

CHURCH ON THE MOVE
SPECIFIC USE PERMIT SP-299

I. DEVELOPMENT CONCEPT

Church on the Move seeks a Specific Use Permit (“SUP”) to allow a Place of Assembly in a CG (Commercial General) District for property located south of Kenosha Street (71st Street) and east of 9th Street (Lynn Lane/177th E. Ave.) (the “Property”).

Under the Broken Arrow Zoning Code (the “Code”), SUPs are required for uses that have unique or widely varying operating characteristics. Places of Assembly are only permitted by SUP in all commercial zoning districts to ensure the use is compatible with adjacent uses in terms of scale, site design and operating characteristics.

The Property is comprised of approximately 7.55 acres and is the site of the 68,000 SF County Line Shopping Center (the “Center”). The proposed Place of Assembly is for Church on the Move’s new Broken Arrow location and will be located in the approximately 24,000 SF tenant space where Sky Fitness was formerly located. All public utilities are available at the Center.

Regular church services will initially be held on Saturdays at 5:00p.m. and 6:30 PM Sundays at 8:30 a.m., 10:00 a.m. and 11:30 a.m. Youth services and activities will be held on Wednesdays at 7:00 p.m. The remainder of the week, the facility will be used for various services and outreach initiatives that Church on the Move provides to the Broken Arrow community.

The Center currently has 377 parking spaces. Church on the Move will added an additional 14 parking spaces in accordance with the Code’s parking requirements for the assembly use in the Center. Additionally, Church on the Move will provide updated and enhanced landscaping.

Dollar General, White River Fish Market, and Express Oil Change are currently located in the Center, along with several other restaurants, a salon, a tae kwon do studio, and various offices. Businesses in the Center and other businesses in the area, such as Walgreen’s and Reasor’s, and restaurants, such as Chick-fil-A, Raising Cane’s and Schlotzky’s, will benefit from the increased activity generated by the church members before and after services. White River Fish Market is currently closed on Sundays but has indicated that it would likely open for the Sunday lunch hour if Church on the Move is located in the Center.

The Broken Arrow Comprehensive Plan (the “Comp Plan”) designation for the Property is Level 6 – Regional Commercial/Employment. The Comp Plan contains somewhat conflicting provisions as to where a Place of Assembly should be located, seeking to prevent their encroachment into residential neighborhoods (H4) while also calling for the protection of commercial areas from noncommercial uses (LU10). Access to the Church will be from both arterial streets (Kenosha and 177th) so as not to encroach into the residential neighborhood to the south of the Center.

Further, as a condition of approval and to mitigate any potential or perceived encroachment of a noncommercial use in the Center, the SUP will be coterminous with Church on the Move's tenancy at the Center for a period of ten (10) years. Should the Church desire to operate in the Center beyond the ten (10) year term, the Church must apply to renew and/or extend the SUP which renewal/extension shall be approved by the Broken Arrow City Council. In any event, at such time when Church on the Move is no longer located and operating in the Center, this SUP shall expire automatically.

Church on the Move will positively affect the ability to attract quality commercial and entertainment facilities to the Center and the area (LU1) and will bring significant activity to this intersection (QI.3), with an influx of its members on Wednesday and Saturday evenings and approximately 500-700 members to the area each Sunday. As a condition of approval, Church on the Move agrees to waive the 300' spacing requirement applicable to liquor stores and bars in proximity of a church.

Based on the foregoing and as set forth in the Code's criteria for considering SUPs, the proposed Place of Assembly use is consistent with the SUP standards of the Code, the CG zoning district, and the Comprehensive Plan.

Development Standards, including the aforementioned conditions of approval, are provided below.

A Conceptual Site Plan is attached hereto as Exhibit "A".

A Conceptual Landscape Plan is attached hereto as Exhibit "B".

A Conceptual Parking Plan is attached hereto as Exhibit "C".

Façade Design Concepts are attached hereto as Exhibit "D".

II. DEVELOPMENT STANDARDS

Land Area: 7.55 acres

Church on the Move Leased Premises: 33,456 square feet, as shown on the Conceptual Site Plan.

Permitted Uses in the Leased Premises:

All uses permitted by right in the CG (Commercial General) District, and Place of Assembly (Church on the Move), and All customarily accessory uses to the principal permitted uses.

Maximum Floor Area:

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| Place of Assembly: | 33,456 SF |
| Commercial: | As permitted by the Broken Arrow Zoning Code |

Parking:

Parking shall comply with the minimum parking requirements for the applicable use as set out in the Broken Arrow Zoning Code. Church on the Move shall provide an additional fourteen (14) parking spaces. Approximate location of the additional parking spaces are shown on the attached Conceptual Parking Plan. Parking facilities shall be continually maintained and free of litter and debris.

Landscaping:

Landscaping will comply with the standards for commercial uses contained in Chapter 5 of the Broken Arrow Zoning Code, unless modified herein as follows:

- All trees will be medium to large trees unless there are conflicts with overhead utility lines.
- Due to existing site conditions, no 10-foot wide landscape edge along Kenosha Street is required.
- One (1) tree per fifty (50) lineal feet of street frontage is required. Trees shall be installed between the existing building and the Kenosha Street right-of-way.
- All landscape islands, including the landscape area next to the point of access from Kenosha Street, shall meet the requirements of the Broken Arrow Zoning Code.
- Irrigation will be provided to all required landscaping areas.
- Any landscaping that fails must be replaced in accordance with Zoning Ordinance within six (6) months.
- Approximate location of new trees and additional landscaping are shown on the attached Conceptual Landscape Plan.

Lighting:

Lighting will comply with the standards for commercial uses contained in Chapter 5 of the Broken Arrow Zoning Code.

Bar and Liquor Store Spacing:

In the event a mixed beverage establishment, beer and wine establishment, bottle club, or package store desires to be located within three hundred feet (300') of Church on the Move and seeks a license from the Oklahoma ABLE Commission, Church on the Move agrees to waive the spacing requirement in accordance with all applicable waiver requirements and procedures established by Oklahoma law and the administrative rules of the ABLE Commission.

Expiration and Renewal of SP-299:

SP-299 shall be valid for a period of ten (10) years, which period shall commence on June 1, 2021. In order to extend beyond the ten (10) year term, prior to the expiration thereof, the Specific Use Permit must be renewed by the Broken Arrow City Council through the review and approval procedures of the Broken Arrow Zoning Code for the continued use of the Leased Premises as a Place of Assembly. Notwithstanding the foregoing, SP-299 shall automatically expire at such time as Church on the Move is no longer located and operating as a Place of Assembly in the Leased Premises.

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Exhibit “A”
Conceptual Site Plan

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Exhibit “B”
Conceptual Landscape Plan

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Exhibit “C”
Conceptual Parking Plan

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Exhibit “D”
Façade Design Concepts