



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

APPLICATION FOR SPUD ReZONING

Simplified Planned Unit Development District

14000 S. Western Ave.

Project Name

14000 S. Western Ave.

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

Commercial development.

Summary Purpose Statement / Proposed Development

Staff Use Only:	1639
Case No.: SPUD -	5-15-24
File Date:	W5
Ward No.:	---
Nbhd. Assoc.:	---
School District:	Moore
Extg Zoning:	AA
Overlay:	---

4.75 acres MOL

ReZoning Area (Acres or Square Feet)

REQUIREMENTS FOR SUBMITTAL:

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

Property Owner Information (if other than Applicant):

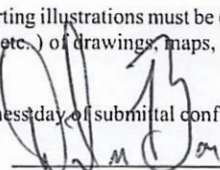
Name

Mailing Address

City, State, Zip Code

Phone

Email


Signature of Applicant

Williams, Box, Forshee & Bullard, P.C. on behalf of Applicant

Applicant's Name (please print)
522 Colcord Dr.

Applicant's Mailing Address
Oklahoma City, OK 73102

City, State, Zip Code
405-232-0080

Phone
dmbox@wfbflaw.com; kturner@wfbflaw.com; esilberg@wfbflaw.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.



First American Title
615 S. I-35 Service Rd.
Moore, OK 73160

ADMINISTRATOR'S DEED

THIS INDENTURE, made the 25th day of October, 2023, by and between Marvin D. Rodgers, the duly appointed Administrator of the Estate of Marilyn Dawn Rodgers, a/k/a Marilyn D. Rodgers, Deceased, the party of the first part, and ICW Properties, LLC, the party of the second part.

WITNESSETH:

THAT, WHEREAS, under authority and power under 58 O.S. §239, and the Court's Order Allowing Sale of Real Property filed on July 25, 2023, in PB-2023-194(BS), to which reference is hereby made, the said party of the first part, on the 25th day of October, 2023, sold real estate, situated in the said Cleveland County, and specified and described here-in-below, and at such sale the said party of the second part became the purchaser of the said real estate hereinafter particularly described, for the sum of Five Hundred Fifty Thousand Dollars and No Cents (\$550,000.00).


NOW, THEREFORE, the said Marvin D. Rodgers, Administrator of the Estate of Marilyn Dawn Rodgers, a/k/a Marilyn D. Rodgers, Deceased, as aforesaid, the party of the first part, pursuant to the Order granted him by the Court in that Order Authorizing Sale, Conveyances and Waiver of Inventory, of the said District Court, for and in consideration of the said sum of Five Hundred Fifty Thousand Dollars and No Cents (\$550,000.00), to him in hand paid by said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, sell and convey unto ICW Properties, LLC, the said party of the second part, all the right, title, interest and Estate of Marilyn Dawn Rodgers, a/k/a Marilyn D. Rodgers, Deceased, at the time of her death, and also all the right, title and interest that the said estate, by operation of law or otherwise, may have acquired, other than, or in addition to, that of said estate, at the time of her death in and to all the certain parcel of land situated, lying and being in said Cleveland County, State of Oklahoma, and bounded and particularly described as follows, to-wit:

Lot Six (6), in Block One (1), of EASTEP ADDITION, to Oklahoma City, Cleveland County, Oklahoma, according to the recorded plat thereof.

together with the tenements, hereditaments, and appurtenances to the same belonging or otherwise appertaining thereon.

TO HAVE AND TO HOLD, all and singular, the above-described premises, together with the appurtenances, unto the said party of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part, Administrator as aforesaid, has hereunto set his hand the day and year first above written.


MARVIN D. RODGERS, Administrator of
the Estate of Marilyn Dawn Rodgers, a/k/a
Marilyn D. Rodgers, Deceased

2839088

SH

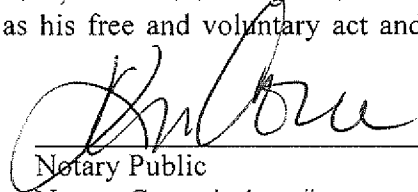
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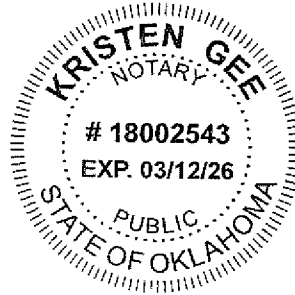
STATE OF OKLAHOMA)
) ss.
COUNTY OF CLEVELAND)

Before me, the undersigned, a Notary Public in and for said County and State, on this 25th day of October, 2023, personally appeared Marvin D. Rodgers, to me to be the identical person who executed the within and foregoing instrument as the Administrator of the Estate of Marilyn Dawn Rodgers, a/k/a Marilyn D. Rodgers, Deceased, and acknowledged to me that he, as the Administrator of said Estate executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

My Commission Expires:
3.12.26



Notary Public
Notary Commission # _____



Prepared by Administrator's Counsel:

DEBRA K. HAMPTON, OBA # 13621
Hampton Law Office, PLLC
3126 S. Blvd., # 304
Edmond, OK 73013
(405) 250-0966
(866) 251-4898 (fax)
debbie@hamptonlaw.net

Return & tax statements to:
ICW Properties
15501 Country Edge Dr
OKC, OK 73170

Exhibit A
Legal Description

Lot Six (6) in Block One (1) of Eastep Addition to Oklahoma City, Cleveland County, Oklahoma, according to the recorded plat thereof.

LETTER OF AUTHORIZATION

I Ivonne Wallace, (the property owner of record) or (an agent of the property owner of record) authorizes the firm of Williams, Box, Forshee & Bullard P.C., to make application for municipal approvals and to do all things necessary for the advancement of such application with respect to the property at the following location
14000 S. Western Ave.

By: Ivonne Wallace

ICW Properties, LLC

Title: Ivonne Wallace

Date: 5/15/24

CERTIFICATE OF BONDED ABTRACTOR (300 FEET RADIUS REPORT)

STATE OF OKLAHOMA)
) §:
COUNTY OF CLEVELAND)

The undersigned bonded abstractor in and for Cleveland County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Cleveland County, Oklahoma, as updated by the records of the County Clerk of Cleveland County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

Lot Six (6), in Block One (1) of EASTEP ADDITION, to Oklahoma City, Cleveland County, Oklahoma, according to the recorded plat thereof.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (2), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: May 8, 2024 at 7:30 AM

First American Title Insurance Company

Linda Craven

By:

Panda Craven

Abstractor License No. 85

OAB Certificate of Authority # 49

File No. 2872952-MO99

OWNERSHIP LIST

ORDER NO. 2872952-MO99

DATE PREPARED: May 14, 2024
EFFECTIVE DATE: May 8, 2024 at 7:30 A.M.

OWNER	LOT	BLK	ADDITION
ICW PROPERTIES, LLC 15501 Country Edge DR Oklahoma City OK 73170-9399	6	1	EASTEP ADDITION, to OKC, Cleveland County, OK #55999 Subject Property
OKC SMILES LLC 930 SW 107TH ST OKLAHOMA CITY OK 73170	S/2 of W 237.48' of Lot 5	1	EASTEP ADDITION, to OKC, Cleveland County, OK #192749
FUYOUDE REAL ESTATE, LLC 13700 S WESTERN AVE OKLAHOMA CITY OK 73170	N/2 of the W264' of Lot 5	1	EASTEP ADDITION, to OKC, Cleveland County, OK #187956
FUYOUDE REAL ESTATE, LLC 13700 S WESTERN AVE, STE 100 OKC OK 73170	Part of Lot 5	1	PRT LOT 5 BLK 1 LESS W264` BEG 264`E NW/C LT 5 E276.75` S165.11` E276.75` N165.09` POB EASTEP ADDITION, to OKC, Cleveland County, OK #194281
FOXAGRI, LLC 920 SW 107TH ST, STE 200 OKLAHOMA CITY OK 73170	Part of Lot 5	1	PRT LT 5 BLK 1 LESS W264` BEG 237.48`E SW/C LT 5 E303.27` N165.11` W303.27` S165.09` POB EASTEP ADDITION, to OKC, Cleveland County, OK #194282
RED RIVER PRESBYTERY OF THE CUMBERLAND PO Box 880 Ada OK 74821-0880			21-10-3W 24.48 AC E/2 W/2 NW/4 LESS S 15 AC & LS .52 HWY #77688
CHEVY CHASE JOINT VENTURE 14200 S Western AVE Oklahoma City OK 73170-7016			21-10-3W 15 AC S 15 AC E/2 W/2 NW/4 #77690
In Hye Jun and Hyung Phil Jun 14024 S WESTERN AVE OKLAHOMA CITY OK 73170	7	1	EASTEP ADDITION, to OKC, Cleveland County, OK #56000
PALERMO PLACE PROPERTIES, LLC 2252 N Broadway ST Moore OK 73160-4303	6	4	PALERMO PLACE 2, to OKC, Cleveland County, OK #171076
SFR BORROWER 2021-22 LLC 120 S RIVERSIDE PLZ, STE 2000 CHICAGO IL 60606	5	4	PALERMO PLACE 2, to OKC, Cleveland County, OK #171075

DAVID JOHN BEST 14012 CELESTE LN OKLAHOMA CITY OK 73170	4	4	PALERMO PLACE 2, to OKC, Cleveland County, OK #171074
TIFFANY D. BINDER 14008 Celeste LN Oklahoma City OK 73170-4308	3	4	PALERMO PLACE 2, to OKC, Cleveland County, OK #171073
BRYANT D. WILLIAMS 14004 Celeste LN Oklahoma City OK 73170-4308	2	4	PALERMO PLACE 2, to OKC, Cleveland County, OK #171072
ANTONNE D. & CHASTI L. COOPER 14000 Celeste LN Oklahoma City OK 73170-4308	1	4	PALERMO PLACE 2, to OKC, Cleveland County, OK #171071
TOMAS ALVARADO 913 SW 140th ST Oklahoma City OK 73170-4305	1	5	PALERMO PLACE 2, to OKC, Cleveland County, OK #171079
FARZAD MOTAGHI PISHEH 4609 EMERALD KNOLL RD OKLAHOMA CITY OK 73179	1	14	PALERMO PLACE 5, to OKC, Cleveland County, OK #189057
BRIJESH D. PATEL AND HIRENKUMAR PATEL 901 SW 139TH ST OKLAHOMA CITY OK 73170	1	13	PALERMO PLACE 5, to OKC, Cleveland County, OK #189047
HA T. VO AND TRI H. PHAM 905 SW 139TH ST OKLAHOMA CITY OK 73170	2	13	PALERMO PLACE 5, to OKC, Cleveland County, OK #189048
SHERRELL NEW 909 SW 139TH ST OKLAHOMA CITY OK 73170	3	13	PALERMO PLACE 5, to OKC, Cleveland County, OK #189049
STEVEN STANTON 913 SW 139TH ST OKLAHOMA CITY OK 73170	4	13	PALERMO PLACE 5, to OKC, Cleveland County, OK #189050
TUYEN NGUYEN 917 SW 139TH ST OKLAHOMA CITY OK 73170	5	13	PALERMO PLACE 5, to OKC, Cleveland County, OK #189051
PALERMO PLACE OFFICE PARK, LLC 600 NW 23RD ST, ST 200 OKLAHOMA CITY OK 73103			20-10-3W 3.43 ACS PRT NE/4 BEG 1478.18'S NE/C NE/4 S313.70' W50' N70' W220' S70' W220.19' N339' E417.26' S 45D E35.25' E50' POB #187880
13700 WESTERN, LLC 11801 S. WESTERN AVE, SUITE A OKLAHOMA CITY OK 73170	E 87' of Lot 5	1	EASTEP ADDITION, to OKC, Cleveland County, OK (No account number shown on the Cleveland County Assessor's site.)

THE CITY OF OKLAHOMA CITY
SIMPLIFIED PLANNED UNIT DEVELOPMENT

SPUD-_____

MASTER DESIGN STATEMENT FOR

14000 S. Western Ave.

May 15, 2024

PREPARED BY:

WILLIAMS, BOX, FORSHEE & BULLARD P.C.

David Box

522 Colcord Drive

Oklahoma City, OK 73102

405-232-0080 Phone

405-236-5814 Fax

dmbox@wbflaw.com

SPUD- MASTER DESIGN STATEMENT

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

I. Special Development Regulations:

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

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

The following use(s) will be the only use(s) permitted on this site:

8300.1	Administrative and Professional Offices
8300.2	Adult Day Care Facilities
8300.5	Alcoholic Beverage Retail Sales
8300.8	Animal Sales and Services: Grooming
8300.11	Animal Sales and Services: Kennel and Veterinary, Restricted
8300.13	Automotive: Parking Lots, as a Principal Use
8300.23	Building Maintenance Services
8300.24	Business Support Services
8300.25	Child Care Centers
8300.29	Communications Services: Limited
8250.2	Community Recreation: General
8250.3	Community Recreation: Property Owners Association
8250.4	Community Recreation: Restricted
8300.32	Convenience Sales and Personal Services

8250.5	Cultural Exhibits
8350.3	Custom Manufacturing
8200.2	Dwelling Units and Mixed Uses
8300.34	Eating Establishments: Drive-In
8300.35	Eating Establishments: Fast Food
8300.36	Eating Establishments: Fast Food, With Drive-Thru Order Window
8300.37	Eating Establishments: Sitdown
8300.38	Eating Establishments: Sitdown, Alcohol Permitted
8300.39	Eating Establishments: Sitdown, Limited Alcohol Permitted
8300.41	Food and Beverage Retail Sales
8300.46	Gasoline Sales, Small: Restricted
8300.48	Laundry Services
8250.11	Library Services and Community Centers
8250.12	Light Public Protection and Utility: General
8250.13	Light Public Protection and Utility: Restricted
8250.14	Low Impact Institutional: Neighborhood-Related
8300.52	Medical Services: General
8300.53	Medical Services: Restricted
8300.55	Participant Recreation and Entertainment: Indoor
8300.56	Participant Recreation and Entertainment: Outdoor
8300.58	Personal Services: General
8300.59	Personal Services: Restricted
8300.61	Repair Services: Consumer
8300.62	Research Services: Restricted
8300.63	Retail Sales and Services: General
8300.69	Spectator Sports and Entertainment: Restricted

2. Maximum Building Height:

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

3. Maximum Building Size:

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

4. Maximum Number of Buildings:

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

5. Building Setback Lines

Building setback lines shall be in accordance with the base zoning district.

6. Sight-Proof Screening:

Sight-proof screening shall be in accordance with the base zoning district.

7. Landscaping:

The subject parcel shall meet all requirements of the City of Oklahoma City's Landscaping Ordinance in place at the time of development.

8. Signs:

8.1 Freestanding Accessory Signs

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

8.2 Attached Signs

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

8.3 Non-Accessory Signs

Non-accessory signs will be prohibited.

8.4 Electronic Message Display Signs

Electronic Message Display signs will be prohibited.

9. Access:

Access shall be taken from S. Western Ave.

10. Sidewalks:

Five (5) foot sidewalks shall be constructed on the arterial street with each development parcel, or six (6) foot sidewalks shall be required if the sidewalk is constructed adjacent to the curb, subject to the policies and procedures of the Public Works Department. Four (4) foot sidewalks shall be constructed on the interior streets prior to any occupancy certificates being issued.

II. Other Development Regulations:

1. Architecture:

Exterior building wall finish on all main structures, exclusive of windows and doors, shall consist of a minimum 70% brick veneer, architectural metal, rock or stone masonry, stucco, and cementitious siding (including, but not limited to, the brand commonly known as James Hardie). No more than 30% EIFS (Exterior Insulation Finish System) shall be permitted. Exposed metal or exposed concrete block buildings shall not be permitted.

2. Open Space:

N/A.

3. Street Improvements:

N/A.

4. Site Lighting:

The site lighting in this SPUD shall be in accordance with Chapter 59, Article XII, Section 59-12350 of the Oklahoma City Municipal Code, 2020, as amended.

5. Dumpsters:

Dumpsters shall be located within an area screened by a fence or masonry wall of sufficient height that screens the dumpster from public streets and residences and shall be placed no closer than 50 feet from all property lines adjacent to residential zoning district or use.

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

6. Parking:

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

7. Maintenance:

Maintenance of the common areas in the development shall be the responsibility of the property owner or Property Owners Association. No structures, storage of material, grading, fill, or other obstructions, including fences, either temporary or permanent, that shall cause a blockage of flow or an adverse effect on the functioning of the storm water facility, shall be placed within the common areas intended for the use of conveyance of storm water, and/or drainage easements shown. Certain amenities such as, but not limited to, walks, benches, piers, and docks, shall be permitted if installed in a manner to meet the requirements specified above.

8. Drainage:

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

III. Supporting Documents

Exhibit A: Legal Description

Exhibit B: Conceptual Site Plan

Exhibit A
Legal Description

Lot Six (6) in Block One (1) of Eastep Addition to Oklahoma City, Cleveland County, Oklahoma, according to the recorded plat thereof.

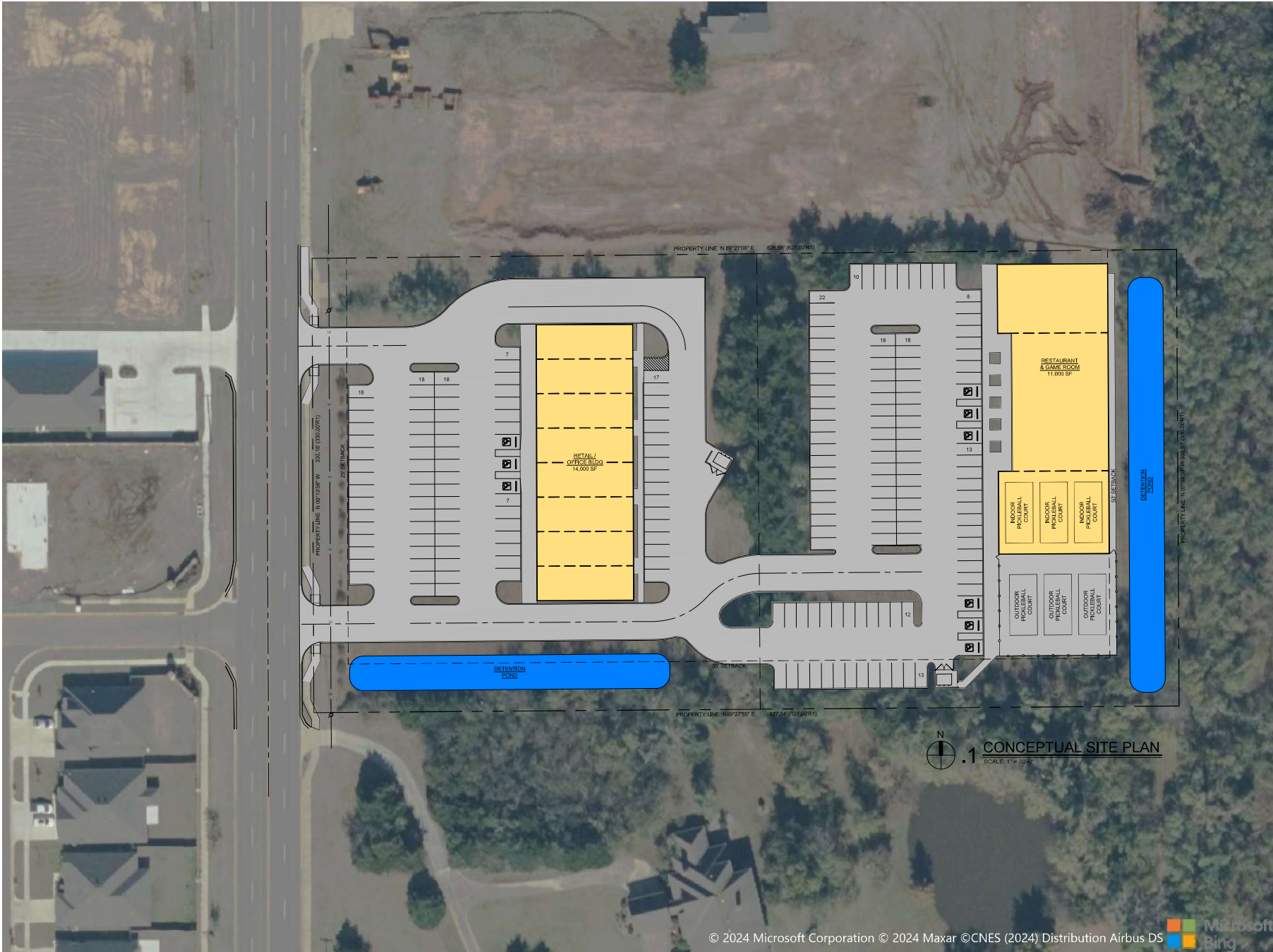


Exhibit B



William Sullivan
600 NW 23rd St, Suite 200 OKC, OK 73103
Telephone: (405) 701-3055 x215
Email: will@ponedc.com
www.phasesoneok.com

MEMBER
A I
B D
AMERICAN INSTITUTE OF
BUILDING DESIGN
Structural Engineer

Electrical Engineer

Mechanical and Plumbing Engineer

Civil Engineers

CONCEPTUAL
DEVELOPMENT
SITE PLAN
14000 S WESTERN AVE., OKC, OK 73170

CURRENT SET DATE:
05/13/2024

MARK DATE DESCRIPTION

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CONCEPTUAL
SITE PLAN

JOB NUMBER: 24-0021