



STAFF REPORT
The City of Oklahoma City
Planning Commission
July 27, 2023

Item No. IV. 5.

(SP-576) Application by Eighty Eight Investments, LLC, for a Special Permit to operate Use Unit 8300.33, Drinking Establishments: Sitdown, Alcohol Permitted use in the DTD-1 Downtown Transitional District, located at 808 NW 6th Street. Ward 6.

I. GENERAL INFORMATION

A. Contacts

Applicant's Representative

Hollie Hunt, Sam Gresham Architect
(405) 842-2998
hollie@samgreshamarchitect.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: Downtown (DT)

DT applies to the city center, Oklahoma City's most intense development area, envisioned as a regional center for commerce and tourism. Urban experience, interaction, creativity and knowledge exchange, and economic dynamism are guiding objectives that necessitate high intensity and extremely close proximity among businesses, residents, destinations, and amenities.

2. Size of Site (13,575 square feet)

3. Zoning and Land Use

	Subject Site	North	East	South	West
Zoning	DTD-1	DTD-1	DTD-1	DTD-1	DTD-1
Land Use	Office	Parking	Office	Office	Apartment

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. 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 churches or schools located within 300 feet of the subject property.

- (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.

There are no outdoor seating or activity areas proposed per Exhibit B – Site Plan.

B. *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.

Sales and consumption areas are within the building per Exhibit C – Floor Plan.

C. *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 owner within 600 feet were provided 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**

The City cannot service. Contact private hauler.

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.

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