

Planning Commission Minutes
July 13, 2023

(The agenda was filed with the City Clerk of The City of Oklahoma City at 7:37 a.m. on July 10, 2023)

14. (SP-574) Application by Emmanuel Kpogeh, for a Special Permit to operate a (8300.33) Drinking Establishments: Sitdown, Alcohol Permitted use in the PUD-422 Planned Unit Development, Urban Design Overlay, and Twenty Third Street Uptown Corridor Overlay Districts, located at 2125 NW 23rd Street. Ward 2.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL

MOVED BY POWERS, SECONDED BY MEEK

AYES: CLAIR, POWERS, MEEK, GOVIN, NOBLE

ABSENT: PRIVETT, NEWMAN, PENNINGTON, LAFORGE



STAFF REPORT
The City of Oklahoma City
Planning Commission
July 13, 2023

Item No. IV. 14.

(SP-574) Application by Emmanuel Kpogeh, for a Special Permit to operate a (8300.33) Drinking Establishments: Sitdown, Alcohol Permitted use in the PUD-422 Planned Unit Development, Urban Design Overlay, and Twenty Third Street Uptown Corridor Overlay Districts, located at 2125 NW 23rd Street. Ward 2.

I. GENERAL INFORMATION

A. Contacts

Applicant

Emmanuel Kpogeh
(405) 762-9828
vibezokc@gmail.com

B. Case History

This is a new application.

C. Reason for Request

The purpose of this request is to permit use and development of a smoking lounge with mixed beverages.

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.

Comprehensive Plan Land Use Typology Area: Urban Commercial (UC)

The UC layer encourages the concentration of small-scale retail, office and service businesses in locations that serve as hubs for neighborhood and city-wide consumer activity. The UC designation applies to development within one block of the designated corridor. UC designates strategic areas where the creation or revitalization of a commercial district will drive revitalization and an increase in property value in surrounding neighborhoods. Office and multifamily residential uses are highly desirable uses within UC areas, as they generate market demand for retail, incorporate

walkable environments, and create synergies that encourage full utilization of land. Heavy industrial uses are not compatible with the character and purpose of the UC designation.

2. Size of Site: (5000 square feet)

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	PUD-422	HP	PUD-322	C-4	C-3
Land Use	Vacant	Residential	Retail	Retail	Retail

II. APPLICANT’S PROGRAM DESCRIPTION

The proposed business is VIBEZ. This is a new concept for a bar and hookah lounge. Our purpose is to provide an atmosphere filled with positive energy and good vibes. A place where people from different works of life can come to and have an experience through daily theme nights such as art show, jazz nights, highlife nights, salsa/reggaeton nights, Afrobeat/hip-hop nights and many more. The business will earn its revenues through the sale of food, tobacco (hookah) (multiple flavors), alcoholic (mixed beverages, wine, liquor, beer) and non-alcoholic drinks (tea, coffee, juices).

The business will be operated in compliance with all applicable laws and regulations, including but not limited to zoning, building codes, health codes, and environmental regulations. The proposed location of the business within the Special Permit Area is 2125 NW 23RD ST, Oklahoma City, Oklahoma. The proposed hours of operation are 4 PM-12 AM (Tuesdays-Thursdays) and 4 PM-2 AM(Fridays-Sundays) six days a week and we will be closed on Mondays, and the estimated number of employees will be less than 10.

The proposed business will not create any significant adverse impacts on the surrounding community or the environment. The business will comply with all conditions and requirements set forth by the local zoning board or other applicable regulatory agencies and will obtain all necessary permits and licenses.

The proposed business will contribute to the economic development of the Special Permit Area by providing jobs and offering goods or services that will attract customers and visitors to the area. The business will also participate in local community events and initiatives and will seek to establish partnerships with other businesses and organizations in the area.

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.

Not applicable.

- 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.

(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.

(1) There are no known religious or educational facilities located within 300 feet of the proposed location.

(2) The submitted Site and Floor Plan do not indicate any outdoor seating or activity areas.

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.

Site plan, and Floor Plan are attached. Reference Exhibit B – Site and Floor 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.

Applicant provided Property Owner report comprised of 61 individual property owners within a 600-foot buffer area outside of proposed location boundary.

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**

No Solid Waste Management services needed.

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.

Approve the application.

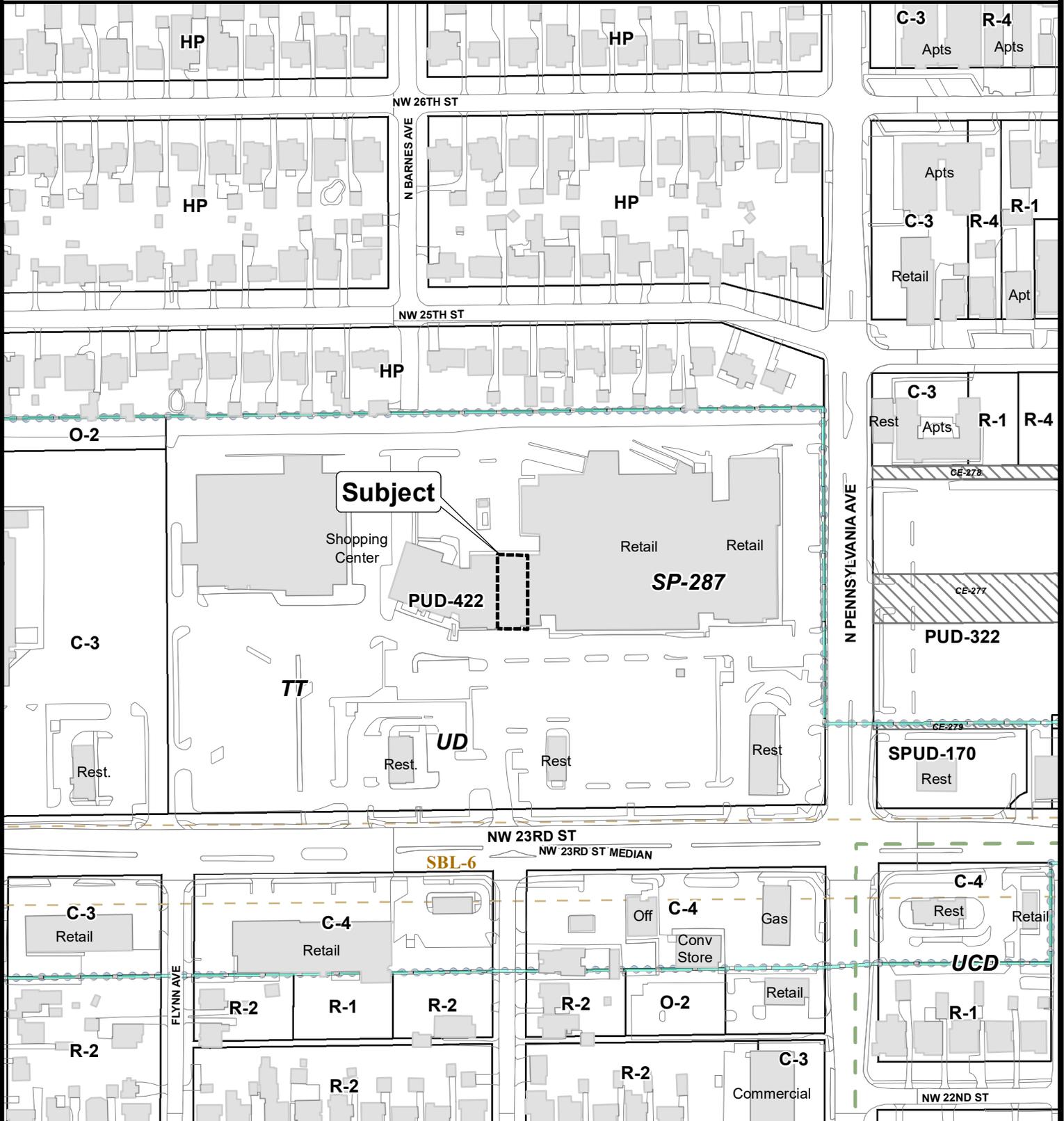
taj

Case No: SP-574 Applicant: Emmanuel Kpogeh

Address: 2125 NW 23rd St.

Present Zoning: PUD-422 / UD / TT

Proposed Use: Drinking establishment



The City of
OKLAHOMA CITY

Special Permit Application



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Feet

VIBEZ HOOKAH LOUNGE

PROJECT INFORMATION

PROJECT ADDRESS:
2125 NW 23RD ST.
OKLAHOMA CITY, OK 73107

PROJECT DESCRIPTION:
The interior remodel of an existing commercial building to accommodate a new hookah lounge

BUILDING CODE:
INTERNATIONAL BUILDING CODE 2015
WITH CITY AMENDMENTS
NFPA LIFE SAFETY 101
NATIONAL ELECTRICAL CODE 2014

USE GROUP: A-2
CONSTRUCTION TYPE: 2-B

BUILDING FULLY SPRINKLED PER NFPA 13

APPROX AREAS:
TOTAL BUILDING AREA = 105,286 sqft.
PROJECT AREA (TENANT SUITE) = 5,000 sqft.

LEGAL DESCRIPTION:

UNPLTD PT SEC 19 12N 3W 000 000 PT
SE4 SEC 19 12N 3W BEG 594.37FT W OF
SE/C SE4 TH N240FT W134.70FT N161.07FT
NE55.25FT N209.68FT E683.70FT S382.61FT
W199.73FT S279.99FT W368.14FT TO BEG
SUBJ TO ESMTS OF RECORD

OCCUPANCY LOAD CALCULATIONS

LOUNGE (Tables & Chairs)
1,637 SQFT. TOTAL / 15 NET = **111 OCCUPANTS**

NON-SMOKING (Tables & Chairs)
57.5 SQFT. TOTAL / 15 NET = **4 OCCUPANTS**

STORAGE AREAS (Totalled)
1,500 SQFT. TOTAL / 300 GROSS = **5 OCCUPANTS**

KITCHEN
292 SQFT. TOTAL / 200 GROSS = **1 OCCUPANTS**

TOTAL BUILDING OCCUPANT LOAD = 121

MINIMUM PLUMBING FACILITIES

ISC 2015 Table 2902.1 Minimum Number of Required Plumbing Fixtures.
Description - Hookah Lounge Similar to a banquet hall or restaurant.

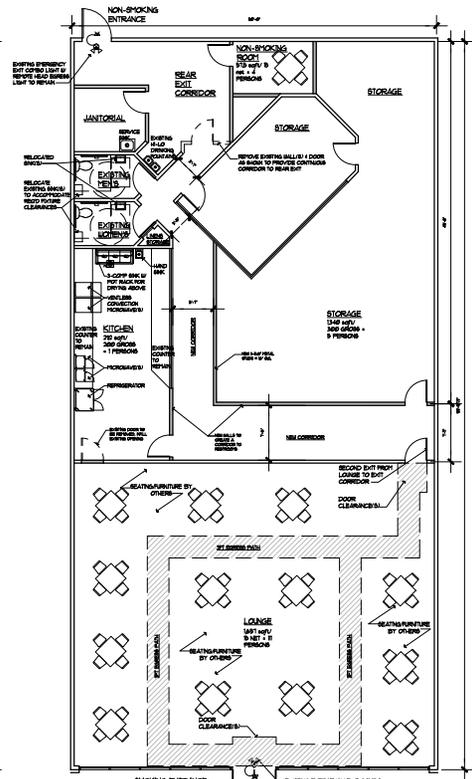
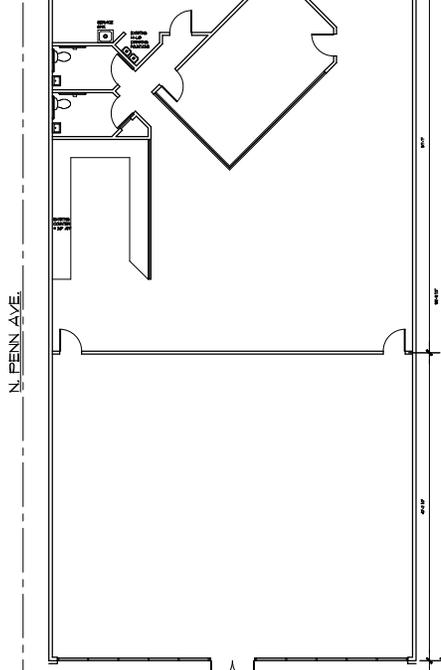
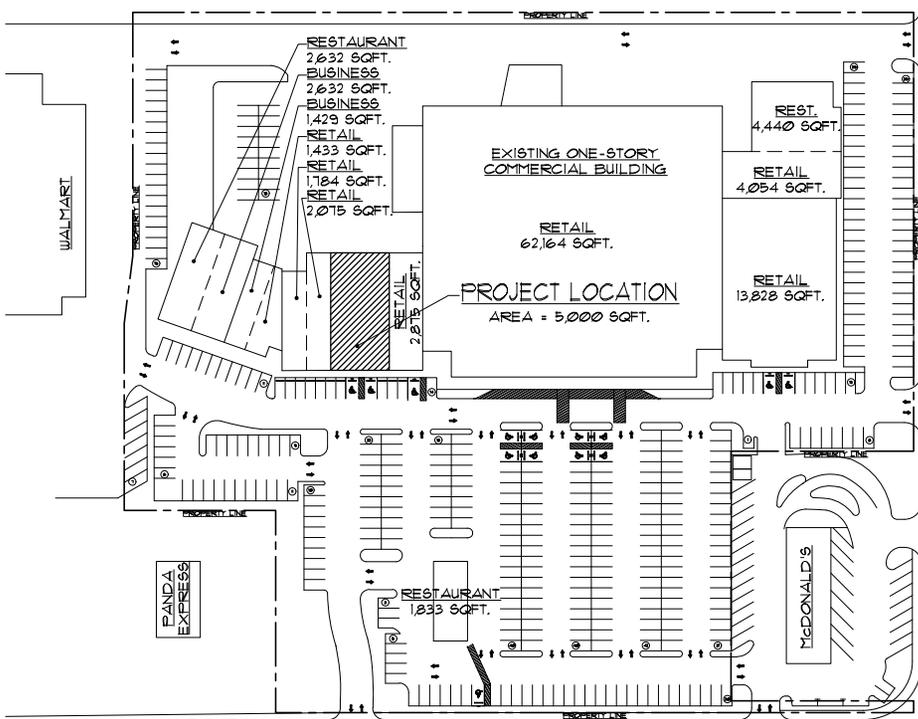
Water Closets (1 per 75)
Men (1212/59.5 / 75 = 0.80) 1 req'd 1 provided
Women (1212/59.5 / 75 = 0.80) 1 req'd 1 provided

Lavatories (1 per 200)
Men (1197/200 = 0.59) 1 req'd 1 provided
Women (1197/200 = 0.59) 1 req'd 1 provided

Bathubs or Showers (not required) 0 provided

Drinking Fountains 1 req'd 2 provided

Service Sinks 1 req'd 1 provided



EXISTING SITE PLAN
SCALE: 1"=50'-0"

EXISTING FLOOR PLAN
SCALE: 1/8"=1'-0"

PROPOSED FLOOR PLAN
SCALE: 1/8"=1'-0"

VIBES HOOKAH LOUNGE
2125 NW 23RD ST.
OKLAHOMA CITY, OK 73107

SAM GRESHAM ARCHITECTURE
400 NW 23rd St., Suite B
Oklahoma City, OK 73107
405.914.4222



COVER SHEET & SITE PLAN

REV #1	06-11-22	Plan Review Comments
REV #2	06-26-22	Plan Review Comments
REV #3	04-02-22	Plan Review Comments
REV #4	10-10-22	Site Plan & Access Elevation

PROJECT #: 220096
DATE: 08.30.22
DRAWING NO.

A1.1

Purpose Statement/Proposed Use

Vibez Hookah Lounge LLP, a Oklahoma/United States corporation with its principal place of business at 2125 NW 23rd ST, Oklahoma City, Oklahoma, hereby submits this proposal for a special permit to operate within the C-3 area.

The proposed business is VIBEZ is a new concept for a bar and hookah lounge. Our purpose is to provide an atmosphere field with positive energy and good vibes. A place where people from different works of life can come to and have an experience through daily theme nights such as art show, jazz nights, highlife nights, salsa/reggaeton nights, Afrobeat/hip-hop nights and many more. The business will earn its revenues through the sale of food, tobacco (hookah) (multiple flavors), alcoholic (mixed beverages, wine, liquor, beer) and non-alcoholic drinks (tea, coffee, juices).

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area. The business will also participate in local community events and initiatives and will seek to establish partnerships with other businesses and organizations in the area.

In conclusion, VibeZ Hookah Lounge LLP respectfully requests that the special permit for the proposed business be granted. We believe that our business will be a valuable addition to the Special Permit Area, and we are committed to operating in a manner that is consistent with the goals and objectives of the special permit. Thank you for your consideration of our proposal.

Sincerely,

Emmanuel Kpogeh

Manager, VibeZ Hookah Lounge LLP

Case No: SP-574 Applicant: Emmanuel Kpogeh
Address: 2125 NW 23rd St. Present Zoning: PUD-422 / UD / TT
Proposed Use: Drinking establishment



Aerial Photo from 2/2022



The City of
OKLAHOMA CITY

Special Permit Application



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