

**AGENDA**  
**PLANNING COMMISSION**  
**116 WEST NEEDLES**  
**BIXBY, OKLAHOMA**  
**October 24, 2012**                      **6:00 PM**

***SPECIAL-CALLED MEETING***

CALL TO ORDER

ROLL CALL

CONSENT AGENDA

1. Approval of Minutes for the October 15, 2012 Regular Meeting

PUBLIC HEARINGS

PLATS

2. **Preliminary Plat / Final Plat – Southridge at Lantern Hill – Lantern Hill, LLC.**  
Discussion and consideration of a Preliminary Plat and a Final Plat and certain Modifications/Waivers for “Southridge at Lantern Hill,” a resubdivision of all of *Lantern Hill*.  
Property Located: 146<sup>th</sup> St. S. and Sheridan Rd.

OTHER BUSINESS

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Posted By: Ernyant

Date: 10/19/2012

Time: 2:40 PM

**MINUTES  
PLANNING COMMISSION  
116 WEST NEEDLES  
BIXBY, OKLAHOMA  
October 15, 2012                      6:00 PM**

**STAFF PRESENT:**

Erik Enyart, AICP, City Planner  
Patrick Boulden, Esq., City Attorney

**OTHERS ATTENDING:**

See attached Sign-In Sheet

**CALL TO ORDER:**

Chair Thomas Holland called the meeting to order at 6:02 PM.

Erik Enyart stated that there were, in attendance, some interns with the Bixby Metro Chamber of Commerce's Leadership Bixby [XI] program, which could be recognized. Chair Thomas Holland recognized the Leadership Bixby interns and asked if they wanted to introduce themselves. Shawn Stephens of Citizens Security Bank, Rachel Wagner of Rachel Wagner Etiquette and Protocol, and Daniel Williams of Doc's Food Stores, Inc. introduced themselves and the Planning Commissioners welcomed them. (Reta Hallam of Manhattan Construction Company arrived later).

**ROLL CALL:**

Members Present: Thomas Holland, Larry Whiteley, and Lance Whisman.  
Members Absent: Jeff Baldwin and John Benjamin.

**CONSENT AGENDA:**

1. Approval of Minutes for the June 18, 2012 Regular Meeting
2. Approval of Minutes for the July 16, 2012 Regular Meeting
3. Approval of Minutes for the August 20, 2012 Regular Meeting
4. Approval of Minutes for the September 17, 2012 Regular Meeting

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Chair Thomas Holland introduced the Consent Agenda Item Numbers 1, 2, 3, and 4. Erik Enyart noted that there was a quorum of those present at this meeting as were present at the July 16, 2012 meeting, but not for any of the others. It was observed that there were several months of unapproved Minutes due to tight, three (3)-member quorums with different combinations of Planning Commissioners at each meeting. Discussion ensued. Mr. Enyart stated that he hesitated to suggest it, but that in the past, commissions and boards had decided to approve Minutes of meetings they had not attended, if they had faith [in Staff and their fellow members who were present] that they were correct. Discussion continued.

Larry Whiteley made a MOTION to APPROVE to the Minutes of the June 18, July 16, August 20, and September 17, 2012 Regular Meetings as presented by Staff. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, & Whisman  
NAY: None.  
ABSTAIN: None.  
MOTION CARRIED: 3:0:0

5. Approval of schedule of meetings and application cutoff dates for 2013

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Chair Thomas Holland introduced the Consent Agenda Item Number 5. Erik Enyart described the schedule and noted that, for [the third Mondays of the month] that fall on holidays, the meetings are set on the immediately following Tuesday. Mr. Enyart recommended Approval of the schedule.

Larry Whiteley made a MOTION to APPROVE the schedule. Lance Whisman SECONDED the Motion. Roll was called:

ROLL CALL:

AYE: Holland, Whiteley, & Whisman  
NAY: None.  
ABSTAIN: None.  
MOTION CARRIED: 3:0:0

PUBLIC HEARINGS

During the introduction of the next item, Chair Thomas Holland recognized Mike Daniels and another gentleman that arrived at this time.

Mike Daniels asked if the [rezoning application BZ-357 – JR Donelson for Clinton Miller and Roger Metcalf] at Riverview Rd. and the Arkansas River was on this meeting agenda. Erik Enyart responded that the Metcalf/Miller application had been Continued to the November 19, 2012 Regular Meeting]. Mr. Daniels and the other gentleman left at this time. Mr. Enyart addressed Chair Thomas Holland and asked to be able to clarify something. Mr. Enyart clarified that, in respect to the question just asked, one of the owners, Metcalf, of that property is also the owner of the property in this BZ-359 case.

6. **BZ-359 – Roger & LeAnn Metcalf.** Public Hearing, Discussion, and consideration of a rezoning request from AG Agricultural District to RM-2 Residential Multi-Family District for part of the W/2 of the NW/4 of Section 23, T17N, R13E.  
Property located: 15329 S. Sheridan Rd.
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Chair Thomas Holland introduced the item. Erik Enyart noted that Applicant's agent JR Donelson had requested by email that the item be Continued to the November 19, 2012 Regular Meeting. Mr. Enyart recommended the owner's request be granted.

Lance Whisman made a MOTION to CONTINUE BZ-359 to the November 19, 2012 Regular Meeting. Larry Whiteley SECONDED the Motion. Roll was called:

**ROLL CALL:**

AYE: Holland, Whiteley, & Whisman  
NAY: None.  
ABSTAIN: None.  
MOTION CARRIED: 3:0:0

7. **BZ-360 – Rodney Stacy for True Life Tabernacle, Inc.** Public Hearing, Discussion, and consideration of a rezoning request from RS-3 Residential Single-Family District to CH Commercial High Intensity District for Lots 41, 42, and 43, Block 34, *Midland Addition*.  
Property located: 2 W. Breckenridge Ave.
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Chair Thomas Holland introduced the item and asked Erik Enyart for the Staff Report and recommendations. Mr. Enyart summarized the Staff Report as follows:

**To:** Bixby Planning Commission  
**From:** Erik Enyart, AICP, City Planner  
**Date:** Monday, October 08, 2012  
**RE:** Report and Recommendations for:  
BZ-360 – Rodney Stacy for True Life Tabernacle, Inc.

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**LOCATION:** – 2 W. Breckenridge Ave.  
– Lots 41, 42, and 43, Block 34, Midland Addition

**LOT SIZE:** 0.2 acres more or less

**EXISTING ZONING:** RS-3 Residential Single Family District

**EXISTING USE:** True Life Tabernacle church

**REQUESTED ZONING:** CH Commercial High Intensity District

**SUPPLEMENTAL ZONING:** Central Business District

**SURROUNDING ZONING AND LAND USE:**

**North:** (across Breckenridge Ave.) CH; Charley Young Park, and to the northeast, downtown commercial storefront buildings along N. Armstrong St., including The Ice House fitness facility, the Masonic Lodge, the Cookie Advantage business, the Just My Style hair salon, the former Jake's Place Bar-B-Q restaurant, and the general business office of Armour Management, Inc.

**South:** RS-3, CH, & RM-3; The Bixby Post Office at 16 S. A Ave., vacant/underutilized land to the southeast including parking for the BTC Broadband central office, and residential areas south of 5<sup>th</sup> St.

**East:** (across A Ave.) CH & RS-3; The BTC Broadband central office, the Bixby Library and the former First United Methodist Church property (now belongs to the Tulsa City-County Library Commission), all along E. Breckenridge Ave.

**West:** RS-3, CS, & CG; Vacant land and residential houses along the south side of Breckenridge Ave. The Pepper Express restaurant is across Breckenridge Ave. to the northwest.

**COMPREHENSIVE PLAN:** Development Sensitive + Commercial Area + Special District # 1.

**PREVIOUS/RELATED CASES:** None found.

**RELEVANT AREA CASE HISTORY:** (not necessarily a complete list)

BZ-42 – Lloyd Tomberlin for Vela Moore – Request for rezoning from RS-3 to CH for property across A Ave. to the east (now the eastern part of the BTC Broadband headquarters building) – Approved in January 1975 (Ord. # 304).

BZ-110 – Bixby Telephone Co. – Request for rezoning from RS-3 to CH for vacant/underutilized property to the southeast of subject property, Lots 5 & 6, Block 2, [Original Town of] Bixby – Approved in September 1981 (Ord. # 448).

BBOA-110 – George Brown – Request for Special Exception to allow a Use Unit 2 post office on property to the south at 16 S. A Ave., All of Block 1, [Original Town of] Bixby – Approved 11/08/1982.

BZ-127 – Norman Ahrend – Request for rezoning from RS-3 to RM-3 for property to the southeast at the northwest corner of 5<sup>th</sup> St. & B Ave., Lots 1, 2, & 3, Block 2, [Original Town of] Bixby (now vacant land owned by Bixby Telephone Co.) – Approved in February 1983 (Ord. # 471).

BZ-180 – Norman Ahrend – Request for rezoning from RS-3 to RM-3 for property to the southeast at the northeast corner of 5<sup>th</sup> St. & A Ave., Lot 4, Block 2, [Original Town of] Bixby (now vacant land owned by Bixby Telephone Co.) – Approved in June 1987 (Ord. # 561).

BBOA-189 – Norman Ahrend – Request for Variance from bulk & area and parking requirements for a proposed “Town Square” apartment development for property to the southeast at the northwest corner of 5<sup>th</sup> St. & B Ave., Lots 1, 2, 3, & 4, Block 2, and Lot 1, Block 11, [Original Town of] Bixby (now vacant land owned by Bixby Telephone Co.) – Approved July 13, 1987.

BZ-336 – Jill Hamilton – Request for rezoning from RS-3 to CS for a ‘boutique’ for sale of small household items, with upstairs office space for property located to the south at 8 W. 5<sup>th</sup> St. – PC Recommended Denial 11/19/2007 (not appealed).

BZ-343 – Robert M. Hamilton – Request for rezoning from RS-3 to RM-2 for five (5) attached ‘townhouse-style’ apartment buildings for property located to the south at 8 W. 5<sup>th</sup> St. – Temporarily Withdrawn by Applicant 12/18/2009.

BZ-351 – Bixby Properties, LLC – Request for rezoning from RS-3 to CH for the western part of the BTC Broadband headquarters building to allow for commercial signage – PC Recommended Approval 12/20/2010 and City Council Approved 01/24/2011 (Ord. # 2052).

#### BACKGROUND INFORMATION:

The Applicant has expressed to Staff interest in rebuilding the church larger than its current size. The current RS-3 zoning makes it difficult, if not impossible, to redevelop the lot and still comply with all development requirements, such as setbacks and parking. The requested CH zoning would afford much more flexibility to redevelop the site. CH zoning has no setbacks or maximum Floor Area Ratios, no minimum number of required off-street parking spaces, provides that a Use Unit 5 church is allowed by right, and is otherwise more flexible. As suggested by Staff, the Applicant has requested rezoning to CH, consistent with surrounding Zoning patterns and recent rezoning applications on the peripheries of the downtown area. The Applicant has provided drawings and a survey site plan that represent the redevelopment plans; these are attached to this report for reference.

#### ANALYSIS:

Property Conditions. The subject property of approximately 0.2 acres is located in downtown Bixby and consists of Lots 41, 42, and 43 in Block 34, Midland Addition. The subject property is zoned RS-3 Residential Single Family District and contains the True Life Tabernacle church. It is relatively flat and appears to drain generally to the south through the downtown drainage project.

Each lot measures 123’ in depth (parallel to S. A Ave.) and has 25’ of frontage along E. Breckenridge Ave. There is 15’ alley to the south, separating the subject property from Post Office on all of Block 1, [Original Town of] Bixby. Divided into northerly and southerly parcels, the three (3) platted lots abutting to the west are vacant and belong to Bixby Real Estate Investments, LLC.

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Development Sensitive, (2) Commercial Area, and (3) Special District # 1.

The “Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan” (“Matrix”) on page 27 of the Comprehensive Plan provides that CH zoning May Be Found In Accordance with the Development Sensitive designation of the Comprehensive Plan Land Use Map.

The Matrix does not indicate whether or not the CH zoning would be in accordance with the Commercial Area Land Use designation of the Plan Map.

Page 7, item numbered 1 of the Comprehensive Plan states:

*"The Bixby Comprehensive Plan map depicts desired land uses, intensities and use and development patterns to the year 2020. Intensities depicted for undeveloped lands are intended to develop as shown. Land uses depicted for undeveloped lands are recommendations which may vary in accordance with the Intensities depicted for those lands." (emphasis added)*

*This language is also found on page 30, item numbered 5.*

*This text introduces a test to the interpretation of the Comprehensive Plan Land Use Map, in addition to the Matrix: (1) If a parcel is within an area designated with a specific "Land Use" (other than "vacant, agricultural, rural residences, and open land," which cannot be interpreted as permanently-planned land uses), and (2) if said parcel is undeveloped, the "Land Use" designation on the Map should be interpreted to "recommend" how the parcel should be zoned and developed.*

*Therefore, it is evident from this section that the "Land Use" designation of the Comprehensive Plan Land Use Map, in addition to the Intensity designation, is also intended to inform/provide direction on how rezoning applications and land use decisions should be considered.*

*The subject property is developed, however, as is most of the historic downtown area, which is also primarily zoned CH. Arguably, if the church on the subject property would have been razed prior to making this application for rezoning, the lot would then be "undeveloped." Staff believes that CH zoning, a commercial zoning district, if not manifestly In Accordance, should nonetheless be recognized as being consistent with the Commercial Area Land Use designation of the Comprehensive Plan.*

*The Comprehensive Plan includes the subject property in Special District # 1 (Downtown Area). Per the "Matrix to Determine Bixby Zoning Relationship to the Bixby Comprehensive Plan" ("Matrix") on page 27 of the Comprehensive Plan, the requested CH zoning Is In Accordance with the Special District # 1 designation.*

*Nothing in the Comprehensive Plan text would appear to discourage a rezoning from RS-3 to CH. In fact, CH zoning could enable some of the recommended design characteristics for Special District # 1, such as buildings constructed up to the front property line with parking in the rear and an "emphasis ...on the pedestrian scale," as is seen on the subject property and other properties along Armstrong Street and Breckenridge Ave. Comprehensive Plan page 15, item numbered 4, provides:*

*"Emphasis should be placed on the pedestrian scale and external linkages to the "downtown area,"*

*and item numbered 7 on the same page provides,*

*"Scale and Texture: A pleasant combination of materials and scale should be used in area modifications and improvements that relate to the one and two story scale of existing and historical facades and architectural motifs suitable for the area theme. New buildings and construction should use materials and styles indigenous to the region." (emphasis added).*

*Special District # 1 specifically provides for CH zoning, and indeed most of the downtown area is already zoned CH (which is particularly suitable for downtown buildings, due to having no setback or off-street parking requirements and having a broader scope of allowable uses).*

*For all the reasons outlined above, the proposed CH zoning is In Accordance with the Comprehensive Plan.*

*Surrounding Zoning and Land Use Compatibility. Surrounding zoning patterns are primarily CH, RM-3, and RS-3.*

*To the north (across Breckenridge Ave.) is Charley Young Park and, to the northeast, downtown commercial storefront buildings along N. Armstrong St., all zoned CH, and including the Jake's Place Bar-B-Q restaurant, the general business office of Armour Management, Inc., The Ice House fitness facility, the Masonic Lodge, the Cookie Advantage business, and the Just My Style hair salon.*

*To the south the zoning is a mix of RS-3, CH, & RM-3. Immediately south of the 15' alley is the Bixby Post Office, zoned RS-3, at 16 S. A Ave. To the southeast is a large area of vacant/underutilized land in Block 2 of the [Original Town of] Bixby, including parking for the BTC Broadband central office zoned CH and RM-3. There is residential use zoned RS-3 to the south of 5<sup>th</sup> St.*

*Zoning to the east (across A Ave.) is a mix of CH and RS-3. Immediately to the east is the BTC Broadband central office, zoned CH. Further east along Breckenridge Ave. are the Bixby Library, a parking lot serving the current library, the former First United Methodist Church facility (which now belongs to the Tulsa City-County Library Commission), and the First Baptist Church of Bixby property.*

*Finally, to the west is vacant land and residential houses along the south side of Breckenridge Ave. The Pepper Express restaurant is across Breckenridge Ave. to the northwest.*

*The requested CH zoning would be a logical extension of the existing, established CH zoning district abutting to the north, east, and southeast, and would be highly compatible with the surrounding CH zoning and the CS and CG districts further to the west along Breckenridge Ave. Further, the subject property is already developed with a nonresidential use, and would be compatible with the balance of the nonresidential uses surrounding on all sides but west.*

*For the most part, therefore, the requested CH zoning would be compatible with and complimentary to existing and future surrounding land uses and zoning patterns.*

*Further, Staff believes that it would be most appropriate to extend the CH district further west along the south side of Breckenridge Ave. to connect to the CS districts at Cabaniss St. This would accommodate the existing downtown-style True Life Tabernacle church building, and could facilitate the further redevelopment, in a similar appropriate urban style, of properties along Breckenridge Ave. encircling the south side of Charley Young Park.*

*Staff Recommendation. For the reasons outlined above, Staff recommends Approval.*

A Commissioner asked Erik Enyart what would be done in terms of parking. Mr. Enyart responded that there was an on-street parking lot to the east of the building, which was there historically but was paved when the downtown drainage project was completed, and that the subject property was located in the downtown area, where on-street parking was typical. Mr. Enyart stated that the subject property, being in the downtown area, should be afforded the same flexibility to use on-street parking consistent with the balance of downtown's urban form.

Chair Thomas Holland asked Erik Enyart what was abutting the subject property. Mr. Enyart responded that, on the west were vacant tracts owned by Bixby Real Estate Investments[, LLC], which was basically Bixby Telephone Company, on the south was a 15' alley separating the property from the post office, to the east across the street was Bixby Telephone Company, to the north across Breckenridge Ave. was Charley Young Park, and to the northeast was the main part of the downtown area at Breckenridge Ave. and Armstrong St.

Chair Thomas Holland asked to entertain a Motion. Lance Whisman made a MOTION to Recommend APPROVAL of BZ-360. Larry Whiteley SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Holland, Whiteley, & Whisman
NAY:	None.
ABSTAIN:	None.
MOTION CARRIED:	3:0:0

8. (Continued from August 20 and September 17, 2012)

**Zoning Code Text Amendment.** Public Hearing to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Zoning Code of the City of Bixby, Oklahoma, pursuant to Oklahoma Statutes Title 11 Section 43-101 et seq. and Bixby Zoning Code/City Code Title 11 Section 11-5-3, regarding landscaping requirements for certain campus uses and other related amendments.

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Chair Thomas Holland introduced the item and asked Erik Enyart for the Staff Report and recommendations. Mr. Enyart summarized the Staff Report as follows:

**To:** Bixby Planning Commission  
**From:** Erik Enyart, AICP, City Planner  
**Date:** Monday, October 08, 2012  
**RE:** Report and Recommendations for:  
Zoning Code Text Amendment – Landscaping requirements for certain campus uses

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AGENDA ITEM:

**Zoning Code Text Amendment.** Public Hearing to receive Public review and comment, and Planning Commission recommendations regarding the adoption of a proposed amendment to the Zoning Code of the City of Bixby, Oklahoma, pursuant to Oklahoma Statutes Title 11 Section 43-101 et seq. and Bixby Zoning Code/City Code Title 11 Section 11-5-3, regarding landscaping requirements for certain campus uses and other related amendments.

BACKGROUND INFORMATION:

On April 23, 2012, the City Council approved Ordinance # 2080, and subsequently attached an Emergency Clause, pursuant to the following agenda item,

“Consider and take action on an ordinance declaring a moratorium on the enforcement of landscaping requirements codified in Bixby City Code Title 11, Chapter 12, “Landscape Requirements”, as they pertain to certain campus land uses.”

The City Attorney’s report for that item and the approved ordinance are attached to this report. The moratorium is in effect until October 31, 2012, and contains an October 01, 2012 deadline for the Planning Commission to review and provide recommendation to the City Council on a Zoning Code amendment.

On May 21, 2012, the Planning Commission discussed an informational item related to this conceptual Zoning Code Text Amendment. At that meeting, the Commissioners asked Staff why the School’s Landscape Architect’s estimates included [311] trees when only 126 were required (see BLPAC-8 September 2011). Answers were not known. Staff agreed to, as a part of preparing the report on the future Zoning Code Text Amendment matter, research the estimate and compare it to the approved landscape plan [BLPAC-8], and talk to the Landscape Architect as required. Staff also agreed to find other examples of recently-approved landscape plans and report how they would be affected by whatever recommended changes may be promulgated.

No action was taken.

At the August 20, 2012 regular meeting, at the request of City Staff, the Planning Commission Continued the Public Hearing and consideration of this matter to this September 17, 2012 regular meeting.

At the September 17, 2012 regular meeting, the Planning Commission discussed the matter and Continued the Public Hearing and consideration of this matter to the October 15, 2012 regular meeting, discussed plans to have an early-October Special/Worksession meeting to discuss the matter, and directed Staff to report to the City Council that the October 01, 2012 deadline would necessarily be exceeded. This was reported to the City Council on September 24, 2012. Due to scheduling conflicts, a Special/Worksession meeting was not called.

ANALYSIS:

City Staff has met and discussed this matter internally and recommends the following pursuant to its understanding of the City Council’s intent:

Zoning Code Sections 11-12-2 currently provides:

**“11-12-2: APPLICABILITY AND EXEMPTIONS:**

The landscape requirements herein established shall be effective upon the adoption date hereof and shall be applicable to all land for which a building permit is sought; provided, however, that the landscape requirements shall not be applicable to the following:

- A. Individual single-family or duplex lots wherein only one such structure is to be constructed on the lot;
- B. Restoration of buildings constructed prior to the adoption date hereof which are damaged by fire, flood or other catastrophe;

C. Interior remodeling;

D. Construction of a structure, other than a building, which does not increase the developed area of a lot more than thirty (30) square feet;

E. Developed area of a lot if all proposed new buildings and/or additions to buildings contain less floor area than the floor area of existing buildings which remain on the lot after completion of the new construction; and

F. For the purposes of this section, "developed area" shall mean the area of a lot which, on October 9, 1995 and after, is covered by a structure, off street parking or loading areas or other areas paved with all weather material. "Existing buildings" shall mean buildings completed and existing prior to the adoption date hereof. The definition of a "structure" is as follows: Anything constructed or erected with a fixed location on the ground, or attached to something with a fixed location on the ground, and including buildings, walks, fences and signs."

Zoning Code Sections 11-12-2 shall be amended as follows:

"11-12-2: APPLICABILITY AND EXEMPTIONS:

The landscape requirements herein established shall be effective upon the adoption date hereof and shall be applicable to all land for which a building permit is sought, except as hereinafter provided. For the purposes of this section, "developed area" shall mean the area of a lot which, on October 9, 1995 and after, is covered by a structure, off street parking or loading areas or other areas paved with all weather material. "Existing buildings" shall mean buildings completed and existing prior to the adoption date hereof. The definition of a "structure" is as follows: Anything constructed or erected with a fixed location on the ground, or attached to something with a fixed location on the ground, and including buildings, walks, fences and signs. **The landscape requirements shall not be applicable to the following:**

A. Individual single-family or duplex lots wherein only one such structure is to be constructed on the lot;

B. Restoration of buildings constructed prior to the adoption date hereof which are damaged by fire, flood or other catastrophe;

C. Interior remodeling;

D. Construction of a structure, other than a building, which does not increase the developed area of a lot more than thirty (30) square feet;

E. **The developed area of a lot if all proposed new buildings and/or additions to buildings contain less floor area than the floor area of existing buildings which remain on the lot after completion of the new construction; and**

F. **Lands belonging to federal, state, county, and municipal governmental entities, and all instrumentalities, political subdivisions, departments, agencies, and authorities thereof, including, but not limited to, public school districts."**

On August 15, 2012, Staff requested the Schools' architect and landscape architect assist in the reconciliation of the tree count matter. No response has been received. Staff will report if a response is given by the meeting date.

On the other research matter, pertaining to other examples of recently-approved landscape plans, a comparison is not applicable as a specific class of land uses would, by this amendment, be fully excepted from the landscaping requirements.

In response to a question, Patrick Boulden stated that he believed the intent of the Council was that the City not be subject to the regulations, and that it should let the political influences on schools, counties, and the like decide if landscaping would be provided to a certain degree.

Lance Whisman asked Erik Enyart what other communities require for landscaping in this regard. Mr. Enyart stated that he could not answer this question, as he had not looked at other cities' codes. Mr. Whisman noted that, in other [Zoning Code Text Amendment] cases like this, Mr. Enyart

normally researches other communities to find out what they required. Mr. Whisman asked why this was not done. Mr. Enyart responded, "In this case, I was not asked to research."

Chair Thomas Holland referred to the restoration exemption under Zoning Code Section 11-12-2.B, and compared that standard to definitions of "substantial damage" under the Building Code and other regulatory documents. Mr. Holland stated that the current exemption appeared very broad. Erik Enyart agreed that it was very broad, and responded that, in a hypothetical situation Mr. Holland had mentioned, a building [without code-compliant landscaping] could burn completely to the ground and be rebuilt, and in that case would have to comply with all other Zoning Code standards that apply except for the landscaping. Mr. Enyart noted that this provision appeared to him to be from the original landscape ordinance in 1995, and would not be changed by this amendment.

Chair Thomas Holland and Larry Whiteley discussed with Erik Enyart the scope of the amendment. Mr. Enyart noted that, with the exception of a couple minor edits for clarification, the addition of a new exemption for governmental entities as a class of land use was the only substantive change.

Chair Thomas Holland asked if there were any questions.

Lance Whisman clarified with Erik Enyart that, if the amendment was passed, governmental entities would not be subject to the landscaping requirements [of the Landscaping Chapter of the Zoning Code] at all. Mr. Whisman clarified with Mr. Enyart that there was no tree species standard in the Zoning Code.

Chair Thomas Holland asked what had been done in the way of Public Notice for this item. Erik Enyart responded that he had had a Public Notice published in the *South County Leader* for the initial Public Hearing, which notice had been preserved by Continuing the [Public Hearing and consideration of this item] from month to month. Mr. Holland stated that, if the Public response was not in favor of this [he would have reservations], but it appears that no one had presented any objections to it. Mr. Enyart gestured to those in attendance and stated, "Anyone here can speak on any item." No one spoke on the item.

Larry Whiteley noted that architects normally plant some landscaping in their projects, and that schools normally go by their architect's plans.

Larry Whiteley made a MOTION to Recommend APPROVAL of the proposed amendment. Chair Thomas Holland SECONDED the Motion. Roll was called:

ROLL CALL:

AYE:	Holland, Whiteley, & Whisman
NAY:	None.
ABSTAIN:	None.
MOTION CARRIED:	3:0:0

PLATS

Chair Thomas Holland noted that there were no plats to consider. No action taken.

OTHER BUSINESS

Chair Thomas Holland noted that there was no other business to consider. No action taken.

NEW BUSINESS:

Erik Enyart addressed Chair Thomas Holland and stated that he had some New Business. Mr. Enyart stated that the developer’s engineer for the “Southridge at Lantern Hill” subdivision had requested that the City expedite the plat review process and call a Special Meeting at some time before the end of the month of October. Mr. Enyart stated that the project was located at 146<sup>th</sup> St. S. and Sheridan Rd., and the Commission may recall reviewing the PUD a few months prior. Mr. Enyart stated that City Staff had reviewed the Subdivision Regulations and determined that both the Preliminary and the Final Plats were required, and that they must be reviewed and recommended upon by the Planning Commission before going to the City Council. Mr. Enyart stated that their goal was to get the plat finally approved by the City Council at its November 12, 2012 meeting.

Chair Thomas Holland indicated he would be willing to call a Special Meeting, subject to determining a quorum would be achieved. After discussing schedules for a time, Mr. Holland asked Erik Enyart to call him [with the dates that would work]. Mr. Enyart agreed to do this.

OLD BUSINESS:

None.

ADJOURNMENT:

There being no further business, Chair Thomas Holland declared the meeting Adjourned at 6:30 PM.

APPROVED BY:

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Planner/Recording Secretary

BIXBY PLANNING COMMISSION

SIGN IN SHEET

DATE: October 15, 2012

NAME	ADDRESS	ITEM
1. Sandy Tabio	15425 S. Sheidan	Rezone-Metcalf
2. Crystal Harely	11958 S. Bde Ave	Rezone-Metcalf
3. Rodney Stacy	2 <sup>nd</sup> West Bancher, idis	Rezone (THL)
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____
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16. _____	_____	_____
17. _____	_____	_____
18. _____	_____	_____
19. _____	_____	_____
20. _____	_____	_____



CITY OF BIXBY  
P.O. Box 70  
116 W. Needles Ave.  
Bixby, OK 74008  
(918) 366-4430  
(918) 366-6373 (fax)

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## STAFF REPORT

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**To:** Bixby Planning Commission  
**From:** Erik Enyart, AICP, City Planner *EE*  
**Date:** Friday, October 19, 2012  
**RE:** Report and Recommendations for:  
Preliminary Plat & Final Plat of Southridge at Lantern Hill

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LOCATION:  
– 14728 S. Sheridan Rd. (pre-platted parcel address)  
– 146<sup>th</sup> St. S. and Sheridan Rd.  
– The NE/4 of the SE/4 of Section 15, T17N, R13E  
– All of *Lantern Hill*

LOT SIZE: 39.9 acres, more or less

EXISTING ZONING: RS-3 Residential Single Family District / PUD 72

EXISTING USE: *Lantern Hill*, a vacant residential subdivision

REQUEST:

- (1) Preliminary Plat & Final Plat approval for a 115-lot residential subdivision
- (2) Modification/Waiver from Subdivision Regulations Section 12-3-4.F to exceed the 2:1 maximum lot depth to width ratio
- (3) Modification/Waiver from Subdivision Regulations Section 12-3-2.C to provide no stub-out streets
- (4) Modification/Waiver from Subdivision Regulations Section 12-3-2.T to exceed the 300' maximum length dead end/cul-de-sac street for 147<sup>th</sup> St. S.
- (5) Modification/Waiver from Subdivision Regulations Section 12-3-2.N to remove the sidewalk construction requirement along Sheridan Road

SURROUNDING ZONING AND LAND USE:

North: AG; Agricultural along S. Sheridan Rd.

South: AG; Rural residential, agricultural, and vacant along S. Sheridan Rd. & S. Kingston Ave.

East: AG; Agricultural along S. Sheridan Rd.

West: RS-3/CS/OL/PUD 62 and RS-3/PUD-46; 80-acres of agricultural land for a future development tentatively known as “Hawkeye.” The *The Ridge at South County* residential development is to the northwest.

COMPREHENSIVE PLAN: Corridor + Development Sensitive + Vacant, Agricultural, Rural Residences, and Open Land

PREVIOUS/RELATED CASES:

BZ-333 – Lantern Hill, LLC – Request for RS-3 zoning for subject property – PC Recommended Approval 07/16/2007 and City Council Approved 08/13/2007 (Ord. # 974).

Preliminary Plat of Lantern Hill – Request for Preliminary Plat for subject property and Waivers from: (1) The 2:1 maximum depth-to-width ratio standard per SRs Section 11-3-4.F, (2) The stub-out street requirement per SRs Section 12-3-2.C, and (3) The 300’ maximum length for a dead end/cul-de-sac street per SRs Section 12-3-2.T for 147<sup>th</sup> St. S. – PC Recommended Approval 11/19/2007 and City Council Approved with all Waivers 12/26/2007.

Final Plat of Lantern Hill – Request for Final Plat approval for subject property – PC Recommended Conditional Approval 09/15/2008 and City Council Approved 10/13/2008 (recorded 02/04/2009).

PUD 72 – Southridge at Lantern Hill – Lantern Hill, LLC – Request for PUD approval for subject property – PC recommended Conditional Approval 08/20/2012 and City Council Conditionally Approved 08/27/2012, including as Conditions certain requirements for minimum house construction and design quality (ordinance not numbered or signed as of 10/19/2012 due to the Applicant not having submitted the final version incorporating corrections and Conditions of Approval).

BACKGROUND INFORMATION:

*Lantern Hill*, containing 75 lots, four (4) Reserves, and three (3) blocks, was platted February 04, 2009. Infrastructure was completed and the lots were released for Building Permit issuance about a year later. Since then, not one lot has been sold, nor house built. The developer proposed PUD 72 to reduce the lot size requirements for use in a replat, to be known as “Southridge at Lantern Hill.” The smaller lots will likely reduce the lot costs, making them more affordable. Typical lots in *Lantern Hill* range from 90’ X 150’ (13,500 square feet, 0.31 acres) to 110’ X 160’ (17,600 square feet, 0.404 acres). The Zoning Code requires a minimum lot width of 65’ in the RS-3 district, but PUD 72 reduced this to 60’. The developer has expressed this situation within the PUD by explaining the need to meet “market conditions” and provide “a consistent market of residential home construction.”

## ANALYSIS:

Subject Property Conditions. The subject property contains 39.9 acres and is zoned RS-3. It has been developed as *Lantern Hill*, a single-family residential subdivision with large lots, all of which are vacant and still belong to the developer/Applicant.

The subject property is bounded on the north by an 80-acre agricultural tract zoned AG, on the east by Sheridan Road, on the south by rural residential, agricultural, and vacant tracts along S. Sheridan Rd. and S. Kingston Ave, and on the west by an 80-acre tract approved for RS-3, CG, and OL zoning and PUD 62 for a development tentatively known as "Hawkeye."

The subject property is on the side of a hill and appears to drain to the east and northeast, ultimately to Bixby Creek.

Comprehensive Plan. The Comprehensive Plan designates the subject property as (1) Corridor, (2) Development Sensitive, and (3) Vacant, Agricultural, Rural Residences, and Open Land.

The single family housing development anticipated by this plat would be consistent with the Comprehensive Plan.

General. The proposed replat subdivision contains 115 lots, and will retain the existing street network, the four (4) Reserve Areas, and the three (3) blocks (however, due to Reserve "B" completely separating parts of Block 2, Staff recommends the designation of a fourth block). Typical lots range from 60' X 155' (9,300 square feet, 0.21 acres) to 60' X 165' (9,900 square feet, 0.23 acres).

On October 15, 2012, the developer's engineer, Barrick Rosenbaum of Rosenbaum Consulting, LLC, requested an expedited plat review. The Planning Commission Chair has called a Special Meeting on October 24, 2012 to review and consider the plats. The City Council is anticipated to review and consider the plats at or before its November 12, 2012 regular meeting. Staff sent the plats and information to the TAC by email October 15, 2012, requesting comments be submitted in accordance with this accelerated review schedule. As of the date of this report, issues on utility relocations remain between the developer and BTC Broadband. TAC member comments are attached to this report.

The Fire Marshal's and City Engineer's memos, and the City Attorney's email, are all attached to this Staff Report. Their comments are incorporated herein by reference and should be made conditions of approval where not satisfied at the time of approval.

Access and Internal Circulation. Primary access to the subdivision would be from S. Sheridan Rd. via 146<sup>th</sup> St. S. and 148<sup>th</sup> St. S., all of which are existing. Internally, 147<sup>th</sup> St. S., S. 62<sup>nd</sup> E. Ave., and S. 63<sup>rd</sup> E. Ave. are also in existence.

As homes have not yet been constructed, and thus no addresses are in use in the addition, Staff suggests the developer consider renaming S. 62<sup>nd</sup> E. Ave. → S. Lakewood Pl. and S. 63<sup>rd</sup> E. Ave. → S. Maplewood Pl. This would be consistent with the metropolitan Tulsa addressing convention, employed throughout most of Bixby west of Sheridan Rd. for north-south avenues.

Specifically, this would be consistent with street names in nearest subdivisions *Eagle Rock* and *The Ridge at South County*, and would be consistent with Kingston Ave. to the south. Finally, builders and homeowners may prefer having their address on “Lakewood Place” or “Maplewood Place” versus a numbered avenue.

Staff Recommendation. Staff recommends Approval Staff of the Preliminary Plat and Final Plat with the following corrections, modifications, and Conditions of Approval:

1. Subject to compliance with all Fire Marshal, City Attorney, and City Engineer recommendations and requirements.
2. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-4.F, as most lots appear to exceed the 2:1 maximum depth to width ratio as per SRs Section 12-3-4.F. Staff notes that this Modification/Waiver was approved with the plat of *Lantern Hill*, but only for a handful of lots, and those being the ones subject to the 130’ PSO easement. The Modification/Waiver may be justified by citing its necessity as a product of a replatting of much larger lots into smaller ones, at 60’ in typical width, while retaining existing streets, pursuant to PUD 72, and the location and width of the 130’ PSO easement affecting certain lots.
3. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-2.C to provide no stub-out streets. Staff notes that this Modification/Waiver was approved with the plat of *Lantern Hill*, and that the streets are already in place.
4. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-2.T to exceed the 300’ maximum length dead end/cul-de-sac street for 147<sup>th</sup> St. S. Staff notes that this Modification/Waiver was approved with the plat of *Lantern Hill*, and that the streets are already in place.
5. Subject to a Modification/Waiver from Subdivision Regulations Section 12-3-2.N to remove the sidewalk construction requirement along Sheridan Road. The City Engineer’s and City Planner’s recommendation is that there be payment of a fee-in-lieu of sidewalk construction along Sheridan Rd., so that monies in proportion to sidewalk construction along Sheridan Rd. be collected and placed in escrow for sidewalk construction in other locations within Bixby, to be determined as prioritized by capital improvements planning. The Waiver request letter and PUD text include this requirement.
6. Lot 42, Block 2 does not appear to meet the 60’ minimum average lot width per PUD 72.
7. Lots 22 through 46, inclusive, Block 2, are completely separated from the balance of Block 2 by Reserve Area ‘B.’ Per the definition of “Block” in the Subdivision Regulations and the typical block numbering conventions, the two (2) areas need to be separate blocks.
8. Land Summary statistics on the plat face report Block 1 contains 30 lots, when it actually contains 50 lots.
9. Update Lot, Block, and Reserve number statistics on the first page to add the new block number, and to update lot numbers if/as needed.
10. Preliminary Plat: Elevation contours at one (1) foot maximum intervals not represented as required per SRs Section 12-4-2.B.6.

11. "Engineer/Surveyor" listed on the plats is HRAOK, Inc. but application filed by engineer Barrick Rosenbaum of Rosenbaum Consulting, LLC. Please reconcile if / as appropriate (SRs Section 12-4-2.A.4).
12. Consider renaming streets to coincide with the metropolitan Tulsa addressing convention, as used in Bixby, as follows:
  - a. S. 62<sup>nd</sup> E. Ave. → S. Lakewood Pl.
  - b. S. 63<sup>rd</sup> E. Ave. → S. Maplewood Pl.
13. It appears the common lot line between Lots 7 and 8, Block 1 (previously Lots 5 and 6, Block 1) was moved easterly approximately 3'. However, at least three (3) dependent dimensions were not correspondingly changed:
  - a. 7.5' U/E along easterly line of Lot 8.
  - b. 11' U/E along westerly line of Lot 7.
  - c. 4.32' distance between southeast corner of Lot 8 and the intersection of the northerly line of the PSO easement with the south line of Lot 8.
14. Text and linework conflict at Lot 7, Block 1, make reading difficult.
15. Consider making the common lot line between Lots 45 and 46, Block 2, perpendicular/radial to the arc of the curved street in order to eliminate the 1.09' variance between the easterly endpoint of C6 and the common lot corner. It is not clear if the 1.09' variance is to the west or to the east of the common lot corner, due to its exceptionally small size and the scale of the plat.
16. Angle/Bearing data missing from parts of all five (5) streets.
17. 109.35' Dimension missing from Lot 7, Block 2 (and was not due east/west in *Lantern Hill*).
18. Angle/Bearing data missing from north line of Lot 7, Block 2.
19. Angle/Bearing data missing from south lines of Lots 16, 17, and 18, Block 2 (and was not due east/west in *Lantern Hill*).
20. Angle/Bearing data missing from northerly lines (both instances) of Lot 12, Block 2.
21. Angle/Bearing data missing from northerly lines of Lots 20 and 21, Block 2 (and was not due east/west in *Lantern Hill*).
22. 102' dimension missing from northerly line of Reserve "C."
23. 13.50' dimension missing from northerly line of Lot 13, Block 2.
24. Angle/Bearing data missing from northerly lines of Lots 22 through 25, inclusive, Block 2.
25. Angle/Bearing data missing from common line between Lots 26 through 42, inclusive, Block 2.
26. Angle/Bearing data not specified between the easterly line of Lot 37, and the westerly lot of Lot 46, Block 1.
27. Dimension missing on Lot 46, Block 1.
28. 5.59' dimension on Lot 42, Block 2 does not appear to correspond to actual distance between lot corner and point of curve/tangency as represented.
29. North/south lot dimensions in Block 1 along the north side of 146<sup>th</sup> St. S. do not correspond with dimensions per the recorded plat of *Lantern Hill*.
30. It appears the common lot line between Lots 10 and 11, Block 2 (previously Lots 7 and 8, Block 2) was moved northerly a few feet vis-à-vis existing lots in *Lantern Hill*. However, at least two (2) dependent dimensions were not correspondingly changed:
  - a. 5' U/E along northerly line of Lot 10.
  - b. 11' U/E along southerly line of Lot 11.

31. Angle/Bearing data missing from northerly lines of Lots 6 and 17, Block 3 (and was not due east/west in *Lantern Hill*).
32. Angle/Bearing data missing from the main north-south line within Block 3 (and was not due north/south in *Lantern Hill*).
33. Lots 16 and 17, Block 1 missing distance between lot corners and points of curve/tangency.
34. Four (4) items of survey data represented on the North Entry Detail of *Lantern Hill* are not represented on this plat. On two dimensions along lot street frontages, the text overlaps linework on the plat, making it difficult to read.
35. Most of the internal side yard U/Es of the existing plat of *Lantern Hill* are not represented on this plat. U/E removal must be acceptable to all concerned utility companies. Verification of easement width and location adequacy must be provided by each serving utility company in the form of a release letter, due prior to recording the Final Plat (Subdivision Regulations Section 12-2-6.B).
36. If determined necessary or appropriate by the developer's legal counsel, prior to or upon the successful recording of the Final Plat of "Southridge at Lantern Hill," it may be necessary to vacate or partially vacate the concerned part of the underlying plat of *Lantern Hill* to completely extinguish certain elements, such as utility easement(s), which are dedicated to the public and accepted by the City.
37. 15' B/L and U/E along the east side of Lot 5, Block 3. Consider reducing U/E to 10' or increasing B/L to 20' to provide a 5' buffer area, or the amount necessary to protect the integrity of the foundation and supporting wall, in the event of excavation of the U/E up to its interior edge.
38. Please add proposed addresses to the lots.
39. 25' B/L and U/E along the north side of 146<sup>th</sup> St. S. Consider reducing U/E to 20' or increasing B/L to 30' to provide a 5' buffer area, or the amount necessary to protect the integrity of the foundation and supporting wall, in the event of excavation of the U/E up to its interior edge.
40. Deed of Dedication / Restrictive Covenants (DoD/RCs): FL/E (Fence and Landscape Easement) is not provided for – please add appropriate dedication and maintenance responsibility language.
41. DoD/RCs Preamble: Missing critical wording such as "And has caused the above described land to be surveyed, staked, platted, granted, donated, conveyed, and dedicated, access rights reserved, and subdivided ..." as per the City Attorney's recommendations regarding fee simple ownership of rights-of-ways.
42. DoD/RCs Preamble: Legal description used was the unplatted legal description used before the recording of *Lantern Hill*. Legal description used should be "All of *Lantern Hill*..." or something to that effect.
43. DoD/RCs Preamble: describes as "...a Subdivision in the City of Bixby." Title Block on face of plat describes as "...a resubdivision..." Please reconcile. See also Surveyor's Certificate; other occurrences possible.
44. DoD/RCs Section I.E: Does not appear to provide for passive recreational uses (such as walking trails) in Reserve Areas. Advisory.
45. DoD/RCs Section I.E.3: Refers to HOA formation in DoD/RCs Section III, but should be Section IV.
46. DoD/RCs Section I.H: Please qualify this section as follows: "...damage to landscaping and paving, **when permitted by the City of Bixby**, occasioned...."

47. DoD/RCs Section I.I: Refers to HOA formation in DoD/RCs Section III, but should be Section IV.
48. DoD/RCs Section I.I: As per the Developer's Engineer Barrick Rosenbaum at the TAC meeting held September 03, 2008, Reserve B must also be designated a Utility Easement, as there will be utilities within it. Please confirm if this is or is not still the case. If so, please amend this section accordingly. Alternatively, if additional utility corridors are necessary which are not represented as covering parts of Reserve B as currently shown, such specific areas may be added as U/Es.
49. DoD/RCs Section I.I: Provides, "The use of Reserve ... shall be limited to use as open space, landscaping..." This does not appear to provide for passive recreational uses such as walking trails. Advisory.
50. DoD/RCs Section I.J.2: The description of the 5' and 5' is somewhat awkwardly written – is it intended to state that 10' will be maintained between residences, rather than the sum of the two 5' side yards? Advisory.
51. DoD/RCs Section II: Section is missing parts of PUD 72 as approved (signage, minimum house design/construction quality, Use Unit 5 neighborhood swimming pool and/or clubhouse, etc.).
52. DoD/RCs Section II Preamble: Refers to "Sections 1100-1107 of Title 42, Bixby Revised Ordinances (Bixby Zoning Code)." This appears to point to the City of Tulsa's Zoning Code. Please revise to simply "... the provisions of the Bixby Zoning Code pertaining to Planned Unit Developments (PUDs)," or something to that effect.
53. DoD/RCs Section II.D: Minimum lot frontage standard is not consistent with PUD 72.
54. DoD/RCs Section II.D: Contains a subsection .1 and no other subsections. Advisory.
55. DoD/RCs Section III.A.3: 2018 date used appears to be the same as was used in *Lantern Hill*, apparently the customary 10 years from the [drafting date] of that plat. If 10 years is intended, the date would be some time in 2022 or 2023. Advisory.
56. DoD/RCs Section III.A.3: Refers to HOA formation in DoD/RCs Section III, but should be Section IV.
57. DoD/RCs Section III.B: Does not contemplate the planned Use Unit 5 neighborhood swimming pool and/or clubhouse.
58. DoD/RCs Section III.B: Refers to amendment provisions in DoD/RCs Section IV.C instead of [V].C as presumed intended.
59. DoD/RCs Section III.G: Indicates masonry requirement of PUD 72 may be waived by the subdivision's Architectural Committee. Please qualify appropriately. See also City Attorney's recommendations on the matter.
60. DoD/RCs Section III.K: "...shall be concrete or asphalt..." Would cobblestone or Belgian block be permitted? Advisory.
61. DoD/RCs Section III.L: Would appear to prohibit standard wood fences. Advisory.
62. DoD/RCs Section III.O: Zoning Code allows accessory dwelling units (ADUs) only by Special Exception from the Board of Adjustment, or by PUD. Please qualify language allowing for 'servants quarters' that the same is subject to City of Bixby Zoning approval. Also, ADUs are more commonly occupied by family members (e.g. 'granny shacks') and not domestic servants.
63. DoD/RCs Section III.T: "... when being utilized in connection with construction or home maintenance or repair services pertaining to a residence." Advisory.

64. DoD/RCs Section III.U: “No exposed garbage can, trash can or any trash burning apparatus or structure shall be placed on any Lot or any Reserve Area except on the day the trash is picked up.” Advisory.
65. DoD/RCs Section III.BB: Appears to be the same as DoD/RCs Section III.R Lot Maintenance. Advisory.
66. DoD/RCs Section IV Enforcement, Duration, Amendment and Severability: Duplicate Section number. Section V is presumed intended.
67. DoD/RCs Section [V].C: Refers to DoD/RCs Section II.B “Use,” when Section III.B “Use” is presumed intended. Still, it is not clear what this is referring to. DoD/RCs Section III.L refers to specific lots.
68. The “Sheet 1 of 1” notation at the bottom right-hand corner of the first page of the plat is not accurate.
69. The 07/24/2012 date prepared at the bottom right-hand corner of the plat does not appear to be accurate. Date of plat preparation is required per SRs Section 12-4-2.C.1 and 12-5-2.A.1.
70. Final Plat: Elevation contours, floodplain boundaries, physical features, underlying Zoning district boundaries, minimum improvements acknowledgement, and other such mapping details as required per SRs Section 12-4-2.B.6, by approval of this Final Plat, shall not be required on the recording version of the Final Plat, as such would be inconsistent with Final Plat appearance conventions and historically and commonly accepted platting practices.
71. A copy of the approved PUD 72 including all recommended corrections shall be submitted for placement in the permanent file.
72. A copy of the Preliminary Plat including all recommended corrections shall be submitted for placement in the permanent file.
73. A copy of the Final Plat including all recommended corrections shall be submitted for placement in the permanent file.
74. Due to the number of minor errors, Staff does not claim that the above represents all of the necessary corrections. The Applicant is advised to re-review the plat and Deed of Dedication and Restrictive Covenants and satisfy themselves as to its correctness.

## Erik Enyart

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**From:** Patrick Boulden  
**Sent:** Sunday, October 14, 2012 3:48 PM  
**To:** Erik Enyart; barrick@rosenbaumconsultingllc.com  
**Cc:** Doug Enevoldsen; 'mayor@bixby.com'  
**Subject:** Legal Review of the Draft Final Plat for Southridge at Lantern Hill Resubdivision, PUD-72

I have reviewed the draft final plat for the Southridge at Lantern Hill Resubdivision, PUD-72 and would require the following before it is submitted for final approvals, signatures and filing:

**(1) On the Face of the Plat Map, in the Land Summary:** The Land Summary on the plat map incorrectly identifies that Block 1 of this development has "30 Lots". This reference to "30 Lots" must be corrected to read "50 Lots".

**(2) On the Face of the Plat Map, in the Legend:** the last entry in the legend is for "Street Address" but no street addresses are reflected on the plat map. Either street addresses must be included on the plat map or this legend entry must be deleted.

**(3) Section I. Public Streets, Easements and Utilities, Subsection E, Stormwater Detention:** The title of this Subsection E must be clarified to reflect that it relates to Reserve Areas A and C. Suggested language is "Reserve Areas A and C, Stormwater Detention".

**(4) Section I. Public Streets, Easements and Utilities, Subsection E, Stormwater Detention, Paragraph 1:** This paragraph begins with the following: "The Owner/Developer does hereby grant and establish a perpetual easement on, over..." However this language does not identify any grantee. The grantee must be identified in this provision. Suggested replacement language might read: "The Owner/Developer does hereby grant to the City of Bixby, and establishes a perpetual easement on, over..."

**(5) Section II. Planned Unit Development Restrictions, the Second "Whereas" Paragraph:** This paragraph is unfinished and the spaces for approval date of the PUD, the Ordinance Number, and the dates of its adoption and publication must be completed before this can be approved.

**(6) Section II. Planned Unit Development Restrictions, Subsection A, Development in Accordance with PUD:** This subsection states: "Southridge at Lantern Hill shall be developed and used in substantial accordance with the restrictions and development standards of PUD No. 72 approved by the City Council of the City of Bixby, Oklahoma, or in substantial accordance with such modifications or amendments of the restrictions and development standards of PUD No. 72 as may be subsequently approved." The word "substantial" must be deleted from this provision.

**(7) Section II. Planned Unit Development Restrictions, Subsection B, Applicable Ordinance:** This provision has a blank line where the effective date of the applicable provisions of the Zoning Code must be accurately completed.

**(8) Section II. Planned Unit Development Restrictions, Subsection F, Definitions:** This provision has a blank line where the effective date of the applicable provisions of the Zoning Code must be accurately completed.

**(9) Section III. Private Restrictions, Subsection C. Floor Area:** This subsection contains the following: "No dwelling on any lot shall be constructed with less than one thousand eight hundred (1,800) square feet of enclosed living area for any one single family unit exclusive of open porches, garages or breezeways." This provision was a requirement imposed by the City Council as a condition of its approval of PUD-72 and must be moved to Section II. Planned Unit Development Restrictions, Subsection D. Development Standards.

**(10) Section III. Private Restrictions, Subsection G. Masonry:** This subsection contains the following: "The exterior surface of all dwellings, except windows and doors shall be 100% masonry to the first floor plate line. Provided, however, that the Architectural Committee may waive this restriction." This provision was a requirement imposed by the City as a condition of its approval of PUD-72 and must be moved to Section II. Planned Unit Development Restrictions, Subsection D. Development Standards and the language "[p]rovided, however, that the Architectural Committee may waive this restriction," must be deleted.

**(11) Section IV. Enforcement, Duration Amendment and Severability, Subsection A. Enforcement:** The next to the last line of this section references enforcement of the covenants in "Section IV". Although this provision is intended to be applicable to the enforcement of private restrictions, and is not of great concern to the City of Bixby, this reference to "Section IV" should be reexamined by the Owner/Developer to determine whether it should be changed to "Section III. Private Restrictions."

**(12) Section IV. Enforcement, Duration Amendment and Severability, Subsection C. Amendment, Lines 1-11:** This language addresses amendments to or termination of covenants in **Section I. Public Streets, Easements and Utilities** and **Section II. Planned Unit Development Restrictions** and permits these to occur with the approval of the Bixby Planning Commission without the City Council. This language must be amended to also require City Council approval of amendments or termination of covenants in Sections I and II.

That's it.

Patrick

**Patrick Boulden Bixby City Attorney**  
City of Bixby, City Attorney's Office  
116 West Needles Avenue, Post Office Box 70, Bixby, OK 74008  
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## **Memo**

**To:** Erik Enyart, City Planner  
**From:** Jared Cottle, PE *JWC*  
**CC:** Bea Aamodt, PE  
File  
**Date:** 10/05/12  
**Re:** Southridge at Lantern Hill  
Amended Plats

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### **General Comments:**

1. No information regarding modifications to the utility or drainage systems was provided for review. No additional comments until Plans received.

## Erik Enyart

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**From:** Erik Enyart [eenyart@bixby.com]  
**Sent:** Wednesday, October 17, 2012 12:35 PM  
**To:** Jared Cottle; Bea Aamodt; Patrick Boulden  
**Subject:** FW: Bixby TAC: Preliminary Plat & Final Plat of Southridge at Lantern Hill

FYI

**From:** Barrick Rosenbaum, P.E., CFM [mailto:barrick@rosenbaumconsultingllc.com]  
**Sent:** Wednesday, October 17, 2012 11:54 AM  
**To:** 'Jim Peterson'  
**Cc:** 'Jason Baxter'; 'Bob Lemons'; 'Erik Enyart'  
**Subject:** RE: Bixby TAC: Preliminary Plat & Final Plat of Southridge at Lantern Hill

Yes – let's talk about it all then.

Thanks,  
Barrick

**From:** Jim Peterson [mailto:jpeterson@olp.net]  
**Sent:** Wednesday, October 17, 2012 11:32 AM  
**To:** Barrick Rosenbaum, P.E., CFM  
**Cc:** Jason Baxter; Bob Lemons; Erik Enyart  
**Subject:** RE: Bixby TAC: Preliminary Plat & Final Plat of Southridge at Lantern Hill

Sounds good. I'll see you then.

Do you want to talk about easements on Block 1 between lots 26 and 27, and Block 1 between lots 32 and 33 then? They look like they were removed from the original plat to the new final plat.

Thanks.  
Jim

**From:** Barrick Rosenbaum, P.E., CFM [mailto:barrick@rosenbaumconsultingllc.com]  
**Sent:** Wednesday, October 17, 2012 11:09 AM  
**To:** Jim Peterson  
**Cc:** Jason Baxter; 'Bob Lemons'; 'Erik Enyart'  
**Subject:** RE: Bixby TAC: Preliminary Plat & Final Plat of Southridge at Lantern Hill

How about 11 tomorrow at your office? Bob Lemons and I will attend.

Let me know.  
Thanks,  
Barrick

**From:** Jim Peterson [mailto:jpeterson@olp.net]  
**Sent:** Wednesday, October 17, 2012 8:35 AM  
**To:** Barrick Rosenbaum, P.E., CFM  
**Cc:** Jason Baxter; Bob Lemons; Erik Enyart  
**Subject:** RE: Bixby TAC: Preliminary Plat & Final Plat of Southridge at Lantern Hill

Barrick,  
How about tomorrow morning at my office at 6 East Breckenridge in Bixby? I have meetings today. My entire morning is open, just let me know what time you will be here.

Once we have a couple questions answered by the owner, I will be able to finalize the costs.

Thanks.

Jim

**From:** Barrick Rosenbaum, P.E., CFM [<mailto:barrick@rosenbaumconsultingllc.com>]  
**Sent:** Tuesday, October 16, 2012 10:22 PM  
**To:** Jim Peterson  
**Cc:** Jason Baxter; Bob Lemons; 'Erik Enyart'  
**Subject:** RE: Bixby TAC: Preliminary Plat & Final Plat of Southridge at Lantern Hill

Hey Jim

Bob and I would like to meet on this tomorrow afternoon 3:30 or Thursday morning. We have been awaiting your response for a few weeks now. We are not slowing down on the replat due to this issue and will be pressing forward as per the email received from Erik. Please let me know what time would work for you and where you would like to meet.

Thanks,

### **Barrick Rosenbaum, P.E., CFM**

Rosenbaum Consulting, LLC  
2608 W. Kenosha Street #304  
Broken Arrow, Oklahoma 74012  
[barrick@rosenbaumconsultingllc.com](mailto:barrick@rosenbaumconsultingllc.com)  
918.798.0210 cell  
918.451.3263 fax

**From:** Jim Peterson [<mailto:jpeterson@olp.net>]  
**Sent:** Tuesday, October 16, 2012 1:45 PM  
**To:** Erik Enyart  
**Cc:** [barrick@rosenbaumconsultingllc.com](mailto:barrick@rosenbaumconsultingllc.com); [jbaxter@olp.net](mailto:jbaxter@olp.net)  
**Subject:** RE: Bixby TAC: Preliminary Plat & Final Plat of Southridge at Lantern Hill

Erik,

BTC Broadband cannot accept this final plat until costs to relocate/replace our current facilities placed in 2009 is agreed to. I am current working on these costs and will forward to Barrick Rosenbaum once complete.

This re-plat of this subdivision has a significant impact to our existing facilities investment and we would like to do what is best for the owner. Barrick if you would like to meet this week to discuss our options I will make myself available.

I will be out of the office all next week.

Thanks.

Jim

**From:** Erik Enyart [<mailto:eenyart@bixby.com>]  
**Sent:** Monday, October 15, 2012 4:10 PM  
**To:** [sgideon@ong.com](mailto:sgideon@ong.com); Jim Peterson; [gary.hamilton@cox.com](mailto:gary.hamilton@cox.com); [gahayes@bixbyps.org](mailto:gahayes@bixbyps.org); [millerjd@oge.com](mailto:millerjd@oge.com); [kwilliams@ecoec.com](mailto:kwilliams@ecoec.com); [bdangott@ecoec.com](mailto:bdangott@ecoec.com); Jim Sweeden; Jared Cottle; Bea Aamodt; [donnac@bixby.com](mailto:donnac@bixby.com); [rabynum@aep.com](mailto:rabynum@aep.com); [emshelton@aep.com](mailto:emshelton@aep.com); Dobrinski, Tim; Jason Baxter; [rx2547@att.com](mailto:rx2547@att.com); Rahe, Angela; Hamilton, Scott; [rcollins@easytel.com](mailto:rcollins@easytel.com); [jwiedel@bixby.com](mailto:jwiedel@bixby.com); [firemarshal@bixby.com](mailto:firemarshal@bixby.com); [rlpiercejr@aep.com](mailto:rlpiercejr@aep.com); Patrick Boulden  
**Cc:** Barrick Rosenbaum, P.E., CFM; Bob Lemons; Doug Enevoldsen  
**Subject:** Bixby TAC: Preliminary Plat & Final Plat of Southridge at Lantern Hill

AEP-PSO      Attn: Rick Bynum, Evelyn Shelton, & Robert Pierce

ONG Attn: Scott Gideon  
BTC Attn: Jim Peterson & Jason Baxter  
Cox Attn: Gary Hamilton  
AT&T Attn: Rob Myers  
Bixby PS Attn: Gabe Hayes  
OG&E Attn: Jim Miller  
OG&E Attn: Tim Dobrinski  
ECOECO-Op Attn: Kris Williams  
ECOECO-Op Attn: Bill Dangott  
Windstream Attn: Angela Rahe & Scott Hamilton  
Easytel Attn: Rob Collins

Bixby Fire Marshal Jim Sweeden and Joey Wiedel  
Bixby City Engineer Jared Cottle, PE  
Bixby Public Works Director Bea Aamodt, PE  
Bixby Community Development Coordinator Donna Crawford  
Bixby City Attorney Patrick Boulden, Esq.

Greetings:

**Note: THIS IS A REQUEST FOR COMMENTS ONLY.** The developer has requested the Planning Commission call a Special Meeting during the last two (2) weeks of this month (subject to achieving a quorum) to approve the Preliminary Plat and Final Plat. The Chair of the PC will consider calling a Special Meeting at its meeting tonight. The City Council is anticipated to be presented the plats during its November 12, 2012 meeting. The TAC has seen this development previously (PUD 72, 08/01/2012). Please email me your comments and send copy to engineer Barrick Rosenbaum at [barrick@rosenbaumconsultingllc.com](mailto:barrick@rosenbaumconsultingllc.com).

Thanks, and please call or email if you have any questions or need additional information.

Erik Enyart, AICP, City Planner  
City of Bixby, PO Box 70  
Bixby, OK 74008  
Ph. (918) 366-0427  
Fax (918) 366-4416  
[eenyart@bixby.com](mailto:eenyart@bixby.com)  
[www.bixby.com](http://www.bixby.com)

No virus found in this message.  
Checked by AVG - [www.avg.com](http://www.avg.com)  
Version: 2012.0.2221 / Virus Database: 2441/5337 - Release Date: 10/17/12

No virus found in this message.  
Checked by AVG - [www.avg.com](http://www.avg.com)  
Version: 2012.0.2221 / Virus Database: 2441/5337 - Release Date: 10/17/12

## Erik Enyart

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**From:** Erik Enyart [eenyart@bixby.com]  
**Sent:** Thursday, October 18, 2012 4:15 PM  
**To:** 'Barrick Rosenbaum, P.E., CFM'; 'Bob Lemons'  
**Cc:** Jared Cottle; Bea Aamodt; Patrick Boulden; Doug Enevoldsen; 'mayor@bixby.com'  
**Subject:** RE: Special Meeting for Wednesday, October 24, 2012 at 6:00 PM

There is no meeting scheduled for Monday, October 29, 2012. Perhaps, to further expedite the process, you may want to ask the Mayor (copied here) and City Council if they would like to schedule a Special Meeting on or around that date, rather than wait until their regular meeting on 11/12/2012. Just a thought.

Erik

**From:** Barrick Rosenbaum, P.E., CFM [mailto:barrick@rosenbaumconsultingllc.com]  
**Sent:** Thursday, October 18, 2012 2:50 PM  
**To:** 'Erik Enyart'; 'Bob Lemons'  
**Cc:** 'Jared Cottle'; 'Bea Aamodt'; 'Patrick Boulden'; 'Doug Enevoldsen'; 'mayor@bixby.com'  
**Subject:** RE: Special Meeting for Wednesday, October 24, 2012 at 6:00 PM

Erik  
Thanks for the push on this one. We will attend. The storm water drainage information/revisions should have been delivered to Jared yesterday. I will finish up the sanitary sewer response today and forward over. In addition, I have received the legal review from Mr. Boulden and revising those issues. Again, we appreciate the City of Bixby's efforts and attention to this project.  
Sincerely,

### **Barrick Rosenbaum, P.E., CFM**

Rosenbaum Consulting, LLC  
2608 W. Kenosha Street #304  
Broken Arrow, Oklahoma 74012  
[barrick@rosenbaumconsultingllc.com](mailto:barrick@rosenbaumconsultingllc.com)  
918.798.0210 cell  
918.451.3263 fax

**From:** Erik Enyart [mailto:eenyart@bixby.com]  
**Sent:** Thursday, October 18, 2012 1:35 PM  
**To:** Barrick Rosenbaum, P.E., CFM; Bob Lemons  
**Cc:** Jared Cottle; Bea Aamodt; Patrick Boulden; Doug Enevoldsen; 'mayor@bixby.com'  
**Subject:** Special Meeting for Wednesday, October 24, 2012 at 6:00 PM

Barrick / Bob Lemons:

Upon determining a quorum will be achieved, per your Monday request, the Chair of the PC has called a Special Meeting for Wednesday, October 24, 2012 at 6:00 PM.

I am working on the staff report and will provide it to you when completed or otherwise when in near-final-draft form.

Thanks,

Erik Enyart, AICP, City Planner  
City of Bixby, PO Box 70  
Bixby, OK 74008  
Ph. (918) 366-0427  
Fax (918) 366-4416  
[eenyart@bixby.com](mailto:eenyart@bixby.com)  
[www.bixby.com](http://www.bixby.com)

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2221 / Virus Database: 2441/5339 - Release Date: 10/18/12

No virus found in this message.

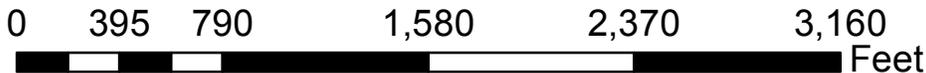
Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2221 / Virus Database: 2441/5339 - Release Date: 10/18/12

# Preliminary Plat & Final Plat of Southridge at Lantern Hill



- Businesses
- bixby\_streams
- Tulsa Parcels 08/12
- WagParcels 08/12
- TulsaCountySubdivisions
- WagonerCountySubdivisions
- WagRoads\_Aug2012
- E911Streets
- PUD
- bixby\_s-t-r



## *Rosenbaum Consulting, LLC*

September 24, 2012  
Revised October 1, 2012

Mr. Erik Enyart  
City of Bixby  
P.O. Box 70  
116 West Needles Avenue  
Bixby, Oklahoma 74008

RE: Waiver requests for Southridge at Lantern Hill – replat of Lantern Hill

Dear Erik,

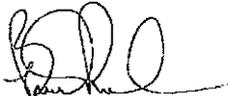
As discussed previously we hereby submit the following waivers and requests for the proposed Southridge at Lantern Hill:

- (1) The 2:1 maximum depth-to-width ratio standard per SRs Section 11-3-4.F – as per approval on previous Lantern Hill
- (2) The stub-out street requirement per SRs Section 12-3-2.C – none required as approved on previous Lantern Hill
- (3) The 300' maximum length for a dead end/cul-de-sac street per SRs Section 12-3-2.T for 147th St. – as approved on previous Lantern Hill
- (4) Current Lantern Hill development does not have, nor required sidewalks along Sheridan Road (Zoning Code Section 11-7I-8.B.1.c). A sidewalk waiver is requested for removal of the requirement for sidewalks along Sheridan Road. Currently Sheridan Road is a two lane county maintained roadway with significant culvert upgrades required and addition of curbs and widening to meet arterial street standards.

An escrow payment of a fee-in-lieu of sidewalk construction along Sheridan Road, as per the City Engineer's and City Planner's recommendation, will be established with said escrow to be in proportion to sidewalk construction along South Sheridan Road. This will be collected and placed in an escrow account for sidewalk construction in other locations within Bixby, which will be determined as prioritized by capital improvements planning.

Please let me know if you have any questions or require additional information.

Sincerely,  
*Rosenbaum Consulting, LLC*



Barrick Rosenbaum, P.E., CFM

2608 West Kenosha #304  
Broken Arrow, Oklahoma 74012  
918.798.0210 cell  
918.451.3263 fax

*Rosenbaum Consulting, LLC*

President

2608 West Kenosha #304  
Broken Arrow, Oklahoma 74012  
918.798.0210 cell  
918.451.3263 fax

# Preliminary Plat

# Southridge at Lantern Hill

A RESUBDIVISION OF 'LANTERN HILL' PLAT #6268, IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA BEING A PART OF THE SE/4 OF SECTION FIFTEEN (15), TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN.

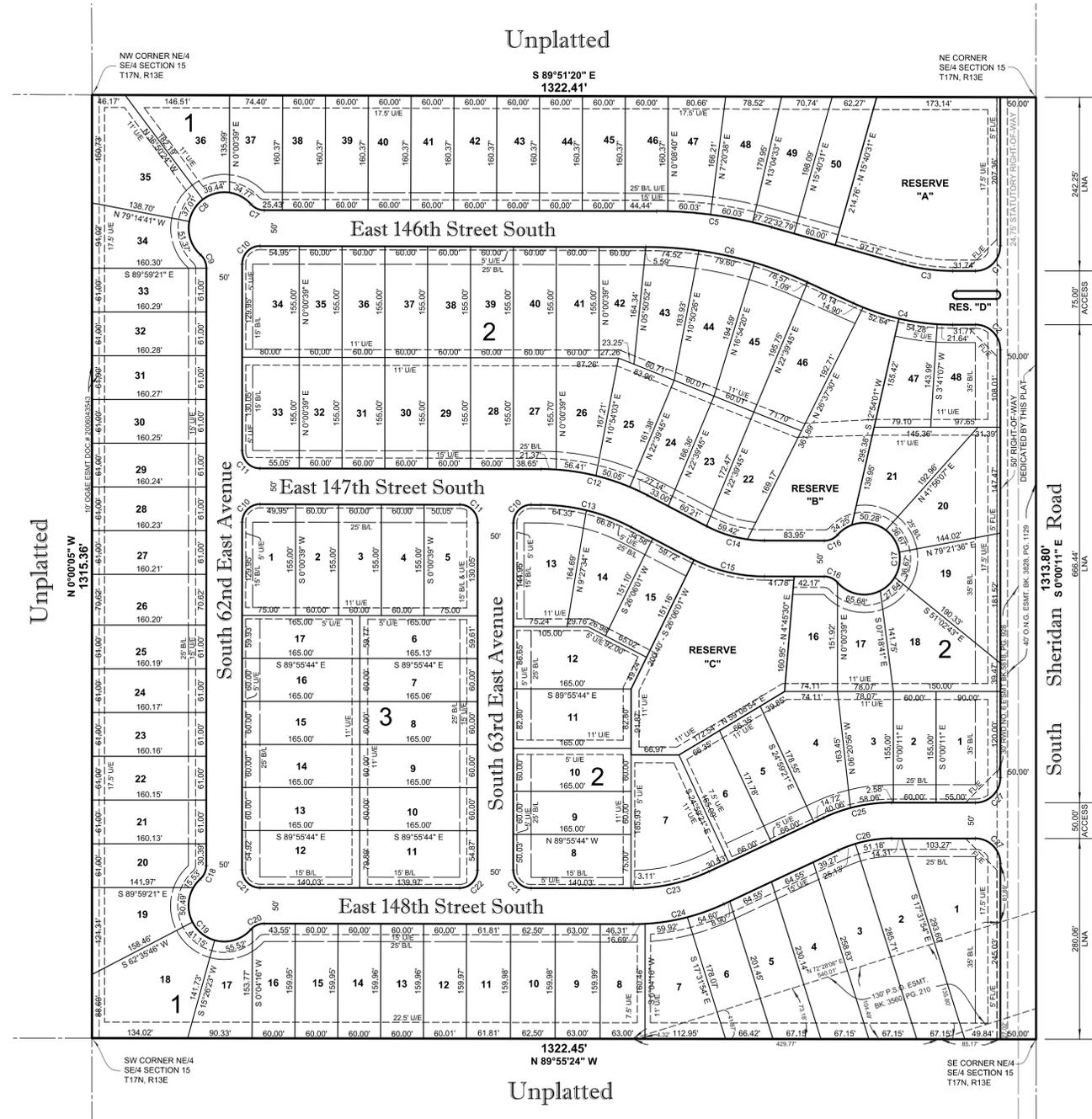
### Owner / Developer

LANTERN HILL, LLC  
 P.O. BOX 35218  
 TULSA, OKLAHOMA 74153  
 PHONE: (918) 299-0396  
 CONTACT: MR. ROBERT A. LEMONS

### Engineer/Surveyor

HRAOK, INC.  
 1913 WEST TACOMA, SUITE A  
 BROKEN ARROW, OKLAHOMA 74012  
 PHONE: (918) 258-3737  
 FAX: (918) 258-2544  
 C.A. #3643 EXPIRES JUNE 30, 2013  
 INFO@HRAOK.COM

Unplatted



### Land Summary

SUBDIVISION CONTAINS ONE HUNDRED - FIFTEEN (115) LOTS IN THREE (3) BLOCKS AND FOUR (4) RESERVE AREAS

BLOCK 1	30 LOTS
BLOCK 2	48 LOTS
BLOCK 3	17 LOTS

SUBDIVISION CONTAINS 39.90 ACRES

### Legend

B/L	BUILDING LINE
LNA	LIMITS OF NO ACCESS
ACC	LIMITS OF ACCESS
FL/E	FENCE & LANDSCAPE EASEMENT
U/E	UTILITY EASEMENT
[234]	STREET ADDRESS

### Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" X 18" STEEL PIN WITH A PLASTIC CAP STAMPED "PLS 1283" AT ALL CORNERS.

### Basis of Bearings

ASSUMED BEARING OF S 0°00'11" E ALONG THE EAST LINE OF THE SE/4 OF SECTION 15, T-17-N, R-13-E, OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

### ADS Benchmark

5/8" REBAR-1 1/2" ALUMINUM CAP-FLUSH-SET IN CONCRETE-STAMPED "49", SET S.E. OF THE INTERSECTION OF 131ST SOUTH, AND YALE PLACE. ELEV=683.26 (NAVD1988)

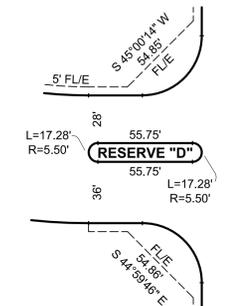
### Notes

ALL STREET RIGHT-OF-WAY SHALL BE DEDICATED AS PUBLIC STREETS BY THIS PLAT.

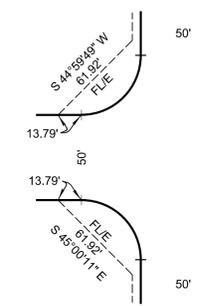
ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

### Curve Table

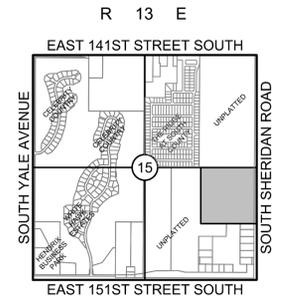
NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH
C1	90°00'51"	35.00'	54.99'
C2	89°59'09"	35.00'	54.97'
C3	15°39'51"	262.50'	71.77'
C4	24°21'18"	337.50'	143.46'
C5	15°32'56"	600.00'	162.83'
C6	24°14'23"	550.00'	232.68'
C7	48°04'28"	25.00'	20.98'
C8	186°18'35"	50.00'	162.59'
C9	48°07'13"	25.00'	21.00'
C10	90°06'55"	25.00'	39.32'
C11	89°53'05"	25.00'	39.22'
C12	27°19'18"	325.00'	154.98'
C13	27°19'18"	275.00'	131.13'
C14	27°19'18"	175.00'	83.45'
C15	27°19'18"	225.00'	107.29'
C16	48°11'23"	25.00'	21.03'
C17	276°22'46"	50.00'	241.19'
C18	48°14'15"	25.00'	21.05'
C19	186°25'38"	50.00'	162.69'
C20	48°15'00"	25.00'	21.05'
C21	89°56'23"	25.00'	39.24'
C22	90°03'37"	25.00'	39.30'
C23	25°03'37"	250.00'	109.35'
C24	25°03'37"	300.00'	131.22'
C25	24°59'09"	225.00'	98.12'
C26	24°59'09"	175.00'	76.32'
C27	90°00'00"	35.00'	54.98'



North Entry Detail  
SCALE: 1"=50'



South Entry Detail  
SCALE: 1"=50'



Location Map  
SCALE: 1"=200'



Scale: 1"=100'

### FINAL PLAT

CERTIFICATE OF APPROVAL  
 I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY.

ON \_\_\_\_\_  
 BY \_\_\_\_\_  
 MAYOR - VICE MAYOR

THIS APPROVAL IS VOID IF THE ABOVE SIGNATURE IS NOT ENDORSED BY THE CITY MANAGER OR CITY CLERK.

BY \_\_\_\_\_  
 MAYOR - VICE MAYOR

COUNTY CLERK STAMP

COUNTY TREASURER STAMP

SOUTHRIDGE AT LANTERN HILL

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

LANTERN HILL, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HERINAFTER TOGETHER REFERRED TO AS THE "OWNER/DEVELOPER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

A TRACT OF LAND THAT IS THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SECTION 15, TOWNSHIP 17 NORTH RANGE 13 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE¼) OF SAID SECTION 15, THENCE S 00° 00' 11" E, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER (SE¼), A DISTANCE OF 1313.80 FEET, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SAID SECTION 15, THENCE N 89° 52' 24" W, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SECTION 15, A DISTANCE OF 1322.45 FEET, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SAID SECTION 15, THENCE N 00° 00' 05" W, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SECTION 15, A DISTANCE OF 1315.38 FEET, TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SAID SECTION 15, THENCE S 89° 51' 20" E, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SECTION 15, A DISTANCE OF 1322.41 FEET, TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE¼, SE¼) OF SAID SECTION 15, AND THE POINT OF BEGINNING.

SAID TRACT CONTAINS 1,738,433.35 SQUARE FEET / 39.91 ACRES MORE OR LESS.

AND HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS AND STREETS, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT" AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "SOUTHRIDGE AT LANTERN HILL", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA (HEREINAFTER "SOUTHRIDGE AT LANTERN HILL" OR THE "SUBDIVISION").

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES.

A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS.

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UE" OR "UTILITY EASEMENT". FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, JUNCTIONS, 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 THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE.

- 1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE SOUTHERN SIDE OF THE PERIMETER BOUNDARY OF THE SUBDIVISION, IF LOCATED WITHIN A GENERAL UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE AND ELSEWHERE THROUGHOUT THE SUBDIVISION ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE GENERAL UTILITY EASEMENTS, SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.
2. UNDERGROUND SERVICE CABLES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST 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 TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE, EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
3. THE SUPPLIER OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL GENERAL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
4. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THEIR RESPECTIVE LOTS AND EACH SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES, THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THAT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE AND LOT OWNERS AGREE TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICE.

- 1. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THEIR RESPECTIVE LOTS AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN OR STORM SEWER.
2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.
3. THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER AND SEWER MAINS, BUT LOT OWNERS SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY THEIR ACTS AND/OR THE ACTS OF THEIR AGENTS OR CONTRACTORS.
4. THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER OR SEWER FACILITIES.
5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, AND LOT OWNERS AGREE TO BE BOUND HEREBY.

D. GAS SERVICE.

- 1. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF GAS FACILITIES LOCATED ON THEIR RESPECTIVE LOTS.
2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A GAS MAIN OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH A GAS MAIN SHALL BE PROHIBITED.
3. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF GAS MAINS, BUT LOT OWNERS SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY THEIR ACTS AND/OR THE ACTS OF THEIR AGENTS OR CONTRACTORS.
4. THE SUPPLIER OF GAS SERVICE SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF GAS FACILITIES.
5. UNDERGROUND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN 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 LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE LINE, EXTENDING FROM THE GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.
6. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH D SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE AND LOT OWNERS AGREE TO BE BOUND HEREBY.

E. STORMWATER DETENTION.

- 1. THE OWNER/DEVELOPER DOES HEREBY GRANT AND ESTABLISH A PERPETUAL EASEMENT ON, OVER AND ACROSS RESERVE AREA A AND RESERVE AREA C (HEREINAFTER REFERRED TO AS THE "DETENTION EASEMENT AREAS") FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION.
2. DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE DETENTION EASEMENT AREAS SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.
3. DETENTION AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION (TO BE FORMED PURSUANT TO SECTION II) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. THE HOMEOWNERS' ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE DETENTION EASEMENT AREAS WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

- a. THE DETENTION EASEMENT AREAS SHALL BE KEPT FREE OF LITTER.

- b. THE DETENTION EASEMENT AREAS SHALL BE MOWED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.

- c. IN THE EVENT THE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION EASEMENT AREAS AS ABOVE PROVIDED, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE DETENTION EASEMENT AREAS AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE HOMEOWNERS' ASSOCIATION.

- d. IN THE EVENT THE HOMEOWNERS' ASSOCIATION, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, THE CITY OF BIXBY, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL NOT EXCEED 1/10TH OF THE COSTS.

- e. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

F. SURFACE DRAINAGE AND LOT GRADING RESTRICTION.

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBTURDICTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, DRAINAGE AREAS OF HIGHER ELEVATION, AND 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/OR SURFACE WATERS OVER AND ACROSS HIS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH F SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.

G. LIMITS OF NO ACCESS.

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH SHENANDO ROAD DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT. THE LNA MAY BE AMENDED OR RELEASED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF BIXBY, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA. THE LNA ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA.

H. PAVING AND LANDSCAPING WITHIN EASEMENTS.

LOT OWNERS AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING CONSIDERED NECESSARY TO MAINTAIN OR RESTORE THE UTILITY OR MAINTENANCE OF UNDERGROUND WATER, SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT. PROVIDED, HOWEVER, THE CITY OF BIXBY, OKLAHOMA OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

I. RESERVE AREA B AND RESERVE AREA D.

THE USE OF RESERVE AREA B AND RESERVE AREA D SHALL BE LIMITED TO USE AS OPEN SPACE, LANDSCAPING AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION III, TO BE FORMED FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION.

J. MINIMUM BUILDING SETBACKS AND YARDS.

- 1. NO BUILDING OR PART THEREOF, EXCEPT OPEN PORCHES AND TERRACES, SHALL BE LOCATED NEARER TO THE RIGHT OF WAY OF AN ADJOINING PUBLIC STREET THAN THE BUILDING LINE DEPICTED ON THE ACCOMPANYING PLAT.
2. NO RESIDENCE SHALL BE BUILT NEARER THAN FIVE (5) FEET TO ANY SIDE LOT ON ONE SIDE, AND FIVE (5) FEET FROM THIS REQUIREMENT, TO THE OTHER SIDE OF THE LOT, EXCEPT FOR PORCHES AND PATIOS WHICH MAY BE SEVEN (7) FEET IN HEIGHT, AND BOTH SIDE LOT LINES, WHERE SIDE LOT EASEMENTS ARE SHOWN GREATER THAN THE FOREGOING, NO ENCROACHMENT SHALL BE ALLOWED ON THE EASEMENT. BUILDINGS ABUTTING A SIDE STREET MAY BE INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVEWAYS, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.
3. THE MINIMUM REAR YARD SHALL BE TWENTY (20) FEET.
4. NO BUILDING, WHETHER PRINCIPAL OR ACCESSORY, SHALL ENCROACH UPON ANY UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT.
5. ALL BUILDINGS MUST FACE THE MOST RESTRICTIVE BUILDING LINE.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS.

WHEREAS, SOUTHRIDGE AT LANTERN HILL WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. 72) AS PROVIDED WITHIN SECTIONS 1100-1107 OF TITLE 42, BIXBY REVISED ORDINANCES (BIXBY ZONING CODE), AND

WHEREAS, PUD NO. 72 WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON \_\_\_\_\_, AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, ON \_\_\_\_\_, THE IMPLEMENTING ORDINANCE NO. \_\_\_\_\_ BEING ADOPTED ON \_\_\_\_\_, AND PUBLISHED ON \_\_\_\_\_, AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF BIXBY, 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 BIXBY, 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.

A. DEVELOPMENT IN ACCORDANCE WITH PUD.

SOUTHRIDGE AT LANTERN HILL SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 72 APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 72 AS MAY BE SUBSEQUENTLY APPROVED.

B. APPLICABLE ORDINANCE.

THE DEVELOPMENT OF SOUTHRIDGE AT LANTERN HILL SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE, AS SUCH PROVISIONS EXISTED ON \_\_\_\_\_.

C. USE.

ALL USES ALLOWED BY RIGHT IN THE RS-3 ZONING DISTRICT AND SPECIFICALLY SINGLE-FAMILY RESIDENTIAL HOMES.

D. DEVELOPMENT STANDARDS.

1) DEVELOPMENT AREA - SINGLE FAMILY LOTS.

PERMITTED USES SINGLE FAMILY RESIDENCES AND CUSTOMARY ACCESSORY USES.

MINIMUM LOT FRONTAGE: 60 FEET, MEASURED AT THE BUILDING LINE IF THE LOT FRONTS A CUL-DE-SAC

OTHER BULK AND AREA REQUIREMENTS AS SET FORTH WITHIN AN RS-3 DISTRICT

E. SITE PLAN REVIEW AND COMPLIANCE WITH APPROVED PLANS.

THE APPROVED FINAL PLAT OF THE SUBDIVISION SHALL CONSTITUTE THE DETAILED SITE PLAN REQUIRED BY THE BIXBY ZONING CODE. THE DEVELOPMENT AND USE OF SOUTHRIDGE AT LANTERN HILL SHALL BE IN COMPLIANCE WITH THE APPROVED BUILDING PLANS AND SIGN PLANS, AS MAY BE LATER APPROVED BY THE BIXBY PLANNING COMMISSION OR ITS SUCCESSOR.

F. DEFINITIONS.

IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH IN THIS SECTION II, THE MEANING THEREOF SHALL BE DEEMED TO BE DEFINED AS SET FORTH WITHIN THE BIXBY ZONING CODE AS THE SAME EXISTED ON \_\_\_\_\_.

SECTION III. PRIVATE RESTRICTIONS.

A. ARCHITECTURAL COMMITTEE.

- 1. PLAN REVIEW. NO BUILDING, FENCE, WALL, OR EXTERIOR ANTENNA SHALL BE ERECTED, PLACED OR ALTERED (INCLUDING EXTERIOR PAINTING) ON ANY LOT UNTIL THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING BY THE OWNER/DEVELOPER, ITS AUTHORIZED REPRESENTATIVES OR SUCCESSORS, HERINAFTER REFERRED TO AS THE "ARCHITECTURAL COMMITTEE" FOR EACH BUILDING. THE REQUIRED PLANS AND SPECIFICATIONS SHALL BE SUBMITTED IN DUPLICATE AND INCLUDE A SITE PLAN, FLOOR PLAN, EXTERIOR ELEVATIONS, DRAINAGE AND GRADING PLANS, EXTERIOR MATERIALS AND COLOR SCHEME. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE THE PLANS AND SPECIFICATIONS SUBMITTED TO IT AS HEREIN REQUIRED WITHIN TEN (10) DAYS AFTER SUBMISSION, THE PLANS SO SUBMITTED SHALL BE DEEMED APPROVED. THE DEVELOPMENT AND USE OF THE SUBJECT LOT SHALL THEREAFTER BE IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED PLANS OR APPROVED AMENDMENTS THERETO. IN THE EVENT NO SUIT TO ENJOIN THE ERECTION OF THE BUILDING OR STRUCTURE OR THE MAKING OF AN ALTERATION HAS BEEN COMMENCED PRIOR TO THE 30TH DAY FOLLOWING COMPLETION THEREOF, APPROVAL OF THE ARCHITECTURAL COMMITTEE SHALL NOT BE REQUIRED AND THIS COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.
2. COMMITTEE PURPOSE. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATIVE MATERIALS, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL, OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE OR CODE VIOLATIONS. THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION. NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT ANY LOT OWNER IN THE SUBDIVISION FROM PROSECUTING ANY LEGAL ACTION RELATING TO IMPROVEMENTS WITHIN THE SUBDIVISION WHICH THEY WOULD OTHERWISE BE ENTITLED TO PROSECUTE.

- 3. TRANSFER OF DUTIES. THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL, ON JANUARY 1, 2018, BE DEEMED TRANSFERRED TO THE LANTERN HILL HOMEOWNERS' ASSOCIATION, INC. (TO BE ESTABLISHED AS SET FORTH WITHIN SECTION III HEREOF), OR UPON WRITTEN ASSIGNMENT TO SAID HOMEOWNERS' ASSOCIATION BY THE ARCHITECTURAL COMMITTEE, WHICHEVER EVENT FIRST OCCURS, AND THEREAFTER THE FOREGOING POWERS AND DUTIES SHALL BE EXERCISED BY THE BOARD OF DIRECTORS OF THE ASSOCIATION.

B. USE.

THE USE OF THE LOTS SHALL BE LIMITED TO DETACHED SINGLE-FAMILY RESIDENCES AND CUSTOMARY ACCESSORY USES. NO MORE THAN ONE RESIDENCE SHALL BE PERMITTED UPON EACH PLATTED LOT. LOT SPLITS SHALL BE PROHIBITED EXCEPT AS PROVIDED BY AMENDMENT EXERCISED UNDER SECTION IV (C) HEREIN.

C. FLOOR AREA.

NO DWELLING ON ANY LOT SHALL BE CONSTRUCTED WITH LESS THAN ONE THOUSAND EIGHT HUNDRED (1,800) SQUARE FEET OF ENCLOSED LIVING AREA FOR ANY ONE SINGLE FAMILY UNIT, EXCLUSIVE OF OPEN PORCHES, GARAGES, OR BREEZEWAYS.

D. MAXIMUM BUILDING HEIGHT.

NO BUILDING SHALL EXCEED TWO STORIES OR THIRTY FIVE FEET IN HEIGHT EXCEPT AS APPROVED BY THE ARCHITECTURAL COMMITTEE.

E. GARAGES.

GARAGES SHALL PROVIDE A MINIMUM OF TWO PARKING SPACES FOR AUTOMOBILES. ALL GARAGES SHALL BE ATTACHED TO THE RESIDENCE. GARAGES SHALL BE ENCLOSED, CARPORTS ARE PROHIBITED, GARAGE DOORS SHALL NOT CONTAIN GLASS. DETACHED GARAGES MAY BE PERMITTED WITH ARCHITECTURAL COMMITTEE APPROVAL.

F. FOUNDATIONS.

ALL EXPOSED DWELLING FOUNDATIONS AND/OR STEM WALLS SHALL BE OF MASONRY.

G. MASONRY.

THE EXTERIOR SURFACE OF ALL DWELLINGS, EXCEPT WINDOWS AND DOORS, SHALL BE 100% MASONRY TO THE FIRST FLOOR PLATE LINE. PROVIDED, HOWEVER, THAT THE ARCHITECTURAL COMMITTEE MAY WAIVE THIS RESTRICTION.

H. WINDOWS.

WINDOWS OF ALL DWELLINGS SHALL BE VINYL OR WOOD.

I. ROOF PITCH.

NO DWELLING SHALL HAVE A ROOF PITCH OF LESS THAN 7/12. PORCHES AND PATIOS SHALL NOT HAVE A ROOF PITCH OF LESS THAN 4/12.

J. ROOFING MATERIALS.

ROOFING FOR A DWELLING SHALL BE TAMKO HERITAGE 30 YEAR THUNDERSTORM GREY IN COLOR. PROVIDED, HOWEVER, THAT IF SUCH ROOFING SHOULD NOT BE REASONABLY AVAILABLE, ALTERNATIVE ROOFING PROVIDED BY THE ARCHITECTURAL COMMITTEE SHALL BE PERMITTED UPON DETERMINATION OF THE ARCHITECTURAL COMMITTEE THAT THE ALTERNATIVE IS OF EQUAL OR SUPERIOR QUALITY AND OF A DESIGN AND COLOR COMPATIBLE WITH THE ROOFING MATERIAL ABOVE SPECIFIED.

K. DRIVEWAYS.

DRIVEWAYS SHALL BE CONCRETE OR ASPHALT AND REQUIRE APPROVAL OF THE ARCHITECTURAL COMMITTEE PRIOR TO CONSTRUCTION.

L. FENCING.

FENCES SHALL BE CONSTRUCTED OF BRICK, STONE, BRICK AND STONE, BRICK AND FRAME, STONE AND FRAME, WROUGHT IRON AND FRAME. NO CHAIN LINK FENCES SHALL BE PERMITTED. NO FENCE MORE THAN SIX (6) FEET IN HEIGHT SHALL BE PERMITTED ON ANY LOT, EXCEPT FOR PRIVACY SCREENING ADJACENT TO PATIOS WHICH MAY BE SEVEN (7) FEET IN HEIGHT. ORNAMENTAL FENCES, NOT EXCEEDING THREE (3) FEET IN HEIGHT, WHERE COMPATIBLE TO THE ARCHITECTURE OF THE RESIDENCE, MAY BE BUILT FORWARD OF THE BUILDING LINE SHOWN ON THE PLAT.

NO FENCE, EXCEPT AS PROVIDED ABOVE, SHALL BE ERECTED NEARER TO THE FRONT LOT LINE THAN THE TWENTY FIVE (25) FOOT BUILDING LINE OR NEARER TO THE SIDE STREET LOT LINE THAN THE SIDE BUILDING LINE SHOWN ON THE RECORDED PLAT.

ALL FENCES FOR LOTS 9-18, IN BLOCK 1 OF SOUTHRIDGE AT LANTERN HILL SHALL NOT BE LESS THAN TEN (10) FEET FROM THE SOUTHERN PROPERTY LINE OF THE LOT. THE HOMEOWNERS' ASSOCIATION SHALL AT ALL TIMES PERFORM ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE FOR THE TEN (10) FOOT AREA BETWEEN THE LOT PROPERTY LINE AND THE PERMITTED FENCE REQUIRED BY THIS SUBSECTION.

M. SEASONAL DECORATIONS.

ALL SEASONAL DECORATIONS SHALL BE REMOVED NO LATER THAN THIRTY (30) CALENDAR DAYS FROM THE DAY OF THE ACTUAL HOLIDAY.

N. ON-SITE CONSTRUCTION.

NO RESIDENCE OR BUILDING BUILT OFF-SITE SHALL BE MOVED TO OR PLACED ON ANY LOT.

O. OUTBUILDINGS.

NO TRAILER, TENT, SHACK, GARAGE, BARN OR OTHER OUT-BUILDING ERECTED ON A LOT SHALL AT ANY TIME BE USED AS A RESIDENCE, TEMPORARILY OR PERMANENTLY, NOR SHALL ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE. THIS COVENANT SHALL NOT BE CONSTRUED TO PROHIBIT THE ERECTION AND MAINTENANCE OF SERVANTS QUARTERS TO BE OCCUPIED BY REGULARLY EMPLOYED DOMESTIC SERVANTS OF THE OWNER OF THE LOT, PROVIDED THAT THE RENTAL OF ANY SERVANTS QUARTERS DESCRIBED AS "GARAGE APARTMENTS" TO PERSONS OTHER THAN DOMESTIC SERVANTS OF THE OWNERS OF THE LOT IS HEREBY PROHIBITED.

P. SWIMMING POOLS.

ABOVE GROUND SWIMMING POOLS ARE PROHIBITED.

Q. ANTENNAS.

NO RADIO OR TELEVISION ANTENNAS, PLACED ON ANY PART OF ANY BUILDING ERECTED ON ANY LOT, OR ANY FREE STANDING ANTENNA ERECTED ON ANY LOT, SHALL BE PERMITTED AT A HEIGHT EXCEEDING THE ELEVATION OF THE TOP OF THE RIDGE LINE OF THE ROOF OF THE RESIDENCE ON THE LOT. ALL DISH-TYPE OR SIMILAR SATELLITE RECEIVING ANTENNAS ON ALL LOTS SHALL BE SCREENED FROM PUBLIC VIEW WHEN VIEWED FROM THE STREET AND SHALL NOT EXCEED 20' IN DIAMETER.

R. LOT MAINTENANCE.

NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT. EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION FREE OF RUBBISH, TRASH AND OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT GROWTH OF WEEDS OR TALL GRASS.

S. RECREATIONAL VEHICLES.

BOATS, TRAILERS, CAMPERS AND OTHER RECREATIONAL VEHICULAR EQUIPMENT SHALL NOT BE STORED ON ANY LOT, FOR MORE THAN TWENTY FOUR (24) HOURS, EXCEPT WITHIN AN ENCLOSED GARAGE.

T. NON-RECREATIONAL TRAILERS, MACHINERY AND EQUIPMENT.

NO NON-RECREATIONAL TRAILERS, MACHINERY OR EQUIPMENT SHALL BE STORED, PLACED OR PARKED ON ANY LOT, EXCEPT WITHIN AN ENCLOSED GARAGE, OR ON ANY STREET WITHIN THE SUBDIVISION; PROVIDED HOWEVER, NOTHING HEREIN SHALL PROHIBIT THE PARKING OF VEHICLES, MACHINERY AND EQUIPMENT WHEN BEING UTILIZED IN CONNECTION WITH CONSTRUCTION SERVICES PERTAINING TO A RESIDENCE.

U. GARBAGE RECEPTACLES.

NO EXPOSED GARBAGE CAN, TRASH CAN, TRASH BURNING APPARATUS OR STRUCTURE, SHALL BE PLACED ON ANY LOT OR ANY RESERVE AREA.

V. ANIMALS.

NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND MAY BE MAINTAINED, BRED, SOLD OR KEPT EXCEPT THAT DOGS, CATS AND OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT USED FOR COMMERCIAL PURPOSES.

W. NOXIOUS ACTIVITY.

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED OUT UPON ANY LOT OR UPON ANY RESERVE AREA, NOR SHALL ANYTHING BE DONE THEREON THAT MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE SUBDIVISION.

X. SIGNAGE.

NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE SIGN OF NOT MORE THAN 6 SQUARE FEET ADVERTISING THE SALE OR RENTAL OF THE REAL PROPERTY THEREON.

Y. MATERIALS AND STORAGE.

NO LOT SHALL BE USED FOR THE STORAGE OF MATERIALS FOR A PERIOD OF GREATER THAN THIRTY (30) DAYS PRIOR TO THE START OF CONSTRUCTION AND THE CONSTRUCTION SHALL BE COMPLETED WITHIN NINE (9) MONTHS THEREAFTER. EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION DURING CONSTRUCTION.

Z. GARAGE SALES/YARD SALES.

GARAGE SALES/YARD SALES SHALL NOT BE PERMITTED IN THE SUBDIVISION.

AA. BASKETBALL GOALS.

NO BASKETBALL GOAL OR STRUCTURE SHALL BE PERMITTED IN ANY OF THE STREET RIGHTS OF WAY.

BB. INOPERATIVE VEHICLES.

NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT. EACH LOT SHALL BE MAINTAINED FREE OF RUBBISH, TRASH, OR OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT GROWTH OF WEEDS OR TALL GRASS.

SECTION IV. HOMEOWNERS' ASSOCIATION.

A. FORMATION OF HOMEOWNERS' ASSOCIATION.

THE OWNER/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE LOTS WITHIN SOUTHRIDGE AT LANTERN HILL (HEREINAFTER REFERRED TO AS THE "HOMEOWNERS' ASSOCIATION") TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING BUT WITHOUT LIMITATION THE STORM WATER DETENTION FACILITIES AND RESERVE AREAS, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF SOUTHRIDGE AT LANTERN HILL.

B. MEMBERSHIP.

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT SHALL BE A MEMBER OF THE HOMEOWNERS' ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT.

C

# Final Plat

# Southridge at Lantern Hill

A RESUBDIVISION OF 'LANTERN HILL' PLAT #6268, IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA BEING A PART OF THE SE/4 OF SECTION FIFTEEN (15), TOWNSHIP 17 NORTH, RANGE 13 EAST, OF THE INDIAN BASE AND MERIDIAN.

### Owner / Developer

LANTERN HILL, LLC  
 P.O. BOX 35218  
 TULSA, OKLAHOMA 74153  
 PHONE: (918) 299-0396  
 CONTACT: MR. ROBERT A. LEMONS

### Engineer/Surveyor

HRAOK, INC.  
 1913 WEST TACOMA, SUITE A  
 BROKEN ARROW, OKLAHOMA 74012  
 PHONE: (918) 258-3737  
 FAX: (918) 258-2544  
 C.A. #3643 EXPIRES JUNE 30, 2013  
 INFO@HRAOK.COM

### Land Summary

SUBDIVISION CONTAINS ONE HUNDRED - FIFTEEN (115) LOTS IN THREE (3) BLOCKS AND FOUR (4) RESERVE AREAS

BLOCK 1	30 LOTS
BLOCK 2	48 LOTS
BLOCK 3	17 LOTS

SUBDIVISION CONTAINS 39.90 ACRES

### Legend

B/L	BUILDING LINE
LNA	LIMITS OF NO ACCESS
ACC	LIMITS OF ACCESS
FL/E	FENCE & LANDSCAPE EASEMENT
U/E	UTILITY EASEMENT
[234]	STREET ADDRESS

### Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" X 18" STEEL PIN WITH A PLASTIC CAP STAMPED "PLS 1283" AT ALL CORNERS.

### Basis of Bearings

ASSUMED BEARING OF S 0°00'11" E ALONG THE EAST LINE OF THE SE/4 OF SECTION 15, T-17-N, R-13-E, OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

### ADS Benchmark

5/8" REBAR-1 1/2" ALUMINUM CAP-FLUSH-SET IN CONCRETE-STAMPED "49", SET S.E. OF THE INTERSECTION OF 131ST SOUTH, AND YALE PLACE. ELEV=683.26 (NAVD1988)

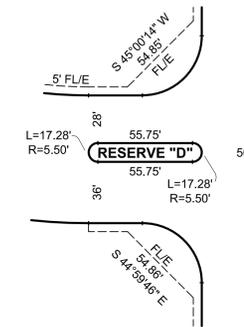
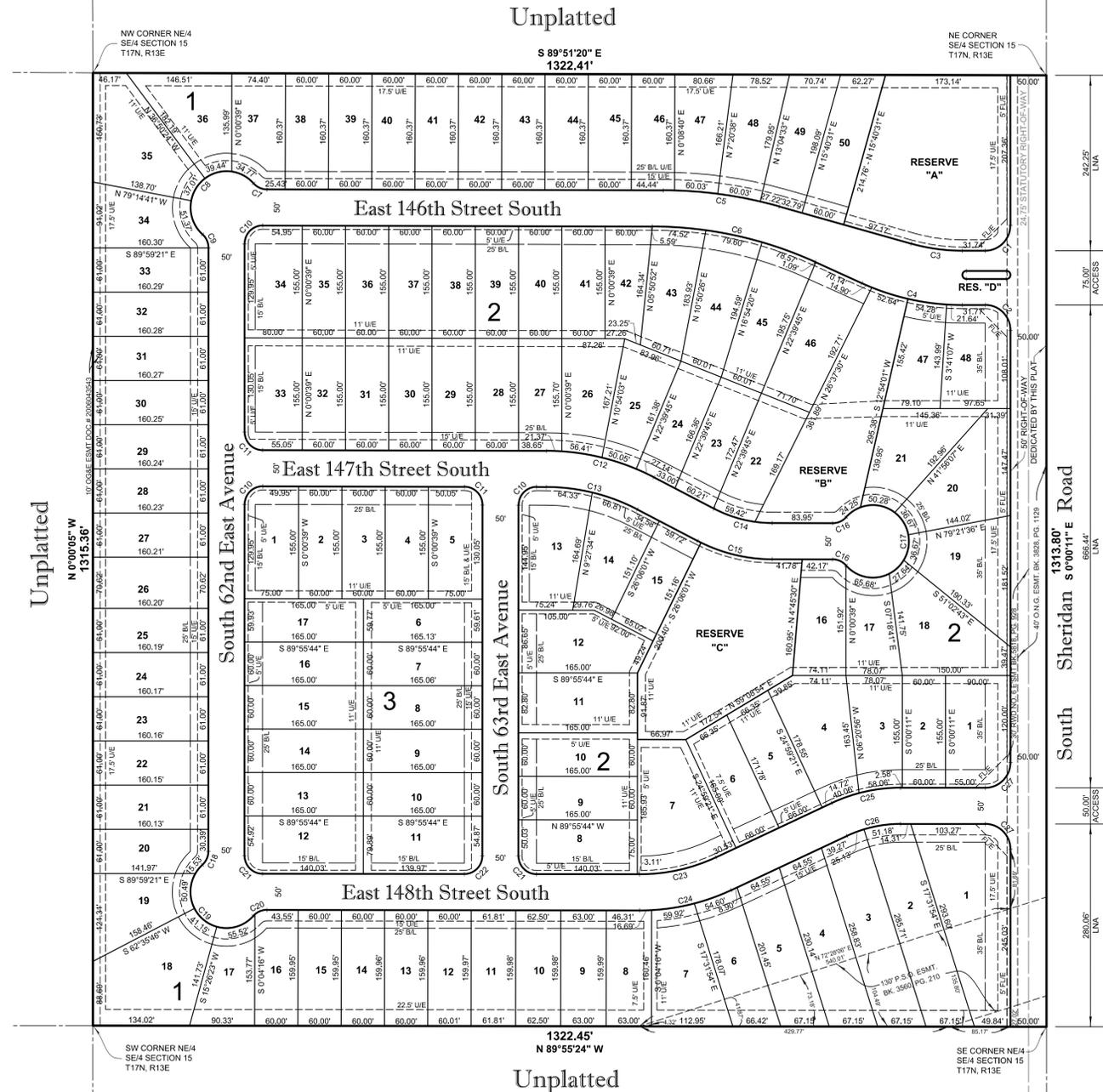
### Notes

ALL STREET RIGHT-OF-WAY SHALL BE DEDICATED AS PUBLIC STREETS BY THIS PLAT.

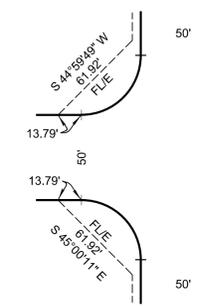
ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

### Curve Table

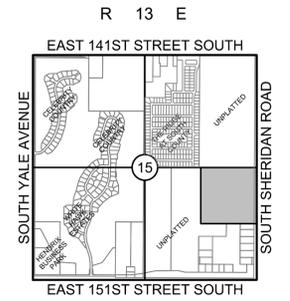
NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH
C1	90°00'51"	35.00'	54.99'
C2	89°59'09"	35.00'	54.97'
C3	15°39'51"	262.50'	71.77'
C4	24°21'18"	337.50'	143.46'
C5	15°32'56"	600.00'	162.83'
C6	24°14'23"	550.00'	232.68'
C7	48°04'28"	25.00'	20.98'
C8	186°18'35"	50.00'	162.59'
C9	48°07'13"	25.00'	21.00'
C10	90°06'55"	25.00'	39.32'
C11	89°53'05"	25.00'	39.22'
C12	27°19'18"	325.00'	154.98'
C13	27°19'18"	275.00'	131.13'
C14	27°19'18"	175.00'	83.45'
C15	27°19'18"	225.00'	107.29'
C16	48°11'23"	25.00'	21.03'
C17	276°22'46"	50.00'	241.19'
C18	48°14'15"	25.00'	21.05'
C19	186°25'38"	50.00'	162.69'
C20	48°15'00"	25.00'	21.05'
C21	89°56'23"	25.00'	39.24'
C22	90°03'37"	25.00'	39.30'
C23	25°03'37"	250.00'	109.35'
C24	25°03'37"	300.00'	131.22'
C25	24°59'09"	225.00'	98.12'
C26	24°59'09"	175.00'	76.32'
C27	90°00'00"	35.00'	54.98'



North Entry Detail  
SCALE: 1"=50'



South Entry Detail  
SCALE: 1"=50'



Location Map  
SCALE: 1"=2000'



Scale: 1"=100'



### FINAL PLAT

#### CERTIFICATE OF APPROVAL

I HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY.

ON \_\_\_\_\_  
 BY \_\_\_\_\_  
 MAYOR - VICE MAYOR

THIS APPROVAL IS VOID IF THE ABOVE SIGNATURE IS NOT ENDORSED BY THE CITY MANAGER OR CITY CLERK.

BY \_\_\_\_\_  
 MAYOR - VICE MAYOR

COUNTY CLERK STAMP

COUNTY TREASURER STAMP

**SOUTHRIDGE AT LANTERN HILL**

**DEED OF DEDICATION AND RESTRICTIVE COVENANTS**

KNOW ALL MEN BY THESE PRESENTS:

LANTERN HILL, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HERINAFTER TOGETHER REFERRED TO AS THE "OWNER/DEVELOPER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

A TRACT OF LAND THAT IS THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SECTION 15, TOWNSHIP 17 NORTH RANGE 13 EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE¼) OF SAID SECTION 15, THENCE S 00° 00' 11" E, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER (SE¼), A DISTANCE OF 1313.80 FEET, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SAID SECTION 15, THENCE N 89° 55' 24" W, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SECTION 15, A DISTANCE OF 1322.45 FEET, TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SAID SECTION 15, THENCE N 00° 00' 05" W, ALONG THE WEST LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SECTION 15, A DISTANCE OF 1315.38 FEET, TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SAID SECTION 15, THENCE S 89° 51' 20" E, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SECTION 15, A DISTANCE OF 1322.41 FEET, TO THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (NE¼, SE¼) OF SAID SECTION 15, AND THE POINT OF BEGINNING.

SAID TRACT CONTAINS 1,738,433.35 SQUARE FEET / 39.91 ACRES MORE OR LESS.

AND HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS AND STREETS, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT" AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "SOUTHRIDGE AT LANTERN HILL", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA (HEREINAFTER "SOUTHRIDGE AT LANTERN HILL" OR THE "SUBDIVISION").

**SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES.**

**A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS.**

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UE" OR UTILITY EASEMENT. FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, JUNCTIONS, 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 THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

**B. UNDERGROUND SERVICE.**

- 1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE SOUTHERN SIDE OF THE PERIMETER BOUNDARY OF THE SUBDIVISION, IF LOCATED WITHIN A GENERAL UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE AND ELSEWHERE THROUGHOUT THE SUBDIVISION ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE GENERAL UTILITY EASEMENTS, SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.
- 2. UNDERGROUND SERVICE CABLES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST 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 TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE, EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- 3. THE SUPPLIER OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL GENERAL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- 4. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THEIR RESPECTIVE LOTS AND EACH SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE OR CABLE TELEVISION FACILITIES, THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THAT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- 5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE AND LOT OWNERS AGREE TO BE BOUND HEREBY.

**C. WATER, SANITARY SEWER AND STORM SEWER SERVICE.**

- 1. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THEIR RESPECTIVE LOTS AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID PUBLIC WATER MAIN, PUBLIC SANITARY SEWER MAIN OR STORM SEWER.
- 2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.
- 3. THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER AND SEWER MAINS, BUT LOT OWNERS SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY THEIR ACTS AND/OR THE ACTS OF THEIR AGENTS OR CONTRACTORS.
- 4. THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER OR SEWER FACILITIES.
- 5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, AND LOT OWNERS AGREE TO BE BOUND HEREBY.

**D. GAS SERVICE.**

- 1. LOT OWNERS SHALL BE RESPONSIBLE FOR THE PROTECTION OF GAS FACILITIES LOCATED ON THEIR RESPECTIVE LOTS.
- 2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE IN EXCESS OF 3 FEET FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A GAS MAIN OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH A GAS MAIN SHALL BE PROHIBITED.
- 3. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF GAS MAINS, BUT LOT OWNERS SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY THEIR ACTS AND/OR THE ACTS OF THEIR AGENTS OR CONTRACTORS.
- 4. THE SUPPLIER OF GAS SERVICE SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF GAS FACILITIES.
- 5. UNDERGROUND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN 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 LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE LINE, EXTENDING FROM THE GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- 6. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH D SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE AND LOT OWNERS AGREE TO BE BOUND HEREBY.

**E. STORMWATER DETENTION.**

- 1. THE OWNER/DEVELOPER DOES HEREBY GRANT AND ESTABLISH A PERPETUAL EASEMENT ON, OVER AND ACROSS RESERVE AREA A AND RESERVE AREA C (HEREINAFTER REFERRED TO AS THE "DETENTION EASEMENT AREAS") FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION.
- 2. DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE DETENTION EASEMENT AREAS SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.
- 3. DETENTION AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION (TO BE FORMED PURSUANT TO SECTION II) TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. THE HOMEOWNERS' ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE WITHIN THE DETENTION EASEMENT AREAS WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

- a. THE DETENTION EASEMENT AREAS SHALL BE KEPT FREE OF LITTER.

b. THE DETENTION EASEMENT AREAS SHALL BE MOWED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.

c. IN THE EVENT THE HOMEOWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION EASEMENT AREAS AS ABOVE PROVIDED, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE DETENTION EASEMENT AREAS AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE HOMEOWNERS' ASSOCIATION.

d. IN THE EVENT THE HOMEOWNERS' ASSOCIATION, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF MAINTENANCE AS ABOVE SET FORTH, THE CITY OF BIXBY, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH RESIDENTIAL LOT WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE LIEN AGAINST EACH RESIDENTIAL LOT SHALL NOT EXCEED 1/10TH OF THE COSTS.

e. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

**F. SURFACE DRAINAGE AND LOT GRADING RESTRICTION.**

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBTURATED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, DRAINAGE AREAS OF HIGHER ELEVATION, AND 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/OR SURFACE WATERS OVER AND ACROSS HIS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH F SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.

**G. LIMITS OF NO ACCESS.**

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH SHERIDAN ROAD DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT. THE LNA MAY BE AMENDED OR RELEASED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF BIXBY, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA. THE LNA ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA.

**H. PAVING AND LANDSCAPING WITHIN EASEMENTS.**

LOT OWNERS AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCURRING AS A RESULT OF NECESSARY REPAIRS OR MAINTENANCE OF UNDERGROUND WATER, SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT. PROVIDED, HOWEVER, THE CITY OF BIXBY, OKLAHOMA OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

**I. RESERVE AREA B AND RESERVE AREA D.**

THE USE OF RESERVE AREA B AND RESERVE AREA D SHALL BE LIMITED TO USE AS OPEN SPACE, LANDSCAPING AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE HOMEOWNERS' ASSOCIATION, AS SET FORTH WITHIN SECTION III, TO BE FORMED FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION.

**J. MINIMUM BUILDING SETBACKS AND YARDS.**

- 1. NO BUILDING OR PART THEREOF, EXCEPT OPEN PORCHES AND TERRACES, SHALL BE LOCATED NEARER TO THE RIGHT OF WAY OF AN ADJOINING PUBLIC STREET THAN THE BUILDING LINE DEPICTED ON THE ACCOMPANYING PLAT.
- 2. NO RESIDENCE SHALL BE BUILT NEARER THAN FIVE (5) FEET TO ANY SIDE LOT ON ONE SIDE, AND FIVE (5) FEET FROM THIS REQUIREMENT, TO THE REAR OF THE BUILDING, TO THE FRONT OF THE BUILDING, TO THE REAR OF THE BUILDING AND BOTH SIDE LOT LINES, WHERE SIDE LOT EASEMENTS ARE SHOWN GREATER THAN THE FOREGOING, NO ENCROACHMENT SHALL BE ALLOWED ON THE EASEMENT. BUILDINGS ABUTTING A SIDE STREET MAY BE INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.
- 3. THE MINIMUM REAR YARD SHALL BE TWENTY (20) FEET.
- 4. NO BUILDING, WHETHER PRINCIPAL OR ACCESSORY, SHALL ENCROACH UPON ANY UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT.
- 5. ALL BUILDINGS MUST FACE THE MOST RESTRICTIVE BUILDING LINE.

**SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS.**

WHEREAS, SOUTHRIDGE AT LANTERN HILL WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD NO. 72) AS PROVIDED WITHIN SECTIONS 1100-1107 OF TITLE 42, BIXBY REVISED ORDINANCES (BIXBY ZONING CODE), AND

WHEREAS, PUD NO. 72 WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON \_\_\_\_\_ AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, ON \_\_\_\_\_, THE IMPLEMENTING ORDINANCE NO. \_\_\_\_\_ BEING ADOPTED ON \_\_\_\_\_, AND PUBLISHED ON \_\_\_\_\_, AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF BIXBY, 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 BIXBY, 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.

**A. DEVELOPMENT IN ACCORDANCE WITH PUD.**

SOUTHRIDGE AT LANTERN HILL SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 72 APPROVED BY THE CITY COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 72 AS MAY BE SUBSEQUENTLY APPROVED.

**B. APPLICABLE ORDINANCE.**

THE DEVELOPMENT OF SOUTHRIDGE AT LANTERN HILL SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE, AS SUCH PROVISIONS EXISTED ON \_\_\_\_\_.

**C. USE.**

ALL USES ALLOWED BY RIGHT IN THE RS-3 ZONING DISTRICT AND SPECIFICALLY SINGLE-FAMILY RESIDENTIAL HOMES.

**D. DEVELOPMENT STANDARDS.**

**1) DEVELOPMENT AREA - SINGLE FAMILY LOTS.**

PERMITTED USES SINGLE FAMILY RESIDENCES AND CUSTOMARY ACCESSORY USES.

MINIMUM LOT FRONTAGE: 60 FEET, MEASURED AT THE BUILDING LINE IF THE LOT FRONTS A CUL-DE-SAC

OTHER BULK AND AREA REQUIREMENTS AS SET FORTH WITHIN AN RS-3 DISTRICT

**E. SITE PLAN REVIEW AND COMPLIANCE WITH APPROVED PLANS.**

THE APPROVED FINAL PLAT OF THE SUBDIVISION SHALL CONSTITUTE THE DETAILED SITE PLAN REQUIRED BY THE BIXBY ZONING CODE. THE DEVELOPMENT AND USE OF SOUTHRIDGE AT LANTERN HILL SHALL BE IN COMPLIANCE WITH THE APPROVED BUILDING PLANS AND SIGN PLANS, AS MAY BE LATER APPROVED BY THE BIXBY PLANNING COMMISSION OR ITS SUCCESSOR.

**F. DEFINITIONS.**

IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH IN THIS SECTION II, THE MEANING THEREOF SHALL BE DEEMED TO BE DEFINED AS SET FORTH WITHIN THE BIXBY ZONING CODE AS THE SAME EXISTED ON \_\_\_\_\_.

**SECTION III. PRIVATE RESTRICTIONS.**

**A. ARCHITECTURAL COMMITTEE.**

- 1. PLAN REVIEW. NO BUILDING, FENCE, WALL, OR EXTERIOR ANTENNA SHALL BE ERECTED, PLACED OR ALTERED (INCLUDING EXTERIOR PAINTING) ON ANY LOT UNTIL THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING BY THE OWNER/DEVELOPER, ITS AUTHORIZED REPRESENTATIVES OR SUCCESSORS, HEREAFTER REFERRED TO AS THE "ARCHITECTURAL COMMITTEE" FOR EACH BUILDING. THE REQUIRED PLANS AND SPECIFICATIONS SHALL BE SUBMITTED IN DUPLICATE AND INCLUDE A SITE PLAN, FLOOR PLAN, EXTERIOR ELEVATIONS, DRAINAGE AND GRADING PLANS, EXTERIOR MATERIALS AND COLOR SCHEME. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE THE PLANS AND SPECIFICATIONS SUBMITTED TO IT AS HEREIN REQUIRED WITHIN TEN (10) DAYS AFTER SUBMISSION, THE PLANS SO SUBMITTED SHALL BE DEEMED APPROVED. THE DEVELOPMENT AND USE OF THE SUBJECT LOT SHALL THEREAFTER BE IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED PLANS OR APPROVED AMENDMENTS THERETO. IN THE EVENT NO SUIT TO ENJOIN THE ERECTION OF THE BUILDING OR STRUCTURE OR THE MAKING OF AN ALTERATION HAS BEEN COMMENCED PRIOR TO THE 30TH DAY FOLLOWING COMPLETION THEREOF, APPROVAL OF THE ARCHITECTURAL COMMITTEE SHALL NOT BE REQUIRED AND THIS COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.
- 2. COMMITTEE PURPOSE. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATIVE MATERIALS, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE OR CODE VIOLATIONS. THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION. NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT ANY LOT OWNER IN THE SUBDIVISION FROM PROSECUTING ANY LEGAL ACTION RELATING TO IMPROVEMENTS WITHIN THE SUBDIVISION WHICH THEY WOULD OTHERWISE BE ENTITLED TO PROSECUTE.
- 3. TRANSFER OF DUTIES. THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL, ON JANUARY 1, 2018, BE DEEMED TRANSFERRED TO THE LANTERN HILL HOMEOWNERS' ASSOCIATION, INC. (TO BE ESTABLISHED AS SET FORTH WITHIN SECTION III HEREOF), OR UPON WRITTEN ASSIGNMENT TO SAID HOMEOWNERS' ASSOCIATION BY THE ARCHITECTURAL COMMITTEE, WHICHEVER EVENT FIRST OCCURS, AND THEREAFTER THE FOREGOING POWERS AND DUTIES SHALL BE EXERCISED BY THE BOARD OF DIRECTORS OF THE ASSOCIATION.

**B. USE.**

THE USE OF THE LOTS SHALL BE LIMITED TO DETACHED SINGLE-FAMILY RESIDENCES AND CUSTOMARY ACCESSORY USES. NO MORE THAN ONE RESIDENCE SHALL BE PERMITTED UPON EACH PLATTED LOT. LOT SPLITS SHALL BE PROHIBITED EXCEPT AS PROVIDED BY AMENDMENT EXERCISED UNDER SECTION IV (C) HEREIN.

**C. FLOOR AREA.**

NO DWELLING ON ANY LOT SHALL BE CONSTRUCTED WITH LESS THAN ONE THOUSAND EIGHT HUNDRED (1,800) SQUARE FEET OF ENCLOSED LIVING AREA FOR ANY ONE SINGLE FAMILY UNIT, EXCLUSIVE OF OPEN PORCHES, GARAGES, OR BREEZEWAYS.

**D. MAXIMUM BUILDING HEIGHT.**

NO BUILDING SHALL EXCEED TWO STORIES OR THIRTY FIVE FEET IN HEIGHT EXCEPT AS APPROVED BY THE ARCHITECTURAL COMMITTEE.

**E. GARAGES.**

GARAGES SHALL PROVIDE A MINIMUM OF TWO PARKING SPACES FOR AUTOMOBILES. ALL GARAGES SHALL BE ATTACHED TO THE RESIDENCE. GARAGES SHALL BE ENCLOSED, CARPORTS ARE PROHIBITED, GARAGE DOORS SHALL NOT CONTAIN GLASS. DETACHED GARAGES MAY BE PERMITTED WITH ARCHITECTURAL COMMITTEE APPROVAL.

**F. FOUNDATIONS.**

ALL EXPOSED DWELLING FOUNDATIONS AND/OR STEM WALLS SHALL BE OF MASONRY.

**G. MASONRY.**

THE EXTERIOR SURFACE OF ALL DWELLINGS, EXCEPT WINDOWS AND DOORS, SHALL BE 100% MASONRY TO THE FIRST FLOOR PLATE LINE. PROVIDED, HOWEVER, THAT THE ARCHITECTURAL COMMITTEE MAY WAIVE THIS RESTRICTION.

**H. WINDOWS.**

WINDOWS OF ALL DWELLINGS SHALL BE VINYL OR WOOD.

**I. ROOF PITCH.**

NO DWELLING SHALL HAVE A ROOF PITCH OF LESS THAN 7/12. PORCHES AND PATIOS SHALL NOT HAVE A ROOF PITCH OF LESS THAN 4/12.

**J. ROOFING MATERIALS.**

ROOFING FOR A DWELLING SHALL BE TAMKO HERITAGE 30 YEAR THUNDERSTORM GREY IN COLOR. PROVIDED, HOWEVER, THAT IF SUCH ROOFING SHOULD NOT BE REASONABLY AVAILABLE, ALTERNATIVE ROOFING APPROVED BY THE ARCHITECTURAL COMMITTEE SHALL BE PERMITTED UPON DETERMINATION OF THE ARCHITECTURAL COMMITTEE THAT THE ALTERNATIVE IS OF EQUAL OR SUPERIOR QUALITY AND OF A DESIGN AND COLOR COMPATIBLE WITH THE ROOFING MATERIAL ABOVE SPECIFIED.

**K. DRIVEWAYS.**

DRIVEWAYS SHALL BE CONCRETE OR ASPHALT AND REQUIRE APPROVAL OF THE ARCHITECTURAL COMMITTEE PRIOR TO CONSTRUCTION.

**L. FENCING.**

FENCES SHALL BE CONSTRUCTED OF BRICK, STONE, BRICK AND FRAME, STONE AND FRAME, STONE AND FRAME, WROUGHT IRON AND FRAME. NO CHAIN LINK FENCES SHALL BE PERMITTED. NO FENCE MORE THAN SIX (6) FEET IN HEIGHT SHALL BE PERMITTED ON ANY LOT EXCEPT FOR PRIVACY SCREENING ADJACENT TO PATIOS WHICH MAY BE SEVEN (7) FEET IN HEIGHT. ORNAMENTAL FENCES, NOT EXCEEDING THREE (3) FEET IN HEIGHT, WHERE COMPATIBLE TO THE ARCHITECTURE OF THE RESIDENCE, MAY BE BUILT FORWARD OF THE BUILDING LINE SHOWN ON THE PLAT.

NO FENCE, EXCEPT AS PROVIDED ABOVE, SHALL BE ERECTED NEARER TO THE FRONT LOT LINE THAN THE TWENTY FIVE (25) FOOT BUILDING LINE OR NEARER TO THE SIDE STREET LOT LINE THAN THE SIDE BUILDING LINE SHOWN ON THE RECORDED PLAT.

ALL FENCES FOR LOTS 9-18, IN BLOCK 1 OF SOUTHRIDGE AT LANTERN HILL SHALL NOT BE LESS THAN TEN (10) FEET FROM THE SOUTHERN PROPERTY LINE OF THE LOT. THE HOMEOWNERS' ASSOCIATION SHALL AT ALL TIMES PROVIDE ROUTINE AND CUSTOMARY GROUNDS MAINTENANCE FOR THE TEN (10) FOOT AREA BETWEEN THE LOT PROPERTY LINE AND THE PERMITTED FENCE REQUIRED BY THIS SUBSECTION.

**M. SEASONAL DECORATIONS.**

ALL SEASONAL DECORATIONS SHALL BE REMOVED NO LATER THAN THIRTY (30) CALENDAR DAYS FROM THE DAY OF THE ACTUAL HOLIDAY.

**N. ON-SITE CONSTRUCTION.**

NO RESIDENCE OR BUILDING BUILT OFF-SITE SHALL BE MOVED TO OR PLACED ON ANY LOT.

**O. OUTBUILDINGS.**

NO TRAILER, TENT, SHACK, GARAGE, BARN OR OTHER OUT-BUILDING ERECTED ON A LOT SHALL AT ANY TIME BE USED AS A RESIDENCE, TEMPORARILY OR PERMANENTLY, NOR SHALL ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE. THIS COVENANT SHALL NOT BE CONSTRUED TO PROHIBIT THE ERECTION AND MAINTENANCE OF SERVANTS QUARTERS TO BE OCCUPIED BY REGULARLY EMPLOYED DOMESTIC SERVANTS OF THE OWNER OF THE LOT, PROVIDED THAT THE RENTALS OF ANY SERVANTS QUARTERS DESCRIBED AS "GARAGE APARTMENTS" TO PERSONS OTHER THAN DOMESTIC SERVANTS OF THE OWNERS OF THE LOT IS HEREBY PROHIBITED.

**P. SWIMMING POOLS.**

ABOVE GROUND SWIMMING POOLS ARE PROHIBITED.

**Q. ANTENNAS.**

NO RADIO OR TELEVISION ANTENNAS, PLACED ON ANY FOOT OF ANY BUILDING ERECTED ON ANY LOT, OR ANY FREE STANDING ANTENNAS ERECTED ON ANY LOT, SHALL BE PERMITTED AT A HEIGHT EXCEEDING THE ELEVATION OF THE TOP OF THE RIDGE LINE OF THE ROOF OF THE RESIDENCE ON THE LOT. ALL DISH-TYPE OR SIMILAR SATELLITE RECEIVING ANTENNAS ON ALL LOTS SHALL BE SCREENED FROM PUBLIC VIEW WHEN VIEWED FROM THE STREET AND SHALL NOT EXCEED 20" IN DIAMETER.

**R. LOT MAINTENANCE.**

NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT. EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION FREE OF RUBBISH, TRASH AND OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT GROWTH OF WEEDS OR TALL GRASS.

**S. RECREATIONAL VEHICLES.**

BOATS, TRAILERS, CAMPERS AND OTHER RECREATIONAL VEHICULAR EQUIPMENT SHALL NOT BE STORED ON ANY LOT, FOR MORE THAN TWENTY FOUR (24) HOURS, EXCEPT WITHIN AN ENCLOSED GARAGE.

**T. NON-RECREATIONAL TRAILERS, MACHINERY AND EQUIPMENT.**

NO NON-RECREATIONAL TRAILERS, MACHINERY OR EQUIPMENT SHALL BE STORED, PLACED OR PARKED ON ANY LOT, EXCEPT WITHIN AN ENCLOSED GARAGE, OR ON ANY STREET WITHIN THE SUBDIVISION; PROVIDED HOWEVER, NOTHING HEREIN SHALL PROHIBIT THE PARKING OF VEHICLES, MACHINERY AND EQUIPMENT WHEN BEING UTILIZED IN CONNECTION WITH CONSTRUCTION SERVICES PERTAINING TO A RESIDENCE.

**U. GARBAGE RECEPTACLES.**

NO EXPOSED GARBAGE CAN, TRASH CAN, TRASH BURNING APPARATUS OR STRUCTURE, SHALL BE PLACED ON ANY LOT OR ANY RESERVE AREA.

**V. ANIMALS.**

NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND MAY BE MAINTAINED, BRED, SOLD OR KEPT EXCEPT THAT DOGS, CATS AND OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT USED FOR COMMERCIAL PURPOSES.

**W. NOXIOUS ACTIVITY.**

NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED OUT UPON ANY LOT OR UPON ANY RESERVE AREA, NOR SHALL ANYTHING BE DONE THEREON THAT MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE SUBDIVISION.

**X. SIGNAGE.**

NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE SIGN OF NOT MORE THAN 6 SQUARE FEET ADVERTISING THE SALE OR RENTAL OF THE REAL PROPERTY THEREON.

**Y. MATERIALS AND STORAGE.**

NO LOT SHALL BE USED FOR THE STORAGE OF MATERIALS FOR A PERIOD OF GREATER THAN THIRTY (30) DAYS PRIOR TO THE START OF CONSTRUCTION AND THE CONSTRUCTION SHALL BE COMPLETED WITHIN NINE (9) MONTHS THEREAFTER. EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION DURING CONSTRUCTION.

**Z. GARAGE SALES/YARD SALES.**

GARAGE SALES/YARD SALES SHALL NOT BE PERMITTED IN THE SUBDIVISION.

**AA. BASKETBALL GOALS.**

NO BASKETBALL GOAL OR STRUCTURE SHALL BE PERMITTED IN ANY OF THE STREET RIGHTS OF WAY.

**BB. INOPERATIVE VEHICLES.**

NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT. EACH LOT SHALL BE MAINTAINED FREE OF RUBBISH, TRASH, OR OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT GROWTH OF WEEDS OR TALL GRASS.

**SECTION IV. HOMEOWNERS' ASSOCIATION.**

**A. FORMATION OF HOMEOWNERS' ASSOCIATION.**

THE OWNER/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE LOTS WITHIN SOUTHRIDGE AT LANTERN HILL (HEREINAFTER REFERRED TO AS THE "HOMEOWNERS' ASSOCIATION") TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREAS, INCLUDING BUT WITHOUT LIMITATION THE ST