

AGENDA
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, APRIL 20, 2023
COUNCIL CHAMBERS, JENKS CITY HALL
211 NORTH ELM STREET, JENKS, OKLAHOMA 74037

I. CALL TO ORDER

II. ROLL CALL

III. BUSINESS

Official action can only be taken on items which appear on the agenda. The Planning Commission may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item (except for Item 1).

1. Consideration and appropriate action relating to a request for approval of the Consent Agenda. (All matters listed under "Consent" are considered by the Commission to be routine and will be enacted by one motion. Any Commissioner may, however, remove an item from the Consent Agenda by request. A motion to adopt the Consent Agenda is non-debatable.)

- 1.A. Approve minutes of the regular meeting on March 23, 2023

Documents:

[2023.03.23 PC MINUTES.PDF](#)

2. Consideration and appropriate action relating to items removed from the Consent Agenda
3. Presentation relating to City of Jenks Tax Increment District No. 4 Project Plan and proposed Coal Creek Village Economic Development Project Plan.

Documents:

[1. SR.TIF.CITY OF JENKSPC042023.PDF](#)
[JENKS TIF PRESENTATION 04-20-2023.PDF](#)

4. Consideration and appropriate action relating to a Resolution recommending that the City of Jenks, Oklahoma, through its City Council amend Increment District No. 4, City of Jenks (City of Jenks Tax Increment District No. 4 Project Plan) to modify the boundaries of said Increment District.

Documents:

[RESOLUTION PLANNING COMM AMEND ID4 \(04-20-2023\).PDF](#)

5. Consideration and appropriate action relating to a Resolution recommending that the City of Jenks, Oklahoma, through its City Council create two tax increment districts and

approve the Coal Creek Village Economic Development Project Plan.

Documents:

[RESOLUTION PLANNING COMM ID DE \(04-20-2023\).PDF](#)
[JENKS TIF 6 PROJECT PLAN 04142023.PDF](#)

6. JZ 23 PUD 130.ma1: Request by Bell Land Use LLC for approval of a major amendment to the PUD to allow for a medical use with therapy animals. General Location: 9330 S Elwood

Documents:

[1. SR.JZ 21 PUD 130.ELWOOD.PC 4.20.23.PDF](#)
[2.PUBLIC NOTICE - JZ 23 PUD 130.MA1 \[9330 S ELWOOD\].PDF](#)
[3.PUBLIC NOTICE - JZ 23 PUD 130.MA1 \[9330 S ELWOOD\] \(CORRECTED\).PDF](#)
[4.PUD AMENDMENT SUPPLEMENT.PDF](#)
[5.ARTICLE_2.____ANIMALS__GENERAL.PDF](#)

7. JZ 23 PUD 141: Request by Christopher Challis for a Zone Change from AG (Agriculture) & CG (Commercial General) to CS (Commercial Shopping) and a Planned Unit Development to allow for mixed use development. General Location: West of HWY 75, north of 121st St

Documents:

[1. SR.JZ23PUD141SOONER.PC04202023.0.PDF](#)
[2.PLANNED UNIT DEVELOPMENT STATEMENT \(JENKS 41023\).PDF](#)

8. PA 23-26: Request for a Comprehensive Land Use Map Amendment to amend the map from Parks and Open Space to Regional Commercial. General Location: 101st St & Lewis

Documents:

[SR.PA 23.1ST QUARTER AMENDMENTS.PDF](#)
[JENKS COMPREHENSIVE PLAN.AMENDMENTS 3.24.23.PDF](#)

9. PA 23-27: Request for a Comprehensive Land Use Map Amendment to amend the map from Parks and Open Space to Regional Commercial. General Location. N of 106th St and E of Elm
10. PA 23-28: Request for a Comprehensive Land Use Map Amendment to amend the map from Parks and Open Space to Regional Commercial. General Location: 10596 S Peoria Ave

Documents:

[LISA ALMOND.1.PDF](#)
[LISA ALMOND.2.PDF](#)
[MELISSA STALLCUP.1.PDF](#)
[MELISSA STALLCUP.ABERDEEN FALLS.PDF](#)
[MELISSA STALLCUP.VIEW.PDF](#)
[ROBERT GETCHELL.PDF](#)
[SHANE RANDOLPH.PDF](#)
[STEVE MURPHY.PDF](#)
[ANDREAS LUCIDO.PDF](#)

CATHERINE LENHART.JENKS PUBLIC HEARING NOTICES OVERVIEW
APRIL 2023.PDF
CATHERINE LENHART.TRAILS.PDF
CATHERINE LENHART.URGENT.1.PDF
CATHERINE LENHART.URGENT.2.PDF
CATHERINE LENHART.URGENT.3.PDF
CATHERINE LENHART.URGENT.4.PDF
CATHERINE LENHART.URGENT.5.PDF
CATHERINE LENHART.URGENT.6.PDF
CHARLOTTE MUNIZ-MONTGOMERY HORSE FARM.PDF
CHARLOTTE MUNIZ-MONTGOMERY RIPKEN SPORTS
EXPERIENCE.MSG.PDF
COURTNEY PRUNER.PDF
GEORGE MONKS.PDF
JEAN MEDEK.PDF
JENNIFER WISEMAN.PDF
JIM CHIN.PDF
JOE FAUST.PDF
JOHN RACHAL.PDF
JULIE THORNTON.PDF
JUSTIN LITTLE.1.PDF
JUSTIN LITTLE.LETTER.PDF
KATIE LUCIDO.PDF

IV. OTHER BUSINESS

1. Planning Updates

V. ADJOURNMENT

MINUTES
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, MARCH 23, 2023
JENKS CITY HALL, 211 NORTH ELM STREET

The Jenks Planning Commission was called to order at 6:00 p.m. on February 23, 2023, by Chair Scott West. A roll call vote of members was taken as follows:

Present

David Randolph
John Brown
Amy Bors
Craig Bowman
Gina Wilson
Chair Scott West

Absent

Jeffrey Beyer

Business

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1. Consideration and appropriate action relating to a request for approval of the Consent Agenda. (All matters listed under "Consent" are considered by the Commission to be routine and will be enacted by one motion. Any Commissioner may, however, remove an item from the Consent Agenda by request. A motion to adopt the Consent Agenda is non-debatable.)
 - 1.A. Request to approve minutes from February 23, 2023
 - 1.B. Approve JL 23-380: a request by Kevin Jordan for a lot split. General Location 121st and Elm (near Fire Station #2)
 - 1.C. Approve JL 23-381: A request by Randy Shoefstall for a lot split and combination. General Location: 1181 E 131st St S

Craig Bowman made a motion to approve Item 1. Amy Bors seconded the motion. A roll call vote of members was taken as follows:

YEA: Randolph, Brown, Wilson, Bors, Bowman, West

NAY: None

Motion carried.

2. Consideration and appropriate action relating to items removed from the Consent Agenda
Withdrawn.

Planning Update – Planning Director Marcaé Hilton gave an update.

Adjournment. The Jenks Planning Commission adjourned at 6:05 p.m.

To	Planning Commission
Hearing Date	April 20, 2023
Case Number	TIF
Request	Recommendation to amend Tax Increment District No. 4 Recommendation to approve Tax Increment District No. 6
Location	City of Jenks
Applicant	City of Jenks

Staff Report

Preparer | Marcaé Hilton

Attachments

☐ TIF Documents

Preparer

Nathan D. Ellis, Attorney

Background Information

STAFF COMMENTARY | The City of Jenks is positioned for extensive new commercial development. In order to better leverage the infrastructure needs and potential incentives, the City is discussing the amendment of TIF No. 4. This Coal Creek Village Economic Development Project Plan brings a transformative commercial development to the undeveloped area located on the northwest corner of the intersection of 121st Street and U.S. Highway 75. The Project Plan contemplates the creation of tax increment financing districts pursuant to the Local Development Act, 62 O.S. §850, *et seq* (the “**Local Development Act**”), as authorized pursuant to Article 10, §6C of the Oklahoma Constitution. The purpose of the Increment Districts is to encourage economic development in the City by facilitating the payment of the costs of essential infrastructure improvements and remedial costs necessary to make certain property viable for development.

The primary development component of the Project is the construction and operation of a mixed-use development by Sooner Investment Group, Inc. comprised of approximately 316,000 square-feet of retail and service industry space, 35,000 square feet of food service space, and 2 to 3 multi-family residential projects totaling approximately 350 units. The secondary component of the Project is the development of property immediately west of the Coal Creek Village Project along 121st Street, which may include expansion of the Coal Creek Village Project facilities and/or other commercial development.

The City has for a number of years attempted to develop this area without success. The development areas require significant public infrastructure improvements to support the scale of the proposed development. The City has previously included portions of the development area in a tax increment district, however, the infrastructure needs far outpace the capacity of the existing tax increment district

to support the proposed development, and as such, the creation of one or more new tax increment districts comprising the proposed development areas is critical to the successful implementation of the proposed Project.

Staff Evaluation & Recommendation

Evaluation | The TIF committee was selected and has met. The committee has recommended TIF No. 4 be amended as presented.

Recommendation | *Staff and the TIF committee recommend approval of TIF 4 Amendment and TIF 6 Adoption.*

Tax Increment Districts City of Jenks Coal Creek Village

City of Jenks TIF Review Committee

Coal Creek Village
Economic Development Project Plan
and proposed

Amendment to Increment District No. 4
Creation of Increment Districts “D” and “E”
April 14, 2023

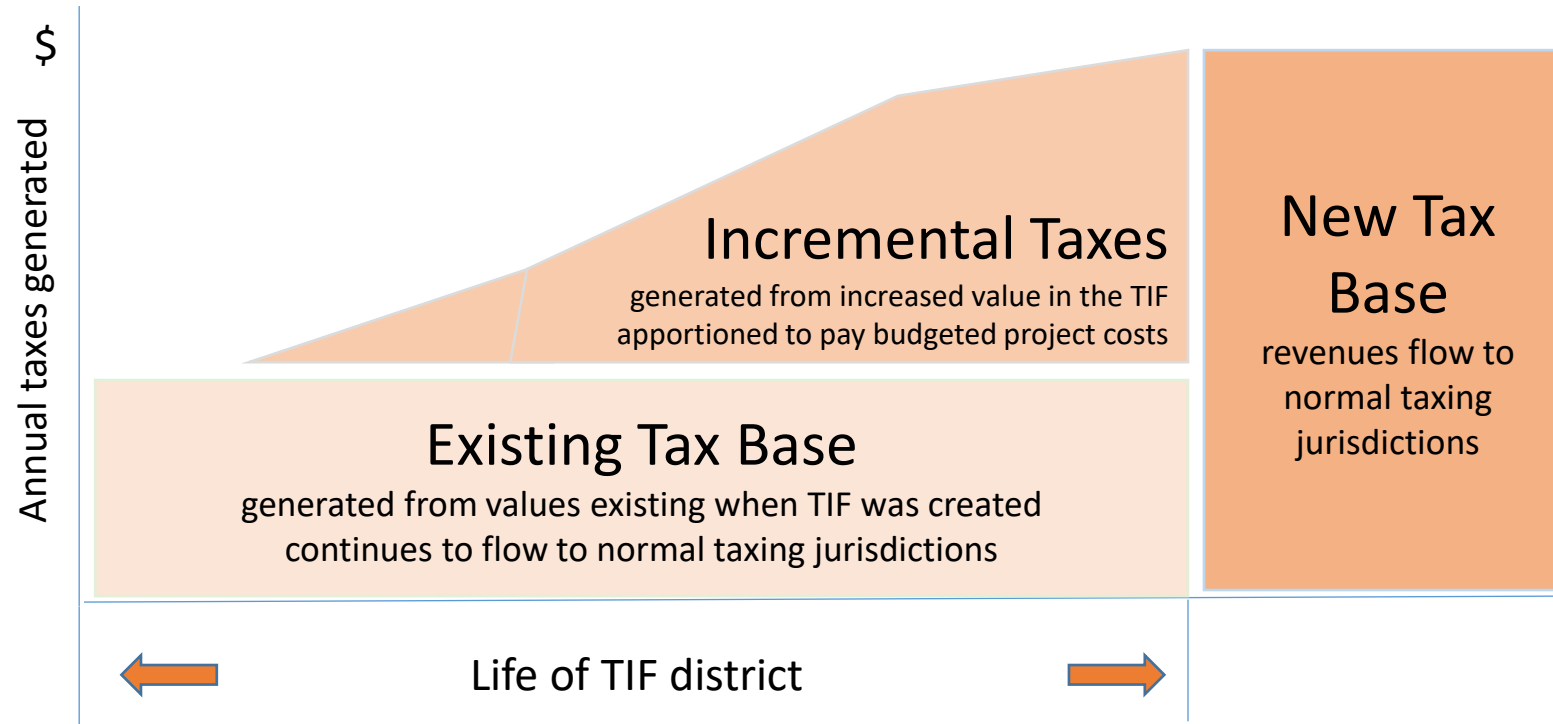
Tax Increment Districts – City of Jenks

What is a TIF?

- Tax Increment District (TIF)
 - Authorized by Article X, Section 6C of Oklahoma Constitution
 - Established pursuant to Local Development Act, Title 62, Oklahoma Statutes, Section 850 *et seq.*
 - Apportions the “increment” of new tax revenue generated within the TIF to finance certain identified project costs
- A TIF is an economic development tool used to incentivize capital investment in undeveloped or underdeveloped property in order to enhance the tax base and create employment opportunities within the City.
- Created by City Ordinance after completion of the TIF Process

Tax Increment Districts – City of Jenks

What is a TIF?



Basic TIF Model – Value Generation and Capture

Tax Increment Districts – City of Jenks

What is the TIF Process?

- Determination of Eligibility
 - Enterprise Area; Historic Preservation Area; Reinvestment Area
- Development of Project Plan
 - Duration (up to 25 full fiscal years from Commencement Date)
 - Capture of TIF Revenues (up to 100% of local tax revenues – ad valorem, sales tax, hotel tax, etc.)
 - Boundaries
 - Increment District – area where new tax revenues are captured
 - Project Area – area where project related activities may occur
 - Proposed Project and related Infrastructure Improvements
 - Proposed Allocation of TIF Revenues
- Statutory TIF Review Committee
 - Comprised of representatives of City Council, City Planning Commission, affected taxing jurisdictions and other at-large community members

Tax Increment Districts – City of Jenks

What is the TIF Process?

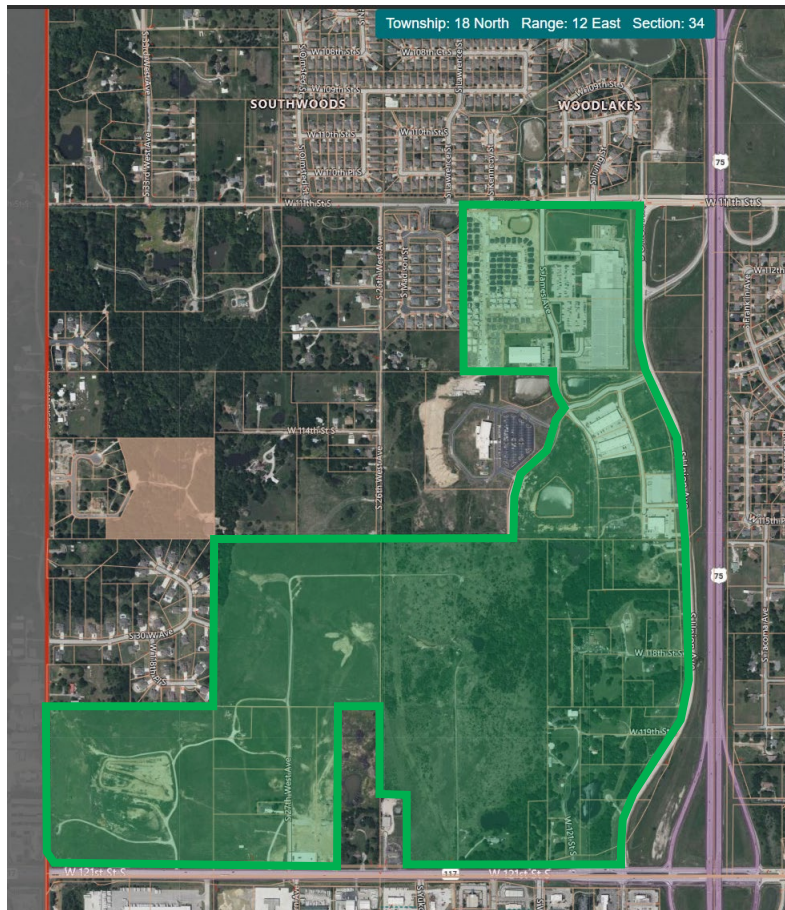
- Affected ad valorem taxing jurisdictions represented on TIF Review Committee
 - Jenks Public Schools (ISD No. 5 of Tulsa County)
 - Tulsa Technology Center (Vo-Tech District No. 18)
 - Tulsa County
 - Tulsa County Health Department
 - Tulsa Community College
 - Tulsa City-County Library
 - City of Jenks
- Project Plan Reviewed by TIF Review Committee
 - Make findings of eligibility and financial impacts on taxing jurisdictions and business activities
 - Make recommendation to City regarding approval of Project Plan
- Project Plan Reviewed by City's Planning Commission
 - Make recommendation to City regarding approval of Project Plan
- Hold two Public Hearings
- City Council considers an Ordinance approving Project Plan and creating TIF

Increment District No. 4, City of Jenks (Proposed Amendment)

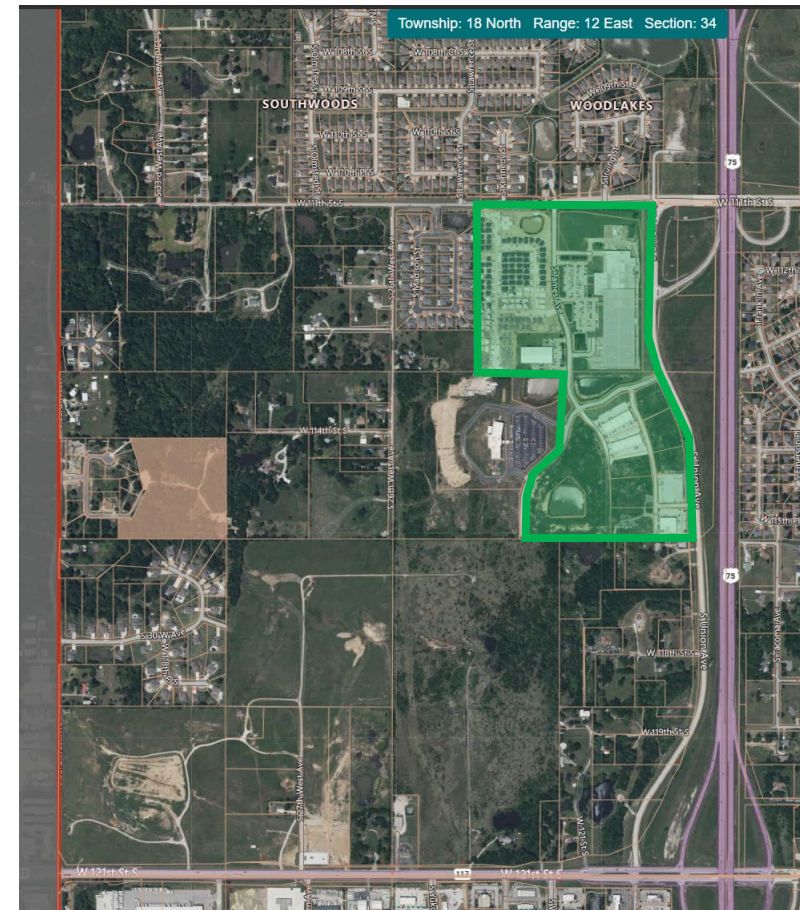
- General location: Between W 111th Street S and W 121st Street S, west of U.S. 75
- Established in 2014 (Ord. 1364)
 - Expires in 2030 (16 year term)
- Captures 100% of ad valorem tax increment
 - 80% to public infrastructure reimbursement (to developers)
 - 20% to taxing entities
 - \$418,263 captured since inception (as of June 2022)
- Captures sales tax increment equal to 0.5% sales tax
 - 100% for public infrastructure reimbursement (to developers)
 - \$36,001 captured since inception (\$255,621 total sales tax generated) (as of June 2022)
- Authorized Project Costs: \$29.49 million
 - Approved applications for reimbursement: \$4.06 million
- Proposed Amendment:
 - Remove the area south of 116th Street from Increment District No. 4
 - Proposed development (Coal Creek Village Project) not supported by existing parameters of Increment District No. 4
 - Removal does not impact existing development

Increment District No. 4, City of Jenks (Proposed Amendment)

Existing Boundaries



Amended Boundaries



Proposed Increment Districts, City of Jenks

What are the proposed new TIF details?

- Creation of two new TIF areas:
 - Increment District “D” – Coal Creek Village Project
 - Increment District “E” – 121st Street Development Project
- Original Terms of approximately 25 years from Commencement Date (as established by City Council)
- Capture 100% of new “incremental” ad valorem, sales, and hotel tax revenues
 - Existing “baseline” taxes unaffected
 - 75% of ad valorem tax apportioned to Project Costs
 - Remaining 25% apportioned to Jenks Public Schools
 - 56.34% of sales and use tax apportioned to Project Costs
 - Represents 2.0% of total 3.55% City sales tax
 - Remaining 43.66% retained by City
 - 100% of hotel tax apportioned to Project Costs
 - Represents all of total 5.0% City hotel tax

Proposed Increment District “D”

What is the Coal Creek Village Project?

- Develop a transformative commercial center on the undeveloped area located on the northwest corner of the intersection of 121st Street and U.S. Highway 75
- Existing land conditions preclude development without significant public improvements
- 351,000 square feet of retail, service industry, and food service space
 - Estimated \$174.3 million project investment
 - Projected \$132.3 million annual retail sales
 - Estimated TIF Revenue generated over 25 years:
 - Sales Tax: \$138.78 million
 - Ad valorem Tax: \$51.78 million
 - \$12.94 million to Jenks Public Schools

Increment District “D”, City of Jenks (Proposed Creation)

Coal Creek Village Project

South of (W 116th Street),
West of U.S. 75,
North of W 121st Street,
East of (26th W Avenue)



Proposed Increment District “E”

What is the 121st Street Development Project?

- Additional mixed use development immediately to the west of the Coal Creek Village Project
- The City anticipates that the Coal Creek Village Project will help spur additional development that will facilitate payment of the City Infrastructure Projects necessary to support full development within the Project Area
- City has not made specific site development projections, but anticipated TIF Revenues could be generated of a similar magnitude to the Coal Creek Village Project

Increment District “E”, City of Jenks (Proposed Creation)

121st Street Development Project

North of W 121st Street S,
West of (S 26th W Ave),
South of (W 116th Street),
East of S. 33rd W Ave

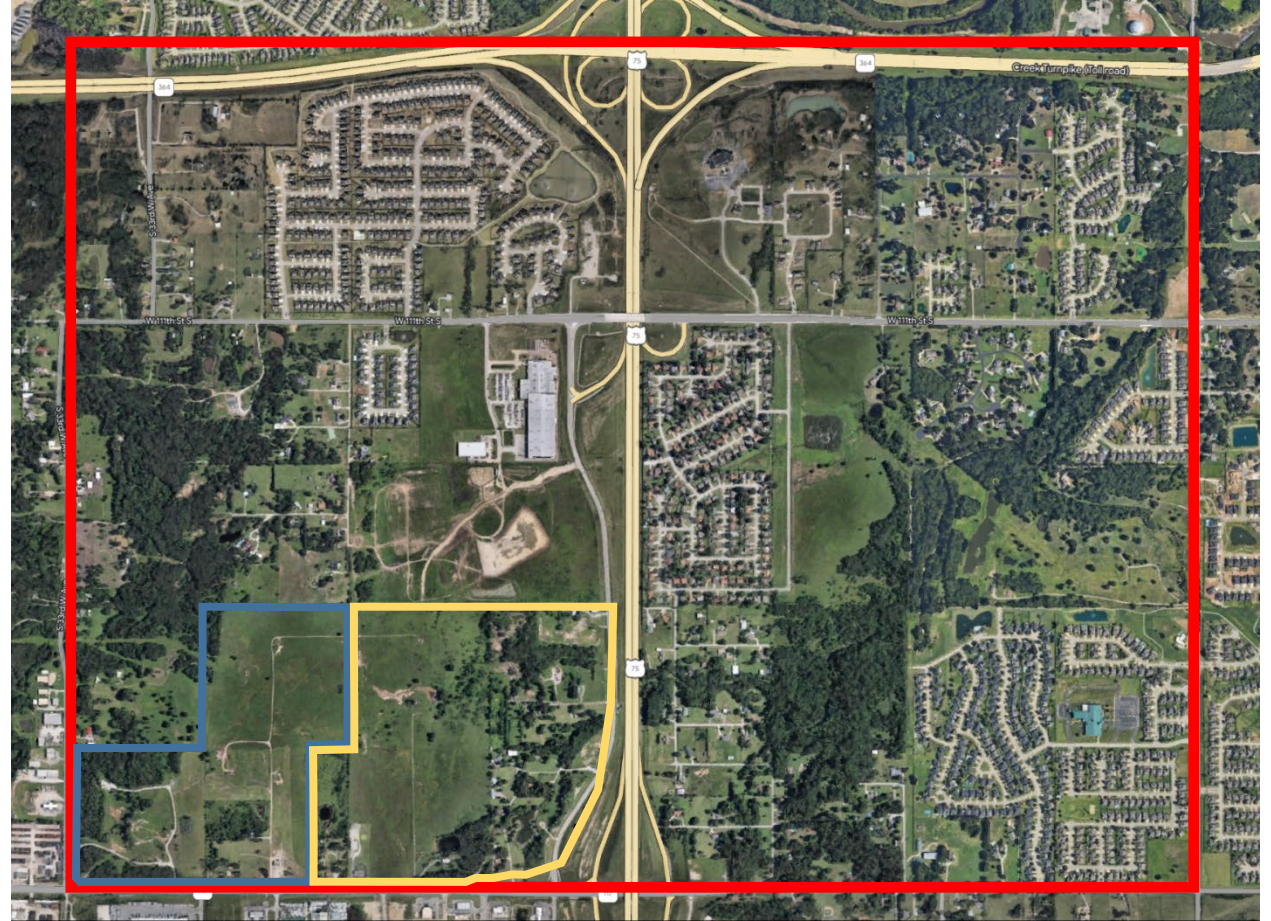


Proposed Increment Districts - Project Area

Project Area Boundaries

South of Creek Turnpike,
East of S. 33rd W. Ave.,
North of 121st Street S,
West of S. Elwood Ave.

3 square mile area where
project activities may
occur



Proposed Increment Districts, City of Jenks

What are the Identified TIF Project Costs?

Estimated Project Costs totaling not-to-exceed \$217,100,000

- Coal Creek Project Costs (\$42.6 million)
 - Internal infrastructure and site improvements within the Coal Creek Village Project, including water, sewer, storm water/drainage, site reclamation, streets, landscaping, environmental remediation, wetlands remediation, pipeline relocation, and other assistance in development financing
- City Infrastructure Project Costs (\$174.5 million)
 - Infrastructure costs necessary to support full development of the Increment Districts and expected impacts on the Project Area, including water, sewer, stormwater, streets, site reclamation, drainage studies, easement and right-of-way acquisition, streetscaping, and other related costs

Other Estimated Project Costs totaling approximately \$218,650,000

- Debt Service Costs in connection with Coal Creek Project Costs (estimated \$48 million)
- Debt Service Costs in connection with City Infrastructure Project Costs (estimated \$140 million)
- School District Capital Costs (initially estimated at \$12.94 million, potentially \$30 million)
- Organizational Costs, including annual administration costs (\$650,000)

Proposed Increment Districts, City of Jenks

What are the projected TIF revenues?

Based on Coal Creek Village Project only:

- Estimated \$51.78 million aggregate projected Ad Valorem TIF Revenues
 - \$38.84 million allocated to TIF Project Costs
 - \$12.94 million allocated to Jenks Public Schools
- Estimated \$329.05 million aggregate projected Sales Tax Revenues (State, County, and City)
 - TIF Revenues: \$78.19 million allocated to TIF Project Costs (2.0% City Sales Tax)
 - \$60.59 million allocated to the City of Jenks (1.55% City Sales Tax)
 - \$14.35 million allocated to Tulsa County (0.367% County Sales Tax)
 - \$175.92 million allocated to State of Oklahoma (4.5% State Sales Tax)
- Total Projected TIF Revenues: \$129.97 million (estimate based on conceptual buildout of Coal Creek Village Project)
- Similar order of magnitude TIF Revenues would be expected in connection with 121st Street Development Project

Proposed Increment Districts, City of Jenks

What is the oversight of the TIF revenues?

- City will apportion TIF revenues pursuant to the respective Project Plan
 - City Manager listed as person in charge of implementation
 - City will approve public agreements with developers as appropriate
 - City will disburse School District allocation of Ad Valorem TIF Revenues
- Assistance in Development Financing for Developers
 - Direct Incentive representing reimbursement of public infrastructure costs incurred by developer(s) on behalf of City
 - Pursuant to a public development agreement approved by City and/or public trust on behalf of City
- Infrastructure Projects undertaken by City
 - Public construction contracts (subject to competitive bidding), approved by City, subject to City annual auditing

Proposed Increment Districts, City of Jenks

What are the expected impacts of the Projects?

- Impacts on Taxing Entities
 - Increase in population/students and associated needs (capital infrastructure and service demands)
 - Taxing Entity Revenue allocation to Jenks Public Schools provides enhanced funding
 - Estimated to \$12.94 million, potentially \$30 million
 - Significant retail development will attract increased visitors to the City and reduce sales tax lost to surrounding municipalities
 - Ancillary development outside of TIF districts may generate additional revenue for taxing entities

Proposed Increment Districts, City of Jenks

What are the expected impacts of the Projects?

- Impacts on Business Activities
 - New business inside Increment District areas will create short-term and long-term employment opportunities
 - Short-term and long-term payroll will likely result in increased spending within the City benefitting local businesses
 - Attraction of increased visitors to the City
 - These visitors result in new spending within the City that will enhance opportunities for local merchants to provide additional goods and services

Proposed Increment Districts, City of Jenks

Remaining Steps

- April 14 – TIF Review Committee Meeting at 3:00pm
 - Committee unanimously recommended approval of TIF #4 amendment and creation of Increment Districts “D” and “E”
- April 20 – Planning Commission Regular Meeting at 6:00pm
 - Consider recommendations on approval of TIF #4 amendment and creation of Increment Districts “D” and “E”
- May 2 – Public Hearing #1 at 6:00pm
 - To be held during Jenks City Council Regular Meeting, 211 N. Elm Street, Jenks, OK 74037
- May 16 – Public Hearing #2 at 6:00pm
 - To be held during Jenks City Council Regular Meeting, 211 N. Elm Street, Jenks, OK 74037
- May 16 – City Council Meeting to consider adoption of TIF Ordinances (TIF #4 amendment, creation of Increment Districts “D”, and “E”)

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE PLANNING COMMISSION OF THE CITY OF JENKS, OKLAHOMA, MET IN REGULAR SESSION IN THE COUNCIL CHAMBERS AT JENKS CITY HALL, 211 N. ELM STREET, JENKS, OKLAHOMA, 74037, ON THE 20TH DAY OF APRIL, 2023, 2023, AT 6:00 O'CLOCK P.M.

PRESENT:

ABSENT:

(OTHER PROCEEDINGS)

Thereupon, the following resolution was introduced and caused to be read by the City Clerk. Commissioner _____ moved passage of the Resolution and Commissioner _____ seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE:

NAY:

The Resolution so approved is as follows:

RESOLUTION

A RESOLUTION RECOMMENDING THAT THE CITY OF JENKS, OKLAHOMA, THROUGH ITS CITY COUNCIL AMEND INCREMENT DISTRICT NO. 4, CITY OF JENKS (CITY OF JENKS TAX INCREMENT DISTRICT NO. 4 PROJECT PLAN) TO MODIFY THE BOUNDARIES OF SAID INCREMENT DISTRICT.

WHEREAS, pursuant to the provisions of the Local Development Act, 62 O.S. 2021, Section 851 *et seq.* (the "Local Development Act"), as amended, the City Council of The City of Jenks, Oklahoma (the "City") heretofore created Increment District No. 4, City of Jenks (referred to herein as the "Increment District") pursuant to Ordinance No. 1364 dated July 7, 2014, in connection with the adoption of the City of Jenks Tax Increment District No. 4 Project Plan (the "Project Plan"); and

WHEREAS, due to unforeseen economic factors beyond the control of the City, development of certain areas within the Increment District have not occurred and will not occur in a manner consistent with the Project Plan heretofore adopted by the City; and

WHEREAS, the City in its Resolution dated February 7, 2023, directed the Planning Commission of the City of Jenks, Oklahoma (the “Planning Commission”) to review and make recommendations concerning the amendment of the Increment District; and

WHEREAS, the Local Development Act provides that the Project Plan may be amended by the City upon recommendation of Planning Commission; and

WHEREAS, the City is separately considering the creation of additional tax increment districts as set forth in the Coal Creek Village Economic Development Project Plan, which contemplates the funding of essential public improvements and economic incentives; and

WHEREAS, it is necessary that the Increment District be amended to release the undeveloped areas within the Increment District, in order to facilitate the implementation of the Coal Creek Village Economic Development Project Plan.

WHEREAS, the proposed amendment to the Project Plan is consistent with the comprehensive plan of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE METROPOLITAN AREA PLANNING COMMISSION OF THE CITY OF ENID, OKLAHOMA:

SECTION 1. AMENDMENT OF INCREMENT DISTRICT NO. 4, CITY OF JENKS, OKLAHOMA. The Planning Commission hereby recommends that the Increment District be amended at the earliest possible time by the City, to remove from the boundaries of the Increment District the undeveloped property located in the south half of Section 34, Township 18 North, Range 12 East, and generally described as the area south of the half-section line that would be equivalent to W 116th Street S, one-half mile south of W 111th Street S and one-half mile north of W 121st Street S (referred to herein as the “121st Street Area”). This recommendation is based on the information that the parameters of the existing Increment District will no longer support the proposed economic development within the 121st Street Area, and said project will not be undertaken in the foreseeable future without the provision of adequate infrastructure improvements to support development within the Increment District. The existing boundaries of the Increment District, and the proposed amended boundaries of the Increment District, are shown in Exhibit “A” attached hereto.

PASSED AND APPROVED THIS 20TH DAY OF APRIL, 2023.

(SEAL)
ATTEST:

By: _____
Chairman

By: _____
City Clerk

STATE OF OKLAHOMA)
)SS
COUNTY OF TULSA)

I, the undersigned, City Clerk of the City of Jenks, Oklahoma, do hereby certify that the above and foregoing is a true, full and correct copy of an excerpt from the minutes of a meeting of the Planning Commission of said City held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the “Open Meeting Law” was complied with for such meeting.

GIVEN UNDER MY HAND THIS 20TH DAY OF APRIL, 2023.

(SEAL)

City Clerk

EXHIBIT “A”

Existing Boundaries of Increment District No. 4

Proposed Amended Boundaries of Increment District No. 4

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE PLANNING COMMISSION OF THE CITY OF JENKS, OKLAHOMA, MET IN REGULAR SESSION IN THE COUNCIL CHAMBERS AT JENKS CITY HALL, 211 N. ELM STREET, JENKS, OKLAHOMA, 74037, ON THE 20TH DAY OF APRIL, 2023, AT 6:00 O’CLOCK P.M.

PRESENT:

ABSENT:

(OTHER PROCEEDINGS)

Thereupon, the following resolution was introduced and caused to be read by the City Clerk. Commissioner _____ moved passage of the Resolution and Commissioner _____ seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE:

NAY:

The Resolution so approved is as follows:

RESOLUTION

A RESOLUTION RECOMMENDING THAT THE CITY OF JENKS, OKLAHOMA THROUGH ITS CITY COUNCIL CREATE TWO TAX INCREMENT DISTRICTS AND APPROVE THE COAL CREEK VILLAGE ECONOMIC DEVELOPMENT PROJECT PLAN.

WHEREAS, the City of Jenks, Oklahoma (the “City”) is working to promote economic development in the area, in order to provide increased opportunity for residents of the area and to improve the overall standard of living; and

WHEREAS, the City aspires to attract and retain business interests with the potential to invest in commercial retail and entertainment facilities within the City, subject to certain conditions including economic development incentives and financing; and

WHEREAS, the Local Development Act, Title 62, Oklahoma Statutes Section 850 *et seq.* (the “Local Development Act”), was passed by the Oklahoma Legislature to implement Section 6C of Article X of the Oklahoma Constitution, which empowers the governing bodies of cities,

towns, and counties to apportion tax increments to help finance the public costs of economic development; and

WHEREAS, the proposed project depends upon the utilization of tax increment financing to help finance the project costs; and

WHEREAS, at the direction of the City Council of the City, this Planning Commission has reviewed the Coal Creek Village Economic Development Project Plan (the "Project Plan"); and

WHEREAS, the creation of new opportunities for investment in commercial retail facilities and the further development of the project area (all as described in the Project Plan) are in the best interests of the City; and

WHEREAS, the proposed Project Plan is consistent with the comprehensive plan of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE METROPOLITAN AREA PLANNING COMMISSION OF THE CITY OF ENID, OKLAHOMA:

Section 1. The Planning Commission recommends to the City Council of the City the creation of two tax increment districts and approval of the Coal Creek Village Economic Development Project Plan.

PASSED AND APPROVED THIS 20TH DAY OF APRIL, 2023.

(SEAL)
ATTEST:

By: _____
Chairman

By: _____
City Clerk

STATE OF OKLAHOMA)
)SS
COUNTY OF TULSA)

I, the undersigned, City Clerk of the City of Jenks, Oklahoma, do hereby certify that the above and foregoing is a true, full and correct copy of an excerpt from the minutes of a meeting of the Planning Commission of said City held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the “Open Meeting Law” was complied with for such meeting.

GIVEN UNDER MY HAND THIS 20TH DAY OF APRIL, 2023.

(SEAL)

City Clerk

**COAL CREEK VILLAGE
ECONOMIC DEVELOPMENT PROJECT PLAN**

Prepared by:

CITY OF JENKS, OKLAHOMA

**MAYOR AND CITY COUNCIL
CORY BOX, MAYOR, WARD 6
DONNA OGEZ, VICE MAYOR, WARD 5
KAYE LYNN, WARD 1
GARY ISBELL, WARD 2
CRAIG MURRAY, WARD 3
RODNEY CLINE, WARD 4
KEVIN SHORT, AT-LARGE**

CHRISTOPHER SHROUT, CITY MANAGER

**THE PUBLIC FINANCE LAW GROUP PLLC
5657 N. CLASSEN BOULEVARD, SUITE 100
OKLAHOMA CITY, OKLAHOMA 73118
(405) 235-3413**

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COAL CREEK VILLAGE**ECONOMIC DEVELOPMENT PROJECT PLAN****I. DESCRIPTION OF PROJECT**

This Coal Creek Village Economic Development Project Plan (the “**Project Plan**”) describes an economic development project of the City of Jenks, Oklahoma (the “**City**”), that brings a transformative commercial development to the undeveloped area located on the northwest corner of the intersection of 121st Street and U.S. Highway 75. The Project Plan contemplates the creation of tax increment financing districts pursuant to the Local Development Act, 62 O.S. §850, *et seq* (the “**Local Development Act**”), as authorized pursuant to Article 10, §6C of the Oklahoma Constitution. The purpose of the Increment Districts (as described herein) is to encourage economic development in the City by facilitating the payment of the costs of essential infrastructure improvements and remedial costs necessary to make certain property viable for development (collectively and as more thoroughly discussed herein, referred to as the “**Project**”).

The primary development component of the Project is the construction and operation of a mixed-use development by Sooner Investment Group, Inc. (together with its successors and assigns, the “**Developer**”), to be known as the Coal Creek Village Project, and comprised of approximately 316,000 square-feet of retail and service industry space, 35,000 square feet of food service space, and 2 to 3 multi-family residential projects totaling approximately 350 units (referred to herein as “**Coal Creek Village Project**”). The secondary component of the Project is the development of property immediately west of the Coal Creek Village Project along 121st Street, which may include expansion of the Coal Creek Village Project facilities and/or other commercial development (referred to herein as the “**121st Street Development Project**”).

The City has for a number of years attempted to develop this area without success. The development areas require significant public infrastructure improvements to support the scale of the proposed development. The City has previously included portions of the development area in a tax increment district, however, the infrastructure needs far outpace the capacity of the existing tax increment district to support the proposed development, and as such, the creation of one or more new tax increment districts comprising the proposed development areas is critical to the successful implementation of the proposed Project.

The City has identified an aggregate total of not-to-exceed \$217,100,000 in costs associated with the infrastructure improvements and economic incentives in connection with establishing the Increment Districts (as defined herein) (collectively referred to herein as the “**TIF Projects**”). The costs of the improvements necessary to support the full development of the Coal Creek Village Project are estimated to be \$42,600,000 (collectively, the “**Coal Creek Project Costs**”), including the costs of infrastructure improvements and certain economic incentives in the form of assistance in development financing (as defined in Section 853(14)(o) of the Local Development Act). Additional necessary infrastructure improvements within the Project Area have been identified by the City in the estimated total of \$174,500,000 (the “**City Infrastructure Project Costs**”). Additionally, an amount equal to twenty five percent (25%) of the annual Ad

Valorem Increment Revenues (as defined herein) will be provided to Jenks Public Schools (the School District, as defined herein) as capital cost assistance for the purpose of providing a specific revenue source to offset the costs of necessary capital expenditures (and any related financing costs) for the benefit of the School District, as determined by the School District in its sole discretion from time to time, all in accordance with Sections 853(9), 853(14)(i) and 854(4) of the Local Development Act (the School District Capital Costs, as defined herein). The total amount of the School District Capital Costs will be determined based on the aggregate Ad Valorem Increment Revenues generated during the term of the Increment Districts, but is initially projected to be approximately \$12.43 million based on the projected revenues of the Coal Creek Village Project. The associated costs of the TIF Projects comprising the Coal Creek Project Costs and the City Infrastructure Project Costs, along with the Organizational Costs, the Debt Service Costs, and School District Capital Costs (each as further defined herein) are collectively referred to herein as the “**Project Costs**”. Certain City Infrastructure Project Costs may support development within both of the Increment Districts, and as such, any of the City Infrastructure Project Costs shall be deemed to be authorized Project Costs of any and all of the Increment Districts. The City expects to phase the expenditure of Project Costs in coordination with specific development projects, and intends to apply other available funds as appropriate to offset the costs of the Increment Districts.

Based on the proposed Coal Creek Village Project, the aggregate total commercial development within the Increment Districts could result in a potential total capital investment in excess of \$174.3 million, with a net taxable value subject to ad valorem taxes in excess of \$126.3 million. Additional development within the 121st Street Development Project could result in significant additional capital investment. Please see Exhibit “E” for a more detailed description of projected development within the Increment Districts. Please see Exhibit “F” for a Preliminary Site Development Plan for the Coal Creek Village Project.

II. PROJECT AREA AND INCREMENT DISTRICT BOUNDARIES

The Project Area is the area within which all project activities, including construction of the supporting public improvements, will take place (referred to herein as the “**Project Area**”). A map showing the Project Area is attached as Exhibit “A”. The legal description of the Project Area is set forth in Exhibit “B”. An Increment District is the specific geographic area within which the identified tax increments will be generated and utilized as set forth in this Project Plan (collectively referred to herein as an “**Increment District**” or the “**Increment Districts**”). The Project Plan establishes boundaries for two separate increment districts, each of which may comprise Ad Valorem Increment Revenues, Sales Tax Increment Revenues, and Hotel Tax Increment Revenues, each as are defined in Section VII herein. The Increment Districts are each located entirely within the Project Area. Many of the contemplated project activities will occur within the boundaries of the specific Increment District, however certain project activities may occur outside the boundaries of the specific Increment District but within the Project Area. Maps showing the boundaries for the proposed Increment Districts are attached as Exhibit “C”. The legal descriptions of the Increment Districts are set forth in Exhibit “D”. The two separate increment districts are labeled “D” and “E” in these Exhibits, and will be assigned a number (*i.e.*, “Increment District No. 6”, etc.) in the order by which they become effective by action of the Jenks City Council as described in Section VI(B) herein, and as required by Section 856(B)(3) of the

Local Development Act (as defined herein). Increment District “D” is associated with the Coal Creek Village Project. Increment District “E” is associated with the 121st Street Development Project.

III. ELIGIBILITY OF PROJECT

The Increment Districts are undeveloped and/or underdeveloped within the meaning of and the Local Development Act. The Project Area (including the Increment Districts) is located in a reinvestment area (as defined in Section 853(17) of the Local Development Act) and is therefore eligible for assistance under the Local Development Act.

The Increment Districts comprise areas where investment, development and economic growth have not occurred, and which require significant public infrastructure improvements to serve as a catalyst to expand employment opportunities, to attract major investment in the area, and to enhance the tax base.

IV. OBJECTIVES

The purpose of the Project and the Increment Districts is to support the achievement of the economic development objectives of the City in order to:

- A. Create significant developments within the City that will act as a catalyst for additional development within the community;
- B. Attract major investment in the area;
- C. Serve as a catalyst for retaining and expanding employment in the area;
- D. Promote economic development to increase tax revenues, raise property values, and improve economic stability;
- E. Preserve and enhance the tax base; and
- F. Make possible investment, development and economic growth which would otherwise be difficult or impossible without the TIF Projects and the apportionment of ad valorem taxes, sales and use taxes, and hotel/motel taxes from within the Increment Districts.

V. FINANCIAL IMPACTS

The proposed private development will generate tax increments necessary to pay all or a portion of the authorized costs of the TIF Projects. Without the creation of the proposed Increment Districts, significant development within the Project Area would be unlikely and as a result, any

significant increases in ad valorem taxes, sales and use taxes, and hotel/motel taxes would be extremely improbable.

The proposed development project does not create a significant increase in demand for services or costs to the affected taxing entities other than the City, whose public sector costs will be offset by apportioned tax increments as provided in this Project Plan.

The affected ad valorem taxing jurisdictions are Tulsa County, the Tulsa City County Health Department, Independent School District No. 5 of Tulsa County (Jenks Public Schools, and referred to herein as the “**School District**”), Tulsa Technology Center No. 18, Tulsa Community College, and Tulsa City-County Library. The general and intangible impacts on the affected taxing jurisdictions from implementation of this Project Plan are positive and include the achievement of the objectives set forth in Section IV of this Project Plan.

The creation of the Increment Districts will allow the City to apportion the incremental increase in ad valorem tax revenues, sales and use tax revenues, and hotel/motel tax revenues generated through construction and operation of the commercial developments within the Increment Districts for the purpose of paying Project Costs, either through direct payment and/or reimbursement and/or paying debt service on tax apportionment bonds or notes (collectively, the “**TIF Bonds**”), which may be issued in one or more series by a public trust created under Title 60, Oklahoma Statutes 2021, Section 176 *et seq.*, and including any interest, capitalized interest and other related financing costs. The proceeds of any such TIF Bonds (if issued) shall be utilized for the Project Costs.

It is anticipated that a successful development will result in significant long-term benefits to the affected ad valorem taxing jurisdictions without causing significant (if any) negative impact on the existing tax base during the term of the Increment Districts. The formation of an Increment District should result in no net loss in existing ad valorem tax revenue to each of the affected ad valorem taxing jurisdictions. The formation of the Increment District will cause the affected ad valorem taxing jurisdictions to forgo any new incremental ad valorem tax revenue generated from real and personal property values during the term of the Increment Districts, but will not affect the existing ad valorem tax base within the Increment Districts. During the term of the Increment Districts, the 25% of Ad Valorem Increment Revenues (as defined herein) apportioned to the School District for School District Capital Costs are preliminarily estimated to be approximately \$12.94 million based solely on the proposed development of the Coal Creek Village Project (ranging from \$447,700 to \$644,200 per year), and could be significantly higher with development of the 121st Street Development Project. Upon expiration of the Increment Districts, the affected ad valorem taxing jurisdictions could see an aggregate net gain in annual ad valorem tax revenues of approximately \$2,678,900 (based on an initial taxable capital investment of approximately \$126.3 million from solely the Coal Creek Village Project, and assuming an average taxable value appreciation of two percent (2.0%) per year). No additional Ad Valorem Increment Revenues in connection with the 121st Street Development Project have been projected as of the date of this Project Plan.

Potential impacts on the ad valorem taxing jurisdictions include population growth and the demand for services created thereby. The direct impact on each ad valorem taxing jurisdiction is the loss of a portion of the new ad valorem tax increment revenues during the period of

apportionment. An additional impact on the School District is that the valuation of the Increment Districts will not count for, and will therefore limit, the bonding capacity of the School District. However, the School District does realize additional revenue from other sources on a per pupil basis. These impacts may be mitigated by any increase in valuation of property outside the Increment Districts (for example, successful development enhances the property values surrounding the Increment Districts), and by any increase in new housing outside the Increment Districts (for example, successful development results in net population gain to the City creating demand for new housing).

The proposed Project will create an increase in demand for utility services from the City, however the City has sufficient capacity to handle such demand, and the proposed development within the Increment Districts should generate significant increases in annual water and sewer utility revenues. Any increase in public sector costs should be more than offset by apportioned tax increments as provided in this Project Plan.

The formation of the Increment Districts should also result in no net loss in existing sales and use tax revenue or existing hotel/motel tax revenue to the City, as the affected sales tax jurisdiction. A baseline sales tax collection level within each Increment District will be identified and will continue to accrue to the City. There are currently no hotel/motel taxes collected within the Increment Districts. A potentially negative impact of utilizing incremental sales tax revenues to promote the creation of a significant retail development is the potential for transfer of sales tax dollars from existing retail establishments located outside the Increment Districts to new retail establishments located inside the Increment Districts. To offset this concern, the Increment Districts will only capture the revenues equivalent to a two percent (2.0%) sales and use tax (representing approximately 56.34% of the incremental sales and use tax revenue based on a total of 3.55% sales and use tax levied by the City as of the date of this Project Plan) for the payment of Project Costs, with the other one and fifty-five hundredths percent (1.55%) sales and use tax (representing approximately 43.66% of the incremental sales and use tax revenue based on a total of 3.55% sales and use tax levied by the City as of the date of this Project Plan) accruing to the City for general or dedicated municipal purposes, and further, the incremental sales and use tax revenues will exclude an amount representing the estimated historical sales tax collections for any business located within the City that relocates to a site within the Increment Districts. Assuming completion of the proposed Coal Creek Village Project, the City could realize an estimated gross gain in annual sales and use tax revenues in the approximate amount of \$2.05 million, and upon expiration of the Increment Districts, an estimated gross gain in annual sales and use tax revenues of approximately \$7.40 million. Additionally, Tulsa County levies a 0.367% sales and use tax as of the date of this Project Plan. The County sales and use tax collections are not subject to the apportionment of the Increment Districts, however, it is estimated that upon completion of the proposed Coal Creek Village Project, the County could realize an estimated gross gain in annual sales and use tax revenues in the approximate amount of \$485,500. Said revenue increases benefiting the City and the County could be significantly higher with development of the 121st Street Development Project. No Sales Tax Increment Revenues in connection with the 121st Street Development Project have been projected as of the date of this Project Plan.

The City will forgo any new incremental hotel/motel taxes collected during the term of the Increment Districts. The Preliminary Site Development Plan for the Coal Creek Village Project does not presently contemplate the inclusion of any hotels, however, either Increment District

could potentially support the development of one or more new hotels. No Hotel Tax Increment Revenues have been projected as of the date of this Project Plan.

These impacts may be mitigated by any decrease in sales and use tax collections outside the Increment Districts (for example, potential decline in overall sales of competing businesses, or relocation of existing businesses from other areas of the City to the Increment Districts) or by increased costs of providing city services to the development (police, fire, etc.) but may be augmented by the increased retention of customer spending within the City (for example, by reducing the leakage of sales to other municipalities by offering a wider and more diversified retail selection within the City).

VI. STATEMENT OF PRINCIPAL ACTIONS

Implementation actions for the project, including all necessary, appropriate and supportive steps, will consist of any of the following:

A. Site preparation, planning and construction of public improvements necessary to support the development project;

B. Acquisition by private developers of any additional property interests necessary for the development project including connecting public easements;

C. Negotiation, preparation, execution, and implementation of development agreements, including agreements for financing, demolition, and construction by private developers, as authorized by the Local Development Act. Such agreements may include the granting of incentives for private developers to complete certain improvements within the Project Area;

D. Issuance of tax apportionment bonds or other debt issuance necessary to provide funds for Project Costs;

E. All other actions necessary and appropriate to carry out the development project as authorized by the Local Development Act.

VII. ESTABLISHMENT OF ADDITIONAL CITY OF JENKS INCREMENT DISTRICTS

This Project Plan, upon adoption by Ordinance of the City of Jenks, Oklahoma, creates two (2) Increment Districts. Each Increment District shall commence as of the date determined by the City Council of the City in accordance with Section 856(B)(2) of the Local Development Act (each a “**Commencement Date**”); provided however, each Commencement Date shall not be later than ten (10) years following adoption of this Project Plan. Each Increment District shall be comprised of the area shown and described in Exhibits “C” and “D”. In accordance with the provisions of the Local Development Act, the following incremental revenues shall be apportioned and used to

pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan. The apportionment of the Ad Valorem Increment Revenues, the Sales Tax Increment Revenues, and the Hotel Tax Increment Revenues (each as defined herein, and collectively referred to as the “**TIF Revenues**”) shall continue for that period required for the payment of the Project Costs, or a period not to exceed twenty-five (25) full fiscal years following the respective Commencement Date (each referred to as the “**Expiration Date**”), whichever is less:

A. One hundred percent (100.0%) of the total equalized assessed value of real and personal property within the boundaries of the Increment District. The base assessed value (as described in Section 862 of the Local Development Act) of the Increment District shall be calculated as an amount equal to one hundred percent (100.0%) of the initial equalized assessed value of real and personal property within the boundaries of the Increment District. In accordance with the provisions of the Local Development Act, one hundred percent (100%) of the increments of real and personal property ad valorem taxes generated within the Increment District, in excess of the real and personal property ad valorem taxes generated from the base assessed value of the Increment District, as such increments are determined and defined pursuant to the Local Development Act (collectively, the “**Ad Valorem Increment Revenues**”, and said amount representing one hundred percent (100.0%) of the total new ad valorem tax revenues generated within the boundaries of the Increment District, as determined annually by the Tulsa County Assessor), shall be apportioned as follows: one hundred percent (100%) of the Ad Valorem Increment Revenues shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan; provided however, to the extent the School District Capital Costs component is not funded from proceeds of any TIF Bonds, such TIF Bonds shall be structured such that an amount not less than twenty-five percent (25%) of the projected Ad Valorem Increment Revenues shall be available after payment of debt service on the TIF Bonds to be apportioned for the purpose of providing an annual School District Capital Costs payment to the School District; and provided further, said School District Capital Costs payments may be funded from any of the TIF Revenues; and

B. An amount equivalent to the revenues generated from a two percent (2.0%) sales and use tax, representing approximately 56.34% of the incremental sales and use tax revenue based on a total of 3.55% sales and use tax levied by the City as of the date of this Project Plan pursuant to Chapter 7, Article I, Section 7-1-1 *et seq.*, of the Jenks Code of Ordinances (the “**Code of Ordinances**”), as such Code of Ordinances may be amended, replaced, extended, superseded, terminated, or otherwise modified from time to time (collectively, the “**Sales Tax Increment Revenues**”); provided that all such Sales Tax Increment Revenues shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan; provided, however, the Sales Tax Increment Revenues shall be reduced by the amount of sales tax revenues generated by any existing businesses (currently located within the City, but outside the boundaries of the Increment District) that cease operations at their existing location and relocate to within the Increment District, but provided further, said reduction shall not be applied to any existing businesses that open an additional location within the Increment District for so long as all other existing location(s) remain open for business. Said amount of reduction (collectively, the “**Transfer Adjustment**”) shall be calculated based on the sales tax collections during the twelve month period prior to closing the previous location. The remaining unapportioned one and fifty-five hundredths percent

(1.55%) sales and use tax (representing approximately 43.66% of the incremental sales and use tax revenue based on a total of 3.55% sales and use tax levied by the City as of the date of this Project Plan) shall be retained by the City and utilized for any lawful purpose consistent with the aforementioned Code of Ordinances; and

C. One hundred percent (100%) of the incremental hotel/motel tax revenues derived from the Increment District, representing all of the total five percent (5.0%) hotel/motel tax levied by the City pursuant to Chapter 7, Article 15, Section 7-15-1 *et seq.*, of the Jenks Code of Ordinances (the “**Code of Ordinances**”), as such Code of Ordinances may be amended, replaced, extended, superseded, terminated, or otherwise modified from time to time (collectively, the “**Hotel Tax Increment Revenues**”); provided that all of the generated increment shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan; and

VIII. PROJECT AND INCREMENT DISTRICT AUTHORIZATIONS

A. Upon adoption of an Ordinance of the City Council of the City approving this Project Plan, the City is hereby designated and authorized as the public entity to carry out and administer the provisions of this Project Plan and to exercise all powers necessary or appropriate thereto, including, without limitation, those powers described in Section 854 of the Local Development Act.

B. The City may create a new public trust with the City named as its beneficiary, and/or designate an existing public trust with the City named as its beneficiary and/or designate an alternate public trust with Tulsa County, Oklahoma, named as its beneficiary (said public trust referred to herein as the “**Authority**”), and said Authority shall be the public entity designated by the City to assist in carrying out and administering the provisions of this Project Plan and authorized to exercise all powers necessary or appropriate thereto pursuant to Title 62, Section 854 of the Local Development Act, except for approval of this Project Plan and those powers enumerated in paragraphs 1, 2, 3, 4, 7, 13, and 16 of that section, which powers shall be reserved to the City.

C. The person in charge of implementation of this Project Plan in accordance with the provisions, authorizations and respective delegations of responsibilities contained herein is Mr. Christopher Shrout, City Manager. Mr. Shrout, or his successor as City Manager, is authorized to empower one or more designees to exercise responsibilities in connection with project implementation.

IX. BUDGET OF ESTIMATED PROJECT COSTS TO BE FINANCED BY TAXES APPORTIONED FROM INCREMENT DISTRICTS

Project Costs to be financed by the apportionment of tax increments from the Increment Districts include: (i) the planning, design, acquisition, site preparation and/or construction of the Coal Creek Project Costs in an aggregate total amount of \$42,600,000, and (ii) the City

Infrastructure Costs in an aggregate total amount of \$174,500,000. Certain Project Costs may be funded through the payment of assistance in development financing (as authorized by Section 853(14)(o) of the Local Development Act) to a third party as reimbursement for the payment of Coal Creek Project Costs and/or the City Infrastructure Project Costs. Additional amounts will be financed by the apportionment of tax increments from the Increment Districts including the following items related to Project Costs in excess of the amounts specifically identified as Coal Creek Project Costs and City Infrastructure Project Costs: (a) the direct or incidental administrative costs incurred or to be incurred by or on behalf of the City, the Authority, or other public entities (all as contemplated in Title 62, Section 853(14)(e) of the Local Development Act) in organizing, supervising, implementing and administering this Project Plan, including, but not limited to, payment and/or reimbursement of costs advanced in connection with the preparation and approval of this Project Plan, administrative costs, organizational costs, professional service costs, including those incurred for architectural, planning, engineering, legal and financial advisors and services, and costs for determining or re-determining the base assessed value of the Increment Districts (the “**Organizational Costs**”), (b) interest and other financing costs and fees, including principal, interest (including capitalized interest), associated costs of issuance, reasonably required reserves, and prepayment premium paid on debt service and/or any reimbursement obligation (the “**Debt Service Costs**”), and (c) an amount equal to twenty five percent (25%) of the Ad Valorem Increment Revenues apportioned annually to the School District for the purpose of providing a specific revenue source to offset the costs of necessary capital expenditures (and any related financing costs) for the benefit of the School District, as determined by the School District in its sole discretion from time to time, all in accordance with Sections 853(9), 853(14)(i) and 854(4) of the Local Development Act (the “**School District Capital Costs**”). The Organizational Costs associated with the initial creation and implementation of the Increment Districts are preliminarily estimated to be approximately \$150,000, and the ongoing Organizational Costs are estimated to be \$10,000 per year for each Increment District. The Debt Service Costs associated with the Coal Creek Project Costs are preliminarily estimated to be on the order of \$48,000,000. The Debt Service Costs associated with the City Infrastructure Project Costs are preliminarily estimated to be on the order of \$140,000,000. The School District Capital Costs are preliminarily estimated to be approximately \$12,946,900, based solely on the full development of the Coal Creek Village Project and subject to actual receipt of Ad Valorem Increment Revenues, but may be on the order of \$30,000,000 upon full development of both Increment Districts.

The total estimate of Coal Creek Project Costs and City Infrastructure Costs that may be made available for improvements and assistance in development financing from apportioned tax revenues shall be \$217,100,000 (including all engineering, construction, planning, and contingency costs), which shall be a not-to-exceed amount. Apportioned tax revenues in excess of the amounts needed for Project Costs may be utilized as necessary to pay the Organizational Costs, the Debt Service Costs, and the School District Capital Costs, and could total approximately \$218,650,000. The estimated combined total of all project costs is \$435,750,000.

X. METHODS OF FINANCING PROJECT COSTS, EXPECTED SOURCES OF REVENUES, AND TIME WHEN COSTS OR MONETARY OBLIGATIONS ARE TO BE INCURRED

It is hereby determined that the proposed Project Costs, specifically including but not limited to the Infrastructure Costs, will generally benefit and support development throughout the Project Area, inclusive of the individual Increment Districts. It is further determined that (i) the TIF Revenues derived from any of the Increment Districts may properly be utilized to pay any and all Project Costs within the Project Area; and (ii) it is proper and may be appropriate (at the discretion of the City) to pledge TIF Revenues from any or all of the Increment Districts to the repayment of TIF Bonds. Therefore, with respect to each of the Increment Districts:

A. Methods of Financing. It is expected that the Project Costs will be paid from proceeds of the Authority's TIF Bonds. Payment of principal and interest due on the TIF Bonds will be paid from available TIF Revenues. Certain Project Costs may be directly paid by a third party developer (including the Developer) or the City and reimbursed from proceeds of the TIF Bonds. Alternately, certain Project Costs may also be directly paid by a third party developer or the City and reimbursed from TIF Revenues in excess of those needed for debt service on the TIF Bonds. Certain other costs of the Project may be paid from such other funds of the City or the Authority as may be lawfully used for the purposes hereinabove stated, including proceeds of certain debt obligations issued by the Authority and secured by a pledge of general sales tax, utility, or other available revenues.

B. Expected Sources of Revenues. The payment or reimbursement of Project Costs, including any interest component on reimbursed funds and any principal, interest, and premium on any TIF Bonds, will be made from one or more of the following sources of revenues:

(i) *Ad Valorem Increment Revenues.* In accordance with the provisions of the Local Development Act, the Ad Valorem Increment Revenues are to be apportioned and set aside from all other ad valorem taxes levied within the Increment District, to be used exclusively for:

- (a) the payment of principal, interest and premium, if any, on any TIF Bonds issued pursuant to Section 863 of the Local Development Act (including pledging as security for such payments);
- (b) the payment, if required, of amounts necessary to satisfy or replenish any reserve requirement established with respect to any TIF Bonds;
- (c) the payment of Project Costs incurred in connection with the development, construction, or implementation of the TIF Projects;
- (d) the reimbursement of a third party developer (pursuant to a development agreement with the City or the Authority), the City, or any agency thereof (including the Authority), which has paid Project Costs from funds which were not increments derived from the Increment District, but only to the extent that such

sums were actually paid or, in the case of reimbursement of a third party developer, constitute an interest component on sums that were actually paid; and

(e) the establishment and payment of a specific revenue source for affected taxing entities pursuant to Sections 853(9), 853(14)(i), and 854(4) of the Local Development Act.

Pursuant to the Local Development Act, the Ad Valorem Increment Revenues apportioned hereunder shall be transferred by the Tulsa County Treasurer to a special fund to be known as the “Increment District No. [] - Apportionment Fund” (hereinafter, each an “**Apportionment Fund**”), which fund will be held by and be the property of the City (except that such fund may also be held by the Authority or a trustee acting on behalf of the Authority). No portion of such increments and no portion of the Apportionment Fund shall constitute a part of the general fund of the City. All Ad Valorem Increment Revenues so collected shall be apportioned as follows: one hundred percent (100%) of the Ad Valorem Increment Revenues shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan; provided however, to the extent the School District Capital Costs component is not funded from proceeds of any TIF Bonds, such TIF Bonds shall be structured such that an amount not less than twenty-five percent (25%) of the projected Ad Valorem Increment Revenues shall be available after payment of debt service on the TIF Bonds to be apportioned for the purpose of providing an annual School District Capital Costs payment to the School District; and provided further, said School District Capital Costs payments may be funded from any of the TIF Revenues. All amounts apportioned to the School District for the purpose of providing School District Capital Costs payments shall constitute a specific revenue source to offset the costs of necessary capital expenditures (and any related financing costs) for the benefit of the School District, as determined by the School District in its discretion from time to time, all in accordance with Sections 853(9), 853(14)(i) and 854(4) of the Local Development Act.

The apportionment of ad valorem taxes pursuant to this section shall terminate upon the final payment of, or reimbursement for, all project costs incurred in connection with the projects listed in this Project Plan, and the payment of all outstanding principal, accrued interest, and premium due on the TIF Bonds; provided, however, that in no case shall the apportionment of revenues pursuant hereto extend beyond the Expiration Date.

In the event that any portion of the principal of or interest on the TIF Bonds, issued in connection herewith, or any amount due and owing for reimbursement under a development agreement between the City and the Company, remains unpaid as of the Expiration Date, then the Increment District shall not terminate until the increment apportioned during the term of the Increment District is actually received by the Apportionment Fund, even if the receipt of such revenues occurs subsequent to the Expiration Date.

(ii) *Sales Tax Increment Revenues.* In accordance with the provisions of the Local Development Act, the Sales Tax Increment Revenues are to be apportioned and

set aside from all other sales and use taxes levied within the Increment District, to be used exclusively for:

- (a) the payment of principal, interest and premium, if any, on any TIF Bonds issued pursuant to Section 863 of the Local Development Act (including pledging as security for such payments);
- (b) the payment, if required, of amounts necessary to satisfy or replenish any reserve requirement established with respect to any TIF Bonds;
- (c) the payment of Project Costs incurred in connection with the development, construction, or implementation of the TIF Projects; and
- (d) the reimbursement of a third party developer (pursuant to a development agreement with the City or the Authority), including any interest component (pursuant to a development agreement with the City and/or the Authority), the City, or any agency thereof (including the Authority), which has paid Project Costs from funds which were not increments derived from the Increment District, but only to the extent that such sums were actually paid or, in the case of reimbursement of a third party developer, constitute an interest component on sums that were actually paid.

Provided, however, the remaining unapportioned incremental sales and use tax revenues derived from the Increment District, as of the date of this Project Plan representing the equivalent of 1.55% of the total 3.55% sales and use tax levied by the City, shall be retained by the City and utilized for any lawful purpose consistent with the aforementioned Code of Ordinances. For purposes of determining the incremental portion of the sales and use taxes generated within or sourced to the Increment District, the Mayor of the City shall certify as the “base sales tax amount” the annual sales taxes received by the City that were generated within the area comprising the Increment District during the calendar year immediately preceding the Commencement Date of the respective Increment District. If necessary for such certification, said base amount may be determined using reasonable estimates prepared by the City Clerk. The base sales tax amount for Increment Districts “D” and “E” are each projected to be \$0.00. The equivalent of a two percent (2.0%) sales and use tax generated within or sourced to the Increment District and received by the City which are in excess of such base amount, net of any Transfer Adjustment, shall be considered to be the “increment” subject to apportionment by this section. In addition to sales and use tax generated from retail sales, the Sales Tax Increment Revenues shall include sales and use tax generated from actual construction occurring within the Increment District. The City shall establish procedures related to the calculation and determination of construction related sales and use tax revenue qualifying as Sales Tax Increment Revenues. Such procedures shall stipulate that construction related Sales Tax Increment Revenues be derived only from new construction activities occurring within the Increment District. The City shall be entitled to rely on certifications of actual construction costs provided by a third party developer(s) or related parties in connection with determining any applicable Sales Tax Increment Revenues.

Pursuant to the Local Development Act, the Sales Tax Increment Revenues apportioned hereunder and so collected shall be placed into the Apportionment Fund. No portion of such increments and no portion of the Apportionment Fund shall constitute a part of the general fund of the City. All Sales Tax Increment Revenues so collected shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan, including any interest component (pursuant to a development agreement with the City and/or the Authority).

The apportionment of sales and use taxes pursuant to this section shall terminate upon the final payment of, or reimbursement for, all Project Costs incurred in connection with the projects listed in this Project Plan, and the payment of all outstanding principal, accrued interest, and premium due on the TIF Bonds; provided, however, that in no case shall the apportionment of revenues pursuant hereto extend beyond the Expiration Date.

In the event that any portion of the principal of or interest on the TIF Bonds, issued in connection herewith, or any amount due and owing for reimbursement under a development agreement between the City and the Company, remains unpaid as of the Expiration Date, then the Increment District shall not terminate until the increment apportioned during the term of the Increment District is actually received by the Apportionment Fund, even if the receipt of such revenues occurs subsequent to the Expiration Date.

(iii) *Hotel Tax Increment Revenues.* In accordance with the provisions of the Local Development Act, the Hotel Tax Increment Revenues are to be apportioned and set aside from all other hotel/motel taxes levied within the Increment District, to be used exclusively for:

- (a) the payment of principal, interest and premium, if any, on any TIF Bonds issued pursuant to Section 863 of the Local Development Act (including pledging as security for such payments);
- (b) the payment, if required, of amounts necessary to satisfy or replenish any reserve requirement established with respect to any TIF Bonds;
- (c) the payment of Project Costs incurred in connection with the development, construction, or implementation of the TIF Projects; and
- (d) the reimbursement of a third party developer (pursuant to a development agreement with the City or the Authority), including any interest component (pursuant to a development agreement with the City and/or the Authority), the City, or any agency thereof (including the Authority), which has paid Project Costs from funds which were not increments derived from the Increment District, but only to the extent that such sums were actually paid or, in the case of reimbursement of a third party developer, constitute an interest component on sums that were actually paid.

For purposes of determining the incremental portion of the hotel/motel taxes generated within the Increment District, the Mayor of the City shall certify as the “base lodging tax amount” the annual hotel/motel taxes received by the City that were generated within the area comprising the Increment District during the calendar year immediately preceding the Commencement Date of the respective Increment District. If necessary for such certification, said base amount may be determined using reasonable estimates prepared by the City Clerk. The base lodging tax amount is projected to be \$0.00 for each of the Increment Districts. All hotel/motel tax revenue generated within the Increment District and received by the City which are in excess of such base amount, shall be considered to be the “increment” subject to apportionment by this section.

Pursuant to the Local Development Act, the Hotel Tax Increment Revenues apportioned hereunder and so collected shall be placed into the Apportionment Fund. No portion of such increments and no portion of the Apportionment Fund shall constitute a part of the general fund of the City. All Hotel Tax Increment Revenues so collected shall be pledged as security for the payment of the TIF Bonds or otherwise used to pay (or reimburse the payment of) Project Costs authorized pursuant to Section IX of this Project Plan, including any interest component (pursuant to a development agreement with the City and/or the Authority).

The apportionment of hotel/motel taxes pursuant to this section shall terminate upon the final payment of, or reimbursement for, all Project Costs incurred in connection with the projects listed in this Project Plan, and the payment of all outstanding principal, accrued interest, and premium due on the TIF Bonds; provided, however, that in no case shall the apportionment of revenues pursuant hereto extend beyond the Expiration Date.

In the event that any portion of the principal of or interest on the TIF Bonds, issued in connection herewith, or any amount due and owing for reimbursement under a development agreement between the City and the Company, remains unpaid as of the Expiration Date, then the Increment District shall not terminate until the increment apportioned during the term of the Increment District is actually received by the Apportionment Fund, even if the receipt of such revenues occurs subsequent to the Expiration Date.

C. Time When Costs Or Monetary Obligations Are To Be Incurred. It is estimated that the time frame for incurring most of the Project Costs will be within two to three years from the date of approval of this Project Plan; however, certain Project Costs will not be incurred until appropriate development projects within the Increment District are identified by the City. It is anticipated that most Project Costs will be paid from proceeds of TIF Bonds issued by the Authority, provided however, certain Project Costs may be directly paid or reimbursed from apportioned TIF Revenues.

D. Flow of Funds; Excess Revenues.

During the term of the Increment Districts, TIF Revenues shall be utilized as follows:

- FIRST:** The payment of principal, accrued interest, and premium, if any, due on the TIF Bonds;
- SECOND:** If applicable, transfers to any debt service reserve established in connection with the TIF Bonds in such amounts as may be necessary to restore the reserve to its prescribed levels;
- THIRD:** The payment and/or reimbursement of authorized Project Costs (including any interest component pursuant to a development agreement);
- FOURTH:** If applicable, the prepayment of principal on any TIF Bonds until such time as all TIF Bonds are retired; and
- FIFTH:** Upon retirement of all TIF Bonds (if any) and payment of all Project Costs (including any interest component pursuant to a development agreement), (a) any remaining Ad Valorem Increment Revenues shall be transferred to the various ad valorem taxing jurisdictions, in the same percentages as originally collected, as determined by reference to the millage levied by each of the various ad valorem taxing jurisdictions for the related tax year, excluding sinking fund levies, and (b) any remaining Sales Tax Increment Revenues and/or Hotel Tax Increment Revenues shall be transferred to the City for deposit into the General Fund or to the appropriate special fund, in each case consistent with the provisions of the Local Development Act.

XI. FINANCING REVENUE SOURCES

The TIF Revenues are expected to finance all or a portion of the Project Costs authorized by Section IX. Based on the initial projections of Ad Valorem Increment Revenues for the Coal Creek Village Project, it is estimated that approximately \$51.78 million could be generated by the incremental increase in ad valorem tax revenue during the term of the Increment Districts, with approximately \$38.84 million available to be utilized for Project Costs and approximately \$12.94 million apportioned to the School District. The initial projections of Ad Valorem Increment Revenues are based upon an estimated \$126.3 million initial taxable capital investment, an 11% assessment rate for real property, a 10% assessment rate for business personal property, an approximately 12.855% millage levy within the Increment Districts (based on the 2022 levy rates), and assuming a two percent (2.0%) annual appreciation in the taxable property values.

Based on the initial projections of Sales Tax Increment Revenues for the Coal Creek Village Project, it is estimated that approximately \$138.78 million could be generated by the incremental increase in sales and use tax revenue during the term of the Increment Districts, with approximately \$78.19 million available for allocation to Project Costs and approximately \$60.59 million retained by the City. The initial projections of incremental sales and use tax revenue are based upon the projected revenues generated within the Increment Districts from the levy of an aggregate total of three and fifty-five hundredths percent (3.55%) sales and use tax on new

construction within the Increment Districts and new retail and other space generating approximately \$3.91 billion in gross taxable sales during the term of the Increment Districts.

At the time of this Project Plan, there are no projected development plans that will generate Hotel Tax Increment Revenues, however, any incremental increase in hotel/motel tax revenue during the term of the Increment Districts will be allocated to Project Costs. The incremental hotel/motel tax revenue are based upon the revenues generated within the Increment Districts from the levy of five percent (5.0%) room occupancy tax, and occupancy generating gross occupancy sales during the term of the Increment Districts.

The calculation of projected TIF Revenues will be refined based upon (i) the actual effective ad valorem tax rate and base assessed valuation, as determined from time to time by the Tulsa County Assessor and subject to change by voters of the applicable taxing jurisdiction at an election(s) held for such purpose, (ii) the total net capital investment resulting from development within the Increment Districts, (iii) the timing of the development; (iv) the impact of the specific nature of the actual retail investment on projected sales per square foot, and (v) the availability, occupancy, and rates and charges established for lodging establishments within the Increment Districts.

The realization of the TIF Revenues is directly dependent on the City's ability to attract development proposals on a magnitude necessary to fully develop the area within the Increment Districts during the term of the Increment Districts. The Coal Creek Village Project represents the initial efforts of the City, and the initial projections of TIF Revenues contained in this Project Plan are based solely on said Coal Creek Village Project. The City anticipates that additional development of the Increment Districts could result in substantial additional TIF Revenues beyond the initial projections. The anticipated development, including specifically the Coal Creek Village Project, along with the necessary Infrastructure Costs, is more fully discussed in Exhibit "E". Preliminary site development plans for the Coal Creek Village Project are included as Exhibit "F". As appropriate, the Authority and/or the City may enter into economic development agreements with developers as required by the Local Development Act.

Certain TIF Projects may be designed and/or constructed by the City. Authorized Project Costs, or the payment of debt service on TIF Bonds issued to pay Project Costs, will be paid from TIF Revenues by the City or the Authority, and may include (i) reimbursement of the City or the Authority for certain public improvements constructed from other available funds, and (ii) assistance in development financing (as authorized by the Local Development Act) to a third party developer(s) for certain public infrastructure and/or other site improvements constructed on behalf of the City in furtherance of the purposes of this Project Plan. The financing of the projected private development in the area may be provided by private equity and private mortgage financing, secured by the private developments.

XII. PUBLIC REVENUE ESTIMATED TO ACCRUE FROM THE PROJECT AND OTHER ECONOMIC IMPACTS

The increase in ad valorem tax, sales and use tax, and hotel/motel tax revenues (estimated at a total of approximately \$190.57 million over the term of the Increment Districts based on projected development of the Coal Creek Village Project), of which portions will serve as all or a portion of the revenue source for financing the Project Costs authorized by Section IX of this Project Plan, are the public revenues directly attributable to the project defined by establishment of the Increment Districts. Additional revenues are anticipated in connection with the development of the 121st Street Development Project, and will be available to finance Project Costs authorized by Section IX of this Project Plan, however no additional TIF Revenues in connection with the 121st Street Development Project have been projected as of the date of this Project Plan. Additionally, the various taxing jurisdictions may realize additional ad valorem tax and sales and use tax revenue from additional development outside the boundaries of the Increment Districts.

Construction of the improvements and subsequent development should have a positive impact on total employment in the City's metropolitan area, including temporary construction jobs and permanent positions at the Company's facilities. Indirect impacts (associated with the employment and income which result from the provision of inputs in support of the primary activity), and induced impacts (associated with the wages and jobs resulting from changes in household expenditures which come about through direct and indirect employment) will also result in additional growth in the City's metropolitan area.

This Project Plan includes certain projections and estimates, which are based on the current expectations or beliefs of third party developer(s) and are subject to uncertainty and changes in circumstances. Actual results may vary materially from the expectations contained herein due to changes in economic conditions, market demand and other factors affecting the development of the Project.

XIII. PRIVATE AND PUBLIC INVESTMENTS EXPECTED FOR THE PROJECT

The publicly financed Coal Creek Project Costs and City Infrastructure Project Costs in the amount of \$217,100,000, as authorized by this Project Plan, represent approximately 62.2% of the projected total public and private investment for the Project, which including anticipated expenditures by or on behalf of commercial or governmental entities within the Increment Districts, could exceed \$348.8 million.

XIV. MISCELLANEOUS PROVISIONS

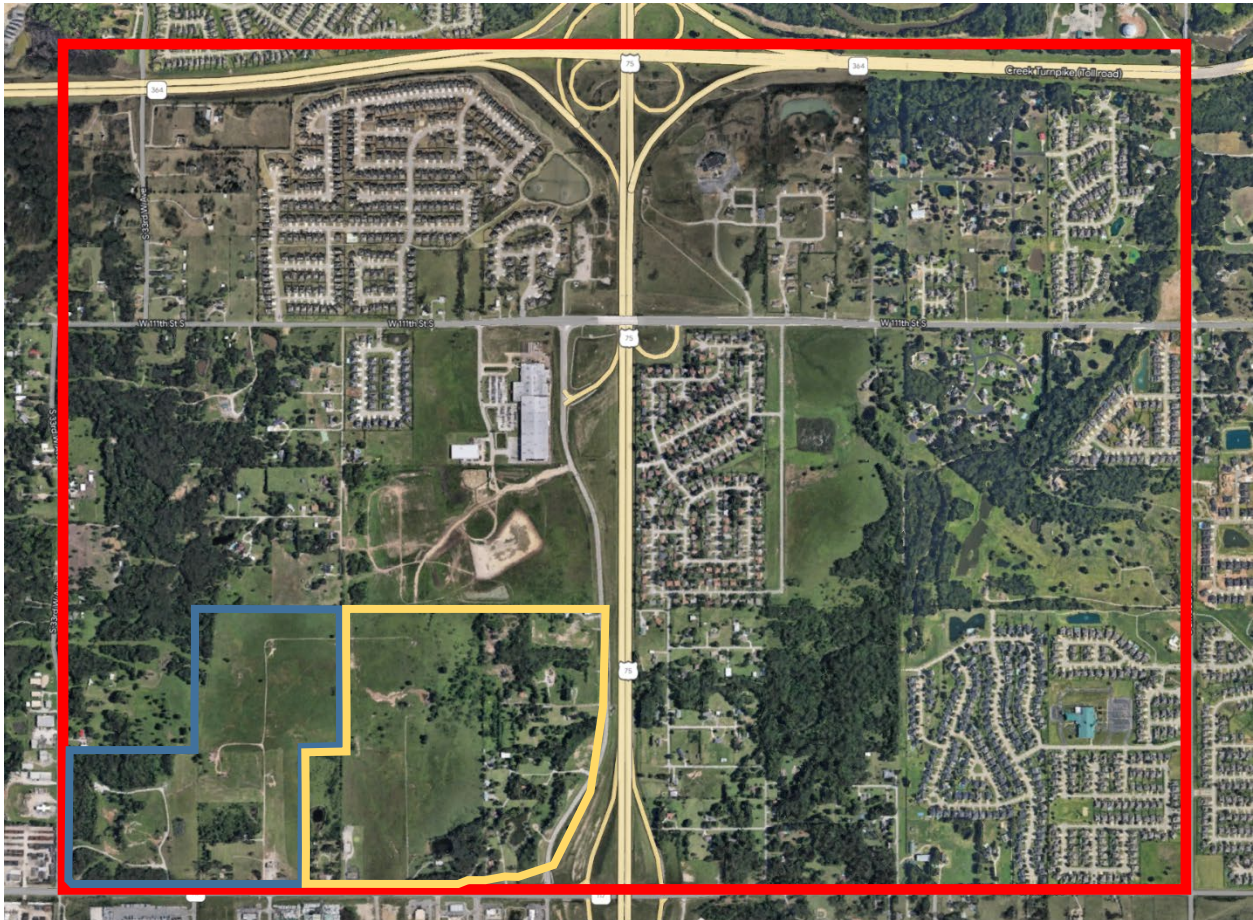
A. Zoning Conditions. A portion of the property within the boundaries of Increment District "D" is currently zoned Commercial, but the remainder is zoned Agricultural, and not appropriately zoned for the uses contemplated by the Developer. Therefore, the Developer has applied to the City to rezone the area within Increment District "D" to the Coal Creek Village Planned Unit Development (the "PUD"). The PUD will permit the development of the mixture of

retail, restaurant, multifamily, and ancillary compatible uses for the Coal Creek Village Project, and on which this Project Plan is based. If the City Council does not grant the PUD rezoning described herein and consistent with this Project Plan, then the Developer has indicated it will withdraw its application for development financing assistance and will not proceed with the Coal Creek Village Project. A small portion of the property within the boundaries of Increment District “E” is currently zoned Commercial, but the primary zoning is Agricultural. It is reasonably anticipated that zoning changes, potentially including a planned unit development, may be proposed in connection with the 121st Street Development Project. Other than zoning adjustments to accommodate the proposed Project, no changes in the ordinances of the City of Jenks are contemplated under this Project Plan. Development is anticipated to occur in accordance with current zoning requirements, with appropriate adjustments as approved by the City. The proposed project conforms to the comprehensive plan for the City of Jenks, as amended. A map showing the existing uses and conditions of the real property is included as Exhibit “G”.

B. Annual Reports. In accordance with Section 867 of the Local Development Act, following the end of each fiscal year, the City shall prepare and submit a report to the chief executive officer of each taxing entity that levies ad valorem taxes on property within each Increment District. At the time of submitting the report, the City shall also publish a notice and summary of the report in a newspaper of general circulation.

EXHIBIT “A”**MAP OF ECONOMIC DEVELOPMENT PROJECT AREA**

The boundaries of the Project Area associated with the Increment Districts contain an area comprising the South Half of Sections 26 and 27 and all of Sections 34 and 35, Township 18 North, Range 12 East, Tulsa County, Oklahoma. The Project Area is bordered on the south by 121st Street South, on the west by S. 33rd W Avenue, on the north by the Creek Turnpike, and on the east by S. Elwood Avenue.



Project Area is outlined by red border.

EXHIBIT “B”

PROJECT AREA LEGAL DESCRIPTION

INCREMENT DISTRICT PROJECT AREA

An area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

The South Half (S/2) of Section 26 of Township 18 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma; and

The South Half (S/2) of Section 27 of Township 18 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma; and

All of Sections 34 and 35 of Township 18 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma

EXHIBIT “C”**MAPS OF INCREMENT DISTRICTS****INCREMENT DISTRICT “D”**

The boundaries of Increment District “D” contain an area generally described as the Southeast Quarter of the Project Area (Section 24, Township 18 North, Range 12 East), an area bordered on the north by the half section line located at the equivalent of 116th Street S., on the east by U.S. Highway 75, on the south by 121st Street South, and on the west by the equivalent of S. 26th W Avenue.



* Increment District boundaries contained within the yellow border.

INCREMENT DISTRICT “E”

The boundaries of Increment District “E” contain an area generally described as the Southwest Quarter of the Project Area (Section 24, Township 18 North, Range 12 East), an area bordered on the north by the half section line located at the equivalent of 116th Street S., on the east by the equivalent of S. 26th W Avenue, on the south by 121st Street South, and on the west by S. 33rd W Avenue.



* Increment District boundaries contained within the blue border.

EXHIBIT “D”

INCREMENT DISTRICT LEGAL DESCRIPTIONS

INCREMENT DISTRICT “D”

The composite legal description for Increment District “D” is an area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

[TO BE PROVIDED]

The following Tracts 1-28 are approximately representative of the Increment District “D” boundaries shown on the map in Exhibit “C”.

[See following page]

INCREMENT DISTRICT "D" An area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

	Parcel Number R-	Shorthand Legal Description	Record Owner	Acres	Address	2023 Market	2023 Tax	2023	2023 Taxes	Status
						Value	Value	Assessed Value		
1	98234-82-34-45910	E/2 E/2 SE SW LESS S70 THEREOF SEC 34 18 12 9.47AC	TRIPLE H SPORTS INC	9.47	2517 W 121 ST S JENKS 74037	775,000	775,000	85,250	10,959	
2	98234-82-34-58910	PRT SW SE BEG SWC SE TH N626.13 E208.71 S626.13 W208.71 POB LESS S70 THEREOF SEC 34 18 12 2.66AC	RURAL WATER DIST NO 2 CREEK COUNTY	2.66	2425 W 121 ST S JENKS 74037	758,984	758,984	-	-	Exempt Commercial
3	98234-82-34-51210	W/2 SE LESS BEG SWC W/2 SE TH N626.13 E208.71 S556.13 E214.42 NE150.75 E150 SE101.12 E TO PT NE155.24 E59.19 N480.8 E150 S580.8 W1323.9 POB SEC 34 18 12 73.30AC	LAHOMA FAMILY LLC C/O LINDA K TAYLOR	73.3	2209 W 121 ST S JENKS 740370000	85,567	56,090	5,171	665	
4	98234-82-34-58745	S580.8 E150 W/2 SE LESS S100 THEREOF FOR RD SEC 34 18 12 1.65AC	RETAIL BUILDINGS INC	1.65	2103 W 121 ST S JENKS 740370000	700,000	700,000	77,000	10,027	
5	98234-82-34-63310	W150 S435 SE SE LESS BEG SWC SE SE TH E150 N135.93 SW154.24 S100 POB SEC 34 18 12 1.09AC	WINKLE FAMILY TRUST	1.09	2023 W 121 ST S JENKS 740370000	21,925	21,925	2,412	314	
6	98234-82-34-61880	PRT SE SE BEG 1057.1W & 151.31N SECR SE TH N1006.68 W262.88 S707.78 E150 S312.76 NE60.41 E53.95 POB SEC 34 18 12 5.059ACS	WINKLE, PATRICIA A TRUSTEE WINKLE TRUST	5.06	2023 W 121 ST S JENKS 74037	106,377	78,621	7,648	983	
7	98234-82-34-63210	PRT SE SE BEG 1057.10W & 151.31N & 1006.68N SECR SE TH N165.84 W262.88 S166.34 E262.88 POB SEC 34 18 12 1.002AC	MCCORD, TERESSA LYNN & TOM	1.00	2025 W 121 ST S JENKS 740370000	157,727	146,563	15,122	1,944	
8	98234-82-34-61480	PRT SE SE BEG 1057.1W & 151.31N SECR SE TH E128.11 NE269.26 NE183.9 NE199.69 W558 S438.02 POB SEC 34 18 12 3.99ACS	STATE OF OKLAHOMA	3.99		225	225	25	3	Exempt
9	98234-82-34-61080	PRT SE SE BEG 262.88E & 456S NWC SE SE TH S278.5 E558 NE162.81 NE150.89 W700.15 POB SEC 34 18 12 3.99ACS	STATE OF OKLAHOMA	3.99		242	242	27	3	Exempt
10	98234-82-34-60680	W178 TR BEG 262.88E & 219S NWC SE SE TH S237 E700.15 NE27.74 NE225.14 W774.15 POB SEC 34 18 12 .969AC	WINKLE FAMILY TRUST	0.97	3388 W 119 ST S JENKS 740370000	18,583	18,583	2,044	266	
11	98234-82-34-60780	PRT SE SE BEG 262.88E & 219S NWC SE SE TH S237 E700.15 NE27.74 NE225.14 W774.15 POB LESS W178 THEREOF SEC 34 18 12 3.032ACS	STATE OF OKLAHOMA	3.03		206	206	23	3	Exempt
12	98234-82-34-60480	BEG N LINE SE SE 262.88E NWC TH S219 E774.50 CRV W R/W HWY 75 219.05N W831.10 POB LESS BEG 678.43E NWC TH E415.55 WLY R/W HWY75 TH SWLY ALG R/W CRV R 226.50 W387.25 NE220.75 POB SEC 34 18 12 2.018ACS	HAMPTON, LINDA DIANE	2.02	3389 W 119 ST S JENKS 740370000	45,392	27,864	1,065	139	
13	98234-82-34-60280	PRT SE SE BEG 678.43E NWC TH E117.20 S74.50 E288.69 SW141.84 W387.25 N220.75 TO POB SEC 34 18 12 1.524ACS	STATE OF OKLAHOMA DEPT OF TRANSPORTATION	1.52	11808 S UNION AV W JENKS 74037	104	104	11	1	Exempt
14	98234-82-34-60430	PRT SE SE BEG 795.63E NWC SE SE TH E298.35 CRV RT77.21 W288.69 N75.40 TO POB SEC 34 18 12 .504ACS	STATE OF OKLAHOMA DEPT OF TRANSPORTATION	0.50		33	33	4	1	Exempt
15	98234-82-34-47110	PRT NE SE BEG 234.09W SECR NE SE TH W248.33 N208.71 W240.71 N206.29 W97.5 N211 W308.74 S626.13 W199.77 N697.42 E325 N228 E115 N1.87 E523.01 S235.2 W180 S292 E322.59 S75.05 SW326.51 POB LESS BEG 233.02W SECR NE SE TH CRV LF394.57 N6.22 W44.22 CRV RT 158.81 CRV RT 243.67 E50.28 TO POB SEC 34 18 12 12.069ACS	VIRGINIA R LLC	12.07		3,466	1,277	140	18	
16	98234-82-34-47190	E8.94 NE SE BEG SWC TH N626.13 E208.71 S626.13 W208.71 POB SEC 34 18 12 .128AC	JONES, KENNETH W AND KAREN D	0.13		200	171	19	2	
17	98234-82-34-49410	BEG 1035.6 W SE COR NE SE TH N 415 E 215 N 211 W 299.8 S 626.13 E 84 TO BEG SEC 34-18-12	JONES, KENNETH W AND KAREN D	2.25	1929 W 118 ST S JENKS 740370000	401,301	109,101	11,001	1,414	
18	98234-82-34-49010	BEG 723.13 W SE COR NE SE TH N 415 W 312.5 S 415 E 312.5 TO BEG SEC 34-18-12	BENNETT, BRETT A & CURTIS R	2.98	1908 W 118 ST S JENKS 740370000	339,774	89,769	9,874	1,269	
19	98234-82-34-48410	W 240.71 E 723.13 S208.71 NE-SE SEC34-18-12	VIRGINIA R LLC	1.13		1,969	1,969	217	28	
20	98234-82-34-47189	BEG 233.02W SECR NE SE TH CRV LF394.57 N6.22 W44.22 CRV RT 158.81 CRV RT 243.67 E50.28 TO POB SEC 34 18 12 .393AC	VIRGINIA R LLC	0.39		29	29	3	-	
21	98234-82-34-48530	PRT NE SE BEG 93.7W & 400.5N SECR NE SE TH W438.72 N50 E438.72 S50 POB SEC 34 18 12 .50AC	CITY OF JENKS	0.50		100	100	-	-	Exempt
22	98234-82-34-49910	BEG 872.92 S & 358.72 W NE COR NE SE TH N 242 W 180 S 242 E 180 TO BEG SEC 34-18-12	PETERSON, LOWELL L AND JANE A	1.00	11612 S UNION AV W JENKS 74037	200,673	49,086	5,399	694	
23	98234-82-34-49310	PRT NE SE BEG 604.83S & 258.29W NEC NE SE TH CRV RT268.62 W113.67 N268.5 E105.41 POB SEC 34 18 12 .679AC	VIRGINIA R LLC	0.68		44	44	5	1	
24	98234-82-34-50010	PRT NE SE BEG 396.71S & 203.51W NEC SE TH W153.7 S208.71 E153.21 N208.71 POB LESS BEG 396.71S & 203.51W NEC SE TH S APR 208.12 W53.30 NW206.27 E65.93 POB SEC 34-18-12 .45AC	OAKBROOK INVESTMENTS LLC	0.45		13,676	13,676	1,504	196	

INCREMENT DISTRICT "D" An area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

						<u>2023 Market</u>	<u>2023 Tax</u>	<u>2023</u> <u>Assessed</u>		
	<u>Parcel Number R-</u>	<u>Shorthand Legal Description</u>	<u>Record Owner</u>	<u>Acres</u>	<u>Address</u>	<u>Value</u>	<u>Value</u>	<u>Value</u>	<u>2023 Taxes</u>	<u>Status</u>
25	98234-82-34-51209	PRT NE SE BEG 203.51W NEC NE SE TH S873.13 W40.08 CRV LF268.62 CRV LF208.27 N399.55 E88.38 POB SEC 34 18 12 1.241ACS	STATE OF OKLAHOMA DEPT OF TRANSPORTATION	1.24		117	117	13	2	
26	98234-82-34-50210	BEG NW COR NE SE TH S 626 E 325 N 228 E 115 N 398 W 440 TO BEG SEC 34-18-12	WILEY, CHARLES E	5.72	1918 W 118TH ST S	752	752	83	11	
27	98234-82-34-63460	PRT NE SE BEG 796.03W NEC SE TH W82.21 S396.5 E85.47 N396.5 POB SEC 34 18 12 .76AC	MATSON, THOMAS E AND VIRGINIA R LLC	0.76		17,539	17,539	1,929	251	
28	98234-82-34-51010	PRT NE SE BEG 203.51W NEC SE TH W592.59 S396.13 E592.52 N396.13 POB LESS BEG 203.51W NEC SE TH S APR396.71 W APR65.93 NW APR399.55 E TO POB FOR RD SEC 34-18-12 4.681ACS	OAKBROOK INVESTMENTS LLC	4.68	11608 S UNION AV W JENKS 740370000	171,106	109,880	12,087	1,554	
				TOTALS:	144.23	3,821,111	2,977,950	238,076	30,748	
								Excluding Exempt Properties:	237,986	30,737

ADDITIONAL PARCELS - NOT PART OF INCREMENT DISTRICT "D"

	98234-82-34-45900	PRT SE SW BEG 60N SECR SE SW TH W330 N10 E330 S10 POB SEC 34 18 12 .08AC	STATE OF OKLAHOMA C/O DEPT OF HWYS	0.08		8	8	1	-	Exempt
	98234-82-34-09800	PRT NE & SE BEG NEC NE TH W79 S2549.14 SW152.56 S998.37 SWLY1764.99 W182.06 SW214.65 W209.19 SW155.24 W TO WL E/2 E/2 SE SW S60 E TO EL SEC N5298.62 POB SEC 34 18 12 30.57AC	STATE OF OKLAHOMA C/O DEPT OF TRANSPORTATION	30.56		2,747	2,747	302	39	Exempt
	98234-82-34-60270	PRT W/2 SE BEG 60N SWC SE TH E208.71 N10 W208.71 S10 POB SEC 34 18 12.05AC	STATE OF OKLAHOMA C/O DEPT OF HWYS	0.05		4	4	-	-	Exempt
	98234-82-34-58735	PRT W/2 SE BEG 208.71E & 60N SWC W/2 SE TH E755.99 WLY TO PT NW101.12 W150 SW150.75 W214.42 S10 POB SEC 34 18 12 .27AC	STATE OF OKLAHOMA C/O DEPT OF HWYS	0.27		20	20	2	-	Exempt
				TOTALS:	30.96	2,779	2,779	305	39	

INCREMENT DISTRICT “E”

The composite legal description for Increment District “E” is an area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

[TO BE PROVIDED]

The following Tracts 1-10 are approximately representative of the Increment District “E” boundaries shown on the map in Exhibit “C”.

[See following page]

INCREMENT DISTRICT "E" An area located entirely in Tulsa County, Oklahoma, more particularly described as follows:

	<u>Parcel Number R-</u>	<u>Shorthand Legal Description</u>	<u>Record Owner</u>	<u>Acres</u>	<u>Address</u>	<u>2023 Market Value</u>	<u>2023 Tax Value</u>	<u>2023 Assessed Value</u>	<u>2023 Taxes</u>	<u>Status</u>
1	98234-82-34-35610	NE SW SEC 34 18 12 40AC	WACHOB, DEREK E TRUSTEE WACHOB IRREV TRUST	40		749,232	749,232	82,416	10,595	
2	98234-82-34-40210	SW SW LESS BEG SWC SW SW TH N183.8 SE131.4 E1200 NE58.9 S81.6 W1323.5 POB SEC 34 18 12 37.75ACS	WACHOB, DEREK E TRUSTEE WACHOB IRREV TRUST	37.75		889,801	889,801	97,878	12,746	
3	98234-82-34-46910	N 250 W 300 SE SW SEC 34-18-12	CANYON CREEK RANCH LLC	1.72		1,044	1,044	115	15	
4	98234-82-34-44310	W600 W/2 SE SW LESS W300 N250 & LESS S832 THEREOF SEC 34 18 12 5AC	WACHOB, DEREK E TRUSTEE WACHOB IRREV TRUST	5		185,310	185,310	20,384	2,654	
5	98234-82-34-44510	S 5AC N851 W600 W/2 SE SW LESS BEG SECR THEREOF TH N100 W250 S100 E250 TO POB SEC 34 18 12 4.426ACS	WACHOB IRREVOCABLE TRUST	4.43		161,820	161,820	17,800	2,318	
6	98234-82-34-66510	BEG SECR S 5ACS N851 W600 W/2 SE SW TH N100 W250 S100 E250 TO POB LESS E25 THEREOF SEC 34 18 12 .517AC	ANTIGHA, DENNIS NSA & JANNA MARIE	0.52	12002 S 27TH WEST AVE	142,000	90,957	10,005	1,286	
7	98234-82-34-44110	W600 W/2 SE SW LESS N851 THEREOF & LESS BEG SWC THEREOF TH N81.65 NE43.1 E229.83 NE26.93 E93.45 SE205.68 E TO PT S60 W600 POB SEC 34 18 12 5.25AC	WACHOB IRREVOCABLE TRUST	5.25	2809 W 121 ST S JENKS 74037	495,000	495,000	54,450	7,090	
8	98234-82-34-45260	W212 E707 SE SW LESS S60 THEREOF SEC 34 18 12 6.13AC	WACHOB, DEREK E TRUSTEE WACHOB IRREV TRUST	6.13	12023 S 27 AV W JENKS 74037	367,000	367,000	40,370	5,190	
9	98234-82-34-44710	E/2 W/2 E/2 SE SW LESS S70 THEREOF SEC 34 18 12 4.73AC	WACHOB, DEREK E TRUSTEE WACHOB IRREV TRUST	4.73		302,760	302,760	33,304	4,337	
10	98234-82-34-66609	E25 TR DESC AS BEG SECR S5ACS N851 W600 W/2 SE SW TH N100 W250 S100 E250 TO POB SEC 34 18 12 .057AC	CITY OF JENKS	0.06		100	100	-	-	Exempt
				TOTALS:		3,294,067	3,243,024	356,722	46,231	
								Excluding Exempt Properties:	356,722	46,231

ADDITIONAL PARCELS - NOT PART OF INCREMENT DISTRICT "E"

	98234-82-34-45250	N10 S70 E/2 W/2 E/2 SE SW SEC 34 18 12 .04AC	STATE OF OKLAHOMA C/O DEPT OF HWYS	0.04		6	6	1	-	Exempt
	98234-82-34-45240	S60 W377 E/2 SE SW SEC 35 18 12 .52AC	STATE OF OKLAHOMA C/O DEPT OF HWYS	0.52		79	79	9	1	Exempt
	98234-82-34-44295	PRT W/2 SE SW BEG 95.16N & 270.04E SWC W/2 SE SW TH E170.17 NW52.68 W93.45 SW26.93 POB SEC 34 18 12 .03AC	STATE OF OKLAHOMA C/O DEPT OF HWYS R/W DIV	0.03		2	2	-	-	Exempt
	98234-82-34-44290	PRT SE SW BEG SWC THEREOF TH N81.65 NE43.1 E400 SE153 E TO PT 600E WL SE SW TH S60 W600 POB SEC 34 18 12 1.17AC	STATE OF OKLAHOMA C/O DEPT OF HWYS R/W DIV	1.17		106	106	12	2	Exempt
	98234-82-34-44105	BEG SWC SW SW TH N183.8 SE131.4 E1200 NE58.9 S81.6 W1323.5 POB SEC 34 18 12 2.25ACS	STATE OF OKLAHOMA C/O DEPT OF HWYS R/W DIV	2.25		173	173	19	2	Exempt
				TOTALS:		366	366	41	5	

EXHIBIT “E”**PROPOSED DEVELOPMENT IN THE PROJECT AREA
AND INCREMENT DISTRICTS**

This Coal Creek Village Economic Development Project Plan describes an economic development project of the City of Jenks, Oklahoma, that brings a transformative commercial development to the undeveloped area located on the northwest corner of the intersection of 121st Street and U.S. Highway 75. The purpose of the Increment Districts (as described herein) is to encourage economic development in the City by facilitating the payment of the costs of essential infrastructure improvements and remedial costs necessary to make certain property viable for development.

The primary development component of the Project is the construction and operation of a mixed-use development by Sooner Investment Group, Inc., to be known as the Coal Creek Village Project, and comprised of approximately 316,000 square-foot of retail and service industry space, 35,000 square feet of food service space, and 2 to 3 multi-family residential projects totaling approximately 350 units. The secondary component of the Project is the development of property immediately west of the Coal Creek Village Project along 121st Street, which may include expansion of the Coal Creek Village Project facilities and/or other commercial development (i.e., the 121st Street Development Project).

The City has for a number of years attempted to develop these areas without success. The development areas require significant public infrastructure improvements to support the scale of the proposed development. The City has previously included portions of the development area in a tax increment district, however, the infrastructure needs far outpace the capacity of the existing tax increment district to support the proposed development, and as such, the creation of one or more new tax increment districts comprising the proposed development areas is critical to the successful implementation of the proposed Project.

The City has identified an aggregate total of not-to-exceed \$217,100,000 in costs associated with the infrastructure improvements and economic incentives in connection with establishing the Increment Districts (i.e., the TIF Projects). The costs of the improvements necessary to support the full development of the Coal Creek Village Project are estimated to be \$42,600,000 (i.e., the Coal Creek Project Costs), including the costs of infrastructure improvements and certain economic incentives in the form of assistance in development financing (as defined in Section 853(14)(o) of the Local Development Act). Additional necessary infrastructure improvements within the Project Area have been identified by the City in the estimated total of \$174,500,000 (i.e., the City Infrastructure Project Costs). Additionally, an amount equal to twenty five percent (25%) of the annual Ad Valorem Increment Revenues will be provided to Jenks Public Schools as capital cost assistance for the purpose of providing a specific revenue source to offset the costs of necessary capital expenditures (and any related financing costs) for the benefit of the School District, as determined by the School District in its sole discretion from time to time. The total amount of the School District Capital Costs will be determined based on the aggregate Ad Valorem Increment Revenues generated during the term of the Increment Districts, but is initially projected to be approximately \$12.43 million based on the projected revenues of the Coal Creek Village Project. The associated costs of the TIF Projects

comprising the Coal Creek Project Costs and the City Infrastructure Project Costs, along with the Organizational Costs, the Debt Service Costs, and School District Capital Costs are collectively referred to herein as the Project Costs. Certain City Infrastructure Project Costs may support development within both of the Increment Districts, and as such, any of the City Infrastructure Project Costs shall be deemed to be authorized Project Costs of any and all of the Increment Districts. The City expects to phase the expenditure of Project Costs in coordination with specific development projects, and intends to apply other available funds as appropriate to offset the costs of the Increment Districts.

The following specific Coal Creek Project Costs totaling \$42,600,000 have been identified by the City and the Developer as necessary to support the full development of the Coal Creek Village Project.

- | | | |
|----|--|--------------------|
| A. | <u>Water System Improvements:</u> Installation and extension of the City's water distribution system within the Project Area to serve the various project features within the Coal Creek Village Project. Project costs under this category include assistance in the financing of the actual material and labor costs associated with the acquisition of land and the installation, relocation, reconstruction and/or removal of new or existing water lines, and distribution structures and fixtures, similar public improvements, related common utility or service facilities, related landscaping; utility relocation costs; and professional service costs, including those incurred for architectural, planning, engineering and legal. | \$2,600,000 |
| B. | <u>Sanitary Sewer Improvements:</u> Relocation or modification of one or more sanitary sewer lines within the Project Area. Project costs under this category include the actual costs of the acquisition of land and the acquisition, demolition, alteration, remodeling, repair, construction and/or reconstruction of new or existing structures and fixtures, including sanitary sewers, similar public improvements, related common utility or service facilities, related landscaping, clearing and grading of the project site and any environmental remediation related thereto; utility relocation costs; and professional service costs, including those incurred for architectural, planning, engineering and legal. | \$1,275,000 |
| C. | <u>Storm Water Drainage Improvements:</u> Installation of improved facilities for storm water drainage throughout the Project Area. These improvements may include the reconstruction, relocation, or modification of one or more stormwater drainage lines, pipes, drains, ditches, gullies, catch basins, manholes or other stormwater facilities. Project costs under this category include the actual costs of the acquisition of land and the acquisition, demolition, alteration, remodeling, repair, construction and/or reconstruction of new or existing | |

structures and fixtures, including curbing, sidewalks and any similar public improvements, common utility or service facilities; landscaping, parking and water detention/retention systems; retaining walls,; utility relocation costs; and professional service costs, including those incurred for architectural, planning, engineering and legal.

\$24,700,000

- D. **Site Reclamation and Development:** A portion of the Project Area for the Coal Creek Village Project will include greenfield areas which have not yet been previously developed. These areas will require extensive leveling and reclamation work in order for them to be turned into areas suitable for commercial or residential development. Project costs under this category include the actual costs of the acquisition of land and the acquisition, demolition, alteration, remodeling, repair, construction and/or reconstruction of new or existing parking lots and relating features, including curbing, sidewalks and any similar public improvements, landscaping, water detention/retention systems; retaining walls,; utility relocation costs; and professional service costs, including those incurred for architectural, planning, engineering and legal.

\$8,975,000

- E. **Street Improvements:** Installation of street and road infrastructure within the Project Area to accommodate the heavy traffic flows generated by this project. Project costs under this category may include assistance in the financing of the costs of these street and roadway improvements. The proposed pavement sections consist of a stabilized two-inch subgrade, aggregate base, and a five-inch asphalt to accommodate heavy car and truck traffic. Project costs under this category include the actual costs of the acquisition, demolition, alteration, remodeling, repair, construction and/or reconstruction of new or existing structures and fixtures, including streets, bridges and any similar public improvements, common utility or service facilities, related landscaping; the actual cost of the clearing and grading of the streets within the Project Area and any environmental remediation related thereto; utility relocation costs; professional service costs, including those incurred for architectural, planning, engineering and legal.

\$5,850,000

- F. **Landscape/Irrigation:** Current provisions of the City's Building Codes require that the Project Area be properly landscaped and that signage appropriate to the land uses be installed to assist patrons and residents in the area.

\$1,525,000

- G. **Environmental Remediation, Wetlands Mitigation and Pipeline Relocation:** The Coal Creek Village Project will also

require significant environmental remediation and wetlands mitigation within the Project Area before the necessary site development work can take place. Such environmental remediation will also include the relocation of utility pipelines crossing the Project Site, as well as the acquisition, deconstruction and remediation of existing oil well sites. Project costs under this category may include assistance in the financing of the costs of the acquisition of real property and improvements as well as the acquisition, demolition, alteration, remodeling, repair, or reconstruction of existing public and private buildings, structures, and fixtures; and the actual costs of the acquisition of land and equipment for public works, public improvements and public buildings and the actual costs of clearing and grading of such land and environmental remediation related thereto, professional service costs, including those incurred for architectural, planning, engineering, legal and financial advisory services.

\$4,425,000

- H. **Additional Assistance in Development Financing:** Incentive Costs in the amount of \$13,925,000 will be incurrent for the purpose of providing additional assistance in development financing (as authorized by Section 853(14)(o) of the Local Development Act) necessary to accomplish the Coal Creek Village Project, including the actual costs of the acquisition of land and construction of the new private buildings, structures, and fixtures which comprise the retail facilities to be owned by the Developer. Project costs under this category may include assistance in the financing of the costs of the acquisition of real property and improvements as well as the acquisition, demolition, alteration, remodeling, repair, or reconstruction of existing public and private buildings, structures, and fixtures; and the actual costs of the acquisition of land and equipment for public works, public improvements and public buildings and the actual costs of clearing and grading of such land and environmental remediation related thereto, professional service costs, including those incurred for architectural, planning, engineering, legal and financial advisory services.

\$13,925,000

The following specific City Infrastructure Project Costs totaling \$174,500,000 have been identified by the City as necessary to support the full development of the Project. Project. Many of the Infrastructure Costs will support development within more than one of the Increment Districts, and as such, any of the City Infrastructure Project Costs shall be deemed to be authorized Project Costs of any and all of the Increment Districts.

- I. **121st Street Waterline Extension:** Extend the public 12-inch waterline from Eddington Place Addition to 27th West Avenue and extend a public 8-inch waterline from the north side of the

- unincorporated area on Tacoma Avenue through the unincorporated area within the City of Jenks right-of-way to the new 12-inch waterline on the north side of 121st Street. **\$3,000,000**
- J. **South James Waterline Extension:** Extend a waterline from the existing waterline at the south end of James Avenue through the proposed commercial development to the south and connect to the proposed waterline on the north side of 121st Street. **\$750,000**
- K. **Sanitary Sewer Extension on East Side of US Highway 75 and north of 121st Street:** Extend a sanitary sewer system through the currently unincorporated area that is northeast of the US Highway 75 and 121st Street (State Highway 117) intersection. This project will include the construction of a new lift station and forcemain. **\$3,000,000**
- L. **Elwood Avenue (111th Street to 121st Street) Widening:** Widen Elwood Avenue from 111th Street to 121st Street from 2 lanes to 3 lanes, add landscaped, irrigated medians, add curb and gutter and storm sewer system to the street, add street lighting, add trails on both sides of the street and upsize the drainage culvert crossing the street. **\$10,000,000**
- M. **Elwood Avenue (111th Street to the Creek Turnpike) Improvement:** Reconstruct Elwood Avenue from 111th Street to the Creek Turnpike, add shoulders to each side of the roadway, demolish and reconstruct the Coal Creek bridge and add a trail on the east side of the street. **\$6,000,000**
- N. **111th Street (US Highway 75 to 33rd West Avenue) Mill & Overlay:** Mill, overlay and restripe 111th Street from west bridge abutment for US Highway 75 to 33rd West Avenue. **\$650,000**
- O. **121st Street (Elwood Avenue to US Highway 75) Widening:** Widen 121st Street from Elwood Avenue to the US Highway 75 from 2 lanes to 4 lanes, demolish and reconstruct the Coal Creek bridge, provide drainage culvert improvements, add curb and gutter and storm sewer system, add sidewalk on the north side of the street and provide a signalized intersection for the 121st Street and Elwood Avenue intersection. **\$13,000,000**
- P. **Waterline Extensions:** This category covers all extensions of the public waterline system to support public and private development within the Project Area boundaries. The cost of ODEQ permitting is included in this category. **\$7,500,000**

Q.	<u>Sanitary Sewer Extensions:</u> This category covers all extensions of the public wastewater system to support public and private development within the Project Area boundaries. The cost for ODEQ permitting is included in this category.	\$8,500,000
R.	<u>Stormwater Piping & Drainage Improvements:</u> This category covers all storm sewer systems extensions and drainage improvements within the Project Area boundaries.	\$20,000,000
S.	<u>Street Improvement and New Street Construction:</u> This category covers the repair of all existing public streets and the construction of any new public streets within the Project Area boundaries.	\$40,000,000
T.	<u>Site Reclamation/Grading/Excavation & Fill:</u> This category covers all earthwork activities for development within the Project Area boundaries.	\$6,600,000
U.	<u>Commerce Park Lift Station and Forcemain Upgrade:</u> Increase the capacity of the existing Commerce Park lift station and forcemain.	\$18,000,000
V.	<u>Wastewater System Improvements:</u> Upsize and reconstruct existing public wastewater systems in the Project Area boundaries.	\$10,000,000
W.	<u>Water System Improvements:</u> Upsize and reconstruct the public waterline crossing US Highway 75 at 116 th Street.	\$2,000,000
X.	<u>Floodplain & Floodway Permitting/Drainage Study:</u> This category covers all drainage study services and FEMA permitting within the Regulatory Floodplain/Floodway within the Project Area boundaries.	\$7,500,000
Y.	<u>Easement and Right-of-Way Acquisition:</u> This category covers the costs related to acquiring easements and right-of-way for public improvements, utility extensions within the Project Area boundaries.	\$3,000,000
Z.	<u>Streetscaping (sidewalks/trails, lighting, landscaping, irrigation):</u> Install streetscaping in the forms of sidewalks/trails, landscaping, lighting and irrigation within the Project Area boundaries for vehicle and pedestrian transportation.	\$5,000,000
AA.	<u>Engineering:</u> This category covers all engineering design services related to public improvements within the Project Area boundaries.	\$10,000,000

Additional amounts will be financed by the apportionment of tax increments from the Increment Districts including the Organizational Costs, the Debt Service Costs, and the School District Capital Costs, all related to Project Costs in excess of the amounts specifically identified as Coal Creek Project Costs and City Infrastructure Project Costs. The Organizational Costs associated with the initial creation and implementation of the Increment Districts are preliminarily estimated to be approximately \$150,000, and the ongoing Organizational Costs are estimated to be \$10,000 per year for each Increment District. The Debt Service Costs associated with the Coal Creek Project Costs are preliminarily estimated to be approximately \$48,000,000. The Debt Service Costs associated with the City Infrastructure Project Costs are preliminarily estimated to be approximately \$140,000,000. The School District Capital Costs are preliminarily estimated to be approximately \$12,946,900, based solely on the full development of the Coal Creek Village Project and subject to actual receipt of Ad Valorem Increment Revenues, but may be on the order of \$30,000,000 full development of both Increment Districts.

The total estimate of Coal Creek Project Costs and City Infrastructure Costs that may be made available for improvements and assistance in development financing from apportioned tax revenues shall be \$217,100,000 (including all engineering, construction, planning, and contingency costs), which shall be a not-to-exceed amount. Apportioned tax revenues in excess of the amounts needed for Project Costs may be utilized as necessary to pay the Organizational Costs, the Debt Service Costs, and the School District Capital Costs, and could total approximately \$218,650,000. The estimated combined total of all project costs is \$435,750,000.

The estimated \$174.3 million capital investment (\$126.3 million in net taxable value) and \$4.02 billion in total taxable sales over the term of the Increment District “D” (Coal Creek Village Project) is based on the following buildout assumptions:

- Approximately 324,400 square foot of retail and service industry space, with an estimated \$73,850,000 project investment (\$559.08 million taxable value) and \$115,500,000 in annual retail sales (average of \$311/sf.)
- Approximately 35,600 square foot of food service space, with an estimated \$34,750,000 project investment (\$27.8 million taxable value) and \$136,300,000 in annual retail sales (average of \$893/sf.)
- Approximately 350 units of multifamily housing, with an estimated \$65,700,000 project investment (\$39.42 million taxable value), and an average cost per unit of \$180,000.
- Taxable value of commercial retail is estimated at 80% of project investment.
- Taxable value of multifamily housing is estimated at 60% of project investment.

The City has not endeavored to project the specific development potential of Increment District “E”, but reasonably anticipates that the 121st Street Development Project may entail similar mixed-use development opportunities, which could include an expansion of the Coal Creek Development Project. The City reserves the right to consider any necessary amendments to this

Project Plan as may be necessary and desirable to implement the 121st Street Development Project, in accordance with the Local Development Act.

Please see Exhibit “F” for a Preliminary Site Development Plans for the Coal Creek Village Project.

EXHIBIT “F”

PRELIMINARY SITE DEVELOPMENT PLAN*

RETAIL OUTLET PROJECT

* See following pages for Preliminary Conceptual Layout, which is subject to change.

COAL CREEK VILLAGE
W. 121st Street & I-75
Jenks, OK

CONCEPTUAL SITE PLAN

REVISIONS

#	DATE	TYPE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

DO NOT SCALE PLANS
Copying, Printing, Software and other processes
required to produce these plans can stretch or
shrink the actual paper or layout. Therefore,
scaling of this drawing may be inaccurate.
Contact GC Architects with any need for
additional dimensions or clarifications.

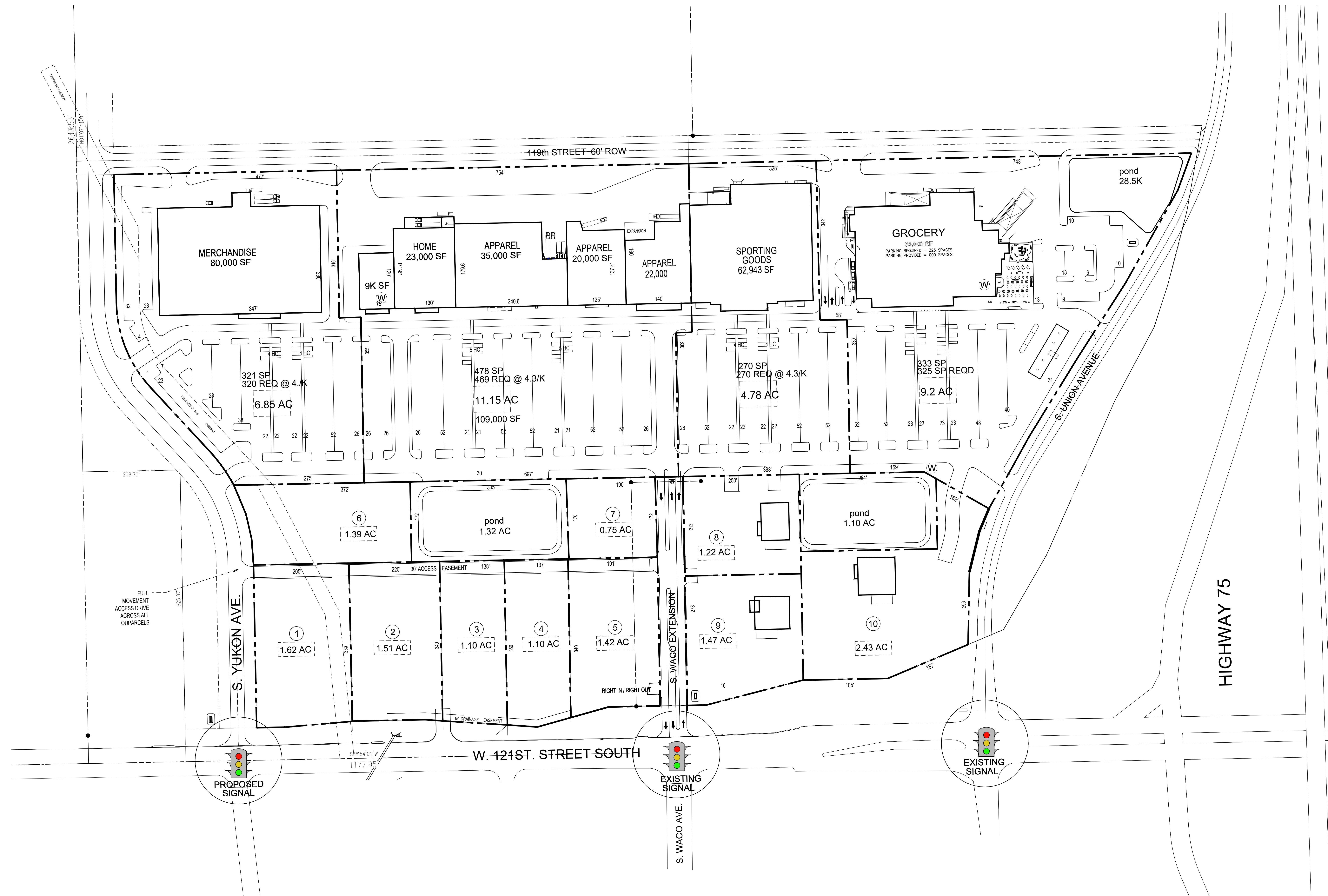
DATE 03-09-23

JOB NO. 22.104.00

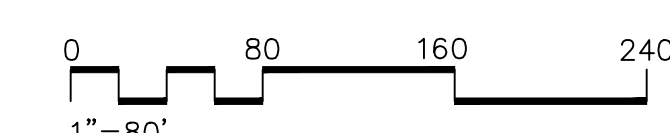
PLAN

SP1.0

SHEET NO.



1 SHOPPING CENTER CONCEPTUAL SITE PLAN
SCALE: 1" = 80'





ALL CONSTRUCTION TO BE IN STRICT
ACCORDANCE WITH CURRENT CITY OF
JENNK'S STANDARDS AND SPECIFICATIONS
(INCLUDING O.D.O.T. 2019 EDITION)

121ST STREET & US 75

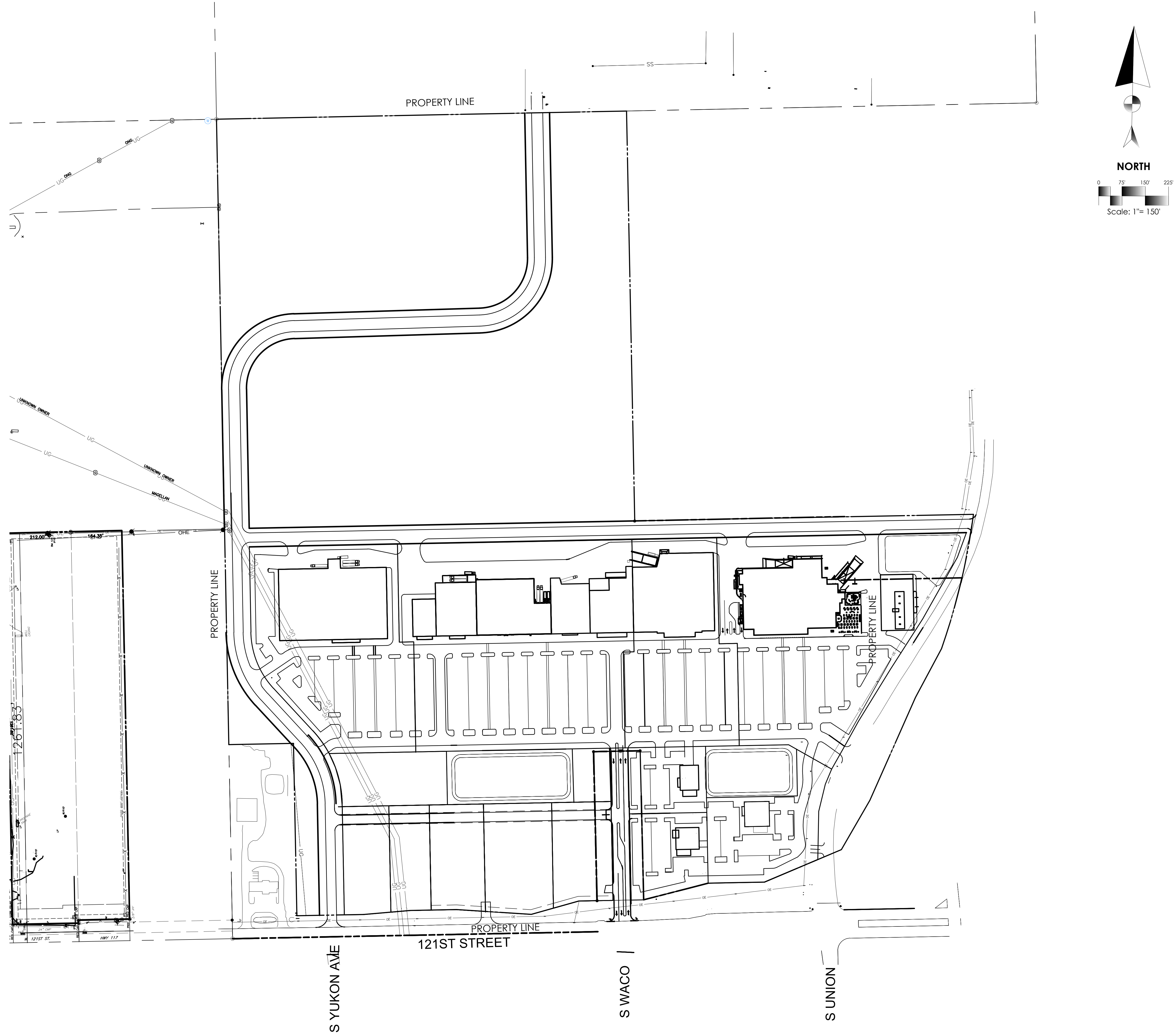
JENKS, OK

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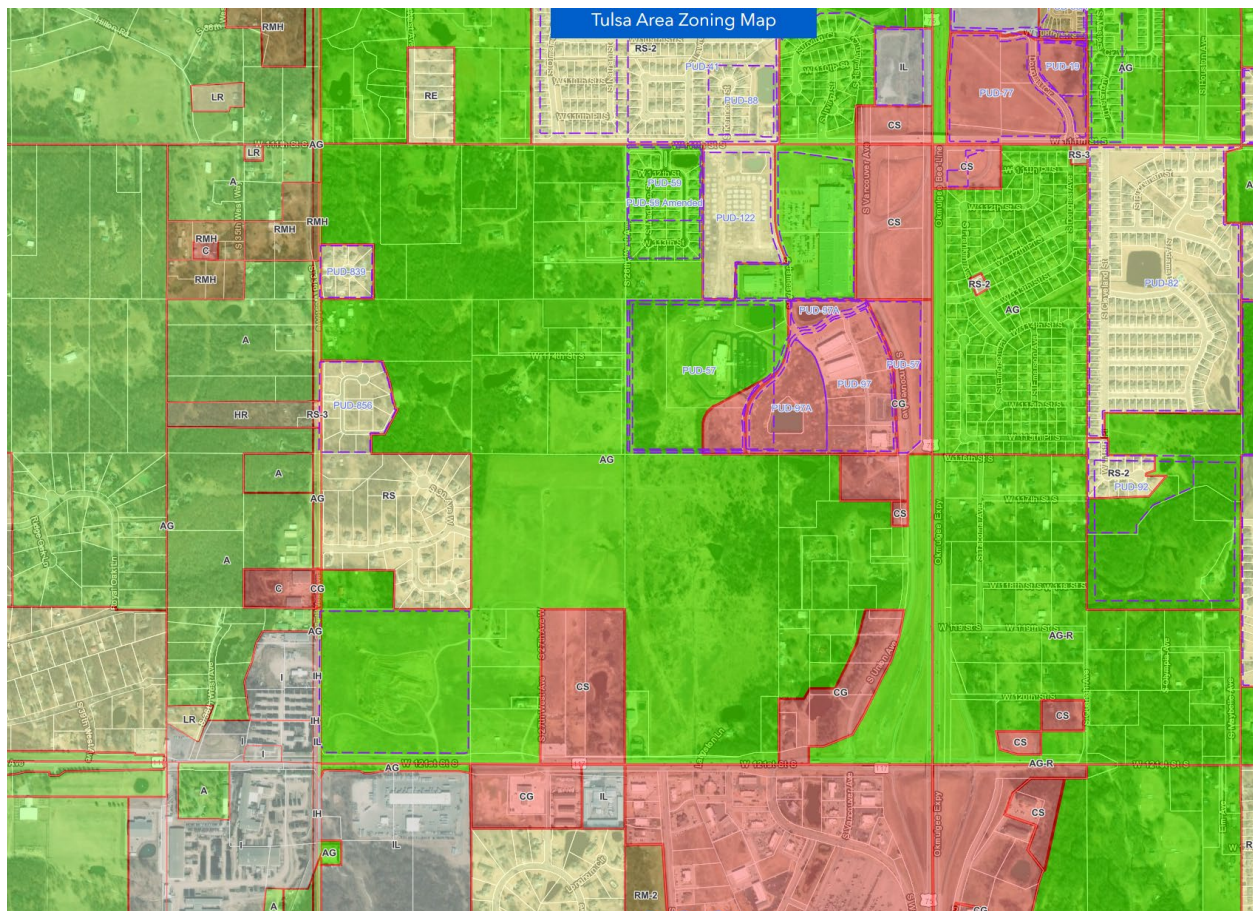
SHORT SCALE	•	
INVERT SCALE	•	-
DATE	•	2/10/2023
ATLAS NO.	•	-
MANAGER	•	ANW
DRAWN BY	•	ANW

OVERALL
EXHIBIT

EXHIBIT A



EXISTING USES AND CONDITIONS OF REAL PROPERTY



To	Planning Commission
Hearing Date	April 20, 2023
Case Number	PUD 130MA1 Major Amendment No. 1 to PUD 130
Request	Recommendation of approval to allow for therapy animals and services
Location	9330 S. Elwood Avenue
Applicant	Robert Bell, Bell Land Use

Staff Report

Preparer | Marcaé Hilton

Attachments

- ☐ PUD 130MA1 Document
- ☐ Public Notice

Preparer

Robert Bell
INCOG

Background Information

STAFF COMMENTARY | September 21, 2021, PUD 130 was approved, rezoning this property from AG (Agriculture) to CS (Commercial Shopping) and added a Planned Unit Development overlay with prescribed restrictions. At that time, the lot served as a large Agriculture zoned Single-family residence with some livestock. The rezoning created the path forward for a retail/office/warehouse development. Following approval, the property was sold and the house was rehabilitated for office use. The new hearing doctor/owners allowed the horses to stay at the back of the lot. Since that time, the Dr. has become a certified animal therapist and would like to expand the property uses to allow for wellness therapy for children the Major Amendment process.

PLANNING DATA

Request	PUD 130 MA1 To allow for therapy animals and wellness services
Zoning	PUD 130 & CS Planned Unit Development & Commercial Shopping
Intended Use	Commercial Retail, Office, Warehousing & Service/therapy Animals
Parcel ID	98223822307380
Property Address	9330 S ELWOOD AV W
General Location	West of Elwood and North of Main Street
Legal	PRT E/2 NE BEG 995N SECR NE TH W543 N401.11 E543 S401.11 LESS S200.56 THEREOF & LESS E50 FOR RD SEC 23 18 12

Gross Acres	2.27
STR	Section 23, Township 18, Range 12
Comprehensive Plan Plat	Business Park requested use is compatible with Comprehensive Plan Unplatted (Platting required at time of redevelopment)
Appearance District	Corridor Appearance (PUD will serve as ARC approval mechanism)
Public Comment	Staff has received a few calls in support of keeping the horse and adding other animals
City Code Link	<u>CITY CODE REGARDING ANIMALS</u>
Screening Fence	Six (6) foot opaque located along North and West Property Lines adjacent to Residential uses.
Lighting	Shielded down away from residential - o Street and Parking no greater than 19 ft. tall - o Approved by City Staff
Signage	1 Development sign along Elwood Wall Signs along Elwood Per CS code Interior signage - o 1 Wall or Canopy Sign Per business - o 1 square ft. per linear foot of building wall - o Cannot extend above building wall or parapet - o Private covenants may exceed PUD restrictions Construction Sign - o 24 months - o Erected along Elwood - o 400 sq. ft. max - o Less than 15 feet - o Constant light - o Parking
Parking	Office Warehouse - o 1/400 square feet of office area - o 1/1200 square feet of warehouse area
Elevations	75% Masonry
Storage	Outside Storage is prohibited
Drainage Utilities	All public Utilities are available

Table 2.Bulk and Area Requirements in the Commercial Districts (As approved prior to UDO adoption)	Districts			
	LC	CS	PUD 130	CG
Frontage (min. ft.) —Arterial ELWOOD SECONDARY ARTERIAL	150	150	200+-	150
Floor Area Ratio (maximum) The floor area of a building or buildings on a lot divided by the lot area.	0.25	0.50	0	0.75
Setback from centerline of abutting street —ELWOOD SECONDARY ARTERIAL	50	50	35 10 5	50
Setback from an abutting R District boundary line (min. ft.)	10 ¹	10 ¹	30++	10 1
Building Height (max. ft.)	35	35	35	35
¹ Plus two feet of setback for each one foot building height exceeding 15 feet, if the property is within an RE, RS, or RD District.				
++ Onsite Detention Rear yard setback cannot be adjusted without a new public hearing				

Chapter 10 Use Units Sec. 610. - Principal uses permitted in commercial districts. (As approved prior to UDO adoption)		Districts			
No.	Name	LC	CS	PUD 130	CG
1.	Area wide Uses	X	X	X	X
2.	Area wide Specific Use	S	S	NA	S
4.	Public Protection	X	X	X	X
5.	Community Services and Cultural Facilities	X	X	X	X
8.	Multifamily Dwellings and Similar uses		P	NA	P
10.	Off-Street Parking Areas		X	X	X
11.	Offices and Studios	X	X	X	X
12.	Eating Places Other Than Drive-Ins		X	X	X
13.	Convenience Goods and Services	X	X	X	X
14.	Shopping Goods and Services		X	X	X
15.	Other Trades and Services			X	X
16.	Gasoline Service Stations		X	X	X
17.	Automotive and Allied Activities		E	NA	X
18.	Drive-In Restaurants			NA	X
19.	Hotel, Motel, and Recreation Facilities		X	X	X
20.	Commercial Recreation, Intensive			NA	S
21.	Business Signs and Outdoor Advertising		X	X	X
22.	Warehousing and Wholesaling			X	E
24.	Light Manufacturing and Industrial Research and Development			NA	E
27.	Tattoo and Massage Parlors (Requiring Special Licensing, see Use Unit for Use conditions)			NA	X
28.	(See Use Unit for Special Exception Criteria and Conditions)			NA	E
¹ X = Use by Right.					
E = Special Exception-unless use is specifically identified on Specific Use List.					
S = Specific Use - see Use Unit 2 and Chapter 17.					
P = Requires Planned Unit Development Application due to Mixed Use Requirements.					

Zoning Surrounding:

North:

CS | Commercial Shopping | Partially undeveloped

South:	CG Commercial General Not developed
West:	RS-2 Single-family Residential (South Lakes Villas) developed
East:	AG Agriculture Golf Course

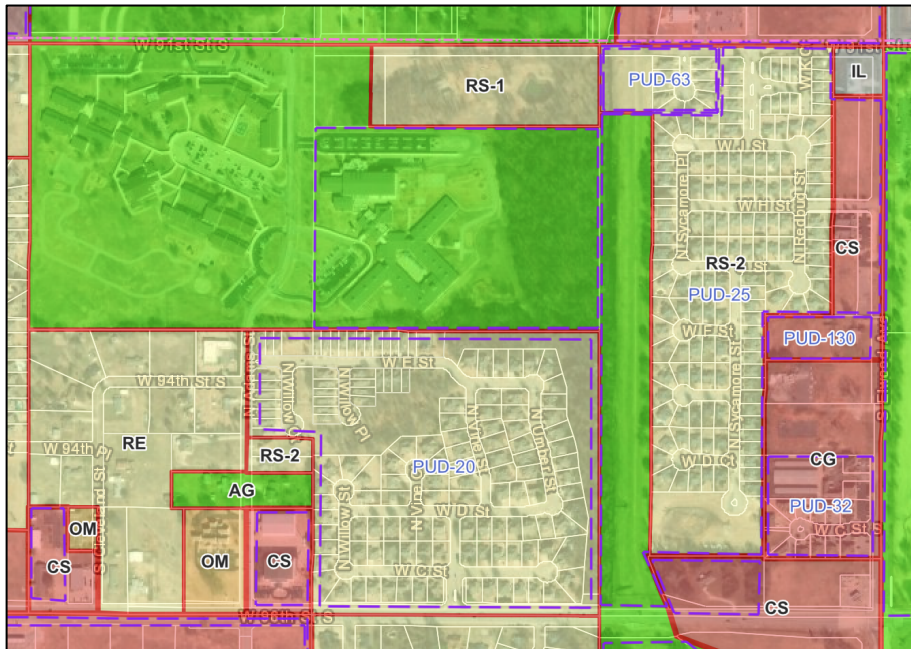


Figure 1: ZONING MAP

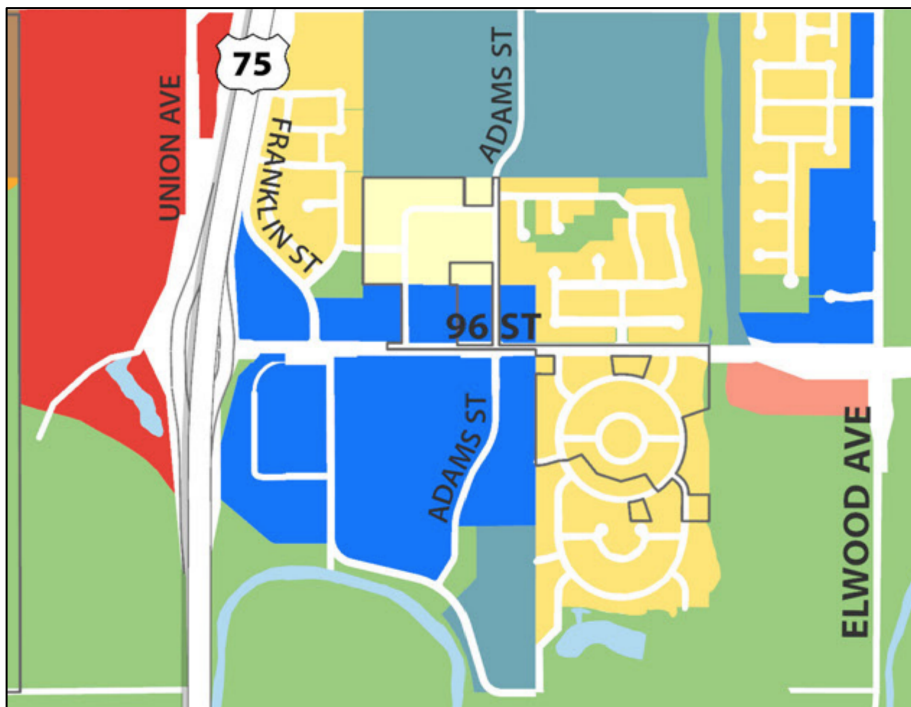


Figure 2: Comprehensive Plan | Business Park

Staff Evaluation & Recommendation

EVALUATION | This request is unusual, because it is a request to expand and redefine an existing non-conforming use (animal boarding) on a previously zoned AG (Agriculture) parcel. When the property was rezoned in 2021, two of the three horses were removed from the property. During the public hearing the City heard from several neighbors that really enjoyed the animals and preferred the existing use over the conceptual development of a business center. In this case, the City Planner has determined the lodging of the animals are incidental to the function of a medical (animal) therapy office/clinic. Adding the legal use of therapy animals to the property does not impact the original approvals of PUD 130. The current Comprehensive Plan identifies the area as Business Park. Staff does not believe the requested use poses any increase of adverse impact to the surrounding properties since animals have been housed there for many years.

Approving this request will allow the hearing doctor to expand the number and type of animals on the property and to provide therapy service.

STAFF COMMENTS AND CONDITIONS

1. Platting is required at redevelopment.
2. Add PUD 130 MA1 to front of PUD Document
3. The animal habitats and care will follow [ARTICLE 2. ANIMALS; GENERAL](#) of the City Code.

RECOMMENDATION | *Approve PUD 130MA1 with conditions.*

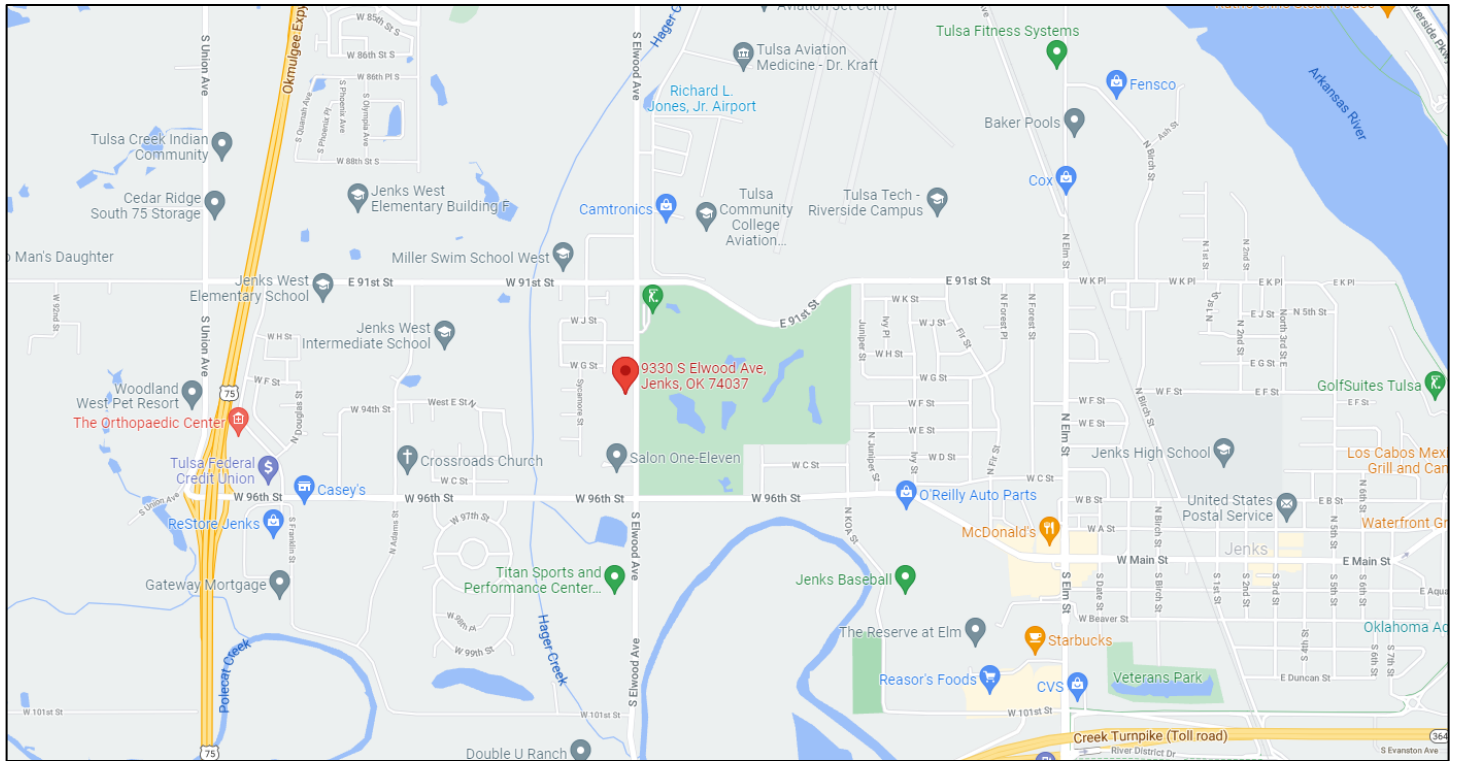
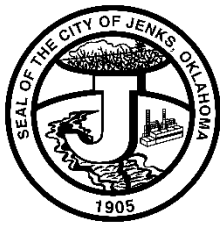


Figure 3: General Area



Figure 4: Pic of homestead



CITY OF JENKS

211 NORTH ELM STREET • P.O. BOX 2007
JENKS, OKLAHOMA 74037-2007
PHONE (918) 299-5883 • FAX (918) 299-4489

NOTICE OF A PUBLIC HEARING AT THE JENKS PLANNING COMMISSION LOCATED IN THE CITY OF JENKS, OKLAHOMA

Case Number: JZ 23 PUD 130.ma1

Request: PUD Major Amendment

Request by Bell Land Use LLC for approval of a major amendment to the PUD to allow for a medical use with therapy animals.

Legal Description: Part of the E/2 NE/4 Section 23, T18N, R12E and more particularly described as Beginning 995 feet North of the SE Corner of the NE/4 Section 23 Thence West 543 feet, Thence North 401.11 feet, Thence East 543 feet, Thence South 401.11 feet to point of beginning. Less and Except the South 200.56 feet thereof and Less the East 50 for Elwood Right of Way

General Location: 9330 S Elwood

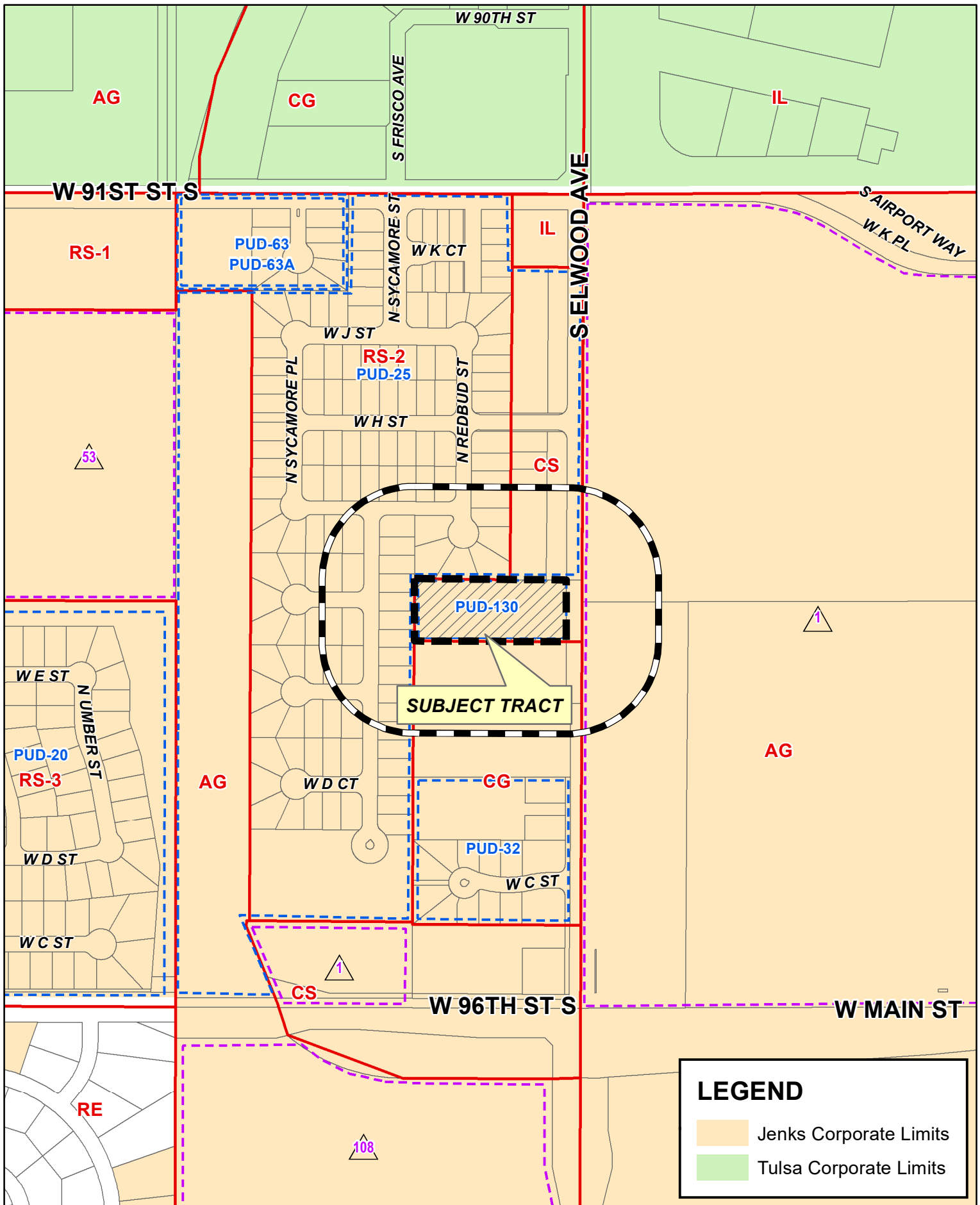
Hearing Date: 20 April 2023

Location: Jenks City Hall, 211 N Elm St, Jenks, OK 74037

All persons interested in this matter may appear at these hearings and present their objections to or arguments for any of the above matters.

Dated at Jenks Oklahoma on 17 March 2023.

Marcae Hilton, Secretary
Jenks Planning Commission



LEGEND

- Jenks Corporate Limits
- Tulsa Corporate Limits



300' Radius



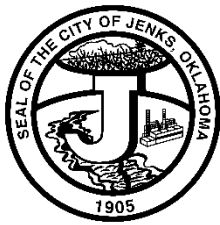
Subject Tract

JZ-23
PUD-130.ma1

0 100 200 400
Feet

23 18-12





CITY OF JENKS
211 NORTH ELM STREET • P.O. BOX 2007
JENKS, OKLAHOMA 74037-2007
PHONE (918) 299-5883 • FAX (918) 299-4489

CORRECTED NOTICE¹

**NOTICE OF A PUBLIC HEARING AT THE JENKS PLANNING COMMISSION
LOCATED IN THE CITY OF JENKS, OKLAHOMA**

Case Number: JZ 23 PUD 130.ma1

Request: PUD Major Amendment

Request by Bell Land Use LLC for approval of a major amendment to the PUD to allow for a medical use with therapy animals.

Legal Description: Part of the E/2 NE/4 Section 23, T18N, R12E and more particularly described as Beginning 995 feet North of the SE Corner of the NE/4 Section 23 Thence West 543 feet, Thence North 401.11 feet, Thence East 543 feet, Thence South 401.11 feet to point of beginning. Less and Except the South 200.56 feet thereof and Less the East 50 for Elwood Right of Way

General Location: 9330 S Elwood

Hearing Date #1: 20 April 2023 (Jenks Planning Commission) at 6 p.m.

Hearing Date #2: 2 May 2023 (Jenks City Council) at 6 p.m.

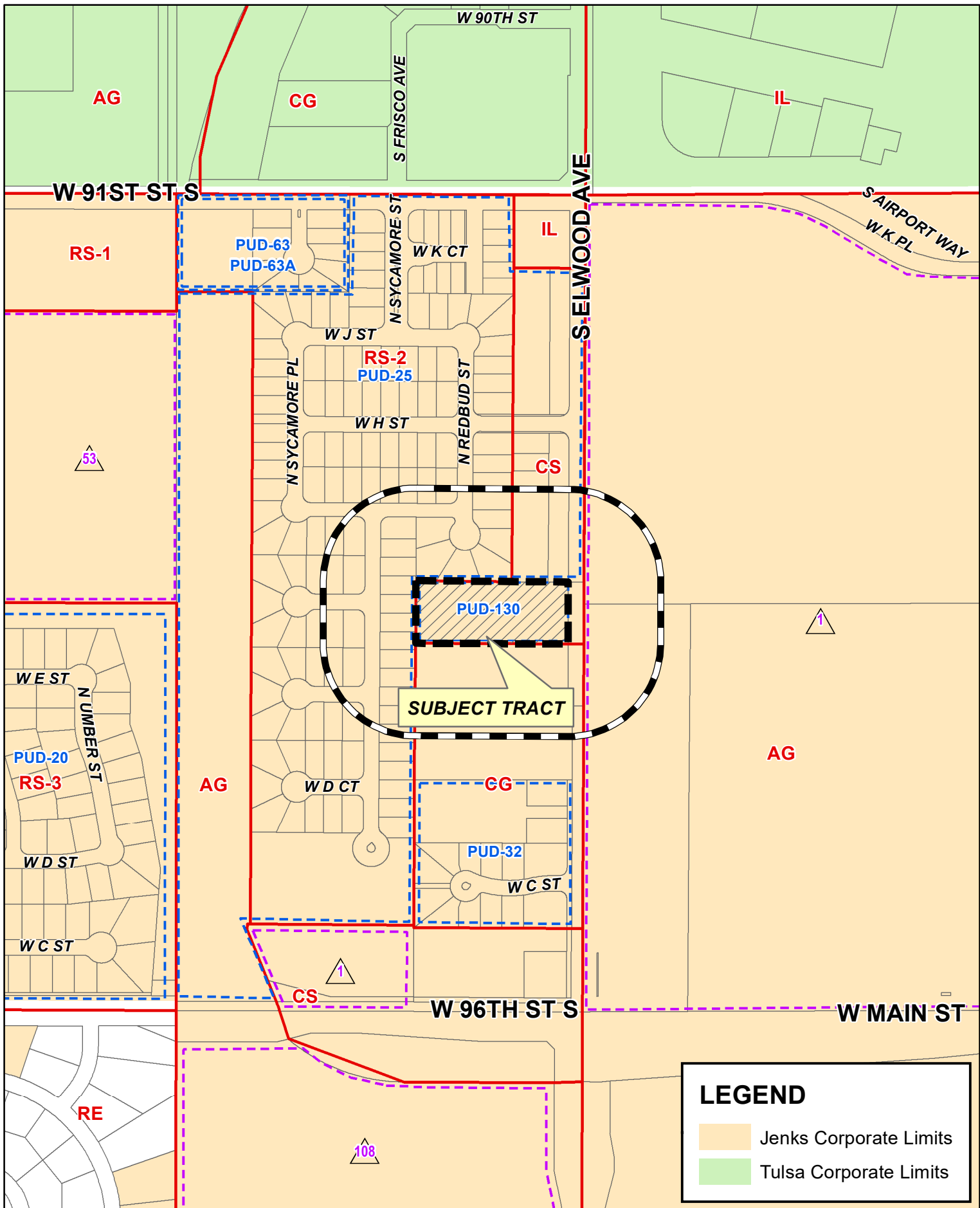
Location: Jenks City Hall, 211 N Elm St, Jenks, OK 74037

All persons interested in this matter may appear at these hearings and present their objections to or arguments for any of the above matters.

Dated at Jenks Oklahoma on 11 April 2023.

Marcae Hilton, Secretary
Jenks Planning Commission

¹ This notice is correcting the previous notice that was mailed 2023.03.23, which did not have a time for the Planning Commission Public Hearing. This Notice includes the time (6:00 p.m.) and a second public hearing time and date.



LEGEND

- Jenks Corporate Limits
- Tulsa Corporate Limits

300' Radius

Subject Tract

JZ-23
PUD-130.ma1

0 100 200 400
Feet

23 18-12



PUD 130 AMENDMENT



PUD 130 was approved with a development concept to provide potential retail or standard office sites that front Elwood Avenue. On the remainder of the tract, in a uniform look, an office/warehouse structure'(s) that will be supportive of the trades that provide support to the many services that are necessary in the community.

The sale of the property to the original PUD Applicant was not completed. The property was purchased by a Hearing Doctor that renovated the existing residential into an office building and established their practice in the building. Dr. Brandy Vowell is in process of expanding their services to include a Wellness Therapy Center for children that utilizes a connection with farm animals.

Arise Wellness Therapy Center will provide a connection with animals and nature- based therapy, striving to create a harmonious relationship among individuals, animals, and the environment incorporating an array of educational and wellness services.

They will work with adults and children in a natural setting to facilitate non pharmaceutical health and wellness goals. They will apply knowledge and skills so that clients are able to navigate health challenges utilizing cutting edge therapies. The wellness center will utilize its natural setting to assist in nurturing the whole body to optimize mind, body, and spirit balance. The natural setting and farm animals help all clients, especially children, to feel more calm/less anxiety which then enables their individual therapies to be more effective and provide faster results. The gardens and fruit trees/shrubs will be used to help patients learn how to plant, recognize, and utilize various herbs, fruits, and vegetables to improve diet and nutrition. The animals are also part of the process that allows the gardens to maintain needed nutrients and enrichment of the soils.

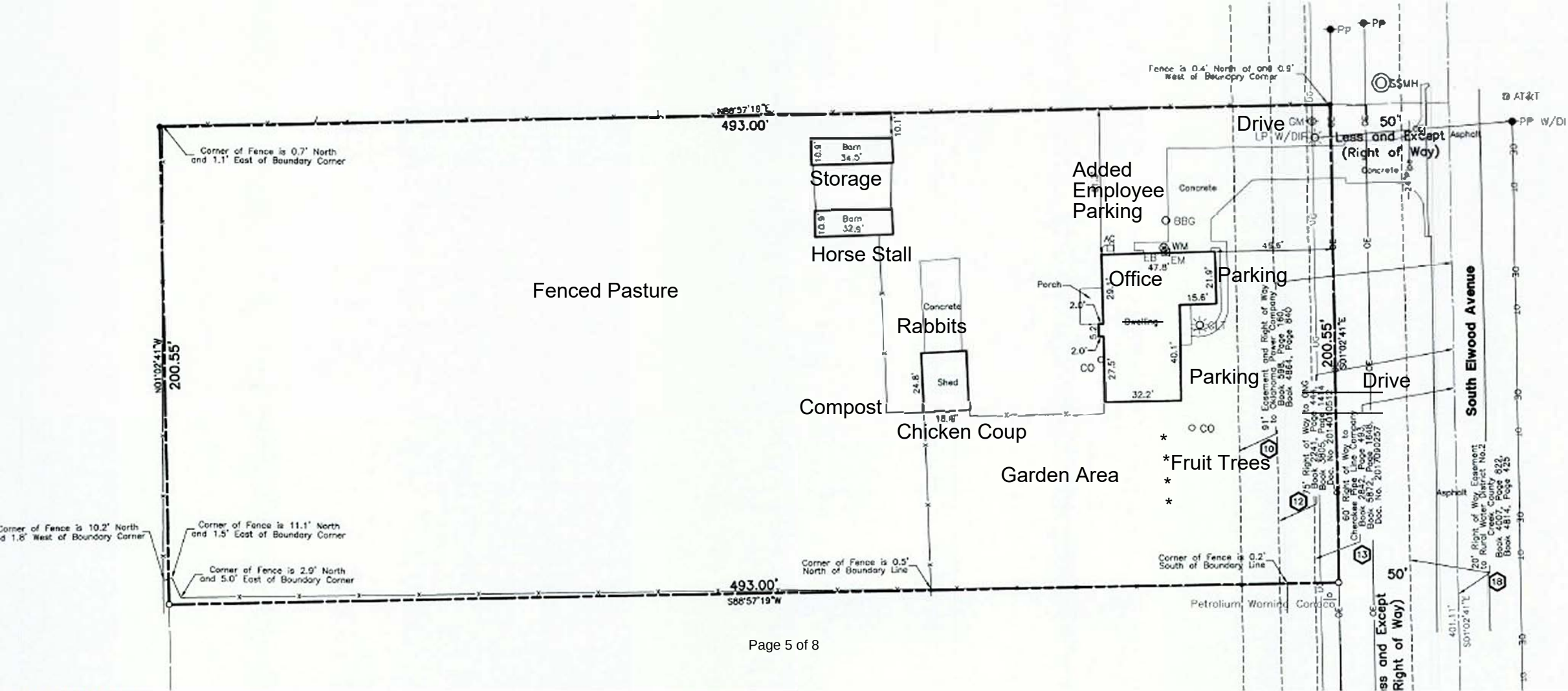
The amendment of PUD 130 is to allow farm animals to be kept on the property in compliance with the limits established by the Jenks Zoning Code or City Code as it relates to the number of animals related to the size of the area they are housed. The animals currently planned for the facility are a horse, therapy dog, chickens, and rabbits. The addition of goats, miniature pony/horse, or sheep is also being considered. The pasture area of the property is 2 acres in size which will limit the number of larger animals per code.

The subject property has a history of farm animals being housed. The previous owners had several horses and one horse remained with the property at the time of sale. Pictures provided show the horse, the stalls for the horse, and the chicken coop. This amendment is not introducing a negative to the area but utilizes the accepted existence for the wellness of individuals and families.

This is an interim use of the property. Should the office warehouse use planned for the back two acres of the property be initiated it would reduce the area allowed for animals and eventually be converted to the business park as designed in the original PUD will initiate the requirement for platting of the property.







9330 S Elwood Avenue





Northwest Counseling Center

9330 S Elwood Ave

Hearing Doctor

Area Zoning



ARTICLE 2. ANIMALS; GENERAL

Sec. 3-2-1. Animals Not to Be At-Large.

- (A) No owner shall permit any animal owned, harbored, or kept by him, including a dog or cat, to be at-large except as hereafter provided; and it is unlawful for any animal, including a dog or cat, to be at-large at any time within the city, except as hereinafter provided.
- (B) Dogs or cats, which are not a nuisance or vicious as defined elsewhere in the Jenks City Code, may be at-large within non-platted AG zoned areas within the City of Jenks.

(Ord. No. 824, 1-17-1994)

Sec. 3-2-2. Turning Animals At-Large Unlawful.

- (A) It is unlawful for any person to open any enclosure in which any animal is confined as required by ordinance so as to turn such animal at-large, or in any manner to turn such animal at-large.

(Code 1972, § 3-3)

Sec. 3-2-3. Pasturing Public Areas, Etc., Illegal.

- (A) It is unlawful for any person to stake, confine, or pasture any animal on any public school ground or other public property, federal, state, city, or other, on any railroad right-of-way, or any property without the consent of the person owning or controlling such property.

(Code 1972, § 3-4)

Sec. 3-2-4. Swine Prohibited.

- (A) No swine shall be kept within the City except temporarily in a stock yard awaiting transportation or except upon a tract not within a subdivision and not less than seven acres in size, unless the same has been properly permitted as an "Exotic Animal" under Article 7 of this chapter.

(Ord. No. 783, 7-20-1992)

Sec. 3-2-5. Animals Which Disturb Prohibited.

- (A) It is unlawful for any person to keep or harbor within the city any dog or other animal which, by barking, howling, or otherwise, disturbs the peace and quiet of any person or persons.

(Code 1972, § 3-6)

Sec. 3-2-6. Buildings for Animals.

- (A) Every stable or building wherein any horse, mule, donkey, pony, cow, goat, sheep, or animal raised for fur-bearing purposes shall be kept within the city, shall be constructed of such material and in such manner that it can be kept clean and sanitary at all times.
- (B) Every such stable or building, if located within 200 feet of any tenement or apartment house, hotel, restaurant, boarding house, retail food store, building used for educational, religious, or hospital purposes or residence other than that occupied by the owner or occupant of the premises upon which such animal is kept, shall be provided with a water-tight and fly-tight receptacle for manure, of such size as to hold all accumulations of manure. Such receptacle shall be emptied sufficiently often and in such manner as to prevent it from being or becoming a nuisance and shall be kept covered at all times except when open during the deposit or removal of manure or refuse. No manure shall be allowed to accumulate on such premises except in such receptacle.
- (C) The minimum space required for animals referred to in subsection (A) of this section are as follow:
 - (1) No more than one on less than one acre.
 - (2) No more than two per acre as a maximum.

(Code 1972, § 3-7)

Sec. 3-2-7. Stables, Kennels, Coops, Etc.; Location.

- (A) No stable, dog kennel, chicken coop, dovecote, rabbit warren, yard, or other establishment wherein animals are kept, shall be maintained closer than 40 feet to any tenement or apartment house, hotel, restaurant, boarding house, retail food store, building used for educational, religious, or hospital purposes, or residence other than that occupied by the owner or occupant of the premises upon which such animal is kept.

(Code 1972, § 3-8)

Sec. 3-2-8. To Be Kept Clean, Etc.

- (A) Every stable, structure, pen, coop, or place wherein an animal is kept or permitted to be, shall be maintained in a clean and sanitary condition, devoid of rodents and vermin, and free from objectionable odors.

(Code 1972, § 3-8)

Sec. 3-2-9. Manure.

- (A) Manure shall be hauled outside the city in a manner which does not jeopardize the public health, or else shall be spread evenly upon the ground and turned under at once or as soon as the weather permits.

(Code 1972, § 3-10)

Sec. 3-2-10. Inspections.

- (A) The animal control officer, police officer, or other designee of the city manager, upon complaint of any person, shall inspect any structure or place where an animal is kept, and may do so on his own initiative. He may issue any such reasonable order as he may deem necessary to the owner of such animal to cause such animal to be kept as provided in this chapter or in a manner so as not to constitute a nuisance. He may make

a complaint before the municipal judge against any person for violation of any provision of this chapter or of any such reasonable order; but this shall not abridge the right of others to make such complaint.

(Code 1972, § 3-11)

Jenks | PC Staff Report



To	Planning Commission
Hearing Date	April 20, 2023
Case	JZ 23 PUD 141
Request	<i>Approval of rezoning and a Planned Unit Development</i>
Location	West of Highway 75 and North of 121 st Street

Staff Report

Preparer | Marcaé Hilton

Attachments
PUD Documents

Preparer
Chris Challis

Background Information

STAFF COMMENTARY | The City of Jenks has been working with Sooner Development for many months on a mix of uses development. The hard NW (northwest) corner of 121st and HWY 75 just north of the Glenpool Walmart commercial corner is a desirable area for the highest intensity commercial and residential development. This area of Jenks has not developed primarily due to infrastructure deficiencies. The City of Jenks is also in the process of amending TIF No. 4 to provide the needed funds and process to remedy the lack of infrastructure.

The northern approximate forty (40) acres will permit the development of a mixture of multifamily, senior living, office, medical office, lodging, and mini-storage (personal storage) (the “Mixed-Use Village”).

The southern approximate fifty (50) acres will permit the development of retail, entertainment, restaurant, lodging, office, medical office, and compatible ancillary uses consistent with the terms set forth herein (the “Commercial District”).

Request	Approval of rezoning to CS (Commercial Shopping) and PUD 141
Public Comment	One or two calls have come in at the time of this report. Staff has supplied detailed information.
General Location	West of HWY 75 and north of 121 st Street
STR	Section: 34, Township: 18N, Range: 12E
Gross Acres	93 +/-
Comprehensive Plan	Regional Commercial on southern 50 acres. Multi-family on northern 40 acres.
Plat	Unplatted, platting required.
Current Zoning	Mostly AG (Agriculture), some CG (Commercial General)

Surrounding Zoning

North | PUD 97, PUD 57 & CS, CG (Commercial Shopping and General)

East | AG (Agriculture) & CS (Commercial Shopping)

South (Glenpool) | CG (Commercial General)

West | CS (Commercial Shopping) and AG (Agriculture)

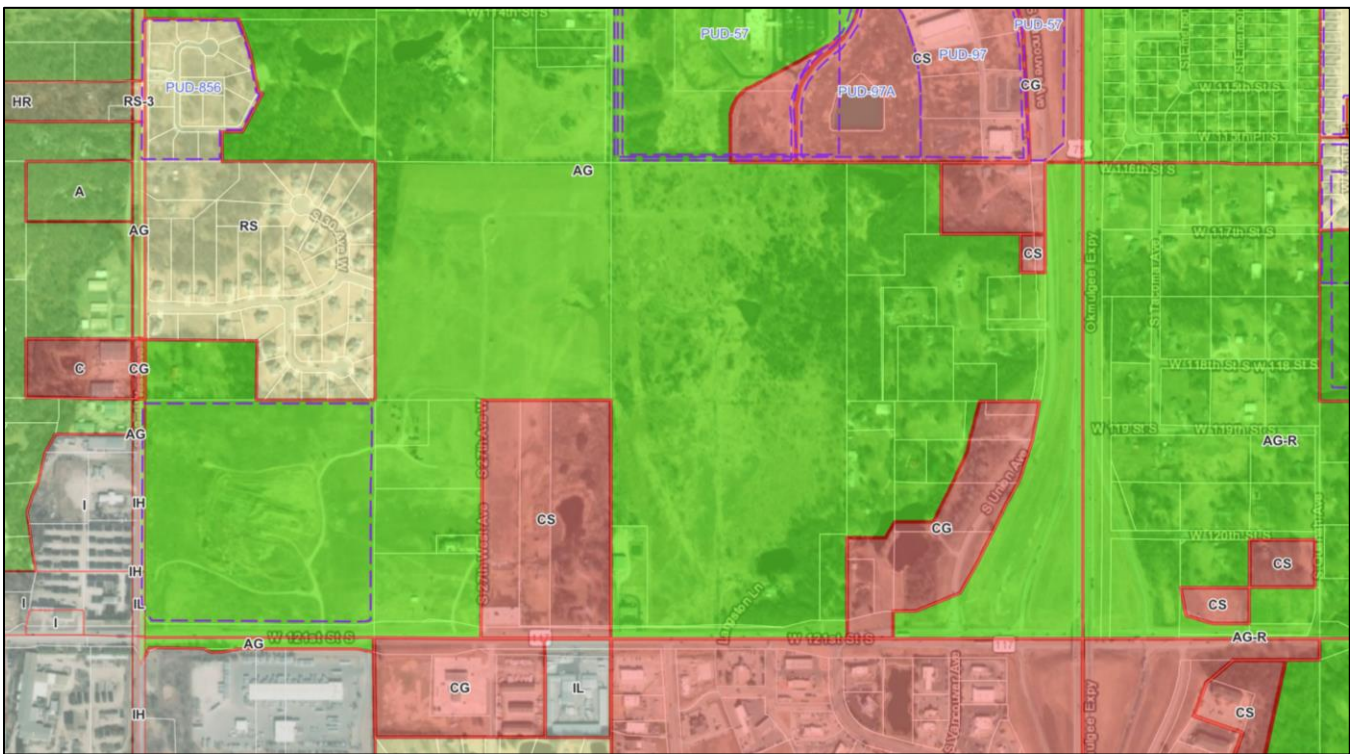


Figure 1: Zoning Map | GIS

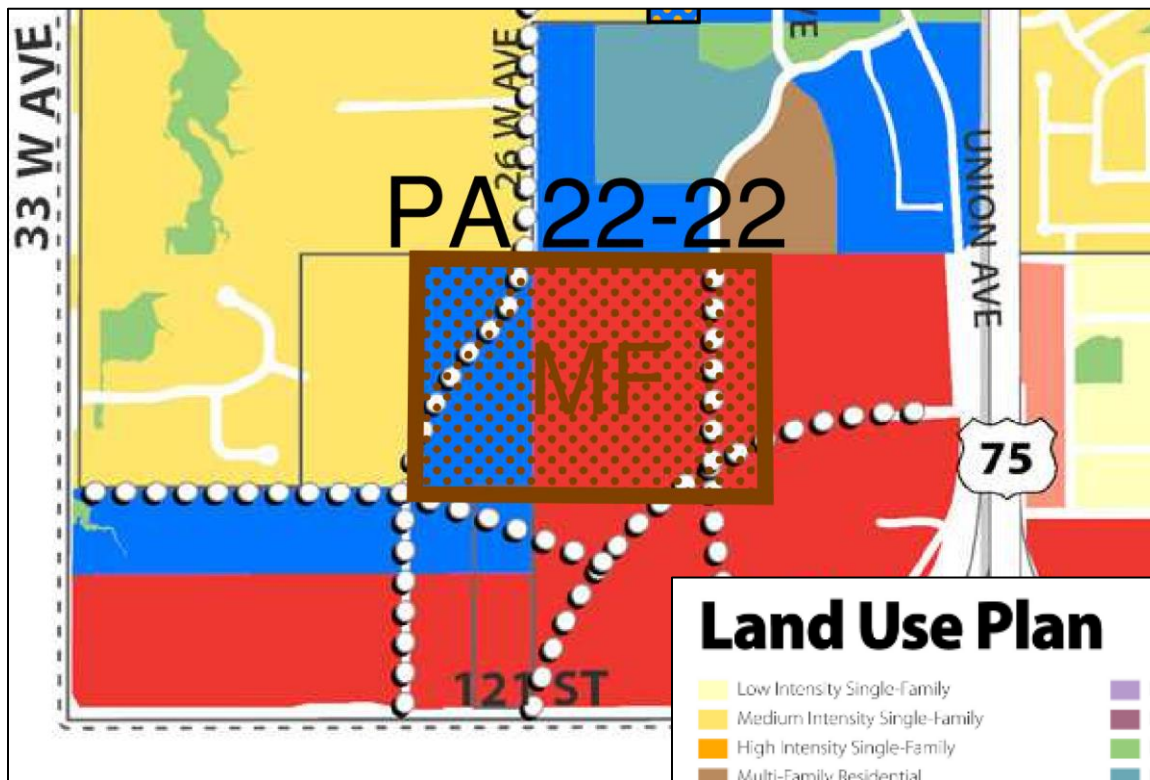


Figure 2: Current Land Use Map

Land Use Plan

- | | |
|--------------------------------|------------------------------------|
| Low Intensity Single-Family | Light Industrial |
| Medium Intensity Single-Family | Heavy Industrial |
| High Intensity Single-Family | Parks and Open Space |
| Multi-Family Residential | Public and Semi-Public |
| Business Park | Utility |
| Regional Commercial | Potential South Tulsa-Jenks Bridge |
| Local Commercial | Potential Road Connections |
| Downtown | |

Table 16-3-1(A): Residential District Bulk and Dimensional Standards		
Standard	RM2	PUD
Lot Standards (Minimum)		
Lot Area (sqft)	6,000	
Lot Area/DU (sqft)	1,500	
Lot Width (ft)	50	
Yard Setbacks (Minimum)		
Front (ft)	10	
Exterior Side (ft)	10	
Interior Side (ft)	10 (2)	
Rear (ft)	10	
Building Standards (Maximum)		
Height (ft)	45	
Impervious Surface Coverage	70%	
Notes		
(1) The cumulative interior side yard setback shall be 15 feet. No interior side yard setback shall be less than 5 feet.		
(2) If a parti-wall exists, the interior side yard setback shall be 0 feet.		
(3) Garages shall be setback a minimum of 25 feet from the front property line.		

Table 16-3-1(B): Nonresidential District Bulk and Dimensional Standards		
Standard	CS	PUD
Off Street Parking		
Lots within CS District shall be permitted to share parking	Per "Use"	1/200
Lot Standards (Minimum)		
Lot Area (acres)	n/a	
Lot Width (ft)	n/a	
Yard Setbacks (Minimum, unless otherwise stated)		
Front (ft)	0	
Front, maximum (ft)	n/a	
Exterior Side (ft) (3)	0	
Exterior Side, maximum (ft)	n/a	
Interior Side (ft) (3) <i>(No required interior side yard setback for multitenant shopping center)</i>	10 (1)	
Rear (ft) (3)	10 (1)	
Building Standards (Maximum)		
Height (ft)	60	
Impervious Surface Coverage	70%	
Notes		
(1) Add one additional foot of setback for each one foot of building height exceeding 18 feet, if the abutting property is within an RE, RS, or RD District.		
(2) Minimum setback shall be 75 feet if the abutting property is within an AG, R, or O District.		
(3) Transition yards, as specified in section 16-6-3(F), may apply and may result in greater yard setback requirements than specified in this table.		
(4) Minimum setback shall be 75 feet if the abutting property is within an AG, R, or O District.		

Table 16-3-4(C) Nonresidential District Permitted, Conditional, Special Exception, and Specific Uses			
Use	Additional Regulation	CS	PUD
Residential & Other Uses Allowed in Mixed-Use Village		CS	PUD
Multifamily Building, 8 units or more	16-5-2(C)	S	P
Multifamily Building, less than 8 units	16-5-2(C)	S	P
Multifamily Complex	16-5-2(D)	S	P
Residential, above ground floor		P	P
Senior Housing, dependent		S	P
Senior Housing, independent		S	P
Townhome			P
Business Park			P
Commercial Animal Boarding			P
Institutional and Utility Uses		CS	PUD
Government Uses, indoor		P	P
Wireless Communication Facility, Small Cell	16-5-3(B)	C	C
Retail Uses		CS	PUD
Convenience Store		P	P
General Retail, less than 10,000 sqft	16-5-4(B)	P	P
General Retail, 10,000 sqft — 49,999 sqft	16-5-4(C)	P	P
General Retail, 50,000 or more sqft	16-5-4(D)	P	P
Multitenant Shopping Center	16-5-4(E)	P	P
Service Uses		CS	PUD
Acute Care Center		P	P
General Service, less than 10,000 sqft	16-5-5(C)	P	P
General Service, 10,000 — 49,999 sqft	16-5-5(D)	P	P
General Service, 50,000 sq ft or more	16-5-5(E)	P	P
Medical/Dental Office		P	P
Personal Storage Facility (Mixed Use Village only)	16-5-5(F)	S	P
Professional Office		P	P
Professional Office, above ground floor		P	P
Veterinary Clinic/Animal Hospital		P	P
Lodging Uses		CS	PUD
Hotel		P	P
Eating/Drinking Uses		CS	PUD
Brewery/Winery/Distillery, micro		P	P
Brewery/Winery/Distillery, tasting room		P	P
Coffee/Tea Shop	16-5-7(A)	P	P
Restaurant, delivery/carry out only		P	P
Restaurant, fast casual		P	P
Restaurant, sit down		P	P
Entertainment Uses		CS	PUD
General Entertainment, indoor, less than 10,000 sqft	16-5-8(A)	P	P
General Entertainment, indoor, 10,000 sqft — 49,999 sqft	16-5-8(B)	P	P
General Entertainment, indoor, more than 50,000 sqft	16-5-8(C)	P	P
General Entertainment, outdoor	16-5-8(D)	S	S
Vehicle Related Uses		CS	PUD
Fuel Sales	16-5-9(B)	P	P
Gas Station With Mini-Mart		P	P
Service Station		P	P
Industrial Uses None)		CS	PUD
Medical Marijuana Uses		CS	PUD

Medical Marijuana Dispensary	16-5-11(A)	P	P
Accessory Uses		CS	PUD
Accessory Building	16-5-12(A)	P	P
Accessory Structure	16-5-12(D)	P	P
Donation Drop Box	16-5-12(E)	P	P
Drive Through	16-5-12(F)	P	P
Home Based Business	16-5-12(H)	C	C
Solar Energy Collection System, canopy	16-5-12(L)	P	P
Solar Energy Collection System, ground	16-5-12(M)	P	P
Solar Energy Collection System, roof	16-5-12(N)	P	P
Temporary Uses		CS	PUD
Carnival/Fair		T	T
Construction Related		T	T
Farmers Market		T	T
Flea Market		T	T
Food Truck	16-5-13(A)	T	T
Outdoor Dining	16-5-13(B)	T	T
Outdoor Activity/Operation, temporary		T	T
Outdoor Display/Sale of Merchandise, temporary	16-5-13(C)	T	T
Seasonal Sales	16-5-13(E)	T	T

Staff Evaluation & Recommendation

EVALUATION This site passes the “but for” test. But for a TIF and a large development it may never be more than single family residential on large agriculture lots. The developer has brought the City of Jenks a robust mix of uses including but not limited to big box development with retail, restaurant, office, entertainment and local commercial. In addition, a mix of housing options will create a master-planned village with multi-family, senior living, medical office, lodging, and office.

Approving this request will allow the developer to continue to move forward having the entitlements in place on the subject property, a Planned Unit Development will provide the zoning specifics.

RECOMMENDATION | Staff recommends conditional approval, pending reconciliation of highlighted “uses” and other comments.

Planned unit development (PUD 141)

Coal Creek Village

Mixed-Use Development

Dated May 2, 2023

Prepared by:



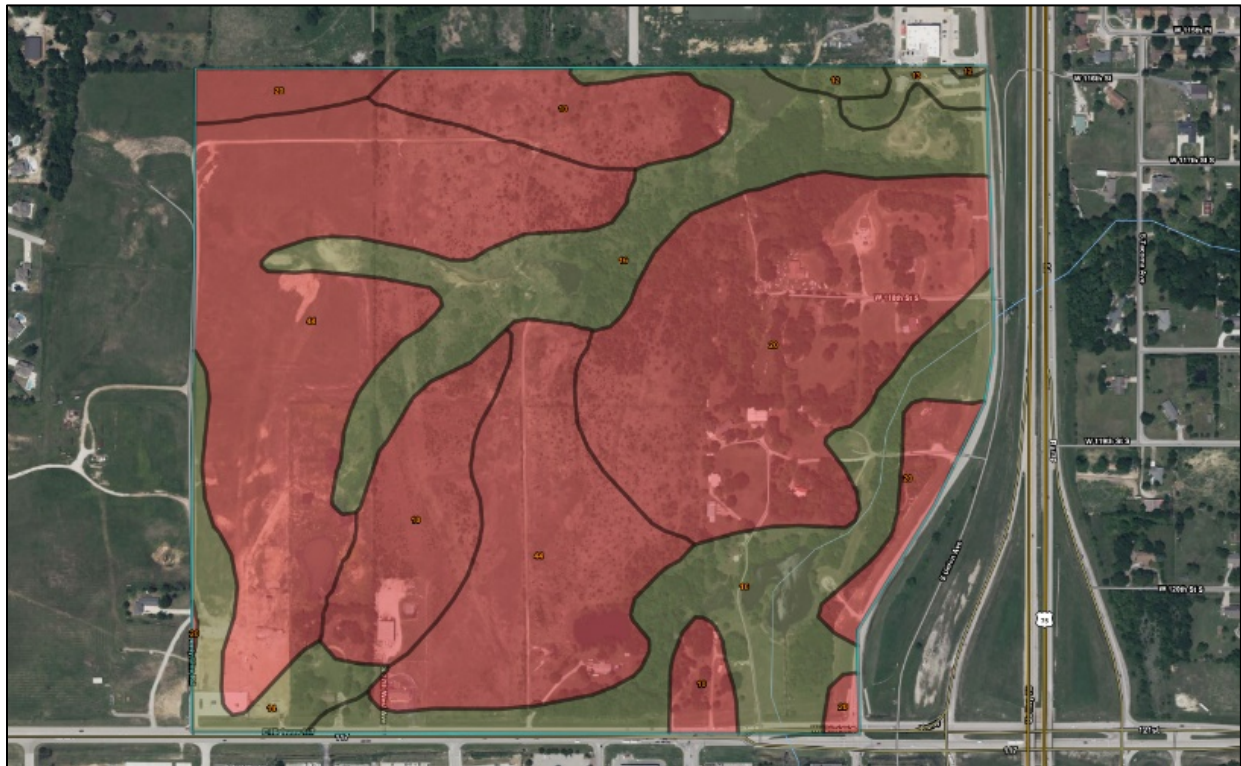
12910 Pierce Street, Suite 100
Omaha, Nebraska 68144

SOONER INVESTMENT

Commercial and Investment Real Estate

2301 W. I-44 Service Road, Suite 100
Oklahoma City, Oklahoma 73112

The soils are made mostly Type D soils and some Type C soils, as shown on the image below (next page).



Development Information

Development Concept

Coal Creek Village is a master planned development community containing a mixture of uses. A Master Development Plan is provided on [Exhibit B-1](#). The northern approximate forty (40) acres will permit the development of a mixture of multifamily, senior living, office, medical office, lodging, and mini-storage (the “Mixed-Use Village”). The southern approximate fifty (50) acres will permit the development of retail, entertainment, restaurant, lodging, office, medical office, and compatible ancillary uses consistent with the terms set forth herein (the “Commercial District”). A conceptual development plan for the Commercial District is provided on [Exhibit B-2](#).

Development of the Mixed-Use Village and Commercial District shall be coordinated to utilize common public infrastructure, including public streets, extensions to existing potable water and sanitary sewer mains, and a master stormwater management system, all as more particularly described below. A comprehensive signage program to serve and identify the predominant uses in the Mixed-Use Village and Commercial District, as described below.

Permitted Uses

All uses allowed for *CS – Commercial Shopping Center District* pursuant to Sec. 16-3-4 of the City of Jenks Unified Development Ordinance (the “UDO”) shall be allowed on the Property. In addition:

- The following uses identified in the UDO shall be permitted (P) within the Mixed-Use Village:
 - o Multifamily building, 8 units or more;
 - o Multifamily Building, all units;
 - o Multifamily Building, less than 8 units;
 - o Multifamily complex;
 - o Senior Housing, dependent;
 - o Senior Housing, independent;
 - o townhome; and
 - o Personal storage.

- The following uses identified in the UDO as permitted through the Specific Use Permit (S) process shall be permitted within the Mixed-Use Village upon satisfaction of the respective Additional Regulation as noted in Table 16-3-4(C):
 - o Business Park; and
 - o Commercial Animal Boarding.

Development Standards

The Nonresidential District Bulk and Dimensional Standards for *CS – Commercial Shopping Center District* set forth in Sec. 16-3-1(B) of the UDO shall be applied to the Property. Provided, however, there shall be no required interior sideyard setback for multitenant shopping center uses located within the Commercial District.

The Residential District Bulk and Dimensional Standards for the *RM2 – Residential Multifamily Medium Density District* set forth in Sec. 16-3-1(A) of the UDO shall be applied to the following uses within the Mixed-Use Village:

- Multifamily building, 8 units or more;
- Multifamily Building, all units;
- Multifamily Building, less than 8 units;
- Multifamily complex;
- Senior Housing, dependent;
- Senior Housing, independent; and
- Townhome.

Off-street parking area for the Commercial District shall not exceed 1/200 sq.ft. GFA, except as approved by the City Planner. Lots within the Commercial District shall be permitted to share parking, provided that each individual lot meets the parking requirement for such use as set forth in the UDO. Confirm this statement.

Individual lots in the Commercial District shall each have a maximum impervious surface coverage of 85%.

Signage

The Commercial District shall be served by the Comprehensive Sign Plan attached here as Exhibit C pursuant to Sec. 16-7-9 of the UDO.

- Sign “A” shall be permitted signage for only the businesses located on that lot;
- Sign “B” located at S. Waco Ave. shall be permitted to display signage for uses throughout the Commercial District;
- Sign “B” located at S. Yukon Ave. shall be permitted to display signage for uses throughout the Property; and
- Sign “E” shall be permitted to display signage for uses throughout the Commercial District.

Landscaping at the base of all “A”, “B”, and “E” Signs shall exceed City of Jenks requirements. Modifications to the Comprehensive Sign Plan shall be governed pursuant to Sec. 16-7-9(H) of the UDO.

Except as set forth on the Comprehensive Sign Plan all other signage on the Property shall be governed by Article 7 of the UDO for *CS – Commercial Shopping Center District*.

Amenities

The Commercial District will modify two existing surface water ponds, the easternmost of which shall be reconfigured to serve as a water feature amenity complimentary to restaurant outdoor seating. The existing pond and surface water located in the Mixed-Use Village will be utilized as a water feature complimentary to the adjoining uses. An identification sign for the City of Jenks will be provided at the intersection of US Hwy 75 and 121st St. (Sign “D” as shown on Exhibit C).

Utilities and Drainage

Potable water is available at the Property boundary and shall be extended through the Property serving the Mixed-Use Village and Commercial District as shown on Exhibit D. Sanitary sewer is available at the Property boundary and shall be extended through the Property serving the Mixed-Use Village and Commercial District as shown on Exhibit D.

Four stormwater management systems shall serve the Property. The western portion of the Commercial District and the Mixed-Use Village shall share a stormwater management system, while three separate systems shall serve the central and eastern portions of the Commercial District, all as more particularly shown on Exhibit D.

Access and Circulation

Two public streets shall be constructed and dedicated to the public as part of the Master Development, as shown on Exhibit E. South Yukon Avenue shall be extended north from its current terminus at 121st Street to connect with the southern terminus of South James Avenue, providing a

secondary thoroughfare to South Union Avenue to alleviate existing congestion at South Union Avenue and 121st Street. A new public street, 119th Street, shall be constructed to connect South Union Avenue and the new South Yukon Avenue extension, which shall serve the Commercial District and Mixed-Use Village uses and facilitate the dispersal of traffic away from the traffic signal at 121st Street and South Union Avenue.

Platting Requirements

Subdivisions of the Property shall be governed by Article 8 of the UDO. Any subdivision plat shall include covenants of record implementing the development standards of the approved Planned Unit Development and the City of Jenks shall be a beneficiary thereof.

Exhibits

The following Exhibits are attached to this Planned Unit Development Statement and incorporated herein by reference:

<u>Exhibit A</u>	Property Legal Description
<u>Exhibit B-1</u>	Master Development Plan
<u>Exhibit B-2</u>	Commercial Development Plan
<u>Exhibit C</u>	Comprehensive Signage Plan
<u>Exhibit D</u>	Public Utilities Plan
<u>Exhibit E</u>	Public Streets Plan

Exhibit A
Legal Descriptions

EAST TRACT

TRACT 1: (EFFECTIVE OCTOBER 5, 2022 AT 7:30 AM) (*WINKLE FAMILY TRUST & WINKLE, PATRICIA A TRUSTEE WINKLE TRUST*)

A TRACT OF LAND LOCATED IN THE (SE/4 SE/4) OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT 1057.10 FEET WEST AND 151.31 FEET NORTH OF THE SOUTHEAST CORNER OF (SE/4 SE/4); THENCE N 00°07'45" W A DISTANCE OF 1172.52 FEET; THENCE N 89°58'58" W ALONG THE NORTH LINE OF (SE/4 SE/4) A DISTANCE OF 262.88 FEET TO THE NORTHWEST CORNER (SE/4 SE/4); THENCE S 00°07'45" E ALONG THE WEST LINE OF THE (SE/4 SE/4) A DISTANCE OF 874.12 FEET; THENCE S 89°55'10" E A DISTANCE OF 150.00 FEET; THENCE S 00°07'45" E A DISTANCE OF 312.76 FEET; THENCE N 76°36'38" E A DISTANCE OF 60.41 FEET; THENCE S 89°55'10" E A DISTANCE OF 53.95 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SE¼ SE¼; THENCE WEST 1057.10 FEET; THENCE NORTH 151.31 FEET; THENCE NORTH 00°07'45" WEST A DISTANCE OF 1006.68 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°07'45" WEST A DISTANCE OF 165.84 FEET; THENCE NORTH 89°58'58" WEST ALONG THE NORTH LINE OF THE SE¼ SE¼ A DISTANCE OF 262.88 FEET TO THE NORTHWEST CORNER OF THE SE¼ SE¼; THENCE SOUTH 00°07'45" EAST ALONG THE WEST LINE OF THE SE¼ SE¼ A DISTANCE OF 166.34 FEET; THENCE NORTH 89°54'30" EAST A DISTANCE OF 262.88 FEET TO THE POINT OF BEGINNING.

AND

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOW, TO-WIT: BEGINNING AT THE SOUTHWEST CORNER OF THE SAID SE/4 OF THE SE/4; THENCE EAST 150 FEET; THENCE NORTH 435.5 FEET; THENCE WEST 150 FEET; THENCE SOUTH 435.5 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT A STRIP, PIECE, OR PARCEL OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID SE/4 SE/4, THENCE EAST ALONG THE SOUTH LINE OF SAID SE/4 SE/4 A DISTANCE OF 150 FEET, THENCE NORTH AND PARALLEL TO THE WEST LINE OF SAID SE/4 SE/4 A DISTANCE OF 135.93 FEET, THENCE S 76°36'38" W A DISTANCE OF 154.24 FEET TO A POINT ON THE WEST LINE OF SAID SE/4 SE/4, THENCE SOUTH ALONG SAID WEST LINE A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

TRACT 2: (EFFECTIVE OCTOBER 5 2022 AT 7:30 AM) (*MCCORD, TERESSA LYNN & TOM*)

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE¼ SE¼) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT THE SOUTHEAST CORNER OF SE¼ SE¼; THENCE WEST 1057.10 FEET; THENCE NORTH 151.31 FEET; THENCE NORTH 00°07'45" WEST A DISTANCE OF 1006.68 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°07'45" WEST A DISTANCE OF 165.84 FEET; THENCE NORTH 89°58'58" WEST ALONG THE NORTH LINE OF THE SE¼ SE¼ A DISTANCE OF 262.88 FEET TO THE NORTHWEST CORNER OF THE SE¼ SE¼; THENCE SOUTH 00°07'45" EAST ALONG THE WEST LINE OF THE SE¼ SE¼ A DISTANCE OF 166.34 FEET; THENCE NORTH 89°54'30" EAST A DISTANCE OF 262.88 FEET TO THE POINT OF BEGINNING.

TRACT 3: (EFFECTIVE SEPTEMBER 29, 2022 AT 7:30 AM) (*WINKLE FAMILY TRUST*)

PARCEL A:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

THE WEST 178 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT A POINT 262.88 FEET EAST AND 219 FEET SOUTH OF THE NW CORNER OF SE/4 SE/4: THENCE S 00° 07' 45" E, A DISTANCE OF 237 FEET, THENCE S 89° 58' 58" E, A DISTANCE OF 700.15 FEET, TO THE WEST RIGHT OF WAY LINE OF U.S. 75, THENCE N 29° 10' 35" E, A DISTANCE OF 27.74 FEET, THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 2181.68 FEET, AND BEING THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 75, A DISTANCE OF 225.14 FEET, THENCE N 89° 58' 58" WEST A DISTANCE OF 774.50 FEET TO THE POINT OF BEGINNING;

PARCEL B:

TOGETHER WITH EASEMENT FOR THE PURPOSE OF USE AS A DRIVEWAY AS SET FORTH IN BOOK 4970, PAGE 1239 AND DESCRIBED AS FOLLOWS: A FIFTEEN (15) FOOT WIDE STRIP TRAVELING IN A NORTHEASTERLY DIRECTION ACROSS THE SOUTHEAST CORNER OF THE PROPERTY LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION 34, TOWNSHIP 18 NORTH, RANGE 12 EAST, LOCATED IN TULSA COUNTY, OKLAHOMA, AND DESCRIBED AS BEGINNING AT A POINT 262.88 FT EAST OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH 219 FT, THENCE EAST 774.5 FT, THENCE NORTHEAST 219.05 FT, THENCE WEST 831.1 FT TO THE POINT OF BEGINNING

TRACT 4: (EFFECTIVE SEPTEMBER 29, 2022 AT 7:30 AM) (*HAMPTON, LINDA DIANE*)

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) 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, TO-WIT:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SE/4 SE/4 BEING 262 .88 FEET EAST OF THE NORTHWEST CORNER OF SAID SE/4 SE/4; THENCE SOUTH 00°07'45" EAST, A DISTANCE OF 219.00 FEET; THENCE SOUTH 89°58'58" EAST, A DISTANCE OF 774 .50 FEET; THENCE ON A CURVED LINE HAVING A RADIUS OF 2181.68 FEET AND BEING THE WEST RIGHT OF WAY LINE OF U. S. HIGHWAY 75, A DISTANCE OF 219.05 FEET TO A POINT ON THE NORTH LINE OF SAID SE/4 SE/4; THENCE NORTH 89°58'58" WEST ALONG THE NORTH LINE OF SAID SE/4 SE/4 A DISTANCE OF 831.10 FEET TO THE POINT OF BEGINNING,

LESS AND EXCEPT THE FOLLOWING TRACT:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID SE/4 SE/4, 678.43 FEET S 89°58'58" E FROM THE NORTHWEST CORNER THEREOF, THENCE S 89°58'58" E FOR 415.55 FEET TO THE WESTERLY RIGHTS-OF-WAY OF THE EXISTING ROAD ALONG HIGHWAY #75, THENCE SOUTHWESTERLY AND ALONG SAID RIGHTS-OF-WAY AND ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 2,181.68 FEET FOR 226.50 FEET, THENCE N 89°58'58" W FOR 387.25 FEET, THENCE N 7°14'11" E FOR 220.75 FEET TO THE POINT OF BEGINNING.

WEST TRACT (*LAHOMA FAMILY LLC*)

WEST HALF (W/2) OF SOUTHEAST QUARTER (SE/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, LESS AND EXCEPT THE SOUTH 580.8 FEET OF THE EAST 150 FEET THEREOF, AND LESS AND EXCEPT A TRACT DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF THE SE/4 OF SECTION 34,

TOWNSHIP 18 NORTH, RANGE 12 EAST, THENCE NORTH 626.13 FEET; THENCE EAST 208.71 FEET; THENCE SOUTH 626.13 FEET; THENCE WEST 208.71 FEET TO THE POINT OF BEGINNING.

Braum's (Retail Buildings, LLC)

S 580.80' E 150' W/2 SE LESS S100' SECTION 34, TOWNSHIP EIGHTEEN (18) NORTH, RANGE 12 (EAST)

Union Ave. Property (City of Jenks)

A TRACT OF LAND SITUATED WITHIN THE SOUTHEAST QUARTER (SE/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTEEN NORTH (T18N), RANGE TWELVE EAST (R12E) OF THE INDIAN MERIDIAN (I.M.), TULSA COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE/4, A POINT MARKED BY AN ODOT BRASS MONUMENT; THENCE S 88° 54' 42" W ALONG THE SOUTH LINE OF SAID SE/4 A DISTANCE OF 1057.07 FEET; THENCE N 01° 05' 18" W A DISTANCE OF 150.00 FEET TO A POINT MARKED BY A 3/8" IRON PIN, FOUND IN PLACE, SAME BEING THE POINT OF BEGINNING; THENCE N 01° 20' 18" W A DISTANCE OF 716.93 FEET; THENCE N 88° 54' 32" E A DISTANCE OF 176.78 FEET TO A 1/2" IRON PIN FOUND IN PLACE; THENCE N 01° 18' 31" W A DISTANCE OF 236.90 FEET; THENCE N 88° 54' 33" E A DISTANCE OF 219.44 FEET; THENCE N 03° 13' 32" E A DISTANCE OF 219.86 FEET; THENCE N 88° 54' 37" E A DISTANCE OF 415.55 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT; THENCE 445.95 FEET ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 2181.68 FEET, SUBTENDED BY A CHORD OF 445.17 FEET WHICH BEARS S 13° 23' 11" W; THENCE S 28° 00' 27" W A DISTANCE OF 178.63 FEET TO A POINT MARKED BY A 3/8" IRON PIN FOUND IN PLACE; THENCE S 23° 55' 37" W A DISTANCE OF 362.50 FEET; THENCE S 30° 00' 30" W A DISTANCE OF 183.89 FEET; THENCE S 67° 06' 37" W A DISTANCE OF 269.26 FEET; THENCE S 88° 54' 42" W A DISTANCE OF 127.87 FEET TO THE POINT OF BEGINNING.

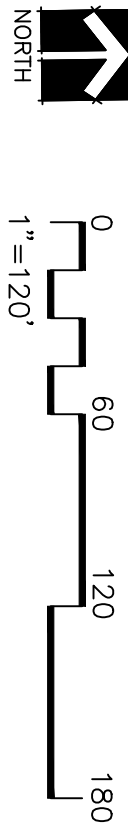
SAID TRACT CONTAINS 584,262 SQ FT OR 13.41 ACRES, MORE OR LESS.

Exhibit B-1
Master Development Plan

- LEGEND
- DEVELOPMENT A - MIXED USE VILLAGE
 - DEVELOPMENT B - COMMERCIAL DISTRICT



1 SHOPPING CENTER DEVELOPMENT PLAN
SCALE: 1" = 120'



wallace
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collective
wallace design collective, inc.
11200 UNIVERSITY AVENUE, SUITE 100
RICHMOND, VIRGINIA 23234
TEL: 804.771.1100
WWW.WALLACEDESIGNCOLLECTIVE.COM

COAL CREEK CROSSING
W. 121st Street & I-75
Jenks, OK

REVISIONS

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10	11	12

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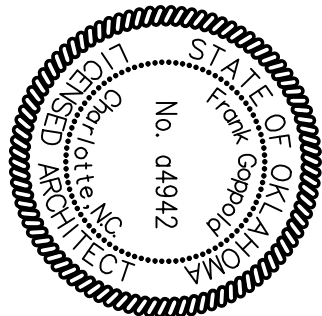
JOB NO. 22.104.00

DEVELOPMENT
PLAN

B1

SHEET NO.

Exhibit B-2
Commercial Development Plan



COAL CREEK VILLAGE
W. 121st Street & I-75
Jenks, OK

CONCEPTUAL SITE PLAN

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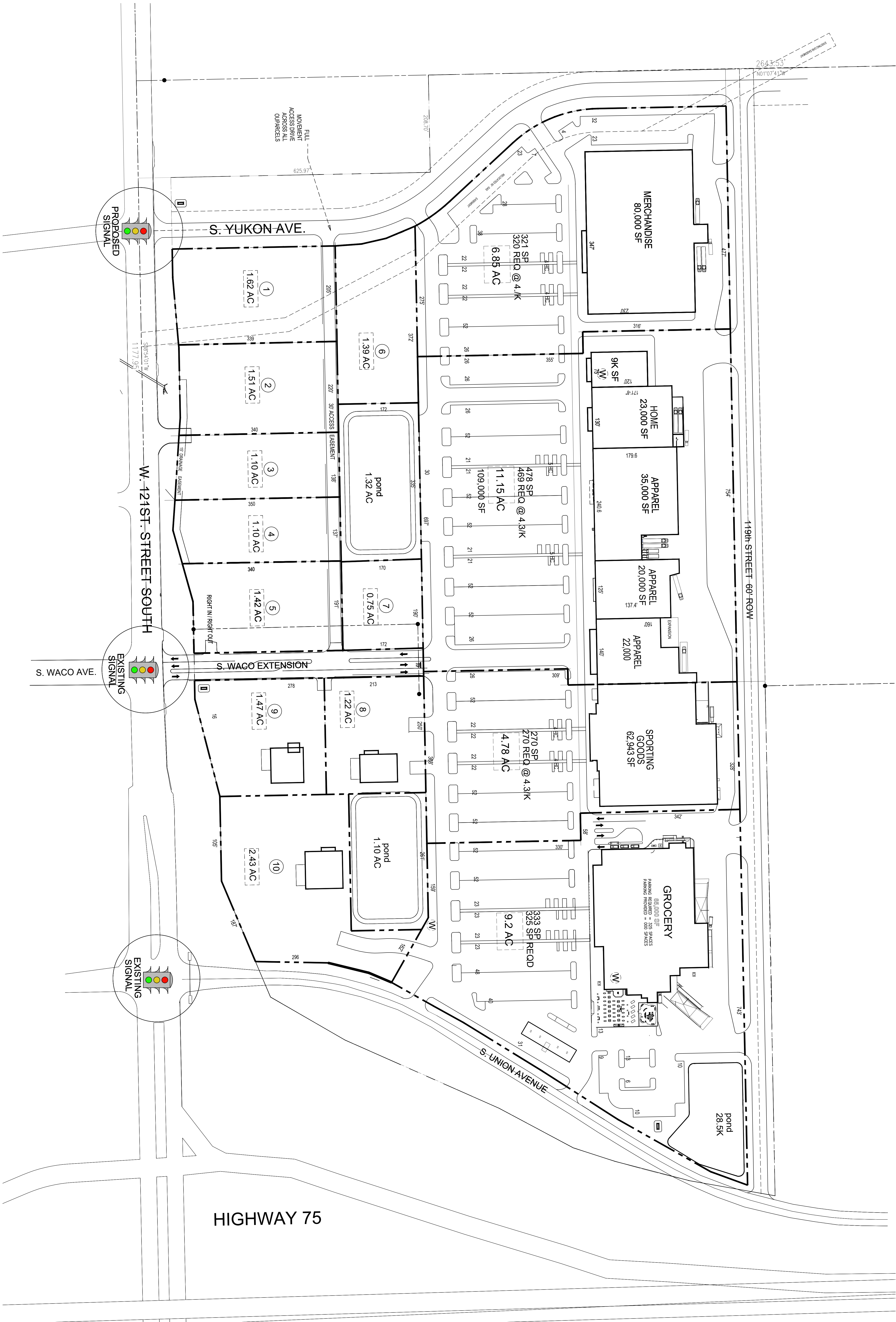
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PLAN

SP1.0

SHEET NO.



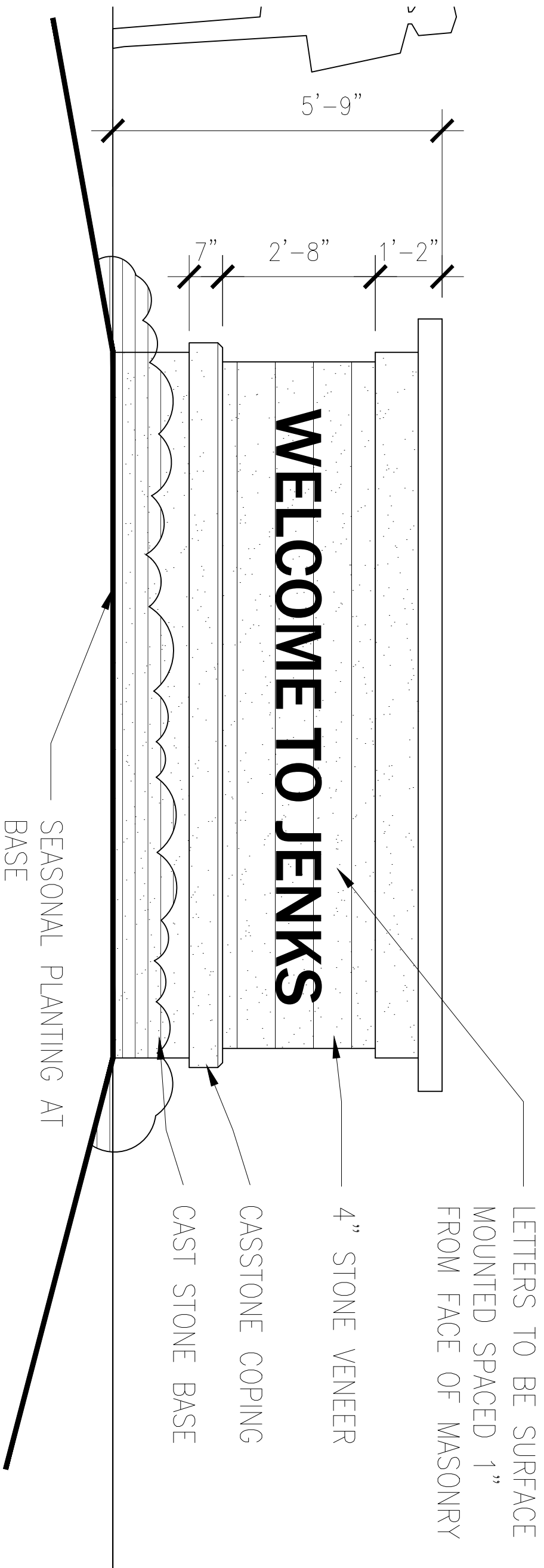
SHOPPING CENTER CONCEPTUAL SITE PLAN

SCALE: 1" = 80'

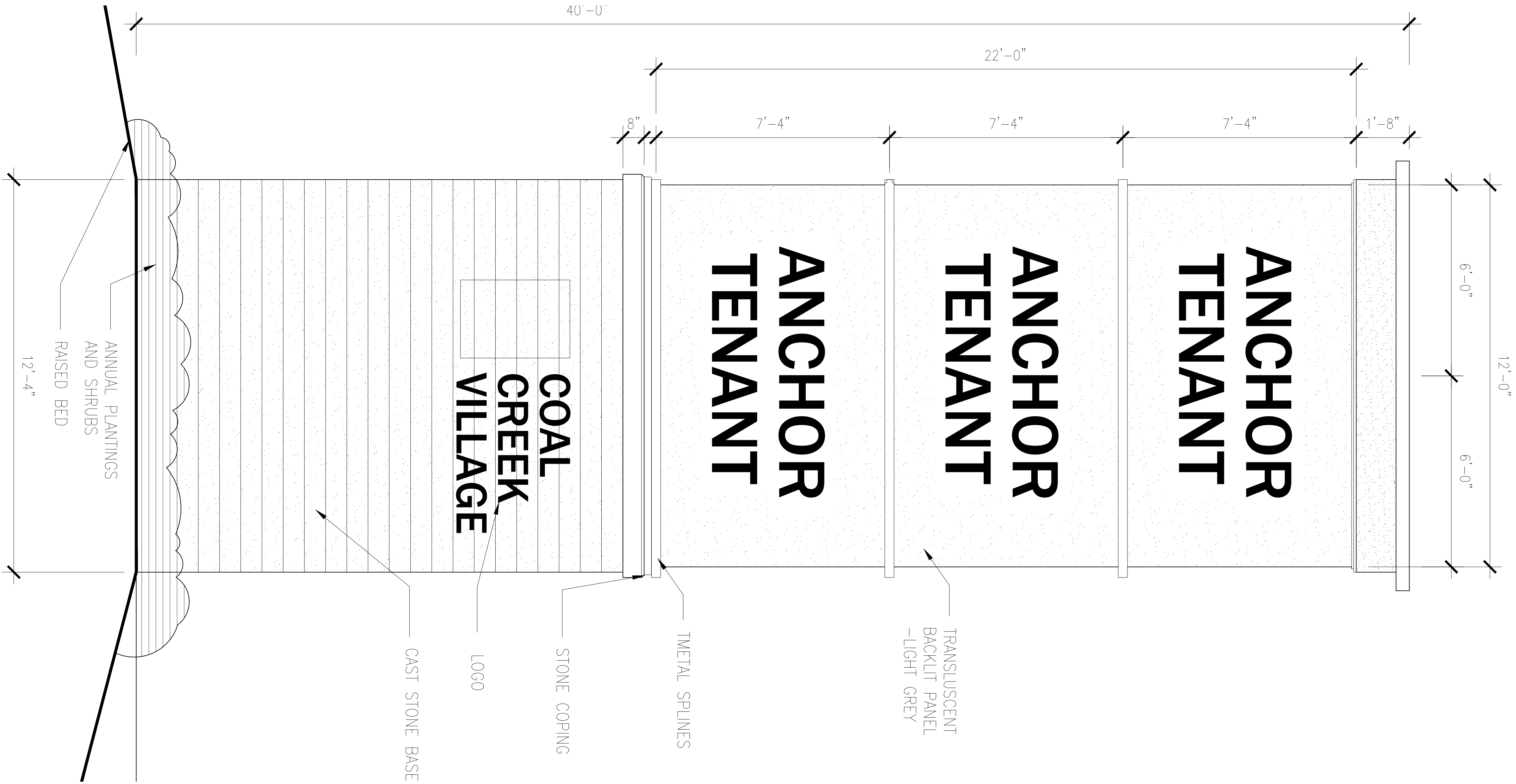


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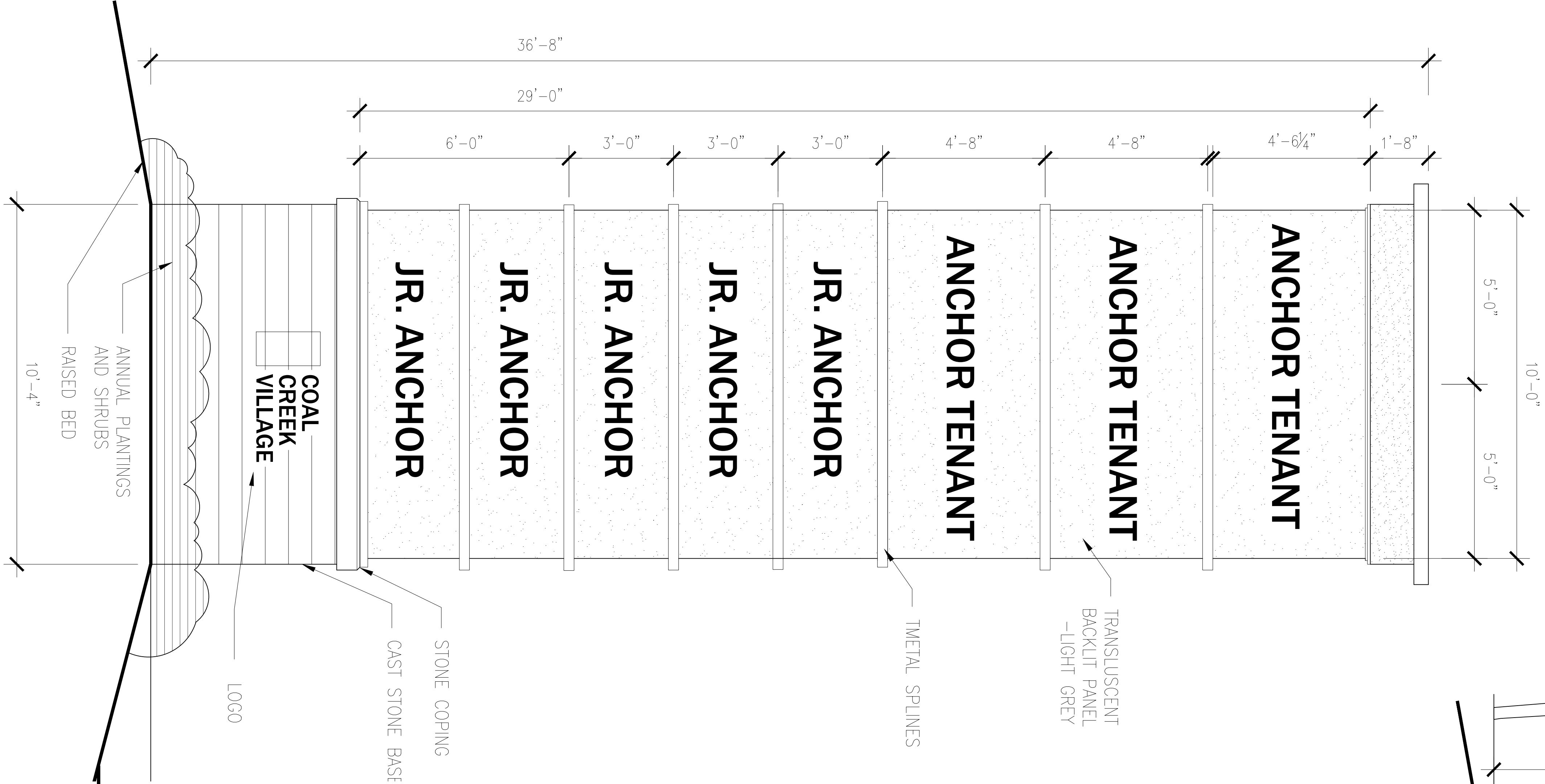
Exhibit C
Comprehensive Sign Plan



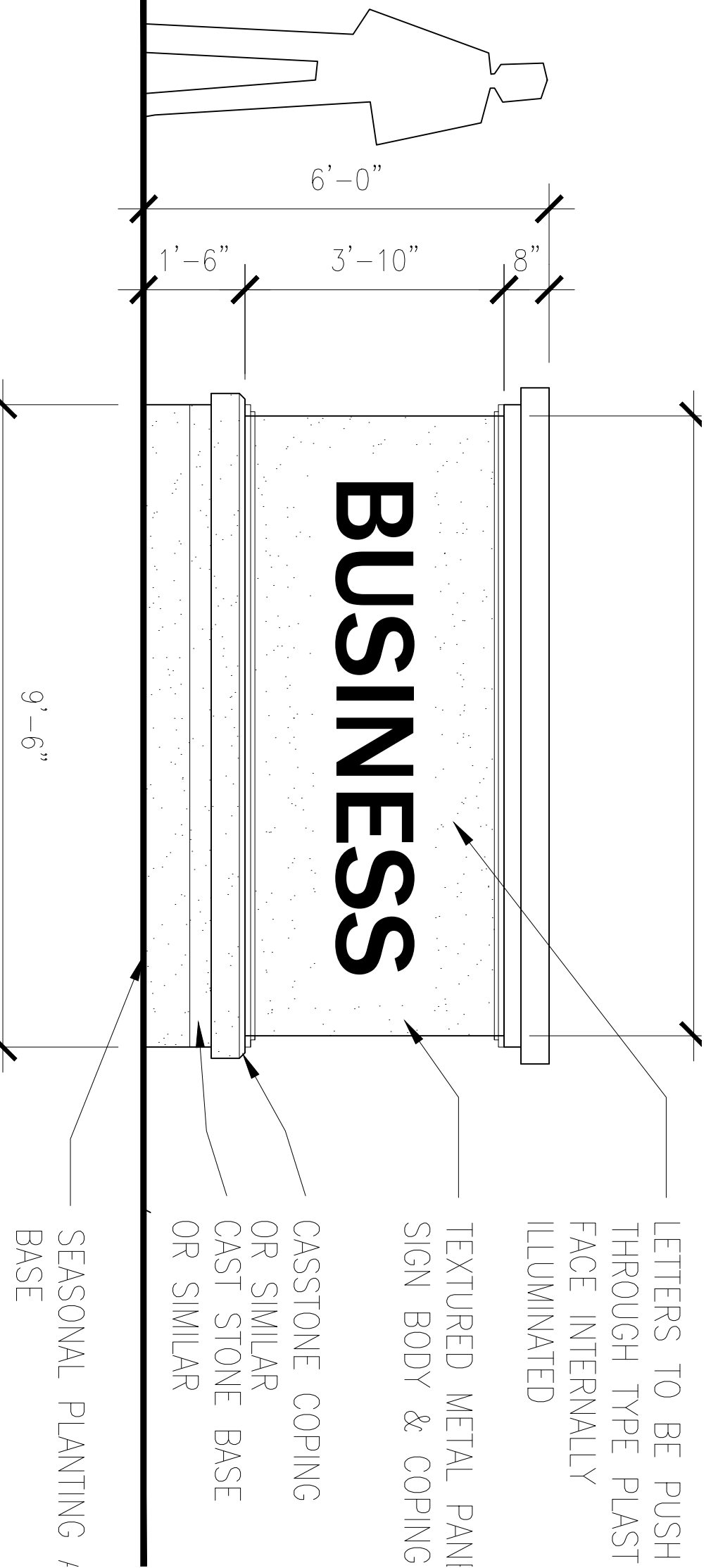
D ENTRANCE MONUMENT
SIGN AREA: 40 SF/SIDE



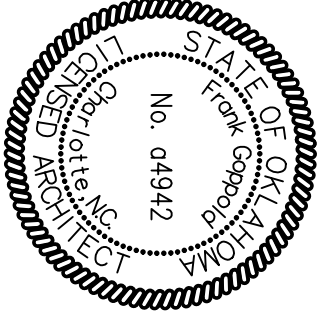
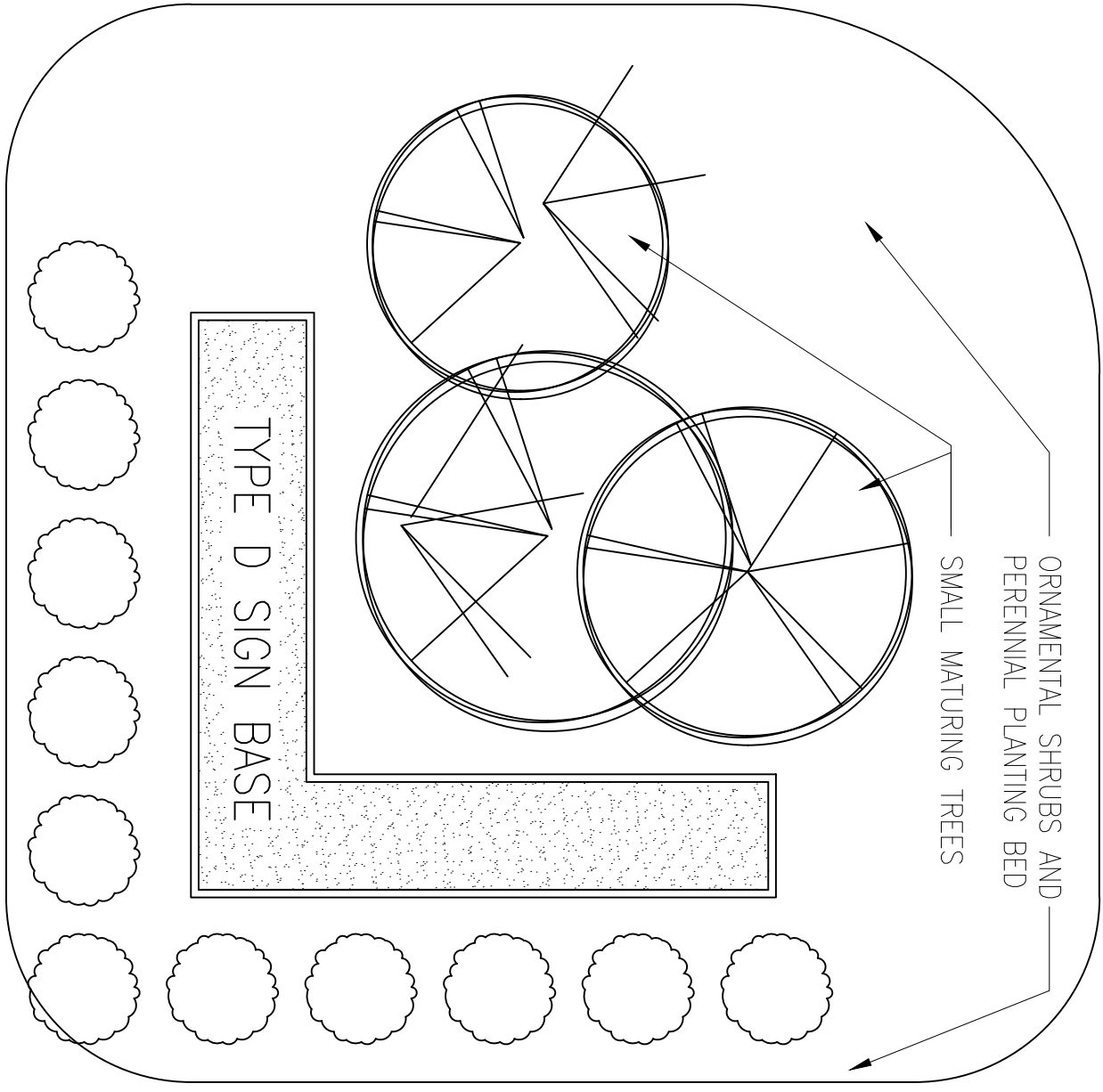
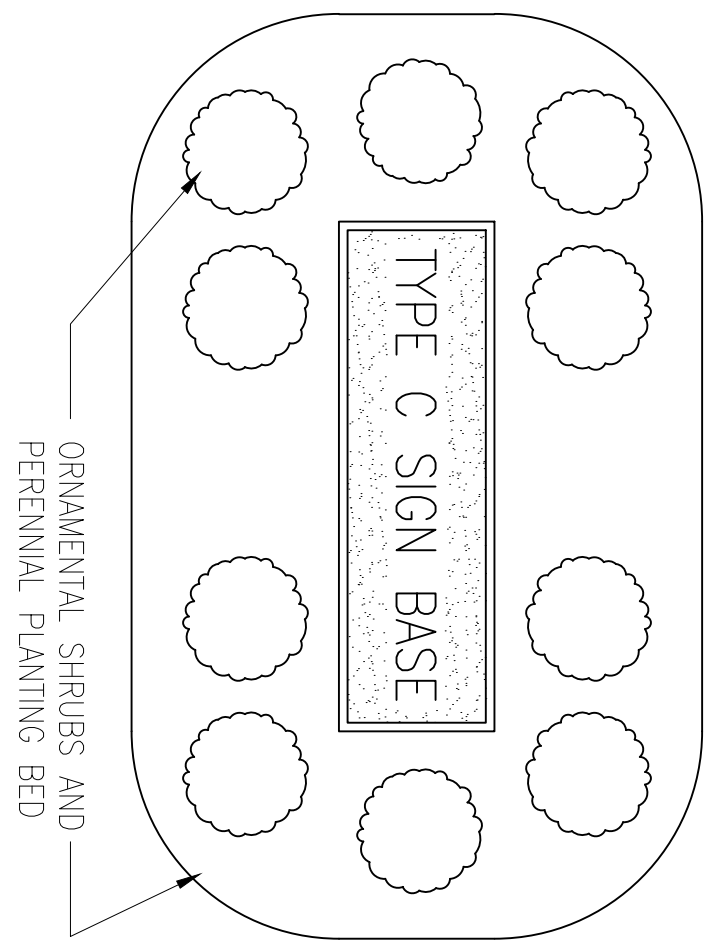
E SHOPPING CENTER PYLON
SIGN AREA: 264 SF/SIDE



B SHOPPING CENTER PYLON
SIGN AREA: 260 SF/SIDE



C OUTPARCEL MONUMENT
SIGN AREA: 35 SF/SIDE



COAL CREEK CROSSING
W. 121st Street & I-75
Jenks, OK

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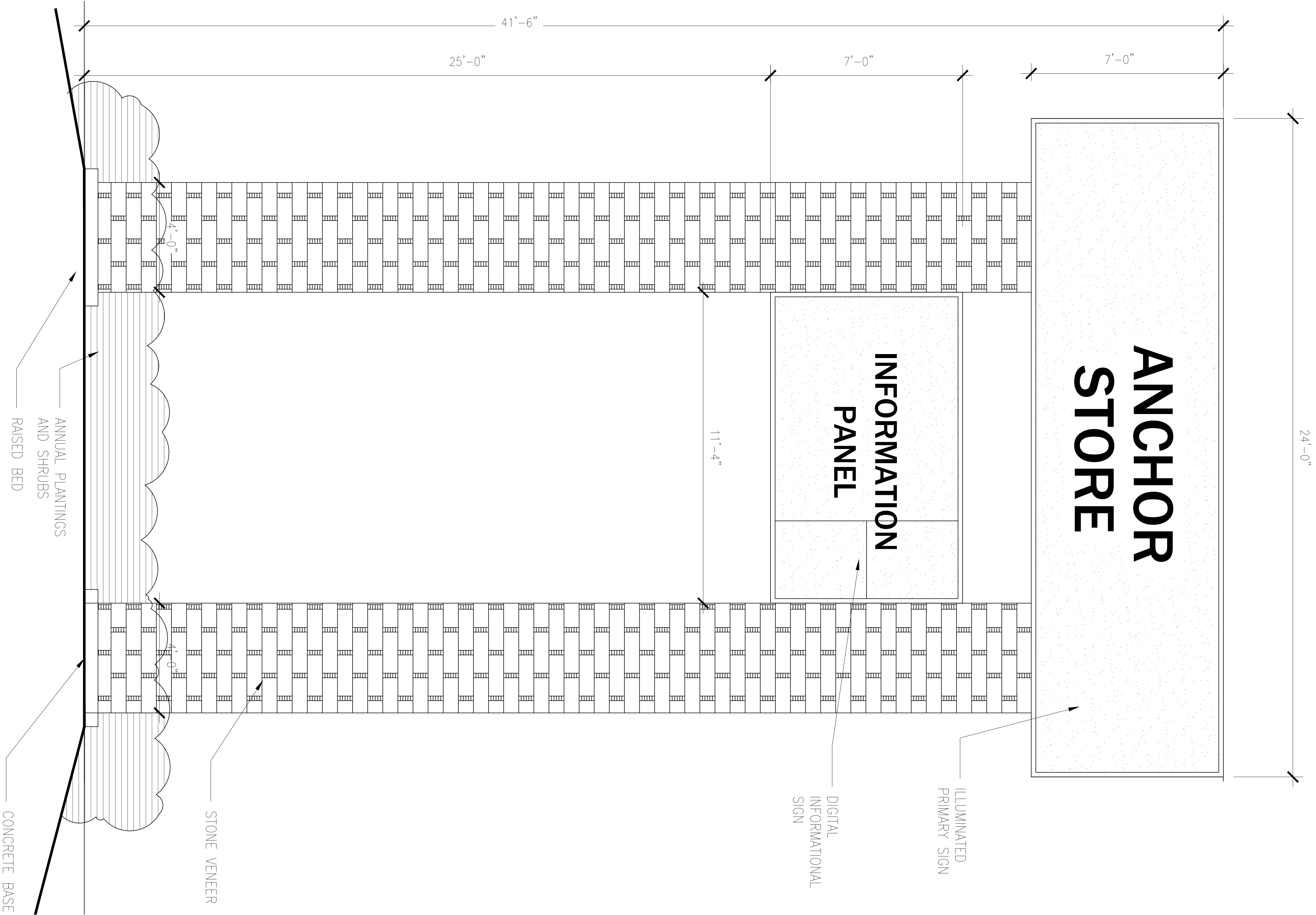
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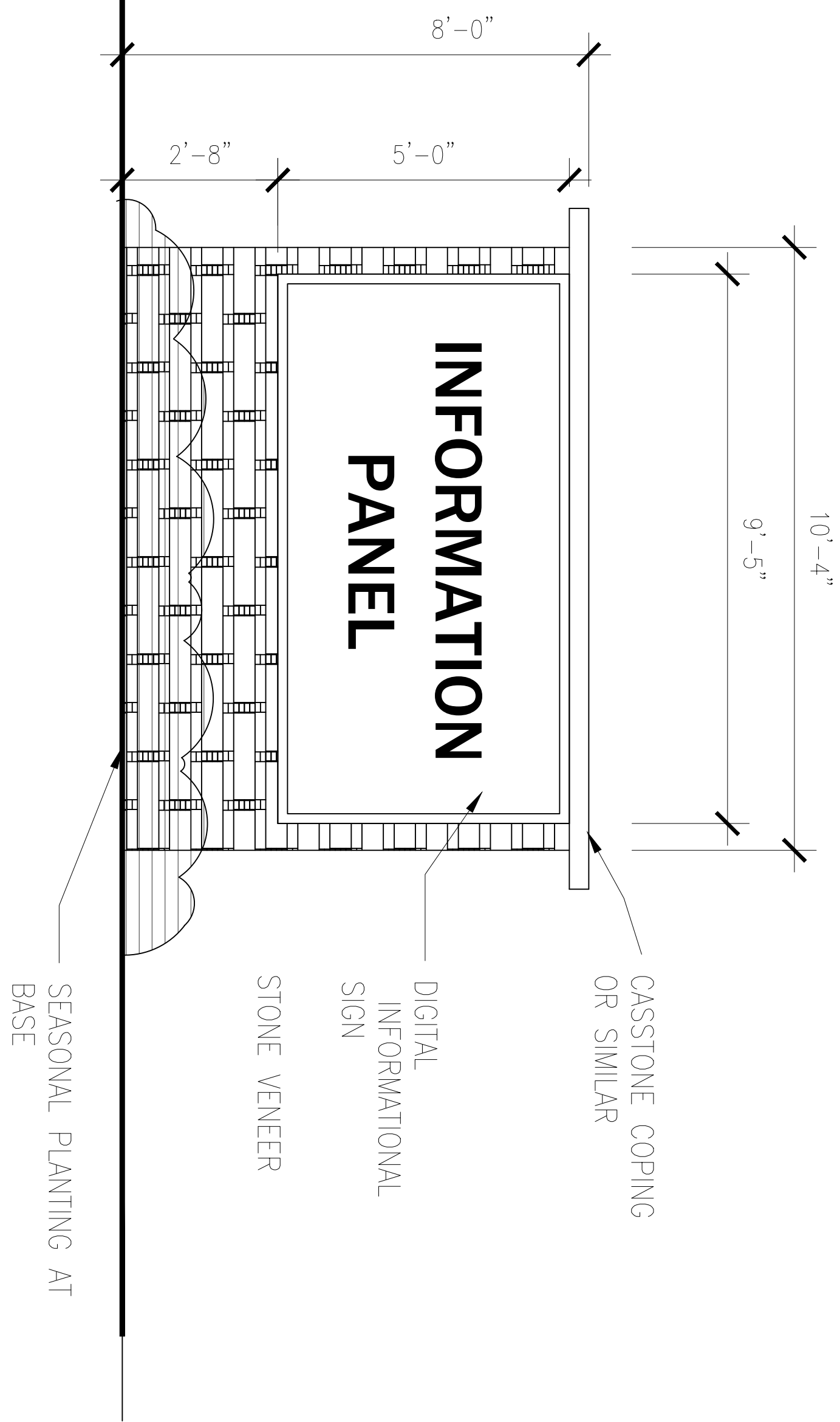
ELEVATIONS

1.0

SHEET NO.



A ANCHOR STORE PYLON
SIGN AREA: 248 SF/SIDE

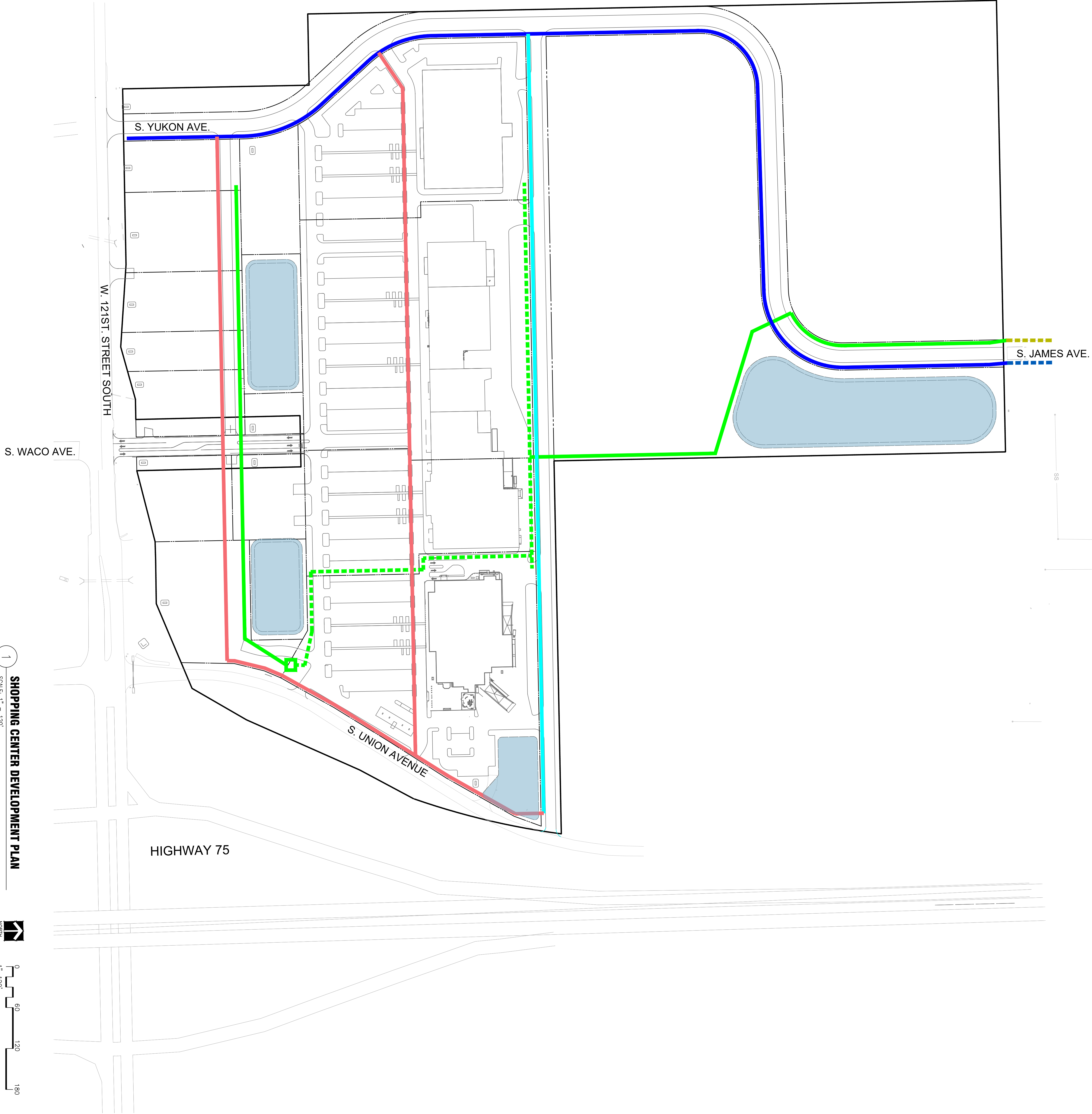


F ANCHOR STORE MONUMENT
SIGN AREA: 47 SF/SIDE

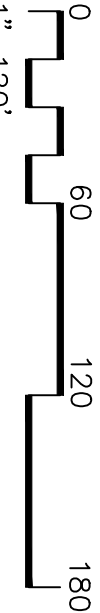
Exhibit D
Public Utilities Plan

LEGEND

- DEFENTION POND - STORM
- EXISTING 12" WATERLINE
- 12" WATERLINE EXTENSION
- 8" WATERLINE EXTENSION
- 6" WATERLINE EXTENSION
- EXISTING 8" SANITARY SEWER
- 8" SANITARY SEWER LINE
- FORCE MAIN LINE
- PUMP STATION



1 SHOPPING CENTER DEVELOPMENT PLAN
SCALE: 1" = 120'



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Charlotte, NC 28204

G.C. Architects 2023

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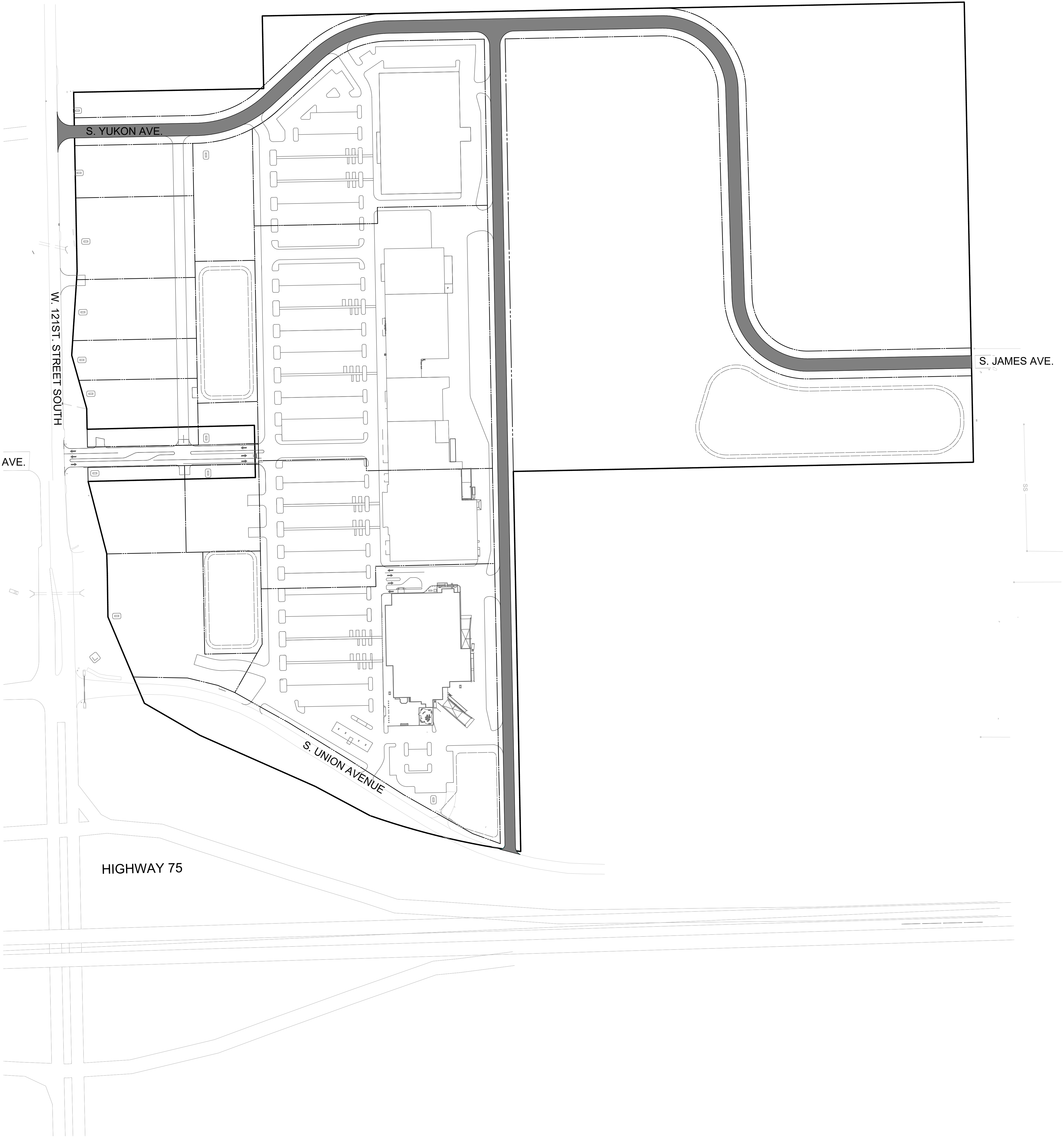
DATE: 03-08-2023
JOB NO.: 22.104.00

UTILITY PLAN

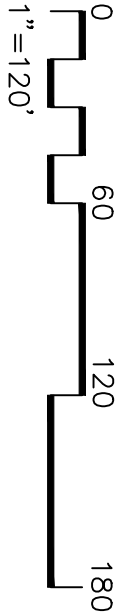
SHEET NO. **D**

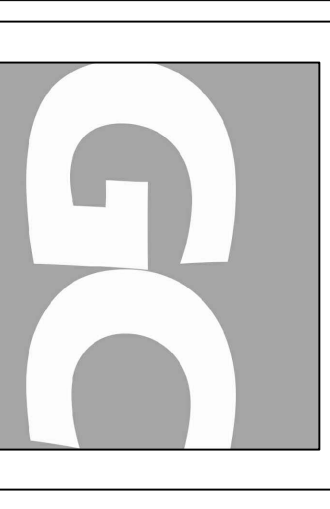
Exhibit E
Public Streets Plan

LEGEND
PUBLIC STREET



1 SHOPPING CENTER DEVELOPMENT PLAN
SCALE: 1" = 120'





GC Architects, PLLC
1111 Metropolitan
Suite 700
Charlotte, NC 28204

G.C. Architects 2023





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PUBLIC STREET
PLAN

E

SHEET NO.

To	Planning Commission
Hearing Date	April 20, 2023
Case Number(s)	PA 23-26, PA 23-27, PA 23-28
Request	Recommendation of Approval of multiple parcel amendments to the Future Land Use Map
Applicant	Multiple Applicants

Staff Report

Preparer | Marcaé Hilton

Attachments

- ☐ Legal Notices
- ☐ Future Land Use Map

Preparer

City of Jenks
Houseal Lavigne Associates

Background Information

FAQ

1. Comprehensive Future Land Use Map Amendments are specific to “land use” decisions.
2. Comprehensive Plan amendments are considered “Planning” not “Zoning”.
3. The Comp Plan is a living document and provides guidance for future development of land.
4. Parks and Open Space is a development sensitive area but could be developed according to local, state, and federal regulations for flood plain designations.
5. All three sites (amendments):
 - a. Are currently Parks and Open Space.
 - b. Are zoned AG (Agriculture)
 - c. Are approved as part of the “Jenks River Entertainment District” TIF collection project areas.
 - i. Increment District A | Pickleball Concept & other commercial uses
 - ii. Increment District C
 1. Potential Baseball Venue & commercial uses
 2. Horse Farm | potential commercial uses
6. Application
 - a. Planning staff requested the changes adjacent to Elm Street based on conversations/predevelopment meetings.
 - b. The developers and owners were in agreement to the changes being requested.
7. The Planning Commission has 3 approval options:
 - *Approve*
 - *Approve with Conditions*
 - *Deny*

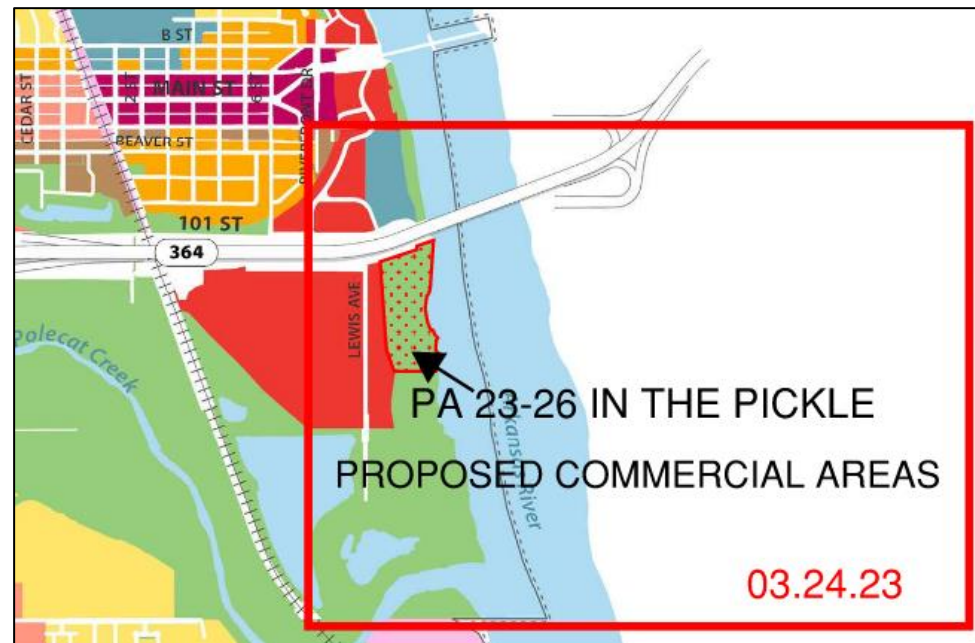
CASE SUMMARY | PA 23-26 | General Location: South of Creek Turnpike between Lewis and the Arkansas River | Applicant: Mark Capron, Wallace Engineering

The Site has been purchased by a development group and expects to contain a pickle ball concept, restaurants, medical offices and other commercial uses.

CURRENT LAND USE DESIGNATION:	Parks and Open Space
REQUESTED LAND USE:	Regional Commercial
ZONING:	AG (Agriculture) & SUP 105 Platting Required
RECOMMENDED ZONING:	CS (Commercial Shopping) & PUD
PLANNED USES:	Pickle Ball, Outdoor Entertainment, Commercial
RECOMMENDATION:	Staff recommend approval with no conditions.

LEGAL DESCRIPTION:

A tract of land contained within the Northwest Quarter (NW/4) of Section Twenty-nine (29), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows: COMMENCING at the Northwest corner of said Northwest Quarter (NW/4); Thence S 00°07'09" W, along



the West line of said Northwest Quarter (NW/4), a distance of 918.57 feet; Thence S 89°52'51" E a distance of 25.00 feet to the POINT OF BEGINNING; Thence N 00°07'09" E, parallel to said West line, a distance of 68.67 feet; Thence N 12°16'11" E a distance of 86.55 feet; Thence along a tangent curve to the right with a central angle of 50°20'55", a radius of 402.00 feet, an arc length of 353.26 feet, a chord bearing of N 37°26'39" E and a chord length of 342.00 feet; Thence N 62°37'06" E a distance of 318.89 feet; Thence along a tangent curve to the left with a central angle of 40°45'23", a radius of 298.67 feet, an arc length of 212.45 feet, a chord bearing of N 42°14'25" E and a chord length of 208.00 feet to a point on the Southerly Right-of-Way line of the Oklahoma

Figure 1: PA 23-26 IN THE PICKLE | Regional Commercial Turnpike Authority Creek Turnpike; Thence N 69°39'25" E, along said Southerly line, a distance of 43.05 feet; Thence N 20°20'35" W, continuing along said Southerly line, a distance of 40.00 feet; Thence N 69°39'25" E, continuing along said Southerly line, a distance of 139.53 feet; Thence S 20°11'51" E a distance of 87.69 feet; Thence along a non-tangent curve to the right with a central angle of 24°43'15", a radius of 622.47 feet, an arc length of 268.57 feet, a chord bearing of S 09°22'37" E and a chord length of 266.49 feet; Thence along a tangent compound curve to the right with a central angle of 20°18'35", a radius of 623.35 feet, an arc length of 220.96 feet, a chord bearing of S 12°06'50" W and a chord length of 219.80 feet; Thence along a tangent reverse curve to the left with a central angle of 49°06'01", a radius of 66.00 feet, an arc length of 56.56 feet, a chord bearing of S 02°16'53" E and a chord length of 54.84 feet; Thence along a tangent reverse curve to the right with a central angle of 26°49'39", a radius of 174.10 feet, an arc length of 81.52 feet, a chord bearing of S 13°25'04" E and a chord length of 80.78 feet; Thence S 00°00'00" W a distance of 86.81 feet; Thence along a tangent curve to the left with a central angle of 12°13'31", a radius of 220.00 feet, an arc length of 46.94 feet, a chord bearing of S 06°06'46" E and a chord length of 46.85 feet; Thence N 89°58'00" W a distance of 860.23 feet to the POINT OF BEGINNING.

CASE SUMMARY | PA 23-28 | General Location: West of Elm and north of 106th Street | Applicant: City of Jenks in anticipation of local commercial development requests approval of a Comprehensive Plan Land Use Map Amendment:

ACCT_NUM:	98225822504130
PROP_ADD:	10596 S PEORIA AV E
TR_SEC:	8225
GROSS ACRES:	25.03
CURRENT LAND USE DESIGNATION:	Parks and Open Space
REQUESTED LAND USE:	Regional Commercial (Local Commercial)
ZONING:	AG (Agriculture)
RECOMMENDED ZONING:	Rezoning to CS for Regional Commercial Platting will be required.
PLANNED USES:	CS (Commercial Shopping)

RECOMMENDATION:

Staff recommends lowering the intensity to Local Commercial in lieu of Regional Commercial adjacent to Elm for the purpose of allowing Commercial Shopping Uses; and to amend the boundaries to exclude property in Floodplain.

LEGAL: BEG 2649.28S & 50W E QTR COR (NEC NE) SEC 25 TH W404.64 N135.81 NW279.68 NW316.10 NW502.63 NW204.03 NW213.70 NW228.81 NW180.90 WLY195.06 TO PT ON S ROW LINE OF CREEK TURNPIKE TH CRV RT191.97 NE190.90 NE130.49 SE124.53 CRV LF1558.97 ELY171.31 SLY813.9

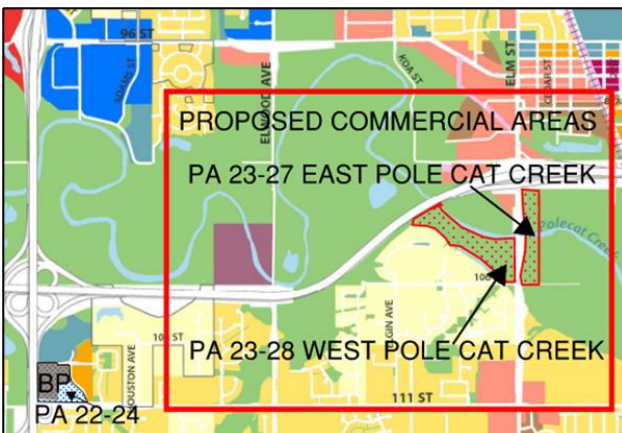
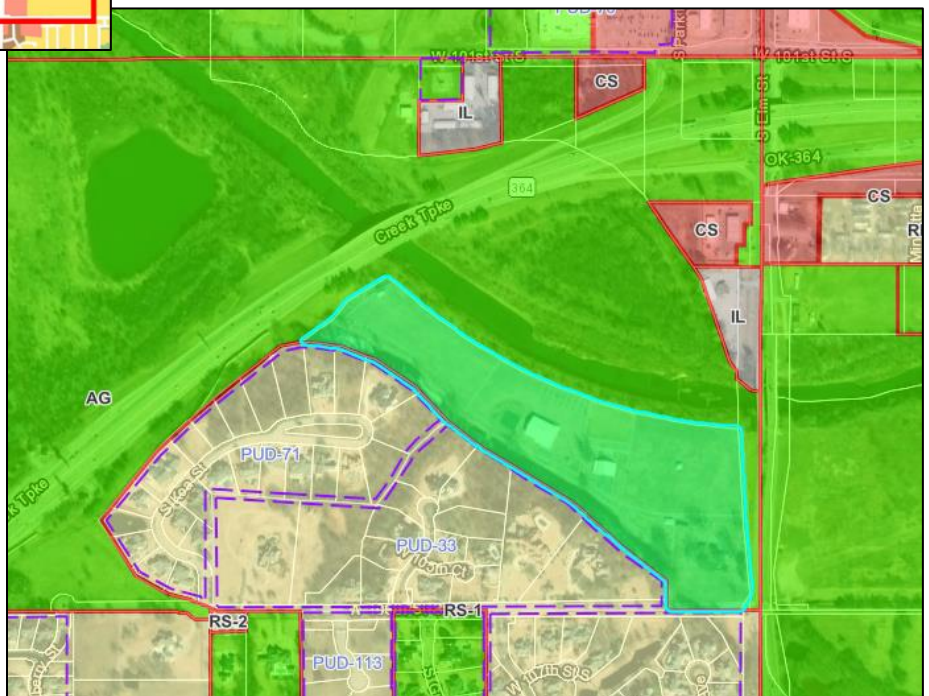


Figure 4: Sports Experience and Commercial

Figure 6: INCOG Zoning Map



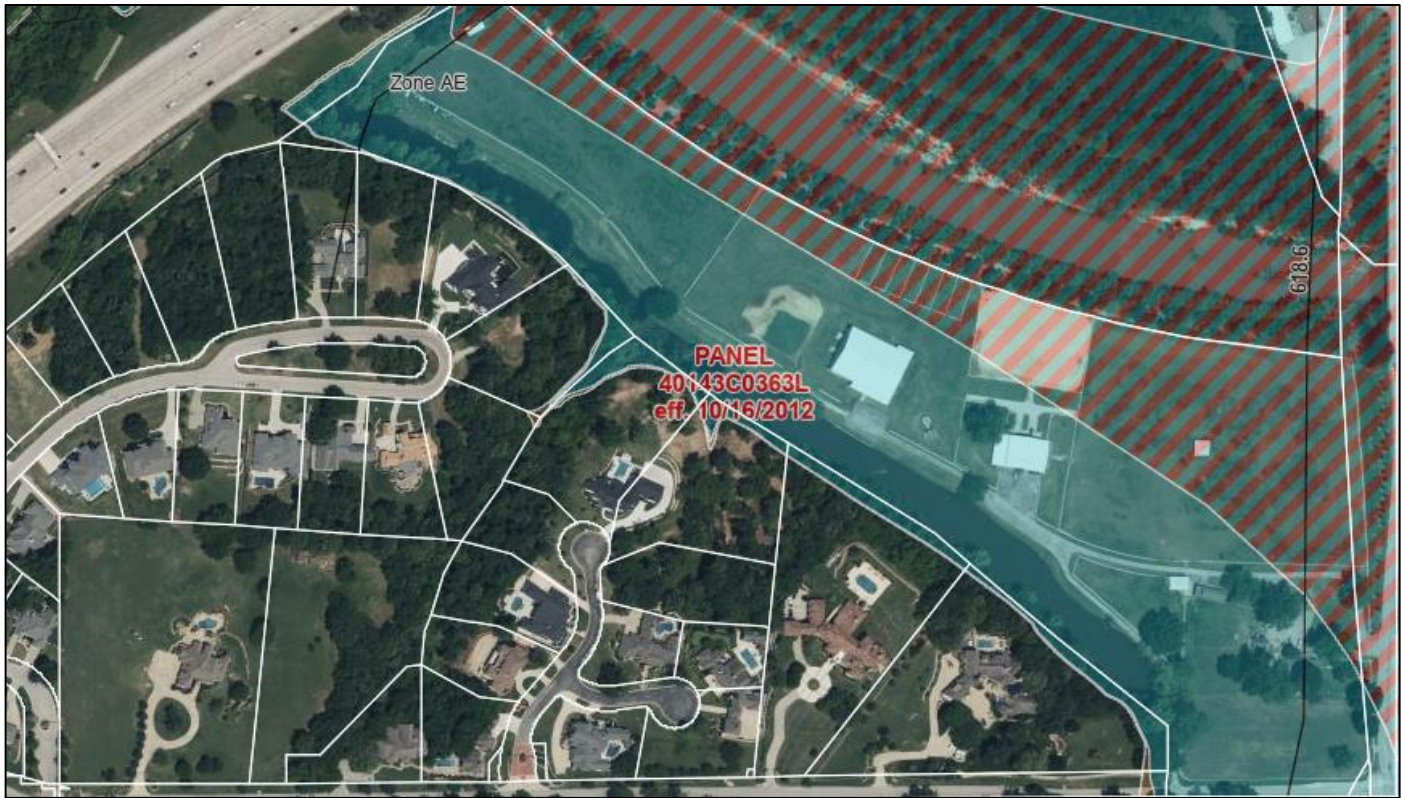


Figure 7: INCOG Tulsa County Floodplain Map

GENERAL INFORMATION ON HORIZON JENKS | The [Horizon Jenks Plan](#) was adopted by Resolution 712, September 1, 2020. The process, which began in May of 2019, took over a year and provided the citizens of Jenks the ability to partner with staff on creating community vision of Jenks to guide the City in its decision making for the next 20 years. The Comprehensive Plan is a set of policies that direct future growth and development for the City of Jenks.

What are the contents of the Horizon Jenks Comprehensive Plan?

A typical Comprehensive Plan outlines the existing conditions of the City, describes future goals and objectives for development, and includes an action plan on how to achieve these goals and objectives. The Jenks Comprehensive Plan addresses the following:

- Land Use & Development
- Commercial Areas
- Transportation & Mobility
- Parks, Open Space, and Environmental Features
- Agricultural and Cultural Facilities
- Housing & Neighborhoods
- Economic Development Framework

- Community Facilities & Utilities
- Implementation Strategy

Staff Evaluation

EVALUATION | The Comprehensive Plan was adopted by Resolution 712; State Statute gives the Municipality the authority as follows:

**Oklahoma Statutes; Title 11. Cities and Towns; Chapter 1 - Oklahoma
Municipal Code; Article; Article XLIII-Buildings and Zoning; Section 43-103 -
Purpose of Regulations – Comprehensive Plan**

Municipal regulations as to buildings, structures and land shall be made in accordance with a comprehensive plan and be designed to accomplish any of the following objectives:

1. To lessen congestion in the streets;
2. To secure safety from fire, panic and other dangers;
3. To promote health and the general welfare, including the peace and quality of life of the district;
4. To provide adequate light and air;
5. To prevent the overcrowding of land;
6. To promote historical preservation;
7. To avoid undue concentration of population; or
8. To facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the municipality. *The governing body shall provide the manner in which regulations, restrictions and district boundaries shall be determined, established and enforced, and amended, supplemented or changed.*

Staff has some conditions for approval of PA 23-28, each item requires a separate vote. Per State Statute, Municipalities are to regulate buildings, structures and land in accordance with the comprehensive plan and be designed to accomplish any of a list of objectives.

All of the parcels are currently designated as Open Space: *Open space (both public and private) throughout the City. Open space areas are largely located within the floodplain of the Polecat Creek, making development undesirable.* Staff understands the ability to develop within a floodplain is far more costly and requires additional layers of engineering, this makes the property undesirable to develop, but not impossible.

RECOMMENDATIONS | *Recommend Approval as stated below:*

1. **PA 23-26**, West of Arkansas River and south of Creek Turnpike
APPROVE
2. **PA 23-27**, East of Elm and south of Pole Cat Creek near 106th. Approve to align with long term development baseball plan.
APPROVE
3. **PA 23-28**, West of Elm and south of Creek Turnpike (north of 106th)
APPROVE FOR LOCAL COMMERCIAL AND AMEND THE BOUNDARY TO EXCLUDE THE FLOODWAY

Marcae Hilton

From: Marcae Hilton
Sent: Tuesday, March 28, 2023 9:09 AM
To: Brandon Macy; lisatalmond@gmail.com
Subject: RE: PA 23-27

Good Morning Ms. Almond,
The City of Jenks is working with a developer to build a baseball complex with retail along Elm.
The Comprehensive Plan Land Use Map amendment is to allow for accessory "uses" such as restaurants, entertainment and possibly a hotel along Elm. The bulk of the property between Elm and Polecat Creek will remain open space and developed as baseball fields.

Thank You,
Marcae Hilton
Marcae Hilton
918-556-7441

-----Original Message-----

-----Original Message-----

From: Lisa Almond <lisatalmond@gmail.com>
Sent: Monday, March 27, 2023 4:18 PM
To: Brandon Macy <bmacy@jenksok.org>
Subject: PA 23-27

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Brandon,

Can you tell me who it is that has an interest in changing the current parks and open space designation to regional commercial for the property at 106th & Elm? We need to keep as much open space as possible in Jenks.

Thank you,
Lisa Almond
918-809-5472

Sent from my iPhone

Marcae Hilton

From: Lisa Almond <lisatalmond@gmail.com>
Sent: Tuesday, March 28, 2023 4:06 PM
To: Marcae Hilton
Cc: Brandon Macy
Subject: Re: PA 23-27

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Also, I wonder if you might move your notice sign closer to Elm so that it is more visible to passersby. Currently, it is set back from the street quite a distance.

Thank you.

Sent from my iPhone

> On Mar 28, 2023, at 3:46 PM, Lisa Almond <lisatalmond@gmail.com> wrote:

>

> Thank you for your reply. Is this the Ripken Experience? We plan to attend the 4/20 meeting, but it sounds like this is a decision already made?

>

> Sent from my iPhone

>

>> On Mar 28, 2023, at 9:09 AM, Marcae Hilton <mhilton@jenksok.org> wrote:

>>

>> Good Morning Ms. Almond,

>> The City of Jenks is working with a developer to build a baseball complex with retail along Elm.

>> The Comprehensive Plan Land Use Map amendment is to allow for accessory "uses" such as restaurants, entertainment and possibly a hotel along Elm. The bulk of the property between Elm and Polecat Creek will remain open space and developed as baseball fields.

>>

>> 'Thank You,

>> Marcaé Hilton

>> Marcaé Hilton

>> 918-556-7441

>>

>> -----Original Message-----

>> -----Original Message-----

>> From: Lisa Almond <lisatalmond@gmail.com>

>> Sent: Monday, March 27, 2023 4:18 PM

>> To: Brandon Macy <bmac@jenksok.org>

>> Subject: PA 23-27

>>

>> [EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

>>

>> Hello Brandon,

>>

>> Can you tell me who it is that has an interest in changing the current parks and open space designation to regional commercial for the property at 106th & Elm? We need to keep as much open space as possible in Jenks.

>>
>> Thank you,
>> Lisa Almond
>> 918-809-5472
>>
>> Sent from my iPhone

Marcae Hilton

From: Melissa Stallcup <mls222@cox.net>
Sent: Wednesday, April 12, 2023 1:43 PM
To: Cory Box
Cc: Marcae Hilton
Subject: Proposed significant changes to 106th and Elm

Follow Up Flag: Follow up
Flag Status: Completed

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Mayor Box,

My husband and I, residents of Jenks, would like to express our opposition to the proposed commercial development on 106th and Elm both on the east side of Elm and the northwest corner where "The Ranch" is located.

The land south and west of the proposed developments, as you well know, is residential. We strongly object to the Cal Ripken Experience baseball, hotel, and retail project as well as the re-zoning of The Ranch property to commercial allowing it to build light business and a boutique hotel.

We bought our property in 2009 and completed a home in 2010 where it felt like we were in the country. Since you live close by I know you understand what I am speaking about. We met when you were running for a position on the city council.

It is unimaginable to me to have the serene nature of the area be taken over by commerce, traffic, lights, and noise. 106th and Elm is not the place for this development and with the outlet mall already in progress the density will overwhelm the area.

Unfortunately we will not be in attendance at the public hearing at city hall on April 20 as we are out of the country. But we are keeping in touch

Thank you for reading this email and perhaps adding our voice to the discussion.

Sincerely,

Melissa and Mac Stallcup
10719 S Fir Place
Jenks, OK 74037
918-740-6380

Marcae Hilton

From: Melissa Stallcup <mls222@cox.net>
Sent: Tuesday, April 11, 2023 4:35 PM
To: Marcae Hilton
Cc: Mac Stallcup
Subject: 106th & Elm development

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms Hilton,

Please add our very serious concern and disagreement to the proposed development at 106th and Elm. My husband and I bought a lot in Aberdeen Falls in 2009. We completed building in 2010 and have enjoyed the “country feel” for these many years. We have also had children and now grandchildren in JPS since 1993 and have seen the city evolve.

We would like to voice a very real concern to having the size and scope of what is on the table being built where planned. We are opposed to the project for many reasons. The ability to handle traffic, the added night time lights, the noise and congestion all next to many neighborhoods.

We bought the lot because it was quiet and serene and felt like you were in the country. What is proposed is diametrically opposite of that.

Jenks has jumped the gun on location. Please take what the citizens of this wonderful “small” town have to say and let’s change the trajectory of this project. There are better places for it.

Thank you for your time reading this and I do hope we can find an equitable solution.

Sincerely,
Melissa and Mac Stallcup
10719 S Fir Place
Jenks, OK 74037

Marcae Hilton

From: Melissa Stallcup <mls222@cox.net>
Sent: Tuesday, April 11, 2023 4:42 PM
To: Marcae Hilton
Subject: The proposed baseball complex

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms Hilton, here is a picture of the field at sunrise on August 12, 2019 that I took east of Elm towards the river. Let's keep it this way.

Melissa Stallcup
918-740-6380



Marcae Hilton

From: Marcae Hilton <mhilton@jenksok.org>
Sent: Wednesday, April 5, 2023 5:35 PM
To: Robert J. Getchell <rgetchell@gablelaw.com>
Cc: Burns Getchell <bgetchell@champagnemetals.com>
Subject: RE: PA 23-28

Good Afternoon Mr. Getchell,
Thank you for your concerns, they have been noted and will be included in my staff report.

1. Is there an application packet to go with this agenda item that I can review?
The City of Jenks does not have an application for this parcel. The Development team had a very preliminary discussion with representatives of the ownership.
2. There are many concerns about this, particularly in conjunction with all the other development projects in the pipeline for this area. These include *(These items below would be discussed during project development/rezoning process. A Comp Plan Map amendment just allows for an applicant to go through the aforementioned rezoning process.):*
 1. Increased traffic beyond current capacity; *Zoning & possibly Engineering*
 2. Increased lighting at night; *City Code & Zoning*
 3. Noise; *City Code & Zoning*
 4. Flooding/wetlands issues; and *Engineering, Zoning, City Code, outside Engineering*
 5. Lack of specific information about future development on the West side of Elm. *This is not uncommon regarding land use designations. The (Future Land Use Map) is created based on the best information at the time of approval. It is part of a policy guide document not an ordinance.*
3. What information can you provide with respect to these concerns? *The items mentioned above will be addressed at the time a project application is submitted. It will go through all the planning, engineering and building processes. No project application has been submitted.*
4. What is the staff's recommendation concerning this application? *Based on current preliminary information I expect that staff will recommend approval of the request to amend the land use map.*
5. What is the basis for that recommendation? *A staff report will be included in the agenda packet. This usually comes out the Friday prior to the PC hearing.*

Thank You,

Marcae Hilton

Marcae Hilton
918-556-7441

From: Robert J. Getchell <rgetchell@gablelaw.com>
Sent: Wednesday, April 5, 2023 3:59 PM
To: Marcae Hilton <mhilton@jenksok.org>

Cc: Burns Getchell <bgetchell@champagnemetals.com>

Subject: PA 23-28

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms. Hilton:

Brandon gave me your email in response to my questions about the above referenced application. I am aware of several property owners who about this tract that are concerned about this proposed amendment to the comprehensive plan. Is there an application packet to go with this agenda item that I can review? There are many concerns about this, particularly in conjunction with all the other development projects in the pipeline for this area. These include:

1. Increased traffic beyond current capacity;
2. Increased lighting at night;
3. Noise;
4. Flooding/wetlands issues; and zoning, engineering
5. Lack of specific information about future development on the West side of Elm.

What information can you provide with respect to these concerns? What is the staff's recommendation concerning this application? What is the basis for that recommendation?

Thank you for your prompt consideration.



Robert J. Getchell | Shareholder | **GableGotwals**

(W) 918-595-4822 | (M) 918-261-1661 | rgetchell@gablelaw.com

110 N. Elgin Ave., Ste. 200

Tulsa, OK 74120-1495 | USA | [Bio](#) | [Download vcard](#) | www.gablelaw.com | [f](#) [in](#) [t](#)

This message and any attachments are for the addressee only and may contain privileged or confidential information. If you have received this in error, please notify me immediately and permanently delete the message and any prints or other copies.

Marcae Hilton

From: Shane Randolph <shanejay@hotmail.com>
Sent: Sunday, April 9, 2023 7:32 PM
To: Marcae Hilton
Subject: 106th Street Rezoning

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Marcae Hilton,

I own a house in Aberdeen Falls. I also own numerous properties in Jenks including Sunnybrook and Churchill park.

I oppose the rezoning being proposed at 106th and Elm on both the east and west side of Elm / Peoria. This land should be used as park and nature trails.

This increased traffic is not supportable. It is already congested. The road studies for the G.O. Bond 2020 did not support this high traffic considerations.

The proposed zoning is too close to numerous residential areas. The noise, traffic, light pollution, and other nuisances would not add value to the Jenks community.

Respectfully,
Shane Randolph

Get [Outlook for iOS](#)

Marcae Hilton

From: Steve Murphy <murphy@murphy-builders.com>
Sent: Thursday, April 6, 2023 4:18 PM
To: Brandon Macy; Marcae Hilton
Cc: Steve Murphy
Subject: Zoning at NW corner of 106th & Elm

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Marcae and Brandon,

I left a voicemail in regard to the zoning request at 106th & Elm. I am a land developer so I believe in an owner's right to develop their land. However, if we are going to have an orderly and quality city we must grow in manner that is compatible to existing zoning and offers the land owner the best use of their property.

In over 50 years of homebuilding and over 40 years of land development, never have I seen commercial zoning next to RS-1 as compatible. Commercial requires a residential buffering of some sort between it and RS-1.

So, I am requesting a meeting to understand the City Planner's recommendation in regard to the zoning request, and what the specific zoning request is.

Thank you very much for your service and your timely reply.

Yours for Aberdeen Falls and quality growth,

Stephen M. Murphy

Marcae Hilton

From: Andreas Lucido <andreas_lucido@yahoo.com>
Sent: Saturday, April 8, 2023 12:25 PM
To: Marcae Hilton
Subject: Notice PA 23-27: 106th St & Elm

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms. Hilton,

Good Afternoon. As a resident of Jenks with a house neighboring the location of 106th & Elm, I write this email to state my position opposing the commercial rezoning notice of the location and case PA 23-27. This rezoning raises serious concerns related to traffic, infrastructure and public safety. Additionally, I do not agree with the destruction of the property known as "The Ranch" located at 10596 S. Peoria Avenue.

Please note my position and share with the PC Committee. Thank you.

v/r
Andreas Lucido
M: (253) 444-7102
E: andreas_lucido@yahoo.com

Current Plans for Ripken Baseball Complex

Baseball and Entertainment Complex

- 10 all turf baseball and softball fields
- Host nationwide tournaments in Spring, Summer and Fall
- \$29 million economic impact on the area
- 200,000 square feet of restaurant, retail, entertainment and hotels
- \$70 million project on 90 acres
- Developer: Oak Properties
- Location: Elm St. and 106th St.



Go to
www.ripkenbaseball.com
to see a typical Ripken
Baseball Complex,
including hotel lodging



Original Concept for 106th & Elm

Somehow this went away, and then a TIF was passed in several Jenks districts. Tax Increment Financing allows for newly generated tax dollars to support development or redevelopment in certain areas of a city.



AGENDA SPECIAL MEETING JENKS PUBLIC WORKS AUTHORITY TUESDAY, APRIL 14, 2020, 6:00 P.M.

If you require special accommodations pursuant to the Americans with Disabilities Act, please notify the City Clerk's Office at 918-299-5883 or email agendas@jenksok.org.

CALL TO ORDER

ROLL CALL

BUSINESS

1. Request to Recommend approval of a Mitigation Concept Plan for "Jenks Preserve" for a park facility to be located at S. Elm and 106th Street. [Carr] pg. 2

ADJOURNMENT

MEMBERS VIDEOCONFERENCING:

- Chair Robert Lee
- Vice Chair Donna Ogez
- Kaye Lynn
- Gary Isbell
- Cory Box
- Craig Murray
- Dawn Dyke

All Authority members may choose to appear physically if desired. The meeting will be live streamed on the City of Jenks' Facebook page here: <https://www.facebook.com/cityofjenks/>. If you have any comments pertinent to the agenda items for the public record, please send them to the City Clerk at lmacy@jenksok.org at least 1 hour before the start of the meeting. Your name and address are required to be included in the public record. Comments must be limited to 3 minutes in length. Facebook comments will not be taken as public comments.



CITY OF JENKS
211 NORTH ELM STREET • P.O. BOX 2007
JENKS, OKLAHOMA 74037-2007
PHONE (918) 299-5883 • FAX (918) 299-4489

MEMORANDUM

To: **Chris Shroud, City Manager**
From: **F. Robert Carr, Jr., P.E., Assistant City Manager**
Date: April 10, 2020
Re: **Concept Plan – Jenks Preserve**

The Hickory Creek development (east side of Elwood Avenue south of 111th Street) is being constructed by Wallace Properties. This construction has been stopped indefinitely by the U.S. Army Corps of Engineers because they thought there may have been a wetland within their jurisdiction on the property. As a result, the Corps is requiring Mike Wallace to provide offsite wetland mitigation and protection.

Staff has met with Mike and his design engineers to determine if there are any viable locations within the City of Jenks that may be used for mitigation. After review of various locations, his environmental consultant determined that the property that JPWA owns at 106th and Elm was well-suited for this purpose. A few times over the past couple of years, the idea of potentially converting this property into a city park has been discussed.

Attached is his draft proposal for mitigation that shows park and trail amenities. The mitigation indicated would blend well with a long-term concept of providing a natural park for the entire property. A legal description for the mitigation being proposed will be submitted and will be specifically designated with a deed restriction as required by the Corps of Engineers. There is a potential to use other portions of this property for similar mitigation use if needed in the future.

Mike has indicated that he will pay for the mitigation. He also desires to raise money through the Chamber Foundation to help fund the park amenities. Staff may propose funding in the upcoming budget to supplement the funds raised by the Chamber Foundation.

Staff recommends approval of a Mitigation Concept Plan for "Jenks Preserve" for a park facility to be located at S. Elm and 106th Street.

Attachments
Mitigation Concept Plan – Jenks Preserve (prepared by Tanner Consulting, LLC)

Marcae Hilton

From: Catherine Lenhart <catlenhart@mac.com>
Sent: Thursday, April 6, 2023 4:15 PM
To: Marcae Hilton
Cc: Christopher Shrout; Robert Carr; Kevin Short; Cory Box
Subject: Nature Trails Inquiry
Attachments: Jenks Public Hearing Notices Overview April 2023.pdf

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hello Marcae,

Quite awhile ago, circa April 2020, I attended the meeting in which the nature trails were on the table (see attached docs). Honestly, when the trucks started clearing the land at W. 106th St. & Peoria/Elm - I actually thought the trail work was beginning and was so happy that there would be an easy place for people to exercise, kind of like a mini Gathering Place. Anyway, where did they end up? Is the contractor still being held to his obligation? Or what has changed that he is no longer obligated?

Thank you,
Cat

Marcae Hilton

From: Catherine Lenhart <catlenhart@mac.com>
Sent: Wednesday, April 5, 2023 9:57 AM
To: Christopher Shrout
Cc: Robert Carr; Marcae Hilton; Cory Box
Subject: Urgent Request

Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Mr. Shrout,

My husband and I own the property at 777 W. 106th St S, which sits adjacent to The Ranch, located at 10596 S. Peoria Avenue. I was quite surprised to learn that The Ranch has filed for a change in land use, from agriculture to commercial. I'd like to understand what they intend to do. Since I'm only able to go on "what I've heard", meaning the additional structures and a boutique hotel, my greatest concerns are the entrance/exists, sewer services, electrical (lights), business hours, etc. I've looked at the City's Comprehensive Plan and noticed the Ripken Baseball took over the nature trails in the CMP, meaning we have lost another agricultural designation, which equals greater stress on traffic, sewer services, electrical, city services - like police and fire; and that's on top of losing agricultural designation due to the outlet mall, which magnifies all of those problems. And as you know, losing agricultural designation (some with flood plains), we are relocating numerous wild life, and bald eagle nesting to this type of density building.

I am a concerned citizen that would like to see the plans they submitted. Will you please send me what they submitted? The reality is that I am also seeking to understand the proper protocol for me and nearby property owners to file a petition, to at least delay the decision, until all parties understand the implications of the proposed rezoning. Is there a deadline for such a petition before the April 20th meeting? Please advise me on valid petition requirements so that I (and others) may be taken seriously at the upcoming meeting.

You can reach me anytime on my mobile at 918-284-0958. I look forward to a prompt response to my email and thank you for your help in this matter.

Sincerely,
Cat Lenhart

Marcae Hilton

From: Christopher Shrout
Sent: Wednesday, April 5, 2023 12:16 PM
To: Catherine Lenhart
Cc: Robert Carr; Marcae Hilton; Cory Box; Teresa Nowlin
Subject: RE: Urgent Request

Ms. Lenhart, thank you for your interest in policy decisions with the City. The Director of Planning, Marcae Hilton, has the details related to any change in the comprehensive plan/zoning code related to this property. I will let her respond to your zoning question.

Related to the petition, to my knowledge there is no formal policy that addresses citizen petitions delaying action on planning agenda items. I will confirm with the City Attorney.

Lastly, I can assure you that regardless of a petition, the Planning Commission, City Council, and City staff will take your concerns seriously.

If there is anything else I can help you with please let me know.

Christopher T. Shrout | City Manager
918.361.1028 | City of Jenks
211 North Elm Street | Jenks, OK 74037

-----Original Message-----

From: Catherine Lenhart <catlenhart@mac.com>
Sent: Wednesday, April 5, 2023 9:57 AM
To: Christopher Shrout <cshrout@jenksok.org>
Cc: Robert Carr <rcarr@jenksok.org>; Marcae Hilton <mhilton@jenksok.org>; Cory Box <cbox@jenksok.org>
Subject: Urgent Request
Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Mr. Shrout,

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I am a concerned citizen that would like to see the plans they submitted. Will you please send me what they submitted? The reality is that I am also seeking to understand the proper protocol for me and nearby property owners to file a petition, to at least delay the decision, until all parties understand the implications of the proposed rezoning. Is there a deadline for such a petition before the April 20th meeting? Please advise me on valid petition requirements so that I (and others) may be taken seriously at the upcoming meeting.

You can reach me anytime on my mobile at 918-284-0958. I look forward to a prompt response to my email and thank you for your help in this matter.

Sincerely,
Cat Lenhart

Marcae Hilton

From: Catherine Lenhart <catlenhart@mac.com>
Sent: Wednesday, April 5, 2023 2:18 PM
To: Christopher Shrout
Cc: Robert Carr; Marcae Hilton; Cory Box; Teresa Nowlin
Subject: Re: Urgent Request

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Thank you for your reply. I do have two additional questions:

1. The sign is located on W. 106th St, not on Peoria, as this is the address listed on the sign. This makes the notification not truly visible to those impacted. Will the sign be moved to a more accurate location?
2. As one of the residents adjacent to The Ranch, I have not received any written notice of the hearing. I'm concerned that other property owners have not been notified. Is there a guideline that must be followed?

I appreciate your help.
Thank you,
Cat

Sent from Cat's iPhone

> On Apr 5, 2023, at 12:15 PM, Christopher Shrout <cshrout@jenksok.org> wrote:
>
> Ms. Lenhart, thank you for your interest in policy decisions with the City. The Director of Planning, Marcae Hilton, has the details related to any change in the comprehensive plan/zoning code related to this property. I will let her respond to your zoning question.
>
> Related to the petition, to my knowledge there is no formal policy that addresses citizen petitions delaying action on planning agenda items. I will confirm with the City Attorney.
>
> Lastly, I can assure you that regardless of a petition, the Planning Commission, City Council, and City staff will take your concerns seriously.
>
> If there is anything else I can help you with please let me know.
>
>
> Christopher T. Shrout | City Manager
> 918.361.1028 | City of Jenks
> 211 North Elm Street | Jenks, OK 74037
>
>
>
> -----Original Message-----
> From: Catherine Lenhart <catlenhart@mac.com>
> Sent: Wednesday, April 5, 2023 9:57 AM
> To: Christopher Shrout <cshrout@jenksok.org>
> Cc: Robert Carr <rcarr@jenksok.org>; Marcae Hilton <mhilton@jenksok.org>; Cory Box <cbox@jenksok.org>

> Subject: Urgent Request

> Importance: High

>

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>

> Sincerely,

> Cat Lenhart

Marcae Hilton

From: Marcae Hilton
Sent: Wednesday, April 5, 2023 3:45 PM
To: Christopher Shrout; Catherine Lenhart
Cc: Robert Carr; Cory Box; Teresa Nowlin
Subject: RE: Urgent Request

Good Afternoon Catherine,

Thank you for the questions, the property/ranch west of Elm does not have a formal application with the City of Jenks. Several months ago, representatives for the property reached out to the City of Jenks to discuss potential redevelopment of the site, I can confirm a boutique hotel was discussed, along with other retail uses. The first step to (re)development is alignment with the Comprehensive Plan. Prior to advertising the proposed map amendment, I phoned Reddog Construction to ask if they wanted to be included in the Comprehensive Plan amendments, noting the owners interest in (re)development. They verbally said yes and I added the amendment to the agenda.

In regards to development in a floodplain, the City of Jenks has specific Floodplain Ordinances and works closely with other governing entities during the development process. These steps are part of the platting process, this process is highly regulated and not part of any public hearing. The Planning Department and Engineering Department work with the engineer of record to confirm the project meets the requirements.

1. The sign is located on W. 106th St, not on Peoria, as this is the address listed on the sign. This makes the notification not truly visible to those impacted. Will the sign be moved to a more accurate location? *I will check the location and see if the sign can be moved to a more convenient location.*

2. As one of the residents adjacent to The Ranch, I have not received any written notice of the hearing. I'm concerned that other property owners have not been notified. Is there a guideline that must be followed? *A Comprehensive Land Use Map amendment does not require a public notice per state statute. City Code (UDO)-I suggested and Council approved during the UDO adoption, the placement of a sign as the notification, it seemed to me a sign was the most likely way to provide information to the public; seemingly more appropriate than a newspaper notification.*

3. I am a concerned citizen that would like to see the plans they submitted. Will you please send me what they submitted? *The City of Jenks does not have an application for this parcel. The Development team had a very preliminary discussion with representatives of the ownership.*

4. The reality is that I am also seeking to understand the proper protocol for me and nearby property owners to file a petition, to at least delay the decision, until all parties understand the implications of the proposed rezoning. Is there a deadline for such a petition before the April 20th meeting? Please advise me on valid petition requirements so that I (and others) may be taken seriously at the upcoming meeting. *The proper protocol is very basic for a Comprehensive Plan Land Use Map Amendment and all Land Use zoning changes. The public hearing (PC) provides the opportunity for the public to petition by sharing their thoughts and concerns. Any emails and comments received prior to the PC hearing will be shared with the City Council at the City Council hearing and usually in the Staff Commentary.*

- The Planning Commission is a recommending body, they do not make the policy decisions.
- City Council is the policy making body for the City of Jenks, CC will hear the case and decide if this is the direction they want for the City of Jenks (Horse ranch or some type of retail).
- The Comprehensive Plan is a flexible guiding document, it is not codified by ordinance and does not carry the weight of the City Code.

Thank You,
Marcaé Hilton
Marcaé Hilton
918-556-7441

-----Original Message-----

From: Christopher Shrout <cshrout@jenksok.org>

Sent: Wednesday, April 5, 2023 12:16 PM

To: Catherine Lenhart <catlenhart@mac.com>

Cc: Robert Carr <rcarr@jenksok.org>; Marcae Hilton <mhilton@jenksok.org>; Cory Box <cbox@jenksok.org>; Teresa Nowlin <tnowlin@jenksok.org>

Subject: RE: Urgent Request

Ms. Lenhart, thank you for your interest in policy decisions with the City. The Director of Planning, Marcae Hilton, has the details related to any change in the comprehensive plan/zoning code related to this property. I will let her respond to your zoning question.

Related to the petition, to my knowledge there is no formal policy that addresses citizen petitions delaying action on planning agenda items. I will confirm with the City Attorney.

Lastly, I can assure you that regardless of a petition, the Planning Commission, City Council, and City staff will take your concerns seriously.

If there is anything else I can help you with please let me know.

Christopher T. Shrout | City Manager
918.361.1028 | City of Jenks
211 North Elm Street | Jenks, OK 74037

-----Original Message-----

From: Catherine Lenhart <catlenhart@mac.com>

Sent: Wednesday, April 5, 2023 9:57 AM

To: Christopher Shrout <cshrout@jenksok.org>

Cc: Robert Carr <rcarr@jenksok.org>; Marcae Hilton <mhilton@jenksok.org>; Cory Box <cbox@jenksok.org>

Subject: Urgent Request

Importance: High

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Dear Mr. Shrout,

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outlet mall, which magnifies all of those problems. And as you know, losing agricultural designation (some with flood plains), we are relocating numerous wild life, and bald eagle nesting to this type of density building.

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Sincerely,
Cat Lenhart

Marcae Hilton

From: Catherine Lenhart <catlenhart@mac.com>
Sent: Friday, April 7, 2023 11:14 AM
To: Christopher Shrout
Cc: Robert Carr; Marcae Hilton; Cory Box; Teresa Nowlin
Subject: Re: Urgent Request

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Did the attorney reply? I think it's possible we may have to submit something three days prior.

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> 918.361.1028 | City of Jenks

> 211 North Elm Street | Jenks, OK 74037

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> To: Christopher Shrout <cshrout@jenksok.org>

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> Cat Lenhart

Marcae Hilton

From: Marcae Hilton
Sent: Friday, April 7, 2023 1:48 PM
To: Catherine Lenhart; Christopher Shrout
Cc: Robert Carr; Cory Box; Teresa Nowlin
Subject: RE: Urgent Request
Attachments: Amendments or Changes of Regulations, Restrictions and Boundaries - Protests.pdf

Thank you for the questions, there is no petition process for a Comprehensive Plan amendment. See my previous response in number 4. Currently no rezoning application has been submitted, State Statute does provide the process for petitions regarding a rezoning case, the PDF is attached.

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Marcae Hilton
Marcae Hilton
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To: Christopher Shrout <cshrout@jenksok.org>

Cc: Robert Carr <rcarr@jenksok.org>; Marcae Hilton <mhilton@jenksok.org>; Cory Box <cbox@jenksok.org>; Teresa Nowlin <tnowlin@jenksok.org>

Subject: Re: Urgent Request

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> If there is anything else I can help you with please let me know.

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>

> Christopher T. Shrout | City Manager

> 918.361.1028 | City of Jenks

> 211 North Elm Street | Jenks, OK 74037

>

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> Sent: Wednesday, April 5, 2023 9:57 AM

> To: Christopher Shrout <cshrout@jenksok.org>

> Cc: Robert Carr <rcarr@jenksok.org>; Marcae Hilton <mhilton@jenksok.org>; Cory Box <cbox@jenksok.org>

> Subject: Urgent Request

> Importance: High

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> Cat Lenhart

Marcae Hilton

From: cookqueen@cox.net
Sent: Friday, April 14, 2023 2:09 PM
To: Marcae Hilton
Subject: Apr 20 2023 Public Hearing Land Use "Horse Farm"

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms. Hilton, the following is for inclusion in the Planning Commission packet. I will make public comment.

Remember when the horse ranch was the alpaca ranch? I wish this Norman Rockwell vision of small-town American would remain unchanged.

The horse ranch is a 25-acre parcel, located on the NW corner of 106th St and Elm St. The property is land locked. Polecat Creek abuts the entire northern edge, a pond-drainage system along the western edge, 106th Street along the southern edge, and a 4-lane bridge and arterial street separate the property from the rest of TIF C, the Ripken project, and trail system to the east.

The land use application is for a change from open space/parks to regional commercial (RC). The property meets one criterion for RC and that is its proximity to high volume traffic interchanges. Otherwise, the site **fails to meet** other Comprehensive Plan goals and objectives for **Regional Commercial** development.

1. (Pg 26) RC land use requires large format development, such as the outlet mall, and incorporates amenities such as parks, plazas, and connections to existing or proposed trails.
 2. (Pg 33) RC land use is suitable for development of large-scale lifestyle shopping centers that would act as a regional draw and the City should ensure that new development of this type integrates the environmental features existing in the area as amenities and public gathering spaces.
 3. The Ripken project, assuming agreements are executed for the JPWA lot split (28 acres), and land purchase from a private owner to the east (40 acres); the sports complex will cover some 110 acres. Tulsa Premium Outlet 51 acres.
- At 25 acres this property is too small for a large format development that will act as a regional draw.
 - The site does not and will not connect to any public or private trails or gathering spaces. Polecat future parks and trails are located east of Elm St.

The horse ranch **would meet** the Comp Plan criteria for **Local Commercial**.

1. (pg 32) Areas designated for local commercial are primarily located at intersections along Elm Street and 131st Street and are intended to provide for City serving retail and service uses and *other small scale and standalone developments*.
2. (Pg 42) This focused approach to Local Commercial development will help to maintain the open character of the City's arterial corridors south of the Turnpike.
3. (Pg 34) Specifically, land use immediately north of the property (Green Country Landscape & Quick Trip) are designated Local Commercial. Commercial properties along west side of Elm St to the north and south of the turnpike are designated Local Commercial.

- Land use change to Local Commercial for the horse farm would fulfill the Comprehensive Plan's objectives and goals for development along Elm St, maintain the open character of the City's arterial corridors south of the Turnpike, and compliment land uses immediately north of the property.

As with the Ripken project, my concerns lie more with the next phase of development; zoning, permitted uses, and requirements and conditions.

Respectfully,

Charlotte Muñiz-Montgomery
10612 S. Fir Ave Jenks, OK 74037

Marcae Hilton

From: cookqueen@cox.net
Sent: Friday, April 14, 2023 2:08 PM
To: Marcae Hilton
Subject: Apr 20 2023 Public Hearing Land Use "Ripken Sports Experience"

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms. Hilton, the following is for inclusion in the Planning Commission packet. I will make public comment.

If I walked 100 ft from my house to the top of 106th, tripped and tumbled down the hill to Elm St, I'd wind up in a Ripken baseball field.

I don't like the aesthetics of what is currently there: an open space with scraggly trees, brush, weeds, dried swamp grass, and an asphalt pile. And yes, I know something "worse" could be developed but dang, I would really prefer an intentionally designed nature park with walking trails, sensory-pollinator gardens, a dog park, play space, frisbee golf, and etc. Property owners have a right to develop their land and this is the price of growth. Ouch!

Reluctantly, the Ripken project with its sheer amount a contiguous acreage (up to 110 acres) fits within the Comprehensive Plan's land use description of Regional Commercial (Pgs 26, 28, 33). Regional Commercial land use is suitable for development of large-scale projects that would act as a regional draw.

- The site has proximity to 1) high volume traffic interchanges 2) existing and future trails and parks and 3) connectivity to the Outlet Mall, river front, and the anticipated low river dam project.
- If the project develops as proposed it will 1) create a diverse tax base and employment opportunities 2) serve the needs of the City's residents as well as a larger regional market and 3) make available to the public the sports complex's walk paths, playground, and other amenities.

My concerns lie with the next phase of development; zoning, permitted uses, and requirements and conditions.

Respectfully,

Charlotte Muñiz-Montgomery
10612 S Fir Ave Jenks, OK 74037

Marcae Hilton

From: courtney pruner <courtneypruner@yahoo.com>
Sent: Tuesday, April 11, 2023 10:53 AM
To: Marcae Hilton
Subject: Jenks 106th and Peoria/Elm

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Mrs. Hilton,

I hope this email finds you well. Thank you for all you do as our City Planner. I want to take a moment to share my concerns about the proposed construction at 106th and Peoria/Elm. I live at 108th and Elgin. I am very concerned about the amount of traffic that the proposed projects will bring to this intersection. I am also concerned about what it will do to the property value of my home. The potential for noise and light disruption to my neighborhood is also concerning.

Is there any way we could make this area residential (not apartments or hotels, but nice neighborhoods) or a nature preserve?

Thank you in advance for your consideration,
Courtney Pruner
940-923-6738

Marcae Hilton

From: George Monks <gmonks1@gmail.com>
Sent: Monday, April 10, 2023 6:40 PM
To: Marcae Hilton
Subject: Notice PA 23-27: 106th St & Elm

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms. Hilton,

I'm a long time resident of Jenks currently living in a home on 106th between Elgin and Elm. I would like to state my opposition to the commercial rezoning notice of the location and case PA 23-27. The soon to be developed area just to the east of this property with the Cal Ripken experience will already provide a heavy burden on an already unprepared city infrastructure. Like so many large developments, significant traffic and problems arise shortly thereafter that requires retroactive massive city planning to remedy. Adding this property in question which could immediately have another large development would further tax the system before we are prepared to deal with it. I am fearful already with the Cal Ripken experience development that our egress from our property will be a nightmare. I don't know how that small area around the 106/Elm street doesn't become a choke point with the current planned development.

Respectfully
George Monks
1166 W.106th St S
Jenks, Ok 74037

Marcae Hilton

From: DJ Investments <d.jean.medek@gmail.com>
Sent: Monday, April 10, 2023 11:07 AM
To: Marcae Hilton
Subject: 106th and Elm Projects

Follow Up Flag: Follow up
Flag Status: Completed

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am not happy about the enormous amount of commercial plans being brought to this area. The roads are already experiencing bumper to bumper traffic on Elm. The main entrance to these sites needs to be from a location other than Elm St. This is going to be a nightmare. Also, Elm street and the bridge need to be widened to accommodate for all the additional traffic Before these businesses are open to the public.

Marcae Hilton

From: Jennifer Wiseman <jdwiseman@cox.net>
Sent: Monday, April 10, 2023 9:02 AM
To: Marcae Hilton
Cc: Wiseman, David (NGL Marketing)
Subject: Land Use Plan 106th/Elm

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Ms. Hilton,

We are current residents at the Brook at Stone Bluff and have been apprised of the Jenks Planning Commission's plans to recommend changing the land use in this area to Regional Commercial. Please note that we are vehemently opposed to the plans for the Ripken Baseball complex as well as the agriculture business on this corner being used for Regional Commercial use. More studies are needed as this project appears to be enormous!! This area is congested already.... we cannot imagine what this will do for the infrastructure. The residents had NO REASON to believe this would ever be considered as the 4/10/20 Concept Plan for Jenks Preserve suggested nature trails and a potential park! Further, the ranch is also in a floodplain marked by Parks and Open Spaces. This does not align with the City's Comprehensive Master Plan either.

A few of our neighbors are putting their homes up for sale as a result of this news. Jenks is such a beautiful and quaint area. Such rapid growth (including the outlet mall as well) will not "develop a distinct, recognizable image for Jenks that reflects the community's heritage, maintains it's small town appeal, reinforced local pride, and distinguishes it from other communities in the region" per the Jenks Comprehensive Plan.

Please let our position known to the PC Committee. We will attend the April 20 meeting as well.

Thank you for your time and consideration.

David & Jennifer Wiseman
Brook at Stone Bluff

Marcae Hilton

From: James Chin <jchinsr@aol.com>
Sent: Monday, April 10, 2023 1:22 PM
To: Marcae Hilton
Cc: Cory Box; Kaye Lynn; Christopher Shrout; Gary Isbell; Donna Ogez; cmurray@jenks.ok.orgddyke; Rodney Cline; kshort@jenks.ok.org
Subject: Development 106 st/ elm

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Marcae, the addition of baseball fields and a hotel would add a tremendous traffic gridlock to our area when considering the completion of the Simon Outlets. Compound that with the commercialization of the ranch into a corporate center and another hotel and the plans would concentrate overwhelming activity in the area. Despite the eventual widening of Elm, local residents would face gridlock and emergency services would be seriously impeded. Additionally the magnitude of the combined plans would be inconsistent with the intent of the long term plan. While I recognize the attractiveness of additional tax revenue it should not be at the expense of destroying a neighborhood. I urge you, the city manager, the planning commission and the city counselors consider the impact of the current proposals and the quality of life in Jenks America. Growth is an important and necessary goal but not at the expense dangerous overdevelopment with the myriad inherent problems.

Jim Chin,
10524 S Koa St
Jenks, Ok.
9182095686

Marcae Hilton

From: Joe Faust <faustjs@gmail.com>
Sent: Tuesday, March 28, 2023 11:19 AM
To: Marcae Hilton
Cc: Brandon Macy
Subject: Re: 106th and Elm

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Thank you for the update.

On Tue, Mar 28, 2023 at 8:59 AM Marcae Hilton <mhilton@jenksok.org> wrote:

Good Morning Mr. Faust,

At this time the 106th street widening plans are only related to the east side of Elm. The City has been contacted by representatives of the horse farm ownership, but no plans have been submitted regarding what a development might look like. They did ask for a Comprehensive Plan amendment.

Thank You,

Marcae Hilton

Marcae Hilton

918-556-7441

From: Joe Faust <faustjs@gmail.com>
Sent: Monday, March 27, 2023 20:05
To: Brandon Macy
Subject: 106th and Elm

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Brandon,

I see they are constructing ball fields on the east side of Elm at 106th Street south of the Creek Turnpike. Is the horse farm on the NWC of that same intersection also being developed?

Any plans to widen 106th on the west side of Elm?

Thanks,

Joe Faust

10612 S Gum St, Jenks, OK 74037

Marcae Hilton

From: John Rachal <Chosen1forlife@hotmail.com>
Sent: Sunday, April 16, 2023 11:52 AM
To: Marcae Hilton
Subject: Jenks Development, specifically Elm Street between Polecat Creek and 106th

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

I am writing to you to declare support for all the upcoming development in Jenks, specifically the Cal Ripken Baseball experience and other development on Elm Street between Polecat Creek and 106th Street. I know there are many loud voices trying to organize widespread protests of this development and wanting everything to remain undeveloped "green" areas while communities all around us continue to grow and develop and bring tourists and shoppers and diners to their cities. I feel some people in Jenks are perfectly fine to drive to Tulsa Hills, Glenpool Walmart commercial area, Riverside, and beyond to do all their dining and shopping and entertainment, while Jenks just puts in more houses and nothing else.

I encourage you to stay strong, hold the line, and do the hard work to make these development dreams a reality. There are thousands of silent voices in Jenks that are excited and supporting of these developments. Don't listen to the loud, fringe minority who want to give you stories of how their children will be sad and miss seeing the overgrown grass, the swampy area, the gravel lot, etc as they drive past 106th each day.

Let's put Jenks on the map and make us a world-class destination!

I say this as resident since 2005. We are a family of 5 and hope to keep our family in Jenks for decades to come.

Sincerely,

Melody & John Rachal

Marcae Hilton

From: Julie Thornton <julie.thornton@tacticalelectronics.com>
Sent: Wednesday, April 12, 2023 5:36 PM
To: Marcae Hilton
Subject: Duties

Follow Up Flag: Follow up
Flag Status: Flagged

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As I considered the upcoming changes to the 106th and Elm area, I came upon the Planning Commission's "Duties" on the Jenks website. I wanted to make sure that my expectations were fair. Listed below is what I found along with a few thoughts in how I believe these are affecting me and my neighbors.

DUTIES

The Jenks Planning Commission with support of the City of Jenks Planning Staff administers the City's development regulations for the following purposes:

1. Promoting the health, safety, peace, morals, comfort, convenience, prosperity, order, and general welfare,

The upcoming changes will most certainly negatively affect the peace, comfort, convenience and prosperity my family enjoys in our own home as our house backs up to the corner of 106th and Peoria/Elm. The amount of noise, the stadium lights, the drastic increase in traffic and the negative affect all of these will have upon our property values is no small issue.

2. Reducing danger and congestion of public transportation,

As mentioned above, the amount of traffic from just one of these developments will have a huge impact, let alone 3 or 4 developments! The roads are not equipped to handle this increase.

3. Providing adequate light and air, public utilities, facilities and service, and other public requirements,

These will provide MORE than adequate light to the point of being a nuisance to the home that have the misfortune of being line of sight. In addition, like the roads, our community is ill equipped to handle the additional visitor numbers that will surely come.

4. Promoting productive and enjoyable harmony between man and his environment; to achieve a balance between population and resource use which will permit high standards of living and a wide sharing of amenities,

I don't consider outlet malls and hotels much of an "environment" for those of us who are local to the community. My standard of living will certainly decrease and there will be no sharing of amenities. Good luck going to dinner anywhere in Jenks when we are hosting several baseball teams. I realize one might argue that is the purpose for the hotel and entertainment establishments and I believe that may help but it certainly isn't going to take the entire burden.

5. Preventing overcrowding of land and undue encroachment thereon,

This one seems rather obvious. As a Jenks resident, it feels as though we are being seen as "collateral damage" and our voices are being drowned out by the promises of revenue. I am not against growth and improvement, but it should not be at the expense of the Jenks citizens who have contributed to this community for many years.

6. Promoting efforts which will prevent or eliminate damage to the environment and biosphere,

Anyone who lives around here knows the animals that inhabit the area these developments are being built upon.

7. Stimulating and assuring for all citizens safe, healthful, productive, and aesthetically and culturally pleasing surroundings,

ALL citizens, include those in this area. I believe you would have difficulty finding many residents in the surround areas that would have support the Cal Ripkin Experience and certainly don't support the additional re-zoning.

8. Encouraging the residential, commercial, and industrial growth of the community as well as the most appropriate use of land, and

I think this depends on what you consider important. If you were to go by the previous information I have seen about the parks and wetland concerns, there would be no reason to think any of this would even be an option. I feel that if the Planning Commission follows their own list of duties, the only way this could move forward is if they were to admit they have no concern for the residents and their properties in this area. This issue can't only be about revenue.

9. Encouraging the development of the community in accordance with the Jenks Comprehensive Plan, and as amended.

When I review the current Adopted Plan, the area in questions shows Agricultural/Parks and Open Spaces (I don't think an outlet mall/hotels/baseball complex qualifies??) and vacant.

Within that Plan there are specific notes about minimizing the impact to residents, such as: LOW INTENSITY SINGLE-FAMILY Areas designated as low intensity single family are neighborhoods that are comprised of large lots with estate style homes at an average density of two homes per acre. The City should work to preserve and protect these areas and ensure that they are not negatively impacted by nonresidential development. No areas outside of those currently developed as low intensity single-family are identified on the Land Use Plan.

What is being done to minimize the impact of these plans for our area residents?

It seems these "Duties" aren't being considered and adhered to in this situation. There has been an air of secrecy around these developments to the point it feels like it was being kept as quiet as possible until it was too late to stop it. The city won't place the sign announcing the proposition in a conspicuous place, nothing has been mentioned on social media and the entire situation seems a bit shady. The effect this will have on our family can not be overstated.

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Marcae Hilton

From: Justin Little <jlittle7448@gmail.com>
Sent: Tuesday, April 11, 2023 3:26 PM
To: Marcae Hilton
Subject: 106th and Elm
Attachments: Opposition to proposed 106th and Elm development Jenks.docx

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Marcae,

Please find the attached letter for distribution to the Planning Committee in opposition of the proposed developments of 106th and Elm.

Sincerely,

Justin Little

Marcae Hilton
Director of Planning
City of Jenks
211 N. Elm
Jenks, OK 74037
mhilton@jenksok.com

Dear Marcae Hilton:

I am a current Jenks resident living at the address below. I want to convey my opposition to the proposed developments on the East and West sides of Elm and 106th street. This area of Jenks is residential and cannot, with the **current infrastructure**, absorb the amount of **traffic** that these developments will attract. The amount of traffic on Elm south of the turnpike has greatly increased over the last few years and these developments will make it unsustainable. Currently when something occurs on Elm, as it often does (an accident, road work, etc), cars will turn onto 106th and take it to Elgin to avoid the traffic. This has led to huge increase in traffic on 106th which has caused safety issues for anyone walking. The increased traffic that will be generated by these developments will only add stress to an infrastructure that is already ill equipped to handle current needs.

On the City of Jenks website, there is a document named "Comprehensive Plan", page 24 of that document states the following:

"TRANSPORTATION AND MOBILITY GOAL 1 Provide an efficient network of roads and streets to safely move traffic within, and through, the community."

"COMMUNITY CHARACTER GOAL Develop a distinct, recognizable image for Jenks that reflects the community's heritage, maintains its small town appeal, reinforces local pride, and distinguishes it from other communities in the region."

As noted above, "Transportation and Mobility Goal 1" is currently in jeopardy of not being met on 106th street. Regarding the "Community Character Goal", I don't understand how allowing commercial developments on this scale in a residential area will allow Jenks to "maintain its small town appeal". According to page 62 of this plan, the map clearly designates this area for open space. Neither one of these developments will meet this designation with the plans for hotels, restaurants, shopping, etc. etc.

I look forward to addressing my concerns at the meeting scheduled for 4/20/2023 and would appreciate this letter of opposition distributed to Planning Committee members.

Sincerely,

Justin Little
10531 S. Koa Street

Marcae Hilton

From: KATIE LUCIDO <skatierogers@yahoo.com>
Sent: Monday, April 10, 2023 7:58 PM
To: Marcae Hilton
Subject: Notice PA 23-27: 106th St & Elm

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Ms. Hilton

Good evening. As a resident of Jenks with a house neighboring the location of 106th & Elm, I write this email to state my position opposing the commercial rezoning notice of the location and case PA 23-27. This rezoning raises serious concerns related to traffic, infrastructure and public safety. Additionally, I do not agree with the destruction of the property known as "The Ranch" located at 10596 S. Peoria Avenue.

Please note my position and share with the PC Committee. Thank you.

Sara Lucido