



City of Broken Arrow

Meeting Agenda

Planning Commission

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

Thursday, March 28, 2024

5:30 PM

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

1. Call To Order

2. Roll Call

3. Old Business

4. Consideration of Consent Agenda

- A. [24-447](#) Approval of Planning Commission meeting minutes of March 14, 2024

Attachments: [03-14-2024 Planning Commission Minutes.he](#)

- B. [24-429](#) Approval of PT-001367-2024|PR-000089-2022, Preliminary Plat, The Enclave at Southern Hills, approximately 1.26 acres, 1 Lot, located south of New Orleans Street (101st Street) and approximately 1000 feet east of Olive Avenue (129th Avenue)

Attachments: [Checklist, Preliminary Plat with comments, and Covenants](#)

- C. [24-422](#) Approval of PR-000139-2022 | PT-001396-2024, Conditional Final Plat, Old Highway 51 Industrial Park, approximately 2.30 acres, 1 proposed lot, A-1 to IL/PUD-000502-2022 located approximately one-quarter mile north of Houston Street and one-quarter mile east of 23rd Street, southwest of the Broken Arrow Expressway

Sponsors: Planning Commission

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

5. Consideration of Items Removed from Consent Agenda

6. Public Hearings

- A. [24-444](#) Public hearing, consideration, and possible action regarding COMP-001296-2024, Aspen Creek Village (Comprehensive Plan Change), approximately 90.33 acres from Level 6 (Regional Employment/Commercial) to Level 2 (Urban Residential), north of Tucson Street (121st Street), one-half west of Aspen Avenue (145th East Avenue), south of the Creek Turnpike

Attachments: [2-Case Map](#)
[3-Aerial](#)
[4-Current Comprehensive Plan Map](#)
[5-Comprehensive Plan Prior to BACP-132](#)
[6-Comprehensive Plan Transportation Map](#)

- B. [24-445](#) Public hearing, consideration, and possible action regarding BAZ-001334-2024 (Rezoning) and SP-001335-2024 (Specific Use Permit), Floral Haven Expansion, 27 acres, A-1 (Agriculture) and R-1 (Single Family Residential) to A-1 (Agriculture)/SP-001335-2024, north of West Kenosha Street (East 71st Street South), and one quarter mile west of South Olive Avenue (South 129th East Avenue)

Sponsors: Planning Commission

Attachments: [2. Casemap](#)
[3. Aerial](#)
[4. Exhibit](#)
[5. Comprehensive Plan](#)

- C. [24-446](#) Public hearing, consideration, and possible action regarding PUD-001360-2024 and BAZ-001206-2023 (Rezoning), Spring Creek Crossing, 38 acres, A-1 (Agricultural) to RS-4 (Single-Family Residential) and PUD (Planned Unit Development)-001360-2024, located north of Tucson Street (121st Street), one-quarter mile west of 9th Street (177th East Avenue/Lynn Lane Road)

Attachments: [2-Case Map](#)
[3-Aerial](#)
[4-Comprehensive Plan](#)
[5-PUD Design Statement 3-22-24](#)
[6-Community Meeting Invitation](#)
[7-Petition in Oposition Submitted 3-25-2024](#)

7. Appeals

8. General Commission Business

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

10. Adjournment

NOTICE:

1. ALL MATTERS UNDER “CONSENT” ARE CONSIDERED BY THE PLANNING COMMISSION TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. HOWEVER, ANY CONSENT ITEM CAN BE REMOVED FOR DISCUSSION, UPON REQUEST.

2. IF YOU HAVE A DISABILITY AND NEED ACCOMMODATION IN ORDER TO PARTICIPATE IN THE MEETING, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT 918-259-8412, TO MAKE ARRANGEMENTS.

3. EXHIBITS, PETITIONS, PICTURES, ETC. PRESENTED TO THE PLANNING COMMISSION MAY BE RECEIVED AND DEPOSITED IN CASE FILES TO BE MAINTAINED AT BROKEN ARROW CITY HALL.

4. RINGING/SOUND ON ALL CELL PHONES AND PAGERS MUST BE TURNED OFF DURING THE PLANNING COMMISSION MEETING.

A paper copy of this agenda is available upon request.

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

City Clerk



City of Broken Arrow

Request for Action

File #: 24-447, Version: 1

**Broken Arrow Planning Commission
03-28-2024**

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

Approval of Planning Commission meeting minutes of March 14, 2024

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

Attachments: 03 14 2024 Planning Commission Minutes

Recommendation: Approve minutes of Planning Commission meeting held March 14, 2024.

Reviewed By: Amanda Yamaguchi

Approved By: Rocky Henkel

Chairperson Jaylee Klempa
Vice Chair Robert Goranson
Member Jonathan Townsend
Member Jason Coan
Member Mindy Payne

Thursday, March 14, 2024

Time 5:30 p.m.

Council Chambers

1. Call to Order

Chairperson Jaylee Klempa called the meeting to order at approximately 5:30 p.m.

2. Roll Call

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

Absent: 1 - Mindy Payne

3. Old Business

There was no Old Business.

4. Consideration of Consent Agenda

A. 24-384 Approval of Planning Commission meeting minutes of February 22, 2024

B. 24-371 Approval of BLDC-016766-2024 request for use of stone, porcelain, and metal exterior building materials, Med Spa, 0.75 acres, approximately located one-sixteenth mile north of Albany Street (61st Street), directly west of Elm Place (161st Avenue)

C. 24-372 **Approval of PT-001342-2024/PR-000510-2023, Preliminary Plat, Antler Falls, approximately 46 acres, 149 Lots, A-1 (Agricultural) to RS-4 (Single-Family Residential)/PUD-001242-2023 (Planned Unit Development), located south and east of the southeast corner of Houston Street (81st Street) and 257th Street (Midway Road)**
Senior Planner Joel Hensley presented the Consent Agenda.

Chairperson Klempa indicated Item 4B would be removed for discussion.

Chairperson Klempa explained the Consent Agenda consisted of routine items, minor in nature, and was approved in its entirety with a single motion and a single vote, unless an item was removed for discussion. She asked if there were any other Items to be pulled from the Agenda for discussion. There were none.

MOTION: A motion was made by Robert Goranson, seconded by Jason Coan.

Move to approve the Consent Agenda less Item 4B

The motion carried by the following vote:

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

5. Consideration of Items Removed from Consent Agenda

Planning and Development Manager Amanda Yamaguchi reported Item 4B was a request for a variance for a building façade. She explained Section 5.8.G.1 of the Zoning Ordinance stated commercial structures adjacent to an arterial street or highway shall have vertical exteriors facing these roadways constructed of masonry, concrete panels, glass block, glass curtain walls, Exterior Insulated Finished Systems (EIFS), or stucco. She noted this section also provided authority to the Planning Commission to consider and approve metal finishes, wood, plastic, or other masonry material through the site plan review process. She indicated the applicant was requesting approval by the Planning Commission to incorporate metal, stone, and porcelain exterior building materials for the building associated with the Med Spa remodel. She stated the proposed façade was a mixture of stone, aluminum, and porcelain material.

Chairperson Klempa noted she asked for this Item to be pulled to allow the Planning Commission to discuss the matter as Planning Commission typically discussed façade changes which involved metal panels. She stated she liked the look of the proposed façade; the porcelain was lovely, and the metal panel was not corrugated. She asked if the metal wall panel was insulated.

The applicant, Darrell Bird, with Property Arts Inc., stated the panel was not insulated, but there would be insulation behind the panel.

Vice Chair Robert Goranson stated he liked the look of the metal panel.

Chairperson Klempa noted there were no public comments, and no one signed up to speak regarding this Item. She closed the public hearing.

Commissioner Jason Coan thanked Chairperson Klempa for asking to discuss this Item. He stated it was good remain consistent and as the Planning Commission had often discussed these metal panel variances in the past, it was good to also discuss this variance as well.

Chairperson Klempa agreed.

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

Move to approve the Consent Agenda Item 4B per Staff recommendations

The motion carried by the following vote:

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

6. Public Hearings

A. 24-383 Public hearing, consideration, and possible action regarding SP-001322-2024 (Specific Use Permit), Events Center, 0.08 acres, DM (Downtown Mixed-Use), one-half mile south of Kenosha Street (71st Street), one-half mile east of Elm Place (161st East Avenue)
Chairperson Klempa indicated Ms. Yamaguchi had a comment before Planning Commission moved forward with Item 6A.

Ms. Yamaguchi reported a notice went out for Comprehensive Plan Change, COMP-001296-2024. She stated after the notice was published an error was discovered; the notice included the case number for this item, Item 6A, a Specific Use Permit request. She explained, as such, a new notice was sent out and the Comprehensive Plan Change would be heard on March 28, 2024 instead of this evening.

Ms. Yamaguchi reported SP-001322-2024 was a request for a Specific Use Permit for an indoor play facility to be placed in a Downtown Mixed-Use zoning district. She stated the property was located one-half mile south of Kenosha Street (71st Street), one-half mile east of Elm Place (161st East Avenue). She indicated with SP-001322-2024, the applicant was proposing to develop the site as an indoor play facility where children can interact with different play scenarios such as a dental office, grocery store or other business. She stated the applicant indicated children were to be accompanied by parents at all times, and this was not a childcare facility. She stated it this facility were to transition into a daycare, either in the traditional definition or for short-term events, additional building and fire codes may be required and the specific use permit would need to be updated. She stated this use was not specified in the Table of Allowed Uses in the Zoning Ordinance. She explained this use was most similar to a general indoor recreation facility which did require a specific use permit in the DM zoning district. She said no specific criteria were listed for this use. She stated all surrounding land uses were commercial businesses. She stated based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommended SP-001322-2024 be approved as presented.

Chairperson Klempa indicated she knew the applicant, and had known her for many years, but had no personal interest or involvement in the business being proposed.

The applicant, Madison King, stated she was the owner of Let’s Play BA to be located in the Rose District. She stated she was a mother of two boys, ages 4 and 2. She indicated she was born and raised in Broken Arrow. She indicated she has worked as a nanny and in other childcare positions over the years and through her experience she established a passion for children and finding fun ways for children to learn. She described Let’s Play BA as a mini Main Street for kids with a pet store, auto shop, dentist’s office, etc., where children could play, pretend, and learn at the same time. She stated Let’s Play BA was intended to be a place of community through special events such as movie nights, craft nights, holiday events, special guests, etc. She indicated the business would offer birthday packages, memberships, members only nights, etc., and would host “parents’ night out” during which Let’s Play BA would babysit for parents for the evening. She stated she spoke with DHS who indicated no special requirement was needed to host a parents’ night out on occasion. She stated she intended to partner with as many local businesses as possible. She indicated she reached out to Rose Rock Creamery, Waters Edge Winery, and Summit and was excited to see what types of partnerships could be established.

Commissioner Jonathan Townsend asked if this would be a nonprofit business.

Ms. King responded the business was a for profit business.

Commissioner Townsend asked about memberships.

Ms. King indicated Let’s Play BA would offer a monthly membership which would range from \$25 to \$90 dollars and would include different things and would allow different

numbers of children entry. She explained the membership would include unlimited entrance for the month.

Commissioner Townsend asked about the target age of children.

Ms. King responded the target age would be from age 1 to age 10, with ages 5 and 6 being the main age group she expected to use the facility the most.

Commissioner Townsend asked how Ms. King came up with this idea and where she had seen it be successful.

Ms. King responded in New Orleans Square there was a similar facility called Adventure Avenue. She stated her facility was similar in concept but would also host events which she hoped would bring a community feel to the facility. She stated she wanted the children, parents, and staff to form relationships. She stated she wanted Let's Play BA to be the kind of place where people consistently wanted to go, and not just on occasion.

Commissioner Townsend asked if the staff members would be educators. He asked if this would be an educational experience.

Ms. King responded at first, no; staff would have background checks, but everyone was welcome to apply. She stated eventually she did want to hire a few staff members with an education who could organize events and special occasions.

Commissioner Coan noted Let's Play BA hosting special childcare events was no different than a church hosting a movie night or such. He stated he was familiar with the requirements involved for such daycare events, and the parents' night out event would fall into the same category.

Ms. King agreed. She stated the DHS website indicated a business could watch children up to 15 hours per week without the facility having to meet DHS requirements.

Commissioner Coan stated he was disappointed this business was not open when his children were young. He stated this was a great idea.

Ms. King agreed, noting Main Street needed something specifically for children.

Vice Chair Goranson agreed this was an excellent idea. He asked if place of gathering or ABLE applied to this business.

Ms. Yamaguchi responded in the negative. She stated place of assembly would fall under a specific use permit, and childcare would fall under a specific use permit in the Downtown District. She stated, based on Ms. King's comments regarding hosting parents' night out events, she would recommend the Planning Commission approve the specific use permit both for a general indoor recreation facility and for daycare to ensure there was no confusion.

Chairperson Klempa indicated no one signed up to speak and there were no comments submitted to City Staff. She closed the public hearing.

Commissioner Coan asked why Ms. Yamaguchi recommended childcare be approved as a use.

Ms. Yamaguchi explained in the discussion and in the Staff report it was stated this was not a childcare facility, but based on the description just given by Ms. King, the facility could fall into the childcare facility category in terms of uses, building codes, fire codes, etc., and to ensure everything was clear in the future, adding childcare was recommended.

Commissioner Coan asked what type of changes this would mean for the applicant.

Ms. Yamaguchi indicated this would be between Ms. King and the Fire Marshal, she was unsure.

Commissioner Coan asked if the building was sprinkled.

Chairperson Klempa indicated Ms. King stated the building was not sprinkled.

Acting Community Development Director Grant Rissler explained adding childcare to the specific use permit would not change anything in terms of the Fire Code. He stated he did not believe Fire Code covered this type of use, but altering the recommendation to allow for both uses would simply give Ms. King the zoning coverage to change the use of the building in the future.

Commissioner Coan stated he understood that childcare facilities were required to have a building sprinkled and he did not want Ms. King to now be required to install fire sprinklers.

Vice Chair Goranson noted adding childcare simply initiated an umbrella coverage to allow childcare as a potential use.

Chairperson Klempa stated it would be between Ms. King and the Fire Marshal if Ms. King chose to use the facility for childcare.

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

Move to approve Item 6A per Staff recommendation with the addition of childcare to the specific use permit

The motion carried by the following vote:

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

Chairperson Klempa indicated this Item would go before City Council on April 2, 2024; if any wished to speak regarding this Item, a Request to Speak form should be submitted prior to the meeting start.

7. Appeals

There were no Appeals.

8. General Commission Business

There was no General Commission Business.

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

Vice Chair Goranson stated he appreciated seeing preliminary plats with the markups.

Ms. Yamaguchi reported Monday would be the kickoff of the new Broken Arrow Micro Transit Program. She asked Mr. Henry Bibelheimer to present.

Staff Planner Henry Bibelheimer reported micro transit was a new form of on-demand curb-to-curb transportation. He explained on-demand meant micro transit vehicles would pick you up where you wanted, when you wanted, and take you where you would like to go (within the pilot area). He indicated Tulsa Transit would provide the drivers and provide the background checks for drivers, and would also provide the software for the program, GoPass. He stated a user could order a ride on the GoPass app, or by calling the Tulsa Transit Call Center to book a ride during operating hours, Monday through Friday from 8:00 a.m. and 5:00 p.m. He explained the GoPass app showed users a picture of the vehicle and a picture of the driver, tracked the vehicle in real time. He noted this program would go live on Monday and the purpose of today's presentation was to present the program to the community, to get the word out. He played a video which explained the GoPass app and how to use it. He stated if a rider had any medical equipment and was not comfortable riding in a sedan, said rider could order a ParaTransit van for pickup. He noted ParaTransit vans were wheelchair friendly. He stated the cost would be \$1.75 for a 3-hour ticket, multiple rides could be taken during the 3 hour window, or \$3.50 for a day pass. He noted the service was free for minors under the age of 18; however, if a user was under the age of 12, someone age 14 or older had to be present to ride along. He noted there were also discounts for seniors (over 65) and veterans; the cost for a senior citizen or veteran was \$0.85 for a 3 hour ticket. He explained senior citizens were required to go to the Tulsa Transit Station and obtain a Senior Citizen ID card to use the senior citizen discount for the program. He noted there were other available discounts which were listed on the website.

Commissioner Townsend asked if the rate was based on time or distance.

Mr. Bibelheimer explained the rate was based on time, not distance, but the micro transit pilot program operated only within the designated pilot area. He displayed a map of the pilot area. He displayed the vehicles which would be used in the pilot program: four Mustang Mach E's and one ParaTransit van. He noted all these vehicles were electric and would need to charge during the day; therefore, one of Tulsa ParaTransit vans might pick up passengers in Broken Arrow while the Broken Arrow ParaTransit van was charging.

Vice Chair Goranson asked for whom the drivers worked.

Mr. Bibelheimer responded the drivers worked for Tulsa Transit. He displayed the pilot area and explained a rider had to be within the pilot area to use the GoPass app to order a ride. He noted operating hours were currently Monday through Friday from 8:00 a.m. to 5:00 p.m., and the City hoped to expand these hours, but needed ridership to justify expansion. He indicated a rider could order a ride up to one hour in advance; riders could order a ride for 8:00 a.m. at 7:00 a.m. in the morning, but not any earlier. He indicated riders could not order rides a day in advance. He stated it was important to remember the micro transit program was a ride share program which was different from Uber; there was a good chance the vehicle

would pick up other passengers. He explained the pilot program area extended to St. Francis South where riders could take the bus or another micro transit vehicle into downtown Tulsa. He explained the GoPass app would show riders wishing to go to downtown Tulsa exactly how to get there, providing step by step instructions, for example, take the micro transit vehicle to St. Francis, then take the bus, etc. He noted the pilot area also included the VA Hospital and other medical facilities. He stated the long term goal for this program was to expand the micro transit area to include the whole of Broken Arrow's city limits.

Vice Chair Goranson asked how long the pilot program would be underway.

Mr. Bibelheimer responded the pilot program would run for six months. He noted the pilot program could evolve and the goal was to gather data; therefore, the hours of operation could be renegotiated and adjusted during the pilot program to obtain additional data.

Vice Chair Goranson asked if a lack of interest threshold was established.

Mr. Bibelheimer responded in the negative; while a lack of interest threshold existed, it was not yet established. He reported an effort was made to ensure all the riders of the 508 Route would be covered by the micro transit pilot area.

Vice Chair Goranson asked if consideration was given to extending the pilot area to the Hillside Drive Walmart.

Mr. Bibelheimer noted this was discussed. He stated discussion was also held about including points of interest during the pilot. He noted the map might change during the pilot program as well.

Vice Chair Goranson stated he felt NSU campus would also be a good location.

Mr. Bibelheimer agreed. He stated NSU was a point of interest discussed.

Ms. Yamaguchi indicated there were a lot of opportunities to include points of interest, for example the Amphitheater coming up. She stated this pilot program was extremely preliminary to test the program and see how the public responded.

Chairperson Klempa asked if the 508 Bus Route would be ongoing.

Mr. Bibelheimer responded in the negative; the 508 Bus Route would be discontinued during the pilot program. He stated on Monday the 508 Route bus drivers would be driving the micro transit vehicles.

Commissioner Coan asked if the 508 Route users were notified.

Mr. Bibelheimer responded in the affirmative. He explained the micro transit pilot area was expanded specifically to ensure all the users of the 508 Route would not lose access to transportation during the pilot program.

Commissioner Coan noted now the 508 Route users would be able to call micro transit vehicles directly to their homes as opposed to having to walk to a bus stop to wait for pickup.

Mr. Bibelheimer agreed. He stated if a rider wished to go to downtown Tulsa, this would be booked through the app, and it would cost \$1.75 total to get there via micro transit vehicles, and/or bus rides, etc.

Commissioner Coan noted users with bicycles could order the ParaTransit van for pickup, as the ParaTransit vans could accommodate bicycles.

Mr. Bibelheimer agreed; ParaTransit vans could carry bicycles.

Ms. Yamaguchi explained while Broken Arrow had four Mach E vehicles currently, it would only have two drivers for the time being, so the vehicles could switch out while charging, but when the contract was renegotiated with Tulsa Transit, this could change.

Discussion ensued regarding the electric vehicles owned by the City.

Mr. Bibelheimer stated he had flyers available for distribution. He encouraged Planning Commission to spread the word.

Chairperson Klempa asked about the City Hall Advisory Committee.

Mr. Rissler stated the Committee was appointed and was approved, but the consultants were still gathering information in preparation for the first meeting.

Vice Chair Goranson noted Planning Commission had a joint meeting with City Council on March 26, 2024.

Ms. Yamaguchi concurred noting the meeting would be held at the Public Safety Complex.

Mr. Rissler stated hopefully, early next week, Planning Commission should receive a draft agenda for review for this joint meeting.

10. Adjournment

The meeting adjourned at approximately 6:15 p.m.

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

Move to adjourn

The motion carried by the following vote:

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



City of Broken Arrow

Request for Action

File #: 24-429, **Version:** 1

**Broken Arrow Planning Commission
03-28-2024**

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

Approval of PT-001367-2024|PR-000089-2022, Preliminary Plat, The Enclave at Southern Hills, approximately 1.26 acres, 1 Lot, located south of New Orleans Street (101st Street) and approximately 1000 feet east of Olive Avenue (129th Avenue)

Background:

Applicant: Alan Betchan, AAB Engineering, LLC

Owner: Todd Eggers

Developer: Todd Eggers

Engineer: Alan Betchan, AAB Engineering, LLC

Location: South of New Orleans Street (101st Street) and approximately 1000 feet east of Olive Avenue (129th Avenue)

Size of Tract Approximately 1.26 acres

Number of Lots: 1

Zoning: CM - Community Mixed-Use

Comp Plan: Level 3 - Transition Area

PT-001367-2024, the preliminary plat for The Enclave at Southern Hills proposes 1 lot approximately 1.26 acres. This property, which is located south of New Orleans Street (101st Street) and approximately 1000 feet east of Olive Avenue (129th Avenue), has been approved for rezoning from A-1 (Agricultural) to PUD-000126-2022 (Planned Unit Development) with underlying CM (Community Mixed-Use) zoning, subject to the property being platted.

Community Mixed-Use is the intended land use associated with the lot and the PUD design standards generally meet the minimum standards of the CM zoning district. Primary access to this lot will be identified on the Conditional Final Plat.

According to FEMA maps, none of the property is located in the 100-year floodplain. Water and sanitary sewer are available from the City of Broken Arrow. This preliminary plat was reviewed by the Technical Advisory Committee on March 19, 2024.

Attachments: Checklist, Preliminary Plat, and Covenants

Recommendation:

Staff recommends PT-001367-2024|PR-000089-2022, Preliminary Plat for The Enclave at Southern Trails, subject to the attached comments.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

ALY

101st and 129th - Plat_v1.pdf Markup Summary

00 The review of the Preliminary Plat is complete and all comments shall to be addressed as part of the conditional final plat submittal



Subject: Prelim Plat COMMENT
Author: ADMI

00
The review of the Preliminary Plat is complete and all comments shall to be addressed as part of the conditional final plat submittal using the Conditional Final Plat Application.
Any revisions submitted with the Preliminary Plat Application will not be reviewed.
Any comments that have not been addressed must have an explanation provided in the Comment Response Letter.

E01 The U/E on the east boundary may be reduced to 11' with the adjacent 17.5' U/E in place (1)



Subject: Jason Comments
Author: jdickeson

E01
The U/E on the east boundary may be reduced to 11' with the adjacent 17.5' U/E in place

E02 A detention determination number for the site has not been issued and the requirement for detention will require a reserve area



Subject: Jason Comments
Author: jdickeson

E02
A detention determination number for the site has not been issued and the requirement for detention will require a reserve area and detention easement to be added to the plat.

E03 Do not include the city as an enforcer of the surface drainage (1)



Subject: Group
Author: jdickeson

E03
Do not include the city as an enforcer of the surface drainage

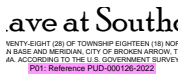
E04 If detention is required for the site language for the reserve and for the accompanying detention easement will need to be added



Subject: Jason Comments
Author: jdickeson

E04
If detention is required for the site language for the reserve and for the accompanying detention easement will need to be added to the covenants.

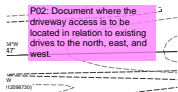
P01: Reference PUD-000126-2022 (1)



Subject: Text Box
Author: Amanda

P01: Reference PUD-000126-2022

P02: Document where the driveway access is to be located in relation to existing drives to the north, east, and west. (1)



Subject: Text Box
Author: Amanda

P02: Document where the driveway access is to be located in relation to existing drives to the north, east, and west.

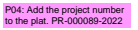
P03: Add addresses when assigned. (1)



Subject: Text Box
Author: Amanda

P03: Add addresses when assigned.

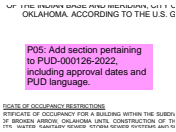
P04: Add the project number to the plat. PR-000089-2022 (1)



Subject: Text Box
Author: Amanda

P04: Add the project number to the plat.
PR-000089-2022

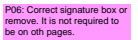
P05: Add section pertaining to PUD-000126-2022, including approval dates and PUD language. (1)



Subject: Text Box
Author: Amanda

P05: Add section pertaining to PUD-000126-2022,
including approval dates and PUD language.

P06: Correct signature box or remove. It is not required to be on oth pages. (1)



Subject: Text Box
Author: Amanda

P06: Correct signature box or remove. It is not
required to be on oth pages.

PRELIMINARY PLAT

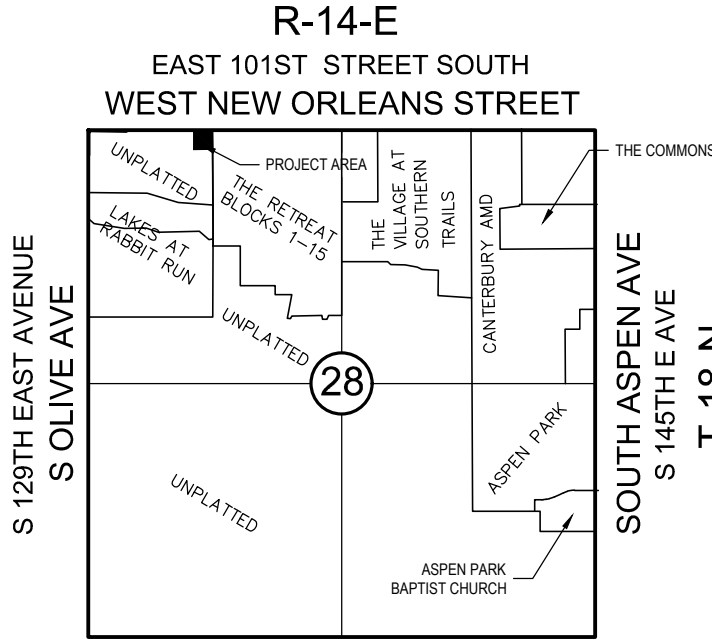
The Enclave at Southern Trails

PART OF THE SECTION TWENTY-EIGHT (28) OF TOWNSHIP EIGHTEEN (18) NORTH AND RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA. ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

P01: Reference PUD-000126-2022

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2024
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN@AABENG.COM



LOCATION MAP
SCALE: 1"=2000'

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS ONE (1) LOT AND
ONE (1) BLOCK CONTAINING
1.26 ACRES

SUBDIVISION DATA

BENCHMARK
CHISELED "X" ON CURB, EAST SIDE OF SOUTH END,
SOUTH DOGWOOD BLVD.
ELEV=702.31' (NAVD 88)

BASIS OF BEARINGS
GRID BEARINGS OF THE OKLAHOMA STATE
PLANE COORDINATE SYSTEM - ZONE 3501 NORTH

MONUMENTATION
A 3/8" X 18" REBAR WITH A YELLOW PLASTIC CAP
STAMPED "CA6038" TO BE SET AT ALL LOT CORNERS, ALL
STREET CENTERLINE INTERSECTIONS, POINTS OF
CURVE, POINTS OF TANGENT, POINTS OF COMPOUND
CURVE, POINTS OF REVERSE CURVE, CENTER OF
CUL-DE-SACS AND CENTER OF EYEBROWS, AFTER
COMPLETION OF IMPROVEMENTS, UNLESS NOTED
OTHERWISE.

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

P03: Add addresses when
assigned.

00

The review of the Preliminary Plat is complete and all comments shall to be addressed as part of the conditional final plat submittal using the Conditional Final Plat Application. Any revisions submitted with the Preliminary Plat Application will not be reviewed. Any comments that have not been addressed must have an explanation provided in the Comment Response Letter.

P04: Add the project number
to the plat. PR-000089-2022

APPROVED ON _____ BY THE CITY
COUNCIL OF THE CITY OF BROKEN ARROW,
OKLAHOMA.
MAYOR
ATTEST: CITY CLERK

THE ENCLAVE AT SOUTHERN TRAILS
Sheet 1 of 2

Date Prepared: February 16, 2024



DRAWING SCALE: 1"= 20'
0 10 20 40

OWNER/DEVELOPER

PERKINS DEVELOPMENT CORP
PO Box 1527
TULSA, OK 74101
ATTN: MARK PERKINS

LEGEND

B/L.....BUILDING LINE
LNA.....LIMITS OF NO ACCESS
POB.....POINT OF BEGINNING
POC.....POINT OF COMMENCEMENT
ROW.....RIGHT OF WAY
U/E.....UTILITY EASEMENT
BK.....BOOK
PG.....PAGE
D/E.....DRAINAGE EASEMENT

CONTACTS

MUNICIPAL AUTHORITY
CITY OF BROKEN ARROW
210 SOUTH 1ST STREET
BROKEN ARROW, OK 74012

UTILITY CONTACTS

OKLAHOMA NATURAL GAS COMPANY 5848 EAST 15TH STREET TULSA, OK 74112 PHONE: 918.831.8293	AEP / PSO 212 EAST 6TH STREET TULSA, OK 74119 PHONE: 918.599.2351
WINDSTREAM TELECOM COMPANY 2300 EAST 1ST PLACE BROKEN ARROW, OK 74012 PHONE: 918.451.3427	COX COMMUNICATIONS 11811 EAST 51ST STREET TULSA, OK 74145 PHONE: 918.286.4658

FLOODPLAIN

THE PROPERTY IS CONTAINED IN FEMA ZONE X
(UNSHADED) (AREA OF MINIMAL FLOOD HAZARD) AS
SHOWN ON FIRM PANEL "40143C0389L" DATED
OCTOBER 16, 2012.

E02

A detention determination number for the site has not been issued and the requirement for detention will require a reserve area and detention easement to be added to the plat.

P02: Document where the
driveway access is to be
located in relation to existing
drives to the north, east, and
west.

E01

The U/E on the east boundary may be
reduced to 11' with the adjacent 17.5'
U/E in place



PRELIMINARY PLAT

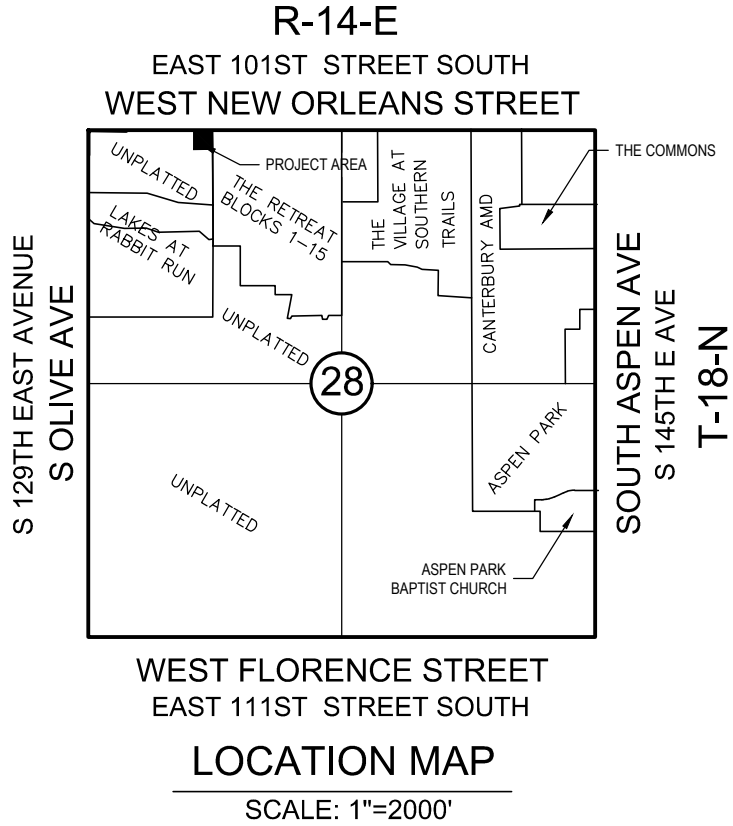
The Enclave at Southern Trails

PART OF THE SECTION TWENTY-EIGHT (28) OF TOWNSHIP EIGHTEEN (18) NORTH AND RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA. ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

P05: Add section pertaining to PUD-000126-2022, including approval dates and PUD language.

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2024
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN@AABENG.COM



OWNER/DEVELOPER

PERKINS DEVELOPMENT CORP
PO Box 1527
TULSA, OK 74101
ATTN: MARK PERKINS

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS: PERKINS DEVELOPMENT CORP. HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND SITUATED IN THE NORTH HALF OF THE WEST HALF OF THE NORTHWEST QUARTER (N/2 W/2 NW/4) OF SECTION TWENTY-EIGHT (28), 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 FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTH HALF OF THE WEST HALF OF THE NORTHWEST QUARTER (N/2 W/2 NW/4); THENCE NORTH 88°43'54" EAST ALONG THE NORTH LINE THEREOF, A DISTANCE OF 1096.89 FEET; THENCE SOUTH 01°52'29" EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°43'54" EAST, A DISTANCE OF 219.91 FEET; THENCE SOUTH 01°20'10" EAST, A DISTANCE OF 230.00 FEET; THENCE SOUTH 88°43'54" WEST, A DISTANCE OF 217.75 FEET; THENCE NORTH 01°52'29" WEST, A DISTANCE OF 230.02 FEET TO THE POINT OF BEGINNING. CONTAINING 50,331 SQUARE FEET OR 1.16 ACRES.

LEGAL DESCRIPTION BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (ZONE 3501 NORTH) WITH THE NORTH LINE OF THE NORTHWEST QUARTER BEING NORTH 88°43'54" EAST.

THIS LEGAL DESCRIPTION WAS PREPARED ON FEBRUARY 19, 2024, BY JAY P. BISSELL, OKLAHOMA LICENSED LAND SURVEYOR NO. 1318.

SECTION I. UTILITIES

- A. **UTILITY EASEMENTS**
- THE OWNER HEREBY DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED ON THE ACCOMPANYING PLAT AS "U/E" 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 HEREIN 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, ERECTED, 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**
- 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.
 - 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 TULSA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, OR STORM SEWERS SHALL BE PROHIBITED.
 - 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 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, 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.
 - IN THE EVENT THE OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF GRADE, 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 OWNER. IN THE EVENT THE OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BROKEN ARROW, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE PROPERTY WITHIN THE SUBDIVISION. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BROKEN ARROW, OKLAHOMA.
- 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. **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 SIDEWALKS) 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 BE ISSUED 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 RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.
- E. **UTILITY SERVICE**
- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE EASEMENTS ABUTTING THE RIGHT-OF-WAY OF EAST 101ST STREET. 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.
 - 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.
 - 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.
 - 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 CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF LOT THE 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 OWNER OF ANY LOT AGREES TO BE BOUND BY THESE COVENANTS.
- F. **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 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.
 - 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 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 THE LOT OWNER'S AGENTS OR CONTRACTORS.
 - 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.
- 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.
- I. **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 FIRST 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.

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 THESE 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, 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 SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.
- C. **AMENDMENT**
- THE COVENANTS CONTAINED WITHIN SECTION I. UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENTS 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 METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF BROKEN ARROW, OKLAHOMA. ANY SUCH AMENDMENT OR TERMINATION SHALL BE EFFECTIVE AS OF THE DATE THE WRITTEN INSTRUMENT IS RECORDED IN THE RECORDS OF THE TULSA COUNTY CLERK.
- 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: PERKINS DEVELOPMENT CORP HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2024.

PERKINS DEVELOPMENT CORP
AN OKLAHOMA CORPORATION

BY: _____
MARK PERKINS, MANAGER

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2024, BY MARK PERKINS, AS MANAGER OF PERKINS DEVELOPMENT CORP

NOTARY PUBLIC
MY COMMISSION EXPIRES:
COMMISSION NUMBER:

CERTIFICATE OF SURVEY

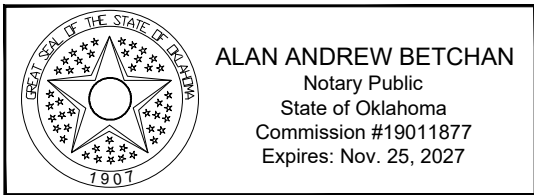
I, JAY P. BISSELL, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE DESIGNATED HEREIN AS "THE ENCLAVE AT SOUTHERN TRAILS", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY AND MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS. DATE OF LAST SITE VISIT: 11/30/2019.

JAY P. BISSELL
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1318

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS 29TH DAY OF NOVEMBER, 2023, PERSONALLY APPEARED JAY P. BISSELL, 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
MY COMMISSION EXPIRES: NOVEMBER 25, 2027
COMMISSION NUMBER: 19011877



P06: Correct signature box or remove. It is not required to be on oth pages.

MAYOR

ATTEST: CITY CLERK

CONCEPTUAL UTILITY

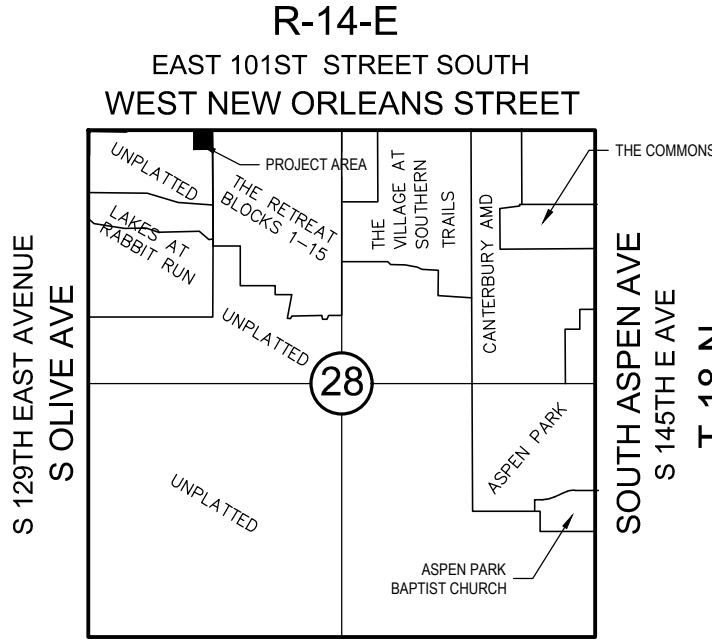
The Enclave at Southern Trails

PART OF THE SECTION TWENTY-EIGHT (28) OF TOWNSHIP EIGHTEEN (18) NORTH AND RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA. ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

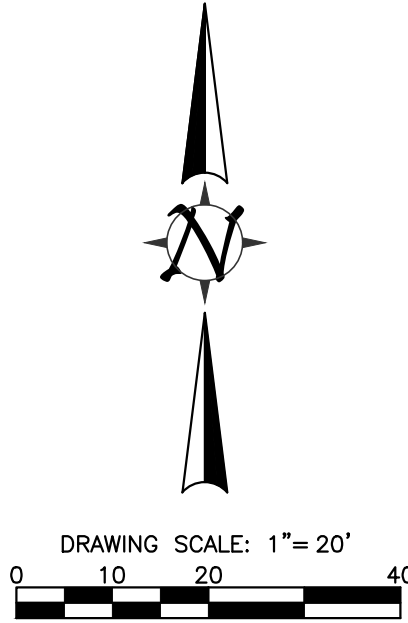
OWNER/DEVELOPER
PERKINS DEVELOPMENT CORP
PO Box 1527
TULSA, OK 74101
ATTN: MARK PERKINS

ENGINEER/SURVEYOR

AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE, 30, 2024
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4288
EMAIL: ALAN@AABENG.COM



WEST FLORENCE STREET
EAST 111ST STREET SOUTH
LOCATION MAP
SCALE: 1"=2000'



NORTHWEST CORNER NW/4
SECTION 18, T-18-N, R-14-E
FOUND IRON PIN
POINT OF COMMENCEMENT

CONTACTS

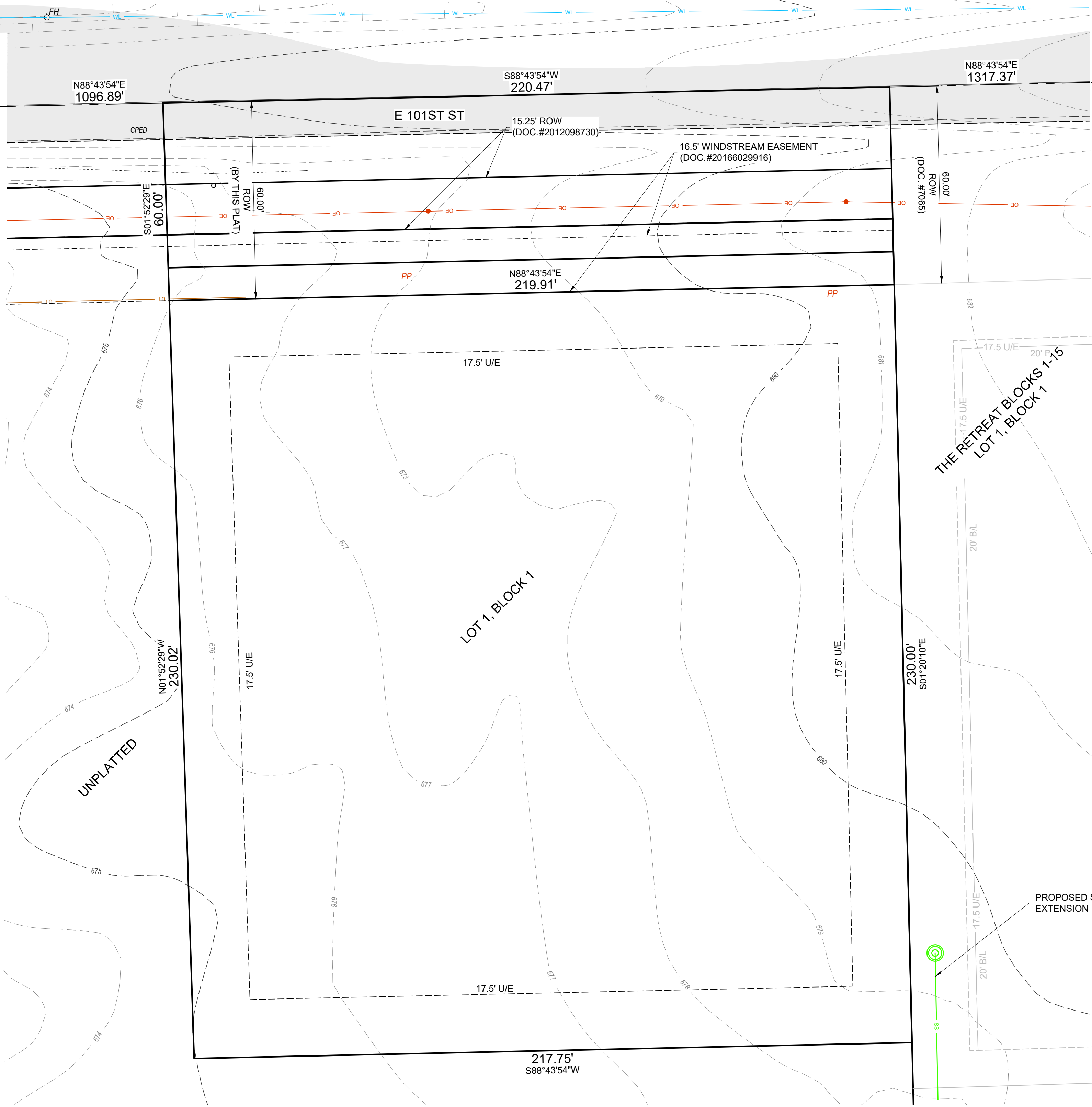
MUNICIPAL AUTHORITY
CITY OF BROKEN ARROW
210 SOUTH 1ST STREET
BROKEN ARROW, OK 74012

UTILITY CONTACTS

OKLAHOMA NATURAL GAS COMPANY 5848 EAST 15TH STREET TULSA, OK 74112 PHONE: 918.831.8293	AEP / PSO 212 EAST 6TH STREET TULSA, OK 74119 PHONE: 918.599.2351
WINDSTREAM TELECOM COMPANY 2300 EAST 1ST PLACE BROKEN ARROW, OK 74012 PHONE: 918.451.3427	COX COMMUNICATIONS 11811 EAST 51ST STREET TULSA, OK 74145 PHONE: 918.286.4658

LEGEND

WL	EXISTING WATER LINE
OE	EXISTING OVERHEAD ELECTRIC
SS	EXISTING SANITARY SEWER



NORTHEAST CORNER NW/4
SEC 18, T-18-N, R-14-E
IRON PIN FOUND

PROPOSED SANITARY SEWER
EXTENSION

APPROVED ON _____ BY THE CITY
COUNCIL OF THE CITY OF BROKEN ARROW,
OKLAHOMA.

MAYOR

ATTEST: CITY CLERK

THE ENCLAVE AT SOUTHERN TRAILS
Sheet 1 of 1

Date Prepared: February 16, 2024





City of Broken Arrow

Request for Action

File #: 24-422, Version: 1

**Broken Arrow Planning Commission
03-28-2024**

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

Approval of PR-000139-2022 | PT-001396-2024, Conditional Final Plat, Old Highway 51 Industrial Park, approximately 2.30 acres, 1 proposed lot, A-1 to IL/PUD-000502-2022 located approximately one-quarter mile north of Houston Street and one-quarter mile east of 23rd Street, southwest of the Broken Arrow Expressway

Background:

Applicant: Justin DeBruin, Wallace

Owner: Gary Shotton

Developer: Gary Shotton

Engineer: Wallace

Location: Approximately one-quarter mile north of Houston Street and one-quarter mile east of 23rd Street, southwest of the Broken Arrow Expressway

Size of Tract Approximately 2.30 acres

Number of Lots: 1

Zoning: A-1 to IL/PUD-000502-2022

Comp Plan: Level 6 (Regional Employment/Commercial)

PR-000139-2022 | PT-001396-2024 is the preliminary plat for Old Highway 51 Industrial Park, proposes to have 1 lot on 2.30 acres. This property is located approximately one-quarter mile north of Houston Street and one-quarter mile east of 23rd Street, southwest of the Broken Arrow Expressway. It is currently zoned A-1 (Agricultural), however City Council approved PUD-000502-2022 and BAZ-000501-2022 on February 21, 2023, subject to the property being platted. PT-000739-2023 was the preliminary plat for this project, which was approved by Planning Commission on April 27, 2023. Upon platting, this property will be rezoned to IL (Industrial Light) and PUD-000502-2022.

Access will be provided by one access point from the north onto Old Highway 51, and a mutual access easement extending across the northeast boundary of the property is proposed.

According to FEMA maps, none of the property is in a 100-year floodplain area. Water and sanitary sewer service are available from the City of Broken Arrow. This item was reviewed by the Technical Advisory Committee on March 19, 2024 where none of the utility companies had any comments on the plat.

Attachments:

Checklist

Conditional Final Plat & Covenants

Recommendation:

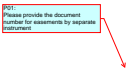
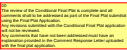


Staff recommends PR-000139-2022 | PT-001396-2024, the Conditional Final Plat for Old Highway 51 Industrial Park, be approved, subject to the attached checklist.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

HMB

Markup Summary (CFP)

Architect (1)		
	Subject: Architect Page Label: [1] 2240512 Final Plat-Sheet 1 Author: Henry	P01: Please provide the document number for easements by separate instrument
CFP Review (1)		
	Subject: CFP Review Page Label: [1] 2240512 Final Plat-Sheet 1 Author: ADMIN	00 The review of the Conditional Final Plat is complete and all comments shall to be addressed as part of the Final Plat submittal using the Final Plat Application. Any revisions submitted with the Conditional Final Plat application will not be reviewed. Any comments that have not been addressed must have an explanation provided in the Comment Response Letter uploaded with the final plat application.
Jason Comments (2)		
	Subject: Jason Comments Page Label: [1] 2240512 Final Plat-Sheet 1 Author: jdickeson	E01 An Overland Drainage Easement will need to added over the top of the drainage flume.
	Subject: Jason Comments Page Label: [2] 2240512 DOD-Sheet 2 Author: jdickeson	E02 Add language for the Overland Drainage Easement.
(43)		
	Subject: Page Label: [2] 2240512 DOD-Sheet 2 Author: AutoCAD SHX Text	D
	Subject: Page Label: [2] 2240512 DOD-Sheet 2 Author: AutoCAD SHX Text	R
	Subject: Page Label: [2] 2240512 DOD-Sheet 2 Author: AutoCAD SHX Text	O
	Subject: Page Label: [2] 2240512 DOD-Sheet 2 Author: AutoCAD SHX Text	I

FINAL PLAT

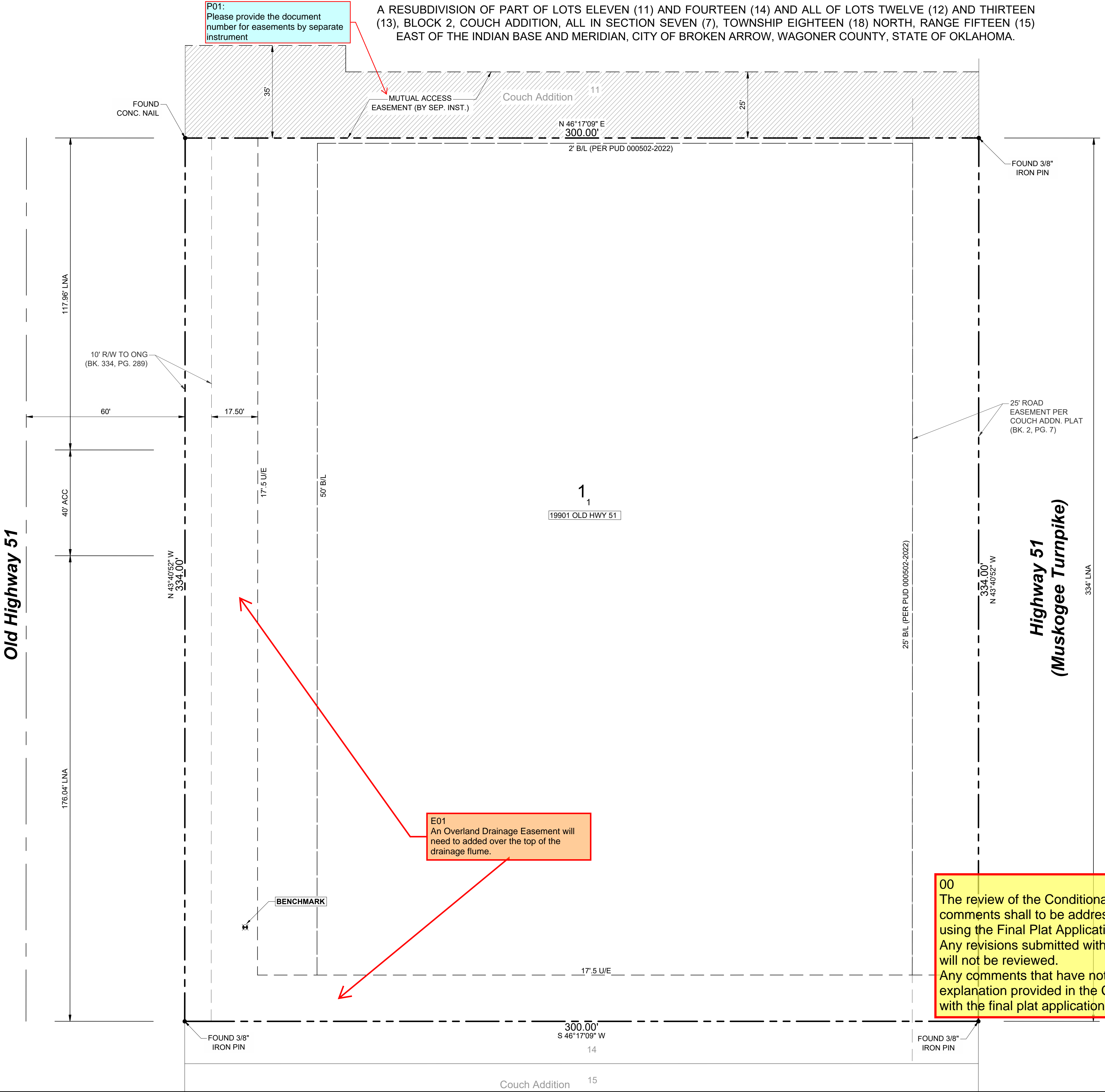
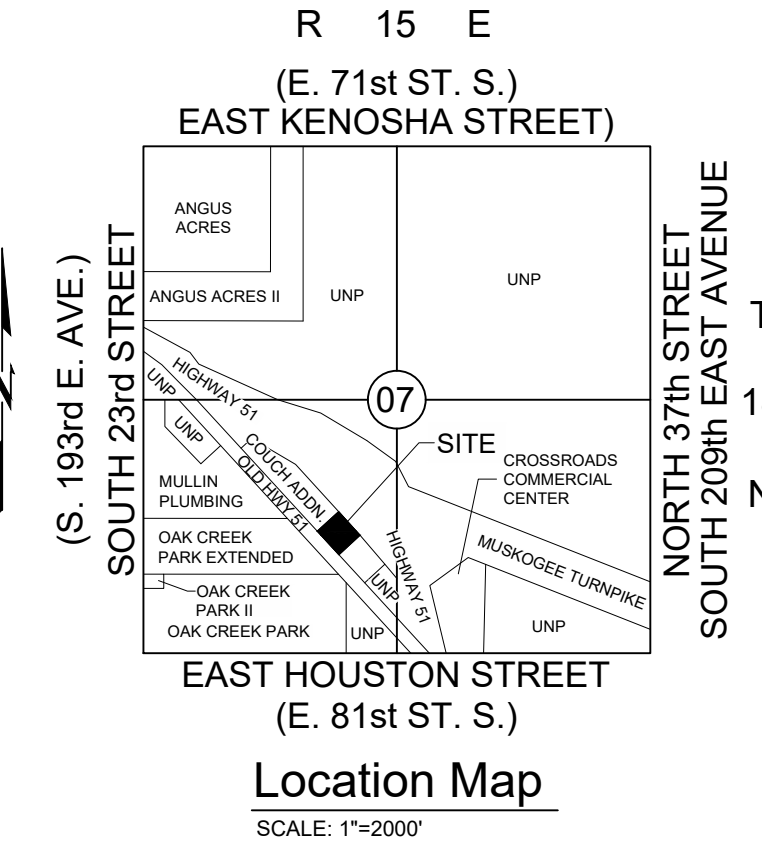
OLD HIGHWAY 51 INDUSTRIAL PARK

PUD 000502-2022

OWNER:
Gary Shotton
2017 W. Rockport St.
Broken Arrow, Oklahoma, 74012
CONTACT: Gary Shotton

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
JORDAN RODICH P.E.
jordan.rodich@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 6/30/2023
R. WESLEY BENNETT, PLS 1562
wes.bennett@wallace.design



- LEGEND**
- B/L = BUILDING SETBACK
 - ACC = ACCESS
 - LNA = LIMITS OF NO ACCESS
 - R/W = RIGHT-OF-WAY
 - U/E = UTILITY EASEMENT
 - ONG = OKLAHOMA NATURAL GAS
 - P.O.B. = POINT OF BEGINNING
 - [Hatched Box] = OFF-SITE MUTUAL ACCESS EASEMENT
 - [~19901~] = ADDRESS

SUBDIVISION STATISTICS
SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK.
SUBDIVISION CONTAINS 100,200 SF (2.30 ACRES)

MONUMENTATION
FOUND AS NOTED

BENCHMARK
3/8" IRON PIN LOCATED 22.85' EAST AND 35.6' NORTH OF THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, OLD HIGHWAY 51 INDUSTRIAL PARK
NORTHING=389736.73
EASTING=2632008.57
ELEV=734.16

BASIS OF BEARINGS
HORIZONTAL DATUM BASED UPON OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011) NORTH ZONE 3501.
VERTICAL DATUM BASED ON GPS DATA (NAVD 88)

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

FLOODPLAIN NOTE
FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, WAGONER COUNTY, OKLAHOMA AND INCORPORATED AREAS, MAP NO. 40145C0095J, MAP REVISED: SEPTEMBER 30, 2016, WHICH SHOWS THE ENTIRE PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE (X) WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

BACKFLOW PREVENTER NOTE

"ALL NEW BUILDINGS THAT ARE SERVED BY SANITARY SEWER SERVICE SHALL INSTALL A BACKWATER DEVICE (BACKFLOW PREVENTER). INSTALLATION OF THESE DEVICES AND ALL MAINTENANCE SHALL BE AT THE SOLE EXPENSE OF THE PROPERTY OWNER." BROKEN ARROW ORDINANCE NO. 3527, SECTION 24303, ADOPTED MAY 15, 2018. ALL LOTS REQUIRE A BACKFLOW PREVENTER VALVE.

APPROVED _____ by the City
Council of the City of Broken Arrow,
Oklahoma,

Mayor _____

Attest: City Clerk _____

00

The review of the Conditional Final Plat is complete and all comments shall to be addressed as part of the Final Plat submittal using the Final Plat Application.
Any revisions submitted with the Conditional Final Plat application will not be reviewed.
Any comments that have not been addressed must have an explanation provided in the Comment Response Letter uploaded with the final plat application.

DETENTION DETERMINATION NO.: DD-040523-22
(NO DETENTION REQUIRED)

PROJECT NO. PR-000139-2022

\\civil-server\projects\24\0512 19801 Old Hwy 51 Development\Drawings\PRODUCTION\Plat\240512 DDD.dwg ORIG SIZE: 24"x36"

FINAL PLAT

OLD HIGHWAY 51 INDUSTRIAL PARK

PUD 000502-2022

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

GARY SHOTTON, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND IN WAGONER COUNTY, STATE OF OKLAHOMA, TO-WIT

E/2 OF LOT 11, LOTS 12, 13 AND 14, LESS THE EAST 16 FEET THEREOF, BLOCK 2, COUCH ADDITION, A SUBDIVISION OF PART OF SW¼ OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

SECTION I. EASEMENTS AND UTILITIES

A. GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U/E" OR "UTILITY EASEMENT", FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES, AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON THE LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, WAGONER COUNTY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE, EXTENDING FROM THE FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

1. OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICE MAY BE LOCATED IN THE PERIMETER UTILITY EASEMENT AND IN THE PERIMETER RIGHTS-OF-WAY OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED UPON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.

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

3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OF THE SUBDIVISION OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES SO INSTALLED BY IT. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION ALSO RESERVES THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CUT DOWN, TRIM, OR TREAT ANY TREES AND UNDERGROWTH ON SAID EASEMENT.

4. THE OWNER OF THE LOT IN THE SUBDIVISION SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON THE OWNER'S PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT IN THE SUBDIVISION WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THEIR AGENTS OR CONTRACTORS. THE FOREGOING COVENANTS CONCERNING UNDERGROUND FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS SERVICES.

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

1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS IN THIS ADDITION.

2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GROUND ELEVATIONS FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER MAIN, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS, SHALL BE PROHIBITED.

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

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

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

D. SURFACE DRAINAGE

E02
Add language for the
Overland Drainage Easement.

EACH LOT DEPICTED ON THE PLAT OF 19901 OLD HIGHWAY 51 INDUSTRIAL PARK, SHALL BE BOUND BY THE FOLLOWING: THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS. NO LOT OWNER(S) 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 ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

F. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH STATE HIGHWAY 51 WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF BROKEN ARROW CITY COUNCIL, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF BROKEN ARROW, WAGONER COUNTY, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

OLD HIGHWAY 51 WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (PUD 502-2022) AND WAS AFFIRMATIVELY RECOMMENDED BY THE BROKEN ARROW PLANNING COMMISSION ON 1/24/23, AND APPROVED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA ON 2/21/23.

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

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

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

A. DEVELOPMENT IN ACCORDANCE WITH PUD

PUD 502-2022 SHALL BE DEVELOPED IN ACCORDANCE WITH THE BROKEN ARROW ZONING ORDINANCE AND THE USE AND DEVELOPMENT REGULATIONS OF THE INDUSTRIAL LIGHT DISTRICT EXCEPT AS NOTED HEREIN.

B. APPLICABLE ORDINANCE

THE DEVELOPMENT OF OLD HIGHWAY 51 INDUSTRIAL PARK SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF BROKEN ARROW ZONING CODE ESTABLISHED AT THE TIME OF PUD APPROVAL.

C. DEVELOPMENT STANDARDS

LAND AREA:	2.30 ACRES	100,188 SF
ZONING:	PUD (IL)	
STANDARD	CITY REQUIRED (IL)	SUBJECT PROPERTY
MIN. LOT AREA	12,000 SF	SAME
MIN. LOT FRONTAGE	100'	SAME
MAX. LOT COVERAGE	NONE	NONE
FRONT SETBACK	50'-ABUT ARTERIAL	SAME
REAR SETBACK	30'	25' EXISTING
	50' - ABUT R OR AG	
SIDE SETBACK	0' - ABUT SAME DISTRICT	2' - NW PROPERTY LINE
	30' - ABUT NON-RES	0' - SE PROPERTY LINE
	50' - ABUT R OR AG	
MAX HEIGHT	50' OR 4-STORIES	SAME

D. ACCESS AND TRAFFIC CIRCULATION

THERE IS ONE EXISTING ENTRY WAY INTO THE 19901 OLD HIGHWAY 51 PUD PROPERTY. ONE ADDITIONAL ENTRY WAY WILL BE ADDED TO THE SOUTH, PROPERLY CONSTRUCTED AND SEPARATED TO MEET THE STANDARDS OF THE CITY OF BROKEN ARROW. PARKING WILL BE PROVIDED TO MEET MINIMUM ZONING CODE REQUIREMENTS. A 25' MUTUAL ACCESS EASEMENT IS PROPOSED ON THE PROPERTY ADJACENT TO THE NORTHWEST. THIS IS INTENDED TO PROVIDE FIRE DEPARTMENT ACCESS FOR STRUCTURES ON BOTH PROPERTIES.

E. LANDSCAPE, SCREENING, AND OPEN SPACE

LANDSCAPING AND OPEN SPACE WILL BE PROVIDED PER THE REQUIREMENTS OF THE CITY OF BROKEN ARROW ZONING CODE.

F. APPLICABLE STANDARDS

IN ADDITION TO THE STANDARDS SET FORTH BY THIS PUD, DEVELOPMENT ON THIS SITE WILL MEET APPLICABLE STANDARDS OF THE UNDERLYING ZONING DISTRICT AND THE ORDINANCES OF THE CITY OF BROKEN ARROW.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

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

B. DURATION

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

C. AMENDMENT

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

D. SEVERABILITY

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

CERTIFICATE OF OWNERSHIP

IN WITNESS WHEREOF, GARY SHOTTON, BEING THE SOLE OWNER OF _____, HEREBY APPROVES THE FOREGOING DEED OF DEDICATION, AND COVENANTS THIS ____ DAY OF _____, 2024.

GARY SHOTTON, OWNER

ACKNOWLEDGMENT

STATE OF OKLAHOMA)

COUNTY OF TULSA)

) SS:

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

BY GARY SHOTTON, AS _____.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

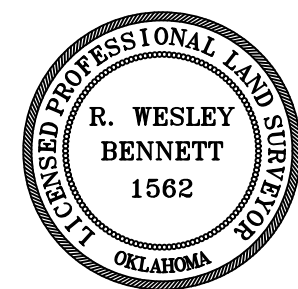
MY COMMISSION NUMBER: _____

[SEAL]

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 19901 OLD HIGHWAY 51 INDUSTRIAL PARK, 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 _____, 2024.



R. WESLEY BENNETT, PLS
OK PLS 1562

ACKNOWLEDGMENT

STATE OF OKLAHOMA)

COUNTY OF TULSA)

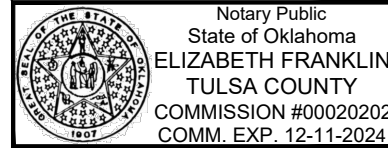
) SS:

BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2024, PERSONALLY APPEARED R. WESLEY BENNETT, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS A LICENSED LAND SURVEYOR TO THE FOREGOING CERTIFICATE OF SURVEY AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 12-11-24

MY COMMISSION NUMBER: 00020202



CERTIFICATE OF WAGONER COUNTY TREASURER

I, CHASITY LEVI, DO HERE NOW STATE THAT THE TAXES HAVE BEEN PAID FOR THE YEAR 2023 AND PRIOR YEARS FOR THOSE PROPERTIES HEREIN LISTED TO BE DESIGNATED AS SUBDIVISION CALLED TULSA BONE AND JOINT.

CHASITY LEVI, WAGONER COUNTY TREASURER

CERTIFICATE OF WAGONER COUNTY CLERK

I, LORI HENDRICKS, THE COUNTY CLERK OF WAGONER COUNTY, DO HERE NOW STATE THAT THE SUBDIVISION CALLED TULSA BONE AND JOINT HAS BEEN FILED INTO WAGONER COUNTY RECORDS.

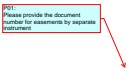
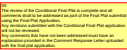


LORI HENDRICKS, WAGONER COUNTY CLERK

DETENTION DETERMINATION NO.: DD-040523-22
(NO DETENTION REQUIRED)

PROJECT NO. PR-000139-2022

DATE: 3/12/2024
OLD HIGHWAY 51 INDUSTRIAL PARK
FINAL PLAT
SHEET 2 OF 2

Markup Summary (CFP)

Architect (1)		
	Subject: Architect Page Label: [1] 2240512 Final Plat-Sheet 1 Author: Henry	P01: Please provide the document number for easements by separate instrument
CFP Review (1)		
	Subject: CFP Review Page Label: [1] 2240512 Final Plat-Sheet 1 Author: ADMIN	00 The review of the Conditional Final Plat is complete and all comments shall to be addressed as part of the Final Plat submittal using the Final Plat Application. Any revisions submitted with the Conditional Final Plat application will not be reviewed. Any comments that have not been addressed must have an explanation provided in the Comment Response Letter uploaded with the final plat application.
Jason Comments (2)		
	Subject: Jason Comments Page Label: [1] 2240512 Final Plat-Sheet 1 Author: jdickeson	E01 An Overland Drainage Easement will need to added over the top of the drainage flume.
	Subject: Jason Comments Page Label: [2] 2240512 DOD-Sheet 2 Author: jdickeson	E02 Add language for the Overland Drainage Easement.
(43)		
	Subject: Page Label: [2] 2240512 DOD-Sheet 2 Author: AutoCAD SHX Text	D
	Subject: Page Label: [2] 2240512 DOD-Sheet 2 Author: AutoCAD SHX Text	R
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	Subject: Page Label: [2] 2240512 DOD-Sheet 2 Author: AutoCAD SHX Text	I



City of Broken Arrow

Request for Action

File #: 24-444, Version: 1

**Broken Arrow Planning Commission
03-28-2024**

To: Chairman and Commission Members
From: Community Development Department
Title: Public hearing, consideration, and possible action regarding COMP-001296-2024, Aspen Creek Village (Comprehensive Plan Change), approximately 90.33 acres from Level 6 (Regional Employment/Commercial) to Level 2 (Urban Residential), north of Tucson Street (121st Street), one-half west of Aspen Avenue (145th East Avenue), south of the Creek Turnpike

Background:

Applicant: AAB Engineering, LLC

Owner: S & R Development, LLC

Developer: S & R Development, LLC

Location: North of Tucson Street (121st Street), one-half mile west of Aspen Avenue (145th East Avenue), south of the Creek Turnpike

Size of Tract approximately 90.33 acres

Number of Lots: 1

Present Zoning: A-1 (Agricultural)

Comp Plan: Level 6 (Regional Employment/Commercial) (via BACP-132)

COMP-001296-2024 is a request to change the Comprehensive Plan designation on an approximately 90.33-acre tract of land. The applicant has requested to change from Level 6 (Regional Employment/Commercial) to Level 2 (Urban residential) to facilitate the redevelopment of a portion of the property for a commercial and single-family residential development. The property is currently undeveloped and unplatted.

The applicant is requesting to change the comprehensive plan to accommodate single-family residential development on this site. The location of this site, between a primary arterial street and the Creek Turnpike, in Staff's opinion does not lend itself to single-family residential development. In addition, the Comprehensive Plan's Transportation Plan calls for a frontage road to be located south of, and parallel to, the Creek Turnpike. The applicant has stated that it is their opinion that the future frontage road is not necessary, in light of their proposed comprehensive plan amendment application. The right-of-way required for a frontage road will significantly reduce the number of lots shown on the proposed plan.

The physical location of the subject property between a future frontage road and a primary arterial street supports the uses associated with the higher intensity of Level 6-type development that was approved by City Council with BACP-132, described in the site background section below.

SITE BACKGROUND

In 2004, BAZ-1645, an application to rezone this property from A-1 to R-3S (Single-Family Residential) and R-5 (Residential Multi-Family), was denied by the Planning Commission. Applicant appealed that decision to the City Council. The City Council placed the case on hold until a PUD was submitted on the property. A PUD was never submitted.

On November 5, 2013, the City Council approved BACP-132, a request to change the Level 3 designation on this property to Levels 3 and 6. BACP-132 was approved subject to the property being platted and being developed through the PUD process.

On February 4, 2014, PUD-224 and BAZ-1902, a request to rezone the same unplatted property from A-1 to RM (Residential Multifamily) and CH (Commercial Heavy), was approved by the City Council, subject to the property being platted. According to Section 6.4.D.11 of the Zoning Ordinance, “If a plat has not been recorded on any portion of the PUD within two years after its approval by the City Council, the PUD shall expire.” It is possible for the PUD to be extended an additional two years with a letter of request from the owner. As per the Zoning Ordinance, PUD-224 has expired. BAZ-1902, the request for RM and CH zoning, however, has not expired.

PUD-307, which was identical to the design statement approved with PUD-224, was approved by the City Council on May 19, 2020. PUD-307A, a major amendment to PUD-307 was approved by the City Council on June 20, 2021. The major amendment relocated the multi-family portion of the development from the center of the 116.78 acres to the eastern edge of the property. No changes were made to the Development Area A regulations which contain the development standards for the commercial portion of the development. Development Area B has been platted as The Trails at Aspen Creek.

BACP-184, an identical request to the current proposal was reviewed by the Planning Commission on August 14, 2022 and recommended for denial. The applicant did not appeal to the City Council.

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	Creek Turnpike	Creek Turnpike	Creek Turnpike
East	Level 3	RM (Residential Multi-Family)	Trails at Aspen Creek Apartments
South	Level 2	RS-3 (Single-Family Residential)	Existing and proposed single-family residential
West	Level 3	A-1 (Agricultural)	Undeveloped

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

Attachments: Case map
Aerial photo

Current Comprehensive Plan
Comprehensive Plan Prior to BACP-132
Comprehensive Plan Transportation Plan Map

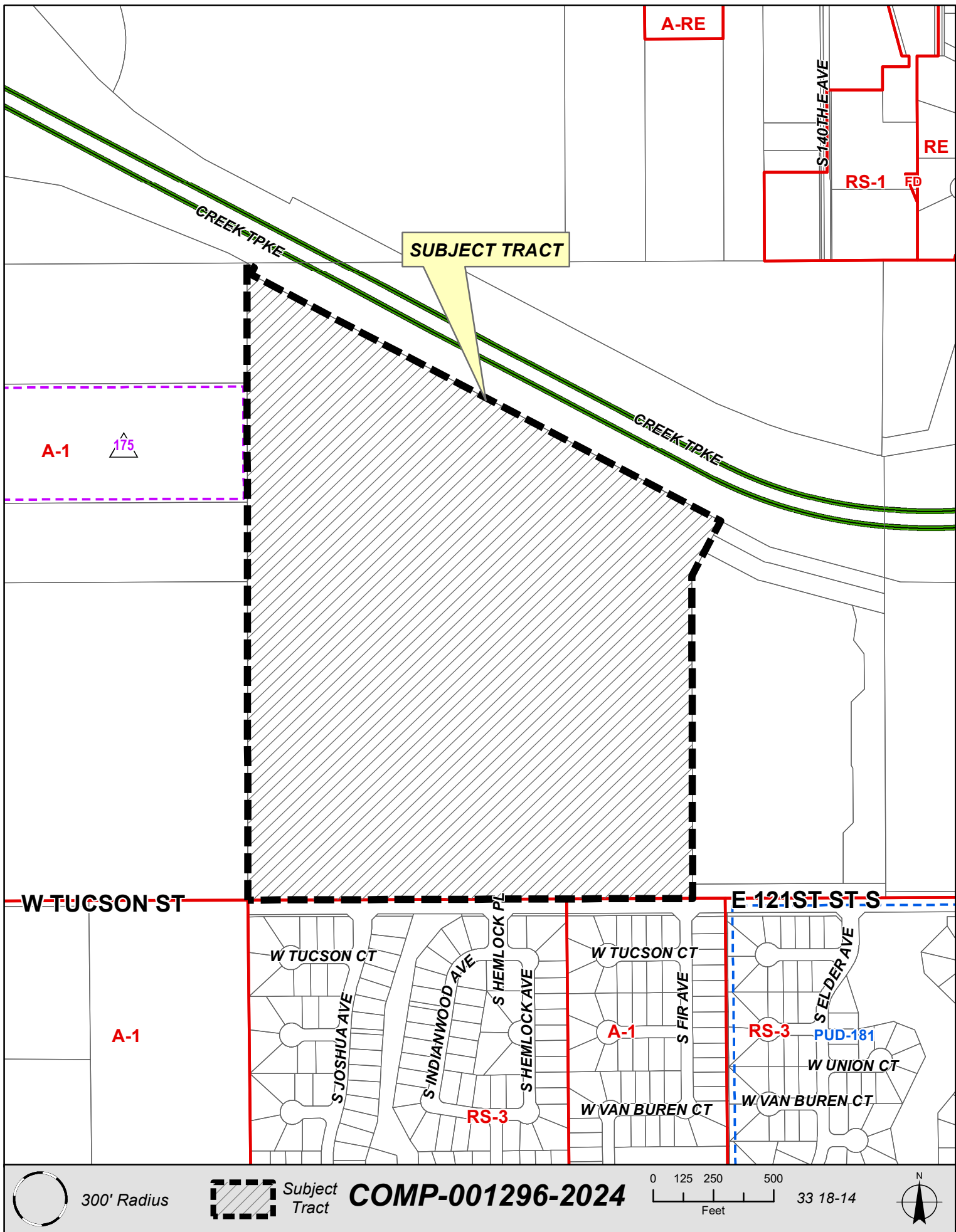
Recommendation:

The subject property has gone through several iterations of comprehensive plan changes, rezonings, and PUD's. The location of this site, between a primary arterial street and the Creek Turnpike, in Staff's opinion does not lend itself to single-family residential development. The frontage road required by the Comprehensive Plan has not been considered as part of this request. Based on previously approved Comprehensive Plan changes, surrounding land uses, and the Comprehensive Plan Transportation Plan, Staff recommends that COMP-001296-2024 be denied.

Reviewed By: **Amanda Yamaguchi**

Approved By: **Rocky Henkel**

ALY





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



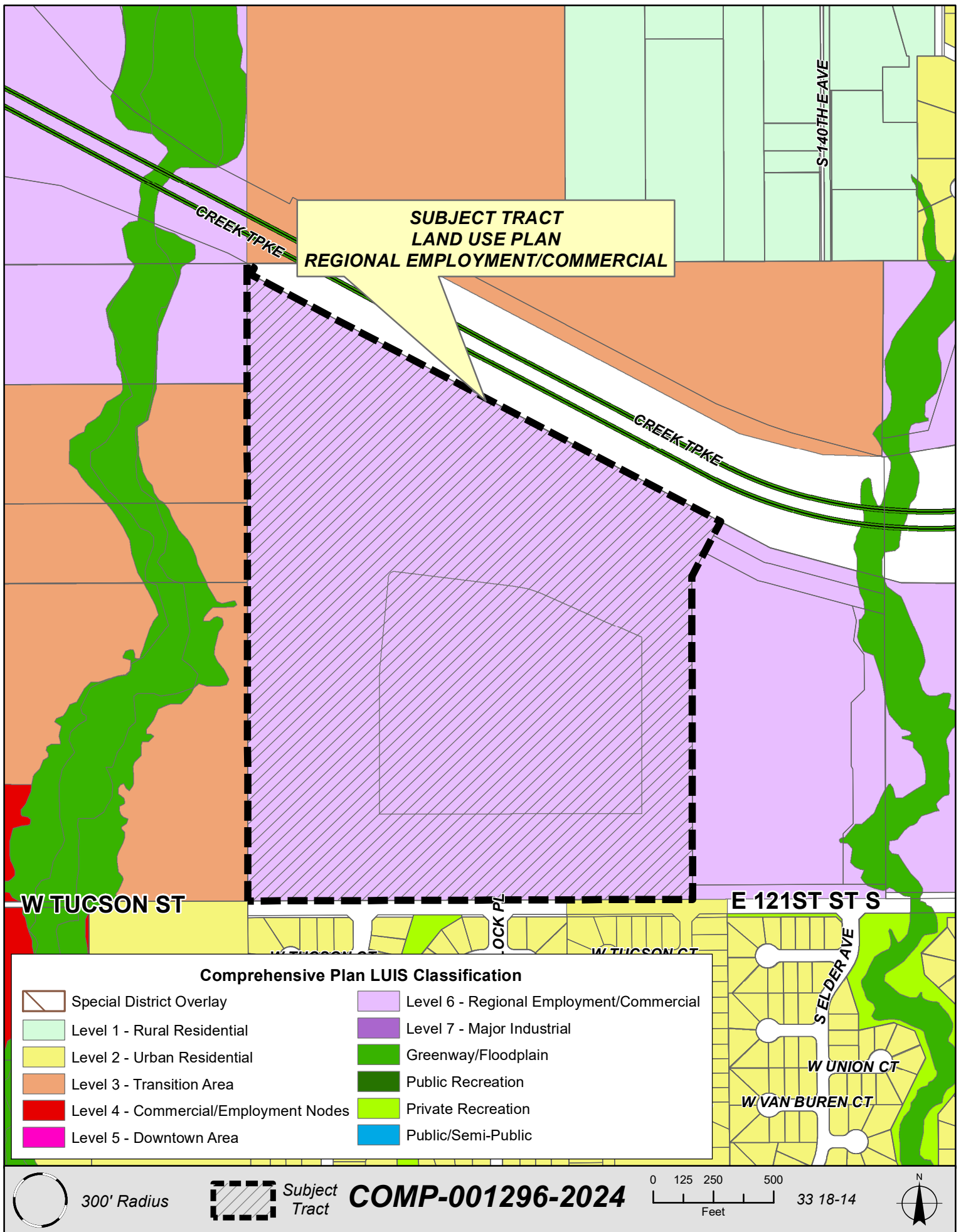
Subject
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COMP-001296-2024

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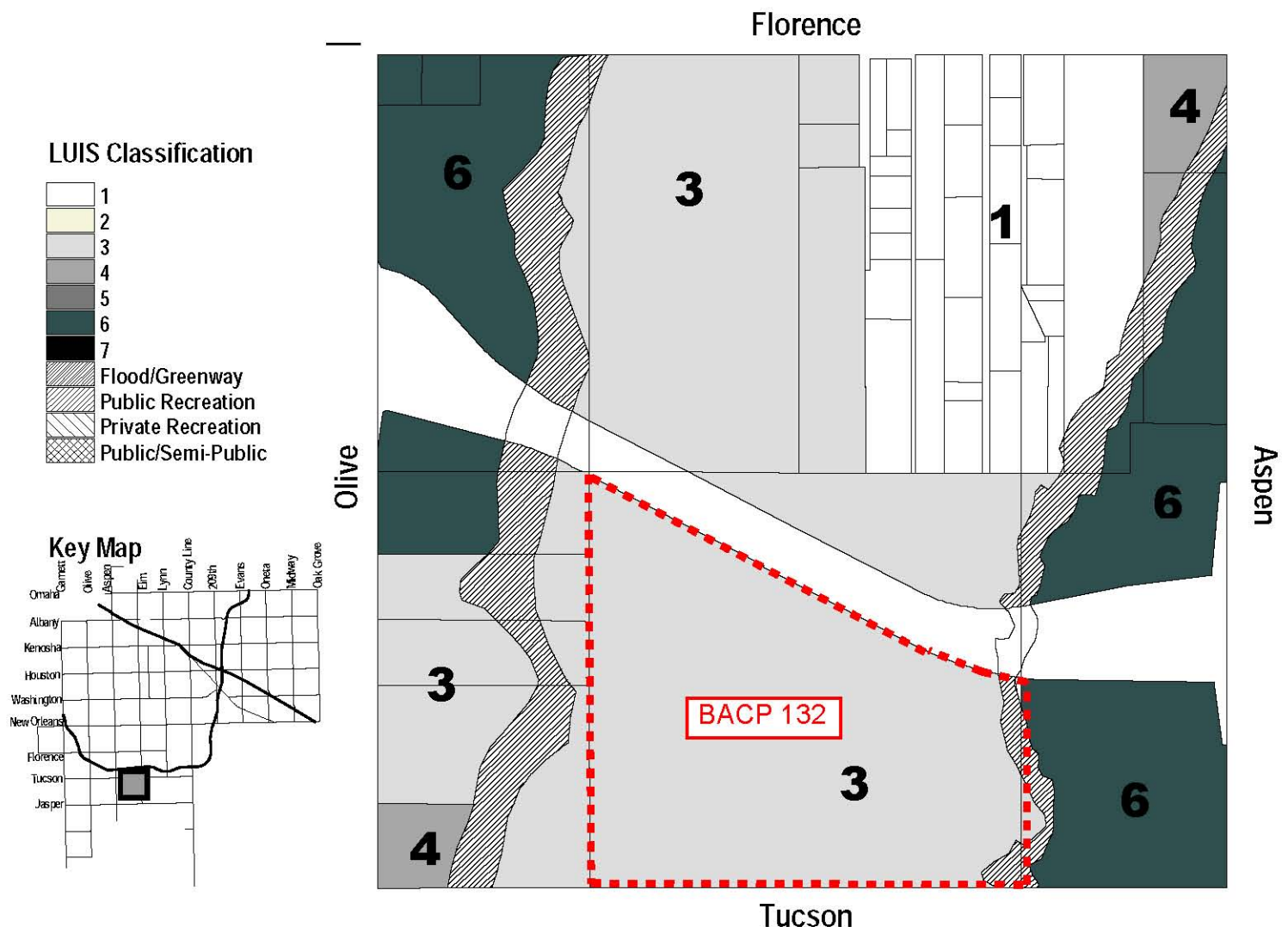
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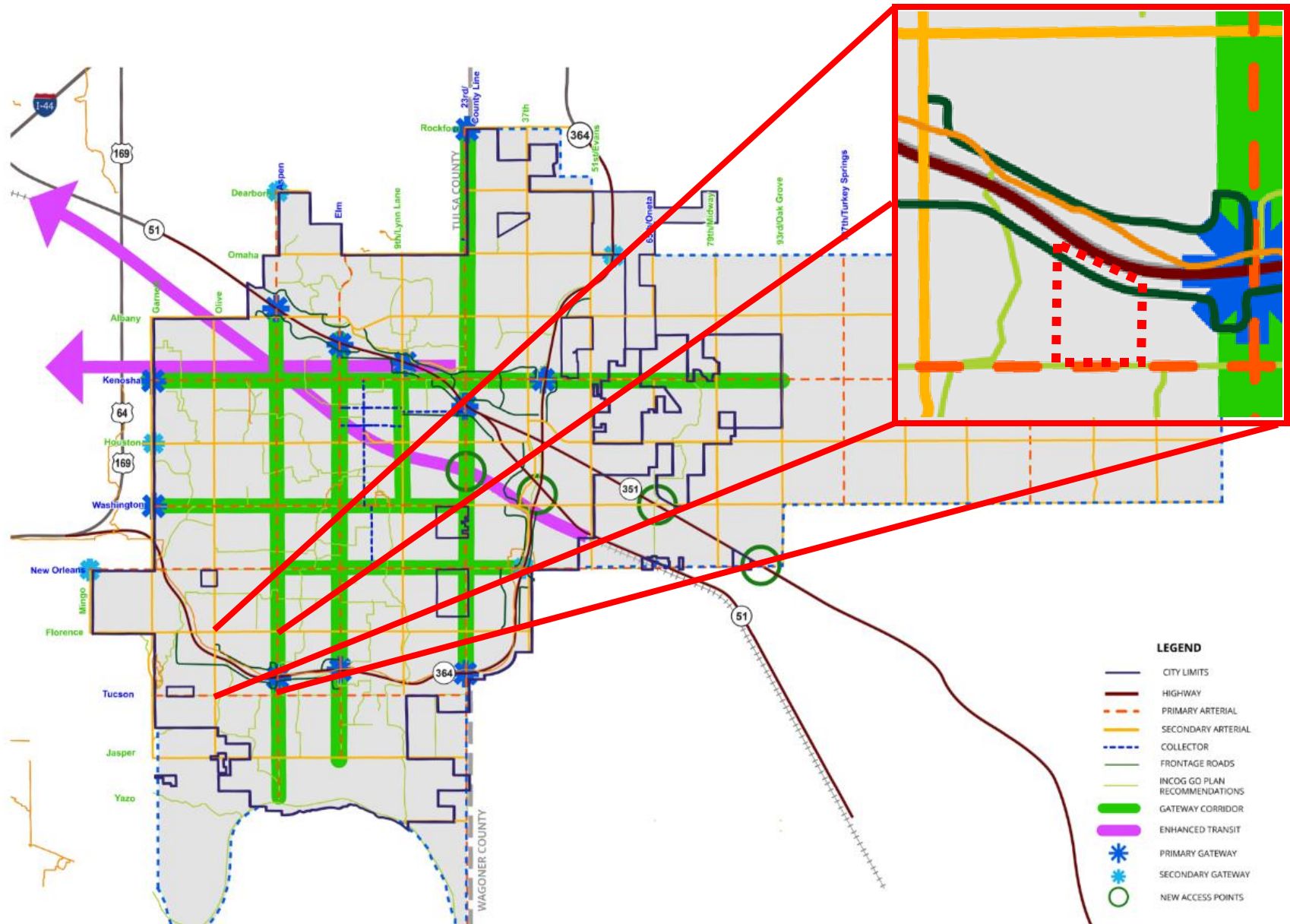


Florence/Aspen/Tucson/Olive (Section 33-18-14)

Level 6 designations are proposed in the southeast and northwest corners in the vicinity of the proposed South Loop based on the LUIS model. Level 4 designations are proposed for the northeast and southwest corners based on zoning and the LUIS model respectively. Level 3 designations are proposed for the remainder of tracts in the southeast, southwest and northwest quarter sections based on the LUIS model and the desire for more intense development along the proposed South Loop corridor. A Level 1 designation is given for the existing low density residential development in the northeast quarter section based on the intensity of existing development and the likelihood that this area will not develop differently in the near future.



Transportation Plan Map





City of Broken Arrow

Request for Action

File #: 24-445, Version: 1

**Broken Arrow Planning Commission
3-28-2024**

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

Public hearing, consideration, and possible action regarding BAZ-001334-2024 (Rezoning) and SP-001335-2024 (Specific Use Permit), Floral Haven Expansion, 27 acres, A-1 (Agriculture) and R-1 (Single Family Residential) to A-1 (Agriculture)/SP-001335-2024, north of West Kenosha Street (East 71st Street South), and one quarter mile west of South Olive Avenue (South 129th East Avenue)

Background:

Applicant: Lou Reynolds
Owner: G-71 INC
Developer: Floral Haven Cemetery
Engineer: NA
Location: North of West Kenosha Street (East 71st Street South), and one quarter mile west of South Olive Avenue (South 129th East Avenue)
Size of Tract 27 acres
Number of Lots: 1
Present Zoning: A-1 and R-1 to A-1/SP-001335-202
Proposed Zoning: A-1/SP-001335-2024
Comp Plan: Level 3 (Transitional Area) and Public/Semi-Public

BAZ-001334-2024 and SP-001335-2024 is a request to change the zoning designation on 27 acres from A-1 (Agriculture) and R-1 (Single Family Residential) to A-1/SP-001335-2024. The property is located approximately north of West Kenosha Street (East 71st Street South), and one quarter mile west of South Olive Avenue (South 129th East Avenue) and is currently un-platted.

BAZ-001334-2024 is a request to rezone the southernmost 37,500 square feet of this property from R-1 (Single-Family Residential) to A-1 (Agriculture). This portion can be seen on the case map included in the agenda packet. This portion of the property was Level 2 of the Comprehensive Plan. Policy 17 of the Comprehensive Plan states that a 10% variance in gross area can be adjusted administratively. Staff decided that this allowed the property to be changed to the comprehensive plan designation Public/Semi-Public, to align with the current comprehensive plan for Floral Haven directly to the East. Rezoning to A-1 is supported by the Public/Semi-Public comprehensive plan designation.

SP-001335-2024 is a specific use permit to allow for the expansion of the Floral Haven Cemetery, which is directly to the east of the subject tract. According to the zoning ordinance, a cemetery is only allowed in the A-1 district with a specific use permit. That is why SP-001335-2024 was submitted to support a cemetery use.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

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

Location	Comprehensive Plan	Zoning	Land Use
North	Level 2	IL/PUD-35	Industrial Park
East	Public/Semi-Public	A-1/SP-230	Cemetery
South	Level 3	RMH	Mobile Home
West	Level 2	R-3	Single- Family Residential

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-001335-2024 is consistent with the above criteria.

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

Attachments:

Case map
Aerial
Exhibit
Comprehensive Plan

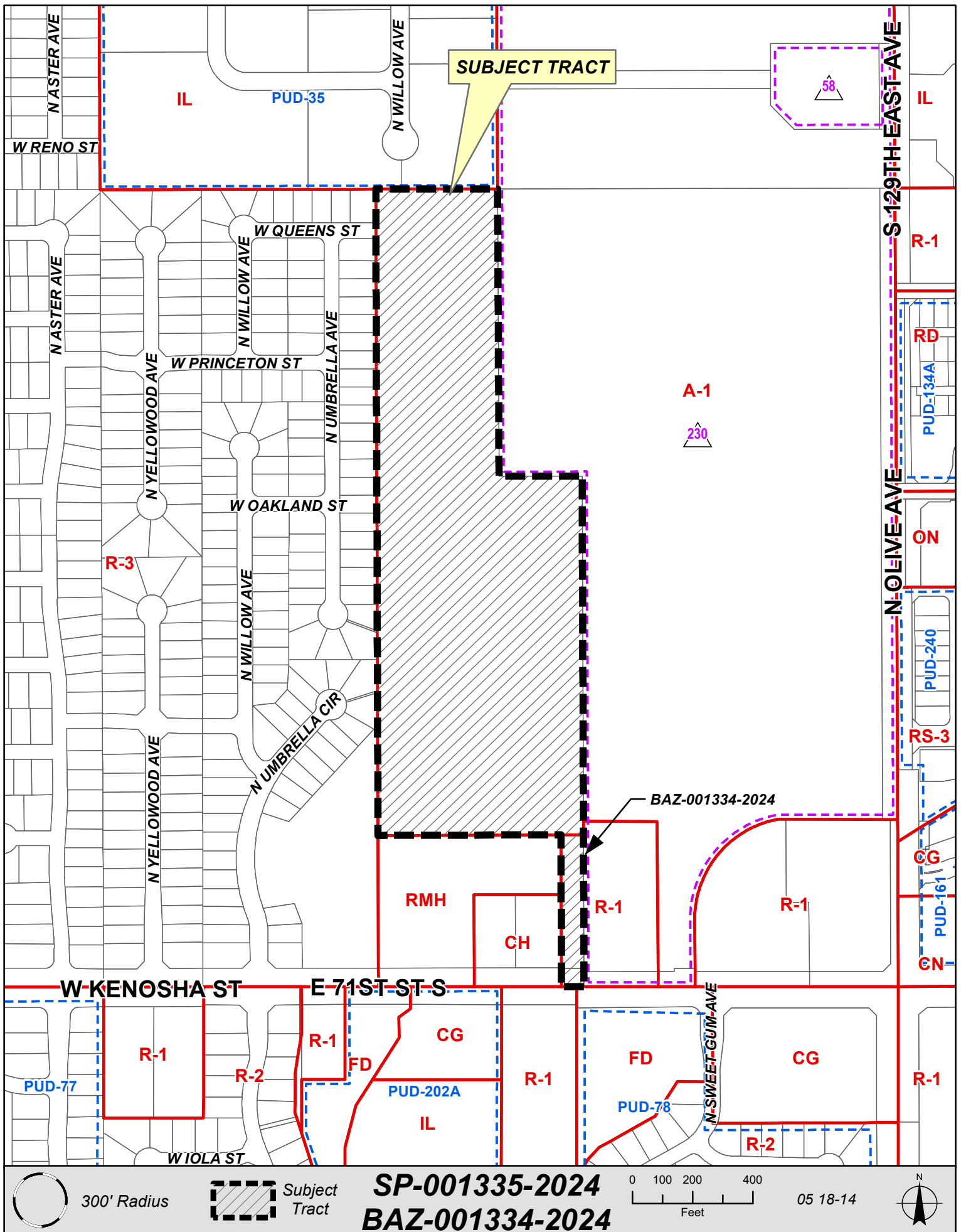
Recommendation:

Staff recommends that BAZ-001334-2024 and SP-001335-2024 be approved subject to platting.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

HMB

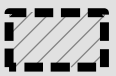




SUBJECT TRACT

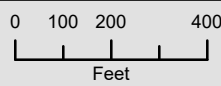
BAZ-001334-2024

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



Subject
Tract

SP-001335-2024
BAZ-001334-2024



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FLORAL HAVEN EXPANSION

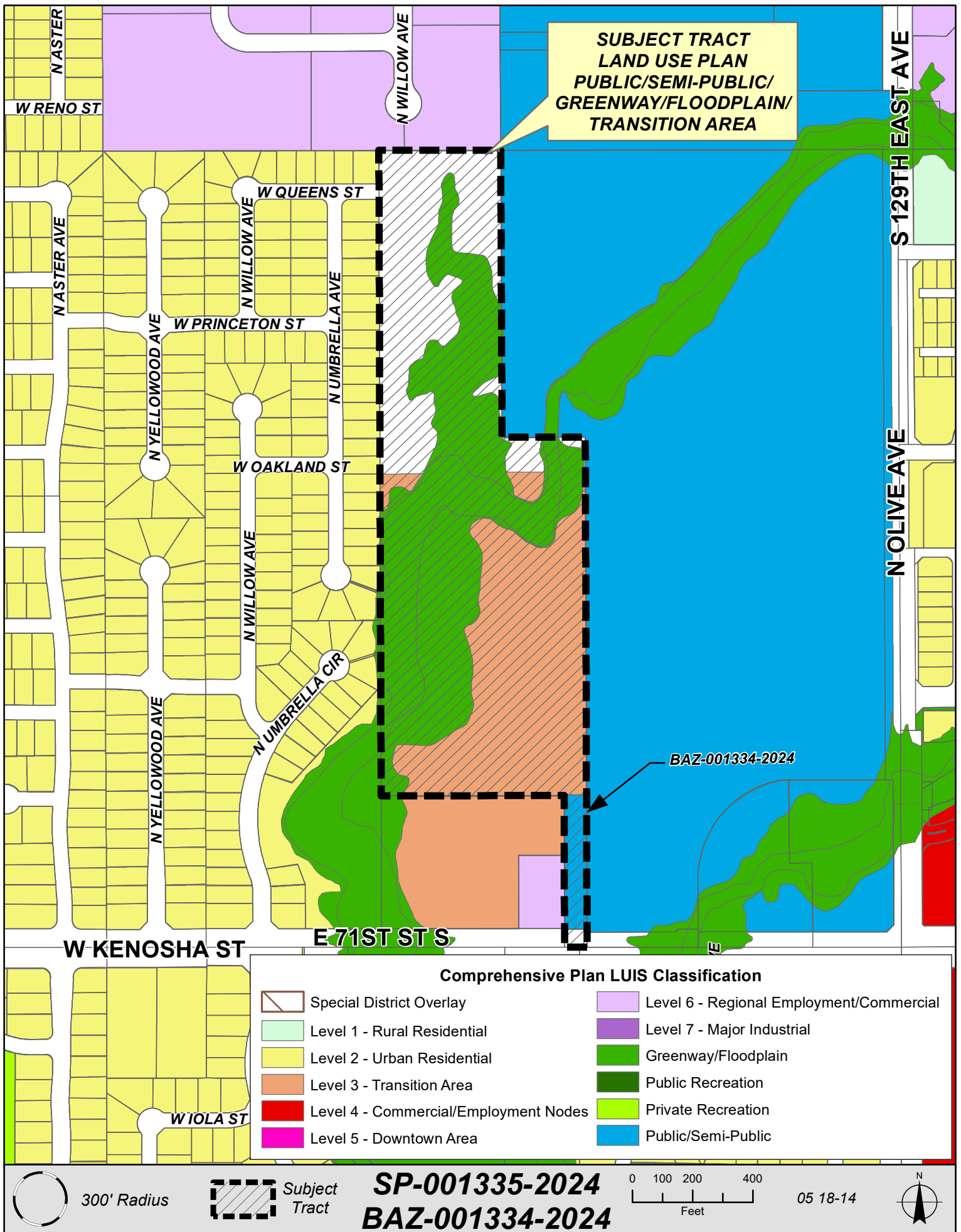
EXHIBIT A

CONCEPTUAL SITE PLAN

CONCEPTUAL LAYOUT SHOWN AS OF JANUARY 29, 2024
SUBJECT TO CHANGE



NOT TO SCALE





City of Broken Arrow

Request for Action

File #: 24-446, Version: 1

**Broken Arrow Planning Commission
03-28-2024**

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

Public hearing, consideration, and possible action regarding PUD-001360-2024 and BAZ-001206-2023 (Rezoning), Spring Creek Crossing, 38 acres, A-1 (Agricultural) to RS-4 (Single-Family Residential) and PUD (Planned Unit Development)-001360-2024, located north of Tucson Street (121st Street), one-quarter mile west of 9th Street (177th East Avenue/Lynn Lane Road)

Background:

Applicant: Megan Pasco, Tanner Consulting
Owner: Hillenburg Trust
Developer: Logan Street, Rausch Coleman Homes
Engineer: Tanner Consulting
Location: North of Tucson Street (121st Street), one-quarter mile west of 9th Street (177th East Avenue/Lynn Lane Road)
Size of Tract 38 acres
Present Zoning: A-1 (Agricultural)
Proposed Zoning: RS-4 (Single-Family Residential)/PUD-001360-2024
Comp Plan: Level 2 (Urban Residential)

PUD (Planned Unit Development)-001360-2024 and BAZ-001206-2023 are concurrent applications to rezone 38 acres from A-1 (Agricultural) to RS-4 (Single-Family Residential) and PUD-001360-2024 for Spring Creek Crossing. This property is generally located north of Tucson St (121st St), one-quarter mile west of 9th St (177th E Ave/Lynn Lane Rd). The property is presently undeveloped and unplatted.

The proposed Spring Creek Crossing development consists of single-family residential homes on individual lots. The maximum number of dwellings proposed in the development is 145, with a minimum lot size of 50-foot by 100-foot or 5,000 sq ft. Per the standards RS-4 zoning district, 214 lots would be permitted.

The PUD proposes a minimum of 15%, or approximately 5.7 acres of open space in the form of stormwater detention pond reserve areas, interconnected walking trails/sidewalks, community gardens, and/or parks.

The development will be served by public streets. The primary access point will be from one entry off of Tucson Street, which aligns with the main entry into Spring Creek Elementary School and Ernest Childers Middle School to the south. An existing stub street at the East Raleigh Street will provide connection from the

South Ridge Park subdivision to the west.

Section 5.3.B.2.b of the Zoning Ordinance requires that all new development provide stub streets to connect to vacant land. The PUD modifies this requirement by instead dedicating right of way along the northeastern edge of the site that would touch all of the abutting undeveloped properties. This right of way will be approximately 50 feet in width. No street construction will be required with the Spring Creek Crossing development within this right of way.

The Engineering Design Criteria Manual requires that a Traffic Impact Analysis (TIA) be performed by a proposed development if the development meets the criteria established in the Oklahoma Department of Transportation Policy on Driveway Regulations for Oklahoma Highways. This would be evaluated during the platting process. The developer has committed to the installation of a traffic signal on Tucson Street as a part of this development.

RS-4 zoning is considered to be in accordance with the Comprehensive Plan in Level 2. PUD-001360-2024 is proposed to be developed in accordance with the RS-4 district of Zoning Ordinance except as specified below. All changes are in accordance with the RS-C district of the proposed Zoning Ordinance previewed by City Council on November 7, 2023.

SUMMARY OF DEVIATION FROM THE BROKEN ARROW ZONING ORDINANCE

Item	Current Zoning Ordinance Requirement	Proposed Zoning Ordinance Requirement	PUD-001360-2024 Request
Permitted Uses	Uses permitted in RS-4	Uses permitted in RS-C	Single-Family Attached and Accessory Uses
Min. Lot Size	6,500 square feet	5,000 square feet	5,000 square feet
Min. Lot Frontage	55 feet	50 feet	50 feet
Min. Front Setback	20 feet	20 feet	20 feet
Max Lot Coverage	50%; 60% on corners	55% for interior lots: 65% for corners	55% for interior lots: 65% for corners

Transition to Adjacent Existing Subdivisions	None Required	A natural, preserved common open space area a minimum of 50 feet in width shall be provided within the development along its common boundary with the existing single-family subdivision, within which no new structures shall be constructed and no clearing of trees or understory growth shall be permitted (except as necessary for trail construction).	50-foot-minimum-width open space buffers shall be preserved along the west and east lines of the PUD adjacent to existing platted residential lots, which areas shall be maintained by a mandatory property owners' association. Within the required 50'-minimum-width open space preserve areas, any existing tree (minimum of 6 inches in caliper) shall be preserved, other than removal as needed for utility installation or drainage purposes.
Preserved Common Open Space	None Required	15% required	Not less than 15% of the net land area

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The north end of the site abuts the Creek Turnpike and undeveloped property owned by the Oklahoma Turnpike Authority. Privately owned undeveloped property and Southfork Estates, a single-family residential subdivision abut the site to the east. Ernest Childers Middle School is located immediately south across Tucson St, and to the west is South Ridge Park, another single-family residential subdivision.

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 / NA	A-IL	Vacant/Creek Turnpike
East	Level 2	A-1/A-R-1	Vacant/SF Residential
South	Public/Semi-Public	A-1	Ernest Childers Middle School
West	Level 2	R-2	SF Residential

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.

In Staff's opinion, PUD-001360-2024 satisfies items 3 and 5 by providing significant open space, amenities, as well as right of way for future access to vacant neighboring properties. The commitment to the installation of the traffic light addresses traffic safety and infrastructure.

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

The applicant held a Community Meeting on Thursday, March 21st at 6:00pm. Thirteen residents attended the meeting and ask questions relating to traffic, fencing, detention ponds, and the 50' buffer areas.

A petition against this development was submitted on March 25, 2024. The petition contains 91 signatures (including duplicates). This is being evaluated by INCOG (Indian Nation Council of Governments) mapping department to determine what represented properties are located within the 300-foot notification radius. This analysis will be provided prior to the City Council meeting.

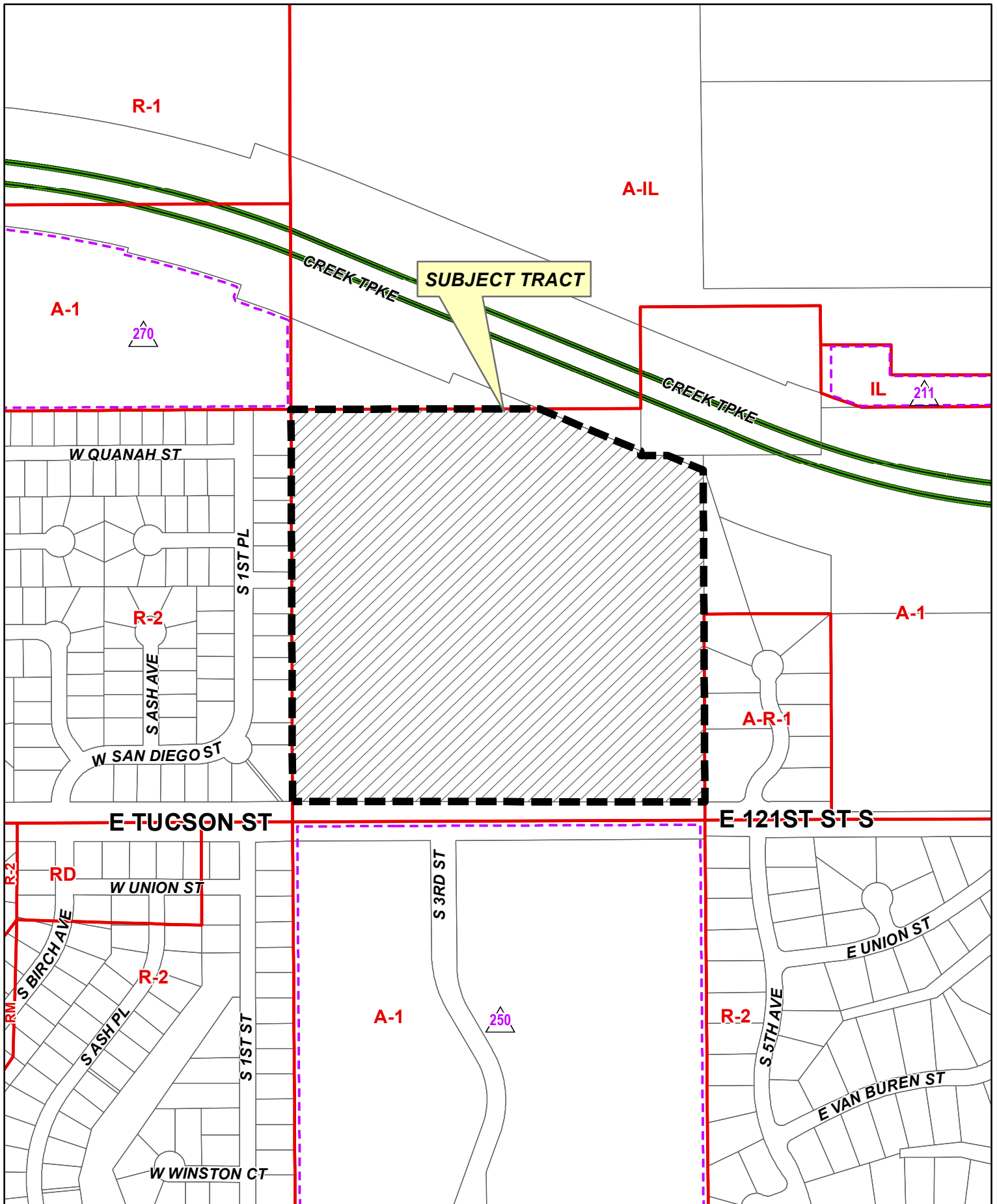
Attachments: Case map
Aerial photo
Comprehensive Plan
PUD-001360-2024 Design Statement
Community Meeting Invitation
Petition Submitted 3-25-2024

Recommendation:

Based upon the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-001360-2023 and BAZ-001206-2023 be approved subject to the property being platted.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel





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



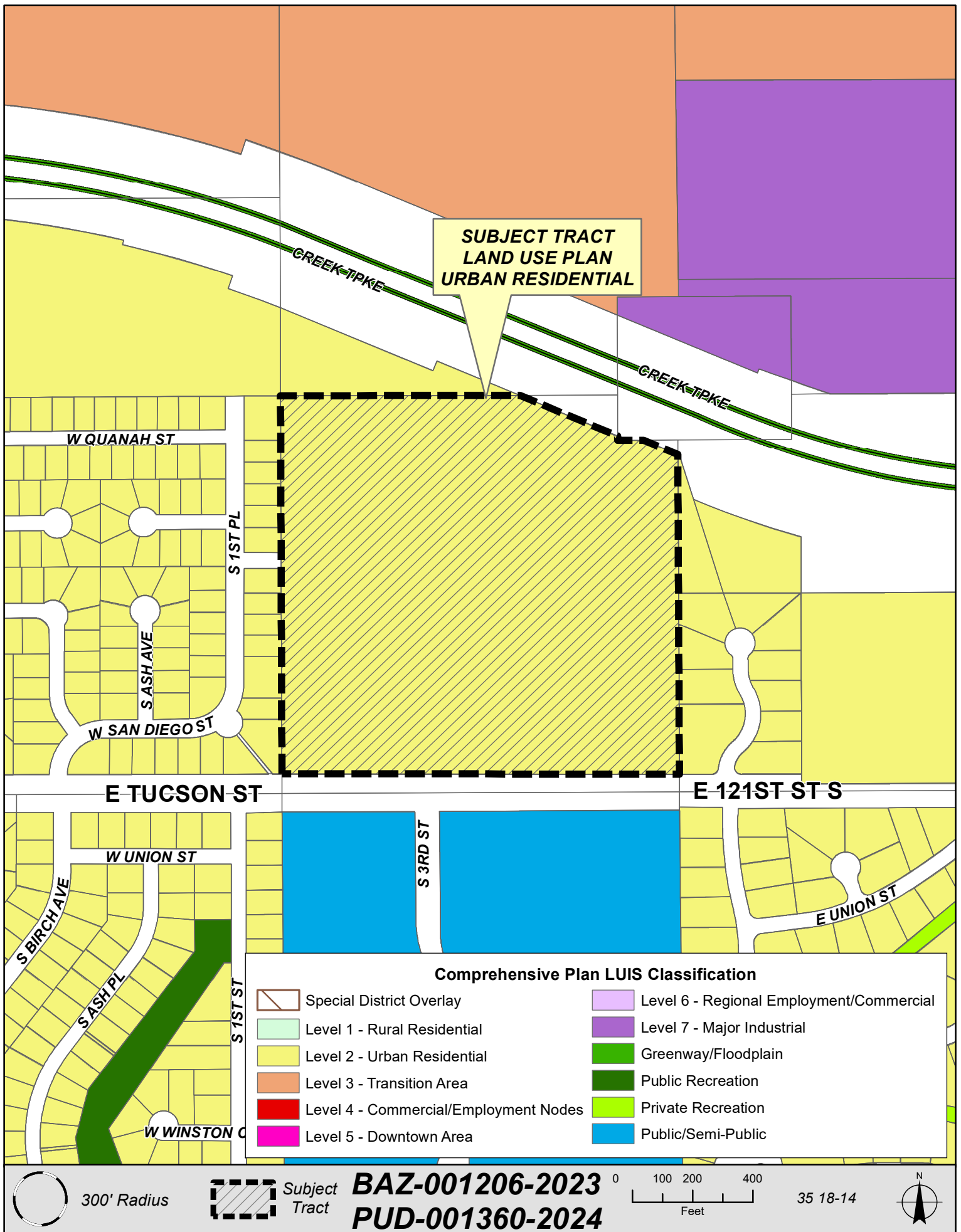
Subject
Tract

BAZ-001206-2023
PUD-001360-2024

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Feet

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Spring Creek Crossing

A PLANNED UNIT DEVELOPMENT (PUD) OF APPROXIMATELY 36.991 ACRES
LOCATED 1/4-MILE WEST OF THE NORTHWEST CORNER OF EAST TUCSON STREET AND SOUTH 9TH STREET (SOUTH LYNN LANE ROAD)
CITY OF BROKEN ARROW, TULSA COUNTY, OKLAHOMA



MARCH 2024

OWNER:
TIMEE LU HILLENBURG TRUST
11400 S LYNN LANE ROAD
BROKEN ARROW, OK 74011

DEVELOPER:
TULSA L DEV., LLC
4058 NORTH COLLEGE, STE 300 BOX 9
FAYETTEVILLE, AR 72703

APPLICANT/CONSULTANT:
TANNER CONSULTING LLC
C/O MEGAN PASCO
5323 S LEWIS AVE
TULSA, OK 74105
MPASCO@TANNERBAITSHOP.COM

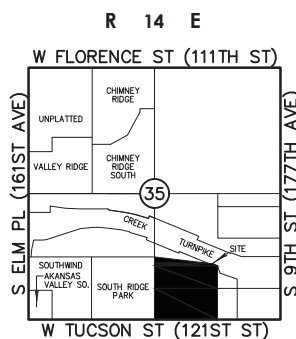
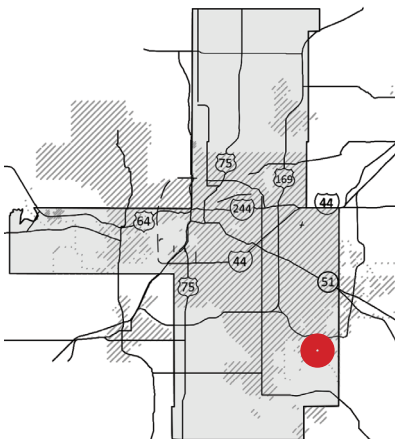


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Exhibit B: Conceptual Site Plan	5
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I. PROPERTY DESCRIPTION

Spring Creek Crossing consists of 36.991 acres located ¼-mile west of the northwest corner of East Tucson Street and South 9th Street (South Lynn Lane Road) in the City of Broken Arrow, Oklahoma, and is more particularly described with the following statement:

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 18 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

LESS AND EXCEPT THE NORTH 150 FEET OF THE EAST 200 FEET

AND

LESS AND EXCEPT COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE SOUTH A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 47.89 FEET; THENCE NORTH 68°39'48" WEST A DISTANCE OF 122.97 FEET; THENCE NORTH 88°25'06" EAST A DISTANCE OF 113.40 FEET TO THE POINT OF BEGINNING;

AND

LESS AND EXCEPT COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 35; THENCE WEST 200.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING WEST A DISTANCE OF 324.35 FEET; THENCE SOUTH 68°39'48" EAST A DISTANCE OF 351.02 FEET; THENCE NORTH 01°08'35" WEST A DISTANCE OF 135.59 FEET TO THE POINT OF BEGINNING.

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

II. DEVELOPMENT CONCEPT

Spring Creek Crossing is a Planned Unit Development (PUD) of 36.991 acres located ¼-mile west of the northwest corner of East Tucson Street and South 9th Street (South Lynn Lane Road) in the City of Broken Arrow, Oklahoma. Spring Creek Crossing has been designed in accordance with the RS-C Single-Family Residential-Compact zoning district, pending adoption in the new Broken Arrow Zoning Ordinance. As time is of the essence, this PUD has been submitted to allow the development to proceed while the new Ordinance adoption process continues.

By its design, this PUD satisfies the purposes for a PUD as outlined in the Broken Arrow Zoning Ordinance Section 6.4.A., as it is intended to provide a unified treatment of the development possibilities of the project site by fusing continuity of function and design, to permit innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties, to permit flexibility within the development to best utilize the unique physical features of the subject property, and to encourage a more productive use of land consistent with the public objectives and standards of accessibility, safety, infrastructure, and land use compatibility.

The subject property is presently zoned A-1 Agricultural. A companion application (BAZ-001206-2023) has been filed to rezone the site to RS-4 Single-Family Residential District (under the existing Zoning Ordinance). The proposed RS-4 district is in accordance with the Level 2 designation of the “Broken Arrow Next Comprehensive Plan,” Future Development Guide land use map, Figure 4-7, an excerpt of which is provided on Exhibit D of this PUD, as outlined in Table 4-1: Land Use Intensity System Zoning Districts Table.

The “Conceptual Site Plan” Exhibits B represents initial concepts for neighborhood amenities, which will be maintained as common areas by a mandatory property owners’ association to be formed by the Deed of Dedication and Restrictive Covenants of a subdivision plat for areas containing such common areas. In accordance with proposed RS-C zoning, not less than 15% of the net land area will be preserved as common open space for the enjoyment of the residents, and fifty (50)-foot-minimum-width open space buffers shall be preserved adjacent to existing platted residential lots.

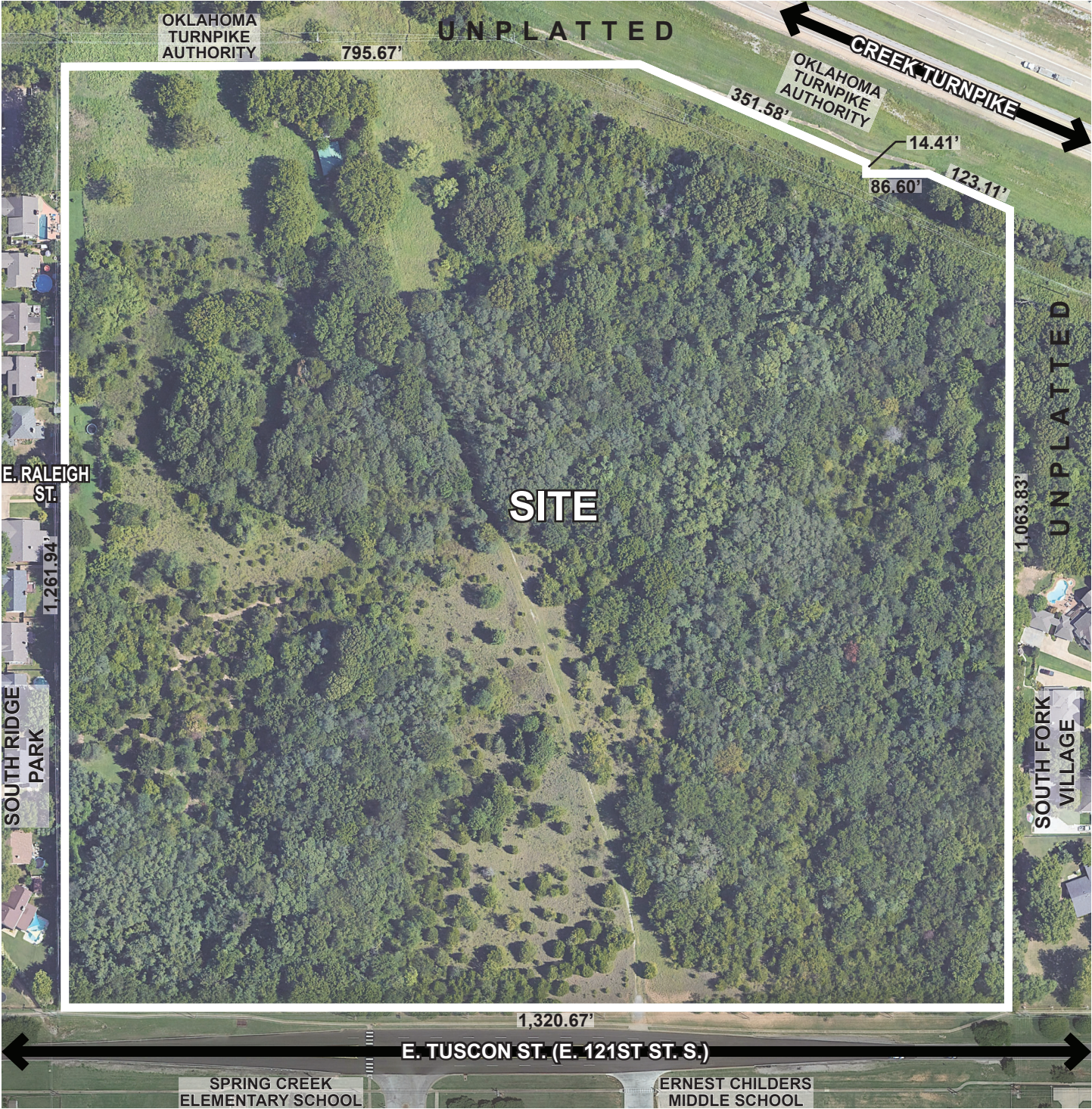
The PUD will allow the most efficient use of the land which is harmonious with the surrounding land uses, as represented on Exhibit A, “Aerial Photography & Boundary Depiction.” A conceptual development plan depicting design features is provided on Exhibits B “Conceptual Site Plan”. The PUD shall be developed in accordance with the use and development regulations of the City of Broken Arrow Zoning Ordinance, except as otherwise specified herein. Bulk and area standards within the proposed Development Standards generally follow those of the proposed underlying RS-C district. This PUD will impose higher development standards than if developed with the existing straight zoning.

Although Zoning Ordinance Section 4.1.E.1.B would permit 214 dwelling units with the proposed RS-4 underlying zoning, and 241 dwelling units would be permitted if zoned RS-C under the pending new Zoning Ordinance, this PUD will restrict the development to 145 dwelling units.

Spring Creek Crossing

EXHIBIT A

AERIAL PHOTOGRAPHY & BOUNDARY DEPICTION
WITH ADJACENT DEVELOPMENTS LABELED

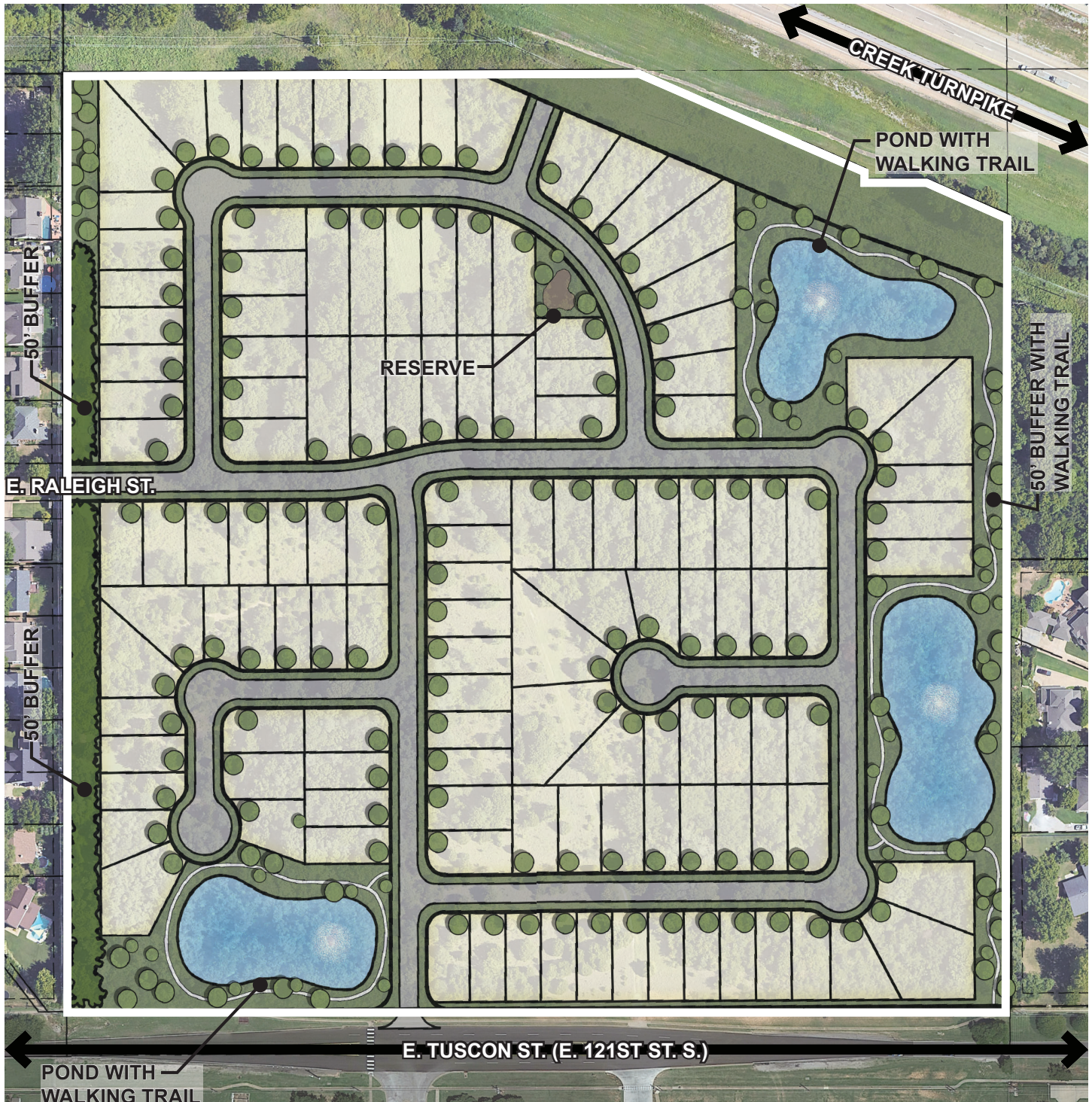


Spring Creek Crossing

EXHIBIT B

CONCEPTUAL SITE PLAN

CONCEPTUAL LAYOUT DATED FEBRUARY 13, 2024



III. DEVELOPMENT STANDARDS

Gross Land Area:	1,690,585 SF	38.810 AC
Net Land Area:	1,611,344 SF	36.991 AC
Permitted Uses: Single-family detached dwellings; neighborhood community playfields and parks including clubhouses, pools, and similar neighborhood amenities, minor utility facilities, and uses customarily accessory to uses permitted herein.		
Maximum Number of Lots:	145	
Minimum Lot Width:	50 FT	
Minimum Lot Area:	5,000 SF	
Minimum Land Area per Dwelling Unit:	7,000 SF *	
Maximum Building Height:	35 FT **	
Minimum Off-street Parking:	Two (2) per dwelling unit	
Maximum Lot Coverage:	55% Interior Lots; 65% Corner Lots ***	
Minimum Livability Open Space per DU:	2,800 SF ***	
Minimum Yard Setbacks:		
Front Yard:	20 FT	
Rear Yard:	20 FT	
Side Yard (One, Total):	5 FT, 10 FT	
Side Yard Adjacent to Arterial Street:	35 FT	
Side Yard Adjacent to Non-Arterial Street/Alley:	20 FT	
Any Yard Within 35 Feet of Arterial Street:	35 FT from Arterial Street Right-of-Way	
Other Bulk and Area Requirements:	As required within the RS-4 District (to be RS-C)	

* Minimum land area per dwelling unit is satisfied by the proportion of maximum number of dwelling units to gross land area as provided in Section 4.1.E.1.b. of the Broken Arrow Zoning Ordinance. Lots are therefore not subject to this requirement on an individual basis.

** Architectural features may extend a max. of five (5) feet above maximum permitted building height.

*** Maximum aggregate lot coverage by buildings, parking, and drives is limited to the lesser of the specified percentage or that amount necessary to meet minimum livability open space requirements for the lot. Livability open space, defined as open space not utilized for parking or drives, may be located on a lot or contained within common open space of the development, as per Section 4.1.E.1.d. of the Broken Arrow Zoning Ordinance. Requirements for common open space are provided in Section IV.F. of this PUD.

IV. GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

IV.A. SURROUNDING ZONING AND LAND USE: The site is presently zoned A-1 Agricultural. Surrounding zoning is primarily A-1 and R-2 with A-R-1 and RD zoning in the area. To the south of Tucson Street, the Spring Creek Elementary School / Ernest Childers Middle School campus is zoned A-1 with a special zoning approval overlay # 250. IL districts with special zoning approval overlays are located to the northeast across the Creek Turnpike.

IV.B. ACCESS AND CIRCULATION: The subject property has 1,320.67 feet of frontage on East Tucson Street. 1 point of access to East Tucson Street, aligned with the main entrance to the Spring Creek Elementary School / Ernest Childers Middle School campus, is conceptually illustrated on the Exhibit B "Conceptual Site Plan." The site plan proposes connecting to the existing East Raleigh Street stub street within the South Ridge Park subdivision to the west. This through connection will improve accessibility and public safety for the entire area. Altogether, the various connections will create a walkable, cohesive neighborhood.

Streets serving Spring Creek Crossing are proposed to be public. All streets shall be constructed to meet the City of Broken Arrow standards for public streets.

Sidewalks and/or trails shall be constructed as required and will be planned during the engineering design and platting phase.

Limits of No Access (LNA) will be imposed by the future plat(s) along the East Tucson Street frontage, except at approved street intersection(s).

The developer commits to including a traffic signal on E. Tucson St. as part of this development. The exact location, design, and timeline for installation of the traffic signal is subject to coordination, review, and approval by the City of Broken Arrow.

IV.C. SIGNAGE, LANDSCAPING, AND FENCING: Signs, landscaping, and fencing shall comply with the applicable provisions of the Broken Arrow Zoning Ordinance.

In accordance with proposed RS-C zoning, 50-foot minimum width open space buffers shall be preserved along the west and east lines of the PUD adjacent to existing platted residential lots, which areas shall be maintained by a mandatory property owners' association. Within the required 50'-minimum-width open space preserve areas, any tree with a minimum of 6 inches in caliper existing within the PUD at the time of approval shall be preserved, other than removal as needed for utility installation or drainage purposes.

IV.D. UTILITIES AND DRAINAGE: Per City of Broken Arrow atlas utility data, a 12" waterline is located along the south side of Tucson Street and additional waterlines are located within the adjoining subdivisions to the east and west. Furthermore, a sanitary sewerline is located just west of the site's west line within the adjoining South Ridge Park subdivision. Sanitary sewer is also available to the east in South Fork Estates. Waterlines shall be extended throughout the site and looped to provide water service and fire protection and will be designed during the platting stage. Fire hydrant locations shall be coordinated with and approved by the Broken Arrow Fire Marshal during platting.

An internal stormwater collection and detention system will be designed and constructed to drain the site to stormwater detention facilities, to be sited and designed during the platting stage. Early concepts for drainage and onsite stormwater detention are shown on the Exhibit B "Conceptual Site Plan." Stormwater drainage and detention facilities will be contained within Reserve Areas and/or overland drainage easements, to be maintained by a property owners' association. These facilities may additionally serve as neighborhood amenities.

Electric, natural gas, and communications services are available onsite or by extension.

IV.E. ENVIRONMENTAL ANALYSIS AND TOPOGRAPHY: The site is moderately sloped. The top of a small hill is located just north of the site's northwestern corner. The site drains to the northeast, east, and south-southwest, in all directions ultimately to Broken Arrow Creek.

None of the site is within the 100-year (1% Annual Chance) Regulatory Floodplain. The entire site is within Unshaded Zone X, outside of the 500-year Floodplain.

IV.F. PLATTING AND SITE PLAN REQUIREMENTS: No building permit shall be issued until a subdivision plat has been submitted to and recommended upon by the Broken Arrow Planning Commission and approved by the Council of the City of Broken Arrow, and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved PUD and the City of Broken Arrow shall be a beneficiary thereof. The plat will also serve as the site plan for all residential lots contained within the plat. Any neighborhood amenities requiring a building permit shall submit and receive Broken Arrow city staff approval of a site plan application.

Not less than 15% of the net land area shall be preserved as common open space for the enjoyment of the residents, and not less than 25% of the required area shall be designed, constructed, and maintained as active open space consisting of trails, community gardens, and/or parks.

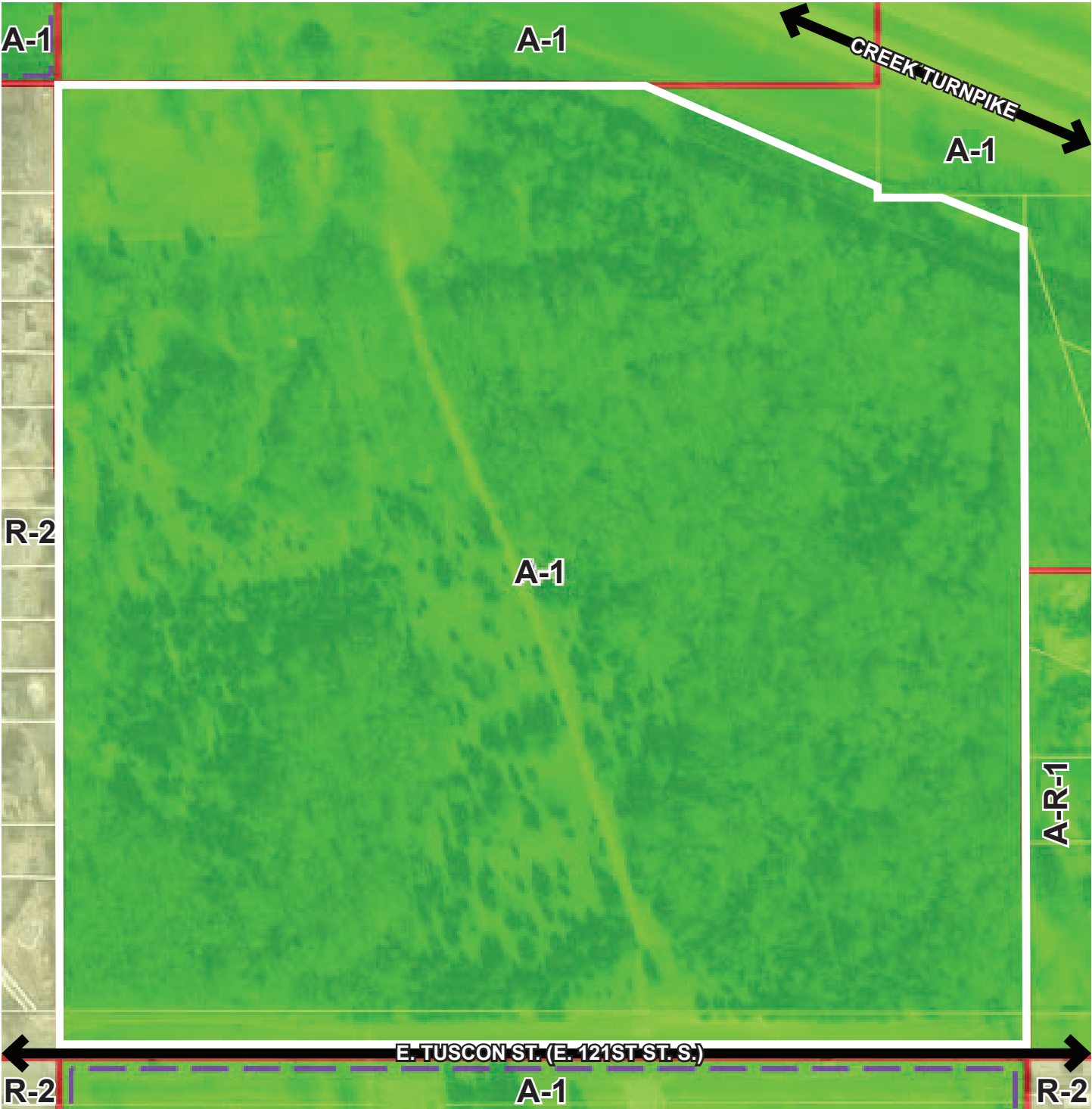
IV.G. SCHEDULE OF DEVELOPMENT: Development of the project is expected to commence and be phased and completed as market conditions permit. If phased, each phase will be coordinated with the City of Broken Arrow in order to provide adequate traffic circulation and utility service.

Spring Creek Crossing

EXHIBIT C

EXISTING ZONING MAP

DATA OBTAINED FROM INCOG GIS, ACCESSED FEBRUARY 13, 2024

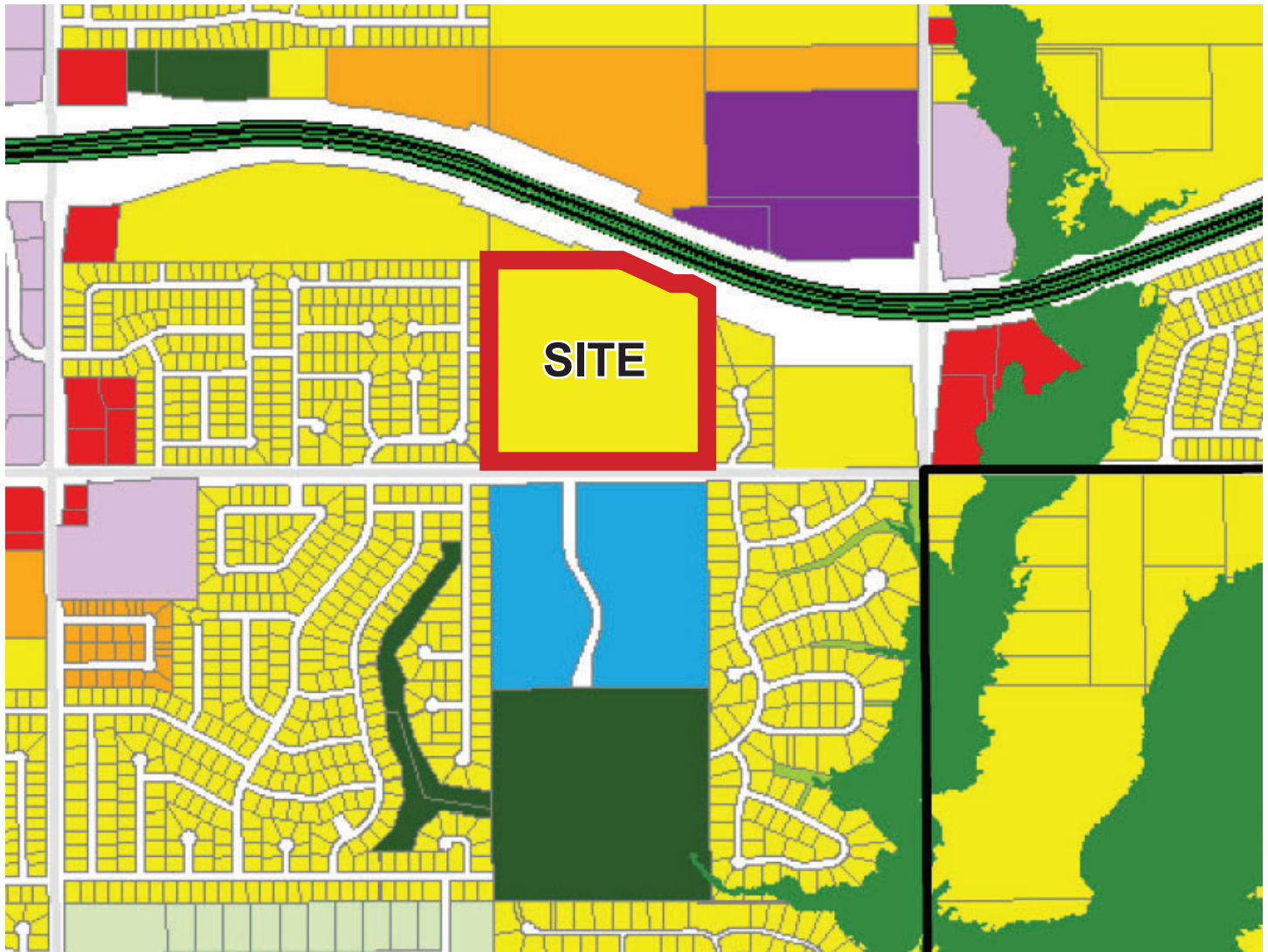


Spring Creek Crossing

EXHIBIT D

COMPREHENSIVE PLAN MAP

BROKEN ARROW NEXT COMPREHENSIVE PLAN, ADOPTED AUGUST 6, 2019



Legend

LUIS Classification

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

Land Uses

- Greenway/Floodplain
- Public Recreation
- Private Recreation
- Public/Semi-Public

Boundaries

- Fenceline
- City Boundary



COMMUNITY MEETING

Thursday, March 21st

6:00PM

The Property Event Center

11500 S. 129th East Ave
Broken Arrow, OK 74011



Rausch Coleman Homes is building a neighborhood nearby and would like to introduce our team, share our plans, and learn from you.

Please join us!

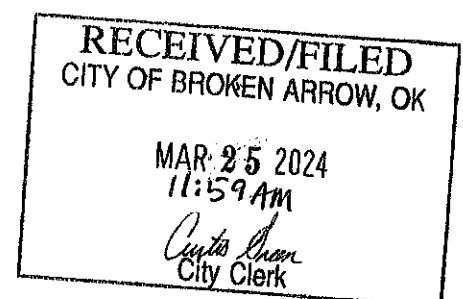
PETITION REQUEST TO CITY OF BROKEN ARROW PUD-001360-2024

This is a formal request from residents asking that the city not approve the application to rezone 36.991 acres, located on 121st St (Tucson) across from Spring Creek Elementary and Childers Middle School, from A-1 (Agricultural) to RS-4 (Single Family Residential) for the following reasons and concerns:

- The proposed RS-4 rezoning would permit 214 dwelling units and 241 dwelling units if zoned RS-C under the new pending zoning ordinances. The infrastructure of 121st (Tucson) will not be able to handle the increase of traffic (400-500 more vehicles) and there are no plans by the city to widen 121st.
- The heavy increase in traffic (400-500 more vehicles) will mean serious safety issues for our children, parents, buses, and residents because the infrastructure cannot handle this level of traffic.
- The request does not fit the Broken Arrow Comprehensive Plan. The BACP lists this area as Level 2. The rezoning request for RS-4 High Density is classified for Level 3 in the plan. The BACP, under Level 3, states, "The principal uses in this district would be higher density single-family detached residential (RS-4)."
- Our schools are already overcrowded, and current residents have faced rezoning and their children have had to attend schools further and further away from the schools in their own neighborhood. The next school bond is not until 2034, meaning children will face overcrowded classrooms for the next decade.

We are not opposed to growth. We are for smart, intentional growth. We desire to work together, with the city, to ensure a safe and proper infrastructure, high quality education for all students, and ensure a better Broken Arrow for current and future residents.

Thank you for your consideration.



PETITION REQUEST TO CITY OF BROKEN ARROW PUD-001360-2024

NAME	SIGNATURE	ADDRESS
Ken Enal		6109 31st Pl BA-74011
Marcy Porter		6301 S. 1st Place.
Brandy Bundy		6309 S 1st Pl
DARIN BUNDY		6309 S. 1st Pl.
Laura Farnsworth		6309 S. 1st Pl.
Evelyn Larson		6309 S. 1st Pl.
Brad Farnsworth		6309 S. 1st Pl.
MARY A Williams		6317 So. 1st Place BAOK 74011
Rik Ochel		6329 S. 1st Place Broken Arrow
Sean Ross		105 W. San Diego St. BA 74011
Travis Wycott		109 W. San Diego St 74011
Austen Watkins		6320 S 1st Pl 74011
Dolly Watkins		6320 S 1st Pl. 74011
Kenneth Palmer		6316 S. 1st Pl
April Palmer		6316 S. 1st Pl
Daniel Surratt		6312 S. 1st Pl
Yvonne Ayvasian Lomayga		6308 S 1st Pl Broken Arrow OK 74011
Arcadis Lomayga		6308 S 1st Pl 74011
Mike Trull		102 W QUANAH CT
Sam Trull		102 W Quanah Ct
Laurie Hegin		103 W. Quanah Ct
Carla Zinner		101 W. Quanah Ct
Joe Quain		101 W. Quanah Ct.
Tim Fockey		104 W. Quanah St BA 74011
Lindsey Santee		6400 S. 5th Ave
BOB Santee		6400 S. 5th AVE
John W. Bunn		6304 S. 5th Ave.
Natalia Langley		6300 S 5th Ave
Nellie Rees		6309 S 5th Ave
DALE DERREIGN		6316 S. 5th
LINDA DERREIGN		6313 S 5th Ave
Trish Moore		6405 S. 5th Ave.
DAVID MOORE		6405 S. 5th Ave.
Alisha Williams		6505 S 1st B A OK

PETITION REQUEST TO CITY OF BROKEN ARROW PUD-001360-2024

NAME	SIGNATURE	ADDRESS
Ken Kral	Ken Kral	6109 31st Pl BA 74011
Marcy Porter	Marcy Porter	6301 S. 1st Place.
Brandy Bundy	Brandy Bundy	6309 S 1st Pl
DARIN BUNDY	Darin Bundy	6307 S. 1st Pl.
Laura Farnsworth	Laura Farnsworth	6307 S. 1st Pl.
Evelyn Larson	Evelyn Larson	6307 S. 1st Pl.
Brad Farnsworth	Brad Farnsworth	6307 S. 1st Pl.
MARY AdWilliams	Mary AdWilliams	6317 S. 1st Place BARK 74011
Rik Ochel	Rik Ochel	6329 S. 1st Place Broken Arrow
Sean Ross	Sean Ross	165 W. San Diego St. BA 74011
Travis Wycott	Travis Wycott	109 W. San Diego St 74011
Austen Watkins	Austen Watkins	6320 S 1st Pl 74011
Dolly Watkins	Dolly Watkins	6320 S 1st Pl. 74011
Kenneth Palmus	Kenneth Palmus	6316 S. 1st Pl
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Ayedis Tormayan	Ayedis Tormayan	6308 S 1st Pl 74011
Mike Trull	Mike Trull	102 W QUANAH CT
Sam Trull	Sam Trull	102 W Quanah Ct
Hawwa Hegins	Hawwa H. Hegins	103 W. Quanah Ct
Carrie Zinner	Carrie Zinner	101 W. Quanah Ct
Joe Quanch	Joe Quanch	101 W. Quanah Ct.
Tim Stucky	Tim Stucky	104 W. Quanch St BA 74011
Sarah Belin	Sarah Belin	6305 S 1st Pl Broken Arrow 74011
Able Davis	Able Davis	6305 S 1st Pl Broken Arrow, 74011
CHRIS ELICH	Chris Elich	6304 S 1st Pl
Cheryle Sandman	Cheryle Sandman	6313 S. Ash Ave.
Jack Foster	Jack Foster	101 W. San Diego St.
Chris Straight	Chris Straight	6325 S. 1st Place
Jessica Straight	Jessica Straight	6325 S. 1st Place BA 74011
Michael Preston	Michael Preston	6323 S 1st Place BA 74011
Sam Key	Sam Key	6209 S. 1st 74011
Nadine A. Clay	Nadine A. Clay	6321 S. Ash Ave 74011

PETITION REQUEST TO CITY OF BROKEN ARROW PUD-001360-2024

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PETITION REQUEST TO CITY OF BROKEN ARROW PUD-001360-2024

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