



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

## APPLICATION FOR SPUD ReZONING

### Simplified Planned Unit Development District DWB REZONING PROJECT

Project Name

~~125' along SE 89 & 210' along Sooner~~ **5424 SE 89**

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

Fast Food Restaurant - proposed rezoning for 24,829 sq ft. MOL

Summary Purpose Statement / Proposed Development

Staff Use Only

Case No.: SPUD **1556**

File Date: **7/20/23**

Ward No.: **4**

Nbhd. Assoc.:

School District: **MOORE**

Extg Zoning: **C-1**

Overlay: **—**

Vacant

ReZoning Area (Acres or Square Feet)

### REQUIREMENTS FOR SUBMITTAL:

- ☒ 1.) One (1) Typed Legal Description of Proposed Rezoning area in MS Word file (.doc or .docx) format.
- ☒ 2.) One (1) copy of Recorded Deed(s), with Exhibit(s), listing current Property Owner in .pdf format.
- ☐ 3.) One (1) copy of Letter of Authorization from Property Owner listing Designated Representative if Applicant is not the Property Owner of record.
- ☒ 4.) 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.
- ☐ 5.) 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.
- ☐ 6.) One (1) Typed Prepared copy of Proposed Master Design Statement in an MS Word file (.doc or .docx) file format.
- ☐ 7.) One (1) Proposed Master Development Plan Map in a PDF (.pdf) file format. Reference Submittal checklist for specific details.
- ☐ 8.) 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.
- ☐ 9.) A filing fee of **\$1800.00** must be remitted within One (1) business day of submittal confirmation. (Online payment available / preferred.) (Make check payable to "City Treasurer")

Property Owner Information (If other than Applicant):

Name

Mailing Address

City, State, Zip Code

Phone

Email

*Nancy P. Brewer*  
 Signature of Applicant

Nancy P. Brewer

Applicant's Name (please print)

9927 NE 23rd Street

Applicant's Mailing Address

Oklahoma City, OK 73141

City, State, Zip Code

405-630-9022

Phone

npb1943nb@gmail.com

Email

Submit your Application by Email to [Subdivisionandzoning@OKC.gov](mailto:Subdivisionandzoning@OKC.gov)  
 Compressed files (.zip, etc.) or links to FileShare services (Dropbox, etc.) can not be accepted for security purposes.

**REQUIREMENT FOR SUBMITTAL**

**LEGAL DESCRIPTION:**

FENDRYCH SUB DIV E 125' LOTS 1-2 BLK 1

BREWER, DARRELL W REV TRT  
9927 NE 23rd ST  
Oklahoma City OK 73141-4209

WALLACE, GARY A & LINDA A  
5416 SE 89th ST  
Oklahoma City OK 73135-6167

BREWER, DARRELL W REV TRT  
9927 NE 23rd ST  
Oklahoma City OK 73141-4209

FENDRYCH, JAMES G & DOROTHY A  
4808 SE 104th ST  
Oklahoma City OK 73165-9712

MOORE PUBLIC SCHOOLS DIST I-2  
400 N Broadway ST  
Moore OK 73160-4812

KRICH REAL ESTATE LLC  
PO Box 6952  
Moore OK 73153-0952



I CERTIFY THAT THIS IS A TRUE  
AND CORRECT COPY OF THE  
RECORDS OF THE OFFICE OF THE  
CLEVELAND COUNTY ASSESSOR

AS OF 1:24 AM/PM ON THIS

13 DAY OF July, 20 23

DOUGLAS WARR, COUNTY ASSESSOR

BY [Signature]

accountno	name1	mailingaddress1	city	state	zipcode
R12746100	IRELAND VERNON W & DEBRA	8389 W CALLE SANCHO PANZA	TUCSON	AZ	85757-6820
R12746116	MCDANIEL ANTHONY & DANA L	8912 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135-6189
R12588185	BERGLAN SCOTT A & LANCIA A	5408 SE 88TH ST	DEL CITY	OK	73135-6157
R12746115	LATHROP AARON F & MARGARET A	8908 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135-6189
R12746101	DOWD JOHNESHIA	8909 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135
R12588184	FITZPATRICK JANICE M	5413 SE 88TH ST	DEL CITY	OK	73135-6158
R12746114	VAZQUEZ JESUS M	8904 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135-6189
R12746102	WENDT ALEX & LEEANN	8905 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135
R12746103	WARREN DEBRA	8901 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135-6172
R12746113	COLE DONELDA SUE	8900 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135-6189
R14394208	7 ELEVEN INCORPORATED	2021 S MACARTHUR BLVD	OKLAHOMA CITY	OK	73128-1699
R14367503	J & J EXPRESS LUBE INC	PO BOX JJ	NORMAN	OK	73070-7109
R12588183	BROOKER STEVEN A	5409 SE 88TH ST	DEL CITY	OK	73135-6158
R12746104	CHAPMAN CAROLYN	8813 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135-6171
R12746112	RAMIRO IVETTE M	8816 TIMBERWOOD LN	OKLAHOMA CITY	OK	73115
R12746105	HENDRICKS RONALD J & YUN PUN	8809 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135-6171
R12746111	JANTZ BILLIE C TRS	8812 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135-6171
R14367503	GREEN COUNTY LLC	PO BOX 892770	OKLAHOMA CITY	OK	73189
R12588168	GUAN ALEX Y	5408 SE 87TH ST	DEL CITY	OK	73135-6145
R14394208	SECURCARE OKLAHOMA II LLC	9226 TEDDY LN STE 100	LONE TREE	CO	80124-6726
R12746106	GIBBS ANDRE & SONIA	8805 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135
R12746110	LITTLEJOHN TERRY E & LISA D	8808 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135-6171
R12588167	GIBSON GAY DON TRS	12251 GANDER LN	NORMAN	OK	73026-8435
R12790100	HAGAN DANIEL	5600 SE 87TH ST	OKLAHOMA CITY	OK	73135
R12790101	GRIFFIN LARRY	5604 SE 87TH ST	DEL CITY	OK	73135-6065
R12790102	WILLIAMS WILLARD R	5608 SE 87TH ST	DEL CITY	OK	73135-6065
R12746107	HENRY ROBERT E JR & JULIE A TRS	8801 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135-6171
R12746108	BAILES DENNIS L & DEBRA K	8800 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135-6171
R12746109	EASLEY CHASHA R	8804 TIMBERWOOD LN	OKLAHOMA CITY	OK	73135
R14367503	SS22 CAPITAL PARTNERS LLC	1005 GLADE RD, Unit 115	COLLEYVILLE	TX	76034-2000
R12588145	NGUYEN KIET	5508 SE 86TH ST	DEL CITY	OK	73135-6141
R12588144	CAIN SHAWN W SR	5512 SE 86TH ST	DEL CITY	OK	73135-6141
R12588143	GRIMES WINGFIELD	5516 SE 86TH ST	DEL CITY	OK	73135-6141
R12588142	TOMER TINA L	5520 SE 86TH ST	DEL CITY	OK	73135-6141

T/13

WARRANTY DEED

Doc#:R 2016 28498  
Bk&Pg:RB 5586 1168  
Filed 08-25-2016  
01:13:55 PM  
Cleveland County, OK  
PH  
WD

KNOW ALL MEN BY THESE PRESENTS:

That Shady Nook Auto Parts Inc., party of the first part, in consideration of the sum of Ten and No/100ths Dollars (\$10.00) in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Darrell W. Brewer and Nancy P. Brewer as co-trustees of the Darrell W. Brewer Revocable Trust, party of the second part, of 9927 NE 23<sup>rd</sup> Street, Oklahoma City, Oklahoma 73141, the following described real property and premises situated in Oklahoma County, State of Oklahoma, to wit.


FENDRYCH SUB DIV E 125' LOTS 1-2 BLK 1

Subject to easements, restrictions and reservations of record.

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

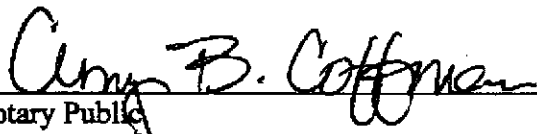
TO HAVE AND TO HOLD said described premises unto the said parties of the second part, their heirs and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, and encumbrances of whatsoever nature.

Signed and delivered this 19<sup>th</sup> day of August 2016.

  
\_\_\_\_\_  
Darrell W. Brewer, President  
Shady Nook Auto Parts, Inc.

STATE OF OKLAHOMA )  
 )  
COUNTY OF CLEVELAND ) ss.

Before me, the undersigned, a Notary Public in and for said County and State, on this 19<sup>th</sup> day of August 2016, personally appeared Darrell W. Brewer, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary acts and deeds for the uses and purposes wherein set forth.

  
\_\_\_\_\_  
Notary Public

My commission expires 11/15/2016



Title 68 Sec 3201 or 3202  
Tax shall not apply

**AFFIRMATION**

STATE OF OKLAHOMA       )  
                                          ) §  
COUNTY OF OKLAHOMA    )

I affirm that the ownership list submitted as a part of this application contains the names of all owners of record of property which are within 300 feet (or greater if required) of the property described in the attached exhibit.

Executed at Oklahoma City, Oklahoma, on the 18<sup>th</sup> day of July, 20 23

Nancy P. Brown  
Applicant Signature

Subscribed and sworn to before me, a Notary Public, in and for the State of OKla,  
County of Cleveland, on the 18<sup>th</sup> day of July, 20 2023.

My Commission Expires:

11 / 15 / 2024



Amy B. Coffman  
Notary Public  
Commission # 12010892



SE 89th Street

125'

199'



North

THE CITY OF OKLAHOMA CITY  
SIMPLIFIED PLANNED UNIT DEVELOPMENT  
SPUD-(number)  
MASTER DESIGN STATEMENT

July 18, 2023

**PREPARED BY:**

NANCY P BREWER  
9927 NE 23RD STREET  
OKLAHOMA CITY, OK 73141  
405-630-9022  
[npb1943.nb@gmail.com](mailto:npb1943.nb@gmail.com)



## **SPUD-(number) 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 regulations of the **C-1 Neighborhood Commercial District** (OKC Zoning Ordinance, 2020, as amended), except that the following restrictions will apply:

In addition to the uses allowed with the C-1 District, the following uses shall be permitted on this site:

- 8300.34 Eating Establishments: Drive-In\*
- 8300.35 Eating Establishments: Fast Food\*
- 8300.36 Eating Establishments: Fast Food, with Drive-Thru Order Window

*\* Drive-thru call boxes and callbox speakers are not permitted for eating establishment uses. Pick up windows are permitted.*

2. **Maximum Building Height:** 35 feet and two stories.
3. **Maximum Building Size:** Per the base zoning district.

4. **Maximum Number of Buildings:** One
5. **Maximum Size of Buildings:** Per the base district.
6. **Building Setback Lines:** Per base zoning district.
7. **Sight-proof Screening:** Per base zoning district.
8. **Landscaping:** Per the landscape ordinance in place at the time of development, except that a 10-foot landscape buffer shall be required along the west boundary of the SPUD if adjacent to a residential use.
9. **Signs:**
  - 9.1 **Free standing accessory signs:** Per base zoning district
  - 9.2 **Attached signs:** Per base zoning district.
  - 9.3 **Non-Accessory Signs:** Non-accessory signs/billboards are prohibited.
  - 9.4 **Electronic Message Display signs:** EMD signs are prohibited.
10. **Access:** Access shall be from a maximum of one driveway on SE 89<sup>th</sup> Street.
11. **Sidewalks:** Five (5) foot sidewalks shall be constructed on the arterial street with each development parcel, or six (6) foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department.

## **II. Other Development Regulations:**

1. **Architecture:** Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, architectural metal, rock or stone masonry, stucco, 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.

2. **Open Space:** Per the base zoning district.
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.
5. **Dumpsters:** Dumpsters shall be located and screened in accordance with the base zoning district. Trash collection facilities in this SPUD shall be in accordance with Chapter 49 of the Oklahoma City Municipal Code, 2020, as amended.
6. **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.
7. **Maintenance:** Maintenance of the common areas in the development shall be the responsibility of the property owner or Property Owners Association. 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.
8. **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