



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>

Staff Use Only:	PUD 1971
Case No.: PUD	9 / 14 / 23
File Date:	W4
Ward No.:	===
Nbhd. Assoc.:	MID DEL CITY
School District:	RA
Extg Zoning:	
Overlay:	

APPLICATION FOR PUD ReZONING

Planned Unit Development District

The Preserve Farmers Market
 Name of Development or Applicant

14924 SE 104th Street
 Address / Location of Property (Provide County name & parcel no. if unknown)

5.47 acres
 ReZoning Area (Acres or Square Feet)

Rural commercial development and temporary farmers market
 Summary Purpose Statement / Proposed Development

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 \$2700.00 must be remitted within One (1) business day of submittal confirmation. (Online payment preferred.)

Property Owner Information (if other than Applicant):

Hiwassee80 LLC
Name

9808 S. Sunnyslane Rd
Mailing Address

OKC, OK 73165
City, State, Zip Code

Phone

Email


Signature of Applicant

Grubbs Consulting, LLC
Applicant's Name (please print)

1800 S. Sara Road
Applicant's Mailing Address

Yukon, OK 73099
City, State, Zip Code

405-265-0641
Phone

mark.grubbs@gc-okc.com
Email

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

Exhibit "A"

LEGAL DESCRIPTION

The Preserve Outparcel
SE 104th Street and Choctaw Road
City of Oklahoma City, Oklahoma County, Oklahoma

August 23, 2023

A tract of land lying in the Northeast Quarter (NE/4) of Section 11, Township 10 North, Range 1 West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, more particularly described as follows:

BEGINNING at the Northeast corner of said Northeast Quarter (NE/4);

THENCE South 00°07'00" East, along the East line of said Northeast Quarter (NE/4), a distance of 468.55 feet;

THENCE South 89°47'44" West, a distance of 508.46 feet;

THENCE North 00°00'09" East, a distance of 470.39 feet;

THENCE South 89°59'51" East, along the North line of said Northeast Quarter (NE/4), a distance of 507.49 feet to the **POINT OF BEGINNING**;

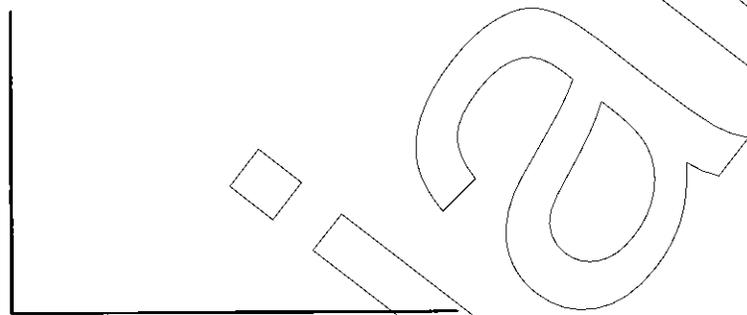
Said tract of land containing 238,479 square feet or 5.4747 acres, more or less.

The basis of bearing for the above-described tract of land is the North line of said Northeast Quarter (NE/4) having a platted bearing of South 89°59'51" East.



WARRANTY DEED

Statutory Form Individual



Know All Men by These Presents:

THAT, The Walker Family 1993 Revocable Trust Dated April 7th, 1993, party of the first part, in consideration of the sum of TEN and No/100 (\$10.00) and other valuable considerations in hand paid, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and convey unto Hiwasee90, LLC party of the second part, the following described real property and premises situate in Cleveland County, State of Oklahoma, to wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION
LESS AND EXCEPT ALL OIL, GAS AND OTHER MINERALS IN AND UNDER THE LAND

TAX ID No.: 73343

Grantee's Mailing Address: P.O. Box 30057
EDMOND, OK 73003

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 party of the second part, its heirs and assigns forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature. SUBJECT to existing zoning, easements, right-of-ways and restrictive covenants of record.

Signed and delivered this 7th day of February, 2018

THE WALKER FAMILY 1993 REVOCABLE TRUST
DATED APRIL 7TH, 1993

Wanda Brown
Wanda Brown
Successor Trustee

01043-59479 mwl
Doc Stamps: \$1275.00
INDIVIDUAL ACKNOWLEDGMENT

State of Oklahoma
County of

Before me, the undersigned, a Notary Public in and for said County and State on this 17th day of February, 2018, personally appeared Wanda Brown, Successor Trustee of The Walker Family 1993 Revocable Trust Dated April 7th, 1993, to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that same was executed as the free and voluntary act and deed of said person(s) for the uses and purposes therein set forth.

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

Thelma Holland
Commission Expires: 07/17/2021

RETURN TO:
Stewart Title of Oklahoma, Inc.
701 N. Broadway, Suite 300
Oklahoma City, OK 73102 A



\$1275

2/15

**EXHIBIT "A"
LEGAL DESCRIPTION**

Tract 1:

The Northeast Quarter (NE/4) of Section Eleven (11), Township Ten (10) North, Range One (1) West of the Indian Meridian, Cleveland County, Oklahoma:

AND

Tract 2:

A part of the Southeast Quarter (SE/4) of Section Eleven (11), Township Ten (10) North, Range One (1) West of the Indian Meridian, Cleveland County, Oklahoma, more particularly described as follows:

Beginning at the Northeast corner of said Southeast Quarter;

Thence Westerly along the North boundary line of said Southeast Quarter a distance of 2618.32 feet to the center of said Southeast Quarter;

Thence Southerly along the West line of said Southeast Quarter a distance of 25.6 feet;

Thence Easterly to the East line of said Southeast Quarter;

Thence Northerly along the East line of the Southeast Quarter a distance of 18.9 feet to the point of beginning.

LESS AND EXCEPT ALL OIL, GAS AND OTHER MINERALS IN AND UNDER THE LAND

Hiwassee80, LLC
9808 S. Sunnyslane Road
Oklahoma City, OK 73165

August 3, 2021

City of Oklahoma City
Planning & Zoning Department
420 W. Main Street, 9th Floor
Oklahoma City, OK 73102

**RE: Letter of Authorization for Rezoning and Platting Property at the southwest corner
of SE 104th Street and Choctaw Road**

To Whom It May Concern:

I hereby authorize Grubbs Consulting, LLC and/or David M. Box with Williams, Box, Forshee & Bullard to act as agents on my behalf in the preparation, filing and representation of the rezoning and platting applications described above to the City of Oklahoma City.

Respectfully Submitted,



Seth Koenig
Hiwassee80, LLC

Ownership List Certificate

)

State of Oklahoma
County of Cleveland) SS

The undersigned bonded abstractor does hereby certify that the foregoing list of names represents the grantees shown in the most recent conveyances of record. The abstractor does not guarantee the validity of the title of such parties and this instrument is not intended to guarantee title thereto. These conveyances are shown of record in the office of the County Clerk, Cleveland County, Oklahoma together with the legal description and mailing addresses as shown by the County Assessor of each of the following parcels of land:

A 300 ft radius of property owners surrounding the following described property, to wit:

Exhibit "A"

LEGAL DESCRIPTION

The Preserve Outparcel
SE 104th Street and Choctaw Road
City of Oklahoma City, Oklahoma County, Oklahoma

August 23, 2023

A tract of land lying in the Northeast Quarter (NE/4) of Section 11, Township 10 North, Range 1 West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, more particularly described as follows:

BEGINNING at the Northeast corner of said Northeast Quarter (NE/4);

THENCE South 00°07'00" East, along the East line of said Northeast Quarter (NE/4), a distance of 468.55 feet;

THENCE South 89°47'44" West, a distance of 508.46 feet;

THENCE North 00°00'09" East, a distance of 470.39 feet;

THENCE South 89°59'51" East, along the North line of said Northeast Quarter (NE/4), a distance of 507.49 feet to the **POINT OF BEGINNING**;

Said tract of land containing 238,479 square feet or 5.4747 acres, more or less.

The basis of bearing for the above-described tract of land is the North line of said Northeast Quarter (NE/4) having a platted bearing of South 89°59'51" East.

In witness whereof, Chicago Title Oklahoma Co., has caused by these Presents to be executed by its Vice-President and its Corporate Seal affixed.

EXECUTED at Oklahoma City, Oklahoma, August 21, 2023 at 7:30 A.M.

Chicago Title Oklahoma Co.

By: *Charles Francis*

Vice President, Charles Francis

Date Prepared: August 25, 2023

Order Number: 710512302062



**OWNERSHIP LIST
PREPARED BY CHICAGO TITLE OKLAHOMA**

1. **Account #** 73343
Legal Description: 11-10-1W 160 AC ALL NE/4 & PRT SE/4 BG NE/C SE/4 W ON N LINE 2618.32 S ON W LIN25.6 THN E TO E LINE N 18.9 POB PER SURV
Property Address: 14624 SE 104th St.
Owner: Hiwassee80, LLC
Mailing Address: PO BOX 15329, Del City, OK 73155
2. **Account #** 93422
Legal Description: 2-10-1W 5.20 AC LT 25 LIBERTY CREEK SUR AKA PRT E/2 SW/4 BEG 250.01`W SE/C SW/4 W250.01` N905.99` E250.01` S905.99` POB
Property Address: 14401 SE 104th St.
Owner: Timothy A & Karla F Boyster
Mailing Address: 14401 SE 104TH St., Oklahoma City, OK 73165
3. **Account #** 93153
Legal Description: 2-10-1W 5.20 AC PRT E/2 SW/4 BEG SE/C W250.01` N905.99` E250.01` S905.99` POB AKA TRACT 26 LIBERTY CREEK SUR
Property Address: 14401 SE 104th St.
Owner: Steven V & Cherie Flanary
Mailing Address: 14425 SE 104th St., Oklahoma City, OK 73165
4. **Account #** 193706
Legal Description: 2-10-1W 22.13 AC PRT SE/4 BEG SW/C SE/4 E659.28` N1797.40` W656.28` S1796.80` POB LESS PRT SE/4 BEG 656.28`E SE/C TR 1 N1000` W159.7` S764.6`W233` SW`LY 234.8` ER`LY 433.9` POB AKA TR 1
Property Address: 14515 SE 104th St.
Owner: Donna Strickland Trust
Mailing Address: 14515 SE 14th St., Oklahoma City, OK 73165
5. **Account #** 193707
Legal Description: 2-10-1W 5.01 AC PRT SE/4 BEG 656.28`E SE/C TR 1 N1000` W159.7` S764.6`W233` SW`LY 234.8` ER`LY 433.9` POB AKA TR 2
Property Address: SE 104th St.
Owner: Donna Strickland Trust
Mailing Address: 14515 SE 14th St., Oklahoma City, OK 73165
6. **Account #** 73068
Legal Description: 2-10-1W 13.52 AC PRT SE/4 BEG E656.28 SW/C SE/4 N1797.40 E327.51 S1797.40 W327.71 POB
Property Address: 14625 SE 104th St.
Owner: Luther J Strickland MD
Mailing Address: 14625 SE 104th St., Oklahoma City, OK 73165
7. **Account #** 73069
Legal Description: 2-10-1W 13.52 AC PRT SE/4 BEG E983.99 SW/C N1797.71 E327.51 S1798.01 W327.71 POB
Property Address: 14701 SE 104th St.
Owner: Jennifer Coker
Mailing Address: 14701 SE 104th St., Choctaw, OK 73020

8. **Account #** 154191
Legal Description: 2-10-1W 5 AC PRT SE/4 BEG 1311.70`E SW/C SE/4 N1221.95` E152.54` S677` E152.54` E65` S444.98` W40` S100` W177.71` POB
Property Address: 14815 SE 104th St.
Owner: Melissa D Boyle
Mailing Address: 14721 SE 104th St., Choctaw, OK 73020
9. **Account #** 154190
Legal Description: 2-10-1W 7.02 AC PRT SE/4 BEG 1489.41`E SW/C SE/4 N100` E40` N444.98` W65` N677` W152.54` N576.06` E187.95` S468.17` E139.56` S1330.14` W150` POB
Property Address: 14721 SE 104th St.
Owner: Melissa D Boyle
Mailing Address: 14721 SE 104th St., Choctaw, OK 73020
10. **Account #** 131022
Legal Description: 2 10 1W 5AC PRT SE/4 BEG 1639.41`E SW/C SE/4 N664.77` E327.63` S664.77` W327.71` POB LESS E50` R/E
Property Address: 14817 SE 104th St.
Owner: William C & Donna R Boyle
Mailing Address: 14817 SE 104th St., Choctaw, OK 73020
11. **Account #** 187420
Legal Description: 2-10-1W 7.79 AC PRT SE/4 BEG 350`W SE/C SE/4 W306.01` N657.68` E655.55` S383.61` W350` S275` POB
Property Address: 14833 SE 104th St.
Owner: Shirley E Madden
Mailing Address: 14833 SE 104th St., Choctaw, OK 73020
12. **Account #** 187421
Legal Description: 2-10-1W 2.21 AC PRT SE/4 BEG SE/C SE/4 W350` N275`E350` S275` POB
Property Address: 14900 SE 104th St.
Owner: Surendra Kumar
Mailing Address: 4725 Lamar Ave., Mission, KS 66202
13. **Account #** 191109
Legal Description: 1-10-1W 5.01 AC PRT W/2 SW/4 & GOVT LTS 8 & 9 SW/C SW/4 N467.50` E467.50` S467.50` W467.50` POB Tract 4
Property Address: S Choctaw Road
Owner: Chelsea M & Jordon L Sexton
Mailing Address: 10322 S Choctaw Road, Choctaw, OK 73020
14. **Account #** 53111
Legal Description: 12-10-1W 5+AC PRT NW1/4 BEG NW/C NW1/4 E 326.25` S 660` W 326.12` N 660` TO BEG
Property Address: 10700 S Choctaw Road
Owner: B & J Leasing Co.
Mailing Address: PO BOX 96768, Oklahoma City, OK 73143
15. **Account #** 53113
Legal Description: 12-10-1W 5 AC PRT W/2 NW/4 BEG 660`S NW/C NW/4 S329.76` E656.05` N329.83` W656.12` POB
Property Address: N/A
Owner: B & J Leasing Co.
Mailing Address: PO BOX 96768, Oklahoma City, OK 73143

16. **Account #** 73370
Legal Description: 12-10-1W 19.86 AC PRT NW/4 BEG S989.76` NW/C NW/4 E1312.10` S989.66` W655.84` N659.66` W655.98` N329.76` POB
Property Address: N/A
Owner: David Lynn Mains Revocable Trust
Mailing Address: 10900 S Choctaw Rd., Newalla, OK 74857
17. **Account #** 73367
Legal Description: 12-10-1W 9.93 AC PRT NW/4 BEG 1319.52`S NW/C S659.52` E655.84` N659.66` W655.98 POB WEST TR
Property Address: 10900 S Choctaw Rd.
Owner: David Lynn Mains Revocable Trust
Mailing Address: 10900 S Choctaw Rd., Newalla, OK 74857
18. **Account #** 53114
Legal Description: 12-10-1W 5 AC N/2 SW/4 SW/4 NW/4
Property Address: 11100 S Choctaw Rd.
Owner: Kathryn F Baker
Mailing Address: 11100 S Choctaw Rd., Newalla, OK 74857
19. **Account #** 173136
Legal Description: 12-10-1W 5.04 AC PRT W/2 NW/4 BEG 2308.80`S NW/C NW/4 S329.75` E655.70` E10` N329.81` W665.77` POB
Property Address: 11220 S Choctaw Rd.
Owner: Burton Trust
Mailing Address: 11220 S Choctaw Rd., Choctaw, OK 73020
20. **Account #** 158183
Legal Description: EQUINE HAVEN LOT 1 BLOCK 1
Property Address: 15001 SE 113th St.
Owner: Rosemarie Pelfrey Revocable Trust
Mailing Address: 4000 Tinker Diagonal, Del City, OK 73115
21. **Account #** 158182
Legal Description: EQUINE HAVEN PRIVATE STREETS
Property Address: N/A
Owner: Rosemarie Pelfrey Revocable Trust
Mailing Address: 4000 Tinker Diagonal, Del City, OK 73115
22. **Account #** 131319
Legal Description: 11-10-1W 63.87AC PRT SE/4 BEG 1648.53`N SE/C SE/4 W654.52` S228.14` S 90D W1960.27` N1190.17` E2614.10` S298.70` W654.57` S361.19` E654.55` S329.70` POB
Property Address: N/A
Owner: Schartz Family Trust
Mailing Address: 11401 S Choctaw Rd., Newalla, OK 74857
23. **Account #** 192835
Legal Description: 11-10-1W 19.5186 AC PRT SW/4 BEG 333.52`S NW/C E1306.17' N332.22' E1301.87' S330.90' W1227.90' S308.38' W1330.59' N125' W50' N181.69' POB
Property Address: 11440 S Henney Rd.
Owner: Bruce Wayne Tripp
Mailing Address: 11440 S Henney Rd., Oklahoma City, OK 73165

24. **Account #** 53174
Legal Description: CREEK WOOD EST LOT 1 BLK 3
Property Address: 14420 SE 111th St.
Owner: Holly & Jay L Brinsfield
Mailing Address: 14420 SE 111th St., Oklahoma City, OK 73165
25. **Account #** 53180
Legal Description: CREEK WOOD EST LOT 3 BLK 4
Property Address: 11017 Creekvale
Owner: Keith A Rainbow
Mailing Address: 11017 Creekvale Rd., Oklahoma City, OK 73165
26. **Account #** 53173
Legal Description: CREEK WOOD EST LOT 8 BLK 2
Property Address: 11100 Creekvale Rd.
Owner: Hiwassee 80 LLC
Mailing Address: PO BOX 15329, Del City, OK 73155
27. **Account #** 53172
Legal Description: CREEK WOOD EST LOT 7 BLK 2
Property Address: 11004 Creekvale Rd.
Owner: N Jack & Pamela Gail Hayes
Mailing Address: 11004 Creekvale Rd., Oklahoma City, OK 73165
28. **Account #** 53171
Legal Description: CREEK WOOD EST LOT 6 BLK 2
Property Address: 10908 Creekvale Rd.
Owner: Janet Clifton
Mailing Address: 10908 Creekvale Rd., Oklahoma City, OK 73165
29. **Account #** 53170
Legal Description: CREEK WOOD EST LOT 5 BLK 2
Property Address: 10816 Creekvale Rd.
Owner: James L & Kimberly G Knutson
Mailing Address: 10816 Creekvale Rd. , Oklahoma City, OK 73165
30. **Account #** 53169
Legal Description: CREEK WOOD EST LOT 4 BLK 2
Property Address: 10724 Creekvale Rd.
Owner: Robert Krueger Living Trust
Mailing Address: 10724 Creekvale Rd., Oklahoma City, OK 73165
31. **Account #** 53168
Legal Description: CREEK WOOD EST LOT 3 BLK 2
Property Address: 10708 Creekvale Rd.
Owner: James Evan & Jacquelyn R Swenson
Mailing Address: 10708 Creekvale Rd., Oklahoma City, OK 73165
32. **Account #** 187848
Legal Description: CREEK WOOD EST LOTS 1 & 2 BLK 2
Property Address: 10600 Creekvale Rd.
Owner: Greg Harding
Mailing Address: 10600 Creekvale Rd., Oklahoma City, OK 73165

33. **Account #** 53163
Legal Description: CREEK WOOD EST LOT 1 BLK 1
Property Address: 14440 SE 104th St.
Owner: James & Chantry Oxner
Mailing Address: 14440 SE 104th St., Oklahoma City, OK 73165

Ownership List

A list of property owners within 300' the following described property to-wit:

Exhibit "A"

LEGAL DESCRIPTION

The Preserve Outparcel
SE 104th Street and Choctaw Road
City of Oklahoma City, Oklahoma County, Oklahoma

August 23, 2023

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THENCE South 00°07'00" East, along the East line of said Northeast Quarter (NE/4), a distance of 468.55 feet;

THENCE South 89°47'44" West, a distance of 508.46 feet;

THENCE North 00°00'09" East, a distance of 470.39 feet;

THENCE South 89°59'51" East, along the North line of said Northeast Quarter (NE/4), a distance of 507.49 feet to the **POINT OF BEGINNING**;

Said tract of land containing 238,479 square feet or 5.4747 acres, more or less.

The basis of bearing for the above-described tract of land is the North line of said Northeast Quarter (NE/4) having a platted bearing of South 89°59'51" East.

PLANNED UNIT DEVELOPMENT

DESIGN STATEMENT

PUD-

The Preserve Farmers Market

~~August 24, 2023~~

September 13, 2023

PREPARED FOR:

**Hiwassee80, LLC
9808 S. Sunnyslane Road
Oklahoma City, OK 73165**

PREPARED BY:

**Grubbs Consulting LLC
1800 S. Sara Road
Yukon, OK 73099
Phone: (405) 265-0641
mark.grubbs@gc-okc.com**

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SECTION 1.0 INTRODUCTION

This Planned Unit Development consists of 5.47 acres and is located in the Northeast Quarter of Section 11, Township 10 North, Range 1 West of the Indian Meridian, Cleveland County, Oklahoma. The subject site is located at the southwest corner of SE 104th Street and Choctaw Road.

SECTION 2.0 LEGAL DESCRIPTION

The legal description of the property is described in Exhibit A, attached, and made a part of this Design Statement.

SECTION 3.0 OWNER/DEVELOPER

The developer and owner of this property is Hiwassee80, LLC.

SECTION 4.0 SITE AND SURROUNDING AREA

The subject property is zoned RA Single Family One Acre Rural Residential and is vacant. Surrounding properties are zoned and used for:

North: SPUD-1075 (RC)/retail commercial store

East: AA/residence

South: RA/vacant

West: RA/residence

SECTION 5.0 PHYSICAL CHARACTERISTICS

The elevation of the subject property ranges from 1160 feet along the west boundary to 1135 feet along the east. The property is higher in the west and drains easterly toward Choctaw Road. There is dense tree cover along the west and south boundaries of the property. This property is in the North Canadian River drainage basin.

SECTION 6.0 CONCEPT

The concept for this PUD is to provide a farmers market for neighborhoods in the area that will offer agricultural products such as fruits, vegetables and plants cultivated within the metropolitan area.

6.1 DEVELOPMENT AND SUBDIVISION VARIATIONS

The following represents variations to the RC base zoning district and other regulations of the Oklahoma City Zoning Ordinance, 2020, as amended:

- **Section 59-6200.2 Table 6200.1** The Food and Beverage Retail Sales use (8300.41), Outdoor Sales and Display, and Outdoor Storage use (8300.54) and Retail Sales and Services: General (8300.63) are allowed as permitted uses, subject to restrictions incorporated herein.

- **Section 59-11250.C, E and I** The landscape requirements for a commercial use unit and streetscape buffer are modified.

SECTION 7.0 SERVICE AVAILABILITY

7.1 STREETS

The property abuts SE 104th Street and Choctaw Road, both two lane rural arterial streets with a paving width of 20 to 22 feet and no curb and gutter.

7.2 SANITARY SEWER

Public sanitary sewer is not available.

7.3 WATER

Public water is not available.

7.4 FIRE PROTECTION

The nearest fire station to this property is Station 36 located at 17700 SE 104th Street.

7.5 GAS SERVICE, ELECTRICAL SERVICE, AND TELEPHONE SERVICE

Proper coordination with the various utility companies will be made in conjunction with this development.

7.6 PUBLIC TRANSPORTATION

Public transportation is unavailable to this site.

7.7 DRAINAGE

The subject property is not adjacent to or within a FEMA flood plain.

7.8 COMPREHENSIVE PLAN

PlanOKC designates this area as Rural Low Intensity. The uses proposed in this Planned Unit Development are consistent and in compliance with the area standards.

SECTION 8.0 SPECIAL DEVELOPMENT REGULATIONS

The following Special Development Regulations and/or limitations are placed upon the development of this PUD. Planning and zoning regulations will be those which are in effect at the time of development of this PUD. 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 PUD. 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 Municipal Code as such exists at the time of development of this PUD. In the event of conflict between provisions of this PUD and any of the provisions of the Municipal 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 PUD, 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 PUD 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 PUD, such Special Use and Development Regulations of this PUD shall prevail and be controlling

8.1 USE AND DEVELOPMENT REGULATIONS

The use and development regulations of the **RC Rural Commercial District** shall govern the property except as herein modified.

- a. As a temporary use the following shall be the only use permitted:
 1. Outdoor Sales and Display, and Outdoor Storage (8300.54), further limited to a farmers market offering agricultural products such as fruits, vegetables and plants cultivated within the metropolitan area.
- b. The following permanent uses shall be permitted but only when the above temporary use has been removed or not pursued. The combination of the above described temporary use and the following permanent uses shall not be permitted.
 1. Administrative and Professional Offices (8300.1)
 2. Food and Beverage Retail Sales (8300.41)
 3. Retail Sales and Services: General (8300.63)
 4. Outdoor Sales and Display, and Outdoor Storage (8300.54), further limited to a farmers market offering agricultural products such as fruits, vegetables and plants cultivated within the metropolitan area.

8.2 LANDSCAPE & SCREENING REGULATIONS

1. All requirements of the City of Oklahoma City's Landscaping and Screening Ordinance in place at the time of development shall apply to all uses other than the temporary farmers market as described herein, except as otherwise noted.
2. For the temporary farmers market use as described herein, landscaping and screening shall consist of the following:
 - a. In lieu sight proof screening required by ordinance, a landscape buffer, minimum of 10 feet wide, shall be provided along the west and south property lines. Existing trees shall be retained within these areas and if removed, trees that grow to a height of at least six feet shall be planted within the buffer on maximum 20-foot centers.
 - b. In lieu of landscaping for the temporary farmers market use and associated parking lot, for every forty linear feet of street frontage, a minimum of two existing trees spaced no more than ten feet apart shall be retained within five feet of the statutory right of way of SE 104th Street and Choctaw Road. Otherwise,

trees that grow to a height of at least six feet shall be planted within five feet of the statutory right of way of said streets, planted on maximum 20-foot centers.

8.3 ACCESS REGULATIONS

1. The number of access points and/or driveways shall be in accordance with the Municipal Code.
2. All access drives shall meet the requirements of the Subdivision Regulations and Oklahoma City municipal ordinances in place at the time of development.

8.4 SIGN REGULATIONS

- 1) Signs shall comply with the OKC Municipal Code, except as otherwise noted herein.

- a) FREESTANDING ACCESSORY SIGNS

There shall be one free-standing monument type sign permitted. Said sign shall have a maximum height of eight feet with a maximum display area of 100 square feet. Pole signs are prohibited.

- b) ATTACHED SIGNS

Attached signs will be in accordance with the base zoning district regulations.

- c) NON-ACCESSORY SIGNS

Non-Accessory signs are prohibited.

- d) ELECTRONIC MESSAGE DISPLAY SIGNS (EMD'S)

Electronic Message Display signs are prohibited.

8.5 PARKING REGULATIONS

1. The design and number of all parking facilities shall be in accordance with Chapter 59 of the Oklahoma City Municipal Code, as amended, except parking for the temporary farmers market use as described herein shall be permitted to maintain a gravel surface.
2. Driveway approaches from SE 104th Street and from Choctaw Road and ADA compliant parking and access shall be in accordance with Chapter 59 of the Oklahoma City Municipal Code, as amended.

8.6 COMMON AREA REGULATIONS

1. Maintenance of common areas and private drainage easements is the responsibility of the property owner's association and/or property owners within the PUD, and as depicted within covenants and restrictions filed as separate documents. No structures, storage of material, grading, fill or other obstructions, including fences,

either temporary or permanent, shall be placed within drainage related common areas or drainage easements.

8.7 PLATTING & SPECIFIC PLAN REGULATIONS

1. Platting shall not be required.
2. A Specific Plan shall not be required.

8.8 FAÇADE/ARCHITECTURAL REGULATIONS

1. Open air canvas tents, canopies, or other all-weather types of shelter shall be permitted for the temporary farmers market use as described herein.

8.9 LIGHTING REGULATIONS

- a) The site lighting shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.
- b) Lights shall not be located closer than twenty feet to any property line that adjoins a single family residence. All lighting shall be arranged so that there will be no annoying glare directed or reflected toward adjacent residential properties. To accomplish this, lights shall utilize shields, shades, or other appropriate methods of directing light beams.

8.10 DRAINAGE REGULATIONS

1. Drainage improvements will comply with Chapter 16 of the Oklahoma City Municipal Code, 2020, as amended.

8.11 DUMPSTER REGULATIONS

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

8.12 ROOFING REGULATIONS

1. Permanent primary structures shall have Class C roofing or better.

8.13 SIDEWALK REGULATIONS

1. Sidewalks shall not be required along SE 104th Street or along Choctaw Road.

8.14 HEIGHT REGULATIONS

1. The base zoning district regulations shall regulate heights of structures.

8.15 SETBACK REGULATIONS

1. Unless modified herein, yard requirements shall be the same as the base zoning district.

8.16 PUBLIC IMPROVEMENTS

1. Public improvements shall be made by the property owner as required by the City of Oklahoma City Public Works Department or other City, County, or State Department or agency. All Local, State, and Federal ordinances as they shall apply to the site will be adhered to fully.

8.17 GENERAL DESIGN AND DEVELOPMENT GUIDELINES

1. Specific information and plans for General Design and Development Guidelines as contained in Chapter 59 Section 14200.4 for density, amenities, relationship to abutting uses, site design, safety, and circulation systems may be required at the building permit stage.

8.18 OTHER

1. Outdoor portable waste facilities (porta-potties) shall be permitted until such time as permanent buildings are constructed. There shall be no more than six and their location must be screened from view of the adjacent streets and the west and south boundaries of the subject site.
2. At least one portable waste facility shall be ADA compliant.

SECTION 9.0 DEVELOPMENT SEQUENCE

Developmental phasing shall be allowed as a part of the development of this PUD.

SECTION 10.0 EXHIBITS

The following exhibits are hereby attached and incorporated into this PUD. These exhibits are:

- EXHIBIT A: LEGAL DESCRIPTION
EXHIBIT B: MASTER DEVELOPMENT PLAN MAP

EXHIBIT A
LEGAL DESCRIPTION
The Preserve Farmers Market

A tract of land lying in the Northeast Quarter (NE/4) of Section 11, Township 10 North, Range 1 West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma, more particularly described as follows:

BEGINNING at the Northeast corner of said Northeast Quarter (NE/4);

THENCE South 00°07'00" East, along the East line of said Northeast Quarter (NE/4), a distance of 468.55 feet;

THENCE South 89°47'44" West, a distance of 508.46 feet;

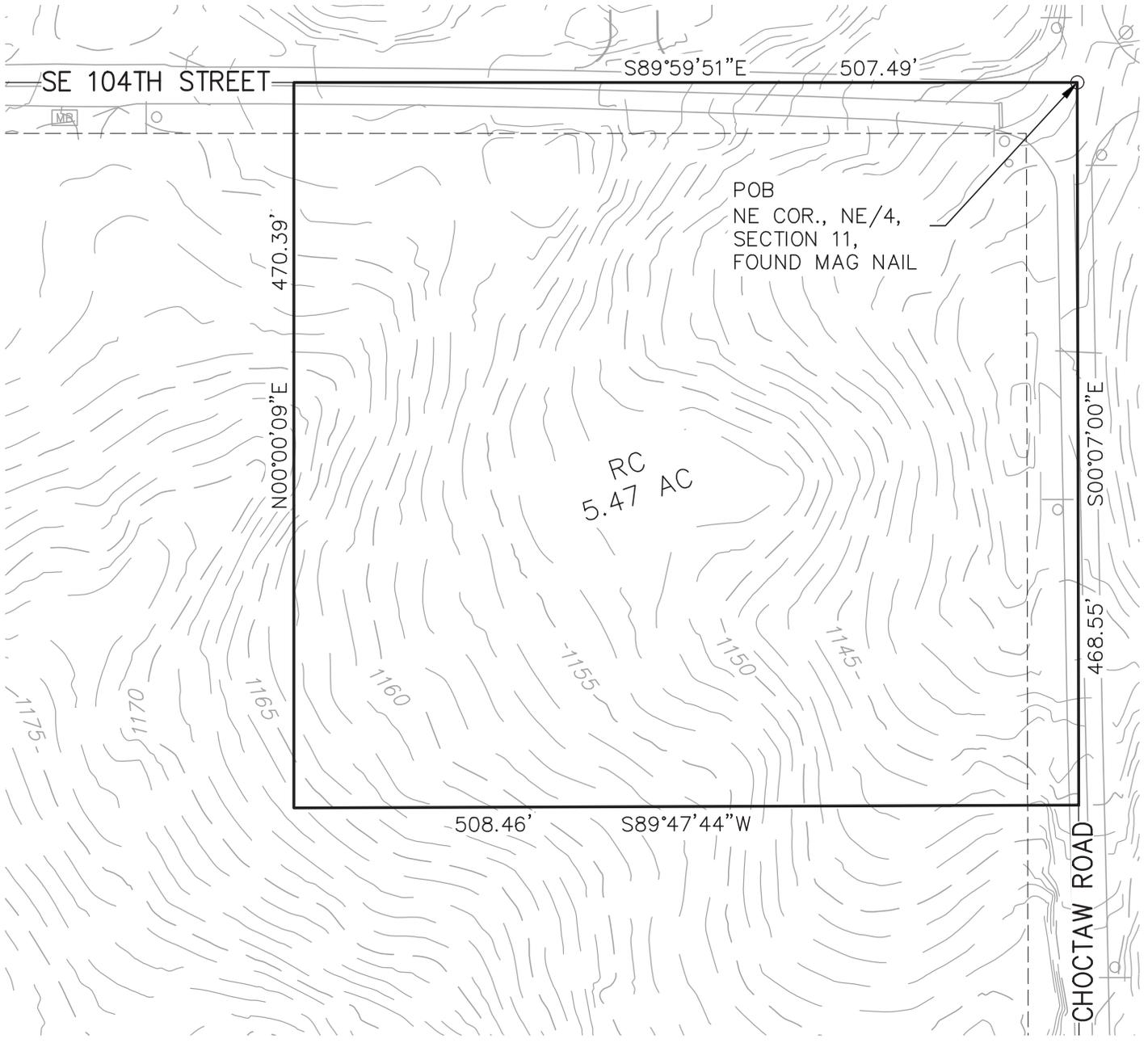
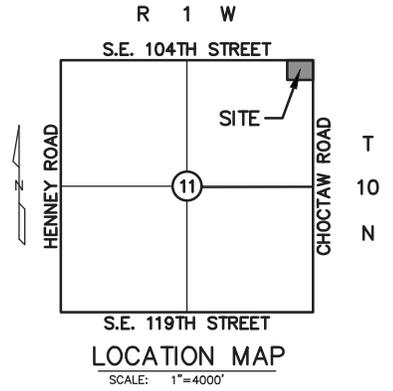
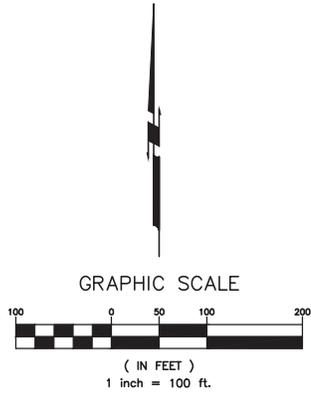
THENCE North 00°00'09" East, a distance of 470.39 feet;

THENCE South 89°59'51" East, along the North line of said Northeast Quarter (NE/4), a distance of 507.49 feet to the POINT OF BEGINNING;

Said tract of land containing 238,479 square feet or 5.4747 acres, more or less.

The basis of bearing for the above-described tract of land is the North line of said Northeast Quarter (NE/4) having a platted bearing of South 89°59'51" East.

EXHIBIT "B"



Proj. No.: 21-083
 Date: 9/14/2023
 Scale: (Horiz.) 1"=100'
 (Vert.) N/A
 Drawn By: KLT
 Checked By: TM
 Approved By: MCG

**THE PRESERVE
 FARMERS MARKET**
 SE 104TH ST. & CHOCTAW RD.
 OKLAHOMA CITY, OKLAHOMA COUNTY,
 OKLAHOMA
MASTER DEVELOPMENT PLAN


RUBBS CONSULTING, LLC
 CIVIL ENGINEERING & LAND PLANNING
 1800 S. Sara Road
 Yukon, OK 73099
 Phone: (405) 265-0641
 Fax: (405) 265-0649
GRUBBS CONSULTING, LLC. CERTIFICATE OF AUTHORIZATION NO. CA 5115 EXP. 06/30/24

FIGURE NO.
B