

**Major Amendment to
Planned Unit Development No. 94
PUD-94X**

Battle Creek Commercial Center

Broken Arrow, Oklahoma



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TABLE OF CONTENTS

	<u>Page</u>
I. Narrative	1
II. Statistical Summary	2
III. Development Standards: Commercial/Office (Tract 'A')	2
IV. Development Standards: Commercial/Office (Tract 'B')	3
V. Building Facades	4
VI. Highway Design Overlay District	5
VII. Platting	5
VIII. Site Plan Review	5
Exhibit 'A' - Conceptual Site Plan	
Exhibit 'B' - Development Area Plan	
Exhibit 'C' - Conceptual Building Elevations, Tract 'A'	
Exhibit 'D' - Conceptual Front Building Elevation, Tract 'A'	
Exhibit 'E' - Conceptual Front Building Elevation, Tract 'B'	



I. NARRATIVE

The property which is the subject of this application for amendment to PUD 94, known as Battle Creek, comprises ±4.9162 acres located on the south side of West Albany Drive, approximately mid-mile between North Aspen Avenue and North Elm Place. There is approximately 1,700 feet of frontage along West Albany Drive, 1,082 feet of frontage along the Broken Arrow Expressway/Hwy 51 and 275 feet of frontage along West Aspen Street. West Albany Street is elevated with a bridge that passes over the Broken Arrow Expressway. Battle Creek PUD 94 is a mixed use development comprised of 786.5 acres and was approved by the Broken Arrow City Council in 1995. When PUD 94 was adopted by the City Council in 1995, the property under consideration for this PUD Amendment was designated as “Hotel/Conference Center”. The underlying zoning was C-2 (Planned Shopping Center District) and the property was designated as Level 6 in the City of Broken Arrow Comprehensive Plan that was adopted in 1997. The C-2 zoning was updated to CG zoning with the adoption of the updated City of Broken Arrow Zoning Ordinance, on February 1, 2008. The site is still designated Level 6 in the Comprehensive Plan

A PUD Major Amendment, PUD-94O, of which the area under consideration for this PUD Major Amendment was a part, was approved on November 16, 2010. The differences between PUD-94O and this proposed PUD Major Amendment are relatively minor, with the same commercial and office uses being proposed, except for the addition of Kennel and Animal Training School land uses. There will be a rezoning application submitted concurrently with this PUD Major Amendment application to rezone the Tract ‘A’, as shown on Exhibit ‘A’ - Conceptual Site Plan, from CG (Commercial General) to CH (Commercial Heavy). The purpose of the CH zoning is to enable the Kennel and Animal Training School land uses to be utilized for this project. The Kennel and Animal Training School land uses are the only CH land uses that are to be allowed under this PUD. The remaining land uses available will be those that are allowed by right or specific use permit in the CG zoning district.

There are minor changes proposed to the Development Standards for the Commercial/Office uses of PUD-94O, which are enumerated in Sections II and III below, all other Development Standards for PUD-94O are to remain unchanged. This PUD will be developed in accordance with the Broken Arrow Zoning Ordinance and the Use and Development Regulations of the CG District except as modified herein.



II. STATISTICAL SUMMARY:

Total Project Area	4.9162 Acres (Gross)
Maximum Floor Area	38,500 SF
Floor Area Ratio	0.194
Minimum Open Space Area:	42,830 SF (20.00%)

III. DEVELOPMENT STANDARDS: Commercial/Office (Tract 'A'):

Permitted Uses: Kennel and Animal Training School and uses permitted by Right or Specific Use Permit in the CG Zone District

Land Area	3.0017 Acres
Maximum Floor Area	21,000 SF
Minimum Building Setbacks:	
from West Albany Street ROW	50 feet
from Broken Arrow Expressway/ Hwy 51 ROW	30 feet
from Internal Lot Lines	0 feet
Maximum Building Height	35 feet*



* Architectural elements may exceed the maximum building height with Site Plan approval.

Minimum Open Space Area:	20.0 %
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Minimum Off-Street Parking: To be provided in accordance with "Section 5.4 - Off Street Parking and Loading" of the City of Broken Arrow Zoning Ordinance, except that the parking ratio for Veterinary Clinic/Hospital, Kennel and Animal Training School will be 1 space/225 SF. A cross-parking agreement will be provided between Tracts 'A' and 'B'.

Landscaping: Landscaping shall be provided in accordance with Section 5.2 of the City of Broken Arrow Zoning Ordinance, except that a 15' wide Landscaped Buffer shall be provided along West Albany Drive and a 20' wide Landscape Buffer shall be provided along the Broken Arrow Expressway and West Albany Street. Within the Landscape Buffer next to the southern boundary of Tract A, at least one tree shall be planted for every 25 lineal feet of landscape area of which at least 50% shall be evergreen. Within the Landscape Buffer next to West Albany Drive of Tract 'A', at least one tree shall be planted for every 30 lineal feet of landscape area of which at least 50%

shall be evergreen. All trees shall be medium to large trees unless there are conflicts with overhead power lines. Trees may be grouped together or evenly spaced. Existing trees can be counted towards the required number of trees per Section 5.2.C.2.a. Tree locations will be shown on the formal Landscape Plan submittal and will indicate size, type and location of preserved and proposed trees.

Kennels will be screened from Albany Drive by existing and proposed trees and landscaping. Architectural metal fencing can be used to aide in the screening as well. Kennels will be screened from the Broken Arrow Expressway by the native topography/hillside, trees and a 6' opaque screening fence with masonry columns.

Signage: To be provided in accordance with “Section 5.7 - Signs” of the City of Broken Arrow Zoning Ordinance. Free-standing signs along West Albany Drive shall be monument signs not exceeding a height of 8 feet and a size of 96 SF. All signs shall have a monument base made of similar materials as the main structure/building on that lot. There will be a maximum of one pylon sign allowed on Tract ‘A’, and it shall be limited to 25 feet in height and a size of 300 SF.

Sidewalks: Sidewalks along West Albany Drive are to be 5 feet in width.

IV. DEVELOPMENT STANDARDS: Commercial/Office (Tract ‘B’):

Permitted Uses: Uses permitted by Right or Specific Use Permit in the CG Zone District

Land Area 1.9145 Acres

Maximum Floor Area 17,500 SF

Minimum Building Setbacks*:	
from West Albany Street ROW	50 feet
from Broken Arrow Expressway/ Hwy 51 ROW	30 feet
from Internal Lot Lines	0 feet
from East Development Line	11 feet



* Buildings will be setback 50 feet from any pipeline, per the City of Broken Arrow Subdivision Regulations.

Maximum Building Height 35 feet**

** Architectural elements may exceed the maximum building height with Site Plan approval.

Minimum Open Space Area: 20.0 %

Minimum Off-Street Parking: To be provided in accordance with "Section 5.4 - Off Street Parking and Loading" of the City of Broken Arrow Zoning Ordinance. A cross-parking agreement will be provided between Tracts 'A' and 'B'.

Landscaping: Landscaping shall be provided in accordance with Section 5.2 of the City of Broken Arrow Zoning Ordinance, except that a 15' wide Landscaped Buffer shall be provided along West Albany Drive and a 20' wide Landscape Buffer shall be provided along the Broken Arrow Expressway and West Albany Street. Within the Landscape Buffer next to the southern boundary of Tract B, at least one tree shall be planted for every 25 lineal feet of landscape area of which at least 50% shall be evergreen. Within the Landscape Buffer next to West Albany Drive of Tract 'B', at least one tree shall be planted for every 30 lineal feet of landscape area of which at least 50% shall be evergreen. All trees shall be medium to large trees unless there are conflicts with overhead power lines. Trees may be grouped together or evenly spaced. Existing trees can be counted towards the required number of trees per Section 5.2.C.2.a. Tree locations will be shown on the formal Landscape Plan submittal and will indicate size, type and location of preserved and proposed trees.

Signage: To be provided in accordance with "Section 5.7 - Signs" of the City of Broken Arrow Zoning Ordinance. Free-standing signs along West Albany Drive shall be monument signs not exceeding a height of 8 feet and a size of 96 SF. All signs shall have a monument base made of similar materials as the main structure/building on that lot. There will be a maximum of one pylon sign allowed on Tract 'B', and it shall be limited to 25 feet in height and a size of 300 SF.

Sidewalks: Sidewalks along West Albany Drive are to be 5 feet in width.

V. BUILDING FACADES:

Tract 'A' - Building Facades will be in accordance with Section 5.8.G.1. of the Zoning Ordinance, except that the front vertical exteriors may include fiber cement panels; the side vertical exteriors may include fiber cement panels and stucco textured metal panels; and the rear vertical exteriors may include stucco textured metal panels or metal panels, with the maximum coverage of the metal panels on the rear vertical exterior being 50%.

Tract 'B' - Building Facades will be in accordance with Section 5.8.G.1. of the Zoning Ordinance.

VI. HIGHWAY DESIGN OVERLAY DISTRICT:

Tract 'A' - Building Design will be in accordance with the Highway Design Overlay District standards in Section 5.8.I.4. of the Zoning Ordinance, except that the rear vertical exteriors for buildings shall be exempt from these requirements because the rear vertical exteriors will not be visible from the highway. Rear vertical exteriors for buildings on Tract 'A' may include stucco textured metal panels or metal panels, with the maximum coverage of the metal panels on the rear vertical exterior being 50%.



Tract 'B' - Building Design will be in accordance with the Highway Design Overlay District standards in Section 5.8.I.4. of the Zoning Ordinance.

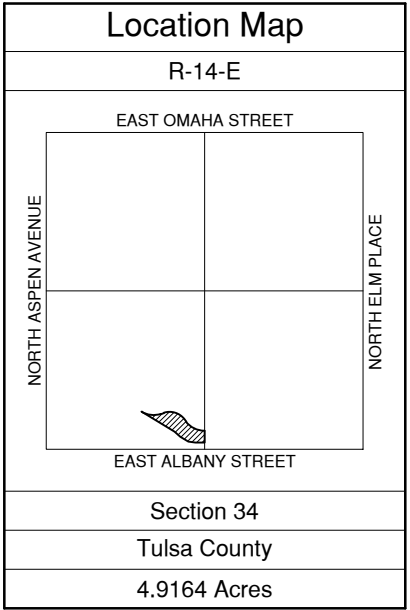
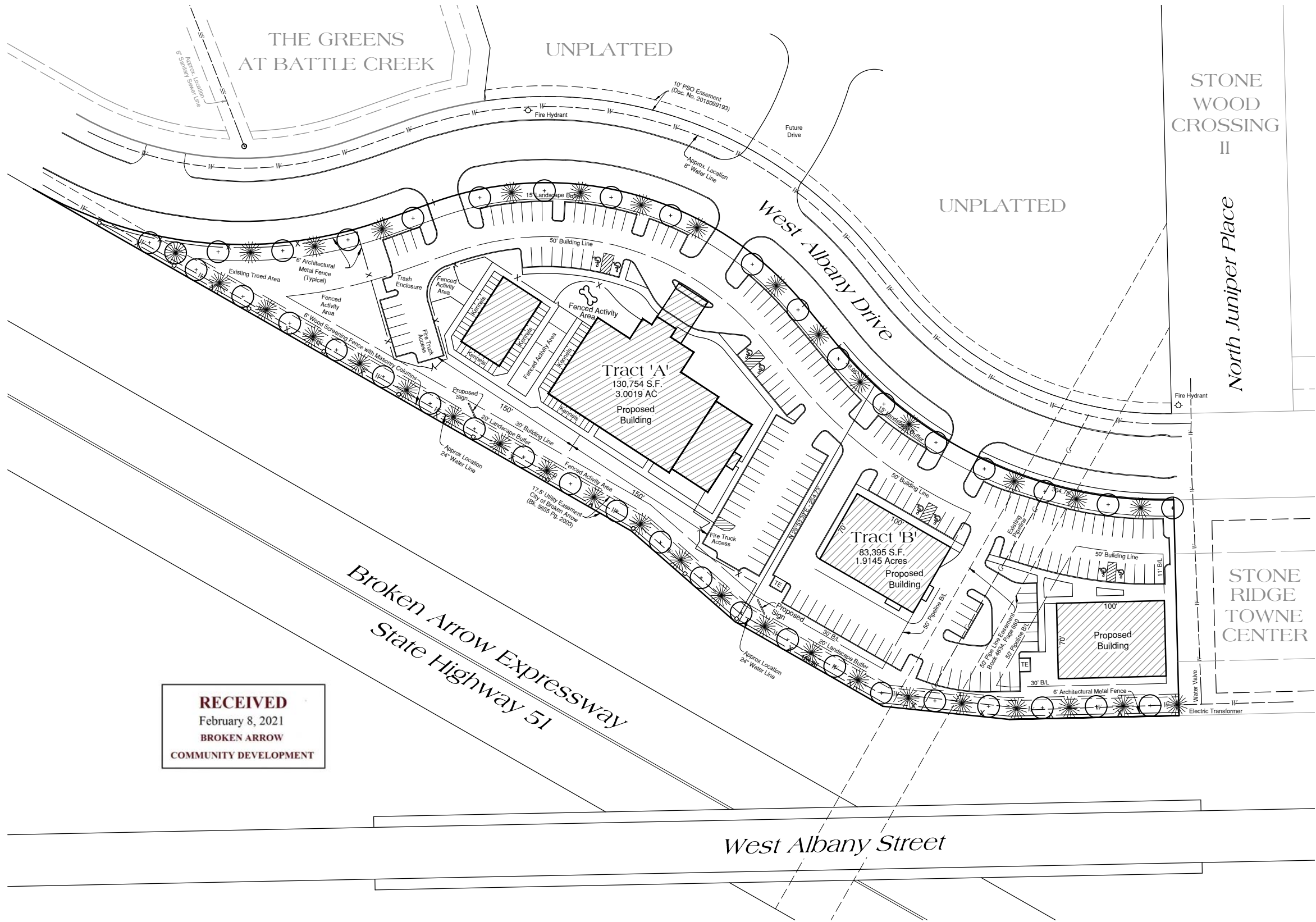
VII. PLATTING:

No building permit shall be issued until the planned unit development project area 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. The property shall be platted in accordance with the City of Broken Arrow subdivision code. The deed of dedication of the required subdivision plat shall include covenants of record, enforceable by the City of Broken Arrow, setting forth the development standards of the planned unit development.

VIII. SITE PLAN REVIEW:

No building permit shall be issued until a detailed site plan of the proposed improvements has been submitted to and approved by the City of Broken Arrow as being in compliance with the development concept and the development standards. No certificate of occupancy shall be issued until landscaping has been installed in accordance with a landscaping plan submitted to and approved by the City of Broken Arrow.





Data Summary:

Total Project Area	4.9164 Acres (Net)
<u>TRACT 'A' - Commercial/Office</u>	
- Tract 'A' Area	3.0019 Acres
- Maximum Floor Area	21,000 SF
<u>TRACT 'B' - Commercial/Office:</u>	
- Tract 'B' Area	1.9145 Acres
- Maximum Floor Area	17,500 SF
Minimum Open Space Area: 42,830 SF (20.0%)	

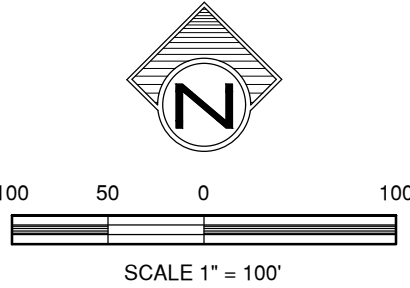
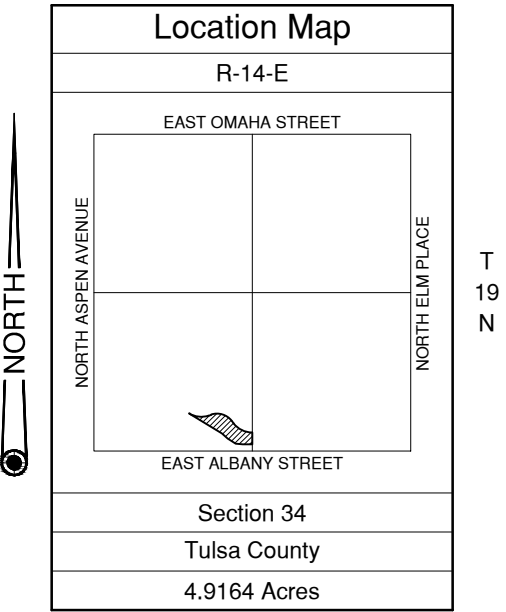
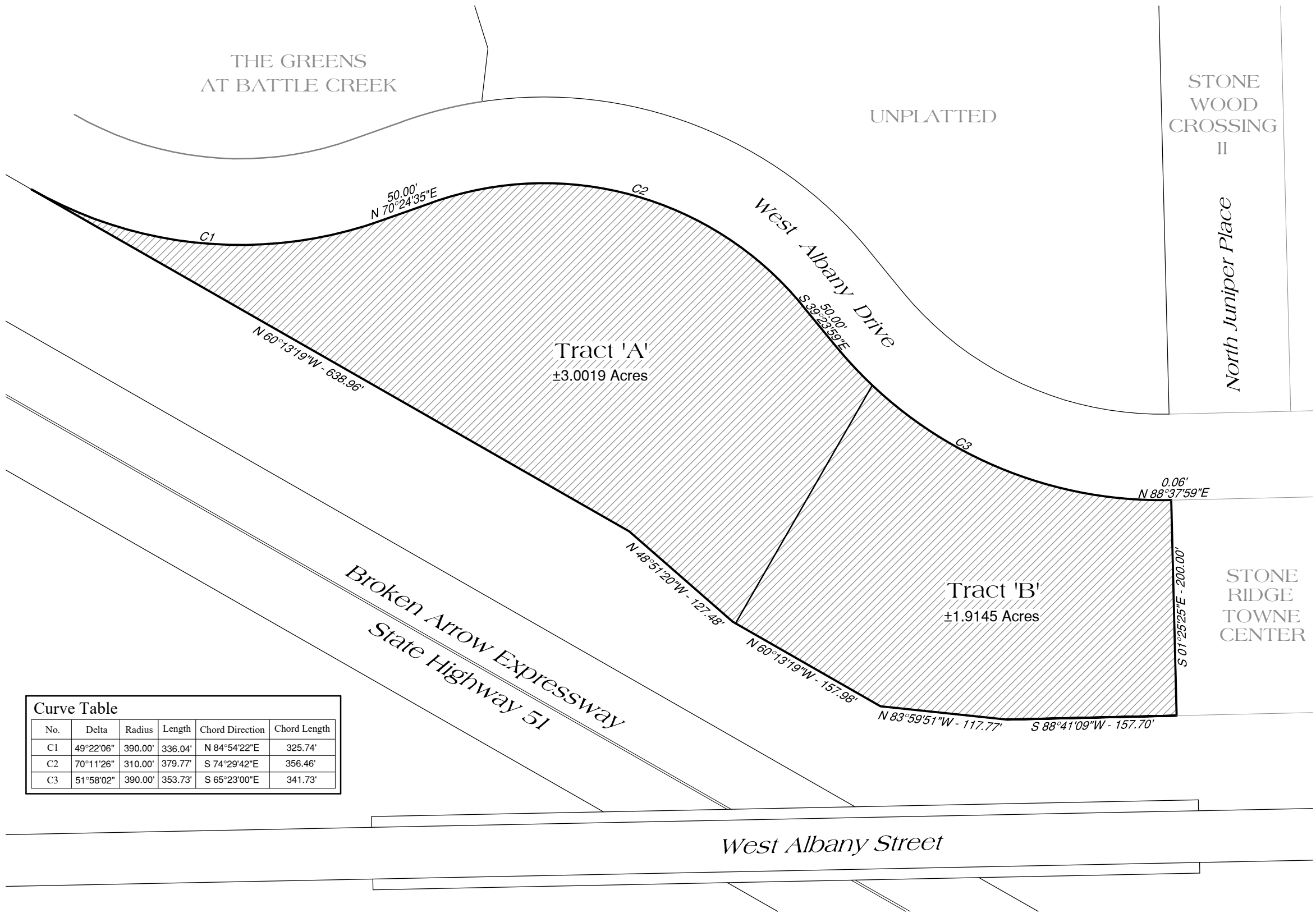


Exhibit 'A'

Battle Creek Commercial Center

Conceptual Site Plan





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COMMUNITY DEVELOPMENT

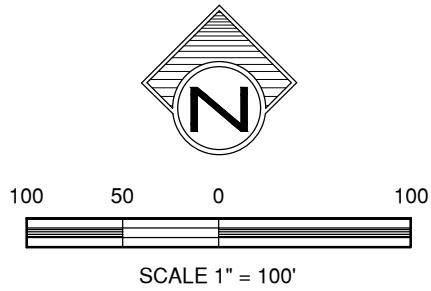


Exhibit 'B'

Battle Creek Commercial Center

Development Area Plan



Exhibit 'C'
Conceptual Building Elevations, Tract 'A'



South Elevation



West Elevation



East Elevation



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COMMUNITY DEVELOPMENT





Exhibit 'D'
Conceptual Front Building Elevation, Tract 'A'

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 COMMUNITY DEVELOPMENT

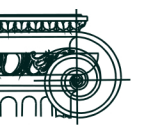

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Exhibit 'E'
Conceptual Building Elevation, Tract 'B'

