



Board of Adjustment

**Staff Report
BOA-24030**

Hearing Date: April 28, 2026
Prepared by: Erin Roark
eroark@cityoftulsa.org
918-596-7618

Owner and Applicant Information

Applicant: Justin DeBruin, Wallace Design Collective
Property Owner: Tulsa Ballet Theatre Inc

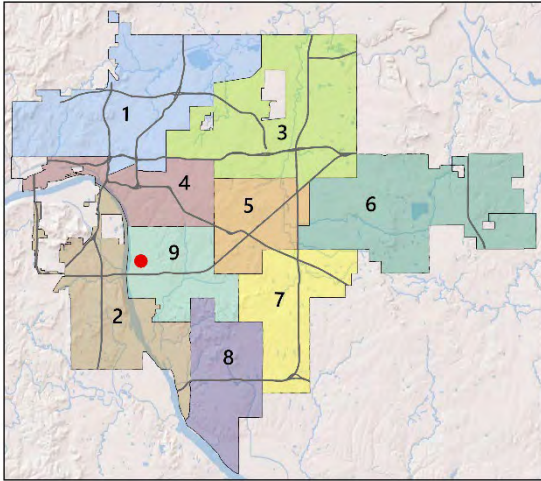
Property Location

1212 East 45th Place South

Tract Size: ±3.26 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 9, Carol Bush
County Commission: District 2, Lonnie Sims

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 allow a Large (greater than 250-person capacity) Indoor Assembly and Entertainment use in the CS district to permit an expansion to the Tulsa Ballet (Section 15.020, Table 15-2).

Zoning

Zoning District: CS
Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

Land Use Plan: Multiple Use
Small Area Plans: Brookside
Development Era: Early Automobile Era

Transportation

Major Street & Highway Plan: Secondary Arterial
planitulsa Street Type: N/A
Transit: BRT Route
Existing Bike/Ped Facilities: Sidewalks
Planned Bike/Ped Facilities: N/A

Environment

Flood Area: FEMA 500-Year Flood Zone
Tree Canopy Coverage: 0-9%
Parks & Open Space: N/A

Staff Analysis

The applicant is requesting a special exception to allow a Large (greater than 250-person capacity) Indoor Assembly and Entertainment use in the CS district to permit an expansion to the Tulsa Ballet (Section 15.020, Table 15-2). The Tulsa Ballet has operated at this site for over 20 years, however, a special exception for the use is necessary to permit a proposed 600 square foot expansion.

Section 15.020 Use Regulations

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

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
Subcategory												
Specific use												
COMMERCIAL												
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	
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	

Relevant Case History

- None found.

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Multiple Use. 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.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	CS	Multiple Use	Commercial Retail, Library
East	CS, RM-2	Multiple Use	Commercial Retail
South	CS	Multiple Use	Vehicle Services, Residential
West	RS-3	Neighborhood	School

Small Area Plans

The subject property is included in the Brookside Small Area Plan, which described the area as an urban village with its own special identity, sense of community, pattern of development and unique characteristics. The protection, preservation and enhancement of this urban village are of paramount importance. The Brookside Infill Neighborhood Detailed Implementation Plan, adopted in 2002, outlines standards related to enhancement of pedestrian experience

and safety and encouragement of high quality residential, office, and commercial uses through in-fill and mixed-use development.

Development Era

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of 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 Peoria Avenue runs parallel to the east 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: BRT Route 700 runs along South Peoria Avenue. The subject property is located within a transit-oriented development area.

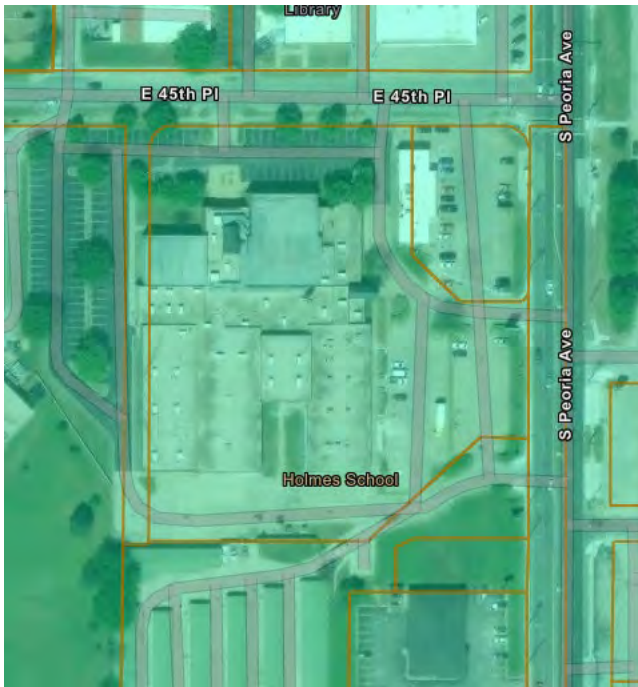
Existing Bike/Ped Facilities: Sidewalks are present along street frontages

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: South Peoria Avenue has an average annual daily traffic (AADT) of 5,447 vehicles per lane.

Environmental Considerations

Flood Area: The subject property is completely located within a FEMA 500-Year Flood Zone.



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

Site Photos



View south from East 45th Place, May 2018 (Image from Google Street View)

Sample Motion

I move to approve or deny a special exception to allow Large (greater than 250-person capacity) Indoor Assembly and Entertainment use in the CS 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): _____.

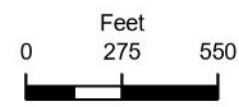
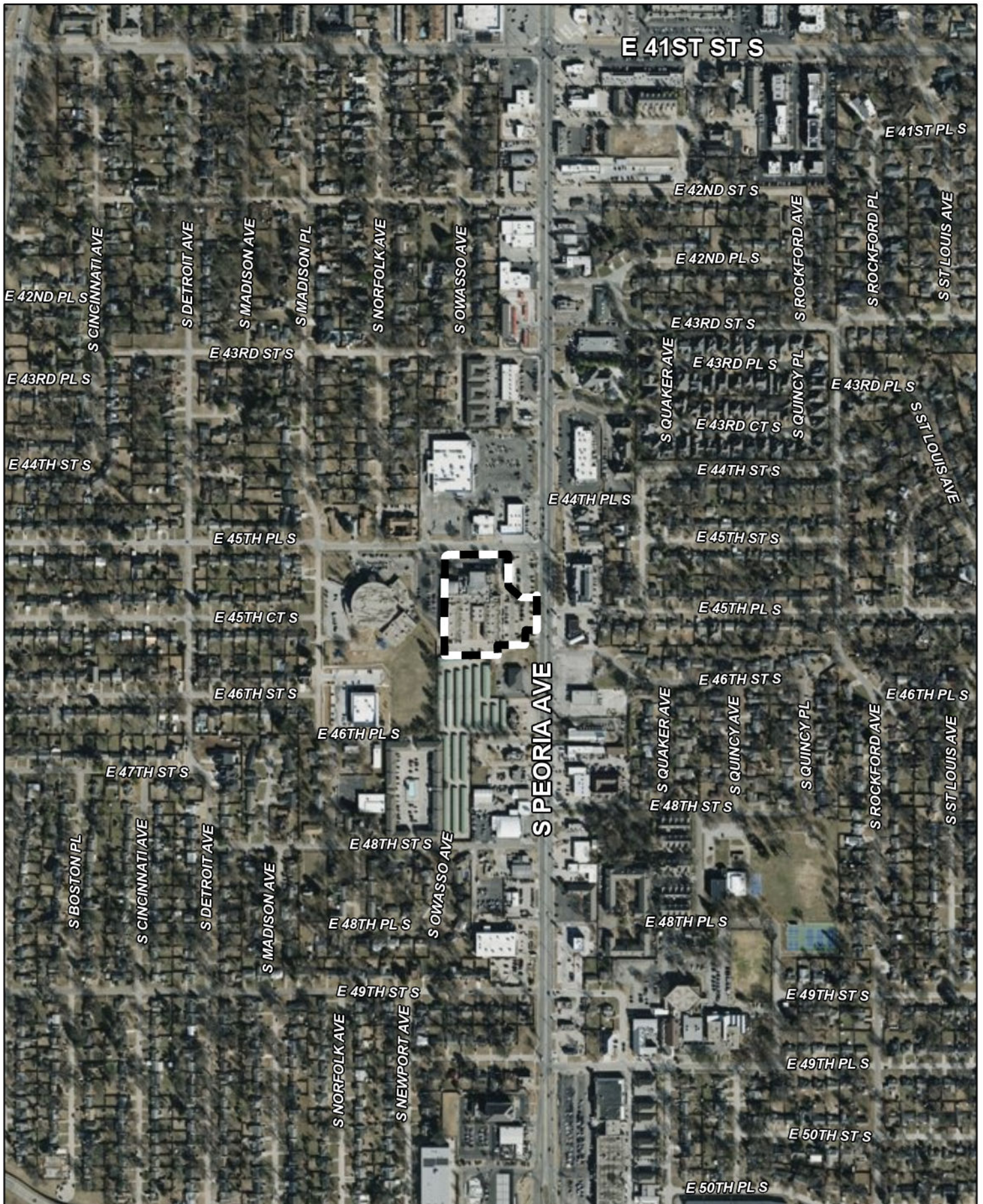
The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Property Description

LT 2 BLK 1, BROOKSIDE CENTER ADDN, 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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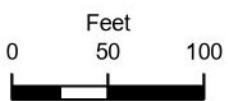
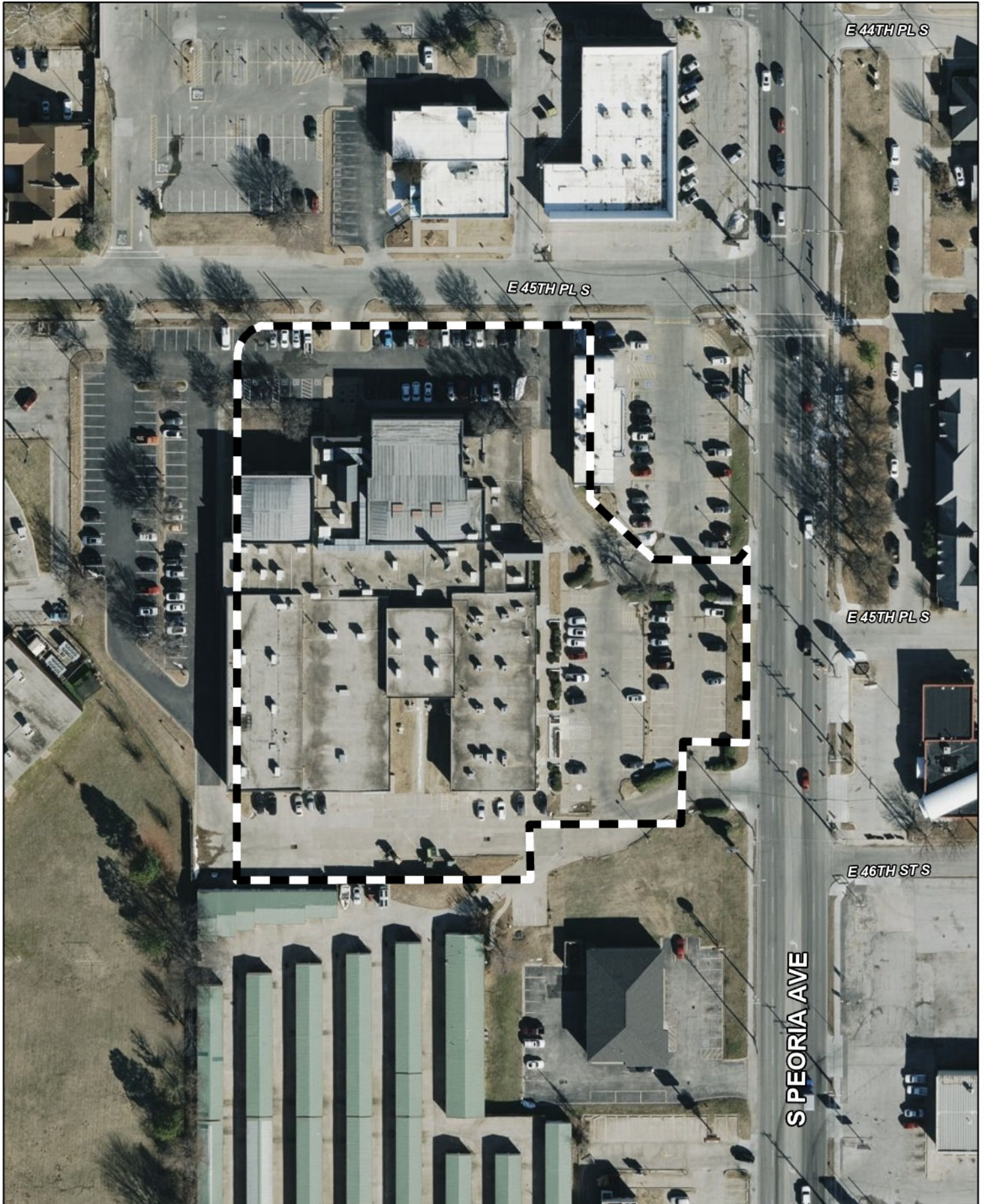
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2025



5.5



Subject
Tract

BOA-24030

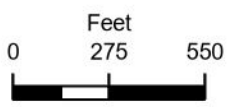
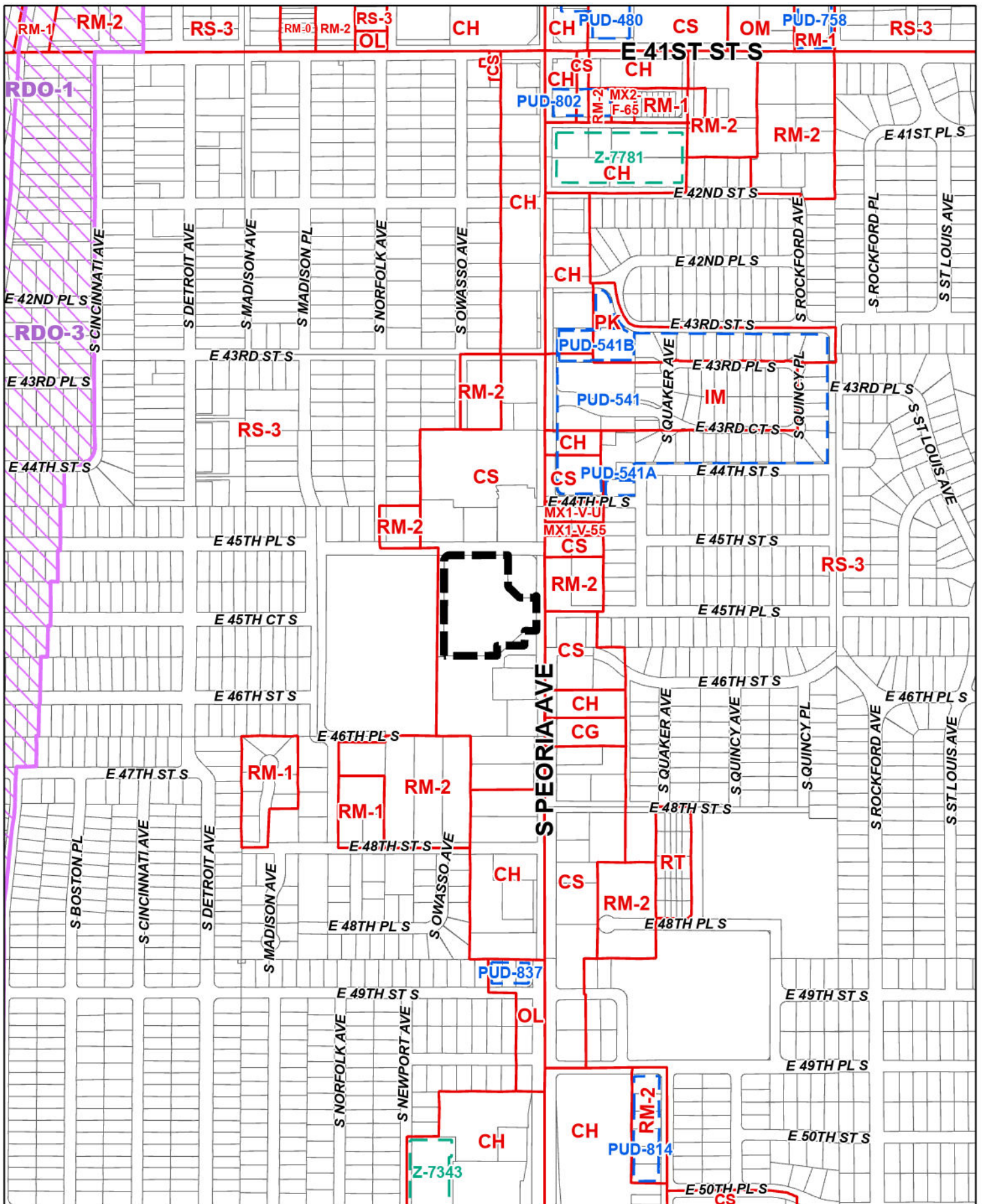
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 Subject Tract

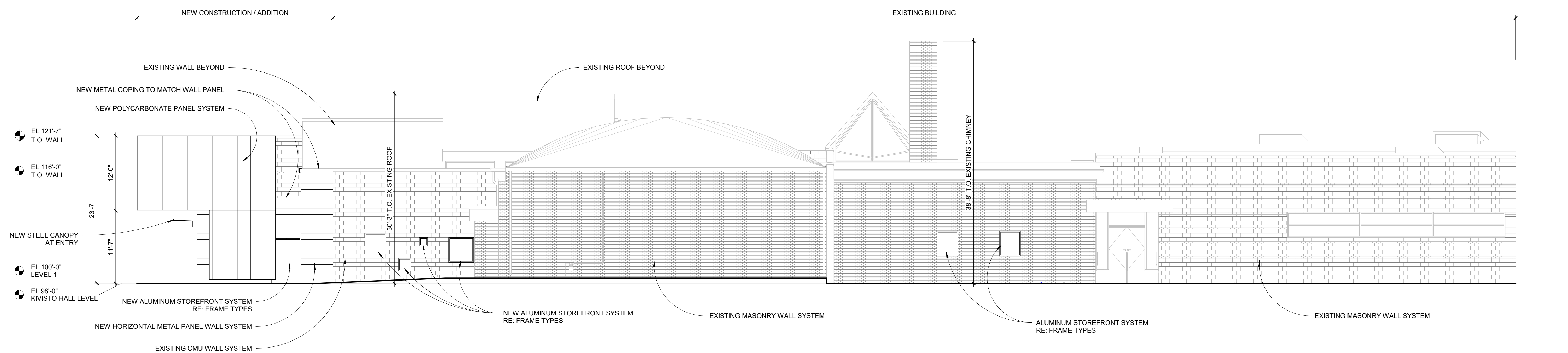
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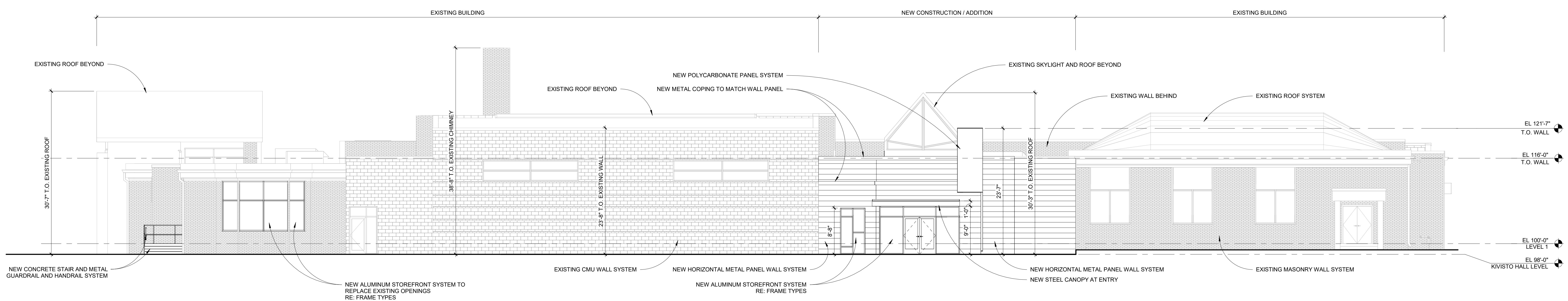


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3/17/2025 2:59:17 PM



2 WEST ELEVATION
1/8" = 1'-0"



1 NORTH ELEVATION
1/8" = 1'-0" | 1 - A101

Special Exception Narrative

Tulsa Ballet – 1212 E. 45th Pl. S.

The applicant respectfully requests approval of a Special Exception to permit an assembly use exceeding 250-person capacity within the existing Tulsa Ballet facility, as required by Table 15-2 in the City of Tulsa Zoning Code for property zoned Commercial Shopping (CS).

The applicant is submitting to permit an approximate 600 square foot vestibule addition to the north side of the existing building; however, this addition has triggered a need for the property to conform to the current zoning standards.

The special exception will be in harmony with the spirit and intent of the Zoning Code

The Tulsa Ballet has continuously operated at the subject property for over 20 years, serving as a well-established cultural and educational institution within the community. The facility is used for dance instruction, rehearsals, performances, and related administrative responsibilities. The use has coexisted in harmony with surrounding commercial and institutional uses and has not generated adverse impacts on the neighboring properties.

In addition, the Tulsa Ballet property maintains the appropriate underlying zoning of CS, is surrounded by commercial and institutional uses, and otherwise adheres to City of Tulsa Regulations.

The special exception will not be injurious to the neighborhood or otherwise detrimental to the public welfare

The Tulsa Ballet has demonstrated a long history of responsible operation, with no significant issues related to traffic, noise, or parking. As stated above, the surrounding area consists of commercial and institutional uses, making the continued operation of an assembly-oriented facility appropriate and consistent with the character of the area. This request ensures compliance with current zoning requirements while allowing the continued operation and modest improvement to the building.

In conclusion, the requested Special Exception is procedural in nature, allowing the Tulsa Ballet to continue its long-standing operations while making a modest improvement that enhances safety and functionality. The request is consistent with the intent of the zoning code, compatible with surrounding uses, and will not adversely affect the public health, safety, or welfare. For these reasons, we request approval of the Special Exception.