



Board of Adjustment

**Staff Report
BOA-23865**

Hearing Date: March 11, 2025
Prepared by: Erin Roark
eroark@cityoftulsa.org
918-596-7618

Owner and Applicant Information

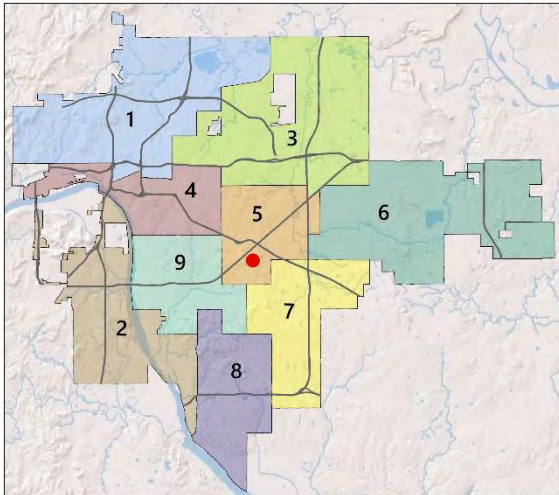
Applicant: Samuel "Toby" Smith, Beluga Bev. Co. LLC
Property Owner: G&I X Tulsa Industrial Portfolio LLC

Property Location

6707 East 41st Street South
Tract Size: ±2.17 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 5, Karen Gilbert
County Commission: District 3, Kelly Dunkerly

Public Notice Required

Newspaper Notice – min. 10 days in advance
Mailed Notice to 300' radius – min. 10 days in advance
Posted Sign – min. 10 days in advance

Request Summary

Special Exception to permit a bar in the IL district (Section 15.020, Table 15-2).

Zoning

Zoning District: IL
Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

Land Use Plan: Employment
Small Area Plans: N/A
Development Era: Late Automobile Era

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: Sidewalks

Environment

Flood Area: N/A
Tree Canopy Coverage: 0-9%
Parks & Open Space: N/A

Staff Analysis

The applicant is requesting a special exception to permit a bar in the IL district (Section 15.020, Table 15-2).

Section 15.020 Use Regulations

Principal uses are allowed in office, commercial and industrial districts in accordance with [Table 15-2](#).

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												

Restaurants and Bars												
Restaurant	P[1]	P[1]	P[1]	P	P	P	P	P	P	P	P	Section 40.330
Bar (except as below)	-	-	-	-	P[2]	P[2]	P[2]	P[2]	S	S	S	Section 40.050
Brewpub	-	-	-	-	S	S	S	P[2]	S	S	S	Section 40.050

Relevant Case History

- BOA-10256, December 7, 1978; The board of adjustment voted to deny a variance of the display surface area for two signs in the IL district.
- BOA-11214, October 2, 1980; The board of adjustment voted to approve a special exception to permit a commercial center in the IL district.

Comprehensive Plan Considerations

Land Use Plan

The property is designated as Employment. Employment is intended to accommodate offices, warehousing and storage, manufacturing and assembly, and industrial processes. The Industrial Site Suitability map corresponds to the Employment land use designation and indicates where uses that are potentially incompatible with sensitive land uses are best suited to locate. This directs industrial uses to particular areas of the city while discouraging industrial in close proximity to Neighborhood areas.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	IL	Employment	Open Space
East	IL	Employment	Commercial Retail
South	IL	Employment	Office
West	IL	Employment	Commercial Retail

Small Area Plans

The subject property is not within a small area plan.

Development Era

The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking,

community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

Transportation

Major Street & Highway Plan: East 41st Street South runs parallel to the southeast side of the subject property and is classified as a Secondary Arterial, which has a planned minimum right-of-way width of 100 feet.

Comprehensive Plan Street Designation: N/A

Transit: Regular Route 320 runs along East 41st Street South.

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: Sidewalks are recommended along street frontages.

Arterial Traffic per Lane: East 41st Street South has an average annual daily traffic (AADT) of 4,886 vehicles per lane.

Environmental Considerations

Flood Area: N/A

Tree Canopy Coverage: Tree canopy in the area is 9%. Preserving the limited existing canopy should be encouraged, as well as measures to increase the canopy through landscaping. Street-lining trees in particular should be encouraged to spread the benefit of the tree canopy to the pedestrian realm.

Parks & Open Space: N/A

Sample Motion

I move to approve or deny a special exception to permit a bar in the IL 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): _____.

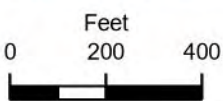
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Property Description

BEG 50N & 864.54E SWC SW TH N220 E455 S220 W455 POB LESS E25 FOR RR SEC 23 19 13 2.17ACS 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

BOA-23865

19-13 23

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

Aerial Photo Date: 2024

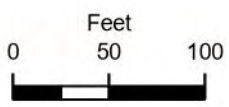


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E 41ST ST S

S 68TH E AVE



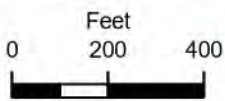
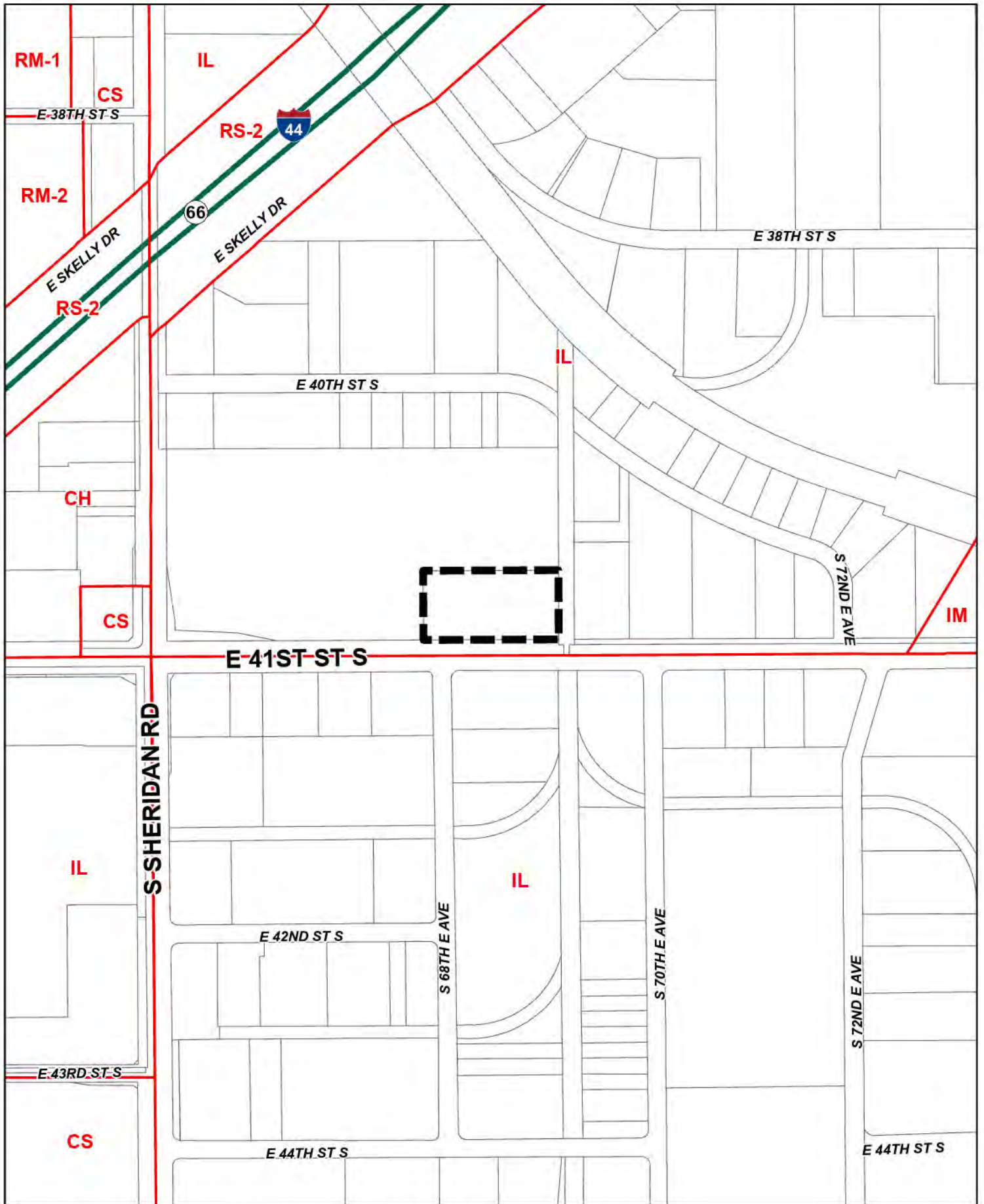
Subject Tract

BOA-23865
19-13 23

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Aerial Photo Date: 2024



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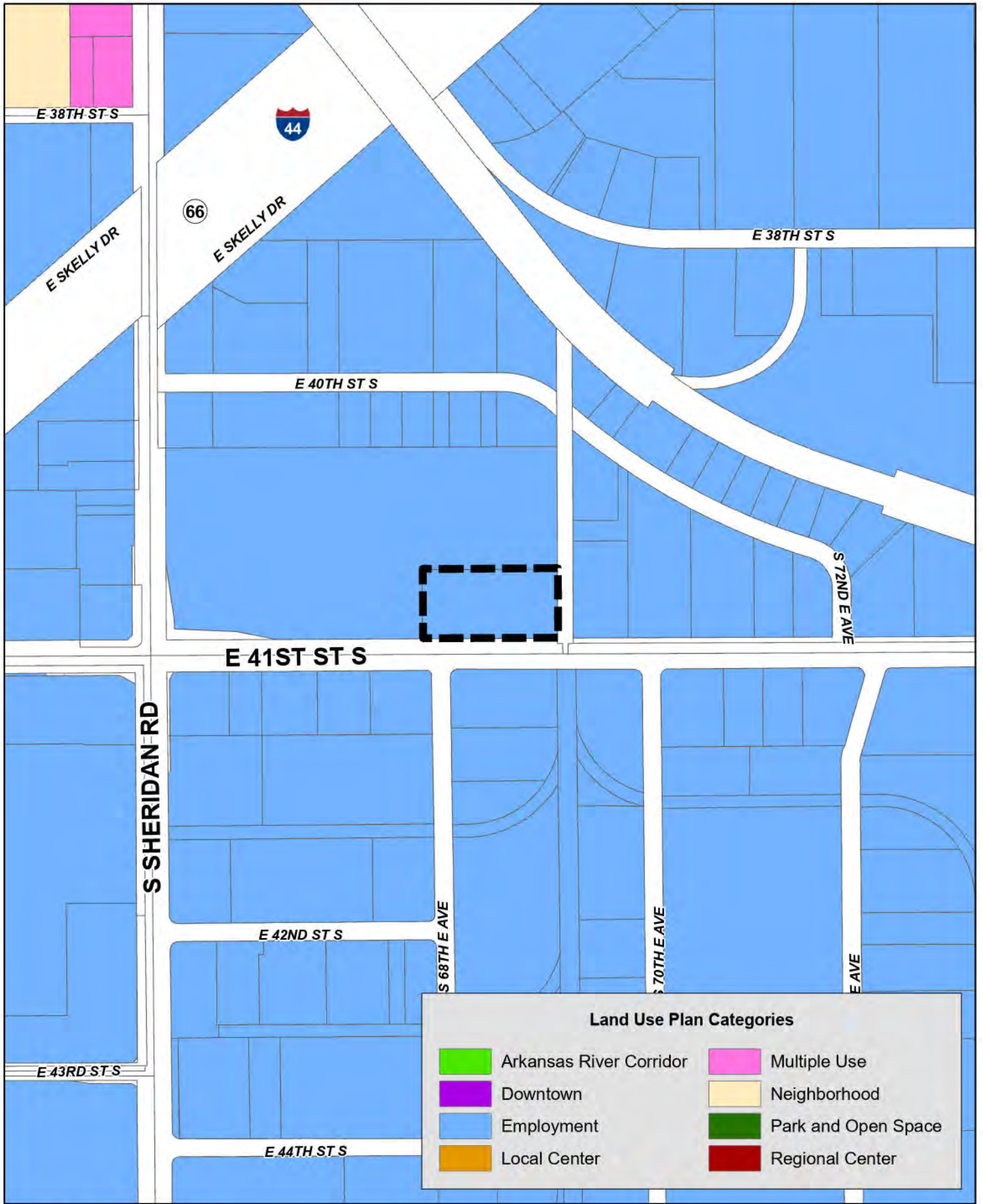
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




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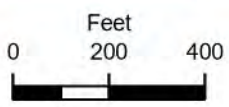


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Land Use Plan Categories

 Arkansas River Corridor	 Multiple Use
 Downtown	 Neighborhood
 Employment	 Park and Open Space
 Local Center	 Regional Center



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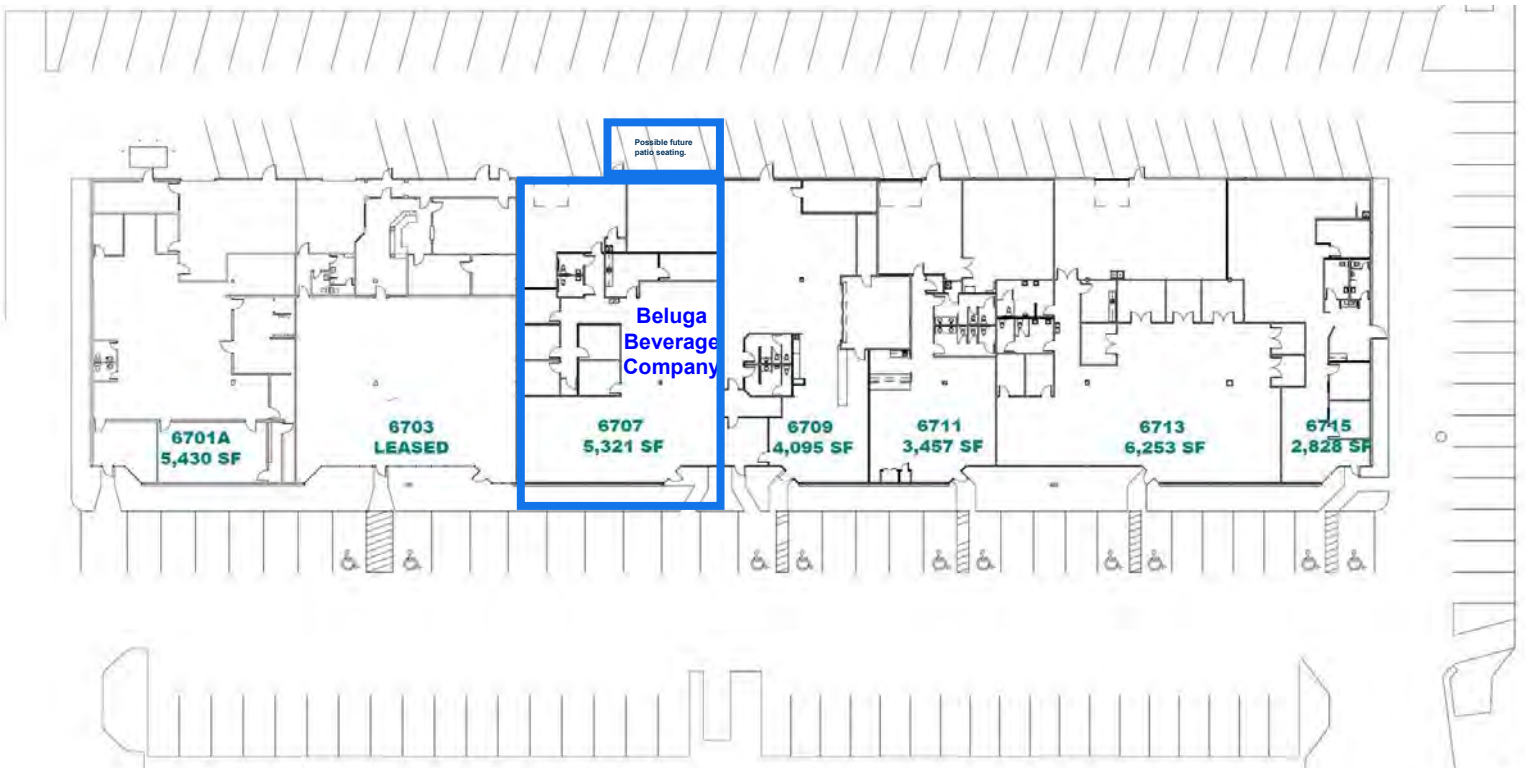


1. A Special Exception Use for Beluga Beverage Company will be in harmony with the spirit of the zoning code because our establishment will not have any adverse land or environmental impacts. We will be a safe and sustainable social venue with a focus on maintaining a fun, family-friendly environment. The Beluga Beverage Company will fit in nicely and faithfully serve the area with the other retail and restaurant businesses already nearby.

2. A Special Exception Use for Beluga Beverage Company will not be in any way injurious or detrimental to the neighborhood but will however be beneficial. We will not be a “bar” in the traditional sense of the term in that we will not be carrying or selling hard liquor, we will not be open past 10:00PM and we will offer as many excellent N/A beverage options as we will beer and wine. Our mission will be to maintain a fun, safe and always family-friendly environment. Our presence in the neighborhood will help to vitalize the neighborhood and will nicely complement Shawkat’s Med. Grill, Buffalo Wild Wings and the numerous food trucks regularly in the area as another convenient lunch/dinner spot for the local workforce and their families.

MAXIM PLACE

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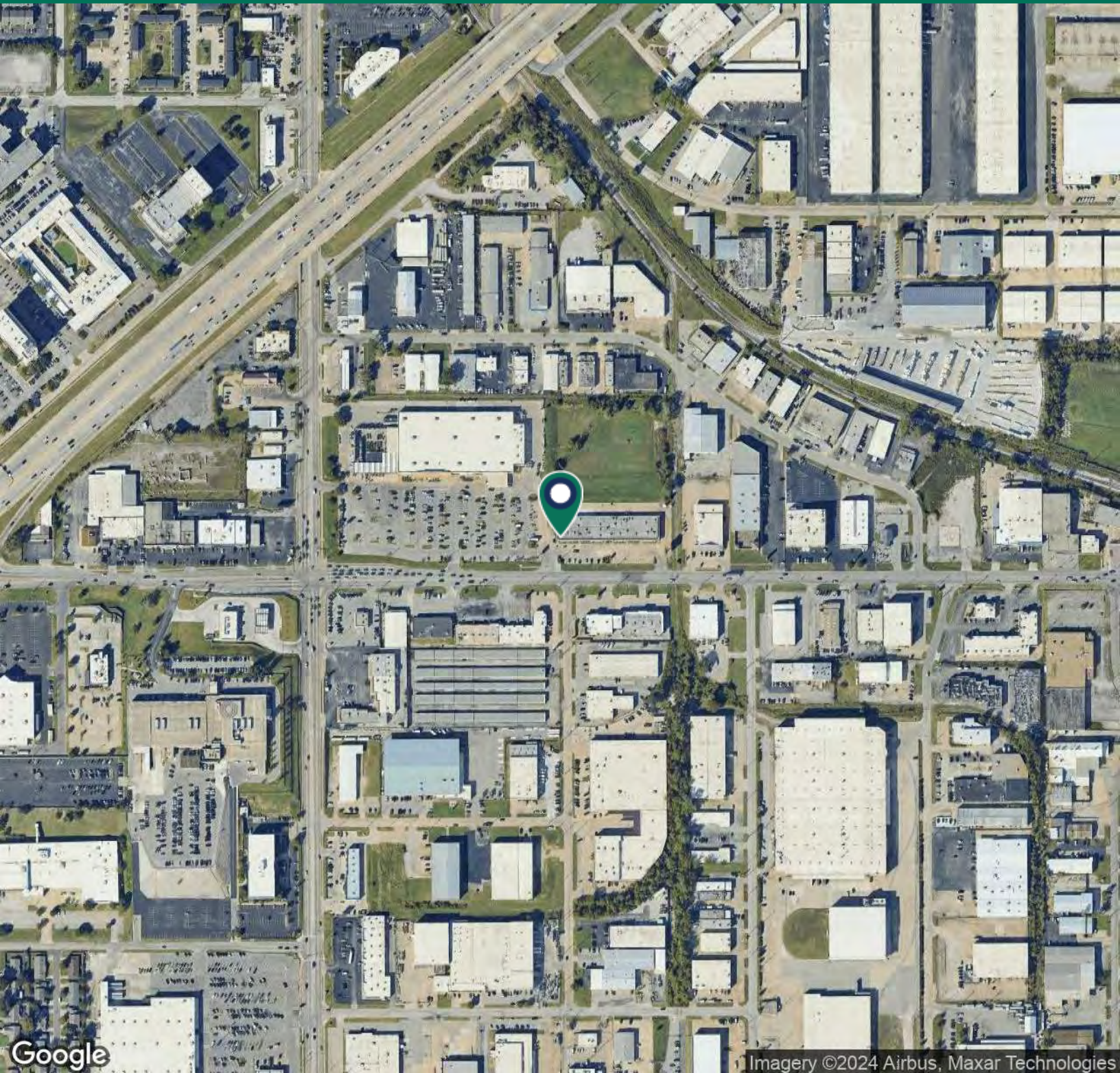
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MAXIM PLACE

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Google

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