



**City of Broken Arrow**  
**Meeting Agenda**  
**Planning Commission**

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

*Chairperson Fred Dorrell*  
*Vice Chair Lee Whelpley*  
*Member Ricky Jones*  
*MemberCarolyn Isbell-Carr*  
*Member Mark Jones*

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**Thursday, December 1, 2016**

**5:00 PM**

**Council Chambers**

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**1. Call To Order**

**2. Roll Call**

**3. Old Business**

None

**4. Consideration of Consent Agenda**

- A. [16-1399](#) Consideration and possible action regarding BAL 2005, Raul Gonzalez, 1.06 acres, A-RMH, one-quarter mile east of 37th Street, north of Omaha Street

**5. Consideration of Items Removed from Consent Agenda**

**6. Public Hearings**

- A. [16-1381](#) Public hearing, consideration, and possible action regarding BAZ 1966, The Falls Event Center of Broken Arrow, 5.16 acres, A-1 to ON, east of 9th Street, one-quarter mile south of Omaha Street
- B. [16-1386](#) Public hearing, consideration, and possible action regarding BAZ 1967, Bentley Square, 8.14 acres, CG to RS-4, west of the southwest corner of Aspen Avenue and Jasper Street
- C. [16-1384](#) Public hearing, consideration, and possible action regarding PUD 79B, a request for a minor amendment to PUD 79, Rose Creek, 4.62 acres, PUD 79/IL, west of the northwest corner of Elm Place and Kenosha Street
- D. [16-1380](#) Public hearing, consideration, and possible action regarding PUD 254 and BAZ 1968, QuikTrip, 2.77 acres, CN and CG/SP 257 to CN/PUD 254, northeast corner of Kenosha Street and 23rd Street

**7. Appeals**

None

**8. General Commission Business**

None

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

**10. Adjournment**

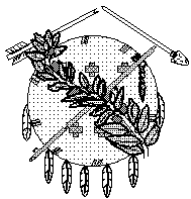
**NOTICE:**

- 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 DEVELOPMENT SERVICES 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.**

**POSTED on \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ am/pm.**

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**City Clerk**



# City of Broken Arrow

## Fact Sheet

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**File #:** 16-1399, **Version:** 1

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### Broken Arrow Planning Commission

12-01-2016

**To:** Chairman and Commission Members

**From:** Development Services Department

**Title:** Consideration and possible action regarding BAL 2005, Raul Gonzalez, 1.06 acres, A-RMH, one-quarter mile east of 37<sup>th</sup> Street, north of Omaha Street

#### **Background:**

**Applicant:** Jeffrey Tuttle, Tuttle and Associates, Inc.

**Owner:** Raul Gonzalez

**Developer:** Raul Gonzalez

**Surveyor:** Jeffrey Tuttle

**Location:** One-quarter mile east of 37<sup>th</sup> Street, north of Omaha Street

**Size of Tract** 1.06 total acres; Tract A - 0.53 acres; Tract B - 0.53 acres

**Number of Lots:** 2 proposed

**Present Zoning:** A-RMH

**Comp Plan:** Level 3

Lot split request BAL 2005 involves a 1.06-acre parcel located one-quarter mile east of 37<sup>th</sup> Street, north of Omaha Street. The property, which is zoned A-RMH, has been platted as Lot 7, Block 6, Sun City I. The A-RMH zoning was assigned to the property when it was annexed into the City Limits of Broken Arrow on February 23, 2001, with Ordinance 2325. Applicant is proposing to split the 1.06-acre parcel into two equal lots of 0.53 acres each.

The plat for Sun City I was recorded in Wagoner County on April 24, 1980. At the time the plat was recorded, the property was located in an unincorporated area of Wagoner County, and only 25 feet of right-of-way was recorded along Omaha Street along the north side of the section line. Today, 50-feet of right-of-way is required from the section line along with 17.5 feet of utility easement.

Water to this property is provided by Rural Water District #4. There are no sanitary sewer lines to serve this property. Therefore, on-site disposal will be used on this property.

The proposed lot split meets the minimum lot size and frontage requirements of the RMH district. Oklahoma Natural Gas (ONG), Public Service Company of Oklahoma (PSO), Cox Communications, and Windstream have indicated that they do not have any problems with the proposed lot split.

**Attachments:** Case map  
Aerial  
Lot Split Exhibits and Legal Descriptions submitted by the applicant  
Sun City I plat  
Ordinance 2325

**Recommendation:**

Staff recommends BAL 2005 be approved, subject to the following:

1. Warranty deeds for both parcels shall be brought simultaneously to the Planning Division to be stamped prior to being recorded in Wagoner County.
2. Prior to the warranty deeds being stamped, 25 additional feet of right-of-way shall be dedicated along Omaha Street. In addition, 17.5 feet of utility easement shall also be provided.

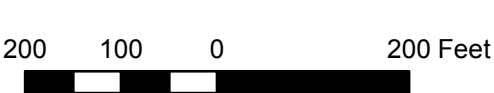
**Reviewed and approved by: Michael Skates**

MWS: BDM

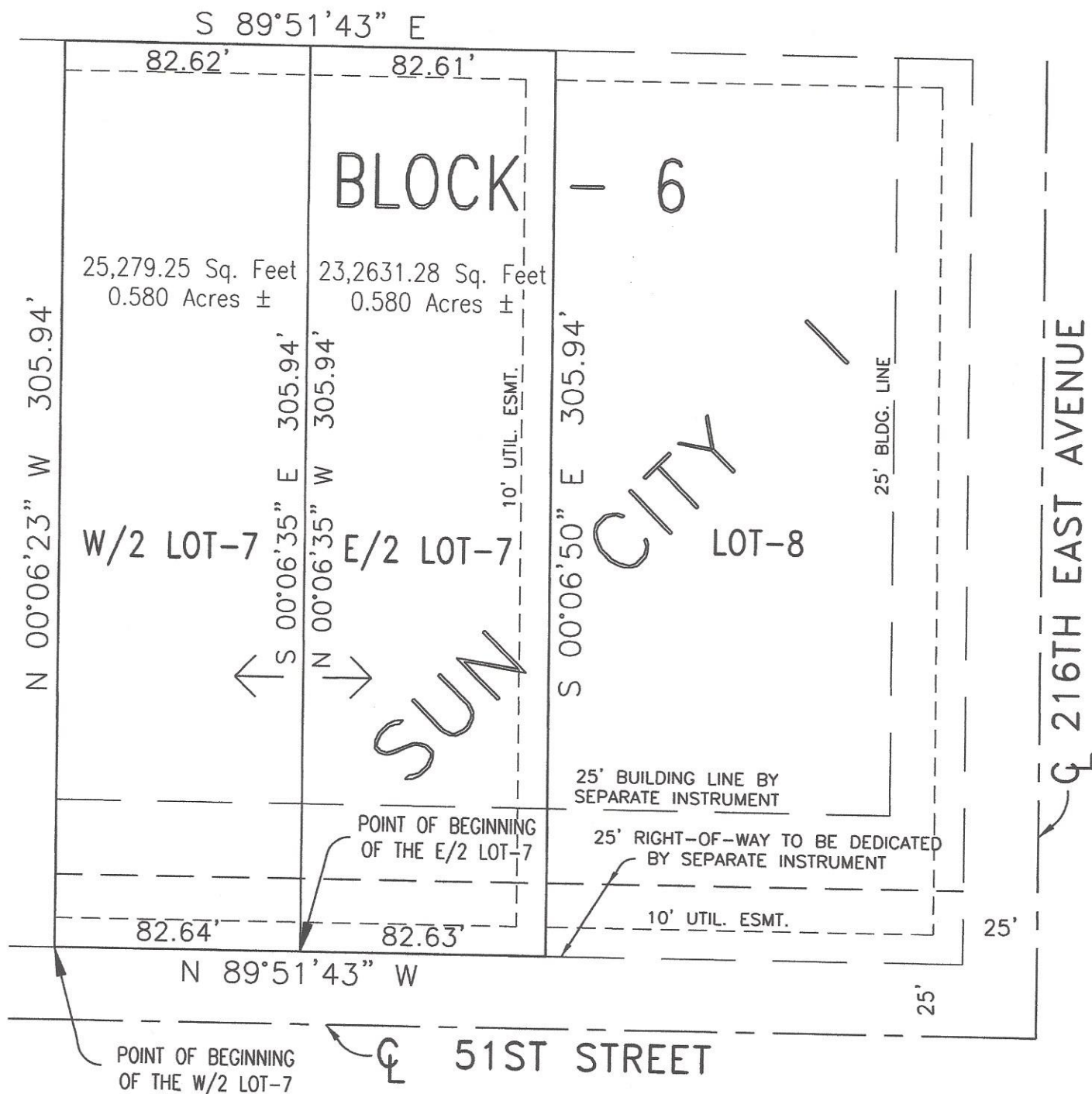




BAL 2005  
Sun City I, Block 6, Lot 7



# LOT SPLIT PLAT



1"=50'

**TUTTLE & ASSOCIATES, INC.**

9718 East 55th Place South

Tulsa, Oklahoma 74146

Phone: (918) 663-5567

Date: 11/16/16

Drawn: RWT

Checked: RWT

Job Number: 5046

Sheet 1 of 1

**EXHIBIT "A"**  
**Lot Split Description**

**LEGAL DESCRIPTION**

THE WEST HALF OF LOT 7, BLOCK 6 OF SUN CITY I, A SUBDIVISION OF A PART OF THE S/2 OF THE SW/4 OF SECTION 29, T-19-N, R-15-E, WAGONER COUNTY, OKLAHOMA ACCORDING TO THE PLAT FILED IN PLAT CABINET 1-28A OF THE RECORDS OF THE WAGONER COUNTY CLERK. SAID WEST HALF OF LOT 7, BLOCK 6 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SOUTHWEST CORNER OF SAID LOT 7, BLOCK 6 OF SUN CITY I; THENCE N 00°06'23" W ALONG THE WESTERLY LINE OF SAID LOT 7 FOR A DISTANCE OF 305.94 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S 89°51'43" E ALONG THE NORTHERLY LINE OF SAID LOT 7 FOR A DISTANCE OF 82.62 FEET; THENCE S 00°06'35" E FOR A DISTANCE OF 305.94 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 7; THENCE N 89°51'43" W ALONG THE SOUTHERLY LINE THEREOF FOR A DISTANCE OF 82.64 FEET TO THE POINT OF BEGINNING. BASIS OF BEARING FOR THIS DESCRIPTION IS THE RECORD BEARING OF N 89°51'43" W ALONG THE SOUTHERLY LINE OF THE RECORDED PLAT OF SAID SUN CITY.

THE ABOVE DESCRIBED TRACT CONTAINS 25,279.25 SQUARE FEET OR 0.580 ACRES MORE OR LESS.

**EXHIBIT "B"**  
**Lot Split Description**

**LEGAL DESCRIPTION**

THE EAST HALF OF LOT 7, BLOCK 6 OF SUN CITY I, A SUBDIVISION OF A PART OF THE S/2 OF THE SW/4 OF SECTION 29, T-19-N, R-15-E, WAGONER COUNTY, OKLAHOMA ACCORDING TO THE PLAT FILED IN PLAT CABINET 1-28A OF THE RECORDS OF THE WAGONER COUNTY CLERK. SAID EAST HALF OF LOT 7, BLOCK 6 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SOUTHWEST CORNER OF SAID LOT 7, BLOCK 6 OF SUN CITY I; THENCE S 89°51'43" E ALONG THE SOUTHERLY LINE THEREOF TO THE POINT OF BEGINNING; THENCE N 00°06'35" W FOR A DISTANCE OF 305.94 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 7; THENCE S 89°51'43" E ALONG SAID NORTHERLY LINE FOR A DISTANCE OF 82.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 7; THENCE S 00°06'50" E ALONG THE EASTERLY LINE OF SAID LOT 7 FOR A DISTANCE OF 305.94 FEET TO SOUTHEAST OF SAID LOT 7; THENCE N 89°51'43" W ALONG THE SOUTHERLY LINE THEREOF FOR A DISTANCE OF 82.63 FEET TO THE POINT OF BEGINNING. BASIS OF BEARING FOR THIS DESCRIPTION IS THE RECORD BEARING OF N 89°51'43" W ALONG THE SOUTHERLY LINE OF THE RECORDED PLAT OF SAID SUN CITY.

THE ABOVE DESCRIBED TRACT CONTAINS 25,263.28 SQUARE FEET OR 0.580 ACRES MORE OR LESS.

# NOTES FOR POTABLE WATER MAINS

1. ALL P.V.C. IS 1220, A.S.T.M. 2241 FOR POTABLE WATER SERVICE. N.S.P. APPROVED.
2. EXCAVATOR IS TO CHECK WITH LOCAL AUTHORITIES AND COMPANIES FOR ALL BURIED WIRES AND PIPES BEFORE BEGINNING EXCAVATION. DAMAGE TO SAME IS EXCAVATORS RESPONSIBILITY AND LIABILITY.
3. ALL MATERIALS, METHODS, EQUIPMENT AND WORKMANSHIP MUST MEET THE REQUIREMENTS OF THE OKLAHOMA STATE DEPARTMENT OF HEALTH AND GREEN COUNTRY UTILITY COMPANY OF WAGONER COUNTY. BEFORE BEGINNING CONSTRUCTION, CONTACT MR. GENE SPRADLING FOR INSTRUCTIONS. 1-918-663-0211.
4. AIR BLEEDS ARE REQUIRED WHERE REVERSE GRADES ARE ENCOUNTERED. CONCRETE BLOCKING IS REQUIRED PER THE STANDARDS OF THE WATER DISTRICT.
5. MINIMUM DEPTH OF COVER 30" OVER TOP OF PIPE.

# NOTES FOR SEPTIC TANK DISPOSAL SYSTEMS

1. IF DEPTH OF TILE FIELD WILL EXCEED HEALTH DEPARTMENT STANDARDS AFTER FINISH GRADING, RELOCATE OR INSTALL RETENTION BOXES TO COMPLY. PROBABLE LOTS SHOWN.
2. CONSTRUCTION SHALL BE IN ACCORDANCE WITH OKLAHOMA DEPARTMENT HEALTH BULLETIN NO. 600, LATEST EDITION.

CERTIFIED TRUE COPY  
JACK C. JONES, COUNTY CLERK  
Wagoner County, Okla.  
By *[Signature]* DEPUTY

STATE OF OKLAHOMA  
COUNTY OF WAGONER  
Filed for Record in this Office of the  
COUNTY CLERK AND RECORDED  
APR 24 1980  
AT 4:00 PM  
JACK C. JONES, County Clerk  
Wagoner County, Oklahoma

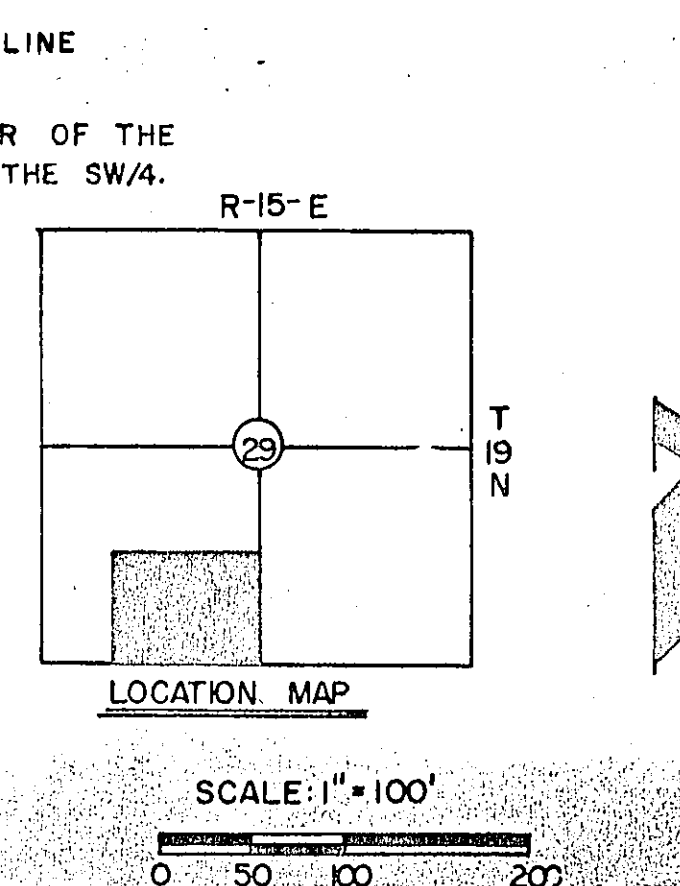
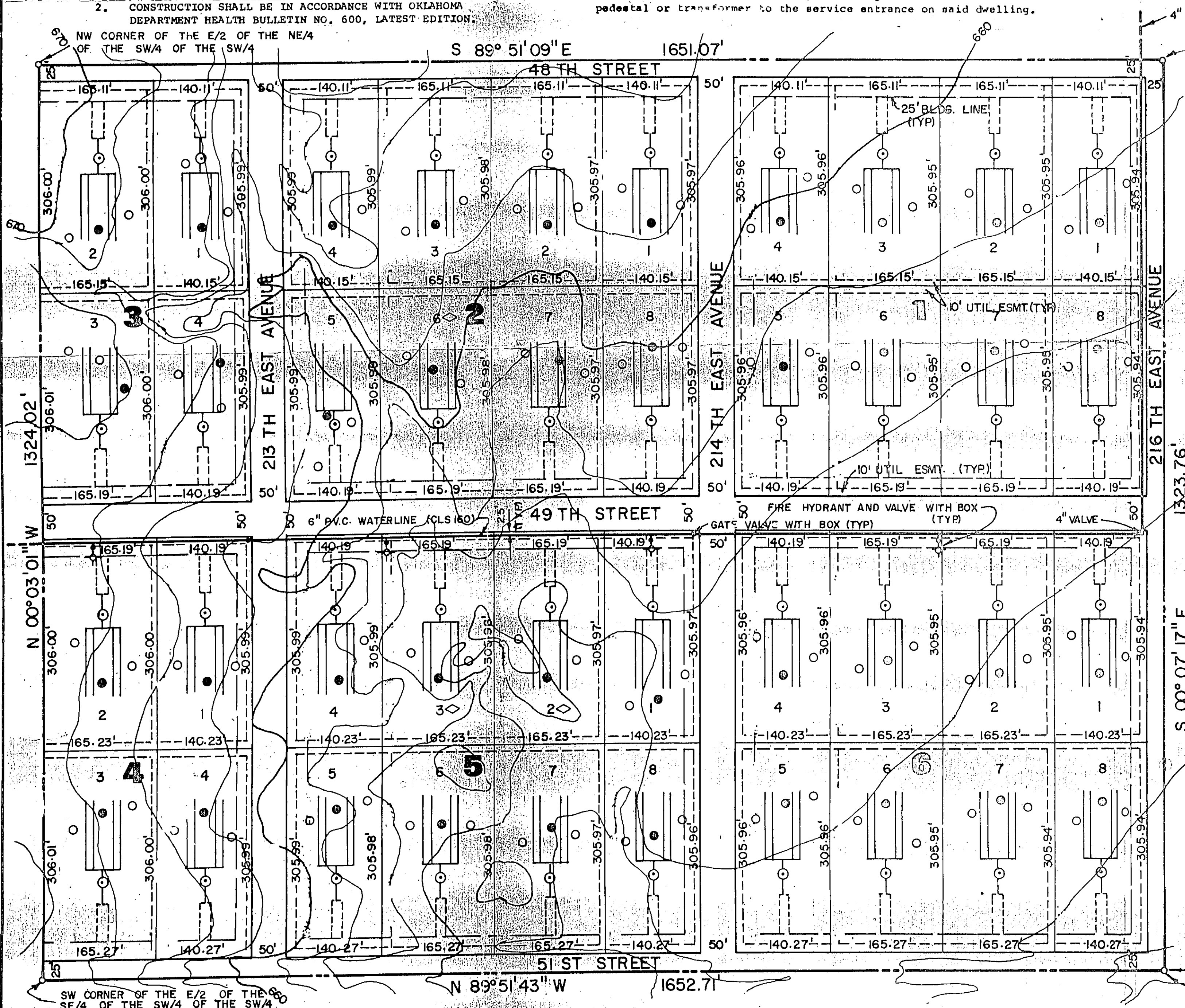
# SUN CITY I

A SUBDIVISION OF A PART OF THE S/2 OF THE SW/4  
OF SECTION 29, T-19-N, R-15-E, WAGONER COUNTY,  
OKLAHOMA.

## ADDITIONAL DEED OF DEDICATION

Except to dwellings on lots which may be served from overhead electric service lines, underground service cables to all dwellings which may be located on all lots in said Addition may be run from the nearest service pedestal or transformer to the point of usage determined by the location and construction of such dwelling as may be located upon each said lot; provided that upon the installation of such a service cable to a particular dwelling, the supplier of electric service shall thereafter be deemed to have a definitive, permanent, effective and exclusive right-of-way easement on said lot, covering a five-foot strip extending 2.5 feet on each side of such service cable, extending from the service pedestal or transformer to the service entrance on said dwelling.

LEGAL DESCRIPTION: A TRACT OF LAND LOCATED IN THE S/2 OF THE SW/4 OF SECTION 29, T-19-N, R-15-E, WAGONER COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT: BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE N 89° 51' 43" W ALONG THE SOUTH BOUNDARY LINE OF SAID SECTION A DISTANCE OF 1652.71 FEET TO THE SW CORNER OF THE E/2 OF THE SE/4 OF THE SW/4 OF THE SW/4; THENCE N 00° 03' 01" W A DISTANCE OF 1324.02 FEET TO THE NW CORNER OF THE E/2 OF THE NE/4 OF THE SW/4 OF THE SW/4; THENCE S 89° 51' 09" E A DISTANCE OF 1651.07 FEET TO THE NE CORNER OF THE SE/4 OF THE SW/4; THENCE S 00° 07' 17" E ALONG THE 1/4 SECTION LINE A DISTANCE OF 1323.76 FEET TO THE POINT OF BEGINNING, CONTAINING 50.20 ACRES, MORE OR LESS.



## OWNER-DEVELOPER:

SUNRISE RIDGE CORPORATION  
6363 E. 31ST STREET  
TULSA, OKLAHOMA

## ENGINEERS:

FINLEY ENGINEERING CO.  
2300 EAST 14TH STREET  
TULSA, OKLAHOMA  
1-918-939-0075

## LEGEND

- MOBILE HOME: [ ]
- PERC TEST: ○
- CORE TEST: ○
- SEPTIC TANK: ○

I, the undersigned, the duly qualified and acting County Treasurer, of Wagoner County, Wagoner, Oklahoma, hereby certify that according to the 1979 tax rolls the taxes on the above description are paid:

Ruby M. Roberts, County Treasurer

## DEED OF DEDICATION

(Covenants and restrictions are recorded by separate instrument)

The owners hereby dedicate for public use all the streets as shown on the accompanying plat, and do hereby guarantee clear title to all the land so dedicated.

The undersigned owners further dedicate to the public for use forever, easements and right-of-ways as shown on and designated on the accompanying plat for the several purposes of constructing, maintaining, operating, repairing, removing and replacing any and all public utilities, including storm and sanitary sewers, telephone lines, electric power lines and transformers, gas lines and water lines, poles, wires, conduits, pipes, valves, meters, and any other appurtenances thereto with the right of ingress and egress upon said easements and right-of-ways for the uses and purposes of aforesaid, together with similar rights in any and all of the streets and alleys shown on said plat.

The supplier of electric service, through its proper agents and employees, shall at all times have right of access to the easements shown on the accompanying plat, for the purposes of installing maintaining, removing, or replacing any portion of the electrical facilities required for proper service.

IN WITNESS WHEREOF, THE SUNRISE RIDGE CORPORATION, being the owner of the SUN CITY I, subdivision, which platted herewith, hereby approve the foregoing Deed of Dedication Conditions, Restrictions and plat this 21st day of APRIL, 1980. SUNRISE RIDGE CORPORATION

*[Signature]* President

ATTEST: *[Signature]* Secretary

STATE OF OKLAHOMA, COUNTY OF TULSA, ss.

Before me, the undersigned Notary Public within and for said County and State, on this 21st day of APRIL, 1980, personally appeared *[Signature]* to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its President and acknowledged to me that he executed the same as his free and voluntary act and deed of said Corporation, for the uses and purposes therein set forth.

WITNESS my hand and Official Seal the day and year last above written.

My commission expires: 5-19-81

*[Signature]*  
Notary Public

## SURVEYOR'S CERTIFICATE

I, *[Signature]* the undersigned, do hereby certify that I am by profession a Registered Land Surveyor in the State of Oklahoma, and that the plat herewith of SUN CITY I correctly represents a boundary survey made under my supervision on the 13th day of NOV., 1979.

## CERTIFICATE OF COUNTY TREASURER

I, *[Signature]* County Treasurer of Wagoner County, Oklahoma do hereby certify that I have examined the records pertaining to SUN CITY I and find that all taxes on the tract described in the accompanying plat and find that all taxes on the tract have been paid to and including

Dated this 15th day of APRIL, 1980.

County Treasurer

## HEALTH DEPARTMENT APPROVAL

I, *[Signature]* Sanitarian for the Oklahoma State Department of Health, certify that this plat SUN CITY I is approved for construction of individual sewage disposal systems.

Date: 4-21-1980

*[Signature]* R.P.S.  
Sanitarian, Wagoner County Health Dept.

## ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the Board of Councilmen of New Tulsa, Oklahoma, that the dedications shown on the attached plat of SUN CITY I, are hereby accepted.

Adopted by the Board of Councilmen of New Tulsa, Oklahoma, on this 15th day of APRIL, 1980.

Approved by the Chairman of the Board of Councilmen of New Tulsa, Oklahoma, this 15th day of APRIL, 1980.

*[Signature]*  
Secretary, City of New Tulsa

*[Signature]*  
Chairman, New Tulsa City Council

## PLANNING COMMISSION APPROVAL

I, *[Signature]* Chairman of the City of New Tulsa Planning Commission, hereby certify that the said Commission duly approved the annexed map of SUN CITY I, on 15th day of APRIL, 1980.

*[Signature]*  
Chairman

SUN CITY I

ORDINANCE NO. 2325

An ordinance annexing a certain contiguous tract of land in Section 29 of Township 19 North, Range 15 East of the Indian Base and Meridian, Wagoner County, Oklahoma, into the city limits of the City of Broken Arrow, Oklahoma, granting a zoning classification, adopting a service plan, and declaring an emergency.

BE IT ORDAINED BY THE BROKEN ARROW CITY COUNCIL:

Section 1: That the following described tract of land lying adjacent to the present corporate limits of the City of Broken Arrow, to-wit:

The West half (W/2), and the Northeast quarter (NE/4) of Section 29, Township 19 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, including but not limited to New Tulsa Estates and Sun City I II III IV and V subdivisions, all according to the US Government survey thereof,

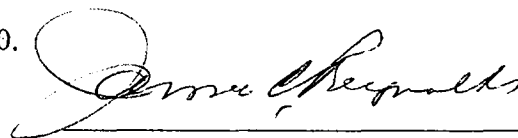
be and the same is hereby annexed to the City of Broken Arrow, Oklahoma, and the corporate limits of said City are hereby extended to include the above-described tracts of land. After the effective date of this ordinance, all property located therein, and all persons residing or otherwise occupying the land shall be subject to the jurisdiction of this City and all laws made pursuant thereto. The tracts of land shall be assigned A-RMH zoning. City council expressly finds that all requirements of 11O.S. §21-103 have been fully complied with in advance of the issuance of this ordinance.

Section II: Police, fire and zoning services shall be extended immediately upon the effective date of annexation. The street and utility construction and maintenance will be completed in accordance with existing construction standards and the normal development process. Note that some services will be provided under a separate contract that is independent of this ordinance.

Section III: This ordinance shall become effective from and after 12:01 A.M. February 23, 2001. This ordinance replaces the lost ordinance of annexation approved in June of 2000 on the same subject.

PASSED AND APPROVED and the emergency clause ruled upon separately this 18th day of December 2000.

DATED this 18th day of December 2000.

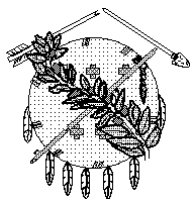
  
MAYOR

ATTEST:

  
(SEAL) CITY CLERK

APPROVED:

  
CITY ATTORNEY



# City of Broken Arrow

## Fact Sheet

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**File #:** 16-1381, **Version:** 1

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### Broken Arrow Planning Commission

12-01-2016

**To:** Chairman and Commission Members  
**From:** Development Services Department  
**Title:** Public hearing, consideration, and possible action regarding BAZ 1966, The Falls Event Center of Broken Arrow, 5.16 acres, A-1 to ON, east of 9<sup>th</sup> Street, one-quarter mile south of Omaha Street

#### Background:

**Applicant:** John C. Neubauer, The Falls Event Center  
**Owner:** Owasso Land Trust, LLC  
**Developer:** The Falls Event Center  
**Architect:** Alan Shurtliff, Pontis Architectural Group  
**Location:** East of 9th Street, one-quarter mile south of Omaha Street  
**Size of Tract** 5.16 acres  
**Number of Lots:** 1  
**Present Zoning:** A-1 (PUD 110/R-1 approved subject to platting)  
**Comp Plan:** Level 2 (Urban Residential) and Greenway/Floodplain

BAZ 1966 is a request to change the zoning designation on a 5.16-acre undeveloped tract from A-1 (Agricultural) to ON (Office Neighborhood). The unplatted property is located east of 9<sup>th</sup> Street, one-quarter mile south of Omaha Street.

Applicant is interested in developing an event center on the property, which by the Zoning Ordinance is classified as a "Places of Assembly". "Places of Assembly" is a permitted use in the ON district. According to the applicant, the proposed event center would contain approximately 17,000 square feet with a banquet capacity capable of accommodating 396 people. No food will be prepared on-site, but there will be service areas for catering services. Vehicular access to the site will be from one point off of 9<sup>th</sup> Street and an overflow connection from the site to the existing drive in Nienhuis Park. Use of the drive in Nienhuis Park is acceptable to City Staff, however, the City Legal Department is verifying the legality of an overflow connection within and to the Park's north drive. The conceptual site plan shows the drive onto 9<sup>th</sup> Street to be on the southwest corner of the property, near the drive to Nienhuis Park. As per the Zoning Ordinance, the centerline of this drive needs to be at least 250 feet from the centerline of the drive into Nienhuis Park. Also, Staff recommends just one overflow drive connection to Nienhuis Park, that being the westerly connection.

On March 2, 1998, the City Council approved PUD 110 and BAZ 1340 on a 199-acre development

referred to as the “Broken Arrow Golf and Athletic Club”. The PUD divided the property into four tracts. Tract 1, which represents the same area associated with BAZ 1966, was proposed as a single family detached residential area with up to eight dwelling units that was to be developed in accordance with the R -1 Single Family Detached development regulations. While the rest of the PUD has been developed with multifamily units and a golf course, Tract 1 has not.

According to the FEMA maps, a small portion of the 100-year floodplain of Adams Creek passes through the property.

Surrounding land uses and zoning classifications include the following:

North:	FD/PUD 110	The Greens at Broken Arrow Golf Course
East:	A-1	Nienhuis park
South:	A-1	Nienhuis park
West:	A-1	Undeveloped

The property is designated as Level 2 and Greenway/Floodplain in the Comprehensive Plan. ON zoning is identified as being in conformance with the Comprehensive Plan in Level 2 when it is located adjacent to an arterial street such as 9<sup>th</sup> Street.

**Attachments:**

- Case map
- Aerial photo
- Comprehensive Plan
- Proposed concept plan
- Plat of survey
- PUD 110 design statement

**Recommendation:**

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ 1966 be approved, subject to the property being platted. If the portion of the property that is in the 100-year floodplain remains in the floodplain, it shall be designated as FD. The portion of PUD 110 that is located on this property shall be abrogated. The access point onto 9<sup>th</sup> Street shall be located near the northwest corner of the property, the centerline of which shall be at least 250 feet from the centerline of the access point into Nienhuis Park as per the Zoning Ordinance. In addition, there shall be only one overflow connection to Nienhuis Park, that being the westerly connection.

**Reviewed and approved by: Michael Skates**

MWS: BDM





BAZ 1966  
The Falls Event Center of Broken Arrow

400 200 0 400 Feet



# Lynn Lane

# County Lin



BAZ 1966



S 177th E Ave

S Lynn Lane Rd

N 8th St

E Juneau St

Nienhus Park  
Community Center

N 89°30'25" E  
1174.86'

1174.74'  
S 82°38'15" W

17,000 sq ft  
PARADES  
EVENT CENTER  
5.6 Acres

0' 50' 100' 150' 300'

SCALE = 1" = 100'

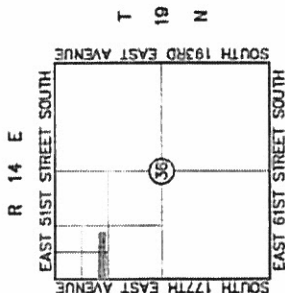
PONTIS

ARCHITECTURAL GROUP

248 SOUTH MAIN STREET  
SPRINGVILLE, UTAH 84663  
(801) 704-9551 WWW.PONTISAG.COM



# Plat of Survey Boundary and Asbuilt Part of the NW/4 of Section 36 **T-19-N, R-14-E** Tulsa County, Oklahoma



## Legend

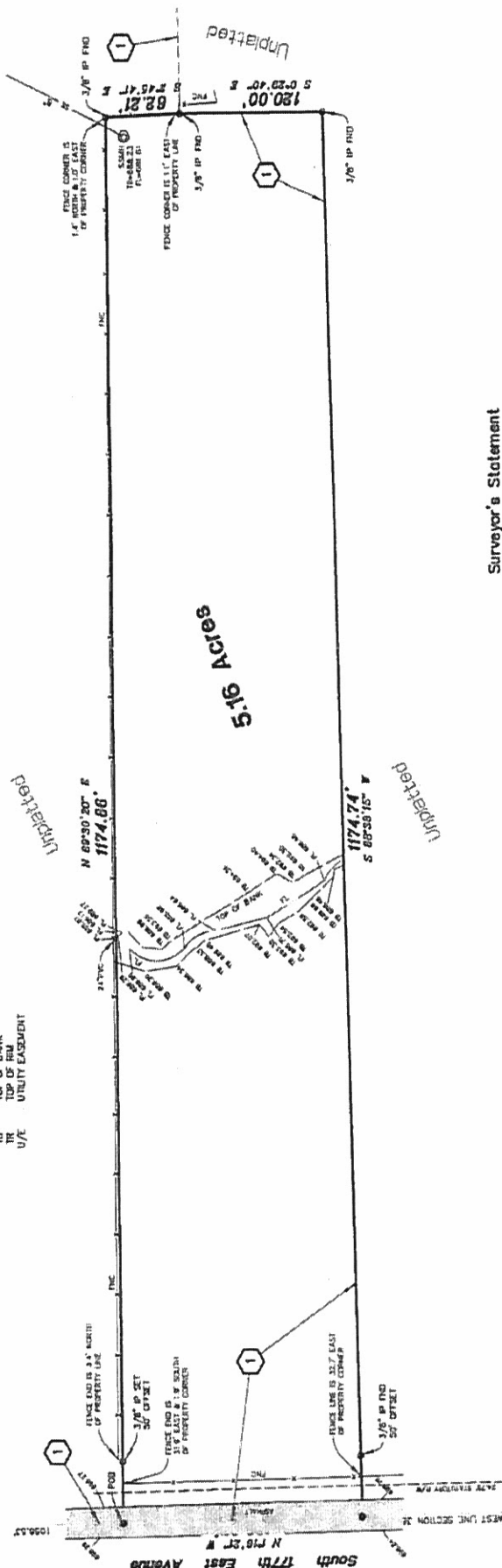
- ESMT EASEMENT
- ENC FENCE
- FL FLOWLINE
- FRD FENCE
- HTM HIGHWAY
- POB POINT OF BEGINNING
- R/W RIGHT OF WAY
- SSMH SANITARY SEWER MANHOLE
- UTL UTILITY
- U/E UTILITY EASEMENT

## Location Map

SCALE: 1"=2000'

NW CORNER  
SECTION 36

Scale: 1"=60'



## Surveyor's Statement

I, KEVIN M. NEWLIN, A REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT THE ABOVE PLAT REPRESENTS A BOUNDARY SURVEY. THE ABOVE PLAT REFLECTS ALL INSTRUMENTS THAT HAVE BEEN DISCLOSED AND FURNISHED AT THE TIME OF SURVEY. NO OPINION IS RENDERED AS TO THE OWNERSHIP OF FENCES OR ANY OTHER APPURTENANCES ON SAID PROPERTY.

BENCHMARK SURVEYING & LAND SERVICES, INC.

KEVIN M. NEWLIN RLS # 1129

DECEMBER 20, 2020

DATE OF CERTIFICATION



## Legal Description

A TRACT OF LAND THAT IS PART OF THE NW/4 OF SECTION 36, TOWNSHIP 19 NORTH, RANGE 14 EAST OF THE INDIAN MERIDIAN AND MERIDIAN, TULSA COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTHWEST CORNER OF SAID SECTION 36, RUN S 01°01'00" E 1000.00 FEET TO THE POINT OF BEGINNING; THENCE N 83°20'00" E 1174.74 FEET; THENCE S 07°31'00" E 62.21 FEET; THENCE S 07°31'00" E 120.00 FEET; THENCE S 07°31'00" E 1174.74 FEET TO THE S/4 WEST LINE; THENCE N 01°01'00" W 109.97 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING CONTAINING 5.16 ACRES MORE OR LESS

## Notes

1. SUBJECT TO TERMS, CONDITIONS AND PROVISIONS OF UNDERGROUND RIGHT-OF-WAY EASEMENT TO PUBLIC SERVICE COMPANY OF OKLAHOMA, DATED AUGUST 7, 1998, FILED AUGUST 14, 1998, AND RECORDED IN BOOK 6093 AT PAGE 446. (EJANET EASEMENT)
2. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM. THEREFORE EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED BY THIS PLAT.

## Miscellaneous Notes

- A. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN.
- B. THE BEARING BASE FOR THIS SURVEY IS ASSUMED RELATIVE BEARINGS.
- C. ELEVATIONS ARE BASED ON N.C.V.D. 1928.

**Benchmark Surveying and Land Services, Inc.**  
P.O. BOX 503  
OKLAHOMA CITY, OKLAHOMA 73101  
(405) 521-1234

FILE	DATE	JAG	DATE
FILE: 1914.360	12/21/02	JAG	12/21/02
ORDER	BOOK	DESK	SCALE
ORDER: 11072	11072	MAS	1"=60'
BOOK: 193/37	193/37	CHECKED BY: KUN	1 OF 1

**SUBMISSION FOR:  
PLANNED UNIT DEVELOPMENT  
AND  
CHANGE OF ZONING**

**BROKEN ARROW GOLF & ATHLETIC CLUB  
&  
THE GREENS AT BROKEN ARROW**

**SUBMITTED TO:  
CITY OF BROKEN ARROW, OKLAHOMA**

**REVISED  
April 27, 1998**

APPROVED	3/2/98	by the City
Council		City of Broken Arrow,
OKLA. STATE		
Mayor		
Attest: City Clerk		

**PREPARED BY:  
LINDSEY MANAGEMENT CO., INC.  
FAYETTEVILLE, ARKANSAS**

**AND**

**CRAFTON, TULL & ASSOCIATES, INC.  
ROGERS, ARKANSAS**

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## **DEVELOPMENT CONCEPT**

"Broken Arrow Golf & Athletic Club" is a proposed planned unit development containing 199 acres, more or less, out of a square section located South of 51st Street and East of 177th East Avenue.

The development concept reflects a residential community of varied housing types, open/recreational space, and small commercial/office space in the Golf Course Pro Shop. Commercial uses within this PUD are limited to the 1) ProShop of the Golf Courses, 2) Restaurant and 3) Club House, all related to the Golf and Athletic Club. And similarly, office uses shall be those associated with the management and operation of the PUD. The concept embodies a basic objective of achieving development flexibility in order to meet housing needs, noting changing lifestyles and market demand in a growing community, while maintaining established overall planning concerns.

In the formulation of the development concept of "Broken Arrow Golf & Athletic Club," particular attention was given to the natural features of the site as well as the relationship of the site to adjacent and nearby properties.

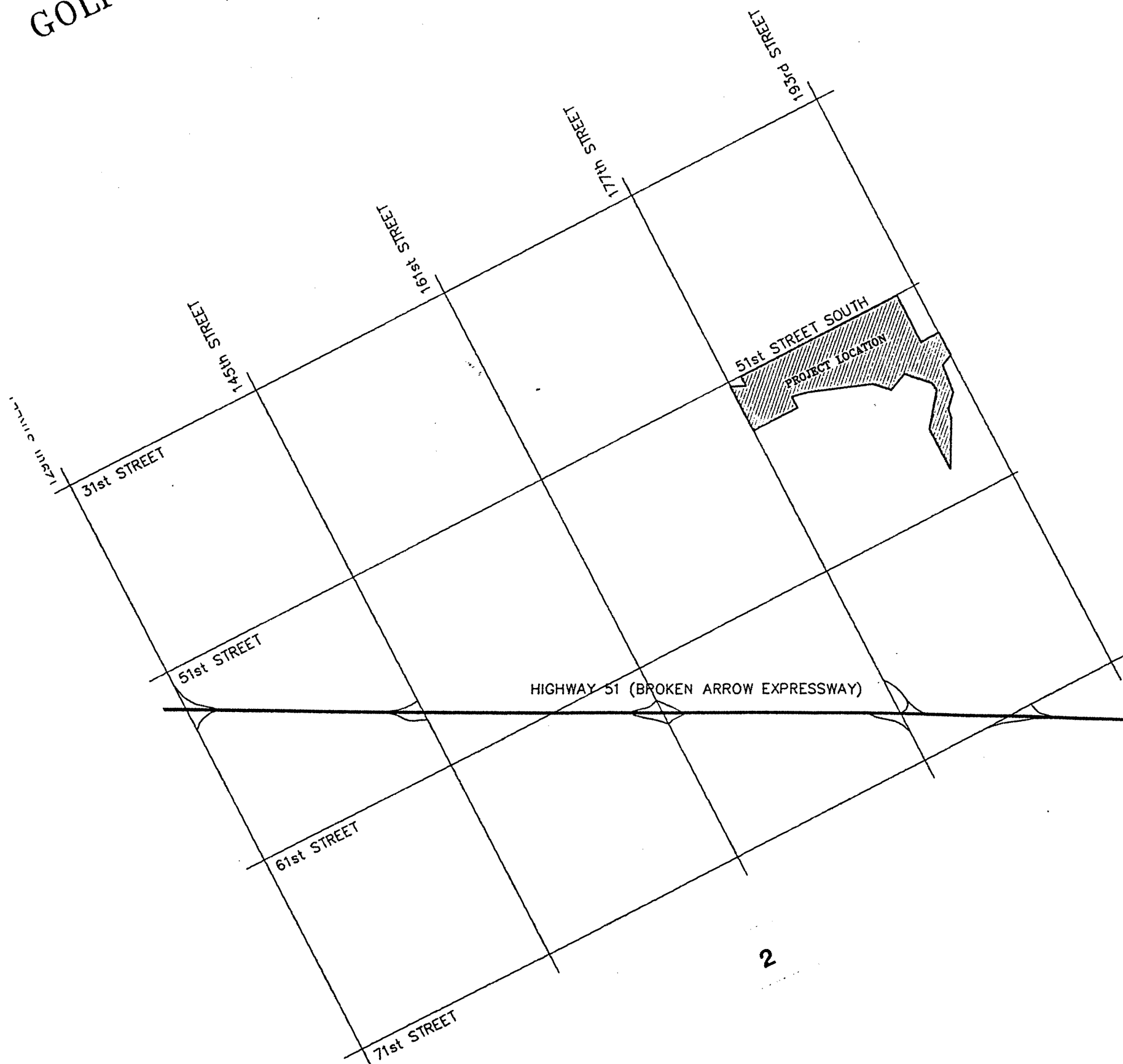
The establishment of a championship 18 hole golf course with clubhouse, pool and tennis court amenities serves as a buffer between existing single family zoning and proposed multi-family use. The golf course will be a separate business entity from the multi-family development and will be available to the general public either as a private club, public course or combination as the developer determines. The entire flood plain on the property will be taken up in the development of the golf course.

A 5.2 acre area located South of the flood zone and West of 177th Street currently zoned R-SC will become Single Family Zone R-1. The densities originally allowed here are proposed to be transferred to the multi-family area North of the flood zone. This proposal also creates a buffer from the single family development at Country Lane Estates.

Upon approval of the P.U.D. proposal, a site plan indicating building locations, vehicular traffic patterns, landscaped and screening areas and signage will be submitted for the city's review and approval.

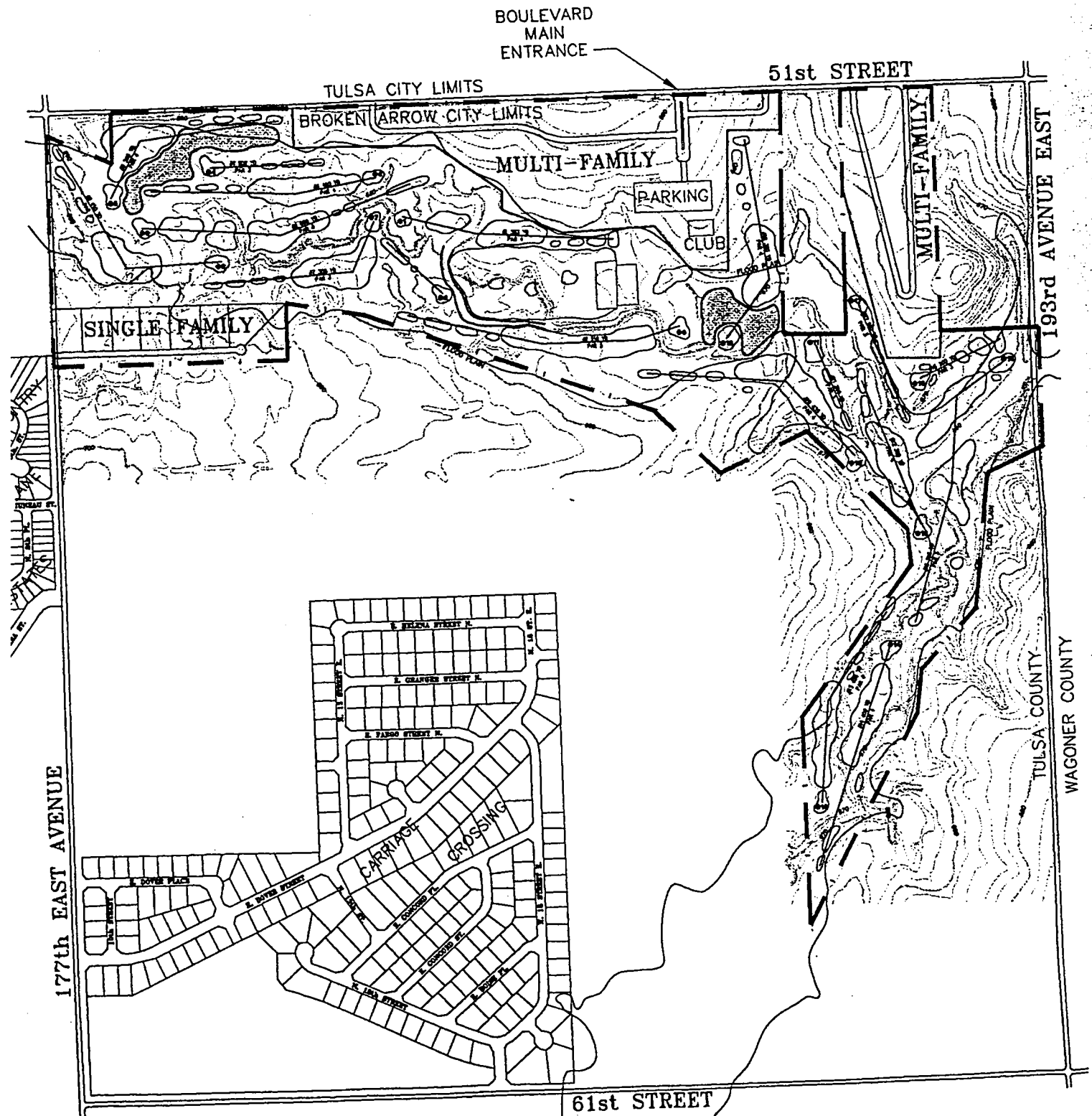
# BROKEN ARROW GOLF AND ATHLETIC CLUB

VICINITY MAP



# BROKEN ARROW GOLF AND ATHLETIC CLUB

(CONCEPT PLAN)



## STATISTICAL SUMMARY

Project Gross Area ..... 199 +/- Acres

### Dwelling Units

I. Maximum Density by Comprehensive Plan *	846 u.
Level 3 Using R6 Density x 29.7a	539 u.
Level 2 Using R4 Density x 28.2a	307 u.
F.D. @ 134.9a	0 u.
II. Maximum Density by Zoning Requested	802 u.
R5 Density x 59.0a-4.8a in Right-of-Way – 54.2a x 14.52 units/a =	.787 u.
R1 Density x 5.2a-0.2a in Right-of-way = 5.0 a x 3.0 units/a =	15 u.
F.D. Density x <u>134.9</u>	0 u.
199.1	

(Actual density allowed exceeds that proposed.)

III. Actual Proposed Density	
R5 Density	708 u.
R1 Density	<u>8 u.</u>
TOTAL	716 u.

### Open Space

Minimum Required by Section 3.4(F) **	6.37 a
Golf Course	134.9a

\* Using maximum densities allowed by Future Development Guide for Comprehensive Plan.

\*\* (708 units x 3,000 SF x 50% x 50% x 50%) +  
(8 units x 12,000 SF x 50% x 50% x 50%) = 6.37 acres

None of the floodplain area, parking spaces, or building areas will be included as open space.

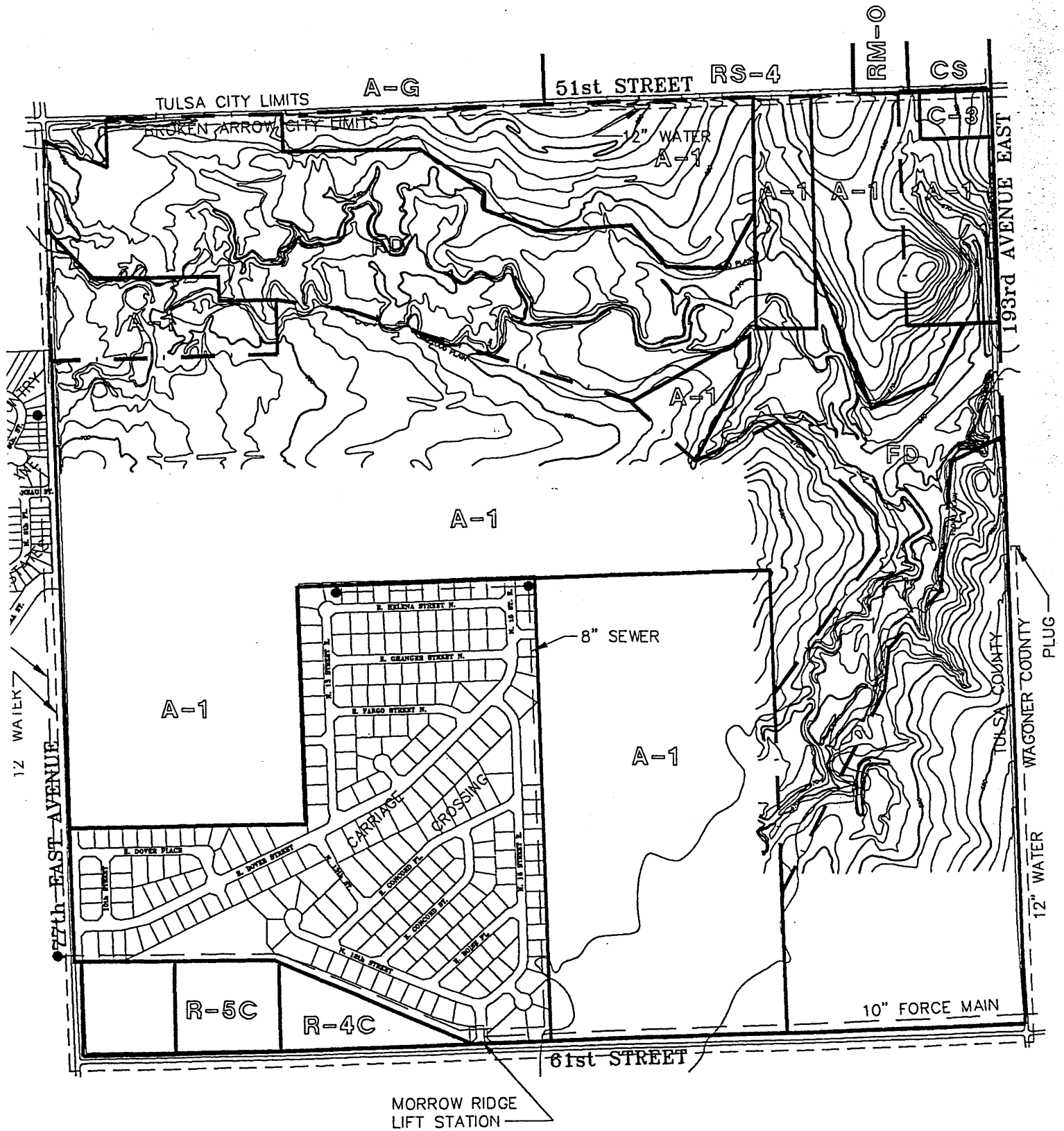
## **EXISTING CONDITIONS**

The "Broken Arrow Golf & Athletic Club" development is a  $\pm$  199 acre tract located in the Northeast portion of the City of Broken Arrow, Oklahoma. The site is generally bounded by 51st Street on the North, 193rd Street East on the East, 61st Street on the South and 177th East Avenue on the West. The majority of the "Broken Arrow Golf & Athletic Club" site is characterized by rolling pasture land with numerous ponds, deciduous trees and a small section of flood plain to the North and East. The elevation drops from a high of 690 feet in the Northwest corner to a low of 660 feet in the flood plain to the East of the property. A maximum change in elevation of approximately 30 feet over a distance of 1 mile illustrates the gradual overall slope of the site.

Vehicular access to all points of the site is excellent. Access to the multi-family units will be provided from 51st Street at various locations. Access to the single family residential will be from 177th East Avenue. Access to the clubhouse facilities and golf course will be off 51st Street.

# BROKEN ARROW GOLF AND ATHLETIC CLUB

(EXISTING CONDITONS)



## **EXISTING UTILITIES**

Water will be provided at the developer's expense by a 10" water main located along 51st Street and on the West side of 177th East Avenue.

An 8" Sanitary Sewer Line would be required to be constructed at the developers expense, and routing to the existing sewer to the south, by the installation of a new lift station. The City of Broken Arrow will pay for any upgrading of the 8" sewer line and lift station over that required for a 716 apartment of single family units.

Public Service Company of Oklahoma furnishes electricity to the area by overhead lines on 51st Street.

Oklahoma Natural Gas is the supplier of natural gas to the site by a 24" line on the West side of 177th East Avenue.

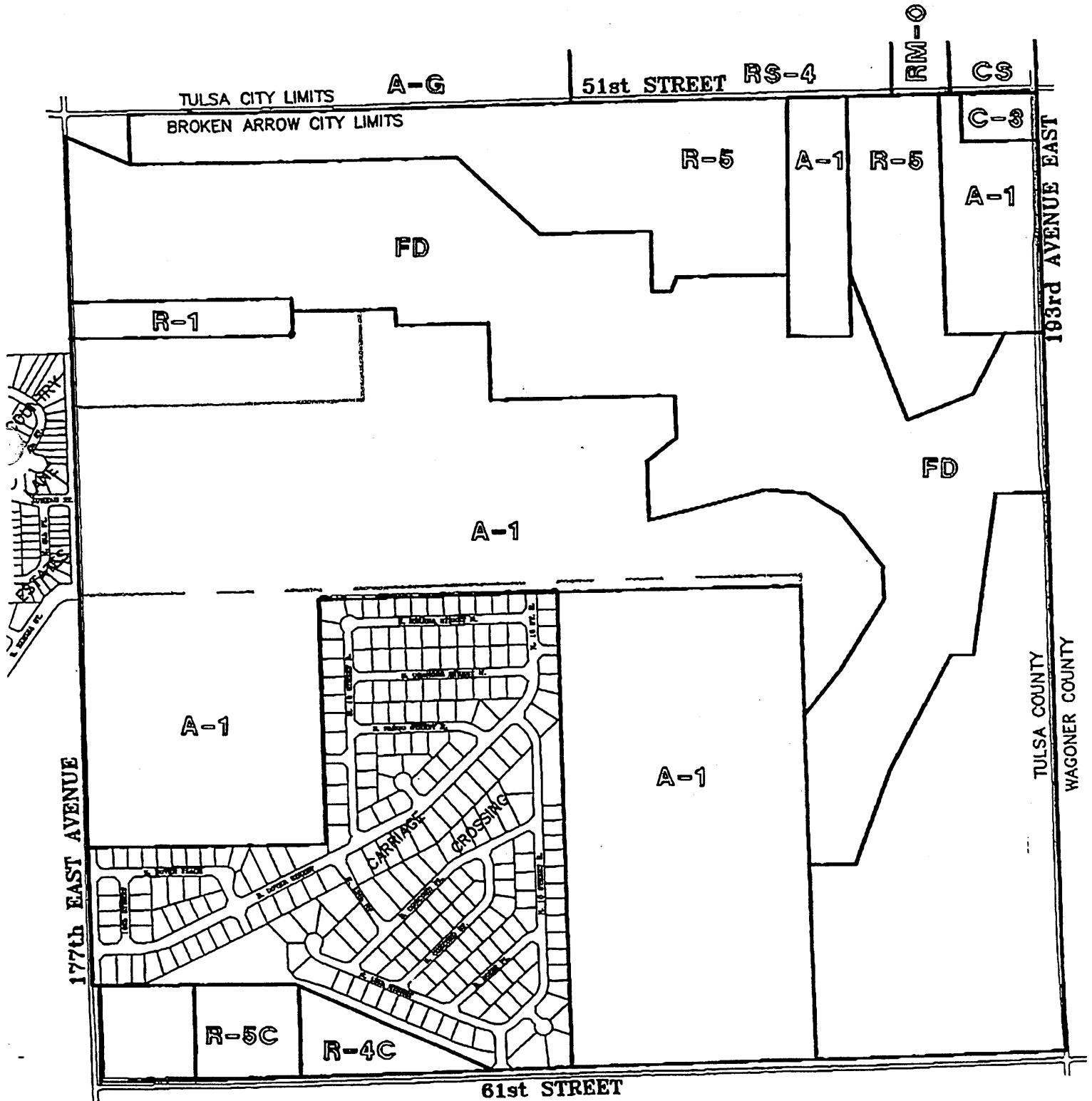
## **SURROUNDING ZONING**

At the "Broken Arrow Golf & Athletic Club" considerable attention is paid to the areas around and adjacent to the project. Every opportunity to buffer or soften potentially conflicting zones has been met.

The property to the North of the subject property is in the City of Tulsa and zoned AG, RM-O, and RS-4 (Tulsa). The property to the East is zoned A-1, R-3 and C-3 to the South is R-2 and R-3 (Carriage Crossing and undeveloped), and the property to the West is occupied by "Our Lady of Sorrows Convent" and Country Lane Estates zoned A-1, R-3 and C-2.

# BROKEN ARROW GOLF AND ATHLETIC CLUB

(PROPOSED ZONING)



(FUTURE DEVELOPMENT GUIDE OF  
BROKEN ARROW'S COMPREHESIVE PLAN)



## **DEVELOPMENT STANDARDS**

### **Single Family Detached (R1) (Tract 1)**

Tract 1 shall be governed by the use and development regulations in the R-1 Single Family Residential District of the City of Broken Arrow except as follows:

Structure Height (Maximum Feet) .....	35 ft.
Side Yard Abutting Public Street .....	30 ft.
Rear Yard .....	35 ft.

The number of dwelling units in Tract 1 is limited to 8.

### **Other Requirements**

A preliminary and final plat will be submitted for the residential development area. Plats will be consistent with existing bulk and area requirements of the existing residential district zoning.

### **Multi-Family (R5)(Tracts 2 and 3)**

Tracts 2 & 3 shall be governed by the use and development regulations of the R-5 Multi Family Residential District of the City of Broken Arrow except as follows:

Maximum Building Height .....	35 ft.
Minimum Distance Between Buildings .....	25 ft.
Maximum Units Per Building .....	12
Parking Ratio .....	1.5 Spaces/1 Bedroom Unit 2.0 Spaces/2 Bedroom Unit

Where multifamily buildings abut the golf course, side and rear setback requirements shall be at least 15' from the floodplain boundary. Otherwise side and rear setback requirements remain the same as required by the R-5 district.

The total number of dwelling units in Tracts 2 and 3 combined is limited to 708. All buildings in Tracts 2 and 3 shall contain at least 50% masonry material on the exterior (excluding windows and doors) and can be modified at the site plan stage. An architectural metal fence shall be provided around the perimeter of Tracts 2 and 3 and shall have masonry columns on 40' center maximum.

No building shall exceed 2 storied in height nor contain more than 12 units.

Access to Tracts 2 and 3 shall occur only from Omaha (51<sup>st</sup> Street) and shall be limited to no more than four points spaced at least 200 feet apart, centerline to centerline.

#### **Other Requirements**

Detailed site plans will be submitted for each development area to the Planning Commission. Additional requirements or modifications may be established by the Broken Arrow Planning Commission pursuant to its review of the detailed site plan of each development area.

No more than three buildings shall be located continuously on the same building line, or within 30 feet of such building line established. Buildings shall be arranged so that the front of the buildings are setback 30 feet or more from the building line established. Parking lots shall not be more than 500 feet in length without an offset change in direction of 30 feet or more, centerline to centerline.

#### **Open Space (Tract 4)**

Tract 4 shall be governed by the use and development regulations of the FD, Floodway District of the City of Broken Arrow.

## **SCHEDULE OF DEVELOPMENT AND OWNERSHIP**

The multi-family units will be constructed in two or more separate phases. Phase I will consist of no more than 156 units. Upon the successful completion of grading identified with a grading permit, an application can be made for building permits for a second phase not to exceed 204 additional multifamily units. Upon the completion of the golf course, an application can be made for building permits for the remaining 348 multifamily units in Tracts 2 and 3. A site plan and a landscaping plan must be approved by the Planning Commission prior to requesting any building permit. The first phase will begin upon approval of the project.

The single family area (Tract I) of the project will begin at the developer's discretion based on market demand.

Common features including streets, parking areas, landscaping, open spaces, and drainage features will be owned by the developer. All utility services from the service mains to the building will be maintained by the developer. All utility mains will be installed to city or appropriate utility company specifications and will be owned and maintained by the City or appropriate utility company.

### **Landscaping Requirements for Tracts 2 and 3**

1. A landscaped edge shall be provided adjacent to all streets. The landscaped edge shall be a minimum width of 35 feet, exclusive of street rights-of-way. Within the landscaped edge, one tree from Table 1 (2" caliper minimum) shall be planted per 50 lineal feet of landscaped edge. The number of required trees shall be calculated solely on the linear frontage of the required landscaped edge and shall be rounded to the nearest whole number. Trees may be grouped together or evenly spaced.

TABLE 1

## APPROVED TREE LIST FOR LANDSCAPE REQUIREMENTS

**DEFINITIONS:**

**Large trees-** Trees that will attain a mature height of over 60 feet and at least 35 feet wide. These trees should be spaced at least 35 feet apart.

**Medium trees-** Trees that will attain a mature height of 30-60 feet and at least 25 feet wide. These trees should be spaced at least 25 feet apart.

**Small trees-** Trees that will attain a mature height of less than 30 feet and at least 15 feet wide. These trees should be spaced at least 15 feet apart. Only small trees may be planted under or within 10 ft. of an overhead utility.

**LARGE TREES:**

<u>Botanical name</u>	<u>Common name</u>
<i>Celtis occidentalis</i>	Hackberry
<i>Fraxinus americana</i>	+White ash*
<i>Fraxinus pennsylvanica</i>	+Green ash*
<i>Ginkgo biloba</i>	+Ginkgo**
<i>Liriodendron tulipifera</i>	Tulip tree
<i>Pinus echinata</i>	Shortleaf pine
<i>Pinus taeda</i>	Loblolly pine
<i>Platanus x acerifolia</i>	London planetree
<i>Platanus occidentalis</i>	Sycamore
<i>Quercus alba</i>	White oak
<i>Quercus bicolor</i>	Swamp white oak
<i>Quercus coccinea</i>	Scarlett oak
<i>Quercus nigra</i>	Water oak
<i>Quercus palustris</i>	Pin oak
<i>Quercus phellos</i>	Willow oak
<i>Quercus rubra</i>	Northern red oak
<i>Quercus shumardi</i>	+Shumard oak
* <i>Taxodium disticum</i>	+Bald cypress

**MEDIUM TREES:**

<i>Acer platanoides</i>	Norway maple*
<i>Acer rubrum</i>	Red maple*
<i>Acer saccharum</i>	Sugar maple*
<i>Betula nigra</i>	River birch
<i>Bumelia nigra</i>	Chittimwood
<i>Carpinus betulus</i>	European hornbeam
<i>Celtis laevigata</i>	Sugar hackberry
<i>Gleditsia triacanthos</i>	+Thornless honeylocust*
<i>Gymnocladus dioica</i>	Kentucky coffee tree**

*Ilex opaca*  
*Juniperus scopulorum*  
*Koeleruteria paniculata*  
*Magnolia virginiana*  
*Morus alba*  
*Ostrya virginiana*  
*Pinus nigra*  
*Pinus thunbergiana*  
*Pinus sylvestris*  
*Pistacia chinensis*  
*Pyrus calleryana*  
*Quercus acutissima*  
*Quercus muehlenbergi*  
*Quercus robur*  
*Quercus stellata*  
*Quercus virginiana*  
*Sapindus drummondi*  
*Sophor japonica*  
*Tilia americana*  
*Tilia cordata*  
*Ulmus parvifolia*  
*Zelkova carpinifolia*

American holly  
 Rocky mountain juniper  
 +Goldenrain tree  
 Sweetbay magnolia  
 White mulberry\*  
 Eastern hophornbeam  
 Austrian pine  
 Japanese black pine  
 Scotch pine  
 +Chinese pistache  
 +Callery pear\*  
 +Sawtooth oak  
 +Chinquapin oak  
 +English oak  
 Post oak  
 Live oak  
 Western soapberry  
 Japanese pagoda tree  
 American linden  
 +Littleleaf linden  
 +Lacebark elm  
 Japanese zelkova

#### **SMALL TREES:**

*Acer ginnala*  
*Amelanchier arborea*  
*Carpinus caroliniana*  
*Cercis canadensis*  
*Cercis reniformis*  
*Cotinus coggygria*  
*Crataegus spp.*  
*Elaeagnus angustifolia*  
*Magnolia soulangiana*  
*Malus spp.*  
*Philadelphus coronarius*  
*Prunus cerasifera*  
*Prunus serrulata*  
*Prunus virginiana*  
*Syringa reticulata*

+Amur maple  
 Downy serviceberry  
 American hornbeam  
 +Eastern redbud  
 +Oklahoma redbud\*  
 +Smoketree  
 Hawthorn\*  
 +Russian olive  
 Saucer magnolia  
 +Flowering crabapple\*  
 Sweet mockorange  
 Purpleleaf plum\*  
 Japanese cherry  
 Chokecherry  
 Japanese tree lilac

- \* only use improved grafted trees
- \*\* male trees only
- + best trees recommended for parking lot applications

2. Where parking lots and drives abut the landscaped edge, ten shrubs (3 gallon minimum) shall be planted per 50 lineal feet of abutment to the landscaped edge. These shrubs are in addition to the required number of trees. The number of required shrubs shall be calculated solely on the linear frontage of parking lot/drive abutment to the required landscaped edge and shall be rounded to the nearest whole number. A berm or masonry wall may be placed within the landscaped edge in lieu of the required shrubs. The berm or masonry wall must be at least 3 feet above the top of the parking lot closest to the street.
3. At least one tree from Table 1 (2" caliper minimum) shall be planted per ten parking spaces. These trees shall be planted inside or within 15 feet of the parking lot, but shall not be placed in the landscaped edge.
4. At least two trees from Table 1 (2" caliper minimum) and five shrubs (3- gallon minimum) shall be planted per housing unit. This landscape material cannot be included in the landscaped edge along the street frontage.
5. All landscaped areas shall be protected by a raised six-inch concrete curb. Pavement shall not be placed closer than 4.5 feet from the trunk of a tree.
6. A landscape island of at least 10 feet in width and 18 feet in length shall be provided on each side of all drives which provide access from the street to the property.

# **LINDSEY MANAGEMENT CO., INC.**

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*1165 Joyce Boulevard • Fayetteville, Arkansas 72703 • (501) 521-6686*

## **Company Background**

- ♦ **Largest residential property management company in Arkansas**
- ♦ **Manages over 11,000 apartments in 71 apartment communities and several commercial centers**
- ♦ **Manages five (5) Par 3, three (3) executive and four (4) 18-hole golf courses in Arkansas**
- ♦ **Maintains low vacancy rates**
- ♦ **On-site management teams**

Lindsey Management Co., Inc. (LMC) based in Fayetteville, Arkansas is the largest property management firm of multi-family housing in the state of Arkansas. The company presently manages seventy-one apartment communities with over 11,000 apartments, as well as several shopping centers. LMC also handles the management of five Par 3, three executive and four 18-hole golf courses located throughout Arkansas.

The company began operations in 1985. LMC has grown rapidly over the past few years. The rapid growth is due in part to highly motivated individuals with a commitment to investors, lenders, residents and communities.

LMC evaluates the needs of each apartment community and satisfies these needs within the framework of its management system. Each property managed by LMC has an on-site management team. The team serves as the leasing agent and also handles minor repairs and maintenance of the property.

The management team reports the operating status of each property daily to LMC. Manager supervisors are in daily contact with the on-site management team to ensure that any problems are dealt with promptly. The on-site management team is responsible for collection of all rental income. All disbursements are made from the home office of LMC.

LMC places a long term emphasis on the physical maintenance of each apartment community. This is accomplished by (1) frequent property inspections and analysis of each property's needs, (2) credit and rental history checks on all applicants, (3) a security deposit policy that is strictly enforced, and (4) the use of a "roving

maintenance team." The maintenance system provides fully equipped trucks to assist the properties with any major maintenance problems.

Multi-family properties managed by LMC are presented on the chart on the next two pages.

## Properties Managed

<u>Name</u>	<u>Location</u>	<u>Status/Completion Date</u>	<u>No. of Units</u>
The Links at Bixby	Bixby, OK	Lease Up	504
The Links at Jonesboro	Jonesboro, AR	Lease Up	432
West Lake	Conway, AR	Construction-Lease Up	312
Spring Lake	Russellville, AR	Construction-Lease Up	252
The Links at Texarkana	Texarkana, AR	August, 1997	396
Moberly Manor	Bentonville, AR	October, 1996	144
Dogwood Lakes	Benton, AR	October, 1996	276
The Links at Ft. Smith	Ft. Smith, AR	October, 1996	468
The Links at Lowell	Lowell, AR	July, 1996	372
Bridgestone	Springdale, AR	June, 1996	84
The Links at Sherwood	Sherwood, AR	April 1996	456
The Station	Springdale, AR	October, 1995	240
The Cliffs	Fayetteville, AR	August, 1995	204
Starfire	Fayetteville, AR	August, 1995	60
Crossover Terrace	Fayetteville, AR	August, 1995	84
Rock Springs	Harrison, AR	June, 1995	312
Greens at Lakeside II & III	Fayetteville, AR	March, 1995	192
Pike Place	Ft. Smith, AR	November, 1994	144
West End Place	Springdale, AR	November, 1994	120
Gladiola Estates	Jonesboro, AR	October, 1994	120
Gladiola Manor	Jonesboro, AR	October, 1994	120
Greens at Lakeside I	Fayetteville, AR	September, 1994	192
Lakeside Village II	Fayetteville, AR	September, 1994	132
Lakeside Village I	Fayetteville, AR	August, 1994	132
Shadow Lake	Russellville, AR	June, 1994	144
Fairways at Lost Springs	Rogers, AR	June, 1994	180
Johnson Meadows	Springdale, AR	June, 1994	144
T-Creek II	Rogers, AR	March, 1994	72
Turtle Creek	Rogers, AR	**	84
Bradford Place	Fayetteville, AR	**	9
Fountain Lakes	Benton, AR	March, 1994	180
Woods Lane	Rogers, AR	July, 1993	156
Crafton Place	Fayetteville, AR	July, 1993	84
Lost Springs	Rogers, AR	March, 1993	240
Park Lake	Jonesboro, AR	August, 1992	144
Lake Pointe	Conway, AR	July, 1992	132
Doubletree II	Rogers, AR	June, 1992	120

<u>Name</u>	<u>Location</u>	<u>Status/Completion Date</u>	<u>No. of Units</u>
Pleasant Point	Springdale, AR	June, 1992	80
Walnut Tree	Springdale, AR	June, 1992	28
Valley Lake	Fayetteville, AR	June, 1992	156
Meadow Lake II	Searcy, AR	May, 1992	108
Paradise View	Fayetteville, AR	July, 1991	132
Edgewood	Rogers, AR	July, 1991	108
Meadow Lake I	Searcy, AR	July, 1991	108
Germantown	Conway, AR	July, 1991	132
Sunset III	Springdale, AR	June, 1990	24
Doubletree I(b)	Rogers, AR	June, 1990	108
Salem Park	Conway, AR	May, 1990	144
The Park	Fayetteville, AR	May, 1989	264
Oakbrook	Ft. Smith, AR	**	134
Doubletree I(a)	Rogers, AR	May, 1989	108
East Oaks III	Fayetteville, AR	January, 1989	56
Oakshire II	Fayetteville, AR	September, 1988	56
Tanglewood	Joplin, MO	April, 1988	176
Fox Run	Conway, AR	June, 1987	154
East Oaks II	Fayetteville, AR	May, 1987	56
Briarwood II	Rogers, AR	December, 1986	64
East Oaks I	Fayetteville, AR	September, 1986	52
Briarwood I	Rogers, AR	September, 1986	32
Appleby	Fayetteville, AR	August, 1986	216
Del-Mar II	Bentonville, AR	September, 1985	64
Chestnut II	Fayetteville, AR	August, 1984	216
Oakshire I	Fayetteville, AR	May, 1984	120
Oakshire East	Fayetteville, AR	**	36
Golden Oaks	Fayetteville, AR	**	7
Big Oaks	Searcy, AR	**	16
Sunset II	Springdale, AR	April, 1984	24
Del-Mar I	Bentonville, AR	December, 1983	64
Del-Mar	Siloam Springs, AR	December, 1983	64
Brentwood II	Rogers, AR	October, 1983	48
Brentwood I	Rogers, AR	October, 1982	32
Holcomb Street	Springdale, AR	October, 1982	20
Sunset	Springdale, AR	May, 1982	80
Total Number of Units			10724

**\*\*Properties not developed by Jim Lindsey**

## **Management Team**

**James E. Lindsey - Chairman of the Board:** Mr. Lindsey is the founder and majority owner of Lindsey Management Co., Inc., Lindsey Construction Company, Inc., and Lindsey & Associates, Inc. (real estate sales). He has extensive real estate development and sales experience, and management expertise. Prior to forming the Lindsey Companies, he played professional football for the Minnesota Vikings. He is a graduate of the University of Arkansas where he was the captain of the football team.

**Roy E. Stanley - President:** Mr. Stanley oversees the day to day operations of Lindsey Management Co., Inc. Before joining the company in February of 1994, he practiced law in Springdale, Arkansas for sixteen years, primarily in the areas of real estate, banking, and commercial law. He also has ten years experience as a teacher and school administrator. Mr. Stanley holds a B.S. in Mathematics and a M.A. in Educational Administration from Memphis State University, and a J.D., with honors, from the University of Arkansas.

**Richard Parker - Vice President, Manager Supervisor:** Mr. Parker has over twenty years of construction and property management expertise. He is in constant communication with each property to direct the daily activities of the on-site managers.

**Jesse O. Branch, Jr. - Vice President, Manager Supervisor:** Mr. Branch has over six years experience in multi-family property management in Central and Northwest Arkansas. Mr. Branch holds a B.S. in Education from the University of Arkansas and a M.S. in Education from the Southwest Missouri State University.

**Rob Stanley - Manager Supervisor:** Mr. Stanley has over two years of property management expertise. Mr. Stanley holds a B.A. in Communications from the University of Arkansas and a M.Div. in Theology from the Southwestern Theological Seminary.

**Scott Rogerson - Financial Officer:** Mr. Rogerson oversees the financial operations of the company. Prior to joining the company in June of 1994, he was employed in the operations department of a large financial institution in Northwest Arkansas. Mr. Rogerson holds a B.S. in Finance from the University of Arkansas and a J.D. from the University of Tulsa College of Law. He is a member of the Arkansas and Oklahoma Bar Associations.

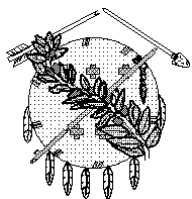
DUN & BRADSTREET #79-330-7166

### **PLATTING REQUIREMENT**

No building permit shall be issued until the property has been included within a subdivision plat submitted to and approved by the Broken Arrow Planning Commission and the Broken Arrow City Council and duly filed of record, provided, however, that development areas may be platted separately. Restrictive covenants shall be established implementing of record the Development Concept and Development Standards, and the City of Broken Arrow shall be made a beneficiary thereof.

### **SITE PLAN REVIEW**

No building permit shall be issued for the construction of buildings within a development area until a detailed site plan (subdivision plat) of the development area has been submitted to and approved by the City of Broken Arrow Planning Commission as being in compliance with the PUD Development Concept and the Development Standards. Separate building plans may be submitted for individual home construction after the subdivision has been given final approval by the City of Broken Arrow. The final plat will be filed with the County.



# City of Broken Arrow

## Fact Sheet

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**File #:** 16-1386, **Version:** 1

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### Broken Arrow Planning Commission

12-01-2016

**To:** Chairman and Commission Members

**From:** Development Services Department

**Title:** Public hearing, consideration, and possible action regarding BAZ 1967, Bentley Square, 8.14 acres, CG to RS-4, west of the southwest corner of Aspen Avenue and Jasper Street

#### **Background:**

**Applicant:** Erik Enyart, Tanner Consulting, LLC

**Owner:** HHBG, LLC

**Developer:** HHBG, LLC

**Engineer:** Tanner Consulting, LLC

**Location:** West of the southwest corner of Aspen Avenue and Jasper Street

**Size of Tract** 8.14 acres

**Number of Lots:** 1

**Present Zoning:** CG

**Comp Plan:** Level 2 (BACP 154)

BAZ 1967 involves 8.14 acres located west of the southwest corner of Aspen Avenue and Jasper Street. Applicant is requesting to change the zoning on the property from CG (Commercial General) to R-4 (Single-Family Residential). BACP 154, a request to change the comprehensive plan designation on the property from Level 4 to Level 2, was approved by the City Council on July 19, 2016.

The RS-4 zoning requested by the applicant was approved by the Planning Commission on October 13, 2016; however, it has not been approved by City Council. It will be put forth to the City Council as a preview ordinance on December 6, 2016, and as an ordinance at the December 20, 2016, City Council meeting.

The notices for BAZ 1967 were mailed to the surrounding property owners and signs advertising the meeting were placed on the property. In addition, the case has been advertised in the newspaper.

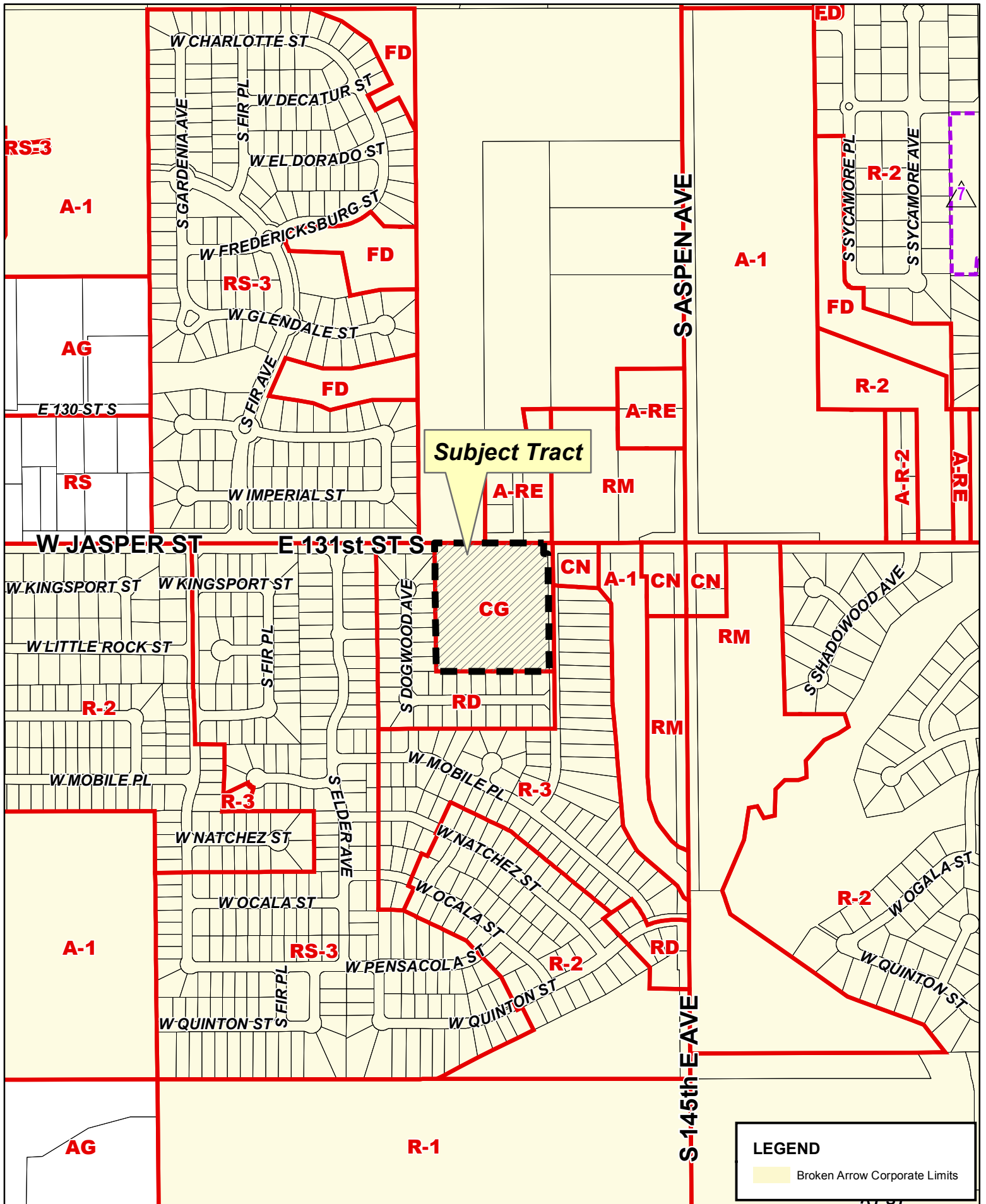
**Attachments:** Case map  
Aerial photo

#### **Recommendation:**

Since the RS-4 zoning district has not been approved by City Council, Staff recommends the Planning Commission continue BAZ 1967 to the January 12, 2016, meeting.

**Reviewed and approved by:        Michael Skates**

MWS: ALY



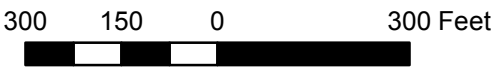
Subject Tract

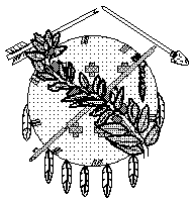
**LEGEND**

Broken Arrow Corporate Limits



BAZ 1967  
Bentley Village IV





# City of Broken Arrow

## Fact Sheet

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**File #:** 16-1384, **Version:** 1

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### Broken Arrow Planning Commission

12-01-2016

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

**Title:** Public hearing, consideration, and possible action regarding PUD 79B, a request for a minor amendment to PUD 79, Rose Creek, 4.62 acres, PUD 79/IL, west of the northwest corner of Elm Place and Kenosha Street

**Applicant:** Erik Enyart, Tanner Consulting, LLC  
**Owner:** Wright/Chambless, LLC  
**Developer:** Wright/Chambless, LLC  
**Engineer:** Tanner Consulting, LLC  
**Location:** West of the northwest corner of Elm Place and Kenosha Street  
**Size of Tract** 4.62 acres  
**Number of Lots:** 1  
**Present Zoning:** PUD 79/IL  
**Comp Plan:** Level 6

### Background:

Planned Unit Development (PUD) 79B is a request for a minor amendment to PUD 79 on 4.62 acres located north of the northwest corner of Elm Place and Kenosha Street. With PUD 79B, applicant is requesting to modify the signage requirements to meet the restrictions of the current City of Broken Arrow zoning ordinance.

The property was originally developed as a retail building with C-2 zoning. On August 2, 1993 it was rezoned from C-2 to IL (Industrial Light) with BAZ 1176 and PUD 79 for use as a retail business service company, Electronic Label Technology. The property has since been redeveloped as Xtreme Racing and Entertainment, an indoor recreational facility which remains under IL zoning and PUD 79.

A previous application for a major amendment to PUD 79 (PUD 79A) was made to rezone the property in 2015. This major amendment was ultimately withdrawn, as it was determined that the use, indoor recreation, was permitted by the IL zoning district.

This minor amendment, PUD 79B, would clarify signage requirements form PUD 79. The current language of PUD 79 is interpreted to exclude LED/electronic message board signs in the development area. This amendment would change the development standards for signage to comply with the current zoning ordinance, which does allow for LED/electronic message board signs. PUD 79B shall also serve to rename PUD 79 from

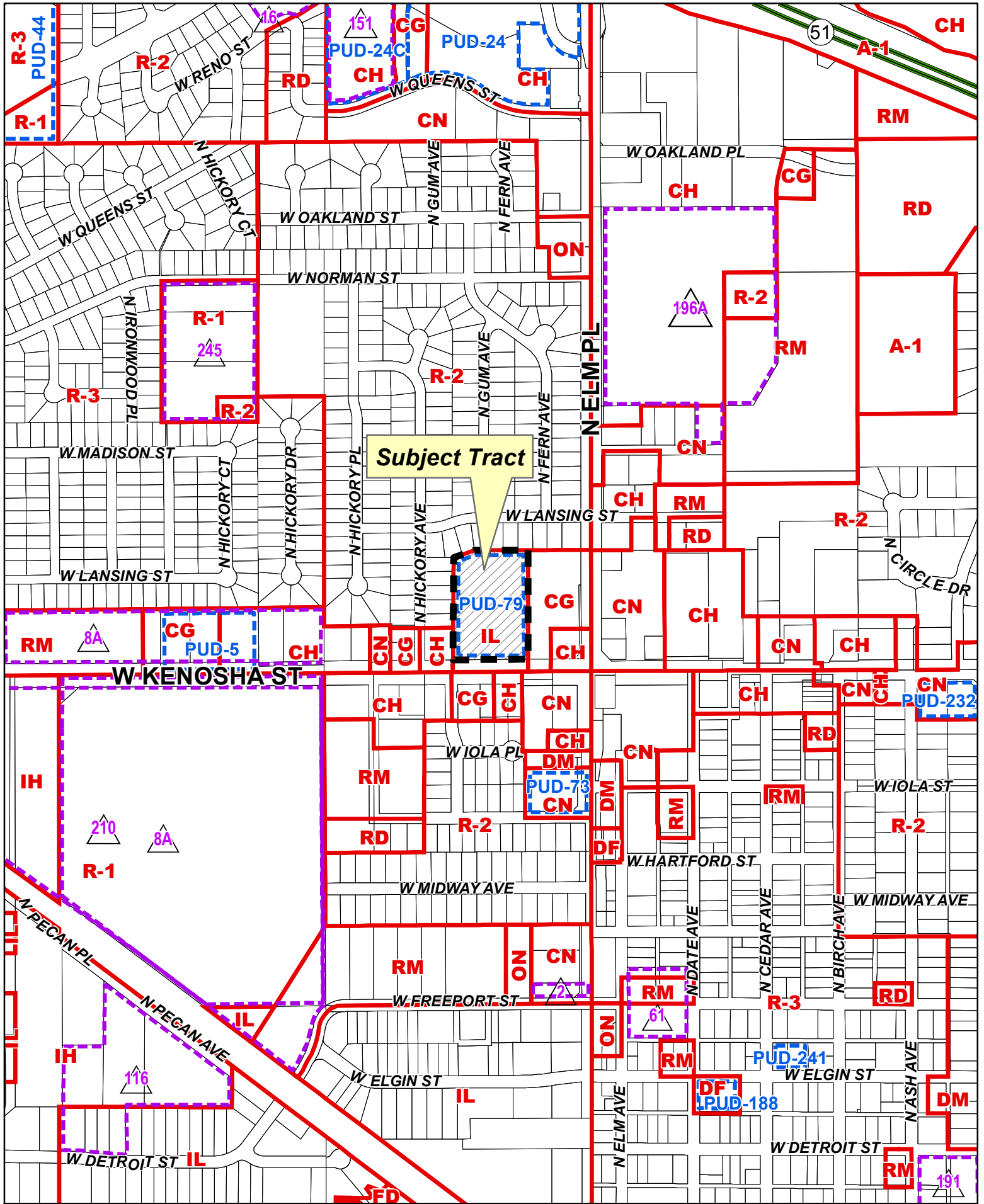
“Electronic Label Technology” to “Rose Creek”.

**Attachments:** Case map  
Aerial photo  
PUD 79 Approved Document  
PUD 79B Document  
PUD 79 Site and Sign Exhibit

**Recommendation:** Staff recommends that PUD 79B be approved as presented.

**Reviewed and Approved By:** Michael W. Skates

ALY

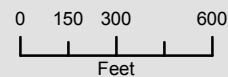


300' Radius



Subject  
Tract

**PUD-79B**

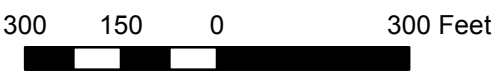


03 18-14





PUD 79B  
Rose Creek (Xtreme Racing)



ELECTRONIC LABEL TECHNOLOGY

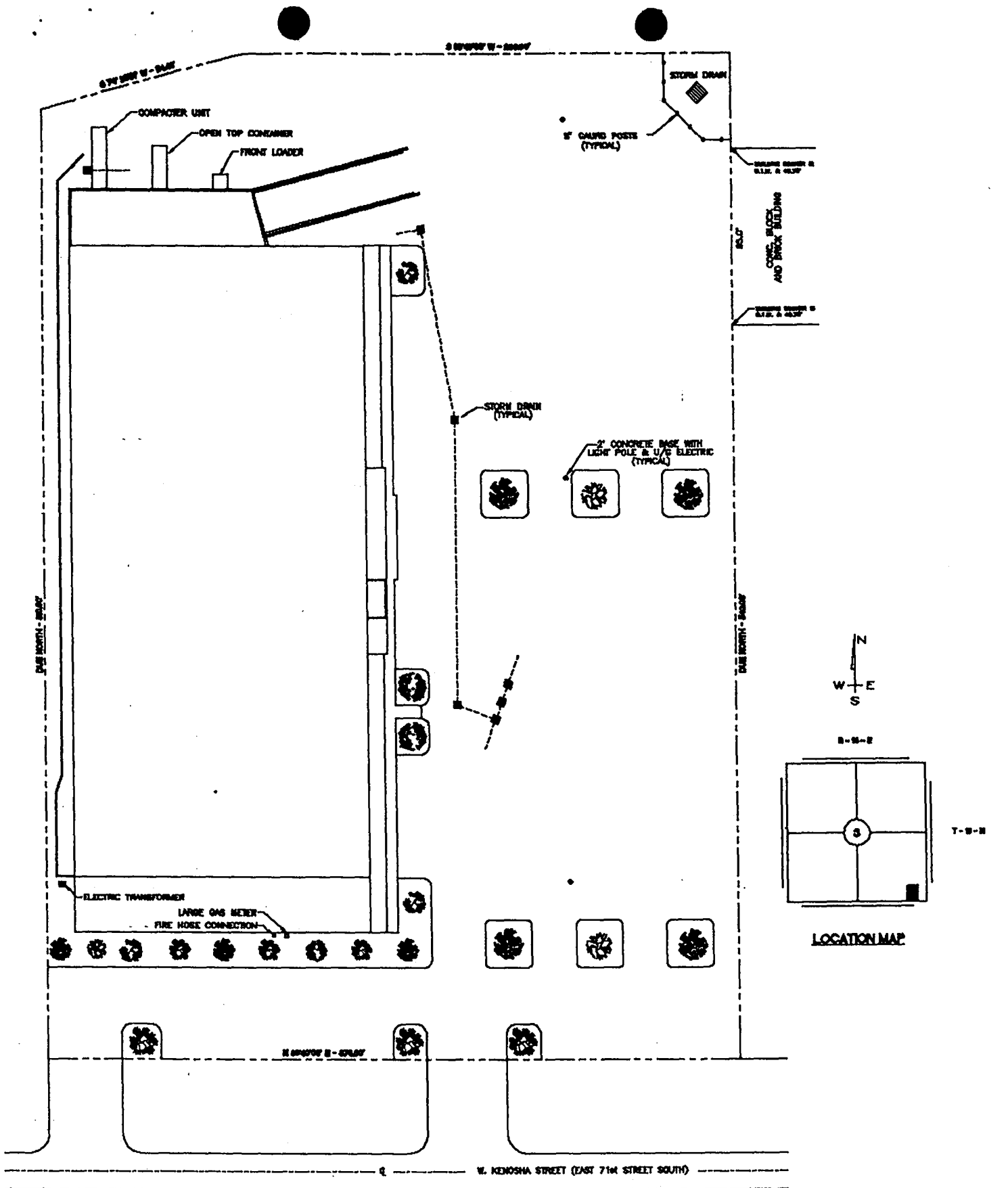
BAZ 1176

PUD No. 79

Outline: Development Plan Text  
June 28, 1993

SUBMITTED By Roy Johnson 6-28-93

APPROVED P.C. 7-22-93  
C.C. 8-2-93



SHEET  
S-1

DATE:  
8-24-83

# SITE PLAN ELT

Integrated  
Space Design, Inc.

2007 East Third Street, Suite 100 - Tulsa, Oklahoma 74106  
Telephone: (918) 744-4870 Fax: (918) 744-7648

### DEVELOPMENT CONCEPT

The Electronic Label Technology site consists of 4.6 acres situated West of the Northwest corner of Kenosha (71st) and Elm Place (161st), and is presently zoned C-2. The property is developed and there is an existing free-standing vacant discount retail building (previously Wal-Mart) containing 60,000 square feet of floor area.

The planned unit development application and the accompanying rezoning application for IS Industrial Service District will permit the occupancy of the existing building for a high technology commercial/industrial service facility providing electronic labeling systems which include the labels (on-site printing) and a computer software system for use by various retail establishments.

## DEVELOPMENT STANDARDS

Net Area	4.6 acres
Permitted Uses	As permitted within an IS Industrial Service District including a facility providing electronic labeling systems which include the labels (on-site printing) and a computer software system.
Maximum Floor Area	
Existing	60,000 sq. ft.
Future expansion	15,000 sq. ft.
Maximum Building Height	1 Story (30 ft.)
Minimum Internal Landscaped Open Space*	5% of net area
Minimum Building Setbacks:	
From Kenosha (71st)	50 feet
From East boundary	150 feet
From North boundary	40 feet
From West boundary	15 feet
Other Bulk and Area Requirements:	As required within an IS District

\*Internal required landscaped open space shall include perimeter landscape area within the development area boundaries, parking islands and plazas, but excludes walkways which solely provide minimum pedestrian circulation.

### Enclosure

All uses shall be conducted within enclosed buildings.

## Signs

Signs accessory to uses within the project shall comply with the restrictions of the Planned Unit Development Ordinance and the following additional restrictions:

### Ground Signs

Maximum number of ground signs	1
Maximum display surface area	128 sq. ft.
Maximum height above grade of abutting street	25 feet

### Wall or Canopy Signs

Aggregate display surface area for wall or canopy signs shall be limited to 1-1/2 sq. ft. per each lineal foot of the building wall to which the sign or signs are affixed. Wall or canopy signs shall not exceed the height of the building.

### SITE PLAN REVIEW

No building permit shall issue for the construction of additional floor area or buildings until a detailed site plan has been submitted to and approved by the Broken Arrow Planning Commission as being in compliance with the development concept and the development standards. Separate detailed site plans may be submitted, and construction may proceed in phases.

COVENANT REQUIREMENT

No building permit shall issue until a Declaration of Covenants has been submitted to and approved by the Broken Arrow Planning Commission and duly filed of record which implements of record the development concept and development standards of the planned unit development, and the City of Broken Arrow shall be made a beneficiary thereof.

EXHIBIT A

A tract of land lying in the Southeast Quarter (SE/4) of the Southeast Quarter (SE/4) of Section Three (3), Township 18 North, Range 14 East of the Indian Base and Meridian in the County of Tulsa, State of Oklahoma, more particularly described as follows:

Commencing at the Southeast Corner of said Section 3; thence due North along the East line thereof a distance of 600.00 feet to a point; thence South  $89^{\circ}40'05''$  West a distance of 304.00 feet to the point of beginning; thence continuing South  $89^{\circ}40'05''$  West a distance of 266.00 feet to a point; thence South  $74^{\circ}28'31''$  West a distance of 114.48 feet to a point; thence due South a distance of 510.00 feet to a point 60 feet North of the South line of said Section; thence North  $89^{\circ}40'05''$  East a distance of 376.30 feet to a point; thence due North a distance of 540.00 feet to the point of beginning.



# Rose Creek

708 WEST KENOSHA STREET NORTH  
BROKEN ARROW, OKLAHOMA 74012

PUD No. 79B  
A Minor Amendment to PUD 79



ARCHITECT:  
W DESIGN, LLC  
c/o ROGER MCKEE  
1513 E 15TH STREET  
TULSA, OK 74120  
(918)794-6602

APPLICANT / OWNER:  
WRIGHT/CHAMBLESS LLC  
8333 S 5TH STREET  
BROKEN ARROW, OK 74011



PLANNER / ENGINEER:  
TANNER CONSULTING LLC  
c/o RICKY JONES  
5323 S LEWIS AVE  
TULSA, OK 74105  
(918)745-9929

NOVEMBER, 2016

## I. INTRODUCTION AND SCOPE

The property was originally developed as an approximately 62,650 square foot retail building (Wal-Mart). In 1993, the property was rezoned from C-2 to IS (Industrial Service) per BAZ 1176 and was approved for PUD-79, "Electronic Label Technology." Electronic Label Technology, a retail business services company, ultimately moved out, leaving the building vacant. It has since been redeveloped as Xtreme Racing and Entertainment, an indoor recreational facility, specifically an electronic go-kart tract and entertainment venue.

To support the reuse for Xtreme Racing and Entertainment, applications for a Major Amendment to PUD 79 (PUD 79A) and rezoning of a part of the subject property from IL to CG were filed in late 2014. The applications were ultimately withdrawn as the use, indoor recreation, was determined to be permitted by right under the existing IL zoning with PUD 79.

This PUD 79B serves to amend the PUD text to allow LED / electronic message board signage, which is otherwise permitted by right per the current Broken Arrow Zoning Ordinance. The current language of PUD 79 may be interpreted to exclude LED / electronic message board signage which, in that case, would be considered a self-imposed restriction, and thus, a Minor Amendment is being requested to provide for the change. The amendment proposes to restate Development Standards for signage, ground and wall signage, by providing all signage shall comply with the current Broken Arrow Zoning Ordinance. This PUD Minor Amendment will also serve to rename the PUD to "Rose Creek." No other changes are proposed to PUD 79 by this Minor Amendment. Exhibit J "Conceptual Ground Sign" has been added to this PUD to represent the appearance of the currently-planned ground sign. Exhibit K "Conceptual Ground Sign Site Plan" has been added to this PUD to represent the currently-planned ground sign location. Other PUD exhibits have not been updated for purposes of this Minor Amendment.

## II. AMENDED DEVELOPMENT STANDARDS

Within the PUD 79 Development Standards section entitled “Signs”, the following is the proposed restated section:

### “Signs

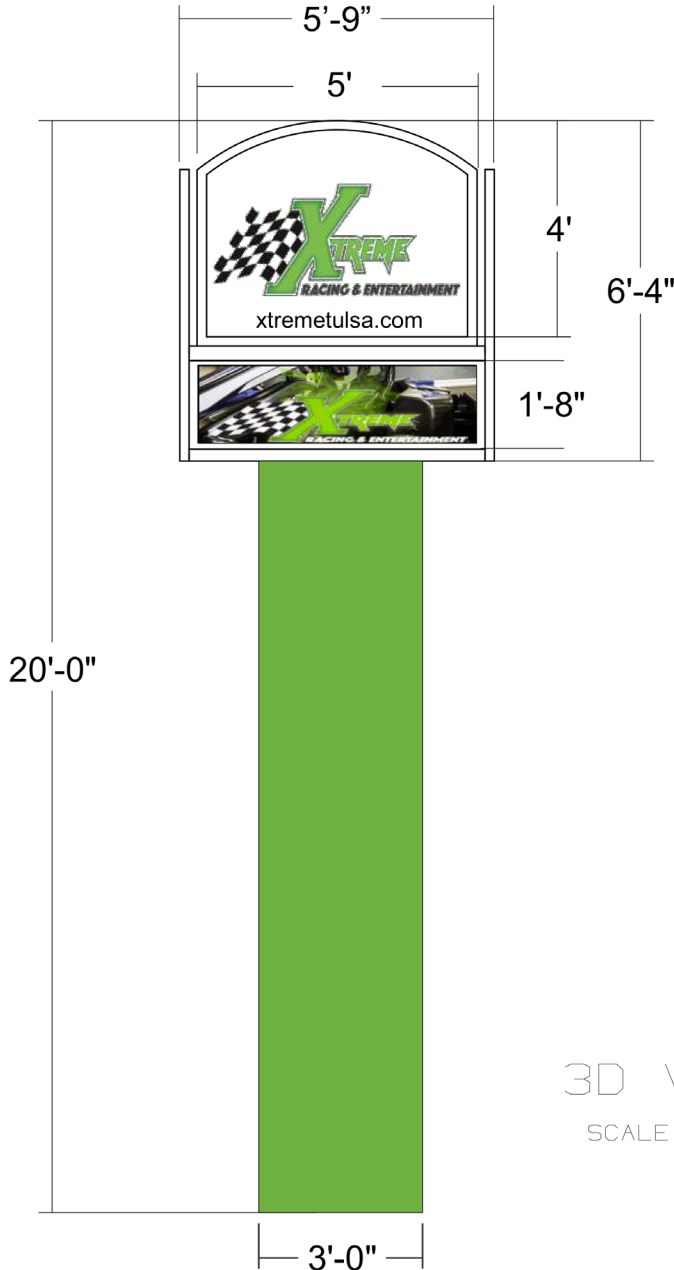
Signs accessory to uses within the project shall comply with the restrictions of the current Broken Arrow Zoning Ordinance.”

# Rose Creek

## EXHIBIT J

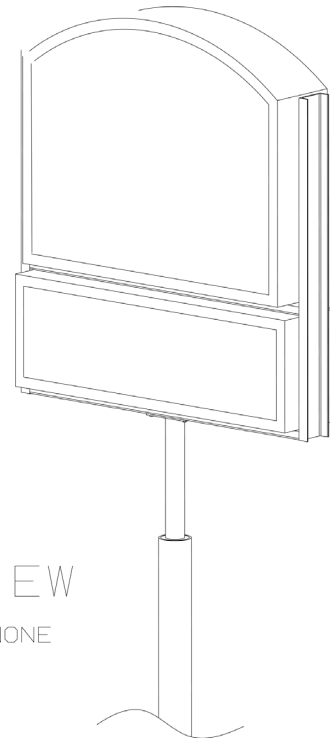
### CONCEPTUAL GROUND SIGN

30 sq ft



3D VIEW

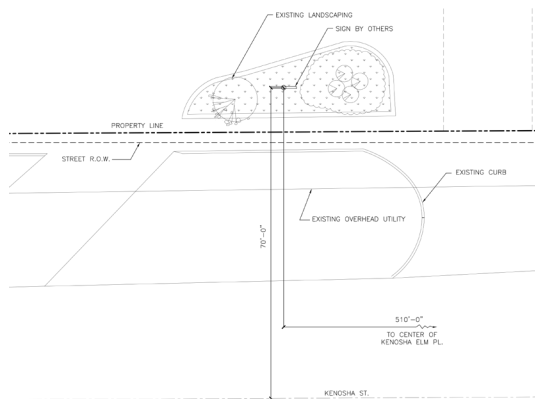
SCALE : NONE



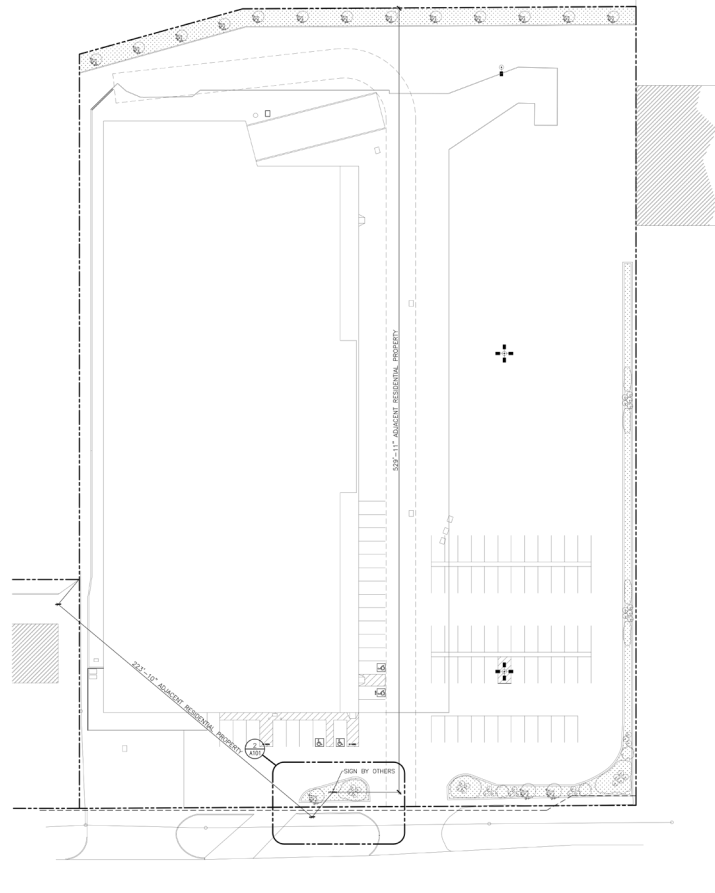
# Rose Creek

## EXHIBIT K

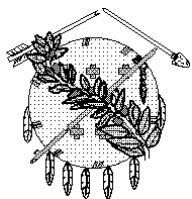
### CONCEPTUAL GROUND SIGN SITE PLAN



**2 ENLARGED SITE PLAN**  
SCALE: 1" = 10'-0"



**1 SITE PLAN**  
SCALE: 1" = 30'-0"



# City of Broken Arrow

## Fact Sheet

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**File #:** 16-1380, **Version:** 1

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### Broken Arrow Planning Commission

12-01-2016

**To:** Chairman and Commission Members  
**From:** Development Services Department  
**Title:** Public hearing, consideration, and possible action regarding PUD 254 and BAZ 1968, QuikTrip, 2.77 acres, CN and CG/SP 257 to CN/PUD 254, northeast corner of Kenosha Street and 23rd Street

#### Background:

**Applicant:** Carly Goodnight, QuikTrip  
**Owner:** Life Covenant Church Inc. and Jane E. Hawkins Trust  
**Developer:** QuikTrip  
**Engineer:** AAB Engineering, LLC  
**Location:** Northeast corner of Kenosha Street and 23rd Street  
**Size of Tract** 2.77 acres  
**Number of Lots:** 2  
**Present Zoning:** CN and CG/SP 257  
**Comp Plan:** Level 4

Planned Unit Development (PUD) 254 involves 2.77 acres located on the northeast corner of Kenosha Street and 23<sup>rd</sup> Street. In conjunction with PUD 254, BAZ 1968, a request to rezone 0.60 acres from CG/SP 257 to CN, has also been submitted. SP 257, which was approved by the City Council on August 2, 2011, consisted of 5.82 acres for LifeChurch.tv. BAZ 1968 contains 0.60 acres associated with SP 257.

The notices for PUD 254 and BAZ 1968 were mailed to the surrounding property owners and signs advertising the meeting were placed on the property. The request to advertise both cases were sent to the newspaper prior to the cutoff date for advertisement. However, the notice did not get published in the Wagoner County Tribune as requested.

**Attachments:** Case map  
Aerial photo  
PUD 254 design statement  
Conceptual site plan and landscape plan for QuikTrip

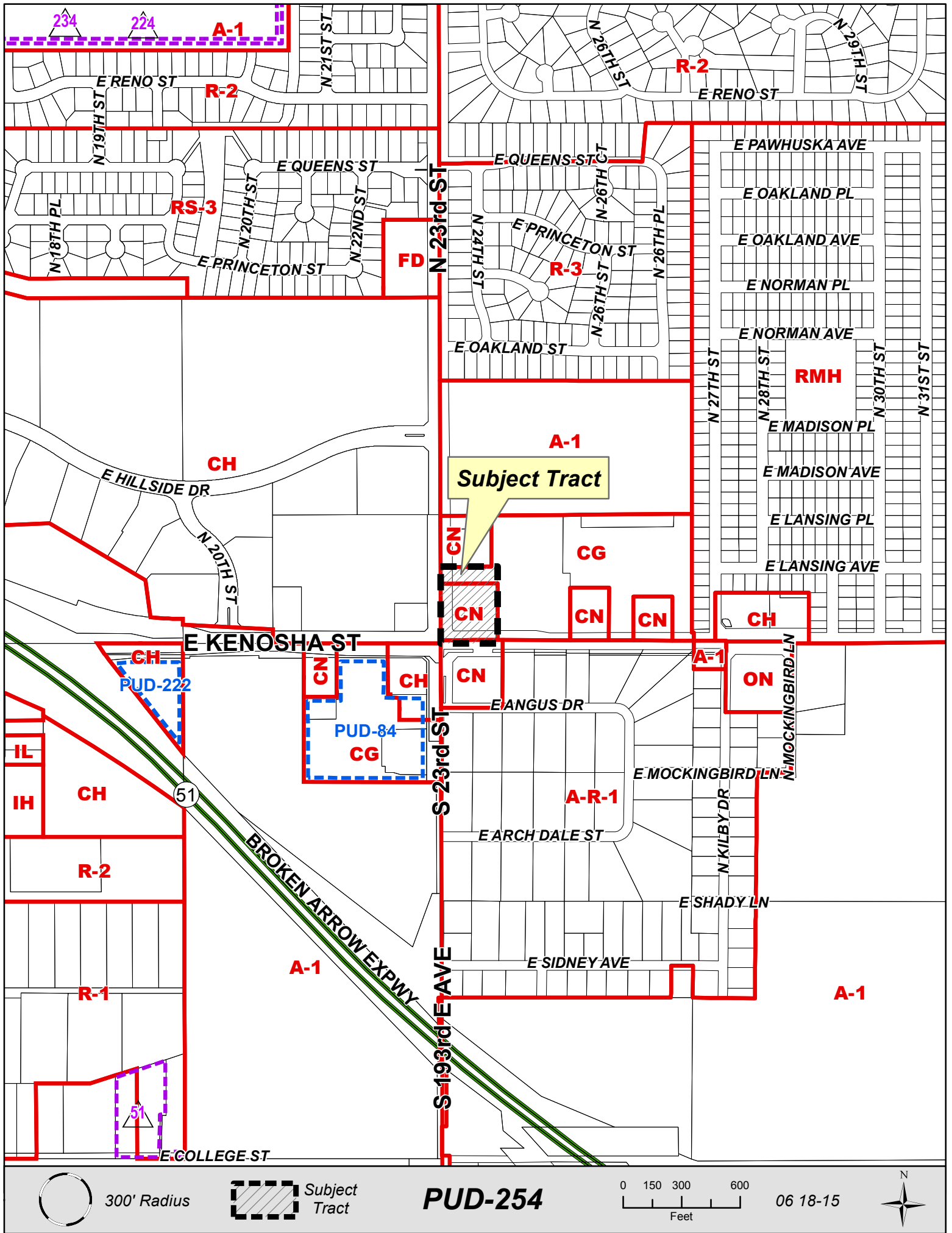
#### Recommendation:

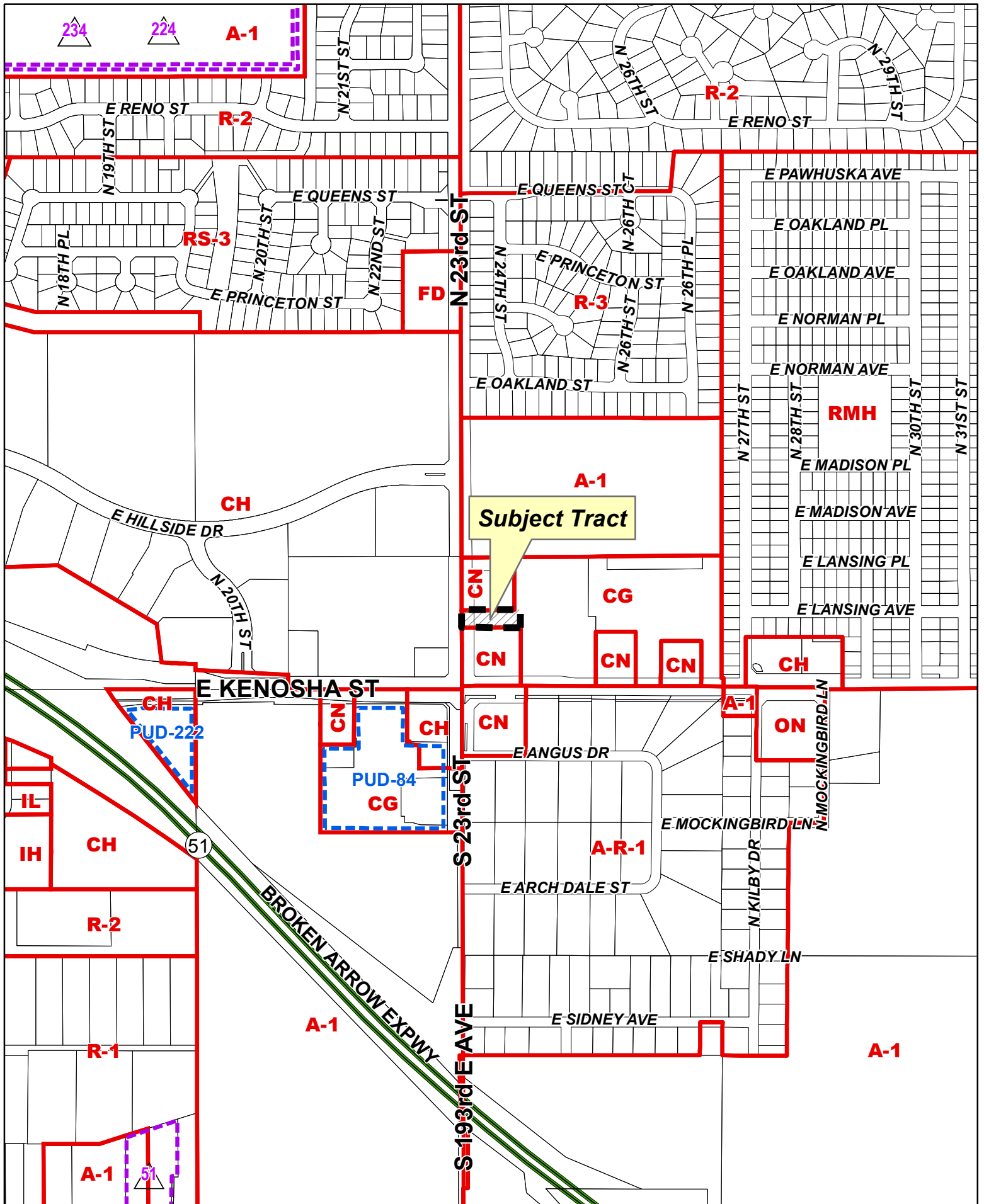
Since the notices for PUD 254 and BAZ 1968 were not published in the newspaper per State of Oklahoma and City of Broken Arrow requirements, Staff recommends the Planning Commission take no action on this

request. Instead, PUD 254 and BAZ 1968, the request to change the zoning on the northeast corner of Kenosha Street and 23<sup>rd</sup> Street, will be readvertised for the December 15, 2016, Planning Commission meeting.

**Reviewed and approved by:           Michael Skates**

MWS: BDM





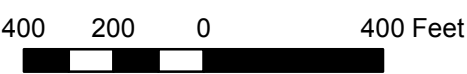
Subject Tract

BAZ-1968

06 18-15



PUD 254 and BAZ 1968  
QuikTrip



# **QuikTrip #0033**

## **Planned Unit Development #254**



**Submitted**  
**October 24, 2016**

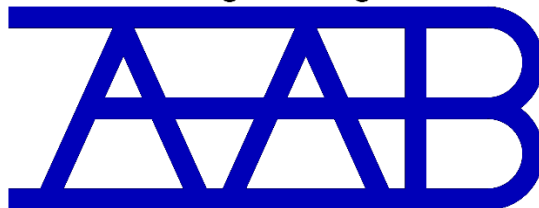
**Location**  
**Northeast corner of Kenosha Street and North 23<sup>rd</sup> Street.**

### **Owners**

**Life Covenant Church Inc**  
**4600 E 2<sup>nd</sup> Street**  
**Edmond, OK 73034**

**Jane E. Hawkins Trust**  
**27297 Forest Grove Road**  
**Evergreen, Colorado 80439**

**Prepared By:**  
**AAB Engineering, LLC**



**Engineering • Surveying • Land Planning**

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

## Development Concept

PUD-254 is an approximately 2.768 acre development on the northeast corner of North 23<sup>rd</sup> Street and Kenosha Street in Broken Arrow. The site is currently occupied by a QuikTrip convenience store on the south and overflow parking for the Life.Church property (Lot 2, Block 1 Tiger Plaza) on the north. QuikTrip is under contract to purchase the overflow parking area and is processing a lot split to create a conforming parcel. The existing QT site is currently zoned CN with the adjacent parcel zoned CG. An application to rezone the adjacent parcel has been submitted along with this PUD and will reclassify the entirety of the underlying zoning to a CN zoning district.

QuikTrip proposes the construction of a new larger generation three store similar to the facility currently under construction at Hillside Drive and 9<sup>th</sup> Street. While both tracts will be used by a single tenant they will not be under common ownership and cannot be combined. This creates several nonconformities due to the separation of the principal use from the supporting infrastructure. The limited area available for redevelopment also severely limits the availability of landscaped area within the lots. Lastly, since the tract being split from the bulk of Lot 2 Block 1 of Tiger Plaza cannot be combined with the existing parcel occupied by QuikTrip, it will not meet minimum lot width requirement for the underlying zoning district. This PUD reconciles the code requirements with the development limitations of the property allowing a conforming development.

See the attached Exhibit A for a conceptual site plan of the development.

## Development Standards

This PUD is intended to allow the construction of a QuikTrip convenience store conforming to the conceptual site plan shown in Exhibit A. The PUD shall be developed in accordance with the use and development regulations of the CN district of the Broken Arrow Zoning Ordinance, except as hereinafter modified:

Net Development Area	1.75 acres
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Minimum Lot Width	86 Feet
-------------------	---------

### Minimum Building Setbacks

West, N. 23 <sup>rd</sup> St. (Building)	50 Feet
West, N. 23 <sup>rd</sup> St. (Canopy)	30 Feet
East	15 Feet
South, Kenosha St.	50 Feet
Side Yard, Internal	0 Feet
North	0 Feet

### Signage

One freestanding sign not exceeding 20 feet in height or 500 square feet of display surface area shall be permitted along both Kenosha St. and 23<sup>rd</sup> St. Both signs shall be for the use of all lots within the PUD regardless of the physical location of the sign relative to the use advertised. The right to advertise on either sign is subject to approval of the lot owner on which the sign is physically located.

In addition, one freestanding sign not exceeding 6 feet 6 inches in height or 70 square feet of display surface area shall be permitted along 23<sup>rd</sup> St. This sign shall be for the sole use of Lot 2 Block 1 of Tiger Plaza and may only advertise uses contained thereon.

## Landscape and Screening Standards

The PUD shall be developed in accordance with the landscaping provisions of the Broken Arrow Zoning Ordinance, except as hereinafter modified (parenthetical references shall govern until such time as the City of Broken Arrow consents to closure and vacation of those portions of the current right of way dedications in excess of current dedication standards):

Minimum Percentage of Internal Landscape Area	8% (5%)
---	---------

Minimum Width of Landscape Edge (exclusive of corner clip)	
South	6.5 Feet (1.5 Feet)
West	9.5 Feet (4.5 Feet)

Minimum # of Shrubs with Edge	15 Shrubs per 50 Feet of Frontage
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Minimum Width of Landscape Island Abutting Drives	5 Feet
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There will be no requirement regarding placement of a landscaped area within a prescribed distance of all parking spaces. Trees and shrubs required within the landscape edge may be contained within the ROW provided they are within 3' of the property line. A note shall be placed on the landscape plan stating: "Property owner(s) assumes all liability and replacement responsibilities for any damage to landscaping within rights-of-way." The foregoing allowance of landscaping within the ROW shall be null if the ROW vacation of 5' along both arterial frontages is approved. Exhibit B depicts the proposed landscaping plan for the property.

All trash enclosures shall be screened from public view of a person standing at ground level by a masonry wall a minimum of 6' in height. Enclosure doors composed of a fabric with a minimum opacity of 95% will be permitted.

### **Access and Circulation**

Access to the site will be derived from two accesses from Kenosha Street and one from North 23<sup>rd</sup> Street. These drives will roughly match those existing today with the notable exception of removal of a drive onto 23<sup>rd</sup> Street. The eastern most access on Kenosha Street and the North 23<sup>rd</sup> Street access will continue to be used as mutual access benefiting the abutting properties contained within Tiger Plaza. The access limitations contained within section 5.3.B.3 of the zoning code regarding intersection separation, driveway spacing, and offset spacing of opposing drives shall not apply to the accesses within the PUD provided they largely conform to the access depicted on the conceptual development plan contained within Exhibit A.

### **Utilities and Drainage**

Sanitary sewer service is provided by the City of Broken Arrow via an 8" sewer line located at the northeast corner of the site. Water service is also provided by the City of Broken Arrow via waterlines located along the eastern side of N. 23<sup>rd</sup> Street and the northern side of Kenosha St. Franchise utilities currently serve the project area with communications, natural gas, and electricity. We anticipate underground services throughout the development.

The existing site slopes toward the driveways as well as the Tiger Plaza property. The bulk of the stormwater runoff from the property will be collected and piped to the existing storm sewer system via onsite storm sewer. This will greatly reduce surface runoff discharges from the property.

### **Lighting**

Site lighting shall conform to the standards of City of Broken Arrow Zoning Ordinance with the exception that light poles will be allowed within utility easements abutting street rights-of-way. A note shall be placed on the face of the site plan stating: "Property owner(s) assumes all liability and replacement responsibilities for any damage to light poles placed in utility easements."

### **Site Plan Review**

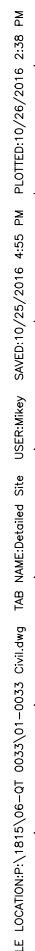
No building permit shall be issued until a detailed site plan and a detailed landscape plan is submitted to and approved by the City of Broken Arrow as conforming to these PUD restrictions.

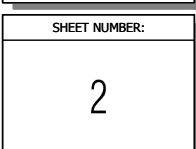
### **Schedule of Development**

Development is expected to begin in early 2017.

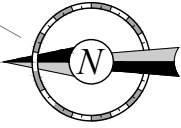
## **Exhibit C**

### **Legal Description**





RECEIVED  
Nov. 3, 2016  
BROKEN ARROW  
DEVELOPMENT SERVICES



Ech  
Legal Description



**QuikTrip #0033 PUD Legal Description**

A TRACT OF LAND THAT IS ALL OF LOT ONE (1), BLOCK ONE (1), AMENDED PLAT OF WAGONER COUNTY LINE PLAZA, AN ADDITION TO THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION SIX (6), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS THE SOUTHWEST CORNER OF SAID SW/4; THENCE NORTH 01°19'23" WEST ALONG THE WESTERLY LINE OF SECTION 6 FOR 312.00 FEET; THENCE NORTH 88°51'54" EAST ALONG THE WESTERLY EXTENSION OF THE NORTHERLY LINE OF LOT 1, BLOCK 1, AMENDED PLAT OF WAGONER COUNTY LINE PLAZA, AND ALONG SAID NORTHERLY LINE, FOR 303.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 01°19'23" EAST ALONG THE EASTERLY LINE OF SAID LOT 1, AND A SOUTHERLY EXTENSION THEREOF FOR 312.00 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 6; THENCE SOUTH 88°51'54" WEST ALONG SAID SOUTHERLY LINE FOR 303.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

AND

A TRACT OF LAND THAT IS PART OF LOT TWO (2), BLOCK ONE (1), TIGER PLAZA, AN ADDITION TO THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION SIX (6), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FIFTEEN (15) EAST OF THE INDIAN BASE AND MERIDIAN, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SW/4; THENCE NORTH 01°19'23" WEST ALONG THE WESTERLY LINE OF SECTION 6 FOR 312.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 01°19'23" WEST ALONG SAID WESTERLY LINE FOR 86.00 FEET; THENCE NORTH 88°51'54" EAST ALONG THE WESTERLY EXTENSION OF A PLATTED LINE OF SAID LOT 2, AND ALONG SAID PLATTED LINE, AND A EASTERLY EXTENSION THEREOF FOR 303.00 FEET; THENCE SOUTH 01°19'23" EAST ALONG THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF LOT 1, BLOCK 1, AMENDED PLAT OF WAGONER COUNTY LINE PLAZA, AN ADDITION TO THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, FOR 86.00 FEET TO A PLATTED CORNER OF



SAID LOT 2, BLOCK 1, TIGER PLAZA, THE SAME CORNER ALSO BEING THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1, AMENDED PLAT OF WAGONER COUNTY LINE PLAZA; THENCE SOUTH 88°51'54" WEST ALONG THE NORTHERLY LINE OF SAID LOT 1, BLOCK 1, AMENDED PLAT OF WAGONER COUNTY LINE PLAZA, AND ALONG A PLATTED LINE OF SAID LOT 2, BLOCK 1, TIGER PLAZA, AND A WESTERLY EXTENSION THEREOF FOR 303.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 120,594 SQUARE FEET OR 2.768 ACRES, MORE OR LESS.

