

Planning Commission Minutes
August 10, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 8:00 a.m. on August 7, 2023)

8. (SP-578) Application by Marshall E. & Bonnie L. Doonkeen, for a Special Permit to operate Use Unit 8300.33 Drinking Establishment: Sitdown, Alcohol Permitted in the I-2 Moderate Industrial, SRODD Scenic River Overlay Design District, and DP Downtown Parking Overlay Districts located at 219 South Klein Avenue. Ward 6.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL.

MOVED BY GOVIN, SECONDED BY POWERS

AYES: CLAIR, POWERS, MEEK, PRIVETT, NEWMAN, GOVIN, PENNINGTON,
NOBLE, LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
August 10, 2023

Item No. IV. 8.

(SP-578) Application by Marshall E. & Bonnie L. Doonkeen, for a Special Permit to operate Use Unit 8300.33 Drinking Establishment: Sitdown, Alcohol Permitted in the I-2 Moderate Industrial , SRODD Scenic River Overlay Design District, and DP Downtown Parking Overlay Districts located at 219 South Klein Avenue. Ward 6.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Paul Hale
(405) 824-5150
Paulhale77@gmail.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to permit the operation of a Drinking Establishment.

D. Existing Conditions

1. Comprehensive Plan Land Use Typology Area: Urban: Medium Intensity (UM)

UM applies to fully urbanized areas of the city, most of which were built prior to the 1960s. Developments are expected to be larger in scale and have greater intensity and mixture of uses than developments found in UL. Development within UM areas should support efficient transit usage and provide pedestrian and bicycle access to retail, services, parks, and other destinations. Priorities for the UM areas include "infill" development on vacant lots, rehabilitation of underutilized property, and development that supports revitalization of distressed neighborhoods.

2. Size of Site (1935 Square Feet)

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	I-2	I-2	I-2	I-2	I-2
Land Use	Retail	Warehouse	Warehouse	Retail	Retail

II. APPLICANT'S PROGRAM DESCRIPTION

Not applicable

III. 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.

IV. ADDITIONAL SPECIFIC STANDARDS

- A. Each use shall comply with all standards and provisions of the zoning district, unless specifically modified by this section.

Conformity to code will be reviewed as part of building permit process.

- B. Any Drinking Establishment: Sitdown Alcohol Permitted use within the O-2 General Office District must meet the specific use standards for an eating establishment set forth in 9350.26.

Not applicable

C. *Location Requirements.*

- (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 religious or educational facilities located within 300 feet of the proposed location.

- (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/activity areas are shown on the site plan.

- D. *Site Plan Requirements.* In addition to the Special Permit site plan requirements as specified in 59-4250.2.D., the location and dimensions of the area(s) designated for the sales and consumption of alcoholic beverages shall be shown on the site plan.

Reference Exhibit B – Site Plan

- E. *Notification Requirements.* Applications for a Special Permit allowing the Drinking Establishments: Sitdown, Alcohol Permitted (8300.33) use shall be accompanied by a list of all owners of property within 600 feet of the exterior boundary of the subject property upon which the special permit is

requested. In addition, the 600-foot radius shall be extended by increments of 100 lineal feet until the list contains a minimum of ten individual property owners of ten separate parcels.

All property owners within 600 feet of the proposed property boundaries were issued Public Notice.

V. 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 (Oklahoma City)**
- 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 *

9. Streets, Traffic and Drainage Maintenance

10. Stormwater Quality Management

11. Traffic Management

12. Utilities

a. Wastewater Comments *

b. Water Comments *

c. Solid Waste Management

13. Development Services

14. Planning *

IV. 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

Applicant: Marshall E. & Bonnie L. Doonkeen

Present Zoning: I-2 / SRODD / DP

Proposed Use: Drinking Establishment: Sitdown, Alcohol Permitted

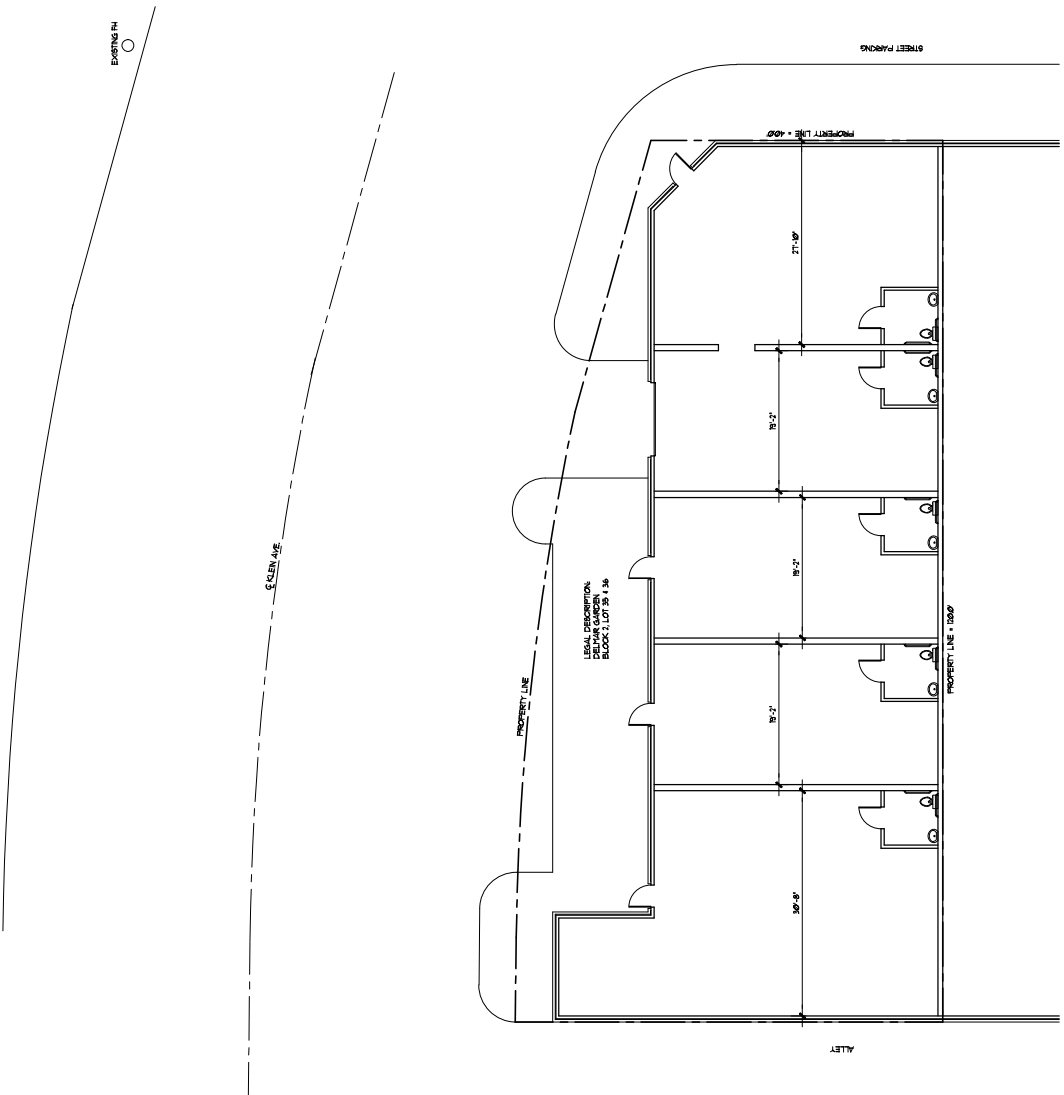


The City of
OKLAHOMA CITY

Special Permit Application



0 100 200 Feet



1
ALL
SITE PLAN
SCALE: 1/8" = 1'-0"

Case No: SP-578

Applicant: Marshall E. & Bonnie L. Doonkeen

Address: 219 S. Klein Ave.

Present Zoning: I-2 / SRODD / DP

Proposed Use: Drinking Establishment: Sitdown, Alcohol Permitted



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Special Permit Application



0 100 200
Feet