



# City of Broken Arrow

## Request for Action

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**File #: 18-1228, Version: 1**

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**Broken Arrow City Council  
Meeting of: 11-20-2018**

**To: Mayor and City Council Members**  
**From: Development Services Department**  
**Title:**

**Approval of PT18-107, Conditional Final Plat, Freedom Wash, a replat of Lot 5 and Lot 7, Block 1 of Kenwood Acres (Plat #1417), 2.76 acres, 3 Lots, R-1 to PUD 172/RD and CH, north of Kenosha Street, one-quarter mile west of 9<sup>th</sup> Street, between 4<sup>th</sup> Street and 5<sup>th</sup> Street**

**Background:**

PT18-107, the conditional final plat for Freedom Wash, a replat of Kenwood Acres (Plat #1417), contains 2.76 acres and is proposed to be divided into 3 lots. This property, which is located north of Kenosha Street, one-quarter mile west of 9<sup>th</sup>, between 4<sup>th</sup> Street and 5<sup>th</sup> Street, is presently zoned R-1. On December 18, 2006, the City Council reviewed and approved PUD 172 along with BAZ 1734, a request to change the underlying zoning from R-1 to RD and CH. PUD 172 and BAZ 1734 were approved subject to the property being platted. At the time PUD 172 was approved, there was not any expiration provisions in the Zoning Ordinance. The preliminary plat for Freedom Wash was approved by the Planning Commission on July 26, 2018, subject to an approved checklist.

Freedom Wash is a replat of Lot 5 and Lot 7, Block 1 of Kenwood Acres. The plat for Kenwood Acres was recorded in Tulsa County on July 12, 1948. At the time the plat was recorded, no street right-of-way was shown for 5<sup>th</sup> Street. Based on previously recorded plats, there is some discrepancy in the amount of right-of-way that has since been dedicated along 5<sup>th</sup> Street. The plat for Calvary Temple Christian Family Center shows 25 feet of right-of-way being dedicated by the plat along the east half of 5<sup>th</sup> Street. According to the plat for Ryan's Addition, the east 25 feet of right-of-way along 5<sup>th</sup> Street was dedicated by separate instrument and is recorded in Book 3821, Page 142. The plat for Compton Addition II shows 25 feet of right-of-way along the east half of 5<sup>th</sup> Street being dedicated by separate instrument in Book 2876, Page 274. The plat for the Vaquero Addition references 25 feet of right-of-way being dedicated along the east side of 5<sup>th</sup> street in Book 4815, Page 1041. The conditional final plat for Freedom Wash shows 50 feet of right-of-way being dedicated along 5<sup>th</sup> Street through Book 4815, Page 104. The documents referenced by the other plats on the east side of 5<sup>th</sup> Street are not referenced.

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

Water and sanitary sewer service to this development will be provided by the City of Broken Arrow.

The Planning Commission and Technical Advisory Committee recommend that the conditional final plat for Freedom Wash be approved subject to the attached checklist.

**Cost:** \$0

**Prepared By:** Brent Murphy, AICP, Senior Planner

**Reviewed By:** Development Services Department  
Legal Department  
Assistant City Manager, Operations

**Approved By:** Michael L. Spurgeon, City Manager

**Attachments:** 1-FACT SHEET.PLANNING COMMISSION  
2-CHECKLIST.PT18-107  
3-CONDITIONAL FINAL PLAT.PT18-107  
4-KENWOOD ACRES PLAT  
5-PUD-172 APPROVED DOCUMENT

**Recommendation:**

Approve PT18-107, conditional final plat for Freedom Wash, a replat of Lot 5 and Lot 7, Block 1 of Kenwood Acres (Plat #1417) as recommended by Planning Commission and Staff.

BDM