

**AMENDED AGENDA  
PLANNING COMMISSION  
116 WEST NEEDLES, BIXBY, OKLAHOMA  
July 18, 2016                      6:00 PM**

**CALL TO ORDER**

**ROLL CALL**

**CONSENT AGENDA**

1. Approval of Minutes for the Planning Commission Meeting: May 31, 2016

**PUBLIC HEARINGS**

**NONE**

**PLATS**

1. **FINAL PLAT-THE VILLAGE AT TWIN CREEKS (PUD 91)-Applicant, AAB Engineering, LLC**  
Discussion and consideration of a Final Plat for approximately 6.0 acres for the purpose of a residential development in Section 31 T18N, R14E  
**Property Generally Located:** East of Mingo and ½ mile north of 121<sup>st</sup> Street
2. **PRELIMINARY PLAT (BZPT-16.07 CEDAR CREST)  
CEDAR CREST BUSINESS PARK (PUD 41), Applicant, Ryan McCarty on behalf of ABR, LLC**  
Discussion and consideration of a Preliminary Plat for approximately 8.316 acres for the purpose of commercial shopping development and mini storage in Section 21, T17N, R13E  
**Property Generally Located:** South of 151<sup>st</sup> Street and ½ mile east of Harvard

**SITE PLANS**

3. **SITE PLAN (BXSP-16.06.CEDAR CREST)  
CEDAR CREST BUSINESS PARK (PUD 41): Applicant, Ryan McCarty on behalf of ABR, LLC**  
Discussion and consideration of a Site Plan for approximately 8.316 acres with two Lots. Lot 1-no proposed use at this time, Lot 2-proposed Use Unit 16, Mini Storage. In Section 21, T17N, R13E  
**Property Generally Located:** South of 151<sup>st</sup> Street and ½ mile east of Harvard

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**4. SITE PLAN (BXSP-16.04.PRIMROSE)**

**PRIMROSE SCHOOL FRANCHISING COMPANY: Applicant, Mark Capron on behalf of Primrose School Franchising Company**

Discussion and consideration of a Site Plan for approximately 1.41 acres for the purpose of a children's nursery in part of the 101 South Memorial Center Plat, Section 25, T18N, R13E

**Property Generally Located:** South of 101<sup>st</sup> Street and East of Memorial one-quarter mile

**OTHER BUSINESS**

**5. DISCUSSION OF USE UNIT 17 AND USE UNIT 25: Development Services Staff**

Discussion and consideration of Use Unit 17 and Use Unit 25 in regards to the proper zoning designation for automotive collision repair requiring the use of paint to complete their restoration project

**NEW BUSINESS**

**ADJOURNMENT**

Posted By: City Staff on behalf of Marcae' Hilton 

Date: July 15, 2016

Time: 12:00PM

**MEETING MINUTES  
PLANNING COMMISSION  
116 WEST NEEDLES, BIXBY, OKLAHOMA  
May 31, 2016 6:00 PM**

**SPECIAL-CALLED MEETING**

In accordance with the Oklahoma Open Meeting Act, Title 25 O.S. Section 311, the agenda for this meeting was posted on the bulletin board in the lobby of City Hall, 116 W. Needles Ave., Bixby, Oklahoma on the date and time as posted thereon, a copy of which is on file and available for public inspection, which date and time was at least twenty-four (24) hours prior to the meeting, excluding Saturdays and Sundays and holidays legally declared by the State of Oklahoma.

CALL TO ORDER: Chair Lance Whisman called the meeting to order at 6:11 PM.

**POINT OF ORDER: Mr Maguffee:**

Please exclude item #5, it was not on the previous agenda, discussion of language on allowing the items to stay on agenda. The previous meeting agenda items were continued to the May meeting, but PC did not have quorum the developer asked for a special meeting. The city staff agreed and a special Meeting was scheduled for May 31. Patrick Boulden replied to Mr. Maguffee. City Attorney stated the items were OK to be heard; they were properly advertised and meet all the legal requirements. (COMMENTS FROM: Maguffee, Sutton, Hilton, Boulden)

**ROLL CALL**

**PLANNING COMMISSION (PC):**

Members Present: Lance Whisman (Chairman)  
Steve Sutton (Vice Chair)  
Larry Whiteley  
Tom Holland  
Jerod Hicks

**STAFF PRESENT:**

Patrick Boulden, Esq., City Attorney  
Marcae' Hilton, City Planner  
Jason Mohler, Development Services Director & City Engineer  
Jim Coffey, City (Consultant)

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OTHERS ATTENDING:

See attached Sign-In Sheet (35 adults, 4 children-present for Addison Creek/Seven Lakes VII)

Tanner Consulting (Ricky Jones, Justin Morgan)

CONSENT AGENDA

1. Approval of Minutes for the Regular Meeting's: March 21 and April 18, 2016
2. Approval of Minutes for the Specially Scheduled Work Session between Planning Commission and City Council on Monday, March 28, 2016

DISCUSSION: Chairman Lance Whisman

**MOTION TO APPROVE NO 1:** Larry Whitley

**SECOND:** Vice Chair, Steve Sutton

**ROLL CALL:**

**MOTION PASSED:** 3:0:2

**MOTION TO APPROVE NO 2:** Larry Whitley

**SECOND:** Chair, Lance Whisman

**ROLL CALL:**

**MOTION PASSED:** 3:0:2

PUBLIC HEARINGS:

PLATS:

3. **FINAL PLAT-PINE VALLEY ADDITION, PUD 12-D, BLOCKS 4-9: Applicant, Tanner Consulting on behalf of Stone Horse Development, LLC**

Discussion and consideration of a Final Plat for *Pine Valley Addition, PUD 12-D, Blocks 4-9*, 84 Lots, 33.717 Acres

Section 16, Township 17, Range 13

**Property generally located:** east of Harvard Avenue and south of 141<sup>st</sup> Street about one-quarter mile

4. **FINAL PLAT-PINE VALLEY ADDITION, PUD 12-D, BLOCKS 10-11: Applicant, Tanner Consulting on behalf of Stone Horse Development, LLC**

Discussion and consideration of a Final Plat for *Pine Valley Addition, PUD 12-D, Blocks 10-11*, 9 Lots, 4.346 Acres

Section 16, Township 17, Range 13

**Property generally located:** east of Harvard Avenue and south of 141<sup>st</sup> Street less than half a mile

**GENERAL ITEM 3:** *The Final Plat for Pine Valley Addition Blocks 4-9 is generally located one-quarter to one-half mile south of 141st Street and east of Harvard Avenue.*

*The plat has 33.717 Acres, 84 Lots in 6 Blocks with five reserves. The property is currently zoned RS-1 and RS-3 Residential Single-Family Districts with PUD 12-D. PUD 12-D is in accordance with the Comprehensive Plan as a zoning district. The proposed subdivision plat is consistent with PUD 12-D. PUD 12-D did not show planned trail routes, but did include plans to provide trails under PUD 12-D Section II.C. The applicant has asked for a waiver, see waiver below.*

**GENERAL ITEM 4:** *The Final Plat for Pine Valley Addition Blocks 10-11 is generally located one-half mile south of 141st Street and east of Harvard Avenue. The plat has 4.346 Acres, 9 Lots in 2 Blocks with 2 reserves. The property is currently zoned RS-3 and RS-1/PUD 12-D. The proposed subdivision plat is consistent with PUD 12-D. In addition, PUD 12-D did not show planned trail routes, but did include plans to provide trails under PUD 12-D Section II.C. The applicant has asked for a waiver, see waiver section below.*

*This plat represents a conventional, suburban design and appears similar to The Reserve at Harvard Ponds and The Enclave at Harvard Ponds to the southwest, with lots similar in size and configuration. Typical lots range from 65' X 125' (8,125 square feet, 0.19 acres) to 70' X 142' (9,940 square feet, 0.23 acres).*

**TAC:** *The Final Plat for Pine Valley Addition Blocks 4-9 was heard by Technical Advisory Committee (TAC) on Wednesday, May 4, 2016 no new comments were made. The comments from the Fire Marshal are attached. Staff requests all outstanding comments be resolved before submittal of the Final Plat to City Council.*

**MODIFICATIONS/WAIVERS:**

*Upon its approval of the Preliminary Plat in November 10, 2014, the City Council approved the following Modifications/Waivers, as recommended by the Planning Commission:*

**SIDEWALK WAIVER:**

**CITY COUNCIL AGENDA ITEM COMMENTARY**

**November 10, 2014 (City Planner, Eric Enyart)**

**RECOMMENDATION:** *Staff and the Planning Commission concur in recommending Approval of the Preliminary Plat with the following corrections, modifications, and Conditions of Approval:*

5. The Subdivision Regulations requires sidewalks along interior streets and Harvard Ave. To ensure this requirement is not inadvertently overlooked for the sidewalks along Harvard Ave. and Reserve Area frontages (developer's responsibility prior to the construction of any homes), the engineering construction plans should show locations, widths, and design details, which are subject to the Engineering Design Criteria Manual and City Engineer approval. The Applicant may request to do a fee-in-lieu by Modification/Waiver.

TANNER CONSULTING RESPONSE: Letter Dated-October 27, 2014

"Formally request a waiver of the Bixby Subdivision Regulations, Section 12-3-2-N and be permitted not to construct a sidewalk along the South Harvard frontage. Based on the current condition of South Harvard Avenue and the large amount of floodplain involved, we feel it is more practical to be permitted to pay a fee in lieu of construction of the sidewalk. We will provide you with an engineer's estimate of the cost of construction for the sidewalk in order to base you fee amount."

Letter attached.

CITY STAFF RESPONSE: This item will require coordination with Development Services Staff before submittal of Final Plat for City Council Approval.

Along with this Final Plat, the Applicant is requesting additional Modification/Waiver:

TRAILS WAIVER/MODIFICATION:

TAKEN FROM THE PRELIMINARY PLAT OF PINE VALLEY PER (City Planner, Eric Enyart)

DOD.4.Access and Circulation per PUD 12-D, "It is proposed that a trail system be provided that is meaningful and provides reasonable pedestrian opportunities extending from Harvard Avenue through the Posey Creek flood plain and continuing to the East boundary of Geiler Park. Prior to the issuance of occupancy permits for development which in the aggregate comprises 20% of the land area of Geiler Park, a trail system plan, including a construction phasing schedule, shall be submitted to and approved by the Bixby Planning Commission."

CITY COUNCIL AGENDA ITEM COMMENTARY

November 10, 2014

RECOMMENDATION

6. The division of trail construction responsibility between the residential and non-residential development areas was not addressed in PUD 12-D. The Applicant should consult with the current property owner and advise how the trail provisions will be addressed.

TANNER WAIVER REQUEST: As shown on the approved construction plans, a 4'-wide sidewalk will be constructed around the perimeter of the stormwater detention pond within Reserve Area C, which may serve as a walking amenity for residents of Pine Valley Addition. Further, the dedication language for Reserve Area A provides for potential future trail.....we respectfully request that the sidewalk system constructed along the Reserve Areas and around the stormwater detention pond within Reserve Area C and the Reserve Area A dedication language be accepted in satisfaction of any trail system obligation under PUD 12-D for the area included within the submitted plats.

CITY STAFF RESPONSE: the Development Services Staff is thoughtful of master planning for trails especially in conjunction with the proposed INCOG "GO Plan" a regional pedestrian and bicycle plan connecting major destinations in the region. Staff believes the City of Bixby will be a competitive viable Destination City with trails and pedestrian connectivity. Currently, the GO Plan does not include a master trail system within the proposed plat area. However it does have several recommended areas within the same Section 16, Township 17 Range 13. Staff will recommend future development in the area follow or improve upon the trails plan in order to create a community with greater accessibility along with economic and recreational opportunities for all our citizens. The sidewalks along the "reserve areas" will be satisfactory for this plat.

Staff recommends approval of the Final Plat for Pine Valley Blocks 4-9 & Blocks 10-11 subject to the resolution of comments from staff.

1. Subject to compliance with any outstanding Fire Marshal and City Engineer recommendations and requirements.
2. Before the City Council Final Plat hearing: Please coordinate the Sidewalk fee-in-lieu process with the City Engineer.
3. Please note the defining trails language in the Deed of Dedication as applicable.
4. Before the City Council Final Plat hearing: Please provide release letters from all utility companies serving the subdivision as per SRs Section 12-2-6.B.
5. Deed of Dedication and Restrictive Covenants Section III. A: Provides "The Owner/Developer has formed or shall cause to be formed" an HOA. When the HOA is formed, please submit a copy of the Secretary of State Incorporation documents for placement in the permanent file and for notification to the Bixby Neighborhood Coordinator, along with the names and contact information of the Officers.

**Consulting Comments:** Ricky Jones 5323 S. Tulsa, OK Tanner consulting representing Stone Horse Development-Agree with recommendation; they are under construction please approve the final plat

**Planning/Staff Comments: Jerod:** tie into Spring Creek, does this tie into Spring Creek or is it a one way cul-de-sac? Ricky-it is a cul-de-sac.

**Jason:** there is a minimum number of lots requirements, this has been approved by Fire Marshal

**Tom Holland:** Trails, will sidewalk tie into the INCOG GO Plan? Staff, NO there is no trail plan.

**Jason:** vote separately or combined

**Patrick:** vote combined

**MOTION TO APPROVE BLOCKS 4-9 AND 10-11:** Tom Holland

**SECOND:** Larry Whiteley

**ROLL CALL:**

**AYE:** Whitley, Sutton, Whisman, Hicks, Holland

**NAY:** None

**ABSTAIN:** None

**MOTION PASSED:** 5:0:0

**5. PRELIMINARY PLAT-SEVEN LAKES VII: Applicant, Tanner Consulting on behalf of Stone Horse Development, LLC**

Discussion and possible action to approve a Preliminary Plat for *Seven Lakes VII*, 2 Lots, 0.625 Acres

Section 2, Township 17, Range 13

**Property generally located:** east of Sheridan Road and one-half mile north of 131st Street.

**COMPREHENSIVE PLAN:**

Low Intensity Land Use, the area is currently shown in the 100-Year Floodplain, but not listed as development sensitive per the Comprehensive Plan.

The preliminary plat for Seven Lakes VII is generally located East of Sheridan and one-half mile north of 131<sup>st</sup> Street. The proposed plat was originally part of the Preliminary Plat for Addison Creek (proposed plat, Planning Commission Agenda, ~~May 16, 2016~~ April 18, 2016). However, after the first planning commission meeting (April 18, 2016) ~~the developer made arrangements with Seven Lakes who accepted the 2 lots into the Seven Lake's development and (HOA) Home Owners Association~~ (this was discovered to be untrue and should be struck from the record). The plat consists of 2 lots on 0.625 acres. The

property is currently zoned RS-4. The *Final Plat of Seven Lakes I* was approved by City Council 10/23/2006 (plat recorded 04/26/2007).

The south portion of the plat is located within a 100-year floodplain. The City Engineer has extensive comments requiring FEMA approval and documentation along with finish floor elevations to be included in the Final Plat.

**GENERAL:**

This item was heard by Technical Advisory Committee (TAC) on Wednesday, May 4, 2016 no specific comments were made from utilities or the Fire Marshal. Staff requests all outstanding comments be resolved before submittal of the Final Plat to City Council.

**STAFF RECOMMENDATIONS:**

Staff recommends approval of the Preliminary Plat for Seven Lakes VII subject to the resolution of comments from staff.

1. Approval is subject to compliance with any outstanding or new Fire Marshal and/or City Engineer recommendations and requirements.
2. Before the City Council Final Plat hearing: Please provide release letters from all utility companies serving the subdivision as per SRs Section 12-2-6.B.
3. Please confirm the City of Bixby has the current HOA information including a copy of the Secretary of State Incorporation documents for placement in the permanent file and for notification to the Bixby Neighborhood Coordinator, along with the names and contact information of the current HOA Officers.

Correction to staff report: see red highlighted area above

May 16, 2016-April 18, 2016

Developer and HOA agreed to allow the Seven Lakes VII into Seven Lakes VII-this was incorrect and should be stricken from the staff report

**CONSULTANT:** Ricky Jones 5323 S, Tulsa, OK: we are in agreement

**Mike Maguffee:** 6698 E 127<sup>th</sup> Street Ms. Hilton please read the part about Seven Lakes and the Developer met-Item was never addressed with the HOA, this was incorrectly written, it was never brought before the HOA board to be formally considered accepted.

**Steve Sutton (PC Vice Chair):** What meeting are you referring to?

**Marcae'**: spoke about the statement and acknowledged it may be incorrect, it was believed this was the case. Cannot confirm the meeting.

**Brian Doyle-developer**: spoke

**Steve Sutton (PC Vice Chair)**: has the effected parties had a meeting as requested by Planning Commission, and have you gotten any resolution.

**Mike Maguffee**: as a corporate body we have not received a request to accept Seven Lakes VII as part of Seven Lakes

**Steve Sutton (PC Vice Chair)**: has the effected parties meet to get a resolution?

**Mike Maguffee**: never been considered by the HOA for acceptance.

**Steve Sutton (PC Vice Chair)**: modified question, did all the affected parties get together?

**Jason Mohler**: Meeting occurred on May 6, 2016 between Seven Lakes and the developer; the City Staff as directed by Staff facilitated it. Three members of Seven Lakes, at the beginning at that meeting there was a question as to whether or not those lots would be accepted.

**Steve Sutton (PC Vice Chair)**: that is why I jumped in.

**Tom Holland**: Which properties are we speaking of? Are the two properties already built?

**Marcae'**: they were not included in the original plat for Seven Lakes I, when Addison Creek plat came in they included the two lots, it did not make sense to put the two lots in the Addison Creek plat.

**Mike Maguffee**: discussion of history of Seven Lakes slides are included for reference.

**Steve Sutton (PC Vice Chair)**: this is important to everyone, important to have a meeting with Tanner; I did have a meeting at my house, what was discussed at that meeting. Marcae? What is the date of the meeting of the meeting you are referencing? (Maguffee)It was after you suggested we get together (no date was given)

**Steve Sutton (PC Vice Chair)**: what was discussed?

**Mike Maguffee**: placement of channel and drainage

**Steve Sutton (PC Vice Chair)**: what was the bulk of the meeting?

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**Mike Maguffee:** drainage and flooding and addition comments were given

**Brian Doyle-developer:** stone horse development, meeting Mike is talking about was held before the PC meeting the meeting you are speaking about was held after the PC meeting, it was held by the staff...We spoke of drainage, the location of the fence....

**Jim Coffee:** 2925 W. H Street, Jenks, OK, consultant during development of Seven Lakes

**Jim Coffee:** Noticed, we have difficulty with dates and times; the memory of some is this happened today. Hard to know whether or not is current or happened a long time ago. Need to know the current information. Wetlands conversation, this in not wetlands, it is documented. Three requirements: does not meet any – from our perspective it is wrong.

**Mike Maguffee:** more history of Seven Lakes and surrounding properties, continued with slide show....

**Tom Holland (PC):** what is the purpose of this information?

**Mike Maguffee:** comprehensive information on surrounding properties, FEMA, and other information, continued with slide show,,,,

**Coffee:** wetlands conversation....

**Mike Maguffee:** more comments.... continued with slide show

**Lance Whisman (Chair):** let's not get out of hand

**Tom Holland (PC):** already in minutes but this is not wetlands the point is irrelevant

**Maguffee:** more comments.... continued with slide show

**Marcae':** wetlands identification, Initial meeting with Developer is referenced, lime green color on west

**Mike Maguffee:** more comments.... slide show

**Tom Holland (PC):** west side of Sheridan?

**Jason:** map identification

**Mike Maguffee:** continued with slide show....

**Lance Whisman (Chair):** thank you very much

**Jim Coffee:** the job you have been given is to see if it meets the Zoning Code if it meets the general qualifications of the preliminary plat. All these other issues are because people are upset.

**Lance Whisman (Chair)/ Tom Holland (PC):** Clarify is this even a part of Addison Creek?

**CONSULTANT:** Ricky Jones 5323 S, Tulsa, OK: the HOA does not have to accept these two lots. I am prepared to talk about engineering.

**Tom Holland (PC):** making sure the HOA is comfortable with the HOA

**Lance Whisman (Chair):** This is not something you want to seek? HOA acceptance? Can be accepted afterward?

**Patrick Boulden (City Attorney):** What direction is the HOA leaning?

**CONSULTANT:** Ricky Jones 5323 S, Tulsa, OK: we tried to do what we understood the HOA wanted.

**Larry Whiteley (PC):** if these two lots are not in your HOA they can do what they want.

**Tom Holland (PC):** The meeting was not for the HOA, is that correct. Were you not notified of that meeting?

**Mike Maguffee:** I was not there, the residents which were present were....

**Marcae':** the meeting was for anyone, it was not a closed meeting anyone could have come. I did ask for representatives from the Seven Lakes, but no one was excluded.

**Jason:** I would ask we hear from Mr. Adams

**Mike Maguffee:** this body does represent the interest of the homeowners.

**Larry Whiteley (PC):** cannot move mobile homes, if you don't allow them to join the HOA you cannot regulate, your

**Mr. Adams:** 6626 E 127<sup>th</sup> Street South.-on HOA it was never addressed with HOA. The Developer never came to us about the 2 lots. I was at TAC meeting; I do not recall anything about the Seven Lakes VII.

**Steve Sutton (PC Vice Chair):** was there any resolution?

**Adams:** No, there was not, flooding, Jared Cottle was in the meeting he mentioned it is a technical issue and will be addressed at a later date. More discussion ensued regarding the May 6th meeting and other concerns.

**Jerod Hicks (PC):** is there a lot of water in the neighborhood? I have grown up here; Seven Lakes was like this before it was developed. I believe Jared was addressing this with his discussion. The engineer will look at it extensively.

**Adams:** what guarantee do we have this will not be another Frye Creek in regards to erosion. There was not resolution in the end of the TAC meeting. The fence is staying up. My understanding is the Addison Creek development is only 1 foot above the floodplain. That could be an issue. More discussion ensued.

**Marcae':** that was not a TAC meeting; it was May 6, 2016.

**Adams:** took time off work. Others took time off to get some sort of resolution. Still a page and ½ of items

**Marcae':** items were sent to me, I categorized the questions which were sent to me. As the Meeting began Mr. Cottle asked for the top 3 items. Flooding was addressed from Mr. Cottle and it lasted for about an hour with exhaustive historical analysis. Run off, flooding, erosion, I would disagree, it seemed there were no more questions and everyone was satisfied. I misunderstood; I actually thought they were fine with the discussion.

**Adams:** ....more comments

**Larry Whiteley (PC):** what time was the meeting?

**Marcae':** I set up the meeting, the CM wanted to be involved

**Justin Morgan, Tanner Consulting:** all the water will be taken to Frye Creek, turn the Clock back, Frye Ditch did not exist.

**Larry Whiteley (PC):** it's not a flood plain? We are bound, we do not have much choice, if we turn it down we could get sued, discussion ensued regarding voting and Planning Commission duties. Take them to court if you have documentation.

**Lance Whisman (Chair):** drainage question, how much water do we think that will be?

**Jason:** the original basin was 1500 acres, that basin has already been reduced to 400 acres approximately, future development could reduce it further, detailed discussion ensued. There will be a full drainage study.

**Lance Whisman (Chair):** master plan for what to expect with flooding

**Marcae:** did not and would never purposefully misrepresent the public or my Planning Commission

**Mark Adams:** all we are asking for: if we can follow the proper protocol so the item can be approved, I think we are OK, we just want to follow the proper procedure to get the two lots in Seven Lakes

**Joseph Tiereny:** not opposed to the addition, just giving a history. Told it was un-farmable wetlands. Changed when they drained it. Detailed history was given, this whole project is about drainage, I believe it can be done. Fences? Concrete? Give them the greenbelt, you get the drainage, and everyone is happy.

**Brian Doyle/Tiereny:** discussion

**Tiereny:** the want to knock down all my trees

**Larry Whiteley (PC):** have you signed any agreement they can take any trees out?

**Tiereny:** How are you going to remove the water, drain pipe? 5 feet off the property line. Roots out

**Larry Whiteley (PC):** comment...

**Tiereny:** Try to do the right thing, let me keep some of my trees, let them keep the green belt,

**Larry Whiteley (PC):** they can only keep the greenbelt if they buy it.

**Tiereny/Whiteley:** greenbelt discussion....

**Larry Whiteley (PC):** flooding, drainage, don't see any reason to develop it

**Tiereny:** the property should still be wetlands if done properly,

**Tom Holland (PC):** you answered your own question: it is doable

**Tiereny:** I believe it is doable.

**Larry Whiteley (PC):** are we voting

**Tiereny:** give the greenbelt, accept the two lots.

**Liz Hulz:** I do not live on the greenbelt. List you can tick off this meets all the criteria, we need to know what is going on to the south. Too secretive, entire neighborhood should have been able to come to the meeting. Mr. Sutton said this is not where to bring it up. Mr. Whiteley-HOA, they need to ask if we want them. If the homeowners are kept in the dark, we will always have questions. Developer more open with home owners, if there is a floodway, we have children. It is helpful to have information and communicate. Lack of communication, lack of trust.

**Kirk Walker:** 2626 S. 126<sup>th</sup> street: 2 lots and discussion with regards to drainage. This will be an agenda item with our HOA. Table it until we have an opportunity to meet about the 2 lots.

**Steve Sutton (PC Vice Chair):** this is a preliminary plat; it could be pulled and addressed later.

**CONSULTANT:** Ricky Jones, we would like to have the go together to the city council.

**Brian Fleming:** what do we have to offer, I believe the meeting went: can we not have a fence? How about we pay more money to get the additional footage and move the fence back. No, we are not selling the land, it is out of the question. Other side, no we are not doing that. The meeting was attempted, all we have to negotiate: can you move it back or can we buy it.

**Marcae':** Mr. Doyle said he would go back and ask the other owners if access was an option.

**Mark Adams:** it was addressed, fence-will go around the perimeter, can fence be moved or taken down, no there is no way around it. The owner was there, but he was asked to leave the room at that time.

**Marcae': ....**

**Brian Doyle-developer:** first thing was buffer/drainage ditch; we went out there earlier and walked the area, Accommodations: moved the ditch south away from their houses. Fence: the answer today the fence is going back up. There methods for working with us is to file a

lawsuit, they were concerned about lot size, house height, two lots will have the same covenants as seven lakes. Meeting with them, not a problem, not going to give them property, it is their amenity, they have ponds. We will meet with them prior to City Council. We would like to get all these lots approved.

**Marcae'**: the meeting was not set up with malicious intent, I felt I followed Mr. Sutton's request. I sincerely apologize.

**Brian Doyle-developer**: as far as platting, we have no intent of giving up any property.

**Tom Holland (PC)**: acknowledge there was not malicious intent

**Mike Maguffee**: comments regarding staff.

**Mike Maguffee**: previous owner...3000 documents, tell me the principles of Stone Horse, more history of the area development. Daniel Ruhl is involved.

**Larry Whiteley (PC)**: drainage statement about Frye Ditch vs Arkansas River ...Are we going to vote on these two lots?

**Lance Whisman (Chair)**: is there anyone else going to

**Mike Ramsey**: thank you to Mr. Sutton, I appreciate you taking the time to come walk the property. I would like to show you photos, (Marcae; you will need to leave them for the Planning Commission report), all of this was put in by the developer, why are stairs there? Ask you to do the right thing.

**Tom Holland (PC)**: the Seven Lakes ownership

**Mike Maguffee**: development/owner details see slide presentation for more information

**Tom Holland (PC)**: drainage from Seven Lakes going into the Addison Creek area?

**Mike Maguffee**: yes

**Tom Holland (PC)**: are the original owners at that time and charged them extra money? Is it the same developer who is developing the property now?

**Mike Maguffee**: developer discussion see slides

**Todd Hanson**: petrified to talk.... I did want to show you my photos of my back yard, is this appropriate? FENCE issue/photo

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**Brian Fleming:** glossy pics, tape measure, 21 inches from bottom of rocks/retention wall to fence, landscaping

**Whiteley/Fleming:** extra money for access to greenbelt, advertising

**Mark Adams:** submittal of original plat, “use it as if it is yours”

**Andy Oiler:** 6860 E. 11<sup>th</sup> Street, submit pics, will apply to both, address something that I believe to have happened. “Sales people, they work off of commission” this is not about what happened in the past, it is about what is right for the community. The message needs to be we are no longer going to operate with that mentality.

**Whiteley/Oiler:** car analysis, sales people often exaggerate. Can see how people were fooled, should have done more due diligence. What about the ponds? Wetlands on map, drainage pipe, discussion ensued. Federally protected wetlands will never be developed.

**Whiteley/Coffee:** wetland designation does not stay with property forever.

**Lance/Coffee:** Frye Ditch discussion and wetlands.

**Justin Morgan:** Frye Ditch was part of Tulsa County mitigation with corps jurisdiction

**Coffee:** wetland comment

**Andy Oiler:** drainage pipes under Sheridan

**Jason:** water goes over Sheridan; we would like it to go under for public safety purposes

**Mark Adams:** rock house/Sheridan discussion. Just recently, someone changed the ditch and we had no flooding.

**Joseph Tiereny:** Sheridan flooding/improvements to

**Justin Morgan:** Rock house discussion and models Justin asked for the culvert to be cleaned out. Tanner made the improvements

**Mike Maguffee:** Daniel.... 1 comment

**Lance Whisman (Chair):** comment about drainage on Sheridan.

**Oiler:** spec home, everything was done, yard was built for access to wetlands. Slanted yard for mowing wetland. Sprinkler system in wetland. Retaining wall steps. Case not thrown

out, judge said let me tell you how to write this litigation. Legally, has to end up in court. Profit over people, when does it stop, when do we consider the people.

**Tom Holland/Justin Morgan:** 1 foot to 10-12 feet deep in the middle, it will raise about 2 feet in parts; the hole will be a couple of feet lower than seven lakes.

**Steve Sutton/Justin Morgan:** next to the are you going to level everything? Seven lakes fence line 150-foot drainage, pushed straight channel to Addison Creek side. Had to match the drainage culvert to Frye Ditch, surveyed all the trees to keep as many as possible. Are the new Addison Creek Home owners going to have access to the greenbelt, asphalt trail, chat, 4 foot sidewalk? Mutual access to greenbelt, has this been asked,

**Brian Doyle/Steve Sutton,** mutual access: lots in Addison Creek 80,000-100,000 lots, dues to reserve area. HOA paying dues, it is hard to sale. Might add to your monetary fund to have access, it is a possibility, I hear about two different Seven Lakes. Need to discuss, but it is a hard deal to sale to Home Owners to Addison Creek. Reserve are on plat as platted reserve area.

**Amid:** house backs to greenbelt march 27, 2015, only reason I bought the home was because the of greenbelt. PHD in engineering did everything possible to make sure we did everything, I have it in writing in my contract, my contract is part of the lawsuit. Second, I did survey myself; land is at least 6 or 6 feet deep. I thought in his right mind would build anything here, they are sloped lots and all the drainage goes to wetland. Have standing water when it rains heavy. Got it in writing. I have photo to submit. No one would ever do that, I have daughters and need play area, now we cannot, all of our garden. Holland what year did you buy your property? March 2015, received a letter one month later from Shaw homes, we have sold the property, please remove your personal items. We looked all over Tulsa and purchased because it had a green belt.

**Mark Adams:**-submit pics for Mike Collier, if we write you a check will you accept it at May 6, 2016, we were told no.

**Mike Maguffee:** first slide, lawsuit has been going on for over a year, in process of writing the third petition, I am really anxious to have our case heard. I would at least address one thing, Mr. Ruhl having no interest, filed to court clerk, is also listed on the initial platting and same consultant on all the properties. Forget about the lawsuit, when someone said you have 3 options: approve, continue or disapprove

**Lance Whisman (Chair):** motion?

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May 31, 2016

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All items are for Public Hearing unless the item is worded otherwise

Persons who require a special accommodation to participate in this meeting should contact Development Services, 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430, or via Email: [jmohler@bixbyok.gov](mailto:jmohler@bixbyok.gov) as far in advance as possible and preferably at least 48-hours before the date of the meeting. Persons using a TDD may contact OKLAHOMA RELAY at 1-800-722-0353 and voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.

**Tom Holland (PC):** question, waiver or modification decreasing from 100% masonry to 75% masonry? Is it on one story or two story?

**Lance Whisman (Chair):** just the 2 lots-

**Motion: Larry Whiteley (PC):** deny the two lots being added.

**Discussion**

**Motion: Larry Whiteley (PC):** postpone the plat

**CONSULTANT:** Ricky Jones, defer to the City Attorney, this is not an issue

**Tom Holland (PC):** is this part of the other plat? Is this a problem?

**CONSULTANT:** Ricky Jones, we would like both heard

**Tom Holland (PC):** they were integral to each other

**CONSULTANT:** Ricky Jones, not significant issue

**Patrick Boulden, Esq., City Attorney:** not final plat, mostly private issues, approved with Seven Lakes VII approval from HOA acceptance.

**Motion:** Larry Whiteley (PC Chair) **Second:** Steve Sutton (PC Vice Chair)

**MOTION:** Larry Whitley

**SECOND:** Steve Sutton, Vice Chair

**ROLL CALL:**

**AYE:** Whitley, Sutton, Whisman, Hicks, Holland

**NAY:** None

**ABSTAIN:** None

**MOTION PASSED:** 5:0:0

**6. PRELIMINARY PLAT-ADDISON CREEK: (Continued from the Regularly Scheduled Planning Commission Meeting of April 18, 2016, with modifications)**

**Applicant, Tanner Consulting on behalf of Stone Horse Development, LLC**

Discussion and possible action to approve a Preliminary Plat for *Addison Creek*, 61 lots, 29.138 Acres

Section 2, Township 17, Range 13

**Property generally located:** east of Sheridan Road and one quarter to one-half mile north of 131<sup>st</sup> Street

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Low Intensity Land Use, the area is currently shown in the 100-Year Floodplain, but not listed as development sensitive per the Comprehensive Plan.

The preliminary plat for Addison Creek is generally located East of Sheridan and one-quarter to one-half mile north of 131<sup>st</sup> Street. The proposed plat consists of 61 lots on 29.138 acres. The property is currently zoned RS-4, per BZ-309 which was sent to City Council as a second reading for approval amending Ordinance No. 272 and was filed in Tulsa County as Ordinance No. 901 on March 3, 2005.

The entire plat is located within a 100-year floodplain. The City Engineer has detailed comments requiring extensive documentation and finish floor elevations to be included in the Final Plat. Please see attached Engineering Memo.

This item was heard by Technical Advisory Committee (TAC) on Wednesday, April 6, 2016 (comments attached) and again on Wednesday, May 4, 2016 (no new comments). The request for additional easements from the utility companies has been addressed. The comments from the Fire Marshal have been addressed as part of the modified plat under review. The original comments from the Fire Marshal are attached. Staff requests all outstanding comments be resolved before submittal of the Final Plat.

**NOTED MODIFICATIONS SINCE THE APRIL 18, 2016 MEETING: (not complete list)**

Original Submittal	(April 22 Submittal)
63 LOTS	61 LOTS
29.762 ACRES	29.138 ACRES
No Stub-out Street	Added Stub-out Street to south
Request for additional easements	Added additional easements
100% Masonry	75% Masonry

This item was heard at the April 18, 2016 Planning Commission (PC) Meeting. There were 29 adults and 7 children present from the Seven Lakes Neighborhood, most of them live in lots adjacent to the reserve area at the north side of the proposed Addison Creek Plat. The Planning Commission gave everyone the opportunity to speak, however only 6 residents spoke, most deferred their time to Mr. Mike Maguffee. The meeting notes are attached to this agenda packet, in brief, Mr. Maguffee and others asked the Planning Commission to postpone the item until the next Planning Commission meeting

in order to gather more information and learn the outcome of pending litigation concerning the reserve area of this plat. The Planning Commission did continue the item to the next PC meeting (May 16, 2016) and urged the applicant, developer and Seven Lakes residents to have an additional meeting in an effort to resolve outstanding issues. The Development Services Staff facilitated the requested meeting on May 6, 2016 at 1:30PM which lasted a little over 2 hours, the meeting details are attached. The May 16, 2016 Planning Commission Meeting was cancelled due to *LACK OF QUORUM* a SPECIAL MEETING was then created for May 31, 2016. Based on the information presented in the meeting and the outcome of the litigation; Staff believes the Preliminary Plat for Addison Creek meets the requirements of the Zoning Regulations and Bixby Land Use.

**CONSULTANT:** Ricky Jones, we did reduce the masonry from 100 to 75% we think it will enhance the exterior

**Tom Holland (PC):** existing additions, PUD come in; new additions should take into effect what is in the area. Everything is 100% masonry in surrounding areas.

**CONSULTANT:** Ricky Jones, the developers are wanting to do something different, the market is saturated with cookie cutter developments.

**Tom Holland (PC):** I agree in theory, then we get something we don't like. It is always a consideration. The style of home might be different and may not be conducive to masonry veneer. Not sure where I am going with that

**Marcae':** are you comfortable with a masonry type product.

**CONSULTANT:** Ricky Jones, we just wanted a little bit of variety

**Tom Holland (PC):** rivers edge,

**Jerod Hicks (PC):** lot of character, appreciated now such as midtown.

**Tom Holland (PC):** In theory I agree, in practice I am really concerned.

**Andy Oiler:** The homes would be 2800 sq. feet minimum, 450,000 single story. 160.00 square foot. Seven Lakes 110-130 per square foot.

**CONSULTANT:** Ricky Jones, minimums surprised if you see any houses in there that size. That is the minimum 3000-3500 square feet.

**Andy Oiler:** 2800 and 250,00 dollars.

**CONSULTANT:** Ricky Jones, I do not want to get into economics can't build a house for 250,000, meets zoning, meets square footage minimums.

**Lance Whisman (Chair):** take a five minute break- thank you all for coming we tried to listen to everyone, we are a recommending body, city council ultimately makes the decision, so keep that

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in mind, as a group we cannot speak to property or legal issues, we have to take what we have on hand and make a vote

**Comments:**

**Motion: Tom Holland**-most convoluted case I ever recall, staff has recommended approval with no exceptions, confirmation of drainage input? I can see drainage being a safety issue. Other discussion...they have met all the requirements staff has indicated, I make a motion to approve based on staff's recommendation

**Second:** Larry Whiteley

**MOTION:** Tom Holland

**SECOND:** Larry Whiteley

**ROLL CALL:**

**AYE:** Whitley, Holland

**NAY:** Hicks, Sutton, Whisman

**ABSTAIN:** None

**MOTION FAILED:** 2:3:0

**Lance Whisman (Chair):** The motion doesn't carry

**Marcae':** is there another motion?

**Patrick Boulden (City Attorney):** there is no procedure for appeal of preliminary plat, (Patrick reads zoning ordinance). In depth discussion of process: approve, approve with modification, or disapprove

**CONSULTANT:** Ricky Jones, there is no appeal process for preliminary plats?

**Steve Sutton (PC Vice Chair):** this issue needs to go to City council

**CONSULTANT:** Ricky Jones, there is not an appeal

**Marcae':** what happens if there is an appeal process discovered? Notify the developer in writing  
The motion was to approve and that failed it was not denied. That is why I asked for another motion, the item was not denied.

**Steve Sutton (PC Vice Chair):** Approve with adding to: approve with modifications to have a mutually accessible greenbelt.

**Jerod Hicks (PC):** second.

Passed 5-0-0

Planning Commission recommended approval subject to the following modifications and Conditions of Approval: the Preliminary Plat of Addison Creek is to include a mutually accessible greenbelt for the adjacent residents of Seven Lakes and Addison Creek.

**MOTION:** Steve Sutton

**SECOND:** Steve Sutton

**ROLL CALL:**

**AYE:** Whitley, Sutton, Whisman, Hicks, Holland

**NAY:** None

**ABSTAIN:** None

**MOTION PASSED:** 5:0:0

OTHER BUSINESS

**7. Discussion of Use Unit 17 and Use Unit 25: Development Services Staff**

Discussion and consideration of Use Unit 17 and Use Unit 25 in regards to the proper zoning designation for automotive collision repair requiring the use of paint to complete their restoration project

**MOTION:** Larry Whitley-continue discussion to the next meeting

**SECOND:** Steve Sutton

**ROLL CALL:**

**AYE:** Whitley, Sutton, Whisman, Hicks, Holland

**NAY:** None

**ABSTAIN:** None

**MOTION PASSED:** 5:0:0

OLD BUSINESS

NEW BUSINESS: NONE

ADJOURNMENT: Chair Lance Whisman declared the meeting adjourned. 9:24PM

APPROVED BY:

\_\_\_\_\_

Chair

\_\_\_\_\_

Date

Marcae' Hilton, Jason Mohler  
City Planner/Recording Secretary



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

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# STAFF REPORT

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**To:** Bixby Planning Commission

**From:** Marcae' Hilton, City Planner

**Date:** Monday, July 18, 2016

**RE:** Report and Recommendations for:  
FINAL PLAT, *The Village at Twin Creeks (PUD 91)*-Applicant, AAB  
Engineering, LLC  
Discussion and possible action to approve the Final Plat for approximately  
6.0 acres for the purpose of a residential development in Section 31 T18N,  
R14E  
**Property Generally Located:** East of Mingo and ½ mile north of 121st  
Street

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**REQUEST:** Final Plat Approval for *The Village at Twin Creeks (PUD 91)*

**EXISTING ZONING:** RS-2 (Residential Single-Family Districts) and PUD 91 "The Village  
at Twin Creeks"

**LOCATION:** 11625 S. Mingo Rd., east of Mingo and ½ mile north of 121<sup>st</sup> Street

**STR:** S31, T18N, R14E

**SIZE OF TRACT:** 6 acres

**LOT INFO:** 22 Lots  
2 Blocks  
2 Reserves

**PUBLIC INPUT:** No known comments since preliminary plat approval

**BACKGROUND INFORMATION:**

**SURROUNDING ZONING AND LAND USE:**

- North: RS-2 (Residential Single-Family) *Southwood East Subdivision*
- South: RS-2 (Residential Single-Family) *Southwood East Subdivision Second*
- West: Across Mingo-RE (Residential Estate) *Amended Southwood Extended*  
RS-2 (Residential Single-Family) *Twin Creeks II and Twin Creeks*
- East: RS-2 (Residential Single-Family) *Southwood East Second*  
RS-3 (Residential Single-Family) *The Park at Southwood*

**COMPREHENSIVE PLAN:**

- Land Use Intensities: Low
- Land Use: Residential Area
- Urban Design Elements: None
- Public Facilities: None

**GENERAL:** The Final Plat for *The Village at Twin Creeks (PUD 91)* is generally located one-half mile north of 121<sup>st</sup> Street and East of Mingo Road. The plat has six (6) Acres, 22 Lots in two (2) blocks with two (2) reserves. The property is currently zoned RS-2 and PUD 91 (Residential Single-Family Districts). PUD 91 is in accordance with the Comprehensive Plan as a zoning district. Additionally, the proposed subdivision plat is consistent with PUD 91.

The paving and grading has been installed, staff expects to see building permits soon from the developer. This plat represents large lots ranging from 60' X 142.64' (8,412 square feet, 0.19 acres) to 72' X 124' (9,467 square feet, 0.22 acres).

**TAC:** The Final Plat for The Villages at Twin Creeks PUD 91 was heard by our Technical Advisory Committee (TAC) on Wednesday, July 6, 2016 see the new comments below. Staff requests all outstanding comments from TAC, Fire Marshal and engineering be resolved before submittal of the Final Plat to City Council.

- Need letter from utility companies (received ONG & COX)
- Alan Bechum and Craig Thurmond present
- Lonny: need UE between BLOCK 1 9&10, BLOCK 2, 7&8
- Steve revised the plat before Planning Commission
- BTC: conduit at entrance
- Private Street
- Collection of Fee
- PUD 91-get copy of changes from Alan, sidewalks (fee-in-Lieu) equivalent sidewalk using check if this has been paid

**CITY STAFF RESPONSE:** Outstanding comments will require coordination with Development Services Staff before submittal of Final Plat for City Council Approval.

- EXHIBITS:**
1. Final Plat
  2. Aerial Map

**STAFF RECOMMENDATIONS:**

Staff recommends approval of the Final Plat for *The Villages at Twin Creeks PUD 91* subject to the resolution of comments from staff and TAC.

1. Before the City Council Final Plat hearing: Please coordinate the Sidewalk fee-in-lieu process and dollars with the City Engineer.
2. Satisfy all Erik Enyart's Comments provided during the Preliminary Plat process
3. Before the City Council Final Plat hearing: Please provide release letters from all utility companies serving the subdivision as per Subdivision Regulations Section 12-2-6.B.
4. Deed of Dedication and Restrictive Covenants Section IV: Provides "The Owner/Developer has formed or shall cause to be formed" an HOA. When the HOA is formed, please submit a copy of the Secretary of State Incorporation documents for placement in the permanent file and for notification to the Bixby Neighborhood Coordinator, along with the names and contact information of the Officers.

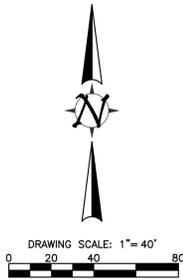
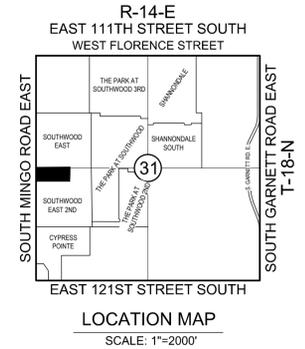
# The Village at Twin Creeks

PUD 91

A SUBDIVISION OF THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA BEING A PART OF SECTION THIRTY-ONE (31), TOWNSHIP 18 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN.

**OWNER:**  
**VILLAGE AT TWIN CREEKS, LLC**  
 11831 E. 121ST STREET  
 BROKEN ARROW, OK 74011

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



**LEGEND**

- B/L.....BUILDING LINE
- LNA.....LIMITS OF NO ACCESS
- POB.....POINT OF BEGINNING
- POC.....POINT OF COMMENCEMENT
- ROW.....RIGHT OF WAY
- U/E.....UTILITY EASEMENT
- BK.....BOOK
- PG.....PAGE
- PSO.....PUBLIC SERVICE

**FLOODPLAIN**

ALL OF THE PROPERTY IS CONTAINED IN FEMA ZONE X (UNSHADED) (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FIRM PANEL "4002070451L" DATED OCTOBER 16, 2012.

**CONTACTS**

<b>MUNICIPAL AUTHORITY</b>	
CITY OF BIXBY 116 W. NEEDLES P.O. BOX 70 BIXBY, OK 74008	
<b>UTILITY</b>	
OKLAHOMA NATURAL GAS COMPANY 2319 W. EDISON ST. TULSA, OK 74127 918-834-8000	PUBLIC SERVICE COMPANY OF OKLAHOMA 212 E. 6TH ST. TULSA, OK 74119 1-888-216-3523
BTC 11134 S. MEMORIAL DR. BIXBY, OK 74104 918-366-8000	COX COMMUNICATIONS 1811 EAST 51ST STREET TULSA, OK 74145 918-286-4658

**SUBDIVISION STATISTICS**

SUBDIVISION CONTAINS TWENTY-TWO (22) LOTS IN 2 BLOCKS AND TWO (2) RESERVE AREAS (6.00 TOTAL ACRES)

BLOCK 1.....	2.48 ACRES
BLOCK 2.....	2.06 ACRES
RESERVE AREA "A".....	0.59 ACRES
RESERVE AREA "B".....	0.48 ACRES

**CURVE TABLE**

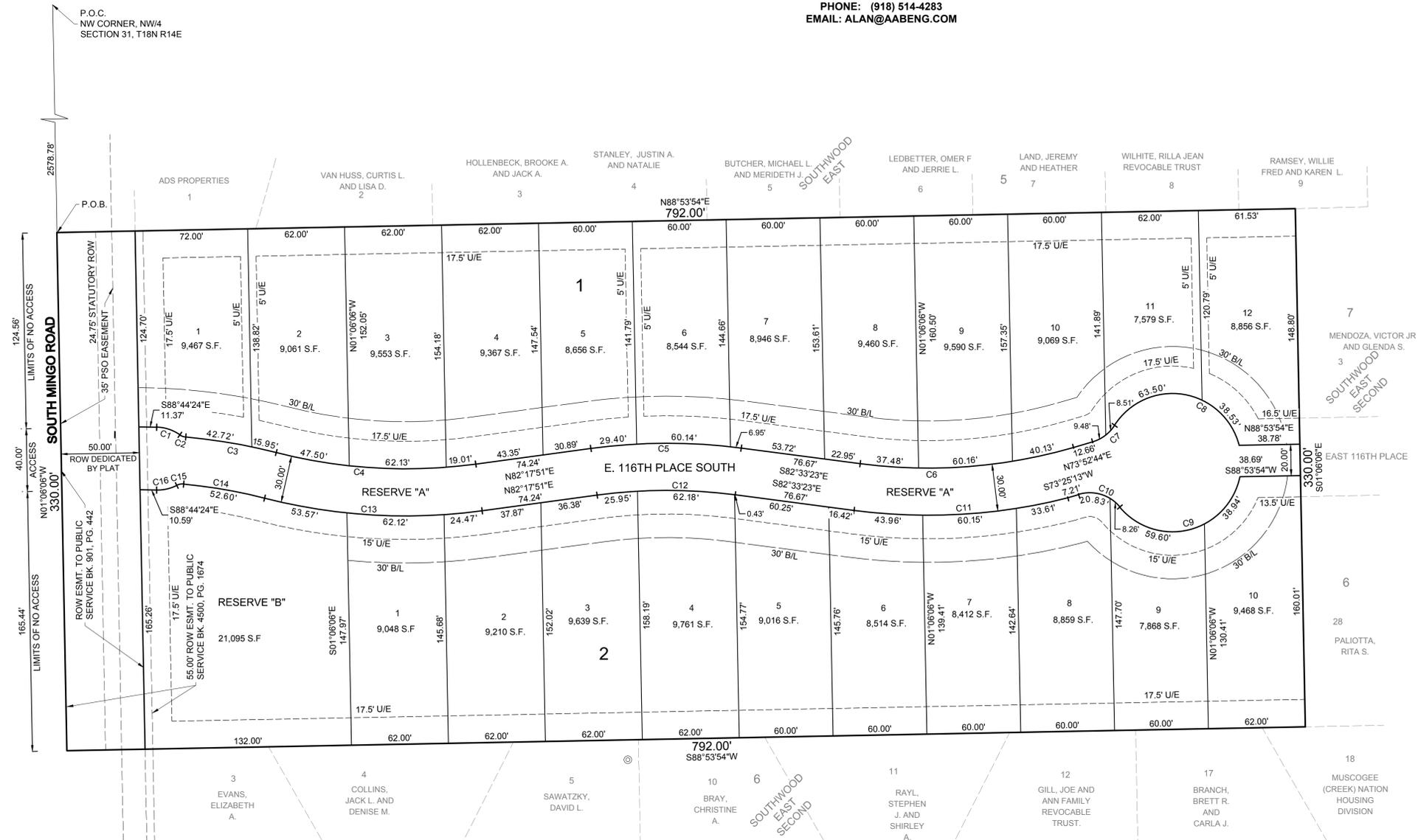
NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH
C1	33°29'04"	27.00'	15.78'
C2	29°50'15"	8.00'	4.17'
C3	08°12'38"	365.00'	58.68'
C4	22°00'00"	335.00'	128.63'
C5	15°08'45"	365.00'	96.49'
C6	22°33'53"	335.00'	137.78'
C7	41°14'19"	25.00'	17.99'
C8	132°51'22"	44.00'	102.03'
C9	128°18'31"	44.00'	95.53'
C10	66°39'30"	25.00'	29.09'
C11	21°37'09"	365.00'	137.72'
C12	15°08'45"	335.00'	88.56'
C13	22°00'00"	365.00'	140.15'
C14	08°59'41"	335.00'	52.59'
C15	32°31'31"	8.00'	4.54'
C16	28°17'32"	27.00'	13.33'

**SUBDIVISION DATA**

**BENCHMARK**  
 CHISELED BOX SET ON SOUTHWEST CORNER OF STORM DRAIN MANHOLE ON THE WEST SIDE OF MINGO ROAD.  
 ELEV=639.94' (NAVD 88)

**BASIS OF BEARINGS**  
 ASSUMED BEARING OF THE WESTERLY LINE OF SECTION THIRTY-ONE (31) TOWNSHIP 18 NORTH, RANGE 14 EAST BEING N01°06'06"W

**MONUMENTATION**  
 A 3/8" X 18" REBAR WITH A YELLOW PLASTIC CAP STAMPED "CA6038" TO BE SET AT ALL LOT CORNERS, ALL STREET CENTERLINE INTERSECTIONS, POINTS OF CURVE, POINTS OF TANGENT, POINTS OF COMPOUND CURVE, POINTS OF REVERSE CURVE, CENTER OF CUL-DE-SACS AND CENTER OF EYEBROWS, AFTER COMPLETION OF IMPROVEMENTS, UNLESS NOTED OTHERWISE.



# The Village at Twin Creeks

PUD 91

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**OWNER:  
VILLAGE AT TWIN CREEKS, LLC  
11831 E. 121ST STREET  
BROKEN ARROW, OK 74011**

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

## DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL PERSON BY THESE PRESENTS:

THAT THE VILLAGE AT TWIN CREEKS LLC, AN OKLAHOMA LIABILITY COMPANY, HERINAFTER REFERRED TO AS "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND IN SECTION THIRTY-ONE (31), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION THIRTY-ONE (31), THENCE SOUTH 01°06'06" EAST ALONG THE WEST LINE OF SAID SECTION THIRTY-ONE (31) FOR A DISTANCE OF 2578.78 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°53'54" EAST ALONG THE SOUTH LINE OF SOUTHWOOD EAST FOR A DISTANCE OF 792.00 FEET; THENCE SOUTH 01°06'06" EAST ALONG THE WEST LINE OF SOUTHWOOD EAST SECOND FOR A DISTANCE OF 330.00 FEET TO THE NORTH LINE OF SOUTHWOOD EAST SECOND; THENCE SOUTH 88°53'54" WEST ALONG THE NORTH LINE OF SOUTHWOOD EAST SECOND FOR A DISTANCE OF 792.00 FEET TO THE WEST LINE OF SAID SECTION THIRTY-ONE (31); THENCE NORTH 01°06'06" WEST ALONG THE WEST LINE OF SAID SECTION THIRTY-ONE (31) FOR A DISTANCE OF 330.00 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 261,360 SQUARE FEET OR 6.00 ACRES MORE OR LESS.

AND THE OWNER HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO TWENTY-TWO LOTS AND RESERVE AREAS "A" AND "B", IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "THE VILLAGE AT TWIN CREEKS", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA.

## SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

### A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT, AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT", FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM AND SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ANY 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 HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON THE LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE STREETS AND UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING, AND CUSTOMARY SCREENING FENCES, WHICH DO NOT CONSTITUTE AN OBSTRUCTION AS AFORESAID.

### B. UTILITY SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE UTILITY EASEMENTS ALONG SOUTH MINGO ROAD. ALL OTHER SUPPLY LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL, TRANSFORMER OR GAS SERVICE LINE TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED THAT THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE RIGHT-OF-WAY EASEMENT ON THE LOT COVERING FIVE FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE SERVICE PEDESTAL, TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH I.B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

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

- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS LOCATED ON THEIR LOT.

- WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH IN THE JUDGEMENT OF THE CITY OF BIXBY WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF BIXBY, OKLAHOMA OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
- THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL EASEMENTWAYS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH I.C SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

### D. GAS SERVICE

- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH UTILITY EASEMENTS SHOWN ON THE PLAT OR AS PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF THE GAS SERVICE.
- THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR THE DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY THE ACTS OF THE OWNER, OR HIS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH I.D SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

### E. SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THEIR LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH I.E SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, OKLAHOMA.

### F. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO PROPERLY PERMITTED LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREA 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.

### G. FENCE EASEMENT

THE OWNER DOES HEREBY ESTABLISH AND GRANT FENCE EASEMENTS OVER AND UPON THE AREAS DESIGNATED AS "F/E" OR "FENCE EASEMENT" AND SHOWN ON THE ACCOMPANYING PLAT FOR THE USE AND BENEFIT OF THE VILLAGE AT TWIN CREEKS HOMEOWNERS ASSOCIATION. THE FENCE EASEMENTS ARE FOR THE LIMITED PURPOSE OF CONSTRUCTING AND MAINTAINING PERIMETER DECORATIVE FENCES AND ENTRY FEATURES INCLUDING BUT NOT LIMITED TO FENCES, WALLS, SPRINKLER SYSTEM, AND LANDSCAPING, AND FOR THE PURPOSES OF MAINTAINING AND REPAIR THEREOF, TOGETHER WITH THE RIGHT OF ACCESS OVER, ACROSS AND ALONG SUCH EASEMENTS AND OVER, ACROSS AND ALONG LOTS IN "THE VILLAGE AT TWIN CREEKS", WHICH CONTAIN SUCH EASEMENTS.

### H. RESERVE "A" - PRIVATE STREETS

RESERVE "A" AS DESIGNATED ON THE ACCOMPANYING PLAT, IS HEREIN ESTABLISHED BY GRANT OF THE OWNER FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN "THE VILLAGE AT TWIN CREEKS" THEIR GUESTS AND INVITEES, FOR THE PURPOSE OF CONSTRUCTING PRIVATE STREETS PROVIDING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM THE VARIOUS RESIDENTIAL LOTS IN THE VILLAGE AT TWIN CREEKS, TO AND FROM PUBLIC STREETS, FOR PROVIDING DRAINAGE FACILITIES TO CONTROL STORMWATER RUNOFF, FOR UTILITIES AND FOR PROVIDING ENTRANCE SECURITY FACILITIES, DECORATIVE FENCING AND LANDSCAPING, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO A ASSOCIATION TO BE FORMED FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE PRIVATE STREETS AND OTHER COMMON AREAS OF THE SUBDIVISION.

THE OWNER HEREBY GRANTS TO THE CITY OF BIXBY, OKLAHOMA, THE UNITED STATES POSTAL SERVICE, ANY PUBLIC UTILITY PROVIDING UTILITY SERVICE TO THE SUBDIVISION, AND TO ANY REFUSE COLLECTION SERVICE OR SERVICE PROVIDER HIRED BY THE ASSOCIATION, INCLUDING, WITHOUT LIMITATION LAWN AND/OR LANDSCAPING CONTRACTORS, WHICH PROVIDES SERVICE WITHIN THE SUBDIVISION, THE RIGHT TO ENTER AND TRAVERSE THE PRIVATE STREETS WITHIN RESERVE "A" AND TO OPERATE THEREON ALL SERVICE, EMERGENCY AND GOVERNMENT VEHICLES INCLUDING, BUT NOT LIMITED TO, POLICE AND FIRE VEHICLES AND EQUIPMENT.

THE OWNER, FOR ITSELF AND ITS SUCCESSOR ASSOCIATION HEREOF COVENANTS WITH THE CITY OF BIXBY, OKLAHOMA, WHICH COVENANTS SHALL RUN WITH THE LAND AND INURE TO THE BENEFIT OF THE CITY OF BIXBY, OKLAHOMA, AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, TO:

- CONSTRUCT AND MAINTAIN STREET SURFACING EXTENDING THE FULL LENGTH OF THE PRIVATE STREETS DEPICTED WITHIN RESERVE "A", AND MEETING OR EXCEEDING THE FOLLOWING STANDARDS:
  - SURFACING WIDTH SHALL BE NOT LESS THAN 26' MEASURED FACE OF CURB TO FACE OF CURB;
  - STREETS SHALL BE CURBED;

- GUTTERS, BASE AND PAVING MATERIALS SHALL BE OF A QUALITY AND THICKNESS MEETING THE NOW EXISTING STANDARDS OF THE CITY OF BIXBY, OKLAHOMA, FOR MINOR RESIDENTIAL PUBLIC STREETS;
- THE MAXIMUM VERTICAL GRADE OF PRIVATE STREETS SHALL BE 8 PERCENT.

- PROHIBIT THE ERECTION OF ANY ARCH OR SIMILAR STRUCTURE OVER ANY PRIVATE STREET DEPICTED WITHIN RESERVE "A" WHICH WOULD PROHIBIT ANY GOVERNMENTAL VEHICLE, SPECIFICALLY ANY FIRE VEHICLE, FROM FREE USAGE OF THE PRIVATE STREETS.
- SECURE INSPECTION BY THE CITY OF BIXBY, OKLAHOMA OF THE PRIVATE STREETS AND SECURE CERTIFICATION BY THE CITY OF BIXBY, OKLAHOMA THAT THE PRIVATE STREETS HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, OR IF THE CITY OF BIXBY, OKLAHOMA DECLINES TO INSPECT THE PRIVATE STREETS, CERTIFICATION SHALL BE SECURED FROM A REGISTERED PROFESSIONAL ENGINEER THAT THE PRIVATE STREETS WERE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, AND THE REQUIRED CERTIFICATION SHALL BE FILED WITH THE BIXBY PLANNING COMMISSION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY LOT THAT DERIVES ITS ACCESS FROM A PRIVATE STREET.

THE OWNER ACKNOWLEDGES FOR ITSELF AND ITS SUCCESSORS IN TITLE THAT THE PRIVATE STREETS AS DEPICTED WITHIN RESERVE "A" DO NOT MEET THE CITY OF BIXBY, OKLAHOMA STANDARD AS TO WIDTH OF RIGHT-OF-WAY, AND FURTHER ACKNOWLEDGES THAT THE CITY OF BIXBY, OKLAHOMA SHALL HAVE NO DUTY TO MAINTAIN ANY OF THE PRIVATE STREETS WITHIN THE SUBDIVISION, FOR HAVE ANY IMPLIED OBLIGATION TO ACCEPT ANY SUBSEQUENT TENDER OF DEDICATION OF ANY PRIVATE STREET WITHIN THE SUBDIVISION.

### I. RESERVE "B" - STORMWATER DETENTION

- THE OWNER/DEVELOPER HAS CONSTRUCTED A DETENTION FACILITY AND OPEN SPACE PARK UPON RESERVE "B" TO ACCOMMODATE STORMWATER DETENTION FOR "THE VILLAGE AT TWIN CREEKS". SAID PARK SHALL BE FOR THE SOLE USE AND ENJOYMENT OF THE LOT OWNERS WITHIN "THE VILLAGE AT TWIN CREEKS" AND THEIR INVITEES.
- THE CITY OF BIXBY, OKLAHOMA HAS THE RIGHT TO ENFORCE THE COVENANTS IN THIS PARAGRAPH II, AND ASSURE COMPLIANCE WITH ALL CITY OF BIXBY, OKLAHOMA ORDINANCES, STANDARDS AND SPECIFICATIONS, REGARDING STORMWATER DRAINAGE EASEMENTS AND DETENTION FACILITIES. ANY PROPOSED CONSTRUCTION WITHIN THE DETENTION FACILITY/PARK SHALL BE IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY, OKLAHOMA.
- THE ASSOCIATION OF "THE VILLAGE AT TWIN CREEKS" SHALL MAINTAIN RESERVE "B" IN ACCORDANCE WITH, AND AS REQUIRED BY, BUT NOT LIMITED TO, THE MAINTENANCE CRITERIA DEVELOPED FOR THIS DRAINAGE EASEMENT BY THE CITY OF BIXBY, OKLAHOMA TO PREVENT EROSION, DEBRIS ACCUMULATION, SILTATION, AND TO INSURE ITS PROPER OPERATION FOR ITS INTENDED PURPOSE.
- IN THE EVENT DRAINAGE/DETENTION EASEMENT AREAS SHOULD FAIL TO BE PROPERLY MAINTAINED AS ABOVE PROVIDED, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE DRAINAGE/DETENTION EASEMENT AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID ON A PRO-RATA BASIS BY THE LOT OWNERS.

### J. LIMIT OF NO ACCESS

THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH MINGO ROAD WITHIN THE BOUNDS DESIGNATED "LNA" OR "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT.

## SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, "THE VILLAGE AT TWIN CREEKS" WAS SUBMITTED AS PLANNED UNIT DEVELOPMENT (DESIGNATED AS PUD 91, AND PUD 91 WAS APPROVED BY THE BIXBY PLANNING COMMISSION ON OCTOBER 13, 2015 AND APPROVED BY THE BIXBY CITY COUNCIL ON OCTOBER 26, 2015.

WHEREAS, OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF ACHIEVING AN ORDERLY DEVELOPMENT FOR THE MUTUAL BENEFIT OF OWNER, ITS SUCCESSORS IN TITLE AND THE CITY OF BIXBY, OKLAHOMA.

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF BIXBY ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD INURING TO AND ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA SUFFICIENT TO ASSURE CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND AMENDMENTS THERETO.

THEREFORE, OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON OWNER, ITS SUCCESSORS IN TITLE AND SHALL BE ENFORCEABLE BY OWNER, ANY PERSON OWNING A LOT IN "THE VILLAGE AT TWIN CREEKS" AND BY THE CITY OF BIXBY AS HERINAFTER SET FORTH.

### A. GENERAL STANDARDS

THE DEVELOPMENT OF "THE VILLAGE AT TWIN CREEKS" SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF BIXBY ZONING CODE, AS SUCH PROVISIONS EXISTED OCTOBER 6, 2015, OR AS MAY BE SUBSEQUENTLY AMENDED.

### B. DEVELOPMENT STANDARDS

- |  |  |              |
|--|--|--------------|
| 1. NET LAND AREA                       | 6 ACRES  | 261,360 SQFT |
| 2. PERMITTED USES                      | USES PERMITTED AS A MATTER OF RIGHT BY THE CITY OF BIXBY ZONING CODE WITHIN THE RS-2 DISTRICT, INCLUDING ALL USES CUSTOMARILY ACCESSORY THERETO. IN ADDITION TO THE ABOVE, USE UNIT 5, PASSIVE RECREATIONAL USES SHALL BE ALLOWED WITHIN RESERVE AREA "B". |              |
| 3. MINIMUM LOT WIDTH                   | 60 FT  |              |
| 3. MINIMUM LAND AREA PER DWELLING UNIT | 8200 SQFT  |              |
| 4. MAXIMUM NUMBER OF LOTS              | 22   |              |

- |  |  |
|--|--|
| 5. MINIMUM LOT AREA  | 7500 SQFT  |
| 6. BUILDING HEIGHT   | 48 FT NO BUILDING SHALL HAVE MORE THAN 2 STORIES |
| 7. OFF - STREET PARKING  | AS REQUIRED BY CITY OF BIXBY ZONING CODE         |
| 8. MINIMUM YARDS   |  |
| FRONT  | 30" FT   |
| SIDE   | 5 FT   |
| SIDE   | 5 FT   |
| REAR   | 25 FT  |
| *MEASURED FROM THE EDGE OF RESERVE AREA "A"  |  |
| 9. PRIVATE STREET  |  |
| MINIMUM WIDTH  | 26 FT  |
| ALL BASE AND PAVING MATERIALS SHALL BE OF A QUALITY AND THICKNESS WHICH MEET THE CITY OF BIXBY STANDARDS FOR MINOR RESIDENTIAL PUBLIC STREETS. |  |
| 10. HOMEOWNERS ASSOCIATION   |  |

THE "VILLAGE AT TWIN CREEKS" HOMEOWNERS ASSOCIATION (THE "ASSOCIATION") SHALL BE CREATED AND VESTED WITH SUFFICIENT AUTHORITY AND FINANCIAL RESOURCES TO PROPERLY MAINTAIN ALL PRIVATE STREETS AND COMMON AREAS INCLUDING ANY SECURITY GATES, WALLS, DETENTION FACILITIES, OR OTHER COMMONLY OWNED STRUCTURES WITHIN "THE VILLAGE AT TWIN CREEKS".

## SECTION III. PRIVATE RESTRICTIONS

FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF "THE VILLAGE AT TWIN CREEKS", AND FOR THE PURPOSE OF MAINTAINING COMPATIBILITY OF THE IMPROVEMENTS THEREIN, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HERINAFTER SET FORTH.

### A. ARCHITECTURAL COMMITTEE - PLAN REVIEW

NO BUILDING, STRUCTURE, FENCE, WALL, FREE STANDING MAILBOX SWIMMING POOL, OR CONCRETE DRIVEWAY SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT IN THE SUBDIVISION UNTIL THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING THE VILLAGE AT TWIN CREEKS LLC, OR ITS AUTHORIZED REPRESENTATIVES OR SUCCESSORS, WHICH ARE HERINAFTER REFERRED TO AS THE "ARCHITECTURAL COMMITTEE" FOR EACH BUILDING OR STRUCTURE, THE REQUIRED PLANS AND SPECIFICATIONS SHALL BE SUBMITTED IN DUPLICATE AND INCLUDE A PLOT PLAN DEPICTING THE FACING OF THE BUILDING, DRAINAGE AND GRADING PLANS, AND EXTERIOR MATERIALS AND COLOR SCHEME. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE OR DISAPPROVE ANY PLANS, SPECIFICATIONS, COLOR SCHEME, MATERIALS AND PLOT PLANS SUBMITTED TO IT AS HEREIN REQUIRED WITHIN 10 DAYS AFTER THE SUBMISSION, OR 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. THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED TO BE A WAIVER OF ANY RESTRICTION.

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 HERINAFTER 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 OF OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE, OR CODE VIOLATIONS. THE ARCHITECTURAL COMMITTEE'S APPROVAL OF BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION, UNLESS THE ARCHITECTURAL COMMITTEE IS HERINAFTER AUTHORIZED TO GRANT THE PARTICULAR WAIVER. 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.

THE ARCHITECTURAL COMMITTEE RESERVES THE RIGHT, IN THEIR SOLE DISCRETION AND WITHOUT JOINDER OF ANY OWNER AT ANY TIME SO LONG AS OWNER/DEVELOPER IS THE OWNER OF ANY LOT TO AMEND, REVISE, OR ABOLISH ANY ONE OR MORE OF THE COVENANTS AND RESTRICTIONS IN THIS SECTION III BY AN INSTRUMENT DULY EXECUTED AND ACKNOWLEDGED BY THEM AS THE ARCHITECTURAL COMMITTEE AND FILED IN THE COUNTY CLERK'S OFFICE IN THE COURTHOUSE OF TULSA COUNTY, STATE OF OKLAHOMA.

THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL, ON JANUARY 1, 2019, BE DEEMED TRANSFERRED TO THE ASSOCIATION PROVIDED FOR IN SECTION IV, OR UPON WRITTEN ASSIGNMENT TO THE ASSOCIATION BY THE OWNER, WHICHEVER EVENT FIRST OCCURS, AND THEREAFTER THE FOREGOING POWERS AND DUTIES SHALL BE EXERCISED BY THE BOARD OF DIRECTORS OF THE ASSOCIATION.

### B. FLOOR AREA

DWELLINGS SHALL HAVE A MINIMUM OF 2400 SQUARE FEET OF FINISHED HEATED LIVING AREA, ONE AND ONE-HALF (1 1/2) OR TWO (2) STORY DWELLING SHALL HAVE A MINIMUM OF 2400 SQUARE FEET OF FINISHED HEATED LIVING AREA; PROVIDED HOWEVER, THE FIRST FLOOR SHALL HAVE A MINIMUM OF 2000 SQUARE FEET OF FINISHED HEATED LIVING AREA. THE COMPUTATION OF SQUARE FEET OF LIVING AREA SHALL EXCLUDE GARAGES, OPEN SPACES AND BREEZEWAYS.

# The Village at Twin Creeks

PUD 91

A SUBDIVISION OF THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA BEING A PART OF SECTION THIRTY-ONE (31), TOWNSHIP 14 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN.

**OWNER:  
VILLAGE AT TWIN CREEKS, LLC**  
11831 E. 121ST STREET  
BROKEN ARROW, OK 74011

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

- C. **GARAGES**  
EACH DWELLING SHALL HAVE AN ATTACHED ENCLOSED GARAGE PROVIDING SPACE FOR A MINIMUM OF TWO AUTOMOBILES. CARPORTS ARE PROHIBITED. GLASS IN VEHICULAR ENTRY DOORS SHALL REQUIRE ARCHITECTURAL COMMITTEE APPROVAL. ALL COMMERCIAL VEHICLES SHALL BE PARKED INSIDE A LOT OWNER'S GARAGE UNLESS PERFORMING REPAIR, CONSTRUCTION OR MAINTENANCE.
- D. **FOUNDATIONS**  
THE EXTERIOR SURFACE OF ANY EXPOSED FOUNDATION, INCLUDING STEMWALLS, SHALL BE OF BRICK, STONE OR STUCCO.
- E. **MASONRY**  
ONE-HUNDRED (100%) OF THE SURFACE OF THE FIRST FLOOR PLATE LINE OF EXTERIOR WALLS (EXCLUDING WINDOWS AND DOORS) SHALL BE BRICK, STONE OR STUCCO, EXCEPT UNDER COVERED PORCHES AND PATIOS.
- F. **WINDOWS**  
VINYL OR WOOD WINDOWS SHALL BE USED, METAL WINDOWS ARE RESTRICTED, HOWEVER, THE ARCHITECTURAL COMMITTEE MAY IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST APPROVE A WAIVER OF THE METAL WINDOW RESTRICTIONS SET FORTH IN THIS SUBSECTION.
- G. **ROOF FLASHING**  
EXPOSED ROOF FLASHING, VENT PIPES AND CHIMNEY COVERS SHALL BE PAINTED.
- H. **ROOF PITCH**  
NO DWELLING SHALL HAVE A ROOF PITCH OF LESS THAN 8/12, PROVIDED HOWEVER, THAT A SHED ROOF OVER A PORCH OR DORMER SHALL HAVE A ROOF PITCH OF NO LESS THAN 4/12. ALL OTHER ROOF COMBINATIONS WILL REQUIRE ARCHITECTURAL COMMITTEE APPROVAL.
- I. **ROOFING MATERIALS**  
ROOFING SHALL BE SELF-SEALING CERTAINTED LANDMARK WEATHERWOOD COLOR COMPOSITION SHINGLES OR EQUIVALENT; PROVIDING HOWEVER, IN THE EVENT SUCH ROOFING SHOULD HEREINAFTER NOT BE REASONABLY AVAILABLE, ALTERNATIVE ROOFING OF COMPARABLE QUALITY SHALL BE PERMITTED UPON A DETERMINATION OF THE ARCHITECTURAL COMMITTEE THAT THE PROPOSED ALTERNATIVE IS OF COMPARABLE OR BETTER QUALITY AND OF A DESIGN AND QUALITY WHICH IS COMPATIBLE WITH THE ROOFING FIRST DESCRIBED.
- J. **ON-SITE CONSTRUCTION**  
NO EXISTING OR OFF-SITE BUILT DWELLING MAY BE MOVED ONTO OR PLACED ON ANY LOT.
- K. **OUTBUILDING**  
OUTDOOR STORAGE BUILDINGS ARE NOT PERMITTED. OTHER OUTBUILDINGS, SUCH AS GAZEBOS, CABANAS, OR DETACHED GARAGES SHALL BE PERMITTED SUBJECT TO THE APPROVAL OF THE LOCATION, STYLE AND MATERIALS USED IN THE CONSTRUCTION BY THE ARCHITECTURAL COMMITTEE PRIOR TO CONSTRUCTION, AND PROVIDING THAT THE OUTBUILDING IS COMPATIBLE IN MATERIAL AND STYLE WITH THE PRIMARY RESIDENCE. NO OUTBUILDING SHALL BE ERCTED IN A LOCATION ON THE LOT THAT THE ARCHITECTURAL COMMITTEE DETERMINES WOULD REASONABLY OBSTRUCT THE VIEW OF A WATER FEATURE OR A GREENBELT FROM ANOTHER LOT.
- L. **SWIMMING POOLS**  
ABOVE GROUND SWIMMING POOLS ARE PROHIBITED.
- M. **INTERIOR FENCING**  
INTERIOR FENCING OR WALLS SHALL NOT EXTEND BEYOND THE FRONT BUILDING LINE OF THE LOT, AND IF A DWELLING IS BUILT BEHIND THE FRONT BUILDING LINE OF A LOT, NO FENCE MAY EXTEND BEYOND THAT POINT NEAREST THE STREET AT EACH END CORNER OF THE DWELLING. INTERIOR FENCES OR WALLS SHALL BE OF WOOD, BRICK, STUCCO, NATURAL STONE OR WROUGHT IRON. CHAIN LINK, BARBED WIRE, MESHED OR OTHER METAL FENCING IS SPECIFICALLY PROHIBITED. NO INTERIOR FENCE OR WALL SHALL EXCEED SIX (6) FEET IN HEIGHT. WOOD FENCING SHALL BE CAPPED AND HAVE THE SMOOTH SIDE FACING THE STREET. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE FOREGOING RESTRICTIONS.
- N. **PERIMETER FENCING**  
THE OWNER/DEVELOPER SHALL INSTALL PERIMETER FENCING ON NORTH, EAST AND SOUTH PROPERTY LINES OF THE SUBDIVISION. EACH LOT OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE FOR SAID FENCING ABUTTING THEIR LOT.
- O. **ANTENNAS**  
EXTERIOR TELEVISION, "CB", RADIO OR OTHER TYPES OF ANTENNA SHALL BE PROHIBITED, PROVIDED HOWEVER, SATELLITE DISHES OR SIMILAR OUTSIDE ELECTRONIC RECEPTION DEVICES NOT EXCEEDING 20 INCHES IN DIAMETER AND NOT VISIBLE FROM THE FRONT BOUNDARY OF THE LOT, SHALL BE PERMITTED. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE FOREGOING RESTRICTIONS.
- P. **LOT MAINTENANCE AND LANDSCAPING**  
EACH LOT SHALL BE PROFESSIONALLY LANDSCAPED AND FULLY SODDED PRIOR TO OCCUPANCY. EACH LOT SHALL INSTALL, OPERATE, AND MAINTAIN AN UNDERGROUND, PERMANENT IRRIGATION SYSTEM THAT COVERS THE FULL LOT. EACH LOT SHALL BE REQUIRED TO INSTALL AND MAINTAIN, AT LEAST ONE TREE IN THE FRONT YARD, MINIMUM 2" IN DIAMETER.  
THE ASSOCIATION SHALL SELECT A VENDOR FOR YARD MAINTENANCE AS A PORTION OF THE LOT OWNER'S DUES. THE LOT OWNERS AUTHORIZE ANY SUCH VENDOR SELECTED BY THE HOMEOWNER'S ASSOCIATION TO ACCESS THE LOTS IN ORDER TO PERFORM YARD MAINTENANCE AND LANDSCAPING SERVICES. ANY LOT OWNER THAT OPTS OUT OF THIS SERVICE WILL NOT RECEIVE ANY DUES REDUCTION. LOTS THAT OPT OF THIS SERVICE ARE REQUIRED TO MAINTAIN THEIR LOTS TO THE SUBDIVISION STANDARD. NO ADDITIONAL OUTSIDE YARD VENDORS THAT PERFORM SIMILAR YARD MAINTENANCE SERVICES ARE ALLOWED.  
NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON ANY LOT, AND EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION FREE OF RUBBISH, TRASH, OR OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT UNSIGHTLY GROWTH OF WEEDS OR TALL GRASS.
- Q. **RECREATIONAL VEHICLES**  
BOATS, TRAILERS, CAMPERS, MOTORHOMES AND SIMILAR RECREATIONAL EQUIPMENT SHALL NOT BE STORED ON ANY LOT FOR A PERIOD EXCEEDING 24 HOURS IF IN VIEW FROM AN ADJOINING STREET OR FROM AN ADJOINING LOT.

- R. **CLOTHESLINES AND TRASH RECEPTACLES**  
EXTERIOR CLOTHESLINE POLES OR OTHER OUTDOOR DRYING APPARATUS ARE PROHIBITED, GARBAGE CANS AND OTHER TRASH RECEPTACLES SHALL BE OUT OF VIEW FROM ANY ADJOINING STREET OR FROM ANY ADJOIN LOT EXCEPT DURING REASONABLE TIMES NECESSARY TO PERMIT CURBSIDE PICKUP. ONLY ONE COMMERCIAL TRASH SERVICE AT ANY TIME SHALL BE PERMITTED TO OPERATE WITHIN THE SUBDIVISION. SAID TRASH SERVICE SHALL BE DESIGNATED BY THE BOARD OF THE ASSOCIATION.
- S. **MAILBOXES**  
AS LONG AS A RURAL TYPE MAILBOX IS IN USE IN "THE VILLAGE AT TWIN CREEKS" FOR UNITED STATES POSTAL SERVICE, ALL MAILBOX PEDESTALS SHALL CONFORM IN DESIGN TO SPECIFICATIONS APPLICABLE TO THE SUBDIVISION AS ESTABLISHED BY THE ARCHITECTURAL COMMITTEE. THE MAILBOX SHALL BE POSITIONED SO THAT THE FRONT FACE IS APPROXIMATELY SIX (6) INCHES IN THE BASE OF THE CURB AND SIX (6) FEET FROM THE "INSIDE EDGE" OF THE DRIVEWAY. "INSIDE EDGE" SHALL MEAN THE EDGE OF THE DRIVEWAY WHICH BORDERS THE LARGEST CONTIGUOUS LOT AREA. THE TOP OF THE MAILBOX SHALL BE FORTY-TWO (42) INCHES FROM STREET LEVEL.
- T. **ANIMALS**  
NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND MAY BE MAINTAINED, BRED, SOLD, OR KEPT EXCEPT THAT TWO DOGS, TWO CATS, OR OTHER CUSTOMARY HOUSEHOLD PETS MAY BE KEPT PROVIDED THEY ARE NOT USED FOR COMMERCIAL PURPOSES. FOR THE PURPOSES OF THIS PARAGRAPH III.T, POT-BELLIED PIGS, PONIES AND KANGAROOS ARE NOT CUSTOMARY HOUSEHOLD PETS.
- U. **NOXIOUS ACTIVITY**  
NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED OUT UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON THAT MAY BE, OR MAY BECOME ANY ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.
- V. **SIGNAGE**  
NO SIGN OTHER THAN CUSTOMARY NAME PLATE AND ADDRESS SHALL BE LOCATED ON ANY LOT IN PUBLIC VIEW, EXCEPT ONE SIGN OF NOT MORE THAN FIVE (5) SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD. NO RENT OR LEASE SIGNS ARE ALLOWED.
- W. **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.
- X. **SPORTING EQUIPMENT, PLAY STRUCTURES/TRAMPOLINES**  
NO BASKETBALL GOALS OR OTHER SPORTING EQUIPMENT SHALL BE VISIBLE FROM THE STREET. PLAY STRUCTURES AND TRAMPOLINES ARE RESTRICTED TO BACK AND SIDE YARDS AND MUST BE SETBACK A MINIMUM OF FIVE FEET (5 FT.) FROM ALL PROPERTY LINES. PLAY STRUCTURES IN EXCESS OF TEN FEET (10 FT.) IN HEIGHT MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE PRIOR TO INSTALLATION. TRAMPOLINES ARE PERMITTED IN REAR YARDS PROVIDED THEY DO NOT EXCEED SIX FEET (6 FT.) IN HEIGHT AND ARE OUT OF VIEW OF ADJOINING LOT OWNERS.
- Y. **ON STREET PARKING LIMITATIONS**  
ON - STREET PARKING BY OWNERS OF LOTS OR THEIR TENANTS IS PROHIBITED, PROVIDED THAT THE ASSOCIATION MAY PERMIT, BY RULES AND REGULATIONS, ON- STREET PARKING DURING OCCASIONAL EVENTS WITHIN THE SUBDIVISION. COMMERCIAL VEHICLES PERFORMING MAINTENANCE AND REPAIRS SHALL NOT EXCEED 24 HOURS AT ANY ONE PERIOD OF TIME.

## SECTION IV. HOMEOWNERS ASSOCIATION

- A. **FORMATION OF HOMEOWNERS ASSOCIATION**  
THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED THE ASSOCIATION OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN "THE VILLAGE AT THE TWIN CREEKS" TO BE FORMED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSE OF MAINTAINING THE COMMON AREAS OF THE SUBDIVISION, INCLUDING BUT WITHOUT LIMITATION, RESERVE "A & B" AND THE FENCE EASEMENT FOR THE FURTHER PURPOSES OF ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF "THE VILLAGE AT TWIN CREEKS". THE DETAILS OF ASSOCIATION MEMBERSHIP, INCLUDING ASSESSMENTS SHALL BE ESTABLISHED BY A DECLARATION RECORDED OR TO BE RECORDED IN THE OFFICE OF THE COUNTY CLERK, TULSA COUNTY, OKLAHOMA.
- B. **MANDATORY MEMBERSHIP**  
EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN "THE VILLAGE AT TWIN CREEKS" SHALL BE A MEMBER OF THE ASSOCIATION. MEMBERSHIP IN THE ASSOCIATION SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF THE RESIDENTIAL LOT.
- C. **ASSESSMENT**  
EACH RECORD OWNER OF A RESIDENTIAL LOT WITHIN "THE VILLAGE AT TWIN CREEKS" SHALL BE SUBJECT TO ASSESSMENT BY THE ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE PRIVATE STREETS, STORMWATER DETENTION FACILITIES, FENCE EASEMENT AND OTHER COMMON AREAS OF THE SUBDIVISION.

## SECTION V. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

- A. **ENFORCEMENT**  
THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I, SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS, ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE AND SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE OWNER OF ANY RESIDENTIAL LOT WITHIN "THE VILLAGE AT TWIN CREEKS" AND/OR THE ASSOCIATION AND/OR THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION III, PRIVATE RESTRICTIONS AND SECTION IV, ASSOCIATION SHALL INURE ONLY TO THE BENEFIT OF AND BE ENFORCEABLE BY THE OWNERS OF THE RESIDENTIAL LOTS AND/OR THE ASSOCIATION. IF THE UNDERSIGNED

OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, THE SUPPLIER OF UTILITY SERVICE AND/OR THE CITY OF BIXBY, OKLAHOMA MAY BRING AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT TO PREVENT THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II, IT SHALL BE LAWFUL FOR ANY PERSON OWNING ANY RESIDENTIAL LOT WITHIN "THE VILLAGE AT TWIN CREEKS", AND/OR THE ASSOCIATION AND/OR THE CITY OF BIXBY TO BRING AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IF THE UNDERSIGNED OWNER/ DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION III OR SECTION IV, IT SHALL BE LAWFUL FOR ANY PERSON OWNING ANY RESIDENTIAL LOT WITHIN "THE VILLAGE AT TWIN CREEKS" AND/OR THE ASSOCIATION TO BRING AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IN ANY JUDICIAL ACTION TO ENFORCE THE PROVISIONS OF SECTION III OR SECTION IV, THE PREVAILING PARTY MAY RECOVER REASONABLE COSTS AND ATTORNEY FEES.

- B. **DURATION**  
THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

- C. **AMENDMENT**  
THE COVENANTS CONTAINED WITHIN SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES, AND SECTION II, PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS AND THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION III, PRIVATE RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE VILLAGE AT TWIN CREEKS, LLC DURING SUCH PERIOD THAT THE VILLAGE AT TWIN CREEKS, LLC IS THE OWNER OF AT LEAST 5 RESIDENTIAL LOTS WITHIN "THE VILLAGE AT TWIN CREEKS" OR ALTERNATIVELY THE COVENANTS CONTAINED WITHIN SECTION III MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF MORE THAN 75% OF THE RESIDENTIAL LOTS. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE VILLAGE AT TWIN CREEKS, LLC (DURING ITS OWNERSHIP OF AT LEAST 5 RESIDENTIAL LOTS), AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF 75% OF THE RESIDENTIAL LOTS WITHIN "THE VILLAGE AT TWIN CREEKS", THE INSTRUMENT EXECUTED BY THE VILLAGE AT TWIN CREEKS, LLC SHALL PREVAIL DURING THE TIME OF THE VILLAGE AT TWIN CREEKS, LLC'S OWNERSHIP OF AT LEAST 5 RESIDENTIAL LOTS, THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AS ABOVE SET FORTH SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

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

IN WITNESS WHEREOF, THE VILLAGE AT TWIN CREEKS, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY HAS EXECUTED THIS INSTRUMENT THE \_\_\_\_DAY OF \_\_\_\_\_, 2016.

THE VILLAGE AT TWIN CREEKS, LLC,  
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_  
BRYAN S. WIESMAN, MANAGING MEMBER

BY: \_\_\_\_\_  
JAMES R. BREWER, MANAGING MEMBER

STATE OF OKLAHOMA )  
  ) SS  
COUNTY OF TULSA )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_TH DAY OF \_\_\_\_\_, 2016, BY BRYAN S. WIESMAN AND JAMES R. BREWER, MANAGERS OF THE VILLAGE AT TWIN CREEKS, LLC

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: \_\_\_\_\_  
COMMISSION NUMBER: \_\_\_\_\_

### CERTIFICATE OF SURVEY

I, ERIC ROLLSTON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "THE VILLAGE AT TWIN CREEKS" A SUBDIVISION OF THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

\_\_\_\_\_  
ERIC ROLLSTON  
REGISTERED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. 1761

STATE OF OKLAHOMA )  
  ) SS  
COUNTY OF TULSA )

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS \_\_\_\_TH DAY OF \_\_\_\_\_, 2016, PERSONALLY APPEARED ERIC ROLLSTON, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSE THEREIN SET FORTH.

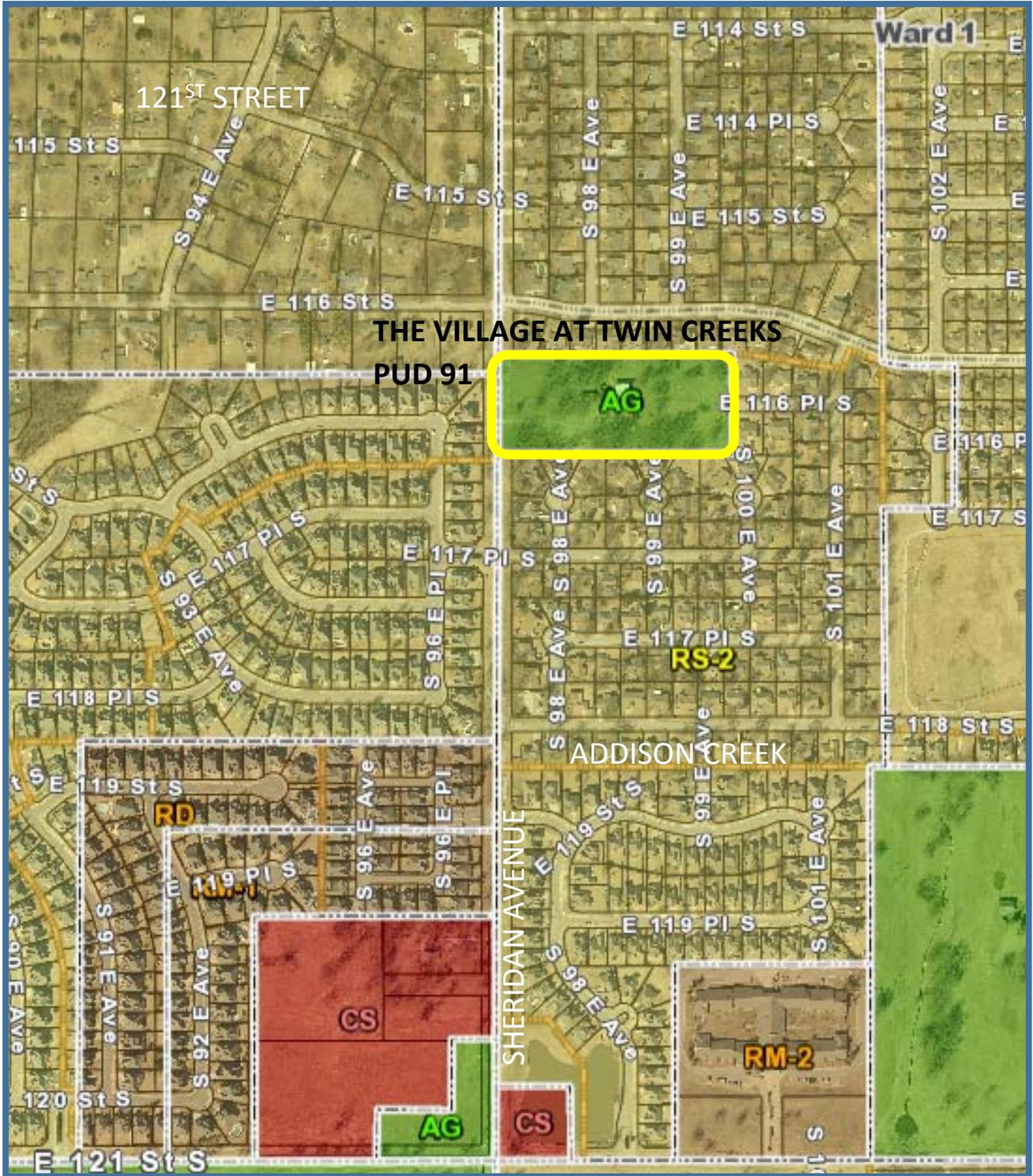
\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: NOVEMBER 20, 2019  
COMMISSION NUMBER: 11010522



THE VILLAGE AT TWIN CREEKS-PUD 91

FINAL PLAT

AERIAL MAP





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

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# STAFF REPORT

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**To:** Bixby Planning Commission

**From:** Marcae' Hilton, City Planner

**Date:** Monday, July 18, 2016

**RE:** Report and Recommendations for:  
PRELIMINARY PLAT, *Cedar Crest Business Park (PUD 41)*-Applicant, Ryan  
McCarty, Select Design  
Discussion and review of a Preliminary Plat for approximately 8.316 acres  
for the purpose of commercial shopping development and mini storage in  
Section 21, T17N, R13E  
**Property Generally Located:** South of 151<sup>st</sup> Street and ½ mile east of  
Harvard

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**REQUEST:** Preliminary Plat *Cedar Crest Business Park (PUD 41)*

**EXISTING ZONING:** CS-PUD 41 (Commercial Shopping District) (PUD 41)

**LOCATION:** 4110 E. 151<sup>st</sup> E. Ave.-South of 151st Street and near a ½ mile east  
of Harvard

**STR:** S21, T17N, R13E

**SIZE OF TRACT:** 8.316 acres

**LOT INFO:** 2 Lots  
1 Block  
2 Reserves

**PUBLIC INPUT:** No known comments

**BACKGROUND INFORMATION:**

**SURROUNDING ZONING AND LAND USE:**

North: CS (Commercial Shopping); AG (Agriculture)  
South: RS-2 (Residential Single-Family), 100 year Floodplain  
West: AG (Agriculture) unplatted *New Beginnings Baptist Church*  
East: AG (Agricultural) undeveloped, 100 year Floodplain

**COMPREHENSIVE PLAN:**

Land Use Intensities: Some is Development Sensitive  
Land Use: Residential Area  
Urban Design Elements: Corridor  
Public Facilities: Planned Regional Trail

**GENERAL:** The preliminary plat for Cedar Crest Business Park (PUD 41) is generally located south of 151st Street and approximately ½ mile east of Harvard. The proposed plat consists of two (2) lots and one (1) Block on 8.316 acres. The property is currently zoned CS per PUD 41 which was sent to City Council as a second reading for approval on July 11, 2005 and was filed in Tulsa County as Ordinance No. 908 amending Ordinance No. 272.

The south end and a portion of the east is located within a 100-year floodplain. At this time, the developer does not intend to bring this area out of the floodplain. The floodplain is located within two reserve areas.

The Technical Advisory Committee (TAC) heard this item on Wednesday, July 6, 2016 the comments are listed as part of the attached *PLAT CHECKLIST*. The comments from the Fire Marshal are also listed as part of the Checklist. Staff requests all outstanding comments be resolved before submittal of the Final Plat.

Staff believes the Preliminary Plat for Cedar Crest Business Park meets the requirements of the Zoning Regulations and Bixby Land Use.

**EXHIBITS:** Preliminary Plat for Cedar Crest Business Park  
Exhibits for Cedar Crest Business Park  
Aerial Map of Addison Creek  
Checklist for Addison Creek

**STAFF RECOMMENDATIONS:**

Staff recommends approval of the Preliminary Plat for Addison Creek subject to the resolution of comments from staff and *Plat Checklist*.

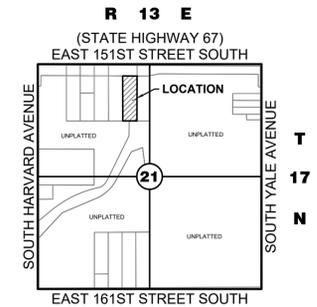
# Cedar Crest Business Park

## Planned Unit Development No. 41

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-ONE (21), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

### Line Table

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 40°51'09" E	59.54'	L13	N 07°49'44" W	45.85'
L2	N 14°44'04" E	58.84'	L14	N 00°52'35" W	38.16'
L3	N 19°15'45" E	49.31'	L15	N 13°18'50" E	69.62'
L4	N 02°15'13" W	60.69'	L16	N 01°47'22" W	52.36'
L5	N 85°34'18" W	66.48'	L17	N 09°20'22" E	59.79'
L6	N 46°09'26" W	15.60'	L18	N 01°09'39" W	54.87'
L7	N 01°10'07" W	17.03'	L19	N 11°21'43" W	44.36'
L8	N 50°49'40" E	18.08'	L20	N 04°07'52" E	35.19'
L9	N 88°49'53" E	149.17'	L21	N 34°37'55" E	33.12'
L10	N 47°01'15" E	28.95'	L22	N 55°31'05" E	31.42'
L11	N 68°36'13" E	26.45'	L23	N 25°56'21" E	22.84'
L12	N 19°56'10" E	29.91'			



Location Map  
SCALE: 1"=2000'

Point of Commencement  
NW Corner of the NW/4 NE/4  
Section 21, T-17-N, R-13-E

### Owner / Developer

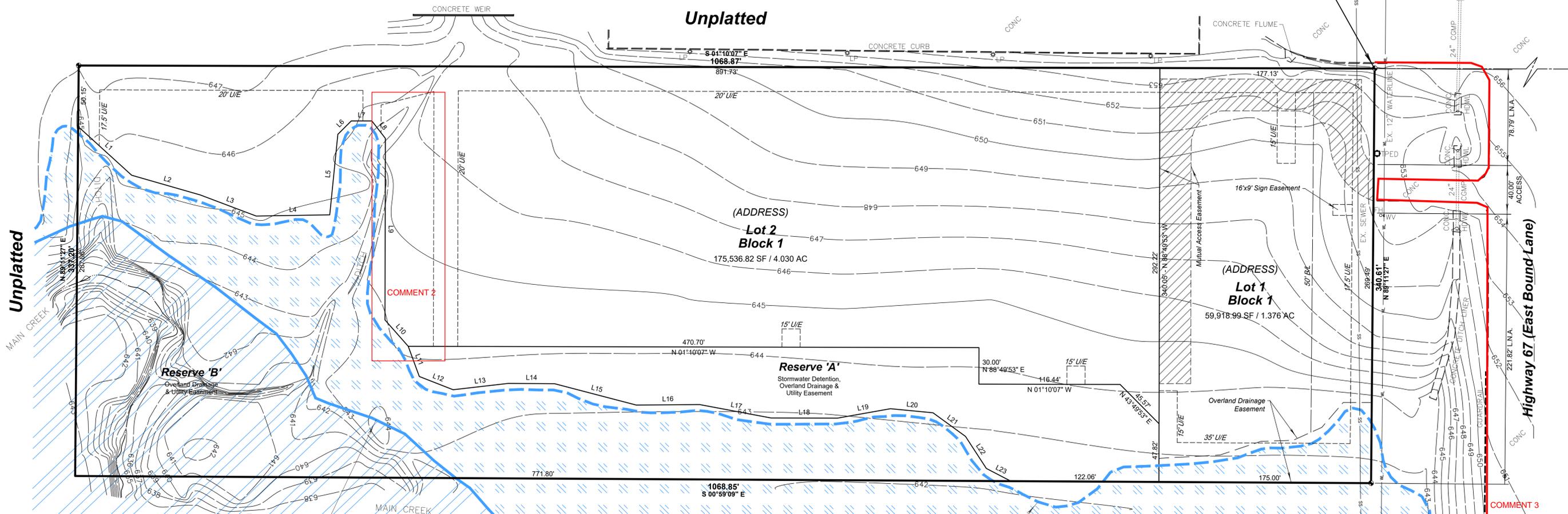
JIM ROBERTS  
12010 SOUTH ELM STREET  
JENKS, OK 74037  
PHONE: (918) 284-7552  
MR. JIM ROBERTS

### Engineer

COWAN GROUP ENGINEERING, LLC  
5416 SOUTH YALE, SUITE 210  
TULSA, OK 74135  
PHONE: (918) 949-6171  
FAX: (918) 949-6174  
barrick@cowangroup.co  
C.A. # 6414 EXPIRES 6-30-2016

### Surveyor

FRITZ LAND SURVEYING, LLC  
2017 WEST 91ST STREET  
TULSA, OKLAHOMA 74132  
PHONE: (918) 231-0575  
EMAIL: fritzlandsurveying@gmail.com  
C.A. # 5848 EXPIRES: 6-30-2016



**ZONE AE (Floodway)**  
Map Number: 40143C0433L  
Map Revised: October 16, 2012

### Basis of Bearings

NORTHERLY LINE OF NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-ONE (21), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) BEING N 89°11'27" E.

### Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" x 18" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ 1694" AT ALL CORNERS.

### ADS Benchmark

5/8" REBAR 1 1/2" ALUMINUM CAP-FLUSH-STAMPED "587", SET SOUTHEAST OF 151ST STREET, AND SHERIDAN AVENUE. ELEVATION = 672.823' (NAVD 1988)

### Notes

ADDRESS 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.

ALL WATER AND SANITARY SEWER SERVICES WILL BE SUPPLIED AND MAINTAINED BY THE CITY OF BIXBY, OKLAHOMA.

### Floodplain Data

A PORTION OF THE PROPERTY IS SITUATED IN UNSHADED ZONE 'X' AND ZONE 'AE' PER FEMA FLOODPLAIN MAP NO. 40143C0433L - DATED OCTOBER 16, 2012.

### Limits of FEMA 100YR Floodplain ZONE AE

Map Number: 40143C0433L  
Map Revised: October 16, 2012

STATE OF OKLAHOMA } SS  
COUNTY OF TULSA }

I, PAT KEY, TULSA COUNTY CLERK, IN AND FOR THE COUNTY AND STATE ABOVE, DO HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

PAT KEY, TULSA COUNTY CLERK

DEPUTY

COUNTY TREASURER'S STAMP

**Preliminary Plat**

### Subdivision Statistics

SUBDIVISION CONTAINS TWO (2) LOTS IN ONE (1) BLOCK AND TWO (2) RESERVE AREAS:

GROSS SUBDIVISION AREA:  
362,237.63 SQUARE FEET OR 8.316 ACRES

### Legend

B/L -- BUILDING SETBACK LINE  
L.N.A. -- LIMITS OF NO ACCESS  
U/E -- UTILITY EASEMENT

**CEDAR CREEK BUSINESS PARK - PUD #41  
DEED OF DEDICATION AND RESTRICTIVE COVENANTS**

KNOW ALL MEN BY THESE PRESENTS:

THAT JIM ROBERTS, HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER", ARE THE OWNERS OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN BIXBY, OKLAHOMA, TO-WIT:

A TRACT OF LAND BEGINNING AT A POINT 682.8 FEET EAST OF THE NW CORNER OF THE NE/4 NW/4; THENCE SOUTH 1318.87 FEET; THENCE EAST 337.2 FEET; THENCE NORTH TO THE NORTH LINE OF THE SECTION, THENCE WEST 341.41 FEET TO THE POINT OF BEGINNING, LESS THE NORTH 250 FEET THEREOF IN SECTION 21, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE & MERIDIAN, TULSA COUNTY OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

SAID TRACT CONTAINS 362,237.63 SQUARE FEET OR 8.316 ACRES, MORE OR LESS.

BASIS OF BEARINGS IS THE NORTHERLY LINE OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-ONE (21), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) BEING N 89°11'27" E.

AND HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 2 LOTS, 1 BLOCK AND 2 RESERVE AREAS, AS SHOWN ON THE ATTACHED PLAT AND SURVEY THEREOF, AND HAS DESIGNATED THE SUBDIVISION AS "CEDAR CREEK BUSINESS PARK", A SUBDIVISION OF A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION 21, T-17-N, R-13-E, CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, AND

**SECTION I. UTILITY EASEMENTS AND RIGHTS-OF-WAY**

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT (CEDAR CREEK BUSINESS PARK) FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, TELEPHONE LINES, CABLE TELEVISION, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES AND WATER LINES, TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH OF SUCH FACILITIES INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND ANY OTHER APPURTENANCES THERETO, WITH RIGHT OF INGRESS AND EGRESS TO THE EASEMENTS FOR THE USES AND PURPOSES AFORESAID; PROVIDED, HOWEVER THAT THE OWNER/DEVELOPER HEREBY RESERVES TO ITSELF, AND TO ITS ASSIGNS, THE RIGHT TO USE OR DELEGATE TO OTHERS THE RIGHT TO USE THE DESIGNATED EASEMENTS TO PROVIDE ANY OF THE SERVICES SET FORTH HEREIN, INCLUDING, BUT NOT LIMITED TO THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE TO THE AREA INCLUDED WITHIN THE PLAT. THE OWNER/DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA AND THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF THE EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED; PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT UTILITY EASEMENTS, DRIVES, PARKING AREAS, CURBING, AND LANDSCAPING THAT DOES NOT CONSTITUTE AN OBSTRUCTION AS AFORESAID.

**A. ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE**

- OVERHEAD POLE LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE MAY BE LOCATED ALONG THE SOUTH AND EAST SIDE OF THE SUBDIVISION. ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND, IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ATTACHED PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL BUILDINGS WHICH MAY BE LOCATED ON ALL LOTS IN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH BUILDING AS MAY BE LOCATED UPON THE LOT; PROVIDED THAT, UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR BUILDING, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE RIGHT-OF-WAY EASEMENT ON SAID LOT, COVERING A FIVE-FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE, EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE BUILDING.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, AND GAS SERVICES, THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT TO THE SUBDIVISION, INCLUDING EASEMENTS DEPICTED WITHIN RESERVE AREAS, OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES SO INSTALLED BY IT.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE UNDERGROUND FACILITIES, BUT THE OWNER OF EACH LOT IN THE SUBDIVISION WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS CONCERNING UNDERGROUND ELECTRIC, TELEPHONE AND CABLE TELEVISION FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

**B. WATER SERVICE**

- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS LOCATED ON HIS LOT.
- WITHIN UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON COMPLETION OF A PUBLIC WATER MAIN OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH A PUBLIC WATER MAIN SHALL BE PROHIBITED.
- THE CITY OF BIXBY PUBLIC WORKS DEPARTMENT, HEREINAFTER REFERRED TO AS "THE CITY", OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

- THE CITY, OR ITS SUCCESSORS SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE WATER FACILITIES OWNED BY IT.
- THE FOREGOING COVENANTS CONCERNING THE WATER FACILITIES SHALL BE ENFORCEABLE BY THE CITY, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

**C. GAS SERVICE**

- THE SUPPLIER OF GAS SERVICE SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, INCLUDING EASEMENTS DEPICTED WITHIN RESERVE AREAS, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF GAS FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
- THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED ON HIS LOT, THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH THE UNDERGROUND GAS FACILITIES SHALL BE PROHIBITED. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT OR HIS AGENT OR CONTRACTORS.
- THE FOREGOING COVENANTS CONCERNING UNDERGROUND GAS FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

**D. OVERLAND DRAINAGE EASEMENTS**

- OVERLAND DRAINAGE EASEMENTS DESIGNATED ON THE PLAT ARE HEREBY DEDICATED TO THE CITY OF BIXBY OR ITS SUCCESSORS FOR THE PURPOSE OF MAINTAINING, CONSTRUCTING OR REPAIRING ALL DRAINAGE FACILITIES WITHIN THESE EASEMENTS. MAY BE USED FOR UTILITIES ACCORDING TO THE PROVISIONS IN THE CERTIFICATE OF DEDICATION AS IT APPLIES TO EASEMENTS, EXCEPT THAT CONSTRUCTION AND USE OF UTILITIES THEREIN SHALL NOT INTERFERE WITH THE USE FOR DRAINAGE PURPOSES.
- NO BUILDING STRUCTURE, WALL, FENCE, OR ABOVE OR BELOW GROUND OBSTRUCTIONS SHALL BE CONSTRUCTED OR PLACED WITHIN ANY DRAINAGE EASEMENT WITHOUT APPROVAL OF CITY OF BIXBY.
- THE OWNER OF EACH LOT UPON WHICH A DRAINAGE EASEMENT IS SITUATED SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE OF ANY SAID EASEMENT WHICH TRAVERSES THEIR RESPECTIVE PROPERTY.
- IN THE EVENT OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF THE CONTOUR THEREIN, BIXBY OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO THE ACHIEVEMENT OF THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT BY THE OWNER, OR THE HOMEOWNER'S ASSOCIATION. IN THE COST THEREOF SHALL BE PAID BY THE OWNER, OR THE HOMEOWNER'S ASSOCIATION. IN THE EVENT OWNER OR THE HOMEOWNER'S ASSOCIATION, AS THE CASE MAY BE, FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER FILE A LIEN AGAINST THE SUBJECT LOT, SUCH LIEN, HOWEVER, SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY.

**E. SURFACE DRAINAGE**

THE LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS HIS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY.

**F. PAVING AND LANDSCAPING WITHIN EASEMENTS**

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING WITHIN THE UTILITY EASEMENTS WHICH MAY RESULT FROM NECESSARY USE FOR OR MAINTENANCE AND INSTALLATION OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, ELECTRICAL, NATURAL GAS, COMMUNICATIONS OR TELEPHONE FACILITIES PROVIDED, HOWEVER, THE CITY OF BIXBY, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

**H. USE OF RESERVE AREA 'A'**

- THE OWNER/DEVELOPER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS RESERVE 'A' FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE LOT AND FROM PROPERTIES NOT INCLUDED WITHIN THE SUBDIVISION.
- DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE RESERVE SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY.
- NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE RESERVE NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID RESERVE UNLESS APPROVED BY THE CITY OF BIXBY.
- DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE OWNER OF LOT 2 TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION, AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION AND THE OWNER/DEVELOPER SHALL PROVIDE CUSTOMARY GROUNDS MAINTENANCE WITHIN THE RESERVE IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:
  - GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR WEEKS, OR LESS.
  - CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
  - THE RESERVE SHALL BE KEPT FREE OF DEBRIS.

- CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.
- LANDSCAPING, APPROVED BY THE CITY OF BIXBY, SHALL BE ALLOWED WITHIN THE RESERVE.

- IN THE EVENT THE OWNER/DEVELOPER SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF GRADE WITHIN THE RESERVE, THE CITY OF BIXBY, OR ITS DESIGNATED CONTRACTOR, MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER/DEVELOPER. IN THE EVENT THE OWNER/DEVELOPER FAILS TO PAY THE COSTS OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY.

**I. USE OF RESERVE AREA 'B'**

- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL OVERLAND EASEMENT ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS RESERVE 'B' FOR THE PURPOSES OF PROTECTING AND PROVIDING ACCESS TO THE 100-YEAR FLOODPLAIN LOCATED WITHIN THE RESERVE. THE OVERLAND DRAINAGE EASEMENT IS HEREBY ESTABLISHED TO RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM THE LOT AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS.
- RESERVE 'B' SHALL REMAIN AS A NATURAL UNIMPROVED AREA AND PROVIDED REMOVAL OF UNDERBRUSH AND GROUND MAINTENANCE SHALL BE PERMITTED. SUPPLEMENTAL LANDSCAPING MAY BE PERMITTED IF IT DOES NOT IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS RESERVE 'B' AND WRITTEN PERMISSION FROM THE CITY OF BIXBY HAS BEEN GRANTED. NOTWITHSTANDING THAT THE OWNER/DEVELOPER SHALL MAINTAIN THE RESERVE AS A NATURAL UNIMPROVED AREA, THE OWNER/DEVELOPER SHALL COMPLY WITH ALL STATE STATUTES AND ORDINANCES OF THE CITY OF BIXBY, OR ITS SUCCESSORS, REGULATING THE EXISTENCE OF PUBLIC AND PRIVATE NUISANCES.
- THE OWNER/DEVELOPER SHALL NOT CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE RESERVE, EXCEPT WHERE FENCING CROSSES THE MAPPED FLOODPLAIN WHERE THE BOTTOM OF FENCE SHALL BE A MINIMUM OF 12 INCHES ABOVE THE 100 YEAR WATER SURFACE ELEVATION. IN THE EVENT THE OWNER/DEVELOPER SHOULD FAIL TO PROPERLY MAINTAIN THE RESERVE OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF THE GRADE, THE CITY OF BIXBY, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COST SHALL BE PAID BY THE OWNER/DEVELOPER. IN THE EVENT THE OWNER/DEVELOPER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY.

**J. LIMITS OF NO ACCESS**

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO "CEDAR CREEK BUSINESS PARK" WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (LNA) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF BIXBY, OR ITS SUCCESSOR, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA. LIMITS OF NO ACCESS SHALL BE ENFORCEABLE BY THE CITY OF BIXBY.

**K. MUTUAL ACCESS EASEMENT**

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

**L. SIGN EASEMENT**

SIGN EASEMENTS, DEPICTED AS "SIGN EASEMENT" ON THE ACCOMPANYING PLAT, ARE HEREBY ESTABLISHED FOR THE PURPOSE OF PERMITTING CONSTRUCTION, INSTALLATION AND MAINTENANCE OF A TENANT SIGN FOR THE MUTUAL USE AND BENEFIT OF EACH LOT IN THE SUBDIVISION. SUCH EASEMENTS SHALL ALSO BE FOR INSTALLATION, MAINTENANCE, REPAIR AND REPLACEMENT OF UTILITY LINES REQUIRED TO SERVE SUCH TENANT SIGN, INCLUDING, WITHOUT LIMITATION, ELECTRICAL LINES FOR THE TENANT SIGN.

**M. CERTIFICATE OF OCCUPANCY RESTRICTIONS**

NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED BY THE CITY UNTIL COMPLETION OF THE ENTIRE DEVELOPMENT AND ITS FORMAL ACCEPTANCE BY THE CITY OF BIXBY. ANY AND ALL CONSTRUCTION PURSUANT TO ANY BUILDING PERMIT BUT PRIOR TO THE CITY'S FORMAL ACCEPTANCE OF THE ENTIRE DEVELOPMENT SHALL BE AT THE OWNER'S, DEVELOPER'S, CONTRACTOR'S/BUILDER'S OR INVESTOR'S OWN RISK.

**SECTION II. PLANNED UNIT DEVELOPMENT**

WHEREAS, CEDAR CREEK BUSINESS PARK WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (PUD NO. 41) AS PROVIDED WITHIN SECTION \_\_\_\_\_ OF THE ZONING ORDINANCE OF THE CITY OF BIXBY, OKLAHOMA, (HEREINAFTER THE "ZONING ORDINANCE"), WHICH (PUD NO. 41) WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON \_\_\_\_\_, AND APPROVED BY THE COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, ON \_\_\_\_\_; AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INJURING 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 DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO ENSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF BIXBY, OKLAHOMA;

THEREFORE, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH:

**A. DEVELOPMENT IN ACCORDANCE WITH PUD NO. 41**

CEDAR CREEK BUSINESS PARK SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 41 APPROVED BY THE BIXBY CITY COUNCIL AND THE BIXBY PLANNING COMMISSION OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 41 AS MAY BE SUBSEQUENTLY APPROVED.

**B. APPLICABLE ORDINANCE**

THE DEVELOPMENT OF CEDAR CREEK BUSINESS PARK SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE, AS SUCH PROVISIONS EXISTED ON THE PROPERTY WILL BE DEVELOPED IN ACCORDANCE WITH CITY OF BIXBY ZONING ORDINANCE AND THE USE AND DEVELOPMENT REGULATIONS OF CS (COMMERCIAL SHOPPING DISTRICT) ZONING, EXCEPT AS NOTED HEREIN.

**C. DEVELOPMENT STANDARDS**

**DEVELOPMENT AREA A (COMMERCIAL-OFFICE USE)**

PERMITTED USES (TO BE ALLOWED BY RIGHT) - THOSE USES PERMITTED IN ACCORDANCE WITH THE FOLLOWING USE UNITS OF THE CITY OF BIXBY ZONING CODE:

- USE UNIT 11 (OFFICES AND STUDIOS)
- USE UNIT 12 (ENTERTAINMENT ESTABLISHMENTS AND EATING ESTABLISHMENTS, OTHER THAN DRIVE-INS)
- USE UNIT 13 (CONVENIENCE GOODS AND SERVICES)
- USE UNIT 14 (SHOPPING GOODS AND SERVICES)
- USE UNIT 15 (OTHER TRADES AND SERVICES), EXCEPT THOSE USES IDENTIFIED ON EXHIBIT G, WHICH USES ARE EXPRESSLY PROHIBITED;
- AND ALL ACCESSORY USES PERMITTED IN THE CS DISTRICT PER THE CITY OF BIXBY ZONING CODE.

MINIMUM FRONTAGE: 150 FEET

MAXIMUM BUILDING FLOOR AREA: 0.50 FLOOR AREA RATIO PER SECTION 630 OF THE CITY OF BIXBY ZONING CODE.

MAXIMUM BUILDING HEIGHT: N/A

OFF-STREET PARKING: AS REQUIRED BY APPLICABLE USE UNIT OF THE CITY OF BIXBY ZONING CODE.

MINIMUM BUILDING SETBACKS:

- FROM THE SOUTH RIGHT-OF-WAY LINE
- FOR EAST 151ST STREET: 25 FEET
- FROM THE WEST AND EAST BOUNDARIES (PERIMETER UTILITY EASEMENT): 17.5 FEET
- FROM THE SOUTH BOUNDARY OF DEVELOPMENT AREA A: N/A

**DEVELOPMENT AREA B (COMMERCIAL-OFFICE-STORAGE USE)**

PERMITTED USES (TO BE ALLOWED BY RIGHT) - THOSE USES PERMITTED IN ACCORDANCE WITH THE FOLLOWING USE UNITS OF THE CITY OF BIXBY ZONING CODE:

- USE UNIT 11 (OFFICES AND STUDIOS)
- USE UNIT 13 (CONVENIENCE GOODS AND SERVICES)
- USE UNIT 15 (OTHER TRADES AND SERVICES), EXCEPT THOSE USES IDENTIFIED ON EXHIBIT G, WHICH USES ARE EXPRESSLY PROHIBITED;
- MINI-STORAGE AND INSIDE SALES WITHOUT OUTSIDE DISPLAY;
- ALL OTHER USES IN USE UNIT 17 EXPRESSLY ARE PROHIBITED;
- AND ALL ACCESSORY USES PERMITTED IN THE CS DISTRICT PER THE CITY OF BIXBY ZONING CODE.

MINIMUM FRONTAGE: N/A

MAXIMUM BUILDING FLOOR AREA: 0.50 FLOOR AREA RATIO PER SECTION 630 OF THE CITY OF BIXBY ZONING CODE.

MAXIMUM BUILDING HEIGHT: N/A

OFF-STREET PARKING: AS REQUIRED BY APPLICABLE USE UNIT OF THE CITY OF BIXBY ZONING CODE.

MINIMUM BUILDING SETBACKS:

- FROM THE NORTH BOUNDARY OF DEVELOPMENT AREA B: N/A
- FROM ALL OTHER BOUNDARIES (PERIMETER UTILITY EASEMENT): 17.5 FEET

D. 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 PLANNING COMMISSION. THE DEVELOPMENT AND USE OF CEDAR CREEK BUSINESS PARK SHALL BE IN COMPLIANCE WITH THE APPROVED BUILDING PLANS AND SIGN PLANS, AS MAY BE LATER APPROVED BY THE CITY OF BIXBY PLANNING COMMISSION OR ITS SUCCESSOR.

E. 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. DEVELOPMENT STANDARDS**

A. LANDSCAPED AREA AND SCREENING

- OWNER/DEVELOPER SHALL SUBMIT A DETAILED LANDSCAPE AND SCREENING PLAN THAT COMPLIES WITH ALL CITY ORDINANCES TO THE CITY OF BIXBY ARCHITECTURAL COMMITTEE FOR APPROVAL.
- ALL LANDSCAPING AND SCREENING SHALL MEET OR EXCEED THE REQUIREMENTS OF THE PUD CHAPTER (CHAPTER 9), THE LANDSCAPE CHAPTER (CHAPTER 17), AND THE CORRIDOR APPEARANCE DISTRICT CHAPTER (CHAPTER 19), OR AN ALTERNATIVE PLAN MAY BE APPROVED BY THE BIXBY ARCHITECTURAL COMMITTEE IF THEY DETERMINE THAT, ALTHOUGH NOT MEETING THE TECHNICAL REQUIREMENTS OF THE FOREGOING CHAPTERS, THE PLAN IS EQUIVALENT TO OR BETTER THAN THE REQUIREMENTS OF THE LANDSCAPE CHAPTER AND THE CORRIDOR APPEARANCE DISTRICT CHAPTER AND ALSO MEETS THE REQUIREMENTS OF THE PUD CHAPTER. APPROPRIATE SCREENING SHALL BE PROVIDED BETWEEN THE DEVELOPMENT AREAS AND THE RESIDENTIAL AREAS TO THE SOUTH. ALL LANDSCAPING AND SCREENING SHALL BE APPROVED BY THE BIXBY ARCHITECTURAL COMMITTEE.
- A DETAIL LANDSCAPE PLAN FOR THE DEVELOPMENT AREAS SHALL BE APPROVED BY THE BIXBY ARCHITECTURAL COMMITTEE PRIOR TO ISSUANCE OF A BUILDING PERMIT. A LANDSCAPE ARCHITECT REGISTERED IN THE STATE OF OKLAHOMA SHALL CERTIFY TO THE ZONING OFFICER THAT ALL REQUIRED LANDSCAPING AND SCREENING FENCES HAVE BEEN INSTALLED IN ACCORDANCE WITH THE APPROVED LANDSCAPE PLAN FOR THE LOT, PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT. THE LANDSCAPE MATERIALS REQUIRED UNDER THE APPROVED PLAN SHALL BE MAINTAINED AND REPLACED AS NEEDED, AS A CONTINUING CONDITION OF THE GRANTING OF AN OCCUPANCY PERMIT.

B. SIGNS

- SIGNAGE SHALL COMPLY WITH SECTION 1021 OF THE CITY OF BIXBY ZONING CODE.
- NO SIGN PERMITS SHALL BE ISSUED FOR ERECTION OF A SIGN ON A LOT WITHIN THE PUD UNTIL A DETAIL SIGN PLAN FOR THAT LOT HAS BEEN SUBMITTED TO THE BIXBY ARCHITECTURAL COMMITTEE AND APPROVED AS BEING IN COMPLIANCE WITH THE APPROVED PUD DEVELOPMENT STANDARDS.

C. LIGHTING

- FLASHING SIGNS, CHANGEABLE COPY SIGNS, RUNNING LIGHT OR TWINKLE SIGNS, ANIMATED SIGNS, REVOLVING OR ROTATING SIGNS WITH MOVEMENT SHALL BE PROHIBITED, EXCEPT AS MAY BE PERMITTED BY THE BIXBY PLANNING COMMISSION AS PART OF THE APPROVED DETAIL SIGN PLAN.
- LIGHTING USED TO ILLUMINATE THE DEVELOPMENT AREA SHALL BE SO ARRANGED AS TO SHIELD AND DIRECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL AREAS. SHIELDING OF SUCH LIGHT SHALL BE DESIGNED SO AS TO PREVENT THE LIGHT-PRODUCING ELEMENT OR REFLECTOR OF THE LIGHT FIXTURE FROM BEING VISIBLE TO A PERSON STANDING IN THE ADJACENT RESIDENTIAL AREAS OR RESIDENTIAL STREET RIGHT-OF-WAY. NO LIGHT STANDARD OR BUILDING-MOUNTED LIGHT SHALL EXCEED 20 FEET OR THE HEIGHT WHICH COMPLIES WITH THE STANDARD STATED IN THE PRECEDING SENTENCE, WHICHEVER IS LOWER. MECHANICAL AND EQUIPMENT AREAS.
- THERE SHALL BE NO STORAGE OF RECYCLABLE MATERIALS, TRASH OR SIMILAR MATERIAL OUTSIDE A SCREENED RECEPTACLE. ALL TRASH, MECHANICAL AND EQUIPMENT AREAS, INCLUDING BUILDING MOUNTED, SHALL BE SCREENED FROM PUBLIC VIEW IN SUCH A MANNER THAT THE AREAS CANNOT BE SEEN BY PERSONS STANDING AT GROUND LEVEL.

**SECTION IV. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY**

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I., UTILITY EASEMENTS AND RIGHTS-OF-WAY AND SECTION II., PLANNED UNIT DEVELOPMENT ARE SET FORTH CERTAIN COVENANTS AND ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY, THE COVENANTS CONTAINED WITHIN SECTIONS I. OR II., WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL ALSO INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION III., PRIVATE RESTRICTIONS, SHALL INURE ONLY TO THE BENEFIT OF AND SHALL BE ENFORCEABLE ONLY BY THE OWNER OF A LOT AND/OR THE HOMEOWNER'S ASSOCIATION. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS OR RESTRICTIONS SET FORTH WITHIN SECTION III., IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING ANY LOT AND/OR THE HOMEOWNERS' ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANTS, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT AND/OR TO RECOVER DAMAGES, WITH THE EXCEPTION OF ACTIONS TO ENFORCE COVENANTS CONTAINED WITHIN SECTIONS I. AND II., PRIOR TO THE COMMENCEMENT OF ANY ACTION PERTAINING TO THESE RESTRICTIONS, THE PARTY INTENDING TO COMMENCE THE ACTION SHALL GIVE THE RECORD OWNER OF THE PROPERTY ON WHICH THE VIOLATION IS OCCURRING, OR HAS OCCURRED, WRITTEN NOTICE OF THE VIOLATION. IN THE EVENT REASONABLE EFFORTS TO CURE THE VIOLATION ARE COMMENCED WITHIN THIRTY (30) DAYS FROM RECEIPT OF NOTICE, NO JUDICIAL ACTION SHALL BE COMMENCED TO ENFORCE THE RESTRICTIONS SO LONG AS THE EFFORTS TO CURE THE VIOLATION DILIGENTLY PROCEED TO COMPLETION. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS OR RESTRICTIONS, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW, IS HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY THE HOMEOWNERS ASSOCIATION OR ANY LOT OWNER, WHICH ACTION SEEKS TO ENFORCE THE COVENANTS OR RESTRICTIONS, AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO

RECEIVE HIS OR ITS REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

THESE COVENANTS AND RESTRICTIONS SET FORTH WITHIN THIS DEED OF DEDICATION, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I., UTILITY EASEMENTS RIGHTS-OF-WAY AND SECTION II., PLANNED UNIT DEVELOPMENT MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE BIXBY PLANNING COMMISSION OR ITS SUCCESSORS AND THE CITY OF BIXBY. THE COVENANTS AND RESTRICTIONS CONTAINED WITHIN SECTION III., PRIVATE RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER/DEVELOPER DURING SUCH PERIOD THAT THE OWNER/DEVELOPER IS THE RECORD OWNER OF AT LEAST 1 LOT OR ALTERNATIVELY, THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF AT LEAST 60% OF THE LOTS. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER/DEVELOPER (DURING ITS OWNERSHIP OF AT LEAST 1 LOT) AND ANY AMENDMENT PROPERLY EXECUTED BY THE OWNERS OF 60% OF THE LOTS, THE INSTRUMENT EXECUTED BY THE OWNER/DEVELOPER SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

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

IN WITNESS WHEREOF, THE OWNER/DEVELOPER HAS EXECUTED THIS INSTRUMENT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

BY \_\_\_\_\_  
JIM ROBERTS

STATE OF OKLAHOMA )  
 ) SS.  
COUNTY OF TULSA )

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE SAID COUNTY AND STATE, ON THIS \_\_\_\_\_ DAY BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR THE SAID COUNTY AND STATE, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, PERSONALLY APPEARED TO ME JIM ROBERTS, KNOWN TO BE THE IDENTICAL PERSON(S) WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH. GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

\_\_\_\_\_  
NOTARY PUBLIC

\_\_\_\_\_  
MY COMMISSION EXPIRES

\_\_\_\_\_  
MY COMMISSION NUMBER

**CERTIFICATE OF SURVEY**

I, ANDY FRITZ, A LICENSED LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT, AT THE REQUEST OF THE OWNERS, I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS 'CEDAR CREEK BUSINESS PARK', A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING ADOPTED BY THE STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AS OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
ANDY FRITZ, LICENSED LAND SURVEYOR  
OKLAHOMA NO. 1694

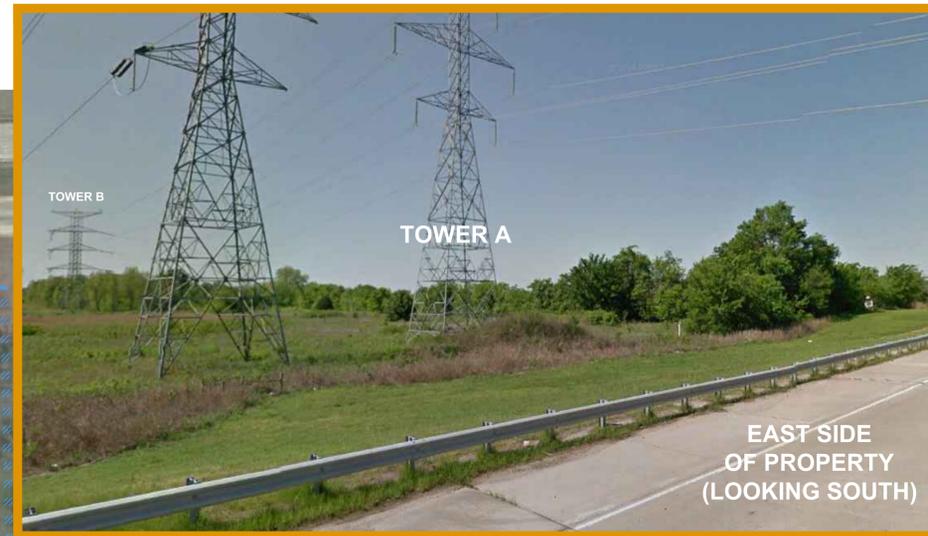
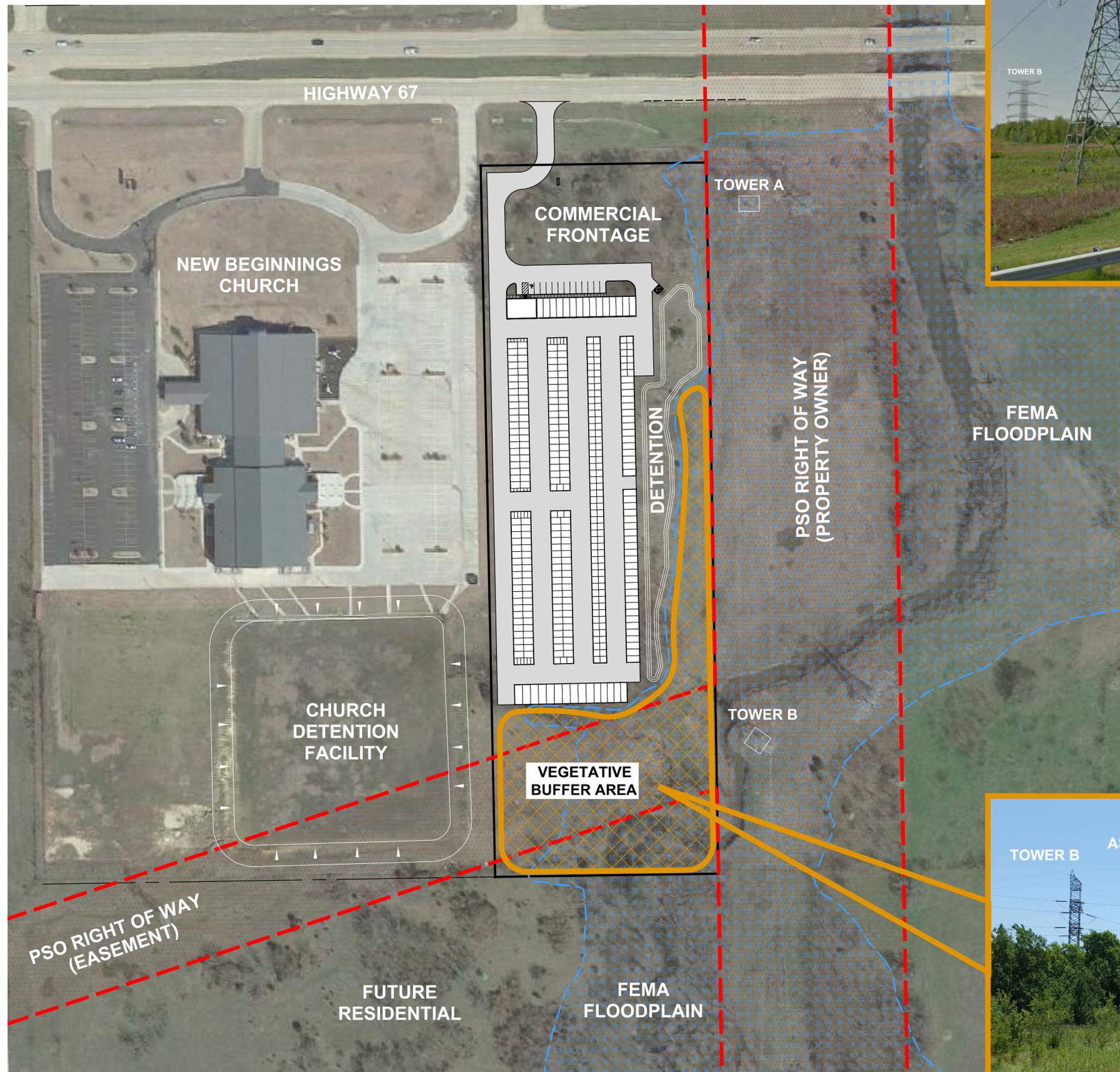


STATE OF OKLAHOMA )  
 ) SS.  
COUNTY OF TULSA )

BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016, PERSONALLY APPEARED ANDY FRITZ, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS A LICENSED LAND SURVEYOR TO THE FOREGOING CERTIFICATE OF SURVEY AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

\_\_\_\_\_  
JENNIFER FRITZ  
MY COMMISSION EXPIRES: 6/23/2018  
MY COMMISSION NUMBER: 14005589





CONSULTANTS



COWAN GROUP ENGINEERING, L.L.C.  
 7100 N. CLASSEN BLVD., SUITE 500  
 OKLAHOMA CITY, OKLAHOMA 73116  
 405-463-3369 O 405-463-3381 F  
 WWW.COWANGROUP.CO  
 CA# 6414 EXPIRES 6/30/2016



11063D S Memorial Dr #351  
 Tulsa, Oklahoma 74133  
 Phone: (918) 798-8356

PROJECT NAME

**Cedar Crest  
 Business Park  
 Lot 2, Block 1**

Bixby, OK  
 Project No. 2003

SEAL

THESE PLANS ARE CONCEPTUAL IN NATURE FOR ESTIMATING PURPOSES ONLY AND SHALL NOT BE CONSTRUED AS FINAL CONSTRUCTION DOCUMENTS. ONLY FINAL PLANS BEARING A PROFESSIONALLY LICENSED SEAL AND SIGNATURE SHALL BE USED FOR CONSTRUCTION. COWAN GROUP ENGINEERING, L.L.C. AND/OR SELECT DESIGN SHALL NOT BE HELD LIABLE FOR MISUSE OF THESE CONCEPTUAL PLANS.

REVISIONS

NOTES

ISSUE DATE

7/13/2016

SCALE

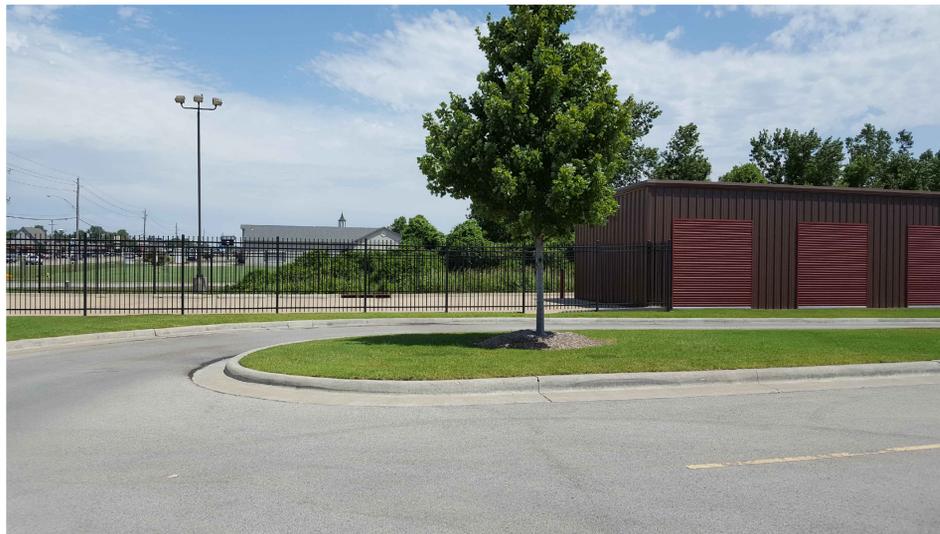
1"=80'

SHEET NAME

SURROUNDING  
 PROPERTIES  
 EXHIBIT

SHEET NO.

**E1**



CONSULTANTS



COWAN GROUP ENGINEERING, L.L.C.  
 7100 N. CLASSEN BLVD., SUITE 500  
 OKLAHOMA CITY, OKLAHOMA 73116  
 405-463-3369 O 405-463-3381 F  
 WWW.COWANGROUP.CO  
 CA# 6414 EXPIRES 6/30/2016



DEVELOPMENT ANALYSIS  
 PROJECT MANAGEMENT  
 DRAFTING & DESIGN  
 11063D S Memorial Dr #351  
 Tulsa, Oklahoma 74133  
 Phone: (918) 798-8356

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**Cedar Crest  
 Business Park  
 Lot 2, Block 1  
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REVISIONS

NOTES

ISSUE DATE

7/13/2016

SCALE

N/A

SHEET NAME

EXTERIOR BUILDING MATERIALS & FENCE EXHIBIT

SHEET NO.

**E2**

# E-WW1L Series

LED Wall Mount

Replaces 100W / 120W Incandescent



**Powerful, efficient & long lasting light.**

---

### Recommended Use

- Security
- Stairways
- Perimeter lighting

### Input Voltage

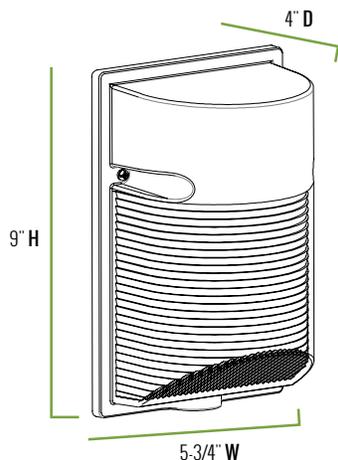
- 120V Operation with built-in photocell

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### Certifications



# E-WW1L Series



## Series Overview

DIMENSIONS	PRODUCT WEIGHT	MOUNTING HEIGHT	SPACING
4" D x 5-3/4" W x 9" H	2.0 lbs.	8 to 12 feet	---

## Fixture Specifications

<b>HOUSING</b>	Polycarbonate housing in medium bronze or white with heavy-duty aluminum mounting plate
<b>LENS ASSEMBLY</b>	UV-stabilized polycarbonate prismatic refractor
<b>MOUNTING</b>	1/2" NPT tapped knockout on bottom for conduit entry Knockout provided on back of housing for 1/2" conduit entry or mounts over 4" square or octagonal junction box

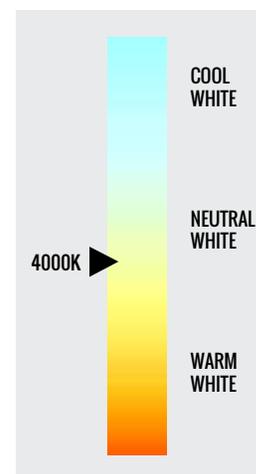
## Electrical Performance

OPERATING MINIMUM	LIFESPAN <small>L<sub>70</sub> AT 25° C (77° F)</small>	POWER FACTOR	TOTAL HARMONIC DISTORTION	DIMMABLE
-40°C (-40°F)	Estimated 172,000 Hours (22W) 118,000 Hours (14W)	> 0.95	< 20%	No
<b>INPUT VOLTAGE</b>	<b>120V</b>	<b>208V</b>	<b>240V</b>	<b>277V</b>
<b>Current Draw (Amps)</b>	0.17A	---	---	---

## Warranty & Certifications

WARRANTY	UL LISTED	DLC	ENERGY STAR
5-Year Limited	Wet Locations	---	---

## CORRELATED COLOR TEMPERATURE (CCT)



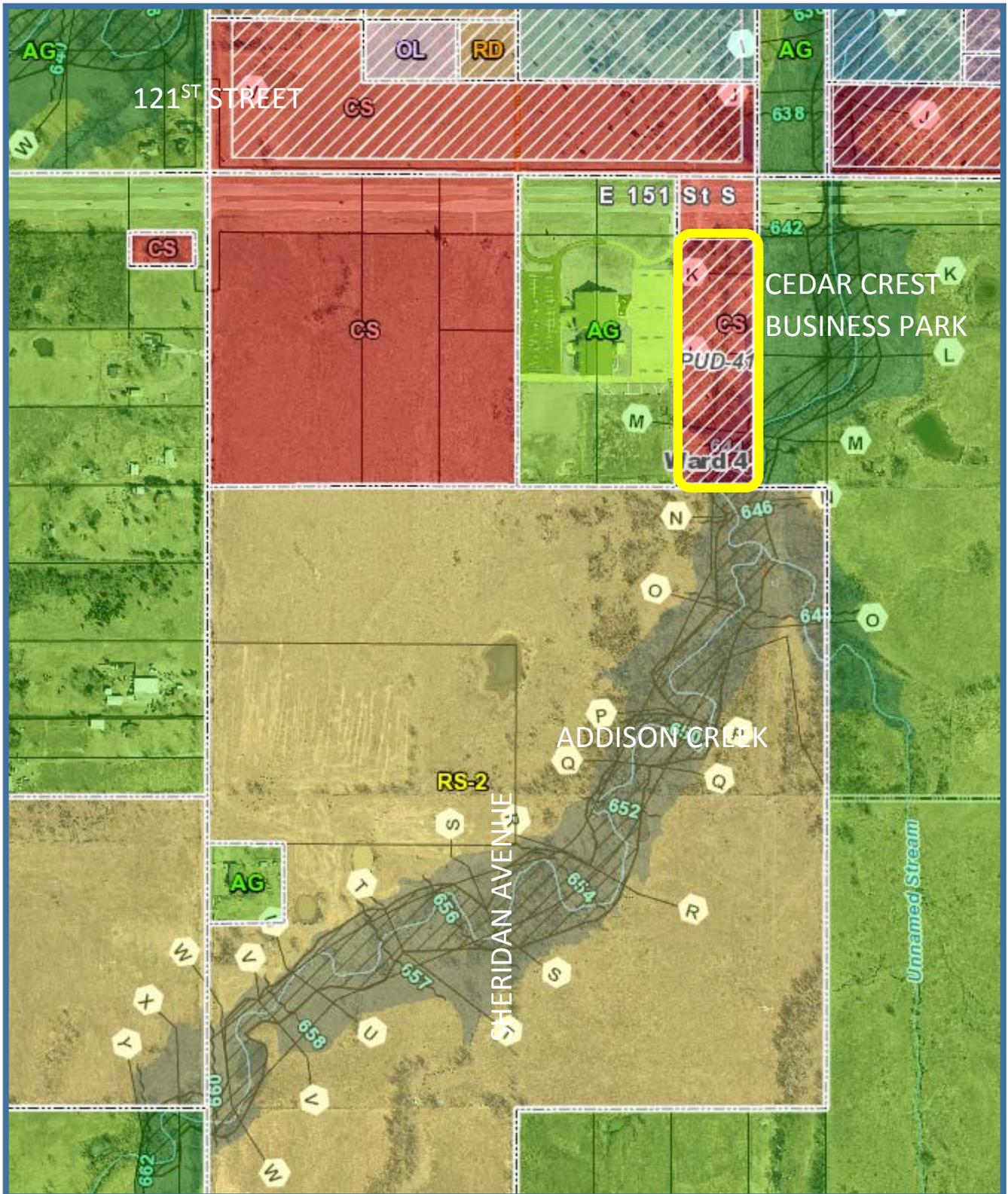
## Output Specifications

SKU	LIGHT OUTPUT	COLOR TEMP <small>(See chart)</small>	POWER CONSUMPTION	COLOR ACCURACY	REPLACES
<b>E-WW1L1NMP</b>	1000 Lumens	Neutral White (4000K)	14W	≥ 70 CRI	100W Incandescent
<b>E-WW1L1NWP</b>	1000 Lumens	Neutral White (4000K)	14W	≥ 70 CRI	100W Incandescent
<b>E-WW1L21NMP</b>	1200 Lumens	Neutral White (4000K)	22W	≥ 70 CRI	120W Incandescent
<b>E-WW1L21NWP</b>	1200 Lumens	Neutral White (4000K)	22W	≥ 70 CRI	120W Incandescent

Due to continuous product improvement, information in this document is subject to change.

Revision Date: 05/03/16

1501 96<sup>th</sup> Street, Sturtevant, WI 53177 | Phone (888) 243-9445 | Fax (262) 504-5409 | www.e-conolight.com



**NAME:** CEDAR CREST BUSINESS PARK-PUD 41  
**STR:** 21/17/13  
**LOTS:** 2  
**BLOCKS:** 1  
**RESERVES:** 2  
**ACRES:** 8.316  
**APPLICANT:** RYAN MCCARTY  
 918-798-8536  
 RYAN@SELECTDESIGNOK.COM

**OWNER:** JIM ROBERTS  
 12010 SOUTH ELM STREET, JENKS, OK 74037  
 918-284-7552

**SURVEYOR:** FRITZ LAND SURVEYING, LLC  
 2017 W 91<sup>ST</sup> STREET, TULSA, OK, 74132

**ENGINEER:** COWAN GROUP ENGINEERING, LLC, 5416 SOUTH YALE, SUITE 210  
 TULSA, OK 74135  
 918-949-6171

**PRELIMINARY PLAT:** *Planning Commission:* Monday, July 18, 2016  
*City Council-pending PC approval:* August 8, 2016

**CONDITIONAL FINAL PLAT:** *Planning Commission:* \_\_\_\_\_  
*City Council-pending PC approval:* \_\_\_\_\_

**FINAL PLAT APPROVED:** \_\_\_\_\_

**FINAL PLAT PRINTS:** \_\_\_\_\_

**DATE FILED:** \_\_\_\_\_

**PLANNING COMMENTS:**

**PRELIMINARY PLAT**

1. Add the following to the legend
  - a. CONC
  - b. LP
  - c. HDWL
  - d. TPED
  - e. FH
  - f. WV
  - g. CGMP
2. Identify and dimension the small dotted line north of the finger portion of the floodway, see PDF

3. Identify the dotted line on the north boundary consistent with the existing paved road, see PDF
4. Add the PSO easement discovered in ALTA survey
5. Identify the adjacent parcel owner on the west

---

**TAC COMMENTS:**

**PRELIMINARY PLAT**

6. Not touching floodplain
7. 8' max wood screening fence, buffer-seeking variance
8. Show ultimate build-out for Planning Commission
9. Sanitary sewer-public or private
10. No Climate Controlled
11. OG&E PSO service on N. Stafford
12. No Climate Control
13. Single Phase
14. Lot 1 10-11,000 office/retail
15. BTC- pedestal in drive
16. Lighting: Wall packs on outside

---

**FIRE MARSHAL COMMENTS:** (taken from 4-28-2016 Pre-Development Meeting)

**PRELIMINARY PLAT**

17. PUD 41 "Cedar Crest Business Park" provide this office with further documents prior to final plat approval:
18. All hydrants shall be operable before construction begins.
19. Brand- AVK or Mueller , Color- Chrome Yellow
20. All roads and Second means of access capable of supporting an imposed load of 75,000 pounds shall be in place before construction begins. (IFC 2015 Appendix D)
21. Stub out streets may be required for any abutting Unplatted property.
22. Security gates shall meet City of Bixby Ordinance 9-7-2 Chapter 5. Provide this office with drawings and specs for approval.
23. Provide this office with turning radius modeling ensuring a dual axle fire engine that is 32 foot 11 inches long can maneuver the proposed turning radiuses/ street configurations.
24. Main entrance S curve should be softened.
25. Fire lanes and signage will be required as per IFC 2015 Appendix D and Chapter 5.
26. Westerly drive will need to be a minimum 26 feet wide, all others will need to be 30 feet wide per IFC 2015 D 103.1.
27. Developer to keep gross area below 62,000 square feet in order to allow one ingress/egress or up to 124,000 square feet when sprinkled per IFC 2015 Section D104.1
28. Proposed gross area of Lot 2 of Block 1 is 57,500 sq. feet. Lot 1 of Block 1 will need to be taken into consideration when calculating total square feet allotments due to both lots only having one means of ingress/egress.

**\_\_\_ENGINEERING COMMENTS: (not a complete list)****PRELIMINARY PLAT****Paving & Sidewalk Comments:**

29. Sidewalks are required on 151<sup>st</sup> Street. The Engineering plans should include sidewalk location and details.

a. **12-6-4: PLAN SUBMITTAL:**   

The subdivider of the proposed subdivision shall submit four (4) complete sets of construction plans and specifications for all improvements regarding streets, drainage and storm sewers, water lines, sanitary sewer system, sidewalks and pedestrianways, in accordance with this title, current engineering design manual and PFPI requirements to the city for their approval. (Ord. 854, 9-9-2002; amd. 2006 Code)

b. **12-3-2: GENERAL DESIGN STANDARDS:**   

N. Sidewalks: If the proposed subdivision affronts both sides, concrete sidewalks shall be constructed along both sides of every arterial street, collector street or minor street shown on the plat in accordance with the engineering design manual of the city; provided, that concrete sidewalks shall be constructed only on the one side of frontage roads opposite the highway; provided further, that sidewalks shall not be required on the interior of industrial subdivisions, unless the planning commission and/or the city council determines that there is a need for such sidewalks for pedestrian movement to a residential subdivision or to a school site. After final acceptance by the city of the sidewalks, the maintenance thereof shall become the responsibility of the abutting property owners.



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

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# STAFF REPORT

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**To:** Bixby Planning Commission

**From:** Marcae' Hilton, City Planner

**Date:** Monday, July 18, 2016

**RE:** Report and Recommendations for:  
SITE PLAN (BXSP-16.06.CEDAR CREST)  
CEDAR CREST BUSINESS PARK (PUD 41): Applicant, Ryan McCarty on behalf of ABR, LLC  
Discussion and consideration of a Site Plan for approximately 8.316 acres with two Lots. Lot 1-no proposed use at this time, Lot 2-proposed Use Unit 16, Mini Storage. In Section 21, T17N, R13E  
**Property Generally Located:** South of 151st Street and ½ mile east of Harvard

---

**REQUEST:** Site Plan approval for *Cedar Crest Business Park (PUD 41)* and Use Unit 17 Mini-Storage

**EXISTING ZONING:** CS-PUD 41 (Commercial Shopping District) (PUD 41)

**LOCATION:** 4110 E. 151<sup>st</sup> E. Ave.-generally located south of 151st Street and near a ½ mile east of Harvard

**STR:** Section 21, T17N, R13E

**SIZE OF TRACT:** 8.316 acres

**LOT INFO:** 2 Lots  
1 Block  
2 Reserves

**PUBLIC INPUT:** No known comments

**BACKGROUND INFORMATION:**

**SURROUNDING ZONING AND LAND USE:**

- North: CS (Commercial Shopping); AG (Agriculture)
- South: RS-2 (Residential Single-Family), 100 year Floodplain
- West: AG (Agriculture) unplatted *New Beginnings Baptist Church*
- East: AG (Agricultural) undeveloped, 100 year Floodplain

**COMPREHENSIVE PLAN:**

- Land Use Intensities: Some is Development Sensitive
- Land Use: Residential Area
- Urban Design Elements: Corridor
- Public Facilities: Planned Regional Trail

**GENERAL:** The site plan has been filed simultaneously with the Preliminary Plat for Cedar Crest Business Park (PUD 41) the undeveloped parcel is generally located south of 151st Street and approximately ½ mile east of Harvard. The proposed plat consists of two (2) lots and one (1) Block on 8.316 acres. The property is currently zoned CS per PUD 41 which was sent to City Council as a second reading for approval on July 11, 2005 and was filed in Tulsa County as Ordinance No. 908 amending Ordinance No. 272.

The south end and a portion of the east is located within a 100-year floodplain. At this time, the developer does not intend to bring this area out of the floodplain. The floodplain is located within two reserve areas.

The Technical Advisory Committee (TAC) heard this item on Wednesday, July 6, 2016 the TAC and Fire Marshal comments are listed below. Staff requests all outstanding comments be resolved before submittal of the Final Plat.

**COMPARISON OF PUD VS. CEDAR CREST (NOT COMPLETE LIST)**

*PUD 41 REQUIREMENTS:*

**AREA A**

1.35 net acres

**AREA B**

6.92 net acres (gross/net)

*CEDAR CREST BUSINESS PARK PROPOSAL:*

**LOT 1, BLOCK 1**

1.38 net acres

**LOT 2, BLOCK 1**

4.030 net acres

**AREA A**

**PERMITTED USES:** 11, 12, 13, 14, 15

*Use Unit 15 permitted by special exception in a CS District and by right with a PUD- except:*

- Bait Shops
- Bottled Gas
- Fuel Oil
- Ice Plant

**LOT 1, BLOCK 1**

**PERMITTED USES:** 11, 12, 13, 14, 15, 17\*

*Use Unit 15 and 17\* permitted by special exception in a CS District and by right with a PUD- except:*

- Bait Shops
- Bottled Gas
- Fuel Oil
- Ice Plant

- Lumber Yard
- Model Homes
- Monument Shaping
- Plastic Materials
- Frozen Food Locker
- Kennel
- Taxidermist
- Woodworking
- Armature Rewinding Service
- All Use Unit 17 are prohibited except mini-storage and Indoor sales with no outside display

- Lumber Yard
- Model Homes
- Monument Shaping
- Plastic Materials
- Frozen Food Locker
- Kennel
- Taxidermist
- Woodworking
- Armature Rewinding Service
- All Use Unit 17 are prohibited except Mini Storage and Indoor sales with no outside display
- \*17-Currently Use Unit 16 mini storage, (Ord. 994, 4-14-2008)**

**AREA B**  
SAME AS AREA A, EXCEPT  
USE UNIT 12 IS NOT ALLOWED

**LOT 2, BLOCK 1**  
SAME AS LOT 2 BLOCK 2, EXCEPT  
USE UNIT 12 IS NOT ALLOWED

**BUILDING FLOOR AREA (A)**  
50,841.32 square feet  
**BUILDING FLOOR AREA (B)**  
150,717 square feet-MAX

**BUILDING FLOOR AREA (LOT 1)**  
NONE AT THIS TIME  
**BUILDING FLOOR AREA (LOT 2)**  
57, 750 square feet-proposed FAR

**BUILDINGS PROPOSED**

**AREA A**

1

**AREA B**

4

**LOT 1, BLOCK 1**

UNKNOWN, TO BE DETERMINED

**LOT 2, BLOCK 1**

8 INCLUDING 1 WITH OFFICE SPACE

**LANDSCAPING**

Meet or exceed: PUD Chapter 9,  
Landscape Chapter 17, Corridor  
Appearance District, Chapter 19

**LANDSCAPING**

Meet or exceed: PUD Chapter 9,  
Landscape Chapter 17, Corridor  
Appearance District, Chapter 19

**SCREENING/FENCING:**

Meet or exceed CHA 9, 17, 19  
and corridor district or submit a  
alternative plan for approval  
side of by Planning Commission

**SCREENING/FENCING:**

**REQUEST ALTERNATIVE FOR APPROVAL:**

1. In lieu of masonry and/or screening on south and east, applicant proposes to use back building (painted prefinished metal) to serve as screening (see E-2)
2. Leave 300 ft. +- natural vegetative buffer (see E-1); the property on the east is owned by PSO and serves high power transmission lines, this will provide a 400 ft. buffer to future development on the east.

## **TAC COMMENTS**

- Not touching floodplain
- 8' max wood screening fence, buffer-seeking variance
- Show ultimate build-out for Planning Commission
- Sanitary sewer-public or private
- No Climate Controlled
- OG&E PSO service on N. Stafford
- No Climate Control
- Single Phase
- Lot 1 10-11,000 office/retail
- BTC-pedestal in drive
- Wall packs on outside

## **FIRE MARSHAL COMMENTS**

- All hydrants shall be operable before construction begins.
  - Brand- AVK or Mueller , Color- Chrome Yellow
- All roads and Second means of access capable of supporting an imposed load of 75,000 pounds shall be in place before construction begins. (IFC 2015 Appendix D)
- Stub out streets may be required for any abutting unplatted property.
- Security gates shall meet City of Bixby Ordinance 9-7-2 Chapter 5. Provide this office with drawings and specs for approval.
- Provide this office with turning radius modeling ensuring a dual axle fire engine that is 32 foot 11 inches long can maneuver the proposed turning radiuses/ street configurations.
  - Main entrance S curve should be softened.
  - Fire lanes and signage will be required as per IFC 2015 Appendix D and Chapter 5.
- Westerly drive will need to be a minimum 26 feet wide; all others will need to be 30 feet wide per IFC 2015 D 103.1.
- Developer to keep gross area below 62,000 square feet in order to allow one ingress/egress or up to 124,000 square feet when sprinkled per IFC 2015 Section D104.1
  - Proposed gross area of Lot 2 of Block 1 is 57,500 sq. feet. Lot 1 of Block 1 will need to be taken into consideration when calculating total square feet allotments due to both lots only having one means of ingress/egress.

Staff believes the Site Plan for Cedar Crest Business Park and Use Unit 17 (meets the requirements of PUD 41, the Zoning Regulations and Bixby Land Use.

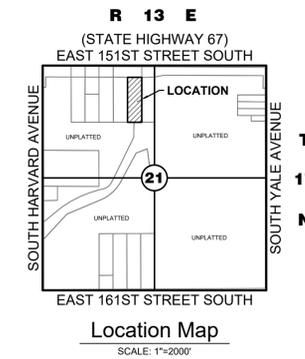
## **EXHIBITS:**

1. Site Plan
2. Aerial Map
3. Landscape Plan
4. Exterior Elevations

5. Preliminary Plat for Cedar Crest Business Park

**STAFF RECOMMENDATIONS:**

Staff recommends Approval subject to comments, modifications, and Conditions of Approval by staff, TAC and Fire Marshal.



CONSULTANTS



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WWW.COWANGROUP.CO  
CA# 6414 EXPIRES 6/30/2016



11063D S Memorial Dr #351  
Tulsa, Oklahoma 74133  
Phone: (918) 798-8356

PROJECT NAME

**Cedar Crest  
Business Park  
Lot 2, Block 1**

Bixby, OK  
Project No. 2003

SEAL



REVISIONS

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SCALE

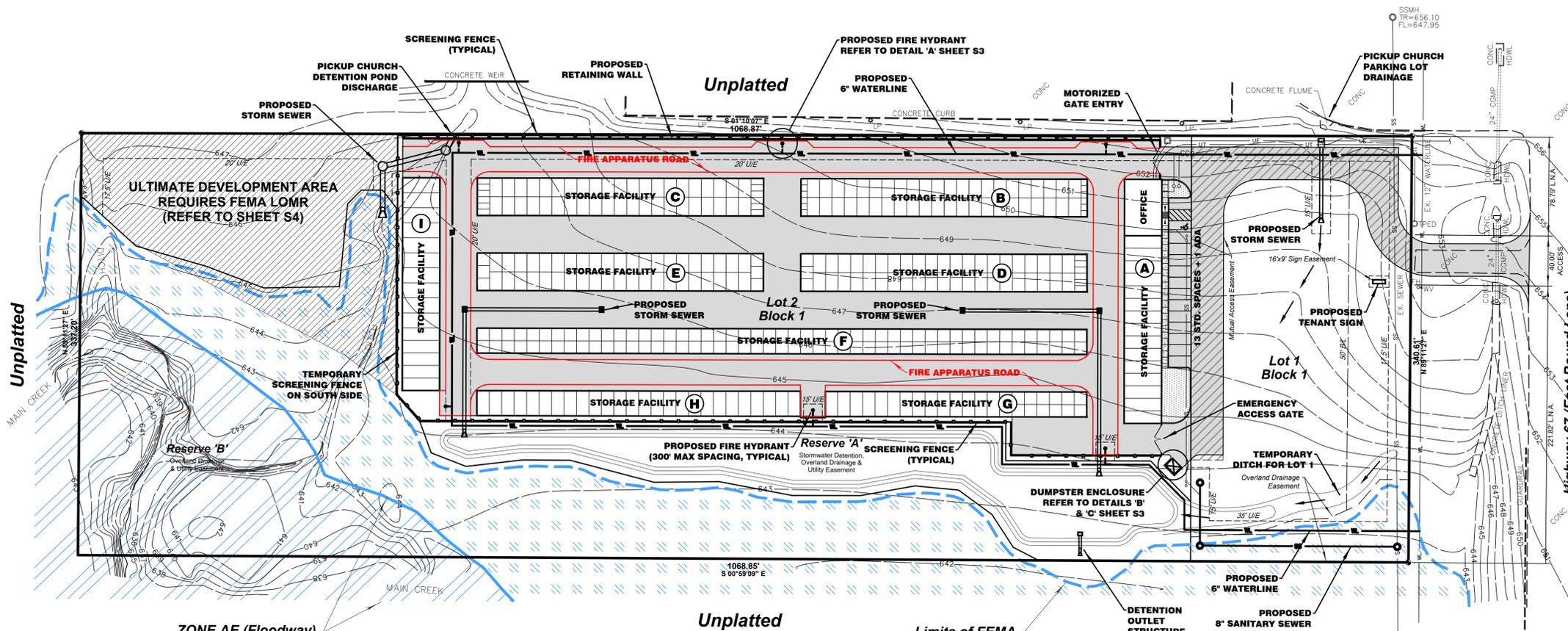
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SHEET NAME

OVERALL  
SITE PLAN

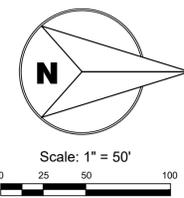
SHEET NO.

**S1**



**Legend**

A/C	AIR CONDITIONER UNIT/PAD
4GAI	4-GRATE AREA INLET
AMH	ACCESS MANHOLE
B/L	BUILDING SETBACK LINE
B/W	BARBED WIRE FENCE
BC	BOTTOM OF CURB
BM	BENCHMARK
BOP	BEGINNING OF PROJECT
C/L	CHAIN LINK FENCE
CCI	CONCRETE CURB INLET
CICI	CAST IRON CURB INLET
CONC.	CONCRETE
CPED	CABLE/TV PEDESTAL
CY	CUBIC YARDS
EOP	END OF PROJECT
ELEC	ELECTRIC
EPED	ELECTRIC PEDESTAL
ESMT	EASEMENT
EX	EXISTING
F/E	FENCE EASEMENT
FG	FINISHED GRADE
FH	FIRE HYDRANT
FL	FLOWLINE
FLT	THROAT FLOWLINE
FP	FLAG POLE
GLT	GROUND LIGHT
GM	GAS METER
GRSR	GAS RISER
GUY	DOWN GUY
GV	GAS VALVE
HDPE	HIGH DENSITY POLYETHYLENE
IPF	IRON PIN FOUND
LF	LINEAR FEET
LNA	LIMITS OF NO ACCESS
LP	LIGHT POLE
MAVE	MUTUAL ACCESS EASEMENT
MB	MAILBOX
OD/E	OVERLAND DRAINAGE ESMT
OE	OVERHEAD ELECTRIC
OL	ORNAMENTAL LIGHT
PG	PROPOSED GRADE
PP	POWER POLE
RWE	RESTRICTED WL EASEMENT
RCP	REINFORCED CONC. PIPE
RET. WALL	RETAINING WALL
S/W	SIDEWALK
SD	STORM DRAIN
SDMH	STORMWATER MANHOLE
SF	SQUARE FEET
SGAI	SINGLE GRATE AREA INLET
SPHD	SPRINKLER HEAD
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT
SSLH	SANITARY SEWER LAMPHOLE
SSMH	SANITARY SEWER MANHOLE
SY	SQUARE YARD
TC	TOP OF CURB
TG	TOP OF GRATE
TP	TOP OF PAVING
TPED	TELEPHONE PEDESTAL
TR	TOP OF RIM
TS	TRAFFIC SIGN
TW	TOP OF WALL
U/E	UTILITY EASEMENT
UG	UNDERGROUND GAS LINE
UTMH	UTILITY MANHOLE
W/DIP	WITH UNDERGROUND RISER
WL	WATERLINE
WLMH	WATERLINE MANHOLE
WM	WATER METER
WRSR	WATER SPIGOT
WV	WATER VALVE



**ADS Benchmark**

5/8" REBAR 1 1/2" ALUMINUM CAP-FLUSH-STAMPED  
"587", SET SOUTHEAST OF 151ST STREET, AND  
SHERIDAN AVENUE. ELEVATION = 672.823' (NAVD 1988)

**Sheet Index**

OVERALL SITE PLAN	S1
DETAILED SITE PLAN (NORTH)	S2
DETAILED SITE PLAN (SOUTH)	S3
ULTIMATE SITE PLAN CONCEPT W/ LOMR	S4
PHOTOMETRIC PLAN	S5



EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN.  
ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA ENGINEERING STANDARD SPECIFICATIONS, INCLUDING O.D.O.T. 2009 EDITION AND APPLICABLE SUPPLEMENTS.

**Legal Description**

LOT TWO (2), BLOCK ONE (1), CEDAR CREST BUSINESS PARK, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

**Site Summary**

**CS ZONING / PUD 41 (Commercial Shopping)**

**LOT 1**  
PROPOSED USE: NONE AT TIME OF THIS SUBMITTAL  
NET LOT AREA: 59,918.99 SF / 1.376 AC

**LOT 2**  
PROPOSED USE: USE UNIT 16 (MINI STORAGE)  
NET LOT AREA: 175,536.82 SF / 4.030 AC  
PROPOSED BUILDING AREA (TOTAL): 57,750 SF  
PROPOSED BUILDING HEIGHT: 35'-0" MAX.  
MAXIMUM FLOOR AREA ALLOWED PER PUD 41: 0.50  
PROVIDED FLOOR AREA RATIO: 0.33

STORAGE UNITS BUILDING AREA: 56,400 SF  
PARKING REQUIRED (1 PER 5,000 SF): 12 SPACES

ACCESSORY DWELLING (OFFICE) BUILDING AREA: 1,350 SF  
PARKING REQUIRED (2 PER ACCESSORY DWELLING): 2 SPACES

PARKING REQUIRED: 14  
PARKING PROVIDED: 14

**Exterior Lighting**

PROPOSED LIGHTING WILL BE WALL MOUNT UNITS ON ATTACHED TO BUILDINGS AT A HEIGHT OF 8' FROM FINISHED GRADE. REFER TO PHOTOMETRIC PLAN FOR DETAILS.

**Sheet Legend**

	PROPOSED CONCRETE SIDEWALK
	PROPOSED CONCRETE PAVING
	PROPOSED LANDSCAPE / SOD

**Impervious Calculations**

TOTAL DISTURBED AREA: 5.4 AC

**LOT 1**  
EXISTING IMPERVIOUS AREA: 0 SF  
\* PROPOSED IMPERVIOUS AREA: 12,179 SF  
INCREASED IMPERVIOUS AREA: 12,179 SF

**LOT 2**  
\* EXISTING IMPERVIOUS AREA: 0 SF  
\* PROPOSED IMPERVIOUS AREA: 143,247 SF  
INCREASED IMPERVIOUS AREA: 143,247 SF  
INCREASED IMPERVIOUS AREA (TOTAL): 155,426 SF

\* AS MEASURED INSIDE LOT BOUNDARY

Limits of FEMA  
100YR Floodplain  
ZONE AE  
Map Number: 40143C0433L  
Map Revised: October 16, 2012

ZONE AE (Floodway)  
Map Number: 40143C0433L  
Map Revised: October 16, 2012



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 CA# 6414 EXPIRES 6/30/2016



DEVELOPMENT ANALYSIS  
 PROJECT MANAGEMENT  
 DRAFTING & DESIGN

11063D S Memorial Dr #351  
 Tulsa, Oklahoma 74133  
 Phone: (918) 798-8356

PROJECT NAME

**Cedar Crest  
 Business Park  
 Lot 2, Block 1**

Bixby, OK  
 Project No. 2003

SEAL



REVISIONS

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ISSUE DATE

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SCALE

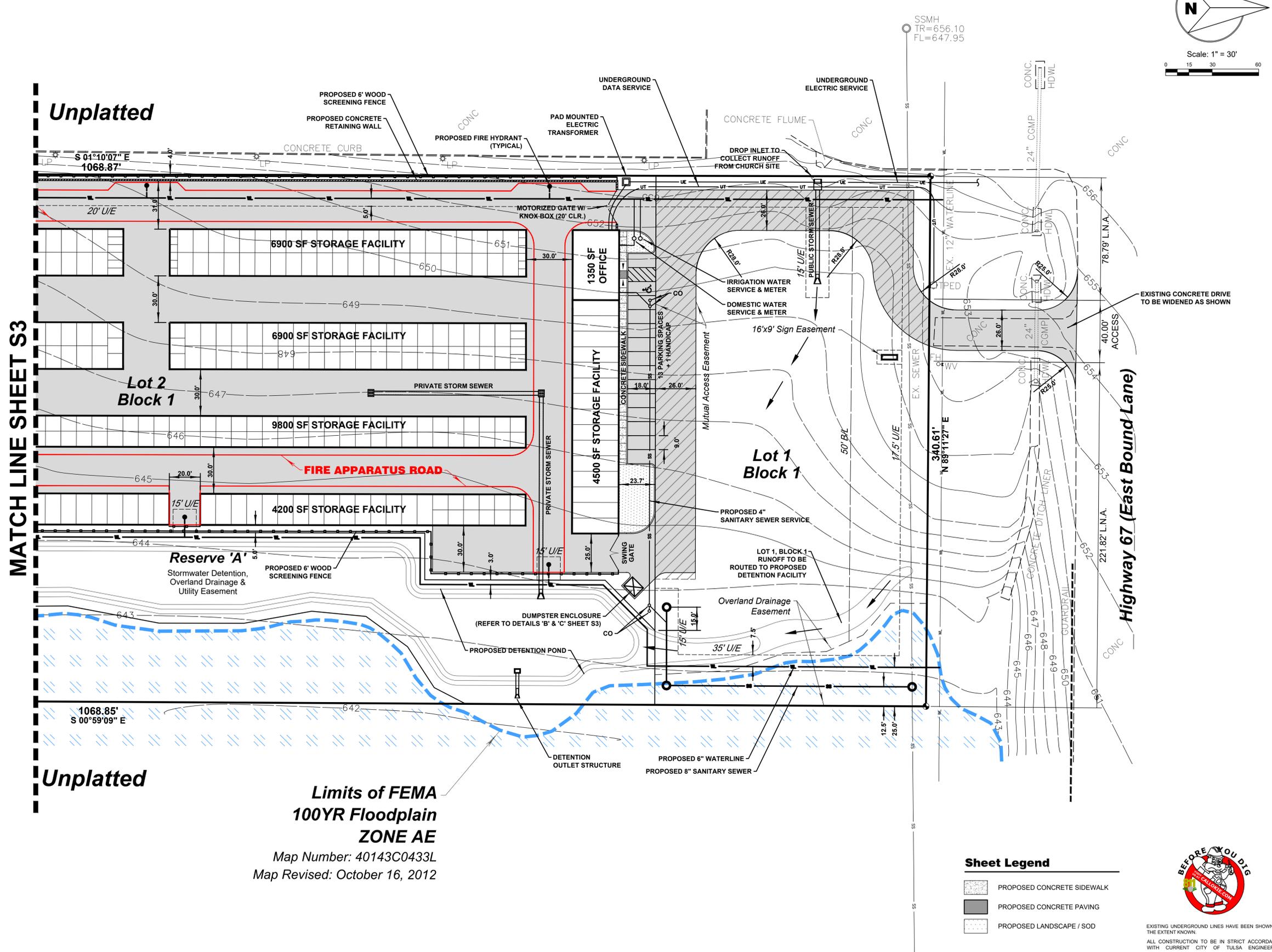
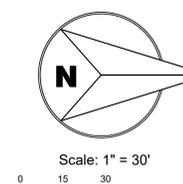
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SHEET NAME

DETAILED  
 SITE PLAN  
 (NORTH)

SHEET NO.

**S2**



**Limits of FEMA  
 100YR Floodplain  
 ZONE AE**  
 Map Number: 40143C0433L  
 Map Revised: October 16, 2012

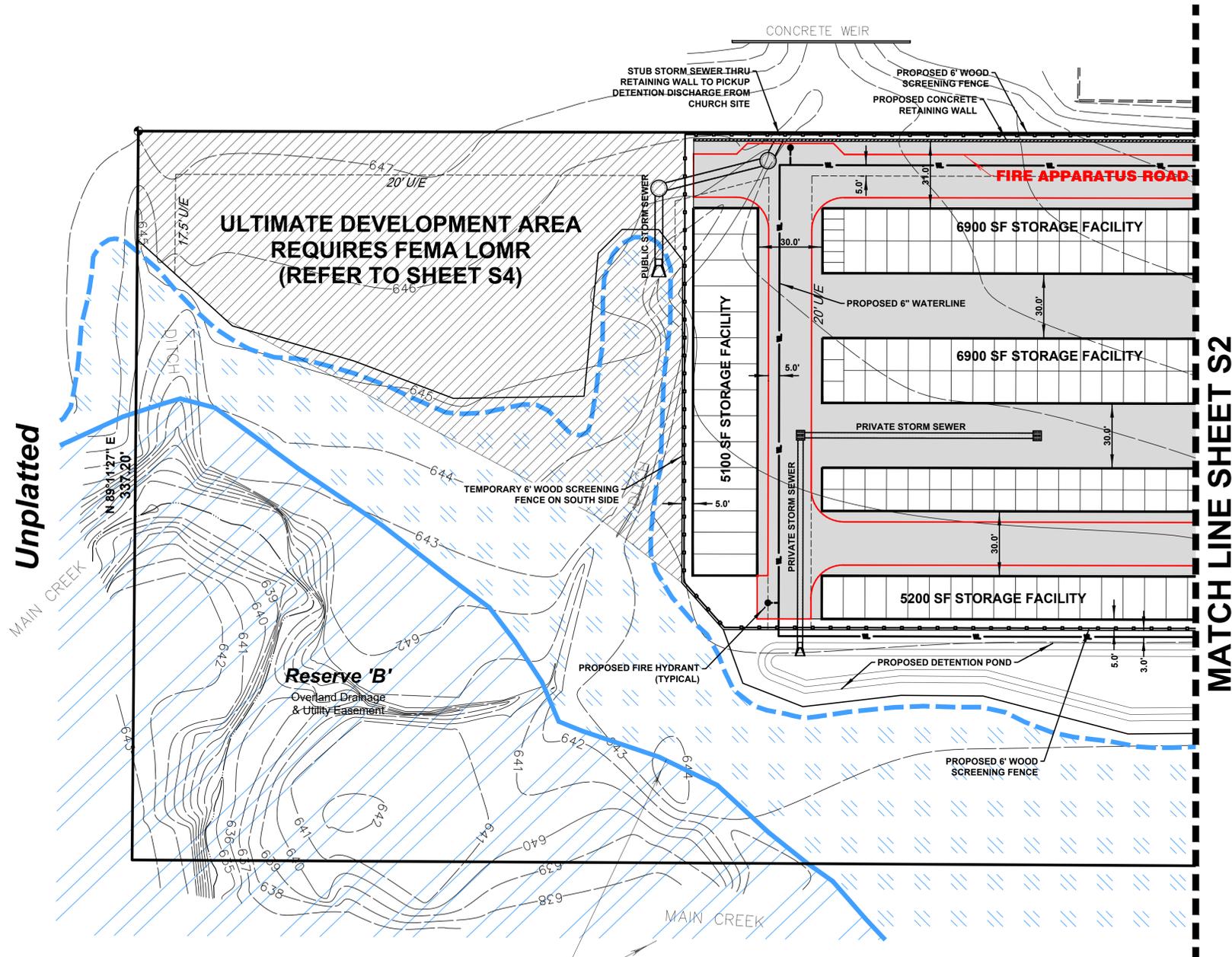
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- PROPOSED CONCRETE SIDEWALK
- PROPOSED CONCRETE PAVING
- PROPOSED LANDSCAPE / SOD



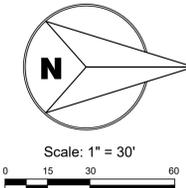
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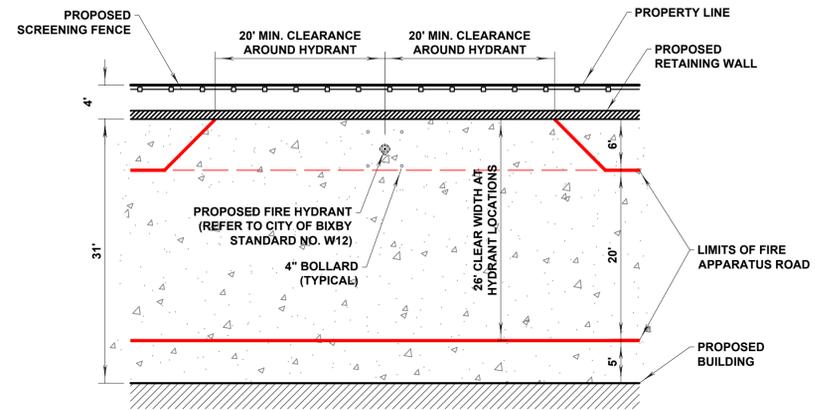


Sheet Legend

- PROPOSED CONCRETE SIDEWALK
- PROPOSED CONCRETE PAVING
- PROPOSED LANDSCAPE / SOD

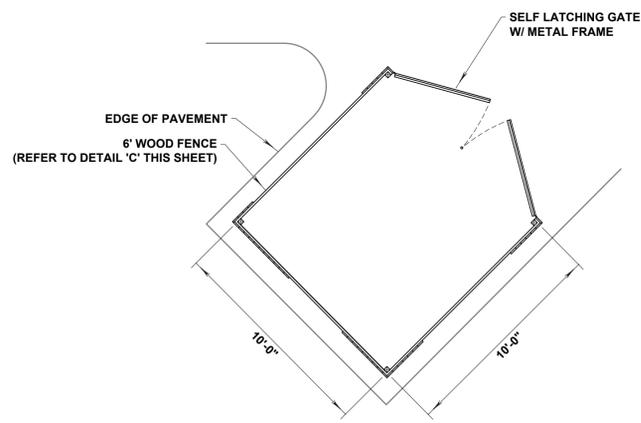


MATCH LINE SHEET S2

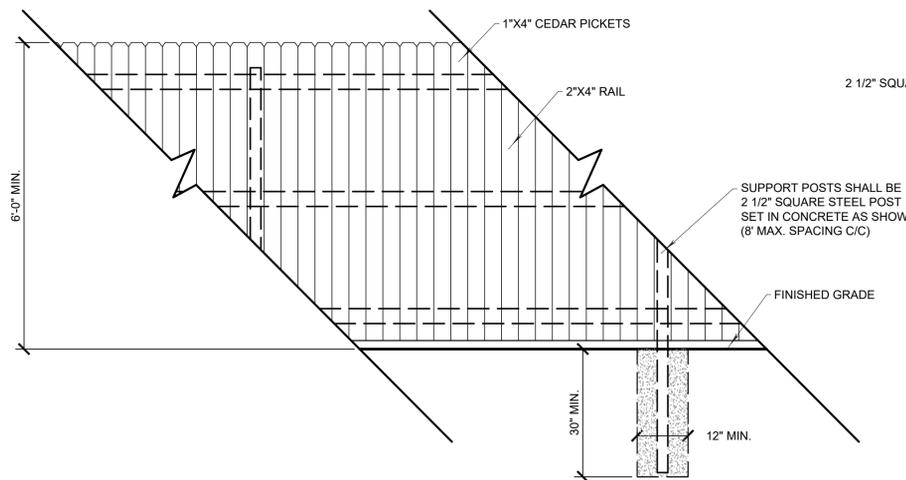


(A) Fire Hydrant Detail  
SCALE: 1"=10'

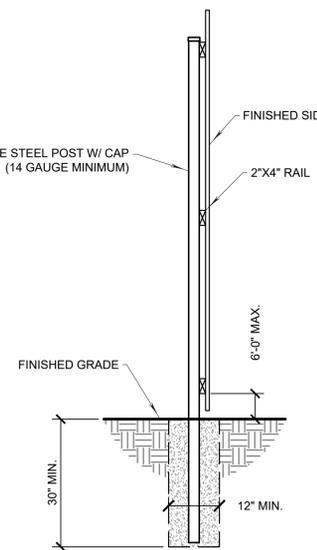
**ZONE AE (Floodway)**  
Map Number: 40143C0433L  
Map Revised: October 16, 2012



(B) Wood Fence Dumpster Enclosure  
SCALE: NONE



(C) Dumpster Screening Detail  
SCALE: NONE



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Lot 2, Block 1**

Bixby, OK  
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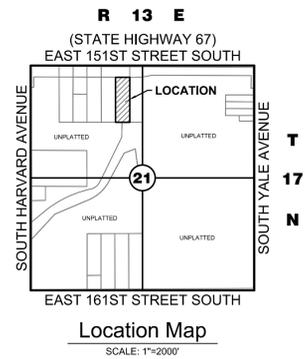
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SHEET NAME

DETAILED  
SITE PLAN  
(SOUTH)

SHEET NO.

S3



**Legend**

A/C	AIR CONDITIONER UNIT/PAD
4GAI	4-GRATE AREA INLET
AMH	ACCESS MANHOLE
B/L	BUILDING SETBACK LINE
B/W	BARBED WIRE FENCE
BC	BOTTOM OF CURB
BM	BENCHMARK
BOP	BEGINNING OF PROJECT
C/L	CHAIN LINK FENCE
CCI	CONCRETE CURB INLET
CICI	CAST IRON CURB INLET
CONC.	CONCRETE
CPED	CABLE/TV PEDESTAL
CY	CUBIC YARDS
EOP	END OF PROJECT
ELEC	ELECTRIC
EPED	ELECTRIC PEDESTAL
ESMT	EASEMENT
EX	EXISTING
F/E	FENCE EASEMENT
FG	FINISHED GRADE
FH	FIRE HYDRANT
FL	FLOWLINE
FLT	THROAT FLOWLINE
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GLT	GROUND LIGHT
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SSLH	SANITARY SEWER LAMPHOLE
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UTMH	UTILITY MANHOLE
W/DIP	WITH UNDERGROUND RISER
WL	WATERLINE
WLMH	WATERLINE MANHOLE
WM	WATER METER
WRSR	WATER SPIGOT
WV	WATER VALVE

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**PROJECT NAME**

**Cedar Crest  
Business Park  
Lot 2, Block 1**  
Bixby, OK  
Project No. 2003

**SEAL**



**REVISIONS**

**NOTES**

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**SCALE**

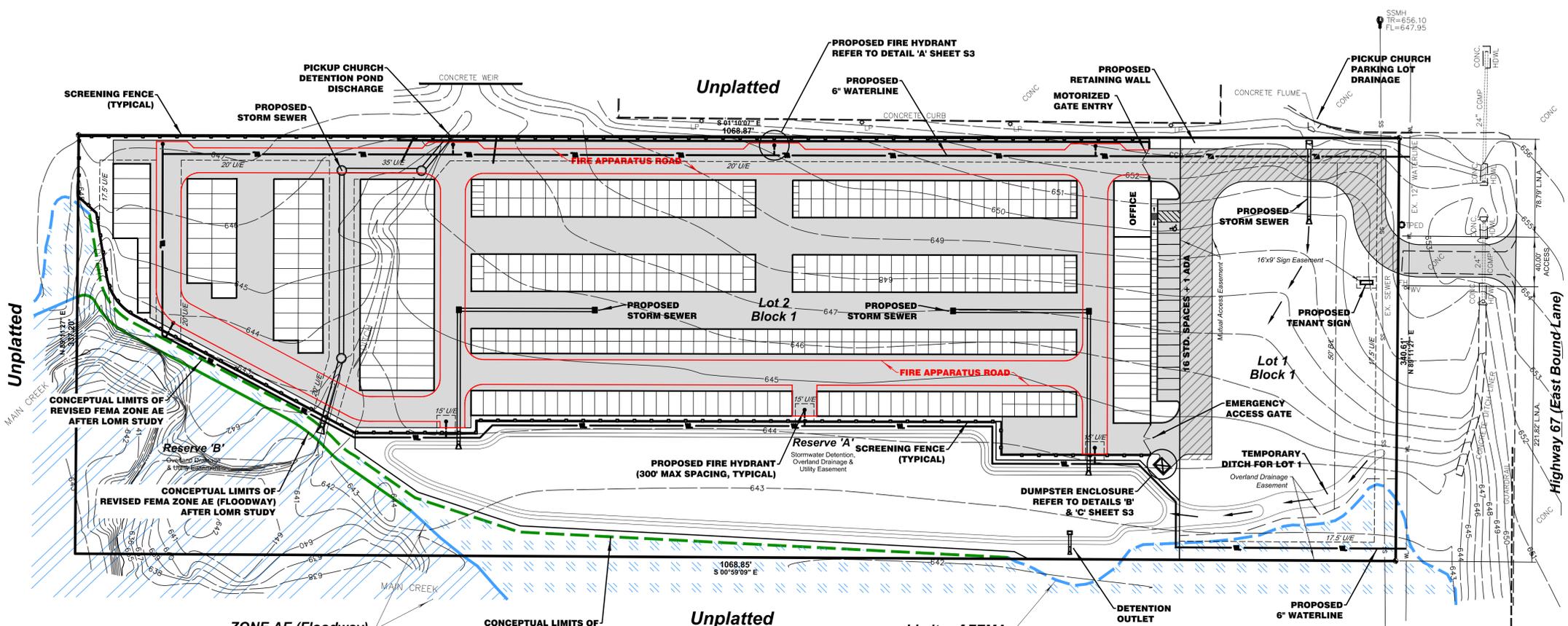
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**SHEET NAME**

**ULTIMATE  
SITE PLAN CONCEPT  
W/ LOMR**

**SHEET NO.**

**S4**



**ZONE AE (Floodway)**  
Map Number: 40143C0433L  
Map Revised: October 16, 2012

**CONCEPTUAL LIMITS OF  
REVISED FEMA ZONE AE  
AFTER LOMR STUDY**

**Limits of FEMA  
100YR Floodplain  
ZONE AE**  
Map Number: 40143C0433L  
Map Revised: October 16, 2012

**Legal Description**

LOT TWO (2), BLOCK ONE (1), CEDAR CREST BUSINESS PARK, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

**Site Summary**

**CS ZONING / PUD 41 (Commercial Shopping)**

**LOT 1**  
PROPOSED USE: NONE AT TIME OF THIS SUBMITTAL  
NET LOT AREA: 59,918.99 SF / 1.376 AC

**LOT 2**  
PROPOSED USE: USE UNIT 16 (MINI STORAGE)  
NET LOT AREA: 175,536.82 SF / 4.030 AC  
PROPOSED BUILDING AREA (TOTAL): 74,250 SF  
PROPOSED BUILDING HEIGHT: 35'-0" MAX.  
MAXIMUM FLOOR AREA ALLOWED PER PUD 41: 0.50  
PROVIDED FLOOR AREA RATIO: 0.42

STORAGE UNITS BUILDING AREA: 72,900 SF  
PARKING REQUIRED (1 PER 5,000 SF): 15 SPACES

ACCESSORY DWELLING (OFFICE) BUILDING AREA: 1,350 SF  
PARKING REQUIRED (2 PER ACCESSORY DWELLING): 2 SPACES

PARKING REQUIRED: 17  
PARKING PROVIDED: 17

**Exterior Lighting**

PROPOSED LIGHTING WILL BE WALL MOUNT UNITS ON ATTACHED TO BUILDINGS AT A HEIGHT OF 8' FROM FINISHED GRADE. REFER TO PHOTOMETRIC PLAN FOR DETAILS.

**Sheet Legend**

PROPOSED CONCRETE PAVING

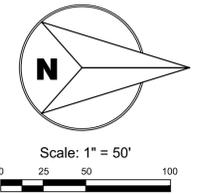
**Impervious Calculations**

TOTAL DISTURBED AREA: 5.4 AC

**LOT 1**  
\* EXISTING IMPERVIOUS AREA: 0 SF  
PROPOSED IMPERVIOUS AREA: 12,179 SF  
INCREASED IMPERVIOUS AREA: 12,179 SF

**LOT 2**  
\* EXISTING IMPERVIOUS AREA: 0 SF  
PROPOSED IMPERVIOUS AREA: 186,620 SF  
INCREASED IMPERVIOUS AREA: 186,620 SF

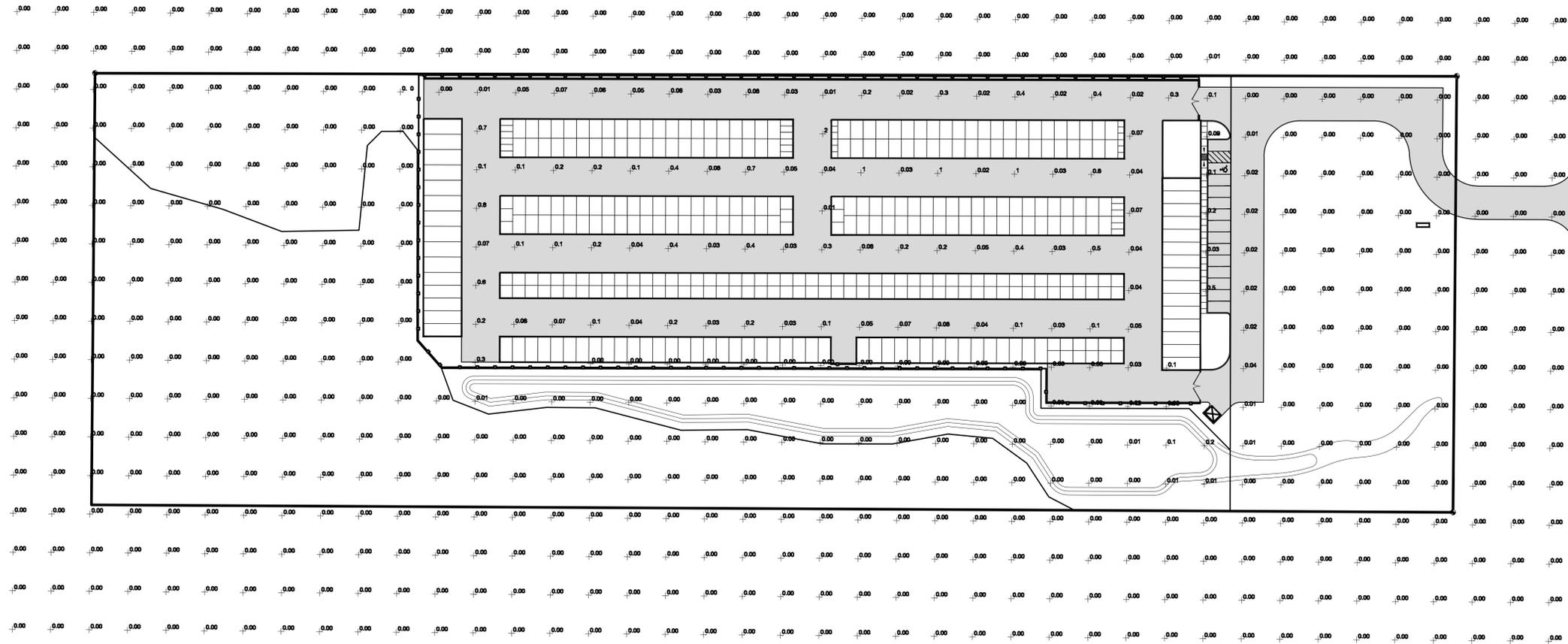
INCREASED IMPERVIOUS AREA (TOTAL): 198,799 SF  
\* AS MEASURED INSIDE LOT BOUNDARY



**ADS Benchmark**  
5/8" REBAR 1 1/2" ALUMINUM CAP-FLUSH-STAMPED  
"587", SET SOUTHEAST OF 151ST STREET, AND  
SHERIDAN AVENUE. ELEVATION = 672.823' (NAVD 1988)



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Highway 67 (East Bound Lane)

### E-WW1L Series

LED Wall Mount  
Replaces 100W / 120W Incandescent



Powerful, efficient & long lasting light.

**Recommended Use**

- Security
- Stairways
- Perimeter lighting

**Input Voltage**

- 120V Operation with built-in photocell

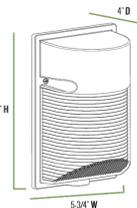
**Certifications**



e-conolight® Making LED easy.

1501 96<sup>th</sup> Street, Startevan, WI 53177 | Phone (888) 243-9445 | Fax (262) 504-5409 | www.e-conolight.com

### E-WW1L Series



**Series Overview**

DIMENSIONS	PRODUCT WEIGHT	MOUNTING HEIGHT	SPACING
4" D x 5.34" W x 9" H	2.0 lbs.	8 to 12 feet	---

**Fixture Specifications**

HOUSING	Polycarbonate housing in medium bronze or white with heavy-duty aluminum mounting plate
LENS ASSEMBLY	UV-stabilized polycarbonate prismatic refractor
MOUNTING	1/2" NPT tapped knockout on bottom for conduit entry Knockout provided on back of housing for 1/2" conduit entry or mounts over 4" square or octagonal junction box

**Electrical Performance**

OPERATING MINIMUM	LIFESPAN (L70 at 25°C/77°F)	POWER FACTOR	TOTAL HARMONIC DISTORTION	DIMMABLE
40°C (104°F)	Estimated 100,000 Hours (22W) 100,000 Hours (40W)	> 0.95	< 20%	No
INPUT VOLTAGE	120V	208V	240V	277V
Current Draw (Amps)	0.17A	---	---	---

**Warranty & Certifications**

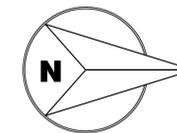
WARRANTY	UL LISTED	DLC	ENERGY STAR
5 Year Limited	Wet Locations	---	---

**Output Specifications**

SKU	LIGHT OUTPUT	COLOR TEMP (See chart)	POWER CONSUMPTION	COLOR ACCURACY	REPLACES
E-WW1L1NP	1000 Lumens	Neutral White (4000K)	1W	≥ 70 CRI	100W Incandescent
E-WW1L1NP	1000 Lumens	Neutral White (4000K)	1W	≥ 70 CRI	100W Incandescent
E-WW1L21NP	1200 Lumens	Neutral White (4000K)	22W	≥ 70 CRI	120W Incandescent
E-WW1L21NP	1200 Lumens	Neutral White (4000K)	22W	≥ 70 CRI	120W Incandescent

Due to continuous product improvement, information in this document is subject to change.

Revision Date: 05/03/16  
1501 96<sup>th</sup> Street, Startevan, WI 53177 | Phone (888) 243-9445 | Fax (262) 504-5409 | www.e-conolight.com



Scale: 1" = 50'



# PHOTOMETRIC PLAN PROVIDED BY ELITE ELECTRIC

CONSULTANTS



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7100 N. CLASSEN BLVD., SUITE 500  
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Project No. 2003

SEAL



REVISIONS

NOTES

ISSUE DATE

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SCALE

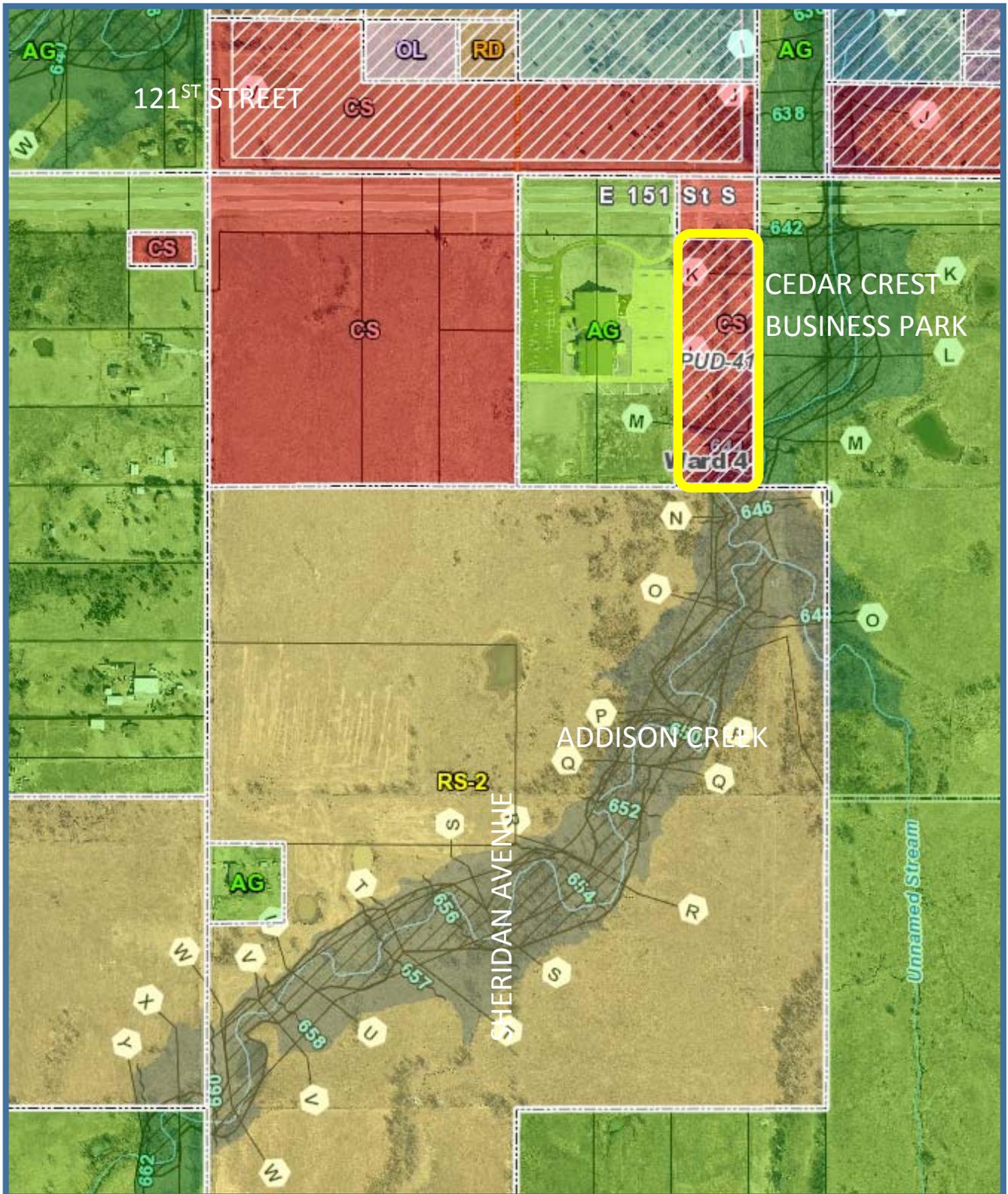
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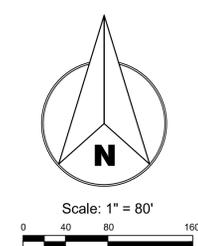
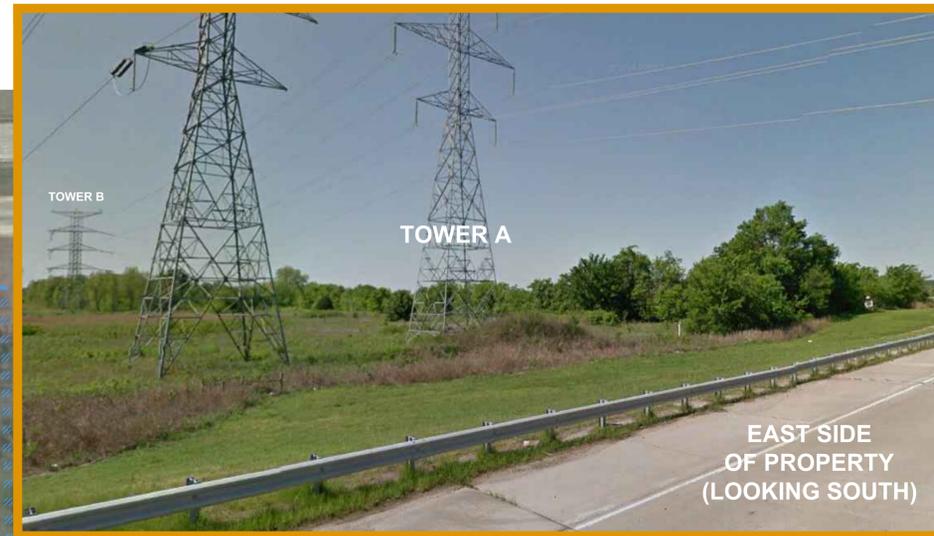
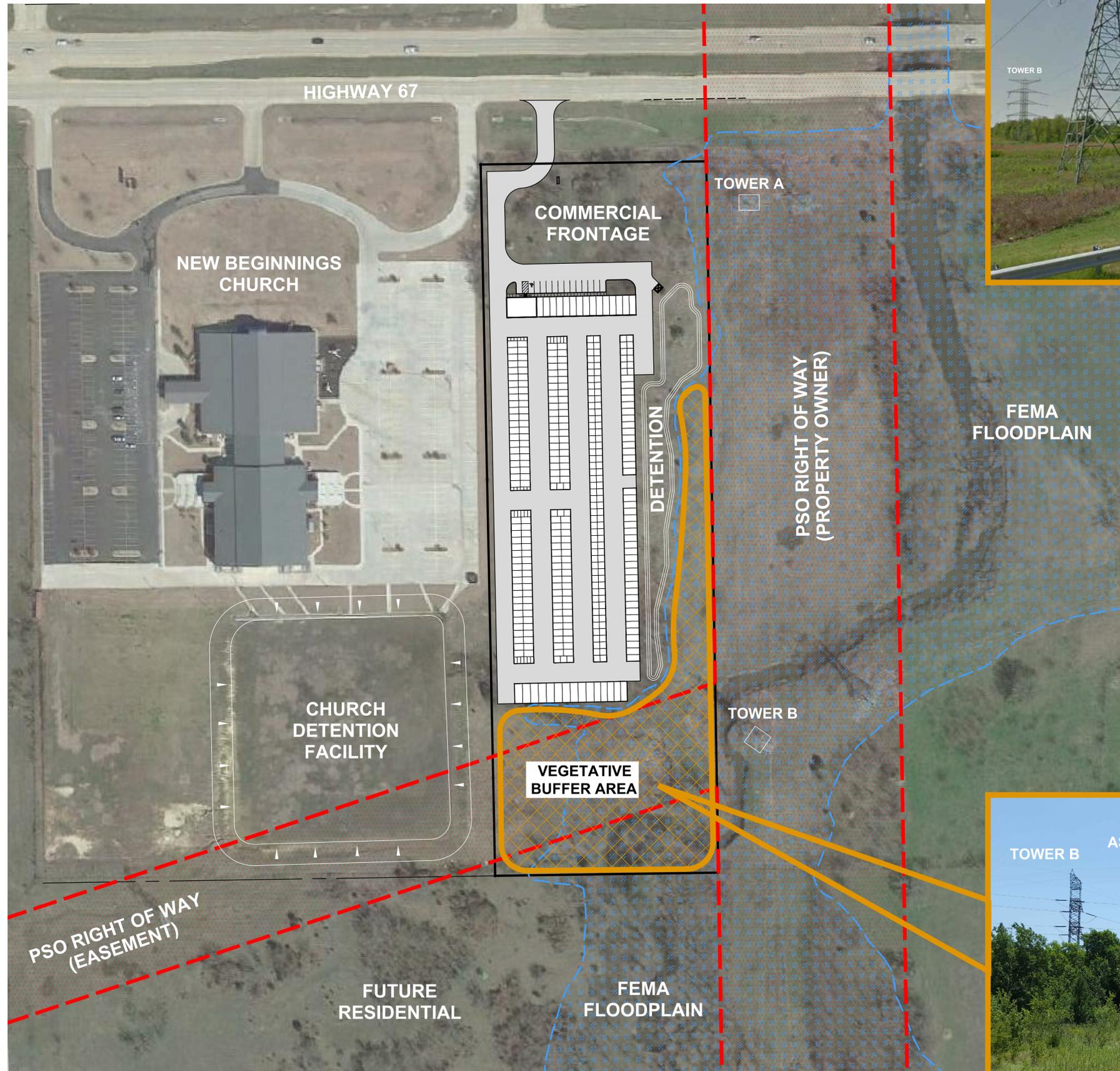
SHEET NAME

PHOTOMETRIC PLAN

SHEET NO.

S5





CONSULTANTS



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**Select**  
*design*

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THESE PLANS ARE CONCEPTUAL IN NATURE FOR ESTIMATING PURPOSES ONLY AND SHALL NOT BE CONSTRUED AS FINAL CONSTRUCTION DOCUMENTS. ONLY FINAL PLANS BEARING A PROFESSIONALLY LICENSED SEAL AND SIGNATURE SHALL BE USED FOR CONSTRUCTION. COWAN GROUP ENGINEERING, L.L.C. AND/OR SELECT DESIGN SHALL NOT BE HELD LIABLE FOR MISUSE OF THESE CONCEPTUAL PLANS.

REVISIONS

NOTES

ISSUE DATE

7/13/2016

SCALE

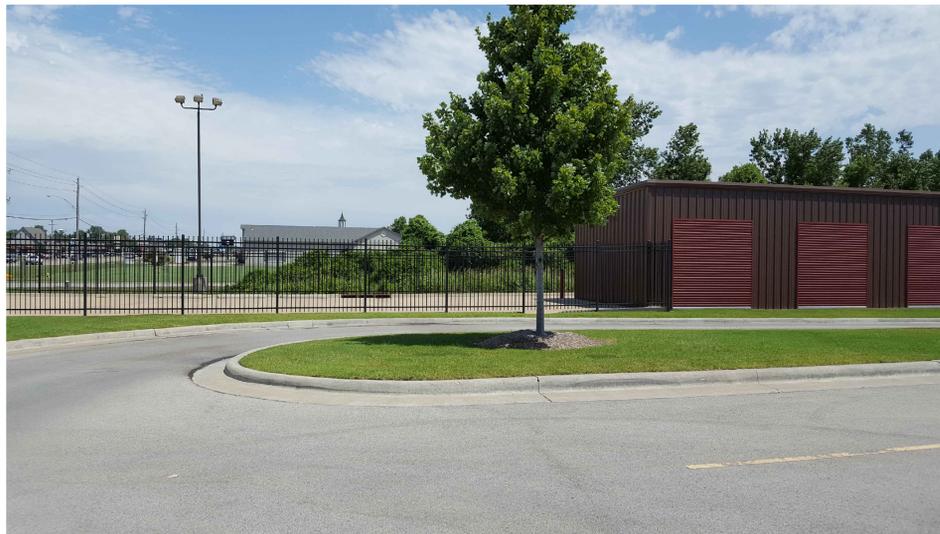
1"=80'

SHEET NAME

SURROUNDING  
PROPERTIES  
EXHIBIT

SHEET NO.

**E1**



CONSULTANTS



COWAN GROUP ENGINEERING, L.L.C.  
 7100 N. CLASSEN BLVD., SUITE 500  
 OKLAHOMA CITY, OKLAHOMA 73116  
 405-463-3369 O 405-463-3381 F  
 WWW.COWANGROUP.CO  
 CA# 6414 EXPIRES 6/30/2016



11063D S Memorial Dr #351  
 Tulsa, Oklahoma 74133  
 Phone: (918) 798-8356

PROJECT NAME

**Cedar Crest  
 Business Park  
 Lot 2, Block 1**  
 Bixby, OK  
 Project No. 2003

SEAL

THESE PLANS ARE CONCEPTUAL IN NATURE FOR ESTIMATING PURPOSES ONLY AND SHALL NOT BE CONSTRUED AS FINAL CONSTRUCTION DOCUMENTS. ONLY FINAL PLANS BEARING A PROFESSIONALLY LICENSED SEAL AND SIGNATURE SHALL BE USED FOR CONSTRUCTION. COWAN GROUP ENGINEERING, L.L.C. AND/OR SELECT DESIGN SHALL NOT BE HELD LIABLE FOR MISUSE OF THESE CONCEPTUAL PLANS.

REVISIONS

NOTES

ISSUE DATE

7/13/2016

SCALE

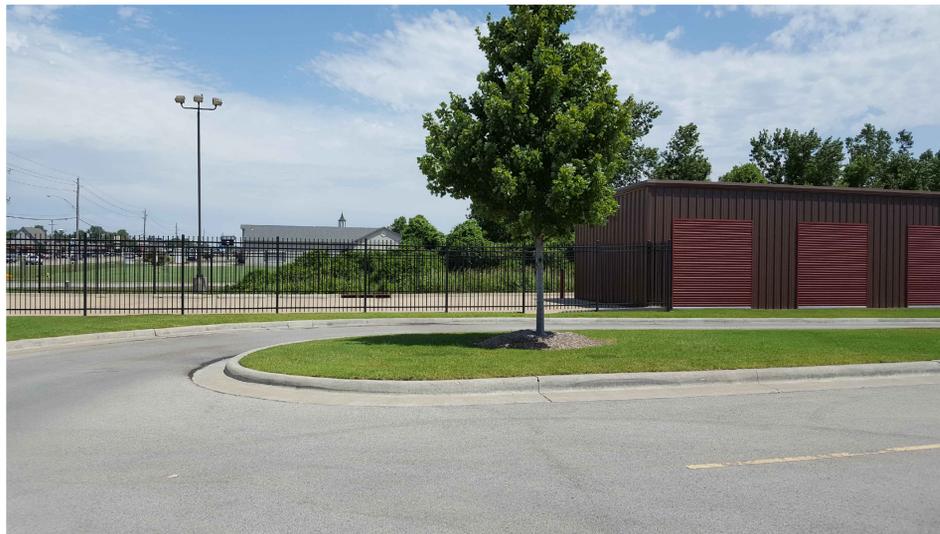
N/A

SHEET NAME

EXTERIOR BUILDING MATERIALS & FENCE EXHIBIT

SHEET NO.

**E2**



CONSULTANTS



COWAN GROUP ENGINEERING, L.L.C.  
 7100 N. CLASSEN BLVD., SUITE 500  
 OKLAHOMA CITY, OKLAHOMA 73116  
 405-463-3369 O 405-463-3381 F  
 WWW.COWANGROUP.CO  
 CA# 6414 EXPIRES 6/30/2016



DEVELOPMENT ANALYSIS  
 PROJECT MANAGEMENT  
 DRAFTING & DESIGN  
 11063D S Memorial Dr #351  
 Tulsa, Oklahoma 74133  
 Phone: (918) 798-8356

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REVISIONS

NOTES

ISSUE DATE

7/13/2016

SCALE

N/A

SHEET NAME

EXTERIOR BUILDING MATERIALS & FENCE EXHIBIT

SHEET NO.

**E2**

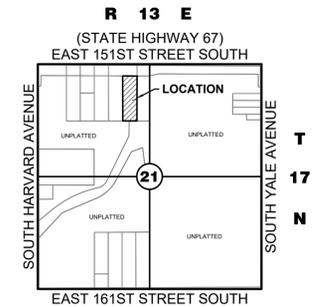
# Cedar Crest Business Park

## Planned Unit Development No. 41

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-ONE (21), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

### Line Table

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 40°51'09" E	59.54'	L13	N 07°49'44" W	45.85'
L2	N 14°44'04" E	58.84'	L14	N 00°52'35" W	38.16'
L3	N 19°15'45" E	49.31'	L15	N 13°18'50" E	69.62'
L4	N 02°15'13" W	60.69'	L16	N 01°47'22" W	52.36'
L5	N 85°34'18" W	66.48'	L17	N 09°20'22" E	59.79'
L6	N 46°09'26" W	15.60'	L18	N 01°09'39" W	54.87'
L7	N 01°10'07" W	17.03'	L19	N 11°21'43" W	44.36'
L8	N 50°49'40" E	18.08'	L20	N 04°07'52" E	35.19'
L9	N 88°49'53" E	149.17'	L21	N 34°37'55" E	33.12'
L10	N 47°01'15" E	28.95'	L22	N 55°31'05" E	31.42'
L11	N 68°36'13" E	26.45'	L23	N 25°56'21" E	22.84'
L12	N 19°56'10" E	29.91'			



Location Map  
SCALE: 1"=2000'

Point of Commencement  
NW Corner of the NW/4 NE/4  
Section 21, T-17-N, R-13-E

### Owner / Developer

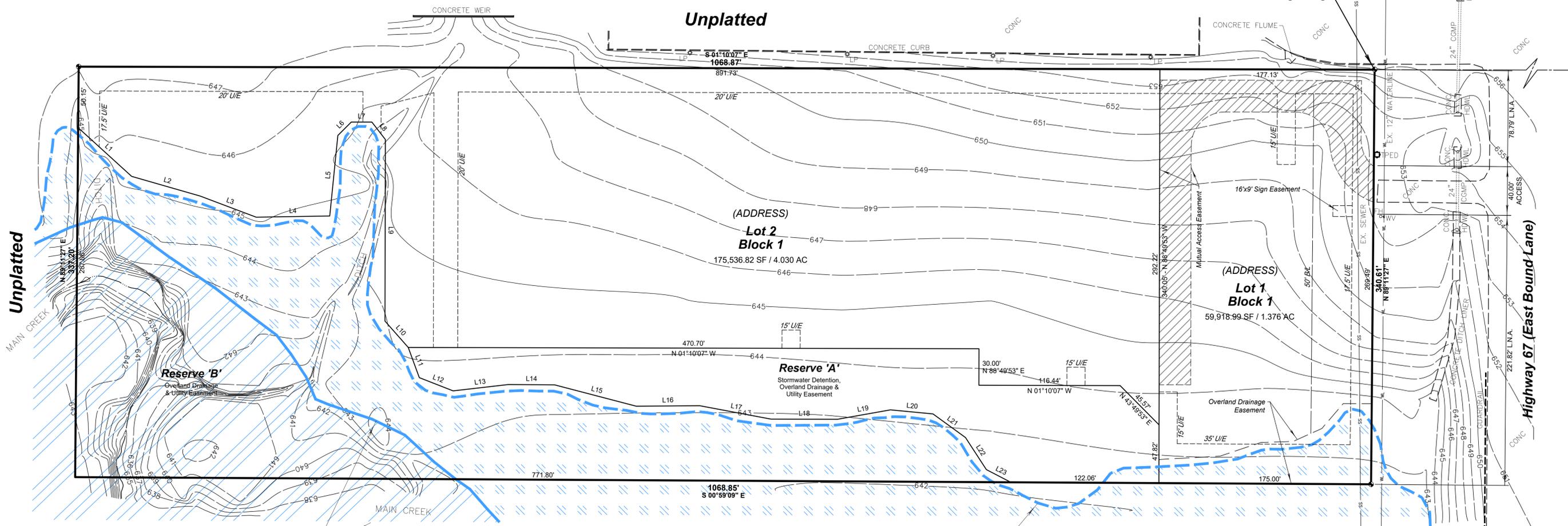
JIM ROBERTS  
12010 SOUTH ELM STREET  
JENKS, OK 74037  
PHONE: (918) 284-7552  
MR. JIM ROBERTS

### Engineer

COWAN GROUP ENGINEERING, LLC  
5416 SOUTH YALE, SUITE 210  
TULSA, OK 74135  
PHONE: (918) 949-6171  
FAX: (918) 949-6174  
barrick@cowangroup.co  
C.A. # 6414 EXPIRES 6-30-2016

### Surveyor

FRITZ LAND SURVEYING, LLC  
2017 WEST 91ST STREET  
TULSA, OKLAHOMA 74132  
PHONE: (918) 231-0575  
EMAIL: fritzlandsurveying@gmail.com  
C.A. # 5848 EXPIRES: 6-30-2016



**ZONE AE (Floodway)**  
Map Number: 40143C0433L  
Map Revised: October 16, 2012

### Basis of Bearings

NORTHERLY LINE OF NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-ONE (21), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) BEING N 89°11'27" E.

### Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" x 18" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ 1694" AT ALL CORNERS.

### ADS Benchmark

5/8" REBAR 1 1/2" ALUMINUM CAP-FLUSH-STAMPED "587", SET SOUTHEAST OF 151ST STREET, AND SHERIDAN AVENUE. ELEVATION = 672.823' (NAVD 1988)

### Notes

ADDRESS 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.

ALL WATER AND SANITARY SEWER SERVICES WILL BE SUPPLIED AND MAINTAINED BY THE CITY OF BIXBY, OKLAHOMA.

### Floodplain Data

A PORTION OF THE PROPERTY IS SITUATED IN UNSHADED ZONE 'X' AND ZONE 'AE' PER FEMA FLOODPLAIN MAP NO. 40143C0433L - DATED OCTOBER 16, 2012.

**Limits of FEMA  
100YR Floodplain  
ZONE AE**

Map Number: 40143C0433L  
Map Revised: October 16, 2012

STATE OF OKLAHOMA } SS  
COUNTY OF TULSA }

I, PAT KEY, TULSA COUNTY CLERK, IN AND FOR THE COUNTY AND STATE ABOVE, DO HEREBY CERTIFY THAT THE FORGOING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

PAT KEY, TULSA COUNTY CLERK

DEPUTY

COUNTY TREASURER'S STAMP

**Preliminary  
Plat**

### Subdivision Statistics

SUBDIVISION CONTAINS TWO (2) LOTS IN ONE (1) BLOCK AND TWO (2) RESERVE AREAS:

GROSS SUBDIVISION AREA:  
362,237.63 SQUARE FEET OR 8.316 ACRES

### Legend

B/L -- BUILDING SETBACK LINE  
L.N.A. -- LIMITS OF NO ACCESS  
U/E -- UTILITY EASEMENT

**CEDAR CREEK BUSINESS PARK - PUD #41  
DEED OF DEDICATION AND RESTRICTIVE COVENANTS**

KNOW ALL MEN BY THESE PRESENTS:

THAT JIM ROBERTS, HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER", ARE THE OWNERS OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN BIXBY, OKLAHOMA, TO-WIT:

A TRACT OF LAND BEGINNING AT A POINT 682.8 FEET EAST OF THE NW CORNER OF THE NE/4 NW/4; THENCE SOUTH 1318.87 FEET; THENCE EAST 337.2 FEET; THENCE NORTH TO THE NORTH LINE OF THE SECTION, THENCE WEST 341.41 FEET TO THE POINT OF BEGINNING, LESS THE NORTH 250 FEET THEREOF IN SECTION 21, TOWNSHIP 17 NORTH, RANGE 13 EAST OF THE INDIAN BASE & MERIDIAN, TULSA COUNTY OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

SAID TRACT CONTAINS 362,237.63 SQUARE FEET OR 8.316 ACRES, MORE OR LESS.

BASIS OF BEARINGS IS THE NORTHERLY LINE OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-ONE (21), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) BEING N 89°11'27" E.

AND HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 2 LOTS, 1 BLOCK AND 2 RESERVE AREAS, AS SHOWN ON THE ATTACHED PLAT AND SURVEY THEREOF, AND HAS DESIGNATED THE SUBDIVISION AS "CEDAR CREEK BUSINESS PARK", A SUBDIVISION OF A PART OF THE NORTHWEST QUARTER (NW/4) OF SECTION 21, T-17-N, R-13-E, CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, AND

**SECTION I. UTILITY EASEMENTS AND RIGHTS-OF-WAY**

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT (CEDAR CREEK BUSINESS PARK) FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, REPAIRING, REMOVING AND REPLACING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, TELEPHONE LINES, CABLE TELEVISION, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES AND WATER LINES, TOGETHER WITH ALL FITTINGS AND EQUIPMENT FOR EACH OF SUCH FACILITIES INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND ANY OTHER APPURTENANCES THERETO, WITH RIGHT OF INGRESS AND EGRESS TO THE EASEMENTS FOR THE USES AND PURPOSES AFORESAID; PROVIDED, HOWEVER THAT THE OWNER/DEVELOPER HEREBY RESERVES TO ITSELF, AND TO ITS ASSIGNS, THE RIGHT TO USE OR DELEGATE TO OTHERS THE RIGHT TO USE THE DESIGNATED EASEMENTS TO PROVIDE ANY OF THE SERVICES SET FORTH HEREIN, INCLUDING, BUT NOT LIMITED TO THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RELAY WATER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE TO THE AREA INCLUDED WITHIN THE PLAT, THE OWNER/DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA AND THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF THE EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED; PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT UTILITY EASEMENTS, DRIVES, PARKING AREAS, CURBING, AND LANDSCAPING THAT DOES NOT CONSTITUTE AN OBSTRUCTION AS AFORESAID.

**A. ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE**

- OVERHEAD POLE LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICE MAY BE LOCATED ALONG THE SOUTH AND EAST SIDE OF THE SUBDIVISION. ALL SUPPLY LINES SHALL BE LOCATED UNDERGROUND, IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ATTACHED PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL BUILDINGS WHICH MAY BE LOCATED ON ALL LOTS IN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH BUILDING AS MAY BE LOCATED UPON THE LOT; PROVIDED THAT, UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR BUILDING, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE RIGHT-OF-WAY EASEMENT ON SAID LOT, COVERING A FIVE-FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE, EXTENDING FROM THE SERVICE PEDESTAL OR TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE BUILDING.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, AND GAS SERVICES, THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT TO THE SUBDIVISION, INCLUDING EASEMENTS DEPICTED WITHIN RESERVE AREAS, OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES SO INSTALLED BY IT.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE UNDERGROUND FACILITIES, BUT THE OWNER OF EACH LOT IN THE SUBDIVISION WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS CONCERNING UNDERGROUND ELECTRIC, TELEPHONE AND CABLE TELEVISION FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

**B. WATER SERVICE**

- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS LOCATED ON HIS LOT.
- WITHIN UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON COMPLETION OF A PUBLIC WATER MAIN OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH A PUBLIC WATER MAIN SHALL BE PROHIBITED.
- THE CITY OF BIXBY PUBLIC WORKS DEPARTMENT, HEREINAFTER REFERRED TO AS "THE CITY", OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

- THE CITY, OR ITS SUCCESSORS SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE WATER FACILITIES OWNED BY IT.
- THE FOREGOING COVENANTS CONCERNING THE WATER FACILITIES SHALL BE ENFORCEABLE BY THE CITY, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

**C. GAS SERVICE**

- THE SUPPLIER OF GAS SERVICE SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ATTACHED PLAT, INCLUDING EASEMENTS DEPICTED WITHIN RESERVE AREAS, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF GAS FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
- THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED ON HIS LOT, THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH THE UNDERGROUND GAS FACILITIES SHALL BE PROHIBITED. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT OR HIS AGENT OR CONTRACTORS.
- THE FOREGOING COVENANTS CONCERNING UNDERGROUND GAS FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

**D. OVERLAND DRAINAGE EASEMENTS**

- OVERLAND DRAINAGE EASEMENTS DESIGNATED ON THE PLAT ARE HEREBY DEDICATED TO THE CITY OF BIXBY OR ITS SUCCESSORS FOR THE PURPOSE OF MAINTAINING, CONSTRUCTING OR REPAIRING ALL DRAINAGE FACILITIES WITHIN THESE EASEMENTS. MAY BE USED FOR UTILITIES ACCORDING TO THE PROVISIONS IN THE CERTIFICATE OF DEDICATION AS IT APPLIES TO EASEMENTS, EXCEPT THAT CONSTRUCTION AND USE OF UTILITIES THEREIN SHALL NOT INTERFERE WITH THE USE FOR DRAINAGE PURPOSES.
- NO BUILDING STRUCTURE, WALL, FENCE, OR ABOVE OR BELOW GROUND OBSTRUCTIONS SHALL BE CONSTRUCTED OR PLACED WITHIN ANY DRAINAGE EASEMENT WITHOUT APPROVAL OF CITY OF BIXBY.
- THE OWNER OF EACH LOT UPON WHICH A DRAINAGE EASEMENT IS SITUATED SHALL BE SOLELY RESPONSIBLE FOR THE MAINTENANCE OF ANY SAID EASEMENT WHICH TRAVERSES THEIR RESPECTIVE PROPERTY.
- IN THE EVENT OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF THE CONTOUR THEREIN, BIXBY OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO THE ACHIEVEMENT OF THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT BY THE OWNER, OR THE HOMEOWNER'S ASSOCIATION. IN THE COST THEREOF SHALL BE PAID BY THE OWNER, OR THE HOMEOWNER'S ASSOCIATION. IN THE EVENT OWNER OR THE HOMEOWNER'S ASSOCIATION, AS THE CASE MAY BE, FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER FILE A LIEN AGAINST THE SUBJECT LOT, SUCH LIEN, HOWEVER, SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY.

**E. SURFACE DRAINAGE**

THE LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS HIS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY.

**F. PAVING AND LANDSCAPING WITHIN EASEMENTS**

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING WITHIN THE UTILITY EASEMENTS WHICH MAY RESULT FROM NECESSARY USE FOR OR MAINTENANCE AND INSTALLATION OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, ELECTRICAL, NATURAL GAS, COMMUNICATIONS OR TELEPHONE FACILITIES PROVIDED, HOWEVER, THE CITY OF BIXBY, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

**H. USE OF RESERVE AREA 'A'**

- THE OWNER/DEVELOPER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS RESERVE 'A' FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE LOT AND FROM PROPERTIES NOT INCLUDED WITHIN THE SUBDIVISION.
- DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE RESERVE SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF BIXBY.
- NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE RESERVE NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID RESERVE UNLESS APPROVED BY THE CITY OF BIXBY.
- DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE OWNER OF LOT 2 TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION, AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION AND THE OWNER/DEVELOPER SHALL PROVIDE CUSTOMARY GROUNDS MAINTENANCE WITHIN THE RESERVE IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:
  - GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR WEEKS, OR LESS.
  - CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
  - THE RESERVE SHALL BE KEPT FREE OF DEBRIS.

- CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

- LANDSCAPING, APPROVED BY THE CITY OF BIXBY, SHALL BE ALLOWED WITHIN THE RESERVE.

- IN THE EVENT THE OWNER/DEVELOPER SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF GRADE WITHIN THE RESERVE, THE CITY OF BIXBY, OR ITS DESIGNATED CONTRACTOR, MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER/DEVELOPER. IN THE EVENT THE OWNER/DEVELOPER FAILS TO PAY THE COSTS OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY.

**I. USE OF RESERVE AREA 'B'**

- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL OVERLAND EASEMENT ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS RESERVE 'B' FOR THE PURPOSES OF PROTECTING AND PROVIDING ACCESS TO THE 100-YEAR FLOODPLAIN LOCATED WITHIN THE RESERVE. THE OVERLAND DRAINAGE EASEMENT IS HEREBY ESTABLISHED TO RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM THE LOT AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS.
- RESERVE 'B' SHALL REMAIN AS A NATURAL UNIMPROVED AREA AND PROVIDED REMOVAL OF UNDERBRUSH AND GROUND MAINTENANCE SHALL BE PERMITTED. SUPPLEMENTAL LANDSCAPING MAY BE PERMITTED IF IT DOES NOT IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS RESERVE 'B' AND WRITTEN PERMISSION FROM THE CITY OF BIXBY HAS BEEN GRANTED. NOTWITHSTANDING THAT THE OWNER/DEVELOPER SHALL MAINTAIN THE RESERVE AS A NATURAL UNIMPROVED AREA, THE OWNER/DEVELOPER SHALL COMPLY WITH ALL STATE STATUTES AND ORDINANCES OF THE CITY OF BIXBY, OR ITS SUCCESSORS, REGULATING THE EXISTENCE OF PUBLIC AND PRIVATE NUISANCES.
- THE OWNER/DEVELOPER SHALL NOT CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE RESERVE, EXCEPT WHERE FENCING CROSSES THE MAPPED FLOODPLAIN WHERE THE BOTTOM OF FENCE SHALL BE A MINIMUM OF 12 INCHES ABOVE THE 100 YEAR WATER SURFACE ELEVATION. IN THE EVENT THE OWNER/DEVELOPER SHOULD FAIL TO PROPERLY MAINTAIN THE RESERVE OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF THE GRADE, THE CITY OF BIXBY, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COST SHALL BE PAID BY THE OWNER/DEVELOPER. IN THE EVENT THE OWNER/DEVELOPER FAILS TO PAY THE COST OF MAINTENANCE AFTER RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY.

**J. LIMITS OF NO ACCESS**

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO "CEDAR CREEK BUSINESS PARK" WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (LNA) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF BIXBY, OR ITS SUCCESSOR, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA. LIMITS OF NO ACCESS SHALL BE ENFORCEABLE BY THE CITY OF BIXBY.

**K. MUTUAL ACCESS EASEMENT**

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

**L. SIGN EASEMENT**

SIGN EASEMENTS, DEPICTED AS "SIGN EASEMENT" ON THE ACCOMPANYING PLAT, ARE HEREBY ESTABLISHED FOR THE PURPOSE OF PERMITTING CONSTRUCTION, INSTALLATION AND MAINTENANCE OF A TENANT SIGN FOR THE MUTUAL USE AND BENEFIT OF EACH LOT IN THE SUBDIVISION. SUCH EASEMENTS SHALL ALSO BE FOR INSTALLATION, MAINTENANCE, REPAIR AND REPLACEMENT OF UTILITY LINES REQUIRED TO SERVE SUCH TENANT SIGN, INCLUDING, WITHOUT LIMITATION, ELECTRICAL LINES FOR THE TENANT SIGN.

**M. CERTIFICATE OF OCCUPANCY RESTRICTIONS**

NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED BY THE CITY UNTIL COMPLETION OF THE ENTIRE DEVELOPMENT AND ITS FORMAL ACCEPTANCE BY THE CITY OF BIXBY. ANY AND ALL CONSTRUCTION PURSUANT TO ANY BUILDING PERMIT BUT PRIOR TO THE CITY'S FORMAL ACCEPTANCE OF THE ENTIRE DEVELOPMENT SHALL BE AT THE OWNER'S, DEVELOPER'S, CONTRACTOR'S/BUILDER'S OR INVESTOR'S OWN RISK.

**SECTION II. PLANNED UNIT DEVELOPMENT**

WHEREAS, CEDAR CREEK BUSINESS PARK WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (PUD NO. 41) AS PROVIDED WITHIN SECTION \_\_\_\_\_ OF THE ZONING ORDINANCE OF THE CITY OF BIXBY, OKLAHOMA, (HEREINAFTER THE "ZONING ORDINANCE"), WHICH (PUD NO. 41) WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON \_\_\_\_\_, AND APPROVED BY THE COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, ON \_\_\_\_\_; AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INJURING 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 DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO ENSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF BIXBY, OKLAHOMA;

THEREFORE, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH:

**A. DEVELOPMENT IN ACCORDANCE WITH PUD NO. 41**

CEDAR CREEK BUSINESS PARK SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 41 APPROVED BY THE BIXBY CITY COUNCIL AND THE BIXBY PLANNING COMMISSION OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. 41 AS MAY BE SUBSEQUENTLY APPROVED.

**B. APPLICABLE ORDINANCE**

THE DEVELOPMENT OF CEDAR CREEK BUSINESS PARK SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE BIXBY ZONING CODE, AS SUCH PROVISIONS EXISTED ON THE PROPERTY WILL BE DEVELOPED IN ACCORDANCE WITH CITY OF BIXBY ZONING ORDINANCE AND THE USE AND DEVELOPMENT REGULATIONS OF CS (COMMERCIAL SHOPPING DISTRICT) ZONING, EXCEPT AS NOTED HEREIN.

**C. DEVELOPMENT STANDARDS**

**DEVELOPMENT AREA A (COMMERCIAL-OFFICE USE)**

PERMITTED USES (TO BE ALLOWED BY RIGHT) - THOSE USES PERMITTED IN ACCORDANCE WITH THE FOLLOWING USE UNITS OF THE CITY OF BIXBY ZONING CODE:

- USE UNIT 11 (OFFICES AND STUDIOS)
- USE UNIT 12 (ENTERTAINMENT ESTABLISHMENTS AND EATING ESTABLISHMENTS, OTHER THAN DRIVE-INS)
- USE UNIT 13 (CONVENIENCE GOODS AND SERVICES)
- USE UNIT 14 (SHOPPING GOODS AND SERVICES)
- USE UNIT 15 (OTHER TRADES AND SERVICES), EXCEPT THOSE USES IDENTIFIED ON EXHIBIT G, WHICH USES ARE EXPRESSLY PROHIBITED;
- AND ALL ACCESSORY USES PERMITTED IN THE CS DISTRICT PER THE CITY OF BIXBY ZONING CODE.

MINIMUM FRONTAGE: 150 FEET

MAXIMUM BUILDING FLOOR AREA: 0.50 FLOOR AREA RATIO PER SECTION 630 OF THE CITY OF BIXBY ZONING CODE.

MAXIMUM BUILDING HEIGHT: N/A

OFF-STREET PARKING: AS REQUIRED BY APPLICABLE USE UNIT OF THE CITY OF BIXBY ZONING CODE.

MINIMUM BUILDING SETBACKS:

- FROM THE SOUTH RIGHT-OF-WAY LINE
- FOR EAST 151ST STREET: 25 FEET
- FROM THE WEST AND EAST BOUNDARIES (PERIMETER UTILITY EASEMENT): 17.5 FEET
- FROM THE SOUTH BOUNDARY OF DEVELOPMENT AREA A: N/A

**DEVELOPMENT AREA B (COMMERCIAL-OFFICE-STORAGE USE)**

PERMITTED USES (TO BE ALLOWED BY RIGHT) - THOSE USES PERMITTED IN ACCORDANCE WITH THE FOLLOWING USE UNITS OF THE CITY OF BIXBY ZONING CODE:

- USE UNIT 11 (OFFICES AND STUDIOS)
- USE UNIT 13 (CONVENIENCE GOODS AND SERVICES)
- USE UNIT 15 (OTHER TRADES AND SERVICES), EXCEPT THOSE USES IDENTIFIED ON EXHIBIT G, WHICH USES ARE EXPRESSLY PROHIBITED;
- MINI-STORAGE AND INSIDE SALES WITHOUT OUTSIDE DISPLAY;
- ALL OTHER USES IN USE UNIT 17 EXPRESSLY ARE PROHIBITED;
- AND ALL ACCESSORY USES PERMITTED IN THE CS DISTRICT PER THE CITY OF BIXBY ZONING CODE.

MINIMUM FRONTAGE: N/A

MAXIMUM BUILDING FLOOR AREA: 0.50 FLOOR AREA RATIO PER SECTION 630 OF THE CITY OF BIXBY ZONING CODE.

MAXIMUM BUILDING HEIGHT: N/A

OFF-STREET PARKING: AS REQUIRED BY APPLICABLE USE UNIT OF THE CITY OF BIXBY ZONING CODE.

MINIMUM BUILDING SETBACKS:

- FROM THE NORTH BOUNDARY OF DEVELOPMENT AREA B: N/A
- FROM ALL OTHER BOUNDARIES (PERIMETER UTILITY EASEMENT): 17.5 FEET





CITY OF BIXBY  
P.O. Box 70  
116 W. Needles Ave. ~ Bixby, OK 74008

(918) 366-4430

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# STAFF REPORT

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**To:** Bixby Planning Commission

**From:** Marcae' Hilton, City Planner

**Date:** Monday, July 18, 2016

**RE:** Report and Recommendations for:  
SITE PLAN (BXSP-16.04.PRIMROSE)  
*PRIMROSE SCHOOL FRANCHISING COMPANY:* Applicant, Mark Capron  
on behalf of Primrose School Franchising Company  
Discussion and consideration of a Site Plan for approximately 1.41  
acres for the purpose of a children's nursery in part of the 101 South  
Memorial Center Plat, Section 25, T18N, R13E  
**Property Generally Located:** South of 101st Street and East of  
Memorial one-quarter mile

---

**REQUEST:** Site Plan approval for Use Unit 5 Children's Nursery

**EXISTING ZONING:** CS (COMMERCIAL SHOPPING CENTER DISTRICT)

**LOCATION:** 10185 S. 85<sup>th</sup> E. Ave, generally located south of 101st  
Street and East of Memorial one-quarter mile

**STR:** Section 25, T18N, R13E

**LOT SIZE:** 1.41

**EXISTING USE:** VACANT

**PROPOSED USE:** Children's Nursery

**PUBLIC INPUT:** (0)

**BACKGROUND INFORMATION:** This item was on the July 6, 2016 TAC Agenda; the comments are attached as well as the Fire Marshal comments.

**SURROUNDING ZONING AND LAND USE:**

North: OL-Office Low Intensity-Empty building

West: CS-Commercial Shopping Center District-vacant lot and Hotel

South: CS-Commercial Shopping Center District-theatre

East: RS-3 Residential Single Family-The Village at Legacy-built out

**COMPREHENSIVE PLAN:**

Land Use Intensities: Medium

Land Use: Commercial Area

Urban Design Elements: Corridor

Public Facilities: None

**ATTACHMENTS:**

1. Site Plan
2. Aerial Map
3. Landscape Plan
4. Exterior Elevations
5. Monument Sign Elevations-A7.1
6. Sign Elevations-X-1

Staff believes the proposed Use Unit 5; children's nursery is compatible with abutting and nearby zoning and would provide a necessary service to the area.

**STAFF RECOMMENDATION:** Staff recommends Approval subject to the following corrections, modifications, and Conditions of Approval:

1. Add Site Plan Case Number to title box: BXSP-2016.04
2. Address should be 10185 S. 85<sup>th</sup> E. Ave.
3. Identify the storm sewer line which wraps from south-east-north
4. Provide access agreement with theatre property (Spirit Master Funding, LLC)
5. Label Speed bumps at entrance
6. Provide Legend for abbreviations
7. LIGHTING:
  - a. Please include height of exterior light poles
  - b. Provide spec sheet for lighting or photometric
8. Please address Engineering Comments as applicable
9. Please address Fire Marshal Comments
10. Please submit complete, corrected copies of the Detailed Site Plan incorporating all of the corrections, modifications, and conditions of approval as follows: three (3) full-size hard copies, two (2) 11" X 17" hard copy, and one (1) electronic copy (PDF preferred).
11. LANDSCAPE: **11-12-4: ADMINISTRATION:**   
  - B. Certification Of Installation:

1. Prior to the issuance of a certificate of occupancy, written certification shall be submitted to the city by an architect, landscape architect or engineer authorized to do business in the state that the installation of the landscaping and appurtenances has been accomplished in accordance with the approved landscaping plan.

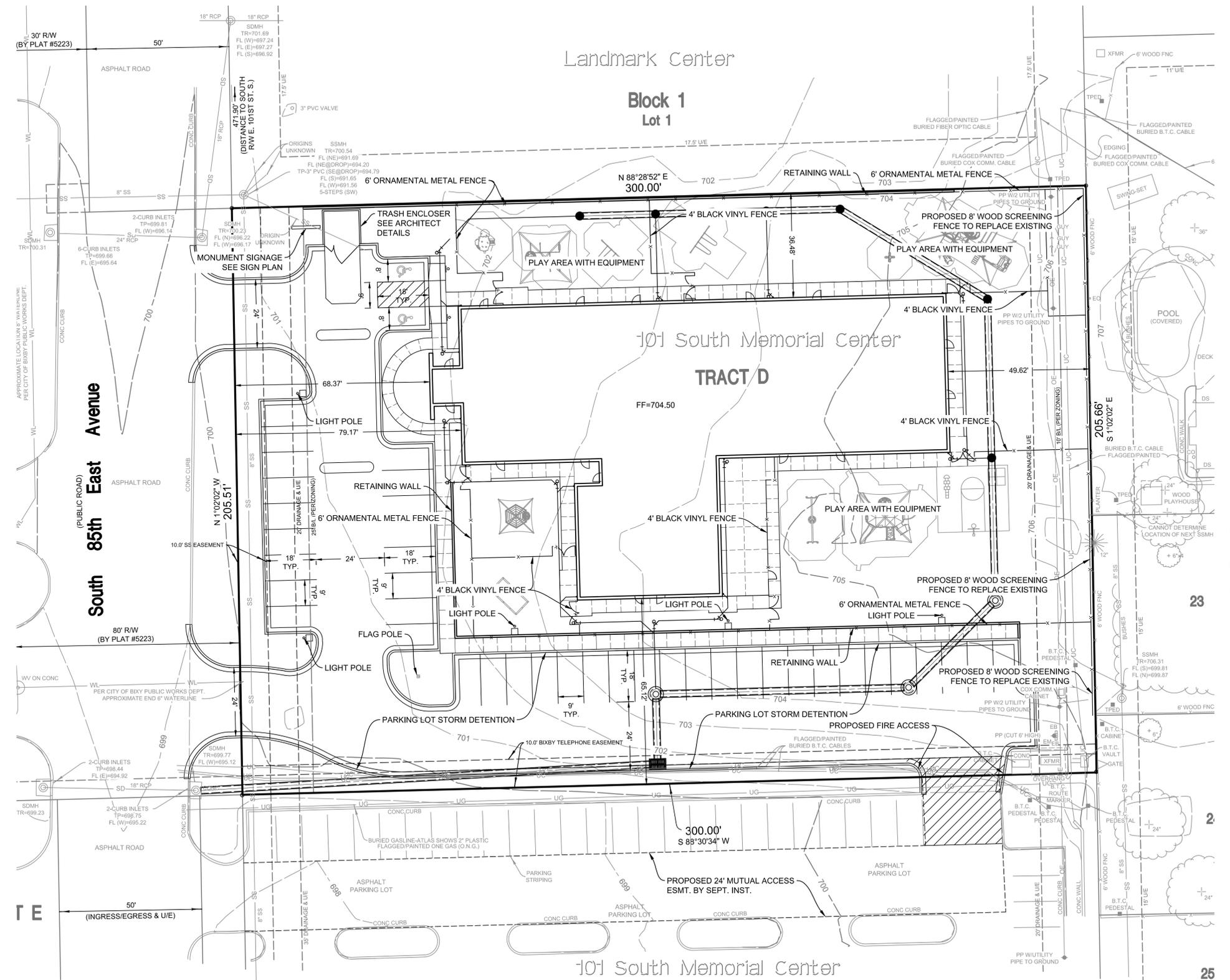
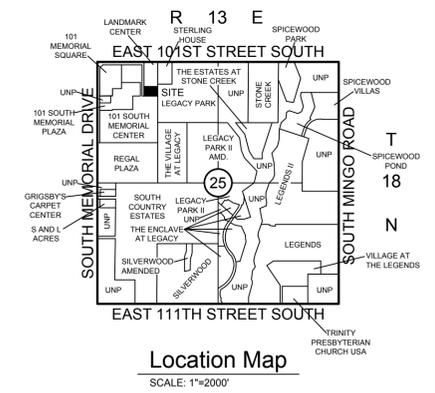
2. In the event that the planning commission has granted temporary approval of occupancy prior to the completion of tree planting, an architect, landscape architect or engineer authorized to do business in the state shall provide written certification that all trees have been installed in accordance with the approved plan. Such certification shall be provided prior to or within the time frame approved in the specific tree planting schedule, and shall not exceed one hundred twenty (120) days from the issuance date of the occupancy permit.

12. FIRE MARSHAL COMMENTS: FORTHCOMING

13. ENGINEERING COMMENTS: FORTHCOMING

14. TAC COMMENTS 7.6.16

- Lonny: Hard surface question
- Staff: How is this going? mountable curb on South form Theater
- BTC: looking at depths-get cost, storm sewer conflict on south
- Staff: Fire Marshal-trouble to get pressure to drop



Owner:  
**Primrose School Franchising Co.**  
 3600 Cedarcrest Road  
 Acworth, GA 30101  
 Phone: (770) 310-8755  
 Contact: John Finnemore

**SITE PLAN STATISTICS**

TRACT D 101 SOUTH MEMORIAL CENTER	
NET LAND AREA:	61,673 SF 1.41 ACRES
ZONING:	CS - COMMERCIAL SHOPPING CENTER DISTRICT
PROPOSED USE:	CHILDREN'S NURSERY USE UNIT 5
OFF-STREET PARKING:	
BUILDING FLOOR AREA:	11,500 SF
PARKING RATIO:	1 PER 1000 FLOOR AREA
REQUIRED:	12 PARKING SPACES
PROVIDED:	41 PARKING SPACES (INCLUDES 2 ACCESSIBLE SPACES)
IMPERVIOUS AREA:	
PRECONSTRUCTION:	0 SF
POST-CONSTRUCTION:	34,482 SF
NET INCREASE:	34,482 SF

ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA STANDARDS AND SPECIFICATIONS.  
**CALL OKIE!**

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 SOUTHWESTERN BELL TELEPHONE COMPANY  
 COX COMMUNICATIONS  
 OKLAHOMA NATURAL GAS COMPANY  
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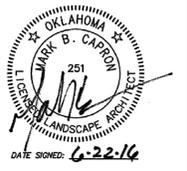
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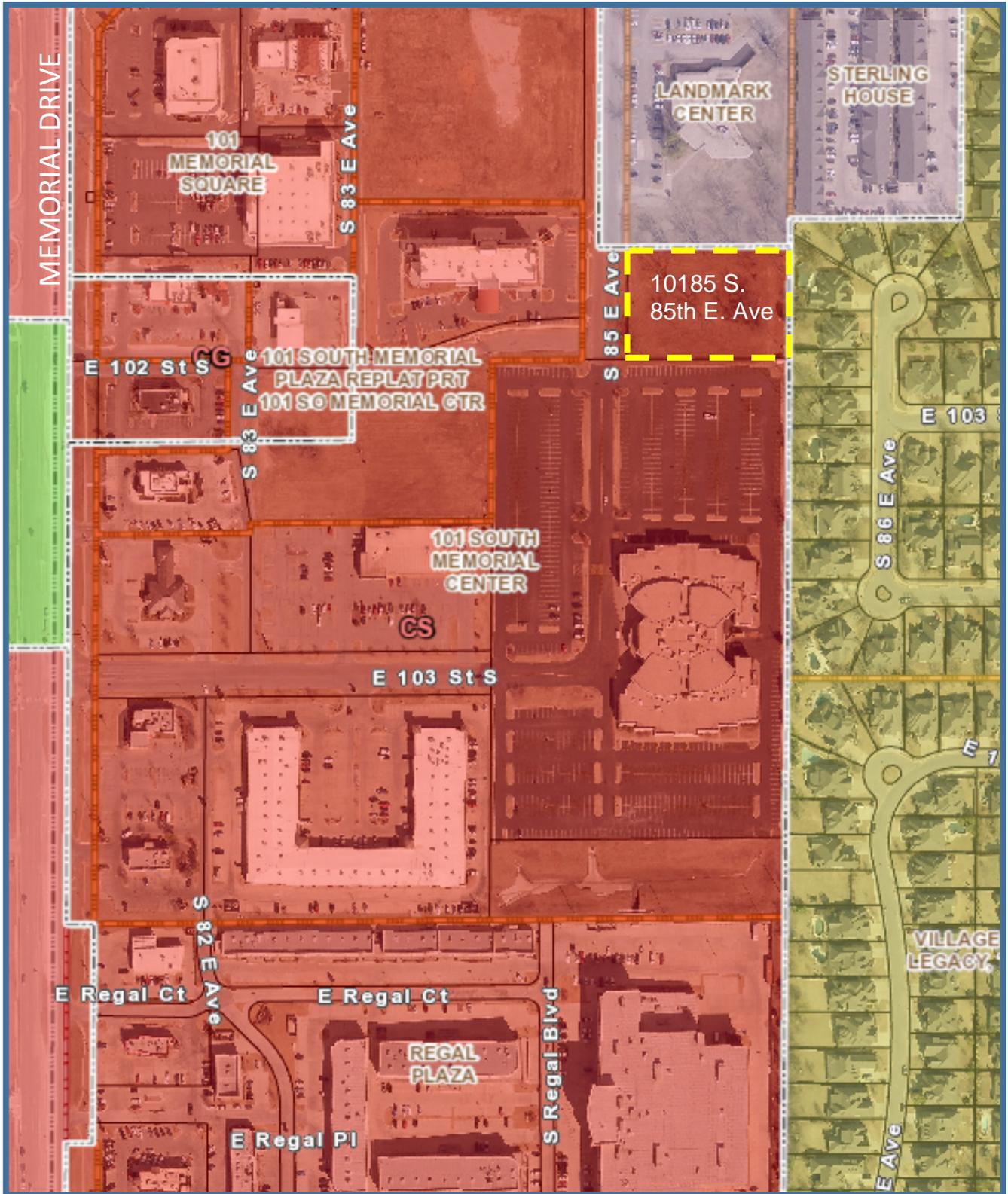
**Sisemore Weisz & Associates Landscape Architecture**  
 a division of Sisemore Weisz & Associates, Inc.  
 6111 EAST 32nd PLACE  
 TULSA, OKLAHOMA 74135  
 C.A. NO. 028201  
 PHONE: (918) 685-3600  
 FAX: (918) 685-8608  
 EXP. DATE: 6/30/17

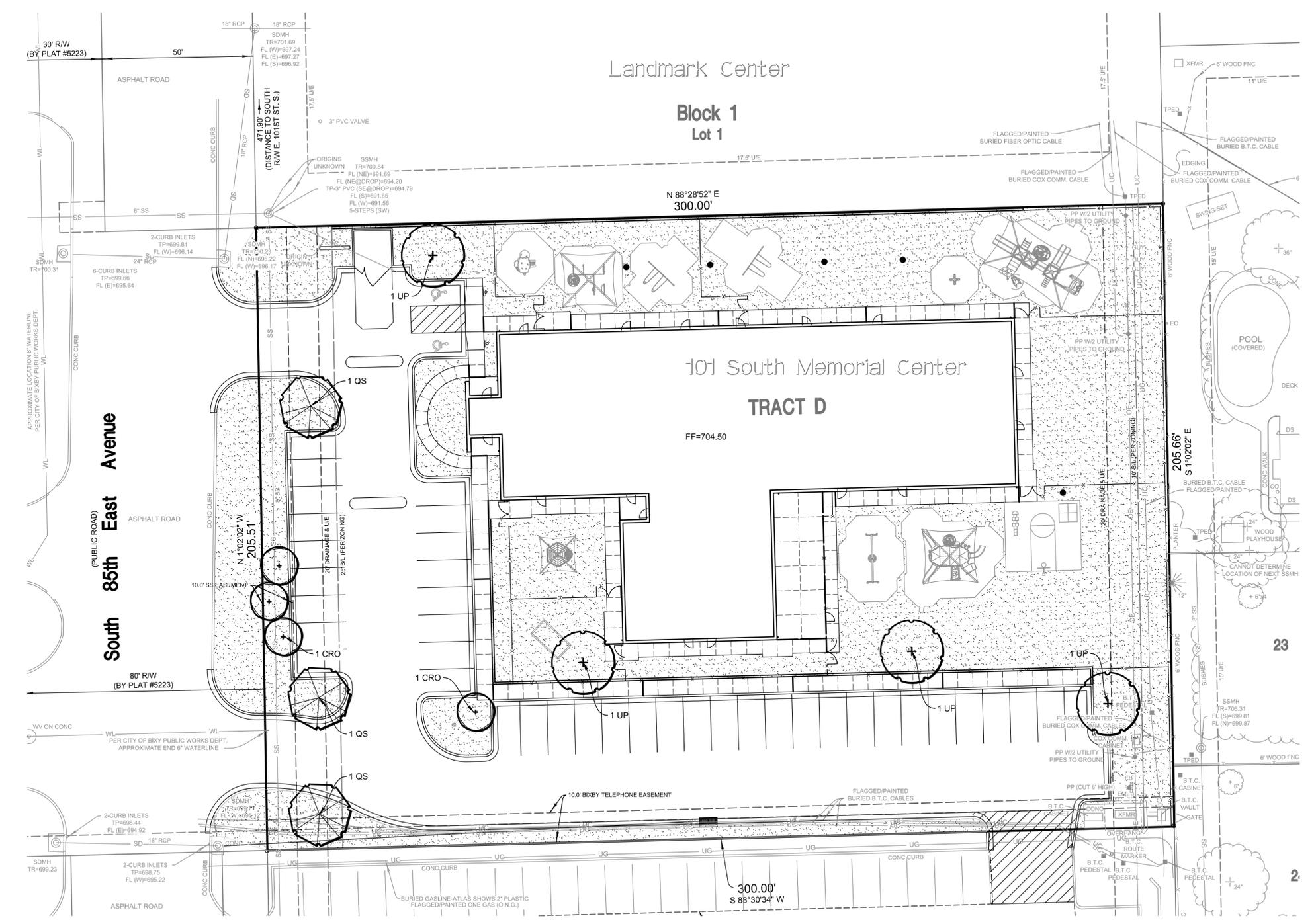
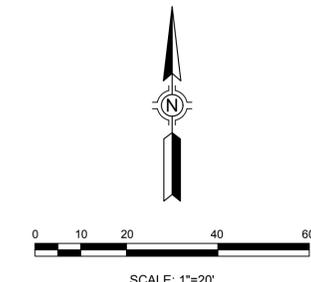
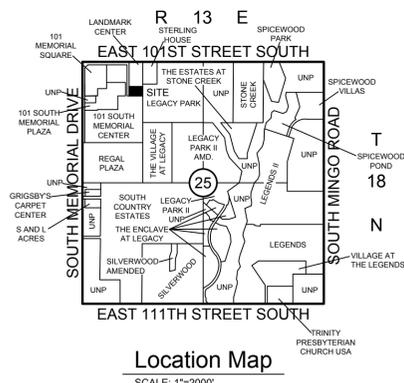
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PROFILE SCALE: HORZ. na VERT. na	FILE: 1813.25	PHASE: N/A	DRAFTED BY: dis
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**Primrose School**  
 Detail Site Plan



DATE SIGNED: 6-2-16





**Landscape Requirements**

LANDSCAPED STREET YARD PER STREET FRONTAGE:

AREA	REQUIRED:	PROPOSED:	771 SF
SOUTH 85TH EAST AVENUE (5,138 SF)	15%	48%	2,441 SF

TREES

REQUIRED (1 TREE PER 1,000 SF OF STREET YARD)	PROPOSED:	6 TREES
6 TREES	6 TREES	

PARKING AREAS

NUMBER OF PARKING SPACES:	REQUIRED: (1 TREE PER 10 PARKING SPACES)	PROPOSED	41 SPACE:
5 TREES	5 TREES	5 TREES	

**Legend**



**Plant List**

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONT.	SPACING/REMARKS
<b>TREES</b>						
UP	4	ULMUS PARVIFOLIA	LACEBARK ELM	2" CAL./10' HT.	B&B	MATCHED
QS	3	QUERCUS SHUMARDII	SHUMARD OAK	2" CAL./12 HT.	B&B	MATCHED
CRO	4	CERCIS RENIFORMIS 'OKLAHOMA'	OKLAHOMA REDBUD	2" CAL./8' HT.	B&B	MATCHED

**SOD AND ACCESSORIES**

CYNODON DACTYLON COMMON BERMUDAGRASS SOLID SOD, WEED FREE

ABBREVIATIONS: B&B: BALLED AND BURLAPED, CAL.: CALIPER, GAL: GALLON, HT.: HEIGHT, L.F.: LINEAR FOOT, MATCHED: WITHIN 5% OF SIZE AND SHAPE, STK: STAKED, O.C.: ON CENTER (APPROXIMATE), S.F.: SQUARE FOOT, SP.: SPREAD

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**Primrose School**  
Landscape Plan



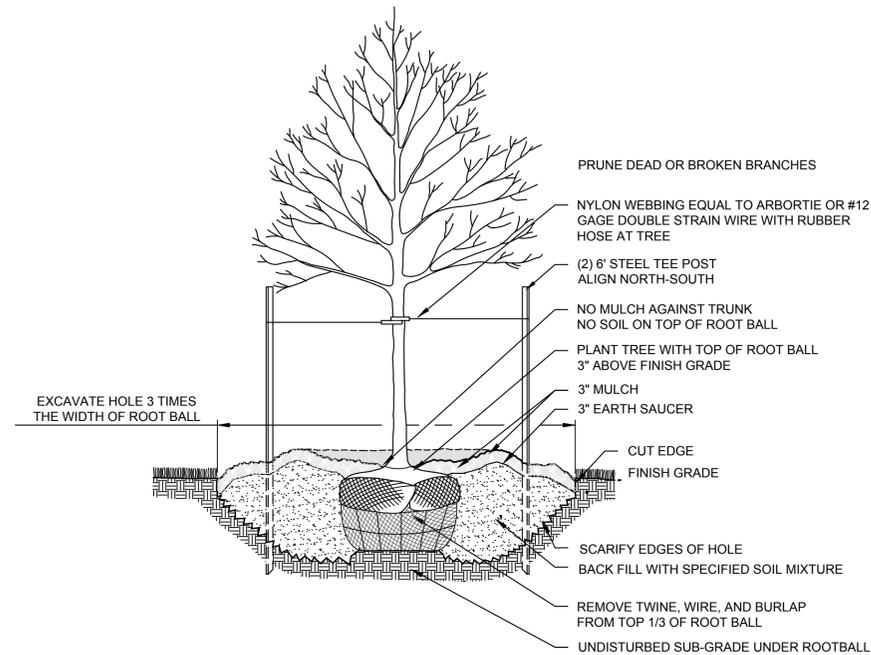
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**General Notes**

1. ALL PLANTS SHALL BE GUARANTEED TO REMAIN ALIVE AND HEALTHY FOR THE FULL TWELVE MONTH PERIOD AFTER SUBSTANTIAL COMPLETION. REPLACEMENTS SHALL BE GUARANTEED AN ADDITIONAL TWELVE MONTHS. THE CONTRACTOR SHALL REPLACE ANY PLANTS WHICH ARE DEAD OR ARE IN AN UNHEALTHY OR UNSIGHTLY CONDITION. THE COST OF SUCH REPLACEMENTS SHALL BE BORNE BY THE CONTRACTOR.
2. CONTRACTOR TO MAINTAIN LANDSCAPING MATERIALS AND SOD FOR A PERIOD OF NOT LESS THAN 30 DAYS AFTER ACCEPTANCE OF PROJECT BY OWNERS REPRESENTATIVE.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFICATION OF ALL UNDERGROUND UTILITY LINES (TELEPHONE, GAS, WATER, ELECTRIC, CABLE TV, ETC.) PRIOR TO THE START OF ANY WORK.
4. THE CONTRACTOR IS RESPONSIBLE FOR CALCULATING ALL QUANTITIES OF MATERIALS FROM THE PLANTING PLAN. WHEN DISCREPANCIES OCCUR BETWEEN THE PLAN AND THE MATERIALS LIST, THE PLANTING PLAN SUPERSEDES THE MATERIALS LIST IN ALL CASES.

**Planting Notes**

1. ALL PLANT MATERIALS TO BE IN ACCORDANCE WITH AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1 - CURRENT EDITION.
2. PLANTING SHALL BE LOCATED WHERE IT IS SHOWN ON THE PLAN EXCEPT WHERE OVERHEAD OR BELOW GROUND OBSTRUCTIONS ARE ENCOUNTERED. SHOULD OBSTRUCTIONS BE FOUND, THE CONTRACTOR SHALL PROMPTLY NOTIFY THE LANDSCAPE ARCHITECT WHO WILL RELOCATE THE PLANT MATERIAL.
3. ALL PLANTING BEDS SHALL BE PREPARED IN THE FOLLOWING MANNER: REMOVE ALL WEEDS AND GRASSES FROM PLANTING BEDS PRIOR TO BEGINNING SOIL PREPARATION. IF BERMUDA GRASS IS PRESENT IT SHALL BE ERADICATED BY APPROVED MEANS. SPREAD 2" OF COMPOST (BACK TO EARTH SOIL CONDITIONER), 1" OF PINE BARK MULCH, AND OSMOCOTE FERTILIZER (1 LB. PER 100 SQ. FT.) INCORPORATE TO A DEPTH OF 6".
4. ALL PLANTING BEDS AND TREE WELLS SHALL RECEIVE A MINIMUM OF 3" OF CEDAR MULCH.
5. ALL TREES SHALL BE PLANTED 2" ABOVE FINISH GRADE.
6. TWINE AND BURLAP SHALL BE CUT AND REMOVED FROM THE UPPER 1/3 OF THE ROOT BALL ON ALL TREES AND SHRUBS.
7. FINISH GRADES OF ALL PLANTING BEDS SHALL PROVIDE POSITIVE DRAINAGE OUT OF PLANTED AREA.
8. AREAS WITHIN THE PROPERTY LINES, THE R.O.W. PARALLEL TO THE PROPERTY LINES, AND ALL OTHER LAWN AREAS DISTURBED BY THE CONSTRUCTION PROCESS THAT ARE NOT DESIGNATED TO RECEIVE OTHER PLANTING, PAVING OR BUILDINGS ARE TO BE SODDED WITH SOLID SOD BERMUDA GRASS.
9. ALL AREAS RECEIVING SOD SHALL RECEIVE A MINIMUM 4" OF TOPSOIL. SOD SHALL BE STRONGLY ROOTED, FREE OF WEEDS AND UNDESIRABLE NATIVE GRASSES, AND SHALL BE NOT LESS THAN 2 YEARS OLD. APPLY A 10-20-10 FERTILIZER AT A RATE OF TEN(10) POUNDS PER 1,000 SQUARE FEET TO ALL LAWN AREAS PRIOR TO SODDING.
10. ALL PLANTING AREAS ADJACENT TO LAWN AREAS TO BE BORDERED BY 4" X 3/16" STEEL EDGING BY RYERSON.
11. BACK FILL ALL TREE PITS WITH A SOIL MIXTURE CONSISTING OF 1 PART TOP SOIL AND 1 PART COMPOST AND 1/2 POUND OSMOCOTE FERTILIZER PER TREE.
12. ALL PLANTS SHALL BE TRUE OF SPECIES AND VARIETY AND SHALL CONFORM TO MEASUREMENTS (CALIPER, SIZE, AND TRUNK HEIGHT) AS SPECIFIED ON THE DRAWING.
13. SIX WEEKS AFTER THE INSTALLATION OF SOD, A GRANULAR APPLICATION OF BARRICADE PRE-EMERGENT WEED CONTROL SHALL BE APPLIED AT A RATE OF 10 POUNDS PER 1,000 S.F. AND THEREAFTER, ANNUAL APPLICATIONS SHALL BE APPLIED DURING THE SECOND WEEK OF FEBRUARY.
14. SIX WEEKS AFTER THE INSTALLATION OF THE LANDSCAPE MATERIALS, THE FIRST OF TWO ANNUAL LIQUID APPLICATIONS OF PENDULUM PRE-EMERGENT WEED CONTROL SHALL BE APPLIED TO THE MULCH SURFACE IN ALL SHRUB AND GROUND COVER AREAS.
15. STAKING AND GUYING TO BE REMOVED BY THE LANDSCAPE CONTRACTOR NINE MONTHS AFTER PLANTING.



**Tree Planting Detail**  
NOT TO SCALE

**Irrigation Notes**

1. WATER SHALL BE PROVIDED IN ALL PLANTING BEDS AND SOD AREAS BY AN ELECTRONIC UNDERGROUND IRRIGATION SYSTEM.
2. IRRIGATION CONTROL ZONES SHALL BE SEPARATED TO PERMIT IRRIGATION OF SIMILAR PLANT MATERIALS, SUN EXPOSURE, LAND SLOPE AND SOIL/LANDSCAPE CONDITIONS. SYSTEM SHALL BE DESIGNED SUCH THAT ALL IRRIGATION HEADS SHALL APPLY WATER TO A GIVEN AREA AT THE SAME RATE YIELDING MATCHED AND UNIFORM PRECIPITATION RATES AND UNIFORM COVERAGE. SHRUB AND LAWN AREAS ARE TO BE IN ZONED SEPARATELY.
3. SPRAY HEADS SHALL BE SPACED NO FURTHER THAN FOR HEAD TO HEAD' COVERAGE BASED ON THE SPRINKLER HEAD PERFORMANCE PUBLISHED BY THE MANUFACTURER. ROTARY HEADS SHALL BE SPACED NO FURTHER THAN 85 PERCENT AND 90 PERCENT FOR 3/4" INLET AND 1" INLET ROTARIES RESPECTIVELY AT THE DESIGN PRESSURE.
4. THE LANDSCAPE CONTRACTOR SHALL COORDINATE THE LANDSCAPE WATERING PROGRAM WITH THE OWNERS REPRESENTATIVE.
5. INSTALL SEPARATE IRRIGATION METER, BACK FLOW PREVENTION DEVICE AND PROTECTIVE HOUSING WITH HEAT TAPE. COORDINATE LOCATION WITH OWNER'S REPRESENTATIVE. IRRIGATION CONTRACTOR SHALL FOLLOW THE SPECIFIED RECOMMENDATIONS OF THE EQUIPMENT MANUFACTURERS TO INSURE PROPER INSTALLATION OF IRRIGATION SYSTEM.
6. PROVIDE ELECTRICAL POWER TO BACK FLOW PREVENTER FOR HEATING DEVICE.
7. SUBMIT IRRIGATION DESIGN DRAWINGS FOR REVIEW. COORDINATE EXACT LOCATION OF CONTROLS WITH OWNER'S REPRESENTATIVE.

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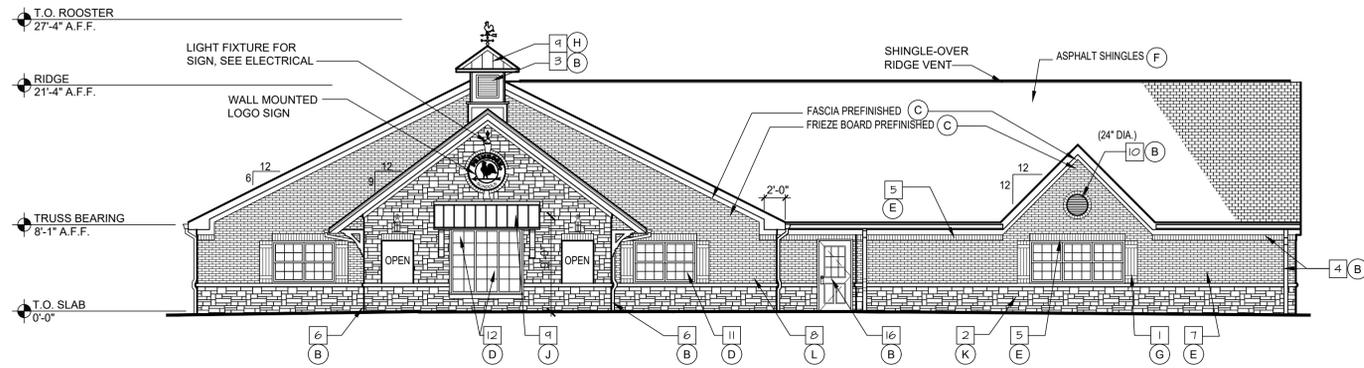
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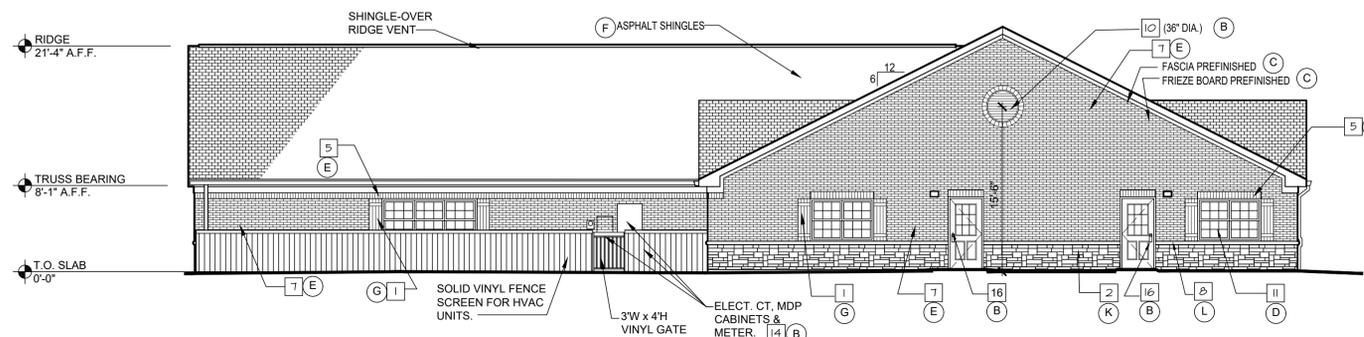
**Primrose School**  
Landscape Details and Notes





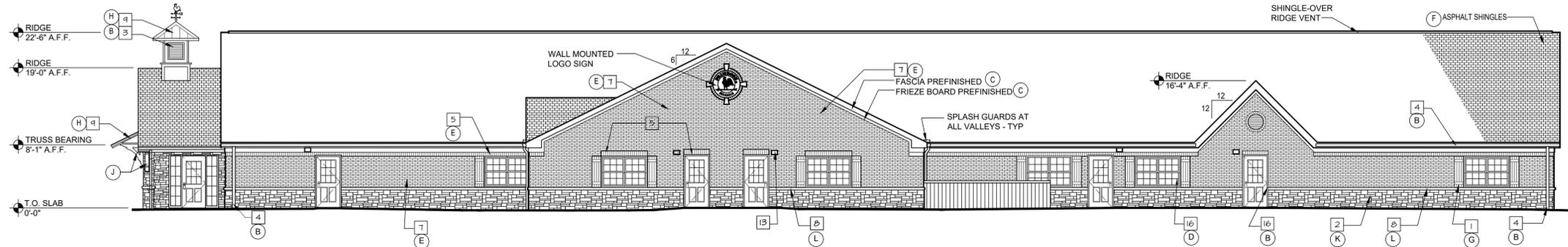
**1 WEST ELEVATION**

SCALE: 1/8" = 1'-0"



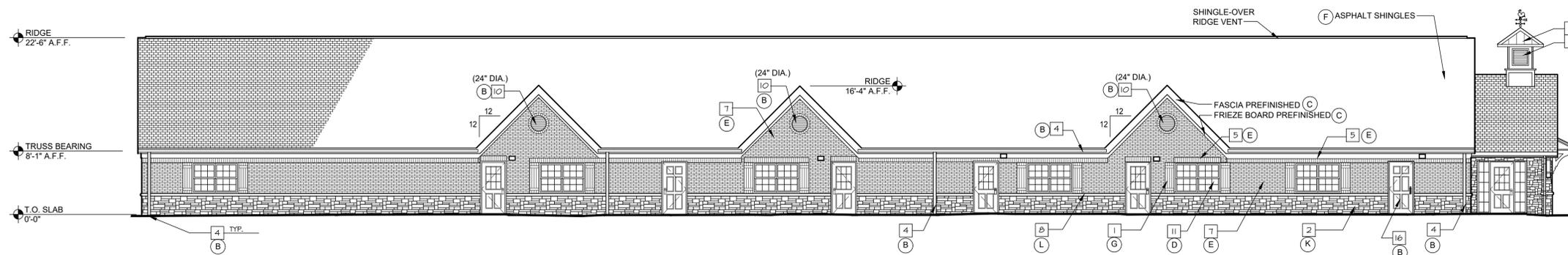
**2 EAST ELEVATION**

SCALE: 1/8" = 1'-0"



**3 SOUTH ELEVATION**

SCALE: 1/8" = 1'-0"



**4 NORTH ELEVATION**

SCALE: 1/8" = 1'-0"

**KEYED NOTES:**

- 1 VINYL SHUTTERS- SEE WINDOW SCHEDULE FOR SIZES.
- 2 STONE. SEE EXTERIOR COLOR ABOVE FOR MANUFACTURER.
- 3 CUPOLA WITH WEATHER VANE. SEE SPECIFICATIONS SECTION OF DRAWINGS. PAINT CUPOLA WALLS AND LOUVERS PER EXTERIOR FINISH SCHEDULE. DARK BRONZE STANDING SEAM ROOF. (EPOXY ROOSTER)
- 4 EXTRUDED ALUMINUM 5" WIDE GUTTERS WITH SPIKE & FERRULE AT 36" O.C. OGEE PROFILE. CONNECT 4"DIA. DOWNSPOUTS TO UNDERGROUND STORM SYSTEM.
- 5 BRICK SOLDIER COURSE
- 6 EXTRUDED ALUMINUM 3" P/A DOWNSPOUTS TO UNDERGROUND STORM SYSTEM.
- 7 BRICK VENEER
- 8 ROUNDED PRECAST SILL - NATURAL WHITE COLOR
- 9 STANDING SEAM ROOF ON METAL FRAME
- 10 24" OR 36" DIAMETER VENT LOUVERS. PROVIDE PAINTABLE UNIT AND PAINT PER SCHEDULE. SIZE AND HEIGHT AS SHOWN ON ELEVATIONS.
- 11 ALUMINUM SINGLE HUNG WINDOWS WITH CLEAR GLASS (SEE ELEV. SHEET A2.1)
- 12 FIXED ALUMINUM WINDOWS WITH TINTED GLASS. (SEE ELEVATIONS SHEET A2.1)
- 13 WALL MOUNTED LIGHT FIXTURE. TYP. AT EACH EXTERIOR DOOR. SEE LIGHT FIXTURE SCHEDULE. FLUSH TOP TO BOTTOM OF SOFFIT OR 80" MIN AFG.
- 14 STOP BULLNOSE SILL AS REQUIRED TO ALLOW SPACE FOR ELECTRICAL SWITCHGEAR.
- 15 6" REFLECTORIZED ADDRESS NUMBERS - 6" BLACK
- 16 H.M. INSUL. EXTERIOR DOOR AND FRAME - SEE DOOR SCHEDULE

**EXTERIOR COLOR SCHEDULE**

A TRASH ENCLOSURE GATES (POST & HINGES) & SHUTTERS	#BM HC 112 TATE OLIVE (INDUSTRIAL ENAMEL, EXTERIOR APPLICATION)
B EXTERIOR WD. TRIM, EXTERIOR DOORS, FRAMES, LOUVERS, CUPOLA WALLS, GUTTERS AND AND DOWNSPOUTS, SOFFITS.	TO MATCH HARDIE TRIM SANDSTONE BEIGE, JH30-20 (BM HC-82 or SW SW 6157)
C EXTERIOR FASCIA, FRIEZE	SANDSTONE BEIGE, JH30-20 (BM HC-82 or SW SW 6157)
D WINDOWS	BEIGE ALUMINUM/VINYL
E BRICK	BORAL CONCORD MODULAR GROUT: BUFF COLORED MORTAR
F ASPHALT SHINGLES:	MANUF.: GAF STYLE: TIMBERLINE NATURAL SHADOW-LIFETIME WARRANTY COLOR: WEATHERED WOOD SG
NOTE: ALL ROOF MOUNTED EQUIPMENT SHALL BE PAINTED TO MATCH ROOF COLOR	
G VINYL SHUTTERS	architecturaldepot.com - 14" JOINED SHUTTERS WINSTALL SCREWS WIDE STANDARD SIZE FOUR BOARD PAINT TATE OLIVE
H STANDING SEAM ROOF:	AEP-SPAN SNAPSEAM - 12" COLOR = DARK BRONZE
J STEEL AWNING SUPPORTS & WOOD BRACKETS:	SANDSTONE BEIGE, JH30-20 (BM HC-82 or SW SW 6157) (INDUSTRIAL ENAMEL, EXTERIOR APPLICATION)
K STONE:	LONESTAR STONE - LIBERTY CLASSIC - AUTUMN GROUT: BUFF COLORED MORTAR
L ROUNDED PRECAST SILL:	NATURAL WHITE COLOR

Proposed Building For:  
**Primrose School Franchising Company**  
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 Acworth, Georgia 30101  
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**CASCO**  
 10877 WATSON ROAD  
 ST. LOUIS, MO 63127  
 PROJECT MANAGERS

SITE:  
 S. 85th E. AVENUE  
 BIXBY, OKLAHOMA

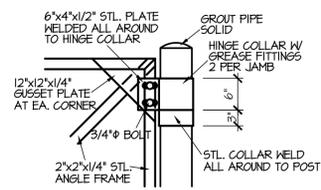
DRAWING TITLE:  
**EXTERIOR ELEVATIONS**

DATE:  
 06/21/16

PROJECT NUMBER:  
 916557

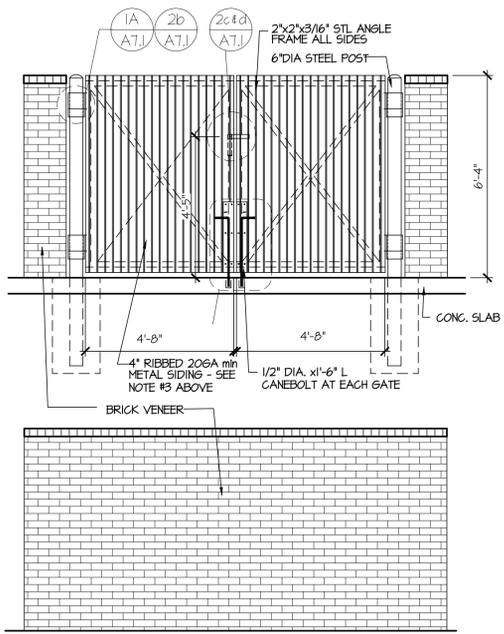
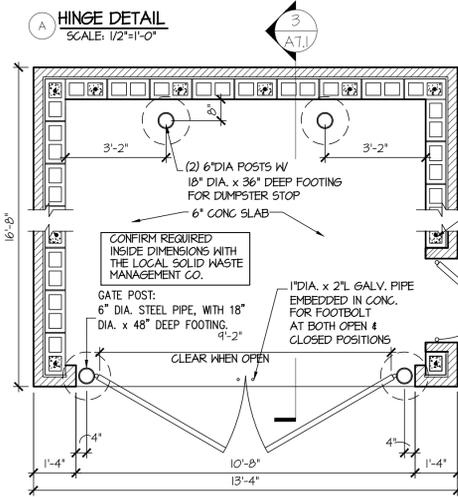
DRAWING NUMBER:

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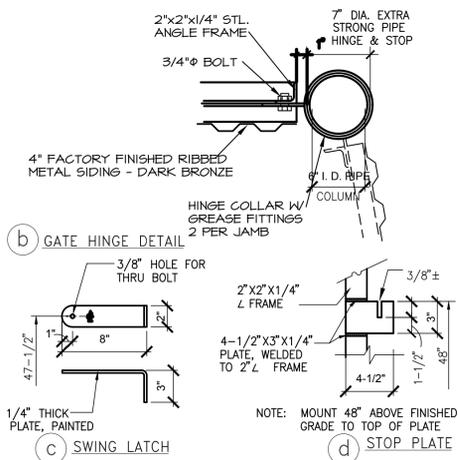
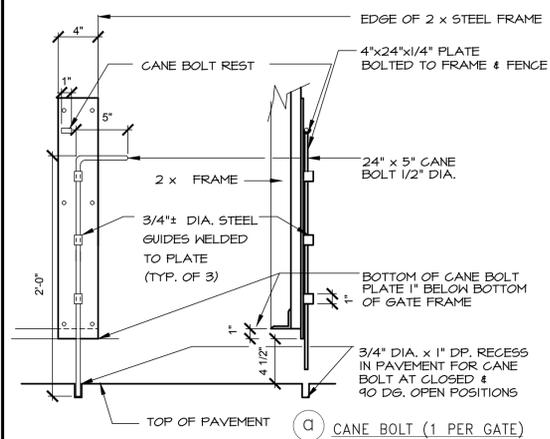


**GEN. NOTES**

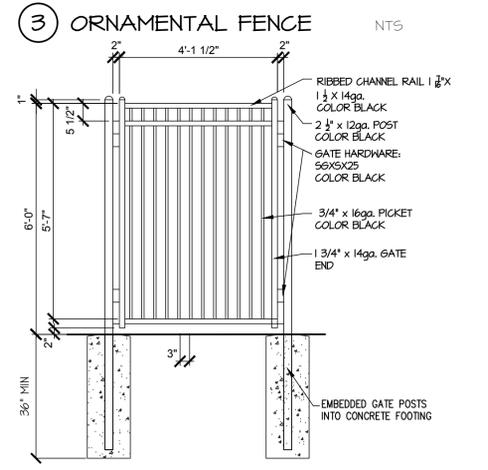
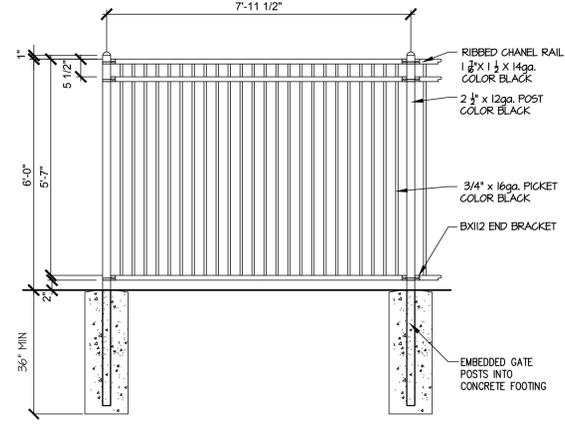
- 1) 6" DIA STEEL POSTS SHALL BE SET A MINIMUM OF 36" INTO CONCRETE.
- 2) BRICK COLOR TO MATCH THE BRICK ON THE BUILDING, U.N.O.
- 3) PAINT DUMPSTER GATE, POST, HINGES AND ACCESSORIES AS SPECIFIED ON "EXTERIOR FINISH SCHEDULE".



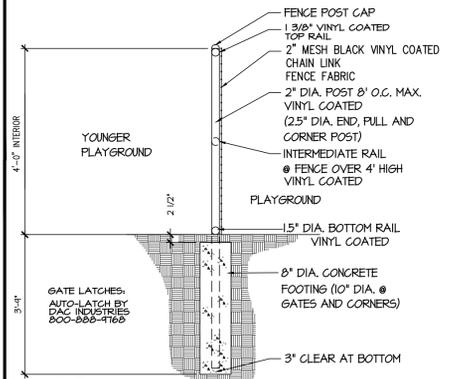
**1 REAR ELEVATION LEFT SIDE ELEVATIONS ARE SIMILAR) DUMPSTER PLAN & ELEVATION 3/8"=1'-0"**



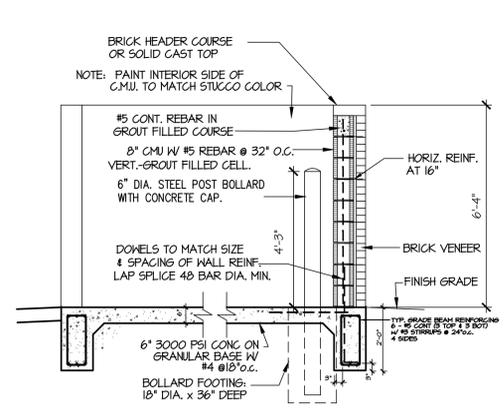
**2 HARDWARE DETAILS N.T.S.**



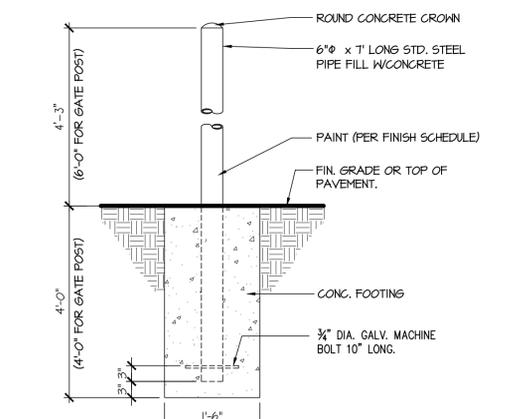
**3 ORNAMENTAL FENCE N.T.S.**  
**4 ORNAMENTAL GATE N.T.S.**



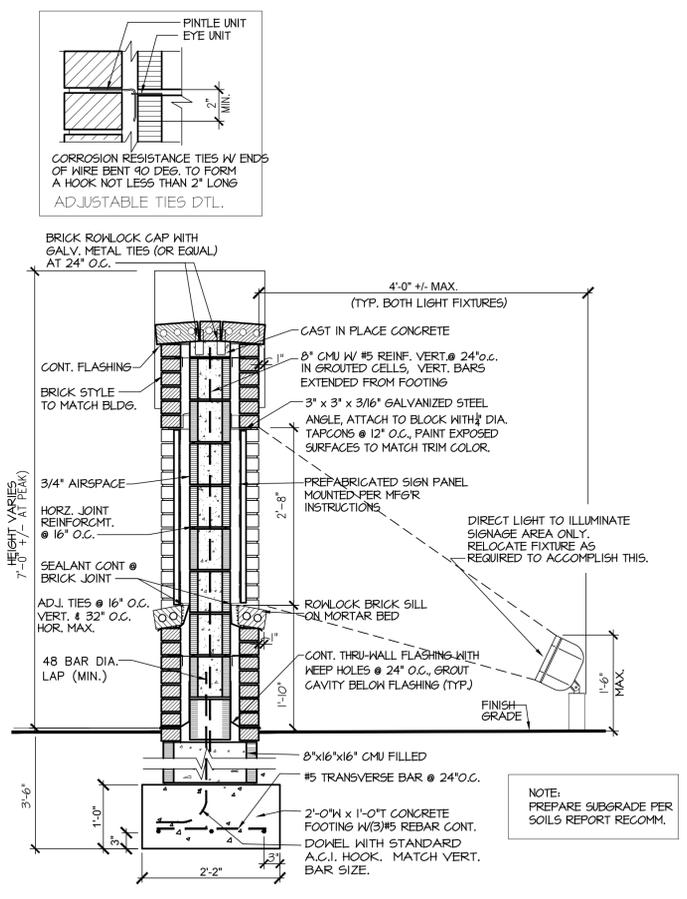
**5 CHAIN LINK FENCE N.T.S.**



**6 DUMPSTER SECTION 3/8"=1'-0"**



**7 BOLLARD (OR GATE POST) DETAIL 3/4"=1'-0"**



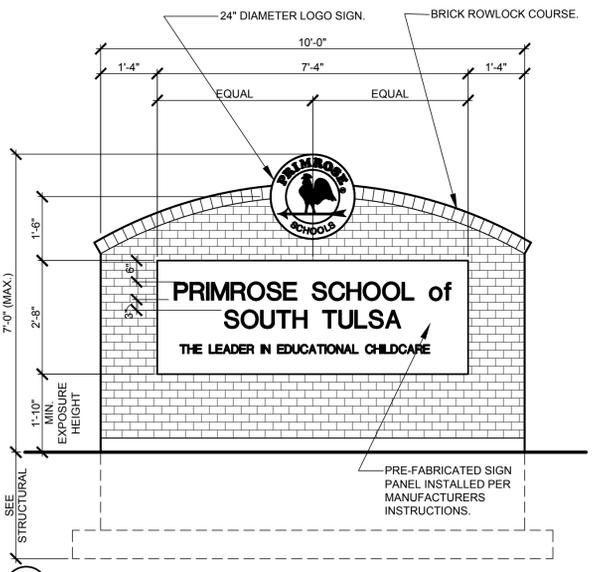
**8 MONUMENT SIGN SECTION 3/4"=1'-0"**

**MONUMENT SIGN SPECIFICATIONS:**

LOGO	24" DIAMETER SANDBLASTED. COLOR: TATE OLIVE OVER BEIGE BACKGROUND.
LETTERS	DARK BRONZE, 5" HIGH. STYLE: TIMES BOLD.
STRIP LETTERS	DARK BRONZE, 2 1/2" HIGH. STYLE: TIMES BOLD.
BACKGROUND	PAINTED METAL. COLOR: BEIGE.
BRICK	BRICK COLOR TO MATCH MAIN BUILDING.

**MONUMENT SIGN AREAS:**

SIGN (COPY AREA)	2'-8" H. x 7'-4" W. = 19.5 SQ. FT.
LOGO	2'-0" DIAMETER = 3.1 SQ. FT.
OVERALL	22.6 SQ. FT. x 2 SIDES = 45.2 SQ. FT.



**9 MONUMENT SIGN ELEVATION 3/8"=1'-0"**

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Acworth, Georgia 30101  
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ST. LOUIS, MO 63127  
PROJECT MANAGERS

SITE:  
S. 85th E. AVENUE  
BIXBY, OKLAHOMA

DRAWING TITLE:  
**SITE DETAILS**

DATE:  
05/27/16

PROJECT NUMBER:  
916557

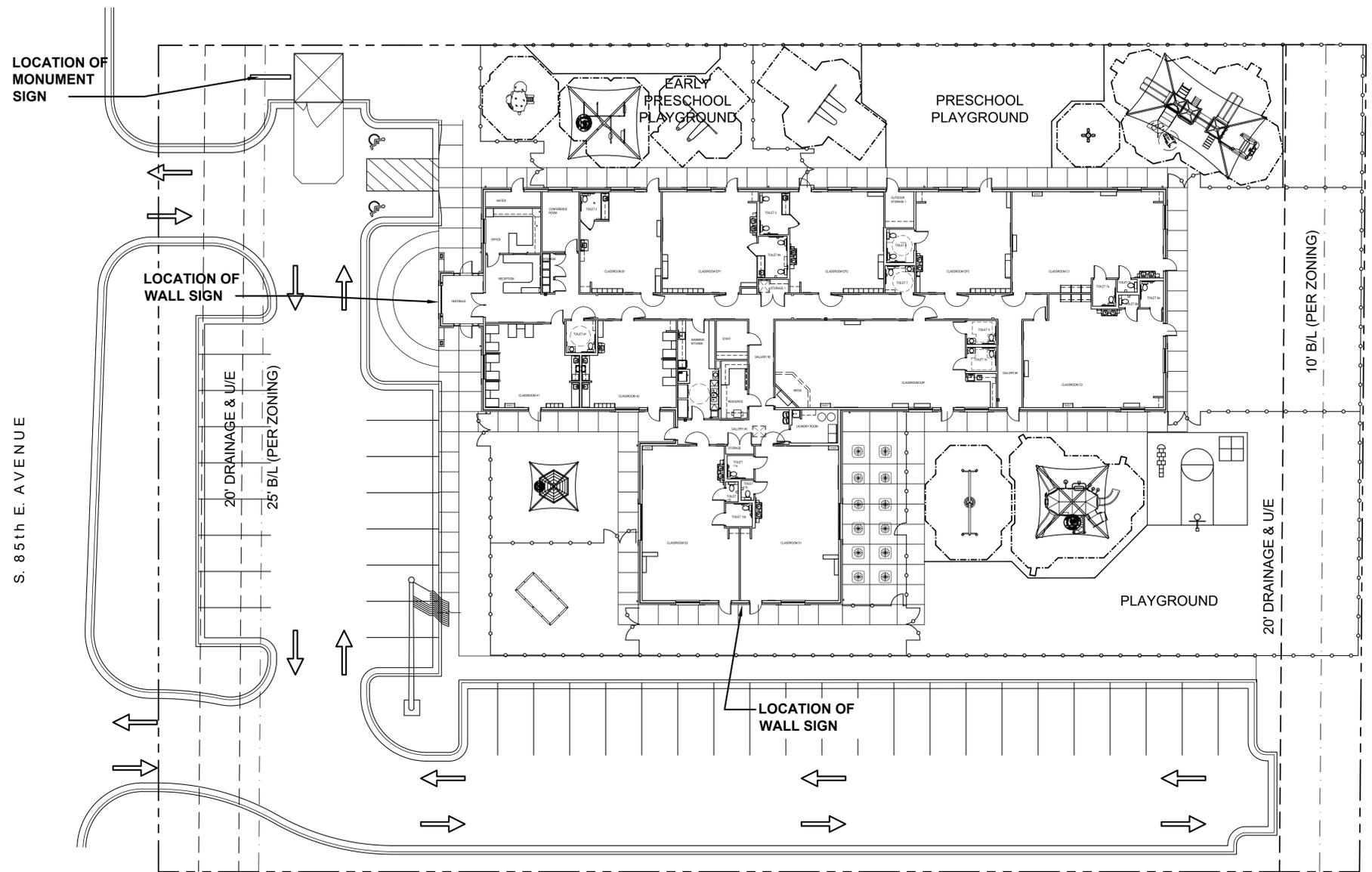
DRAWING NUMBER:  
**A7.1**

FRANCHISE OWNER SIGN OFF

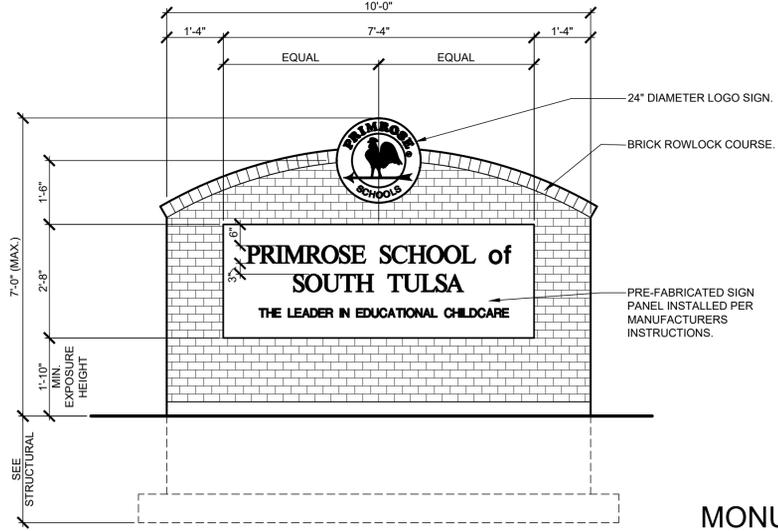
APPROVED BY: \_\_\_\_\_  
FRANCHISE OWNER

DATE: \_\_\_\_\_

SIGNAGE SUBJECT TO AHJ APPROVAL



**SITE PLAN**  
SCALE = 1/16" = 1'-0"  
NORTH



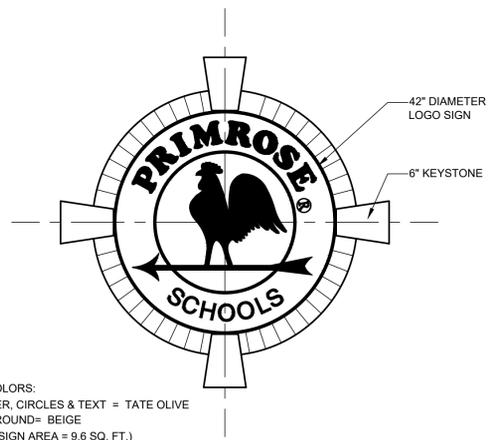
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OVERALL	22.6 SQ. FT. x 2 SIDES = 45.2 SQ. FT.

**MONUMENT SIGN ELEVATION**  
SCALE = 1/2" = 1'-0"



SIGN COLORS:  
ROOSTER, CIRCLES & TEXT = TATE OLIVE  
BACKGROUND= BEIGE  
(TOTAL SIGN AREA = 9.6 SQ. FT.)

**WALL SIGN ELEVATION**  
SCALE = 3/4" = 1'-0"

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PROJECT MANAGERS

SITE:  
PRIMROSE SCHOOL of SOUTH TULSA  
S. 85th E. AVENUE  
BIXBY, OKLAHOMA

DRAWING TITLE:  
**SIGN APPROVAL PLAN & ELEVATIONS**

DATE:  
06/21/16

PROJECT NUMBER:  
916557

DRAWING NUMBER:  
**X-1**

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