

January 17, 2025

VIA HAND DELIVERY AND EMAIL

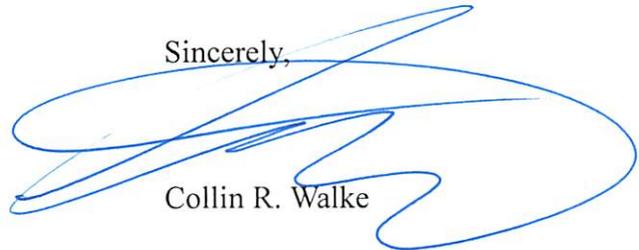
City of Oklahoma City Planning Department
420 West Main Street, Suite 910
Oklahoma City, Oklahoma 73102
subdivisionandzoning@okc.gov

Re: SPUD-1705 – 3233 N.W. 178th Street

Dear City Planning Department,

Enclosed you will find a plethora of objections from residents in the Rose Creek Addition regarding SPUD-1705 for distribution to the Commission members. Should you have any questions or need anything further, please do not hesitate to contact me.

Sincerely,



Collin R. Walke

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: _____

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

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Signature of Property Owner: [Signature] Date: 1/9/25

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Name of Property Owner: BB Family Trust, via Cory Brown as Trustee

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Address of Property Owner: 17104 Kingfisher Way, Edmond OK 73012

Signature of Property Owner: 

Date: 1-15-25

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Signature of Property Owner: Christina May Date: _____

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Name of Property Owner: 3316 NW 173rd Street LLC

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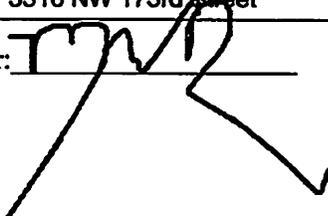
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Signature of Property Owner: _____



Date: 01/14/2025

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Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those *“would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “worse” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “worse” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “worse” uses to including “worse” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: _____

Signature of Property Owner: Annma Barce Date: _____

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Chris + Angie Qamoss

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

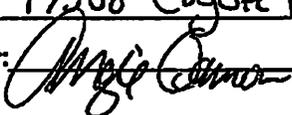
"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those *"would be a worse outcome in my view, particularly for the folks who back up to this development."* (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "worse" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "worse" uses include "Fast Food, with *Drive-Thru Window,*" "convenience stores," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17508 Coyote Pass Drive Edmond, Ok 73012
Signature of Property Owner:  Date: 1-12-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Preston + Rebecca Sharp

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments*, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window*...There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those **"would be a worse outcome in my view, particularly for the folks who back up to this development."** (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "worse" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "worse" uses include "Fast Food, with *Drive-Thru Window*," "convenience stores," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 3217 NW 177th St. Edmond, OK 73012
Signature of Property Owner: R. Beekamp Date: 1-13-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Rafael Hedrick

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view, particularly for the folks who back up to this development.*” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “*worse*” uses to including “*worse*” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 3216 NW 177th St., Edmond, Oklahoma 73012

Signature of Property Owner: _____

Date: 1/13/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: NGOC NGUYEN & TRI NGUYEN

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

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Address of Property Owner: 16809 RAINWATER TRL EDMOND, OK 73012

Signature of Property Owner:  Date: JANUARY 13, 2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Bryson Williams

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17641 Prairie Sky Wy, Edmond, OK 73012
Signature of Property Owner: [Signature] Date: 1/10/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Kelly Baucher

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those *"would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as *"worse"* than the Original PUD by both applicant's counsel and the Commissioner for the district. These *"worse"* uses include *"Fast Food, with Drive-Thru Window," "convenience stores,"* liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17841 Prairie Sky Way Edmond ok 73012
Signature of Property Owner: Kelly Bae Date: 1/12/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Robert C. Lee

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17817 Prairie Sky Way Edmond OK
Signature of Property Owner: [Signature] Date: 1/9/2015

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner:

David Edward Lee

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

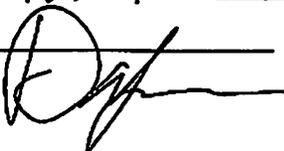
C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 16509 Arthurs Circle, Edmond, OK

Signature of Property Owner: _____



Date: 1/10/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Shawn Ellis

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

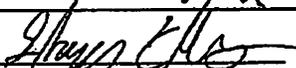
Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view, particularly for the folks who back up to this development.*” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “*worse*” uses to including “*worse*” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 17832 Prairie Sky Way, Edmond, OK 73012

Signature of Property Owner: 

Date: 1/10/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Jared and Andrea Wood

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

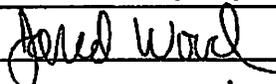
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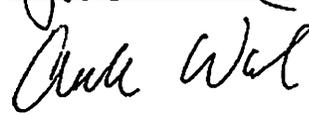
C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “*worse*” uses to including “*worse*” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 17816 Prairie Sky Way, Edmond, OK 73012

Signature of Property Owner:  Date: 1/10/2025



OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Ralph Thomas Fredrickson and Doreen Marie Fredrickson,
Trustees of The Fredrickson Family Trust dated September 30, 2021.

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting*

preceding the Commission hearing and the importance of the pond to the community. Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing. Those uses include convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...There's also been a lot of discussion about the pond that you see that fronts 178th. So, it is an area that's required for drainage. So, the pond will remain. It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those ***"would be a worse outcome in my view, particularly for the folks who back up to this development."*** (Emphasis supplied.) Accordingly, the Original PUD was approved.

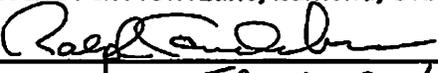
C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "worse" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "worse" uses include "Fast Food, with *Drive-Thru Window*," "convenience stores," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now

replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17213 Fox Prowl Lane, Edmond, OK.

Signature of Property Owner:  Date January 10, 2025
TRUSTEES

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: TARA CLIFTON

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "*Fast Food, with Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17708 Prairie Sky Way
Signature of Property Owner: [Signature] Date: 1/13/24

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Thomas P. Springfield
Venita M. Springfield

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view, particularly for the folks who back up to this development.*" (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "worse" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "worse" uses include "Fast Food, with Drive-Thru Window," "convenience stores," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17124 Royal Troon Dr Edenburg, OK

Signature of Property Owner: Theresa S. Ziegler Date: 10/11/2025

Wanda Springer

11/11/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: TERRANCE CHAPMAN

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing. Those uses include convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window... There's also been a lot of discussion about the pond that you see that fronts 178th. So, it is an area that's required for drainage. So, the pond will remain. It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those *"would be a worse outcome in my view, particularly for the folks who back up to this development."* (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "worse" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "worse" uses include "Fast Food, with Drive-Thru Window," "convenience stores," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 16716 Little leaf Ln, Edmond 73012
Signature of Property Owner: [Signature] Date: 1/10/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Jacob and Brooke Caldwell

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

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Address of Property Owner: 17208 Hawks Ridge Ln. 73012 ^{Edmond, Ok}

Signature of Property Owner: J. Caldwell Date: 1-10-2025

Jacob S. Caldwell
Brooke Caldwell B. Caldwell 1-10-2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: KAY STERLING FISHER

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "*worse*" uses to including "*worse*" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 16720 Little Leaf Ln, EDMOND, OK 73012

Signature of Property Owner: [Signature] Date: 1-18-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: KEVIN & ASHLEY LANMAN

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

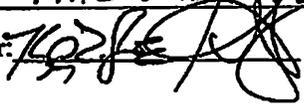
Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view, particularly for the folks who back up to this development.*" (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "*worse*" uses to including "*worse*" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17112 WHITABEEL LN EDWARDS OK 73012

Signature of Property Owner:  Date: January 9 2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Barbie Taylor & Don Taylor

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those **"would be a worse outcome in my view, particularly for the folks who back up to this development."** (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "worse" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "worse" uses include "Fast Food, with *Drive-Thru Window*," "*convenience stores*," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 3205 NW 177th, Edmond OK 73012

Signature of Property Owner:

Barbie C
Taylor:A01098000001
661805DCEF0005A1A

Digitally signed by Barbie C
Taylor:A0109800000161000DC
662002A1A
Date: 2025.01.09 22:24:36 -0700

Date: 01/09/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Melissa Hedrick

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses*. This PUD includes *multi-family uses which are compatible with the surrounding districts*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

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Address of Property Owner: 3216 NW 177th St., Edmond, Oklahoma 73012

Signature of Property Owner: Melissa Hedrick Date: 1/13/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: EUNA GARRETT

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A. THE ORIGINAL PUD: RESIDENTIAL USE.

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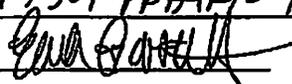
"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

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Address of Property Owner: 17501 PRAIRIE HAYTEL
Signature of Property Owner:  Date: 01/10/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Vinh Do

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

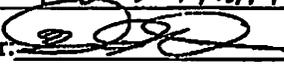
"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17608 Prairie Sky Way, Edmond, OK 73012
Signature of Property Owner:  Date: 01/12/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Tam Bui-Do

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

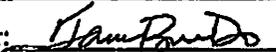
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C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

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Address of Property Owner: 17608 Prairie Sky Way, Edmond, OK 73012
Signature of Property Owner:  Date: 1.12.25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

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Name of Property Owner: _____

TEO
HOGSON

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

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Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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Address of Property Owner: 3229 NW 177th
Signature of Property Owner:  Date: 1-13-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Timothy + Natalie Jamison

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Address of Property Owner: 11608 Bugosa Rose Drive

Signature of Property Owner: [Signature] Date: 01/12/2024

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner:

Lin Jamison Tim Jamison

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Address of Property Owner: 16608 Rugosa Rose Dr
Signature of Property Owner: Tim Jamison Date: 01/12/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner:

BILL ADAMS

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17856 PRAIRIE SKY WAY, EDMOND, OK 73012

Signature of Property Owner:  Date: 1/10/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner:

Sarah-Emily Steinhardt

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner:

16812 Little Leaf Ln Edmond, OK 73012

Signature of Property Owner:



Date:

01-11-2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Kelly Klontz

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those **"*would be a worse outcome in my view, particularly for the folks who back up to this development.*"** (Emphasis supplied.) Accordingly, the Original PUD was approved.

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Address of Property Owner: 3009 NW 168th Ct
Signature of Property Owner:  Date: 1/10/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Ababacar Dieng

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

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Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "*Fast Food, with Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "*worse*" uses to including "*worse*" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 16764 Little Leaf Ct, Edmond, OK 73012

Signature of Property Owner: _____

Date: 1/9/2024

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Thomas L Corbin & Susan Corbin

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

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At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

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Address of Property Owner: 3312 NW 170th Ct, Edmond, OK 73012

Signature of Property Owner: Thomas L. Carlin Date: Jan 9, 2015
go Susan Carlin 1-9-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: James E. Fansher

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

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Address of Property Owner: 16752 Littlefield Lane
Signature of Property Owner: [Signature] Date: 1/10/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner:

STEVE HETTERINGTON

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those *"would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as *"worse"* than the Original PUD by both applicant's counsel and the Commissioner for the district. These *"worse"* uses include *"Fast Food, with Drive-Thru Window," "convenience stores,"* liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17213 HAWKS RIDGE LANE
Signature of Property Owner: Steve H. Hovick Date: 1-10-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: _____

Laura Kilkenney

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

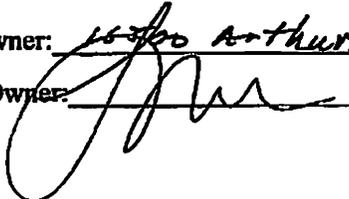
“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “worse” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “worse” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “worse” uses to including “worse” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 16300 Arthurs Cir EDWARD OK
Signature of Property Owner:  Date: 1/9/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Bill R and Emma S Hurley

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments*, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window*... There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those *"would be a worse outcome in my view*, particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as *"worse"* than the Original PUD by both applicant's counsel and the Commissioner for the district. These *"worse"* uses include *"Fast Food, with Drive-Thru Window," "convenience stores,"* liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 16821 Little Leaf Lane, Edmond OK 73012

Signature of Property Owner: Bill R. Hurley, Emma S. Hurley Date: 1/11/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: James Clark

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

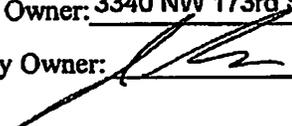
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It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding *“worse”* uses to including *“worse”* uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how *“popular”* a residential development would be in the area.

Address of Property Owner: 3340 NW 173rd Street Edmond, OK 73012

Signature of Property Owner: 

Date: 1/10/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Jessica Rimmer

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

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It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “*worse*” uses to including “*worse*” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 17883 Prairie Sky Way, Edmond, OK 73012

Signature of Property Owner:  Date: 1/10/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: GINA BARRY A/K/A GINA BARRY

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 3413 NW 116th Court # Edmond 73012

Signature of Property Owner: Lina Barry Date: 1-10-25
AKA: Sina Hanna

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: ERIC DUBSELL

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17809 BLUE HORIZON CT EDMOND
Signature of Property Owner: [Signature] Date: 1/13/25 OK 73012

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner:

Annette DeJore

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

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B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 3104 NW 171st Terr Edmond OK 73012
Signature of Property Owner: [Signature] Date: 1-13-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: GEORGE SHIELDS

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses. This PUD includes multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

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Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "*Fast Food, with Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "*worse*" uses to including "*worse*" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 16721 LITTLE LEAF LN
Signature of Property Owner: [Handwritten Signature] Date: 1/13/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: KERI SHIELDS

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

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Address of Property Owner: 16721 LITTLE LEAF LANE
Signature of Property Owner: Keri Shultz Date: 1/13/05

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Louise Baker

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17129 Royal Troon Drive, Edmond, OK 73012
Signature of Property Owner: Vernine Beza Date: 01.12.2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner:

John Singleton

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner:

Signature of Property Owner:

16728 Little Leaf Lane, Edmond, OK 73012
Date: 7/11/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Andrew Sachs

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “*worse*” uses to including “*worse*” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 17132 Trophy Dr, Edmond OK

Signature of Property Owner:  Date: 1/15/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: _____

Emily Belisle

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view, particularly for the folks who back up to this development.*" (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window*," "*convenience stores*," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17405 Hawks View Court, Edmond, OK 73012

Signature of Property Owner: Emily Belisle

Date: Jan. 15, 2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Emily & James Irwin

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “worse” uses to including “worse” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 3521 NW 175th Street, Edmond, OK 73013

Signature of Property Owner: Emily Irwin Date: 1/13/2025

James Irwin Date: 1/13/2025

Collin Walke

From: Rafael Hedrick <spud1705objection@gmail.com>
Sent: Wednesday, January 15, 2025 1:06 PM
To: Collin Walke
Subject: Fwd: 178th development

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

----- Forwarded message -----

From: Sherry Laubach <[REDACTED]>
Date: Mon, Jan 13, 2025 at 7:57 PM
Subject: 178th development
To: <spud1705objection@gmail.com>

Please keep the 178th development residential rather than commercial zoning. We do not want any liquor stores, etc.

Thank you,

Sherry Laubach
16649 Little Leaf Ln
Edmond, OK 73012

Links contained in this email have been replaced by ZixProtect Link Protection. If you click on a link in the email above, the link will be analyzed for known threats. If a known threat is found, you will not be able to proceed to the destination. If suspicious content is detected, you will see a warning.

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Gwendolyn Fay DeCarolis

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

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Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view, particularly for the folks who back up to this development.*" (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "worse" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "worse" uses include "Fast Food, with Drive-Thru Window," "convenience stores," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 3301 NW 170th Ct. Edmond, Ok 73012

Signature of Property Owner: [Signature] Date: Jan. 13, 2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Cindy Hunter

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those *"would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "worse" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "worse" uses include "Fast Food, with *Drive-Thru Window,*" "convenience stores," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 3333 NW 172nd Ter

Signature of Property Owner: Judith Hunter Date: 01-13-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Kasey Slavonic

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those *"would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "worse" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "worse" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 3204 NW 176th Place Edmond OK 73012
Signature of Property Owner: Joy Sawin Date: 1-13-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: MARK MURATORE

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "*Fast Food, with Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments - especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 16808 KINSROSS CIRCLE EDMOND, OR 73012

Signature of Property Owner: [Signature] Date: 1/13/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: _____

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

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The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

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It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “*worse*” uses to including “*worse*” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: _____

Signature of Property Owner: Stephen R. Bulluck

Date: _____

Collin Walke

From: Rafael Hedrick <spud1705objection@gmail.com>
Sent: Wednesday, January 15, 2025 1:07 PM
To: Collin Walke
Subject: Fwd: EMERGENCY CALL TO ACTION

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

----- Forwarded message -----

From: Tim Scott <[REDACTED]>
Date: Tue, Jan 14, 2025 at 8:38 AM
Subject: EMERGENCY CALL TO ACTION
To: spud1705objection@gmail.com <spud1705objection@gmail.com>

To whom it may concern – this is my approval to object to the revision of the PUD to a commercial zone.

Please contact me if you have any questions or need any further information.

URGENT - EMERGENCY CALL TO ACTION

POSTING AGAIN (NOTE NEW DELIVERY LOCATION - spud1705objection@gmail.com)

spud1705objection@gmail.com

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Leslie Miller

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

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Address of Property Owner: 3200 NW 176th Place Edmond, OK 73012
Signature of Property Owner: Leslie Miller Date: 1-14-2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: SRM Family Trust

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window*," "*convenience stores*," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "*worse*" uses to including "*worse*" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 3224 NW 177th Edmond, OK 73012
Signature of Property Owner: Jam Miller Date: 1-14-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: SRM Family Trust

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "*worse*" uses to including "*worse*" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 3205 NW 176th PL. Edmond, OK 73012
Signature of Property Owner: Juan Miller Date: 1-14-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'31" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Jeanette Reid

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window.* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view, particularly for the folks who back up to this development.*" (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "*Fast Food, with Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17413 Hawks View Court Edmond, OK 73012

Signature of Property Owner: Joseph Byrd Date: 1-12-24

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: JUSTIN AND REBECCA MEEK

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “worse” uses to including “worse” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 17201 Fox Prowl Lane, Edmond, OK

Signature of Property Owner: [Signature] Date: 01/14/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: GRAHAM GUHL

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

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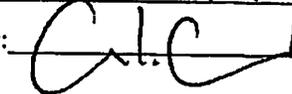
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Address of Property Owner: 3340 NW 172ND TER. EDMOND, OK 73003

Signature of Property Owner:  Date: 1/14/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

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Name of Property Owner: Vincent & Melissa Russell

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Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view, particularly for the folks who back up to this development.*" (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window*," "*convenience stores*," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 3201 NW 176th Place, Edmond, 73012
Signature of Property Owner: [Handwritten Signature] Date: 01/13/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: _____

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

OBJECTION TO SPUD-1705

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Name of Property Owner: Ryan Wright

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain. It will be cleaned up.*" (Emphasis supplied.)

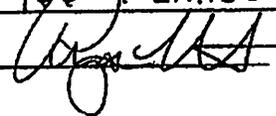
Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view, particularly for the folks who back up to this development.*" (Emphasis supplied.) Accordingly, the Original PUD was approved.

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Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window*," "*convenience stores*," liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 16609 Little Leaf Ln Edmond, OK 73012

Signature of Property Owner:  Date: 1/14/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Michael Steinhardt

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “worse” uses to including “worse” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 16812 Little Leaf Ln, Edmond, Ok

Signature of Property Owner:  Date: 1/14/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Muammad Asif

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." *See:* Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments, fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

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C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

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It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “worse” uses to including “worse” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 16765 LITTLE LEAF CT , EDMOND , OK , 73012

Signature of Property Owner: Muhammad Asif

Date: 01/14/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: BRENT VAKHAN

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

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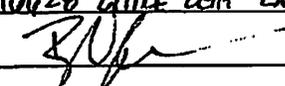
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Address of Property Owner: 16629 LITTLE LEAF LN

Signature of Property Owner: 

Date: 14 JAN 25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: MITCH & KAREN GREEN

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

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B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 16817 SHORELIND DRIVE (ROSE CREEK)
Signature of Property Owner: [Signature] Date: 1/14/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Trevor Leonard

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “*worse*” uses to including “*worse*” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 3432 NW 172nd Terrace; Edmond, OK 73012

Signature of Property Owner: 

Date: 01/14/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: BRENT VAUGHAN

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

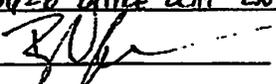
"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 16629 LITTLE LEAF LN
Signature of Property Owner:  Date: 14 JAN 25

OBJECTION TO SPUD-1705
Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Johanna Patton

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 172116 Hawks Ridge Lane Edmond, OK 73012

Signature of Property Owner: J.R. Pitt Date: 01/15/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Kathryn Patton

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

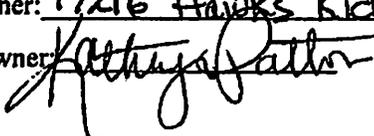
"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those *"would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "worse" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "worse" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17216 Hawks Ridge Lane
Signature of Property Owner:  Date: 01-15-2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: 3316 NW 173rd Street LLC

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." *See:* Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

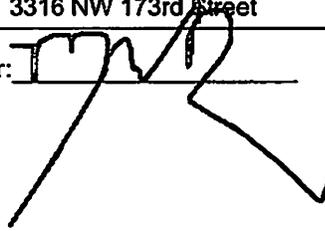
Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “worse” uses to including “worse” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 3316 NW 173rd Street

Signature of Property Owner:  _____ Date: 01/14/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Lyndon Eldridge

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

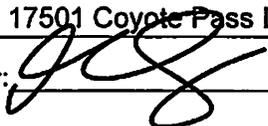
C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “*worse*” uses to including “*worse*” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 17501 Coyote Pass Drive, Edmond, OK 73012

Signature of Property Owner: _____



Date: 01/15/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Tosha Eldridge

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." *See:* Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “*worse*” uses to including “*worse*” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 17501 Coyote Pass Drive

Signature of Property Owner: 

Date: 1/14/2025

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Devon & Marcie Squer

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE "WORSE" ACCORDING TO APPLICANT'S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "*Fast Food, with Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 17409 Hawks View CT Edmond OK 73012

Signature of Property Owner: _____ Date: 1-11-25

Devon Saucy L. Marva Saucy

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: _____

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

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B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

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"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

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Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be "popular," applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as "*worse*" than the Original PUD by both applicant's counsel and the Commissioner for the district. These "*worse*" uses include "Fast Food, with *Drive-Thru Window,*" "*convenience stores,*" liquor stores, and eating establishments. This is obviously not in keeping with applicant's Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

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Address of Property Owner: 3549 NW 173rd Circle, Edmond, OK
Signature of Property Owner: [Signature] Date: 1/9/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: Chad Berry

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

"I think it's important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There's also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that's required for drainage. So, the pond will remain.* It will be cleaned up." (Emphasis supplied.)

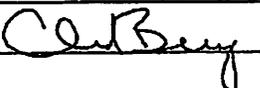
Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including "Drive-thrus" and that those "*would be a worse outcome in my view,* particularly for the folks who back up to this development." (Emphasis supplied.) Accordingly, the Original PUD was approved.

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It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding "worse" uses to including "worse" uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how "popular" a residential development would be in the area.

Address of Property Owner: 3333 NW 173rd St. Edmond, OK 73012

Signature of Property Owner:  Date: 1/15/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: _____

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “*worse*” uses to including “*worse*” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: _____

Signature of Property Owner: Christina May Date: _____

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: BB Family Trust, via Cory Brown as Trustee

I hereby object to proposed SPUD-1705 for the above-referenced legal description due to the following:

A. THE ORIGINAL PUD: RESIDENTIAL USE.

Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

B. PRESERVATION OF THE POND PER COMMUNITY REQUEST.

The Original PUD specified that screening "shall be prohibited along NW 178th St. adjacent to the existing pond. All homes *that are adjacent to the pond* shall be required to have a 4' in height decorative metal fence." (Emphasis supplied). At the June 23, 2022, Planning Commission meeting for the Original PUD, counsel for the applicant affirmed it wanted the ability to *prohibit fencing in front of the pond on 178th* and was happy to accommodate the request for no fence along 178th because of the pond and aesthetics. *The Commissioner for the district even commented about the community meeting preceding the Commission hearing and the importance of the pond to the community.* Applicant always represented that the pond would remain in place and also had to remain in place because of drainage.

At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

“I think it’s important to note from the starting point, it is zoned PUD 1111. Under the tract of 1111 *there are a host of uses that we believe, frankly, to be a worse scenario than what we are proposing.* Those uses include *convenience stores, liquor stores, eating establishments,* fast food, gas stations, gasoline sales, automotive and equipment cleaning and repairs, and *fast food with drive-thru window...* There’s also been a lot of discussion about the pond that you see that fronts 178th. *So, it is an area that’s required for drainage. So, the pond will remain.* It will be cleaned up.” (Emphasis supplied.)

Counsel also stated that this type of multi-family dwelling was very popular. The Commissioner for the district then went on to discuss the uses that were available prior to the Original PUD including “Drive-thrus” and that those “*would be a worse outcome in my view,* particularly for the folks who back up to this development.” (Emphasis supplied.) Accordingly, the Original PUD was approved.

C. APPLICANT NOW SEEKS TO CHANGE THE ORIGINAL PUD TO INCLUDE USES THAT ARE “WORSE” ACCORDING TO APPLICANT’S COUNSEL AND THE COMMISSIONER FOR THE DISTRICT.

Just over two (2) years later, with no development occurring under the Original PUD, in spite of the representations that (a) applicant would preserve the pond, (b) applicant would require visibility of the pond from N.W. 178th, (c) applicant would use the site for residential development, and (d) that the residential development would be “popular,” applicant now seeks to change the zoning to C-3 Community Commercial District, which includes items that were specifically identified as “*worse*” than the Original PUD by both applicant’s counsel and the Commissioner for the district. These “*worse*” uses include “Fast Food, with *Drive-Thru Window,*” “*convenience stores,*” liquor stores, and eating establishments. This is obviously not in keeping with applicant’s Original PUD and its representations to the Commission. Further, under the new design, the pond is now replaced with a commercial mixed-use development, and the points of ingress and egress off of N.W. 178th have increased from one (1) to three (3), which obviously poses significant traffic concerns.

It is abundantly clear that applicant has pulled a bait and switch. Applicant went from excluding “*worse*” uses to including “*worse*” uses and went from preserving the pond, to eliminating it altogether. This Commission should not permit an applicant to simply change their minds as to agreements reached for developments – especially when the applicant, as is the case here, has never even developed the site under the Original PUD, in spite of how “popular” a residential development would be in the area.

Address of Property Owner: 17104 Kingfisher Way, Edmond OK 73012

Signature of Property Owner:  Date: 1-15-25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

LEGAL DESCRIPTION: A tract of land being a part of the Southeast Quarter (SE/4) of Section Twenty-Five (25), Township Fourteen (14) North, Range Four (4) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, being more particularly described as follows: Commencing at the Southwest (SW) Corner of said Southeast Quarter (SE/4); THENCE North 89°46'02" East, along and with the South line of said Southeast Quarter (SE/4), a distance of 116.00 feet to the POINT OF BEGINNING; THENCE North 00°13'58" West, departing said South line, a distance of 65.08 feet; THENCE North 17°49'53" East, a distance of 142.31 feet; THENCE North 86°09'36" East, a distance of 397.95 feet; THENCE South 39°35'49" East, a distance of 291.55 feet to a point on the South line of said Southeast Quarter (SE/4); THENCE South 89°46'02" West, along and with said South line, a distance of 626.20 feet to the POINT OF BEGINNING.

Name of Property Owner: _____

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Just over two (2) years ago, in 2022, the applicant for SPUD-1705 sought approval for PUD-1891 (the "Original PUD") covering the same site. The Original PUD was explicitly for *residential* development, which makes sense because the Original PUD site is surrounded solely by residential developments. In fact, the Original PUD specified the "subject property is currently undeveloped. *Surrounding properties include residential uses.* This PUD includes *multi-family uses which are compatible with the surrounding districts.*" (Emphasis supplied.) The "concept" for the Original PUD was "to change the existing PUD-1111 based zoning to an R-4 based zoning that will permit development of a multi-plex *residential* concept." (Emphasis supplied.) An R-4 district is a "higher density *residential* district. . . ." See: Oklahoma City Municipal Code, §59-6100(J)(emphasis supplied). Indeed, all of the Permitted Uses under the Original PUD were for residential use, save and except for Light Public Protection and Utility.

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At the Planning Commission meeting, counsel for applicant made it clear that it was seeking to develop 55 attached single-family *homes*. Counsel noted there had been a large neighborhood meeting at the Grove clubhouse, a neighboring community, that included another

development as well, Rose Creek, and there was a second meeting with Rose Creek residents only. Counsel then explained:

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Address of Property Owner: 3549 NW 173rd Circle, Edmond, OK
Signature of Property Owner: [Signature] Date: 1/9/25

OBJECTION TO SPUD-1705

Address: 3223 N.W. 178th Street

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Name of Property Owner: Aaron & Natalie Waters

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Address of Property Owner: 16912 Shorerun Drive, Edmond, OK 73012

Signature of Property Owner: Aaron Waters Date: 1/14/2025