

Yamaguchi, Amanda

From: Murphy, Brent
Sent: Friday, June 1, 2018 10:54 AM
To: Skates, Michael; Curtis, Larry
Subject: FW: Urgent, please. RE: Forest Creek Trail
Attachments: image003.jpg; ATT00001.htm; image001.jpg; ATT00002.htm; image002.png; ATT00003.htm; ST06 155 FOREST CREEK PATIO HOMES E OF GARNETT N OF W HOUSTON.PDF; ATT00004.htm

I received the attached email from Jerry Ferguson who is President of the Forest Creek Homeowners Association. I also had a call from Mr. Ferguson. I told him that we had forwarded the approved landscape plan to Capital Homes. As of today, that is the approved landscape plan. I told him that it is possible for a revised landscape to be submitted and that we would review it to see if it met the requirements of the PUD. I told Mr. Ferguson that if we received a revised landscape plan, we would share it with him.

Brent Murphy, AICP
Senior Planner
City of Broken Arrow
Phone: 918-259-2400 EXT. 5388
Fax: 918-258-4998
Email: bmurphy@brokenarrowok.gov



From: Jerry Ferguson [mailto:jerry.ferg@yahoo.com]
Sent: Friday, June 1, 2018 10:27 AM
To: Murphy, Brent <BMurphy@BrokenArrowOK.Gov>
Subject: Urgent, please. RE: Forest Creek Trail

Hello Brent,

Michael Skates forwarded your email and the Landscape Plan from 2007 to me. I would like to share a bit more with you on it, and we desire to hold Capital Homes accountable (within reason) for the liabilities they inherited when they purchased the development at a fire sale price.

Not only were the trails not installed, at all, but neither was the clubhouse, nor any of the additional landscaping plan trees, water features, detention pond fountain, or sprinklers in any area but the entrance.

I am quite disappointed the original developer did none of these things except the entrance and some roses around the "round-about" area. I also understand that as they ran out of money, putting the other things in was not possible at that time. I am also disappointed Capital Homes may be trying to skirt it by submitting their own new plans, unless they were unaware they existed; but somebody

there knew there was to be a clubhouse, which means they probably also knew of the walking trail throughout. There is no valid reason Capital Homes cannot complete the Landscaping Plans as they were revised and approved by the City of Broken Arrow on December 7, 2007.

Please do not accept revised plans from Capital Homes without the HOA-Elect's involvement, as we view revisions as an attempt to avoid major expenses, not feasibility of installation. We won't be unreasonable, but we also need to do what is right, and what is best for the residents, their resale value, and their enjoyment of being able to use what they purchased to the fullness of their remaining lives, given that the average age here is probably about 72.

In summary, there is a large (probably too large) clubhouse, pond fountain, 132 trees (about), 91 Spirea, 7 benches, 6 water features, and a complete pedestrian trail missing, as well as landscaping beds galore that don't exist, and no water controller systems in any Reserve areas, except where they adjoin a few homes where water features, several trees and a few benches were to be. Most of the Reserve area is desperate for water in the summer and as rough as a farm pasture and difficult for drainage and mowing. While I realize all of the Reserve areas probably don't need watered, the Plans show several areas with beds with big rocks around trees, or Spirea, that the Landscape Plan pages show as requiring water controlled systems.

This appears to us to be a City of Broken Arrow code violation just as the 3 missing retaining walls are City of Broken Arrow code violations.

I hesitate to say anything to Capital Homes about the Landscape Plans at this time as I don't want to stick our necks in and complicate your work in progress with getting Capital Homes to comply with code, but I do want them held accountable since they are the developer and they assumed all liabilities from the original developer, and the full trails and clubhouse had been verbally promised to some of the residents by the developer. Your thoughts, please? I think Capital Homes should be aware we know these Landscape Site Plans were submitted and approved by the City of Broken Arrow so they can't simply submit revisions to the City to remove all, or most all, of the work detailed in the plans.

Best Regards,

Jerry Ferguson
FCPH HOA President-Elect
320 S. Aster Avenue
Broken Arrow, OK 74012
918-605-1496
jerry.ferg@yahoo.com

----- Forwarded Message -----

From: Skates, Michael <MSkates@brokenarrowok.gov>
To: Jerry Ferguson <jerry.ferg@yahoo.com>
Sent: Sunday, May 27, 2018, 10:15:35 AM CDT
Subject: Fwd: Forest Creek Trail

FYI

Sent from my iPhone

Begin forwarded message:

From: "Murphy, Brent" <BMurphy@BrokenArrowOK.Gov>

Date: May 25, 2018 at 4:55:35 PM CDT

To: "Jim Crosby" <jcrosby@pdgtulsa.com>

Cc: Conor Cummings <ccummings@pdgtulsa.com>, "Brian Beam " <brianbeam@owassolandtrust.com>, "Skates, Michael" <MSkates@brokenarrowok.gov>, "Curtis, Larry" <LCurtis@brokenarrowok.gov>

Subject: RE: Forest Creek Trail

Jim: The landscape plan for Forest Creek Patio Homes was conditionally approved by the Planning Commission on November 30, 2006. A revised landscape plan was submitted on February 6, 2007. The landscape plan was found to meet the conditions required by the Planning Commission and was approved by Staff on December 7, 2007. A copy of this landscape plan is attached. Has the landscaping been installed in accordance with this approved plan? The landscape plan approved by the Planning Commission and Staff showed the trail system in Reserve Area B and C that are not shown on your drawing. Is there a reason the trail system cannot be installed per the approved plan? The attached landscape plan was also approved by the pipeline companies. If modifications are being proposed, we probably need to take your changes back to the Planning Commission and to the pipeline companies. I hope you have a wonderful and safe Memorial Day weekend.

Brent Murphy, AICP

Senior Planner

City of Broken Arrow

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