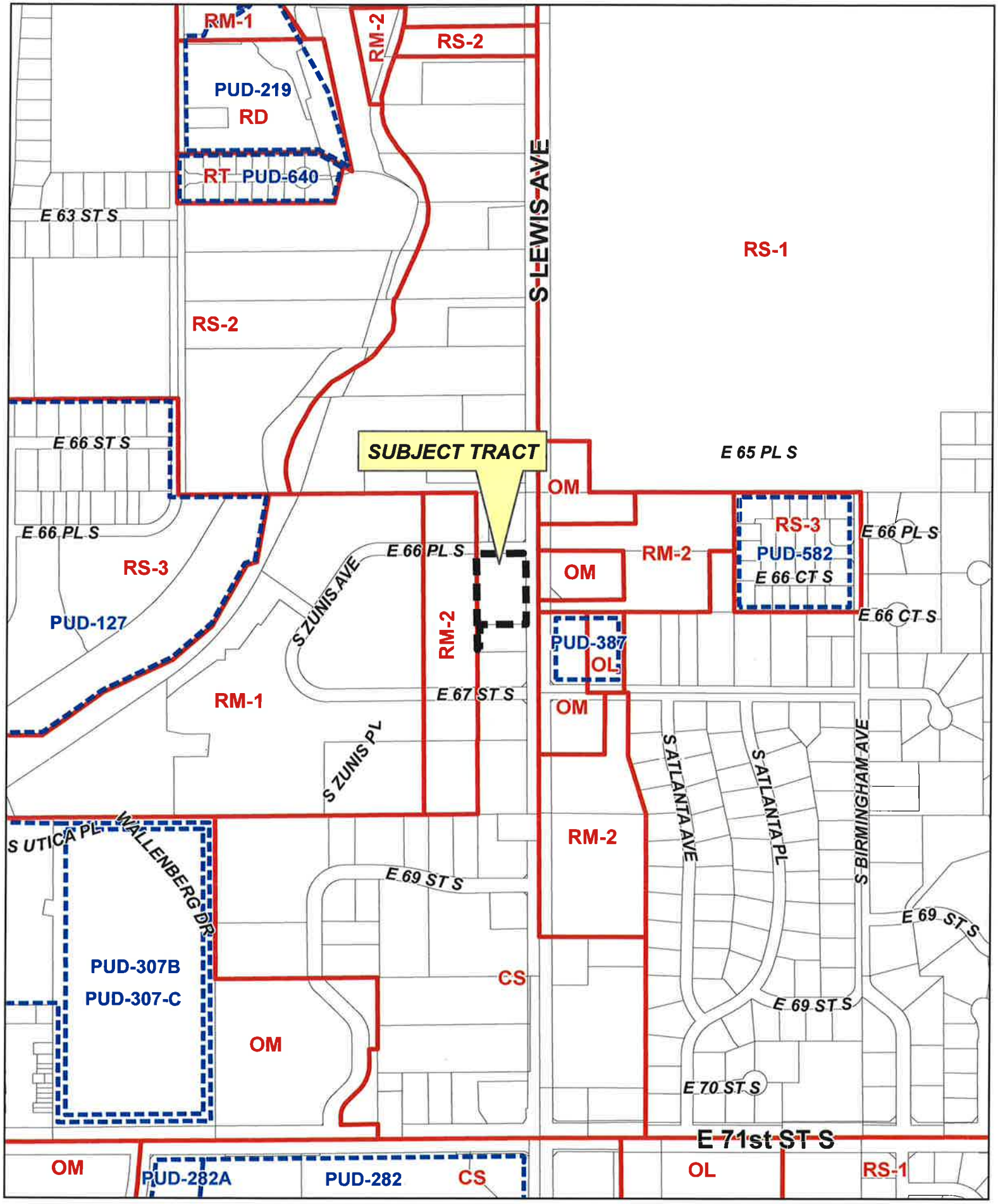


Feet
0 250 500

BOA-22877

18-13 06

4.1

N

BOARD OF ADJUSTMENT
CASE REPORT

STR: 8306 Case Number: **BOA-22877**

CZM: 52

CD: 2

HEARING DATE: 06/09/2020 1:00 PM (*Continued from 4/28/2020*)

APPLICANT: Stephen Pedmia

ACTION REQUESTED: A Special Exception to allow a Small (< 250 person capacity) Indoor Commercial Assembly & Entertainment Use to serve or sell Alcoholic Beverages within 150 feet of a Residential Zoning District (Sec. 15.020, Table 15-2, Sec. 15.020-G Table Note 2)

LOCATION: 6622 S LEWIS AV E **ZONED:** CS

PRESENT USE: Vacant. **TRACT SIZE:** 59198.28 SQ FT

LEGAL DESCRIPTION: PRT NE SE BEG 250S & 50W SECR SE TH S292 W190 S98 W10 N390 E200 TO POB LESS BEG 2385.91N & 50W SECR SE TH W10 SE14.14 N10 TO POB SEC 6 18 14

RELEVANT PREVIOUS ACTIONS:

Subject Tract:

BOA-16979; On 03.14.95 the Board approved a Special Exception to permit a dry-cleaning facility in a CS District.

Surrounding Properties: None

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of a "Mixed-Use Corridor " and an "Area of Growth".

Mixed-Use Corridors are Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the SW/c of E 66 Pl S and S Lewis Ave.

STAFF COMMENTS: The applicant is requesting a **Special Exception** to allow a Small (< 250 person capacity) Indoor Commercial Assembly & Entertainment Use to serve or sell Alcoholic Beverages within 150 feet of a Residential Zoning District (Sec. 15.020, Table 15-2, Sec. 15.020-G Table Note 2)

Chapter 15 | Office, Commercial and Industrial Districts
Section 15.020 | Use Regulations

USE CATEGORY Subcategory Specific use	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
COMMERCIAL												
Animal service												Section 40.020
Boarding or shelter	-	-	-	-	S	P	P	P	P	P	P	
Grooming	-	-	-	-	P	P	P	P	P	P	P	
Veterinary	-	-	-	-	P	P	P	P	P	P	P	
Assembly and Entertainment												Section 40.040
Indoor gun club	-	-	-	-	S	S	S	S	S	S	S	Section 40.040
Other indoor												
Small (up to 250-person capacity)	-	-	-	-	P[2]	P[2]	P[2]	P[2]	S	S	S	Section 40.040
Large (>250-person capacity)	-	-	-	-	S	S	S	S	S	S	S	Section 40.040
Outdoor gun club	-	-	-	-	S	S	S	-	S	S	S	Section 40.040
Other outdoor	-	-	-	-	S	S	S	S	S	S	S	Section 40.040

15.020-G Table Notes

The following notes refer to the bracketed numbers (e.g.," [1]") in Table 15-2:

[1] Restaurant is permitted as accessory use in OL, OM, and OMH districts. Use must be located entirely within the principal office building and may not occupy more than 5% of the building's floor area.

[2] Use requires special exception approval if alcoholic beverages are sold or served, and the subject lot is located within 150 feet of any residential zoning district other than R-zoned street right-of-way (see Figure 15-1).

This use is subject to the supplemental regulations of Sec. 40.040:

Section 40.040 Assembly and Entertainment

Whenever an assembly and entertainment use is located on a lot abutting an R or AG-R-zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of §65.070-C.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to allow a Small (< 250 person capacity) Indoor Commercial Assembly & Entertainment Use to serve or sell Alcoholic Beverages within 150 feet of a Residential Zoning District (Sec. 15.020, Table 15-2, Sec. 15.020-G Table Note 2)

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):
  _____.

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Case No. 16979

Action Requested:

Special Exception to permit a 1983 sq ft dry cleaning facility in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 15; located 6630 South Lewis.

Presentation:

The applicant, **Cynthia Woodson**, 1519 East 75th Street, was represented by **Tod Sanders**, owner of Comet Cleaners, who submitted a plot plan (Exhibit W-1) and requested permission to operate a cleaners at the above stated location.

Comments and Questions:

In reply to Mr. Bolzle, Mr. Sanders replied that the cleaning establishment will be located on Spaces 4 and 5.

Mr. Bolzle asked if this location will be limited to pick-up and delivery, and Mr. Sanders stated that a dry cleaning plant will be in operation.

Mr. Gardner advised that the cleaning industry has changed considerably since the last Code revision, and another revision is being considered that will permit additional square footage by right.

Protestants:

None.

Board Action:

On **MOTION** of **BOLZLE**, the Board voted 5-0-0 (Abbott, Bolzle, Doverspike, Turnbo, White, "aye"; no "nays"; no "abstentions"; none "absent") to **APPROVE** a **Special Exception** to permit a 1983 sq ft dry cleaning facility in a CS zoned district - **SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS** - Use Unit 15; per plan submitted (Spaces 4 & 5); finding the use and size of the cleaning establishment to be compatible with the area; on the following described property:

A tract of land lying in the SE/4, Section 6, T-18-N, R-13-E of the IBM, Tulsa County, Oklahoma, according to the United States Government Survey thereof, described as follows: Beginning at a point on the east line of said Section 6 a distance of 2092.20´ north of the SE/c of said Section 6, thence due north a distance of 292´, thence N 89° 59´ W a distance of 250´, thence due south a distance of 390´, thence S 89° 59´ E a distance of 10´, thence due north a distance of 98´, thence S 89° 59´ E a distance of 240´ to the POB, City of Tulsa, Tulsa County, Oklahoma.

Facing South on Lewis

Subject property

Facing North on Lewis

Subject Property

DANA L. BOX
ZONING OFFICIAL
PLANS EXAMINER II

TEL (918) 596-9661
danabox@cityoftulsa.org

DEVELOPMENT SERVICES
175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

February 14, 2020

LOD Number: 1
Femi Fasesin
421 S. Olympia Ave.
Tulsa, OK 74127

Phone: 918-346-9700

APPLICATION NO: **ZCO-051934-2020**
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **6622 S. Lewis Ave.**
Description: **Event Center**

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601.
THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.

2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.

3. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.

4. A COPY OF A "RECORD SEARCH" **[X]IS** **[ ]IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT WWW.CITYOFTULSA-BOA.ORG

ZCO-051934-2020 6622 S. Lewis Ave. February 14, 2020

Note: As provided for in Section 70.130 you may request the Board of Adjustment (BOA) to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit *applicant is responsible for exploring all or any options available to address the noncompliance and submit the* selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

Sec.15.020 Table 15-2: Your proposed event center is designated a Commercial/Assembly & Entertainment/Indoor (small < 250 person capacity) Use and is located in a CS zoning district within 150' of an R zoned district. This is use is allowed at this location providing no intoxicating beverages or low-point beer are sold or served. Special exception approval is required if intoxicating beverages or low-point beer are sold or served, and the subject lot is located within 150 feet of any residential zoning district.
Review comment: The owner is required to submit a statement in writing that no intoxicating beverages or low-point beer will be sold or served at this location or a copy of the special exception, reviewed and approved per *Sec.70.120*, allowing intoxicating beverages or low-point beer to be served or sold.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:
http://tulsaplanning.org/plans/TulsaZoningCode.pdf

Please notify the reviewer via email when your revisions have been submitted

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

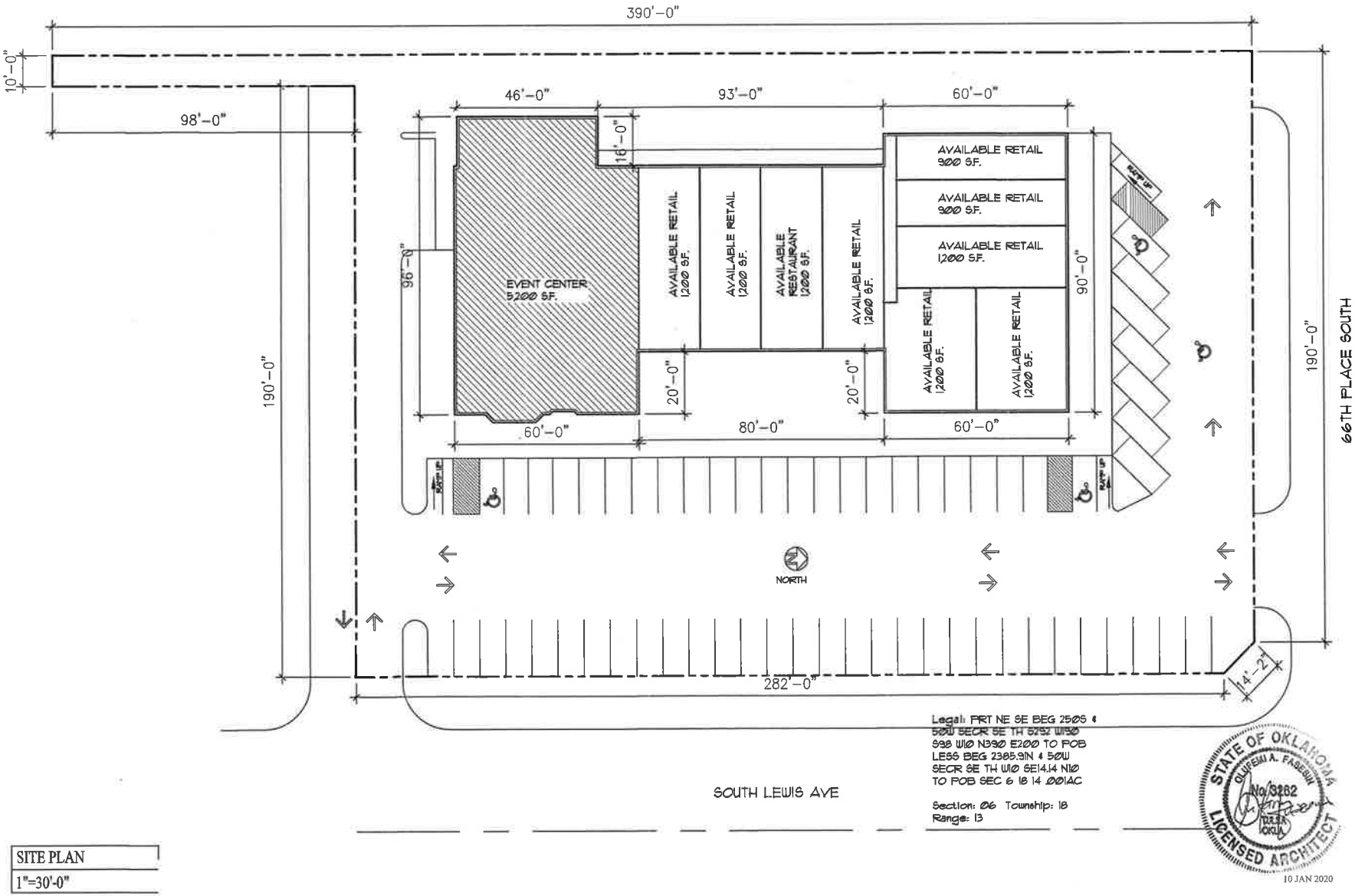
A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

4.10



Legal: PRT NE SE BEG 250S & 520W SECR SE TH S252 W150 S38 W10 N390 E200 TO POB LESS BEG 2385.91N & 50W SECR SE TH W10 SE14.14 N10 TO POB SEC 6 18 14 .001AC

Section: 06 Township: 18
Range: 13

STATE OF OKLAHOMA
OLUFEMI A. FASESIN
No. 9282
LICENSED ARCHITECT
10 JAN 2020

SITE PLAN
1"=30'-0"

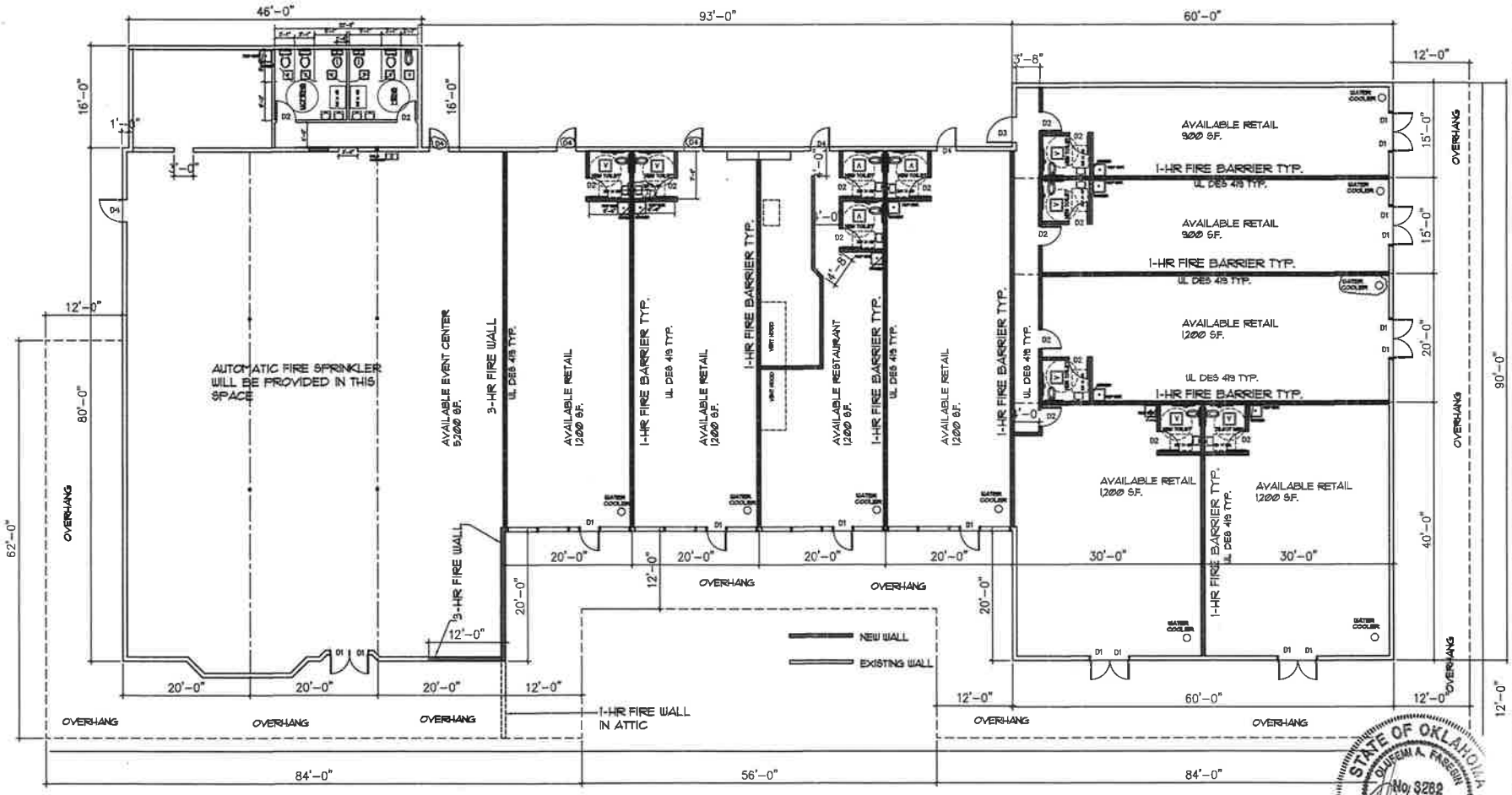
EVENT CENTER
6622 SOUTH LEWIS AVE
Tulsa, Oklahoma
74136

FEMI FASESIN, ARCHITECT
ARCHITECTURE & PLANNING
421 SOUTH OLYMPIA AVE., TULSA, OKLAHOMA 74127
PHONE 918-346-9700

REVISIONS
ISSUED
10 JAN 2020
DATE
1" = 20'-0"
SCALE

Site Plan
SHEET NAME

A-1
SHEET NUMBER



FLOOR PLAN
1/16" = 1'-0"

STATE OF OKLAHOMA
OLUFEMI A. FASESIN
No. 9282
LICENSED ARCHITECT
10 JAN 2020

EVENT CENTER
6622 SOUTH LEWIS AVE
Tulsa, Oklahoma
74136

FEMI FASESIN, ARCHITECT
ARCHITECTURE & PLANNING
421 SOUTH OLYMPIA AVE., TULSA, OKLAHOMA 74127
PHONE: 918-346-9700

REVISIONS
ISSUED
10 JAN 2020
DATE
3/16" = 1'-0"
SCALE
Floor Plan
SHEET NAME
A2
SHEET NUMBER

4.11

ALTA/NSPS Land Title Survey

Part of Section 6
T-18-N R-13-E
Tulsa County, State of Oklahoma

Physical Address
6620 SOUTH LEWIS AVENUE TULSA, OKLAHOMA

LEGAL DESCRIPTION
(AS PROVIDED)

A TRACT OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF SECTION SIX (6), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:
BEGINNING AT A POINT ON THE EAST LINE OF SECTION 6 A DISTANCE OF 2 092.20 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 6, THENCE DUE NORTH A DISTANCE OF 262 FEET; THENCE NORTH 89°59' WEST A DISTANCE OF 250 FEET; THENCE DUE SOUTH A DISTANCE OF 390 FEET; THENCE SOUTH 89°59' EAST A DISTANCE OF 10 FEET; THENCE DUE NORTH A DISTANCE OF 98 FEET; THENCE SOUTH 89°59' EAST A DISTANCE OF 240 FEET TO THE POINT OF BEGINNING.

AREA:

SAID TRACT CONTAINS 59,330 SQUARE FEET OR 1.362 ACRES, (AS DETERMINED BY THIS SURVEY)

BASIS OF BEARINGS:

THE BEARINGS CONTAINED HEREIN ARE BASED UPON GPS OBSERVATIONS USING NAD83 OKLAHOMA NORTH STATE PLANE ZONE (3501) COORDINATES.

Notes:

A. ANY AND ALL EASEMENT AND RIGHT-OF-WAY DOCUMENTATION WAS PROVIDED BY THE REFERENCED TITLE COMMITMENT.

B. WHERE PROPERTY CORNERS FELL ON OUTER SECTION LINES, OR UNMONUMENTABLE POSITIONS, WITNESS MONUMENTS ARE PLACED ON PROPERTY LINES AT THE SPECIFIED OFFSET DISTANCES AS SHOWN OR NOTED.

C. ALL MONUMENTS SET ARE YELLOW CAPPED, READING "RPLS 1842", ALL FOUND AND SET MONUMENTS ARE 3/8" UNLESS OTHERWISE NOTED.

D. ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88)

E. NO GAPS OR OVERLAPS WITH ADJOINER'S DEEDS WAS FOUND.

F. ALL BEARINGS SHOWN HEREON ARE GRID (GPS) USING THE NORTH AMERICAN DATUM 1983 (NAD83) OKLAHOMA NORTH STATE PLANE COORDINATES (ZONE 3501) AND GEOID 12A, COORDINATES DERIVED FROM O.P.U.S. SOLUTION.

G. ALL UTILITIES LOCATED ON, OVER, BENEATH, OR THROUGH PROPERTY MAY NOT BE SHOWN. UTILITY LOCATIONS AND SIZES MAY HAVE BEEN COMPILED FROM MULTIPLE SOURCES SUCH AS, BUT NOT LIMITED TO, INTERPOLATION FROM ATLASES, FIELD OBSERVATIONS, AND STATEMENTS FROM LOCALE AND LOCATORS. SIZES AND LOCATIONS SHOULD BE VERIFIED. UTILITIES WERE REQUESTED TO BE LOCATED 8-13-2019 THROUGH OKIE TICKET NO. 190813094512 18 AND THEN AGAIN 08-20-2019 THROUGH OKIE TICKET NO. 190820102166?.

H. ACCORDING TO FEMA MAP #40143C0354M WITH AN EFFECTIVE DATE OF 6/2/2010, PROPERTY LIES WITHIN UNSHADED ZONE "X" (AREA OF MINIMAL FLOOD HAZARD).

I. ACCORDING TO "U.S. FISH & WILDLIFE SERVICES NATIONAL WETLANDS INVENTORY" WEBSITE, THERE ARE NO INVENTORIED AREAS ON SUBJECT PROPERTY.

J. NO TREES, SHRUBS, OR BUSHES (ANY TYPE OF VEGETATION) WERE LOCATED ON THIS SURVEY.

K. UNDERGROUND POWER IS OUTSIDE IT'S EASEMENT BOUNDS

L. FIBER, ACCORDING TO LOCATE MARKINGS, HAS CROSSED ONTO SUBJECT PROPERTY AT MOST 2.3 FEET ALONG THE EAST LINE.

M. REGARDING TABLE "A" ITEM 9, NO PARKING STRIPES ARE PRESENT WHICH QUALIFY TO BE CONSIDERED APPLICABLE, THEY ARE ALL EXTREMELY WORN AND BARELY VISIBLE.

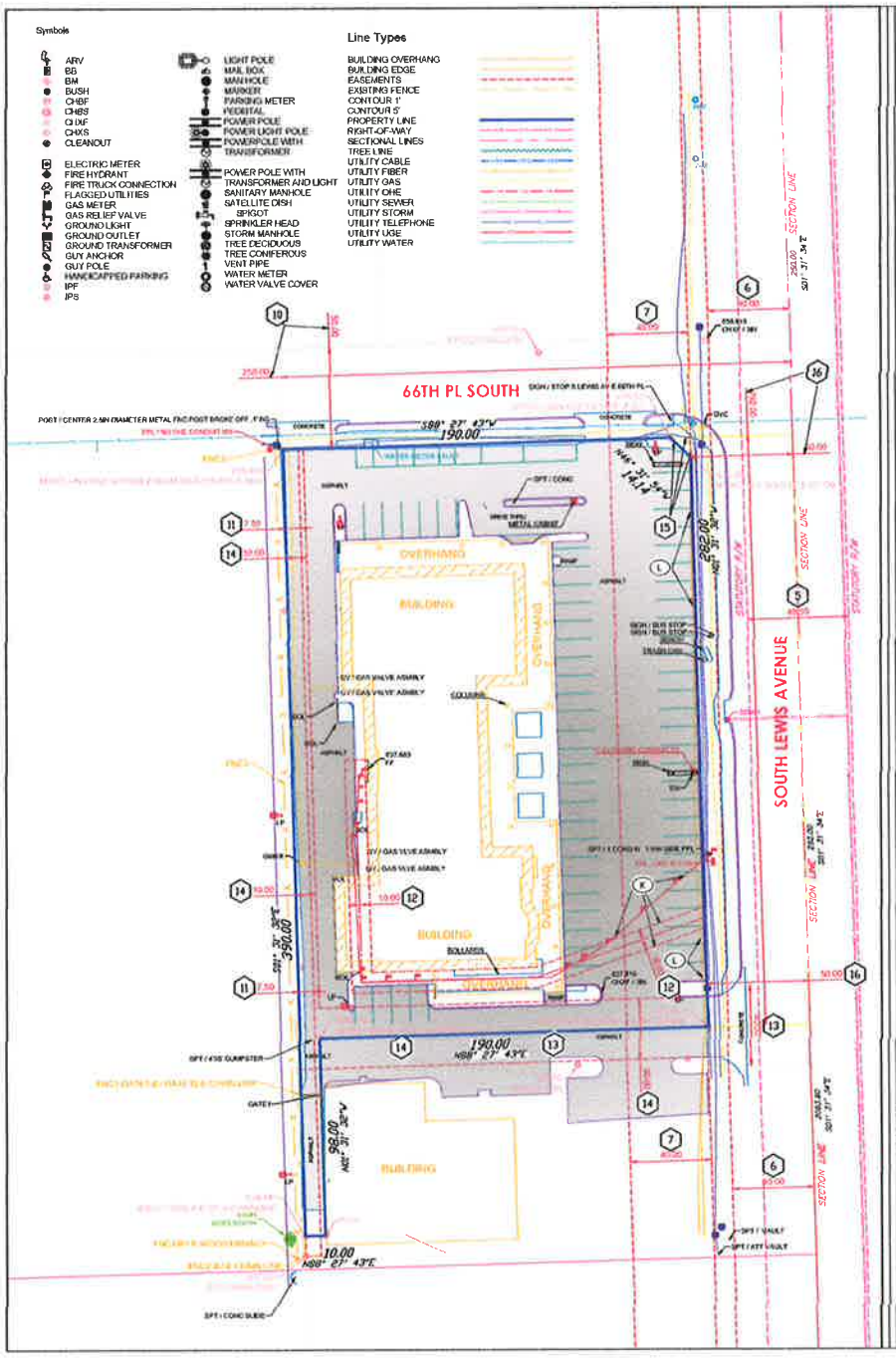
N. NO EVIDENCE OF EARTH MOVING WORK OR ANY KIND OF EXTERIOR CONSTRUCTION WAS OBSERVED. INTERIOR ACCESS WAS NOT AVAILABLE.

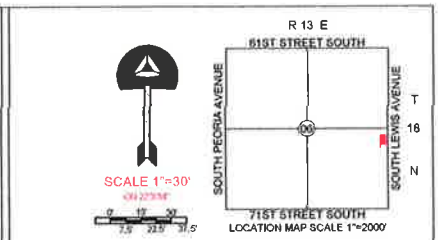
O. LOCATER BELIEVES THERE IS COMMUNICATION ACCESS TO BUILDING, HOWEVER NO BUILDING ACCESS WAS AVAILABLE FOR HIM TO HOOK UP TO TRACE WIRES. ALSO SOME GAS LINES ON THE WEST SIDE OF THE BUILDING WERE UNLOCATABLE.

Schedule B-Part II Exceptions

FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NO. 19-08-2783, ABSTRACT NO. 2415027-TU99 DATE: JUNE 25, 2019 7:30AM

5. THE EAST LINE OF THE CAPTIONED PROPERTY IS SUBJECT TO A STATUTORY ROADWAY EASEMENT. FALSE, EAST LINE IS PARALLEL BUT NOT CONTIGUOUS WITH STATUTORY R/W
6. EASEMENT TO TULSA COUNTY FILED APRIL 29, 1930, RECORDED IN BOOK 612, PAGE 24, AREA AFFECTED BY THIS EASEMENT, CONTIGUOUS WITH SUBJECT PROPERTY HAS BEEN PURCHASED IN FEE SIMPLE THROUGH BOOK 20080127, #2008 EXCEPTION 16
7. PUBLIC DEDICATION FILED AUGUST 13,1956, RECORDED IN BOOK 2710, PAGE 456, AFFECTS THE WEST 40 FEET OF THE EAST 50 FEET, WAS RETURNED BY QUIT CLAIM DEED BOOK 20080127 #2008
8. SEWER EASEMENT TO THE CITY OF TULSA FILED DECEMBER 5,1962, RECORDED IN BOOK 3296, PAGE 539, DOES NOT AFFECT, DOCUMENT IS VOID DUE TO CONFLICTION DOCUMENT NOTED IN BOOK 5343 PAGE 257, EXCEPTION # 9
9. SEWER EASEMENT TO THE CITY OF TULSA FILED MAY 28, 1965, RECORDED IN BOOK 5343, PAGE 257, DOES NOT AFFECT
10. PUBLIC DEDICATION FILED NOVEMBER 28, 1973, RECORDED IN BOOK 4097, PAGE 859, DOES NOT AFFECT, AREA DESCRIBED IS 66TH PLACE R/W DIRECTLY NORTH OF SUBJECT TRACT.
11. RIGHT OF WAY TO OKLAHOMA NATURAL GAS COMPANY FILED FEBRUARY 8, 1974, RECORDED IN BOOK 4105, PAGE 736, AFFECTS AS SHOWN
12. UNDERGROUND RIGHT OF WAY TO PUBLIC SERVICE COMPANY OF OKLAHOMA FILED MARCH 5,1974, RECORDED IN BOOK 4108, PAGE 1318, AFFECTS AS SHOWN, SEE NOTE K
13. TERMS, CONDITIONS, PROVISIONS, COVENANTS AND RESTRICTIONS AS CONTAINED IN LIMITATIONS OF ACCESS AGREEMENT FILED MAY 7,1993, RECORDED IN BOOK 5401, PAGE 257, AFFECTS AS SHOWN.
14. MUTUAL AND RECIPROCAL EASEMENT GRANT FILED MAY 7, 1993, RECORDED IN BOOK 5401, PAGE 261, AFFECTS AS SHOWN.
15. WARRANTY DEED TO THE CITY OF TULSA FILED NOVEMBER 2, 2007, RECORDED AS DOCUMENT NO. 2007128419, AFFECTS AS SHOWN
16. WARRANTY DEED TO THE CITY OF TULSA FILED APRIL 1, 2008, RECORDED AS DOCUMENT NO. 2008052575, AFFECTS AS SHOWN.





Legend

TO: BANTU VENTURES LLC
FIRST AMERICAN TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1,8,9, AND 16 OF TABLE A THEREOF.
THE FIELDWORK WAS COMPLETED ON AUGUST 15,16,17, 19, 20, AND 22ND 2019.

8-25-2019

Aaron B. Vandeschie R.P.L.S. #1842
Expiration 6-30-2021
A.V. SURVEYING INC.
11474 South Douglas Avenue
Jenks Oklahoma 74037
918-636-0218
avsurveying@yahoo.com

SURVEY PREPARED FOR BANTU VENTURES LLC
COMPLETION DATE AUGUST 28TH, 2019

4.12

Feet
0 250 500

Subject Tract

BOA-22877

18-13 06

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

N

4.13

Feet
0 50 100

Subject Tract

BOA-22877

18-13 06

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

N

4.14

Sparger, Janet

From: Chapman, Austin
Sent: Monday, March 23, 2020 4:07 PM
To: SVanDeWiele@HallEstill.com; Austin P. Bond; Burlinda Radney; Briana Ross; Jessica Shelton
Cc: Blank, Audrey; Wilkerson, Dwayne; Swiney, Mark; Sparger, Janet
Subject: FW: Postponement of Hearing for Case BOA-22877

All,

I had missed this email, but it is regarding BOA-22877.

Best,

Austin Chapman
Planner, City of Tulsa Board of Adjustment
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9471
achapman@incog.org

Determining compliance to zoning or building code requirements is not a function of this office. The Building Permits Division will address compliance upon application for a building permit or occupancy p {(918) 596-9456}

From: D. Chavez <d.chvz92@gmail.com>
Sent: Thursday, March 19, 2020 8:21 PM
To: Chapman, Austin <AChapman@incog.org>; Dist2@tulsacouncil.org; mayor@cityoftulsa.org
Subject: Postponement of Hearing for Case BOA-22877

Date: 3/19/20

To: Austin Chapman

C: Mayor G.T. Bynum
C: District 2 Councilor, Jeannie Cue

From: Devie Chavez

I am requesting a postponement of the hearing for Case Number BOA-22877, scheduled for Tuesday, 3/24/2020 1:00 PM for the following reasons:

- I, personally, did not receive any notification until the afternoon of Wednesday, March 18.
- We are a condominium complex of 300 units which backs up to the property for which the Special Exception is requested.
- Many of the long-time owners, about one-third, are over 65 as am I, and in light of the virus crisis, impedes the ability to engage in the hearing or prepare a petition to be signed by residents.
- There are serious concerns including, but not limited to:

4.15

- The lack of parking spaces necessary to accommodate 250 people
- Hours of operation
- Noise level

As a long-time resident and owner, I was part of this Community when the club ***a block and a half south*** of us opened. All of the units on the south side of the complex were subjected to rattling windows and music that could be heard over the TVs in their homes until two o'clock in the mornings. It took months, many calls to the police, and the loss of restaurants in the same commercial center because the waitpersons couldn't hear over the music and noise to take orders, before anything was done to stop the disruption of our community. I don't think anyone here wants a repeat from a much closer venue.

4.16

Sparger, Janet

From: Georgia White <gwhite@oru.edu>
Sent: Wednesday, June 3, 2020 9:59 AM
To: esubmit
Subject: Case Number: BOA-22877 - Comment

Importance: High

Case Number: BOA-22877

Homeowner:
Georgia White
6610 S. Zunis # 410
Tulsa, OK 74136

I am *ADAMENTLY OPPOSED* to the following:
"Special Exception to allow a small (< 250 person capacity) Indoor Commercial Assembly & Entertainment Use to serve or sell alcoholic beverages within 150 feet of a Residential Zoning District (Section 15.020, Table 15-2 & Section 15.020-G, Table Note2)."

Due to the many multi-family communities around the proposed site affected, this should be the greatest deterrent by the Board to allowing this zoning adjustment. We have high crime problems in this area and are working with law enforcement to address drug dealing, prostitution, domestic violence and drunkenness which occurs around the children and the elderly. An "entertainment club" serving alcoholic beverages would not only increase these problems, but the noise would be prohibitive for the school children, elderly, and those of us who need a good night's rest in order to function well at our jobs.

4.17

Comments and Questions:
None.

Board Action:
On **MOTION** of **SHELTON**, the Board voted 4-0-0 (Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **CONTINUE** the request for a Special Exception to allow a manufactured housing unit in an RS-3 District (Section 5.020, Table 5-2); Special Exception to extend the time limit permanently (Section 40.210) to the April 28, 2020 Board of Adjustment meeting; for the following property:

S 1/2 LT 4 BLK 30, RED FORK, City of Tulsa, Tulsa County, State of Oklahoma

22877—Stephen Pedmia

FILE COPY

Action Requested:
Special Exception to allow a small (< 250-person capacity) Indoor Commercial Assembly & Entertainment use to serve or sell alcoholic beverages within 150 feet of a residential district (Section 15.020, Table 15-2 & Section 15.020-G, Table Note 2). **LOCATION:** 6622 South Lewis Avenue East **(CD 2)**

Presentation:
The district City Councilor has requested a continuance to April 28, 2020, and the applicant has agreed to the continuance.

Interested Parties:
There were no interested parties present.

Comments and Questions:
None.

Board Action:
On **MOTION** of **SHELTON**, the Board voted 4-0-0 (Radney, Ross, Shelton, Van De Wiele "aye"; no "nays"; no "abstentions"; Bond absent) to **CONTINUE** the request for a Special Exception to allow a small (<250-person capacity) Indoor Commercial Assembly & Entertainment use to serve or sell alcoholic beverages within 150 feet of a residential district (Section 15.020, Table 15-2 & Section 15.020-G, Table Note 2) to the April 28, 2020 Board of Adjustment meeting; for the following property:

PRT NE SE BEG 250S & 50W SECR SE TH S292 W190 S98 W10 N390 E200 TO POB LESS BEG 2385.91N & 50W SECR SE TH W10 SE14.14 N10 TO POB SEC 6 18 14 .001AC, City of Tulsa, Tulsa County, State of Oklahoma