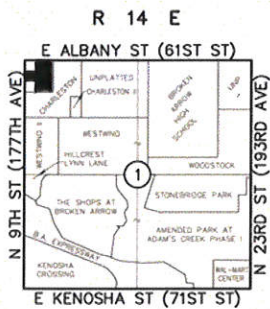


PUD 180-B - A MINOR AMENDMENT TO PUD 180

# Tuscan Plaza II

LOT 1 BLOCK 1 OF "TUSCAN PLAZA"  
JANUARY 13, 2015



Location Map  
SCALE: 1"=200'

APPROVED BY Planning Commission  
DATE July 25, 2013  
BROKEN ARROW PLANNING DEPT.



**TANNER CONSULTING LLC.**  
CERTIFICATE OF AUTHORIZATION NO. CA 2661

5323 S LEWIS AVENUE  
TULSA, OKLAHOMA 74105  
918.745.9929

**TUSCAN PLAZA II**

SE/C of Albany (61<sup>st</sup> Street) and Lynn Lane (177<sup>th</sup> E. Ave)

Planned Unit Development No. 180B,  
A Minor Amendment of Planned Unit Development No. 180A  
Pertaining To Lot 1, Block 1, Tuscan Plaza

June 12, 2013  
Revised July 19, 2013  
Revised January 13, 2015



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## **I. Development Concept**

Tuscan Plaza, comprising 8.97 net acres situated at the southeast corner of Albany and Lynn Lane, was submitted as Planned Unit Development No. 180 and was approved by the Broken Arrow City Council on November 5, 2007.

The approved PUD No. 180, designated a development area as the "Retail Plaza" containing approximately 5.99 acres which was subsequently platted as Lot 1, Block 1, Tuscan Plaza (Plat # 6174). Lot 1, Block 1, Tuscan Plaza is hereinafter referred to as "Lot 1" or the "Site" or Tuscan Plaza II".

A maximum floor area of 47,500 sq.ft. (.18 f.a.r.) was allocated to Lot 1, and no specific provision was made for modification of the Zoning Ordinance sign regulations. Lot 1, has 190 feet of frontage on Lynn Lane and 317 feet of frontage on Albany which would permit, if two ground signs were erected, an aggregate display surface area of 507 square feet.

An amendment pertaining to Lot 1 was submitted as PUD No. 180 A and approved by the Broken Arrow City Council on August 5, 2008, which allocated a maximum floor area of 60,000 sq.ft. (.23 f.a.r.) and set forth permitted signs.

Tuscan Plaza II comprises Lot 1 (5.98 acres) and is intended as an upscale retail and office development. Lot 1 was initially planned as one building, two story in height, and designed predominantly for retail use. In response to market conditions, this current application proposes a minor amendment to permit the subdivision of Lot 1 into three development areas providing a mix of both retail and office buildings.

This Minor Amendment pertaining to Lot 1, is submitted to establish a Conceptual Site Plan with designation of development areas, allocation of uses and intensity of uses, and development standards and conditions, to be followed by detail site plan review of each phase of development.

The Comprehensive Plan designates the 8.97 acres comprising the entirety of Tuscan Plaza, as Level 4 Land Use Intensity and the existing underlying CG Commercial General District is in accordance therewith. No change of the underlying zoning district is proposed. The subject property will 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 modified herein.



# Tuscan Plaza II

## EXHIBIT A

AERIAL PHOTOGRAPHY  
WITH SURROUNDING CONTEXT SHOWN



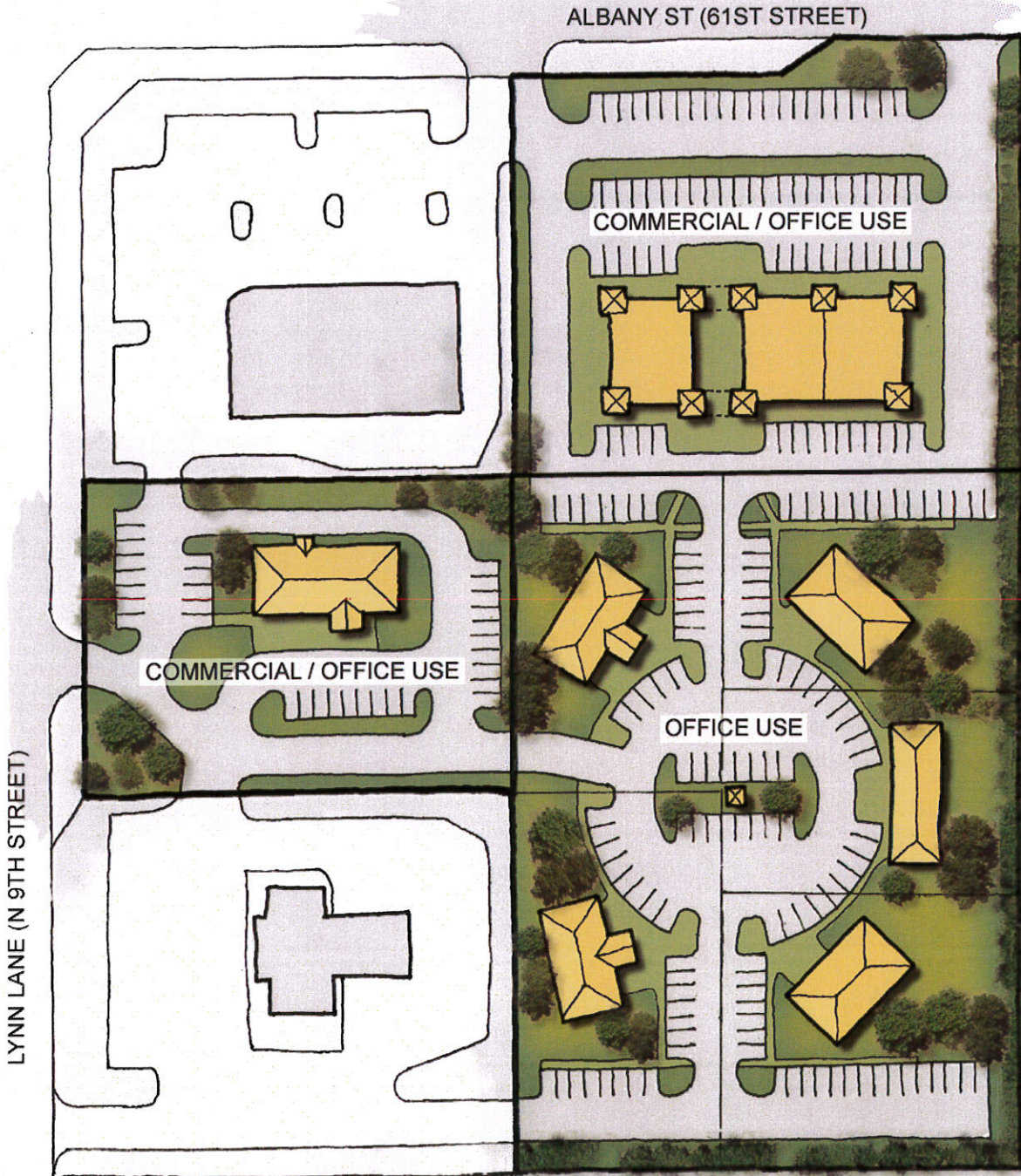
NORTH



# Tuscan Plaza II

## EXHIBIT B

### CONCEPTUAL SITE PLAN WITH ADJACENT BUILDINGS SHOWN





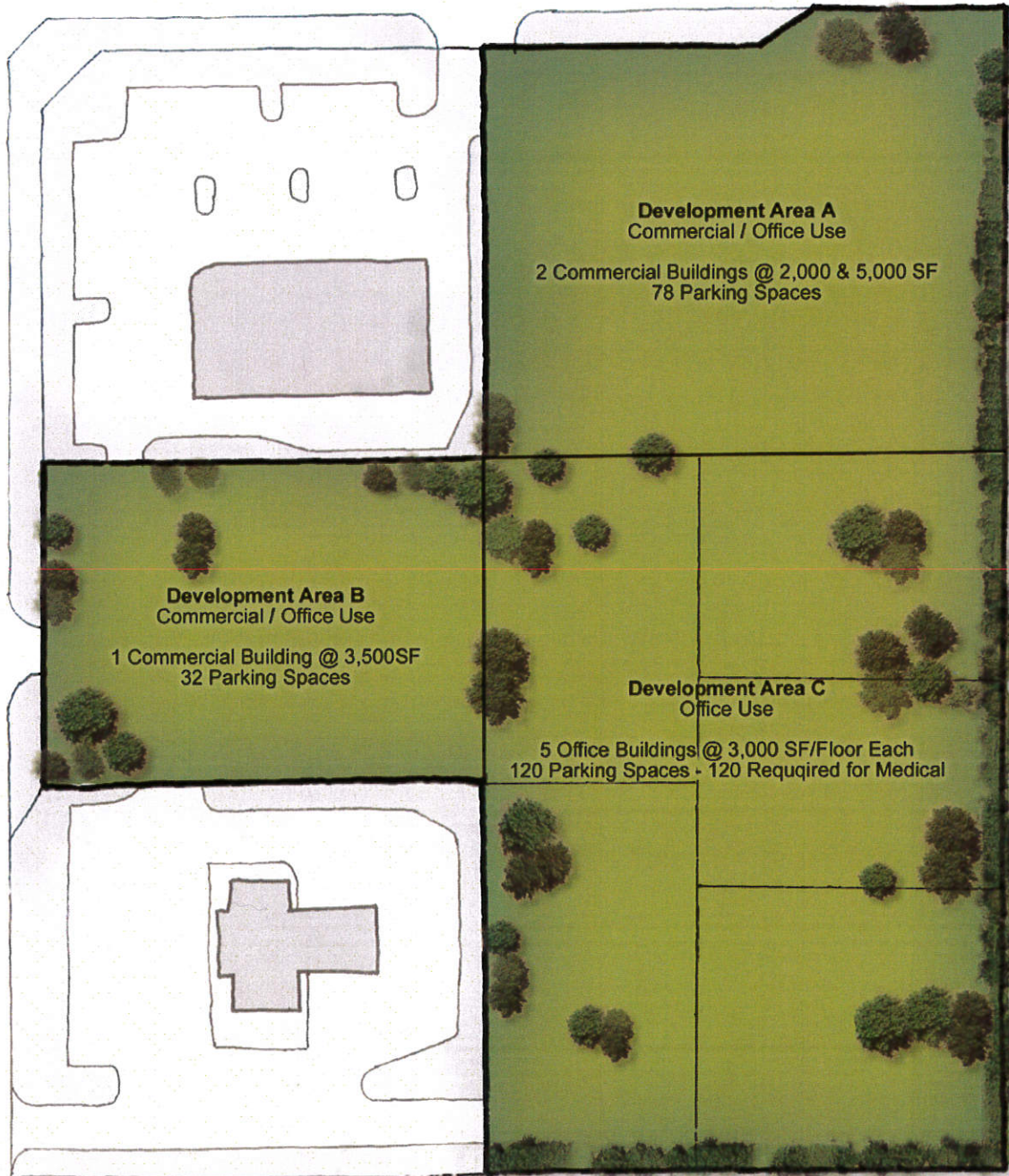
# Tuscan Plaza II

## EXHIBIT C

### DEVELOPMENT AREA PLAN WITH USES AND METRICS SHOWN

ALBANY ST (61ST STREET)

LYNN LANE (N 9TH STREET)



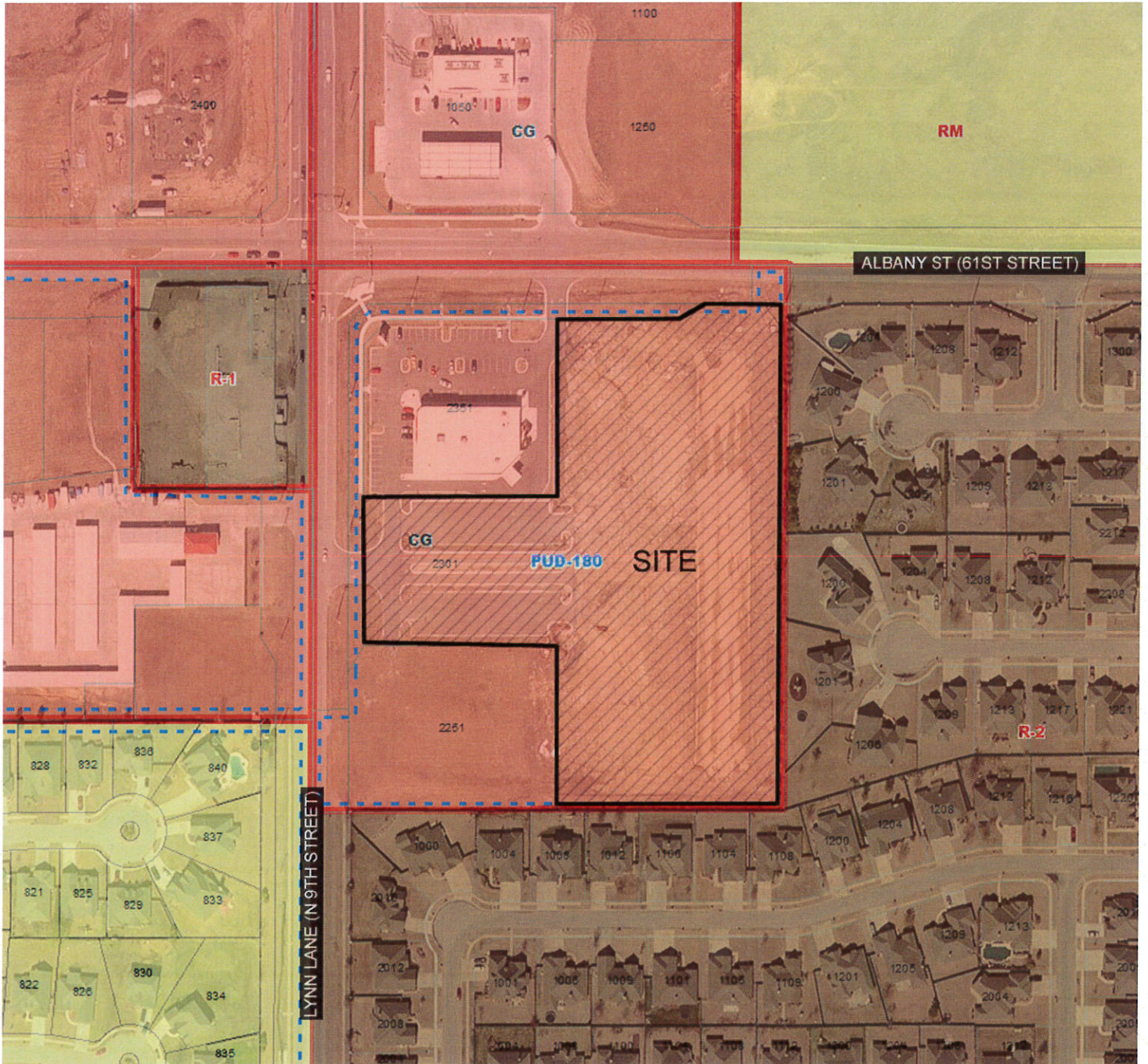
NORTH



# Tuscan Plaza II

## EXHIBIT D

### EXISTING ZONING PATTERNS FROM 2013 INCOG ZONING MAPS



- CH & CH - COMMERCIAL
- R-1 & R-2 - SINGLE FAMILY RESIDENTIAL
- RM & RD - MULTIFAMILY RESIDENTIAL

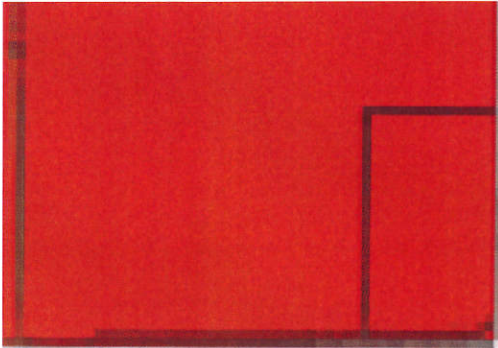




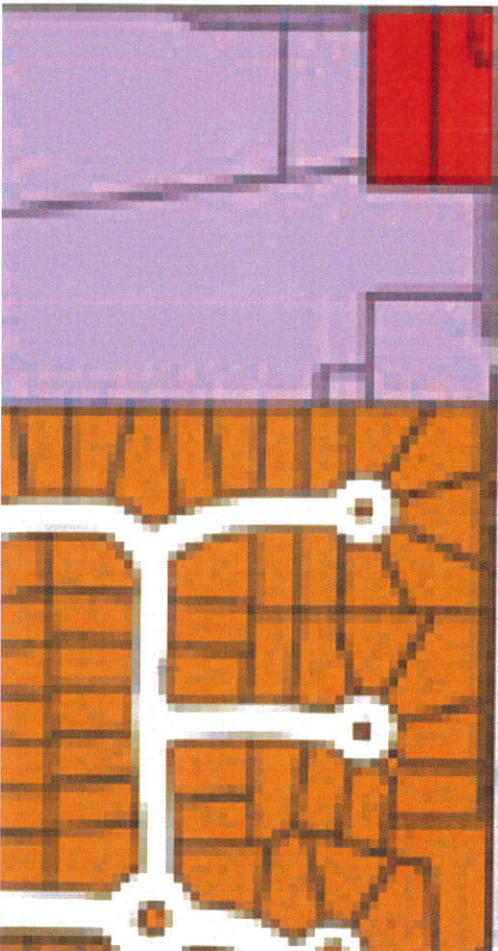
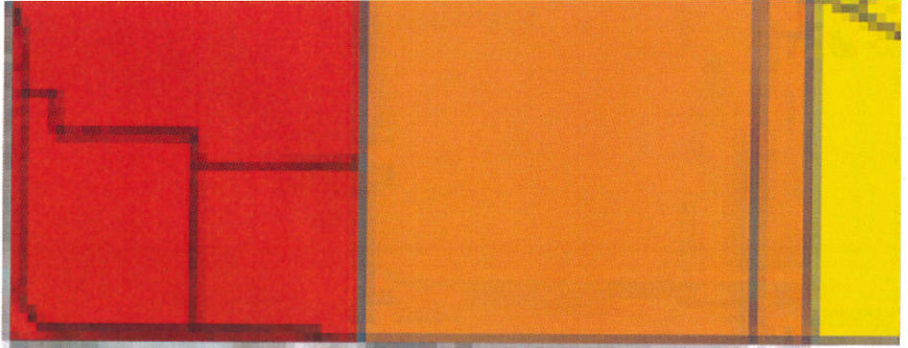
# Tuscan Plaza II

## EXHIBIT E

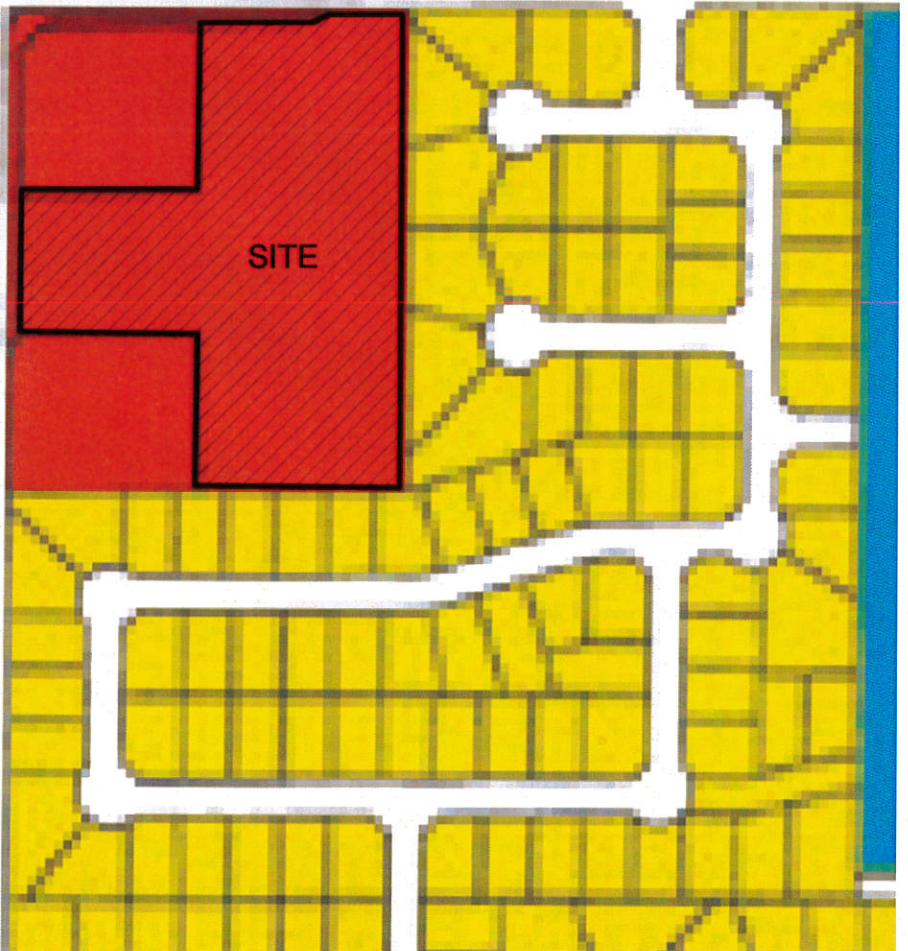
### EXISTING COMPREHENSIVE PLAN CITY OF BROKEN ARROW 2012








ALBANY ST (61ST STREET)



LYNN LANE (N 9TH STREET)



-  URBAN RESIDENTIAL (LEVEL 2)
-  TRANSITION AREA (LEVEL 3)
-  COMMERCIAL/EMPLOYMENT NODES (LEVEL 4)
-  REGIONAL EMPLOYMENT/COMMERCIAL (LEVEL 6)
-  PUBLIC/SEMI PUBLIC

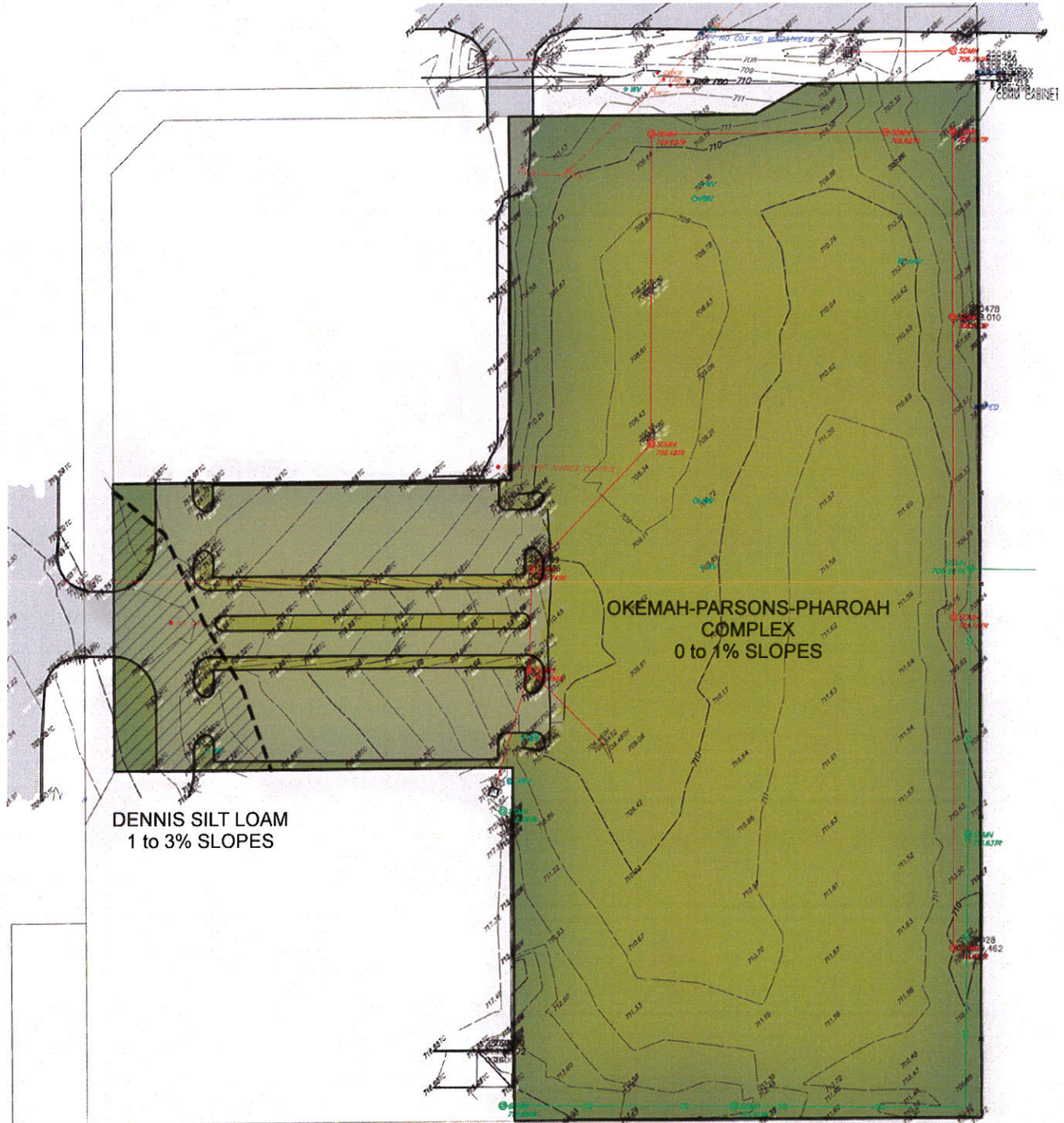




# Tuscan Plaza II

## EXHIBIT F

### EXISTING CONDITIONS MAPPING TOPO, UTILITIES & SOILS





## II. Development Standards – Area A

Net Land Area (excluding public streets).	1.78 acres
Permitted Uses:	Uses permitted by right within a CG District and uses as may be subsequently approved by specific use permit, but excluding drive-in restaurants.
Maximum Floor Area (excluding canopy area):	7,000 sq. ft. ( 0.09 f.a.r.)
Maximum Building Coverage	25% of net lot area
Minimum Lot Frontage – Albany:	317 feet
Maximum Height:	1 story
Minimum Building Setbacks: from r-o-w of Albany	50 feet However, the building line setback may be reduced to 40-feet with no parking or drives parallel to the street in front of the 40-foot building setback line.
from interior lot lines	10 feet or applicable easement width
from east boundary	50 feet
Minimum Landscaped Area:	10 % of the net lot area
Landscaping Standards:	Landscaping shall be provided in accordance with Section 5.2 of the Broken Arrow Zoning Code, except as above modified, and shall include a landscaped edge of at least 10 feet in width along Albany and a landscaped edge of at least 15 feet along the east boundary of the development area. Within the required landscaped area along the east boundaries, at least one tree per 25 lineal feet shall be installed and at least one half of the required trees shall be evergreens. Required landscaping shall be irrigated by an automatic



irrigation system and failed landscaping shall be replaced in accordance with Section 5.2 of the Broken Arrow Zoning Code.

Off-street Parking:

Not less than 78 parking spaces.

Other Bulk and Area Requirements:

As required within a CG District

Building Design Requirements:

The exterior finish of building walls facing a public street shall be of masonry materials in accordance with the provisions of Section 5.8G of the Broken Arrow Zoning Code.

Screening Fence:

Opaque fencing not less than 8 feet in height shall be installed and maintained (in accordance with the screening provisions of the Broken Arrow Zoning Code) along the common boundaries of Development Area A and abutting residential property. Maintenance of this fence is the responsibility of the property owner of Development area or in the alternative, responsibility may be of the Property Owners Association.

Noise Mitigation:

Loading, unloading or mechanical removal or emptying of trash receptacles that generate significant noise audible from adjacent residential areas shall be prohibited between the hours of 10:00 PM and 7:00 AM.

**III. Development Standards – Area B**

Net Land Area (excluding public streets).	1.16 acres
Permitted Uses:	Uses permitted by right within a CG District and uses as may be subsequently approved by specific use permit, but excluding drive-in restaurants.
Maximum Floor Area (excluding canopy area):	3,500 sq. ft. (0.07 f.a.r.)
Maximum Building Coverage	25% of net lot area
Minimum Lot Frontage – 9 <sup>th</sup> Street:	190 feet
Maximum Height:	1 story
Minimum Building Setbacks:	
from r-o-w of Lynn Lane	50 feet
from south, north and east lot lines	10 feet
Minimum Landscaped Area:	10 % of the net lot area
Landscaping Standards:	Landscaping shall be provided in accordance with Section 5.2 of the Broken Arrow Zoning Code, except as above modified, and shall include a landscaped edge of at least 10 feet in width along Lynn Lane and a landscaped edge of at least 15 feet along the east boundary of the development area. Within the required landscaped area along the east boundary, at least one tree per 25 lineal feet shall be installed and at least one half of the required trees shall be evergreens. Required landscaping shall be irrigated by an automatic irrigation system and failed landscaping shall be replaced in accordance with Section 5.2 of the Broken Arrow Zoning Code.
Off-street Parking:	Not less than 32 parking spaces.



Other Bulk and Area Requirements:

As required within a CG District

Building Design Requirements:

The exterior finish of building walls facing a public street shall be of masonry materials in accordance with the provisions of Section 5.8G of the Broken Arrow Zoning Code.

### III. Development Standards – Area C

Net Land Area (excluding public streets).	3.04 acres
Permitted Uses:	“Office, business or professional” as defined in the Zoning Ordinance shall be the only permitted use. Uses in the CG district require a Specific Use Permit may be permitted with the approval of the Specific Use Permits.
Maximum Floor Area (excluding canopy area):	15,000 sq. ft. ( 0.11 f.a.r.)
Maximum Building Coverage	30% of net lot area
Maximum Height:	2 story
Minimum Building Setbacks: from west and north boundary of Development Area C	10 feet
from east and south boundary of Development Area C	20 feet for one-story buildings and 30 feet for two-story buildings, provided however, no building shall be located in a utility easement.
Minimum Landscaped Area:	10 % of the net lot area
Landscaping Standards:	Landscaping shall be provided in accordance with Section 5.2 of the Broken Arrow Zoning Code, except as above modified, and shall include a landscaped edge of at least 15feet along the east and south boundaries of the development area. Within the required landscaped area along the east and south boundaries, at least one tree per 25 linear feet shall be installed and at least one half of the required trees shall be evergreens. Required landscaping shall be irrigated by an automatic irrigation system and failed landscaping shall be replaced in accordance with Section 5.2 of the Broken Arrow Zoning Code.



Off-street Parking:	Shall be in accordance with the Broken Arrow Zoning Ordinance.
Other Bulk and Area Requirements:	As required within a CG District
Building Design Requirements:	The exterior finish of building walls facing a public street shall be of masonry materials in accordance with the provisions of Section 5.8G of the Broken Arrow Zoning Code.
Noise Mitigation	Loading, unloading or mechanical removal or emptying of trash receptacles that generates significant noise audible from adjacent residential areas shall be prohibited between the hours of 10:00 P.M. and 7:00 A.M, in the area between the easternmost building of each lot abutting the east boundary of Development Area B and the southernmost building of each lot abutting the south boundary of Development Area C.
Screening Fence	<p>Opaque fencing not less than 8 feet in height shall be installed and maintained (in accordance with the screening provisions of the Broken Arrow Zoning Code) along the common boundaries of Development Area C and abutting residential properties.</p> <p>Maintenance of this fence is the responsibility of the office property owners that are adjacent to the residential property in Development Area C or in the alternative responsibility may be of the Property Owners Association.</p>
Windows Adjacent to Residential	Second floor windows on any building wall adjacent to the residential properties shall be at least five feet above the floor space.



### III. General Provisions and Development Standards

#### A. Lighting

Exterior lighting shall be installed in accordance within Section 5.6 of the Zoning Ordinance.

#### B. Signs

Signs shall be in compliance with Section 5.7 of the Zoning Ordinance, except as herein modified. Lot 1, has 190 square feet of frontage on Lynn Lane and 317 feet of frontage on Albany.

1. Two Integrated Development Signs identifying the development and/or a tenant or tenants shall be permitted. One Integrated Sign shall be permitted along the Lynn Lane frontage, but shall be limited to monument style, and a maximum height of 25 feet and a maximum display surface are of 150 square feet. One Integrated Sign shall be permitted along the Albany frontage, but shall be limited to monument style, and a maximum of height of 15 feet and a maximum display surface are of 100 square feet.
2. One free standing sign is permitted within each lot fronting an arterial but shall be limited to identifying an individual tenant within the lot and shall not exceed 10 feet in height nor 100 square feet of display surface area.
3. One free standing sign, limited to monument style is permitted within each lot located within Developer Area C but shall be limited to identifying an individual tenant within the lot and shall not exceed 8 feet in height nor 32 square feet of display surface area.
4. Wall or canopy signs are permitted within Development Areas A and B but shall not exceed 1.5 feet of display surface area per lineal feet of the building wall or canopy to which affixed.

#### C. Access and Circulation

Points of access to 9<sup>th</sup> Street (Lynn Lane) and Albany Street shall be as shown on the plat, "Tuscan Plaza" plat number 6174.



D. Utilities

Utilities are at the site or accessible by customary extension. Storm water drainage shall meet City of Broken Arrow requirements. There is an existing network of storm sewer infrastructure in place, which was previously constructed. Most of this existing structure will be utilized or modified for draining storm water resulting from the proposed Tuscan Plaza II. There is also an existing waterline which runs in a loop from Lynn Lane, and across the middle of the site to Albany Street. The existing 20 foot utility easement will remain and building sites have been planned accordingly. Private utilities (gas, electric, cable and telephone) are accessible.

E. Topography and Drainage

The property is generally flat, but does slope slightly toward a ditch along Albany. Drainage is then directed to an inlet just north of the Site.

FEMA FIRM map number 40143C0385L indicates that the Site is not located within a designated floodplain area, and is located south and west of any flood prone areas.

F. Soils

Existing soils on the site are 96% Okemah-Parsons-Pharoah complex in 0-1% slope and 4% Dennis Silt Loam in 1-3% slope. These soil conditions are "very limited" for both multi-story residential and commercial foundations. A specific geotechnical report with soil borings and analysis will be performed before construction is started on the Site.

G. Parcelization

Within Tuscan Plaza II, division of lots may occur by approved lotsplit application and subject to the further approval by the Broken Arrow Planning Commission of proposed floor area allocations and confirmation of the existence of any necessary cross parking and mutual access easements.

H. Transfer of Allocated Floor area

Allocated floor area may be transferred to another lot or lots by written instrument executed by the owner of the lot from which the floor area is to be allocated, provided however, the allocation shall not exceed 10% of the initial allocation to the lot to which the transfer of floor area is to be made.

I. Site Plan Review

Development may occur in phases and no building permit shall issue until a detailed site plan (including landscaping) of the proposed improvements shall have been submitted to and approved by the Broken Arrow Planning Commission as being in compliance with the development concept and the development standards. No certificate of occupancy shall be issued for a building until the landscaping of the applicable phase of development has been installed in accordance with a landscaping plan and phasing schedule submitted to and approved by the Broken Arrow Planning Commission.

J. Platting Requirement

Required platting may proceed in phases but no building permit shall issue until the area for which the improvements are planned 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 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.

**V. Expected Schedule of Development**

Development of the project is expected to commence within 12 months and to be completed as market conditions permit.

**VI. Legal Description**

The legal description of the proposed planned unit development is attached as Exhibit "G".



**Exhibit "G"**  
**A part of the NW/4 NW/4 of Section 1**  
**PUD Legal Description**

**Description**

A TRACT OF LAND THAT IS A PART OF THE NORTHWEST (NW/4) OF SECTION ONE (1), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW/4; THENCE NORTH 89°59'35" EAST AND ALONG THE NORTH LINE OF SAID NW/4, FOR A DISTANCE OF 647.67 FEET; THENCE SOUTH 0°00'24" WEST FOR A DISTANCE OF 50.00 FEET, TO A POINT OF BEGINNING;

THENCE SOUTH 0°00'24" WEST FOR A DISTANCE OF 684.14 FEET TO A POINT; THENCE NORTH 89°55'37" WEST FOR A DISTANCE OF 312.36 FEET TO A POINT; THENCE NORTH 0°00'25" EAST FOR A DISTANCE OF 233.68 FEET TO A POINT; THENCE SOUTH 89°59'35" WEST FOR A DISTANCE OF 265.31 FEET TO A POINT; THENCE NORTH 0°00'48" EAST FOR A DISTANCE OF 190.02 FEET TO A POINT; THENCE NORTH 89°59'35" EAST FOR A DISTANCE OF 265.24 FEET TO A POINT; THENCE NORTH 0°00'25" WEST FOR A DISTANCE OF 240.00 FEET TO A POINT; THENCE NORTH 89°59'35" EAST AND PARALLEL WITH THE NORTH LINE OF SAID NW/4 NW/4, FOR A DISTANCE OF 164.84 FEET TO A POINT; THENCE NORTH 59°59.35" EAST FOR A DISTANCE OF 40.00 FEET TO A POINT; THENCE NORTH 89°59'35" EAST AND PARALLEL WITH NORTHERN LINE OF SAID NW/4, FOR A DISTANCE OF 113.02 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 260,450.255 SQUARE FEET, OR 5.979 ACRES, MORE OR LESS.

**Basis of Bearing**

BASIS OF BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH DATUM 1983 (NAD83).

**Real Property Certification**

I, DAN E. TANNER, OF TANNER CONSULTING, LLC, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.



\_\_\_\_\_  
DAN E. TANNER, P.L.S.  
OKLAHOMA P.L.S. #1435  
OKLAHOMA CA #2661  
EXPIRATION DATE: 6/30/14

\_\_\_\_\_  
DATE