



The City of Oklahoma City
Development Services Department, Subdivision and Zoning
 420 West Main Street, Suite 910, Oklahoma City, Oklahoma, 73102
 Phone: (405) 297-2623 – Web: <https://www.okc.gov>

Staff Use Only:	
Case No.:	SPUD - <u>1684</u>
File Date:	<u>2OCT'24</u>
Ward No.:	<u>5</u>
Nbhd. Assoc.:	<u>---</u>
School District:	<u>MOORE</u>
Extg Zoning:	<u>PUD-831</u>
Overlay:	<u>AE-1/AE-2</u>

APPLICATION FOR SPUD ReZONING

Simplified Planned Unit Development District
SW 104th & I-44 Restaurant/ Retail

Project Name

3249 SW 104th Street, Cleveland County

Address / Location of Property (Provide County name & parcel no. if unknown)

2.83

ReZoning Area (Acres or Square Feet)

Restaurant/ Retail development

Summary Purpose Statement / Proposed Development

REQUIREMENTS FOR SUBMITTAL:

- One (1) Typed Legal Description of Proposed Rezoning area in MS Word file (.doc or .docx) format.
- One (1) copy of Recorded Deed(s), with Exhibit(s), listing current Property Owner in .pdf format.
- One (1) copy of Letter of Authorization from Property Owner listing Designated Representative if Applicant is not the Property Owner of record.
- One (1) copy of Property Owners Report listing **all** property owners who own property within a 300-foot buffer area of the property to be rezoned. The list **MUST** include the mailing address and the legal description of their property and **MUST** be current to within 30 days of the date of submittal of the application. A minimum of 10 separate individual property owners is required. If there are less than 10 individual owners within the 300-foot buffer, the radius must be extended by increments of 100 feet until the list contains no less than 10 owners. Provide One (1) PDF (.pdf) file version, AND one (1) MS Excel (.xls or .xlsx) file version.
- One (1) Signed and Notarized copy of “Affirmation” that the Property Owners Report listings are true and correct unless the list is prepared by a Certified Abstractor or County official.
- One (1) Typed Prepared copy of Proposed Master Design Statement in an MS Word file (.doc or .docx) file format.
- One (1) Proposed Master Development Plan Map in a PDF (.pdf) file format. Reference Submittal checklist for specific details.
- Maps, Site Plan, Survey Exhibits, Photographs, or other supporting illustrations must be 600dpi minimum resolution, and in a .pdf file format. Photographic file formats (.jpeg, .png, .tiff, etc..) of drawings, maps, or other documents will not be accepted.
- A filing fee of \$1800.00 must be remitted within One (1) business day of submittal confirmation. (Make check payable to “City Treasurer”)

Property Owner Information (if other than Applicant):

 Name

 Mailing Address

 City, State, Zip Code

 Phone

 Email

Signature of Applicant

Hunter Miller

Applicant's Name (please print)

2221 W. Lindsey Street, Su. 201

Applicant's Mailing Address

Norman, OK 73069

City, State, Zip Code

405-253-4086; 405-509-0212

Phone

craig@strbusiness.com; srollins@arcenr.com

Email

Submit your Application by Email to Subdivisionandzoning@OKC.gov

Compressed files (.zip, etc..) or links to FileShare services (Dropbox, etc..) can not be accepted for security purposes.

DOC# R2024-23447 BT: RB B: 6705 P: 1385 WD
08/29/2024 08:43:13 AM Pages: 4
Pam Howlett - Cleveland County Clerk, OK
Fee: \$24.00 Doc Stamp: \$1071.75 bp
Electronically Filed



Return To:
I-44 and South May LLC
2221 W. Lindsey, Ste 201
Norman, OK 73069

WARRANTY DEED
(OKLAHOMA STATUTORY FORM)

Doc Stamps: **1,071.75**
Filed/insured by: First American Title Insurance
Company
File No.: **2873442-OK11 (LM)**

Tax ID#: **186333**

That **I-44, L.L.C., an Oklahoma limited liability company**, (the "Grantor"), in consideration of the sum of TEN & NO/100-----Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto **I-44 and South May LLC, an Oklahoma limited liability company**, (the "Grantee"), the following described real property and premises situated in **Cleveland County, State of Oklahoma**, to wit:

Lot One (1), in Block Three (3), of SOUTH PORTLAND COMMERCIAL PARK, to Oklahoma City, Cleveland County, Oklahoma, according to the recorded plat thereof.

Property Address: **3249 SW 104th Street, Oklahoma City, OK 73173**

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. LESS AND EXCEPT any interest in and to oil, gas, coal, metallic ores and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interests and estates of whatsoever nature incident thereto or arising thereunder, and SUBJECT TO easements, rights of way, restrictive covenants of record.

TO HAVE AND TO HOLD said described premises unto the Grantee, and to the heirs, successors and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this **August 27, 2024**.

I-44, L.L.C., an Oklahoma limited liability company

By: 
Name: John Roddy Bates
Title: Manager

The foregoing instrument was subscribed and sworn to before me this 28th day of August, 2024
by Hunter Miller, Manager of I-44 and South May LLC, an Oklahoma limited liability company.



NOTARY PUBLIC

My Commission Expires: 01/31/2026

My Commission Expires:



LEGAL DESCRIPTION
SW 104th & I-44 Restaurant/ Retail

Lot One (1) in Block Three (3) of SOUTH PORTLAND COMMERCIAL PARK, to Oklahoma City, Cleveland County, Oklahoma, according to the recorded plat thereof.

Survey information provided by Oklahoma Survey Company, LLC.

6-19-24 ALTA

I-44 AND SOUTH MAY, LLC
Hunter Miller
2221 W. Lindsey St, Su 201
Norman, OK 73069
(405) 253-4086

October 03, 2024

Attn: Mr. Jared Martin
City of Oklahoma City
Development Services Department
Subdivision & Zoning
420 W. Main Street, 9th Floor
Oklahoma City, OK 73102

RE: Letter of Authorization for SW 104th & I-44 Restaurant/ Retail SPUD submittal

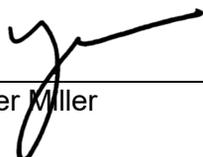
Dear Mr. Martin:

I, Hunter Miller, hereby certify that I-44 AND SOUTH MAY, LLC is the owner of the property located in the proposed SPUD area of SW 104th & I-44 Restaurant/ Retail.

I further certify that I am the manager of said I-44 AND SOUTH MAY, L.L.C., and as such I hereby authorize Arc Engineering Consultants, LLC to act as agent on behalf of the developer in the filing and representation of the SW 104th & I-44 Restaurant/ Retail SPUD application to the City of Oklahoma City.

If you have any questions or comments, please feel free to contact me at the number listed above.

Respectfully,



Hunter Miller

OWNERSHIP LIST

ORDER NO. 2895974-MO99

DATE PREPARED: September 27, 2024
EFFECTIVE DATE: September 23, 2024 at 7:30 A.M.

OWNER	LOT	BLK	ADDITION
I-44 AND SOUTH MAY LLC 2221 W Lindsey ST, Ste 201 Norman OK 73069-4066	1	3	SOUTH PORTLAND COMMERCIAL PARK, to OKC, Cleveland County, OK #186333 Subject Property
CITY OF OKLAHOMA CITY N 100 Walker AVE Oklahoma City OK 73102-2230			12-10-4W 125.90 AC NW/4 LESS ALL TRLYING W OF WILL ROGERS EXPWY & TR BEG E1025.5 S70 NW/C NW/4 E OF WILL ROGERS #78003
WAL-MART REAL ESTATE BUSINESS TRUST PO BOX 8050 Bentonville AR 72712-0555			1-10-4W 24.38 AC PRT SW/4 BEG 465.73`W SE/C SW/4 W115.96` N50` N 47D E37.30` N225.10` W211.51` S300` W264.34` N50` N 47D E37.45` N225` W215` N442.14` W196.01` N 15D E68.71` N 17D E555.93` E874.91` S466.40` S 22D W385.66` S443.96` S 49D E37.54` S50` POB #175302
I-FORTY FOUR, LLC 14105 N Eastern AVE, Ste 100 Edmond OK 73013-5866	1	2	SOUTH PORTLAND COMMERCIAL PARK, to OKC, Cleveland County, OK #186332
I-FORTY FOUR, LLC 14105 N Eastern AVE, Ste 100 Edmond OK 73013-5866			1-10-4W 37.24 AC PRT SW/4 BEG AT THE NW/C OF SOUTH PORTLAND COMMERCIAL PARK ADD. LOT 1 BLK 3 THEN N 218.83' N 22D E 385.66' N 466.40' W APPROX 552' N 161.23' N 14DE 49.71' N 17D E 1044.20 N 10D E 322.76' N 17D E 475.12' E 318' APPROX. S APPROX 3000' W 493.73 TO POB #190556
HOANG NGUYEN TRAN 10329 Buccaneer DR Oklahoma City OK 73159-6037	32	8	SOUTH HARBOR ADDITION SECTION 3, to OKC, Cleveland County, OK #98374

JOSE MONTEMAR UBEDA ARAUZ 10333 Buccaneer DR Oklahoma City OK 73159-6037	1	11	SOUTH HARBOR ADDITION SECTION 4, to OKC, Cleveland County, OK #114989
TIFFANY N. TOLBERT 10337 Buccaneer DR Oklahoma City OK 73159-6037	2	11	SOUTH HARBOR ADDITION SECTION 4, to OKC, Cleveland County, OK #114990
BALTAZAR NINO-CONTRERAS 10401 Buccaneer DR Oklahoma City OK 73159-6039	3	11	SOUTH HARBOR ADDITION SECTION 4, to OKC, Cleveland County, OK #114991
LISA MICHELLE SCOTT 10405 BUCCANEER DR OKLAHOMA CITY OK 73159	4	11	SOUTH HARBOR ADDITION SECTION 4, to OKC, Cleveland County, OK #114992
MICHAEL P. & MARTA G. ROE 10409 Buccaneer DR Oklahoma City OK 73159-6039	17	17	SOUTH HARBOR ADDITION SECTION 5, to OKC, Cleveland County, OK #127519
PRISCILLIANO & ROSA MARIA MEDINA 10413 Buccaneer DR Oklahoma City OK 73159-6039	16	17	SOUTH HARBOR ADDITION SECTION 5, to OKC, Cleveland County, OK #127518
AUNG NGE 17008 Gladstone LN Edmond OK 73012-6868	15	17	SOUTH HARBOR ADDITION SECTION 5, to OKC, Cleveland County, OK #127517
TRACIE LOUISE ALLISON 10421 Buccaneer DR Oklahoma City OK 73159-6039	14	17	SOUTH HARBOR ADDITION SECTION 5, to OKC, Cleveland County, OK #127516
MIGUEL ANGEL LOPEZ & MARIA GUADALUPE LOPEZ 3228 SW 104th TER Oklahoma City OK 73159-7800	13	17	SOUTH HARBOR ADDITION SECTION 5, to OKC, Cleveland County, OK #127515
HEATHER M. THOMPSON 3224 SW 104TH TER OKLAHOMA CITY OK 73159	12	17	SOUTH HARBOR ADDITION SECTION 5, to OKC, Cleveland County, OK #127514
NTH HOLDINGS, LLC 3220 SW 104TH TER OKLAHOMA CITY OK 73159	11	17	SOUTH HARBOR ADDITION SECTION 5, to OKC, Cleveland County, OK #127513

KENT R. & MICHELE R. HANCOCK 1210 MANOR DR BARTLESVILLE OK 74006	10	17	SOUTH HARBOR ADDITION SECTION 5, to OKC, Cleveland County, OK #127512
KYLE GENE AUSTIN 3225 SW 103rd ST Oklahoma City OK 73159-6043	1	13	SOUTH HARBOR ADDITION SECTION 4, to OKC, Cleveland County, OK #115004
KATHY DO NGUYEN 3216 SW 103rd ST Oklahoma City OK 73159-6042	3	12	SOUTH HARBOR ADDITION SECTION 4, to OKC, Cleveland County, OK #114995
TOMMY CAO LE 3220 SW 103RD ST OKLAHOMA CITY OK 73159	2	12	SOUTH HARBOR ADDITION SECTION 4, to OKC, Cleveland County, OK #114994
ADAM THOMAS WIKEY & EMILY MARIE WIKEY 3224 SW 103RD ST OKLAHOMA CITY OK 73159	1	12	SOUTH HARBOR ADDITION SECTION 4, to OKC, Cleveland County, OK #114993
ALAN CHANG 3225 SW 104TH TER OKLAHOMA CITY OK 73159	1	18	SOUTH HARBOR ADDITION SECTION 5, to OKC, Cleveland County, OK #127520
NATHAN R. HERMELIN 3221 SW 104th TER Oklahoma City OK 73159-7801	2	18	SOUTH HARBOR ADDITION SECTION 5, to OKC, Cleveland County, OK #127521
THU TRANG THI TRAN 3217 SW 104th TER Oklahoma City OK 73159-7801	3	18	SOUTH HARBOR ADDITION SECTION 5, to OKC, Cleveland County, OK #127522
JACK O. JONES, JR. & DEBRA K. JONES, TRUSTEES OF THE JACK & DEBRA JONES LIVING TRUST 3225 SW 105th TER Oklahoma City OK 73170-2528	13	13	LAKE RIDGE SEC. 4, to OKC, Cleveland County, OK #90927
ERICK DUVAN HERRERA RIVERA 3229 SW 105TH TER OKLAHOMA CITY OK 73170	14	13	LAKE RIDGE SEC. 4, to OKC, Cleveland County, OK #90928
TOMMY A. NGUYEN 3233 SW 105th TER Oklahoma City OK 73170-2528	15	13	LAKE RIDGE SEC. 4, to OKC, Cleveland County, OK #90929

THE CITY OF OKLAHOMA CITY
SIMPLIFIED PLANNED UNIT DEVELOPMENT

SPUD-_____

**MASTER DESIGN STATEMENT FOR
SW. 104th St. & I-44 RESTAURANT/ RETAIL**

October 03, 2024

PREPARED BY:

ARC ENGINEERING CONSULTANTS, LLC
Steve Rollins
135 Deer Creek Road
Edmond, OK 73012
405-509-0212
srollins@arcengr.com

SPUD- MASTER DESIGN STATEMENT

This document serves as the Master Design Statement and fulfills the ordinance requirements for the Simplified Planned Unit Development (Chapter 59, Section 14150.B of the Oklahoma City Municipal Code, 2020, as amended).

I. Special Development Regulations:

The following Special Development Regulations and/or limitations are placed upon the development of the Simplified Planned Unit Development. Planning and zoning regulations will be those that are in effect at the time of development of this Simplified Planned Unit Development; provided, however, that the density and or intensity of the SPUD shall not be increased. Development is when a permit is issued for any construction or addition to any structure on a development tract. Certain zoning districts are referred to as a part of the Special Development Regulations of this Simplified Planned Unit Development. For purposes of interpretation of these Special Development Regulations, the operative and controlling language and regulations of such zoning districts shall be the language and regulations applicable to the referenced zoning districts as contained in the City of Oklahoma City's Planning and Zoning Code as such exists at the time of development of this Simplified Planned Unit Development. In the event of conflict between provisions of this SPUD and any of the provisions of the Oklahoma City Municipal Code, as amended ("Code"), in effect at the time a permit is applied for with respect to any lot, block, tract and/or parcel of land subject to this SPUD, the provisions of the Code shall prevail and be controlling; provided however, that in the event of a conflict between the Special Use and Development Regulations specifically negotiated as a part of this SPUD and the provisions of the Code in effect at the time a permit is applied for with respect to any lot, block, tract and/or parcel of land subject to this SPUD, such Special Use and Development Regulations of this SPUD shall prevail and be controlling.

1. This site will be developed in accordance with the regulation of the **C-3 “Community Commercial” District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

The following uses will be the only uses permitted on this site:

- Dwelling Units and Mixed Uses (8200.2)
- Senior Independent Living (8200.13)
- Community Recreation: Restricted (8250.4)
- Cultural Exhibits (8250.5)
- Library Services & Community Centers (8250.11)
- Low Impact Institutional: Neighborhood Related (8250.14)
- Administrative & Professional Office (8300.1)
- Alcoholic Beverage Retail Sales (8300.5)
- Animal Sales & Services: Grooming (8300.8)
- Animal Sales & Services: Kennels & Veterinary, Restricted (8300.11)
- Building Maintenance Services (8300.23)
- Business Support Services (8300.24)
- Communications Services: Limited (8300.29)

- Convenience Sales & Personal Services (8300.32)
- Eating Establishments: Drive In (8300.34)
- Eating Establishments: Fast Foods (8300.35)
- Eating Establishments: Fast Food with Drive-Through Order Windows (8300.36)
- Eating Establishments: Sitdown (8300.37)
- Eating Establishments: Sitdown, Alcohol Permitted (8300.38)
- Eating Establishments: Sitdown, Limited Alcohol Permitted (8300.39)
- Food & Beverage Retail Sales (8300.41)
- Laundry Services (8300.48)
- Medical Services: General (8300.52)
- Medical Services: Restricted (8300.53)
- Participant Recreation & Entertainment: Indoor (8300.55)
- Payday or Title Loan Agencies (8300.57)
- Personal Services: General (8300.58)
- Personal Services: Restricted (8300.59)
- Personal Storage (8300.60)
- Repair Services: Consumer (8300.61)
- Research Services: Restricted (8300.62)
- Retail Sales & Services: General (8300.63)
- Retail Sales & Services: Pawn Shops (8300.65)
- Custom Manufacturing (8350.3)

Plus all conditional, Special Exception and accessory uses subject to their appropriate review procedures.

2. Maximum Building Height:

The maximum building height shall be 50 feet or no more than 2 stories.

3. Maximum Building Size:

The maximum building size shall be in accordance with the base zoning district.

4. Maximum Number of Buildings:

The maximum number of buildings shall be in accordance with the base zoning district.

5. Building Setback Lines

South Boundary: 50 feet
 East Boundary: 75 feet

6. Sight-Proof Screening:

A minimum 6-foot high sight-proof fence shall be provided along the east boundary. Said screening shall be constructed of one or a combination of the following materials: wood, brick, masonry block and/or wrought iron combined with landscaped shrubs and trees.

7. Landscaping:

A detailed landscape plan shall be required at the time of submittal of building permit, indicating materials, plant types, and sections depicting height and size to accomplish both adequate screening of commercial uses from adjacent residences to the east and fencing. West of said screen, there shall be installed a minimum 50-foot wide greenbelt. The greenbelt shall include a combination of the following elements:

- 7.1 An intermittent, no-continuous earthen berm, a minimum of six (6) feet higher than the adjacent residential property to the east; engineering and construction of said berm shall ensure, to the extent possible, that the berm will not create a dam effect causing potential overflow from the creek to drain to the east.
- 7.2 Trees planted at 30-foot centers should be staggered in at least two rows. Trees shall be a minimum of 2.5-inch caliper and shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.
- 7.3 A mixture of flowers and shrubbery shall be planted on and adjacent to the earthen berm.
- 7.4 A minimum 10-foot landscape buffer shall be installed along the south boundary consisting of trees planted on 30-foot centers.

8. Signs:

8.1 Freestanding Accessory Signs

- Limited to the southernmost 25 feet of this tract.
- Shall have a maximum height of 25 feet and a maximum sign area of 125 square feet.
- Shall not be located within 100 feet of the eastern boundary line.
- Shall be required to have a landscape base area of 25 square feet minimum in accordance with City of Oklahoma City ordinance.
- Poles shall be covered with material consistent with the architectural style of the building it serves.

8.2 Attached Wall Signs

- Shall not be permitted on the east wall of any building located within the east 150 feet.

8.3 Non-Accessory Signs

Non-accessory signs will be prohibited.

8.4 Electronic Message Display Signs

Electronic Message Display signs will be prohibited.

9. Access:

Access shall be via SW 104th Street with two private driveways. Driveway spacing shall be 160 feet center to center.

10. Sidewalks

A minimum five (5) foot sidewalk shall be constructed along S.W. 104th Street.

II. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 50% brick veneer, rock or stone masonry, stucco, LP smart siding, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

2. Open Space:

N/A

3. Street Improvements:

N/A

4. Site Lighting:

The site lighting in this SPUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended. Outdoor lighting shall be directed away from adjacent properties to the east. Parking lot lighting shall be hooded to avoid spillage onto adjacent properties. No building lighting shall be permitted on the east side of buildings in the east 150 feet.

5. Alarm Systems:

Alarm systems shall not have exterior audible bells or sirens.

6. Delivery Hours:

Delivery hours for all uses, including trash pickup, shall not be before 6:00am and not after 10:00pm.

7. Dumpsters:

Trash collection facilities in this SPUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.

8. Parking:

The design and number of all parking facilities in this SPUD shall be in accordance with Chapter 59, Article X of the Oklahoma City Municipal Code, 2020, as amended.

9. Maintenance:

Maintenance of the common areas in the development shall be the responsibility of the property owner. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the

common areas intended for the use of conveyance of storm water, and/or drainage easements shown. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

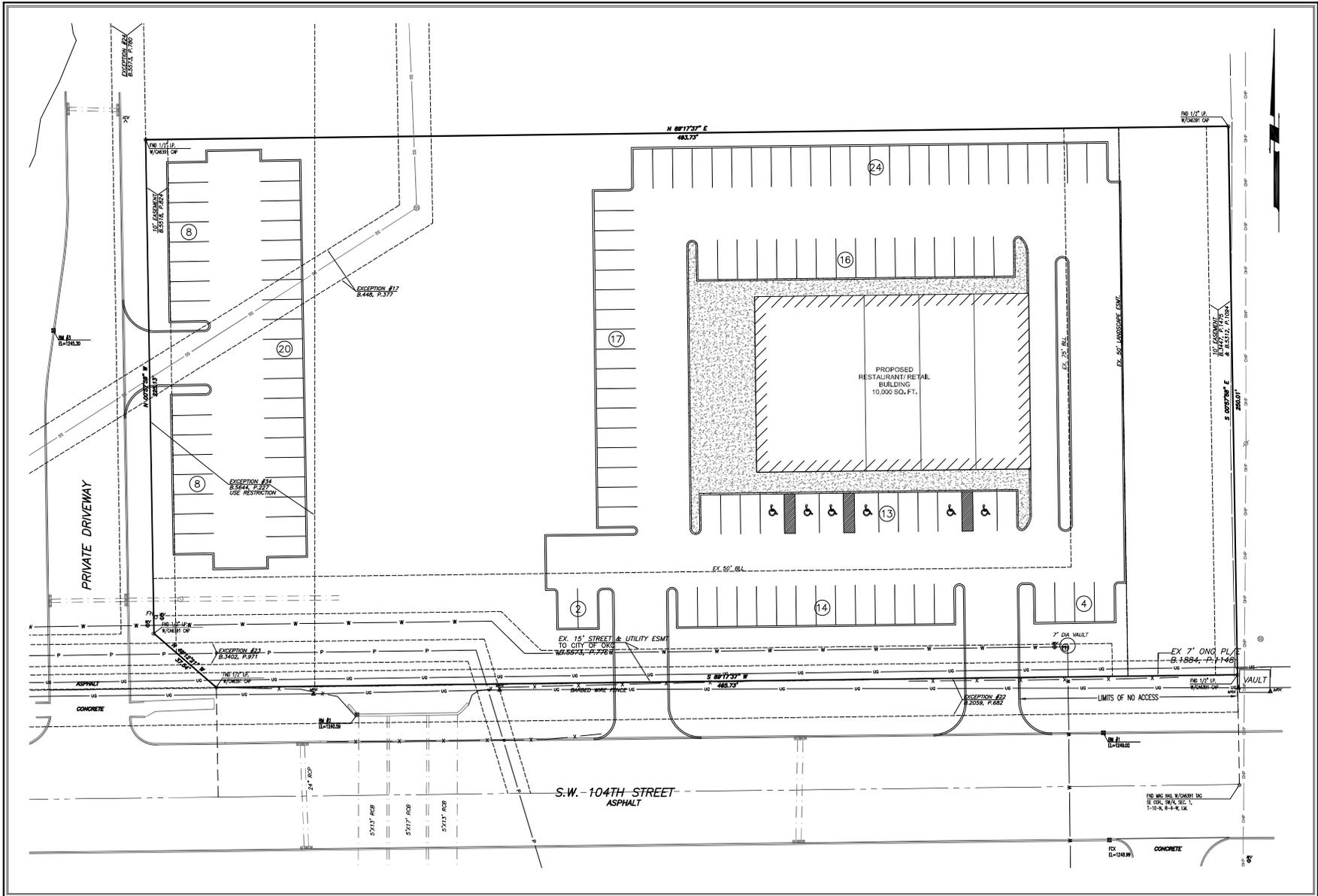
10. Drainage:

Development of this parcel will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

III. Supporting Documents

Exhibit A: Legal Description

Exhibit B: Conceptual Site Plan



SW 104TH ST. & I-44

Arc Engineering Consultants, LLC
 CIVIL ENGINEERING LAND PLANNING
 110 WEST BETTE ROAD
 POKOKI (409) 204-2224 FAX (409) 262-1648
 ENGINEERING CONSULTANTS
 CERTIFICATE OF AUTHORIZATION NO. 0206-004 6/25/08

SW 104TH ST. & I-44
 CONCEPT LAYOUT

NO.	DESCRIPTION	DATE

PROJECT NUMBER:
 DATE:
 10-03-24
 SCALE:
 (HORIZ.) 1" = 20'
 (VERT.)

SHEET NUMBER
CONC