

To	Planning Commission
Hearing Date	January 19, 2023
Case Number	JZ 22 PUD 83B1.MI2 Gateway First Bank
Request	Minor Amendment to the buildline adjacent to the ODOT ROW
Location	Undeveloped lot south of 100 S GATEWAY PL W
Applicant	Phil Dougherty

Staff Report

Preparer | Marcaé Hilton

Attachments

PUD 83 | Original document

Preparer

AAB Engineering

Background Information

STAFF COMMENTARY | Phil Dougherty is seeking approval of a minor amendment to the approved PUD 83 (JZ 23 PUD 83 MI.2). The applicant will receive its building permit following a couple of clean up items on the plans and begin building a retail establishment with a (mix of uses). The new structure is to be located east of HWY 75 and south of Main Street situated just south of Gateway bank in the northwest corner of Gateway Plaza. This location is the area which was split off the northern part of Lot One, Block 2.

PLANNING DATA |

Minor Amendment JZ 22 PUD 83.B1 MI | Approved August 4, 2022 | Minor Amendment to allow for an accessory indoor shooting range. Planning Commission approved

Minor Amendment to PUD 83. "PUD 83B" was approved by Planning Commission on February 25, 2020 and City Council, March 3, 2020

Lot Split | A lot split was approved formalizing Development Area A-2 as seen in PUD 83, with a minor change along the south lot area due to parking requirements.

Public Comment None | no notice is given to public for Minor Amendments

Zoning PUD 83B1 Amended | JZ 20-650 | Approved March 03, 2020 | Bank Use

Zoning Request JZ 23 PUD 83B1.MI2 | Request from a buildline encroachment

General Location Gateway Place and Main Street | East of HWY 75 and south of W 96th Street S

Plat Gateway Plaza Jenks | No. 6614 | June 08, 2015

Parcel ID	60645822339713
Legal	Part of LOT 1, BLOCK 2
Gross Acres	+/-87,279 SF (+/-2.0036 Acres)
Site Plan	Included in packet general in nature

Staff Evaluation & Recommendation

EVALUATION | Staff believes the minor amendment request to allow for a change to the buildline from fifty (50) feet to thirty (30) feet to remove an encroachment along the west property line does not change the intent of the original PUD or any subsequent amendments. The project has been reviewed by Fire, Planning, Building Inspections and Engineering and substantially meets City requirements, and the requirements of PUD 83B1.

Gateway Plaza PUD 83 | Approved in August 2013

The original PUD had four development areas.

- Development Area "A" was envisioned for restaurants, retail, or hotel uses. Office uses are not included.
- Development Area "B" allowed the same uses as Area "A" but adds office uses.
- Development Area "C" contained the Gateway office building and parking.
- Development Area "D" is for parks, open space and intensive recreation.

PUD 83 was modified twice before.

- November 2014 | To allow for the maximum building height of Development Area C to 75 feet instead of the standard 50 feet. This was done to accommodate the Gateway Mortgage building.
- November 2015 | To allow for parts of Use Unit 20 to be a use by right in Lot 1 Block 4 of the Gateway Plaza Plat: Amusement Activities, drive-in theatre, golf driving range, outdoor recreation, outdoor (offsite) advertising and festivals. It also prohibited billboards on Lots 1 Block 1, Lots 1 and 2 Block2, and lot 1 Block 3 of Gateway Plaza.

JZ 20-650 PUB 83B1 | Approved, February 20, 2020 | Major Amendment to 83B

- Allow for the acquisition and building of Gateway bank. The chain is being called Gateway First Bank and they have built the first location at the northwest corner of this property.
- Additional parking was proposed at the Gateway Mortgage site and have been added.

Details for this action are presented in the attached document entitled "Gateway First Bank Minor Amendment PUD 83-B-1, Gateway Plaza, Jenks, Oklahoma" (dated February 2020). The Development Concept proposed consists of:

- Existing Development Area "A" on the north portion of PUD 83 is to be reconfigured into two (2) Development Areas to be called Development Area "A-1" and Development Area "A-2" (see Exhibit "F"). The bank will be located in Area "A-2". PUD 83-B-1 amends PUD 83 by clarifying that Development Area "A-2" may be used for office purposes, including a bank with a drive-through facility. Development Area "A-2" is to permit the uses 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. Development Area "A-1" remains unchanged.

- Existing Development Area "D" on the south portion of PUD 83 is to be reconfigured into two (2) Development Areas to be called Development Area "D-1" and Development Area "D-2" (see Exhibit "F"). Development Area D-2 would be immediately south of the current Gateway Mortgage building and would add Use Unit 1 – Area-wide uses by right and Use Unit 10 – Off-street parking area, as well as uses customarily accessory to the permitted uses.
- Because of the location of the projects within the "Gateway District" in the City of Jenks, landscaping consistent with recently proposed landscaping design criteria are planned for Development Area "A-2" (see Exhibit "G") and Development Area "D-2" (see Exhibit "H"). As part of the development for the Gateway First Bank, Reserve Area "B" will be landscaped consistent with the plan shown on Exhibit "I".
- After approval of this amendment, a lot split to separate Development Area "A-2" into its own lot for Gateway First Bank, a lot split to create Development Area "D-2", and a lot combination to join with Development Area "C" (Block 3, Lot 1) will be proposed.

*(F) **Hearing and Recommendation by the Planning Commission.** The Planning Commission shall hold a public hearing on the proposed Planned Unit Development, and, at the close of the public hearing and after consideration of the City planner report and public comment, make a recommendation to the City Council to approve, approve with modifications, or deny the Planned Unit Development based on the applicable review criteria. The City Planner, on behalf of the Planning Commission, shall transmit a report containing its recommendation to approve, approve with modifications, or deny the PUD application to the City Council.*

*(G) **Action by the City Council.** The City Council shall hear the proposed Planned Unit Development, and, at the close of the meeting and after consideration of the recommendation of the Planning Commission, City Planner Report, and public comment either:*

- (1) Approve the application,*
- (2) Approve the application with modifications,*
- (3) Deny the application,*
- (4) Refer the application back to the Planning Commission for further review, or*
- (5) Postpone further consideration pending the submittal of additional information, including any application requirement previously waived.*

*(J) **Amendments to Approved Planned Unit Development.***

*(1) **Determination of Level of Change.** Upon receiving a Planned Development Amendment application, the City Planner shall determine whether the amendment is a major amendment, or a minor amendment based on the criteria detailed in Section 16-9-8(J)(2) and Section 16-9-8(J)(3) below.*

*(2) **Major Amendment.** A major amendment is any proposed change to an approved major or minor planned development that results in one or more of the following changes:*

- (a) Increase density,*
- (b) Increase the height of buildings,*
- (c) Reduce open space by more than five (5) percent,*
- (d) Modify the proportion of housing types,*
- (e) Change parking areas in a manner that is inconsistent with this UDO,*
- (f) Increase the approved gross floor area by more than five hundred (500) square feet,*
- (g) Alter alignment of roads, utilities, or drainage, or*

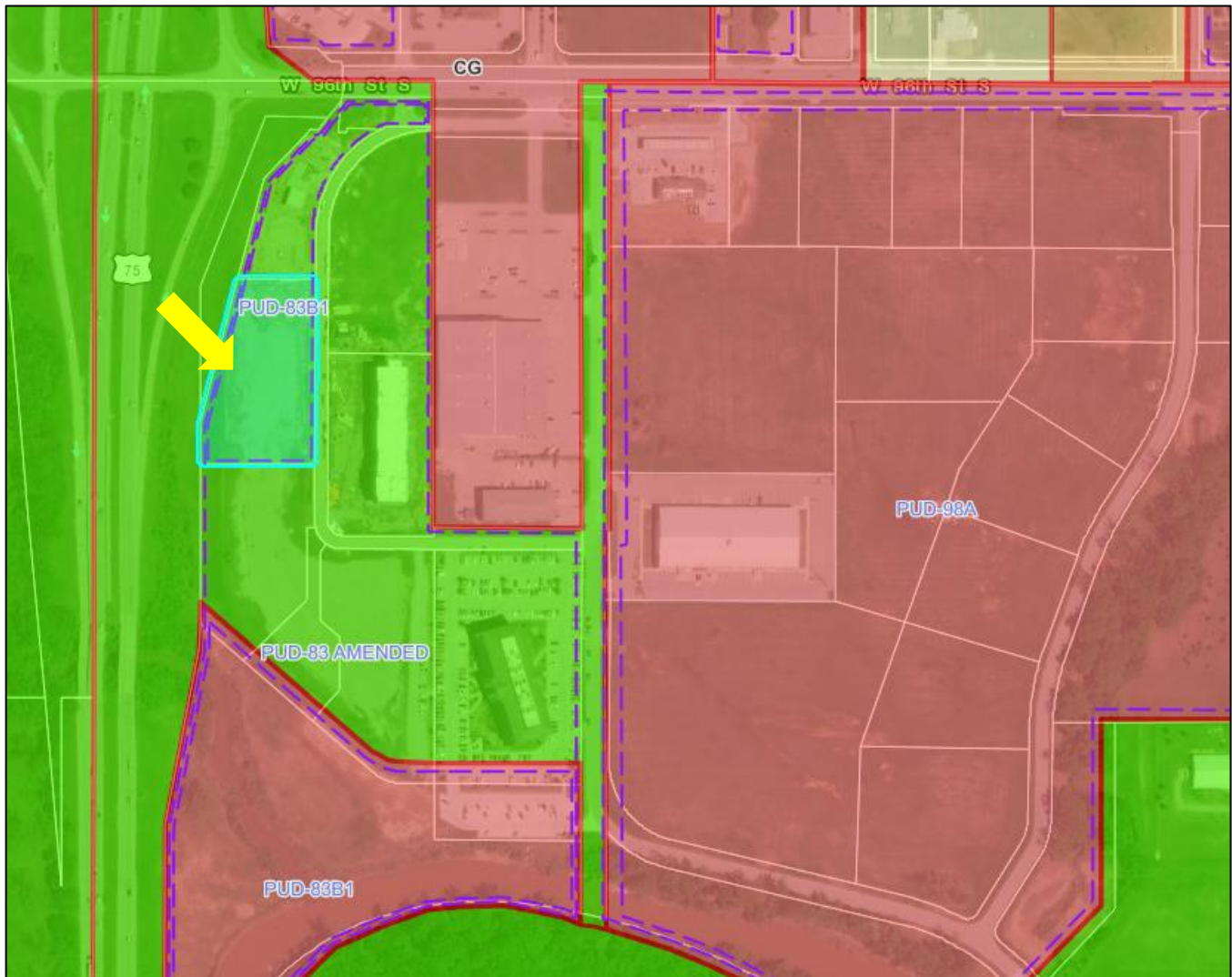
(h) Result in any other change inconsistent with any standard or condition imposed by the City Council in approving the Planned Unit Development and/or the approved site plan, as determined by the City Planner.

(3) **Minor Amendment.** A minor amendment is any proposed change to an approved Planned Unit Development that is consistent with the standards and conditions upon which the Planned Unit Development was approved, which does not alter the concept or intent of the Planned Unit Development and is not considered a major amendment as detailed in Section 16-9-7(J)(2).

(4) **Approval Processes.** A major amendment to an approved Planned Unit Development shall follow the procedure set in Section 16-9-8(E)(F), and (G). A minor amendment to an approved Planned Unit Development may be approved by the Planning Commission.

RECOMMENDATION: Staff recommends approval of JZ 23 PUD 83b1.Mi2 as presented.

Figure 1: Zoning Map



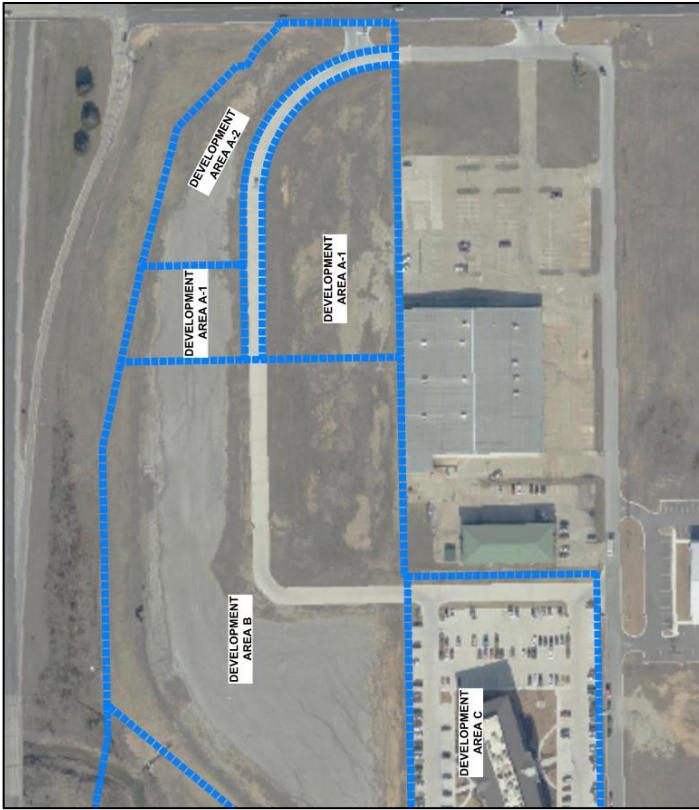


Figure 2: PUD 83 "B" Amended Development Area Plan

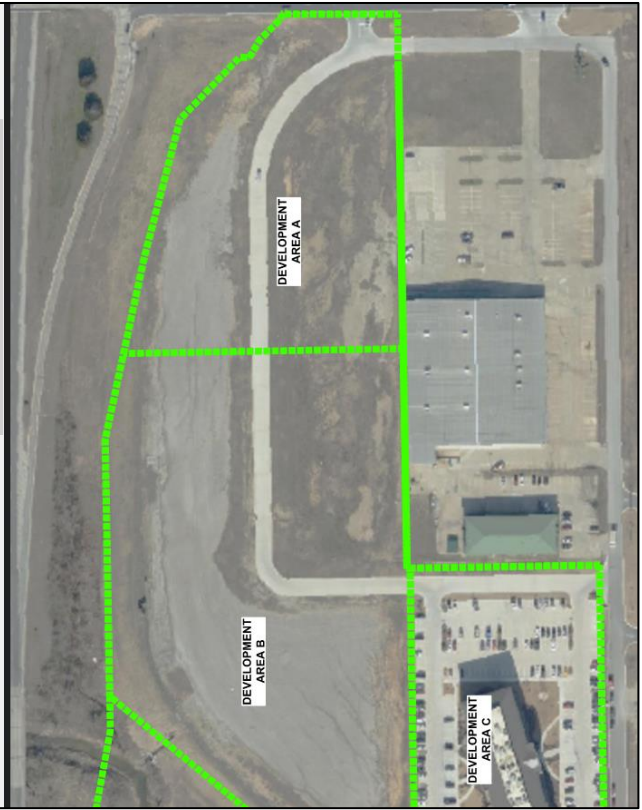


Figure 2A: Original PUD 83 Development Area Plan



Figure 3: View Southeast from HWY 75 Access Road

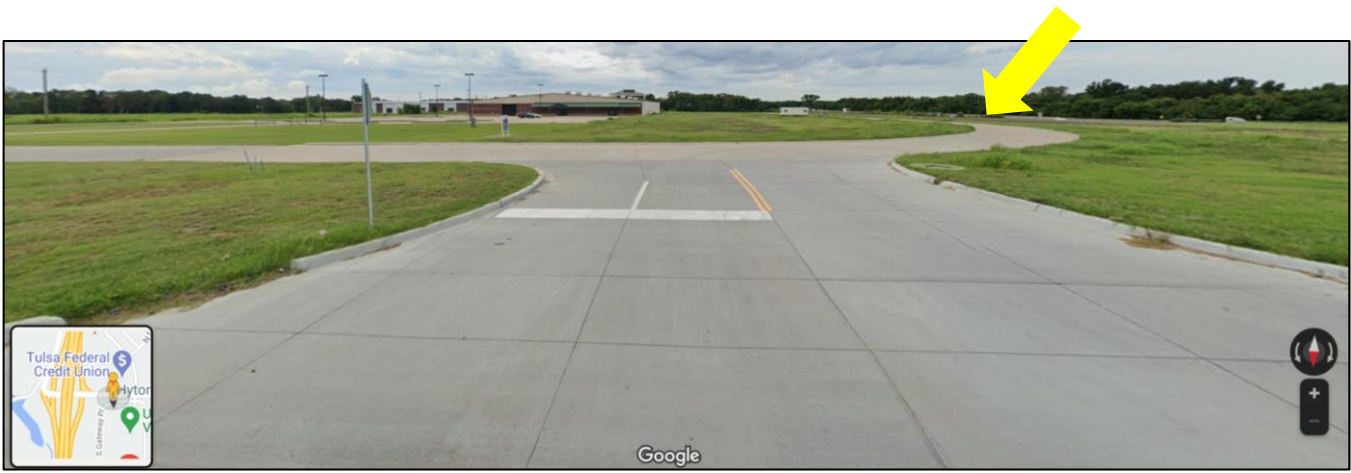


Figure 4: Google Map South view from Main Street & N. Douglas Street



Figure 5: Bing Aerial Map