

AGENDA
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, AUGUST 06, 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
- John Brown
- David Randolph

The meeting will be live streamed on the [CITY OF JENKS' YOUTUBE CHANNEL](#).

III. REQUEST TO APPROVE MINUTES OF JULY 23, 2020

Documents:

[2020.07.23 PC MINUTES.PDF](#)

IV. BUSINESS

1. Subdivision Signs: Review of subdivision signs related to construction.

Documents:

- [1. SR.EXPIRED SIGNAGE PC 08.06.20.PDF](#)
- [2. MEMO EXPIRED SIGNAGE.PDF](#)

2. JZ 20-660: Request by Duncan McBride for a rezoning from OL to RS-3. General Location: 210 S 5th St

Documents:

- [1. SR.JZ 20-660 210 S 5TH ST..PDF](#)
- [2. LEGAL NOTICE. JZ 20-660 \[210 S 5TH ST\].PDF](#)

3. JZ 20-661 PUD 121: Request by Josh McFarland for a Planned Unit Development. General Location: 716 W Main

Documents:

- [1. SR.JZ 20-661 PUD 121 MELODY LANE.PDF](#)
- [2. ALTA SURVEY.PDF](#)
- [3. MELODY LANE CENTER OVERVIEW UPDATED.PDF](#)
- [4. MELODY LANE CENTER VIEW DAYLIGHT.PDF](#)

5. INTERIOR DESIGN CONCEPT THE CAPE BREWING COMPANY.PDF

4. JZ 20-662: Request by Amy Bors for a zone change from AG to RS-2. General Location: 10601 S Elgin Ave

Documents:

1. SR.JZ 20-662 10601 S ELGIN AVE.PDF
2. MAP.LEGAL NOTICE JZ 20-662 [10601 S ELGIN AVE].PDF
3. SITE LAYOUT.PDF

5. JZ 20-663 PUD 30C Minor Amendment: Request by Bell Land Use, LLC for approval of a minor amendment to PUD 30C to adjust required parking. General Location: Riverwalk Terrace & E 91st St

Documents:

1. SR.JZ 20-663 PUD 30C MINOR AMENDMENT.PDF
2. PUD 30D.MINOR AMENDMENT OF PUD 30C DEVELOPMENT TEXT.PDF
3. 2010.02.15 CC MINTUES JZ 521 PUD 30C.PDF

6. Plat Amendment: Request by Alan Betchan for approval of a change to Limits of No Access on 2900 W Main Plat. General Location: SE Corner of 96th & Franklin

Documents:

1. SR.2900 W MAIN.CHANGE OF ACCESS.CC 8.6.20.PDF
2. 2900 WEST MAIN STREET- ACCESS CONTROL EXHIBIT.PDF
3. PLAT 2900 WEST MAIN.PDF

V. OTHER BUSINESS

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

VI. ADJOURNMENT

MINUTES
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, JULY 23, 2020
COUNCIL CHAMBERS, JENKS CITY HALL
211 NORTH ELM STREET, JENKS, OKLAHOMA 74037

The Jenks Planning Commission was called to order at 6:00 p.m. on July 23, 2020, by Vice Chair Scott West. A roll call vote of members was taken as follows:

Present

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

Absent

Chair Carol Minden

Request to approve minutes of June 18, 2020. John Brown made a motion to approve the minutes. Craig Bowman seconded the motion. *Audio issues caused the meeting to halt from 6:03pm to 6:07pm.* A roll call vote of members was taken as follows:

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

NAY: None.

Motion carried.

Request to approve minutes of July 09, 2020. Travis Fulkerson made a motion to approve the minutes. David Randolph seconded the motion. A roll call vote of members was taken as follows:

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

NAY: None.

Motion carried.

Business

1. ARC 20-491: Request by Angie Repsher for approval of a wall sign. **General Location:** 114 E Main St.

Planning Director Marcaé Hilton presented the staff report and recommended approval. Craig Bowman made a motion to approve Item 1. Leon Davis seconded the motion. A roll call vote of members was taken as follows:

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

NAY: None

Motion carried.

2. JZ 20-659: Request by Greg Helms for a zone change from RS-3 to OM to build a parking lot. **General Location:** 223 N Date St

Planning Director Marcaé Hilton presented the staff report and recommended approval. Applicant Greg Helms addressed the Commission about the application. Both answered questions from the Commission. John Brown made a motion to approve Item 2. Craig Bowman seconded the motion. A roll call vote of members was taken as follows:

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

NAY: None

Motion carried.

3. JZ 20-658 SUP 115: Request by Wallace Engineering for a Specific Use Permit to allow for an indoor skydiving facility. **General Location:** SE Corner East Aquarium Pl & South Aquarium Dr

Planning Director Marcaé Hilton presented the staff report and recommended approval. Jack Randal (Sky Arena) addressed the Commission about the project. Both answered questions from the Commission. Travis Fulkerson made a motion to approve Item 3 with the conditions listed in the staff report. David Randolph seconded the motion. A roll call vote of members was taken as follows:

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

NAY: None

Motion carried.

Other Business

1. Horizon Jenks – Comprehensive Plan Project Update.

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

2. Planning Update

Planning Director Marcaé Hilton gave a Planning Department update.

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

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

NAY: None

Motion carried. The Jenks Planning Commission adjourned at 6:41 p.m.

To	Planning Commission
Hearing Date	August 06, 2020
Case Number	None
Request	Staff Approval to start remove process of Construction Signs
Location	City of Jenks
Applicant	City of Jenks Tanner Rush, Development Coordinator

Staff Report

Preparer | Marcae Hilton

Attachments

☐ SIGNAGE MEMO

Preparer

Staff | Marcae' and Tanner

Background Information

The City of Jenks *City Code* language includes a remedy for the removal of construction signs. In an effort to clean up our Right of Way and improve the overall visual appearance, staff has begun an extensive identification and removal process. Staff will attempt to contact the property owners and/or sign owners with a personal letter identifying the sign and location before removal.

Zoning Code Section 1021.4.o. Temporary development construction signs limited.

1. Temporary development construction signs shall be allowed for the first six months of use during construction. After six months, the Planning Commission shall review all signage related to the construction in regards to construction activity and to the status of the project. The Planning Commission shall determine if the construction signs are unnecessary because the development is substantially complete, if the signs should remain for another six months or other specified time period, or if signs are in need of repair.

2. The Planning Commission shall require the removal of signs which are no longer considered temporary construction signs, or shall require repair or maintenance of signs in need thereof.

3. An appeal to the City Council of the Planning Commission determination shall require notice by the sign owner to the City Clerk within ten (days?) of the action of the Planning Commission. Request for an appeal to the City Council shall be accompanied by the payment of a \$25.00 fee. (Ord. No. 410, 8-3-1981)

Public Comment	Not Advertised
Special District	Not Applicable (NA)
Zoning	NA
Comprehensive Plan	NA
General Location	City of Jenks
Intended Use	The applicant is selling the property and has had multiple inquiries from people wishing to set up businesses at this location. The businesses that have expressed interest so far are an insurance office, general office space, and a chiropractic clinic.

Staff Evaluation & Recommendation

Evaluation	Staff is asking the Planning Commission to partner on this clean-up project per the code which has been in place since the 80's. Planning Commission may "Move that" all signs be considered for removal individually or as a group.
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Planning Commission Considerations:

1. Temporary development construction signs shall be allowed for the first six months of use during construction.
2. After six months, the Planning Commission shall review all signage related to the construction in regards to construction activity and to the status of the project.
 - a. The Planning Commission shall determine if the construction signs are unnecessary because the development is substantially complete,
 - b. if the signs should remain
 - i. for another six months or
 - ii. other specified time period, or
 - iii. if signs are in need of repair.
3. The Planning Commission shall require the removal of signs
 - a. which are no longer considered temporary construction signs, or
 - b. shall require repair or
 - c. maintenance of signs in need thereof
4. An appeal to the City Council of the Planning Commission determination shall require notice by the sign owner to the City Clerk within ten (days?) of the action of the Planning Commission.
5. Request for an appeal to the City Council shall be accompanied by the payment of a \$25.00 fee. (Ord. No. 410, 8-3-1981)

Recommendation *Approve the removal of identified construction signs*

To Christopher Shrout, City Manager
Robert Carr, Assistant City Manager

Subject Expired Signage

From Marcaé Hilton, City Planner

Date July 24, 2020

Summary of Property

Preparer | Marcaé Hilton & Tanner Rush

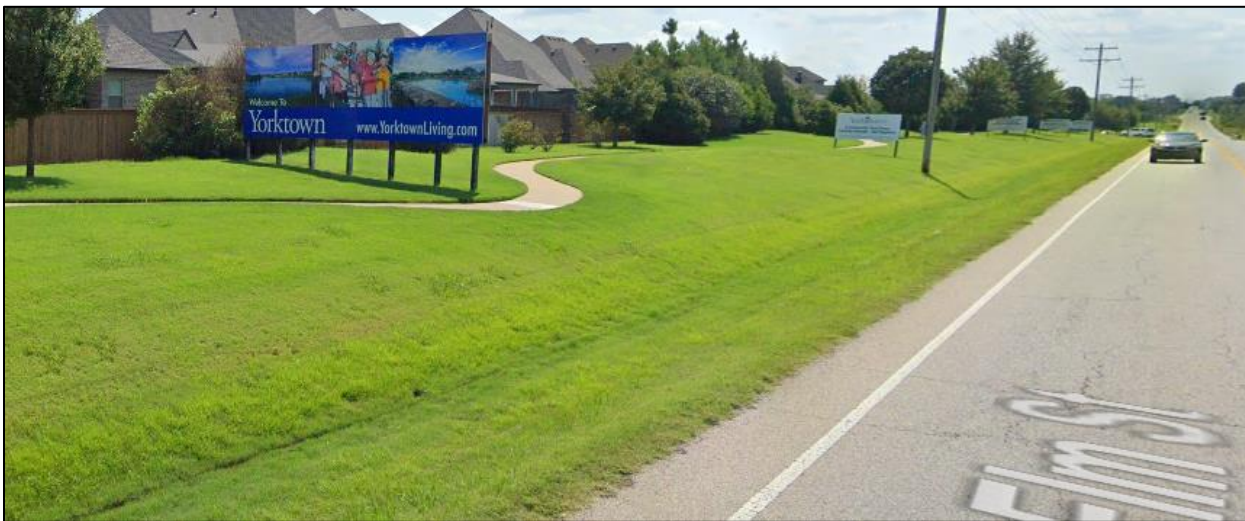


Figure 1: 125th-128th & Elm | Yorktown – Multiple signs along Elm | Kurt Roberts | 91% Complete | 71/856 Lots Left



Figure 2: 131st & Elm | Yorktown Covington/Manchester | Simmons pointing to Glenpool neighborhoods | Off site



Figure 3: 111th & Cleveland | Breitling Village | Simmons Homes | 81% Complete | 38/192 Lots left



Figure 4: 125th-128th & Elm | Yorktown | Multiple signs along Elm | Kurt Roberts | 91% Complete | 71/856 Lots Left



Figure 5: 111th & Kennedy | Country Hollow | Mike Wallace / Executive Homes | 88% Complete | 2/17 Lots left



Figure 6: 131st & Harvard | Providence Hills | Simmons Homes | 99% Complete | 1 Lot left



Figure 7: 134th & Harvard and 131st & 20th | Providence Hills | Simmons Homes | 99% Complete | 1 Lot left



Figure 8: 131st & 4th St | Yorktown | Multiple signs along Elm | Kurt Roberts | 91% Complete | 71/856 Lots Left



Figure 9: 112th & Elwood | Oak Ridge | Mike Wallace / Executive Homes / Shaw Homes | 71% Complete | 22/75 Lots left



Figure 10: 110th Pl & Fir St | Haddington Heights | Mike and Mark Sharp | 78% Complete | 13/59 Lots Left

Note: Staff has not added any newer neighborhoods with less than 50% completion (Frazier Lakes, Clearfield, etc.)

To	Planning Commission
Hearing Date	August 06, 2020
Case Number	JZ 20-660 REZONING
Request	Recommendation of approval of rezoning from OL to RS-3
Location	210 S 5 th St
Applicant	Duncan McBride

Staff Report

Preparer | Marcaé Hilton; BM

Attachments

- ☐ Google Earth Photos
- ☐ Case Map

Preparer

Staff
INCOG

Background Information

STAFF COMMENTARY | Mr. McBride is seeking to change the zoning of his property from Office low Intensity to (RS-3) Residential Single-Family. Despite the current OL zoning, the property serves as his primary residence. Mr. McBride wishes to change the zoning at the request of his bank and has no issue with the change. This change brings the parcel into compliance with the current Comprehensive Plan, as Low Intensity office use does not fit in this area. A zone change to RS-3 will not only better reflect what is currently in the area, but also prevent a lower intensity use from using the property in the future should the parcel ever be sold to another entity. While RS-2 was another possibility for the land, RS-3 makes more sense when thinking of the surround properties. The dividing line between RS-3 and RS-2 in this area is the alley between this property and the property to the South; everything residential North of this line is RS-3 and everything South is RS-2.

PLANNING DATA

Current Zoning	OL Office Low Intensity District
Requested Zoning	RS-3 Residential Single-Family High-Density District
Intended Use	Residential Home
Parcel ID	60525-83-19-03000
STR	Section 19, Township 18, Range 13
Comprehensive Plan	Medium Intensity
General Location	Old Town East of Elm Street and south of "B" Street
Plat	Lots 1, 2, 3, & 4 of Block 28 of the Jenks Original Township
Site Area	0.54 Acres
Appearance District	None
Public Comment	None at the time of this staff report
Zoning Surrounding:	
North:	RS-3 Single-family Residential
South:	RS-2 Single-family Residential
West:	RM-2 Multi-family Residential
East:	RS-3 Single-family Residential



Figure 1: INCOG ZONING MAP

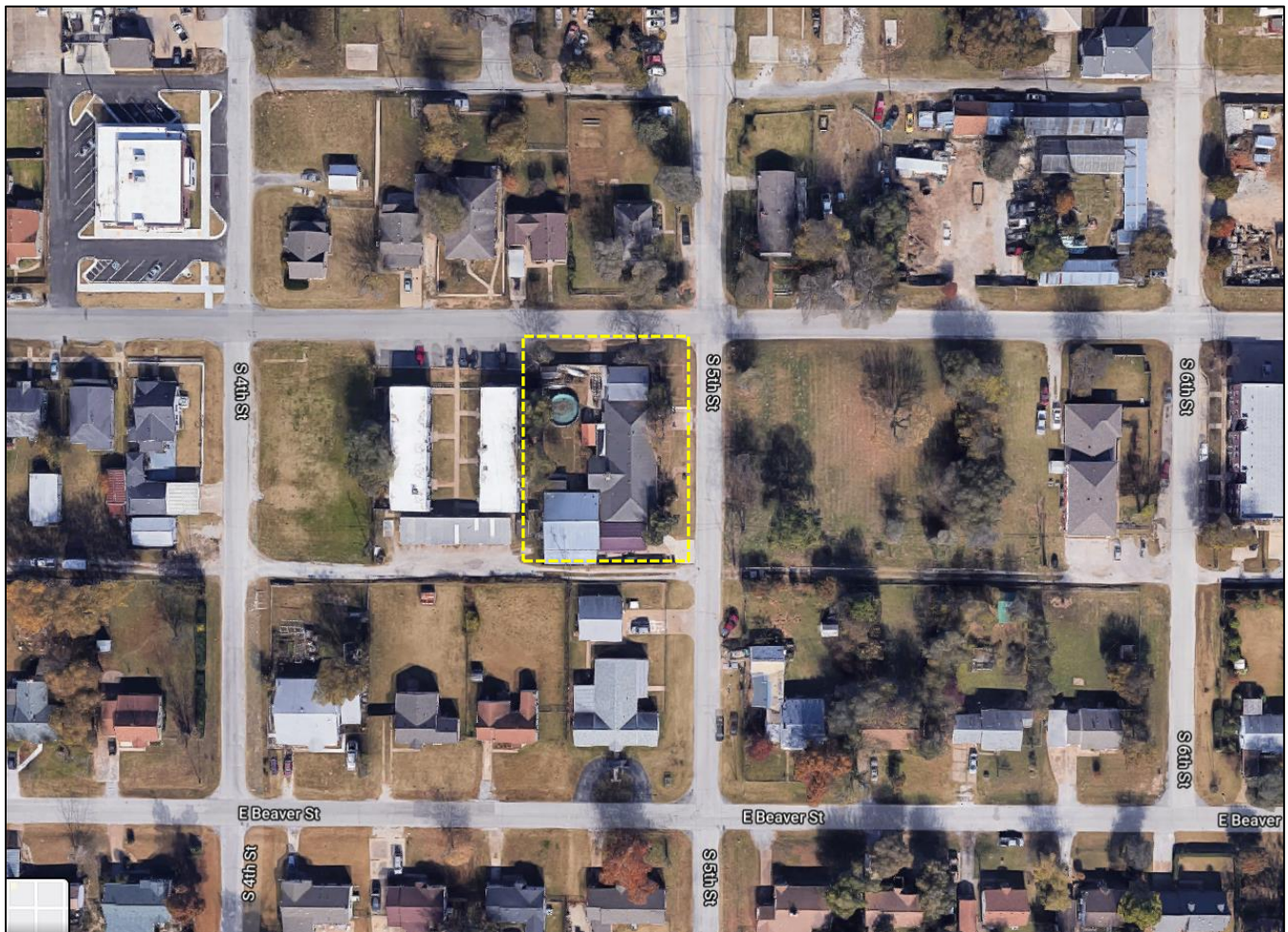


Figure 2: Google Earth Aerial Shot



Figure 3: Front view of home



Figure 4: View of North fence and rear yard, adjacent to Shelby Place Apartments



Figure 5: View from alley and 5th street

Staff Evaluation & Recommendation

EVALUATION | The request fits the current Comprehensive Plan and is surrounded by other properties with the same zoning.

STAFF COMMENTS | Staff has no conditions for approval and sees no reason to deny the request for RS-3 zoning.

RECOMMENDATION | *Approve JZ 20-660* | **REZONING**



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 LOCATED IN THE CITY OF JENKS, OKLAHOMA

JZ 20-660

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 06 August 2020, in consideration of the following:

An application to approve a request by Duncan McBride for a rezoning from OL to Residential

Legal Description: Lots 1,2,3 and 4 Block 28 Jenks original township

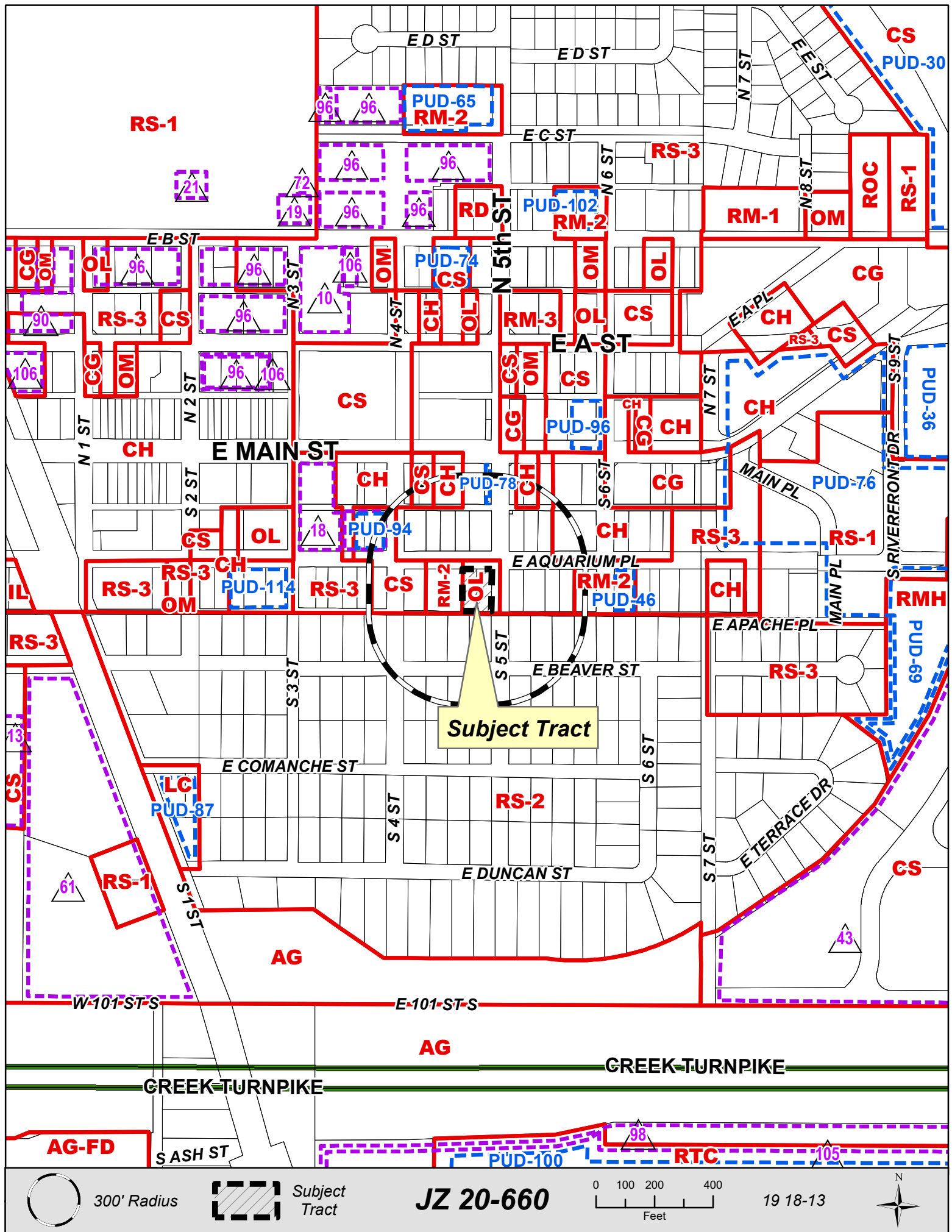
General Location: 210 S 5th St

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 6 July 2020.

Marcaé Hilton, Secretary
Jenks Planning Commission

¹ As of writing this notice, City Hall will be open for public comments on the above date. However, due to COVID-19, that may change before the meeting is held. Should anything change a notice will be placed online at <https://www.jenks.com/235/Zoning-Notices>. You may also contact the City Clerk at 918-209-4903.



To	Planning Commission
Hearing Date	August 06, 2020
Case Number	JZ 20-661, PUD 121 MELODY LANE JOSH MCFARLAND
Request	Approval of Planned Unit Development
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

PUD 121 | MELODY LANE | 716 S 1ST ST | CORRIDOR APPEARANCE DISTRICT | This site, 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 Kaye Lynn has been especially interested in finding and supporting revitalization of this failing commercial area of western downtown. The project has already received an exterior facelift, new landscaping, athletic uses, and new signage. The exterior is a combination of grey metal, brick and other materials. Josh's Sno Cones plans to stay in its current location until full buildout of the approved PUD. A new indoor soccer and baseball facility, and additional athletic-oriented tenant spaces have received an interior makeover. PUD 121 paves the way for possible future uses, per approved zoning, and will allow for Jenks first brewery, a restaurant and outdoor entertainment and family orientated games. Jenks Bible Church is not part of the project area.

Staff has asked for additional PUD information and asks the Planning Commission to continue this item to the August 17, 2020 "special hearing" to allow the applicant to provide supplemental documents.

Public Comment None at the time of this report

Staff Evaluation & Recommendation

Evaluation | No Comment at this time

RECOMMENDATION | *Review documents and prepare for future hearing*

SUPPLEMENTAL INFORMATION

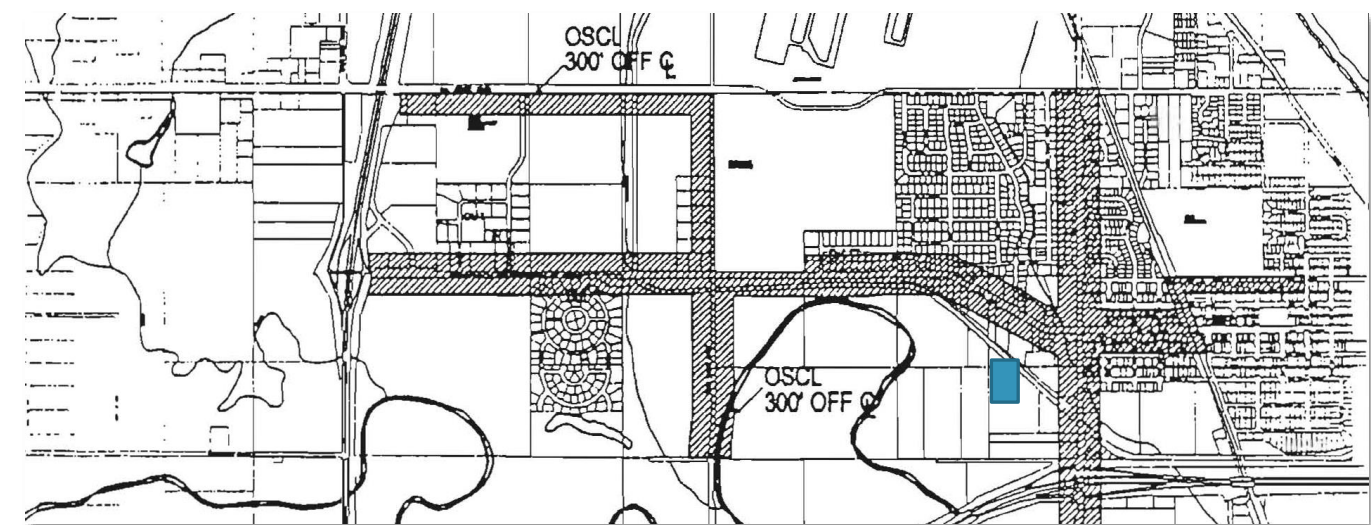


Figure 1: CORRIDOR APPEARANCE DISTRICT MAP



Figure 2: AERIAL VIEW OF MELODY LANE



Figure 3: MAIN STREET VIEW OF MELODY LANE

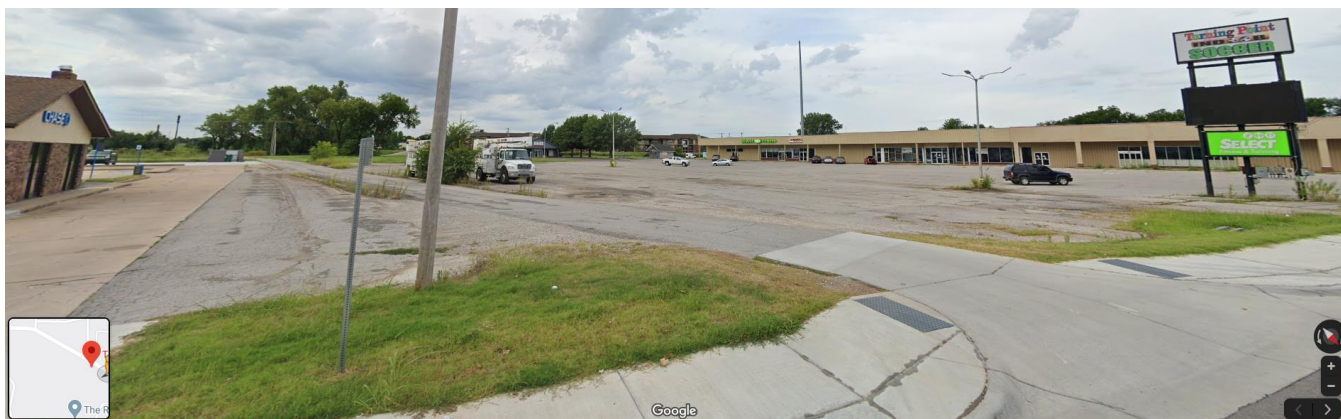


Figure 4: MAIN STREET VIEW FROM WEST OF MELODY LANE



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

SCHEDULE B - SECTION I REQ.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
ELITE TITLE SERVICES, LLC
FILE NO.: 20-01-0218 - EFFECTIVE DATE: FEBRUARY 1, 2020 AT 7:59 AM.

19a. GWD RECORDED IN BOOK 4253, PAGE 1324 DOES AFFECT AND DOES INCLUDE A LARGE PORTION OF THE SUBJECT PROPERTY. APPROXIMATELY THE WEST 138 FEET OF THE SURVEYED TRACTS.

19b. CORRECTED QCD RECORDED IN BOOK 5949, PAGE 2090 DOES NOT AFFECT OR INCLUDE ANY OF THE SUBJECT PROPERTY.

LEGAL DESCRIPTION - PER TITLE COMMITMENT FILE NO. 20-01-0218

TRACT A:

A PORTION OF LOT THREE (3), BLOCK TWO (2), MELODY LANE CENTER TO THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE EASTERLY CORNER OF LOT THREE (3), BLOCK TWO (2), MELODY LANE CENTER, A SUBDIVISION TO THE TOWN OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTHWESTERLY ALONG THE LOT LINE COMMON TO LOTS TWO (2) AND THREE (3) A DISTANCE OF 50.0 FEET; THENCE NORTHWESTERLY ALONG THE LOT LINE COMMON TO LOTS TWO (2) AND THREE (3) A DISTANCE OF 30.0 FEET; THENCE NORTHEASTERLY A DISTANCE OF 50.0 FEET TO A POINT ON THE NORTHERLY LINE OF LOT THREE (3); THENCE SOUTHEASTERLY ALONG THE NORTH LINE OF SAID LOT THREE (3) A DISTANCE OF 30.0 FEET TO THE POINT OF BEGINNING.

TRACT B:

A TRACT OF LAND SITUATED IN A PORTION OF LOT TWO (2), BLOCK TWO (2), MELODY LANE CENTER, A SUBDIVISION TO THE TOWN OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHERLY CORNER OF LOT TWO (2); THENCE SOUTHWESTERLY ALONG A LINE COMMON TO LOTS TWO (2) AND THREE (3) A DISTANCE OF 50.0 FEET; THENCE NORTHWESTERLY ALONG THE LOT LINE COMMON TO LOTS TWO (2) AND THREE (3) A DISTANCE OF 30.0 FEET; THENCE SOUTHWESTERLY ALONG A LINE COMMON TO LOTS TWO (2) AND THREE (3) A DISTANCE OF 71.79 FEET; THENCE SOUTH ALONG THE LINE COMMON TO LOTS TWO (2) AND THREE (3) A DISTANCE OF 454.69 FEET TO A POINT 29.88 FEET NORTH OF THE SOUTHERLY CORNER OF LOT THREE (3); THENCE EAST A DISTANCE OF 326.79 FEET; THENCE NORTH A DISTANCE OF 410.39 FEET TO A POINT ON THE NORTHERLY LINE OF LOT TWO (2); THENCE IN A NORTHWESTERLY DIRECTION ALONG THE NORTHERLY LINE OF LOT TWO (2) A DISTANCE OF 276.45 FEET TO THE POINT OF BEGINNING.

TRACT C:

A TRACT OF GROUND SITUATED IN LOT TWO (2), BLOCK TWO (2), MELODY LANE CENTER TO THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF LOT THREE (3), BLOCK TWO (2); THENCE NORTH ALONG THE LOT LINE BETWEEN LOTS TWO (2) AND THREE (3) A DISTANCE OF 29.88 FEET; THENCE EAST A DISTANCE OF 208.28 FEET; THENCE SOUTH A DISTANCE OF 206.34 FEET TO A POINT ON THE SOUTH LINE OF LOT TWO (2); THENCE N 49°43'38" W A DISTANCE OF 272.98 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT

A TRACT OF LAND LYING IN THE NORTH HALF OF THE SOUTHEAST QUARTER (N/2 SE/4) OF SECTION TWENTY-FOUR (24), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN MERIDIAN, CITY OF JENKS, TULSA COUNTY, OKLAHOMA, COMMONLY KNOWN AS PART OF LOT 2 AND LOT 3, BLOCK 2, MELODY LANE CENTER, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SE/4, SAID POINT BEING MARKED BY A #5 REBAR PIN LOCATED BY OKLAHOMA CERTIFIED CORNER RECORD, DATED JULY 24, 2006, CERTIFIED BY R.L.S. #1432; THENCE SOUTH 88°36'01" WEST, 961.53 FEET ALONG THE NORTH LINE OF SAID N/2 OF THE SE/4; THENCE SOUTH 01°23'59" EAST, 528.80 FEET TO A POINT ON THE EXISTING SOUTH RIGHT-OF-WAY OF MAIN STREET AS THE POINT OF BEGINNING; THENCE SOUTH 61°41'01" EAST, 306.34 FEET; THENCE SOUTH 01°03'50" EAST, 17.21 FEET; THENCE NORTH 61°41'01" WEST, 69.05 FEET; THENCE NORTH 28°18'59" EAST, 5.00 FEET; THENCE NORTH 61°41'01" WEST, 245.74 FEET; THENCE NORTH 28°18'59" EAST, 10.00 FEET TO THE POINT OF BEGINNING.

ALTA TABLE 'A' NOTES

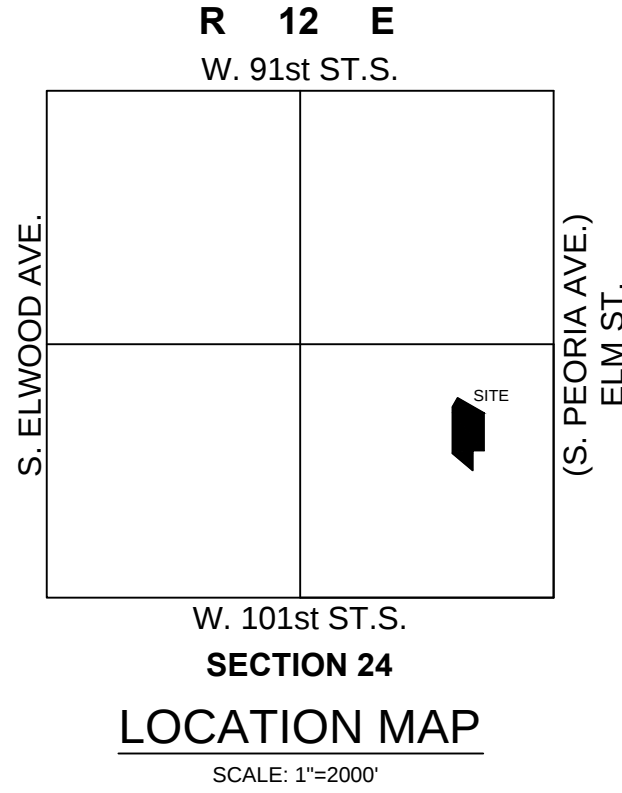
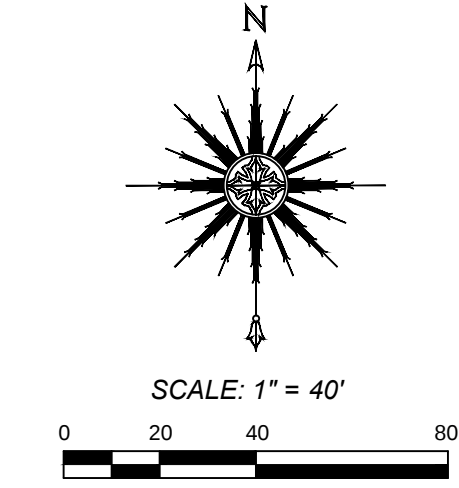
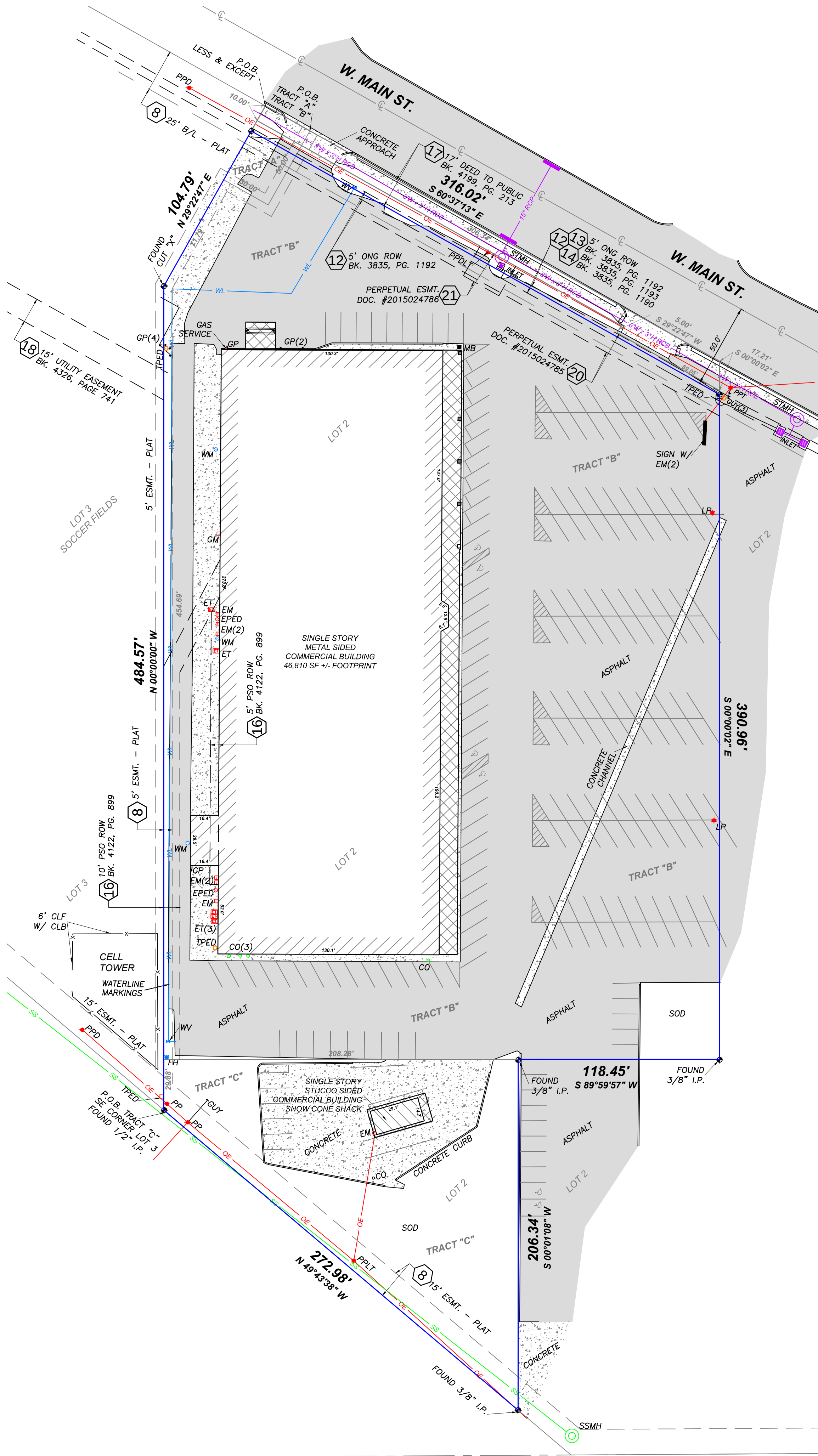
- ITEM 1: SET 3/8" IRON PIN W/ GREEN "FRITZ CA5848" CAP OR MAG NAIL W/ "FRITZ CA5848" WASHER AT ALL CORNERS UNLESS NOTED AND SHOWN OTHERWISE HEREON.
- ITEM 2: SUBJECT PROPERTY ADDRESS - 714 AND 728 WEST MAIN STREET, JENKS, OK 74037
- ITEM 3: WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA AND INCORPORATED AREAS, MAP NO. 40143C0363L - OCTOBER 16, 2012, WHICH INDICATES THE SUBJECT PROPERTY TO BE WITHIN SHADED ZONE "X" (AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN).
- ITEM 4: GROSS LAND AREA: 181,200.3 SQ. FT. / 4.16 ACRES.
- ITEM 8: FEATURES OBSERVED AT THE TIME OF THE SURVEY ARE SHOWN HEREON.
- ITEM 16: NO EARTH MOVING WORK OR BUILDING CONSTRUCTION WAS OBSERVED AT THE TIME OF SURVEY.

LEGEND

CLB = CLIMB BARRIER
CLF = CHAIN LINK FENCE
CO = SANITARY CLEANOUT
EM = ELECTRIC METER
EPED = ELECTRIC PEDESTAL
ET = ELECTRIC TRANSFORMER
FH = FIRE HYDRANT
GM = GAS METER
GP = GUARD POST
GUY = GUY ANCHOR
LP = LIGHT POLE
MB = MAILBOX
PP = POWER POLE
PPD = POWER POLE W/ DROP
PPDLT = POWER POLE W/ DROP, LIGHT & TRANSFORMER
PPLT = POWER POLE W/ LIGHT & TRANSFORMER
PPT = POWER POLE W/ TRANSFORMER
RCB = REINFORCED CONCRETE BOX
RCP = REINFORCED CONCRETE PIPE
SSMH = SANITARY SEWER MANHOLE
TPED = TELEPHONE PEDESTAL
WM = WATER METER
WV = WATER VALVE

LINETYPE

OE = OVERHEAD ELECTRIC
SS = SANITARY SEWER
WL = WATERLINE



SCHEDULE B - SECTION II NOTES

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
ELITE TITLE SERVICES, LLC
FILE NO.: 20-01-0218 - EFFECTIVE DATE: FEBRUARY 1, 2020 AT 7:59 AM.

8. ALL MATTERS SHOWN ON THE PLAT OF MELODY LANE CENTER. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
9. RIGHT OF WAY CONTAINED IN DEED IN FAVOR OF MIDLAND VALLEY RAILROAD COMPANY, RECORDED IN PLAT BOOK 4, PAGE 12. RIGHT OF WAY AFFECTING THE SE/4 OF SECTION 24; HOWEVER, NO SPECIFIC LOCATION DESCRIBED WITHIN INSTRUMENT.
10. RESERVATIONS, EXCEPTIONS, AND EASEMENTS IN FAVOR OF SINCLAIR PRAIRIE OIL COMPANY, RECORDED IN BOOK 1026, PAGE 122. AFFECTS THE SUBJECT PROPERTY IN A BLANKET MANNER, NO GRAPHICS SHOWN.
11. RESERVATIONS, EXCEPTIONS, AND EASEMENTS IN FAVOR OF SINCLAIR PRAIRIE OIL COMPANY, A MAINE CORPORATION, RECORDED IN BOOK 1903, PAGE 7. AFFECTS THE SUBJECT PROPERTY IN A BLANKET MANNER, NO GRAPHICS SHOWN.
12. RIGHT OF WAY AGREEMENT IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY, RECORDED IN BOOK 3835, PAGE 1192. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
13. RIGHT OF WAY AGREEMENT IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY, RECORDED IN BOOK 3835, PAGE 1193. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
14. RIGHT OF WAY AGREEMENT IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY, RECORDED IN BOOK 3835, PAGE 1190. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
15. AGREEMENT BY AND BETWEEN MELODY LANE CENTER, INC., AND M.K. GENTRY AND VERNON J. JACOBS, RECORDED IN BOOK 4105, PAGE 632; ASSIGNED BY MELODY LANE CENTER, INC. TO FIRST REALTY LTD., RECORDED IN BOOK 4792, PAGE 792. AFFECTS TRACTS "A" & "B" IN A BLANKET MANNER, NO GRAPHICS SHOWN.
16. UNDERGROUND RIGHT-OF-WAY EASEMENT IN FAVOR OF PUBLIC SERVICE COMPANY OF OKLAHOMA, RECORDED IN BOOK 4122, PAGE 899. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
17. DEED OF DEDICATION IN FAVOR OF THE PUBLIC RECORDED IN BOOK 4199, PAGE 213. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
18. UTILITY EASEMENT IN FAVOR OF THE PUBLIC, RECORDED IN BOOK 4316, PAGE 1218; AS CORRECTED BY CORRECTED UTILITY EASEMENT, RECORDED IN BOOK 4326, PAGE 741. DOES NOT ENCUMBER THE SUBJECT PROPERTY, BUT IS LOCATED ON LANDS CONTIGUOUS WITH SURVEYED PROPERTY AND IS SHOWN HEREON.
19. AGREEMENT BY AND BETWEEN RM CONSTRUCTION CO., INC., AN OKLAHOMA CORPORATION AND FORTY ONE SEVENTY FIVE SOUTH MEMORIAL DEVELOPMENT CO., RECORDED IN BOOK 4411, PAGE 1045. AFFECTS TRACTS "A" & "B" IN A BLANKET MANNER, NO GRAPHICS SHOWN.
20. PERPETUAL EASEMENT IN FAVOR OF THE CITY OF JENKS, OKLAHOMA, RECORDED AS DOCUMENT NO. 2015024785. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
21. PERPETUAL EASEMENT IN FAVOR OF THE CITY OF JENKS, OKLAHOMA, RECORDED AS DOCUMENT NO. 2015024786. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.
22. ASSESSMENTS DUE AND OWING, IF ANY, TO DRAINAGE DISTRICT #13. NOT A SURVEY MATTER.
23. ALL MATTERS RECORDED IN PLAT AND DEED OF DEDICATION OF MELODY LANE CENTER, RECORDED AS PLAT #3303. AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON; SUBJECT PROPERTY IS WHOLLY CONTAINED WITHIN THE DEDICATION.
24. ALL MATTERS CONTAINED IN GENERAL WARRANTY DEED, RECORDED IN BOOK 4114, PAGE 722. AFFECTS TRACTS "A", "B" AND "C" IN A BLANKET MANNER, NO GRAPHICS SHOWN.

SURVEYOR'S CERTIFICATION

TO: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
ELITE TITLE SERVICES, LLC
JOSH MCFARLAND
4175 SOUTH MEMORIAL DEVELOPMENT COMPANY, A PARTNERSHIP

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, AND 16 OF TABLE A THEREOF. DATE OF LAST SITE VISIT WAS FEBRUARY 13, 2020. BEARINGS ARE BASED UPON THE RECORDED PLAT "MELODY LANE CENTER" PLAT NO. 3303.

WITNESS MY HAND AND SEAL THIS 19th DAY OF FEBRUARY, 2020.

ANDY FRITZ, PLS
OK LIC. 1694
CA #5848



ALTA/NSPS LAND TITLE SURVEY 20-01-0218

PART OF LOTS TWO (2) & THREE (3), BLOCK TWO (2), MELODY LANE CENTER
TULSA COUNTY, OKLAHOMA

DRAWN: RLL	DATE: 02.18.2020	PREPARED BY: FRITZ LAND SURVEYING, LLC
APPROVED: PLS	DATE: 02.19.2020	2018 W. 91ST STREET, TULSA, OK 74132
SCALE: 1"=40'	PROJECT NO.: 20053	PH: 918.231.0575
REV:		FRITZLANDSURVEYING@GMAIL.COM
		C.A. # 5848 EXPIRES: 6-30-2020







The Cape Brewing Company
Interior/Exterior Design
Concepts

INTRODUCTION

The following pages are intended to give insight into how the “Concept” of The Cape Brewing Company can, and should be carried out within the interior and exterior design.

The Cape will be focused on creativity, fun, and family-centric socialization. The overall feeling should be inviting, warm and comfortable. There should be gathering spaces inside and out that accommodate larger groups, but there should also be a tucked away nook or two where more intimate socialization can take place.

One aspect of The Cape that will differentiate itself from competitors is our inclusion of kids. Therefore we need to carve out a modest space where they can entertain themselves – again, it would be best to include ways that kids can be creative while in their own zone.

NOTE: The following pages are loaded with ideas, it is not the intention to utilize all of these. The purpose is to illustrate proof of concept for a Creativity-based brewery and get the creative juices flowing amongst the group.

There will be Easter Eggs of creative musings scattered throughout the taproom, but it should not have an overwhelming effect.

Value Proposition

The Cape is much more than a company selling the best tasting locally brewed beer. Our aim is to tap into our esteemed consumers’ desire to have different outlets of creativity in their lives while also enjoying our well refined beer. We will create an environment where customers can interact with each other, perhaps color, doodle, write, experience other creative outlets, or watch as others show off their creativity.

Definition of Craft Brewery

The Cape Brewing Company is a craft microbrewery in the start-up phase. A *microbrewery is one that produces less than 15,000 barrels of beer per year and sells 75 percent or more of its beer off-site.*

According to the Brewers Association, an American craft brewer is:

Small: Annual production of six million barrels of beer or less (approximately three percent of U.S. annual sales). Beer production is attributed to the rules of alternating proprietorships.

Independent: Less than 25 percent of the craft brewery is owned or controlled (or equivalent economic interest) by a beverage alcohol industry member that is not itself a craft brewer.

Traditional: A brewer that has a majority of its total beverage alcohol volume in beers whose flavor derives from traditional or innovative brewing ingredients and their fermentation. Flavored malt beverages (FMBs) are not considered beers.

NOTE: It is important to understand that when referring to a barrel of beer/BBL we are talking 31 gallons. What you see sold at retail and in draft houses are 1/2 Barrels.

BBL = 31.0 gallons = 248 pints = 330 12oz bottles
(Full Size Keg) 1/2 barrel = 15.5 gallons = 124 pints = 165 12oz bottles
(Pony Keg) 1/4 barrel = 7.75 gallons = 62 pints = 83 12oz bottles

Exterior

Crafted. Artistic. Solid. Stand the test of changing fads. Something iconic/interesting should mark the entrance.

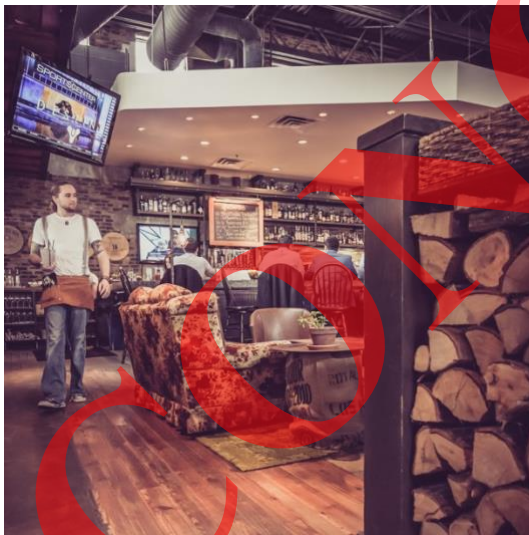


Interior

Rustic but refined. Comfortable with open seating, but small areas for more intimate moments. The higher the ceilings the better. Natural lighting wherever possible.

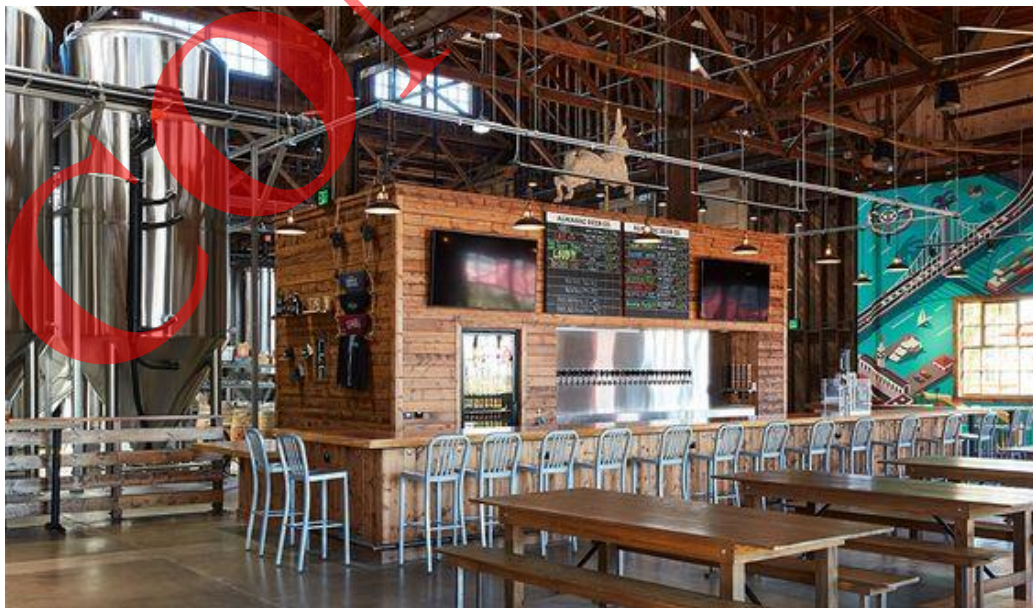
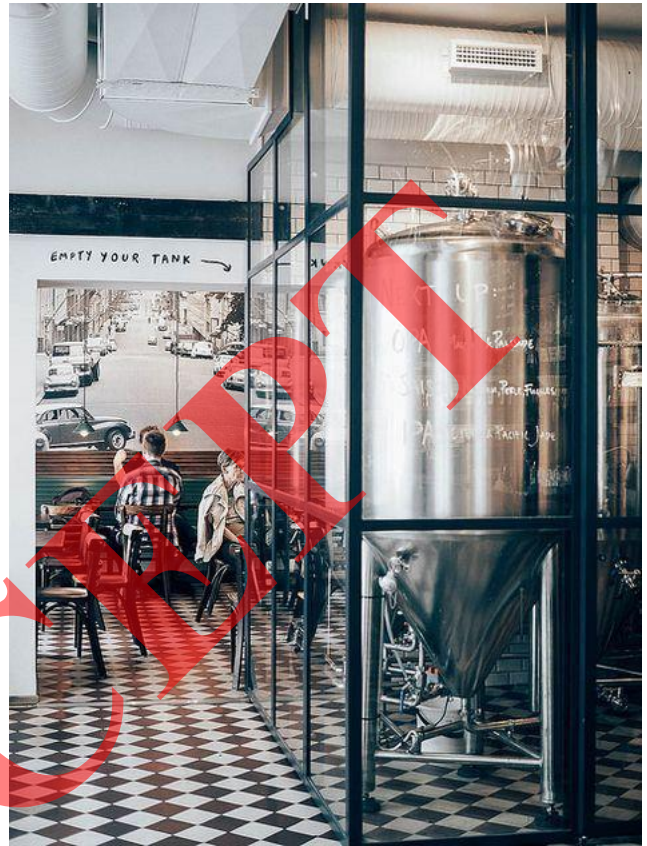


Nooks



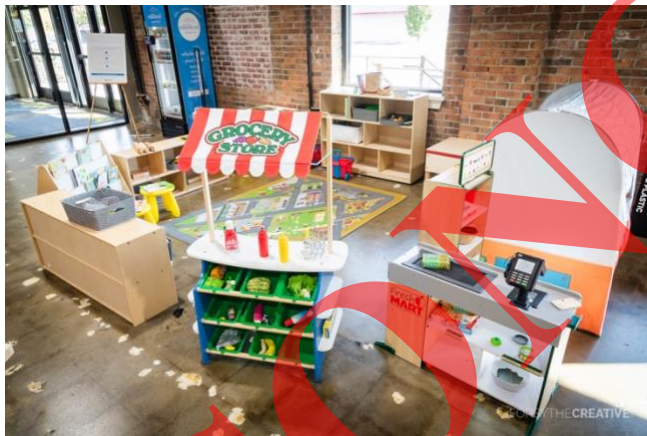
Ability To See Brewhouse

Fermenters are iconic in crafting beer, it would be advantageous to have them as background Art.



Kids Area

A small place where kids can entertain themselves with parents nearby to supervise. The area should have creative ways to play – possibly even a small stage for them to perform on.



Bar

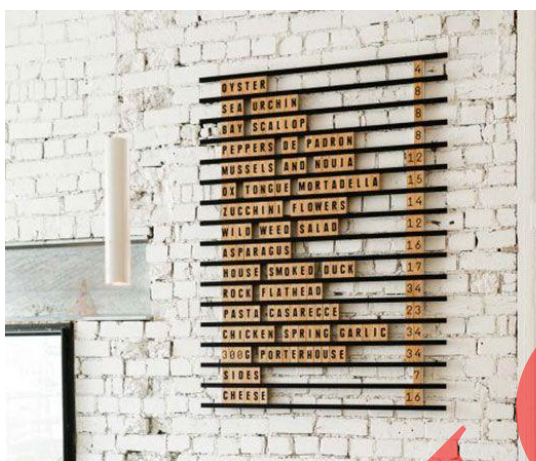
The bar will be the focal point – designed in a flying V that can comfortably seat 14 or 15 people. The backdrop will be the shiny vessels framed in glass and lit with lights that we can change colors to support and celebrate special events, patrons and moments in time.

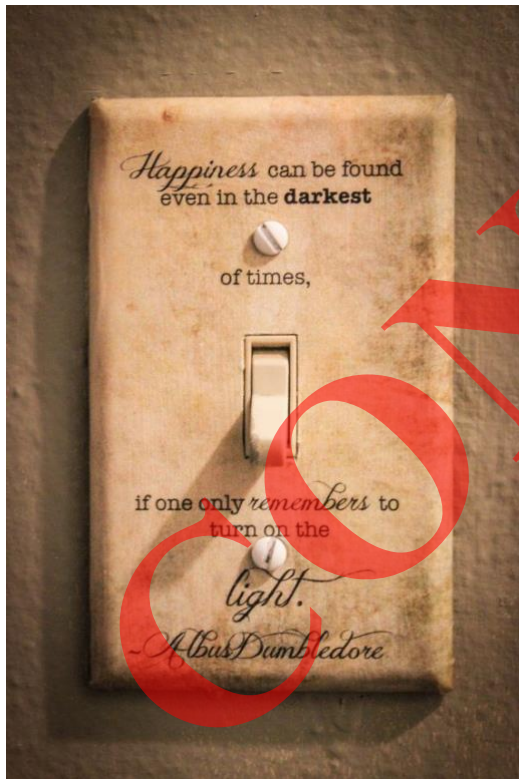


Design Accents

Art, music lyrics, quotes from great novels, poetry will be all around. We may even have art that can be sold by local artists. A small section of wall space could be set aside to rotating art. We can incorporate areas that lend themselves to Instagram photos, and other social media postings for our guests – their reach extends our reach.







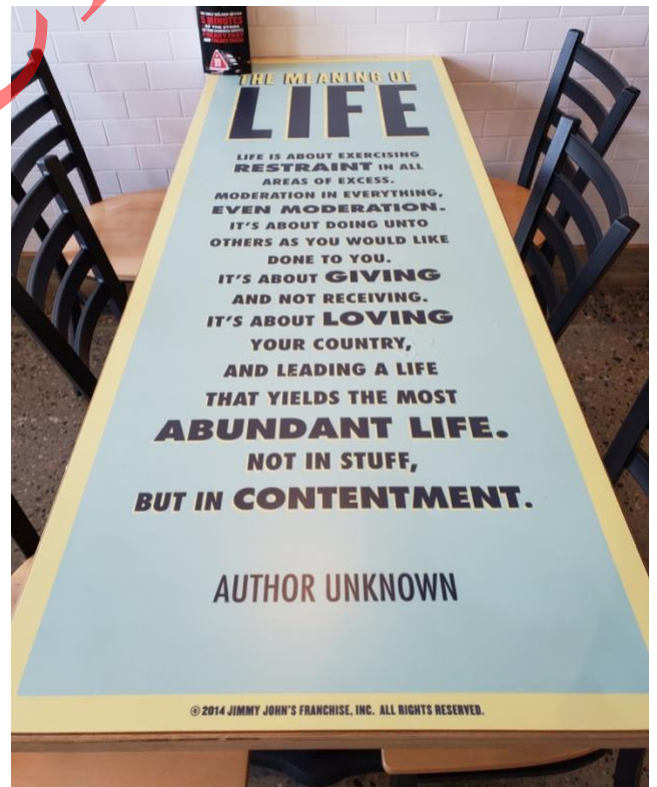
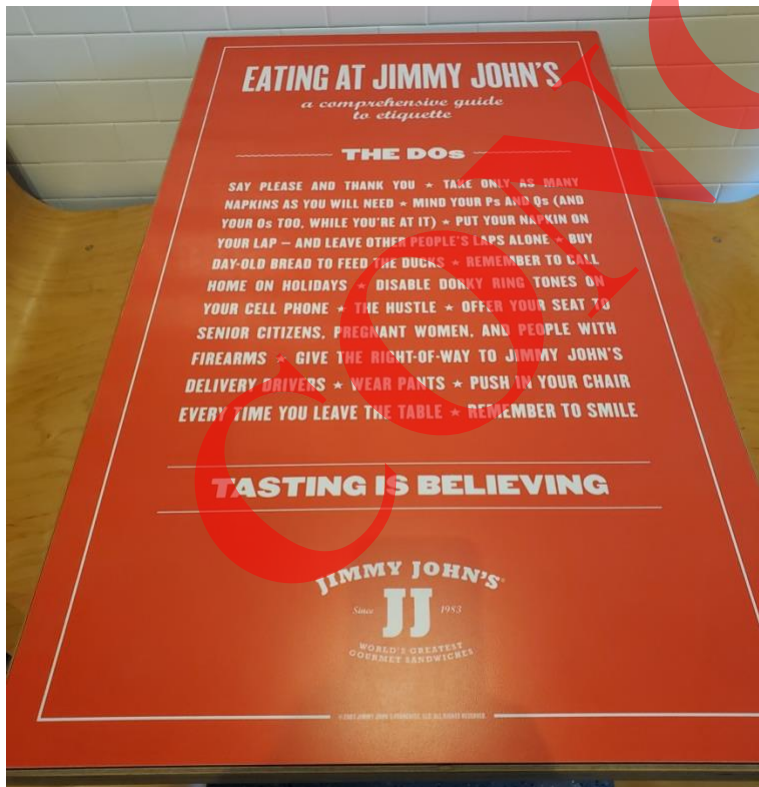
Extended Branding

The Cape brand will be reflected in all that we do. Once the customer leaves our four walls we want them to take more than a memory with them. We should have a SWAG shop with promotional shirts, sunglasses, hats, dog bandanas, even dog treats made from our spent grain.

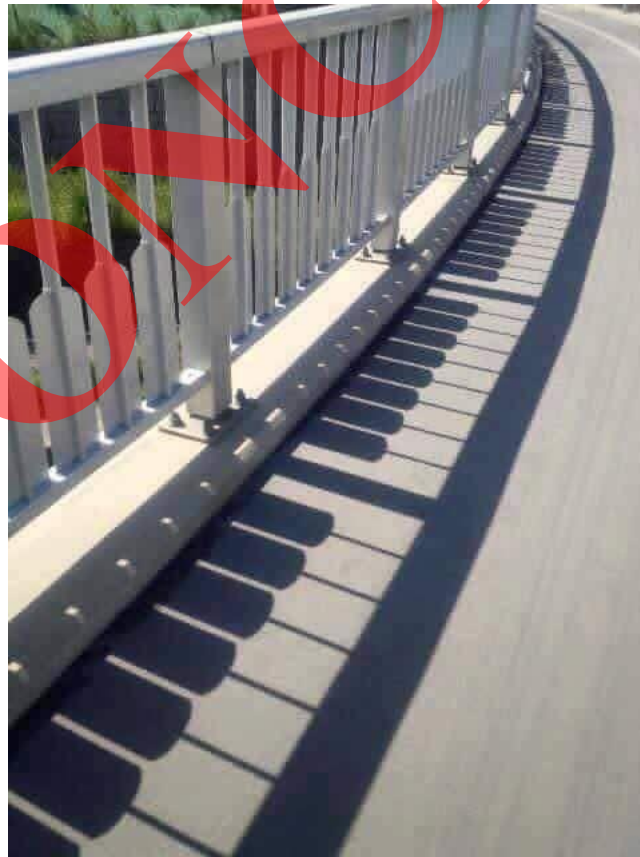


Tables

The ability to put lyrics or thoughts on a large format can't be overlooked.

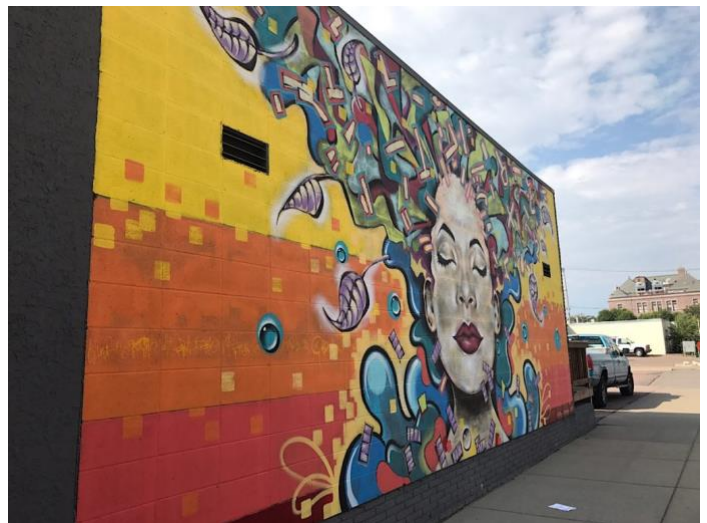


Outside



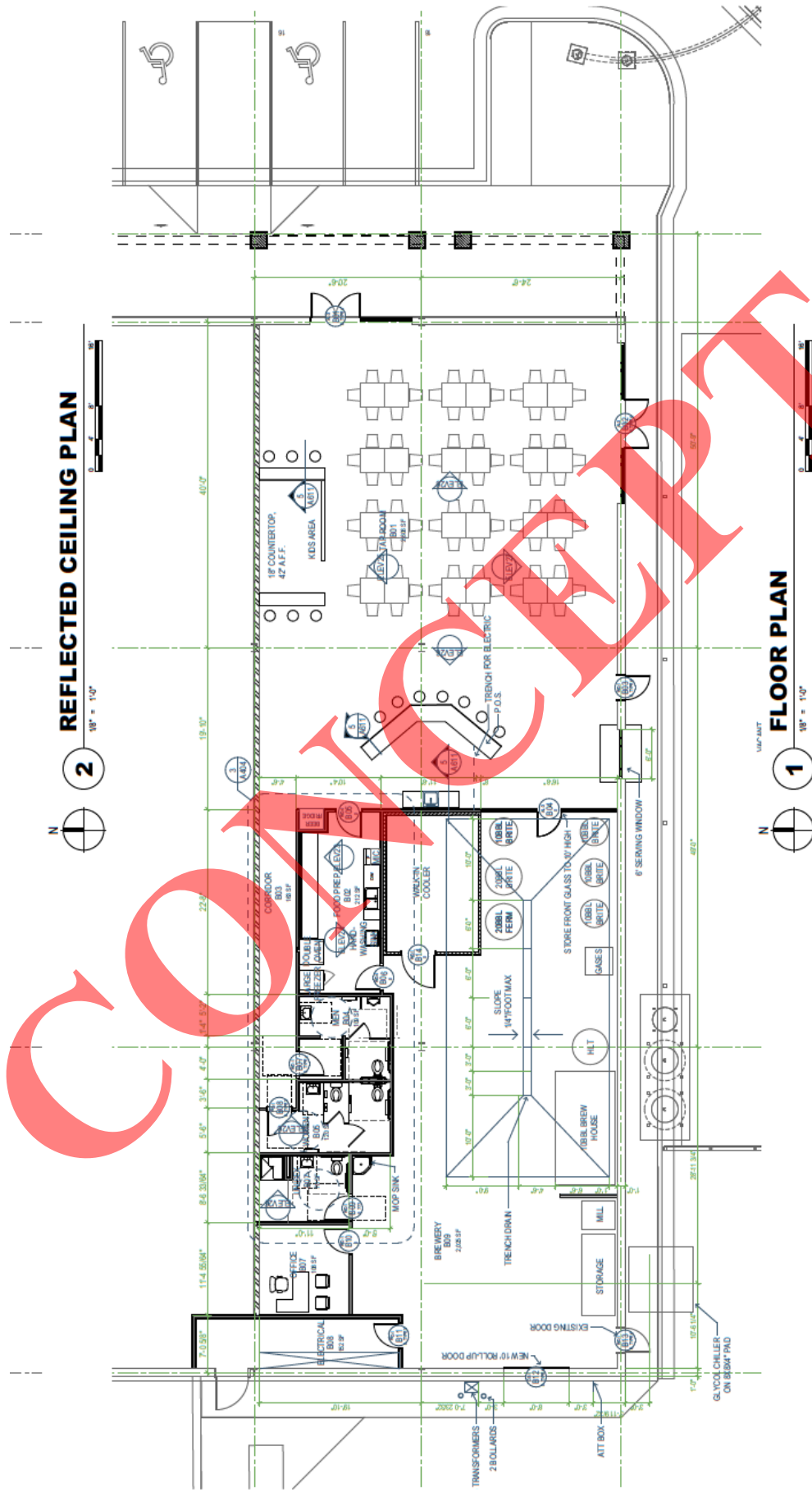
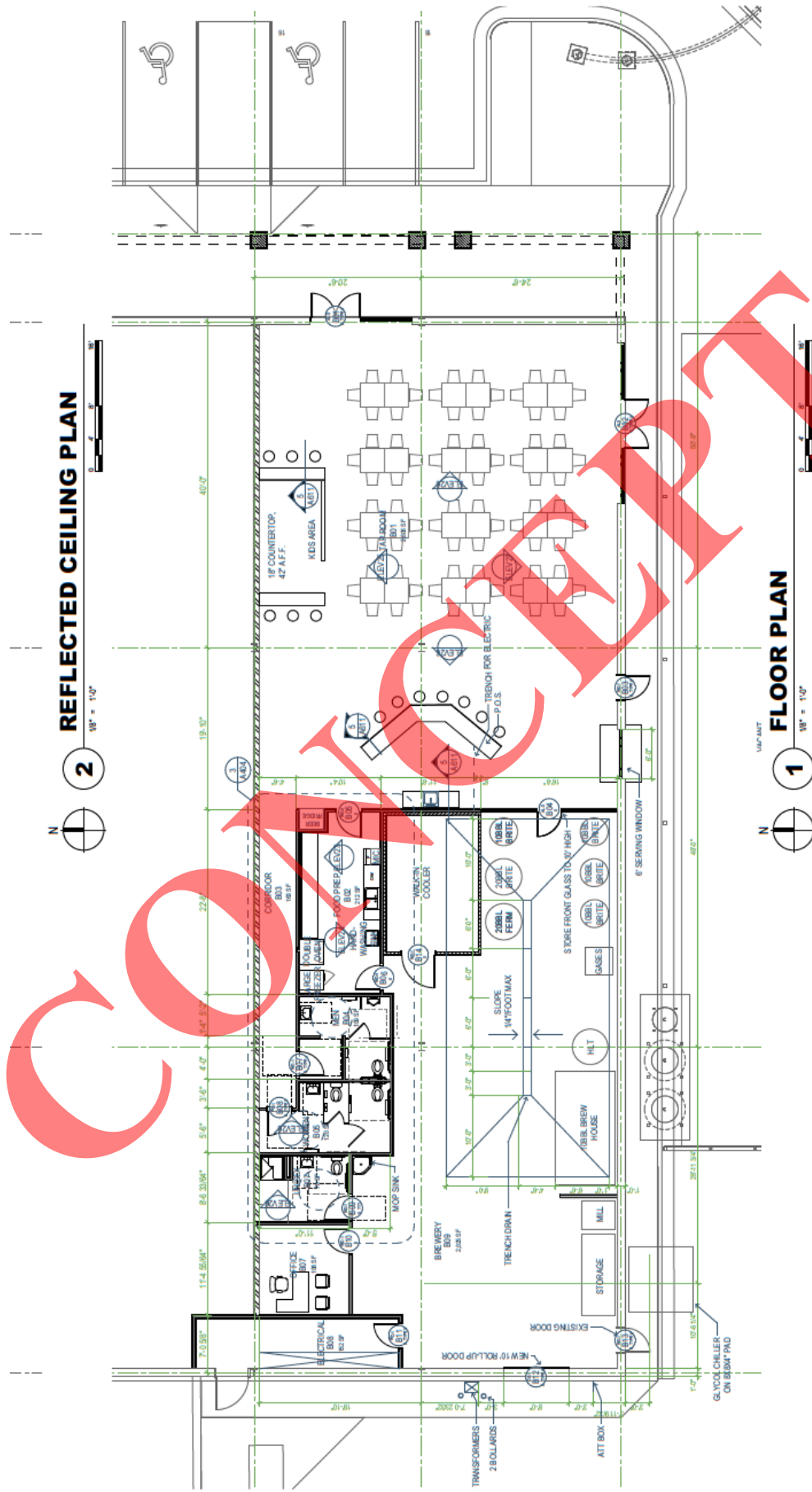
Mural

On the wall of the entertainment venue. Creative way to encompass all that our brewery and the community that we are in have to offer.



The ability to enjoy a nice day with an amazing elixir can't be missed. Also keeping with the creativity concept we would invite the best food trucks to share their best.





To	Planning Commission
Hearing Date	August 06, 2020
Case Number	JZ 20-662 REZONING
Request	Recommendation of approval of rezoning from AG to RS-2
Location	10601 S Elgin Ave
Applicant	Amy Bors

Staff Report

Preparer | Marcaé Hilton; BM

Attachments

- ☐ Google Earth Photos
- ☐ Case Map
- ☐ Building Location Map

Preparer

Staff
INCOG
Amy Bors

Background Information

STAFF COMMENTARY | Amy Bors is seeking a zone change from an Agriculture District to a Residential Single-Family Medium Density District. The purpose of this change is to build a new home on a lawfully conforming lot, the original home was scraped. The lot is surrounded by AG and RS-1 homes; and is substantially smaller than the lots surrounding it. This lot would not meet the current Bulk and Area requirements of an AG or RS-1 zoning district if developed today. The lot does easily fit within the RS-2 zoning requirements. Despite the surrounding parcels being a lesser density, staff considers the new zoning compatible with the area. Staff worked for several months with the owner and architect to find a viable solution, due to the size constraints and Right of Way dedications, this lot could only be developed as a single-family home.

PLANNING DATA

Current Zoning	AG Agriculture District
Requested Zoning	RS-2 Residential Single-Family Medium Density District
Intended Use	Residential Home
Parcel ID	98225-82-25-53530
STR	Section 25, Township 18, Range 12
Comprehensive Plan	Low Intensity
General Location	10601 S Elgin Ave
Plat	Unplatted
Site Area	0.40 Acres
Appearance District	None
Public Comment	None at the time of this staff report
Zoning Surrounding:	
North:	RS-1 PUD 33 Single-family Residential Low Intensity PUD 33
South:	AG Agriculture
West:	RM-1 Single-family Residential
East:	AG Agriculture



Figure 1: INCOG ZONING MAP

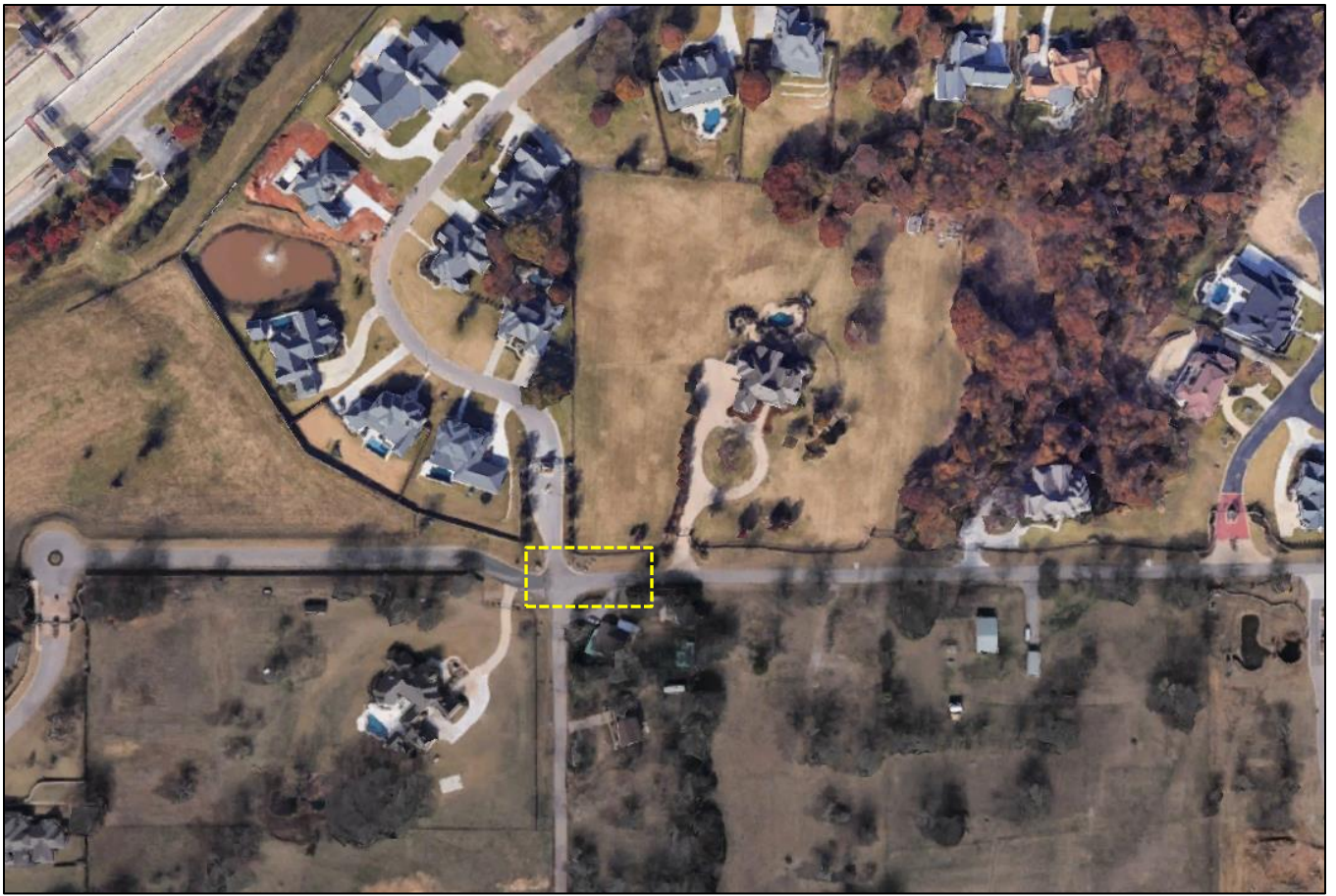


Figure 2: Google Earth Aerial Shot



Figure 3: House is no longer on the lot, it has been scraped, applicant awaits rezoning and building permit approval



Figure 4: House in yellow gone | Intersection of W 106th and Elgin

Staff Evaluation & Recommendation

EVALUATION | The request fits the current comprehensive plan and does not pose an adverse effect to the surrounding properties.

STAFF COMMENTS | Staff has no conditions for approval and sees no reason to deny the request for RS-2 zoning.

RECOMMENDATION | *Approve JZ 20-662* | *REZONING*



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 LOCATED IN THE CITY OF JENKS, OKLAHOMA

JZ 20-662

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 06 August 2020, in consideration of the following:

An application to approve a request by Amy Bors to rezone a property from AG to RS-2

Legal Description: BEG NW COR NW SE TH E 176 S 100 W 176 N 100 TO BEG SEC 25-18-12

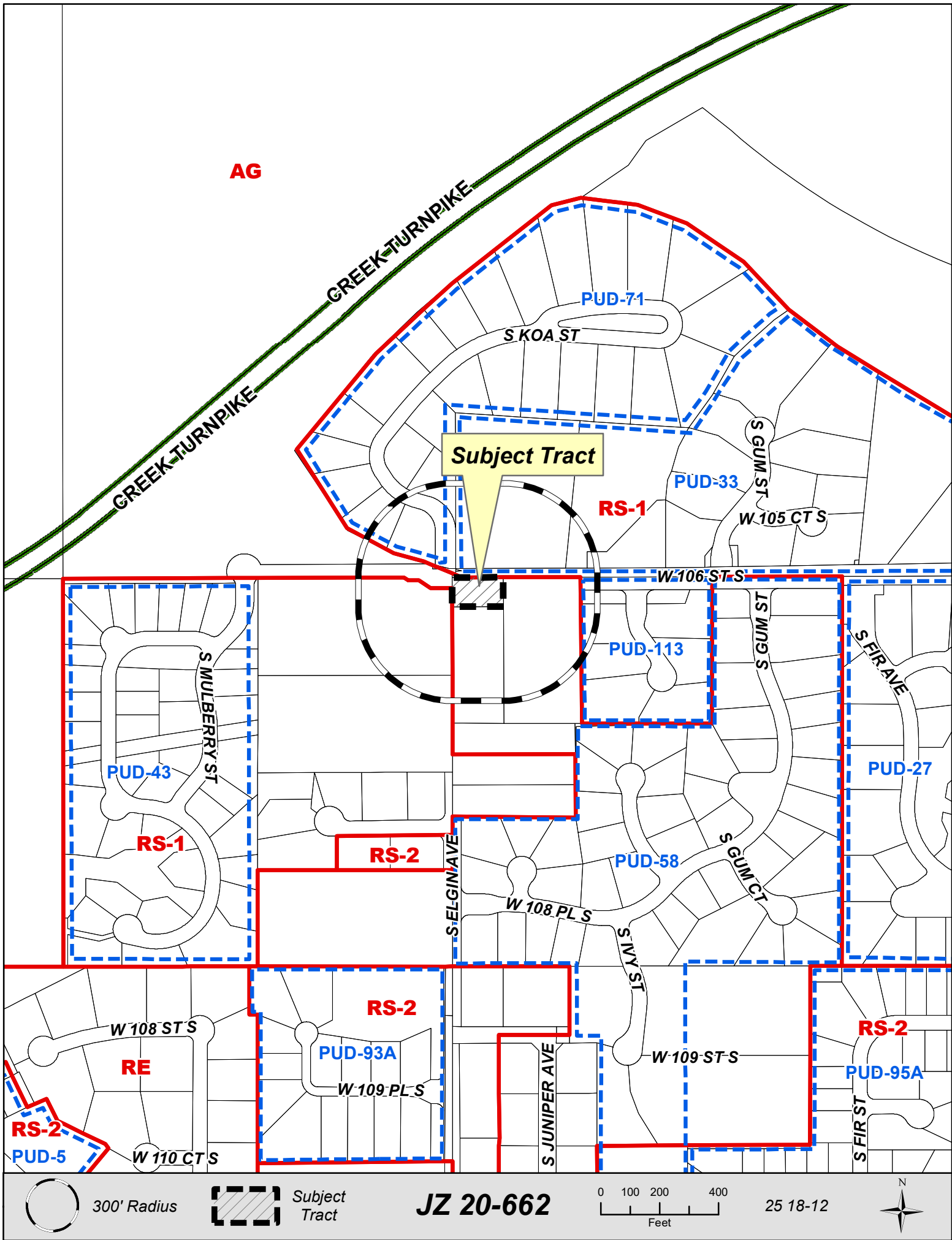
General Location: 10601 S Elgin Ave

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

Dated at Jenks Oklahoma on 17 July 2020.

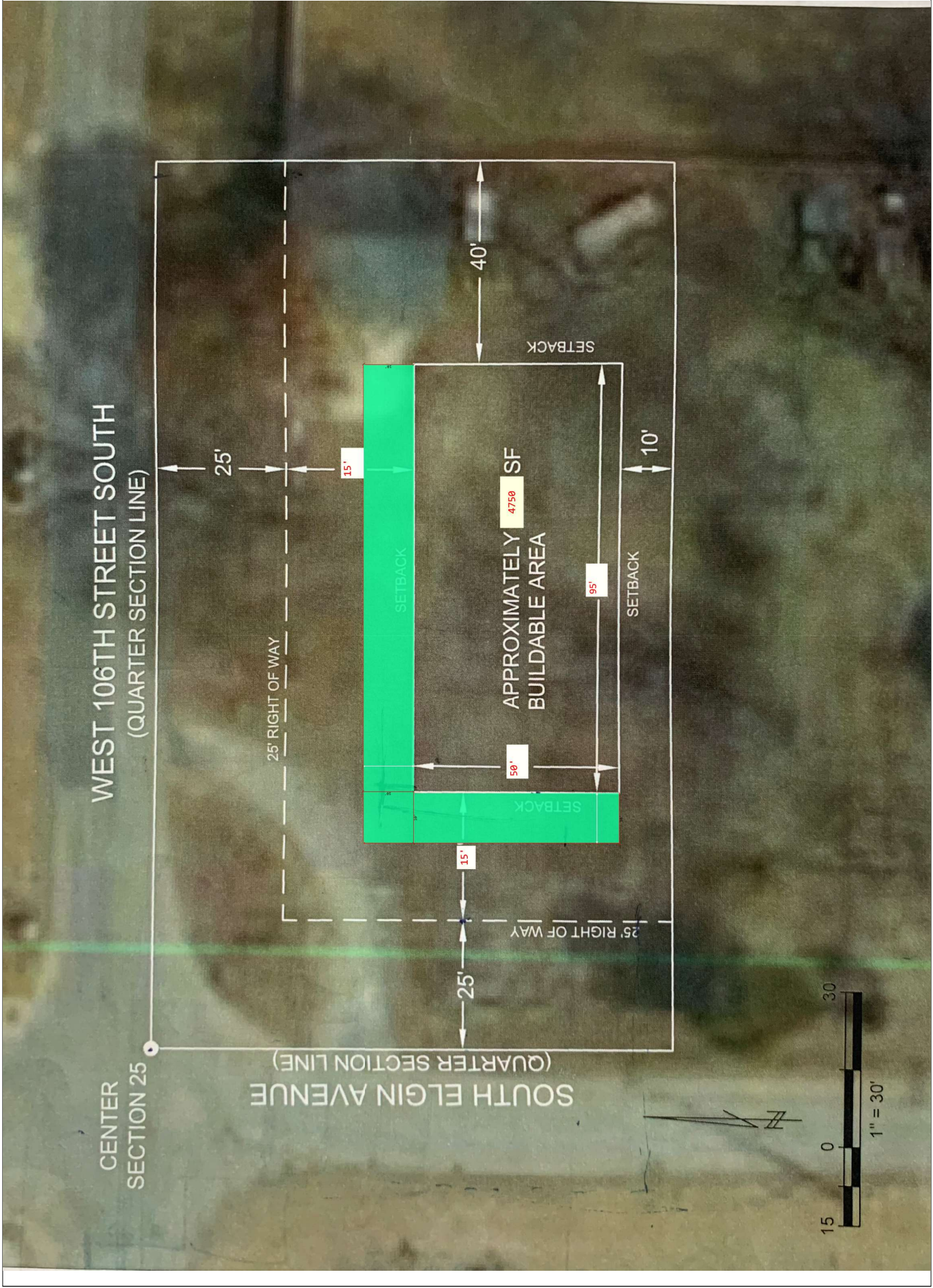
Marcaé Hilton, Secretary
Jenks Planning Commission

¹ As of writing this notice, City Hall will be open for public comments on the above date. However, due to COVID-19, that may change before the meeting is held. Should anything change a notice will be placed online at <https://www.jenks.com/235/Zoning-Notices>. You may also contact the City Clerk at 918-209-4903



These placement plans for the products
 specified were based on the information
 provided to us. This service is solely
 intended for product application
 and is not intended to constitute
 assurance. It is not intended to constitute
 the need for a design professional as
 determined by the building codes. The
 builder solely remains responsible to
 assure these drawings are compatible to
 with the overall project.

Project
 New Build Area



Jenks | PC Staff Report



To	Planning Commission
Hearing Date	August 06, 2020
Case Number	JZ 20-663 PUD 30d
Request	Minor Amendment to PUD 30 C
Location	Riverwalk Terrace and E. 91 st Street
Applicant	Robert Bell

Staff Report

Preparer | BM; Marcae Hilton

Attachments

☐ PUD 30d Amendment Text

Preparer

Robert Bell

☐ PUD 30 Staff Report

Robert Bell

Background Information

It was been brought to the attention of the City of Jenks that Riverwalk Apartments has transitioned to traditional Multi-family residential rental units, at least in part. A change of use from Corporate “Educational Housing” to traditional apartments triggered a letter of notice. The City of Jenks requested Riverwalk Apartments submit a plan for parking expansion to accommodate the additional 120 required spaces. This change of use without an expansion of parking stalls was a direct violation of PUD30C as adopted by Ordinance No. 1268 on February 15, 2010, Jenks City Council.

Brief history: on February 6, 2010, the Jenks Planning Commission heard a request from the Riverwalk Apartments asking for approval of a requested Amendment PUD 30 “C” to PUD 30B. The amendment was to Area “B” of the approved PUD 30B. The request was to identify the use of the property as Educational Housing and to create parking standards and criteria related to the specified use. The amendment also established parking standards and criteria for future development and parking requirements for any change of use to traditional Multi-Family residential. The meeting minutes reflect the language of the PUD as seen in the staff report regarding parking.

TULSA CO DATA

- Parcel # 60837-83-19-09440
- Situs address 1280 RIVERWALK, TE JENKS 74037
- Owner name RIVERWALK APARTMENTS LLC
- Subdivision RIVERWALK CROSSING II
- Legal LOT 1 BLOCK 1
- STR Section 19 Township: 18 Range: 13

Public Comment None received | Minor Amendments do not require a notice

Special District Riverfront Tourism District & Special District

Zoning PUD 30" C"/CS I Commercial Shopping

Comp Plan Development Sensitive | No Land Use

General Location 600-1100 River Walk Terrace

Acres 27.2

Intended Use Mixed Uses Apartments/Condo's/Tourist Related Water Oriented Commercial

PARKING DATA | PER PUD 30 "C" AMENDMENT | CC | February 15, 2010

RIVERWALK APARTMENTS	ONE BDR	TWO BDR	TL	PUD 30C
CORPORATE HOUSING	64	170	234	@1.35=316

JENKS CODE	1.5 PARKS	2 PARKS	REQUIRED	BUILT
	96	340	436	316

ADDITIONAL STALLS REQ 436-316=120

PARKING STALL SIZE	JENKS CODE	PUD 30
	10 x 20	9 x 19 @ 80% noncompact car
		8 x 19 @ 20% compact car

PUD CONTENT AND APPROVAL SUMMARY (PER ORIGINAL STAFF REPORTS | ROB BELL)

PUD 30-B Addition of Multi-family (JZ-486)

Removed Use Unit 16, Gasoline Service Stations

4 Approved Lots

- Lot 1, Multi-family Residential | Apartments
- Lot 2, Multi-family | Condominiums
- Lot 3, Commercial Shopping | Retail, Office, Outdoor Riverfront activity
- Lot 4 (JL-216), required to be attached to Lot 1, Block 1, Riverwalk Crossing

2 DEVELOPMENT AREAS

DEVELOPMENT AREA A | Commercial, Area A | 17.7 acres

DEVELOPMENT AREA B | Multi-family, Area B | 10 acres

Development Area A

Area and DENSITY | CS Zoning District

PUD text | Multi-screen Theater | Up to 5 stories in height | 75-foot maximum height

FAR | 50% maximum floor area ratio or coverage of the subject property

MAX HEIGHT | All other structures upon the property | 50-foot

BUILD LINE

- 50 foot setback | along the north property line of the plat along 91st Street
- No setback | from the connection to the existing Phase I development
- 18 foot setback | from Lot 2 Block 1 | fire lane along the south side of the condominium development
- 20 foot setback | building line from the surface toe of the Jenks Levee
- 100 foot setback | from all abutting properties to the west.

Signage | CS Zoning District

OFF-STREET PARKING

- Shared or common parking areas
- Parking spaces designed for phase I and II together were needed too meet the needs as specified by code
- However, the introduction of the multiple family residential areas has decreased the over all planned parking spaces associated with phase I and II and the introduction of outside eating areas has increased the need for parking.
- Lot 4 Block 1 Riverwalk Crossing currently used for parking with a gravel surface will be converted to permanent, paved parking and developed to the standards of the Jenks City Code for said use.

SPECIFIED EVENTS

- Conducted as a part of the pedestrian plaza entertainment venue
- Phase 2 of the proposed development also includes a river stage or amphitheater to be located within the plaza. The proposed development did not specify safeguards for the residential properties to the west.
- Council approved the PUD with noise levels limited to 65 decibels at the west property boundary
- The use shall be limited to no later than 10 p.m.
- Sunday through Thursday and 12 p.m. Friday and Saturday.
- Events planned to exceed these criteria shall require approval of a Temporary Use Permit by the Jenks City Council.
- The restrictions upon this use shall be specified within the Planned Unit Development restrictions of the deed of dedication associated with the "Riverwalk Crossing" subdivision plat.

DEVELOPMENT AREA B

Developed to the standards of RM-2 Zoning District except as modified

Maximum of 350 multiple family units as the development standard for Area "B"

Maximum number of multiple family residential units for area "B" shall be established at 257

Proposed development | 257 units

207 apartments

50 condominiums

land area per dwelling unit | 1,775 square feet which at an average between 1 and 2 bedroom units is greater than the requirements RM-3 zoning district

LIVABILITY | increases the livability space per dwelling unit to meet the minimum standard for the RM-2 zone of 400 square feet. 4 stories | 60-foot maximum height limitation

condominium building | 6 stories | 75-foot maximum height limitation.

BUILD LINE | 91st Street amended to 20 feet with no other changes to the approved PUD 30

PARKING | Parking standards and signage must be in conformance with the Jenks Zoning Code.

SPECIAL DISTRICT | Not located within the boundaries of the established Appearance Review District. The deed of dedication has specified that an architectural review committee will be established for the development of the tract. The Planned Unit Development text has specified that development shall comply with the Riverfront Appearance Review District Guidelines.

LANDSCAPING | 10% of net land area for commercial areas and 15% of net land area for residential areas to be utilized for minimum landscaped open space.

ELEVATIONS | The building design of the multiple family residential units must substantially conform to the submitted drawings with the PUD and with the masonry standards as established with the Riverwalk Crossing Phase I.



Evaluation | The request comes during an economic condition no one predicted; due to COVID 19 many commercial and residential entities are doing business differently. In 2010, the City Council approved Amendment “C” to PUD 30 allowing for an exception to the parking requirements as approved in PUD 30 “B”. The educational housing provision provided alternatives to personal vehicles for resident students, as a result, the City of Jenks deferred a portion of the required parking.

Market conditions have changed, though, and the owned/developer is looking to subsidize the educational housing with standard apartment leasing. They are asking for a new phased approach to meet the economic demands and The applicant has provided a viable solution to move forward with new guidelines:

PUDd | Minor Amendment to PUD 30C Modification to parking requirement only

1. Request to convert minimum of 15 apartments in 2020 for public use
2. Upon Leasing the 100th Unit for traditional public use
 - a. Owner of Riverwalk Crossing Apartments will build established additional parking
 - b. PUD 30B | 439 spaces
3. Riverwalk Crossing Apartments Report
 - a. Send report to office of City Planner and City Manager
 - b. Send report quarterly
4. All other criteria in PUD 30 “B” and “C” remain unchanged

Recommendation: Approve PUD 30 “D” to allow for up to 100 traditional public unit leases and requiring a quarterly leasing report to the office of the City Planner and City Manager.

Minor Amendment of PUD 30C

Development Text

PUD 30 C Amended was processed as a minor amendment to PUD 30 B Amended to recognize a special use of Educational Housing of the apartment complex and establish parking standards for this use.

PUD 30 C recognized that the occupants of the complex would generally not have access to private vehicles and generally will not be accompanied by spouses thus greatly reducing the parking needs associated with the use.

The site is developed with 64 one-bedroom units and 170 two-bedroom units for a total of 234 units. The Jenks Zoning Code specifies 1.5 spaces for one-bedroom apartments and 2 spaces for 2-bedroom apartments. This would establish the parking requirements for Multiple Family Use at 439 spaces. The subject request was to establish a parking standard for the recognized Educational Housing at 1.35 spaces per unit for a total of 316 spaces.

An area of land was set aside for future development of additional units. The amendment specified that if this area was developed for multiple family uses or if the use of the structures is changed to a standard Multiple Family Use the PUD criteria will initiate maximum parking spaces as required by the Zoning Code for the entire complex. A compact car space was also authorized but the proposed amendment does not affect this established standard and it is not addressed.

The establishment of the Educational Housing use was established with a 10-year contract that was renewable. The renewable option has been recognized. It was always considered that the Educational Housing use was good for the City and for Riverwalk Crossing because it established a client base that would utilize the Riverwalk shops out of necessity. It was always considered that this use was either on or off and never was considered a possibility that there would be the potential for a transition of the property to a more standard Multi-Family use.

With the Covid-19 Pandemic and the downturn of the market, the offsite educational facility for the students is not being fully utilized. It is anticipated that this will be an interim condition, but reactivation will be likely at a reduced occupancy for the complex. Therefore, to help offset the costs associated with the complex, the complex is anticipating the transformation of a minimum of 15 units in 2020 for public use. It is not known if any other units will be transformed to a standard multi-family use. If they were, it is anticipated that it would be only at 15 units per year.

The Minor Amendment to PUD 30 C is to modify the parking requirement to recognize at best, that which could be called, a gradual transformation of the site to Multi-Family. The history of vehicles at the complex over the past 10 years has shown that less than 20% of students ever have had a vehicle on the site and often that number is closer to zero. To make sure we error on the conservative side, the following is determined; that 50% of the students could have a vehicle on site. Considering a 234-unit occupancy and utilizing the existence of a vehicle for 50% of the occupancy this would mean that 117 spaces would be utilized (Historically over the 10 years use

of the property this number is less than 50). The established spaces of the complex are 316. Total spaces at 316 and preserving 117 for Educational Housing leaves 199 spaces for traditional apartment use. Only considering spaces needed for 2-bedroom apartments, even though there will be a mix of 1- and 2-bedroom units rented, available spaces would allow for 99 two-bedroom apartments for traditional multi-family use.

PUD 30 D will be establishing criteria that upon leasing the 100th unit for traditional public use, Riverwalk Crossing Apartments or current owner will be required to establish the remaining parking as established in PUD 30 B, which is 439 spaces. Riverwalk Crossing Apartments or current owner will report to the City upon the increase of the number of units open to the public and a quarterly report on the leasing of that increase. All other criteria established in PUD 30 B and PUD 30 C will remain in effect.

Request to approve Ordinance No. 1267 providing an amendment to Ordinance No. 1193 that established Planned Unit Development No. 62 zoning district classification on land as described. Greg Bowman made a motion to approve Ordinance No. 1267 providing an amendment to Ordinance No. 1193 that established Planned Unit Development No. 62 zoning district classification on land as described. Seconded by Sally Bisel. A roll call vote of members was as follows:

Sally Bisel	Yes
Allen Obert	Yes
Dewayne Brooks	Yes
Kevin Rowland	Yes
Greg Bowman	Yes
Mayor Vic Vreeland	Yes

Motion carried.

Request to approve the Emergency Clause for Ordinance No. 1267. Greg Bowman made a motion to approve the Emergency Clause for Ordinance No. 1267. Seconded by Sally Bisel. A roll call vote of members was as follows:

Sally Bisel	Yes
Allen Obert	Yes
Dewayne Brooks	Yes
Kevin Rowland	Yes
Greg Bowman	Yes
Mayor Vic Vreeland	Yes

Motion carried.

JZ-521 PUD 30C Amended (2682) Request by RiverWalk Apartments LLC., for approval of a Minor Amendment to Area "B" of Planned Unit Development (PUD) Number 30B Amended Zoning District on the following described property:

Lot 1, Block 1, "RiverWalk Crossing II", an addition to the City of Jenks, Tulsa County, State of Oklahoma.

General Location: RiverWalk Terrace and East 91st Street South.

Robert Bell stated the Planning Commission conducted a public hearing on JZ-521/PUD 30C Amended a Request by Riverwalk Apartments LLC., on Thursday, February 11, 2010. The subject property is designated Development Sensitive by the Jenks Comprehensive Plan. The property is currently zoned CS (Commercial Shopping Center)/Planned Unit Development Number 30B Amended. The applicant is requesting an amendment to Area "B" of Planned Unit Development Number 30B Amended Zoning District to identify the use of the property for Educational Housing, to establish parking standards and criteria related to the specified use, and to establish parking standards and criteria upon further development or change of use to Multiple Family Residential as defined by the Jenks Zoning Code. Area "B" of "RiverWalk Crossing II", Planned Unit Development Number 30B Amended is a 9.537 acre area designated for Multiple Family Residential or similar uses and is further identified as Lot 1 Block 1 "RiverWalk Crossing II". Robert Bell said the City of Jenks Zoning Code specifies in Section 950.8A the following criteria for processing an amendment to a PUD. "Minor changes in the PUD may be authorized by the Planning Commission and the City Council, which may direct the process of an amended subdivision plat, incorporating such changes, so long as a substantial compliance is maintained with the site development plan and the progress and standards of the PUD provisions hereof. Changes which would represent a significant departure for the site development plan shall require compliance with the notice and procedural requirements of an original Planned Unit Development. It shall be the duty of the zoning administrator to determine whether any specific request shall be considered a major or minor change, but this decision may be reversed when reviewed by the Planning Commission and the City Council. Staff findings indicate that the designated use of Educational Housing meets with the definition of similar uses to Multiple Family Residential as already authorized within PUD 30 B Amended. The proposed amendment is outlining the parking standards associated with said use and will establish the parking standards for such time that the use is converted to a Multiple Family, as defined by the Jenks Zoning Code, or further development of housing units are requested. Staff has determined that the proposed amendment is in substantial compliance with the progress and standards of Planned Unit Development 30 B Amended and is therefore considered a Minor Amendment. Robert Bell said the Planning Commission originally reviewed and recommended approval of Planned Unit Development 30 B Amended on October 25, 2007. Planned Unit Development 30B Amended was approved by City Council on November 5, 2007. The Final Plat of "RiverWalk Crossing II" was filed on September 26, 2008. The original approval of PUD 30 B Amended established that Multiple Family Residential and similar uses were permitted uses within Area "B" further identified as Lot 1, Block 1, "RiverWalk Crossing II" and referred to as subject tract. The applicant has identified that the use of the structures on the property will be restricted to Educational Housing for students associated with a training program with a local

company. These students from around the country will utilize the housing for less than 120 days at which time new students from various areas will be rotated to the site. The proposed use does comply with the definition of similar uses. PUD 30 B Amended specified that parking standards for Area "B" would be per City of Jenks Zoning Code. The parking standards within the Jenks Zoning Code does not account for the special conditions associated with the Educational Housing use in that the occupants will generally not have access to private vehicles and generally will not be accompanied by spouses thus greatly reducing the parking needs associated with the use. The site is currently developed with 64 one bedroom units and 170 two bedroom units for a total of 234 units. The Jenks Zoning Code specifies 1.5 spaces for one bedroom apartments and 2 spaces for 2 bedroom apartments and above. This would establish the parking requirements for Multiple Family Use at 439 spaces. The subject request is to establish a parking standard for the recognized Educational Housing at 1.35 spaces per unit for a total of 316 spaces. An area of land was set aside for future development of additional units. If this area is developed for multiple family uses or if the use of the structures is changed to a standard Multiple Family Use the PUD criteria will initiate maximum parking spaces as required by the Zoning Code for the entire complex. The Jenks Zoning Code currently specifies parking spaces to be 10' x 20'. A standard practice nation wide has decreased this size to 9' x 18' to assist in reducing the impacts associated with the paving of pervious surfaces and to create greater areas for landscaping. The 9' x 18' parking criteria has already been established within in various commercial Planned Unit Developments within the City of Jenks. The applicant is requesting to establish the parking space size requirement for Area "B" at 9' x 19'. The application further requests that a compact car spaces for up to 20% of parking spaces at size of 8' x 19' be allowed upon initiation of the requirement to establish the number of Parking Spaces as defined for Multiple Family Uses as required by the Jenks Zoning Code. A requirement to clearly identify areas designated for compact cars shall be specified within the criteria. Robert Bell said all other criteria and standards associated with Planned Unit Development Number 30 B Amended will remain as approved on November 5, 2007, with zoning application JZ-486 Planned Unit Development Number 30 B Amended under Ordinance Number 1209. The Applicant was not represented at the hearing. No one spoke in opposition to the request. The Planning Commission discussion identified various concerns related to the establishment of the compact car space criteria at 20% and the grouping of such spaces. It was identified that the current PUD criteria would only allow 247 residential units and the parking diagram provided was addressing criteria for 284 units. It was noted that the parking requirements could be reduced to as much as 74 spaces from that which was shown on the site plan to what would be required under current PUD Bulk and Area Requirements. It was further identified that the parking site plan for the future use would require further review and approval by staff at the time that

the use was changed; and would require an amendment to the PUD if additional units were added. The discussion also addressed concerns related to notification of the change in use and enforcement procedures should the City not be notified. Following the discussion of the case, the Planning Commission voted 6-1 to recommend approval of JZ-519 PUD Number 63 Amended Zoning District with a modification of the criteria to include the following condition.

1. A request to increase the number of dwelling units above the 247 authorized by PUD 30B Amended will initiate a requirement to obtain approval for the parking lot design to accommodate the additional units within the required Planned Unit Development Amendment process for the increase in density of Residential Units.

Robert Bell showed the Council the property on power point. The issue for tonight is to establish the parking standards which would have normally been required under our code. If they change the use to apartments they will have to add the one hundred spaces which could be done without doing the compact spaces under current requirements. Steve Oakley asked where do they have the other hundred spaces? Robert Bell replied this is all future. Kevin Rowland said that is a lot of stuff to say we need to change the parking space size. Robert Bell replied it is really not the parking space size it is really the number of spaces required by the uses. The biggest thing on the agenda tonight we have a use called Educational Housing. Kevin Rowland said we would be approving for them to use it as an Educational Housing and what you are telling us that they have contracted with every unit in there will be for that specific use. Robert Bell replied that is correct. Kevin Rowland said they are not open for anybody to come in and do anything because they are solely contracted. Is it a one year contract; is it a ten year contract? Mayor Vreeland said we are not allowed to ask. Kevin Rowland said so we are approving something without knowing. Robert Bell said he would speculate that it is probably over ten years. Mayor Vreeland stated he would speculate it is too, but we are not allowed to ask what their contract is. If they come back and do something different from that and then rent those out to everyone else then they have come in and put in those other parking places. Kevin Rowland asked can we make that an amendment? Mayor Vreeland replied that is part of it. Robert Bell said if they change the use without adding the apartments they have to come to staff to design the additional 109 spaces. There was further discussion on the parking spaces for this property. Allen Obert made a motion to approve JZ-521 PUD 30C Amended (2682) Request by RiverWalk Apartments LLC., for approval of a Minor Amendment to Area "B" of Planned Unit Development (PUD) Number 30B Amended Zoning District on the above described property, subject to the condition. Seconded by Dewayne Brooks. A roll call vote of members was as follows:

Jenks City Council Minutes
February 15, 2010
page twenty-six

Sally Bisel	Yes
Allen Obert	Yes
Dewayne Brooks	Yes
Kevin Rowland	Yes
Greg Bowman	Yes
Mayor Vic Vreeland	Yes

Motion carried.

Request to approve Ordinance No.1268 providing an amendment to Ordinance No. 1209 that established Planned Unit Development No. 30B amended zoning district classification on land as described. Greg Bowman made a motion to approve Ordinance No.1268 providing an amendment to Ordinance No. 1209 that established Planned Unit Development No. 30B amended zoning district classification on land as described. Seconded by Sally Bisel. A roll call vote of members was as follows:

Sally Bisel	Yes
Allen Obert	Yes
Dewayne Brooks	Yes
Kevin Rowland	Yes
Greg Bowman	Yes
Mayor Vic Vreeland	Yes

Motion carried.

Request to approve the Emergency Clause for Ordinance No. 1268. Sally Bisel made a motion to approve the Emergency Clause for Ordinance No. 1268. Seconded by Greg Bowman. A roll call vote of members was as follows:

Sally Bisel	Yes
Allen Obert	Yes
Dewayne Brooks	Yes
Kevin Rowland	Yes
Greg Bowman	Yes
Mayor Vic Vreeland	Yes

Motion carried.

To	Planning Commission
Hearing Date	August 06, 2020
Case Number	2900 WEST MAIN
Request	Approve Plat Amendment for Change of Access
Location	SE Corner of 96 th and Franklin Main Street
Applicant	Alan Betchan, AAB Engineering

Staff Report

Preparer | Marcaé Hilton

Attachments

- ☐ Change of Access
- ☐ Supporting Documents

Preparer

Alan Betchan, AAB Engineering
Staff

Background Information

STAFF COMMENTARY | 2900 West Main was designed and engineered for maximum vehicular movement with limited access to Main Street. As the frontage pad sites have developed the need to adjust the access has been requested. Currently a commercial entity is looking to develop Lot 1, Block 1, they have been working with the City to get a preliminary site plan approval. AAB engineering has submitted a Change of Access to the plat plan per staff recommendations.

PLANNING DATA

Public Comment	None Plat Amendments are not advertised
Intended Use	New commercial development
Appearance District	None
Zoning	PUD 98 CS (Commercial Shopping Center) & Planned Unit Development Development Area "A" Permitted Uses CS + Use Unit 22 "Warehousing and Wholesaling"
Comprehensive Plan	Medium Commercial Commercial Land Uses
General Location	East of HWY 75 and South of 96 th Street (Main Street)

H. LIMITS OF NO ACCESS

THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO WEST 96TH STREET WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT, WHICH LIMITS OF NO ACCESS MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF JENKS, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ESTABLISHED ABOVE SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA.

Figure 1: Plat Language regarding "limits of no access"



Figure 2: Aerial View of site

Staff Evaluation & Recommendation

EVALUATION | This change of access has been in the planning phase for many months, the City of Jenks has come to a solution for moving forward which included the following:

Alan, Revise and resubmit the LNA and ACCESS on the exhibit you submitted.

- ✓ Provide access between Lots 1 and 2 (no change)
- ✓ Provide access between Lots 3 and 4
- ✓ Provide access between Lots 5 and 6
- ✓ Change Access width to 60' at Adams Street.
- ✓ Remove access between Lots 4 and 5

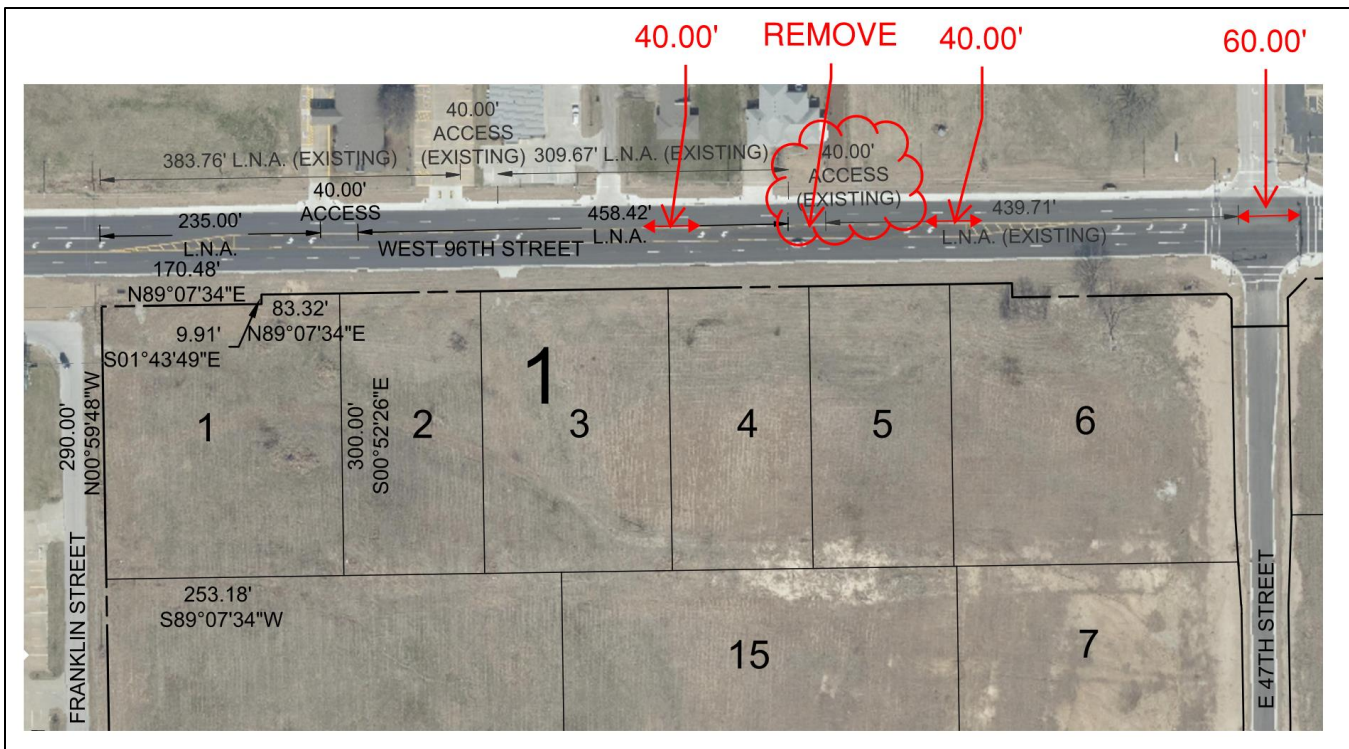
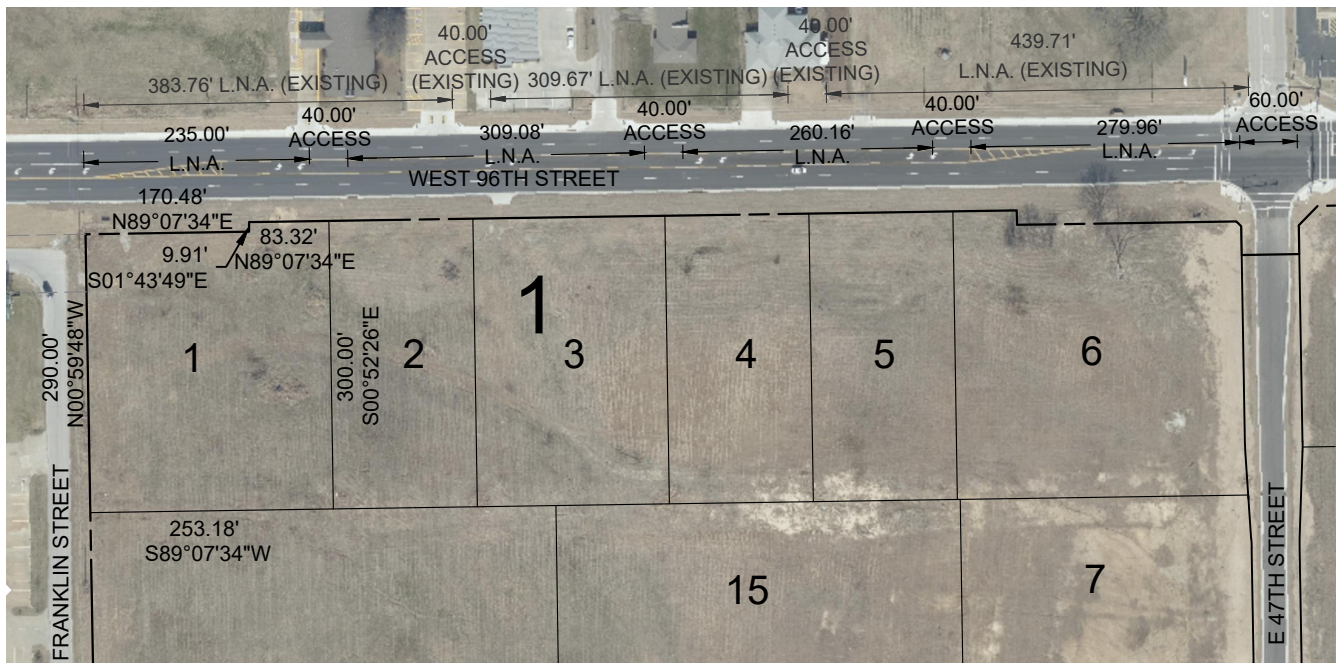


Figure 3: Staff Recommendations

RECOMMENDATION | Staff recommends approval of the change of Access requiring the approved document be filed of record with the Tulsa County Land Records and tied directly to the Plat.





2900 West Main

PUD-98

AN ADDITION TO THE CITY OF JENKS, BEING A TRACT OF LAND LYING IN SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

OWNER:
2900 WEST MAIN, LLC
4942 EAST 73RD STREET
TULSA, OK 74136
PHONE: 918-582-5281
ATTN: JAMES FERRIS

ENGINEER/SURVEYOR:
AAB ENGINEERING, LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE 30, 2018
PO BOX 2136
SAND SPRINGS, OKLAHOMA 74063
PHONE: (918) 514-4283
EMAIL: ALAN@AABENG.COM

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 \$48,954.00 per trust receipt no.14793 to be applied to 2017 taxes. This certificate is NOT to be construed as payment of 2017 taxes in full but is given in order that this plat may be filed for record. 2017 taxes may exceed the amount of the security deposit.

Dated: 03/01/2017
Dennis Sepler
Tulsa County Clerk
By: *Carol A. Sepler*
Deputy

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS NINETEEN (19) LOTS IN TWO (2) BLOCKS AND TWO (2) RESERVE AREAS (58.21 TOTAL ACRES)

BLOCK 1..... 16 LOTS (36.69 ACRES)
BLOCK 2..... 3 LOTS (11.52 ACRES)
RESERVE A..... (1.93 ACRES)
RESERVE B..... (4.41 ACRES)

SUBDIVISION DATA

BENCHMARK

CHISELED BOX ON TOP OF CULVERT NORTH OF "WEST 96TH STREET". 70.58' NORTH AND 562.50' EAST OF NORTHWEST PROPERTY CORNER.

ELEV=643.66' (NAVD 88)

BASIS OF BEARINGS

GRID BEARINGS OF THE OKLAHOMA STATE PLANE COORDINATE SYSTEM - ZONE 3501 NORTH

MONUMENTATION

A 3/8" X 18" REBAR WITH A YELLOW PLASTIC CAP STAMPED "CA6318" TO BE SET AT ALL LOT CORNERS, POINTS OF CURVE, POINTS OF TANGENT, POINTS OF COMPOUND CURVE, POINTS OF REVERSE CURVE, UNLESS NOTED OTHERWISE.

FLOODPLAIN

PORTIONS OF PROPERTY ARE CONTAINED WITHIN THE 1% ANNUAL CHANCE (100-YEAR FLOOD ZONE AE) AND 0.2% ANNUAL CHANCE (ZONE X-SHADED) AS SHOWN ON FIRM PANEL "40143C0344L" DATED OCTOBER 16, 2012

UTILITY CONTACTS

WATER & SEWER
CITY OF JENKS WATER DEPARTMENT
211 N. ELM STREET
JENKS OK 74037
(918) 299-5363

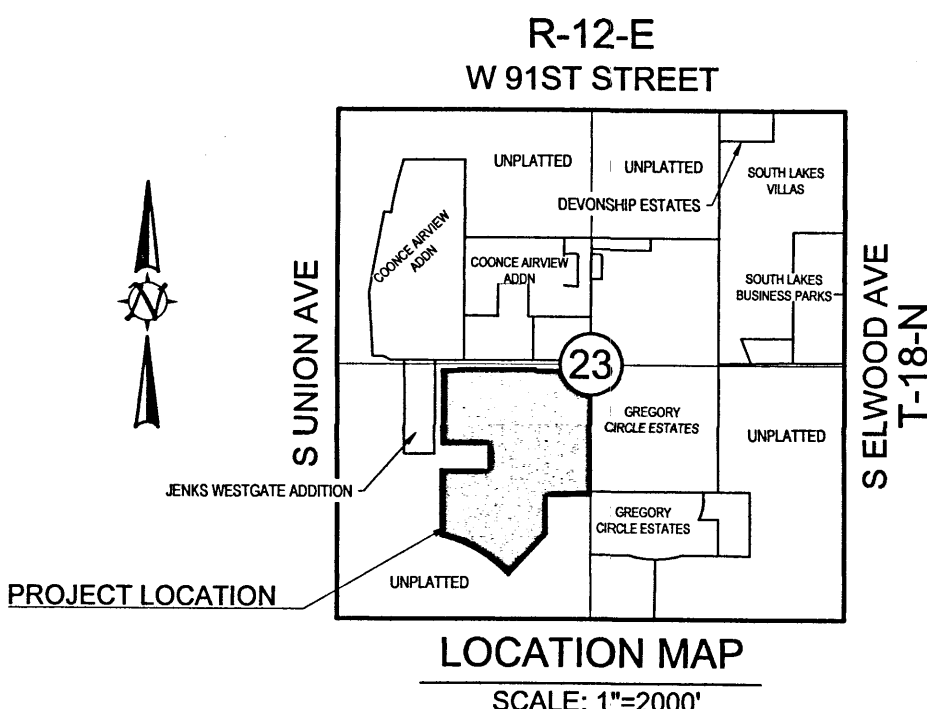
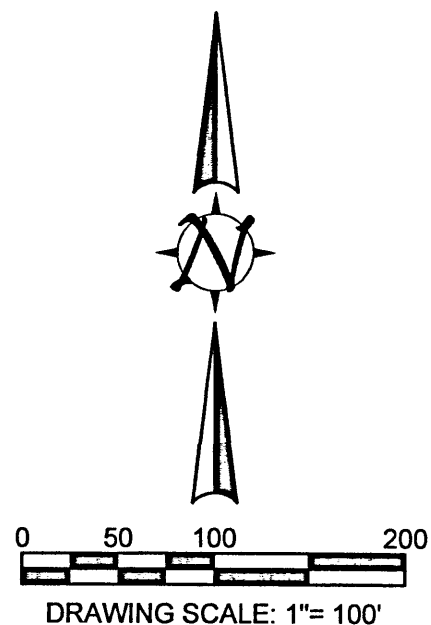
PUBLIC SERVICE COMPANY
OF OKLAHOMA
212 E. 6TH ST.
TULSA, OK 74119
1-888-216-3523

OKLAHOMA NATURAL GAS COMPANY
2319 WEST EDISON STREET
TULSA, OK 74127
918-834-8000

BTC COMMUNICATIONS
11134 SOUTH MEMORIAL
BIXBY, OK 74008
(918) 366-8000

AT&T
(800) 464-7928

COX COMMUNICATIONS
11811 EAST 51ST STREET
TULSA, OK 74145
(918) 806-6000



LEGEND

B/L..... BUILDING LINE
L.N.A..... LIMITS OF NO ACCESS
POB..... POINT OF BEGINNING
POC..... POINT OF COMMENCEMENT
ROW..... RIGHT OF WAY
U/E..... UTILITY EASEMENT
MAVE..... MUTUAL ACCESS EASEMENT
BK..... BOOK
PG..... PAGE
IPF..... IRON PIN FOUND
IPS..... IRON PIN SET

CURVE TABLE

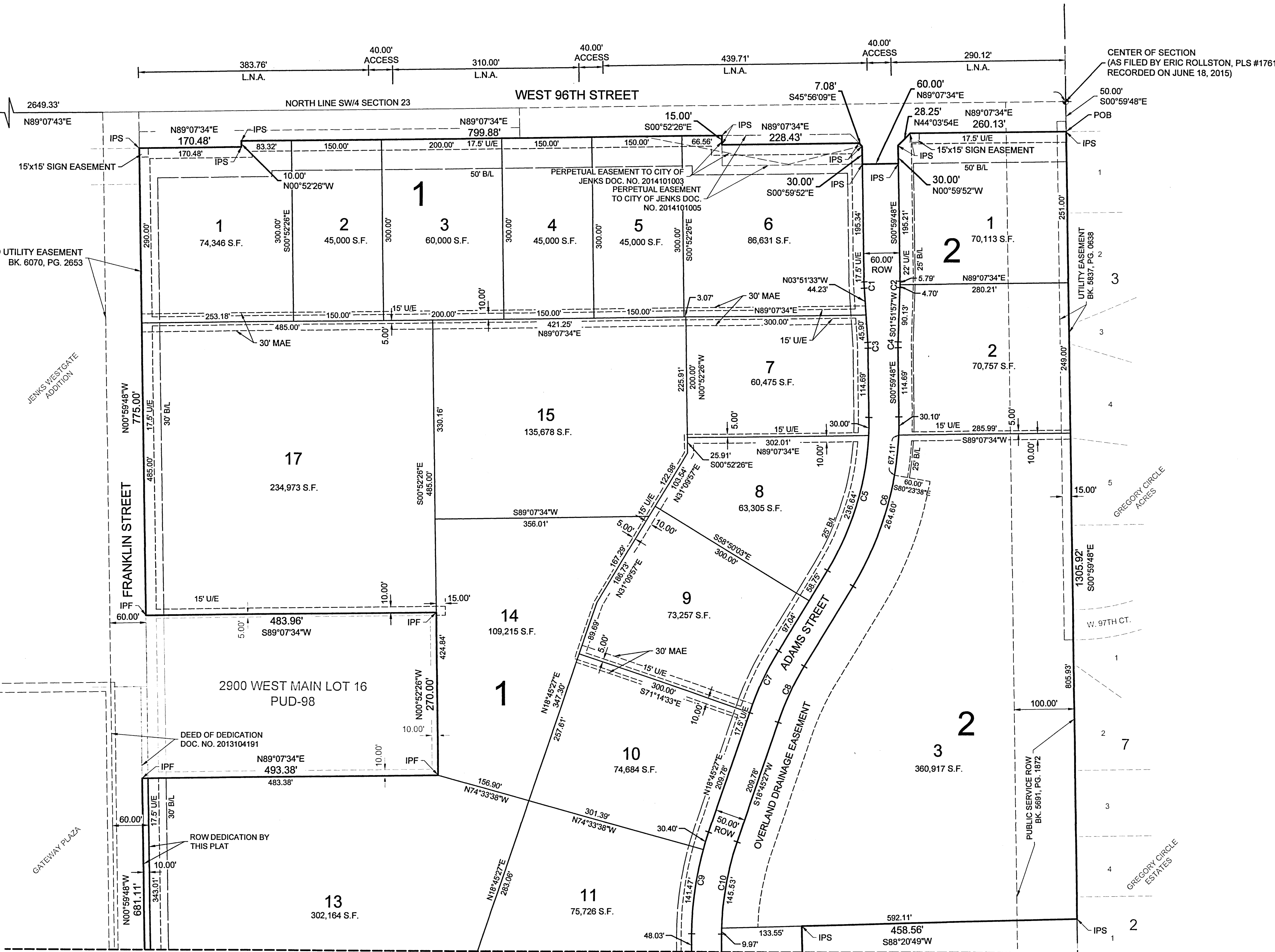
CURVE #	LENGTH	RADIUS	DELTA
C1	10.49	210.000	2°51'45"
C2	10.49	210.000	2°51'45"
C3	9.49	190.000	2°51'45"
C4	9.49	190.000	2°51'45"
C5	266.64	475.000	32°09'45"
C6	294.70	525.000	32°09'45"
C7	113.70	525.000	12°24'30"
C8	102.87	475.000	12°24'30"
C9	171.87	525.000	18°45'27"
C10	155.51	475.000	18°45'27"
C11	53.85	100.000	30°51'19"
C12	80.78	150.000	30°51'19"
C13	37.13	25.000	85°05'49"
C14	37.13	25.000	85°05'49"
C15	132.09	560.000	13°30'52"
C16	329.81	500.000	37°47'38"
C17	133.04	560.000	13°36'42"
C18	158.28	235.000	38°35'27"
C19	234.15	175.000	76°39'47"

FINAL PLAT CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the
Jenks City Council on 11/21/16
Kelly A. Varley
MAYOR - VICE MAYOR

This approval is void if the above signature is not
endorsed by the City Manager

CITY MANAGER



MATCH LINE SHEET 2



2900 West Main

PUD-98

AN ADDITION TO THE CITY OF JENKS, BEING A TRACT OF LAND LYING IN SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

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ATTN: JAMES FERRIS

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0 50 100 200
DRAWING SCALE: 1"= 100'

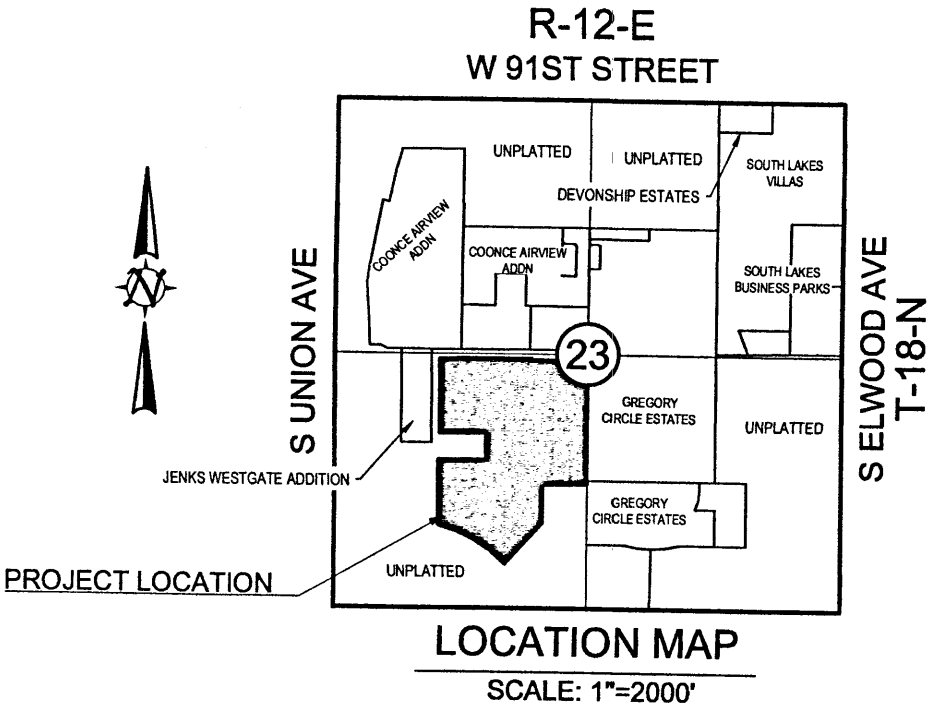
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Dated: 03/01/2017
Dennis Semler
Tulsa County Treasurer
By: *[Signature]*
Deputy

FLOODPLAIN

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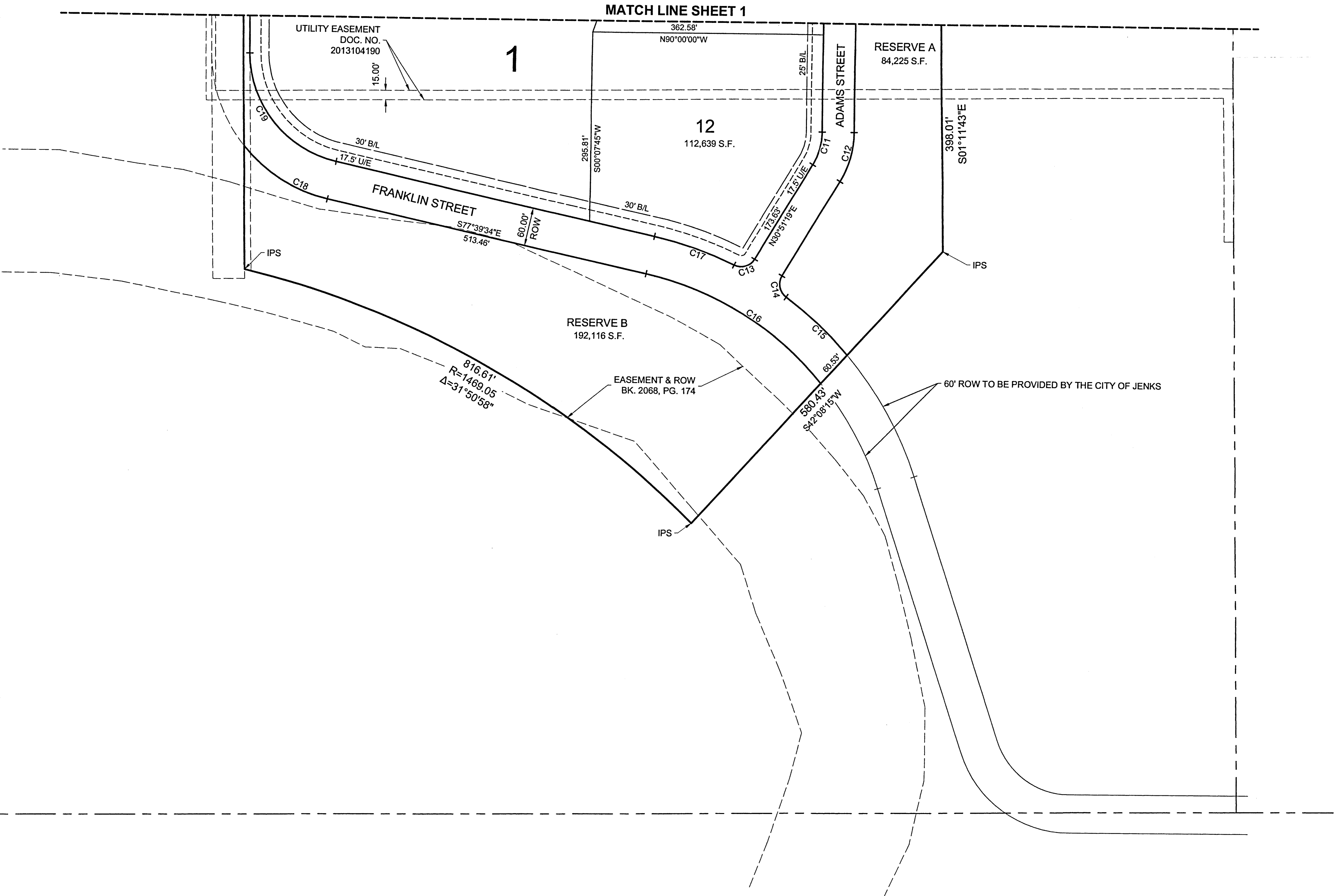


LEGEND

- B/L.....BUILDING LINE
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- POB.....POINT OF BEGINNING
- POC.....POINT OF COMMENCEMENT
- ROW.....RIGHT OF WAY
- U/E.....UTILITY EASEMENT
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C17	133.04	560.000	13°36'42"
C18	158.28	235.000	38°35'27"
C19	234.15	175.000	76°39'47"



DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:
2900 WEST MAIN, LLC., HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS PART OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY OF THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

A TRACT OF LAND THAT IS PART OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY OF THEREOF, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SOUTHWEST QUARTER (SW/4) OF SAID SECTION 23; THENCE NORTH 89°07'43" EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (SW/4) A DISTANCE OF 2649.33 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 23; THENCE SOUTH 00°59'48" EAST AND ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 23 FOR A DISTANCE OF 60 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°59'48" EAST AND ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (SW/4) OF SAID SECTION 23 FOR A DISTANCE OF 1305.92 FEET; THENCE SOUTH 88°20'49" WEST FOR A DISTANCE OF 458.56 FEET; THENCE SOUTH 01°11'43" EAST FOR A DISTANCE OF 398.01 FEET; THENCE SOUTH 42°08'15" WEST FOR A DISTANCE OF 580.43 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE AND A POINT ON THE TOP OF BANK OF POLECAT CREEK; SAID CURVE TURNING TO THE LEFT ALONG SAID TOP OF BANK THROUGH AN ANGLE OF 31°50'58", HAVING A RADIUS OF 1469.05 FEET FOR A LENGTH OF 816.61 FEET, AND WHOSE LONG CHORD BEARS NORTH 61°14'57" WEST FOR A DISTANCE OF 806.14 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE AND A POINT ON AN EASTERLY RIGHT-OF-WAY AS DESCRIBED IN DOCUMENT NUMBER 2013104191; THENCE NORTH 00°59'48" WEST AND ALONG SAID EASTERLY RIGHT OF WAY FOR A DISTANCE OF 681.11 FEET; THENCE NORTH 89°07'34" EAST A DISTANCE FOR A DISTANCE OF 493.38 FEET; THENCE NORTH 00°52'26" WEST FOR A DISTANCE OF 270.00 FEET; THENCE SOUTH 89°07'34" WEST FOR DISTANCE OF 483.96 FEET TO A POINT ON ROADWAY AND UTILITY EASEMENT AS DESCRIBED IN BOOK 6070 PAGE 2853 OF THE TULSA COUNTY CLERKS OFFICE; THENCE NORTH 00°59'48" WEST FOR A DISTANCE OF 775.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF WEST 96TH STREET; THENCE NORTH 89°07'34" EAST ALONG SAID RIGHT OF WAY FOR A DISTANCE OF 170.48 FEET; THENCE NORTH 00°52'26" WEST FOR A DISTANCE OF 10.00 FEET; THENCE NORTH 89°07'34" EAST FOR A DISTANCE 799.88 FEET; THENCE SOUTH 00°52'26" EAST FOR A DISTANCE OF 15.00 FEET; THENCE NORTH 89°07'34" EAST FOR A DISTANCE OF 228.43 FEET; THENCE SOUTH 45°56'09" EAST FOR A DISTANCE OF 7.08 FEET; THENCE SOUTH 00°59'52" EAST FOR A DISTANCE OF 30.00 FEET; THENCE NORTH 89°07'34" EAST FOR A DISTANCE OF 60.00 FEET; THENCE NORTH 00°59'52" WEST FOR A DISTANCE OF 30.00 FEET; THENCE NORTH 44°03'54" EAST FOR A DISTANCE OF 28.25 FEET; THENCE NORTH 89°07'34" EAST A DISTANCE OF 260.13 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 2,535.641.55 SQUARE FEET OR 58.21 ACRES, MORE OR LESS.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 19 LOTS IN 2 BLOCKS, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "2900 WEST MAIN", A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "2900 WEST MAIN" OR THE "SUBDIVISION").

THE OWNER DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND GRANTS AND AGREES TO BE BOUND BY THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS FOR THE SUBDIVISION OF THE ABOVE DESCRIBED LAND WHICH SHALL BE DESIGNATED AND REFERRED TO HEREIN AS "2900 WEST MAIN".

SECTION I. PUBLIC STREETS AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "UE" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES 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 STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON 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 THAT INTERFERED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNERS LOT.
- WITHIN UTILITY EASEMENTS 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, IN THE JUDGMENT OF THE CITY OF JENKS, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNERS AGENTS AND/OR CONTRACTORS.
- THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

C. RESERVES 'A' & 'B' (OVERLAND DRAINAGE EASEMENTS)

- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL OVERLAND EASEMENTS ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS RESERVE "A" AND RESERVE "B" FOR THE PURPOSES OF PROTECTING AND PROVIDING ACCESS TO THE 100-YEAR FLOODPLAIN LOCATED WITHIN THE RESERVES. THE OVERLAND DRAINAGE EASEMENT IS HEREBY ESTABLISHED TO RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS.
- RESERVE "A" AND RESERVE "B" SHALL REMAIN AS A NATURAL UNIMPROVED AREA PROVIDED REMOVAL OF UNDERBRUSH AND GROUND MAINTENANCE SHALL BE PERMITTED. SUPPLEMENTAL LANDSCAPING MAY BE PERMITTED IF IT DOES NOT IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE RESERVE. "A" HAS BEEN GRANTED. THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COST SHALL BE PAID BY THE OWNER. IN THE EVENT THE OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS, THE CITY OF JENKS, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF A STATEMENT OF LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE OWNERS LOT. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF JENKS, OKLAHOMA.
- THE OWNER OF RESERVE "A" AND RESERVE "B" SHALL NOT CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE RESERVES. IN THE EVENT THE OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE GRADE, THE CITY OF JENKS, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COST SHALL BE PAID BY THE OWNER. IN THE EVENT THE OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS, THE CITY OF JENKS, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF A STATEMENT OF LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE OWNERS LOT. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF JENKS, OKLAHOMA.

2900 West Main

PUD-98

AN ADDITION TO THE CITY OF JENKS, BEING A TRACT OF LAND LYING IN SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

OWNER:
2900 WEST MAIN, LLC
4942 EAST 73RD STREET
TULSA, OK 74136
PHONE: 918-582-5281
ATTN: JAMES FERRIS

ENGINEER/SURVEYOR:
AAB ENGINEERING, LLC
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE 30, 2018
PO BOX 2136
SAND SPRINGS, OKLAHOMA 74063
PHONE: (918) 514-4283
EMAIL: ALAN@AABENG.COM

PLAT, ARE HEREBY ESTABLISHED FOR THE PURPOSES OF PERMITTING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM ALL STREETS AND AREAS ADJACENT TO AND CONTAINED WITHIN THE SUBDIVISION, SUCH EASEMENTS SHALL BE FOR THE MUTUAL USE AND BENEFIT OF EACH AFFECTED LOT OWNER, THEIR GUESTS, AND INVITEES, AND SHALL BE APPURTENANT TO EACH AFFECTED LOT OWNER, PROVIDED GOVERNMENTAL AGENCIES AND THE SUPPLIERS OF UTILITY SERVICES SHALL HAVE THE REASONABLE USE OF SUCH EASEMENTS INCIDENTAL TO THE PROVISION OF SERVICES TO THE LOTS WITHIN THE SUBDIVISION.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, 2900 WEST MAIN WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS P.U.D. NO. 98 AS PROVIDED BY THE CITY OF JENKS ZONING CODE, AS THE SAME EXISTED ON JUNE 1, 2016), WHICH P.U.D. NO. 98 WAS APPROVED BY THE JENKS PLANNING COMMISSION ON JUNE 1, 2016 AND BY THE COUNCIL OF THE CITY OF JENKS, OKLAHOMA, ON JUNE 6, 2016; AND WHEREAS, THE OWNER 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, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF JENKS, OKLAHOMA; THEREFORE, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH. REFERENCES TO THE JENKS ZONING CODE IN THIS SECTION II SHALL MEAN THE JENKS ZONING CODE IN EFFECT AS OF JUNE 1, 2016, AND REFERENCES TO "USE UNITS" SHALL MEAN THE USE UNITS AS DEFINED THEREIN.

PUD-98 DEVELOPMENT AREA 'A' DEVELOPMENT STANDARDS:

LOTS 1-10, 13, 14 & 15, BLOCK 1 AND LOTS 1-3, BLOCK 2	
GROSS LAND AREA	38.38 AC
A. PERMITTED USES	
USES PERMITTED AS A MATTER OF RIGHT WITHIN THE CS ZONING DISTRICT, ALONG WITH WAREHOUSING AND WHOLESALE AS DESCRIBED IN USE UNIT 22 OF THE JENKS ZONING CODE.	
B. MAXIMUM BUILDING FLOOR AREA RATIO	0.60
C. MAXIMUM BUILDING HEIGHT:	
WEST OF ADAMS STREET EXTENSION	70 FEET
EAST OF ADAMS STREET EXTENSION	35 FEET

PUD-98 DEVELOPMENT AREA 'B' DEVELOPMENT STANDARDS:

LOTS 11, 12 & 17, BLOCK 1	
GROSS LAND AREA	19.83 AC
A. PERMITTED USES	
USES PERMITTED AS A MATTER OF RIGHT WITHIN THE CS ZONING DISTRICT, ALONG WITH WAREHOUSING AND WHOLESALE AS DESCRIBED IN USE UNIT 22 OF THE JENKS ZONING CODE.	
1. IF DEVELOPMENT AREA "B" IS DEVELOPED FOR COMMERCIAL USES THE DEVELOPMENT CRITERIA AS IDENTIFIED IN DEVELOPMENT AREA "A" SHALL APPLY. RESIDENTIAL DEVELOPMENT OF AREA "B" IS RESTRICTED TO AND CONSIDERED A SENIOR INDEPENDENT RETIREMENT VILLAGE OR LIVING CENTER. THE UNDERLYING ZONING WOULD REMAIN CS BUT SINGLE FAMILY RESIDENTIAL DEVELOPMENT WOULD BE ALLOWED WITHIN THE SENIOR INDEPENDENT RETIREMENT VILLAGE. THE PLANNED UNIT DEVELOPMENT ESTABLISHED THE PARAMETERS OF A MAXIMUM OF 50 SINGLE FAMILY RESIDENTIAL UNITS. MINIMUM LOT WIDTH SHALL BE 55 FEET, LOT SIZE SHALL BE 6,000. FRONT YARD SETBACK SHALL BE ADJOINING A STREET SHALL BE ESTABLISHED AT 15 FEET. IF THE MULTIUNIT RESIDENTIAL COMPONENT IS ADDED FOR THE USE OF THE SENIOR LIVING CENTER THE MEDIUM INTENSITY PLAN DESIGNATION WOULD ALLOW UP TO 16 DWELLING UNITS PER ACRE, HOWEVER ONLY 13 ACRES WOULD BE AVAILABLE AFTER THE SINGLE FAMILY COMPONENT LIMITING THE NUMBER OF MULTIUNIT DWELLINGS TO NO GREATER THAN 208. ANY PROPOSED RESIDENTIAL DEVELOPMENT WOULD REQUIRE THAT THE SITE PLAN AND BUILDING ELEVATION BE APPROVED AS AN AMENDMENT TO PLANNED UNIT DEVELOPMENT 98.	
B. MAXIMUM BUILDING FLOOR AREA RATIO	0.60
C. MAXIMUM BUILDING HEIGHT:	
WEST OF ADAMS STREET EXTENSION	70 FEET

DEVELOPMENT STANDARDS APPLICABLE TO DEVELOPMENT AREAS 'A' AND 'B'

- PUBLIC STREET FRONTAGE**
LOTS 13 AND 14 SHALL NOT BE REQUIRED TO HAVE THE MINIMUM FRONTAGE PRESCRIBED BY THE CS DISTRICT. ACCESS TO THESE TRACTS WILL BE PROVIDED VIA MUTUAL ACCESS EASEMENTS RECORDED OF RECORD.
- SCREENING WALLS AND FENCES**
A 6 FOOT TALL WOOD SCREENING FENCE ON A CONCRETE FOOTER SHALL BE CONSTRUCTED ALONG THE EASTERN BOUNDARY OF DEVELOPMENT AREA 'A' WHERE IT IS ADJACENT TO GREGORY CIRCLE.
- MASONRY**
ALL COMMERCIAL BUILDING WITH THE PROJECT SHALL BE CONSTRUCTED OF 75% MASONRY ON ALL EXTERIOR FACES. THE 75% MASONRY REQUIREMENT SHOULD ALSO BE REQUIRED FOR ANY MULTIUNIT RESIDENTIAL. ANY SINGLE FAMILY RESIDENTIAL BUILDINGS SHALL BE CONSTRUCTED OF 100% MASONRY THE FIRST FLOOR TOP PLATE EXCLUDING WINDOWS AND COVERED PORCHES. ALL COMMERCIAL BUILDINGS WITHIN THE DEVELOPMENT WILL REQUIRE APPROVAL THROUGH THE APPEARANCE REVIEW PROCESS.
- SIGNAGE**
SIGNS SHALL BE LIMITED TO THE FOLLOWING:
 - THE DEVELOPMENT WILL ALLOW TWO MONUMENT SIGNS AT THE SIGNED ENTRANCES TO THE PROPERTY. THESE SIGNS SHALL COMPLY WITH THE JENKS ZONING CODE HEIGHT AND SIZE RESTRICTIONS AND WILL REQUIRE REVIEW AND APPROVAL THROUGH THE ARP (APPEARANCE REVIEW PROCESS) REVIEW
 - INDIVIDUAL TENANT WALL SIGNS MAY UTILIZE CHANNEL LETTERING AND WILL NOT REQUIRE ARP (APPEARANCE REVIEW PROCESS).
 - COMMERCIAL TENANTS ALONG MAIN STREET MAY HAVE GROUND SIGNS. THESE SIGNS, AND ALL OTHERS THAT ARE NOT CHANNEL LETTERING WILL REQUIRE AN APPEARANCE REVIEW PROCESS.

- TRASH**
 - TRASH RECEPTACLES SHALL BE DESIGNED WITHIN COMPACTION AREAS BEHIND GATED ENCLOSURES OR BEHIND ROLL UP OR SERVICE DOORS WITHIN BUILDINGS.
 - TRASH RESEPTICLES SHALL NOT BE VISIBLE FROM ANY PEDESTRIAN OR VEHICULAR TRAVEL WAY
- PARKING**
 - MINIMUM PARKING AREA SETBACK ADJOINING PUBIC STREETS OR PRIVATE STREETS SHALL BE 5 FEET.
 - PARKING SHALL BE PROVIDED AS REQUIRED FOR THE APPLICABLE USE UNIT AS SET FORTH IN THE JENKS ZONING CODE.
 - NO PARKING WILL BE ALLOWED WITHIN THE RIGHTS OF WAY ASSOCIATED WITH FRANKLIN AVENUE OR ADAMS STREET.
- LIGHTING**
LIGHTING SHALL BE DESIGNED SO THAT THE LIGHT PRODUCING ELEMENTS AND POLISHED LIGHT REFLECTING ELEMENTS OF EXTERIOR LIGHT FIXTURES SHALL NOT BE EMITTED TOWARD THE RESIDENTIAL AREAS TO THE EAST. NO LIGHT STANDARD SHALL EXCEED 25 FEET IN HEIGHT, PROVIDED THAT LIGHT STANDARDS AT STREET INTERSECTIONS SHALL BE NO LESS THAN 19 FEET IN HEIGHT. LIGHTING ASSOCIATED WITHIN PUBLIC AND PRIVATE STREETS SHALL NOT BE SUBJECT TO SHIELDING REQUIREMENTS FOR THE INTENT OF THIS LIGHTING IS TO PROVIDE SAFETY ASSOCIATED WITH THE ROADWAYS.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I SHALL INURE TO THE BENEFIT OF, AND BE ENFORCEABLE BY THE CITY OF JENKS OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE JENKS ZONING CODE AND SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF JENKS, OKLAHOMA AND ANY OWNER OF A LOT WITHIN THE SUBDIVISION. IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II, IT SHALL BE LAWFUL FOR THE CITY OF JENKS OR ANY OWNER OF A LOT 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 TO ENFORCE THE COVENANTS ESTABLISHED IN THIS DEED OF DEDICATION THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

B. DURATION

THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

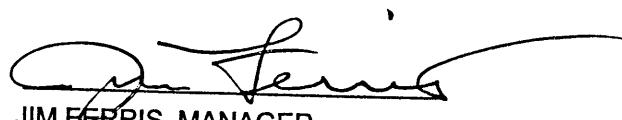
THE COVENANTS CONTAINED WITHIN SECTION I. UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENTS SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE COVENANTS OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE JENKS PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF JENKS, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENTS SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LOT TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE JENKS PLANNING COMMISSION, OR ITS SUCCESSORS AND THE CITY OF JENKS, OKLAHOMA.

D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OF ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

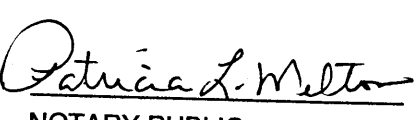
IN WITNESS WHEREOF: 2900 WEST MAIN, LLC. HAS EXECUTED THIS INSTRUMENT THIS 19TH DAY OF DECEMBER, 2016.

2900 WEST MAIN, LLC.

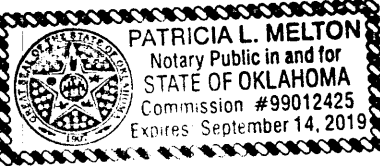
BY: 
JIM FERRIS, MANAGER

STATE OF OKLAHOMA)
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS 19TH DAY OF DECEMBER, 2016, PERSONALLY APPEARED JIM FERRIS, MANAGER OF 2900 WEST MAIN, LLC., TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS 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.

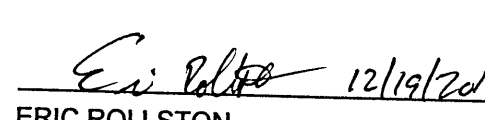

NOTARY PUBLIC

MY COMMISSION EXPIRES: 9-14-19
COMMISSION NUMBER: 99012425



CERTIFICATE OF SURVEY

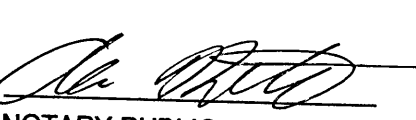
I, ERIC ROLLSTON, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "2900 WEST MAIN" A SUBDIVISION IN THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY.


ERIC ROLLSTON

REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1761

STATE OF OKLAHOMA)
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS 19TH DAY OF DECEMBER, 2016, PERSONALLY APPEARED ERIC ROLLSTON, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS 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: NOVEMBER 20, 2019
COMMISSION NUMBER: 11010522

