



# CITY OF Tulsa

## Board of Adjustment

**Case Number: BOA-23530**

**Hearing Date: 07//2023 (Continued from 6/13/2023)**

**Case Report Prepared by:**

Austin Chapman

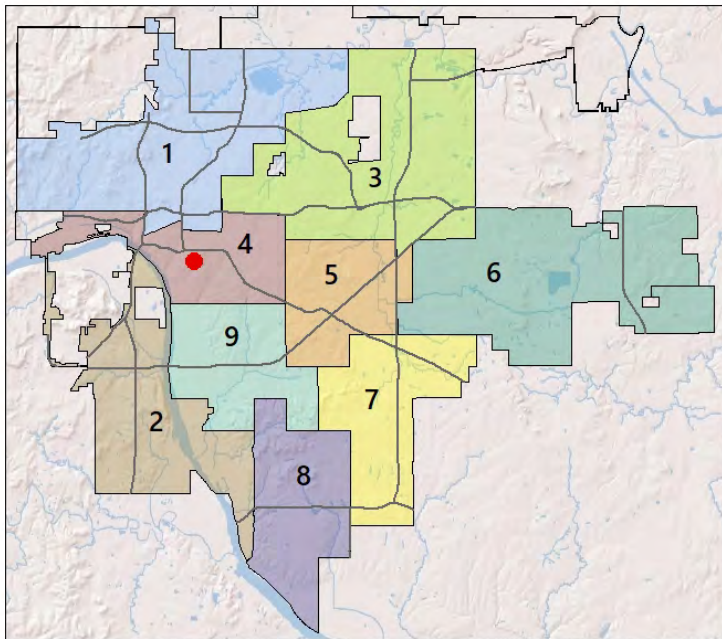
**Owner and Applicant Information:**

**Applicant: Nathalie Cornett**

**Property Owner: Irmah Ahwatukee LLC**

**Action Requested:** Special Exception to permit a Small (up to 250-person capacity) Indoor Commercial Assembly and Entertainment use in the CS District serving alcohol within 150-feet of a residential zoning district (Sec.15.020, Table 15-2) Special Exception to permit an alternative compliance parking ratio to reduce the required number of parking spaces (Sec. 55.050-K)

**Location Map:**



**Additional Information:**

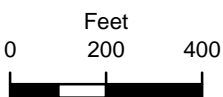
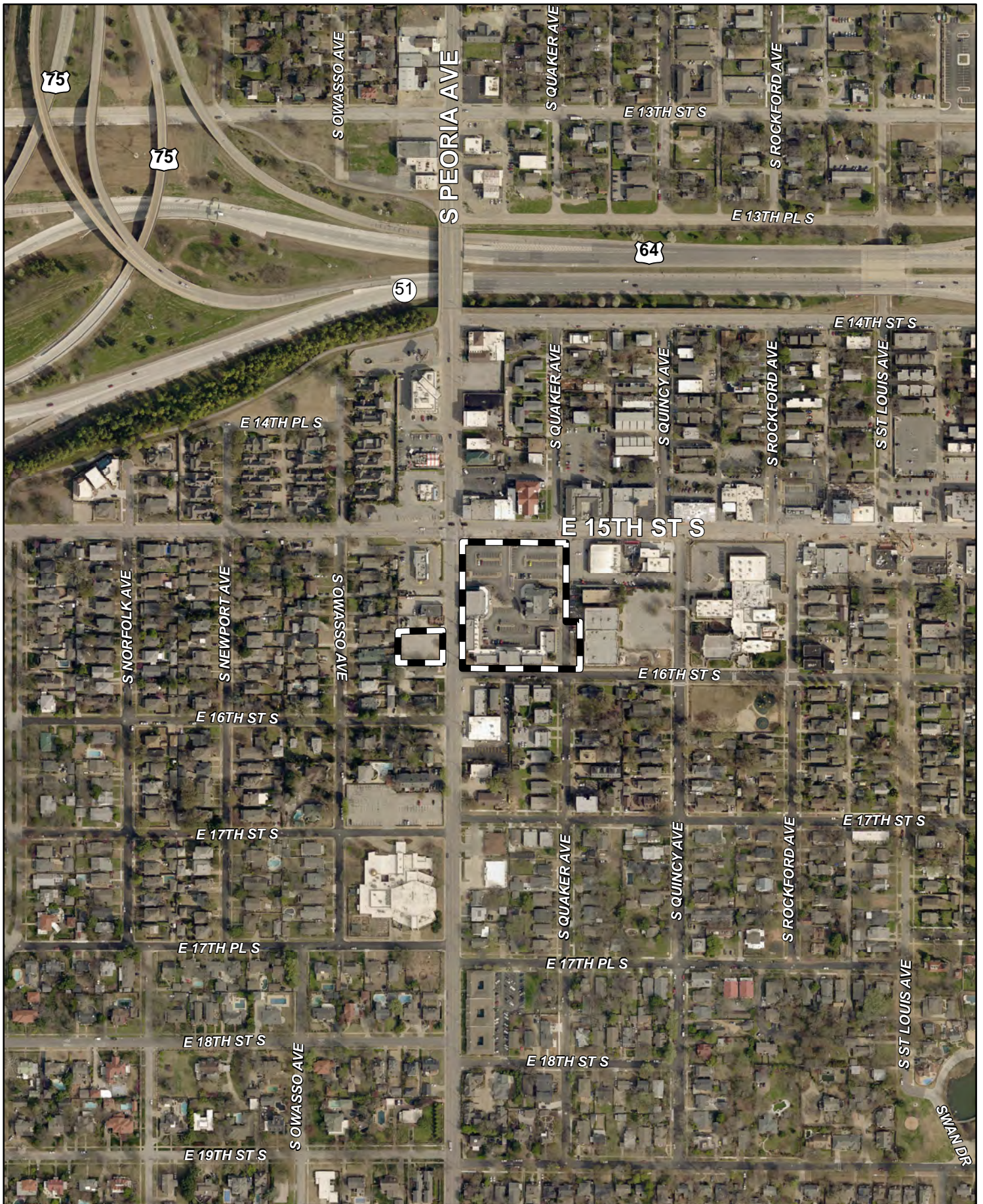
**Present Use: Commercial**

**Tract Size: 3.18 acres**

**Location: 1330 E. 15 St. S.**

**Present Zoning: RM-2,CS**





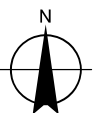
Subject Tract

**BOA-23530**

19-13 07  
19-12 12

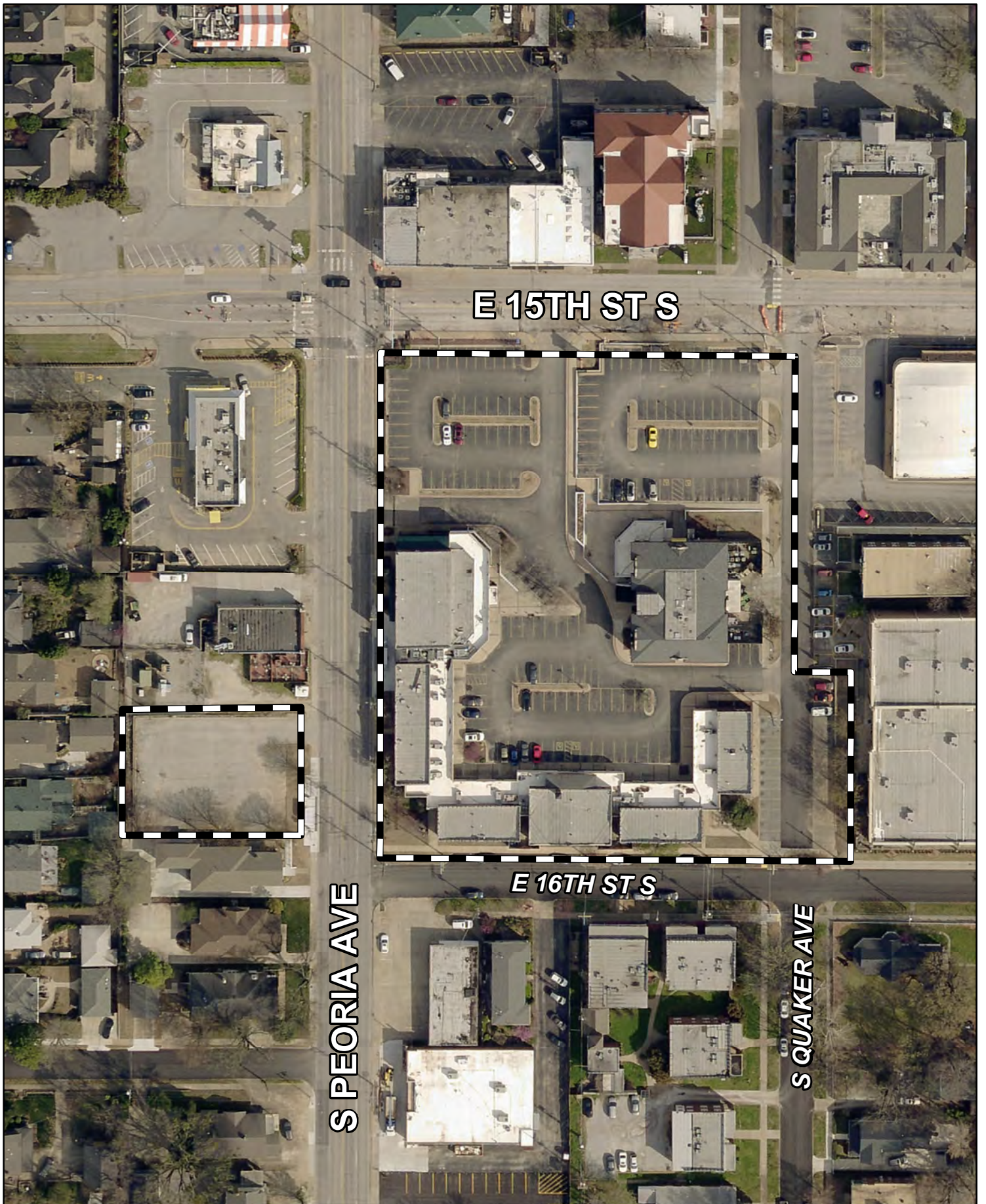
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021



4.2



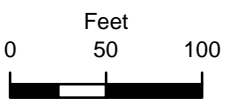


**E 15TH ST S**

**E 16TH ST S**

**S PEORIA AVE**

**S QUAKER AVE**



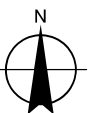
*Subject Tract*

**BOA-23530**

19-13 07  
19-12 12

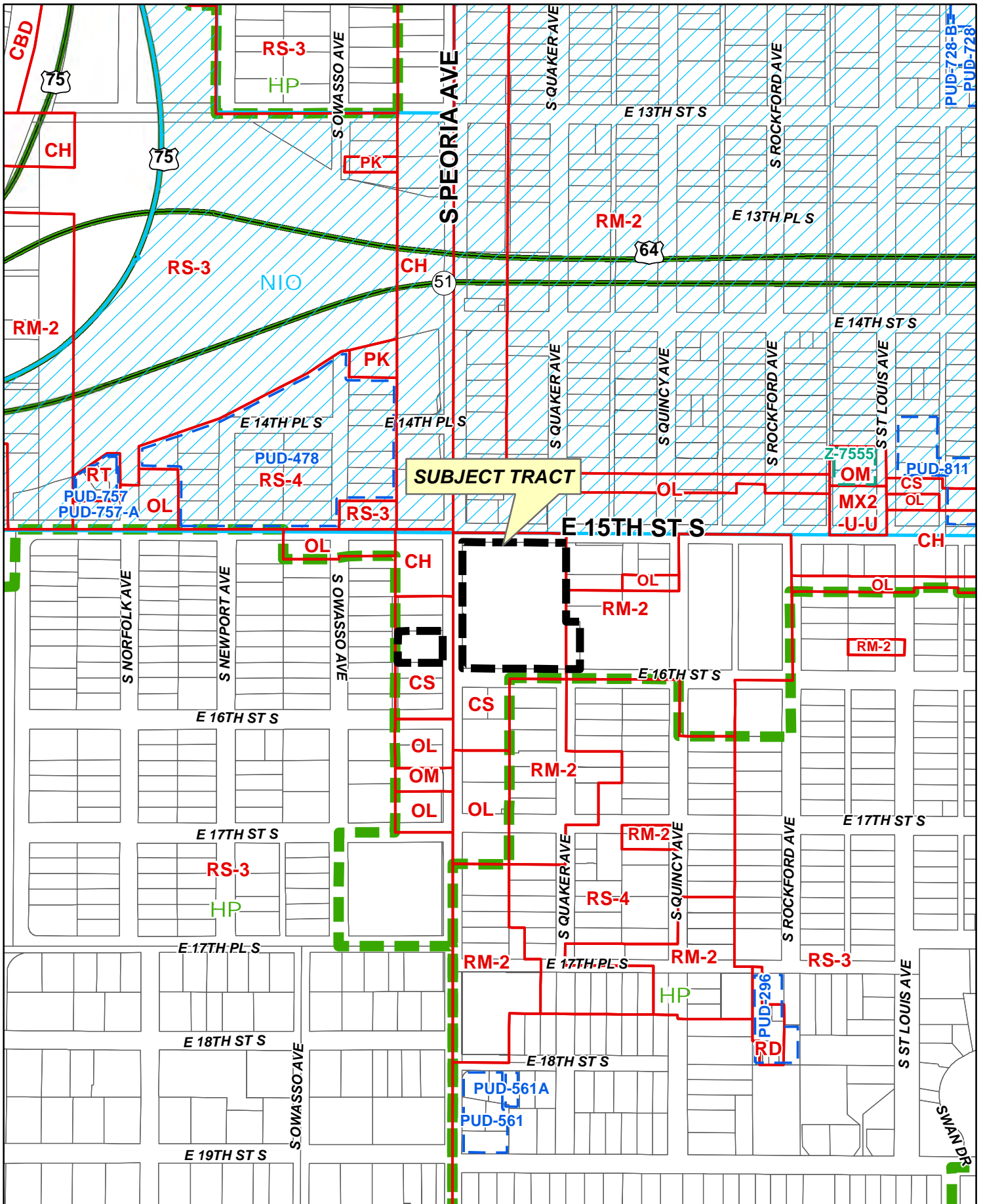
*Note: Graphic overlays may not precisely align with physical features on the ground.*

*Aerial Photo Date: 2020/2021*



**4.3**





# BOA-23530

19-13 07  
19-12 12

# BOARD OF ADJUSTMENT CASE REPORT

**STR:** 9307

**Case Number:** BOA-23530

**CD:** 4

**HEARING DATE:** 07/11/2023 1:00 PM

**APPLICANT:** Nathalie Cornett

**ACTION REQUESTED:** Special Exception to permit a Small (up to 250-person capacity) Indoor Commercial Assembly and Entertainment use in the CS District (Sec.15.020, Table 15-2); Special Exception to permit an alternative compliance parking ratio to reduce the required number of parking spaces (Sec. 55.050-K)

**LOCATION:** 1330 E 15 ST S

**ZONED:** RM-2,CS

**PRESENT USE:** Commercial

**TRACT SIZE:** 138613.58 SQ FT

**LEGAL DESCRIPTION:** Lots Three (3), Four (4), Five (5) and Six (6), Block Six (6), AMENDED PLAT OF MORNINGSIDE ADDITION to the City of Tulsa, Tulsa county, State of Oklahoma, according to the Recorded Plat thereof; AND Lots One (1) through Sixteen (16) inclusive, Block Eight (8), and the vacated alley lying within said Block Eight (8), ORCUTT ADDITION, an Addition to the City of Tulsa, Tulsa county, State of Oklahoma, according to the Recorded Plat thereof; AND The West Half (30') of Vacated Quaker Avenue lying adjacent to the East line of Block Eight (8) from 15th Street to 16th Street, ORCUTT ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof; AND The West Fifteen (15) feet of Lots Nine (9), Ten (10) and Eleven (11), Block Seven (7), ORCUTT ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, AND the East Half (E/2) of Vacated South Quaker Avenue between 15th Street and 16th Street lying adjacent to the West line of said Lots 9, 10, and 11, Block 7.

## **RELEVANT PREVIOUS ACTIONS:**

### **Subject property:**

**BOA-21091;** 05.25.10 the Board **approved** a Special exception to allow a Cigar Shop within 150-feet of R zoned property.

**BOA-16927;** On 02.14.95 the Board **approved** a Special Exception to permit parking in an RM-2 zoned lot.

**BOA-16384;** On 07.13.93 the Board **approved** a Variance of the required off-street parking spaces from 224 to 170, a Variance of the setback requirement from E. 15<sup>th</sup> and S. Quaker Ave. and Variance of the screening requirement along E. 16<sup>th</sup> St. and S. Quaker Ave.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:** The Tulsa Comprehensive Plan identifies the subject property as part of a "Main Street" and an "Area of Growth".

**Main Streets** are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

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:** Special Exception to permit a Small (up to 250-person capacity) Indoor Commercial Assembly and Entertainment use in the CS District (Sec.15.020, Table 15-2); Special Exception to permit an alternative compliance parking ratio to reduce the required number of parking spaces (Sec. 55.050-K)):

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
<b>Assembly and Entertainment</b>												<a href="#">Section 40.040</a>
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	
Large (>250-person capacity)	-	-	-	-	S	S	S	S	S	S	S	

[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](#)).

\*\*\*\*

**55.050-K Alternative Compliance**

The motor vehicle parking ratios of this chapter are not intended to prevent development and redevelopment or to make development and redevelopment economically impractical. In order to allow for flexibility in addressing the actual expected parking demand of specific uses, alternative compliance parking ratios may be approved through the special exception procedures of [Section 70.120](#) only if:

1. The board of adjustment determines that the other allowed parking reduction alternatives of [Section 55.050](#) are infeasible or do not apply; and
2. The board of adjustment determines that the reduced parking ratios proposed are not likely to cause material adverse impacts on traffic circulation and safety or on the general welfare of property owners and residents in the surrounding area.

The applicant provided an exhibit labeled “Exhibit B’ explaining their request in more detail, but they are requesting the current number of 222 parking spaces to serve the entire 42,381 square feet of commercial space on the lot. Current code would require them to provide 275 spaces including the proposed Assembly and Entertainment use. That ratio is equal to approximately 5.238 spaces per every 1,000 square feet.

**SAMPLE MOTION:**

**Use:**

Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit a Small (up to 250-person capacity) Indoor Commercial Assembly and Entertainment use in the CS District **servng alcohol within 150-feet of a residential 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.

***Parking Reduction:***

Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit an alternative compliance parking ratio to reduce the required number of parking spaces (Sec. 55.050-K);

- 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, that the other allowed parking alternative of Section 55.050 are infeasible or do not apply and the reduced parking ratios proposed are not likely to cause material adverse impacts on traffic circulation and safety or on the general welfare of property owners and residents in the surrounding area.



***Subject Property***

**Exhibit "A"**

Lots Three (3), Four (4), Five (5) and Six (6), Block Six (6), AMENDED PLAT OF MORNINGSIDE ADDITION to the City of Tulsa, Tulsa county, State of Oklahoma, according to the Recorded Plat thereof;

-AND-

Lots One (1) through Sixteen (16) inclusive, Block Eight (8), and the vacated alley lying within said Block Eight (8), ORCUTT ADDITION, an Addition to the City of Tulsa, Tulsa county, State of Oklahoma, according to the Recorded Plat thereof;

-AND-

The West Half (30') of Vacated Quaker Avenue lying adjacent to the East line of Block Eight (8) from 15th Street to 16th Street, ORCUTT ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof;

-AND-

The West Fifteen (15) feet of Lots Nine (9), Ten (10) and Eleven (11), Block Seven (7), ORCUTT ADDITION, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, AND the East Half (E/2) of Vacated South Quaker Avenue between 15th Street and 16th Street lying adjacent to the West line of said Lots 9, 10, and 11, Block 7.



## Exhibit "B"

The Applicant requests (1) a Special Exception pursuant to Table 15-2 of the Tulsa Zoning Code (the "Code") to permit a large indoor (>250-person capacity) Assembly and Entertainment use in the CS district; and (2) a Special Exception pursuant to Section 55.050-K of the Code to permit an alternative compliance parking ratio, all on the subject property located at 1330 E. 15<sup>th</sup> Street (the "Property").

The Property is the Lincoln Plaza on Cherry Street located at the southeast corner of E. 15<sup>th</sup> Street and S. Peoria Avenue. The Property is comprised of approximately 3.2 acres with approximately 42,381 square feet of commercial buildings, including Chimi's, Jason's Deli, Nola's, and various offices and retail stores. The property owner desires to put an indoor event center/banquet hall in the currently vacant 6,900 SF space located on the second story above Nola's Restaurant.

The current Code requires approximately 275 parking spaces for the Property - inclusive of an additional 26 parking spaces for the proposed banquet hall. The Property currently has 222 existing parking spaces which serve the entire commercial center. Multiple parking Variances have been granted over the past 35 years for the Property, with each request tied to a specific tenant or use in the center. The Applicant is requesting the alternative compliance parking ratio to establish the existing 222 parking spaces as the required minimum off-street parking for the entire Property.

Given the variety of uses which serve customers at different times throughout the day and evening, the existing 222 parking spaces adequately serve the actual and expected parking demand. Additionally, the availability of on-street parking along Cherry Street and its pedestrian-oriented nature encourage and result in the public parking on street and walking to the various amenities offered on and off the Property.

Based on the foregoing, the requested Special Exceptions 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.



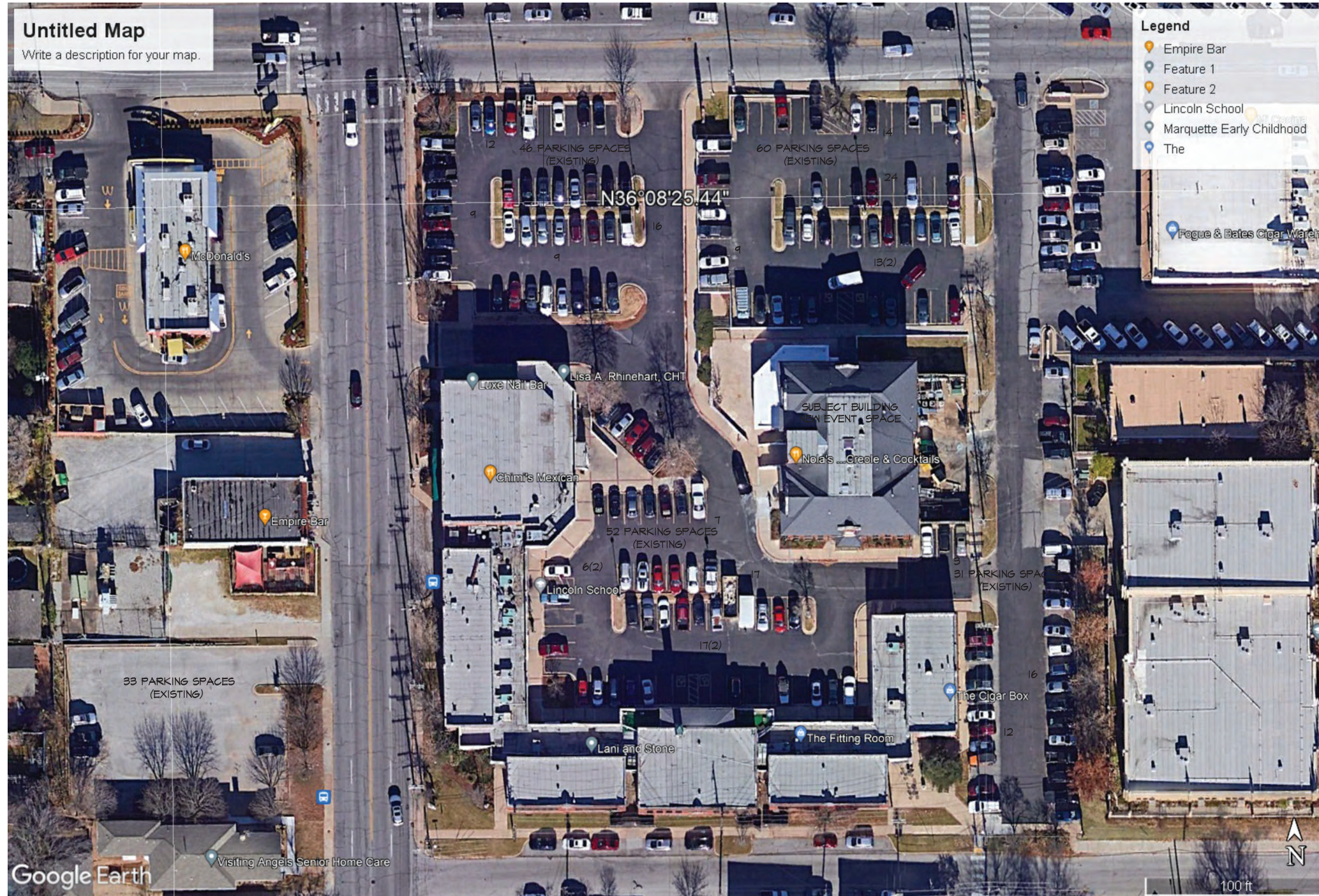


STANTON H. ESPINOSA  
 ARCHITECTS  
 STANTON W. ESPINOSA  
 3202 E. 21ST. ST. SUITE 200  
 TULSA, OK 74114  
 (918) 236-3990  
 WWW.SWEARCHITECTS.COM

ISSUED FOR  
 REVIEW ONLY,  
 NOT FOR  
 CONSTRUCTION

ARCHITECT OF RECORD

BELLVIEW EVENT CENTER  
 TULSA, OKLAHOMA



- Legend**
- 📍 Empire Bar
  - 📍 Feature 1
  - 📍 Feature 2
  - 📍 Lincoln School
  - 📍 Marquette Early Childhood
  - 📍 The

**PROPERTY INFORMATION**

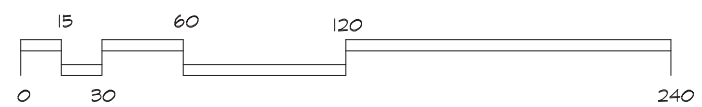
LEGAL DESCRIPTION: ALL BLOCK 8 AND WEST 30 VACATED QUAKER STREET AND ADJACENT ON EAST AND WEST 15 - LOTS 9,10,11 AND EAST 30 VACATED STREET ON WEST THEREOF BLOCK 7, ORCUTT ADDITION

PROPERTY LOCATION T 1 - R 19N - S 18E

PARKING ADDRESS	USE	TENANT	SF
1302A	-	VACANT	1,440
1302B	4.	LUXE NAILS	2,800
1304	1.	CHIM'S REST.	6,702
1308/101	-	VACANT	1,914
1308	-	VACANT / BSMT.	568
1314	-	VACANT	975
1316	4.	HAIR SALON	975
1320	-	VACANT	3,504
1322	3.	RETAIL	1,015
1324	5.	NRG - OFFICE	415
1326	5.	THE CIGAR BOX	1,412
1330	1.	JASON'S DELI / BSMT.	5,451
1334	1.	NOLA'S	7,248
1336	2.	BELLVIEW EVENTS	6,912

TOTAL PARKING SPACES PROVIDED	222
TOTAL ACCESSIBLE PARKING SPACES REQUIRED	7
TOTAL ACCESSIBLE PARKING SPACES PROVIDED	7

SITE PLAN MAP





**From:** [Nathalie M. Cornett](#)  
**To:** [Chapman, Austin](#)  
**Cc:** [Siers, Dylan](#)  
**Subject:** BOA-23530 Request for Continuance  
**Date:** Monday, May 22, 2023 3:26:28 PM  
**Attachments:** [image002.png](#)

---

Austin,

The Applicant requests a continuance of this case to the June 13, 2023 Board of Adjustment meeting in order to amend the relief requested.

The current application requests a Special Exception to permit large (>250) assembly and entertainment for an event center. The architect for the project has informed me that the occupancy load of the building is only 240. Accordingly, the use qualifies as small assembly and entertainment which is permitted by right in the CS district. However, a special exception will be needed to serve alcohol in the event center as the building is within 150' of an R district.

The request for a Special Exception for the alternative compliance parking ratio remains.

Sincerely,

***Nathalie M. Cornett***

*Attorney at Law*

**Eller & Detrich**

2727 E. 21st Street, Ste 200  
Tulsa, Oklahoma 74114-3533  
(918) 747-8900 phone  
(866) 547-8900 toll free  
(918) 392-9427 e-fax  
[NCornett@EllerDetrich.com](mailto:NCornett@EllerDetrich.com)

 [www.EllerDetrich.com](http://www.EllerDetrich.com)

---

**CONFIDENTIALITY STATEMENT** Information contained in the accompanying transmission is or may be protected by the attorney-client and/or the attorney work product privilege and is confidential. It is intended only for the use of the individual or entity identified above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of the accompanying communication is prohibited. No applicable privilege is waived by the party sending the accompanying documents. If you have received this communication in error, please notify us immediately by telephone at (918) 747-8900 and delete this message from your server. Thank you.

Please be advised that e-mail is not necessarily a secure method of communication, that it may be copied and held by any computer through which it passes, and that persons not participating in the communication may intercept the communication. While this risk may be small, it is real. Should you wish to discontinue this method of communication, please so advise, and no further e-mail communication will be sent.

**From:** [Lynne Tucker](#)  
**To:** [esubmit](#)  
**Subject:** Case 23530  
**Date:** Monday, May 22, 2023 6:42:04 PM

---

I am opposed to granting this special exception. The Cherry Street area already has parking problems. The residents in the surrounding area have had to deal with increased activity over time, and the addition of this type of facility will only make matters worse and could have a negative impact on established businesses in the area. People will give up and go elsewhere when unable to find parking. Residential property values could also be negatively impacted.

Please do not grant this special exception.

Lynne Tucker  
3136 South Florence Place



Eller&Detrich  
A Professional Corporation

Philip J. Eller  
Kevin H. Wylie  
R. Louis Reynolds  
Daniel C. Cupps  
Andrew A. Shank  
Shanann Pinkham Passley  
Mac D. Finlayson  
Steven P. Flowers  
Kenneth E. Crump Jr.  
Sloane Ryan Lile  
Nathalie M. Cornett  
Natalie J. Marra  
Jacob W. Purdum

Telephone  
(918) 747-8900

Toll Free  
(866) 547-8900

Facsimile  
(918) 747-2665

*Of Counsel*  
Donald L. Detrich, *Retired*  
Jerry M. Snider  
Katherine Saunders, PLC  
Heidi L. Shadid  
Joshua M. Tietsort

June 5, 2023

10918 E 55th Place LLC  
1138 S. Elgin Ave.  
Tulsa, OK 74120-4242

Re: 1330 E. 15<sup>th</sup> Street – Bellview Event Center (the “Project”)  
Board of Adjustment Case BOA-23530

To: 10918 E 55th Place LLC

If you have not already, you will be receiving a new notice in the mail from INCOG (Tulsa’s Planning Office) regarding an *amended* request for two Special Exceptions in Case BOA-23530, which will be heard by the Tulsa Board of Adjustment on Tuesday, June 13, 2023 at 1:00 p.m.

The amended request is for a Special Exception to permit a *Small* (<250 person capacity) Commercial Assembly and Entertainment venue, to be located on the second story of the old Lincoln school building, above Nola’s Restaurant, to serve alcohol within 150 feet of a Residential District. A small event center is a use permitted *by right* in the CS (Commercial Shopping) District. However, the Tulsa Zoning Code requires a Special Exception for small event centers to serve alcohol when located within 150 feet of a Residential District. In this case, the only residentially-zoned district within 150 feet is the Marquette School to the east which is zoned RM-2.



www.EllerDetrich.com

2727 East 21st Street, Suite 200, Tulsa Oklahoma 74114-3533

Originally, the Applicant requested a Special Exception to permit a Large (>250 person capacity) Commercial Assembly and Entertainment venue. However, the architect for the Project determined that due to the historical layout and age of the structure, the space is better suited for smaller events. Accordingly, the Applicant has *withdrawn* this request.

The total area of the proposed event space is approximately 7,367 square feet and, of that, 2,505 square feet will be used to host events such as wedding receptions, corporate functions, and private parties. The maximum event size will be 120 people and any event over 50 people will be required to have valet parking. Events may be booked between the hours of 8:00 a.m. and 12:00 a.m, seven-days a week.

The Applicant is also requesting that the existing 222 parking spaces that currently serve Lincoln Plaza be established as the required parking ratio for the Center. Just as all residents and business owners in Cherry Street, the operator of the Project is well aware of the fluctuation of available parking in the area as it also operates Nola's in the Center, as well as Kilkenny's and Hemingway's on Cherry Street. In order to alleviate parking needs during peak hours, the Bellview Event Center has an agreement with Marquette Catholic School and Early Childhood Development (ECDC) to use their parking lot for valet parking during events.

We believe this Project will be a wonderful additional amenity offered in Cherry Street and we look forward to being a good neighbor. If you have any questions about the center, please do not hesitate to call me at (918) 747-8900 or email me at [NCornett@EllerDetrich.com](mailto:NCornett@EllerDetrich.com)

Sincerely,

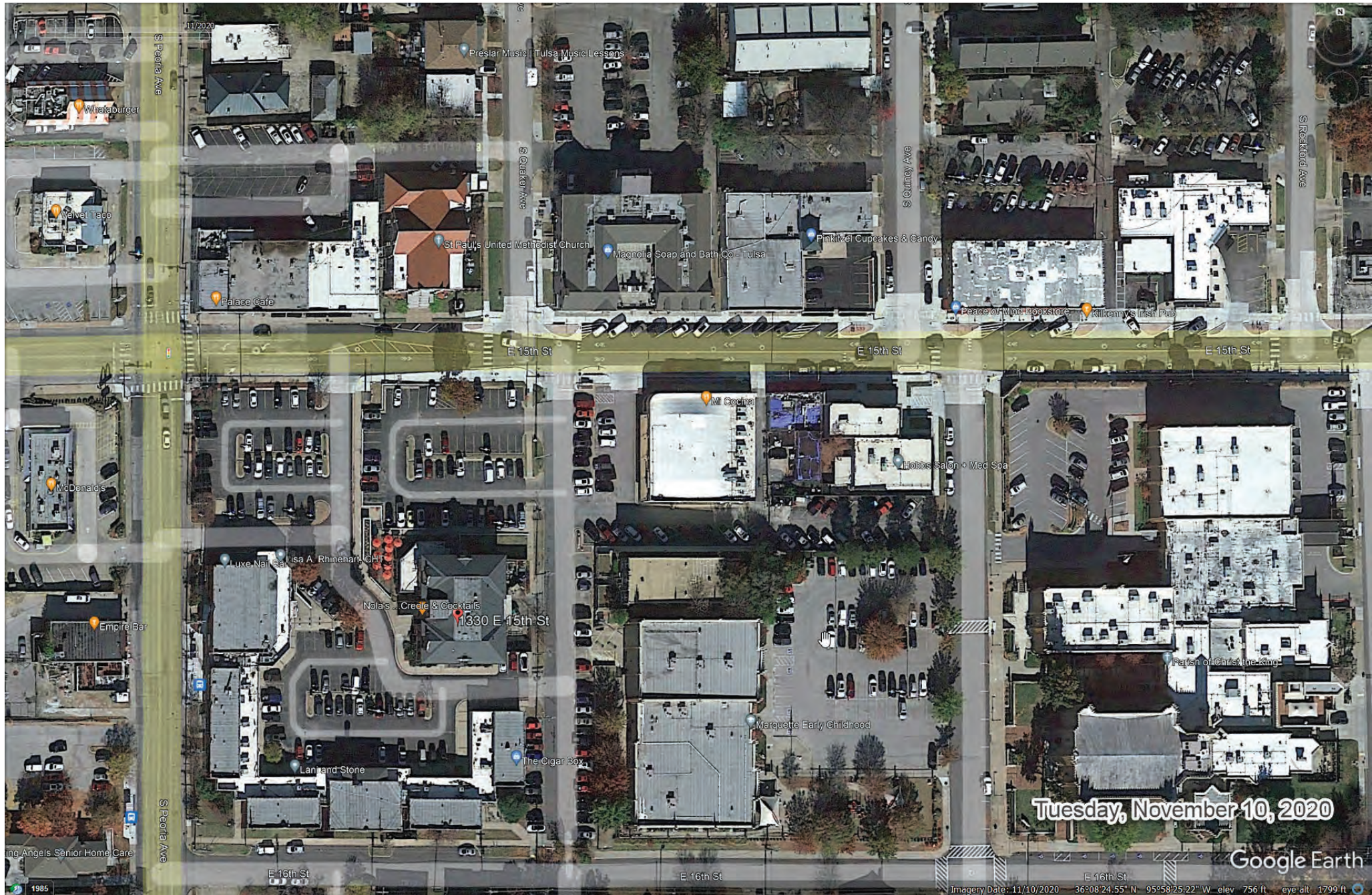
**ELLER & DETRICH**  
*A Professional Corporation*



Nathalie M. Cornett  
Attorney for Bellview Event Center

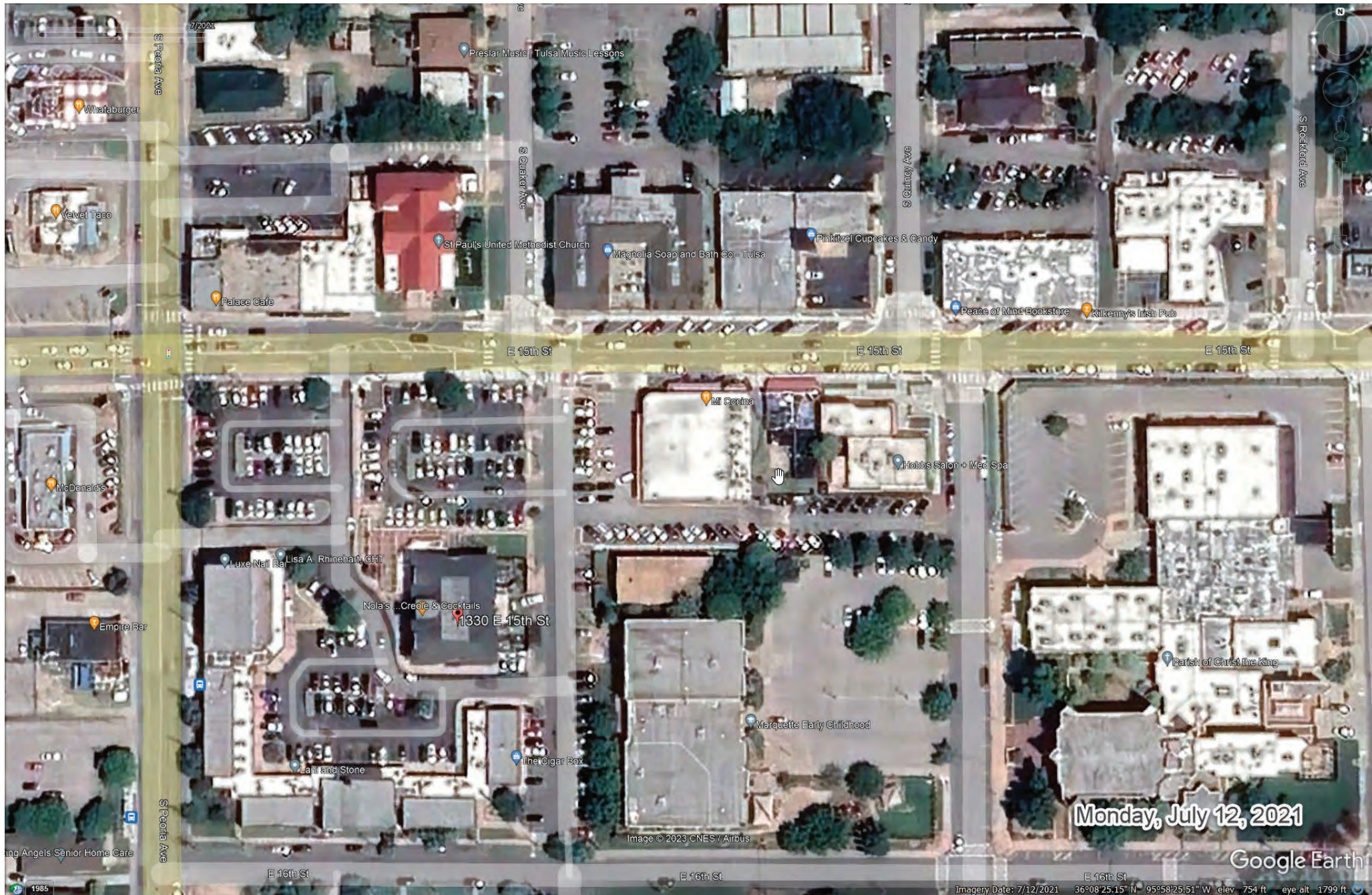


Tuesday, November 10, 2020





Monday, July 12, 2021



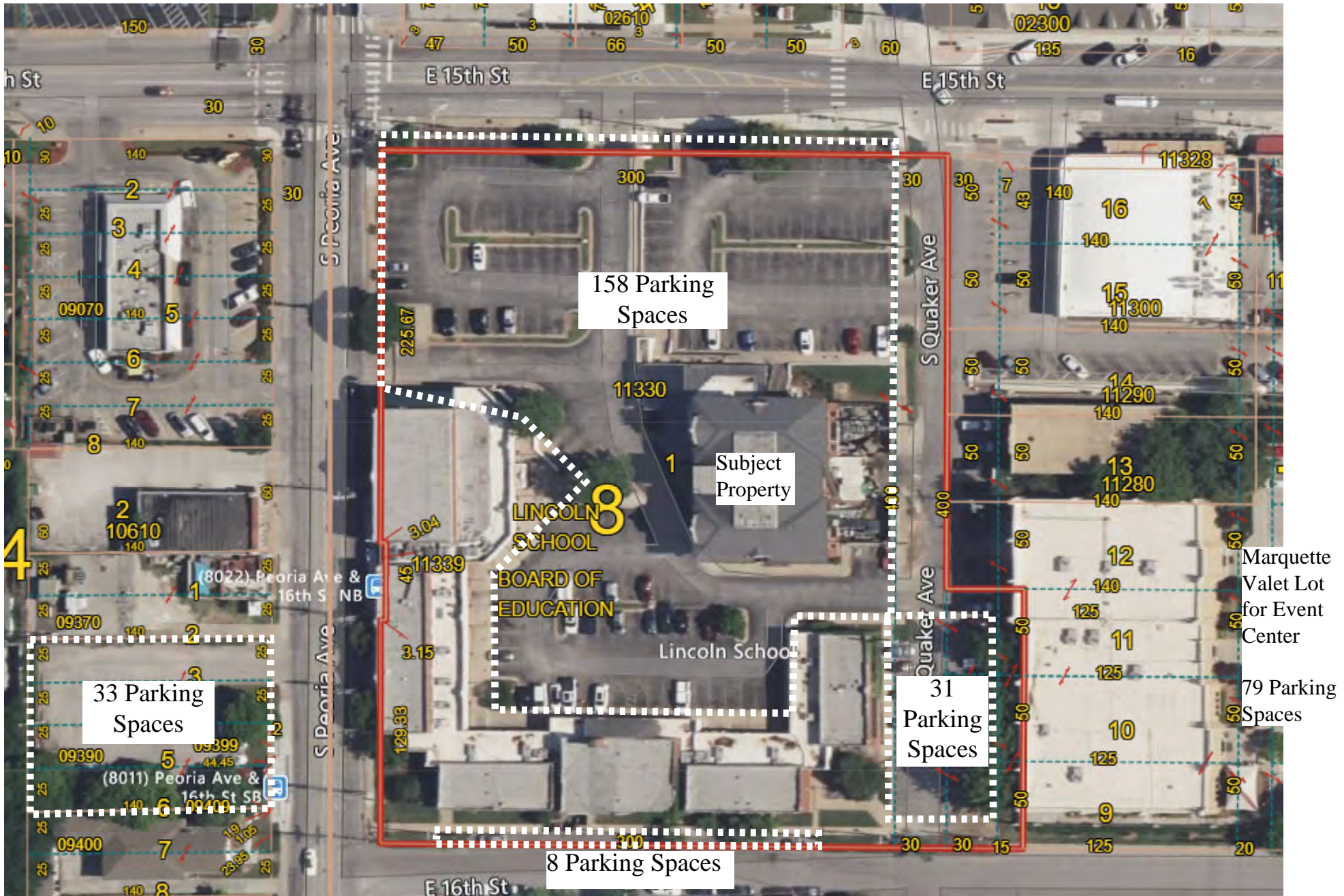


Thursday, May 5, 2023





# BOA-23530 Parking Diagram



Total Existing Parking: 230 Parking Spaces