

AGENDA
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, MAY 21, 2020

I. CALL TO ORDER

II. ROLL CALL

1. MEMBERS MEETING BY VIDEOCONFERENCE

- Chair Carol Minden
- Travis Fulkerson
- Scott West
- Leon Davis
- Craig Bowman
- David Randolph
- John Brown

The meeting will be live streamed on the [CITY OF JENKS' YOUTUBE CHANNEL](#). If you have any comments pertinent to the agenda items for the public record, please send them to the City Clerk at bmacy@jenksok.org by noon on the day of the meeting. If email is not an option, you may also call the City Clerk at 918-209-4903 or leave a comment in the utility drop box at City Hall. These comments must be submitted by the end of business the day before the meeting. Your name and address are required to be included in the public record. Comments must be limited to 3 minutes in length. No other comments will be taken as public record.

III. REQUEST TO APPROVE MINUTES OF MAY 07, 2020

Documents:

[2020.05.07 PC MINUTES.PDF](#)

IV. BUSINESS

1. TUP 20-45: Request by Jake's Fireworks for a Temporary Use Permit to allow for the retail sale of fireworks. General Location: 728 W Main
WITHDRAWN

Documents:

1. [SR.TUP 20-45 PC.PDF](#)
2. [CASE MAP.PDF](#)
3. [JAKES SITEPLAN AND APPLICATION.PDF](#)

2. Request to recommend approval of Ordinance No. 1519, removing the zoning fees from the Jenks Zoning Code and replacing with language referencing the Master Fee Schedule

Documents:

1. [SR.MASTER FEE SCHEDULE PC.PDF](#)
2. [ORDINANCE 1519 ZONING FEE SCHEDULE.PDF](#)

V. OLD BUSINESS

1. PA 20-17: Request by Robert Bell for an amendment to the Jenks Comprehensive Plan.
General Location: 813 E B St

Documents:

1. [SR.PUD 120 FIDLER ACRE 5.21.20.PDF](#)
2. [PA 20-17 FIDLER ACRE.PDF](#)
3. [JZ 20-655 INCOG CASE MAP.PDF](#)
4. [JZ 20-654 PUD 120 FIDLER ACRE.PDF](#)
5. [ROW-UE 20-74 FIDLER ACRE.PDF](#)
6. [PRELIMINARY PLAT FIDLER ACRE.PDF](#)
7. [SITE PLAN AND SUPPORT DOCUMENTS FIDLER ACRE.PDF](#)

2. JZ 20-655: Request by Robert Bell for a zone change to ROC (River Oriented Commercial). General Location: 813 E B St

Documents:

1. [JZ 20-655.INCOG CASE MAP.PDF](#)
2. [JZ 20-655.FIDLER ACRE. ZONE CHANGE APPLICATION.PDF](#)

3. JZ 20-654 PUD 120: Request by Robert Bell for Planned Unit Development 120 - Fidler Acre. General Location: 813 E B St

Documents:

1. [JZ 20-654 PUD 120 FIDLER ACRE.PUD.PDF](#)
2. [JZ 20-654 PUD 120 FIDLER ACRE.PUBLIC NOTICE 5.8.2020.PDF](#)
3. [JZ 20-654 PUD 120 FIDLER ACRE.PUBLIC NOTICE 4.20.20.PDF](#)

4. ROWUEC 20-74: Request by Robert Bell for a Utility Easement Closure. General Location: 813 E B St

Documents:

1. [ROW-UEC 20-74 FIDLER ACRE. UTILITY EASEMENT CLOSURE.PDF](#)
2. [ROW-UEC 20-74 FIDLER ACRE.UTILITY EASEMENT CLOSURE APP.PDF](#)

5. Request by Robert Bell for approval of Fidler Acre Preliminary Plat. General Location: 813 E B St

Documents:

1. [PRELIMINARY PLAT FIDLER ACRE.PDF](#)
2. [PRELIM PLAT FIDLER ACRE APPLICATION.PDF](#)
3. [DEED OF DEDICATION FIDLER ACRE.PDF](#)

VI. OTHER BUSINESS

1. Horizon Jenks - Comprehensive Plan Project Update
2. Planning Updates

VII. ADJOURNMENT

MINUTES
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, MAY 07, 2020

The Jenks Planning Commission was called to order at 6:00 p.m. on May 07, 2020 by Chair Carol Minden. A roll call vote of members was taken as follows:

Present

Scott West - Videoconference
John Brown - Videoconference
Travis Fulkerson - Videoconference
Leon Davis - Videoconference
Craig Bowman - Videoconference
David Randolph - Videoconference
Chair Carol Minden- Videoconference

Absent

Request to approve minutes of April 23, 2020. John Brown made a motion to approve the minutes. David Randolph seconded the motion. A roll call vote of members was taken as follows:

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

NAY: None

Motion carried.

Pastor Drew Wright said a prayer and held a 60 second moment of silence for those impacted by COVID-19

Business

1. TUP 20-44: Request by Melissa Torkleson for a Temporary Use Permit to allow for the retail sale of fireworks. **General Location:** NE Corner of 106th St S & S Elm

Planning Director Marcae Hilton presented the staff report and recommended approval with the conditions of waiving the dust free parking requirement and meeting the requirements of 1902.2 Temporary Use Minimum Zoning Regulations. Melissa Torkleson (637 S 193rd W Ave, Sand Springs) addressed the Commission about the application and answered questions. John Brown made a motion to approve Item 1 per staff recommendations and waiving section 8-3-3 to allow for the sale of fireworks in December. John Brown seconded the motion. A roll call vote was taken as follows:

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

NAY: None

Motion carried

2. ROW-UEC 20-73: Request by Shawna Norris for a Utility Easement Closure to close a portion of the Utility Easement in her rear yard. **General Location:** 116 W 125th Ct S

Planning Direct Marcae Hilton presented her staff report and recommended approval. Shawna Norris (116 W 125th Ct S) addressed the Commission about the application and answered questions. David Randolph made a motion to approve Item 2. Travis Fulkerson seconded the motion. A roll call vote was taken as follows:

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

NAY: None

Motion carried

3. Request by TEP for approval of Torrey Lakes Preliminary Plat. **General Location:** South of 131st and west Harvard.

Planning Director Marcae Hilton presented her staff report and recommended approval. *Public comments listed at end of minutes.* Leon Davis made a motion to approve Item 3. John Brown seconded the motion. A roll call vote was taken as follows:

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

NAY: None

Motion carried.

4. PA 20-17: Request by Robert Bell for an amendment to the Jenks Comprehensive Plan. **General Location:** 813 E B St.

Planning Director Marcae Hilton requested that all cases on the agenda related to this item be tabled to the next meeting. John Brown made a motion to table Items 4-8 to the next meeting. David Randolph seconded the motion. A roll call vote was taken as follows:

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

NAY: None

Motion carried

5. JZ 20-655: Request by Robert Bell for a zone change to ROC (River Oriented Commercial). **General Location:** 813 E B St

Item tabled to next meeting

6. JZ 20-654 PUD 120: Request by Robert Bell for Planned Unit Development 120 – Fidler Acre. **General Location:** 813 E B St

Item tabled to next meeting

7. ROWUEC 20-74: Request by Robert Bell for a Utility Easement Closure. **General Location:** 813 E B St.

Item tabled to next meeting.

8. Request by Robert Bell for approval of Fidler Acre Preliminary Plat. **General Location:** 813 E B St.

Item tabled to next meeting.

Other Business

1. Planning Update

Planning Director Marcae Hilton gave a Planning Department update.

2. Horizon Jenks – Comprehensive Plan Project Update.

Planning Director Marcae Hilton gave an update on the Jenks Comprehensive Plan.

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

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

NAY: None

Motion carried. The Jenks Planning Commission adjourned at 6:40 p.m.

PUBLIC COMMENT:

RESPONSES & LEGEND

Marcae Hilton, City Planner | MH

Technical Advisory Committee | TAC

Chris Robinson, City Engineer | CR

United States Army Corps of Engineers | USACE

Oklahoma Department of Environmental Quality | ODEQ

Oklahoma Corporation Commission | OCC

Notice of Intent | NOI

Stormwater Pollution Prevention Plan | SWP3

PLAT | DRAINAGE

Chris Robinson, City Engineer | April 20, 2020 | The earth change permit requires the following:

- 1) Erosion control plan as required by ODEQ and our stormwater regulations.
- 2) Drainage report showing equal or less discharge from site at each runoff location. The engineers must show that the proposed layout and pond layout will equal or reduce runoff from 1-year to 100 year storms (at least 1 foot freeboard above 100 year storm). The ponds must also have the capacity for the 500 year storm (must include calculations to verify capacity).
- 3) Contact and response from USACE is now required on the earth change permit.
- 4) Grading Plan – They must show all groundwater, oil-gas well locations.
 - a. We typically do not allow homes to be placed over old well locations.
 - b. See Section 3.9 of Subdivision Regulations below.
- 5) I have been working on adding requirements to the Earth Change permit to include all Geotechnical, Phase 1/Phase 2 ESA reports, and any OCC or cleanup activity report. This is not in City Code yet as a requirement of the Earth Change permit.
- 6) Part of the earth change permit is for the application to submit a SWP3 (Stormwater Pollution Prevention Plan) and copy of the NOI (Notice of Intent).

Andra Pinkston <andra.pinkston@gmail.com> | Sent: Monday, April 13, 2020 6:03 PM | My husband and I submitted a public comment regarding our concerns over drainage

Marcae, you mentioned in the meeting that the drainage concerns would be addressed by the city engineers.

- I was curious how the resolution that the engineers reach will be communicated back to those of us with the drainage concerns. MH | *Per phone conversation | the questions have been given to the City Engineer for response, responses will be presented during the Preliminary Plat*

- A significant portion of the runoff from this property drains directly through our yard and we have already had an issue arise concerning lack of notification by either the landowner or the developer of drainage changes. *MH | Anytime there is adverse impact, a citizen can make a code complaint, an investigation will be started.*
- What communication should we expect as drainage plans are developed? *MH | Planning Commission is the first opportunity to hear the details of the plan followed by City Council. Drainage plans are part of platting; they are submitted to the City Engineer in phases or steps. They are technical documents created and submitted to the City from Licensed professional engineers. The documents are reviewed by multiple entities and different City staff, each having department looking or specific criteria. These reviewers include but are not limited to: Technical Advisory Committee (TAC), Jenks development staff, City Engineers, Building Inspections, Fire/Public Safety, other state and local governing entities and consultants as needed. Upon review of the information, staff makes a recommendation to Planning Commission and City Council during the plat approval process.*

Greg and Andra Pinkston via email April 08, 2020 | 2701 E 138th Pl S, Bixby, OK 74008 | We have reviewed the available information pertaining to the above referenced proposed Torrey Lake Development and as affected property owners have the following questions, comments and concerns that we ask the Commission to consider in their decision.

- Our property is located just west and south of the southwest corner of the proposed development. Our lot is Lot #5 on the east end of Snow Tree Addition.
 - a. Our primary concerns are related to the stormwater runoff and how it will impact the drainage across our property.
 - b. The proposed plans contain a document showing the current elevation grade lines across the 40 acres.
 - c. Referencing that document, our property is slightly south & west of the southwest corner of the proposed development.
 - d. This document shows that approximately 40% of the stormwater from this area currently drains toward and across our property.
 - e. Previously, this stormwater had been held and controlled by two (2) ponds (now only one pond – see below) on the acreage.
- While there is a drainage easement across our property, our concern is that this proposed development will greatly increase the stormwater flow and potentially cause flooding of our property during heavy rains.

MH | It is unlawful to cause adverse impact to surround properties, the engineer of record conducts modeling to understand post and pre-construction discharge rates, or plainly speaking, where a drop of water on the property goes presently and where it will go following development.

CR | The engineers must show that the proposed layout and pond layout will equal or reduce runoff from 1-year to 100 year storms (at least 1 foot freeboard above 100 year storm).

Greg and Andra Pinkston via email April 08, 2020 | The following are issues noted in the PUD 119 documents that lead us to this concern:

- Again, referring to the Elevation (Topography) document in the plans (please see Attachment 1), we note that the west property line of the PUD 119 splits the existing pond on the acreage.
 - This pond had functioned for many years as a retention pond capturing the stormwater from the west end of the proposed development and east end of the adjoining agriculture property.
 - On February 18, 2020, without any notice to us as adjoining property owners, a construction crew broke the dam on that pond. *CR | The existing pond was emptied by the previous owner and City was notified until after the pond had been emptied.*
 - This action, as evidenced by our video documentation, created an immediate surge of water into the drainage ditch across our property.
 - This action is concerning to us as we have 3 children who frequently play in our yard and while they were not in the yard at the time of the surge, they very likely could have been and could have been injured by the flash flooding that was created. While this unexpected water surge did recede after about an hour and nobody was harmed, we are very concerned that we were not notified prior to the dam being broken and hope that this disregard to surrounding property owners is not typical of the developers if this development request is approved.
 - As mentioned, our primary concern is the increase in stormwater runoff created by the proposed development. *CR | The engineers must show that the proposed layout and pond layout will equal or reduce runoff from 1-year to 100 year storms (at least 1 foot freeboard above 100 year storm).*

Greg and Andra Pinkston via email April 08, 2020 | 2701 E 138th Pl S, Bixby, OK 74008 |

- Will the proposed retention pond as noted in the PUD 119 plan be sized to account for this high density? *CR | Drainage report showing equal or less discharge from site at each runoff location. The engineers must show that the proposed layout and pond layout will equal or reduce runoff from 1-year to 100 year storms (at least 1 foot freeboard above 100 year storm). The ponds must also have the capacity for the 500 year storm (must include calculations to verify capacity).*
- Greg and Andra Pinkston via email April 08, 2020 | 2701 E 138th Pl S, Bixby, OK 74008 |
Is there a finished grade plot for the proposed development? *CR | No plans have been submitted for this development as of April 29, 2020.*

Greg and Andra Pinkston via email April 08, 2020 | 2701 E 138th Pl S, Bixby, OK 74008 |

- Now that the dam on the pond that was previously holding stormwater has been cut and it will no longer be retaining any stormwater, what are the plans to provide retention for the stormwater that will drain from the west side of the proposed development property (through the stub street) and the east side of the adjoining agriculture property that was previously retained by the pond?

MH | The new stormwater detention ponds will be engineered and sized to handle the changes to the land disturbances.

- We ask that the developer be required to remedy this concern as a part of the development. *MH | It is unlawful to cause adverse impact to surround properties, the engineer of record conducts modeling to understand where a drop of water on the property goes presently and where it will go following development, the ponds are sized according to the studies.*

Pecan Creek Homeowners Association, President Dan Stahl via email on April 09, 2020 | 13803 S 19th Ct, Bixby, OK 74008

- Water that comes off of the property in question effects our neighborhood in several ways.
 - o First, water drainage very directly controls the level of two of our neighborhood ponds. These ponds do not have any other source for water other than run-off from rain. If that is interrupted or changed in any way it will have very negative effects.
 - o Second, too much water from this property can and does cause damage to adjoining properties. A simple viewing of the adjoining properties shows a lot of drainage issues that Pecan Creek homeowners have to deal with. We do not want the drainage from this proposed addition to adversely affect our properties.
 - o We would strongly suggest that any development on the property by Tim Terral be made so there is not a material change to the water flow towards Pecan Creek.

CR | Part of the earth change permit is for the application to submit a SWP3 (Stormwater Pollution Prevention Plan) and copy of the NOI (Notice of Intent).

Hec-Ras modeling using the USACE Hec-Ras 5.0 model or equivalent is required.

Drainage report showing equal or less discharge from site at each runoff location. The engineers must show that the proposed layout and pond layout will equal or reduce runoff from 1-year to 100 year storms (at least 1 foot freeboard above 100 year storm). The ponds must also have the capacity for the 500 year storm (must include calculations to verify capacity).

Charlotte Muñiz-Montgomery VIA Email April 09, 2020 | Verify free board parameter used in the Detention Report.

CR | *I am unaware the USACE having requirements on free boards on sub-division detention/retention ponds that are not part of one of their nationwide/individual permit requirements.*

Verify number and location of detention ponds are adequate to meet peak run off.

CR | *Part of the earth change permit is for the application to submit a SWP3 (Stormwater Pollution Prevention Plan) and copy of the NOI (Notice of Intent). Drainage report showing equal or less discharge from site at each runoff location. The engineers must show that the proposed layout and pond layout will equal or reduce runoff from 1-year to 100 year storms (at least 1 foot freeboard above 100 year storm). The ponds must also have the capacity for the 500 year storm (must include calculations to verify capacity).*

- Verify with the Army Corps of Engineers that no part of this development has designated wetlands. MH | *This is done on the private side by the engineer of record and presented to the City with appropriate documentation.*
- Clarify if there will be one or two stub street connections. MH | *One*
- It is my understanding that the Corps of Engineers has changed freeboard from 1 foot to 2 feet. Has/will the Detention Report for Torrey Pines use this new standard? CR | *I have emailed the USACE about the freeboard regulation. I have not had a response and I am unaware of such a change to their regulations that would require 2 feet of freeboard on residential sub-division retention/detention ponds.*
- Exhibit "C" Existing Conditions Plan shows topo highlights and ridge lines. With ridge lines sloping south and east on the right side of the diagram, is a detention pond needed in the SE corner to capture runoff? The post and pre-construction discharge rates will be of interest as there will be a tremendous increase in impervious surfaces. *No Comment*
- Did anybody check if any part of the development has wetlands? (Note: This oversight has halted current development of Hickory Creek) MH | *This is done on the private side by the engineer of record and presented to the City with appropriate documentation.*
Drainage and Flooding. There hasn't been a PUD the last three years where this hasn't been a comment or complaint.
- With the Stone Bluff PUD, Beach told me there were no specific requirement set by the City as to what models the applicants engineer may use in calculating rainfall, run-off, catchment system, and other criteria in the detention report. The "Detention Report" typically includes a hydrology report, drainage plan, and detention pond design.

As the result of the historic 2019 flooding, supposedly the freeboard requirement has been increased by the Corps of Engineers from 1 foot to 2. This could greatly influence the Detention Report findings and recommendations.

There were several public comments regarding run-off and flooding in general, and removal of the current pond straddling the center-west boundary of site and moving the pond to the SW corner.

CR | City of Jenks Stormwater requirements that post construction run-off has to equal or be less than pre-construction conditions. The stormwater ponds will have to be sized for post-construction conditions. The required drainage/hydrology report will need to show the pre and post construction conditions

CR | From an email dated April 28, 2020 at 3:11pm from Dr. David Williams at the USACE CESWT location: "You are correct, USACE has no authority or requirements concerning privately-owned detention or retention ponds. A few years ago, USACE moved away from strict freeboard requirements in favor of a risk-based approach for levees, but FEMA (as part of the NFIP) does have a freeboard requirement for accreditation. Please see 44 CFR 65.10 for more information. I suspect that the change in levee freeboard requirements has prompted the question about freeboard in the detention pond. Any specific requirements pertaining to the detention pond would be a local code or ordinance."

Bryan Boler email on April 9, 2020 | 2629 E 138th Pl S, Bixby, OK 74008

- I am concerned with water run off. Heavy rains already fill the creeks and bar ditches.

PLAT | ENVIRONMENTAL Due Diligence

City Code | Sec. 5-7-16. - Storage Tanks and Separators.

- A. It shall be unlawful and an offense for any person to use, construct or operate in connection with any producing well within the city limits, any crude oil storage tanks, except to the extent of two low-type steel tanks for oil storage, not exceeding 500 barrels capacity for each well connected thereto and so constructed and maintained as to be vapor-tight and properly vented. A permittee may use, construct and operate a conventional steel separator, vapor recovery unit and such other approved tanks and appurtenances as are necessary for treating oil with each of such facilities, to be so constructed and maintained as to be vapor tight. Each oil/gas separator shall be equipped with both a regulation pressure relief safety valve and bursting head. All such tanks shall be placed above ground, and the tanks shall be placed upon a suitable earth or concrete pad. All tubing for said tanks and separators shall be made of internally plastic coated steel.

- B. The use of a central tank battery is permitted so long as not more than two tanks as specified in subsection (A) of this section are used for each well connected to the battery.
- C. The tank or tanks shall be enclosed within a conventional-type fire wall constructed of compacted earth; sufficient water shall be used during the fire wall construction to ensure adequate compaction.
- D. The fire wall enclosing the tanks shall have a minimum capacity equal to two times the volume of the tanks enclosed.
- E. The tanks shall be within the fire wall and shall be fenced and landscaped to ensure them being practically unseen when viewed from outside the fenced or landscaped enclosure.
- F. The separators shall be installed in a manner that will ensure them being practically unseen when viewed from outside the fenced or landscaped enclosure.
- G. No tanks or separators shall be located closer than 300 feet to a dwelling, business structure, school or street without the permittee having first secured the written permission of the owner or owners thereof; except that no storage tank or separator shall be located nearer than 400 feet from a property line of a residential subdivision.

Sub-Division Regulations

SECTION 3.9 OIL AND GAS WELLS Where there is found to be a producing oil or gas well which is in or near the proposed subdivision, or an abandoned oil or gas well which is not adequately plugged according to the standards established by State law and the Oklahoma Corporation Commission, a building setback line as determined by the Planning Commission and City Council shall be shown on the final plat to prevent the erection of a building near such wells or said well shall be adequately plugged according to said standards and so certified by the Oklahoma Corporation Commission 37 before the plat of such addition is given final approval. In any event, a certificate or clearance shall be obtained from the Oklahoma Corporation Commission as to the existence of any unplugged wells reflected in their records.

Charlotte Muñiz-Montgomery VIA Email April 09, 2020 |

- Verify that all wells were plugged and tanks removed according to the OCC (Oklahoma Corporation Commission, Oil and Gas Division) guidelines.
 - i. Mark locations on the plat. MH | *They are identified in the approved PUD, Preliminary Plat, Grading Plan and Civil Subdivision Plans.*
 - CR | *Engineering does require the location of the Wells to be shown on the grading plans for the earth change and later on the civil sub-division plans.*
 - CR | *Grading Plan – They must show all groundwater, oil-gas well locations. We do not allow homes to be placed over old well locations. See Section 3.9 of Sub-Division Regulations*

ii. Determine if disclosure of these locations should be required in the text of the plat document. MH | *They are identified in the approved PUD, Preliminary Plat, Grading Plan and Civil Subdivision Plans.*

Charlotte Muñiz-Montgomery VIA Email April 09, 2020 | *The Staff, PC, and CC have a right to request these details and should be required in all future applications.*

- The Conceptual Site Plan and Existing Conditions Plan indicate plugged wells at the: NE detention pond and Block 2, lot 1 and Block 3, lots 10, 11 & 28. If there were wells, there were also tank batteries (storage). Wells and tank battery sites should be clearly indicated on the plat. Future lot owners have a right to disclosure and this is likely a State or Federal requirement, specifically during closing. MH | *SECTION 3.9 OIL AND GAS WELLS Where there is found to be a producing oil or gas well which is in or near the proposed subdivision, or an abandoned oil or gas well which is not adequately plugged according to the standards established by State law and the Oklahoma Corporation Commission, **a building setback line as determined by the Planning Commission and City Council shall be shown on the final plat to prevent the erection of a building near such wells or said well shall be adequately plugged according to said standards and so certified by the Oklahoma Corporation Commission before the plat of such addition is given final approval.** In any event, a **certificate of clearance** shall be obtained from the Oklahoma Corporation Commission as to the existence of any unplugged wells reflected in their records.*

Beth Oakes via email on April 09, 2020 | 2112 W D Ct |

- what will the developer do to make sure all of the old wells on the property are properly plugged and sealed off and not leaking any methane or posing any open hole dangers?
MH | *The developer must submit a certificate of clearance shall be obtained from the Oklahoma Corporation Commission as to the existence of any unplugged wells reflected in their records.*
- Will they have all of the wellsites located, marked and tested and inspected by the OCC and provide those reports to the city? MH | *Standards are provided in the City Code.*

Ryan & Kimberly Hamilton via email on April 09, 2020 | 2040 E 135th St S, Bixby, OK 74008

- Our home backs up to the South property line of Providence Hills. We have a Utility Easement that backs up to the North property line of PUD 119. We want to make sure that PUD 119 will be maintaining "the 50' Pipeline Easement" as listed in the document PUD 119 (Torrey Lakes) submitted from the Tulsa Engineering and Planning Associates (Page One, Development Concept,

Paragraph Two) “The main encumbrances to the site are two 50’ pipeline easements...

- The second is a 50’ Conoco Phillips pipeline easement that runs east/west along the north boundary line”. Our concern is that they maintain this easement as such and not allow residents to fence it, effectively incorporating it into their back yards, as we have witnessed happening in our previous neighborhood.

Ryan & Kimberly Hamilton via email on April 09, 2020 | 2040 E 135th St S, Bixby, OK 74008 | *Providence Hills*

- Having PUD 119 keeping the proposed 50’ Easement on the North side of their property as a truly unusable by their residents would continue to allow this. MH Q-23, 24, 25 | *All existing easements are presented in the PUD and preliminary plat they will be part of the final plat exhibit, allowed uses will be written into the deed of dedication document.*

PLAT ENVIRONMENTAL

Charlotte Muñiz-Montgomery VIA Email April 09, 2020 | If there are plugged wells, then there were tank batteries. When tank batteries are removed, the ground on and around the site is usually remediated. Tank batteries should be indicated on the plat also.

CR | *Engineering does require the location of the wells to be shown on the grading plans for the earth change and later on the civil sub-division plans.*

Grading Plan – They must show all groundwater, oil-gas well locations. We do not allow homes to be placed over old well locations. See Section 3.9 of Sub Division Regulations below

We have been working on adding requirements to the Earth Change permit to include all Geotechnical, Phase 1/Phase 2 ESA reports, and any OCC or cleanup activity report. This is not in City Code yet as a requirement of the Earth Change permit.

Sub-Division Regulations

SECTION 3.9 OIL AND GAS WELLS Where there is found to be a producing oil or gas well which is in or near the proposed subdivision, or an abandoned oil or gas well which is not adequately plugged according to the standards established by State law and the Oklahoma Corporation Commission, a building setback line as determined by the Planning Commission and City Council shall be shown on the final plat to prevent the erection of a building near such wells or said well shall be adequately plugged according to said standards and so certified by the Oklahoma Corporation Commission 37 before the plat of such addition is given final approval. In any event, a certificate or clearance shall be obtained from the Oklahoma Corporation Commission as to the existence of any unplugged wells reflected in their records.

CR | We will require all Oklahoma Corporation Commission correspondence and letters pertaining to this property to be submitted with the Earth Change Permit.

We will also require any Phase 1 Environmental Site Inspection reports and any Phase II Site Investigation or any Remediation actions to be disclosed for our records.

We do verify well locations during plan review to make sure they will not be placed under homes, or in conflicts with proposed infrastructure.

There is nothing that I have found in the OCC rules that have a setback for closed wells and residential structures. They have setbacks for active wells as follows:

Per 2019 Oklahoma Statutes Title 52. Oil and Gas §52-320.1. Restriction on location of habitable structures. Universal Citation: 52 OK Stat § 52-320.1 (2019)

A. After the effective date of this act, it shall be unlawful to locate any habitable structure within:

1. A radius of one hundred twenty-five (125) feet from the wellbore of an active well; or
2. A radius of fifty (50) feet from the center of any surface equipment or other equipment necessary for the operation of an active well, including, but not limited to, hydrocarbon and brine storage vessels, tanks, compressors, heaters, separators, dehydrators, or any other related equipment.

B. Provided, however, the provisions of this section shall not prohibit an operator and surface owner from agreeing in writing to setback provisions with distances different from those set forth in this section.

Per 165:26-2-213 (5) Permanent closure: All UST's currently being used as AST's must be destroyed upon closure. A certificate of destruction must be included with the AST Closure Report and submitted to PSTD within forty-five (45) days of closure.

Charlotte Muñiz-Montgomery VIA Email April 09, 2020 | Natural Habitat/Green Space. Jenks is now a member of "Tree America (?)" and you are using their guidelines to achieve a better balance between grey and green space as Jenks develops. Staff and Council are requiring all commercial and residential applications to provide an amped-up landscaping plan.

- a. Ask applicant to provide the City with an email/letter from the Corps of Engineers that there is no wildlife habitat areas on the property that will affect development plan Please, no repeat of Hickory Creek!
- b. Based upon comments submitted, require tree buffering along the open space(s) perimeter.

- c. Sorry, but there is little you or Staff can do about habitat loss. Focus on green space.

Contact and response from USACE is now required on each earth change permit.

CR | Engineering has already made contact with the USACE on the upcoming Torrey Lake development. We have discussed this project with the USACE and have told the developer they will need to provide correspondence from the USACE for any earth change permit submittals.

Charlotte Muñiz-Montgomery VIA Email April 09, 2020 | Traffic. The top community complaint and concern. This is your opportunity to pump up support for the GO Bond on Monday evening. Most of us don't realize that streets are funded via GO Bonds. We assume there are funds available through property and sales tax to build and maintain streets and utilities serving residential areas. Say something for the record. CR | Traffic: Patch and overlay projects are being looked at due to the increase use of Harvard Avenue.

Jenks | PC Staff Report



To	Planning Commission Christopher Shrout, City Manager Robert Carr, Assistant City Manager
Hearing Date	May 21, 2020
Case Number	TUP 20-45
Request	Temporary Use Permit Fireworks
Location	728 W Main St
Applicant	Jake's Fireworks

Staff Report

Preparer | Marcaé Hilton

Attachments

- ☐ CASE MAP
- ☐ SITE PLAN
- ☐ APPLICATION, INSURANCE CERTIFICATE,
LETTER OF AGREEMENT

Preparer

INCOG
APPLICANT
APPLICANT

Background Information

STAFF COMMENTARY | Jake's Fireworks plans to sell fireworks on a commercially zoned lot. Planning Commission and City Council members have expressed several concerns regarding fireworks stands in City limits; Planning Staff will add "fireworks stand | TUP's" to the list for upcoming conversations during the code update.

2020 Dates of Operation | June 20-July 5

Set up | June 15

Tear down | July 10

PLANNING DATA

Public Comment	None Notice mailed out and posted online
Zoning	CS Commercial Shopping
General Location	MELODY LANE CENTER West of Elm and south of Main Street
Acres	3.64
Surrounding Zoning	North CG, OL Commercial General and Office Light West CG, IL Commercial General and Industrial Light South & East CS Commercial Shopping

Evaluation

Staff believes the Temporary Use Permit is a reasonable request, staff sees no reason to deny the request.

CHAPTER 19 - TEMPORARY USE PERMITS

Recommendation *Approve Temporary Use Permit to allow for the sale of fireworks requiring someone to be present 24 hours a day with access to restroom facilities and provide screening from public view for trash receptacles and storage.*

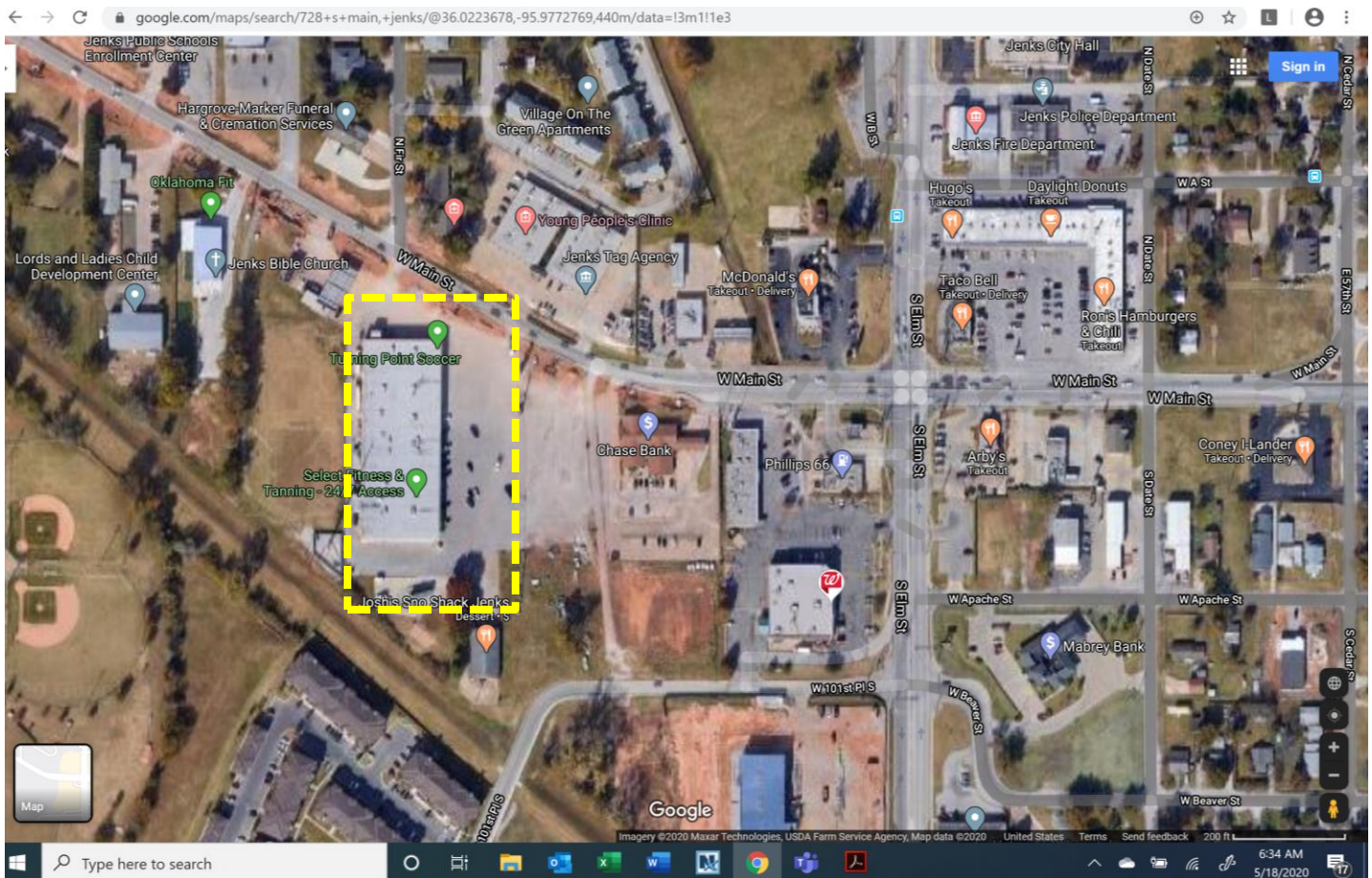


Figure 1: Aerial View of site



Figure 2: Street view of site

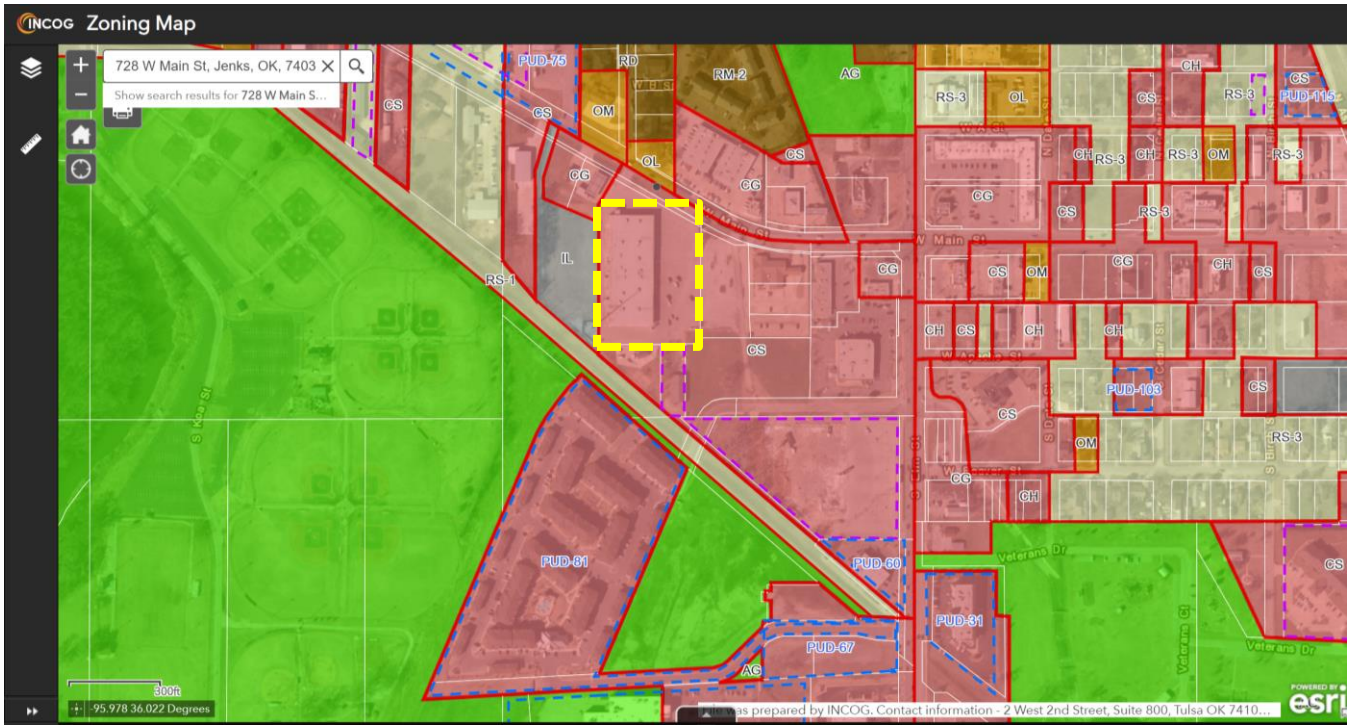
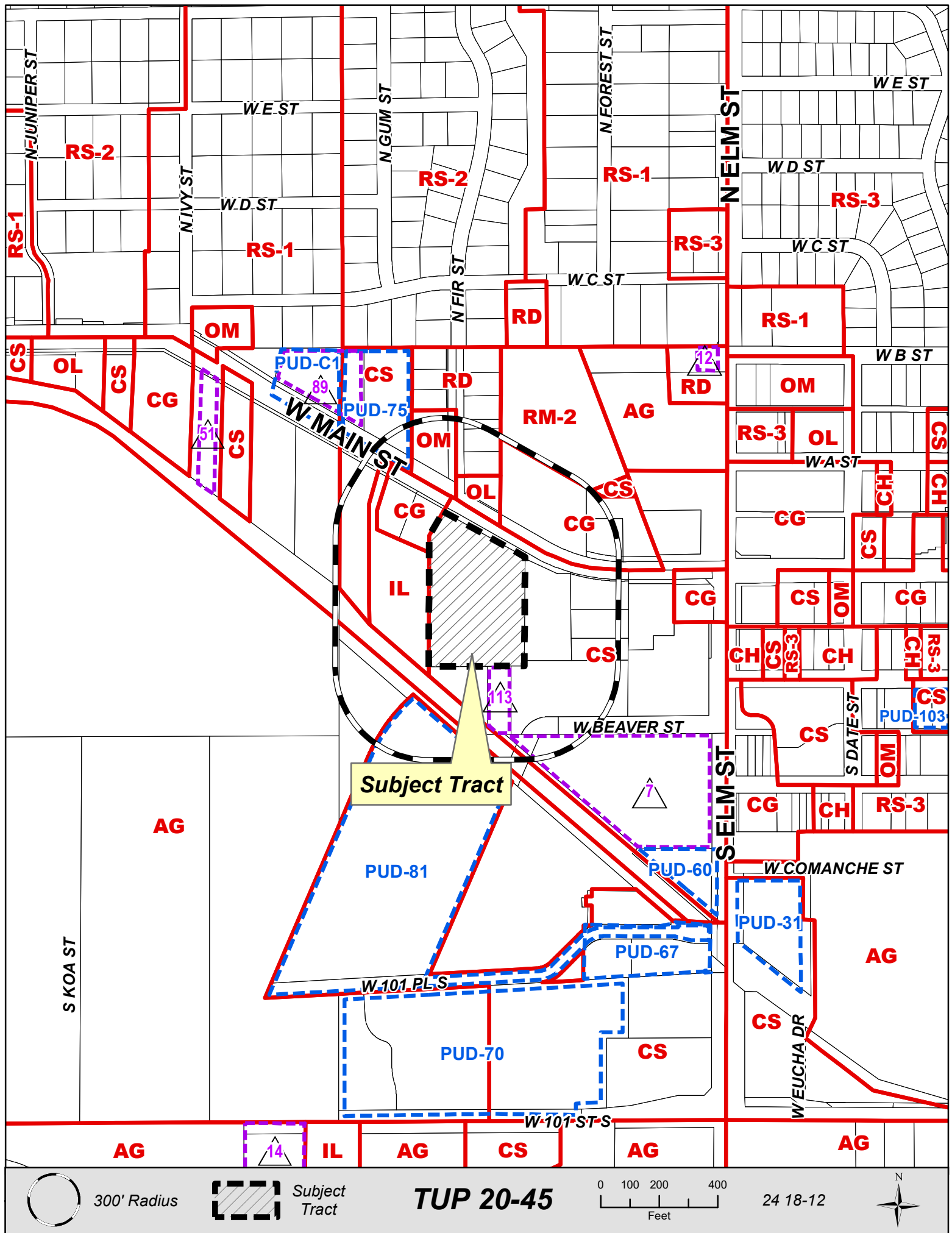


Figure 3: Zoning map of area





City of Jenks
Temporary Use Permit
Application

TUP _____

Page 1 of 2

Note: See Jenks Zoning Code: Chapter 19 at Jenks.com/Ordinances for Temporary Use Permit Specifications

Date of Application: 4/15/20
Project Name: Jakes Fireworks - Main St. Proposed Use: Retail Sales of Consumer Fireworks
Name of Applicant (Print): Jakes Fireworks Phone: 620-231-2264
Address: 1500 E 27th Terrace Pittsburg, KS Zip Code: 66762
Email: Karen.spielbusch@jakesfireworks.com FAX: 620-231-2416

Property Owner: 4175 S Memorial Development Phone: _____
Property Owners Address: _____ Zip Code: _____
Email: _____ FAX: _____

If applicant is other than owner, please indicate interest (purchaser, lessee, agent for, other) and provide signed authorization from the owner: _____

Are there any private or deed restrictions controlling use of tract (If yes, explain.): NO

A. GENERAL DESCRIPTION OF PROPERTY

1. Legal Description of tract under application: (If described by metes and bounds, attach plat of survey.): _____

716 W Main St. (Parking Lot)
Jenks, OK

2. County Parcel Number: _____ Township: _____ Range: _____ Section: _____

3. Size in acres or square feet: _____

4. Current Use: Parking lot

5. Identify structures and improvements on the property: Strip mall w/ small
Retail Stores.

6. Topography (Flat, Rolling Hills, Levee, etc): Flat

7. Frontage Road: _____

8. City Water: ☒ Yes ☐ No

9. City Sewer: ☒ Yes ☐ No

B. PROPOSED TEMPORARY USE

Page 2 of 2

1. Proposed use of subject property (Identify the use(s) intended for the subject property):
Retail Sales of Consumer fireworks in Tent
Selling dates 6/20/20 - 7/5/20
Tent set up around 6/15/20 & take down around 7/10/20
3. The application shall be submitted with a development text outlining all aspects of the proposed use.
4. Site plans and elevation drawings shall be submitted and must be drawn to scale and noted on plans.
5. Please provide an electronic copy of all drawings in PDF format.

Bill advertising and sign charges to:

Name: _____ Phone: _____

Address: _____

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed: _____ Date: _____

Print name: _____ Phone: _____

Address: _____

DO NOT WRITE IN THIS AREA.

Application Received By: _____

Date: _____

Tract Acreage: _____

Public Hearing Date: _____

Application No. TUP- _____

Section _____ Township _____ Range _____

Present Zoning: _____

Proposed Use: _____

Fee Receipt No.: _____

PC Recommendation:

Recommendation: _____

Vote: _____

Date: _____

Provisions: _____

Staff Recommendation:

Recommendation: _____

Subdivision Name: _____

City Council Action:

Action: _____

Vote: _____

Date: _____

Provisions: _____

Date: _____

Ordinance No: _____



CITY OF JENKS COMMERCIAL BUILDING PERMIT

P.O. Box 2007 • 211 N. Elm
Jenks, OK 74037(918) 299-5883

CERTIFICATE OF OCCUPANCY: <i>Jakes Fireworks</i>		BUILDING PERMIT NO.:	
DATE RECEIVED:		Water and Sewer Tap Fees must be paid before permit will be issued.	
BUILDING ADDRESS: <i>716 W Main St. - parking Lot</i>		OKLAHOMA STATE SALES TAX All building materials used on this project should indicate on the purchase order that material will be delivered within Jenks City Limits for proper crediting to the City of Jenks. Provide the vendor with Jenks sales tax reporting No. 7208. <u>This requirement is a condition for the validity of this permit.</u>	
LOT:	BLOCK:	ADDITION:	
SECTION:	TOWNSHIP:	RANGE:	
OWNER:		PHONE:	
BUSINESS FEDERAL IDENTIFICATION NO.: <i>48-0980804</i>		OKLA. SALES TAX NO.: <i>10080889-05</i>	
BUILDING CONTRACTOR: <i>Jakes Fireworks</i>		CELL PHONE:	
ADDRESS: <i>1500 E 27th Terrace</i>		CITY: <i>Pittsburg</i>	STATE: <i>KS</i> ZIP: <i>66762</i>
OFFICE PHONE: <i>620-231-2244</i>	FAX: <i>620-231-2416</i>	EMAIL: <i>Karen.Spielbusch@jakes.com</i>	
PROPOSED USE:		USE GROUP:	ZONING DISTRICT: <i>Fireworks, 2011</i>
* RESTAURANT MUST INCLUDE APPROVED HEALTH DEPARTMENT PLANS *			
LOT FRONTAGE:	AVERAGE DEPTH:	Type of Construction:	
BUILDING WIDTH: <i>30' x 50'</i>	DEPTH:	Building Height:	No. of Stories:
NO. DWELLING UNITS:		No. of Basement Levels:	Total Sq Feet:
INT WALLS:		EXT WALLS:	Total Lot Area:
ROOF:		EASEMENTS	
☐ New Building		☐ Enlarge Existing Building	
☐ City Sewer		☐ Accessory	
☐ City Water		☐ Private Sewer Perk Test No.	
☐ Interior Remodeling		☐ Fire Job	
☐ Other Water (Specify)		☒ Temporary Use	
ESTIMATE TOTAL COST OF BUILDING:		Change of Use Group ☐ Yes ☐ No	
TWO (2) SETS OF PLANS, SPECIFICATIONS, SITE/PLAN SURVEY AND LEGAL DESCRIPTION MUST BE ATTACHED.			
PROPERTY LOCATED IN FLOODPLAIN: ☐ Yes ☒ No			
CITY OF JENKS FLOODPLAIN DEVELOPMENT PERMIT			
PARKING:			
SETBACKS:			
BUILDING SETBACK FROM CENTERLINE OF STREET:			
SIDE:			
EXTERIOR SIDE:			
BUILDING LINE:			
REAR:			
PERMITS:			
APPROVALS:			
Zoning		Applicant:	
Building <i>30' x 50'</i>		Zoning:	
Plumbing		Building Inspector:	
Electrical		*Fire Chief:	
Mechanical		Final Inspection:	
Waste Water Treatment Dev.		*City Engineer:	
Park Development Fee		Public Works:	
Other: Promotional		* On all public / commercial / industrial buildings, except Certificate of Occupancy Only with same Use Group and no work requiring permits.	
OK State Govt. Permit Fee		** Building permit total does not include Water & Sewer Tap.	
TOTAL BUILDING PERMIT**			

Jakes Fireworks - 716 W Main St.



Google Earth

feet
meters

10

4



Jakes Fireworks
716 W Main St
Tombes, OK

Main St

20' x 50'
20' x 50'



© 2013 Google
Imagery removed

Google



Oklahoma Tax Commission

www.tax.ok.gov

5308



JAKE'S FIREWORKS INC.
1500 E 27TH TER
PITTSBURG KS 66762-2757

Date Issued: February 12, 2018

Letter ID: L1439426944

Taxpayer ID: **-***0804

TSB

Licenses/Permits at this Location

SALES TAX PERMIT effective on March 16, 2012

FIREWORK RETAIL PERMIT effective on June 20, 2012

County TULSA COUNTY

Holders of an Oklahoma Sales Tax Permit will find notice of penalties for violation of the Oklahoma Sales Tax code at www.tax.ok.gov

If the sales tax permit at this location becomes invalid then all associated permits will become invalid. If the business changes location or ownership or is discontinued for any reason, this permit must be returned to the Oklahoma Tax Commission for cancellation WITH AN EXPLANATION ON THE REVERSE SIDE.

Sales Account ID

STS-10080889-05

Site Permit Number

1895841792

Business Location	Industry Code	City Code	Site Effective	Expires
JAKE'S FIREWORKS INC 716 W MAIN ST JENKS OK 74037-3519	453998 423920	7208	March 16, 2012	March 16, 2021

PLEASE POST IN CONSPICUOUS PLACE

Steve Burrage, Chairman
Clark Jolley, Vice-Chairman
Thomas Kemp Jr., Secretary-Member

Non-Transferable



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/6/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Britton Gallagher
One Cleveland Center, Floor 30
1375 East 9th Street
Cleveland OH 44114

CONTACT

NAME:

PHONE

(A/C, No, Ext): 216-658-7100

FAX

(A/C, No): 216-658-7101

E-MAIL

ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A : Everest Indemnity Insurance Co.

10851

INSURER B : Arch Speciality Ins Co

21199

INSURER C :

INSURER D :

INSURER E :

INSURER F :

INSURED
Jake's Fireworks Inc.
1500 E 27th Terr.
Pittsburg KS 66762

2567

COVERAGES

CERTIFICATE NUMBER: 111773198

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☒ LOC			SI8ML01699-201	2/15/2020	2/15/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ HIRED AUTOS ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$			UXP1037038-00	2/15/2020	2/15/2021	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				WC STATUTORY LIMITS ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.

Sales Location: 716 W Main St., Jenks, OK
Landowner: 4175 S Memorial Development co. / Alicia Tucker
City of Jenks, OK

The Certificate Holder and the above listed are Additional Insureds with respect to General Liability as required by written contract.

CERTIFICATE HOLDER**CANCELLATION**

Jakes Fireworks, Inc
1500 E 27th Terrace
Pittsburg KS 66762
USA

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Jenks | PC Staff Report



To	Planning Commission Christopher Shrout, City Manager Robert Carr, Assistant City Manager
Hearing Date	May 21, 2020
Case Number	NA Master Fee Schedule
Request	Move Planning fees to a Master Fee Schedule
Location	NA Text Amendment to Code
Applicant	City of Jenks

Staff Report

Preparer | Marcaé Hilton

Attachments

☐ Ordinance No. 1519

Preparer

Teresa Nowlin

Background Information

STAFF COMMENTARY | The City of Jenks staff has been working on a coordinated Master Fee Schedule which would provide employees and citizens the convenience of locating fees in one document. It has been the practice to place the fees within the applicable code. In the interest of keeping fees up to date and that a reasonable relationship exists between the amount of the fee and the value of the service or benefit rendered by the City, the Planning Commission is asked to recommend approval of Ordinance No. 1519 which replaces current fee language with a reference to the Master Fee Schedule; no fees have been adjusted at this time. This fee schedule will be reviewed and updated annually as a part of the annual budget process. Therefore, the Zoning Code *CHAPTERS 9, 10, 13, 14, 15, 17 and 19* must be amended to incorporate references to the Master Fee Schedule where it previously provided specific fee amounts; and

PLANNING DATA | Impacted chapters of Jenks Zoning Code: ORDINANCE 1519 AMENDING CHAPTERS 9, 10, 13, 14, 15, 17 and 19 OF THE JENKS ZONING CODE

Staff Evaluation & Recommendation

Evaluation

Staff believes moving the planning fees to a Master Fee Schedule will provide transparency and create a simpler path to updating and tracking fees. City Council will hear and consider approving Resolution 703 along with Ordinance 1519 and the City Budget at the June 02, 2020 Council meeting.

Recommendation

Staff is in support of recommending approval of Ordinance 1519 removing all fee language from Chapters 9, 10, 13, 14, 15, 17 and 19 for the ultimate creation of a Master Fee Schedule.

ORDINANCE NO. 1519

AN ORDINANCE AMENDING CHAPTERS 9, 10, 13, 14, 15, 17 and 19 OF THE JENKS ZONING CODE TO REPLACE ALL REFERENCES TO SPECIFIC FEE AMOUNTS WITH A REFERENCE TO THE MASTER FEE SCHEDULE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

WHEREAS, in the interest of keeping fees up to date and that a reasonable relationship exists between the amount of the fee and the value of the service or benefit rendered by the City, the Jenks City Council has approved Resolution. No. 703 adopting a Master Fee Schedule to be reviewed and updated annually as a part of the annual budget process; and

WHEREAS, the Zoning Code must be amended to incorporate references to the Master Fee Schedule where it previously provided specific fee amounts; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JENKS, OKLAHOMA:

SECTION I. The following sections have been amended to remove reference to specific planning and zoning fee amounts and to add in its place a reference to the Master Fee Schedule. The following sections or subsections have been amended to read as follows:

1. Sec. 950(A)(b). - An application for a PUD shall be filed with the City Clerk. Fees are determined as set forth in the Master Fee Schedule. Such fees shall not include publication and sign costs, which shall be billed to the applicant.
2. Sec. 1021.4(d)(6)(E). - A bond or deposit in the amount set forth in the Master Fee Schedule shall be remitted to the City Clerk prior to the placement of election campaign signs in public rights-of-way. The bond or deposit shall be returned upon verification of the removal of signs in accordance with subsection 1021.4(d)(6)(I) of this section.
3. Sec. 1021.4(s)(1). - Permits for portable signs shall be allowed for a business for 30 days by a one-time annual permit and for 14-day periods with intervals between the use of portable signs for 14 days, with a maximum number of five times or ten weeks per year. Fees for portable sign permits are set forth in the Master Fee Schedule.
4. Sec. 1021.4(t)(3). - Permits for A-frame signs shall be for a period of one year and shall be required to be renewed annually on July 1 (fiscal year) each year. Permit fee for the fiscal year from July 1 to June 30 is in the amount set forth in the Master Fee Schedule. Fee requirements for first year shall not be reduced in consideration of issuance date.

5. Sec. 1021.5(i). - Permit fees. The permit fee shall be determined as set forth in the Master Fee Schedule.
6. Sec. 1021.5(j). - A fee in the amount set forth in the Master Fee Schedule shall be charged for each extra trip of the Building Inspector caused by faulty work or work not completed and ready for inspection at the time such inspection is scheduled.
7. Sec. 1340. - Fees. An application for an appeal from the Building Inspector, variance, or special exception shall be accompanied by the payment of an application fee and a processing fee as set forth in the Master Fee Schedule.
8. Sec. 1410.4. - Fees for Zoning Clearance Permits. No Zoning Clearance Permit shall be issued until appropriate fees as set forth in the Master Fee Schedule, have been paid.
9. Sec. 1530.1(a). - Application and Fees. An amendment to the zoning map shall be initiated by the filing of an application with the City Clerk through Jenks Planning Department. The application shall be in such form and content as the Planning Commission may by resolution establish. The application shall be accompanied by payment of an application and processing fee set forth in the Master Fee Schedule.
10. Sec. 1530.3(b)(1). - Deny the Application. An application recommended for denial shall not be considered further unless the applicant within 15 days from the date of the Planning Commission action files a written request with the City Clerk for a hearing by the City Council. The request for hearing shall be accompanied by the payment of a fee as set forth in the Master Fee Schedule. All costs for mailing notices to all property owners within a 300-foot radius of the exterior boundary of the subject tract of which shall be billed to the applicant shall be determined as set forth in the Master Fee Schedule.
11. Sec. 1704.2. - Fee for Petition. Application and processing fees in the amount set forth in the Master Fee Schedule shall be required with the Specific Use Permit application. All costs associated with required postings in a newspaper having general circulation within the community will be billed to the applicant
12. Sec. 1901.4. - Fee for Application. An application fee and a processing fee as set forth in the Master Fee Schedule shall be required with the Temporary Use Permit-Intensive application. All costs associated with required postings in a newspaper having general circulation within the community will be billed to the applicant.

SECTION II. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

SECTION III. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby expressly repealed.

SECTION IV. Since the immediate operation of the provisions of the Ordinance is necessary for the preservation of public health, welfare and safety, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage by the City Council.

Approved this __ day of ____ 2020.

CITY OF JENKS, OKLAHOMA

MAYOR

Emergency Clause approved separately this __ day of ____ 2020.

CITY OF JENKS, OKLAHOMA

MAYOR

Attest:

CITY CLERK

Approved as to form:

CITY ATTORNEY

Jenks | PC Staff Report



To	Planning Commission
Hearing Date	May 21, 2020
Case Numbers	PA 20-17, JZ 20-655, JZ 20-654 PUD 120, ROW-UEC 20-74
Request	5 Approvals for the Fiddler Acre Project 1. Comprehensive Plan Amendment 2. Rezoning request 3. Planned Unit Development (Overlay Zoning) 4. Utility Easement closure 5. Preliminary/Final Plat
Location	813 E B St north of B Street and west of River Walk
Applicant	Robert Bell

Staff Report

Preparer | Marcaé Hilton

Attachments

- ☐ PA 20-17 | Comprehensive Plan Amendment
- ☐ JZ 20-655 | Rezoning
- ☐ JZ 20-654 PUD 120 | Planned Unit Development
- ☐ ROW-UEC 20-74 | Utility Easement Closure
- ☐ Preliminary/Final Plat | Fidler Acre
- ☐ Site Plan and Supporting Documents

Preparer

Rob Bell | Letter
INCOG | Map
Rob Bell | PUD Document
Rob Bell | Exhibit as seen on Plat
Tulsa Land Surveyor
Marcaé Hilton

Background Information

STAFF COMMENTARY | This parcel is located at the intersection of the Jenks Riverwalk and the heart of the Jenks Downtown just north after you cross the 96th Street Bridge. It is primarily accessed from “B” Street which becomes Aquarium Drive when followed to the east.

This parcel has a recent history of requests, in August of 2018, a request to rezone to (CS) Commercial Shopping was denied, the Planning Commission and City Council expressed concerns regarding the potential impacts of commercial intensity on the adjacent single-family residences.

A new application was processed and approved January 7, 2019 | JZ-635 Rezone from (RS-1) Residential Single-Family to (OM) Office Medium. The applicant anticipated building a 1-2 story office building, approximately 3,000 to 8,000 square feet on the north reserving the south for future development.

Currently, the new applicant is proposing to amend the Comprehensive Plan, rezone, approve a Planned Unit Development (providing restrictions and limited uses) and plat. The project as presented would create a west gateway feature to the Riverwalk.

PLANNING DATA

Intended Use	Commercial, possible restaurant
Appearance District	None, but PUD is written to meet standards of the Riverfront Appearance District which includes the Theme District
Comp Plan Map	<i>Current</i> Medium Intensity Office <i>Request</i> Medium Intensity Riverfront Entertainment /Tourism District
Comp Plan Text	<i>Amend Page 10, 2.5</i> The west boundary of the district shall be amended to include the south 322 feet of Reserve “A” of Riverwalk Crossing, the west one (1) acre parcel owned by the City of Jenks which includes the street providing access between (Riverfront Drive) 9th Street and the Riverwalk commercial area, and an additional one (1) acre parcel located further west to be platted as Fidler Acre. <i>Amend Page 10, 2.5.1</i> ...is located outside the boundaries of the Jenks Levee System “ <i>except as amended</i> ” ...
Zoning Current	(OM) Office Medium
Zoning Request	(ROC) River Oriented Commercial
General Location	813 E B St north of B Street and west of River Walk
Acres	1 (One)
Floodplain	0.2% annual chance flood hazard
Plat	Currently unplatted
Proposed Plat	FIDLER ACRE 1 Lot, 1 Block 1 Acre
Streets	“B” Street, Riverfront Drive
TAC Comments	Meeting Via Email, April 14, 2020 ONG Comment: Donald Kafer, Project Manager Can you have a 15’ easement added along the southern property line. Fire Chief, Greg Ostrum No concerns on any of these items from fire. AEP/PSO is working directly with applicant
WARD	1
Public Comment:	Public Comments are included in separate document

COMPREHENSIVE PLAN | PA 20-17

This request is an effort, on the applicant's part, to protect the surrounding neighborhoods, including Garden Park Addition, from future commercial sprawl, while allowing for limited and restricted commercial development opportunities. The applicant and staff can agree the corner lots, in question, are a significant gateway to the Riverfront Entertainment District and if developed appropriately, can be a benefit to the community of Jenks. This is a 2-part request:

1. MAP AMENDMENT REQUEST | MEDIUM INTENSITY | RIVERFRONT ENTERTAINMENT DISTRICT

Current Map Plan Data | Parcel ID(s) for Comprehensive Plan Amendment:

- Part of 60835-83-192-9120 | RESERVE A of Riverwalk Crossing, PUD 30 | [Low & Medium Intensity](#)
 - SOUTH 322.32 FEET
- 98319-83-193-5970 | CITY OF JENKS | [Medium Intensity](#) | [Office](#)
 - BEG 634 E OF SWC LT 4 TH E132 N330 W132 S330 TO POB | SEC 19 18 13
 - 1 ACRE
- 98319-83-193-2970 | FIDLER ACRE | [Medium Intensity](#) | [Office](#)
 - BEG 502 E OF SWC LT 4 TH E132 N330 W132 S330 TO POB | SEC 19 18 13
 - 1 ACRE

2. TEXT LANGUAGE AMENDMENT REQUEST

- Amend Page 10, 2.5 | The west boundary of the district shall be amended to include the south 322 feet of Reserve "A" of Riverwalk Crossing, the west one (1) acre parcel owned by the City of Jenks which includes the street providing access between (Riverfront Drive) 9th Street and the Riverwalk commercial area, and an additional one (1) acre parcel located further west to be platted as Fidler Acre.
- Amend Page 10, 2.5.1 | ...is located outside the boundaries of the Jenks Levee System "except as amended" ...

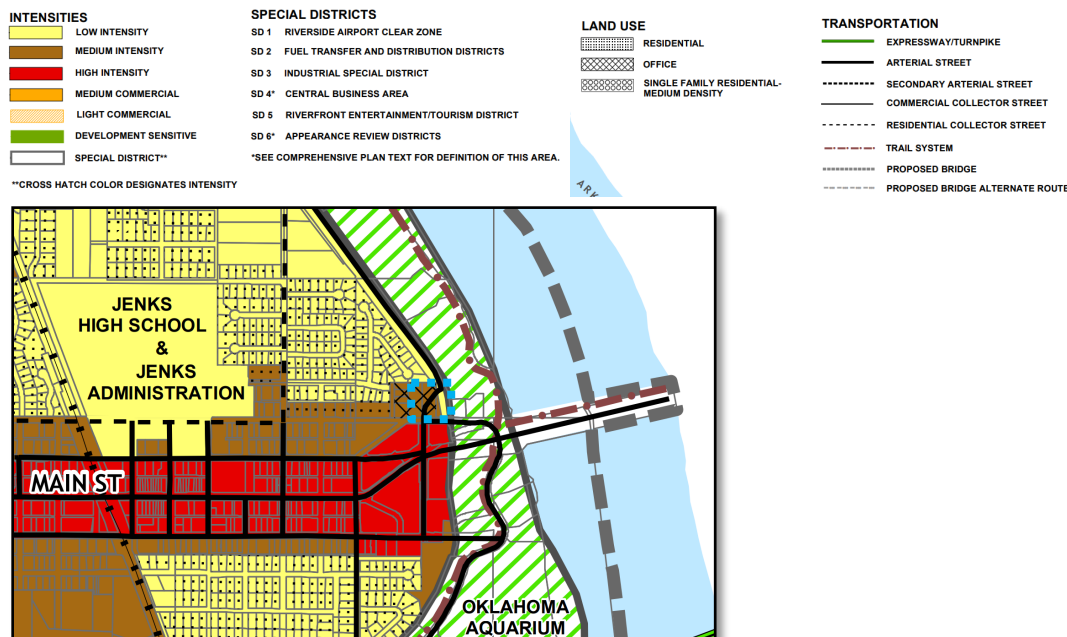


Figure 1: Comprehensive Plan Map

Consider | Is the Text Amendment and the Land Use Map Amendment an acceptable change which will allow for the rezoning and the possible creation of a gateway development?

REZONING | JZ 20-655 | (ROC) RIVER ORIENTED COMMERCIAL FROM (OM) OFFICE MEDIUM

If the comp plan amendment request is approved, this rezoning application would fit the land use guide designation/map and the Comprehensive Plan text. The applicant has requested to change the zoning to ROC. This zoning district is the most restrictive commercial zoning and further supports the concept of a gateway/entry feature project to the Riverwalk. In addition, the applicant has requested to overlay the zoning with a Planned Unit Development in order to codify the restrictions and limited uses. The parcel in question is not part of any special design district, but the PUD places restrictions on the appearance. The land is surrounded on the east by a street which serves as the southern entrance to the Jenks Riverwalk. The north is bounded by a mature neighborhood, the citizens are very active and have consistently voiced concerns regarding commercial development. The west is adjacent to several residential, unplatted lots, and an office fronting "B" Street.

600.6. Purposes of the ROC River Oriented Commercial District.

The ROC District shall be limited to areas located within the Riverfront Entertainment Special District of the Jenks Comprehensive Plan. The purpose of the District is to allow lodging, restaurant facilities, and retail establishments designed to incorporate waterfront amenities and linkage to riverfront activities. Office uses may be considered accessory or compatible with River Oriented Commercial. Multiple-family Residential uses may be utilized in the ROC as accessory or in conjunction with the commercial developments provided that they are designed at a second floor height or greater. (Multiple-family is restricted in the PUD.)

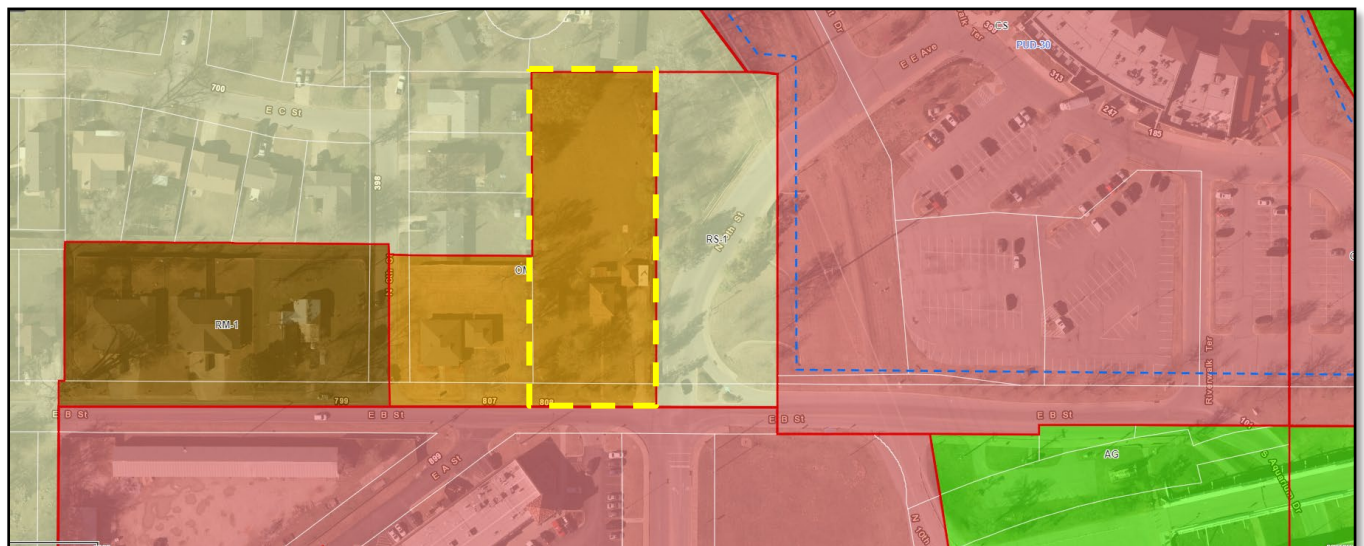


Figure 2: Zoning Map

North: RS-3 (Single-family Residential | (Garden Park Addition)

East: RS-1 (Single-family Residential) and PUD 30 Riverwalk Commercial Uses

South: CG (Commercial General) across B Street with Commercial Retail Uses

West: RS-3 (Single-family Residential and OM (Office Medium | law office)

Consider | Is RIVER ORIENTED COMMERCIAL a good fit at the intersection of B street and Riverfront Drive?

PLANNED UNIT DEVELOPMENT | JZ 20-654 PUD 120

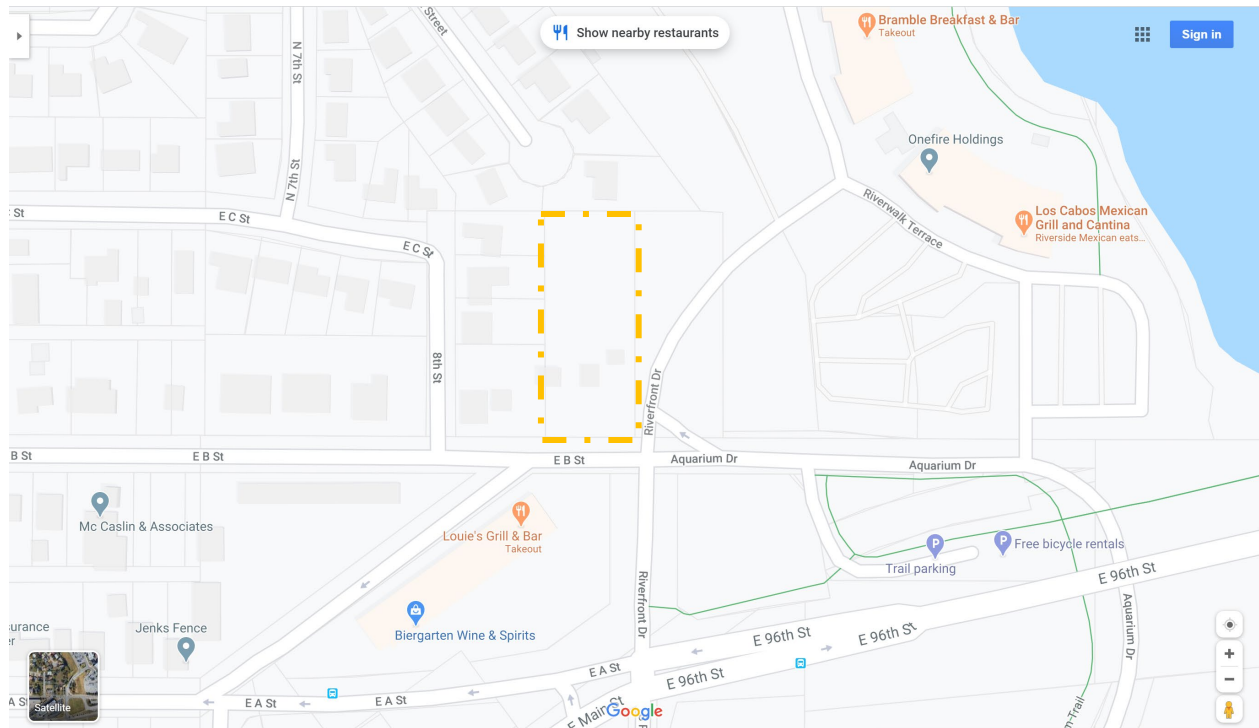


Figure 3: PUD Location on Google Map

PUD-120 is located at the entrance to the Riverfront Entertainment District in Jenks, it is north and west of established commercial and destination developments. However, it is also south and east of residential development. The applicant currently proposes a high-end restaurant on the parcel, approximately 5,000-6,000 square feet, but other commercial uses would be allowed as seen in the PUD document. The structure would be located along “B” street with the parking on the north portion of the lot. Approval of the PUD includes approval of the site plan, building elevations, and landscaping as submitted and per staff/PC comments as in conformance with the Appearance Review Guidelines. Any changes after approval would require additional approval.

Screening: 8 ft fence is required to be built and maintained by the commercial entity along the north and west property line

Uses Allowed:

- 11 | Office and Studio,
- 12 | Eating Places,
- 13 | Convenience Goods and Services,
- 14 | Shopping Goods and Services,
- 21 | Business Signs (more restrictive than appearance district-Channel lettering prohibited)

Uses Prohibited in PUD: 2, 4, 5, 8, 10, 19, 20

See Supplemental Information for details

Traffic: the site allows for Right in/Right along Riverfront Drive, and access off of “B” Street

Consider | Is PUD-120 a good fit at the intersection of “B” street and Riverfront Drive and does it provide enough protections/restrictions for residential citizens?

PLAT | Fidler Acre

Staff has limited comments on the plat at this time.

1. Utility Easement is proposed to be closed
2. Confirm street name "Riverwalk Terrace" correct as needed
3. Submit revised plans before filing with Tulsa County
4. Add Limits of No Access to north boundary prohibiting future access to East "E" Street
5. Coordinate with City Staff on Riverside Drive access
6. Resubmit with 17.5 perimeter easements
7. Work with City Engineer on engineering comments (none at this time)
8. Work with TAC to resolve comments

Consider | Does the Plat meet the standards of the City of Jenks?

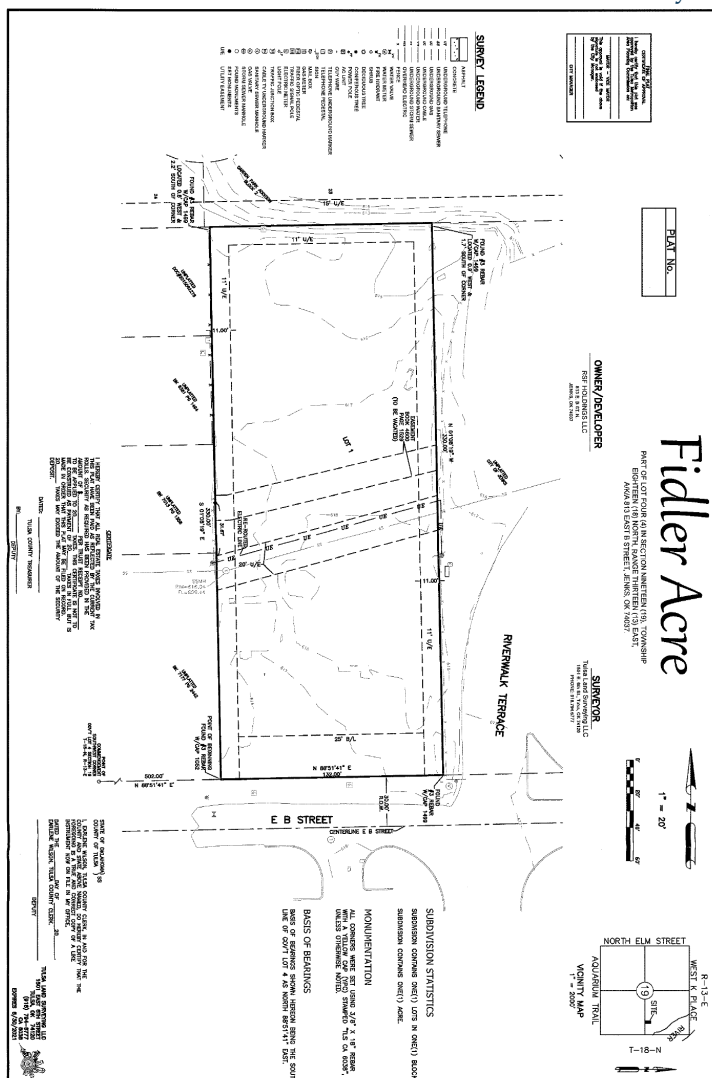


Figure 4: Excerpt from Riverwalk Crossing Plat | PUD-30

UTILITY EASEMENT CLOSURE | ROW-UEC 20-74

Staff Comments: Provide updated plat and easement documents

Robert Bell, Applicant to Aep/Pso and AT&T reps

In discussion the applicant has had with PSO. The overhead lines that are not in an easement and are requires to be removed. The applicant will install the pipe for the line to be placed in and PSO will provide, pull lines and connections. The location of the lines will be adjacent to the sewer line that is also nor currently in an easement. The easement will be created with the plat.

There is no good location at the East property line to come back out of the ground. The property to the East is in the same situation and owner wants to and is is going to also put the infrastructure to have the lines pulled through to Eight Street.

AT&T has no reason to cross the subject property other than to provide service to the new planned building which will likely comes from the South. however they should look at and plan for the removal of their line that is not in an easement.

We will add a 15 foot easement along the road frontage as requested by ONG.

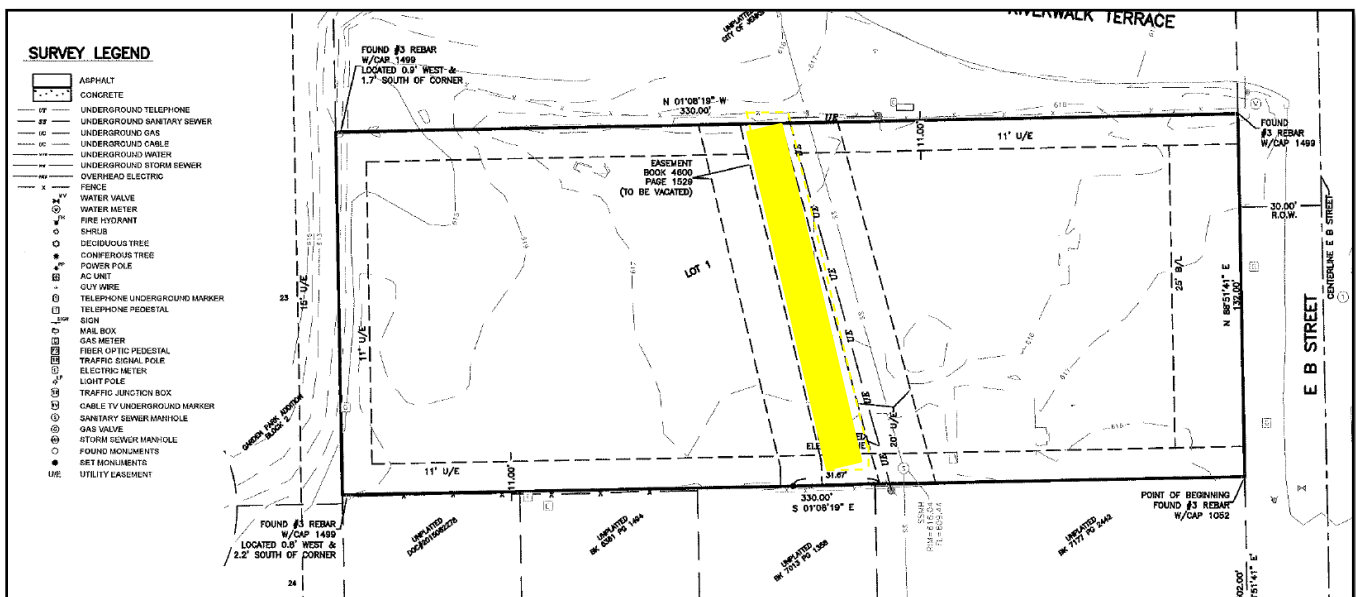


Figure 5: Preliminary Plat with Easement Closure identification.

Consider | Staff and TAC recommend closure of Utility Easement

Evaluation | Staff has received several emails from the public: traffic congestion, unknown businesses, multi-story structures, noise | traffic, music, delivery trucks, customer activity (loud music) vs (peace, tranquility), pollution, drainage, property values. The PUD provides more restrictions than straight zoning and limits the uses allowed within the development. The project is one lot one block with residences on the north and the west. If this project is approved and built with adequate protections, it could serve as a viable gateway to the Riverwalk.

Comments | Not Complete List

PUD

1. Submit revised PUD matching approval comments
2. Protect neighbors with screening, shrubs and trees/landscape
3. Include any new comments regarding the PUD language changes in Deed of Dedication of Final Plat
4. Screening for security and noise protection from residential neighborhood
 - a. Staff believes a masonry fence will better protect the residential neighborhood and should be required to be built and maintained by the commercial entity along the north and west property line in lieu of wood
 - b. Provide details for review
 - c. Add landscaping adjacent to fence, including evergreen trees to prevent sound leakage into the residential neighborhood.
5. Page 5, what is the FAA?
6. Move "West" building set back -recommend 10 minimum
7. Noise | add noise protection language to PUD
 - a. Consider establishing hours of operation for outdoor music/noise
 - b. Consider requiring public notice for special events for exceptions to hours of operation established for outdoor noise

PUD AND SITE PLAN

8. Access to any development on the site should be limited only to Right in/Right Out on Riverfront Drive

PLAT

9. Confirm street name "Riverwalk Terrace" correct as needed
10. Submit revised Plat plans before filing with Tulsa County
11. Add Limits of No Access to north boundary prohibiting future access to East "E" Street
12. Work with City Staff on access to Riverfront Drive

13. Resubmit with requested 17.5 perimeter easements
14. Work with City Engineer on engineering comments (none submitted at this time)
15. Work with TAC to resolve comments

Recommendation

5 Approvals | 5 separate votes for the Fiddler Acre Project

1. Comprehensive Plan Amendment
 - *Staff recommends approval of a request for an amendment to the Land Use Map and the noted text changes to allow for Medium Intensity Riverfront Entertainment District*
2. Rezoning
 - *Staff recommends continuation of the River Oriented Commercial zoning due to unresolved question on PUD*
3. Planned Unit Development (Overlay Zoning)
 - *Staff recommends continuation of the Planned Unit Development (PUD-120) due to unresolved question on PUD*
4. Utility Easement closure
 - *Staff recommends continuation of closing due to unresolved question on PUD and PLAT*
5. Preliminary/Final Plat | Fidler Acre
 - *Staff recommends continuation of the Fidler Acre plat per comments due to unresolved question on PUD and PLAT*

CHAPTER 6 - COMMERCIAL DISTRICT PROVISIONS

Sec. 600. - Purposes of commercial districts.

600.1. General Purposes.

The Commercial Districts are designed to:

- a. Achieve the commercial objectives of the Comprehensive Plan.
- b. Meet the needs for the commercial services and goods of the trade area.
- c. Preserve and promote the development of efficient commercial facilities and encourage a compatible relationship between commercial facilities and other land uses and thoroughfares by:
 1. Differentiating the types and purposes of commercial activities.
 2. Establishing bulk and area controls.
 3. Requiring off-street loading and parking facilities.
 4. Controlling the number, area, location, and types of signs.
 5. Protecting the character of commercial districts and their peculiar suitability for commercial uses.

600.2. Purposes of the CS Shopping Center District.

600.3. Purposes of the CG General Commercial District.

600.4. Purpose of the CH Commercial High Intensity District.

600.5. Purposes of the LC Light Commercial District.

600.6. Purposes of the ROC River Oriented Commercial District.

The ROC District shall be limited to areas located within the Riverfront Entertainment Special District of the Jenks Comprehensive Plan. The purpose of the District is to allow lodging, restaurant facilities, and retail establishments designed to incorporate waterfront amenities and linkage to riverfront activities. Office uses may be considered accessory or compatible with River Oriented Commercial. Multiple-family Residential uses may be utilized in the ROC as accessory or in conjunction with the commercial developments provided that they are designed at a second floor height or greater.

600.7. Purposes of the RTC Riverfront Tourist Commercial District.

Sec. 610. - Principal uses permitted in commercial districts.

The principal uses permitted in the Commercial Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading, and screening requirements and other use conditions in Chapter 10. The use units permitted in Commercial Districts are set forth below in Table 1 and Table 1A.

Table 1. Use Units Permitted in Commercial Districts ¹ (Chapter 10) Chapter 10 Use Units		Districts					
No.	Name	OM	ROC	PUD 120	LC	CS	CG
1.	Area wide Uses	X			X	X	X
2.	Area wide Specific Use	S	S		S	S	S
4.	Public Protection	E	X		X	X	X
5.	Community Services and Cultural Facilities	X	P		X	X	X
8.	Multifamily Dwellings and Similar uses	E	P			P	P
10.	Off-Street Parking Areas	X	X			X	X
11.	Offices and Studios	X	P	X	X	X	X
12.	Eating Places Other Than Drive-Ins		X	X		X	X
13.	Convenience Goods and Services		X	X	X	X	X
14.	Shopping Goods and Services		X	X		X	X
15.	Other Trades and Services						X
16.	Gasoline Service Stations					X	X
17.	Automotive and Allied Activities					E	X
18.	Drive-In Restaurants						X
19.	Hotel, Motel, and Recreation Facilities		X			X	X
20.	Commercial Recreation, Intensive		P				S
21.	Business Signs and Outdoor Advertising		X	X		X	X
		¹ X = Use by Right.					
		E = Special Exception-unless use is specifically identified on Specific Use List.					
		S = Specific Use - see Use Unit 2 and Chapter 17.					
		P = Requires Planned Unit Development Application due to Mixed Use Requirements.					

Sec. 630. - Bulk and area requirements in the commercial districts.

Table 2. Bulk and Area Requirements in the Commercial Districts

	Districts					
	PUD 120	ROC	LC	CS	CG	CH
Frontage (min. ft.)						
—Not an Arterial (B STREET)	132	50	50	50	50	N/A
Floor Area Ratio (maximum)	TBD	0.50	0.25	0.50	0.75	N/A
Setback from centerline of abutting street (min. ft.) (Measured from centerline of abutting street; add, to the distance designated in the column to the right, one-half of the right-of-way designated on the Major Street Plan or one-half of the dedicated right-of-way, whichever is greater, or 25 feet if the street is not designated on the Major Street Plan.)						
—Arterial		50	50	50	50	N/A
—Not an Arterial		25	25	25	25	N/A
Setback from an abutting R District boundary line (NORTH PROPERTY LINE)	10 north 11 east 5 west 25 South	N/A	10 ¹	10 ¹	10 ¹	N/A
Building Height (max. ft.)	40	35	35	35	35	35
¹ Plus two feet of setback for each one foot building height exceeding 15 feet, if the property is within an RE, RS, or RD District.						



BELL LAND USE LLC

Robert Bell

918-902-0462

March 1, 2020

City of Jenks
211 N. Elm
Jenks, Oklahoma 74037

- RE: Request for an Amendment to the Comprehensive Plan Map related to property identified as Beginning 502 feet east of the SW Corner of Government Lot 4; thence east 264 feet, thence north 330 feet, thence west 264 feet, thence south 330 feet to the point of Beginning and to include the south 322.32 feet of Reserve "A" Riverwalk Crossing all within Section 19, Township 18 North, Range 13 East (See Exhibit A) to be included within the Jenks Riverfront Entertainment District of the Jenks Comprehensive Plan Map and to modify the Comprehensive Plan text to incorporate the same area by definition.

Jenks Planning Commission and Jenks City Council:

This correspondence is an official request of Shane Fidler, the owner of the western one (1) acre lot of the property described, to amend the Comprehensive Plan Map designation of the property identified from Medium Intensity office Land Use and Low Intensity to a Medium Intensity Riverfront Entertainment District Designation and to include the described area to the Riverfront Entertainment District Area of the Comprehensive Plan text.

There are various factors that affect each of the described areas that would warrant consideration for the requested change. A more in-depth discussion follows. The characteristics of these areas are different and must be discussed separately. Currently the Riverfront Entertainment District follows the Jenks Levee as its west boundary.

In consideration of the south 322.32 feet of Reserve A of Riverwalk Crossing;

This is a small area between the Jenks Levee and the east one (1) acre parcel that is owned by the City of Jenks. Since this property is a part of the Riverwalk Subdivision Plat and is located west of the land side toe of the levee it was not incorporated into the Entertainment District or included in the area for office use. This would be considered a remnant of Low Intensity that used to be designated in the area and would be corrected with the proposed Amendment.

In consideration of the east one (1) acre parcel owned by the City of Jenks:

The subject tract is owned by the City of Jenks. It is used for the access road to Riverwalk Crossing and has been utilized for signage to Riverwalk and is established with a detention facility related to the developments that are located west of the property. The road located on the property appears to be the extension of Riverfront Drive (9th Street). However, this roadway has

never been dedicated to the Jenks road system nor has any easement been established for Riverwalk Crossing, though the road was established by the Riverwalk Development. Therefore, in accordance with the Jenks Comprehensive Plan Map this property is designated Medium Intensity and restricted to Office Use. The use of the property is critical as the entrance to the Riverfront Entertainment District and those businesses located in Riverwalk. Including this tract within the District legitimizes the uses established on the property and will support the future planned uses associated with the District.

In consideration of the west one (1) acre parcel owned Shane Fidler:

This tract was the subject of a proposed Zone Change to CS in 2019. Though ultimately and correctly denied, the council recognized that the property was being limited and struggled with the possibility to allow a Light Commercial Zoning. Since that zoning hearing, the property was rezoned to office in compliance with the Comprehensive Plan and has been cleared in preparation of development. With the removal of the two older structures and the fence between the Riverwalk entrance it became evident that the commercial development of the tract related to the intersection and the entrance to Riverwalk Crossing would better serve the property, the Entertainment District and the City of Jenks. Designating the property as within the Entertainment District is the perfect designation to protect against the fear of expansion of commercial areas into the established residential areas to the west. The justification for the District being established on this tract is its connection to the entrance of Riverwalk Crossing. This alleviates any precedence being established for further commercial expansion to the west or north.

Accompanying this request for a Plan Amendment is a Zone Change application to ROC (River Oriented Commercial) and a Planned Unit Development that is designed to greater protect "B" Street and adjacent residential used properties. The ROC zone is only allowed in the Riverfront Entertainment District. It is designed to restrict uses that would not be considered compatible in the District. This zone would be very similar to the Light Commercial Zone that was anticipated in previous hearings. The ROC Zone will allow a restaurant, retail shopping and convenience goods and services but eliminates the other uses of a CS Zone that would be considered negative related to "B" Street and the neighborhood. The only use allowed by right in the ROC zone that could be considered negative is Use Unit 19 Hotel/Motel which is eliminated in the proposed Planned Unit Development (PUD). The PUD further outlines various criteria that is designed to help accomplish the intent of the office restriction that was originally placed on the property. The PUD will establish limits of no access for the west 92 feet of frontage along "B" Street, this equates to 100 feet from the 9th and B Street intersection. The PUD is requesting a right in and a right out along Riverfront Drive, this access will help improve circulation in the area and will be located greater than 100 feet from the 9th and B Street intersection. The PUD establishes an eight (8) foot high screening fence requirement to be established between all adjacent properties that are used for residential use.

There are two areas of the Comprehensive Plan Text that would require modification associated with the proposed Amendments. The Riverfront Entertainment District specifies that all lands within the District are in the area between the river and the levee. This is related to floodplain development criteria associated with the area between the Jenks Levee and the Arkansas River.

If this Amendment is approved an exception that included the proposed area would need to be added to this paragraph of the Plan. The second modification would be to add the proposed area to the Entertainment District legal description.

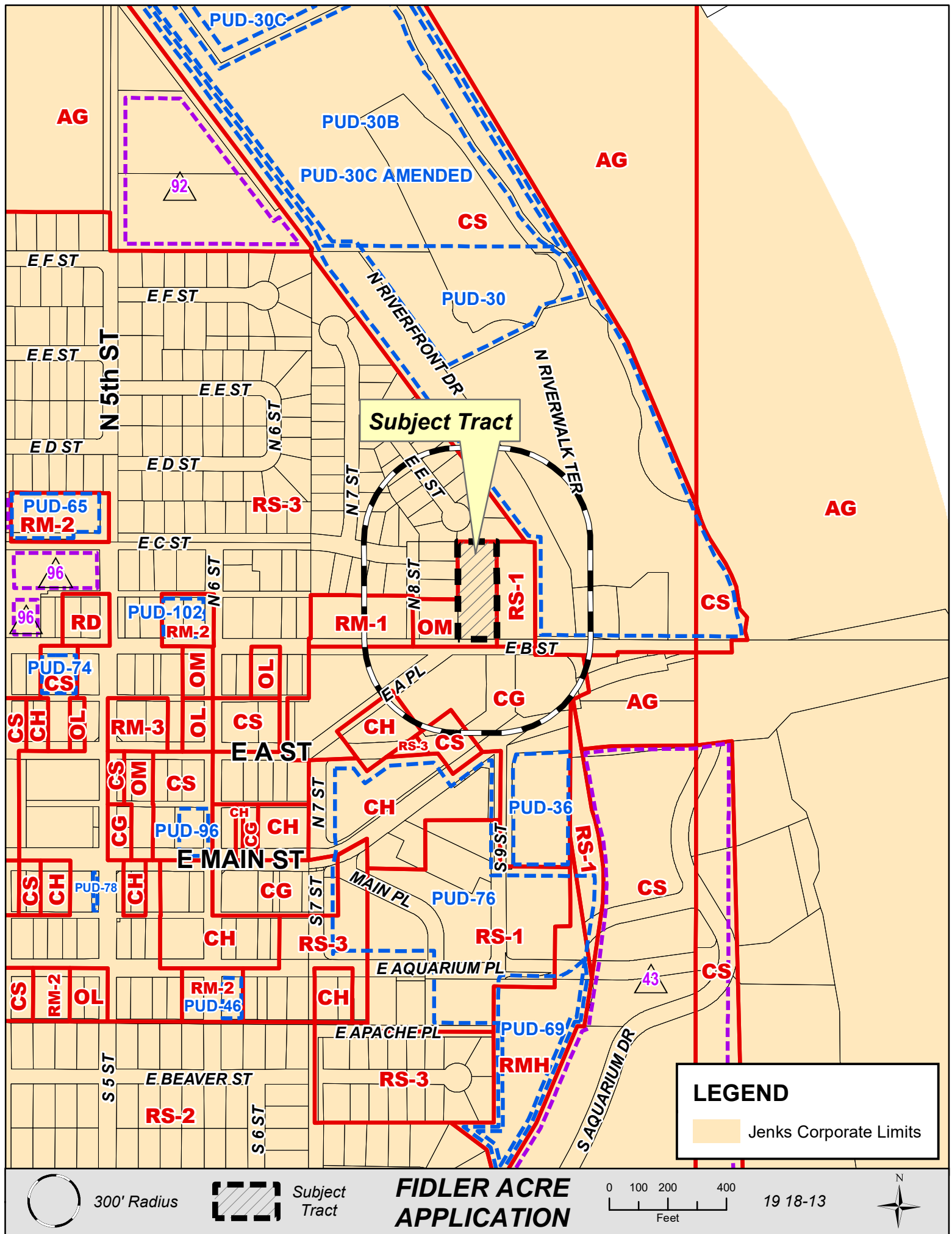
It is requested that the Jenks Comprehensive Plan Map and Comprehensive Plan Text be amended to reflect these changes and the designations as identified.

It is requested that staff submit this as a periodic review to the Planning Commission for their recommendation to the City Council. If Staff is not inclined to submit to the Planning Commission, it would be our request to have this documentation forwarded to City Council for their consideration to direct the Planning Commission to review the request and make recommendation to the City Council.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Bell', with a stylized, flowing script.

Robert Bell
Bell Land Use



The Entrance to the **Riverfront Entertainment District** **Jenks Oklahoma**

Planned Unit Development Number _____

A River Oriented Commercial Development

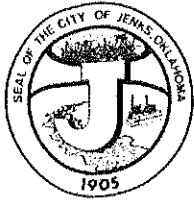
Riverfront Drive and "B" Street



An RSF Holdings Development

■ Bell Land Use LLC
918-902-0462

Tulsa Land Surveying LLC
Josh Lamb



APPLICATION FOR PLANNED UNIT DEVELOPMENT

Jenks Planning Commission
City of Jenks

NO _____
STR _____

GENERAL INFORMATION:

Residential Acres: None
No. of Residential Units: None
Non-Residential Acres: 1 acre
Total Square Feet Non-Residential: 43560
Livability Area: N/A

REQUIREMENTS (3 copies):

☒ Topo
☒ Plot Plan
☒ Text
☒ General Location Map

GENERAL LOCATION: Northwest Corner "B" Street and Riverfront Drive

PRESENT ZONING: OM (Medium Office)

PRESENT USE: vacant

RECORD OWNER: RSF Holdings LLC

LEGAL DESCRIPTION OF TRACT UNDER APPLICATION: Part of Gov Lot 4, Section 19, T18N, R13E, of the Indian Base and Meridian and more particularly described as follows:

Beginning 502 feet east of the southwest corner of Government Lot 4 Section 19, T18N, R13E of the Indian Base and Meridian; Thence east 132 feet; north 330 feet; west 132 feet, south 330 feet to the Point of Beginning.

If applicant is not the owner, indicate interest: Bell Land Use LLC

I certify that the submitted information is true and correct.

Signed: [Signature]

Date: 3-9-20

Address: 1011 W. "G" Street

Phone: 918-902-0462

BILL ADVERTISING AND SIGN CHARGES TO: Fidler Wealth Management

Name
7335 S. Lewis Ave, Tulsa OK 74136
Address
918-523-0023
Phone

DO NOT WRITE IN THIS AREA.

P.H. Date: _____ Date Received: _____ Received By: _____

Receipt No.: _____ Plat Name: _____

Fee Paid: _____ Receipt No.: _____

Planning Commission Action: _____ City Council Action: _____

Provisions: _____ Provisions: _____

Date/Vote: _____ Date/Vote: _____

Staff Recommendations: _____ Ordinance No.: _____

Plat Name: _____

The Entrance

I. Development Concept

The property is located at the intersection of Riverfront Drive and East “B” Street. A unique location to provide a direct correlation and interaction with the 96th Street Bridge, the entrance to the City of Jenks, the Riverfront Entertainment District and Riverwalk Crossing. The Development Concept is to incorporate a use and look that ties the development to the District and promote linkage in design to the Jenks character. The subject tract was always considered a drawback to the lifestyle center that was developed adjacent to it, especially the fence that was located on the property that was not only an eyesore but was a visual constraint at the intersection with “B” Street. Once the building and fence were removed it became evidently clear that this property needed to be developed in consideration of one of most important retail centers of the City and its front door. The subject tract was an asset waiting to be discovered.

Located outside the boundary of the Appearance Review Districts of the City of Jenks, the development through the Planned Unit Development process will incorporate the Riverfront Appearance Review District Guidelines which also includes the concepts of the Theme District.



It is anticipated that the proposed Planned Unit Development will consist of a high end restaurant of approximately 5,000 to 6,000 square feet located on the south east corner of the tract to include outside seating located on the east side of the structure. The north half of the tract will be utilized for parking. Discussion with a user that complies with this design is currently in negotiation. The site plan submitted with the PUD incorporates this concept. Approval of the PUD is also approving the building elevations, site plan, and landscape plans as in conformance with the Appearance Review Guidelines. However, other development concepts should be considered possible. In

compliance with the PUD Text any alternate site plan or building elevation will be required to be approved through the Appearance Review Process.

Accompanying the Planned Unit Development application is an application for a zone change to ROC (River Oriented Commercial) . The ROC District shall be limited to areas located within the Riverfront Entertainment Special District of the Jenks Comprehensive Plan. The purpose of the District is to allow lodging, restaurant facilities, and retail establishments designed to incorporate waterfront amenities and linkage to riverfront activities. Office uses may be considered accessory or compatible with River Oriented Commercial. However, in protection of surrounding properties The Planned Unit Development will restrict lodging uses on the property.

II. Development Standards

Permitted Uses:

The following uses shall be permitted:

Use Units

11. Offices and Studios
12. Eating Places Other Than Drive-Ins
13. Convenience Goods and Services
14. Shopping Goods and Services
21. Business Signs

Minimum Setback from North Property Line: 10 Feet

Minimum Setback from East Property Line (3rd Street) 11 Feet

Minimum Setback from west property boundary: 5 Feet

Minimum Setback from south Property Line ("B" Street): 25 Feet

Minimum Off-Street Parking Setback from street r-o-w: 15 Feet

On Street/Off Parking: Per Zoning Code

Maximum Permitted Building Height: 40 Feet

All plans shall be submitted to FAA for review and approval of height

Minimum Landscape area: 10% of lot area

Screening:

An eight-foot screening fence will be established along the north and west property line.

Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from adjacent residential properties. Street and parking lot lighting shall no exceed 19 feet in height. All Exterior Building lighting shall be approved through the Appearance Review District process.

Landscape:

Street frontages within lot 1 should provide a sense of open-space and should be buffered from the streets by landscaped drives, lawns, or parking.

Trash receptacles: all trash receptacles shall be located in the rear of the building(s) and shall be enclosed from public view utilizing same building materials of the primary structure located within the development.

Office developments are required to provide 15% lot area be developed for landscape purposes.

Appearance review

The property is subject to the riverfront appearance review guidelines and process requirements as specified in the Jenks zoning code.

III. Signage

1. General requirements:

- a. Commercial buildings will be limited to Channel (lettering and logo) wall signs.
- b. A 2' x 4' ground sign will be allowed in the traffic directional triangle on the east side of the development. The purpose of this sign is to help prevent violation of the right in and right out design of the access. The sign must be located far enough west to not effect visual aspects of a turning motion to the intersection with Riverfront Drive. The sign will be allowed the name of the business or logo of the restaurant but must also include in only on north side and exit only on the south. The owner of the property must process an encroachment agreement with the City of Jenks prior to installation of the sign.

2. Wall or canopy signs shall not exceed an aggregate display surface area of 1.5 square feet per each lineal foot of the building wall to which the sign or signs are affixed. Wall and canopy signs shall be further restricted as follows:

- a. A wall or canopy sign shall not extend above the top of the parapet or building wall on which it is located.

3. In addition to the wall or canopy signs permitted a lot containing one business establishment may utilize for business signs an aggregate display surface area of projecting or ground signs as follows

- a. If not more than one projecting or ground sign is erected, two square feet of display surface area per each linear foot of street frontage.
 - b. If more than one projecting or ground sign is erected, one square foot of display surface area per each linear foot of street frontage.
 - c. A ground sign shall not exceed 20 feet in height, measured from the mean curb level of the lot upon which it is erected.
 - d. One sign for each tenant may be erected not exceeding one square foot of display surface area per each linear foot of frontage building wall of the tenancy or 60 square feet, whichever is greater.
4. During the period of construction, but not exceeding 24 months, a maximum of two signs advertising the construction and the business improvements may be erected on the perimeter street frontages of the development. These signs shall not exceed 32 square feet of surface display area. Such sign shall not exceed fifteen feet in height, illumination if any shall be by constant light.

IV. Parking

Off Street Parking consistent with the Jenks Zoning Code shall be required.

V. Drainage and Utilities:

A subdivision plat has been submitted with the Zone Change and PUD request of the subject property.

Currently there is an overhead power line and a sewer line located near the center of the property that traverses the subject tract from west to east. These utilities are not located within an easement. It appears that an easement was filed that was intended for location of the sanitary sewer, however the sewer was located south of the existing easement. Public Service Company of Oklahoma (PSO) developed the overhead power line in a location that it anticipated an alley existed, however this property was not a part of the Original Town Site and no alleyway exist.

It was anticipated that the sewer line would need to be relocated to support development of the tract. Investigation of the existing fall of the sewer line has determined that relocation may not be attainable. If the property develops in accordance with the site plan submitted with PUD, relocation will not be required and the proposed plat will include an easement to incorporate the existing sewer location. If the sewer is relocated the easement will be filed to encompass the new location. An easement vacation application has been filed with the zoning request for the existing easement that has no services located in it.

The applicant has had discussion with PSO concerning the overhead power line. This line only serves the lift station of the City and signage associated with the Riverwalk

entrance. It was agreed that the owner of the property will locate casing along the new sewer easement for PSO to place new line underground for this service line. The adjacent property to the west is in the same situation and has agreed to provide casing to 8th Street. PSO will need to determine how the service will reconnect to the overhead lines located on and over 8th Street.

Water and gas are available and located along the right of way of “B” Street.

The storm water from the property currently drains to the north and northeast to the existing channel to the north of the property and to the detention facility located on the city property at the northeast corner of the subject tract. History of these facilities indicate that a severe problem existed with the storm flow to the detention that was improved with the facilities constructed with Riverfront Drive. The facility constructed with Riverfront Drive included two outflow pipes that traverse under the road for connection to area drainage pipes and direct outflow to the Arkansas River.

The development will be required to submit a detailed drainage plan to the City Engineer for review and approval with the building permit for the planned structure and parking.

It is anticipated that the proposed development will redirect storm water to the existing drainage from the channel located to the north and allow for direct outflow to the detention facility located at the northeast corner on the City property. This facility is where the storm water from the property currently ends up.

The drainage plan will require a hydrology report to determine the existing conditions of the area detention facility and the effect of full development of the tract. The hydrology report will address whether the storm water would need to be metered from the site via parking lot collection system or whether improvements could be accomplished to the detention area that will also improve the area drainage system.

VI. Existing Zoning and Comprehensive Plan

The property is currently zoned OM (Medium Office) and has been razed of all structures in preparation of redevelopment. The property is being requested to be placed in the Riverfront Entertainment District of the Jenks Comprehensive Plan and is being requested for a Zone Change to ROC (River Oriented Commercial).

VII. Riverfront Drive and “B” Street

Access from B Street shall be a minimum of 100 feet from the intersection of “B” Street and Riverfront Drive.

In consideration of the liability of Riverfront Drive being a public access to Riverwalk Crossing across a private property under ownership of the City of Jenks, it may be advantages to have the roadway dedicated in the required plat of the subject tract. A filed easement to the subject property would be needed if the road is not dedicated.

VIII. Site Plan Review

Review of the Planned Unit Development meets all requirements related to the Site Plan Review except the requirement to submit a detailed drainage plan to the City Engineer for Review and Approval

EXHIBIT 'A'

Site Plan
Page 2

FIDLER ACRE

BENCHMARK

TO BESET WITH BEO CUP LOCATED AT THE SOUTHWEST CORNER OF BRICK WALL TOWARD AN EAST STREET APPROXIMATELY 60 FEET EAST AND 10 FEET SOUTH OF THE SOUTHWEST CORNER OF SUBJECT TRACT.

ELSV. = 617.73' (WMD '86)



Tulsa Land Surveying LLC
1501 E. 6th St.
Tulsa, OK 74129
PHONE: 918.794.6777

	ASPHALT
	CONCRETE
	UNDERGROUND TELEPHONE
	UNDERGROUND SANITARY SEWER
	UNDERGROUND GAS
	UNDERGROUND CABLE
	UNDERGROUND WATER
	UNDERGROUND STORM SEWER
	OVERHEAD ELECTRIC
	FENCE
	WATER VALVE
	WATER METER
	FIRE HYDRANT
	SHRUB
	DECIDUOUS TREE
	CONIFEROUS TREE
	POWER POLE
	AC UNIT
	GUT WARE
	TELEPHONE UNDERGROUND MARKER
	TELEPHONE PEDESTAL
	SIGN
	MAIL BOX
	GAS METER
	FIBER OPTIC PEDESTAL
	TRAFFIC SIGNAL POLE
	ELECTRIC METER
	LIGHT POLE
	TRAFFIC JUNCTION BOX
	CABLE TV UNDERGROUND MARKER
	SANITARY SEWER MANHOLE
	GAS VALVE
	STORM SEWER MANHOLE
	FOUND MONUMENTS
	SET MONUMENTS

TULSA LAND SURVEYING LLC
1501 EAST 6TH STREET
TULSA, OK 74103
(918) 794-6777
CA 9038
DPHS 6/30/2021



EXHIBIT 'B'

Plat
Page 2

Deed of Dedication
Page 3

EXHIBIT 'C'



EXHIBIT 'D'



EXHIBIT 'E'

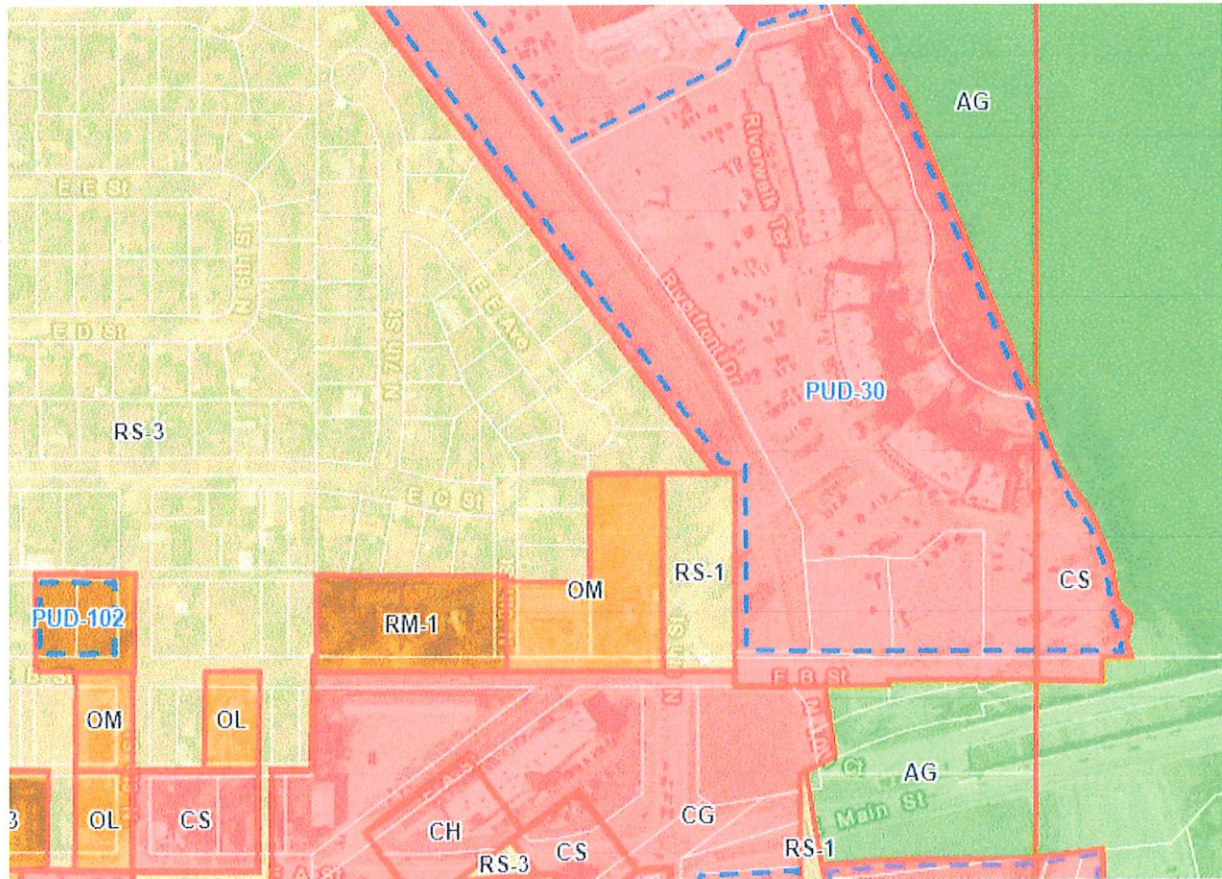
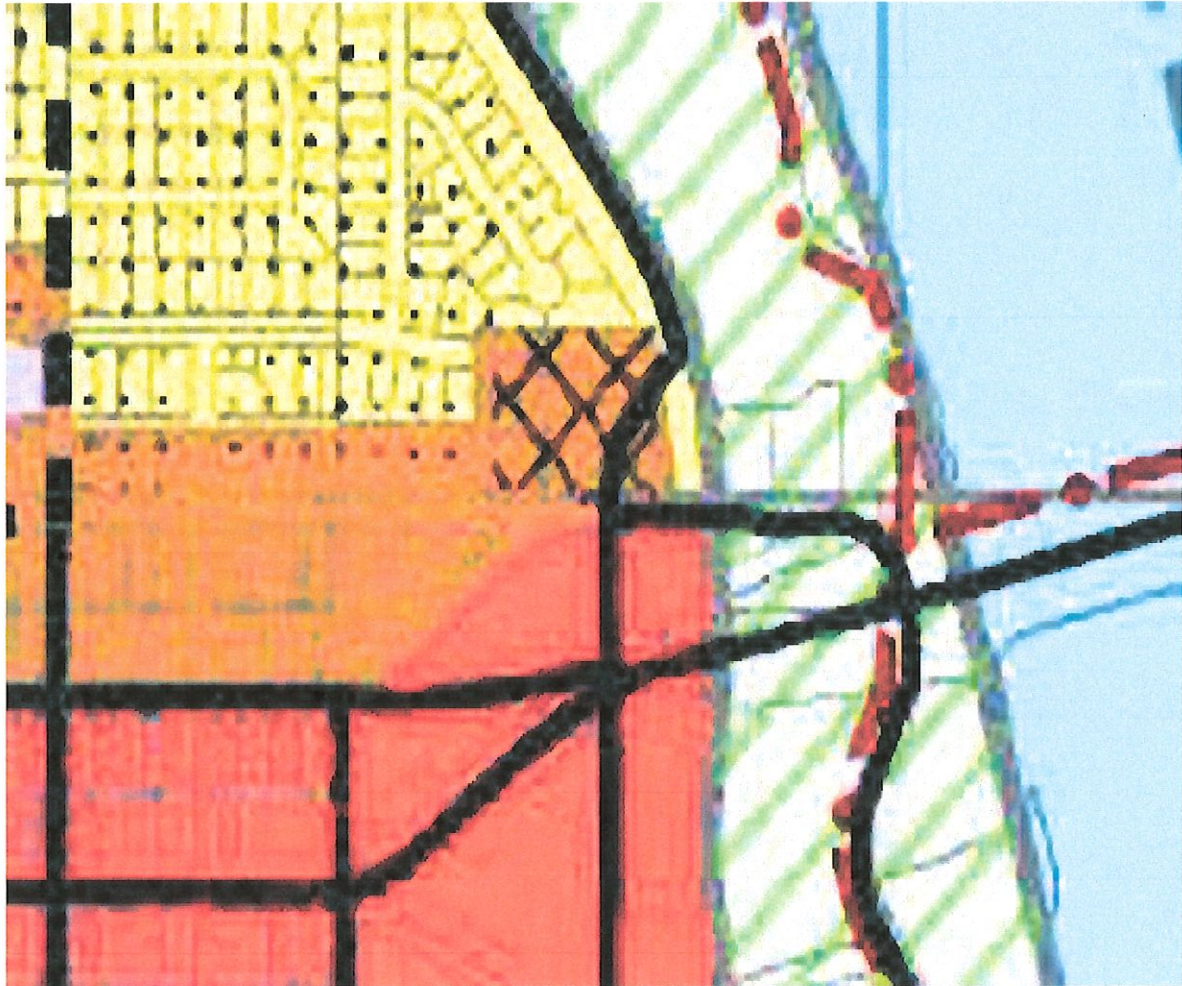


EXHIBIT 'F'



UTILITY EASEMENT CLOSURE | ROW-UEC 20-74 | FIDLER ACRE

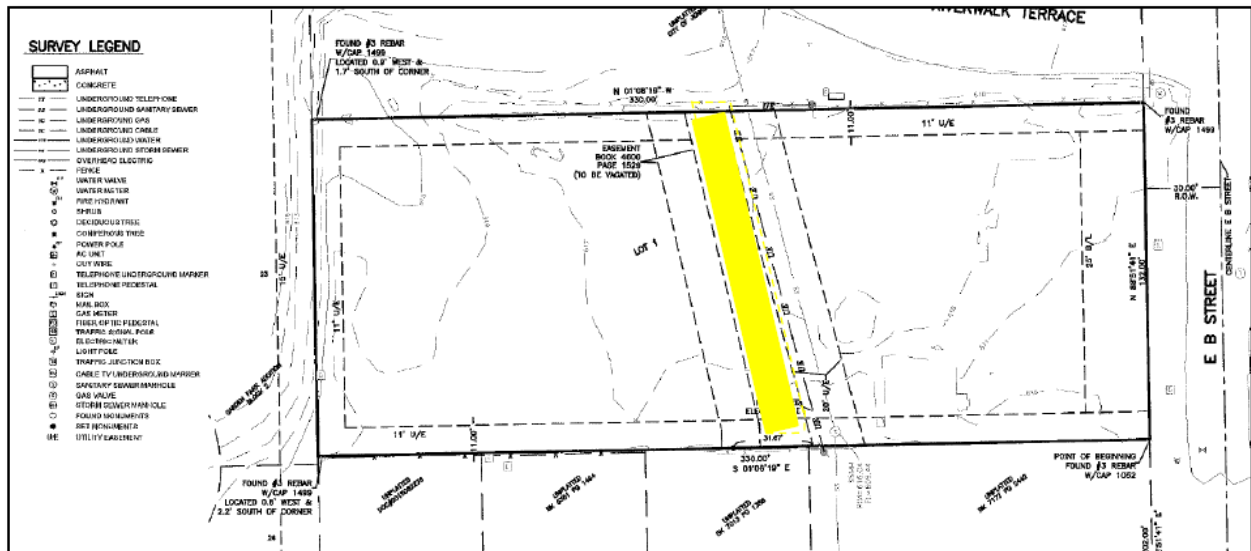


EXHIBIT "A"
PROPERTY LEGAL DESCRIPTION

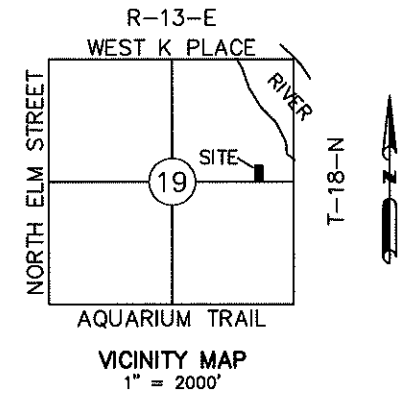
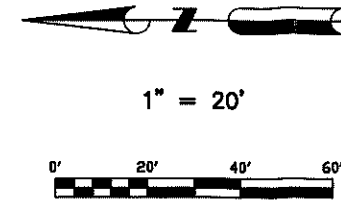
PART OF GOVERNMENT LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) NORTH,
RANGE THIRTEEN (13) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 502 FEET EAST OF SOUTHWEST CORNER OF SAID LOT FOUR (4), RUNNING THENCE EAST 132 FEET, THENCE RUNNING NORTH A DISTANCE OF 330 FEET, THENCE RUNNING WEST A DISTANCE OF 132 FEET, THENCE SOUTH A DISTANCE OF 330 FEET TO POINT OF BEGINNING, CONTAINING (1) ACRE, MORE OR LESS, A/K/A 813 EAST B STREET, JENKS, OK 74037.

SAID TRACT CONTAINING 43,560 SQUARE FEET, OR 1.00 ACRES.

Fidler Acre

PART OF LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP
EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST,
A/K/A 813 EAST B STREET, JENKS, OK 74037.



PLAT No.

FINAL PLAT
CERTIFICATE OF APPROVAL
I hereby certify that this plat was
approved by the Tulsa Metropolitan
Area Planning Commission on:

MAYOR - VICE MAYOR
This approval is valid if the above
signature is not endorsed
by the City Manager.

CITY MANAGER

OWNER/DEVELOPER
RSF HOLDINGS LLC
813 E. B ST. N.
JENKS, OK 74037

SURVEYOR
Tulsa Land Surveying LLC
1501 E. 6th St., Tulsa, OK 74120
PHONE: 918.794.6777

SURVEY LEGEND

- ASPHALT
- CONCRETE
- UT UNDERGROUND TELEPHONE
- SS UNDERGROUND SANITARY SEWER
- UG UNDERGROUND GAS
- UC UNDERGROUND CABLE
- VW UNDERGROUND WATER
- US UNDERGROUND STORM SEWER
- OE OVERHEAD ELECTRIC
- FENCE
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- SHRUB
- DECIDUOUS TREE
- CONIFEROUS TREE
- POWER POLE
- AC UNIT
- GUY WIRE
- TELEPHONE UNDERGROUND MARKER
- TELEPHONE PEDESTAL
- SIGN
- MAIL BOX
- GAS METER
- FIBER OPTIC PEDESTAL
- TRAFFIC SIGNAL POLE
- ELECTRIC METER
- LIGHT POLE
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- CABLE TV UNDERGROUND MARKER
- SANITARY SEWER MANHOLE
- GAS VALVE
- STORM SEWER MANHOLE
- FOUND MONUMENTS
- SET MONUMENTS
- U/E UTILITY EASEMENT

SUBDIVISION STATISTICS

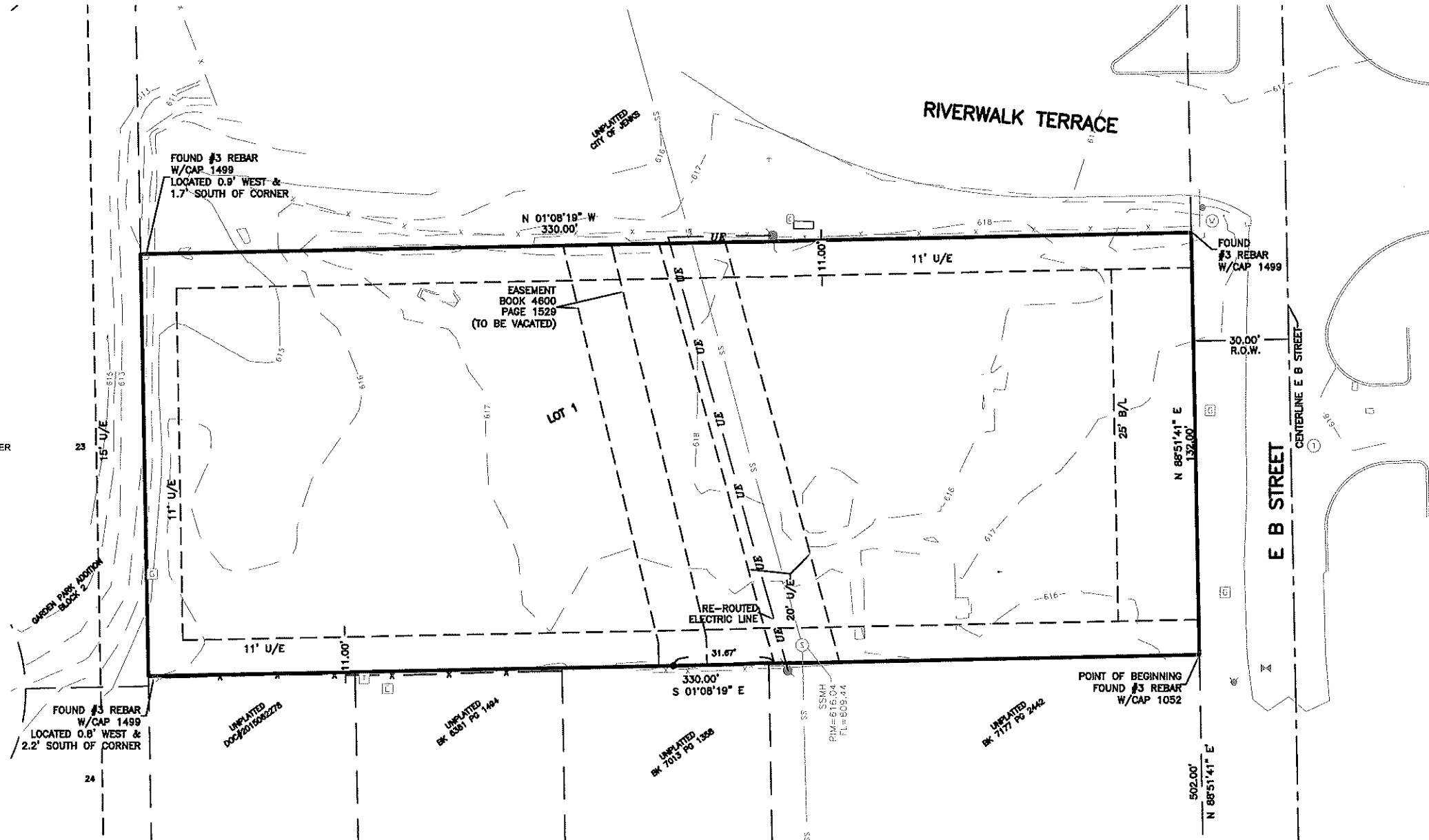
SUBDIVISION CONTAINS ONE(1) LOTS IN ONE(1) BLOCK.
SUBDIVISION CONTAINS ONE(1) ACRE.

MONUMENTATION

ALL CORNERS WERE SET USING 3/8" X 18" REBAR
WITH A YELLOW CAP (YPC) STAMPED "TULSA CA 6038",
UNLESS OTHERWISE NOTED.

BASIS OF BEARINGS

BASIS OF BEARINGS SHOWN HEREON BEING THE SOUTH
LINE OF GOV'T LOT 4 AS NORTH 88°51'41" EAST.



CERTIFICATE

I HEREBY CERTIFY THAT ALL REAL ESTATE TAXES INVOLVED IN
THIS PLAT HAVE BEEN PAID AS REFLECTED BY THE CURRENT TAX
ROLLS. SECURITY AS REQUIRED HAS BEEN PROVIDED IN THE
AMOUNT OF \$_____ PER TRUST RECEIPT NO. _____
TO BE APPLIED TO 20_____ TAXES. THIS CERTIFICATE IS NOT TO
BE CONSTRUED AS PAYMENT OF 20_____ TAXES IN FULL BUT IS
MADE IN ORDER THAT THIS PLAT MAY BE FILED ON RECORD.
20_____ TAXES MAY EXCEED THE AMOUNT OF THE SECURITY
DEPOSIT.

DATED: _____
TULSA COUNTY TREASURER
BY: _____
DEPUTY

STATE OF OKLAHOMA) SS
COUNTY OF TULSA)

I, EARLENE WILSON, TULSA COUNTY CLERK, IN AND FOR THE
COUNTY AND STATE ABOVE NAMED, DO HEREBY CERTIFY THAT THE
FOREGOING IS A TRUE AND CORRECT COPY OF A LIKE
INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____ 20_____
EARLENE WILSON, TULSA COUNTY CLERK.

DEPUTY

TULSA LAND SURVEYING LLC
1501 EAST 6TH STREET
TULSA, OK 74120
(918) 794-6777
CA 6038
EXPIRES 6/30/2021





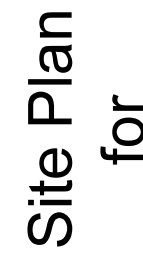


1. PLAT AND SITE PLAN CREATED ON MARCH 9, 2020.
2. ALL CORNERS WERE SET USING 3/8" X 18" REBAR WITH A YELLOW CAP (YPC) STAMPED "TLS CA 6038", UNLESS OTHERWISE NOTED.
3. BASIS OF BEARING SHOWN HEREON BEING THE SOUTH LINE OF GOVT LOT 4 AS NORTH 88°51'41" EAST.
4. THE PROPERTY DESCRIBED HEREON CONTAINS 43,560 SQUARE FEET OR 1.00 ACRES.
5. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES AND MAKES NO CERTIFICATION THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. CALL ONE TICKET NO. 18120409210817, ISSUED ON DECEMBER 4, 2018.
6. SURVEYOR HAS EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA, MAP# 40143C0364L, EFFECTIVE DATE OCTOBER 16, 2012, WHICH SHOWS THE PROPERTY DESCRIBED HEREON IS LOCATED WITHIN ZONE X (SHADED).
7. BUILDING SETBACK LINES SHOWN HEREON PER CITY OF JENKS OFFICE MEDIUM (OM) ZONING CODES.
8. THE PROPERTY DESCRIBED HEREON HAS PUBLIC ACCESS TO EAST 'B' STREET ALONG THE SOUTH LINE.

BENCHMARK

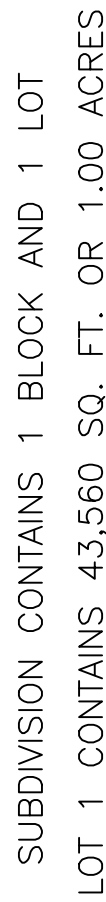
#3 REBAR WITH RED CAP LOCATED AT THE SOUTHEAST CORNER OF RIVER WALK TERRACE AN EAST B STREET APPROXIMATELY 60 FEET EAST AND 63 FEET SOUTH OF THE SOUTHEAST CORNER OF SUBJECT TRACT.

ELEV. = 617.73' (NAVD '88)



FIDLER ACRE

PART OF LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) NORTH,
RANGE THIRTEEN (13) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT 502 FEET EAST OF THE SOUTHWEST CORNER OF SAID LOT
FOUR (4), RUNNING THENCE EAST 132 FEET, THENCE RUNNING NORTH A DISTANCE
OF 330 FEET, THENCE RUNNING WEST A DISTANCE OF 132 FEET, THENCE SOUTH A
DISTANCE OF 330 FEET TO POINT OF BEGINNING, CONTAINING ONE (1) ACRE, MORE
OR LESS, AKA/ A 813 EAST B STREET, JENKS, OK 74037.



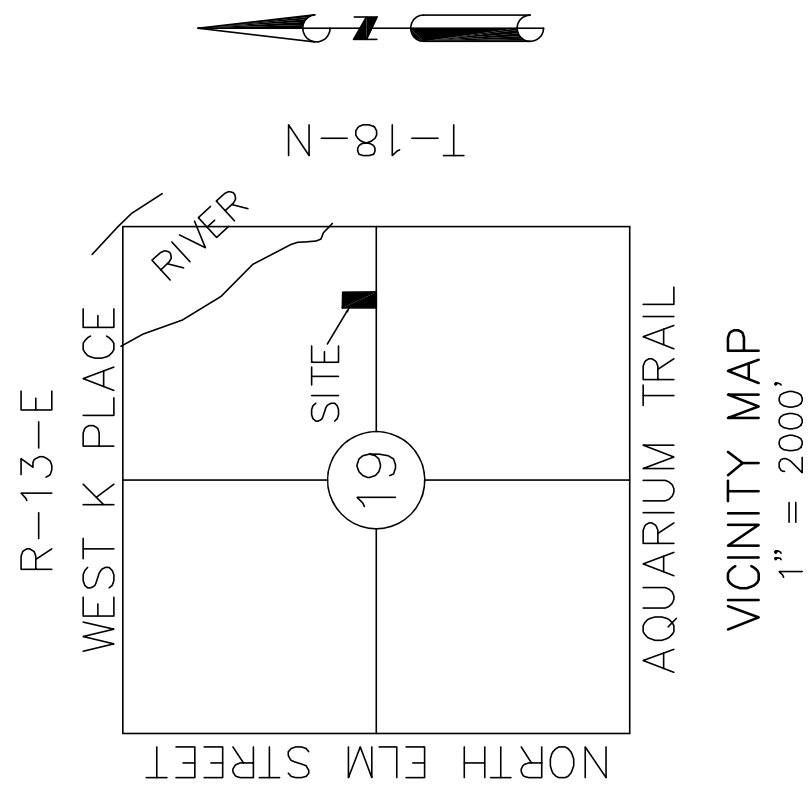
LOT 1 CONTAINS 65 PARKING SPACES



TULSA LAND SURVEYING LLC
1501 EAST 6TH STREET
TULSA, OK 74120
(918) 794-6777
CA 6038
EXPIRES 6/30/2021



EXPIRES 6/30/2021



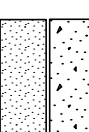
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SURVEY LEGEND

	ASPHALT
	CONCRETE
— UT —	UNDERGROUND TELEPHONE
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— LG —	UNDERGROUND GAS
— LC —	UNDERGROUND CABLE
— VR —	UNDERGROUND WATER
— SW —	UNDERGROUND STORM SEWER
— ORG —	OVERHEAD ELECTRIC
— F —	FENCE
— X —	WATER VALVE
	WATER METER
	FIRE HYDRANT
	SHRUB
	DECIDUOUS TREE
	CONIFEROUS TREE
	POWER POLE
	AC UNIT
	GUY WIRE
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	FIBER OPTIC PEDestal
	TRAFFIC SIGNAL POLE
	ELECTRIC METER
	LIGHT POLE
	TRAFFIC JUNCTION BOX
	CABLE TV UNDERGROUND MARKER
	SANITARY SEWER MANHOLE
	GAS VALVE
	FOUND MONUMENT
	SET MONUMENTS

Jenks | Fidler Acre Memo



Date 5/7/2020 2:13 AM

To Planning Commission
Chris Shrout, City Manager
Robert Carr, Assistant City Manager

Subject Fiddler Acre Supplemental Information

From Marcaé Hilton, City Planner

Supplemental Information

Preparer | Marcaé Hilton

Please see the pictures regarding the lot in question.



Figure 1 FIDLER ACRE LOOKING TOWARD RIVER WALK



Figure 2 STREET VIEW OF FA



Figure 3 FA VIEW LOOKING SOUTH



Figure 4 FA VIEW FROM SE CORNER OF LOT | TOWARD NEIGHBORHOOD



Figure 5 FIDLER ACRE LOOKING TOWARD STREET



Figure 6 FROM NORTH END OF LOT NEAR RESIDENTIAL LOTS



Figure 7 FIDLER ACRE FROM MIDLOT

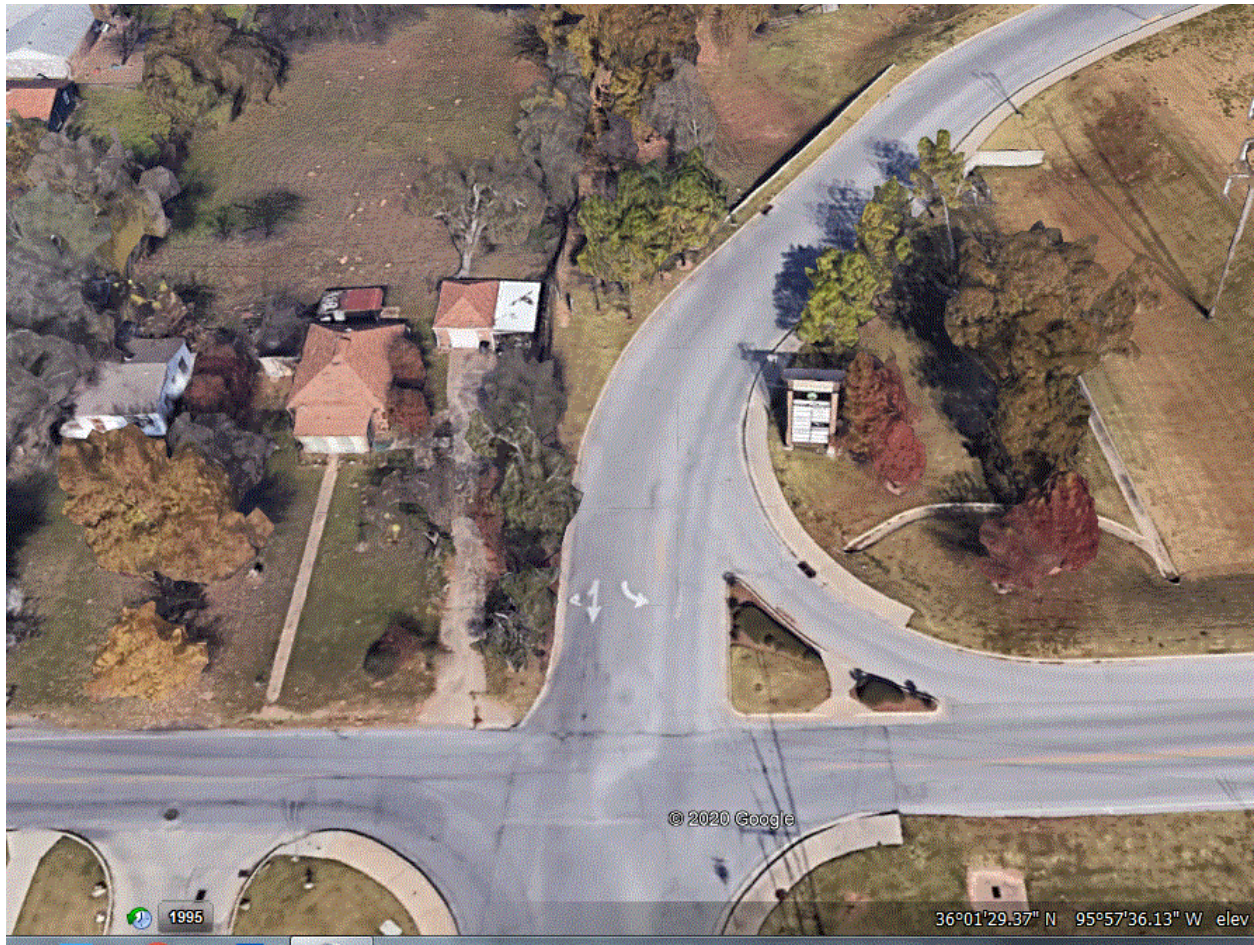
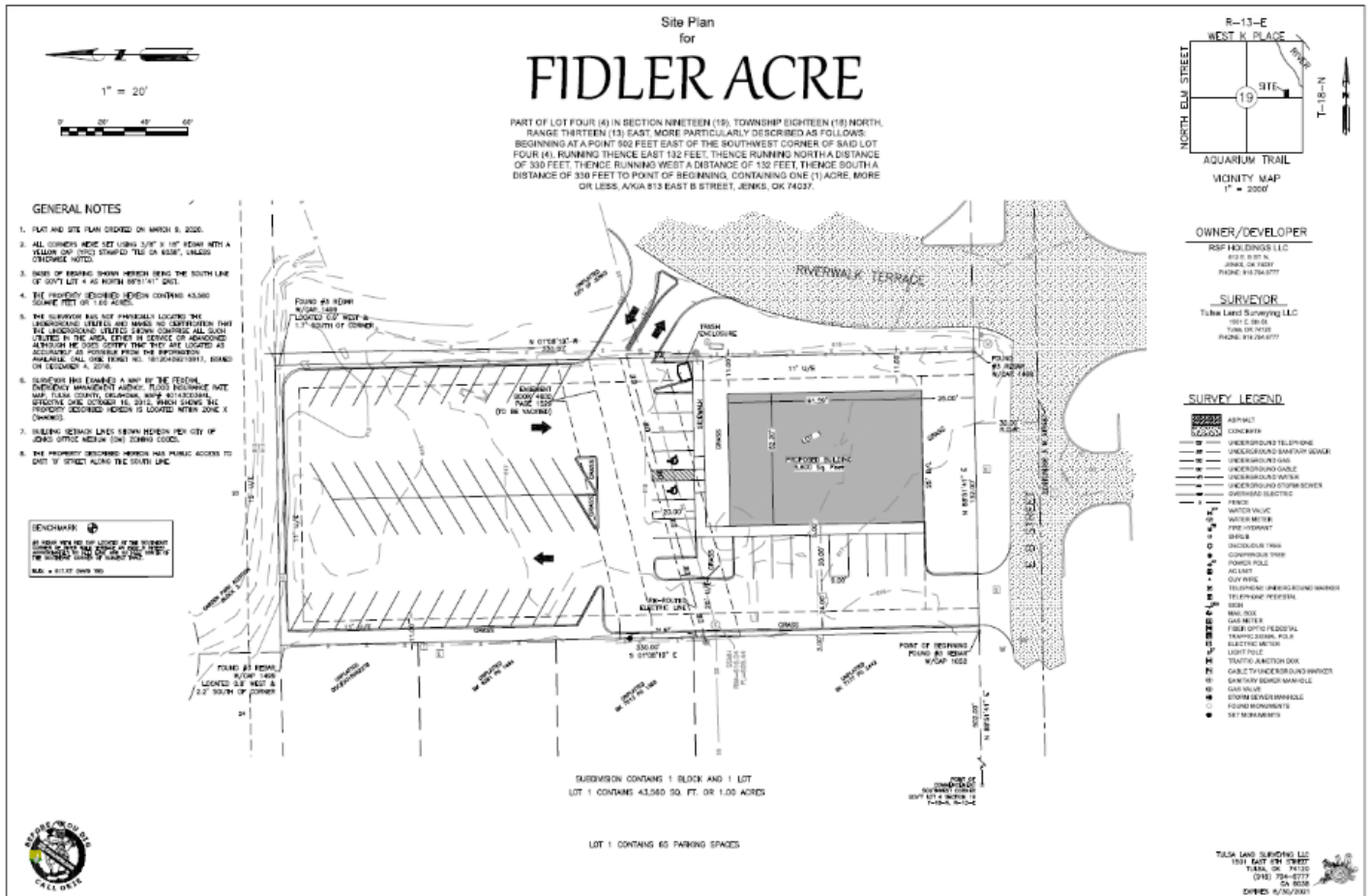


Figure 8 OLD GOOGLE SHOT BEFORE HOUSE WAS TORN DOWN



Date 2020-05-07

To Planning Commission
Chris Shrout, City Manager
Robert Carr, Assistant City Manager

Subject Public Comments for 2020.05.07 PC Meeting

From Marcaé Hilton, City Planner

QUESTIONS

Preparer | Marcaé Hilton

Planning Commission | questions from Public as of 2020.05.07



Lloyd Landreth | email 2020.05.07 | 801 E B St

Brandon:

Thank you for taking the time to visit with me regarding the request for a zoning change from OM to ROC on the property adjacent to my law office. I was unaware of the manner in which I could provide these comments given the inability to appear in-person, and such information was not given in the materials associated with the A-frame on the property. I would summarize my comments as follows:

- I am in support of some form of development of the property. In its current condition, it represents a negative and not a beneficial use.
- I oppose any use or development of the property that requires any additional utility ROW, utility structures, or burdens/easements on my property.
- I oppose any use of vibrating compaction in development of the property.
- Due to the likely need for placement of impervious surfaces, all surface water drainage must be properly managed.
- It is unclear from the Application materials how the property is split into two lots? The "Subject Tract" would seem to have to rely on the other tract to support it, as there is not enough land to have two independent uses.
- The project proponent should fully address the question of what conditions have changed since the zoning change from Residential to OM. In other words, what has changed that would justify a departure from the Comprehensive Plan setting of OM use?
- Any use of the property should be required to first demonstrate such use has accounted for ample parking spaces and driveway/road ingress and egress that does not rely or burden my property, or any residential property in the area.
- Ornamental/privacy fencing must be required along the Western boundary of the property, including fencing or some other type of physical barrier along the entirety of the property line shared with my property, so that any users of the subject tract cannot drive on or otherwise cross onto my property in any way.
- Trash dumpsters and any other waste or recyclable receptacles should be placed in a designated area as far to the East and North on the property as possible. In other words, all such waste receptacles should be hidden and as far away from residential use and my office as possible.

- The business hours of any use of the property should be compatible with my office use and residential use.

As noted, I have no expectations this property would remain in an unoccupied condition. The City of Jenks and those of us who live and work in the immediate area can benefit from a well-planned, attractive and compatible use. I appreciate the efforts of the Planning Commission to abide by these criteria in their consideration of this zoning change.

Respectfully,

LL



Carolyn Morgan | email 2020.05.07 | 404 W B St

Ladies and Gentlemen,

I have a couple of questions that I would like to have addressed at the meeting tonight.

Are there current plans to alleviate the traffic congestion going East on 'B' Street at 9th? The already extreme congestion from the Jenks Bridge through the intersection and down B street is already not under control.

Why is the city information mail box A-frame and the real estate sign on the property adjacent to the lot at 813 E. B? The zoning is RS-1 on your map. In the previous hearings the residents thought BOTH properties were zoned OM.

Please read and address these issues during the meeting tonight.

Sincerely,

Aaron M. Morgan II
Carolyn A. Morgan



Eric and Melody Castrellon | email 2020.05.04 | 313 N 8th St

Dear Brandan,

My Neighbor Aaron Morgan gave me your email address. I did receive notice of a public hearing this week concerning a parcel owned by Rob Bell located against my property at 313 N.8th St. I had a good conversation with Rob Bell concerning the direction he is intending to go with his property. We were promised a fence in the event the city passes and changes the use of his property. I would like to attend said mtg if I can online or physically if needed.

I am asking the city planners to allow for restaurant and said changes only in the event it increases the appearance and adds to the value of our community. I just ask PLEASE DO NOT ALLOW A HIGH RISE APT.

OR CONDO OR OFFICE BUILDING that will overlook into our backyard....ANYTHING FUN IS OK, Anything food restaurant riverwalk nostalgic would be exciting and valuable to us as a community.

Thank you for your consideration,
Eric and Melody Castrellon



Aaron M Morgan II | email 2020.05.03 | 404 W B St
Ladies and Gentlemen:

The history of local concerns about changing zoning code to commercial (of any kind) is on record at City Hall. The objections were confirmed by the City Council and the Planning Commission and an OM zoning was agreed upon.

The problems for the property owners and residents are the same: more congestion, unknown businesses, multi-story structures, noise and pollution. The property is bordered by RS1, RS3 and OM. It is fronted by a two lane residential street that is already at capacity.

Since the last hearing, a short time ago, the OM designation still seems logical, reasonable and appropriate for 813 E. B.

I am opposed to changing zoning to ROC, River Oriented Commercial.

Please read my letter at the hearing on May 7, 2020.

Thank you and Best Regards
Aaron M. Morgan II



Carolyn Morgan | email 2020.05.03 | 404 W B St
Ladies and Gentlemen,

As a property owner around the corner from 813 East B, I am greatly concerned about the proposed zoning change to allow river oriented commercial in our neighborhood. Our property backs up to this property and any activity there will directly affect the peace, tranquility and value of our property. . Traffic noise, music, delivery trucks, customer activity - right over the fence from our backyards, will be too close to the homes surrounding that property. We already have to deal with the noise from River Walk and this would be essentially in our backyards. Our property at 317 N. 8th was our home for several years. At the present time we are renting it to friend of the family and do not wish to lose good occupants who may not want to deal with the problems brought on by a river oriented entertainment establishment(s) right on the other side of the fence.

The previous determination made at the last zoning hearing was that an OM zoning was appropriate. The need for protection from improper zoning for our neighborhood remains. We still want our neighborhood to remain a neighborhood and not be adversely affected by noisy, obtrusive businesses.

Sincerely,
Carolyn A. Morgan



Marie Olsen | email 2020.05.02 | 714 E E St (Ave)

Good evening, members of the Jenks Planning Commission. I am Marie Olsen, and I live at 714 East E St (Ave). I have lived here since 1986, and am now retired. I purchased this home largely because of its location at the end of a cul-de-sac in a quiet neighborhood. With the exception of loud music issues originating from the Riverwalk half of the year, this has remained a peaceful residential neighborhood.

I am very concerned about the proposed zoning change for the property at 813 B St., as this property backs onto our cul-de-sac. Twice before, towards the end of 2018, requests to change the zoning to CS were considered and denied by this commission. The City Council and neighborhood reached a compromise and the zoning was changed to OM at that time. An office building was to be built and the purchaser stated that he could build in such a way as to not invade the backyard privacy of the homes backing onto this property, that traffic would be modest, and that he would install fencing to prevent spillover of foot traffic into our cul-de-sac on E Street. As you know nothing was built, and now we're here again facing this issue.

The property in question is surrounded by residential homes, with the exception of the property next door on B Street which is OM (lawyer's office). The only commercial zoning of any kind is either across the street facing A Street, or way across the levee. My question is, what has changed that would justify changing this property to commercial (ROC) at this time?

Yes, we who live in this neighborhood are very concerned about the negative effects of something like a restaurant or stores being built here. We know that such businesses would of necessity bring traffic noise from patrons and suppliers, and the real possibility of music or entertainment right next door also exists. This zoning change without a doubt will hurt the value of our homes.

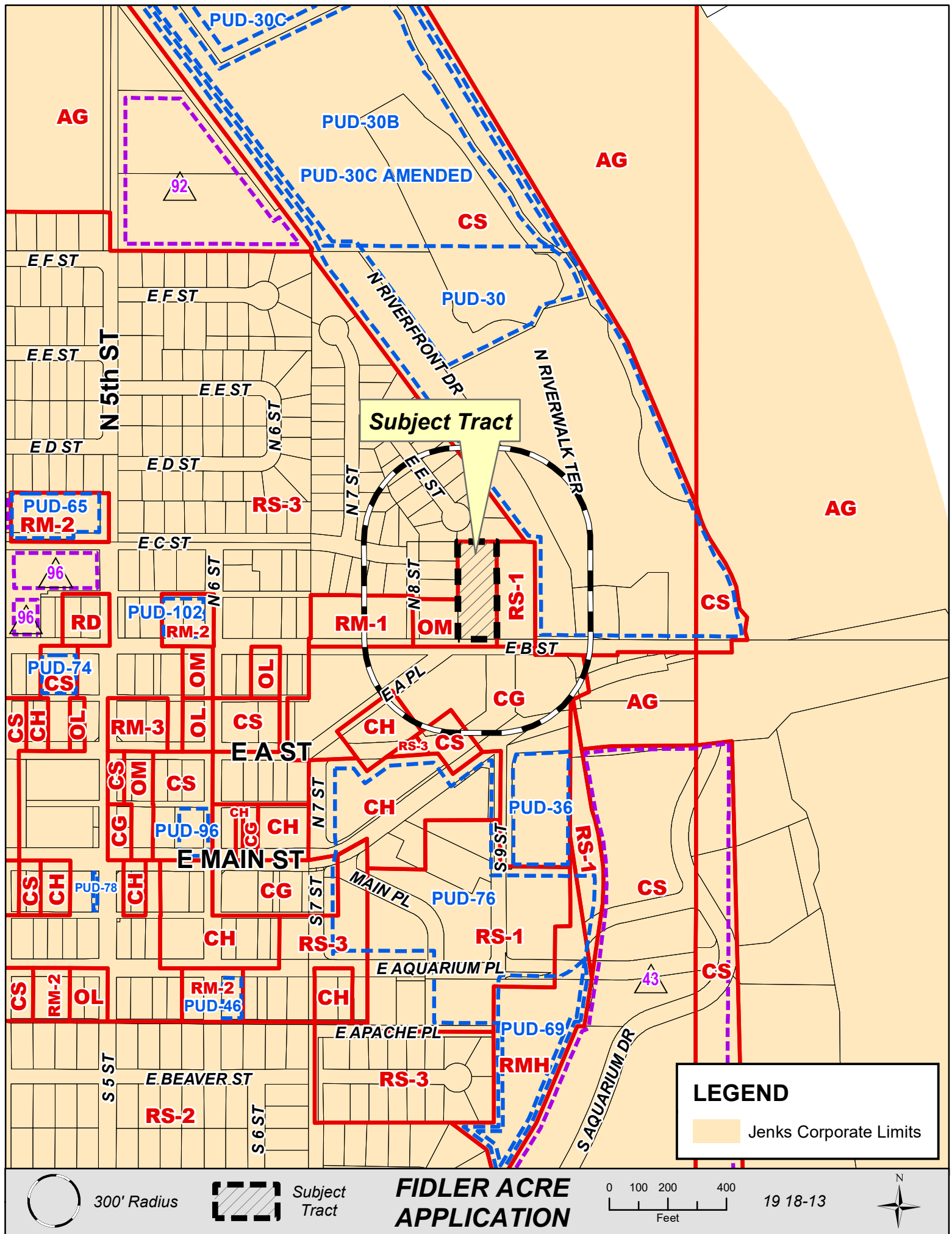
I am asking you to please honor the comprehensive plan, and protect the residents in this neighborhood. Thank you.

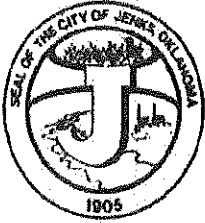


Marinell Scott-Hall | email 2020.04.29 | 717 E A Ave

My name is Marinell Scott-Hall and I live at 717 East E Ave. in Jenks. I have owned my property since 2002. I am writing as I am unsure if I will be able to attend the meeting on May 7th since it is not in person, but online. I have been assured that this letter will be read at the meeting. I am extremely concerned as my neighbors are. I thought this matter was settled once and for all. I am talking about the zoning issue concerning the property 813 East B St. changing the zoning from OM to ROC. I and a number of my neighbors have been to meetings several times in the past. We understood that the original owner had passed away and the relatives wanted to sell and had tried to sell it for a while with no success. They were advised to have the zoning changed and that would sell it. The first prospective buyer wanted to make it commercial and put a strip mall there, we did not feel safe with that idea and voiced that then. We were made aware of the Comprehensive Plan that protected our neighborhood,

because it is a residential housing area. It was promised that if anything would be at that location it would fit into that very same category. On the corner on the other side of this property is a Law firm that has done a wonderful job of doing that very thing which I personally appreciate. The next time we appeared at the commission a second prospective buyer came. This time the owners of this property pleaded that they wanted to sell the property and needed the finances. I told them I appreciated the fact they wanted to sell and I did not have issue with a sale, but the zoning was light office (we thought) needed to become an OM with promises from the buyer. First, our drainage issues would be fixed. Any heavy rain floods our cul-de-sac and drainage is a problem, it comes up in yards and in driveways. This has problem has gone on for years. I believe since the River Walk was built. Second, realizing our concerns for safety and loss of property value, he agreed to build a two story office to look like a large home. When we voiced that our property would not be private, he offered to have no windows in the back of the office. Thirdly, the buyer promised to place a 6 to 8 foot fence or wall for our security. Under those terms we had no problems and felt, finally our neighborhood would be safe and secure. We all watched as the 2 house that were there were leveled. The noise level greatly increased. The property wasn't cleaned up right away and children and adults started cutting through the property coming into the cul-de-sac. It was nearly 4th of July and I feared people would get hurt from metal, debris, and a basement hole that was partially covered. I wrote to the city and it was roped off. Afterwards it was cleaned up more and filled in. I waited to see the building progress but there was none. Now we find out the deal we thought we had, obviously has somehow disappeared and we are here yet again about this property. The Comprehensive Plan says and I quote," Prevent the intrusion of inharmonious land uses into residential areas, and also to promote a safe and secure environment." That is all we are asking for, that is what I am asking for. We are residential not Riverfront entertainment. Please protect our Neighborhood.





City of Jenks
Application for Rezoning

JZ _____

Page 1 of 4

☒ Zoning Change

☐ Specific Use Permit (SUP)

Address or General Location: 813 E. "B" Street

Present Zoning: OM

Requested Zoning: ROC

Record Owner: RSF Holdings LLC

Legal Description of tract under application: (If described by metes and bounds, attach plat of survey.): _____

Located in Government Lot 4, Section 19, T18N, R13E of the Indian Base and Meridian, and more particularly described as follows:

Beginning 502 feet east of the southwest corner of Government Lot 4 Section 19, T18N, R13E of the Indian Base and Meridian to the point of beginning; thence east 132 feet, thence north 330 feet, thence west 132 feet, thence south 330 feet to the Point of Beginning.

If applicant is other than owner, please indicate interest (purchaser, lessee, agent for, other): Agent

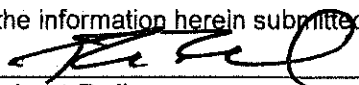
Are there any private or deed restrictions controlling use of tract (If yes, explain.): No Restrictions

Bill advertising and sign charges to:

Name: Fidler Wealth Management Phone: 918-523-0023

Address: 7335 S. Lewis Ave, Tulsa OK 74136

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed:  Date: 3-9-20

Print name: Robert Bell Phone: 918-902-0462

Address: 1011 W. "G" Street, Jenks OK 74037

A. GENERAL DESCRIPTION OF PROPERTY

1. Size in acres or square feet: 43560
2. Current Use: Vacant
3. Topography (Flat, Rolling Hills, Levee, etc): Flat Parcel of ground
4. Frontage Road: East "B" Street
5. Identify structures and improvements on the property: All Structures have been removed from the property. There is a sanitary sewer line and a overhead power line that traverses the property from west to east. These improvements are currently not located in an easement. The platting of the property will create an easement for the sewer which will also allow for placement of electric underground utilizing same easement.

6. City Water: ☒ Yes ☐ No
 7. City Sewer: ☒ Yes ☐ No

8. Proposed use of subject property (Identify the use(s) intended for the subject property): The planned use for the property is a high end type restaurant facility.

B. GENERAL DESCRIPTION OF ADJOINING PROPERTY

1. Identify any buildings and give their approximate distances from your property lines: To the southwest is an office building located 50 feet from property line. Three properties along the west line are designated office by the Comprehensive Plan but are developed for residential use. The backyards abut to the tract.
2. Explain surrounding land uses: To the north is a property located in a residential subdivision developed for residential use. A storm water drainage facility lies between the house and the subject tract. Riverfront drive and Riverwalk Crossing is located to the east. A retail strip center is located on the property to the south.

If you are applying to change the zoning designation of your property, complete Section C. If you are applying for a Specific Use Permit, complete Section D. You must answer either Section C or Section D.

C. ZONE CHANGE CRITERIA

Zoning Code Section 1510: Amendments will be adopted to recognize changes in the Comprehensive Plan, to correct errors, or to recognize changed/changing conditions in a particular area or in the jurisdictional area generally.

1. If you believe that an error exists, what supports that position? (If you are not aware that an error exists, proceed to the next item. If you answer this question, skip the next one.) _____
2. To recognize changed or changing conditions in a particular area, what supports that position? The area has been undergoing extensive change since 2000. The subject property was developed with two dilapidated structures and a dilapidated fence. These improvements have had a negative impact on the introduction to the Entertainment District. With the recent removal of these improvements made it clear that a development that works with the entrance is needed.
3. Explain how the proposed zone change and use conforms to the intent of the Comprehensive Plan Designation for this area: The Zone Change was accompanied with a Plan Amendment that includes the property into the Entertainment District. The District is equipped with two zones that have limitations to them as to the types of uses that are appropriate. This limitation is also appropriate for the subject tract because of the traffic related on B Street and the neighborhoods To the north and northeast.
4. Identify and explain any characteristics that would make the subject property suit the proposed zone change. (Examples: Schools, commercial areas, development patterns, compatibility with surrounding land uses): The proposed zone change will allow the property to develop in a design that accomodates its location at the entrance To the Riverfront Entertainment District and in a manner that creates a proper buffer from the commercial developments to the south and east and the residential properties that lie west of the office designations of the comprehensive plan

5. Explain how the proposed change in use will affect the road system serving your area. The B Street intersection with Riverfront Drive is known for poor traffic circulation but mainly at two peak times of each day. Those times are recognized as 7:30 am and 2:30 pm. This traffic is associated with the start and end of each school day to include bus traffic. The proposed use will open after 10 am with its first peak business hours ending at 2 pm. This use is very is compatible with the traffic patterns of the area.
6. How will access to public roads be located to ensure traffic safety? Only one access to the property from B Street will be allowed and shall begin at least 100 feet from the intersection with Riverfront Drive. In recognition of traffic congestion that is common with special events in the area, a right turn in and right turn out only, access point is being proposed in the PUD from Riverfront Drive. Patrons will seek this access to enter the flow of the intersection if B Street is congested.
7. How will approval of your request allow land uses on this property that conflict with adjacent land uses or otherwise cause problems for adjacent property owners? What actions do you propose that would help alleviate such conflicts? To help with traffic circulation a access point has been requested from Riverfront Drive. In recognition of the inbound traffic to Riverwalk and the location of the Jenks Levee the PUD is outlining an access similar to that of the strip center to the south onto the one way Street creating a right in and right out only. The PUD also specifies that perimeter fencing on the north and west property lines where the property abuts to residential a 8 foot high screening fence will be erected. The development of the tract will restrict storm water flow to the storm water channel that currently exist to the north which help alleviate the historic conditions associated with the cul-de-sac at this location. It is further anticipated that improvements to the detention facility to receive direct drainage from the subject tract will improve the outflow of the channel to the detention and further improving the area.

D. SPECIFIC USE PERMIT REQUEST

Specific Use is an activity which is basically similar to the uses permitted in a zone, but which may not be entirely compatible with the permitted uses. As a consequence, an application for Specific Use requires review to ensure that the specific use may be made compatible with the permitted uses in the zone or other adjacent permitted uses which may be affected.

1. Describe the Specific Use as it pertains to your property. _____

2. Describe the benefits, if any, of your proposed use to the adjacent properties and/or to the City of Jenks. _____

3. Identify how well suited the subject property is for your proposed use. (Cite such advantages as topography, foliage, soil, drainage, access, distance to centers of population, availability of utilities, etc.). Explain: _____

4. Explain how the proposed change in use will affect the road system serving your area. _____

5. Give an estimated traffic count (average daily trips) for the proposed use. How will the potential traffic resulting from the increased use or activity be controlled? _____

6. Is the proposed use compatible to surrounding permitted uses and the existing development pattern? Explain: _____

7. How will the proposed use be detrimental to property in the same zone or vicinity? (Identify any adverse effects and explain measures you would propose to minimize these effects.) Explain: _____

DO NOT WRITE IN THIS AREA.

Application Received By: _____
 Tract Acreage: _____
 Application No. JZ- _____
 Present Zoning: _____
 Fee Receipt No.: _____

Date: _____
 Public Hearing Date: _____
 Section _____ Township _____ Range _____
 Proposed Zoning: _____

PC Recommendation:

Recommendation: _____
 Vote: _____
 Date: _____
 Provisions: _____

City Council Action:

Action: _____
 Vote: _____
 Date: _____
 Provisions: _____

Staff Recommendation:

Recommendation: _____
 Subdivision Name: _____

Date: _____
 Ordinance No: _____

The Entrance to the **Riverfront Entertainment District** **Jenks Oklahoma**

Planned Unit Development Number _____

A River Oriented Commercial Development

Riverfront Drive and “B” Street



An RSF Holdings Development

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Exhibit B	Plat and Deed of Dedication
Exhibit C	Aerial View
Exhibit D	Street View
Exhibit E	Existing Zoning
Exhibit F	Comprehensive Plan

The Entrance

I. Development Concept

The property is located at the intersection of Riverfront Drive and East “B” Street. A unique location to provide a direct correlation and interaction with the 96th Street Bridge, the entrance to the City of Jenks, the Riverfront Entertainment District and Riverwalk Crossing. The Development Concept is to incorporate a use and look that ties the development to the District and promote linkage in design to the Jenks character. The subject tract was always considered a drawback to the lifestyle center that was developed adjacent to it, especially the fence that was located on the property that was not only an eyesore but was a visual constraint at the intersection with “B” Street. Once the building and fence were removed it became evidently clear that this property needed to be developed in consideration of one of most important retail centers of the City and its front door. The subject tract was an asset waiting to be discovered.

Located outside the boundary of the Appearance Review Districts of the City of Jenks, the development through the Planned Unit Development process will incorporate the Riverfront Appearance Review District Guidelines which also includes the concepts of the Theme District.



It is anticipated that the proposed Planned Unit Development will consist of a high end restaurant of approximately 5,000 to 6,000 square feet located on the south east corner of the tract to include outside seating located on the east side of the structure. The north half of the tract will be utilized for parking. Discussion with a user that complies with this design is currently in negotiation. The site plan submitted with the PUD incorporates this concept. Approval of the PUD is also approving the building elevations, site plan, and landscape plans as in conformance with the Appearance Review Guidelines. However, other development concepts should be considered possible. In

compliance with the PUD Text any alternate site plan or building elevation will be required to be approved through the Appearance Review Process.

Accompanying the Planned Unit Development application is an application for a zone change to ROC (River Oriented Commercial) . The ROC District shall be limited to areas located within the Riverfront Entertainment Special District of the Jenks Comprehensive Plan. The purpose of the District is to allow lodging, restaurant facilities, and retail establishments designed to incorporate waterfront amenities and linkage to riverfront activities. Office uses may be considered accessory or compatible with River Oriented Commercial. However, in protection of surrounding properties The Planned Unit Development will restrict lodging uses on the property.

II. Development Standards

Permitted Uses:

The following uses shall be permitted:

Use Units

11. Offices and Studios
12. Eating Places Other Than Drive-Ins
13. Convenience Goods and Services
14. Shopping Goods and Services
21. Business Signs

Minimum Setback from North Property Line: 10 Feet

Minimum Setback from East Property Line (3rd Street) 11 Feet

Minimum Setback from west property boundary: 5 Feet

Minimum Setback from south Property Line ("B" Street): 25 Feet

Minimum Off-Street Parking Setback from street r-o-w: 15 Feet

On Street/Off Parking: Per Zoning Code

Maximum Permitted Building Height: 40 Feet

All plans shall be submitted to FAA for review and approval of height

Minimum Landscape area: 10% of lot area

Screening:

An eight-foot screening fence will be established along the north and west property line.

Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from adjacent residential properties. Street and parking lot lighting shall no exceed 19 feet in height. All Exterior Building lighting shall be approved through the Appearance Review District process.

Landscape:

Street frontages within lot 1 should provide a sense of open-space and should be buffered from the streets by landscaped drives, lawns, or parking.

Trash receptacles: all trash receptacles shall be located in the rear of the building(s) and shall be enclosed from public view utilizing same building materials of the primary structure located within the development.

Office developments are required to provide 15% lot area be developed for lanscape purposes.

Appearance review

The property is subject to the riverfront appearance review guidelines and process requirements as specified in the Jenks zoning code.

III. Signage

1. General requirements:

- a. Commercial buildings will be limited to Channel (lettering and logo) wall signs or painted on signs that are similar to what is shown on the submitted building elevations.
 - b. A 2' x 4' ground sign will be allowed in the traffic directional triangle on the east side of the development. The purpose of this sign is to help prevent violation of the right in and right out design of the access. The sign must be located far enough west to not effect visual aspects of a turning motion to the intersection with Riverfront Drive. The sign will be allowed the name of the business or logo of the restaurant but must also include in only on north side and exit only on the south. The owner of the property must process an encroachment agreement with the City of Jenks prior to installation of the sign.
2. Wall or canopy signs shall not exceed an aggregate display surface area of 1.5 square feet per each lineal foot of the building wall to which the sign or signs are affixed. Wall and canopy signs shall be further restricted as follows:
- a. A wall or canopy sign shall not extend above the top of the parapet or building wall on which it is located.
3. In addition to the wall or canopy signs permitted a lot containing one business establishment may utilize for business signs an aggregate display surface area of projecting or ground signs as follows

- a. If not more than one projecting or ground sign is erected, two square feet of display surface area per each linear foot of street frontage.
 - b. If more than one projecting or ground sign is erected, one square foot of display surface area per each linear foot of street frontage.
 - c. A ground sign shall not exceed 20 feet in height, measured from the mean curb level of the lot upon which it is erected.
 - d. One sign for each tenant may be erected not exceeding one square foot of display surface area per each linear foot of frontage building wall of the tenancy or 60 square feet, whichever is greater.
4. During the period of construction, but not exceeding 24 months, a maximum of two signs advertising the construction and the business improvements may be erected on the perimeter street frontages of the development. These signs shall not exceed 32 square feet of surface display area. Such sign shall not exceed fifteen feet in height, illumination if any shall be by constant light.

IV. Parking

Off Street Parking consistent with the Jenks Zoning Code shall be required.

V. Drainage and Utilities:

A subdivision plat has been submitted with the Zone Change and PUD request of the subject property.

Currently there is an overhead power line and a sewer line located near the center of the property that traverses the subject tract from west to east. These utilities are not located within an easement. It appears that an easement was filed that was intended for location of the sanitary sewer, however the sewer was located south of the existing easement. Public Service Company of Oklahoma (PSO) developed the overhead power line in a location that it anticipated an alley existed, however this property was not a part of the Original Town Site and no alleyway exist.

It was anticipated that the sewer line would need to be relocated to support development of the tract. Investigation of the existing fall of the sewer line has determined that relocation may not be attainable. If the property develops in accordance with the site plan submitted with PUD, relocation will not be required and the proposed plat will include an easement to incorporate the existing sewer location. If the sewer is relocated the easement will be filed to encompass the new location. An easement vacation application has been filed with the zoning request for the existing easement that has no services located in it.

The applicant has had discussion with PSO concerning the overhead power line. This line only serves the lift station of the City and signage associated with the Riverwalk

entrance. It was agreed that the owner of the property will locate casing along the new sewer easement for PSO to place new line underground for this service line. The adjacent property to the west is in the same situation and has agreed to provide casing to 8th Street. PSO will need to determine how the service will reconnect to the overhead lines located on and over 8th Street.

Water and gas are available and located along the right of way of “B” Street.

The storm water from the property currently drains to the north and northeast to the existing channel to the north of the property and to the detention facility located on the city property at the northeast corner of the subject tract. History of these facilities indicate that a severe problem existed with the storm flow to the detention that was improved with the facilities constructed with Riverfront Drive. The facility constructed with Riverfront Drive included two outflow pipes that traverse under the road for connection to area drainage pipes and direct outflow to the Arkansas River.

The development will be required to submit a detailed drainage plan to the City Engineer for review and approval with the building permit for the planned structure and parking.

It is anticipated that the proposed development will redirect storm water to the existing drainage from the channel located to the north and allow for direct outflow to the detention facility located at the northeast corner on the City property. This facility is where the storm water from the property currently ends up.

The drainage plan will require a hydrology report to determine the existing conditions of the area detention facility and the effect of full development of the tract. The hydrology report will address whether the storm water would need to be metered from the site via parking lot collection system or whether improvements could be accomplished to the detention area that will also improve the area drainage system.

VI. Existing Zoning and Comprehensive Plan

The property is currently zoned OM (Medium Office) and has been razed of all structures in preparation of redevelopment. The property is being requested to be placed in the Riverfront Entertainment District of the Jenks Comprehensive Plan and is being requested for a Zone Change to ROC (River Oriented Commercial).

VII. Riverfront Drive and “B” Street

Access from B Street shall be a minimum of 100 feet from the intersection of “B” Street and Riverfront Drive.

In consideration of the liability of Riverfront Drive being a public access to Riverwalk Crossing across a private property under ownership of the City of Jenks, it may be advantages to have the roadway dedicated in the required plat of the subject tract. A filed easement to the subject property would be needed if the road is not dedicated.

VIII. Site Plan Review

Review of the Planned Unit Development meets all requirements related to the Site Plan Review except the requirement to submit a detailed drainage plan to the City Engineer for Review and Approval

EXHIBIT 'A'

Site Plan
Page 2

EXHIBIT 'B'

Plat
Page 2

Deed of Dedication
Page 3

DATE: _____ CERTIFICATE OF APPROVAL I hereby certify that this plan was submitted to the City Manager and the Area Planning Commission and:	MAYOR — VICE MAYOR This approval is void if the above signature is not endorsed by the City Manager.	CITY MANAGER
--	---	----------------------------

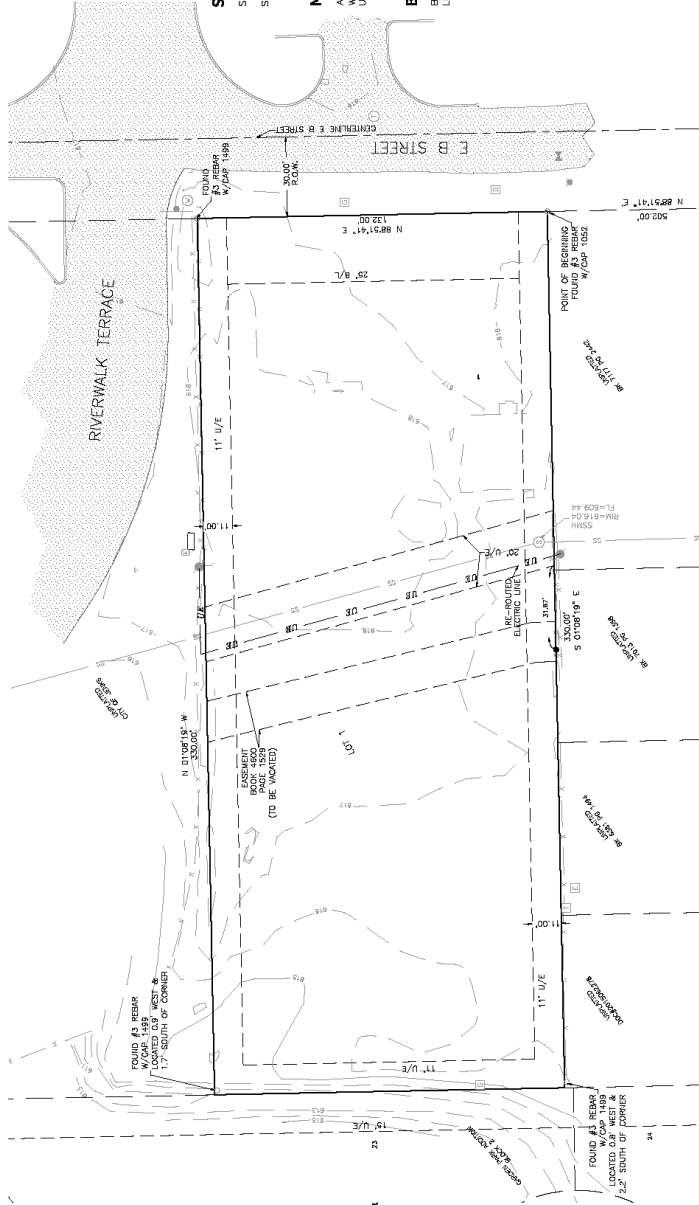
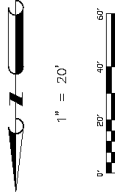
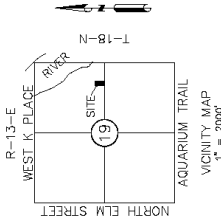
OWNER/DEVELOPER

RSF HOLDINGS LLC
813 E. B ST. N.
JENKS, OK 74037

SURVEYOR

Tulsa Land Surveying LLC
1601 E. 8th St., Tulsa, OK 74120
PHONE: 918.794.8777

T OF LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP
EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST,
AK/A 813 EAST B STREET, JENKS, OK 74037.



SURVEY LEGEND

- | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------|----------|-----------------------|----------------------------|------------------------|----------------------|-------------|-------------|-----------------|---------------|-------------|-------------|--------|-------------------------------|-------------------|----------|---------------------|-------------------|------------|--------------------|------------------------|-----------|---------------------|----------------|------------------|
| ASPHALT | CONCRETE | UNDERGROUND TELEPHONE | UNDERGROUND SANITARY SEWER | UNDERGROUND WATER MAIN | UNDERGROUND ELECTRIC | WATER VALVE | WATER METER | WATER TAP/STAMP | DECOLOUR TREE | POWELL TREE | POWELL POLE | ACTIVE | TELEPHONE UNDERGROUND MANHOLE | TELEPHONE PLEURAL | MAIL BOX | TRAMP LITIC PLEURAL | TRAMP SIGNAL POLE | TRAMP POLE | TRAMP JUNCTION BOX | SANITARY SEWER MANHOLE | GAS VALVE | WATER MAINS MANHOLE | FOUND MONUMENT | VEHICLE MONUMENT |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | |

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS ONE(1) LOTS IN ONE(1) BLOCK.
SUBDIVISION CONTAINS ONE(1) ACRE.

MONUMENTATION

ALL CORNERS WERE SET USING 3/8" X 18" REBAR
WITH A YELLOW CAP (YPC) STAMPED "TLS CA 6038"
UNLESS OTHERWISE NOTED.

BASIS OF BEARINGS

BASIS OF BEARINGS SHOWN HEREON BEING THE SOUTH
LINE OF GOV'T LOT 4 AS NORTH 88°51'41" EAST.

CERTIFICATE

I HEREBY CERTIFY THAT ALL REAL ESTATE TAXES INVOLVED IN THIS PLAT HAVE BEEN PAID AS REFLECTED BY THE CURRENT TAX ROLLS. SECURITY AS REQUIRED HAS BEEN PROVIDED IN THE AMOUNT OF \$ _____ PER TRUST RECEIPT NO. _____. TAXES, THIS CERTIFICATE IS NOT TO BE APPLIED TO 20 _____ TAXES IN FULL BUT IS TO BE CONSIDERED AS PAYMENT OF 20 _____ TAXES IN FULL BUT IS MADE IN ORDER THAT THIS PLAT MAY BE FILED ON RECORD. 20 _____ TAXES MAY EXCEED THE AMOUNT OF THE SECURITY DEPOSIT.

TULSA COUNTY TREASURER

DEPUTY

STATE OF OKLAHOMA) SS
COUNTY OF TULSA }

I, EARLENE WILSON, TULSA COUNTY CLERK, IN AND FOR THE COUNTY AND STATE ABOVE NAMED, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____ 20____
EARLENE WILSON TULSA COUNTY CLERK

LAND SURVEYING LLC
001 EAST 6TH STREET
TULSA, OK 74120
(918) 794-6777
CA 6038
EXPIRES 6/30/2021

PART OF LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP
EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST,
AKA 813 EAST B STREET, JENKS, OK 74037.

EXHIBIT 'C'

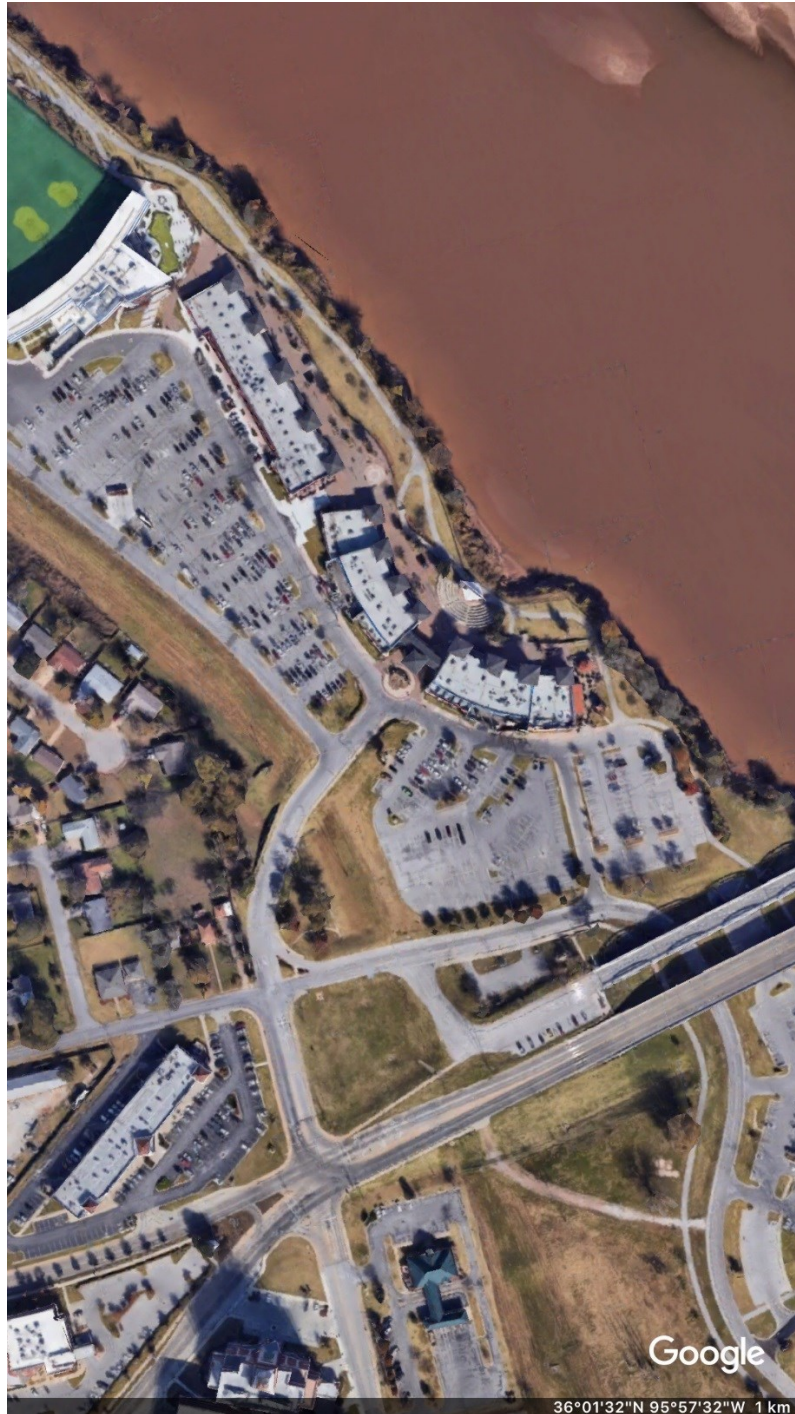


EXHIBIT 'D'



EXHIBIT 'E'

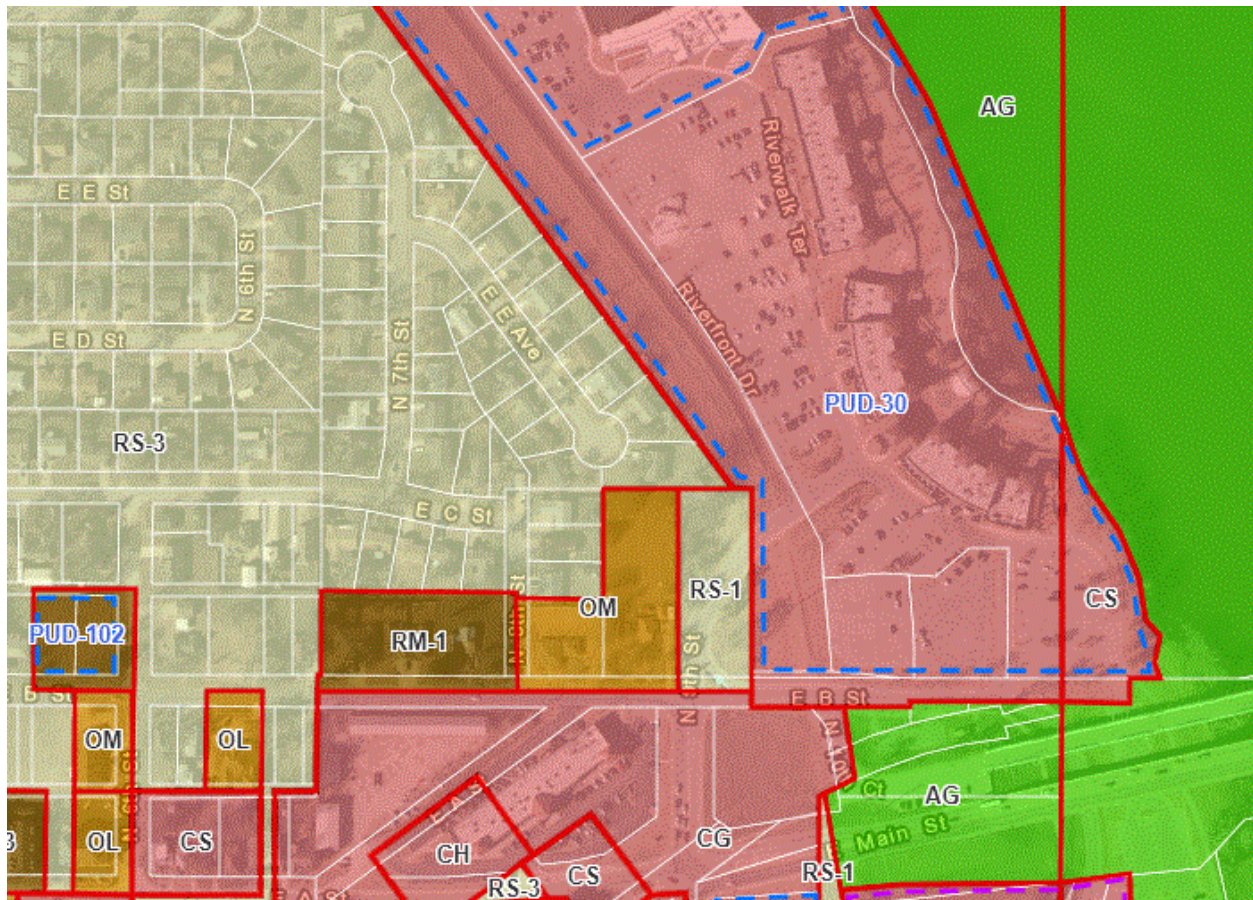


EXHIBIT 'F'





CITY OF JENKS

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

**PROCESS FOR PUBLIC COMMENTS ON PROPOSED
ZONE CHANGE, PLANNED UNIT DEVELOPMENT,
COMPREHENSIVE PLAN AMENDMENT
& UTILITY EASEMENT CLOSURE,
LOCATED IN THE CITY OF JENKS, OKLAHOMA**

JZ 20-655, JZ 20-654 PUD 120, PA 20-17, ROW-UEC 20-74

The following cases were originally scheduled for the Planning Commission meeting on 07 May 2020 and has been tabled till the 21 May 2020:

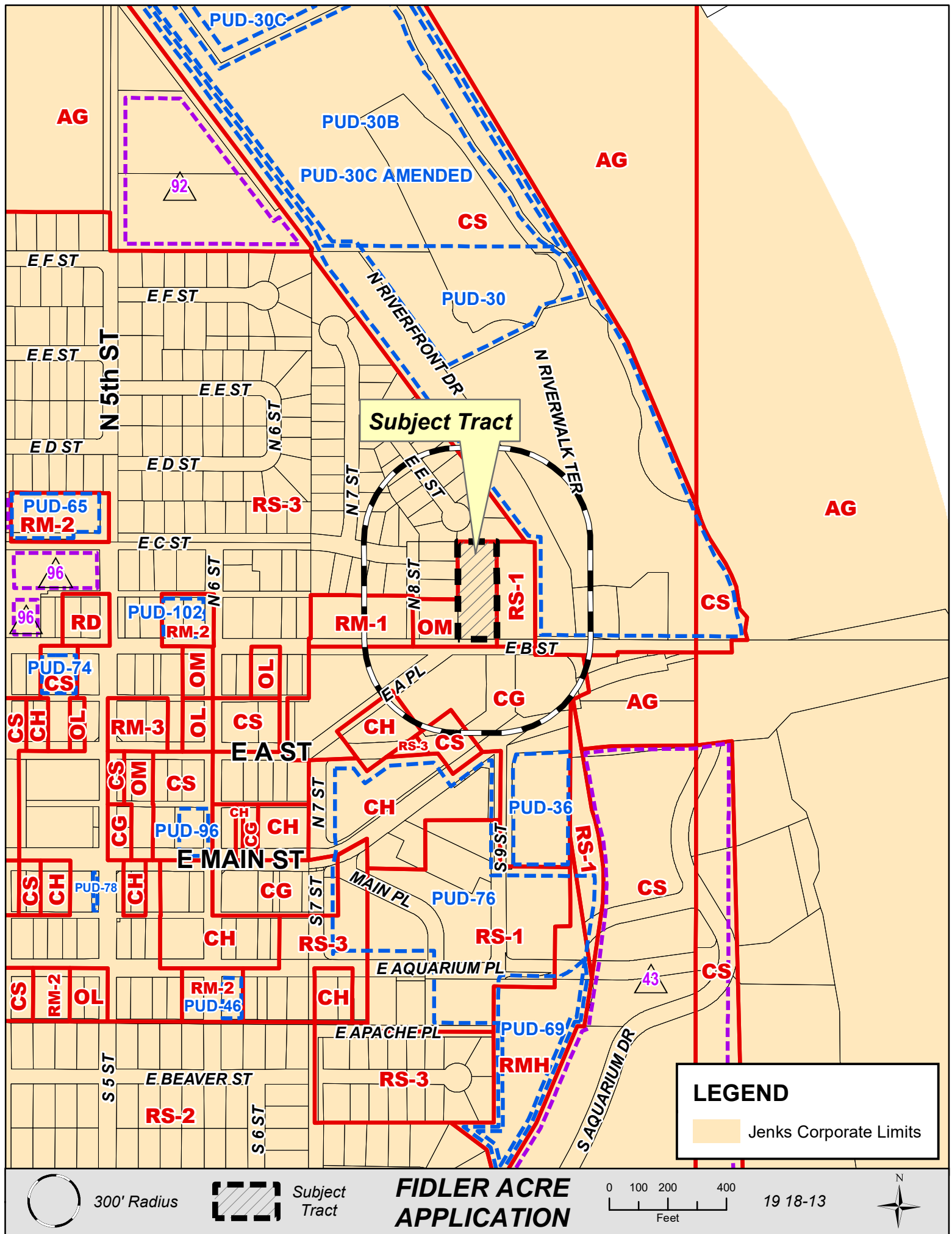
An application to approve a Request by Bell Land Use, LLC Zone Change from OM (Office Medium Intensity) to ROC (River Oriented Commercial), Planned Unit Development 120, amendment to the Comprehensive Plan and for a Utility Easement Closure, to make the area a Medium Intensity Riverfront Entertainment District Designation and to include the described area in the Riverfront Entertainment District.

General Location: 813 E B St

Due to COVID-19, the Planning Commission meeting will be held virtually; City Hall will not be open to public. The meeting will be live-streamed on the City of Jenks YouTube channel. If anyone has a comment they would like added to the record, please email the comment to the City Clerk at bmacy@jenksok.org by noon on the day of the meeting. If email is not an option, please call Brandon Macy at 918-209-4903 to leave a comment or leave a letter in the utility drop-box at City Hall. For these options, the comment must be made or delivered by the end of business the day before the meeting. The comment must have a name and address to be placed in the public record.

Dated at Jenks Oklahoma on 8 May 2020.

Marcae Hilton, Secretary
Jenks Planning Commission



LEGEND

Jenks Corporate Limits

**FIDLER ACRE
APPLICATION**

19 18-13



CITY OF JENKS

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

**NOTICE OF A PUBLIC HEARING ON A PROPOSED
ZONE CHANGE, PLANNED UNIT DEVELOPMENT,
COMPREHENSIVE PLAN AMENDMENT
& UTILITY EASEMENT CLOSURE,
LOCATED IN THE CITY OF JENKS, OKLAHOMA**

JZ 20-655, JZ 20-654 PUD 120, PA 20-17, ROW-UEC 20-74

Notice is hereby given that a public hearing will be held before the Jenks Planning Commission, in Jenks City Hall, Council Chambers, 211 North Elm Street, Jenks, Oklahoma, at 6:00 p.m. on 07 May 2020, in consideration of the following:

An application to approve a Request by Bell Land Use, LLC Zone Change from OM (Office Medium Intensity) to ROC (River Oriented Commercial), Planned Unit Development 120, amendment to the Comprehensive Plan and for a Utility Easement Closure, to make the area a Medium Intensity Riverfront Entertainment District Designation and to include the described area in the Riverfront Entertainment District.

Legal Description for Rezoning and PUD: PART OF GOVERNMENT LOT FOUR (4) IN SECTION NINETEEN (19) TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 502 FEET EAST OF SOUTHWEST CORNER OF SAID LOT FOUR (4), RUNNING THENCE EAST 132 FEET, THENCE RUNNING NORTH A DISTANCE OF 330 FEET, THENCE RUNNING WEST A DISTANCE OF 132 FEET, THENCE SOUTH A DISTANCE OF 330 FEET TO THE POINT OF BEGINNING, CONTAINING (1) ACRE, MORE OR LESS, A/K/A 813 EAST B STREET, JENKS, OK 74037

SAID TRACT CONTAINING 43,560 SQUARE FEET, OR 1.00 ACRES.

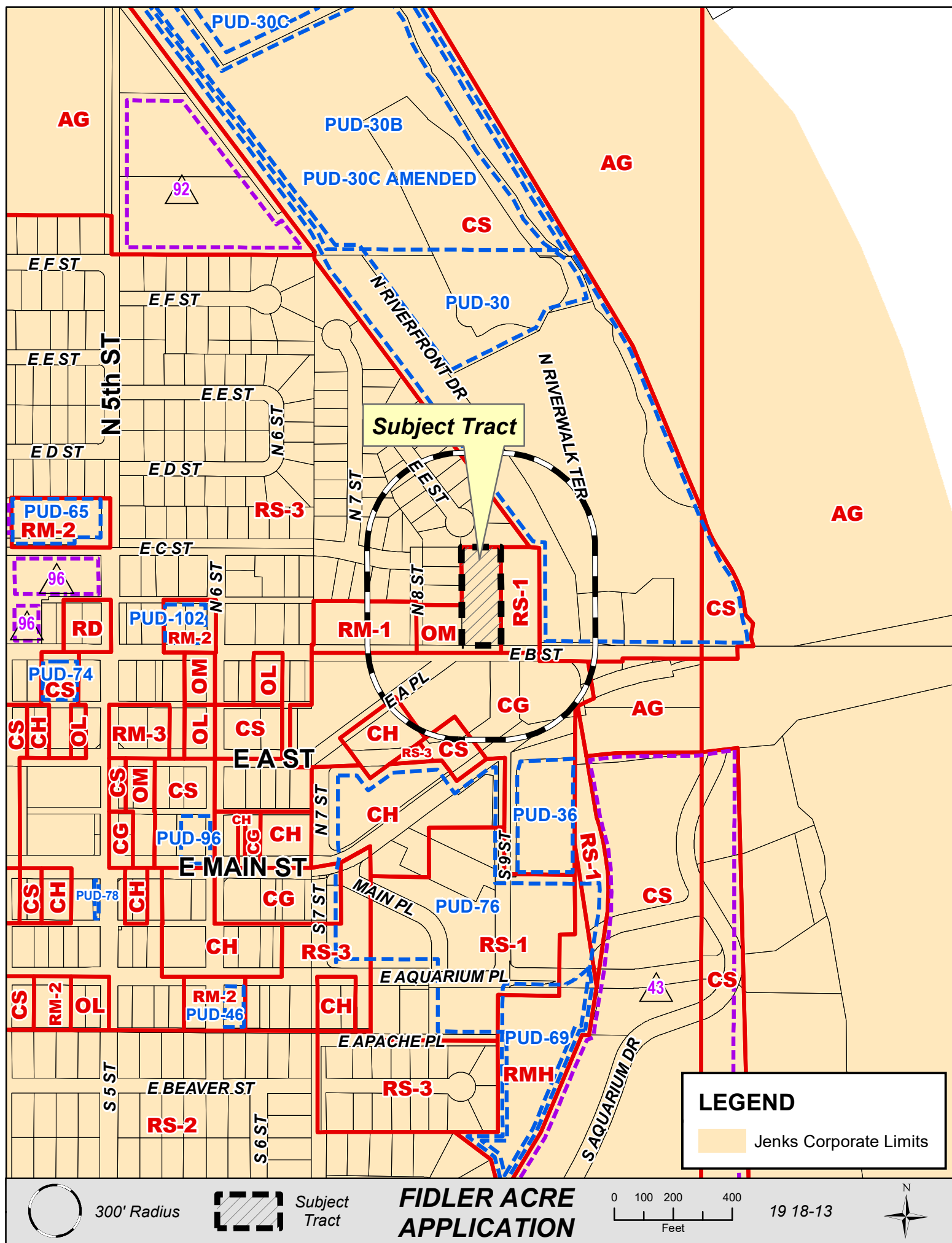
Parcel ID for Comprehensive Plan Amendment: 60835831929120, part of 98319831935970, 98319831932970

General Location: 813 E B St

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

Dated at Jenks Oklahoma on 20 April 2020.

Marcae Hilton, Secretary
Jenks Planning Commission



UTILITY EASEMENT CLOSURE | ROW-UEC 20-74 | FIDLER ACRE

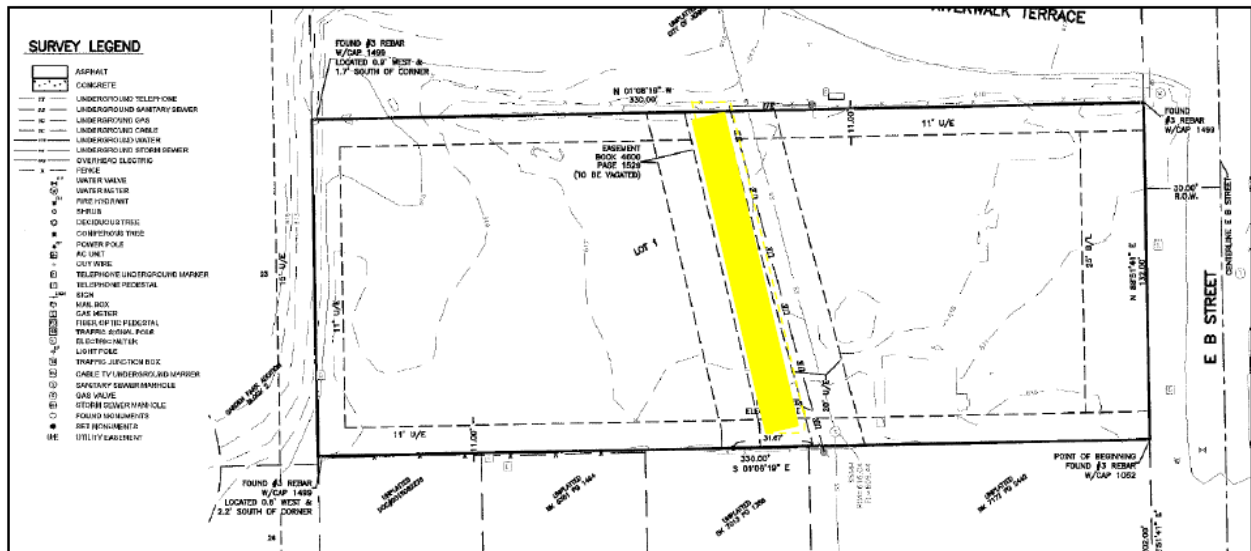


EXHIBIT "A"
PROPERTY LEGAL DESCRIPTION

PART OF GOVERNMENT LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) NORTH,
RANGE THIRTEEN (13) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 502 FEET EAST OF SOUTHWEST CORNER OF SAID LOT FOUR (4), RUNNING THENCE EAST 132 FEET, THENCE RUNNING NORTH A DISTANCE OF 330 FEET, THENCE RUNNING WEST A DISTANCE OF 132 FEET, THENCE SOUTH A DISTANCE OF 330 FEET TO POINT OF BEGINNING, CONTAINING (1) ACRE, MORE OR LESS, A/K/A 813 EAST B STREET, JENKS, OK 74037.

SAID TRACT CONTAINING 43,560 SQUARE FEET, OR 1.00 ACRES.

City of Jenks
Application for Closure
of Right-of Way or Utility Easement

Right of Way Closing ☐

Easement Closing ☒

Name of Applicant: Bell Land Use LLC

Address of Applicant: 1011 W. "G" Street
Jenks, OK 74037

Phone number: 918-902-0462 Second Phone number: _____

Lot owner: RSF Holdings LLC

Lot owner address: 7335 S. Lewis Ave, Tulsa OK 74136

Legal Description of property easement or ROW is located on: _____
See Attached

Book and Page of the ROW or Easement:

Book: 4600

Page: 1529

Reason for Closing:

Easement was filed for Sanitary Sewer, however the sewer lines were not
located in the easement. A plat being processed for the property corrects this
error and places an easement for the correct location. The easement in question
is vacant of utility use.

Signature: _____



Date: 3-7-20

Printed Name: Robert Bell

Phone: 918-902-0462

Address: 1011 W. "G" Street, Jenks OK 74037 City/State: _____

Planning Commission Date: _____

City Council Date: _____

Action: _____

Action: _____

City of Jenks

How to Apply for Right-of-Way or Easement Closing

1. Fill out the Right-of-Way/ Easement Closing application form.
2. The City Planner will set your request for public hearing before the City Council. Date will be at least 30 days away, as required by state law.
3. City Planner will send a notice to all utility companies which may have a vested interest or a franchise in the area.
4. City Planner will set your case for a Planning Commission meeting.
5. The Planning Commission and the utility companies will send a recommendation to the City Council.
6. The City Council will hold a public hearing and, if they approve the closing, will pass an ordinance. **This, however, will not foreclose the reopening of the right-of-way or easement. To do this you must follow the steps set out in the Oklahoma State Statutes.**

Summary of Oklahoma State Statutes For Closure of Right-of-Way or Easement

1. The owner(s) must file a verified petition in District Court. The petition must show the passage of an ordinance closing the public way or easement and ask for the foreclosure of the absolute right to reopen the public way or easement. Also attached to the petition shall be the certificate of a bonded abstractor listing the names and addresses of all persons required to be notified in No. 2 below.
2. Notice of the verified petition shall be given by:
 - A. Service of summons to the municipality:
 - B. Service of summons to public service corporation, transmission and utility rights in the public way or easement.
 - C. Mailing a copy of the petition and summons to all owners of record whose property is within 300 feet in any direction from the public way or easement.
3. Notice shall also be given by one (1) publication in a newspaper of general circulation published in the county where the property is located, which publication shall be at least 30 days prior to the hearing.
4. District Court shall hear the petition.
5. The public way or easement shall revert to the owners of real estate thereto on each side except in the case where it was all dedicated from one side, and then it would revert to the lots from which it was taken.

EXHIBIT "A"
PROPERTY LEGAL DESCRIPTION

PART OF GOVERNMENT LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 502 FEET EAST OF SOUTHWEST CORNER OF SAID LOT FOUR (4), RUNNING THENCE EAST 132 FEET, THENCE RUNNING NORTH A DISTANCE OF 330 FEET, THENCE RUNNING WEST A DISTANCE OF 132 FEET, THENCE SOUTH A DISTANCE OF 330 FEET TO POINT OF BEGINNING, CONTAINING (1) ACRE, MORE OR LESS, A/K/A 813 EAST B STREET, JENKS, OK 74037.

SAID TRACT CONTAINING 43,560 SQUARE FEET, OR 1.00 ACRES.

City of Jenks
Jenks, OK 74037

STATE OF OKLAHOMA
TULSA COUNTY
FILED OR RECORDED

35084

1982 MAR 12 PM 3:13

ANITA NESBITT
COUNTY CLERK

BOOK 4600 PAGE 1529

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That, STANLEY J. HOLLINGSWORTH and Jewell Hollingsworth, husband and herein called Grantors, in consideration of One (\$1.00) Dollar, wife, and other good and valuable considerations paid by the CITY OF JENKS, hereinafter called Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer, and convey to said Grantee, its successors and assigns, a perpetual easement the right to erect, construct, install and lay and thereafter use, operate, inspect, repair, maintain, replace and remove sewer pipeline and necessary appurtenance thereto, over and across the following land owned by Grantors in Tulsa County, State of Oklahoma, to-wit:

A permanent easement 7.5 feet in width on either side of the described centerline,

The centerline described as follows:

Beginning at a point 808 feet + West and 162 feet + north of the southeast corner of the northeast quarter of Section 19, Township 18 North, Range 13 East, thence east a distance of 8 feet, thence northeasterly a distance of 130.0 feet + to a point being 676 feet + west and 189.56 feet north from the southeast corner of the northeast quarter of said section.

A temporary construction easement described as follows:

A strip 20 feet wide north of and parallel to the north edge of the permanent easement.

together with the right of ingress and egress over Grantor's adjacent lands for the purposes for which the above mentioned rights are granted.

The rights granted hereunder shall revert to Grantors in event a sewer line is not constructed within 12 months of date of this instrument.

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 5th day of March, 1982.

Stanley J. Hollingsworth
STANLEY J. HOLLINGSWORTH

Jewell Hollingsworth
JEWELL HOLLINGSWORTH

NOTARY PUBLIC
STATE OF OKLAHOMA,
COUNTY OF TULSA,

)
)
)
SS.

Before me, the undersigned, a Notary Public, in and for said County and State, on this 5th day of March, 1982, personally appeared Stanley J. Hollingsworth and Jewell Hollingsworth to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

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

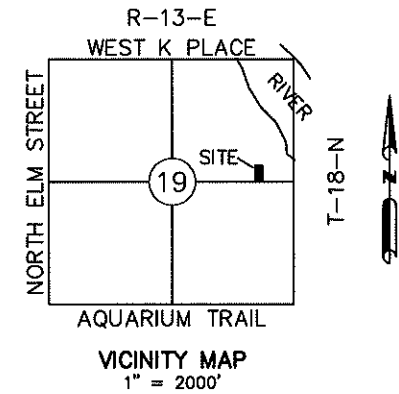
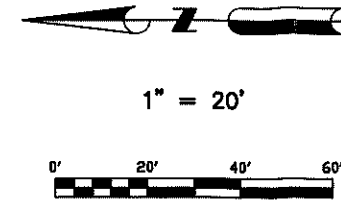
Linda L. McDuff
Notary Public

My Commission Expires:

March 6, 1983

Fidler Acre

PART OF LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP
EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST,
A/K/A 813 EAST B STREET, JENKS, OK 74037.



PLAT No.

FINAL PLAT
CERTIFICATE OF APPROVAL
I hereby certify that this plat was
approved by the Tulsa Metropolitan
Area Planning Commission on:

MAYOR - VICE MAYOR
This approval is valid if the above
signature is not endorsed
by the City Manager.

CITY MANAGER

OWNER/DEVELOPER
RSF HOLDINGS LLC
813 E. B ST. N.
JENKS, OK 74037

SURVEYOR
Tulsa Land Surveying LLC
1501 E. 6th St., Tulsa, OK 74120
PHONE: 918.794.6777

SURVEY LEGEND

- ASPHALT
- CONCRETE
- UT UNDERGROUND TELEPHONE
- SS UNDERGROUND SANITARY SEWER
- UG UNDERGROUND GAS
- UC UNDERGROUND CABLE
- VW UNDERGROUND WATER
- US UNDERGROUND STORM SEWER
- OE OVERHEAD ELECTRIC
- FENCE
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- SHRUB
- DECIDUOUS TREE
- CONIFEROUS TREE
- POWER POLE
- AC UNIT
- GUY WIRE
- TELEPHONE UNDERGROUND MARKER
- TELEPHONE PEDESTAL
- SIGN
- MAIL BOX
- GAS METER
- FIBER OPTIC PEDESTAL
- TRAFFIC SIGNAL POLE
- ELECTRIC METER
- LIGHT POLE
- TRAFFIC JUNCTION BOX
- CABLE TV UNDERGROUND MARKER
- SANITARY SEWER MANHOLE
- GAS VALVE
- STORM SEWER MANHOLE
- FOUND MONUMENTS
- SET MONUMENTS
- U/E UTILITY EASEMENT

SUBDIVISION STATISTICS

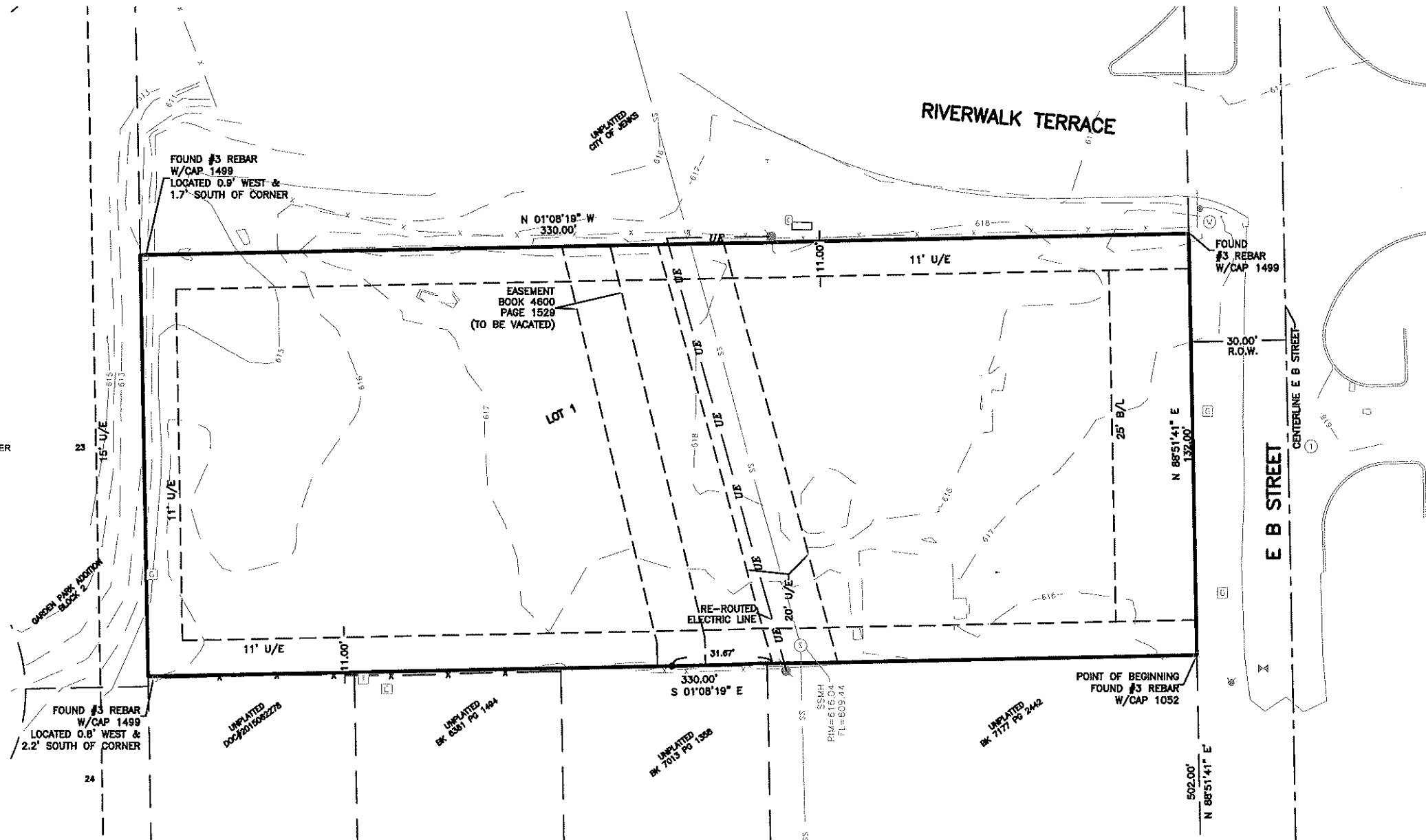
SUBDIVISION CONTAINS ONE(1) LOTS IN ONE(1) BLOCK.
SUBDIVISION CONTAINS ONE(1) ACRE.

MONUMENTATION

ALL CORNERS WERE SET USING 3/8" X 18" REBAR
WITH A YELLOW CAP (YPC) STAMPED "TLS CA 6038",
UNLESS OTHERWISE NOTED.

BASIS OF BEARINGS

BASIS OF BEARINGS SHOWN HEREON BEING THE SOUTH
LINE OF GOV'T LOT 4 AS NORTH 88°51'41" EAST.



CERTIFICATE

I HEREBY CERTIFY THAT ALL REAL ESTATE TAXES INVOLVED IN
THIS PLAT HAVE BEEN PAID AS REFLECTED BY THE CURRENT TAX
ROLLS. SECURITY AS REQUIRED HAS BEEN PROVIDED IN THE
AMOUNT OF \$_____ PER TRUST RECEIPT NO. _____
TO BE APPLIED TO 20____ TAXES. THIS CERTIFICATE IS NOT TO
BE CONSTRUED AS PAYMENT OF 20____ TAXES IN FULL BUT IS
MADE IN ORDER THAT THIS PLAT MAY BE FILED ON RECORD.
20____ TAXES MAY EXCEED THE AMOUNT OF THE SECURITY
DEPOSIT.

DATED: _____
TULSA COUNTY TREASURER
BY: _____
DEPUTY

STATE OF OKLAHOMA) SS
COUNTY OF TULSA)

I, EARLENE WILSON, TULSA COUNTY CLERK, IN AND FOR THE
COUNTY AND STATE ABOVE NAMED, DO HEREBY CERTIFY THAT THE
FOREGOING IS A TRUE AND CORRECT COPY OF A LIKE
INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____ 20____
EARLENE WILSON, TULSA COUNTY CLERK.

DEPUTY

TULSA LAND SURVEYING LLC
1501 EAST 6TH STREET
TULSA, OK 74120
(918) 794-6777
CA 6038
EXPIRES 6/30/2021



**JENKS TECHNICAL ADVISORY COMMITTEE
AND JENKS PLANNING COMMISSION**

**APPLICATION FOR PRELIMINARY/CONDITIONAL
APPROVAL OF SUBDIVISIONS**

*(Prior to formal submittal, a draft copy will have been provided for review and comment
by the City Planner.)*

Date: 3-8-2020

This application must be filed no later than 15 days prior to the Jenks Technical Advisory Committee meeting during which this application is due to be considered.

Note: Application must be accompanied by 4 copies (24" x 36"), 2 copies (11" x 17") and one electronic copy (in .pdf format) on CD, of the preliminary plat. The preliminary plat must be submitted with complete topographical information. Plats must be folded.

Proposed Subdivision Name: "Fidler Acre"
*(This certifies that the indicated name is intended
to be used for filing of the final plat.)*

Developer's Name: RSF Holdings LLC Agent-Bell Land Use

Address: 7335 S. Lewis Ave, Tulsa OK 74136 Phone: 918-523-0023

Engineer's Name: Josh Lamb

Address: 1501 E. 6th Street, Tulsa 74159 Phone: 919-794-6777

General Legal Description or Location of Tract: See Attached

Number of Lots: 1 Number of Acres: 1 Average Lot Size: 43560 sq. ft.

Present Use of Tract: vacant Present Zoning: ROC

Proposed Use of Tract: Commercial

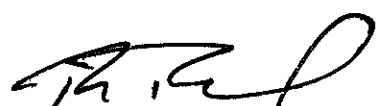
Location Relative to Jenks City Limits: ☒ Inside ☐ Outside ☐ Part In / Part Out

Type of Water Supply: ☒ City Main ☐ Well ☐ Other _____

Type of Sanitation: ☒ City Sewer ☐ Septic Tank ☐ Disposal Tank

Sewer Basin: ☐ Haikey Creek ☐ BA/Lynn Lane ☐ Adams ☒ Arkansas River

Type of Street Surfacing Proposed: ☐ Portland Cement Concrete
☒ Asphaltic Concrete
☐ Traffic-bound Surface Course



Signature of Developer

Fee: _____ Receipt: _____

Date Received: 3-10-20

**JENKS TECHNICAL ADVISORY COMMITTEE
AND JENKS PLANNING COMMISSION**

APPLICATION FOR FINAL APPROVAL OF SUBDIVISIONS

(Prior to submittal, a Preliminary Application will have been provided and approved.)

Note: Application must be accompanied by 3 mylar copies (24" x 36"), 18 regular copies (24" x 36"), 1 copy (11" x 17") and 1 electronic copy (in .pdf format) on CD, of the final plat. **All copies must be signed.**

Date: 3-8-2020

Proposed Subdivision Name: "Fidler Acre"

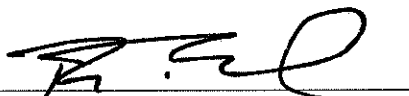
General Legal Description or Location of Tract: See Attached

Number of Lots: 1 Number of Acres: 1 Average Lot Size: 43560 sq. ft.

I (we) the undersigned developer do submit that this subdivision has had preliminary approval and that all conditions of said preliminary approval have been met or listed below as conditions protested.

Developer's Name: RSF Holdings LLC Agent-Bell Land Use

Address: 7335 S. Lewis Ave, Tulsa OK 74136 Phone: 918-523-0023


Signature of Developer

Fee: _____ Receipt: _____

Date Received: 3-10-20

Staff Recommendation: _____

Date: _____

P.C. Recommendation: _____

Date: _____

City Council Recommendation: _____

Date: _____

EXHIBIT "A"
PROPERTY LEGAL DESCRIPTION

PART OF GOVERNMENT LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) NORTH,
RANGE THIRTEEN (13) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 502 FEET EAST OF SOUTHWEST CORNER OF SAID LOT FOUR (4), RUNNING
THENCE EAST 132 FEET, THENCE RUNNING NORTH A DISTANCE OF 330 FEET, THENCE RUNNING WEST A
DISTANCE OF 132 FEET, THENCE SOUTH A DISTANCE OF 330 FEET TO POINT OF BEGINNING, CONTAINING
(1) ACRE, MORE OR LESS, A/K/A 813 EAST B STREET, JENKS, OK 74037.

SAID TRACT CONTAINING 43,560 SQUARE FEET, OR 1.00 ACRES.

DEED OF DEDICATION
AND
RESTRICTIVE COVENANTS
FOR
FIDLER ACRE

KNOW ALL MEN BY THESE PRESENTS:

THAT SHANE FIDLER, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND:

PART OF LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 502 FEET EAST OF SOUTHWEST CORNER OF SAID LOT FOUR (4), RUNNING THENCE EAST 132 FEET, THENCE RUNNING NORTH A DISTANCE OF 330 FEET, THENCE RUNNING WEST A DISTANCE OF 132 FEET, THENCE SOUTH A DISTANCE OF 330 FEET TO POINT OF BEGINNING, CONTAINING (1) ACRE, MORE OR LESS, A/K/A 813 EAST B STREET, JENKS, OK 74037.

SAID TRACT CONTAINING 43,560 SQUARE FEET, OR 1.00 ACRES.

AND HAS CAUSED THE SAME TO BE SURVEYED, STAKED AND PLATTED INTO ONE BLOCK, TWO LOTS, AND HAS DESIGNATED THE SAME FIDLER ACRE AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA (THE "ADDITION").

SECTION I. EASEMENTS AND UTILITIES

GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM AND 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 HEREBY RESERVES 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 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 AND TO AREAS OUTSIDE OF THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT 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 UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING AND LANDSCAPING, THAT DO NOT CONSTITUTE AN OBSTRUCTION AND AFORESAID.

UNDERGROUND SERVICE

UNDERGROUND SERVICE LINES AND POLES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE NORTH AND WEST PROPERTY LINES ADJACENT TO RIGHT-OF-WAYS, WITHIN THE UTILITY EASEMENTS OF THE SUBDIVISION. STREETLIGHT POLES OR STANDARDS MAY BE SERVED BY 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.

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 AND 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 AND EFFECTIVE AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT. COVERING A FIVE FOOT (5') 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.

THE SUPPLIER OF ELECTRIC, TELEPHONE AND CABLE TELEVISION, AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENTS SHOWN 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 OR CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON HIS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELECOMMUNICATION OR GAS FACILITIES. EACH SUPPLY OR SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREE TO BE BOUND HEREBY.

WATER SANITARY SEWER AND STORM SEWER SERVICE

THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND THE STORM SEWERS LOCATED ON HIS LOT.

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, SANITARY SEWER MAIN OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH

PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, THE CITY OF JENKS, OKLAHOMA, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

OTHER USES

THE EASEMENTS HEREBY GRANTED SHALL NOT BE LIMITED EXCLUSIVELY TO ACCESS, RESTRICTED WATER LINE, STORM SEWER AND OVERLAND DRAINAGE EASEMENTS. THE PROPERTY LYING WITHIN ANY SUCH EASEMENT MAY BE USED FOR UTILITIES ACCORDING TO THE PROVISIONS IN THE CERTIFICATE OF DEDICATION. EXCEPT THAT CONSTRUCTION AND USE OF UTILITIES SHALL NOT INTERFERE WITH STORM SEWER AND OVERLAND SURFACE DRAINAGE PURPOSES.

THE LOT OWNERS ON WHICH THE EASEMENTS ARE SITUATED HAVE THE RIGHT TO USE THE EASEMENTS IN ANY MANNER THAT WILL NOT PREVENT OR INTERFERE WITH THE EXERCISE BY THE CITY OF JENKS IN THE RIGHTS GRANTED UNDER THE DEDICATION.

SECTION II. PLANNED UNIT DEVELOPMENT STANDARDS

WHEREAS, 'FIDLER ACRE' WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD No. _____) 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, 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 SUCCESSOR AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH

I. DEVELOPMENT STANDARDS

PERMITTED USES:

THE FOLLOWING USES SHALL BE PERMITTED:

USE UNITS

11. OFFICES AND STUDIOS

PREVENT VIOLATION OF THE RIGHT IN AND RIGHT OUT DESIGN OF THE ACCESS. THE SIGN MUST BE LOCATED FAR ENOUGH WEST TO NOT EFFECT VISUAL ASPECTS OF A TURNING MOTION TO THE INTERSECTION WITH RIVERFRONT DRIVE. THE SIGN WILL BE ALLOWED THE NAME OF THE BUSINESS OR LOGO OF THE RESTAURANT BUT MUST ALSO INCLUDE IN ONLY ON NORTH SIDE AND EXIT ONLY ON THE SOUTH. THE OWNER OF THE PROPERTY MUST PROCESS AN ENCROACHMENT AGREEMENT WITH THE CITY OF JENKS PRIOR TO INSTALLATION OF THE SIGN.

2. WALL OR CANOPY SIGNS SHALL NOT EXCEED AN AGGREGATE DISPLAY SURFACE AREA OF 1.5 SQUARE FEET PER EACH LINEAL FOOT OF THE BUILDING WALL TO WHICH THE SIGN OR SIGNS ARE AFFIXED. WALL AND CANOPY SIGNS SHALL BE FURTHER RESTRICTED AS FOLLOWS:
 - a. A WALL OR CANOPY SIGN SHALL NOT EXTEND ABOVE THE TOP OF THE PARAPET OR BUILDING WALL ON WHICH IT IS LOCATED.
3. IN ADDITION TO THE WALL OR CANOPY SIGNS PERMITTED A LOT CONTAINING ONE BUSINESS ESTABLISHMENT MAY UTILIZE FOR BUSINESS SIGNS AN AGGREGATE DISPLAY SURFACE AREA OF PROJECTING OR GROUND SIGNS AS FOLLOWS
 - a. IF NOT MORE THAN ONE PROJECTING OR GROUND SIGN IS ERECTED, TWO SQUARE FEET OF DISPLAY SURFACE AREA PER EACH LINEAR FOOT OF STREET FRONTAGE.
 - b. IF MORE THAN ONE PROJECTING OR GROUND SIGN IS ERECTED, ONE SQUARE FOOT OF DISPLAY SURFACE AREA PER EACH LINEAR FOOT OF STREET FRONTAGE.
 - c. A GROUND SIGN SHALL NOT EXCEED 20 FEET IN HEIGHT, MEASURED FROM THE MEAN CURB LEVEL OF THE LOT UPON WHICH IT IS ERECTED.
 - d. ONE SIGN FOR EACH TENANT MAY BE ERECTED NOT EXCEEDING ONE SQUARE FOOT OF DISPLAY SURFACE AREA PER EACH LINEAR FOOT OF FRONTAGE BUILDING WALL OF THE TENANCY OR 60 SQUARE FEET, WHICHEVER IS GREATER.
4. DURING THE PERIOD OF CONSTRUCTION, BUT NOT EXCEEDING 24 MONTHS, A MAXIMUM OF TWO SIGNS ADVERTISING THE CONSTRUCTION AND THE BUSINESS IMPROVEMENTS MAY BE ERECTED ON THE PERIMETER STREET FRONTAGES OF THE DEVELOPMENT. THESE SIGNS SHALL NOT EXCEED 32 SQUARE FEET OF SURFACE DISPLAY AREA. SUCH SIGN SHALL NOT EXCEED FIFTEEN FEET IN HEIGHT, ILLUMINATION IF ANY SHALL BE BY CONSTANT LIGHT.

III. PARKING

OFF STREET PARKING CONSISTENT WITH THE JENKS ZONING CODE SHALL BE REQUIRED.

IV. LANDSCAPE

STREET FRONTAGES WITHIN LOT 1 SHOULD PROVIDE A SENSE OF OPEN-SPACE AND SHOULD BE BUFFERED FROM THE STREETS BY LANDSCAPED DRIVES, LAWNS, OR PARKING.

TRASH RECEPTACLES: ALL TRASH RECEPTACLES SHALL BE LOCATED IN THE REAR OF THE BUILDING(S) AND SHALL BE ENCLOSED FROM PUBLIC VIEW UTILIZING SAME BUILDING MATERIALS OF THE PRIMARY STRUCTURE LOCATED WITHIN THE DEVELOPMENT.

OFFICE DEVELOPMENTS ARE REQUIRED TO PROVIDE 15% LOT AREA BE DEVELOPED FOR LANDSCAPE PURPOSES.

V. APPEARANCE REVIEW

THE PROPERTY IS SUBJECT TO THE RIVERFRONT APPEARANCE REVIEW GUIDELINES AND PROCESS REQUIREMENTS AS SPECIFIED IN THE JENKS ZONING CODE.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY

ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. STREETS, EASEMENTS AND UTILITIES AND SECTION II. PLANNED UNIT DEVELOPMENT STANDARDS ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITH SECTIONS I AND II WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS OR OWNERS OF ANY LOT WITHIN FIDLER ACRE SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR THE CITY OF JENKS TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT IN ANY JUDICIAL ACTION BROUGHT BY THE OWNERS ASSOCIATION OR ANY OWNER OF A LOT WHICH ACTION SEEKS TO ENFORCE THE COVENANTS OR RESTRICTIONS SET FORTH HEREIN OR TO RECOVER DAMAGES FOR THE BREACH THEREOF. THE PREVAILING PARTY SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEYS FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

DURATION

THE COVENANTS CONTAINED IN "FIDLER ACRE" HEREOF SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON THE UNDERSIGNED OWNER, ITS GRANTEE, SUCCESSORS AND ASSIGNS AND ALL PARTIES CLAIMING UNDER IT FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE OF THE RECORDING HEREOF. AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED THEREAFTER FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS AMENDED OR TERMINATED AS HEREAFTER PROVIDED. ALL OTHER SECTIONS OF THIS DEED SHALL BE SPECIFICALLY EXEMPTED FROM THE AFORESAID TERMINATION PROVISIONS.

AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. EASEMENTS AND UTILITIES, SECTION II. DEVELOPMENT STANDARDS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS APPLICABLE AND APPROVED BY THE JENKS PLANNING COMMISSION, OR ITS SUCCESSORS WITH THE

APPROVAL OR JENKS CITY COUNCIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER JUDGEMENT OR DECREE OF ANY COURT OR OTHERWISE SHALL NO BE INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF SET FORTH HEREIN WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, RSF HOLDING, LLC, HAS ESCECUTED THIS INSATRUMENT THIS _____ DAY OF _____, 2020.

BY: _____
RANDALL SHANE FIDLER OWNER

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS _____ DAY OF _____, 2020, PERSONALLY APPEARED RANDAL FIDLER, OWNER OF RSF HOLDINGS, LLC, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THEIR NAME TO THE FOREGOING INSTRUMENT.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

COMMISSION NUMBER:

CERIFICATE OF SURVEY

I JOSHUA LAMB, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "FIDLER'S ACRE" AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

JOSHUA R. LAMB
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1678

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS ____ DAY OF _____, 2020, PERSONALLY APPEARED JOSHUA R. LAMB, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HER NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

COMMISSION NUMBER:
