



CITY OF
Tulsa
Board of Adjustment

Case Number: BOA-23473

Hearing Date: 12/13/2022 1:00 PM

Case Report Prepared by:

Austin Chapman

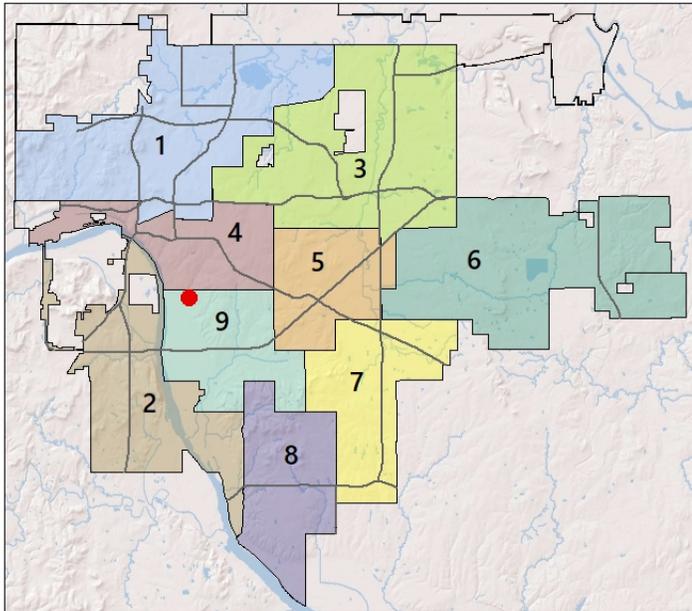
Owner and Applicant Information:

Applicant: Danielle Bell

Property Owner: LA INVESTMENT DEVELOPMENT LLC

Action Requested: Special Exception to permit a Small (up to 250-person capacity) Assembly and Entertainment Use serving or selling alcoholic beverages to be located within 150-feet of a residential zoning district (Sec. 15.020-G, Table Note [2])

Location Map:



Additional Information:

Present Use: Commercial

Tract Size: 5.76 acres

Location: 5029 N. Peoria Ave.

(Tenant space: 5013)

Present Zoning: CS

BOARD OF ADJUSTMENT CASE REPORT

STR: 0307

Case Number: BOA-23473

CD: 1

HEARING DATE: 12/13/2022 1:00 PM

APPLICANT: Danielle Bell

ACTION REQUESTED: Special Exception to permit a Small (up to 250-person capacity) Assembly and Entertainment Use serving or selling alcoholic beverages to be located within 150-feet of a residential zoning district (Sec. 15.020-G, Table Note [2])

LOCATION: 5029 N. Peoria Ave. (Tenant space: 5013)

ZONED: CS

PRESENT USE: Commercial

TRACT SIZE: 250998.1 SQ FT

LEGAL DESCRIPTION: LT 1 BLK 1, NORTHRIDGE CTR AMD RESUB L1-3 & PRT L4 B1 NORTHRIDGE CTR CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Subject property:

Z-7642: On 03.02.2022 the TMAPC *denied* a request to re-zone the property from CS to CG.

BOA-18827: on 08.08.00 the Board *denied* a Special Exception to permit an Adult Entertainment Establishment within 150-feet of an R District and a variance to allow an adult entertainment establishment within 300-feet of another adult entertainment establishment.

BOA-16777: On 09.13.94 the Board *approved* a Special Exception to permit Use Unit 17 to allow auto repair only.

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.

STAFF ANALYSIS: The applicant is requesting a **Special Exception** to permit a Small (up to 250-person capacity) Assembly and Entertainment Use serving or selling alcoholic beverages to be located within 150-feet of a residential zoning district (Sec. 15.020-G, Table Note [2])

35.050-B Assembly and Entertainment

Uses that provide gathering places for participant or spectator recreation, entertainment or other assembly activities. Assembly and entertainment uses may provide incidental food or beverage service. Typical uses include gun clubs, shooting ranges, health clubs, gymnasiums, riding stables and academies, banquet halls, entertainment centers, event centers, billiard centers, bowling centers, cinemas, go-cart tracks, laser tag, paintball, miniature golf courses, stadiums, arenas, video arcades, race tracks, fairgrounds, rodeo grounds, water parks, amusement parks, food truck courts, and live theaters. Outdoor seating and dining areas that exceed 50% of the indoor floor area of the subject principal use (e.g., bar, restaurant or indoor assembly and entertainment use) are regulated as an outdoor assembly and entertainment use.

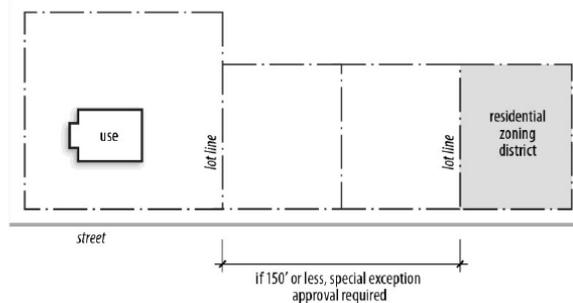
USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
COMMERCIAL												
Animal service												Section 40.020
Boarding or shelter	-	-	-	-	S	P	P	P	P	P	P	
Grooming	-	-	-	-	P	P	P	P	P	P	P	
Veterinary	-	-	-	-	P	P	P	P	P	P	P	
Assembly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

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](#)).

Figure 15-1: Special Exception Requirement within 150 Feet of R zoning



The proposed Assembly and Entertainment is immediately abutting a residential zoned property to the South which is currently a high school.

SAMPLE MOTION:

Move to _____ (approve/deny) a **Special Exception** to permit a Small (up to 250-person capacity) Assembly and Entertainment Use serving or selling alcoholic beverages to be located within 150-feet of a residential zoning district (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):
_____.

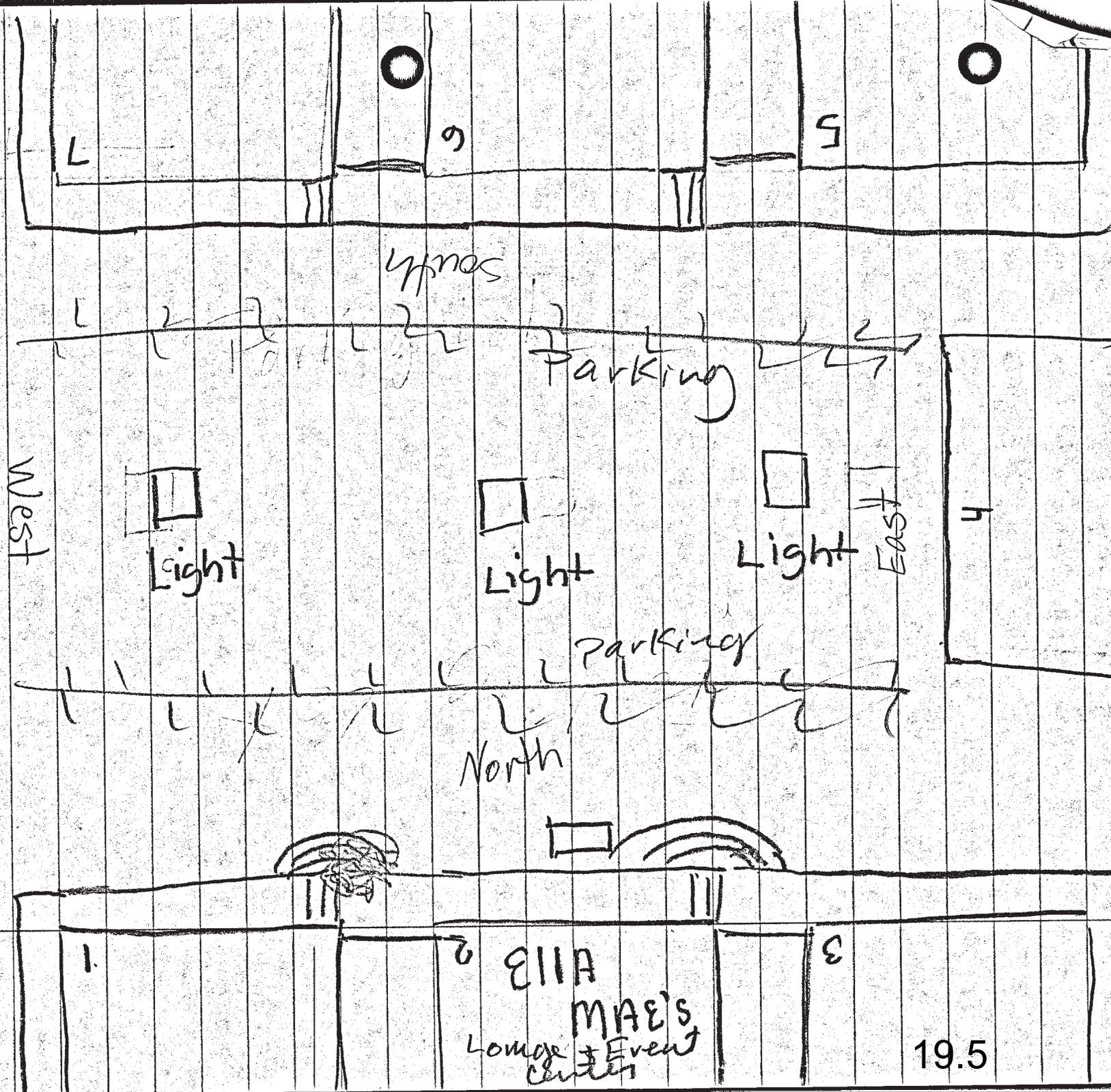
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject Property

Cite Plan

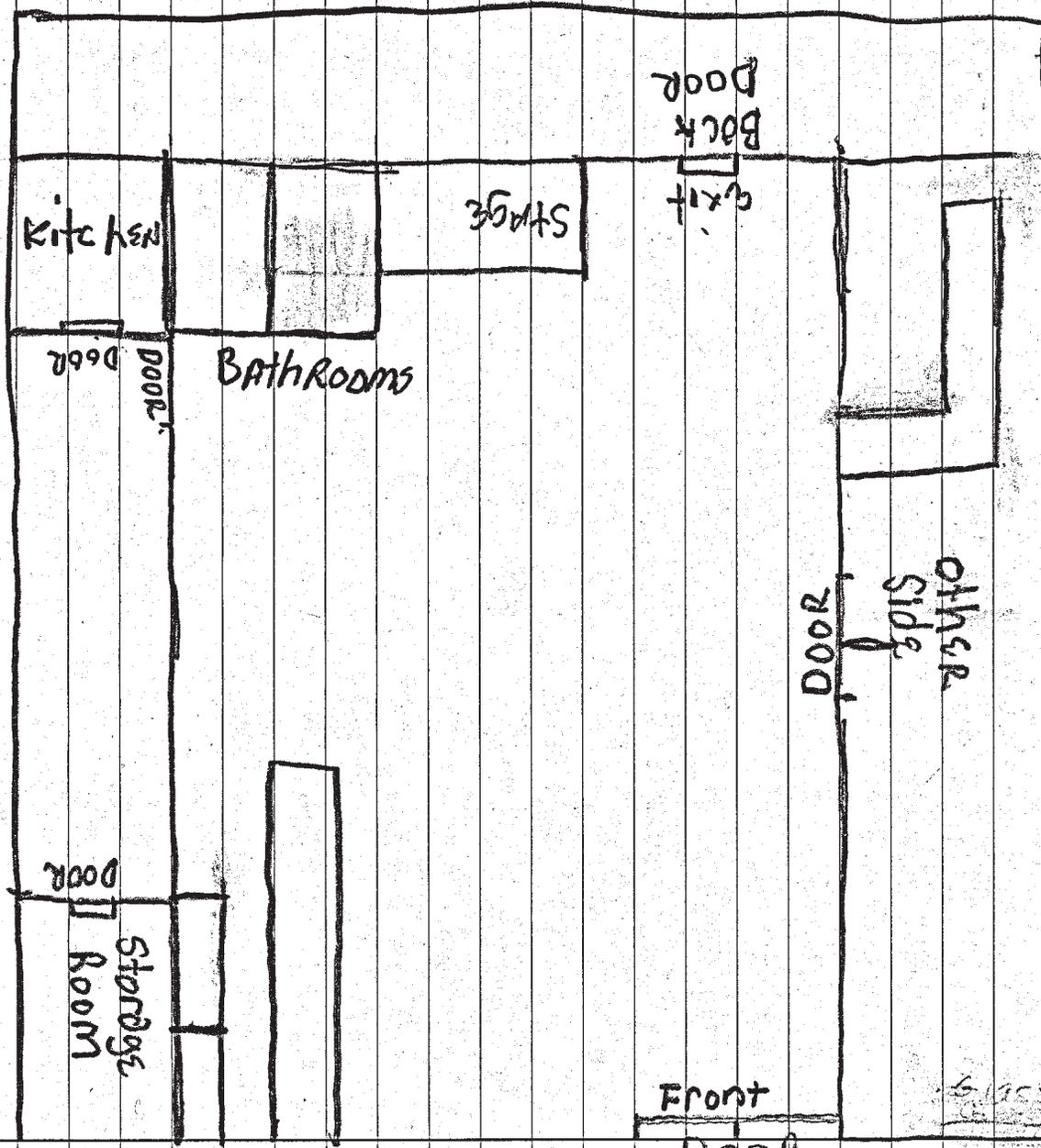
Peoria Ave



1
2
3
MAE'S
Lounge & Event
Center

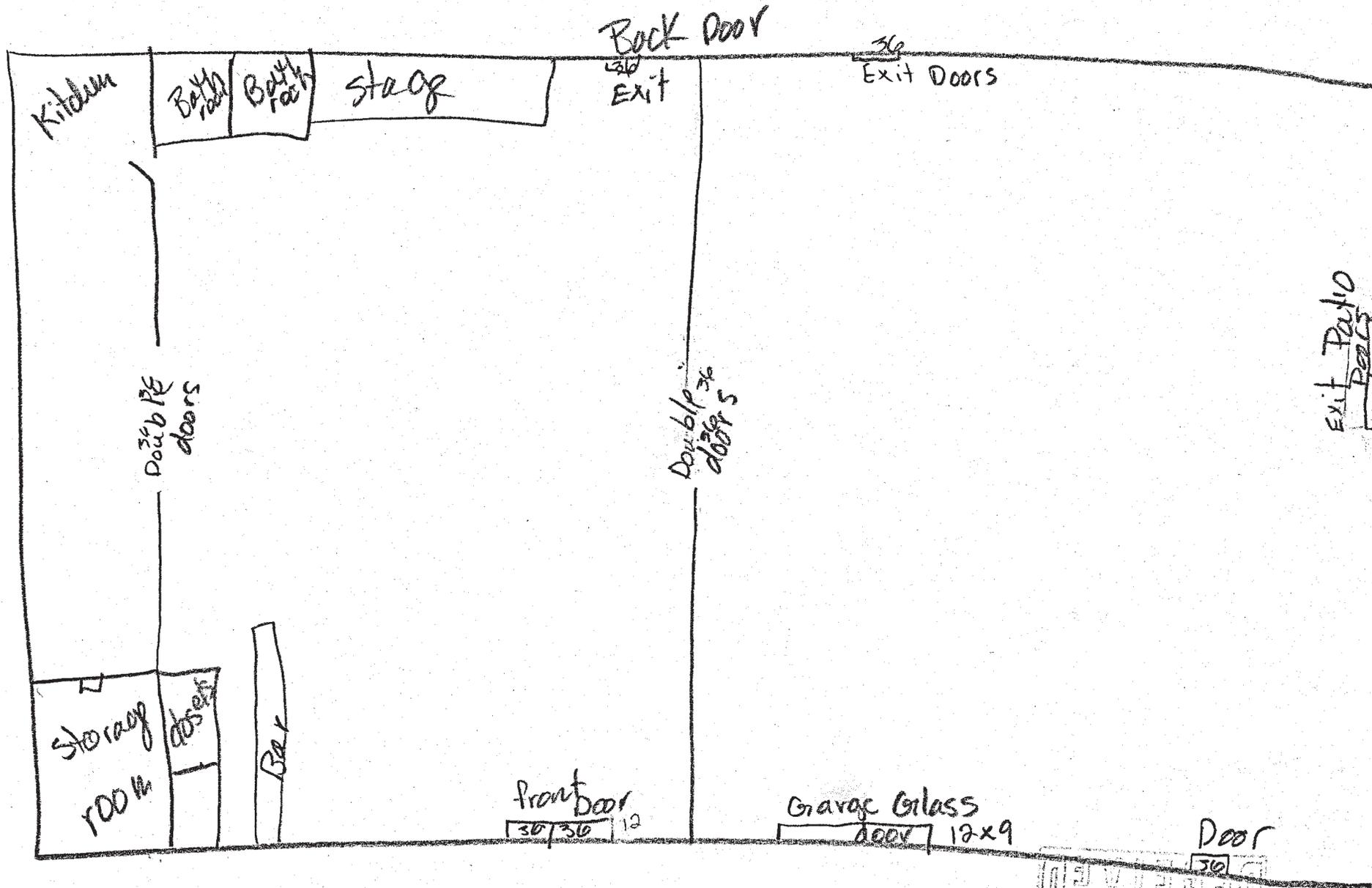
19.5

Before

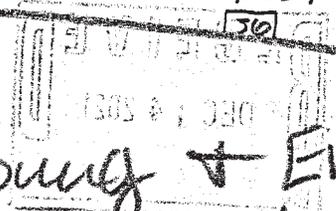


Ella Mae's
Lounge & Event Center
196

After



Ella Mae's Lounge & Event Center



DEVELOPMENT SERVICES

Thomas Legendre
COMMERCIAL BUILDING
PLANS EXAMINER

TEL (918) 596-9672
tlegendre@cityoftulsa.org



175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103-3227

ZONING CLEARANCE PLAN REVIEW

January 7, 2022

LOD Number: 1

Ella Mae's Lounge & Event Center
CO: Ms. Danielle Bell
5013 N. Peoria Ave. E.
Tulsa, OK 74126

APPLICATION NO: **BLDZ-0106245-2022** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)

Location: **5013 N PEORIA AVE E**

Description: **Alteration**

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)

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 WITH 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. SHOULD YOU REQUIRE FURTHER CLARIFICATION, PLEASE CONTACT THE PLANS EXAMINER NAMED ABOVE. IF YOU DISAGREE WITH THE CODE INTERPRETATIONS OR COMMENTS, YOU MAY REQUEST AN ADMINISTRATIVE REVIEW OF YOUR APPEAL.

REVIEW COMMENTS

COMMERCIAL PLAN REVIEW: YOUR APPLICATION WAS REVIEWED UNDER THE PROVISIONS OF THE CITY OF TULSA ZONING CODE AND ORDINANCES ADOPTED BY THE CITY OF TULSA.

BLDZ-0106245-2021

5013 N PEORIA AVE E

January 7, 2022

This letter of deficiencies covers building 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

1. Section 15.020-G Table Notes

[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).

Review Comments:

- A. You are required to go to the Board of Adjustment for a Special Exception since the building in which you are to be occupying is closer than 150 feet from a residential district, if alcohol consumption is proposed for occupant loads up to 250-person capacity.
- B. You are required to go to the Board of Adjustment for an occupant load greater than 250-person capacity.

The approval packet for exception shall be provide with revised plans for review zoning approval.

Note: The Building Plans Examiner will determine the occupant load for this building based on drawings submitted by a State of Oklahoma licensed architect.

2. Section 55.020 Minimum Parking Ratios

Review Comment: Provide a plan that shows location of at least 31 parking spaces that are striped for use of this establishment.

3. Section 70.050 Site Plans

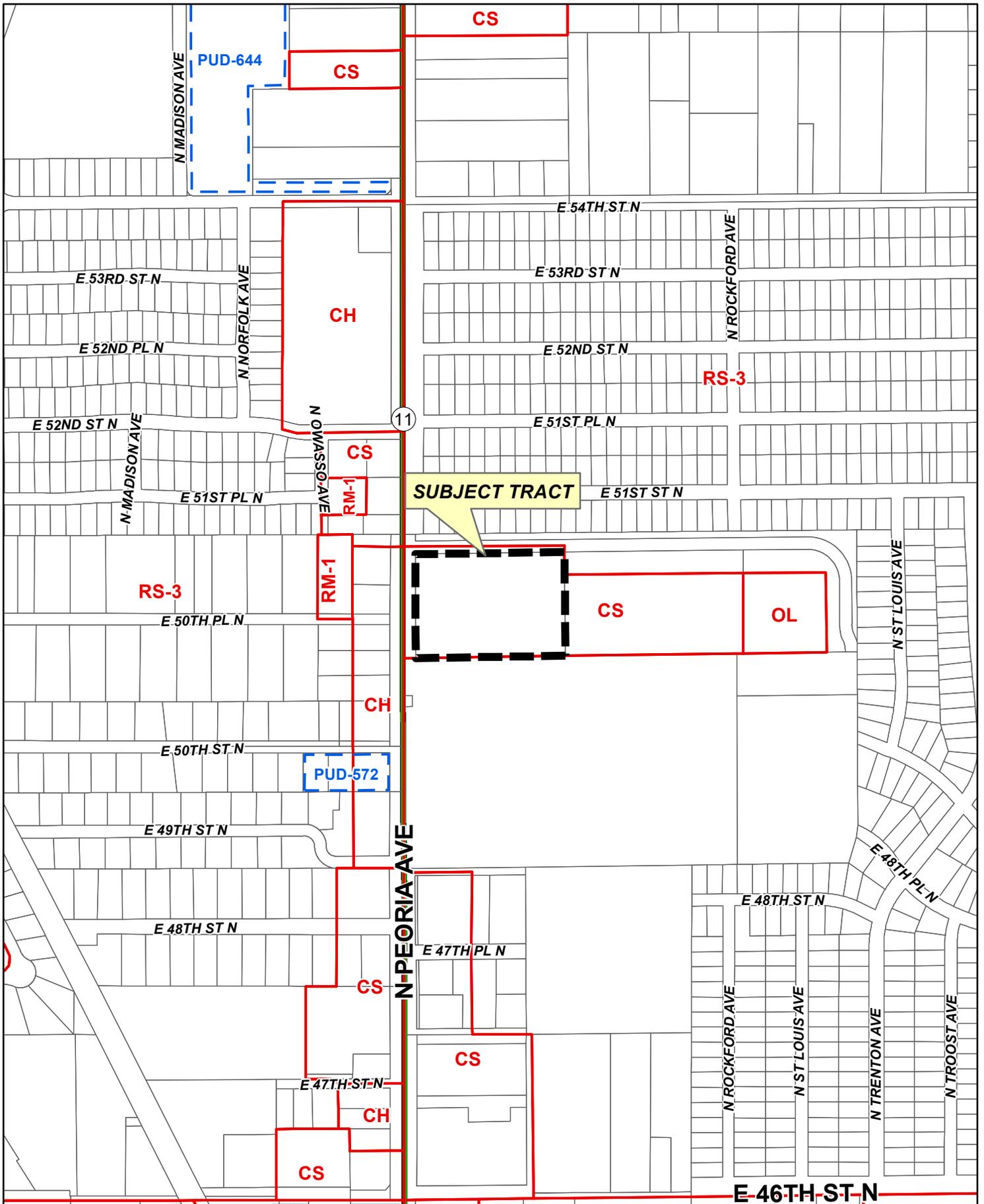
70.050-A Applicability

Site plan approval is required before the issuance of any permits for development or construction on any property included within the boundaries of any approved development plan and whenever a provision of this zoning code expressly states that site plan approval is required.

Review Comment: Provide a site plan and identify all the required parking(with striping on plan so that requirements of Section 55.090 Parking Area Design are met.) Identify all the buildings on the site and distance to all property lines from this building and other buildings.

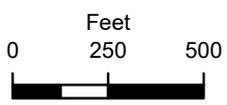
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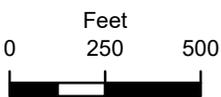
www.cityoftulsa.org/our-city/doing-business-with-the-city/permits-and-licensing/permit-center/permit-center-forms.aspx



BOA-23473

20-13 07





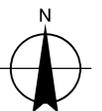
 Subject Tract

BOA-23473

20-13 07

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

Aerial Photo Date: 2020/2021

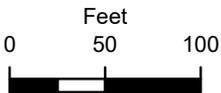


19.11



E 51ST ST N

N PEORIA AVE



Subject Tract

BOA-23473

20-13 07

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

Aerial Photo Date: 2020/2021



19.12