



City of Bixby Planning Commission Meeting Agenda

Monday, November 20, 2023

6:00 PM

Municipal Building
116 W. Needles Ave., Bixby,
OK 74008

Call to Order

Chairman

Roll Call

Secretary

Consent Agenda

- 1) Approval of the Minutes from October 16, 2023 Regular Planning Commission Meeting.

Public Hearings

- 2) Discussion and possible approval of Bixby Preliminary Plat (B.X.P.T.) number 23.17, for South County Industrial Park, 70 acres, containing eleven (11) lots, two (2) blocks, and two (2) reserve areas, in Section 16, Township 17 North, Range 13 East, located One-half (1/2) mile North of 151st Street South and West of Kimberly Clark Place.
- 3) Discussion and possible approval of Bixby Conditional Final Plat (B.X.P.T.) number 23.16, for Haikey Creek Estates, Blocks 1-7, 44.30 acres, containing sixty-eight (68) lots, seven (7) blocks, and four (4) reserve areas, in Section 07, Township 17 North, Range 14 East, located South of East 131st Street South and East of Mingo Road, 13500 Block of Mingo Road.
- 4) Discussion and possible approval of Bixby Final Plat (B.X.P.T.) number 23.15, for City West Complex, 16 acres, containing one (1) lot, one (1) block, and three (3) reserve areas, in Section 15, Township 17 North, Range 13 East, located approximately 200 feet West of the Northwest corner of East 151st Street South and South Sheridan Road.

- 5) Discussion and possible approval of Bixby Zoning (B.X.Z.O) number 23.11, Rezoning for The Performing Arts Center, a proposed amendment to a zoning district in the City of Bixby, from Commercial Heavy (C.H.) and Residential Single-family (R.S.-3) to Commercial Heavy (C.H.), the property contains 13.71 acres in Section 24, Township 17 North, Range 13 East, located on the block South of East Dawes Avenue, and North of East Breckenridge Avenue, and East of North Montgomery Street, West of North Stanley Street.
- 6) Discussion and possible approval of Bixby Specific Use Permit (B.X.S.U.P.) number 23.05, for Bixby Public Schools containing 4.36 acres in Section 24, Township 17 North, Range 13 East, located at 23 South Riverview Drive.
- 7) Discussion and possible approval of Bixby Zoning (B.X.Z.O) number 23.13, Rezoning for 116 and 114 Development, a proposed amendment to a zoning district in the City of Bixby, from Residential Single Family (R.S.-3), to Commercial Heavy (C.H.) to allow for a Commercial Mixed Use Development, in Section 24, Township 17 North, Range 13 East, located at 114 East Breckenridge Avenue.
- 8) Discussion and possible approval of Bixby Planned Unit Development (B.X.P.U.D) number 23.05 , for 116 and 114 Development, in Section 24, Township 17 North, Range 13 East, located at 114 East Breckenridge Avenue.
- 9) Discussion and possible approval of Bixby Zoning (B.X.Z.O.) number 23.12, Rezoning for Christian Brothers Automotive, a proposed amendment to a zoning district in the City of Bixby, from Office Light (O.L.) to Commercial Shopping (C.S.), contains 1.11 acres in Section 1, Township 18 North, Range 13 East, located at 8250 East 121st Street.
- 10) Discussion and possible approval of Bixby Planned Unit Development (P.U.D. 81, Major Amendment No. 5), for Christian Brothers Automotive, a proposed amendment to the P.U.D. to the zoning district in the City of Bixby, from Office Light (O.L.) to Commercial Shopping (C.S.), contains 1.11 acres in Section 1, Township 18 North, Range 13 East, located at 8250 East 121st Street.
- 11) Discussion and possible approval of Bixby Specific Use Permit (B.X.S.U.P.) number 23.06, Specific Use Permit for Christian Brothers Automotive, containing 1.11 acres in Section 1, Township 18 North, Range 13 East, located at 8250 East 121st Street.

- 12) Discussion and possible approval of Bixby Specific Use Permit (B.X.S.P.) number 23.16, Site Plan for Christian Brothers Automotive, containing 1.11 acres in Section 1, Township 18 North, Range 13 East, located at 8250 East 121st Street.

Old Business

New Business

Adjourn

Adjourn

Notice of Posting

This Notice and Agenda was posted on the bulletin board the 17th day of November, 2023, at or before 6:00 p.m., at City Hall, 116 W. Needles Bixby, Oklahoma.

Respectfully Submitted

Gwen Plante, Assistant City Planner

Persons who require special accommodation to participate in this meeting should contact Assistant City Planner Gwen Plante:: 116 West Needles Avenue, Bixby, Oklahoma, 918-366-4430 or via Email: gplante@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.

Planning Commission Meeting Minutes

Municipal Building
116 W. Needles Ave., Bixby, OK 74008
October 16, 2023 at 6:00 PM

DRAFT

Call to Order

Chairman Hobbs called the Bixby Planning Commission Meeting to order at 6:27 pm.

Roll Call

Gwen Plante, Assistant City Planner, called the roll, and the following were present:

Members Present

Steve Hobbs
Jason Mohler
Tom Holland
Josh Nave
Lance Whisman

Staff Present

Joey Wiedel, Development Services Director
Gwen Plante, Assistant City Planner
Justin Dowd, City Engineer

Consent Agenda

Consider and Approve Gwen Plante as Planning Commission Secretary.

Approval of the Minutes from September 18, 2023 Regular Planning Commission Meeting.

Consider and Approve the 2024 Planning Commission Calendar

Chairman Hobbs said Items 1-3 of the Consent Agenda are up for discussion and consideration.

Chairman Hobbs asked for a motion to approve items 1-3 of the Consent Agenda. Commissioner Holland made a motion to approve, seconded by Vice Chair Mohler. The vote was taken with the following results:

Carried: 5-0

Ayes: Whisman, Nave, Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Public Hearings

Discussion, consideration, and possible vote to approve a Comprehensive Plan Amendment (BXCP 23.02), Rezone (BXZO 23.08), Planned Unit Development (BXPUD 23.03), and Preliminary Plat (BXPT 23.14) for The Fountains located on the Northwest Corner of South 121st Street and South Mingo Road.

Chairman Hobbs said Item 4 on the Regular Agenda is up for discussion and consideration.

Item presented by Justin Dowd

Others who spoke: Paul Blair

Applicant: Megan Pazzo, Tanner Consulting

Justin Dowd presented to the Planning Commission a project for The Fountains, proposing a Comprehensive Plan Amendment, Rezone, PUD, and Preliminary Plat. Applicant Megan Pasco described the project more in-depth and was available for questions.

Discussions were held on the Comprehensive Plan Amendment, the request to Re-zone the property, and add Planned Unit Development (PUD) along with the Preliminary Plat for the Fountains located on the Northwest Corner of South 121st Street and South Mingo Road.

Commissioner Nave brought up the materials used for fencing between the neighborhood and the commercial development. The applicant, Megan Pasco, with Tanner Consulting, described the location and explained they believe the buffer around the ponds and reserve area would be sufficient for a six (6) foot wooden privacy fence along the West portion of the Commercial. Commissioner Holland had a concern about the height of the fencing. Commissioner Holland requested that there be an eight (8) foot privacy fence along the West portion, and the applicant agreed.

Speaker, Paul Blair stated he was glad to see commercial development coming to this corner and wanted to make sure that it remained commercial and agreed that there needed to be sufficient buffers between the residential and commercial lots.

Commissioner Holland wanted to make sure that if a 24-hour business came in, the fencing requirement would need to meet the zoning code. Commissioner Whisman was concerned that the lot on the Southwest corner might pose a problem with the 6 Ft. privacy fence and the lights from vehicles in a drive-through business. The applicant stated that the plan was for the commercial lots to be in place prior to the residential so that there was no question from residents when purchasing the lots that the corner would have commercial businesses. Commissioner Holland stated that any commercial businesses coming in a site plan would be coming back through them for approval. Commissioner Nave asked who would be responsible for maintaining the ponds. The consultant stated it would be the responsibility of the HOA.

Chairman Hobbs asked for a motion to approve item 1. for the Comprehensive Plan Amendment (BXCP 23.02) for The Fountains. Commissioner Nave made a motion to approve, seconded by Vice-Chair Mohler. The vote was taken with the following results:

Carried: 5-0

Ayes: Whisman, Nave, Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Chairman Hobbs asked for a motion to approve Item 1, the Re-zone (BXZO 23.08) for The Fountains. Commissioner Nave made a motion to approve, seconded by Chairman Hobbs. The vote was taken with the following results:

Carried: 5-0

Ayes: Whisman, Nave, Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Chairman Hobbs asked for a motion to approve Item 1, for the Planned Unit Development (BXPUD 23.03) for The Fountains. Commissioner Nave made a motion to approve the PUD with an 8 Ft. wooden privacy fence between commercial and residential, seconded by Commissioner Whisman. The vote was taken with the following results:

Carried: 5-0

Ayes: Whisman, Nave, Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Chairman Hobbs asked for a motion to approve Item 1, Preliminary Plat (BXPT 23.14) for The Fountains. Chairman Hobbs made a motion to approve, seconded by Commissioner Holland. The vote was taken with the following results:

Carried: 5-0

Ayes: Whisman, Nave, Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Discussion, consideration, and possible vote to approve Rezone (BXZO 23.10) for Pittman Commercial located approximately one-half mile South of 161st Street and East of Memorial Drive.

Chairman Hobbs said Item 5 on the Regular Agenda is up for discussion and consideration.

Item presented by Justin Dowd

Others who spoke: Paul Blair, and Kevin Reneger

Applicant: Megan Pasco, Tanner Consulting

Justin Dowd presented Item 5 to the Planning Commission an overview of the Pittman Commercial rezoning request to align this portion of the property with the adjacent commercial. The applicant, Megan Pasco of Tanner Consulting, provided a more detailed overview of the project and was available for any questions.

Resident Paul Blair spoke on this matter, advocating for this project. He is concerned about the lack of ODOT progress in this area with the blind spots along the curve and traffic issues. Kevin Reneger stated he is concerned about the flooding issues in Saker, where he lives. He further stated that there are issues with the ponds and drainage and is concerned that this project will increase the flooding issues. Megan of Tanner Consulting, addressed the concerns, advising that all engineering would have to be addressed in the platting process.

Commissioner Holland inquired if this was the appropriate time to bring up concerns regarding the uses of this commercial property. Justin Dowd explained that this was only a zoning case, not governed under a PUD, it would be straight zoning of Commercial Shopping (CS) as the applicant is not asking for a PUD. Commission Mohler suggested that if there were concerns over particular items within the zoning code that they would like to see changed, it should be brought up while we are in the process of updating our zoning code.

Chairman Hobbs asked for a motion to approve item 5 for the Rezone (BXZO 23.10) for Pittman Commercial. Vice-Chair Mohler made a motion to approve, seconded by Commissioner Whisman. The vote was taken with the following results:

Carried: 5-0

Ayes: Whisman, Nave, Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Discussion, consideration, and possible vote to approve Rezone (BXZO 23.09) and Planned Unit Development (BXPUD 23.04) for Robinson Ranch South, located one-half mile South of 161st Street and East of Memorial Drive.

Chairman Hobbs said Item 6 on the Regular Agenda is up for discussion and consideration.

Item presented by Justin Dowd

Others who spoke: Paul Blair, and Kevin Reneger

Applicant: Megan Pasco, and Justin Morgan with Tanner Consulting

Justin Dowd presented to the Planning Commission a project for Robinson Ranch South, proposing a Rezone and PUD. The applicant is requesting to change the current zoning from Agriculture (AG) to Residential Single-family (RS-3) with a PUD.

Commissioner Nave asked Justin Dowd if this project would alleviate flooding from Saker. Justin explained that the projects that have been completed in the area have improved the drainage in the area. This project will make things better, but if Little Snake Creek is out of its banks, in a 100-year flood event, there is not anything that can prevent flooding in that area.

Megan Pasco of Tanner Consulting explained the project in more depth and elaborated on the other Robinson Ranch Developments and the flooding issues and mitigation. However, you cannot prevent flooding when a development is 2 Ft. below the 100-year water elevation. Robinson Ranch South will be giving up 40% of the usable area for channels for floodplain storage. Detention is usually 20-25% of a development. There will be a channel along the South portion of the development and adjacent to Saker, so they will not be contributing to the flooding problem but helping to make the situation better. She continued by answering questions from the Commissioners. Commissioner Nave asked if they would be filing a LOMR or if it was outside of the floodplain. Megan said it is outside of the floodplain but they needed to file the LOMR, but there would be no residential houses within the floodplain. He additionally asked if this will not affect the neighbors, how can we know that it will have a positive effect on the neighbors? Justin Morgan, with Tanner Consulting, talked about the engineering portion of Robinson Ranch South and again stated that this development was providing 40% of its surface to floodplain storage to help mitigate any flooding in the area.

Speaker Paul Blair expressed concerns over increased flooding in this area and if the detention that

Tanner Consulting mentioned would be enough to not negatively impact the Saker Addition. Speaker Kevin Reneger expressed his concerns regarding flooding and said the existing flood control measures that the City has implemented he feels are not working.

The applicant addressed the concerns brought up by the speakers and Commissioners.

Chairman Hobbs asked for a motion to approve item 6 for the Rezone (BXZO 23.09) for Robinson Ranch South. Commissioner Nave made a motion to approve, seconded by Vice-Chair Mohler. The vote was taken with the following results:

Carried: 5-0

Ayes: Whisman, Nave, Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Chairman Hobbs asked for a motion to approve item 6 for the PUD (BXPUD 23.04) for Robinson Ranch South. Chairman Hobbs made a motion to approve, seconded by Commissioner Whisman. The vote was taken with the following results:

Carried: 5-0

Ayes: Whisman, Nave, Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Discussion, consideration, and possible vote to approve Specific Use Permit (BXSUP 23.04) for FIX Automotive located at 12105 South Memorial Drive, Bixby, Oklahoma.

Chairman Hobbs said Item 7 on the Regular Agenda is up for discussion and consideration.

Item presented by Justin Dowd

Others who spoke:

Applicant: Larry Hamm

Justin Dowd presented to the Planning Commission a project for FIX Automotive, requesting a Specific Use Permit for Use Unit 17, for the use of Automotive and Allied Activities. The applicant is requesting an SUP for the purposes of having an auto repair and body shop facility. The property is currently zoned Commercial Shopping (CS). Use Unit 17 is allowed with an SUP. Use Unit 17 uses include includes vehicle repair and service (except painting). (Ord. 272, 4-2-1974; amd. Ord. 994, 4-14-2008; Ord. 2031, 12-21-2009).

The applicant, Larry Hamm, explained the project in more depth, answering questions from the Commissioners.

Commissioner Nave said he would like to request that the building be brought up to the Memorial Corridor Appearance District for all sides to be masonry. Staff explained that it is all sides facing the public right of way. Commissioner Holland and Nave were concerned over the fact there might be wrecked vehicles in the parking lot abutting Memorial and requested that all vehicles be located behind a screened fenced area. Staff advised that a Site Plan would come back before the Planning Commission and City Council for approval.

Chairman Hobbs asked for a motion to approve item 7 for the Specific Use Permit (BXSUP 23.04) for

FIX Automotive. Commissioner Whisman made a motion to approve the recommendation that it be brought up to the Memorial Corridor Appearance District and that any vehicles in need of repair be behind the screened area, seconded by Chairman Hobbs. The vote was taken with the following results:

Carried: 3-2

Ayes: Whisman, Mohler, Hobbs

Nays: Nave, Holland,

Abstain: 0

Discussion, consideration, and possible vote to approve a Site Plan (BXSP 23.11) for Courts and Commons located at 7921 East 119th Drive, Bixby, Oklahoma.

Chairman Hobbs said Item 8 on the Regular Agenda is up for discussion and consideration.

Item presented by Justin Dowd

Others who spoke:

Applicant: Josh Juarez

Justin Dowd presented to the Planning Commission a project for Courts and Commons, requesting Site Plan approval (BXSP 23.11) and provided a brief overview of the project.

Chairman Hobbs asked for a motion to approve item 8 for approval of the Site Plan (BXSP 23.11) for Courts and Commons. Commissioner Nave made a motion to approve, seconded by Vice-Chair Mohler. The vote was taken with the following results:

Carried: 5-0

Ayes: Whisman, Nave, Holland, Mohler, Hobbs

Nays: 0

Abstain: 0

Discussion, consideration, and possible vote to approve a Site Plan (BXSP 23.10) for Marlee Office No. 4 located at 7916 East 126th Street South, Bixby, Oklahoma.

Chairman Hobbs said Item 9 on the Regular Agenda is up for discussion and consideration.

Item presented by Justin Dowd

Others who spoke:

Applicant:

Justin Dowd presented to the Planning Commission a project for Marlee Office No. 4, requesting Site Plan approval (BXSP 23.10) and providing a brief overview of the project.

Chairman Hobbs asked for a motion to approve item 9 for approval of the Site Plan (BXSP 23.10) for Marlee Office No. 4. Commissioner Whisman made a motion to approve, seconded by Commissioner Nave. The vote was taken with the following results:

Carried: 5-0

Ayes: Whisman, Nave, Holland, Mohler, Hobbs
Nays: o
Abstain: o

Old Business

New Business

Adjournment

Planning Commission Adjourned 8.52 PM

DRAFT

Chairman

Secretary



City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission

From: Gwen Plante, Assistant City Planner

Date: November 20, 2023

Name: ***South County Industrial Park***

RE: Preliminary Plat (**BXPT 23.17**)

Location: One-half (1/2) Mile North of 151st Street and West of Kimberly Clark Place, approximately 70 acres.

Applicant: Engineered by Design, Aaron Hale

Request: The applicant is requesting a Preliminary Plat (**BXPT 23.17**) for South County Industrial Park.

Site Stats:

Acres: 70 ac +/-	Min. Lot Size: Per IL Zoning	DU/acre: N/A
Number of Lots: 11 Lots	Number of Blocks: 2 Block	Reserve Areas: 2

Existing Zoning; Use:
Industrial Light (IL)

Abutting Zoning; Use:
North: (AG) Agriculture - Vacant
East: (RS-3) Single-Family dwellings
South: (CS), (IL) and (RS-3) - Vacant
West: (AG) Agriculture - Vacant

[illegible]

The applicant is requesting a Preliminary Plat (BXPT 23.17) for South County Industrial Park.

All uses allowed by right in Use Unit 22, Use Unit 22A, Use Unit 23, and Use Unit 25 except as defined below:

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Prohibited Uses:

The following uses shall be prohibited by the PUD and not allowed on the Property:

(There are use units not in permitted use that are identified to be clear that they cannot be introduced as an accessory use.)

Use Unit 13- Medical Marijuana Dispensary (To include transporting use)

Use Unit 22 - Medical marijuana research facility. Use Unit 22A - Medical marijuana testing laboratory.

Use Unit 23 – Medical Marijuana Warehousing and Wholesaling Facility.
Medical Marijuana Grow Facility

Sexually Oriented Business as defined in Section 11-7D-6 Bixby Zoning Code

Public Comments: No comments have been received by staff, for or against, regarding the application for Preliminary Plat.

Staff Comments:

1. Staff supports approval of the requested Preliminary Plat (BXPT 23.17).

Engineering/TAC Comments:

1. Applicant is to dedicate a portion of the property to the City for the maintenance of the existing lift station and force main along with space for a future booster pump station. Exact property dimensions are to be determined prior to the submittal of the final plat.

Staff Recommendation: Approval

Figures: Figure 1: City of Bixby Zoning Map

Curve Table

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	56.10'	35.00'	91°49'47.06"	N 61°16'22" W	50.28'
C2	55.32'	35.00'	90°33'24.45"	N 27°32'02" E	49.74'
C3	205.16'	160.00'	73°27'57.53"	S 36°04'46" W	191.39'
C4	156.30'	580.00'	15°26'25.21"	S 07°03'59" W	155.83'
C5	25.32'	25.00'	58°02'03.41"	S 14°13'50" E	24.25'
C6	249.27'	60.00'	238°02'03.41"	S 75°46'10" W	104.94'
C7	134.74'	500.00'	15°26'25.21"	N 07°03'59" E	134.34'
C8	307.73'	240.00'	73°27'57.53"	N 36°04'46" E	287.08'
C9	54.61'	35.00'	89°23'46.04"	N 45°57'20" W	49.24'
C10	55.35'	35.00'	90°36'13.96"	N 44°02'40" E	49.76'
C11	249.27'	60.00'	238°02'03.41"	S 29°40'15" E	104.94'
C12	25.32'	25.00'	58°02'03.41"	S 60°19'45" W	24.25'

Line Table

LINE	BEARING	DISTANCE
L1	S 72°48'44" W	97.47'
L2	S 00°39'13" E	265.27'
L3	S 14°47'12" W	68.82'
L4	N 14°47'12" E	140.93'
L5	N 00°39'13" W	265.27'
L6	N 72°48'44" E	99.14'
L7	N 89°20'47" E	670.89'
L8	S 89°20'47" W	600.36'

Address Note

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

Owner / Developer

SOUTH COUNTY INDUSTRIAL PARK, LLC
802 WEST 91ST STREET
TULSA, OKLAHOMA 74135
PHONE: (918) 284-7552
MR. JAMES ROBERTS

Surveyor

FRITZ LAND SURVEYING, LLC
524 EAST MAIN STREET
TULSA, OKLAHOMA 74037
PHONE: (918) 231-0575
EMAIL: fritzlandsurveying@gmail.com
C.A. # 5848 EXPIRES: 6-30-2024

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0980
EMAIL: ahale@engineeredbydesign.pro
C.A. # 7655 EXPIRES: 6-30-2024

Planned Unit Development: NO. 12 (MAJOR AMENDMENT C)

South County Industrial Park

A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, BEING A RE-PLAT OF PART OF SITRIN CENTER ADDITION (PLAT NO. 2993), AN ADDITION TO THE NORTHEAST QUARTER (NE/4) OF SECTION SIXTEEN (16), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

Subdivision Statistics

SUBDIVISION CONTAINS FOUR (4) LOTS IN TWO (2) BLOCKS AND ONE (1) RESERVE AREA
GROSS SUBDIVISION AREA: 3,051,908.6 SF OR 70.06 ACRES

Basis of Bearings

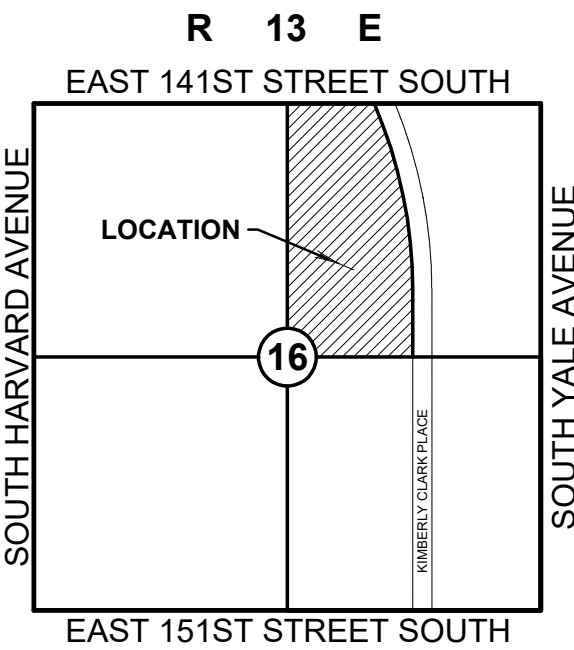
BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

Monumentation

ALL LOT CORNERS SHOWN HEREON WERE SET USING A 3/8" x 18" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ CA5848".

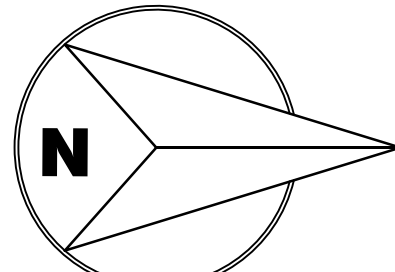
Floodplain Data

WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, CITY OF BIXBY, OKLAHOMA, COMMUNITY PANEL NO. 40143C0433L- OCTOBER 16, 2012, WHICH INDICATES THE SURVEYED PROPERTY TO BE WITHIN SHADED ZONE X (AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN), ZONE AE (AREAS DETERMINED TO BE WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN) AND THE FLOODWAY WITH A BASE FLOOD ELEVATION OF VARYING FROM 619' TO 624.6' AS SHOWN HEREON.

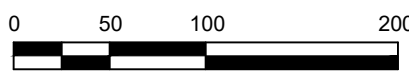


Location Map

SCALE: 1"=2000'



Scale: 1" = 100'



Legend

- B/L -- BUILDING SETBACK LINE
- L.N.A. -- LIMITS OF NO ACCESS
- OD/E -- OVERLAND DRAINAGE EASEMENT
- U/E -- UTILITY EASEMENT
- 1600 -- STREET ADDRESS

PRELIMINARY
PLAT

COUNTY TREASURER STAMP

STATE OF OKLAHOMA } SS
COUNTY OF TULSA }

I, MICHAEL WILLIS, 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 _____, 2024.

MICHAEL WILLIS, TULSA COUNTY CLERK

DEPUTY

SOUTH COUNTY INDUSTRIAL PARK
DEED OF DEDICATION & RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

SOUTH COUNTY INDUSTRIAL PARK, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA:

TRACT #1

A TRACT OF LAND IS A PORTION OF LOT TWO (2), BLOCK ONE (1), SITRIN CENTER ADDITION, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 2993, SAID TRACT BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 00°01'49" WEST, A DISTANCE OF 1323.58 FEET TO THE SOUTHWEST CORNER OF LOT 2; THENCE SOUTH 89°20'11" EAST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 1219.67 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTH YALE PLACE; THENCE NORTH 03°05'12" WEST A DISTANCE OF 0.00 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 1346.81 FEET, A RADIUS OF 3636.68 FEET, A CHORD BEARING OF NORTH 13°42'02" WEST AND A CHORD LENGTH OF 1339.12 FEET, SAID CURVE BEING ALONG THE WEST LINE OF SAID YALE PLACE, TO A POINT THAT IS THE INTERSECTION OF SAID WEST LINE OF YALE PLACE AND THE NORTH LINE OF SAID LOT 2; THENCE NORTH 89°15'28" WEST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 901.80 FEET TO THE POINT OF BEGINNING.

AND

TRACT #2

A TRACT OF LAND IS A PORTION OF LOT THREE (3), BLOCK ONE (1), SITRIN CENTER ADDITION, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 2993, SAID TRACT BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 3; THENCE SOUTH 00°01'49" WEST ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 1323.58 FEET; THENCE SOUTH 89°24'53" EAST, A DISTANCE OF 1225.91 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTH YALE PLACE; THENCE NORTH 00°00'58" WEST ALONG THE WEST RIGHT OF WAY LINE, A DISTANCE OF 1146.99 FEET TO A POINT OF CURVE; THENCE ALONG A TANGENT CURVE TO THE LEFT HAVING AN ARC LENGTH OF 175.93 FEET, RADIUS OF 3636.63 FEET, A CHORD BEARING OF NORTH 01°42'37" WEST AND A CHORD LENGTH OF 175.39 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 3; THENCE NORTH 89°20'11" WEST ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 1219.67 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 3,051,908.6 SQUARE FEET OR 70.06 ACRES.

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

THE OWNER/DEVELOPER HAS CAUSED THE SUBDIVISION PARCEL TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS AND PUBLIC STREETS, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS 'SOUTH COUNTY INDUSTRIAL PARK', A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA.

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. STREETS AND UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE STREETS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UE" OR "UTILITY EASEMENT", FOR OWNER/DEVELOPER AND ALL UTILITY SERVICES WITH FRANCHISE RIGHTS WITHIN TULSA COUNTY FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM 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 RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID; PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY ALL UTILITY LINES INCLUDING WATER LINES, EXCLUDING GAS LINES AND GAS SERVICE LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER SERVICE AND ALL UTILITY SERVICES, EXCLUDING NATURAL GAS, TO THE AREA INCLUDED IN THE PLAT AND ELSEWHERE, AS MAY BE REQUIRED. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE EASTERN PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT WAYS 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 EASEMENT WAYS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH ARE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5-FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- 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 EASEMENT WAYS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON HIS LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.
- THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER, SANITARY SEWER AND STORM SEWER

- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNER'S LOT.
- WITHIN UTILITY EASEMENTS, RESTRICTED WATERLINE, SANITARY SEWER, STORM SEWER AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT 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 ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, OR THE OWNER'S AGENTS AND/OR CONTRACTORS.
- THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS, RESTRICTED WATERLINE, SANITARY SEWER, STORM SEWER AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE

PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

D. GAS SERVICE

- THE SUPPLIER OF GAS SERVICE 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 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.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

F. RESERVE AREA "A"

RESERVE AREA "A" IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING A STORM WATER DETENTION AND OVERLAND DRAINAGE EASEMENT AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE SOUTH COUNTY CROSSING INDUSTRIAL PARK PROPERTY OWNERS' ASSOCIATION, FOR THEIR USE AND MAINTENANCE, AS SET FORTH WITHIN SECTION III HEREOF.

G. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF BIXBY, STATE OF OKLAHOMA AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, STATE OF OKLAHOMA.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, "SOUTH COUNTY INDUSTRIAL PARK" WAS SUBMITTED AS PART OF A PLANNED UNIT DEVELOPMENT NO. 12 (MAJOR AMENDMENT C), AS PROVIDED WITHIN THE PROVISIONS OF THE CITY OF BIXBY ZONING CODE PERTAINING TO PLANNED UNIT DEVELOPMENTS, AND

WHEREAS PUD NO. 12 (MAJOR AMENDMENT C) WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON SEPTEMBER 18, 2023 AND APPROVED BY BIXBY CITY COUNCIL ON SEPTEMBER 25, 2023, 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, STATE OF OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND AMENDMENTS THERETO, AND

WHEREAS, THE OWNER/DEVELOPER ESTABLISHED RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND CITY OF BIXBY, STATE OF OKLAHOMA, AND

THEREFORE, THE OWNER/DEVELOPER DOES HEREBY IMPOSE RESTRICTIONS AND COVENANTS TO ALL LOTS CONTAINED WITHIN THIS SUBDIVISION PLAT (SOUTH COUNTY INDUSTRIAL PARK), AND WHICH COVENANTS SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

GROSS LAND AREA: 70.06 ACRES

SOUTH COUNTY INDUSTRIAL PARK NEIGHBORHOOD P.U.D. DEVELOPMENT STANDARDS INCLUDES ALL LOTS LOCATED WITHIN SOUTH COUNTY INDUSTRIAL PARK:

PROHIBITED USES: THE FOLLOWING USES SHALL BE PROHIBITED BY THE PUD AND NOT ALLOWED ON THE PROPERTY:

(THERE ARE USE UNITS NOT IN A PERMITTED USE THAT ARE IDENTIFIED TO BE CLEAR THAT THEY CANNOT BE INTRODUCED AS AN ACCESSORY USE.)

USE UNIT 13- MEDICAL MARIJUANA DISPENSARY (TO INCLUDE TRANSPORTING USE)
USE UNIT 22- MEDICAL MARIJUANA RESEARCH FACILITY.
USE UNIT 22A- MEDICAL MARIJUANA TESTING LABORATORY.
USE UNIT 23- MEDICAL MARIJUANA WAREHOUSING AND WHOLESALEING FACILITY. MEDICAL MARIJUANA GROW FACILITY.
SEXUALLY ORIENTED BUSINESS AS DEFINED IN SECTION 11-7D-6 BIXBY ZONING CODE.

MINIMUM LOT AREA PER UNIT:	PER IL ZONE
MINIMUM WIDTH:	50 FEET
MINIMUM SETBACK FROM SIDE PROPERTY LINE:	10 FEET
MINIMUM SETBACK FROM DEVELOPMENT EAST PROPERTY LINE: (RESERVE AREA)	25 FEET
MINIMUM SETBACK FROM DEVELOPMENT NORTH PROPERTY LINE:	20 FEET
MINIMUM SETBACK FROM SOUTH PROPERTY LINE: (OFFICE ZONING)	25 FEET
MAXIMUM PERMITTED BUILDING HEIGHT:	40 FEET

A. SCREENING

PER IL - LIGHT INDUSTRIAL ZONING

B. LANDSCAPING

SUBMITTAL WITH THE REQUIRED SITE PLAN WILL BE AN EXTENSIVE LANDSCAPE PLAN. THE PLAN WILL COMPLY WITH ALL REQUIREMENTS OF THE CITY OF BIXBY CODES. AN ADDITIONAL LANDSCAPE BUFFER IS PLANNED ALONG THE RIGHT OF WAY OF KIMBERLY CLARK PLACE. THIS IS DESIGNED TO PROTECT THE RESIDENTIAL USES ALONG THIS ROADWAY. THE PLAN WILL ALSO INCLUDE PROTECTION OF EXISTING TREES, IF POSSIBLE, AND INCORPORATE FEATURES THAT THAT AIDE IN PROTECTING ADJACENT RESIDENTIAL USE FROM THE ACTIVITIES ON THE SITE. THE APPLICANT SHALL SUBMIT A LANDSCAPING PLAN PREPARED BY A LANDSCAPE ARCHITECT THAT MAXIMIZES VISUAL AESTHETICS AND POSSIBLE SOUND IMPROVEMENT TECHNIQUES DIRECTED AT RESIDENTIAL PROPERTIES LOCATED EAST OF KIMBERLY CLARK PLACE. THE PUD CRITERIA ALLOWS THE LANDSCAPE PLAN TO UTILIZE THE RIGHT OF WAY OF KIMBERLY CLARK PLACE. THE LANDSCAPE PLAN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL BY THE BIXBY PLANNING COMMISSION.

PRESERVATION OF MATURE TREES IS REQUIRED IN THE GREENBELT AREA ON THE WEST SIDE OF THE TRACT AND FURTHER DESCRIBED AS WITHIN THE BOUNDARY OF THE 100 YEAR FLOODWAY.

C. LIGHTING:

EXTERIOR AREA LIGHTING SHALL BE LIMITED TO SHIELDED FIXTURES DESIGNED TO DIRECT LIGHT DOWNWARD AND AWAY FROM ANY ADJACENT RESIDENTIAL PROPERTIES. STREET AND PARKING LOT LIGHTING SHALL NOT EXCEED 15 FEET IN HEIGHT AND BE APPROVED BY CITY ENGINEER PRIOR TO INSTALLATION.

D. SIGNAGE:

- GENERAL REQUIREMENTS:
 - THE DEVELOPMENT MAY PLACE TWO GROUND SIGN ALONG KIMBERLY CLARK PLACE AT EACH ENTRANCE TO THE DEVELOPMENT THAT INCORPORATES THE USES WITHIN THE DEVELOPMENT.
 - GROUND SIGNS ASSOCIATED WITH THE USES SHALL BE LIMITED 120 SQUARE FEET AND SHALL BE SUBMITTED TO CITY FOR APPEARANCE APPROVAL
- WALL OR CANOPY SIGNS WITHIN THE DEVELOPMENT SHALL NOT EXCEED AN AGGREGATE DISPLAY SURFACE AREA OF 1 SQUARE FOOT PER EACH LINEAL FOOT OF THE BUILDING WALL TO WHICH THE SIGN OR SIGNS ARE AFFIXED. WALL AND CANOPY SIGNS SHALL BE FURTHER RESTRICTED AS FOLLOWS:
 - A WALL OR CANOPY SIGN SHALL NOT EXTEND ABOVE THE TOP OF THE PARAPET OR BUILDING WALL ON WHICH IT IS LOCATED

- DURING THE PERIOD OF CONSTRUCTION, BUT NOT EXCEEDING 24 MONTHS, A MAXIMUM OF ONE SIGN ADVERTISING THE CONSTRUCTION MAY BE ERECTED ON THE KIMBERLY CLARK PLACE FRONTAGE OF THE DEVELOPMENT. THIS SIGN SHALL COMPLY WITH THE CITY OF BIXBY SIGN CODE FOR DISPLAY AREA ALLOWED.

E. PARKING:

PARKING SPACES SHALL COMPLY WITH THE REQUIREMENTS OF THE ZONING CODE FOR THE USE BEING INSTALLED.

F. DRAINAGE AND UTILITIES:

ALL PUBLIC UTILITIES ARE AVAILABLE TO THE SITE AND SHALL BE ADDRESSED IN THE REQUIRED PLATTING REQUIREMENTS ASSOCIATED WITH THE REQUESTED ZONE CHANGE.

THE DEVELOPMENT WILL BE REQUIRED TO SUBMIT A DETAILED DRAINAGE PLAN TO THE CITY ENGINEER FOR REVIEW AND APPROVAL IN THE PLATTING PROCESS.

G. SITE PLAN REVIEW:

APPROVAL OF THE PUD ALSO REQUIRES THE SUBMITTAL OF BUILDING ELEVATIONS WITH A DETAILED SITE PLAN TO BE SUBMITTED WITH THE ASSOCIATED LOT SPLIT. THE REQUIRED PLATTING AS SPECIFIED IN THE ZONING CODE WILL BE ESTABLISHED WHEN THE SITE IS FIRST DEVELOPED. THE SITE PLAN REVIEW WILL INCORPORATE THE ELEVATION OF THE BUILDING AND LANDSCAPING PLANS.

SECTION III. PROPERTY OWNERS' ASSOCIATION

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION: A PROPERTY OWNERS' ASSOCIATION, KNOWN AS 'SOUTH COUNTY INDUSTRIAL PARK ASSOCIATION', AN OKLAHOMA NOT-FOR-PROFIT CORPORATION, HAS BEEN OR SHALL BE ESTABLISHED PURSUANT TO 60 O.S. 1991, § 851, ET SEQ., TO MAINTAIN THE RESERVE AREA IN THE SUBDIVISION AND FOR SUCH OTHER PURPOSES AS SHALL BE DEEMED ADVISABLE. ALL LAWFUL ACTS, IF ANY, OF SOUTH COUNTY INDUSTRIAL PARK ASSOCIATION (THE "ASSOCIATION"), MADE UNDER AND PURSUANT TO ITS CERTIFICATE OF INCORPORATION AND BY-LAWS SHALL BE BINDING UPON THE LOTS CONTAINED IN THE ADDITION AND THE OWNERS THEREOF. MEMBERSHIP IN THE ASSOCIATION SHALL CONSIST OF ALL OWNERS OF LOTS IN THE ADDITION AND ALL OWNERS OF SUCH ADDITIONAL PROPERTY DESIGNATED BY THE DEVELOPER.

B. MEMBERSHIP

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

C. ASSESSMENT

EACH RECORD OWNER OF A LOT SHALL BE SUBJECT TO ASSESSMENT BY THE PROPERTY OWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE STORM WATER DETENTION FACILITIES AND OTHER COMMON AREAS, ALL AS MORE PARTICULARLY PROVIDED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SOUTH COUNTY INDUSTRIAL PARK AND THE BYLAWS OF THE ASSOCIATION.

PRELIMINARY PLAT

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 OWNERS, THEIR SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. STREETS, EASEMENTS AND UTILITIES, AND SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS I AND II, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF THE OWNERS OF THE LOTS WITHIN SOUTH COUNTY INDUSTRIAL PARK AND THE CITY OF BIXBY, STATE OF OKLAHOMA AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, STATE OF OKLAHOMA. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS OR OWNERS OF ANY LOTS WITHIN SOUTH COUNTY INDUSTRIAL PARK SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR THE CITY OF BIXBY, STATE OF OKLAHOMA, ANY OWNER OF A LOT OR A PROPERTY OWNERS' ASSOCIATION FORMED FOR THIS SUBDIVISION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT IN ANY JUDICIAL ACTION BROUGHT BY A PROPERTY OWNERS' ASSOCIATION OR AN OWNER OF A LOT WHICH ACTION SEEKS TO ENFORCE THE COVENANTS OR RESTRICTIONS SET FORTH HEREIN OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECOVER REASONABLE ATTORNEYS FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL AND 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 HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. STREETS, EASEMENTS AND UTILITIES MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE CITY OF BIXBY, STATE OF OKLAHOMA, OR ITS SUCCESSORS. THE COVENANTS WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL LOT OWNERS AND APPROVAL BY THE CITY OF BIXBY, STATE OF OKLAHOMA. THE COVENANTS WITHIN SECTION III. PROPERTY OWNERS' ASSOCIATION, MAY BE AMENDED OR TERMINATED AT ANY TIME WITH 75 PERCENT AGREEMENT OF ALL LOT OWNERS. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS 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, SOUTH COUNTY INDUSTRIAL PARK, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2024.

SOUTH COUNTY INDUSTRIAL PARK, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY _____
JAMES ROBERTS, MANAGING MANAGER

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 OF _____, 2024, PERSONALLY APPEARED TO ME JAMES ROBERTS, MANAGING MANAGER OF SOUTH COUNTY INDUSTRIAL PARK, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED ON BEHALF OF SOUTH COUNTY INDUSTRIAL PARK, LLC FOR THE USES AND PURPOSES THEREIN SET FORTH.

S. ASHLEY MCCARTY
MY COMMISSION EXPIRES: 8/13/2026
MY COMMISSION NUMBER: 18008059



CERTIFICATE OF SURVEY

I, ANDY FRITZ, OF FRITZ LAND SURVEYING, LLC, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF AUTHORIZATION #5848, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "SOUTH COUNTY INDUSTRIAL 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 MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

ANDY FRITZ
LICENSED PROFESSIONAL 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 _____, 2024, 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 THEY EXECUTED THE SAME AS THEIR FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

JENNIFER FRITZ
MY COMMISSION EXPIRES: 6/23/2026
MY COMMISSION NUMBER: 14005589



PRELIMINARY PLAT



City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission

From: Gwen Plante, Assistant City Planner

Date: November 20, 2023

RE: **Final Plat | BXPT 23.16**
Haikey Creek Estates, Blocks 1-7

Location: South of East 131st Street South and East of South Mingo Road, 13500
Block of Mingo Road
44.301 Acres (+/-)

STR: Section 7, Township 17N, Range 14E

Applicant: Tanner Consulting, LLC

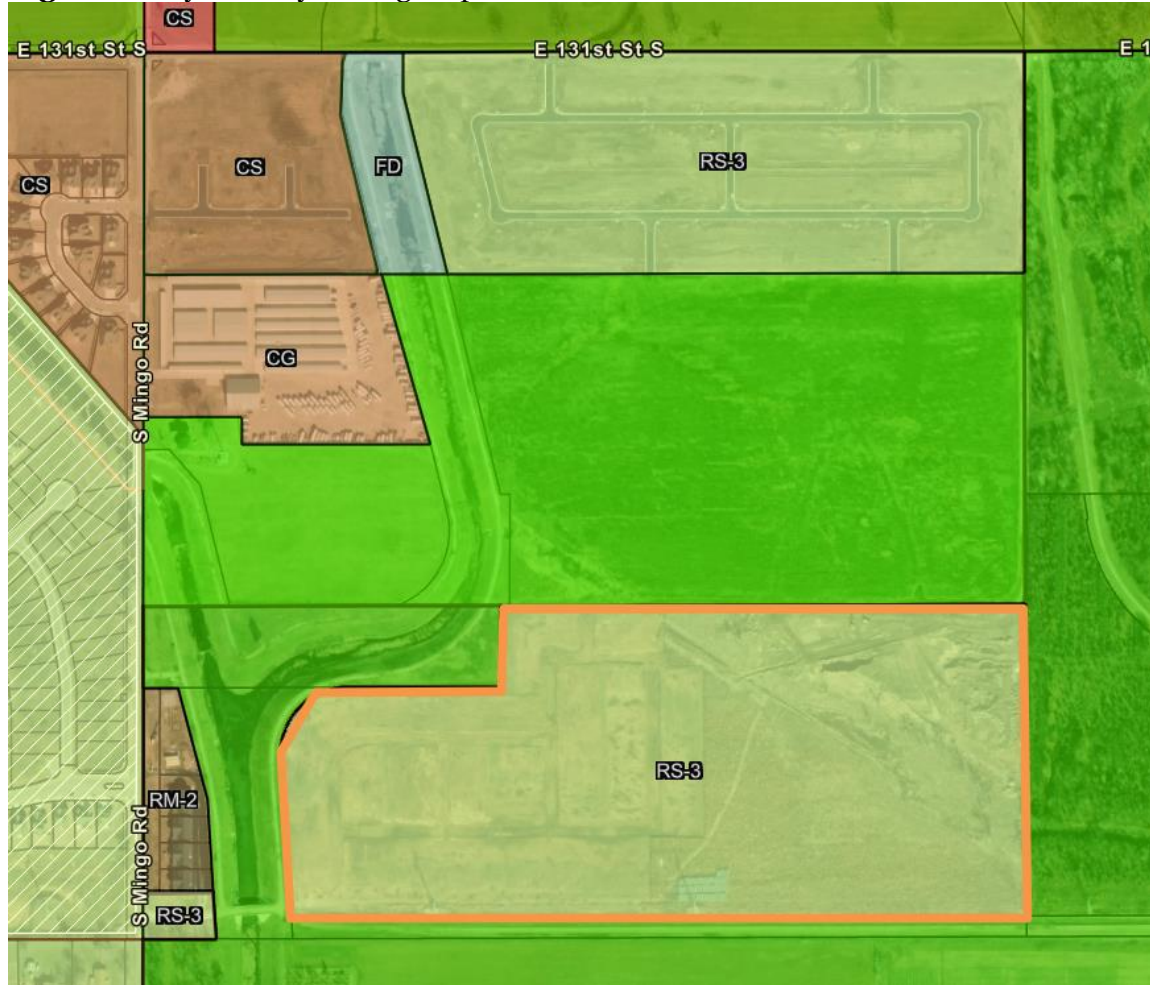
Request:
Final Plat Approval for Haikey Creek Estates, Blocks 1-7

Existing Zoning; Use:
Residential Single-Family (RS-3) dwellings

Abutting Zoning; Use:
North: (AG) Agriculture; Vacant, Residential Single-Family; Vacant
East: (AG) Agriculture; Vacant
South: (AG) Agriculture; Agriculture Uses A&M-OSU College
West: (RS-3) Residential Single-Family; Single-Family dwellings

Proposed Zoning; Use:
Residential Single-Family (RS-3) dwellings

Figure 1: City of Bixby Zoning Map



Staff Review

The applicant is requesting a Final Plat for Residential Single-Family (RS-3) within a PUD – BXPUD 21.07. The proposed development is consistent with the development patterns in the area and is the first phase (Blocks 1-7) of this development.

Utilities/Site Area: There is a 12" water main running North/South on the West side of South Mingo Road. A 15" gravity sanitary sewer is being extended along the West side of Rowan Grove and Rowan Grove II and will be extended to service this proposed development. The storm water will drain to the improved Old Fry Creek Ditch channel constructed as a part of the Haikey Creek Flood Protection Project.

Public Comments: No comments have been received at the time of this staff report being written.

Staff Comments:

- Staff supports and recommends approval of the requested Conditional Final Plat (BXPT 23.16) with the following conditions:
 - PSO Easements are vacated prior to the filing of the final plat with Tulsa County.
 - All properties shall be removed from the floodplain prior to the filing of the final plat with Tulsa County. Removal pending Letter of Final Determination from FEMA.
 - A Pedestrian bridge is built across the Haikey Creek Diversion Channel as stated in construction drawings.

Engineering/TAC Comments:

- All properties shall be removed from the floodplain prior to filing the final plat.
- Per construction drawings, a pedestrian bridge shall be installed prior to the final plat. The pedestrian bridge should be completed prior to the filing of the final plat.
- PSO utility easement to be vacated prior to the filing of the plat.

Figures: Figure 1: City of Bixby Zoning Map

Attachments: Exhibit A: Tract Description

Conditional Final Plat

BXPUD-21.07

Haikey Creek Estates

Blocks 1-7

PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION SEVEN (7),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
151 BIXBY LLC

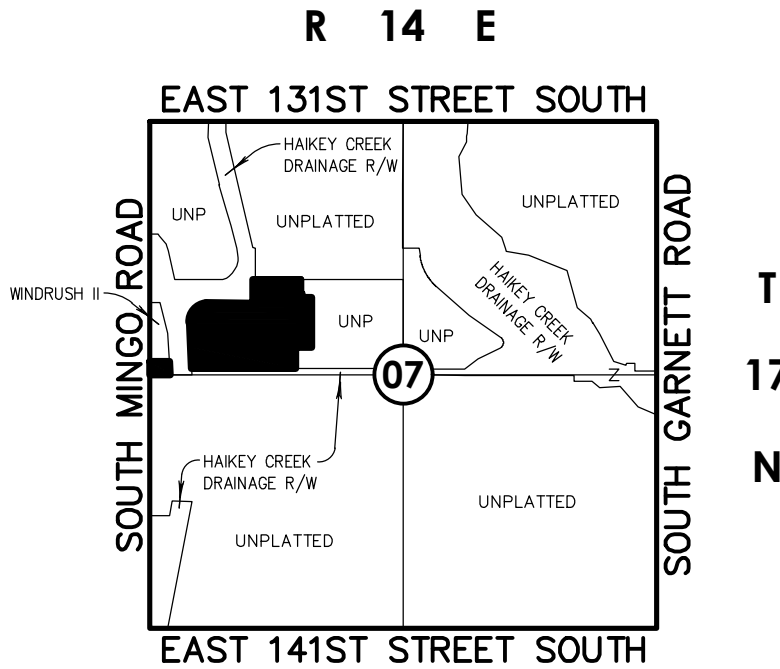
AN OKLAHOMA LIMITED LIABILITY COMPANY
JULIUS PUMA - MEMBER

10618 South Winston Court
Tulsa Oklahoma 74137
Phone: (918) 298-6700

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.

DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2025
EMAIL: DAN@TANNERBATHSHOP.COM

5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



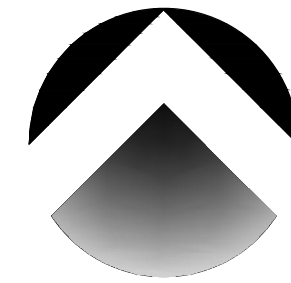
Location Map
Scale: 1"= 200'



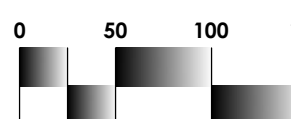
SUBDIVISION CONTAINS:

SIXTY-EIGHT (68) LOTS
IN SEVEN (7) BLOCKS
WITH FOUR (4) RESERVE AREAS

GROSS SUBDIVISION AREA: 22.631 ACRES



NORTH



Scale: 1"= 100'
Tanner Consulting

LEGEND

- B/L BUILDING LINE
- B/U BUILDING LINE & UTILITY EASEMENT
- BK PG BOOK & PAGE
- CB CHORD BEARING
- CD CHORD DISTANCE
- CL CENTERLINE
- Δ DELTA ANGLE
- DOC DOCUMENT
- ESMT EASEMENT
- GOV'T LIMITS OF NO ACCESS
- LNA OVERLAND DRAINAGE EASEMENT
- ODE RESERVE
- R/W RIGHT-OF-WAY
- U/E UTILITY EASEMENT
- 1/234 ADDRESS ASSIGNED
- FOUND MONUMENT
- SET MONUMENT (SEE NOTE 2)

Notes:

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER 1435" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - (A) 1/2" IRON PIN FOUND AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 7;
 - (B) 1-1/2" IRON PIN FOUND AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION 7;THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°32'06" EAST
- ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH MINGO ROAD BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.
- ALL DWELLINGS SHALL REQUIRE BACKFLOW PREVENTION EXCEPT AS OTHERWISE PERMITTED BY THE CITY OF BIXBY.

Curve Table

CURVE	LENGTH(L)	RADIUS(R)	DELTA(Δ)	CHORDBRG(CB)	CHORDDIS(CD)
1	47.12'	30.00'	90°00'00"	N46°09'04"W	42.43'
2	47.12'	30.00'	90°00'00"	N43°50'56"E	42.43'
3	32.45'	475.00'	3°54'49"	N86°53'31"E	32.44'
4	35.86'	525.00'	3°54'49"	N86°53'31"E	35.85'
5	196.35'	125.00'	90°00'00"	N39°56'07"E	176.78'
6	274.89'	175.00'	90°00'00"	N39°56'07"E	247.49'
7	40.84'	25.00'	93°35'59"	N41°44'06"E	36.45'
8	37.70'	25.00'	86°24'01"	N48°15'54"W	34.23'
9	122.52'	75.00'	93°35'59"	N41°44'06"E	109.34'
10	204.20'	125.00'	93°35'59"	N41°44'06"E	182.24'
11	39.27'	25.00'	90°00'00"	N46°27'54"W	35.36'
12	39.27'	25.00'	90°00'00"	N43°32'06"E	35.36'
13	17.39'	25.00'	39°51'25"	N71°32'12"W	17.04'
14	148.10'	50.00'	169°42'49"	N43°32'06"E	99.60'
15	17.39'	25.00'	39°51'25"	N21°23'37"W	17.04'

Lot Area & Address Table

AREA LABEL	AREA (SQUARE FEET)	ADDRESS	AREA LABEL	AREA (SQUARE FEET)	ADDRESS
BLOCK 1 LOT 1	13522 S. 99TH E. AVE.		BLOCK 4 LOT 6	13517 S. 101ST E. AVE.	
BLOCK 1 LOT 2	13516 S. 99TH E. AVE.		BLOCK 4 LOT 7	13523 S. 101ST E. AVE.	
BLOCK 1 LOT 3	13510 S. 99TH E. AVE.		BLOCK 4 LOT 8	13520 S. 102ND E. AVE.	
BLOCK 1 LOT 4	13504 S. 99TH E. AVE.		BLOCK 4 LOT 9	13514 S. 102ND E. AVE.	
BLOCK 1 LOT 5	9903 E. 135TH ST. S.		BLOCK 4 LOT 10	13508 S. 102ND E. AVE.	
BLOCK 1 LOT 6	9909 E. 135TH ST. S.		BLOCK 4 LOT 11	13502 S. 102ND E. AVE.	
BLOCK 1 LOT 7	9915 E. 135TH ST. S.		BLOCK 4 LOT 12	13466 S. 102ND E. AVE.	
BLOCK 1 LOT 8	9921 E. 135TH ST. S.		BLOCK 4 LOT 13	13460 S. 102ND E. AVE.	
BLOCK 1 LOT 9	9927 E. 135TH ST. S.		BLOCK 4 LOT 14	13454 S. 102ND E. AVE.	
BLOCK 1 LOT 10	10001 E. 135TH ST. S.				
BLOCK 1 LOT 11	10007 E. 135TH ST. S.		BLOCK 5 LOT 1	10151 E. 134TH PL. S.	
BLOCK 1 LOT 12	10013 E. 135TH ST. S.		BLOCK 5 LOT 2	10157 E. 134TH PL. S.	
BLOCK 1 LOT 13	13468 S. 101ST E. AVE.		BLOCK 5 LOT 3	10163 E. 134TH PL. S.	
BLOCK 1 LOT 14	13462 S. 101ST E. AVE.				
BLOCK 1 LOT 15	13456 S. 101ST E. AVE.		BLOCK 6 LOT 1	13455 S. 102ND E. AVE.	
BLOCK 1 LOT 16	13450 S. 101ST E. AVE.		BLOCK 6 LOT 2	13461 S. 102ND E. AVE.	
BLOCK 1 LOT 17	10101 E. 134TH PL. S.		BLOCK 6 LOT 3	13467 S. 102ND E. AVE.	
BLOCK 1 LOT 18	10107 E. 134TH PL. S.		BLOCK 6 LOT 4	13503 S. 102ND E. AVE.	
			BLOCK 6 LOT 5	13509 S. 102ND E. AVE.	
BLOCK 2 LOT 1	13511 S. 99TH E. AVE.		BLOCK 6 LOT 6	13515 S. 102ND E. AVE.	
BLOCK 2 LOT 2	13517 S. 99TH E. AVE.		BLOCK 6 LOT 7	13521 S. 102ND E. AVE.	
BLOCK 2 LOT 3	13523 S. 99TH E. AVE.				
BLOCK 2 LOT 4	13508 S. 100TH E. AVE.		BLOCK 7 LOT 1	9910 E. 135TH PL. S.	
BLOCK 2 LOT 5	13514 S. 100TH E. AVE.		BLOCK 7 LOT 2	9916 E. 135TH PL. S.	
BLOCK 2 LOT 6	13520 S. 100TH E. AVE.		BLOCK 7 LOT 3	9922 E. 135TH PL. S.	
			BLOCK 7 LOT 4	9928 E. 135TH PL. S.	
BLOCK 3 LOT 1	13509 S. 100TH E. AVE.		BLOCK 7 LOT 5	10002 E. 135TH PL. S.	
BLOCK 3 LOT 2	13515 S. 100TH E. AVE.		BLOCK 7 LOT 6	10008 E. 135TH PL. S.	
BLOCK 3 LOT 3	13521 S. 100TH E. AVE.		BLOCK 7 LOT 7	10014 E. 135TH PL. S.	
BLOCK 3 LOT 4	13518 S. 101ST E. AVE.		BLOCK 7 LOT 8	10020 E. 135TH PL. S.	
BLOCK 3 LOT 5	13512 S. 101ST E. AVE.		BLOCK 7 LOT 9	10026 E. 135TH PL. S.	
BLOCK 3 LOT 6	13506 S. 101ST E. AVE.		BLOCK 7 LOT 10	10104 E. 135TH PL. S.	
			BLOCK 7 LOT 11	10110 E. 135TH PL. S.	
BLOCK 4 LOT 1	13457 S. 101ST E. AVE.		BLOCK 7 LOT 12	10116 E. 135TH PL. S.	
BLOCK 4 LOT 2	13463 S. 101ST E. AVE.		BLOCK 7 LOT 13	10122 E. 135TH PL. S.	
BLOCK 4 LOT 3	13469 S. 101ST E. AVE.		BLOCK 7 LOT 14	10128 E. 135TH PL. S.	
BLOCK 4 LOT 4	13505 S. 101ST E. AVE.				
BLOCK 4 LOT 5	13511 S. 101ST E. AVE.		RESERVE C	13550 S. 99TH E. AVE.	

POINT OF COMMENCEMENT TRACT 1
POINT OF BEGINNING TRACT 2
SOUTHWEST CORNER NW/4 SECTION 7, T-17-N, R-14-E
FOUND 1/2" IRON PIN

DATE OF PREPARATION: October 3, 2023

Haikey Creek Estates Blocks 1-7

SHEET 1 OF 3

Conditional Final Plat

BXPUD-21.07

Haikey Creek Estates

Blocks 1~7

PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION & RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

151 BIXBY LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "DEVELOPER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA:

TWO (2) TRACTS OF LAND THAT ARE PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION SEVEN (7), TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT 1: COMMENCING SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SAID SECTION 7; THENCE NORTH 88°32'06" EAST AND ALONG THE SOUTH LINE OF SAID NW/4 FOR A DISTANCE OF 448.66 FEET; TO A POINT AT THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN WARRANTY DEED, RECORDED FEBRUARY 22, 2011, AT DOCUMENT #2011016116, COUNTY OF TULSA RECORDS; THENCE NORTH 5°03'53" WEST AND ALONG THE EAST LINE THEREOF A DISTANCE OF 62.06 FEET TO THE POINT OF BEGINNING OF TRACT 1;

THENCE CONTINUING NORTH 5°03'53" WEST AND ALONG THE EAST LINE OF SAID TRACT OF LAND, FOR A DISTANCE OF 475.96 FEET TO A POINT OF CURVATURE; THENCE CONTINUING ALONG SAID EAST LINE AND ALONG A 200.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 86°00'10", A CHORD BEARING AND DISTANCE OF NORTH 37°56'12" EAST FOR 272.81 FEET, FOR AN ARC DISTANCE OF 300.21 FEET; THENCE NORTH 87°15'23" EAST FOR A DISTANCE OF 483.15 FEET; THENCE NORTH 1°09'11" WEST FOR A DISTANCE OF 232.78 FEET TO A POINT ON THE NORTH LINE OF THE S/2 N/2 S/2 NW/4 OF SAID SECTION 7; THENCE NORTH 88°33'53" EAST AND ALONG SAID NORTH LINE, FOR A DISTANCE OF 500.90 FEET; THENCE SOUTH 1°27'54" EAST AND PERPENDICULAR TO THE SOUTH LINE OF THE S/2 NW/4, FOR A DISTANCE OF 129.74 FEET; THENCE NORTH 88°32'06" EAST AND PARALLEL WITH THE SOUTH LINE OF THE S/2 NW/4, FOR A DISTANCE OF 14.10 FEET; THENCE SOUTH 1°27'54" EAST AND PERPENDICULAR TO THE SOUTH LINE OF THE S/2 NW/4, FOR A DISTANCE OF 50.00 FEET; THENCE NORTH 88°32'06" EAST AND PARALLEL WITH THE SOUTH LINE OF THE S/2 NW/4, FOR A DISTANCE OF 105.00 FEET; THENCE SOUTH 1°27'54" EAST AND PERPENDICULAR TO THE SOUTH LINE OF THE S/2 NW/4, FOR A DISTANCE OF 517.92 FEET; THENCE SOUTH 88°32'06" WEST AND PARALLEL WITH THE SOUTH LINE OF THE S/2 NW/4, FOR A DISTANCE OF 162.83 FEET; THENCE SOUTH 1°27'54" EAST AND PERPENDICULAR TO THE SOUTH LINE OF THE S/2 NW/4, FOR A DISTANCE OF 231.46 FEET; THENCE SOUTH 88°32'06" WEST AND PARALLEL WITH THE SOUTH LINE, FOR A DISTANCE OF 1084.75 FEET TO THE POINT OF BEGINNING OF TRACT 1;

SAID TRACT 1 CONTAINS 956,120 SQUARE FEET OR 21.949 ACRES;

AND

TRACT 2: BEGINNING AT THE SOUTHWEST CORNER OF SAID S/2 NW/4; THENCE NORTH 1°09'04" WEST AND ALONG THE WEST LINE OF THE S/2 NW/4 FOR A DISTANCE OF 137.00 FEET; THENCE NORTH 88°32'06" EAST FOR A DISTANCE OF 211.86 FEET TO POINT ON THE WEST LINE OF THAT TRACT OF LAND DESCRIBED IN WARRANTY DEED, RECORDED FEBRUARY 22, 2011, AT DOCUMENT #2011016116, COUNTY OF TULSA RECORDS; THENCE SOUTH 5°03'53" EAST AND ALONG SAID WEST LINE FOR A DISTANCE OF 137.27 FEET TO A POINT ON THE SOUTH LINE OF THE NW/4; THENCE SOUTH 88°32'06" WEST AND ALONG SAID SOUTH LINE, FOR A DISTANCE OF 221.23 FEET TO THE POINT OF BEGINNING OF TRACT 2;

SAID TRACT 2 CONTAINS 29,667 SQUARE FEET OR 0.681 ACRES; COMBINED, TRACT 1 AND TRACT 2 CONTAIN 985,787 SQUARE FEET OR 22.631 ACRES.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

- (A) 1/2" IRON PIN FOUND AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER (NW/4) OF SECTION 7;
- (B) 1-1/2" IRON PIN FOUND AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION 7;

THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°32'06" EAST.

DEVELOPER HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, GRANTED, DONATED, CONVEYED, DEDICATED, AND SUBDIVIDED INTO BLOCKS, LOTS, RESERVE AREAS, AND STREETS, AND HAS DESIGNATED THE SAME AS "HAIKEY CREEK ESTATES BLOCKS 1-7", A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA (THE "SUBDIVISION").

SECTION I - STREETS, EASEMENTS, AND UTILITIES

A. STREETS AND GENERAL UTILITY EASEMENTS

THE DEVELOPER HEREBY GRANTS, DONATES, CONVEYS, AND DEDICATES FOR PUBLIC USE THE STREETS AS DEPICTED ON THE ACCOMPANYING PLAT AND FURTHER DEDICATES FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING SANITARY SEWERS, COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATERLINES, AND PUBLIC STORM SEWERS, 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, OVER, AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, TOGETHER WITH SIMILAR EASEMENT RIGHTS IN THE PUBLIC STREETS, PROVIDED HOWEVER, DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, REPAIR, REPLACE, AND/OR REMOVE WATERLINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING, REPLACING, AND/OR REMOVING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. DEVELOPER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT AND RESERVE AREA 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 THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF A STREET OR UTILITY EASEMENT SHALL BE PLACED, ERRECTED, INSTALLED, OR MAINTAINED. PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY-PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING, OR CUSTOMARY SCREENING FENCES OR WALLS.

B. UNDERGROUND SERVICE

1. OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICE MAY BE LOCATED IN THE RIGHT-OF-WAY OF SOUTH MINGO ROAD AND WITHIN THE PERIMETER UTILITY EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLE AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY-PRECEDING SENTENCE, ALL ELECTRIC, COMMUNICATION, AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENT-WAYS RESERVED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND LINES TO ALL STRUCTURES LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST SERVICE PEDESTAL, TRANSFORMER, OR GAS MAIN TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON A LOT OR RESERVE AREA, PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR 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 OR RESERVE AREA, COVERING A FIVE (5) FOOT STRIP EXTENDING TWO AND ONE-HALF (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.

3. THE SUPPLIERS OF ELECTRIC, COMMUNICATION, AND GAS SERVICES, THROUGH THEIR AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED 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, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE SUPPLIERS OF ELECTRIC, COMMUNICATION, AND GAS SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THEIR RESPECTIVE UTILITY SERVICE FACILITIES BUT THE OWNER OF EACH LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UTILITY SERVICE FACILITIES LOCATED ON SUCH OWNER'S LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, COMMUNICATION, OR GAS FACILITIES. THE LOT OR RESERVE AREA OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.

5. THE EASEMENT CONTAINED WITHIN RIGHT OF WAY AGREEMENT GRANTED IN FAVOR OF OKLAHOMA NATURAL GAS, FILED OF RECORD IN BOOK 3770 ON PAGE 265, COUNTY OF TULSA RECORDS, AS REPRESENTED HEREON, CONTAIN CERTAIN RESTRICTIONS AS SPECIFICALLY SET FORTH WITHIN SAID AGREEMENT.

6. COVENANTS SET FORTH IN THIS SUBSECTION B. SHALL BE ENFORCEABLE BY THE SUPPLIERS OF ELECTRIC, COMMUNICATION, AND GAS SERVICE AND THE OWNER OF THE LOT OR RESERVE AREA AGREES TO BE BOUND HEREBY.

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

1. THE OWNER OF EACH LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, PUBLIC SANITARY SEWER FACILITIES, AND PUBLIC STORM SEWER FACILITIES LOCATED ON THEIR LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID PUBLIC WATER MAINS, PUBLIC SANITARY SEWER FACILITIES, OR PUBLIC STORM SEWER FACILITIES. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, PUBLIC SANITARY SEWER FACILITY, OR PUBLIC STORM SEWER FACILITY, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH SUCH MAINS OR FACILITIES, SHALL BE PROHIBITED. WITHIN THE UTILITY EASEMENTS, IF THE GROUND ELEVATIONS ARE ALTERED BY THE LOT OR RESERVE AREA OWNER FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, PUBLIC SANITARY SEWER FACILITY, OR PUBLIC STORM

SEWER FACILITY, ALL GROUND LEVEL APPURTENANCES, INCLUDING VALVE BOXES, FIRE HYDRANTS, STORM SEWER INLETS, AND/OR MANHOLES SHALL BE ADJUSTED TO THE ALTERED GROUND ELEVATIONS BY THE OWNER OF THE LOT OR RESERVE AREA OR, AT ITS ELECTION, THE CITY OF BIXBY, OKLAHOMA, MAY MAKE SUCH ADJUSTMENT AT SUCH OWNER'S EXPENSE.

2. NO PERMANENT FENCE, PERMANENT WALL, PERMANENT BUILDING, OR PERMANENT STRUCTURE WHICH WOULD CAUSE AN OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE UTILITY EASEMENT AREAS, AND ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE PUBLIC WATER MAINS, PUBLIC SANITARY SEWER FACILITIES, OR PUBLIC STORM SEWER SYSTEM IS PROHIBITED.

3. THE CITY OF BIXBY, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, PUBLIC SANITARY SEWER FACILITIES, AND PUBLIC STORM SEWER FACILITIES, BUT THE OWNER OF EACH LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.

4. THE CITY OF BIXBY OR ITS SUCCESSORS, THROUGH ITS PROPER AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT 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 WATER, SANITARY SEWER, AND STORM SEWER FACILITIES.

5. ALL WATER, SANITARY SEWER, AND STORM SEWER FACILITIES SHALL BE MAINTAINED IN GOOD REPAIR BY THE UTILITY CONTRACTOR FOR THE TERM OF AND IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE MAINTENANCE BOND OF WHICH THE CITY OF BIXBY IS THE BENEFICIARY. IF ANY REPAIR ISSUES ARISE DURING SAID TERM, THE DEVELOPER SHALL ASSIST THE CITY OF BIXBY IN COORDINATION AND FACILITATION WITH THE APPROPRIATE CONTRACTOR.

6. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION C. CONCERNING WATER, SANITARY SEWER, AND STORM SEWER FACILITIES SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT OR RESERVE AREA AGREES TO BE BOUND HEREBY.

D. SURFACE DRAINAGE

EACH LOT WITHIN THE SUBDIVISION 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 SAID OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION D. SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER, THE ASSOCIATION (AS DEFINED BELOW), AND BY THE CITY OF BIXBY, OKLAHOMA.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT OR RESERVE AREA AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO PROPERLY-PERMITTED LANDSCAPING AND PAVING OCCASIONED BY NECESSARY MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, PUBLIC STORM SEWER, NATURAL GAS, COMMUNICATION, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, THE CITY OF BIXBY, OKLAHOMA, OR OTHER SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

F. MUTUAL ACCESS EASEMENT

A MUTUAL ACCESS EASEMENT, DEPICTED AS "MUTUAL ACCESS EASEMENT" OR "MAE" ON THE ACCOMPANYING PLAT, IS HEREBY ESTABLISHED FOR THE PURPOSES OF PERMITTING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM EAST 135TH STREET SOUTH WITHIN THE SUBDIVISION AND THE MUTUAL ACCESS EASEMENT ADJACENT THERETO WITHIN "WINDRUSH II", A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 7035). SUCH EASEMENT SHALL BE FOR THE MUTUAL USE AND BENEFIT OF OWNERS OF LOTS WITHIN THE SUBDIVISION AND WITHIN "WINDRUSH II", THEIR RESPECTIVE GUESTS, INVITEES, SUCCESSORS AND ASSIGNS, AND SHALL BE APPURTENANT TO THE OWNER OF "RESERVE A", AS SUBJECT TO THE EASEMENT, 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 AND WITHIN "WINDRUSH II".

SECTION II - RESERVE AREAS

A. PURPOSE

FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF LOTS WITHIN THE SUBDIVISION, RESERVE AREAS A, B, C, AND D ARE HEREBY ESTABLISHED FOR VARIOUS PURPOSES INCLUDING ENTRY FEATURES, SIGNAGE, LANDSCAPING, IRRIGATION, LIGHTING, UTILITIES, OPEN SPACE, PRIVATE PARK, AND OTHER PRIVATE RECREATIONAL USES AND FACILITIES AS MAY BE PERMITTED BY THE CITY OF BIXBY, OKLAHOMA, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE ASSOCIATION (AS DEFINED BELOW), FORMED PURSUANT TO SECTION V HEREOF. IN ADDITION TO THE OWNERS OF THE LOTS IN THE SUBDIVISION, SUCH RESERVE AREAS, THE PRIVATE FACILITIES AND IMPROVEMENTS, ARE INTENDED TO BE AND ARE HEREBY DECLARED TO BE AND ARE RESERVED FOR USE BY THE OWNERS OF THE LOTS WITHIN ADDITIONAL SUBDIVISION(S) THAT DEVELOPER, ITS SUCCESSORS AND ASSIGNS MAY DEVELOP FROM TIME TO TIME. ALL THE OWNERS OF THE LOTS WITHIN SUCH ADDITIONAL SUBDIVISION(S) SHALL BE MEMBERS OF THE ASSOCIATION AND SHALL CONTRIBUTE ON THE SAME PER LOT BASIS, AS THE OWNERS OF THE LOTS IN THE SUBDIVISION, TO THE MAINTENANCE, REPAIR, REPLACEMENT AND IMPROVEMENT OF SUCH COMMON AREAS, THE PRIVATE FACILITIES AND IMPROVEMENTS.

B. RESERVES A AND B

RESERVES A AND B, AS DESIGNATED ON THE ACCOMPANYING PLAT, ARE ESTABLISHED FOR THE PURPOSE OF PROVIDING DECORATIVE ENTRY FEATURES, SIGNAGE, FENCING AND/OR WALLS, LANDSCAPING, IRRIGATION, AND LIGHTING, OPEN SPACE, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO THE ASSOCIATION (AS DEFINED BELOW), TO BE FORMED PURSUANT TO SECTION V HEREOF, FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE RESERVE AREAS, PRIVATE IMPROVEMENTS, AND OTHER COMMON AREAS OF THE SUBDIVISION.

C. RESERVE C

RESERVE C, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS ESTABLISHED FOR THE PURPOSE OF PROVIDING NEIGHBORHOOD PARK, OPEN SPACE, AND/OR OTHER PRIVATE RECREATIONAL FACILITIES, AS MAY BE PERMITTED BY THE CITY OF BIXBY, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE ASSOCIATION (AS DEFINED BELOW), TO BE FORMED PURSUANT TO SECTION V HEREOF, FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE RESERVE AREAS, PRIVATE IMPROVEMENTS, AND OTHER COMMON AREAS OF THE SUBDIVISION.

D. RESERVE D

RESERVE D, AS DESIGNATED ON THE ACCOMPANYING PLAT, IS ESTABLISHED FOR THE PURPOSE OF PROVIDING A BUFFER FROM THE OVERHEAD ELECTRIC TRANSMISSION LINE, NEIGHBORHOOD PARK, OPEN SPACE, SIDEWALKS AND/OR TRAILS, AND/OR OTHER PRIVATE RECREATIONAL FACILITIES, AS MAY BE PERMITTED BY THE CITY OF BIXBY, AND IS RESERVED FOR SUBSEQUENT CONVEYANCE TO THE ASSOCIATION (AS DEFINED BELOW), TO BE FORMED PURSUANT TO SECTION V HEREOF, FOR THE PURPOSES OF THE ADMINISTRATION AND MAINTENANCE OF THE RESERVE AREAS, PRIVATE IMPROVEMENTS, AND OTHER COMMON AREAS OF THE SUBDIVISION.

E. MAINTENANCE

1. ALL COSTS AND EXPENSES ASSOCIATED WITH ALL RESERVE AREAS, INCLUDING MAINTENANCE OF PRIVATE IMPROVEMENTS AND RECREATIONAL FACILITIES LOCATED THEREIN, SHALL BE THE RESPONSIBILITY OF THE OWNERS THEREOF, WHICH SHALL BE THE ASSOCIATION (AS DEFINED BELOW) AS PROVIDED IN SECTION V HEREIN, UPON CONVEYANCE OF SUCH RESERVE AREA BY THE DEVELOPER TO THE ASSOCIATION.

2. ALL COMMON SPACE WITHIN ALL RESERVE AREAS, INCLUDING ENTRY FEATURES AND AREAS OF GRASS, AND THE GRASS-COVERED AREAS OF THE ADJACENT SOUTH MINGO ROAD RIGHT-OF-WAY DEDICATED BY THIS PLAT, SHALL BE MAINTAINED AS TO SCHEDULE AND STANDARD OF CARE AS DETERMINED APPROPRIATE BY THE ASSOCIATION (AS DEFINED BELOW). AT A MINIMUM, THE GRASS-COVERED AREAS OF THE RESERVE AREAS AND ADJACENT RIGHT-OF-WAY SHALL BE MOWED EVERY 7 - 10 DAYS DURING THE GROWING SEASON.

3. IN THE EVENT ANY RESERVE AREA OWNER FAILS TO MAINTAIN SUCH RESERVE AREA, THE CITY OF BIXBY, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR, MAY ENTER SUCH RESERVE AREA AND PERFORM MAINTENANCE NECESSARY, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER THEREOF, WHICH SHALL BE THE ASSOCIATION (AS DEFINED BELOW), AS SET FORTH IN SECTION V HEREIN, UPON CONVEYANCE OF SUCH RESERVE AREA TO THE ASSOCIATION. IN THE EVENT THE RESERVE AREA OWNER FAILS TO TIMELY PAY THE COSTS OF SAID MAINTENANCE, AFTER COMPLETION OF THE MAINTENANCE BY AND RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF BIXBY, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH OF THE LOTS WITHIN THE GEOGRAPHIC JURISDICTION OF THE ASSOCIATION (AS DEFINED BELOW); PROVIDED, HOWEVER, THE LIEN AGAINST EACH LOT SHALL NOT EXCEED THAT LOT'S PRO RATA PORTION OF THE COSTS; OR THE CITY OF BIXBY PUBLIC WORKS AUTHORITY MAY ADD SUCH BILLING PRORATED UPON THE RESIDENTIAL LOT OWNER'S WATER BILL, WHICH METHOD OF COLLECTION SHALL BE DETERMINED BY THE CITY OF BIXBY. A LIEN AS PROVIDED IMMEDIATELY ABOVE MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

F. INDEMNIFICATION OF OWNER AND CITY

EACH LOT AND RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE ASSOCIATION (AS DEFINED BELOW) AGREES TO HOLD HARMLESS THE DEVELOPER AND THE CITY OF BIXBY, AND THEIR RESPECTIVE AGENTS AND REPRESENTATIVES, FROM ALL CLAIMS, DEMANDS, LIABILITIES, OR DAMAGES ARISING IN CONNECTION WITH THE OWNERSHIP OR USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR SITUATED IN THE RESERVE AREAS AND FURTHER AGREES THAT NEITHER THE CITY OF BIXBY NOR THE DEVELOPER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE ASSOCIATION (AS DEFINED BELOW) OR ANY GUEST, VISITOR, OR INVITEE THEREOF FOR ANY DAMAGE TO PERSON OR PROPERTY CAUSED BY ACTION, OMISSION OR NEGLIGENCE OF ANY LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

Conditional Final Plat

BXPUD-21.07

Haikey Creek Estates

Blocks 1~7

PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION SEVEN (7),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION & RESTRICTIVE COVENANTS (CONTINUED)

SECTION III - PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, THE SUBDIVISION WAS SUBMITTED AS A PART OF A PLANNED UNIT DEVELOPMENT (PUD) NO. BXPUD-21.07 ("135TH & MINGO") AS PROVIDED WITHIN TITLE 11 OF THE BIXBY, OKLAHOMA CITY CODE (BIXBY ZONING CODE), AND

WHEREAS, PUD NO. BXPUD-21.07 WAS AFFIRMATIVELY RECOMMENDED BY THE CITY OF BIXBY PLANNING COMMISSION ON JULY 19, 2021, AND APPROVED BY THE BIXBY CITY COUNCIL ON AUGUST 23, 2021 WITH IMPLEMENTING ORDINANCE (ORDINANCE NO. 2353) APPROVED AUGUST 23, 2021, AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT (PUD) PROVISIONS OF THE BIXBY ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD INJURING TO AND ENFORCEABLE BY THE CITY OF BIXBY, SUFFICIENT TO INSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PUD AND ANY AMENDMENTS THERETO, AND

WHEREAS, THE DEVELOPER DESIRES TO ESTABLISH THE FOLLOWING RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF BIXBY, OKLAHOMA.

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

A. GENERAL

1. DEVELOPMENT IN ACCORDANCE WITH PUD

THE SUBDIVISION SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF PUD NO. BXPUD-21.07, AS APPROVED BY THE CITY OF BIXBY, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF BXPUD-21.07 AS MAY BE SUBSEQUENTLY APPROVED.

2. APPLICABLE ORDINANCE

THE SUBDIVISION SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF BIXBY ZONING CODE AS SUCH PROVISIONS EXISTED ON AUGUST 23, 2021.

B. DEVELOPMENT STANDARDS

GROSS LAND AREA:	1,929,756 SF	44.301 AC
NET LAND AREA:	1,929,756 SF	44.301 AC
PERMITTED USES:	USE UNIT 6 DETACHED SINGLE-FAMILY DWELLINGS AND CUSTOMARY ACCESSORY USES; USE UNIT 5 COMMON AREA FACILITIES SUCH AS NEIGHBORHOOD PARK, PLAYGROUND, AND RECREATIONAL OPEN SPACE.	
MAXIMUM NUMBER OF LOTS:	180	
MINIMUM LOT WIDTH†:	65 FT	
MINIMUM LOT SIZE:	6,900 SF	
MINIMUM LAND AREA PER DWELLING UNIT:	8,400 SF *	
MAXIMUM BUILDING HEIGHT:	2 STORIES AND 35 FT **	
OFF-STREET PARKING AND YARD COVERAGE:		
MINIMUM TWO (2) ENCLOSED OFF-STREET PARKING SPACES REQUIRED PER DWELLING UNIT.		
OFF-STREET PARKING SHALL NOT EXCEED 75% OF THE REQUIRED FRONT YARD WIDTH OR AREA.		
MINIMUM LIVABILITY SPACE:	4,000 SF ***	
MINIMUM YARD SETBACKS:		
FRONT YARD:	25 FT	
REAR YARD:	20 FT	
SIDE YARD (INTERIOR):	5 FT	
SIDE YARD ABUTTING A STREET:	10 FT DWELLING; 20 FT GARAGE	
OTHER BULK AND AREA REQUIREMENTS:	AS REQUIRED WITHIN THE RS-3 DISTRICT	
MINIMUM DWELLING SIZE:	1,750	
FIRST FLOOR EXTERIOR MATERIALS:	75% MASONRY ****	

- * MINIMUM LAND AREA PER DWELLING UNIT IS SATISFIED BY THE PROPORTION OF MAXIMUM NUMBER OF LOTS TO GROSS LAND AREA AS PROVIDED IN ZONING CODE SECTION 11-7I-5.A.1. LOTS ARE THEREFORE NOT SUBJECT TO THIS REQUIREMENT ON AN INDIVIDUAL BASIS.
- ** ARCHITECTURAL FEATURES MAY EXTEND A MAX. OF FIVE (5) FEET ABOVE MAXIMUM PERMITTED BUILDING HEIGHT.
- *** LIVABILITY SPACE MAY BE LOCATED ON A LOT OR CONTAINED WITHIN COMMON OPEN SPACE OF THE DEVELOPMENT, AS PER SECTION 11-7I-5.C OF THE BIXBY ZONING CODE.
- **** MASONRY SHALL INCLUDE BRICK, NATURAL OR MANUFACTURED STONE, AND STUCCO. MINIMUM MASONRY PERCENTAGES SHALL EXCLUDE WINDOWS, DOORS, AND BENEATH COVERED PATIOS AND PORCHES.
- † DEFINED AS THE AVERAGE HORIZONTAL DISTANCE BETWEEN THE SIDE LOT LINES, WHICH IS AS IT IS PRESENTLY DEFINED IN THE BIXBY ZONING CODE.

C. ACCESS AND CIRCULATION

AS DESIGNED, THE SUBDIVISION WILL HAVE ITS PRINCIPAL POINT OF ACCESS TO SOUTH MINGO ROAD CORRESPONDING TO THE EXISTING ROADWAY JUST NORTH OF THE

HALF-SECTIONLINE. STUB STREETS ARE PROPOSED TO BE PUBLIC, BUT WILL HAVE THE OPTION OF PRIVATE, GATED STREETS, PER THIS PUD. WHETHER PUBLIC OR PRIVATE, STREETS SHALL BE CONSTRUCTED TO MEET THE MINIMUM STANDARDS OF THE CITY OF BIXBY FOR MINOR PUBLIC STREETS; PROVIDED, HOWEVER, THE CITY OF BIXBY MAY APPROVE ALTERNATIVE STREET DESIGN STANDARDS THROUGH PLATTING INCLUDING, BUT NOT LIMITED TO, PRIVATE, GATED STREETS WITH REDUCED RIGHTS-OF-WAY. ANY DIVIDED, BOULEVARD STREETS SEPARATED BY PRIVATE LANDSCAPED ISLANDS MAY HAVE ONE-WAY LANES MEETING RIGHT-OF-WAY WIDTH REQUIREMENTS IN AGGREGATE AND SHALL OTHERWISE BE CONSTRUCTED TO MEET THE MINIMUM STANDARDS DETERMINED BY THE CITY OF BIXBY DURING THE PLATTING STAGE. ANY GATES SERVING PRIVATE STREETS OR DRIVES SHALL BE DESIGNED ACCORDING TO THE FIRE CODE ADOPTED BY THE CITY OF BIXBY AND BE APPROVED BY THE BIXBY FIRE MARSHAL DURING THE PLATTING STAGE.

STREETS SERVING 135TH & MINGO ARE PROPOSED TO BE PUBLIC, BUT WILL HAVE THE OPTION OF PRIVATE, GATED STREETS, PER THIS PUD. WHETHER PUBLIC OR PRIVATE, STREETS SHALL BE CONSTRUCTED TO MEET THE MINIMUM STANDARDS OF THE CITY OF BIXBY FOR MINOR PUBLIC STREETS; PROVIDED, HOWEVER, THE CITY OF BIXBY MAY APPROVE ALTERNATIVE STREET DESIGN STANDARDS THROUGH PLATTING INCLUDING, BUT NOT LIMITED TO, PRIVATE, GATED STREETS WITH REDUCED RIGHTS-OF-WAY. ANY DIVIDED, BOULEVARD STREETS SEPARATED BY PRIVATE LANDSCAPED ISLANDS MAY HAVE ONE-WAY LANES MEETING RIGHT-OF-WAY WIDTH REQUIREMENTS IN AGGREGATE AND SHALL OTHERWISE BE CONSTRUCTED TO MEET THE MINIMUM STANDARDS DETERMINED BY THE CITY OF BIXBY DURING THE PLATTING STAGE. ANY GATES SERVING PRIVATE STREETS OR DRIVES SHALL BE DESIGNED ACCORDING TO THE FIRE CODE ADOPTED BY THE CITY OF BIXBY AND BE APPROVED BY THE BIXBY FIRE MARSHAL DURING THE PLATTING STAGE.

WITHIN THE BOUNDARY OF THE PUD, SIDEWALKS, INCLUDING BOTH INTERNAL AND ALONG EXTERIOR STREET FRONTAGES, SHALL BE CONSTRUCTED BY THE DEVELOPER OR INDIVIDUAL LOT OWNERS IN ACCORDANCE WITH THE BIXBY SUBDIVISION REGULATIONS. SIDEWALKS SHALL BE A MINIMUM OF FOUR (4) FEET IN WIDTH, SHALL BE ADA COMPLIANT, AND SHALL BE APPROVED BY THE CITY ENGINEER. SIDEWALKS WHICH ARE PROPOSED OUTSIDE OF PUBLIC RIGHT-OF-WAY SHALL BE PLACED IN A PUBLIC SIDEWALK EASEMENT.

D. SIGNS

RESIDENTIAL SUBDIVISION ENTRANCE SIGNAGE SHALL BE PERMITTED ALONG THE ARTERIAL STREET FRONTAGE AND SHALL COMPLY WITH STANDARDS FOR SAME AS PROVIDED IN THE BIXBY ZONING CODE. ENTRY SIGNAGE WILL BE INTEGRATED WITH THE LANDSCAPED ENTRIES AND CONTAINED WITHIN RESERVE AREAS OR EASEMENTS TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION. SIGNAGE SERVING RESIDENTIAL NEIGHBORHOOD AMENITIES, APPROPRIATE FOR PURPOSE AND NEIGHBORHOOD SCALE, SHALL BE PERMITTED WITHIN RESERVE AREAS CONTAINING NEIGHBORHOOD AMENITIES. SIGNAGE SHALL OTHERWISE COMPLY WITH THE BIXBY ZONING CODE.

E. PLATTING AND SITE PLAN REQUIREMENTS

NO BUILDING PERMIT SHALL BE ISSUED UNTIL A SUBDIVISION PLAT HAS BEEN SUBMITTED TO AND RECOMMENDED UPON BY THE BIXBY PLANNING COMMISSION AND APPROVED BY THE COUNCIL OF THE CITY OF BIXBY, AND DULY FILED OF RECORD. THE REQUIRED SUBDIVISION PLAT SHALL INCLUDE COVENANTS OF RECORD IMPLEMENTING THE DEVELOPMENT STANDARDS OF THE APPROVED PUD AND THE CITY OF BIXBY SHALL BE A BENEFICIARY THEREOF. THE PLAT WILL ALSO SERVE AS THE SITE PLAN FOR ALL RESIDENTIAL LOTS CONTAINED WITHIN THE PLAT.

F. CITY DEPARTMENT REQUIREMENTS

STANDARD REQUIREMENTS OF THE CITY OF BIXBY FIRE MARSHAL, CITY ENGINEER, AND CITY ATTORNEY SHALL BE MET.

SECTION IV - LAND USE RESTRICTIONS

A. USE OF LAND

ALL LOTS WITHIN THE SUBDIVISION SHALL BE KNOWN AND DESCRIBED AS RESIDENTIAL LOTS AND SHALL BE USED SOLELY FOR SINGLE FAMILY RESIDENCES. ALL ELSE HEREIN NOTWITHSTANDING, ANY LOT OWNED OR DESIGNATED BY DEVELOPER MAY BE USED FOR MODEL HOMES OR REAL ESTATE OFFICES UNTIL RESIDENCES HAVE BEEN CONSTRUCTED ON ALL LOTS.

B. SETBACKS

1. STREET AND EASEMENT SETBACKS

NO BUILDING, WHETHER PRINCIPAL OR ACCESSORY, SHALL BE ERECTED NEARER TO A PUBLIC STREET THAN THE BUILDING SETBACK LINES DEPICTED ON THE ACCOMPANYING PLAT, NOR SHALL ANY BUILDING ENCR OACH UPON ANY UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT. ALL HOUSES BUILT ON CORNER LOTS MUST FACE THE MOST RESTRICTIVE BUILDING LINE OR SETBACK.

2. SIDE YARDS

THE MINIMUM SIDE YARD SETBACKS SHALL BE GOVERNED BY THE PLANNED UNIT DEVELOPMENT RESTRICTIONS AS PROVIDED HEREIN, AND AS MAY BE AMENDED.

3. REAR YARD

THE MINIMUM REAR YARD SETBACKS SHALL BE GOVERNED BY THE PLANNED UNIT DEVELOPMENT RESTRICTIONS AS PROVIDED HEREIN, AND AS MAY BE AMENDED.

C. BUILDING HEIGHT

NO BUILDING SHALL EXCEED 2 STORIES OR 35 FEET IN HEIGHT.

D. NO SHORT TERM RENTAL

NO LOT, PART OF A LOT, OR ANY INTEREST THEREIN SHALL BE LEASED, RENTED, LET, OR SUBLEASED TO ANY PERSON FOR A TERM OF LESS THAN ONE (1) YEAR.

E. ADDITIONAL PRIVATE RESTRICTIONS AND COVENANTS

ADDITIONAL RESTRICTIONS AND COVENANTS SHALL BE PRIVATE AND WILL BE CONTAINED IN A SEPARATE INSTRUMENT DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, OR

SIMILARLY-TITLED DOCUMENT. THIS DOCUMENT SHALL INCLUDE THE FORMATION OF AN ARCHITECTURAL REVIEW COMMITTEE.

SECTION V - HOMEOWNERS' ASSOCIATION

A. FORMATION OF HOMEOWNERS' ASSOCIATION

THE DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF ALL LOT OWNERS WITHIN THE SUBDIVISION (THE "ASSOCIATION"), A NON-PROFIT CORPORATE ENTITY TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA AND TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING ALL RESERVE AREAS, OTHER COMMON AREAS, AND IMPROVEMENTS, INCLUDING ENTRY FEATURES, LIGHTING, SIDEWALKS, COMMON AREA LANDSCAPING, AND PERIMETER FENCING, AND FOR THE PURPOSE OF ENHANCING THE VALUE, DESIRABILITY, AND ATTRACTIVENESS OF "HAIKEY CREEK ESTATES BLOCKS 1-7" AND ANY ADDITIONAL SUBDIVISION(S) WHICH MAY BE SUBSEQUENTLY CREATED BY DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND ATTACHED TO OR OTHERWISE CONNECTED TO THE SUBDIVISION. THE OWNERS OF THE LOTS IN SUCH ADDITIONAL SUBDIVISION(S) SHALL HAVE THE RIGHT TO USE AND BE BENEFITTED BY RESERVE AREAS AND OTHER COMMON AREAS, FACILITIES, AND IMPROVEMENTS WITHIN THE SUBDIVISION. IF ANY SUCH ADDITIONAL SUBDIVISION(S) ARE CREATED BY DEVELOPER, THE OWNERS OF THE LOTS WITHIN THE SUBDIVISION SHALL HAVE THE RIGHT TO USE AND BE BENEFITTED BY ALL OF THE FUTURE RESERVE AREAS AND ANY OTHER COMMON AREAS, FACILITIES, AND IMPROVEMENTS WITHIN SUCH ADDITIONAL SUBDIVISION(S). ADDITIONALLY, ALL OF THE OWNERS OF THE LOTS WITHIN THE SUBDIVISION, AS MEMBERS OF THE ASSOCIATION, SHALL CONTRIBUTE ON THE SAME PER LOT BASIS, AS THE OWNERS OF THE LOTS IN ANY ADDITIONAL SUBDIVISION(S), TO THE MAINTENANCE, REPAIR, REPLACEMENT AND IMPROVEMENT OF ANY RESERVE AREAS, COMMON AREAS, AND OTHER SUCH COMMON FACILITIES AND IMPROVEMENTS LOCATED IN SUCH ADDITIONAL SUBDIVISION(S).

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST IN A LOT IN THE SUBDIVISION OR ANY ADDITIONAL SUBDIVISION (AS DESCRIBED ABOVE) SHALL BE A MEMBER OF THE ASSOCIATION AND GOVERNED BY AND SUBJECT TO THE ASSOCIATION'S ARTICLES OF INCORPORATION AND AS DESCRIBED IN THE SUBDIVISION'S SEPARATE COVENANTS, CONDITIONS, AND RESTRICTIONS, OR SIMILARLY-TITLED DOCUMENT, FILED AFTER THIS PLAT.

C. COVENANT FOR ASSESSMENTS

THE OWNER OF A LOT, BY ACCEPTANCE OF A DEED THEREFOR, COVENANTS AND AGREES TO PAY TO THE ASSOCIATION ASSESSMENTS TO BE ESTABLISHED BY THE ASSOCIATION IN ACCORDANCE WITH A DECLARATION TO BE EXECUTED AND RECORDED BY THE DEVELOPER. ALL UNPAID ASSESSMENTS SHALL BE A LIEN UPON THE LOT(S) AGAINST WHICH IT IS MADE.

D. ENFORCEMENT RIGHTS OF THE ASSOCIATION

WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL BE A BENEFICIARY, TO THE SAME EXTENT AS A LOT OWNER, OF THE VARIOUS COVENANTS SET FORTH WITHIN THIS DEED OF DEDICATION AND SHALL HAVE THE RIGHT TO ENFORCE THE COVENANTS TO THE SAME EXTENT AS A LOT OWNER.

SECTION VI - ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, & SEVERABILITY

A. ENFORCEMENT AND DURATION

THE RESTRICTIONS HEREIN SET FORTH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE DEVELOPER, ITS GRANTEES, TRANSFERREES, SUCCESSORS AND ASSIGNS AND ALL PARTIES CLAIMING UNDER IT FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE OF RECORDING OF THIS DEED OF DEDICATION, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS AMENDED OR TERMINATED AS HEREAFTER PROVIDED. EXCEPT FOR SECTIONS IV AND V, IF ANY LOT OWNER SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR THE CITY OF BIXBY, THE ASSOCIATION, OR ANY PERSONS OWNING A LOT WITHIN THE SUBDIVISION TO MAINTAIN AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT(S), TO PREVENT HIM/HER OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT(S), OR TO RECOVER DAMAGES FOR SUCH VIOLATION(S). IF ANY LOT OWNER SHALL VIOLATE THE PROVISIONS OF SECTIONS IV OR V, IT SHALL BE LAWFUL FOR THE ASSOCIATION OR ANY PERSONS OWNING A LOT WITHIN THE SUBDIVISION TO MAINTAIN AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH PROVISIONS, TO PREVENT HIM/HER OR THEM FROM SO DOING OR COMPEL COMPLIANCE WITH THE COVENANT(S), OR TO RECOVER DAMAGES FOR SUCH VIOLATION(S).

B. AMENDMENT OR TERMINATION

THE COVENANTS CONTAINED WITHIN SECTION I, STREETS, EASEMENTS, AND UTILITIES, SECTION II RESERVE AREAS, AND SECTION VI, ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, & SEVERABILITY MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE ASSOCIATION AND OWNER OF THE LOT OR LOTS TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND BY THE BIXBY PLANNING COMMISSION, OR ITS SUCCESSORS WITH THE APPROVAL OF THE BIXBY CITY COUNCIL. THE COVENANTS CONTAINED WITHIN SECTION III PLANNED UNIT DEVELOPMENT RESTRICTIONS SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MINOR AMENDMENT TO BXPUD-21.07 BY THE BIXBY PLANNING COMMISSION AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE BIXBY PLANNING COMMISSION WITH THE TULSA COUNTY CLERK, OR UPON APPROVAL OF A MAJOR AMENDMENT TO BXPUD-21.07 UPON FILING OF RECORD AN ORDINANCE AND/OR OTHER VALID RECORD OF CITY OF BIXBY APPROVAL. THE COVENANTS CONTAINED WITHIN SECTION IV, LAND USE RESTRICTIONS, SECTION V HOMEOWNERS' ASSOCIATION, AND ANY OTHER PROVISION OF THIS DEED OF DEDICATION WHICH DID NOT INITIALLY REQUIRE THE APPROVAL OF THE BIXBY PLANNING COMMISSION AND/OR THE CITY OF BIXBY, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND

ACKNOWLEDGED BY THE DEVELOPER, WITHOUT THE APPROVAL OF THE CITY OF BIXBY, UNTIL THE ASSOCIATION IS TURNED OVER TO THE LOT OWNERS, AFTER WHICH TIME SUCH AMENDMENT OR TERMINATION SHALL REQUIRE A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF MORE THAN 60% OF THE LOTS WITHIN THE SUBDIVISION; PROVIDED THAT, DURING SUCH PERIOD THAT THE DEVELOPER IS THE RECORD OWNER OF AT LEAST ONE (1) LOT WITHIN THE SUBDIVISION, ANY CONFLICT OF AMENDING OR TERMINATING INSTRUMENTS SHALL BE CONTROLLED BY THAT INSTRUMENT EXECUTED BY THE DEVELOPER. THE PROVISIONS OF ANY SUCH INSTRUMENT AMENDING OR TERMINATING COVENANTS SHALL BE EFFECTIVE FROM AND AFTER THE DATE THE INSTRUMENT IS PROPERLY RECORDED.

C. SEVERABILITY

THESE RESTRICTIVE COVENANTS, TOGETHER WITH THE OTHER DOCUMENTS INCORPORATED HEREIN BY REFERENCE, SHALL BE CONSTRUED AS AN ENTITY AND THE PERTINENT SECTIONS OF ALL INSTRUMENTS AS A WHOLE. THE INVALIDITY OF ANY PHRASE, CLAUSE, OR PROVISIONS HEREIN CONTAINED SHALL NOT RENDER THE BALANCE OF THIS INSTRUMENT VOID, OR UNENFORCEABLE, AND THE SAME SHALL BE THEREAFTER CONSTRUED AS IF SUCH PHRASE, CLAUSE, OR PROVISION WERE NOT HEREIN CONTAINED, OR TO OTHERWISE GIVE MAXIMUM EFFECT TO THE INTENT OF THE DEVELOPER. THE FAILURE OF THE DEVELOPER OR ANY SUCCESSOR IN TITLE, TO ENFORCE ANY RESTRICTION, COVENANT, OR CONDITION AT ANY TIME, OR FROM TIME TO TIME, SHALL NOT BE DEEMED TO BE A WAIVER OR RELINQUISHMENT OF ANY RIGHT OR REMEDY NOR A MODIFICATION OF THESE RESTRICTIONS, COVENANTS OR CONDITIONS.

IN WITNESS WHEREOF, THE OWNER HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS ____ DAY OF _____, 202__.

151 BIXBY LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
JULIUS PUMA, MANAGER
"DEVELOPER"

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 _____, 202__, PERSONALLY APPEARED JULIUS PUMA, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF 151 BIXBY LLC TO THE FOREGOING INSTRUMENT AS ITS MANAGER AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THE DAY AND YEAR LAST ABOVE WRITTEN.

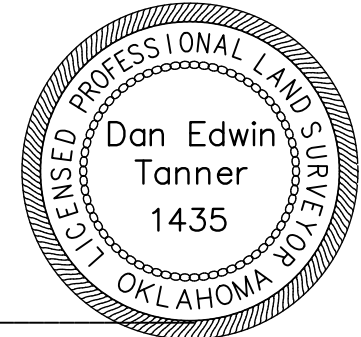
03/08/2024
MY COMMISSION EXPIRES NOTARY PUBLIC



CERTIFICATE OF SURVEY

I, DAN E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED AS "HAIKEY CREEK ESTATES BLOCKS 1-7" A SUBDIVISION WITHIN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS ____ DAY OF _____, 202__.



BY: _____
DAN E. TANNER
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435

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 _____, 202__, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING CERTIFICATE AS LICENSED PROFESSIONAL LAND SURVEYOR, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THE DAY AND YEAR LAST ABOVE WRITTEN.

03/08/2024
MY COMMISSION EXPIRES NOTARY PUBLIC





City of Bixby
P.O. Box 70
116 W. Needles Ave.
Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission
From: Gwen Plante, Assistant City Planner
Date: November 20, 2023
Name: City West Complex
RE: City West Complex – Final Plat (BXPT 23.15)
Location: Approximately 200 feet West of the Northwest corner of East 151 Street South and South Sheridan Road, Bixby, Oklahoma.
STR: Section 15, Township 17N, Range 13E
Applicant: Wallace Design, Mark Capron

Site Stats:

Acres: 16 +/-	Min. Lot Width: 150 ft.	DU/acre: N/A	Min. Dwelling Sq. Ft: N/A
Number of Lots: 1 Lot	Number of Blocks: 1 Lot	Reserve Areas: 3 Area	Max Bldg. Height: 70 Ft.

Request:

Final Plat approval for City West Complex (BXPT 23.15)

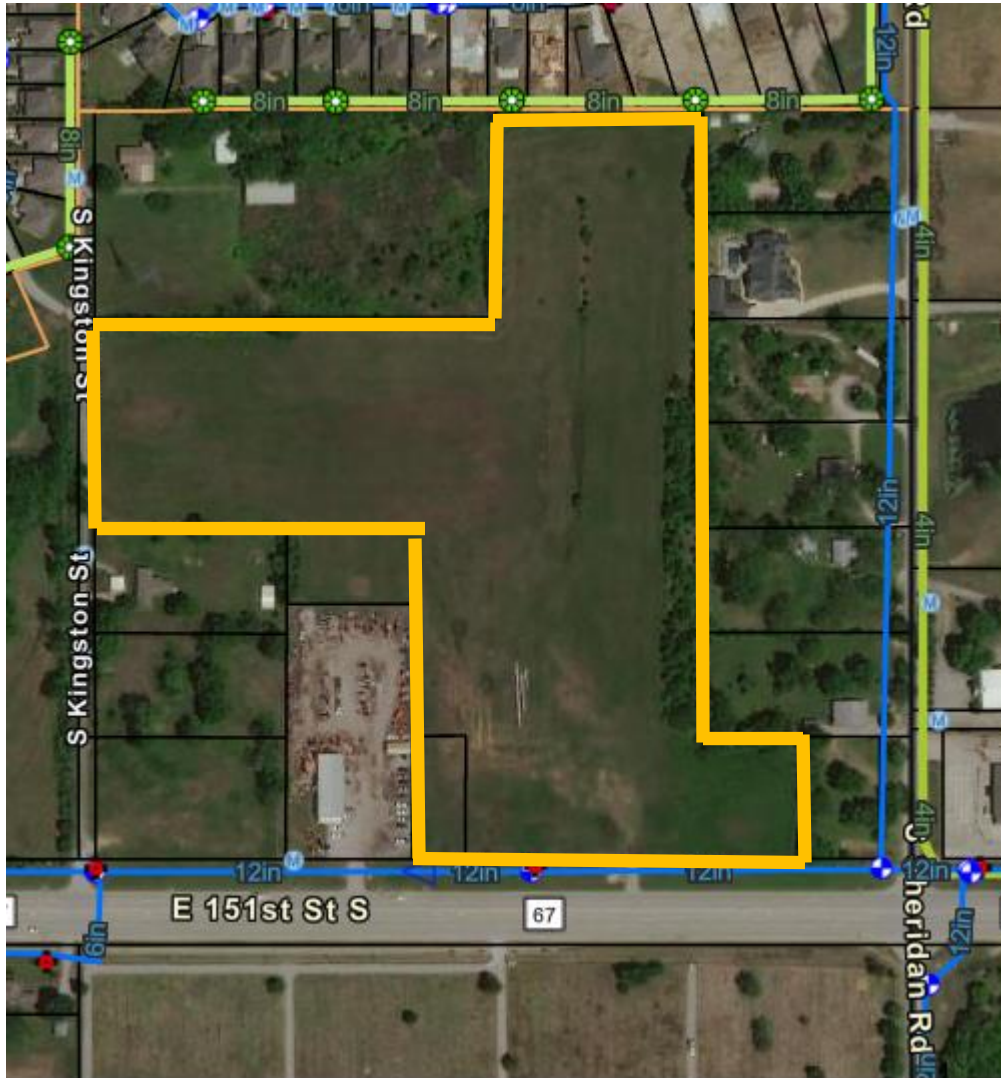
Existing Zoning; Use:

Commercial Shopping (CS), together with Planned Unit Development (BXPUD 22.02).

Abutting Zoning; Use:

North: (RS-3) Southridge at Lantern Hill Resub Lantern Hill; Single Family Dwellings
East: (AG) Agriculture; Single Family Dwellings; (CS) Guardian Exterminating
South: (AG) Agriculture; Bixby City Cemetery
West: (AG) Agriculture; Vacant; (CS) Commercial Shopping; Kubota Construction Equipment of Tulsa

Figure 1: City of Bixby Zoning Map



Staff Review

The applicant is requesting a Final Plat. The proposed development is consistent with development patterns on adjacent and surrounding properties and this is the final phase of this development.

Utilities/Site Area:**Sanitary Sewer:**

A new sanitary sewer will connect to the existing sanitary sewer in the Lantern Hill Subdivision to the North side of the site.

Water:

A new 6" waterline will tie into the existing 12' waterline along East 151st Street South, run through the property, and connect to a new 8" waterline along South Kingston Avenue.

A new 8" waterline along South Kingston Avenue will connect to the existing 12' waterline along East 151st Street South, continue north along South Kingston Avenue, and connect to the existing 6" waterline located in the Trails at White Hawk subdivision.

Planning Review Comments:

No Comments

Engineering//TAC Review Comments:

No comments

Public Comments:

No comments have been received at the time of writing.

Staff Comments:

Staff supports a recommendation for approval of the requested Final Plat.

Figures: Figure 1: City of Bixby Zoning Map

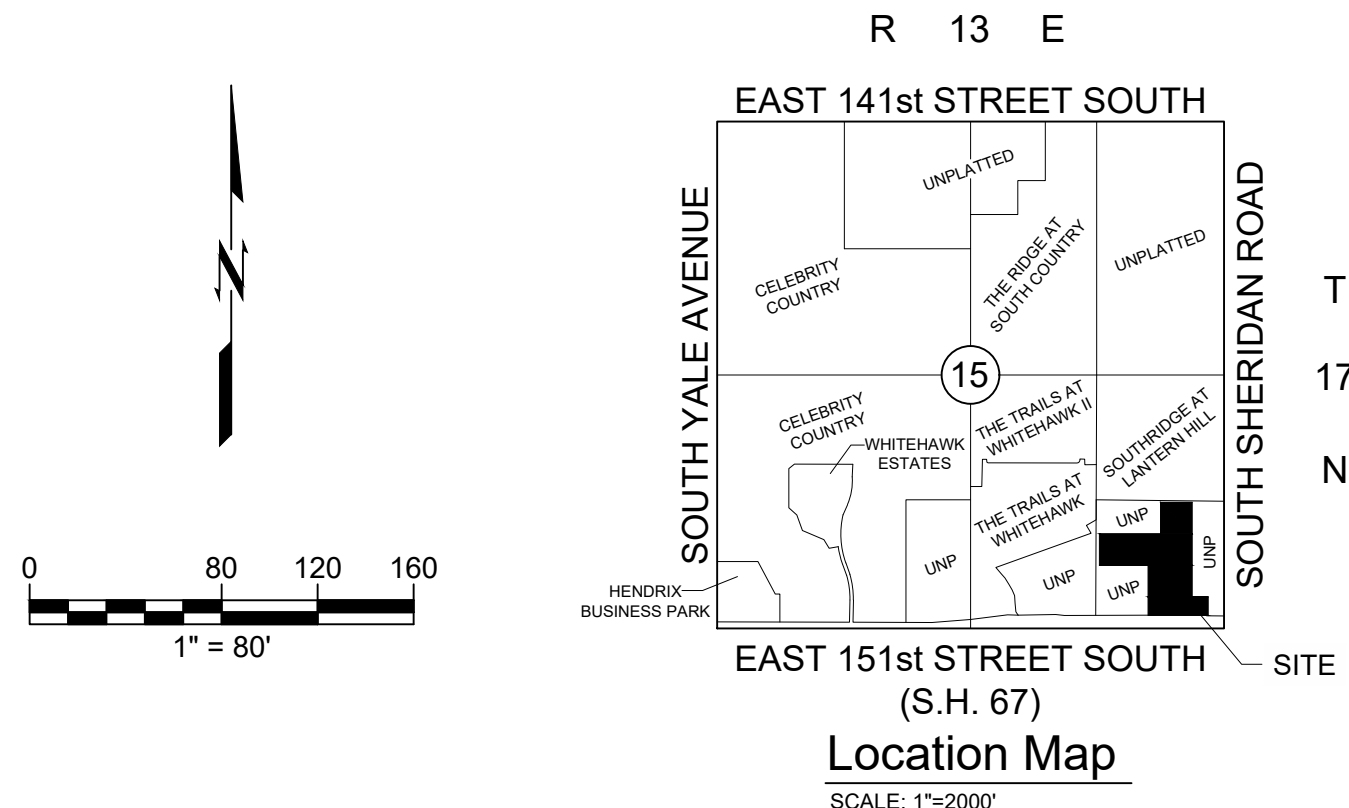
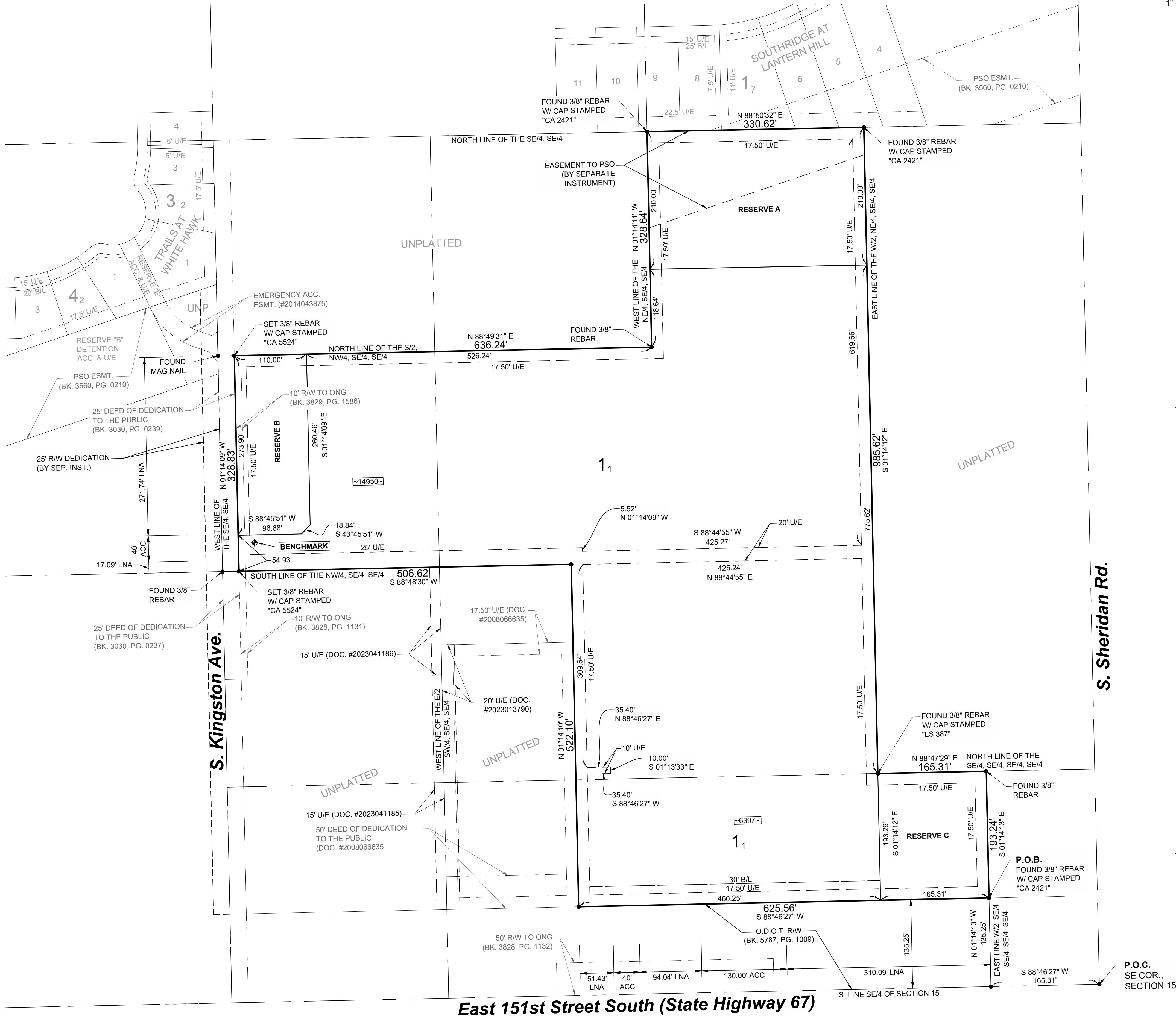
Attachments: Exhibit A: Final Plat by Engineered Wallace Engineering

FINAL PLAT

CITY WEST COMPLEX

A SUBDIVISION IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4)
OF SECTION FIFTEEN (15), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF
THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

PUD: BXPUD-22.09



OWNER:
City of Bixby
116 W. Needles Avenue
Bixby, Oklahoma, 74008-4410
CONTACT: JARED COTTLE

ENGINEER:
Wallace Design Collective, PC
123 North Martin Luther King Jr Blvd.
Tulsa, Oklahoma, 74103
Phone: (918) 584-5858
OK CA NO. 1460, EXPIRES 6/30/2025
A. NICOLE WATTS P.E.
nicole.watts@wallace.design

SURVEYOR:
Geodeca LLC
P.O. BOX 33012
Tulsa, Oklahoma 74153
Phone: (918) 949-4064
RUSSELL M. MUZIKA
LPLS 1603, CA #5524
EXPIRES 6/30/2024
info@geodeca.com

LEGEND
B/L = BUILDING SETBACK
ACC = ACCESS
BK/PG. = BOOK/PAGE
LNA = LIMITS OF NO ACCESS
R/W = RIGHT-OF-WAY
RWD = RURAL WATER DISTRICT
U/E = UTILITY EASEMENT
ONG = OKLAHOMA NATURAL GAS
PSO = PUBLIC SERVICE COMPANY OF OKLAHOMA
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
-6397- ADDRESS

SUBDIVISION STATISTICS
SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK AND THREE (3) RESERVE AREAS.
SUBDIVISION CONTAINS 698,603 SF (16.04 ACRES)
LOT ONE (1) CONTAINS 567,191 SF (13.02 ACRES)
RESERVE A CONTAINS 69,429 SF (1.60 ACRES)
RESERVE B CONTAINS 30,034 SF (0.69 ACRES)
RESERVE C CONTAINS 31,949 SF (0.73 ACRES)

MONUMENTATION
UNLESS OTHERWISE NOTED, 3/8" IRON PINS TO BE SET AT ALL PROPERTY CORNERS.

BENCHMARK
3/8" IRON PIN W/ "GEODECA" CAP
NORTHING=351222.271
EASTING=2587454.075
ELEV=679.52
NAVD 1988 DATUM

BASIS OF BEARINGS
HORIZONTAL DATUM BASED UPON OKLAHOMA STATE PLANE
COORDINATE SYSTEM NAD 83, NORTH ZONE 3501.

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

FLOODPLAIN NOTE
SUBJECT PROPERTY WHOLLY WITHIN FLOOD ZONE X (UNSHADED)
PER FIRM MAP PANEL NO. 40143C0433L AND NO. 40143C0434L, EFF. 10/16/2012.

ORIG SIZE: 24" X 36"

\\civil-server\projects\2140369 Bixby Maintenance Facility and Fire Station\Drawings\PRODUCTION\Plat\2140369 Final Plat.dwg

East 151st Street South (State Highway 67)

ORIG SIZE:24"x36"

\\civl-server\projects\2140369 Bixby Maintenance Facility and Fire Station\DWG\PRODUCTION\Plat2 140369 DOD.dwg

FINAL PLAT

CITY WEST COMPLEX

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

PUD: BXPUD-22.09

KNOW ALL MEN BY THESE PRESENTS:

CITY OF BIXBY, A MUNICIPAL CORPORATION, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

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

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 15; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 15, S88°46'27"W A DISTANCE OF 165.31 FEET; THENCE ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, N01°14'13"W A DISTANCE OF 135.25 FEET TO THE POINT OF BEGINNING;

THENCE ON A LINE PARALLEL WITH AND 135.25 FEET FROM THE SOUTH LINE OF THE SOUTHEAST QUARTER, S88°46'27"W A DISTANCE OF 625.55 FEET; THENCE N01°14'10"W A DISTANCE OF 522.10 FEET; THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, S88°48'30"W A DISTANCE OF 506.62 FEET TO A POINT ON THE EAST LINE OF A 25' RIGHT-OF-WAY, FILED IN BOOK 3030, PAGE 239 AT THE OFFICE OF THE TULSA COUNTY CLERK; THENCE ALONG SAID EAST LINE BEING PARALLEL WITH AND 25' FROM THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, N01°14'09"W A DISTANCE OF 328.83 FEET; THENCE ALONG THE NORTH LINE OF THE SOUTH HALF OF NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, N88°49'31"E A DISTANCE OF 636.24 FEET; THENCE ALONG THE WEST LINE OF NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, N01°14'11"W A DISTANCE OF 328.64 FEET; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, BEING THE SOUTH LINE OF "SOUTHRIDGE AT LANTERN HILL" AN ADDITION TO THE CITY OF BIXBY FILED AS PLAT #6454 AT THE OFFICE OF THE TULSA COUNTY CLERK, N88°50'32"E A DISTANCE OF 330.62 FEET; THENCE ALONG THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, S01°14'12"E A DISTANCE OF 985.62 FEET; THENCE ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, N88°47'22"E A DISTANCE OF 165.31 FEET; THENCE ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, S01°14'13"E A DISTANCE OF 193.24 FEET TO THE POINT OF BEGINNING;

HAVING AN AREA OF 698,603.402 SQUARE FEET OR 16.04 ACRES.

AND HAS CAUSED THE ABOVE-DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO ONE LOT, ONE BLOCK AND THREE RESERVES, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT"), AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "CITY WEST COMPLEX"; A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA (HEREINAFTER THE "SUBDIVISION" OR "PLATTED AREA" OR "CITY WEST COMPLEX").

SECTION I. EASEMENTS AND UTILITIES

A. GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U/E" OR "UTILITY EASEMENT", FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER 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 RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON THE LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

- OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC AND COMMUNICATION SERVICE MAY BE LOCATED IN THE PERIMETER UTILITY EASEMENT AND IN THE PERIMETER RIGHT-OF-WAYS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED UPON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES 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 STRUCTURE AS MAY BE LOCATED UPON EACH SAID LOT, PROVIDED THAT UPON THE INSTALLATION OF SUCH 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 EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP, EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE, EXTENDING FROM THE SERVICE PEDESTAL, TRANSFORMER OR GAS MAIN TO THE SERVICE ENTRANCE ON THE STRUCTURE OR A POINT OF METERING.
- 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 OF THE SUBDIVISION OR PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE FACILITIES SO INSTALLED BY IT. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION ALSO RESERVES THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CUT DOWN, TRIM, OR TREAT ANY TREES AND UNDERGROWTH ON SAID EASEMENT.

- THE OWNER OF THE LOT IN THE SUBDIVISION SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND ELECTRIC FACILITIES LOCATED ON HIS PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE WILL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT IN THE SUBDIVISION WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS. THE FOREGOING COVENANTS CONCERNING UNDERGROUND FACILITIES SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS SERVICES.

- ONG'S EASEMENT(S) RECORDED IN BOOK 3828, PG 1131, BOOK 3828, PG. 1132 AND BOOK 3829, PG 1586 REMAIN IN FULL FORCE AND EFFECT. ONG'S EASEMENT(S) PRE-DATE THE RIGHT-OF-WAY DEDICATION IN THIS PLAT AND MAY PROHIBIT OR LIMIT CERTAIN USES OF ONG'S RIGHT-OF-WAY, INCLUDING PAVING, OTHER UTILITY LINES, AND PERMANENT STRUCTURES, WITHOUT ONG'S PRIOR WRITTEN CONSENT.

C. WATER MAINS, SANITARY SEWERS, AND STORM SEWER SERVICES

- THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS IN THIS ADDITION.
- WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GROUND ELEVATIONS FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER MAIN, OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS, SHALL BE PROHIBITED.
- CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWER MAINS, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER, HIS AGENTS OR CONTRACTORS.
- CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL EASEMENTWAYS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THE 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 SHALL BE ENFORCEABLE BY THE CITY OF BIXBY, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

D. SURFACE DRAINAGE

EACH LOT DEPICTED ON THE PLAT OF "CITY WEST COMPLEX", SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM STREETS AND EASEMENTS. NO LOT OWNER(S) 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 ANY LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA.

E. PAVING AND LANDSCAPING WITHIN EASEMENT

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

F. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO EAST 151ST STREET / STATE HIGHWAY 67 OR SOUTH KINGSTON AVENUE STREET SOUTH WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE CITY OF BIXBY CITY COUNCIL, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA.

G. SIDEWALKS: PUBLIC SIDEWALK EASEMENT

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED BY THE LOT OWNER IN ACCORDANCE WITH THE BIXBY SUBDIVISION AND DEVELOPMENT REGULATIONS AND IN ACCORDANCE WITH THE STANDARDS OF THE CITY OF BIXBY. ALL SUCH SIDEWALKS SHALL BE CONSTRUCTED PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN THE SUBDIVISION.

H. RESERVES "A", "B" AND "C" - STORMWATER DETENTION EASEMENT

- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS AND SHOWN ON THE ACCOMPANYING PLAT AS RESERVES "A", "B" AND "C" FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION 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, OKLAHOMA.
- NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED IN THE RESERVES NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID RESERVES UNLESS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF BIXBY, OKLAHOMA.
- DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION OR PROPERTY OWNERS' ASSOCIATION 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 ASSOCIATION SHALL PROVIDE CUSTOMARY GROUNDS MAINTENANCE WITHIN THE RESERVES 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 RESERVES 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, OKLAHOMA, SHALL BE ALLOWED WITHIN THE RESERVES.

- IN THE EVENT THE HOMEOWNERS' ASSOCIATION OR PROPERTY OWNER'S ASSOCIATION 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 RESERVES, THE CITY OF BIXBY, OKLAHOMA, 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 ASSOCIATION. IN THE EVENT THE ASSOCIATION FAILS TO PAY THE COSTS OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF BIXBY, OKLAHOMA, 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 EACH LOT WITHIN THE SUBDIVISION, PROVIDED, THE LIEN AGAINST EACH LOT SHALL NOT EXCEED THAT LOT'S PRO RATA PORTION OF THE COSTS. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF BIXBY, OKLAHOMA.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS CITY WEST COMPLEX WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT (PUD-BXPUD-22.09) AND WAS AFFIRMATIVELY RECOMMENDED BY THE BIXBY PLANNING COMMISSION ON DECEMBER 19, 2022, AND APPROVED BY THE COUNCIL OF THE CITY OF BIXBY, OKLAHOMA, ON JANUARY 9, 2023, WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE CITY OF BIXBY ZONING CODE REQUIRED BY THE ESTABLISHMENT OF COVENANTS OF RECORD, INJURING TO AND ENFORCEABLE BY THE CITY OF BIXBY, STATE OF OKLAHOMA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT, AND

WHEREAS, THE OWNER/DEVELOPER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER/DEVELOPER, ITS' SUCCESSORS AND ASSIGNS, AND THE CITY OF BIXBY, STATE OF OKLAHOMA.

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

DEVELOPMENT STANDARDS

PERMITTED USES: USES PERMITTED BY RIGHT WITHIN THE CS DISTRICT EXCEPT ANY SEXUALLY ORIENTED BUSINESS, (AS DEFINED BY ZONING CODE SECTION 11-7D-6).

USE UNIT 4: PUBLIC PROTECTION AND UTILITY FACILITIES

MINIMUM BUILDING SETBACKS: AS PER CITY ZONING CODE MAXIMUM BUILDING SETBACKS: AS PER CITY ZONING CODE SCREENING: WALL AS PER ZONING CODE, OR

EARTHEN BERM THAT MEETS CODE HEIGHT REQUIREMENTS, OR COMBINATION OF EARTHEN BERM AND WALL THAT MEETS CODE HEIGHT REQUIREMENTS

GENERAL PROVISIONS AND DEVELOPMENT STANDARDS

SIGNAGE:

WALL AND CANOPY SIGNS SHALL NOT EXCEED AN AGGREGATE DISPLAY SURFACE AREA OF THREE (3) SQUARE FEET PER EACH LINEAR FOOT OF THE BUILDING WALL TO WHICH THE SIGN OR SIGNS ARE AFFIXED.

SIGNAGE SHALL COMPLY WITH STANDARDS FOR SAME AS PROVIDED IN THE BIXBY ZONING CODE.

FAÇADES:

THE FAÇADE FOR THE FIRE STATION WILL BE MASONRY WHICH FALLS WITHIN THE CORRIDOR APPEARANCE DISTRICT. ALL EXTERIOR BUILDING WALLS OF THE NEWLY CONSTRUCTED BUILDINGS SHALL BE PRIMARILY OF LIKE MATERIAL(S) ON ALL FACES OF SUCH BUILDINGS THAT FRONT PUBLIC STREETS.

VEHICULAR ACCESS AND CIRCULATION:

ALL PRIVATE DRIVEWAYS AND/OR STREET CONNECTIONS SHALL BE SUBJECT TO THE CITY ENGINEER CURB CUT PERMIT APPROVAL FOR THE PROPOSED ACCESS POINTS ON 151ST STREET AND KINGSTON AVENUE, AND THE FIRE MARSHAL'S APPROVAL OF LOCATIONS, SPACING, WIDTHS AND CURBS RETURN RADII.

SIDEWALKS SHALL BE A MINIMUM FOR FOUR (4) FEET IN WIDTH, SHALL BE ADA COMPLIANT.

PARKING:

THE PARKING SPACES WILL BE CONCRETE WITH CURB AND GUTTER. PAVEMENT DESIGN SHALL BE PER GEOTECHNICAL REPORT. ALL DRIVEWAYS WILL BE REQUIRED TO BE PERMITTED BY THE CITY OF BIXBY AND ODOT. HANDICAP PARKING SPACES WILL BE PROVIDED WITH SIGNS AND WHEEL STOPS.

LANDSCAPING:

THE PROPERTY IS ALONG HIGHWAY 67 - 151ST ST BETWEEN MEMORIAL AND SHERIDAN AND HAS A HIGH LEVEL OF VISUAL EXPOSURE TO THE PUBLIC.

BY CODE, THE SITE WILL REQUIRE A BUFFER BETWEEN IT AND THE RESIDENTIAL PROPERTIES TO THE EAST. EXISTING VEGETATION ALONG THE EAST WILL BE PRESERVED TO PROVIDE A BUFFER. TREES AS REQUIRED BY THE BIXBY ZONING CODE WILL BE INSTALLED AS PER THE PROVISIONS OF THE LANDSCAPE CHAPTER OF THE BIXBY ZONING CODE.

SECTION III. 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, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I, EASEMENTS, AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO. IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING ANY LOT SITUATED WITHIN THE SUBDIVISION, OR THE CITY OF BIXBY, TULSA COUNTY, TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES.

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL AND 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, EASEMENTS, AND UTILITIES MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE CITY OF BIXBY CITY COUNCIL, OR ITS SUCCESSORS WITH THE APPROVAL OF THE CITY OF BIXBY, TULSA COUNTY, OKLAHOMA.

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:

CITY OF BIXBY HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 2023.

BY: _____

BRIAN GUTHRIE, MAYOR

ACKNOWLEDGMENT

STATE OF OKLAHOMA)

) SS:

COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2023.

BY BRIAN GUTHRIE AS MAYOR.

NOTARY PUBLIC

MY COMMISSION NO: _____

MY COMMISSION EXPIRES: _____

[SEAL]

CERTIFICATE OF SURVEY

I, RUSSEL M. MUSIKA, OF GEODECA LLC, A LICENSED LAND SURVEYOR REGISTERED IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "CITY WEST COMPLEX", A SUBDIVISION IN THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, IS A REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED LAND SURVEYING PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2023.

RUSSEL M. MUSIKA
LICENSED LAND SURVEYOR

ACKNOWLEDGMENT

STATE OF OKLAHOMA)

) SS:

COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2023.

BY RUSSEL M. MUSIKA, AS _____ OF GEODECA LLC.

NOTARY PUBLIC

MY COMMISSION NO: _____

MY COMMISSION EXPIRES: _____

[SEAL]



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

Staff Report

To: Bixby Planning Commission

From: Gwen Plante, Assistant City Planner

Date: November 20, 2023

RE: **Performing Arts Center**
RE-ZONING | BXZO-23.11
Commercial Heavy (CH) and Residential Single-family (RS-3) to Commercial Heavy (CH).

Applicant | City of Bixby

REQUEST: Discussion and review of the following:

Zoning Changes:

- Rezoning from Commercial Heavy (CH) and (RS-3) Residential Single Family to Commercial Heavy (CH).

LOCATION: The Block South of East Dawes Avenue, and North of East Breckenridge Avenue, and East of North Montgomery Street, West of North Stanley Street.

EXISTING ZONING: (CH) Commercial Heavy and (RS-3) Residential Single-family

PROPOSED ZONING: (CH Commercial Heavy

ACRES: 13.71 Acres Total

STR: Section 24, Township 17N, Range 13E

EXISTING USE: Vacant, Daycare Facility

STAFF REPORT: *PERFORMANING ARTS CENTER | 11.20.2023 | PAGE 1 OF 4*

PROPOSED USE: Commercial Development – Performing Arts Center

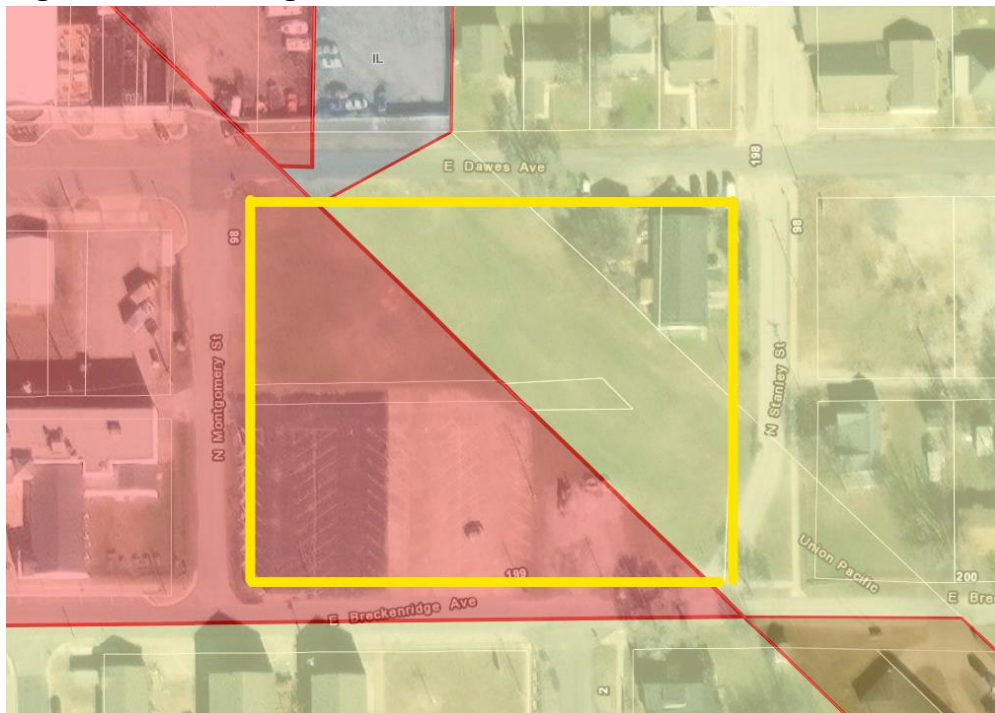
DEVELOPMENT STANDARDS (Commercial):

13.71 acres, Commercial Heavy (CH). The CH District is designed to accommodate high-intensity commercial and related uses in areas designated high-intensity by the comprehensive plan.

Permitted Uses, All uses permitted by right in the (CH) Commercial Heavy District.

Use Units: 1, 4, 5, 10, 11, 12, 13, 14, 15, 17, 18, 19, 22, 23.

Figure 1: Performing Arts Center



Development Area – Commercial

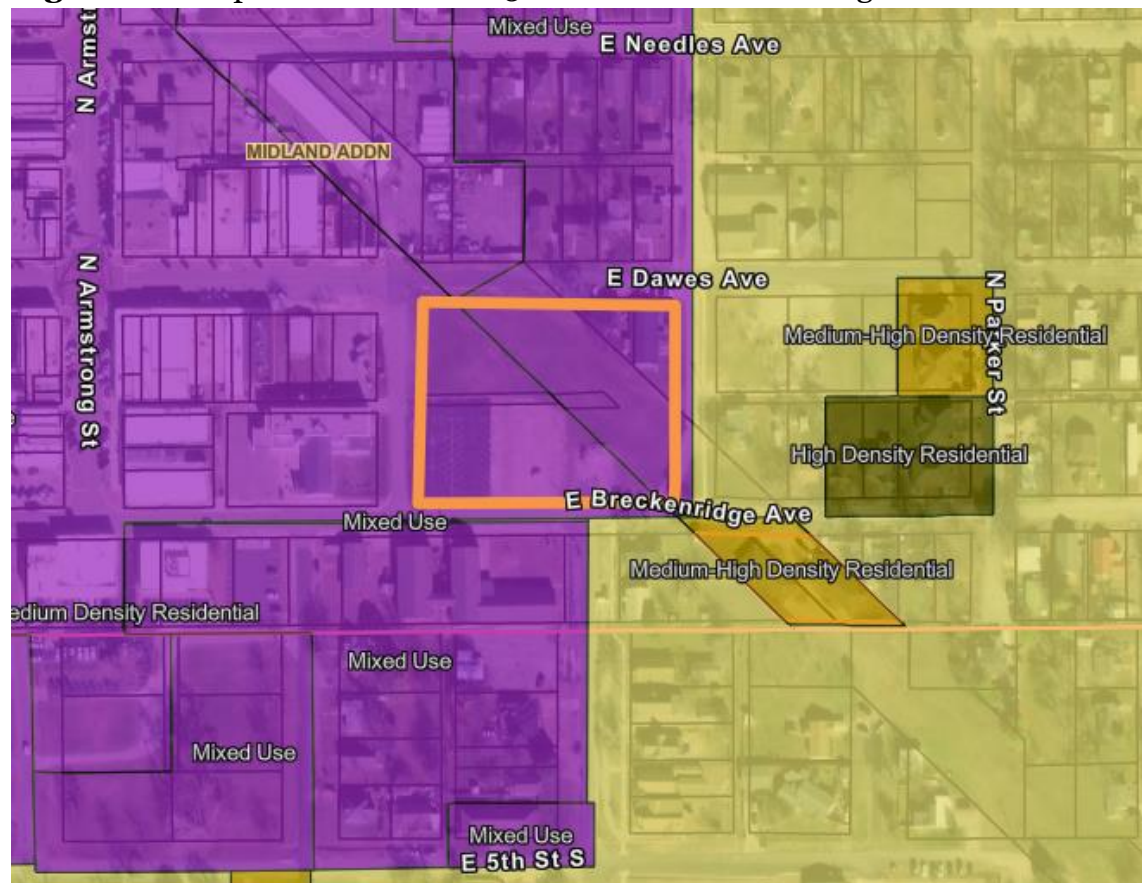
	Code for CH
<i>Building Height</i>	5 Stories or 70 Ft.
<i>Frontage</i>	
- Arterial	N/A
- Not an arterial	N/A
<i>Floor Area Ratio</i>	N/A
<i>Set Backs</i>	
- Arterial	N/A
- Not an arterial	N/A
<i>From abutting R District</i>	
- Boundry Lines (Min Feet)	N/A

SURROUNDING ZONING AND LAND USE:

North: (CH) Commercial Heavy, (IL) Industrial Light, and (RS-3) Residential Single Family
 West: (CH) Commercial Heavy
 South: (CH) Commercial Heavy, and (RS-3) Residential Single Family
 East: (RS-3) Residential Single-Family

EXISTING COMPREHENSIVE PLAN:

Figure 2: Comprehensive Plan 2030 Future Land Use Designation



BIXBY 2030 our Vision. our Future.

Figure 2-1
2030 Future Land Use

*** Mixed-Use: a pedestrian-friendly development that blends two or more residential, commercial, cultural, institutional, or entertainment uses into one space. Ground-floor apartments are permitted within this use.

STAFF RECOMMENDATION: Approval

Staff believes the proposed zoning changes align well with the surrounding land use and future land use.

Figures:

Figure 1: City of Bixby Zoning Map

Figure 2: Comprehensive Plan 2030 Future Land Use Designation



City of Bixby
P.O. Box 70
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Bixby, OK 74008
(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission
From: Gwen Plante, Assistant City Planner
Date: November 20, 2023
Name: ***Bixby Public Schools Administration Building***
RE: Specific Use Permit (**BXSUP-23.05**)
Location: 23 S Riverview Drive, Bixby, Oklahoma
STR: Section 24, Township 17N, Range 13E
Applicant: Wallace Design, Karl Fritschen

Request:

The applicant is requesting a Specific Use Permit (**BXSUP-23.05**) to allow for a School Administration Building in an Agricultural (AG) Zoned District.

Existing Zoning; Use:

Agriculture (AG)

Abutting Zoning; Use:

North: (AG) Agriculture, Full Gospel Church

East: (AG) Agriculture; Bixby Middle School

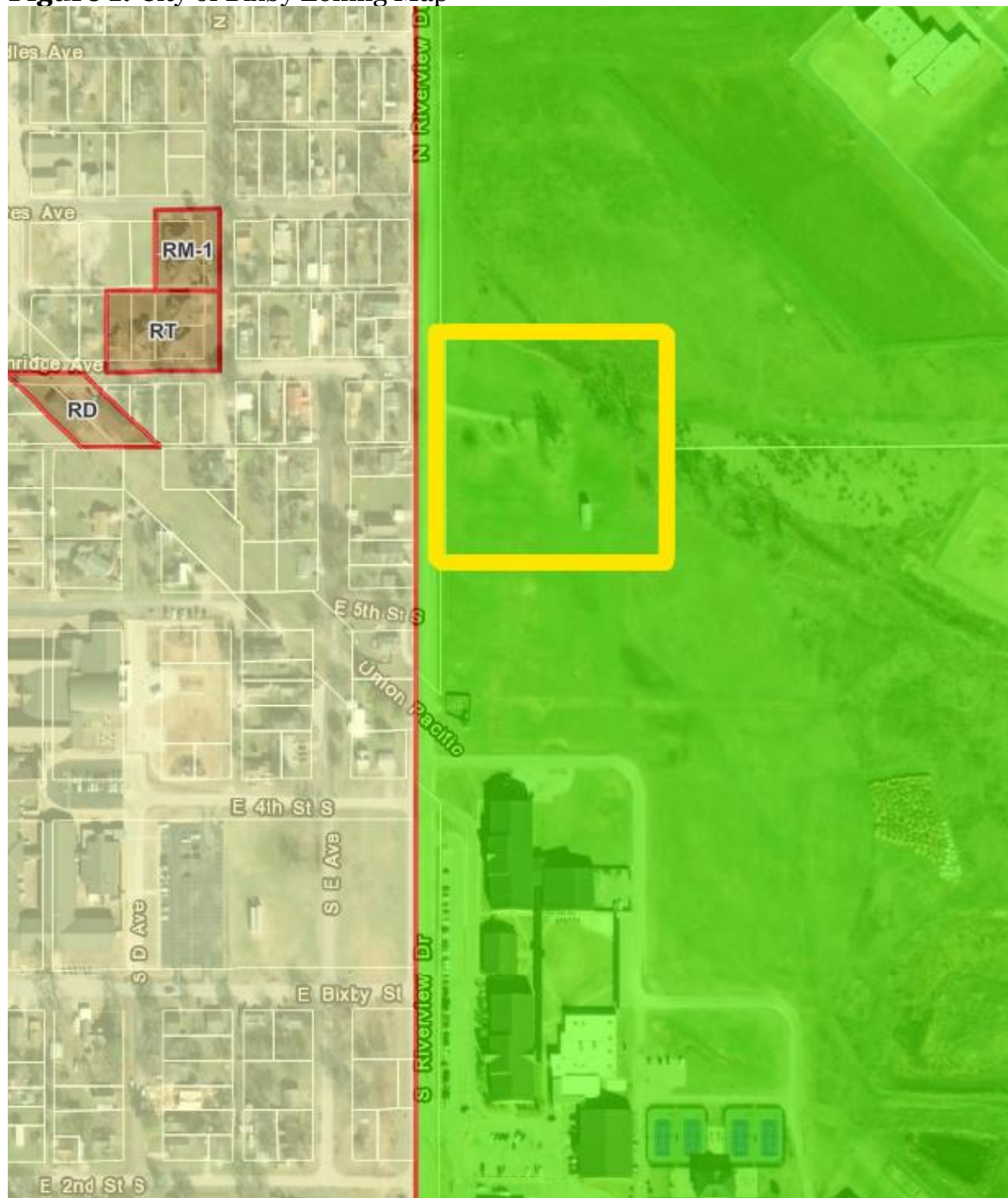
South: (AG) Agriculture; Bixby Public Schools

West: (RS-3) Residential Single Family

Proposed Zoning; Use:

Agriculture (AG); Specific Use Permit to allow Use Unit 5, Community Services and Similar Uses, School

Figure 1: City of Bixby Zoning Map



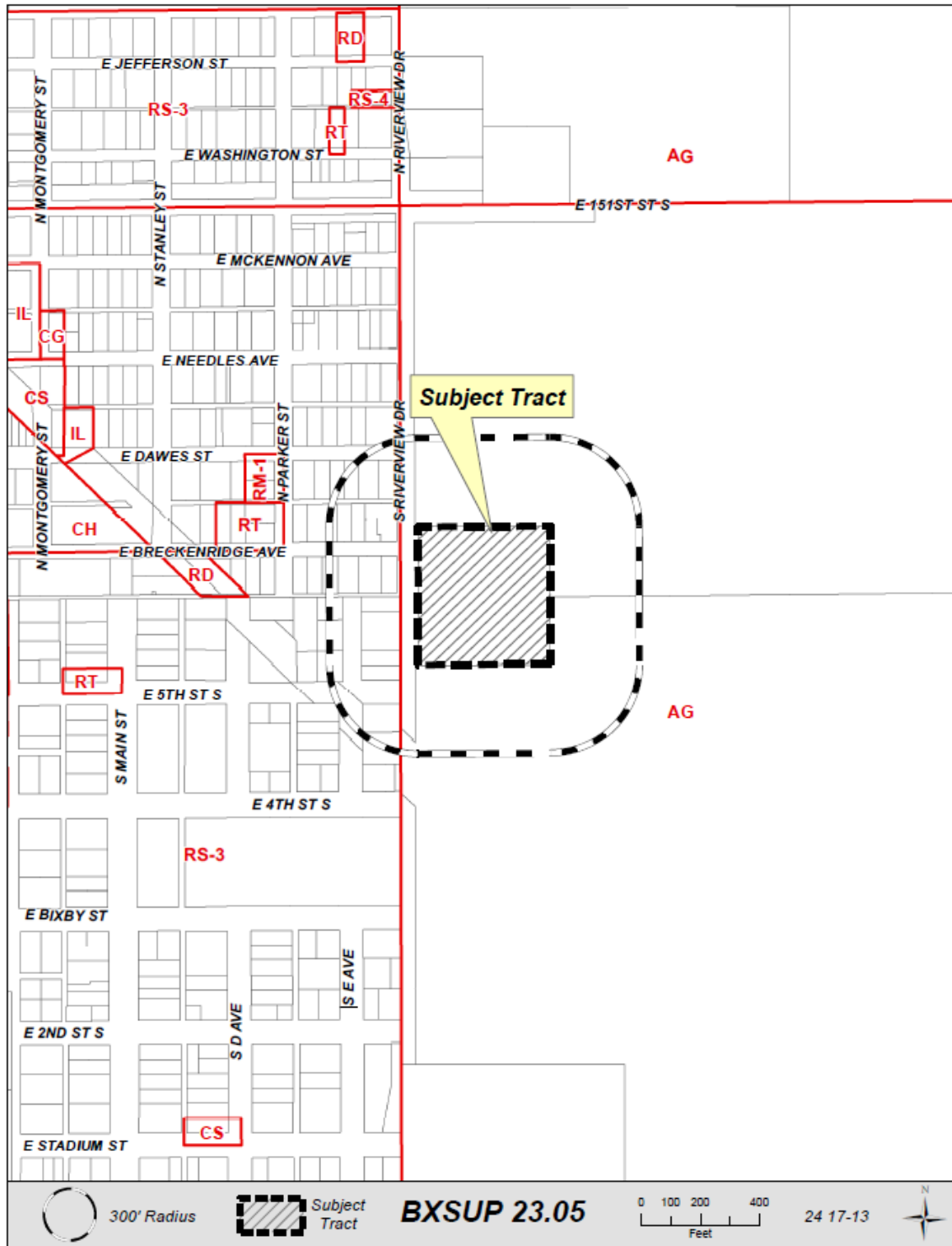
Public Comments: No comments have been received, for or against, regarding the application for a Specific Use Permit.

Staff Recommends

1. The requested Specific Use Permit for School, Use Unit 5: Community Services and Similar Uses allowed by Specific Use Permit under (AG) Agriculture Zoning District.
2. The requested Detailed Site Plan and Landscape Plan.

Engineering Comments: None

Figures: Figure 1: City of Bixby Zoning Map





City of Bixby
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(918) 366-4430

Staff Report

To: City of Bixby, Planning Commission

From: Gwen Plante, Assistant City Planner

Date: November 20, 2023

Name: ***116 & 114 Bixby Development***

RE: Rezone (**BXZO 23.13**) from Residential Single-Family (RS-3) to
Commercial Heavy (CH);
Planned Unit Development (**BXPUD 23.05**)

Location: 114 East Breckenridge Ave

Applicant: Dawes 124 Bixby, LLC, Dean West

Request:

Rezone (BXZO 23.13) and Planned Unit Development (BXPUD 23.05)

Description:

The applicant is requesting a Rezone from Single-Family Residential (RS-3) to Commercial Heavy (CH) with a Planned Unit Development (BXPUD-23.05).

The PUD will allow efficient use of the land with higher development standards than required under the existing zoning code.

Existing Zoning; Use:

Residential Single-Family (RS-3)

Abutting Zoning; Use:

North: (CH) Commercial Heavy, Vacant

East: (RS-3) Residential Single Family

South: (RS-3) Residential Single Family

West: (RS-3) Residential Single Family

Proposed Zoning; Use:

Commercial Heavy (CH) with PUD

Figure 1: City of Bixby Zoning Map



Staff Review

The applicant is requesting a rezone (BXZO 23.13 from Residential Single-Family (RS-3) to Commercial Heavy (CH) and Planned Unit Development (BXPUD 23.05).

Project Overview:

The applicant is requesting a rezone (BXZO 23.13 from Residential Single-Family (RS-3) to Commercial Heavy (CH) and Planned Unit Development (BXPUD 23.05).

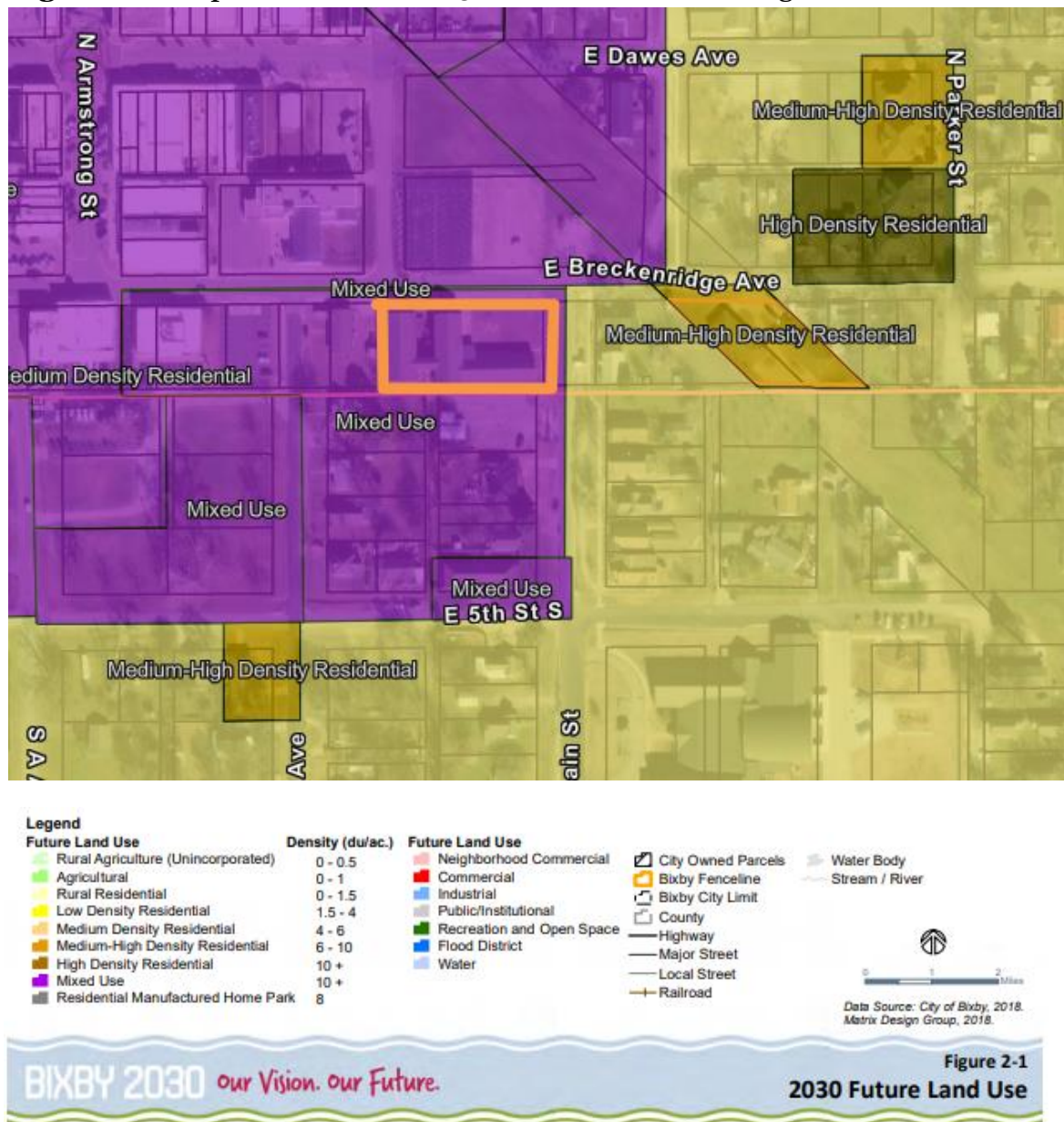
Permitted Uses, uses permitted by right (including all customarily accessory thereto) within the CH district except any Sexually Oriented Business, (as defined by Zoning Code Section 11-7D-6) and medical marijuana dispensaries, liquor stores. “Stacking” of uses customarily found in a mixed-use development shall also be allowed.

Use Units: 8, 10, 11, 12, 13, 14, and 19.

*** Mixed-Use: a pedestrian-friendly development that blends two or more residential, commercial, cultural, institutional, or entertainment uses into one space. Ground-floor apartments are permitted within this use.

EXISTING COMPREHENSIVE PLAN:

Figure 2: Comprehensive Plan 2030 Future Land Use Designation



Public Comments: No comments have been received by staff, for or against, regarding the application to Rezone or PUD.

Staff Comments:

- Staff supports approval of the requested Rezone from Residential Single-family (RS-3) to Commercial Heavy (CH) with a Planned Unit Development (PUD).

Figures:

Figure 1: City of Bixby Zoning Map

Figure 2: Comprehensive Plan 2030 Future Land Use Designation

**PLANNED UNIT DEVELOPMENT
STATEMENT FOR:**

**Development Name: 116 & 114 Bixby Development
BIXBY, OKLAHOMA**

OWNER/DEVELOPER:

Dawes 124 Bixby, LLC

Attn: Dean West

2300 E 14th St, Suite 301

Tulsa, OK 74104

Telephone: (918) 627-3326

Email: office@westcousa.com

Planned Unit Development

INTRODUCTION:

1. The Title of the Planned Unit Development:

116 & 114 Bixby Development

2. The Owner/Developer:

Dawes 124 Bixby, LLC
Attn: Dean West
2300 E 14th St, Suite 301
Tulsa, OK 74104
Telephone: (918) 627-3326
Email: office@westcousa.com

3. General Location of the Planned Unit Development:

Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17) and Eighteen (18), LESS AND EXCEPT the North Fifteen feet (15') of lots Ten (10) through Thirteen (13), Block thirty-four (34) MIDLAND ADDITION to the City of Bixby, Tulsa, County, State of Oklahoma, according to the recorded Plat thereof (the City Property)

4. A brief description of the Planned Unit Development concept:

The 116 & 114 Bixby Development complex plans to renovate the existing church building into a multi-use complex (office, commercial and multi-family). The goal is to provide a daycare facility, an event center as well as office and residential apartments in the Downtown Bixby area.

We are requesting approval of a Planned Unit Development to allow commercial space (to include a daycare, event center and offices for lease) as well as a maximum of 24 apartments. This property lies within the Downtown Overlay Districts and will comply with the associated standards.

The majority of the current structure will be retained and renovated for the above uses.

The property is currently zoned RS-3 Residential. The proposed development is within the city limits, so all standards for renovations will be met.

5. Legal Description:

Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17) and Eighteen (18), LESS AND EXCEPT the North Fifteen feet (15') of lots Ten (10) through Thirteen (13), Block thirty-four (34) MIDLAND ADDITION to the City of Bixby, Tulsa, County, State of Oklahoma, according to the recorded Plat thereof (the City Property)

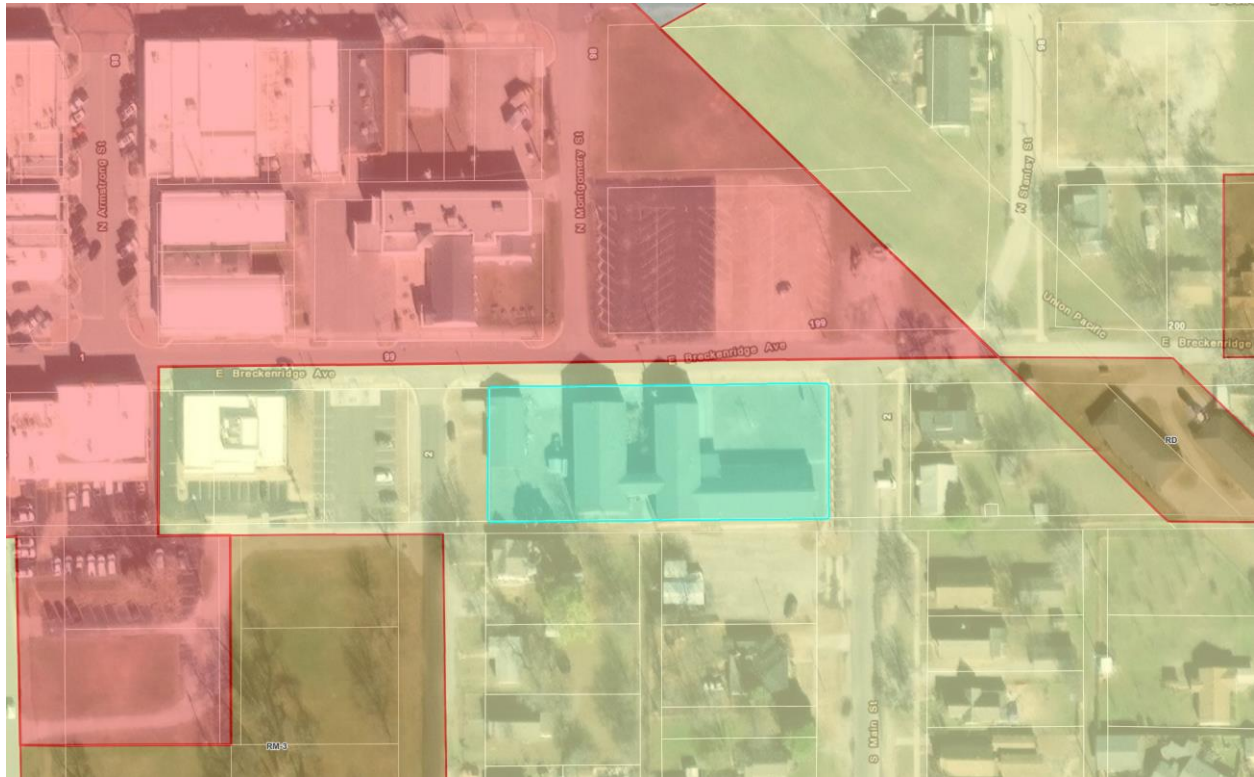
6. The existing zoning:

The existing zoning is RS-3 Residential and is located within District 3 of the Bixby Downtown Overlay. CH zoning is adjacent to the property on the north side.

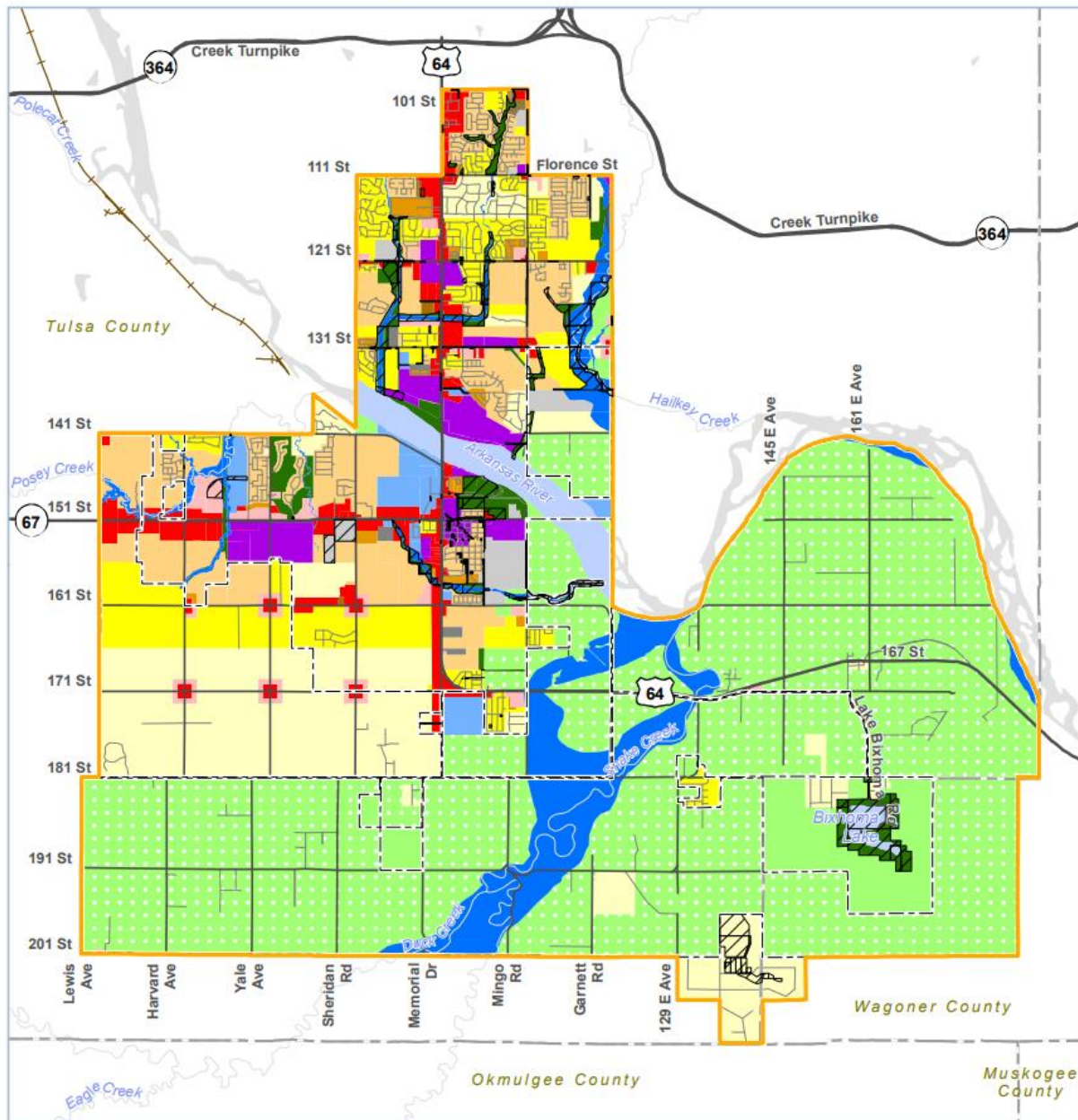
Attachments

- Exhibit A – Vicinity Map and Current Zoning Map
- Exhibit B – Comprehensive Plan

EXHIBIT A
Vicinity Map and Current Zoning Map



Bixby Comprehensive Plan



Data Source: City of Bixby, 2018.
Matrix Design Group, 2018.

GENERAL PROVISIONS:

Zoning: CH.

Permitted Uses: Uses permitted by right (including all uses customarily accessory thereto) within the CH district except any Sexually Oriented Business, (as defined by Zoning Code Section 11-7D-6) and medical marijuana dispensaries, liquor store. "Stacking" of uses customarily found in a mixed-use development shall also be allowed.

- Use Unit 8: Multi-family dwelling
- Use Unit 10: Off street parking areas
- 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 19: Hotel, motel and recreation facilities

***Mixed-Use: A pedestrian-friendly development that blends two or more residential, commercial, cultural, institutional, or entertainment uses into one space. Ground floor apartments are permitted within this use.

Minimum Building Setbacks: 0 feet

Maximum Building Height: 4 stories or 55 feet

Screening: No internal screening of differing uses within the boundaries of the PUD is required.

Operations Restrictions: Permitted uses shall have slight or no objectionable emission of odors produced by business operations.

1. Building Form Standards:

a. The following deviations from the Downton Overlay District are allowed:

- i. Distance between entries is not applicable.
- ii. Residential units are permitted on the ground floor.

2. Site Standards:

a. The following deviations from the Downtown Overlay District are allowed:

- i. Rear setback 0'-0" minimum.

3. Parking:

a. No on-site parking will be required for the permitted uses.

4. Lighting:

- a. All pole-mounted and building-mounted lighting shall be oriented to minimize light leaving the development. All lights shall face down and away from the boundary of the development.
- b. The mounting height of each pole fixture shall not exceed 20' as measured from the pavement to the light fixture.
- c. A maximum light level of 0.5 foot-candles (measured at three feet (3') above grade) shall be obtained at the perimeter of the PUD boundary.

5. Signage:

- a. No sign shall exceed an illumination of seventy-foot candles (70 fc) as measured at a two-foot (2') distance from the source of the illumination. Illuminated signs shall not face a residential district. Electronic message signs are prohibited.
- b. Wall and canopy signs shall not exceed an aggregate display surface area of three (3) square feet per each linear foot of the building wall to which the sign or signs are affixed.



CITY OF BIXBY
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(918) 366-4430

Staff Report

To: Bixby Planning Commission

From: Gwen Plante, Assistant City Planner

Date: November 20, 2023

RE: **CHRISTIAN BROTHERS AUTOMOTIVE**

RE-ZONING | (BXZO-23.12 from (OL) Office Light to (CS) Commercial Shopping

PLANNED UNIT DEVELOPMENT (PUD) | (PUD 81) Major Amendment No. 5

SPECIFIC USE PERMIT (SUP) | (BXSUP 23.06) Use Unit 17, Automotive and Allied Activities

SITE PLAN | (BXSP 23.16) Christian Brothers Automotive

Applicant Christian Brothers Automotive, Paula Tolliver

REQUEST: Discussion and review of the following:

Zoning Change:

- Rezoning from Office Light (OL) to (CS) Commercial Shopping.

PUD Amendment:

- Amendment to the (PUD) Planned Unit Development (PUD 81) Major Amendment No. 5

Specific Use Permit:

- Use Unit: 17; Automotive and Allied Activities

Site Plan

- Approval of detailed site and landscaping plan.

LOCATION: 8250 E 121st Street Bixby, Oklahoma

EXISTING ZONING: (OL) Office Light

PROPOSED ZONING: (CS) Commercial Shopping with a PUD

ACRES: 1.11 Acres

STR: Section 1, Township 18 North, Range 13 East

EXISTING USE: Vacant Lot

PROPOSED USE: Automotive Repair Facility, Use Unit 17.

Proposed Changes:

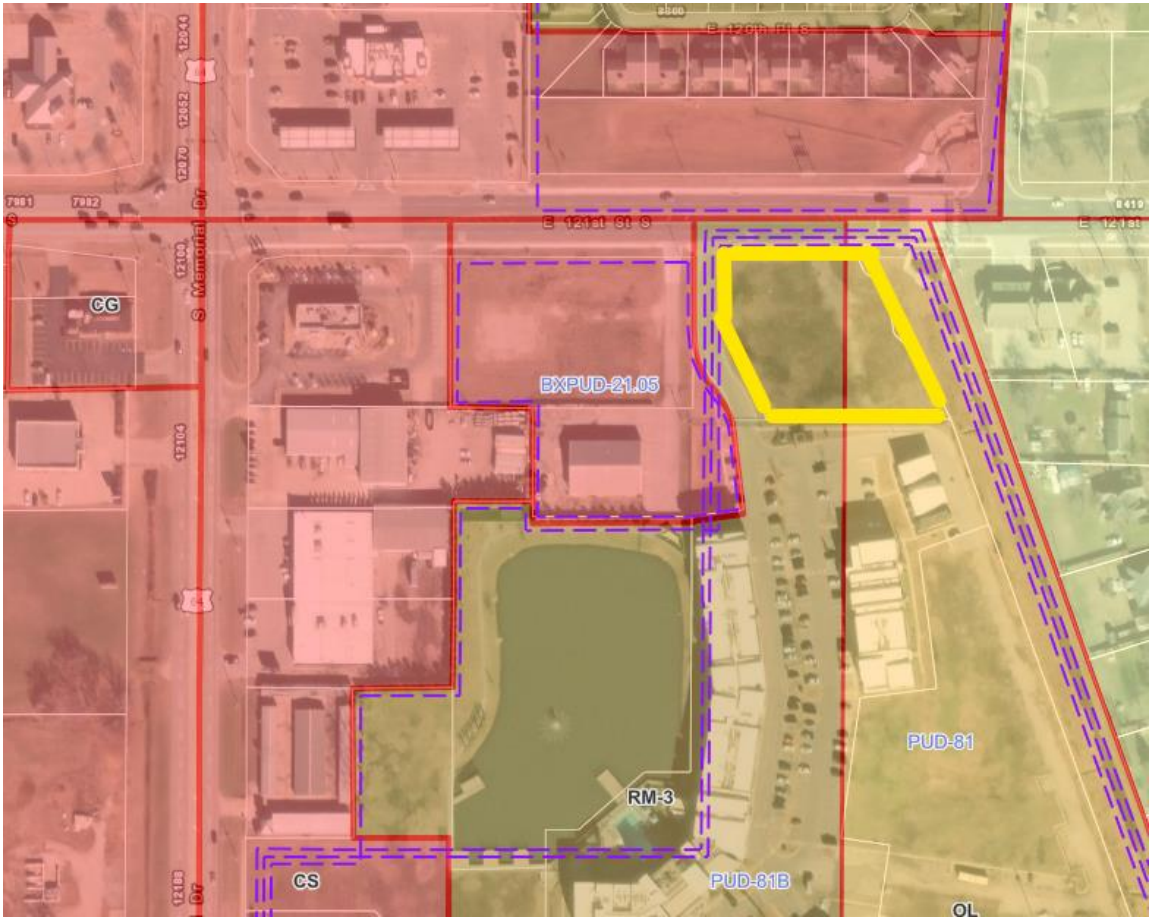
- Revision Date on Cover page.
- Notes to the PUD
 - Page 6: Amendment No. 5 added.
- Development Standards – Area C (page 13)
 - Permitted uses: changed from Office Light (OL) with no exclusions to Commercial Shopping (CS) with no exclusions.
- Exhibit C1 updated to reflect Commercial Shopping (CS).

PUBLIC INPUT: No comments were given at the time of this report.

SURROUNDING ZONING AND LAND USE:

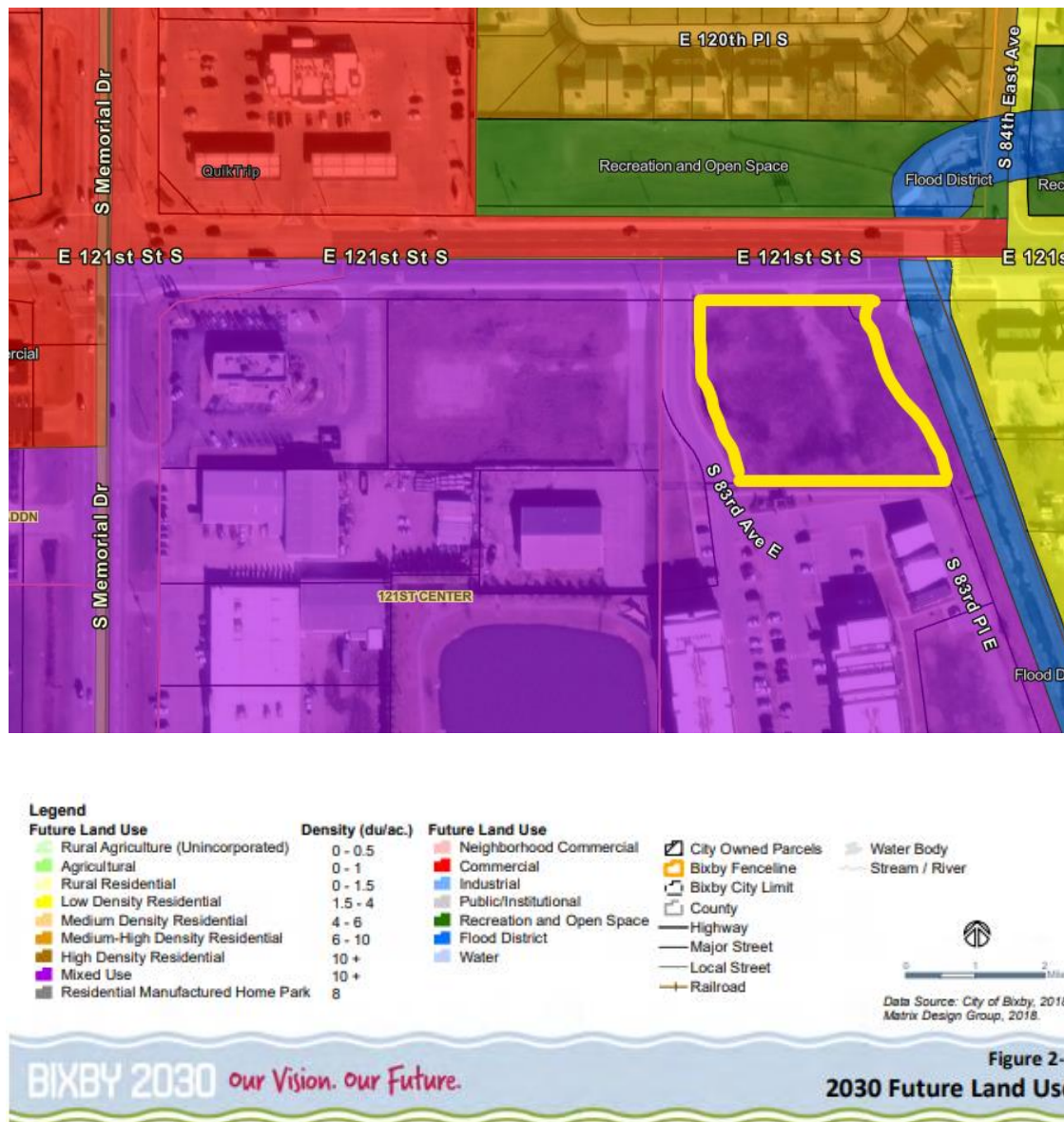
North: (CS) Commercial Shopping
West: (CG) Commercial General
South: (RM-3) Residential Multi-Family
East: (RS-1) Residential Single-Family, Bixby Fire Station No. 2

Figure 3: Existing zoning for surrounding areas.



EXISTING COMPREHENSIVE PLAN:

Figure 3: Comprehensive Plan 2030 Future Land Use Designation



ATTACHMENTS:

1. Planned Unit Development Amendment No. 5

STAFF RECOMMENDATION: Approval

**Planned Unit Development 81(C)
Major Amendment #5**

Zoning Case BXZO-16.10 BOARDWALK

Residences at Boardwalk PUD

October 18, 2013

Revised: February 20, 2014

Revised: March 28, 2015

Revised: June 19, 2015 – Major Amendment #1

Revised: November 20, 2015 –Major Amendment #2

Revised: November 14, 2016 – Major Amendment #3

Revised: November 7, 2021 Minor Amendment #4

Revised: December 31, 2023 Major Amendment #5

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Property Description

PUD 81 is a Planned Unit Development overlay of existing OL, RM-3, and CS zoned parcels (see Exhibit A for existing zoning map) along the East Side of Memorial Drive and along the south side of 121st Street South. The previous PUD Major Amendment #2 was filed in conjunction with a rezoning application (BZ368) for approximately 10 acres of RM-3 with the balance of the medium intensity designated area being rezoned to CS. The OL zoning remained on the balance of the property.

Since Major Amendment #2 was approved (January 29, 2016), the landowner *Black Gold Group* has fully acquired approximately 3.75 acres of Reserve Area A of 121st Center (west of currently developing property) comprised mostly of a large retention pond. In addition to this parcel, *Black Gold Group* has also fully acquired approximately 2.85 acres of land previously approved as PUD 77 *Byrnes Mini Storage* currently zoned OL. In addition to these two parcels, *Black Gold Group* has also fully acquired approximately 160'x160' of Lot 1, Block 1, Development Area A of the existing *The Boardwalk on Memorial* strip retail center (12345 South Memorial) previously approved as PUD 29) currently zoned CS located adjacent to and directly west of the *Byrnes Mini Storage* site. It is the intent of this Major Amendment #3 to formally add these (3) additional parcels into the existing parcels of the previously-approved PUD 81 Major Amendment #2.

In summation, it is the intent of the currently submitted PUD 81 Major Amendment #3, filed in conjunction with a rezoning application (BXZO-16.10 BOARDWALK) to overlay all aforementioned parcels totaling approximately 30 acres currently zoned OL, RM-3 and CS to a mix of OL, RM-1, RM-2, RM-3, and CS as depicted in Exhibit C1. The densities required for the development described in the "Development Concept" are more thoroughly defined in the Development Standards herein.

It is the intent of the currently submitted PUD 81 Minor Amendment #4 to complete the balance of the Multifamily component of this development as well as encourage future retail development fronting Memorial Drive (as shown on revised Exhibit B, B1). The previous 5-story Mixed-Use concept presented with PUD 81 Major Amendment #3 has been revised to a 4-story Multifamily building wrapping the southwest corner of the site. This reduced height and density allows for an approximately 5000 square foot pad site North of E. 123rd Street South, within Development Area "A".

In recent years, the owner has made numerous attempts at securing retail/restaurant tenants to occupy the first floor of a Mixed-Use building on this site. The lack of direct arterial frontage to Memorial, as well as reduced retail/restaurant viability due to Covid-19 has influenced this decision.

Development Concept

The majority of the site is vacant land with the exception of a single-story residential house along Memorial Drive on the western part of the site, which has been razed and shall be replaced with commercial uses. The central and eastern part of the site will consist of luxury multi-family development, the largest building of which will fully wrap the east side of the existing retention pond. The northern part of the site will consist of commercial shopping or office. The southeast part of the site will consist of mini-storage. The western part of the site will consist of retail shopping and offices as well as a Multifamily Building wrapping the southwest corner of the retention pond. The conceptual site plan for the project

can be seen in the attached Exhibit "B".

The multi-family component of the development (Development Area B and Multifamily Building "E" in Development Area A/B) will provide a level of living environment and amenities more often found in condominium developments than apartments. The 10 buildings will create three separate "environments" for the residents. One "environment" will focus around the existing pond and the remaining buildings will be divided between two Center-Green "environments" that contain large, unobstructed parks space with berms and heavy landscaping. One Bedroom, One bedroom + Den, Two Bedroom, Two Bedroom + Den and Three bedroom layouts will be intermixed throughout the project. The Urban Contemporary style of architecture will be expressed in clean-lined building forms with a mixture of building materials consistent with this style of architecture, and include a combination of brick, stone, stucco, fiber cement cladding and pre-finished metal accents as depicted hereinto in Exhibit F and H-H1.

The building massing will be such that its overall forms will be broken down into pedestrian scale elements that will be expressed with stepping of the facades (both vertically and horizontally), extending and recessing of balconies, variations of the building materials and the building parapet / roof heights. The Project will feature numerous high-end Community and Clubhouse amenities not found in any other development in the state of Oklahoma.

The Community will be completely interconnected with sidewalks that link all buildings as well as a hike-bike path surrounding the pond and the perimeter of the entire property.

The design for the community's initial development presently includes beautiful landscape throughout with full landscape beds that include Over-story, Evergreen & Ornamental Trees; Evergreen and Deciduous Scrubs; Tall Grasses, Ground Cover and Colorful Perennials and Annual Flower Beds in fronts of all buildings and along thoroughfares, Reading Benches along sidewalks in Center Green and along pond with Lighting, multiple Grilling Cabanas with Table Seating, Pond Views with Water Feature, Attached and detached enclosed garages, Carport Parking, Campus-wide High-speed, Wi-Fi, Indoor & Outdoor Monitored Security Cameras and Fire Suppression and Fire Alarm Systems.

The Clubhouse Courtyard will include a Resort-style salt water pool with extensive sun deck, a Resort-style salt water heated spa and other Class-A amenities.

The Development provides a truly unmatched apartment living experience.

The PUD consists of five development areas (see the attached Exhibit "C" for development areas). Access to development area B, which is the primary multi-family portion, will be provided via private boulevard-style street(s) and/ or drive(s) through development area A and C. With the exception of the exhibits that illustrate existing conditions or the Development Areas, the attached Exhibit "B" is conceptual in nature and subject to change as design plans are further developed.

Notes to the PUD:

Amendment #1:

Exhibit "B" is being replaced with a new Exhibit "B" and "B1" by this Major Amendment #1. The balance of the exhibits are from the original PUD and are included only for reference. The information contained within them is either revised on the new Exhibit "B" or it will be presented at the time of PUD site plan submittal.

This amendment to the PUD is structured to propose changes to the Development Standards for Development area B, including a change in building height from 48' to 50' and (4) four stories allowed in lieu of (3) three. It further proposes a change in the extent of masonry from 75% to a project-average of 40% masonry (including stone, "concrete stone masonry material" (a.k.a. "manufactured stone" / "synthetic stone"), "brick veneer masonry" and stucco) and 60% masonry alternatives (including fiber cement cladding), which percentages may exclude negligible amounts of trim, such as pre-finished metal accents.

The multifamily buildings will be fire sprinkled to provide an elevated level of fire safety, and will otherwise comply with all requirements of the Bixby Fire Marshal. The 4-story apartment buildings in Development Area B will have elevator service.

Due to changes in the site layout, there currently exist discrepancies between the new Exhibit B and the previously submitted site plan exhibits. The City Council has the exclusive authority to resolve any design requirement discrepancies between the original and replacement exhibits from the original PUD.

Amendment #2:

It is the applicant's intent as part of this Amendment #2 to provide parking in accordance with the City of Bixby Zoning Code. The only variance on the Zoning Code parking requirement will be for Studio/Efficiency units from the ordinance required 1.5 per bedroom to 1.0 per bedroom for all Development Areas. Final Parking requirements may be modified at the time of detailed site plan review.

It is also the applicant's intent as part of this Amendment #2 to allow additional ground/monument style signage in Development Area B, which currently does not allow for such a sign due to an Arterial Street frontage requirement. Development Area B currently has no Arterial Street frontage.

Amendment #3:

It is the applicant's intent as part of this Amendment #3 to formally include:

1. Approximately 3.75 acres of Reserve Area A of 121st Center (west of currently developing property)- **to be absorbed into Development Area "B"; zoned RM-3.**
2. 2.85 acres of land previously approved as PUD 77 *Byrnes Mini Storage*-**to be included as new Development area "E"; retaining the same zoning designation (OL) as established in PUD 77.**

3. Approximately 160'x160' of Lot 1, Block 1, Development Area A of the existing *The Boardwalk on Memorial* strip retail center (12345 South Memorial previously approved as PUD 29).- **to be absorbed into Development Area “E”; zoned CS.**

Amendment #4:

It is the applicant's intent as part of this Amendment #4 to formally:

1. Formally remove approximately 160'x160' of Lot 1, Block 1, Development Area A of the existing *The Boardwalk on Memorial* strip retail center (12345 South Memorial previously approved as PUD 29).
2. Clarify and reduce the allowable story height of buildings in Development Area A from “5-stories” to “4-stories” and allow for a horizontal mixed-use development.
3. Clarify the allowable percentages of masonry to align with currently-constructed Architectural Design and Bixby Ordinance Code 11-7G-4 (Appearance Corridor District Minimum Standards).
4. Clarify Signage Locations along Memorial Drive within Development Area A.

Amendment #5:

It is the applicant's intent as part of this Amendment #5 to formally:

1. Formally change the zoning in Development Area C from Office Light (OL) to Shopping Center (CS)

PUD Legal Description

See Attached Exhibit G for the full PUD Legal Description.

Development Standards-Area A

Land Area

Gross Lot Area:	306,792 sq. ft.	7.04 ac
Net Lot Area:	273,828 sq. ft.	6.29 ac

Permitted Uses

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6) and Use Unit 19 shall be restricted to Hotel uses only. The following special exception uses shall also be allowed to permit "mixing" of uses customarily found in a well-planned horizontal mixed-use campus-style development:

Use Unit 8: Multi-Family Dwelling

Use Unit 15: Other Trades and Services Use

Unit 17: Automotive and Allied Activities Use

Unit 18: Drive-in Restaurants

Maximum Building Square Footage 136,914 sq. ft.
Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4

Minimum Building Setbacks

South Memorial Drive Right of Way	50 FT
All other Boundaries	10 FT*

*Building line shown shall be the minimum allowed and may be increased due to the proximity of the existing offsite structures and drainage facilities or as required for utility installation within perimeter easements.

Maximum Building Height: 4 Stories OR 75 Feet (per Bixby City Code 11-7D-4)

Lighting

All parking and building mounted lighting shall be oriented to minimize light leaving the development. All lights shall face down and away from the boundary of the development. All pole mounted lighting shall be located to minimize light crossing property lines. No lighting standard shall exceed 30' in height as measured from the pavement to the light fixture. A lighting standard of 0.00 foot candles shall be enforced at the eastern boundary of Development Area D.

Signage

Signs shall be limited to the following:

- One double-sided project identification ground sign not exceeding 25' in height shall be permitted along Memorial Drive, North of *East 123rd Street South* provided it does not exceed 175 square feet of display surface area per side. Signage for both Development Areas A and B North of *East 123rd Street South* shall be allowed on this sign.
- One double-sided ground sign not exceeding 20' in height shall be permitted for each lot along Memorial Drive South of *East 123rd Street South*, provided it does not exceed 100 square feet of display surface area per side.
- Wall signs shall be limited to 2 square feet per linear foot of building wall to which the signs are affixed.
- No roof or projecting signs shall be permitted.

Screening

All trash and mechanical areas shall be screened from public view of person standing at ground level. A fabric mesh with a minimum opacity of 95% may be allowed on enclosure doors. The fencing between Development Area A and Development Area B will be provided by a security fence with a mix of wood screening fences and wrought iron fence with masonry columns. Limits of and configuration of screening will be determined at PUD detailed site plan submittal.

Landscaping

The PUD shall meet the requirements of Chapter 12 Landscape Requirements of the City of Bixby Zoning code in all other manners.

Building Façades

Building Facades within Development Area "A" directly facing Memorial Drive and 121st St. shall adhere to the Development Minimum Standards of the Corridor Appearance District (11-7G-5):

A. All sides of buildings facing public streets shall be full masonry to the first floor top plate, to include brick, stucco, EIFS or similar masonry like product, stone, finished concrete tilt-up panels, or some combination thereof.

B. The property owner may appeal the interpretation of the masonry standard to a specific building project or may request, in writing and with showing of sufficient good cause, that the city council reduce or waive the requirement altogether.

C. The city planner may refer a proposed structure to the city council for approval if determined to be of exceptional character, iconic, or potentially offensive. (Ord. 2107, 1-14-2013)

Development Standards-Area B

Land Area

Gross Lot Area:	790,885 sq. ft.	18.15 ac
Net Lot Area:	790,885 sq. ft.	18.15 ac

Permitted Uses

Uses permitted by right (including all uses customarily accessory thereto) RM-3 Multifamily district, and CS districts when a "mixed-use" building spans the two zoning districts * except any Sexually Oriented Business as defined by Zoning Code Section 11-7D-6) and Use Unit 19 shall be restricted to Hotel uses only. These uses shall be allowed to permit "stacking" of uses customarily found in a mixed-use development.

*This provision will allow for first-floor retail/restaurant uses on first floor of mix-use building spanning Development Areas A and B (see Exhibit C Dev. Area Site Plan)

Maximum Number of Dwelling Units Allowed:	486 - Units (Total Maximum)
	86 - Single Bedroom (Minimum)
	400- Two Bedroom (Maximum)

Dwelling unit plans will be provided with the PUD Detailed Site Plan submittal.

Minimum Building Setbacks

West Development Boundary (Memorial) to 4 story portions:	200FT
South Development Area Boundary:	10 FT
Eastern Line of Development Area D (Houser Addn):	75 FT
Eastern Line of Development Area D (Houser Addn) to 4 story portions:	200FT
All other Boundaries	10FT*

*Building line shown shall be the minimum allowed and may be increased due to the proximity of the existing offsite structures and drainage facilities or as required for utility installation within perimeter easements.

Maximum Building Height:	50 FT
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Maximum Number of Stories:	Four Stories
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Building Description

Development Area B will have a range of 2-story, "Carriage Homes" and 3-story & 4-story apartment buildings. Buildings will have attached enclosed garages and with central enclosed conditioned corridors or breezeway corridors. All buildings will have enclosed stairs where corridors are conditioned, and open stairs where corridors are breezeways. The 4-story apartment buildings will have elevator service. There will also be detached, enclosed garages and carports distributed throughout the development area.

Building Façades

Not less than 40% of all building facades within Development Area B, on average, shall be constructed of masonry (including "concrete stone masonry material" (a.k.a. manufactured stone) / "synthetic stone"), "brick veneer masonry" and stucco) and not more than 60% of all building facades within Development Area B, on average, shall be constructed with masonry alternatives (including fiber cement cladding), which percentages may exclude negligible amounts of trim, such as pre-finished metal accents from the ground at the building to the top floor top plate. Provided no building shall have less than 25% masonry, as used herein. ~~Building facades directly facing Memorial Dr. and 121st St. shall have 75% masonry, as used herein, and facades shall be determined by Bixby Planning Commission and City Council at Detailed Site Plan review unless Minor Amendment to PUD.~~

Building Facades within Development Area "B" directly facing (for a distance of 600'-0" in width along and parallel to) Memorial Drive and 121st St. shall adhere to the Development Minimum Standards of the Corridor Appearance District (11-7G-5):

- A. All sides of buildings facing public streets shall be full masonry to the first floor top plate, to include brick, stucco, EIFS or similar masonry like product, stone, finished concrete tilt-up panels, or some combination thereof.
- B. The property owner may appeal the interpretation of the masonry standard to a specific building project or may request, in writing and with showing of sufficient good cause, that the city council reduce or waive the requirement altogether.
- C. The city planner may refer a proposed structure to the city council for approval if determined to be of exceptional character, iconic, or potentially offensive. (Ord. 2107, 1-14-2013)

Conceptual proposed architecture character elevations of a 4-story Apartment building are included as Exhibit J2. Final building elevations for every building side, but only one per each unique building type shall be submitted for council review at the time of detailed site plan.

Lighting

All pole-mounted and building-mounted lighting shall be oriented to minimize light leaving the development. All lights shall be designed or have the ability to control the light pattern to minimize the light leaving the site at the boundary of the development. The mounting height of each fixture light shall not exceed 30' as measured from the pavement to the light fixture. A maximum light level of 0.00 foot candles shall be obtained at the Eastern boundary of Development Area D. A photometric study will be provided to verify the 0.00 foot candle measurement at the property line. All lights will face down and away from the boundary of the development.

Signage

Signs shall be limited to the following:

- Wall signs shall be limited to 2 square feet per linear foot of building wall to which the signs are affixed, or 50 square feet, whichever is less. Wall signs shall be limited to the clubhouse and / or office building. Apartment buildings shall be

permitted two (2) address signs per building, limited to four (4) square feet per each such sign.

- No roof or projecting signs shall be permitted.
- Directional signage limited to 6 square feet of display surface area per side and customary parking and driveway signage will be permitted subject to Detailed Site Plan approval.
- Two single or double-sided ground/monument-style signs (may be combined with signage for Development Area "A") shall be allowed (one at each multi-family vehicular entry on Memorial and 121st wayfinding) within Development Areas A and B (see site plan Exhibit B). One double-sided ground/monument sign will be allowed within the development near the clubhouse to screen utilities subject to Planning Commission and City Council approval of a sign plan.

Screening

All trash and service areas shall be screened from public view of person standing at ground level. A fabric mesh with a minimum opacity of 95% may be allowed on enclosure doors. Screening and security separation between Development Area B and the surrounding properties/development areas will be provided by a mix of wood screening fences and wrought iron fence with masonry columns

Fencing between the adjacent mini storage uses is proposed to be a 6' solid wood screening fence. A security fence, constructed of ornamental iron and masonry columns shall be allowed between Development Area B and adjacent Development Areas A & C. The limits and configuration of screening are shown on Exhibit "B", the details of which shall be determined at detailed site plan submittal.

Landscaping

Minimum internal landscaped space: 30%

Landscaping space is noted on Exhibit "B" as lawn area. These areas will contain sod, plants and trees.

The PUD shall meet the requirements of Chapter 12 Landscape Requirements of the City of Bixby Zoning code in all other manners.

*Sidewalks and Trails around the existing retention pond within Development Area "B" shall be private and maintained by the Property Owners' Association. Extents of private, secured-access areas to be identified and approved during Detailed Site Plan process.

Development Standards-Area C

Land Area

Land AreaGross Lot Area:	81,738 sq. ft. 1.88 ac
Net Lot Area:	66,178 sq. ft. 1.52 ac

Permitted Uses

Uses permitted by right (including all uses customarily accessory thereto) within the CS district.

Maximum Building Square Footage: 26,471 sq. ft.*

*It is the intent of this PUD to request a special exception be made to the floor area ratio as described in Bixby City Code 11-7C-4.

Minimum Building Setbacks

East 121st Street South Right of Way:	50 FT
All other Boundaries:	10 FT

Maximum Building Height 3 Stories / 50 Feet

Lighting

All parking and building mounted lighting shall be oriented to minimize light leaving the development. All lights shall face down and away from the boundary of the development. All pole mounted lighting shall be located to minimize light crossing property lines. No lighting standard shall exceed 30' in height as measured from the pavement to the light fixture. A lighting standard of 0 foot candles shall be enforced at the eastern boundary of Development Area D.

Signage

Signs shall be limited to the following:

- One double-sided project identification ground sign not exceeding 25' in height shall be permitted along 121st Street, provided it does not exceed 175 square feet of display surface area per side. Signage for both Development Areas C and B shall be allowed on this sign.
- One double sided ground sign not exceeding 20' in height shall be permitted for each lot along 121st, provided it does not exceed 100 square feet of display surface area per side.

- Wall signs shall be limited to 2 square feet per linear foot of building wall to which the signs are affixed.
- No roof or projecting signs shall be permitted.

Screening

All trash and mechanical areas shall be screened from public view of person standing at ground level. A fabric mesh with a minimum opacity of 95% may be allowed on enclosure doors. Separation between Development Area C and Development Area B may be provided using either a wood screening fence and wrought iron fence with masonry columns. The limits and configuration of screening will be determined at detailed site plan submittal.

Landscaping

The PUD shall meet the requirements of Chapter 12 Landscape Requirements of the City of Bixby Zoning code in all other manners.

Development Standards-Area D

Land Area

Gross Lot Area:	67,058 sq. ft. 1.54 ac
Net Lot Area:	63,166 sq. ft. 1.45ac

Permitted Uses

Development Area D will be an open area used for storm sewer conveyance, floodplain, and landscaping. No buildings, parking, lighting, signage, or other above ground improvements shall be permitted. Such proscription shall not apply to fences or City of Bixby approved drainage improvements.

Screening

The east boundary of Development Area D will be screened from the adjoining residential district by an 8' wood screening fence, as shown herein, provided the city council may require modification at the time of Detailed Site Plan review. Screening fence shall conform to Zoning Code Section 11-8-10. The fence shall be allowed to stop at the southwest corner of the Fire station property located immediately south of 121st Street.

Landscaping

The PUD shall meet the requirements of Chapter 12 Landscape Requirements of the City of Bixby Zoning code in all other manners.

Development Standards- Area E

Land Area

Gross Lot Area: 123,839 sq. ft. 2.84ac
Net Lot Area: 123,839 sq. ft. 2.84ac

Permitted Uses

Uses permitted by right (including all uses customarily accessory thereto) within the OL district; and those set forth in the previously approved PUD 77 *Byrnes Mini Storage* (specifically Use Unit 16. Mini-storage). ~~as well as those within the CS district within approximately 160'x160' of Lot 1, Block 1, Development Area A of the existing The Boardwalk on Memorial strip retail center (12345 South Memorial previously approved as PUD 29).~~

It is the intent of this PUD to allow for accessory uses within Development Area "E" which would benefit and be desirable conveniences to residential and office districts; specifically the tenants of the multifamily development (Development Area "B") the users of the ministorage facility on site and the general Public.

Examples of these accessory uses include: Internet Café/ Coffee Shop, Dry car wash/detailing garage, Rentable Lounge, Private Theater, Package Delivery and Drop-off, Dry Cleaning Drop-off and Pick-Up, Liquor Store and Spa/Massage.

These uses will require Special Exception for the following Use Units:

Use Unit 13: Convenience Goods and Services
~~Private Clubs~~

Building Height 2 stories or 24 Feet
(Currently Approved in PUD 77)

Lighting, Signage, Screening, Landscaping

All requirements for Lighting, Signage, Screening and Landscaping will defer to those previously described and approved as part of PUD 77 *Byrnes Mini Storage*.*

*it is the intent of this PUD to adjust definitions of exterior "masonry" as described in PUD 77 to include Cementitious Panel Products to be approved during Detailed Site Plan process

*See Exhibit J for site-line drawing as requested by Planning Commission 12.19.16

*See Exhibit J for Conceptual Elevation of Ministorage building as viewed from Gre-Mac Acres single-family development to south.

*Screening/fence along South property line adjacent Gre-Mac Acres will be extended/ established as Development Area E is constructed. To be approved during Detailed Site Plan process.

Development Information and Standards for All Areas

Topography & Soils

The elevation of the existing site varies from approximately 612' along the Memorial frontage to 607' at the top of the tributary channel bank (all elevations referenced to the North American Vertical Datum). The Tributary channel drains from north to south with elevations ranging from 603' at the north to 601' at the south. The developed site will maintain this drainage pattern with the inclusion of a storm sewer system that will route onsite drainage to the Fry Ditch Tributary channel.

The Tulsa County Soils survey defines the onsite soils as 50% Choska Fine Sandy Loam and 50% Osage Silty Clay. A geotechnical engineer has been contracted to perform a preliminary soils analysis, but the results are not yet complete.

The attached Exhibit D depicts an aerial of the existing site as well as topography.

Drainage

The tributary of Fry Ditch No. 1 has been widened to allow for the majority of the site to be removed from the FEMA floodplain. The widening of the tributary also removes the requirement of onsite detention. A CLOMR-F for the widening work was previously approved by FEMA. The work has mostly been completed with the notable exception of a need for additional fill along the southern portion of the site. This project will complete those fills and provide the necessary construction documentation for City of Bixby and FEMA approval. The proposed project grading and drainage plans, as well as any deviations from the previously approved CLOMR, will be submitted to City of Bixby for approval prior to any construction. Any widening or channel modifications will be covered by easements as required by City of Bixby Engineering and it is understood that the floodplain issue must be resolved through the City and FEMA approval process before the subject property can be developed.

The majority of the site will be graded to allow for surface water to drain directly to the improved tributary or be collected in an internal storm sewer system that will route it to the improved tributary. The final drainage and grading design will allow for an overland flow capacity capable of routing discharges from the existing total retention facility within 121st Center across the site to the tributary. This will be designed in conformance with City of Bixby Engineering Design Criteria.

Vehicular and Pedestrian Access and Circulation

The attached Exhibit B depicts the vehicular and pedestrian access points and circulation anticipated to accommodate the conceptual site plan. Access to the parcels of Development Area A and B will be provided by private boulevard-style streets and /or drives. These streets will be maintained by the Property Owners' Association created for the development. The Multi-Family portion of the development will restrict access to the general public using gates, the specific location of which will be determined at detailed site plan submittal. All such gates will be subject to approval of the City of Bixby Fire Chief, Fire Marshal and Engineering. Access to the lots within Development Area C will be derived by privately maintained streets and shall not be permitted more than one (1) direct connections to 121st Street South per lot.

Development Areas A and E will be accessed primarily through a privately maintained street within the mutual access easement north of existing "Boardwalk on Memorial" to the south. All private driveway and/or street connections shall be subject to City Engineer curb cut and/or ODOT driveway permit approval for the proposed access points to Memorial Dr. (US Hwy 64) and 121st St. S., and the Fire Chief's and Fire Marshal's approval of locations, spacing, widths, and curb return radii.

Pedestrian connectivity will be provided by new sidewalks along all abutting public streets and all private streets as well as internal sidewalk circulation within the Multi-Family development. This sidewalk system will be designed to not only serve the immediate access issues to each building but also to serve as a walking trail system that will circulate throughout the property. All sidewalk layouts will be developed and presented in detail at the PUD detailed site plan submittal.

Utilities

Water service is provided to the site by an existing 12" waterline along the north side of 121st Street South and an existing 12" waterline along the east side of Memorial Drive. A waterline loop will be constructed to provide fire protection and water service to Development Area B.

A 10" sanitary sewer line extends northwest to southeast on the east side of the tributary of Fry Ditch No. 1 along the eastern property line of the PUD. A line will be extended of this existing line to serve the site as required by the City of Bixby.

Other utility services are currently provided to the site and will continue to be provided via underground services. The required 17.5' perimeter utility easement may be reduced by wavier during the plating and site plan process. See attached Exhibit "F" for the conceptual improvements plan.

Parking

Parking shall be provided in accordance with the City of Bixby Zoning Code, with the exception of studio/efficiency units which will be subject to a 1:1 parking ratio.

Final parking ratios are as follows:

Studio	1.0 per unit (per PUD 81 Amendment #2)
1BR	1.5 per unit (per ordinance)
2BR	2.0 per unit (per ordinance)
3BR	2.0 per unit (per ordinance)

Detailed Site Plan Review

No building permit shall be issued until a detailed site plan is submitted to and approved by the Bixby Planning Commission and City Council in accordance with the City of Bixby Zoning Code. Any standard requirements of the City of Bixby Fire Marshal, City Engineer, and City Attorney shall be met as part of the PUD detailed site plan approval.

Requirement to Plat

No building permit shall be issued until a preliminary plat containing restrictive covenants memorializing the above development standards is prepared and approved by the Bixby Planning Commission. A certificate of occupancy shall not be issued until a plat containing restrictive covenants memorializing the above development standards is prepared and filed in accordance with the City of Bixby Subdivision Regulations.

Schedule of Development

Phase 1 of the Residences at Boardwalk (Multifamily Development) was 198 units, beginning construction in the Summer of 2016. The first move-in was on 12/1/2017, with a final certificate of occupancy occurring on 11/21/2018.

Since completion, the first phase of Residences at Boardwalk is currently 98% full. It has the highest rent in all suburban Tulsa and has won every Multifamily award available in the Tulsa metropolitan area. The second phase will be a duplicate in terms of design and offering, with a market study indicating that it will be fully leased in one year or less.

The Ministorage component of the project (Development area E) began construction in the Spring of 2020, with final certificate of occupancy to be issued November 2021.

Phase 2 of the Residences of Boardwalk (Multifamily Development) is planned to be 256 units. This phase is expected to begin in the Spring of 2022.



City of Bixby Application for PUD

RESIDENCES AT
BOARDWALK PUD

Applicant: NSPT ARCHITECTS - CADE BRUMMER
Address: 3515 W. 75TH STREET PRAIRIE VILLAGE, KS 66208
Telephone: 913.831.1415 Cell Phone: _____ Email: CBRUMMER@NSPTARCH.COM

Property Owner: BIXBY LAND RESOURCES GROUP, LLC. If different from Applicant, does owner consent? YES
Property Address: 12265 S MEMORIAL DRIVE
Existing Zoning: PUD-81 B Requested Zoning: PUD-81(C) Existing Use: PUD-81(B) MULTIFAMILY,
Proposed Use: MULTIFAMILY, RETAIL, OFFICE Use Unit #: _____ RETAIL/
OFFICE

LEGAL DESCRIPTION (If unplatted, attach a survey with legal description or copy of deed):

SEE ATTACHED .PDF WITHIN PUD EXHIBITS
SENT TO EMAIL

Does Record Owner consent to the filing of this application? ☒ YES ☐ NO
If Applicant is other than Owner, indicate interest: CONSULTANT - ARCHITECT
Is subject tract located in the 100 year floodplain? ☐ YES ☒ NO
Are 5 copies of the PUD text and exhibits package attached? ☐ YES ☐ NO

Application for: ☐ PUD ☐ Major Amendment ☒ Minor Amendment ☐ Abandonment

BILL ADVERTISING CHARGES TO: BIXBY LAND RESOURCES GROUP, LLC.
4512 E. 51ST ST., SUITE 100, TULSA, OK 74135 (NAME) 918-605-5600
(ADDRESS) (CITY) (ZIP) (PHONE)

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

Signature: _____ Date: 11/2/2021

APPLICANT - DO NOT WRITE BELOW THIS LINE

PUD _____ Date Received _____ Received By _____ Receipt # _____
Planning Commission Date _____ City Council Date _____

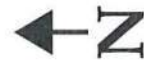
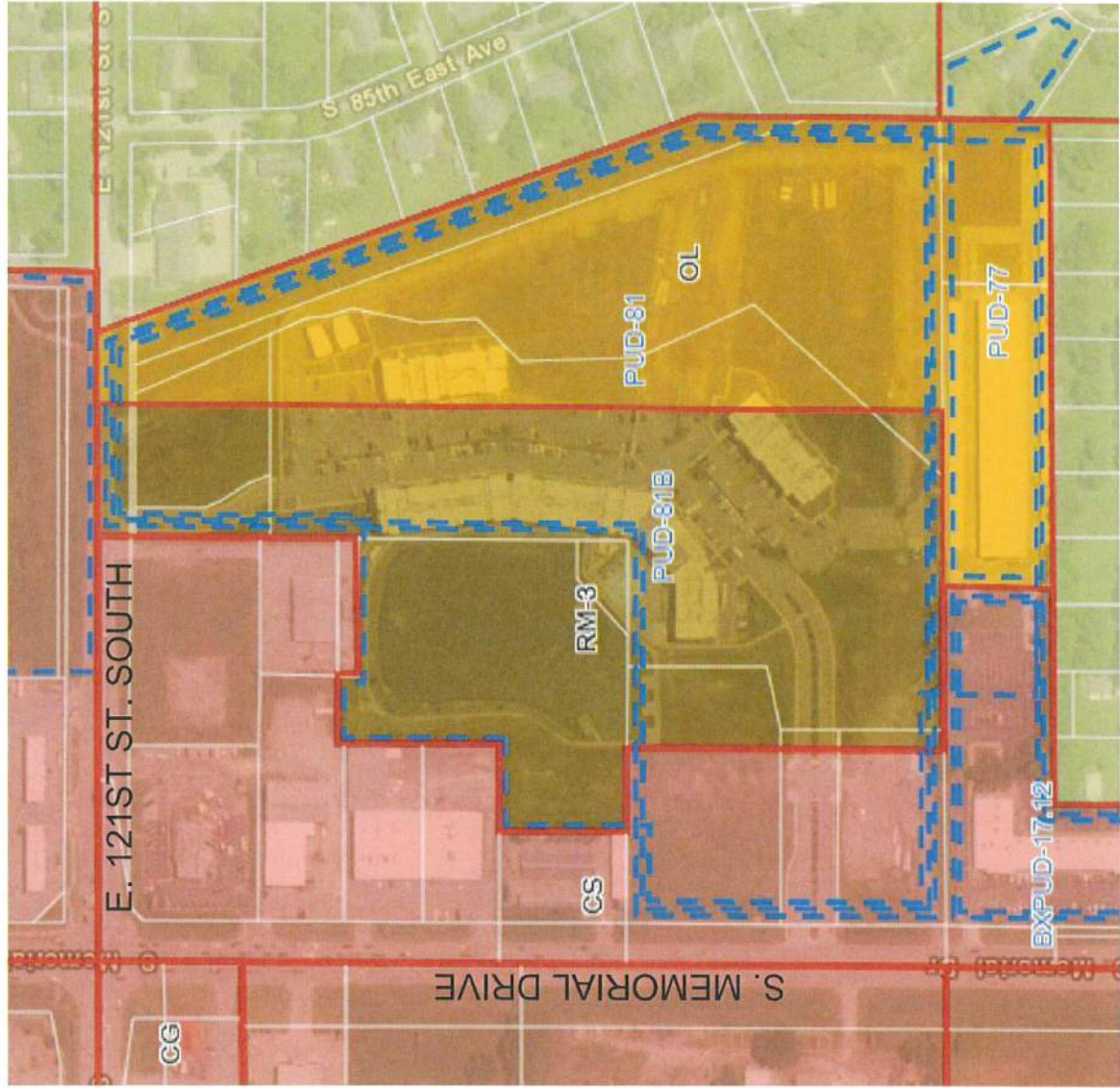
_____ Sign(s) at \$ 110.00 each = \$ _____; Postage \$ _____; Total Sign + postage \$ _____

FEES:	BASE FEE	ADDITIONAL	TOTAL
			<u>\$500</u>

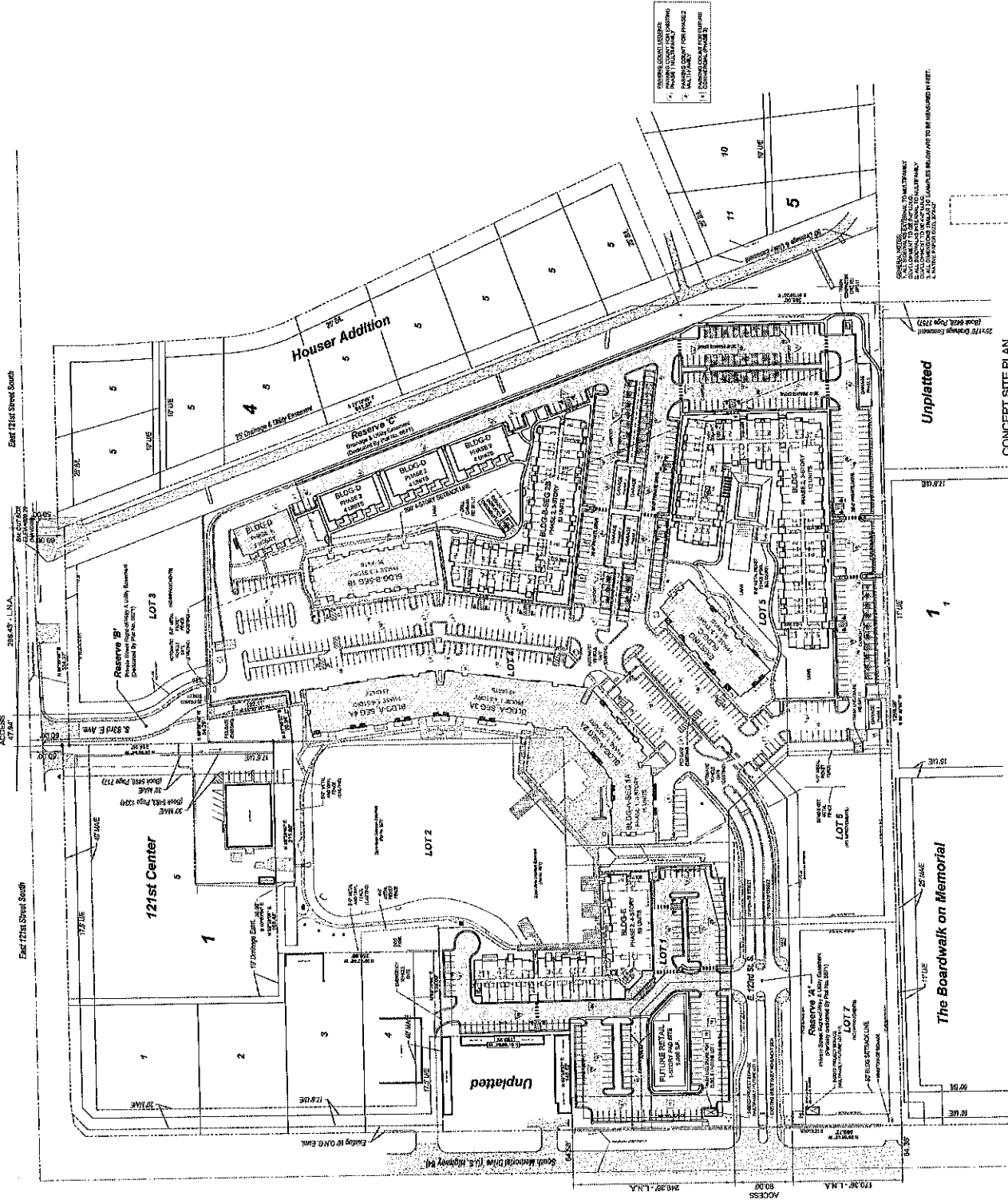
PC Action _____ City Council Action _____
DATE / VOTE _____ DATE / VOTE _____
STAFF REC. _____ ORD. NO. _____

EXISTING ZONING MAP

NOT TO SCALE

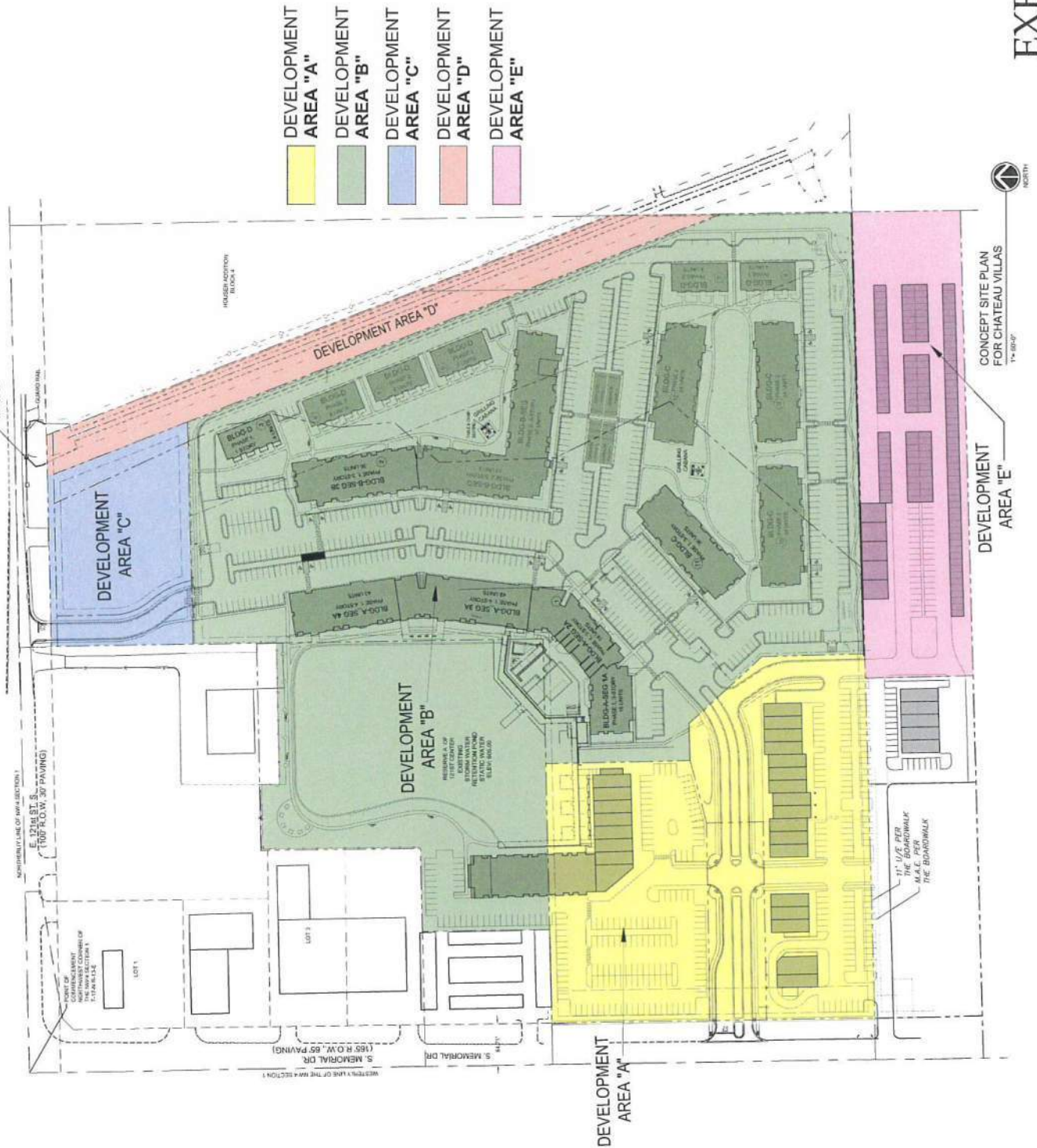


CONCEPT SITE PLAN
RESIDENCES AT BOARDWALK PHASE 2
"THE BOARD"





DEVELOPMENT AREAS



ARCHITECTURE
LANDSCAPE
ARCHITECTURE
INTERIORS
ENERGY SERVICES
P. 913.831.1415
F. 913.831.1563
NSP|ARCH.COM
© COPYRIGHT 2015

- POINT OF
COMMENCEMENT
NORTHWEST CORNER OF
THE NW/4 SECTION 1
T-17-N R-13-E

LOT 1

WESTERLY LINE OF THE NW/4 SECTION _____
S. MEMORIAL DR. _____
(165' R.O.W., 65' PAVING)

DEVELOPMENT AREA "B"

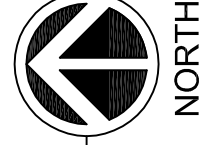
S. MEMORIAL DR.

DEVELOPMENT
AREA "A"

- 11' U/E PER
THE BOARDWALK
M.A.E. PER
THE BOARDWALK

DEVELOPMENT
AREA "E"

1"=60'-0"



NORTH CAROLINA STATE UNIVERSITY

OL- OFFICE LOW INTENSITY

CS- COMMERCIAL SHOPPING

RM-3- RESIDENTIAL MULTIFAMILY HIGH-DENSITY

RM-2- RESIDENTIAL MULTIFAMILY MED-DENSITY

RM-1- RESIDENTIAL MULTIFAMILY LOW-DENSITY

RESIDENCES AT
8300 EAST 123RD STREET SOUTH
BIXBY, OKLAHOMA

A MULTIFAMILY DEVELOPMENT FOR:

BIXBY, OKLAHOMA

RESIDENCES AT BOARDWALK

ИТВ.

ADV

NSPJ ARCHITECTS PA
3515 W. 75TH ST., SUITE 201
PRAIRIE VILLAGE, KS 66208
P. 913.831.1415
F. 913.831.1563
NSPJARCH.COM
© COPYRIGHT 2013
ENERGY SERVICES
INTERIORS
ARCHITECTURE
LANDSCAPE
ARCHITECTURE



EXHIBIT D

AAB Engineering, LLC



Engineering • Land Planning

PO Box 2130 Sand Springs, OK 74063

Office: (918) 514-4283 Fax: (918) 514-4298

PREPARED FEBRUARY 20, 2014

EXISTING AERIAL AND TOPO

PROJECT LOCATION

R-13E

SOUTH WING ROAD

EAST 13TH STREET SOUTH

EAST 13TH STREET NORTH

WEST ASPER STREET

SOUTH MEMORIAL PARKWAY

LOCATION MAP

SCALE 1"=100'

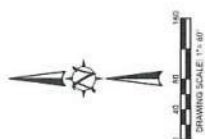
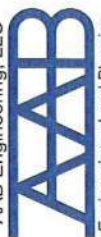


EXHIBIT E

AAB Engineering, LLC



Engineering • Land Planning
PO Box 2136 Sand Springs, OK 74053
OK CA#65318 Exp: June 30, 2014
Office: (918) 514-4253 Fax (918) 514-4268
PREPARED FEBRUARY 20.

(J) 514-4283 Fax: (918) 514-4288
PREPARED FEBRUARY 20, 2014

RESIDENC
8300 EAST 123RD STR
BIXBY, OKLAHOMA

RESIDENCES AT BOARDWALK

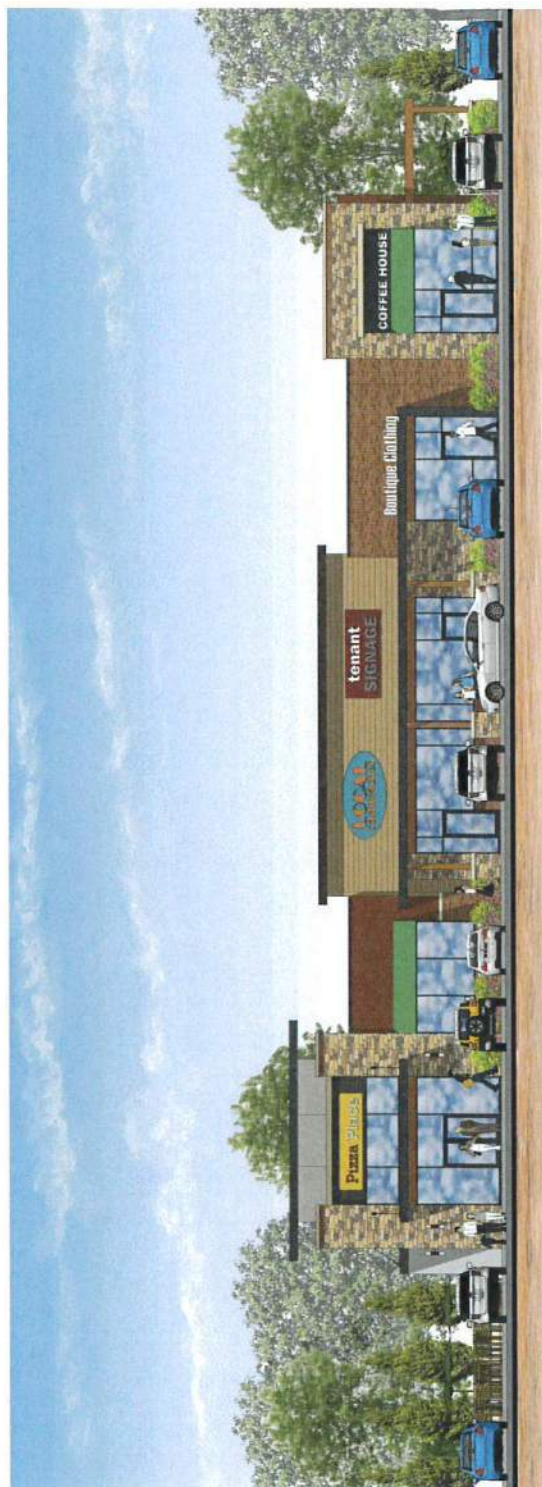
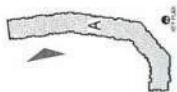
NSPJ
ARCHITECTS
3515 W. 25TH ST., SUITE 201
PRAIRIE VILLAGE, KS 66208NSPJ 

EXHIBIT G LEGAL DESCRIPTION

Comprise of 4 parcels.

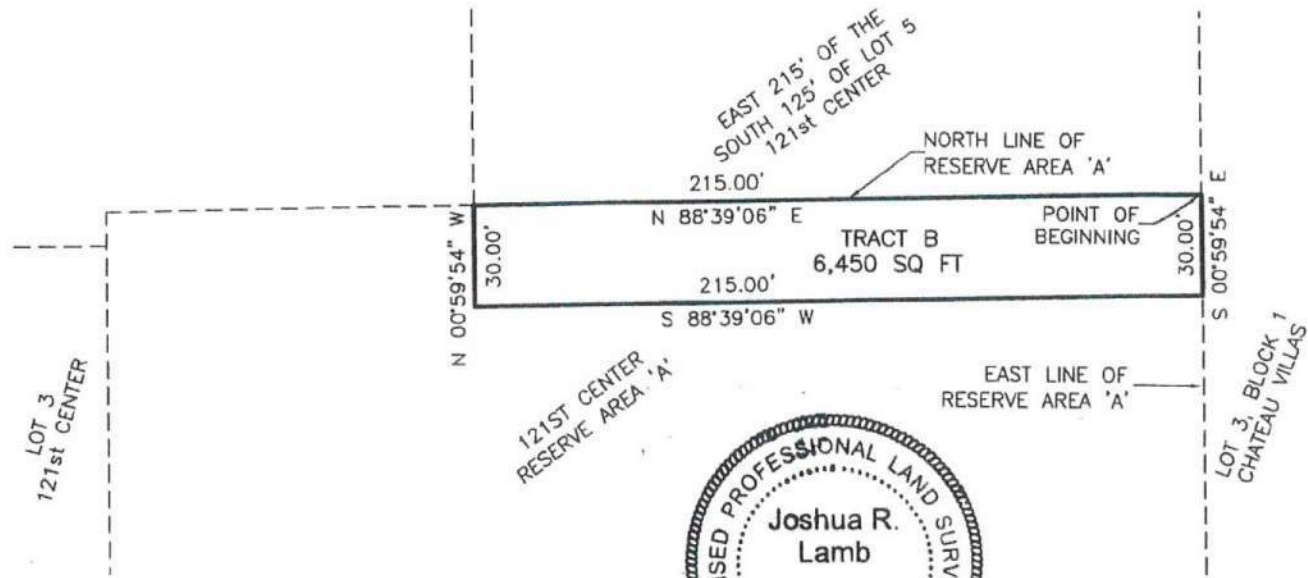
1. PUD 81, Residences at Boardwalk (attached)
2. Reserve "A", 121st Center, An addition to the City of Bixby, Tulsa County, State of Oklahoma, less and except a Tract of Land approximately 215' X 30', a survey for which is attached, marked as Exhibit B. this is Part of Reserve Area 'A', 121st Center Addition to the City of Bixby, Tulsa County, State of Oklahoma).
3. PUD 77, Byrnes Mini Storage (attached)

EXHIBIT G2 (PUD)

EXHIBIT 'B'

PART OF RESERVE AREA 'A'
121ST CENTER ADDITION
AN ADDITION TO THE CITY OF BIXBY
TULSA COUNTY, STATE OF OKLAHOMA

1" = 50'



LEGAL DESCRIPTION - TRACT B

A TRACT OF LAND BEING PART OF RESERVE AREA 'A', 121ST CENTER, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF RESERVE AREA 'A'; THENCE SOUTH 00°59'54" EAST ALONG THE EAST LINE OF SAID RESERVE AREA 'A' FOR A DISTANCE OF 30.00 FEET; THENCE SOUTH 88°39'06" WEST ON A LINE PARALLEL TO THE NORTH LINE OF SAID RESERVE AREA 'A' FOR A DISTANCE OF 215.00 FEET; THENCE NORTH 00°59'54" WEST FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH LINE OF RESERVE AREA 'A'; THENCE NORTH 88°39'06" EAST ALONG THE NORTH LINE OF SAID RESERVE AREA 'A' FOR A DISTANCE OF 215.00 FEET TO THE POINT OF BEGINNING;

BASIS OF BEARING OF PROPERTY DESCRIPTION BEING THE NORTH LINE OF RESERVE AREA 'A' BEING A BEARING OF NORTH 88°39'06" EAST.

I, JOSHUA R. LAMB, HEREBY STATE THAT THE SURVEY SHOWN HEREON IS TRUE AND CORRECT TO BEST OF MY KNOWLEDGE.

JOSHUA R. LAMB
OKLAHOMA PLS NO. 1678



TULSA LAND SURVEYING LLC
1501 EAST 6TH STREET
TULSA, OK 74120
(918) 794-6777
CA 6038
EXPIRES 6/30/2017



CONCEPTUAL PRELIMINARY PLAN
BYRNES MINI-STORAGES

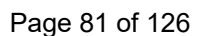


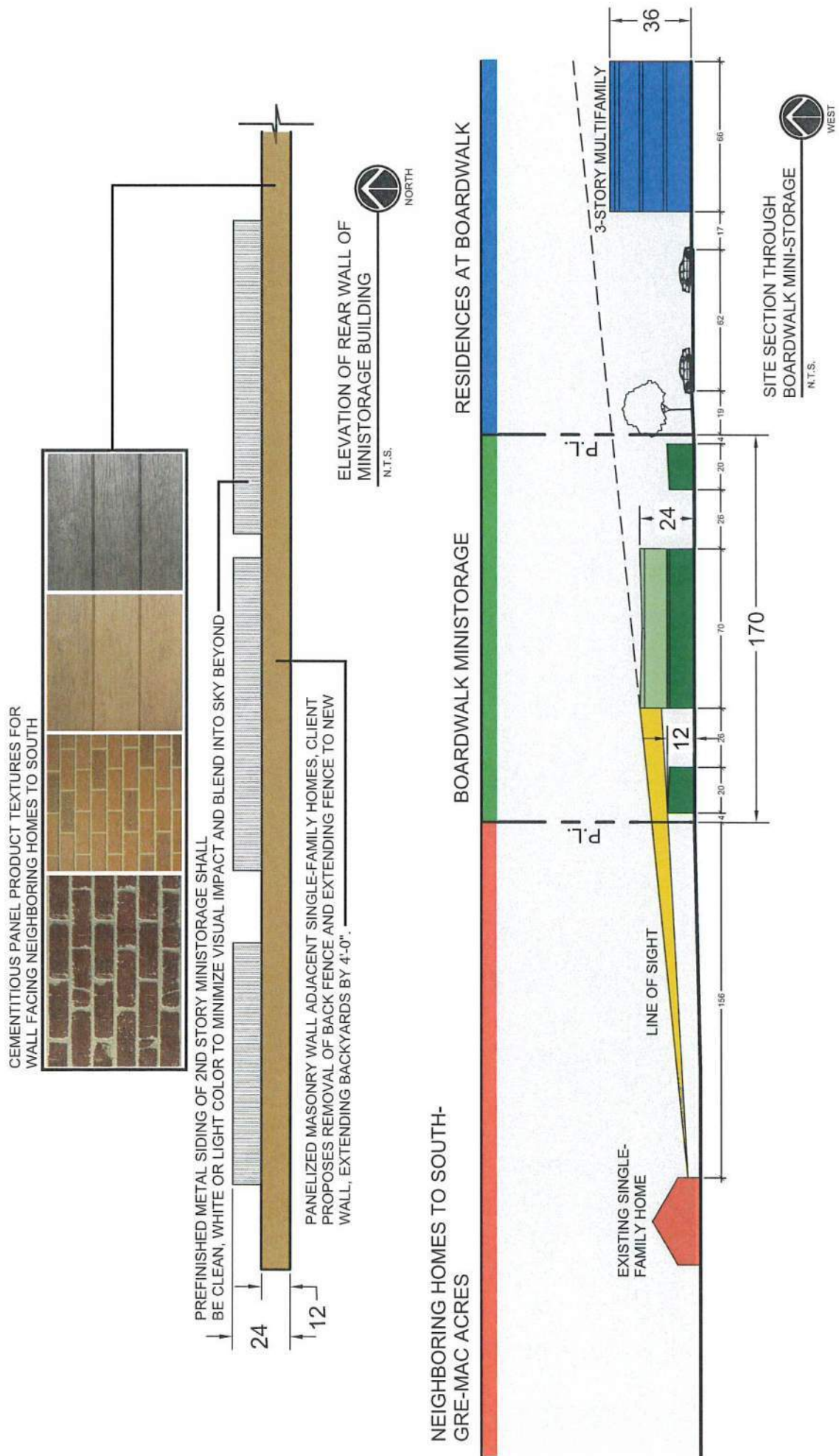


EXHIBIT H

EXHIBIT H1



EXHIBIT J



**Planned Unit Development 81(C)
Minor Amendment #4**

Zoning Case BXZO-16.10 BOARDWALK

Residences at Boardwalk PUD

October 18, 2013

Revised: February 20, 2014

Revised: March 28, 2015

Revised: June 19, 2015 – Major Amendment #1

Revised: November 20, 2015 – Major Amendment #2

Revised: November 14, 2016 – Major Amendment #3

Revised: November 7, 2021 Minor Amendment #4

Owner:

Bixby Land Resources Group, LLC

Original Prepared By:

AAB Engineering, LLC

Engineering Land Planning

PO Box 2136, Sand Springs, OK 74063

Office: (918) 514-4283 Fax: (918) 514-4288

Previously Amended By:

(#1) Architects Collective

4200 East Skelly Drive, Suite 750

Tulsa, OK 74037

Office: (919) 492-2987 Fax: (919) 492-4293

(#2,3,4) NSPJ Architects

3515 West 75th Street, Suite 201

Prairie Village, KS 66208

Office: (913) 831-1415 Fax: (913) 831-1563

Currently Amended By:

(4) NSPJ Architects

3515 West 75th Street, Suite 201

Prairie Village, KS 66208

Office: (913) 831-1415 Fax: (913) 831-1563

CITY OF BIXBY
DEVELOPMENT SERVICES

FEB 18 2022

APPROVED



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Exhibit B1	Conceptual Rendered Site Plan
Exhibit C	Development Areas
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Exhibit D	Existing Aerial And Topo
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Exhibit G	Legal Description(s)
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Exhibit J	Dev. Area "E" Ministorage Elevation and Sight Line Study

Property Description

PUD 81 is a Planned Unit Development overlay of existing OL, RM-3, and CS zoned parcels (see Exhibit A for existing zoning map) along the East Side of Memorial Drive and along the south side of 121st Street South. The previous PUD Major Amendment #2 was filed in conjunction with a rezoning application (BZ368) for approximately 10 acres of RM-3 with the balance of the medium intensity designated area being rezoned to CS. The OL zoning remained on the balance of the property.

Since Major Amendment #2 was approved (January 29, 2016), the landowner *Black Gold Group* has fully acquired approximately 3.75 acres of Reserve Area A of 121st Center (west of currently developing property) comprised mostly of a large retention pond. In addition to this parcel, *Black Gold Group* has also fully acquired approximately 2.85 acres of land previously approved as PUD 77 *Byrnes Mini Storage* currently zoned OL. In addition to these two parcels, *Black Gold Group* has also fully acquired approximately 160'x160' of Lot 1, Block 1, Development Area A of the existing *The Boardwalk on Memorial* strip retail center (12345 South Memorial) previously approved as PUD 29) currently zoned CS located adjacent to and directly west of the *Byrnes Mini Storage* site. It is the intent of this Major Amendment #3 to formally add these (3) additional parcels into the existing parcels of the previously-approved PUD 81 Major Amendment #2.

In summation, it is the intent of the currently submitted PUD 81 Major Amendment #3, filed in conjunction with a rezoning application (BXZO-16.10 BOARDWALK) to overlay all aforementioned parcels totaling approximately 30 acres currently zoned OL, RM-3 and CS to a mix of OL, RM-1, RM-2, RM-3, and CS as depicted in Exhibit C1. The densities required for the development described in the "Development Concept" are more thoroughly defined in the Development Standards herein.

It is the intent of the currently submitted PUD 81 Minor Amendment #4 to complete the balance of the Multifamily component of this development as well as encourage future retail development fronting Memorial Drive (as shown on revised Exhibit B, B1). The previous 5-story Mixed-Use concept presented with PUD 81 Major Amendment #3 has been revised to a 4-story Multifamily building wrapping the southwest corner of the site. This reduced height and density allows for an approximately 5000 square foot pad site North of E. 123rd Street South, within Development Area "A".

In recent years, the owner has made numerous attempts at securing retail/restaurant tenants to occupy the first floor of a Mixed-Use building on this site. The lack of direct arterial frontage to Memorial, as well as reduced retail/restaurant viability due to Covid-19 has influenced this decision.

Development Concept

The majority of the site is vacant land with the exception of a single-story residential house along Memorial Drive on the western part of the site, which has been razed and shall be replaced with commercial uses. The central and eastern part of the site will consist of luxury multi-family development, the largest building of which will fully wrap the east side of the existing retention pond. The northern part of the site will consist of commercial shopping or office. The southeast part of the site will consist of mini-storage. The western part of the site will consist of retail shopping and offices as well as a Multifamily Building wrapping the southwest corner of the retention pond. The conceptual site plan for the project

can be seen in the attached Exhibit "B".

The multi-family component of the development (Development Area B and Multifamily Building "E" in Development Area A/B) will provide a level of living environment and amenities more often found in condominium developments than apartments. The 10 buildings will create three separate "environments" for the residents. One "environment" will focus around the existing pond and the remaining buildings will be divided between two Center-Green "environments" that contain large, unobstructed parks space with berms and heavy landscaping. One Bedroom, One bedroom + Den, Two Bedroom, Two Bedroom + Den and Three bedroom layouts will be intermixed throughout the project. The Urban Contemporary style of architecture will be expressed in clean-lined building forms with a mixture of building materials consistent with this style of architecture, and include a combination of brick, stone, stucco, fiber cement cladding and pre-finished metal accents as depicted hereinto in Exhibit F and H-H1.

The building massing will be such that its overall forms will be broken down into pedestrian scale elements that will be expressed with stepping of the facades (both vertically and horizontally), extending and recessing of balconies, variations of the building materials and the building parapet / roof heights. The Project will feature numerous high-end Community and Clubhouse amenities not found in any other development in the state of Oklahoma.

The Community will be completely interconnected with sidewalks that link all buildings as well as a hike-bike path surrounding the pond and the perimeter of the entire property.

The design for the community's initial development presently includes beautiful landscape throughout with full landscape beds that include Over-story, Evergreen & Ornamental Trees; Evergreen and Deciduous Scrubs; Tall Grasses, Ground Cover and Colorful Perennials and Annual Flower Beds in fronts of all buildings and along thoroughfares, Reading Benches along sidewalks in Center Green and along pond with Lighting, multiple Grilling Cabanas with Table Seating, Pond Views with Water Feature, Attached and detached enclosed garages, Carport Parking, Campus-wide High-speed, Wi-Fi, Indoor & Outdoor Monitored Security Cameras and Fire Suppression and Fire Alarm Systems.

The Clubhouse Courtyard will include a Resort-style salt water pool with extensive sun deck, a Resort-style salt water heated spa and other Class-A amenities.

The Development provides a truly unmatched apartment living experience.

The PUD consists of five development areas (see the attached Exhibit "C" for development areas). Access to development area B, which is the primary multi-family portion, will be provided via private boulevard-style street(s) and/ or drive(s) through development area A and C. With the exception of the exhibits that illustrate existing conditions or the Development Areas, the attached Exhibit "B" is conceptual in nature and subject to change as design plans are further developed.

Notes to the PUD:

Amendment #1:

Exhibit "B" is being replaced with a new Exhibit "B" and "B1" by this Major Amendment #1. The balance of the exhibits are from the original PUD and are included only for reference. The information contained within them is either revised on the new Exhibit "B" or it will be presented at the time of PUD site plan submittal.

This amendment to the PUD is structured to propose changes to the Development Standards for Development area B, including a change in building height from 48' to 50' and (4) four stories allowed in lieu of (3) three. It further proposes a change in the extent of masonry from 75% to a project-average of 40% masonry (including stone, "concrete stone masonry material" (a.k.a. "manufactured stone" / "synthetic stone"), "brick veneer masonry" and stucco) and 60% masonry alternatives (including fiber cement cladding), which percentages may exclude negligible amounts of trim, such as pre-finished metal accents.

The multifamily buildings will be fire sprinkled to provide an elevated level of fire safety, and will otherwise comply with all requirements of the Bixby Fire Marshal. The 4-story apartment buildings in Development Area B will have elevator service.

Due to changes in the site layout, there currently exist discrepancies between the new Exhibit B and the previously submitted site plan exhibits. The City Council has the exclusive authority to resolve any design requirement discrepancies between the original and replacement exhibits from the original PUD.

Amendment #2:

It is the applicant's intent as part of this Amendment #2 to provide parking in accordance with the City of Bixby Zoning Code. The only variance on the Zoning Code parking requirement will be for Studio/Efficiency units from the ordinance required 1.5 per bedroom to 1.0 per bedroom for all Development Areas. Final Parking requirements may be modified at the time of detailed site plan review.

It is also the applicant's intent as part of this Amendment #2 to allow additional ground/monument style signage in Development Area B, which currently does not allow for such a sign due to an Arterial Street frontage requirement. Development Area B currently has no Arterial Street frontage.

Amendment #3:

It is the applicant's intent as part of this Amendment #3 to formally include:

1. Approximately 3.75 acres of Reserve Area A of 121st Center (west of currently developing property)- **to be absorbed into Development Area "B"; zoned RM-3.**
2. 2.85 acres of land previously approved as PUD 77 *Byrnes Mini Storage*-**to be included as new Development area "E"; retaining the same zoning designation (OL) as established in PUD 77.**

3. Approximately 160'x160' of Lot 1, Block 1, Development Area A of the existing *The Boardwalk on Memorial* strip retail center (12345 South Memorial previously approved as PUD 29).- **to be absorbed into Development Area "E"; zoned CS.**

Amendment #4:

It is the applicant's intent as part of this Amendment #4 to formally:

1. Formally remove approximately 160'x160' of Lot 1, Block 1, Development Area A of the existing *The Boardwalk on Memorial* strip retail center (12345 South Memorial previously approved as PUD 29).
2. Clarify and reduce the allowable story height of buildings in Development Area A from "5-stories" to "4-stories" and allow for a horizontal mixed-use development.
3. Clarify the allowable percentages of masonry to align with currently-constructed Architectural Design and Bixby Ordinance Code 11-7G-4 (Appearance Corridor District Minimum Standards).
4. Clarify Signage Locations along Memorial Drive within Development Area A.

PUD Legal Description

See Attached Exhibit G for the full PUD Legal Description.

Development Standards-Area A

Land Area

Gross Lot Area:	306,792 sq. ft.	7.04 ac
Net Lot Area:	273,828 sq. ft.	6.29 ac

Permitted Uses

Uses permitted by right (including all uses customarily accessory thereto) within the CS district except any Sexually Oriented Business (as defined by Zoning Code Section 11-7D-6) and Use Unit 19 shall be restricted to Hotel uses only. The following special exception uses shall also be allowed to permit "mixing" of uses customarily found in a well-planned horizontal mixed-use campus-style development:

Use Unit 8: Multi-Family Dwelling

Use Unit 15: Other Trades and Services Use

Unit 17: Automotive and Allied Activities Use

Unit 18: Drive-in Restaurants

Maximum Building Square Footage	136,914 sq. ft.
Based on maximum .5 F.A.R. per Bixby City Code 11-7D-4	

Minimum Building Setbacks

South Memorial Drive Right of Way	50 FT
All other Boundaries	10 FT*

*Building line shown shall be the minimum allowed and may be increased due to the proximity of the existing offsite structures and drainage facilities or as required for utility installation within perimeter easements.

Maximum Building Height: 4 Stories OR 75 Feet (per Bixby City Code 11-7D-4)

Lighting

All parking and building mounted lighting shall be oriented to minimize light leaving the development. All lights shall face down and away from the boundary of the development. All pole mounted lighting shall be located to minimize light crossing property lines. No lighting standard shall exceed 30' in height as measured from the pavement to the light fixture. A lighting standard of 0.00 foot candles shall be enforced at the eastern boundary of Development Area D.

Signage

Signs shall be limited to the following:

- One double-sided project identification ground sign not exceeding 25' in height shall be permitted along Memorial Drive, North of *East 123rd Street South* provided it does not exceed 175 square feet of display surface area per side. Signage for both Development Areas A and B North of *East 123rd Street South* shall be allowed on this sign.
- One double-sided ground sign not exceeding 20' in height shall be permitted for each lot along Memorial Drive South of *East 123rd Street South*, provided it does not exceed 100 square feet of display surface area per side.
- Wall signs shall be limited to 2 square feet per linear foot of building wall to which the signs are affixed.
- No roof or projecting signs shall be permitted.

Screening

All trash and mechanical areas shall be screened from public view of person standing at ground level. A fabric mesh with a minimum opacity of 95% may be allowed on enclosure doors. The fencing between Development Area A and Development Area B will be provided by a security fence with a mix of wood screening fences and wrought iron fence with masonry columns. Limits of and configuration of screening will be determined at PUD detailed site plan submittal.

Landscaping

The PUD shall meet the requirements of Chapter 12 Landscape Requirements of the City of Bixby Zoning code in all other manners.

Building Façades

Building Facades within Development Area "A" directly facing Memorial Drive and 121st St. shall adhere to the Development Minimum Standards of the Corridor Appearance District (11-7G-5):

A. All sides of buildings facing public streets shall be full masonry to the first floor top plate, to include brick, stucco, EIFS or similar masonry like product, stone, finished concrete tilt-up panels, or some combination thereof.

B. The property owner may appeal the interpretation of the masonry standard to a specific building project or may request, in writing and with showing of sufficient good cause, that the city council reduce or waive the requirement altogether.

C. The city planner may refer a proposed structure to the city council for approval if determined to be of exceptional character, iconic, or potentially offensive. (Ord. 2107, 1-14-2013)

Development Standards-Area B

Land Area

Gross Lot Area:	790,885 sq. ft.	18.15 ac
Net Lot Area:	790,885 sq. ft.	18.15 ac

Permitted Uses

Uses permitted by right (including all uses customarily accessory thereto) RM-3 Multifamily district, and CS districts when a "mixed-use" building spans the two zoning districts * except any Sexually Oriented Business as defined by Zoning Code Section 11-7D-6) and Use Unit 19 shall be restricted to Hotel uses only. These uses shall be allowed to permit "stacking" of uses customarily found in a mixed-use development.

*This provision will allow for first-floor retail/restaurant uses on first floor of mix-use building spanning Development Areas A and B (see Exhibit C Dev. Area Site Plan)

Maximum Number of Dwelling Units Allowed:	486 - Units (Total Maximum)
	86 - Single Bedroom (Minimum)
	400- Two Bedroom (Maximum)

Dwelling unit plans will be provided with the PUD Detailed Site Plan submittal.

Minimum Building Setbacks

West Development Boundary (Memorial) to 4 story portions:	200FT
South Development Area Boundary:	10 FT
Eastern Line of Development Area D (Houser Addn):	75 FT
Eastern Line of Development Area D (Houser Addn) to 4 story portions:	200FT
All other Boundaries	10FT*

*Building line shown shall be the minimum allowed and may be increased due to the proximity of the existing offsite structures and drainage facilities or as required for utility installation within perimeter easements.

Maximum Building Height:	50 FT
---------------------------------	-------

Maximum Number of Stories:	Four Stories
-----------------------------------	--------------

Building Description

Development Area B will have a range of 2-story, "Carriage Homes" and 3-story & 4-story apartment buildings. Buildings will have attached enclosed garages and with central enclosed conditioned corridors or breezeway corridors. All buildings will have enclosed stairs where corridors are conditioned, and open stairs where corridors are breezeways. The 4-story apartment buildings will have elevator service. There will also be detached, enclosed garages and carports distributed throughout the development area.

Building Façades

Not less than 40% of all building facades within Development Area B, on average, shall be constructed of masonry (including "concrete stone masonry material" (a.k.a. manufactured stone) / "synthetic stone"), "brick veneer masonry" and stucco) and not more than 60% of all building facades within Development Area B, on average, shall be constructed with masonry alternatives (including fiber cement cladding), which percentages may exclude negligible amounts of trim, such as pre-finished metal accents from the ground at the building to the top floor top plate. Provided no building shall have less than 25% masonry, as used herein. ~~Building facades directly facing Memorial Dr. and 121st St. shall have 75% masonry, as used herein, and facades shall be determined by Bixby Planning Commission and City Council at Detailed Site Plan review unless Minor Amendment to PUD.~~

Building Facades within Development Area "B" directly facing (for a distance of 600'-0" in width along and parallel to) Memorial Drive and 121st St. shall adhere to the Development Minimum Standards of the Corridor Appearance District (11-7G-5):

- A. All sides of buildings facing public streets shall be full masonry to the first floor top plate, to include brick, stucco, EIFS or similar masonry like product, stone, finished concrete tilt-up panels, or some combination thereof.
- B. The property owner may appeal the interpretation of the masonry standard to a specific building project or may request, in writing and with showing of sufficient good cause, that the city council reduce or waive the requirement altogether.
- C. The city planner may refer a proposed structure to the city council for approval if determined to be of exceptional character, iconic, or potentially offensive. (Ord. 2107, 1-14-2013)

Conceptual proposed architecture character elevations of a 4-story Apartment building are included as Exhibit J2. Final building elevations for every building side, but only one per each unique building type shall be submitted for council review at the time of detailed site plan.

Lighting

All pole-mounted and building-mounted lighting shall be oriented to minimize light leaving the development. All lights shall be designed or have the ability to control the light pattern to minimize the light leaving the site at the boundary of the development. The mounting height of each fixture light shall not exceed 30' as measured from the pavement to the light fixture. A maximum light level of 0.00 foot candles shall be obtained at the Eastern boundary of Development Area D. A photometric study will be provided to verify the 0.00 foot candle measurement at the property line. All lights will face down and away from the boundary of the development.

Signage

Signs shall be limited to the following:

- Wall signs shall be limited to 2 square feet per linear foot of building wall to which the signs are affixed, or 50 square feet, whichever is less. Wall signs shall be limited to the clubhouse and / or office building. Apartment buildings shall be

permitted two (2) address signs per building, limited to four (4) square feet per each such sign.

- No roof or projecting signs shall be permitted.
- Directional signage limited to 6 square feet of display surface area per side and customary parking and driveway signage will be permitted subject to Detailed Site Plan approval.
- Two single or double-sided ground/monument-style signs (may be combined with signage for Development Area "A") shall be allowed (one at each multi-family vehicular entry on Memorial and 121st wayfinding) within Development Areas A and B (see site plan Exhibit B). One double-sided ground/monument sign will be allowed within the development near the clubhouse to screen utilities subject to Planning Commission and City Council approval of a sign plan.

Screening

All trash and service areas shall be screened from public view of person standing at ground level. A fabric mesh with a minimum opacity of 95% may be allowed on enclosure doors. Screening and security separation between Development Area B and the surrounding properties/development areas will be provided by a mix of wood screening fences and wrought iron fence with masonry columns

Fencing between the adjacent mini storage uses is proposed to be a 6' solid wood screening fence. A security fence, constructed of ornamental iron and masonry columns shall be allowed between Development Area B and adjacent Development Areas A & C. The limits and configuration of screening are shown on Exhibit "B", the details of which shall be determined at detailed site plan submittal.

Landscaping

Minimum internal landscaped space: 30%

Landscaping space is noted on Exhibit "B" as lawn area. These areas will contain sod, plants and trees.

The PUD shall meet the requirements of Chapter 12 Landscape Requirements of the City of Bixby Zoning code in all other manners.

*Sidewalks and Trails around the existing retention pond within Development Area "B" shall be private and maintained by the Property Owners' Association. Extents of private, secured-access areas to be identified and approved during Detailed Site Plan process.

Development Standards-Area C

Land Area

Land AreaGross Lot Area: 81,738 sq. ft. 1.88 ac

Net Lot Area: 66,178 sq. ft. 1.52 ac

Permitted Uses

Uses permitted by right (including all uses customarily accessory thereto) within the OL district.

Maximum Building Square Footage: 26,471 sq. ft.*

*It is the intent of this PUD to request a special exception be made to the floor area ratio as described in Bixby City Code 11-7C-4.

Minimum Building Setbacks

East 121st Street South Right of Way: 50 FT

All other Boundaries: 10 FT

Maximum Building Height 3 Stories / 50 Feet

Lighting

All parking and building mounted lighting shall be oriented to minimize light leaving the development. All lights shall face down and away from the boundary of the development. All pole mounted lighting shall be located to minimize light crossing property lines. No lighting standard shall exceed 30' in height as measured from the pavement to the light fixture. A lighting standard of 0 foot candles shall be enforced at the eastern boundary of Development Area D.

Signage

Signs shall be limited to the following:

- One double-sided project identification ground sign not exceeding 25' in height shall be permitted along 121st Street, provided it does not exceed 175 square feet of display surface area per side. Signage for both Development Areas C and B shall be allowed on this sign.
- One double sided ground sign not exceeding 20' in height shall be permitted for each lot along 121st, provided it does not exceed 100 square feet of display surface area per side.

- Wall signs shall be limited to 2 square feet per linear foot of building wall to which the signs are affixed.
- No roof or projecting signs shall be permitted.

Screening

All trash and mechanical areas shall be screened from public view of person standing at ground level. A fabric mesh with a minimum opacity of 95% may be allowed on enclosure doors. Separation between Development Area C and Development Area B may be provided using either a wood screening fence and wrought iron fence with masonry columns. The limits and configuration of screening will be determined at detailed site plan submittal.

Landscaping

The PUD shall meet the requirements of Chapter 12 Landscape Requirements of the City of Bixby Zoning code in all other manners.

Development Standards-Area D

Land Area

Gross Lot Area:	67,058 sq. ft. 1.54 ac
Net Lot Area:	63,166 sq. ft. 1.45ac

Permitted Uses

Development Area D will be an open area used for storm sewer conveyance, floodplain, and landscaping. No buildings, parking, lighting, signage, or other above ground improvements shall be permitted. Such proscription shall not apply to fences or City of Bixby approved drainage improvements.

Screening

The east boundary of Development Area D will be screened from the adjoining residential district by an 8' wood screening fence, as shown herein, provided the city council may require modification at the time of Detailed Site Plan review. Screening fence shall conform to Zoning Code Section 11-8-10. The fence shall be allowed to stop at the southwest corner of the Fire station property located immediately south of 121st Street.

Landscaping

The PUD shall meet the requirements of Chapter 12 Landscape Requirements of the City of Bixby Zoning code in all other manners.

Development Standards- Area E

Land Area

Gross Lot Area: 123,839 sq. ft. 2.84ac
Net Lot Area: 123,839 sq. ft. 2.84ac

Permitted Uses

Uses permitted by right (including all uses customarily accessory thereto) within the OL district; and those set forth in the previously approved PUD 77 *Byrnes Mini Storage* (specifically Use Unit 16. Mini-storage). ~~as well as those within the CS district within approximately 160'x160' of Lot 1, Block 1, Development Area A of the existing The Boardwalk on Memorial strip retail center (12345 South Memorial previously approved as PUD 29).~~

It is the intent of this PUD to allow for accessory uses within Development Area "E" which would benefit and be desirable conveniences to residential and office districts; specifically the tenants of the multifamily development (Development Area "B") the users of the ministorage facility on site and the general Public.

Examples of these accessory uses include: Internet Café/ Coffee Shop, Dry car wash/detailing garage, Rentable Lounge, Private Theater, Package Delivery and Drop-off, Dry Cleaning Drop-off and Pick-Up, Liquor Store and Spa/Massage.

These uses will require Special Exception for the following Use Units:

Use Unit 13: Convenience Goods and Services
~~Private Clubs~~

Building Height 2 stories or 24 Feet
(Currently Approved in PUD 77)

Lighting, Signage, Screening, Landscaping

All requirements for Lighting, Signage, Screening and Landscaping will defer to those previously described and approved as part of PUD 77 *Byrnes Mini Storage*.*

*it is the intent of this PUD to adjust definitions of exterior "masonry" as described in PUD 77 to include Cementitious Panel Products to be approved during Detailed Site Plan process

*See Exhibit J for site-line drawing as requested by Planning Commission 12.19.16

*See Exhibit J for Conceptual Elevation of Ministorage building as viewed from Gre-Mac Acres single-family development to south.

*Screening/fence along South property line adjacent Gre-Mac Acres will be extended/ established as Development Area E is constructed. To be approved during Detailed Site Plan process.

Development Information and Standards for All Areas

Topography & Soils

The elevation of the existing site varies from approximately 612' along the Memorial frontage to 607' at the top of the tributary channel bank (all elevations referenced to the North American Vertical Datum). The Tributary channel drains from north to south with elevations ranging from 603' at the north to 601' at the south. The developed site will maintain this drainage pattern with the inclusion of a storm sewer system that will route onsite drainage to the Fry Ditch Tributary channel.

The Tulsa County Soils survey defines the onsite soils as 50% Choska Fine Sandy Loam and 50% Osage Silty Clay. A geotechnical engineer has been contracted to perform a preliminary soils analysis, but the results are not yet complete.

The attached Exhibit D depicts an aerial of the existing site as well as topography.

Drainage

The tributary of Fry Ditch No. 1 has been widened to allow for the majority of the site to be removed from the FEMA floodplain. The widening of the tributary also removes the requirement of onsite detention. A CLOMR-F for the widening work was previously approved by FEMA. The work has mostly been completed with the notable exception of a need for additional fill along the southern portion of the site. This project will complete those fills and provide the necessary construction documentation for City of Bixby and FEMA approval. The proposed project grading and drainage plans, as well as any deviations from the previously approved CLOMR, will be submitted to City of Bixby for approval prior to any construction. Any widening or channel modifications will be covered by easements as required by City of Bixby Engineering and it is understood that the floodplain issue must be resolved through the City and FEMA approval process before the subject property can be developed.

The majority of the site will be graded to allow for surface water to drain directly to the improved tributary or be collected in an internal storm sewer system that will route it to the improved tributary. The final drainage and grading design will allow for an overland flow capacity capable of routing discharges from the existing total retention facility within 121st Center across the site to the tributary. This will be designed in conformance with City of Bixby Engineering Design Criteria.

Vehicular and Pedestrian Access and Circulation

The attached Exhibit B depicts the vehicular and pedestrian access points and circulation anticipated to accommodate the conceptual site plan. Access to the parcels of Development Area A and B will be provided by private boulevard-style streets and /or drives. These streets will be maintained by the Property Owners' Association created for the development. The Multi-Family portion of the development will restrict access to the general public using gates, the specific location of which will be determined at detailed site plan submittal. All such gates will be subject to approval of the City of Bixby Fire Chief, Fire Marshal and Engineering. Access to the lots within Development Area C will be derived by privately maintained streets and shall not be permitted more than one (1) direct connections to 121st Street South per lot.

Development Areas A and E will be accessed primarily through a privately maintained street within the mutual access easement north of existing "Boardwalk on Memorial" to the south. All private driveway and/or street connections shall be subject to City Engineer curb cut and/or ODOT driveway permit approval for the proposed access points to Memorial Dr. (US Hwy 64) and 121st St. S., and the Fire Chief's and Fire Marshal's approval of locations, spacing, widths, and curb return radii.

Pedestrian connectivity will be provided by new sidewalks along all abutting public streets and all private streets as well as internal sidewalk circulation within the Multi-Family development. This sidewalk system will be designed to not only serve the immediate access issues to each building but also to serve as a walking trail system that will circulate throughout the property. All sidewalk layouts will be developed and presented in detail at the PUD detailed site plan submittal.

Utilities

Water service is provided to the site by an existing 12" waterline along the north side of 121st Street South and an existing 12" waterline along the east side of Memorial Drive. A waterline loop will be constructed to provide fire protection and water service to Development Area B.

A 10" sanitary sewer line extends northwest to southeast on the east side of the tributary of Fry Ditch No. 1 along the eastern property line of the PUD. A line will be extended of this existing line to serve the site as required by the City of Bixby.

Other utility services are currently provided to the site and will continue to be provided via underground services. The required 17.5' perimeter utility easement may be reduced by waiver during the platting and site plan process. See attached Exhibit "F" for the conceptual improvements plan.

Parking

Parking shall be provided in accordance with the City of Bixby Zoning Code, with the exception of studio/efficiency units which will be subject to a 1:1 parking ratio.

Final parking ratios are as follows:

Studio	1.0 per unit (per PUD 81 Amendment #2)
1BR	1.5 per unit (per ordinance)
2BR	2.0 per unit (per ordinance)
3BR	2.0 per unit (per ordinance)

Detailed Site Plan Review

No building permit shall be issued until a detailed site plan is submitted to and approved by the Bixby Planning Commission and City Council in accordance with the City of Bixby Zoning Code. Any standard requirements of the City of Bixby Fire Marshal, City Engineer, and City Attorney shall be met as part of the PUD detailed site plan approval.

Requirement to Plat

No building permit shall be issued until a preliminary plat containing restrictive covenants memorializing the above development standards is prepared and approved by the Bixby Planning Commission. A certificate of occupancy shall not be issued until a plat containing restrictive covenants memorializing the above development standards is prepared and filed in accordance with the City of Bixby Subdivision Regulations.

Schedule of Development

Phase 1 of the Residences at Boardwalk (Multifamily Development) was 198 units, beginning construction in the Summer of 2016. The first move-in was on 12/1/2017, with a final certificate of occupancy occurring on 11/21/2018.

Since completion, the first phase of Residences at Boardwalk is currently 98% full. It has the highest rent in all suburban Tulsa and has won every Multifamily award available in the Tulsa metropolitan area. The second phase will be a duplicate in terms of design and offering, with a market study indicating that it will be fully leased in one year or less.

The Ministorage component of the project (Development area E) began construction in the Spring of 2020, with final certificate of occupancy to be issued November 2021.

Phase 2 of the Residences of Boardwalk (Multifamily Development) is planned to be 256 units. This phase is expected to begin in the Spring of 2022.



City of Bixby Application for PUD

RESIDENCES AT
BOARDWALK PUD

Applicant: NSPJ ARCHITECTS - CADE BRUMMER
Address: 3515 W. 75TH STREET PRAIRIE VILLAGE, KS 66208
Telephone: 913.831.1415 Cell Phone: _____ Email: CBRUMMER@NSPJSARCH.COM

Property Owner: BIXBY LAND RESOURCES GROUP, LLC. If different from Applicant, does owner consent? YES
Property Address: 12265 S MEMORIAL DRIVE
Existing Zoning: PUD-81 B Requested Zoning: PUD-81(C) Existing Use: PUD-81(B) MULTIFAMILY,
Proposed Use: MULTIFAMILY, RETAIL, OFFICE Use Unit #: _____ RETAIL/
OFFICE

LEGAL DESCRIPTION (If unplatted, attach a survey with legal description or copy of deed):

SEE ATTACHED .PDF WITHIN PUD EXHIBITS
SENT TO EMAIL

Does Record Owner consent to the filing of this application? ☒ YES ☐ NO
If Applicant is other than Owner, indicate interest: CONSULTANT - ARCHITECT
Is subject tract located in the 100 year floodplain? ☐ YES ☒ NO
Are 5 copies of the PUD text and exhibits package attached? ☐ YES ☐ NO

Application for: ☐ PUD ☐ Major Amendment ☒ Minor Amendment ☐ Abandonment

BILL ADVERTISING CHARGES TO: BIXBY LAND RESOURCES GROUP, LLC.
4512 E. 51ST ST., SUITE 100, TULSA, OK 74135 (NAME) 918-605-5600
(ADDRESS) (CITY) (ZIP) (PHONE)

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

Signature: _____ Date: 11/2/2021

APPLICANT - DO NOT WRITE BELOW THIS LINE

PUD _____ Date Received _____ Received By _____ Receipt # _____
Planning Commission Date _____ City Council Date _____

_____ Sign(s) at \$ 110.00 each = \$ _____; Postage \$ _____; Total Sign + postage \$ _____

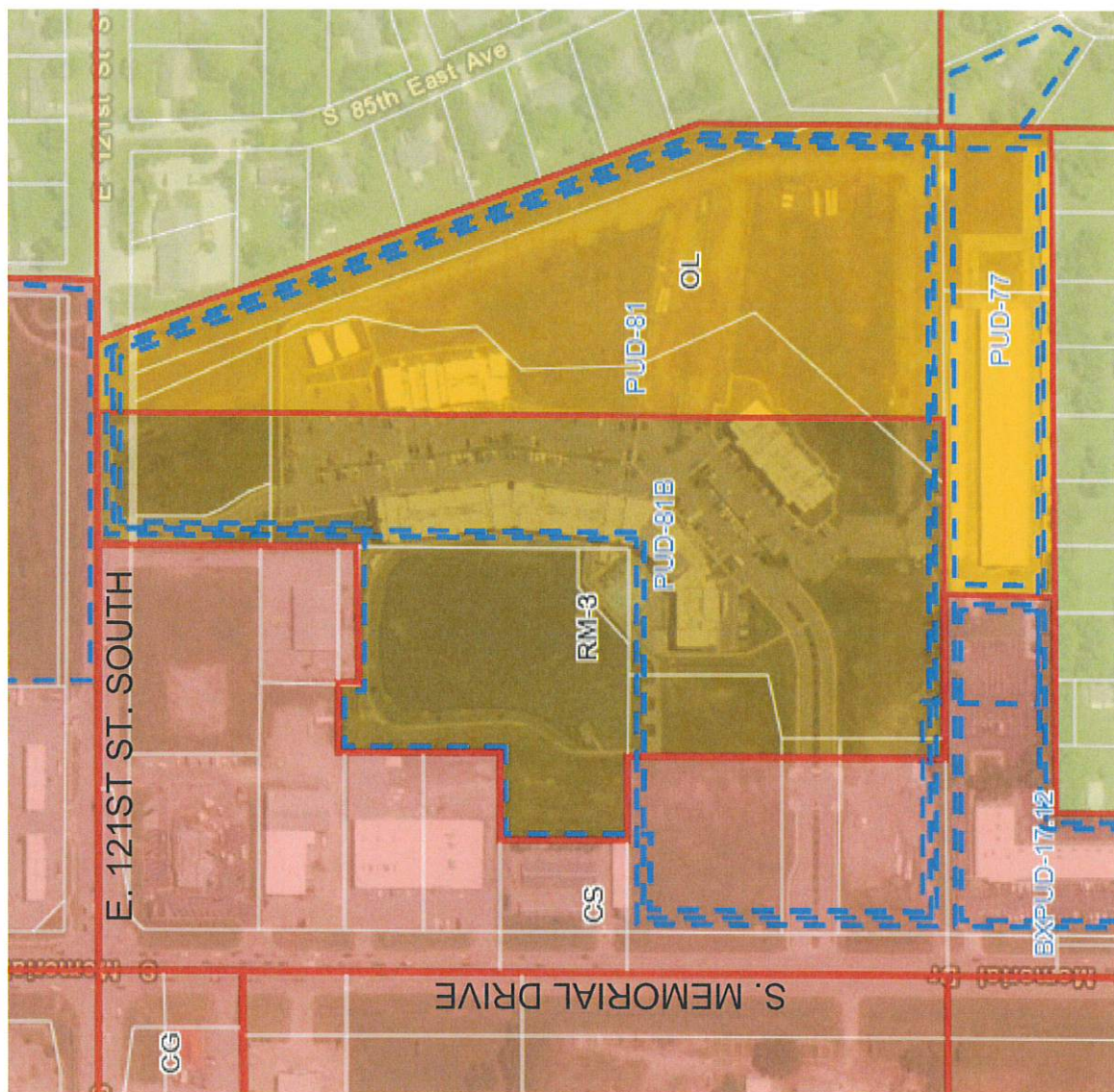
FEES:	BASE FEE	ADDITIONAL	TOTAL
	_____	_____	<u>\$500</u>

PC Action _____ City Council Action _____

DATE / VOTE _____ DATE / VOTE _____
STAFF REC. _____ ORD. NO. _____

EXISTING ZONING MAP

NOT TO SCALE



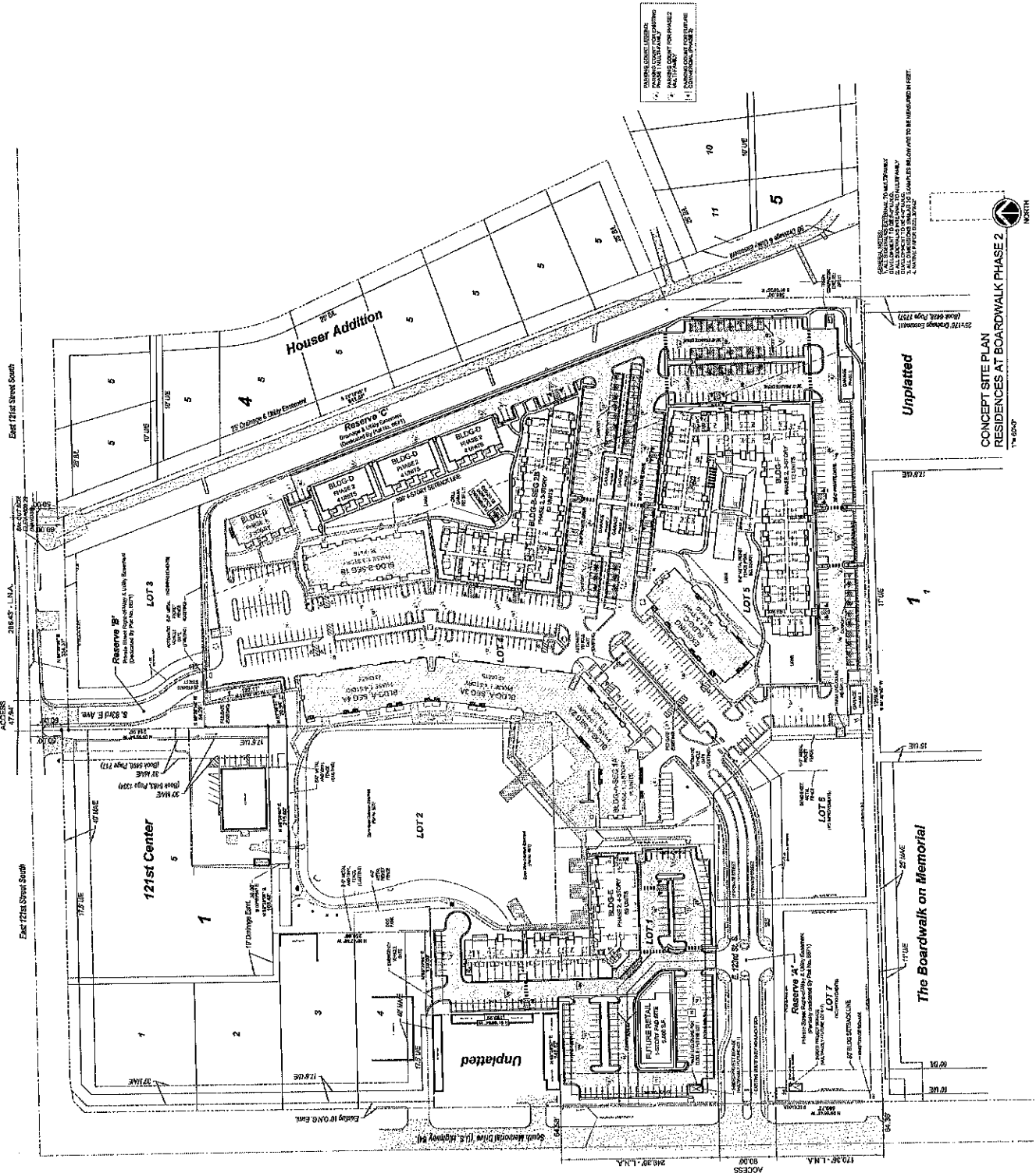
A MULTIFAMILY DEVELOPMENT FOR:
RESIDENCES AT BOARDWALK
8300 EAST 123RD STREET SOUTH
BIXBY, OKLAHOMA

NSPJ ARCHITECTS
ARCHITECTURE
LANDSCAPE
INTERIORS
ENERGY SERVICES
P. 911.811.1415
F. 911.811.1561
NSPJARCH.COM
3515 W. 25TH ST., SUITE 201
PRAIRIE VILLAGE, KS 66208

CONSTRUCTION

ARCHITECTS,
3515 W. 25TH ST., SUITE 201
DENVER, CO 80211
(303) 733-1100
FAX (303) 733-1101
WWW.ARCADIA-ARCHITECTS.COMrdSN 

ARCHITECTURE
LANDSCAPE
ARCHITECTURE
INTERIORS
ENHANCING YOUR SPACE
F. 913.831.1563
NISPARCH.COM
© COPYRIGHT 1993



A MULTIFAMILY DEVELOPMENT FOR:

RESIDENCES AT BOA
8300 EAST 123RD STREET SOUTH
BIXBY, OKLAHOMA

CONSTRUCTION

NOT FOR

NSPJ

ARCHITECTS,
3515 W. 75TH ST., SUITE 20
PRAIRIE VILLAGE, KS 66208

NSPIARCH.COM
P. 913.831.1563
P. 913.831.1415



DEVELOPMENT AREAS

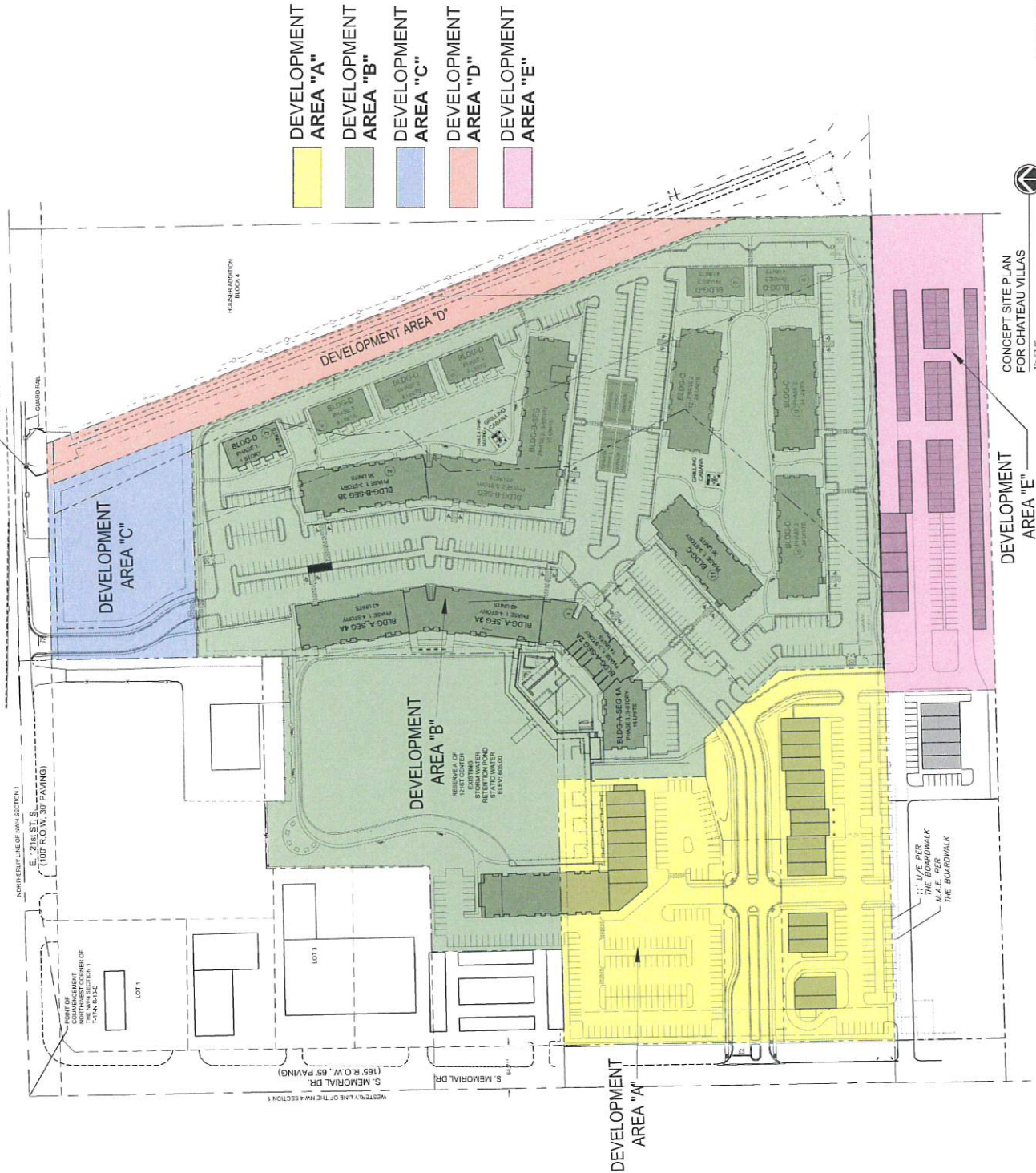


EXHIBIT C

A MULTIFAMILY DEVELOPMENT FOR:
RESIDENCES AT BOARDWALK
8300 EAST 123RD STREET SOUTH
BIXBY, OKLAHOMA

ARCHITECTURE
LANDSCAPE
PLANNING
NSPJ
ARCHITECTS
3515 W. 25TH ST., SUITE 201
NSPJARCH.COM
P. 913.831.1561
F. 913.831.1415
PRAIRIE VILLAGE, KS 66208

A MULTIFAMILY DEVELOPMENT FOR:
RESIDENCES AT BOARDWALK
8300 EAST 123RD STREET SOUTH
BIXBY, OKLAHOMA

A MULTIFAMILY DEVELOPMENT FOR:

BIXBY, OKLAHOMA

HOUSEHOLD ADDITION

DEVELOPME

DEVELOPMENT
AREA "C"

DEVELOPMENT
AREA "B"

DEVELOPMENT
AREA "A"

DEVELOPMENT
AREA "E" —

CONCEPT SITE PLAN
FOR CHATEAU VILLAS



EXHIBIT C1



EXHIBIT D

AAB Engineering, LLC



Engineering • Land Planning

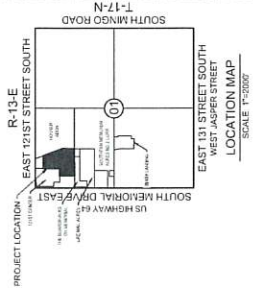
PO Box 2135 Sand Springs, OK 74063

Office: (918) 514-4293 Fax: (918) 514-4298

PREPARED FEBRUARY 20, 2014

EXISTING AERIAL AND TOPO





SURROUNDING AREAS



EXHIBIT E

AAB Engineering, LLC



Engineering • Land Planning
PO Box 2135 Sand Springs, OK 74053
Office: (918) 515-1234
Fax: (918) 514-2285
PREPARED FEBRUARY 20, 2014

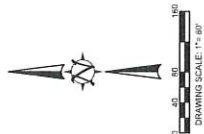
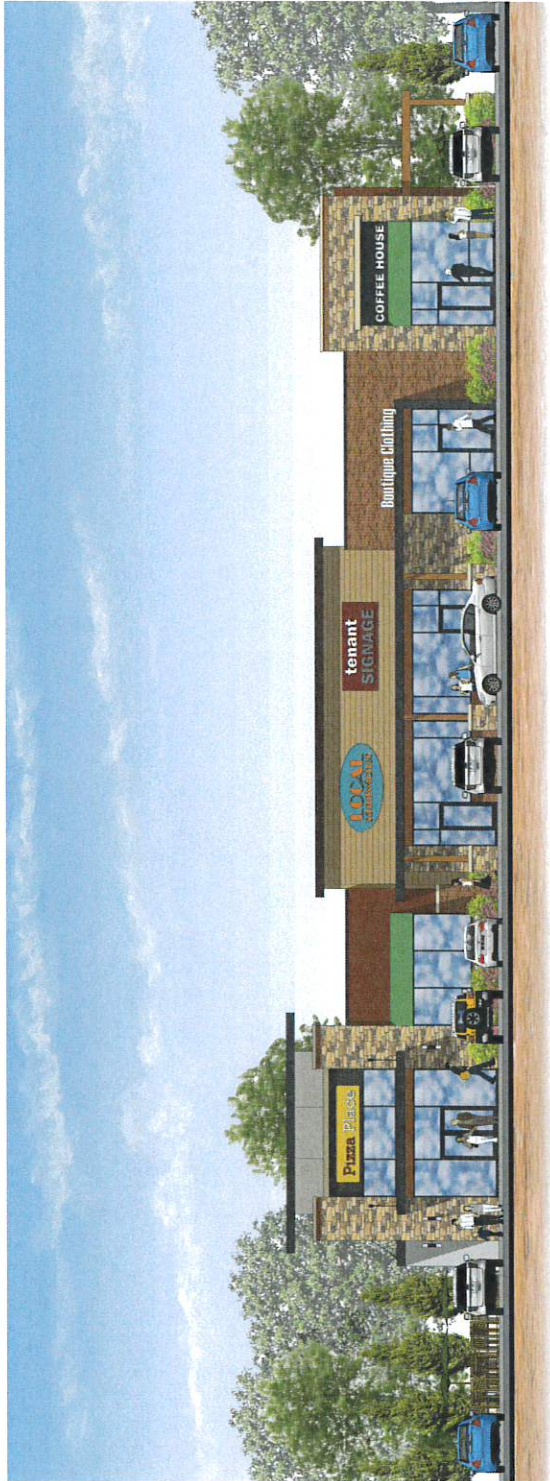


EXHIBIT F

NOTE:
THIS EXHIBIT IS
CONCEPTUAL IN NATURE
AND IS SUBJECT TO
CHANGE AS DESIGN
PLANS ARE FURTHER
DEVELOPED.



CONCEPTUAL RETAIL ELEVATION
NO SCALE



A MULTIFAMILY DEVELOPMENT FOR:
RESIDENCES AT BOARDWALK
8300 EAST 123RD STREET SOUTH
BIXBY, OKLAHOMA

NSPJ ARCHITECTS
ARCHITECTURE
LANDSCAPE
INTERIOR
DESIGN
SERVICES
P. 913.831.1415
F. 913.831.1561
3515 W. 25TH ST., SUITE 201
PRAIRIE VILLAGE, KS 66208

EXHIBIT G LEGAL DESCRIPTION

Comprise of 4 parcels.

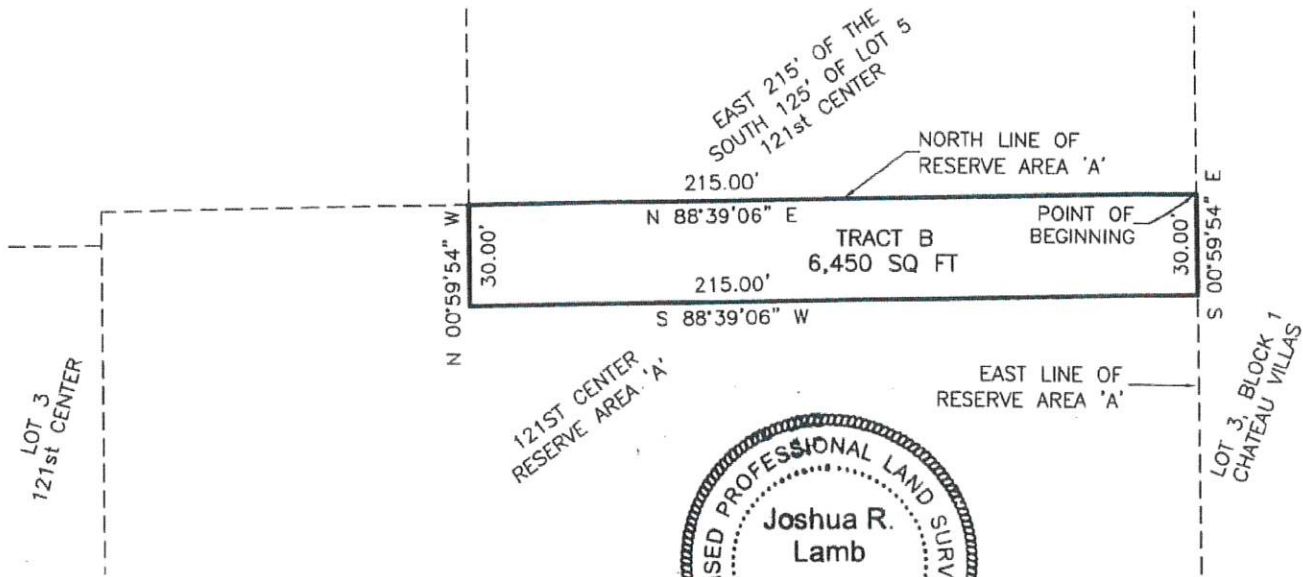
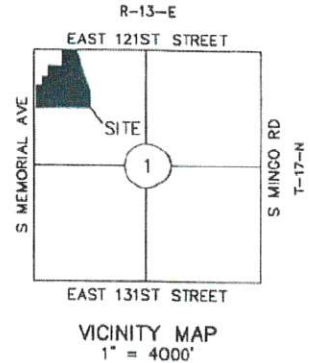
1. PUD 81, Residences at Boardwalk (attached)
2. Reserve "A", 121st Center, An addition to the City of Bixby, Tulsa County, State of Oklahoma, less and except a Tract of Land approximately 215' X 30', a survey for which is attached, marked as Exhibit B. this is Part of Reserve Area 'A', 121st Center Addition to the City of Bixby, Tulsa County, State of Oklahoma).
3. PUD 77, Byrnes Mini Storage (attached)

EXHIBIT G2 (PUD)

EXHIBIT 'B'

PART OF RESERVE AREA 'A'
121ST CENTER ADDITION
AN ADDITION TO THE CITY OF BIXBY
TULSA COUNTY, STATE OF OKLAHOMA

1" = 50'



LEGAL DESCRIPTION - TRACT B

A TRACT OF LAND BEING PART OF RESERVE AREA 'A', 121ST CENTER, AN ADDITION TO THE CITY OF BIXBY, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF RESERVE AREA 'A'; THENCE SOUTH 00°59'54" EAST ALONG THE EAST LINE OF SAID RESERVE AREA 'A' FOR A DISTANCE OF 30.00 FEET; THENCE SOUTH 88°39'06" WEST ON A LINE PARALLEL TO THE NORTH LINE OF SAID RESERVE AREA 'A' FOR A DISTANCE OF 215.00 FEET; THENCE NORTH 00°59'54" WEST FOR A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTH LINE OF RESERVE AREA 'A'; THENCE NORTH 88°39'06" EAST ALONG THE NORTH LINE OF SAID RESERVE AREA 'A' FOR A DISTANCE OF 215.00 FEET TO THE POINT OF BEGINNING;

BASIS OF BEARING OF PROPERTY DESCRIPTION BEING THE NORTH LINE OF RESERVE AREA 'A' BEING A BEARING OF NORTH 88°39'06" EAST.

I, JOSHUA R. LAMB, HEREBY STATE THAT THE SURVEY SHOWN
HEREON IS TRUE AND CORRECT TO BEST OF MY KNOWLEDGE.

JOSHUA R. LAMB
OKLAHOMA PLS NO. 1678

TULSA LAND SURVEYING LLC
1501 EAST 6TH STREET
TULSA, OK 74120
(918) 794-6777
CA 6038
EXPIRES 6/30/2017



EXHIBIT G3 (PUD)

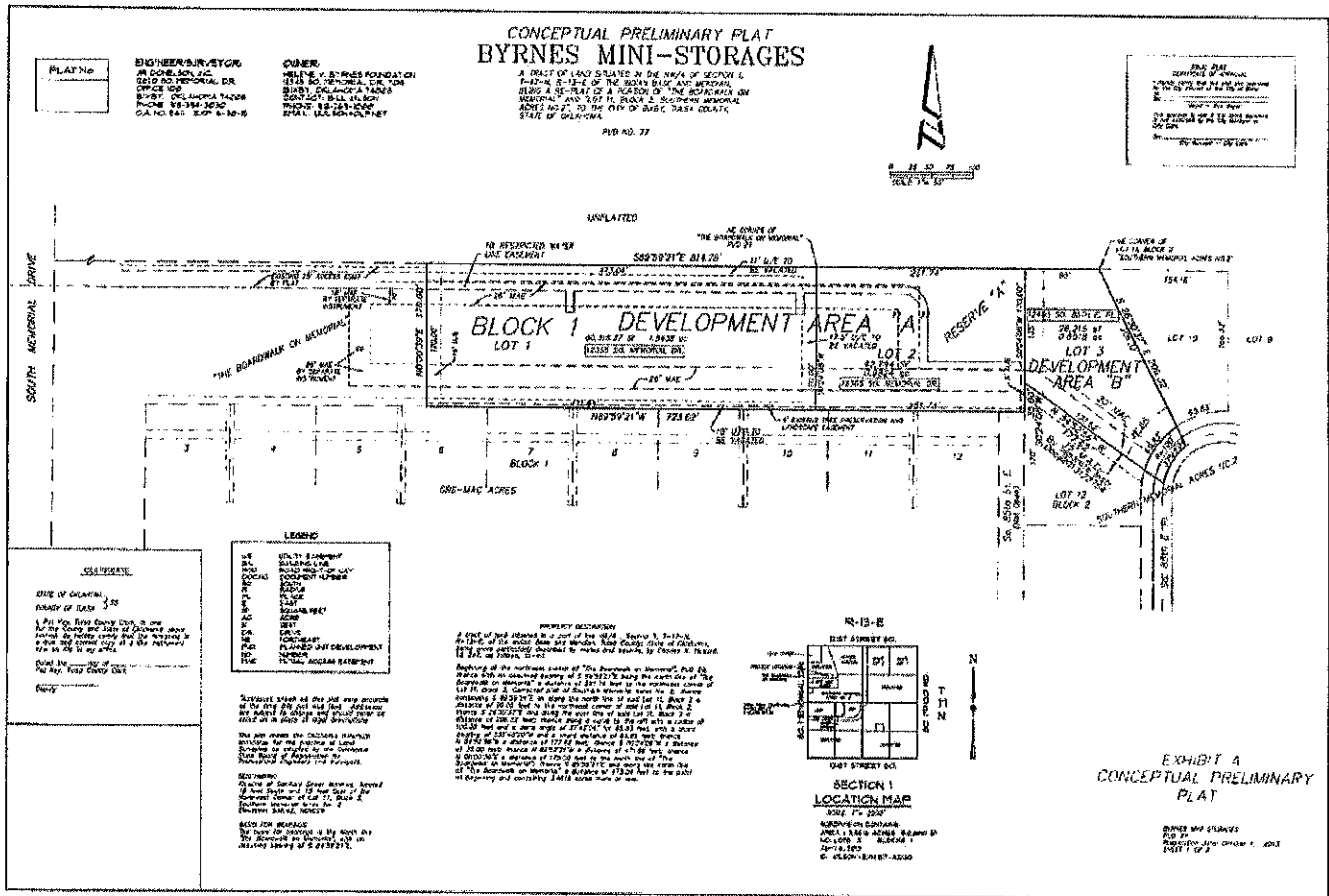


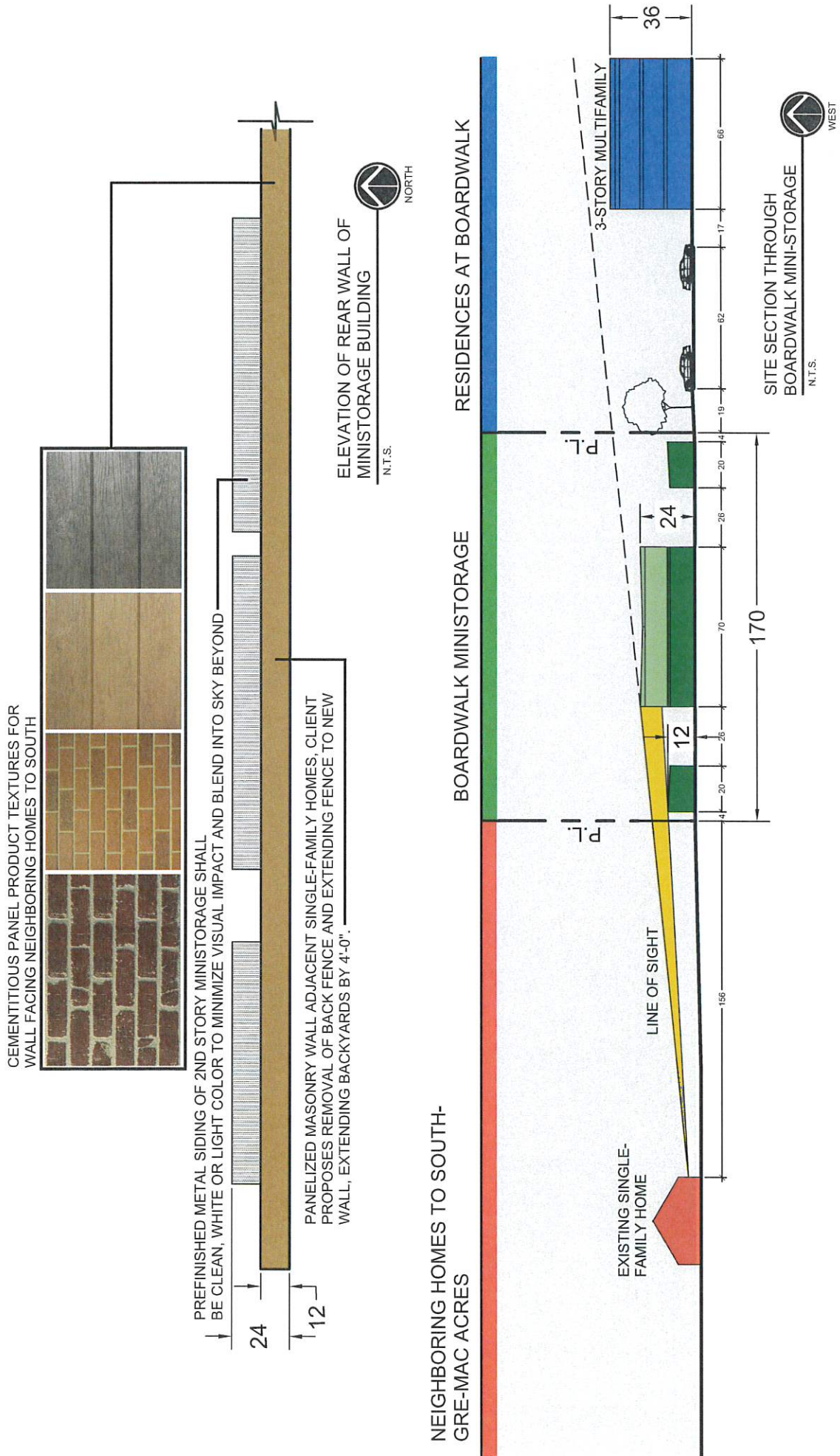


EXHIBIT H



EXHIBIT H1

EXHIBIT J





Christian Brother's Automotive
RH 9 Bay Prototype



Christian Brother's Automotive
RH 9 Bay Prototype



5 FRONT ELEVATION
SCALE: 3/16"=1'-0"



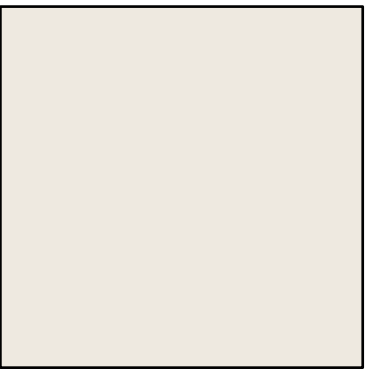
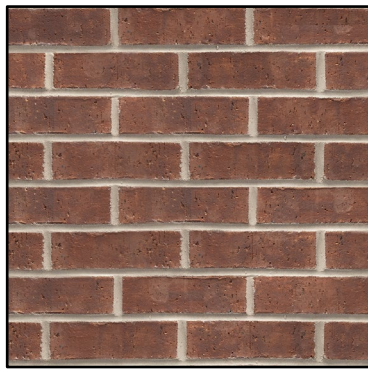
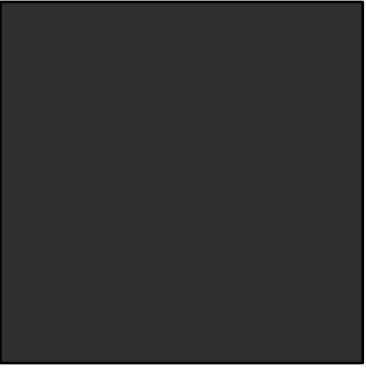
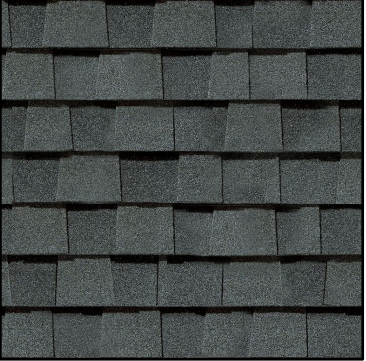
4 BACK ELEVATION
SCALE: 3/16"=1'-0"



2 LEFT SIDE ELEVATION
SCALE: 3/16"=1'-0"

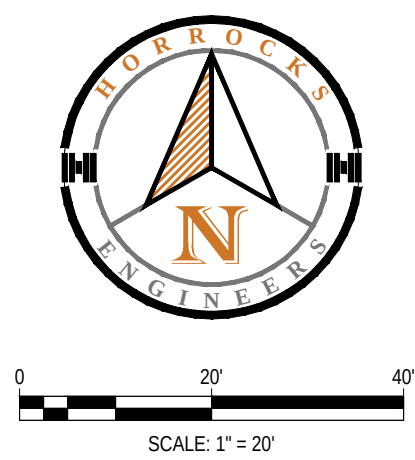
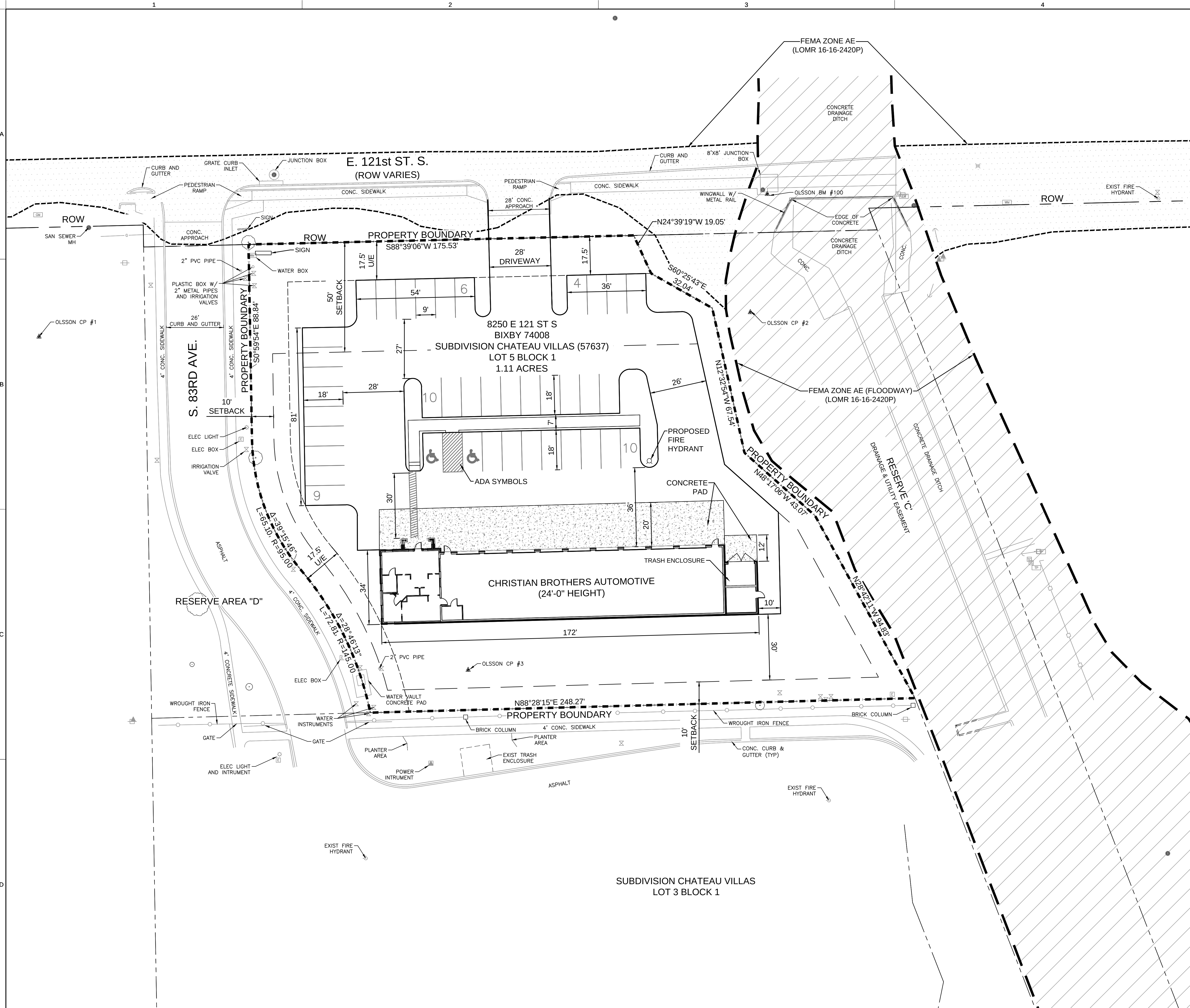


3 RIGHT SIDE ELEVATION
SCALE: 3/16"=1'-0"

	PC-5 SHERWIN-WILLIAMS PAINT SW 7001 MARSHMALLOW		M- 5 ACME BRICK CO. 8" X 2 1/4" MODULAR BRICK COLOR: BURGANDY MORTAR: WHITE
	PC-6 SHERWIN-WILLIAMS PAINT SW 6258 TRICORN BLACK		M- 8 ACME BRICK CO. 8" X 2 1/4" MODULAR BRICK COLOR: GLACIER WHITE MORTAR: WHITE
	M- 6 ROOF SHINGLES CERTAINTEED LANDMARK 30 AR COLOR: MOIRE BLACK		M- 10 4" NATURAL LIMESTONE SALADO QUARRY MORTAR: WHITE



Christian Brother's Automotive RH 9 Bay Prototype



ENGINEER:

HORROCKS ENGINEERS
5670 Greenwood Plaza Blvd., Ste 125W
Greenwood Village, CO 80111
(303) 967-0353
CONTACT: kate.kowalski@horrocks.com

OWNER:

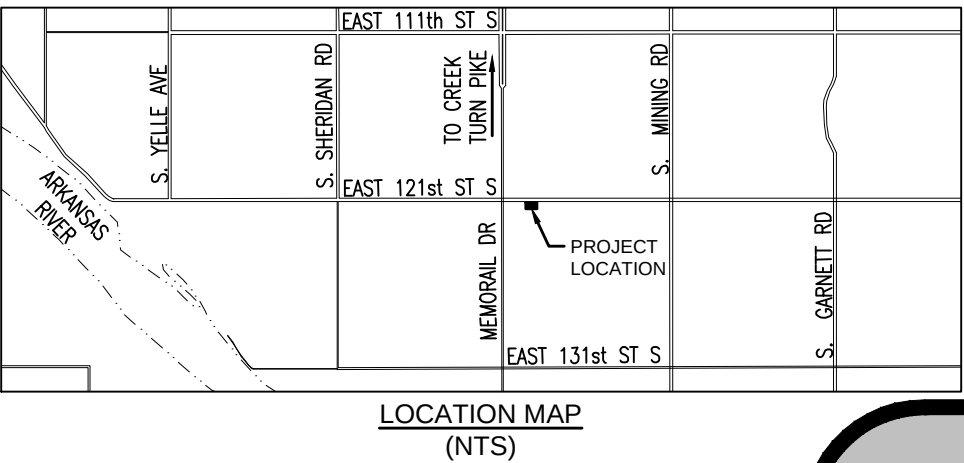
CHRISTIAN BROTHERS AUTOMOTIVE CORPORATION
17725 Katy Freeway, Suite 200
Houston, TX 77094
(281) 675-6234
CONTACT: paula.tolliver@cbac.com

LOT AREA: 1.11 ACRES
IMPERVIOUS AREA: 28,390 SF
IMPERVIOUS AREA: 58.7% OF LOT AREA

ZONING INFORMATION:
ADDRESS: 8250 EAST 121ST ST S BIXBY OK 74008
EXISTING USE: VACANT LOT
PROPOSED USE: AUTOMOTIVE / AUTO REPAIR
EXISTING ZONING: OFFICE LIGHT (OL)
PROPOSED ZONING: SHOPPING CENTER (CS)
PROPOSED USE UNITS: 17

LOT INFORMATION:
LOT SIZE: 48,377.70 SQ FT
FRONTAGE: 175.53 FT
AVG. DEPTH: 214.25 FT
PARKING SPACES: 39

STRUCTURE SETBACK:
STRUCTURE SIZE: 5413.78 SQ FT
FRONT: 140.55 FT
SIDE (EAST): 27.19 FT
SIDE (WEST): 17.44 FT
REAR: 40.0 FT



HORROCKS ENGINEERS

5670 Greenwood Plaza Blvd., Ste 125W
Greenwood Village, CO 80111
(303) 967-0353
www.horrocks.com

WARNING

IF THIS BAR DOES NOT MEASURE 2" THEN DRAWING IS NOT TO SCALE

REVISIONS	REV #	DATE

DRAWING INFO	DATE	DESIGNED	DRAWN	CHECKED	PROJECT
	NOV 2022	JG	CG	KK	CO-5964.22

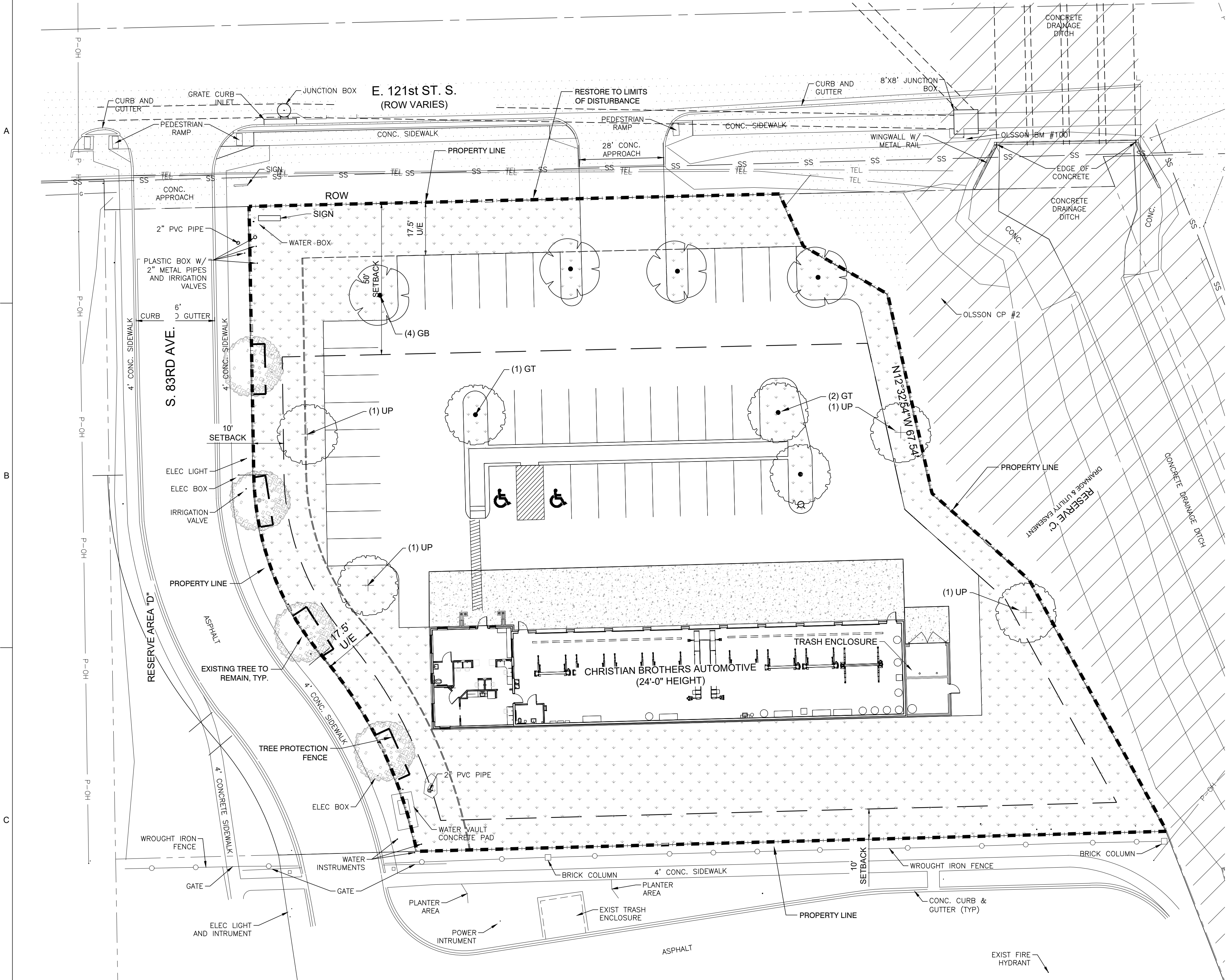
PRELIMINARY
NOT FOR CONSTRUCTION

CHRISTIAN BROTHERS AUTOMOTIVE

BIXBY, OKLAHOMA
PREAPPLICATION SITE PLAN OPTION 2



C1.1



MULCHES

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 3" THICK LAYER OF 1-1/2" SHREDDED WOOD MULCH OVER LANDSCAPE FABRIC IN ALL PLANTING AREAS (EXCEPT FOR TURF AND SEEDED AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED.

ROOT BARRIERS

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

PLANT_SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	CAL.	CONT.	SIZE
	GB	4	Ginkgo biloba 'Autumn Gold' Autumn Gold Ginkgo	2" Cal.	Cont. or B&B	8' minimum
	GT	3	Gleditsia triacanthos inermis 'Suncole' TM Sunburst Honey Locust	2" Cal.	Cont. or B&B	8' minimum
	UP	4	Ulmus americana 'Princeton' Princeton American Elm	2" Cal.	Cont. or B&B	8' minimum
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME			
	CT	20,385 sf	Cynodon dactylon 'Tif 419' Bermuda Grass			

EXISTING TREES

	EX. TREE TO REMAIN	4
--	--------------------	---

LANDSCAPE CALCULATIONS

FRONTAGE	
FRONTAGE AREA:	32,021 SF
FRONTAGE AREA REQUIRED:	4,803 SF (MINIMUM 15% OF STREET YARD)
FRONTAGE AREA PROVIDED:	10,210 SF (31.9%)
TREES	
STREET YARD TREES	1 PER 1,000 SF OF STREET YARD
E. 121TH STREET SOUTH:	4,123 SF
TREES REQUIRED:	5 TREES
TREES PROVIDED:	5 TREES
SOUTH 83RD AVENUE	
STREET TREES REQUIRED:	6,087 SF
STREET TREES PROVIDED:	6 TREES
	4 EXISTING TREES, 2 PROPOSED
PARKING LOT AREA	
ALL PARKING SPACES WITHIN 50' OF LANDSCAPE AREA:	PROVIDED
1 TREE PER REQUIRED LANDSCAPE AREA:	PROVIDED
1 TREE PER 10 PARKING SPACES	
39 SPACES = 4 TREE REQUIRED	4 TREE PROVIDED
COMPATABILITY BUFFER	
STREET YARD TREES	1 PER 1,000 SF OF STREET YARD
EAST PROPERTY LINE:	1,165 SF
TREES REQUIRED:	2 TREES
TREES PROVIDED:	2 TREES

GENERAL GRADING AND PLANTING NOTES

- BY SUBMITTING A PROPOSAL FOR THE LANDSCAPE PLANTING SCOPE OF WORK, THE CONTRACTOR CONFIRMS THAT HE HAS READ, AND WILL COMPLY WITH, THE ASSOCIATED NOTES, SPECIFICATIONS, AND DETAILS WITH THIS PROJECT. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION EXCEPT WHERE NOTED TO REMAIN.
- IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
- BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
- CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
- THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (BASED ON A SOIL TEST, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
- ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
- ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
- SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
- ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES; PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE.
- NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT. IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
- THE CONTRACTOR SHALL, AT A MINIMUM, PROVIDE REPRESENTATIVE PHOTOS OF ALL PLANTS PROPOSED FOR THE PROJECT. THE CONTRACTOR SHALL ALLOW THE LANDSCAPE ARCHITECT AND THE OWNER/OWNER'S REPRESENTATIVE TO INSPECT, AND APPROVE OR REJECT, ALL PLANTS DELIVERED TO THE JOBSITE. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS FOR SUBMITTALS.
- THE CONTRACTOR SHALL MAINTAIN THE LANDSCAPE IN A HEALTHY CONDITION FOR 90 DAYS AFTER ACCEPTANCE BY THE OWNER. REFER TO SPECIFICATIONS FOR CONDITIONS OF ACCEPTANCE FOR THE START OF THE MAINTENANCE PERIOD, AND FOR FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD.
- SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.



HORROCKS

ENGINEERS

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REVISIONS

REV # DATE

DRAWING INFO

DATE DESIGNED DRAWN CHECKED PROJECT

STEPHEN W. SALES
LA08022
09/29/2023

LANDSCAPE PLANTING

EVERGREEN
DESIGN GROUP

(800) 680-6630
15455 Dallas Pkwy Ste 600, Addison,
TX 75001
www.EvergreenDesignGroup.com

LP-1

PAGE

PLANTING SPECIFICATIONS

GENERAL

- A. QUALIFICATIONS OF LANDSCAPE CONTRACTOR
1. ALL LANDSCAPE WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE FIRM SPECIALIZING IN LANDSCAPE PLANTING.
 2. A LIST OF SUCCESSFULLY COMPLETED PROJECTS OF THIS TYPE, SIZE AND NATURE MAY BE REQUESTED BY THE OWNER FOR FURTHER QUALIFICATION MEASURES.
 3. THE LANDSCAPE CONTRACTOR SHALL HOLD A VALID CONTRACTOR'S LICENSE ISSUED BY THE APPROPRIATE LOCAL JURISDICTION.
- B. SCOPE OF WORK
1. WORK COVERED BY THESE SECTIONS INCLUDES THE FURNISHING AND PAYMENT OF ALL MATERIALS, LABOR, SERVICES, EQUIPMENT, LICENSES, TAXES AND ANY OTHER ITEMS THAT ARE NECESSARY FOR THE EXECUTION, INSTALLATION AND COMPLETION OF ALL WORK, SPECIFIED HEREIN AND /OR SHOWN ON THE LANDSCAPE PLANS, NOTES, AND DETAILS.
 2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LAWS, CODES AND REGULATIONS REQUIRED BY AUTHORITIES HAVING JURISDICTION OVER SUCH WORK, INCLUDING ALL INSPECTIONS AND PERMITS REQUIRED BY FEDERAL, STATE AND LOCAL AUTHORITIES IN SUPPLY, TRANSPORTATION AND INSTALLATION OF MATERIALS.
 3. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITY LINES (WATER, SEWER, ELECTRICAL, TELEPHONE, GAS, CABLE, TELEVISION, ETC.) PRIOR TO THE START OF ANY WORK.

PRODUCTS

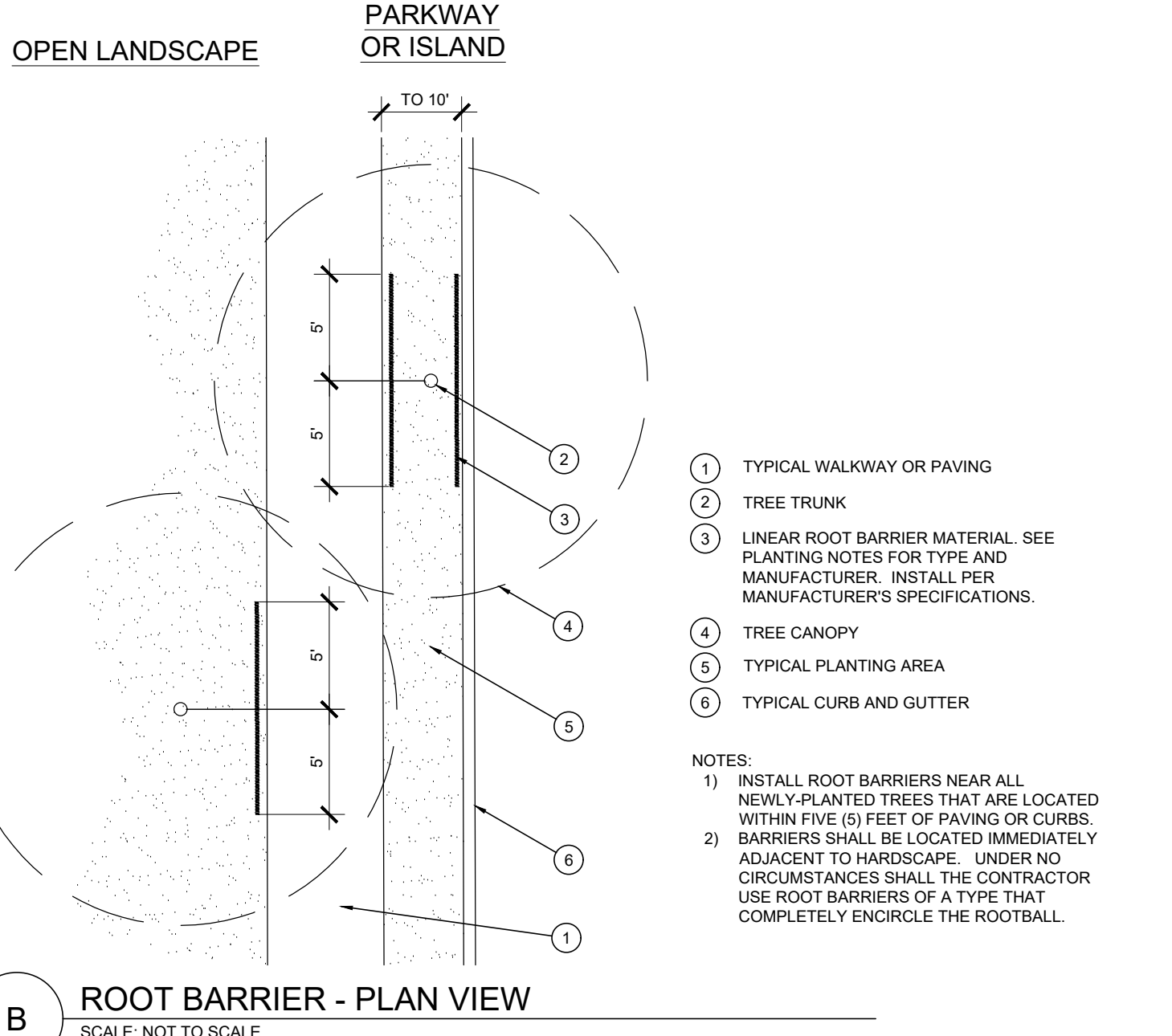
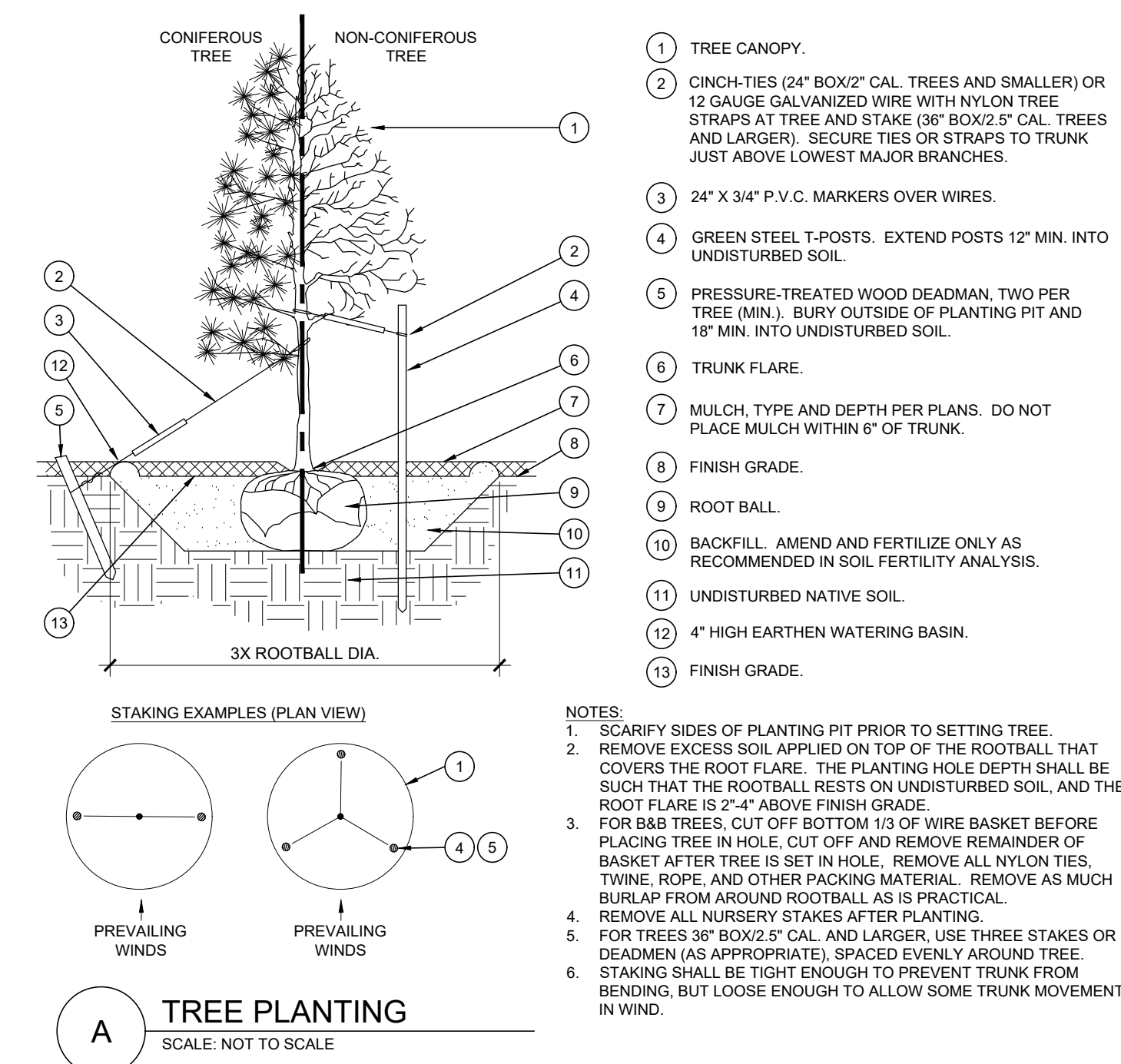
- A. ALL MANUFACTURED PRODUCTS SHALL BE NEW.
- B. CONTAINER AND BALLED-AND-BURLAPPED PLANTS:
1. FURNISH NURSERY-GROWN PLANTS COMPLYING WITH ANSI Z60.1-2014. PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT. ALL PLANTS WITHIN A SPECIES SHALL HAVE SIMILAR SIZE, AND SHALL BE OF A FORM TYPICAL FOR THE SPECIES. ALL TREES SHALL BE OBTAINED FROM SOURCES WITHIN 200 MILES OF THE PROJECT SITE, AND WITH SIMILAR CLIMATIC CONDITIONS.
 2. ROOT SYSTEMS SHALL BE HEALTHY, DENSELY BRANCHED ROOT SYSTEMS, NON-POT-BOUND, FREE FROM ENCIRCLING AND/OR GIRDLING ROOTS, AND FREE FROM ANY OTHER ROOT DEFECTS (SUCH AS J-SHIFTED ROOTS).
 3. TREES MAY BE PLANTED FROM CONTAINERS OR BALLED-AND-BURLAPPED (B&B), UNLESS SPECIFIED ON THE PLANTING LEGEND. BARE-ROOT TREES ARE NOT ACCEPTABLE.
 4. ANY PLANT DEEMED UNACCEPTABLE BY THE LANDSCAPE ARCHITECT OR OWNER SHALL BE IMMEDIATELY REMOVED FROM THE SITE AND SHALL BE REPLACED WITH AN ACCEPTABLE PLANT OF LIKE TYPE AND SIZE AT THE CONTRACTOR'S OWN EXPENSE. ANY PLANTS APPEARING TO BE UNHEALTHY, EVEN IF DETERMINED TO STILL BE ALIVE, SHALL NOT BE ACCEPTED. THE LANDSCAPE ARCHITECT AND OWNER SHALL BE THE SOLE JUDGES AS TO THE ACCEPTABILITY OF PLANT MATERIAL. LEADERS WILL NOT BE ACCEPTED IF LEADER IS DAMAGED OR REMOVED. PRUNE ALL DAMAGED TWIGS AFTER PLANTING.
 5. CALIPER MEASUREMENTS FOR STANDARD (SINGLE TRUNK) TREES SHALL BE AS FOLLOWS: SIX INCHES ABOVE THE ROOT FLARE FOR TREES UP TO AND INCLUDING FOUR INCHES IN CALIPER, AND TWENTY INCHES ABOVE THE ROOT FLARE FOR TREES EXCEEDING FOUR INCHES IN CALIPER.
 7. MULTI-TRUNK TREES SHALL BE MEASURED BY THEIR OVERALL HEIGHT, MEASURED FROM THE TOP OF THE ROOT BALL, WHERE CALIPER MEASUREMENTS ARE USED. THE CALIPER SHALL BE CALCULATED AS ONE-HALF OF THE SUM OF THE CALIPER OF THE THREE LARGEST TRUNKS.
 8. ANY TREE OR SHRUB SHOWN TO HAVE EXCESS SOIL PLACED ON TOP OF THE ROOT BALL, SO THAT THE ROOT FLARE HAS BEEN COMPLETELY COVERED, SHALL BE REJECTED.
- C. SOD: PROVIDE WELL-ROOTED SOD OF THE VARIETY NOTED ON THE PLANS. SOD SHALL BE CUT FROM HEALTHY, MATURE TURF WITH SOIL THICKNESS OF 3/4" TO 1". EACH PALLET OF SOD SHALL BE ACCOMPANIED BY A CERTIFICATE FROM SUPPLIER STATING THE DATE OF SOIL COLLECTION AND THE SOD SEED. PROVIDE BLEND OF SPECIES AND VARIETIES AS NOTED ON THE PLANS, WITH MAXIMUM PERCENTAGES OF PURITY, GERMINATION, AND MINIMUM PERCENTAGE OF WEED SEED AS INDICATED ON PLANS. EACH BAG OF SEED SHALL BE ACCOMPANIED BY A TAG FROM THE SUPPLIER INDICATING THE COMPOSITION OF THE SEED.
- E. TOPSOIL: SANDY TO CLAY LOAM TOPSOIL, FREE OF STONES LARGER THAN 1/2" INCH, FOREIGN MATTER, PLANTS, ROOTS, AND SEEDS.
- F. COMPOST: WELL-COMPOSTED, STABLE, AND WEED-FREE ORGANIC MATTER, pH RANGE OF 5.5 TO 8; MOISTURE CONTENT 35 TO 55 PERCENT BY WEIGHT; 100 PERCENT PASSING THROUGH 3/4-INCH SIEVE; SOLUBLE SALT CONTENT OF 5 TO 10 DECISEMENS; NOT EXCEEDING 0.5 PERCENT INERT CONTAMINANTS AND FREE OF SUBSTANCES TOXIC TO PLANTINGS. NO MANURE OR ANIMAL-BASED PRODUCTS SHALL BE USED.
- G. FERTILIZER: GRANULAR FERTILIZER CONSISTING OF NITROGEN, PHOSPHORUS, POTASSIUM, AND OTHER NUTRIENTS IN PROPORTIONS, AMOUNTS, AND RELEASE RATES RECOMMENDED IN A SOIL REPORT FROM A QUALIFIED SOIL TESTING AGENCY (SEE BELOW).
- H. MULCH: SIZE AND TYPE AS INDICATED ON PLANS, FREE FROM DELETERIOUS MATERIALS AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS.
- I. TREE STAKING AND GUYING
1. STAKES: 6 LONG GREEN METAL T-POSTS.
 2. GUY AND TIE WIRE: ASTM A 641, CLASS 1, GALVANIZED-STEEL WIRE, 2-STRAND, TWISTED, 0.106 INCH DIAMETER.
 3. STRAP CHAINING GUARD: REINFORCED NYLON OR CANVAS AT LEAST 1-1/2 INCH WIDE, WITH GROMMETS TO PROTECT TREE TRUNKS FROM DAMAGE.
- L. PRE-EMERGENT HERBICIDES: ANY GRANULAR, NON-STAINING PRE-EMERGENT HERBICIDE THAT IS LABELED FOR THE SPECIFIC ORNAMENTALS OR TURF ON WHICH IT WILL BE UTILIZED. PRE-EMERGENT HERBICIDES SHALL BE APPLIED PER THE MANUFACTURER'S LABELED RATES.

METHODS

- A. SOIL PREPARATION
1. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE GRADE OF ALL LANDSCAPE AREAS ARE WITHIN +0.1' OF FINISH GRADE. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY SHOULD ANY DISCREPANCIES EXIST.
 2. SOIL TESTING:
 - a. AFTER FINISH GRADES HAVE BEEN ESTABLISHED, CONTRACTOR SHALL HAVE SOIL SAMPLES FROM THE PROJECT'S LANDSCAPE AREAS TESTED BY AN ESTABLISHED SOIL TESTING LABORATORY. EACH SAMPLE SUBMITTED TO THE LAB SHALL CONTAIN NO LESS THAN ONE QUART OF SOIL, TAKEN FROM BETWEEN THE SOIL SURFACE AND 6" DEPTH. IF NO SAMPLE LOCATIONS ARE INDICATED ON THE PLANS, THE CONTRACTOR SHALL TAKE A MINIMUM OF THREE SAMPLES FROM VARIOUS REPRESENTATIVE LOCATIONS FOR TESTING.
 - b. THE CONTRACTOR SHALL HAVE THE SOIL TESTING LABORATORY PROVIDE RESULTS FOR THE FOLLOWING: SOIL TEXTURAL CLASS, GENERAL SOIL FERTILITY, pH, ORGANIC MATTER CONTENT, SALT (EC), LIME, SODIUM ADSORPTION RATIO AND BORON CONTENT.
 - c. THE CONTRACTOR SHALL ALSO SUBMIT THE PROJECT'S PLANT LIST TO THE LABORATORY ALONG WITH THE SOIL SAMPLES.
 - d. THE SOIL REPORT PRODUCED BY THE LABORATORY SHALL CONTAIN RECOMMENDATIONS FOR THE FOLLOWING (AS APPROPRIATE): SEPARATE SOIL PREPARATION AND BACKFILL MIX RECOMMENDATIONS FOR GENERAL, ORNAMENTAL, PLANTS, XERIC PLANTS, TURF, AND NATIVE SEED, AS WELL AS PRE-PLANT FERTILIZER APPLICATIONS AND RECOMMENDATIONS FOR ANY OTHER SOIL RELATED ISSUES. THE REPORT SHALL ALSO PROVIDE A FERTILIZER PROGRAM FOR THE ESTABLISHMENT PERIOD AND FOR LONG-TERM MAINTENANCE.
 3. THE CONTRACTOR SHALL INSTALL SOIL AMENDMENTS AND FERTILIZERS PER THE SOILS REPORT RECOMMENDATIONS. ANY CHANGE IN COST DUE TO THE SOIL REPORT RECOMMENDATIONS, EITHER INCREASE OR DECREASE, SHALL BE SUBMITTED TO THE OWNER WITH THE REPORT.
 4. FOR BIDDING PURPOSES ONLY, THE SOIL PREPARATION SHALL CONSIST OF THE FOLLOWING:
 - a. TURF: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 8" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
 - i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
 - ii. PREPLANT TURF FERTILIZER (10-20-10 OR SIMILAR, SLOW RELEASE, ORGANIC) - 15 LBS PER 1,000 S.F.
 - iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
 - b. TREES: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 8" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
 - i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
 - ii. 12-12-12 FERTILIZER (OR SIMILAR, ORGANIC, SLOW RELEASE) - 10 LBS. PER CU. YD.
 - iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
 - iv. IRON SULPHATE - 2 LBS. PER CU. YD.
 5. IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
 - a. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
 - b. CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
 - c. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (BASED ON A SOIL TEST, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
 - d. ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - e. ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - f. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
 6. ONCE SOIL PREPARATION IS COMPLETE, THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT THERE ARE NO DEBRIS, TRASH, OR STONES LARGER THAN 1" REMAINING IN THE TOP 6" OF SOIL.

SUBMITTALS

1. THE CONTRACTOR SHALL PROVIDE SUBMITTALS AND SAMPLES, IF REQUIRED, TO THE LANDSCAPE ARCHITECT, AND RECEIVE APPROVAL IN WRITING FOR SUCH SUBMITTALS BEFORE WORK COMMENCES.
 2. SUBMITTALS SHALL INCLUDE PHOTOS OF PLANTS WITH A RULER OR MEASURING STICK FOR SCALE. PHOTOS OR SAMPLES OF ANY REQUIRED MULCHES, AND SOIL TEST RESULTS AND PREPARATION RECOMMENDATIONS FROM THE TESTING LAB (INCLUDING COMPOST AND FERTILIZER RATES AND TYPES, AND OTHER AMENDMENTS FOR TREE/SHRUB, TURF, AND SEED AREAS AS MAY BE APPROPRIATE).
 3. SUBMITTALS SHALL ALSO INCLUDE MANUFACTURER CUT SHEETS FOR PLANTING ACCESSORIES SUCH AS TREE STAKES AND TIES, EDGING, AND LANDSCAPE FABRICS (IF ANY).
 4. WHERE MULTIPLE ITEMS ARE SHOWN ON A PAGE, THE CONTRACTOR SHALL CLEARLY INDICATE THE ITEM BEING CONSIDERED.
- C. GENERAL PLANTING
1. REMOVE ALL NURSERY TAGS AND STAKES FROM PLANTS.
 2. EXCEPT IN AREAS TO BE PLANTED WITH ORNAMENTAL GRASSES, APPLY PRE-EMERGENT HERBICIDES AT THE MANUFACTURER'S RECOMMENDED RATE.
 3. TRENCING NEAR EXISTING TREES:
 - a. CONTRACTOR SHALL NOT DISTURB ROOTS 1-1/2" AND LARGER IN DIAMETER WITHIN THE CRITICAL ROOT ZONE (CRZ) OF EXISTING TREES, AND SHALL EXERCISE ALL POSSIBLE CARE AND PRECAUTIONS TO AVOID INJURY TO TREE ROOTS, TRUNKS, AND BRANCHES. THE CRZ IS DEFINED AS A CIRCULAR AREA EXTENDING OUTWARD FROM THE TREE TRUNK, WITH A RADIUS EQUAL TO 1' FOR EVERY 1" OF TRUNK DIAMETER-AT-BREAST-HEIGHT (4.5' ABOVE THE AVERAGE GRADE AT THE TRUNK).
 - b. ALL EXCAVATION WITHIN THE CRZ SHALL BE PERFORMED USING HAND TOOLS. NO MACHINE EXCAVATION OR TRENCING OF ANY KIND SHALL BE ALLOWED WITHIN THE CRZ.
 - c. ALTER ALIGNMENT OF PIPE TO AVOID TREE ROOTS 1-1/2" AND LARGER IN DIAMETER, WHERE TREE ROOTS 1-1/2" AND LARGER IN DIAMETER ARE ENCOUNTERED IN THE FIELD, TUNNEL UNDER SUCH ROOTS. WRAP EXPOSED ROOTS WITH SEVERAL LAYERS OF BURLAP AND KEEP MOIST. CLOSE ALL TRENCHES WITHIN THE CANOPY DRIP LINES WITHIN 24 HOURS.
 - d. ALL SEVERED ROOTS SHALL BE HAND PRUNED WITH SHARP TOOLS AND ALLOWED TO AIR-DRY. DO NOT USE ANY SORT OF SEALERS OR WOUND PAINTS.
- D. TREE PLANTING
1. TREE PLANTING HOLES SHALL BE EXCAVATED TO MINIMUM WIDTH OF TWO TIMES THE WIDTH OF THE ROOTBALL, AND TO A DEPTH EQUAL TO THE DEPTH OF THE ROOTBALL LESS TWO TO FOUR INCHES. SCARIFY THE SIDES AND BOTTOM OF THE PLANTING HOLE PRIOR TO THE PLACEMENT OF THE TREE. REMOVE ANY GLAZING THAT MAY HAVE BEEN CAUSED DURING THE EXCAVATION OF THE HOLE.
 2. FOR CONTAINER AND BOX TREES, TO REMOVE ANY POTENTIALLY GIRDLING ROOTS AND OTHER ROOT DEFECTS, THE CONTRACTOR SHALL SHAVE A 1" LAYER OFF OF THE SIDES AND BOTTOM OF THE ROOTBALL OF ALL TREES JUST BEFORE PLACING INTO THE PLANTING PIT. DO NOT TEASE ROOTS OUT FROM THE ROOTBALL.
 4. INSTALL THE TREE ON UNDISTURBED SUBGRADE SO THAT THE TOP OF THE ROOTBALL IS TWO TO FOUR INCHES ABOVE THE SURROUNDING GRADE.
 5. BACKFILL THE TREE HOLE UTILIZING THE EXISTING TOPSOIL FROM ON-SITE. ROCKS LARGER THAN 1" DIA. AND ALL OTHER DEBRIS SHALL BE REMOVED FROM THE SOIL PRIOR TO THE BACKFILL. SHOULD ADDITIONAL SOIL BE REQUIRED TO ACCOMPLISH THIS TASK, USE STORED TOPSOIL FROM ON-SITE OR IMPORT ADDITIONAL TOPSOIL FROM OFF-SITE AT NO ADDITIONAL COST TO THE OWNER. IMPORTED TOPSOIL SHALL BE OF SIMILAR TEXTURAL CLASS AND COMPOSITION IN THE ON-SITE SOIL.
 6. TREES SHALL NOT BE STAKED UNLESS LOCAL CONDITIONS (SUCH AS STRONG WINDS OR SLOPES) REQUIRE STAKES TO KEEP TREES UPRIGHT. SHOULD STAKING BE REQUIRED, THE TOTAL NUMBER OF TREE STAKES (BEYOND THE MINIMUMS LISTED BELOW) WILL BE LEFT TO THE LANDSCAPE CONTRACTOR'S DISCRETION. TREES SHALL BE STAKED LEAN. THE LANDSCAPE CONTRACTOR SHALL STRAIGHTEN THE TREE, OR REPLACE IT SHOULD IT BECOME DAMAGED. TREE STAKING SHALL ADHERE TO THE FOLLOWING GUIDELINES:
 - a. 1"-2" TREES TWO STAKES PER TREE
 - b. 2-1/2"-4" TREES THREE STAKES PER TREE
 - c. TREES OVER 4" CALIPER GUY AS NEEDED
 - d. MULTI-TRUNK TREES THREE STAKES PER TREE MINIMUM, QUANTITY AND POSITIONS AS NEEDED TO STABILIZE THE TREE
 7. UPON COMPLETION OF PLANTING, CONSTRUCT AN EARTH WATERING BASIN AROUND THE TREE. COVER THE INTERIOR OF THE TREE RING WITH MULCH (TYPE AND DEPTH PER PLANS).
- D. SHRUB, PERENNIAL, AND GROUND COVER PLANTING
1. DIG THE PLANTING HOLES TWICE AS WIDE AND 2" LESS DEEP THAN EACH PLANTS ROOTBALL. INSTALL THE PLANT IN THE HOLE. BACKFILL AROUND THE PLANT WITH SOIL AMENDED PER SOIL TEST RECOMMENDATIONS.
 2. WHEN PLANTING IS COMPLETE, INSTALL MULCH (TYPE AND DEPTH PER PLANS) OVER ALL PLANTING BEDS, COVERING THE ENTIRE PLANTING AREA.
- E. SODDING
1. SOD VARIETY TO BE AS SPECIFIED ON THE LANDSCAPE PLAN.
 2. LAY SOD WITHIN 24 HOURS FROM THE TIME OF STRIPPING. DO NOT LAY IF THE GROUND IS FROZEN.
 3. LAY THE SOD TO FORM A SOLID MASS WITH TIGHTLY FITTED JOINTS. BUTT ENDS AND SIDES OF SOD STRIPS - DO NOT OVERLAP. STAGGER STRIPS TO OFFSET JOINTS IN ADJACENT COURSES.
 4. ROLL THE SOD TO ENSURE GOOD CONTACT OF THE SOD'S ROOT SYSTEM WITH THE SOIL UNDERNEATH.
 5. WATER THE SOD THOROUGHLY WITH A FINE SPRAY IMMEDIATELY AFTER PLANTING TO OBTAIN AT LEAST SIX INCHES OF PENETRATION INTO THE SOIL BELOW THE SOD.
- F. HYDROMULCHING
1. TURF HYDROMULCH MIX (PER 1,000 SF) SHALL BE AS FOLLOWS:
 - a. WINTER MIX (OCTOBER 1 - MARCH 31)
 - i. 50# CELLULOSE FIBER MULCH
 - 2# UNHULLED FESCUE SEED
 - 2# ANNUAL RYE SEED
 - 15# 15-15-15 WATER SOLUBLE FERTILIZER
 - b. SUMMER MIX (APRIL 1 - SEPTEMBER 30)
 - i. 50# CELLULOSE FIBER MULCH
 - 2# HULLED FESCUE SEED
 - 15# 15-15-15 WATER SOLUBLE FERTILIZER
 2. SEED HYDROMULCH MIX (PER 1,000 SF) SHALL BE AS FOLLOWS:
 - a. GENERAL
 - i. 50# CELLULOSE FIBER MULCH
 - 15# 15-15-15 WATER SOLUBLE FERTILIZER
 - b. SEED RATE PER LEGEND
- G. MULCH
1. INSTALL MULCH TOPDRESSING, TYPE AND DEPTH PER MULCH NOTE, IN ALL PLANTING AREAS AND TREE RINGS.
 2. DO NOT INSTALL MULCH WITHIN 6" OF TREE ROOT FLARE AND WITHIN 24" OF HABITATE STRUCTURES, EXCEPT AS MAY BE NOTED ON THESE PLANS. MULCH COVER WITHIN 6" OF CONCRETE WALKS AND CURBS SHALL NOT PROTRUDE ABOVE THE FINISH SURFACE OF THE WALKS AND CURBS. MULCH COVER WITHIN 12" OF WALLS SHALL BE AT LEAST 3" LOWER THAN THE TOP OF WALL.
- I. CLEAN UP
1. DURING LANDSCAPE PREPARATION AND PLANTING, KEEP ALL PAVEMENT CLEAN AND ALL WORK AREAS IN A NEAT, ORDERLY CONDITION.
 2. LEGALLY DISPOSE ALL EXCAVATED MATERIALS OFF THE PROJECT SITE.
- J. INSPECTION AND ACCEPTANCE
1. UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE SITE CLEAN, FREE OF DEBRIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE LANDSCAPE CONTRACTOR SHALL THEN REQUEST AN INSPECTION BY THE OWNER TO DETERMINE FINAL ACCEPTABILITY.
 2. WHEN THE INSPECTED PLANTING WORK DOES NOT COMPLY WITH THE CONTRACT DOCUMENTS, THE LANDSCAPE CONTRACTOR SHALL REPLACE AND/OR REPAIR THE REJECTED WORK TO THE OWNER'S SATISFACTION WITHIN 24 HOURS.
 3. THE LANDSCAPE MAINTENANCE PERIOD WILL NOT COMMENCE UNTIL THE LANDSCAPE WORK HAS BEEN RE-INSPECTED BY THE OWNER AND FOUND TO BE ACCEPTABLE. AT THAT TIME, A WRITTEN NOTICE OF FINAL ACCEPTANCE WILL BE ISSUED BY THE OWNER, AND THE MAINTENANCE AND GUARANTEE PERIODS WILL COMMENCE.
- K. LANDSCAPE MAINTENANCE
1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK SHOWN ON THESE PLANS FOR 90 DAYS BEYOND FINAL ACCEPTANCE OF ALL LANDSCAPE WORK BY THE OWNER. LANDSCAPE MAINTENANCE SHALL INCLUDE WEEKLY SITE VISITS FOR THE FOLLOWING ACTIONS (AS APPROPRIATE): PROPER PRUNING, RESTAKING OF TREES, RESETTING OF PLANTS THAT HAVE SETTLED, MOWING AND AERATION OF LAWNS, WEEDING, RESEEDING AREAS WHICH HAVE NOT GERMINATED WELL, TREATING FOR INSECTS AND DISEASES, REPLACEMENT OF MULCH, REMOVAL OF LITTER, REPAIRS TO THE IRRIGATION SYSTEM DUE TO FAULTY PARTS AND/OR WORKMANSHIP, AND THE APPROPRIATE WATERING OF ALL PLANTINGS. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER, WITH SCHEDULING ADJUSTMENTS BY SEASON TO MAXIMIZE WATER CONSERVATION.
 2. SHOULD SEEDING AND/OR SODDING AREAS NOT BE COVERED BY AN AUTOMATIC IRRIGATION SYSTEM, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING THESE AREAS AND OBTAINING A FULL, HEALTHY STAND OF PLANTS AT NO ADDITIONAL COST TO THE OWNER.
 3. TO ACHIEVE FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD, ALL OF THE FOLLOWING CONDITIONS MUST OCCUR:
 - a. THE LANDSCAPE SHALL SHOW ACTIVE, HEALTHY GROWTH (WITH EXCEPTIONS MADE FOR SEASONAL DORMANCY). ALL PLANTS NOT MEETING THIS CONDITION SHALL BE REJECTED AND REPLACED BY HEALTHY PLANT MATERIAL PRIOR TO FINAL ACCEPTANCE.
 - b. ALL HARDSCAPE SHALL BE CLEANED PRIOR TO FINAL ACCEPTANCE.
 - c. SODDED AREAS MUST BE ACTIVELY GROWING, AND MUST REACH A MINIMUM HEIGHT OF 1 1/2 INCHES BEFORE FIRST MOWING. HYDROMULCHED AREAS SHALL SHOW ACTIVE, HEALTHY GROWTH. BARE AREAS LARGER THAN TWELVE SQUARE INCHES MUST BE RESEDED OR RESEED (AS APPROPRIATE) PRIOR TO FINAL ACCEPTANCE. ALL SODDED TURF SHALL BE NEATLY MOVED.
- L. WARRANTY PERIOD, PLANT GUARANTEE AND REPLACEMENTS
1. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL TREES, SHRUBS, PERENNIALS, SOD, SEEDING/HYDROMULCHED AREAS, AND IRRIGATION SYSTEMS FOR A PERIOD OF ONE YEAR FROM THE DATE OF THE OWNER'S FINAL ACCEPTANCE (90 DAYS FOR ANNUAL PLANTS). THE CONTRACTOR SHALL REPLACE, AT HIS OWN EXPENSE AND TO THE SATISFACTION OF THE OWNER, ANY PLANTS WHICH DIE IN THAT TIME, OR REPAIR ANY PORTIONS OF THE IRRIGATION SYSTEM WHICH OPERATE IMPROPERLY.
 2. AFTER THE INITIAL MAINTENANCE PERIOD AND DURING THE GUARANTEE PERIOD, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR REPLACING PLANTS WHICH DIE FROM PLANT DEATH. CANNOT BE ATTRIBUTED DIRECTLY TO OVERWATERING OR OTHER DAMAGE BY HUMAN ACTIONS.
- M. PROVIDE A MINIMUM OF (2) COPIES OF RECORD DRAWINGS TO THE OWNER UPON COMPLETION OF WORK. A RECORD DRAWING SHALL BE A RECORD OF ALL CHANGES THAT ARE MADE IN THE FIELD AND THAT ARE DOCUMENTED THROUGH CHANGE ORDERS, ADDENDUM, OR CONTRACTOR/CONSULTANT DRAWING MARKUPS.



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DRAWN			
CHECKED			
PROJECT			

STEPHEN W. SHALES
LA08022
LANDSCAPE ARCHITECT
09/29/2023

LANDSCAPE DETAILS & SPECIFICATIONS

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TREE PROTECTION SPECIFICATIONS

MATERIALS

1. FABRIC: 4 FOOT HIGH ORANGE PLASTIC FENCING AS SHOWN ON THE PLANS AND SHALL BE WOVEN WITH 2 INCH MESH OPENINGS SUCH THAT IN A VERTICAL DIMENSION OF 23 INCHES ALONG THE DIAGONALS OF THE OPENINGS THERE SHALL BE AT LEAST 7 MESHES.
2. POSTS: POSTS SHALL BE A MINIMUM OF 72 INCHES LONG AND STEEL "T" SHAPED WITH A MINIMUM WEIGHT OF 1.3 POUNDS PER LINEAR FOOT.
3. TIE WIRE: WIRE FOR ATTACHING THE FABRIC TO THE T-POSTS SHALL BE NOT LESS THAN NO. 12 GAUGE GALVANIZED WIRE.
4. USED MATERIALS: PREVIOUSLY-USED MATERIALS, MEETING THE ABOVE REQUIREMENTS AND WHEN APPROVED BY THE OWNER, MAY BE USED.

CONSTRUCTION METHODS

1. ALL TREES AND SHRUBS SHOWN TO REMAIN WITHIN THE PROXIMITY OF THE CONSTRUCTION SITE SHALL BE PROTECTED PRIOR TO BEGINNING ANY DEVELOPMENT ACTIVITY.
2. EMPLOY THE SERVICES OF AN ISA (INTERNATIONAL SOCIETY OF ARBORICULTURE) CERTIFIED ARBORIST AND OBTAIN ALL REQUIRED PERMITS TO PRUNE THE EXISTING TREES FOR CLEANING, RAISING AND THINNING, AS MAY BE REQUIRED.
3. PROTECTIVE FENCING SHALL BE ERECTED OUTSIDE THE CRITICAL ROOT ZONE (CRZ, EQUAL TO 1' FROM THE TRUNK FOR EVERY 1" OF DBH) AT LOCATIONS SHOWN IN THE PLANS OR AS DIRECTED BY THE LANDSCAPE CONSULTANT AND/OR CITY ARBORIST, AND IN ACCORDANCE WITH THE DETAILS SHOWN ON THE PLANS. FENCING SHALL BE MAINTAINED AND REPAIRED BY THE CONTRACTOR DURING SITE CONSTRUCTION. TREES IN CLOSE PROXIMITY SHALL BE FENCED TOGETHER, RATHER THAN INDIVIDUALLY.
4. PROTECTIVE FENCE LOCATIONS IN CLOSE PROXIMITY TO STREET INTERSECTIONS OR DRIVES SHALL ADHERE TO THE APPLICABLE JURISDICTION'S SIGHT DISTANCE CRITERIA.
5. THE PROTECTIVE FENCING SHALL BE ERECTED BEFORE SITE WORK COMMENCES AND SHALL REMAIN IN PLACE DURING THE ENTIRE CONSTRUCTION PHASE.
6. THE INSTALLATION POSTS SHALL BE PLACED EVERY 6 FEET ON CENTER AND EMBEDDED TO 18 INCHES DEEP. MESH FABRIC SHALL BE ATTACHED TO THE INSTALLATION POSTS BY THE USE OF SUFFICIENT WIRE TIES TO SECURELY FASTEN THE FABRIC TO THE T-POSTS TO HOLD THE FABRIC IN A STABLE AND UPRIGHT POSITION.
7. WITHIN THE CRZ:

a. DO NOT CLEAR, FILL OR GRADE IN THE CRZ OF ANY TREE.

b. DO NOT STORE, STOCKPILE OR DUMP ANY JOB MATERIAL, SOIL OR RUBBISH UNDER THE SPREAD OF THE TREE BRANCHES

c. DO NOT PARK OR STORE ANY EQUIPMENT OR SUPPLIES UNDER THE TREE CANOPY.

d. DO NOT SET UP ANY CONSTRUCTION OPERATIONS UNDER THE TREE CANOPY (SUCH AS PIPE CUTTING AND THREADING, MORTAR MIXING, PAINTING OR LUMBER CUTTING).

e. DO NOT NAIL OR ATTACH TEMPORARY SIGNS METERS, SWITCHES, WIRES, BRACING OR ANY OTHER ITEM TO THE TREES.

f. DO NOT PERMIT RUNOFF FROM WASTE MATERIALS INCLUDING SOLVENTS, CONCRETE WASHOUTS, ASPHALT TACK COATS (MC-30 OIL), ETC. TO ENTER THE CRZ. BARRIERS ARE TO BE PROVIDED TO PREVENT SUCH RUNOFF SUBSTANCES FROM ENTERING THE CRZ WHENEVER POSSIBLE, INCLUDING IN AN AREA WHERE RAIN OR SURFACE WATER COULD CARRY SUCH MATERIALS TO THE ROOT SYSTEM OF THE TREE.

8. ROUTE UNDERGROUND UTILITIES TO AVOID THE CRZ. IF DIGGING IS UNAVOIDABLE, BORE UNDER THE ROOTS, OR HAND DIG TO AVOID SEVERING THEM.
9. WHERE EXCAVATION IN THE VICINITY OF TREES MUST OCCUR, SUCH AS FOR IRRIGATION INSTALLATION, PROCEED WITH CAUTION, AND USING HAND TOOLS ONLY.
10. THE CONTRACTOR SHALL NOT CUT ROOTS LARGER THAN ONE INCH IN DIAMETER WHEN EXCAVATION OCCURS NEAR EXISTING TREES. ALL ROOTS LARGER THAN ONE INCH IN DIAMETER ARE TO BE CUT CLEANLY. FOR OAKS ONLY, ALL WOUNDS SHALL BE PAINTED WITH WOUND SEALER WITHIN 30 MINUTES
11. REMOVE ALL TREES, SHRUBS OR BUSHES TO BE CLEARED FROM PROTECTED ROOT ZONE AREAS BY HAND.
12. TREES DAMAGED OR KILLED DUE TO CONTRACTOR'S NEGLIGENCE DURING CONSTRUCTION SHALL BE MITIGATED AT THE CONTRACTOR'S EXPENSE AND TO THE PROJECT OWNER'S AND LOCAL JURISDICTION'S SATISFACTION.
13. ANY TREE REMOVAL SHALL BE APPROVED BY THE OWNER AND LOCAL JURISDICTION PRIOR TO ITS REMOVAL, AND THE CONTRACTOR SHALL HAVE ALL REQUIRED PERMITS FOR SUCH ACTIVITIES.
14. COVER EXPOSED ROOTS AT THE END OF EACH DAY WITH SOIL, MULCH OR WET BURLAP.
15. IN CRITICAL ROOT ZONE AREAS THAT CANNOT BE PROTECTED DURING CONSTRUCTION AND WHERE HEAVY TRAFFIC IS ANTICIPATED, COVER THE SOIL WITH EIGHT INCHES OF ORGANIC MULCH TO MINIMIZE SOIL COMPACTION. THIS EIGHT INCH DEPTH OF MULCH SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION.
16. WATER ALL TREES IMPACTED BY CONSTRUCTION ACTIVITIES, DEEPLY ONCE A WEEK DURING PERIODS OF HOT DRY WEATHER. SPRAY TREE CROWNS WITH WATER PERIODICALLY TO REDUCE DUST ACCUMULATION ON THE LEAVES.
17. WHEN INSTALLING CONCRETE ADJACENT TO THE ROOT ZONE OF A TREE, USE A PLASTIC VAPOR BARRIER BEHIND THE CONCRETE TO PROHIBIT LEACHING OF LIME INTO THE SOIL.
18. CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL TREE PROTECTION FENCING WHEN ALL THREATS TO THE EXISTING TREES FROM CONSTRUCTION-RELATED ACTIVITIES HAVE BEEN REMOVED.

TREE PROTECTION GENERAL NOTES

- (A) PRIOR TO THE LAND CLEARING STAGE OF DEVELOPMENT, THE CONTRACTOR SHALL CLEARLY MARK ALL PROTECTED TREES FOR WHICH A TREE REMOVAL PERMIT HAS NOT BEEN ISSUED AND SHALL ERECT BARRIERS FOR THE PROTECTION OF THE TREES ACCORDING TO THE FOLLOWING:

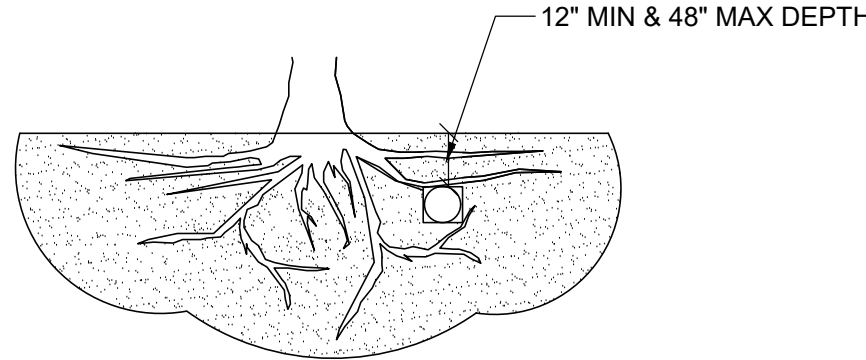
(1) AROUND AN AREA AT OR GREATER THAN A SIX-FOOT RADIUS OF ALL SPECIES OF MANGROVES AND PROTECTED CABBAGE PALMS;

(2) AROUND AN AREA AT OR GREATER THAN THE FULL DRIPLINE OF ALL PROTECTED NATIVE PINES;

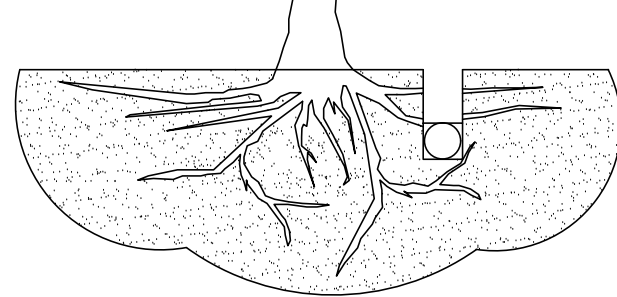
(3) AROUND AN AREA AT OR GREATER THAN TWO-THIRDS OF THE DRIPLINE OF ALL OTHER PROTECTED SPECIES;
- (B) NO PERSON SHALL ATTACH ANY SIGN, NOTICE OR OTHER OBJECT TO ANY PROTECTED TREE OR FASTEN ANY WIRES, CABLES, NAILS OR SCREWS TO ANY PROTECTED TREE IN ANY MANNER THAT COULD PROVE HARMFUL TO THE PROTECTED TREE, EXCEPT AS NECESSARY IN CONJUNCTION WITH ACTIVITIES IN THE PUBLIC INTEREST.
- (C) DURING THE CONSTRUCTION STAGE OF DEVELOPMENT, THE CONTRACTOR SHALL NOT CAUSE OR PERMIT THE CLEANING OF EQUIPMENT OR MATERIAL WITHIN THE OUTSIDE PERIMETER OF THE CROWN (DRIPLINE) OR ON THE NEARBY GROUND OF ANY TREE OR GROUP OF TREES WHICH IS TO BE PRESERVED. WITHIN THE OUTSIDE PERIMETER OF THE CROWN (DRIPLINE) OF ANY TREE OR ON NEARBY GROUND, THE CONTRACTOR SHALL NOT CAUSE OR PERMIT STORAGE OF BUILDING MATERIAL AND/OR EQUIPMENT, OR DISPOSAL OF WASTE MATERIAL SUCH AS PAINTS, OIL, SOLVENTS, ASPHALT, CONCRETE, MORTAR OR ANY OTHER MATERIAL HARMFUL TO THE LIFE OF THE TREE.
- (D) NO PERSON SHALL PERMIT ANY UNNECESSARY FIRE OR BURNING WITHIN 30 FEET OF THE DRIPLINE OF A PROTECTED TREE.
- (E) ANY LANDSCAPING ACTIVITIES WITHIN THE BARRIER AREA SHALL BE ACCOMPLISHED WITH HAND LABOR.
- (F) PRIOR TO ISSUING A CERTIFICATE OF OCCUPANCY OR COMPLIANCE FOR ANY DEVELOPMENT, BUILDING OR STRUCTURE, ALL TREES DESIGNATED TO BE PRESERVED THAT WERE DESTROYED DURING CONSTRUCTION SHALL BE REPLACED BY THE CONTRACTOR WITH TREES OF EQUIVALENT DIAMETER AT BREAST HEIGHT TREE CALIPER AND OF THE SAME SPECIES AS SPECIFIED BY THE CITY STAFF, BEFORE OCCUPANCY OR USE, UNLESS APPROVAL FOR THEIR REMOVAL HAS BEEN GRANTED UNDER PERMIT.
- (G) THE CITY STAFF MAY CONDUCT PERIODIC INSPECTIONS OF THE SITE DURING LAND CLEARANCE AND CONSTRUCTION.
- (H) IF, IN THE OPINION OF THE CITY STAFF, DEVELOPMENT ACTIVITIES WILL SO SEVERELY STRESS SLASH PINES OR ANY OTHER PROTECTED TREE SUCH THAT THEY ARE MADE SUSCEPTIBLE TO INSECT ATTACK, PREVENTATIVE SPRAYING OF THESE TREES BY THE CONTRACTOR MAY BE REQUIRED.

TREES THAT ARE MARKED TO BE PRESERVED ON A SITE PLAN AND FOR WHICH UTILITIES MUST PASS THROUGH THEIR ROOT PROTECTION ZONES MAY REQUIRE TUNNELING AS OPPOSED TO OPEN TRENCHES. THE DECISION TO TUNNEL WILL BE DETERMINED ON A CASE BY CASE BASIS BY THE ENGINEER.

TUNNELS SHALL BE DUG THROUGH THE ROOT PROTECTION ZONE IN ORDER TO MINIMIZE ROOT DAMAGE.



TUNNEL TO MINIMIZE ROOT DAMAGE (TOP) AS OPPOSED TO SURFACE-DUG TRENCHES IN ROOT PROTECTION ZONE WHEN THE 5' MINIMUM DISTANCE FROM TRUNK CAN NOT BE ACHIEVED.



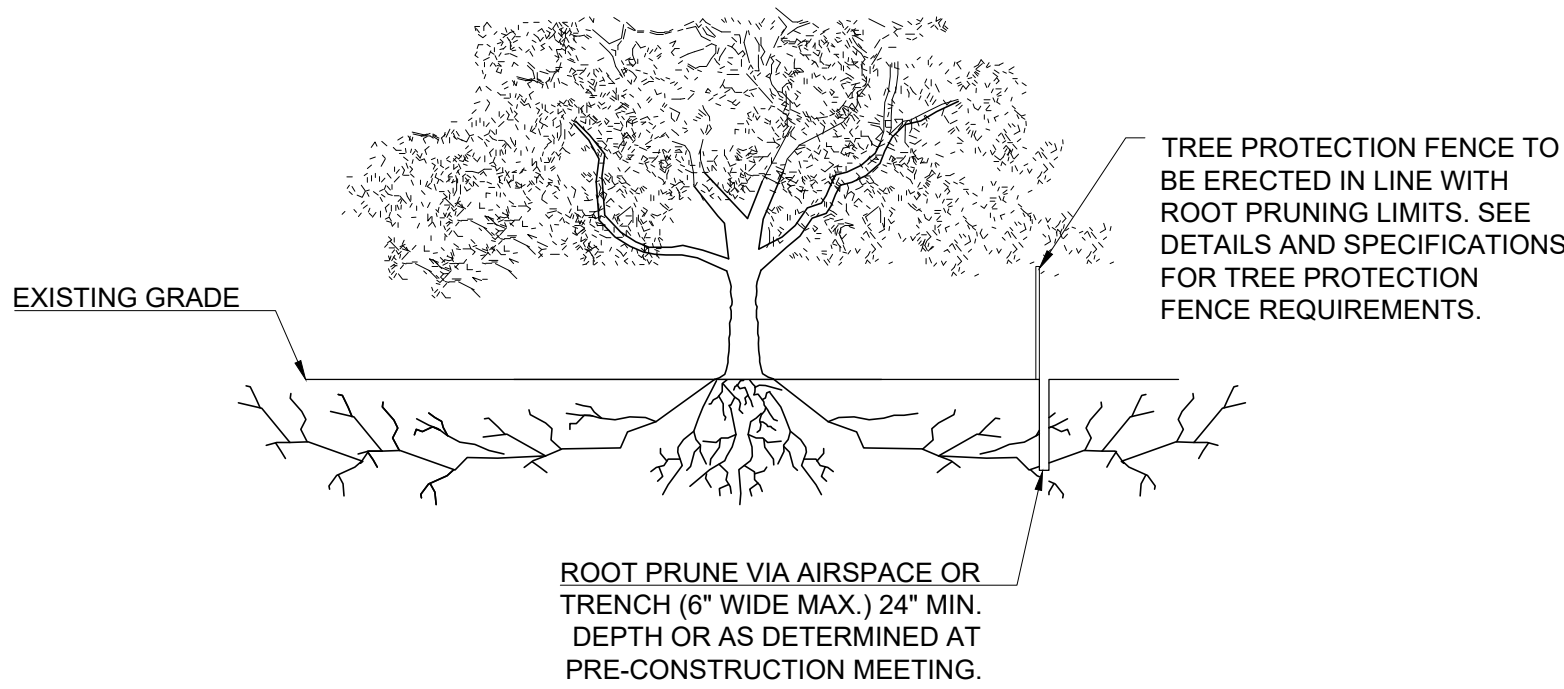
OPEN TRENCHING MAY BE USED IF EXPOSED TREE ROOTS DO NOT EXCEED 3" OR ROOTS CAN BE BENT BACK.

C BORING THROUGH ROOT PROTECTION ZONE

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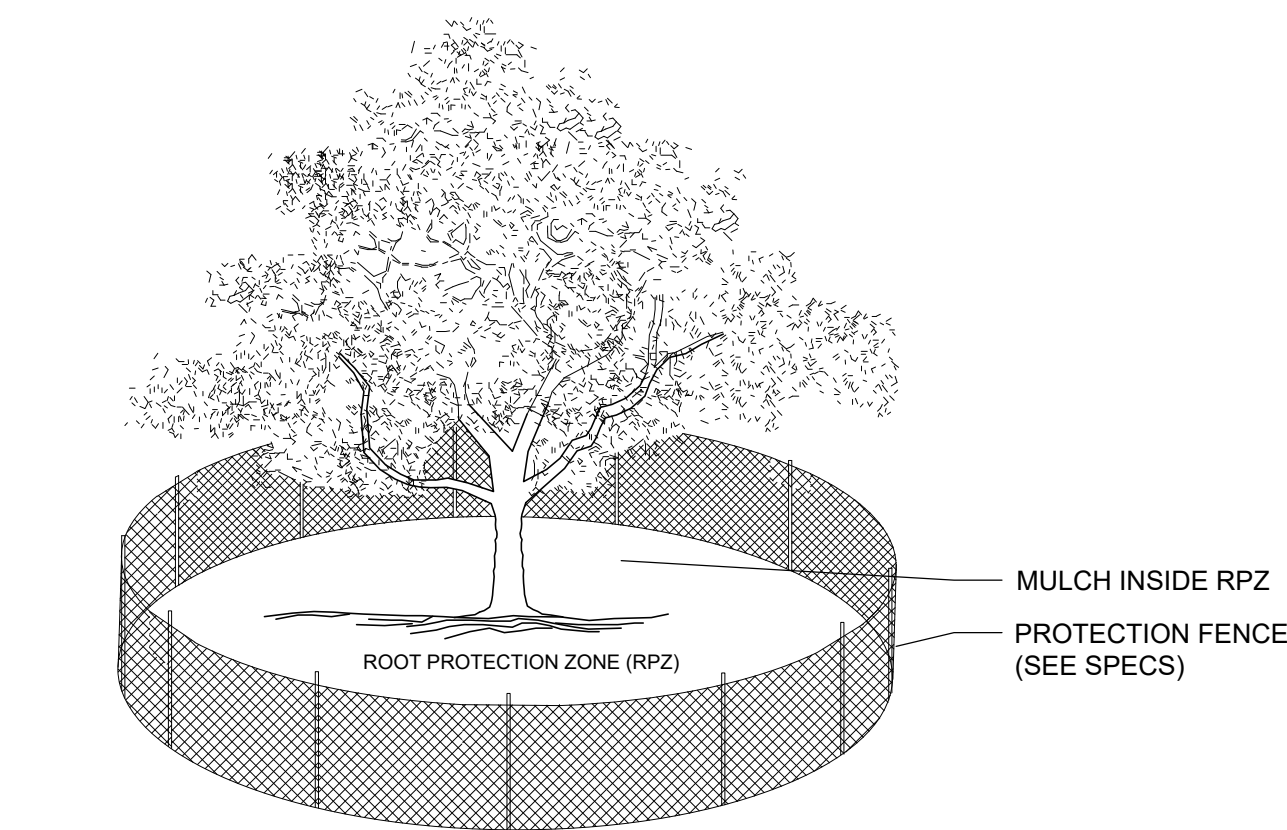
NOTES

1. RETENTION AREAS WILL BE SET AS PART OF THE REVIEW PROCESS AND PRE-CONSTRUCTION MEETING.
2. BOUNDARIES OF RETENTION AREAS MUST BE STAKED AT THE PRE-CONSTRUCTION MEETING AND FLAGGED PRIOR TO ROOT PRUNING.
3. EXACT LOCATION OF ROOT PRUNING SHALL BE DETERMINED IN THE FIELD IN COORDINATION WITH THE FORESTRY INSPECTOR.
4. TRENCH SHOULD BE IMMEDIATELY BACKFILLED WITH EXCAVATED SOIL OR OTHER ORGANIC SOIL AS SPECIFIED PER PLAN OR BY THE FORESTRY INSPECTOR.
5. ROOTS SHALL BE CLEANLY CUT USING VIBRATORY KNIFE OR OTHER ACCEPTABLE EQUIPMENT. ROOT PRUNING METHODS AND MEANS MUST BE IN ACCORDANCE WITH ANSI STANDARD A3000.
6. ALL PRUNING MUST BE EXECUTED AT LOD SHOWN ON PLANS OR AS AUTHORIZED IN WRITING BY THE FORESTRY INSPECTOR.
7. SUPPLEMENTAL WATERING MAY BE REQUIRED FOR ROOT PRUNED TREES THROUGHOUT THE GROWING SEASON DURING CONSTRUCTION AND SUBSEQUENT WARRANTY AND MAINTENANCE PERIOD.



D ROOT PRUNING DETAIL

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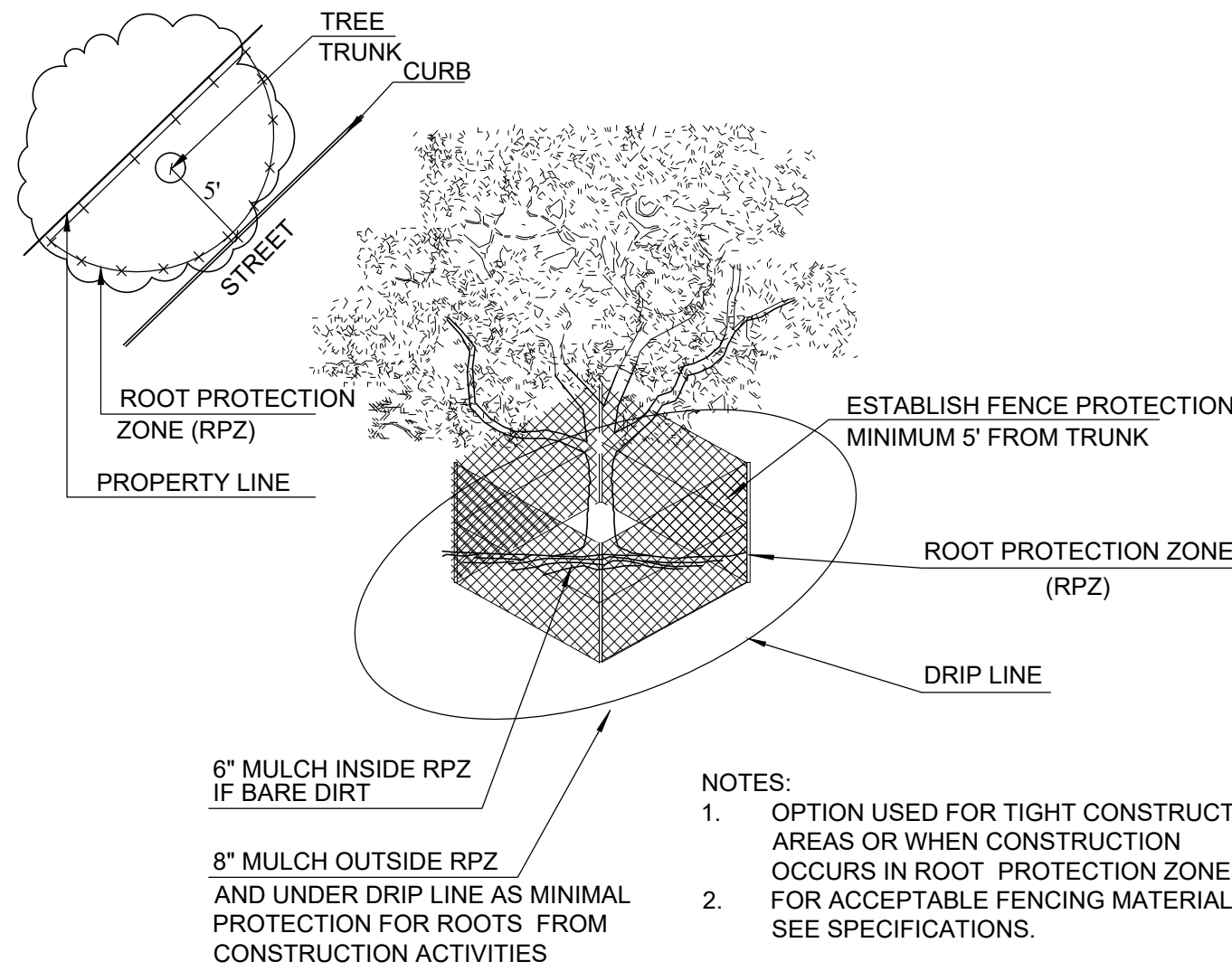


NOTES:

1. THE FENCING LOCATION SHOWN ABOVE IS DIAGRAMATIC ONLY AND WILL CONFORM TO THE DRIP LINE AND BE LIMITED TO PROJECT BOUNDARY. WHERE MULTIPLE ADJACENT TREES WILL BE ENCLOSED BY FENCING, THE FENCING SHALL BE CONTINUOUS AROUND ALL TREES.
2. FOR ACCEPTABLE FENCING MATERIALS SEE SPECIFICATIONS.

A TREE PROTECTION FENCE

SCALE: NOT TO SCALE



B TREE PROTECTION FENCE - TIGHT CONSTRUCTION

SCALE: NOT TO SCALE

NOTES:

1. OPTION USED FOR TIGHT CONSTRUCTION AREAS OR WHEN CONSTRUCTION OCCURS IN ROOT PROTECTION ZONE.
2. FOR ACCEPTABLE FENCING MATERIALS SEE SPECIFICATIONS.



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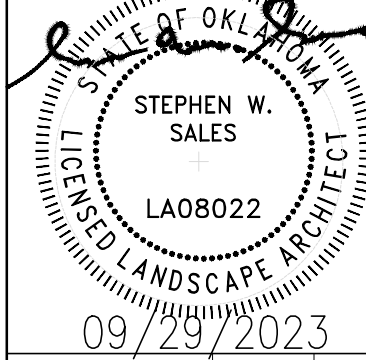
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TREE DISPOSITION SPECIFICATIONS & DETAILS



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