

AGENDA
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, JUNE 03, 2021
COUNCIL CHAMBERS, JENKS CITY HALL
211 NORTH ELM STREET, JENKS, OKLAHOMA 74037

I. CALL TO ORDER

II. ROLL CALL

III. BUSINESS

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

1.A. Request to approve minutes of May 06, 2021

Documents:

[2021.05.06 PC MINUTES.PDF](#)

- 1.B. Consideration and possible approval, denial, amendment, and/or revision of ARC 21--500: Request by Matthew Youngwirth for approval of exterior details. General Location: 105 E Main

Documents:

1. [SR.ARC 21-500.PC06.03.21.PDF](#)
2. [GAME DAY PLANS.ELEVATIONS.JPG](#)

- 1.C. Consideration and possible approval, denial, amendment, and/or revision of ARC 21-502: Request by Mitchell Reynolds for approval of exterior details and signage. General Location: 305 S Elm

Documents:

1. [SR.PC 21-502.DUTCH BROTHERS COFFEE.06.03.21.PDF](#)
2. [DUTCH BRO.JENKS APPEARANCE REVIEW COMMITTEE LETTER.PDF](#)
3. [DUTCH BRO.JENKS DB FREESTANDING SIGN.PDF](#)
4. [DUCTH BRO.BLDG ELEVS-A1.PDF](#)
5. [DUTCH BRO.SITE PLAN.PDF](#)

- 1.D. Consideration and possible approval, denial, amendment, and/or revision of Deed of Dedication for Gateway Plaza. A request by Lou Reynolds for an amendment to the Deed of Dedication on the Gateway Plaza Plat. General Location: 244 S Gateway Place

Documents:

1. [SR.DOD.GATEWAY PLAT.PDF](#)

- [2. AMENDMENT OF DOD OF GATEWAY PLAZA \(FINAL 2021 0513\).PDF](#)
- [3. GATEWAY PLAZA-JENKS.PDF](#)

- 1.E. Consideration and possible approval, denial, amendment, and/or revision of Preliminary/Final Plat of Jenks Landing: Request by Tim Terral for a replat of Jenks Landing. General Location: West of S. Union Ave and South of W. 111th St. S

Documents:

- [1. SR.JENKS LANDING AMENDED.PDF](#)
- [2. JENKS LANDING AMENDED PRE-FINAL PLAT.PDF](#)
- [3. JENKS LANDING AMENDED.ME.PDF](#)
- [4. JENKS LANDING AMENDED DOD.PDF](#)

- 1.F. Consideration and possible approval, denial, amendment, and/or revision of JL 21-357: Request by Sanjeev Trehan for approval of a lot split. General Location: 12141 S Elm

Documents:

- [1. SR.JL 21-357.VET CLINIC.PDF](#)
- [2. EXHIBIT JL21-357.LONG.PDF](#)
- [3. PUD 16 MA3.VET CLINIC. FINAL AS APPROVED.PDF](#)

- 1.G. Consideration and possible approval, denial, amendment, and/or revision of JZ 21 SUP-111.mi2. Request by Bell Land Use, LLC for approval of a minor amendment to SUP 111. General Location: 528 E 121st St

Documents:

- [1. SR.JZ 21 SUP 111.MI2.PDF](#)
- [2. 5 OAKS LODGE LEGAL AFTER SPLIT.PDF](#)

- 1.H. Consideration and possible approval, denial, amendment, and/or revision of JL 21-358: Request by Bell Land Use, LLC, for approval of a lot split. General Location: 528 E 121st St

Documents:

- [1. IMEL EXHIBIT - TRACTS.PDF](#)
- [2. IMEL.EXHIBIT TRACTS.AERIAL.PDF](#)

2. Consideration and appropriate action relating to items removed from the Consent Agenda
3. Consideration and possible approval, denial, amendment, and/or revision of JZ 21-669: Request by TEP for approval of a Comprehensive Plan Amendment from Medium Intensity to Local Commercial and a zone change from AG (Agriculture) to CS (Commercial Shopping). General Location: North of 131st and East of Harvard

Documents:

- [1. SR.JZ 21-669.PC.PDF](#)
- [19-130 REZONE 5 ACRE EXHIBIT.PDF](#)

4. Consideration and possible approval, denial, amendment, and/or revision of TUP 21-48: Request by TNT Fireworks for a Temporary Use Permit to allow for the retail sale of fireworks. General Location: 424 W Main St

Documents:

1. SR.TUP 21-48.TNT.PDF
2. CASE MAP.TUP 21-48 [424 W MAIN ST].PDF
3. TUP21-48.SITE PLAN.PDF
4. TNT FIREWORKS APPLICATION.PDF

IV. OTHER BUSINESS

1. Planning Updates

V. ADJOURNMENT

MINUTES
JENKS PLANNING COMMISSION
6:00 P.M. THURSDAY, MAY 06, 2021
COUNCIL CHAMBERS, JENKS CITY HALL, 211 NORTH ELM STREET

The Jenks Planning Commission was called to order at 6:00 p.m. on May 06, 2021, by Chair Carol Minden. A roll call vote of members was taken as follows:

Present

John Brown
Scott West
Jeffrey Beyer
Craig Bowman
David Randolph
Chair Carol Minden

Absent

Leon Davis – *arrived late at 6:02 p.m.*

Request to approve minutes of April 08, 2021. David Randolph made a motion to approve the minutes. John Brown seconded the motion. A roll call vote of members was taken as follows:

YEA: Brown, West, Beyer, Bowman, Randolph, Minden

NAY: None

Motion carried.

Old Business

1. Consideration and possible approval, denial, amendment, and/or revision of recommendation of JZ 21 PUD 127: Request by Robert Bell for approval of a Planned Unit Development and a zone change from AG (Agriculture) to RS 2 (Residential Single-Family Medium Density). General Location: South Corner of E 126th St S & S Harvard

Planning Director Marcaé Hilton presented the staff report for Old Business Item 1 and answered questions. *Leon Davis arrived at 6:02 p.m.* Robert Bell (1011 W “G” St) addressed the Commission and answered questions. John Brown made a motion to approve Old Business Item 1 with the condition that the developer work with City Staff on traffic conditions at the corner of 126th & Harvard. David Randolph seconded the motion. A roll call vote of members was taken as follows:

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

NAY: Minden

Business

1. Consideration and possible approval, denial, amendment, or revision of recommendation of JZ 21 PUD 16.ma1: Request by Heather Orvis for a Major Amendment to PUD 16 to allow for Use Unit 15 for a veterinary clinic with animal boarding on purposed Pad Site C (SW corner of lot). General Location: W 121st St & S Elm St

Planning Director Marcaé Hilton presented the staff report for Item 1 then answered questions. *Scott West left at 6:29 p.m. and returned at 6:31 p.m.* Heather Orvis (8522 E 61st St, Tulsa) addressed the Commission about the application. Dr. Kevin Long addressed the commission and answered questions about the application. The following citizens gave comments about the application:

- John Sherrill (4821 S. Sheridan #201) – spoke in favor
- Michael Baranski (418 W 120th Pl S) – spoke against
- Mary Ray (12104 S Cedar Ave) – spoke against
- Nate Winters (515 W 124th St S) – spoke against
- Oakley Burklow (517 W 124th St S) – spoke against
- James Kompton (12410 S Date Pl) – spoke against
- Sarah Foley (12410 S Cedar Ave) – spoke against
- Michael Brandes (514 W 124th St S) – spoke against
- Wilfred Gernandt (12110 S Cedar Ave) – spoke against

Dr. Long and Heather Orvis addressed the Commission again to answer questions and concerns from the public comments. *Scott West left at 7:00 p.m. and returned at 7:02 p.m.* David Randolph made a motion to approve Item 1 with the condition that only 20 non-medical animals may be boarded at any time. John Brown seconded the motion. A roll call vote of members was taken as follows:

YEA: Brown, West, Beyer, Bowman, Randolph, Minden

NAY: Davis

Motion carried.

2. Consideration and possible approval, denial, amendment, or revision of recommendation of TUP 21-46: A request by Melissa Torkleson for approval of a Temporary Use Permit to allow for the sale of fireworks. General Location: NE Corner of 106th St S & S Elm

Planning Director Marcaé Hilton presented the staff report for Item 2 then answered questions. Melissa Torkleson (637 S 193 W Ave, Sand Springs) addressed the Commission and answered questions. Leon Davis made a motion to approve Item 2. Scott West seconded the motion. A roll call vote of members was taken as follows:

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

NAY: None

Motion carried.

3. Consideration and possible approval, denial, amendment, or revision of recommendation of TUP 21-47: A request by Jake's Fireworks for approval of a Temporary Use Permit to allow for the sale of fireworks. General Location: 11608 S Union Ave W

Planning Director Marcaé Hilton presented the staff report for Item 3 then answered questions. Chad Bicy (4009 W 103rd Pl S) addressed the Commission and answered

questions. David Randolph made a motion to approve Item 3. Jeffrey Beyer seconded the motion. A roll call vote of members was taken as follows:

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

NAY: None

Motion carried.

Other Business

Presentation from Houseal Lavigne Associates on the current status of the Unified Development Ordinance

Planning Director introduced Jackie Wells from Houseal Lavigne. Jackie Wells gave a presentation on the current state of the UDO and answered questions. *Scott West left at 7:50 p.m.*

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

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

NAY: None

Motion carried. The Jenks Planning Commission adjourned at 8:07 p.m.

Jenks | PC Staff Report



To	Planning Commission
Hearing Date	June 03, 2021
Case Number	ARC 21-500 Gameday Couture
Request	Approval of New Building Special Theme District
Location	105 E Main
Applicant	MATTHEW YOUNGWIRTH

Staff Report

Preparer | Marcaé Hilton

Attachments

☐ Gameday Couture | Building Elevations

Preparer

Mitchell Reynolds

Background Information

ARC SUMMARY | Arc voted 5-1-2 (Via Email) to approve the application as presented for the new boutique offering specialty athletic wear known as Gameday Couture. Mrs. Kerns expressed her concerns that the all-white stucco may not match the adjacent architecture.

Members	Y Josh Driskell, Jenks Chamber of Commerce
5 in support	NA Heather Turner, Anthem Road Academy, Downtown Business Owner
1 expressed concerns	C JayCee Kerns, LC Kerns Contractors, Downtown Business Owner
2 No Answer	Y Tanner Rush, Development Coordinator, City of Jenks Y Chris Cloyde, City Engineer, City of Jenks NA Greg Helms, GS Helms & Associates, Architect Y Matt Bear, Quick Trip, Landscape Architect Y Marcaé Hilton, City Planner, City of Jenks
Nonvoting Attendees	Chris Shout, City Manager Robert Carr, Assistant City Manager Kaye Lynn, Ward 1 Councilor Brandon Macy, City Clerk

STAFF COMMENTARY | This application represents a request to move forward with the building permit for a new clothing store on Main Street on a property zoned CG “Commercial General.” They

1. There will be no awning. They are bringing the building out to match up with the front of other buildings next to it. It will be flat front.
 - a. Removal of wooden shakes
2. The roof is TPO, but you will only see white metal coping on top. (flat roof)
3. White stucco around the glass work which will be trimmed out in black metal.
 - a. Removal of Board and Batten
4. SIGNAGE | They are not putting a sign on outside at the moment. When they decide what they want down the road, they will submit to appearance review board.

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

Zoning Code

Parcel ID	60525831902010
Property Address	105 E MAIN ST N
Legal	LT 15 BLK 17
Gross Acres	0.08
Zoning Type	CH (Commercial Heavy)
Use Unit	Use Unit 14. Shopping goods and services. 1014. 1. Description. Retail establishments engaged in the merchandising of shopping goods and services.

Staff Evaluation & Recommendation

CONSIDER | Is the proposed exterior elevations for the building compatible with existing structures in the Special Theme District?

1660.1. Special Theme District Guidelines.

A. General.

- 1. The criteria are designed to be flexible in nature, but provide a cohesive theme for the defined special district. Architectural designs that were typical of the turn of the century are the theme for the special district. The overall appearance of structures within the defined district should adhere to the main theme as described below.*
- 2. Conformance to the Historic Turn-of-the-Century Architectural Design Theme, especially Victorian or Western styles, shall be required. The site plan submitted shall conform to a flexible turn-of-the-century design theme of plus or minus 14 years surrounding the year of 1900 time period. Evaluation of the conformance to the architectural theme will be contingent upon the facade color scheme, and material selection for remodeling as well as landscape and decorative treatments proposed. An artist's rendition which is located in City Hall and which shows a streetscape of the theme, shall be conformed with as closely as possible.*
- 3. The proposed plan shall show an overall compatibility with the design theme and streetscape. A blending of similar treatments of surrounding structures with the use of such things as period street lighting, window boxes, or pedestrian benches, is encouraged.*

4. *Materials selected for the proposed plan shall be compatible in appearance and texture of the overall architectural theme.*
 - a. *The following factors will govern the Planning Commission evaluation of a proposal in the Special Theme District:*
 1. *Conformance with the design theme.*
 2. *Compatibility with surrounding area.*
 3. *Circulation patterns.*
 4. *Landscaping and screening.*
 5. *Material Selection.*
 5. *Traditional Turn-of-the-Century color schemes and combinations of those colors should be used for all exterior wall coverings. Fluorescent or luminescent colors should be prohibited, unless measures are in place to "soften" the effect on adjoining properties.*

EVALUATION | This building is in need of renovation, the color will remain white, but the style will be stucco rather than board and baton with a shake shingle awning. Staff believes the proposed changes are acceptable.

RECOMMENDATION | *Staff and the ARC recommend approval of the exterior elevation plans to modify the face of the building with white stucco and large retail glass windows.*



Figure 1: Special Theme District

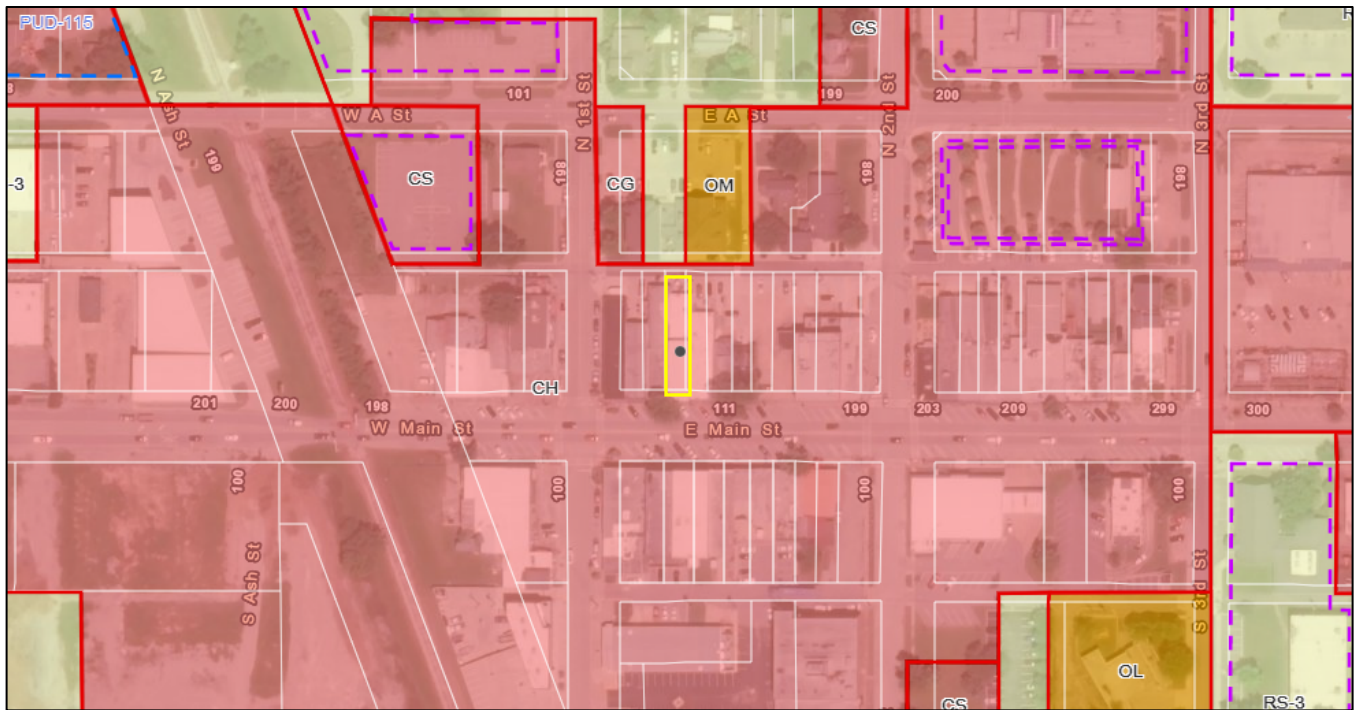


Figure 2: Aerial View of Zoning Map

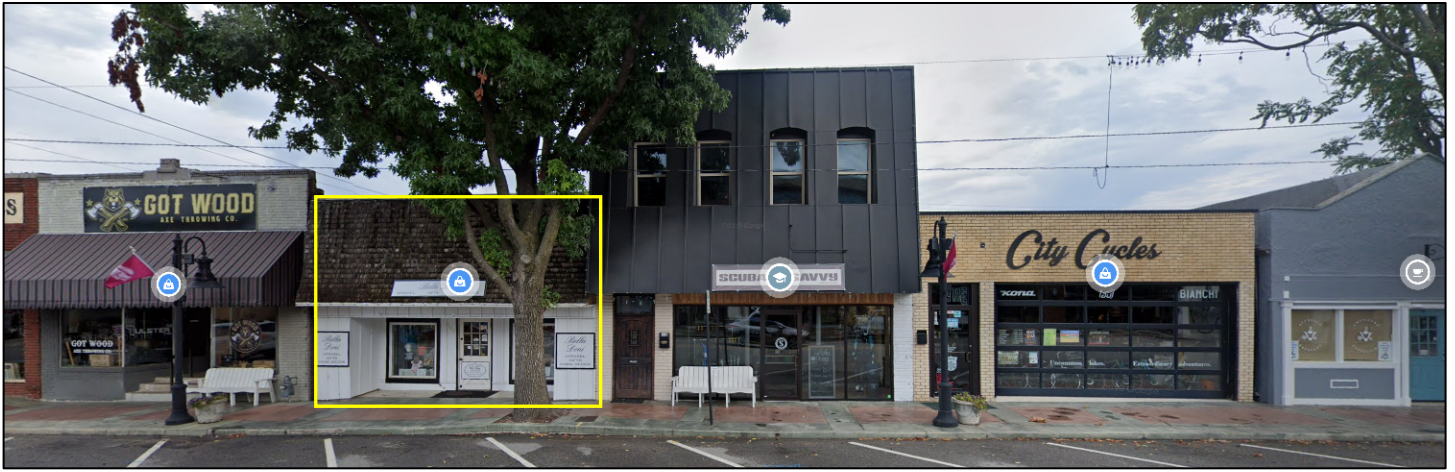


Figure 3: Google Earth View of Vacant Lot



Figure 4: Google Earth view from corner



20'

12.5'

WINDOW
5.665 x 5.5
(Including 2.5" black steel frame)

WINDOW

To	Planning Commission
Hearing Date	June 03, 2021
Case Number	ARC 21-502 Dutch Brothers Coffee
Request	Approval of New Building Corridor
Location	305 S Elm
Applicant	Mitchell Reynolds

Staff Report

Preparer | Marcaé Hilton

Attachments

☐ Dutch Brothers Coffee Building Elevations & Signage

Preparer

Mitchell Reynolds

Background Information

ARC SUMMARY | Arc voted unanimously to approve the application as presented for the new coffee shop known as Dutch Brothers. Mr. Greg Helms expressed his opinion that the signage was too tall.

Members

Josh Driskell, Jenks Chamber of Commerce
Heather Turner, Anthem Road Academy, Downtown Business Owner
JayCee Kerns, LC Kerns Contractors, Downtown Business Owner
Tanner Rush, Development Coordinator, City of Jenks
Chris Cloyde, City Engineer, City of Jenks
Greg Helms, GS Helms & Associates, Architect
Matt Bear, Quick Trip, Landscape Architect

Nonvoting Attendees

Chris Shout, City Manager
Robert Carr, Assistant City Manager
Kaye Lynn, Ward 1 Councilor
Marcaé Hilton, City Planner, City of Jenks
Brandon Macy, City Clerk

STAFF COMMENTARY | This application represents a request to move forward with the building permit for a new drive through coffee shop on a property zoned CG “Commercial General.” The applicant has met the zoning requirements as shown on the proposed site plan. The property is located east of Elm Street and northwest of Veterans Park. The lot is currently vacant, in the past a flooring company bought the lot with the intent to build a new office/showroom/warehouse. In order to

accommodate parking the owner leased the adjacent parcel owned by the City of Jenks. Dutch Brothers Coffee contacted City Staff to pursue a similar lease agreement. JPWA approved the request, the City Attorney, Teresa Nowlin is working to finalize the agreement. The eastern parcel is to be used as a drive aisle and parking. Once building permit is issued the project will take about four months to complete.

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

Zoning Code

Parcel ID 983-198-319-08-360

Property Address 305 S ELM ST W

Legal N100 OF W240 OF S990 OF W 884.20 LT 6 LESS W20 FOR ST SEC 19 18 13

Gross Acres 0.51

Parcel COJ 983-198-319-08-520 (Veterans Park Parcel)

Zoning Type CG (Commercial General)

	Chapter 10 Use Units Table 1. Use Units Permitted in Commercial Districts	
No.	Name	CG
1.	Area wide Uses	X
2.	Area wide Specific Use	S
4.	Public Protection	X
5.	Community Services and Cultural Facilities	X
8.	Multifamily Dwellings and Similar uses	P
10.	Off-Street Parking Areas	X
11.	Offices and Studios	X
12.	Eating Places Other Than Drive-Ins	X
13.	Convenience Goods and Services	X
14.	Shopping Goods and Services	X
15.	Other Trades and Services	X
16.	Gasoline Service Stations	X
17.	Automotive and Allied Activities	X
18.	Drive-In Restaurants (Coffee Shop-Drive up and outside dining)	X
19.	Hotel, Motel, and Recreation Facilities	X
20.	Commercial Recreation, Intensive	S
21.	Business Signs and Outdoor Advertising	X
22.	Warehousing and Wholesaling	E
24.	Light Manufacturing and Industrial Research and Development	E
27.	Tattoo and Massage Parlors (Requiring Special Licensing, see Use Unit for Use conditions)	X

28.	(See Use Unit for Special Exception Criteria and Conditions)	E
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Table 2. Bulk and Area Requirements in the Commercial Districts	CG Districts
Frontage (min. ft.)	
—Arterial	150
—Not an Arterial (Order from car or Patio window on South)	50
Floor Area Ratio (maximum)	0.75
Setback from centerline of abutting street (min. ft.)	
—Arterial	N/A
—Not an Arterial	N/A
Setback from an abutting R District boundary line (min. ft.)	N/A
Building Height (max. ft.)	35
¹ Plus two feet of setback for each one-foot building height exceeding 15 feet, if the property is within an RE, RS, or RD District.	

Sec. 1018. - Use Unit 18. Drive-in restaurants.

1018.1. Description. Eating establishments providing curb service or offering food or drink for on-premises consumption within parked motor vehicles, or permitting the on-premises consumption of food or drink within the parked motor vehicle or outside the principal structure.

1018.2. Included Uses. Drive-in restaurants.

1018.3. Use Conditions. The uses included in Use Unit 18, when located on a lot which is abutting an R district, shall be screened from the abutting R district by the erection and maintenance of a screening wall or fence along the lot line or lines in common with the R district.

1018.4. Off-Street Parking and Loading Requirements.

EXPAND

	Parking Spaces	Loading Berths
Drive-in restaurant	N/A	1 per 5,000—25,000 sq. ft. of floor area plus 1 per additional 25,000 sq. ft. of floor area.

1660.3.

Corridor District Guidelines.

A. Appearance/Design.

1. Building Design and Site Plan details should be so designed to provide building exterior walls and structural facades of a complementary style in order to minimize the impact of proposed new buildings and uses on adjacent and nearby properties. Exterior walls of buildings visible from the fronting street(s) must provide a complementary appearance utilizing design features, landscaping, color schemes, and other architectural treatments to eliminate monotone or monolithic exterior walls or structural facades in order to be compatible and complementary to adjacent and nearby properties within the Corridor Appearance District.
2. In addition to complementary exterior wall design and building materials, the use of building setbacks, screening fences, landscaping, signage, lighting, and other site-specific amenities should be used to increase compatibility of the building and any outdoor storage areas and outbuildings with adjacent and nearby properties. It is recognized that each individual building site has its own existing specific

environmental character. The design of new structures or alteration of existing structures should be responsible to the character of its environment and the adjacent neighborhood.

- 3. Insofar as possible, the design of buildings and site improvements for a particular piece of land should take into consideration the physical location, size, topography, existing zoning, including adjacent and abutting properties, and the intensity of land use as specified in the Jenks Comprehensive Plan.*
- 4. Use of Planned Unit Developments (PUDs) are encouraged for development and redevelopment of properties within the Corridor District in order to minimize the impact of proposed uses and to increase compatibility of uses with adjacent and nearby low intensity land use while providing a greater degree of design flexibility. Cooperative development by abutting property owners utilizing Zero Lot-Line construction may be considered.*
- 5. All roof-mounted heating and air conditioning equipment (HVAC) shall be screened.*

B. Building Materials.

- 1. The design of new structures and of additions to existing structures, including new site improvements, should take into account the architectural style, general design, arrangement, texture, material and color of other structures and premises in the adjacent neighborhood. Contemporary designs for new structures, additions to existing structures or remodels may be allowed so long as such construction is compatible with the essential form and integrity of other structures in the adjacent neighborhood.*
- 2. All new structures and all reconstruction or remodeling of existing structures within the Corridor District should utilize exterior materials such as masonry, face brick, stone, wood, or metal which give the appearance of material such as those in use at turn of the century. Use of contemporary materials, such as aluminum or other metals, fiberglass, and plastics for exterior surfaces must contribute to the preservation or enhancement of traditional materials and preserve the overall theme, integrity and appearance of the Corridor District.*
- 3. Traditional color schemes and combinations of those colors that are complementary to the adjacent neighborhood should be used for all exterior wall coverings. Fluorescent or luminescent colors should be prohibited, unless measures are in place to "soften" the effect on adjoining properties.*

C. Parking/Landscaping.

1. Parking.

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

2. Landscaping.

- a. Street frontages within the Corridor District should provide a sense of open-space and should be buffered from the streets by landscaped drives, lawns, or parking. Preservation of existing large trees and other natural physical or scenic features should be given high priority during the initial development planning phases.*
- b. Trees and shrubbery utilized for landscaping purposes should conform to the species recommended and approved.*

- c. *Locations along or near to the proposed routes of the Jenks Trail System should be encouraged to provide for pedestrian, bicycle access to the System.*
- d. *Commercial, Industrial, and other non-residential uses within the Corridor District should provide minimum landscaped open space as follows:*

1.	<i>Office Uses</i>	<i>15 percent of lot area</i>
2.	<i>Commercial Uses</i>	<i>10 percent of lot area</i>
3.	<i>Industrial Uses</i>	<i>5 percent of lot area</i>

3. *Fencing.*

- a. *Development and redevelopment within the Corridor District should include adequate screening and buffering to avoid negative impacts on adjacent residential areas.*
- b. *Screening should be wooden fencing, faux wooden fences, masonry, or brick walls providing visual barriers, or combinations thereof. Screening fences shall be solid and no chain-link fences should be allowed except for interior security fences. If chain-link is used, the chain-link fence must be either vinyl-clad or screened.*
- c. *When the provisions of the Zoning Code or Corridor District guidelines require the construction of a screening wall or fence as a condition for the initiation and subsequent continuance of a use, the screening wall or fence shall comply with the following:*
 1. *Should be constructed, designed, and arranged to provide visual separation of uses, irrespective of vegetation or landscaping;*
 2. *Should not be less than six feet in height;*
 3. *Should be erected within 30 days following the occupancy of the building or initiation of the use required to be screened;*
 4. *Should be of the type of materials compatible with the surrounding area;*
 5. *Screening walls or fences shall be maintained by the owner or occupant of the lot containing the use required to construct the screening.*
 6. *Modifications of fencing requirements that may be considered include:*
 - (A) *Modify or remove the screening requirement where existing physical features or approved landscaping features provide visual separation of uses;*
 - (B) *Extensions of time to erect a screen where properties which are to be benefited by the screening are undeveloped; and*
 - (C) *Remove the screening requirement where the purpose of the screening requirement cannot be achieved.*

D. *Signage.*

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

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

E. Lighting.

1. *All lighting, including exterior and parking lot lighting, should be so designed to complement the building structures constructed and those located in adjacent areas.*
 - a. *Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a Residential Zoning District.*
 - b. *Lighting incorporating period lighting fixtures similar to the Theme District and conforming to approved City street lighting studies are encouraged.*

F. Storage and use of yards and outbuildings.

1. *Outbuildings and accessory structures should be of the same architectural style, material and color scheme as the principal building or buildings on the lot.*
2. *Outside storage buildings and outside open areas, other than retail product display allowed by the Zoning Code, should be screened by visual barriers located on the rear and side portions of the site.*
3. *No outside storage areas should extend beyond the building setback lines into setback areas. Outside storage or warehousing shall not be permitted as a principal use in the Corridor District. No use shall be allowed which requires outside warehousing or storage of recyclable materials or products.*
4. *No waste materials or refuse shall be dumped upon or permitted to remain upon any part of property outside of the building proper. Occupants shall maintain solid waste disposal service with a City of Jenks licensed hauler at all times.*
5. *Trash or garbage collection areas shall be screened from streets and from abutting properties by an approved sight-proof barrier, and receptacles for such purpose when placed outside a building shall be closed type containers.*
6. *Collection and disposal of all solid waste shall comply with the City of Jenks solid waste ordinance. Applicants should show proof of solid waste service and detail location and type of solid waste disposal facilities on the subject property.*

Staff Evaluation & Recommendation

CONSIDER | Is the proposed building and signage compatible with existing structures and the corridor appearance district standards?

EVALUATION | This vacant lot is ideal for a drive through coffee shop, the use of City property adds enough space for safe access and turn lanes. As seen in the building elevations the colors and materials used are similar to surrounding new development. Staff believes the signage is acceptable.

Comments | Not Complete List

- Platting is required.
- Executed Lease for City Property is required.
- Easement dedication for City Utilities is required.
- Staff approval of lighting and landscape plan is required.

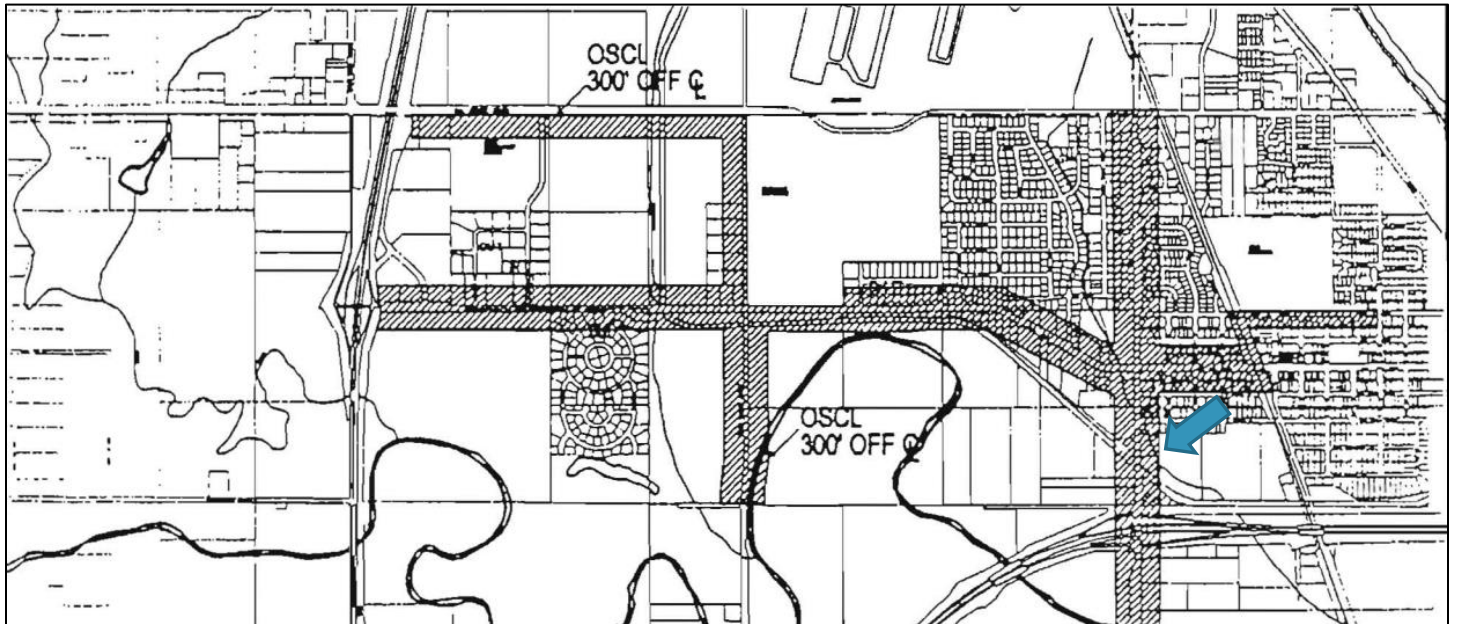


Figure 1: Corridor Appearance District

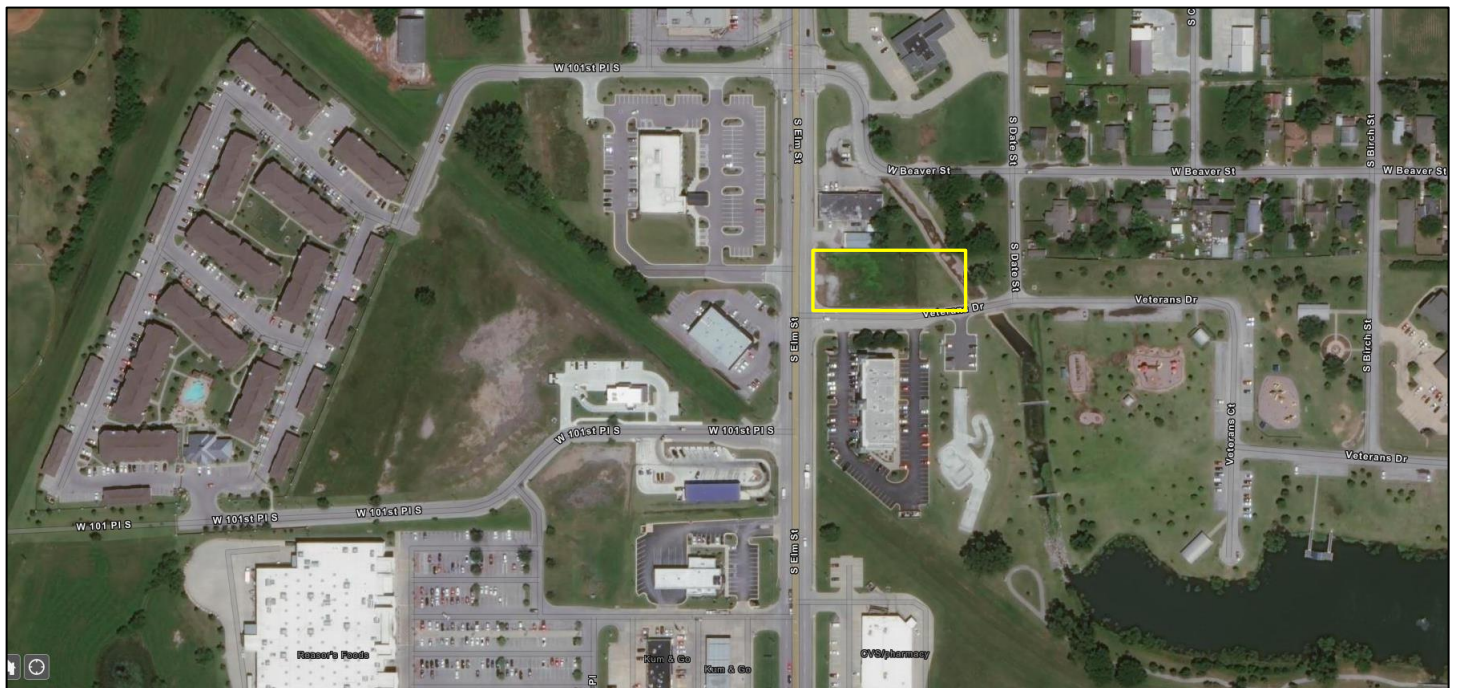


Figure 2: Aerial View of Lot and City Property

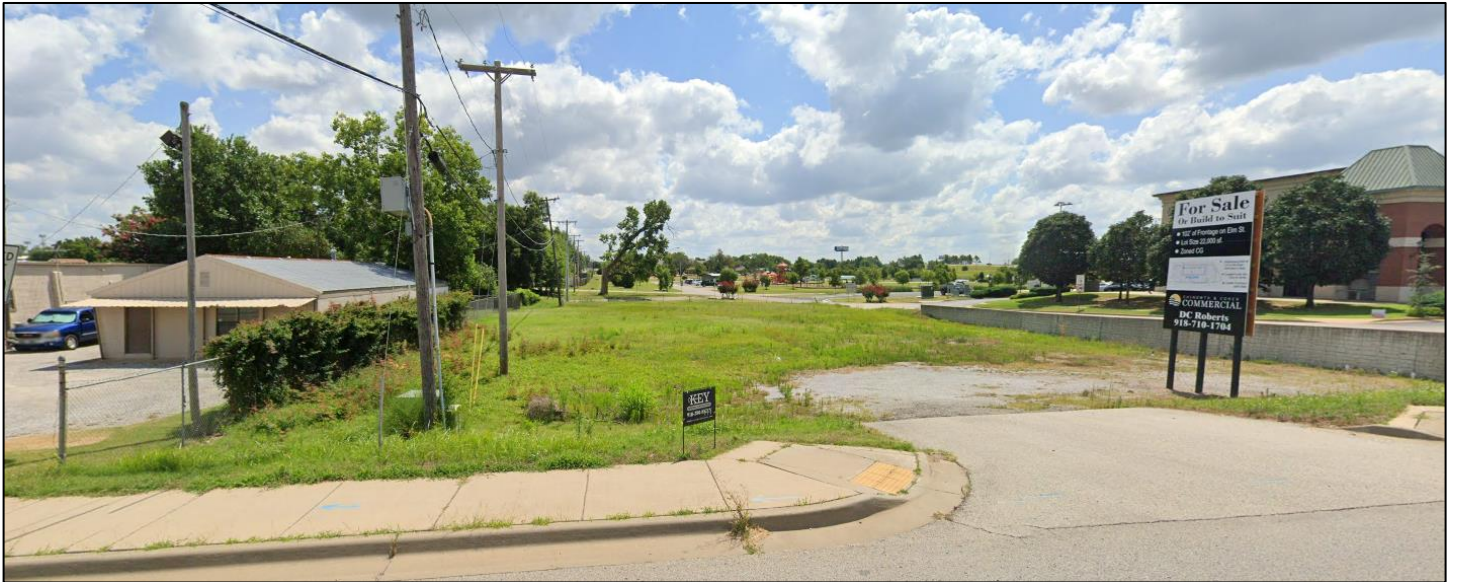


Figure 3: Google Earth View of Vacant Lot



Figure 4: Google Earth view from corner



Figure 5: Old Google Earth view of City portion of lot



Figure 6: Google Earth View including Creek Turnpike

RECOMMENDATION | Staff and the ARC recommend approval of the signage, site plan and architectural materials; staff asks Planning Commission for the authority to approve any revisions to the detailed signage plan and lighting and landscaping if they are found to be consistent with the City Code and the approved architectural design.



April 30, 2021

RE: CVP - Jenks DB Appearance Review Committee Submission

Dear Appearance Review Committee:

We are excited to present the attached Appearance Review Committee submission for a [Dutch Bros Coffee](#) stand on approximately 0.55 acres in Jenks, OK at 305 S. Elm Street.

The site layout will accommodate 11 parking spaces and room for 20 cars queueing in the double-drive-thru. Dutch Bros Coffee will operate out of a 950 SF building with a front patio with outdoor seating for its customers. Dutch Bros Coffee takes pride in their speed and quality of service; employees will take orders via iPad within the drive-thru and typically will deliver the drinks to the customers before they even make it up to the building.

We have met with Marcae and the Planning and City staff, and understand that within this Appearance Review corridor, high quality materials such as brick are desired. Our attached elevations showcase the brick veneer, fiber cement board panel siding in ash and Dutch Bros blue, as well as the light gray canopy and metal awnings. Typical building signage is shown on the elevations.

Our signage designer has drafted up a proposed freestanding pylon sign with a stone base (to match the building's brick). The sign will feature a 12' steel pole above the stone base, with a 10' tall internally-illuminated pylon cup sign atop the pole, meant to mimic the Dutch Bros Coffee cups. Our understanding of the CG zoning is that we are allowed 2 SF of signage face per 1 foot of street frontage. Our parcel has approximately 100' of frontage on S. Elm, and our proposed ground sign falls under that allowable signage face sizing.

We are excited to work with the City of Jenks on this project and hope that our initial draft of the exterior design of this project meets the aesthetic standards of this committee. Additionally, if the building exterior is approved and there are comments on the signage, we would like to proceed with building approval, and will coordinate the signage approvals under a separate permit and application.

Sincerely,

Mitchell Reynolds
CVP - Jenks DB, LLC
Cole Valley Partners, LLC
Project Manager

FACTORY
DRAWING

SCOPE OF WORK: MANUFACTURE & INSTALL ONE (1) D/F INTERNALLY ILLUMINATED PYLON CUP SIGN



SHOP DRAWING #:

SALES:

CONCEPT DESIGN:

PROD. DESIGN:

PAGE NO:

NJ

CH

CH

I of 2

ES&A SIGN & AWNING
89975 PRAIRIE RD. | EUGENE, OR 97402
P 541.485.5546 | F 541.485.5813

COLOR CODE

PANTONE 107 C YELLOW

PANTONE 1795 C RED

PANTONE 7691 C BLUE

DB CUSTOM DK BLUE (POLE)

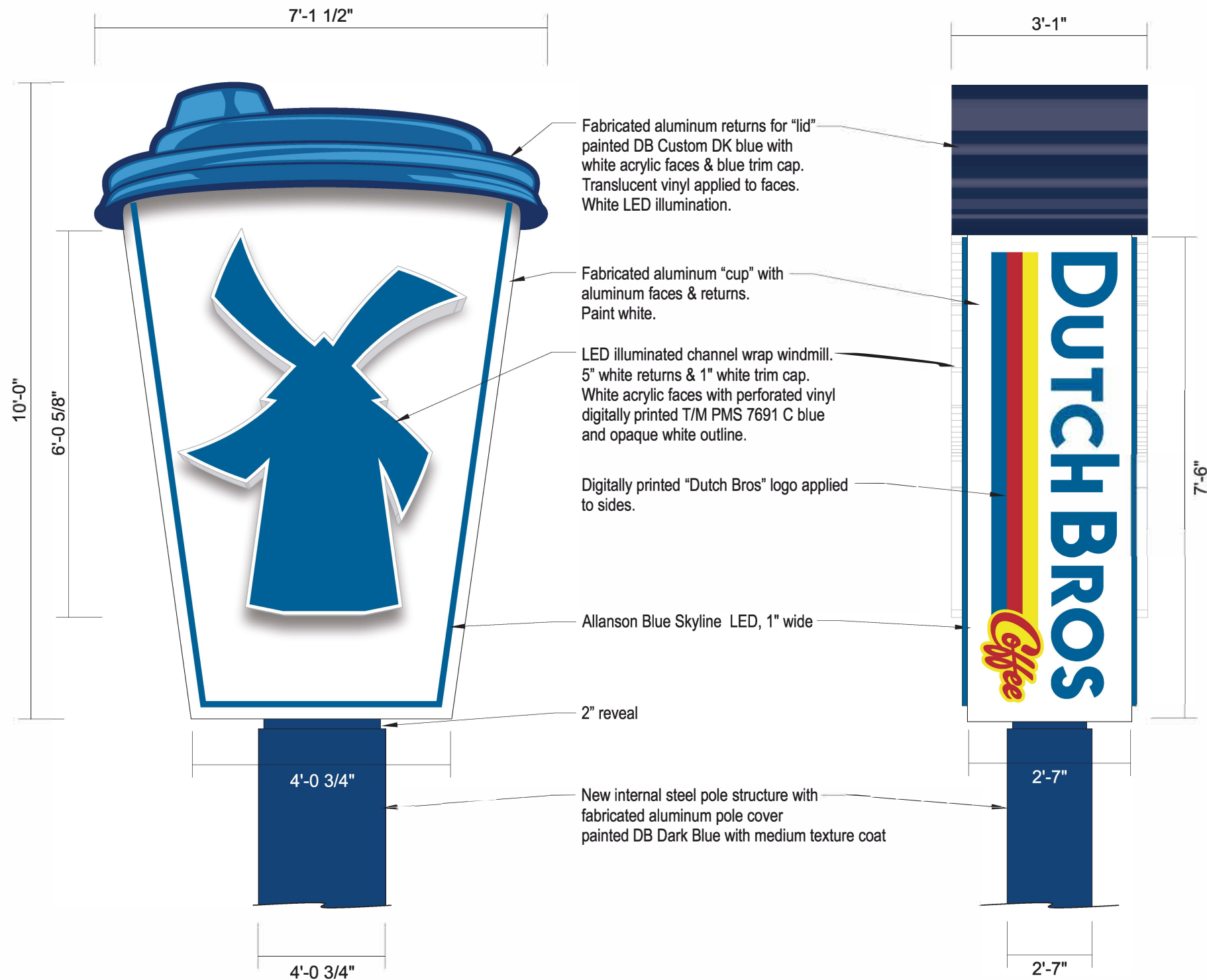
WHITE

230-36 DARK BLUE (LID)

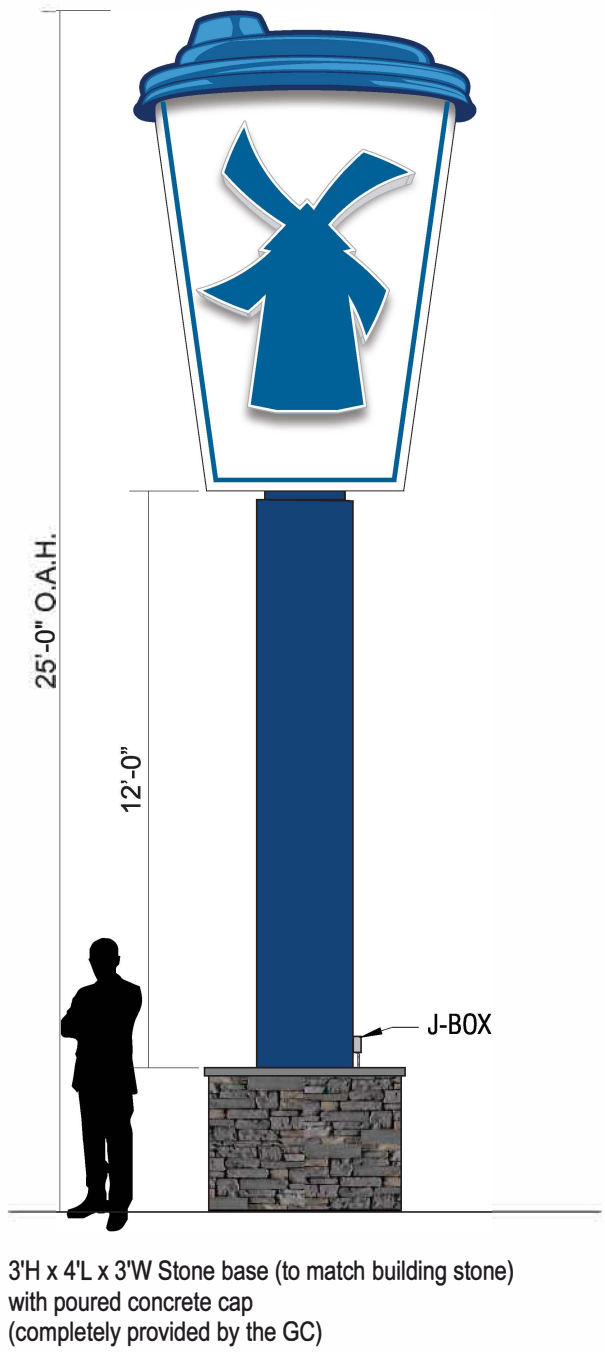
230-127 INTENSE BLUE (LID)

230-147 DEEP SKY BLUE (LID)

DBPY10
Scale: 1/2"=1'-0"



ELEVATION
Scale: 1/4"=1'-0"





XXXX MarkingLightLogoCm016.jpg

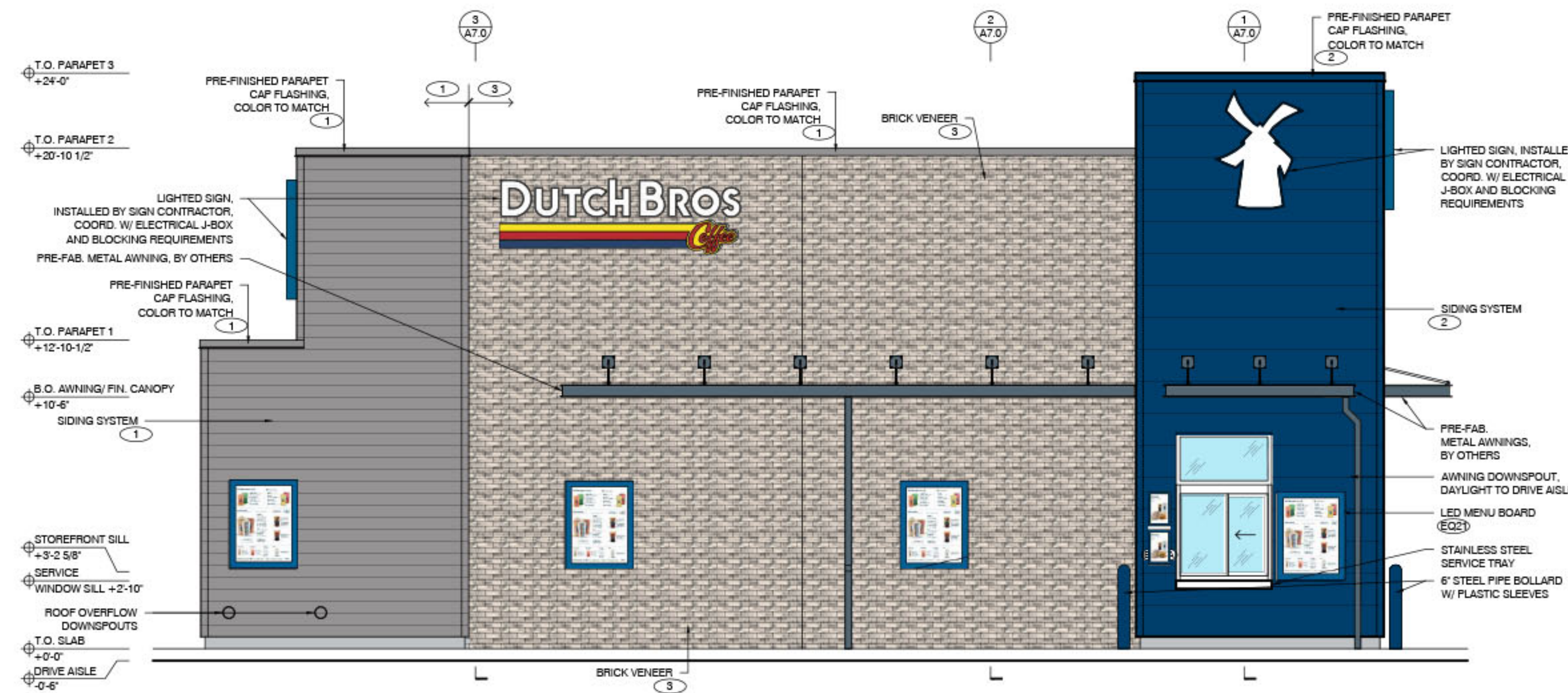
ARCHITECT
CORALIC, LLC
EDIN CORALIC
2643 CAROUSEL DRIVE,
ST. LOUIS, MO 63125
p: 314.578.4953
edin@coralicarchitecture.com

STRUCTURAL ENGINEER
Case Engineering
STEPHEN J. SACCO
796 MERUS CT.,
FENTON, MO 63026
T. 636.349.1600 F. 636.349.1730
ssacco@caseengineeringinc.com

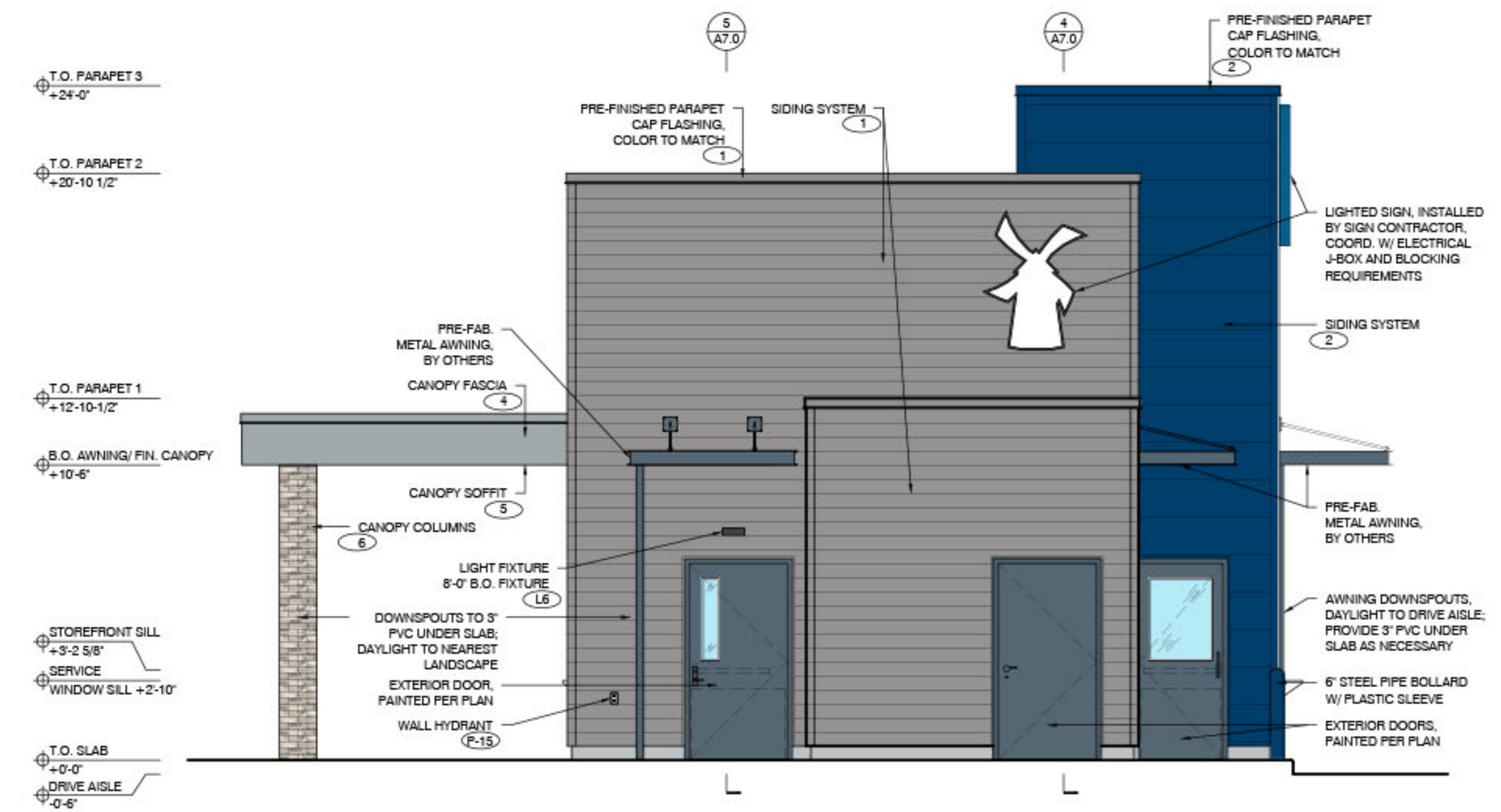
MEP ENGINEER
Case Engineering
DARRELL R. CASE
796 MERUS CT.,
FENTON, MO 63026
T. 636.349.1600 F. 636.349.1730
dcase@caseengineeringinc.com

SIDING SCHEDULE - PROTOTYPICAL w/ CANOPY

ID TAG	MATERIAL	MANUFACTURER	MODEL	REMARKS
ZONE 1 (BODY) COLOR: VINTAGEWOOD ASH				
1	FIBER CEMENT BOARD PANEL SIDING	NICHIHA	VINTAGEWOOD ASH	ORIENTATION: HORIZONTAL; COLOR: ASH
ZONE 2 (TOWER) COLOR: DB BLUE				
2	FIBER CEMENT BOARD PANEL SIDING	NICHIHA	ILLUMINATION SERIES PANEL	COLOR: FACTORY CUSTOM COATED DB BLUE PANEL AND TRIM
ZONE 3 (BASE AND BODY)				
3	BRICK VENEER	GENERAL SHALE BRICK	FACE BRICK - FULL VENEER MODULAR- 2 1/4"x 3 5/8"x 7 5/8"	COLOR: CARBONDALE MODULAR - WWW.GENERALSHALE.COM
ZONE 4 (FRAMED CANOPY)				
4	CANOPY FASCIA	FIRESTONE BUILDING PRODUCTS	22 GA. METAL FASCIA - FLAT	3 SIDES; COLOR: DB LIGHT GRAY
5	SOFFIT	HEWN ELEMENTS	NATURAL NORTHWESTERN SPRUCE	1x8, T&G, 1/8" REVEAL, SEALED
6	COLUMNS	GENERAL SHALE BRICK	FACE BRICK - FULL VENEER MODULAR- 2 1/4"x 3 5/8"x 7 5/8"	COLOR: CARBONDALE MODULAR - WWW.GENERALSHALE.COM
NOTE: PROVIDE 3"x2" SMOOTH DOWNSPOUTS, AND ALL NECESSARY ADAPTORS, AT AWNING AND CANOPY LOCATIONS; COLOR: BLDG DB DARK GRAY				



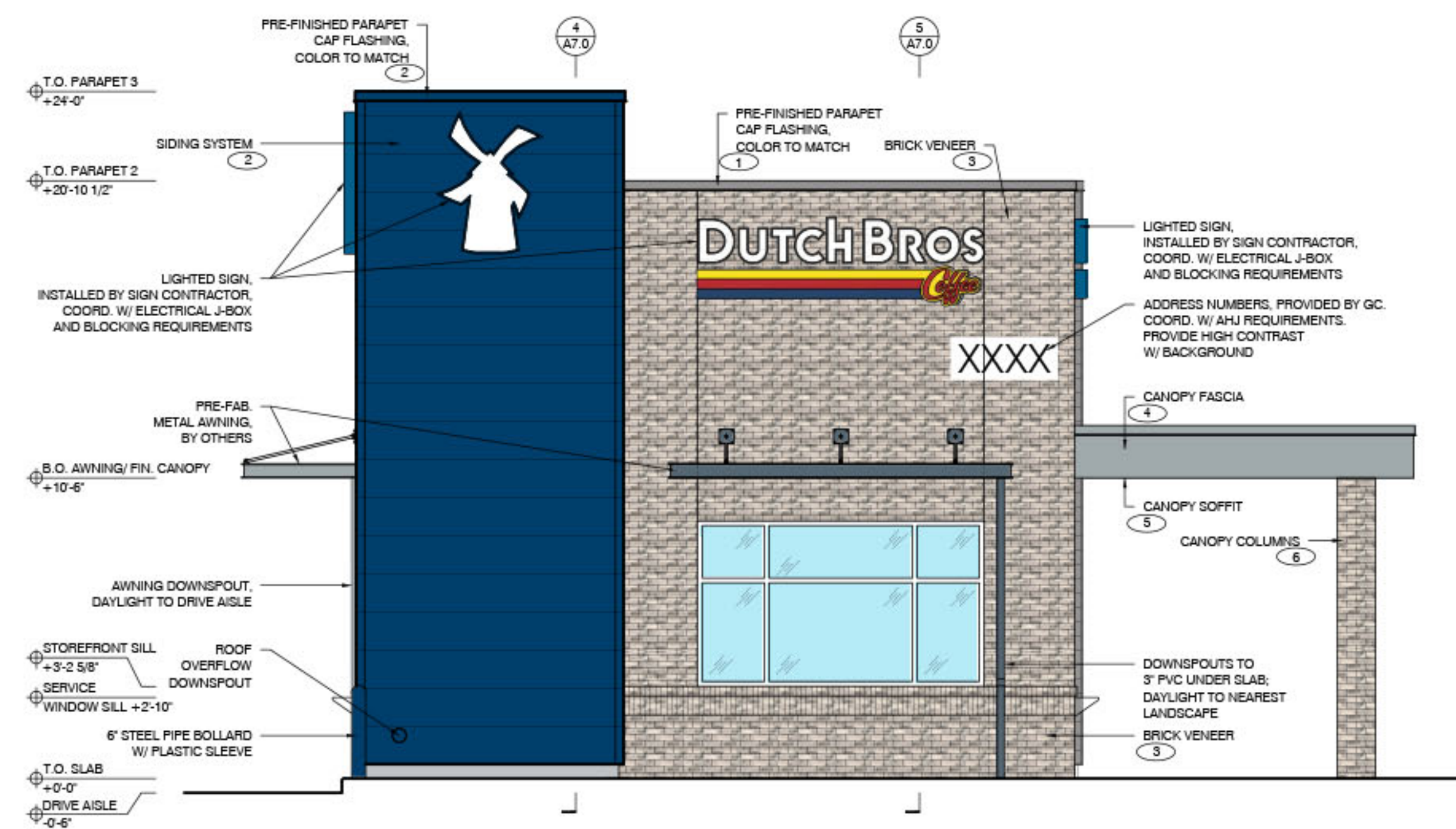
4 NORTH ELEVATION - DRIVE-THRU WINDOW
SCALE: 1/4" = 1'-0"



3 EAST ELEVATION
SCALE: 1/4" = 1'-0"



2 SOUTH ELEVATION - WALK-UP WINDOW
SCALE: 1/4" = 1'-0"



1 WEST ELEVATION
SCALE: 1/4" = 1'-0"

Project No: OK---
Dutch Bros Coffee - New Freestanding Store
305 S. Elm St., Jenks, OK
for: Dutch Bros Coffee
110 SW 4th St.
Grants Pass, OR 97526

ISSUED FOR ____:
X.XX.2021

REV: DATE: DESCRIPTION:

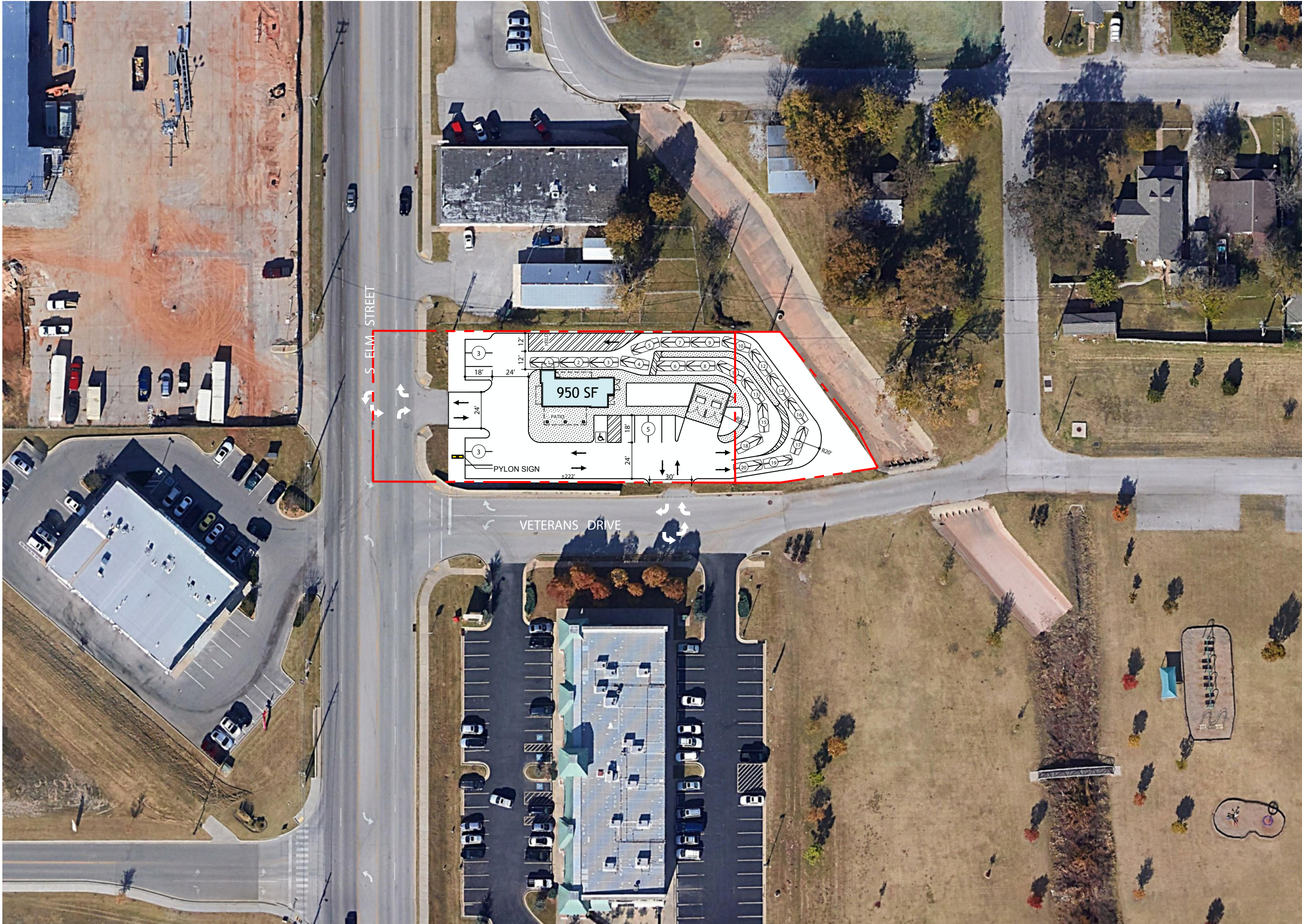
SHEET NAME:

BUILDING ELEVATIONS

SHEET NUMBER:

A6.0

© 2020 DB Franchising USA, LLC



NOTES

LAYOUT IS SCHEMATIC ONLY AND IS SUBJECT TO REVIEW AND APPROVAL BY GOVERNING AGENCIES. PROPERTY LINES AND EXISTING CONDITIONS ARE FROM GIS INFORMATION AND HAS NOT BEEN CONFIRMED BY COMMERCIAL SITE PLAN.

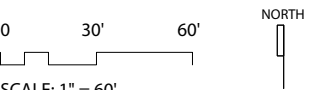
ALL DIMENSIONS SHOWN ARE TO FACE OF CURB AND/OR FACE OF STRUCTURE.

SYMBOLS

PAVEMENT STRIPING	
CONCRETE	
PATIO	
CROSS ACCESS	
ADA STALL	
PARKING COUNTS	
DRIVE-THRU STACKING	

SITE DATA

SITE AREA	±0.70 AC
BUILDING	950 SF
PARKING	11 SPACES
RATIO	11.6 / 1,000
DRIVE-THRU STACKING	20



SCALE: 1" = 60'

project
**JENKS,
OKLAHOMA**
305 S ELM STREET

drawing title

PROPOSED
SITE PLAN

date	drawing no.
04.28.2021	1.3

To	Planning Commission
Hearing Date	June 03, 2021
Case Number	Deed of Dedication (DOD) Gateway Plaza
Request	Deed of Dedication Amendment to Gateway Plaza Plat
Location	244 S Gateway Place South of S Gateway Pl and west of S. Franklin St
Applicant	Lou Reynolds

Staff Report

Preparer | Marcaé Hilton

Attachments

- ☐ DOD Exhibit
- ☐ Gateway Plaza Plat

Preparer

Eller and Detrich
Tulsa County Clerk

Background Information

STAFF COMMENTARY | Lou Reynolds is seeking approval of the amendment to the Gateway Plaza Deed of Dedication and Statement of Restrictive Covenants for Plat No. 6614, recorded in the office of Tulsa County Clerk on June 8, 2015. The requested Plat amendment will clean up specific sections of the private covenants and reflect the recent approved PUD changes. The DOD amendment requires Planning Commission approval but not council.

PLANNING DATA

Public Comment	None No notice is given to public for Amendments to Plat Covenants
Zoning	PUD 83B1
General Location	Gateway Place and Main Street East of HWY 75 and south of W 96 th Street S
Plat	Gateway Plaza Jenks No. 6614 June 08, 2015

Staff Evaluation & Recommendation

EVALUATION Staff believes the Amendment to the Deed of Dedication is in compliance with recent approved PUD changes.

CONDITIONS NONE

RECOMMENDATION: *Staff recommends approval the amended DOD for Gateway Plaza.*

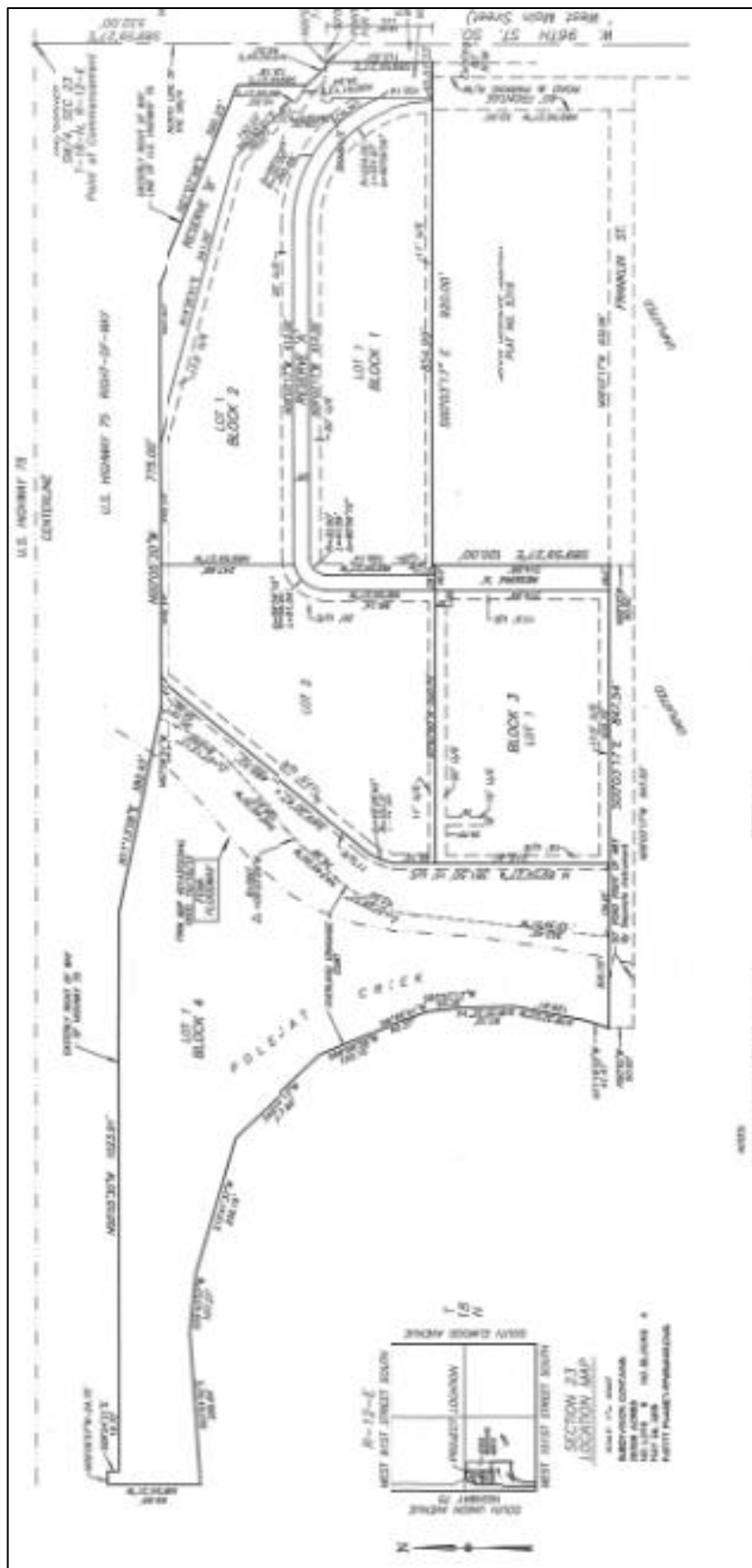


Figure 1: Gateway Plaza Final Plat



Figure 2: Zoning Map | INCOG

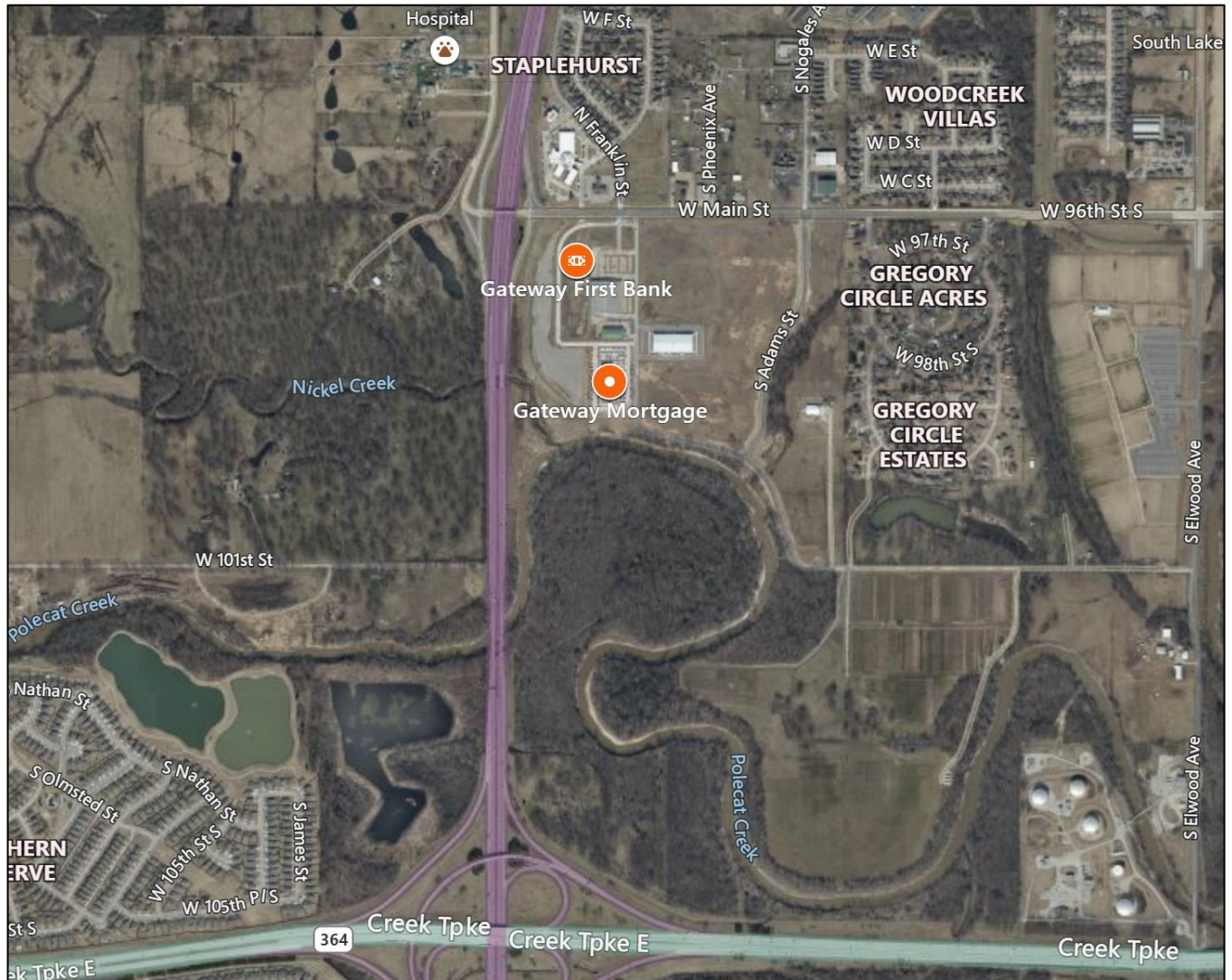


Figure 3: AERIAL MAP

**AMENDMENT OF DEED OF DEDICATION AND STATEMENT OF RESTRICTIVE
COVENANTS OF GATEWAY PLAZA**

THIS AMENDMENT OF DEED OF DEDICATION AND STATEMENT OF RESTRICTIVE COVENANTS OF GATEWAY PLAZA (the “Amendment”) is entered into and effective this ____ day of _____, 2021.

RECITALS

WHEREAS, 3152 W Main, LP (the “Developer”) caused that certain real property , described on Exhibit “A” attached hereto and made a part hereof, to be platted and subdivided into GATEWAY PLAZA, a subdivision of the City of Jenks, Tulsa County, Oklahoma (the “Subdivision” or “Gateway Plaza”) by virtue of that certain Deed of Dedication and Statement of Restrictive Covenants of Gateway Plaza (the “Deed of Dedication”) recorded in the office of the Tulsa County Clerk as Plat No. 6614 on June 8, 2015; and

WHEREAS, Section 5(C) of the Deed of Dedication provides that: (a) Section 2 of the Deed of Dedication may be amended at any time by a written instrument signed and acknowledged by the owner of the land to which the amendment is to be applicable and approved by the City of Jenks Planning Commission, or its successors, and (b) Section 3 of the Deed of Dedication may be amended at any time by a written instrument signed and acknowledged by the owners of two-thirds of the lots, parcels or land to which the amendment is to be applicable; and

WHEREAS, as of the date of this Amendment, the parties to this Amendment, other than the City of Jenks Planning Commission, (a) own the land to be affected by the amendments to Section 2 of the Deed of Dedication, and (b) own at least two-thirds of the lots, parcels or land to which the amendments to Section 3 of the Deed of Dedication are applicable, in each case, as evidenced by the Ownership Report attached hereto as Exhibit “B”; and

WHEREAS, on March 3, 2020, the City of Jenks, Oklahoma approved in Case No. PUD 83-B-1, a Minor Amendment to PUD 83; and

WHEREAS, the Developer, the City of Jenks Planning Commission, and the owners of two-thirds of the lots of the Subdivision desire to amend the Deed of Dedication hereinunder set forth.

AMENDMENTS

NOW, THEREFORE, the City of Jenks Planning Commission, and the undersigned owners of at least two-thirds of the lots in the Subdivision hereby amend the Deed of Dedication as follows:

1. Capitalized Terms. The capitalized terms not defined herein shall have the same meaning ascribed to them in the Deed of Dedication.

2. Section 2.A. Planned Unit 83 Development Restrictions. Section 2.A. is hereby deleted in its entirety and replaced with the following to reflect the approved development standards of PUD 83-B-1:

- A. **DEVELOPMENT AREA A-1**, a portion of Lot 1, Block 1, and a portion of Lot 1, Block 2, more particularly described on Exhibit “C” attached hereto.

LAND AREA:

Net: 2.94 acres 128,121 square feet

DEVELOPMENT AREA A-2, a portion of Lot 1, Block 2, more particularly described on Exhibit “D” attached hereto.

LAND AREA:

Net: 1.39 Acres 60,438.49 SF

PERMITTED USES:

The Uses permitted as matter of right in the OL – Office Light District and the CS – Commercial Shopping District, excluding Use Unit 21 Outdoor Advertising Signs (only), and uses customarily accessory to the permitted uses.

MAXIMUM BUILDING FLOOR AREA (.75 FAR): 45,358 SF

MAXIMUM FRONTAGE (per lot): N/A

MAXIMUM BUILDING HEIGHT: 75 FT

MINIMUM BUILDING SETBACKS:

From the west boundary of Lot 2, Block 1 10 FT

From the south boundary 10 FT

From the north boundary of Lot 2, Block 1 50 FT

From the east boundary 20 FT

From internal boundaries 10 FT

3. Section 2.D. Planned Unit 83 Development Restrictions. Section 2.D. is hereby deleted in its entirety and replaced with the following to reflect the approved development standards of PUD 83-B-1:

- D. **DEVELOPMENT AREA D-1**, a portion of Lot 1, Block 4 more particularly described on Exhibit “E” attached hereto.

LAND AREA:

Net: 10.42 acres 453,737.95 square feet

DEVELOPMENT AREA D-2, a portion of Lot 1, Block 4 more particularly described on Exhibit “F” attached hereto.

LAND AREA:

Net: 1.03 Acres 44,796.17 SF

PERMITTED USES FOR DEVELOPMENT AREA D-1 AND DEVELOPMENT AREA D-2:

Use Unit 1, area wide uses by right, limited to landscaping, open spaces and similar uses, and Use Unit 10, Off-Street Parking Areas, and uses customarily accessory to the permitted uses.

4. Section 3 Private Covenants and Restrictions.

a. The initial paragraph of Section 3.A. is hereby deleted in its entirety and replaced with the following:

“Private Covenants and Restrictions Applicable to all Lots. The following standards shall apply to all lots in Gateway Plaza, unless otherwise amended and/or modified in accordance with the terms and conditions of this Deed of Declaration:”

b. Section 3.A.1. is hereby deleted in its entirety and replaced with the following:

“Architectural Committee. An Architectural Committee (referred to in this document as the “Architectural Committee” or “Committee”) has been formed in accordance with the Bylaws of the Association. The Architectural Committee will review and approve all structures to be built on the lots in Gateway Plaza, and be responsible for interpreting all development and construction standards contained in this Deed of Dedication as applicable to the lots in Gateway Plaza. No new building or improvements may be commenced on any lot in Gateway Plaza without the written approval of the Architectural Committee.”

c. Section 3.A.6. is hereby deleted in its entirety and replaced with the following:

“Lots may be split or subdivided with the approval of the City of Jenks and the Association. Any lots created by any approved split

or subdivision shall be counted as separate lots for all purposes under this Deed of Dedication including for voting purposes.”

d. Section 3.A.12. is hereby deleted in its entirety and replaced with the following:

“Intentionally Omitted.”

e. Section 3.A.13. is hereby deleted in its entirety and replaced with the following:

“Intentionally Omitted.”

f. The following is hereby added to the end of Section 3.A.15.:

“The Association, its contractors, agents, and licensees, shall have the right of access on, over and across the drives and parking areas of each lot in Gateway Plaza and such other unimproved portions of any such lot as is reasonably solely necessary to repair, replace, and maintain the Reserve Areas or common areas of Gateway Plaza.”

g. The last sentence of Section 3.A.17. is hereby deleted in its entirety and replaced with the following:

“The Architectural Committee may waive any item in this paragraph.”

5. Section 4 Owner’s Association. Section 4 is hereby deleted in its entirety and replaced with the following:

“A. *Gateway Plaza Owners Association.*

The Owner has formed the “Gateway Plaza Owners Association, Inc.” (the “Association”) as an Oklahoma not-for-profit corporation. The purpose of the Association is to operate, manage, repair, replace and maintain the common areas and improvements serving or benefitting Gateway Plaza including, without limitation, signage, landscaping, storm drainage, utility systems, sprinkler systems, easement areas, traffic control equipment, streets, fences, and other amenities, and take such other actions necessary to keep such common areas and improvements in a good state of repair and enhance the value, security, desirability and attractiveness of Gateway Plaza.

B. Membership.

Every lot owner in Gateway Plaza shall be a member of the Association. Membership in the Association shall be appurtenant to and may not be separated from the ownership of any lot in Gateway Plaza. Membership in the Association shall be effective as of the date of recording of a deed to a lot.

C. Master Declaration; Inconsistencies.

Notwithstanding anything contained herein to the contrary, the covenants, restrictions and easements established by this Deed of Dedication including the operation of the Association may be further defined in and shall be subject to the terms, conditions, restrictions and limitations of that certain Amended and Restated Declaration of Covenants, Condition and Restrictions for Gateway Plaza to be filed in office of the Tulsa County Clerk (as amended, restated, supplemented and replaced from time to time, the "Master Declaration"), and any and all rules, regulations, guidelines, criteria and other requirements contained therein or promulgated thereunder. Some or all of the rights, obligations and responsibilities of Declarant/Owner under this Deed of Dedication shall be delegated to, assumed by and/or regulated by the Association and/or other regime established or otherwise responsible under the Master Declaration for the governance of the lots and land within the Subdivision or certain portions thereof, either in conjunction with or in lieu of any other lot owners, to facilitate the development, maintenance, management, operation and use of the Subdivision or the applicable portion thereof. In addition, to the extent that the terms and/or conditions of this Deed of Declaration are inconsistent in any way with the terms and/or conditions of the Master Declaration, then as among the owners of the lots in the Subdivision the terms and/or conditions of the Master Declaration shall prevail and govern."

6. Section 5 Enforcement, Amendment, Etc. Section 5.C. is hereby deleted in its entirety and replaced with the following:

"This Deed of Dedication may be amended or terminated at any time by a written instrument signed and acknowledged by the owners of two-thirds of the lots in Gateway Plaza; provided, however, (a) any amendments or terminations affecting Section 1 must also be approved by the City of Jenks Planning Commission, or its successor, and the City of Jenks, Oklahoma, and (b) any amendments or terminations affecting Section 2 must also be approved by the City of Jenks Planning Commission, or its successor.

7. Except as expressly amended hereby, all other Development Standards of PUD 83 shall remain unchanged and PUD 83 and the Deed of Dedication shall remain in full force and effect.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

[SIGNATURE PAGES FOLLOW]

3152 W. Main, LP, an Oklahoma limited partnership

By: Stitt Enterprises, Inc.
Its General Partner

By: _____
James E. Redman, President

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me on this ____ day of _____, 2021
by James E. Redman, President of Stitt Enterprises, Inc., General Partner of 3152 W. Main, LP,
an Oklahoma limited partnership.

Commission No. _____
Expires: _____

Notary Public

**244 GATEWAY, LLC, an Oklahoma
limited liability company**

By: _____
James E. Redman, Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me on this ____ day of _____, 2021
by James E. Redman, Manager of 244 Gateway, LLC, an Oklahoma limited liability company.

Commission No. _____
Expires: _____

Notary Public

**OMEG HOLDINGS, LLC, an Oklahoma
limited liability company**

By: _____
_____, Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me on this ____ day of _____, 2021
by _____, Manager of OMEG Holdings, LLC, an Oklahoma limited liability
company.

Commission No. _____
Expires: _____

Notary Public

**NAGLE BUILDING LLC, an Oklahoma
limited liability company**

By: _____
_____, Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me on this ____ day of _____, 2021
by _____, Manager of Nagle Building, LLC, an Oklahoma limited liability
company.

Commission No. _____
Expires: _____

Notary Public

**JENKS HOSPITALITY LLC, an
Oklahoma limited liability company**

By: _____
_____, Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me on this ____ day of _____, 2021
by _____, Manager of Jenks Hospitality LLC, an Oklahoma limited liability
company.

Commission No. _____
Expires: _____

Notary Public

On this 3rd day of June, 2021, the Jenks Planning Commission expressly acknowledges, consents to and approves the Amendment of Deed of Dedication and Statement of Restrictive Covenants – Gateway Plaza.

Chairman

Exhibit "A"

The Subdivision

A Part of the Southwest Quarter (SW/4) 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 United States Government Survey thereof, being more particularly described as follows:

Commencing at the Northwest corner of said SW/4, thence S 89°59'27" E on the North line of said SW/4 a distance of 532.00 feet; Thence S 0°06'57" E on the Easterly Right-of-Way line of Highway 75 a distance of 33.00 feet to the Point of Beginning.

Thence S 89°59'27" E parallel with the North line of said SW/4 and on the South line of a tract of land described in a Right-of-Way Deed, recorded in Book 675 at Page 443, a distance of 193.50 feet to a point on the West line of JENKS WESTGATE ADDITION, Plat No. 5316; Thence S 0°03'17" E on the West line of said JENKS WESTGATE ADDITION a distance of 920.00 feet to the Southwest Corner thereof; Thence S 89°59'27" E a distance of 320.00 feet; Thence S 0°03'17" E a distance of 847.54 feet to a point on the Southerly High bank of Polecat Creek; Thence N 71°18'03" W a distance of 41.41 feet; Thence N 78°32'03" W a distance of 129.81 feet; Thence S 88°35'32" W a distance of 97.10 feet; Thence S 83°53'17" W a distance of 64.36 feet; Thence S 69°46'41" W a distance of 92.37 feet; Thence S 66°58'58" W a distance of 120.15 feet; Thence S 45°24'13" W a distance of 217.69 feet; Thence S 15°41'37" W a distance of 258.19 feet; Thence S 5°43'57" W a distance of 107.27 feet; Thence S 3°54'02" E a distance of 280.84 feet; Thence N 89°54'31" W a distance of 169.99 feet to a point on the Easterly Right-of-Way line of Highway 75; Thence along the Easterly Right-of-Way line of Highway 75, N 0°06'57" W a distance of 24.75 feet; Thence continuing along said Right-of-Way, S 89°54'31" E a distance of 19.70 feet; Thence continuing along said Right-of-Way, N 0°05'30" W a distance of 1023.91 feet; Thence continuing along said Right-of-Way, N 11°13'06" E a distance of 382.43 feet; Thence continuing along said Easterly Right-of-Way line of Highway 75, N 0°05'30" W a distance of 483.00 feet; Thence N 14°35'41" E a distance of 541.00 feet; Thence N 43°55'01" E a distance of 142.23 feet; Thence S 89°59'27" E a distance of 16.50 feet; Thence N 30°51'13" E a distance of 34.94 feet; Thence N 45°00'44" E a distance of 49.50 feet; Thence N 0°06'57" W a distance of 7.00 feet to the Point of Beginning and containing 28.938 acres more or less.

Exhibit “B”

Ownership Report

EXHIBIT "C"
LEGAL DESCRIPTION
DEVELOPMENT AREA A-1

A PART OF LOT ONE (1) BLOCK ONE (1) OF GATEWAY PLAZA, AN ADDITION IN THE SW/4 OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 12 EAST, CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE OFFICIAL RECORDED PLAT DOC. #6614, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT ONE (1); THENCE SOUTH 00°03'17" EAST ALONG THE EAST LINE THEREOF, A DISTANCE OF 487.73 FEET; THENCE SOUTH 89°56'43" WEST, A DISTANCE OF 224.00 FEET TO THE WEST LINE OF SAID LOT ONE (1); THENCE NORTH 00°03'17" WEST ALONG SAID WEST LINE, A DISTANCE OF 263.73 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 224.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 44°56'43" EAST, 316.78 FEET, FOR AN ARC DISTANCE OF 351.86 FEET TO THE POINT OF BEGINNING. CONTAINING 98,485.03 SQUARE FEET OR 2.26 ACRES.

AND

A PART OF LOT ONE (1) BLOCK TWO (2) OF GATEWAY PLAZA, AN ADDITION IN THE SW/4 OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 12 EAST, CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE OFFICIAL RECORDED PLAT DOC. #6614, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT ONE (1); THENCE NORTH 00°05'30" WEST ALONG THE WEST LINE THEREOF, A DISTANCE OF 222.12 FEET; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 14°35'41" EAST, A DISTANCE OF 143.13 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 14°35'41" EAST, A DISTANCE OF 159.80 FEET; THENCE NORTH 89°00'13" EAST, A DISTANCE OF 169.96 FEET TO THE EAST LINE OF SAID LOT ONE (1); THENCE SOUTH 00°03'17" EAST ALONG SAID EAST LINE, A DISTANCE OF 157.40 FEET; THENCE SOUTH 89°56'43" WEST, A DISTANCE OF 210.36 FEET TO THE POINT OF BEGINNING. CONTAINING 29,635.20 SQUARE FEET OR 0.68 ACRES.

EXHIBIT "D"

LEGAL DESCRIPTION

DEVELOPMENT AREA A-2

A PART OF LOT ONE (1) BLOCK TWO (2) OF GATEWAY PLAZA, AN ADDITION IN THE SW/4 OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 12 EAST, CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE OFFICIAL RECORDED PLAT DOC. #6614, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT ONE (1); THENCE NORTH 00°05'30" WEST ALONG THE WEST LINE THEREOF, A DISTANCE OF 222.12 FEET; THENCE CONTINUING ALONG SAID WEST LINE, NORTH 14°35'41" EAST, A DISTANCE OF 302.93 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE BOUNDARY OF SAID LOT ONE (1) FOR THE NEXT TEN CALLS, NORTH 14°35'41" EAST, A DISTANCE OF 238.07 FEET; THENCE NORTH 43°55'01" EAST, A DISTANCE OF 142.23 FEET; THENCE SOUTH 89°59'27" EAST, A DISTANCE OF 16.50 FEET; THENCE NORTH 30°51'13" EAST, A DISTANCE OF 34.94 FEET; THENCE NORTH 45°00'44" EAST, A DISTANCE OF 49.50 FEET; THENCE NORTH 00°06'57" WEST, A DISTANCE OF 7.00 FEET; THENCE SOUTH 89°59'27" EAST, A DISTANCE OF 193.50 FEET; THENCE SOUTH 00°03'17" EAST, A DISTANCE OF 43.27 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 252.00 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 44°56'44" WEST, 356.38 FEET, FOR AN ARC DISTANCE OF 395.84 FEET; THENCE SOUTH 00°03'17" EAST, A DISTANCE OF 106.33 FEET; THENCE LEAVING THE BOUNDARY OF SAID LOT ONE (1), SOUTH 89°00'13" WEST, A DISTANCE OF 169.96 FEET TO THE POINT OF BEGINNING. CONTAINING 60,438.49 SQUARE FEET OR 1.39 ACRES.

EXHIBIT "E"

LEGAL DESCRIPTION

DEVELOPMENT AREA D-1

A PART OF LOT (ONE) 1, BLOCK FOUR (4) OF GATEWAY PLAZA, AN ADDITION IN THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST, CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, PLAT NO. 6614 AND MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY MOST CORNER OF SAID LOT ONE (1), BLOCK FOUR (4); THENCE ALONG THE BOUNDARY OF SAID LOT ONE (1), BLOCK FOUR (4) FOR THE NEXT EIGHT CALLS; NORTH 01°03'28" WEST, A DISTANCE OF 24.75 FEET; THENCE NORTH 89°08'58" EAST, A DISTANCE OF 19.70 FEET; THENCE NORTH 01°02'01" WEST, A DISTANCE OF 1023.91 FEET; THENCE NORTH 01°16'35" EAST, A DISTANCE OF 382.43 FEET; THENCE NORTH 01°02'01" WEST, A DISTANCE OF 55.56 FEET; THENCE SOUTH 50°27'18" EAST, A DISTANCE OF 488.52 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 101.00 FEET, A CHORD BEARING OF SOUTH 70°41'21" EAST, A CHORD DISTANCE OF 69.88 FEET, FOR AN ARC DISTANCE OF 71.36 FEET; THENCE NORTH 89°04'02" EAST, A DISTANCE OF 66.68 FEET TO THE SOUTHWEST CORNER OF LOT ONE (1), BLOCK THREE (3) GATEWAY PLAZA; THENCE SOUTH 01°00'37" EAST, A DISTANCE OF 120.00 FEET; THENCE NORTH 89°04'02" EAST, A DISTANCE OF 314.79 FEET TO THE EAST LINE OF SAID LOT ONE (1), BLOCK FOUR (4); THENCE SOUTH 00°59'48" EAST ALONG SAID EAST LINE, A DISTANCE OF 180.75 FEET TO A CORNER OF SAID LOT ONE (1); THENCE ALONG THE BOUNDARY OF SAID LOT ONE (1), BLOCK FOUR (4) FOR THE NEXT ELEVEN CALLS; THENCE NORTH 72°14'34" WEST, A DISTANCE OF 41.41 FEET; THENCE NORTH 79°28'34" WEST, A DISTANCE OF 129.81 FEET; THENCE SOUTH 87°39'01" WEST, A DISTANCE OF 97.10 FEET; THENCE SOUTH 82°56'46" WEST, A DISTANCE OF 64.36 FEET; THENCE SOUTH 68°50'10" WEST, A DISTANCE OF 92.37 FEET; THENCE SOUTH 66°02'27" WEST, A DISTANCE OF 120.15 FEET; THENCE SOUTH 44°27'42" WEST, A DISTANCE OF 217.69 FEET; THENCE SOUTH 14°45'06" WEST, A DISTANCE OF 258.19 FEET; THENCE SOUTH 04°47'26" WEST, A DISTANCE OF 107.27 FEET; THENCE SOUTH 04°50'33" EAST, A DISTANCE OF 280.84 FEET; THENCE SOUTH 89°08'58" WEST, A DISTANCE OF 169.99 FEET TO THE POINT OF BEGINNING. CONTAINING 460,134 SQUARE FEET OR 10.56 ACRES.

EXHIBIT "F"

LEGAL DESCRIPTION

DEVELOPMENT AREA D-2

A PART OF LOT (ONE) 1, BLOCK FOUR (4) OF GATEWAY PLAZA, AN ADDITION IN THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST, CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, PLAT NO. 6614 AND MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT ONE (1); THENCE SOUTH 00°59'48" EAST ALONG THE EAST LINE THEREOF, A DISTANCE OF 120.00 FEET; THENCE SOUTH 89°04'02" WEST, A DISTANCE OF 314.79 FEET; THENCE NORTH 01°00'37" WEST, A DISTANCE OF 120.00 FEET TO THE NORTH LINE OF SAID LOT ONE (1) AND THE SOUTHWEST CORNER OF LOT ONE (1), BLOCK THREE (3), GATEWAY PLAZA; THENCE NORTH 89°04'02" EAST ALONG THE LINE BETWEEN SAID LOT ONE (1), BLOCK FOUR (4) AND LOT ONE (1), BLOCK THREE (3), A DISTANCE OF 314.82 FEET TO THE POINT OF BEGINNING. CONTAINING 37,777 SQUARE FEET OR 0.87 ACRES.

OWNER:
3152 W Main LP
6910 EAST 14TH ST. SO.
TULSA, OKLAHOMA 74112
CONTACT: KEVIN STITT
PHONE: 918-645-2551

ENGINEER/SURVEYOR:
JR DONELSON, INC.
12820 SO. MEMORIAL DRIVE
OFFICE 100
BIXBY, OKLAHOMA 74008
PHONE: 918-394-3030
C.A. NO. 5611, EXP. 6-30-2017

FINAL PLAT
Gateway Plaza
AN ADDITION IN THE SW/4 OF SECTION 23,
T-18-N, R-12-E, CITY OF JENKS,
TULSA COUNTY, STATE OF OKLAHOMA.

PUD NO. 83

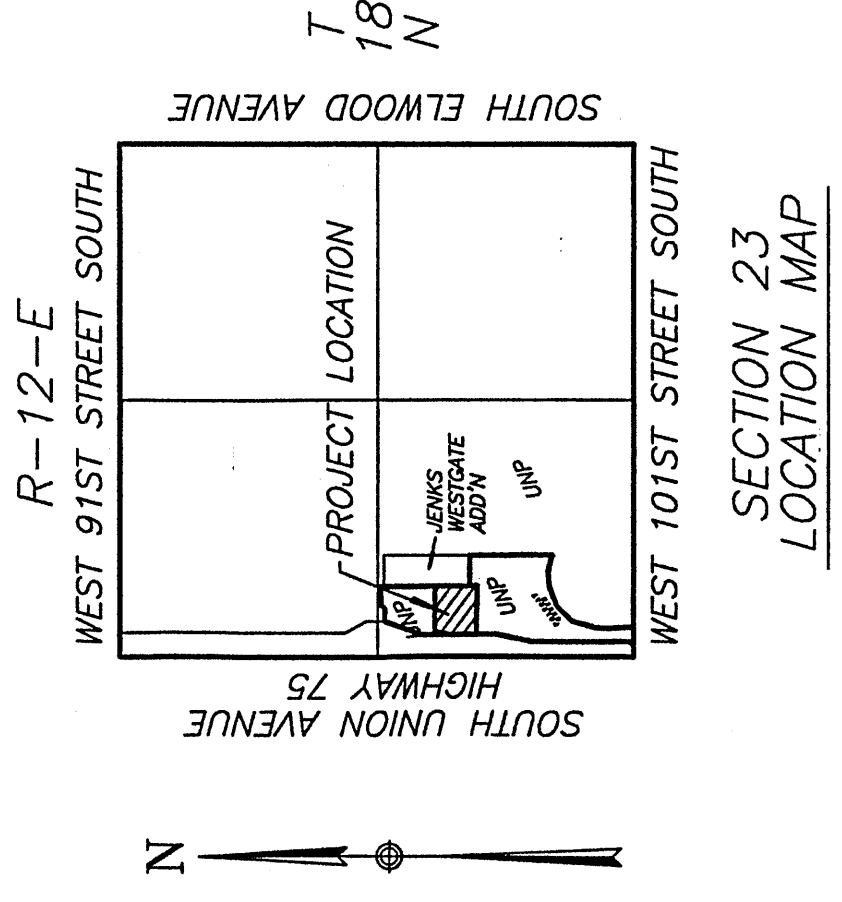
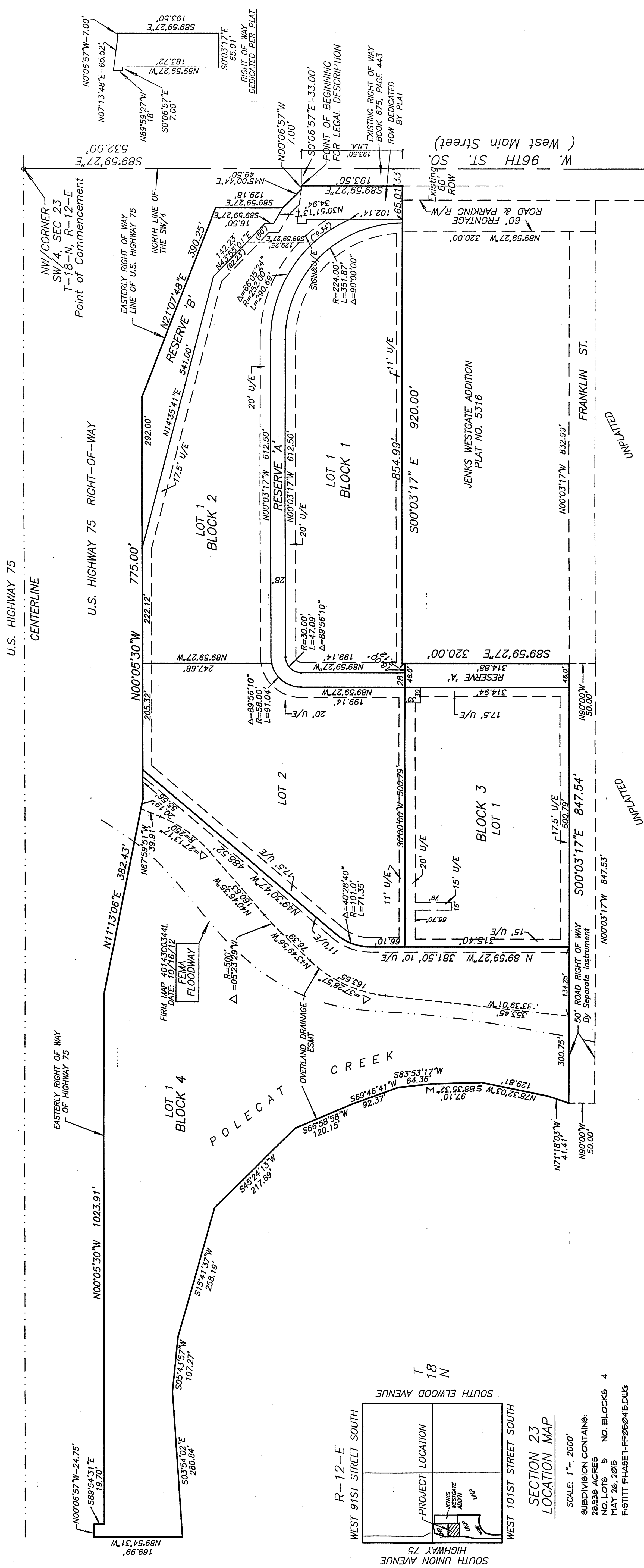
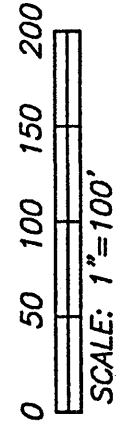
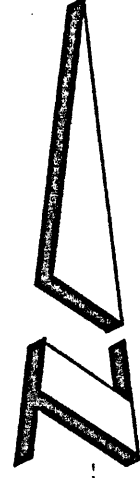
FINAL PLAT
CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved
by the City Council of the City of Jenks on

By: Kevin Stitt
Mayor - Vice Mayor

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

By: Kevin Stitt
City Manager



SCALE: 1"= 2000'
SUBDIVISION CONTAINS:
28.938 ACRES
NO. LOTS 5 NO. BLOCKS 4
MAY 26, 2015
F-51111 PHASE 1-PP0504B-DUG

- NOTES:
1. Addresses shown on this plat were accurate at the time this plat was filed. Addresses are subject to change and should not be relied on in place of legal descriptions.
 2. This plat meets the Oklahoma minimum standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Surveyors.
 3. The basis for bearings for the survey shown thereon is the North line of the SW/4 of Section 23, N 89°59'27"W
 4. Lot 1, Block 1, Lots 1 and 2, Block 2, and Lot 1, Block 3, are located outside the FEMA 100 year flood plain.

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 \$20,464.00 per trust receipt no. 13918 to be applied to 2015 taxes. This certificate is NOT to be construed as payment of 2015 taxes in full but is given in order that this plat may be filed on record. 2015 taxes may exceed the amount shown the record.

Dated: 06/08/2015
Dennis Stitt, Surveyor
Tulsa County Clerk
By: Kevin Stitt
Deputy

- LEGEND
- BL BUILDING LINE
 - U/E UTILITY EASEMENT
 - ESMT EASEMENT
 - ROW RIGHT-OF-WAY
 - LVA LIMITS OF NO ACCESS
 - NO ACCESS OF OPENING
 - O.D.E. OVERLAND DRAINAGE EASEMENT
 - △ CURVE DATA LABEL

STATE OF OKLAHOMA }
COUNTY OF TULSA }

I, Kevin Stitt, Tulsa County Clerk, in and for this County do hereby certify that the foregoing is a true and correct copy of a like instrument now on file in my office.

Dated the 06 day of June, 2015
Tulsa County Clerk

Deputy

DEED OF DEDICATION AND STATEMENT OF RESTRICTIVE COVENANTS

GATEWAY PLAZA

KNOW ALL MEN BY THESE PRESENTS:

GATEWAY PLAZA
DEED OF DEDICATION AND STATEMENT OF RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, "3152 W Main LP", is the Owner in fee simple to the following described property in the City of Jenks, Tulsa County, Oklahoma, to-wit:

A part of the Southwest Quarter (SW\4) 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 United States Government Survey thereof, being more particularly described as follows:
Commencing at the Northwest corner of said SW/4, thence S 89°59'27" E on the North line of said SW/4 a distance of 532.00 feet; Thence S 0°06'57" E on the Easterly right of way line of Highway 75 a distance of 33.00 feet to the point of beginning;

Thence S 89°59'27" E parallel with the North Line of said SW/4 and on the South Line of a tract of land described in a Right of Way Deed, Recorded in Book 675 at Page 443, a distance of 193.50 to a point on the West Line of JENKS WESTGATE ADDITION, Plat No. 5316; Thence S 0°03'17" E on the West Line of said JENKS WESTGATE ADDITION a distance of 920.00 feet to the Southwest Corner thereof; thence S 89°59'27" E a distance of 320.00 feet; Thence S 0°03'17" E a distance of 847.54 feet to a point on the Southerly Highbank of Polecat Creek; Thence N 71°18'03" W a distance of 41.41 feet; Thence N 78°32'03" W a distance of 129.81 feet; Thence S 88°35'32" W a distance of 97.10 feet; Thence S 83°53'17" W a distance of 64.36 feet; Thence S 69°46'41" W a distance of 92.37 feet; Thence S 66°58'58" W a distance of 120.15 feet; Thence S 45°24'13" W a distance of 217.69 feet; Thence S 15°41'37" W a distance of 258.19 feet; Thence S 5°43'57" W a distance of 107.27 feet; Thence S 35°4'02" E a distance of 280.84 feet; Thence N 89°54'31" W a distance of 169.99 feet to a point on the Easterly right of way line of Highway 75; Thence along the Easterly right of way line of Highway 75, N 0°06'57" W a distance of 24.75 feet; Thence continuing along said right of way, S 89°54'31" E a distance of 19.70 feet; Thence continuing along said right of way, N 0°05'30" W a distance of 1023.91 feet; Thence continuing along said right of way, N 11°13'06" E a distance of 382.43 feet; Thence continuing along said Easterly Right of way line of Highway 75, N 0°05'30" W a distance of 775.00 feet; Thence N 21°07'48" E a distance of 390.25 feet; Thence S89°59'27" E a distance of 129.18 feet; Thence N45°00'44" E a distance of 49.50 feet; Thence N 00°06'57" W a distance of 7.00 feet to the point of beginning and containing 28.938 acres more or less.

and have caused the above-described land to be surveyed, staked, platted and subdivided into lots, blocks, and streets, and have designated the same as "GATEWAY PLAZA", an Addition to the City of Jenks, Tulsa County, Oklahoma.

SECTION 1. PUBLIC COVENANTS

A. STREETS AND UTILITY EASEMENTS

The Undersigned owner does hereby dedicate to the public use forever, streets rights-of-way as shown and designated on the accompanying plat and does further dedicate to the public use forever the easements as shown and designated on the accompanying plat for the several purposes of constructing, maintaining, operating, repairing, removing, replacing any and all utilities including storm sewer, sanitary sewer, telephone and communication lines, electric power lines and poles, wires, conduits, pipes, valves, meters and equipment for each of such facilities and any other appurtenances thereto with the rights of ingress and egress into and upon said utility easements and rights-of-way for the uses and purposes aforesaid. No building, structure, or other above or below ground obstruction that will interfere with the purposes aforesaid, will be placed, erected, installed or permitted upon the easements or rights-of-way as shown, provided however, that the owner hereby reserves the right to construct, maintain, operate, lay and relay water lines and sanitary sewer lines together with the right of ingress and egress for such construction, maintenance, operation, laying and relaying over, across and along all public streets, alleys, and utility easements, shown on said plat, for the purposes of furnishing water and/or sanitary sewer services to the area included in said plat.

B. WATER AND SANITARY SEWER SERVICE

In connection with the provision of water and sanitary sewer service, all lots are subject to the following provisions, to-wit:

The owner of each lot shall be responsible for the protection of the public water mains and the public sanitary sewer facilities located on his lot and within the depicted street right-of-way and utility easement areas, if ground elevations are altered from the contours existing upon the completion of the installation of a public water or sewer main, all ground level apertures, to include: valve boxes, fire hydrants and manholes will be adjusted to the new grade by the owner or at the owner's expense.

The City of Jenks or its successors will be responsible for ordinary maintenance of public water mains and public sanitary sewer facilities, but the owner will pay damage for relocation of such facilities or necessitated by the acts of the owner or his agents or contractors. The Owner/Developer will be responsible for the ordinary maintenance of private water mains.

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

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

C. LIMITS OF NO ACCESS

The Owner hereby relinquishes rights of ingress and egress to the above described property within the bounds designated as "Limits of No Access" (LNA), and shown on the plat, except as may be hereafter be released, altered, or amended by the City of Jenks and approved by the Jenks Planning Commission or its successors, or as otherwise provided by the Statutes and Laws of the State of Oklahoma pertaining thereto. The foregoing covenant shall be enforceable by the City of Jenks, Oklahoma, or its successors, and the owner of each lot agrees to be bound thereby.

D. ELECTRIC, TELEPHONE, CABLE TELEVISION AND NATURAL GAS SERVICE.

In connection with the installation of underground electric, telephone, cable television and natural gas service lines, the lot is subject to the following:

1. Underground lines for the supply of electric, telephone and cable television service may be located along the South boundary of the addition as shown on the attached plat. Street light poles or standards shall be served by underground cable and elsewhere throughout said Addition all supply lines shall be located underground, in the easement-ways reserved for the general utility services and streets, shown on the attached plat. Service pedestals and transformers, as sources of supply of secondary voltages, may also be located in said easement-ways.

2. All supply lines in the Subdivision including electric, telephone, cable television and natural gas service lines shall be located underground in the easements reserved for general utility services and streets shown on the plan of the subdivision. Service pedestals and transformers, as sources of supply at secondary voltages, may also be located in said easements.

3. Underground lines for the supply of electric, telephone and cable television service and natural gas service located in the Subdivision may be run from the nearest natural gas main, service pedestal or transformer to the point of use as determined by the location and construction of such building as may be located upon said lot; provided that upon the installation of such a service cable or a natural gas service line to a particular building, the supplier of service shall thereafter be deemed to have a definitive, permanent, and effective right-of-way easement on said lot, covering a five-foot strip extending 2.5 feet on each side of such service cable or line, extending from the service pedestal, transformer or natural gas main to the service entrance on the building.

4. The supplier of electric, telephone, cable television and natural gas services, through its authorized agents and employees, shall at all times have right of access to all such easements shown on the plat to the Subdivision or provided for in this deed of dedication for the purpose of installing, maintaining, removing or replacing any portion of the underground electric, telephone, cable television or natural gas service facilities so installed by it.

5. The owner of each lot in the Subdivision shall be responsible for the protection of the underground electric facilities located on his property and shall prevent the alteration of grade or any construction activity which may interfere with said electric, telephone, cable television or natural gas facilities. The supplier of service will be responsible for the ordinary maintenance of underground facilities, but the owner of the lot in the Subdivision will pay for damage or relocation of such facilities caused or necessitated by acts of such owner or his agents or contractors.

E. STORM SEWER

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

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

3. "3152 W Main LP", or its successors, shall be responsible for ordinary maintenance of the private storm sewer system, but the owner of each lot will pay for damage or relocation of such system caused or necessitated by acts of the owner of each lot or its agents or contractors.

4. The foregoing covenants concerning the private storm sewer system shall be enforceable by "3152 W Main LP", or its successor, and the owner of each lot agrees to be bound hereby.

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

F. SURFACE DRAINAGE

1. Surface Drainage. Each lot shall receive and drain, in an unobstructed manner, the storm and surface waters from lots and drainage areas of higher elevation and from public streets and easements.

2. No property owner shall construct or permit to be constructed any fencing or other obstructions which would impair the drainage of storm and surface waters over and across his lot. No property owner shall modify or change the direction of drainage of surface storm water from the original approved construction plans on file at the City of Jenks.

3. The property owner shall prevent the alteration of grade within all easement areas from the original contours (finish grade) or allow any construction activity which may interfere with such public water mains, valves, storm sewers, and or public sanitary sewer facilities.

4. The covenants set forth in this section shall be enforceable by any affected property owner and by "3152 W Main LP".

G. OWNER RESPONSIBILITY WITHIN EASEMENTS.

The owner of the lots shall be responsible for the repair and replacement of any landscaping and paving within the utility easements on the lot in the event it is necessary to repair any underground water or sewer mains, electric, natural gas, cable television, or telephone service.

H. LAND USE

All construction shall be strictly according to the ordinances of the City of Jenks, Oklahoma.

I. RESERVE AREAS

All streets within the subdivision are by grant of the Owner/Developer, Private Streets (shown as Reserve "A" on the accompanying plat) for the common use and benefit of the owners of the lots within Gateway Plaza, their guests and invitees, for the purpose of providing vehicular and pedestrian access to and from the various lots, to and from public streets, and is reserved for subsequent conveyance to a Owners Association to be formed for the purposes of administration and maintenance of the private streets and other common areas of the subdivision.

The Owner/Developer herein grants to the City of Jenks, Oklahoma, the United States Postal Service, any utility providing utility service to the subdivision, and to any refuse collection service which provides service within the subdivision the right to

enter and traverse the private streets and to operate thereon all service, emergency and government vehicles including, but not limited to, police and fire vehicles and equipment. Reserve A can be utilized as an easement, for public utility purposes.

The Owner/Developer, for itself and its successors, herein covenants with the City of Jenks, Oklahoma, which covenants shall run with the land and inure to the benefit of the City of Jenks, Oklahoma, and shall be enforceable by the City of Jenks, Oklahoma to:

- Construct and maintain street surfacing extending the full length of the private streets depicted within the accompanying plat, and meeting or exceeding the following standards:
 - Surfacing width shall be not be less than 28 feet measured from face of curb to face of curb.
 - All streets shall be curbed.
 - Cutters, base and paving materials shall be of a quality and thickness meeting the now existing standards of the City of Jenks, Oklahoma, for minor residential streets.
 - The vertical grade of the streets shall not exceed 12%.
- Prohibit the erection of any arch or similar structure over any private street as depicted on the accompanying plat which would prohibit any governmental vehicle, specifically any fire vehicle, from free usage of the private streets.

RESERVE B will be privately owned and maintained by the Owner of Lot 3, Block 1, and reserved for future Highway 75 Right of Way in accordance with the Oklahoma Department of Transportation plans for Highway 75.

Conveyance and Maintenance of All Reserve Areas.

- All Reserve Areas shown on the accompanying plat are reserved for subsequent conveyance to a Owners' Association to be comprised of the Owners of the Lots within Gateway Plaza, set forth within Section 4 hereof. The Owners' Association shall perform all maintenance associated with all Reserves Areas to the extent necessary to achieve the intended purpose.

SECTION 2. PLANNED UNIT 83 DEVELOPMENT RESTRICTIONS

A. DEVELOPMENT AREA A (RESTAURANT, COMMERCIAL RETAIL OR HOTEL USE),
a portion of Lot 1, Block 1 and Lot 1, Block 2.

LAND AREA:	Gross: 4.738 acres	206,476 square feet
	Net: 4.738 acres	206,476 square feet
PERMITTED USES (to be allowed by right):		
Drive-in Restaurants will be allowed. Use Units 22, 23, 24, 25, 26, 27 and 28 of the Jenks 2010 Zoning Code, will not be allowed.		
Mini-storages and office/warehouses will not be allowed in Development Area A.		

MINIMUM FRONTAGE (per lot)	N/A
MAXIMUM BUILDING FLOOR AREA (using .75 FAR):	154,857 square feet
MAXIMUM BUILDING HEIGHT:	Five Story 75 ft
(One story height may vary depending on type of finish.)	
MINIMUM BUILDING SETBACKS	
From the west boundary (east right-of-way line for U.S. Highway 75)	50.0 feet
From the south boundary	10.0 feet
From the north boundary	50.0 feet
From the east boundary	20.0 feet

B. DEVELOPMENT AREA B (RESTAURANT, COMMERCIAL RETAIL, HOTEL OR OFFICE USE),
A portion of Lot 1, Block 1, Lot 1, Block 2 and Lot 2, Block 2.

LAND AREA:	Gross: 8.803 acres	383,476 square feet
	Net: 8.803 acres	383,476 square feet
PERMITTED USES (to be allowed by right):		
Drive-in Restaurants will be allowed. Use Units 22, 23, 24, 25, 26, 27 and 28 of the Jenks 2010 Zoning Code, will not be allowed.		
Mini-storages and office/warehouses will not be allowed in Development Area B.		

MINIMUM FRONTAGE (per lot)	N/A
MAXIMUM BUILDING FLOOR AREA (using .75 FAR):	287,607 square feet
MAXIMUM BUILDING HEIGHT:	Five Story 75 ft
(One story height may vary depending on type of finish.)	
MINIMUM BUILDING SETBACKS	
From the west boundary (east right-of-way line for U.S. Highway 75)	50.0 feet
From the south boundary	10.0 feet
From the north boundary	10.0 feet
From the east boundary	20.0 feet

C. DEVELOPMENT AREA C (OFFICE, OFFICE/WAREHOUSE OR MINI-STORAGE USE,
Lot 1, Block 3.

LAND AREA:	Gross: 3.949 acres	171,997 square feet
	Net: 3.949 acres	171,997 square feet

PERMITTED USES (to be allowed by right):
Drive-in Restaurants will be allowed. Use Units 22, 23, 24, 25, 26, 27 and 28 of the Jenks 2010 Zoning Code, will not be allowed in Development Area C.
Office, office/warehouse and mini-storage use will be allowed.

MINIMUM FRONTAGE (per lot)	N/A
MAXIMUM BUILDING FLOOR AREA (using .75 FAR):	128,997 square feet
MAXIMUM BUILDING HEIGHT:	Five Story 75 ft
(One story height may vary depending on type of finish.)	
MINIMUM BUILDING SETBACKS	
From the west boundary (east right-of-way line for U.S. Highway 75)	50.0 feet
From the south boundary	10.0 feet
From the north boundary	10.0 feet
From the east boundary	20.0 feet

D. DEVELOPMENT AREA D (PRIVATE PARK ACTIVITIES, GOLF DRIVING AND GREEN OPEN SPACE) AND AREA:

LAND AREAS:	Gross: 11.448 acres	498,662 square feet
	Net: 11.448 acres	498,662 square feet

Golf driving, spectator seating and outdoor advertising signage will be allowed in Development Area D. A large portion of Development Area D is within the FEMA FIRM 100 year flood plain. A Letter of Map Amendment (LOMA) must be approved by the City of Jenks and submitted to FEMA for Gateway Plaza, addressing Development Area D.

E. DEVELOPMENT STANDARDS FOR ALL DEVELOPMENT AREA LOTS IN GATEWAY PLAZA:

1. APPEARANCE / DESIGN:

- Building materials. Building designs, facades and materials shall comply with minimum standards set forth in all applicable City of Jenks ordinances and regulations. Building designs, facades and materials also shall be limited to concrete, brick stucco, masonry units and in Development Area C, metal and be approved by the Architectural Committee.
- A minimum of 75% of the exterior walls of the building, less doors and windows, shall have brick, Dryvit (Stucco), stone, concrete panel or a masonry block covering the outside walls of the structure unless approved otherwise by the Architectural Committee.
- In addition to complementary exterior wall design and building materials, the use of building setbacks, screening fences, landscaping, signage, lighting, and other site-specific amenities should be used to increase compatibility of the building with adjacent and nearby properties.
- All roof-mounted heating and air conditioning equipment (HVAC) shall be screened.

2. BUILDING MATERIALS

- The design of new structures and of additions to existing structures, including new site improvements, should take into account the architectural style, general design, arrangement, texture, material and color of other structures and premises in the adjacent neighborhood. Contemporary designs for new structures, additions to existing structures or remodels may be allowed so long as such construction is compatible with the essential form and integrity of other structures in the adjacent neighborhood.
- All new structures and all reconstruction or remodeling of existing structures within Gateway Plaza should utilize exterior materials such as masonry, face brick, stone, wood, or metal. Use of contemporary materials, such as aluminum or other metals, fiberglass, and plastics for exterior surfaces should contribute to the preservation or enhancement of traditional materials and the overall integrity and appearance of the structure.
- Traditional color schemes and combinations of those colors that are complementary to the adjacent neighborhood should be used for all exterior wall coverings. Fluorescent or Luminous colors shall be prohibited.

3. PARKING AND LANDSCAPING

- Parking
 - Off-street parking areas / off-street loading areas should conform to the design, lighting and improvements as required by the Jenks Zoning Code and PUD 83.
 - Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties.
 - Unenclosed off-street parking areas shall be surfaced with a dust-free all weather material.
- Landscaping
 - Street frontages within the Gateway Plaza should provide a sense of open-space and should be buffered from the street by landscaped drives, lawns, or parking.
 - Commercial and other office uses within the Corridor Appearance District should provide minimum landscaped open spaces as follows:

A. Commercial uses	10% of the Lot Area
B. Office uses	15% of the Lot Area
- Fencing
 - Screening fencing, where required by the Jenks Zoning Code and elsewhere on a lot within a Gateway Plaza should be masonry or brick walls providing visual barriers or combinations thereof.
 - Screening walls or fences shall be maintained by the owner or occupant of the lot containing the use required to construct the screening.
- Signage
 - All signs, as defined in the Jenks Zoning Code, should be designed to be compatible with and complementary to the adjacent neighborhood all signs should be designed and erected in compliance with the Jenks Zoning Code, zoning code and sign code without the necessary of variances. Variances of height, size, setback, and other code requirements should not be supported within the Corridor Appearance Districts. Channel letters are permitted without Appearance Sign district review.

e. Lighting

- All lighting including exterior and parking lot lighting, should be so designed to complement the building structures constructed and those located in adjacent areas.
 - Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties within a residential zoning district.
 - Lighting incorporating period lighting fixtures similar to special theme district and conforming to approved City street lighting studies are encouraged.

SECTION 3. PRIVATE COVENANTS AND RESTRICTIONS

For the purpose of providing an orderly development of the Subdivision and for maintaining conformity of the improvements therein, the following covenants and restrictions hereby are imposed upon the use and occupancy of the lots within the Subdivision.

A. Private Covenants and Restrictions Applicable to all Lots. The following standards shall apply to all lots of the Subdivision unless specifically modified or superseded by more specific provisions adopted by the Owner/Developer as hereinafter provided.

GATEWAY PLAZA
Date of Preparation:
5/26/15
SHEET 2 OF 3

1. Architectural Committee. Owner may form an Architectural Committee (referred to in this document as the "Architectural Committee" or "Committee") for the Subdivision. If an Architectural Committee is not formed, Owner shall perform all functions of the Architectural Committee. The Architectural Committee will:

a. Review and approve all structures to be built on the lots in the Subdivision, and be responsible for interpreting all development and construction standards contained in this Deed of Dedication as applicable to the lots in the Subdivision.

The Committee shall consist of not less than one (1) nor more than three (3) members to be appointed by Owner, until Owner, in its sole discretion, assigns and transfers the responsibility for the appointment of the Committee to any Owners Association formed.

No new building or improvements may be commenced on any lot in the Subdivision without the written approval of the Committee.

2. Required Plans. The architectural plans to be submitted and approved by the Committee shall include, at a minimum, the following with regard to each improvement to be constructed on any Lot in the Subdivision, prior to submittal to the City of Jenks.

- An accurate site plan;
- An accurate floor plan;
- All exterior elevations;
- A landscaping plan, including, but not limited to, the composition, location and height of fencing;
- Any other plans or information requiring approval of the City of Jenks or any of its commissions or committees; and
- Details regarding the composition of all roofing and external building materials.

3. Building materials. Building designs, facades and materials shall comply with minimum standards set forth in all applicable City of Jenks ordinances and regulations. Building designs, facades and materials also shall be limited to concrete, brick stucco and in Development Area C, metal and be approved by the Architectural Committee. Any deviation of the exterior construction materials shall be permitted only with the written consent of the Architectural Committee.

4. Nuisance prohibited. No noxious or offensive trade or activity shall be carried on upon any Lot, nor shall anything be done thereon that may be or may become an annoyance or nuisance to the neighborhood. Each Lot in the Subdivision shall be mowed and maintained in a neat and orderly condition, free of rubbish, trash, and other debris and should be mowed to prevent growth of weeds and tall grass.

5. Limitation on uses. The uses for each development area are described in Section 2.

6. Lots may be split or subdivided with the approval of the City of Jenks and the owner of Lot 3, Block 1, Gateway Plaza. No subdivision of uses shall be permitted on the lots without the express written consent of the Owner/Developer first being obtained.

7. Detailed Site Plan. The Plat shall constitute the required detail site plan of the lots in the Subdivision.

8. Sign Plan. Prior to the issuance of a sign permit a detailed plan of the sign or signs proposed to be installed shall be submitted to and approved by the City of Jenks.

9. Compliance. The development and use of the Subdivision shall be in compliance with the Plat and other plans approved by the City of Jenks regarding the Subdivision.

10. Minor Amendments. The Covenants shall be deemed amended (without necessity of execution of an amending document) to conform to amendments to bulk and area requirements and other minor amendments that subsequently may be approved by the City of Jenks Planning Commission or other agency of the City pursuant to its review of a minor amendment processed in accordance with the provisions of the City of Jenks Zoning Code.

11. Conflicts. If there is any conflict between these general standards and specific standards described herein for particular Lots in the Subdivision, the specific standards shall control.

12. Owner/Developer Reservation of Right. The Owner/Developer reserves the right, in its sole discretion and without joinder or approval of any other owner of a particular Lot, so long as the Owner/Developer is the owner of any Lot in any block in the Subdivision, to amend, revise or abolish any one or more of the above covenants and restrictions by instrument duly executed and acknowledged by Owner/Developer and filed in the Office of the Tulsa County Clerk.

13. The owner(s) of each lot within "Gateway Plaza", as members of the Gateway Plaza Owners Association, referred to as (the "Association"), shall together with the other members of the Association, pay their proportionate share of the cost of maintaining and repairing the common areas within "Gateway Plaza", but not limited to the private streets, as well as the common areas within "Gateway Plaza".

14. All private streets, mutual access easements, driveways and parking areas shall be constructed and maintained with a hard surface concrete pavement consistent with Jenks City Building Codes and shall include adequate drainage facilities to dispose of all storm water.

15. It shall be the responsibility of the tract owner to provide parking spaces on their respective tracts for their employees, tenants, customers, and visitors, and private streets depicted on the Plat shall not be used for parking. Off-street parking area shall be located at least 10 feet from a public or private street and at least 5 feet from a building or property line. Each tract owner shall have mutual access or ingress and egress from all adjacent tracts.

16. All automobiles and other motorized vehicles on the tract must be state licensed and in running order at all times. All vehicles are to be parked at all times in a designated parking area.

17. No antenna, aerial, or other device except a roof mounted 18" satellite dish shall be permitted on any structure where some form of TV cable is available, including pay satellite furnished by others. Where TV cable or pay satellite is not available, Developer is permitted one (1) antenna which will be allowed for the sole purpose of television broadcast only, and such antenna shall be raised to a height necessary for the TV reception in the area. No CB, ham radio, satellite dish, or other antennas shall be permitted. The Architectural Committee or Developer may waive any item in this paragraph.

18. No boats, motor homes, utility trailers and any other non-everyday vehicle will be parked on the tracts for more than 24 hours.

19. No building, fence, wall or other structure shall be commenced, erected or maintained upon the properties in Gateway Plaza, nor shall any exterior addition to or change or alteration herein be made until the plans and specifications showing the nature, size, kind, shape, height, materials and location of the same shall been submitted to and approved in writing by the Architectural Committee.

20. In the event a building or any tract in Gateway Plaza is destroyed by fire or otherwise destroyed, the owner of said tract shall raze the structure and clean off the tract or start to rebuild the building within 120 days from the time the building was destroyed.

21. A minimum of 75% of the exterior walls of the building, less doors and windows, shall have brick, Dryvit (Stucco), stone, concrete panel or a masonry block covering the outside walls of the structure unless approved otherwise by the Architectural Committee.

SECTION 4. OWNERS ASSOCIATION

A. Formation of Owners Association

Gateway Plaza Owners Association. The Owner has formed the "Gateway Plaza Owners Association", hereafter referred to as (the "Association"), an Oklahoma not-for-profit corporation. The purpose of the Association is to operate, manage, repair, replace and maintain the common areas serving or benefitting "Gateway Plaza" and the Subdivision including, without limitation, signage, landscaping, storm drainage, utility systems, sprinkler systems, easement areas and other amenities, traffic control equipment, streets, fences, line painting, sanitary control, removal of snow, trash, rubbish, garbage and other refuse, depreciation on or rentals of machinery and equipment, personnel to implement such services, direct pedestrian traffic and parking and police the common areas, any other activities necessary to keep such common areas in a good state of repair and enhance the value, security, desirability and attractiveness of "Gateway Plaza".

B. Membership

Every lot owner in "Gateway Plaza" shall be a member of the Association. Membership shall be appurtenant to and may not be separated from the ownership of any lot in "Gateway Plaza". The acceptance of a deed to one (1) or more lots shall constitute acceptance and membership in the Association as the date of recording of such deed.

C. Assessment by Association.

Each lot owner within "Gateway Plaza" shall be subject to assessment by the Association for the purposes of operating, managing, repairing, replacing and maintaining the common areas serving or benefitting "Gateway Plaza", without limitation, signage, landscaping, storm drainage, utility systems, sprinkler systems, easement areas and other amenities, traffic control equipment, streets, fences, line painting, sanitary control, removal of snow, trash, rubbish, garbage and other refuse, depreciation on or rentals of machinery and equipment, personnel to implement such services, direct pedestrian traffic and parking and police the common areas, any other activities necessary to keep the common areas in a good state of repair and enhance the value, security, desirability and attractiveness of Gateway Plaza and such other purposes as the Board of Directors of the Association may, from time to time, determine pursuant to the By-Laws and Certificate of Incorporation of the Association.

D. Association Beneficiary of Covenants.

Without limitation of such powers and rights as the Association may have, the Association shall be deemed a beneficiary of the various covenants contained in this Deed of Dedication to the same extent as all other beneficiaries thereof, including each lot or parcel owner, the City of Jenks, Oklahoma and the supplier of any utility or other service within the Subdivision, and shall have the right to enforce these covenants and agreements.

E. Payment of Assessments.

Owners hereby covenant and each lot or parcel owner by acceptance of a deed to a lot or parcel, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay the Association: (a) initial assessments; (b) monthly, quarterly or annual maintenance assessments; and (c) special assessments for capital improvements. Such assessments shall be established and collected as determined by the Association. The annual and special assessments, together with interest, costs and reasonable attorneys' fees, should be charged on each lot or parcel and shall be a continuing lien upon the lot or parcel against which the assessment is made. Each assessment, together with interest, cost and reasonable attorneys' fees, shall be the personal obligation of the owners of the lot or parcel at the time when the assessment became due. The personal obligation for delinquent assessments shall not pass through the successors-in-title unless expressly assumed by them. The Association shall fix the regular monthly, quarterly or annual assessments according to the provisions of the By-Laws and Certificate of Incorporation of the Association. In addition to the regular monthly, quarterly or annual assessments, authorized above, the Association may levy, in any assessment period, a special assessment applicable to the period only for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, maintenance, repairs or replacement of a capital improvement.

F. Delinquent Assessments.

Any assessment which is not paid when due shall be delinquent and shall constitute a lien on the lot or parcel against which the assessment is made. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the rate of interest per annum as set by the Board Directors from time to time, but not to exceed the maximum rate of interest allowed by law, and the Association may bring an action at law against the owner personally obligated to pay the same or foreclose its lien against the lot/parcel, or both, and interest, costs and reasonable attorneys' fees for any such action shall be added to the amount of the assessment. No owner may waive or otherwise escape liability for the assessments provided for herein by non-use or abandonment of such owner's lot or parcel.

G. Lien.

The lien of the assessments provided for herein shall be subordinate to the lien of any first mortgage. Sale or transfer of any lot or parcel shall not affect the assessment lien; provided, however, the sale or transfer of any lot or parcel pursuant to mortgage foreclosure or any proceeding in lieu thereof, shall extinguish the lien of such assessment as to payments which become due prior to such sale or transfer. No sale or transfer shall relieve the lot or parcel from the lien for assessments thereafter becoming due.

SECTION 5. ENFORCEMENT, AMENDMENT, ETC.

A. Enforcement

The restrictions herein set forth are covenants to run with the land and shall be binding upon the Owner of each lot, its successors and assigns. Covenants within Section 1, whether or not specifically therein so stated, shall inure to the benefit of and shall be enforceable by the City of Jenks, Oklahoma. Section 2, Planned Unit Development PUD 83 and provisions of the Jenks Zoning Code and shall inure to the benefit of and shall be enforceable by the City of Jenks, Oklahoma, and/or any of the Owners and their respective successors and assigns in title. The covenants contained in Section 3, Private Covenants and Restrictions, may be enforced by any owner of a lot and/or the Owners' Association.

Section 4, Owners Association, shall inure only to the benefit of and shall be enforceable by any owner of a lot and/or the Owners' Association. If the undersigned Owners, or its successors or assigns, any owner of a lot, or any other person, shall violate any of the covenants or restrictions contained herein, it shall be lawful for the City of Jenks, any owner of a lot, or the Owners' Association, as appropriate in accordance with their respective interests identified herein, to maintain any action at law or in equity against the person or persons violating or attempting to violate any such covenant, to prevent it, him, her or them from so doing or to compel compliance or to recover damages. In any judicial action to enforce the provisions of this Section, the prevailing party may recover reasonable costs and attorney fees.

In any judicial action brought by any owner to enforce the provisions of this Deed of Dedication, the prevailing party may recover reasonable costs and attorney fees.

B. Duration

These restrictions, to the extent permitted by applicable law, shall be perpetual but in any event shall be in force and effect for a term of not less than thirty (30) years from the date of the recording of this Deed of Dedication unless terminated or amended as hereinafter provided. Provided, if the 30 year limitation at any time shall be deemed to apply, then, at the expiration of such 30 year term, the restrictions shall be deemed to automatically renew for successive periods of seven (7) years, unless terminated or amended as provided herein or as allowed by law.

C. Amendment

The covenants contained within Section 1, Public Covenants, may be amended or terminated at any time by a written instrument signed and acknowledged by the owner of the land to which the amendment or termination is to be applicable and approved by the City of Jenks Planning Commission, or its successors, and the City of Jenks, Oklahoma. The covenants contained within Section 2, Planned Unit Development 83, may be amended or terminated at any time by a written instrument signed and acknowledged by the owner of the land to which the amendment or termination is to be applicable and approved by the City of Jenks Planning Commission, or its successors. The covenants contained within Section 3 Private Covenants and Restrictions, may be amended or terminated at any time by a written instrument signed and acknowledged by the owners of two-thirds (2/3) of the lots, parcels or land to which the amendment or termination is to be applicable.

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 or any part thereof as set forth herein, which shall remain in full force and effect.

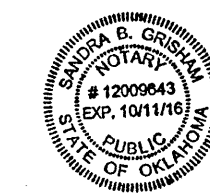
IN WITNESS WHEREOF, '3152 W Main LP' has executed this instrument this 28 day of May, 2015.

3152 W Main LP
an Oklahoma Limited Liability Company

By: [Signature]
Manager

STATE OF OKLAHOMA }
COUNTY OF TULSA } ss.

This instrument was acknowledged before me on this 28th day of May, 2015, by J. Kevin Shutt as Manager of 3152 W Main LP an Oklahoma Limited Liability Company.



[Signature]
Notary Public

My commission expires: 10/1/16

CERTIFICATE OF SURVEY

I, Charles K. Howard, a Registered Land Surveyor, in the State of Oklahoma, do hereby certify that I have carefully and accurately surveyed, subdivided, and platted the tract of land described above, and that the accompanying plat designated herein as "Gateway Plaza", a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, is a representation of the survey made on the ground using generally accepted practices and meets or exceeds the Oklahoma Minimum Standards for the Practice of Land Surveying.

5/27/2015

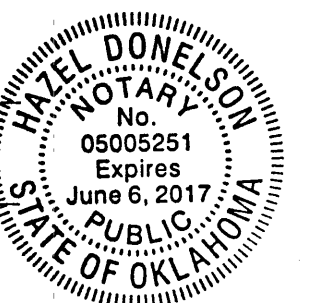
[Signature]
Charles K. Howard, RLS 297
CA NO. 5611 EXP. DATE: 6/30/2017

STATE OF OKLAHOMA }
COUNTY OF TULSA } ss.

The foregoing Certificate of Survey was acknowledged before me on this 27 day of MAY, 2015, by Charles K. Howard, RLS No. 297.

[Signature]
Notary Public

My commission expires: _____



To	Planning Commission
Hearing Date	June 03, 2021
Case Number	Jenks Landing Amended
Request	Replat of Lots 1 and 3 of "Jenks Landing"
Location	West of South Union Avenue and south of W. 111 th Street S.
Applicant	Tim Terral, TEP

Staff Report

Preparer | Marcaé Hilton

Attachments

- ☐ Replat Document
- ☐ Deed of Dedication

Preparer

Tulsa Engineering & Planning Associates
Tulsa Engineering & Planning Associates

Background Information

STAFF COMMENTARY | Dash Ranch, LLC is selling lots within the Jenks Landing commercial subdivision. As a result, Lot 1 and Lot 3 of Block 1 require subdividing; the Jenks subdivision regulations only allow one lot to be subdivided into 3 total lots. The applicant is seeking to create 6 (six) added lots. In 2016, PUD 97 was approved, establishing Development Areas A and B for the Jenks Landing development. Development Area A is for Commercial and Service uses; Development Area B is for multi-family uses. This plat amendment affects Development Area A of Jenks Landing.

PLANNING DATA

Public Comment None | No notice is given to public for Plat

JENKS LANDING

Plat No.	6730
Recorded	March 21, 2017
Lots	4 (Four) (Lots 2 & 4 no change)
Blocks	1 (One)
Streets	Public ▪ S. James Avenue, West 114th Street ▪ Private Internal Drive • Reserve A (street and UE)
Zoning	PUD 97 CS

JENKS LANDING AMENDED

Plat No.	TBD
Recorded	TBD
Lots	6 (Six) (Lot 3 2 & Lot 1 4)
Blocks	1 (One)
Streets	No change
Zoning	PUD 97 CS

JENKS LANDING | OTHER LAND INFORMATION | (For Your Information only)

LOT SPLIT | Parcel ID 606-7882-340-7520

Property Address | 3402 W 114 ST S

Part of Lot 3, Block 1

Gross Acres 2.27

LOT SPLIT | Parcel ID 606-7882-340-7523

Property Address | Unknown

Legal | Part of Lot 3 Block 1

Gross Acres 1.39

Not Directly Related to this Case

JENKS LANDING II, Development Area B of PUD 97 (PUD 07A) | NOT FILED | January 21, 2020

Jenks City Council conditionally approved the Preliminary/Conditional Final Plat - Jenks Landing II.

Conditions:

1. Include language in the Deed of Dedication to accomplish the proportional assignment of maintenance responsibilities for Reserve B.
2. Identify locations of Access Limits on the face of the plat per Paragraph 1.8 of the Deed of Dedication.
3. Numbering of the two paragraphs under 2.2 Reserve Area "B" should be corrected to 2.2.1 and 2.2.2.
4. Reserve Area "A" and "C" are described as being for various uses, including ingress and egress. No ingress/egress is shown on any of the accompanying site plans. Make modifications necessary to clarify Paragraphs 2.2.1 and 2.2.2 pertaining to Reserve Area "B".
5. The plat and Deed of Dedication and Restrictive Covenants shall be updated with landscape requirements, masonry percentage, and other changes made in approval of the PUD.

Staff Evaluation & Recommendation

EVALUATION Staff believes Preliminary Final Plat and Deed of Dedication is in compliance with City of Jenks Subdivision Regulations and other Code. There are no changes to the utility easements, access easements or streets.

CONDITIONS ADD LOT DATA FOR DEVELOPED LOTS
ADD DIMENSIONS AS NOTED
ADD EASEMENT INFO AS NOTED

RECOMMENDATION: *Staff recommends approval the Jenks Landing Amended Preliminary/Final Plat per staff comments and conditions.*

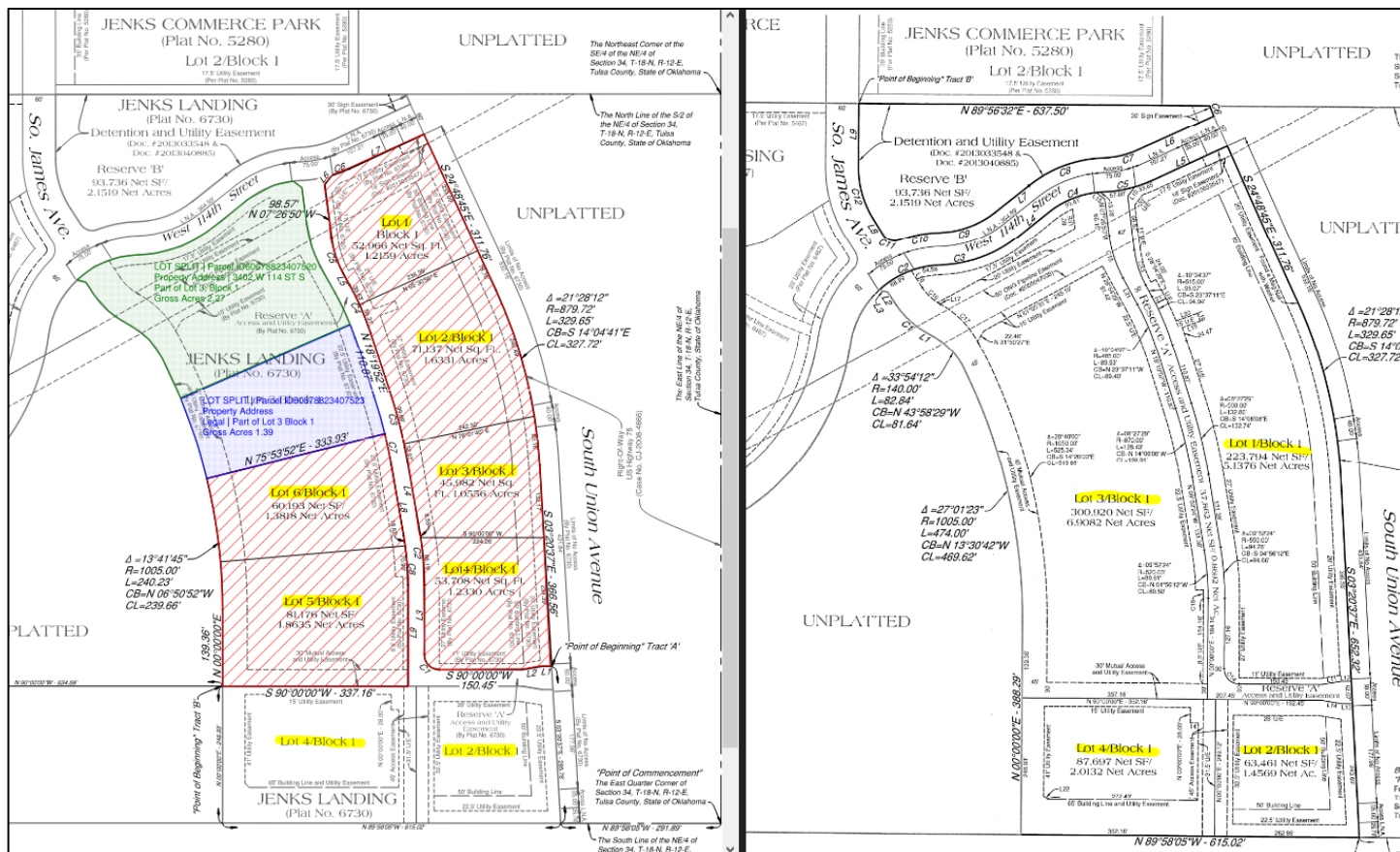


Figure 1: Jenks Landing Amended Preliminary/Final

Jenks Landing Final Plat

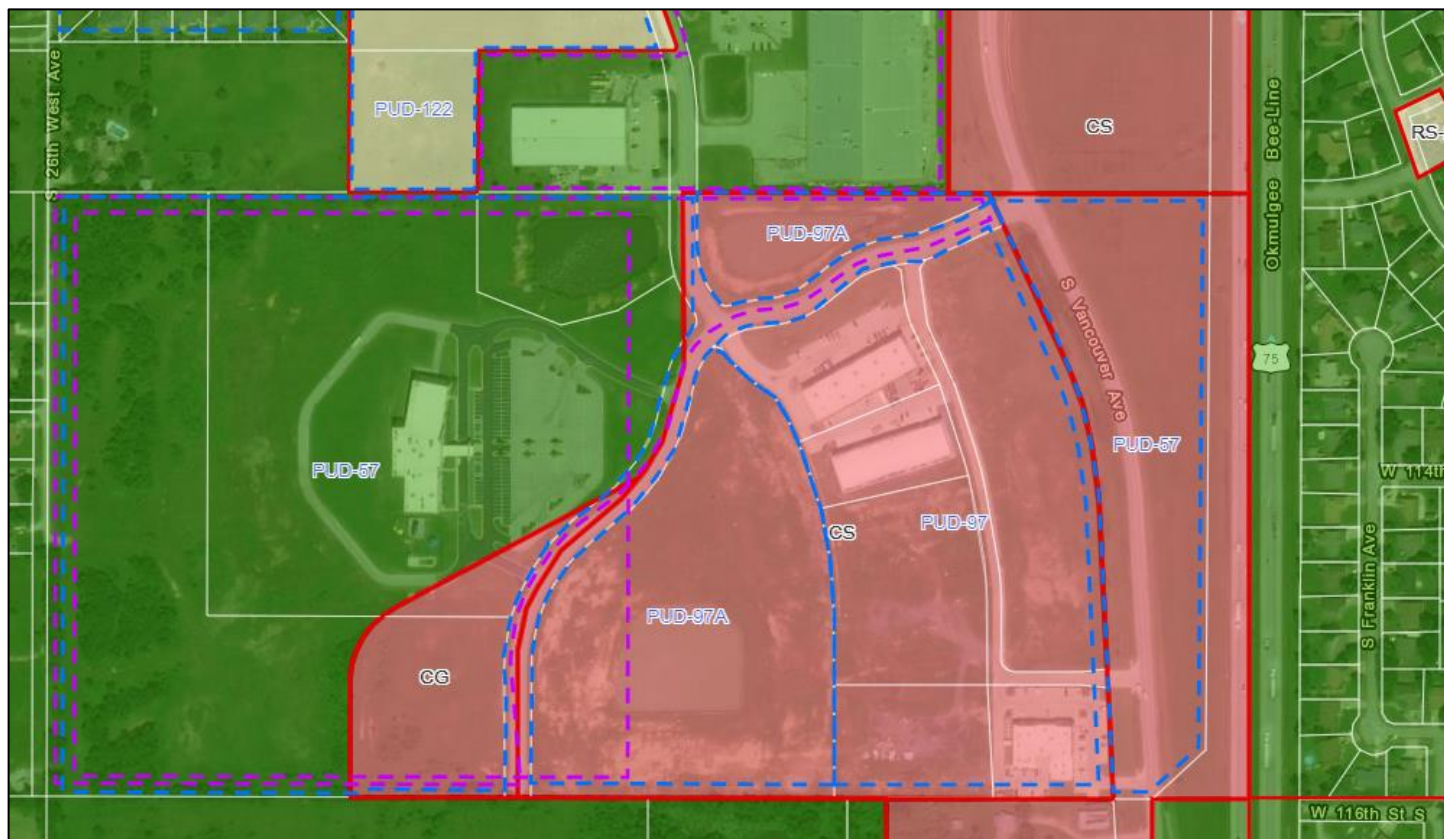


Figure 2: Zoning Map | INCOG

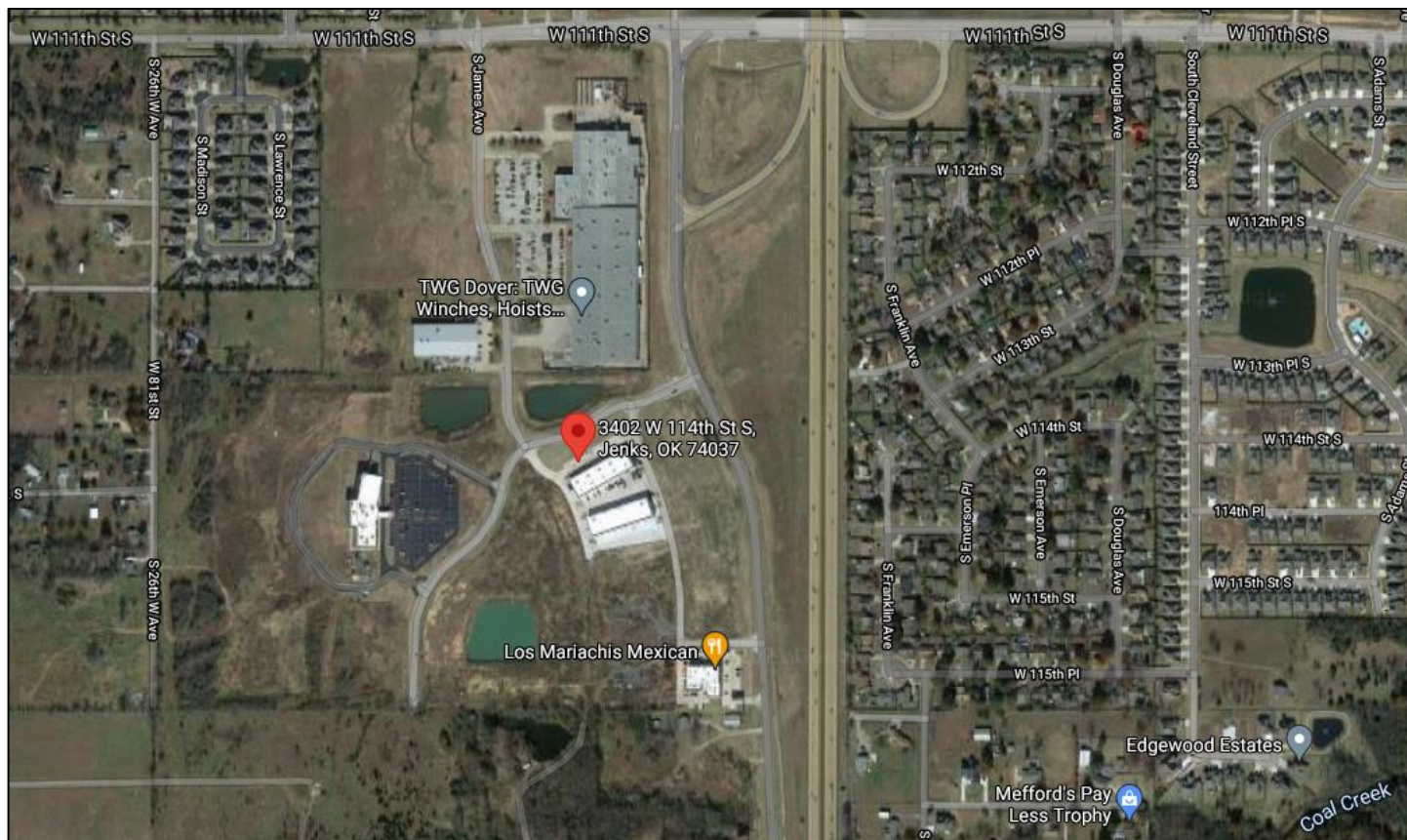


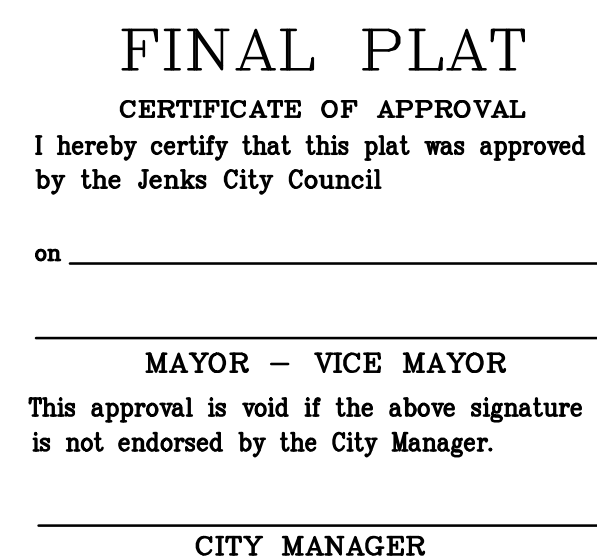
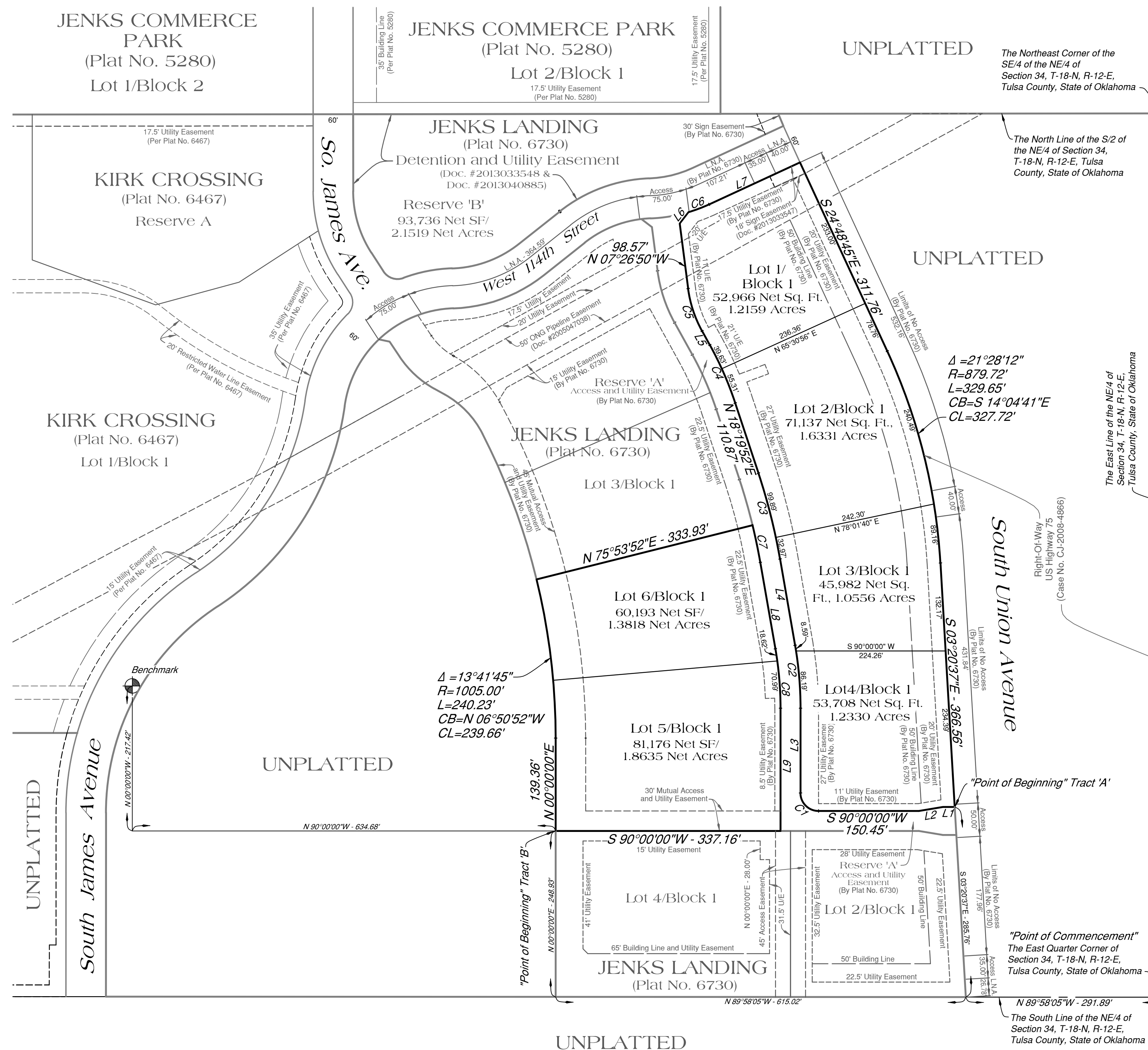
Figure 3: AERIAL MAP

Dash Ranch, L.L.C.
an Oklahoma limited liability company
8806 South 6200 West
Payson, Utah 84651
918.424.2038

Tulsa Engineering & Planning Associates, Inc.

an Oklahoma corporation
9810 East 42nd Street South, Suite 100
Tulsa, Oklahoma 74146
918.252.9621

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



G:\21-020\Final\21-020 Amended Pre-Final Plat.dwg, 5/10/2021 - 4:23 PM

Jenks Landing Amended

OWNER / DEVELOPER

Dash Ranch, L.L.C.
an Oklahoma limited liability company
8906 South 6200 West
Payson, Utah 84651
918.424.2038

A replat of Lots 1 and 3, Block 1 of "Jenks Landing", a subdivision in the City of Jenks, being a part of the NE/4 of Section 34, Township 18 North, Range 12 East, of the Indian Meridian, Tulsa County, State of Oklahoma

ENGINEER / SURVEYOR

Tulsa Engineering & Planning Associates, Inc.

an Oklahoma corporation
9810 East 42nd Street South, Suite 100
Tulsa, Oklahoma 74146
918.252.9621

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

Legend

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

Monument Notes

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

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

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

Basis of Bearings

The non-astronomic bearings for said tracts are based on a platted bearing of N 89°50'05" W along the south line of the NE/4 of Section 34, T-18-N, R-12-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof per "Kirk Crossing" a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the official recorded plat thereof, Plat No. 6467, as filed in the records of the Tulsa County Clerk's office.

Benchmark

A Chiseled "X" in a Chiseled "Box" on top of the east curb of South James Avenue opposite the south entry for Kirk Crossing Church.

Elevation = 679.97 NAVD 1988

Backflow Preventer Valve

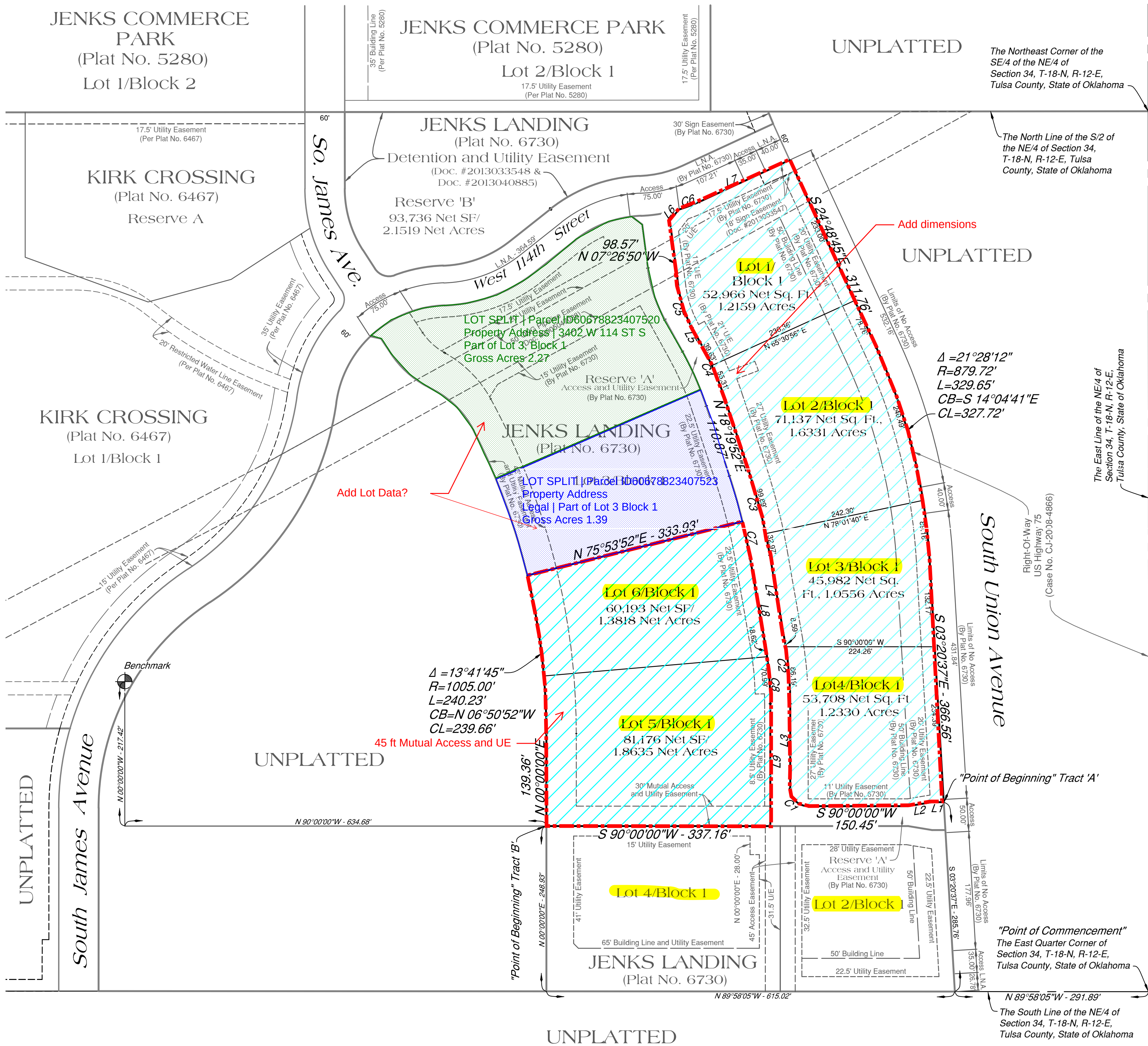
If the actual finished floor elevation is lower than one (1) foot above the upstream sanitary sewer manhole top of rim elevation, it shall be the builder's responsibility to install a backflow preventer valve near the building. The builder is responsible to comply with all city ordinances regarding the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

Line Table

No.	Bearing	Distance	No.	Bearing	Distance
L1	S 90°00'00"W	17.59'	L6	N 37°33'10"E	21.09'
L2	S 80°34'35"W	36.65'	L7	N 65°11'15"E	150.00'
L3	N 00°00'00"E	127.16'	L8	S 09°52'24"E	131.38'
L4	N 09°52'24"W	131.38'	L9	S 00°00'00"W	184.16'
L5	N 28°54'29"W	24.00'			

Curve Table

No.	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	90°00'00"	27.00'	42.41'	N 45°00'00"W	38.18'
C2	09°52'24"	550.00'	94.78'	N 04°56'12"W	94.66'
C3	08°27'29"	900.00'	132.86'	N 14°06'08"W	132.74'
C4	10°34'37"	515.00'	95.07'	N 23°37'11"W	94.94'
C5	21°27'39"	180.00'	67.42'	N 18°10'40"W	67.03'
C6	08°22'57"	230.00'	33.65'	N 69°22'43"E	33.62'
C7	03°45'44"	870.00'	57.13'	S 11°45'16"E	57.12'
C8	09°52'24"	520.00'	89.61'	S 04°56'12"E	89.50'



Deed of Dedication and Restrictive Covenants P.U.D. 97 JENKS LANDING AMENDED

KNOW ALL MEN BY THESE PRESENTS:

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

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

TRACT "A"

A tract of land being Lot 1, Block 1, "Jenks Landing", a subdivision in the City of Jenks, located within the S/2 of the NE/4 of Section 34, T-18-N, R-12-E of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, Plat No. 6730, as filed in the office of the Tulsa County Clerk, said tract being more particularly described as follows:

Commencing at the east quarter corner of Section 34, T-18-N, R-12-E of the Indian Base and Meridian;

Thence N 89°58'05" W, along the south line of said NE/4, a distance of 291.89 feet to a point, said point being the southeast corner of Lot 2, Block 1 of said "Jenks Landing";

Thence along the east line of said Jenks Landing, N 03°20'37" W a distance of 285.76 feet to the "Point of Beginning", said point being the southeast corner of said Lot 1;

The remaining courses described herein are along the south, west, north and east lines of said Lot 1;

Thence S 90°00'00" W a distance of 17.59 feet;

Thence S 80°34'35" W a distance of 36.65 feet;

Thence S 90°00'00" W a distance of 150.45 feet;

Thence along a tangent curve to the right with a central angle of 90°00'00", a radius of 27.00 feet, an arc length of 42.41 feet, a chord bearing of N 45°00'00" W for a chord length of 38.18 feet;

Thence N 00°00'00" E a distance of 127.16 feet;

Thence along a tangent curve to the left with a central angle of 09°52'24", a radius of 550.00 feet, an arc length of 94.78 feet, a chord bearing of N 04°56'12" W for a chord length of 94.66 feet;

Thence N 09°52'24" W a distance of 131.38 feet;

Thence along a tangent curve to the left with a central angle of 08°27'29", a radius of 900.00 feet, an arc length of 132.86 feet, a chord bearing of N 14°06'08" W for a chord length of 132.74 feet;

Thence N 18°19'52" W a distance of 110.87 feet;

Thence along a tangent curve to the left with a central angle of 10°34'37", a radius of 515.00 feet, an arc length of 95.07 feet, a chord bearing of N 23°37'11" W for a chord length of 94.94 feet;

Thence N 28°54'29" W a distance of 24.00 feet;

Thence along a tangent curve to the right with a central angle of 21°27'39", a radius of 180.00 feet, an arc length of 67.42 feet, a chord bearing of N 18°10'40" W for a chord length of 67.03 feet;

Thence N 07°26'50" W a distance of 98.57 feet;

Thence N 37°33'10" E a distance of 21.09 feet;

Thence along a non-tangent curve to the left with a central angle of 08°22'57", a radius of 230.00 feet, an arc length of 33.65 feet, a chord bearing of N 69°22'43" E for a chord length of 33.62 feet;

Thence N 65°11'15" E a distance of 150.00 feet;

Thence S 24°48'45" E a distance of 311.76 feet;

Thence along a tangent curve to the right with a central angle of 21°28'12", a radius of 879.76 feet, an arc length of 329.65 feet, a chord bearing of S 14°04'41" E for a chord length of 327.72 feet;

Thence S 03°20'37" E a distance of 366.56 feet to the "Point of Beginning".

Said tract contains 223,794 square feet of 5.1376 acres.

AND

TRACT " B"

A tract of land being a part of Lot 3, Block 1, "Jenks Landing", a subdivision in the City of Jenks, located within the S/2 of the NE/4 of Section 34, T-18-N, R-12-E of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, Plat No. 6730, as filed in the office of the Tulsa County Clerk, said tract being more particularly described as follows:

Commencing at the east quarter corner of Section 34, T-18-N, R-12-E of the Indian Base and Meridian;

Thence N 89°58'05" W, along the south line of said NE/4 and the south line of said Jenks Landing, a distance of 906.91 feet to the southwest corner of Lot 4, Block 1 of said Jenks Landing;

Thence N 00°00'00" E, along the west line of said Lot 4, a distance of 248.93 feet to the "Point of Beginning", said point being the southwest corner of said Lot 3;

Thence continuing along the west line of said Lot 3, N 00°00'00" E a distance of 139.36 feet;

Thence continuing along said west line, along a tangent curve to the left with a central angle of 13°41'45", a radius of 1005.00 feet, an arc length of 240.23 feet, a chord bearing of N 06°50'52" W for a chord length of 239.66 feet;

Thence N 75°53'52" E a distance of 333.93 feet, to a point on the east line of said Lot 3;

Thence along said east line, on a non-tangent curve to the right with a central angle of 03°45'44", a radius of 870.00 feet, an arc length of 57.13 feet, a chord bearing of S 11°45'16" E for a chord length of 57.12 feet;

Thence continuing along said east line, S 09°52'24" E a distance of 131.38 feet;

Thence continuing along said east line, along a tangent curve to the right with a central angle of 09°52'24", a radius of 520.00 feet, an arc length of 89.61 feet, a chord bearing of S 04°56'12" E for a chord length of 89.50 feet;

Thence continuing along said east line, S 00°00'00" W a distance of 184.16 feet to the southeast corner of said Lot 3;

Thence S 90°00'00" W, along the south line of said Lot 3, a distance of 337.16 feet to the "Point of Beginning".

Said tract contains 141,369 square feet or 3.2454 acres.

Said combined Tracts 'A' and 'B' contain 365,163 square feet or 8.3830 acres.

The non-astronomical basis of bearings for said contained herein is the south line of the NE/4 of Section 34, T-18-N, R-12-E of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof.

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

SECTION I. EASEMENTS AND UTILITIES

1.1. General Utility Easements

The Owner/Developer does hereby dedicate, for public use, the utility easements as depicted on the accompanying plat as "U/E" or "Utility Easement", for the several purposes of constructing, maintaining, operating, repairing, replacing, and/or removing any and all public utilities, including storm sewers, sanitary sewers, telephone and

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

1.2. Underground Service

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

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

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

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

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

1.3. Water and Sewer Service

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

sewer main, or any construction activity which would interfere with public water and sewer mains, shall be prohibited.

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

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

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

1.4 Gas Service

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

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

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

1.5 Surface Drainage

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

1.6 Paving and Landscaping Within Easements

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

1.7 Storm Sewer

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

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

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

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

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

1.8 Limits of No Access

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

SECTION II. RESERVE AREAS

2.1 Reserve Areas

Every person or entity who is a record owner of the fee interest of a lot within "JENKS LANDING AMENDED" shall be subject to the requirements and responsibilities as described in "Section II. Reserve Areas" of the Deed of Dedication and Restrictive Covenants of Jenks Landing, Plat No. 6730.

SECTION III. CORRIDOR APPEARANCE DISTRICT

3.1 Appearance Design

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

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

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

3.2 Building Materials

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

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

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

JENKS LANDING AMENDED

Date Prepared: May 7, 2021

Sheet 3 of 3

3.3 Parking and Landscaping

3.3.1 Parking

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

3.3.2 Landscaping

- a. Street frontages within the Corridor Appearance District should provide a sense of open space and should be buffered from the streets by landscaped drives, lawns, or parking.
- b. Trees and shrubbery utilized for landscaping purposes should conform to the species recommended and approved by the City of Jenks.
- c. Locations along or near to the proposed routes of the Jenks Trail System should be encouraged to provide for pedestrian and bicycle access to the system.
- d. Commercial and other office uses within the Corridor Appearance District should provide minimum landscaped open space as follows:
- | | |
|-------------------|-------------------|
| i. Commercial Use | 12.5% of Lot Area |
| ii. Office Use | 12.5% of Lot Area |

3.4 Fencing

- 3.4.1 Development and re-development within the Corridor Appearance District should include adequate screening and buffering to avoid negative impacts on adjacent residential areas.
- 3.4.2 Screening fencing, where required by the Jenks Zoning Code and else where on a lot within a Corridor Appearance District, should be wooden fencing, faux fencing, masonry, or brick walls or combinations thereof, providing visual barriers.
- 3.4.3 Screening walls or fences shall be maintained by the owner or occupant of the lot containing the use required to construct the screening.

3.5 Signage

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

3.6 Lighting

- 3.6.1 All lighting, including exterior and parking lot lighting should be so designed to complement the building structures constructed and those located in adjacent areas.
- a. Lighting used to illuminate off-street parking areas shall be by constant light and shall be so arranged as to direct the light away from abutting properties or road right-of-way.
- b. Lighting incorporating period lighting fixtures similar to special theme district and conforming to approved City street lighting studies are encouraged.

SECTION IV. PLANNED UNIT DEVELOPMENT RESTRICTIONS

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

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

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

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

4.1 Permitted Uses:

Uses permitted by right or special exception in the CS Zone District, Use Unit 15 (Other Trades and Services), Warehousing with no outside storage permitted.

4.2 Floor Area Ratio:

0.40

4.3 Minimum Building Setbacks:

from South Union Avenue ROW	50 feet
from West 114 th Street ROW	50 feet
from West Development Line	5 feet
from South Development Line	50 feet

4.4 Maximum Building Height:

35 feet*

Architectural elements may exceed the maximum building height with Site Plan approval.

* Plus 2 feet of setback for each one foot building height exceeding 15 feet, if the property abuts an RE, RS or RD District.

4.5 Minimum Off-Street Parking:

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

Service Center	
- Office	1 space/300 s.f.
- Warehouse	1 space/600 s.f.

4.6 Minimum Landscaped Area:

12.5%

4.7 Landscaping and Open Space:

Unless modified herein, landscaping and open space will be provided in accordance with the City of Jenks Zoning Code.

4.8 Signage:

Signs shall be installed in accordance with the City of Jenks Zoning Code.

4.9 Lighting:

Lighting will be installed in accordance with the City of Jenks Zoning Code.

V. PROPERTY OWNERS' ASSOCIATION

5.1 Formation

The Owner/Developer has formed or shall cause to be formed in accordance with the statutes of the State of Oklahoma, JENKS LANDING AMENDED PROPERTY OWNERS' ASSOCIATION, INC., a nonprofit corporate entity (herein referred to as the "Association"). The Association shall be formed for the general purposes of maintaining Reserves "A" and "B", as described in "Section II. Reserve Areas" of the Deed of Dedication and Restrictive Covenants of Jenks Landing, Plat No. 6730.

5.2 Membership

Every person or entity who is a record owner of the fee interest of a lot within "JENKS LANDING AMENDED" shall be a member of the Association. Membership shall be appurtenant to and may not be

separated from the ownership of a lot. The acceptance of a deed to a lot shall constitute acceptance of membership to the Association as of the date of incorporation, or as of the date of recording of the deed, whichever occurs last.

5.3 Covenant for Assessments

The owner and each subsequent owner of a lot, by acceptance of a deed thereto, are deemed to covenant and agree to pay the Association an annual assessment which shall be no less than the minimum amount necessary to adequately maintain and support all common areas of interest including, without limitation Reserves "A" and "B" as designated on the plat of Jenks Landing, Plat No. 6730. Said assessments will be established by the Board of Directors in accordance with the declaration and the bylaws of the Association. An unpaid assessment shall be a lien against the lot which it is made. The lien, however, shall be subordinate to the lien of any first mortgage

5.4 Enforcement Rights of the Association

Without limitation of such other powers and rights as the Association may have, the Association shall be deemed a beneficiary, to the same extent as a lot owner, of the various covenants set forth within this Deed of Dedication, and shall have the right to enforce all the covenants to the same extent as a lot owner.

SECTION VI. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

6.1 Enforcement and Duration

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

6.2. Amendment

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

6.3. Severability

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

6.4. Definitions

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

IN WITNESS WHEREOF: DASH RANCH, L.L.C., an Oklahoma limited liability company, executed this instrument this _____ day of _____, 2021.

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

Troy Atkin, Managing Memeber

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

Before me, the undersigned, a notary public in and for said County and State on this _____ day of _____, 2021, personally appeared Troy Atkin, to me known to be the identical person and Managing Member who subscribed the name of the maker thereof and acknowledged to me that he executed the same as his free and voluntary act and deed of DASH RANCH, L.L.C., an Oklahoma limited liability company, for the uses and purposes therein set forth.

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

Jack Taber, Notary Public
My commission No. is 12005192
My commission expires May 31, 2024

CERTIFICATE OF SURVEY

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

Executed this _____ day of _____, 2021

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

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

The foregoing Certificate of Survey was acknowledged before me this _____ day of _____, 2021, by Bobby D. Long.

Jack Taber, Notary Public
My commission No. is 12005192
My commission expires May 31, 2024

JENKS LANDING AMENDED

Date Prepared: May 7, 2021 Sheet 3 of 3

To	Planning Commission
Hearing Date	June 03, 2021
Case Number	JL 21-357
Request	Lot Split per Approved <i>Major Amendment Number 3 to PUD 16</i>
Location	South of 121 st Street and east of Elm Street
Applicant	Sanjeev Trehan, Engineer

Staff Report

Preparer | Marcaé Hilton

Attachments

- ☐ Lot Split Documents
- ☐ Supporting Documents

Preparer

INCOG
Heather Orvis, Attorney Parker & Orvis

Background Information

STAFF COMMENTARY | This Lot Split request for a new Vet Clinic and standalone Hospital follows, JZ 21-PUD 16.MA3 (Major Amendment Number 3 to PUD 16) which was approved by City Council on May 18, 2021. The final plat was filed as Yorktown Village. Currently, there is a Casey's convenience store located in Lot 1, Block 1. Lot 2, Block 1 has some interest, but no application has been made. Lot 3, Block 1 has two developed parcels, a strip center "South County Square," which has never been lot split, located within the balance of the parent tract. Along the northern boundary *The Learning Center* was lot split from Lot 3, Block 1 creating the second lot within Block 1 Lot 3. The "The Good Shepherd" veterinary clinic is looking to open a veterinary office within the existing strip center, which is allowed by right. Approving the requested Lot Split is the second part of the process which will allow for the addition of a new structure to serve as a larger, standalone small animal veterinary hospital with animal kennels, on Pad Site C. This Lot Split is adjacent to the reserve area known as "Reserve Area A of Weston II at Wakefield" which is a utility and drainage easement, as well as, Lot 9, and a small area of Lot 10 of the same neighborhood on the south.

PLANNING DATA

Lot Split	JL-357
	Lot Split Pad Site "C" Part of Lot 3, Block 1
	Approximately 150 ft. by 327 ft. 45,750 sq. ft

Acres 1.05

General Location South of 121st and east of Elm Street

Plat Yorktowne Village | No. 6096 | 03.01.2007

3 Lots | 1 Block

Surrounding Zoning North | PUD 11&RS-2 (Single-family Residential)
West | IM Industrial Medium | Undeveloped
South | PUD 16&CS (Single-family Residential)
East | AG (AGRICULTURE)

Zoning | PUD 16A, CS | Commercial Shopping

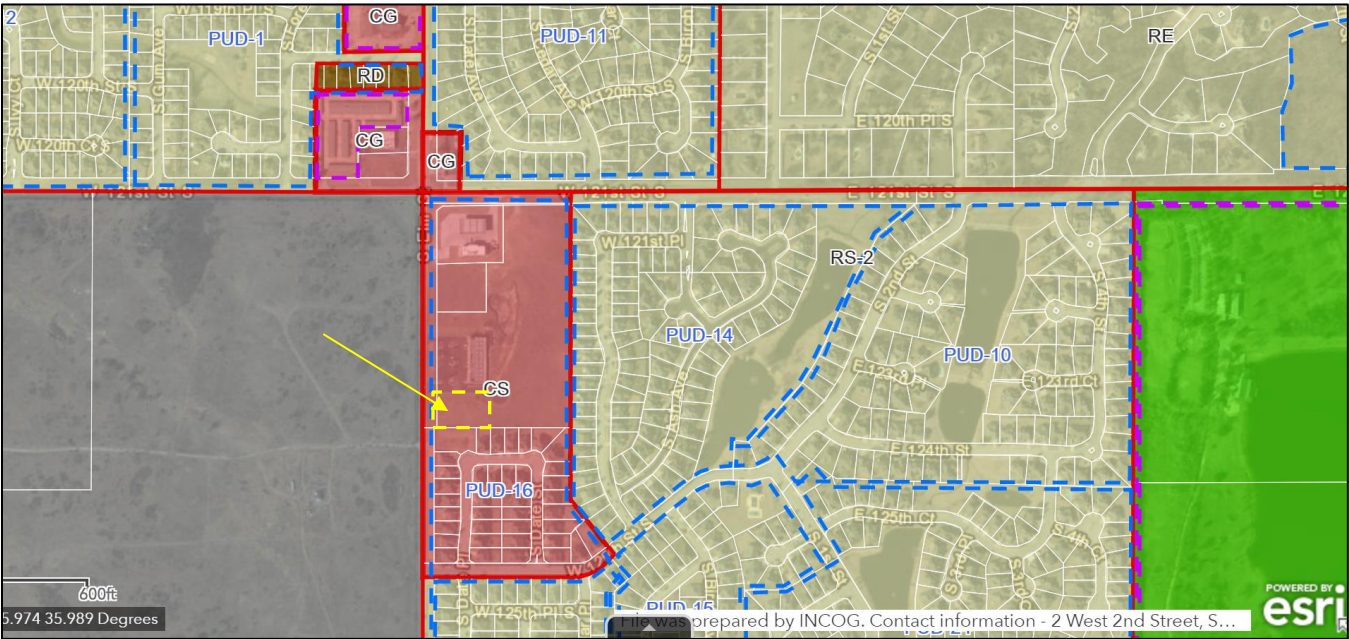


Figure 1: Zoning Map

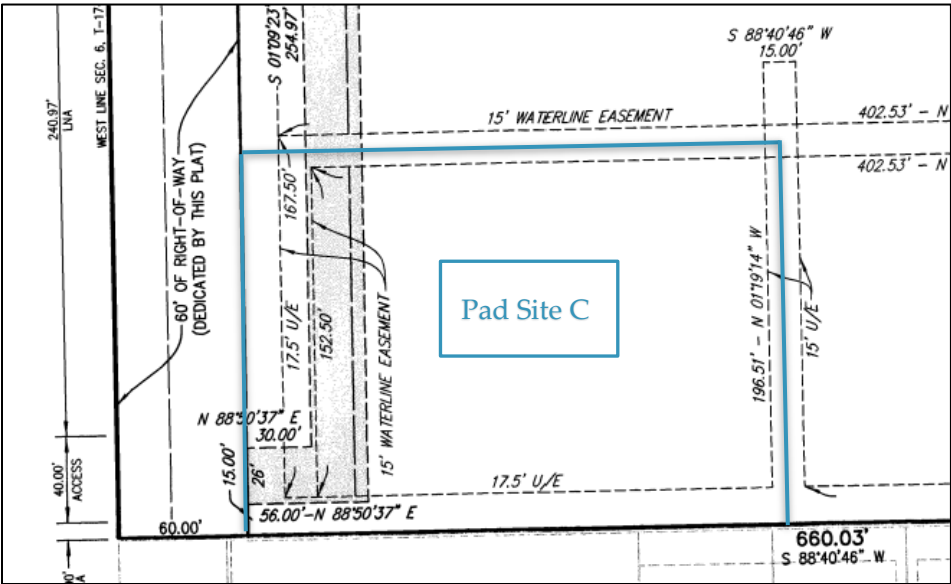


Figure 2: Pad Site C per the Plat

Evaluation | Before making application, Staff met with Dr. Long and Ms. Orvis to discuss the short- and long-term plans. The Lot Split request is the technical part of the land transaction. The actual building will be primarily adjacent to the northern lot within the South County commercial; shopping Center, with parking abutting the undeveloped reserve area on the south and Lot 9 and part of Lot 10.

Approving this request as submitted will: create a lot through the Lot Split process for the full development of Pad Site “C” per the PUD.

Recommendation | Staff and TAC recommend approval of Lot Split JL 21-357 creating the legal parcel as identified in the approved PUD 16 Major Amendment No. 3 *(Small animal veterinary clinic and boarding kennels on Pad Site “C” only)

Conditions of Approval

- 1) Submit Deeds to be stamped by City Planner before applicant files Deeds with Tulsa County.
- 2) Provide City Planner with copy of recorded Deeds.

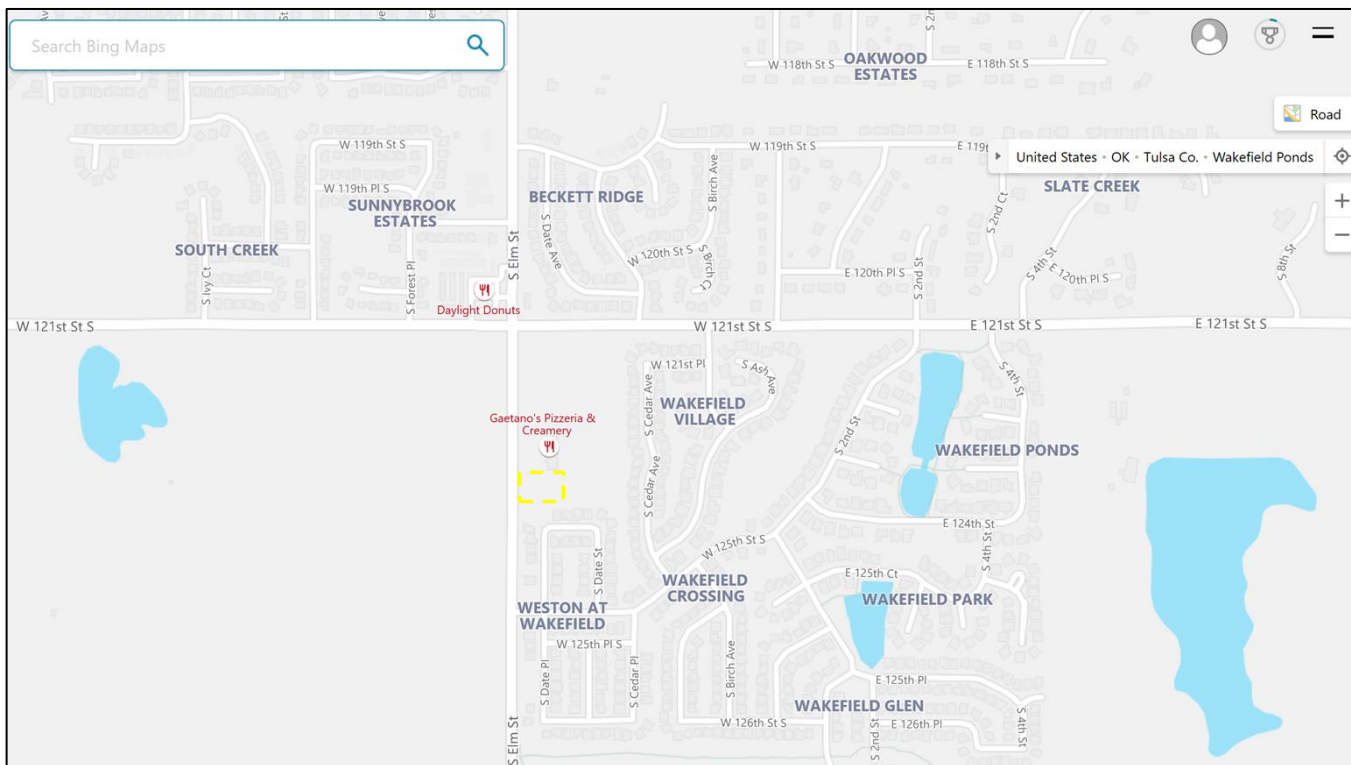


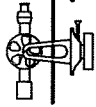
Figure 3: Bing Map with PUD 16 overlay



Figure 4: Google Earth Imagery 11/10/2020



Figure 5: Google Earth Imagery, Lot is adjacent to retention/drainage area

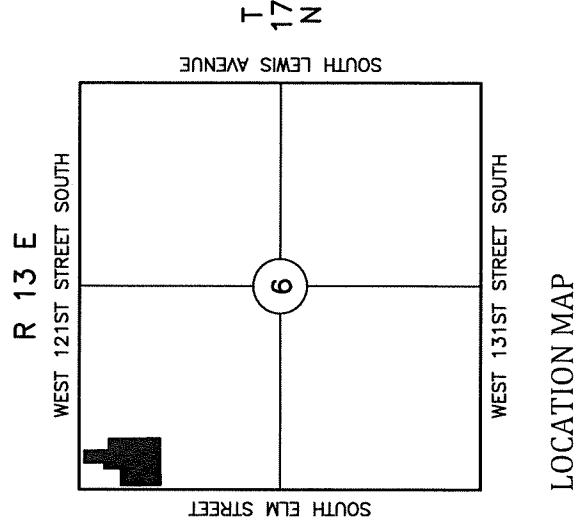


WHITE SURVEYING COMPANY
• 9936 EAST 55TH PLACE TULSA, OKLAHOMA 74146 • (918) 663-8924

LOT SPLIT

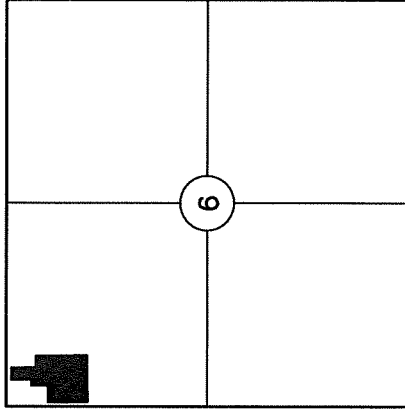
LOT 3, BLOCK 1,
YORKTOWNE VILLAGE,
CITY OF JENKS, TULSA COUNTY,
STATE OF OKLAHOMA

1"=100'



R 13 E

WEST 121ST STREET SOUTH



WEST 121ST STREET SOUTH

SOUTH ELM STREET

T 17 N

SOUTH LEWIS AVENUE

N 88°40'46" E

150.03'

NE CORNER LOT 3

150.00'

S 01°09'23" E
327.00'

NOT INCLUDED

N 88°40'46" E
150.00'

NOT INCLUDED

N 88°40'46" E
80.00'

SE CORNER LOT 1

NE CORNER LOT 2

N 01°09'23" W
220.00'

LOT 2

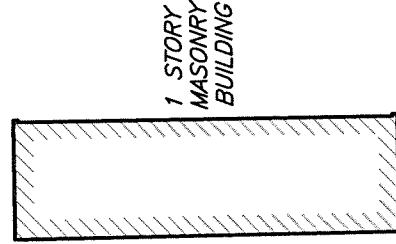
N 88°40'46" E
220.00'

SW CORNER LOT 2

SE CORNER LOT 2

TRACT 2
376,428 SQ. FT.

S 01°09'23" E
669.00'



1 STORY MASONRY BUILDING

N 01°09'23" W
333.00'

22.2'

POB TRACT 2

N 88°40'46" E
250.00'

N 01°09'23" W
183.00'

TRACT 1
45,750 SQ. FT.

S 88°40'46" W
250.00'

POB TRACT 1

SW CORNER LOT 3

S 88°40'46" W
350.03'

SE CORNER LOT 3



WHITE SURVEYING COMPANY
CERTIFICATE OF AUTHORIZATION
NO. CA1098
(RENEWAL 6/30/2023)

BY: DATE: 4/15/2021

REGISTERED PROFESSIONAL LAND
SURVEYOR OKLAHOMA NO. 1676

PROPOSED AMENDMENT TO PUD 16

Yorktowne Village is within PUD 16 approved by the Jenks Planning Commission on November 9, 2006, and by the Jenks City Council on December 9, 2006. PUD 16 permits Use Units 4, 11, 12, 13, 14, 16, and 19, and may permit Use Units 17 and 18 with a Minor PUD Amendment according to the Deed of Dedication for Yorktown Village recorded on March 1, 2007, as Document No. 2007021789.

South County Square Holdings, LLC is the owner of the following described real property, to-wit:

Lot Three (3), Block One (1), YORKTOWNE VILLAGE, a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the recorded plat thereof, LESS AND EXCEPT the East 150.00 feet of the North 327.00 feet thereof.

South County Square Holdings, LLC has entered into a contract to sell a portion of the above-described real property to GSVH, LLC, more particularly described as follows:

A tract of land that is a part of Lot Three (3), Block One (1), YORKTOWNE VILLAGE, a subdivision in the City of Jenks, Tulsa County, State of Oklahoma, according to the recorded plat thereof, more particularly described as follows, to-wit:

Beginning at the Southwest corner of Lot 3, Block 1 of said YORKTOWNE VILLAGE;

THENCE N 01°09'23" W along the West line of said Lot 3 for a distance of 183.00 feet;

THENCE N 88°40'46" E for a distance of 250.00 feet;

THENCE S 01°09'23" E for a distance of 183.00 feet;

THENCE S 88°40'46" W along the South line of said Lot 3 for a distance of 250.00 feet to the Southwest corner of said Lot 3 and the Point of Beginning (hereinafter referred to as "Pad Site C").

Good Shepherd Holdings, LLC intends to construct a small animal veterinary hospital with animal boarding upon Pad Site C, which will be operated by GSVH Jenks, LLC. This Use falls under Use Unit 15, which is not presently permitted under PUD 16, and, therefore, requests that PUD 16 be amended to permit a small animal veterinary hospital with animal boarding for a maximum of twenty (20) non-medical clients as to Pad Site C only.

FINAL AS APPROVED
JZ 21-PUD 16.MA3 (Major Amendment Number 3 to PUD 16)
was approved by City Council on May 18, 2021

Jenks | PC Staff Report



To	Planning Commission
Hearing Date	June 03, 2021
Case Number(s)	JZ 21 SUP 111 Minor Amendment No. 02 Imel Five Oaks Lodge JL 21-358 Imel Five Oaks Lodge
Request	<i>Establish new boundary lines for SUP 111</i> <i>Create 2 Single-family Residential Lots</i>
Location	South of 121 st and West of Lewis

Staff Report

Preparer | Marcaé Hilton

Attachments

- ☐ Development Text
- ☐ Lot Split Exhibits and Legals
- ☐ Legal Description of Parent Tract | SUP 111 mi.1

Preparer

Robert Bell
Sisemore and Associates
Sisemore and Associates

Background Information

SUP 111, Minor Amendment Number Two (2) for Five Oaks Ranch will create two agriculture zoned Single-family lots of record with sixty (60) feet of dedicated Street Right of Way and a mutual access easement. Minor Amendment Number One (1) allowed the Imel Family to build a personal dwelling and removed the property from the Five Oaks Ranch “Specific Use Permit” boundary. Because the land “Uses” have changed over the years Staff has asked the Imel’s to update the SUP, remove their personal homestead and other nonrelated Uses from the boundaries of SUP 111 and create a path to establish current uses on the Five Oaks Ranch. This request is the second minor amendment this year. This request will further define the actual SUP area. One of the two new parcels is being created as a private residence for the daughter of the Imels.

Zoning Request	JZ 21.SUP 111 Minor Amendment No. 2 <i>Establish new boundary lines and approve per Ordinance at City Council</i> JL 21-358 Lot Split <i>Create two new Single-family residential lots.</i>
Public Comment	None Minor Amendments and Lot Splits are not advertised
Use	Residential Dwellings
Zoning	AG (Agriculture) & SUP 111MI1 No change to the AG zoning
Comprehensive Plan	Parks and Open Space (Horizon Jenks New Comp Plan)
General Location	South of 121 st and east of Peoria (Elm St.)
Plat	Unplatted

Parcel Data

Minor Amendment 1 | JZ 21 SUP111 MI1 | Separated Five Oaks Ranch from Imel Homestead

LEGAL DESCRIPTION | PARENT TRACT | FIVE OAKS RANCH | A TRACT OF LAND THAT IS PART OF THE EAST HALF (E/2) OF SECTION SIX (6), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA: SAID TRACT OF LAND CONTAINS **45.132 ACRES** OR 1,965,988 SQUARE FEET, MORE OR LESS.

Minor Amendment 2 | JZ 21 SUP111 MI2 | Current Request | New “Five Oaks Ranch” Tract A

Tract “A” Parent Tract	27.639 Acres	
Tract “B” Residential Lot	08.741 Acres	
Tract “C” Residential Lot	08.751 Acres	
Dedication of ROW	00.178 Acres	60 Ft. x 1 Ft.
Mutual Access	00.178 Acres	30 Ft. +- x 70 Ft.

Relevant Zoning Code

Sec. 205. - Divisions of lots.

A lot shall not hereafter be divided into two or more lots, unless all lots resulting from such division conform to all the applicable regulations of the zoning district in which located.

Sec. 207. - Street frontage required.

No lot shall contain any building used in whole or in part for residential purposes unless such lot has a minimum of 30 feet of frontage on a public street or dedicated right-of-way, except as provided for a substandard lot of record, a lot within an approved Planned Unit Development, or a lot within an approved Townhouse Development.

Sec. 208. - One single-family dwelling per lot of record.

Not more than one single-family dwelling may be constructed on a lot, except in the case of a lot which is within an approved Planned Unit Development.

Table 1. Use Units Permitted in the Agriculture District ¹ (Chapter 10)

No.	Name	District
1.	Area wide Uses by Right	X
2.	Area wide Specific Uses	S
3.	Agriculture	X
4.	Public Protection and Utility and Open Air Facilities	X
5.	Community Services and Cultural Facilities	E
6.	Single-Family Dwelling	X
9.	Mobile Home Dwelling	E
20.	Commercial Recreation: Intensive, and Recreational Facilities	S
21.	Business Signs and Outdoor Advertising	X
23.	Mining and Mineral Processing	S
¹ X-Use by right		
E-Special exception-unless use is specifically identified on Specific Use List		
S-Specific Use - see Use Unit 2 and Chapter 17		

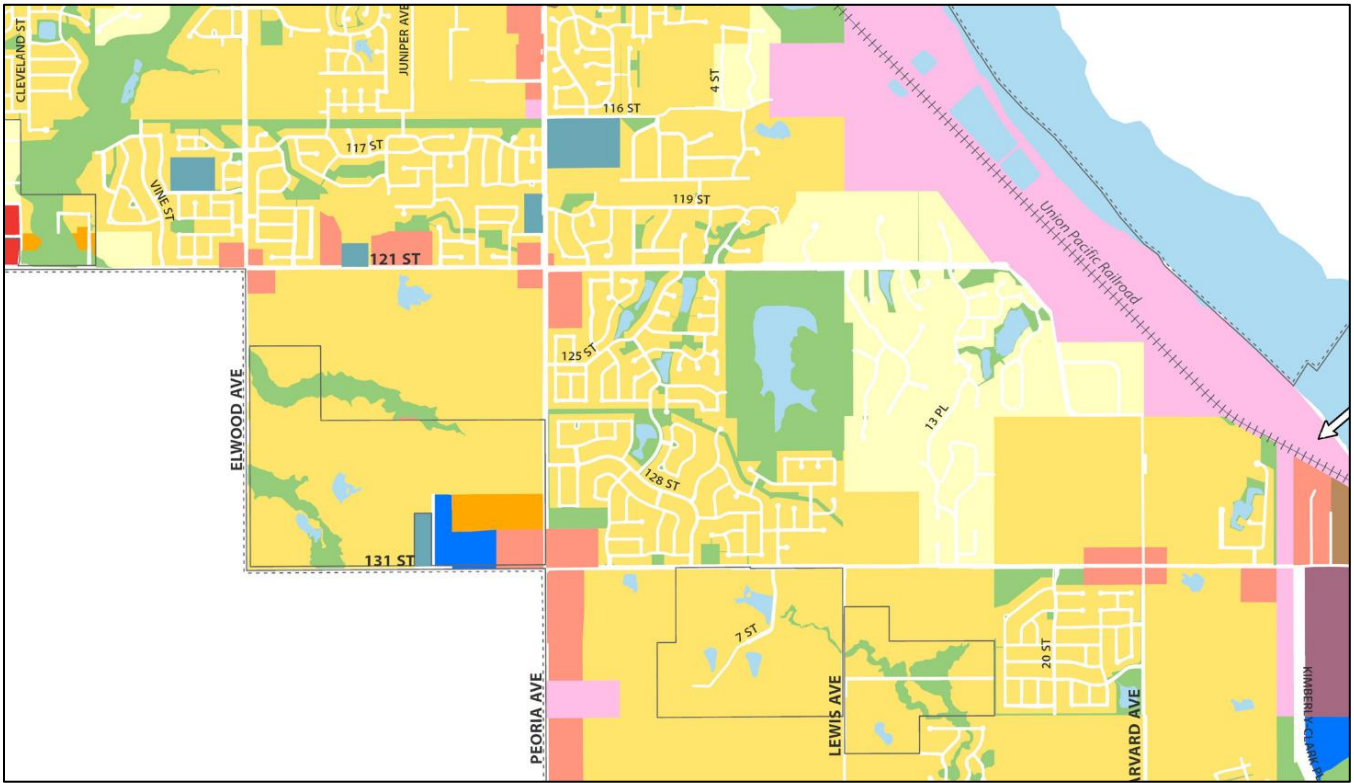


Figure 3: Horizon Jenks Comp Plan

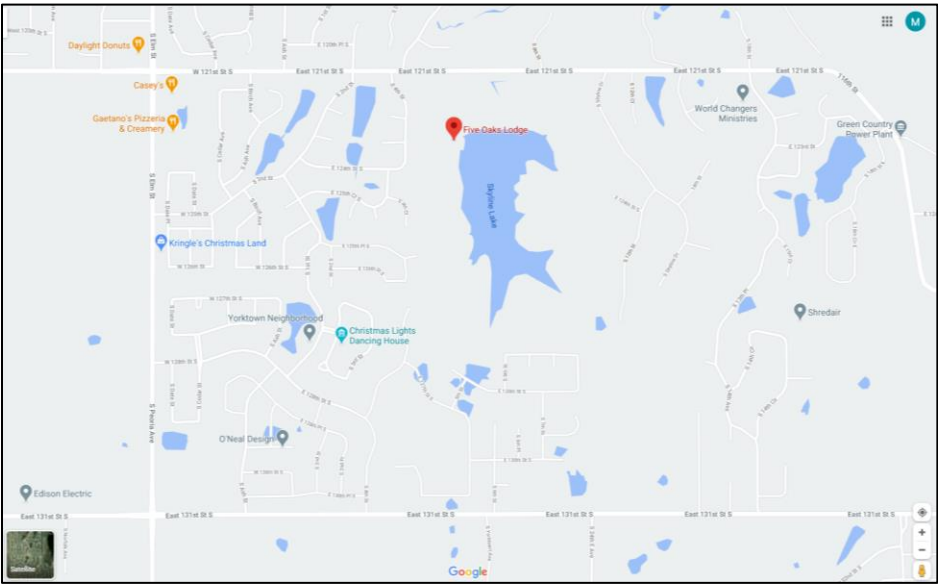
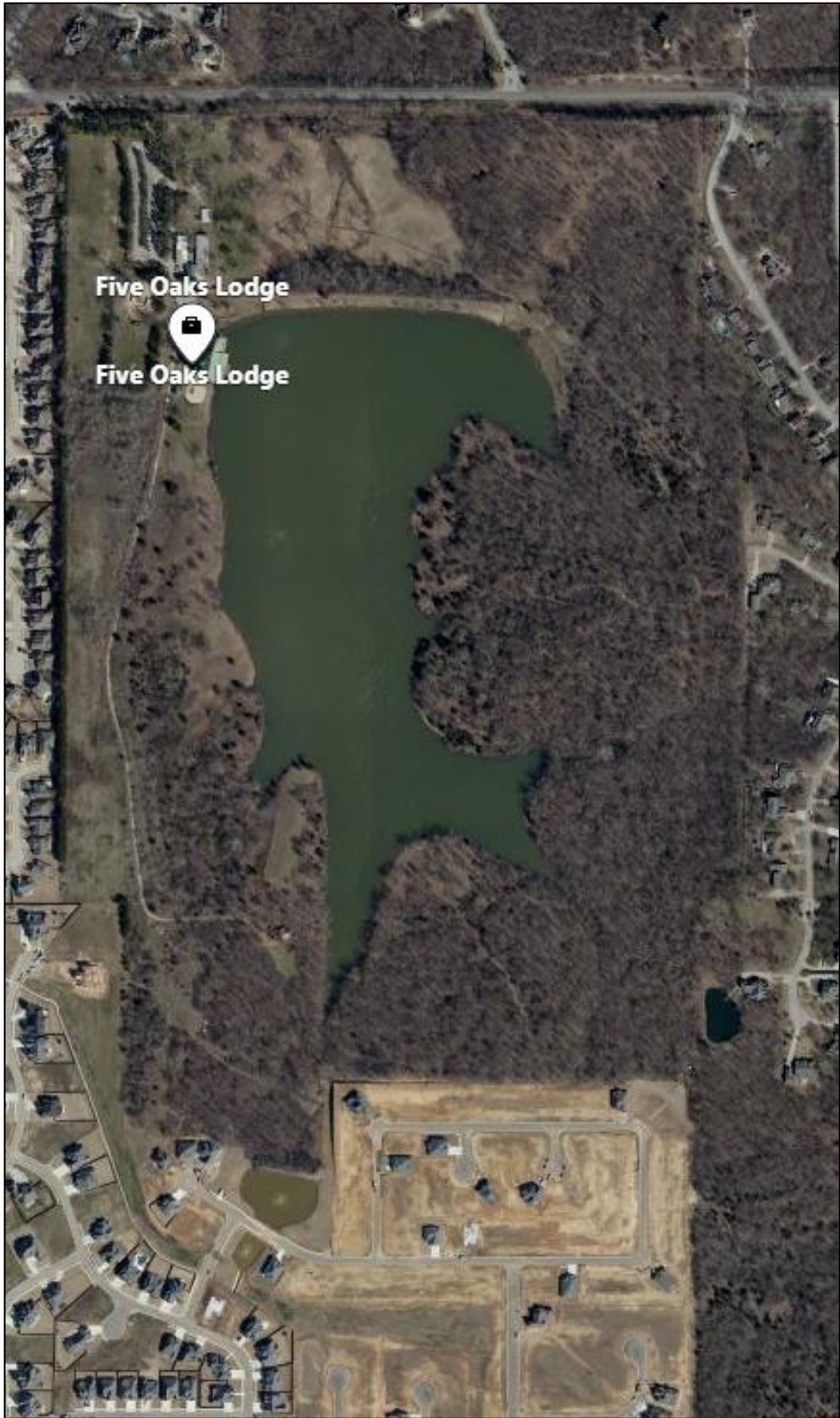
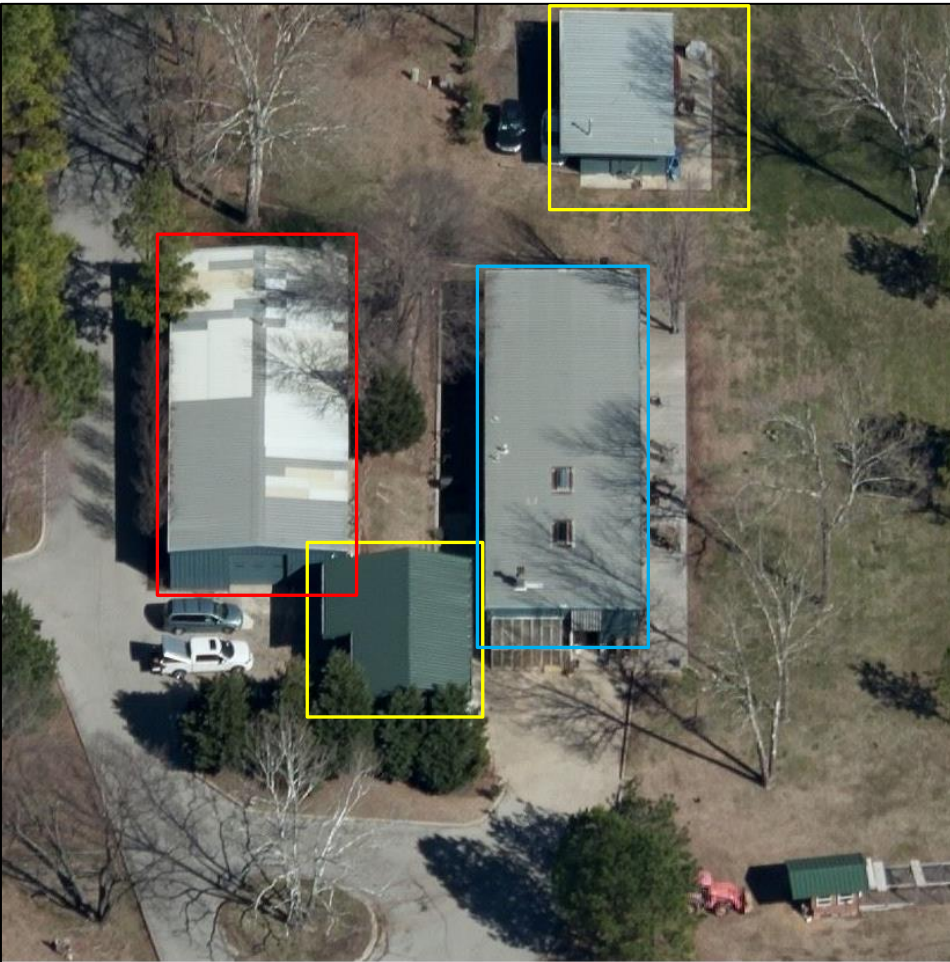


Figure 4: Map with subdivisions

Figure 5: Five Oaks Website Photos





- Airbnb
- Rental
- Barn
- Residence



Yorktown | JZ 602 PUD 61D 20 Acres

Airbnb | Residential Lot Tract "B"

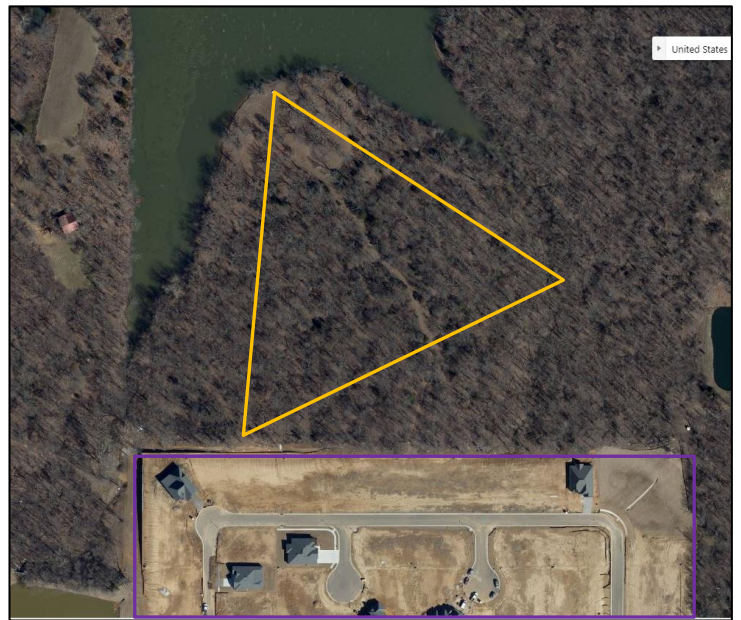


Figure 6: Imel Homestead ▲



Figure 7: Five Oaks Entrance

Staff Evaluation & Recommendation

The process of amending a Specific Use Permit is not outlined in the Zoning Code. In the past, the City Planner used their best judgment to decide if the amendment was minor or major and then followed the instructions given for a PUD.

At this time staff is recommending Minor Amendment Number 2 to SUP 111:

- Establish new boundary lines
- Create 2 new Single-family residential uses

This SUP Minor Amendment allows the creation of two new AG parcels for Single-family uses and creates a new SUP Overlay boundary. This is the last lot split allowed, any further subdivision or change of zoning will require platting. In the future, any portion of the homestead acreage or the Five Oaks Ranch is sold or developed for a new use, the proposed development will follow the City zoning code and subdivision regulations whether for commercial or residential uses or any combination. If any new uses are created within SUP 111 or any changes of use; the property will go through a new zoning process for a Major Amendment or possibly a new Specific Use including but not limited to notification, signage and notice in the newspaper. At time of new development, full development guidelines will be followed including but not limited to platting, rezoning, engineering and public safety (Fire), etc.

Staff previously worked with the consultant to identify the following uses currently on the property.

CHAPTER 17 - [SPECIFIC USE PERMITS](#) LANGUAGE | [Sec. 1702. - Specific use list.](#)

Permitted | Cultural or Heritage Centers, Public or Private Attractions

- *Lodge Facility for Events*
- *Located on NW corner of lake*
- *Future use to be determined following post Covid 19*

Permitted | Bed and Breakfast (Overnight Sleeping and dormitory uses)

- *SUP 111 | 7-10 Cabins allowed to be built*
- *4 short term structures identified*
 - *Vacation Home Rentals (Airbnb)*
 - *2 near the entrance*
 - *1 near the lodge*

- 1 on south west side of lake (original cabin structure)
 - This Cabin will ultimately be lot split and removed from the SUP
 - Connection will be through the Wakefield Glen Subdivision
 - The area will contain at least one additional lot for another single-family residential lot
 - Development in this area will trigger full development processes and approvals

Permitted | Offices - Use Unit 11 when located on a 40-acre or greater tract

Permitted | Single-family residence

- SUP 111 | Primary residence | Large Barn looking building
 - Mr. and Mrs. Imel will be building their primary residence south of the Lake
 - Future use of this building has not been determined| Use will be determined at time of Certificate of Occupancy
- SUP 111 | Secondary residence | Monthly Rental
 - Original located in the cabin structure (now Airbnb)
 - Currently in Ticket Booth
 - No change of use is anticipated

Evaluation | Mr. and Mrs. Imel are not currently in a position to finalize the site uses due to the impact of Covid 19 on event facilities. Staff agrees to allow existing conditions onsite with the following exceptions:

1. Eliminate approved conditions not in keeping with vision | Correction of Original SUP 111
 - Activities are subject to CC approved site plan
 - Any change of uses triggers “full development processes”
 - Barn Use shall be determined
 - Activities shall comply with Ord 897
 - “classifying certain cultural, heritage, commercial resort facilities and public or private attractions land uses to be specific uses as listed in the Jenks zoning code”
 - A refined and detailed site plan must be prepared and approved before the issuance of any building permits or occupancy permits
 - No change of Use or new buildings are allowed without going through the “full development process”
 - Activities shall comply with the noise provisions of Ord. 897
 - Overnight sleeping and dormitory uses shall be conducted only between the hours of 6 a.m. and 11 p.m. Sunday through Thursday and 6 a.m. to 12 a.m. (midnight) Friday and Saturday
 - The operator/owner must meet with the City Manager annually for review
 - Strike this requirement
 - It is burdensome to staff and property owner
 - It has not been followed
 - The present status of and future use of the 24. 75 foot statutory right-of-way along the eastern boundary of the two tracts and the 160 foot by 1640 foot tract forming the eastern part of tract 2 should be reviewed prior to any final site plan approved by the City Council.
 - Right-of-way and utility easements necessary for the construction, extension or connection of public improvements to serve the subject property or adjacent properties shall be provided at such time as deemed necessary by the City in lieu of completion of a standard sub-division plat. Such utility construction extension or connections in accordance with these provisions shall be made in compliance with applicable section of Ord. 897 and approved by the City Engineer.
 - JZ 633, Amend SUP 111 | Allows for construction of barn and upstairs loft
2. Establish new boundary lines
 - This has been done | See the Sisemore and Associates exhibits for Tract B-1 and B-2
3. Establish allowed uses
 - Cultural or Heritage Centers, Public or Private Attractions | Lodge | No change requested
 - Offices - Use Unit 11 when located on a 40-acre or greater tract | No change requested

- Single-family residence (2) | No change requested
- Bed and Breakfast (Overnight Sleeping and dormitory uses) has been changed
 - Correction: Currently there are 4 structures used as: Vacation Home Rentals (Airbnb)

4. Determine current facilities and uses | See Exhibits

LOT SPLIT REQUIREMENTS | Subdivision Regulations

1. *Approval Guidelines – Approval or denial of lot splits shall be based on the following conditions:*

a. Lot Characteristics

- i. Lot dimensions and area shall either conform with zoning code requirements or variance of zoning code requirements must be obtained from the Jenks Board of Adjustment.*
- ii. Where public water and/or public sanitary sewer is not available, appropriate tests shall be conducted by the health department or its assigns to determine the proposed lots suitability for a private sewage disposal device. Each proposed lot shall meet the minimum standards of the health department.*

b. Easements

2. *Where a lot split will result in a lot having inadequate access to utility easements, dedication of easements will be required in accordance with the requirements of the Technical Advisory Committee and the Planning Commission.*

a. Access and Streets

- i. Where a tract to be split is controlled by non-access provisions, no lot shall be approved where such provision will preclude access for said lot.*
- ii. The splitting of land shall provide each lot with access to a public street or highway, so that the convenience of the lot owner or user is assured.*
- iii. Where land to be split contains, within its boundaries, areas designated for street right-of-way on the Jenks City-County Major Street and Highway Plan, the split shall not be approved where street rights-of-way fail to conform to said plan except, upon a finding that:*

b. All utilities are in place and the additional right-of-way is not required for utility placement and,

c. The public has, by virtue of statutory easement suitable roadway dedication, right-of-way sufficient to allow the placement of pavement of a width necessary to meet the standards of the street plan for the particular street involved.

RECOMMENDATION

Staff recommends conditional approval of the requested Amendment JZ 21 SUP 111 | Minor Amendment Number 02. (previously listed conditions apply including identification of current facilities including the round barn.

Staff recommends approval of the requested Lot Split JL 21-358.



Engineering • Land Surveying
Land Planning • 3D Scanning • UAV Mapping
6660 S. Sheridan Road, Tulsa, OK. 74133 (918)-665-3600

LEGAL DESCRIPTION
(Tract A)

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COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6; THENCE SOUTH 88°40'58" WEST ALONG THE NORTH LINE OF SAID SECTION 6 FOR 1431.12 FEET; THENCE SOUTH 00°58'33" EAST FOR 65.00 FEET TO THE **POINT OF BEGINNING** OF SAID TRACT OF LAND, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF EAST 121ST STREET SOUTH; THENCE CONTINUING SOUTH 00°58'33" EAST FOR 1798.57 FEET; THENCE SOUTH 89°01'27" WEST FOR 669.48 FEET TO A POINT ON THE EAST LINE OF BLOCK 2, WAKEFIELD PARK, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA, RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK; THENCE NORTH 00°58'33" WEST ALONG SAID EAST LINE AND A NORTHERLY EXTENSION THEREOF FOR 1804.58 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF EAST 121ST STREET SOUTH, SAID POINT BEING 55.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 88°40'58" EAST PARALLEL WITH AND 55.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6, ALONG SAID SOUTH RIGHT OF WAY LINE FOR 119.83 FEET; THENCE SOUTH 01°19'02" EAST CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE FOR 10.00 FEET TO A POINT THAT IS 65.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 88°40'58" EAST PARALLEL WITH AND 65.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE FOR 549.60 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

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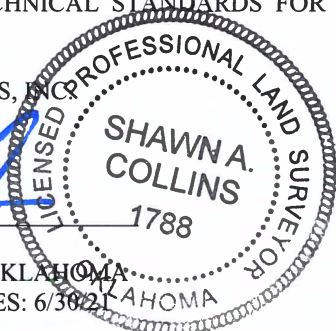
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4.29.2021
DATE

SISEMORE & ASSOCIATES, INC.
BY SHAWN A. COLLINS


SHAWN A. COLLINS
PLS No. 1788, STATE OF OKLAHOMA
C. A. NO. 2421 EXPIRES: 6/30/21



Parcel Map Check Report

Parcel Name: Tract A

Segment# 1: Line

Course: S0° 58' 33"E

Length: 1,798.57'

Segment# 2: Line

Course: S89° 01' 27"W

Length: 669.48'

Segment# 3: Line

Course: N0° 58' 33"W

Length: 1,804.58'

Segment# 4: Line

Course: N88° 40' 58"E

Length: 119.83'

Segment# 5: Line

Course: S1° 19' 02"E

Length: 10.00'

Segment# 6: Line

Course: N88° 40' 58"E

Length: 549.60'

Perimeter: 4,952.06'

Area: 1,203,964.78 Sq. Ft.

Error Closure: 0.0003

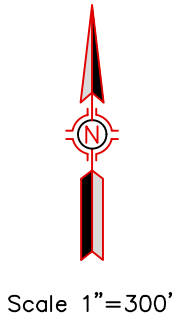
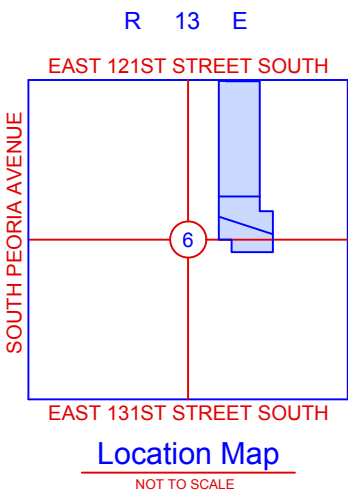
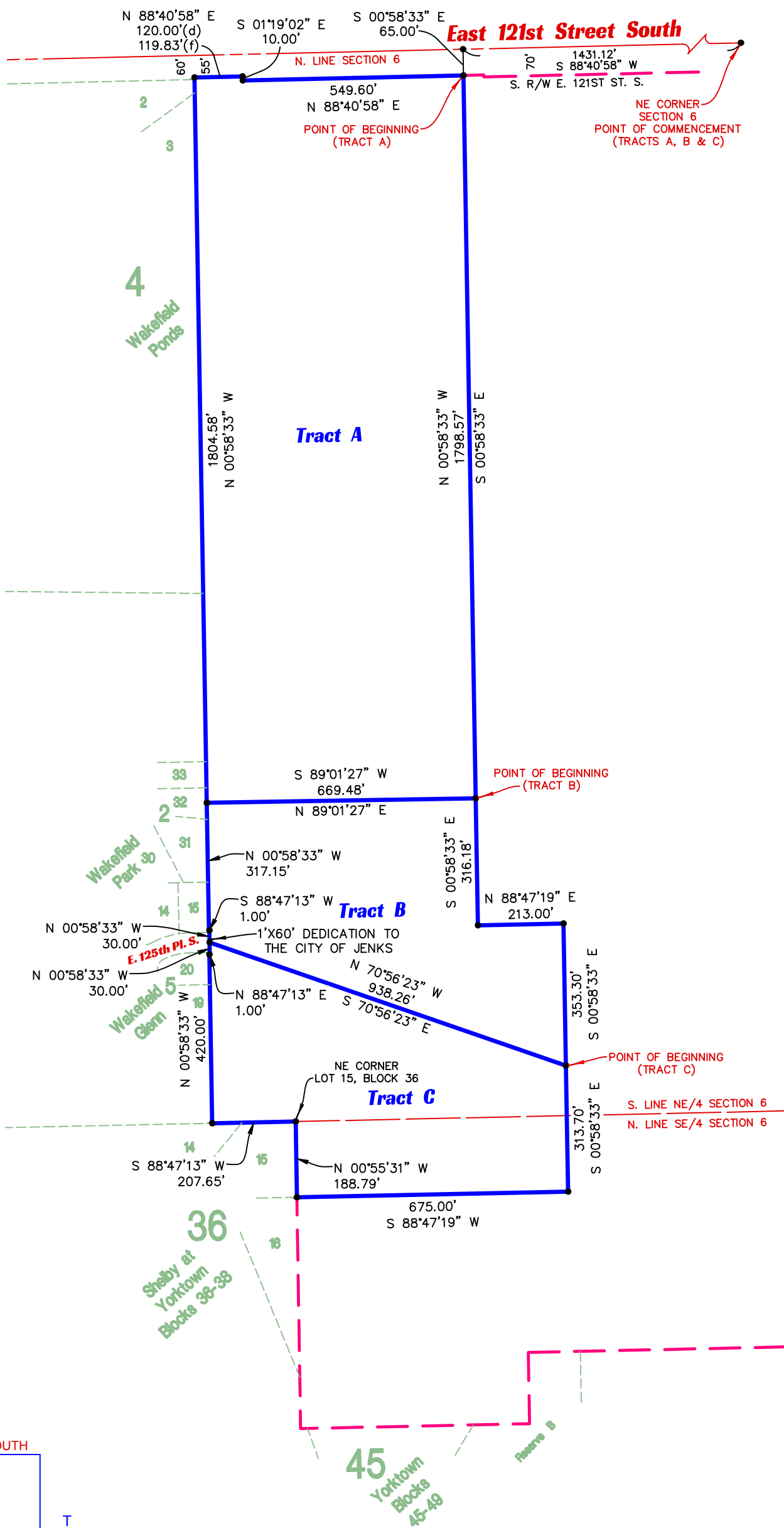
Course: S68° 37' 05"W

Error North: -0.00012

East: -0.00031

Precision 1: 16,506,853.333

Exhibit
Part of the E/2 of Section 6, T-17-N, R-13-E
City of Jenks, Tulsa County, Oklahoma



SISEMORE & ASSOCIATES
Surveying ~ Civil Engineering ~ Land Planning
6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421
PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/21
(www.sw-assoc.com)



Engineering • Land Surveying
Land Planning • 3D Scanning • UAV Mapping
6660 S. Sheridan Road, Tulsa, OK. 74133 (918)-665-3600

"Five Oaks Ranch" (Minor Amendment 2) JZ 21 SUP111 MI2

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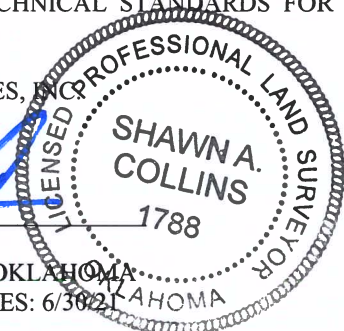
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BY SHAWN A. COLLINS


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Engineering • Land Surveying
Land Planning • 3D Scanning • UAV Mapping
6660 S. Sheridan Road, Tulsa, OK. 74133 (918)-665-3600

"Five Oaks Ranch" (Minor Amendment 2) JZ 21 SUP111 MI2 | Residential Lot

LEGAL DESCRIPTION
(Tract B)

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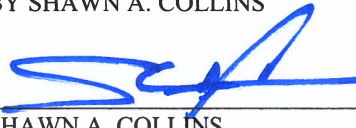
SAID TRACT OF LAND CONTAINS 8.741 ACRES OR 380,744 SQUARE FEET, MORE OR LESS.

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I, SHAWN A. COLLINS, OF SISEMORE & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE LEGAL DESCRIPTION AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LEGAL DESCRIPTIONS OF THE STATE OF OKLAHOMA.

SISEMORE & ASSOCIATES, INC.
BY SHAWN A. COLLINS

04.29.2021
DATE


SHAWN A. COLLINS
PLS No. 1788, STATE OF OKLAHOMA
C. A. NO. 2421 EXPIRES: 6/30/21



Parcel Map Check Report

Parcel Name: Tract B

Segment# 1: Line

Course: S0° 58' 33"E

Length: 316.18'

Segment# 2: Line

Course: N88° 47' 19"E

Length: 213.00'

Segment# 3: Line

Course: S0° 58' 33"E

Length: 353.30'

Segment# 4: Line

Course: N70° 56' 23"W

Length: 938.26'

Segment# 5: Line

Course: N0° 58' 33"W

Length: 30.00'

Segment# 6: Line

Course: S88° 47' 13"W

Length: 1.00'

Segment# 7: Line

Course: N0° 58' 33"W

Length: 317.15'

Segment# 8: Line

Course: N89° 01' 27"E

Length: 669.48'

Perimeter: 2,838.37'

Area: 380,743.84 Sq. Ft.

Error Closure: 0.0009

Course: N6° 25' 33"E

Error North: 0.00092

East: 0.00010

Precision 1: 3,153,743.333



Engineering • Land Surveying
Land Planning • 3D Scanning • UAV Mapping
6660 S. Sheridan Road, Tulsa, OK. 74133 (918)-665-3600

"Five Oaks Ranch" (Minor Amendment 2) JZ 21 SUP111 MI2 | Residential Lot

LEGAL DESCRIPTION
(Tract C)

A TRACT OF LAND THAT IS PART OF THE EAST HALF (E/2) OF SECTION SIX (6), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6; THENCE SOUTH 88°40'58" WEST ALONG THE NORTH LINE OF SAID SECTION 6 FOR 1431.12 FEET; THENCE SOUTH 00°58'33" EAST FOR 65.00 FEET TO A POINT OF THE SOUTH RIGHT OF WAY LINE OF EAST 121ST STREET SOUTH; THENCE CONTINUING SOUTH 00°58'33" EAST FOR 1798.57 FEET; THENCE CONTINUING SOUTH 00°58'33" EAST FOR 316.18 FEET; THENCE NORTH 88°47'19" EAST FOR 213.00 FEET; THENCE SOUTH 00°58'33" EAST FOR 353.30 FEET TO THE **POINT OF BEGINNING** OF SAID TRACT OF LAND; THENCE SOUTH 00°58'33" EAST FOR 313.70 FEET; THENCE SOUTH 88°47'19" WEST FOR 675.00 FEET TO A POINT THAT IS THE SOUTHEAST CORNER OF LOT 15, BLOCK 36, SHELBY AT YORKTOWN, BLOCKS 36-38, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE NORTH 00°55'31" WEST ALONG THE EAST LINE OF SAID LOT 15 FOR 188.79 FEET TO THE NORTHEAST CORNER OF SAID LOT 15; THENCE NORTH 88°47'13" EAST ALONG THE NORTH LINE OF SAID LOT 15 AND A WESTERLY EXTENSION THEREOF FOR 207.65 FEET TO A POINT THAT IS THE SOUTHEAST CORNER OF WAKEFIELD GLENN, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE NORTH 00°58'33" WEST ALONG THE EAST LINE OF BLOCK 5 OF SAID WAKEFIELD GLENN FOR 420.00 FEET; THENCE NORTH 88°47'13" EAST FOR 1.00 FEET; THENCE NORTH 00°58'33" WEST FOR 30.00 FEET; THENCE SOUTH 70°56'23" EAST FOR 938.26 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

SAID TRACT OF LAND CONTAINS 8.751 ACRES OR 381,219 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION CERTIFICATION

I, SHAWN A. COLLINS, OF SISEMORE & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE LEGAL DESCRIPTION AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LEGAL DESCRIPTIONS OF THE STATE OF OKLAHOMA.

4.29.2021
DATE

SISEMORE & ASSOCIATES, INC.
BY SHAWN A. COLLINS

SHAWN A. COLLINS
PLS No. 1788, STATE OF OKLAHOMA
C. A. NO. 2421 EXPIRES: 6/30/21



Parcel Map Check Report

Parcel Name: Tract C

Segment# 1: Line

Course: S0° 58' 33"E

Length: 313.70'

Segment# 2: Line

Course: S88° 47' 19"W

Length: 675.00'

Segment# 3: Line

Course: N0° 55' 31"W

Length: 188.79'

Segment# 4: Line

Course: S88° 47' 13"W

Length: 207.65'

Segment# 5: Line

Course: N0° 58' 33"W

Length: 420.00'

Segment# 6: Line

Course: N88° 47' 13"E

Length: 1.00'

Segment# 7: Line

Course: N0° 58' 33"W

Length: 30.00'

Segment# 8: Line

Course: S70° 56' 23"E

Length: 938.26'

Perimeter: 2,774.40'

Area: 381,219.33 Sq. Ft.

Error Closure: 0.0002

Course: S55° 31' 17"E

Error North: -0.00010

East: 0.00015

Precision 1: 13,872,015.00

E 121st St S

TRACT A

POINT OF BEGINNING (TRACT A)

549.60' N 88°40'58" E

1804.58' N 00°58'33" W

1798.57' N 00°58'33" W

316.18' S 00°58'33" E

TRACT B

POINT OF BEGINNING (TRACT B)

S 89°01'27" W 669.48'

N 89°01'27" E

N 00°58'33" W 317.15'

S 88°47'13" W 1.00'

1'x60' DEDICATION TO THE CITY OF JENKS

N 88°47'13" E 1.00'

N 70°56'23" W 939.26'

S 70°56'23" E

TRACT C

NE CORNER LOT 15, BLOCK 38

313.70' S 00°58'33" E

353.30' S 00°58'33" E

675.00'

N 00°55'31" W 188.79'

3'47'13" W 207.65'

AG



Return to: Commercial Title & Escrow Services
4739 E 91st St., Suite 200, Tulsa, OK 74137

Doc Stamps: 12 O.S. Section 3202(3) ✓
QUIT-CLAIM DEED

THIS INDENTURE: Made this 29 day of December, 2020, between **RANDY C. IMEL and CLAUDIA LUKKEN IMEL, husband and wife**, party of the first part, and **IMEL ONE, LLC, an Oklahoma limited liability company**, party of the second part, whose address is 528 East 121st Street South Jenab, OK 74037

WITNESSETH, That said party of the first part, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to them duly paid, receipt of which is hereby acknowledged, do hereby quit-claim, grant, bargain, sell and convey unto said party of the second part, and to its successors or assigns forever, all their right, title, interest and estate, both at law and in equity, of, in and to the following described real estate, situated in the County of TULSA, State of Oklahoma, to wit:

SEE EXHIBIT "A" FOR COMPLETE LEGAL DESCRIPTION,

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

To have and to hold the above granted premises unto the said party of the second part, its successors and assigns forever.

IN WITNESS WHEREOF, the party of the first part have hereunto set their hands the day and year first above written.

Randy C. Imel
By: **RANDY C. IMEL**

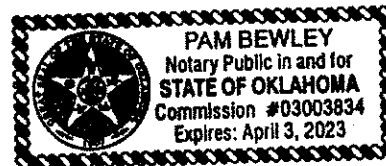
Claudia Lukken Imel
By: **CLAUDIA LUKKEN IMEL**

STATE OF OKLAHOMA)
COUNTY OF TULSA) ss.

This instrument was acknowledged before me on December 29, 2020 by **RANDY C. IMEL and CLAUDIA LUKKEN IMEL, husband and wife.**

My Commission Expires:

Pam Bewley
Notary Public



TULSA ABSTRACT & TITLE CO.
612 S. DENVER AVE.
TULSA, OK 74119
RECORD & RETURN TO:
COMMERCIAL TITLE & ESCROW SERVICES
4739 E. 91ST ST. STE. 200
TULSA, OK 74137

00000



Engineering • Land Surveying
Land Planning • 3D Scanning • UAV Mapping
6111 E. 32nd Place Tulsa, OK. 74135 (918)-665-3600

LEGAL DESCRIPTION

(Tract B-1)

A TRACT OF LAND THAT IS PART OF THE EAST HALF (E/2) OF SECTION SIX (6) AND PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION FIVE (5), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6; THENCE SOUTH 00°57'55" EAST ALONG THE EAST LINE OF SAID SECTION 6 FOR 85.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND, SAID POINT BEING 15.00 FEET SOUTHERLY OF THE NORTHWEST CORNER OF SKYLINE ESTATES, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA, RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK; THENCE CONTINUING SOUTH 00°57'55" EAST ALONG SAID EAST LINE OF SAID SECTION 6 AND ALONG THE WESTERN MOST WEST LINE OF SAID SKYLINE ESTATES FOR 915.57 FEET TO THE SOUTHWEST CORNER OF LOT 4, BLOCK 3 OF SAID SKYLINE ESTATES; THENCE NORTH 88°46'33" EAST ALONG THE SOUTH LINE OF SAID LOT 4 FOR 160.00 FEET TO THE WESTERN MOST SOUTHEAST CORNER OF SAID LOT 4; THENCE SOUTH 00°57'55" EAST ALONG THE EASTERLY MOST WEST LINE OF SAID SKYLINE ESTATES, PARALLEL WITH AND 160.00 FEET EASTERLY OF EAST LINE OF SAID SECTION 6 FOR 1640.00 FEET TO THE SOUTHWEST CORNER OF SAID SKYLINE ESTATES; THENCE SOUTH 88°46'33" WEST ALONG THE NORTH LINE OF LOT 1, BLOCK 1, OAK HILLS OF JENKS, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA, RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK FOR 160.00 FEET TO A POINT OF THE EAST LINE OF SAID SECTION 6; THENCE SOUTH 00°58'03" EAST ALONG THE WEST LINE OF SAID OAK HILLS OF JENKS FOR 606.11 FEET TO THE NORTHEAST CORNER OF RESERVE D, YORKTOWN BLOCKS 45-49, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA, RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK; THENCE SOUTH 88°45'26" WEST ALONG THE NORTH LINE OF RESERVE D, BLOCK 48 AND NORTHERN MOST NORTH LINE OF RESERVE B, YORKTOWN BLOCKS 45-49 FOR 1323.54 FEET TO THE NORTHERN MOST NORTHWEST CORNER OF SAID RESERVE B; THENCE SOUTH 00°55'31" EAST ALONG THE EASTERN MOST WEST LINE OF SAID RESERVE B FOR 177.22 FEET TO THE WESTERN MOST NORTHEAST CORNER OF SAID RESERVE B; THENCE SOUTH 88°47'19" WEST ALONG THE SOUTHERN MOST NORTH LINE OF RESERVE B, BLOCK 45 AND A WESTERLY EXTENSION THEREOF FOR 569.78 FEET TO A POINT ON THE EAST LINE OF SHELBY AT YORKTOWN BLOCKS 36-38, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA, RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK; THENCE NORTH 00°55'31" WEST ALONG SAID EAST LINE FOR 575.22 FEET TO THE SOUTHEAST CORNER OF LOT 15, BLOCK 36, SHELBY AT YORKTOWN BLOCKS 36-38; THENCE NORTH 88°47'19" EAST FOR 675.00 FEET; THENCE NORTH 00°58'33" WEST FOR 667.00 FEET; THENCE SOUTH 88°47'19" WEST FOR 213.00 FEET; THENCE NORTH 00°58'33" WEST FOR 2114.75 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF EAST 121ST STREET SOUTH, SAID POINT BEING 65.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 88°40'58" EAST PARALLEL WITH AND 65.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE FOR 50.40 FEET; THENCE SOUTH 01°19'02" EAST CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE FOR 5.00 FEET TO A POINT THAT IS 70.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 88°40'58" EAST PARALLEL WITH AND 70.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE FOR 900.00 FEET; THENCE SOUTH 01°19'02" EAST CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE FOR 15.00 FEET TO A POINT THAT IS 85.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 88°40'58" EAST PARALLEL WITH AND 85.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE FOR 481.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

Imel Private Property | "JZ 21 SUP 111 MI1"

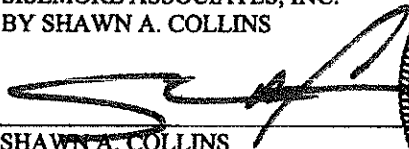
SAID TRACT OF LAND CONTAINS 113.485 ACRES OR 4,943,434 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION CERTIFICATION

I, SHAWN A. COLLINS, OF SISEMORE & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE LEGAL DESCRIPTION AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LEGAL DESCRIPTIONS OF THE STATE OF OKLAHOMA.

SISEMORE ASSOCIATES, INC.
BY SHAWN A. COLLINS

12.04.2020
DATE


SHAWN A. COLLINS
PLS No. 1788, STATE OF OKLAHOMA
C. A. NO. 2421 EXPIRES: 6/30/21





Tulsa County Clerk - Michael Willis

Doc # 2020130401 Page(s): 4

12/31/2020 11:13:00 AM

Receipt # 20-83954

Fee: \$ 24.00

Return to: Commercial Title & Escrow Services
4739 E 91st St., Suite 200, Tulsa, OK 74137

12 O.S. Section 3202(3) ✓

**JOINT TENANCY
QUIT-CLAIM DEED**

Imel Five Oaks Ranch Property | "JZ 21 SUP 111 MI1"

THIS INDENTURE: Made this 29 day of December, 2020, between **RANDY C. IMEL and CLAUDIA LUKKEN IMEL, Husband and wife**, party of the first part, and **RANDY C. IMEL and CLAUDIA LUKKEN IMEL, husband and wife**, as joint tenants and not as tenants in common, with the right of survivorship, the whole estate to vest in the survivor, party of the second part.

WITNESSETH, That said party of the first part, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to them duly paid, receipt of which is hereby acknowledged, do hereby quit-claim, grant, bargain, sell and convey unto said party of the second part, as joint tenants and not as tenants in common, with full rights of survivorship, the whole estate to vest in the survivor in the event of the death of either, in fee simple, all their right, title, interest and estate, both at law and in equity, of, in and to, the following described real estate, situated in the County of Tulsa, State of Oklahoma, to wit:

SEE EXHIBIT "A" FOR COMPLETE LEGAL DESCRIPTION,

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

To have and to hold the above granted premises unto the said party of the second part, as joint tenants and not as tenants in common, and to their respective assigns, and to the personal representatives, heirs and assigns of the survivor, in fee simple, forever.

IN WITNESS WHEREOF, the party of the first part have hereunto set their hands the day and year first above written.

Randy C. Imel
By: **RANDY C. IMEL**

Claudia Lukken Imel
By: **CLAUDIA LUKKEN IMEL**

STATE OF OKLAHOMA)
COUNTY OF TULSA) ss.

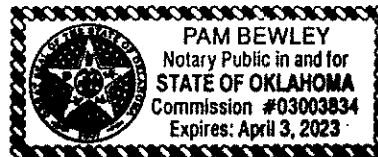
This instrument was acknowledged before me on December 29, 2020 by **RANDY C. IMEL and CLAUDIA LUKKEN IMEL, husband and wife**.

My Commission Expires:

Pam Bewley
Notary Public

TULSA ABSTRACT & TITLE CO.
612 S. DENVER AVE.
TULSA, OK 74119

RECORD & RETURN TO:
COMMERCIAL TITLE & ESCROW SERVICES, INC.
4739 E. 91ST ST. STE. 200
TULSA, OK 74137





Engineering • Land Surveying
Land Planning • 3D Scanning • UAV Mapping
6111 E. 32nd Place Tulsa, OK. 74135 (918)-665-3600

LEGAL DESCRIPTION

(Tract B-2)

A TRACT OF LAND THAT IS PART OF THE EAST HALF (E/2) OF SECTION SIX (6), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 6; THENCE SOUTH 88°40'48" WEST ALONG THE NORTH LINE OF SAID SECTION 6 FOR 1431.12 FEET; THENCE SOUTH 00°58'33" EAST FOR 65.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF EAST 121ST STREET SOUTH; THENCE CONTINUING SOUTH 00°58'33" EAST FOR 2114.75 FEET; THENCE NORTH 88°47'19" EAST FOR 213.00 FEET; THENCE SOUTH 00°58'33" EAST FOR 667.00 FEET; THENCE SOUTH 88°47'19" WEST FOR 675.00 FEET TO THE SOUTHEAST CORNER OF LOT 15, BLOCK 36, SHELBY AT YORKTOWN BLOCKS 36-38, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA, RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK; THENCE NORTH 00°55'31" WEST ALONG THE EAST LINE OF SAID LOT 15 FOR 188.79 FEET TO A POINT THAT IS THE NORTHEAST CORNER OF SAID SHELBY AT YORKTOWN BLOCKS 36-38; THENCE SOUTH 88°47'13" WEST ALONG THE NORTH LINE OF SAID BLOCK 36, SHELBY AT YORKTOWN BLOCKS 36-38 FOR 207.65 FEET TO A POINT THAT IS THE SOUTHEAST CORNER OF WAKEFIELD GLENN, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA, RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK; THENCE NORTH 00°58'33" WEST ALONG THE EAST LINE OF SAID WAKEFIELD GLENN, THE EAST LINE OF WAKEFIELD PARK, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA, RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK, THE EAST LINE OF WAKEFIELD PONDS, AN ADDITION TO THE CITY OF JENKS, TULSA COUNTY, OKLAHOMA, RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK AND A NORTHERLY EXTENSION THEREOF FOR 2601.73 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF EAST 121ST STREET SOUTH, SAID POINT BEING 55.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 88°40'58" EAST PARALLEL WITH AND 55.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6, ALONG SAID SOUTH RIGHT OF WAY LINE FOR 119.83 FEET; THENCE SOUTH 01°19'02" EAST CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE FOR 10.00 FEET TO A POINT THAT IS 65.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6; THENCE NORTH 88°40'58" EAST PARALLEL WITH AND 65.00 FEET SOUTHERLY OF THE NORTH LINE OF SAID SECTION 6, CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE FOR 549.60 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

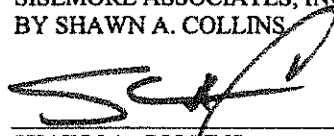
SAID TRACT OF LAND CONTAINS 45.132 ACRES OR 1,965,988 SQUARE FEET, MORE OR LESS.

Imel Five Oaks Ranch Property | "JZ 21 SUP 111 MI1"

LEGAL DESCRIPTION CERTIFICATION

I, SHAWN A. COLLINS, OF SISEMORE & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE LEGAL DESCRIPTION AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LEGAL DESCRIPTIONS OF THE STATE OF OKLAHOMA.

SISEMORE ASSOCIATES, INC.
BY SHAWN A. COLLINS



SHAWN A. COLLINS
PLS No. 1788, STATE OF OKLAHOMA
C. A. NO. 2421 EXPIRES: 6/30/21

12.21.2020
DATE

To	Planning Commission
Hearing Date	June 03, 2021
Case Number	Comp Plan Amendment JZ 21-669
Request	<i>Comprehensive Plan Amendment from Medium Intensity to Local Commercial Rezoning from (AG) Agriculture to (CS) Commercial Shopping</i>
Location	North of 131 st and east of Harvard

Staff Report

Preparer | Marcaé Hilton

Attachments

- ☐ Legal Notice
- ☐ Zoning Exhibit

Preparer

INCOG
TEP

Background Information

Mr. Russell Cozort owns approximately ten acres just east of the northeast corner of 131st and Harvard. Previously Mr. Cozort planned to construct homes but has asked for a change of zoning to match the adjacent property to the west which has a residential home and commercial medical marijuana grow facility. Staff has no objection to the plans. The Commercial Shopping zoning will require an amendment to the Comprehensive Plan. The area is surrounded by a variety of zoning including, but not limited to, large Single-family lots and farming on Agriculture land, dense Single-family, commercial, and industrial property.

REQUESTS

Zoning Request	Amend the Comprehensive Plan to show Local Commercial rather than Medium Intensity Single-family Rezone half the parcel from (AG) Agriculture to (CS) Commercial Shopping
Public Comment	Several citizens called inquiring about the zone change, they expressed concerns about additional grow facilities and dispensaries.
Uses	Commercial Shopping
Zoning	(AG) Agriculture
Comprehensive Plan	Medium Intensity Single-family (Horizon Jenks New Comp Plan)
General Location	3707 E 131 ST S 131 st and Harvard

Current Parcel Data

Plat	Unplatted
Parcel ID	97304730429010
Property Address	3707 E 131 ST S
Legal	E330.6 SW SW LESS S35 FOR RD SEC 4 17 13
STR	Section 4, Township 17, Range 13
Gross Acres	9.75

CS ZONING INFORMATION

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

¹ X = Use by Right.

E = Special Exception-unless use is specifically identified on Specific Use List.

S = Specific Use - see Use Unit 2 and Chapter 17.

P = Requires Planned Unit Development Application due to Mixed Use Requirements.

Table 2. Bulk and Area Requirements in the Commercial Districts |

	District
	CS
Frontage (min. ft.)	
—Arterial	150
—Not an Arterial	50
Floor Area Ratio (maximum)	0.50
Setback from centerline of abutting street (min. ft.) (Measured from centerline of abutting street; add, to the distance designated in the column to the right, one-half of the right-of-way designated on the Major Street Plan or one-half of the dedicated right-of-way, whichever is greater, or 25 feet if the street is not designated on the Major Street Plan.)	
—Arterial	50
—Not an Arterial	25
Setback from an abutting R District boundary line (min. ft.)	10 ¹
Building Height (max. ft.)	35

¹ Plus two feet of setback for each one foot building height exceeding 15 feet, if the property is within an RE, RS, or RD District.

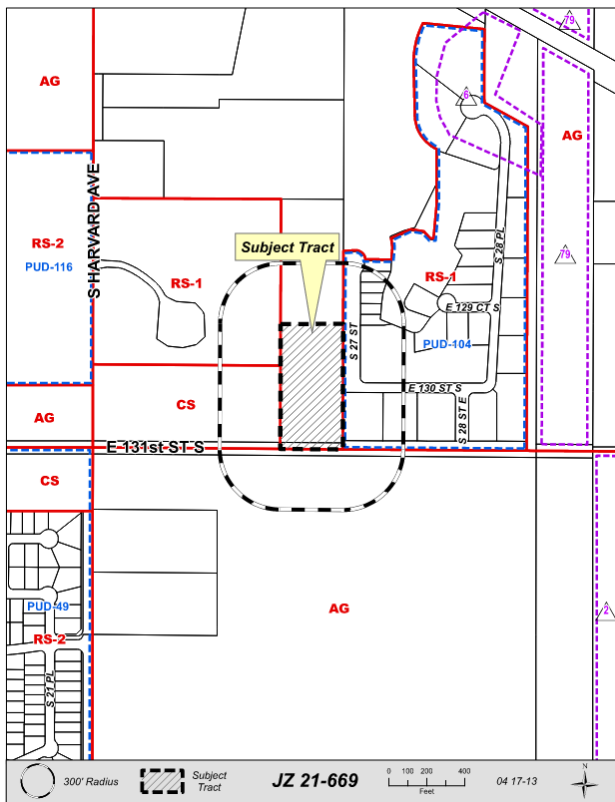


Figure 1: Legal Notice | Zoning

North | AG (Agriculture)
 East | RS-1 Frazier Lakes | (PUD 104)
 South | AG (Agriculture)
 West | CS (Commercial Shopping)

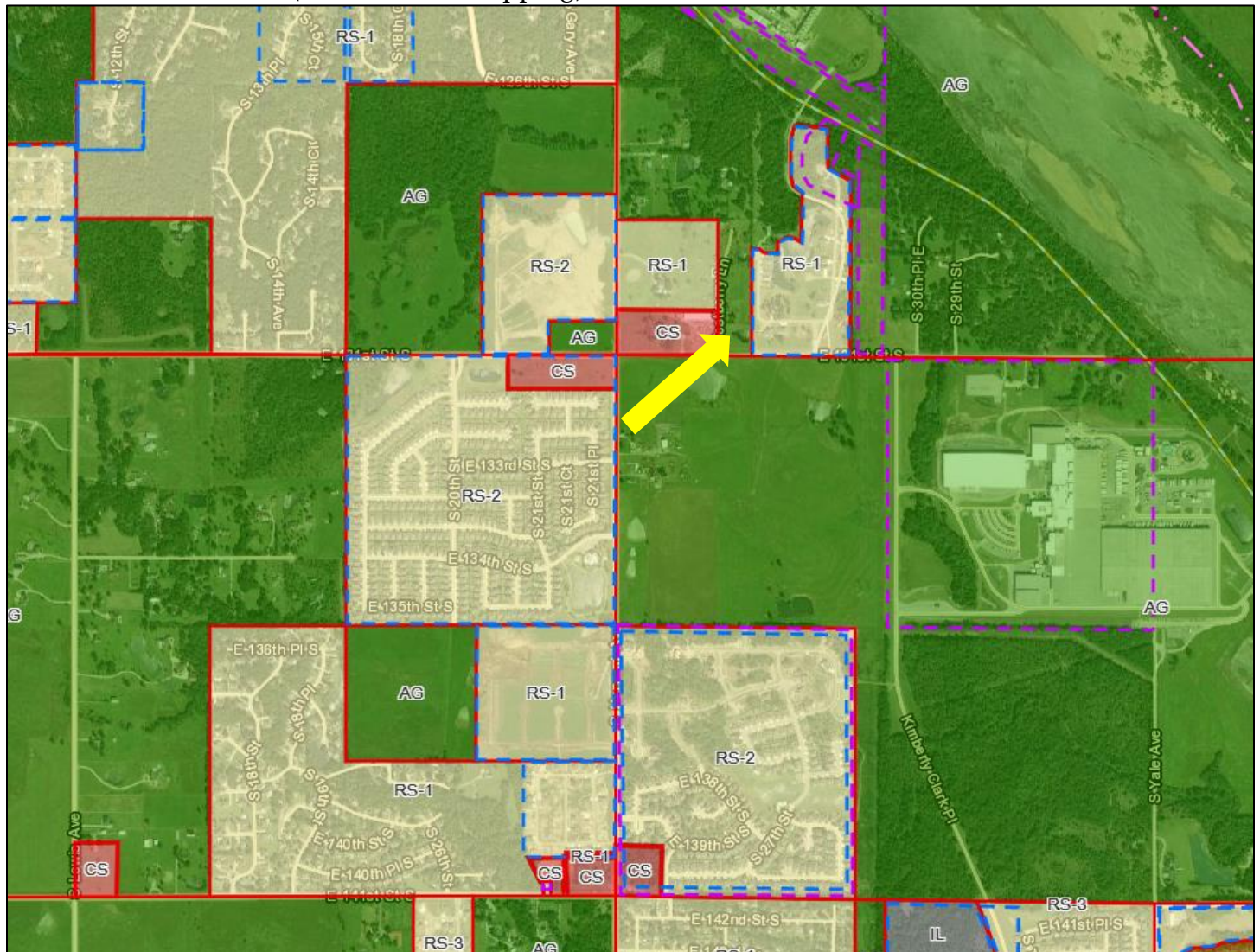


Figure 2: Zoning Map | INCOG

Comp Plan North | Medium Intensity Single-family | Currently large lots (AG)
 East | Medium Intensity Single-family | RS-1 Frazier Lakes | (PUD 104)
 South | Medium Intensity Single-family | Single-family Large lots AG (Agriculture)
 West | Local Commercial | CS (Commercial Shopping) | Cannabis Grow House

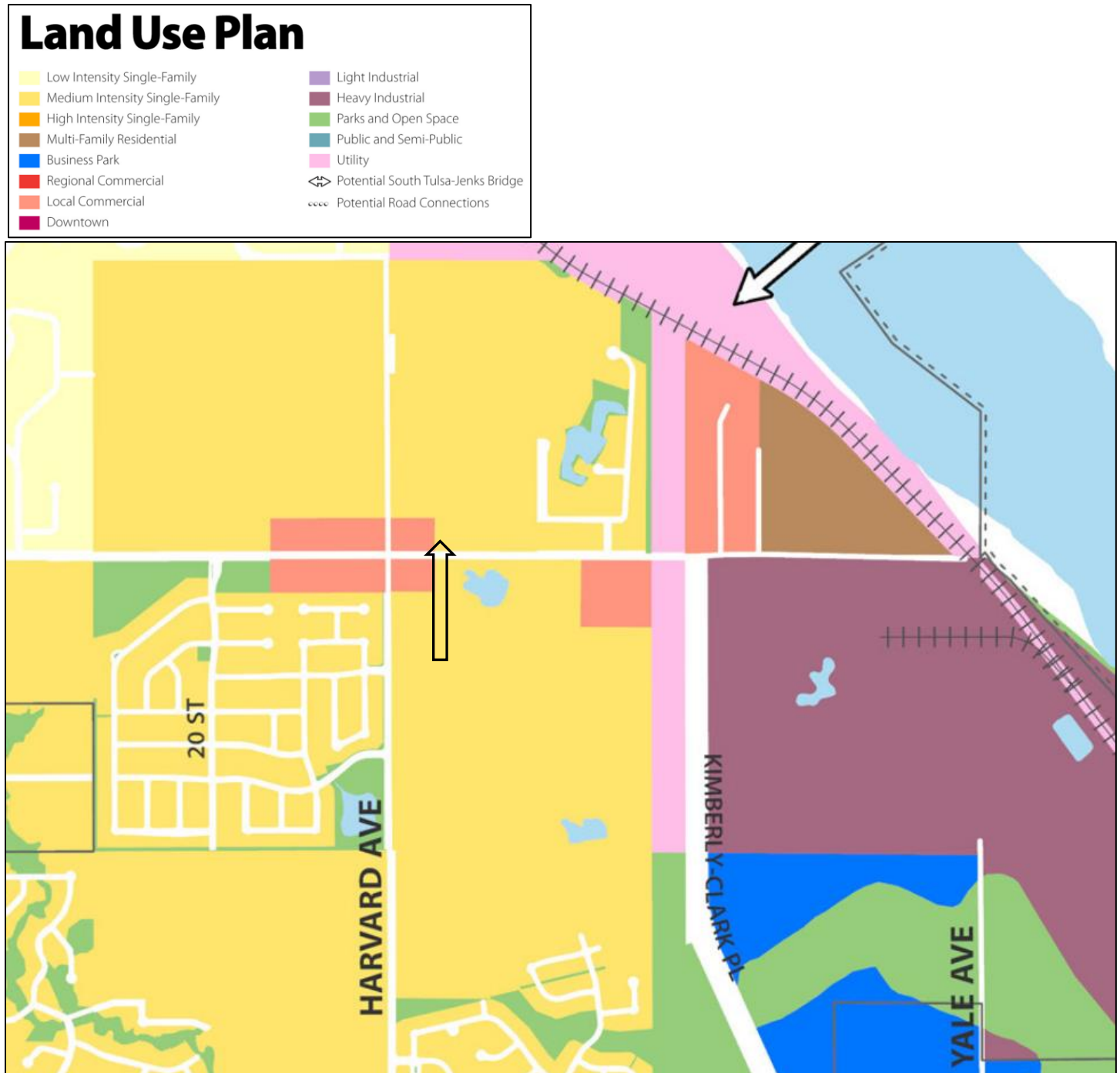


Figure 3: Horizon Jenks Comp Plan



Figure 4: 131st and Harvard NE Corner



Figure 5: View from 131st



Figure 6: Google Earth



Figure 7: Google Earth view | housing, commercial, undeveloped, industrial

Staff Evaluation & Recommendation

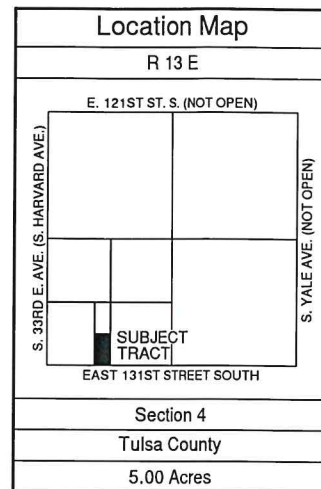
Evaluation | This application has 2 requests:

1. COMP PLAN AMENDMENT | Approving this amendment will allow the landowner to change the Future Land Use Map from the policy guide position of Medium Intensity Single-family residential to a Local Commercial designation and allow the zoning to be changed accordingly.
2. REZONING | Approving this request would allow the current and/or any future property owners to operate a commercial retail space.
3. PLAT | Platting is required at time of development
4. Consider if 600. 2. Purposes of the CS Shopping Center District is appropriate?
 - a. The CS District is designed to accommodate...shopping centers providing a wide range of retail and personal service uses:
 - i. convenience,
 - ii. neighborhood,
 - iii. sub-community,
 - iv. community, and
 - v. regional

RECOMMENDATION | **Planning Commission has Two (2) Actions** | *Staff recommends approval of both actions:*

1. *Comprehensive Plan Amendment to Local Commercial*
2. *Rezoning from AG to CS | Platting is required at time of development*

Exhibit "A"



Legal Description

The South-Half (S/2) of the East 330.60 feet of the Southwest Quarter (SW/4) of the Southwest Quarter (SW/4) of Section Four (4), Township Seventeen (17) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government survey thereof. Containing 5.00 acres, more or less.

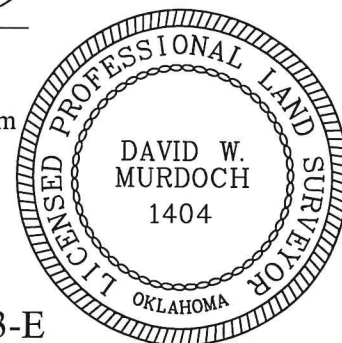
CERTIFICATE:

I, David W. Murdoch, of Tulsa Engineering & Planning Associates, Inc. and a Professional Land Surveyor registered in the State of Oklahoma, hereby certify that the foregoing legal description closes in accord with existing records and is a true representation of the real property as described and meets or exceeds the "Minimum Standards for Property Descriptions" as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

Witness my hand and official seal this 20th day of April, 2021.
Tulsa Engineering & Planning Associates, Inc.

David W. Murdoch
David W. Murdoch, P.L.S. No. 1404

E-mail: d.murdoch@tulsaengineering.com
Telephone: (918) 252-9621



ZONING EXHIBIT

PART OF SW/4, SW/4, SECTION 4, T-17-N, R-13-E



Tulsa Engineering & Planning Associates

9810 E. 42nd Street, Suite 100 Tulsa, Oklahoma 74146

Phone: 918-252-9621 Fax: 918-340-5999

Civil Engineering, Land Surveying, Land Planning

Certificate of Authorization No. CA 531 PE/LS Renewal Date June 30, 2021



Job No: 19-130

Scale: 1" = 200'

Date: 4/20/2021

Jenks | PC Staff Report



To	Planning Commission
Hearing Date	June 03, 2021
Case Number	TUP 21-48 TNT Fireworks
Request	Temporary Use Permit Sales of Class "C" Fireworks
Location	424 W Main
Applicant	TNT Fireworks (American Promotional Events)

Staff Report

Preparer | Marcaé Hilton

Attachments

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

Preparer

INCOG
APPLICANT
APPLICANT

Background Information

STAFF COMMENTARY | TNT Fireworks plans to sell fireworks on a commercially zoned lot. Some Planning Commission and City Council members have expressed concerns about fireworks stands and the display of fireworks within City limits. Following last year's fourth of July season, staff began zoning (Fireworks) conversations in January between staff and Houseal and Lavigne. Planning Staff sent out a memo March 19, 2021 outlining conversations, questions and information received which had been gathered during the last year concerning the sale and display of Fireworks. Staff has met with Councilor Lynn and Planning Commissioner Brown about issues related to "fireworks stands and the display of fireworks." Last year, staff anticipated the new UDO would be adopted by May, establishing new/additional requirements. At this time, staff believes the UDO will not be adopted before late summer. This applicant was approved last year to sell fireworks in Jenks city limits.

Selling fireworks in Jenks since 2003 | Varying locations

2020 Dates of Operation | June 30-July 4

- Sales of Class "C" Fireworks
- Set up | After June 15
- Tear down | By July 6

PLANNING DATA

Public Comment	None Notice mailed out and posted online
Zoning	CG Commercial General
General Location	East of Date Street and South of Main Lots 7-12 of Block 44

Parcel ID	6052-583-190-4210
Property Address	W MAIN ST
Legal	LTS 10 11 12 BLK 44
Gross Acres	0.24
Parcel ID	6052-583-190-4200
Property Address	418 W MAIN ST S
Legal	LTS 7 8 9 BLK 44
Gross Acres	0.24
Surrounding Zoning	North CS & RS-3 (Undeveloped) West Office Medium South, East CH (Commercial Heavy) and RS-3 (Single-family)

Staff Evaluation & Recommendation

Evaluation The request must meet the code requirements for an Intensive Temporary Use Permit and comply with the standards established in 1902. 2. Temporary Use Minimum Zoning Regulations or seek a waiver. Staff has received a site plan for a permanent structure/business on these lots and recognizes the fireworks stand will be open to the public for 4 days; with that in mind staff is asking for a conditional waiver of the dust free all-weather surface. Please see conditions below.

Approving this request as submitted will:

1. Allow TNT Fireworks to sell Class "C" fireworks during the requested timeframe.
(June 30, 2021-July 4, 2021)
2. Conditionally waive the *dust free all-weather surface* and allow the business to be conducted on existing grass.
 - a. Conditions of waiver
 - i. City Staff can enforce erosion control methods, if seen as necessary, due to inclement weather conditions including but not limited to mud or dust caused by excessive rain
 1. Erosion control may include the placement of washed gravel or some type of asphalt.
 - ii. All customers must park onsite, not in the street
3. No Access along Main Street | provide barriers to automobile traffic

CHAPTER 19 - TEMPORARY USE PERMITS | Sec. 1900. - Purposes.

1900. 1. General. | Temporary Use Permits are required for a range of different uses that are temporary in nature and are required to be removed following the expiration of the permit. A Temporary Use cannot be applied for on a residentially zoned property or within a residential subdivision except as specifically outlined within this section for the marketing of a new residential subdivision or for public infrastructure projects. Temporary Use Permits are required for uses such as special events on private lands, carnivals, seasonal businesses (including Christmas Tree Lots and Firework Stands). Temporary Uses considered as open air

sales not associated with sales from a principal building must comply with Appearance Review Guidelines. A temporary use can be specified for a single event time up to 45 days, up to a 180-day period, or for one year. Temporary uses are identified by two categories, Temporary Uses—Intensive and Non Intensive. *A Temporary Uses—Intensive requires process as outlined under Section 1901 Application—Intensive.*

Temporary Uses—Intensive.

1. The following uses can be applied for up to 45 days.

A. Special Events on private lands.

B. Carnivals.

C. Annual, Seasonal (Holiday), or Recurring Uses (Including Christmas Tree Lots and *Fireworks Stands*).

The City Council may, after a public hearing and recommendation by the Planning Commission and after conducting a public hearing as is required in accordance with the provisions of this section, authorize for specific parcels of land, the issuance of a Temporary Use Permit—Intensive.

The designation of a Temporary Use Permit as possible does not constitute an authorization or an assurance that such use will be permitted. Rather, each Temporary Use Permit—*Intensive application shall be valued as to its probable effect on the adjacent property and community welfare and may be approved or denied as the findings indicate appropriate.*

1902. 2. Temporary Use Minimum Zoning Regulations.

1. Any temporary or portable structure used for such sales or services shall meet the applicable provision as specified by the City of Jenks building codes and comply with the Appearance Review District Guidelines. Temporary Structures must comply with all Fire Safety Codes.

2. *Customer Parking shall be on an improved surface recognized as a dust free all weather surface such as asphalt or concrete.* The City Council may authorize the use of different parking standards for Temporary Uses utilizing larger tracts of lands for a specific amount of time not warranting the need for full compliance of the required parking standards.

3. Temporary uses and associated activities shall not be conducted within the required minimum setback areas or within unobstructed open space areas adjacent to public rights-of-way.

4. Adequate sanitary facilities for customers and employees shall be provided.

5. Storage areas and trash containers shall be screened from view from adjacent residential property and public rights-of-way.

6. A cash bond shall be deposited with the City by the operator of the proposed temporary use in the amount of \$2,500.00. Said bond shall be for the purpose of ensuring the prompt repair, by the operator, of any damage to public improvements, including, but not limited to, streets, sidewalks, curbs, gutters, and landscaping

which may occur as a result of the operation of the temporary use. Also, this cash bond may be applied if the operator fails to promptly repair damage to adjacent property caused by the temporary use, or to remove debris, litter, trash, mud or dirt permitted to remain on the site or on public property by the operator of such temporary use for any unreasonable amount of time. Such bond shall be released or returned to the operator upon certification by the Zoning Official that all of the requirements of this zoning code have been met.

7. All temporary uses providing the sale of merchandise must have a Sales Tax Permit with the State of Oklahoma specifying the City of Jenks as the point of sale.

1902. 3. Planning Commission Requirements.

The Planning Commission may recommend to the City Council that certain safeguards and conditions concerning setbacks, ingress and egress, off-street parking and loading arrangements and location or construction of buildings and uses and operation are required. If the Planning Commission fails to review and make a recommendation within 45 days from the date the application is accepted for processing, the City Council can take action on the application.

1902. 4. City Council Requirements.

The City Council may, in the interest of the public welfare and to assure compliance with the intent of this ordinance and the Jenks Comprehensive Plan, deny a specific request, or require such development standards and operational conditions and safeguards as are indicated to be important to the welfare and protection of adjacent property and the community as a whole and be compatible with the natural environment and the planned capacities of public services and facilities affected by the land use. The City Council may impose conditions including, but not limited to, permitted uses, lot sizes, setbacks, height limits, required facilities, buffers, open space areas, lighting, noise levels, signage, landscaping, parking and loading, compatibility, and land use density as may be indicated depending upon the proposed use and its potential effect on adjacent areas or the community.

The City Council shall consider the following criteria in granting a temporary use permit:

- 1. That the temporary use permit is compatible with the various provisions of chapter 19;*
- 2. That the temporary use is a reasonable use of land compatible with the general plan land use designation and zoning classification;*
- 3. That the temporary use will not impede the reasonable use of land, or the orderly development of land in the immediate vicinity;*
- 4. The temporary use will not adversely affect the adjacent uses, buildings or other structures;*

5. That the temporary use will not endanger the public health, safety or general welfare;
6. Provisions for adequate traffic access/circulation, off-street parking and pedestrian safety have been provided and will be maintained during the operation of the use or activity; and
7. That the granting of the temporary use permit is made subject to those conditions necessary to preserve the general welfare, not the individual welfare of any particular applicant.

Recommendation | Staff recommends conditional approval of the Temporary Use Permit-Intensive to allow for the sale of fireworks, prohibiting auto access from Main St., no on street parking and meeting the requirements of 1902. 2. Temporary Use Minimum Zoning Regulations including but not limited to someone being present 24 hours a day with access to restroom facilities and provide screening from public view for trash receptacles and storage.

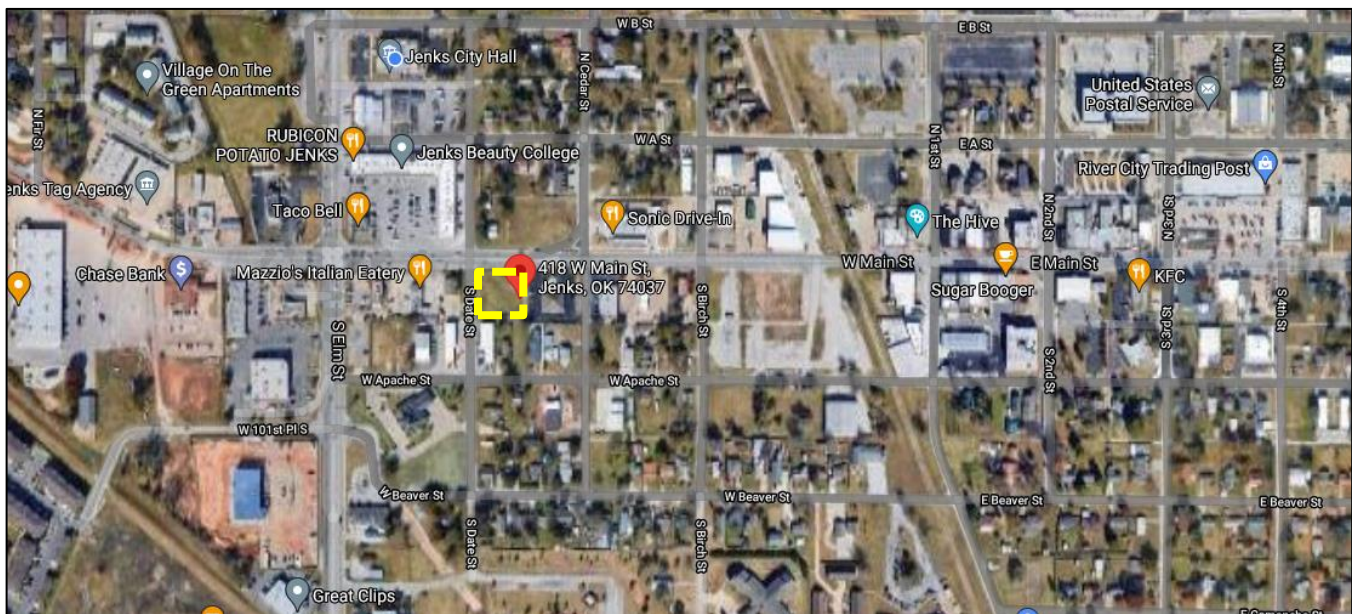


Figure 1: Aerial View of site



Figure 2: View from Date Street



Figure 3: Street view of site

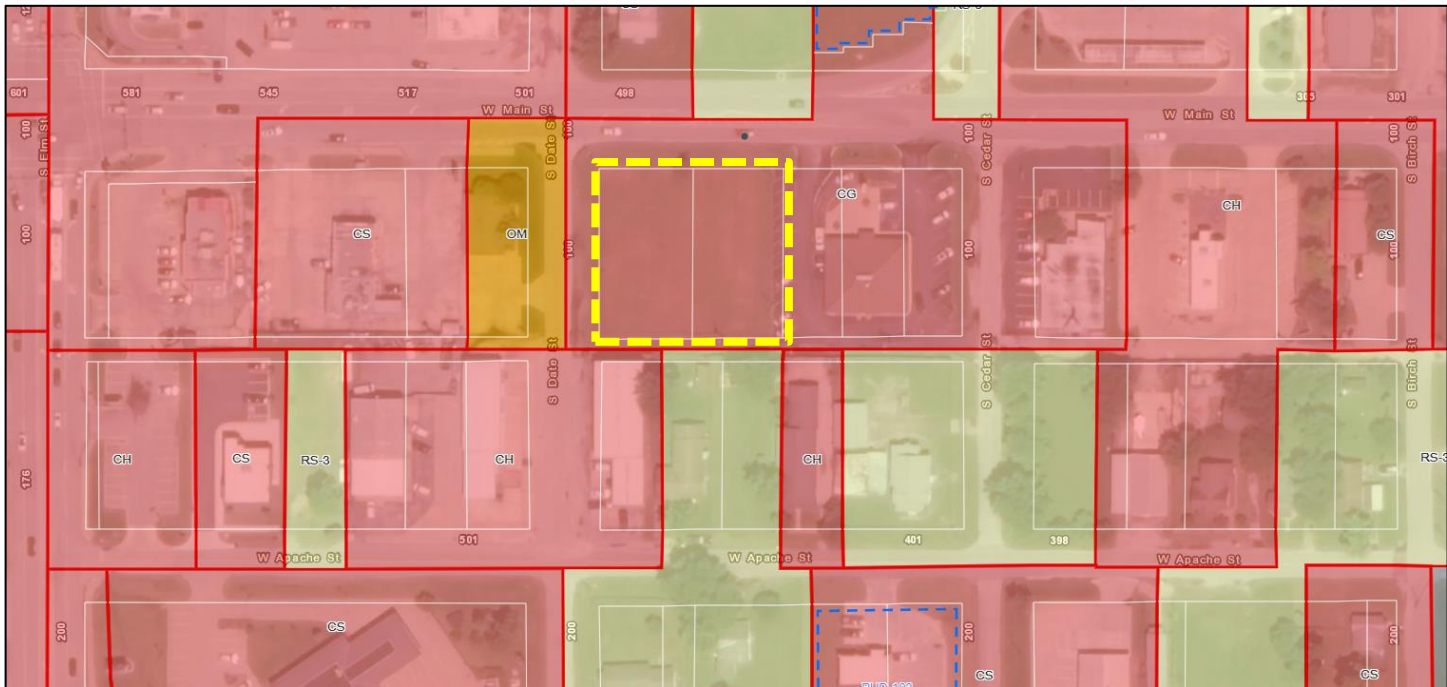


Figure 4: Zoning map of area



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 TEMPORARY USE PERMIT LOCATED IN THE CITY OF JENKS, OKLAHOMA

TUP 21-48

Notice is hereby given that a public hearing will be held before the Jenks Planning Commission, in Jenks City Hall, Council Chambers, 211 North Elm Street, Jenks, Oklahoma, at 6:00 p.m. on 03 June 2021, in consideration of the following:

An application to approve a request by TNT Fireworks for a Temporary Use Permit to allow for the retail sale of fireworks

Legal Description: Subdivision: JENKS-ORIGINAL TOWN

Legal: LTS 10 11 12 BLK 44

Section: 19 Township: 18 Range: 13

General Location: 424 W Main 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 10 May 2021.

Marcae Hilton, Secretary
Jenks Planning Commission

Google Maps

424 W Main St

Jenks

TNT Fireworks



Imagery ©2021 Maxar Technologies, Map data ©2021 20 ft

Dates June 30 to July 4th



STATEMENT OF PURPOSE

American Promotional Events dba TNT Fireworks is submitting for approval for the attached application.

Location address: 424 W Main Street, Jenks, OK 74037

Due to deadline constraints, they are only allowed to sell June 30-July 5th.

The purpose is to sell Fireworks in a temporary Facility from June 20th through July 5th. The tent will be erected prior to the sale and removed in a timely manner after completion of the sale. The hours of operation will be from 10am-10pm, or as permitted by local location ordinances.

There will be fire extinguishers readily accessible. "No Smoking" and age limit signs will be posted and enforced. Oklahoma state permits will be obtained prior to the sale date and will be posted on-site along with a Sales Tax Certificate and any Local required permit, once received.

If you have any questions, please do not hesitate to call me at 256-740-6158.

Sincerely,

Virginia Hightower

Permitting Coordinator

hightowerv@tntfireworks.com



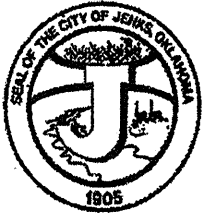
CITY OF JENKS COMMERCIAL BUILDING PERMIT

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

CERTIFICATE OF OCCUPANCY:		BUILDING PERMIT: NO.:	
DATE RECEIVED:		Water and Sewer Tap Fees must be paid before permit will be issued. OKLAHOMA STATE SALES TAX All building materials used on this project should indicate on the purchase order that material will be delivered within Jenks City Limits for proper crediting to the City of Jenks. Provide the vendor with Jenks sales tax reporting No. 7208. Provide the City of Jenks a list of all associated vendors with all associated vendor receipts upon request for review. <u>This requirement is a condition for the validity of this permit.</u> SEE ATTACHED CONDITIONS. Initials: _____ Construction shall comply with 2015 OUBC Commercial Code.	
BUILDING ADDRESS: 424 W MAIN STREET, JENKS, OK 74037			
LOT: 10 11 12 BLOCK: 44 ADDITION:			
SECTION: 19 TOWNSHIP: 18 RANGE: 13			
OWNER: BALLS & STRIKES, LLC PHONE: 918.671.8176			
BUSINESS FEDERAL IDENTIFICATION NO.: OKLA. SALES TAX NO.:			
BUILDING CONTRACTOR: TNT FIREWORKS CELL PHONE:			
ADDRESS: 4003 HELTON DRIVE CITY: FLORENCE STATE: AL ZIP: 35630			
OFFICE PHONE: 256.740.6158 FAX: 205.533.6043 EMAIL: HIGHTOWERV@TNTFIREWORKS.COM			
PROPOSED USE: USE GROUP: ZONING DISTRICT:			
* RESTAURANT MUST INCLUDE APPROVED HEALTH DEPARTMENT PLANS *			
LOT FRONTAGE:	AVERAGE DEPTH:	Type of Construction: Building Height: _____ No. of Stories: _____ No. of Basement Levels: _____ Total Sq Feet: _____ Total Lot Area *: _____ Building Sprinkler: ☐ Yes ☐ No If Yes, to what standard? _____	
BUILDING WIDTH:	DEPTH:		
NO. DWELLING UNITS:	EXT WALLS:		
INT WALLS:	EASEMENTS		
ROOF:			
☐ New Building ☐ Enlarge Existing Building ☐ Interior Remodeling ☐ Fire Job ☐ City Sewer ☐ Accessory ☐ Other Water (Specify) ☒ Temporary Use ☐ City Water ☐ Private Sewer Perk Test No. Change of Use Group ☐ Yes ☐ No			
ESTIMATE TOTAL COST OF BUILDING:			
DOCUMENTS REQUIRED TO BE SUBMITTED WITH PERMIT – Go to Protective Inspections at jenks.com and select Commercial Building Permit to review requirements.			
- - ZONING RESTRICTIONS - -			
PROPERTY LOCATED IN FLOODPLAIN: ☐ Yes ☐ No ☐ CITY OF JENKS FLOODPLAIN DEVELOPMENT PERMIT ☐ FEDERAL ELEVATION CERTIFICATE PARKING: BUILDING SETBACK FROM CENTERLINE OF STREET: BUILDING LINE: SETBACKS: SIDE: SIDE: EXTERIOR SIDE: REAR:			

PERMITS:		APPROVALS:	
Zoning	Applicant: <i>Virginia Hightower</i>	Date: 04.29.2021	
Building	Zoning:	Date:	
Plumbing	Building Inspector:	Date:	
Electrical	Fire Chief:	Date:	
Mechanical	Final Inspection:	Date:	
Waste Water Treatment Dev.	City Engineer:	Date:	
Park Development Fee	Public Works:	Date:	
Other: Promotional			
OK State Govt. Permit Fee	* Earth Change Permit required for total lot area exceeding one (1) acre.		
\$ - TOTAL BUILDING PERMIT **	** Building permit total does not include Water & Sewer Tap.		

BUILDING ADDRESS:			
BUILDING CONTRACTOR:			PHONE:
LICENSED PLUMBING CONTRACTOR:	LICENSE NO.	PHONE:	
LICENSED ELECTRICAL CONTRACTOR:	LICENSE NO.	PHONE:	
LICENSED MECHANICAL CONTRACTOR:	LICENSE NO.	PHONE:	
EARTH CHANGE CONTRACTOR:		PHONE:	
LANDSCAPE CONTRACTOR:		PHONE:	
CORE-PIER CONTRACTOR:		PHONE:	
OTHER CONTRACTOR:		PHONE:	
FOR CITY USE			
REQUIRED INSPECTIONS	REMARKS	DATE	BY
Earth Change			
Piers			
Footing Inspection			
Stemwall			
Electrical Temp Pole			
Temp Pole Release Called to Utility			
Plumbing Rough			
Sewer Tap			
Slab			
Mechanical Duct Work			
Framing Rough Inspection			
Fire Stop Inspection			
Plumbing Top Out			
Gas Pressure Test			
Electrical Rough Inspection			
Mechanical Rough Inspection			
Electrical Temp to Building			
Release Called to Utility			
Temporary Gas Service			
Meter Release Called to Utility			
Final Building Inspection			
Final Plumbing Inspection			
Final Electrical Inspection			
Final Mechanical Inspection			
Final Earth Change			



City of Jenks
Temporary Use Permit
Application

TUP _____

Page 1 of 2

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

Date of Application: 04.29.2021
Project Name: TNT FIREWORKS Proposed Use: RETAIL SALE OF CONSUMER FIREWORKS
Name of Applicant (Print): TNT FIREWORKS Phone: _____
Address: 4003 HELTON DRIVE, FLORENCE, AL Zip Code: 35630
Email: HIGHTOWERV@TNTFIREWORKS.COM FAX: _____

Property Owner: BALLS & STRIKES, LLC Phone: _____
Property Owners Address: 116 S 1ST STREET, JENKS, OK Zip Code: 74037
Email: _____ FAX: _____

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

Are there any private or deed restrictions controlling use of tract (If yes, explain.): _____

A. GENERAL DESCRIPTION OF PROPERTY

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

60525-83-19-04210

2. County Parcel Number: _____ Township: 18 Range: 13 Section: 19

2. Size in acres or square feet: _____

3. Current Use: VACANT LOT

4. Identify structures and improvements on the property: _____

5. Topography (Flat, Rolling Hills, Levee, etc): FLAT

6. Frontage Road: MAIN STREET

7. City Water: ☐ Yes ☒ No

8. City Sewer: ☐ Yes ☒ No

B. PROPOSED TEMPORARY USE

1. Proposed use of subject property (Identify the use(s) intended for the subject property): _____
RETAIL SALE OF CONSUMER FIREWORKS

3. The application shall be submitted with a development text outlining all aspects of the proposed use.
 4. Site plans and elevation drawings shall be submitted and must be drawn to scale and noted on plans.
 5. Please provide an electronic copy of all drawings in PDF format.

Bill advertising and sign charges to:

Name: N/A Phone: _____

Address: _____

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

Signed: Virginia Hightower Date: 04.29.2021

Print name: VIRGINIA HIGHTOWER Phone: 256.740.6158

Address: 4003 HELTON DRIVE, FLORENCE, AL 35630

DO NOT WRITE IN THIS AREA.

Application Received By: _____ Date: _____

Tract Acreage: _____ Public Hearing Date: _____

Application No. TUP-_____ Section _____ Township _____ Range _____

Present Zoning: _____ Proposed Use: _____

Fee Receipt No.: _____

PC Recommendation:

Recommendation: _____

Vote: _____

Date: _____

Provisions: _____

Staff Recommendation:

Recommendation: _____

Subdivision Name: _____

City Council Action:

Action: _____

Vote: _____

Date: _____

Provisions: _____

Date: _____

Ordinance No: _____

AMERICAN PROMOTIONAL EVENTS, INC. - EAST
LETTER OF AGREEMENT

DATE: 3-23-2021

RE: Vacant lot on the SE/Corner of Main St and S. Date St., Jenks, OK.

TO: Balls & Strikes, LLC, (hereafter, Lessor)

Please allow this letter to confirm the following:

- 1) AMERICAN PROMOTIONAL EVENTS, INC.-EAST, (hereafter, A.P.E.) will lease a 100' frontage by 100' depth on the SE/Corner of Main St. and S. Date St., Jenks, OK.
- 2) The lease payment will be \$[REDACTED] per season. The rent will be paid/postmarked on or before the 1st of May 2021.
- 3) A.P.E.'s sole use of the property will be for the sale of fireworks from June 15th through July 6th, 2021. Lessor grants A.P.E. first right of refusal to renew this lease on mutually agreeable terms on or before March 1st, 2022.
- 4) Lessor will have the right to void this lease if the above described property is sold or developed.
- 5) A.P.E. will have 90 day notice from Lessor upon sale or development of the property.
- 6) A.P.E. will be solely responsible for the payment of all improvements installed by Lessee on the leased premises.
- 7) A.P.E. will provide Lessor [REDACTED] premises liability insurance on the above described property. Furthermore, A.P.E. agrees to hold Lessor free and harmless of any and all damages that may occur by reason of A.P.E.'s occupancy.
- 8) A.P.E. will have the exclusive right to sell fireworks from all of the above referenced properties and Lessor agrees not to lease or sell any other tracts within one mile to any other person(s) or corporation for the purpose of selling fireworks.
- 9) This letter contains the entire agreement between Lessor and Lessee and there are no representations or promises which have been relied upon by either party other than as stated herein. The covenants and agreements of the Lease shall extend to and be binding upon the heirs, executors, assigns and transferees of the parties hereto.
- 10) This lease is contingent on Lessee being able to obtain all necessary local, state, and federal permits required (if any) for the operation of a retail consumer fireworks sales outlet. Tenant believes that the Location can be operated for the storage and retail sale of consumer fireworks, however, if any governmental authority (whether federal, state, or local) having proper jurisdiction over the Location enacts, issues, or modifies any applicable law, order, ordinance or regulation affecting the storage or retail sale of consumer fireworks, Tenant shall not be obligated for the payment of rent under the lease, or if the payment of rent has already been made to the Landlord, the Landlord shall refund the rent payment within 10 days of request by the Tenant.

Accepted



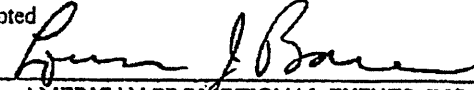
Lessor: Balls & Strikes, LLC

Phone:

SS/TAX ID #:

918-671-8176

Accepted



Lessee: AMERICAN PROMOTIONAL EVENTS, INC.-East

D.B.A. TNT FIREWORKS
5401 WEST SKELLY DRIVE
TULSA, OK 74107

Phone:

(918) 446-4441

LEASEOK

Assessor JOHN A. WRIGHT

Property Search

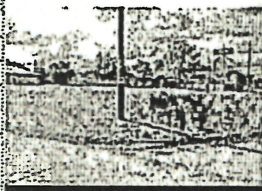
Disclaimer

The Tulsa County Assessor's Office has made every effort to insure the accuracy of the data contained on this web site; however, this material may be slightly dated which could have an impact on its accuracy.

The information must be accepted and used by the recipient with the understanding that the data was developed and collected only for the purpose of establishing fair cash (market) value for ad valorem taxation. Although changes may be made periodically to the tax laws, administrative rules and similar directives, these changes may not always be incorporated in the material on this web site.

The Tulsa County Assessor's Office assumes no liability for any damages incurred, whether directly or indirectly, incidental, punitive or consequential, as a result of any errors, omissions or discrepancies in any information published on this web site or by any use of this web site.

Quick Facts

Account #:	R60525831904210	
Parcel #:	60525-83-19-04210	
Situs address:	W MAIN ST JENKS 74037	
Owner name:	BALLS & STRIKES LLC	
Fair cash (market) value:	[REDACTED]	
Last year's taxes:	[REDACTED]	
Subdivision:	JENKS-ORIGINAL TOWN	
Legal description:	Legal: LTS 10 11 12 BLK 44	
Section:	19 Township: 18 Range: 13	

General Information

Situs address:	W MAIN ST JENKS 74037
Owner name:	BALLS & STRIKES LLC
Owner mailing address:	116 S 1ST ST JENKS, OK 740373916
Land area:	0.24 acres / 10,500 sq ft
Tax rate:	JK-5A (JENKS)
Subdivision:	JENKS-ORIGINAL TOWN
Legal description:	Legal: LTS 10 11 12 BLK 44
Section:	19 Township: 18 Range: 13
Zoning:	GENERAL COMMERCIAL DISTRICT (CG)

Tax Information

	2019	2020	2021
Fair cash (market) value:			
Total taxable value (capped):			
Assessment ratio:			
Gross assessed value:			
Exemptions:			
Net assessed value:			
Tax rate:	JK-5A (JENKS)		
Tax rate mills:			
Estimated taxes:			
Most recent NOV:	March 3, 2020		
* Estimated from 2020 millage rates			

Values

	2019	2020	2021
Land value:	[REDACTED]	[REDACTED]	[REDACTED]
Improvements value:	[REDACTED]	[REDACTED]	[REDACTED]
Fair cash (market) value:	[REDACTED]	[REDACTED]	[REDACTED]

Exemptions claimed

	2019	2020	2021
Homestead	-	-	-
Additional homestead	-	-	-
Senior Valuation Limitation	-	-	-
Veteran	-	-	-

Tax detail (2020 millages)

	%	Mills	Dollars
City-County Health	2.0	2.58	[REDACTED]
City-County Library	4.2	5.32	[REDACTED]
Tulsa Technology Center	10.5	13.33	[REDACTED]
Emergency Medical Service	0.0	0.00	[REDACTED]
Tulsa Community College	5.7	7.21	[REDACTED]
School Locally Voted	26.0	33.09	[REDACTED]
City Sinking	7.0	8.87	[REDACTED]
School County Wide Bldg	4.1	5.20	[REDACTED]
School County Wide ADA	3.1	4.00	[REDACTED]
School County Wide General	28.6	36.40	[REDACTED]
County Government	8.9	11.35	[REDACTED]

(Continued on next page)

Improvements

Side ID#	Property type	Use	Year built	Year remodeled	CIA 1	NRA 1	Stories	Story height
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Sales/Documents

Date	Grantor	Grantee	Price	Doc type	Book-Page/Doc#
May 20, 2019	UNITED STATES BEEF CORP	BALLS & STRIKES LLC		Special Warranty Deed	2019046445
Jan 4, 1984				General Warranty Deed	04756-01364

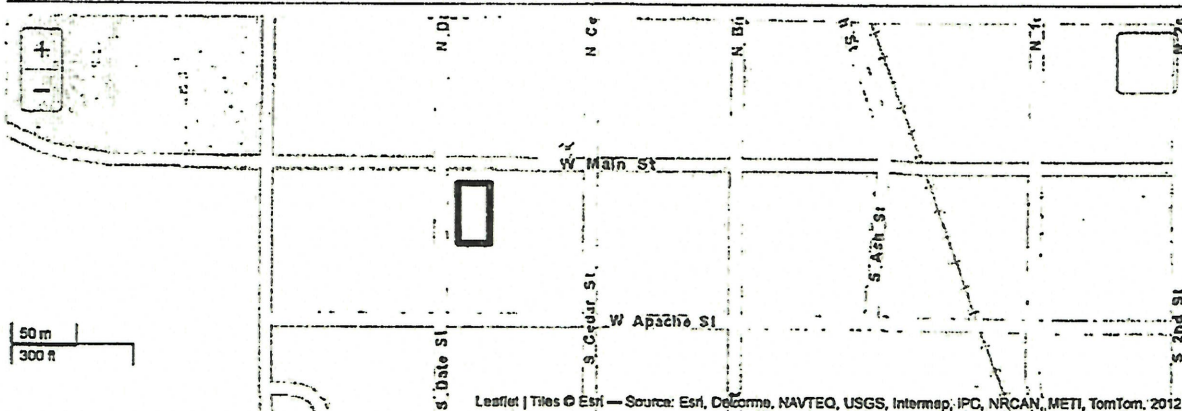
Multiple parcel sale

Images

Photo/sketch
(Click to enlarge)



† Square footage and acreage values included in this record are approximations. They may not reflect what a licensed surveyor would determine by performing a formal survey. They are for tax purposes only and are not intended for use in making conveyances or for preparing legal descriptions of properties.



Leaflet | Tiles © Esri — Source: Esri, DeLorme, NAVTEQ, USGS, Intermap, IPC, NRCAN, METI, TomTom, 2012

[Click to view this area on the Google Maps web page in a new window](#)

John A. Wright — Tulsa County Assessor

Tulsa County Headquarters, 5th floor | 218 W Sixth St | Tulsa, OK 74119

Phone: (918) 596-5100 | Fax: (918) 596-4799 | Email: assessor@tulsacounty.org

Office hours: 8:00–5:00 Monday–Friday (excluding holidays)

Google Maps 424 W Main St, Jenks, OK



Imagery ©2021 Google, Imagery ©2021 Maxar Technologies, Map data ©2021 20 ft



424 W Main St



Directions



Save



Nearby



Send to your
phone



Share



424 W Main St, Jenks, OK 74037



22CG+W8 Jenks, Oklahoma

Photos



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/1/2021

4/29/2021

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

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

PRODUCER Lockton Companies 3280 Peachtree Road NE, Suite #250 Atlanta GA 30305 (404) 460-3600	CONTACT NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
INSURED 1359629 American Promotional Events, Inc. DBA TNT Fireworks, Inc. P.O. Box 1318 4511 Helton Drive Florence AL 35630	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Everest Indemnity Insurance Company	NAIC # 10851
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES FOK0424 **CERTIFICATE NUMBER:** 17518024 **REVISION NUMBER:** XXXXXXXX

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☒ LOC OTHER:	Y	N	SI8GL00242-201	11/1/2020	11/1/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY			NOT APPLICABLE			COMBINED SINGLE LIMIT (Ea accident) \$ XXXXXXXX BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
	UMBRELLA LIAB EXCESS LIAB ☐ DED ☐ RETENTION \$			NOT APPLICABLE			EACH OCCURRENCE \$ XXXXXXXX AGGREGATE \$ XXXXXXXX \$ XXXXXXXX
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐	N/A	NOT APPLICABLE			PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ XXXXXXXX E.L. DISEASE - EA EMPLOYEE \$ XXXXXXXX E.L. DISEASE - POLICY LIMIT \$ XXXXXXXX

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

ADDITIONAL INSURED; FOK0424 - PROPERTY LOCATED AT 424 W MAIN STREET, JENKS, OK 74037 Certificate holder is an additional insured on the General Liability as required by written contract subject to policy terms, conditions, and exclusions.

CERTIFICATE HOLDER**CANCELLATION**

17518024
BALLS & STRIKES, LLC
116 S 1ST STREET
JENKS OK 74037

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

AUTHORIZED REPRESENTATIVE

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