



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

APPLICATION FOR SPUD ReZONING

Simplified Planned Unit Development District
Caliber Collision

Project Name

SEQ N. Cemetery Road and (N.W. 10th Street) **(12452)**

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

Rezone property to C-3 and allow a Caliber Collision Repair Center

Summary Purpose Statement / Proposed Development

Staff Use Only	
Case No.: SPUD	1461
File Date:	21 Sep '22
Ward No.	3
Nbhd. Assoc.	Westgate Gardens HOA
School District:	Yukon
Extg Zoning:	AA
Overlay:	7

2.23

ReZoning Area (Acres or Square Feet)

REQUIREMENTS FOR SUBMITTAL:

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

Property Owner Information (if other than Applicant):

John Robert Kouba

Name

700 N. Cemetery Road

Mailing Address

Yukon OK 73099

City, State, Zip Code

Phone

Email

Signature of Applicant

Bryan M. Burger, P.E.

Applicant's Name (please print)

17103 Preston Road, Suite 180N

Applicant's Mailing Address

Dallas, Texas 75248

City, State, Zip Code

972-630-3360

Phone

bburger@burgerengineering.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.

John Robert Kouba
700 N Cemetery Road
Yukon, OK 73099

August 30, 2022

The City of Oklahoma City
Planning and Zoning Department
420 West Main, Suite 900
Oklahoma City, OK 73120

RE: NW 10th Street Cross Development

To Whom It May Concern:

This letter will provide Cross Development and Burger Engineering authorization to act as agents on behalf of myself in the matters of platting, zoning, and planning of approximately 2.23 acres located at 12940 block NW 10th Street, Canadian County, Oklahoma City.


By: John Robert Kouba

ORT
American Eagle Title Group, L.L.C.
410 N Walnut, Suite 100
Oklahoma City, OK 73104
File # 21203-080416



Doc#: R 2012 25883
Bk&Pg: RB 3947 994-996
Filed: 11-06-2012
01:48:41 PM
Canadian County, OK
TMH
WD

17-
(3)

JOINT TENANCY SPECIAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That John Robert Kouba, a married person, joined here by his spouse, Frances M. Kouba, Husband and Wife, ("Grantor"), in consideration of the sum of Ten and No/100 dollars and other valuable consideration in hand paid, the receipt and sufficiency of which are hereby acknowledged do/does grant, bargain, sell and convey unto John Robert Kouba and Frances M. Kouba, Husband and Wife ("Grantees"), whose mailing address is 700 N. Cemetery, Yukon, OK 73099, as joint tenants and not as tenants in common, the whole estate to vest in the survivor upon the death of either, the real property and premises situated in Canadian County, State of Oklahoma, described on Exhibit A attached hereto, together with the improvements thereon and the appurtenances thereunto belonging (herein "the Land").

Grantor warrants the title to the Land to be free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature made or suffered to be made by Grantor, SUBJECT TO easements and restrictive covenants of record, and LESS AND EXCEPT any interest in the oil, gas, other minerals within and underlying the Land, as may have been previously reserved or conveyed.

TO HAVE AND TO HOLD the Land unto the Grantees as such joint tenants, and to the heirs and assigns of the survivor forever.

Signed and delivered this 25 day of October, 2012.

John Robert Kouba
John Robert Kouba
Frances M. Kouba
Frances M. Kouba

Not Official

ACKNOWLEDGEMENT

Not Official

STATE OF Oklahoma)

COUNTY OF Oklahoma)

SS.)



This instrument was acknowledged before me on this 25TH day of October, 2012, by John Robert Kouba, a married person, joined here by his spouse, Frances M. Kouba, ~~husband~~ and wife.

[Signature]
Notary Public

Commission number: 08012537

Commission expires: Dec. 19, 2012

Not Official

Exhibit A

A tract, piece or parcel of land lying in the northwest quarter of Section 32, Township 12 North, Range 5 West of the Indian Meridian, Canadian County, Oklahoma, being more particularly described as follows:

The North Half of the Northwest Quarter (NW 1/4) of Section 32, Township 12 North, Range 5 West of the Indian Meridian, Canadian County, Oklahoma LESS AND EXCEPT the following described tract of land:

Beginning at the northwest corner of said northwest quarter;

Thence North 90°00'00" East along the north line of said northwest quarter a distance of 295.00 feet;

Thence South 00°01'33" East and parallel with the west line of said northwest quarter a distance of 310.00 feet;

Thence South 90°00'00" West and parallel with said north line a distance of 295.00 feet to a point on the west line of said northwest quarter;

Thence North 00°01'33" West along said west line a distance of 310.00 feet to the point of beginning.

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, 2010).

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.

Notwithstanding Section 59-14250.1 of the Oklahoma City Municipal Code, 2010, as amended, pertaining to administrative approval of minor amendments, the following special conditions listed in Sections I through III shall not be changed or amended in any way except by action of the City Council, after review and recommendation by the Planning Commission.

This site will be developed in accordance with the regulation of the *C - 3 (OKC Zoning Ordinance, 2010), except that the following restrictions will apply:

The following use(s) will be the only use(s) permitted on this site: Caliber Collision repair center.

*

2. Maximum Building Height: 35' & 1 story.
3. Maximum Building Size: 16,125 S.F.

4. Maximum Number of Buildings: 1
5. Building Setback Lines

Front: 25'

Rear: None

Sides: None
6. Sight-proof Screening: Not required.
7. Landscaping: As required by current code.
8. Signs: As required by current code.
9. Access: Existing 36' common access drive from N.W. 10th Street.

II. Other Development Regulations:

1. Architecture: See attached building elevations.
2. Open Space: Not required.
3. Street Improvements: Not required.
4. Other: Not required.

III. Supporting Documents

Exhibit A: Legal Description
Exhibit B: Zoning Exhibit
Exhibit C: Conceptual Site Plan
Exhibit D: Conceptual Landscape Plan
Exhibit E: Conceptual Grading Plan
Exhibit F: Conceptual Drainage Plan
Exhibit G: Conceptual Water & Sewer Plan
Exhibit H: Conceptual Building Elevations

S.P.U.D. RECORD DESCRIPTION:

A tract of land lying in the Northwest Quarter of Section 32, Township 12 North, Range 5 West of the Indian Meridian, Canadian County, Oklahoma being more particularly described as follows:

COMMENCING at the northwest corner of said Northwest Quarter;

THENCE North $89^{\circ}53'03''$ East, along the north line of said Northwest Quarter, a distance of 580.00 feet to the northeast corner of Lot 1, Block 1, N.W. 10TH STREET SCHLOTZSKY'S, a subdivision to the City of Oklahoma City recorded in Book 9 of Plats, Page 716 and the POINT OF BEGINNING;

THENCE continuing North $89^{\circ}53'03''$ East, along said north line, a distance of 40.00 feet;

THENCE South $00^{\circ}07'43''$ East, parallel with the east line of said Lot 1, a distance of 607.37 feet;

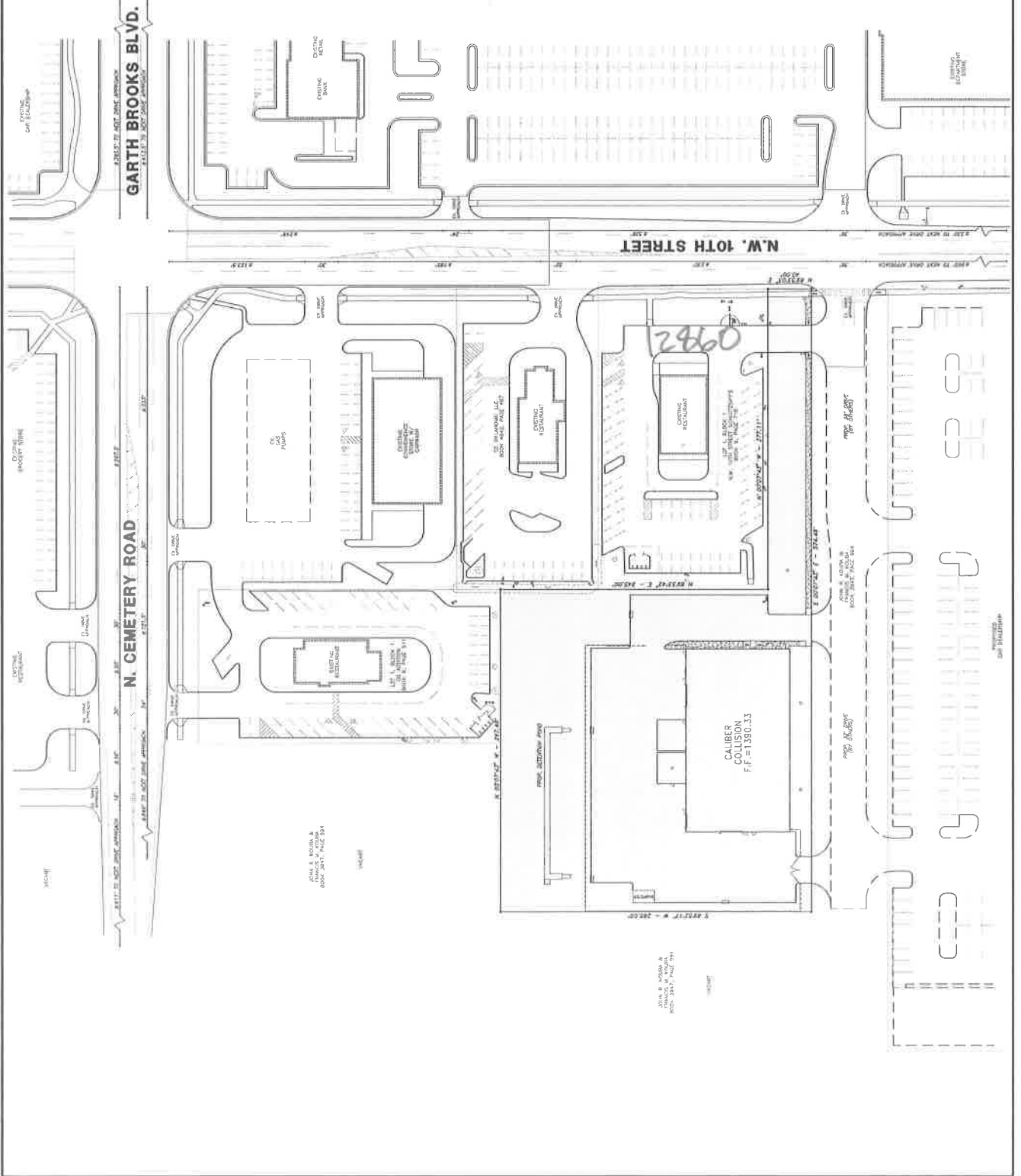
THENCE South $89^{\circ}52'17''$ West a distance of 285.00 feet to the intersection with the east line of Lot 1, Block 1, DQ ADDITION, a subdivision to the City of Oklahoma City recorded in Book 9 of Plats, Page 511 extended;

THENCE North $00^{\circ}07'43''$ West, along said extended line and the east line of said Lot 1, a distance of 297.48 feet to the northeast corner of said Lot 1 and a point of intersection with the south line of said Lot 1, Block 1, N.W. 10TH STREET SCHLOTZSKY'S extended;

THENCE North $89^{\circ}53'50''$ East, along said extended line and the south line of said Lot 1, a distance of 245.00 feet to the southeast corner of said Lot 1;

THENCE North $00^{\circ}07'43''$ West, along the east line of said Lot 1, a distance of 310.00 feet to the POINT OF BEGINNING.

Said described tract of land contains a gross area of 97,165 square feet or 2.2306 acres and a net area, less streets rights of way, of 95,151 square feet or 2.1844 acres, more or less.



OWNER/APPLICANT:
 CROSS DEVELOPMENT
 4336 MARSH RD
 OKLAHOMA CITY, OKLAHOMA 73106
 PHONE: (414) 814-8252
 CONTACT: NICK FORB
 EMAIL: INFO@CROSSDEVELOPMENT.NET

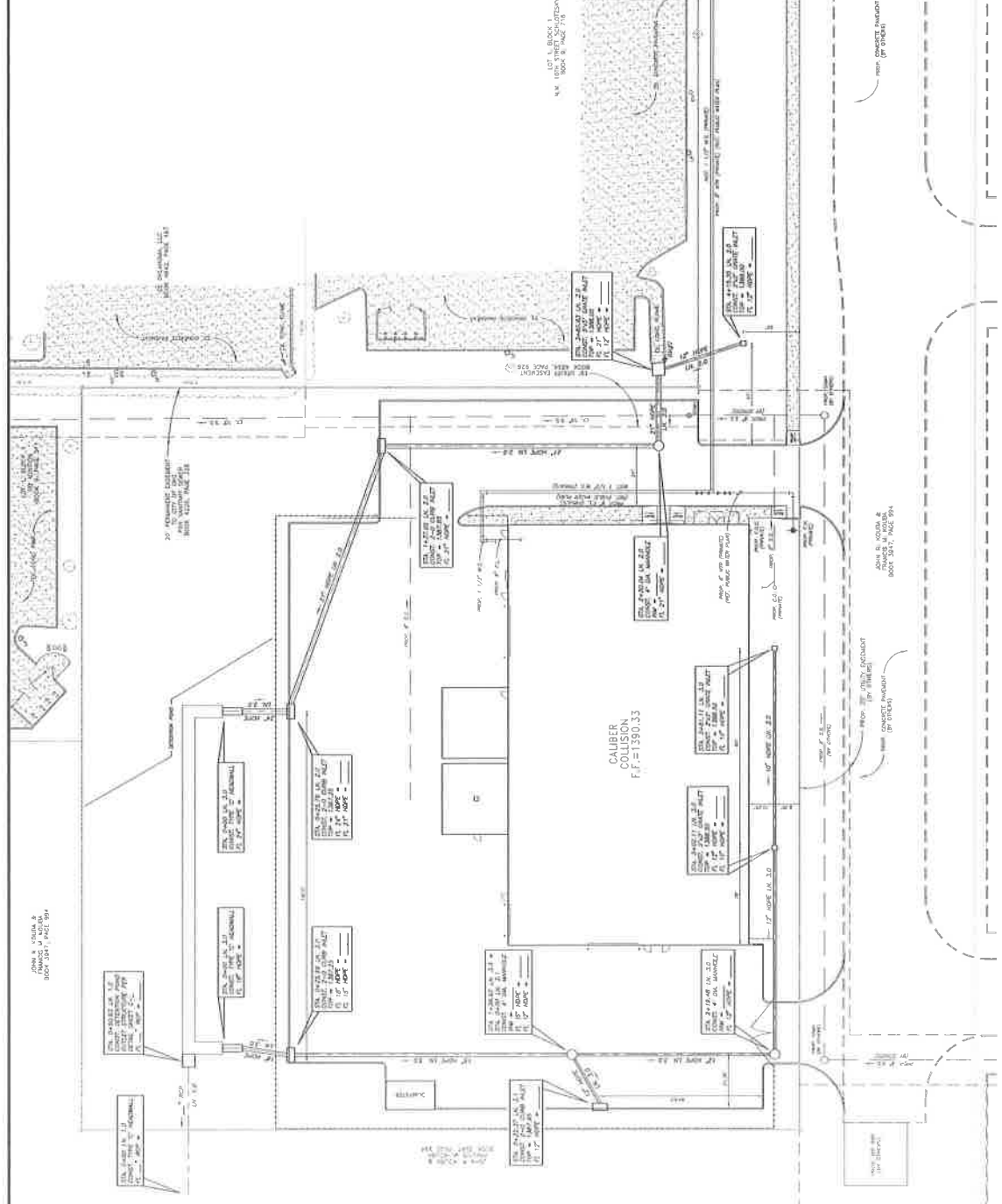
ENGINEER:
 BURGER ENGINEERING, LLC
 TYPE P-12997
 17133 PRESTON ROAD, SUITE 180N
 OKLAHOMA CITY, OKLAHOMA 73150
 PHONE: (972) 630-3560
 CONTACT: BRYAN M. BURGER, P.E.
 EMAIL: BBURGER@BURGERENGINEERING.COM

ZONING EXHIBIT									
CALIBER COLLISION									
SE Q. N.W. 10 STREET & CEMETERY ROAD									
THE CITY OF OKLAHOMA CITY, OKLAHOMA									
B. BURGER ENGINEERING, LLC									
DESIGN	DATE	SCALE	NOTES	TITLE	FILE	REV.	DATE	BY	EXHIBIT
100	10/11	1/8" = 1'-0"							8



DRAINAGE GENERAL NOTES

1. UNLESS OTHERWISE NOTED, SHALL CONFORM TO CITY STANDARD SPECIFICATIONS.
2. THE HORIZONTAL AND VERTICAL LOCATIONS OF EXISTING SUBSURFACE UTILITIES SHALL BE DETERMINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION OF ANY SUCH DRAINAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.
5. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL PUBLIC UTILITIES FROM DAMAGE DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.

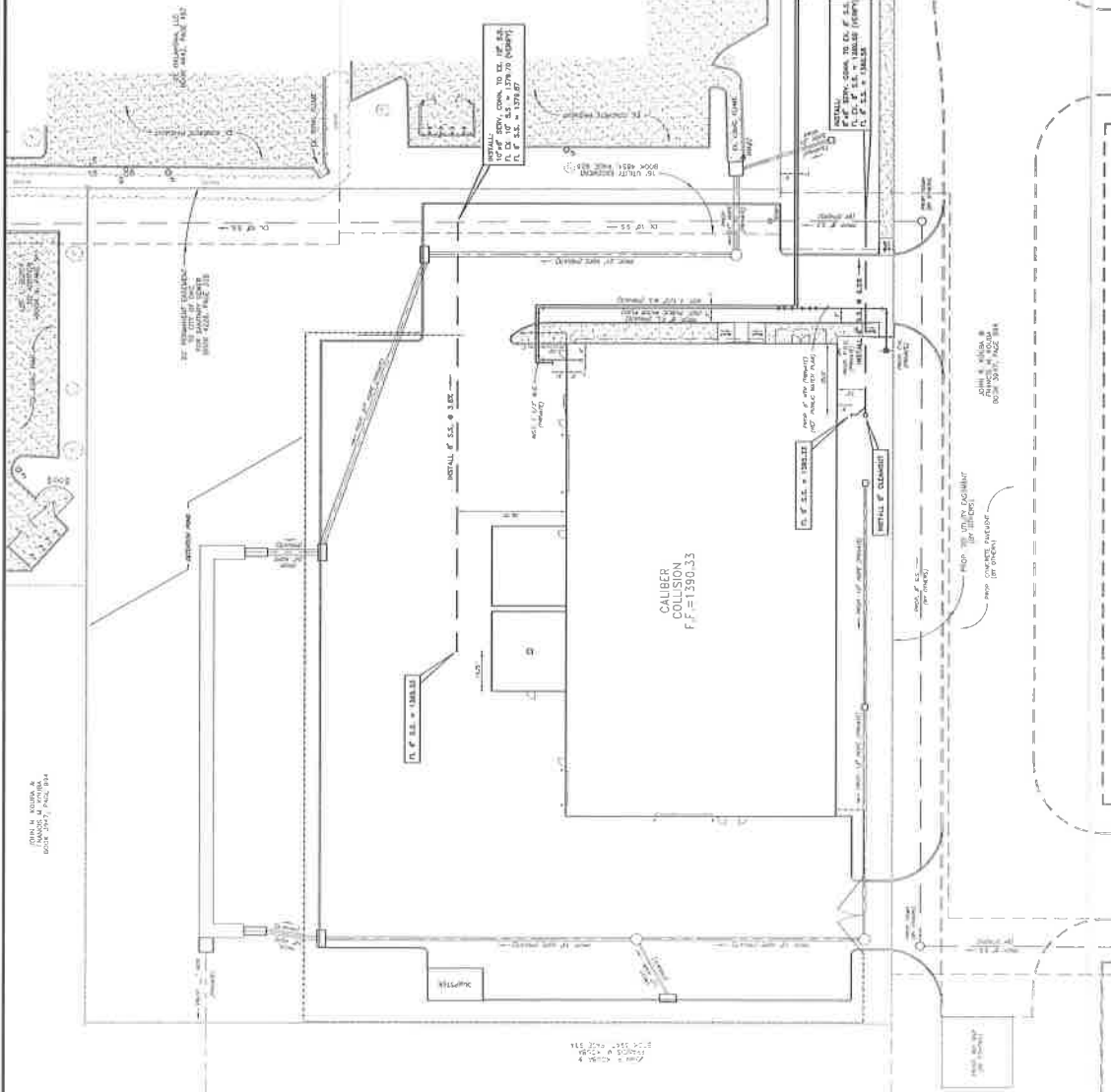


IMPORTANT:
CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.

NOTE:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR PROTECTING ALL EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.

NO.	DESCRIPTION	DATE	BY	CHECKED	APPROVED
1	DESIGNED BY				
2	DRAWN BY				
3	CHECKED BY				
4	APPROVED BY				
5	DATE				

CONCEPTUAL DRAINAGE PLAN					
CALIBER COLLISION					
S.E. N.W. 10 STREET & CEMETERY ROAD					
THE CITY OF OKLAHOMA CITY, OKLAHOMA					
B. J. BENTLEY					
DESIGN	DRAWN	DATE	SCALE	NOTES	FILE
10/1/10	JAC	10/1/10	1"=20'		
SHEET 1 OF 1					10/1/10

[illegible][illegible]

IMPORTANT:

NOTE: THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UTILITIES (WHETHER SHOWN ON PLANS OR NOT) PRIOR TO COMMENCING CONSTRUCTION. IF FIELD CONDITIONS DIFFER SIGNIFICANTLY FROM LOCATIONS SHOWN ON THE PLANS THE CONTRACTOR SHALL CONTACT

[illegible]

CONCEPTUAL WATER & SEWER PLAN

[illegible]

YUKON, OK
CC PROTO 161

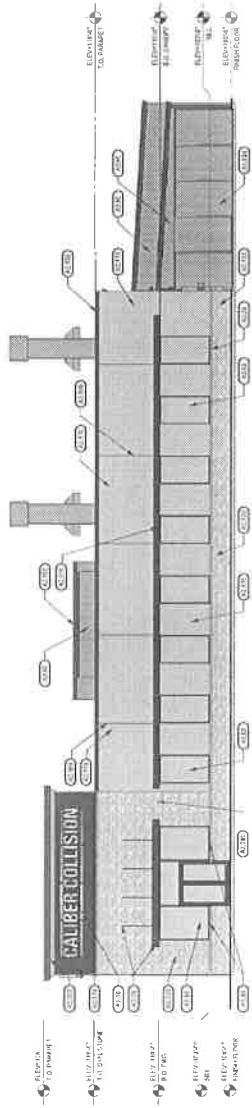
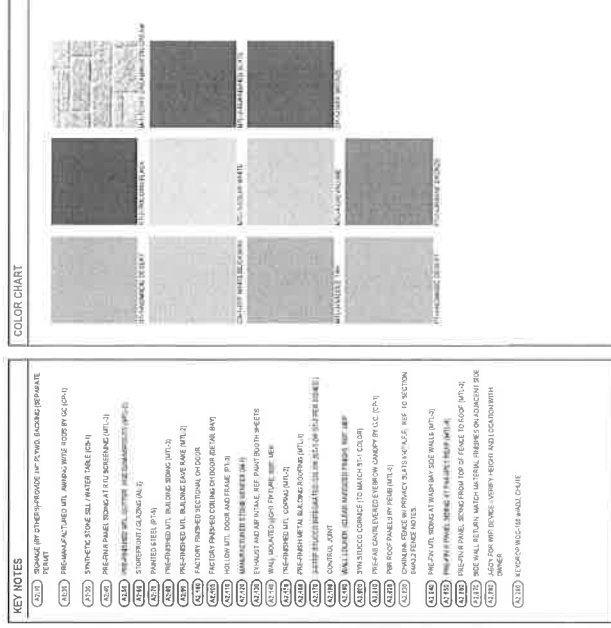
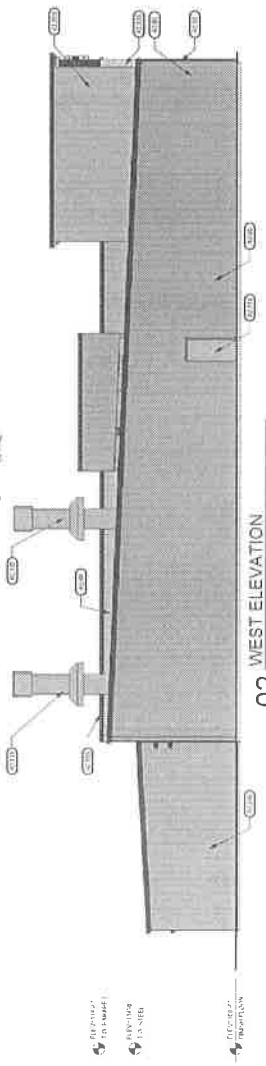
NCA | Partners

PRELIMINARY
THIS DOCUMENT SHALL NOT BE
USED FOR REGULATION
INFORMATION, RESEARCH OR
CONSTRUCTION, WILL BE
UNDER THE AUTHORITY OF
NICHOLSON & CO. TO
1000 1000 1000

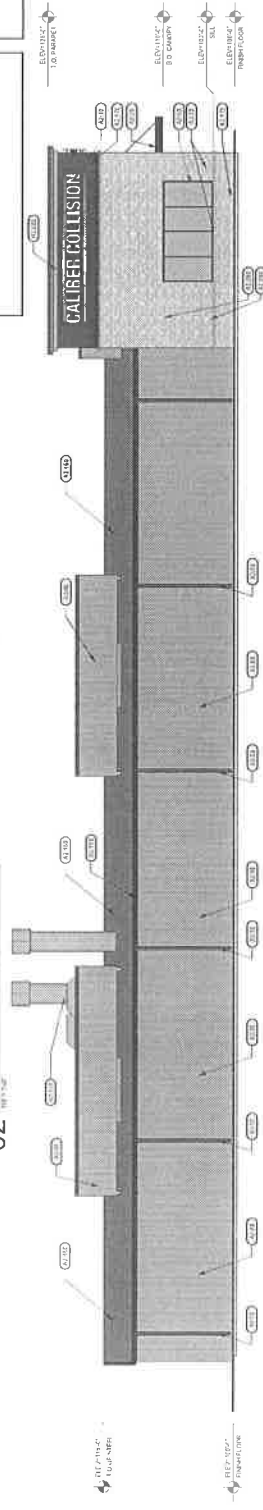
21094

COLOR
ELEVATIONS

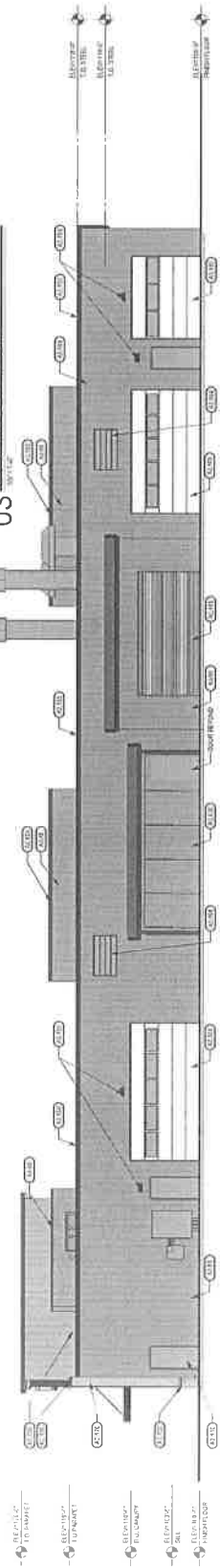
F1.0

01 EAST ELEVATION

02 WEST ELEVATION



03 SOUTH ELEVATION



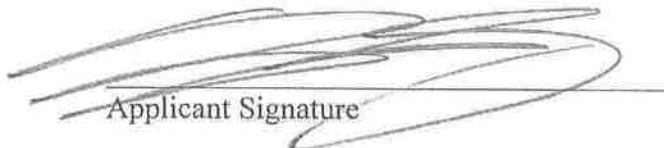
04 NORTH ELEVATION

AFFIRMATION

STATE OF OKLAHOMA)
) §
COUNTY OF OKLAHOMA)

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

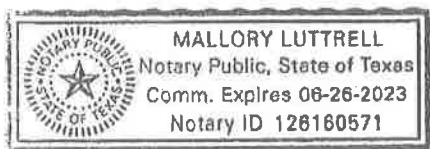
Executed at Oklahoma City, Oklahoma, on the 12th day of September, 2022


Applicant Signature

Subscribed and sworn to before me, a Notary Public, in and for the State of Texas,
County of Dallas, on the 12th day of September, 2022.

My Commission Expires:

June 26, 2023




Notary Public

Commission # 126160571



Canadian County Oklahoma Assessor's Office

087-05



Data last updated: 08/22/2022

Property Owners List

1. 1715 GARTH BROOKS BLVD

IDLP 2002-I LLC
%KOHLS DEPT STORES-PROP TAX DEPT
PO BOX 2148
MILWAUKEE WI 53201-0000

Full Legal Description: WEST END POINTE LOT 8A-1 BLK 1 BEG 74.74'N 60'E
& 38

2. 0 UNKNOWN

COOPER YUKON INVESTMENTS LLC
14349 N KELLY AVE
OKLAHOMA CITY OK 73013

Full Legal Description: T12N R05W S32 NW4 A#13 PT NW4 - BEG 689.97'E OF
NW/C, TH E924.71' S485.60'

3. 700 N CEMETERY RD

KOUBA,JOHN ROBERT*
700 N CEMETERY RD
YUKON OK 73099-

Full Legal Description: T12N R05W S32 NW4 A#1 - BEING THE N/2 NW4 LESS
BEG @ NW/C, TH E580' S310' W580'

4. 900 N CEMETERY RD

4405 N FIRST AVE BM LLC
2929 TRANQUIL BROOK AVE
HENDERSON NV 89044-

Full Legal Description: D Q ADDITION LOT 1 BLOCK 1

5. 12930 NW 10TH ST

DOMIKON LLC
PO BOX 1719
CLINTON OK 73601-0000

Full Legal Description: T12N R05W S32 NW4 A#7 PT NW4 BEG @ NW/C, TH E295' S310' W295' N310' TPB LESS

6. 12900 NW 10TH ST

CE OKLAHOMA LLC
1635 ROGERS RD
FORT WORTH TX 76107-

Full Legal Description: T12N R05W S32 NW4 A#10 PT NW4 BEG 295'E OF NW/C, TH E129' S310' W129' N310'

7. 12860 NW 10TH ST

SKS HOLDINGS II LLC
8801 NW 119TH ST
OKLAHOMA CITY OK 73162

Full Legal Description: NW 10TH STREET SCHLOTZSKY'S LOT 1 BLOCK 1

8. 1795 GARTH BROOKS BLVD

W E P INVESTMENTS LLC
4324 GRANT BLVD
YUKON OK 73099

Full Legal Description: WEST END POINTE LOTS 6 & 7 BLK 1

9. 817 N CEMETERY RD

FULL GOSPEL OF CHRIST ETAL#
FULL GOSPEL OF CHRIST MINISTRI
817 N CEMETARY RD
YUKON OK 73099

Full Legal Description: T12N R05W S31 NE4 A#4 PT NE4 – BEG 60'W & 730'S
OF NE/C. TH S363.30' W600' N363.30' E600' TPB.

10. 0 UNKNOWN

DECKER CENTER LLC
10601 S WESTERN AVE
OKLAHOMA CITY OK 73170

Full Legal Description: 12N R05W S31 NE4 A#33 PT NE4 - BEG 750'S & 60'W
OF NE/C, TH W600.09' N254.17' E270' E990.60' S213.61' SE CURV'L 20.13'
E101.78' NE CURV'L 13.76' E33.42' NE CURV'L 25.33' NE31.62' NECURV'R
8.81' S62.50' TPB.

11. 0 UNKNOWN

DECKER CENTER LLC
10601 S WESTERN AVE
OKLAHOMA CITY OK 73170

Full Legal Description: T12N R05W S31 NE4 A#1 PT NE4 - BEG 730'S 60'W &
62.50'N OF NE/C, TH SW CURV'L 8.81' SW31.62' SW CURV'R 25.33' SW33.42'
SW CURV'R 13.76 W101.78' NW CURV'R 20.13' N213.61' E230.48' S189.80' TPB.

12. 0 UNKNOWN

WINTERS FAMILY LLC ETAL
13812 WIRELESS WAY
OKLAHOMA CITY OK 73134

Full Legal Description: T12N R5W S31 NE4 A#31 PT NE4 - BEG 390.09'W &
342.31'S OF NE/C, TH E330.08' S133.52' W330.08' N133.52' TPB.

13. 935 N CEMETARY RD

ALDI (TEXAS) LLC
C/O RYAN TAX COMPLIANCE SVCS, LLC
PO BOX 460049 DEPT 501
HOUSTON TX 77056

Full Legal Description: T12N R05W S31 NE4 A#30 PT NE4 BEG 60'W & 85.01'S
OF NE/C, TH S259.18' W330' N282.34' E305' SE35.26' TPB.

14. 12845 10TH ST NW

OKIE YUKON PROPCO LLC
%ACCESS CAR WASH HOLDINGS LLC
6 EAST EAGER ST
BALTIMORE MD 21202

Full Legal Description: WEST END POINTE ADDITION PH II SEC 3 LOT 2
BLOCK 1