



# CITY OF Tulsa

## Board of Adjustment

**Case Number:** BOA-23554

**Hearing Date:** 08/08/2023 1:00 PM

**Case Report Prepared by:**

Sean Wallace

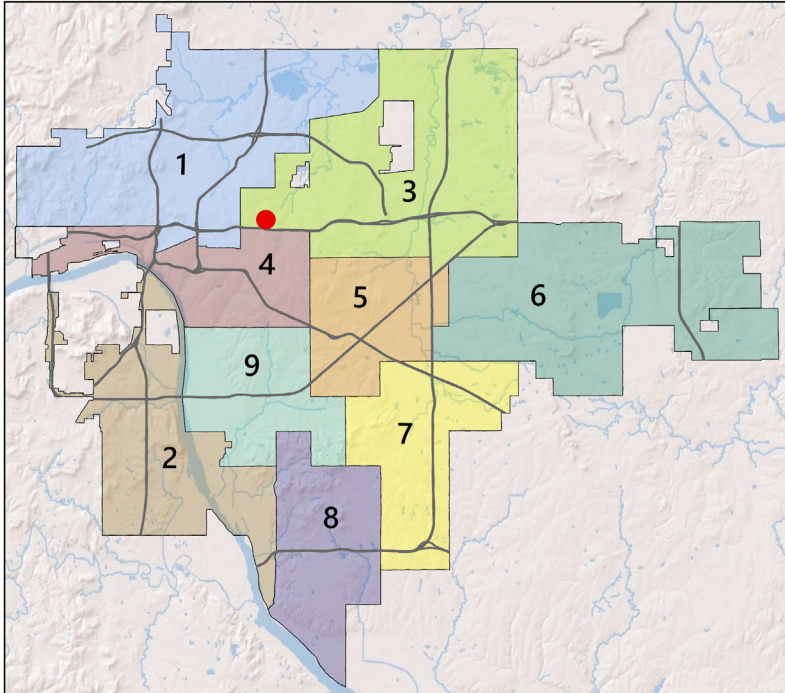
**Owner and Applicant Information:**

**Applicant:** Metroplex Realty LLC

**Property Owner:** Metroplex Realty LLC

**Action Requested:** Special Exception to permit an Outdoor Assembly & Entertainment use (Food Truck Park) in the MX2-U-35 District (Sec. 10.020, Table 10-2)

**Location Map:**



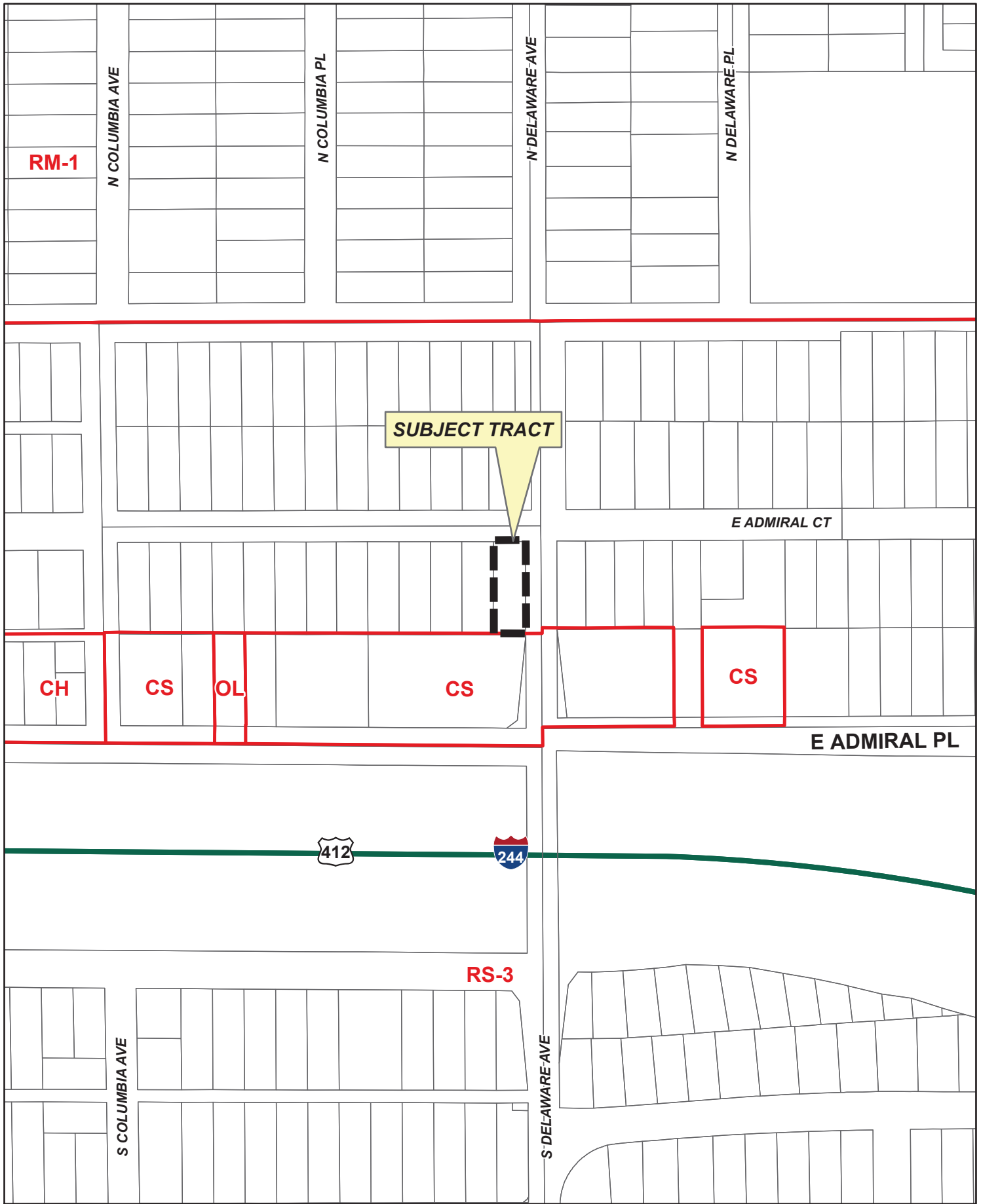
**Additional Information:**

**Present Use:** Vacant Residential

**Tract Size:** 0.18 acres

**Location:** 52 N. Delaware Ave.

**Present Zoning:** MX-2-U-35



**SUBJECT TRACT**

**RM-1**

N COLUMBIA AVE

N COLUMBIA PL

N DELAWARE AVE

N DELAWARE PL

E ADMIRAL CT

**CH**

**CS**

**OL**

**CS**

**CS**

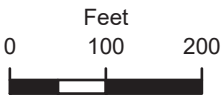
E ADMIRAL PL



**RS-3**

S COLUMBIA AVE

S DELAWARE AVE

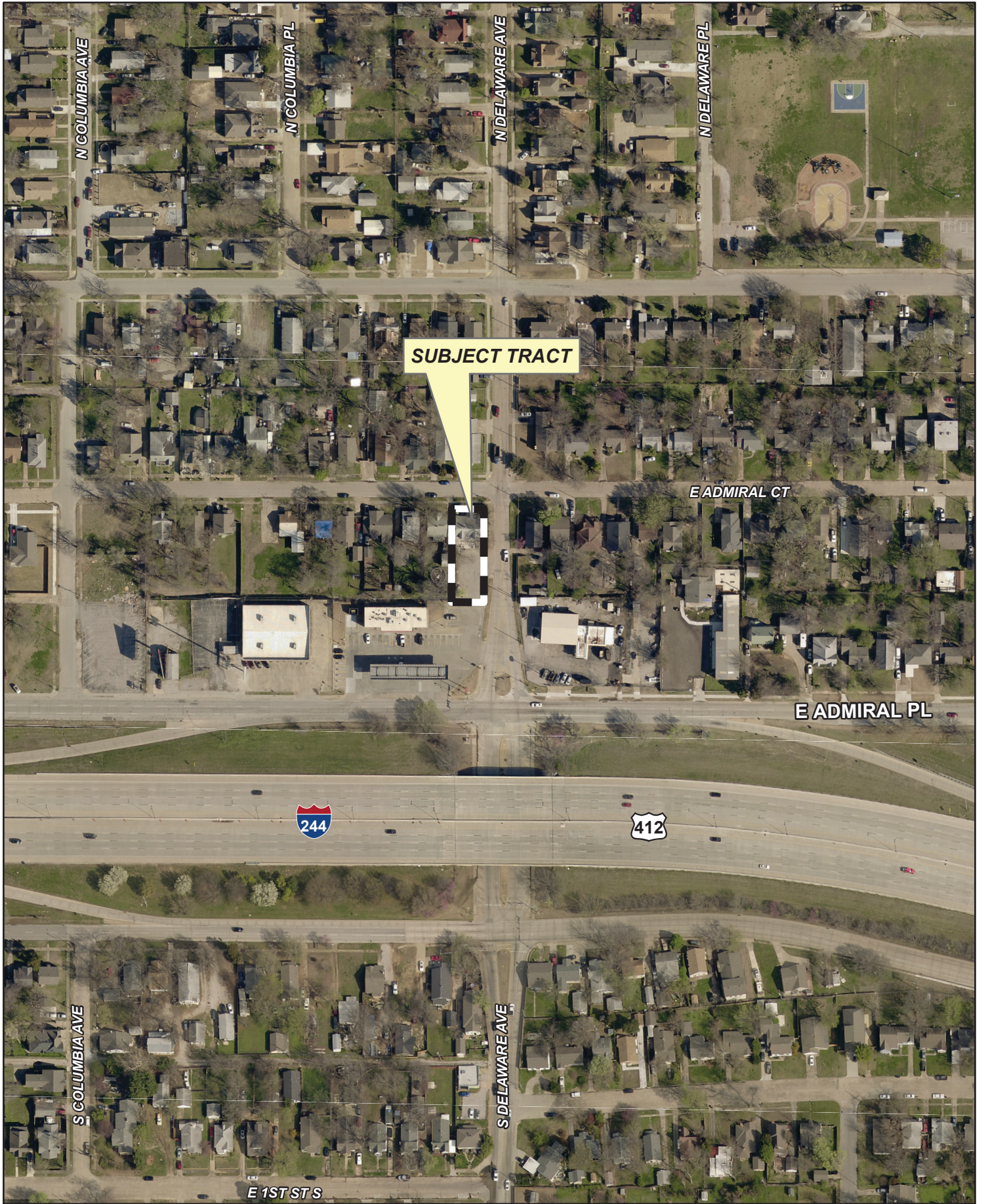


**BOA-23554**

19-13 05



7.2



**SUBJECT TRACT**

**E ADMIRAL CT**

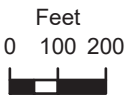
**E ADMIRAL PL**



**S COLUMBIA AVE**

**S DELAWARE AVE**

**E 1ST ST S**



**Subject Tract**

**BOA-23554**

19-13 05

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

Aerial Photo Date: 2021



**7.3**



N DELAWARE AVE

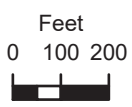
SUBJECT TRACT

E ADMIRAL CT

E ADMIRAL PL

412

244



 Subject Tract

**BOA-23554**

19-13 05

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

Aerial Photo Date: 2021



7.4

**BOARD OF ADJUSTMENT  
CASE REPORT**

**STR:** 9305  
**CD:** 3

Case Number: **BOA-23554**

**HEARING DATE:** 08/08/2023 1:00 PM

**APPLICANT:** METROPLEX REALTY LLC

**ACTION REQUESTED:** Special Exception to permit an Outdoor Assembly & Entertainment use (Food Truck Park) in the MX2-U-35 District (Sec. 10.020, Table 10-2)

**LOCATION:** 52 N. Delaware Ave.

**ZONED:** MX-2-U-U

**PRESENT USE:** Vacant Residential

**TRACT SIZE:** 7649.17 SQ FT

**LEGAL DESCRIPTION:** LT 1, OZARKA PLACE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

**RELEVANT PREVIOUS ACTIONS:**

**Subject Property:**

**Z-7703;** On 7/18/23 the zoning was changed on the Subject property from RS-3 to MX2-U-35 on 7/18/23.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The Tulsa Comprehensive Plan identifies the subject property as part of a "Multiple Use" land use designation.

Multiple Use areas are "Mostly Commercial or Retail Uses" which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation.

**STAFF ANALYSIS:**

The applicant is requesting a Special Exception to permit an Outdoor Assembly & Entertainment use (Food Truck Park) in the MX2-U-35 District (Sec. 10.020, Table 10-2):

**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.

Assembly and Entertainment uses are 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.

Applicant indicated the additional access point the business to the south has unto N. Delaware over the subject property would be closed.

**SAMPLE MOTION:**

Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit an Outdoor Assembly & Entertainment use (Food Truck Park) in the MX2-U-35 District (Sec. 10.020, Table 10-2)

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

\_\_\_\_\_ :

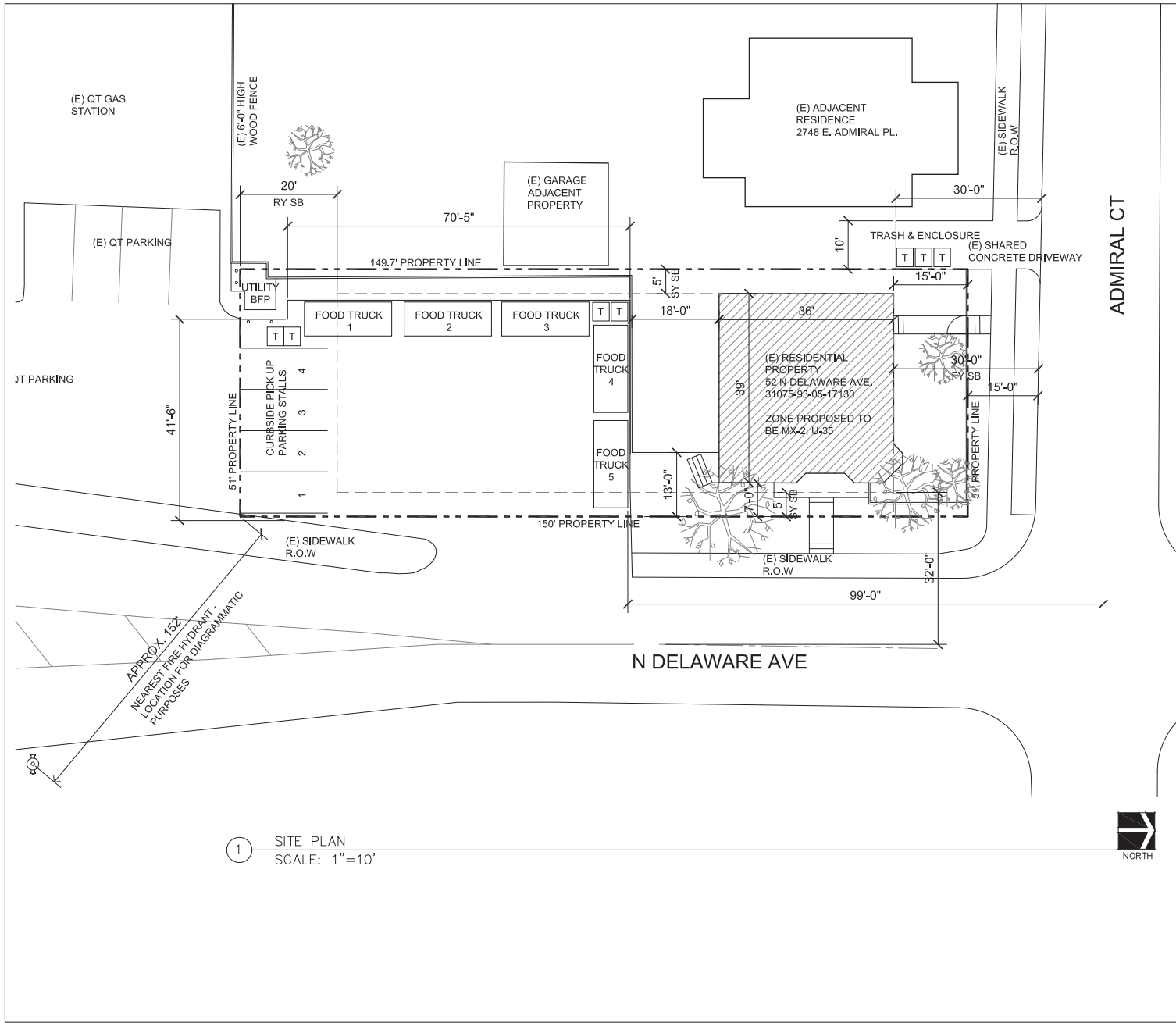
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



***Subject Property***



***Subject Property***



GENERAL NOTES

1. ALL ITEMS PROPOSED NEW UNLESS NOTED EXISTING (E).
2. PROPOSED FOOD TRUCKS SHOWN ARE STANDARD 18'-7" TRUCKS.
3. ALL TREES AND LANDSCAPING ARE EXISTING.
4. ZONING CHANGE PROPOSAL TO BE MX-2, U-35.



KW FOOD TRUCK LOT  
52 N DELAWARE AVE  
TULSA OK

FENCE PERMIT SUBMITTAL

Revisions		
No.	Description	Date
-	-	-

Sheet Name

SITE PLAN

49-02  
Date 01-27-23  
Drawn by DG  
Checked by  
Sheet Number  
AS-1.0  
Sheet of Sheets

1 SITE PLAN  
SCALE: 1"=10'

