



# NEWS FROM THE FIRM

June 2010

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Chris Griswold, P.C.  
A Business Transactions  
and Estate Planning Firm

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- OK, TX & American Bar Associations  
Licensed in all OK & TX State Courts
- International Council of Shopping Centers
- Commercial Real Estate Council of Oklahoma City
- Oklahoma Renewable Energy Council
- CCIM Chapter of Oklahoma

## Links & Resources

Commercial Real Estate Council of OKC  
www.crecokc.com  
International Council of Shopping Centers  
www.icsc.org  
Oklahoma Renewable Energy Council  
www.ocgi.okstate.edu.orec

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### Message from Chris....

“Planned Unit Developments (“PUD’s”). If you’ve ever wanted to buy a piece of property (or use property you already own) for the purpose of conducting certain, specific uses upon that property which are not permitted under the existing zoning base district, you need to know about PUD’s. **Why?** As time progresses, it will be more and more difficult to have a piece of property conventionally re-zoned (i.e., changed as to zoning base district). Instead, city officials will be much more amenable to having the property specially re-zoned to a PUD which has certain, specific uses “rolled into” the PUD. However, there are a few, basic things you should know about PUD’s before using them. Read more below.

### Using PUD’s

*PUD’s v. Conventional Re-Zoning.* It’s important to note that getting a PUD approved (and having those certain, specific uses rolled into it) is, in fact, a “re-zoning” in every sense of the word – just like a conventional re-zoning of the zoning base district of the property. In fact, once approved, the PUD will be its very own, permanent, ordinance-based, special zoning district. So, don’t mistakenly believe that by doing a PUD you are doing something less (and easier) than “re-zoning” your property. When your PUD is finally approved, what you’ll have is a piece of property which has those specific, desired and unique land uses rolled into it. However, as with all good things in life, there are potential pitfalls. So, before you go putt-putting along getting your PUD, be sure to at least consider the following....

*Potential Pitfalls of Using PUD’s.* Under certain circumstances, getting a PUD might actually **limit** your land use and **negatively affect** other things. **Example:** You own property which is zoned both I-2 and I-3 (the majority being I-2). Your desired, specific use of the property is permitted under the I-3 but not the I-2. The only way to utilize the I-2 portion with this use (remember, the majority is I-2), is to get a PUD. When you get the PUD, the I-2/I-3 distinction will go away and the whole property will be restricted to the specifically enumerated uses of the PUD. In other words, the previously permitted uses allowed under I-3 (which are undoubtedly much higher and broader than those specifically enumerated under the PUD) will be lost. This may: **i)** negatively affect future marketability and overall fair market value of the land, **ii)** limit/restrict what you can do with and upon your property in the future (should your needs change), and **iii)** if you’re not careful when applying for the PUD, actually **prevent** you from doing what you **currently** need to do upon the land if you failed to include all of your desired uses into the PUD (thus requiring you to immediately revise the PUD). Crazy, huh?

### What My Clients Are Saying....

"Starting my own business presented many obstacles and uncertainties. I was fortunate and blessed to have my real estate broker recommend Chris Griswold as a resource for my lease reviews and negotiations. Chris addressed all my questions and concerns with unyielding patience and guidance and helped me secure a strong and favorable lease. Chris you are an exceptional resource and even better friend.... Thanks for all your help with this first location. I look forward to working with you on the next one."

*Chris Lucas*

*Owner / KoKo Fitclub / Edmond, Oklahoma*

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