



**Board of Adjustment**

**Staff Report  
BOA-23812**

**Hearing Date:** December 10, 2024

**Prepared by:** Erin Roark

eroark@cityoftulsa.org

918-596-7618

**Owner and Applicant Information**

Applicant: Nathan Cross

Property Owner: SRI LLC

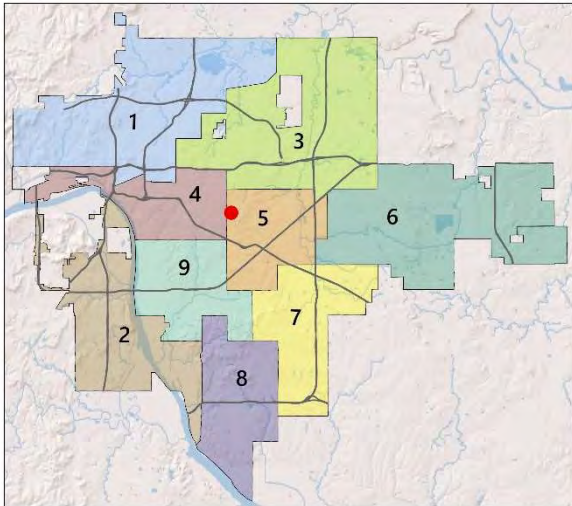
**Property Location**

1901 South Yale Avenue East

Tract Size: ±17.21 acres

**Location within the City of Tulsa**

*(shown with City Council districts)*



**Elected Representatives**

City Council: District 5, Karen Gilbert

County Commission: District 2, Karen Keith

**Public Notice Required**

Newspaper Notice – min. 10 days in advance

Mailed Notice to 300’ radius – min. 10 days in advance

**Request Summary**

Special Exception to permit a large (greater than 250-person capacity) assembly and entertainment use in the CH district (Section 15.020, Table 15-2).

**Zoning**

Zoning District: CH

Zoning Overlays: N/A

**Comprehensive Plan Considerations**

**Land Use**

Land Use Plan: Regional Center

Small Area Plans: None

Development Era: Early Automobile

**Transportation**

Major Street & Highway Plan: Secondary Arterial

planitulsa Street Type: N/A

Transit: Regular Route

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

**Environment**

Flood Area: N/A

Tree Canopy Coverage: 20-30%

Parks & Open Space: Expo Square

**Staff Analysis**

The applicant is requesting a special exception to permit a large (greater than 250-person capacity) assembly and entertainment use in the CH district (Section 15.020, Table 15-2). The applicant proposes to renovate the 41,000-square-foot building into a health club.

**Section 15.020 Use Regulations**

Principal uses are allowed in office, commercial and industrial districts in accordance with Table 15-2.

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Table 15-2: O, C and I District Use Regulations

| USE CATEGORY                      | OL | OM | OMH | OH | CS   | CG   | CH   | CBD  | IL | IM | IH | Supplemental Regulations |
|-----------------------------------|----|----|-----|----|------|------|------|------|----|----|----|--------------------------|
| <b>COMMERCIAL</b>                 |    |    |     |    |      |      |      |      |    |    |    |                          |
| <b>Animal service</b>             |    |    |     |    |      |      |      |      |    |    |    | 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  |                          |
| <b>Assembly and Entertainment</b> |    |    |     |    |      |      |      |      |    |    |    | 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  |                          |
| Large (>250-person capacity)      | -  | -  | -   | -  | S    | S    | S    | S    | S  | S  | S  |                          |
| Outdoor gun club                  | -  | -  | -   | -  | S    | S    | S    | -    | S  | S  | S  |                          |
| Other outdoor                     | -  | -  | -   | -  | S    | S    | S    | S    | S  | S  | S  |                          |

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Relevant Case History

- BOA-18640, February 8, 2000; The board of adjustment voted to approve a variance of the maximum aggregate display surface area of wall sign from 213 square feet to permit three wall signs of 440 square feet in a CH district, per plan.

**Comprehensive Plan Considerations**

**Land Use Plan**

The subject property is designated as Regional Center. Regional Centers are defined by existing regional trip generators, in contrast to Local Centers. These centers should be the most connected land use pockets outside of downtown for public transit access and high-capacity arterial streets. New regional trip generators should be permitted in the area with special consideration given to transportation access and circulation. Regional trip generators include universities, malls, large medical campuses, casinos, big-box shopping centers, and very large churches.

Surrounding Properties:

| <u>Location</u> | <u>Existing Zoning/Overlay</u> | <u>Existing Land Use Designation</u> | <u>Existing Use</u> |
|-----------------|--------------------------------|--------------------------------------|---------------------|
| North           | CH                             | Regional Center                      | Commercial/Shopping |
| East            | RS-2, RS-3                     | Neighborhood                         | Residential         |
| South           | CG, CS, OL                     | Regional Center                      | Commercial/Shopping |
| West            | AG                             | Regional Center                      | Expo Square         |

**Small Area Plans**

The subject property is not located within a small area plan.

**Development Era**

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

**Transportation**

Major Street & Highway Plan: South Yale Avenue East runs parallel to the west side of the subject property. East 21st Street South runs parallel to the south side of the subject property. Both are classified as Secondary Arterials, which have planned minimum right-of-way widths of 100 feet.

Comprehensive Plan Street Designation: N/A

Transit: Regular route 150 runs along East 21st Street South. Regular route 450 runs along South Yale Avenue East.

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: South Yale Avenue has an annual average daily traffic (AADT) count of 5,698 vehicles per lane. East 21st Street South has an AADT count of 3,647 vehicles per lane.

**Environmental Considerations**

Flood Area: The subject property is not located within a floodplain.

Tree Canopy Coverage: Tree canopy in the area is 21%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: Tulsa Expo Square is located nearby to the west of the subject property.

**Sample Motion**

I move to approve or deny a special exception to permit a large (greater than 250-person capacity) assembly and entertainment use in the CH district (Section 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): \_\_\_\_\_.

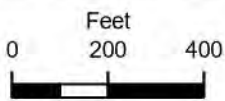
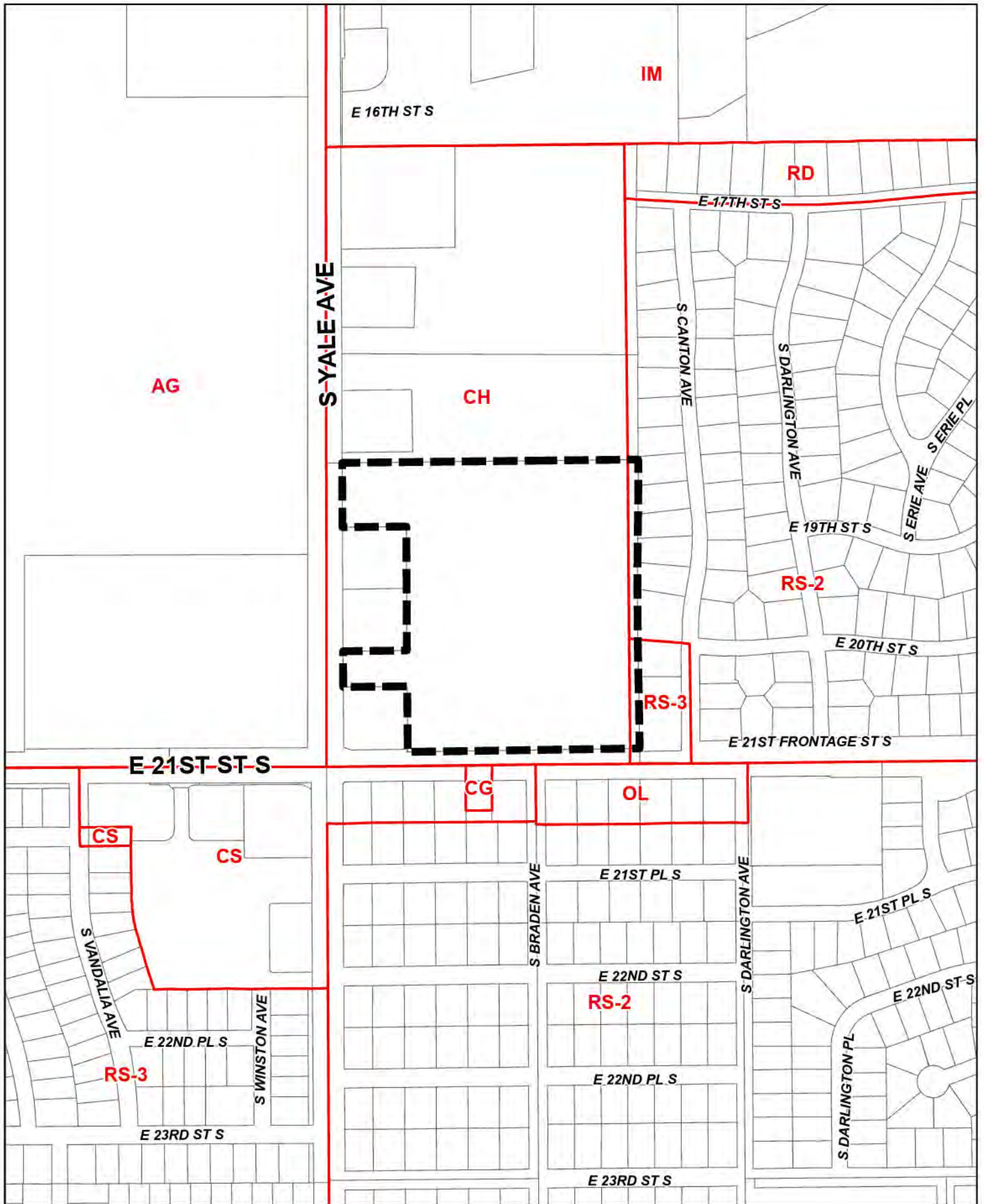
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

**Property Description**

BEG 50E & 65N SWC SW TH N312.25 E203 N394 W203 N204.48 E941.86 S925.73 W740 N5 W175 NW26.8 POB LESS BEG 252.45N & 50E SWC SW SW TH E203 S200.19 W3.01 N5 W175 NW26.80 N187 POB SEC 10 19 13 17.211ACS, UNPLATTED, City of Tulsa, Tulsa County, State of Oklahoma

**Exhibits**

- Case map
- Aerial (small scale)
- Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map



 Subject Tract

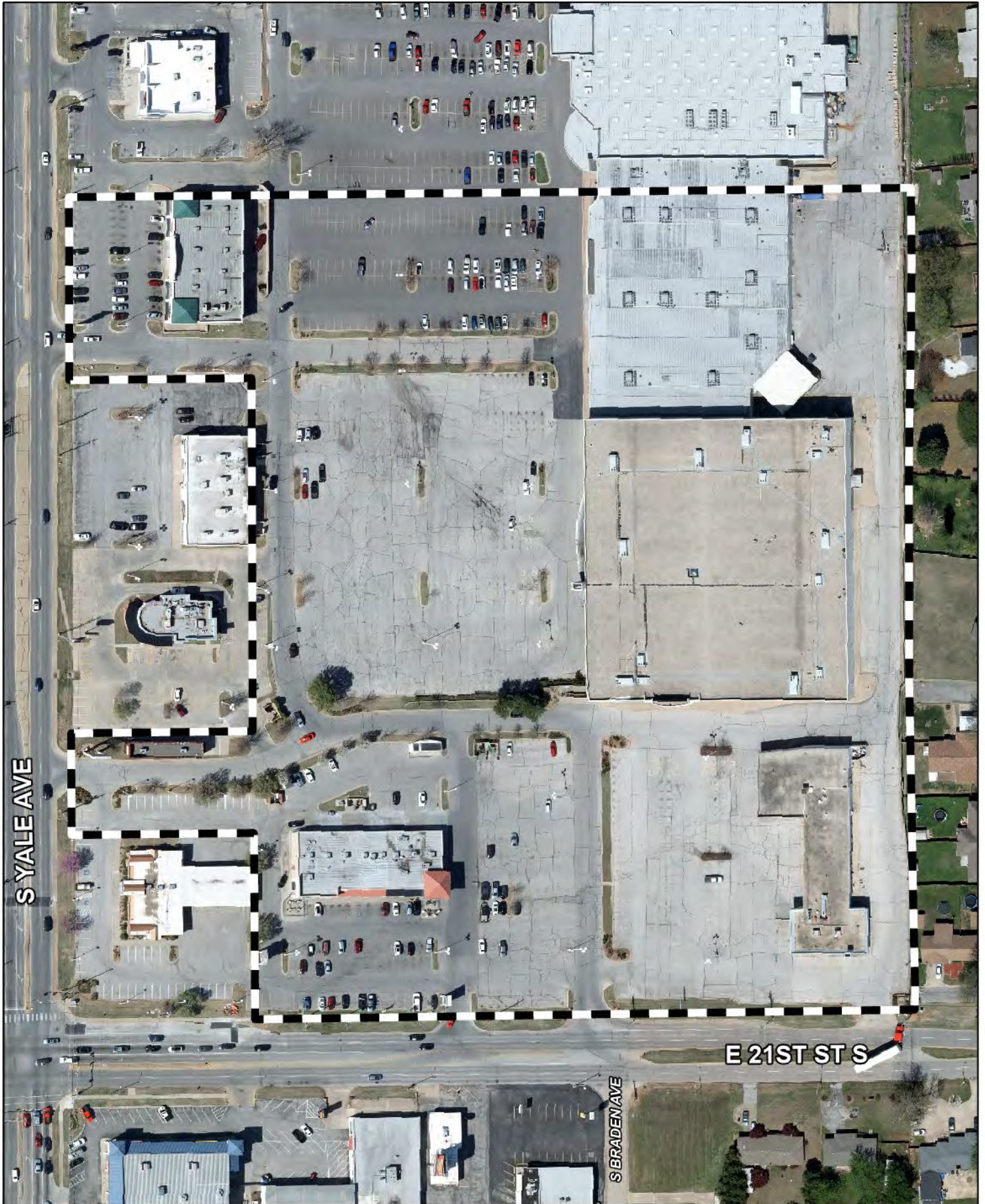
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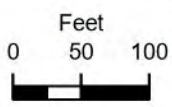




S YALE AVE

E 21ST ST S

S BRADEN AVE



Subject Tract

**BOA-23812**

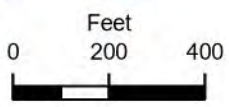
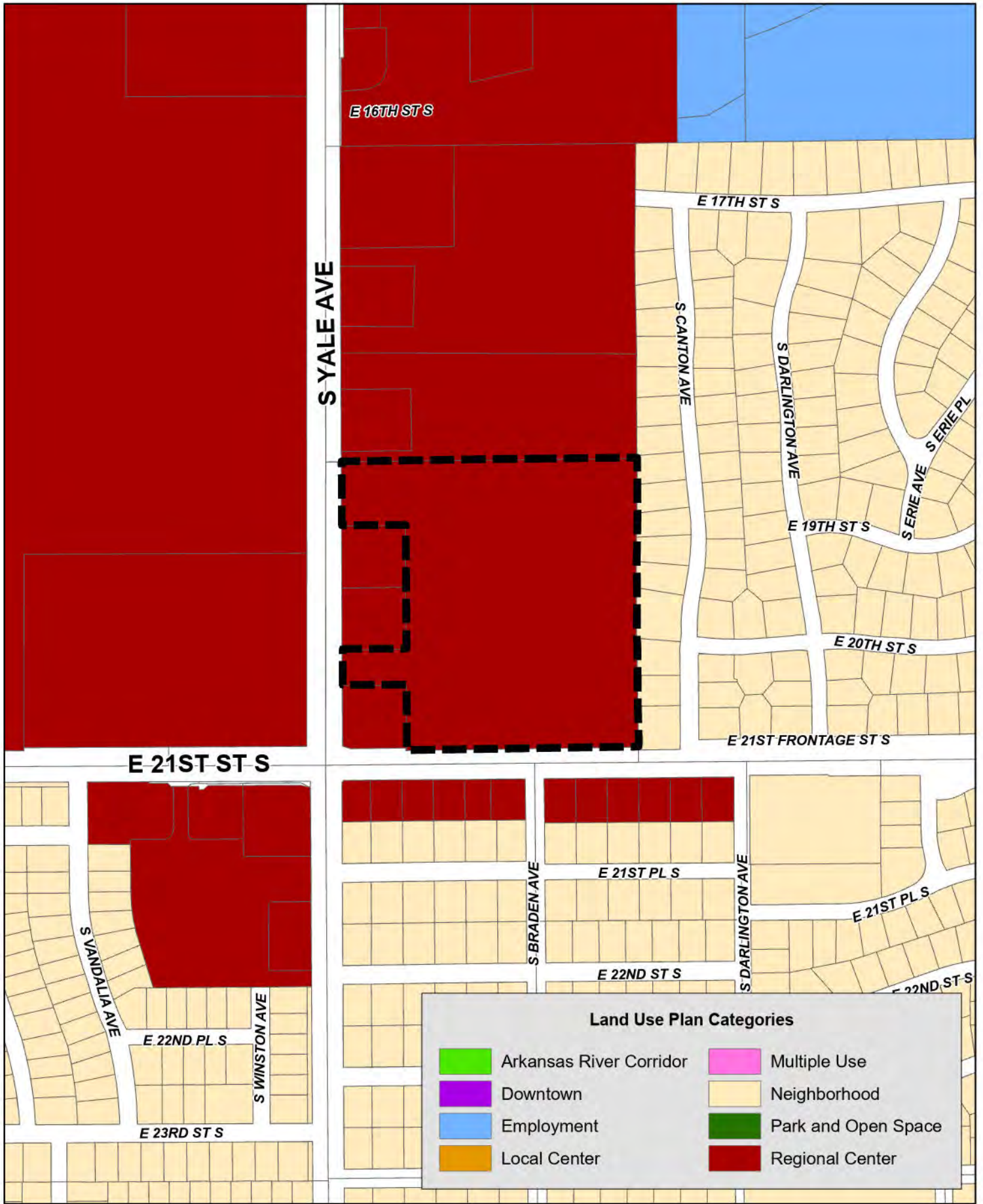
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2022



15.7



Subject Tract

**BOA-23812**  
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15.8

## **EXHIBIT “B”**

### **BACKGROUND:**

The property at issue in this Special Exception request (the “Subject Property”) is located east of the northeast corner of 21<sup>st</sup> Street and South Yale Avenue and previously housed a Sears as well as other uses. The buildings on the Subject Property were originally constructed in the 1950s and have been subsequently enlarged, remodeled and updated over the years until Sears exited the building in April of 2017. From and since that time, the portion of the building on the Subject Property that faces south toward 21<sup>st</sup> Street and is the subject of this Special Exception request has been vacant except for seasonal “pop up” type stores.

### **PROPOSED USE:**

The owner of the Subject Property proposes to utilize 41,000 square feet of the building on the Subject Property that faces south toward 21<sup>st</sup> Street as a health club. The location of the proposed health club facility within the building is depicted on the site plan attached to the Application for Special Exception (the “Site Plan”) along with an area outlined in red that shows an adjacent parking lot that is functionally only useable for the proposed health club facility due to its location on the Subject Property. The owner of the Subject Property believes that this use will bring vitality and activity back to the Subject Property which will result in both increased interest from other potential tenants and a decrease in vagrancy in and around the Subject Property. The hope is that this is the start of a revitalization of the Subject Property with new tenancy.

### **PARKING:**

As discussed above, the owner of the Subject Property proposes to use 41,000 square feet of the existing building on the Subject Property as a health club. Pursuant to Table 55-1 of the City of Tulsa Zoning Code, health club uses in CH zoned property have a parking requirement of 4.25 spaces per 1,000 square feet of space used as a health club. For this particular use, this results in a requirement of 175 parking spaces. The parking lot on the Subject Property that is directly south of the proposed health club use is currently in the process of reconstruction. An existing building is being demolished and the parking lot is being reconstructed to address slope issues and modernize the parking area. The Site Plan demonstrates that there will be 299 parking spaces in this lot alone to accommodate the health club use.

### **SPECIAL EXCEPTION REQUEST:**

The health club use falls under the category of “Assembly and Entertainment” in the City of Tulsa Zoning Code. Pursuant to Table 15-2 of the City of Tulsa Zoning Code, Assembly and Entertainment uses for less than 250 people is allowed by right in a CH district. To ensure that there are no issues with compliance or permitting, the proposed health club tenant has requested that the Subject Property allow a health club use for more than 250 people. This use on a CH zoned property requires a Special Exception. To address this, the Applicant requests a Special Exception to allow an Assembly and Entertainment use for more than 250 people on a CH zoned property to accommodate the proposed new health club use. Because of the existing high density

commercial zoning on the Subject Property and the long-standing intense commercial use of the building on the Subject Property, the Applicant believes that the Special Exception request is consistent with the long-standing previous uses of the property and in harmony with the spirit and intent of the City of Tulsa Zoning Code for CH zoned property.

Currently, the Subject Property is largely vacant. The proposed health club use will bring new activity to the Subject Property and decrease vagrancy and vandalism in the area. Further, the large amount of parking on the south, southwest and west sides of the existing building as well as the numerous ingress and egress facilities on the Subject Property allow for traffic flow and parking that will not disrupt or interfere with any adjacent property while bringing more people to the area. For these reasons, the Applicant strongly believes that this Special Exception will benefit the neighborhood, the adjacent businesses and the City of Tulsa and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

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