

To	Planning Commission
Hearing Date	April 20, 2023
Case Number(s)	PA 23-26, PA 23-27, PA 23-28
Request	Recommendation of Approval of multiple parcel amendments to the Future Land Use Map
Applicant	Multiple Applicants

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## Staff Report

Preparer | Marcaé Hilton

### Attachments

- Legal Notices
- Future Land Use Map

### Preparer

City of Jenks  
Houseal Lavigne Associates

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## Background Information

### FAQ

1. Comprehensive Future Land Use Map Amendments are specific to “land use” decisions.
2. Comprehensive Plan amendments are considered “Planning” not “Zoning”.
3. The Comp Plan is a living document and provides guidance for future development of land.
4. Parks and Open Space is a development sensitive area but could be developed according to local, state, and federal regulations for flood plain designations.
5. All three sites (amendments):
  - a. Are currently Parks and Open Space.
  - b. Are zoned AG (Agriculture)
  - c. Are approved as part of the “Jenks River Entertainment District” TIF collection project areas.
    - i. Increment District A | Pickleball Concept & other commercial uses
    - ii. Increment District C
      1. Potential Baseball Venue & commercial uses
      2. Horse Farm | potential commercial uses
6. Application
  - a. Planning staff requested the changes adjacent to Elm Street based on conversations/predevelopment meetings.
  - b. The developers and owners were in agreement to the changes being requested.
7. The Planning Commission has 3 approval options:
  - *Approve*
  - *Approve with Conditions*
  - *Deny*

**CASE SUMMARY | PA 23-26 | General Location: South of Creek Turnpike between Lewis and the Arkansas River | Applicant: Mark Capron, Wallace Engineering**

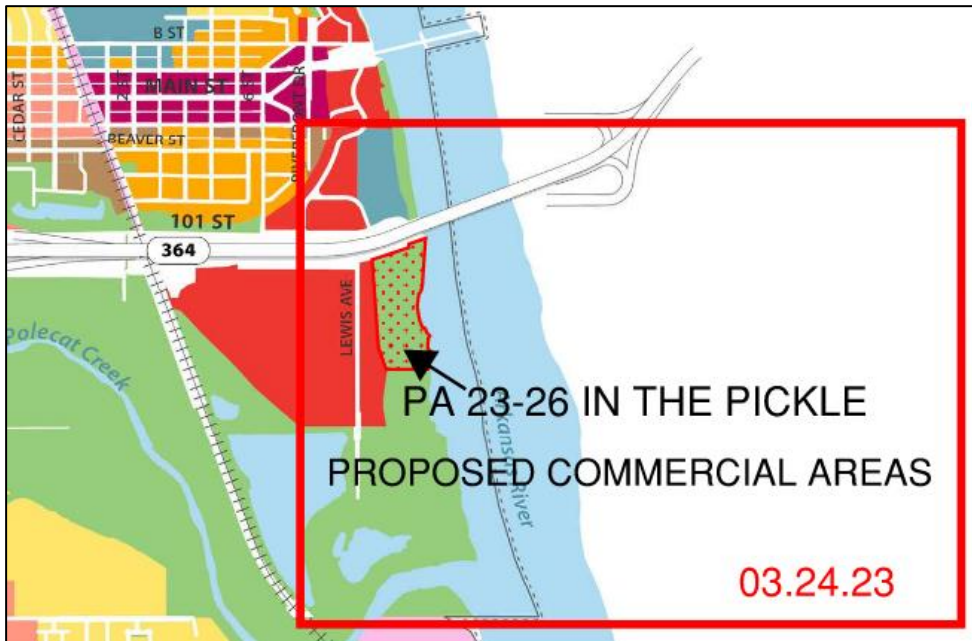
The Site has been purchased by a development group and expects to contain a pickle ball concept, restaurants, medical offices and other commercial uses.

CURRENT LAND USE DESIGNATION:	Parks and Open Space
REQUESTED LAND USE:	Regional Commercial
ZONING:	AG (Agriculture) & SUP 105 Platting Required
RECOMMENDED ZONING:	CS (Commercial Shopping) & PUD
PLANNED USES:	Pickle Ball, Outdoor Entertainment, Commercial
RECOMMENDATION:	Staff recommend approval with no conditions.

**LEGAL DESCRIPTION:**

A tract of land contained within the Northwest Quarter (NW/4) of Section Twenty-nine (29), Township Eighteen (18) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows: COMMENCING at the Northwest corner of said Northwest Quarter (NW/4); Thence S 00°07'09" W, along

the West line of said Northwest Quarter (NW/4), a distance of 918.57 feet; Thence S 89°52'51" E a distance of 25.00 feet to the POINT OF BEGINNING; Thence N 00°07'09" E, parallel to said West line, a distance of 68.67 feet; Thence N 12°16'11" E a distance of 86.55 feet; Thence along a tangent curve to the right with a central angle of 50°20'55", a radius of 402.00 feet, an arc length of 353.26 feet, a chord bearing of N 37°26'39" E and a chord length of 342.00 feet; Thence N 62°37'06" E a distance of 318.89 feet; Thence along a tangent curve to the left with a central angle of 40°45'23", a radius of 298.67 feet, an arc length of 212.45 feet, a chord bearing of N 42°14'25" E and a chord length of 208.00 feet to a point on the Southerly Right-of-Way line of the Oklahoma



**Figure 1: PA 23-26 IN THE PICKLE | Regional Commercial Turnpike Authority Creek Turnpike;** Thence N 69°39'25" E, along said Southerly line, a distance of 43.05 feet; Thence N 20°20'35" W, continuing along said Southerly line, a distance of 40.00 feet; Thence N 69°39'25" E, continuing along said Southerly line, a distance of 139.53 feet; Thence S 20°11'51" E a distance of 87.69 feet; Thence along a non-tangent curve to the right with a central angle of 24°43'15", a radius of 622.47 feet, an arc length of 268.57 feet, a chord bearing of S 09°22'37" E and a chord length of 266.49 feet; Thence along a tangent compound curve to the right with a central angle of 20°18'35", a radius of 623.35 feet, an arc length of 220.96 feet, a chord bearing of S 12°06'50" W and a chord length of 219.80 feet; Thence along a tangent reverse curve to the left with a central angle of 49°06'01", a radius of 66.00 feet, an arc length of 56.56 feet, a chord bearing of S 02°16'53" E and a chord length of 54.84 feet; Thence along a tangent reverse curve to the right with a central angle of 26°49'39", a radius of 174.10 feet, an arc length of 81.52 feet, a chord bearing of S 13°25'04" E and a chord length of 80.78 feet; Thence S 00°00'00" W a distance of 86.81 feet; Thence along a tangent curve to the left with a central angle of 12°13'31", a radius of 220.00 feet, an arc length of 46.94 feet, a chord bearing of S 06°06'46" E and a chord length of 46.85 feet; Thence N 89°58'00" W a distance of 860.23 feet to the POINT OF BEGINNING.

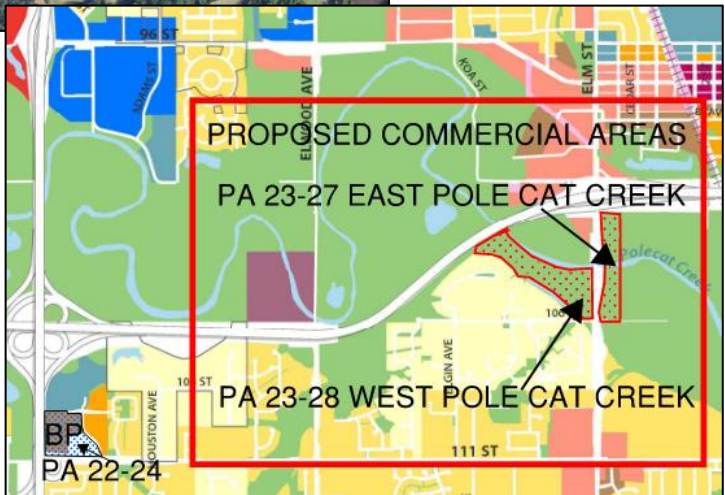
**CASE SUMMARY | PA 23-27** | General Location: North and south of 106<sup>th</sup> and east of Elm.  
 Applicant: City of Jenks in anticipation of sports experience requests approval of a Comprehensive Plan Land Use Map Amendment:

ACCT_NUM	98330833024440
ACCT_NUM	98330833040740
ACCT_NUM	98330833028940 (part of this parcel)
CURRENT LAND USE DESIGNATION:	Parks and Open Space
REQUESTED LAND USE:	Regional Commercial (along Elm Street)
ZONING:	AG (Agriculture)
RECOMMENDED ZONING:	Rezoning to CS for Regional Commercial Subdivision will be required
PROTECTED AREAS:	Mitigation No. 1, Mitigation No. 2 (untouched)
PLANNED USES:	CS (Commercial Shopping) and baseball fields
RECOMMENDATION:	Staff recommends approval of Regional Commercial adjacent to Elm for the purpose of allowing Commercial Uses.



Figure 2: Baseball Concept Project Area

Figure 3: Sports Experience and Commercial



**CASE SUMMARY | PA 23-28 |** General Location: West of Elm and north of 106<sup>th</sup> Street | Applicant: City of Jenks in anticipation of local commercial development requests approval of a Comprehensive Plan Land Use Map Amendment:

ACCT\_NUM: 98225822504130  
 PROP\_ADD: 10596 S PEORIA AV E  
 TR\_SEC: 8225  
 GROSS ACRES: 25.03  
 CURRENT LAND USE DESIGNATION: Parks and Open Space  
 REQUESTED LAND USE: Regional Commercial (Local Commercial)  
 ZONING: AG (Agriculture)  
 RECOMMENDED ZONING: Rezoning to CS for Regional Commercial  
 PLANNED USES: Platting will be required.  
 CS (Commercial Shopping)

RECOMMENDATION:

Staff recommends lowering the intensity to Local Commercial in lieu of Regional Commercial adjacent to Elm for the purpose of allowing Commercial Shopping Uses; and to amend the boundaries to exclude property in Floodplain.

LEGAL: BEG 2649.28S & 50W E QTR COR (NEC NE) SEC 25 TH W404.64 N135.81 NW279.68 NW316.10 NW502.63 NW204.03 NW213.70 NW228.81 NW180.90 WLY195.06 TO PT ON S ROW LINE OF CREEK TURNPIKE TH CRV RT191.97 NE190.90 NE130.49 SE124.53 CRV LF1558.97 ELY171.31 SLY813.9

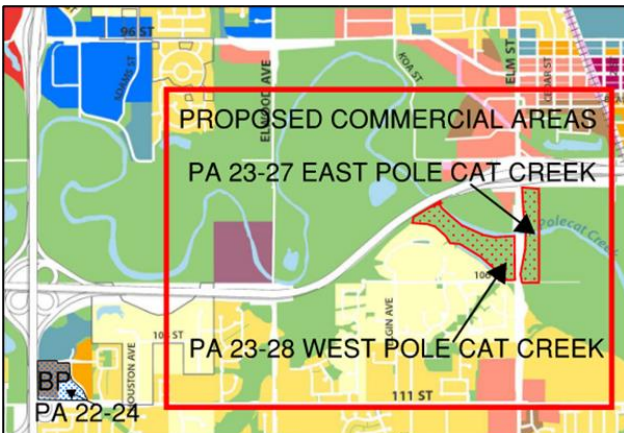


Figure 4: Sports Experience and Commercial

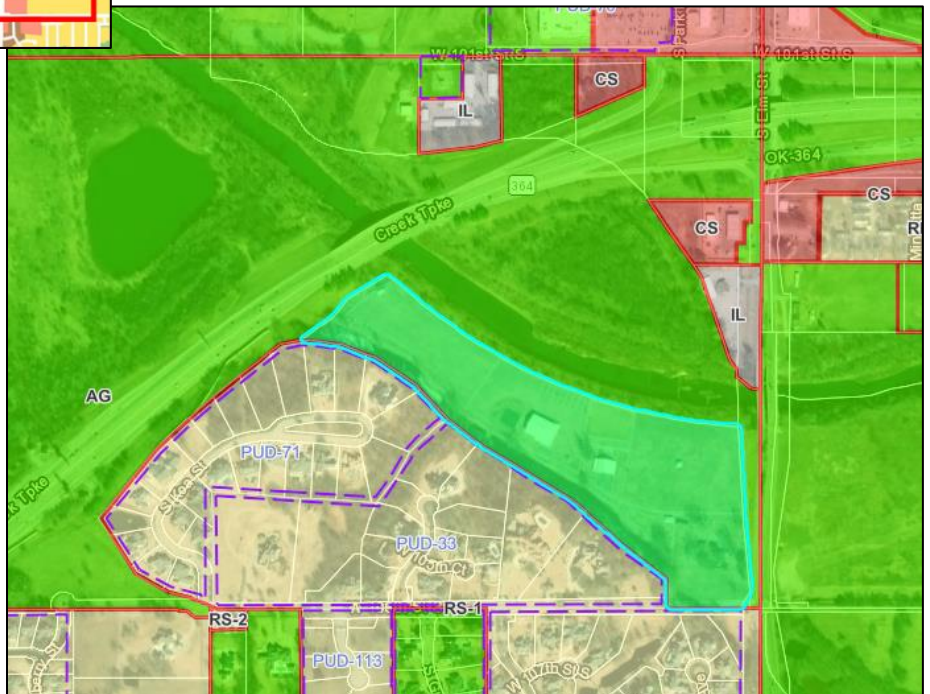


Figure 6: INCOG Zoning Map

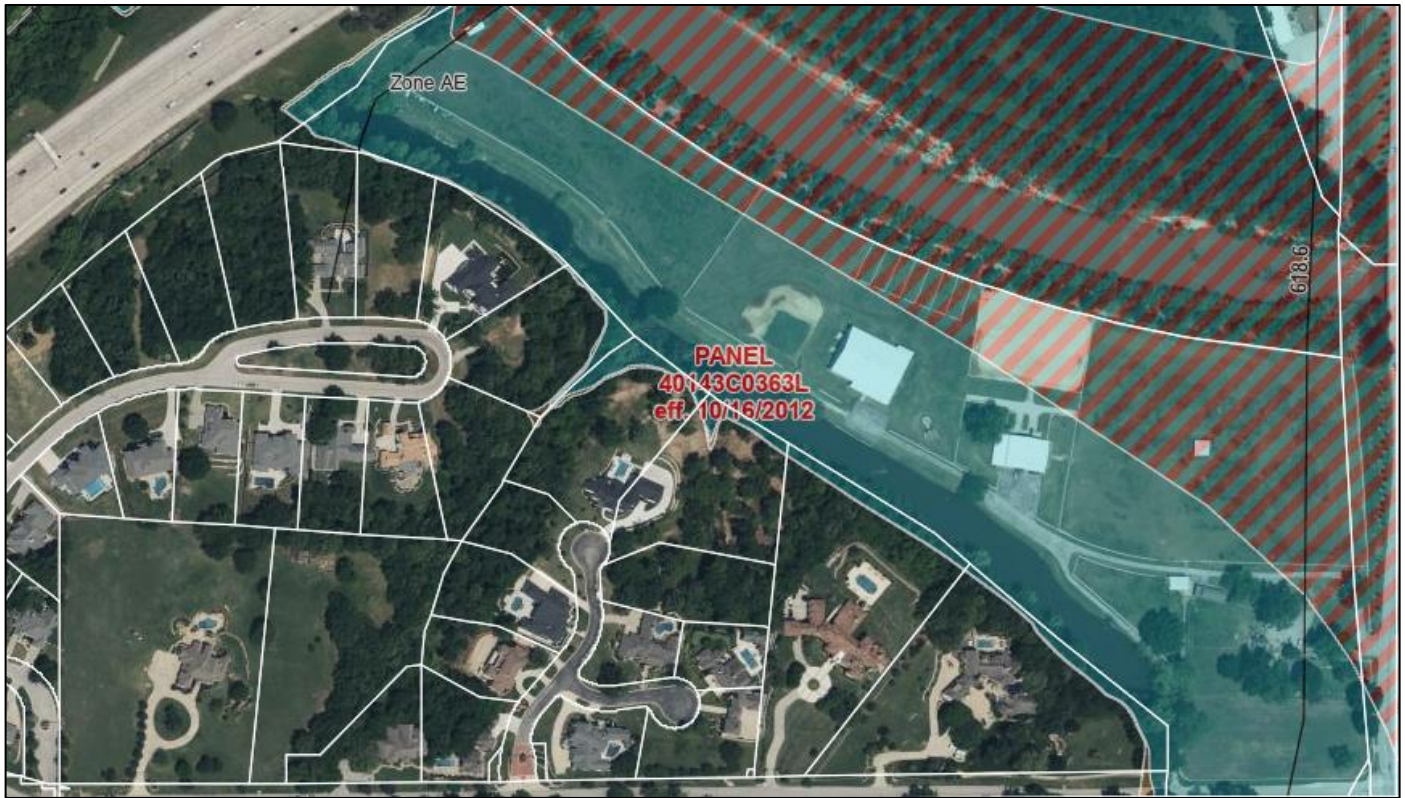


Figure 7: INCOG Tulsa County Floodplain Map

**GENERAL INFORMATION ON HORIZON JENKS** | The [Horizon Jenks Plan](#) was adopted by Resolution 712, September 1, 2020. The process, which began in May of 2019, took over a year and provided the citizens of Jenks the ability to partner with staff on creating community vision of Jenks to guide the City in its decision making for the next 20 years. The Comprehensive Plan is a set of policies that direct future growth and development for the City of Jenks.

### **What are the contents of the Horizon Jenks Comprehensive Plan?**

A typical Comprehensive Plan outlines the existing conditions of the City, describes future goals and objectives for development, and includes an action plan on how to achieve these goals and objectives. The Jenks Comprehensive Plan addresses the following:

- Land Use & Development
- Commercial Areas
- Transportation & Mobility
- Parks, Open Space, and Environmental Features
- Agricultural and Cultural Facilities
- Housing & Neighborhoods
- Economic Development Framework

- Community Facilities & Utilities
- Implementation Strategy

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## Staff Evaluation

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**EVALUATION** | The Comprehensive Plan was adopted by Resolution 712; State Statute gives the Municipality the authority as follows:

**Oklahoma Statutes; Title 11. Cities and Towns; Chapter 1 - Oklahoma Municipal Code; Article; Article XLIII-Buildings and Zoning; Section 43-103 - Purpose of Regulations – Comprehensive Plan**

Municipal regulations as to buildings, structures and land shall be made in accordance with a comprehensive plan and be designed to accomplish any of the following objectives:

1. To lessen congestion in the streets;
2. To secure safety from fire, panic and other dangers;
3. To promote health and the general welfare, including the peace and quality of life of the district;
4. To provide adequate light and air;
5. To prevent the overcrowding of land;
6. To promote historical preservation;
7. To avoid undue concentration of population; or
8. To facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. The regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the municipality. *The governing body shall provide the manner in which regulations, restrictions and district boundaries shall be determined, established and enforced, and amended, supplemented or changed.*

Staff has some conditions for approval of PA 23-28, each item requires a separate vote. Per State Statute, Municipalities are to regulate buildings, structures and land in accordance with the comprehensive plan and be designed to accomplish any of a list of objectives.

All of the parcels are currently designated as Open Space: *Open space (both public and private) throughout the City. Open space areas are largely located within the floodplain of the Polecat Creek, making development undesirable.* Staff understands the ability to develop within a floodplain is far more costly and requires additional layers of engineering, this makes the property undesirable to develop, but not impossible.

**RECOMMENDATIONS** | *Recommend Approval as stated below:*

1. **PA 23-26**, West of Arkansas River and south of Creek Turnpike  
**APPROVE**
2. **PA 23-27**, East of Elm and south of Pole Cat Creek near 106<sup>th</sup>. Approve to align with long term development baseball plan.  
**APPROVE**
3. **PA 23-28**, West of Elm and south of Creek Turnpike (north of 106<sup>th</sup>)  
**APPROVE FOR LOCAL COMMERCIAL AND AMEND THE BOUNDARY TO EXCLUDE THE FLOODWAY**