
ORDINANCE NO. O-1920-15

ITEM NO. 5

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Crossed Cannons Brewery (Beau & Katie Salois)
REQUESTED ACTION	Special Use for Light Manufacturing for a Brewery Special Use for a Bar, Lounge or Tavern Special Use for a Live Entertainment Venue
EXISTING ZONING	C-3, Intensive Commercial
SURROUNDING ZONING	North: C-3, Intensive Commercial District East: C-3, Intensive Commercial District South: Unclassified, University of Oklahoma West: C-3, Intensive Commercial District
LOCATION	333 West Boyd Street
SIZE	2,950 square feet, more or less and 668 sq. ft. outdoor deck not included in the Special Use (OU owns)
PURPOSE	Brewery, Bar, Lounge or Tavern, and Live Entertainment Venue
EXISTING LAND USE	Retail/Restaurant Space for lease
SURROUNDING LAND USE	North: OU and parking lots East: Retail shops South: OU Campus West: OU Campus
LAND USE PLAN DESIGNATION	Commercial
GROWTH AREA DESIGNATION	Current Urban Service Area

SYNOPSIS: The applicants, Crossed Cannons Brewery, are requesting approval for a Special Use to allow for Light Manufacturing or Assembly Operations for a Brewery, Special Use for a Bar, Lounge or Tavern and Special Use for Live Entertainment Venue in the C-3, Intensive Commercial District.

ANALYSIS: The operation will consist of a small brewery and tasting room/bar use with craft beer sales for on-site consumption, as well as selling of retail items and their packaged craft brew product to individuals and wholesalers for off-site consumption. In the future, the applicant may open a restaurant at this location.

The applicant is requesting Special Use for Live Entertainment Venue to allow a single acoustic artist or small trio to perform within the brewery; no live outdoor entertainment is requested.

The patio attached to the building on the west side of the property is not included in the Special Use; it is owned by OU and leased to the owner of the property. OU is not subject to the City of Norman Zoning Code; therefore, the patio can be utilized according to their tenant/lease agreement.

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.

Based on the above criteria this request is compatible with surrounding uses in the Campus Corner District; this request is similar to surrounding uses, and has no expected negative impacts on the surrounding area.

This location has been the site of several restaurants over the years and there are no changes to the existing site and building; only an interior remodel building permit will be required.

ALTERNATIVES/ISSUES: In 2016, the State of Oklahoma adopted Senate Bill No. 424 (SB 424) allowing breweries to serve and sell craft beers at their business site; this new law became effective August 25, 2016. Up until the adoption of SB 424, local breweries were not permitted to sell their craft beers to customers for on-site consumption or as package items to consume off-site. Wholesaling was the only means of distribution permitted for these small local businesses. There have been two Special Use applications that City Council approved for a brewery: Lazy Circles Brewing and Big Brew Co. The September 2016 ABLE records showed the State of Oklahoma had 13 breweries registered; since the adoption of the SB 424 the January 2018 records show there are now 23 registered with Oklahoma ABLE Commission.

The Campus Corner District is zoned C-3, Intensive Commercial and there is no parking requirement under this zoning designation; parking is provided through metered parking and several pay parking lots throughout Campus Corner.

OTHER AGENCY COMMENTS:

- **PREDEVELOPEMENT PD19-16** **August 22, 2019**
No neighbors attended the meeting.
- **PUBLIC WORKS**
The parcel is platted and all public infrastructure is in place.
- **PARKS BOARD**
Parkland dedication is not required for this commercial infill development.

STAFF RECOMMENDATION: The business is required to obtain a city license with the City Clerk's Office as a Bar for the sale of their craft brew, as well as comply with all Oklahoma ABLE regulations. Staff supports this request and recommends approval of Ordinance No. O-1920-15.