

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 8:30 am, Mar 13, 2024

From: [mohammad akand](#)
To: [City Clerk Email](#); [PL, Subdivision and Zoning](#)
Subject: Protest to PUD-1979
Date: Tuesday, March 12, 2024 8:35:25 PM

You don't often get email from akand1@yahoo.com. [Learn why this is important](#)

Hello,

My protest to PUD-1979 as an adjacent property owner.

"Protest to PUD-1979; located at 3261 NW 150th St." and "I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024""

1. Name and residence address:

Mohammad Akand
3137 Via Esperanza
Oklahoma City, OK 73013

2. Identify the property they own that is near the PUD subject property.

My Property info that is near PUD-1979:
Mohammad Akand and Salma Nisho Akand
3137 Via Esperanza
Oklahoma City, OK 73013

Looking forward to resolve the matter.

Cheers,

Mo Akand
(423) 619-4176 Cell | akand1@yahoo.com

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 2:35 pm, Jan 30, 2024

From: Lynn North <northlynn@yahoo.com>

Sent: Tuesday, January 30, 2024 2:14 PM

To: City Clerk Email <CityClerk@okc.gov>; subdivisioningandzoning@okc.gov

Subject: SW 29th between Sara & Mustang Development PUD-1976

You don't often get email from northlynn@yahoo.com. [Learn why this is important](#)

We Vote ABSOLUTELY NO, to the low income apartment proposed development off SW 29th Street, 10807 SW 29th Street, in between Sara and Mustang roads. This will DECREASE our home value, while hugely INCREASING the traffic.

Homeowners in Brookstone Lakes West
3417 Sardis Way
Yukon, OK 73099

Sincerely,
Lynn

TruNorth Agency
Sherri Lynn North
NPN 8817794
405-249-2910
<http://www.trunorthagency.com>

From: George Browning <george.browning@elksupply.com>
Sent: Tuesday, February 27, 2024 10:48 AM
To: City Clerk Email <CityClerk@okc.gov>
Subject: Protest to PUD-1979; located at 3261 NW 150th Street

2024 FEB 27 PM 12:27
OKLAHOMA CITY CLERK

You don't often get email from george.browning@elksupply.com. [Learn why this is important](#)

To Whom it may concern:

This email is in regards to "Protest to PUD-1979; located at 3261 NW 150th Street."

My name and address: George & Ana Browning, 3012 Via Esperanza, Edmond OK 73013

Property protesting name: George B Browning Trust 3012 Via Esperanza, Edmond OK 73013

I would like to state my protest and opposition to PUD-1979, located at 3261 NW 150th Street, currently set for hearing on March 12, 2024.

Protest to PUD-1979: 3261 NW 150th Street

1. I-2 Industrial uses should not be allowed. Industrial uses, including outdoor industrial operation and storage (both allowed in I-2), are not compatible with multi-family residential use, proposed to be permitted under the PUD.
2. The access street to serve the Subject Property should be separated from the east boundary (with Esperanza) by not less than 200 feet. To allow the access street for the apartment complex and the industrial uses to the north to be located directly adjacent to the fence lines of homes in Esperanza would adversely impact the residents and the neighborhood.
3. In order to allow a meaningful transition between the proposed apartment development and the Esperanza neighborhood, building height for the Subject Property should be limited to 2 stories and 30' feet within 200' feet of the boundary of the Esperanza neighborhood.
4. Maintain a 100' foot building setback along the east boundary of the Subject Property.
5. Require sight-proof screening to consist of minimum 10' foot high masonry wall along the entire east boundary of Subject Property.
6. Require the exterior building wall finish on all structures to consist of minimum of 70% brick veneer, masonry, rock or stone.
7. Require a maximum density for residential use of 12 dwelling units per acre.
8. Require dumpster enclosures to be separated from the east boundary of the Subject Property by not less than 200' feet and to be fully sight-proof screened with a minimum 8' foot high brick, masonry, or stone veneer wall on three sides, and an 8' foot high sight proof gate on the 4th side. Also, restrict trash collection to reasonable daytime hours.
9. Require installation of left turn lanes for east-bound traffic on NW 150th Street at the entrances to the Subject Property.
10. Require installation of deceleration lanes for west-bound traffic on NW 150th Street at the entrances to the Subject Property.

Sincerely,

George B. Browning

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 4:28 pm, Feb 29, 2024

From: J. Chris Hummel <docich@yahoo.com>

Sent: Thursday, February 29, 2024 3:02 PM

To: PL, Subdivision and Zoning <Subdivisionandzoning@okc.gov>

Subject: Protest to PUD-1979; located at 3261 NW 150th St.

You don't often get email from docich@yahoo.com. [Learn why this is important](#)

My name is Chris Hummel. This email serves as a protest to a planned project near my residence, located at 15508 Laguna Drive, Edmond, Oklahoma 73013.

My home is in the name of my Trust: John Christopher Hummel Revocable Trust dated May 27, 2004.

I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024

Thank you for your consideration.

J. Chris Hummel MD, MPH

HUMMEL EYE ASSOCIATES

Mobile: 405-205-4700

Office: 405-755-6111

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 5:13 pm, Feb 12, 2024

From: J. R. Emrich <jremrich@reroofamerica.com>

Sent: Monday, February 12, 2024 4:23 PM

To: City Clerk Email <CityClerk@okc.gov>; DS, Subdivision and Zoning <Subdivisionandzoning@okc.gov>

Cc: 'Kelly Work' <jkwork225@gmail.com>

Subject: RE: Protest to PUD-1979: 3261 NW 150th St

Some people who received this message don't often get email from jremrich@reroofamerica.com. [Learn why this is important](#)

Addressed to City Clerk and Planning Commission,

The Esperanza Owners Association (HOA) owns adjoining common area property to 3261 NW 150th St and is submitting this protest regarding PUD-1979: 3261 NW 150th St. The Board of Directors for Esperanza Owners Association believes that PUD-1979 in it's present form is not compatible with the surrounding area of 3261 NW 150th Street unless the following changes are made to the PUD.

- 1. I-2 industrial uses should be not be allowed. Industrial uses, including outdoor industrial operations and storage (both allowed in I-2), are not compatible with multi-family residential use, proposed to be permitted under the PUD.**
- 2. The access street to serve the Subject Property should be separated from the east boundary (with Esperanza) by not less than 200 feet. To allow the access street for the apartment complex and the industrial uses to the north to be located directly adjacent to the fence lines of homes in Esperanza would adversely impact the residents and the neighborhood.**
- 3. In order to allow a meaningful transition between the proposed apartment development and the Esperanza neighborhood, building height for the Subject Property should be limited to 2 stories and 30 feet within 200 feet of the boundary of the Esperanza neighborhood.**
- 4. Maintain a 100 foot building setback along the east boundary of the Subject Property.**
- 5. Require sight-proof screening to consist of a minimum 10-foot high masonry wall along the entire east boundary of the Subject Property.**
- 6. Require the exterior building wall finish on all structures to consist of a minimum of 70% brick veneer, masonry, rock or stone.**
- 7. Require a maximum density for residential use of 12 dwelling units per acre.**
- 8. Require dumpster enclosures to be separated from the east boundary of the Subject Property by not less than 200 feet and to be fully sight-proof screened with a minimum 8 foot high brick, masonry or stone veneer wall on three sides, and an 8 foot high sight proof gate on the 4th side. Also, restrict trash collection to reasonable daytime hours.**
- 9. Require installation of left turn lanes for east-bound traffic on NW 150th St. at the entrances to the Subject Property.**
- 10. Require installation of deceleration lanes for west-bound traffic on NW 150th St. at the entrances to the Subject Property**

Respectfully Submitted by Esperanza Board of Directors,

George Browning, Jeff Wills, Skip Tangner, J.R. Emrich, Lindsey Hall Wiist

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 8:40 am, Feb 05, 2024

From: Smith, Jeffrey (OUH) <Jeffrey.Smith@ouhealth.com>

Sent: Monday, February 5, 2024 8:11 AM

To: DS, Subdivision and Zoning <Subdivisionandzoning@okc.gov>; City Clerk Email <CityClerk@okc.gov>

Cc: debra.smith0521@gmail.com; J. R. Emrich <jremrich@reeroofamerica.com>

Subject: Protest to PUD-1979: 3261 NW 150th St.

Some people who received this message don't often get email from jeffrey.smith@ouhealth.com. [Learn why this is important](#)

I live at the adjoining property at 3036 Via Esperanza and want to file a Protest to PUD-1979: 3261 NW 150th St. The reasons for the protest are:

1. I-2 industrial uses should not be allowed. Industrial uses, including outdoor industrial operations and storage (both allowed in I-2), are not compatible with multi-family residential use, proposed to be permitted under the PUD.
2. The access street to serve the Subject Property should be separated from the east boundary (with Esperanza) by not less than 200 feet. To allow the access street for the apartment complex and the industrial uses to the north to be located directly adjacent to the fence lines of homes in Esperanza would adversely impact the residents and the neighborhood.
3. In order to allow a meaningful transition between the proposed apartment development and the Esperanza neighborhood, building height for the Subject Property should be limited to 2 stories and 30 feet within 200 feet of the boundary of the Esperanza neighborhood.
4. Maintain a 100 foot building setback along the east boundary of the Subject Property.
5. Require sight-proof screening to consist of a minimum 10-foot high masonry wall along the entire east boundary of the Subject Property.
6. Require the exterior building wall finish on all structures to consist of a minimum of 70% brick veneer, masonry, rock or stone.
7. Require a maximum density for residential use of 12 dwelling units per acre.
8. Require dumpster enclosures to be separated from the east boundary of the Subject Property by not less than 200 feet and to be fully sight-proof screened with a minimum 8 foot high brick, masonry or stone veneer wall on three sides, and an 8 foot high sight proof gate on the 4th side. Also, restrict trash collection to reasonable daytime hours.
9. Require installation of left turn lanes for east-bound traffic on NW 150th St. at the entrances to the Subject Property.
10. Require installation of deceleration lanes for west-bound traffic on NW 150th St. at the entrances to the Subject Property.

Regards,

Jeffrey Smith

Vice President of Finance, Ambulatory & Provider Practice

OU Health

1200 Children's Avenue

Oklahoma City, OK 73104

Cell: (908) 528-1795

ouhealth.com

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 12:13 pm, Apr 03, 2024

J . K E L L Y W O R K

ATTORNEY AT LAW

HIGHTOWER BUILDING
105 NORTH HUDSON, SUITE 304
OKLAHOMA CITY, OK 73102

PHONE: (405) 232-2790
FAX: (405) 232-3966
EMAIL: JKWORK225@GMAIL.COM

April 3, 2024

Via U.S. First Class Mail & email

Mayor David Holt
mayor@okc.gov

Councilman Matt Hinkle
Ward5@okc.gov

Councilman Bradley Carter
ward1@okc.gov

Councilwoman JoBeth Hamon
Ward6@okc.gov

Councilperson James Cooper
ward2@okc.gov

Councilwoman Nikki Nice
ward7@okc.gov
nikki.nice@okc.gov

Councilwoman Barbara Peck
ward3@okc.gov

Councilman Mark Stonecipher
ward8@okc.gov

Councilman Todd Stone
ward4@okc.gov

Re: Protest of Esperanza Owners Association to PUD-1979, 3261 NW 150th Street ("Subject Property"); set to be heard on April 9, 2024

Dear Mayor Holt and Councilmembers Carter, Cooper, Peck, Stone, Hinkle, Hamon, Nice and Stonecipher:

This law firm represents the Esperanza Owners Association in opposition to PUD-1979, located at 3261 N.W. 150th Street. The Esperanza residential neighborhood is comprised of 39 lots, located directly adjacent to the Subject Property to the east. PUD-1979 proposes to add R-4 Multifamily Residential Use on 22.8 acres in order to permit high-density apartment development. In order to mitigate the adverse impact to the Esperanza neighborhood, the Esperanza Owners Association requests a number of revisions to the proposed PUD-1979.

Esperanza's requested revisions to the PUD are set forth as follows:

1. Eliminate I-2 uses from the PUD.

2. Provide that any access drive be separated from the east boundary of the Subject Property by not less than 200 feet.
3. Provide that the building height be limited to 2 stories and 30 feet within 200 feet of the boundary with the Esperanza Neighborhood.
4. Provide for sight-proof screening to consist of a minimum 8 ft. high masonry wall along the entire east boundary of the Subject Property.
5. Provide for the exterior building-wall finish on all structures to consist of a minimum of 70% brick veneer, masonry, rock or stone.
6. Provide for a maximum density of 12 dwelling units per acre. As currently proposed with 25 units per acre, the PUD would allow up to 570 apartment units on the 22.8 acre tract, which would be excessive.
7. Provide that dumpster enclosures be separated from the east boundary of the Subject Property by not less than 200 feet and to be fully and adequately sight-proof screened with minimum 8-foot high masonry on 3 sides and gated enclosures. Also, restrict trash collection to reasonable daytime hours.
8. Installation of deceleration lanes for west-bound traffic for all entrances along N.W. 150th Street; and,
9. Installation of a left-turn lane for east-bound traffic on N.W. 150th Street.

We remain willing to work with the Applicant on the regulations of the PUD, in order to allow the proposed apartment development, but in a way that will minimize the adverse impact on the neighborhood.

Sincerely,



J. Kelly Work

JKW:kc

cc: Amy Simpson, City Clerk, cityclerk@okc.gov
David Box, Attorney for Applicant
Esperanza Owners Association, Inc.

MARCH 14, 2024

RE: PUD-1979

2024 MAR 18 PM 2:47
OKLAHOMA CITY CLERK

Dear Councilman,

We are writing to express our strong opposition to the proposed housing development near our neighborhood. While we understand the need for affordable housing in our city, we believe this project would have a detrimental impact on our community. The proposed development is simply too large for our area, and the increase in population density would put a strain on our already overburdened infrastructure.

We prefer that you do not vote for this construction to move forward, but if you must, there are a few things that must happen to lessen the devastating impact of this colossal project.

- 1) The access street to serve the Subject Property should be separated from the east boundary (with Esperanza) by 200 feet or more. To allow the access street for the apartment complex and the industrial uses to the north to be located directly adjacent to the fence lines of homes in Esperanza would adversely impact the residents and the neighborhood.
- 2) To allow a meaningful transition between the proposed apartment development and the Esperanza neighborhood, the Subject Property's building height should be limited to 2 stories and 30 feet within 200 feet of the neighborhood's boundary.
- 3) Maintain a 100-foot building setback along the east boundary of the Subject Property.
- 4) Sight-proof screening must consist of a minimum 10-foot-high masonry wall along the entire east boundary of the Subject Property.
- 5) The exterior wall finish on all structures must consist of a minimum of 70% brick veneer, masonry, rock, or stone.
- 6) Require a maximum density of 12 dwelling units per acre for residential use.
- 7) Require dumpster enclosures to be separated from the east boundary of the Subject Property by not less than 200 feet and fully sight-proof screened with a minimum 8-foot-high brick, masonry, or stone veneer wall on three sides and an 8-foot-high sight-proof gate on the fourth side. Also, trash collection should be restricted to reasonable daytime hours.
- 8) The installation of left turn lanes for eastbound traffic on NW 150th St. at the entrances to the Subject Property is required.

There are better ways to go than disrupting our community by constructing an out-of-place high-density development. Sincerely,

Levi C. Onwuchuruba
Liz C. Onwuchuruba
3260 Via Esperanza, Edmond, OK 73013

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 2:40 pm, Apr 02, 2024

From: Melissa Keplinger <mkeplinger@ryanwhaley.com>

Sent: Tuesday, April 2, 2024 1:35 PM

To: PL, Subdivision and Zoning <Subdivisionandzoning@okc.gov>; City Clerk Email <CityClerk@okc.gov>

Cc: Stephen Jantzen <sjantzen@ryanwhaley.com>; Grant Lucky <glucky@ryanwhaley.com>

Subject: PUD-1979 Tronox Protest

Some people who received this message don't often get email from mkeplinger@ryanwhaley.com. [Learn why this is important](#)

Please see attached.



Melissa Keplinger
Paralegal

405.239.6040
400 North Walnut Avenue
Oklahoma City, OK 73104
mkeplinger@ryanwhaley.com

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RECEIVED

By The City of Oklahoma City Office of the City Clerk at 2:40 pm, Apr 02, 2024

STEPHEN L. JANTZEN
sjantzen@ryanwhaley.com
405.228.2136

April 2, 2024

VIA EMAIL

Oklahoma City Planning Department
subdivisionandzoning@okc.gov

City Clerk, Oklahoma City
cityclerk@okc.gov

RE: Protest regarding PUD-1979

To Whom It May Concern:

TRONOX PROTEST

I. Introduction

Tronox LLC (“Tronox”) objects to certain aspects of the Application by Portland One 50, LLC (“Applicant”), to rezone 3621 NW 150th Street from I-2 Moderate Industrial District to PUD-1979 Planned Unit Development District, Ward 8 (the “Application”). As the owner of approximately seventy (70) acres within 300 feet of the proposed Planned Unit Development, Tronox lodges this written protest pursuant to 11 O.S. § 43-105. *See* Certificate of Bonded Abstractor (300 Feet Radius Report), Map No. 3803). The Application is currently set for a final hearing before the Oklahoma City Council (“Council”) on April 9, 2024, and Tronox, through its counsel, will attend the hearing to speak against certain portions of the Application discussed herein.

The Council may also be aware that Tronox previously objected to PUD-1979 before the Oklahoma City Planning Commission on December 14, 2023. Tronox’s objections, both before the Planning Commission and the Council, are based upon Tronox’s genuine concerns and doubts surrounding the Application’s inability and/or failure to: (1) limit and/or prohibit incursions onto Tronox’s abutting industrial property through the use of required buffers and screening; and (2) avoid disrupting Tronox’s business operations, including the Application’s proposed relocation of the driveway that serves as Tronox’s sole means of access, both ingress and egress, to its facility.

In that regard, both the Application’s Design Statement and Master Development Plan Map are extremely thin in detail, likely because a developer for the proposed apartment project has yet to been identified by the Applicant. However, even beyond the Application’s purposeful lack of detail, there are also substantive omissions regarding screening, landscaping, and required buffering between the adjoining properties that defeat the primary goal and objective of Oklahoma

City's Planned Unit Development provisions, which are designed to "minimize adverse effects upon surrounding property...traffic conditions...or any other matters affecting the public health, safety and general welfare." Article XIV, § 59-14100.2(A).

After discussions with the Applicant, Tronox submitted a reasonable proposal to the Applicant designed to resolve Tronox's objections. The Applicant has not responded to Tronox's proposal to date.

II. Background

The property subject to the Application is not zoned for residential use. Rather, it is currently zoned as I-2 Moderate Industrial District, which is "intended primarily for the conduct of light manufacturing, assembly and fabrication, and for warehousing, wholesale and service uses, which may generate relatively low levels of noise, odor, smoke, dust or intense light...[and] may require good accessibility to...street transportation routes..." The Application seeks to maintain the existing industrial zoning while also allowing for a multifamily residential apartment complex, consisting of approximately 336 units with either 1 or 2 bedrooms per unit, 14 three-story buildings, a clubhouse, a pool, and parking for residents. Thus, based upon the Application's proposed combination of residential and non-residential (industrial) uses between adjoining and proximate properties, Oklahoma City's ordinances require a smooth transition using physical buffers between uses in order to avoid the potential for intrusive activity relative to the residential environment. *See* Article XI, § 59-11250(G). The Application, as discussed below, fails in this respect.

Tronox owns approximately 70 acres of property that abuts the proposed development to the north and contains numerous buildings, facilities, improvements, lakes, ponds, and wooded areas throughout the acreage. Tronox's "Tech Center" is primarily a research and development facility but also contains business support activities, such as accounting, sales, technical services, and information technology. The Tech Center has operated at its current location for over 60 years, beginning in August 1963. In terms of employees, the Tech Center has approximately 110 employees attached to the facility with an average of 60 employees on site each weekday. The Tech Center also receives truck deliveries for operations and business supplies almost daily. Tronox's employees enjoy the pastoral setting of the Tech Center and its lakes, ponds, and wooded areas located on the undeveloped portions of the property.

Tronox previously owned the 100-plus acres to the south of its current property, including the 23-acres that are the subject of the Application. In 2008, Tronox sold the property to Lone Oak Investments, LLC ("Lone Oak") by Special Warranty Deed. As part of the sale, Tronox and Lone Oak entered into a Declaration of Easements, Covenants and Restrictions that burdened Lone Oak's property with several easements for the benefit of Tronox. *See* Exhibit 1. For instance, Lone Oak granted Tronox a perpetual easement for the reasonable access, ingress, and egress, for passage of vehicles to Tronox's adjoining property. Lone Oak was also required to construct a wrought iron fence on the property line between its property and Tronox's, no later than the commencement of the development of Lone Oak's property. These restrictions and covenants run with the land and burden all subsequent owners, including the Applicant. In 2021, Lone Oak sold

a portion of the land that is the subject of the Application to its related entity Portland One 50, LLC, subject to the above restrictions.

III. Tronox's Objections to the Application

While the Council cannot impose or enforce private easements between adjoining landowners, it does have the authority to impose or enforce Oklahoma City's Municipal Code relative to a Planned Unit Development District, particularly those relating to buffers and screening.

Tronox seeks to avoid and/or limit and/or prohibit incursions onto its property from the proposed multifamily apartment development reflected in PUD-1979. Tronox's concerns are both public safety concerns and concerns over increased liabilities if the public and/or future apartment residents or guests ignore facility boundaries and are injured while trespassing on Tronox's facility grounds.¹ Tronox fears the very close proximity of a large pond and the proposed gate access to the development will only exacerbate trespassing. Tronox seeks to avoid any blurring of lines between the two properties and their uses, such that any member of the public would have to guess where the Applicant's residential property ends and Tronox's industrial property begins, which is why Tronox in 2008 burdened the property with the obligation to construct a wrought iron fence along the property line no later than the development of the property. The Applicant has ignored this requirement in its Application.

Specifically, neither the Application's Design Statement nor Master Development Plan addresses any fencing or screening along the northern part of the subject property that touches Tronox's property line.² Not only is the Applicant required to do so under the Declaration but Oklahoma City's Municipal Code also requires the Design Statement to include a "description of **screening** and landscaping for the development, including any required buffering as referenced by Article XI, Landscaping and Screening Regulations, of this chapter." *Id.* at § 59-14150(B)(1)(a)(18). Similarly, the Master Development Plan Map for PUD-1979 must also include a graphic representation of the "[g]eneral location of landscaping in common areas, parking areas, and landscaping buffering as required by Article XI, Landscaping and Screening Regulations, of this Chapter." *Id.* at § 59-14150(B)(2)(a)(2)(vi). It must also "show the relationship of the PUD to abutting properties such as **commitments to** landscaping, **screening**, earthen berms or similar techniques to: (a) Create a visual transition to landscaping to adjoining lots and developments; (b) Screen incompatible uses; (c) Minimize any negative impact of the development on adjacent sites and roadways." *Id.* at § 59-14200.4(C)(1)(a)-(c) (emphasis added).

Article XI, cited above, requires "residential buffers and screening...to create a smooth transition between residential and non-residential areas by providing an attractive physical buffer between these uses." § 59-11250(G). "Such buffering and screening minimizes the potential for...**intrusive activity** relative to the residential environment." *Id.* (emphasis added). Tronox requests that the Applicant should be required to include wrought iron fencing that complies with the Declaration

¹ A stated land use objective of PUD's is to "[m]inimize adverse effects on surrounding property" or "any other matters affecting the public health, safety and general welfare." Article XIV, § 14200.2(A).

² The Applicant's Design Statement only addresses fencing where adjacent to a residential use, which would be to the east of the development. *See* Section 9.4.

along the length of its northern boundary with Tronox in order to minimize the potential for intrusive activity and for the safety of the public.

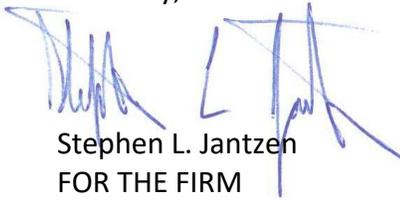
With respect to landscape buffering, the Oklahoma City Planning Commission Staff Report required a 25-foot landscape buffer “along the east boundary, as well as where an industrial use abuts a residential use.” Section III(B)(9)(b). As noted therein, Section 9.2 of the Application contained a similar requirement. Since the express purpose of the Application is to allow a residential development next to an industrial district, Tronox additionally requests that the Applicant be required to include a 25-foot landscaped buffer along the property line shared with Tronox, with details reasonably acceptable to Tronox as to how dense the landscaped buffering will be, what the spacing will be like, etc.

Finally, the driveway that leads to Tronox’s Tech Center from NW 150th street – for which Tronox has a perpetual easement for reasonable access, ingress, and egress over and upon the Applicant’s property for the passage of motor vehicles (including without limitation delivery trucks and passenger vehicles) and pedestrians to and from Tronox’s property and NW 150th Street – is Tronox’s sole means of access to its property. Accordingly, Tronox does not want the location of that driveway to be a mere afterthought, as it is currently reflected in the conceptual design. A driveway for access to Tronox’s facility that runs through or near a residential parking lot and neighborhood housing an unknown number of people will not only increase safety risks but also be a nuisance to apartment residents/guests and Tronox’s personnel. A driveway placement located too close to the residential development may also impact Tronox’s ease of ingress/egress as well as public perception and/confusion relative to Tronox’s facility and whether it is part of the residential development. As previously stated, the Tech Center receives truck deliveries for operations and business supplies almost daily, all of whom use the driveway for access to and from Tronox. Thus, the proposed driveway should be relocated from the location currently depicted for it in the Applicant’s conceptual design to an area west of the proposed development to the general location and orientation depicted on the attached Exhibit 2. Further, the relocated driveway would include a terminus at a four-way stoplight on 150th Street to align with Columbia Drive on the south side of 150th Street, which leads to Crossings.

IV. Summary of Tronox’s Requests

- (a) Tronox respectfully requests that the Applicant should be required to including fencing along the length of the northern boundary it shares with Tronox;
- (b) Tronox respectfully requests that the Applicant be required to include a 25-foot landscaped buffer along the property line shared with Tronox, with details reasonably acceptable to Tronox as to how dense the landscaped buffering will be, what the spacing will be like, etc.; and
- (c) Tronox respectfully requests that the driveway reflected in the Applicant’s conceptual design be relocated from the location currently depicted for it therein to an area west of the proposed development to the general location and orientation depicted on the attached Exhibit 2. Further, the relocated driveway would include a terminus at a four-way stoplight on 150th Street to align with Columbia Drive on the south side of 150th Street, which leads to Crossings.

Sincerely,



Stephen L. Jantzen
FOR THE FIRM

Encl.

EXHIBIT

1

**DECLARATION OF EASEMENTS, COVENANTS
AND RESTRICTIONS**

THIS DECLARATION OF EASEMENTS, COVENANTS, AND RESTRICTIONS
(this "**Declaration**") is made and entered into this 30th day of June, 2008 by **LONE OAK INVESTMENTS, L.L.C.**, an Oklahoma limited liability company ("**Declarant**") in favor of **TRONOX WORLDWIDE LLC**, a Delaware limited liability company, or its successors and/or assigns ("**Tronox**").

A. Declarant is the owner of certain real property situated in the City of Oklahoma City, Oklahoma County, State of Oklahoma, more particularly described on the attached **Exhibit A** (the "**Declarant's Property**").

B. Tronox is the owner of certain real property in the City of Oklahoma City, Oklahoma County, State of Oklahoma, which is situated immediately to the north of Declarant's Property and is more particularly described on the attached **Exhibit B** (the "**Tronox Property**").

C. Declarant desires to impose certain easements upon the Property, and to establish certain covenants and restrictions with respect to the Property for the benefit of the present and future owners and occupants of the Tronox Property, all upon the terms and conditions set forth in this Declaration.

NOW, THEREFORE, in consideration of the foregoing, Declarant hereby declares that the Declarant's Property and all present and future owners and occupants of the Declarant's Property shall be and hereby are subject to the terms, covenants, easements, and restrictions set forth in this Declaration, so that the Declarant's Property shall be maintained, kept, sold and used in full compliance with and subject to this Declaration and in connection therewith, Declarant covenants and agrees as follows:

1. **Definitions.** For purposes hereof:

(a) The term "**Owner**" or "**Owners**" shall mean the Declarant and any and all successors or assigns of such persons as the owner or owners of fee simple title to all or any portion of Declarant's Property, whether by sale, assignment, inheritance, operation of law, trustee's sale, foreclosure, or otherwise, but not including the holder of any lien or encumbrance on such property.

(b) The term "**Permittees**" shall mean the tenants(s) or occupant(s) of all or any portion of Declarant's Property, and the respective employees, agents, contractors, customers, invitees and licensees of (i) any Owner; and/or (ii) such tenant(s) or occupant(s).

(c) The term "**Driveway**" shall mean the driveway which extends from the Tronox Property across the Declarant's Property to NW 150th Street, Oklahoma City, Oklahoma, as shown on the Site Plan attached as **Exhibit C**, as such driveway currently exists or as it may be relocated in the future pursuant to this Declaration.

Capitol Abstract & Title
4801 Gaillardia Parkway
Suite 150
Oklahoma City, OK 73142
File # 8054352

11/33

SUN

(d) The term "**Pond**" means the pond located along the southern border of the Tronox Property, as shown on the Site Plan attached as Exhibit C.

2. Construction of Fence. Declarant agrees, no later than the commencement of development on the Declarant Property, to construct a wrought iron fence on the property line between Declarant's Property and the Tronox Property; provided, however, Declarant shall have no obligation to install any such fence along the borders of the Pond. Declarant agrees, at its sole cost and expense, to maintain the fence in good condition. In lieu of such a fence, Declarant shall be entitled to construct a masonry wall reasonably acceptable to Tronox, taking into account drainage issues as referenced in Section 7(c) below.

3. Card Key Gate. Tronox currently owns and utilizes a "card key" gate located across the Driveway to provide restricted, secure access to its "Technical Center" facility on the Tronox Property. Promptly after Declarant either (i) begins development of the Property, or (ii) has completed relocation of the Road in accordance with Section 4(b) below, Declarant agrees, at its sole cost and expense, to relocate this gate to the place where the Driveway meets the southern border of the Tronox Property. Tronox shall retain ownership of the "card key" gate and agrees, at its sole cost and expense, to maintain this gate.

4. Driveway Easement and Maintenance

(a) Grant of Easement. Declarant hereby grants to Tronox a nonexclusive, perpetual easement for reasonable, access, ingress and egress over and upon the Driveway as presently or hereafter located on the Declarant's Property to provide for the passage of motor vehicles (including without limitation delivery trucks and passenger vehicles) and pedestrians to and from the Tronox Property and NW 150th Street.

(b) Relocation of Access Road. Declarant shall have the right in its discretion to relocate the Driveway on Declarant's Property upon 30 days advance written notice to Tronox. Such relocation shall include without limitation the relocation of the Driveway, the card key gate leading to the Tronox Property, and the roadway located on the Tronox Property connecting the Driveway to the Technical Center facility on the Tronox Property (collectively referred to as the "**Relocation Work**"). If Declarant elects to relocate the Driveway, Declarant agrees to:

(1) Perform all Relocation Work in such a manner as not to unreasonably interfere with Tronox's use and enjoyment of the Tronox Property, which would include without limitation providing an alternate access route across the Declarant's Property from NW 150th Street to the Tronox Property;

(2) Perform all Relocation Work in a good and workmanlike manner, using materials and construction techniques which are, at a minimum, like-kind materials and construction, without unreasonable delays in completing the Relocation Work;

(3) Complete the Relocation Work within 45 days of its commencement; and

(4) Assume responsibility for all costs, expenses, fees and charges necessary to complete the Relocation Work.

Tronox, by its acceptance hereof, and as a condition of Declarant's obligation to relocate the roadway on the Tronox Parcel leading to the Technical Center, agrees to provide Declarant with an acceptable written temporary easement agreement to permit such relocation work on the Tronox Property. Tronox and Declarant also acknowledge that as of this date there is a Cox Communications fiber optic/data cable buried along the length of the Driveway from 150th to the Tronox Property, which cable services the building located on the Tronox Property. Tronox agrees that, if Declarant relocates the Driveway, then Tronox shall be responsible, at its sole cost and expense, to move this cable to the Utility Easement, as described in Section 5 of this Declaration.

(c) Maintenance of Driveway. From and after the date of this Declaration, Declarant shall, at its sole cost and expense, maintain the Driveway (as presently or hereafter located) in good condition in order to provide for the safe and smooth passage of motor vehicles (including without limitation delivery trucks and passenger vehicles) and pedestrians between the Tronox Property to and from NW 150th Street.

5. Utilities Easement. Declarant hereby grants to Tronox a nonexclusive, perpetual easement upon, under, over, above and across a portion of Declarant's Property for providing utilities services (such as electrical power, water, sewer, gas, telephone, fiber optic/data cables and cable television) to the Tronox Property (the "Utilities Easement"). The Utilities Easement shall extend twenty-five feet (25') from the eastern border of Declarant's Property and run from the southern border to the northern border of Declarant's Property.

6. Pond Easement. Declarant hereby grants to Tronox a nonexclusive, perpetual easement upon, under, over, above and across Declarant's Property, such easement extending for 20 feet from the south boundary of the Pond. Tronox shall use such easement for the purpose of maintaining the Pond, which maintenance shall be at Tronox's sole cost and expense. Declarant agrees to allow Tronox, at its option and its sole cost and expense, to place warning signage along the southern boundary of the Pond.

7. Restrictions.

(a) General. Declarant shall only use Declarant's Property for lawful purposes in conformance with all restrictions imposed by all applicable governmental laws, ordinances, codes, and regulations.

(b) Access. Declarant shall at no time block, close, alter, change or move the Driveway in such a way that would prevent access to the Tronox Property from NW 150th Street, except as expressly provided by and in accordance with the terms and conditions of this Declaration.

(c) Drainage. Declarant hereby agrees that it shall take no action nor construct any improvements on Declarant's Property that will adversely affect the existing drainage and flow of surface water from the Tronox Property onto the Declarant Property

8. Taxes and Assessments. Declarant and Tronox shall pay all taxes, assessments, or charges of any type, levied or made by any governmental body or agency with respect to its own respective Property.

9. No Rights in Public.

Nothing contained herein shall be construed as creating any rights in the general public or as dedicating for public use any portion of Declarant's Property.

10. Remedies and Enforcement.

(a) All Legal and Equitable Remedies Available. In the event of a breach or threatened breach by any Owner or its Permittees of any of the terms, covenants, restrictions or conditions hereof, Tronox shall be entitled to full and adequate relief by injunction and/or all such other available legal and equitable remedies from the consequences of such breach, including payment of any amounts due and/or specific performance.

(b) Self-Help. In addition to all other remedies available at law or in equity, upon the failure of a defaulting Owner to cure a breach of this Declaration within 30 days following written notice thereof (unless, with respect to any such breach the nature of which cannot reasonably be cured within such 30-day period, the defaulting Owner commences such cure within such 30-day period and thereafter diligently prosecutes such cure to completion), Tronox shall have the right to perform such obligation contained in this Declaration on behalf of such defaulting Owner and be reimbursed by such defaulting Owner upon demand for the reasonable costs thereof together with interest at the prime rate as set forth in the Money Rates section of The Wall Street Journal (or its successors or assigns), plus two percent (2%) (not to exceed the maximum rate of interest allowed by law).

(c) Lien Rights. Any claim for reimbursement, including interest, and all costs and expenses including reasonable attorneys' fees awarded to Tronox in enforcing any payment in any suit or proceeding under this Declaration shall be assessed against the defaulting Owner and shall constitute a lien (the "**Assessment Lien**") against the Property of the defaulting Owner until paid, effective upon the recording of a notice of lien with respect thereto in the Office of the County Clerk of Oklahoma County, Oklahoma. Upon the timely curing by the defaulting Owner of any default for which a notice of lien was recorded, the party recording same shall record an appropriate release of such notice of lien and Assessment Lien.

(d) Remedies Cumulative. The remedies specified herein shall be cumulative and in addition to all other remedies permitted at law or in equity.

11. Term. The easements, covenants, and restrictions contained in this Declaration shall be effective commencing on the date of recordation of this Declaration in the Office of the Oklahoma County Clerk and shall remain in full force and effect thereafter in perpetuity, unless this Declaration is modified, amended, canceled or terminated by the written consent of all then-record Owners of Declarant's Property and Tronox as set forth in subparagraph 12(b) of this Declaration.

12. Miscellaneous.

(a) Attorneys' Fees. In the event any Owner or Tronox institutes any legal action or proceeding for the enforcement of any right or obligation contained in this Declaration, the prevailing party after a final adjudication shall be entitled to recover its costs and reasonable

attorneys' fees incurred in the preparation and prosecution of such action or proceeding.

(b) Amendment. Declarant agrees that the provisions of this Declaration may be modified or amended, in whole or in part, or terminated, only by the written consent of all then-record Owners of the Property and Tronox, evidenced by a document that has been fully executed and acknowledged by all such record Owners and Tronox and recorded in the official records of the County Clerk of Oklahoma County, Oklahoma.

(c) Consents. Any request for consent or approval relating to any matter contained in this Declaration shall: (a) be in writing; (b) specify the section hereof with respect to which notice is given or consent or approval is sought to be obtained; and (c) be accompanied by such background information as is reasonably necessary to make an informed decision thereon. The consent of an Owner or Tronox under this Declaration, to be effective, must be given, denied or conditioned expressly and in writing.

(d) No Waiver. No waiver of any default of any obligation by any party hereto shall be implied from any omission by the other party to take any action with respect to such default.

(e) No Agency. Nothing in this Declaration shall be deemed or construed by either party or by any third person to create the relationship of principal and agent or of limited or general partners or of joint ventures or of any other association between the parties.

(f) Covenants to Run with Land. It is intended that each of the easements, covenants, conditions, restrictions, rights and obligations set forth herein shall run with the land and create equitable servitudes in favor of the real property benefited thereby, shall bind every person having any fee, leasehold or other interest therein and shall inure to the benefit of the respective parties and their successors, assigns, heirs, and personal representatives.

(g) Grantee's Acceptance; Foreclosure. The grantee of all or any portion of Declarant's Property, by acceptance of a deed conveying title thereto or the execution of a contract for the purchase thereof, whether from an original party or from a subsequent owner of such property, shall accept such deed or contract upon and subject to each and all of the easements, covenants, conditions, restrictions and obligations contained in this Declaration. By such acceptance, any such grantee shall for himself and his successors, assigns, heirs, and personal representatives, covenant, consent, and agree to and with the other party, to keep, observe, comply with, and perform the obligations and agreements set forth in this Declaration with respect to the property so acquired by such grantee. The easements, covenants, and restrictions contained in this Declaration shall also be binding upon and effective against any Owner of all or any portion of Declarant's Property whose title to such property is acquired by foreclosure, trustee's sale, or other similar means.

(h) Severability. Each provision of this Declaration and the application thereof to the Declarant's Property is hereby declared to be independent of and severable from the remainder of this Declaration. If any provision contained in this Declaration shall be held to be invalid or to be unenforceable or not to run with the land, such holding shall not affect the validity or enforceability of the remainder of this Declaration. In the event the validity or

enforceability of any provision of this Declaration is held to be dependent upon the existence of a specific legal description, the parties agree to promptly cause such legal description to be prepared.

(i) Time of Essence. Time is of the essence of this Declaration.

(j) Entire Agreement. This Declaration contains the complete understanding and agreement of the parties hereto with respect to all matters referred to herein, and all prior representations, negotiations, and understandings are superseded hereby.

(k) Notices. Notices or other communication hereunder shall be in writing and shall be sent certified or registered mail, return receipt requested, or by other national overnight courier company, or personal delivery. All notices and other communications given to any party hereto in accordance with the provisions of this Declaration shall be deemed to have been given and received on the date of delivery, or, if sent by (1) certified mail, on the third (3rd) business day after the date of deposit in the U.S. mail, or (2) overnight courier, on the next business day after delivery to the courier. Each party may change from time to time their respective address for notice hereunder by like notice to the other party. The notice addresses of Declarant and Tronox are as follows:

Tronox:

Tronox Worldwide LLC
Attn: Real Estate Department
One Leadership Square, Suite 300
211 N. Robinson Avenue
Oklahoma City, OK 73102

Declarant:

Lone Oak Investments, L.L.C.
Attn: James E. Williams
4700 Gaillardia Parkway, Suite 100
Oklahoma City, OK 73142

(l) Governing Law. The laws of the State of Oklahoma shall govern the interpretation, validity, performance, and enforcement of this Declaration.

(m) Bankruptcy. In the event of any bankruptcy affecting any Owner or occupant of Declarant's Property, the parties agree that this Declaration shall, to the maximum extent permitted by law, be considered an agreement that runs with the land and that is not rejectable, in whole or in part, by the bankrupt person or entity.

[signature on next page]

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date first written above.

LONE OAK INVESTMENTS, L.L.C., an Oklahoma limited liability company

By: [Signature]
H. R. Curry, Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF OKLAHOMA)

This instrument was acknowledged before me on the 30th day of June 2008, by H.R. Curry, as Manager of Lone Oak Investments, L.L.C., an Oklahoma limited liability company.

Given under my hand and seal the day and year last above written.



[Signature]
NOTARY PUBLIC

My Commission Expires: _____
My Commission Number: _____

UNOFFICIAL

EXHIBIT A

Legal Description of Declarant's Property

A part of the Southwest Quarter (SW/4) of Section One (1), Township Thirteen (13) North, Range Four (4) West of the Indian Meridian, City of Oklahoma, Oklahoma County, Oklahoma, said part is more particularly described as follows: Beginning at the Southeast corner of said quarter, said point being the Point of Beginning; Thence from said POB, South 89°31'57" West, along the South line of said quarter, a distance of 2656.97 feet to the Southwest corner of said quarter; Thence North 00°17'27" East, along the West line of said quarter, a distance of 1520.58 feet; Thence North 89°31'57" East a distance of 1232.76 feet; Thence South 00°28'03" East a distance of 91.92 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an arc length of 151.43 feet, said curve being subtended by a chord with a bearing of South 43°51'00" East and a chord length of 137.37 feet; Thence South 87°13'57" East a distance of 8.99 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an arc length of 110.38 feet, said curve being subtended by a chord with a bearing of North 61°08'40" East and a chord length of 104.87 feet; Thence North 29°31'18" East a distance of 19.80 feet to a point on a tangent curve to the right; Thence along the tangent curve to the right with a radius of 100.00 feet for an arc length of 83.56 feet, said curve being subtended by a chord with bearing of North 53°27'40" East and a chord length of 81.15 feet; Thence North 77°24'03" East a distance of 111.08 feet to a point on a tangent curve to the right; Thence along the tangent curve to the right with a radius of 100.00 feet for an arc length of 128.45 feet, said curve being subtended by a chord with a bearing of South 65°48'03" East and a chord length of 119.80 feet; Thence South 29°00'09" East a distance of 14.32 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an arc length of 38.04 feet, said curve being subtended by a chord with a bearing of South 39°54'02" East and a chord length of 37.81 feet; Thence South 50°47'56" East a distance of 48.34 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an arc length of 43.94 feet, said curve being subtended by a chord with a bearing of South 63°23'11" East and a chord length of 43.59 feet; Thence South 75°58'26" East a distance of 53.89 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an arc length of 115.61 feet, said curve being subtended by a chord with a bearing of North 70°54'24" East and a chord length of 109.28 feet; Thence North 37°47'14" East a distance of 107.58 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an arc length of 66.77 feet, said curve being subtended by a chord with a bearing of North 18°39'36" East and a chord length of 65.53 feet; Thence North 00°28'03" West a distance of 28.80 feet; Thence North 89°31'57" East a distance of 576.32 feet to a point on the West boundary of Esperanza Sec 2 a recorded plat; Thence South 00°02'07" East and along the West boundaries of Esperanza Sec 2 and Esperanza Sec 1, both being recorded plats a distance of 1520.49 feet to the Point of Beginning. LESS AND EXCEPT the Western 33 feet reserved for the Portland Avenue Statutory right-of-way and the Southern 33 feet reserved for the NW 150th Street Statutory right-of-way.

EXHIBIT B

Legal Description of Tronox Property

The Southwest Quarter (SW1/4) of Section One (1), Township Thirteen (13) North, Range Four (4) West of the I.M., Oklahoma County, Oklahoma LESS AND EXCEPT the following:

A part of the Southwest Quarter (SW/4) of Section One (1), Township Thirteen (13) North, Range Four (4) West of the Indian Meridian, City of Oklahoma City, Oklahoma County, Oklahoma, said part is more particularly described as follows: Beginning at the Southeast corner of said quarter, said point being the Point of Beginning; Thence from said POB, South 89°31'57" West, along the South line of said quarter, a distance of 2656.97 feet to the Southwest corner of said quarter; Thence North 00°17'27" East, along the West line of said quarter, a distance of 1520.58 feet; Thence North 89°31'57" East a distance of 1232.76 feet; Thence South 00°28'03" East a distance of 91.92 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an arc length of 151.43 feet, said curve being subtended by a chord with a bearing of South 43°51'00" East and a chord length of 137.37 feet; Thence South 87°13'57" East a distance of 8.99 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an arc length of 110.38 feet, said curve being subtended by a chord with a bearing of North 61°08'40" East and a chord length of 104.87 feet; Thence North 29°31'18" East a distance of 19.80 feet to a point on a tangent curve to the right; Thence along the tangent curve to the right with a radius of 100.00 feet for an arc length of 83.56 feet, said curve being subtended by a chord with bearing of North 53°27'40" East and a chord length of 81.15 feet; Thence North 77°24'03" East a distance of 111.08 feet to a point on a tangent curve to the right; Thence along the tangent curve to the right with a radius of 100.00 feet for an arc length of 128.45 feet, said curve being subtended by a chord with a bearing of South 65°48'03" East and a chord length of 119.80 feet; Thence South 29°00'09" East a distance of 14.32 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an arc length of 38.04 feet, said curve being subtended by a chord with a bearing of South 39°54'02" East and a chord length of 37.81 feet; Thence South 50°47'56" East a distance of 48.34 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an arc length of 43.94 feet, said curve being subtended by a chord with a bearing of South 63°23'11" East and a chord length of 43.59 feet; Thence South 75°58'26" East a distance of 53.89 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an length of 115.61 feet, said curve being subtended by a chord with a bearing of North 70°54'24" East and a chord length of 109.28 feet; Thence North 37°47'14" East a distance of 107.58 feet to a point on a tangent curve to the left; Thence along the tangent curve to the left with a radius of 100.00 feet for an arc length of 66.77 feet, said curve being subtended by a chord with a bearing of North 18°39'36" East and a chord length of 65.53 feet; Thence North 00°28'03" West a distance of 28.80 feet; Thence North 89°31'57" East a distance of 576.32 feet to a point on the West boundary of Esperanza Sec 2 a recorded plat; Thence South 00°02'07" East and along the West boundaries of Esperanza Sec 2 and Esperanza Sec 1, both being recorded plats a distance of 1520.49 feet to the Point of Beginning. LESS AND EXCEPT the Western 33 feet reserved for the Portland Avenue Statutory right-of-way and the Southern 33 feet reserved for the NW 150th Street Statutory right-of-way.

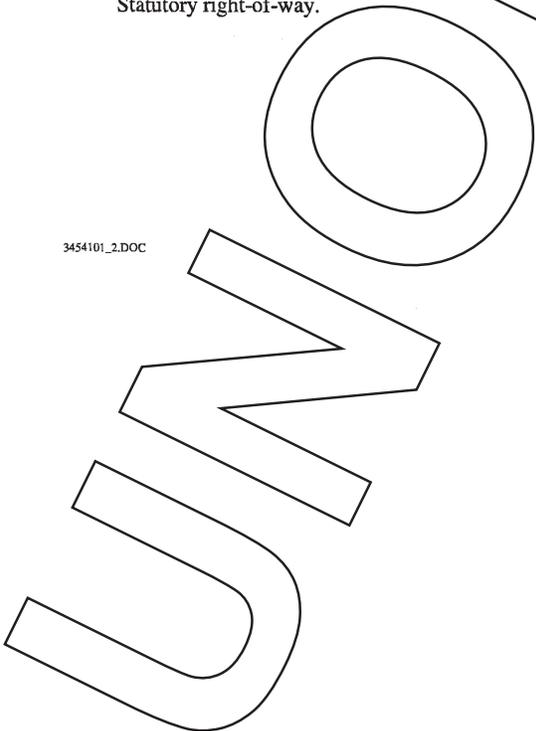


EXHIBIT C

Site Plan

[See attached]

UNOFFICIAL

EXHIBIT

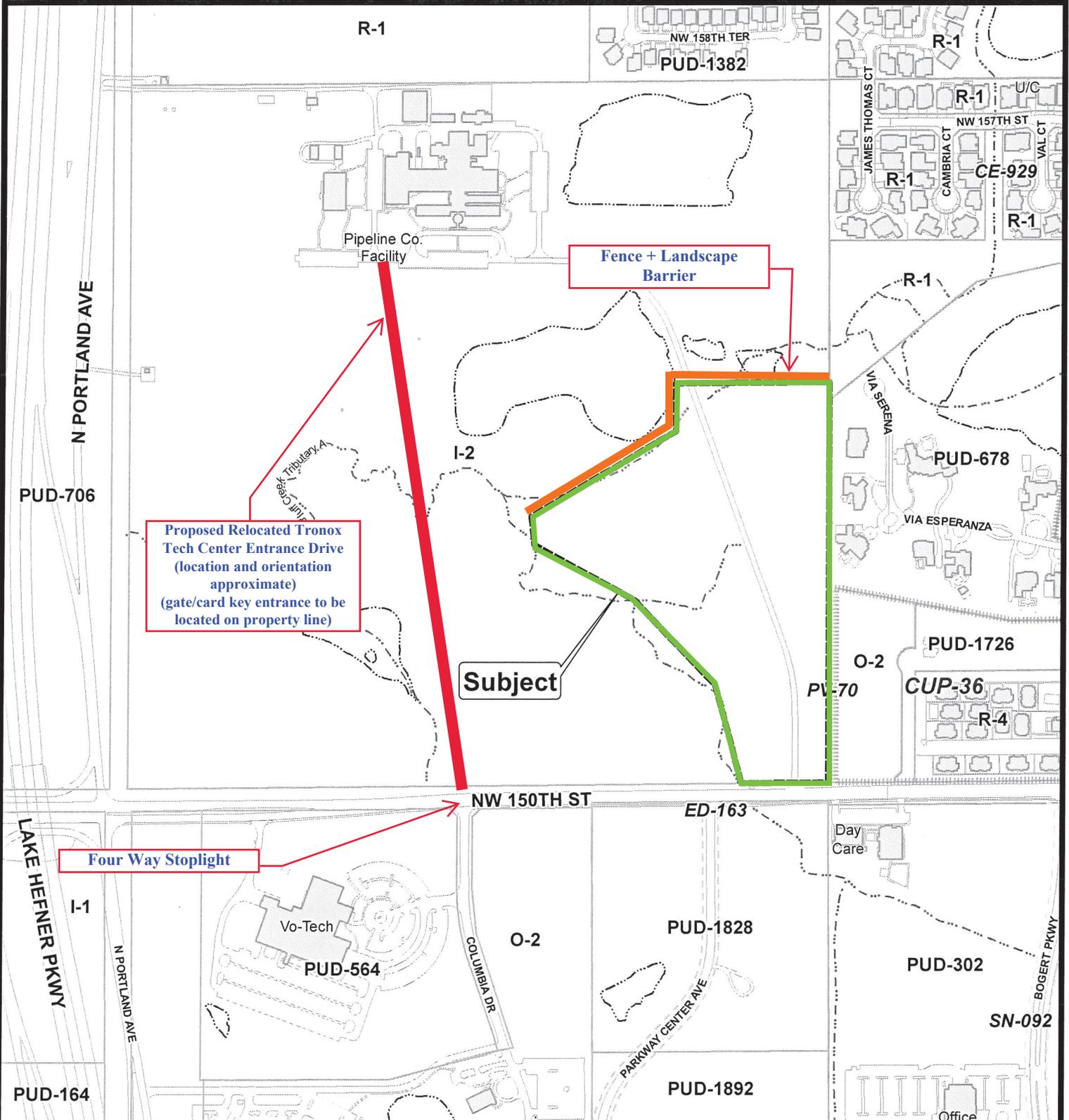
2

Case No: PUD-1979

Applicant: Portland One 50, LLC

Existing Zoning: I-2

Location: 3261 NW 150th St.



The City of
OKLAHOMA CITY

Planned Unit Development



0 250 500
Feet

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 8:47 am, Mar 13, 2024

From: [mohammad akand](#)
To: [City Clerk Email](#); [PL, Subdivision and Zoning](#)
Subject: Protest to PUD-1979
Date: Tuesday, March 12, 2024 8:35:25 PM

You don't often get email from akand1@yahoo.com. [Learn why this is important](#)

Hello,

My protest to PUD-1979 as an adjacent property owner.

"Protest to PUD-1979; located at 3261 NW 150th St." and "I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024""

1. Name and residence address:

Mohammad Akand
3137 Via Esperanza
Oklahoma City, OK 73013

2. Identify the property they own that is near the PUD subject property.

My Property info that is near PUD-1979:
Mohammad Akand and Salma Nisho Akand
3137 Via Esperanza
Oklahoma City, OK 73013

Looking forward to resolve the matter.

Cheers,

Mo Akand
(423) 619-4176 Cell | akand1@yahoo.com

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 8:30 am, Feb 20, 2024

From: mohammad akand <akand1@yahoo.com>

Sent: Sunday, February 18, 2024 12:25 PM

To: DS, Subdivision and Zoning <Subdivisionandzoning@okc.gov>; City Clerk Email <CityClerk@okc.gov>

Subject: Protest to PUD-1979

You don't often get email from akand1@yahoo.com. [Learn why this is important](#)

Hello,

My protest to PUD-1979 as an adjacent property owner.

"Protest to PUD-1979; located at 3261 NW 150th St." and "I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024""

1. Name and residence address:

Mohammad Akand
3137 Via Esperanza
Oklahoma City, OK 73013

2. Identify the property they own that is near the PUD subject property.

My Property info that is near PUD-1979:

Mohammad Akand and Salma Nisho Akand

3137 Via Esperanza
Oklahoma City, OK 73013

I am hoping the issue will be resolved in an amicable manner.

Cheers,

Mo Akand

(423) 619-4176 Cell | akand1@yahoo.com

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 4:26 pm, Feb 29, 2024

From: moses tita <mntita@yahoo.com>
Sent: Thursday, February 29, 2024 1:35 PM
To: City Clerk Email <CityClerk@okc.gov>
Subject: PUD - 1979

You don't often get email from mntita@yahoo.com. [Learn why this is important](#)

My Name is Moses Tita, My address is 3112 Via Esperanza, Edmond, OK 73013.

I Protest to PUD-1979; located at 3261 NW 150th St." and "I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024.

This is for the construction of the Apartment complex next to our edition.

Thank you.

Moses Tita, Home Owner at Esperanza

-
-
-

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 8:44 am, Feb 28, 2024

From: [Jones, Sharon D](#) on behalf of [City Clerk Email](#)
To: [Smiley, Dena L](#)
Subject: FW: Protest to PUD-1979; located at 3261 NW 150th St.
Date: Wednesday, February 28, 2024 7:24:45 AM

From: Ryan Samples <rsamples@rsamples.com>
Sent: Tuesday, February 27, 2024 7:35 PM
To: PL, Subdivision and Zoning <Subdivisionandzoning@okc.gov>; City Clerk Email <CityClerk@okc.gov>
Subject: Protest to PUD-1979; located at 3261 NW 150th St.

Some people who received this message don't often get email from rsamples@rsamples.com. [Learn why this is important](#)

I am writing to express my protest and opposition to PUD-1979, located at 3261 NW 150th St., currently set for hearing on April 9th.

Property Information:

I am writing on behalf of ESCONDIDO LLC, of which I am the Manager.

ESCONDIDO LLC owns the following properties near the PUD subject property:

- 3200 Via Esperanza, Edmond, OK 73132
- 3213 Via Esperanza, Edmond, OK 73013

Reasons for Protest:

I am opposed to PUD-1979 for the following reasons:

- Incompatible land uses: The PUD proposes to allow I-2 industrial uses, including outdoor industrial operations and storage, which are not compatible with the proposed multi-family residential use. These industrial activities can generate noise, traffic, pollution, and other nuisances that are detrimental to the quality of life for residents in the surrounding neighborhood.
- Unwanted proximity of access street and industrial uses: The PUD proposes to locate the access street for the apartment complex and the industrial uses directly adjacent to the fence lines of homes in Esperanza. This close proximity would have an adverse impact on residents by increasing noise, traffic, and potential safety hazards.
- Excessive building height: The PUD proposes building heights that are excessive for the area. Limiting the building height to 2 stories and 30 feet within 200 feet of the Esperanza neighborhood would allow for a more appropriate transition between the development and the existing residential area.
- Lack of building setback: The PUD does not include a sufficient building setback from the east boundary of the property. Maintaining a 100-foot setback would help to minimize the negative visual and noise impacts on the neighboring homes.
- Inadequate visual screening: The PUD lacks proper visual screening measures. Requiring a minimum 10-foot high masonry wall along the entire east boundary would help to shield the

residents from the industrial uses and the apartment complex.

- Subpar building materials: The PUD does not specify high-quality building materials. Requiring a minimum of 70% brick veneer, masonry, rock, or stone for the exterior building walls would improve the overall aesthetics of the development and better match the surrounding neighborhood.
- Excessive residential density: The PUD proposes a residential density that is too high for the area. Limiting the density to 12 dwelling units per acre would create a more livable environment for residents and reduce potential traffic congestion.
- Poor dumpster placement and management: The PUD does not adequately address the placement and management of dumpsters. Requiring them to be separated from the east boundary by 200 feet, fully enclosed with an 8-foot high wall on three sides and a gate on the fourth, and restricting trash collection to reasonable hours would help to mitigate noise, odors, and visual blight.
- Missing left turn lanes: The PUD does not include left turn lanes for eastbound traffic entering the property from NW 150th St. This omission could lead to traffic congestion and safety hazards.
- Missing deceleration lanes: The PUD does not include deceleration lanes for westbound traffic entering the property from NW 150th St. This could cause traffic flow issues and potentially lead to rear-end collisions.

I urge you to consider these concerns and reject PUD-1979 in its current form.

Thank you for considering my protest.

Sincerely,

Ryan Samples
Manager, ESCONDIDO LLC

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 11:12 am, Feb 13, 2024

From: Steve Hamilton <steve.hamilton67@yahoo.com>

Sent: Monday, February 12, 2024 7:38 PM

To: DS, Subdivision and Zoning <Subdivisionandzoning@okc.gov>; City Clerk Email <CityClerk@okc.gov>

Subject: Protest to PUD-1979; located at 3261 NW 150th St. We want to state our protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024"

You don't often get email from steve.hamilton67@yahoo.com. [Learn why this is important](#)

Protest to PUD-1979; located at 3261 NW 150th St.

We want to state our protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024

Dr. Stephen F. Hamilton

Dr. Pamela Craven (Hamilton)

3125 Via Esperanza, Edmond OK 73013-8929

While we respect the developers and initial negotiations have begun much more time is need to satisfy our concerns. Let us be clear both parties have described sincere intentions of being good neighbors. Our initial requirements for such good relations include the following:

1. Industrial uses proposed to be permitted under the PUD should not be allowed. Industrial uses, including outdoor industrial operations and storage (both allowed in I-2), are not compatible with multi-family residential use.
2. The access street to serve the Subject Property should be separated from the east boundary (with Esperanza) by not less than 200 feet. To allow the access street for the apartment complex and the industrial uses to the north to be located directly adjacent to the fence lines of homes in Esperanza would adversely impact the residents and the neighborhood.
3. In order to allow a meaningful transition between the proposed apartment development and the Esperanza neighborhood, building height for the Subject Property should be limited to 2 stories and 30 feet within 200 feet of the boundary of the Esperanza neighborhood.
4. Maintain a 100 foot building setback along the east boundary of the Subject Property.
5. Require sight-proof screening to consist of a minimum 10-foot high masonry wall along the entire east boundary of the Subject Property.
6. Require the exterior building wall finish on all structures to consist of a minimum of 70% brick veneer, masonry, rock or stone.
7. Require a maximum density for residential use of 12 dwelling units per acre.
8. Require dumpster enclosures to be separated from the east boundary of the Subject Property by not less than 200 feet and to be fully sight-proof screened with a minimum 8 foot high brick, masonry or

stone veneer wall on three sides, and an 8 foot high sight proof gate on the 4th side. Also, restrict trash collection to reasonable daytime hours.

9. Require installation of left turn lanes for east-bound traffic on NW 150th St. at the entrances to the Subject Property.

10. Require installation of deceleration lanes for west-bound traffic on NW 150th St. at the entrances to the Subject Property.

From: [Sumit A. Walia](#)
To: [PL, Subdivision and Zoning](#)
Cc: [City Clerk Email](#); [Ward8](#); [Ward1](#); [Ward2](#); [Ward3](#); [Ward4](#); [Ward5](#); [Ward6](#); [Ward7](#)
Subject: Protest to PUD-1979; located at 3261 NW 150th St
Date: Thursday, April 4, 2024 7:37:13 PM

Some people who received this message don't often get email from sumitokc@gmail.com. [Learn why this is important](#)

Dear City Council members

My name is Sumit Walia, and I am a homeowner in the Esperanza neighborhood. I am writing in regards to the PUD-1979 application. At present the PUD has opposition from the surrounding existing developments, including Tronox and the Esperanza neighborhood. The neighborhood has retained attorney Mr. Work to represent our concerns with the development. While we are supportive of a development, we want to ensure that any new development both augments the progress of the locality, and is not done at an expense/detriment to the existing developments. Mr. Work has identified areas that are of concern to our neighborhood and has listed items that would mitigate any negative effects to our neighborhood. The items which the Esperanza neighborhood has outlined that will lessen the negative impact to our neighborhood has not been achieved. In addition to the items requested, there is a major concern of public safety that has not been addressed, see below.

A major concern that has not been addressed by the development is the sensitive nature of converting the land from an industrial use to residential. The land has been traditionally industrial and maintained by a long-standing chemical company, Tronox. In the past, there has been noted chemical exposure to the land on the north side of that property which has required monitoring wells that serve as a safety measure for the northern boundary of the industrial land and protect surrounding neighborhoods. To date PUD-1979 has not made any mention of the sensitive nature of now converting a parcel of this land to residential and placing upwards of 1000 residents in proximity to an active chemical company. There has been no mention of soil testing for contamination of chemicals to date, nor has there been any plan for testing once site work begins and the soil is disturbed, nor is there any plan of monitoring once the development is done to ensure that there is no unintended chemical exposure to the residents of that and surrounding area. An issue that compounds the risk of having a residential community adjacent to an active chemical company is the proposed access road. The proposed development is planning an access road that will be shared between the residents of the new development and Tronox. This access road will run between the new residential development and in very close proximity to the Esperanza neighborhood. Of concern is exposing current residents and future residents to an industrial use road that will be transporting in high frequency chemicals/chemical waste. Given this unusual proposal and the prior history of chemical exposure to the surrounding land there has been no mention of the public safety risk of such or as mentioned prior a plan to monitor for unintended chemical exposure to the surrounding residents.

I trust the city council will weigh the aforementioned concerns and ensure that the city is served by a development that fosters growth, does not detract from existing developments, and ensures the public safety of the affected residents. Thank you for your time and concern in this important matter.

Sincerely,

Sumit Walia

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 4:46 pm, Feb 09, 2024

From: lepardlvr8@aol.com <lepardlvr8@aol.com>

Sent: Friday, February 9, 2024 12:46 PM

To: City Clerk Email <CityClerk@okc.gov>; DS, Subdivision and Zoning <Subdivisionandzoning@okc.gov>

Cc: jkwor225@gmail.com

Subject: Protest to PUD-1979: 3261 NW 150th St

You don't often get email from lepardlvr8@aol.com. [Learn why this is important](#)

My name is Susan Emrich and I am Trustee of the Susan E Emrich Trust that owns residential property at 3001 Via Esperanza in the Esperanza Subdivision. I am protesting PUD-1979 as it is currently written and proposed. The current proposed PUD-1079 is not compatible for the surrounding area of 3261 NW 150th Street for the following reasons and I request the City Council to deny the PUD-1979 as it is currently proposed:

1. I-2 industrial uses should be not be allowed. Industrial uses, including outdoor industrial operations and storage (both allowed in I-2), are not compatible with multi-family residential use, proposed to be permitted under the PUD.
2. The access street to serve the Subject Property should be separated from the east boundary (with Esperanza) by not less than 200 feet. To allow the access street for the apartment complex and the industrial uses to the north to be located directly adjacent to the fence lines of homes in Esperanza would adversely impact the residents and the neighborhood.
3. In order to allow a meaningful transition between the proposed apartment development and the Esperanza neighborhood, building height for the Subject Property should be limited to 2 stories and 30 feet within 200 feet of the boundary of the Esperanza neighborhood.
4. Maintain a 100 foot building setback along the east boundary of the Subject Property.
5. Require sight-proof screening to consist of a minimum 10-foot high masonry wall along the entire east boundary of the Subject Property.
6. Require the exterior building wall finish on all structures to consist of a minimum of 70% brick veneer, masonry, rock or stone.
7. Require a maximum density for residential use of 12 dwelling units per acre.
8. Require dumpster enclosures to be separated from the east boundary of the Subject Property by not less than 200 feet and to be fully sight-proof screened with a minimum 8 foot high brick, masonry or stone veneer wall on three sides, and an 8 foot high sight proof gate on the 4th side. Also, restrict trash collection to reasonable daytime hours.

9. Require installation of left turn lanes for east-bound traffic on NW 150th St. at the entrances to the Subject Property.

10. Require installation of deceleration lanes for west-bound traffic on NW 150th St. at the entrances to the Subject Property.

Thank you,
Susan E Emrich

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 3:16 pm, Feb 08, 2024

From: Tracey Wills <twills@thewillsgroup.com>

Sent: Thursday, February 8, 2024 12:07 PM

To: DS, Subdivision and Zoning <Subdivisionandzoning@okc.gov>; City Clerk Email <CityClerk@okc.gov>

Cc: JR & Susan Emrich JR & Susan Emrich <jremrich@reeroofamerica.com>; jwork225@gmail.com

Subject: Protest to PUD-1979; located at 3261 NW 150th St." and "I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024

You don't often get email from twills@thewillsgroup.com. [Learn why this is important](#)

WARNING: The sender of this email could not be validated and may not match the person in the "From" field..

OKC Planning Department and City Clerk,

This is a written protest to PUD-1979; located at 3261 NW 150th St. I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024. I Tracey Wills, Managing Member of WE150th, LLC, is the adjacent property owner (UNPLTD PT SEC 01 13N 4W) and within 300 feet of the proposed project and **do not support** the building project on 3261 NW 150th. We strongly urge you to reconsider this proposed development.

Thank you for your attention to this matter.

Sincerely,

Tracey L. Wills, Managing Member
WE150th, LLC
2944 Via Esperanza
Edmond, Oklahoma 73013

405.833.4848 -mobile

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 3:16 pm, Feb 08, 2024

From: Jeff Wills <jwills@thewillsgroup.com>

Sent: Thursday, February 8, 2024 11:57 AM

To: City Clerk Email <CityClerk@okc.gov>

Cc: JR Emrich <jremrich@reeroofamerica.com>; jkwor225@gmail.com

Subject: Protest to PUD-1979; located at 3261 NW 150th St." and "I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024

You don't often get email from jwills@thewillsgroup.com. [Learn why this is important](#)

WARNING: The sender of this email could not be validated and may not match the person in the "From" field..

OKC Planning Department and City Clerk,

This is a written protest to PUD-1979; located at 3261 NW 150th St. I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024. I Tracey Wills, Managing Member of WE150th, LLC, is the adjacent property owner (UNPLTD PT SEC 01 13N 4W) and within 300 feet of the proposed project and **do not support** the building project on 3261 NW 150th. We strongly urge you to reconsider this proposed development.

Thank you for your attention to this matter.

Sincerely,

Tracey L. Wills, Managing Member
WE150th, LLC
2944 Via Esperanza
Edmond, Oklahoma 73013

405.833.4848 -mobile

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 3:16 pm, Feb 08, 2024

From: Jeff Wills <jwills@thewillsgroup.com>

Sent: Thursday, February 8, 2024 11:56 AM

To: City Clerk Email <CityClerk@okc.gov>

Cc: JR Emrich <jremrich@reeroofamerica.com>; jwork225@gmail.com

Subject: Protest to PUD-1979; located at 3261 NW 150th St." and "I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024"

You don't often get email from jwills@thewillsgroup.com. [Learn why this is important](#)

WARNING: The sender of this email could not be validated and may not match the person in the "From" field..

OKC Planning Department and City Clerk,

This is a written protest to PUD-1979; located at 3261 NW 150th St. I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024. I Jeff Wills, trustee of the Jeff Wills Living Trust, is the homeowner in the Via Esperanza neighborhood located at 3148 Via Esperanza and **do not support** the building project on 3261 NW 150th. We strongly urge you to reconsider this proposed development.

Thank you for your attention to this matter.

Sincerely,

Jeff Wills, Trustee
Jeff M. Wills Living Trust
3148 Via Esperanza
Edmond, Oklahoma 73013

405.409.1303-mobile

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 4:38 pm, Mar 14, 2024

From: Viral Doshi <viralkdoshi@gmail.com>

Sent: Wednesday, March 13, 2024 6:54 PM

To: City Clerk Email <CityClerk@okc.gov>

Subject: I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024

You don't often get email from viralkdoshi@gmail.com. [Learn why this is important](#)

To,
City Clerk

Subject: To protect against PUD-1979

Name: Viral Doshi & Gargi Shah

We are the the owner of 3248 Via Esperanza, Edmond, OK 73013 where we are building our residence currently.

Our property is located within 300 feet of the West boundary of the proposed development and very close to the proposed entry way to the proposed development property. This project will cause significant issues with safety and privacy as it is very close from the west boundary of the esperanza. Even if the development is allowed, there should be more distance from the west boundary and at least 10 feet boundary wall and they should be limited to only 2 story construction to decrease the density.

We would sincerely appreciate your help.

--

Regards,
Viral Doshi & Gargi Shah

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 2:38 pm, Jan 10, 2024

From: David Freymiller <david@freymiller.com>
Sent: Wednesday, January 10, 2024 1:51 PM
To: City Clerk Email <CityClerk@okc.gov>
Subject: PUD 1979

You don't often get email from david@freymiller.com. [Learn why this is important](#)

My name is David Freymiller and I live at 3237 Via Esperanza Edmond OK 73013. I would like to file a protest to this application for a Zoning change that is to be voted on January 30th. The current site plan shown on PUD 1979 shows that the apartment main driveway is within 15 feet of our west fence line, so the noise from the traffic will be bad. I'm also opposed to a 3 story, high density apartment complex within a few feet of our boundary. With 3 story apartments so close to the boundary it will take away any privacy we have now. Please consider these arguments and I ask to put yourself in our shoes on how this would affect you. Thank you for your time and consideration of this matter.

David Freymiller
President/CEO

D&M Carriers, LLC dba Freymiller
Direct Line: 405-792-8001
Direct Fax: 405-792-8301
david@freymiller.com



RECEIVED

By The City of Oklahoma City Office of the City Clerk at 4:55 pm, Feb 02, 2024

From: David Freymiller <david@freymiller.com>

Sent: Friday, February 2, 2024 4:35 PM

To: City Clerk Email <CityClerk@okc.gov>; DS, Subdivision and Zoning <Subdivisionandzoning@okc.gov>

Subject: Protest To PUD 1979 Located at 3261 NW 150th St

Some people who received this message don't often get email from david@freymiller.com. [Learn why this is important](#)

My name is David Freymiller and I live at 3237 Via Esperanza Edmond OK 73013. I am a trustee of the Freymiller Family trust that owns the property. Our home is located approximately 300 feet from the East property line for 3261 NW 150th Street. I want to state my protest and opposition to PUD-1979, located at 3621 NW 150th street currently set for hearing on March 12th, 2024. Thank you for your time and consideration of this matter.

David Freymiller

President/CEO

D&M Carriers, LLC dba Freymiller

Direct Line: 405-792-8001

Direct Fax: 405-792-8301

david@freymiller.com



RECEIVED

By The City of Oklahoma City Office of the City Clerk at 8:08 am, Feb 05, 2024

From: [Simpson, Amy K](#)
To: [Hurst, Paula J](#); [Smiley, Dena L](#)
Subject: FW: Protest To PUD 1979 Located at 3261 NW 150th St
Date: Monday, February 5, 2024 7:23:24 AM
Attachments: [image001.png](#)

From: Martin, Debi A <Debi.Martin@okc.gov> **On Behalf Of** Ward5
Sent: Sunday, February 4, 2024 6:21 AM
To: David Freymiller <david@freymiller.com>
Cc: City Clerk Email <CityClerk@okc.gov>
Subject: RE: Protest To PUD 1979 Located at 3261 NW 150th St

Amy, please record this email as a protest to this PUD.

Thanks
Debi Martin

From: David Freymiller <david@freymiller.com>
Sent: Friday, February 2, 2024 5:24 PM
To: Ward1 <ward1@okc.gov>; Ward2 <ward2@okc.gov>; Ward3 <ward3@okc.gov>; Ward4 <ward4@okc.gov>; Ward5 <ward5@okc.gov>; Ward6 <ward6@okc.gov>; Ward7 <ward7@okc.gov>; Ward8 <ward8@okc.gov>; mayor@okc.gov
Subject: Protest To PUD 1979 Located at 3261 NW 150th St

Some people who received this message don't often get email from david@freymiller.com. [Learn why this is important](#)

My name is David Freymiller and I live at 3237 Via Esperanza Edmond OK 73013. I am a trustee of the Freymiller Family trust that owns the property. Our home is located approximately 300 feet from the East property line for 3261 NW 150th Street. I want to state my protest and opposition to PUD-1979, located at 3621 NW 150th street currently set for hearing on March 12th, 2024. I have included below my reasons for this protest. Thank you for your time and consideration of this matter.

1. I-2 industrial uses should be not be allowed. Industrial uses, including outdoor industrial operations and storage (both allowed in I-2), are not compatible with multi-family residential use, proposed to be permitted under the PUD.
2. The access street to serve the Subject Property should be separated from the east boundary (with Esperanza) by not less than 200 feet. To allow the access street for the apartment complex and the industrial uses to the north to be located directly adjacent to the fence lines of homes in Esperanza would adversely impact the residents and the neighborhood.
3. In order to allow a meaningful transition between the proposed apartment development and the Esperanza neighborhood, building height for the Subject Property should be limited to 2 stories within 200 feet of the boundary of the Esperanza neighborhood.
4. Maintain a 100 foot building setback along the east boundary of the Subject Property.

5. Require a minimum 10-foot high masonry wall along the entire east boundary of the Subject Property for privacy.

David Freymiller
President/CEO

D&M Carriers, LLC dba Freymiller

Direct Line: 405-792-8001

Direct Fax: 405-792-8301

david@freymiller.com



From: George Browning <george.browning@elksupply.com>
Sent: Tuesday, February 27, 2024 10:48 AM
To: City Clerk Email <CityClerk@okc.gov>
Subject: Protest to PUD-1979; located at 3261 NW 150th Street

2024 FEB 27 PM 12:27
OKLAHOMA CITY CLERK

You don't often get email from george.browning@elksupply.com. [Learn why this is important](#)

To Whom it may concern:

This email is in regards to "Protest to PUD-1979; located at 3261 NW 150th Street."

My name and address: George & Ana Browning, 3012 Via Esperanza, Edmond OK 73013

Property protesting name: George B Browning Trust 3012 Via Esperanza, Edmond OK 73013

I would like to state my protest and opposition to PUD-1979, located at 3261 NW 150th Street, currently set for hearing on March 12, 2024.

Protest to PUD-1979: 3261 NW 150th Street

1. I-2 Industrial uses should not be allowed. Industrial uses, including outdoor industrial operation and storage (both allowed in I-2), are not compatible with multi-family residential use, proposed to be permitted under the PUD.
2. The access street to serve the Subject Property should be separated from the east boundary (with Esperanza) by not less than 200 feet. To allow the access street for the apartment complex and the industrial uses to the north to be located directly adjacent to the fence lines of homes in Esperanza would adversely impact the residents and the neighborhood.
3. In order to allow a meaningful transition between the proposed apartment development and the Esperanza neighborhood, building height for the Subject Property should be limited to 2 stories and 30' feet within 200' feet of the boundary of the Esperanza neighborhood.
4. Maintain a 100' foot building setback along the east boundary of the Subject Property.
5. Require sight-proof screening to consist of minimum 10' foot high masonry wall along the entire east boundary of Subject Property.
6. Require the exterior building wall finish on all structures to consist of minimum of 70% brick veneer, masonry, rock or stone.
7. Require a maximum density for residential use of 12 dwelling units per acre.
8. Require dumpster enclosures to be separated from the east boundary of the Subject Property by not less than 200' feet and to be fully sight-proof screened with a minimum 8' foot high brick, masonry, or stone veneer wall on three sides, and an 8' foot high sight proof gate on the 4th side. Also, restrict trash collection to reasonable daytime hours.
9. Require installation of left turn lanes for east-bound traffic on NW 150th Street at the entrances to the Subject Property.
10. Require installation of deceleration lanes for west-bound traffic on NW 150th Street at the entrances to the Subject Property.

Sincerely,

George B. Browning

RECEIVED

By The City of Oklahoma City Office of the City Clerk at 8:00 am, Feb 05, 2024

Hurst, Paula J

From: Simpson, Amy K
Sent: Monday, February 5, 2024 7:23 AM
To: Hurst, Paula J; Smiley, Dena L
Subject: FW: Protest to PUD-1979 at 3261 NW 150th We wish to state our protest to PUD-1979, set for hearing March 12, 2024.

From: James Seikel <jlseikel@gmail.com>
Sent: Sunday, February 4, 2024 5:39 PM
To: City Clerk Email <CityClerk@okc.gov>
Subject: Protest to PUD-1979 at 3261 NW 150th We wish to state our protest to PUD-1979, set for hearing March 12, 2024.

You don't often get email from jlseikel@gmail.com. [Learn why this is important](#)

James & Donna Seikel, trustee's of the property located at 15401 Via Serena, Edmond, Ok 73013, which is within 300 feet and adjacent to the PUD-1979 property line, wish to give notice of our objection and opposition to proposed /preliminary plat plan set for hearing March 12, 2024.

Hurst, Paula J**Subject:** FW: Protest to PUD-1979; located at 3261 NW 150th St**From:** Sumit A. Walia <sumitokc@gmail.com>**Sent:** Sunday, February 25, 2024 7:01 PM**To:** DS, Subdivision and Zoning <Subdivisionandzoning@okc.gov>**Cc:** City Clerk Email <CityClerk@okc.gov>; Ward8 <ward8@okc.gov>; Ward1 <ward1@okc.gov>; Ward2 <ward2@okc.gov>; Ward3 <ward3@okc.gov>; Ward4 <ward4@okc.gov>; Ward5 <ward5@okc.gov>; Ward6 <ward6@okc.gov>; Ward7 <ward7@okc.gov>; The Mayor <mayor@okc.gov>**Subject:** Protest to PUD-1979; located at 3261 NW 150th St

Some people who received this message don't often get email from sumitokc@gmail.com. [Learn why this is important](#)

Protest to PUD-1979; located at 3261 NW 150th St. I want to state my protest and opposition to PUD-1979, located at 3261 NW 150th St, currently set for hearing on March 12, 2024.

My name is Sumit Walia and I reside a 15413 Via Serena, Edmond OK 73013. My property is directly adjacent to the property of proposed PUD-1979. I am opposed to PUD-1979. I am concerned that at present, the proposal will be detrimental to the locality and constituents of the area. Below I have listed items of which would be addressed by the

1. I-2 industrial uses should be not be allowed. Industrial uses, including outdoor industrial operations and storage (both allowed in I-2), are not compatible with multi-family residential use, proposed to be permitted under the PUD.

2. The access street to serve the Subject Property should be separated from the east boundary (with Esperanza) by not less than 200 feet. To allow the access street for the apartment complex and the industrial uses to the north to be located directly adjacent to the fence lines of homes in Esperanza would adversely impact the residents and the neighborhood.

3. In order to allow a meaningful transition between the proposed apartment development and the Esperanza neighborhood, building height for the Subject Property should be limited to 2 stories and 30 feet within 200 feet of the boundary of the Esperanza neighborhood.

4. Maintain a 100 foot building setback along the east boundary of the Subject Property.

5. Require sight-proof screening to consist of a minimum 10-foot high masonry wall along the entire east boundary of the Subject Property.

6. Require the exterior building wall finish on all structures to consist of a minimum of 70% brick veneer, masonry, rock or stone.

7. Require a maximum density for residential use of 12 dwelling units per acre.
8. Require dumpster enclosures to be separated from the east boundary of the Subject Property by not less than 200 feet and to be fully sight-proof screened with a minimum 8 foot high brick, masonry or stone veneer wall on three sides, and an 8 foot high sight proof gate on the 4th side. Also, restrict trash collection to reasonable daytime hours.
9. Require installation of left turn lanes for east-bound traffic on NW 150th St. at the entrances to the Subject Property.
10. Require installation of deceleration lanes for west-bound traffic on NW 150th St. at the entrances to the Subject Property