

GTH Investment Holdings, L.L.C.

311 NORTH HARVEY AVE.
OKLAHOMA CITY, OKLAHOMA 73102
PHONE: (405) 826-17333

May 24, 2023

Planning Commission
City of Oklahoma City
420 w. Main Street, Ste. 900
Oklahoma City, OK 73102

Re: Case No. SPUD-01535
Rezoning Application, The Doghouse OKC, Inc.
415 N.W. 5th Street, Oklahoma City, Oklahoma

Honorable Planning Commission Members:

I am the Managing Member of GTH Investment Holdings, LLC ("GTH"). GTH owns property at 310 NW 5th St. that is used as a public parking lot for people who live at the Regency Tower and are visiting the Oklahoma City National Memorial and Museum. We have owned the property since 2002. Our parking lot is one block from the property subject the re-zoning request.

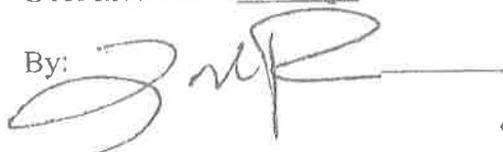
While I am an animal lover, **I strongly opposing the rezoning of 415 N.W. 5th St.** I do not believe this is a suitable location for an outdoor kennel/dog park given its proximity to the Embark bus station, the Oklahoma City National Memorial, the Regency Tower apartments, and other local businesses located along NW 5th Street in the downtown core area. There is a very high volume of foot traffic, loiters and criminal activity in this area due to the metro bus station. If you have not noticed, a public nuisance already exists in the area. An outdoor kennel/dog park is just adding fuel to the existing fire. The dogs are barking constantly because of all the people that hang out, smoking weed, drinking beer/whisky, gambling, loitering, and selling illegal drugs. The smell from animal feces and urine overpowers the already pungent marijuana smoke cloud that looms over the area. The noise from the dogs barking and smell of animal feces and urine make an already existing public nuisance even worse for the surrounding business and residents who live and work in downtown Oklahoma City. This area is just not suited for an outdoor kennel/dog park. There are plenty of dog kennels/parks in the metro area.

Please do not approve the SPUD request.

Very truly yours,

GTH Investment Holdings, L.L.C.

By:



May 25, 2023

CDD Holdings, LLC

Physical Addresses affected:

411 NW 5th, 411 ½ NW 5th & 413 NW 5th

Oklahoma City, OK 73102

City of Oklahoma City

c/o Downtown Design Committee

Planning & Zoning Commission

Re: Case No: SPUD-1535

Rezoning Application: The Dog House OKC, Inc.

415 NW 5th Steet, Oklahoma City, OK 73102

Subject: STRONG Opposition to Dog Kennel Application: SPUD-1535

Dear Members of the Downtown Design Committee/Planning and Zoning Commission,

I hope this letter finds you in good health and high spirits. I am writing to express my STRONG opposition to the proposed dog kennel application SPUD-1535 in Oklahoma City. As a concerned building owner and residential property owner, I passionately believe that granting permission for such a facility would have adverse effects on the community, specifically in terms of noise and odor pollution. The Dog House OKC, Inc. is currently operating outside of the city approved permitting. Additionally, I would like to emphasize the significant financial losses I have incurred due to the negative impact on rental income from adjoining properties.

First and foremost, I wish to address the issue of noise disturbance. Dog kennels are known to generate considerable noise levels, especially when housing multiple animals in close proximity. The incessant barking and howling is disrupting the tranquility and peace of our neighborhood. This disturbance is not limited to daytime hours but extends well into the evenings and overnight hours, thereby adversely affecting the quality of life for residents in the vicinity.

Furthermore, the dog kennel poses a serious concern regarding the olfactory environment. The accumulation of animal waste and the inherent odors associated with such facilities is currently creating an unpleasant and persistent stench that permeates the air, making it difficult for nearby residents to enjoy their homes and outdoor spaces. The resulting offensive odor not only degrades the overall ambiance of the area, but also has the potential to negatively impact property values and deter potential investors and tenants from considering our community.

In addition to the adverse impact on the general living conditions, I have experienced firsthand the detrimental effects of noise and smell pollution on my rental properties that adjoin the existing dog kennels. As a building owner of office, warehouse, and residential space that adjoins the Dog House OKC, I have witnessed a noticeable decline in occupancy rates, leading to significant financial losses. Prospective tenants are deterred by the prospect of working or residing next door to a facility that emits excessive noise and unpleasant odors. The negative reputation associated with such an establishment undermines the attractiveness of our neighborhood for businesses and residents alike.

While I understand the importance of supporting responsible pet ownership and accommodating the needs of animal-related businesses, I firmly believe that the dog kennel that is currently operating in a non-compliance status is not suitable for the current location due to its proximity to residential and commercial properties. It is essential to strike a balance between the welfare of our community members and the rights of pet owners and business operators.

Therefore, I respectfully request that the Planning and Zoning Commission carefully considers the concerns raised by the residents and building owners of the affected area and denies the dog kennel application SPUD-1535. By doing so, you would demonstrate a commitment to preserving the livability, peace, and economic viability of our community.

Thank you for your attention to this matter. I trust that you will carefully evaluate the potential negative impact on our neighborhood and make a well-informed decision that prioritizes the best interests of the community as a whole. Should you require any further information or clarification, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daryl Davis', with a long horizontal line extending to the right.

Daryl Davis, Property Owner
CDD Holdings, LLC
17304 N. May Ave., Ste B
Edmond, OK 73012
cddholdingsllc@gmail.com
580-399-3701

May 22, 2023

Planning Commission
City of Oklahoma City, Oklahoma

Re: Case No: SPUD-01535
Rezoning Application
The Dog House OKC, Inc.
415 NW 5th Street

To whom it may concern,

I understand the City of Oklahoma City Planning Commission is or will soon be considering the proposed re-zoning of 415 NW 5th St. to allow a dog kennel.

Upon careful review of the situation, **I am strongly OPPOSED to the re-zoning request** for the following reasons:

1. The area is primarily Office and Residential. I own a parking lot on the northwest corner of NW 5th Street and Hudson, in close proximity downhill from the proposed outdoor kennel. The sound and smell of dogs would disturb me and the parking customers that rent spaces.
2. This along with the smell of dog excrement and urine washed into the street would interfere with the environment that attracts businesses to the area. I would point out that the kennel plans to dispose of their animal waste by washing their animal biological waste into the street where it can flow into the Oklahoma River via the storm sewer system at 5th and Hudson, right in front of my parking lot. It would interfere with foot traffic from pedestrians who park their cars along NW 5th who live at the Regency Tower Apartments. Some of the tenants of Regency Tower are parking lot customers.

The applicant's barking dogs will also discourage new and existing business and residential construction and improvement which are complementary to office development.

It is worth noting that there is a three story apartment building directly north of the applicant, a combination office/apartment directly adjacent on the east side of the premises, and the twenty-five story Regency Apartment Tower just ½ a block east. With my parking lot at 5th and Hudson, the kennel would not fit with residential/business developments in the downtown area.

3. There are alternatives to having an outdoor kennel: the tenant at the dog house could cover and enclose the intended kennel and not require a change in zoning.
4. The Downtown Business District is simply not the place for an outdoor kennel type of use. As late as 2014, outdoor kennels were banned in Oklahoma when located within 2,500 feet of a school. Emerson High School is located very close to the proposed kennel. Emerson is at 6th and Walker.
5. The President of the Dog House Inc., met with one of her neighbors prior to spending any money on the premises and commented to the neighbor that her landlord told her it was legal to build an outdoor kennel in her parking lot. The neighbor pointed out that it was not zoned for an outdoor kennel, prior to her expending money for demo and construction of the outdoor kennel, and that all of the neighbors would object to an outdoor kennel located in the downtown business district. Within hours, she was advised by the Downtown Design Committee that she could not have an outdoor kennel. She decided to amend her building permit, forge ahead with her original plans in spite of the advice by the neighbor and the Downtown Design Committee, and speculated that her plans for an outdoor kennel would be approved by the City of Oklahoma City. She decided to build and spend money on construction in spite of knowing the risk attached to having a business plan that was prohibited by existing zoning.

The business plans of the Dog House ignore the health, sanitation and other rights of transitory and permanent neighbors who rely upon the zoning laws of Oklahoma City for protection.

Sincerely,



Scott W. Cheek, Manager
The Mary Louise, LLC

Restricted Low Beta Real Property, LLC
311 NORTH HARVEY AVE.
OKLAHOMA CITY, OKLAHOMA 73102
PHONE: (405) 272-0621
FAX: (405) 232-1707

May 22, 2023

Planning Commission
City of Oklahoma City
420 w. Main Street, Ste. 900
Oklahoma City, OK 73102

Re: Case No. SPUD-01535
Rezoning Application, The Doghouse OKC, Inc.
415 N.W. 5th Street, Oklahoma City, Oklahoma

Honorable Planning Commission Members:

I am the Managing Member of the LLC that owns the property at 520 N. Hudson Avenue. Our family has owned the property for many decades; it is east of the property being considered for rezoning. Our property is now in a long-term lease with the Oklahoma City Bombing Memorial. We've joined with the Memorial in improving the appearance of the property.

We oppose the rezoning of 415 N.W. 5th Street.

I serve on the Nichols Hills Planning Commission. Our Commission considers alternative locations when considering zoning issues, especially where existing zoning is well-established and property owner's expectations are already aligned with those zones.

There are plenty of dog parks around the Metro. The bus station already contributes a considerable amount of noise and, often, unwelcome pedestrian traffic.

Very truly yours,

Tim N. Cheek
For the Firm

TNC:crm

PROTEST

SPUD 0-1535

R Dowell

405-760-2383

405-235-1433

Richard.dowell@yahoo.com

				2023 Area Within
BLOCK	LOT(s)	Against		Radius
67	21-22	520 N Walker	400 N Walker ILC	7,980.00
67	23-26	428-430 NW 5th	400 N Walker LLC	15,000.00
68	13-20	600 N Walker	501 N Walker LLC	29,330.00
3	1-32	501 N Walker	501 N Walker LLC	1,050.00
2	1-6, prt of 7	601 N Walker	601 N Walker LC	7,000.00
67	11-20	500 N Walker	400 N Walker LLC	11,250.00
67	27-28	426 NW 5th	Berryman	7,500.00
68	6-7, E20 ft of 8	411 NW 5th	CDD holdings	9,940.00
68	21-24	440 NW 6th	Rockwell Prop.	16,240.00
68	25-29	424 NW 6th	Rockwell Apts	17,500.00
2	24-32	500 NW 6th	Office Building	1,500.00
68	1-5	Parking Lot	Cheek	17,500.00
46	17-20	SE corner 5th Hudson	Cheek	2,100.00
69	7-8	6th St. Parking Lot	M2P LLC	2,100.00
69	4-6	6th St. Parking Lot	M2P LLC	3,150.00
68	38-40	615 N Hudson	M2P LLC	10,500.00
		TOTAL		159,640.00
		Percentage of Total		57.01%
		Neutral		
69	9-20	427 NW 6th	Comm. Credit Un.	7,350.00
68	33-36	Garage	Nelson Oz 2019 LLC	14,000.00
68	37	404 NW 6th	Maverick development	3,500.00
67	29-30	Lot next to Bus Station	Invest Trust	7,500.00
67	1-11, 31-40	Bus Station	COPTA	50,250.00
45	1-6, 17-32	Post Office		4,200.00
68	30-32	420 NW 6th	Health Center	10,500.00
69	1-3	701 N Hudson	Condominiums	1,500.00
45	7-16	Regency Tower		7,000.00
		TOTAL		105,800.00
		Percentage of Total		37.78%
		For		
68	W4.15 ft of 8, 9-12	The Dog House	Corsair Cattle Co	14,581.00
		Percentage of Total		5.21%
		TOTAL		280,021.00
		Percentage of Total		100.00%

County Assessor estimated property values withing the radius				
BLOCK	LOT(s)	Property Opposed	2023	Assessed Value
67	21-22	520 N Walker	400 N Walker LLC	\$106,500.00
67	23-26	428-430 NW 5th	400 N Walker LLC	\$363,960.00
68	13-20	600 N Walker	501 N Walker LLC	\$1,650,302.00
3	1-32	501 N Walker	501 N Walker LLC	\$3,411,460.00
2	1-6, prt of 7	601 N Walker	601 N Walker LC	\$600,732.00
67	11-20	500 N Walker	400 N Walker LLC	\$2,433,143.00
67	27-28	426 NW 5th	Berryman	\$398,927.00
68	6-7, E20 ft of 8	411 NW 5th	CDD holdings	\$1,054,069.00
68	21-24	440 NW 6th	Rockwell Prop.	\$920,413.00
68	25-29	424 NW 6th	Rockwell Apts	\$854,358.00
2	24-32	500 NW 6th	Office Building	\$3,553,146.00
68	1-5	Parking Lot	Cheek	\$312,000.00
46	17-20	SE corner 5th Hudson	Cheek	\$329,000.00
69	7-8	6th St. Parking Lot	M2P LLC	\$190,000.00
69	4-6	6th St. Parking Lot	M2P LLC	\$201,543.00
68	38-40	615 N Hudson	M2P LLC	\$2,946,450.00
		TOTAL		\$19,326,003.00
		Property For		
68	W4.15 ft of 8, 9-12	The Dog House	Corsair Cattle Co	\$794,221.00

DOWELL PROPERTIES INC.

Commercial Investment, Leasing and Construction Since 1988
www.dowellproperties.com

Headquarters - 1932 W. Lindsey, Suite A, Norman, OK 73069 (405) 447-6480
Oklahoma City Office - 2000 N Classen Blvd. STE 3700 (405) 235-1433

R.S. Dowell
President, Dowell Properties Inc.
Oklahoma City Branch
2000 N Classen Blvd., STE 3700
Oklahoma City, OK 73106

Planning Commission,
City of Oklahoma City

Re: Case No: SPUD-01535

Rezoning Application
The Dog House OKC, Inc.
415 NW 5th St.

July 14th, 2023

To whom it may concern,

Our company has reviewed the letter received from the City of Oklahoma City Development Services Department regarding the proposed rezoning of 415 NW 5th St. to allow for an outdoor dog kennel.

Upon careful review of the situation *we are strongly opposed to the rezoning request* for the following reasons:

1. The area is primarily Office and Residential. Our company owns and operates 600 N Walker on the West side of the proposed kennel as well as two office buildings, 428 and 430 NW 5th, directly across the street. *The sound of dogs barking would disturb our tenants who are primarily attorneys and accountants.*
2. This along with the *smell of dog poop would not add to the ambiance that attracts businesses to the area.* In fact we have 4 permits on the adjacent building currently in progress building out office space to fill the space vacated recently by Seagate Technologies and are marketing the space to high-end office users.
3. *The applicants barking dogs will also discourage new and existing residential construction and improvement which is complementary to office development.* It is worth noting that there is a three story apartment building directly north of the applicant and a combination office/apartment directly adjacent on the East side of the premises and a twenty-five story apartment tower just ½ a block East. Many of us have had the painful experience of losing a night's sleep from our neighbors dog howling. Imagine the nightmare of a collection of animals making themselves head at 4:00 AM.
4. *There are alternative locations near downtown (probably West of Classen) that would be convenient to downtown residents but adjacent to industrial use that would not have an issue with the dogs.*
5. *The CENTRAL BUSINESS DISTRICT is simply not the place for this type of endeavor.*
6. In summary, this type of use is not normal for this area that explains why it is currently not zoned for that purpose. I see no compelling reason to make an exception in this case, especially given the negative impact it will have on adjacent properties. *It is our understanding that the applicant is not a veterinarian nor are they hiring one. This outfit is simply a place to leave your dog. With current zoning, they can do this legally by keeping the dogs within the building. Given the location, the dogs should be housed indoors where their presence won't disturb the neighbors.*

The health risk associated with humans disturbed by barking dogs includes illness and emotional distress, probability of heart failure significantly increased, sleep disruption possibly leading to severe physical as well as emotional impairment, increased risk of stroke, stress, violence and rancor, hearing loss, etc. These and other problems are outlined in the website barkingdogs.net. I have attached an excerpt from the site.

Dowell Properties Inc. represents as "managing member" the following corporations that own property within 300 Ft. of the proposed rezoning:

- 601 N Walker LLC - owner of 601 N Walker
- 400 N Walker LLC - owner of 520 N Walker (Dry Cleaners)
428-430 NW 5th (Office Buildings directly south of applicant)
- 501 N Walker LLC - owner of 600 N Walker (Office building adjoining the east side of the applicant)



R. S. Dowell
President, Dowell Properties Inc.
Board Member, Business Improvement District of OKC



Berryman Enterprises, Inc.

426 Northwest 5th Street, Suite 200

Oklahoma City, OK 73102

Office (405) 235-4646

Fax (405) 235-3311

May 18, 2023

Honorable Planning Commission Members
c/o David Cunningham, Tech II- Plans Examiner for the City of Oklahoma City
420 W. Main Street, Suite 930
Oklahoma City, Oklahoma 73102

Re: **Case No.: SPUD-01535**
Rezoning Application
The Dog House OKC, Inc.
415 NW 5th Street
Oklahoma City, Oklahoma

Honorable Planning Commission Members:

I have been the property owner at 426 NW 5th Street for almost twenty-five (25) years. My property is immediately across the street from the subject property being considered for re-zoning.

I purchased my property shortly after the bombing of the Murrah Federal Building and I have been the proud participant and observer of the collective efforts of our citizens to transform the Central Business District into the vibrant area it is now. I believe the best is yet to come but only with your continued vigilance.

I first opposed the re-zoning of 415 NW 5th Street in August 2020. **I oppose it** now for the following reasons:

- The dogs bark incessantly. We have tried to get the current owner/tenant to stop the barking, but they cannot as the dogs are taken out into the yard at times during the day.
- The barking greatly affects conducting business. Our customers and clients readily note it. Instead of our building being an asset to our city's image and the attractiveness of its Central Business District, it has the opposite effect as our clients joke about our city's backwardness—an image that we are all working to dispel.
- The barking makes communication and concentration on critical issues difficult.

- The barking has prevented us from leasing 50% of the building. Our building's first level was occupied on a multi-year lease when the Dog Park was first opened in violation of the zoning ordinance. Because of the barking dogs, the lease was not renewed and our community lost another small business to the suburbs. Re-leasing efforts have been unsuccessful.
- I believe the Dog Park's occupancy has reduced my building's marketability and value because it is no longer a desirable Central Business District address.
- The Dog Park has created an attractive nuisance for many of the daily users of the Embark bus transportation system/facility also located across the street from the subject property.

I thank you for considering my experiences and observations with the Dog Park. Allowing its re-zoning and continuance is not aligned with the efforts of our city's leadership and citizens in moving Oklahoma City forward as a to-notch metropolitan area.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Berryman". The signature is stylized and cursive.

Michael J. Berryman
BERRYMAN ENTERPRISES, INC.

Michelle Albert
Jami Rhoades Antonisse
Grace E. Dawkins
J. Logan Johnson
Chase L. Johnson
Daniel K. Jones
Shawna L. Landeros



Sean McKenna
Brad Miller
Joshua C. Mills
C.B. Moore
Alyssa D. Poe
Amy M. Taylor
Paulina Thompson
Weston H. White

June 1, 2023

Re: Case No.: SPUD-1535
Rezoning Application
The Dog House OKC, Inc.
415 NW 5th St., Oklahoma City

To Whom It May Concern,

Miller Johnson Jones Antonisse & White, PLLC is a law firm located at the corner of NW 6th St. and Walker Avenue. For the past two years we have been adversely affected by the presence of The Dog House OKC, Inc. The partners of the firm (Brad Miller, Logan Johnson, Jami Rhodes Antonisse, and Weston White, undersigned) are also principals in P: Drive Properties, LLC, which owns the building in which the law firm's offices are located

The partners of P: Drive decided to get onboard with Oklahoma City's growth and development, investing over \$6,000,000.00 in the Central Business District. The viability of that investment hinges on our ability to provide Class A office space for our firm and other professional businesses and/or high end retailers. Based upon our experience of the last two years, we know that the Dog House OKC's operation has been detrimental to offering an attractive location for other businesses.

We have reviewed the letter from the City of Oklahoma City Development Services Department regarding the proposed rezoning of 415 NW 5th St. and hereby **object** to the same. Over the last two years, as The Dog House OKC has operated its business in violation of the zoning requirements, we have endured the incessant barking that emanates from the property. We have repeatedly called The City of Oklahoma's

City's Action Line to complain about the noise, but have received no relief. The noise, odor, and incongruity with the central business district are inappropriate for the nature of businesses which others conduct in the area. We join with the myriad other businesses in the area who object to the re-zoning of the property, and urge you to reject the rezoning application.

Very truly yours,

A handwritten signature in black ink, appearing to read "Weston H. White". The signature is fluid and cursive, with a large initial "W" and "H".

Weston H. White

For: **Miller Johnson Jones
Antonisse & White, PLLC and P:
Drive Properties**

615 N Hudson Suite 300
Oklahoma City OK 73102
405-815-3600
405-640-5335

June 1, 2023

Laura Griggs
City of Oklahoma City
420 W Main
Oklahoma City OK 73102

RE: DBD Re-zoning Request at 415 NW 5th
SPUD-1535, Dog House, Inc

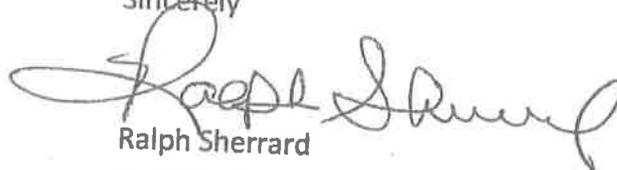
Dear Laura:

I am Ralph Sherrard and I am the facilities manager for M2P LLC. M2P LLC owns a 31,215 Sq Ft building at 615 N Hudson and a 125 X 140 parking lot near 417 NW 6th. We have tenants in the building that work in a quiet environment. Tenants include attorneys and engineering professionals. Our first floor is currently vacant and we are actively marketing the 10,000 Sq Ft space to prospective tenants. On behalf of M2P LLC and The Athenian Building at 615 N Hudson, I am writing to formally protest the re-zoning request referenced above.

- The noise from barking dogs from the Dog House is disturbing to the tenants in our building.
- The nature of the request does not fit the definition of Downtown Business District.
- The applicant states that the artificial Turf is washed down with a disinfectant at least once per day. The runoff associated with heavy rains will result in untreated fecal matter and urine washed into the street and eventually carried into the downtown area by Hudson Avenue.

Please keep me informed as to any future hearing concerning this matter.

Sincerely



Ralph Sherrard
Facilities Manager

David Moss
424 N.W. 6th
Oklahoma City, OK 73102

May 19, 2023

Laura Griggs
City of Oklahoma City
420 W. Main
Oklahoma City, OK 73102

RE: DBD Re-zoning Request at 415 NW 5th
SPUD--1535, Dog House, Inc

Dear Laura:

I am David Moss and I own the apartments at 424 N.W. 6th and the convenience store at 440 N.W. 6th. We have residential tenants that live in the building at 424 N.W. 6th (Directly behind the dog park), some are day sleepers. I am writing to formally protest the re-zoning request referenced above.

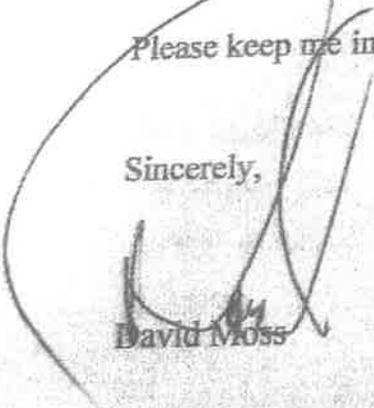
The noise from barking dogs from the Dog House is very disturbing to my tenants.

The nature of the request does not fit the definition of Downtown Business District.

The applicant states that the artificial turf will be washed down with a disinfectant at least once per day. The runoff associated with heavy rains will result in untreated fecal matter and urine washed into the street and eventually carried into the downtown area by Hudson Avenue.

Please keep me informed as to any future hearing concerning this matter

Sincerely,


David Moss