

AGENDA
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, JUNE 04, 2020
COUNCIL CHAMBERS, JENKS CITY HALL
211 NORTH ELM STREET, JENKS, OKLAHOMA 74037

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](#).

III. REQUEST TO APPROVE MINUTES OF MAY 21, 2020

Documents:

[2020.05.21 PC MINUTES.PDF](#)

IV. BUSINESS

1. ARC 20-487: Request by Josh McFarland for approval of new materials, signage, and landscaping for Melody Lane Center. General Location: 716 W Main St

Documents:

1. [SR.ARC 20-487 MELODY LANE.PDF](#)
2. [BACKGROUND INFO.MELODY LANE.PDF](#)

2. ARC 20-488: Request by Tidal Wave Carwash for approval of a new LED monument sign. General Location: 408 S Elm

Documents:

1. [SR.ARC 20-488 TIDAL WAVE CAR WASH.PDF](#)
2. [TIDAL WAVE BACKGROUND.PDF](#)

3. ARC 20-489: Request by Maggie's Place for approval of materials and outdoor mural. General Location: 201 E Main St

Documents:

1. [SR.ARC AGENDA 489 MAGGIES.PDF](#)
2. [MAGGIES PICTURES.PDF](#)

4. JZ 20-656 PUD 16 Amendment: Request by Wallace Engineering for a major amendment to PUD 16 to allow for a child care facility. General Location: Southeast corner of Elm and 121st

Documents:

1. [SR.JZ 20-656 PUD 16.LS.PDF](#)
2. [JZ 20-656 PUD 16 MJ AMEND.PDF](#)
3. [JL20-345 LOT SPLIT.PDF](#)
4. [BACKGROUND DOCUMENTS.PDF](#)

5. JL 20-345: Request by Wallace Engineering for a lot split related to JZ 20-656 PUD 16 Amended. General Location: Southeast corner of Elm and 121st

V. OLD BUSINESS

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

Documents:

1. [SR.PUD 120 FIDLER ACRE 6.04.2020 PC.PDF](#)
2. [PA 20-17 COMP PLAN AMEND.PDF](#)
3. [JZ 20-655.JZ-654 PUD 120 MAP.PDF](#)
4. [JZ 20-654 PUD 120 REVISED 5.26.20.PDF](#)
5. [ROW-UEC 20-74 FIDLER ACRE. UTILITY EASEMENT CLOSURE.PDF](#)
6. [PRELIMINARY PLAT FIDLER ACRE.PDF](#)
7. [FIDLER ACRE SITEPLAN AND SUPPORT DOC.PDF](#)

2. 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 REVISED 5.26.20.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](#)

3. ROW-UEC 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](#)

4. 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 21, 2020

The Jenks Planning Commission was called to order at 6:02 p.m. on May 21, 2020 by Chair Carol Minden. A roll call vote of members was taken as follows:

Present

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

Absent

Request to approve minutes of May 07, 2020. Scott West made a motion to approve the minutes. Craig Bowman seconded the motion. A roll call vote of members was taken as follows:

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

NAY: None

Motion carried.

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

Planning Director Marcaé Hilton introduced Item 2. John Brown made a motion to approve Item 2. David Randolph seconded the motion. A roll call vote was taken as follows:

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

NAY: None

Motion carried

Old Business

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

Planning Director Marcaé Hilton presented her staff report and recommended approval. She answered questions after public comments were read by staff. *Public comments listed at end of minutes.* Robert Bell (1011 W G St) addressed the Commission about the application and answered questions. John Brown made a motion to approve Item 3 under the restriction that PUD be brought back at a later date to address all the items that were discussed at this meeting. Leon Davis seconded the motion. A roll call vote was taken as follows:

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

NAY: None

Motion carried.

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

Planning Director Marcaé Hilton requested that all other cases on the agenda related to Old Business Item 1 be tabled to the next meeting. Travis Fulkerson made a motion to table Items 2-5 to the next meeting. Craig Bowman seconded the motion. A roll call vote was taken as follows:

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

NAY: West

Motion carried; Item tabled to next meeting

3. 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

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

Item tabled to next meeting.

5. 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 Marcaé Hilton gave a Planning Department update.

2. Horizon Jenks – Comprehensive Plan Project Update.

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

Adjournment. Scott West made a motion to adjourn. John Brown 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 7:32 p.m.

PUBLIC COMMENT:

Planning Commission | questions from Public as of 2020.05.21



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 Brandon,

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 apperance 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 resturant riverwalk nostalgic would be exciting and valuble to us as a community.

Thank you for your concideration,
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.



Judy Catlett | letter 2020.05.06 | 709 E C St

Ladies and Gentlemen:

My name is Judy Catlett. I reside at 709 E C St, now for 47 years.

I am writing in protest to your proposed zoning of said property, general location: 813 E B St her in Jenks. We have fought this zoning change tow other times and we are still against the change. It will decrease property value, and no one at all needs that.

The traffic on B St is bad enough on good days. There have been many near-miss accidents on this intersection. Adding a "Medium Intensity Riverfront Entertainment District Designation" will only add to the existing problem.

We have some noise from Louie's when outside activities are going on. But from the Riverwalk area when they have bands with singers the noise is very loud. You can have a party and hear the music for your party loud and clear.

I also have questions about the "Buffer Zone" required (see attached copy of "Comprehensive Plan")

I believe this proposed change is not wanted or needed in order to make Jenks better for the people who reside in this wonderful little city, and are so very proud to call Jenks home.

We don't want or need more "entertainment" areas near our homes and neighborhood.

Thank you for your consideration on this matter

-Judy Catlett



Ron & Linda Whitewater | email 2020.05.20 |

Our opposition of said property to change from OM to ROC zoning, the westbound traffic from the bridge into Riverwalk at the 4 way stop will not accommodate another commercial property there is Louies and other restaurants that use this area,B st is a narrow 2 lane road I cannot see expansion of road to widening B st The Jenks High School Kids use B st ,this area is total gridlock for several hours we as homeowners do not not want another property to add more traffic to our neighborhood.

Regards

Ron and Linda Whitewater

To	Planning Commission
Hearing Date	June 04, 2020
Case Number	ARC 20-487 MELODY LANE JOSH MCFARLAND
Request	Full Site Plan Appearance Review
Location	716 W. Main Street South of Main and west of Elm

Staff Report

Preparer | Marcaé Hilton

Attachments

☐ Melody Lane Documents

Preparer

Josh McFarland

Background Information

STAFF COMMENTARY

ARC 20-487 | MELODY LANE | 716 S 1ST ST | CORRIDOR APPEARANCE DISTRICT | This site, formerly home to Turning Point Soccer, is under redevelopment by the applicant and co-owner Josh McFarland. The entire site is part of a professional retrofit to the onetime shopping strip-center. Melody Lane has been considered an eyesore and underutilized commercial property for many years. Councilor Lynn has been especially interested in finding and supporting revitalization of this failing commercial area of western downtown. The project will receive an exterior facelift, new landscaping, athletic and restaurant uses, and signage. The exterior is a combination of grey metal, brick and other materials. Josh's Sno Cones plans to stay in its current location and add a drive thru. A new indoor soccer and baseball facility, and additional athletic-oriented tenant spaces will be provided and receive an interior makeover. Possible future uses, per approved zoning, could include brewery/restaurant, outdoor entertainment and family orientated games. Jenks Bible Church is not part of the project area.

CONSIDER:

The Corridor Appearance District as created is defined by Appendix "A"- Jenks Comprehensive Plan for the purpose of extending Appearance Review standards and guidelines to achieve aesthetically pleasing and environmentally sensitive development areas through alternative compliance methods, including:

- ✓ Landscaping,
- ✓ building material selection,
- ✓ structural design and color-scheme provisions,
- ✓ sound reduction methods,
- ✓ improved air quality,

- ✓ provide attractive sites for non-residential, commercial development, and industrial development to the benefit of Jenks visitors and residents.

ARC REVIEW | May 26, 2020 | The City Manager, Mr. Chris Shrout recently appointed 2 new members to the Appearance Review Committee. Heather Turner, owner of Anthem Road Academy and JayCee Kerns, Vice President of LC Kerns Contractors. This meeting took place via TEAMS. Members who were not present were asked to submit comments or concerns via email prior to meeting or until to 3:00 pm on May 26th. Tanner Rush, Lead Building Inspector is often the first point of contact and has always played the role of liaison between boots on the ground and relevant development process and services within the City of Jenks. Tanner brought this project to staff attention for ARC review after discussions with the new owner, Josh McFarland. The applicant is eager to complete renovations, but also willing to get the necessary approvals and work with the City of Jenks.

Members Present	Josh Driskell, Jenks Chamber of Commerce Heather Turner, Anthem Road Academy, Downtown Business Owner JayCee Kerns, LC Kerns Contractors, Downtown Business Owner Tanner Rush, Lead Building Inspector, City of Jenks Chris Robinson, City Engineer, City of Jenks
Members Absent	Greg Helms, GS Helms & Associates, Architect (sent email, no comments) Matt Bear, Quick Trip, Architect (no comments presented)
Nonvoting Attendees	Chris Shout, City Manager Robert Carr, Assistant City Manage Kaye Lynn, Ward 1 Councilor Marcaé Hilton, City Planner, City of Jenks Brandon Macy, City Clerk

Sec. 1620. - Appearance review committee duties.

A. The ARC shall review proposed development plans related to building construction, architectural style, building materials, signage, landscaping, and lighting in accordance with prescribed appearance criteria for the Appearance Review District in which a property is located. Recommendations on the proposed project by the ARC will be forwarded to the Planning Commission for their review.

Recommendation by ARC | Melody Lane site plan was supported with comments as seen below:

- ✓ Signage must comply with City Code, including: lumens, message board, etc.
- ✓ Parking/paving is in terrible condition, the repaving will be a big improvement
- ✓ Provide detailed landscape plan for Staff approval
 - Additional trees are needed along Main Street
 - Meet or exceed Landscape design guidelines provided by staff

Public Comment None | no notice is given to public for ARC cases

Evaluation | Properties within any special district have several factors for consideration depending on the district. The code includes but is not limited to signage, materials, landscaping, and other items. Following the ARC meeting staff reached out to the applicant requesting additional landscaping on the site. The owner has worked closely with staff to submit a plan for development which will provide essential services to the citizens of Jenks, create new momentum in the area, and design a product which greatly improves the appearance and safety of the structure and paved areas.

RECOMMENDATION | *Approve request for new exterior materials, signage and landscaping per ARC & staff comments, providing detailed site plan for internal-staff review and approval per Landscape Standards provided to applicant.*

- ✓ Signage must comply with City Code, including: lumens, message board, etc.
- ✓ Provide detailed landscape plan for Staff approval
 - Additional trees are needed along Main Street
 - Meet or exceed Landscape design guidelines provided by staff

SUPPLEMENTAL INFORMATION

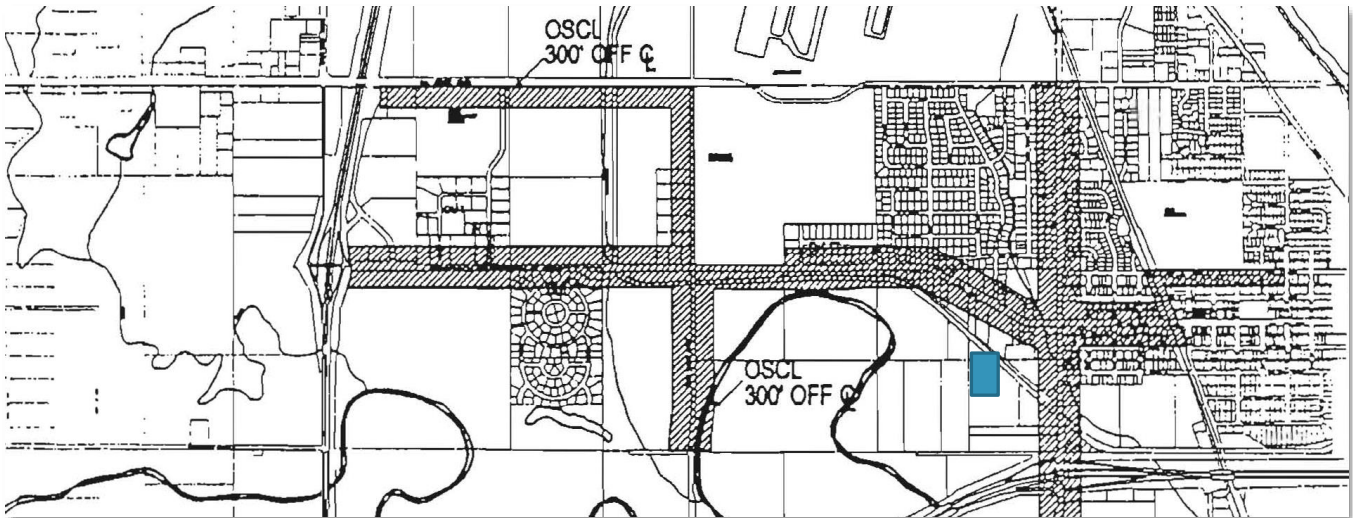


Figure 1: CORRIDOR APPEARANCE DISTRICT MAP



Figure 2: AERIAL VIEW OF MELODY LANE



Figure 3: MAIN STREET VIEW OF MELODY LANE

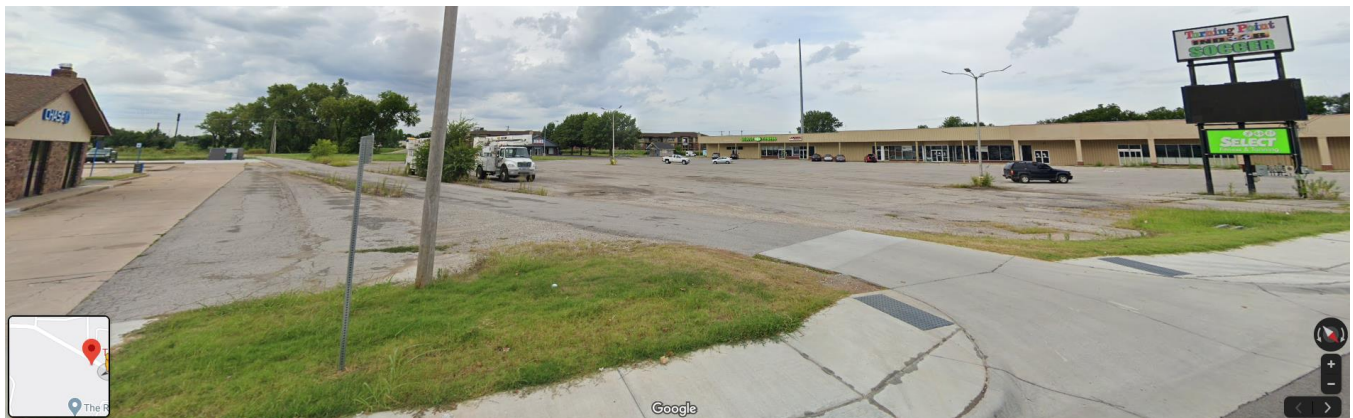
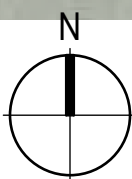


Figure 4: MAIN STREET VIEW FROM WEST OF MELODY LANE



Figure 5: JOSH'S SNO SHACK | BACK OF PROPERTY



1

PROPOSED SITE PLAN

1" = 30'

0 30' 60'



CJC Architects, Inc.

1401 S Denver Ave, Suite B, Tulsa, OK 74119
918-582-7129
cjcarchitects.com

Revision Date	Revision

Project Title

MELODY LANE CENTER

JENKS OKLAHOMA

Sheet Title

SITE PLAN

Drawn Project Number

2005

Checked

User: tboeckman
File: P2004 RDC Jenks Retail

Scale Issue Date

4/10/2020



Sheet Number

A001



Project Title

JENKS RETAIL CENTER

Sheet Title

OVERVIEW

Project Number

P2004

Date

4/16/2020

Drawing Number

SK2

To	Planning Commission
Hearing Date	June 4, 2020
Case Number(s)	ARC 20-488 TIDAL WAVE CARWASH SIGN GARY HAYNES
Request	Approval of Sign
Location	408 S. Elm

Staff Report

Preparer | Marcaé Hilton

Attachments

Preparer

☐ Tidal Wave Carwash Background

Gary Haynes

Background Information

STAFF COMMENTARY

ARC 20-488 | TIDAL WAVE CARWASH SIGN | 408 S ELM ST | CORRIDOR APPEARANCE DISTRICT | Tidal Wave Carwash would like to have a [Monument Sign](#) with a LED Display. Tidal Wave Car Wash is located north of Reasor's generally speaking, west of Elm and north of 101st Street. This review is to confirm the sign is appropriate for the location. The height and size of the sign meets the City of Jenks sign regulations. The carwash is an existing business, the colors and materials of the facility have been previously approved.

1640.1. Prior to the construction or reconstruction of any structure, exterior remodeling, placement of exterior lighting or signs, or any proposed construction requiring the issuance of a building permit other than a small job permit for a property located within an Appearance Review District, an application for Detailed Site Plan approval shall be made and shall be subject to the Appearance Review District guidelines in which the specific property is located.

ZONING PUD 67 | CS (Commercial Shopping)

PLAT Tidal Wave at Elm | No. 6873 | 08.30.2019

Lot 1, Block 1

0.74 Acres

CONSIDER Placement of sign, preference of sign graphics

Landscape improvements | see background information

ARC REVIEW | May 26, 2020 | The City Manager, Mr. Chris Shrout recently appointed 2 new members to the Appearance Review Committee. Heather Turner, owner of Anthem Road Academy and JayCee Kerns, Vice President of LC Kerns Contractors. This meeting took place via TEAMS. Members who were not present were asked to submit comments or concerns via email prior to meeting or until to 3:00 pm on May 26th. Three (3) designs were submitted, the ARC made two recommendations:

Members Present	Josh Driskell, Jenks Chamber of Commerce Heather Turner, Anthem Road Academy, Downtown Business Owner JayCee Kerns, LC Kerns Contractors, Downtown Business Owner Tanner Rush, Lead Building Inspector, City of Jenks Chris Robinson, City Engineer, City of Jenks
Members Absent	Greg Helms, GS Helms & Associates, Architect (sent email, no comments) Matt Bear, Quick Trip, Architect (no comments presented)
Nonvoting Attendees	Chris Shout, City Manager Robert Carr, Assistant City Manage Kaye Lynn, Ward 1 Councilor Marcaé Hilton, City Planner, City of Jenks Brandon Macy, City Clerk

Sec. 1620. - Appearance review committee duties.

A. The ARC shall review proposed development plans related to building construction, architectural style, building materials, signage, landscaping, and lighting in accordance with prescribed appearance criteria for the Appearance Review District in which a property is located. Recommendations on the proposed project by the ARC will be forwarded to the Planning Commission for their review.

Recommendation by ARC | the item was supported with comments as seen below:

Approve sign location, matching the line-up of the other signs along Elm and meeting all the City sign code requirements.

✓

Sign No. 1 is Best and preferred design

✓

Sign No. 3 is worst and should not be considered.

Public Comment None | no notice is given to public for ARC cases

Staff Evaluation & Recommendation

Evaluation | Properties within any special district have several factors for consideration depending on the district. The code includes but is not limited to: signage, materials, landscaping, and other

items. Following the ARC meeting staff reached out to the applicant requesting additional landscaping on the site. The owner Mr. Jason Stidman has agreed to submit a landscape plan for internal review and approval using the landscape standards staff has been used as revised from the City of Tulsa. Asking for additional landscaping is well within the boundaries of the requirements for the Corridor Appearance District.

RECOMMENDATION | *Approve request for new monument sign per ARC & staff comments, providing detailed site plan for internal-staff review and approval per Landscape Standards provided to applicant.*

ARC | *Approve sign location, matching the line-up of the other signs along Elm and meeting all the City sign code requirements.*

- ✓ *Sign No. 1 is Best and preferred design*
- ✓ *Sign No. 3 is worst and should not be considered.*

SUPPLEMENTAL INFORMATION

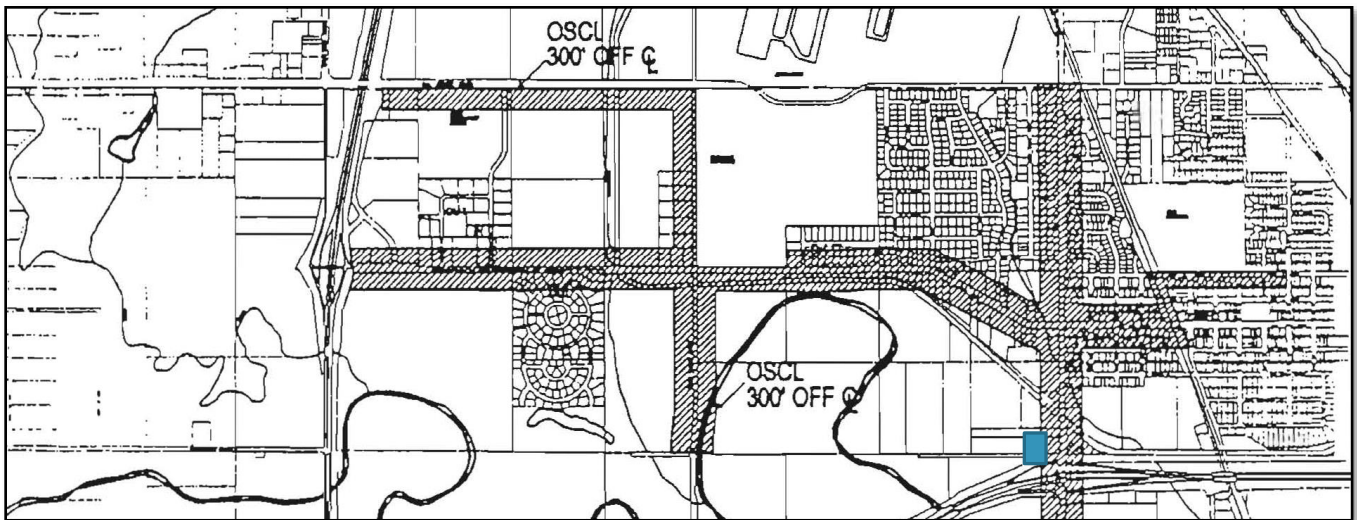


Figure 1: CORRIDOR APPEARANCE DISTRICT MAP

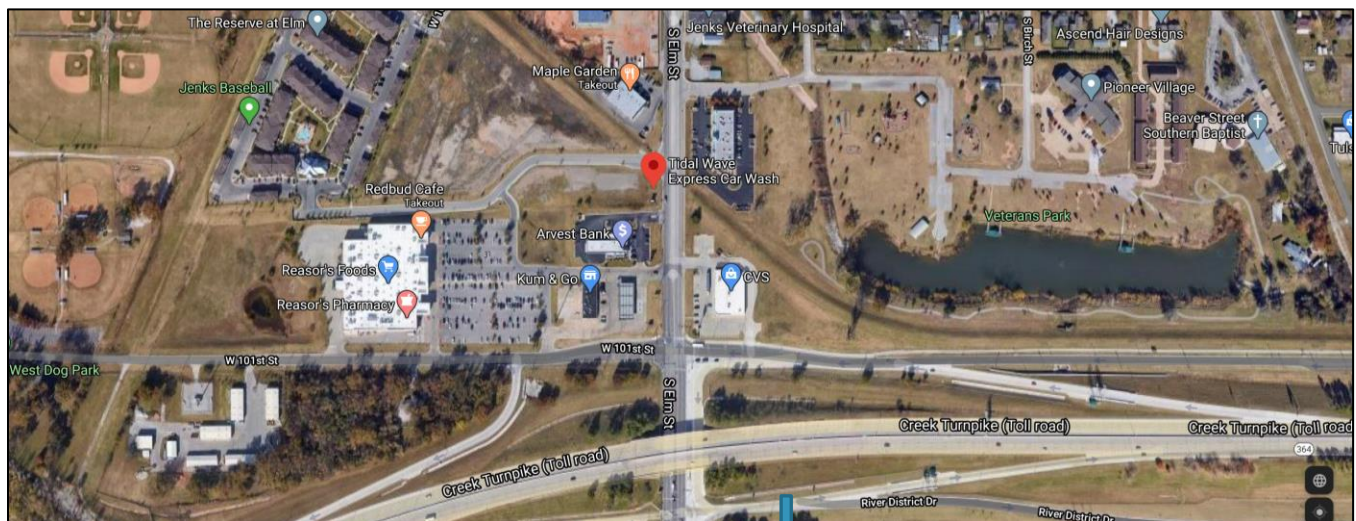


Figure 2: AERIAL VIEW OF TIDAL WAVE CAR WASH

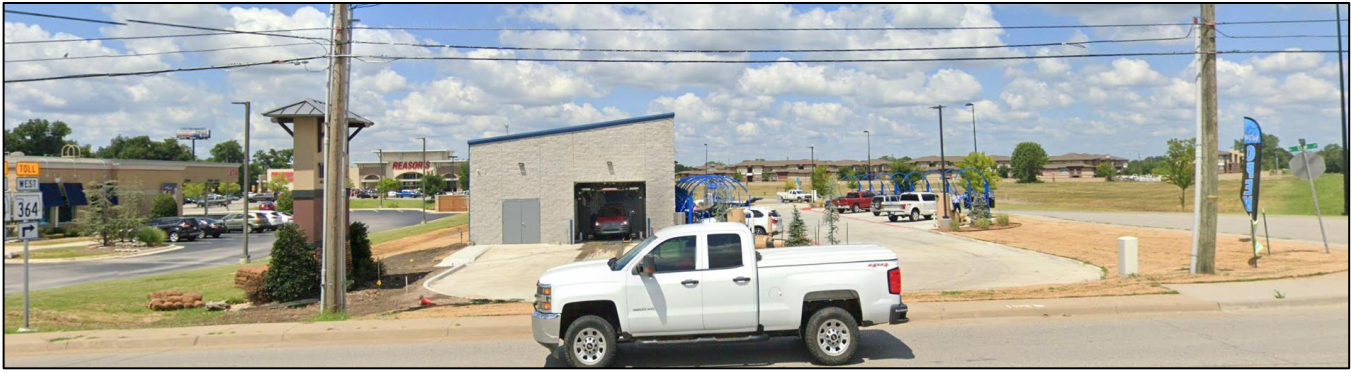


Figure 3: STREET VIEW OF EXISTING STRUCTURE

LED SIGN LANGUAGE:

- n. The placement of LED Video/Board signs shall comply with the following criteria:
1. Streaming video and audio prohibited except during times when a special event permit has been issued for activities on or adjacent to the location of the sign through a Staff Administrative Process being appealable through the Jenks Appearance Review Process.
 2. Each message must be displayed a minimum of eight seconds.
 3. Change of message must be accomplished in two seconds.
 4. Change of message must occur simultaneously on entire sign.
 5. No flashing, dimming or brightening except to accommodate a message change.
 6. Signs must contain a default mechanism that freezes an image in case of malfunction.
 7. Automatically adjust intensity of display based on natural ambient light conditions. No such sign shall display an illuminative brightness exceeding 500 NITs at any time between one half hour after sunset until one half hour before sunrise or 6500 NITs between one half hour before sunrise until one half hour after sunset.
 8. Be able to display multicolor high quality images based on display size Multi-color display shall be able to show a minimum of 281 trillion color shades.

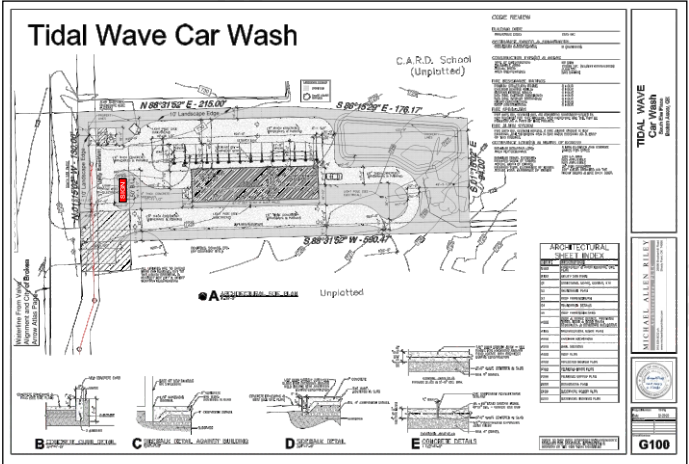
Resolution to size matrix.

Size of LED Panel	Maximum Pixel Size
10 s/f to 25 s/f	10 mm
25 s/f to 75 s/f	16 mm
75 s/f to 125 s/f	19 mm
125 s/f and greater	23 mm

9. Be turned off between the hours of 10:00 p.m. and 7:00 a.m. Monday through Friday and 2:00 a.m. and 8:00 a.m. on Saturday and Sunday when located within 300 feet of a residential lot unless approved through the Planned Unit Development Process.

10. Operators must be able to respond to a malfunction or safety issue within one hour of notification.
11. Applications shall be reviewed by the City Engineer and determined that the sign placement does not interfere with traffic control devices within 300 feet of the sign or traffic circulation upon roadways, if determination is not approved by City Engineer a report from a traffic engineer certifying that the proposed sign does not interfere with the design characteristics of the traffic circulation and traffic control devices shall be required.
12. Single color LED Boards must comply with subsections 1021.4.n. 2, 3, 4, 5, 7, 9 and 10 of this section.

Monument Sign



www.crownneonsigns.com

CROWN
Neon Signs

5676 S. 107th E. Ave
Tulsa, OK 74146
918.872.8425

CLIENT : Tidal Wave Car Wash

ADDRESS : Broken Arrow, OK

DESIGN # 050520-01

NOTES :

DRAWN BY : *Steven C Galbo* DATE : 05/05/2020 SCALE: 1:20

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

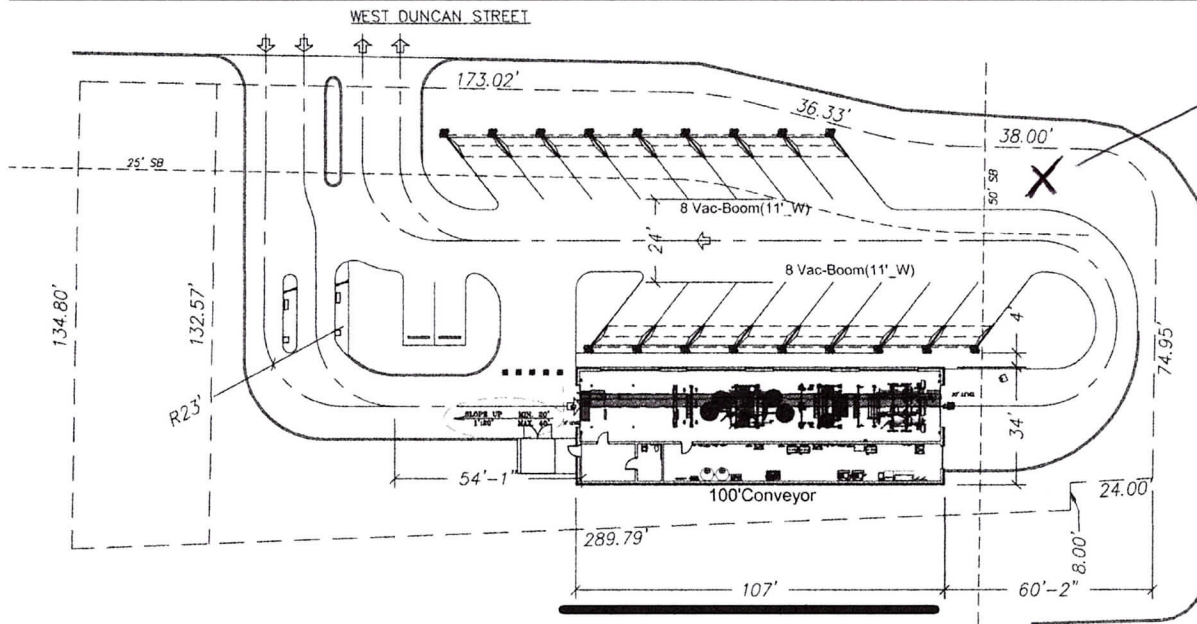


THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

Approved by: _____ Date: _____

18651-C10-Jason Stidman 2 (Jenks)

PDF - 1.9 MB



SOUTH ELM STREET

SITE LEGEND

- Handicap P
- Proposed C
- Boundary L
- Center Line
- Setbacks

GENERAL NOTES

1. All center line of road curb radii to be 23' unless otherwise noted.
2. All vacuum spaces are 11' unless otherwise note
3. All parking spaces are 9' unless otherwise noted

PRELIMINARY PLAN NOTE

This plan has been prepared with the best available information provided by the customer, without the benefit of a survey in some cases. The engineer has not conducted any code research regarding, but not limited to, permitted uses, setbacks, buffers, access, required parking, landscaping, fire, life, storm water management, utilities, right of way

Landscape Standards (Modified from City of Tulsa)

Tree List

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

Street Trees

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

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

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

Parking Lot

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

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

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

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

- (1) Large trees must be deciduous, with a minimum caliper size of 2 inches and a minimum height of 12 feet at the time of installation.

(2) Medium trees must have a minimum caliper size of 2 inches and a minimum height of 8 feet at the time of installation.

(3) Small trees must have a minimum caliper size of 1.5 inches and a minimum height of 6 feet at the time of installation.

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

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

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

Installation

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

Protection

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

Irrigation

1. All required landscaped areas must be provided with irrigation in accordance with one of the following 2 options:
 - a. A permanent irrigation system with a controller to tailor watering schedules to weather and site conditions; or

b. A temporary irrigation system that provides enough water to ensure that all trees and plants will become established.

2. Irrigation systems must comply with all applicable building and plumbing codes.

Timing of Installation

1. All required landscaping areas and appurtenances, except trees, must be installed prior to the issuance of a final certificate of occupancy.

2. All required trees must be installed within 120 days after issuance of a final certificate of occupancy or temporary certificate of occupancy.

Maintenance

1. Required landscaping and screening must be continuously maintained, including necessary watering; weeding; pruning; pest control; litter and debris clean-up; and replacement of dead, diseased or damaged plant material.

2. The property owner is responsible for maintenance of trees and landscaping in accordance with the approved landscape plan. Any dead, diseased or damaged trees or landscaping must be removed and replaced by the property owner. Property owners are also responsible for replacing or restoring required landscaping that is damaged or destroyed as a direct result of government action or lawful action of a franchise utility provider.

Recommended Large Tree Species

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

Large | ≥60 ft

Medium | 30-59 ft

Small | <30 ft

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

Recommended Medium Tree Species

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

Large | ≥60 ft

Medium | 30-59 ft

Small | <30 ft

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

Recommended Small Tree Species

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

Large | ≥60 ft

Medium | 30-59 ft

Small | <30 ft

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

Prohibited Species

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



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

To	Planning Commission
Hearing Date	June 4, 2020
Case Number(s)	ARC 20-479 MAGGIE'S PLACE KEVIN SMITH
Request	Approval of Materials and Outdoor Mural Appearance Review
Location	201 E. Main Street
Applicant	See Staff Report

Staff Report

Preparer | Marcaé Hilton

Attachments

☐ Maggie's Place Pictures

Preparer

Kevin Smith

Background Information

STAFF COMMENTARY

ARC 20-489 | MAGGIE'S PLACE | 201 E MAIN ST | [SPECIAL THEME DISTRICT](#) | Maggie's is located in the heart of the downtown, the building was constructed in 1930, the exterior has many of the original features including tan brick and light colored cut stone. Staff cannot confirm if the mid-century stone feature extending above the roof is original to the structure. They are looking to be in operation as soon as possible, they are considered a music venue/bar. Their primary goal seems to be bringing musical artist and audiences together under one roof and/or weather permitting under the stars. They plan to serve alcohol and provide food options by partnering with food trucks. To learn more about Kevin and Amy Smith, visit their website.

<https://maggiesmusicbox.com/the-music>

Public Comment None | no notice is given to public for ARC cases

Zoning Code

1660. 1. Special Theme District Guidelines.

A. General.

1. The criteria are designed to be flexible in nature, but provide a cohesive theme for the defined special district. Architectural designs that were typical of the turn of the century are the theme for the special district. The overall appearance of structures within the defined district should adhere to the main theme as described below.

2. Conformance to the Historic Turn-of-the-Century Architectural Design Theme, especially Victorian or Western styles, shall be required.

- The site plan submitted shall conform to a flexible turn-of-the-century design theme of plus or minus 14 years surrounding the year of 1900 time period.
- Evaluation of the conformance to the architectural theme will be contingent upon the *facade color scheme*, and *material selection* for remodeling as well as *landscape and*

decorative treatments proposed. An artist's rendition which is located in City Hall and which shows a streetscape of the theme, shall be conformed with as closely as possible.

3. The proposed plan shall show an overall compatibility with the design theme and streetscape. A blending of similar treatments of surrounding structures with the use of such things as period street lighting, window boxes, or pedestrian benches, is encouraged.

4. Materials selected for the proposed plan shall be compatible in appearance and texture of the overall architectural theme.

a. The following factors will govern the Planning Commission evaluation of a proposal in the Special Theme District:

1. Conformance with the design theme.

2. Compatibility with surrounding area.

3. Circulation patterns.

4. Landscaping and screening.

5. Material Selection.

5. Traditional Turn-of-the-Century color schemes and combinations of those colors should be used for all exterior wall coverings. Fluorescent or luminescent colors should be prohibited, unless measures are in place to "soften" the effect on adjoining properties.

B. Parking/Landscaping.

C. Signage.

D. Lighting.

E. Storage and use of yards and outbuildings.

CONSIDER:

- ✓ Is the proposed art flexible enough to be considered compatible with the vision of the downtown and special theme district?
- ✓ Is the outdoor space compatible with the surrounding area?
- ✓ Signage, Lighting?
- ✓ Not for consideration-architecture-the exterior is not receiving a significant change in character and was built in 1930.

ARC REVIEW | May 26, 2020 | The City Manager, Mr. Chris Shrout recently appointed 2 new members to the Appearance Review Committee. Heather Turner, owner of Anthem Road Academy and JayCee Kerns, Vice President of LC Kerns Contractors. This meeting took place via TEAMS. Members who were not present were asked to submit comments or concerns via email prior to meeting or until to 3:00 pm on May 26th. Overall, the ARC was supportive of the signage, outdoor uses, and general plan. However, the ARC had a lengthy conversation and struggled with the Mural as presented. They questioned the definition of a Mural vs Sign and if the City can legally regulate the content of a Mural. There were questions raised as to the content of the mural and if it fit the definition of the code.

Members Present

Josh Driskell, Jenks Chamber of Commerce

Heather Turner, Anthem Road Academy, Downtown Business Owner

JayCee Kerns, LC Kerns Contractors, Downtown Business Owner

Tanner Rush, Lead Building Inspector, City of Jenks

Chris Robinson, City Engineer, City of Jenks

Members Absent	Greg Helms, GS Helms & Associates, Architect (sent email, no comments) Matt Bear, Quick Trip, Architect (no comments presented)
Nonvoting Attendees	Chris Shout, City Manager Robert Carr, Assistant City Manager Kaye Lynn, Ward 1 Councilor Marcaé Hilton, City Planner, City of Jenks Brandon Macy, City Clerk

Sec. 1620. - Appearance review committee duties.

A. The ARC shall review proposed development plans related to building construction, architectural style, building materials, signage, landscaping, and lighting in accordance with prescribed appearance criteria for the Appearance Review District in which a property is located. Recommendations on the proposed project by the ARC will be forwarded to the Planning Commission for their review.

Recommendation by ARC | the voting members made a motion of support with comments as seen below:

1. No corrugated metal can be used on the corner and front eve along Main Street
 - a. Resubmit plan for staff approval
2. Mural
 - a. Confirm Art is as tastefully done as possible
 - b. Agree to maintenance and general upkeep of mural
 - c. Get legal opinion on Mural/Art/Signage
3. Signage can include bulbs within arrow, but nothing flashing

Staff Evaluation & Recommendation

EVALUATION

MAGGIE’S PLACE is part of the Special Theme District the district guidelines primarily deal with Architecture | facade color scheme, and material selection for remodeling, landscaping and decorative treatments, period street lighting, window boxes, or pedestrian benches and signage. The criteria established in the code is designed to be flexible in nature, but provide a cohesive theme for the defined special district. In this case Maggie’s exterior should not be considered, this is interior remodel and outdoor dining/entertainment area. The proposed mural has an underwater theme which contains the following elements (Staff Interpretation): four individuals wearing 1900’s dive gear (deep-sea diver with goggles, fully suited diver, female in swimsuit, musician with guitar in dive gear), Route 66 sign, various marine animals including an octopus, shark, puffer fish, and sting ray. The colors are rich earth tones and shades of blue and green. Staff believed the code is flexible enough to consider approval of this mural.

CONDITIONS by ARC and Staff

- No corrugated metal can be used on the corner and front eve along Main Street
 - Resubmit elevation plan showing revised materials along Main street for staff approval
- Mural
 - Confirm Art is as tastefully done as possible
 - Agree to maintenance and general upkeep of mural
 - Get legal opinion on Mural/Art/Signage
- Signage can include bulbs within arrow, but nothing flashing

RECOMMENDATION

Staff recommends "conditional approval" pending conditions as previously listed.

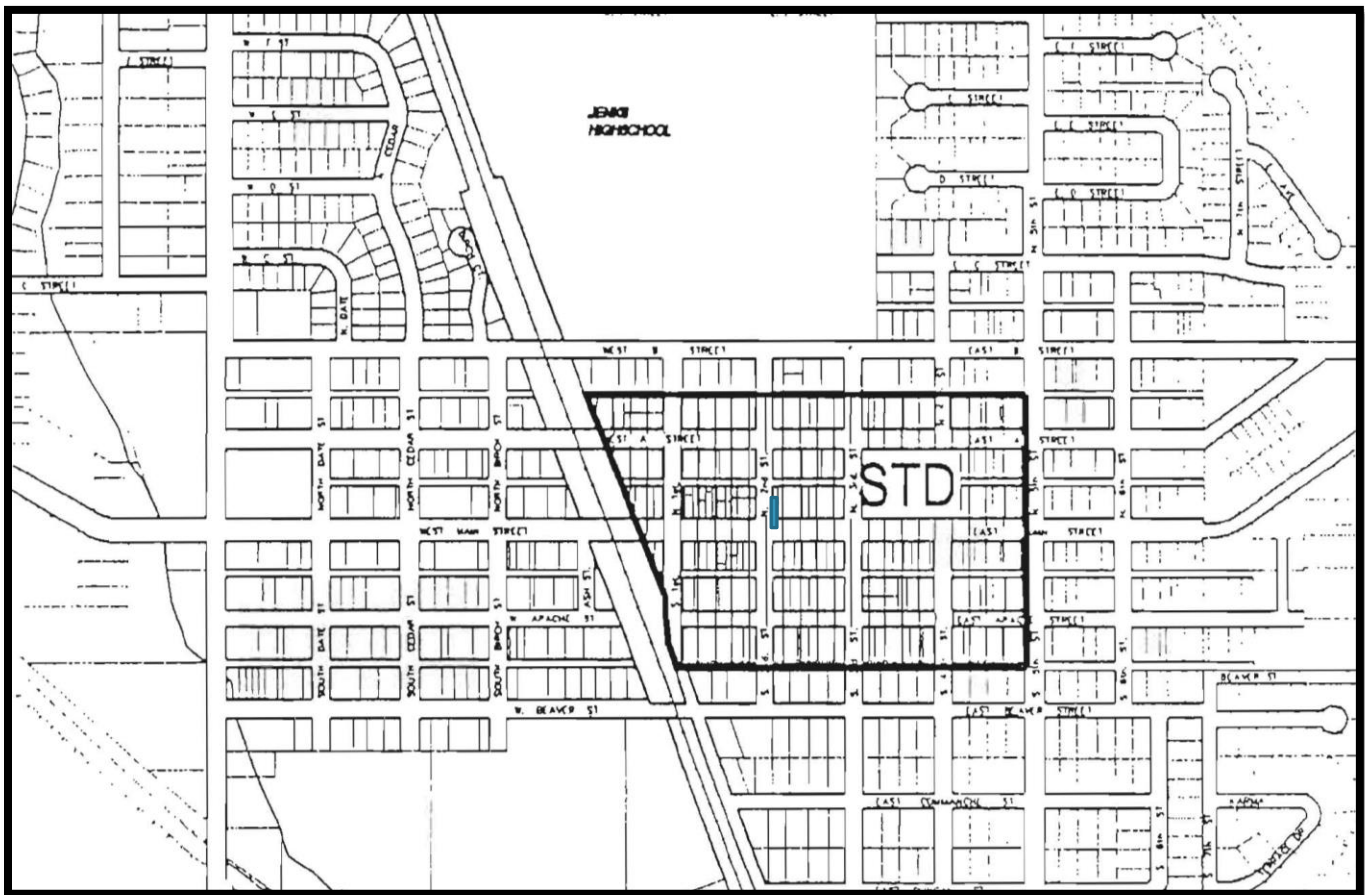


Figure 1: SPECIAL THEME DISTRICT BOUNDARY MAP

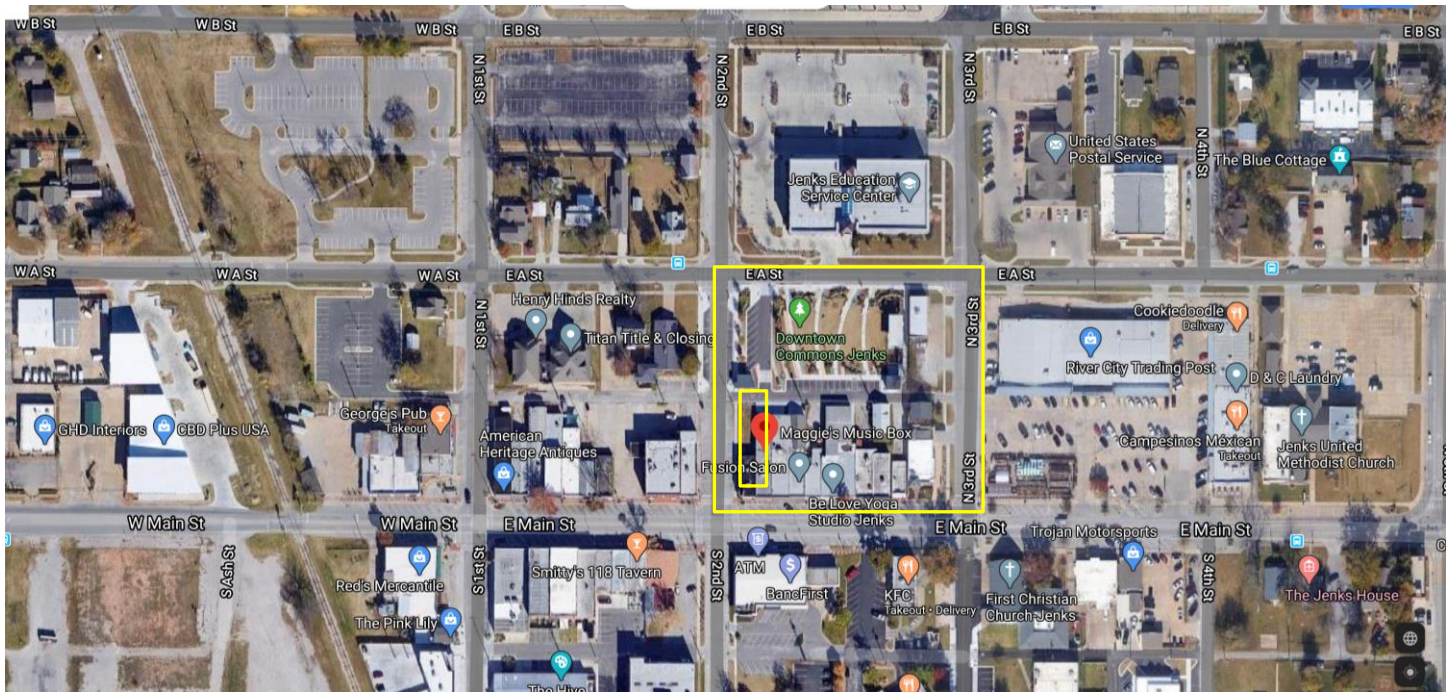


Figure 2: AERIAL VIEW OF MAGGIE'S



Figure 3: MAIN AND 2ND STREET



Figure 4: NORTH VIEW



Figure 5: CORNER VIEW OF MAGGIE'S LCCATION



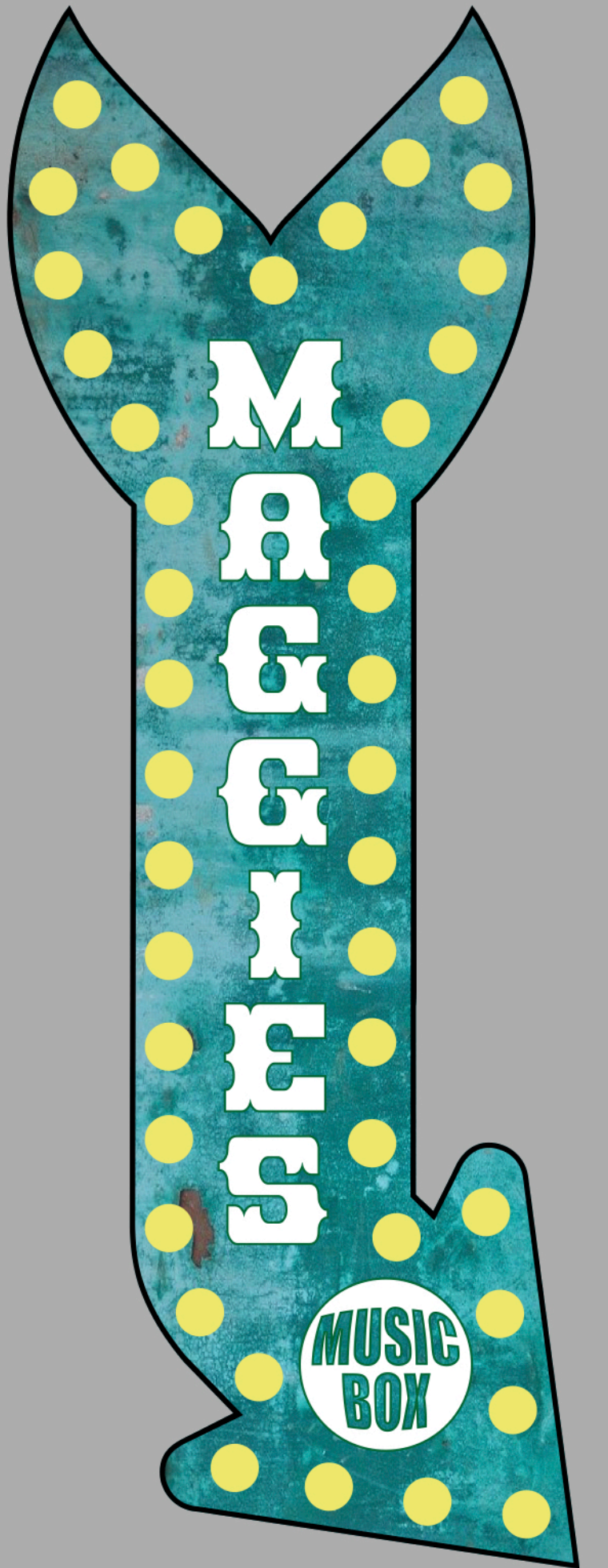
Figure 6: EAST VIEW



Figure 7: WEST VIEW ON MAIN



Figure 8: STREET VIEW









To	Planning Commission
Hearing Date	June 04, 2020
Case Number(s)	JZ 20-656 PUD 16 AMEND MAJOR AMENDMENT PUD 16 JL 20-345 LOT SPLIT
Request(s)	1. Recommendation of approval of Major Amendment to PUD 16 2. Approve Lot Split for the creation of a childcare facility The Learning Center
Location	Southeast corner of Elm and 121st
Applicant	Jim Beach, Wallace Engineering

Staff Report

Preparer | Marcaé Hilton

Attachments

- ☐ JZ 20-656 PUD 16 Major Amendment
- ☐ JL 20-345
- ☐ Supporting Documents

Preparer

Jim Beach, Wallace Engineering
Jim Beach, Wallace Engineering
Jim Beach, Wallace Engineering

Background Information

STAFF COMMENTARY | This parcel is part of PUD 16 which was approved in mid-2000 along with a rezoning request (JZ-345), the original development concept contained two tracts, Tract 1 “Wakefield Shops” was dedicated to commercial uses and included the southeast corner of 121st and Elm Street. This style of planning which places commercial on the hard corner is consistent with traditional Euclidian zoning. The final plat was filed as Yorktown Village. Currently, there is a Casey’s convenience store located in Lot 1, Block 1 and a strip center further south in Lot 3, Block 1. The Learning Center request for a major amendment is a two-part request. There is a major amendment to add/allow Use Unit 5 (childcare facility) and a request for lot split (any person desiring to divide a tract by splitting a lot). There is still developable land along 121st between Casey’s and the proposed Learning Center. Tract 2 is zoned Commercial Shopping but was dedicated to residential uses through the approved PUD-16 overlay and has been fully developed as ‘Weston at Wakefield’ one of several parts to the Wakefield subdivisions. This request involves the portion of the lot which is adjacent to the residential neighborhood on the east.

PLANNING DATA | THE WAKEFIELD SHOPS | PUD 16

PUD 16 Major Amendment Request

Permitted Uses	Add Use Unit 5, Children's Nursery to list of previously approved uses
Site Area	49,050 SF (1.13 acres)
Floor Area	10,000 SF
F.A.R.	20.4%
Parking	25 Required 1 space per 400 SF 35 Provided Min. corporate requirement
Landscape:	Trees and green open space shown conceptually on this plan; final is subject to Planning Commission approval during Appearance Review
Building Exterior:	100% Masonry (See attached building elevations) 15% stone 85% EIFS
Exterior Lighting:	Primary lighting is from wall-mounted fixtures and any pole lights will be limited to 15' high. All lights will be shielded and pointed downward and away from adjacent residential properties.

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				
No.	Name	PUD 16	PUD 16 REQUEST	CS
1.	Area wide Uses	-	-	X
2.	Area wide Specific Use	-	-	S
4.	Public Protection	X	X	X
5.	Community Services and Cultural Facilities	-	X	X
8.	Multifamily Dwellings and Similar uses	-	-	P
10.	Off-Street Parking Areas	-	-	X
11.	Offices and Studios	X	X	X
12.	Eating Places Other Than Drive-Ins	X	X	X
13.	Convenience Goods and Services	X	X	X
14.	Shopping Goods and Services	X	X	X
16.	Gasoline Service Stations	X	X	X
17.	Automotive and Allied Activities	*X	*X	E
18.	Drive-In Restaurants	*X	*X	
19.	Hotel, Motel, and Recreation Facilities	*X	*X	X
21.	Business Signs and Outdoor Advertising	-	-	X

*WITH A MINOR AMENDMENT OF SPECIFIC RESTRICTIONS | SEE PUD EXCERPTS BELOW

Marcae' Hilton

Major Amendment

Staff supports request for childcare use | Use Unit 5

Opaque screening should be provided by the commercial developer/builder adjacent to residences

Lot Split

Provide revised lot split exhibit showing the following:

1. Dedicated mutual access between parent tract and new tract
 - i. Drive aisle as proposed in site plan (access at property line)
2. Revise Limits of No Access on Yorktowne Village Plat meeting all city requirements
 - i. Close access on east side of new tract
 - ii. Add new access
 - iii. Close access between Casey's and new lot
3. Provide maintenance language for shared mutual access

Brandon Macy

Realtor brought in original information/preliminary drawing, needed lot split-conceptual site plan

Chris Robinson

Landscape Plan: The Applicant will be required to submit a landscape plan to show proposed landscaping and proposed tree locations

Sewer: An existing 8" sewer line runs south along the rear yards of the adjoining Wakefield Subdivision. The application proposes to tie into this existing sewer line.

Water: A 10" waterline runs along the south side of 121st Street. The applicant proposes to meter off of this 10" water line.

Stormwater: The stormwater for this property is to be routed to the existing detention pond to the southwest in the middle of Yorktowne Village (PUD 16). The applicant will need to verify that the proposed drainage conditions match the drainage conditions that were anticipated in the original Yorktowne Village drainage report submittal.

Robert Carr

Original intent access from 121st loop to west and tie into elm street, Yorktowne crossing engineering plans, there is a waterline shows on GIS.

Chief Ostrum

FC/FM-involved during engineering

- 1) What is the occupancy/use of the structure? *E-Educational, B-Business, Accessory Use Group S1-Storage (less than 10%) / Child Care Use...Construction Type V-B Unprotected, Fully Sprinklered*
- 2) What is the height of the building? *Roof Structure 15'-8" AFF, Low Parapet 18'-2" AFF, Parapet 19'-8" AFF, and Canopy Parapet 21'-8" AFF*
- 3) What are the dimensions (length and width)-will need to show that all portions of the exterior of the building are within 150' from a fire

lane. 125'-2 ½" x 80'-2 ½", CAD file attached. I think they are wanting a paved surface within 150 ft of any point on the building. I looked at it and there is about 10 ft on the east side that is not within 150 ft of either 121st, the west drive or the south parking. It's up to the fire marshal to decide if that is acceptable or not. 50 ft radius, driveway possible shared access, make sure they had fire access/turnaround

- 4) I see that there is an existing fire hydrant on the property. Based on the water flow requirements for the structure, there may need to be a second hydrant added. (TBD, if required would this eliminate the FDC?) Second hydrant is just based on flow requirements and would still need FDC Fire lanes with a hydrant need to have a width of at least 26' instead of the standard 20'. See attached BSP utility markup, showing to locate the FDC on the building nearest the mechanical room or behind the curb in the extended landscape area noted, remotely...like to have the shortest route possible to minimize cost...our drive aisle is 25ft...if we need a 26' fire lane we will need to keep the property line as shown and widen the drive lane to the West toward the water line easement...if needed we may have room to shift the whole layout to the east a little bit to work everything out.
- 5) The FDC must be less than 25' from a fire lane. Your drawing shows that it is on the building now, it may need to be moved remotely to fit this requirement. Also, you would need to eliminate the parking directly in front of the FDC for access. In this case behind the curb in the extended landscape area will get us to the less than 25' from the fire lane.
- 6) He did not give us the distance from FDC to hydrant. Based on a meeting for another site in Jenks that is 100 ft. If we put FDC by the mechanical room we will exceed that dimension and may have to add a hydrant to the main. Is it possible to place at SW corner? *Note the FDC moved to the SW corner, fire lane extended to east end of south parking lot and dimensions showing it is less than 200 feet to provide full coverage around the building*

Public Comment	Several citizens have contacted the City staff, all but one seemed comfortable with the proposed use.
Intended Use	Childcare learning facility
Appearance District	None
Zoning	Existing: PUD 116 & (CS) Commercial Shopping Proposed: Major Amendment to PUD 116

Comprehensive Plan	Medium Commercial
General Location	Southeast corner of 121 st and Elm
Acres	16 (Yorktowne Village)
Plat	Yorktowne Village No. 6096 03.01.2007 3 Lots 1 Block
Lot Split	JL-345 Part of Lot 3, Block 1 of Yorktowne Village East 150 feet of Lot 3, Block 1 Adjacent to Block 3 of Wakefield Village
Floodplain	No 100-year FP

Zoning Surrounding:

North:	CG (Commercial General) Residential structure used as an office-Coldwell Banker RS-2 PUD 11 (Single-Family Residential) Beckett Ridge
South:	CS PUD 16 (Commercial Shopping) developed as Single-family Residential Weston at Wakefield
West:	IM (Industrial Medium) Undeveloped
East:	RS-2 (Single-family Residential) Wakefield Village PUD 14

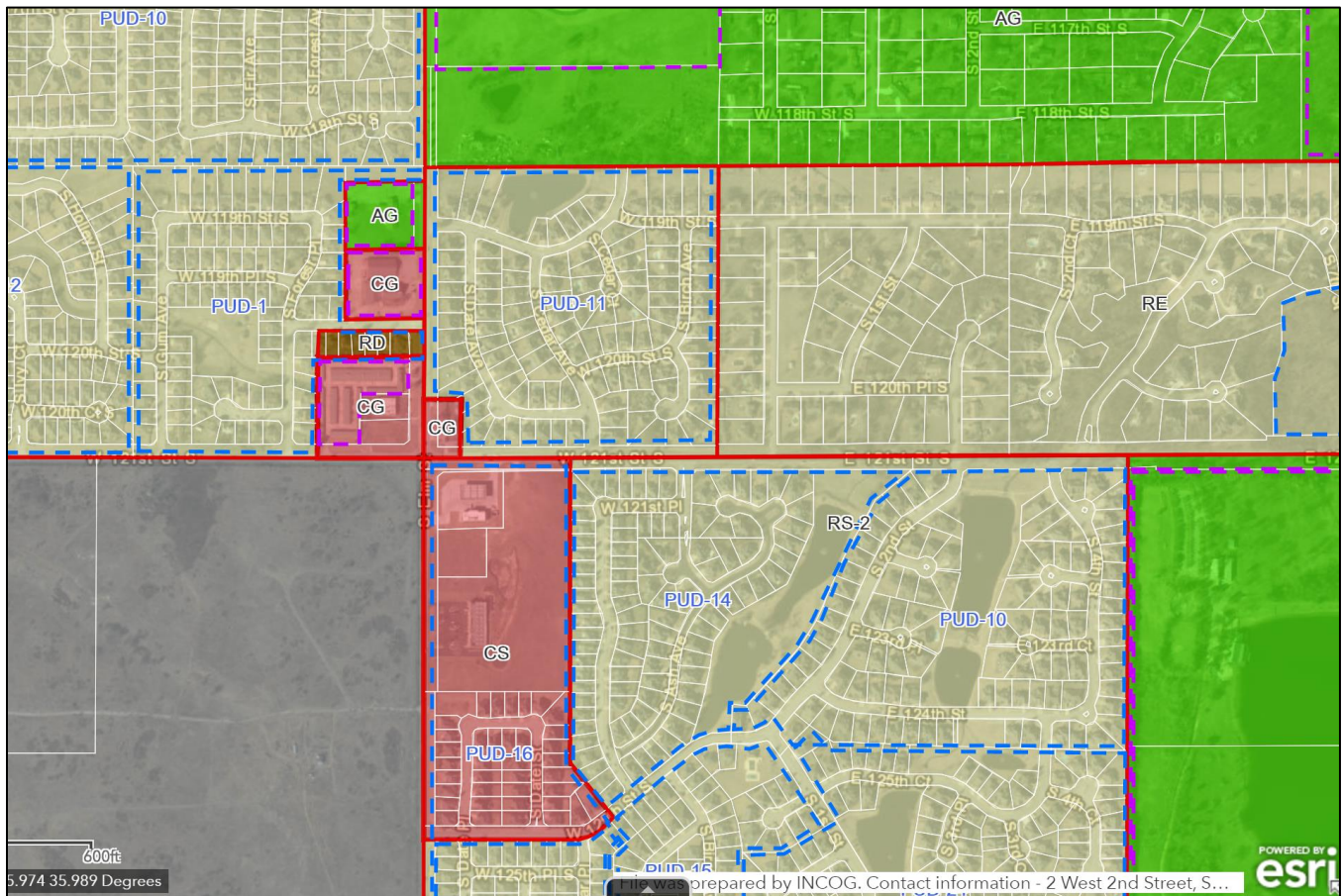


Figure 1: INCOG ZONING MAP



Figure 2: ORIGINAL ZONING AREA

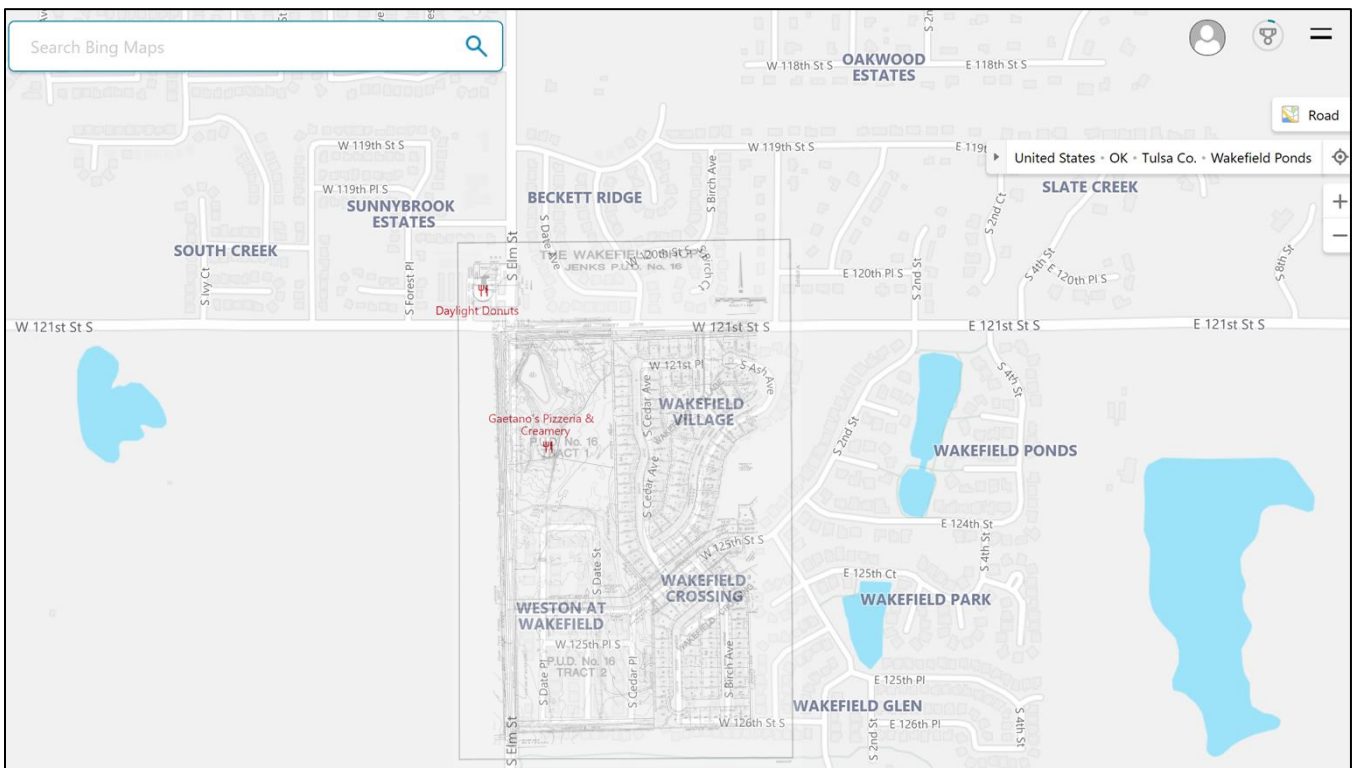


Figure 3: BING MAP WITH ORIGINAL PUD OVERLAY

Aug-28-00 05:21pm From: NW CO #0189847846 T-287 P-04/10 P-644		Aug-28-00 05:21pm From: NW CO #0189847846 T-287 P-05/10 P-644	
The Wakefield Shops Planned Unit Development No. 16 Revised <u>Development Standards</u> as recommended by City Planner:		Maximum Building Height: 26 FT Buildings, structures, architectural elements and business logos may be increased to a maximum of 35 feet in height by detail site plan approval.	
Land Area Gross: 41.26 Acres 1,797,285 SF Tract 1 25.92 1,129,055 SF Tract 2 15.15 659,934 SF		Minimum Lot Frontage on 121st Street South and South Elm Street: 150 FT Access points on 121st Street and South Elm Street shall be determined upon submission of detail site plan in accordance with the Jenks Subdivision Regulations and approved by the City Engineer.	
Permitted Uses: Use Unit 4, Public Protection and Utilities and Open Air Facilities (Temporary) Only the Following Uses: Horticultural Nursery, Christmas Tree Sales; 11, Offices and Studios; 12, Eating Places, Other than Drive-ins; 13, Convenience Goods and Services; 14, Shopping Goods and Services; 16, Gasoline Service Stations; 19, Hotel, Motel and Recreation Facilities. Only the Following Uses: Health Club, Hotel, Motel, Enclosed Motion Picture Theater. Use Unit 17, Automotive and Allied Activities. Only the Following Uses: Automobile Sales and Rentals (New and Used) Auto Wash, Vehicle Repair and Service may be permitted by minor amendment to the Planned Unit Development. Use Unit 18, Drive-In Restaurants may be permitted by minor amendment to the Planned Unit Development. All other use units are excluded from Planned Unit Development No. 16.		Minimum Building Setbacks: From the centerline of 121st Street South 110 FT From the centerline of South Elm Street 110 FT From the internal collector street 40 FT From the East boundaries 25 FT	
Maximum Building Floor Area Ratios: Commercial Uses 0.25 Office Uses 0.40		Off-Street Parking: As required by the applicable use unit of the Jenks Zoning Code.	
2		Landscaped Area: A minimum of ten percent (10%) of the net land area shall be improved as internal landscaped open space for commercial uses and fifteen percent (15%) of the net land area shall be improved as internal landscaped open space for office uses in conformance with the Corridor Appearance District Guidelines.	
3		Screening: A screening wall or fence shall be constructed, designed and maintained along any boundary of the property which abuts a residential development. The screening wall or fence shall be	

Figure 4: ORIGINAL PUD 16 DOC(S)

Aug-28-00 05:21pm From: NW CO #0189847846 T-287 P-06/10 P-644	
designed in accord with the applicable provisions of the Jenks Zoning Code.	
Signs: - Two center and tenant identification ground signs shall be permitted: one at the southeast corner of 121st Street South and South Elm Street and one at the northeast corner of South Elm Street and the residential collector street 125th Street South with a maximum of 280 square feet of display surface area and 26 feet in height for each sign. - One ground sign shall be permitted for each lot along the 121st Street South and South Elm Street frontage with a maximum of 160 square feet of display surface area and 20 feet in height for each sign. - Wall signs shall be permitted not to exceed 1.5 square feet of display surface area per lineal foot of building wall to which attached. The length of a wall sign shall not exceed seventy-five percent (75%) of the frontage of the building. No wall sign of any kind or type shall be permitted on any east facing wall or south facing wall located in Tract 2.	
Lighting: Light standards within the East 100 feet of the property shall not exceed 15 feet in height. Within the remainder of the property light standards shall not exceed 30 feet in height. All light standards and building mounted lights shall be hooded and the light directed downward and away from the north, south and east boundaries of the property.	
Appearance and Design: The design and appearance of buildings, landscaping, fencing, signage, lighting and storage shall conform to the Corridor Appearance District Guidelines of the City of Jenks.	
4	

Figure 5: ORIGINAL PUD DOC(S)

EVALUATION | This project has two code procedures for compliance. The original PUD did not allow for Use Unit 5, staff believes this request is not injurious to the surrounding area, is compatible with the comprehensive plan and meets the other requirements of the PUD, therefore staff sees no reason to deny the project. For detailed PUD information see the background information. The second requirement is a lot split, the childcare center does not need the entire lot, the original exhibit needs a few more details which have been outlined, they are legal and technical requirements and should not stand in the way of approval of the Lot Split, the applicant has agreed to two the Staff comments and will provide the additional information.

Comments

Major Amendment | Staff supports request for childcare use | Use Unit 5

Lot Split | Staff supports the Lot Split request and will continue to work with the applicant to get the final documents ready for filing.

Meet all engineering comments and requirements

Meet all Public Safety comments and requirements

Meet all building code requirements

Provide screening along east property line as a protective mechanism for the neighbors.

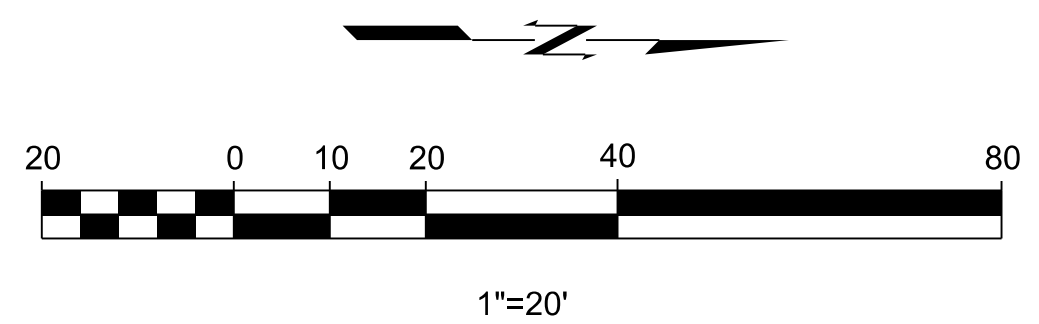
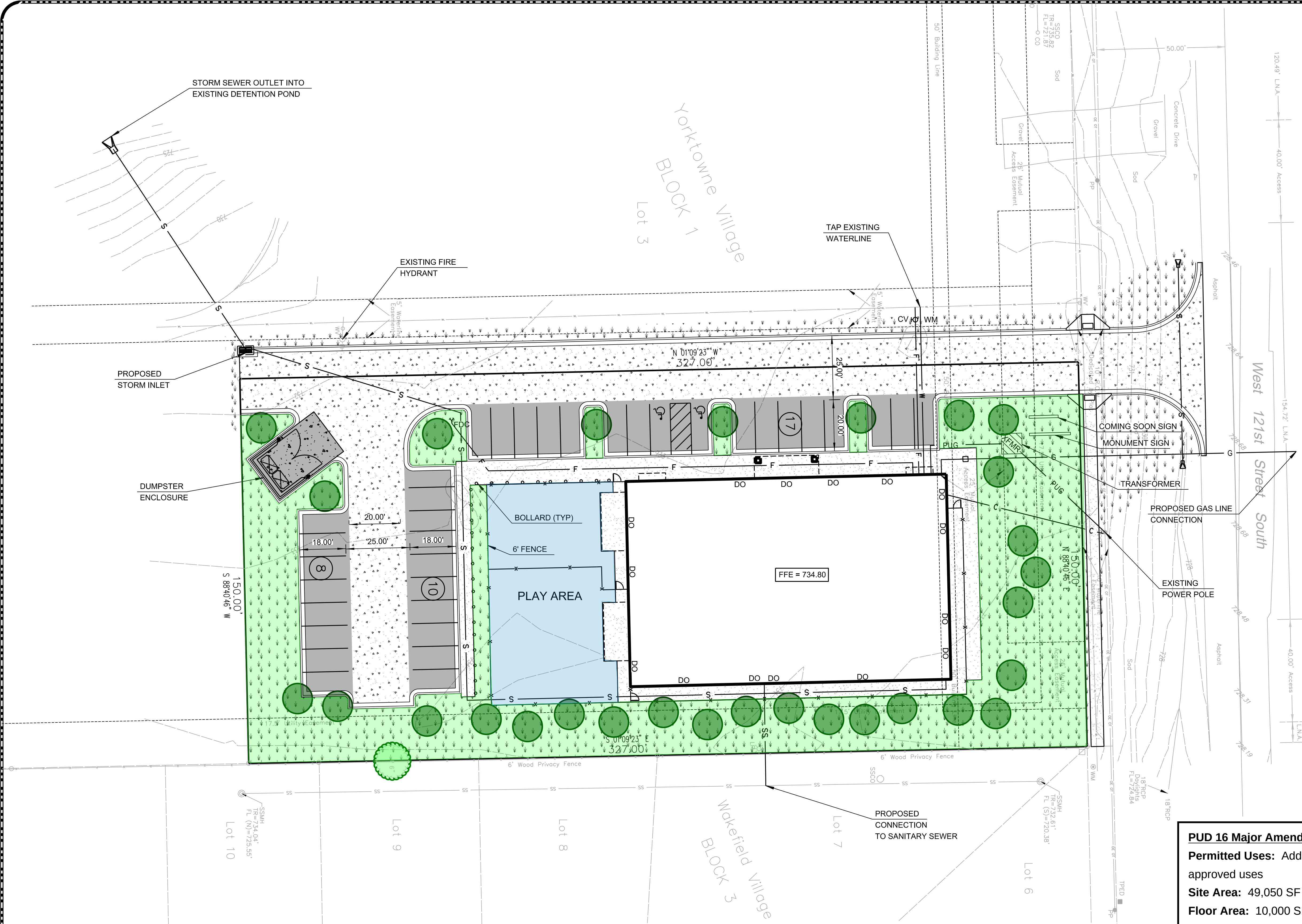
Provide revised lot split exhibit showing the following:

1. Dedicated mutual access between parent tract and new tract
 - i. Drive aisle as proposed in site plan (access at property line)
2. Revise Limits of No Access on Yorktowne Village Plat meeting all city requirements
 - ii. Close access on east side of new tract
 - iii. Add new access
 - iv. Close access between Casey's and new lot
3. Provide maintenance language for shared mutual access

RECOMMENDATION | *Approve JZ 20-656 PUD 16 | MAJOR AMENDMENT PUD 16 and JL 20-345 LOT SPLIT | THE LEARNING CENTER per staff comments. Building permit is subject to completion of required lot split filing.*



CAUTION
NOTICE TO CONTRACTOR
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THE LOCATION AND ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES



PUD 16 Major Amendment
Permitted Uses: Add Use Unit 5, Children's Nursery to list of previously approved uses
Site Area: 49,050 SF (1.13 acres)
Floor Area: 10,000 SF
F.A.R.: 20.4%
Parking: Required - 25 (1 space per 400 SF); Provided - 35 (min. corporate requirement)
Landscape: Trees and green open space shown conceptually on this plan; final is subject to Planning Commission approval during Appearance Review
Building Exterior: 100% Masonry - 15% stone, 85% EIFS (See attached building elevations)
Exterior Lighting: Primary lighting is from wall-mounted fixtures and any pole lights will be limited to 15' high. All lights will be shielded and pointed downward and away from adjacent residential properties.

wallace
Wallace Engineering
Structural and Civil Consultants, Inc.
123 N. Martin Luther King Jr. Blvd.
Tulsa, Oklahoma 74103
918.584.5858, 800.364.5858

THE LEARNING EXPERIENCE
ACADEMY OF
EARLY EDUCATION

12606 S. MEMORIAL DR.
BIXBY, OK 74008

ISSUE			
NO.	DATE	DESCRIPTION	INT.
REVISION			
NO.	DATE	DESCRIPTION	INT.

THIS DOCUMENT IS
PRELIMINARY IN NATURE AND
IS NOT A FINAL, SIGNED AND
SEALED DOCUMENT.

Project Number: 919569	Scale: AS NOTED
Drawn By:	Approved By:
Drawing Name: BUDGETARY SITE PLAN	
Drawing Number: C100	

Notes

1. TITLE COMMITMENT PROVIDED FROM TRUSTMARK TITLE ACQUISITION GROUP, LLC, COMM # C20-018-1 ON JANUARY 25, 2020 AT 7:30 AM
2. THIS FIRM WAS NOT CONTRACTED TO RESEARCH EASEMENTS OR ENCUMBRANCES OF RECORD. NO ATTEMPT TO RESEARCH THE COUNTY RECORDS OR OTHER RECORD OFFICES WAS PERFORMED BY THIS FIRM, THEREFORE EASEMENTS MAY AFFECT THE SUBJECT TRACT THAT ARE NOT REFLECTED BY THIS PLAT.
3. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN. (CALL "OKIE" BEFORE DIGGING!!)
4. THE VERTICAL DATUM FOR THIS SURVEY IS BASED ON GPS DATA (NAVD83).
5. THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD83.

Legend

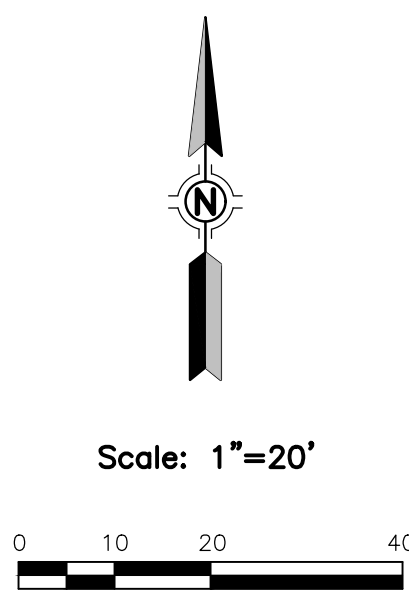
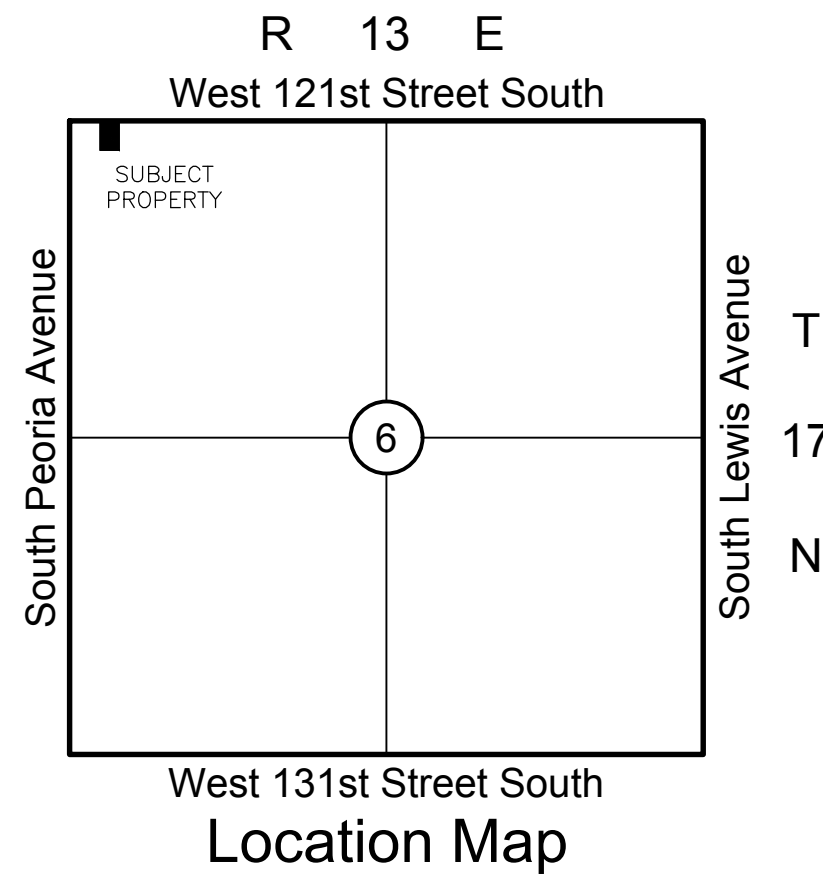
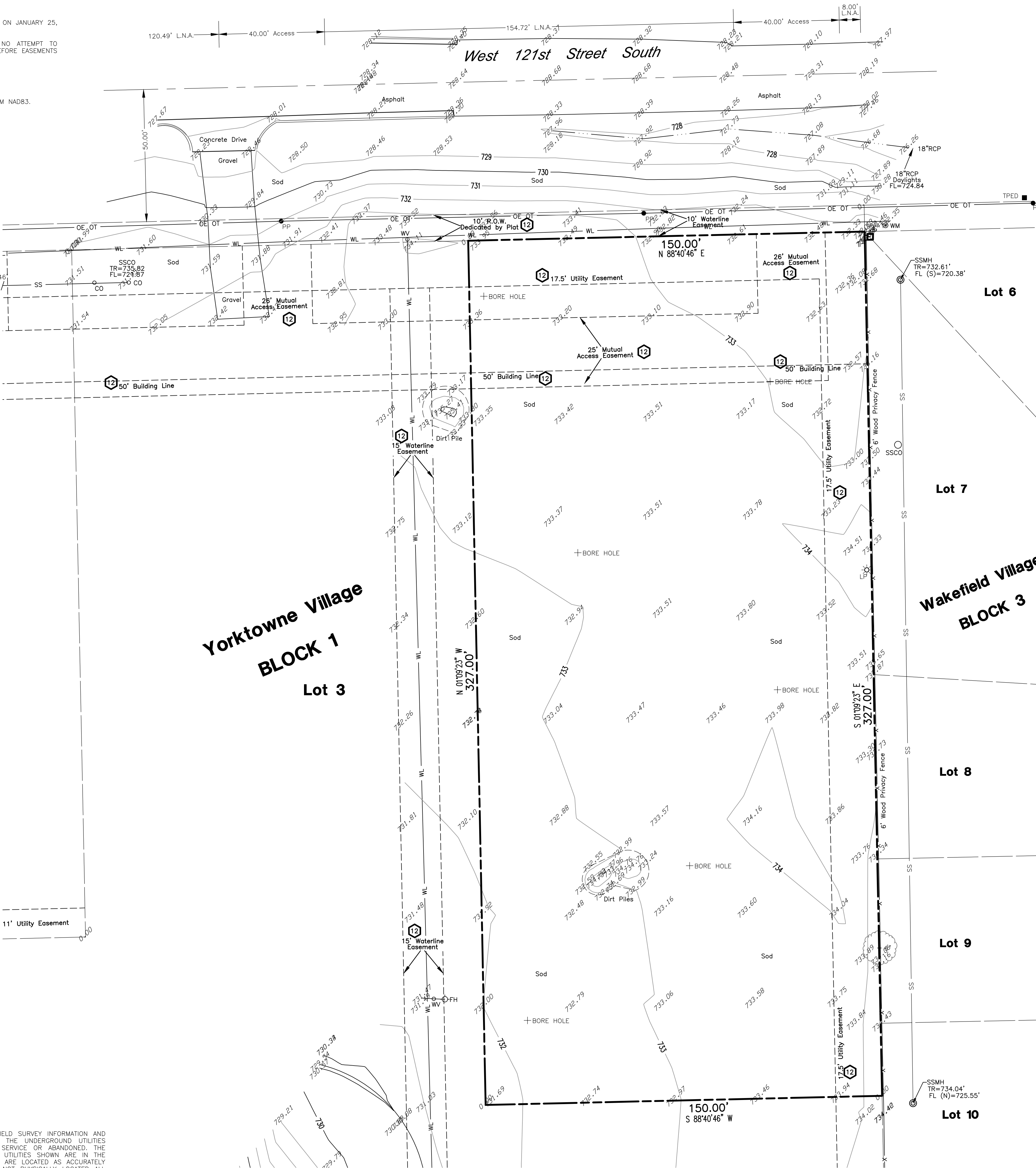
BM	BENCHMARK
CO	CLEAN OUT
PH	FIRE HYDRANT
FL	FLOW LINE
L.N.A.	LIMITS OF NO ACCESS
LP	LIGHT POLE
OE	OVERHEAD ELECTRIC
OT	OVERHEAD TELEPHONE
PP	POWER POLE
RCP	REINFORCED CONCRETE PIPE
R.O.W.	RIGHT OF WAY
SS	SANITARY SEWER LINE
SSCO	SANITARY SEWER CLEAN OUT
SSMH	SANITARY SEWER MANHOLE
TPED	TELEPHONE PEDESTAL
TR	TOP OF RIM
WL	WATER LINE
WM	WATER METER
WV	WATER VALVE

Easements

12. COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, AND BUILDING SETBACK LINES, AS DELINEATED ON THE PLAT OF YORKTOWNE VILLAGE, IN PLAT BOOK 6096 IN DOC #2007021789, AND ALL AMENDMENTS AND SUPPLEMENTS THERETO, IN THE COUNTY PLAT RECORDS AND AMENDMENT TO PLAT AND DEED OF DEDICATION OF YORKTOWNE VILLAGE, DATED FEBRUARY 23, 2009, FILED FEBRUARY 23, 2009 AS DOCUMENT NO.2009015496; AMENDMENT TO PLAT AND DEED OF DEDICATION OF YORKTOWNE VILLAGE, DATED MARCH 4, 2009, FILED MARCH 10, 2009 AS DOCUMENT NO. 2009021595 AND AMENDMENT TO PLAT AND DEED OF DEDICATION OF YORKTOWNE VILLAGE, DATED FEBRUARY 23, 2009, FILED MARCH 25, 2009 AS DOCUMENT NO. 2009027203. (PP) (AFFECTS SUBJECT PROPERTY AS SHOWN)
13. CONFIRMATORY CONVEYANCE AND ASSIGNMENT RECORDED IN DOC #2012012482 (ENTRY 564). (AFFECTS SUBJECT PROPERTY AS A BLANKET)
14. TERMS, CONDITIONS AND PROVISIONS OF ASSIGNMENT, BILL OF SALE AND CONVEYANCE IN FAVOR OF ON LINE OIL INC., DATED JULY 10, L 992, FILED JULY 16, 1992 AS DOCUMENT NO. 64156 AND RECORDED IN BOOK 5420, PAGE 1197 IN THE OFFICE OF THE TULSA COUNTY CLERK. (PP) (AFFECTS SUBJECT PROPERTY AS A BLANKET)

Utility Statement

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES.



Topographic Survey
of A Part of
Lot 3, Block 1
Yorktowne Village
City of Jenks, Tulsa County, Oklahoma

Surveyor's Certification

WE, BENNETT SURVEYING, INC., HEREBY CERTIFY THAT THE TOPOGRAPHICAL INFORMATION HEREON REPRESENTS A SURVEY PERFORMED UNDER OUR DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE.

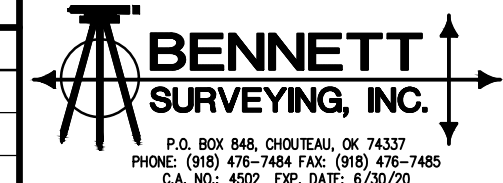
THIS TOPO SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

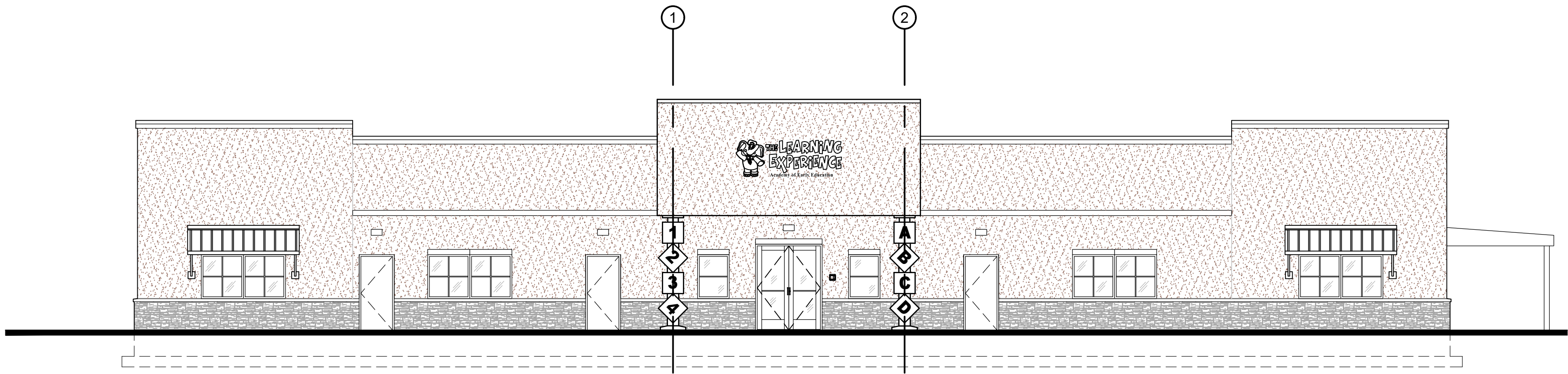
WITNESS MY HAND AND SEAL THIS 28TH DAY OF FEBRUARY, 2020.



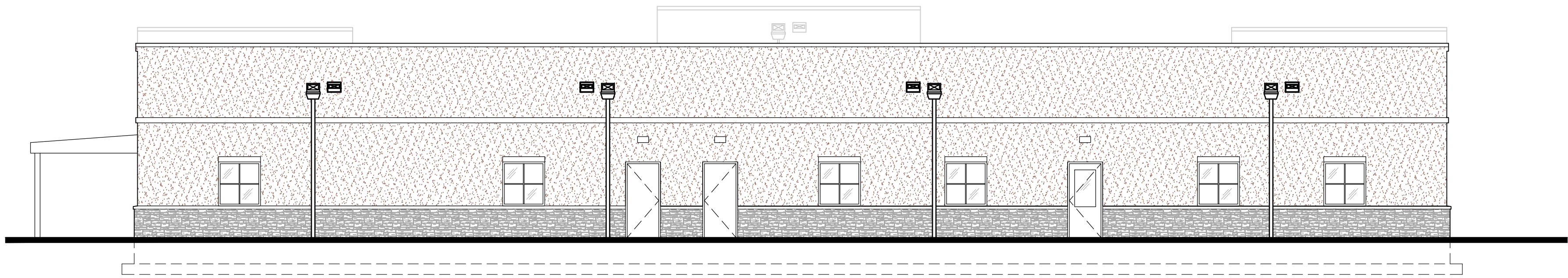
BY: CLIFF BENNETT
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1815

REVISIONS	BY	DATE
TITLE COMMITMENT	AS	3/23/20
FILE:	1713.06	SURVEY BY: RWE
ORDER:	200341	DRAWN BY: BAP
SURVEY DATE:	02/24/2020	CHECKED BY: CDB
DATE:	02/28/2020	SCALE: 1"=20'
SHEET	1	OF 1

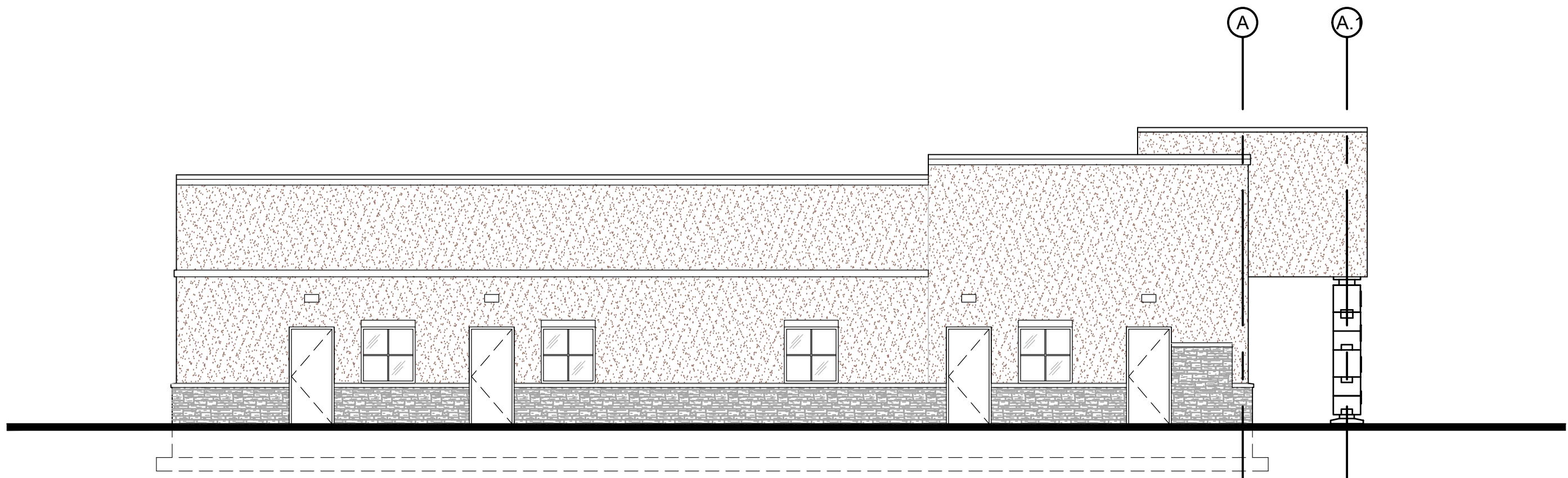




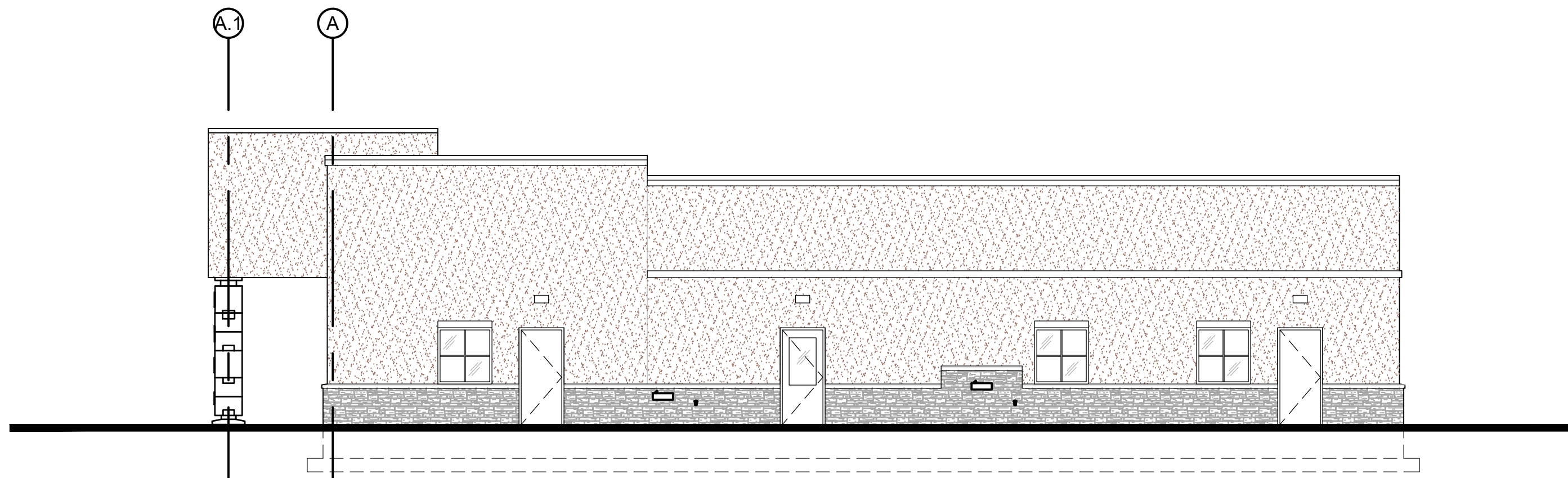
1 FRONT ELEVATION
SCALE: 1/8"=1'-0"



2 BACK ELEVATION
SCALE: 1/8"=1'-0"



3 LEFT ELEVATION
SCALE: 1/8"=1'-0"



4 RIGHT ELEVATION
SCALE: 1/8"=1'-0"

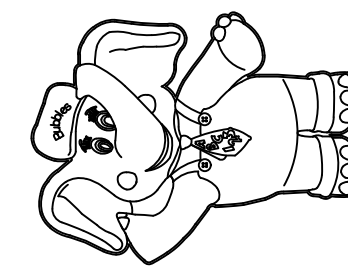
1. CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK USING THE CONTRACTOR'S BEST SKILL AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE AND HAVE CONTROL OVER CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCE, AND JOB SITE SAFETY.

2. GC MUST PROVIDE & INSTALL ALL PRODUCTS PER PLANS. ONLY SUBSTITUTED PRODUCTS NEED TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL. UNAPPROVED SUBSTITUTIONS WILL BE REPLACED AT THE EXPENSE OF THE GC.

3. VERBAL REPRESENTATION HAS NO VALUE AND ALL REQUESTS TO CHANGE ANY PRODUCTS OR SPECIFICATIONS PER PLANS, MUST BE SUBMITTED IN WRITING TO THE ARCHITECT & TLE FOR APPROVAL.

CASCO + R5
12 Sunnen Drive, Suite 100, St. Louis, MO 63143 T: 314.821.1100

THE LEARNING EXPERIENCE
ACADEMY OF
EARLY EDUCATION
12141 S Elm Street W.
Jenks, OK 74037



ISSUE

NO.	DATE	DESCRIPTION	INT.

REVISION

NO.	DATE	DESCRIPTION	INT.

Project Number: 919569	Scale: AS NOTED
Drawn By: ---	Approved By: ---

Drawing Name:
EXTERIOR ELEVATIONS

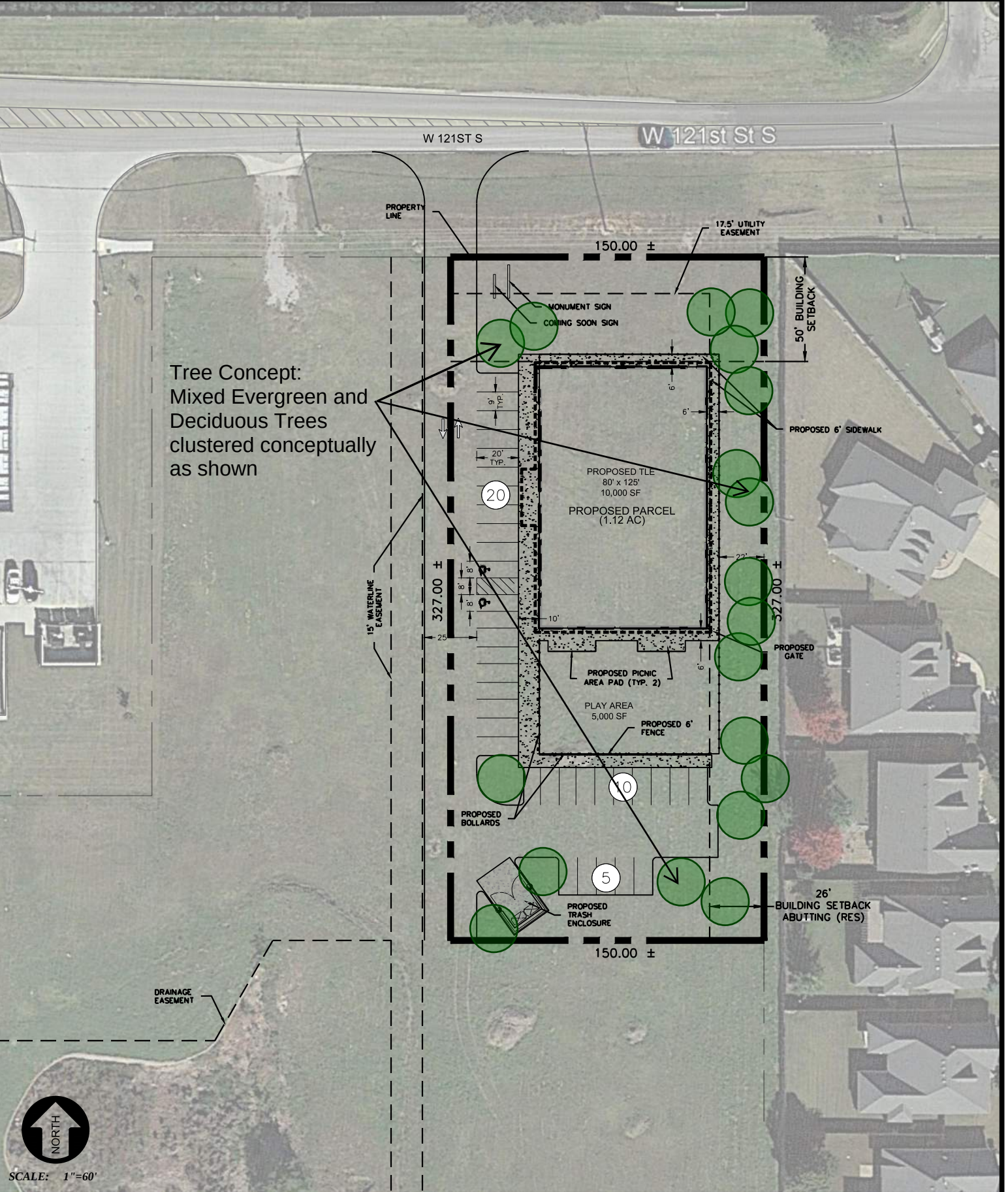
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A-051

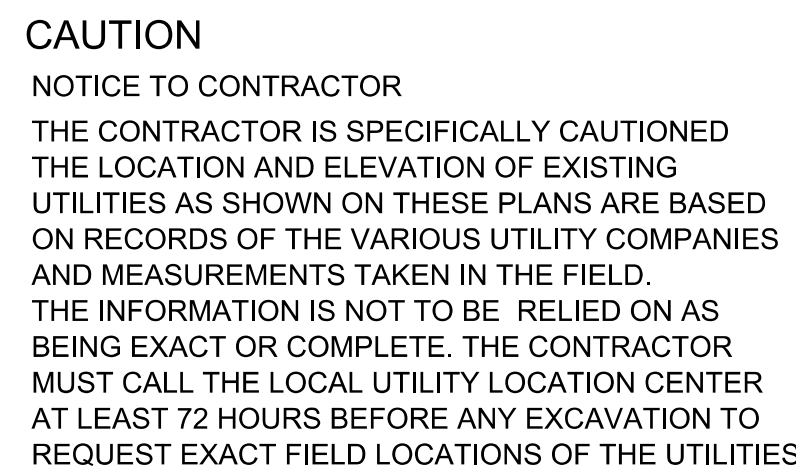
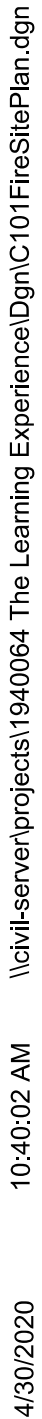
PRELIMINARY SITE PLAN

JENKS, OK
W 121ST STREET S & ELMS ROAD

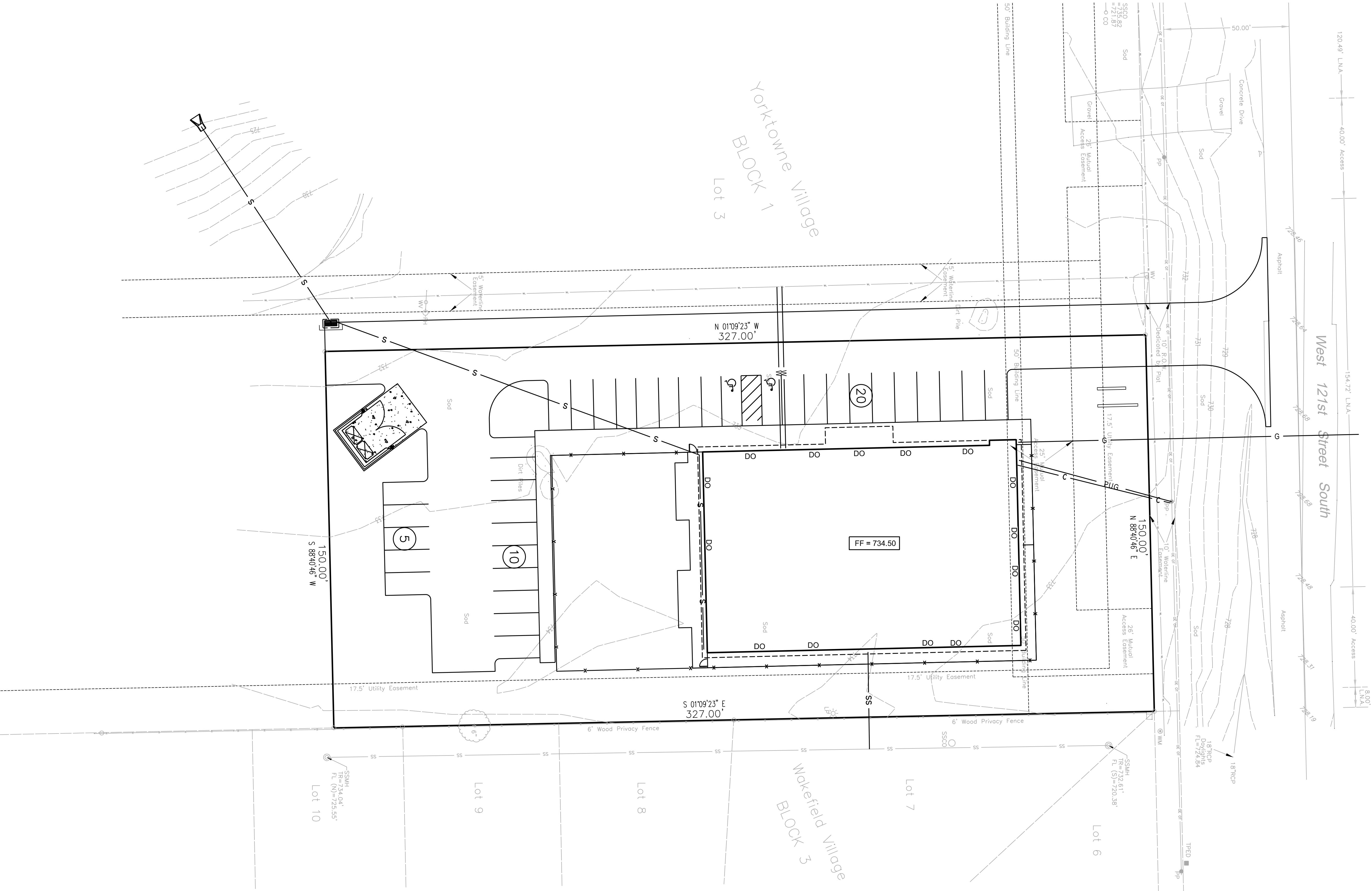
PROTOTYPE:			DATE:
BLDG/PLAY AREA: 10,000/ 5,000	COMPANY:	COMPANY:	8/28/2019
ACREAGE: ±1.12	NAME: BRAD SUMRALL	NAME: BRITTANY LEISHMAN	
PARKING SPACES: 35	PHONE #: 512-819-4732	PHONE #: 512-819-4734	

Tree Concept:
Mixed Evergreen and
Deciduous Trees
clustered conceptually
as shown





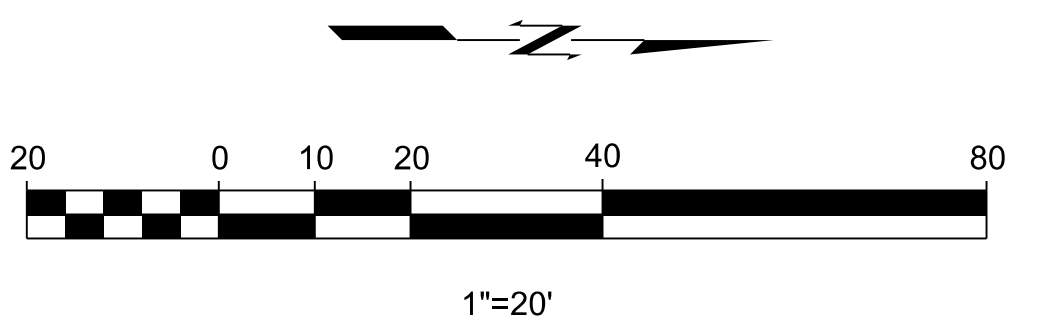
C101



Yorktowne Village
BLOCK 1
Lot 3

Wakefield Village
BLOCK 3

+



PRELIMINARY SITE PLAN

JENKS, OK
W 121ST STREET S & ELMS ROAD

PROTOTYPE:			DATE: 8/28/2019
BLDG/PLAY AREA: 10,000/ 5,000	COMPANY:	COMPANY:	
ACREAGE: ±1.12	NAME: BRAD SUMRALL	NAME: BRITTANY LEISHMAN	
PARKING SPACES: 35	PHONE #: 512-819-4732	PHONE #: 512-819-4734	

BUILDING SETBACKS:

FRONT: 50'
SIDE: 26' @ RES
REAR: 0'

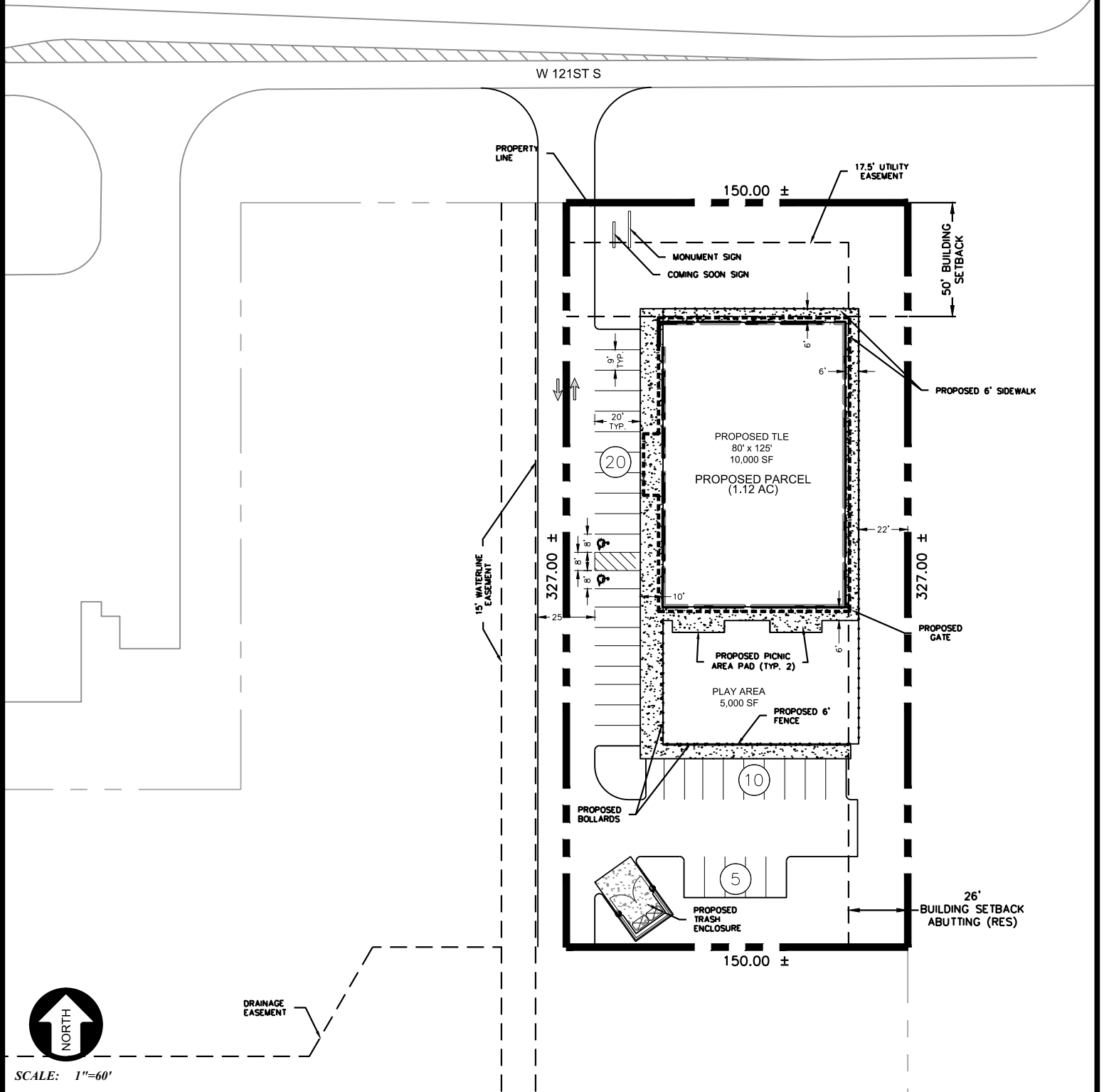
JURISDICTION:
CITY OF JENKS, OK

REQUIRED PARKING:
PARKING EQUATION 1/400 SF
= 25 SPACES REQ.

MINIMUM DIMENSIONS
DRIVE AISLE: 25'
STD. STALLS: 9' X 20'

NOTES & ISSUES:

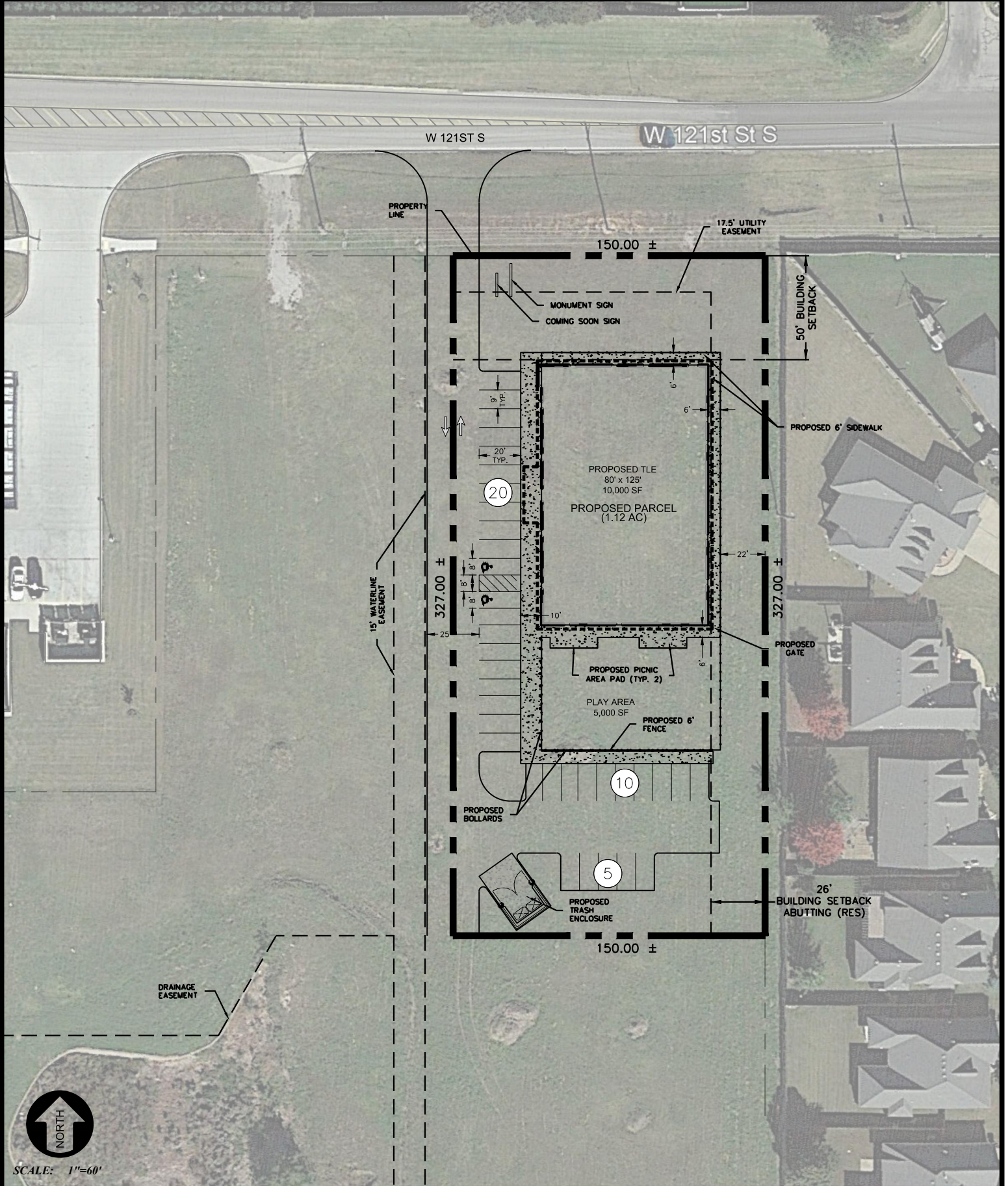
1. Site layout based on aerial data only. Lot lines and property dimensions need to be verified by ALTA/ACSM survey.
2. Landscape, utility, drainage, and signage requirements have not been reviewed.
3. Current zoning is: Commercial Shopping Center District



PRELIMINARY SITE PLAN

JENKS, OK
W 121ST STREET S & ELMS ROAD

PROTOTYPE:			DATE:
BLDG/PLAY AREA: 10,000/ 5,000	COMPANY:	COMPANY:	8/28/2019
ACREAGE: ±1.12	NAME: BRAD SUMRALL	NAME: BRITTANY LEISHMAN	
PARKING SPACES: 35	PHONE #: 512-819-4732	PHONE #: 512-819-4734	



The Learning Experience is the fastest-growing childcare operator and franchisor in the United States. Having experienced unprecedented growth, TLE has over 300 centers open or under development in over 20 states, plus an enrollment of more than 25,000 kids from 6 weeks to 6 years of age. TLE is the most technologically driven company in the industry with our cutting-edge mobile apps, use of mobile devices, and superior security features. We believe in providing a well-rounded education to children of all ages that extends beyond ABCs and 123s.

The following is information regarding The Learning Experience® and our operations. If you have any questions, please feel free to contact us.

The Learning Experience has child development centers throughout the United States. Our secure centers offer premier child care to children ages six weeks to five years: infants, toddlers, twaddlers, preppers, preschoolers, pre-K, kindergarten and after school care for children up to eight years of age at most of our centers.

The Learning Experience is not just a daycare facility but also a complete child development center. We welcome you to visit any one of our dynamic and fun environments to see for yourself why The Learning Experience is different and how committed we are to quality care and intellectual child development education of our children.

You want the best for you children and so do we! Our Charlie Choo Choo® Enrichment Programs: Marvelous Math®, Start to Art®, Suddenly Science®, Movin' n Groovin'®, Dancing Feet®, Music 4 Me® and Talent Sprouts® introduces children to the performing arts through a variety of activities involving all aspects of performance.

The Learning Experience believes that each child deserves to grow and learn at his or her own pace. Our diverse curriculum includes: L.E.A.P® 1, L.E.A.P® 2, Little Learners™ and Fun with Phonics®. Our responsibility is to establish a strong foundation for your child in a fun and exciting environment.

The Learning Experience is one of the most comprehensive franchise business opportunities in childcare today. It is one of the few childcare operators in the country where management has direct hands on experience with the day to day operations of the business. Following is some specific information regarding our Operations:

learn. play. grow.

Hours of Operation

- 6:30am-6:30pm (12 hours per day)
- Occasional activities on nights & weekends (Open Houses, parties, etc.)

Size of the building

- 10,000 square ft. building

Size of playground

- 5,000 square ft. typical
- Larger playgrounds are required in certain states, i.e. (8,000 square feet in AZ and 12,000 square feet in CA)

Overall average enrollment

- 80% Occupancy

Capacity of the center

- 165-190 children (varies per county and state licensing)

Children Diapered/Potty Trained

- Average center: 40 children diapered, 38 children potty training, 105 children non-diapered

Part time children attendance

- Typical center has 25% part-time students

Part time schedules

- Schedules vary (am students to pm students)

Families with siblings

- Approximately 20% have one or more siblings attending

Absenteeism rate

- Approximately 8% - 12%, per day

Number of employees

- Approximately 24 staff at any one time
- 30% Are part time

Number of parking spots

- 350-40 dedicated parking spots

Traffic

- Each parent parks their vehicle in The Learning Experience parking area and brings their child into the center. Their child is checked in at the reception counter. Subsequently, the parent then brings their child to their designated classroom. The reverse of this occurs at pick up.
- During drop off (average 5 minutes) generally between 6:30 am to 9:30 am
- During pick up (average 8 minutes) generally between 4:00 pm to 6:30 pm

Traffic during drop off (average 5 minutes):

- 6:30am-7:00am (11 children)
- 7:00am-7:30am (28 children)
- 7:30am-8:00am (43 children)
- 8:00am-8:30am (43 children)
- 8:30am-9:00am (29 children)
- 9:00am-9:30am (29 children)

Calculations based on a center with the capacity of 183

Traffic during pick up (average 8 minutes):

- 3:30pm-4:00pm (11 children)
- 4:00pm-4:30pm (28 children)
- 4:30pm-5:00pm (43 children)
- 5:00pm-5:30pm (43 children)

- 5:30pm-6:00pm (29 children)
- 6:00pm-6:30pm (29 children)

Calculations based on a center with the capacity of 183

Drop-off and pick-up policies:

From the moment your child arrives until he or she is picked up at the end of the day, your child's safety is our foremost concern. No child shall ever be left unsupervised. Our center is equipped with an intercom/telephone in each classroom for emergency use. Procedures for arrivals and departures are designed to ensure the safety and well-being of everyone at the center. Your cooperation in complying with the following procedures is appreciated:

- Parents are to use only the front door for entering and exiting.
- Never hold the door open for anyone. Each authorized individual receives a key fob that he/she must use to obtain entry into the building.
- Children must be walked into the building by a parent or authorized guardian and placed with their assigned center *staff member*. Never leave a child outside the building to walk in alone or allow him or her to walk in accompanied solely by another child.
- Parents must complete the electronic sign-in and sign-out process as well as the manual sign-in sheet on a daily basis and any applicable forms requested by the center (e.g., medication, Communication Form). All completed forms must be placed in the Lucite bins provided in the reception area.
- When picking up your child, be certain that a The Learning Experience staff member(s) in charge of your child's care acknowledges that your child is leaving the building and remember to electronically and manually sign out. *A manual sign in/out is a state requirement.*

Safety and Security

The Learning Experience has instituted security systems as an effective means of protecting our children. This may include:

- Gates and fences surrounding the property with alarms on gates.
- Special locks at entrance with limited access.
- Cameras throughout the center for the purpose of monitoring a secure environment and for observation by both administration and parents.

- Windows on the doors allow parents the opportunity to view the child's activities without disturbing the integrity of the classroom environment.

Release of Children

Security fobs are issued to each authorized person who will be routinely dropping off and picking up your child. Please do not give or exchange your fob with anyone since each fob has its own PIN number, identifying you in the computer system. It is imperative for security purposes that the center is aware of each person coming or going.

On any occasion when a person without a security fob or pass must pick up your child, the person's name must be in your file. He or she will be asked for a photo identification, which will be photocopied and placed in your child's file for future reference. A child will not be permitted to leave with any person other than those designated in writing by the parent. Always remember your password. You may be asked to provide the password when phone authorization is required. If there are any changes to those authorized to pick up your child or if you will be carpooling with other parents, please advise us in writing. Parking is permitted in The Learning Experience designated parking spots only.

Playground

Children of all ages are encouraged to participate daily in at least two occasions of age appropriate outdoor time, weather permitting for a minimum of 30 minutes per increment. The children are always supervised during outdoor play.



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 PLANNED UNIT DEVELOPMENT AMENDMENT LOCATED IN THE CITY OF JENKS, OKLAHOMA

JZ 20-656 PUD 16 Amendment

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, Oklahoma¹, at 6:00 p.m. on 04 June 2020, in consideration of the following:

An application to approve a Request by Jim Beach of Wallace Engineering for an Major Amendment of PUD 16

Legal Description: The east 150.00 feet of the north 327.00 feet of Lot 3, Block 1, Yorktowne Village, a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the recorded plat thereof

General Location: East of the SE corner of S Elm Place and E 121st Street

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

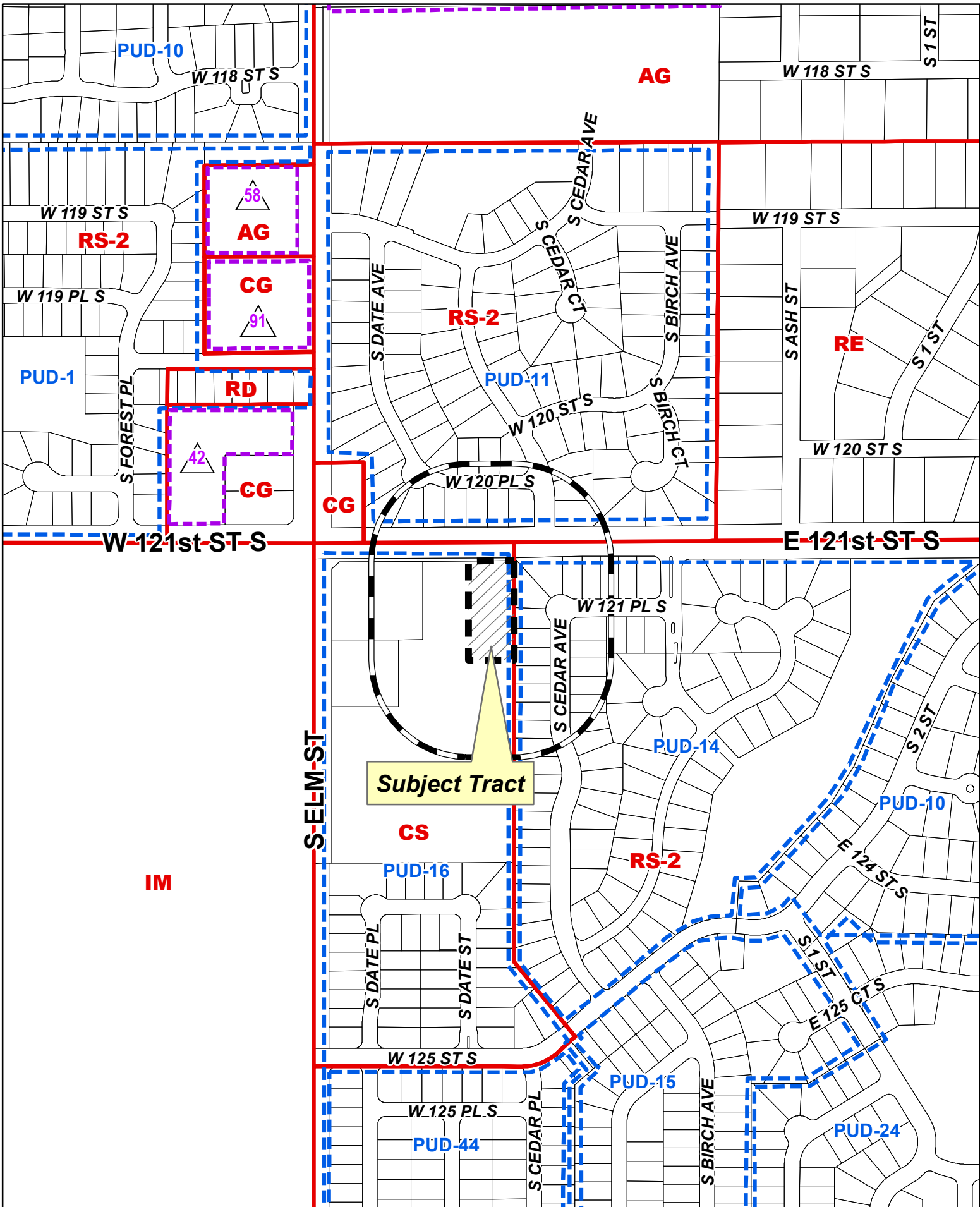
Dated at Jenks Oklahoma on 15 May 2020.

Marcae Hilton, Secretary
Jenks Planning Commission

¹ COVID-19 Disclaimer

Currently, all City of Jenks public meetings are being held remotely and live-streamed on the City of Jenks YouTube channel:

<https://www.youtube.com/channel/UCWt1XZsmHhYbelDaQ91XopA>. If you have a public comment to add to the public record, please email it along with your name and address to the City Clerk at bmacy@jenksok.org by noon on the day of the meeting to be read at the appropriate time. You may also call the City Clerk at 918-209-4903 to have a comment taken or leave a letter in the utility drop box at City Hall. These options must be done by the end of business the day before the meeting (name and address still required). Please call or email with any questions.

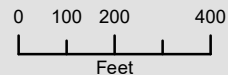


300' Radius



Subject Tract

JZ 20-656/
PUD-16



06 17-13



Jenks | PC Staff Report



To	Planning Commission
Hearing Date	June 04, 2020
Case Numbers	JZ 20-655, JZ 20-654 PUD 120, ROW-UEC 20-74
Request	4 (Four) Approvals for the Fiddler Acre Project 1. Comprehensive Plan Amendment (Pending CC Approval) 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 | After discussion with Staff and applicant the Comp Plan was the only item heard at the regularly scheduled Planning Commission meeting of May 21, 2020. Staff recommended the rezoning, PUD, Plat and UE closure be tabled to the next regularly scheduled meeting pending City Council approval of the requested Comprehensive Plan amendment, heard on June 2, 2020.

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 and ultimately south.

This property 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 applicant on behalf of the landowner (Mr. Fidler) 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

HEARING DATES: PC MAY 21, APPROVED

CC JUNE 2, PENDING AT TIME OF REPORT

This request was considered, on the applicant's part, an actionable way 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” ...

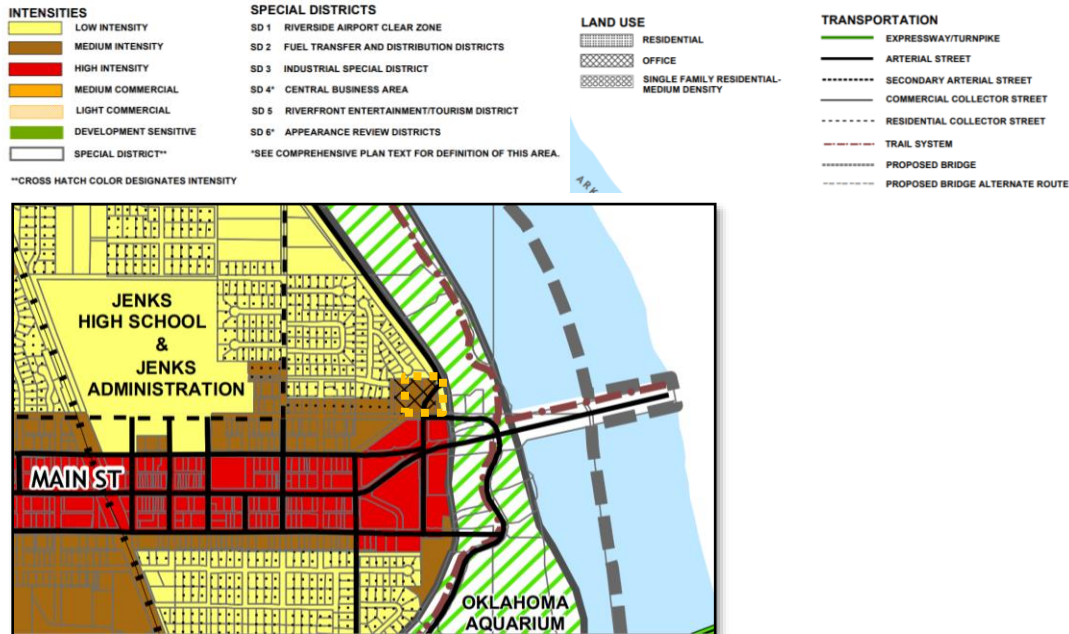


Figure 1: Comprehensive Plan Map

No Consideration at this time, item previously approved | 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.)

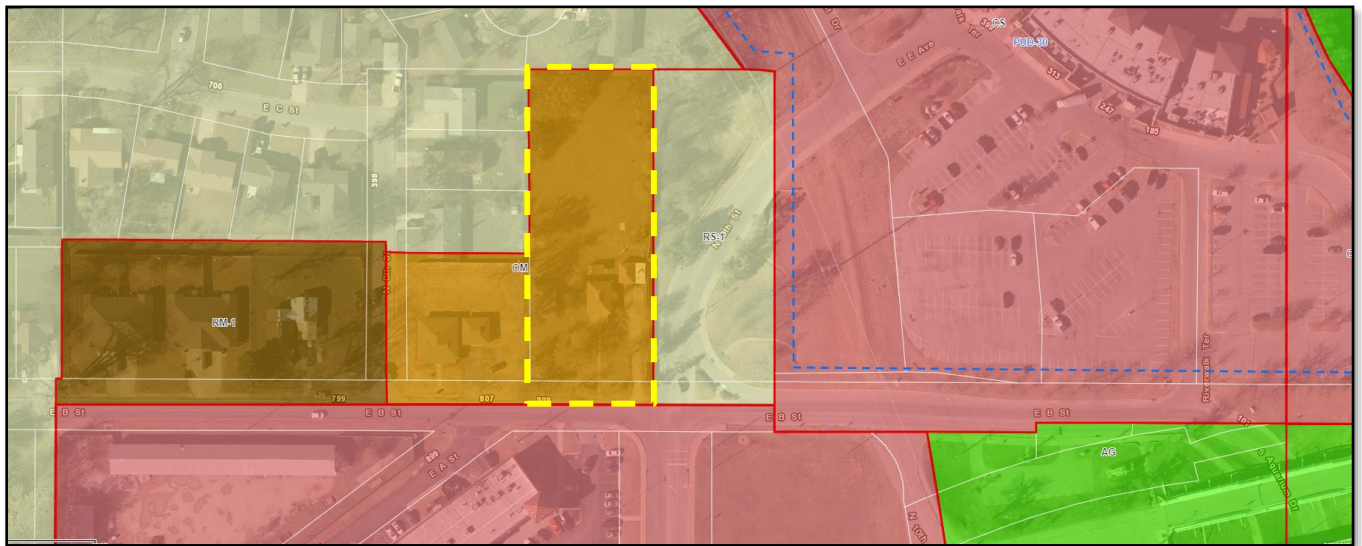


Figure 2: Zoning Map

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

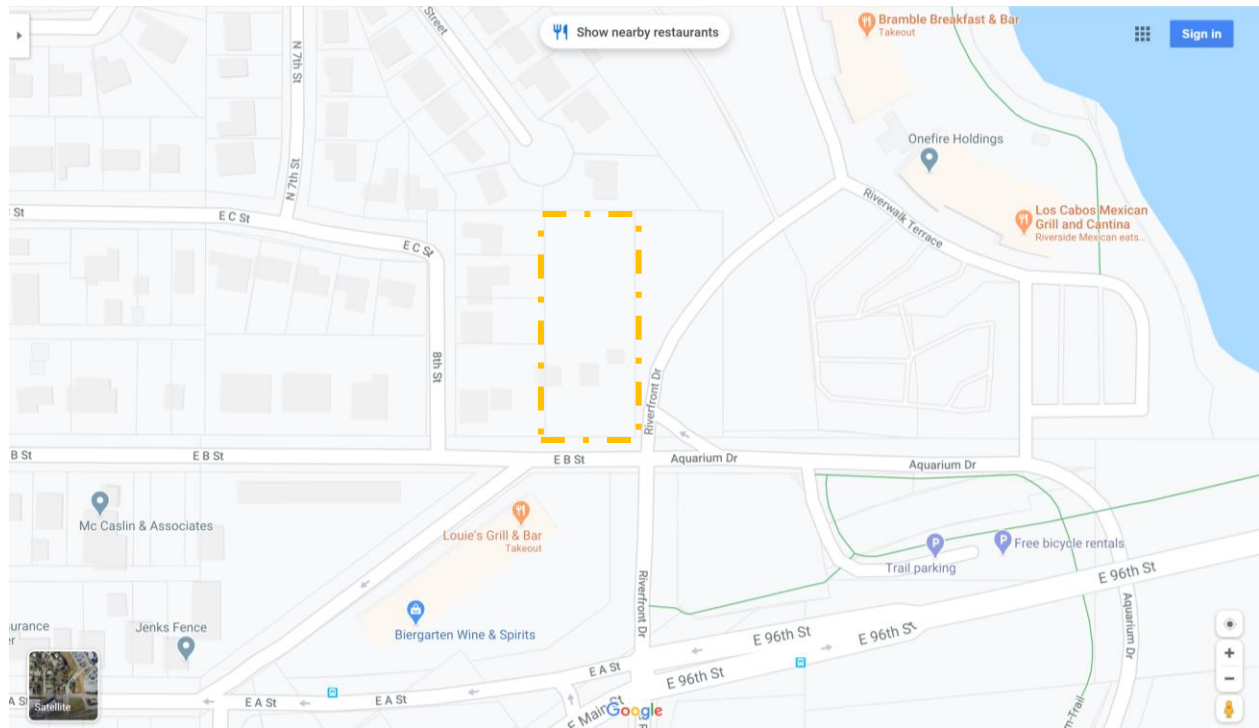


Figure 3: PUD Location on Google Map

The applicant has revised and resubmitted PUD-120 to include comments received at the Planning Commission meeting held on May 21, 2020.

The property 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,

Uses Prohibited in PUD: 2, 4, 5, 8, 10, 13, 14, 19, 20, 21

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?

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. Resubmit with 17.5 perimeter easements
6. Work with City Engineer on engineering comments (none at this time)
7. Work with TAC to resolve comments

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

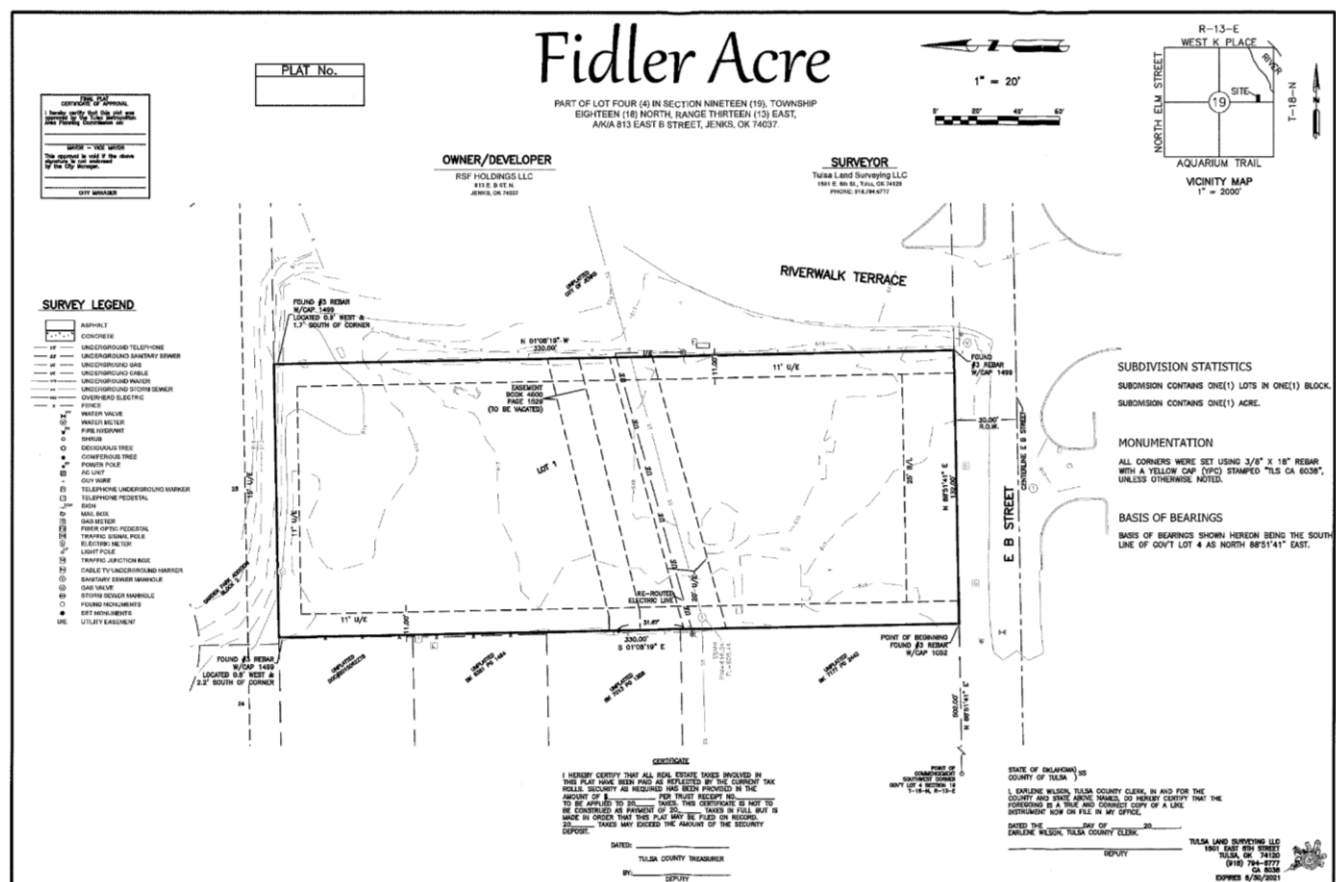


Figure 4: Excerpt from Riverwalk Crossing Plat | PUD-30

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.

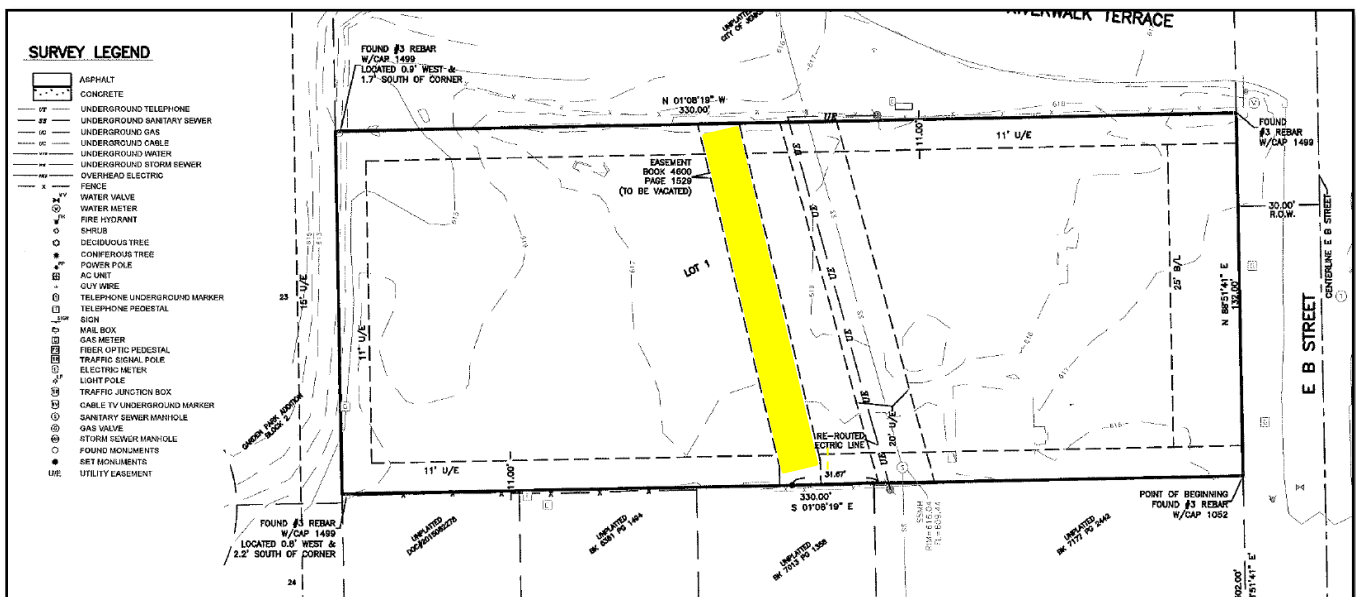


Figure 5: Preliminary Plat with Easement Closure identification.

Consider | Staff and TAC recommend closure of Utility Easement

Evaluation | Staff previously 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 (they were read during the Public Hearing and addressed May 21, 2020). 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 Compete List

PUD

1. Submit revised PUD matching approval comments
2. Include any new comments regarding the PUD language changes in Deed of Dedication of Final Plat
3. SCREENING
 - a. Add landscaping adjacent to fence, including evergreen trees to prevent sound leakage into the residential neighborhood. (Protect neighbors with screening, shrubs and trees/landscape)
 - b. Screening should provide security and noise protection for residential neighborhood
 - c. 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 property line in lieu of wood
 - d. Provide details for review
4. Page 5, what is the FAA?
5. Move "West" building set back -recommend 10 minimum
6. 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

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

PLAT

8. Confirm street name "Riverwalk Terrace" correct as needed
9. Submit revised Plat plans before filing with Tulsa County

10. Add Limits of No Access to north boundary prohibiting future access to East "E" Street
11. Resubmit with requested 17.5 perimeter easements
12. Work with City Engineer on engineering comments (none submitted at this time)
13. Work with TAC to resolve comments

Recommendation

4 Approvals | 4 separate votes for the Fiddler Acre Project

Comprehensive Plan Amendment if approved by City Council on May 2, 2020 PC may hear the following items:

1. Rezoning
 - *Staff recommends approval of the River Oriented Commercial zoning*
2. Planned Unit Development (Overlay Zoning)
 - *Staff recommends conditional approval (per staff, PC) of the Planned Unit Development (PUD-120)*
3. Utility Easement closure
 - *Staff recommends approval of closing the utility easement and understands the plat will cover any necessary new easements for relocation of utilities. The City of Jenks has established that it has NO present or future reason to reopen or use the easement, therefore foreclosure of the right to reopen the easement will not be disputed in district court*
4. Preliminary/Final Plat | Fidler Acre
 - *Staff recommends approval of the Fidler Acre plat per comments*

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
14.	Shopping Goods and Services		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
		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.

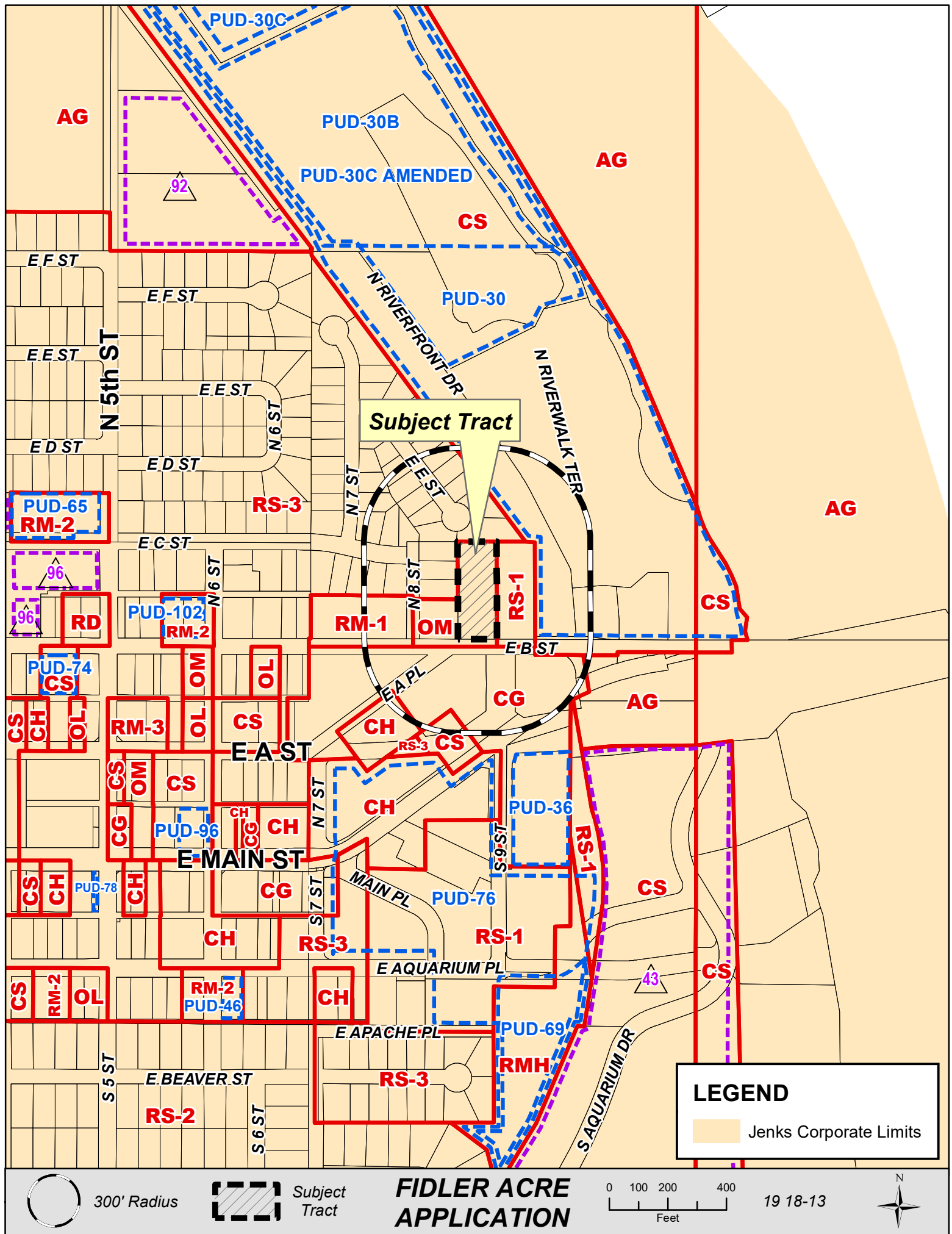
It is requested that the Jenks Comprehensive Plan Map and Comprehensive Plan Text be amended to reflect these changes and the designations as identified.

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 'R. Bell', with a stylized, flowing script.

Robert Bell
Bell Land Use



The Entrance to the
Riverfront Entertainment District
Jenks Oklahoma

Planned Unit Development Number 120

A River Oriented Commercial Development

Riverfront Drive and “B” Street



An RSF Holdings Development

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VII. Existing Zoning and Comprehensive Plan	8
VIII. Riverfront Drive and “B” Street Access	8
IX. Site Plan Review	8
Exhibit A	Conceptional Site Plan
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 a Major Amendment to the PUD.

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 and will be listed as permitted outright in the PUD. In protection of surrounding properties, The Planned Unit Development will restrict lodging and Shopping Goods uses outside of an accessory to the restaurant use of 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

(Shopping Goods that are generally associated with an established restaurant and located in the facility are recognized as an accessory use and shall be permitted)

Outside seating may be allowed on the east side of the proposed building, but no amplified sound shall be permitted outside of the enclosed areas of the building.

Note: Modification of uses as identified in the ROC Zone but not listed as Permitted in PUD 120 may be possible through a major amendment to the PUD in consideration of specific site plan design.

Minimum Setback from North Property Line:	10 Feet
---	---------

Minimum Setback from East Property Line (3 rd 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:	Use Unit 12	10% of lot area
	Use Unit 11	15% of lot area

Screening:

An eight-foot wood 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 12 feet in height. A professional lighting plan shall be submitted with the Building permit. 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 in the rear half of the lot and shall be enclosed from public view utilizing same building materials of the primary structure located within the development.

Restaurant developments are required to provide 10% lot area to be developed for landscape purposes. Office developments are required to provide 15% lot area to be developed for landscape purposes.

A Landscape Plan shall be required to be submitted with the Building Permit and shall incorporate the following criteria.

1. Evergreen Trees shall be planted along the north property line at a minimum recommended spacing for the species planted.
2. An architectural feature shall be established between the Office parking lot to the west and the entrance road from “B” Street. This feature could be fencing, bollards, wall, etc. The intent is to protect parking lot from activity on the entrance road.

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. Site Preparation

No Pneumatic or powered stamping of ground for compaction requirements shall be allowed. All compaction requirements must be performed by rolling.

V. Parking

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

VI. 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.

VII. 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).

VIII. 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.

IX. 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



THE NEW YORK PUBLIC LIBRARY
ASTEN LENOX TILDEN FOUNDATION
455 FIFTH AVENUE

EXHIBIT 'B'

Plat
Page 2

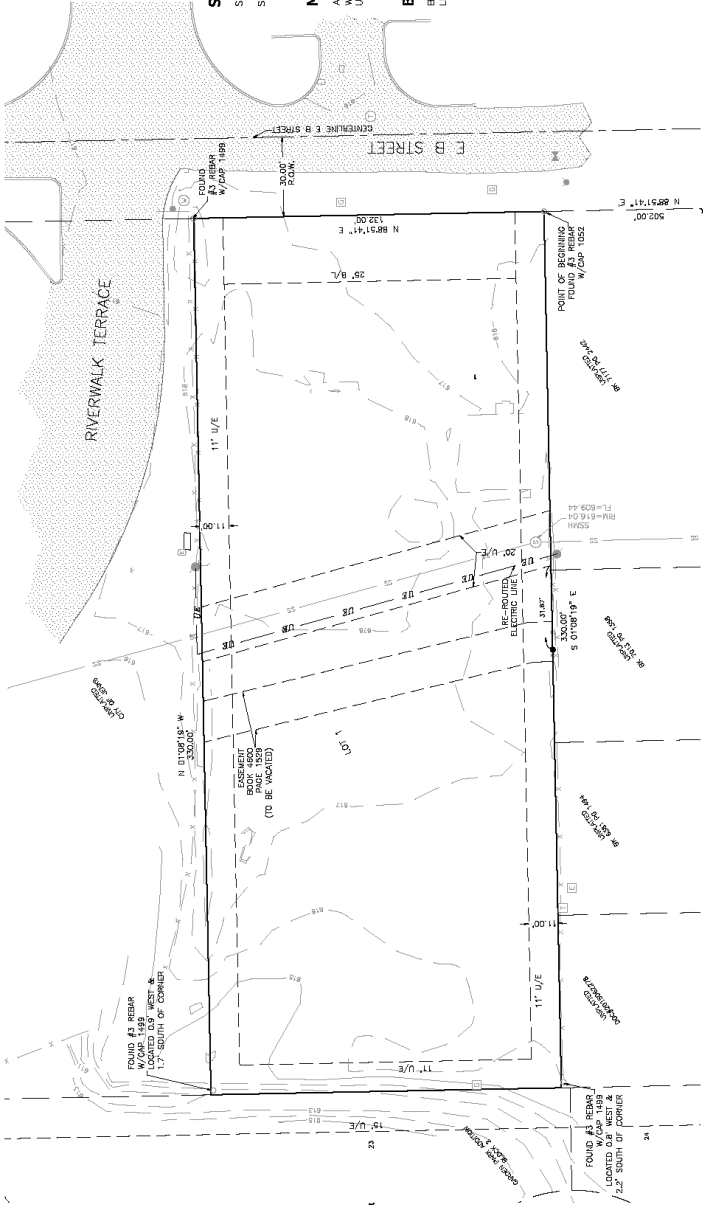
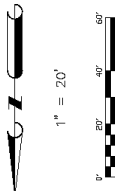
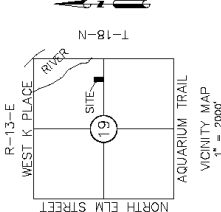
Deed of Dedication
Page 3

PLAT No.

Mayor - VICE MAYOR

SURVEYOR
Tulsa Land Surveying LLC
1601 E. 9th St., Tulsa, OK 74120
PHONE: 918.794.9777

PART 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	
APPLY	CONCRETE
1	UNDERGROUND WATER
2	UNDERGROUND GAS
3	UNDERGROUND FUEL
4	UNDERGROUND WATER
5	UNDERGROUND WATER
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100	UNDERGROUND WATER

SUBDIVISION CONTAINS ONE(1) ACRE.

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 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 \$_____ FOR TRUST PROTECTION. IT IS NOT 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 20____ DEPOSIT.

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 20 DAY OF 20
EARLENE WILSON, TULSA COUNTY CLERK.

DATED: _____
TULSA COUNTY TREASURER
BY: _____ DEPUTY

LAND SURVEYING LLC
001 EAST 6TH STREET
TULSA, OK 74120
(918) 794-5777
CA 6036
EXPIRES 6/30/2021

EXHIBIT 'C'

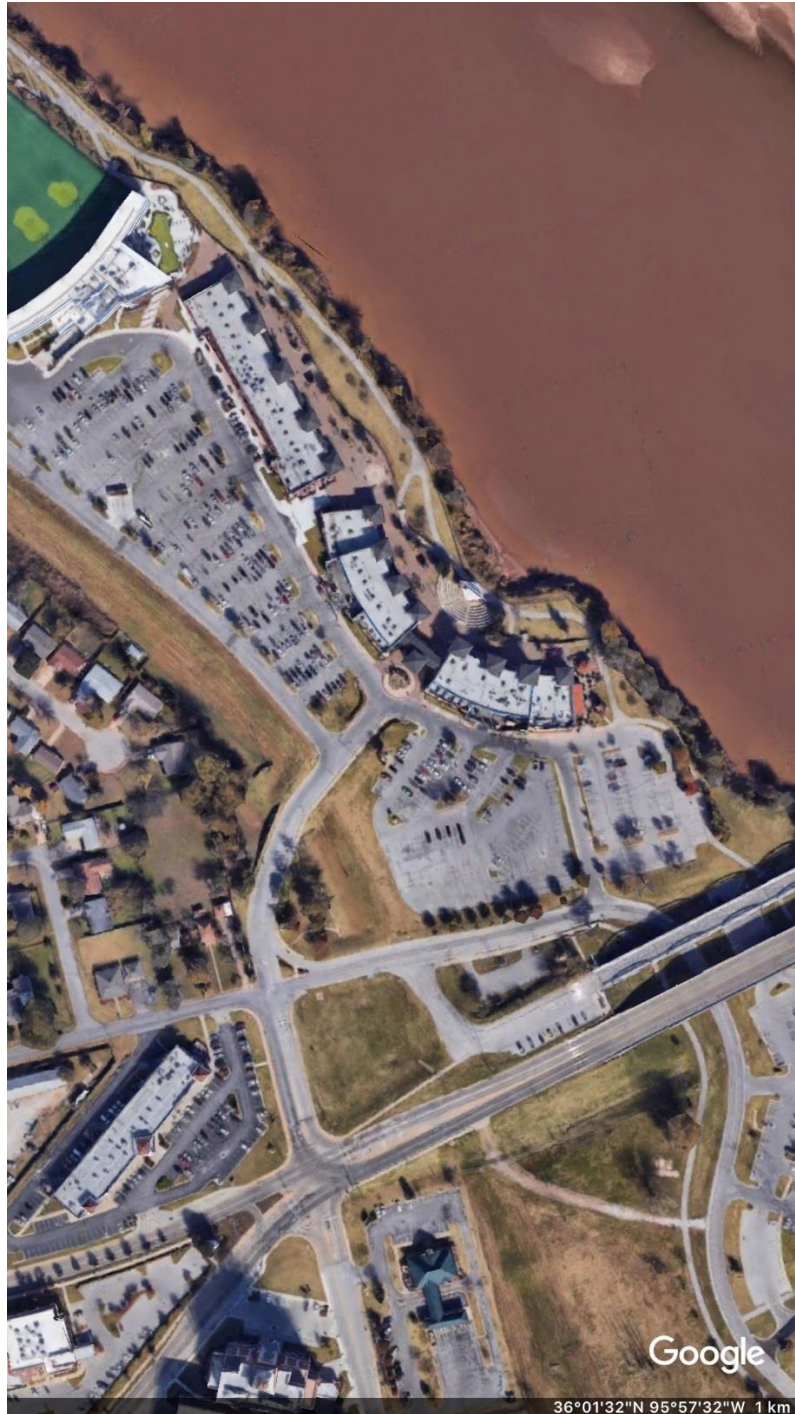


EXHIBIT 'D'



EXHIBIT 'E'

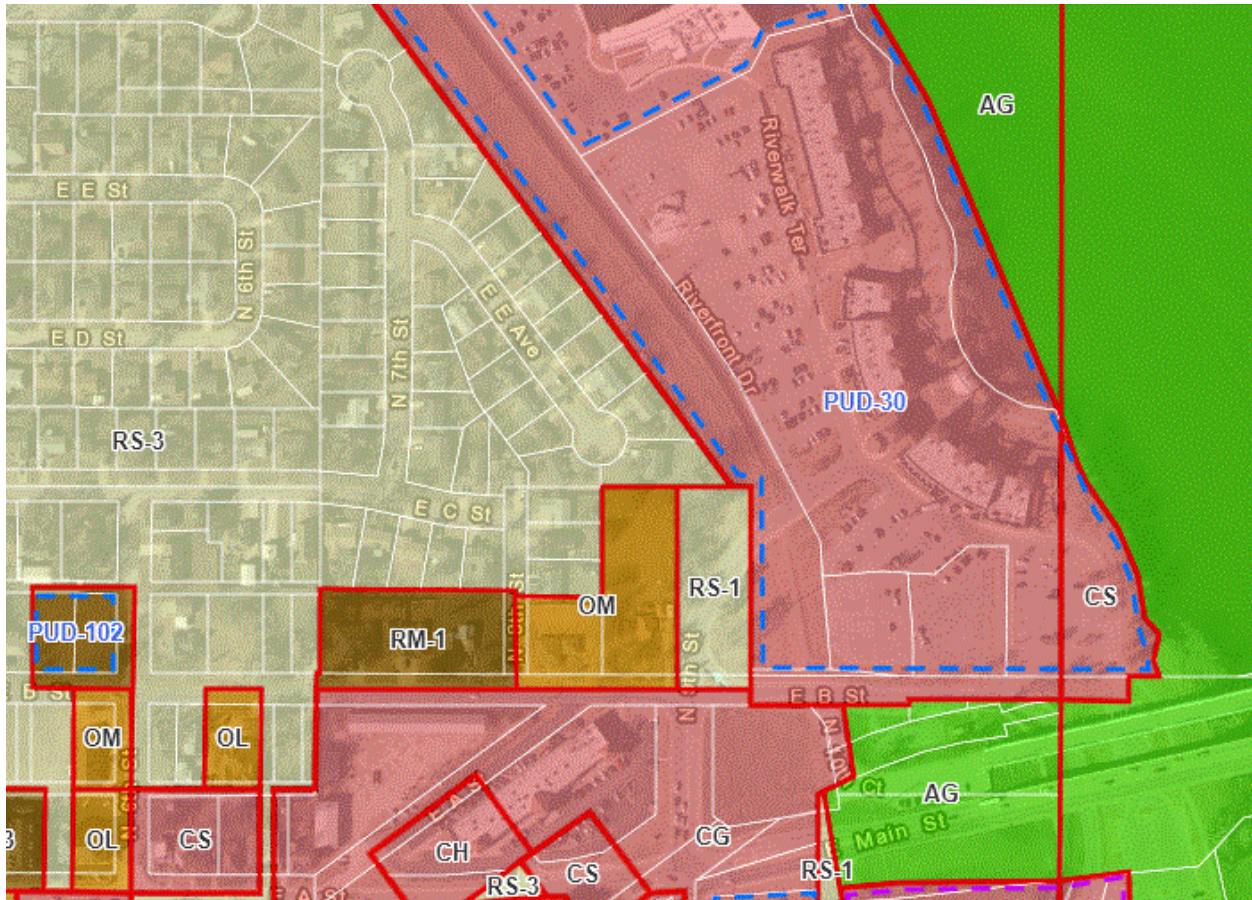
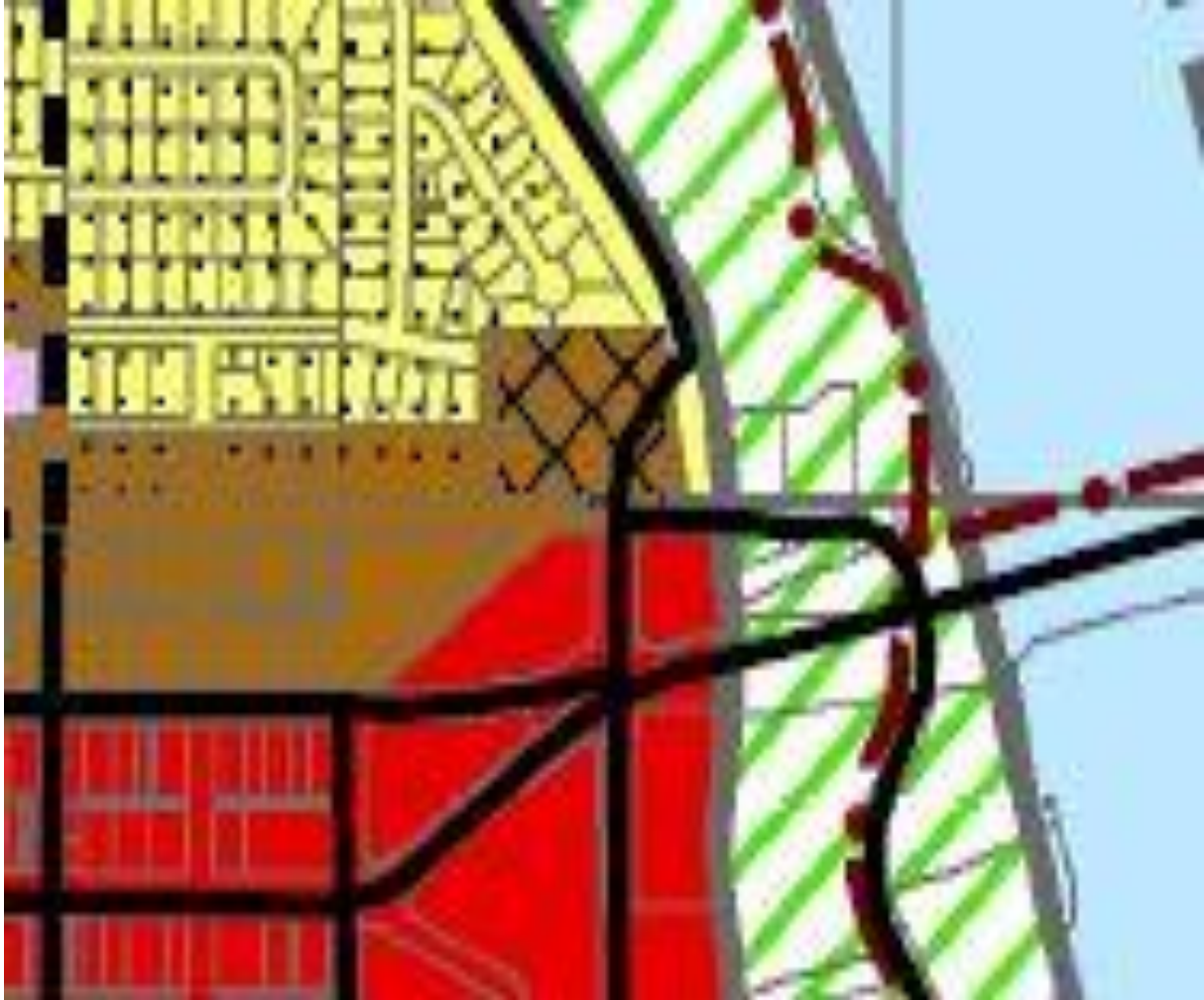


EXHIBIT 'F'



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

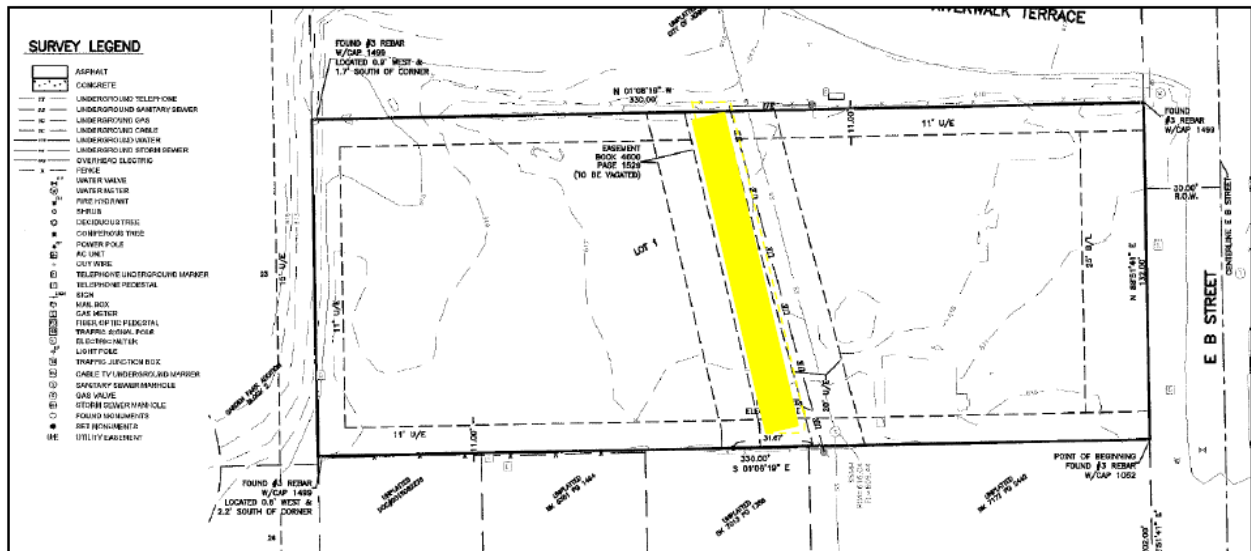


EXHIBIT "A"
PROPERTY LEGAL DESCRIPTION

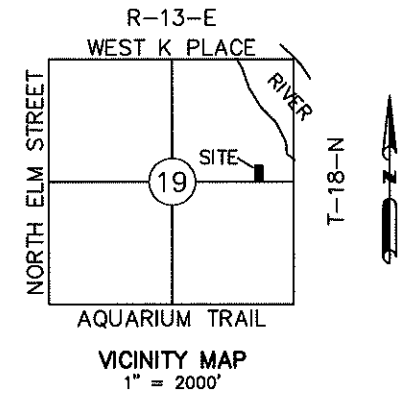
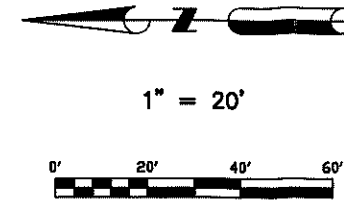
PART OF GOVERNMENT LOT FOUR (4) IN SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) NORTH,
RANGE THIRTEEN (13) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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
- 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

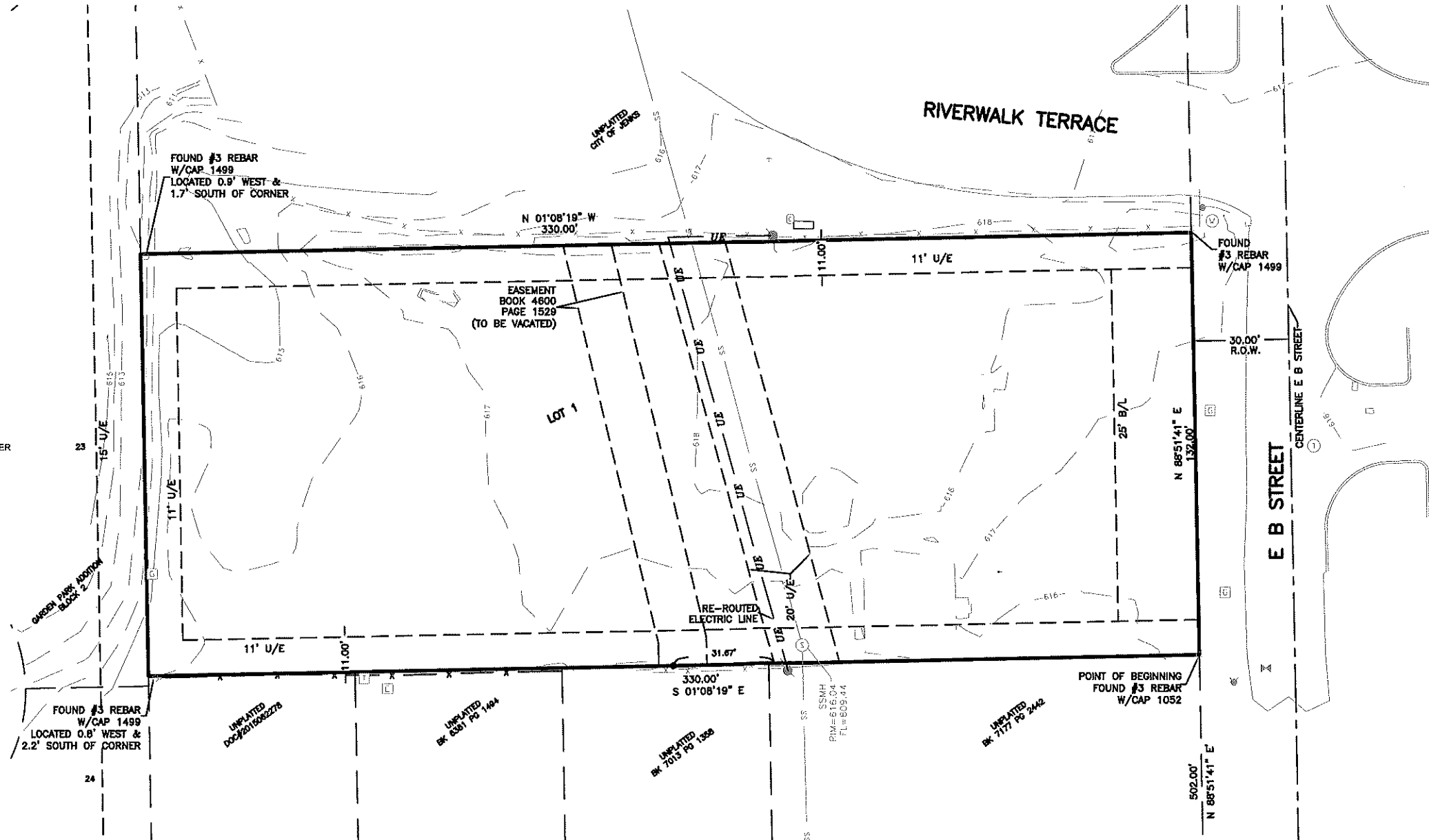
SUBDIVISION CONTAINS ONE(1) LOTS IN ONE(1) BLOCK.
SUBDIVISION CONTAINS ONE(1) ACRE.

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



The Entrance to the
Riverfront Entertainment District
Jenks Oklahoma

Planned Unit Development Number 120

A River Oriented Commercial Development

Riverfront Drive and “B” Street



An RSF Holdings Development

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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

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12. Eating Places Other Than Drive-Ins

(Shopping Goods that are generally associated with an established restaurant and located in the facility are recognized as an accessory use and shall be permitted)

Outside seating may be allowed on the east side of the proposed building, but no amplified sound shall be permitted outside of the enclosed areas of the building.

Note: Modification of uses as identified in the ROC Zone but not listed as Permitted in PUD 120 may be possible through a major amendment to the PUD in consideration of specific site plan design.

Minimum Setback from North Property Line:	10 Feet
---	---------

Minimum Setback from East Property Line (3 rd 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:	Use Unit 12	10% of lot area
	Use Unit 11	15% of lot area

Screening:

An eight-foot wood 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 12 feet in height. A professional lighting plan shall be submitted with the Building permit. 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 in the rear half of the lot and shall be enclosed from public view utilizing same building materials of the primary structure located within the development.

Restaurant developments are required to provide 10% lot area to be developed for landscape purposes. Office developments are required to provide 15% lot area to be developed for landscape purposes.

A Landscape Plan shall be required to be submitted with the Building Permit and shall incorporate the following criteria.

1. Evergreen Trees shall be planted along the north property line at a minimum recommended spacing for the species planted.
2. An architectural feature shall be established between the Office parking lot to the west and the entrance road from “B” Street. This feature could be fencing, bollards, wall, etc. The intent is to protect parking lot from activity on the entrance road.

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. Site Preparation

No Pneumatic or powered stamping of ground for compaction requirements shall be allowed. All compaction requirements must be performed by rolling.

V. Parking

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

VI. 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.

VII. 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).

VIII. 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.

IX. 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

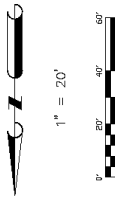
EXHIBIT 'B'

Plat
Page 2

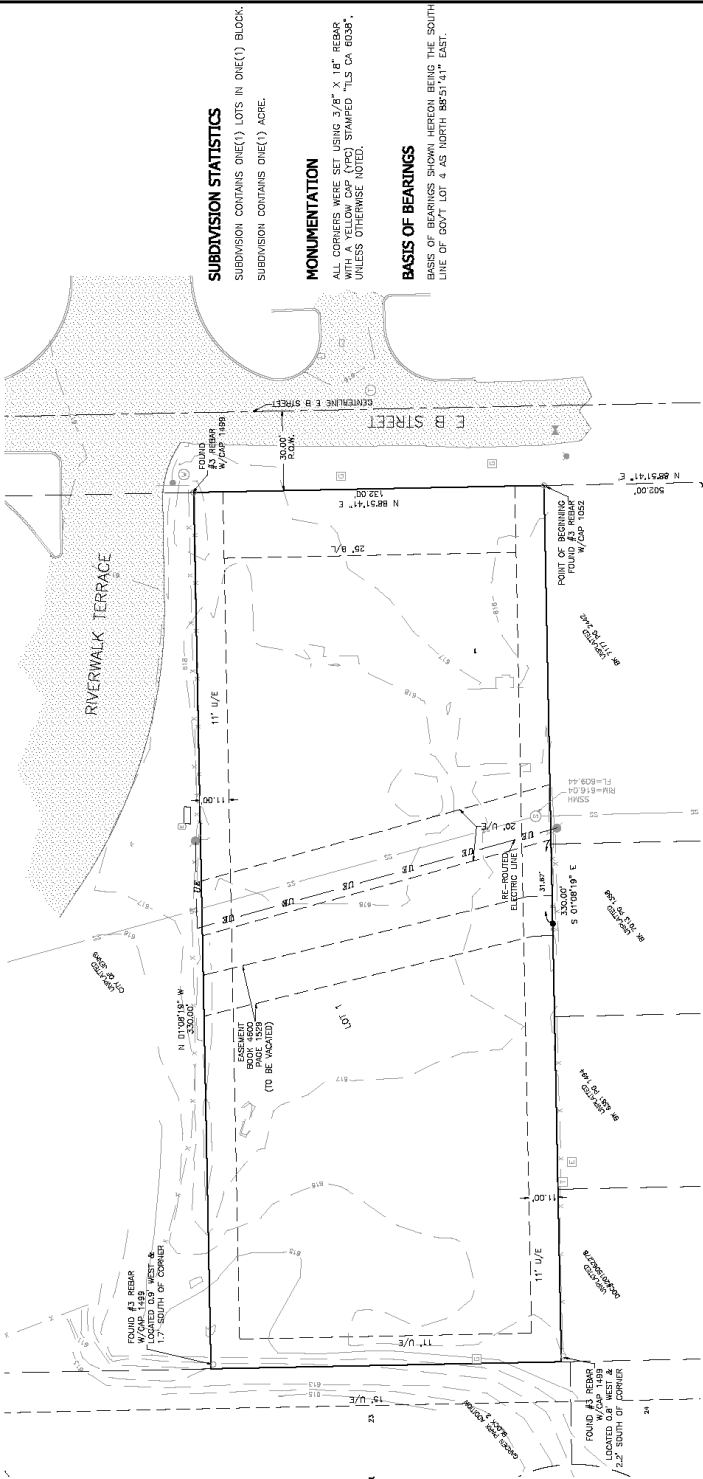
Deed of Dedication
Page 3

DATE: <u>PLAT</u> CERTIFICATE OF APPROVAL I hereby certify that this plat was approved by the Planning Commission and the City Manager on _____.	_____ MAYOR - VICE MAYOR This approval is void if the above signature is not endorsed by the City Manager.	_____ CITY MANAGER
---	---	--

PART 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	
APPLY	CONCRETE
1	UNDERGROUND WATER
2	UNDERGROUND GAS
3	UNDERGROUND FUEL
4	UNDERGROUND WATER
5	UNDERGROUND STEEL
6	UNDERGROUND ELECTRIC
7	UNDERGROUND FENCE
8	WATER VALVE
9	WATER VALVE
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160	



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 1/8" REBAR
WITH A YELLOW CAP (NYC) STAMPED "TLS CA 6038".
UNLESS OTHERWISE NOTED.

BASIS OF BEARINGS
BASIS OF BEARINGS: SOUTH
LINE OF LOT 4 AS NORTH 88°51'14" 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 \$_____ FOR TRUST PROTECTION. IT IS NOT 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 20____ DEPOSIT.

STATE OF CALIFORNIA)
COUNTY OF TULSA)
I, EMILIE MUSON, TULSA COUNTY CLERK, IN AND FOR THE
COUNTY AND STATE ABOVE SAID, DO HEREBY CERTIFY THAT THE
FOLLOWING INSTRUMENT WAS FILED IN MY OFFICE OF A DATE
_____ DAY OF _____, 20____.

DATED THE _____ DAY OF _____, 20____.

EMILIE MUSON, TULSA COUNTY CLERK.

DEPUTY

TULSA LAND SHORPPING, LLC
1300 TULSA, ON 74120
TULSA, OK 74103
TULSA, OK 74103
OKLAHOMA
CA 80336



EXPIRES 6/30/2001

EXHIBIT 'C'

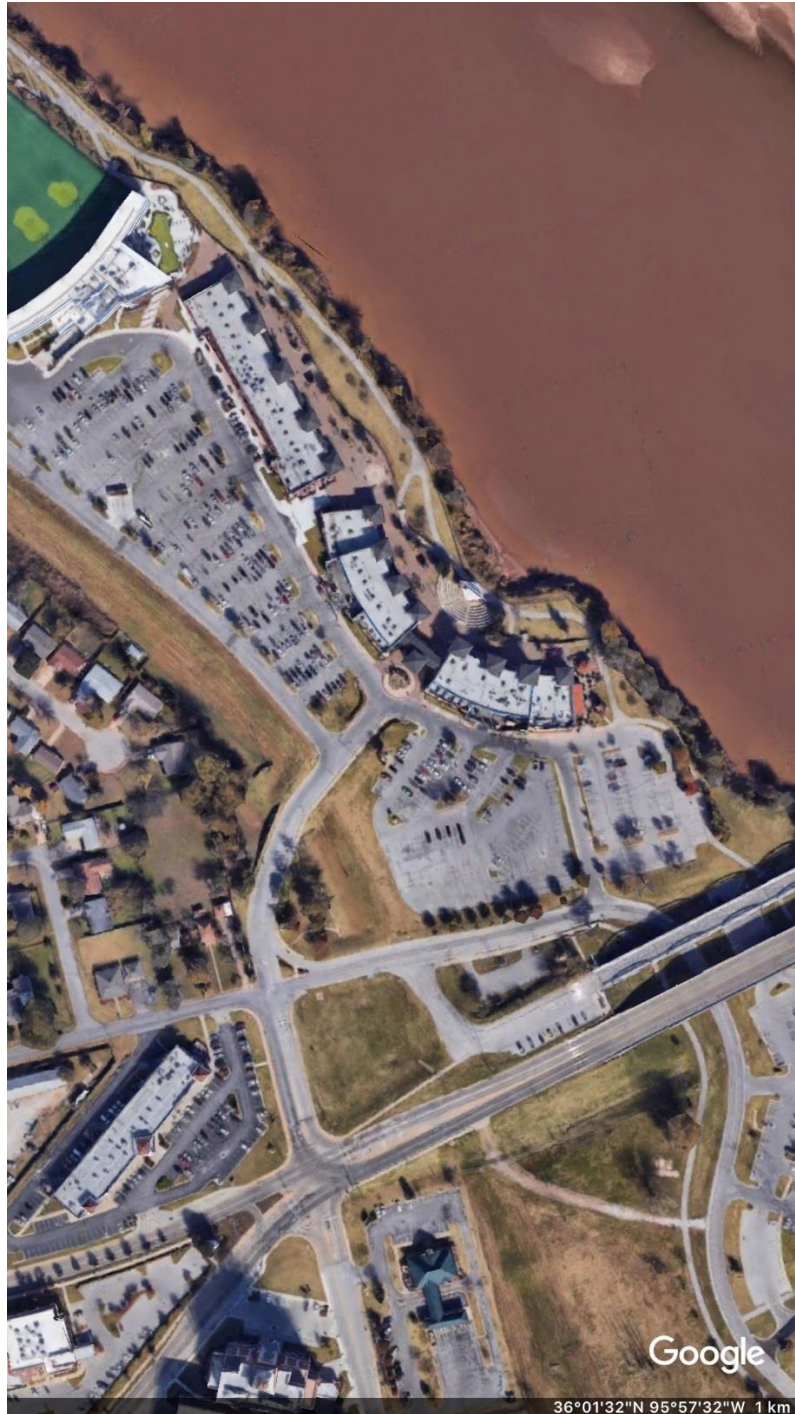


EXHIBIT 'D'



EXHIBIT 'E'

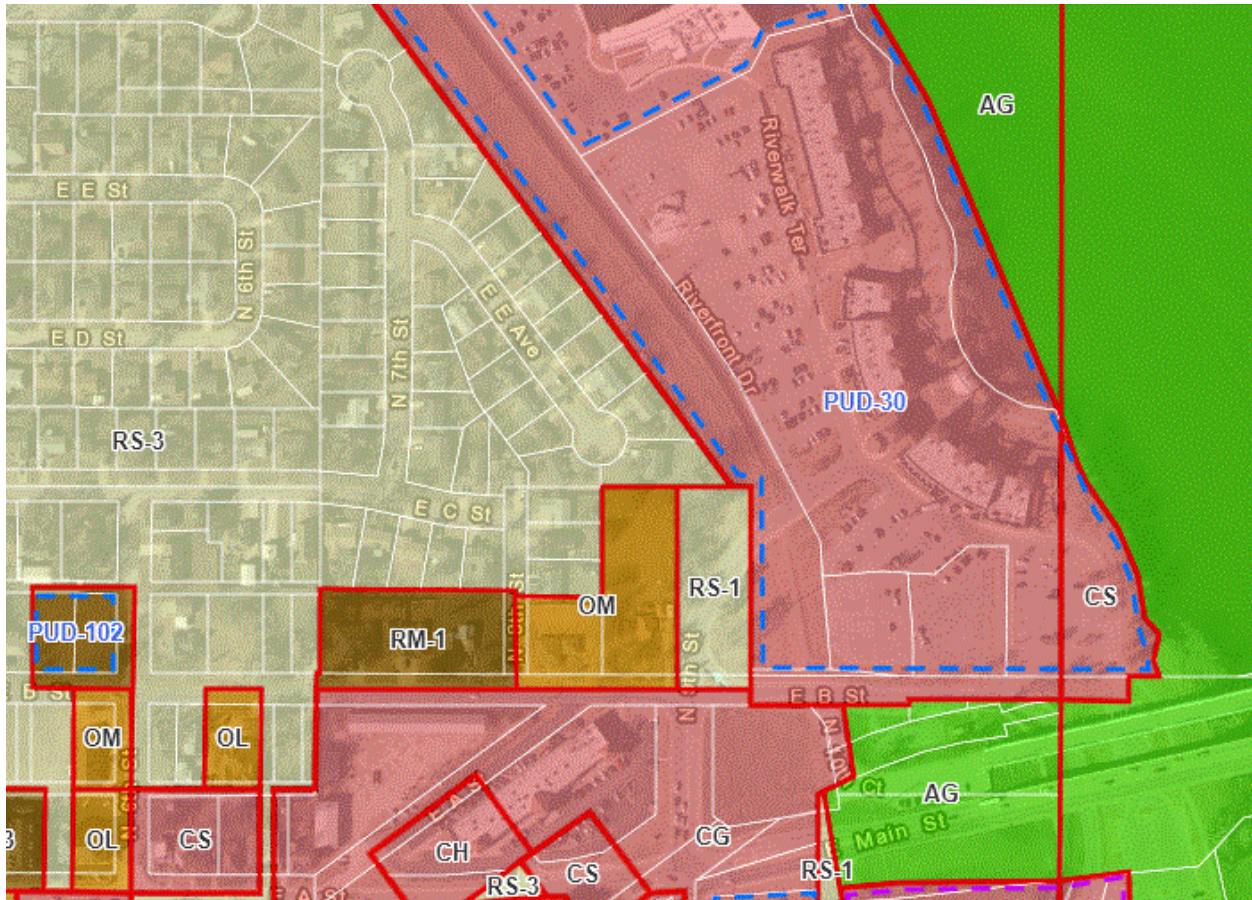
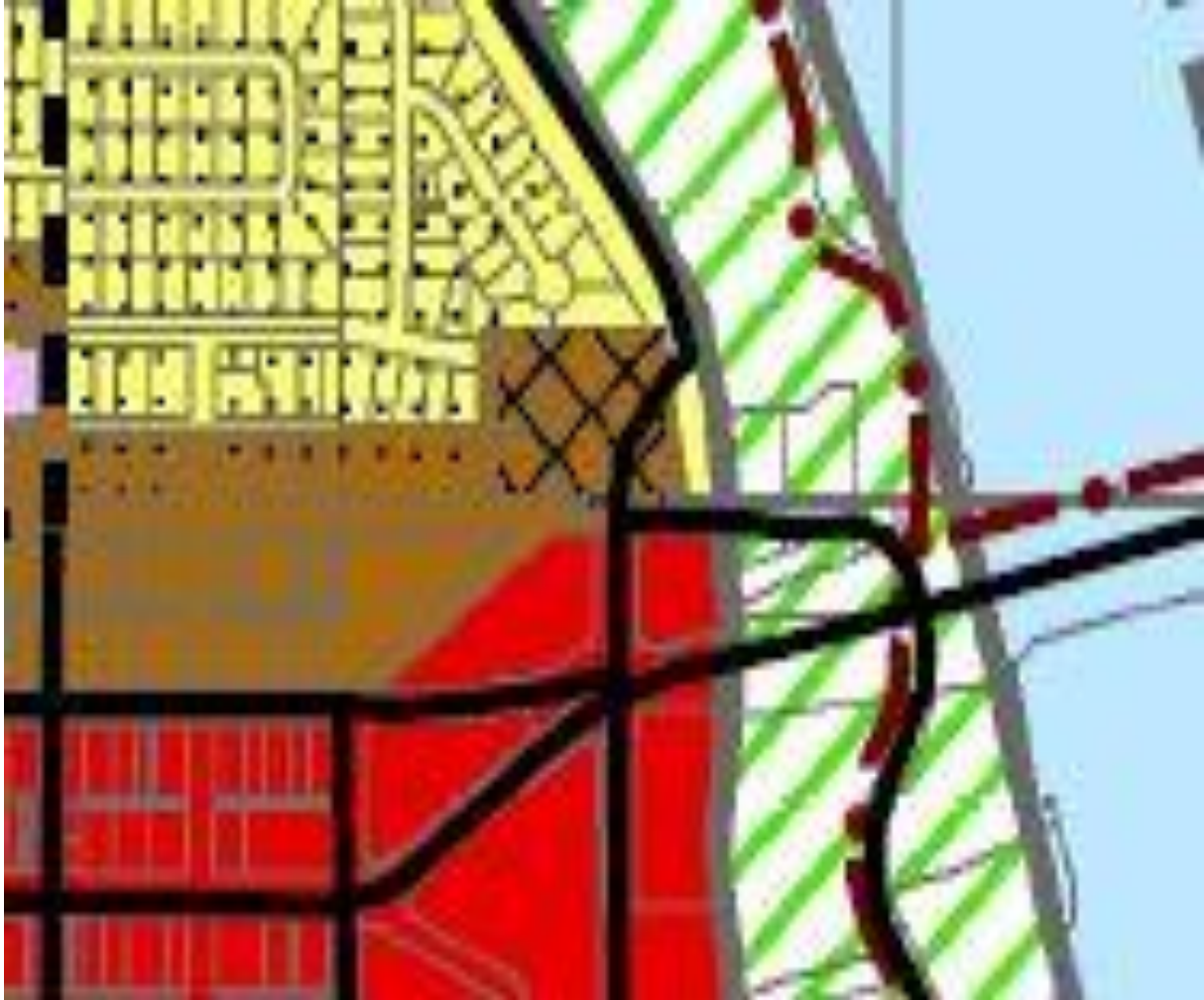


EXHIBIT 'F'





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:

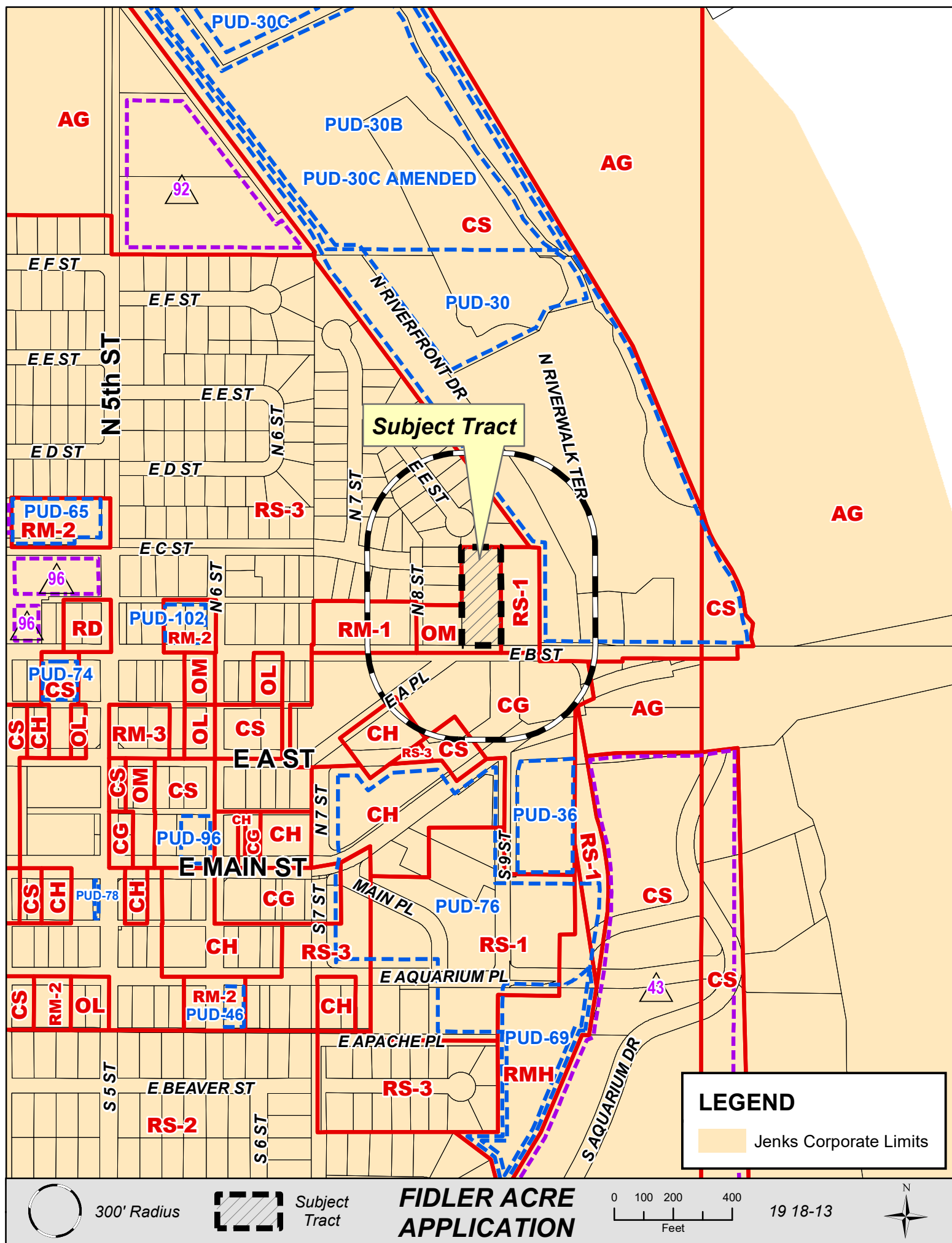
An application to approve a Request by Bell Land Use, LLC Zone Change from OM (Office Medium Intensity) to ROC (River Oriented Commercial), Planned Unit Development 120, amendment to the Comprehensive Plan and for a Utility Easement Closure, to make the area a Medium Intensity Riverfront Entertainment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





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.

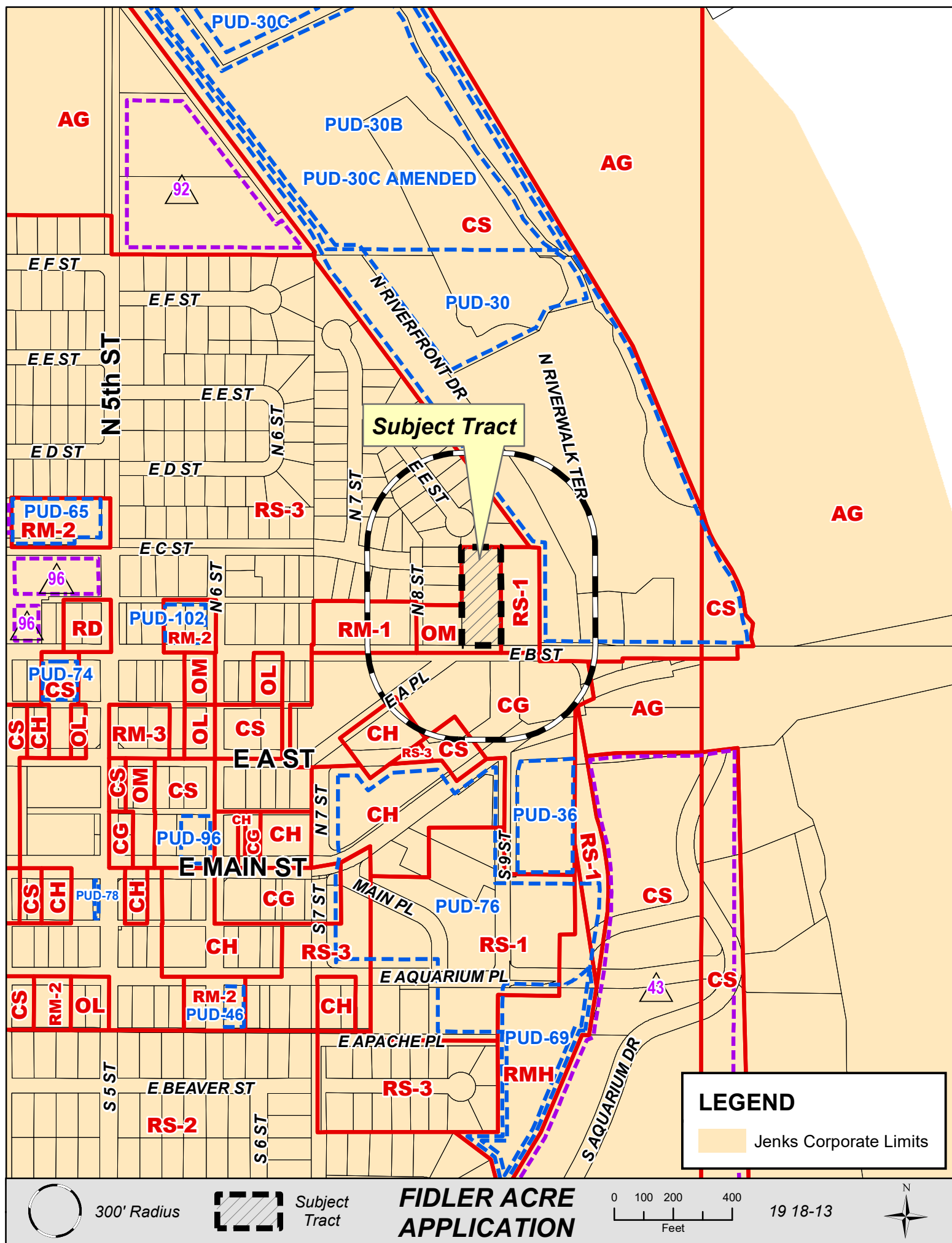
Parcel ID for Comprehensive Plan Amendment: 60835831929120, part of 98319831935970, 98319831932970

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

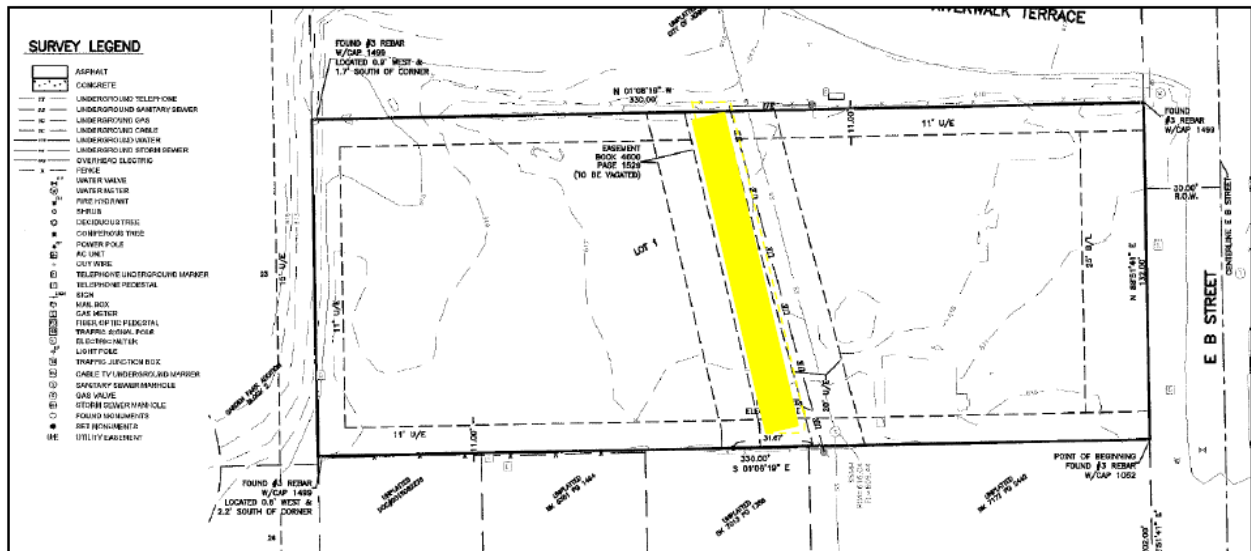


EXHIBIT "A"
PROPERTY LEGAL DESCRIPTION

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, 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

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.

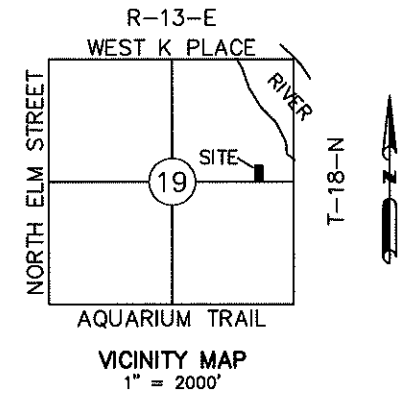
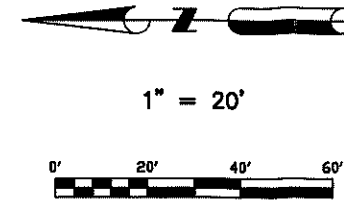
Linda L. McDuff
Notary Public

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

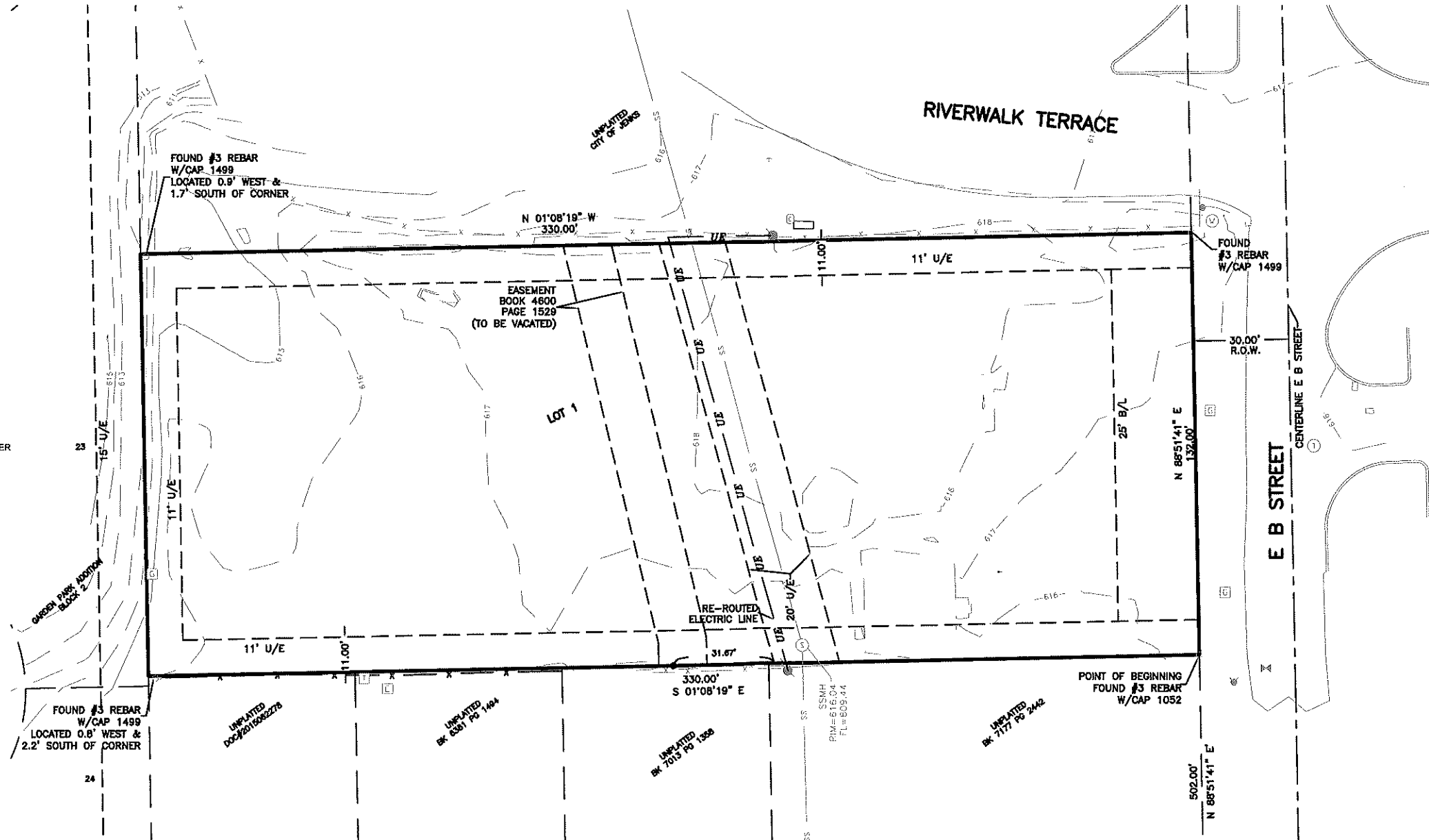
SUBDIVISION CONTAINS ONE(1) LOTS IN ONE(1) BLOCK.
SUBDIVISION CONTAINS ONE(1) ACRE.

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

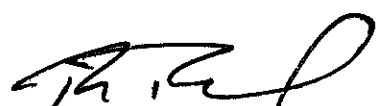
Location Relative to Jenks City Limits: ☒ Inside ☐ Outside ☐ Part In / Part Out

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"

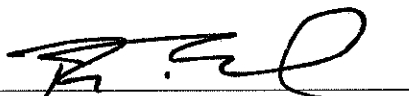
General Legal Description or Location of Tract: See Attached

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 GRANTEEES, 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:
