Murphy, Brent

From:

Ward, Michael < mward@quiktrip.net>

Sent:

Tuesday, July 28, 2015 8:34 PM

To:

Daroga, Farhad

Cc:

Fischer, Karissa; Skates, Michael; Murphy, Brent

Subject:

Re: [External] RE: 0034 QuikTrip PUD Amendment

Farhad-

As discussed in our meeting last Friday, we would like to withdrawal from PUD amendment 207D and will submit an application for PUD amendment 207E.

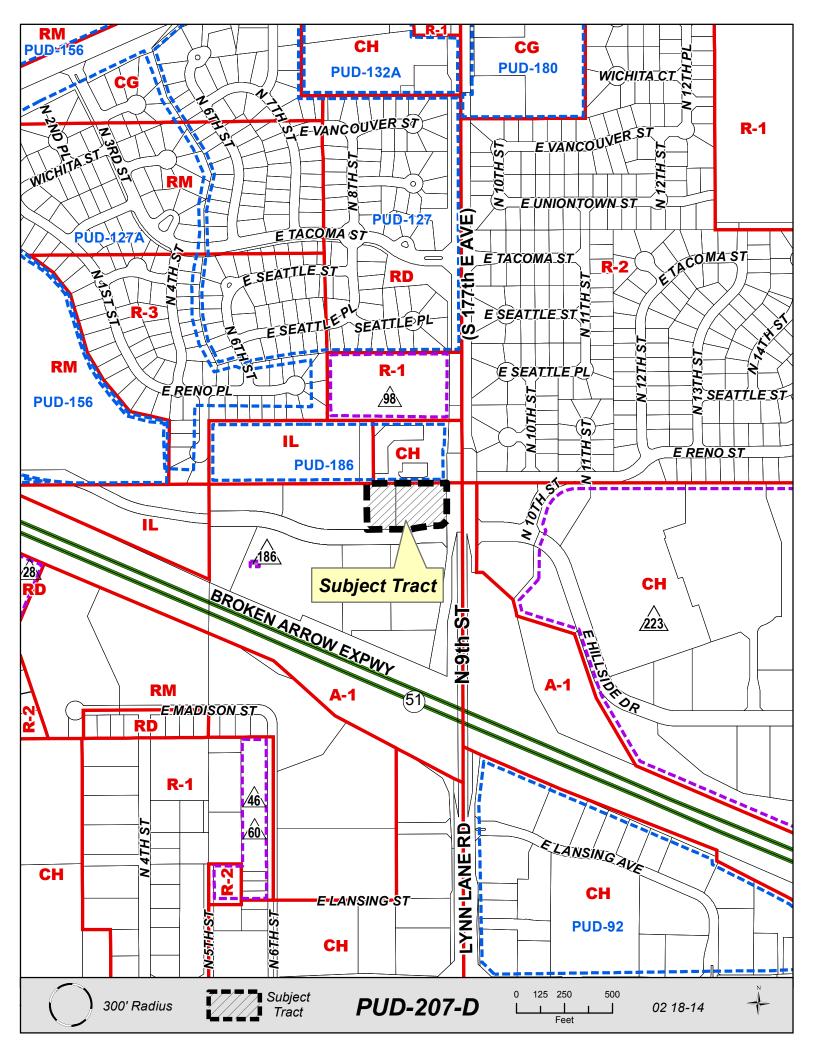
Thanks, Mike Ward

Sent from my iPhone

> On Jul 28, 2015, at 12:09 PM, Daroga, Farhad < FDaroga@BrokenArrowOK.Gov > wrote:

>

> Mike, thanks for the quick reply. Please confirm (via e-mail or letter) that you do want to withdraw existing application PUD 207 D. We will help expedite the next application. Also coordinate a meeting with us, before you make the next application, to discuss your findings and the details of the proposed new sign and all PUD features, Thanks, farhad





PUD 207D QuikTrip

400 200 0 400 Feet





City of Broken Arrow

220 S 1st Street Broken Arrow, Oklahoma. 74012

Legislation Text

File #: 15-172, Version: 1

Broken Arrow Planning Commission 07-23-2015

To: Chairman and Commission Members From: Development Services Department

Title:

Public hearing, consideration, and possible action regarding PUD 207D, QuikTrip, a request for a major amendment to PUD 207, 2.39 acres, CH/PUD 207 to CH/PUD 207D, north of the Broken Arrow

Expressway, west of 9th Street

Background:

Applicant: Michael Ward, QuikTrip **Owner:** Hillside Development LLC

Developer: QuikTrip

Engineer: AAB Engineering, LLC

Location: North of the Broken Arrow Expressway, west of 9th Street

Size of Tract 2.39 acres

Number of Lots: 1

Present Zoning: CH/PUD 207

Comp Plan: Level 6

Planned Unit Development (PUD) 207D is a request for a major amendment to PUD 207 on 2.39 acres located north of the Broken Arrow Expressway, west of 9th Street, on the northwest corner of 9th Street and Hillside Drive. With PUD 207D, applicant is requesting to modify the sign and development regulations on this parcel. QuikTrip is contemplating constructing a new store on the property associated with PUD 207D. The property has been platted as part of Hillside Crossing. A request to split part of Lot 2, Block 1 and attach it to Lot 1 has also been submitted.

HISTORY OF PUD 207

On November 20, 2006, the City Council approved BAZ 1736 to change the zoning on most of the property to C-5. The C-5 district was changed to CH with the Zoning Ordinance update in 2008. BAZ 1736 was approved subject to platting. On December 21, 2010, the City Council approved PUD 207 on 19.58 acres along with BAZ 1860 (A-1 to CH) on 0.18 acres. Both PUD 207 and BAZ 1860 were approved subject to platting. On August 22, 2013, the Planning Commission approved PUD 207A that modified the parking requirements on Lots 3 and 4 and modified the access point onto Hillside Drive with the provision that a raised median would be installed. The plat for Hillside Crossings was recorded in Tulsa County on December 20, 2013. On May 5, 2014, the Planning Commission approved PUD 207B to allow a project identification sign, 25 feet in height and containing 300 square feet, to be located 12 feet from the property line next to 9th Street. In addition, it was recognized that the detention facility would not be a wet facility. On March 12, 2015, the Planning

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Commission approved PUD 207C, a minor amendment to allow light poles in the utility easement adjacent to 9 th Street on Lot 1, Block 2 of Hillside Crossings.

CHANGES REQUESTED WITH PUD 207D

A summary of the changes being requested with PUD 207D is provided in the table below along with a comparison between what the Zoning Ordinance requires along with what was approved with PUD 207 in 2010.

Requirement	Zoning Ordinance	PUD 207	PUD 207D
	125% of the minimum number of spaces required, uses with high sales volume per floor area or low parking turnover are excluded.	Same as Zoning Ordinance.	Eliminate the maximum parking restrictions for an increase in allowable parking.
Canopy Setback	Same as for buildings, 50 feet from front property lines.	Same as Zoning Ordinance.	Requested to be reduced from 50 feet to 40 feet along 9th Street frontage.
Maximum distance from a parking space to a landscape area on a sites with more than 2.5 acres	75 feet	75 feet	100 feet
` '	No restriction, can be small, medium, or large.	At least 50% of the trees have to be large trees.	No restriction, can be small, medium, or large.
Light poles in utility easements next to street right-of-way	Not allowed	Not allowed, except on Lot 1, Block 2 that was approved via PUD 207C.	Request light poles be allowed in utility easement next to Hillside Drive.
Number of trees per parking spaces	1 tree required per 15 parking spaces.	1 tree required per 15 parking spaces.	1 tree required per 10 parking spaces.
Number of shrubs required where parking abuts landscape edge	10 shrubs per 50 lineal feet	10 shrubs per 50 lineal feet	1 shrub per lineal foot along 9 th Street and one shrub per 2 lineal feet along Hillside Drive, grouped into three areas.
Sign Height	20 feet	8 feet high for signs on lots, 25 feet for overall development sign	One 18 foot high sign along 9 th Street, and one 40 foot high sign on Hillside Drive

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Sign size	300 square feet	96 square feet for monument	84 square feet for 18 foot
		signs on lot, 300 square feet	high sign and 140 square
		for development	feet for 40 foot high sign.
		identification signs.	

SIGN MODIFICATION REQUEST

When PUD 207 was adopted in 2010 there was much discussion regarding signage on the property. The property is adjacent to the Broken Arrow Expressway and is one of the major points of entry into the City. This PUD is south of the Stone Wood Hills and West Wind neighborhoods.

PUD 186, which abuts this property immediately to the north, was approved in 2008. In PUD 186, one free standing sign was permitted per tract. Signs were limited to 20 feet in height with a maximum display area of 250 square feet. Two signs have been installed on the property. One is a development identification sign and the other is a low monument sign.

Across 9th Street to the east, SP 223 that was approved in 2008 limits the signs on each lot to 10 feet in height, 39 square feet in size. Three development identification signs are allowed in the 64.80 acre site associated with SP 223. Two of the development identification signs were allowed to be 35 feet in height and contain 298.60 square feet and the third was 15 feet in height with 128 square feet. The three development identification signs have been installed along with 10 monument signs.

PUD 207 presently limits signs on lots to 8 feet in height and 96 square feet. Two development identification signs are allowed up to 25 feet in height and 300 square feet. The development identification signs have been installed. One monument sign for Sprouts has been installed and the site plan for the retail site under construction east of Sprouts has been approved with a monument sign that meets the requirements of PUD 207.

With PUD 207D, applicant is requesting to have two signs, one 40 foot high sign with 140 square feet located on the southwest corner of the property, and the other sign 18 feet in height and 84 square feet located adjacent to 9th Street.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The surrounding properties contain the following uses, along with the following development guide and zoning designations:

Location	Development	Zoning	Land Use
	Guide		
North	Level 6	CH/IL/PUD 186	Restaurant, retail center, and mini-storage
East	Level 6	CH/SP 223	Undeveloped, office, and major retail commercial
South	Level 6	CH/PUD 207	Grocery store and retail center under construction
West	Level 6	CH/PUD 207	Undeveloped

The property is not located in a 100-year floodplain area. AEP-PSO does have an easement and major

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overhead power lines along the north part of the property.

Attachments: Case map

Aerial photo

PUD 207D design statement

Conceptual site plan Excerpts from PUD 207

Photographs

Recommendation:

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD 207D be approved subject to the requests for modification to the sign regulations, both 40 foot and 18 foot high signs, being deleted. Information and facts for the Planning Commission to consider in evaluating the signs modifications requested with PUD 207D are provided below:

- 1. The sign modifications requested with PUD 207D are out of character with the surrounding area. The property to the north has a low monument sign, even though it is allowed to have a 20 foot high sign. All the individual lots on the 64.80 acre parcel to the east have monument signs limited to 10 feet in height and 39 square feet. Ten monument signs have been installed on the property to the east. Signs 40 feet and 18 feet in height for one business would be much higher than the other signs in the area, providing an unfair advantage, and potentially setting a precedent.
- 2. The 40 foot high sign will be visible for only a small segment of the Broken Arrow Expressway. Views of the sign for east bound traffic on the Broken Arrow Expressway are blocked by the hill to the west. Views of the sign for west bound traffic are blocked by the overpass and trees.
- 3. Businesses constructed and under construction within PUD 207 have installed or will be installing signs in accordance with existing regulations of PUD 207. This raises the question, "Why should another business in the same development be granted bigger and higher signs than what the other property owners were allowed to construct?"
- 4. The Zoning Ordinance does not permit 40 foot high signs more than 100 feet from a turnpike or limited access highway. The proposed 40 foot high sign is located more than 500 feet from the right-of-way line along the Broken Arrow Expressway.
- 5. Sign standards in the Zoning Ordinance were established to provide orderly and equal opportunities to all businesses. Issues of visibility for properties not located on a highway are not zoning and land use issues.
- 6. The request for the 40 foot high sign establishes a dangerous precedent. Another convenience store is located approximately 1,000 feet south of the Broken Arrow Expressway. If the 40 foot high sign is approved, they as well as other businesses in the area will be using such a precedent as justification for such a high sign on their property. Similarly, if approved here, other such requests will be pointing to this location as justification for a higher sign on their property.
- 7. The 40 foot high sign, which has limited visibility from the Broken Arrow Expressway, will be highly visible and disruptive to the single family neighborhoods to the northwest and northeast.

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- 8. Signs on the Broken Arrow Expressway directing motorists to gas stations, restaurants, and hotels are much more effective and less disruptive in directing motorists to this site.
- 9. There are existing development identification signs on the property that can be used.
- 10. A monument sign similar to the one at the store on Kenosha Street and 23rd Street meets the current requirements of PUD 207 and will be clearly visible from the east bound off ramp at 9th Street.
- 11. QuikTrip has other stores in Broken Arrow (such as Albany Street and Aspen Avenue) that are located near limited access highways that do not have 40 foot high signs.

If the Planning Commission prefers an 18-foot high sign on 9th Street, Staff could be supportive.

Five paper copies and one electronic copy in a PDF format of the PUD document incorporating changes required by the Planning Commission shall be submitted to the Development Services Department by July 30, 2015.

Reviewed By: Farhad Daroga

Approved By: Michael W. Skates

FKD: BDM

Sand Springs, OK 74063

Office: 918.514.4283 Fax: 918.514.4288

June 15, 2015

Hillside Crossing – PUD 207 Major Amendment

Hillside Crossing is a development located on the northwest corner of 9th Street (Lynn Lane) and Highway 51. PUD 207, which encompasses the property, was approved by the Broken Arrow City Council on December 21, 2010 and subsequently amended by PUD 207A & 207B approved by the Broken Arrow Planning Commission on August 22, 2013 & May 22, 2014, respectively. The property was also platted as Hillside Crossing according to the recorded plat no. 6505 filed December 20, 2013.

The below amendment is almost exclusively related to lot 1 and the eastern 150.8 feet of lot 2 of development Area A (herein after referred to as the PROPERTY) which is proposed to be developed in substantial conformance to the attached conceptual site plan and landscape plan. This lot is unique in that there are large overhead power lines along the northern boundary and a large utility easement along the eastern line. This causes unique layout issues that require certain modifications to the PUD. In order to develop the site according to the attached site plan we request the following minor amendments to the original PUD:

- 1. Eliminate the maximum parking restrictions within the PROPERTY.
- Reduce the building setback along the eastern side of the PROPERTY to 40 feet for all open air canopies.
- Increase the distance between a parking stall and a landscaped area from 75 feet to 100 feet.
- 4. Remove the requirement that 50 percent of the trees within the PROPERTY be large trees.
- 5. Allow light poles within the perimeter utility easement along Hillside drive within the PROPERTY.
- 6. Increase the street tree requirement from 1 tree for every 50 feet of frontage to 1 tree for every 25 feet of frontage (1 tree for every 20 feet of frontage if crapemyrtles are used).
- 7. Increase the parking tree requirement from 1 tree for every 15 parking spaces to one tree for every 10 parking spaces.
- 8. Increase the shrub requirement to be 1 shrub for each linear foot of frontage along 9th Street and 1 shrub for every 2 linear feet of frontage along Hillside Drive. Shrubs will be located as close as practical to the street landscape buffer.
- 9. Increase the allowed sign height from 8' to 18' feet provided it is constructed along 9th Street and not Hillside Drive.
- 10. Allow for one high rise sign to be constructed at the southwest corner of the PROPERTY provided it does not exceed 40' in height or 140 square feet of display surface area.

In order to achieve the above we propose to amend the approved PUD language as follows:

The **Access and Circulation** section shall be amended as follows:

The maximum parking restrictions shall not apply to Lot 1 or the eastern 150.8 feet of Lot 2 within Development Area A.

The **Minimum Building Setback section of Development Area A** shall be amended by adding the following line:

From R.O.W. line of Lynn Lane (Open Air Canopies)......40 feet

The **Landscape and Screening** section shall be amended by adding the following at the end of the section:

Sand Springs, OK 74063

Office: 918.514.4283 Fax: 918.514.4288

Notwithstanding the above, within lot 1 and the eastern 150.8 feet of lot 2 with Development Area A the landscape requirements shall be modified as follows:

- All parking stalls shall be within 100 feet of a landscape bed as describe by the Zoning Code.
- One street tree shall be provided for every 25 feet of frontage (1 tree for every 20 feet if crapemyrtles are used).
- One parking tree shall be provided for every 10 parking spaces.
- One shrub shall be provided for each linear foot of frontage along 9th Street and one shrub shall be provided for every 2 linear feet of frontage along Hillside Drive. Shrubs will be located as close as practical to the street landscape buffer.
- There shall be no requirement that trees used be defined as large trees.

The Freestanding Sign section of Development Area A shall be amended as follows:

One monument sign not exceeding a height of 8-ft and a size of 96 square feet is permitted along the frontage of each lot. Lot 1 shall be permitted one monument sign not exceeding a height of 18-ft and a size of 84 square feet. Each sign shall have a monument base made of similar materials as the main structure/building on that lot. Furthermore, Lot 1 shall be allowed one pole sign not to exceed 40 feet in height and a size of 140 square feet.

The **Exterior Site Lighting section of the PUD** shall be amended by adding the following to the end of the section:

Within Lot 1 and the eastern 150.8 feet of Lot 2 of Development Area A Site light poles shall be allowed within the utility easement abutting Hillside Drive (subject to the approval of all franchise utilities).

All other previsions and restrictions of PUD 207, as well as all other provisions and restrictions of the Broken Arrow Zoning Ordinance and the CH zoning district, shall remain in full force and effect.

DEVELOPMENT CONCEPT & CHARACTER

Hillside Plaza is a proposed commercial development submitted as a Planned Unit Development (PUD) pursuant to the provisions of the Broken Arrow Zoning Code. The site is approximately 19.58 acres located at the Northwest corner of Lynn Lane and State Highway 51. It is bounded on North, by property zoned CH/PUD186, on the South by the Broken Arrow Expressway (State Highway 51), on the East by Lynn Lane (9th Street) and on the West by a vacant land zoned IL.

The site has approximately one thousand two hundred thirty one (1,231) feet of street frontage along State Highway 51 (Broken Arrow Expressway) and nine hundred seventy five (975) feet of street frontage along 9th Street (S. Lynn Lane).

The proposed project consists of four development areas. Development Area A consists of three commercial lots located north of the proposed Hillside Drive (Public Street), and encompasses approximately 4.50 acres of land. Development Area B consists of four commercial lots located south of the proposed Hillside Drive (Public Street), and encompasses approximately 11.11 acres of land. Development Area C consists of approximately 2.30 acres of proposed Hillside Drive right-of-way. Lastly, Development Area D consists of approximately 1.65 acres of Reserve A that will be used for storm water management.

A Conceptual Development Plan for the project is shown on Exhibit "A".

Site lighting will be provided in accordance with the requirements of the city of Broken Arrow.

LANDSCAPING AND SCREENING

The Hillside Plaza Landscaping Plan will be designed to enhance the street frontage, and to create a pleasant environment within the site. The planting theme will highlight the site entries and buildings, and will utilize plant selections indigenous to North East Oklahoma that are durable and require low maintenance. All landscaping shall be provided in accordance with the Broken Arrow Zoning Ordinance except as noted herein. Any landscape material that fails shall be replaced in accordance with Section 5.2 C.4 of the Zoning Ordinance.

The interior parking areas shall include landscaped planting islands and shade trees, with a minimum of 1 tree per 15 parking spaces, and no parking space more than 75 feet from a landscaped area.

All trees will be selected from the approved tree list contained in the Broken Arrow Zoning Code; trees required by code will be planted at a minimum size of 2" caliper. At least 50 percent of the required trees will be large trees as identified in the Zoning Ordinance. Shrubs required by code will be planted at a minimum 3-gallon container size. All landscape areas will be irrigated with an automatic irrigation system, and maintained per requirements of the Broken Arrow Zoning Ordinance.

PUD 207-Hillside Plaza

DEVELOPMENT STANDARDS

Development Area A

Development Area A shall be governed by the use and development regulations of the CH District of the Broken Arrow Zoning Ordinance except as follows:

Permitted Uses	As permitted within the CH Zoning Districts.
	Districts.
Zoning Classification	CH/PUD
Net Development Area	4.50 acres
Minimum Lot Area	None
Maximum Floor Area Ratio Per Lot	None
Minimum Lot Frontage	50 feet (along public street)
Minimum Building Setback:	
From R.O.W. line of Lynn Lane & Hillside Drive	50 feet ⁽¹⁾ , 25 feet ⁽²⁾
West boundary of PUD	17.5 feet
Internal Lot Line	10.0 feet
Maximum Building Height	None
Freestanding Signage	*
Parking Ratio	As required by the applicable use as set forth within the Broken Arrow Zoning Code.

- (1) With parking in front of the building.
- With 25 feet of landscaped area adjacent to the right-of-way and no parking or paving in front of the building
- * One monument sign not exceeding a height of 8-ft and a size of 96 square feet is permitted along the frontage of each lot. Each sign shall have a monument base made of similar materials as the main structure/building on that lot.

Development Area B

Development Area B shall be governed by the use and development regulations of the CH District of the Broken Arrow Zoning Ordinance except as follows:

Permitted Uses	As permitted within the CH Zoning Districts.
Zoning Classification	CH/PUD
Net Development Area	11.11 acres
Minimum Lot Area	None
Maximum Floor Area Ratio Per Lot.	None

Minimum Lot Frontage	50 feet (along public street)
Minimum Building Setback:	
From R.O.W. line of Lynn Lane & Hillside Drive	50 feet ⁽¹⁾ , 25 feet ⁽²⁾
West boundary of PUD	17.5 feet
Internal Lot Line	10.0 feet
From R.O.W. line of Highway 51	25 feet ⁽³⁾ , 50 feet ⁽⁴⁾
Maximum Building Height	None
Freestanding Signage	**
Parking Ratio	As required by the applicable use as set forth within the Broken Arrow Zoning Code.

- (1) With parking in front of the building.
- With 25 feet of landscaped area adjacent to the right-of-way and no parking or paving in front of the building
- (3) If no pavement, nor any buildings, nor any signs are placed within this 25 ft. setback.
- (4) If paving, parking or signs are proposed within this area.
- ** One monument sign, not exceeding a height of 8-ft and a display area of 96 square feet, is permitted along the frontage of each lot. There shall be two (2) free standing pylon signs on this development as follows:
 - a. One 25-ft tall pylon sign will be located near the intersection of Hillside Drive and Lynn Lane, with a minimum setback of 25 feet from Lynn Lane ROW, away from easements and sight triangle. The maximum display area of this pylon sign shall be 300 square feet.
 - b. Another 25-ft tall pylon sign will be located within Reserve A, along the frontage of Highway 51. The minimum sign setback shall be 25 feet from Hwy 51 ROW, and away from easements. The maximum display area of this pylon sign shall be 300 square feet.

Development Area C

Development Area C consists of approximately 2.30 acres. It will be used as a Public Street right-of-way and will be dedicated to the City of Broken Arrow by plat.

Development Area D

Development Area D consists of approximately 1.65 acres. It will be used as a Reserve for Storm Water Management. A wet pond detention will be constructed that will enhance the frontage of this development. The maintenance of this reserve will be the responsibility of the property owners association. Landscaping will be designed to enhance the street frontage, and to create a pleasant environment within this area. Shrubs will be planted at a minimum 3-gallon container size. A minimum of 1 tree shall be installed every 40 feet along the perimeter. All landscape areas will be irrigated with an automatic irrigation system, and maintained per requirements of the Broken Arrow Zoning Ordinance.

No signs shall be permitted in Development Area D.

DETAIL SITE PLAN REVIEW

A Detailed Site Plan is required for approval by the City of Broken Arrow prior to the issuance of a Building Permit on this development. The applicant shall submit the site plan to the City and supply all information required. All trash dumpsters shall be screened with an opaque fence that is at least 6-ft high and taller than the proposed dumpster.

GRADING & UTILITY PLANS

A Site Grading & Utility Plan will be submitted to the City of Broken Arrow for approval. The Conceptual Drainage Plan is shown on Exhibit D. The storm water from various on-site drainage areas will be collected in a storm drain system and conveyed downstream toward the proposed detention pond to be constructed on site.

The Conceptual Site Utility Plan is shown on Exhibit C. All utilities are available to serve this development. Drainage & utility plans will be prepared in accordance with the City of Broken Arrow requirements.

ACCESS AND CIRCULATION

Access to the *Hillside Plaza* will be limited to one (1) main point on 9th street (Lynn Lane). All access points from this PUD lots will be through Hillside Drive. All driveways shall either align with or be offset by 150 feet from adjacent access points on Hillside Drive. A mutual access easement will be provided in Development Area A that connects with the existing access easement located in abutting property to the north. No driveway will be allowed within 250 feet of the intersection of Lynn Lane and Hillside drive. The minimum separation distance between driveway centerlines is 150 feet. No access from this development shall be allowed to Highway 51 that abuts the south boundary of the PUD. No access to 9th Street (Lynn Lane) shall be permitted other than Hillside Drive.

EXTERIOR SITE LIGHTING

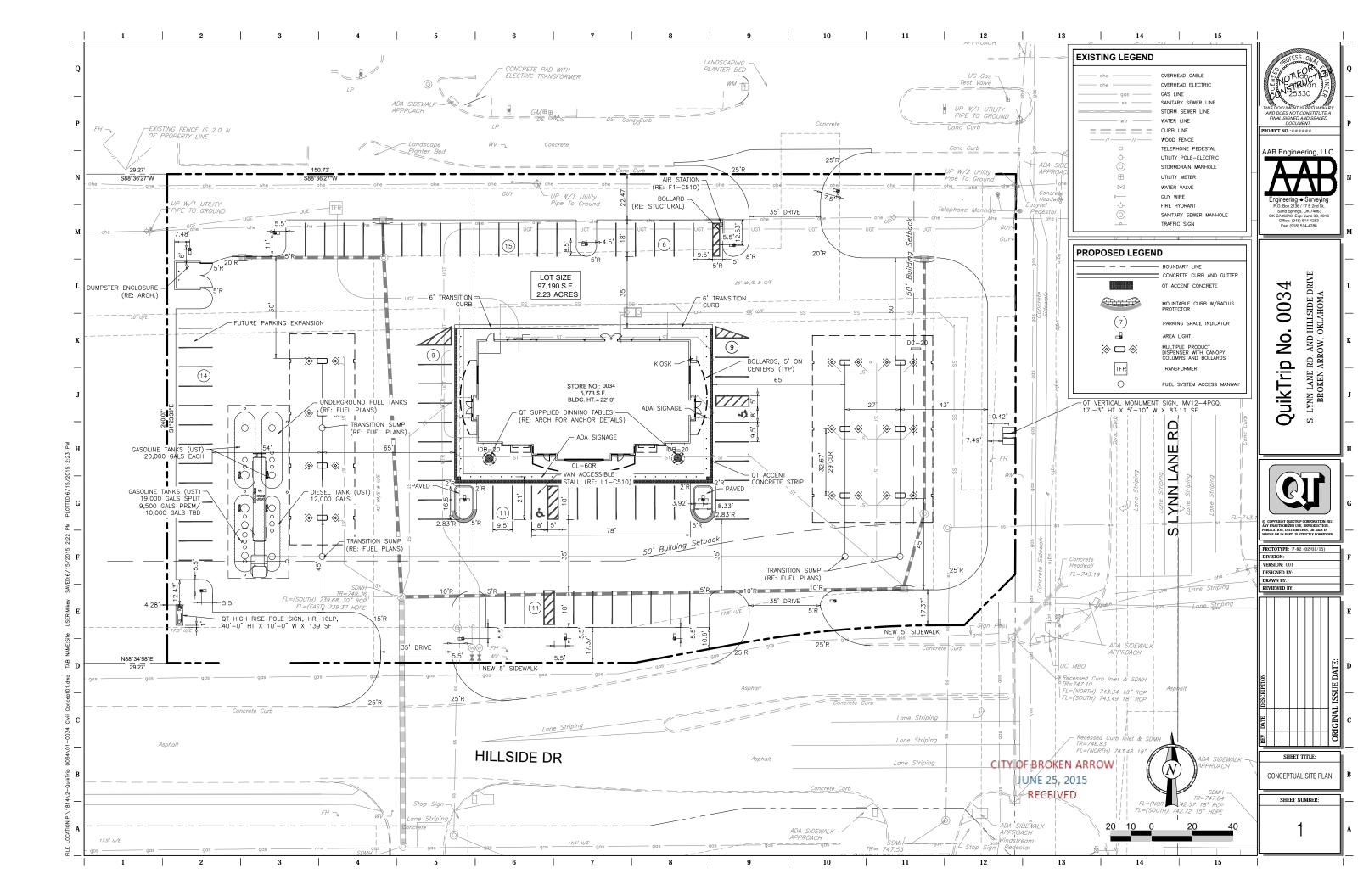
All exterior site lighting shall be in strict accordance with the City of Broken Arrow requirements. Before any exterior light pole or building wall pack is installed, a photometric study shall be submitted to the City of Broken Arrow Development Services Department for approval.

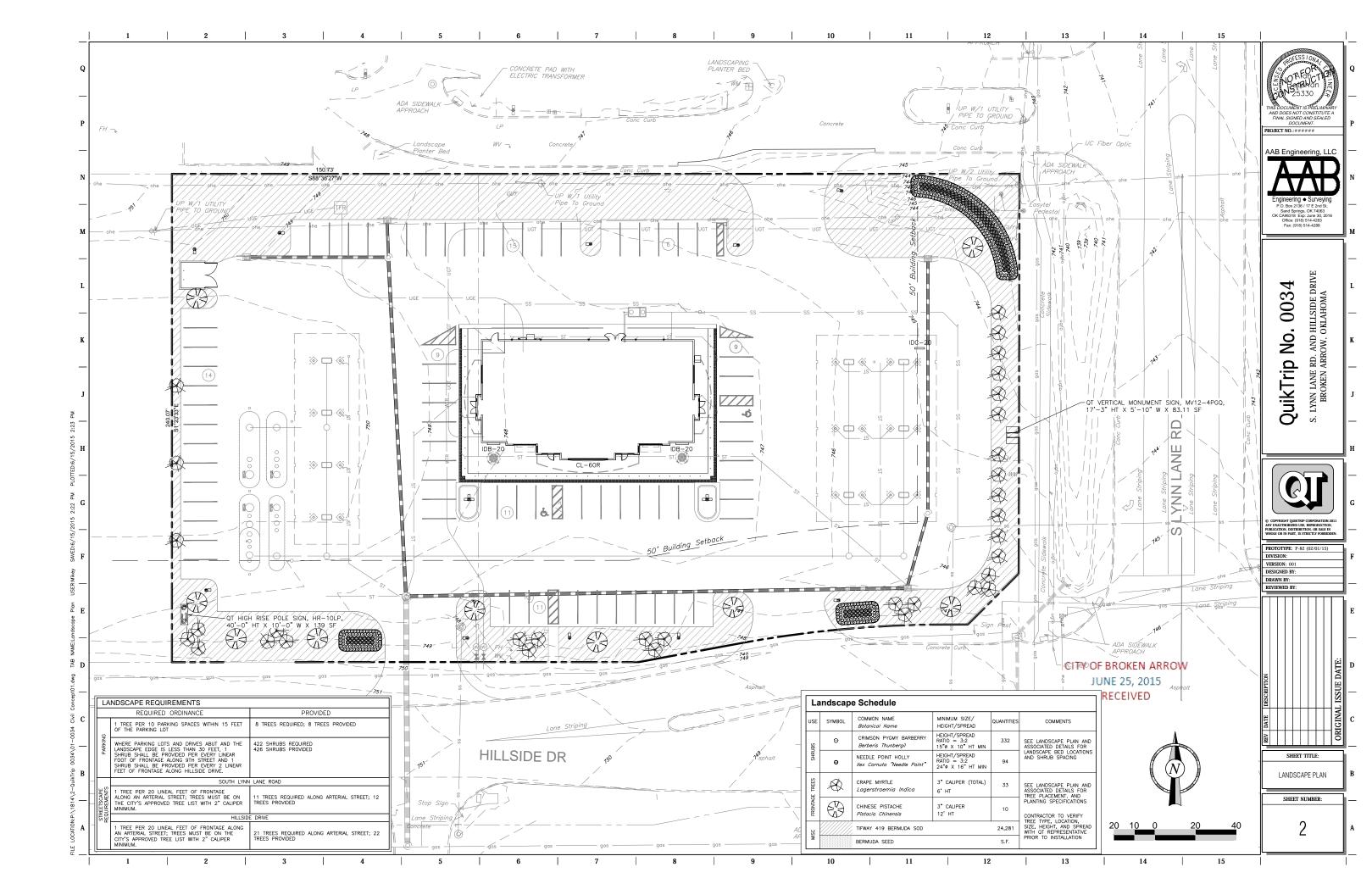
SCHEDULED DEVELOPMENT

Following approval of this PUD, the developer will secure an anchor and other tenants to occupy the center. Specific timing will be determined by market-driven sales and leasing activity. It is anticipated that construction may commence in January of 2011.

LEGAL DESCRIPTION

ENTIRE PUD LEGAL DESCRIPTION







NORTHWEST CORNER OF 9TH STREET AND HILLSIDE DRIVE | NORTHWEST VIEW



STONE WOOD HILLS II ADDITION | SOUTHEAST VIEW



BLUE SERVICE AND FACILITIES SIGN-BROKEN ARROW EXPRESSWAY | EAST OF ELM PLACE EXIT | WEST VIEW



BLUE SERVICE AND FACILITIES SIGN-BROKEN ARROW EXPRESSWAY | EAST OF ASPEN AVENUE EXIT | WEST VIEW



BLUE SERVICE AND FACILITIES SIGN-BROKEN ARROW EXPRESSWAY | WEST OF 9TH STREET | EAST VIEW



BROKEN ARROW EXPRESSWAY | EAST OF 9TH STREET | WEST VIEW



BROKEN ARROW EXPRESSWAY | WEST OF 9TH STREET | EAST VIEW







