



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 01/18/2022

**REQUESTER:** WH Normandy Creek, L.P.

**PRESENTER:** Jane Hudson, Director of Planning & Community Development

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF ORDINANCE O-2122-24 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO GRANT SPECIAL USE FOR A BAR, LOUNGE OR TAVERN IN THE C-2, GENERAL COMMERCIAL DISTRICT, FOR LOT THREE (3), OF BLOCK ONE (1), OF JENNINGS ESTATES NO. 1 ADDITION, A REPLAT OF PART OF BLOCK 1, OF JENNINGS ESTATES NO. 1 ADDITION, TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2224 WEST MAIN STREET, SUITE 2262)

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**SYNOPSIS:** The applicant, WH Normandy Creek, L.P., is requesting Special Use for a Bar, Lounge, or Tavern for an 11,000 sq. ft. suite in an existing shopping center at 2224 West Main Street, Suite 2262. The property is zoned C-2, General Commercial District.

**HISTORY:** The property was rezoned from R-1, Single Family Dwelling District, to C-2, General Commercial District, in October 1967, around the same time as the surrounding properties. These collective properties were developed into Normandy Creek Shopping Center, of which the suite in question is a part. Ordinance O-9192-18 defined “bar” as “an establishment whose primary activity, measured by dollar volume of sales, involves the sale and the on-premise consumption” of alcoholic beverages, and amended the C-2 zoning district to allow for a Bar, Lounge, or Tavern as a Special Use.

**ZONING ORDINANCE CITATION:** A Special Use request shall be reviewed and evaluated on the following criteria according to the Zoning Ordinance 22:434.1, Special Uses:

1. Conformance with applicable regulations and standards established by the Zoning Regulations.
2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.

3. Potentially unfavorable effects or impacts on other existing or permitted uses on abutting sites, to the extent such impacts exceed those which reasonably may result from use of the site by a permitted use. (NOTE: Throughout this Section, "Permitted Use" means any use authorized as a matter of right under the applicable zoning district.)
4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed "Special Use" and other uses authorized and anticipated in the area, considering existing zoning and land uses in the area.
6. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed "Special Use" with existing or permitted uses in the surrounding area.

**EXISTING ZONING:** The property is currently zoned C-2, General Commercial District. This district is intended for the conduct of personal and business services and the general retail business of the community. The C-2 District requires Special Use approval for a Bar, Lounge, or Tavern.

**SITE PLAN:** The Normandy Creek Shopping Center area has 4 access points; 2 off West Main Street and 2 off 24<sup>th</sup> Ave. SW. The applicant will not be changing the existing building or site. Only interior remodels will be done to the suite for the sports bar.

As shown on the site plan, the location of the sports bar is in the southeast corner of the mall. There is a public alley on the south and east side as well as a culvert on the east side of the mall. There is approximately 136-foot separation/tree buffer between the east wall of the sports bar to the neighboring apartments to the east. There is approximately 182-foot separation from the southwest corner wall of the sports bar to the neighboring single-family use to the southwest.

**IMPACTS:** There have been restaurants located within this Shopping Center in the past and the area has a large parking lot to serve all the uses. As stated there have been restaurants at this site but never a bar, lounge or tavern. The hours of operation for this proposed sports bar are 11 AM to 2 AM.

The applicant responded to staff's question as to the possibility of live music at the site. The applicant stated there may be live music but only on special occasions. The Special Use for Bar, Lounge or Tavern does not grant the applicant the permission to have live music. If the operation is a restaurant, a restaurant may include live entertainment and/or a dance floor, (all such activity fully within an enclosed building) provided the kitchen remains open with the full food service whenever live entertainment is offered.

**OTHER AGENCY COMMENTS:**

**PUBLIC WORKS:** This property is platted. Project is within an existing building.

**PREDEVELOPMENT: PD21-32, October 28, 2021**

No neighbors attended this meeting.

**CONCLUSION:**

Staff forwards this request for Special Use and Ordinance O-2122-24 for City Council's consideration.

At their meeting of November 18, 2021, Planning Commission unanimously recommended adoption of Ordinance O-2122-24, by a vote of 6-0.