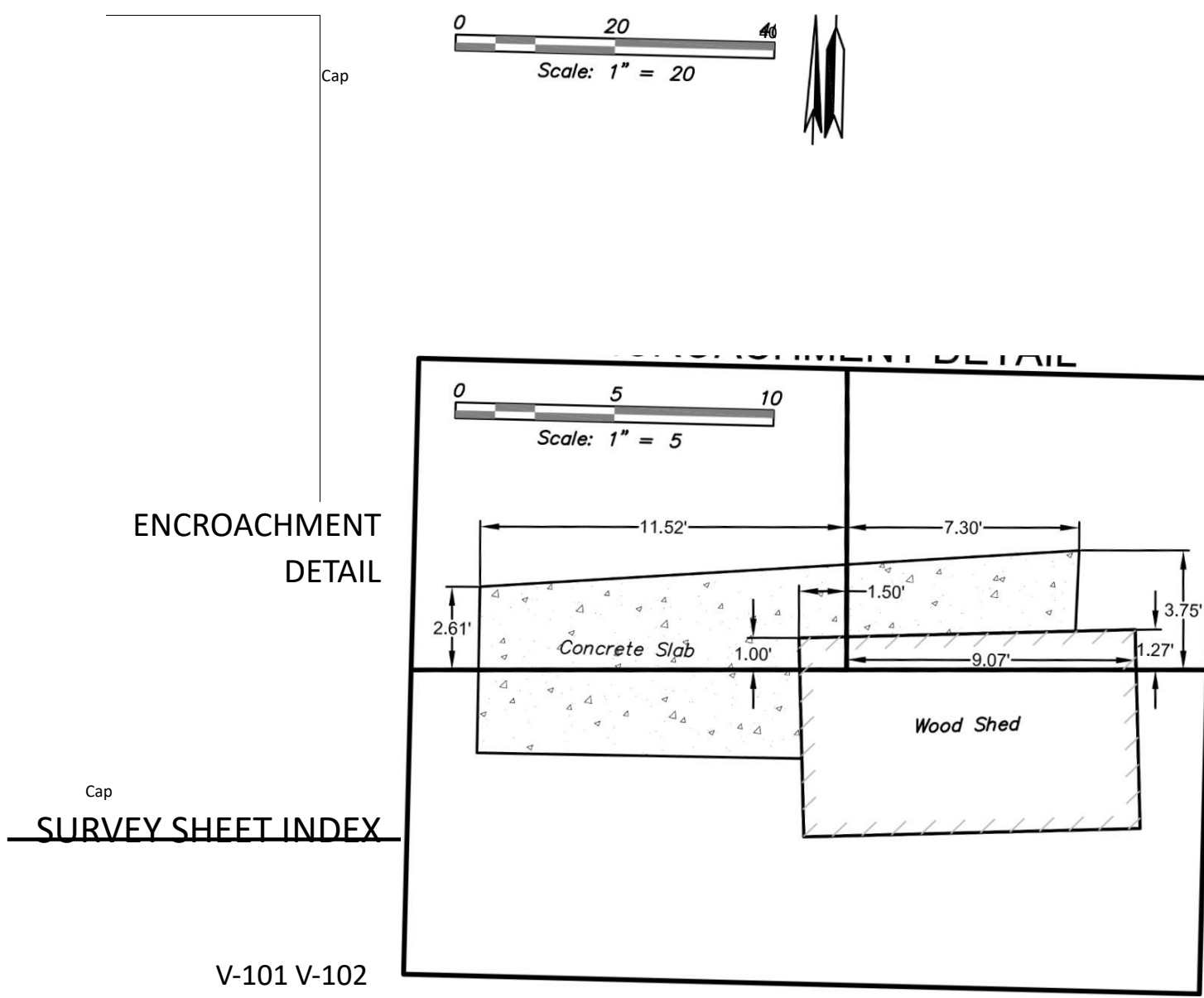
Tract "A": The west 50.00 feet of the East 100.00 feet of the North 100.00 feet of Lot 8, Lowery's Addition, an Addition to the City of Broken Arrow, Broken Arrow, OK. LESS AND EXCEPT the North 20.00 feet for right-of-way. Described Tract contains 4,000 Square Feet or 0.092 Acres, more or less.

8622 Peoria Avenue
Tulsa, OK 74132
918.895.9383 OK CA#
6975

TRACT "B" LEGAL DESCRIPTION

Tract "B": The East 50.00 feet of the North 100.00 feet of Lot 8, Lowery's Addition, an Addition to the City of Broken Arrow, Broken Arrow, OK. LESS AND EXCEPT the North 20.00 feet for right-of-way. Described Tract contains 4,000 Square Feet or 0.092 Acres, more or less.

Surveyed By: Parkhill
 Drawn By:
 Approved By: CDC
 Date: November 14, 2024
 OKLAHOMA CA #6975 EXPIRATION 06/30/2025





City of Broken Arrow

Request for Action

File #: 24-1667, **Version:** 1

**Broken Arrow Planning Commission
12-19-2024**

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

Approval of PT-001886-2024|PR-000784-2024, Preliminary Plat for Aspen Market, 30.54 acres, CN (Commercial Neighborhood), CG (Commercial General), RD (Residential Duplex) and R-2 (Single-Family Residential) to CH (Commercial Heavy) and PUD-001818-2024 via BAZ-001817-2024, generally located on the northeast corner of Tucson Street (121st Street) and Aspen Avenue (145th East Avenue)

Background:

Applicant: Mark Capron (Wallace Design Collective)
Owner: Chris Challis (Sooner Investment)
Developer: Chris Challis (Sooner Investment)
Engineer: Mark Capron
Location: On the northeast corner of Tucson Street (121st Street) and Aspen Avenue (145th East Avenue)
Size of Tract: 30.5 acres
Number of Lots: 9
Present Zoning: CN (Commercial Neighborhood), CG (Commercial General), RD (Residential Duplex) and R-2 (Single-Family Residential) to CH (Commercial Heavy) and PUD-001818-2024 via BAZ-001817-2024
Proposed Zoning: CH (Commercial Heavy) and PUD-001818-2024
Comp Plan: Level 6 (Regional Employment/Commercial)

PT-001886-2024, the preliminary plat for Aspen Market, contains 9 lots on 30.54 acres. This property is generally located on the northeast corner of Tucson Street (121st Street) and Aspen Avenue (145th East Avenue). The property is currently unplatted and undeveloped.

PUD-001818-2024 and BAZ-001817-2024 are requests to rezone the subject property. The PUD and rezoning were heard by Planning Commission on November 21st, 2024 when Planning Commission recommended approval subject to the property being platted. City Council will hear these items on December 17, 2024.

This development is proposed to be served by a combination of drives and a private street. The private street is shown on the plat as reserve area A, and will be maintained by the property owner as laid out in PUD-001818-2024 and the covenants of this plat. Access to the proposed development is shown with two driveways off of

Aspen Avenue, and one private street with a signalized intersection. Additionally, two driveways and one private street are proposed to give access onto Tucson Street. The drives as they are proposed onto Tucson do not meet the separation requirement. Additionally, there is an existing Limits of No Access (LNA) on Aspen Avenue, which does not align with the proposed access points. Both issues will need to be resolved before the Conditional Final Plat is submitted.

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

Attachments:

Preliminary Plat and Deed of Dedication with Comments

Recommendation:

Staff recommends PT-001886-2024|PR-000784-2024, preliminary plat for Aspen Market, be approved subject to the attached checklist and approval of BAZ-001817-2024 and PUD-001818-2024 by the City Council.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

HMB

PLACE HOLDER CO RECORDING STAMP

P06: Please include the addresses when assigned by INCOG.

PRELIMINARY PLAT

ASPEN MARKET

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER (W/2 SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA

PUD-001818-2024

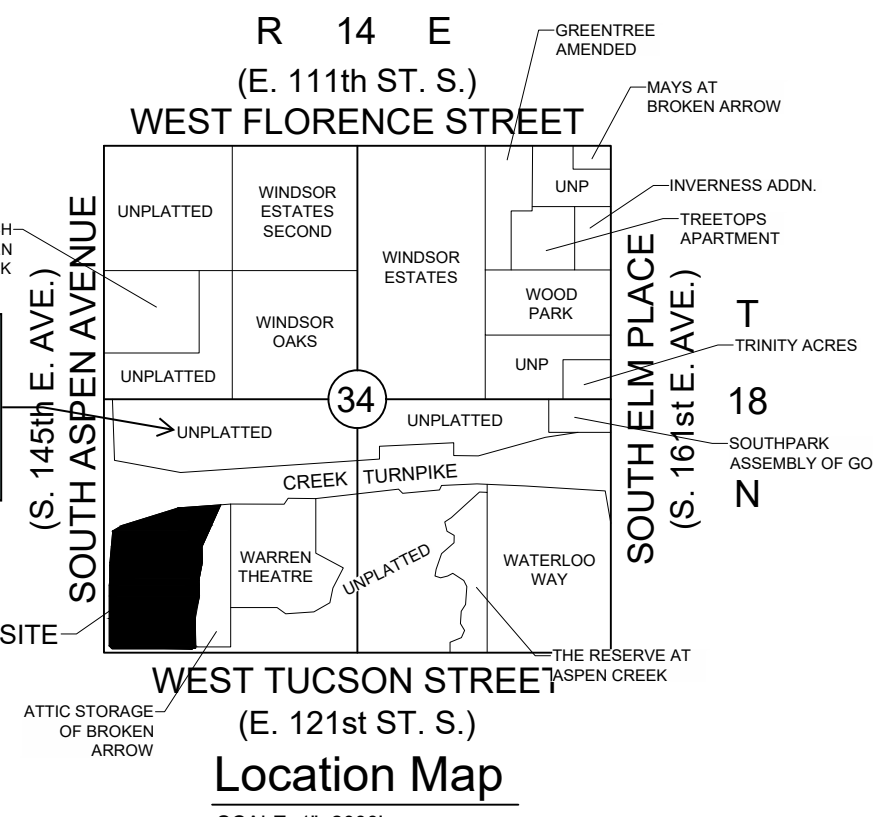
OWNER:
Sooner Investment Dev Co, LLC
2301 West I-44 Service Road, Suite 100
Oklahoma City, Oklahoma, 73112
CONTACT: CHRIS CHALLIS

ENGINEER:
Wallace Design Collective, PC
123 North Martin Luther King Jr Blvd.
Tulsa, Oklahoma, 74103
Phone: (918) 584-5858
OK CA NO. 1460, EXPIRES 6/30/2025
A. NICOLE WATTS, P.E.
nicole.watts@wallace.design

SURVEYOR:
Sismore & Associates, Inc.
6660 South Sheridan Road, Suite 210
Tulsa, Oklahoma, 74133
Phone: (918) 665-3600
OK CA NO. 2421, EXPIRES 6/30/2025
SHAWN A. COLLINS, PLS 1788
scollins@sw-assoc.com

P05: Please include the phone number for the property owner.

P04: Please make sure to include all filed adjacent plats, which includes Aspen Ridge Business Park.



LEGEND

- B/L = BUILDING SETBACK
- ACC = ACCESS
- LNA = LIMITS OF NO ACCESS
- R/W = RIGHT-OF-WAY
- U/E = UTILITY EASEMENT
- ESMT. = EASEMENT
- BK./PG. = BOOK/PAGE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

XXXX ADDRESS

1 BLOCK NUMBER

2 LOT NUMBER

○ IRON PIN FOUND

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS SIX (6) LOTS IN TWO (2) BLOCKS AND ONE (1) RESERVE AREA.

RESERVE AREA A CONTAINS 37,466 SF (0.86 ACRES)

SUBDIVISION CONTAINS 1,330,506 SF (30.54 ACRES)

R/W DEDICATED BY PLAT CONTAINS 23,827 SF (0.55 ACRES)

PROPERTY ZONED: CG

MONUMENTATION

3/8" IRON PIN FOUND AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

3/8" IRON PINS TO BE SET AT ALL PROPERTY CORNERS.

BENCHMARK

CHISELED SQUARE ON CONCRETE CURB

NORTHING=366998.0560

EASTING=2815937.0190

ELEV=661.19

BASIS OF BEARINGS

HORIZONTAL DATUM BASED UPON OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011) NORTH ZONE 3501.

VERTICAL DATUM NAVD 1988

ADDRESS NOTE

ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

FLOODPLAIN NOTE

WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA AND INCORPORATED AREAS, MAP NO. 40143C0452L, MAP REVISED: OCTOBER 16, 2012, WHICH SHOWS THE ENTIRE PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE (X)(UNSHADED) WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

SURVEYOR'S LAST SITE VISIT:
XXXXXXXXXXXXXXXXXXXX

LINE TABLE

LINE #	LENGTH	BEARING
L1	30.00'	S 01°57'53" E
L2	22.63'	S 55°02'50" E
L3	0.74'	S 12°13'43" W
L4	10.00'	S 02°11'22" E
L5	10.00'	N 61°18'44" W
L6	35.35'	N 46°18'39" W
L7	10.00'	N 31°18'33" W

LOT AREA TABLE (BLOCK 1)

LOT #	AREA (SF)	(ACRE)
1	66,125	1.52
2	605,952	13.91
3	62,100	1.43
4	178,973	4.11
5	211,835	4.86

LOT AREA TABLE (BLOCK 2)

LOT #	AREA (SF)	(ACRE)
1	144,228	3.31

E07: Add the lot line separating the turnpike R/W from the City R/W

E06: The access point to lot 2 block 1 falls within the LNA limits set by the turnpike authority. A copy of the letter from the turnpike authority will need to be submitted with the conditional final plat. Identify the LNA and ACC as filed by the turnpike authority. Add the information from the authority modifying the LNA. Show LNA and access limits per city standards with no access for lots 1 & 3 block 1 and lot 1 block 2 to aspen st.

E04: The reserve is not dedicated as a utility easement and the easement will need to be extended to cover the full length of the waterline. The waterline will need to be relocated out from under the landscape island, it is recommend to be on the north side of the reserve in an easement.

E05: The proposed private road is wider than the reserve shown. Commercial roads are 30' from face of curb to face of curb, the reserve needs to be wide enough for the travel lane, the curb and gutter and the 2' of subgrade beyond the curb.

E01: The easements will need to be revised to include the bump-out needed to cover the hydrants once the engineering design locates them

E03: The legal description show 01-18-43"

E02: If underground detention will be used for the south portion of the drainage basin a detention easement will be needed. This may be dedicated by separate instrument with the engineering plans once the size of the basin is determined

P09: Please correct to private street reserve.

P07: Please adjust, so that the proposed drives meet the 250' offset requirement (measured by the centerline).

P03: Please do not include until Conditional final plat. Preliminary Plat is not approved by City Council.

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

P02: Please correct Project number to: PR-000784-2024

DATE: 11/26/2024
ASPEN MARKET
PUD-001818-2024
PRELIMINARY PLAT
SHEET 1 OF 3

\\civ-server\projects\240478 Broken Arrow Commercial Development\04 Production\01 Design Drawings\04 Plat\240478 Preliminary Plat.dwg PLOT:11/26/24 ORIG SIZE:24"x36"

PRELIMINARY PLAT

ASPEN MARKET

PUD-001818-2024

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

SOONER INVESTMENT DEV CO, LLC, A OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF THE WEST HALF OF THE SOUTHWEST QUARTER (W/2 SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID W/2 SW/4; THENCE NORTH 88°41'16" EAST ALONG THE SOUTH LINE OF SAID W/2 SW/4 FOR 85.00 FEET; THENCE NORTH 01°18'44" WEST FOR 40.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WEST TUCSON STREET AND POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 46°18'39" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR 42.43 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF SOUTH ASPEN AVENUE; THENCE NORTH 01°18'33" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE FOR 632.02 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE CREEK TURNPIKE; THENCE NORTH 04°24'05" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 50.25 FEET; THENCE NORTH 01°18'33" WEST CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 156.23 FEET (155.86' - deed); THENCE NORTH 03°52'12" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 361.23 FEET; THENCE NORTH 57°56'37" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 111.80 FEET; THENCE NORTH 71°22'29" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 616.12 FEET; THENCE NORTH 84°30'33" EAST CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE FOR 440.91 FEET TO A POINT THAT IS THE NORTHWEST CORNER OF LOT THREE (3), BLOCK ONE (1), ATTIC STORAGE OF BROKEN ARROW, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTH 22°39'32" WEST ALONG THE WESTERLY LINE OF SAID LOT 3 FOR 477.11 FEET; THENCE SOUTH 02°23'20" EAST CONTINUING ALONG SAID WESTERLY LINE FOR 164.52 FEET; THENCE SOUTH 09°40'18" WEST CONTINUING ALONG SAID WESTERLY LINE FOR 174.44 FEET TO A POINT THAT IS THE NORTHWEST CORNER OF RESERVE "B" OF SAID ATTIC STORAGE OF BROKEN ARROW; THENCE SOUTH 02°27'01" EAST ALONG THE WESTERLY LINE OF SAID RESERVE "B" FOR 178.06 FEET; THENCE SOUTH 12°13'43" WEST CONTINUING ALONG SAID WESTERLY LINE FOR 165.65 FEET; THENCE SOUTH 02°51'04" WEST CONTINUING ALONG SAID WESTERLY LINE FOR 74.73 FEET; THENCE SOUTH 02°11'22" EAST CONTINUING ALONG SAID WESTERLY LINE FOR 305.38 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF WEST TUCSON STREET; THENCE SOUTH 88°41'16" WEST ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR 32.24 FEET; THENCE SOUTH 01°18'43" EAST CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR 10.00 FEET; THENCE SOUTH 88°41'16" WEST CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE FOR 839.48 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

* THIS LEGAL DESCRIPTION IS PREPARED BY THE SURVEYOR TO OMIT STATUTORY SECTION LINE RIGHT OF WAY AND CREATE A METES AND BOUNDS LEGAL DESCRIPTION. THIS LEGAL DESCRIPTION IS WHOLLY CONTAINED WITHIN THE TITLE COMMITMENT LEGAL DESCRIPTION.

AND HAS CAUSED THE ABOVE-DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO SIX LOTS, TWO BLOCKS, AND ONE RESERVE AREA IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT"), AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "ASPEN MARKET", A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA (HEREINAFTER THE "SUBDIVISION" OR "PLATTED AREA" OR "ASPEN MARKET").

SECTION I. EASEMENTS AND UTILITIES

A. GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U/E" OR "UTILITY EASEMENT", FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON THE LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION. FURTHERMORE, IN ADDITION TO THE ABOVE DESCRIBED FACILITIES AND APPURTENANCES, THE WESTERN 20 FOOT UTILITY EASEMENT SHALL ALSO FUNCTION AS A SIDEWALK EASEMENT.

B. UNDERGROUND SERVICE

- OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICE MAY BE LOCATED IN THE PERIMETER UTILITY EASEMENT AND IN THE PERIMETER RIGHT-OF-WAYS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED UPON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED ON ALL LOTS IN 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 EACH SAID LOT, PROVIDED THAT UPON THE INSTALLATION OF SUCH A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE, EXTENDING FROM THE SERVICE PEDESTAL, TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE OR A POINT OF METERING.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OF THE SUBDIVISION OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES SO INSTALLED BY IT. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION ALSO RESERVES THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CUT DOWN, TRIM, OR TREAT ANY TREES AND UNDERGROWTH ON SAID EASEMENT.
- THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON THE OWNER'S PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES; BUT THE LOT OWNER WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THEIR AGENTS OR CONTRACTORS. THE FOREGOING COVENANTS CONCERNING UNDERGROUND FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS

C. SERVICES.

C. WATER MAINS, SANITARY SEWERS, AND STORM SEWER SERVICES

- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS IN THIS ADDITION.
- WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GROUND ELEVATIONS FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER MAIN, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS, SHALL BE PROHIBITED.
- THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWER MAINS, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, THEIR AGENTS OR CONTRACTORS.
- THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTWAYS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THE DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER OR STORM SEWER FACILITIES.
- ALL STORM SEWER OUTSIDE OF THE RIGHT OF WAY WILL BE CONSIDERED PRIVATE AND IDENTIFIED IN THE PLANS AS PRIVATE OF PUBLIC.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

D. SURFACE DRAINAGE

EACH LOT DEPICTED ON THE PLAT OF ASPEN MARKET, SHALL RECEIVE AND DRAIN STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION THAN THE LOT OWNERS. THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF SURFACE DRAINAGE FACILITIES AND SHALL BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA.

E. RESERVE AREA "A" (PRIVATE STREET)

THE INTERIOR STREET WITHIN ASPEN MARKET, AS DEPICTED ON THE ACCOMPANYING PLAT AS RESERVE AREA "A", IS HEREIN DEDICATED BY THE OWNER/DEVELOPER AS A PRIVATE STREET FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF ASPEN MARKET, THEIR GUESTS AND INVITEES, FOR THE PURPOSE OF PROVIDING VEHICULAR ACCESS TO AND FROM THE VARIOUS LOTS, TO AND FROM THE PUBLIC STREETS, FOR SUBSEQUENT CONVEYANCE TO THE DECLARANT PARCEL OWNER AS SET FORTH BELOW.

THE PRIVATE STREET WITHIN RESERVE AREA "A" SHALL BE MAINTAINED BY THE DECLARANT PARCEL OWNER IDENTIFIED IN A DECLARATION OF RESTRICTIVE COVENANTS TO BE FILED OF RECORD FOR ASPEN MARKET ALSO, THE PRIVATE STREET WILL BE MAINTAINED TO CITY OF BROKEN ARROW STANDARDS.

F. LIMITS OF NO ACCESS

THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO WEST TUCSON STREET (EAST 121ST STREET SOUTH) WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (LNA) ON THE ACCOMPANYING PLAT, WHICH LIMITS OF NO ACCESS MAY BE AMENDED OR RELEASED BY THE BROKEN ARROW PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF BROKEN ARROW, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ESTABLISHED ABOVE SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA.

G. STORMWATER DETENTION EASEMENT

- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS "STORMWATER DETENTION EASEMENT" FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES NOT INCLUDED WITHIN THE SUBDIVISION.
- DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE EASEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BROKEN ARROW, OKLAHOMA.
- NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE RESERVES NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID RESERVES UNLESS APPROVED BY THE STORMWATER DEVELOPMENT DIVISION THROUGH THE ENGINEERING AND CONSTRUCTION DEPARTMENT OF THE CITY OF BROKEN ARROW, OKLAHOMA.
- DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE LAND OWNER TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION, AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION AND THE ASSOCIATION SHALL PROVIDE CUSTOMARY GROUNDS MAINTENANCE WITHIN THE RESERVES IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:
 - GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR WEEKS, OR LESS.
 - CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
 - THE RESERVES SHALL BE KEPT FREE OF DEBRIS.
 - CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.
- LANDSCAPING, APPROVED BY THE CITY OF BROKEN ARROW, OKLAHOMA, SHALL BE RESTRICTED TO AREA OUTSIDE THE 500-YR STORAGE AREA. ALL TREES SHALL BE REMOVED FROM WITHIN THE 500YR STORAGE AREA.
- IN THE EVENT THE LAND OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF GRADE WITHIN THE RESERVES, THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE LAND OWNER. IN THE EVENT THE LAND OWNER FAILS TO PAY THE COSTS OF 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 IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH LOT WITHIN THE SUBDIVISION, PROVIDED, THE LIEN AGAINST EACH LOT SHALL NOT EXCEED THAT LOT'S PRO RATA PORTION OF THE COSTS. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BROKEN ARROW, OKLAHOMA.

H. DRAINAGE EASEMENTS

- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "DRAINAGE EASEMENT" FOR THE PURPOSES OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORMWATER RUNOFF FROM THE LOT WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION AND FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING STORM SEWERS, AND ANY APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE DRAINAGE EASEMENTS FOR THE USES AND PURPOSES STATED.
- DRAINAGE FACILITIES LOCATED WITHIN DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS.
- NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN DRAINAGE EASEMENTS NOR SHALL THERE BY ANY ALTERATION OF GRADE IN THE EASEMENT AREAS UNLESS APPROVED BY THE CITY OF BROKEN ARROW, OKLAHOMA, PROVIDED THE PLANTING OF TURF SHALL NOT REQUIRE THE APPROVAL OF THE CITY OF BROKEN ARROW.
- THE ABOVE GROUND AREA OF ANY DRAINAGE EASEMENT SHALL BE MAINTAINED BY THE OWNER OF THE LOT WITHIN WHICH THE EASEMENT IS LOCATED, AND MAINTENANCE SHALL BE IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF BROKEN ARROW, OKLAHOMA. IN THE EVENT THE OWNER FAILS TO PROPERLY MAINTAIN THE DRAINAGE EASEMENT OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN A DRAINAGE EASEMENT, OR THE ALTERATION OF THE GRADE THEREIN, THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENT AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER.

IN THE EVENT THE OWNER FAILS TO PAY THE COST OF 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. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BROKEN ARROW, OKLAHOMA.

I. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY NECESSARY PLACEMENTS, REPLACEMENTS, OR MAINTENANCE OF WATER, SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

J. SIDEWALKS; PUBLIC ACCESS EASEMENT

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED BY THE LOT OWNER IN ACCORDANCE WITH THE CITY OF BROKEN ARROW SUBDIVISION REGULATIONS AND IN ACCORDANCE WITH THE STANDARDS OF THE CITY OF BROKEN ARROW. ALL SUCH SIDEWALKS SHALL BE CONSTRUCTED PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN THE SUBDIVISION. TO THE EXTENT SAID SIDEWALKS EXTEND OUTSIDE OF THE RIGHT-OF-WAY, ONTO THE LOT, THE OWNER HEREBY DEDICATES TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS THE LOT FOR CONSTRUCTION, MAINTENANCE, AND USE AS A PUBLIC SIDEWALK.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS (PUD-001818-2024)

WHEREAS, ASPEN MARKET WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (PUD) TO THE CITY OF BROKEN ARROW (PUD-001818-2024) AS PROVIDED WITHIN SECTIONS 6.4 ET SEQ. OF THE CITY OF BROKEN ARROW ZONING CODE, WHICH P.U.D. NO. 001818-2024 WAS APPROVED BY THE BROKEN ARROW PLANNING COMMISSION, AND BY THE BROKEN ARROW CITY COUNCIL ON _____;

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BROKEN ARROW ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT; AND

WHEREAS, OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF OWNER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF BROKEN ARROW, OKLAHOMA.

THEREFORE, 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.

P01: Please ensure that all design standards match the final version of PUD-001818-2024, if approved by City Council.

E10 Add a section identifying that there is a blanket mutual access easement between all lots

E09 Sidewalks along the private streets, will need to be constructed by the developer. The north-south sidewalk and those outside of reserve A can be constructed at the time of the development of the lot. The private sidewalks need to be included in the easement, or a simplified statement that all sidewalks are available for public access.

E08 Remove the city as an enforcer of the surface drainage, this is a dispute between lot owners. The Business Association can be used as an additional enforcer.

E11 The plans show 01-18-44'

ORIG SIZE: 24" X 36"

PLOT: 11/26/24

\\civl-server\projects\24040478 Broken Arrow Commercial Development\04 Production\01 Design Drawings\04 Plat\24040478 DOD.dwg

PRELIMINARY PLAT
ASPEN MARKET
PUD-001818-2024
DEED OF DEDICATION AND RESTRICTIVE COVENANTS

DEVELOPMENT STANDARDS

THE PROPERTY MAY BE USED FOR ANY PURPOSE CONSISTENT WITH THE COMMERCIAL GENERAL (CG) ZONING DISTRICT AS PROVIDED IN THE CITY OF BROKEN ARROW'S ZONING ORDINANCE. IN ADDITION TO THE FOREGOING, CAR WASHES SHALL BE A PERMITTED USE. DESIGN STANDARDS FOR THE PROPERTY SHALL BE CONSISTENT WITH THE COMMERCIAL GENERAL (CG) ZONING DISTRICT AS PROVIDED IN THE CITY OF BROKEN ARROW'S ZONING ORDINANCE, EXCEPT AS EXPRESSLY SET FORTH BELOW:

MINIMUM LOT FRONTAGE ON PUBLIC ROW OR PRIVATE STREET 100 FEET
SETBACKS

ENTIRE DEVELOPMENT
FROM NORTH BOUNDARY (CREEK TURNPIKE) 30 FEET
FROM EAST BOUNDARY 30 FEET
FROM SOUTH BOUNDARY (WEST TUCSON STREET) 20 FEET
FROM WEST BOUNDARY (SOUTH ASPEN AVENUE) 50 FEET
INTERIOR
JR. ANCHOR SIDE (ATTACHED SIDE) 0 FEET
SIDE (NOT ATTACHED) 10 FEET

OFF-STREET PARKING

THE PROPERTY SHALL COMPLY WITH THE CITY OF BROKEN ARROW'S ZONING ORDINANCE FOR OFF-STREET PARKING REQUIREMENTS, PROVIDED EXCEPT AS AMENDED BELOW.

HOME IMPROVEMENT RETAIL USE IN EXCESS OF 100,000 SQ.FT.

STORE 1 PARKING SPACE PER 310 SQ.FT.
GARDEN CENTER 1 PARKING SPACE PER 310 SQ.FT.
SEASONAL SALES 1 PARKING SPACE PER 2,000 SQ.FT.
OUTDOOR VEHICLE DISPLAY/STORAGE 1 PARKING SPACE PER 2,000 SQ.FT.
JR ANCHOR AREA
RETAIL 1 PARKING SPACE PER 300 SQ.FT.
RESTAURANT 1 PARKING SPACE PER 100 SQ.FT.

PARKING REQUIREMENTS MAY BE MET WITHIN THE ENTIRE DEVELOPMENT ACROSS LOT LINES.

OUTPARCELS AND ANY USES NOT LISTED ABOVE WILL BE PER TABLE 5.4.1 OF THE CITY OF BROKEN ARROW ZONING CODE.

MAXIMUM PARKING 135% OF REQUIRED PARKING

LANDSCAPING

LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY OF BROKEN ARROW ZONING ORDINANCE.

SIGNAGE

PUD-001818-2024 CREATES AN INTEGRATED DEVELOPMENT IDENTIFICATION (IDI) PER THE CITY OF BROKEN ARROW ZONING CODE EXCEPT AS MODIFIED AS BELOW. PYLON AND MONUMENT SIGNS SHALL BE PERMITTED IN THE DEVELOPMENT CONSISTENT WITH THE COMPREHENSIVE SIGNAGE PLAN, ATTACHED HERETO AS EXHIBIT E.

WALL SIGNAGE SHALL COMPLY WITH THE CITY OF BROKEN ARROW'S ZONING ORDINANCE. PYLON SIGNS WITHIN THE DEVELOPMENT SHALL BE PERMITTED TO DISPLAY NAMES AND TRADEMARKS OF BUSINESSES LOCATED WITHIN THE PROPERTY, WHICH SHALL NOT CONSTITUTE OFF PREMISES SIGNAGE.

SIGN 1 (CREEK TURNPIKE)
DISPLAY SURFACE AREA 320 SQ.FT.
SIGN HEIGHT 40 FEET
SIGN 2 (MAIN ENTRANCE - SOUTH ASPEN AVENUE)
DISPLAY SURFACE AREA 300 SQ.FT.
SIGN HEIGHT 30 FEET*
*THIS HEIGHT IS ONLY PERMITTED WITH A MIN. 20' SETBACK
SIGN 3 (WEST TUCSON STREET)
DISPLAY SURFACE AREA 62 SQ.FT.
SIGN HEIGHT 9.5 FEET
SIGN 4 (TENANT SIGNS)
DISPLAY SURFACE AREA 50 SQ.FT.
SIGN HEIGHT 8.5 FEET

ACCESS AND CIRCULATION

THE PROPERTY SHALL BE PERMITTED A SIGNALIZED MAIN ENTRANCE DRIVE AND ANOTHER UNSIGNALIZED ENTRANCE ON S. ASPEN AVE. AS SHOWN ON EXHIBIT B, AND SUBJECT TO PERMITS AND APPROVALS FROM APPLICABLE GOVERNMENT AGENCIES (E.G., OKLAHOMA TURNPIKE AUTHORITY AND THE CITY OF BROKEN ARROW).

THE PROPERTY SHALL BE PERMITTED TWO UNSIGNALIZED ENTRANCES ON 121 ST. AS SHOWN ON EXHIBIT B, SUBJECT TO PERMITS AND APPROVALS FROM THE CITY OF BROKEN ARROW.

FINAL PLANS FOR ACCESS TO THE PROPERTY FROM ALL PUBLIC RIGHTS-OF-WAY WILL BE DETERMINED DURING THE PLATTING PROCESS APPROVED BY THE CITY OF BROKEN ARROW AND OKLAHOMA TURNPIKE AUTHORITY.

A PRIVATE STREET WILL SERVE ASPEN MARKET AS SHOWN ON EXHIBIT F. THIS STREET WILL CONNECT TO SOUTH ASPEN AT THE MAIN SIGNALIZED ENTRANCE TRAVERSE THROUGH THE DEVELOPMENT AND WILL CONNECT WEST TUCSON STREET. THE PRIVATE STREET WILL BE IN A RESERVE AREA, MAINTAINED BY THE DECLARANT PARCEL OWNER IDENTIFIED IN A DECLARATION OF RESTRICTIVE COVENANTS TO BE FILED OF RECORD FOR THE PROPERTY DESCRIBED IN EXHIBIT A. ALSO, THE PRIVATE STREET WILL BE MAINTAINED TO CITY OF BROKEN ARROW STANDARDS.

IN THE EVENT THE DECLARANT SHOULD FAIL TO PROPERLY MAINTAIN THE PRIVATE STREET ADJACENT TO THE SIGNALIZED INTERSECTION ON SOUTH ASPEN AVENUE OR, IN THE EVENT THE CITY OF BROKEN ARROW WISHES TO IMPROVE SAID INTERSECTION PAVING, THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE OR IMPROVEMENTS NECESSARY TO ACHIEVE THE INTENDED STREET FUNCTIONS.

PUBLIC SIDEWALKS SHALL BE CONSTRUCTED ALONG S. ASPEN AVE. AND 121ST ST. AS EACH STREET-ABUTTING LOT IS DEVELOPED. ALL PUBLIC SIDEWALKS WILL BE BUILT TO THE DEVELOPMENT STANDARDS OF THE CITY OF BROKEN ARROW. PUBLIC SIDEWALKS SHALL BE A MINIMUM OF FIVE (5) FEET IN WIDTH, ADA COMPLIANCE, AND SHALL TIE INTO OTHER SIDEWALKS ABUTTING THE SITE BOUNDARIES.

ASPEN MARKET WILL ALSO BE SERVED BY INTERNAL SIDEWALKS ALSO SHOWN ON EXHIBIT F. AN EAST-WEST SIDEWALK WILL BE ALONG ONE SIDE OF THE MAIN ENTRANCE FROM SOUTH ASPEN AVENUE. IN ADDITION, A NORTH-SOUTH SIDEWALK WILL BE IN FRONT OF THE HOME IMPROVEMENT AND JR. ANCHOR STORES AND WILL CONNECT TO THE PUBLIC SIDEWALK ALONG WEST TUCSON STREET.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT, 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. EASEMENTS, AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO. IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING ANY LOT SITUATED WITHIN THE SUBDIVISION, OR THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSOR, TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL AND 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

THE COVENANTS CONTAINED WITHIN SECTION I. EASEMENTS, AND UTILITIES MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE CITY OF BROKEN ARROW PLANNING COMMISSION, OR ITS SUCCESSORS WITH THE APPROVAL OF THE CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA.

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.

CERTIFICATE OF OWNERSHIP

IN WITNESS WHEREOF: SOONER INVESTMENT DEV CO, LLC, BEING THE SOLE OWNER OF ASPEN MARKET, HEREBY APPROVES THE FOREGOING DEED OF DEDICATION, AND COVENANTS THIS ____ DAY OF _____, 2024.

OWNER _____
NAME _____

ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) SS:
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2024.
BY _____, AS _____ OF _____

NOTARY PUBLIC

MY COMMISSION NO: _____

MY COMMISSION EXPIRES: _____

[SEAL]

CERTIFICATE OF SURVEY

I, SHAWN COLLINS, RPLS. OF SISEMORE & ASSOCIATES, A LICENSED LAND SURVEYOR REGISTERED IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS ASPEN MARKET, A SUBDIVISION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, IS A REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED LAND SURVEYING PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 2024.



SHAWN A. COLLINS, PLS
OKLAHOMA NO. 1788

ACKNOWLEDGMENT

STATE OF OKLAHOMA)
) SS:
COUNTY OF TULSA)

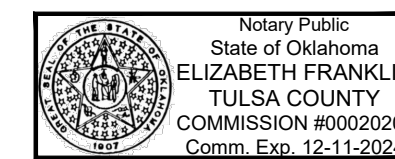
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2024.
BY _____, AS _____ OF SISEMORE & ASSOCIATES.

NOTARY PUBLIC

MY COMMISSION NO: 00020202

MY COMMISSION EXPIRES: 12-11-24

[SEAL]



ORIG SIZE: 24" X 36"

PLOT: 11/26/24

\\civl-server\projects\24\0478 Broken Arrow Commercial Development\04 Production\01 Design Drawings\04 Plat\24\0478 DOD.dwg

P10: Please correct to W. Tucson Street



City of Broken Arrow

Request for Action

File #: 24-1670, **Version:** 1

Broken Arrow Planning Commission 12-19-2024

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

Approval of LOT-001887-2024, Catlett Lot Split, 1 lot to 2 lots, 2.44 acres, R-1 (Single Family Residential), located approximately one-quarter mile west of Elm Place (161st E Ave), and one-third mile north of Houston Street (81st street).

Background:

Applicant: Farrah Fulps
Owner: Kevin Catlett
Developer: N/A
Surveyor: Jeffrey Tuttle
Location: One-quarter mile west of Elm Place (161st E Ave), and one-third mile north of Houston Street (81st street).
Size of Tract 2.44 acres
Number of Lots: 1 lot to 2 lots
Zoning: R-1 (Single Family Residential)
Comp Plan: Level 1 (Rural Residential)

Lot Split request LOT-001887-2024 involves 2.44 acres platted as Lot 3 of Block 1 of Foster Lewis Acreage. The property is located approximately one-quarter mile west of Elm Place (161st E Ave), and one-third mile north of Houston Street (81st street). The applicant is requesting this split to build houses.

The R-1 zoning district has a minimum lot area of 12,000 square feet and frontage requirements of 100 feet. Lot 1 (the western lot) has an area of 62, 450.18 square feet and a frontage of 156.91 feet. Lot 2 (the eastern lot) has an area of 43,780 square feet and a frontage of 110 feet. All lots created by this lot split meet the dimensional requirements of the zoning district.

According to FEMA Maps, none of this property is located within the 100-year floodplain.

Water and Sanitary Sewer are available to each lot.

LOT-001887-2024 was discussed by the Technical Advisory Committee on 12-10-2024. Oklahoma Natural Gas (ONG), Public Service Company of Oklahoma (PSO), Windstream, and Cox Communications did not indicate any issues with the proposed lot split.

Attachments: Case Map

Aerial Map
Exhibit

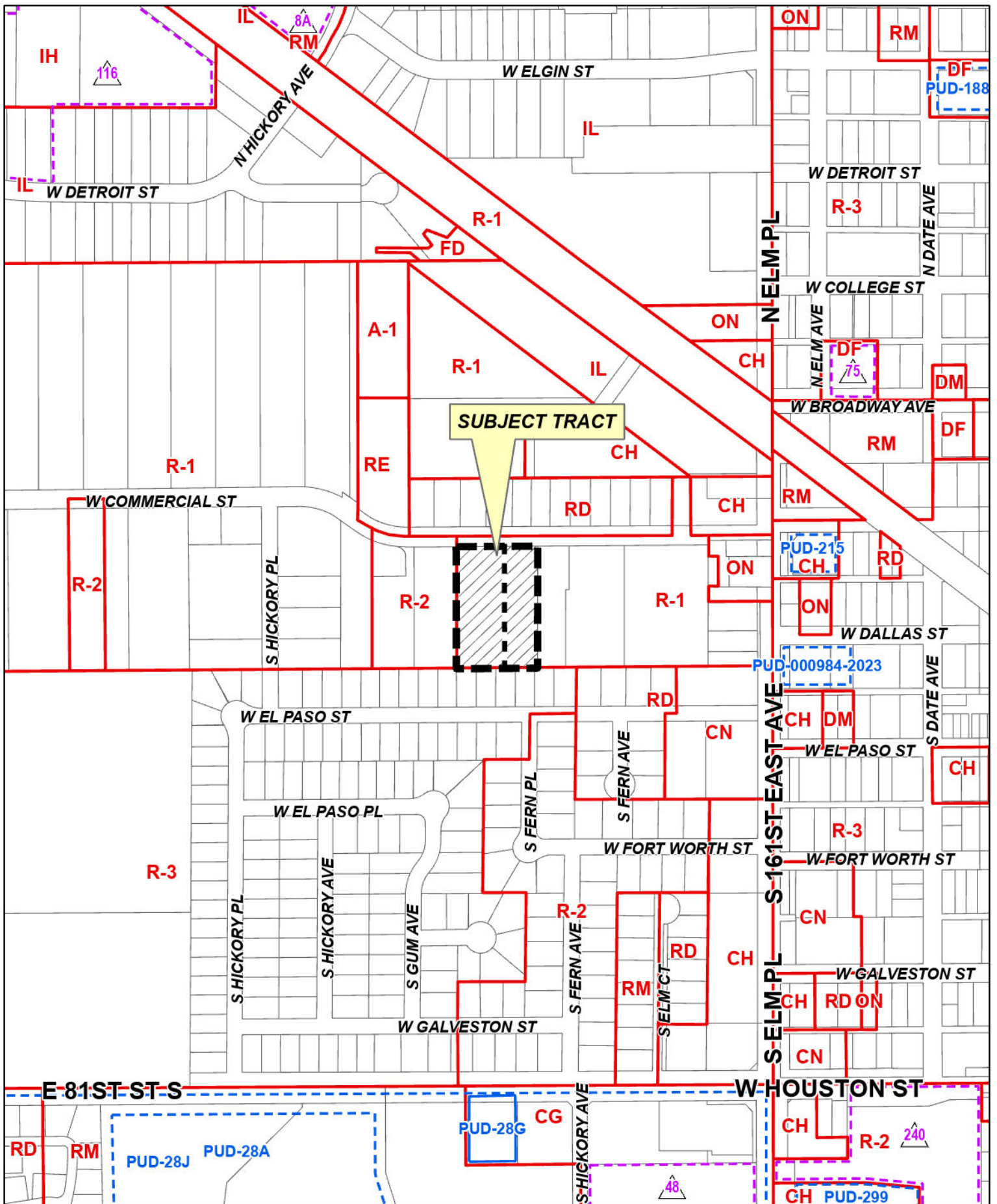
Recommendation:

Staff recommends LOT-001887-2024 be approved, subject to new warranty deeds for all parcels being brought simultaneously to the Planning & Development Division to be stamped prior to being recorded in Tulsa County.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

HER



SUBJECT TRACT

PUD-28G CG

PUD-215 CH

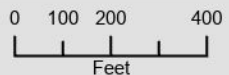
PUD-000984-2023

PUD-28J PUD-28A

PUD-299



LOT-001887-2024



10 18-14



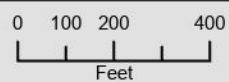


Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2023



Subject Tract

LOT-001887-2024

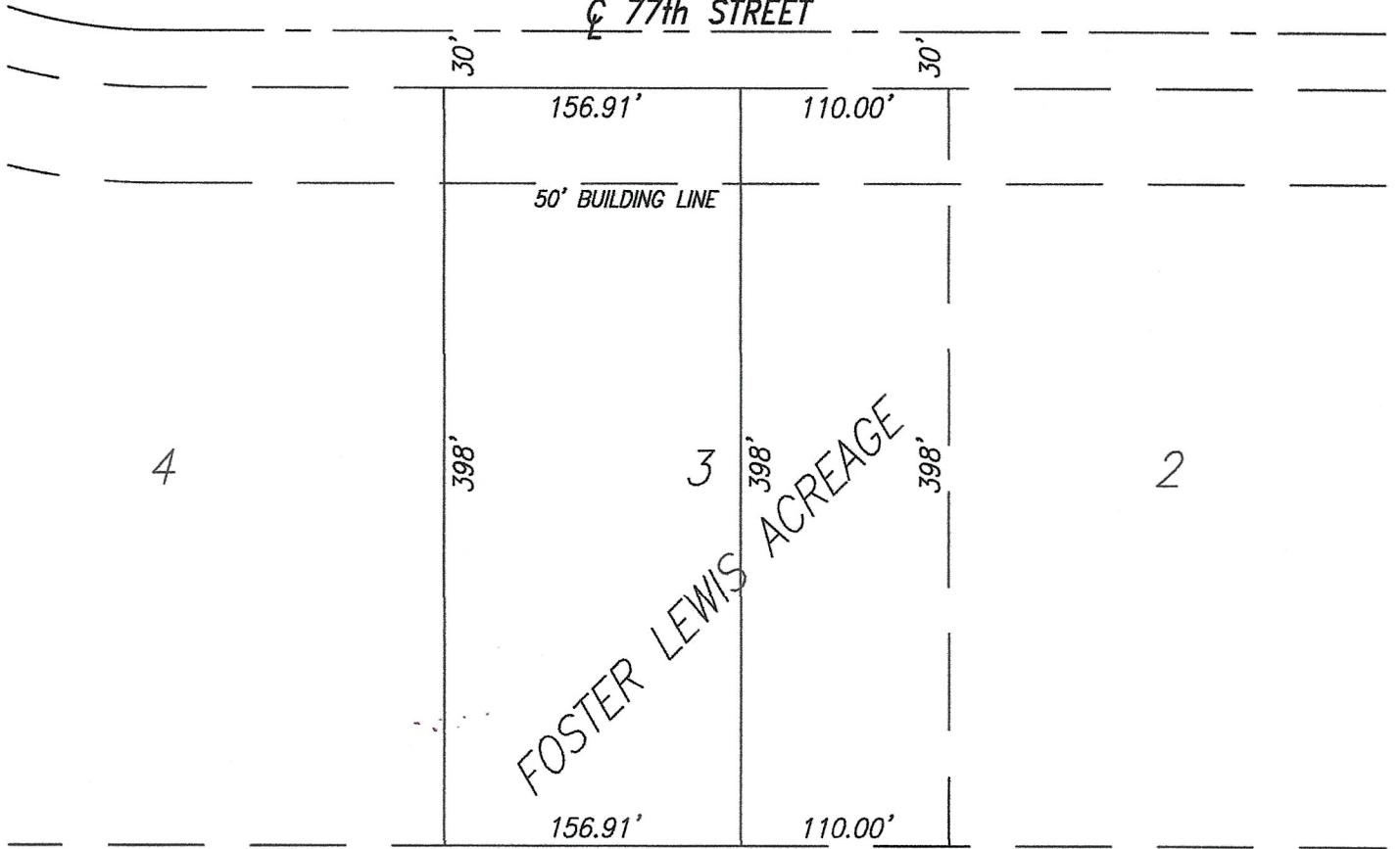


10 18-14



PLAT OF SURVEY

☞ 77th STREET



LEGAL DESCRIPTION:

The West 156.91 feet of Lot 3 of FOSTER LEWIS ACREAGE to the Town of Broken Arrow, Tulsa County, Oklahoma according to plat number # 1966 filed in the records of the Tulsa County Clerk.

CERTIFICATE OF SURVEY:

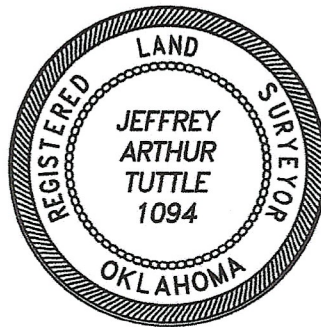
I, JEFFREY A. Tuttle, certify that this survey meets the Oklahoma Minimum Standards for the practice of land surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

By:

Jeffrey A. Tuttle
 Jeffrey A. Tuttle
 Professional Land Surveyor
 Oklahoma No. 1094

11-18-24
 Date of signature

11-18-24
 Date of last site visit



1"=100'

TUTTLE & ASSOCIATES, INC.

P.O. Box 471313
 Tulsa, Oklahoma 74147-1313
 Phone: (918) 663-5567

Date: 11/18/24

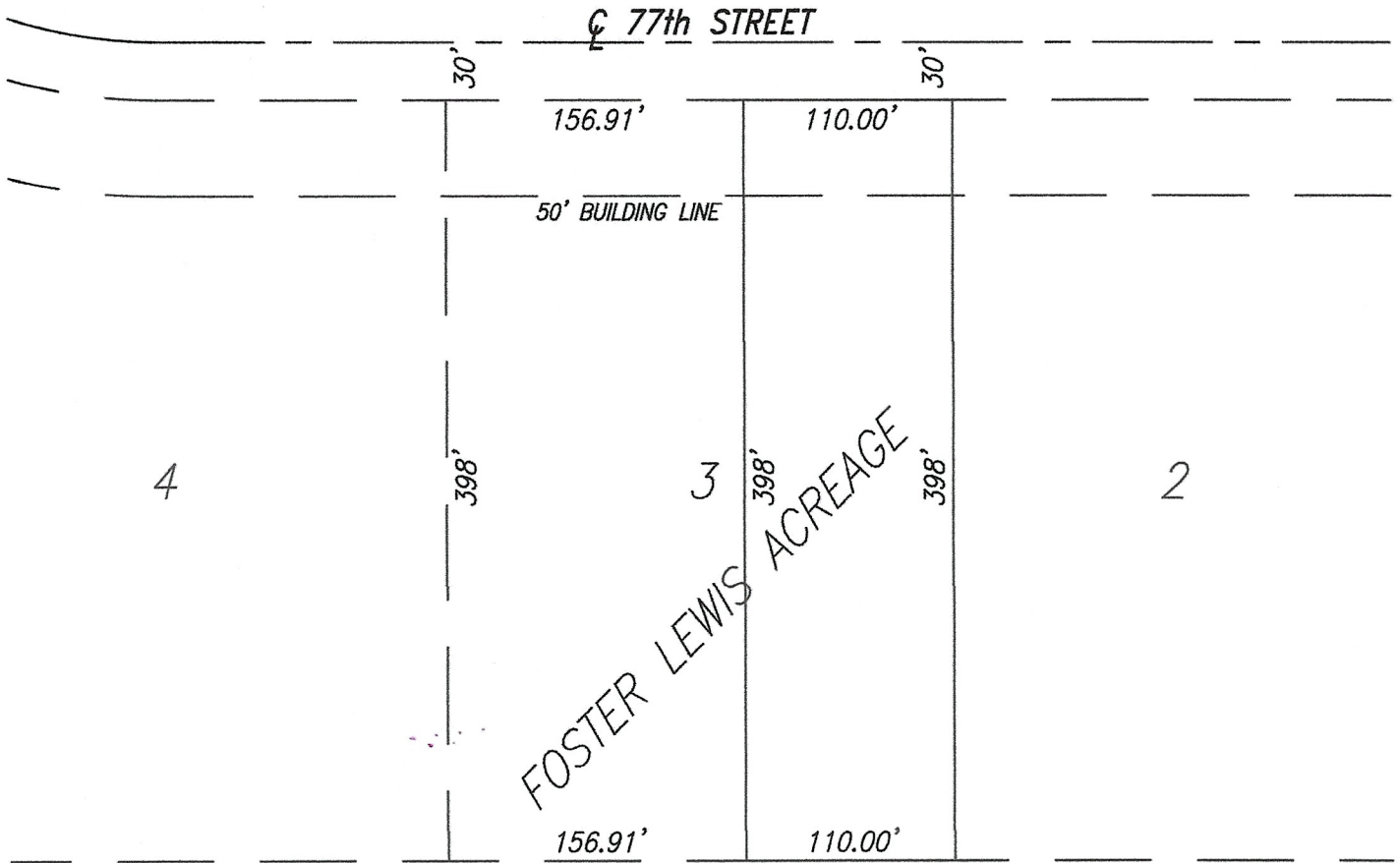
Drawn: RWT

Checked: JAT

Job Number: 5122

Sheet 2 of 3 **35**

PLAT OF SURVEY



LEGAL DESCRIPTION:

The East 110.00 feet of Lot 3 of FOSTER LEWIS ACREAGE to the Town of Broken Arrow, Tulsa County, Oklahoma according to plat number # 1966 filed in the records of the Tulsa County Clerk.

CERTIFICATE OF SURVEY:

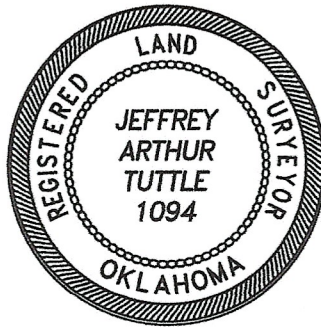
I, JEFFREY A. Tuttle, certify that this survey meets the Oklahoma Minimum Standards for the practice of land surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

By:

Jeffrey A. Tuttle
 Jeffrey A. Tuttle
 Professional Land Surveyor
 Oklahoma No. 1094

11-18-24
 Date of signature

11-18-24
 Date of last site visit



1"=100'

TUTTLE & ASSOCIATES, INC.

P.O. Box 471313
 Tulsa, Oklahoma 74147-1313
 Phone: (918) 663-5567

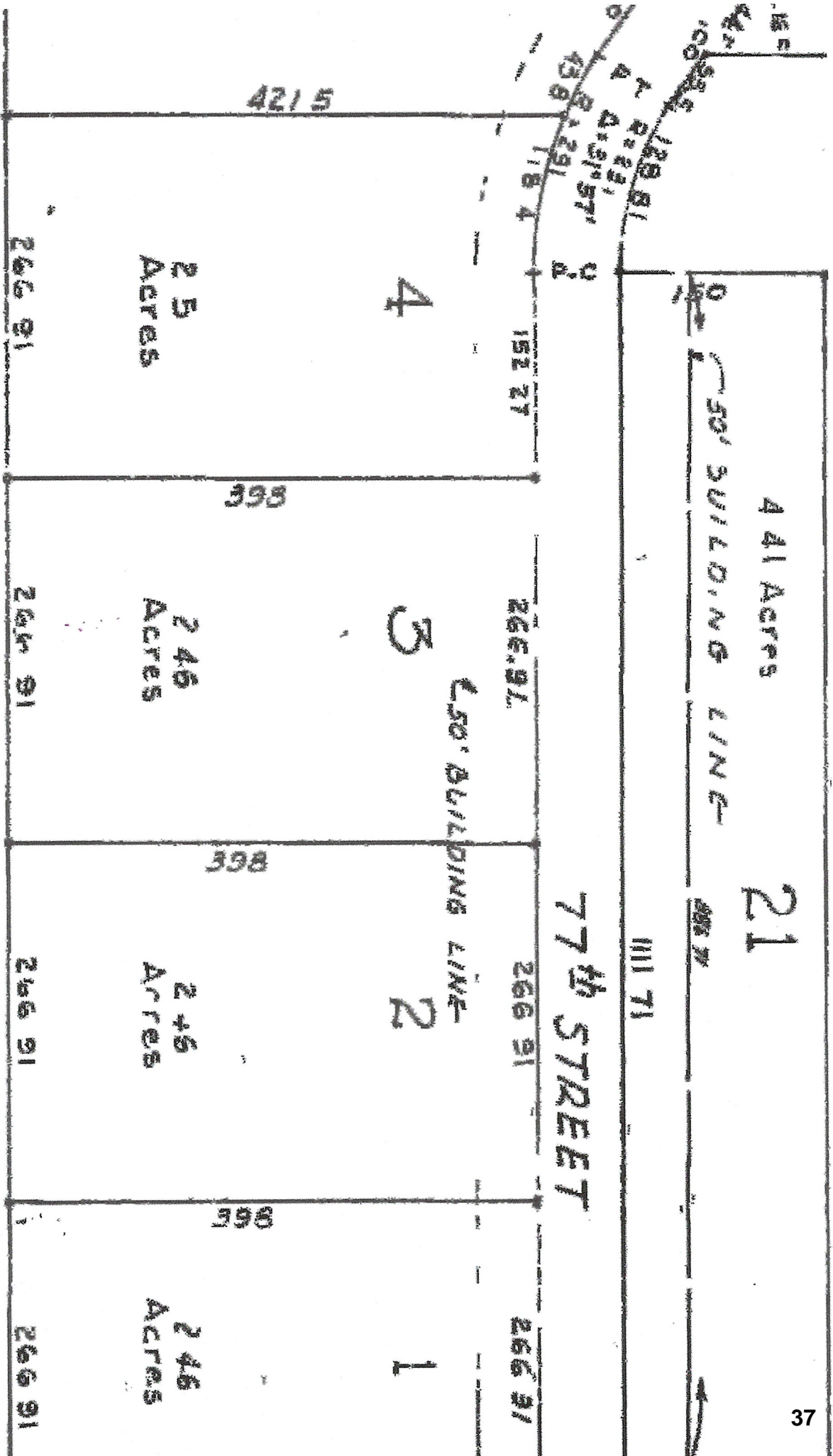
Date: 11/18/24

Drawn: RWT

Checked: JAT

Job Number: 5122

Sheet 2 of 3 **36**



ED

CIAL

STATE OF OKLAHOMA }
 COUNTY OF TULSA } 55



City of Broken Arrow

Request for Action

File #: 24-1660, **Version:** 1

Broken Arrow Planning Commission
12-19-2024

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

Public hearing, consideration, and possible action regarding COMP-001761-2024 (Comprehensive Plan Change), 510M, 3.46 acres, Level 3 (Transition Area) & Level 6 (Regional Employment/Commercial) to Level 3, located approximately one-third mile north of Kenosha Street (71st Street), east of Elm Place (161st E. Avenue).

Background:

Applicant: Jared James
Owner: Jared James, NPG Ventures, LLC
Developer: N/A
Engineer: N/A
Location: approximately one-third mile north of Kenosha Street (71st Street), east of Elm Place (161st E. Avenue)
Size of Tract 3.46 acres
Number of Lots: 1
Present Zoning: CN (Commercial Neighborhood), CH (Commercial Heavy), & ON (Office Neighborhood)
Comp Plan: Level 3 (Transition Area) & Level 6 (Regional Employment/Commercial)
Requested: Level 3 (Transition Area)

COMP-001761-2024 is a request to change the Comprehensive Plan designation from Level 3 & 6 to Level 3 on approximately 3.46 acres platted as Lot 1, Block 1, Northside Christian Church The property is located north of Kenosha Street, east of Elm Place.

The applicant is requesting this change to the comprehensive plan for the purpose of rezoning the property for a future commercial development. Pending approval of this amendment to the comprehensive plan, the applicant has submitted a rezoning request to change the zoning to ON (Office Neighborhood). No additional information has been provided at this time.

Amending the Comprehensive Plan to Level 3 could potentially support a future rezoning to any zoning district identified as possible or allowed within the Comprehensive Plan level. Table 4-1: Land Use Intensity System Zoning District Table, of the Comprehensive Plan identifies these potential districts.

Table 4-1: Land Use Intensity System Zoning Districts Table

Zoning Districts	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7
A-1: Agricultural District	Allowed						
RE: Residential Estate District	Allowed						
RS-1: SF Residential District	Allowed						
R-2: SF Residential District	Possible	Allowed	Possible				
RS-2: SF Residential District	Possible	Allowed	Possible				
RS-3: SF Residential District	Possible	Allowed	Possible				
RS-4: SF Residential District		Allowed	Allowed				
RD: Residential Duplex District		Possible	Allowed				
RM: Residential MF District			Allowed	Possible	Possible		
RMH: Residential Mobile Home District			Allowed				
NM: Neighborhood Mixed Use District			Allowed	Allowed			
CM: Community Mixed-Use District			Possible	Allowed			
DM: Downtown Mixed-Use Core District					Allowed		
DF: Downtown Fringe District					Allowed		
ON: Office Neighborhood District		Possible	Allowed	Allowed	Possible		
CN: Commercial Neighborhood District				Allowed	Possible	Allowed	
CG: Commercial General District				Allowed	Possible	Allowed	
CH: Commercial Heavy District						Allowed	Possible
IL: Industrial Light District						Possible	Allowed
IH: Industrial Heavy District							Allowed

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	Use
North	Level 3 & 6	CH & RM	Church
East	Level 6	CH & CN	Church & Daycare
South	Level 6	CH	Undeveloped
West	Level 6	RM	Undeveloped

According to FEMA Maps, none of this property is located within the 100-year floodplain, but a blue line stream does cross a portion of the east side. Water and Sanitary Sewer are available from the City of Broken Arrow.

Attachments: Case Map
Aerial Photo

Current Comprehensive Plan Map

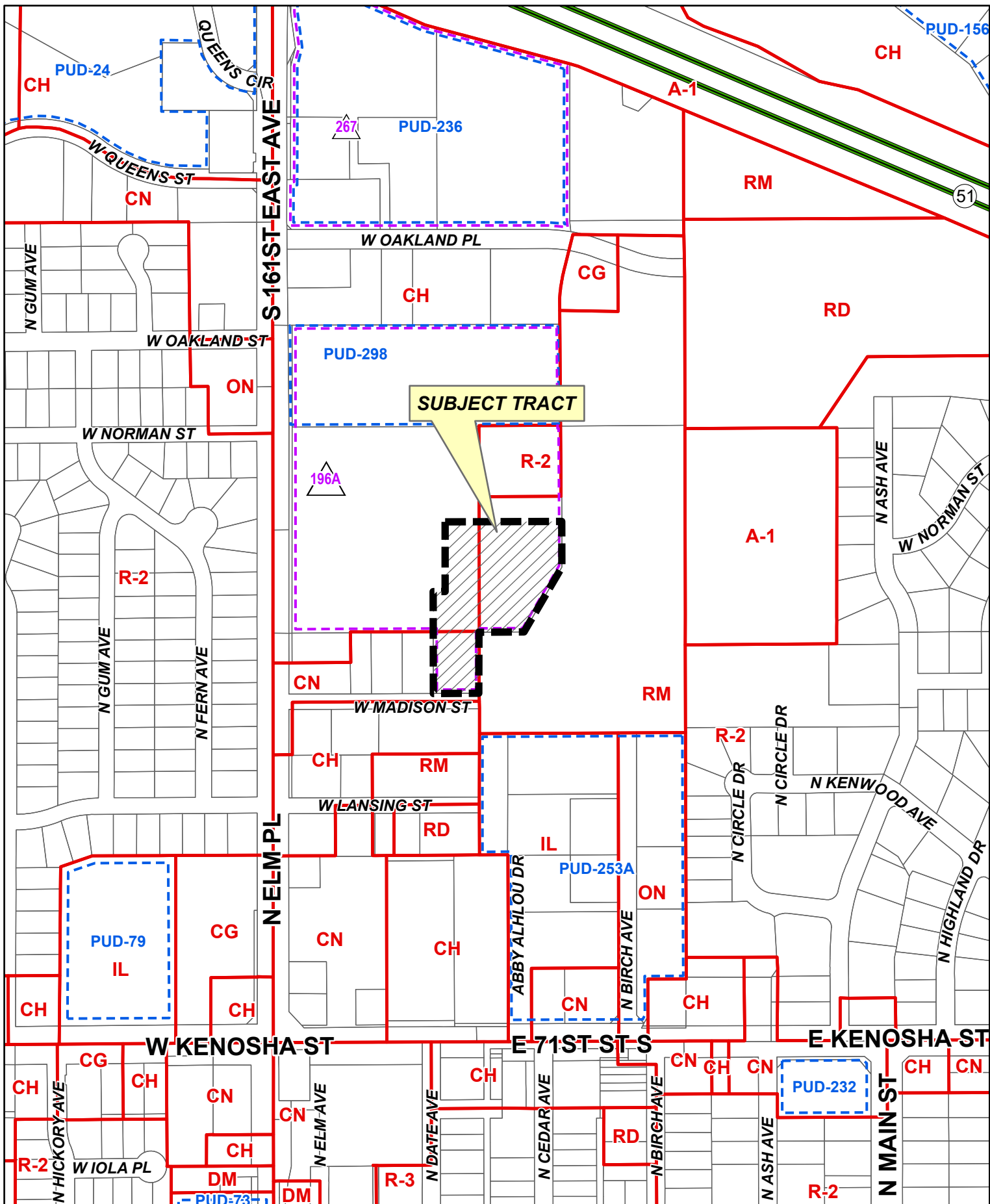
Recommendation:

Based on the location of the property and surrounding land uses, Staff recommends COMP-001761-2024 be approved.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

JTH



SUBJECT TRACT

COMP-001761-2024

02 18-14



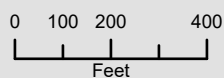
SUBJECT TRACT

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



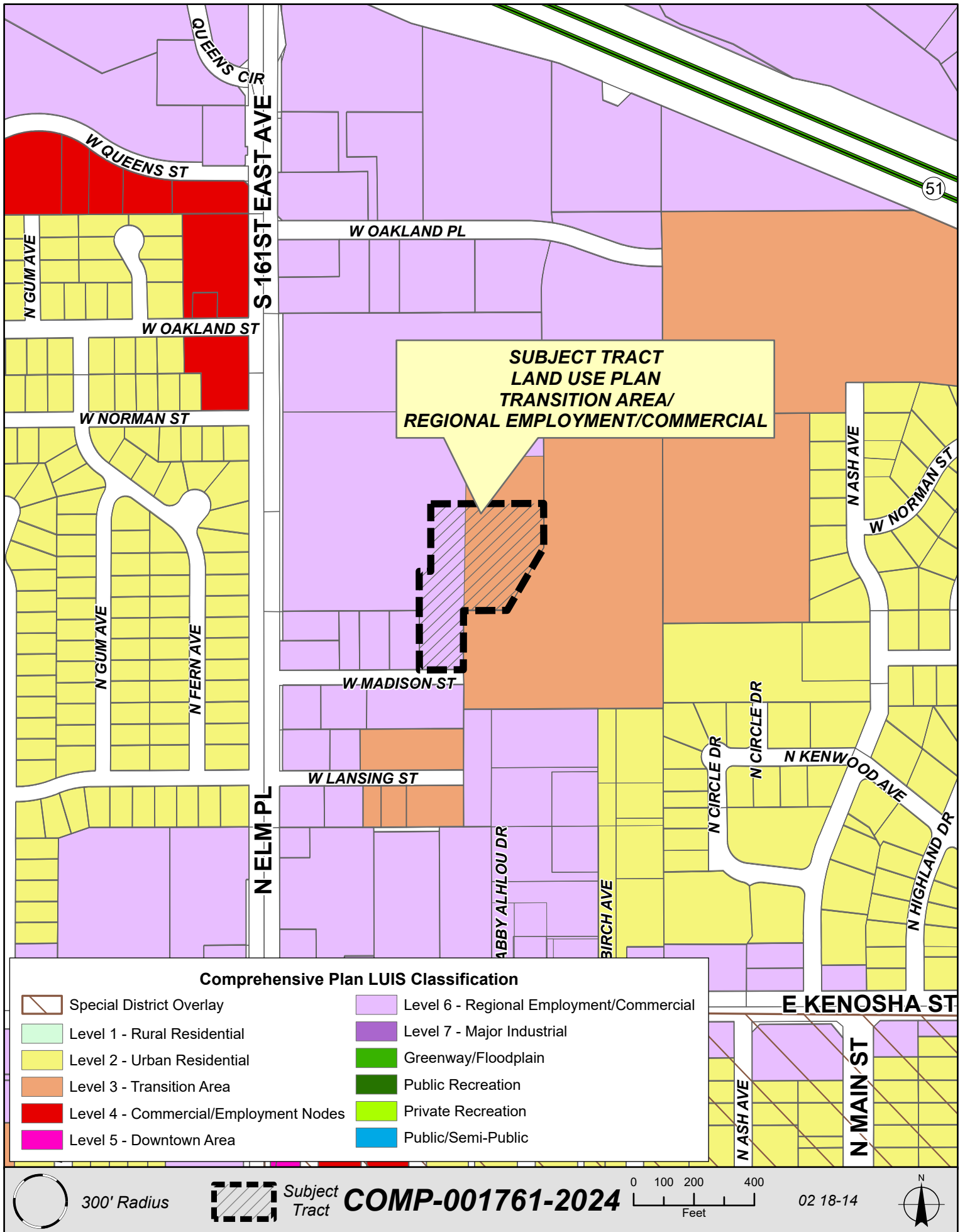
Subject Tract

COMP-001761-2024



02 18-14





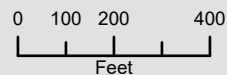
Comprehensive Plan LUIS Classification

- | | | | |
|--|---------------------------------------|--|--|
| | Special District Overlay | | Level 6 - Regional Employment/Commercial |
| | Level 1 - Rural Residential | | Level 7 - Major Industrial |
| | Level 2 - Urban Residential | | Greenway/Floodplain |
| | Level 3 - Transition Area | | Public Recreation |
| | Level 4 - Commercial/Employment Nodes | | Private Recreation |
| | Level 5 - Downtown Area | | Public/Semi-Public |



Subject Tract

COMP-001761-2024



02 18-14





City of Broken Arrow

Request for Action

File #: 24-1661, **Version:** 1

Broken Arrow Planning Commission
12/19/2024

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

Public hearing, consideration, and possible action regarding COMP-001872-2024 (Comprehensive Plan Change), Furniture Row Lot Split, 1.63 acres, Level 3 (Transition Area) to Level 6 (Regional Employment/Commercial), located approximately one-half mile north of Kenosha Street (71st Street), one-third mile east of Elm Place (161st E. Avenue).

Background:

Applicant: Erik Enyart, Tanner Consulting & Nathan Cross, Doerner, Saunders, Daniel & Anderson LLP

Owner: Brenden Maves, Furniture Row USA, LLC

Developer: N/A

Engineer: N/A

Location: approximately one-half mile north of Kenosha Street (71st Street), one-third mile east of Elm Place (161st E. Avenue).

Size of Tract: 1.63 acres

Number of Lots: 1

Present Zoning: RD (Residential Duplex)

Comp Plan: Level 3 (Transition Area)

Requested: Level 6 (Regional Employment/Commercial)

COMP-001872-2024 is a request to change the Comprehensive Plan designation from Level 3 to Level 6 on approximately 1.63 acres which is currently unplatted. The property is located approximately one-half mile north of Kenosha Street, one-third mile east of Elm Place.

The applicant is requesting this change to the comprehensive plan for the purpose of rezoning and Planned Unit Development. Pending approval of this amendment to the comprehensive plan, the applicant intends to submit a rezoning request to change the zoning. The applicant has not provided a draft PUD document or conceptual plans for future development.

Amending the Comprehensive Plan to Level 6 could potentially support a future rezoning to any zoning district identified as possible or allowed within the Comprehensive Plan level. Table 4-1: Land Use Intensity System Zoning District Table, of the Comprehensive Plan identifies these potential districts.

Table 4-1: Land Use Intensity System Zoning Districts Table

Zoning Districts	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7
A-1: Agricultural District	Allowed						
RE: Residential Estate District	Allowed						
RS-1: SF Residential District	Allowed						
R-2: SF Residential District	Possible	Allowed	Possible				
RS-2: SF Residential District	Possible	Allowed	Possible				
RS-3: SF Residential District	Possible	Allowed	Possible				
RS-4: SF Residential District		Allowed	Allowed				
RD: Residential Duplex District		Possible	Allowed				
RM: Residential MF District			Allowed	Possible	Possible		
RMH: Residential Mobile Home District			Allowed				
NM: Neighborhood Mixed Use District			Allowed	Allowed			
CM: Community Mixed-Use District			Possible	Allowed			
DM: Downtown Mixed-Use Core District					Allowed		
DF: Downtown Fringe District					Allowed		
ON: Office Neighborhood District		Possible	Allowed	Allowed	Possible		
CN: Commercial Neighborhood District				Allowed	Possible	Allowed	
CG: Commercial General District				Allowed	Possible	Allowed	
CH: Commercial Heavy District						Allowed	Possible
IL: Industrial Light District						Possible	Allowed
IH: Industrial Heavy District							Allowed

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 3	RD	Undeveloped
East	Level 3	RD	Undeveloped
South	Level 3	A-1	Undeveloped
West	Level 6	RM	Undeveloped

According to FEMA Maps, none of this property is located within the 100-year floodplain. Water and Sanitary Sewer are available from the City of Broken Arrow.

Attachments: Case Map
Aerial Photo

Current Comprehensive Plan Map

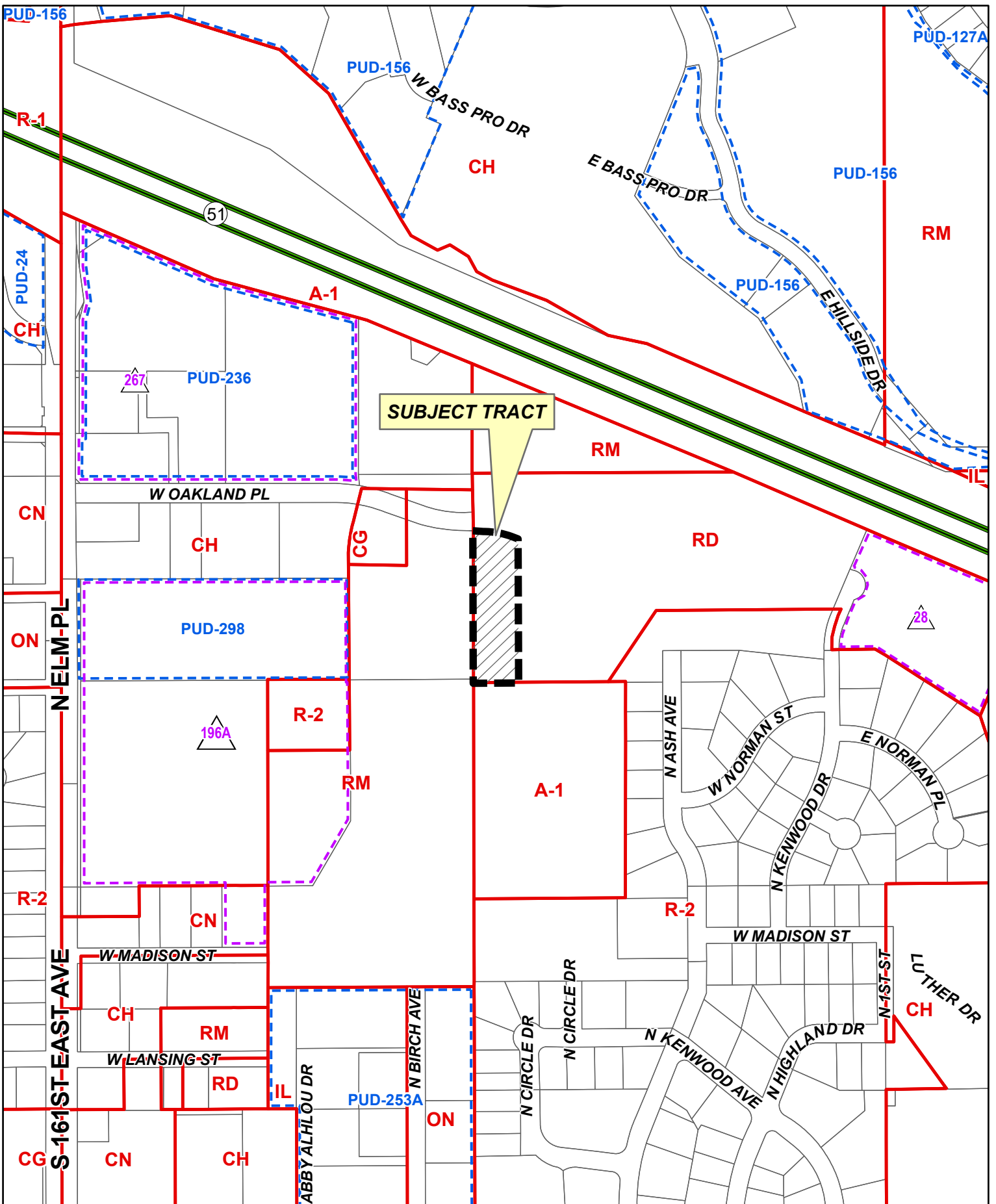
Recommendation:

Based on the location of the property and surrounding land uses, Staff recommends COMP-001872-2024 be approved.

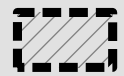
Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

JTH

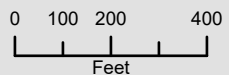


SUBJECT TRACT



Subject Tract

COMP-001872-2024



02 18-14





SUBJECT TRACT

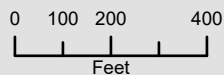


Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2023



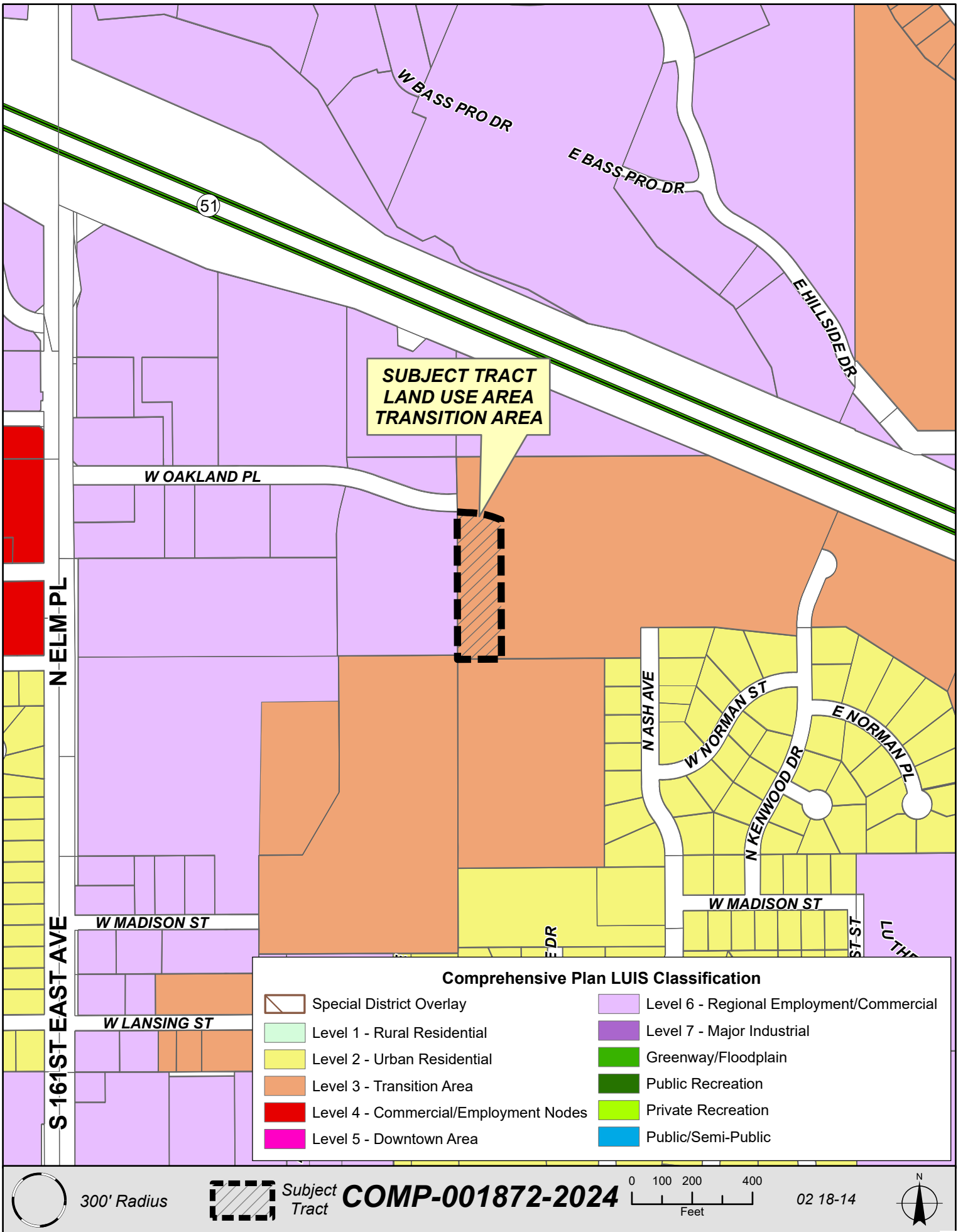
Subject Tract

COMP-001872-2024



02 18-14





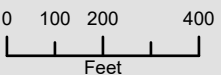
**SUBJECT TRACT
LAND USE AREA
TRANSITION AREA**

COMP-001872-2024

300' Radius



Subject Tract



02 18-14





City of Broken Arrow

Request for Action

File #: 24-1665, **Version:** 1

Broken Arrow Planning Commission
12/19/2024

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

Public hearing, consideration, and possible action regarding COMP-001874-2024 (Comprehensive Plan Change), Bel Lago, 17.2 acres, Level 2 (Urban Residential) to Level 3 (Transition Area), located approximately one-quarter mile north of Houston Street (81st Street), one-half mile west of Evans Road (225th E. Avenue).

Background:

Applicant: Jeffrey Tuttle, Tuttle & Associates, Inc.
Owner: Pat Mcguire
Developer: N/A
Engineer: N/A
Location: approximately one-quarter mile north of Houston Street (81st Street), one-half mile west of Evans Road (225th E. Avenue)
Size of Tract 17.2 acres
Number of Lots: 1
Present Zoning: A-1 (Agriculture)
Comp Plan: Level 2 (Transition Area)
Request: Level 3 (Transition Area)

COMP-001874-2024 is a request to change the Comprehensive Plan designation from Level 2 to Level 3 on approximately 17.2 acres which is currently unplatted. The property is located approximately one-quarter mile north of Houston Street, one-half mile west of Evans Road.

The applicant is requesting this change to the comprehensive plan for the purpose of a potential residential development. Pending approval of this amendment to the comprehensive plan, the applicant intends to submit a rezoning request to change the zoning with a PUD. The applicant has not provided a draft PUD document or conceptual plans/regulations for this development.

Amending the Comprehensive Plan to Level 3 could potentially support a future rezoning to any zoning district identified as possible or allowed within the Comprehensive Plan level. Table 4-1: Land Use Intensity System Zoning District Table, of the Comprehensive Plan identifies these potential districts.

Table 4-1: Land Use Intensity System Zoning Districts Table

Zoning Districts	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7
A-1: Agricultural District	Allowed						
RE: Residential Estate District	Allowed						
RS-1: SF Residential District	Allowed						
R-2: SF Residential District	Possible	Allowed	Possible				
RS-2: SF Residential District	Possible	Allowed	Possible				
RS-3: SF Residential District	Possible	Allowed	Possible				
RS-4: SF Residential District		Allowed	Allowed				
RD: Residential Duplex District		Possible	Allowed				
RM: Residential MF District			Allowed	Possible	Possible		
RMH: Residential Mobile Home District			Allowed				
NM: Neighborhood Mixed Use District			Allowed	Allowed			
CM: Community Mixed-Use District			Possible	Allowed			
DM: Downtown Mixed-Use Core District					Allowed		
DF: Downtown Fringe District					Allowed		
ON: Office Neighborhood District		Possible	Allowed	Allowed	Possible		
CN: Commercial Neighborhood District				Allowed	Possible	Allowed	
CG: Commercial General District				Allowed	Possible	Allowed	
CH: Commercial Heavy District						Allowed	Possible
IL: Industrial Light District						Possible	Allowed
IH: Industrial Heavy District							Allowed

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	IL & PUD 256	industrial
East	Level 2	RS-3	residential
South	Level 2 & 3	RS-3	residential
West	Level 3	A-1	undeveloped

According to FEMA Maps, none of this property is located within the 100-year floodplain. Water and Sanitary Sewer are available from the City of Broken Arrow, but a blue line stream follows the eastern boundary.

- Attachments:** Case Map
 Aerial Photo
 Current Comprehensive Plan Map

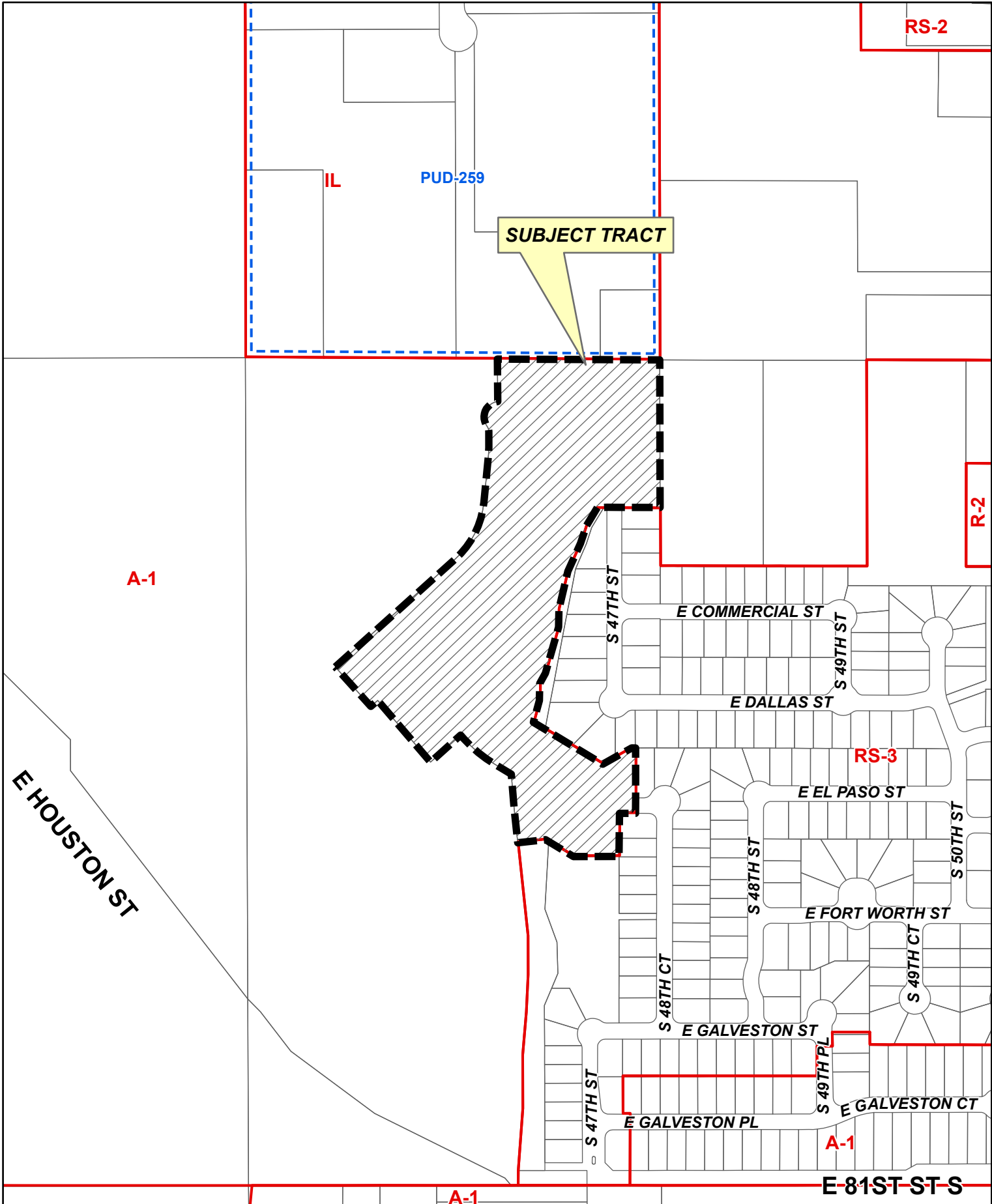
Recommendation:

Based on the location of the property and surrounding land uses, Staff recommends COMP-001874-2024 be approved.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

JTH

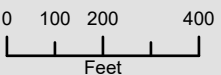


300' Radius



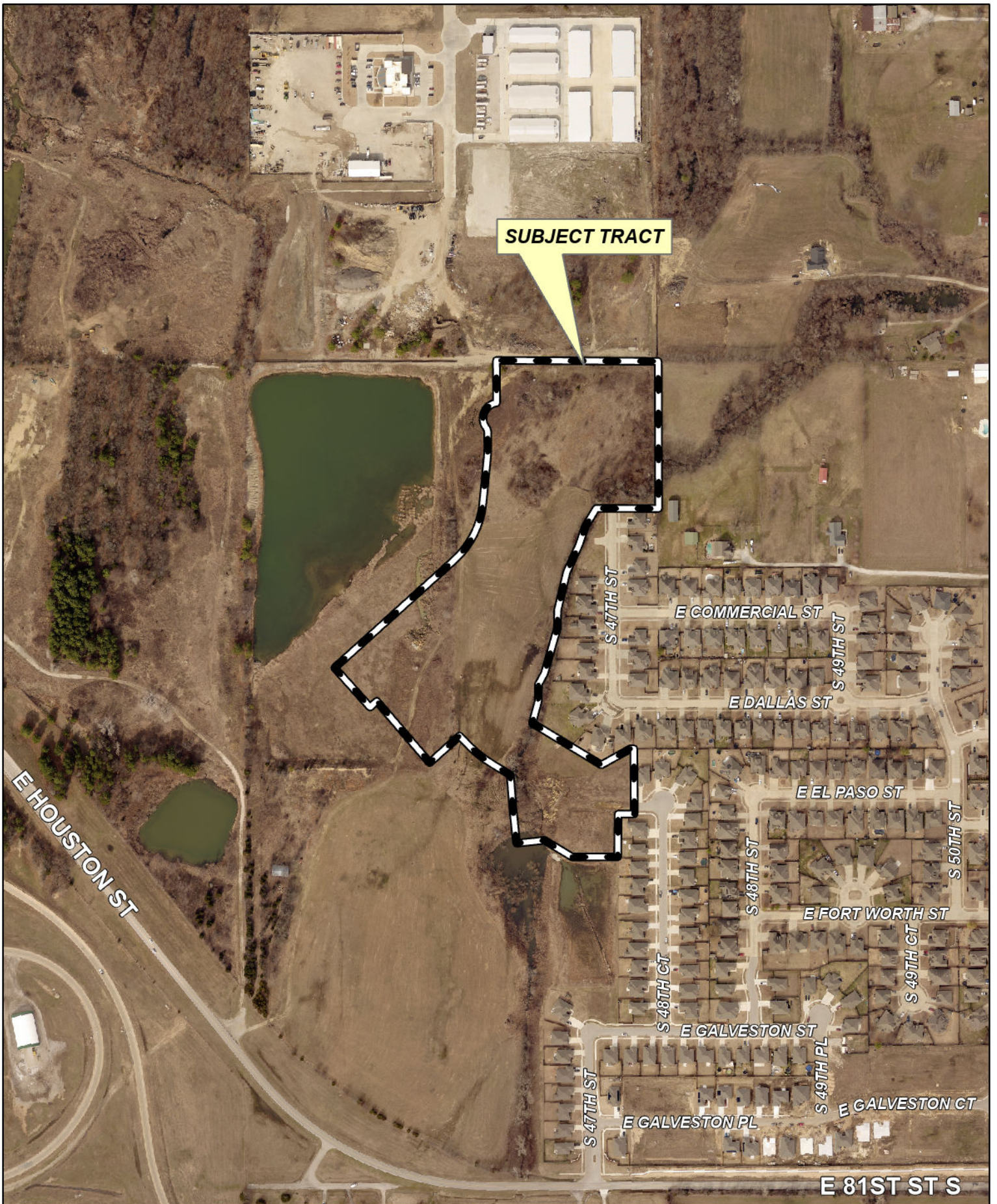
Subject Tract

COMP-001874-2024



08 18-15





SUBJECT TRACT

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



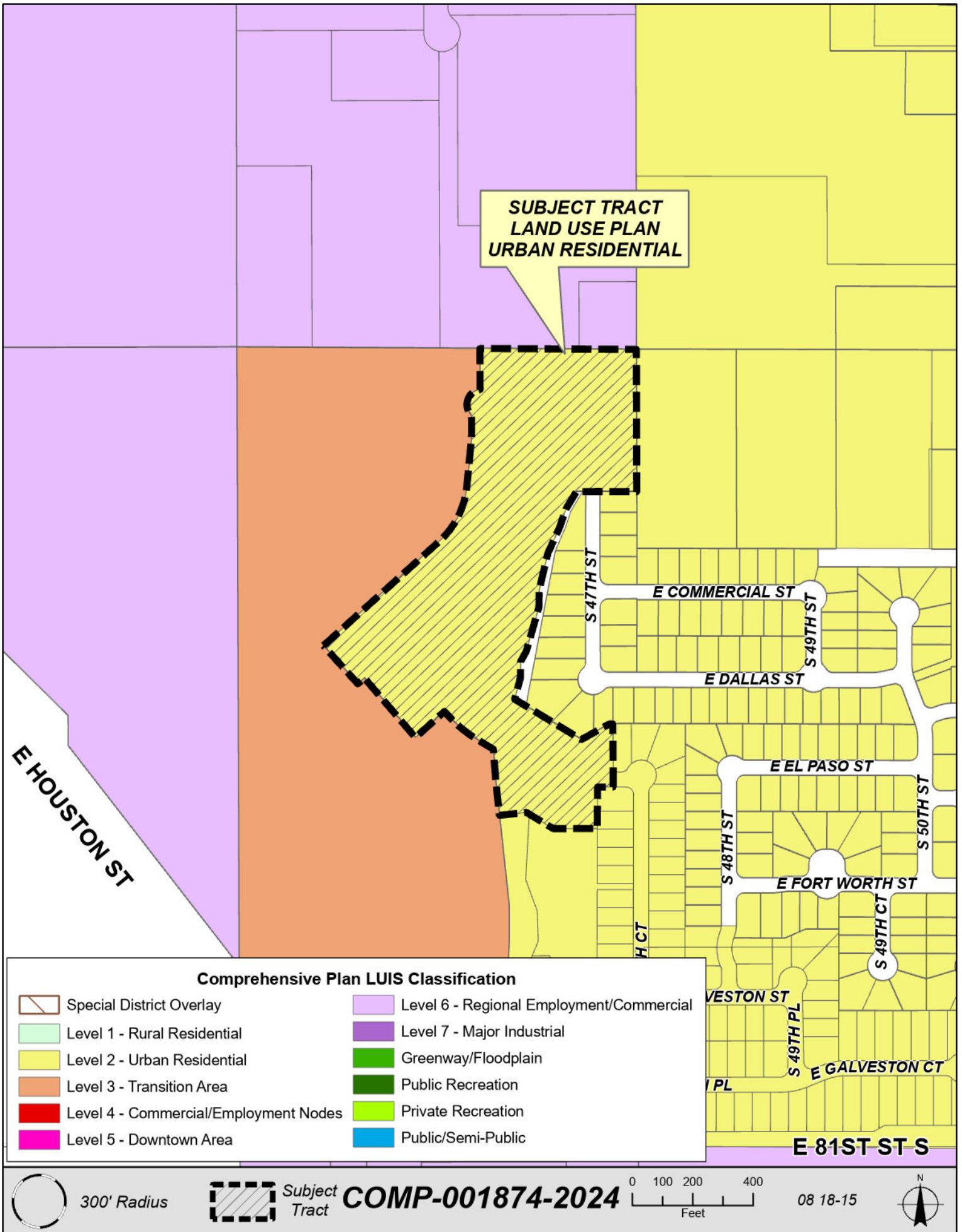
Subject Tract

COMP-001874-2024



08 18-15







City of Broken Arrow

Request for Action

File #: 24-1668, **Version:** 1

**Broken Arrow Planning Commission
12-19-2024**

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

Public hearing, consideration, and possible action regarding COMP-001746-2024 (Comprehensive Plan Change), College Street Development, 30.14 acres, Level 6 to Level 3, located west of County Line Road (23rd Street) and half a mile north of Houston Street (81st Street)

Background:

Applicant: Kaitlyn Turner
Owner: East Kenosha Development, LLC
Developer: Williams, Box, Forshee and Bullard
Engineer: N/A
Location: West of County Line Road (23rd Street) and half a mile north of Houston Street (81st Street)
Size of Tract 30.14 Acres
Number of Lots: 1
Present Zoning: A-1 (Agriculture)
Comp Plan: Level 6 (Regional Employment/Commercial)

On Thursday December 12th, staff received an email from the applicant requesting that COMP-001746-2024 be continued until January 9th, 2024 to allow time for a community meeting with the neighboring property owners.

COMP-001746-2024 is a request to change the Comprehensive Plan designation from Level 6 to Level 3 on approximately 30.14 acres, which is currently unplatted. The property is located approximately west of County Line Road (23rd Street) and half a mile north of Houston Street (81st Street).

The applicant is requesting this change to the comprehensive plan for the purpose of rezoning to RM (Residential Multi-Family) with a PUD (Planned Unit Development). The attached conceptual site plan shows the most up to date plans that staff has, which shows multi-family and a form of an assisted living facility.

Amending the Comprehensive Plan to Level 3 could potentially support a future rezoning to any zoning district identified as possible or allowed within the Comprehensive Plan level. Table 4-1: Land Use Intensity System Zoning District Table, of the Comprehensive Plan identifies these potential districts.

Table 4-1: Land Use Intensity System Zoning Districts Table

Zoning Districts	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7
A-1: Agricultural District	Allowed						
RE: Residential Estate District	Allowed						
RS-1: SF Residential District	Allowed						
R-2: SF Residential District	Possible	Allowed	Possible				
RS-2: SF Residential District	Possible	Allowed	Possible				
RS-3: SF Residential District	Possible	Allowed	Possible				
RS-4: SF Residential District		Allowed	Allowed				
RD: Residential Duplex District		Possible	Allowed				
RM: Residential MF District			Allowed	Possible	Possible		
RMH: Residential Mobile Home District			Allowed				
NM: Neighborhood Mixed Use District			Allowed	Allowed			
CM: Community Mixed-Use District			Possible	Allowed			
DM: Downtown Mixed-Use Core District					Allowed		
DF: Downtown Fringe District					Allowed		
ON: Office Neighborhood District		Possible	Allowed	Allowed	Possible		
CN: Commercial Neighborhood District				Allowed	Possible	Allowed	
CG: Commercial General District				Allowed	Possible	Allowed	
CH: Commercial Heavy District						Allowed	Possible
IL: Industrial Light District						Possible	Allowed
IH: Industrial Heavy District							Allowed

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	A-1 (Agriculture)	Undeveloped
East	Level 3	A-1 (Agriculture)	Undeveloped
South	Level 6	A-1 (Agriculture)	Undeveloped
West	Level 1	R-1	Residential

According to FEMA Maps, none of this property is located within the 100-year floodplain. Water and Sanitary Sewer are available from the City of Broken Arrow.

Attachments: Case Map
Aerial Photo

Comprehensive Plan Map

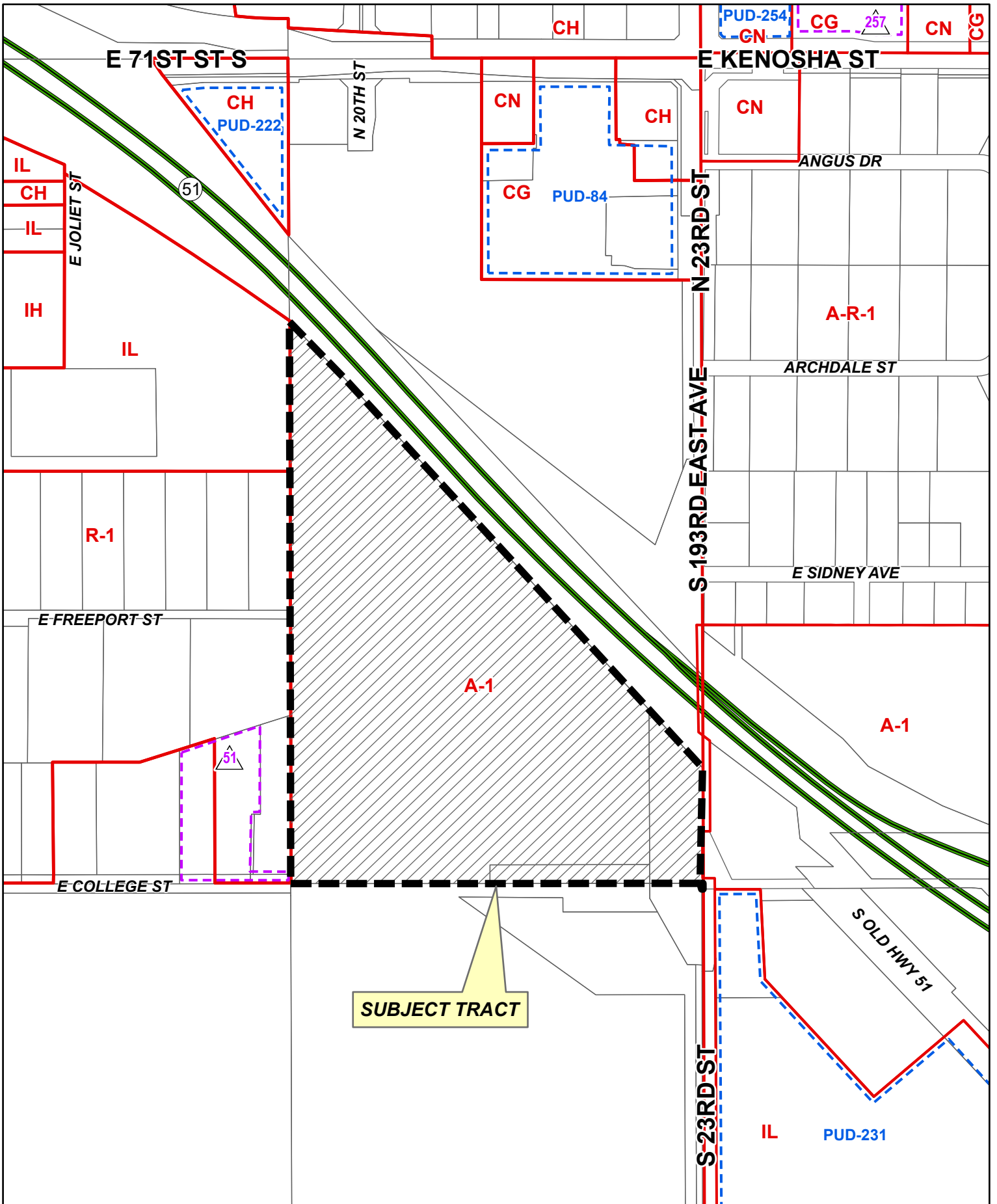
Recommendation:

Staff recommends COMP-001746-2024 be continued to the January 9th Planning Commission per the applicant's request.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

HMB



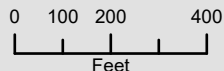
SUBJECT TRACT

COMP-001746-2024

300' Radius



Subject Tract



12 18-14





E 71ST ST S

E KENOSHA ST

N 20TH ST

ANGUS DR

51

N 23RD ST

E JOLIET ST

ARCHDALE ST

S 193RD EAST AVE

E SIDNEY AVE

E FREEPORT ST

E COLLEGE ST

S 23RD ST

S OLD HWY 51

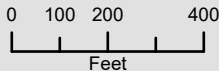
SUBJECT TRACT

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



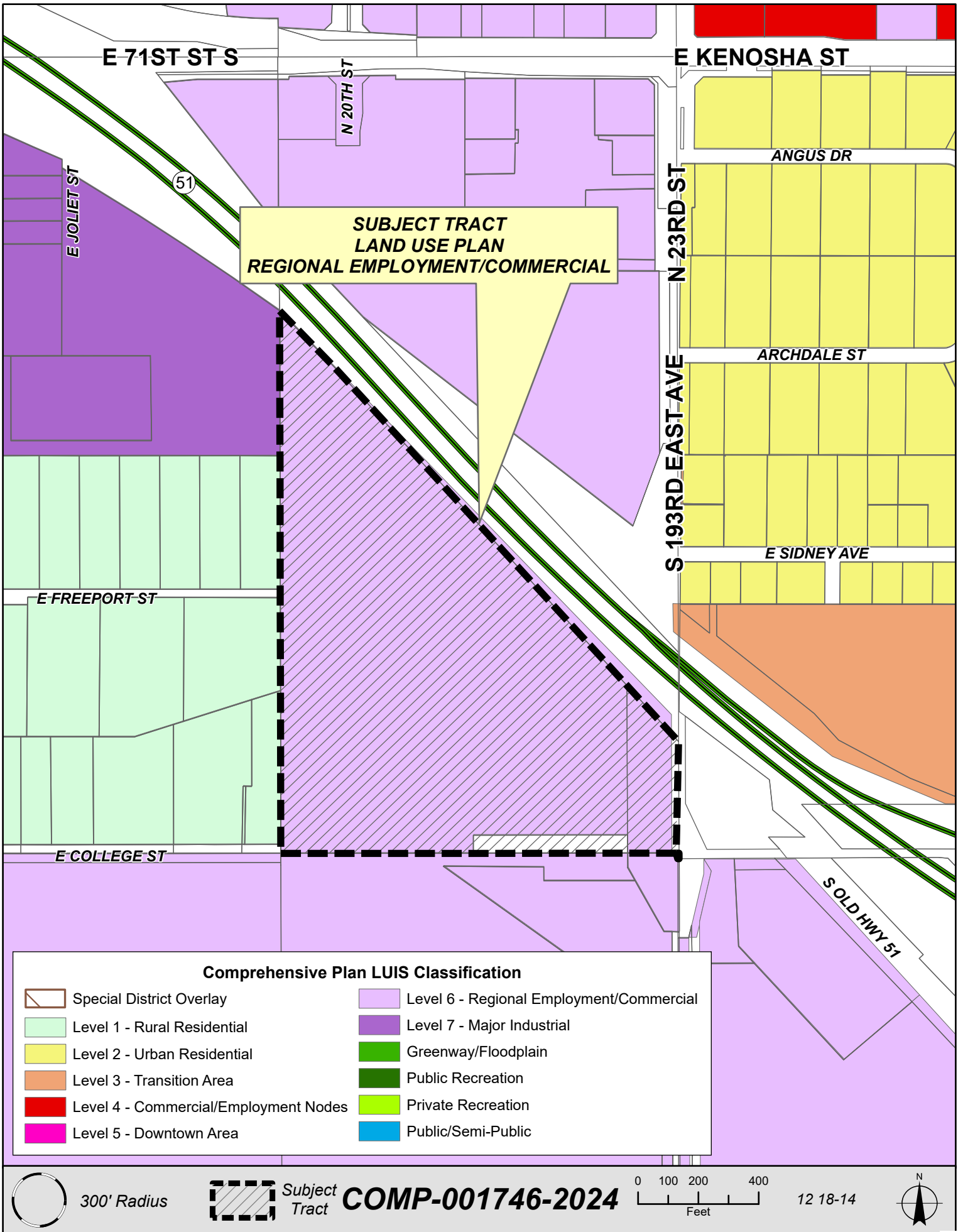
Subject Tract

COMP-001746-2024



12 18-14





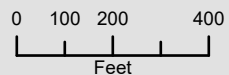
**SUBJECT TRACT
LAND USE PLAN
REGIONAL EMPLOYMENT/COMMERCIAL**

Comprehensive Plan LUIS Classification

	Special District Overlay		Level 6 - Regional Employment/Commercial
	Level 1 - Rural Residential		Level 7 - Major Industrial
	Level 2 - Urban Residential		Greenway/Floodplain
	Level 3 - Transition Area		Public Recreation
	Level 4 - Commercial/Employment Nodes		Private Recreation
	Level 5 - Downtown Area		Public/Semi-Public



Subject Tract **COMP-001746-2024**



12 18-14





City of Broken Arrow

Request for Action

File #: 24-1669, Version: 1

**Broken Arrow Planning Commission
12-19-2024**

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

Public hearing, consideration, and possible action regarding BAZ-001873-2024 (Rezoning), Davis Duplex, 0.41 acres, R-3 (Single-Family Residential) to RD (Residential Duplex), located one half mile north of Houston Street (81st Street), East of Lynn Lane (9th Street)

Background:

Applicant: Trent Harris
Owner: Jacob Davis
Developer: N/A
Engineer: N/A
Location: One half mile north of Houston Street (81st Street), East of Lynn Lane (9th Street)
Size of Tract 0.41 acres
Number of Lots: 1
Present Zoning: R-3 (Single-Family Residential)
Proposed Zoning: R-D (Residential Duplex)
Comp Plan: Level 2 (Urban Residential)

BAZ-001873-2024 is a request to change the zoning designation on 0.41 acres from R-3 (Single Family Residential) to RD (Residential Duplex). The property is one half mile north of Houston Street (81st Street), East of Lynn Lane (9th Street), and is currently unplatted.

The property owner has applied for a lot split (LOT-001877-2024), and intends to build a duplex on each of the lots. This would have 4 total dwelling units on the property.

The subject property is Comprehensive Plan Level 2, which labels RD as possible. In the Land Use Intensity System (attached) it explains that rezoning to RD is supported by the comprehensive plan level 2 as long as it is done along an arterial street, which this project is. This means that BAZ-001873-2024 is supported by the comprehensive plan.

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 2	R-3	Single-Family Residential
East	Level 3	RM	Multi-Family
South	Level 2	R-3	Single-Family Residential
West	Public/Semi-Public	R-3	School

According to FEMA’s National Flood Hazard Layer, none of the property is located in the 100-year floodplain.

Attachments: Case Map
Aerial
Land Use Intensity System

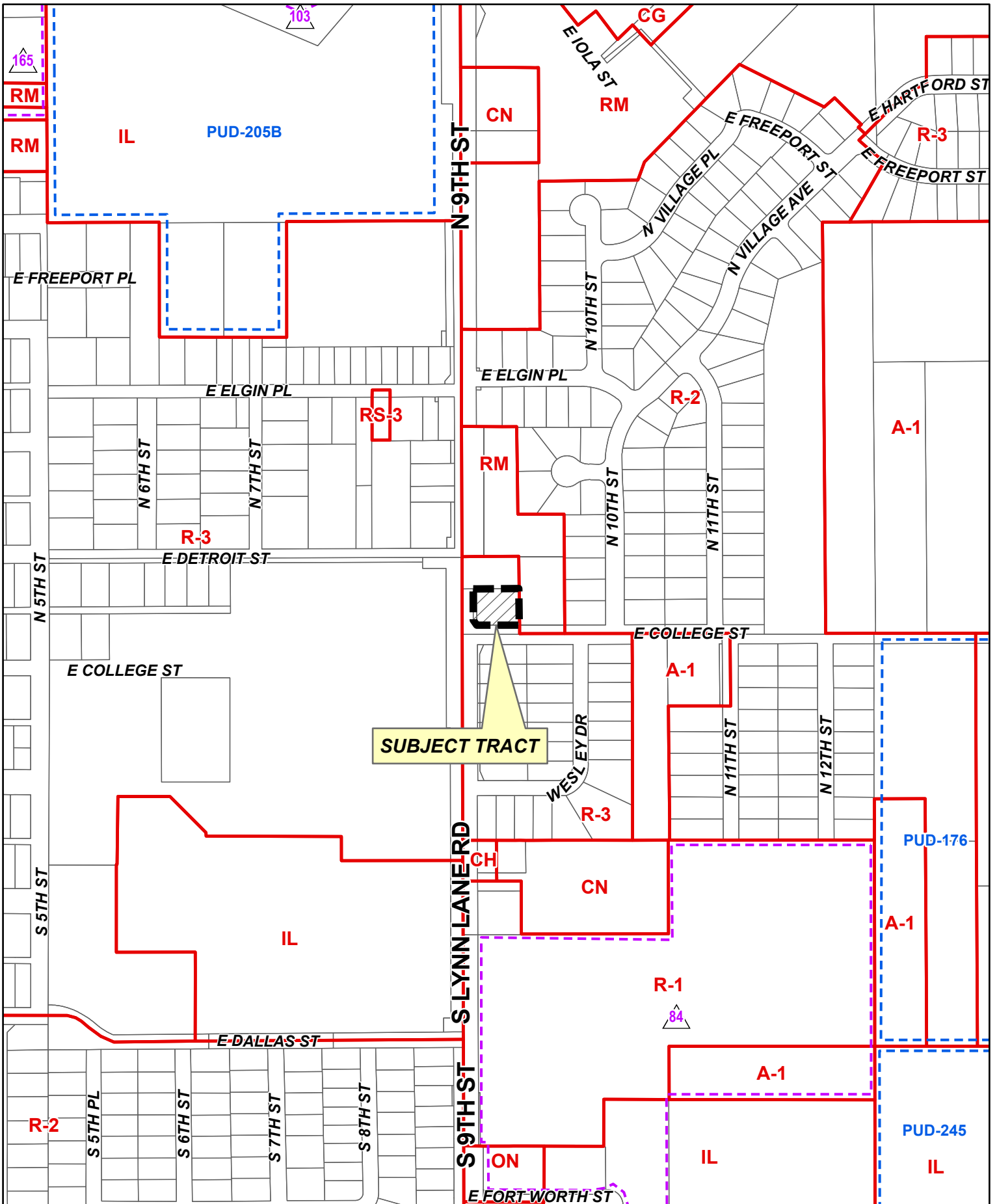
Recommendation:

Based upon the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-001873-2024 be approved. Staff recommends platting be waived subject to ultimate Right of Way being dedicated along Lynn Lane and College Avenue, and all required easements being filed before LOT-001877-2024 is approved.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

HMB



SUBJECT TRACT

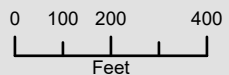
BAZ-001873-2024



300' Radius



Subject Tract



12 18-14



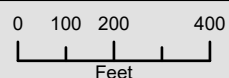


Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2023



Subject Tract

BAZ-001873-2024



12 18-14



Land Use Intensity Level 2 Urban Residential



Level 2 represents the predominant character of development in Broken Arrow. This designation is principally used for areas of typical residential subdivision development and is the base level recommended for the urbanized area of Broken Arrow.

In addition to single-family detached homes, two-family units and neighborhood office parks may be in accordance with the Comprehensive Plan. For an RD rezoning request to be considered to be in accordance with the Comprehensive Plan, the site must be located adjacent to an arterial street or be part of an expansion of an RD area which is located adjacent to an arterial street. In addition, the streets proposed to serve the RD area must connect directly to an arterial street. None of the traffic from the RD area to the arterial street will pass on a street which contains single family detached structures.

Similarly, a request for ON rezoning is in accordance with the Comprehensive Plan, provided the site for the rezoning request is located adjacent to an arterial street or is part of an expansion of an existing ON area which is located adjacent to an arterial street. None of the traffic from the ON area shall utilize roads that pass through a single-family residential area prior to reaching an arterial street.

Land Use Intensity Level 3 Transitional Area



Level 3 represents a transition zone from strictly residential development to strictly non-residential development. As such, the primary uses for Level 3 are higher density residential uses and lower density employment uses. This level of intensity should be located adjacent to an arterial street. The principal uses in this district would be higher density single-family detached residential (RS-4), single-family attached (duplexes and townhouses), multi-family apartments, neighborhood offices, and planned office parks.

Although intended primarily for attached residential dwellings and office development, single-family detached dwellings are permitted in RD and RM Zoning Districts. It may also be appropriate for R-2, RS-2, and RS-3 zoning districts to occur within Level 3 under the following circumstances:

- The proposed R-2, RS-2, or RS-3 zoning in Level 3 is an extension of an adjacent R-2, RS-2, R-3, or RS-3 district and would not preclude access to a potential higher intensity use from an arterial street, or
- The proposed R-2, RS-2, or RS-3 zoning is part of a planned unit development with attention given to screening and buffering the single family uses from potential higher intensity uses.

A request for DF rezoning can be in accordance with the Comprehensive Plan, provided the site for the rezoning request is located within the Planning Area of the Broken Arrow Downtown Master Plan (between Elm Place, Kenosha Street, Washington Street, and 9th Street). In addition, the size and scope of the proposed rezoning is compatible with the surrounding land uses and meets the design standards and objectives of the Broken Arrow Downtown Master Plan.

and mixed-use office in a walkable setting, similar to the downtown area but at a smaller scale.

**Land Use Intensity Level 4
Commercial/Employment Nodes**



Level 4 represents the typical local commercial and office intensity of land use in Broken Arrow. The Level 4 classification generally designates commercial or office activities that have developed in nodes around arterial street intersections. Examples of uses would include free-standing commercial buildings, small-scale shopping centers, and office developments permitted in Level 3. No residential uses are permitted within Level 4, **except for those designated in the Comprehensive Plan as special district overlays with a PUD and in the NM and CM zoning districts. In these areas RM is allowed. The special district overlay, CM, and DM areas are intended to be more concentrated areas of retail commercial**

**Land Use Intensity Level 5
Downtown Area**



Level 5 is intended to represent a development intensity and style that is typical of downtown Broken Arrow. The principal uses of land in this level is for mixed-use office, retail commercial, and service commercial development on a small scale south of the Downtown Residential Overlay District area.

Requests for zoning districts designated “possible” may be in accordance with the Comprehensive Plan if such development is undertaken according to a planned unit development and such development addressing the need to avoid height impact, if any, on single family detached dwellings that may adjoin the development.

Land Use Intensity Level 6 Regional Commercial/Employment



Level 6 represents an opportunity to develop regionally significant and highway oriented commercial and employment nodes in Broken Arrow. The Level 6 classification is for a mixture of medium to high intensity commercial and employment uses in the vicinity of major transportation corridors. Nodes along Elm Place, Aspen Avenue, and Kenosha Street, as well as key interchanges along the Broken Arrow Expressway and the Creek Turnpike, are all appropriate areas for Level 6 development. Typical uses could include large shopping centers, big box retailers, commercial, automotive, and office/employment centers.

Industrial Light (IL) would be considered in accordance with the Comprehensive Plan under the following conditions:

- Done in association with a Planned Unit Development (PUD), and
- Such sites adjoin the BA Expressway, Muskogee Turnpike, Highway 51, or Creek Turnpike or existing industrial parks, and
- Such sites are reached by arterial streets that do not pass through residential areas, and
- Such sites with high visibility from roadways have the appearance of a quality corporate campus or business park; feature quality landscaping, masonry

building facades and no outdoor storage of materials; and are carefully reviewed as to proposed architectural styles, landscaping, location of service areas, and according to the use of Planned Unit Development procedures, and

- Such sites that may adjoin residential areas are thoroughly screened and buffered from such areas by landscaping and/or less intense land uses.

Land Use Intensity Level 7 Major Industrial



Level 7 represents the highest intensity of land use in Broken Arrow. The predominant land uses in Level 7 would be industrial and major employment facilities. Heavy commercial uses, such as those permitted in the CH zoning district, may be in accordance with the Comprehensive Plan provided the site for the rezoning request is located along a frontage road next to a limited access highway or is part of an expansion of an existing CH area which is located along a frontage road next to a limited access highway.

Other land uses identified that do not fall within the different intensity levels include:

Greenway/Floodplain: Areas that fall within the FEMA designated floodplain.

Public Recreation: City of Broken Arrow parkland.

Private Recreation: Recreation areas such as private HOA parks or golf courses that are not open to the general public.

Public/Semi-Public: Public facilities, public schools, and cemeteries.

The Future Development Guide is directly integrated with zoning districts in Broken Arrow. In each of the seven LUIS levels, each zoning district is either allowed, possible (provided conditions are met), or not allowed. **Table 4-1** shows the updated table.

Figure 4-7 is the updated Future Development Guide for the Broken Arrow Next Comprehensive Plan, followed by a summary of recommended changes (since the last update in 2012) to be incorporated.

Table 4-1: Land Use Intensity System Zoning Districts Table

Zoning Districts	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6	Level 7
A-1: Agricultural District	Allowed						
RE: Residential Estate District	Allowed						
RS-1: SF Residential District	Allowed						
R-2: SF Residential District	Possible	Allowed	Possible				
RS-2: SF Residential District	Possible	Allowed	Possible				
RS-3: SF Residential District	Possible	Allowed	Possible				
RS-4: SF Residential District		Allowed	Allowed				
RD: Residential Duplex District		Possible	Allowed				
RM: Residential MF District			Allowed	Possible	Possible		
RMH: Residential Mobile Home District			Allowed				
NM: Neighborhood Mixed Use District			Allowed	Allowed			
CM: Community Mixed-Use District			Possible	Allowed			
DM: Downtown Mixed-Use Core District					Allowed		
DF: Downtown Fringe District					Allowed		
ON: Office Neighborhood District		Possible	Allowed	Allowed	Possible		
CN: Commercial Neighborhood District				Allowed	Possible	Allowed	
CG: Commercial General District				Allowed	Possible	Allowed	
CH: Commercial Heavy District						Allowed	Possible
IL: Industrial Light District						Possible	Allowed
IH: Industrial Heavy District							Allowed

FUTURE DEVELOPMENT GUIDE CHANGES

The following section includes a brief justification for key recommended modifications to the Future Development Guide since it was last published in 2012. The changes to the map areas are listed from north to south and from west to east.

1. West of Omaha and County Line:
Change L2 to L3
 - Creates consistent pattern of L3 use
2. West of Omaha and County Line:
Change L3 to L4
 - Encourages potential commercial corner
3. East of Omaha and County Line:
Change L2 to L6
 - Consistent with surrounding L6 uses (mini-storage)
4. Omaha and Creek Turnpike: Change L3 and L4 to L6
 - Opportunity for regional employment along highway
5. West side of Albany and 9th St intersection:
Add special district overlay in L4 and L6 areas
 - Intersection identified as potential nodal area from parcel analysis of growth/opportunity areas (areas where land value is worth more than the improvement value)
6. Southwest corner of Albany and 37th intersection : L2 to L3 and L4
 - Promotion of commercial corner at intersection
7. West of 37th Street between Albany and Kenosha: L3 to L2
 - Accounts for new school
8. North of BA Expressway/Creek Turnpike Intersection: Change from L4 to L6
 - Opportunity for regional employment along highway interchange
9. South of Kenosha between Oneta and Midway: L1 to L4
 - Promote commercial uses in eastern Broken Arrow
10. Square mile bounded by Kenosha to the north, 9th St. to the east Houston to the south, and Elm to the west: Add special district overlay
 - Included entire square mile as a special district overlay to encourage nodal development
 - Consistent with area covered by Downtown Residential Overlay District
11. South of BA Expressway at County Line:
Change from L2 to L6
 - Reflects current approval
12. Northeast of BA Expressway and Creek Turnpike interchange: Change from L2 to L3
 - Prevents single-family uses adjacent to highway
13. North and south of BA Expressway at Evans:
Change from L3 to L6
 - Opportunity for regional employment along highway
14. Southeast corner of Houston and Olive: Change L1 parcels to sections of L4, L3, and L2
 - Incorporates existing residential subdivision and creates more opportunities for commercial and mixed residential via L4 and L3 along Houston
15. Washington and First Place: Change L1 parcels to L2
 - Encourage redevelopment over time
16. New Orleans and Aspen intersection: Add special district overlay in L4 and L6 areas
 - Intersection identified as potential nodal area from parcel analysis of growth/opportunity areas (areas where land value is worth more than the improvement value)

17. Southwest corner of New Orleans and Elm:
Change from L1 to L3
 - Consistent with Elm/New Orleans Special Area Plan
18. New Orleans and Elm intersection: Add special district overlay in L4 and L6 areas
 - Intersection identified as potential nodal area from Special Area Plan
19. Southeast corner of New Orleans and 9th St: Change L2 to L3
 - Allows for more opportunities for mixed-residential in L3 and serve as a buffer between L4 and L2
20. New Orleans and Creek Turnpike: Change from L4 to L6
 - Parcels present limited opportunity for retail
21. West side of Creek Turnpike near Florence: Change L2 to L3
 - Prevents single-family uses adjacent to highway
22. East side of Creek Turnpike near Florence: Change L2 to L6
 - Prevents single-family uses adjacent to highway and provides opportunity for major employer with regional access
23. North of Creek Turnpike between Elm and 9th St: Change from L2 to L3
 - Prevents single-family uses adjacent to highway, provide buffer from L7 use
24. Southwest corner of Tucson and Olive: Change from L3 to L2
 - Incorporates existing neighborhood

Additionally, some of the previously designated public/semi-public land uses were changed to a corresponding Land Use Intensity System (LUIS) level. Therefore, when an existing public/semi-public land use (i.e. office or church) is closed or changes, the Future Development Guide provides guidance on what land uses would be appropriate to redevelop the site. City, county, or state facilities, public schools, and cemeteries are still shown as public/semi-public.

Furthermore, this update to the Future Development Guide includes all areas of the fenceline, past Oak Grove Road/273rd Street where the map ended in the 2012 Update. The majority of this area is categorized as Level 1 - Rural Residential.