

BOA-22932

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BOARD OF ADJUSTMENT CASE REPORT

STR: 9212

Case Number: **BOA-22932**

CZM: 36

CD: 4

HEARING DATE: 06/23/2020 1:00 PM (*Continued from 06/09/2020*)

APPLICANT: Lou Reynolds

ACTION REQUESTED: Special Exception to allow a Commercial/Assembly & Entertainment/Large (>250-person capacity) in the CBD zoning district (Sec.15.020 Table 15-2)

LOCATION: 1227 S DETROIT AV E

ZONED: CBD

PRESENT USE: Commercial

TRACT SIZE: 13651.76 SQ FT

LEGAL DESCRIPTION: The South 20 feet of Lot Seven (7) and the North 30 feet of the vacated street adjacent to the South side of said Lot Seven (7) in Block Two Hundred Six (206), and the North 11 feet of Lot Nine (9) and the South 30 feet of the vacated street adjacent to the North side of said Lot Nine (9), in Block Two Hundred Nine (209), WOODLAWN, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

RELEVANT PREVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of the "Downtown Core " and an "Area of Growth".

Downtown Core is Tulsa's most intense regional center of commerce, housing, culture, and entertainment. It is an urban environment of primarily high-density employment and mixed-use residential uses, complemented by regional-scale entertainment, conference, tourism, and educational institutions. Downtown Core is primarily a pedestrian-oriented area with generous sidewalks shaded by trees, in-town parks, open space, and plazas. The area is a regional transit hub. New and refurbished buildings enhance the pedestrian realm with ground-floor windows and storefronts that enliven the street. To support downtown's lively and walkable urban character, automobile parking ideally is located on-street and in structured garages, rather than in surface parking lots.

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 Northwest of the NE/c of E. 13th Street S. and S. Detroit Ave. The property is immediately adjacent to an office building and is across Detroit from auto repair businesses,

12.2

STAFF COMMENTS: The applicant is requesting Special Exception to allow a Commercial/Assembly & Entertainment/Large (>250 person capacity) in the CBD zoning district (Sec.15.020 Table 15-2)

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

| USE CATEGORY | 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 |

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to allow a Commercial/Assembly & Entertainment/Large (>250 person capacity) in the CBD zoning district (Sec.15.020 Table 15-2)

- 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.



Facing South on Detroit



Facing North on Detroit



Subject property

Exhibit "B"

The Applicant requests a Special Exception pursuant to Table 15-2 of the Tulsa Zoning Code (the "Code") to permit Indoor Assembly and Entertainment (Large >250) use in the CBD District for property located at 1227 S. Detroit Avenue (the "Property").

The existing building on the Property is a 12,740 SF warehouse, formerly the headquarters of the John L. Rucker Company, a janitorial supply company. The Property is located just north of the Broken Arrow Expressway exit ramp into the IDL at the intersection of E. 13th Street and S. Detroit Ave. To the South of the Property is the Tulsa Fire Fighters Local 176 station. North and West of the Property are various automotive shops and to the East is Gunboat Park.

The existing brick warehouse was originally built in 1925 and is currently undergoing renovations in an effort to preserve one of Downtown Tulsa's historic buildings located at a gateway into downtown. For the past several years, the Rucker family has housed its personal classic car collection in the warehouse and used the space to host small events for family and friends. The Rucker family desires to convert the existing building into a banquet hall for large events such as weddings, receptions, and fundraisers.

The proposed assembly and entertainment use will further the goals of the CBD district – encouraging a diversity of uses in the IDL, accommodating a desirable, more productive use of land, and promoting private investment into the area – and thus is in harmony with the spirit and intent of the Code. Additionally, the surrounding area along Detroit primarily consists of warehousing and light industrial uses. However, the Gunboat Park neighborhood to the East is currently undergoing a transformation from an industrial park to an office park with commercial and retail amenities. The proposed use will enhance an important entry point into downtown while preserving a historic building and will not be injurious to the neighborhood.

DANA L. BOX
ZONING
PLANS EXAMINER II
TEL (918) 596-9657
danabox@cityoftulsa.org



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

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1
Julia Hovanec/Jeremy Perkins
2200 S. Utica Place, Suite 216
Tulsa, OK 74114

March 6, 2020

Phone: 918-743-9444

APPLICATION NO: **BLDC-053500-2020**
(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Location: **1227 S. Detroit Ave.**
Description: **Banquet Hall**

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" 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

BLDC-053500-2020

1227 S. Detroit Ave.

March 5, 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 [918-584-7526](tel:918-584-7526). It is your responsibility to submit, to our office, 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.

1. **Section 15 Office, Commercial and Industrial Districts - Sec.15.020 Table 15-2:** Your building will be used as a Banquet Hall, which is designated a Commercial/Assembly and Entertainment/Large (>250 person capacity) use. This facility is in the CBD zoned district, which will require a Special Exception approved by the BOA.

Review comment: Submit an approved BOA Special Exception, reviewed and approved per Sec.70.120, to allow a Commercial/Assembly & Entertainment/Large (>250) use in the CBD district.

2. **Section 70.080 Zoning Clearance and Permits, Sec.70.080-C:** Applications for a Building Permit shall include a site plan that provides zoning data for the Zoning review portion of the Building Permit application. You may have submitted a site plan that does not sufficiently cover all pertinent zoning data necessary for a complete review.

Review comment: Provide a site plan. The zoning site plan is required to provide the following:

- Legal description of the lot;
- Actual shape and dimensions of the lot;
- Location and dimensions of all easements;
- Lot lines and names of abutting streets;
- Public rights-of-way as designated on the Major Street and Highway Plan (MSHP) (Contact INCOG @ 918-584-7526 for Right-of-Way information on the MSHP) or follow the link below:
<https://incog.maps.arcgis.com/apps/webappviewer/index.html?id=c688593e48564a81af1fc2609846e587>
- The location and dimensions of existing buildings or structures, including distances to lot lines;
- The location, dimensions and height of proposed buildings or structures.

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.

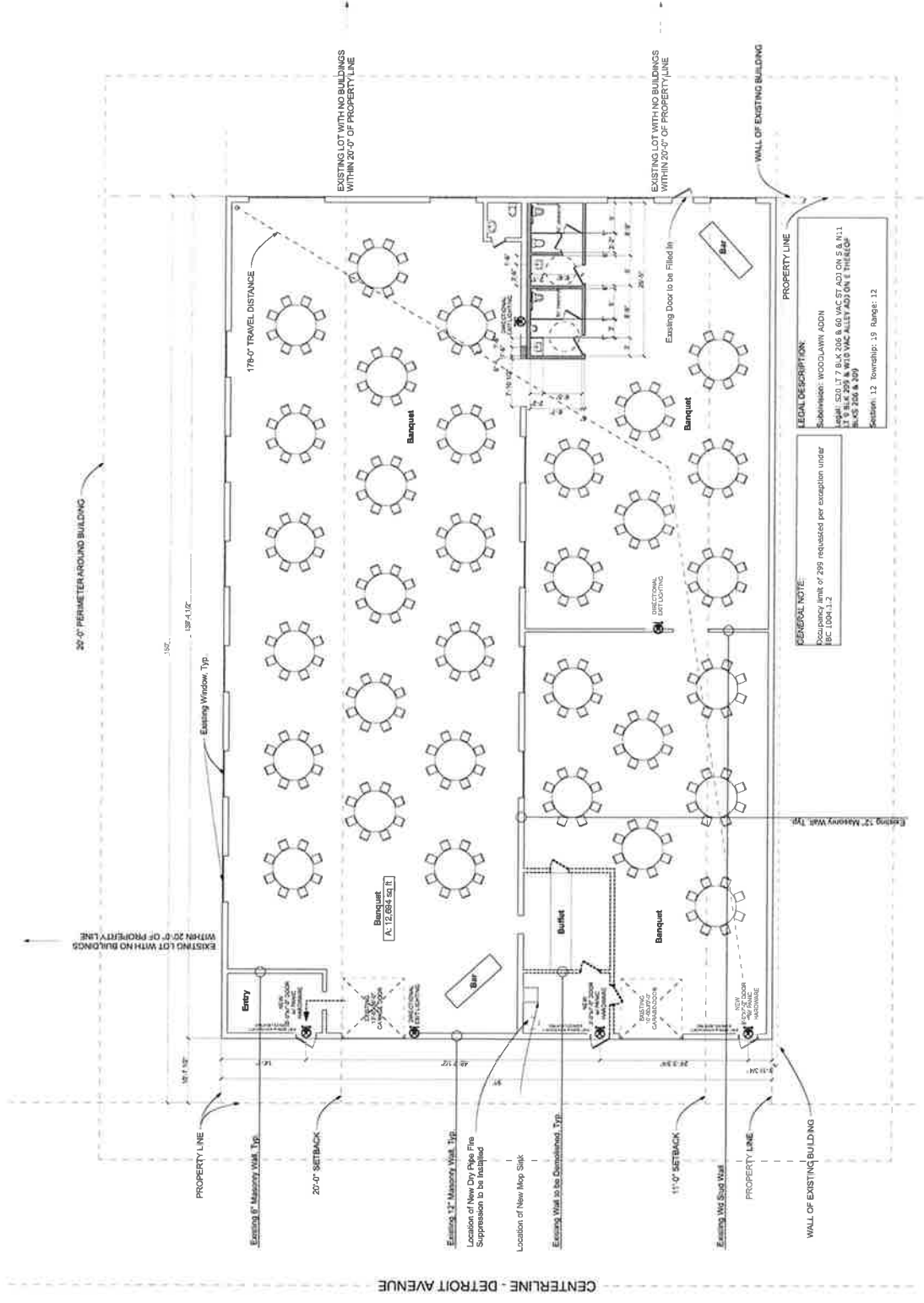
A hard copy of this letter is available upon request by the applicant.

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.

BOA-22932



PERMITS NOTE:
 Expedite/limit of 200 requested per exception under REC 1004-1.2

LEGAL DESCRIPTION:
 Subdivision: WOODLAWN ADDN
 LOTS 7, 8, 9, 10 & 11
 SEC. 12 TOWNSHIP 13 RANGE 12
 S. 45 200 & 201

1 FIRST FLOOR SITE PLAN

jeremy w
 perkins
 architects
 4330 BERRY
 SUITE 200
 THUNDERBOLT, MI 48178
 P 919.742.7424
 WWW.PERKINSARCHITECTS.COM

client: **Rucker Warehouse**
 1227 South Detroit Avenue
 Mount Clemens, MI 48058

drawing: **Site Plan + Floor Plan**
 date: 4/6/20

12.10

Sparger, Janet

From: Kimberly <makerdefault@comcast.net>
Sent: Friday, June 5, 2020 4:56 PM
To: esubmit
Cc: makerdefault@comcast.net
Subject: Case number BOA-22932

Hello,

We wish to voice opposition to case number BOA-22932 Special Exception to allow a Commercial/Assembly & Entertainment/Large (>250person capacity) for the Rucker property. This is an incompatible use relative to the surrounding neighborhood. In particular, the Gunboat Park neighborhood where our home is located. Allowing a venue like this will be detrimental to the surrounding area and would negatively impact the quality of life for those that live in the neighborhood. The exhibit B statements are particularly troubling in that it falsely states the Gunboat Park area is an industrial park – it is not, it is a residential neighborhood.

Please – do not approve this adjustment.

Charles and Kimberly Maker
1228 S. Elgin Ave
Tulsa, OK 74120

TULSA CITY BOARD OF ADJUSTMENT
CASE NO. 22932
OFFICIAL RECORD EXHIBIT _____
ENTERED IN THE 6/10/20
MINUTES OF THE TULSA CITY BOARD
OF ADJUSTMENT



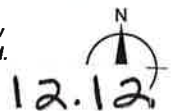
Subject Tract

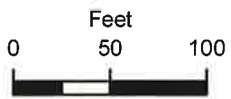
BOA-22932

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

Aerial Photo Date: February 2011





Subject
Tract

BOA-22932

19-12 12

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

Aerial Photo Date: February 2018

12.13

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