

I. DEVELOPMENT STATEMENT

The Project consists of a Major Amendment to PUD 3, that was approved by the Broken Arrow Planning Commission on January 13, 1977, and by the Broken Arrow City Council on January 17, 1977.

The Property subject to this Major Amendment is located north of the northwest corner of New Orleans Street and South Elm Place and is more particularly described, to-wit:

The East 192 feet of Lot Five (5), Block One (1), VANDEVER ACRES OFFICE PARK, an Addition to the City of Broken Arrow, Tulsa County, State of Oklahoma.

The Property is the result of a Lot Split that was approved by the Planning Commission in BAL333 on January 22, 1981. An Aerial Photo with an overlay of the Conceptual Site Plan showing the boundaries of the Property is attached hereto as Exhibit "A".

The Applicant seeks this Major Amendment in order to re-develop the Property with a Sonic Drive-In. The Conceptual Site Plan for the Project is attached hereto as Exhibit "B".

The Conceptual Landscape Plan for the Project is attached hereto as Exhibit "C".

An ALTA Survey of the Property is attached hereto as Exhibit "D".

II. DEVELOPMENT STANDARDS

The Property shall be developed in accordance with the City of Broken Arrow Zoning Ordinance and the use and development regulations of the CG (Commercial General District), except as follows:

NET AREA: 31,679.99 SF .727 AC

PERMITTED USES:

Uses permitted as a matter of right or by Specific Use Permit in the CG, Commercial General District, along with customary and/or accessory uses and other uses incidental thereto.

MINIMUM LOT FRONTAGE: 165 FT

MINIMUM LOT AREA: None

MAXIMUM BUILDING COVERAGE: None

MAXIMUM BUILDING HEIGHT: None

MINIMUM BUILDING SETBACKS:

Along South Elm Street	40 FT
From other Property Boundaries	10 FT

The canopy located along the north Property line on the conceptual site plan may be located within the building setback line provided that the top portion of the canopy is located at least 3 FT from the north Property line and that the support column is located at least 10 FT from the north Property line

SIGNS:

Freestanding signs shall be limited to 12 feet in height, contain no more than 100 square feet, and shall be located at least 5 feet away from the property line in the area shown in Exhibit A. The sign may include an electronic message center/digital display. The pole structure of the freestanding sign shall be covered and it shall have a monument base made of similar materials as the main building on the lot.

Signage for the Project shall be established in the Detail Site Plan approval process.

Signs not legible from a public street, including without limitation wayfinding, directional, informational and menu boards will be permitted without requiring Detail Site Plan approval.

LIGHTING:

All light standards, including building-mounted, shall be hooded and directed downward and away from the boundaries of the Project. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas. All lighting in the Project shall comply with the Broken Arrow Zoning Code Lighting Standards in effect at the time of the Detail Site Plan Review.

TRASH, MECHANICAL AND EQUIPMENT AREAS:

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or other equipment provided by franchise utility providers), including building-mounted, shall be screened from public view in such a manner that such areas cannot be seen by persons standing at ground level. The trash receptacle may be located within the building setback lines set forth above.

LANDSCAPE AND SCREENING CONCEPT:

The Project will include a 10 FT landscape edge along South Elm Street. A minimum of 10% of the total area of the Project will be improved as landscape open space in accordance with the provisions of the Landscape Chapter of the Broken Arrow Zoning Code. The minimum landscape area of the Project shall be established at Detail Site Plan Review.

ACCESS AND CIRCULATION:

Entry into the Project will be via the existing access point on South Elm Place. Within the PUD, access will be by private streets. Any access into the Project from the adjoining property to the south will be by Mutual Access Easement established by separate instrument.

Sidewalks will be constructed along South Elm Place in accordance with the standards set forth by the City of Broken Arrow.

SITE PLAN REVIEW:

No Building Permit will be issued for the Project until a Detail Site Plan has been approved by Development Services in accordance with the provisions of the Broken Arrow Zoning Code.