

Design Statement for The Planned Unit Development of Garth Brooks Commercial Park Phase IV

December 10, 2012
Revised 12/20/12
Revised 01/15/13
Revised 01/23/13

PREPARED FOR:

Milanco, LLC
5400 N. Grand Blvd., Suite 545
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GARTH BROOKS COMMERCIAL PARK – PHASE IV

A Planned Unit Development Yukon, Oklahoma

DESIGN STATEMENT

• INTRODUCTION

The project site consists of approximately 4.89 acres (212,863 SF) of vacant land located west of Garth Brooks Blvd. approximately 3,800 feet north of I-40 in Yukon, Oklahoma. Garth Brooks Commercial Park – Phase IV is to be developed as a planned unit development supplemental district – commercial.

• LEGAL DESCRIPTION

See Exhibit A

• OWNER/DEVELOPER

Milanco, LLC
James H. Milligan 1987 Trust
The John M. Coffey Revocable Trust dated April 26, 2011
Redhawk Enterprises, LLC
Ronald H. White

• SITE AND SURROUNDING AREAS

This PUD property is presently a portion of undeveloped and unplatted land within the Garth Brooks Industrial Park property, and generally comprise lots 4 and 5 of the Garth Brooks Industrial Park Preliminary Plat. The land to the north and south of the project site consists of commercial uses. The adjoining property to the west contains existing residential units within the Stone Creek Addition. Yukon Middle School is located east of the property, across Garth Brooks Blvd.

Current Zoning:

Subject Site:	C-4, Planned Shopping Center District
North:	C-3, Restricted Commercial District A, Agricultural District
East:	C-3, Restricted Commercial District A, Agricultural District
South:	C-5, Automotive and Commercial Recreation District
West:	R-1, Single Family Residential District

- **PHYSICAL CHARACTERISTICS**

The general slope of the land is from southwest to northeast with a drop of roughly twelve feet across the property. The property is a vacant field.

The west side of the site drains to an existing storm sewer that drain to the north, and the east side drains to Garth Brooks Blvd.

According to FEMA map number 40017C0410H dated September 26, 2008, the subject property is not located in the 100 year flood plain.

See Exhibit C – Preliminary Plat for reference.

- **GENERAL PLANNED UNIT DEVELOPMENT CONCEPT**

This PUD is presented in order to allow the development of this property in a manner that is similar to the Garth Brooks Commercial Addition. The property is currently zoned as C-4, but requires a 200,000 SF minimum lot size. This property has less than 200,000 SF, and therefore cannot be developed under current zoning development regulations. To resolve this, the property will be rezoned to C3. The intent of this PUD is to modify parts of the development regulations for this property that currently do not permit the development of this property in a fashion similar to the surrounding area.

The subject property is planned to be divided into 3 lots. Two of the lots would front onto Garth Brooks Blvd, while the third would occupy the west half of the property. The third lot would gain access to Garth Brooks Blvd. by means of a private access easement and drive that would run across and between the front two lots.

- **SERVICE AVAILABILITY**

- **STREETS**

The site is located along the west side of Garth Brooks Blvd.

- **WATER**

There is an existing 12" waterline located on the west side of Garth Brooks Blvd. The proposed lots will be served by the Yukon municipal water system. Water lines, necessary fire hydrants and required easements will be planned and installed as part of the development process in accordance with the City of Yukon standards.

- **SANITARY SEWER**

Sanitary sewer lines are located along the west and north side of the property. Sanitary sewer lines and required easements will be planned and installed as part of the development process in accordance with the City of Yukon standards.

- **STORM WATER DRAINAGE**

The necessary drainage improvements and easements will be provided in accordance with the City of Yukon standards. Detention will be required with the development of each lot unless otherwise approved by the City of Yukon.

- **OTHER UTILITIES**

Gas, electric, telephone and cable lines are available, and are expected to adequately meet the needs of the development. All necessary steps will be followed to coordinate the efforts of the various utilities in order to provide service to the site.

- **USE AND DEVELOPMENT CONDITIONS**

The Planned Unit Development of the Garth Brooks Commercial Park Phase IV shall comply with city zoning regulations for the C-3, Restricted Commercial District except that the following restrictions will apply:

1. Uses that will not be permitted:
 - a. Oil and gas wells, drilling
 - b. Automobile service station
 - c. Bar
 - d. Beer Sales for consumption off the premises
 - e. Billiard or pool parlor
 - f. Bowling alley
 - g. Gasoline service station
 - h. Ice vending
 - i. Liquor Store
 - j. Motion picture theatre
 - k. Postal service facilities
 - l. Private Club permitting the consumption of alcoholic beverages
 - m. Taxicab stand
 - n. Theater
2. Bulk Regulations:
 - a. Minimum Lot Area: Per C-3 Ordinance
 - b. Minimum Lot Width at Building Line: 100 feet. There is no minimum lot width at building line for corner lots.
 - c. Maximum Lot Coverage: Per C-3 Ordinance

- d. Minimum Front Yard: 50 feet
 - i. There shall be no front yard setback requirement for the west lot (Lot 3) except for those required by building code.
- e. Minimum Rear Yard: Per C-3 Ordinance
- f. Minimum Side Yard: Per C-3 Ordinance
- g. Other Yard Setbacks: 25 feet from the private access easement
- h. Height: Per Ordinance

• **OTHER DEVELOPMENT REGULATIONS**

1. Access:

- a. Access to the site will be provided by one proposed drive off of Garth Brooks Blvd, as shown on the approved preliminary plat for the Garth Brooks Industrial Park (See Exhibit B).
- b. Lots within this PUD will not be required to have frontage on an approved street. Access to individual lots within the PUD may be permitted to be from a private drive. The private drive shall be placed within a common area or easement designated for access and maintenance purposes. Access to the individual buildings shall be provided by private shared access drives that will provide internal circulation. Private shared access drives shall have a minimum pavement width of 20 feet for one-way drives and 24 feet for two-way drives.
- c. The existing oil lease driveway north of the subject property shall be removed with the development of this PUD.

2. Parking

- a. The size and number of parking spaces shall be in accordance with the City of Yukon Zoning Ordinance.
- b. An individual platted lot is not required to provide on-site parking. Required parking may be provided within a common area/private driveway with the understanding that the required drive isle width will be maintained. Off-site shared parking shall be permitted in order to comply with parking requirements. Off-site parking is further limited to the boundaries of this PUD.

3. Landscaping

- a. All landscaping within this PUD shall meet the following requirements:
 - i. A minimum of 10% of each developed site shall be landscape area.
 - ii. For every 250 square feet of required landscape area, each site shall be required 1 medium tree and 2 standard shrubs.
 - iii. For every five parking spaces, each site will be required 1 medium tree and two standard shrubs, inclusive of the City of Yukon requirement.
 - 1. Every parking space shall be within 75' of a medium or large tree.
 - iv. Plant size requirements are as follows:

1. A large tree shall be a minimum of 3" in caliper.
2. A medium tree shall be a minimum of 2" in caliper.
3. A standard shrub shall be a minimum 5-gallon in size.
4. A small shrub shall be a minimum of 3-gallon in size.
5. A perennial shall be a minimum of 1-gallon in size.
- v. 50% of required trees and 50% of required shrubs may be exchanged as follows:
 1. 3 medium trees = 2 large trees
 2. 1 medium tree = 3 small trees
 3. 1 standard shrub = 2 small shrubs
 4. 1 standard shrub = 3 perennials
- vi. 30% of all plant material shall be evergreen.
- vii. 60% of required landscaping shall be in the front and side yards of each development.
- viii. Species for each category shall be chosen from the approved list in Exhibit D.
- b. A green space of at least 5 feet shall be provided between the private access drive and a building or parking lot and shall consist of the following:
 - i. Medium Trees placed a maximum of 40' OC.
- c. A green space of at least 5 feet shall be provided between the property line along Garth Brooks Blvd and parking lot and shall consist of the following:
 - i. Shrubs placed a maximum of 5' OC, species which will mature to a minimum of 5' in width, 4' in height.
 - ii. Medium or Large Trees placed a maximum of 35' OC.
- d. A green space of at least 10 feet shall be provided along the west boundary of this PUD and shall consist of the following:
 - i. Medium trees spaced a maximum of 25 feet on center, or Large Trees spaced a maximum of 30' on center.
 - ii. Turf/sod, landscape beds, or combination thereof.
- e. All disturbed areas shall be planted with strip sod.
- f. Owner shall provide irrigation for all new landscape material.
4. Screening
 - a. 6' sight-proof screening shall be provided along the western boundary of this development. Said screening shall be constructed of wood with brick columns with footings on 24' centers and shall be solid and opaque.
 - b. Dumpsters shall be consolidated where practical and located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from public streets and residences and shall be placed no closer than 20 feet from all property lines adjacent to residential zoning/use.
5. Signage
 - a. There shall be no more than 3 freestanding signs in this PUD. The sign requirements are as follows:

- i. Maximum height: 20'
 - ii. Maximum display area: 200 square-feet
- b. A sign that contains the name of any business located within this PUD is deemed accessory, even if the sign is not placed on the parcel where the business is located, as long as the business development and the sign are located within this PUD.
- c. Non-accessory signs are specifically prohibited in this PUD.
- d. Electronic Message Display signs shall be permitted, with the provision that the signs can be dimmed from dusk until dawn.
- e. No permit for a sign will be given without Specific Plan approval, which would include elevations of the sign that would indicate the height, materials and display area.
- f. The signs shall be covered with a material consistent with the buildings they serve.

6. Lighting

- a. Provide site illumination to achieve maintained average of at least three foot-candles throughout all parking areas.
- b. Provide site illumination to achieve a maintained average of at least six foot-candles pedestrian walkways and common areas, within areas of concealment in need of visual access, and at all building entries and exits.
- c. All site lighting shall be located and installed in a manner to minimize light trespass on adjacent properties by utilizing cutoff luminaires, house-side shields, and/or light-limiting accessories, as needed.

7. Sidewalks

- a. A sidewalk shall be provided along Garth Brooks Blvd and along the private access drive.
- b. Sidewalks shall be provided within the development as needed to provide ADA compliant pedestrian connections to Garth Brooks Blvd.

8. Common areas

- a. There will be no common areas with this development. Other than the private access drive, the owner of each lot will be responsible for the installation and maintenance of improvements on their respective lot.
- b. An access easement will be provided with the filing of the final plat, for the purpose of establishing perpetual maintenance and improvement responsibilities for the private shared access drive.
- c. The City of Yukon shall have the authority to enforce covenants and restrictions pertaining to maintenance of the private shared access drive.
- d. A property owners association will not be required.

9. Architecture

- a. Exterior building wall finishes on all structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, rock or stone masonry. No more than 30% EIFS, stucco, wood, or cement-board shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

10. Other Requirements

- a. Drive-thru windows shall not be permitted to face Garth Brooks Blvd.

• DEVELOPMENT SEQUENCE

Developmental phasing shall be allowed as a part of the development of this PUD. The first phase shall include the shared access drive and extension of water and sanitary sewer mains required for development of this PUD.

• MASTER DEVELOPMENT PLAN

1. The Master Development Plan has been prepared and is attached to this Design Statement as a part of the application for rezoning. The Development Plan designates the design concept for the commercial site to be platted. The Master Development Plan shall be attached to this Design Statement as a part of the permanent record of the Garth Brooks Commercial Park Phase IV Planned Unit Development Zoning.

Applications for building permits in this PUD must include a Specific Plan that depicts the location of the proposed building permit. Said applications must also include the following items, to determine compliance with the requirements of this PUD:

- Site Plan
- Landscape Plan
- Grading and Drainage Plan
- Lighting Plan
- Building Elevations
- Signage

2. No building permit shall be issued in this PUD without approval of these items by the Planning Commission.

• EXHIBITS

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

EXHIBIT A – Legal Description
EXHIBIT B – Master Development Plan
EXHIBIT C – Preliminary Plat
EXHIBIT D – Permitted Plantings

**Exhibit A
Legal Description**

A tract of land situated within a portion of the Southeast Quarter (SE/4) of Section Nineteen (19), Township Twelve North (T12N), Range Five West (R5W) of the Indian Meridian in the City of Yukon, Canadian County, Oklahoma, being more particularly described by metes and bounds as follows:

Commencing at the Southeast Corner of said Southeast Quarter (SE/4) at a Chiseled "X" found in place; thence

N.00°05'30"W. along the East line of said Southeast Quarter (SE/4) a distance of 1197.03 feet; thence

S.89°54'30"W. a distance of 60.00 feet to a point on the present Westerly Right of Way line of State Highway 92 (a.k.a. Garth Brooks Boulevard), being the Point of Beginning; thence

S.89°54'30"W. along the South line of said tract herein described, same being coincident with the North line of Block 2 of FIRST NATIONAL OFFICE PARK SECTION TWO filed in the office of the Canadian County recorder in Book 8, Page 151 a distance of 483.96 feet to a 3/8" Iron Bar stamped "Hale-Buckley" found in place, further described as being a point on the East line of Block 1 of STONE CREEK ADDITION, filed in the office of the Canadian County recorder in Book 8, Page 354; thence

N.00°05'30"W. along the West line of said tract herein described a distance of 426.74 feet to the Northwest corner, being coincident with the Northeast corner of said STONE CREEK ADDITION, marked by a 3/8" Iron Bar stamped "LS 1510" found in place; thence

N.89°54'30"E. along the North line of said tract herein described a distance of 205.08 feet to a point; thence

N.00°05'30"W. a distance of 22.72 feet to the Southwest corner of Lot 1, Block 2 of GARTH BROOKS COMMERCIAL PARK PHASE III, filed in the office of the Canadian County recorder in Book 9, Page 251, marked by a 3/8" Iron Bar stamped "LS 1510" found in place; thence

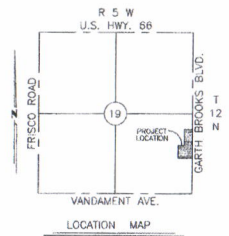
N.89°54'30"E. along the North line of said tract herein described, same being coincident with the South line of said Lot1, Block 2 a distance of 278.88 feet to the Northeast corner of said tract, same being the Southeast corner of said Lot 1, Block 2, and a point on said present Westerly Right of Way line of State Highway 92 (a.k.a. Garth Brooks Boulevard);

Thence S.00°05'30"E. along the East line of said tract herein described, a distance of 449.46 feet to the Point of Beginning;

Said parcel contains 212,863 Square Feet or 4.8867 Acres, more or less.

Basis of Bearing: S.00°05'30"E., the East line of the Southeast Quarter (SE/4) of Section Nineteen (19), Township Twelve North (T12N), Range Five West (R5W) of the Indian Meridian.

PRELIMINARY PLAT GARTH BROOKS INDUSTRIAL PARK PART OF THE SE/4, SECTION 19, T-12-N, R-5-W, OF THE I.M. YUKON, CANADIAN COUNTY, OKLAHOMA



TRACT DESCRIPTION

A part of the Southeast Quarter (SE/4) of Section 19, Township 12 North, Range 5 West of the Indian Meridian, Yukon, Canadian County, Oklahoma, described as:

Commencing at the Southeast Corner of said SE/4; Thence N00°02'54"E on the east line of said SE/4 (the bearing on which this description is based) a distance of 1199.90 feet; Thence S89°44'54"W a distance of 60.00 feet to a point on the east right-of-way line of State Highway 92 (a.k.a. Garth Brooks Boulevard) to the POINT OF BEGINNING;

Thence S89°44'54"W a distance of 483.64 feet to a point in the east line of Stone Creek Addition;

Thence N00°02'54"E on the east line of Stone Creek Addition and parallel with the east line of said SE/4 a distance of 427.61 feet to a point in the south line of that called 18 acre tract of land sold to Yukon Cemetery;

Thence N89°44'54"E a distance of 204.71 feet to the southeast corner of said 18 acre tract;

Thence N00°02'54"E on the east line of said 18 acre tract and parallel with the east line of said SE/4 a distance of 543.76 feet to the northeast corner of said 18 acre tract;

Thence N89°38'47"E a distance of 278.93 feet to a point on said west right-of-way line;

Thence S00°02'54"W on said west right-of-way line and parallel with the east line of said SE/4 a distance of 971.67 feet to the Point of Beginning;

The above description contains 358,542 square feet or 8.23 acres, more or less.

DEVELOPER:
MILANCO, LLC
2301 NW 39th EXPRESSWAY
SUITE 300
OKLAHOMA CITY, OK 73112
PHONE: 525-8331

SURVEYOR/ENGINEER:
JGVEngineering
124 N.W. 10TH STREET
OKLAHOMA CITY, OKLAHOMA 73103
PHONE: 236-8313

UTILITIES NOTE:

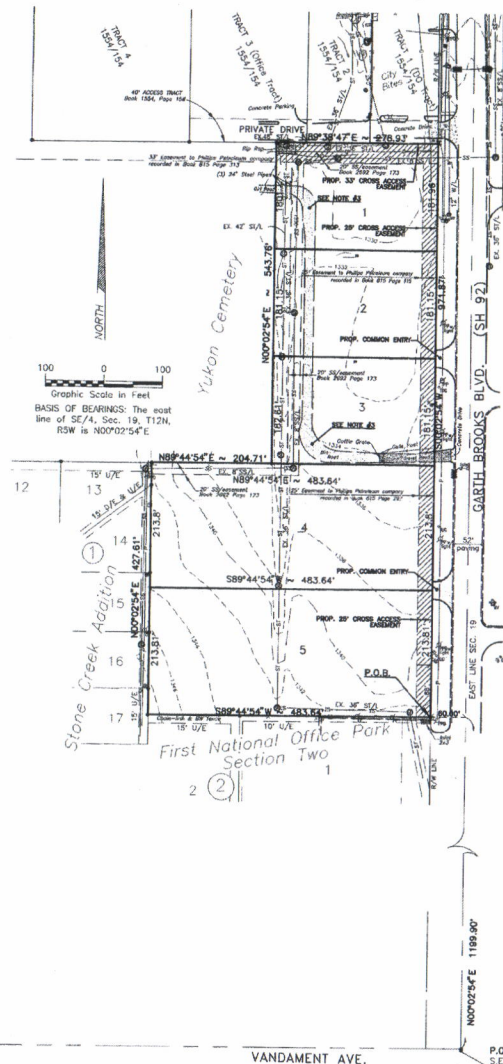
Only those utilities that are visible, known or located by others are shown hereon.

WARNING	
BEFORE YOU DIG	
CALL 840-5032	
CONTACT THE MAINTENANCE DEPARTMENT BEFORE YOU DIG	
FOR ALL UTILITY LOCATIONS AND INFORMATION	
DATE: 7/27/04	PREPARED BY: JO
SCALE: 1"=100'	CHECKED BY: bob
PROJECT: 124 N.W. 10TH STREET	DRAWN BY: AF/SW
Drawing Title: PRELIMINARY PLAT	
GARTH BROOKS INDUSTRIAL PARK	
Client: MILANCO, LLC	
Location: SE/4, SEC. 19, T12N, R5W, I.M.	
Book: 19-12-5	Page: 78

JGVENGINEERING
124 N.W. 10TH STREET
OKLAHOMA CITY, OK. 73103
(405) 236-8313
CA 234 EXP. DATE: 6/30/06
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PROJECT NO.: P2388-2 SHEET NO.: 1 OF 1



- LEGEND**
- SET 3/8 IRON ROD W/JOVE CAP X LIGHT POLE
 - ⊕ ELECTRIC RISER
 - ⊕ TELEPHONE RISER
 - SW SIDEWALK
 - ⊕ CLEAN OUT
 - ⊕ FIRE HYDRANT
 - GUY ANCHOR
 - ⊕ PWR POLE WITH DROP
 - ⊕ PWR POLE
 - ⊕ WATER METER
 - ⊕ WATER VALVE
 - ⊕ GAS METER
 - ⊕ ELECTRIC METER
 - ⊕ STORM SEWER MANHOLE
 - ⊕ TREE
 - ⊕ SANITARY SEWER MANHOLE
 - ▨ PROPOSED 33' & 25' ACCESS EASEMENT

- LINE**
- CAC — CABLE UNDERGROUND LINE
 - W — WATER LINE
 - SS — SANITARY SEWER LINE
 - ST — STORM WATER LINE
 - G — GAS LINE
 - P — OVERHEAD ELECTRIC LINE
 - RU — TELEPHONE UNDERGROUND LINE

FLOOD ZONE NOTE:

By scaled location on F.E.M.A. Flood Insurance Rate Map, Canadian County, OK, Map Number 40017C0457E effective date JULY 02, 2002 this tract is in Flood Zone X (areas determined to be outside the 500-year flood plain).

GENERAL NOTES:

- This plat is preliminary and should not be used for recording, sales or conveyances.
- Easements shown are those indicated in the title report file No. 04050964-5
- Wall Service Road to be Removed Access to Well Site will be via Proposed Cross Access Easement.

EXHIBIT C

Exhibit D
Permitted Plantings
December 18, 2012

Large Trees

(3" caliper or larger at time of installation)

American Elm, new resistant variety

Bald Cypress

Blue Atlas Cedar, standard variety

Deodar Cedar

Red Oak

Shumard Oak

Sweetgum, Fruitless varieties

Sycamore

Water Oak

Medium Trees

(2" caliper or larger at time of installation)

Chinese Pistache

Cedar Elm

Canaerti Juniper

Lacebark Elm

Leyland Cypress

Shantung Maple

Small Trees

(1" caliper or larger at time of installation)

Chokecherry

Crapemyrtle, tree form, 15' or taller at maturity

Deciduous Holly

Flowering Crabapple, improved varieties

Foster's Holly

Nellie R. Stephens Holly

Oklahoma Redbud

Oklahoma Whitebud

Serviceberry

Yaupon Holly

Standard Shrubs

(5-gallon at time of installation)

Boxwood

Burning Bush

Dwarf Burford Holly

Crapemyrtle, shrub form

Kallay Pfitzer Juniper
Nandina, improved varieties
Oakland Red Holly
Spiraea

Small Shrubs

(3-gallon at time of installation)
Boxwood
Crapemyrtle, shrub form
Knockout Rose
Nandina, improved dwarf varieties
Spiraea
Weigelia

Perennials and Groundcover

(1-gallon at time of installation)
Coreopsis varieties
Daylily varieties
Dianthus varieties
Hosta varieties
Purple Leaf Wintercreeper
Liriope
Rudbeckia
Salvia.
Verbena varieties
Vinca
Others with City approval...