

Planning Commission Minutes
July 28, 2022

(The agenda was filed with the City Clerk of The City of Oklahoma City at 4:40 p.m. on July 22, 2022.)

7. (SP-566) Application by 8029 SW 3rd, LLC, to operate a Drinking Establishments: Sitdown, Alcohol Permitted in the C-3 Community Commercial District located at 8029 SW 3rd Street. Ward 3.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY FRALEY, SECONDED BY POWERS

AYES: CLAIR, POWERS, FRALEY, PRIVETT, HINKLE, GOVIN,
PENNINGTON, LAFORGE;

ABSENT: NOBLE



STAFF REPORT
The City of Oklahoma City
Planning Commission
July 28, 2022

Item No. IV. 7.

(SP-566) Application by 8029 SW 3rd, LLC, to operate a Drinking Establishments: Sitdown, Alcohol Permitted in the C-3 Community Commercial District located at 8029 SW 3rd Street, Ward 3.

I. GENERAL INFORMATION

A. Contacts

Applicant

John Thomas Eugene Walker
(405) 413-4477
walkerj@jobmngmt.com

B. Case History

This is a new application. A nonconforming club existed at this location for many years. The establishment closed for a period of time exceeding 6-months, losing its nonconforming status.

C. Reason for Request

The purpose for this request is to operate a drinking establishment.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban – Low Intensity (UL)

UL applies to the least intensively developed areas of the city that still receive urban water, sewer, police, park and fire services. Development in this area should provide horizontal integration of land uses, connectivity within and between individual developments, and design that facilitates pedestrian and bicycle transportation.

Comprehensive Plan Land Use Typology Layer: Heavy Industrial (HI)

The HI layer is intended to accommodate industrial uses that are difficult to integrate with less intense uses due to negative impacts from heavy traffic, noise, or odors. This designation simultaneously concentrates heavy industrial users away from existing or future neighborhoods while preserving prime land that has attributes crucial to industrial businesses, such as proximity to highway and rail access. Small-scale industrial, office, or commercial development may be appropriate provided that it supports or buffers industrial uses and does not restrict future industrial development by fragmenting parcels.

2. Size of Site (0.73 acre)

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	C-3	I-1	I-2	I-1	I-1 / I-2
Land Use	Club	Hotel	Undeveloped	Club	Office

II. GENERAL STANDARDS

All special permit uses shall satisfy the following general standards:

- 1) The proposed use shall conform to the policies of the adopted Comprehensive Plan.
- 2) The proposed use shall not adversely affect the use of the neighboring properties.
- 3) Pedestrian and vehicle traffic generated will not be hazardous or in conflict with the existing and anticipated traffic in the neighborhood.
- 4) Adequate utility, drainage, parking, loading, signs, access, and other necessary public facilities to serve the proposed use shall meet the adopted codes of the City.
- 5) The site shall front or have direct access to a street having adequate right-of-way and improvements to support the traffic generated by the proposed use.
- 6) The City Council may impose specific conditions regarding location, design, and operation to assure safety, to prevent a nuisance, and to control the noxious effects of excessive sound, light, odor, dust, or similar conditions. Such conditions may include:
 - a. A requirement that all machinery and facilities be located within an enclosed building; or
 - b. A requirement that certain areas be screened from view of surrounding neighborhoods; or
 - c. A limitation on intensity of lights or hours of operation; or
 - d. Similar measures designed to protect the public interest.

III. ADDITIONAL SPECIFIC STANDARDS

1. No drinking establishment use shall be allowed to locate within 300 feet of any church property primarily and regularly used for worship services and religious activities, or any public or private school of the type which offers a compulsory education curriculum; however, a college or university located within an improvement district created pursuant to Section 39-103.1 of Title 11 of the Oklahoma Statutes may waive the 300-foot requirement pursuant to 37A O.S. § 2-139. Distances shall be measured from the nearest property line of the public or private school, or church to the nearest perimeter wall of any such drinking establishment.

There are no known church or educational uses within 300 feet of the proposed site.

2. If food or beverages are consumed in an outdoor seating/activity area at any time between the hours of 11:00 p.m. and 8:00 a.m., the outdoor seating/activity area shall be separated by a distance of at least 100 feet from the nearest abutting property line of a residential use. Distances shall be measured from the closest edge of the outdoor seating/activity area to the nearest property line of the residential use.

No outdoor seating or activity areas are proposed.

IV. REVIEW COMMENTS

This application was submitted to the following agencies, departments, and/or divisions for review and comment. An asterisk indicates that the agency, department, and/or division responded with no adverse comments.

A. Outside Agencies

1. **Oklahoma City-County Health Department (OCCHD)**
2. **Oklahoma City Urban Renewal Authority (OCURA)**
3. **Oklahoma Gas and Electric (OGE)**
4. **Oklahoma Water Resources Board (OWRB)**
5. **School District (Western Heights)**
6. **Oklahoma Department of Transportation (ODOT)**

B. City Departments

- 2. Airports**
- 3. Central Oklahoma Transportation and Parking Authority (COTPA)**
- 4. Fire ***
- 5. Information Technology/Geographic Support**
- 6. Parks and Recreation**
- 7. Police**
- 8. Public Works**

a. Engineering

Storm Sewer Availability

- 1) The Public Works Drainage Division staff has reviewed the subject application. All development, new construction, and/or substantial improvements planned within the proposed area shall be subject to chapter 16 of the Oklahoma City Municipal Code.
- 2) Storm sewers in accordance with the City's Drainage Ordinance will be required. Development abutting section line roads with drainage flows that exceed the capacity of OKC standard ditch detail (D-100) will necessitate the installation of enclosed storm sewer and/or concrete channel. These improvements shall be placed to provide a minimum of 35' clearance distance from the centerline of the section. Concrete channels must be entirely outside public right-of-way.
- 3) A flood and/or drainage study will be required to establish finished floor elevations, common lot areas or private drainage easements. A final plat should not be submitted until the study has been reviewed and approved by the Public Works Department.
- 4) Flood Study will be required to show no rise in FEMA Q 100 and the City of Oklahoma City Q 100 water surface elevation, compared pre-and post-development.
- 5) A portion of subject property is situated within a F.E.M.A. Flood Plain. Therefore, the establishment of Minimum Finish Floor Elevation for each lot within the flood plain will be required (100-year) frequency plus 1'.

The Public Works Department Engineering staff shall approve these elevations prior to the filing of the final plat.

- 6) A floodplain activity permit must be submitted for any work contemplated in The Waters of the United States.
- 7) Plans for drainage improvements within the private drainage reserves and/or common areas must be submitted for review, and payment of inspection fees shall be made prior to construction. Building permits will not be issued until construction is complete. If a subdivision abuts a stream, the private drainage easements and/or common area along stream shall extend to flow line of stream at a minimum.
- 8) Place the following note on the plat and construction plans: Maintenance of the Common Areas and/or Private Drainage Easements shall be the responsibility of the property owner. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent shall be placed within the common areas and/or drainage easements shown.
- 9) Drainage easements shall be clearly denoted as public or private in owner's dedication, on the plat, and/or in the plat notes.
- 10) Construction within the limits of this SP will require an erosion control plan in accordance with EPA Storm Water Discharge permitting: CFR Vol. 57, No. 175, September 9, 1992. A copy of the EPA Notice of Intent (NOI) will be required prior to the issuance of work orders or permits for construction activities disturbing an area of 1/2 acre or greater.
- 11) Sidewalks shall be installed for all new construction and/or at the time of a residential use to a more intense use on all lots having frontage on public streets classified as a major or minor arterial.
- 12) All private roads /streets will have private storm sewer systems.
- 13) Engineer/developers will be contacting PW for detention determination before they submit their final plat and plans.

9. Streets, Traffic and Drainage Maintenance

10. Stormwater Quality Management

11. Traffic Management

12. Utilities

a. Engineering

Wastewater Availability *

b. Solid Waste Management

The City can provide solid waste collection services to commercial customers providing refuse is not excess of 270 gallons per customer per pick up § 49-30 (a). Otherwise the customer will have to utilize a private hauler for dumpster service. No service will be provided for waste deemed uncollectable per ordinance § 49-21.(17).

c. Water/Wastewater Quality

Water Availability

- 1) An existing 12” water main(s) is adjacent to the subject site(s) and a service connection will be permitted in accordance with City Standard Specifications. A separate service connection and meter is required for each building / structure.

13. Planning

V. STAFF RECOMMENDATION

Staff recommendations are advisory only and do not constitute Planning Commission decisions. Staff recommendations are based on a technical evaluation of information submitted at the time of review. Planning Commission decisions require a vote of five members to approve or deny an item. The Planning Commission may consider in its decision-making process any additional relevant information presented at the public hearing by the public, applicant, and/or City departments.

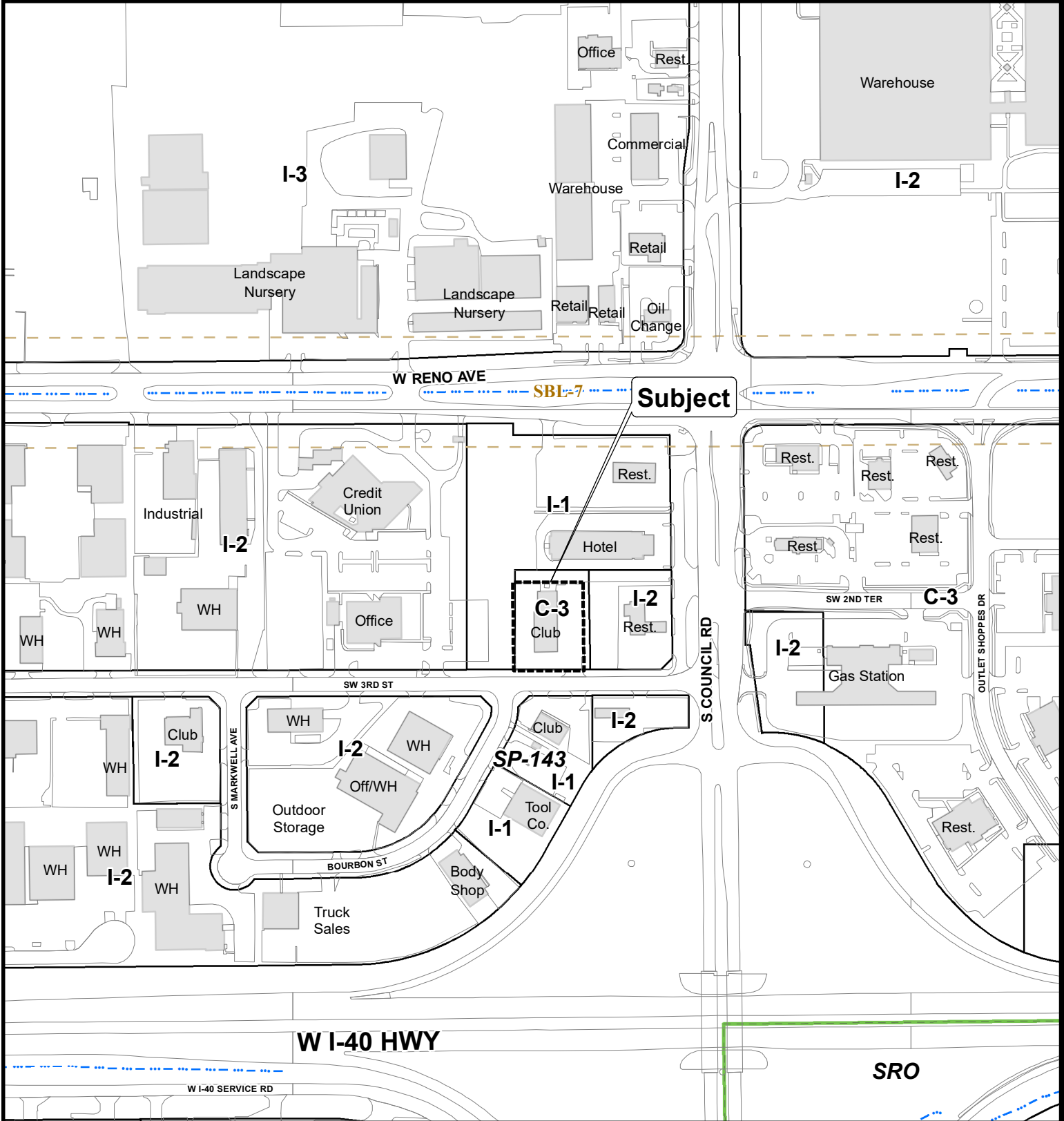
Approval of the application.

taj

Case No: **SP-566** Applicant: **8029 SW 3rd LLC**

Address: 8029 SW 3rd St. Present Zoning: C-3

Proposed Use: Drinking Establishment

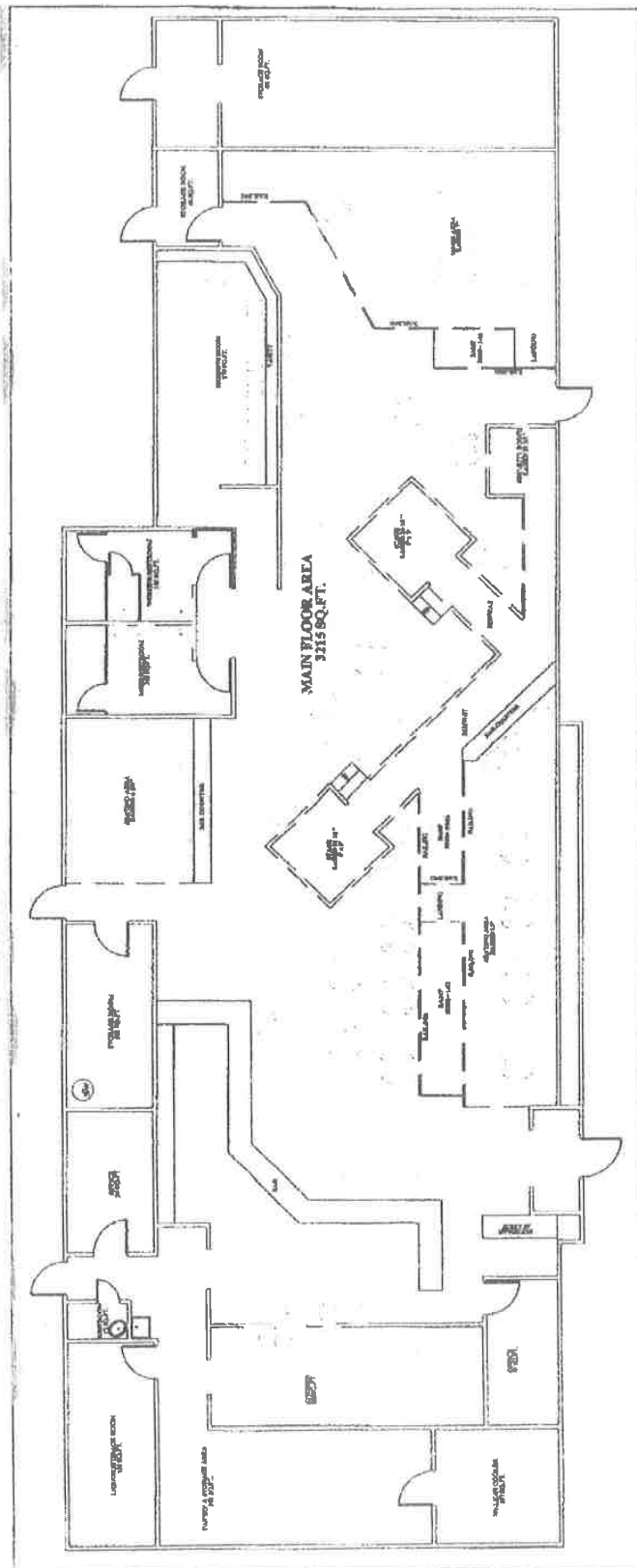


The City of
OKLAHOMA CITY

Special Permit Application



0 150 300
Feet



GENERAL NOTES

	EXTERIOR WALLS		STRUCTURAL STEEL COLUMNS
	EXTERIOR DOORS		STRUCTURAL STEEL BEAMS
	INTERIOR DOORS		STRUCTURAL STEEL JOISTS
	INTERIOR WALLS		STRUCTURAL STEEL GIRDERS
	INTERIOR PARTITIONS		STRUCTURAL STEEL TRUSSES

MAIN FLOOR
 1000 - 1100
 100 - 200

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Proposed Use: Drinking Establishment



Aerial Photo from 2/2020



The City of
OKLAHOMA CITY

Special Permit Application



0 150 300
Feet