



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, January 9, 2025

5:30 PM

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

1. Call To Order

2. Roll Call

3. Old Business

4. Consideration of Consent Agenda

- A. [24-1720](#) Approval of Planning Commission meeting minutes of December 19, 2024

Attachments: [12-19-2024 Planning Commission Minutes](#)

- B. [24-1721](#) Approval of Planning Commission meeting minutes of December 5, 2024

Attachments: [12-05-2024 Planning Commission Minutes DRAFT](#)

- C. [24-1716](#) Approval of PT-001918-2024|PR-000689-2024, Preliminary Plat, Oak Creek Crossing, approximately 41.38 acres, 118 Lots, R-2(Single-Family Residential), located approximately one quarter mile south of Houston Street (81st Street), and east of 23rd Street (193rd Avenue/County Line Road)

Attachments: [PT-001918-2024 with Staff Comments](#)

- D. [24-1722](#) Approval of PT-001889-2024|PR-000222-2023, Preliminary Plat for East Quik Trip on Kenosha, 10.2 acres, 2 lots, A-1 (Agricultural), R-2 (Single Family Residential) & SP (Specific Use Permit) 53 to CN (Commercial Neighborhood), A-1 and R-2, & SP-53 via BAZ-001225-2023, on the northeast corner of Kenosha Street (71st Street) and Evans Road (225th E. Avenue)

Sponsors: Planning Commission

Attachments: [2- Heritage United Preliminary Plat With Comments](#)
[3- Checklist](#)

5. Consideration of Items Removed from Consent Agenda

6. Public Hearings

- A. [24-1717](#) Public hearing, consideration, and possible action regarding BAZ-001906-2024 (Rezoning), County Line 25, approximately 25 acres, A-1 (Agriculture) to RS-4 (Single-Family Residential), located approximately one-half mile south of Albany Street (61st Street), west of 37th Street (209th E. Avenue)

Attachments: [BAZ-001906-2024 Case Map](#)
[BAZ-001906-2024 Aerial](#)
[BAZ-001906-2024 Comprehensive Plan](#)

- B. [24-1718](#) Public hearing, consideration, and possible action regarding SP-001884-2024, an amendment to SP-299, Church on the Move, 7.55 acres, located south of Kenosha Street (71st Street), east of 9th Street (Lynn Lane/177th E. Avenue)

Sponsors: Planning Commission

Attachments: [2- Case Map](#)
[3- Aerial](#)
[4- Conceptual Site Plan](#)
[5- Rendering](#)
[6- Amendment to Specific Use Permit 299](#)

- C. [24-1719](#) 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

- D. [24-1723](#) Public hearing, consideration, and possible action regarding BAZ-001900-2024 (Rezoning), April Barker, 1.02 acres, A-RE (Annexed Residential Estate), located one-half mile north of New Orleans Street (101st Street), one-third mile west of 23rd Street (193rd E. Avenue/County Line Road)

Sponsors: Planning Commission

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

- E. [24-1724](#) Public hearing, consideration, and possible action regarding PUD-001893-2024 (Planned Unit Development) and BAZ-001891-2024 (Rezoning), Aspen Creek Villas, approximately 90 acres, A-1 (Agricultural) to RS-4 (Residential Single Family) with a PUD, located north of Tucson Street (121st Street) and approximately one quarter mile east of Olive Avenue (129th Avenue)

Attachments: [PUD-001893-2024 & BAZ-001891-2024 Case Map](#)
[PUD-001893-2024 & BAZ-001891-2024 Aerial](#)
[PUD-001893-2024 & BAZ-001891-2024 Comprehensive Plan](#)
[Aspen Creek Villas PUD](#)

7. Appeals

8. General Commission Business

- A. [25-7](#) 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](#)
[4-Antler Falls PUD minor amendment](#)

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 #: 24-1720, **Version:** 1

Broken Arrow Planning Commission

01-09-2025

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

Approval of Planning Commission meeting minutes of December 19, 2024

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

Attachments: 12 19 2024 Planning Commission Minutes

Recommendation: Approve minutes of Planning Commission meeting held December 19, 2024.

Reviewed By: Amanda Yamaguchi

Approved By: Rocky Henkel



City of Broken Arrow

City Hall
220 S 1st Street
Broken Arrow OK
74012

Minutes Planning Commission

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

Thursday, December 19, 2024

Time 5:30 p.m.

Council Chambers

1. Call to Order

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

2. Roll Call

Present: 4 - Mindy Payne, Jaylee Klempa, Jason Coan, Robert Goranson

Late: 1 - Jonathan Townsend

Item 6D was considered first on the agenda, due to the applicant's request to continue the item.

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)

MOTION: A motion was made by Jason Coan, seconded by Jaylee Klempa.

Move to continue Item 6D COMP-001746-2024 (per applicant request) 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)

The motion carried by the following vote:

Aye: 4 - Mindy Payne, Jaylee Klempa, Jason Coan, Robert Goranson

Absent: 1 - Jonathan Townsend

Commissioner Jonathan Townsend arrived at 5:35 PM.

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)

Joel Hensley, Senior Planner, presented Item 3A concerning a minor amendment (PUD-001814-2024) to a previously approved plan (PUD-001242-2023) for Antler Falls, a single-family residential development on 45.84 acres at Houston Street and Midway Road. The amendment involves reduced side setbacks, creating a master-planned zero-lot-line development with up to 160 lots, gated private streets, and landscaped areas with amenities. The proposal aligns with RS4 zoning and the comprehensive plan, with no floodplain issues, and staff recommends approval due to minimal deviations from the original plan.

The applicants, Justin Debruin, represented Wallace Design Collective, and Brad Hoffman, Hoffman Custom Homes, were present for questions.

Chairman Robert Goranson questioned the decision-making process behind the proposed changes, noting the shift from RS-4 zoning to a PUD with initially proposed one- and nine-foot side yards, now reduced to one and five feet. They also inquired about the decrease in the maximum number of lots from 160 to 149 and sought clarification on how these adjustments were determined.

Mr. Debruin stated the houses in the proposed development will not be larger than initially planned and will follow the same floor plans and site designs used in the Lakes at Rabbit Run. The adjustments primarily address clarifying architectural elements, such as bay windows, to avoid ambiguity during permitting. These changes do not affect the site's density, but if denied, modifications to lot width and frontage may be required depending on staff interpretations of the current designs.

Chairman Goranson questioned the progression of changes to the side yard setbacks, noting

that under straight RS-4 zoning, such adjustments would require a variance or waiver through the Board of Adjustments. They express concern that the PUD process has allowed deviations, initially approved as one- and nine-foot setbacks, now reduced to one and seven feet. While acknowledging that each case is judged on merit, they express uncertainty about whether this approach is appropriate.

Mr. Debruin explained that the PUD was initiated to create a master-planned community with enhancements beyond standard zoning requirements, including gated, privately maintained amenities managed by a property owner association, reducing the city's responsibilities. The development is at the conditional final plat stage and was designed to streamline progress and avoid issues.

Concerns about the appearance of tightly spaced lots from Houston Street and Midway Road were raised. While fences between houses are not planned, high-quality perimeter fencing (Trex and ornamental styles) will ensure an appealing streetscape.

Mr. Brad Hoffman of Hoffman Custom Homes explained that the purpose of the amendment is to align building permits with existing floor plans, avoiding confusion regarding architectural elements. With over 200 floor plans at Lakes at Rabbit Run, features like fireplaces, bay windows, Murphy bed niches, and dining room furniture bays often extend two feet outward. The amendment ensures these pop-outs are accommodated without ambiguity during permitting, streamlining the process for the builder and city staff while maintaining the same floor plans and designs.

Mr. Hoffman and Chairman Goranson discussed concerns about the recurring use of PUDs to modify zoning requirements instead of following strict zoning standards. Brad Hoffman confirmed the situation is similar to his Bella Rose project near Oklahoma City, where the same floor plans are used. He explained that the decision to pursue a PUD came after its acceptance. It was driven by the need to clarify the interpretation of architectural elements to align with existing floor plans. While acknowledging that the development meets fire codes and maintains density, the speaker questioned why stricter zoning, such as RS3, was not pursued initially. They noted that under strict zoning, side yard waivers would require a hardship to be approved through the Board of Adjustments, emphasizing that the PUD process appears to bypass this step.

Vice Chairman Jason Coan expressed concerns about the proximity of homes with setbacks less than 10 feet, specifically regarding the placement of condensing units. He noted that units would need to be installed on the larger setback side, potentially leaving very little clearance between homes. Mr. Hoffman clarified that pop-outs like Murphy beds, dining room niches, and fireplaces would only occupy about 20% of the home's length, preserving the original setback (e.g., one and nine feet) for the main structure. He suggested specifying conditions for pop-outs, such as limiting them to 30% of the home's length. Still, he cautioned that this might complicate the building permit process and create interpretation challenges for the city.

Vice Chairmen Coan and Chairman Goranson acknowledged concerns about reduced setbacks and the placement of HVAC units. It was suggested that, if approved, a motion could require condensing units to be installed on the nine-foot side for both houses, avoiding placement on the seven-foot setback side. Mr. Hoffman clarified that the seven-foot measurement applies only to areas with architectural bump-outs, maintaining nine feet for the main structure's setback.

Mr. Hoffman explained that the PUD design prioritizes creating usable side yard spaces by pushing homes to one side, resulting in nine feet between houses for the main structure, with occasional two-foot bump-outs (e.g., Murphy beds, bay windows, or fireplaces). Condensing units would be placed within the nine-foot spaces, ensuring at least 10 feet between homes, except where bump-outs occur, which reduce the distance to seven feet. This clarification ensures consistency with Rabbit Run developments and maintains the functional and aesthetic value of the floor plans.

Vice Chairman Coan emphasized understanding this approach and confirmed that only about 20% of a home's side length would feature bump-outs, leaving 80% of the wall available for condensing unit placement, minimizing crowding, and maintaining usable space between homes.

The discussion concerned lot sizes, setbacks, and maintenance logistics. Chairman Goranson questioned whether the development would have been better served with larger lot sizes initially, simplifying the current issues. Mr. Hoffman emphasized the commitment to maintaining the same concept and design principles as previous successful developments, like Rabbit Run and Lakes at Rabbit Run, focusing on preserving the established floor plans and community aesthetic. He noted that widening the lots would deviate from this concept.

Hoffman clarified that the design includes Trex fencing along the property edges and between homes, providing durability and maintaining community value. He addressed concerns about zero-lot-line maintenance, explaining that covenants include provisions allowing homeowners to access the neighboring property for maintenance with 24-hour notice, ensuring practicality and cooperation among residents.

MOTION: A motion was made by Jason Coan, seconded by Jaylee Klempa.

Move to approve Item 3A 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) with a maximum of 20% bump out.

The motion carried by the following vote:

Aye: 3 - Jonathan Townsend, Jaylee Klempa, Jason Coan
Nay: 2 - Robert Goranson, Mindy Payne

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)**
- 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)**
- 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).**

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne.

Move to approve Item 4B 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 Item 4C 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) of Consent Agenda.

The motion carried by the following vote:

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

5. Consideration of Items Removed from Consent Agenda

Joel Hensley, Senior Planner, presented Item 4A, a request to split Lot 1888-2024, a 0.18-acre parcel in the DROD Area 2/R3/PUD 1249-2023 zoning district, into two lots to accommodate the construction of single-family homes. The property near Kenosha Street and 9th Street meets the minimum requirements for lot frontage (35 feet) and land area (4,000 square feet). Utilities are available, and there are no objections from relevant agencies. Staff recommends approval of the lot split, contingent on the simultaneous submission of new warranty deeds to the planning and development division for stamping before recording in Tulsa County.

Public Comments: Nancy Beasley and Jeff Beasley, in opposition, did not wish to speak. (After the meeting Nancy and Jeff Beasley clarified they meant to oppose item 6C.) The applicant chose not to speak.

MOTION: A motion was made by Jonathan Townsend, seconded by Jason Coan.

Move to approve Item 4A 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).

The motion carried by the following vote:

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

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).**

Joel Hensley, Senior Planner, presented Comp 1761-2024, a request to amend the comprehensive plan designation of a 3.46-acre property located north of Kenosha Street and east of Elm Place from Levels III and VI to Level III. The change is intended to facilitate future commercial development and is accompanied by a pending rezoning request to Office Neighborhood (ON). The amendment aligns with surrounding land uses and zoning, and no part of the property lies within a 100-year floodplain, although a blue line stream crosses the eastern side. Utilities are available, and staff recommends approval based on the property's location and compatibility with nearby developments.

Chairman Robert Goranson inquired whether the proposed amendment for Comp 1761-2024 is connected to nearby developments, including the housing addition to the east and the furniture factory, suggesting a potentially more significant overall plan for the area. Mr. Hensley clarified that this application is separate and submitted by a different applicant. While the proposed Office Neighborhood zoning indicates a likely office use, it does not preclude other permitted uses, and no broader plan linking this project to surrounding developments is known. Chairman Goranson acknowledged that the proposal seemed a good fit but was curious about potential connections.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne.
Move to approve Item 6A 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).

The motion carried by the following vote:

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

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).

Joel Hensley, Senior Planner, presented Item 6B COMP 1872-2024 involves a request to amend the comprehensive plan designation of a 1.63-acre unplatted property from Level III to Level VI, located about one-half mile north of Kenosha Street and one-third mile east of Elm Place. The change aims to facilitate future rezoning and planned unit development (PUD), although no draft PUD documents or conceptual plans have been provided. The amendment would allow for potential rezoning to any district permitted under the Level VI designation, as outlined in the comprehensive plan. The property is not within a 100-year floodplain, and utilities are available. Staff recommends approval based on its location and compatibility with surrounding land uses.

The applicant, Lou Reynolds, explained that the request to amend the comprehensive plan for COMP 1872-2024 is to facilitate the purchase of the property from Furniture Row to expand the Ferguson car dealership. The dealership plans to use the site for a new facility. Recently, Oakland Street was installed in front of the property through a public-private improvement process. The amendment is necessary to proceed with rezoning and align with the project's timeline, which includes constructing a new Furniture Row store and the dealership on the site.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne.
Move to approve Item 6B 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).

The motion carried by the following vote:

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

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).

Joel Hensley, Senior Planner, presented Item 6C COMP 1874-2024, a request to amend the comprehensive plan designation of a 17.2-acre unplatted property from Level II to Level III, located about a quarter mile north of Houston Street and half a mile west of Evans Road. This amendment aims to enable potential residential development, with an anticipated subsequent rezoning request and PUD submission. While no draft PUD documents or conceptual plans have been provided, Level III zoning could accommodate various residential and mixed-use designations outlined in the comprehensive plan. The property is surrounded by residential and undeveloped land, with a blue line stream along its eastern boundary but no presence in

the 100-year floodplain. Utilities are available, and staff recommends approval based on the property's location and compatibility with surrounding land uses.

Applicant Tom Vogt of Jones Gotcher Attorneys clarified that the request concerns a change to the comprehensive plan, not rezoning, and addressed potential concerns from the community. He stated that the property owner, Pat McGuire, has partnered with Glenwood Homes, a builder specializing in single-family homes, not apartments. Glenwood Homes recently acquired adjacent Level III property to the west and plans to combine it with the current property for potential RM zoning development.

The envisioned development would include increased-density housing, such as duplexes or single-story detached homes, rather than multi-story apartment complexes. Glenwood Homes intends to avoid connecting new development streets to the stubbed-out roads of adjacent single-family neighborhoods, alleviating traffic concerns. The nearby creek and flood zone will remain unaffected due to existing platted easements and natural barriers. Additionally, RM zoning would require increased buffering between the new development and the single-family neighborhoods to the east, ensuring minimal impact on those communities.

Chairman Robert Goranson raised concerns about the flexibility of zoning options under a comprehensive plan change from Level II to Level III. They emphasized that while RM zoning has been discussed, approval of the change would not limit future development to RM; any zoning type permitted within Level III could be pursued, including options like RD (duplex) or RS4 (single-family).

Chairman Goranson also noted that policies in the comprehensive plan suggest RD and RM zoning should typically be adjacent to arterial streets, raising doubts about the compatibility of such zoning in this location, as it sits deeper within the Bel Lago area than near an arterial. They referred to page 77 of the comprehensive plan to clarify policy guidelines, inviting Joel to confirm or provide additional insight into whether the proposed changes align with the plan's requirements.

Mr. Vogt clarified that the proposed change aims to align this tract's designation with the adjacent Level III property recently purchased for a combined PUD development. This approach may address concerns about adherence to arterial street adjacency policies, as the combined PUD would connect the tracts into a unified plan.

Chairman Goranson acknowledged the public's interest and emphasized that the current focus is on the comprehensive plan change from Level II to Level III, which expands potential zoning options. They requested visual clarification of the table outlining permissible zoning under Level III. Despite prior assurances to the contrary, they expressed concerns that development might still connect to existing stub streets.

Further discussion centered on the implications of the comprehensive plan change from Level II to Level III for the proposed development and the surrounding area. Concerns were highlighted about opening the property to zoning types that may not align with the comprehensive plan's intent or the neighborhood's character, explicitly questioning the appropriateness of higher-density zoning (like RM or RD) in a location not directly adjacent to an arterial. They emphasized the lack of a conceptual layout and the potential connectivity of the development to existing stub streets, which could impact traffic in adjacent neighborhoods.

Mr. Vogt clarified that the intent is to match the Level III designation of the adjacent property to the west, allowing for a unified PUD. He explained that the envisioned development involves detached, single-family homes or duplex-style structures on a single lot, similar to newer community designs like the Twill development in Jenks. He acknowledged that this type of development wouldn't fit traditional RS4 zoning but could be addressed through a PUD. Mr. Vogt also addressed concerns about ecological impacts, explaining that water runoff would be managed through a detention pond already on the property, which may require modifications to ensure proper containment and prevent issues like erosion or pollution of nearby creeks.

Mr. Hensley clarified that the comprehensive plan change intends to allow the property to match the adjacent tract to the west, which has frontage on 81st Street, an arterial. While stub streets in the area are shown, connectivity between the development and existing neighborhoods would depend on the development's design and approval process. Curtis emphasized that the recommendation for the comprehensive plan change is based on ensuring the combined properties have arterial frontage and are consistent with planning guidelines.

The discussion concluded with acknowledging the community's concerns and a reminder that details regarding the development, including connectivity and zoning, would be addressed during the rezoning and PUD processes.

Carl Knutson is in opposition but did not speak.

Doug Campbell is in opposition but did not speak.

Johnny Walker, a Bel Lago resident, expressed concerns regarding the proposed comprehensive plan change and the potential introduction of condensed housing near his neighborhood. He acknowledged Broken Arrow's growth and the benefits of increased rooftops, including revenue and school support. Still, he emphasized the importance of maintaining the quality of existing developments like Bel Lago and the Villas of Bel Lago.

Walker noted that Bel Lago, initially built by Home Creations (now part of Glenwood Homes), reflects a higher standard of housing compared to the densely packed developments being proposed. He cautioned that such housing, with minimal space between structures, may detract from the character and value of the existing community. He urged the city to uphold the neighborhood's standards by requiring new construction to align with Bel Lago's quality and design, arguing that Broken Arrow is in a strong position to prioritize the interests of its current residents while still benefiting from new development.

Rick Helm, a resident, expressed concerns about potential ingress and egress plans for the area under discussion, mainly a proposed road he believed could run through his property.

Chairman Goranson clarified that the road may have been part of a prior East Side Study on Kenosha, which included trails and roadways. Still, he emphasized that this was unrelated to the current proposal.

Mr. Helm further stated his opposition to the development of apartments in the area, reinforcing his concerns about maintaining the neighborhood's character. He humorously referenced the possibility of protected wildlife in the area, like a snail or pocket gopher, as an additional consideration for limiting development impacts.

Chairman Goranson and Hensley discussed the reasoning behind the comprehensive plan's land use intensities, emphasizing the importance of transitioning between different land use types. Joel explained that this approach avoids placing high-intensity uses, like industrial or large apartment complexes, directly next to low-intensity uses, such as single-family homes, as this could negatively impact both residential quality of life and the viability of higher-intensity developments.

The plan transitions from lower-intensity areas, like agricultural or single-family residential (yellow on the map), to higher-intensity uses, like apartments or offices (purple on the map), often near highways or significant roads for accessibility. Joel noted that the hashed yellow area aligns with single-family housing like Bel Lago. Still, while avoiding apartments, the request seeks to reclassify it to support slightly denser residential uses, such as smaller-lot homes or duplexes. This ensures a smoother progression of land uses and maintains continuity in planning.

Chairman Goranson clarified that the proposed change aims to accommodate denser housing without crossing into high-density categories like apartments, aligning with the goal of thoughtful and gradual land-use transitions. They ensured everyone understood the proposed shift and its implications for the area's development.

Kathleen Halloran, a Bel Lago resident, voiced significant concerns about water management and Glenwood Homes' track record. She noted frequent flooding along a creek behind her property, which affects her yard and creates substantial water accumulation during rains, even though the area is not officially designated as a flood zone. She questioned the accuracy of this classification and the impact of development on water flow and accumulation.

Ms. Halloran expressed concern about the proposal to convert an existing clear-water pond into a retention pond, fearing it would degrade the area's aesthetic and functionality. She cited issues with retention ponds in other Glenwood Homes developments, including Bel Lago, where costly repairs were required, and another retention pond graded incorrectly has become problematic. Additionally, Ms. Halloran highlighted communication issues and misinformation from Glenwood Homes, further eroding her confidence in their ability to manage future development effectively. She strongly opposed changing the zoning, arguing that the current zoning already supports single-family homes, which would align with the existing community.

Chairman Goranson acknowledged her concerns and suggested she contact the city to address current water issues. He noted that while development could include engineered improvements, her immediate issues shouldn't wait for future growth. Chairman Goranson emphasized that development is likely inevitable regardless of the zoning outcome, making it essential to address existing concerns proactively.

Linda Montgomery, representing residents of Bel Lago and nearby neighborhoods, opposed the proposed comprehensive plan change and presented a petition with significant neighborhood support for maintaining the current Level II designation. She emphasized concerns about overdevelopment, the lack of clarity in the proposal, and the potential environmental impact of changing the area to Level III.

Ms. Montgomery highlighted issues with water supply, noting the area's reliance on District Four water, which has faced shortages and rationing. She also raised concerns about removing trees near the creek, a migration route for birds and wildlife. She pointed out that federal wildlife regulations prohibit disturbing vegetation within 50 feet of the creek and stressed the importance of preserving this natural buffer.

Additionally, she expressed worry about the impact of increased concrete surfaces from new development on water runoff and the creek's health. Ms. Montgomery reiterated the community's preference for single-family homes that align with the existing Level II designation and cautioned against higher-density developments that could include apartments or multi-story buildings.

Ms. Montgomery emphasized the residents' desire for thoughtful, sustainable progress and submitted the petition to support their case against the proposed change.

Phillip Scott, a Bel Lago resident, opposed the proposed change to Level III zoning for the property abutting his residence. He highlighted that the adjacent property, cited as part of the development plan, does not yet have a recorded deed of purchase according to Wagner County records as of the previous day. This raised questions about its legitimacy in the rezoning proposal, especially since the area lacks direct frontage on an arterial street as required for such zoning changes.

Chairman Goranson noted that developers often conditionally acquire property, finalizing purchases only after receiving necessary approvals, which might explain the absence of a recorded deed. Scott acknowledged this possibility but maintained his objection, emphasizing the irregularity of the situation. He concluded without further remarks, reiterating his opposition to the rezoning request.

Applicant Tom Vogt addressed questions and concerns raised during the hearing, emphasizing the following points:

Water Supply: He countered claims about water availability from District Four, stating that his engineer disagreed with the assertion of insufficient water resources but acknowledged this issue would need resolution during the development phase.

Tree Tagging: Mr. Vogt denied any connection to the tagging of trees and explained that the eastern creek bank is within the existing subdivision and protected from development. Trees on the western side are similarly undevelopable in a flood zone. He added that the zoning and site planning stages would address tree-related actions. He also noted reports of unhealthy trees causing hazards in the area, potentially leading to unrelated tagging or removal efforts.

Community Engagement: Mr. Vogt assured attendees that before rezoning or PUD submissions, his team would engage with the community to present and discuss detailed plans.

Buffers and Natural Features: Mr. Hensley highlighted that if the property were rezoned for residential multifamily, buffers would be mandated by the city. Additionally, the creek, identified as a "blue line stream," is a natural buffer protected by regulations. He explained that modifying or removing the stream would be costly and challenging for any developer.

Chairman Goranson acknowledged residents' frustrations, noting the limited information provided by public notices. He clarified that concerns like buffers and development impacts would be addressed more thoroughly during the PUD process.

Mr. Vogt and Mr. Hensley reiterated that while current discussions focus on the comprehensive plan change, future phases would involve more detailed plans addressing resident concerns, regulatory requirements, and environmental protection.

Vice Chairman Jason Coan and Chairman Goranson expressed reservations about approving the comprehensive plan change from Level II to Level III for the property in question due to concerns about traffic, connectivity, and alignment with planning guidelines.

Vice Chairman Coan emphasized the lack of direct access to the proposed development and the potential for traffic to funnel through existing neighborhoods, particularly Bel Lago, via stub streets. He noted discomfort with changing the comprehensive plan without a defined

plan or PUD that clearly outlines the developer's intentions and connectivity solutions. Chairman Goranson echoed these concerns, pointing out that, based on the comprehensive plan, higher-density zoning (like RD or duplexes) should be adjacent to arterial roads, not embedded within a residential neighborhood.

They further clarified that a comprehensive plan change is an all-or-nothing decision and cannot include stipulations, unlike PUDs or rezoning requests. Chairman Goranson highlighted the table outlining land use allowances for Level II and Level III designations, explaining that Level II already allows for various residential developments, including smaller lots, with appropriate planning through a PUD.

Vice Chairman Coan and Chairman Goranson questioned the benefits of changing to Level III, emphasizing that the proposed change doesn't meet the city's comprehensive plan requirements, particularly regarding adjacency to arterial roads. They agreed that more detailed plans or a combined layout with the adjacent property would be needed to justify such a change.

MOTION: A motion was made by Jason Coan, seconded by Mindy Payne.

Move to deny Item 6C 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).

The motion carried by the following vote:

Aye: 5 -

Mindy Payne, Jonathon Townsend, Jaylee Klempa, Jason Coan, Robert Goranson
Staff stated they would send a courtesy notice if the applicant chooses to appeal the decision to the City Council.

- 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)**

Henry Bibelheimer, Planner II, presented BAZ 1873, a rezoning request for a 0.41-acre property currently zoned R3 (single-family residential) to RD (residential duplex). The property, located half a mile north of Houston Street and east of Lynn Lane, is unplatted. The property owner has also applied for a lot split (Lot 1877) and plans to construct a duplex on each resulting lot, creating four total dwelling units.

The property falls under comprehensive plan Level II, which supports RD zoning when located along an arterial street. This project meets that requirement and aligns with the comprehensive plan. Staff supports the rezoning based on the comprehensive plan, the property's location, and compatibility with surrounding land uses.

Staff recommends approval of BAZ 1873, with plating requirements waived, provided the ultimate right-of-way is dedicated along Lynn Lane and College Avenue and all required easements are filed before approving Lot 1877.

Applicant Trent Harris explained the challenges with the lot split and access plans for the rezoned property under BAZ 1873. Initially, the plan was to avoid curb cuts on Lynn Lane and provide access via a shared drive off College Avenue. However, meeting the city's frontage and square footage requirements for the lot split necessitated changes to the original design.

Chairman Robert Goranson raised concerns about potential sightline issues at the intersection of College Avenue and Lynn Lane, noting the importance of ensuring safe ingress and egress. Mr. Harris acknowledged the problem but stated that discussions or assessments of the sight triangle had not yet occurred. He emphasized their intention to design a layout that accommodates residents' access needs without exacerbating traffic issues on Lynn Lane.

Mr. Harris confirmed that the redesign aims to balance city requirements and practical access for future residents while minimizing disruptions to traffic flow. The conversation touched on the interconnectedness of rezoning, lot splits, and access plans, with Chairman Goranson emphasizing the need to consider all these elements holistically before proceeding further. It was clarified that the lot split is not currently under discussion but would come up in a future hearing.

MOTION: A motion was made by Mindy Payne, seconded by Jaylee Klempa.

Move to approve Item 6E 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).

The motion carried by the following vote:

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

7. Appeals - NONE

8. General Commission Business - NONE

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

Commissioner Jaylee Klempa wished all a Merry Christmas. Commissioner Mindy Payne urged applicants to attend Planning Commission meetings for their items. Chairman Robert Goranson asked about requiring draft PUDs for all Comprehensive Plan changes, and Farhad Daroga, Special Projects Manager, clarified the current policy.

10. Adjournment

MOTION: A motion was made by Mindy Payne, seconded by Jason Coan.

Move to adjourn.

The motion carried by the following vote:

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

The meeting adjourned at 7:21 p.m.



City of Broken Arrow

Request for Action

File #: 24-1721, **Version:** 1

Broken Arrow Planning Commission

01-09-2025

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

Approval of Planning Commission meeting minutes of December 5, 2024

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

Attachments: 12 05 2024 Planning Commission Minutes

Recommendation: Approve minutes of Planning Commission meeting held December 5, 2024.

Reviewed By: Amanda Yamaguchi

Approved By: Rocky Henkel



City of Broken Arrow

Minutes
Planning Commission

City Hall
220 S 1st Street
Broken Arrow OK
74012

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

Thursday, December 5, 2024 Time 5:30 p.m. Council Chambers

1. Call to Order

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

2. Roll Call

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

3. Old Business

A. 24-1598 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)

Joel Hensley, Senior Planner, presented a minor amendment to Planned Unit Development (PUD) 1242-2023 for the Antler Falls residential project on 45.84 acres at the southeast corner of Houston Street and Midway Road. The proposed amendment, designated as PUD 1814-2024, involves creating a master-planned, zero-lot line single-family development with up to 160 lots, gated private streets meeting city standards, and entry points on Houston Street and Midway Road. The project includes landscaped reserve areas with amenities and aligns with RS4 zoning requirements, with adjustments to side setbacks allowing a minimum of eight feet between buildings. Staff found no significant deviation from the approved plan and recommended approval, noting the development is consistent with the comprehensive plan and is not in a floodplain.

The commission discussed concerns about the proposed changes to the Antler Falls PUD amendment, specifically reducing side yard setbacks from one foot and nine feet (10 feet between houses) to one foot and seven feet (8 feet between houses). Questions arise regarding the rationale behind this change, with some suspecting it may relate to the lot and house size planning process. A minor correction is needed in the PUD document, where "Kenosha Street" is mentioned instead of "Houston Street."

The commission further discussed that the architectural features cited as justification for the change might not align with typical definitions, which are more akin to wall extensions than proper architectural elements. Staff had recommended reducing the setback through the PUD process for simplicity, though some commissioners expressed concern that this effectively waives the zoning ordinance. The item is continued to allow the applicant to provide further explanation.

The applicant was not present.

MOTION: A motion was made by Robert Goranson, seconded by Mindy Payne. Move to continue Item 24-1598 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)

The motion carried by the following vote:

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

4. Consideration of Consent Agenda

- A. 24-1623 Approval of Planning Commission meeting minutes of October 24, 2024
B. 24-1624 Approval of Planning Commission meeting minutes of November 21, 2024

MOTION: A motion was made by Jaylee Klempa, seconded by Jonathan Townsend. Move to approve consent agenda Items 24-1623 and 24-1624 per staff recommendation.

The motion carried by the following vote:
Aye: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

5. Consideration of Items Removed from Consent Agenda - NONE

6. Public Hearings

A. 24-1622 Public hearing, consideration, and possible action regarding BAZ-001842-2024 (Rezoning), Promise Land Rezoning, 1.04 acres, A-1 (Agricultural) to RS-2 (Single-Family Residential), located approximately one-third mile north of Houston Street (81st Street), west of Oak Grove Road (273rd E. Avenue)

Joel Hensley, Senior Planner, presented Item 24-1622, a proposal to rezone 1.04 acres of unplatted land about one-third mile north of Houston Street and west of Oak Grove Road. The applicant seeks to change the zoning from A-1 to RS-2 to enable a future lot split and construct a single-family home. While part of the land lies in a 100-year floodplain, the proposal aligns with the Level 1 designation of the comprehensive plan, and a rural water district will provide water. Based on the plan, property location, and surrounding land uses, staff recommends approval of the rezoning request.

Commissioner Jonathan Townsend asked for clarification of water districts. Joel Hensley, Senior Planner, explained that city water is provided to properties within city limits, while areas further east, such as in Wagner County, rely on rural district water sources. These rural water systems serve areas outside the city's infrastructure and are managed differently from municipal water supplies.

Chairman Robert Goranson asked if there would be enough frontage if there were a lot split. The Planning and Development Manager, Amanda Yamaguchi, explained that the remaining lot exceeds the A-1 zoning frontage requirement. In contrast, the newly created lot was explicitly designed to meet the frontage requirements for RS-2 zoning. This careful consideration ensures compliance with the respective zoning regulations for both parcels.

The applicant did not wish to speak.

MOTION: A motion was made by Jason Coan, seconded by Jonathan Townsend.
Move to approve Item 24-1622 BAZ-001842-2024 (Rezoning), Promise Land Rezoning, 1.04 acres, A-1 (Agricultural) to RS-2 (Single-Family Residential), located approximately one-third mile north of Houston Street (81st Street), west of Oak Grove Road (273rd E. Avenue)

The motion carried by the following vote:
Aye: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson

B. 24-1625 Public hearing, consideration, and possible action regarding PUD-001845-2024 (Planned Unit Development) and BAZ-001851-2024 (Rezoning), Tiger Crossing, 17.66 acres, A-1 (Agricultural) to CG (Commercial General) and CM (Community Mixed-Use), located at the northwest corner of Albany Street (61st Street) and 23rd Street (193rd E. Avenue/County Line Road)

Henry Bibelheimer, Planner II, presented Item 24-1625. The public hearing addresses PUD 1845 and BAZ 1851 for the proposed Tiger Crossing development, encompassing 17.66 acres at the northwest corner of Albany Street and County Line Road. The site, currently unplatted and undeveloped, seeks rezoning from Agricultural (A-1) to Commercial General (CG) and Community Mixed-Use (CM). The property is designated as Level 4 in the comprehensive plan, supporting both zoning types. Development Area A, along the frontage, is proposed for commercial use with reduced front and rear setbacks from 50 to 25 feet, a maximum height limit of 35 feet, and allowances for specific signage. Development Area B, located behind Area A, supports office, residential, and mixed-use development with a maximum of 150 dwelling units, enhanced masonry requirements, and a northern landscape buffer of 35 feet. Development Area C is planned for future growth with flexibility for commercial or residential uses based on established standards. Access will be provided via driveways on Albany Street and County Line Road, though some variances for driveway spacing may be needed. The property is not within a 100-year floodplain and has access to city water and sewer. Staff recommends approval of the rezoning and PUD, subject to the property being platted, citing its alignment with the comprehensive plan and surrounding land uses.

Vice Chairman Jason Coan asked if there is anything on a city aspect that the Planning Commission should be considering or considering because of its location. Amanda Yamaguchi, Planning and Development Manager, explained the proposed parking lot is private, and the property owners can put up signs indicating that parking is for business use only, similar to the signage at Domino's across the street, which states "no event parking." Enforcement of these parking restrictions would be the responsibility of the property owners.

Further discussion regarding a Planned Unit Development (PUD) clarified that property owners in a privately owned parking lot can put up signage to restrict parking to business patrons only, as seen in similar cases like the Domino's on the east side of the County Line. This enforcement is up to the property owners. Additionally, there was a recap of the development's progress: originally part of a comprehensive plan changes in July of this year, the PUD covers developments A, B, and C. Currently, only the plan for development A is being proposed, though it sets the framework for B and C. The initial proposal for developments B and C included a conceptual layout of townhouses or duplexes. However, the current PUD documentation is intentionally vague about these specifics to allow for flexibility in future development.

Natalie Cornett, the applicant's representative for Eller & Detrich, was present.

MOTION: A motion was made by Jason Coan, seconded by Jaylee Klempa.
Move to approve Item 24-1625 PUD-001845-2024 (Planned Unit Development) and BAZ-001851-2024 (Rezoning), Tiger Crossing, 17.66 acres, A-1 (Agricultural) to CG (Commercial General) and CM (Community Mixed-Use), located at the northwest corner of Albany Street (61st Street) and 23rd Street (193rd E. Avenue/County Line Road)

The motion carried by the following vote:

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

7. Appeals - NONE

8. General Commission Business

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

10. Adjournment

The meeting was adjourned at approximately 5:50 p.m.

MOTION: A motion was made by Robert Goranson, seconded by Mindy Payne.
Move to adjourn.

The motion carried by the following vote:

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

DRAFT



City of Broken Arrow

Request for Action

File #: 24-1716, **Version:** 1

Broken Arrow Planning Commission
01-09-2025

To: Chairman and Commission Members
From: Community Development Department

Title:

Approval of PT-001918-2024|PR-000689-2024, Preliminary Plat, Oak Creek Crossing, approximately 41.38 acres, 118 Lots, R-2(Single-Family Residential), located approximately one quarter mile south of Houston Street (81st Street), and east of 23rd Street (193rd Avenue/County Line Road)

Background:

Applicant: Nicole Watts & Mike Thedford of Wallace Design Collective
Owner: Chase Couch c/o Logan Street
Developer: N/A
Engineer: Wallace Desing Collective
Location: approximately one quarter mile south of Houston Street (81st Street) , and east of 23rd Street (193rd Avenue/County Line Road)
Size of Tract 41.38 acres
Number of Lots: 118
Zoning: R-2 (Single Family Residential)
Comp Plan: Level 2 - Urban Residential

PT-001819-2024, the preliminary plat for Oak Creek Crossing proposes to have 118 lots on 41.38 acres. This property, which is south of Houston Street and east of 23rd Street, is zoned R-2 and is currently undeveloped.

Single-family lots are proposed to encompass the majority of the proposed plat, and these lots will meet the minimum standards of the R-2 zoning district. Additionally, three reserve areas are proposed to serve as stormwater detention areas. Primary access to this development will be provided on 23rd Street with additional connections to Louisville Street and 27th Street. A single stub street will be provided to the north.

According to FEMA maps, none of the property is located in the 100-year floodplain, but a blue line stream does cross the south east corner of the property. Water and sanitary sewer are available from the City of Broken Arrow. This preliminary plat was reviewed by the Technical Advisory Committee on December 30, 2024.

Attachments: Preliminary Plat with Comments

Recommendation:

Staff recommends PT-001918-2024|PR-000689-2024, Preliminary Plat for Oak Creek Crossing, be approved subject to the attached comments.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

JTH

OAK CREEK CROSSING

GOVERNMENT LOT 2 IN THE SOUTHWEST QUARTER (SW/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION EIGHTEEN (18), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA.

OWNER:
Ernest Couch
529 North 43rd West Avenue
Tulsa, Oklahoma, 74127
CONTACT: RAUSCH COLEMAN

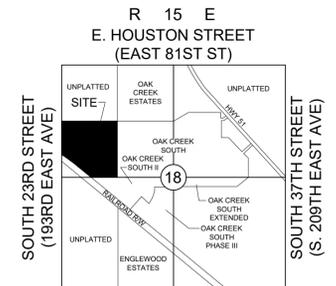
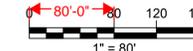
ENGINEER:
Wallace Design Collective, PC
123 North Martin Luther King Jr Blvd.
Tulsa, Oklahoma, 74103
Phone: (918) 584-5858
OK CA NO. 1460, EXPIRES 6/30/2025
A. NICOLE WATTS
nicole.watts@wallace.design

SURVEYOR:
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
R. WESLEY BENNETT, PLS 1562
wes.bennett@wallace.design

P04: Add phone #

E03
Non-Linear Curvature – All non-arterial streets shall limit tangent segments of a roadway to 900 feet or less before employing a reasonable, gradual curvilinear segment EDCM 6.4.9.C

E01
BL and UE labels mixed up



CURVE TABLE					
CURVE #	LENGTH (L)	RADIUS (R)	DELTA (Δ)	CHORD BEARING (CB)	CHORD DISTANCE (CD)
C1	39.22'	25.00'	89°52'35"	N 43°43'55" E	35.32'
C2	11.94'	25.00'	27°21'43"	N 14°53'14" W	11.83'
C3	120.56'	48.00'	143°54'14"	N 43°23'02" E	91.28'
C4	11.58'	25.00'	26°32'31"	S 77°56'07" E	11.48'
C5	39.34'	25.00'	90°09'19"	N 43°42'59" E	35.40'
C6	39.20'	25.00'	89°50'41"	S 46°17'01" E	35.31'
C7	39.27'	25.00'	90°00'00"	N 43°47'38" E	35.36'
C8	39.27'	25.00'	90°00'00"	S 46°12'22" E	35.36'
C9	39.27'	25.00'	90°00'00"	S 43°47'38" W	35.36'
C10	39.27'	25.00'	90°00'00"	N 46°12'22" W	35.36'
C11	39.24'	25.00'	89°55'20"	N 43°45'18" E	35.33'
C12	117.81'	75.00'	90°00'00"	N 43°47'38" E	106.07'
C13	39.32'	25.00'	90°07'25"	S 46°16'05" E	35.39'
C14	39.27'	25.00'	90°00'00"	N 43°47'38" E	35.36'
C15	71.46'	175.00'	23°23'52"	N 12°54'18" W	70.97'
C16	198.89'	225.00'	50°38'47"	N 26°31'46" W	192.48'
C17	40.41'	25.00'	92°36'38"	N 70°54'33" W	36.15'
C18	56.74'	125.00'	26°00'30"	S 75°47'23" W	56.26'
C19	61.37'	25.00'	140°38'47"	N 18°28'14" E	47.08'
C20	120.40'	175.00'	39°25'05"	N 71°33'42" W	118.04'
C21	154.79'	225.00'	39°25'05"	N 71°33'42" W	151.76'
C22	117.61'	75.00'	89°50'41"	N 46°17'01" W	105.92'
C23	39.20'	25.00'	89°50'41"	S 46°17'01" E	35.31'
C24	39.31'	25.00'	90°05'26"	S 43°41'02" W	35.38'
C25	39.23'	25.00'	89°54'34"	S 46°18'58" E	35.33'
C26	102.94'	78.00'	75°37'09"	S 39°10'15" E	95.63'
C27	36.95'	28.00'	75°37'09"	N 39°10'15" W	34.33'
C28	98.99'	75.00'	75°37'09"	S 39°10'15" E	91.96'
C29	164.98'	125.00'	75°37'09"	S 39°10'15" E	153.26'
C30	44.61'	75.00'	34°04'48"	S 18°24'05" E	43.96'
C31	54.37'	75.00'	41°32'21"	S 56°12'39" E	53.19'

NOTE:
SEE SHEET 2 FOR LOT AREA AND RESERVE TABLES

LEGEND

- B/L = BUILDING SETBACK
- ACC = ACCESS
- LNA = LIMITS OF NO ACCESS
- R/W = RIGHT-OF-WAY
- U/E = UTILITY EASEMENT
- BK./PG. = BOOK/PAGE
- P.O.B. = POINT OF BEGINNING
- XXXX = ADDRESS
- ① = BLOCK NUMBER
- 2 = LOT NUMBER
- = IRON PIN FOUND

SUBDIVISION STATISTICS
SUBDIVISION CONTAINS 118 LOTS IN 9 BLOCKS AND 3 RESERVE AREAS.
SUBDIVISION CONTAINS 1,723,415 SF (39.56 ACRES)
R/W DEDICATED BY PLAT CONTAINS 79,274 SF (1.82 ACRES)
PROPERTY ZONED R-2

MONUMENTATION
MONUMENTATION FOUND AS NOTED.
3/8" IRON PINS TO BE SET AT ALL PROPERTY CORNERS.
1/2" IRON PINS TO BE SET AT MAIN BOUNDARY CORNERS.

BASIS OF BEARINGS
HORIZONTAL DATUM BASED UPON OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011) NORTH ZONE 3501.
VERTICAL DATUM NAVD 1988

FLOODPLAIN NOTE
THE PROPERTY DESCRIBED HAS BEEN EXAMINED BY A MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, WAGONER COUNTY, OKLAHOMA, MAP NO. 40145C0095J. MAP REVISED: SEPTEMBER 30, 2016, WHICH SHOWS THE ENTIRE PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE (X) NOT SHADED WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN.

BLANKET EASEMENT EXCEPTIONS

10. ORDER OF THE BOARD OF COUNTY COMMISSIONERS OF WAGONER COUNTY RELATING TO RURAL WATER DISTRICT NO. 4 RECORDED IN BOOK 662, PAGE 539. (AFFECTS SUBJECT PROPERTY AS A BLANKET)
12. EASEMENT DEED BY COURT ORDER IN THE U.S. DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA CASE NO. CIV-11-1475-W RECORDED IN BOOK 2106, PAGE 507. (AFFECTS SUBJECT PROPERTY AS A BLANKET)

E02
Add reference to Broken Arrow Project number PR-000689-2024 to each sheet

PRELIMINARY PLAT

OAK CREEK CROSSING

GOVERNMENT LOT 2 IN THE SOUTHWEST QUARTER (SW/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION EIGHTEEN (18), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA.

Lot Area Table (Block 1)		
Lot #	Area	(ACRE)
1	8,016	0.18
2	8,104	0.19
3	13,449	0.31
4	8,379	0.19
5	8,050	0.18
6	8,050	0.18
7	8,050	0.18
8	8,050	0.18
9	8,030	0.18

Lot Area Table (Block 2)		
Lot #	Area	(ACRE)
1	8,012	0.18
2	8,137	0.19
3	8,126	0.19
4	8,115	0.19

Lot Area Table (Block 3)		
Lot #	Area	(ACRE)
1	10,317	0.24
2	10,123	0.23
3	10,013	0.23
4	10,014	0.23
5	10,819	0.25
6	17,410	0.40
7	8,050	0.18
8	8,050	0.18
9	8,050	0.18
10	8,050	0.18
11	8,050	0.18
12	8,050	0.18
13	13,293	0.31
14	8,372	0.19
15	8,230	0.19

Lot Area Table (Block 4)		
Lot #	Area	(ACRE)
1	8,030.87	0.18
2	8,050.00	0.18
3	8,050.00	0.18
4	8,050.00	0.18
5	8,050.00	0.18
6	8,050.00	0.18
7	8,050.00	0.18
8	8,050.00	0.18
9	8,050.00	0.18
10	8,050.00	0.18
11	8,050.00	0.18
12	8,050.00	0.18
13	8,145.87	0.19
14	8,145.87	0.19
15	8,050.00	0.18
16	8,050.00	0.18
17	8,050.00	0.18
18	8,050.00	0.18
19	8,050.00	0.18
20	8,050.00	0.18
21	8,050.00	0.18
22	8,050.00	0.18
23	8,050.00	0.18
24	8,050.00	0.18
25	8,050.00	0.18
26	8,030.87	0.18

Lot Area Table (Block 5)		
Lot #	Area	(ACRE)
1	8,260.87	0.19
2	8,050.00	0.18
3	8,050.00	0.18
4	8,050.00	0.18
5	8,050.00	0.18
6	8,050.00	0.18
7	8,050.00	0.18
8	8,050.00	0.18
9	8,050.00	0.18
10	8,050.00	0.18
11	8,050.00	0.18
12	8,050.00	0.18
13	8,085.33	0.19
14	8,079.89	0.19
15	8,050.00	0.18
16	8,050.00	0.18
17	8,050.00	0.18
18	8,050.00	0.18
19	8,050.00	0.18
20	8,050.00	0.18
21	8,050.00	0.18
22	8,050.00	0.18
23	8,050.00	0.18
24	8,050.00	0.18
25	8,086.72	0.19
26	8,668.26	0.20

Lot Area Table (Block 6)		
Lot #	Area	(ACRE)
1	10,393.91	0.24
2	8,101.56	0.19
3	8,096.03	0.19
4	8,090.51	0.19
5	8,084.98	0.19
6	8,079.46	0.19
7	8,073.93	0.19
8	8,068.40	0.19
9	8,062.88	0.19
10	8,057.35	0.18
11	8,033.53	0.18
12	8,030.39	0.18
13	8,050.01	0.18
14	8,050.01	0.18
15	8,050.01	0.18
16	8,050.01	0.18
17	8,050.01	0.18
18	8,050.01	0.18
19	8,010.14	0.18
20	10,862.91	0.25

Lot Area Table (Block 7)		
Lot #	Area	(ACRE)
1	8,071.20	0.19
2	8,056.64	0.18
3	8,108.75	0.19
4	10,249.01	0.24

Lot Area Table (Block 8)		
Lot #	Area	(ACRE)
1	8,055.72	0.18
2	8,050.00	0.18
3	8,050.00	0.18
4	8,050.00	0.18
5	10,719.96	0.25

Lot Area Table (Block 9)		
Lot #	Area	(ACRE)
1	8,031.75	0.18
2	8,050.03	0.18
3	8,050.03	0.18
4	8,050.03	0.18
5	8,050.03	0.18
6	8,050.03	0.18
7	8,050.03	0.18
8	8,567.53	0.20
9	8,567.53	0.20

Reserve Area Table		
Lot #	Area	(ACRE)
A	42,902.71	0.98
B	44,574.47	1.02
C	111,360.48	2.56

PRELIMINARY PLAT

OAK CREEK CROSSING

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

XXXXXX XXXXXX, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA.

A TRACT OF LAND LYING IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SW4, NW/4) OF SECTION EIGHTEEN (18), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN (I.B.&M.), CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING (P.O.C.) AT A FOUND MAG NAIL BEING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION EIGHTEEN (18); THENCE N88°45'22"E ALONG THE SOUTH LINE OF THE SAID NORTHWEST QUARTER (NW/4) FOR A DISTANCE OF 691.72 FEET TO A POINT ON THE RIGHT-OF-WAY TO THE MISSOURI KANSAS AND OKLAHOMA RAILROAD COMPANY AND THE POINT OF BEGINNING (P.O.B.); THENCE N51°50'49"W ALONG THE SAID RIGHT-OF-WAY FOR A DISTANCE OF 390.89 FEET; THENCE CONTINUING ALONG THE SAID RIGHT-OF-WAY AROUND A CURVE TO THE LEFT, WITH A RADIUS OF 4112.02 FEET, A LENGTH OF 409.19 FEET, A CHORD DISTANCE OF 409.02 FEET WITH A CHORD BEARING N54°25'14"W; THENCE N58°03'51"W FOR A DISTANCE OF 75.32 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION EIGHTEEN (18); THENCE N01°19'47"W ALONG THE WEST LINE OF THE SAID NORTHWEST QUARTER (NW/4) FOR A DISTANCE OF 786.79 FEET TO A POINT ON THE SAID WEST LINE; THENCE N88°47'38"E FOR A DISTANCE OF 1304.45 FEET TO THE WEST LINE OF OAK CREEK SOUTH SUBDIVISION; THENCE S01°21'41"E FOR A DISTANCE OF 1320.39 FEET ALONG THE WEST LINE OF OAK CREEK SOUTH SUBDIVISION TO A POINT ON THE SOUTH LINE OF THE SAID NORTHWEST QUARTER; THENCE S88°45'22"W ALONG THE SOUTH LINE OF THE SAID NORTHWEST QUARTER (NW/4) FOR A DISTANCE OF 613.46 FEET TO A POINT ON THE SOUTH LINE OF THE SAID NORTHWEST QUARTER (NW/4) AND THE POINT OF BEGINNING (P.O.B.)

AREA CONTAINS 35.15 ACRES, MORE OR LESS.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 118 LOTS, 9 BLOCKS, AND 3 RESERVES, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT"), AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "OAK CREEK CROSSING", A SUBDIVISION IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA (HEREINAFTER THE "SUBDIVISION" OR "PLATTED AREA" OR "OAK CREEK CROSSING").

SECTION I. EASEMENTS AND UTILITIES

A. PUBLIC UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED ON THE ACCOMPANYING PLAT AS "UE", "UTILITY EASEMENT" OR "RESERVE D" FOR THE SEVERAL 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, MANHOLES 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 HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON THE LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, 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 THE UTILITY EASEMENTS 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 THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UTILITY SERVICE

- OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICE MAY BE LOCATED IN THE PERIMETER UTILITY EASEMENT 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 FOR GENERAL UTILITY SERVICES AND IN RESERVE D 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 WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE UPON THE LOT, PROVIDED UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE 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 UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE OVERHEAD AND/OR UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF OVERHEAD AND/OR UNDERGROUND FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNER'S AGENTS OR CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE LOT OWNER AGREES TO BE BOUND BY THESE COVENANTS.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICE

- THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THE LOT.
- WITHIN THE UTILITY EASEMENTS, STORM SEWER EASEMENTS AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD, IN THE JUDGEMENT OF THE CITY OF BROKEN ARROW 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 THE ORDINARY MAINTENANCE OF PUBLIC WATER MAINS.
- THE CITY OF BROKEN ARROW, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF PUBLIC SANITARY SEWER MAINS AND STORM SEWERS, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES

CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT OWNER'S AGENTS AND/OR CONTRACTORS.

- THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS, STORM SEWER EASEMENTS AND DRAINAGE EASEMENTS DEPICTED UPON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND PUBLIC SANITARY SEWER, OR STORM SEWER FACILITIES.
- THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED UPON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF UNDERGROUND WATER FACILITIES.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA OR ITS SUCCESSORS, AND THE LOT OWNER AGREES TO BE BOUND BY THESE COVENANTS.

D. GAS SERVICE

- THE SUPPLIER OF GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
- THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICES SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR ITS AGENTS OR CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE LOT OWNER AGREES TO BE BOUND BY THESE COVENANTS.

E. SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORMWATER FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. THE LOT OWNER SHALL NOT CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BROKEN ARROW, OKLAHOMA.

F. SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE BROKEN ARROW SUBDIVISION AND DEVELOPMENT REGULATIONS, CITY OF BROKEN ARROW ORDINANCES AND CITY OF BROKEN ARROW DESIGN STANDARDS. THE OWNER SHALL BE RESPONSIBLE FOR CONSTRUCTION OF A SIDEWALK WITHIN THE RIGHT OF WAY FRONTAGE AND BETWEEN RESERVE BOUNDARIES OF ALL RESERVES PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN THE SUBDIVISION. CONTINUOUS SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED WITHIN THE RIGHT OF WAY DEPICTED ON THE ACCOMPANYING PLAT. PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THE DWELLING WITHIN A LOT, THE OWNER OF THE PARTICULAR LOT SHALL CONSTRUCT THE SIDEWALK WITHIN THE FRONTAGE OF, AND ADJOINING, THE SUBJECT LOT BETWEEN LOT BOUNDARIES, AND SHALL THEREAFTER MAINTAIN THE SIDEWALK WITHIN THE LOT FRONTAGE. THE SIDEWALK SHALL BE CONTINUOUS WITH ANY EXISTING SIDEWALKS FRONTING ADJOINING LOTS AT THE LOT BOUNDARY.

G. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

H. CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF BROKEN ARROW, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, STORM SEWER SYSTEMS AND DETENTION IN RESERVES A, B AND C SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY, NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

I. LIMITS OF NO ACCESS (LNA)

THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH 193RD EAST AVENUE WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" 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.

SECTION II. RESERVES

A. RESERVE A, B AND C - STORMWATER DETENTION AND UTILITY EASEMENTS

- THE USE OF RESERVES A, B AND C SHALL BE LIMITED TO OPEN SPACE, LANDSCAPING, STORMWATER DETENTION AND LOCATION OF UTILITIES. RESERVES A, B AND C ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION REFERRED TO IN SECTION III BELOW.
- THE OWNER HEREBY DEDICATES TO THE PUBLIC, PERPETUAL EASEMENTS ON, OVER AND ACROSS RESERVE A, B AND C AS DESIGNATED ON THE ACCOMPANYING PLAT FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.
- THE OWNER HEREBY DEDICATES TO PUBLIC, UTILITY EASEMENTS ON, OVER AND ACROSS RESERVES A, B AND C AS DESIGNATED ON THE ACCOMPANYING PLAT FOR THE PURPOSES OF PLACEMENT OF PUBLIC UTILITIES SERVING THE SUBDIVISION.
- STORM WATER DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE STORMWATER DETENTION EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BROKEN ARROW.
- NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN RESERVES A, B OR C, NOR SHALL THERE BE ANY ALTERATION OF THE GRADE OR CONTOURS IN RESERVES A, B OR C UNLESS APPROVED BY THE CITY OF BROKEN ARROW.
- DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES IN RESERVES A, B AND C SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION TO THE EXTENT NECESSARY TO ACHIEVE IN THE INTENDED DRAINAGE, RETENTION AND DETENTION FUNCTIONS, INCLUDING THE REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. DETENTION FACILITIES SHALL BE MAINTAINED BY THE ASSOCIATION 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 DETENTION EASEMENT SHALL BE KEPT FREE OF DEBRIS.
- CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

7. LANDSCAPING APPROVED BY THE CITY OF BROKEN ARROW SHALL BE ALLOWED IN RESERVES A, B AND C.

8. IN THE EVENT THE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION OR THE ALTERATION OF GRADE WITHIN A DETENTION EASEMENT, 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 HOMEOWNERS' ASSOCIATION. IN THE EVENT THE HOMEOWNERS' ASSOCIATION 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 IN THE LAND RECORDS OF THE WAGONER 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 1/118TH OF THE COSTS. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BROKEN ARROW.

SECTION III. HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, THE OAK CREEK CROSSING HOMEOWNERS' ASSOCIATION, INC., A NOT-FOR-PROFIT ENTITY (SOMETIMES REFERRED TO HEREIN AS THE HOMEOWNERS' ASSOCIATION OR ASSOCIATION). THE HOMEOWNERS' ASSOCIATION SHALL BE FORMED FOR THE GENERAL PURPOSE OF MAINTAINING ALL RESERVE AREAS AND OTHER COMMON AREAS WITHIN OAK CREEK CROSSING, AND OTHERWISE ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF THE SUBDIVISION.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT SHALL BE A MEMBER OF THE HOMEOWNERS' ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND SHALL NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT. THE ACCEPTANCE OF A DEED TO A LOT SHALL CONSTITUTE ACCEPTANCE OF MEMBERSHIP TO THE HOMEOWNERS' ASSOCIATION AS OF THE DATE OF INCORPORATION, OR AS OF THE DATE OF RECORDING OF THE DEED, WHICHEVER OCCURS LAST.

C. COVENANT FOR ASSESSMENTS

THE OWNER AND EACH SUBSEQUENT OWNER OF A LOT, BY ACCEPTANCE OF A DEED THERETO, ARE DEEMED TO COVENANT AND AGREE TO PAY TO THE HOMEOWNERS' ASSOCIATION AN ANNUAL ASSESSMENT WHICH SHALL BE NO LESS THAN THE MINIMUM AMOUNT NECESSARY TO ADEQUATELY MAINTAIN AND SUPPORT ALL COMMON AREAS OF INTEREST INCLUDING, WITHOUT LIMITATION, ALL RESERVE AREAS DESIGNATED ON THE PLAT. SAID ASSESSMENTS WILL BE ESTABLISHED BY THE BOARD OF DIRECTORS IN ACCORDANCE WITH A DECLARATION TO BE EXECUTED AND RECORDED BY THE HOMEOWNERS' ASSOCIATION. AN UNPAID ASSESSMENT, PROPERLY FILED, SHALL BECOME A LIEN UPON THE LOT AGAINST WHICH IT IS MADE. THE LIEN, HOWEVER, SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE.

D. SPECIAL ASSESSMENTS

IN ADDITION TO THE ASSESSMENTS AUTHORIZED ABOVE, THE HOMEOWNERS' ASSOCIATION MAY LEVY A SPECIAL ASSESSMENT FOR THE PURPOSE OF DEFRAYING, IN WHOLE OR IN PART, THE COSTS OF ANY CONSTRUCTION OR RECONSTRUCTION, REPAIR OR REPLACEMENT OF A CAPITAL IMPROVEMENT UPON THE COMMON AREA OR ENTRYWAYS, INCLUDING THE NECESSARY FIXTURES AND PERSONAL PROPERTY RELATED THERETO, AND PAYMENT FOR ANY EXPENSES DEEMED NECESSARY AND APPROPRIATE BY THE BOARD OF DIRECTORS, SUBJECT TO THE TERMS OF AND AS MORE PARTICULARLY PROVIDED IN THE HOMEOWNERS' ASSOCIATION'S BYLAWS.

E. ENFORCEMENT RIGHTS OF THE ASSOCIATION

WITHOUT IMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE HOMEOWNERS' ASSOCIATION MAY HAVE, THE HOMEOWNERS' ASSOCIATION SHALL BE DEEMED A BENEFICIARY, TO THE SAME EXTENT AS A LOT OWNER, OF THE VARIOUS COVENANTS SET FORTH WITHIN THIS DEED OF DEDICATION, AND SHALL HAVE THE RIGHT TO ENFORCE ALL THE COVENANTS TO THE SAME EXTENT AS A LOT OWNER.

F. RESERVE AREAS

ALL RESERVE AREAS SHALL BE MAINTAINED BY THE OWNER UNTIL SUCH TIME AS THE HOMEOWNERS' ASSOCIATION IS FORMED AND OWNERSHIP OF SUCH RESERVE AREA IS CONVEYED TO THE ASSOCIATION. FROM AND AFTER SAID DATE, THE HOMEOWNERS' ASSOCIATION SHALL BE RESPONSIBLE FOR THE OPERATION AND MAINTENANCE OF SUCH RESERVE AREAS AND ALL COSTS AND EXPENSES ASSOCIATED THEREWITH, INCLUDING MAINTENANCE OF VARIOUS IMPROVEMENTS AND RECREATIONAL FACILITIES.

G. INDEMNIFICATION OF OWNER AND CITY

THE HOMEOWNERS' ASSOCIATION AND ITS MEMBERS SHALL INDEMNIFY AND HOLD HARMLESS THE OWNER AND THE CITY OF BROKEN ARROW, THEIR RESPECTIVE AGENTS AND REPRESENTATIVES, FROM ANY CLAIMS, LIABILITIES OR DAMAGES ARISING IN CONNECTION WITH THE OWNERSHIP AND USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR SITUATED IN THE RESERVES.

SECTION IV. DEVELOPMENT STANDARDS

DEVELOPMENT STANDARDS FOR OAK CREEK CROSSING SHALL FOLLOW ALL LOT AND BUILDING AREA REQUIREMENTS FOR R-2 OR SIMILAR ZONING DESIGNATION RECOGNIZED AND ENFORCED BY THE MOST CURRENT ZONING CODE OF THE CITY OF BROKEN ARROW, OKLAHOMA.

SECTION V. 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 AND ITS SUCCESSORS AND ASSIGNS IN TITLE. WITHIN THE PROVISIONS OF SECTION I, EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

B. DURATION

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

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, EASEMENTS AND UTILITIES AND SECTION II, RESERVES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BROKEN ARROW PLANNING COMMISSION OR ITS SUCCESSORS, AND THE CITY OF BROKEN ARROW, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION IV, DEVELOPMENT STANDARDS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE CITY OF BROKEN ARROW PLANNING COMMISSION OR ITS

SUCCESSORS, AND THE CITY OF BROKEN ARROW, 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.

IN WITNESS WHEREOF: XXXXXX XXXXXX, AN OKLAHOMA LIMITED LIABILITY COMPANY, EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2025.

XXXXXX XXXXXX

BY: _____

NAME: _____

TITLE: _____ OF XXXXXX, LLC

ACKNOWLEDGMENT

STATE OF OKLAHOMA) SS:

COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2025,

BY _____ AS _____ OF XXXXXXXX, LLC

NOTARY PUBLIC

MY COMMISSION NO: _____

MY COMMISSION EXPIRES: _____

CERTIFICATE OF SURVEY

I, R. WESLEY BENNETT, OF WALLACE DESIGN COLLECTIVE, PC, A LICENSED PROFESSIONAL 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 OAK CREEK CROSSING, A SUBDIVISION IN THE CITY OF BROKEN ARROW, WAGONER 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 _____, 2025.



R. WESLEY BENNETT, PLS
OK PLS 1562

ACKNOWLEDGMENT

STATE OF OKLAHOMA) SS:

COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 2025,

BY _____ AS _____ OF WALLACE DESIGN COLLECTIVE

NOTARY PUBLIC

MY COMMISSION NO: 00020202

MY COMMISSION EXPIRES: 12-11-24

[SEAL]



CONCEPTUAL IMPROVEMENTS PLAN

OAK CREEK CROSSING

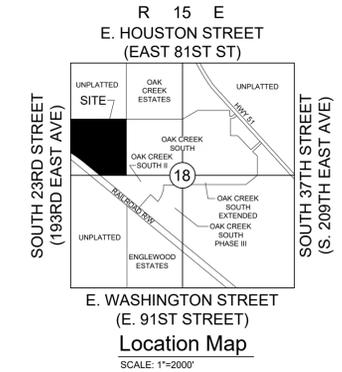
GOVERNMENT LOT 2 IN THE SOUTHWEST QUARTER (SW/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION EIGHTEEN (18), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA.

OWNER:
Ernest Couch
529 North 43rd West Avenue
Tulsa, Oklahoma, 74127
CONTACT: RAUSCH COLEMAN

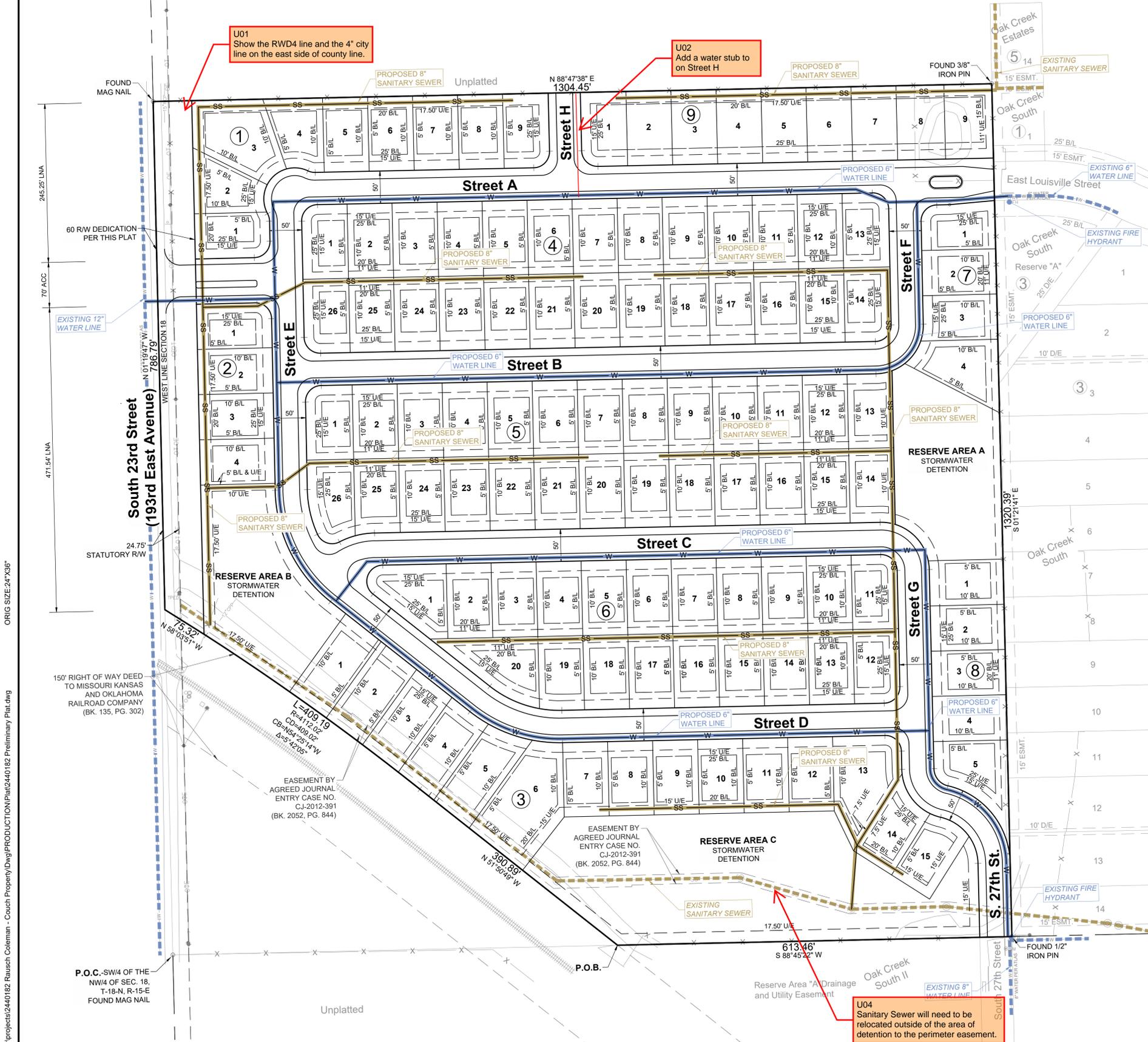
ENGINEER:
Wallace Design Collective, PC
123 North Martin Luther King Jr Blvd.
Tulsa, Oklahoma, 74103
Phone: (918) 584-5858
OK CA NO. 1460, EXPIRES 6/30/2025
A. NICOLE WATTS
nicole.watts@wallace.design

SURVEYOR:
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
R. WESLEY BENNETT, PLS 1562
wes.bennett@wallace.design

U03
Provide a letter from RWD4 that the city will supply water to the subdivision within their boundaries.



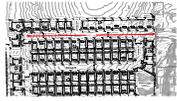
- LEGEND**
- B/L = BUILDING SETBACK
 - ACC = ACCESS
 - LNA = LIMITS OF NO ACCESS
 - R/W = RIGHT-OF-WAY
 - U/E = UTILITY EASEMENT
 - EXISTING WATER
 - PROPOSED WATER
 - EXISTING SANITARY SEWER
 - PROPOSED SANITARY SEWER



\\civ-server\projects\240182 Rausch Coleman - Couch Property\DWG\PRODUCTION\Plat240182 Preliminary Plat.dwg

2440182 Preliminary Plat & CIP_v1 w comments.pdf Markup Summary

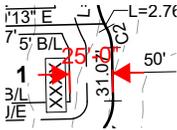
1,085'-2 1/4" (1)



Subject: Length Measurement
Author: David Reed

1,085'-2 1/4"

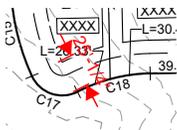
25'-0" (1)



Subject: Length Measurement
Author: JHensley

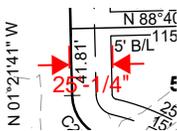
25'-0"

25'-1/4" (2)



Subject: Length Measurement
Author: JHensley

25'-1/4"



Subject: Length Measurement
Author: JHensley

25'-1/4"

54'-10" (1)



Subject: Length Measurement
Author: JHensley

54'-10"

58'-8" (1)



Subject: Length Measurement
Author: JHensley

58'-8"

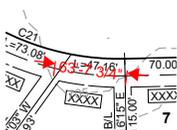
59'-7 3/4" (1)



Subject: Length Measurement
Author: JHensley

59'-7 3/4"

63'-7 3/4" (1)



Subject: Length Measurement
Author: JHensley

63'-7 3/4"

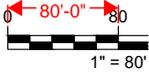
66'-10" (1)



Subject: Length Measurement
Author: JHensley

66'-10"

80'-0" (1)



Subject: Length Measurement
Author: David Reed

80'-0"

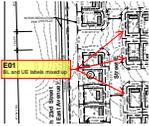
911'-4" (1)



Subject: Length Measurement
Author: David Reed

911'-4"

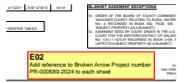
E01 BL and UE labels mixed up (1)



Subject: Text Box
Author: David Reed

E01
BL and UE labels mixed up

E02 Add reference to Broken Arrow Project number PR-000689-2024 to each sheet (1)



Subject: Text Box
Author: David Reed

E02
Add reference to Broken Arrow Project number
PR-000689-2024 to each sheet

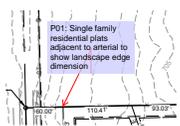
E03 Non-Linear Curvature – All non-arterial streets shall limit tangent segments of a roadway to 900 feet or less before employing



Subject: Text Box
Author: David Reed

E03
Non-Linear Curvature – All non-arterial streets
shall limit tangent
segments of a roadway to 900 feet or less before
employing a reasonable, gradual curvilinear
segment
EDCM 6.4.9.C

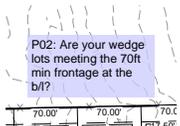
P01: Single family residential plats adjacent to arterial to show landscape edge dimension (1)



Subject: Callout
Author: JHensley

P01: Single family residential plats adjacent to
arterial to show landscape edge dimension

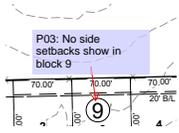
P02: Are your wedge lots meeting the 70ft min frontage at the b/l? (1)



Subject: Callout
Author: JHensley

P02: Are your wedge lots meeting the 70ft min
frontage at the b/l?

P03: No side setbacks show in block 9 (1)



Subject: Callout
Author: JHensley

P03: No side setbacks show in block 9

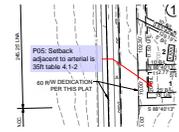
P04: Add phone # (1)



Subject: Callout
Author: JHensley

P04: Add phone #

P05: Setback adjacent to arterial is 35ft table 4.1-2 (1)



Subject: Callout
Author: JHensley

P05: Setback adjacent to arterial is 35ft table 4.1-2

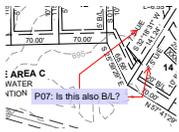
P06: B/L? (1)



Subject: Callout
Author: JHensley

P06: B/L?

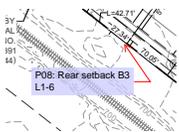
P07: Is this also B/L? (1)



Subject: Callout
Author: JHensley

P07: Is this also B/L?

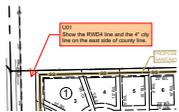
P08: Rear setback B3 L1-6 (1)



Subject: Callout
Author: JHensley

P08: Rear setback B3 L1-6

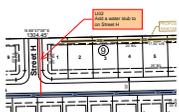
U01 Show the RWD4 line and the 4" city line on the east side of county line. (1)



Subject: Jason Comments
Author: jdickeson

U01
Show the RWD4 line and the 4" city line on the east side of county line.

U02 Add a water stub to on Street H (1)



Subject: Group
Author: jdickeson

U02
Add a water stub to on Street H

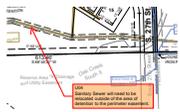
U03 Provide a letter from RWD4 that the city will supply water to the subdivision within their boundaries. (1)



Subject: Jason Comments
Author: jdickeson

U03
Provide a letter from RWD4 that the city will supply water to the subdivision within their boundaries.

U04 Sanitary Sewer will need to be relocated outside of the area of detention to the perimeter easement. (1)



Subject: Jason Comments
Author: jdickeson

U04
Sanitary Sewer will need to be relocated outside of the area of detention to the perimeter easement.

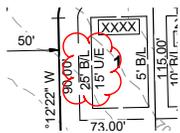
(3)



Subject: Cloud
Author: David Reed



Subject: Cloud
Author: David Reed



Subject: Cloud
Author: David Reed



City of Broken Arrow

Request for Action

File #: 24-1722, **Version:** 1

**Broken Arrow Planning Commission
01-09-2025**

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

Approval of PT-001889-2024|PR-000222-2023, Preliminary Plat for East Quik Trip on Kenosha, 10.2 acres, 2 lots, A-1 (Agricultural), R-2 (Single Family Residential) & SP (Specific Use Permit) 53 to CN (Commercial Neighborhood), A-1 and R-2, & SP-53 via BAZ-001225-2023, on the northeast corner of Kenosha Street (71st Street) and Evans Road (225th E. Avenue)

Background:

Applicant: Blake Howell (Kirkman Engineering)
Owner: Josh Potter (QuikTrip Corporation)
Developer: QuikTrip
Engineer: Jonathan Schindler (Kirkman Engineering)
Location: On the northeast corner of Kenosha Street (71st Street) and Evans Road (225th E. Avenue)

Size of Tract 10.2 acres
Number of Lots: 2
Present Zoning: A-1 (Agricultural), R-2 (Single Family Residential) & SP (Specific Use Permit) 53 to CN (Commercial Neighborhood), A-1 and R-2, & SP-53 via BAZ-001225-2023
Proposed Zoning: CN (Commercial Neighborhood), A-1 and R-2, & SP-53 via BAZ-001225-202
Comp Plan: Level 6 (Regional Employment/Commercial)

PT-001889-2024, the preliminary plat for E Quik Trip on Kenosha, contains 2 lots on 10.2 acres. This property is generally located on the northeast corner of Kenosha Street (71st Street) and Evans Road (225th E. Avenue). The property is currently unplatted and partially developed, as the eastern lot has a church on it.

BAZ-001225-2023 was a request to rezone the western lot of the subject property to CN (Commercial Neighborhood). The rezoning was heard by Planning Commission on January 11, 2024 where it recommended approval. BAZ-001225-2024 was approved by City Council on February 6, 2024, subject to Platting. PT-001889-2024 is the first application towards platting this property, and implementing BAZ-001225-2023.

This project is proposed to have access points on both Kenosha and Evans, which meet all of the separation requirements.

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

Attachments: Heritage United Preliminary Plat with Comments
Checklist

Recommendation:

Staff recommends PT-001889-2024|PR-000222-2023, preliminary plat for East QuikTrip on Kenosha, be approved subject to the attached checklist.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

HMB

Preliminary Plat

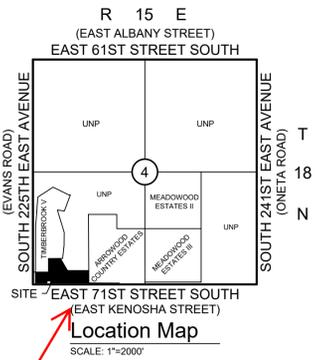
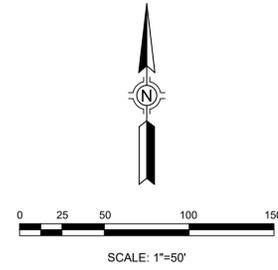
Heritage United

Owner:
Heritage BA
5300 E. Kenosha
Broken Arrow, OK, 74014
Phone: (918) 357-2211
Contact: C. Joseph Watt, Chairman of Trustees
Email: jwatt@sw-assoc.com

A REPLAT OF ALL OF HERITAGE UNITED METHODIST CHURCH
IN PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4, SW/4) OF
SECTION FOUR (4), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST,
CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA

P.U.D. SP(53)

Engineer/Surveyor:
Sisemore & Associates, Inc.
Certificate of Authorization No. 2412 Exp. June 30, 2025
6660 S. Sheridan Rd, Ste. 210
Tulsa, Oklahoma 74133
Phone: (918) 665-3600
Email: jwatt@sw-assoc.com



E02
Switch the county and city street names. The city street name is the primary name and the county name is in parenthesis

Subdivision Statistics:
SUBDIVISION CONTAINS TWO (2) LOTS IN ONE (1) BLOCK
SUBDIVISION CONTAINS 10.20 TOTAL ACRES (444,400 SF)

- Legend:**
- U/E = UTILITY EASEMENT
 - B/L = BUILDING SETBACK LINE
 - D/E = DRAINAGE EASEMENT
 - SS/E = SANITARY SEWER EASEMENT
 - SD/E = STORMWATER DETENTION EASEMENT
 - MA/E = MUTUAL ACCESS EASEMENT
 - W/E = WATERLINE EASEMENT
 - R/W = RIGHT-OF-WAY
 - ACC = ACCESS
 - LNA = LIMITS OF NO ACCESS
 - P.O.B. = POINT OF BEGINNING
 - P.O.C. = POINT OF COMMENCEMENT
 - FND = FOUND
 - BK. = BOOK
 - CL = CENTERLINE
 - PG. = PAGE
 - [Symbol] = EX. EASEMENT TO BE VACATED

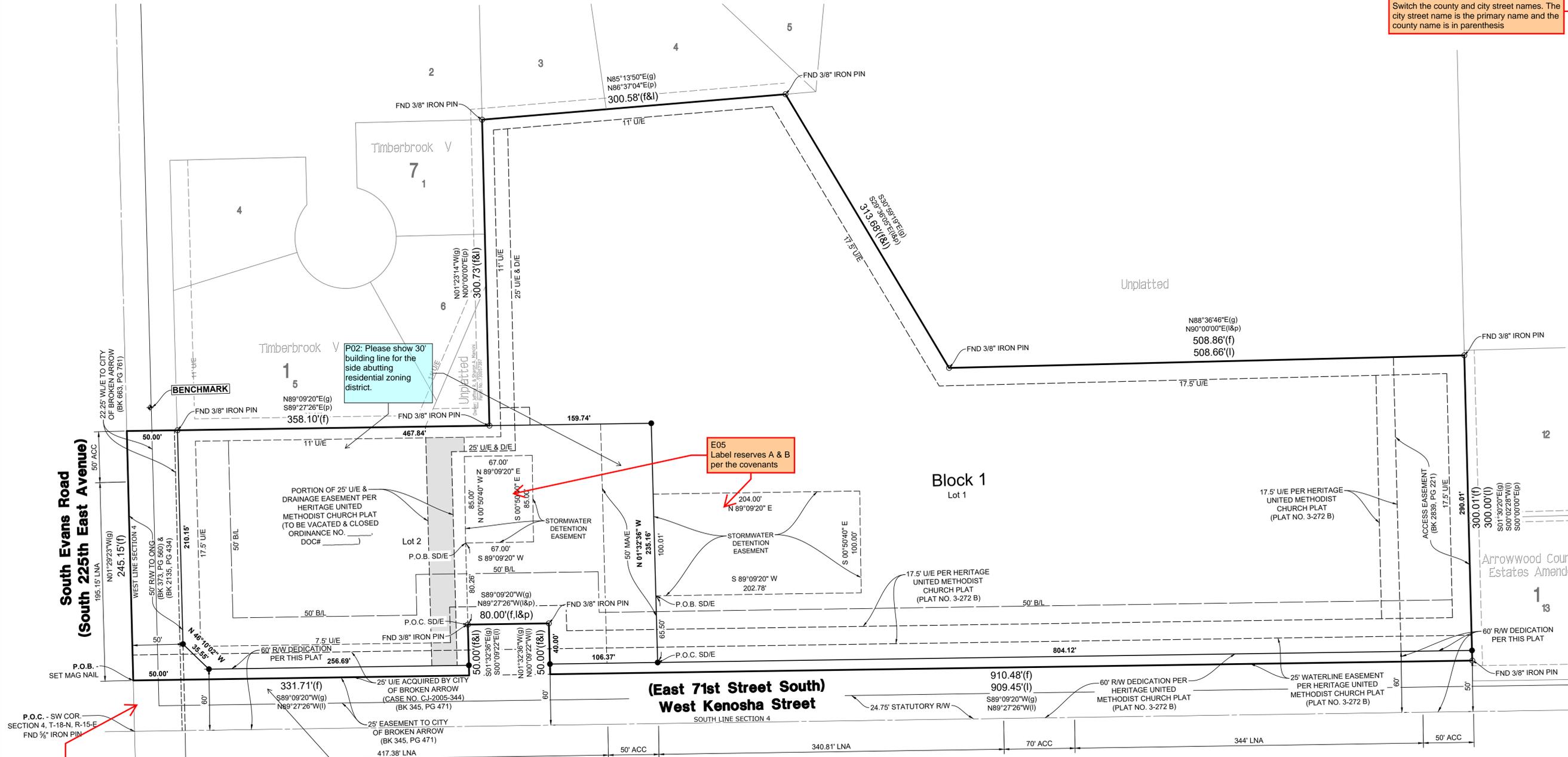
Monumentation:
3/8" IRON PINS TO BE SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
O = FOUND IRON PIN
● = SET IRON PIN WITH RED PLASTIC CAP STAMPED "SA CA2421"

Basis of Bearing:
THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARINGS AS SHOWN ON THE RECORDED PLATS OF BLUE BELL AND A.E.S. INDUSTRIAL CENTER.

Vertical Datum:
ALL BENCHMARK ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD'88).

Horizontal Datum:
ALL BENCHMARK COORDINATES SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAVD'83) NORTH ZONE (8501) OF THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

Benchmark:
RAILROAD SPIKE IN WEST FACE OF PP EAST SIDE OF S. EVANS RD. APPROXIMATELY 35' NORTHWEST OF THE NORTHWEST PROPERTY CORNER.
ELEV = 680.00
N = 394375.5
E = 2640576.8



P02: Please show 30' building line for the side abutting residential zoning district.

E05
Label reserves A & B per the covenants

E01
Add the Bearing and distance from the POC to the POB

P01: Ultimate ROW must be dedicated. Please see section 6.4.2 of the Engineering Design Criteria.

E03
complete the DD number DD#031423-20 (both pages)

E04
Replace the case number with the COBA Project number PR-000222-2023 (both pages)

THE FEMA FLOODPLAIN MAP 40145C0115J REVISED DATED 9/30/2016 HAS SHOWN THE SUBJECT TRACT IN ZONE X (UNSHADED)
STORMWATER DETENTION ACCOMMODATIONS FOR THIS SITE ARE PROVIDED IN ACCORDANCE WITH FEE-IN-LIEU OF DETENTION DETERMINATION NO. DD-_____

CASE NO. _____

K:\10258\01\0258\01\FPL\dwg_FPL101.dwg FPL101 Date: 12/18/2024 7:02:29am SISEMORE & ASSOCIATES, INC. 2/24

Preliminary Plat Heritage United

A REPLAT OF ALL OF HERITAGE UNITED METHODIST CHURCH
IN PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4, SW/4) OF
SECTION FOUR (4), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST,
CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA

P.U.D. SP(53)

Deed of Dedication Heritage United

KNOW ALL BY THESE PRESENTS:

HERITAGE BA CHURCH INC., AN OKLAHOMA CORPORATION, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION FOUR (4), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN WAGONER 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 SOUTHWEST QUARTER (SW/4); THENCE NORTH 01°29'23" WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4) FOR 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01°29'23" WEST AND CONTINUING ALONG SAID WEST LINE SOUTHWEST QUARTER (SW/4) FOR 245.15 FEET; THENCE NORTH 89°09'20" EAST ALONG THE SOUTH LINE OF BLOCK ONE (1) OF TIMBERBROOK V, AN ADDITION TO THE CITY OF BROKEN ARROW, WAGONER COUNTY, OKLAHOMA FOR 358.10 FEET TO THE SOUTHEAST CORNER OF THE ORIGINALLY FILED LOT SIX (6) OF SAID BLOCK ONE (1) TIMBERBROOK V; THENCE NORTH 01°23'14" WEST ALONG THE EAST LINE OF SAID ORIGINAL LOT SIX (6) BLOCK ONE (1) OF TIMBERBROOK V, AND THE EAST LINE OF LOT ONE (1) BLOCK SEVEN (7) OF TIMBERBROOK V FOR 300.73 FEET TO THE NORTHEAST CORNER OF SAID LOT ONE (1) BLOCK SEVEN (7); THENCE NORTH 85°13'50" EAST ALONG THE SOUTHERLY LINE OF SAID BLOCK SEVEN (7) OF TIMBERBROOK V FOR 300.58 FEET; THENCE SOUTH 30°59'19" EAST FOR 313.68 FEET; THENCE NORTH 88°38'48" EAST FOR 508.86 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF (W/2) OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION FOUR (4), THE SAME ALSO BEING THE WEST LINE OF ARROWWOOD COUNTRY ESTATES AMENDED; THENCE SOUTH 01°30'20" EAST ALONG SAID EAST LINE WEST HALF (W/2) SOUTHWEST QUARTER (SW/4), ALSO BEING SAID WEST LINE ARROWWOOD COUNTRY ESTATES AMENDED FOR 300.01 FEET; THENCE SOUTH 89°09'20" WEST PARALLEL WITH AND 50.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW/4) FOR 910.48 FEET; THENCE NORTH 01°32'36" WEST FOR 50.00 FEET; THENCE SOUTH 89°09'20" WEST FOR 80.00 FEET; THENCE SOUTH 01°32'36" EAST FOR 50.00 FEET; THENCE SOUTH 89°09'20" WEST AND PARALLEL WITH SAID SOUTH LINE SOUTHWEST QUARTER (SW/4) FOR 331.71 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE SUBDIVISION CONTAINING 444,400 SQUARE FEET OR 10.2 ACRES, MORE OR LESS.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 2 LOTS, 1 BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "HERITAGE UNITED", A SUBDIVISION IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "HERITAGE BA CHURCH" OR THE "SUBDIVISION").

SECTION I. PUBLIC STREETS AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "UIE" OR "UTILITY EASEMENT" FOR THE SEVERAL 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, MANHOLES 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 STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, 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 STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERRECTED, INSTALLED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNER'S LOT.

2. WITHIN UTILITY EASEMENTS, DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF THE CITY OF BROKEN ARROW, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.

3. THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNER'S AGENTS AND/OR CONTRACTORS.

4. THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS, DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

C. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

D. UTILITY SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE 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 ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE UPON THE LOT, PROVIDED UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF ANY LOT AGREES TO BE BOUND BY THESE COVENANTS.

E. GAS SERVICE

1. THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

2. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND BY THESE COVENANTS.

F. LIMITS OF NO ACCESS

THE OWNER HEREBY RELINQUISH RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO NORTH 23RD STREET AND EAST KENOSHA STREET WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" OR "L.N.A." 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. SURFACE DRAINAGE

EACH LOT WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BROKEN ARROW, OKLAHOMA.

H. SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF BROKEN ARROW, OKLAHOMA, AND ALL SUCH SIDEWALKS SHALL BE CONSTRUCTED BY THE OWNER PRIOR TO THE ISSUANCE OF THE OCCUPANCY PERMIT FOR ANY BUILDING WITHIN THE SUBDIVISION. THE OWNER SHALL CONSTRUCT SIDEWALKS IN CONFORMANCE WITH THE STANDARDS OF THE CITY OF BROKEN ARROW ENGINEERING DESIGN STANDARDS.

I. CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF BROKEN ARROW, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, UTILITY EASEMENTS, SIDEWALKS) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY OF BROKEN ARROW, OKLAHOMA. NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

J. RESERVE AREA "A": STORMWATER DETENTION EASEMENT

1. STORMWATER DETENTION FACILITIES SHALL BE CONSTRUCTED BY THE OWNER / DEVELOPER WITHIN RESERVE AREAS "A" AND "B", THE STORMWATER DETENTION EASEMENT AREAS, DESIGNATED ON THE ACCOMPANYING PLAT, ACCORDING TO THE SPECIFICATIONS AND STANDARDS APPROVED BY THE CITY OF BROKEN ARROW, OKLAHOMA.

2. RESERVE AREA "A", THE STORMWATER DETENTION EASEMENT AREA WITHIN THE SUBDIVISION, SHALL BE MAINTAINED BY THE OWNERS OF RESERVE "A", HERITAGE BA CHURCH. RESERVE AREA "B", THE STORMWATER DETENTION EASEMENT AREA WITHIN THE SUBDIVISION, SHALL BE MAINTAINED BY THE OWNERS OF RESERVE "B". OWNERS OF LOT 2 BLOCK 1 THE MAINTENANCE OF THE STORMWATER DETENTION EASEMENT SHALL BE PERFORMED TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS INCLUDING REPAIR OF EROSION, APPURTENANCES AND REMOVAL OF DEBRIS, OBSTRUCTIONS, AND SILTATIONS, AND THE PERFORMANCE OF ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE STORMWATER DETENTION EASEMENT AREAS. MAINTENANCE OF THE STORMWATER DETENTION EASEMENT SHALL BE AT THE COST OF THE OWNER. MAINTENANCE SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

A. RESERVE AREAS "A" AND "B", THE STORMWATER DETENTION EASEMENT AREA, SHALL BE KEPT FREE OF LITTER; AND,

B. RESERVE AREA "A" AND "B", THE STORMWATER DETENTION EASEMENT AREA, SHALL BE MOWED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING (FOUR) 4 WEEKS.

3. IN THE EVENT THE HERITAGE BA CHURCH TRUSTEES AND/OR THE OWNERS OF LOT 2 BLOCK 1 FAIL TO PROPERLY MAINTAIN THE DETENTION EASEMENT AREAS AS ABOVE PROVIDED, THE CITY OF BROKEN ARROW, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE STORMWATER DETENTION EASEMENT AREAS AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE OWNER OF RESERVE "A" AND "B".

4. IN THE EVENT THE OWNER OF RESERVE AREA "A" AND "B", THE OWNERS, SHALL BE OBLIGATED TO MAINTAIN THE STORMWATER DETENTION EASEMENT, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE OF THE STORMWATER DETENTION EASEMENT AS ABOVE SET FORTH, 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 HERITAGE BA CHURCH AND LOT 2 BLOCK 1 PROPERTY OWNERS' ASSOCIATION. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BROKEN ARROW, OKLAHOMA.

A. SCREENING/FENCING REQUIREMENT

AN EIGHT (8) FOOT HEIGHT WOODEN SCREENING FENCE SHALL BE REQUIRED ALONG THE NORTHERLY SIDING OF THE LOT 2 BLOCK 1 WHERE ABUTTING RESIDENTIAL USE. CONSTRUCTION OF SUCH SCREENING FENCING SHALL BE IN ACCORDANCE WITH CITY ZONING CODE REQUIREMENTS. THE FENCE WILL BE BUILT AT THE TIME OF THE DEVELOPMENT.

SECTION II. 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. PUBLIC STREETS AND UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY, THE CITY OF BROKEN ARROW, OKLAHOMA. IF ANY JUDICIAL ACTION IS BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED IN THIS DEED OF DEDICATION THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

B. DURATION

THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS EACH, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. PUBLIC STREETS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME WHETHER BEFORE OR AFTER THE PERIOD(S) SPECIFIED IN SUBSECTION B, BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LOT TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BROKEN ARROW PLANNING COMMISSION, OR ITS SUCCESSORS AND THE CITY OF BROKEN ARROW, OKLAHOMA.

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 OF ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE UNDERSIGNED OWNER HAS EXECUTED THIS DEED OF DEDICATION.

HERITAGE BA CHURCH, INC., AN OKLAHOMA CORPORATION

BY: _____
C. JOSEPH WATT
CHAIRMAN OF THE TRUSTEES

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2024, BY C. JOSEPH WATT, AS CHAIRMAN OF THE TRUSTEES OF HERITAGE BA CHURCH INCORPORATED, AN OKLAHOMA CORPORATION.

NOTARY PUBLIC

E06
Remove the city as an enforcer this is considered to be a civil matter between lot owners
E06
Remove the city as an enforcer this is considered to be a civil matter between lot owners

CERTIFICATE OF SURVEY

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



SHAWN A. COLLINS
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1788

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, ON THIS _____ DAY OF _____, 2024, PERSONALLY APPEARED SHAWN A. COLLINS, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

NOTARY PUBLIC

THE FEMA FLOODPLAIN MAP 40145C0115J REVISED DATED 9/30/2016 HAS SHOWN THE SUBJECT TRACT IN ZONE X (UNSHADED)

STORMWATER DETENTION ACCOMMODATIONS FOR THIS SITE ARE PROVIDED IN ACCORDANCE WITH FEI-IN-LIEU OF DETENTION DETERMINATION NO: DD-_____

CASE NO. _____

Preliminary Plat

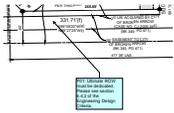
Heritage United

Sheet 2 of 2

Date Prepared: December 18, 2024

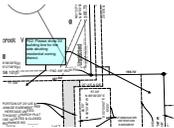
2- Heritage United Preliminary Plat With Comments.pdf Markup Summary

Architect (2)



Subject: Architect
Page Label: [1] 9258.01FPLT-FPLT01
Author: Henry
Date: 12/30/2024 11:12:20 AM
Status:
Color: ■
Layer:
Space:

P01: Ultimate ROW must be dedicated. Please see section 6.4.2 of the Engineering Design Criteria.



Subject: Architect
Page Label: [1] 9258.01FPLT-FPLT01
Author: Henry
Date: 12/30/2024 11:59:55 AM
Status:
Color: ■
Layer:
Space:

P02: Please show 30' building line for the side abutting residential zoning district.

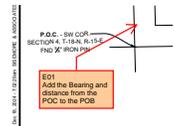
Group (1)



Subject: Group
Page Label: [2] 9258.01FPLT-DOD02
Author: jdickeson
Date: 12/19/2024 9:45:37 AM
Status:
Color: ■
Layer:
Space:

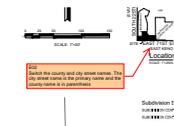
E06
 Remove the city as an enforcer this is considered to be a civil matter between lot owners.

Jason Comments (5)



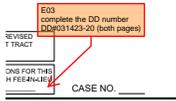
Subject: Jason Comments
Page Label: [1] 9258.01FPLT-FPLT01
Author: jdickeson
Date: 12/19/2024 9:45:20 AM
Status:
Color: ■
Layer:
Space:

E01
 Add the Bearing and distance from the POC to the POB



Subject: Jason Comments
Page Label: [1] 9258.01FPLT-FPLT01
Author: jdickeson
Date: 12/19/2024 9:45:24 AM
Status:
Color: ■
Layer:
Space:

E02
 Switch the county and city street names. The city street name is the primary name and the county name is in parenthesis



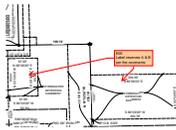
Subject: Jason Comments
Page Label: [1] 9258.01FPLT-FPLT01
Author: jdickeson
Date: 12/19/2024 9:45:27 AM
Status:
Color: ■
Layer:
Space:

E03
complete the DD number DD#031423-20 (both pages)



Subject: Jason Comments
Page Label: [1] 9258.01FPLT-FPLT01
Author: jdickeson
Date: 12/19/2024 9:45:30 AM
Status:
Color: ■
Layer:
Space:

E04
Replace the case number with the COBA Project number PR-000222-2023 (both pages)



Subject: Jason Comments
Page Label: [1] 9258.01FPLT-FPLT01
Author: jdickeson
Date: 12/19/2024 9:45:33 AM
Status:
Color: ■
Layer:
Space:

E05
Label reserves A & B per the covenants



City of Broken Arrow

Request for Action

File #: 24-1717, **Version:** 1

Broken Arrow Planning Commission
01-09-2025

To: Chair and Commission Members
From: Community Development Department

Title:

Public hearing, consideration, and possible action regarding BAZ-001906-2024 (Rezoning), County Line 25, approximately 25 acres, A-1 (Agriculture) to RS-4 (Single-Family Residential), located approximately one-half mile south of Albany Street (61st Street), west of 37th Street (209th E. Avenue)

Background:

Applicant: Alan Betchan, AAB Engineering, LLC
Owner: Patrick Delehanty, Delco Holdings
Developer: N/A
Engineer: N/A
Location: approximately one-half mile south of Albany Street (61st Street), west of 37th Street (209th E. Avenue)
Size of Tract: 25 acres
Present Zoning: A-1 (Agriculture)
Proposed Zoning: RS-4 (Single-Family Residential)
Comp Plan: Level 2 (Urban Residential)

BAZ-001906-2024 is a request to rezone approximately 25 acres from A-1 (Agriculture) to RS-4 (Single-Family Residential) for County Line 25, a proposed single-family residential subdivision. This property is generally located south of Albany Street and west of 37th Street. The property is presently undeveloped and unplatted.

This rezoning request is associated with a potential residential development that proposes to create a subdivision. When a plat associated with this development is submitted staff will require that all dimensional standards for RS-4 zoning be met as set forth in the Zoning Ordinance. Additionally, access to 37th Street and stub streets will be required. All potential streets must be constructed to City of Broken Arrow standards.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

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

Location	Development Guide	Zoning	Land Use
North	Level 2	A-1	Agriculture
East	Level 2	A-R-2	Single Family Residential
South	Level 2	A-1 (SP 275)	Public School
West	Level 2	A-1	Agriculture

According to FEMA maps, none of the property is located in the 100-year floodplain. Water is available from the City of Broken Arrow. Per Table 4-1 of the Comprehensive Plan, RS-4 zoning is considered to be in accordance with the Comprehensive Plan in Level 2.

Attachments: Case map
Aerial photo
Comprehensive Plan

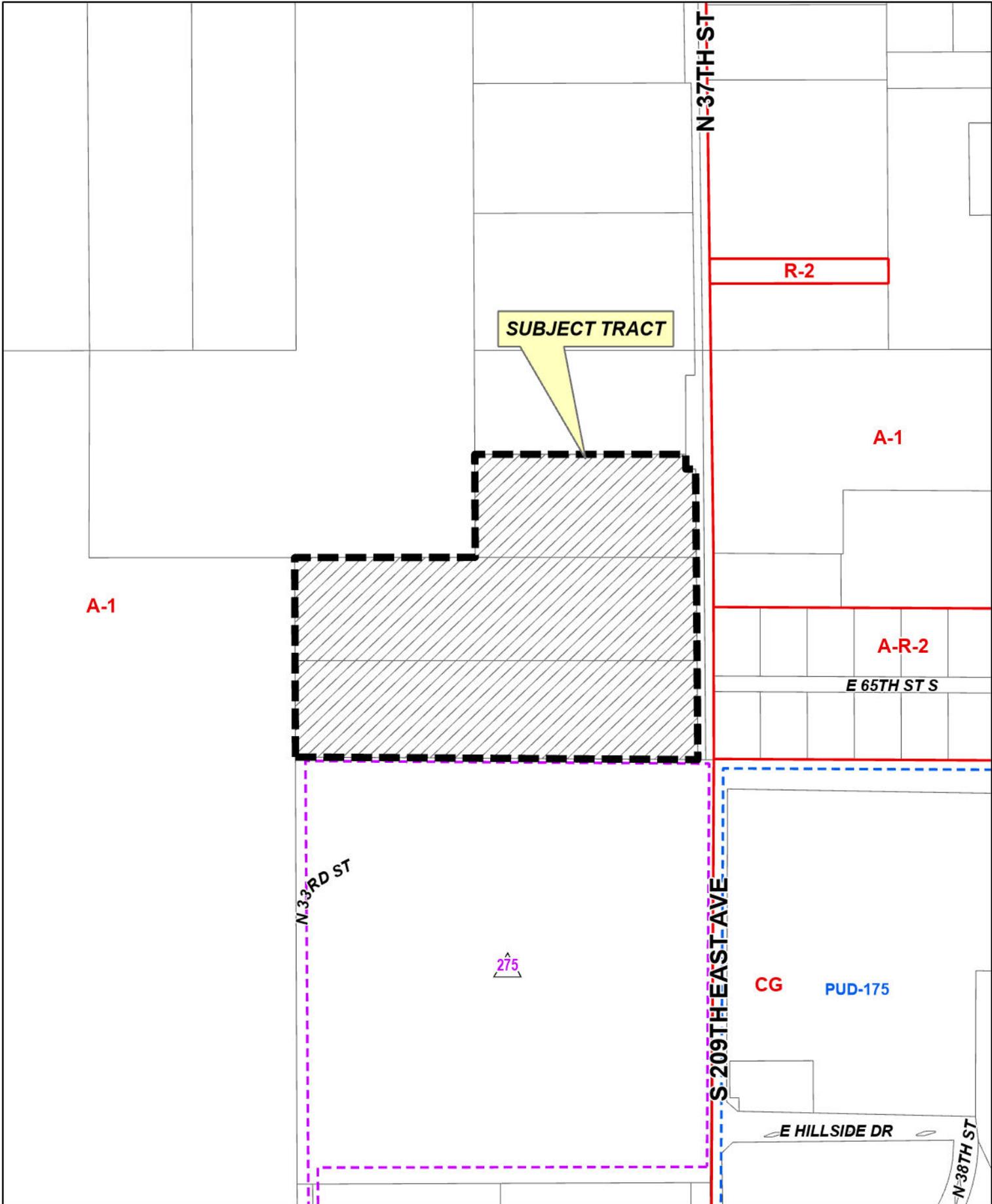
Recommendation:

Based upon the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-001906-2024 be approved subject to the property being platted.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

JTH



A-1

SUBJECT TRACT

R-2

A-1

A-R-2

E 65TH ST S

N 33RD ST

275

CG PUD-175

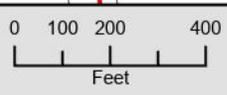
S 209TH EAST AVE

E HILLSIDE DR

N 38TH ST

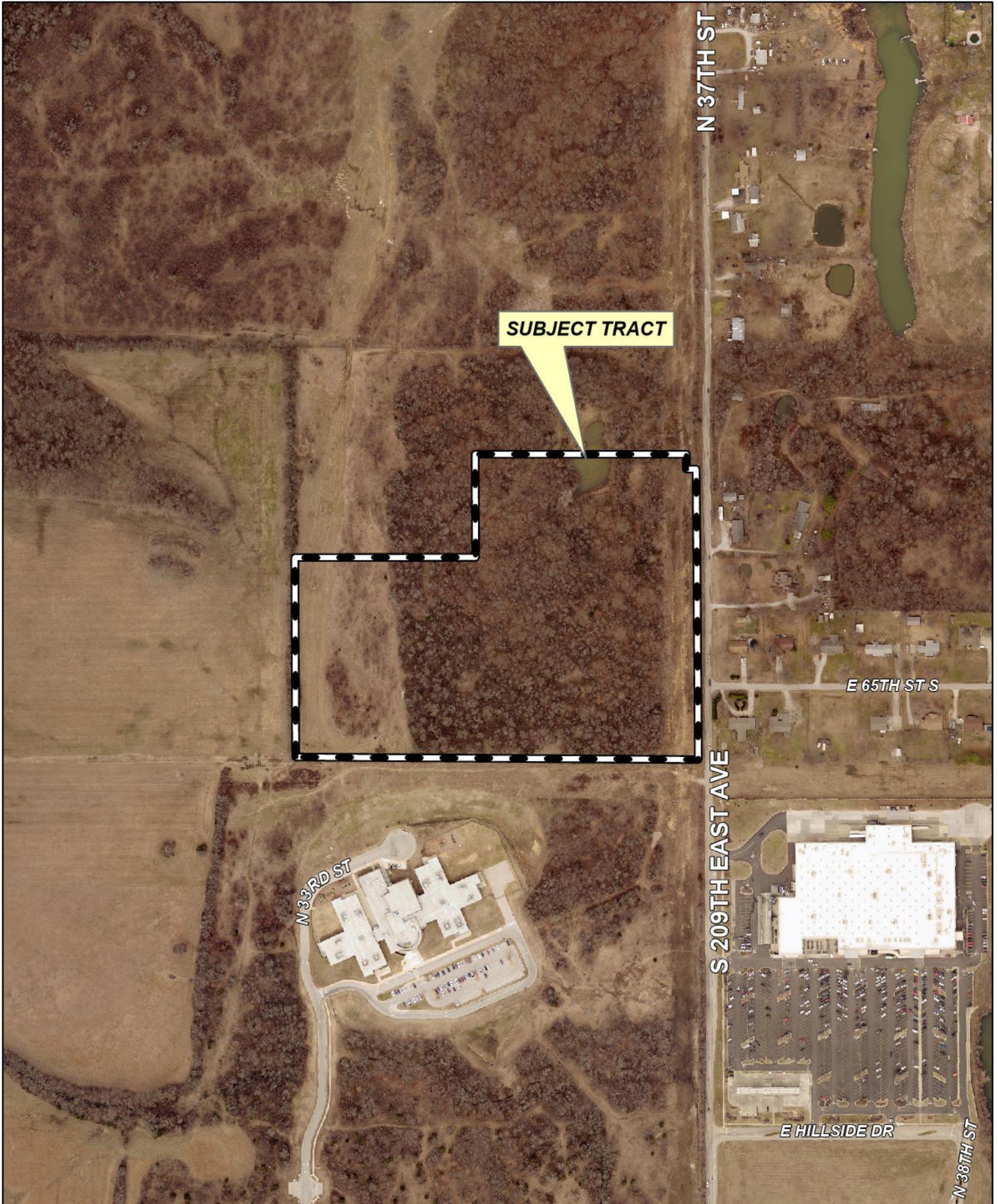


BAZ-001906-2024



06 18-15





SUBJECT TRACT

N 37TH ST

E 65TH ST S

S 209TH EAST AVE

N 33RD ST

E HILLSIDE DR

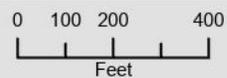
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Aerial Photo Date: 2023



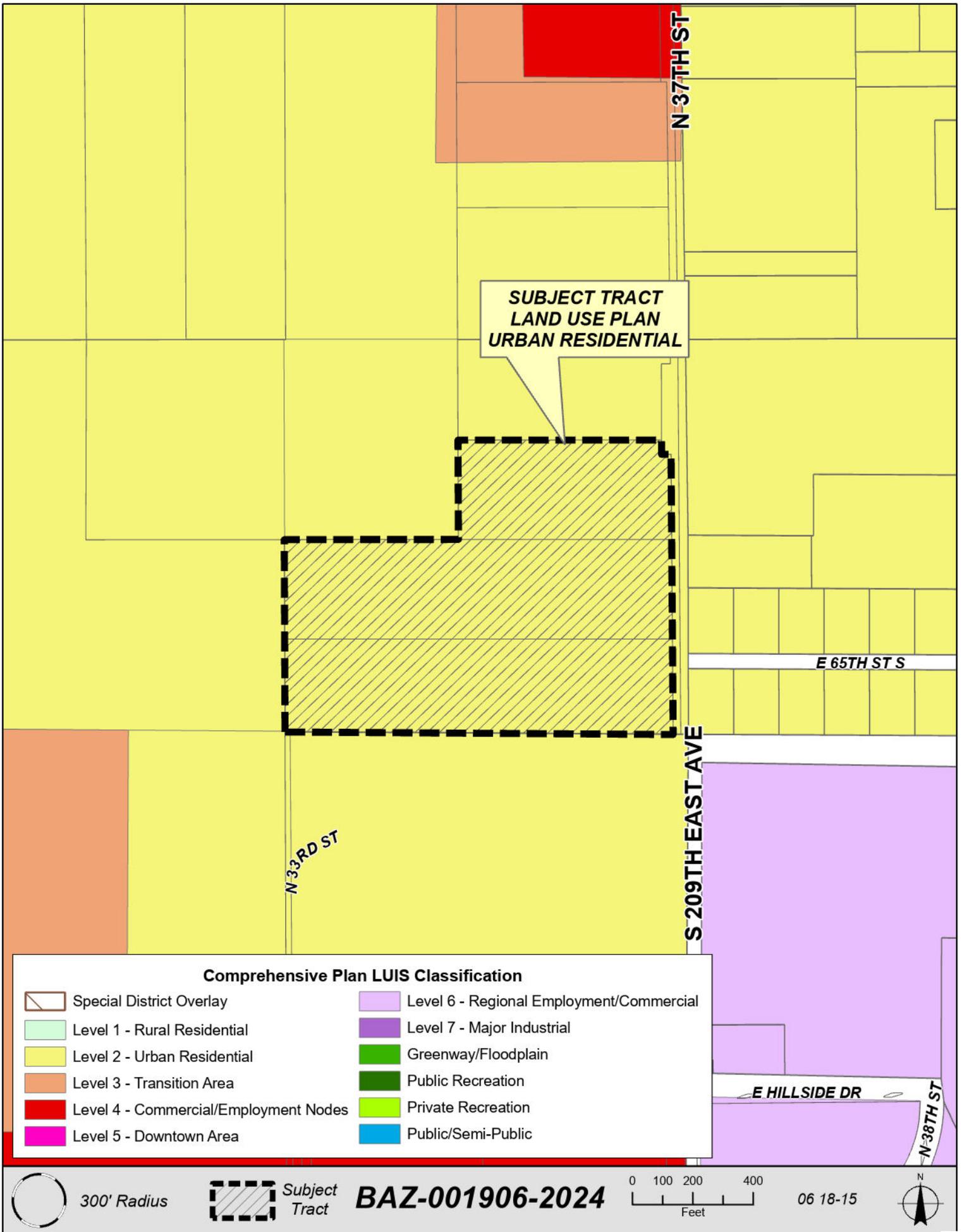
Subject Tract

BAZ-001906-2024



06 18-15





**SUBJECT TRACT
LAND USE PLAN
URBAN RESIDENTIAL**

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



300' Radius



Subject Tract

BAZ-001906-2024



06 18-15





City of Broken Arrow

Request for Action

File #: 24-1718, Version: 1

Broken Arrow Planning Commission 1-9-2025

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

Public hearing, consideration, and possible action regarding SP-001884-2024, an amendment to SP-299, Church on the Move, 7.55 acres, located south of Kenosha Street (71st Street), east of 9th Street (Lynn Lane/177th E. Avenue)

Background:

Applicant: Steven Torres
Owner: Criterion Fund County Line Broken Arrow LLC
Developer: Church on the Move
Architect: N/A
Location: South of Kenosha Street (71st Street), east of 9th Street (Lynn Lane/177th E. Avenue)
Size of Tract: 7.55 acres
Number of Lots: 1
Present Zoning: CG (Commercial General)/SP-299
Comp Plan: Level 6

SP-001884-2024 is a request to expand SP-299 Specific Use Permit for a “Place of Assembly” use on property presently zoned CG (Commercial General) that is located south of Kenosha Street (71st Street), east of 9th Street (Lynn Lane/177th E. Avenue). A shopping center containing approximately 68,000 square feet is located on the 7.55-acre parcel.

SP-299 was approved on 02-01-2021, which allowed place of assembly on approximately 24,000 square feet of the existing shopping center, and this is a request to increase the area used for “Place of Assembly” to 33,456 square feet.

The Zoning Ordinance defines Place of Assembly as “A building or structure, or group of buildings or structures, intended primarily for the conduction of organized assembly. May include, but are not limited to religious facilities, assembly halls, and fraternal/social clubs. Accessory uses may include meeting rooms and childcare provided for persons while they are attending assembly functions.” Place of Assembly requires a Specific Use Permit in all agricultural, residential, and commercial zoning districts. Place of Assembly is a permitted use in the ON (Office Neighborhood district). Church on the Move wants to hold church services in the existing space on the northeast corner of the shopping center.

Kenosha Street, between 9th Street and 23rd Street, is classified as a primary arterial street. According to a 2019 traffic study, the average daily traffic count on Kenosha Street, east of 9th Street was 16,976. Kenosha Street between 23rd Street and 9th Street generally has the highest daily traffic count in Broken Arrow among arterial streets. Access to the church will be from both Kenosha Street and 9th Street.

In making decisions on rezoning requests, including Specific Use Permits, the City of Broken Arrow places heavy emphasis on what is contained in the Comprehensive Plan. Policy LU1 of the Comprehensive Plan states, “The City shall refrain from approving requests for Specific Use Permits and PUD’s for uses which could affect the ability to attract

quality commercial dining or entertainment facilities within or immediately adjacent to existing or future commercial districts (Level 4 and Level 6 areas) as identified in the Future Development Guide.” Dining establishments that receive less than 50 percent of their revenue from alcohol sales are not impacted by the proximity of religious facilities. However, liquor stores and establishments that receive more than 50 percent of their revenue from alcohol sales do have to be located more than 300 feet from a religious facility or public/private school. The new Development Standards submitted by the applicant state, “Church on the Move will positively affect the ability to attract quality commercial and entertainment facilities to the Center and the area (LU1) and will bring significant activity to this intersection (QI.3), with an influx of its members on Wednesday and Saturday evenings and approximately 500-700 members to the area each Sunday. As a condition of approval, Church on the Move agrees to waive the 300’ spacing requirement applicable to liquor stores and bars in proximity of a church.”

Municipalities in Oklahoma rely heavily on sales tax generated from retail sales to fund and provide the City services. Along these lines, Policy LU10 of the Comprehensive Plan states, “The City shall protect commercial areas from the encroachment of non-commercial uses.” The Place of Assembly previously approved with SP-299 was an encroachment of a non-commercial use into a commercial area, and SP-001884-2024 is an expansion of this encroachment. Additionally, when SP-299 was approved, it was approved for a 10-year period, which set it to expire in February of 2031. SP-001884-2024 proposes to reset this 10-year clock, which would mean that Specific Use Permit for this location will not expire until 2035.

When SP-299 was approved in 2021, there were stipulations for increased landscaping, and beautification of the area. These same stipulations are being continued with SP-001884-2024.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

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

Location	Development Guide	Zoning	Land Use
North	Level 6	PUD-92/CH and CH	Convenience store, grocery store, and other retail uses.
East	Level 3 and 6	CN, CH, and RM	Restaurant and drive to multifamily complex.
South	Level 3	RM	Multifamily
West	Level 6	CN, CH, and PUD-205B/CG	Tire store, restaurant, and retail shopping center.

According to Section 6.5.C.8 of the Zoning Ordinance, a Specific Use Permit can be approved only if the City Council finds that all of the following criteria have been met:

- a. The proposed use is consistent with the comprehensive plan and all applicable provisions of this Ordinance and applicable state and federal regulations;
- b. The proposed use is consistent with the purpose and intent of the zoning district in which it is located;
- c. The proposed use is consistent with any applicable Specific Use Permit standards set forth in Section 3.2, *Specific Use Permit Standards*;
- d. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
- e. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable;
- f. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire

- protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;
- g. Adequate assurances of continuing maintenance have been provided.

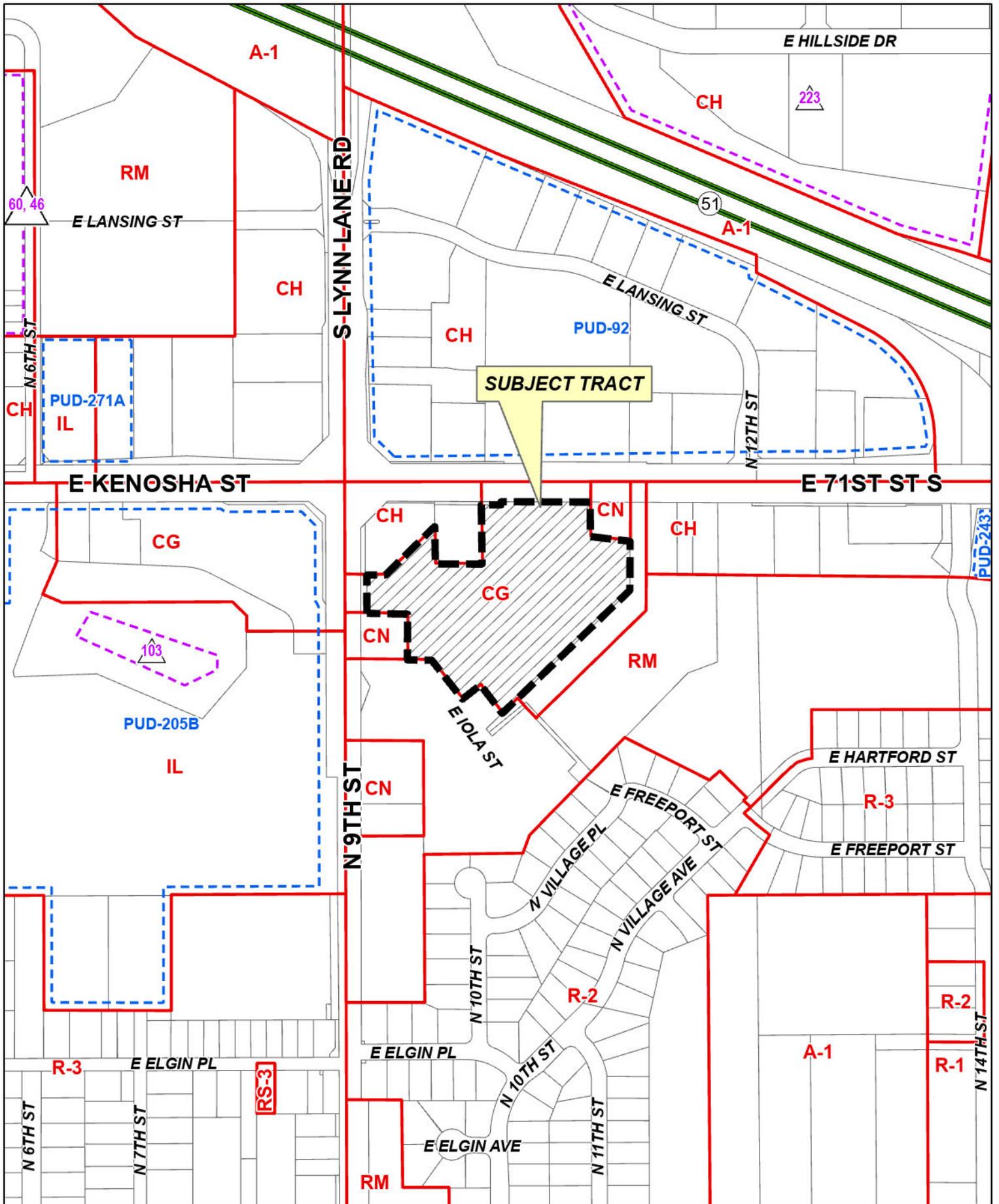
In Staff's opinion, SP-001884-2024 is not consistent with the Comprehensive Plan policies LU1 and LU10, but it does meet the criteria above, and staff believes that it meets the threshold for the extension of an existing use.

Attachments: Case map
Aerial photo
Conceptual Site Plan
Rendering
Amendment to Specific Use Permit 299

Recommendation:
Based on the surrounding land uses, staff recommends approval of SP-001884-2024, and that platting be waived.

Reviewed By: Amanda Yamaguchi

Approved By: Rocky Henkel



SUBJECT TRACT



SP-001884-2024



12 18-14



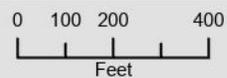


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Aerial Photo Date: 2023



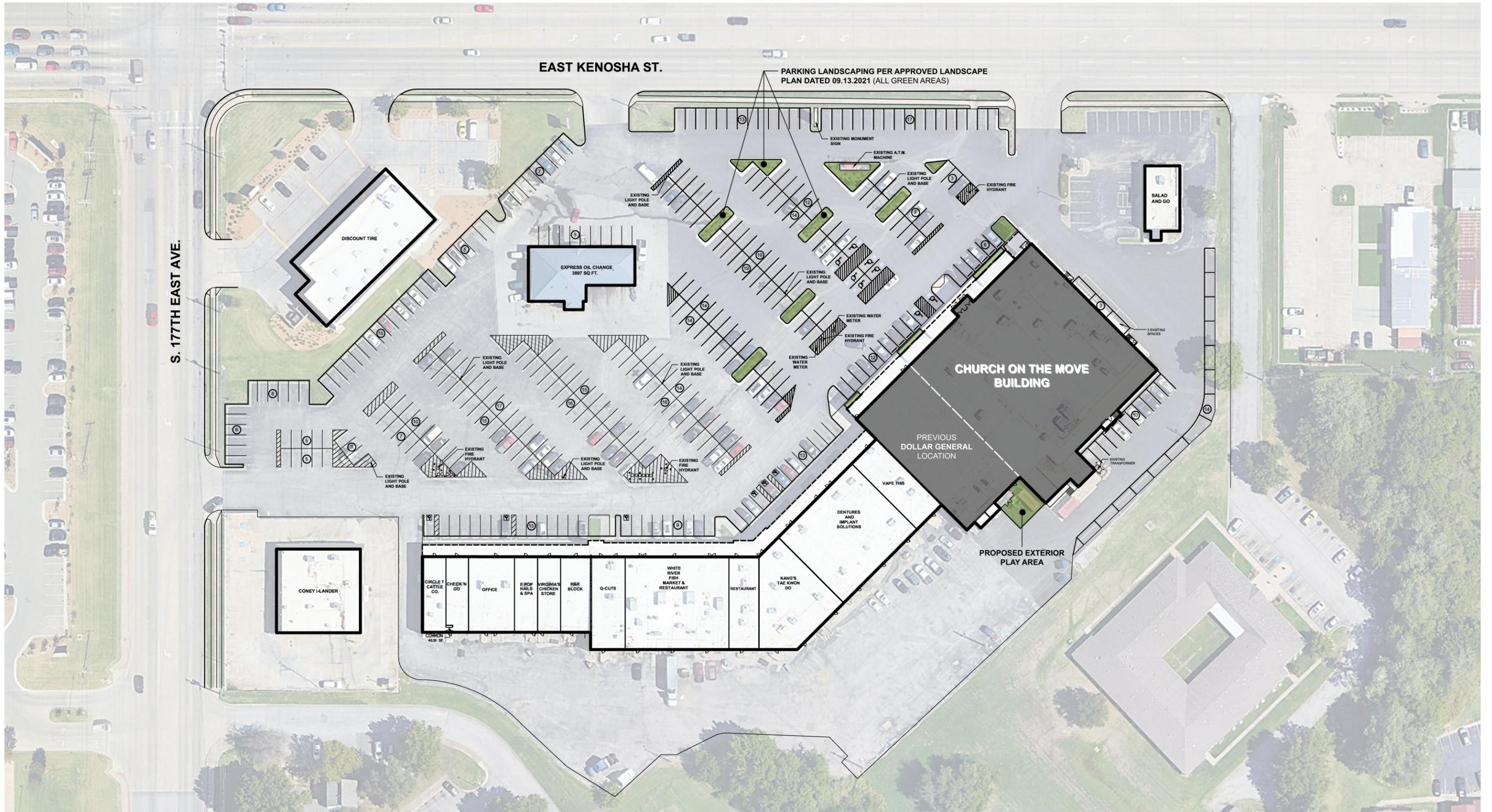
Subject Tract

SP-001884-2024



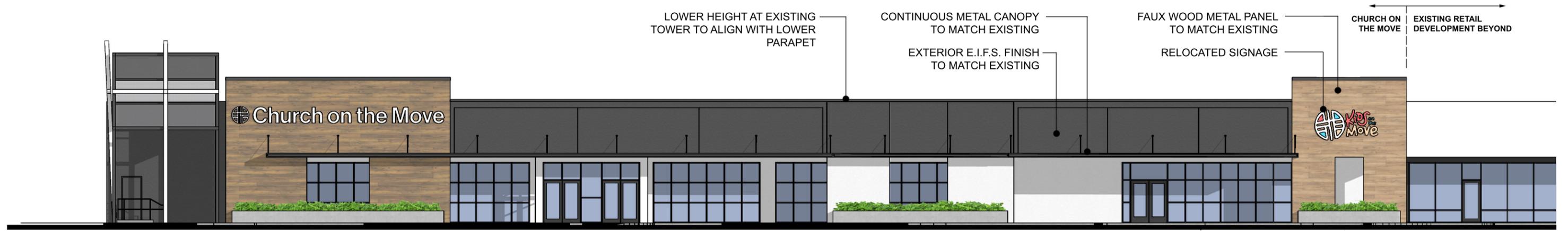
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SITE PLAN





MAIN EXTERIOR ELEVATION



VIEW LOOKING SOUTH FROM EAST KENOSHA STREET



CHURCH ON THE MOVE
SPECIFIC USE PERMIT SP-299

I. DEVELOPMENT CONCEPT

Church on the Move seeks a Specific Use Permit (“SUP”) to allow a Place of Assembly in a CG (Commercial General) District for property located south of Kenosha Street (71st Street) and east of 9th Street (Lynn Lane/177th E. Ave.) (the “Property”).

Under the Broken Arrow Zoning Code (the “Code”), SUPs are required for uses that have unique or widely varying operating characteristics. Places of Assembly are only permitted by SUP in all commercial zoning districts to ensure the use is compatible with adjacent uses in terms of scale, site design and operating characteristics.

The Property is comprised of approximately 7.55 acres and is the site of the 68,000 SF County Line Shopping Center (the “Center”). The proposed Place of Assembly is for Church on the Move’s new Broken Arrow location and will be located in the approximately 24,000 SF tenant space where Sky Fitness was formerly located. All public utilities are available at the Center.

Regular church services will initially be held on Saturdays at 5:00p.m. and 6:30 PM Sundays at 8:30 a.m., 10:00 a.m. and 11:30 a.m. Youth services and activities will be held on Wednesdays at 7:00 p.m. The remainder of the week, the facility will be used for various services and outreach initiatives that Church on the Move provides to the Broken Arrow community.

The Center currently has 377 parking spaces. Church on the Move will added an additional 14 parking spaces in accordance with the Code’s parking requirements for the assembly use in the Center. Additionally, Church on the Move will provide updated and enhanced landscaping.

Dollar General, White River Fish Market, and Express Oil Change are currently located in the Center, along with several other restaurants, a salon, a tae kwon do studio, and various offices. Businesses in the Center and other businesses in the area, such as Walgreen’s and Reasor’s, and restaurants, such as Chick-fil-A, Raising Cane’s and Schlotzky’s, will benefit from the increased activity generated by the church members before and after services. White River Fish Market is currently closed on Sundays but has indicated that it would likely open for the Sunday lunch hour if Church on the Move is located in the Center.

The Broken Arrow Comprehensive Plan (the “Comp Plan”) designation for the Property is Level 6 – Regional Commercial/Employment. The Comp Plan contains somewhat conflicting provisions as to where a Place of Assembly should be located, seeking to prevent their encroachment into residential neighborhoods (H4) while also calling for the protection of commercial areas from noncommercial uses (LU10). Access to the Church will be from both arterial streets (Kenosha and 177th) so as not to encroach into the residential neighborhood to the south of the Center.

Further, as a condition of approval and to mitigate any potential or perceived encroachment of a noncommercial use in the Center, the SUP will be coterminous with Church on the Move's tenancy at the Center for a period of ten (10) years. Should the Church desire to operate in the Center beyond the ten (10) year term, the Church must apply to renew and/or extend the SUP which renewal/extension shall be approved by the Broken Arrow City Council. In any event, at such time when Church on the Move is no longer located and operating in the Center, this SUP shall expire automatically.

Church on the Move will positively affect the ability to attract quality commercial and entertainment facilities to the Center and the area (LU1) and will bring significant activity to this intersection (QI.3), with an influx of its members on Wednesday and Saturday evenings and approximately 500-700 members to the area each Sunday. As a condition of approval, Church on the Move agrees to waive the 300' spacing requirement applicable to liquor stores and bars in proximity of a church.

Based on the foregoing and as set forth in the Code's criteria for considering SUPs, the proposed Place of Assembly use is consistent with the SUP standards of the Code, the CG zoning district, and the Comprehensive Plan.

Development Standards, including the aforementioned conditions of approval, are provided below.

A Conceptual Site Plan is attached hereto as Exhibit "A".

A Conceptual Landscape Plan is attached hereto as Exhibit "B".

A Conceptual Parking Plan is attached hereto as Exhibit "C".

Façade Design Concepts are attached hereto as Exhibit "D".

II. DEVELOPMENT STANDARDS

Land Area: 7.55 acres

Church on the Move Leased Premises: 33,456 square feet, as shown on the Conceptual Site Plan.

Permitted Uses in the Leased Premises:

All uses permitted by right in the CG (Commercial General) District, and Place of Assembly (Church on the Move), and
All customarily accessory uses to the principal permitted uses.

Maximum Floor Area:

Place of Assembly:	33,456 SF
Commercial:	As permitted by the Broken Arrow Zoning Code

Parking:

Parking shall comply with the minimum parking requirements for the applicable use as set out in the Broken Arrow Zoning Code. Church on the Move shall provide an additional fourteen (14) parking spaces. Approximate location of the additional parking spaces are shown on the attached Conceptual Parking Plan. Parking facilities shall be continually maintained and free of litter and debris.

Landscaping:

Landscaping will comply with the standards for commercial uses contained in Chapter 5 of the Broken Arrow Zoning Code, unless modified herein as follows:

- All trees will be medium to large trees unless there are conflicts with overhead utility lines.
- Due to existing site conditions, no 10-foot wide landscape edge along Kenosha Street is required.
- One (1) tree per fifty (50) lineal feet of street frontage is required. Trees shall be installed between the existing building and the Kenosha Street right-of-way.
- All landscape islands, including the landscape area next to the point of access from Kenosha Street, shall meet the requirements of the Broken Arrow Zoning Code.
- Irrigation will be provided to all required landscaping areas.
- Any landscaping that fails must be replaced in accordance with Zoning Ordinance within six (6) months.
- Approximate location of new trees and additional landscaping are shown on the attached Conceptual Landscape Plan.

Lighting:

Lighting will comply with the standards for commercial uses contained in Chapter 5 of the Broken Arrow Zoning Code.

Bar and Liquor Store Spacing:

In the event a mixed beverage establishment, beer and wine establishment, bottle club, or package store desires to be located within three hundred feet (300') of Church on the Move and seeks a license from the Oklahoma ABLE Commission, Church on the Move agrees to waive the spacing requirement in accordance with all applicable waiver requirements and procedures established by Oklahoma law and the administrative rules of the ABLE Commission.

Expiration and Renewal of SP-299:

SP-299 shall be valid for a period of ten (10) years, which period shall commence on June 1, 2021. In order to extend beyond the ten (10) year term, prior to the expiration thereof, the Specific Use Permit must be renewed by the Broken Arrow City Council through the review and approval procedures of the Broken Arrow Zoning Code for the continued use of the Leased Premises as a Place of Assembly. Notwithstanding the foregoing, SP-299 shall automatically expire at such time as Church on the Move is no longer located and operating as a Place of Assembly in the Leased Premises.

CHURCH ON THE MOVE
SPECIFIC USE PERMIT SP-299

Exhibit “A”
Conceptual Site Plan

CHURCH ON THE MOVE
SPECIFIC USE PERMIT SP-299

Exhibit “B”
Conceptual Landscape Plan

CHURCH ON THE MOVE
SPECIFIC USE PERMIT SP-299

Exhibit “C”
Conceptual Parking Plan

CHURCH ON THE MOVE
SPECIFIC USE PERMIT SP-299

Exhibit “D”
Façade Design Concepts



City of Broken Arrow

Request for Action

File #: 24-1719, **Version:** 1

**Broken Arrow Planning Commission
1-9-2025**

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)

The applicant has withdrawn the application.

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 applicants request.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

HMB



City of Broken Arrow

Request for Action

File #: 24-1723, Version: 1

**Broken Arrow Planning Commission
01-09-2025**

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

Public hearing, consideration, and possible action regarding BAZ-001900-2024 (Rezoning), April Barker, 1.02 acres, A-RE (Annexed Residential Estate), located one-half mile north of New Orleans Street (101st Street), one-third mile west of 23rd Street (193rd E. Avenue/County Line Road)

Background:

Applicant: April Barker

Owner: April Barker

Developer: N/A

Engineer: N/A

Location: One-half mile north of New Orleans Street (101st Street), one-third mile west of 23rd Street (193rd E. Avenue/County Line Road)

Size of Tract 1.02 acres

Number of Lots: 1

Present Zoning: A-RE (Annexed Residential Estate)

Proposed Zoning: RE (Residential Estate)

Comp Plan: Level 1 (Rural Residential)

BAZ-001900-2024 is a request to change the zoning designation on 1.02 acres from A-RE (Annexed Residential Estate) to RE (Residential Estate). The property is one-half mile north of New Orleans Street (101st Street), one-third mile west of 23rd Street (193rd E. Avenue/County Line Road), and is currently unplatted.

The property owner has applied for a lot split (LOT-001811-2024), and intends to build a second single family detached house.

The subject property is Comprehensive Plan Level 1, which supports rezoning to RE. A-RE is a transitional zoning district, which is required to be rezoned to the appropriate zoning district before any development can be done. When LOT-001811-2024 was submitted, this triggered the requirement for the property to be rezoned to the permanent zoning district.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

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

Location	Comprehensive Plan	Zoning	Land Use
North	Level 1	County	Single-Family Residential
East	Level 1	A-RE	Single-Family Residential
South	Level 1	RE	Single-Family Residential
West	Level 1	A-RE	Single-Family Residential

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

Attachments: Case Map
Aerial

Recommendation:

Based upon the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-001900-2024 be approved, and that platting be waived.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

HMB



City of Broken Arrow

Request for Action

File #: 24-1724, **Version:** 1

Broken Arrow Planning Commission
01-09-2025

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

Public hearing, consideration, and possible action regarding PUD-001893-2024 (Planned Unit Development) and BAZ-001891-2024 (Rezoning), Aspen Creek Villas, approximately 90 acres, A-1 (Agricultural) to RS-4 (Residential Single Family) with a PUD, located north of Tucson Street (121st Street) and approximately one quarter mile east of Olive Avenue (129th Avenue)

Background:

Applicant: Alan Betchan, AAB Engineering, LLC
Owner: Chuck Ramsay, S & R Development
Developer: N/A
Engineer: AAB Engineering, LLC
Location: North of Tucson Street (121st Street) and approximately one quarter mile east of Olive Avenue (129th Avenue)
Size of Tract: Approximately 90 acres
Present Zoning: A-1 (Agriculture)
Proposed Zoning: RS-4/PUD-001845-2024
Comp Plan: Level 2 (Urban Residential)

Planned Unit Development PUD-001893-2024 and rezoning BAZ-001891-2024 involve approximately 90 acres, which is currently unplatted and undeveloped. The property is located north of Tucson Street and east of Olive Avenue.

This request is proposing to change the zoning on this property from A-1 to RS-4 with PUD-001893-2024. On May 7, 2024 the subject property was approved for a Comprehensive Plan change from Level 6 to Level 2, which allows RS-4 Single Family zoning. The requested zoning change is in association with the potential Aspen Creek Villas development which proposes to create a single family detached development with a maximum of 415 dwelling units on individual lots. The proposed development will meet the requirements of RS-4 zoning except where modified by the PUD. Primary access to the proposed development will be provided along Tucson Street and all streets and additional access points will be constructed to City of Broken Arrow standards.

SUMMARY OF DEVIATION FROM THE BROKEN ARROW ZONING ORDINANCE

PUD-001893-2024 is proposed to be developed in accordance with the RS-4 zoning district as specified below.

	RS-4	PUD-001893-2024
Permitted Uses	Dwelling, single-family detached, group home, municipal or community recreation center, public safety facility, home day care, community playfields and parks, utility facility, minor, golf course or driving range, unlighted, Short Term Rental Type 1 and 2,	Single Family Detached Dwellings
Gross Residential Area	N/A	90.33
Gross Land Area per Dwelling Unit	7,875 sq ft	9,480 square feet
Maximum number of dwelling units	498	415
Minimum Lot Width	55ft	52 feet
Minimum lot size	6500 sq ft	6,000 square feet
Minimum livability space per lot	2,800 sq ft	2,800 square feet
Minimum front yard	20ft	20 feet
Minimum side yard	Both: 10ft, One: 5ft	5 feet
Minimum rear yard	20 ft	20 feet

PROVISIONS FOR PUD APPROVAL

According to Section 6.4.A of the Zoning Ordinance, the PUD provisions are established for one (1) or more of the following purposes:

1. To permit and encourage innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties.
2. To permit greater flexibility within the development to best utilize the physical features of the particular site in exchange for greater public benefits than would otherwise be achieved through development under this Ordinance.

3. To encourage the provision and preservation of meaningful open space.
4. To encourage integrated and unified design and function of the various uses comprising the planned unit development.
5. To encourage a more productive use of land consistent with the public objectives and standards of accessibility, safety, infra structure and land use compatibility.

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 Category
North	Level 3	A-1	Highway
East	Level 6	CH/PUD-001818-2024	Commercial
South	Level 2	RS-3/A-1	Residential Single Family
West	Level 3	A-1 (SP 175)	Golf, Community Center, Vacant

According to the FEMA Maps, none of this property is located in the 100-year floodplain. Water and sanitary sewer service are available from the City of Broken Arrow.

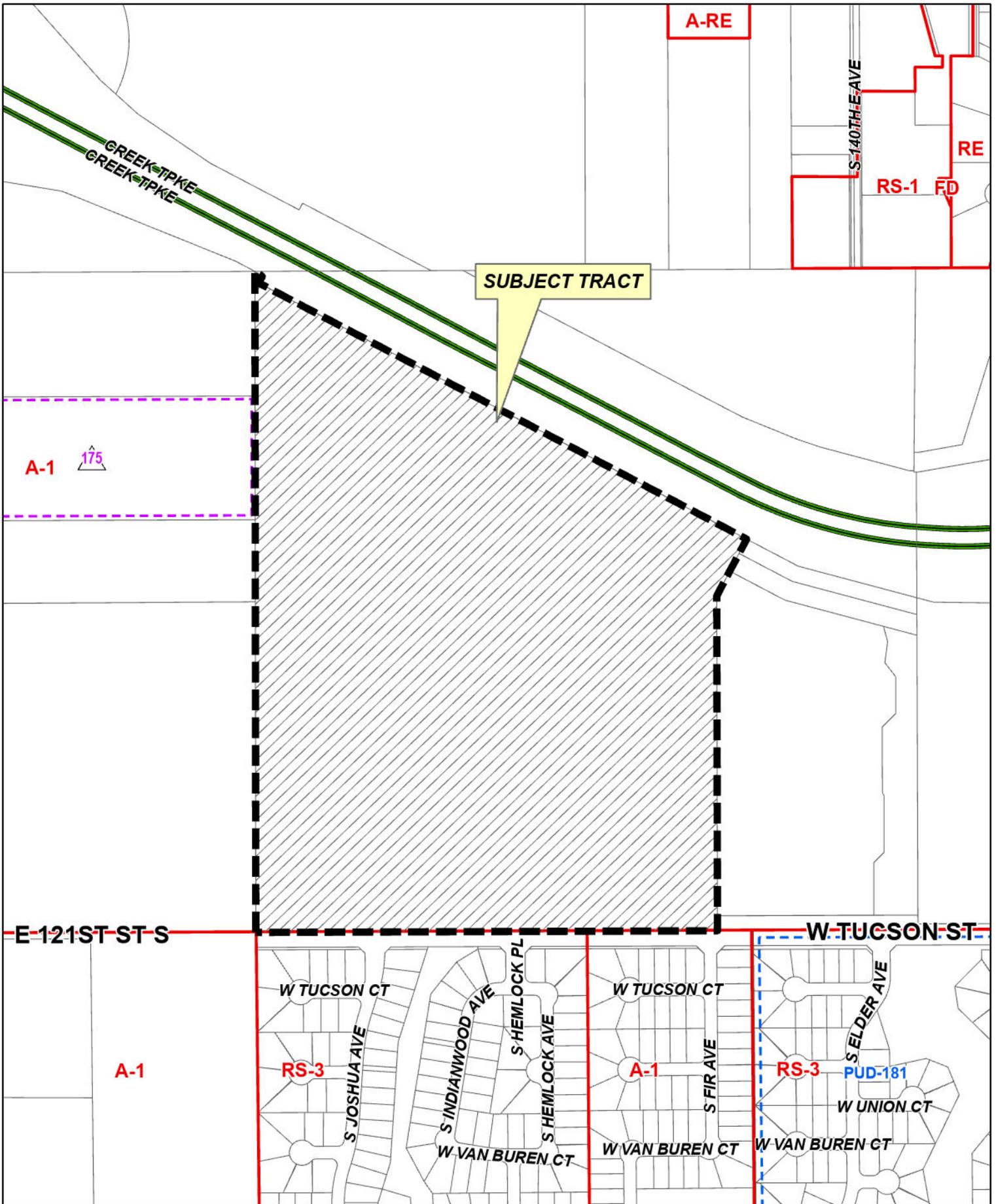
Attachments: Case map
Aerial
Comprehensive Plan
Aspen Creek Villas PUD

Recommendation:
Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-001893-2024 and BAZ-001891-2024 be approved, subject to the property being platted.

Reviewed By: Amanda Yamaguchi

Approved By: Rocky Henkel

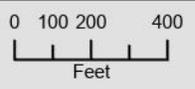
JTH



300' Radius

 Subject Tract

PUD-001893-2024
BAZ-001891-2024



33 18-14





SUBJECT TRACT

E 121ST ST S

W TUCSON ST

W TUCSON CT

W TUCSON CT

S JOSHUA AVE

S INDIANWOOD AVE

S HEMLOCK PL

S HEMLOCK AVE

S FIR AVE

S ELDER AVE

W VAN BUREN CT

W VAN BUREN CT

W VAN BUREN CT

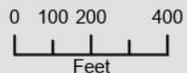
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*Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2023*



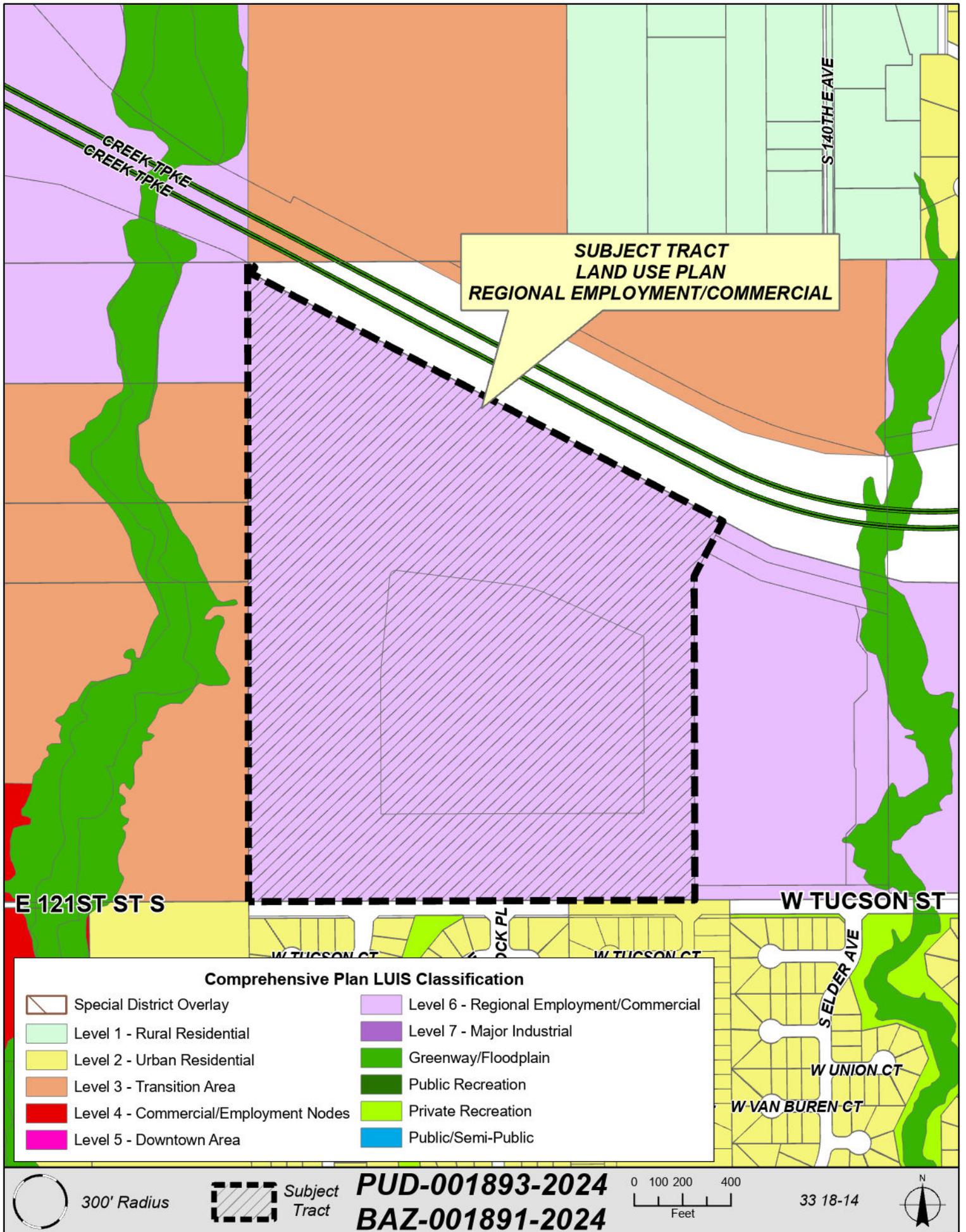
Subject Tract

PUD-001893-2024
BAZ-001891-2024



33 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 |



**PUD-001893-2024
BAZ-001891-2024**



33 18-14



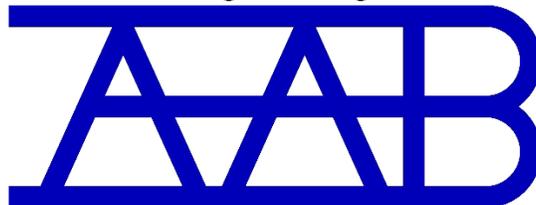
Aspen Creek Villas
Planned Unit Development
PUD-001893-2024
(BAZ-001891-2024)

Prepared
November 20, 2024

Location
Part of the south half of Section Thirty Three (33), Township Nineteen (18) North, Range Fifteen(14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma. This PUD contains 90.33 +/- Acres.

Owner
S&R Development LLC
1420 W. Kenosha St.
Broken Arrow, OK 74102

Prepared By:
AAB Engineering, LLC



Engineering • Surveying • Land Planning

PO Box 2136 Sand Springs, OK 74063
Office: (918) 514-4283 Fax: (918) 514-4288

Development Concept

PUD-001893-2024 is an approximately 90 acre development on the north side of Tucson Street between Olive Avenue and Aspen Avenue in Broken Arrow. Exhibit B depicts the project area relative to the surrounding areas. The PUD is presented along with a rezoning application to rezone the entire parcel to RS-4. The site is currently zoned PUD-307 (subject to platting) which is a planned unit development overlay of Commercial Heavy (CH) and Residential Multifamily (RM) zoning. That PUD was amended to PUD 307A in conjunction with the development of apartment project The Trails at Aspen Creek east of this project. We propose to abandon the remainder of PUD 307. In early 2024 a comprehensive plan amendment was filed requesting the property be reclassified from Level 6 to Level 2 in preparation for this PUD application. That application, COMP-001296-2024, was approved by the Broken Arrow City Council on May 7th, 2024.

The general purpose of this project is to provide an affordable detached single family residential neighborhood. To meet the needs of the workforce home buyer this planned unit development requests a minimum lot width of 52'. Escalations in construction and development costs have created a nationwide shortage of affordable housing that is attainable to the general workforce. The slightly reduced lot width allows the home construction type needed to accommodate workforce housing while still maintaining a high-quality product due to the development standards imposed.

The public street and utility systems within the project will be constructed to public standards and dedicated to the City upon completion. Exhibit F depicts the conceptual infrastructure improvements for this project.

The required entrances will connect to Tucson Street and will be designed in accordance with the Broken Arrow Subdivision Regulations with two outbound lanes and one inbound lane.

Development Standards

The intended use for this project is to establish affordable single family detached housing which shall be governed by the Broken Arrow Zoning Ordinance and use and dimensional standards in the current RS-4 zoning guidelines except as hereinafter modified:

Permitted uses:	Single Family Detached Dwellings
Gross Residential area	90.33 acres
Gross Land Area per Dwelling Unit	9,480 square feet
Maximum number of dwelling units	415
Minimum Lot Width	52 feet
Minimum lot size	6000 square feet
Minimum livability space per lot	2,800 square feet
Minimum Front Yard	20 feet
Minimum Side Yard	5 feet
Minimum rear yard	20 feet

Street Design and Access Limitations

All streets shall be constructed as required to meet public street standards as described in the City of Broken Arrow engineering standards. Sidewalks shall be constructed by the developer along Tucson Street and along any reserve areas abutting a street. No residential lots shall be allowed to have direct access to Tucson Street.

Utilities

Storm sewer, sanitary sewer, and water service will be publicly maintained utilities provided by the City of Broken Arrow and installed by the developer. Detention facilities are proposed in both drainage basins before water discharges offsite. All detention and open space areas will be maintained by the homeowner's association.

Franchise utilities will serve the project with communications, natural gas, and electricity. We anticipate underground services throughout the development.

Landscape and Screening Standards

Landscaping and screening will be provided along Tucson Street and shall conform to the City of Broken Arrow Zoning Ordinance. Required perimeter fencing shall be placed as near to the east line of the reserve or landscape and fence easement as practical provided that required fence articulation shall still be allowed and fully contained within the easement or reserve. All required landscaping and fencing will be maintained by the homeowner's association.

All open space reserve areas shall be owned and maintained by the homeowner's association. All traffic islands surrounded by street right of way shall include appropriate landscaping and berms to add visual character to the community and aid in slowing traffic patterns through the project site.

Platting

Prior to issuance of a building permit for any habitable structure, the area within the PUD shall have a subdivision plat approved by the Planning Commission and City Council and filed of record at the Wagoner County Courthouse. The deed of dedication of the required subdivision plat shall include covenants of record, enforceable by the City of Broken Arrow, setting forth the development standards of the approved Planned Unit Development.

Exhibit A

Legal Descriptions

PUD Legal Description

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

BEGINNING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER (E/2 SW/4) OF SAID SECTION THIRTY-THREE (33); THENCE NORTH 01°14'14" WEST ALONG THE WEST LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER (E/2 SW/4), A DISTANCE OF 2645.94 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF OF THE SOUTHWEST QUARTER (E/2 SW/4) AND THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE CREEK TURNPIKE; THENCE SOUTH 63°21'44" EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 42.30 FEET; THENCE SOUTH 27°02'36" WEST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 29.98 FEET; THENCE SOUTH 63°25'36" EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 2197.30 FEET; THENCE SOUTH 26°39'36" WEST ALONG THE NORTHWESTERLY LINE OF THE TRAILS AT ASPEN CREEK (PLAT #7093), A DISTANCE OF 259.23 FEET; THENCE SOUTH 01°13'29" EAST ALONG THE WEST LINE OF SAID TRAILS AT ASPEN CREEK, A DISTANCE OF 1340.00 FEET TO THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER (E/2 SW/4); THENCE SOUTH 88°40'49" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 524.06 FEET TO THE SOUTHEAST CORNER OF SAID EAST HALF OF THE SOUTHWEST QUARTER (E/2 SW/4); THENCE SOUTH 88°33'24" WEST ALONG THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER (E/2 SW/4), A DISTANCE OF 1321.05 FEET TO THE POINT OF BEGINNING. CONTAINING 3,934,766 SQUARE FEET OR 90.33 ACRES.

BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (ZONE 3501 NORTH) WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW/4) BEING SOUTH 88°33'24" WEST.

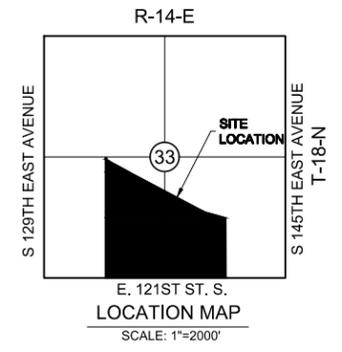
THIS LEGAL DESCRIPTION WAS PREPARED ON DECEMBER 14, 2023, BY JAY P. BISSELL, OKLAHOMA LICENSED LAND SURVEYOR NO. 1318.

Exhibit B

Surrounding Areas with Conceptual Development Plan
for
Aspen Creek



0 150 300 600
DRAWING SCALE: 1"= 300'



PLAT DATE: Nov. 08, 2023 FILE: P1181833RANWAY 116- ASPEN CREEK/ALTERNATIVE BASE/ASPEN CREEK - PUD



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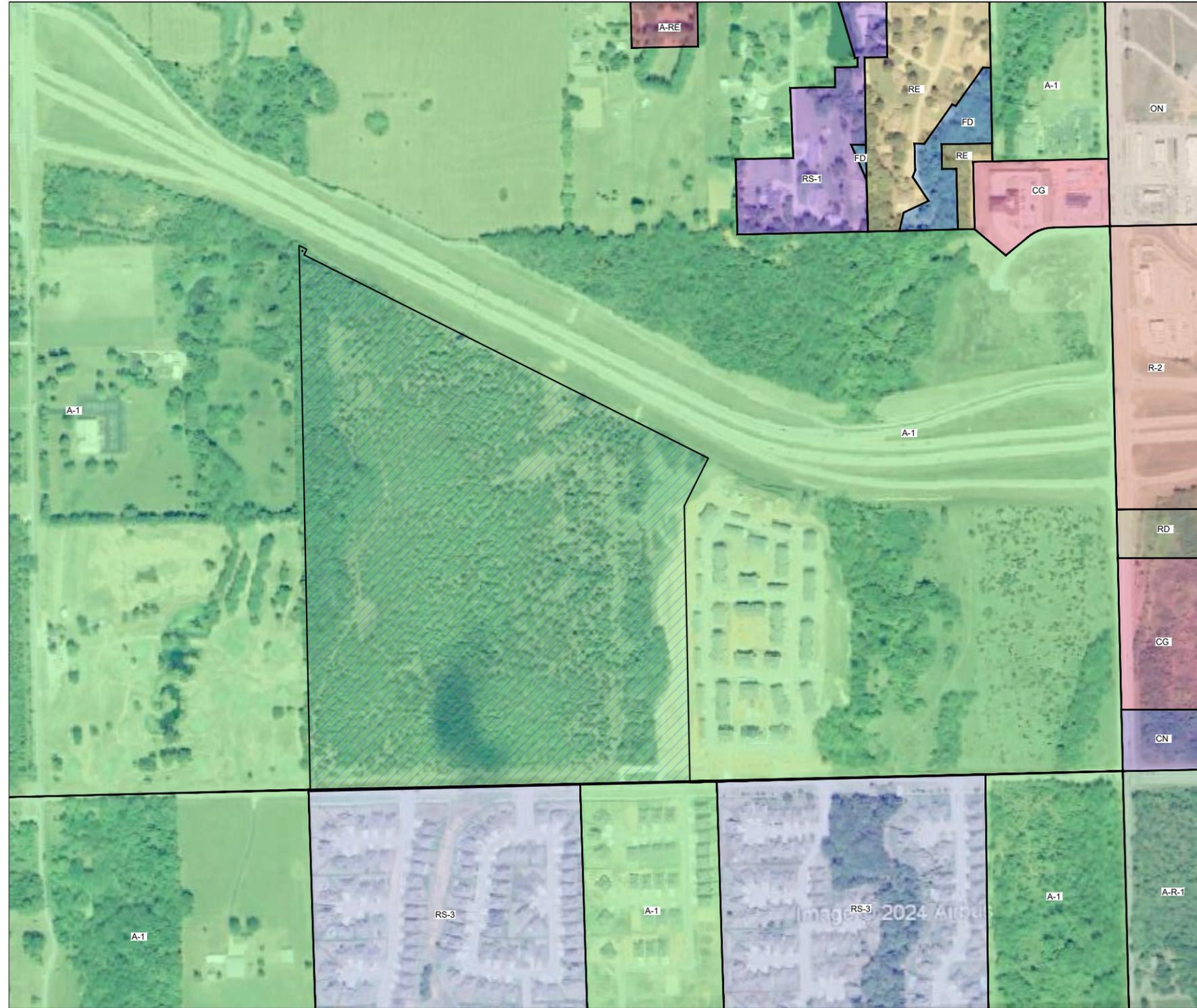
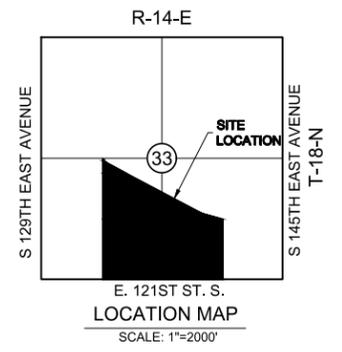
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
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Exhibit C

Existing Zoning
for
Aspen Creek



0 150 300 600
DRAWING SCALE: 1"= 300'



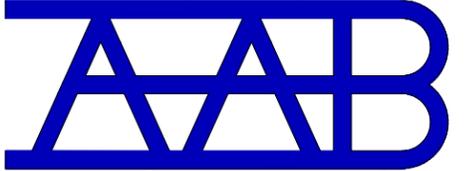
LEGEND

-  ZONED A-1 (AGRICULTURE)
-  ZONED A-R-1 (AGRICULTURE-RESIDENTIAL SINGLE FAMILY)
-  ZONED A-RE (AGRICULTURE-RESIDENTIAL ESTATE)
-  ZONED CG (COMMERCIAL GENERAL)
-  ZONED CN (COMMERCIAL NEIGHBORHOOD)
-  ZONED FD (FLOOD DISTRICT)
-  ZONED ON (OFFICE NEIGHBORHOOD)
-  ZONED RS-1 (RESIDENTIAL SINGLE FAMILY)
-  ZONED R-2 (RESIDENTIAL SINGLE FAMILY)
-  ZONED RS-3 (RESIDENTIAL SINGLE FAMILY)
-  ZONED RD (RESIDENTIAL DUPLEX)
-  ZONED RE (RESIDENTIAL ESTATE)
-  PROJECT LOCATION - PROPOSED PUD

PLOT DATE: Nov. 08, 2024 FLE: P1181833RANBAY 116- ASPEN CREEK/ALTERNATIVE BASE/ASPEN CREEK - PUD



AAB Engineering, LLC

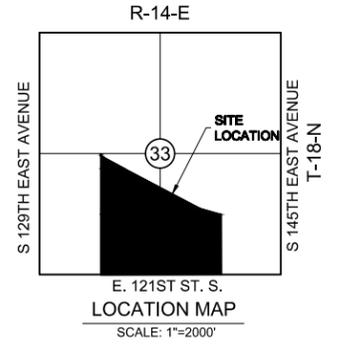
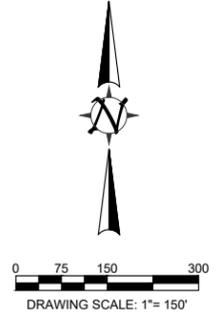


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Exhibit D

Conceptual Development Plan
for
Aspen Creek



PLOT DATE: Nov. 08, 2025 FILE: P:\18\33\RAMBAY 116- ASPEN CREEK\ALTERNATIVE BASE\ASPEN CREEK - PUD



AAB Engineering, LLC

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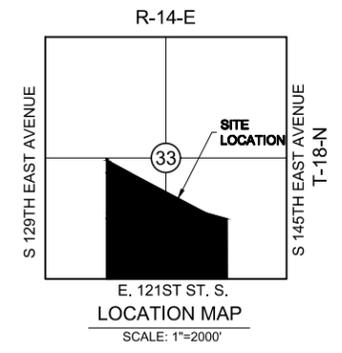
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

Exhibit E

Existing Topo & Aerial
for
Aspen Creek



0 150 300 600
DRAWING SCALE: 1"= 300'

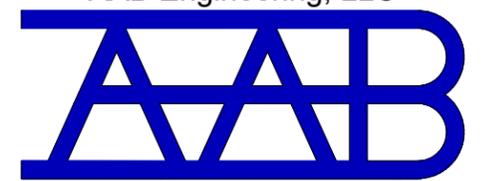


LEGEND

- 545 --- EXISTING INDEX CONTOUR
- 547 --- EXISTING INTERMEDIATE CONTOUR

Image © 2024 Airbus

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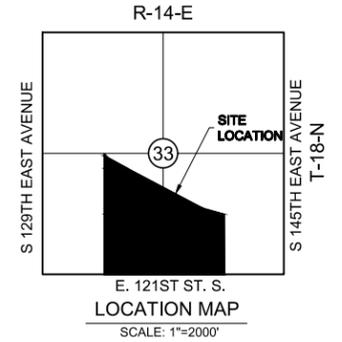
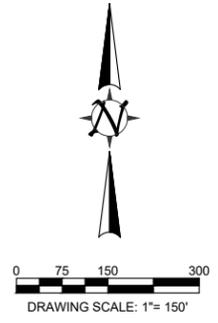
PO Box 2136 Sand Springs, OK 74063
OK CA#6318 Exp: June 30, 2020
KS CA#2292 Exp: Dec. 31, 2020
Office: (918) 514-4283 Fax: (918) 514-4288

PLOT DATE: Nov. 08, 2024 FILE: P:\18\33\RAMBAY 116- ASPEN CREEK\ALTERNATIVE BASE\ASPEN CREEK - PUD



Exhibit F

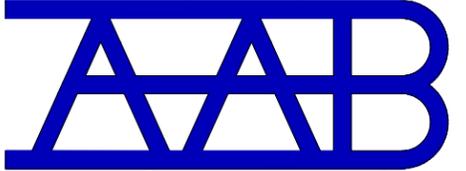
Conceptual Utilities
for
Aspen Creek



LEGEND

-  EXISTING WATERLINE
-  PROPOSED WATERLINE
-  EXISTING STORM SEWER
-  PROPOSED STORM SEWER
-  EXISTING SANITARY SEWER
-  PROPOSED SANITARY SEWER

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PLOT DATE: Nov. 08, 2019 2:05 PM FILE: P:\18\33\RAMBAY 116- ASPEN CREEK\ALTERNATIVE BASE\ASPEN CREEK - PUD





City of Broken Arrow

Request for Action

File #: 25-7, Version: 1

**Broken Arrow Planning Commission
01-09-2025**

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 was considered and approved by the Planning Commission on December 19, 2024. In the meeting the following motion was made by Vice Chairman Coan:

Move to approve Item 3A 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) with a maximum of 20% bump out.

The applicant has requested that the intent of this motion be clarified, as it can be interpreted differently by different parties. The staff recommendation was to approve the 1-foot and 7-foot setbacks. The motion can be interpreted to approve the reduced setbacks and an additional 20% bumpout allowance or per the discussion, it could be interpreted to only allow a 20% bumpout and no reduction in setbacks.

The original text of the staff report is included below for context.

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.

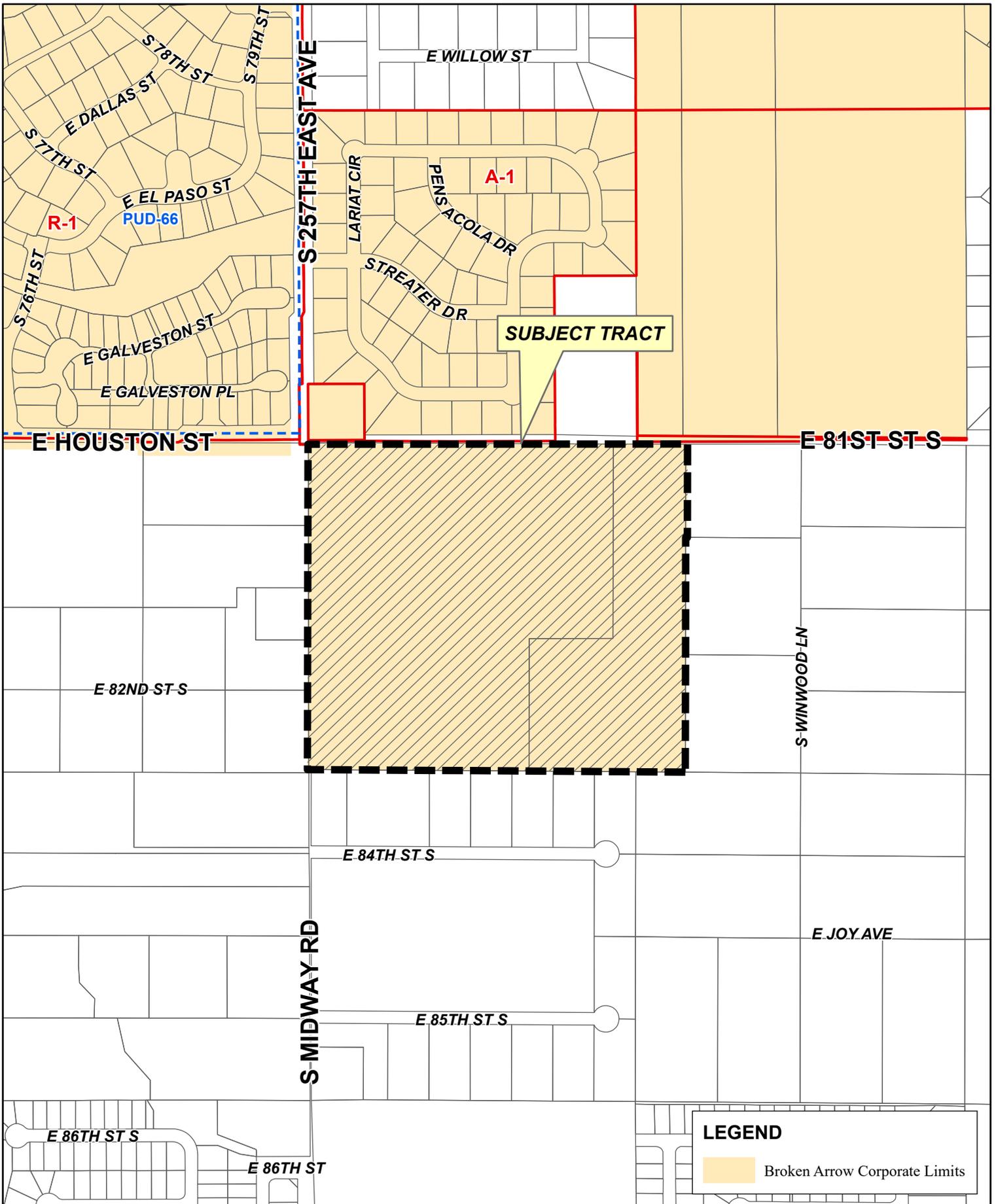
Attachments: Case Map
Aerial Map
Antler Falls PUD Minor Amendment

Recommendation:
Clarify the intent of the motion made on December 19, 2024.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

ALY



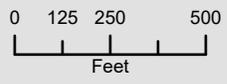
SUBJECT TRACT

LEGEND

-  Broken Arrow Corporate Limits

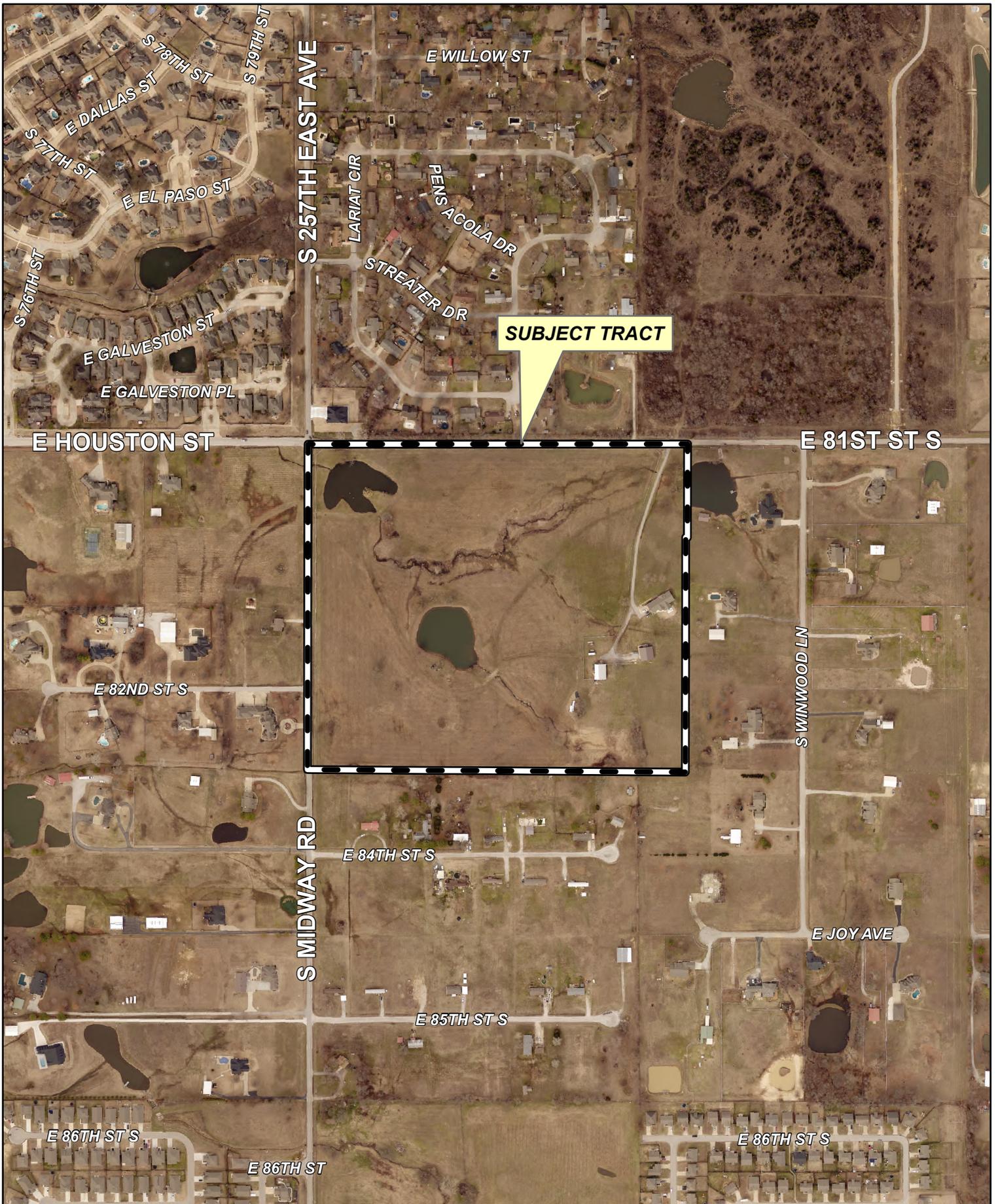


PUD-001814-2024



14 18-15





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

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

PUD # _____

BAZ- _____

December 04, 2023

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

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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

Antler 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. Kenosha 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 Olive Avenue. 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 fall of 2024, 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