

AGENDA
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, JANUARY 09, 2020
COUNCIL CHAMBERS, JENKS CITY HALL
211 NORTH ELM STREET, JENKS, OKLAHOMA 74037

I. CALL TO ORDER

II. ROLL CALL

III. REQUEST TO APPROVE MINUTES OF DECEMBER 19, 2019

Documents:

[2019.12.19 PC MINUTES.PDF](#)

IV. BUSINESS

1. ARC 19-482: Request by Amy Smith for an outdoor sign. General Location: 116 E Main St, Ste B

Documents:

[PC STAFF REPORT ARC 19-482.PDF](#)
[ARC 19-482 - SIGN.JPG](#)

2. ARC 19-483: Request by Jason McGill for a lighted building sign. General Location: 807 E A St, Suite 109

Documents:

[PC STAFF REPORT ARC 19-483.PDF](#)
[ARC 19-483 SIGN.PDF](#)

3. ROW-UEC 19-70: Request by Josh Nave for a Utility Easement Closure. General Location: 10709 S Nandina Ct

Documents:

[STAFF REPORT W BACKUP.PDF](#)
[EASEMENT CLOSURE EXHIBIT NOV072019.PDF](#)

4. JZ 19-648: Request by Theresa Dewhurst for a zone change from RS-3 (Residential Single-Family High Density District) to CS (Commercial Shopping Center District). General Location: 122 N 6th St

Documents:

[PC STAFF REPORT JZ 19-648.PDF](#)
[JZ 19-648 CASE MAP.PDF](#)

5. JZ 19-649 PUD 97A: a request by Bell Land Use LLC, to amend Development Area B of PUD 97 to include in it the land area of Reserve B of Jenks Landing subdivision, making the combined total area of Development Area B approximately 13.2 acres to allow more

dwelling units in the previously approved multi-family portion of the PUD. General Location: SE Corner S James Ave & W 114th St

Documents:

[PC STAFF REPORT JZ 19-649 PUD 97A.PDF](#)
[CASE MAP.PDF](#)
[SUGGESTED TREE LIST.PDF](#)
[QUIT CLAIM DEED.PDF](#)
[MEMO - JENKS LANDING II ACCESS CHARGE MEMO.PDF](#)

6. Preliminary/Conditional Final Plat - Jenks Landing II: Request by Bell Land Use for approval of a preliminary/conditional final plat to accompany JZ 19-649 PUD 97A. General Location: SE Corner S James Ave & W 114th St

Documents:

[PC STAFF REPORT JENKS LANDING II PLAT.PDF](#)
[JENKS LANDING II PLAT.PDF](#)
[DEED OF DEDICATION.PDF](#)

V. ADJOURNMENT

MINUTES
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, DECEMBER 19, 2019
COUNCIL CHAMBERS, JENKS CITY HALL, 211 NORTH ELM STREET
JENKS, OKLAHOMA

The Jenks Planning Commission was called to order at 6:00 p.m. on December 19, 2019, at Jenks City Hall by Scott West. A roll call vote of members was taken as follows:

Present

Travis Fulkerson
John Brown
Scott West
Leon Davis
Craig Bowman
David Randolph

Absent

Chair Carol Minden

Request to approve minutes of December 05, 2019. John Brown made a motion to approve the minutes. Craig Bowman seconded the motion. A roll call vote of members was taken as follows:

YEA: Fulkerson, Brown, Bowman, Randolph, West

NAY: None

ABSTAIN: Davis

Motion carried.

Business

1. **ARC 19-481: Request by Anthony Malik for approval of a site plan, and the appearance of architecture, materials, and colors for the Tulsa Premium Outlets. General Location: 801 E 103rd St S**

Jim Beach presented the information regarding this request. The in-house architect for Simon Property Group answered questions about the lighting. Craig Bowman made a motion to approve Item 1. Travis Fulkerson seconded the motion. A roll call vote of members was taken as follows:

YEA: Fulkerson, Brown, Davis, Bowman, Randolph, West

NAY: None

Motion carried.

Adjournment. Travis Fulkerson made a motion to adjourn. John Brown seconded the motion. A roll call vote of members was taken as follows:

YEA: Fulkerson, Brown, Davis, Bowman, Randolph, West
NAY: None

Motion carried. The Jenks Planning Commission adjourned at 6:14 p.m.



Staff Report

To: Planning Commissioners

From: Jim Beach, City Planner

Hearing Date: January 9, 2020

Subject: **ARC 19-482**

Exhibits:

1. Sign photograph

Applicant:	Amy Smith
Action Requested:	Approval of a wall sign in the Special Theme District.
Location:	116 East Main Street, Suite B (Ward 1)
Applicable Regulations:	Jenks Zoning Code, Chapter 16, Appearance Review Districts, Section 1660.1 Special Theme District Guidelines
Current Zoning:	CH
Lot Size:	3,500 SF
Surrounding Zoning and Land Uses:	Surrounded by CH zoning with commercial uses on Main Street

CRITERIA and CONSIDERATIONS FOR ACTION

1660.1. Special Theme District Guidelines

A. Appearance/Design.

Conformance to the Historic Turn-of-the-Century Architectural Design Theme, especially Victorian or Western styles, shall be required. The site plan submitted shall conform to a flexible turn-of-the-century design theme of plus or minus 14 years surrounding the year of 1900 time period. Evaluation of the conformance to the architectural theme will be contingent upon the facade color scheme, and material selection for remodeling as well as landscape and decorative treatments proposed. An artist's rendition which is located in City Hall and which shows a streetscape of the theme, shall be conformed with as closely as possible.

C. Signage.

1. All signs, as defined in the Jenks Zoning Code, should be designed to be compatible with and complementary to the adjacent neighborhood. All signs should be designed and erected in compliance with the Jenks City Code, Zoning Code and Sign Code without the necessity of variances. Variances of height, size, setback, and other Code requirements should not be supported within the Theme District.
2. Back lighting of signs within the Theme District shall be discouraged.
3. Ground signs or pole signs should not generally exceed 26 feet in height. A projecting sign shall not extend more than one foot above the mean roof level of the structure to which it is affixed.
4. Outdoor advertising signs and billboards shall not be allowed in the Theme District.
5. Signs that emit either a flashing light or project either spot light or concentrated beam or beacon of light in any manner are prohibited by the City of Jenks except as outlined in Section 1021.4.

6. Portable signs may be allowed in accordance with Jenks City Code provisions for one-time 30-day permit, or 14-day permit with 14-day interval between the use of portable signs, up to maximum number of five times or ten weeks per year.

7. A-Frame signs are allowed in compliance with Use Unit 21 of the Jenks Zoning Code and the Theme District Guidelines.

BACKGROUND

The proposed sign will be placed on the sign band above the front awning on the existing tenant space adjacent and to the east of “Sugar Booger.”

STAFF EVALUATION

Staff and the Appearance Review Committee find the sign to conform with the Special Theme District Guidelines

RECOMMENDATION

The ARC and Staff recommend approval.





Staff Report

To: Planning Commissioners

From: Jim Beach, City Planner

Hearing Date: January 9, 2020

Subject: **ARC 19-483**

Exhibits:

1. Sign exhibit

Applicant:	Jason McGill
Action Requested:	Approval of a wall sign in the Riverfront District.
Location:	807 E A Street, Suite 109 (Ward 1)
Applicable Regulations:	Jenks Zoning Code, Chapter 16, Appearance Review Districts, Section 1660.2 Riverfront District Guidelines
Current Zoning:	CH
Lot Size:	1.96 acres
Surrounding Zoning and Land Uses:	Surrounded by CH and CG zoning with commercial uses

CRITERIA and CONSIDERATIONS FOR ACTION

1660.2. Riverfront District Guidelines

A. Appearance/Design.

1. Building Design and Site Plan details should be so designed to provide building exterior walls and structural facades of a style reflecting a Riverfront/Boardwalk, or a Victorian, or a Turn-of-the-Century theme in order to minimize the impact of proposed new buildings and uses on adjacent and nearby properties. Exterior walls of buildings visible from the fronting street(s) must provide an aesthetic pleasing appearance utilizing approved Riverfront District design features, landscaping, color schemes, and other architectural treatments to eliminate monotone or monolithic exterior walls or structural facades in order to be compatible and complementary to adjacent and nearby properties within the Riverfront District.

2. In addition to complementary exterior wall design and building materials, the use of building setbacks, screening fences, landscaping, signage, lighting, and other site-specific amenities should be used to increase compatibility of the building and any outdoor storage areas and outbuildings with adjacent and nearby properties. It is recognized that each individual building site has its own existing specific environmental character. The design of new structures or alteration of existing structures should be responsible to the character of its environment and the adjacent neighborhood.

D. Signage.

1. All signs, as defined in the Jenks City Code, should be designed to compatible with and complementary to the adjacent neighborhood. All signs should be designed and erected in compliance with the Jenks City Code, Zoning Code and Sign Code without the necessity of variances. Variances of height, size, setback, and other Code requirements should not be supported within the Riverfront District.

2. Ground signs or pole signs should not generally exceed 35 feet in height. A projecting sign shall not extend more than one foot above the mean roof level of the structure to which it is affixed.
3. Outdoor advertising signs and billboards should not be allowed in the Riverfront District.
4. Signs that emit either a flashing light or project either spot light or concentrated beam or beacon of light in any manner are prohibited by the Jenks City Code.
5. Portable signs may be allowed in accordance with Jenks City Code provisions for one-time 30-day permit, or 14-day permit with 14-day interval between the use of portable signs, up to maximum number of five times or ten weeks per year.

BACKGROUND

The proposed sign will be placed on the sign band above the existing tenant space entrance. The location is consistent with the other wall signs in the shopping center.

STAFF EVALUATION

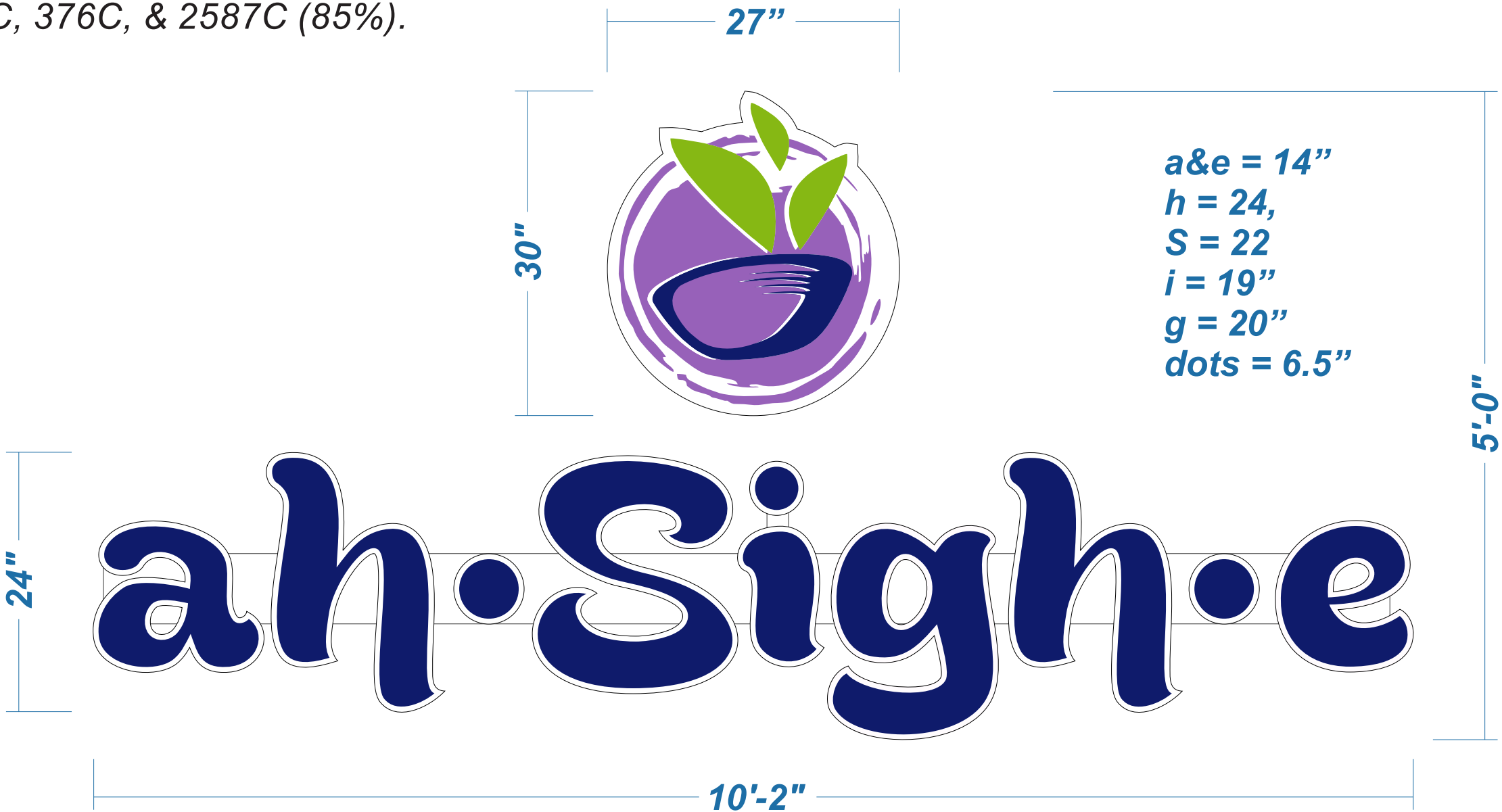
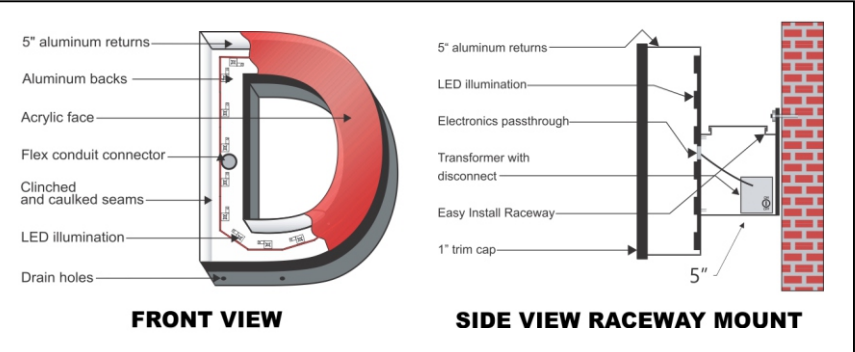
Staff and the Appearance Review Committee find the sign to conform with the Riverfront District Guidelines

RECOMMENDATION

The ARC and Staff recommend approval.

CHANNEL LETTERS

* Digitally printed vinyl graphics to match Pantones 2756C, 376C, & 2587C (85%).
* White plastic faces, black trim cap & returns.



Proposed



Existing

1":1'

SCALE

Ahsighe

CLIENT

Channel Letters

PROJECT

807 E A St Suite 109

ADDRESS

Jenks, OK

CITY, STATE, ZIP CODE

4-26-2019

DATE

042619-01

DESIGN NUMBER

Vanessa Davis

DRAWN BY

APPROVED

DATE

1

2

3

4

5

6

This is an original unpublished drawing created by Crown Neon.. It is submitted for your personal use in conjunction with a project being planned for you. It is not to be shown to anyone outside your organization nor is it to be used, reproduced, copied or exhibited in any fashion without the express written consent of Crown Neon.



THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.



www.crownneonsigns.com
5676 S. 107th E. Ave
Tulsa, OK 74146
918.872.8425 Sales

Approved by: _____ Date: _____

(print)

(signature)



Staff Report

To: Planning Commissioners
From: Jim Beach, City Planner
Hearing Date: January 9, 2020
Subject: UEC 19-70
Location: 10709 S Nandina Court (Ward 6)

Attachments:

1. Location Map
2. Easement Closure Exhibit "A"
3. Site Plan

Applicant:	Josh Nave for Jerry Dawkins
Action Requested:	Close a 7-foot wide portion of a utility easement to allow a pool and retaining wall
Current Zoning:	RS-1
Lot Size:	Approximately ½ acre
Surrounding Zoning and Land Uses:	Single-family residences in RS-1 and PUD's

CRITERIA and CONSIDERATIONS FOR ACTION

The City may find that an easement or a portion of an easement is no longer needed when there are no existing or planned utilities occupying it and may close it by approving an ordinance. The sole criteria are whether or not there is a current or possible future public need to keep the easement open.

Closing an easement by ordinance leaves an option for the City to reopen the easement if it ever finds it necessary. To permanently vacate the easement requires an action by the District Court. The applicant is responsible to file the vacation case in District Court, usually through their attorney. If the judge does not grant the vacation after the City closes it, the closure ordinance stands, and the City retains the right to reopen.

BACKGROUND

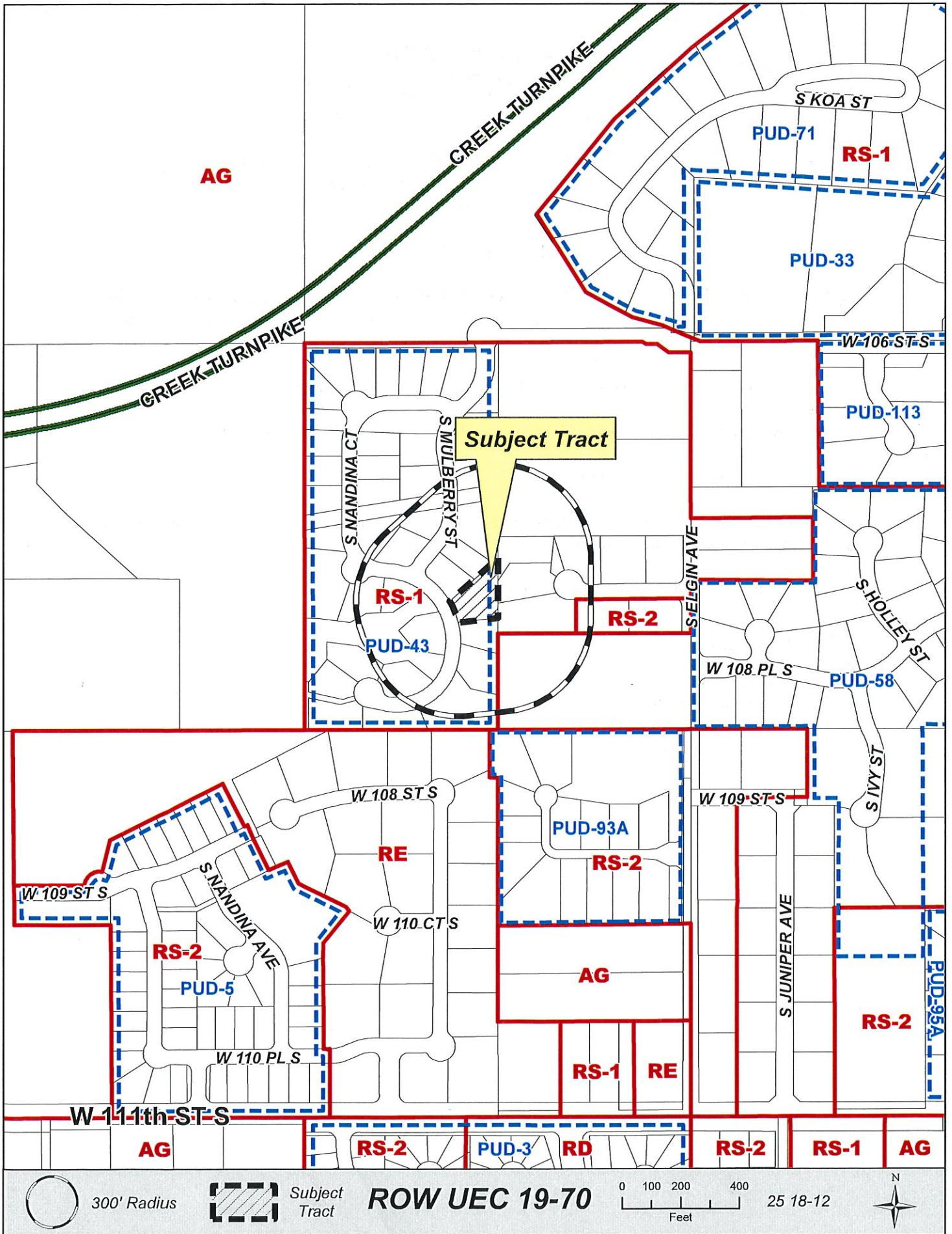
Because the property has considerable slopes, a retaining wall is needed to create a level area for a pool. The only practical location for the pool is on the east side of the house where there is a 20-foot building line and a 17.5-foot utility easement. The request is to close the westerly seven feet of the easement, closest to the house to accommodate the encroachments.

STAFF EVALUATION

Engineering staff and the Technical Advisory Committee members have reviewed the application and find no utilities now or anticipated that would be in the way. None have concerns with closing this portion of the easement.

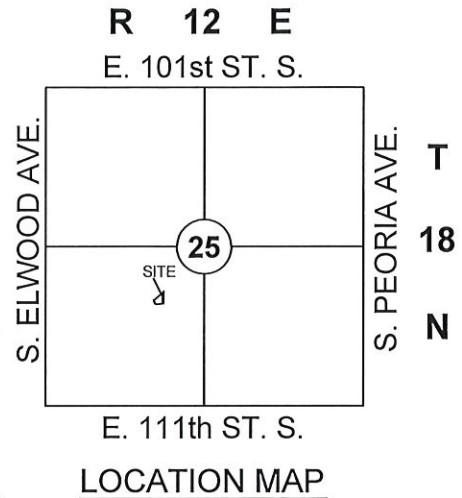
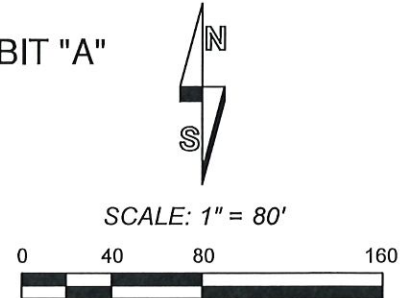
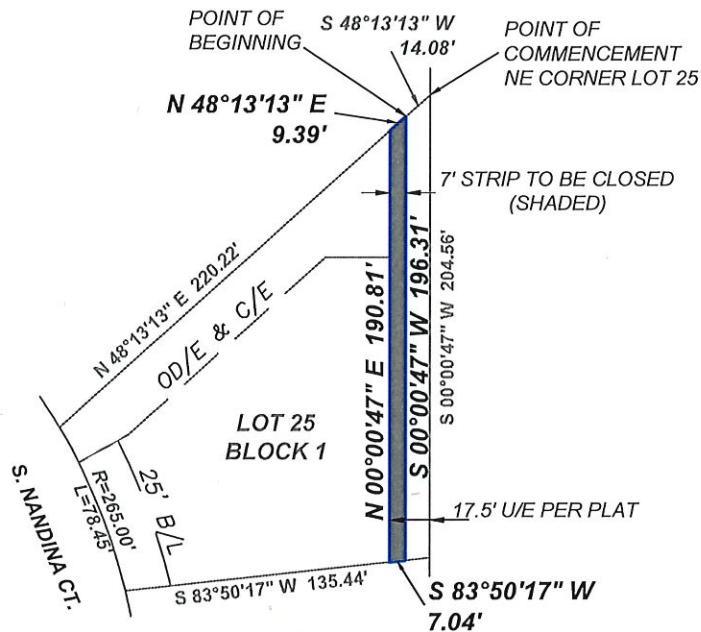
RECOMMENDATION

Staff recommends approval subject to the applicant obtaining a Judicial Vacation of the easement.



PLAT OF SURVEY EASEMENT CLOSURE EXHIBIT "A"

PAGE 1 of 1



LEGAL DESCRIPTION - 7' WIDE EASEMENT STRIP TO BE CLOSED

A TRACT OF LAND 7.00 FEET IN WIDTH LOCATED ACROSS LOT TWENTY-FIVE (25), BLOCK ONE (1), HIDDEN OAKS ESTATES, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 5950, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 25, BLOCK 1;
THENCE SOUTH 48°13'13" WEST ALONG THE NORTH LINE THEREOF A DISTANCE OF 14.08 FEET TO THE POINT OF BEGINNING;
THENCE SOUTH 00°00'47" WEST AND PARALLEL WITH THE EAST LINE OF SAID LOT 25 FOR 196.31 FEET TO A POINT ON THE SOUTH LINE THEREOF;
THENCE SOUTH 83°50'17" WEST ALONG SAID SOUTH LINE 7.04 FEET;
THENCE NORTH 00°00'47" EAST 190.81 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 25;
THENCE NORTH 48°13'13" EAST A DISTANCE OF 9.39 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS AN AREA OF 1,354.9 SQ. FT. OR 0.03 ACRES.

BEARINGS ARE BASED UPON THE RECORDED PLAT USING THE EAST LINE OF LOT 25 AS SOUTH 00°00'47" WEST.

SURVEYOR'S CERTIFICATION

FRITZ LAND SURVEYING, LLC AND THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION CA #5848, DO HEREBY STATE THAT THIS PLAT OF SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF THE RECORD CONDITIONS AT THE TIME OF THE SURVEY. THIS SURVEY IS INTENDED TO ILLUSTRATE THE PROPOSED 7' EASEMENT CLOSURE AND FEATURES OF THE PROPERTY HAVE BEEN OMITTED FOR CLARITY. THIS PLAT MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

WITNESS MY HAND AND SEAL THIS 7th DAY OF NOVEMBER, 2019.

PREPARED BY:

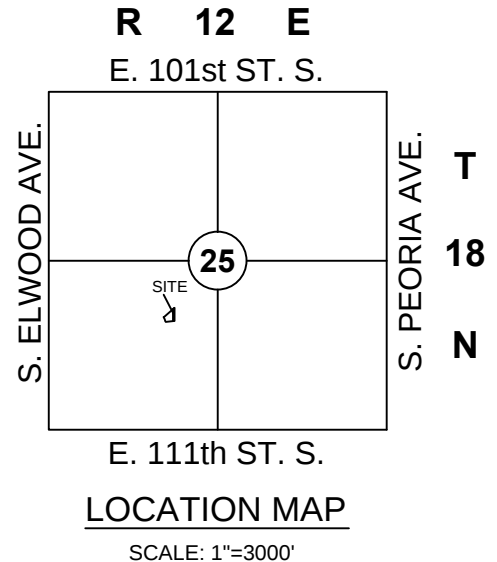
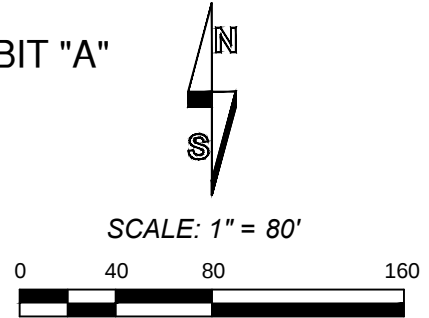
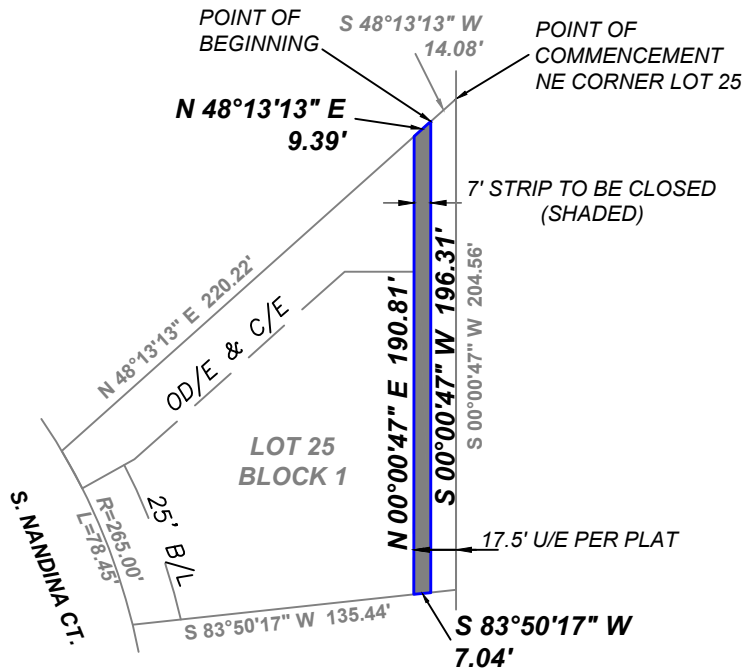
FRITZ LAND SURVEYING, LLC
2019 W. 91ST STREET, TULSA, OK 74132
PH: 918.231.0575
FRITZLANDSURVEYING@GMAIL.COM
C.A. # 5848 EXPIRES: 6-30-2020

ANDY FRITZ, PLS
OK LIC. 1694
CA #5848 EXP. 06.30.2020



PLAT OF SURVEY
EASEMENT CLOSURE EXHIBIT "A"

PAGE 1 of 1



LEGAL DESCRIPTION - 7' WIDE EASEMENT STRIP TO BE CLOSED

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WITNESS MY HAND AND SEAL THIS 7th DAY OF NOVEMBER, 2019.

PREPARED BY:

FRITZ LAND SURVEYING, LLC
2019 W. 91ST STREET, TULSA, OK 74132
PH: 918.231.0575
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C.A. # 5848 EXPIRES: 6-30-2020

ANDY FRITZ, PLS
OK LIC. 1694
CA #5848 EXP. 06.30.2020





Staff Report

To: Planning Commissioners
From: Jim Beach, City Planner
Hearing Date: January 9, 2020
Subject: **JZ 19-648**
Location: 122 North 6th Street (Ward 1)
Exhibits:
1. Location Map with Existing Zoning

Applicant:	Theresa Dewhurst
Action Requested:	Rezone from RS-3 – Residential Single-Family High Density to CS – Commercial Shopping Center
Current Zoning:	RS-3 – Residential Single-Family High Density
Lot Size:	Approximately 0.44 acres, 19,000 square feet
Surrounding Zoning and Land Uses:	Surrounded by commercial and office zoning with transitioning land uses
Comprehensive Plan:	High Intensity Area, no specific land uses reserved

BACKGROUND

The property is in an area of older residences transitioning to commercial and office uses, consistent with the expectations of the Comprehensive Plan. The applicant states they are seeking to rezone the property and sell it for office, medical, retail, food service, etc. development.

STAFF EVALUATION

The Comprehensive Plan designates the strip along Main Street to A Street, “High Intensity” from Elm to the Riverfront Entertainment District. CS Zoning is in accordance with the Plan and would be compatible with much of the surrounding zoning. The other uses permitted in CS would be compatible with the area. The Comprehensive Plan includes CS with all its permitted uses as a zoning category that carries out the goals of the Plan. This area is expected to continue transitioning to more intense commercial and office uses in time.

The CS District allows a broad variety of uses by right including retail, restaurant, trades and services, automotive services, and offices. A full list is at the end of this report. Multi-family uses are allowed with a PUD. Approval of a zoning change includes all the uses allowed by ordinance in the new zoning category. Approval may not be conditioned to exclude any allowed uses.

Any rezoning request that is consistent with the Comprehensive Plan and the zoning and land uses in the surrounding area should be approved. Any denial should be accompanied by clear findings that the Comprehensive Plan and Zoning ordinances are inappropriate or in error. If such a finding is made, prompt action should be taken to correct the error or inappropriateness.

Rezoning triggers the “Platting Requirement” of Section 260 of the Zoning Code. In this case, the property is already platted, has utilities to serve new development or adequate easements or right-of-way to bring

necessary utilities, and has full right-of-way on both A and 6th Streets. A new plat would not accomplish the purposes of platting and the plat should be waived.

RECOMMENDATION

Staff recommends approval of the zoning change from RS-3 to CS, and a waiver of the platting requirement.

CRITERIA and CONSIDERATIONS FOR ACTION

The only question for consideration is whether CS zoning with all its permitted uses would be appropriate on this parcel.

Comprehensive Plan: The plan designates this property *High Intensity, not reserved for any specific land uses*. The requested CS zoning is in accordance with the Comprehensive Plan.

Zoning Code: Section 600.2. Purposes of the CS Commercial Shopping District.

The CS District is designed to accommodate convenience, neighborhood, sub-community, community, and regional shopping, providing a wide range of retail and personal service uses.

Chapter 10 Use Units, Section 1000.1. General.

The use unit is a grouping of individual uses having similarities in characteristics of function and/or performance which enable systematic consideration of location and other regulation.

The uses permitted in any zoning district are listed in the Zoning Code by the Use Unit in which they are categorized. Individual uses within each Use Unit are too numerous to list. They are provided in the Zoning Code in Chapter 10. The Use Units allowed in CS zoning are:

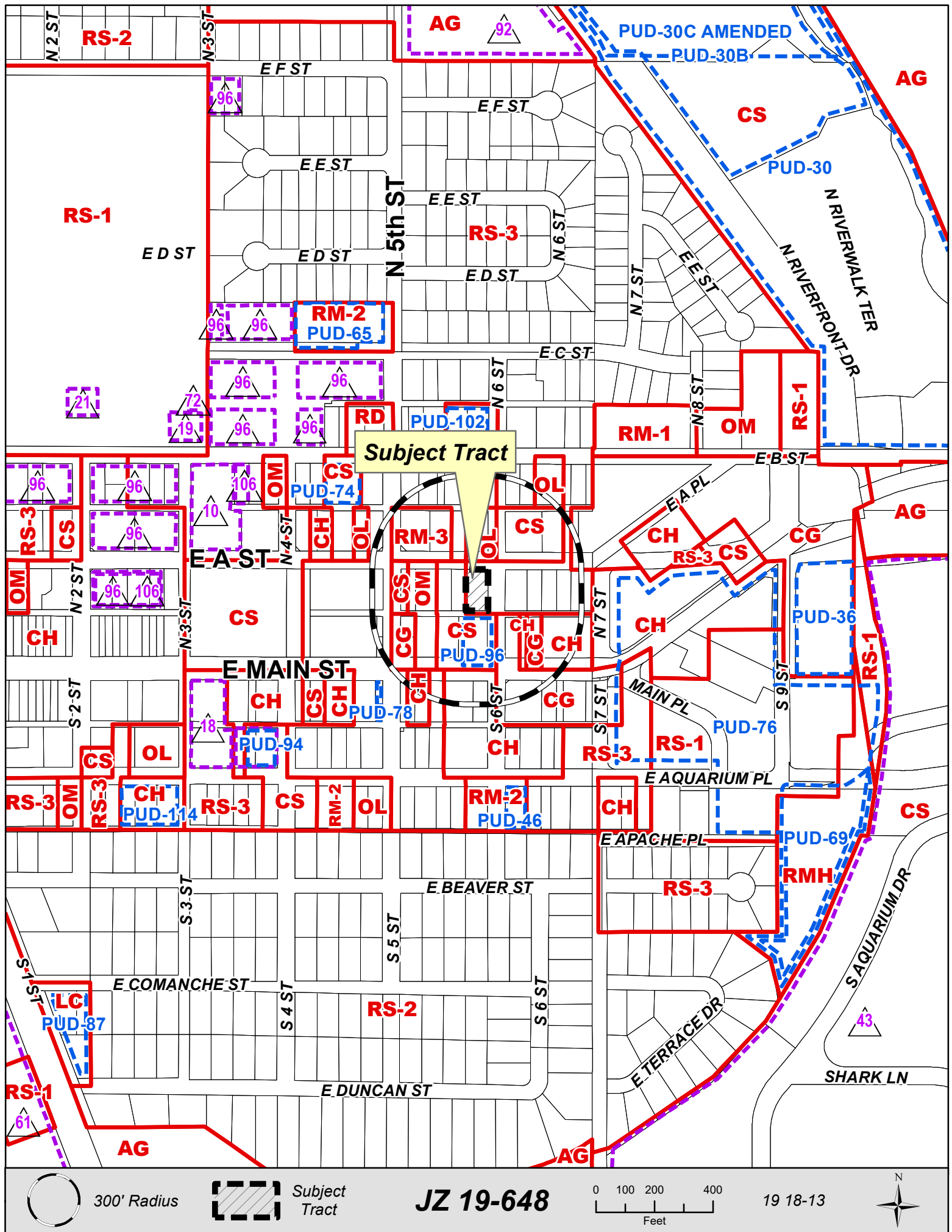
- Use Unit 1. Area-wide uses by right*
- Use Unit 2. Specific use permit uses*
- Use Unit 4. Public protection and utility and open-air facilities (temporary)*
- Use Unit 5. Community services and cultural facilities*
- Use Unit 8. Multifamily dwelling and similar uses*
- Use Unit 10. Off-street parking areas*
- Use Unit 11. Offices and studios*
- Use Unit 12. Eating places other than drive-ins*
- Use Unit 13. Convenience goods and services*
- Use Unit 14. Shopping goods and services*
- Use Unit 15. Other trades and services*
- Use Unit 17. Automotive allied activities*
- Use Unit 19. Hotel, motel, and recreation facilities*
- Use Unit 21. Business signs, outdoor advertising, and billboards*

Section 260. Platting requirement.

For the purposes of providing a proper arrangement of streets and assuring the adequacy of open spaces for traffic, utilities, and access of emergency vehicles, commensurate with the intensification of land use customarily incident to a change of zoning, a platting requirement is established as follows:

For any land which has been rezoned upon application, no building permit shall be issued until that portion of the tract on which the permit is sought has been included within a subdivision plat or replat, as the case may be, submitted to the Planning Commission for their review and recommendation, approved

by the City Council, and filed on record in the office of the county clerk where the property is situated. Provided that City Council, pursuant to their exclusive jurisdiction of subdivision plats, may remove the platting requirement upon a determination that the above-stated purposes have been achieved by previous platting or could not be achieved by a plat or a replat.





Staff Report

To: Planning Commissioners
From: Jim Beach, City Planner
Hearing Date: January 9, 2020
Subject: **JZ 19-649 PUD 97A**
Location: SE Corner South James Avenue and West 114th Place (Ward 2)

Exhibits:

1. Location Map with Existing Zoning
2. Suggested Tree List
3. Access Charges Notification Letter
4. Quit Claim Deed for Subject 2.15-acre tract

Applicant:	Bell Land Use LLC for Dash Land Co LLC
Action Requested:	Request by Bell Land Use to amend Development Area B of PUD 97 to include Reserve B of Jenks Landing Subdivision in the land area, making the total area of Development Area B approximately 13.2 acres to allow more dwelling units in the previously approved multi-family portion of the PUD.
Current Zoning:	CS/PUD-97 – Commercial Shopping/mixed use development
Lot Size:	Approximately 13.2 acres as proposed
Surrounding Zoning and Land Uses:	Surrounded by commercial and agriculture zoning with developing commercial, office, and residential. To the north is an industrial park
Comprehensive Plan:	Medium Intensity Commercial

BACKGROUND

Shortly before approval of the plat of Kirk Crossing in 2013 the 2.15-acre tract that is the subject of this application was dedicated by separate instrument as a detention area and utility easement. It was not included in the Kirk Crossing plat, but it was identified in the Deed of Dedication as “Detention Easement Area.” It was to be maintained by Kirk Crossing until it would be included in a future subdivision plat, with pro rata shares of maintenance and other responsibilities assigned to all properties using the detention area.

In 2016, PUD 97 was approved with standards for Development Areas A and B. Development Area A is for Commercial and Service uses; Development Area B is for multi-family uses. The 2.15-acre tract for detention and utilities was *not included* in the PUD but was *included* in the plat of Jenks Landing.

The 2.15-acre Detention Easement Area is shown on the plat as “Reserve B” with the purpose of providing open space, recreation, drainage, detention, landscaping, signage, fences, and walls. At the time of including it in the Jenks Landing plat, the responsibilities for Reserve B were to have been split up and assigned as described in 2013 with Kirk Crossing.

The applicant states that the intent at the time of platting of *Jenks Landing*, was for *Kirk Crossing* to convey the 2.15-acre tract to Dash Ranch and include it in the plat. But the conveyance was made by “Kirk Crossing

Inc” rather than the actual owner, “Kirk of the Hills Corporation.” This title issue created confusion at the Tulsa County Assessor’s office, causing them to identify the owner as City of Jenks. Kirk of the Hills Corporation has now recorded a Quit Claim Deed to Dash Land Co LLC to correct the ownership. A copy is on file with the City and attached to this report.

A new plat called “Jenks Landing II” has been submitted for approval, containing Development Area B and the 2.15-acre Reserve B, both with the standards proposed by this PUD amendment. The applicant states that, according to the County Assessor, the Quit Claim Deed and the new plat will satisfy their concerns with the title.

The Medium Intensity designation of the Comprehensive Plan allows 16 units per acre. In PUD 97, the developer originally requested 200 dwelling units in Development Area B, which would exceed the 16 units per acre. The final approved PUD allowed 175 dwelling units, which is a yield of 15.8 units per acre.

The primary purpose of this PUD amendment is to bring the 2.15-acre Reserve B tract into the PUD as part of Development Area B to increase the total land area allocated for multi-family uses. At 16 units per acre, the result would allow up to 211 dwelling units.

The Jenks Commerce Park Sanitary Sewer and Water Line Access Charge for connecting to the public sewer and water system was approved by the Jenks City Council on April 1, 1999. The current charge is \$3,339.42 per acre.

The Jenks Landing Commercial Development is 16.49 acres. Total access charge amount of \$54,766.57 was to be remitted to the City of Jenks before any issuance of building permits. No records have been found that payment was ever made. At 13.2 acres, the amount due for Jenks Landing II is \$44,080.41. The total due for Jenks Landing and Jenks Landing II is \$98,846.98, required to be paid before issuance of any building permits.

STAFF EVALUATION

The following two standards in this proposed amendment are changed from the original PUD approval:

Maximum Number of Dwelling Units: **211 units** instead of 175

Minimum Landscaped Area: **20%** instead of 30%

Staff has no concerns with increasing the minimum number of dwelling units corresponding to the increase in land of the Development Area.

Considering the increased amount of open space of 2.15 acres and the amount of open space already in Reserve “A,” 30% minimum landscaped area appears achievable without negatively impacting the proposed building and parking layout.

Aside from the two changes above, the following character descriptions and development standards submitted with this proposed amendment are the same as those approved in the original PUD 97:

The multiple family elevations, site drawing and amenities are an integral part of the Planned Unit Development. The proposed multi-family use is for an upscale apartment development. The PUD specifies that the goal is to have amenities and qualities of a single-family home with the addition of a number of on-site amenities, along with the safety of a gated community. The following is a list of the amenities, both internal and external that would be considered a part of the PUD requirements.

External Site Amenities

- *Gated and secured community*
- *Stocked Pond with fishing docks*

- Park with playground area
- Jogging trail around the pond and the park area
- Open site plan with an open, less dense feel than most developments of this type
- Pond view for many units
- Clubhouse with exercise room, game room, kitchen and rec room
- Outdoor activity area
- Chapel

Building Amenities

- Minimum 40 % masonry
- Enclosed garages for various units
- Flat contemporary urban roofs
- Granite counter tops in kitchen and bath Jacuzzi tub and separate showers in select units
- Fireplaces in select units
- Ceramic tile, laminate wood and carpet flooring materials (no linoleum)
- Unit sizes ranging from 600 to 1300 square foot
- One, two, or three-bedroom units.

The architectural style for the entire project is proposed to be “contemporary urban” the goal is to have a planned community that has a style and visual aesthetic that will allow for a cohesive look and feel throughout the entire development. The elevations show that the exterior walls of the structures will be of a mix of concrete and brick. Variance from the submitted elevation plan will require Appearance Review Approval.

The Planned Unit Development specifies that it will be gated and secured. No fence elevation was provided. Fences along South James Avenue and internal to the development shall be constructed of or a combination of rock, brick, or wrought iron. The fence along the south property line will be allowed to conform to the 6-foot-high wood privacy fence standards. All gates and fences along with building elevation shall be submitted for Appearance Review Process. Minimum building setbacks shall be established at 30 feet from South James Avenue, 5 feet from internal lot lines, and 25 feet from south property line. Building height shall be a maximum of 45 feet. Minimum landscape area for Development Area “B” shall be 30%. All other bulk and Area requirements shall follow as established for the RM-2 Zoning District.*

Landscape Plans, Lighting Plans and Signage shall conform to the City of Jenks standards for the specified requirement. These plans shall be submitted with the building elevations for which they are associated for review and approval through the City of Jenks Appearance Review Process.

Modified to **20% in current amendment.*

The above descriptions, along with the color renderings submitted, should be adequate guidelines for the Appearance Review process.

Landscaping and detail site plan approval standards described in the paragraph above were adopted with the original PUD 97 but have not yet been met. They are also proposed in this application except for the two modifications. Those standards should be enforced in all development areas of the PUD as a condition of approval of this PUD amendment.

Landscape Standards

The City of Jenks has no objective landscape standards against which a landscape plan can be compared to determine conformance. Following are standards staff gathered that would be appropriate:

Tree List

References to tree size in the following landscape standards refer to the attached tree list which identifies and classifies trees by size. Unless otherwise expressly approved by the City Planner, trees used to satisfy the tree planting requirements of this chapter must be selected from the tree list.

Street Trees

At least one large tree is required per 30 feet of street frontage. If large trees are not appropriate due to the presence of overhead lines, other obstructions or site visibility considerations, at least one small tree is required per 25 feet of street frontage.

Required street trees must be located on the subject property within 20 feet of the planned street right-of-way. If the presence of buildings or obstructions or other factors prevent viable tree planting within this area, required street trees must be installed in the first 7 feet of the planned street right-of-way, as measured from the outer edge of the right-of-way.

Street trees are not required to be evenly spaced, but the distance between street trees may not exceed 75 feet.

Parking Lot Trees

Interior parking lot landscape areas must include at least one large tree per 10 parking spaces. Small trees may be substituted for large trees if the presence of overhead lines or other obstructions make the installation of large trees unsafe or impractical or would result in poor growing conditions.

Interior parking lot landscaping must be reasonably distributed throughout the parking lot and provided in landscape islands or medians that comply with all the following requirements:

- (1) They must be bordered by a paved surface on at least 2 sides;
- (2) They must be at least 7 feet wide, as measured from the back of the curb;
- (3) They must include at least one tree per island and be mulched;
- (4) They must be protected by curbs or other barriers, which may include breaks or inlets to allow stormwater runoff to enter the landscape island;
- (5) They must be located so that every parking space is within 100 feet of a tree.
- (6) All planting areas must have amended soil to help ensure the health of newly installed plant material.

New or transplanted trees provided to satisfy the requirements of this zoning code must comply with the following minimum size requirements:

- (1) Large trees must be deciduous, with a minimum caliper size of 2 inches and a minimum height of 12 feet at the time of installation.
- (2) Medium trees must have a minimum caliper size of 2 inches and a minimum height of 8 feet at the time of installation.
- (3) Small trees must have a minimum caliper size of 1.5 inches and a minimum height of 6 feet at the time of installation.

(4) Evergreen trees must have a minimum height of 6 feet at the time of installation.

Trees to be installed below overhead lines must be selected from the list of small trees specified on the recommended and prohibited tree list.

If more than 10 trees are required, no more than 40% may be of a single species. If more than 25 trees are required, no more than 25% may be of a single species.

Installation

1. Required landscaping must be installed in accordance with an approved landscape plan.
2. All trees and plant material must be installed in accordance with sound nursery practices, in a manner designed to encourage vigorous growth.
3. All newly installed trees must be staked.
4. Trees and plant material suitable for planting must be balled and burlapped or container grown. Planting areas should be at least twice the diameter of the root system or the container.
5. All landscaped areas that are adjacent to pavement must be protected with curbs or equivalent barriers. Flush curbs, curb cuts, or other methods must be used to direct stormwater to landscape areas that abut paved areas.
6. Landscaping may not obstruct traffic visibility at street intersections or driveways.
7. The city is not liable for any damage to above-ground or below-ground improvements or landscaping within the public right of way, even when such damage or destruction is the direct result of government action. When landscaping is placed or installed within the public right-of-way, the city has no obligation to replace or repair such landscaping if removed or damaged by city field operations or other governmental functions. The city also has no obligation to maintain above ground or below ground improvements or landscaping within the public right-of-way.

Protection

All landscape areas provided must be protected from potential damage by adjacent uses and development, including parking and storage areas.

Irrigation

1. All required landscaped areas must be provided with irrigation in accordance with one of the following two options:
 - a. A permanent irrigation system with a controller to tailor watering schedules to weather and site conditions; or
 - b. A temporary irrigation system that provides enough water to ensure that all trees and plants will become established.
2. Irrigation systems must comply with all applicable building and plumbing codes.

Timing of Installation

1. All required landscaping areas and appurtenances, except trees, must be installed prior to the issuance of a final certificate of occupancy.
2. All required trees must be installed within 120 days after issuance of a final certificate of occupancy or temporary certificate of occupancy.

Maintenance

1. Required landscaping and screening must be continuously maintained, including necessary watering; weeding; pruning; pest control; litter and debris clean-up; and replacement of dead, diseased or damaged plant material.
2. The property owner is responsible for maintenance of trees and landscaping in accordance with the approved landscape plan. Any dead, diseased or damaged trees or landscaping must be removed and replaced by the property owner. Property owners are also responsible for replacing or restoring required landscaping that is damaged or destroyed as a direct result of government action or lawful action of a franchise utility provider.

The “BACKGROUND” section at the top of this report describes a title issue created by the misstatement of ownership during the conveyance of the 2.15-acre tract. The approach of a Quit Claim Deed and including the tract in this subdivision plat will satisfy the Tulsa County Assessor and is satisfactory to staff.

The proposed conditional final “Jenks Landing II” plat accompanying this PUD amendment does not adequately address the 2013 requirement regarding assignment of maintenance of Reserve B once it has been included in a subdivision plat. Language should be added to the final plat to accomplish this requirement. This will be a condition of approval of the plat.

The Comprehensive Plan, Medium Intensity designation allows up to 16 units per acre. Development Area B is 11.05 acres. The original 175 units allowed on Development Area B is 15.8 units per acre. The proposal to add 2.15 acres of land area to the PUD would increase Development Area B to 13.2 acres, which would yield 211.2 dwelling units at 16 units per acre. With the combined area of 13.2 acres, the Comprehensive Plan would support 211 dwelling units. The existing infrastructure has capacity to support 211 dwelling units.

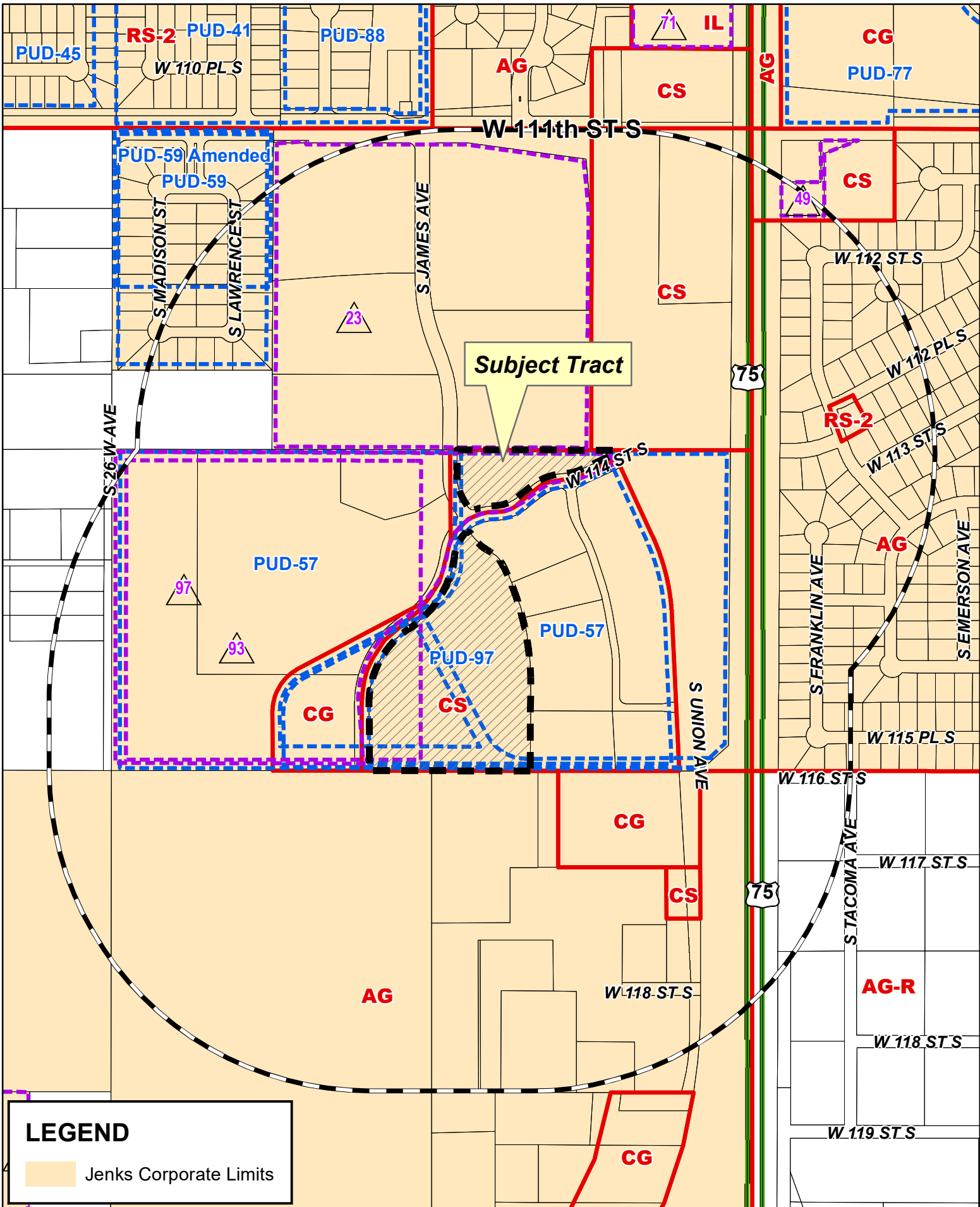
RECOMMENDATION

Staff recommends approval of the PUD amendment to add the area of Reserve B to the area of Development Area B to allow up to 211 dwelling units in the multi-family development, subject to the following conditions:

1. Development standards and character descriptions presented in PUD 97 and this PUD 97A amendment shall remain applicable to both Development Area A and Development Area B. In addition, the landscape standards listed above shall be applied to both Development Areas.
2. The Minimum Landscaped Area shall be 30%.
3. The process for submittal, review, inspections, and acceptance to assure timely compliance with all proposed and recommended development standards, shall be as follows:

Prior to issuance of any construction permits, detailed site, landscape, lighting, and signage plans, fencing, and building elevations must be approved through the Jenks Appearance Review Process as being in conformance with the PUD concept drawings and standards presented with the PUD application. The final construction documents covering the elements of these approved plans and building elevations shall be submitted to the Building Inspector as part of the permit document set. Whether construction of the project is to be completed in phases or all at once, construction of the elements of the approved site, landscape, lighting, signage, and building elevations shall be completed concurrently with construction and shall be subject to field

inspection and approval by the Building Inspector prior to release of any Certificate of Occupancy.



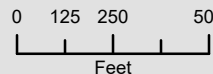
LEGEND

Jenks Corporate Limits



Subject Tract

**JZ 19-649/
PUD-97A**



34 18-12



Recommended Large Tree Species

Large trees will attain a mature height of 60 feet or more, and a spread of 35 feet or more.
Large trees shall not be used under or within 20 feet of an overhead utility.
These trees should be planted at least 35 feet apart.

Large | ≥60 ft

Medium | 30-59 ft

Small | <30 ft

Scientific Name	Common Name	Prohibited Applications	
		Parking Areas	Street Buffer
Acer saccharum	Sugar Maple		
Carya cordiformis	Bitternut Hickory		
Carya illinoensis	Pecan		
Carya ovata	Shagbark Hickory		
Celtis laevigata	Sugar Hackberry		
Corylus columnata	Turkish Filbert		
Fagus grandifolia	American Beech		
Ginkgo Biloba	Ginkgo		
Gleditsia triacanthos	Thornless Honeylocust		
Gymnocladus dioica	Kentucky Coffee Tree		
Juglans nigra	Black Walnut		
Liquidambar styraciflua	Sweetgum		
Liriodendron tulipifera	Tuliptree		
Magnolia grandiflora	Southern Magnolia		
Pinus strobus	Eastern White Pine		
Pinus taeda	Loblolly Pine		
Platanus occidentalis	American Sycamore		
Platanus x acerifolia	London Planetree		
Quercus alba	White Oak		
Quercus coccinea	Scarlet Oak		
Quercus falcata	Southern Red Oak		
Quercus macrocarpa	Bur Oak		
Quercus nigra	Water Oak		
Quercus palustris	Pin Oak		
Quercus rubra	Northern Red Oak		
Sophora japonica 'Regent'	Chinese Scholar Tree / Japanese Pagoda Tree		
Taxodium distichum	Bald Cypress		
Tilia americana	American Linden		
Tilia cordata	Little-leaf Linden		
Tilia tomentosa	Silver Linden		
Zelkova serrata	Japanese Zelkova		

Recommended Medium Tree Species

Medium trees will attain a mature height of 30-59 feet, and a spread of 25 feet or more. Medium trees shall not be used under or within 15 feet of an overhead utility. These trees should be planted at least 25 feet apart.

Large | ≥60 ft

Medium | 30-59 ft

Small | <30 ft

Scientific Name	Common Name	Prohibited Applications	
		Parking Areas	Street Buffer
Acer platanoides	Norway Maple		
Acer rubrum	Red Maple		
Betula nigra	River Birch		
Carpinus betulus	European Hornbeam		
Catalpa bignonioides	Southern Catalpa		
Celtis occidentalis	Hackberry		
Cladrastis kentukea	Yellowwood		
Diospyros virginiana	Persimmon		
Juniperus virginiana	Eastern Red Cedar		
Koelreuteria paniculata	Goldenrain Tree		
Maclura pomifera	Osage Orange	X	X
Nyssa sylvatica	Black Gum		
Ostrya virginiana	Eastern Hop Hornbeam		
Picea abies	Norway Spruce	X	
Pinus echinata	Shortleaf Pine		
Pinus nigra	Austrian Pine		X
Pinus sylvestris	Scotch Pine		
Pinus thunbergii	Japanese Black Pine		
Pistacia chinensis	Chinese Pistache		
Quercus bicolor	Swamp White Oak		
Quercus imbricaria	Shingle Oak		
Quercus muehlenbergii	Chinkapin Oak		
Quercus phellos	Willow Oak		
Quercus robur	English Oak		
Quercus shumardii	Shumard Oak		
Quercus stellata	Post Oak		
Quercus velutina	Black Oak		
Quercus virginiana	Live Oak		
Sapindus drummondii	Western Soapberry		X
Sassafras albidum	Sassafras		
Sideroxylon lanuginosum	Chittamwood / Bumelia		
Thuja occidentalis	American Arborvitae		
Ulmus americana 'Jefferson'	Jefferson Elm		
Ulmus carpinifolia x parvifolia	Frontier Elm		
Ulmus parvifolia	Lacebark Elm		
Ulmus wilsoniana	Prospector Elm		

Recommended Small Tree Species

Small trees will attain a mature height of less than 30 feet, and a spread of up to 15 feet. Small trees may be planted under or within 10 feet of an overhead utility. These trees should be planted at least 15 feet apart.

Large | ≥60 ft

Medium | 30-59 ft

Small | <30 ft

Scientific Name	Common Name	Prohibited Applications	
		Parking Areas	Street Buffer
<i>Acer buergerianum</i>	Trident Maple		
<i>Acer tataricum</i> subsp. <i>ginnala</i>	Amur Maple		
<i>Amelanchier arborea</i>	Serviceberry / Downy Serviceberry		
<i>Carpinus caroliniana</i>	American Hornbeam		
<i>Cercis canadensis</i>	Eastern Redbud	X	X
<i>Cercis reniformis</i>	Oklahoma Redbud	X	X
<i>Chionanthus virginicus</i>	Fringe Tree		
<i>Cornus florida</i>	Flowering Dogwood	X	X
<i>Cotinus coggygia</i>	Smoketree		
<i>Cotinus obovatus</i>	American Smoketree		
<i>Crataegus</i>	Hawthorn		
<i>Ilex decidua</i>	Possumhaw		
<i>Ilex opaca</i>	American Holly		
<i>Ilex vomitoria</i>	Yaupon Holly		
<i>Ilex x attenuata</i> 'Fosteri'	Foster Holly		
<i>Juniperus scopulorum</i> 'Wichita Blue'	Rocky Mountain Juniper		
<i>Lagerstroemia indica</i>	Crape Myrtle		X
<i>Magnolia grandiflora</i> 'Little Gem'	Little Gem Magnolia		
<i>Magnolia stellata</i>	Star Magnolia		
<i>Magnolia virginiana</i>	Sweet Bay Magnolia		
<i>Magnolia x soulangeana</i>	Saucer Magnolia		
<i>Malus</i> 'Prairifire'	Flowering Crabapple		
<i>Philadelphus coronarius</i> 'Romantizam'	Sweet Mock-orange		
<i>Platycladus orientalis</i>	Oriental Arborvitae		X
<i>Prunus cerasifera</i>	Purpleleaf Plum		
<i>Prunus serrulata</i>	Japanese Flowering Cherry		
<i>Prunus virginiana</i>	Chokecherry		
<i>Syringa reticulata</i>	Japanese Tree Lilac		
<i>Syringa vulgaris</i>	Common Lilac		
<i>Taxus cuspidata</i>	Japanese Yew		

Prohibited Species

The following species are prohibited for use in required landscaping within the City of Jenks.



Scientific Name	Common Name
Ailanthus altissima	Tree-of-Heaven
Albizia julibrissin	Silktree, Mimosa
Elaeagnus angustifolia	Russian Olive
Fraxinus Americana	White Ash
Fraxinus Pennsylvanica	Green Ash
Morus alba	White Mulberry
Pyrus calleryana 'Bradford'	Bradford Pear
Quercus acutissima	Sawtooth Oak
Sambucus nigra	Elderberry (Black Elder)



Tulsa County Clerk - Michael Willis

Doc # 2019117158 Page(s): 1

12/19/2019 11:44:26 AM

Receipt # 19-70579

Fee: \$ 18.00

QUIT CLAIM DEED
(Oklahoma Statutory Form)

KNOW ALL MEN BY THESE PRESENTS:

That Kirk of the Hill Corporation, parties of the first part, in consideration of the sum of TEN & NO/100 (\$10.00) dollars, and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do quitclaim, grant, bargain, sell and convey unto Dash Land Co LLC aka Dash Ranch LLC, party of the second part, the following described real property and premises situate in situated in, the City of Jenks, Tulsa County, State of Oklahoma, to-wit:

Reserve B, Jenks Landing, an Addition to the City of Jenks, Tulsa County, State of Oklahoma, According to the recorded Plat Number 6730.

together with all and singular the hereditaments and appurtenances thereunto belonging.

TO HAVE AND TO HOLD said described premises unto the said party of the second party, heirs and assigns, forever.

Signed and delivered this 2nd day of DECEMBER, 2019.

GR Polly
Kirk of the Hills Corporation

GORDON R. POLLY, VICE-PRESIDENT
Printed Name and Title

INDIVIDUAL ACKNOWLEDGMENT-OKLAHOMA FORM

STATE OF OKLAHOMA, County of TULSA.

Before me, Marilyn J Belcher, Notary Public in and for said County and State, on this 19th day of December, 2019, Gordon R. Polly, personally appeared to me known to be the identical person(s) who executed the within and foregoing instrument, and acknowledged to me that executed the same as free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Marilyn J Belcher
Notary Public

My Commission Expires: Feb 25, 2022

My Notary Number is: 14001735



**NOT AN ORIGINAL DOCUMENT
COPY FILED AT REQUEST OF
CUSTOMER**

DATE 12/19/19 BY Morgan Doll



CITY OF JENKS

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

January 06, 2020

Dash Land Co, LLC.
Attention: Robert Bell
1011 West "G" Street
Jenks, Oklahoma 74037
918-902-0462

Subject: **Access Charge Assessment for Sewer Connections – Jenks Landing II**

This letter is to inform you of an access charge in relations to your Jenks Landing II development. The Jenks Commerce Park Sanitary Sewer and Water Line Access Charge was approved by the Jenks City Council on April 1, 1999. This access charge is for connecting to the public sewer and water system. The current access charge is \$3,339.42 per acre. Jenks Landing II has a total acreage of 13.2. An amount of \$44,080.41 is required to be remitted to the City of Jenks before the Jenks Landing II plat may be released for recording.

The Jenks Landing Commercial Development has a total acreage of 16.49. An amount of \$54,766.57 was to be remitted to the City of Jenks before any issuance of building permits. No records have been found that payment was ever made to the City of Jenks. As such, this fee along with the access charge for Jenks Landing II is required before issuance of any building permits.

If you have any questions concerning this matter, please feel free to contact me at 918-299-5883.

Sincerely,

Christopher Robinson, PE

City Engineer



Staff Report

To: Planning Commissioners
From: Jim Beach, City Planner
Hearing Date: January 9, 2020
Subject: **Jenks Landing II Preliminary/Conditional Final Plat (JZ 19-649 PUD 97A)**
Location: SE Corner South James Avenue and West 114th Place (Ward 2)
Exhibits:
1. Subdivision Plat
2. Deed of Dedication and Restrictive Covenants

Applicant:	Bell Land Use LLC for Dash Land Co LLC
Action Requested:	Approval of Preliminary/Conditional Final Plat for “Jenks Landing II”
Current Zoning:	CS/PUD-97 – Commercial Shopping/mixed use development
Lot Size:	Approximately 13.2 acres under application
Surrounding Zoning and Land Uses:	Surrounded by commercial and agriculture zoning with developing commercial, office, and residential. To the north is an industrial park
Comprehensive Plan:	Medium Intensity Commercial

BACKGROUND

In 2016, PUD 97 was approved, establishing Development Areas A and B for the Jenks Landing development. *Development Area A* is for Commercial and Service uses; *Development Area B* is for multi-family uses.

During the platting of the adjacent Kirk Crossing in 2013, a 2.15-acre tract was set aside for drainage and detention to serve Kirk Crossing and the future development of Jenks Landing. It was *not included* in PUD 97.

Responsibility for maintenance of the 2.15-acres and stormwater detention fell to Kirk Crossing until such time as it was included in a subdivision plat. At that time, maintenance responsibilities for the detention area were to be proportionally divided among the properties that used it for their drainage.

The plat of Jenks Landing was recorded in 2016. It included *Development Area A* from PUD 97 and the 2.15-acre tract, which became “Reserve B.” The division of maintenance responsibilities was not addressed. The plat did not include *Development Area B*.

The applicant states that the intent at the time of platting of Jenks Landing, was for Kirk Crossing to convey the 2.15-acre tract to Dash Ranch and include it in the plat. But the conveyance was made by “Kirk Crossing Inc” rather than the actual owner, “Kirk of the Hills Corporation.” This created a title issue and confusion at the Tulsa County Assessor’s office, causing them to identify the owner as City of Jenks. Kirk of the Hills Corporation has now recorded a Quit Claim Deed to “Dash Land Co LLC” to correct the ownership. A copy is on file with the City.

The proposed "Jenks Landing II" plat covers *Development Area B* and the 2.15-acre "Reserve B," both with the proposed standards of the accompanying PUD amendment, PUD 97A. The applicant states that the Quit Claim Deed and the new plat will satisfy the County Assessor's concerns with the title.

STAFF EVALUATION

The Technical Advisory Committee and staff have reviewed the plat and, subject to the recommended conditions below, find it meets the purposes of platting and is in accordance with the Subdivision Regulations of the City of Jenks. "Jenks Landing II," memorializes the addition of "Reserve B" as part of *Development Area B* in PUD 97 and includes the proposed development standards of PUD 97A.

However, the Deed of Dedication does not adequately address the proportional assignment of maintenance responsibilities of "Reserve B." Language should be added to the final plat to accomplish this requirement as described in the records of the Kirk Crossing plat.

The Jenks Commerce Park Sanitary Sewer and Water Line Access Charge for connecting to the public sewer and water system was approved by the Jenks City Council on April 1, 1999. The current charge is \$3,339.42 per acre.

The Jenks Landing Commercial Development is 16.49 acres. Total access charge amount of \$54,766.57 was to be remitted to the City of Jenks before any issuance of building permits. No records have been found that payment was ever made. At 13.2 acres, the amount due for Jenks Landing II is \$44,080.41. The total due for Jenks Landing and Jenks Landing II is \$98,846.98, required to be paid before issuance of any building permits.

The development is presented as being fenced and gated with controlled access. As such, the infrastructure within the project area is private and is not eligible for reimbursement under TIF 4.

The conditional final plat shall address the recommended conditions below and any subsequent items coming from the Planning Commission and City Council reviews before it will be submitted for final approval to the City Council or submitted to the Mayor and City Manager for signatures.

RECOMMENDATION

Staff recommends approval of the preliminary/conditional final plat subject to the following:

1. Include language in the Deed of Dedication to accomplish the proportional assignment of maintenance responsibilities for Reserve B.
2. Identify location of Access Limits on the face of the plat per Paragraph 1.8 of the Deed of Dedication
3. Numbering of the two paragraphs under 2.2 Reserve Area "B" should be corrected to 2.2.1 and 2.2.2.
4. Reserve Areas "A" and "C" are described as being for various uses, including ingress and egress. No ingress/egress is shown on any of the accompanying site plans. Make modifications necessary to clarify Paragraphs 2.2.1 and 2.2.2 pertaining to Reserve Area "B."

Dash Ranch, L.L.C.

an Oklahoma limited liability company
Attn: Donny Williamson
10132 South Yale Avenue
Tulsa, Oklahoma 74137
918.630.0422

918.630.0422

ENGINEER / SURVEYOR

Tulsa Engineering & Planning Associates, Inc.

East 41st Street South, Suite
Tulsa, Oklahoma 74146

918,252,9621

CERTIFICATE OF AUTHORIZATION NO. 531
RENEWAL DATE JUNE 30, 2021
510.222.5021

Legend

Ac.	= Acres	L.N.A.	= Limits of No Access
CB	= Chord Bearing	SF	= Square Feet
CL	= Chord Length	U/E	= Utility Easement
Doc.	= Document		

Monument Notes

A 5/8" x 18" deformed bar with a yellow plastic cap stamped "EP CA 531" to be set at all plat boundary corners, prior to recordation unless noted otherwise.

A 3/8" x 18" deformed bar with a yellow plastic cap stamped "TEP CA 531" to be set at all lot corners after completion of improvements, unless noted otherwise.

A 3/8" x 18" deformed bar with a yellow plastic cap stamped "TEP CA 531" to be set at all street centerline intersections, points of curve, points of tangent, points of compound curve, points of reverse curve, center of cul-de-sacs and center of eyebarrows, after completion of improvements, unless noted otherwise.

Basis of Bearings

The non-astronomic bearings for said tracts are based on a planned bearing of N 89°58'05" W along the south line of the NE¼ of Section 34, T-18-N, R-12-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof per DCR Crossing a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the official recorded plat thereof, Plat No. 6467, as filed in the records of the Tulsa County Clerk's office.

Benchmark

Top of a Brass Cap at the East Quarter Corner of Section 34, T-18-N,
R-12-E, Tulsa County, State of Oklahoma.

Elevation = 654.70 NAVD 1988

Backflow Preventer Valve

If the actual finished floor elevation is lower than one (1) foot above the upstream sanitary sewer manhole top of rim elevation, it shall be the builder's responsibility to install a backflow preventer valve near the building. The builder is responsible to comply with all city ordinances regarding the installation of any required backflow preventer valve.

Jenks Landing II

Tulsa Engineering & Planning Associates, Inc.

9820 East 41st Street South, Suite 102
Tulsa, Oklahoma 74146

918,252,9621

CERTIFICATE OF AUTHORIZATION NO.
510,232,5021
RENEWAL DATE: JUNE 30, 2021

Legend

Ac.	= Acres	L.N.A.	= Limits of No Access
CB	= Chord Bearing	SF	= Square Feet
CL	= Chord Length	U/E	= Utility Easement
Doc.	= Document		

Monument Notes

A 5/8" x 18" deformed bar with a yellow plastic cap stamped "EP CA 531" to be set at all plat boundary corners, prior to recordation unless noted otherwise.

A 3/8" x 18" deformed bar with a yellow plastic cap stamped "TEP CA 531" to be set at all lot corners after completion of improvements, unless noted otherwise.

A 3/8" x 18" deformed bar with a yellow plastic cap stamped "TEP CA 531" to be set at all street centerline intersections, points of curve, points of tangent, points of compound curve, points of reverse curve, center of cul-de-sacs and center of eyebarrows, after completion of improvements, unless noted otherwise.

Basis of Bearings

The non-astronomic bearings for said tracts are based on a planned bearing of N 89°58'05" W along the south line of the NE¼ of Section 34, T-18-N, R-12-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof for Dork Crossing subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the official recorded plat thereof, Plat No. 6467, as filed in the records of the Tulsa County Clerk's office.

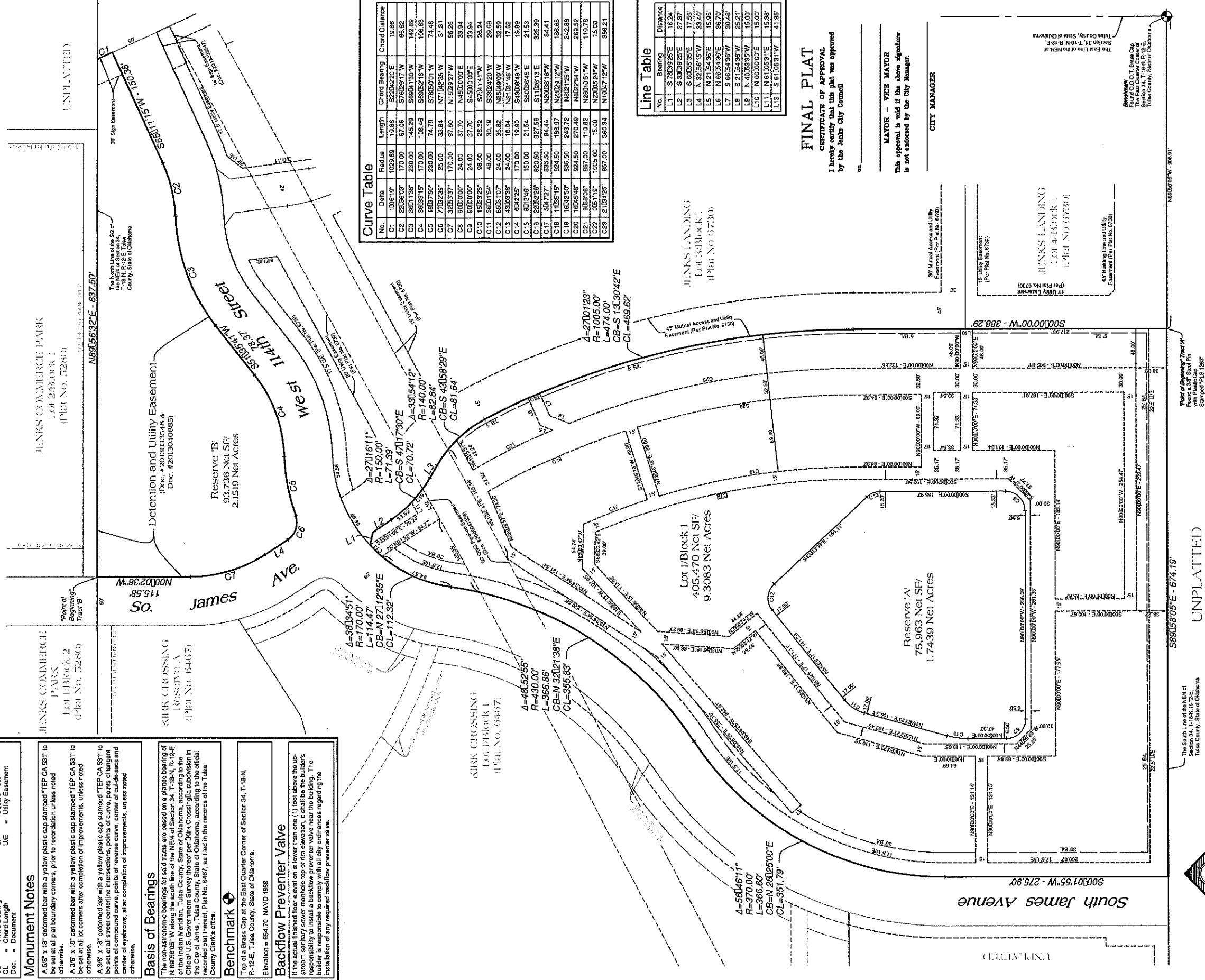
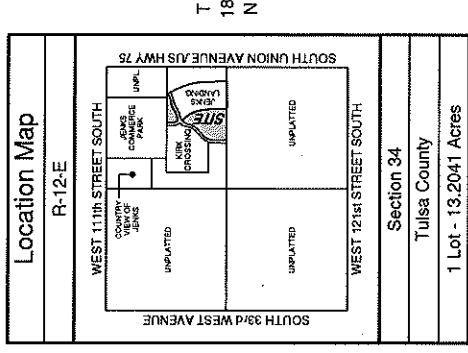
Benchmark

Top of a Brass Cap at the East Quarter Corner of Section 34, T-18-N,
R-12-E, Tulsa County, State of Oklahoma.

Elevation = 654.70 NAVD 1988

Backflow Preventer Valve

If the actual finished floor elevation is lower than one (1) foot above the upstream sanitary sewer manhole top of rim elevation, it shall be the builder's responsibility to install a backflow preventer valve near the building. The builder is responsible to comply with all city ordinances regarding the installation of any required backflow preventer valve.



Deed of Dedication
and
Restrictive Covenants

P.U.D. 97
JENKS LANDING II

KNOW ALL MEN BY THESE PRESENTS:

DASH RANCH, L.L.C., an Oklahoma corporation, hereinafter referred to as the "Owner/Developer", is the owner of the following described land in the City of Jenks, Tulsa County, State of Oklahoma, to wit:

A tract of land located in the S/2 of the NE/4 of Section 34, T-18-N, R-12-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof, being more particularly described as follows:

TRACT "A"

A tract of land located in the S/2 of the NE/4 of Section 34, T-18-N, R-12-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof, being more particularly described as follows:

Commencing at the east quarter corner of Section 34, T-18-N, R-12-E of the Indian Meridian, Tulsa County, State of Oklahoma;

Thence N 89°58'05" W a distance of 906.91 feet along the south line of the NE/4 of said Section 34 and the south line of "Jenks Landing", a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the official recorded plat thereof, Plat No. 6730, as filed in the records of the Tulsa County Clerk, to the southwest corner of said "Jenks Landing", and the "Point of Beginning";

Thence continuing N 89°58'05" W a distance of 674.19 feet along the south line of the NE/4 of said Section 34 to the most southerly southeast corner of "Kirk Crossing", a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the official recorded plat thereof, Plat No. 6467, as filed in the records of the Tulsa County Clerk;

Thence N 00°01'55" E a distance of 275.90 feet along the easterly line of said "Kirk Crossing", to a tangent curve to the right;

Thence continuing along the easterly line of said "Kirk Crossing" and along a tangent curve to the right with a central angle of 56°46'11", a radius of 370.00 feet, an arc length of 366.60 feet, a chord bearing of N 28°25'00" E and a chord length of 351.79 feet to a tangent reverse curve to the left;

Thence continuing along the easterly line of said "Kirk Crossing" and along a tangent reverse curve to the left with a central angle of 48°52'55", a radius of 430.00 feet, an arc length of 366.86 feet, a chord bearing of N 32°21'38" E and a chord length of 355.83 feet to a tangent reverse curve to the right;

Thence continuing along the easterly line of said "Kirk Crossing" and along a tangent reverse curve to the right with a central angle of 38°34'51", a radius of 170.00 feet, an arc length of 114.47 feet, a chord bearing of N 27°12'35" E and a chord length of 112.32 feet to the northwest corner of said "Jenks Landing";

Thence along the west line of said "Jenks Landing" for the next seven calls;

Thence S 78°39'25" E a distance of 16.24 feet;

Thence S 33°39'25" E a distance of 27.37 feet to a tangent curve to the left;

Thence along a tangent curve to the left with a central angle of 27°16'11", a radius of 150.00 feet, an arc length of 71.39 feet, a chord bearing of S 47°17'30" E and a chord length of 70.72 feet;

Thence S 60°55'35" E and tangent to the previous curve a distance of 17.56 feet to a tangent curve to the right;

Thence along a tangent curve to the right with a central angle of 33°54'12", a radius of 140.00 feet, an arc length of 82.84 feet, a chord bearing of S 43°58'29" E and a chord length of 81.64 feet to a tangent compound curve to the right;

Thence along a tangent compound curve to the right with a central angle of 27°01'23", a radius of 1005.00 feet, an arc length of 474.00 feet, a chord bearing of S 13°30'42" E and a chord length of 469.62 feet;

Thence S 00°00'00" W and tangent to the previous curve a distance of 388.29 feet to the "Point of Beginning".

Together with:

TRACT "B"

Beginning where the easterly right of way for South James Avenue per the Final Plat of "Kirk Crossing" intersects the north line of the S/2 of the NE/4 of Section 34;

Thence N 89°56'32" E along the north line of the S/2 of the NE/4 of Section 34 a distance of 637.50 feet to the westerly right of way for US Highway 75 per Case No. CJ-2008-4866 as filed with the District Court of Tulsa County;

Thence along the westerly right of way for US Highway 75 and along a non-tangent curve to the left with a central angle of 01°06'19", a radius of 1029.69 feet, an arc length of 19.86 feet, a chord bearing of S 22°42'20" E and a chord length of 19.86 feet to the northerly right of way for West 114th Street per the Final Plat of "Kirk Crossing";

Thence along the northerly right of way for West 114th Street and not tangent to the previous curve S 65°11'15" W a distance of 150.38 feet;

Thence along the northerly right of way for West 114th Street and along a tangent curve to the right with a central angle of 22°36'03", a radius of 170.00 feet, an arc length of 67.06 feet, a chord bearing of S 76°29'17" W and a chord length of 66.62 feet to a tangent reverse curve to the left;

Thence along the northerly right of way for West 114th Street and along a tangent reverse curve to the left with a central angle of 36°11'38", a radius of 230.00 feet, an arc length of 145.29 feet, a chord bearing of S 69°41'30" W and a chord length of 142.89 feet;

Thence along the northerly right of way for West 114th Street and tangent to the previous curve S 51°35'41" W a distance of 78.37 feet to a tangent curve to the right;

Thence along the northerly right of way for West 114th Street and along a tangent curve to the right with a central angle of 36°33'15", a radius of 170.00 feet, an arc length of 108.46 feet, a chord bearing of S 69°52'18" W and a chord length of 106.63 feet to a tangent reverse curve to the left;

Thence along the northerly right of way for West 114th Street and along a tangent reverse curve to the left with a central angle of 18°37'50", a radius of 230.00 feet, an arc length of 74.79 feet, a chord bearing of S 78°50'01" W and a chord length of 74.46 feet to a tangent reverse curve to the right;

Thence along a tangent reverse curve to the right with a central angle of 77°32'39", a radius of 25.00 feet, an arc length of 33.84 feet, a chord bearing of N 71°42'35" W and a chord length of 31.31 feet to the easterly right of way for South James Avenue;

Thence along the easterly right of way for South James Avenue and tangent to the previous curve N 32°56'15" W a distance of 33.40 feet to a tangent curve to the right;

Thence along the easterly right of way for South James Avenue and along a tangent curve to the right with a central angle of 32°53'37", a radius of 170.00 feet, an arc length of 97.60 feet, a chord bearing of N 16°29'27" W and a chord length of 96.26 feet;

Thence along the easterly right of way for South James Avenue and tangent to the previous curve N 00°02'38" W a distance of 115.58 feet to the "Point of Beginning".

Said Tracts "A & B" contain 575,169 square feet or 13.2041 acres.

The non-astronomic bearings for said tracts are based on a platted bearing of N 89°58'05" W along the south line of the NE/4 of Section 34, T-18-N, R-12-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof per "Kirk Crossing" a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the official recorded plat thereof, Plat No. 6467, as filed in the records of the Tulsa County Clerk's office.

As Owner/Developer, I hereby certify that I have caused the above described land to be surveyed, divided, mapped, dedicated and access rights reserved as presented on the plat and have designated the subdivision as "JENKS LANDING II", a subdivision in the City of Jenks, Tulsa County, Oklahoma.

SECTION I. EASEMENTS AND UTILITIES

1.1. General Utility Easements

The Owner/Developer does hereby dedicate, for public use, the utility easements as depicted on the accompanying plat as "U/E" or "Utility Easement", for the several purposes of constructing, maintaining, operating, repairing, replacing, and/or removing any and all public utilities, including storm sewers, sanitary sewers, telephone and communication lines, electric power lines and transformers, gas lines, water lines and cable television lines, together with all fittings, including the poles, wires, conduits, pipes, valves, meters and equipment for each of such facilities and any other appurtenances thereto, with the rights of ingress and egress to and upon the utility easements for the uses and purposes aforesaid, provided however, the Owner/Developer hereby reserves to itself, and to it's assigns, the right to use or delegate to others the right to use the designated easements and rights of way to provide any of the services set forth herein, including, but not limited to the right to construct, maintain, operate, lay and re-lay water lines and sewer lines, together with the right of ingress and egress for such construction, maintenance, operation, laying and re-laying over, across and along the streets and all of the utility easements depicted on the plat for the purpose of furnishing water and/or sewer services to the area included in the plat. The Owner/Developer herein imposes a restrictive covenant, which covenants shall be binding on each lot owner and shall be enforceable by the City of Jenks, Oklahoma, and by the supplier of any affected utility service, that within the streets and utility easements depicted on the accompanying plat no building, structure or other above or below ground obstruction that interferes with the above set forth uses and purposes of a street or easement shall be placed, erected, installed or maintained, provided however, nothing herein shall be deemed to prohibit drives, parking areas, curbing, landscaping and customary screening fences and walls.

1.2. Underground Service

1.2.1 Overhead lines for the supply of electric, telephone and cable television services may be located along the southerly perimeter easement of the subdivision. Street light poles or standards may be served by overhead line or underground cable and elsewhere throughout the subdivision. All supply lines including electric, telephone, cable television and gas lines shall be located underground in the easement ways dedicated for general utility services and in the rights-of-way of the public streets as depicted on the accompanying plat. Service pedestals and transformers, as sources of supply at secondary voltages, may also be located in the easement ways.

1.2.2 Underground service cables and gas service lines to all structures which may be located within the subdivision may be run from the nearest gas main, service pedestal or transformer to the point of usage determined by the location and construction of such structure as may be located upon the lot. Provided that upon the installation of a service cable or gas service line to a particular structure, the supplier of service shall thereafter be deemed to have a definitive, permanent, effective and non-exclusive right-of-way easement on the lot, covering a 5 foot strip extending 2.5 feet on each side of the service cable or line extending from the gas main, service pedestal or transformer to the service entrance on the structure.

1.2.3 The suppliers of electric, telephone, cable television, and gas services, through its agents and employees, shall at all times have the right of access to all easement ways shown on the plat or otherwise provided for in this Deed of Dedication for the purpose of installing, maintaining, removing or replacing any portion of the underground electric, telephone, cable television, or gas facilities installed by the supplier of the utility service.

1.2.4 The owner of the lot shall be responsible for the protection of the underground service facilities located on the lot and shall prevent the alteration of grade or any construction activity which would interfere with the electric, telephone, cable television, or gas facilities. Each supplier of service shall be responsible for ordinary maintenance of underground facilities, but the owner of the lot shall pay for damage or relocation of such facilities caused or necessitated by acts of the owner or the owner's agents or contractors.

1.2.5 The foregoing covenants set forth in this "Section 1.2 Underground Service" shall be enforceable by each supplier of the electric, telephone, cable television, or gas service and the owner of the lot agrees to be bound hereby.

1.3. Water and Sewer Service

1.3.1 The owner of each lot shall be responsible for the protection of the public water mains and of the public sanitary sewer facilities located on their lot and shall prevent the alteration of grade or any construction activity which may interfere with said public water main or public sanitary sewer main. Within the utility easement areas depicted on the accompanying plat, the alteration of grade from the contours existing upon the completion of the installation of a public water main or sewer main, or any construction activity which would interfere with public water and sewer mains, shall be prohibited.

1.3.2 The City of Jenks, or its successors, will be responsible for ordinary maintenance of the public water main, or the public sanitary sewer main, but the owner of each lot will pay for damage or relocation of such facilities caused or necessitated by acts of the owner or his agents or contractors.

1.3.3 The City of Jenks or its successors through its proper agents and employees shall at all times have right of access with their equipment to all such easement-ways shown on said plat, or provided for in this Deed of Dedication for the purpose of installing, maintaining, removing, or replacing any portion of said underground water and sewer facilities.

1.3.4 The foregoing covenants concerning water and sewer facilities shall be enforceable by the City of Jenks or its successors, and the owner of each lot agrees to be bound hereby.

1.4 Gas Service

1.4.1 The supplier of gas service, through its agents and employees, shall at all times have the right of access to all such easements shown on the plat or as provided for in this Deed of Dedication for the purpose of installing, removing, repairing, or replacing any portion of the facilities installed by the supplier of gas service.

1.4.2 The owner of the lot shall be responsible for the protection of the underground gas facilities located in their lot and shall prevent the alteration, grade, or any other construction activity which would interfere with the gas service. The supplier of the gas service shall be responsible for the ordinary maintenance of said facilities, but the owner shall pay for damage or relocation of facilities caused or necessitated by acts of the owner or the its agents or contractors.

1.4.3 The foregoing covenants set forth in this paragraph shall be enforceable by the supplier of the gas service and the owner of the lot agrees to be bound hereby.

1.5 Surface Drainage

Each lot shall receive and drain, in an unobstructed manner, the storm and surface waters from lots and drainage areas of higher elevation and from public streets and easements. No lot owner shall construct or permit to be constructed any fencing or other obstructions which would impair the drainage of storm and surface waters over and across his lot. The foregoing covenants set forth in this "Section 1.5 Surface Drainage" shall be enforceable by any affected lot owner and by the City of Jenks, Oklahoma.

1.6 Paving and Landscaping Within Easements

The owner of the lot shall be responsible for repair of damage to the landscaping and paving occasioned by the necessary installation of or maintenance to the underground water, sewer, storm water, gas, communication, cable television, or electric facilities within the easements depicted on the accompanying plat, provided however, that the City of Jenks or the supplier of the utility service shall use reasonable care in the performance of such activities.

1.7 Storm Sewer

1.7.1 The City of Jenks, or its successors, through its proper agents and employees, shall at all times have right of access with their equipment to all storm sewer easements for the purpose of installing, maintaining, removing or replacing any portion of the underground storm sewer system.

1.7.2 No permanent fence, permanent wall, permanent building, or permanent structure which would cause an obstruction shall be placed or maintained in the storm sewer easement area, and any construction activity which would interfere with the storm sewer system shall be prohibited.

1.7.3 The City of Jenks, or its successors, shall be responsible for ordinary maintenance of the public storm sewer system, but the owner of each lot will pay for damage or relocation of such system caused or necessitated by acts of the owner of each lot or its agents or contractors.

1.7.4 The foregoing covenants concerning the public storm sewer system shall be enforceable by the City of Jenks, or its successor, and the owner of each lot agrees to be bound hereby.

1.7.5 The owner of each lot shall be responsible for the protection of the storm sewer located on their lot and shall prevent the alteration of grade or any construction activity which may interfere with said storm sewer. Within the utility easement areas depicted on the accompanying plat, the alteration of grade from the contours existing upon the completion of the installation of storm sewer, or any construction activity which would interfere with storm, shall be prohibited.

1.8 Limits of No Access

The undersigned owner hereby relinquishes rights of vehicular ingress or egress from any portion of the property adjacent to South James Avenue and West 114th Street within the boundaries designated "Limits of No Access" (L.N.A.) on the accompanying plat, which "Limits of No Access" may be amended or released by the City of Jenks, Oklahoma or its successors, or as otherwise provided by the statutes and laws of the State of Oklahoma. "Limits of No Access" shall be enforceable by the City of Jenks.

JENKS LANDING II

Date Prepared: December 18, 2019

Sheet 2 of 3

SECTION II. RESERVE AREAS

2.1 Reserve Area "A"

2.1.1 Reserve Area "A" shall be used for open space, signage, landscaping, walls, fencing, drainage, recreation, overland drainage, stormwater drainage, stormwater detention, utilities, and ingress and egress.

2.2 Reserve Area "B"

2.2.1 Reserve Area "B" shall be used for open space, signage, landscaping, walls, fencing, drainage, recreation, overland drainage, stormwater drainage, stormwater detention, utilities, and ingress and egress.

2.1.2 Kirk Crossing (Plat No. 6467) will be allowed one sign to be located in Reserve Area "B" in the area designated on the face of the plat as "30' Sign Easement". Signage shall be installed in accordance with the City of Jenks Zoning Code.

2.3 All Reserves

2.3.1 All costs and expenses associated with all reserves, including maintenance of various improvements will be the responsibility of the Owner/Developer.

2.3.2 In the event the Owner/Developer should fail to properly maintain the reserve areas and facilities thereon located as above provided, the City of Jenks, Oklahoma, or its designated contractor may enter the reserve areas and perform such maintenance, and the cost thereof shall be paid by the Owner/Developer.

2.3.3 In the event the Owner/Developer fails to pay the cost of said maintenance after completion of the maintenance and receipt of a statement of costs, the City of Jenks, Oklahoma may file of record a copy of the statement of costs, and thereafter the costs shall be a lien against each of the lots within the development, provided however, the lien against each lot shall be limited to it's pro rata share of the costs. This lien may be foreclosed by the City of Jenks, Oklahoma.

SECTION III. CORRIDOR APPEARANCE DISTRICT

3.1 Appearance Design

3.1.1 Building design and site plan details should be so designed to provide building exterior walls and structural facades of a complementary style in order to minimize the impact of proposed new buildings and uses on adjacent and nearby properties. Exterior walls of buildings visible from the fronting street(s) must provide a complementary appearance utilizing design features, landscaping, color schemes and other architectural treatments to eliminate monotone or monolithic exterior walls or structural facades in order to be compatible and complementary to adjacent and nearby properties within the Corridor Appearance District.

3.1.2 In addition to complementary exterior wall design and building materials, the use of building setbacks, screening fences, landscaping, signage, lighting, and other site-specific amenities should be used to increase compatibility of the building with adjacent and nearby properties.

3.1.3 All roof-mounted heating and air conditioning equipment (HVAC) shall be screened.

3.2 Building Materials

3.2.1 The design of new structures and of additions to existing structures, including new site improvements, should take into account the architectural style, general design, arrangement, texture, material and color of other structures and premises in the adjacent neighborhood. Contemporary designs for new structures, additions to existing structures or remodels may be allowed so long as such construction is compatible with the essential form and integrity of other structures in the adjacent neighborhood.

3.2.2 All new structures and all reconstruction or remodeling of existing structures within the Corridor Appearance District should utilize exterior materials such as masonry, face brick, stone, or wood.

3.2.3 Traditional color schemes and combinations of those colors that are complementary to the adjacent neighborhood should be used for all exterior wall coverings. Fluorescent or luminescent colors shall be prohibited.

3.3 Parking and Landscaping

3.3.1 Parking

- a. Off-street parking areas/off-street loading areas should conform to the design, lighting, and improvements as required by the Jenks zoning code.
- b. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a residential zoning district.
- c. Unenclosed off-street parking areas shall be surfaced with a dust-free all-weather material
- d. Parking and internal traffic circulation should be established within each separate development in a way that will result in a substantial reduction in the number of existing and new public street and private drive access points to major arterial street frontages.

3.3.2 Landscaping

- a. Street frontages within the Corridor Appearance District should provide a sense of open space and should be buffered from the streets by landscaped drives, lawns, or parking.
- b. Trees and shrubbery utilized for landscaping purposes should conform to the species recommended and approved by the City of Jenks.
- c. Locations along or near to the proposed routes of the Jenks Trail System should be encouraged to provide for pedestrian and bicycle access to the system.

3.4 Fencing

3.4.1 Development and re-development within the Corridor Appearance District should include adequate screening and buffering to avoid negative impacts on adjacent residential areas.

3.4.2 Screening fencing, where required by the Jenks Zoning Code and else where on a lot within a Corridor Appearance District, should be wooden fencing, faux fencing, masonry, or brick walls or combinations thereof, providing visual barriers.

3.4.3 Screening walls or fences shall be maintained by the owner or occupant of the lot containing the use required to construct the screening.

3.5 Signage

3.5.1 All signs as defined in the Jenks City Code should be designed to be compatible with and complementary to the adjacent neighborhood. All signs should be designed and erected in compliance with the Jenks City Code, Zoning Code, and Sign Code without the necessity of variances. Variances of height, size, setback, and other code requirements should not be supported within the Corridor Appearance District.

3.6 Lighting

3.6.1 All lighting, including exterior and parking lot lighting should be so designed to complement the building structures constructed and those located in adjacent areas.

- a. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties or road right-of-way.

- b. Lighting incorporating period lighting fixtures similar to special theme district and conforming to approved City street lighting studies are encouraged.

SECTION IV. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, "JENKS LANDING II" was submitted as part of a planned unit development (designated as PUD No. 97) pursuant to Chapter 9 of the City of Jenks Zoning Ordinance.

WHEREAS, the planned unit development provisions of the Jenks Zoning Code require the establishment of covenants of record, inuring to and enforceable by the City of Jenks, Oklahoma, sufficient to assure the implementation and continued compliance with the approved planned unit development; and

WHEREAS, the Owner/Developer desires to establish restrictions for the purpose of providing for an orderly development and to insure adequate restrictions for the mutual benefit of the Owner/Developer, its successors and assigns, and the City of Jenks, Oklahoma.

THEREFORE, the Owner/Developer does hereby impose the following restrictions and covenants which shall be covenants running with the land and shall be binding upon the Owner/Developer, its successors and assigns, and shall be enforceable as hereinafter set forth.

4.1 Permitted Uses:

Multi-Family dwellings and customary accessory uses (Use Unit 8).

4.2 Maximum Number of Dwelling Units: 211 DUs

4.3 Maximum Building Height: 45 feet

4.4 Maximum Number of Stories: 3

4.5 Minimum Building Setbacks:

from South James Avenue ROW 30 feet
from East Line (internal): 5 feet
from South Line: 25 feet

4.6 Minimum Livability Space: *400SF

* Livability Space as defined by the City of Jenks Zoning Code is open space not allocated to off street parking or paved access to off-street parking areas. Livability Space per Dwelling Unit may take into account and utilize common open space to satisfy this requirement, if necessary.

4.7 Minimum Off-Street Parking:

As required by the City of Jenks Zoning Code for the applicable Use Unit.

4.8 Other Bulk and Area Requirements:

As established within an RM-2 District.

4.9 Minimum Landscaped Area: 20%

SECTION V. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

5.1 Enforcement and Duration

The restrictions herein set forth are covenants to run with the land and shall be binding upon the undersigned Owner/Developer, its grantees, successors and assigns and all parties claiming under it for a period of twenty-five (25) years from the date of recording hereof, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless amended or terminated as hereafter provided. If the undersigned Owner/Developer, or its successors or assigns shall violate any of the covenants hereon, it shall be lawful for the City of Jenks or any persons owning a lot situated within the subdivision to maintain an action at law or equity against the person or persons violating or attempting to violate any such covenant, and to

prevent him/her or them from so doing or to compel compliance with the covenants or to recover damages for such violations.

5.2 Amendment

The Covenants contained herein within "Section I. Easements and Utilities" and "Section IV. Planned Unit Development Restrictions" may be amended or terminated at any time by a written instrument signed and acknowledged by the Jenks Planning Commission or its successors with the approval of the City of Jenks, Oklahoma.

5.3 Severability

These restrictive covenants, together with the other documents incorporated by reference, shall be construed as an entity and the pertinent sections of all instruments as a whole. The invalidity of any phrase, clause or provisions herein contained shall not serve to render the balance or this instrument void, or unenforceable, and the same shall be thereafter construed as if such phrase, clause or provision were not herein contained, or to otherwise give maximum effect to the intent of the undersigned. The failure of the grantor, or any successor in title, to enforce any given restriction or covenant, or conditions at any time, or from time to time, shall not be deemed to be a waiver or relinquishment of any right or remedy nor a modification of these restrictions and protective covenants.

5.4 Definitions

In the event of ambiguity of any word or term set forth herein, the meaning thereof shall be deemed to be defined as set forth within the City of Jenks Zoning Code as the same existed on January 1, 2000 or as subsequently amended.

IN WITNESS WHEREOF: DASH RANCH, L.L.C., an Oklahoma limited liability company, executed this instrument this ____ day of _____, 2020.

DASH RANCH, L.L.C.
an Oklahoma limited liability company

Troy Atkin, Managing Member

State of Oklahoma)
) s.s.
County of Tulsa)

Before me, the undersigned, a notary public in and for said County and State on this ____ day of _____, 2020, personally appeared Troy Atkin, to me known to be the identical person and Managing Member who subscribed the name of the maker thereof and acknowledged to me that he executed the same as his free and voluntary act and deed of DASH RANCH, L.L.C., an Oklahoma limited liability company, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

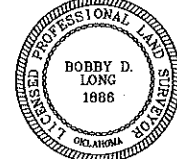
Jack Taber, Notary Public
My commission No. is 12005192
My commission expires May 31, 2020

CERTIFICATE OF SURVEY

I, Bobby D. Long, of Tulsa Engineering & Planning Associates, Inc., a professional land surveyor registered in the State of Oklahoma, hereby certify that I have carefully and accurately surveyed, subdivided, and platted the tract of land described above, and that the accompanying plat designated herein as "GreyOaks", a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, is a representation of the survey made on the ground using generally accepted land surveying practices and meets or exceeds the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted.

Executed this ____ day of _____, 2020.

Bobby D. Long
Registered Professional Land Surveyor
Oklahoma No. 1886



State of Oklahoma)
) s.s.
County of Tulsa)

The foregoing Certificate of Survey was acknowledged before me this 17th day of December, 2019, by Bobby D. Long.

Jack Taber, Notary Public
My commission No. is 12005192
My commission expires May 31, 2020

JENKS LANDING II

Date Prepared: December 18, 2019 Sheet 3 of 3

**Deed of Dedication
and
Restrictive Covenants**

**P.U.D. 97
JENKS LANDING II**

KNOW ALL MEN BY THESE PRESENTS:

DASH RANCH, L.L.C., an Oklahoma corporation, hereinafter referred to as the "Owner/Developer", is the owner of the following described land in the City of Jenks, Tulsa County, State of Oklahoma, to wit:

A tract of land located in the S/2 of the NE/4 of Section 34, T-18-N, R-12-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof, being more particularly described as follows:

TRACT "A"

A tract of land located in the S/2 of the NE/4 of Section 34, T-18-N, R-12-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof, being more particularly described as follows:

Commencing at the east quarter corner of Section 34, T-18-N, R-12-E of the Indian Meridian, Tulsa County, State of Oklahoma;

Thence N 89°58'05" W a distance of 906.91 feet along the south line of the NE/4 of said Section 34 and the south line of "Jenks Landing", a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the official recorded plat thereof, Plat No. 6730, as filed in the records of the Tulsa County Clerk, to the southwest corner of said "Jenks Landing", and the "Point of Beginning";

Thence continuing N 89°58'05" W a distance of 674.19 feet along the south line of the NE/4 of said Section 34 to the most southerly southeast corner of "Kirk Crossing", a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the official recorded plat thereof, Plat No. 6467, as filed in the records of the Tulsa County Clerk;

Thence N 00°01'55" E a distance of 275.90 feet along the easterly line of said "Kirk Crossing", to a tangent curve to the right;

Thence continuing along the easterly line of said "Kirk Crossing" and along a tangent curve to the right with a central angle of 56°46'11", a radius of 370.00 feet, an arc length of 366.60 feet, a chord bearing of N 28°25'00" E and a chord length of 351.79 feet to a tangent reverse curve to the left;

Thence continuing along the easterly line of said "Kirk Crossing" and along a tangent reverse curve to the left with a central angle of 48°52'55", a radius of 430.00 feet, an arc length of 366.86 feet, a chord bearing of N 32°21'38" E and a chord length of 355.83 feet to a tangent reverse curve to the right;

Thence continuing along the easterly line of said "Kirk Crossing" and along a tangent reverse curve to the right with a central angle of 38°34'51", a radius of 170.00 feet, an arc length of 114.47 feet, a chord bearing of N 27°12'35" E and a chord length of 112.32 feet to the northwest corner of said "Jenks Landing";

Thence along the west line of said "Jenks Landing" for the next seven calls:

Thence S 78°39'25" E a distance of 16.24 feet;

Thence S 33°39'25" E a distance of 27.37 feet to a tangent curve to the left;

Thence along a tangent curve to the left with a central angle of 27°16'11", a radius of 150.00 feet, an arc length of 71.39 feet, a chord bearing of S 47°17'30" E and a chord length of 70.72 feet;

Thence S 60°55'35" E and tangent to the previous curve a distance of 17.56 feet to a tangent curve to the right;

Thence along a tangent curve to the right with a central angle of 33°54'12", a radius of 140.00 feet, an arc length of 82.84 feet, a chord bearing of S 43°58'29" E and a chord length of 81.64 feet to a tangent compound curve to the right;

Thence along a tangent compound curve to the right with a central angle of 27°01'23", a radius of 1005.00 feet, an arc length of 474.00 feet, a chord bearing of S 13°30'42" E and a chord length of 469.62 feet;

Thence S 00°00'00" W and tangent to the previous curve a distance of 388.29 feet to the "Point of Beginning".

Together with:

TRACT "B"

Beginning where the easterly right of way for South James Avenue per the Final Plat of "Kirk Crossing" intersects the north line of the S/2 of the NE/4 of Section 34;

Thence N 89°56'32" E along the north line of the S/2 of the NE/4 of Section 34 a distance of 637.50 feet to the westerly right of way for US Highway 75 per Case No. CJ-2008-4866 as filed with the District Court of Tulsa County;

Thence along the westerly right of way for US Highway 75 and along a non-tangent curve to the left with a central angle of 01°06'19", a radius of 1029.69 feet, an arc length of 19.86 feet, a chord bearing of S 22°42'20" E and a chord length of 19.86 feet to the northerly right of way for West 114th Street per the Final Plat of "Kirk Crossing";

Thence along the northerly right of way for West 114th Street and not tangent to the previous curve S 65°11'15" W a distance of 150.38 feet;

Thence along the northerly right of way for West 114th Street and along a tangent curve to the right with a central angle of 22°36'03", a radius of 170.00 feet, an arc length of 67.06 feet, a chord bearing of S 76°29'17" W and a chord length of 66.62 feet to a tangent reverse curve to the left;

Thence along the northerly right of way for West 114th Street and along a tangent reverse curve to the left with a central angle of 36°11'38", a radius of 230.00 feet, an arc length of 145.29 feet, a chord bearing of S 69°41'30" W and a chord length of 142.89 feet;

Thence along the northerly right of way for West 114th Street and tangent to the previous curve S 51°35'41" W a distance of 78.37 feet to a tangent curve to the right;

Thence along the northerly right of way for West 114th Street and along a tangent curve to the right with a central angle of 36°33'15", a radius of 170.00 feet, an arc length of 108.46 feet, a chord bearing of S 68°52'18" W and a chord length of 106.63 feet to a tangent reverse curve to the left;

Thence along the northerly right of way for West 114th Street and along a tangent reverse curve to the left with a central angle of 18°37'50", a radius of 230.00 feet, an arc length of 74.79 feet, a chord bearing of S 78°50'01" W and a chord length of 74.46 feet to a tangent reverse curve to the right;

Thence along a tangent reverse curve to the right with a central angle of 77°32'39", a radius of 25.00 feet, an arc length of 33.84 feet, a chord bearing of N 71°42'35" W and a chord length of 31.31 feet to the easterly right of way for South James Avenue;

Thence along the easterly right of way for South James Avenue and tangent to the previous curve N 32°56'15" W a distance of 33.40 feet to a tangent curve to the right;

Thence along the easterly right of way for South James Avenue and along a tangent curve to the right with a central angle of 32°53'37", a radius of 170.00 feet, an arc length of 97.60 feet, a chord bearing of N 16°29'27" W and a chord length of 96.26 feet;

Thence along the easterly right of way for South James Avenue and tangent to the previous curve N 00°02'38" W a distance of 115.58 feet to the "Point of Beginning".

Said Tracts "A & B" contain 575,169 square feet or 13.2041 acres.

The non-astronomic bearings for said tracts are based on a platted bearing of N 89°58'05" W along the south line of the NE/4 of Section 34, T-18-N, R-12-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof per "Kirk Crossing" a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the official recorded plat thereof, Plat No. 6467, as filed in the records of the Tulsa County Clerk's office.

As Owner/Developer, I hereby certify that I have caused the above described land to be surveyed, divided, mapped, dedicated and access rights reserved as presented on the plat and have designated the subdivision as "JENKS LANDING II", a subdivision in the City of Jenks, Tulsa County, Oklahoma.

SECTION I. EASEMENTS AND UTILITIES

1.1. General Utility Easements

The Owner/Developer does hereby dedicate, for public use, the utility easements as depicted on the accompanying plat as "U/E" or "Utility Easement", for the several purposes of constructing, maintaining, operating, repairing, replacing, and/or removing any and all public utilities, including storm sewers, sanitary sewers, telephone and communication lines, electric power lines and transformers, gas lines, water lines and cable television lines, together with all fittings, including the poles, wires, conduits, pipes, valves, meters and equipment for each of such facilities and any other appurtenances thereto, with the rights of ingress and egress to and upon the utility easements for the uses and purposes aforesaid, provided however, the Owner/Developer hereby reserves to itself, and to its assigns, the right to use or delegate to others the right to use the designated easements and rights of way to provide any of the services set forth herein, including, but not limited to the right to construct, maintain, operate, lay and re-lay water lines and sewer lines, together with the right of ingress and egress for such construction, maintenance, operation, laying and re-laying over, across and along the streets and all of the utility easements depicted on the plat for the purpose of furnishing water and/or sewer services to the area included in the plat. The Owner/Developer herein imposes a restrictive covenant, which covenants shall be binding on each lot owner and shall be enforceable by the City of Jenks, Oklahoma, and by the supplier of any affected utility service, that within the streets and utility easements depicted on the accompanying plat no building, structure or other above or below ground obstruction that interferes with the above set forth uses and purposes of a street or easement shall be placed, erected, installed or maintained, provided however, nothing herein shall be deemed to prohibit drives, parking areas, curbing, landscaping and customary screening fences and walls.

1.2. Underground Service

1.2.1 Overhead lines for the supply of electric, telephone and cable television services may be located along the southerly perimeter easement of the subdivision. Street light poles or standards may be served by overhead line or underground cable and elsewhere throughout the subdivision. All supply lines including electric, telephone, cable television and gas lines shall be located underground in the easement ways dedicated for general utility services and in the rights-of-way of the public streets as depicted on the accompanying plat. Service pedestals and transformers, as sources of supply at secondary voltages, may also be located in the easement ways.

1.2.2 Underground service cables and gas service lines to all structures which may be located within the subdivision may be run from the nearest gas main, service pedestal or transformer to the point of usage determined by the location and construction of such structure as may be located upon the lot. Provided that upon the installation of a service cable or gas service line to a particular structure, the supplier of service shall thereafter be deemed to have a definitive, permanent, effective and non-exclusive right-of-way easement on the lot, covering a 5 foot strip extending 2.5 feet on each side of the service cable or line extending from the gas main, service pedestal or transformer to the service entrance on the structure.

1.2.3 The suppliers of electric, telephone, cable television, and gas services, through its agents and employees, shall at all times have the right of access to all easement ways shown on the plat or otherwise provided for in this Deed of Dedication for the purpose of installing, maintaining, removing or replacing any portion of the underground electric, telephone, cable television, or gas facilities installed by the supplier of the utility service.

1.2.4 The owner of the lot shall be responsible for the protection of the underground service facilities located on the lot and shall prevent the alteration of grade or any construction activity which would interfere with the electric, telephone, cable television, or gas facilities. Each supplier of service shall be responsible for ordinary maintenance of underground facilities, but the owner of the lot shall pay for damage or relocation of such facilities caused or necessitated by acts of the owner or the owner's agents or contractors.

1.2.5 The foregoing covenants set forth in this "Section 1.2 Underground Service" shall be enforceable by each supplier of the electric, telephone, cable television, or gas service and the owner of the lot agrees to be bound hereby.

1.3. Water and Sewer Service

1.3.1 The owner of each lot shall be responsible for the protection of the public water mains and of the public sanitary sewer facilities located on their lot and shall prevent the alteration of grade or any construction activity which may interfere with said public water main or public sanitary sewer main. Within the utility easement areas depicted on the accompanying plat, the alteration of grade from the contours existing upon the completion of the installation of a public water main or sewer main, or any construction activity which would interfere with public water and sewer mains, shall be prohibited.

1.3.2 The City of Jenks, or its successors, will be responsible for ordinary maintenance of the public water main, or the public sanitary sewer main, but the owner of each lot will pay for damage or relocation of such facilities caused or necessitated by acts of the owner or his agents or contractors.

1.3.3 The City of Jenks or its successors through its proper agents and employees shall at all times have right of access with their equipment to all such easement-ways shown on said plat, or provided for in this Deed of Dedication for the purpose of installing, maintaining, removing, or replacing any portion of said underground water and sewer facilities.

1.3.4 The foregoing covenants concerning water and sewer facilities shall be enforceable by the City of Jenks or its successors, and the owner of each lot agrees to be bound hereby.

1.4 Gas Service

1.4.1 The supplier of gas service, through its agents and employees, shall at all times have the right of access to all such easements shown on the plat or as provided for in this Deed of Dedication for the purpose of installing, removing, repairing, or replacing any portion of the facilities installed by the supplier of gas service.

1.4.2 The owner of the lot shall be responsible for the protection of the underground gas facilities located in their lot and shall prevent the alteration, grade, or any other construction activity which would interfere with the gas service. The supplier of the gas service shall be responsible for the ordinary maintenance of said facilities, but the owner shall pay for damage or relocation of facilities caused or necessitated by acts of the owner or the its agents or contractors.

1.4.3 The foregoing covenants set forth in this paragraph shall be enforceable by the supplier of the gas service and the owner of the lot agrees to be bound hereby.

1.5 Surface Drainage

Each lot shall receive and drain, in an unobstructed manner, the storm and surface waters from lots and drainage areas of higher elevation and from public streets and easements. No lot owner shall construct or permit to be constructed any fencing or other obstructions which would impair the drainage of storm and surface waters over and across his lot. The foregoing covenants set forth in this "Section 1.5 Surface Drainage" shall be enforceable by any affected lot owner and by the City of Jenks, Oklahoma.

1.6 Paving and Landscaping Within Easements

The owner of the lot shall be responsible for repair of damage to the landscaping and paving occasioned by the necessary installation of or maintenance to the underground water, sewer, storm water, gas, communication, cable television, or electric facilities within the easements depicted on the accompanying plat, provided however, that the City of Jenks or the supplier of the utility service shall use reasonable care in the performance of such activities.

1.7 Storm Sewer

1.7.1 The City of Jenks, or its successors, through its proper agents and employees, shall at all times have right of access with their equipment to all storm sewer easements for the purpose of installing, maintaining, removing or replacing any portion of the underground storm sewer system.

1.7.2 No permanent fence, permanent wall, permanent building, or permanent structure which would cause an obstruction shall be placed or maintained in the storm sewer easement area, and any construction activity which would interfere with the storm sewer system shall be prohibited.

1.7.3 The City of Jenks, or its successors, shall be responsible for ordinary maintenance of the public storm sewer system, but the owner of each lot will pay for damage or relocation of such system caused or necessitated by acts of the owner of each lot or its agents or contractors.

1.7.4 The foregoing covenants concerning the public storm sewer system shall be enforceable by the City of Jenks, or its successor, and the owner of each lot agrees to be bound hereby.

1.7.5 The owner of each lot shall be responsible for the protection of the storm sewer located on their lot and shall prevent the alteration of grade or any construction activity which may interfere with said storm sewer. Within the utility easement areas depicted on the accompanying plat, the alteration of grade from the contours existing upon the completion of the installation of storm sewer, or any construction activity which would interfere with storm, shall be prohibited.

1.8 Limits of No Access

The undersigned owner hereby relinquishes rights of vehicular ingress or egress from any portion of the property adjacent to South James Avenue and West 114th Street within the boundaries designated "Limits of No Access" (L.N.A.) on the accompanying plat, which "Limits of No Access" may be amended or released by the City of Jenks, Oklahoma or its successors, or as otherwise provided by the statutes and laws of the State of Oklahoma. "Limits of No Access" shall be enforceable by the City of Jenks.

JENKS LANDING II

Date Prepared: December 18, 2019

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SECTION II. RESERVE AREAS

2.1 Reserve Area "A"

- 2.1.1 Reserve Area "A" shall be used for open space, signage, landscaping, walls, fencing, drainage, recreation, overland drainage, stormwater drainage, stormwater detention, utilities, and ingress and egress.

2.2 Reserve Area "B"

- 2.2.1 Reserve Area "B" shall be used for open space, signage, landscaping, walls, fencing, drainage, recreation, overland drainage, stormwater drainage, stormwater detention, utilities, and ingress and egress.

- 2.1.2 Kirk Crossing (Plat No. 6467) will be allowed one sign to be located in Reserve Area "B" in the area designated on the face of the plat as "30' Sign Easement". Signage shall be installed in accordance with the City of Jenks Zoning Code.

2.3 All Reserves

- 2.3.1 All costs and expenses associated with all reserves, including maintenance of various improvements will be the responsibility of the Owner/Developer.

- 2.3.2 In the event the Owner/Developer should fail to properly maintain the reserve areas and facilities thereon located as above provided, the City of Jenks, Oklahoma, or its designated contractor may enter the reserve areas and perform such maintenance, and the cost thereof shall be paid by the Owner/Developer.

- 2.3.3 In the event the Owner/Developer fails to pay the cost of said maintenance after completion of the maintenance and receipt of a statement of costs, the City of Jenks, Oklahoma may file of record a copy of the statement of costs, and thereafter the costs shall be a lien against each of the lots within the development, provided however, the lien against each lot shall be limited to its pro rata share of the costs. This lien may be foreclosed by the City of Jenks, Oklahoma.

SECTION III. CORRIDOR APPEARANCE DISTRICT

3.1 Appearance Design

- 3.1.1 Building design and site plan details should be so designed to provide building exterior walls and structural facades of a complementary style in order to minimize the impact of proposed new buildings and uses on adjacent and nearby properties. Exterior walls of buildings visible from the fronting street(s) must provide a complementary appearance utilizing design features, landscaping, color schemes and other architectural treatments to eliminate monotone or monolithic exterior walls or structural facades in order to be compatible and complementary to adjacent and nearby properties within the Corridor Appearance District.

- 3.1.2 In addition to complementary exterior wall design and building materials, the use of building setbacks, screening fences, landscaping, signage, lighting, and other site-specific amenities should be used to increase compatibility of the building with adjacent and nearby properties.

- 3.1.3 All roof-mounted heating and air conditioning equipment (HVAC) shall be screened.

3.2 Building Materials

- 3.2.1 The design of new structures and of additions to existing structures, including new site improvements, should take into account the architectural style, general design, arrangement, texture, material and color of other structures and premises in the adjacent neighborhood. Contemporary designs for new structures, additions to existing structures or remodels may be allowed so long as such construction is compatible with the essential form and integrity of other structures in the adjacent neighborhood.

- 3.2.2 All new structures and all reconstruction or remodeling of existing structures within the Corridor Appearance District should utilize exterior materials such as masonry, face brick, stone, or wood.

- 3.2.3 Traditional color schemes and combinations of those colors that are complementary to the adjacent neighborhood should be used for all exterior wall coverings. Fluorescent or luminescent colors shall be prohibited.

3.3 Parking and Landscaping

3.3.1 Parking

- a. Off-street parking areas/off-street loading areas should conform to the design, lighting, and improvements as required by the Jenks zoning code.
- b. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a residential zoning district.
- c. Unenclosed off-street parking areas shall be surfaced with a dust-free all-weather material
- d. Parking and internal traffic circulation should be established within each separate development in a way that will result in a substantial reduction in the number of existing and new public street and private drive access points to major arterial street frontages.

3.3.2 Landscaping

- a. Street frontages within the Corridor Appearance District should provide a sense of open space and should be buffered from the streets by landscaped drives, lawns, or parking.
- b. Trees and shrubbery utilized for landscaping purposes should conform to the species recommended and approved by the City of Jenks.
- c. Locations along or near to the proposed routes of the Jenks Trail System should be encouraged to provide for pedestrian and bicycle access to the system.

3.4 Fencing

- 3.4.1 Development and re-development within the Corridor Appearance District should include adequate screening and buffering to avoid negative impacts on adjacent residential areas.

- 3.4.2 Screening fencing, where required by the Jenks Zoning Code and else where on a lot within a Corridor Appearance District, should be wooden fencing, faux fencing, masonry, or brick walls or combinations thereof, providing visual barriers.

- 3.4.3 Screening walls or fences shall be maintained by the owner or occupant of the lot containing the use required to construct the screening.

3.5 Signage

- 3.5.1 All signs as defined in the Jenks City Code should be designed to be compatible with and complementary to the adjacent neighborhood. All signs should be designed and erected in compliance with the Jenks City Code, Zoning Code, and Sign Code without the necessity of variances. Variances of height, size, setback, and other code requirements should not be supported within the Corridor Appearance District.

3.6 Lighting

- 3.6.1 All lighting, including exterior and parking lot lighting should be so designed to complement the building structures constructed and those located in adjacent areas.

- a. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties or road right-of-way.

- b. Lighting incorporating period lighting fixtures similar to special theme district and conforming to approved City street lighting studies are encouraged.

prevent him/her or them from so doing or to compel compliance with the covenants or to recover damages for such violations.

5.2. Amendment

The Covenants contained herein within "Section I. Easements and Utilities" and "Section IV. Planned Unit Development Restrictions" may be amended or terminated at any time by a written instrument signed and acknowledged by the Jenks Planning Commission or its successors with the approval of the City of Jenks, Oklahoma.

5.3. Severability

These restrictive covenants, together with the other documents incorporated by reference, shall be construed as an entity and the pertinent sections of all instruments as a whole. The invalidity of any phrase, clause or provisions herein contained shall not serve to render the balance or this instrument void, or unenforceable, and the same shall be thereafter construed as if such phrase, clause or provision were not herein contained, or to otherwise give maximum effect to the intent of the undersigned. The failure of the grantor, or any successor in title, to enforce any given restriction or covenant, or conditions at any time, or from time to time, shall not be deemed to be a waiver or relinquishment of any right or remedy nor a modification of these restrictions and protective covenants.

5.4. Definitions

In the event of ambiguity of any word or term set forth herein, the meaning thereof shall be deemed to be defined as set forth within the City of Jenks Zoning Code as the same existed on January 1, 2000 or as subsequently amended.

SECTION IV. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, "JENKS LANDING II" was submitted as part of a planned unit development (designated as PUD No. 97) pursuant to Chapter 9 of the City of Jenks Zoning Ordinance.

WHEREAS, the planned unit development provisions of the Jenks Zoning Code require the establishment of covenants of record, inuring to and enforceable by the City of Jenks, Oklahoma, sufficient to assure the implementation and continued compliance with the approved planned unit development; and

WHEREAS, the Owner/Developer desires to establish restrictions for the purpose of providing for an orderly development and to insure adequate restrictions for the mutual benefit of the Owner/Developer, its successors and assigns, and the City of Jenks, Oklahoma.

THEREFORE, the Owner/Developer does hereby impose the following restrictions and covenants which shall be covenants running with the land and shall be binding upon the Owner/Developer, its successors and assigns, and shall be enforceable as hereinafter set forth.

4.1 Permitted Uses:

Multi-Family dwellings and customary accessory uses (Use Unit 8).

4.2 Maximum Number of Dwelling Units: 211 DUs

4.3 Maximum Building Height: 45 feet

4.4 Maximum Number of Stories: 3

4.5 Minimum Building Setbacks:

from South James Avenue ROW 30 feet
from East Line (internal): 5 feet
from South Line: 25 feet

4.6 Minimum Livability Space: *400SF

* Livability Space as defined by the City of Jenks Zoning Code is open space not allocated to off street parking or paved access to off-street parking areas. Livability Space per Dwelling Unit may take into account and utilize common open space to satisfy this requirement, if necessary.

4.7 Minimum Off-Street Parking:

As required by the City of Jenks Zoning Code for the applicable Use Unit.

4.8 Other Bulk and Area Requirements:

As established within an RM-2 District.

4.9 Minimum Landscaped Area: 20%

SECTION V. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

5.1 Enforcement and Duration

The restrictions herein set forth are covenants to run with the land and shall be binding upon the undersigned Owner/Developer, its grantees, successors and assigns and all parties claiming under it for a period of twenty-five (25) years from the date of recording hereof, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless amended or terminated as hereafter provided. If the undersigned Owner/Developer, or its successors or assigns shall violate any of the covenants hereon, it shall be lawful for the City of Jenks or any persons owning a lot situated within the subdivision to maintain an action at law or equity against the person or persons violating or attempting to violate any such covenant, and to

IN WITNESS WHEREOF: DASH RANCH, L.L.C., an Oklahoma limited liability company, executed this instrument this ____ day of _____, 2020.

DASH RANCH, L.L.C.
an Oklahoma limited liability company

Troy Atkin, Managing Member

State of Oklahoma)
) s.s.
County of Tulsa)

Before me, the undersigned, a notary public in and for said County and State on this ____ day of _____, 2020, personally appeared Troy Atkin, to me known to be the identical person and Managing Member who subscribed the name of the maker thereof and acknowledged to me that he executed the same as his free and voluntary act and deed of DASH RANCH, L.L.C., an Oklahoma limited liability company, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Jack Taber, Notary Public
My commission No. is 12005192
My commission expires May 31, 2020

CERTIFICATE OF SURVEY

I, Bobby D. Long, of Tulsa Engineering & Planning Associates, Inc., a professional land surveyor registered in the State of Oklahoma, hereby certify that I have carefully and accurately surveyed, subdivided, and platted the tract of land described above, and that the accompanying plat designated herein as "GreyOaks", a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, is a representation of the survey made on the ground using generally accepted land surveying practices and meets or exceeds the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted.

Executed this ____ day of _____, 2020.

Bobby D. Long
Registered Professional Land Surveyor
Oklahoma No. 1886



State of Oklahoma)
) s.s.
County of Tulsa)

The foregoing Certificate of Survey was acknowledged before me this 17th day of December, 2019, by Bobby D. Long.

Jack Taber, Notary Public
My commission No. is 12005192
My commission expires May 31, 2020

JENKS LANDING II

Date Prepared: December 18, 2019

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