

**Major Amendment to
Planned Unit Development No. 94 AA**

51 East at Battle Creek

Broken Arrow, Oklahoma



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I. NARRATIVE:

51 East at Battle Creek site comprises ±21.06 acres (Net)/23.00 Acres (Gross) located south and east of the southeast corner of the intersection of North Aspen Avenue (South 145th East Avenue) and West Omaha Street (East 51st Street South). The project has approximately 1,007 feet of frontage on Aspen Avenue and 545 feet of frontage on West Omaha Street. Battle Creek PUD 94, of which this amendment is a part, is a mixed use development comprised of 786.5 acres and was approved by the Broken Arrow City Council in 1995. PUD 94 calls for the northern 9.62 acres of the project site to be “Commercial”, this portion of the development is currently a part of PUD 94. The southern 11.45 acres are not a part of PUD 94 and is currently zoned Commercial General (CG). The proposed PUD Amendment would bring the southern 11.45 acres into the Battle Creek PUD (PUD 94).

An application for an amendment to the Broken Arrow Comprehensive Plan will be submitted to reconfigure the existing Levels 2, 4 and 6 tracts to Levels 3 and 4 (see Exhibit ‘C’ - Comprehensive Plan Amendment Plan). Level 3 will be the proposed predominant area for the PUD Amendment site, with 6.48 acres (Gross) that fronts onto North Aspen Avenue and 3.04 acres (Gross) that fronts onto West Omaha Street being proposed for Level 4. Level 3 provides for the multi-family use that is being sought by this PUD Amendment. Submitted concurrently with the PUD Amendment application is a rezoning request to change the current Commercial General (CG) zoning of the 13.48 acres (Gross) to Residential Multi-Family (RM).

This PUD Amendment proposes that ±13.48 acres (Gross) of the site be developed as a luxury residential multi-family development and ±6.51 acres (Gross) to be developed for commercial uses. The multi-family use, as shown in “Exhibit ‘A’ - Conceptual Site Plan”, would take full advantage of the golf course frontage and views, as well as provide a landscape buffer next to the golf course, between the buildings and the golf course itself. In addition to the golf course, the multi-family development would provide an additional buffer from the commercial uses existing and proposed along North Aspen Avenue and West Omaha Street. With sensitivity to the golf course and surrounding residential developments at Battle Creek, this development would yield a more desirable aesthetic, than would commercial uses fronting onto the golf course. The Conceptual Site Plan still retains the North Aspen Avenue and West Omaha Street frontages for commercial uses, but those uses would be largely screened from the golf course and surrounding residential areas by the multi-family development. This proposed multi-family use would also have less impact on the surrounding areas in terms of light, noise and traffic, than would the commercial uses that are currently shown on the Comprehensive Plan and PUD 94. The proposed multi-family development will also offer a number of amenities for the residents of this development. Some of the amenities proposed are a community clubhouse and pool area, a play ground, dog park and areas of active and passive open space spread throughout the development. The multi-family and commercial development areas, both proposed and existing, will have pedestrian interconnectivity via public sidewalks and a private internal sidewalk system.

The requested Major Amendment to PUD 94, that pertains to any revised Development Standards, are shown in Sections III, IV and V below. All other development standards of PUD 94 are to remain unaltered.

II. STATISTICAL SUMMARY:

Total Project Area	23.00 Acres (Gross)
	21.06 Acres (Net)

Commercial:

Total Area	6.51 Acres (Gross)
	5.21 Acres (Net)

Residential Multi-Family:

Total Area	13.48 Acres (Gross)
	13.48 Acres (Net)

Maximum Number of Dwelling Units	328 DUs*
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* Note - Exhibit 'A' - Conceptual Site Plan shows 326 DUs

Maximum Density	19.80 DUs/Acre**
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** Note - The Open Space on Tracts 'B' and 'F', as shown on "Exhibit 'B' - Development Area Plan", will be utilized for open space area and density calculations for the Residential Multi-Family tract.

Minimum Open Space Area	6.90 Acres (30.0 %, Gross Area)
	(32.8 %, Net Area)

Open Space:

Total Area	3.01 Acres (Gross)
	2.37 Acres (Net)

III. DEVELOPMENT STANDARDS - Commercial (Tracts ‘A’, ‘C’ and ‘E’):

Tracts ‘A’, ‘C’ and ‘E’ shall be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the Commercial General (CG), except as modified herein.

- Permitted Uses: As permitted within the CG District by right or Specific Use Permit
- Signage:
All proposed signage requirements are to be in compliance with the sign provisions of the Broken Arrow Zoning Ordinance
- Parking:
Parking requirements are to meet “Section 5.4 Off-Street Parking and Loading” of the Broken Arrow Zoning Ordinance.

IV. DEVELOPMENT STANDARDS - Multi-Family (Tract 'D'):

Tract 'D' shall be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the RM Multi-Family District, except as modified herein.

- Permitted Uses: Multi-Family dwellings and customary accessory uses.
- Maximum Number of Dwelling Units 328
- Maximum Density 19.80 Dus/Acre*
 - * Shared Detention areas will be utilized for open space area and density calculations
- Minimum Livability Space Per Dwelling Unit** 1,000 sq. ft.
 - ** open space not allocated to parking or drives
- Maximum Dwelling Units per Building 32
- Maximum Building Height 50 ft.
- Maximum Stories 3
- Minimum Building Setbacks***
 - From Commercial development 20 ft.
 - From Multi-Family residential development 20 ft.
 - From Battle Creek Golf Course 20 ft.
 - From south boundary line 20 ft.
- *** Overhangs may extend a maximum of 2 ft. into the setback or landscape edge/buffer; porches, patios, patio fences may extend a maximum of 5 ft. into the setback or landscape edge/buffer; air conditioning condensing units may be located in the setback or landscape edge/buffer provided they are screened from public right of ways by landscaping materials.
- Minimum distance between buildings 20 ft.
- Minimum Off-Street Parking Spaces:
 - One Bedroom Unit 1.5 spaces
 - Two or Three Bedroom Units 2 spaces
- Other Bulk and Area Requirements As required within an RM District

- Minimum Landscape Buffer/Edge: 20 ft.
- Building Facades:
As required and regulated by Chapter 5, Section 5.5 Multi-Family Residential Building Design Standards except as noted.
 - Maximum Building Length 220 ft.
 - Maximum Length of Roofline 135 ft.
- Minimum Masonry Exterior Finish
Exterior building material: At least 60 percent of the exterior of the building, excluding doors and windows, shall be constructed of but not limited to masonry, cement board panels or siding, exterior insulated finished systems, and/or stucco. In addition, 20 percent of the street facing facade shall be constructed of natural brick or masonry rock.
- Minimum Lot Frontage: 45 ft.

V. DEVELOPMENT STANDARDS - Open Space (Tracts ‘B’ and ‘F’):

- Permitted Uses: Passive and Active Open Space, Stormwater Detention Facilities, Overland Drainage and Utility Easement.

VI. LANDSCAPING:

Except as modified herein, landscaping will be provided in a manner that meets or exceeds the requirements of Section 5.2 of the City of Broken Arrow Zoning Ordinance. For the multi-family portion of the PUD, at least 80 percent of all required trees shall be medium to large trees. Evergreen trees shall be planted along the east boundary abutting the Shiloh at Battle Creek development. All open space and reserve areas shall be owned and maintained by the property owner. Any landscape material that fails shall be replaced in accordance with the criteria contained in Section 5.2.C.4 of the Zoning Ordinance. In the multi-family portion of the project, landscape islands required by Section 5.2.B.c.ii.A may extend no more than twenty (20) parking spaces without an intervening interior landscape island.

VII. FENCING:

All required fences shall be constructed in accordance with Section 5.2.E of the Zoning Ordinance, with all poles and bracing located on the interior side of the fence. Fencing plans shall be presented to and approved by the City of Broken Arrow at the same time landscape plans are submitted for review. The required fencing shall be maintained by the property owner.

VIII. ACCESS AND CIRCULATION:

Vehicular access to and from the multi-family portion of the development will be provided by one point of access to North Aspen Avenue and one point of access to West Omaha Street. Vehicular access for the commercial portion of the development will be provided by two access points to North Aspen Avenue and one access point to West Omaha Street. These include the shared access drives with the multifamily portion of this development. All access points shall meet the separation requirements of Section 5.3.B.3 of the Broken Arrow Zoning Ordinance.

IX. SIGNS:

Signs shall be in compliance with the sign provisions of the Broken Arrow Zoning Ordinance.

X. UTILITIES AND DRAINAGE:

Utilities are available at the site or available by customary extension. Detention will be provided on site.

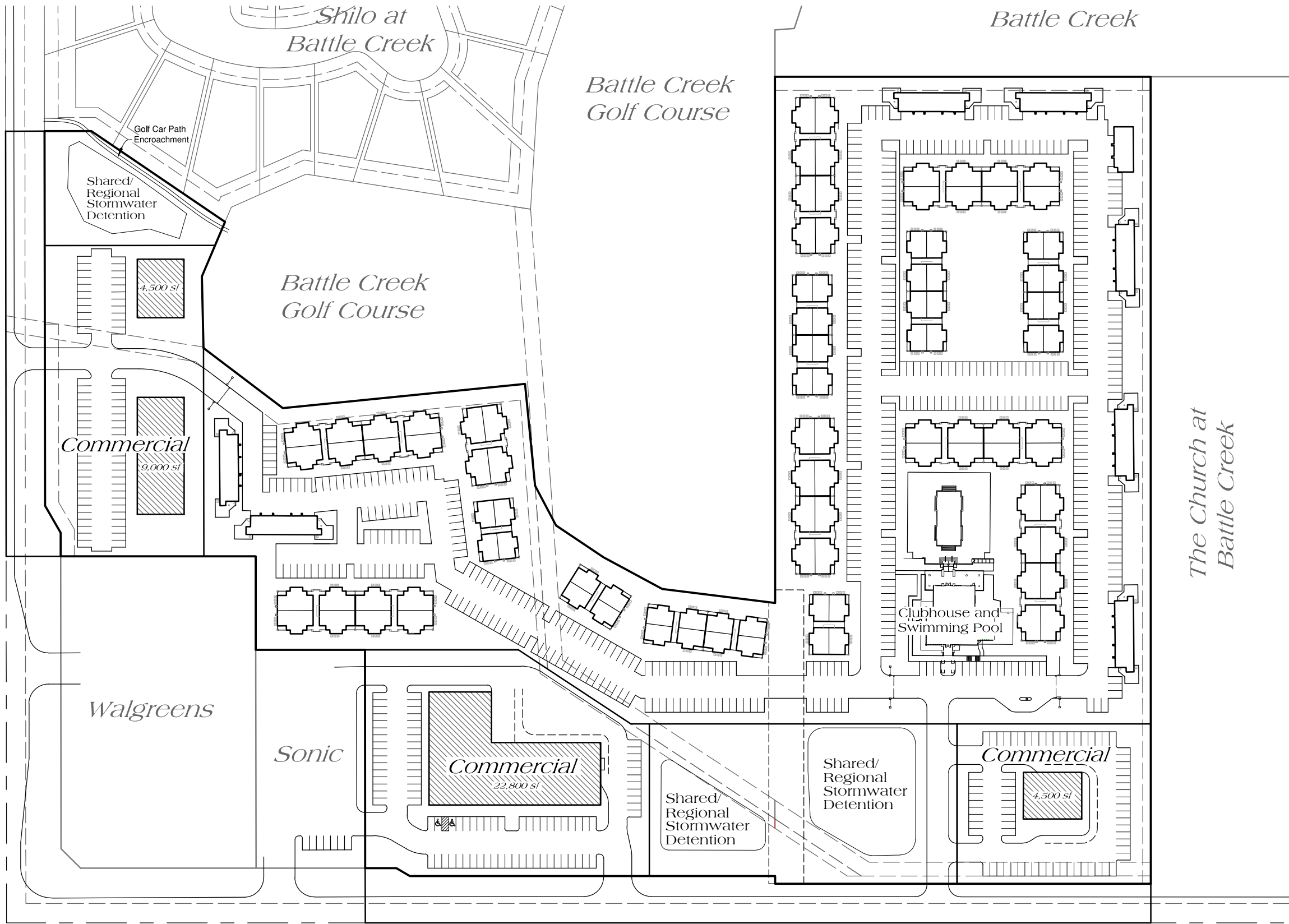
XI. SITE PLAN REVIEW

For the purposes of site plan review, the final subdivision plat of 51 East at Battle Creek shall serve as the required detailed site plan.

XII. PLATTING REQUIREMENT

No building permit will be issued until the planned unit development site has been included within a subdivision plat submitted to and approved by the City of Broken Arrow Planning Commission and the City of Broken Arrow City Council, and duly filed of record. The required subdivision plat will include a deed of dedication of record implementing the development standards of the approved planned unit development and the City of Broken Arrow shall be a beneficiary thereof.

West Omaha Street

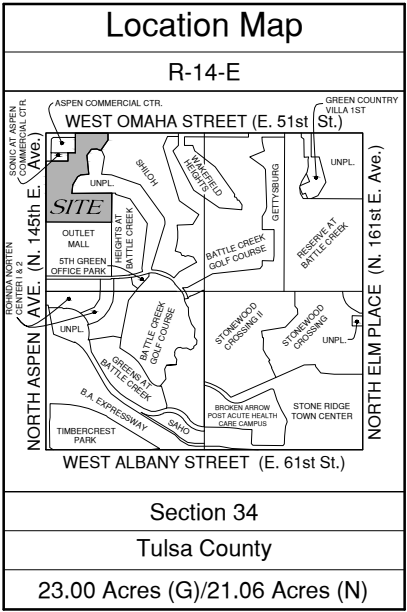


North Aspen Avenue (Public)

Battle Creek
Golf Course

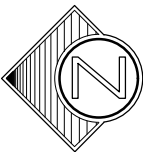
Battle Creek

The Church at
Battle Creek



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Data Summary:	
Total Project Area	23.00 Acres (Gross) 21.06 Acres (Net)
- Commercial	6.51 Acres (Gross) 5.21 Acres (Net)
- Multi-family	16.49 Acres (Gross) 15.85 Acres (Net)
Maximum Multi-Family DUs	327*
*Total MF DUs per Site Plan	326
Project Density (Max.)	19.80 DUs/Acre
Minimum Open Space Area	6.90 Acres (30.0%, G) (32.8%, N)



Not To Scale

EXHIBIT 'A'
51 East at
Battle Creek

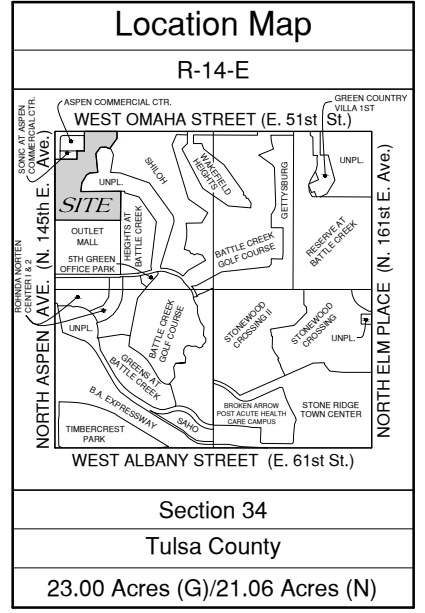
Conceptual Site Plan



West Omaha Street



The Heights at Battle Creek



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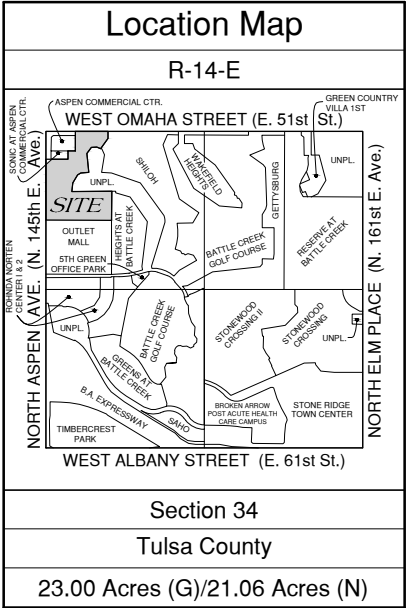
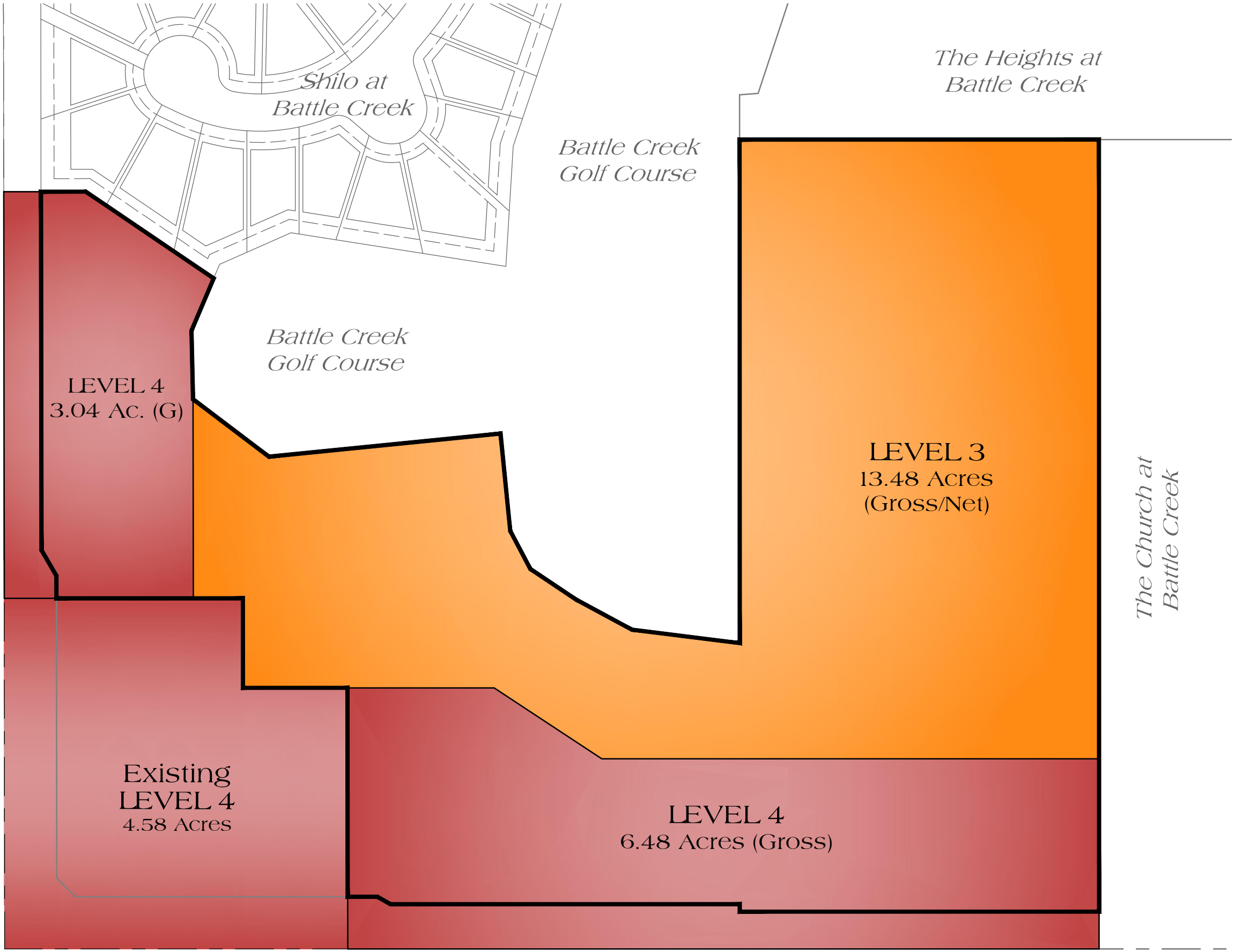
EXHIBIT 'B'

51 East at Battle Creek

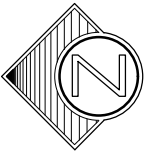
Development Area Plan



West Omaha Street



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Not To Scale

EXHIBIT 'C'
51 East at
Battle Creek

Comprehensive Plan
Amendment Plan



