

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)

15. (SP-575) Application by Mohsin R. Butt, for a Special Permit to operate a (8300.33) Drinking Establishments: Sitdown, Alcohol Permitted use in the I-1 Light Industrial and HNO Healthy Neighborhoods Overlay Districts, located at 2401 Shull Avenue, Suite B. Ward 7.

The applicant was present. There were no protestors present.

RECOMMENDED APPROVAL

MOVED BY GOVIN, SECONDED BY NOBLE

AYES: CLAIR, POWERS, MEEK, GOVIN, NOBLE

ABSENT: PRIVETT, PENNINGTON, LAFORGE, NEWMAN



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

Item No. IV. 15.

(SP-575) Application by Mohsin R. Butt, for a Special Permit to operate a (8300.33) Drinking Establishments: Sitdown, Alcohol Permitted use in the I-1 Light Industrial and HNO Healthy Neighborhoods Overlay Districts, located at 2401 Shull Avenue, Suite B. Ward 7.

I. GENERAL INFORMATION

A. Contacts

Applicant

Mohsin R. Butt
(646) 288-1342
Mohsinr63@aol.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: Low Intensity (UL)

Urban – Low Intensity 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.

2. Size of Site: (53,348.0 square feet)

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	I-1	R.O.W.	I-2	SPUD-35	R.O.W.
Land Use	Vacant	I-35 Hwy	Retail	Undeveloped	I-35 Hwy

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 35 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.

Approval of the application.

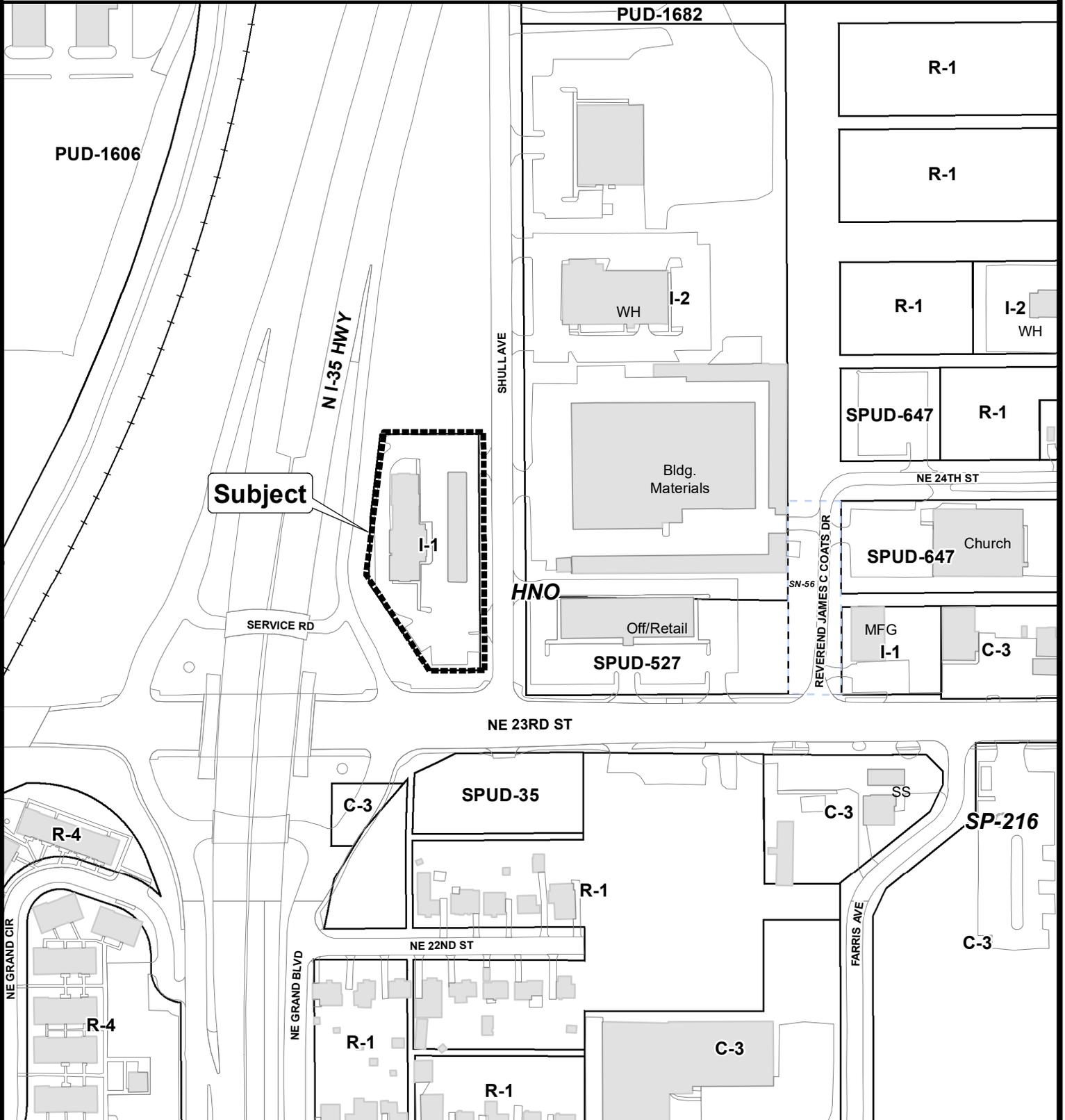
taj

Case No: SP-575 Applicant: Mohsin R. Butt

Address: 2401 Shull Ave. Suite B

Present Zoning: I-1 / HNO

Proposed Use: Drinking establishment



Note: "Subject" is Located approximately 1,455' West of N. Bryant Ave.



The City of OKLAHOMA CITY

Special Permit Application

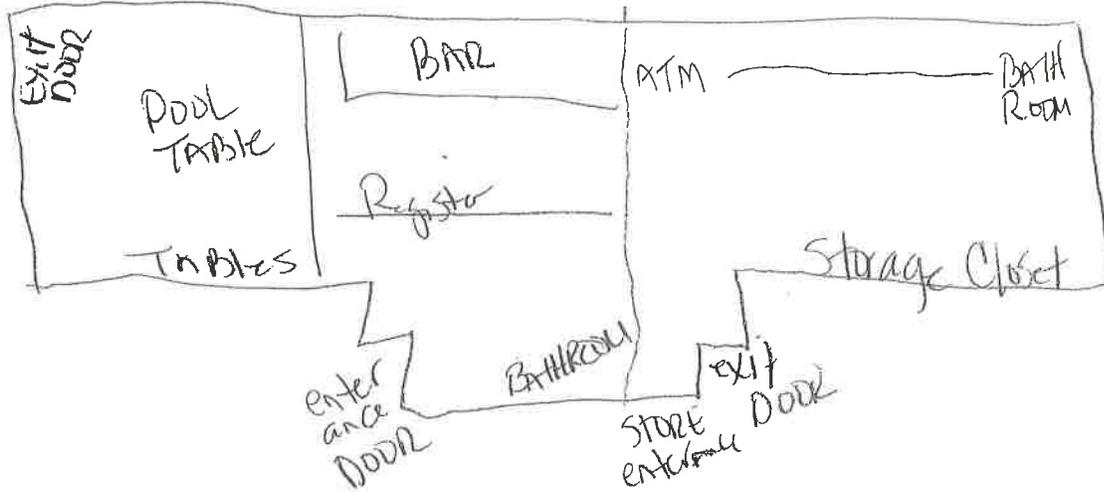


0 100 200 Feet

LOCATION DIAGRAM

Draw or attach a diagram of the licensed premises. The diagram should include the following: outside dimensions, rooms, doorways, bars and liquor storage areas. **DO NOT SUBMIT BLUEPRINTS**

NO O/S dining/drinking
NO church/school w/ 300' radius



WEST WALL



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Aerial Photo from 2/2022

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Special Permit Application



0 100 200
Feet