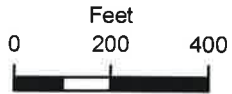


**SUBJECT TRACT**

**PUD-532**



**BOA-22922**

11.1

19-12 02



# BOARD OF ADJUSTMENT CASE REPORT

STR: 9202

Case Number: **BOA-22922**

CZM: 36

CD: 4

HEARING DATE: 06/23/2020 1:00 PM (*Continued from 06/09/2020*)

APPLICANT: A-max Sign Company, Inc.

ACTION REQUESTED: Variance to permit a projecting sign on a major street to exceed its maximum permitted height of 32 feet (Section 60.080-D)

LOCATION: 405 N MAIN ST E

ZONED: CBD

PRESENT USE: Multifamily building under construction

TRACT SIZE: 17999.07 SQ FT

LEGAL DESCRIPTION: PRT LT 4 & PRT N/2 VACATED FOURTH ST & PRT W/2 VACATED ALLEY ADJ THERETO BEG SWC LT 4 TH NW90 NE150 SE120 SW150 NW30 POB BLK 7, TULSA-ORIGINAL TOWN

RELEVANT PREVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of the "Downtown Core " and an "Area of Growth".

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.

**Downtown Core** is Tulsa's most intense regional center of commerce, housing, culture, and entertainment. It is an urban environment of primarily high-density employment and mixed-use residential uses, complemented by regional-scale entertainment, conference, tourism, and educational institutions. Downtown Core is primarily a pedestrian-oriented area with generous sidewalks shaded by trees, in-town parks, open space, and plazas. The area is a regional transit hub. New and refurbished buildings enhance the pedestrian realm with ground-floor windows and storefronts that enliven the street. To support downtown's lively and walkable urban character, automobile parking ideally is located on-street and in structured garages, rather than in surface parking lots.

ANALYSIS OF SURROUNDING AREA: The subject tract is located North of the NE/c of E. Cameron Street and N. Main.

STAFF COMMENTS: The applicant is requesting a **Variance** to permit a projecting sign on a major street to exceed its maximum permitted height of 32 feet (Section 60.080-D)

11.2



## 60.080-D Maximum Height of On-premise Projecting and Freestanding Signs

### 1. Lots with Frontage on Only Minor Streets

On-premise projecting signs and freestanding signs on lots with frontage on only minor streets may not exceed 20 feet in height or the height of the principal building on the lot, whichever is less.

### 2. Lots with Frontage on Major Streets

On-premise projecting signs and freestanding signs on lots with frontage on major streets may not exceed 25 feet in height, except that a maximum height of 40 feet is allowed if the sign is set back from the planned right-of-way line at least one foot for each foot of sign height in excess of 25 feet. Projecting signs and freestanding signs may not exceed 40 feet in height unless the subject lot abuts a freeway, in which case the maximum allowed height is 50 feet.

### STATEMENT OF HARDSHIP:

Due to the structure of the building, it is not possible to install a sign lower. This also keeps in harmony with the projecting signs in the CBD District.

### SAMPLE MOTION:

Move to \_\_\_\_\_ (approve/deny) a **Variance** to permit a projecting sign on a major street to exceed its maximum permitted height of 32 feet (Section 60.080-D)

- Finding the hardship(s) to be \_\_\_\_\_.
- Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.
- Subject to the following conditions \_\_\_\_\_.

In granting the **Variance** the Board finds that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;*
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;*
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;*
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;*
- e. That the variance to be granted is the minimum variance that will afford relief;*

*f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and*

*g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.”*



*Facing North on Main*



*Facing South on Main*



***Subject property is the new construction project to the right of the photo.***



DANNY WHITEMAN  
SIGN PLANS EXAMINER  
TEL (918)596-9664  
EMAIL dwhiteman@cityoftulsa.org



**DEVELOPMENT SERVICES**  
175 EAST 2<sup>nd</sup> STREET, SUITE 450  
TULSA, OKLAHOMA 74103-3227

## SIGN PLAN REVIEW

March 3, 2020

LOD Number: 1

Phone: 918-622-0651

**Lori Worthington**  
9520 E. 55<sup>th</sup> Pl.  
Tulsa, OK 74145

**APPLICATION NO:** **SIGN-047416-2019** (PLEASE REFERENCE WHEN CONTACTING OUR OFFICE)  
**Location:** 405 N. Main St.  
**Description:** Projecting Sign

### INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

**REVISIONS NEED TO INCLUDE THE FOLLOWING:**

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2<sup>nd</sup> STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A \$55 RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

**SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.**

### IMPORTANT INFORMATION

1. SUBMIT TWO (2) SETS OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
2. INFORMATION ABOUT ZONING CODE, THE INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND THE TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG) OR AT INCOG OFFICES AT 2 WEST 2<sup>ND</sup> STREET, 8<sup>TH</sup> FLOOR, TULSA, OK, 74103 OR TELEPHONE (918) 584-7526.
3. PRESENT THIS LETTER TO INCOG WHEN APPLYING FOR BOARD OF ADJUSTMENT OR PLANNING COMMISSION ACTION.

(Continued)

## REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT [WWW.INCOG.ORG](http://WWW.INCOG.ORG)

Application No. SIGN-054422-2020

405 N. Main St.

March 3, 2020

This letter of deficiencies covers Sign Plan Review items only.

For ground, monument, pole & outdoor advertising structure sign applications only, you may receive additional letters from other disciplines such as Water/Sewer/Drainage for additional deficiencies regarding Utility Easement placement which are not addressed in this letter.

### Section 60.080-D Maximum Height of On-premise Projecting and Freestanding Signs

#### 2. Lots with Frontage on Major Streets

On-premise projecting signs and freestanding signs on lots with frontage on major streets may not exceed 25 feet in height, except that a maximum height of 40 feet is allowed if the sign is set back from the planned right-of-way line at least one foot for each foot of sign height in excess of 25 feet. Projecting signs and freestanding signs may not exceed 40 feet in height unless the subject lot abuts a freeway, in which case the maximum allowed height is 50 feet.

#### Review comments:

The proposed projecting sign height of 36.25 feet exceeds the permitted 32 foot height above grade allowed for a sign with a 47 foot setback from the C/L of N. Main Street. You may seek a variance from the BOA to permit a projecting sign to exceed the maximum permitted height of 32 feet to be installed 36.25 feet above grade, with a 47 foot setback from N. Main Street.

NOTE: Please direct all questions concerning variances, special exceptions, appeals of an administrative official, Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to send the decision of any actions by the BOA or TMAPC affecting the status of your application for a Sign Permit to our office so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

## END – ZONING CLEARANCE AND SIGN CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A CITY OF TULSA SIGN PERMIT.



11.9

INTEGRATED construction + design  
9726 E. 24th Street  
Suite 212  
Tulsa, OK 74146  
918.585.1875  
LARRY GUSTON ARCHITECTS

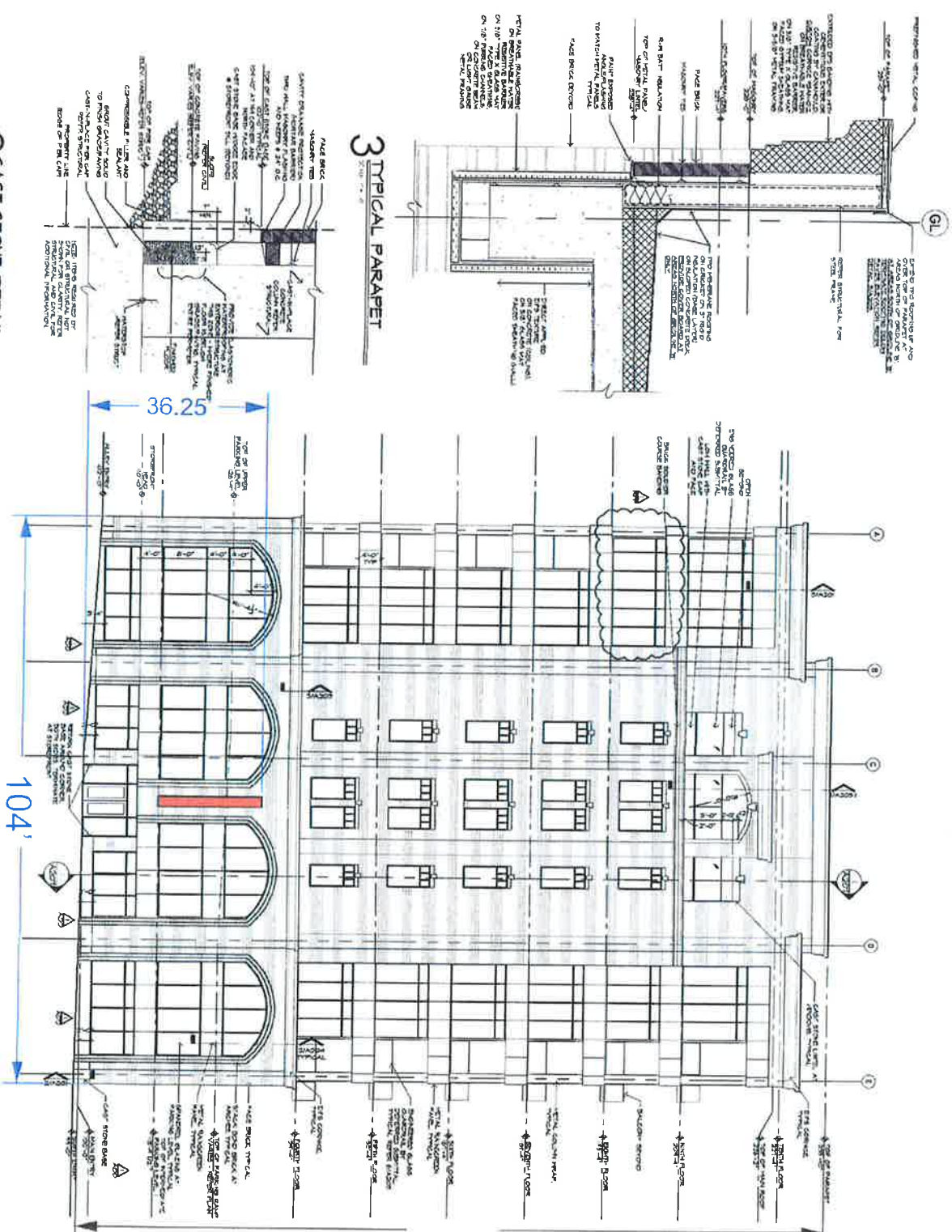


135.84'

Davenport Lofts - Shell Permit  
405 N Main  
Tulsa, OK.

WEST ELEVATION

A201

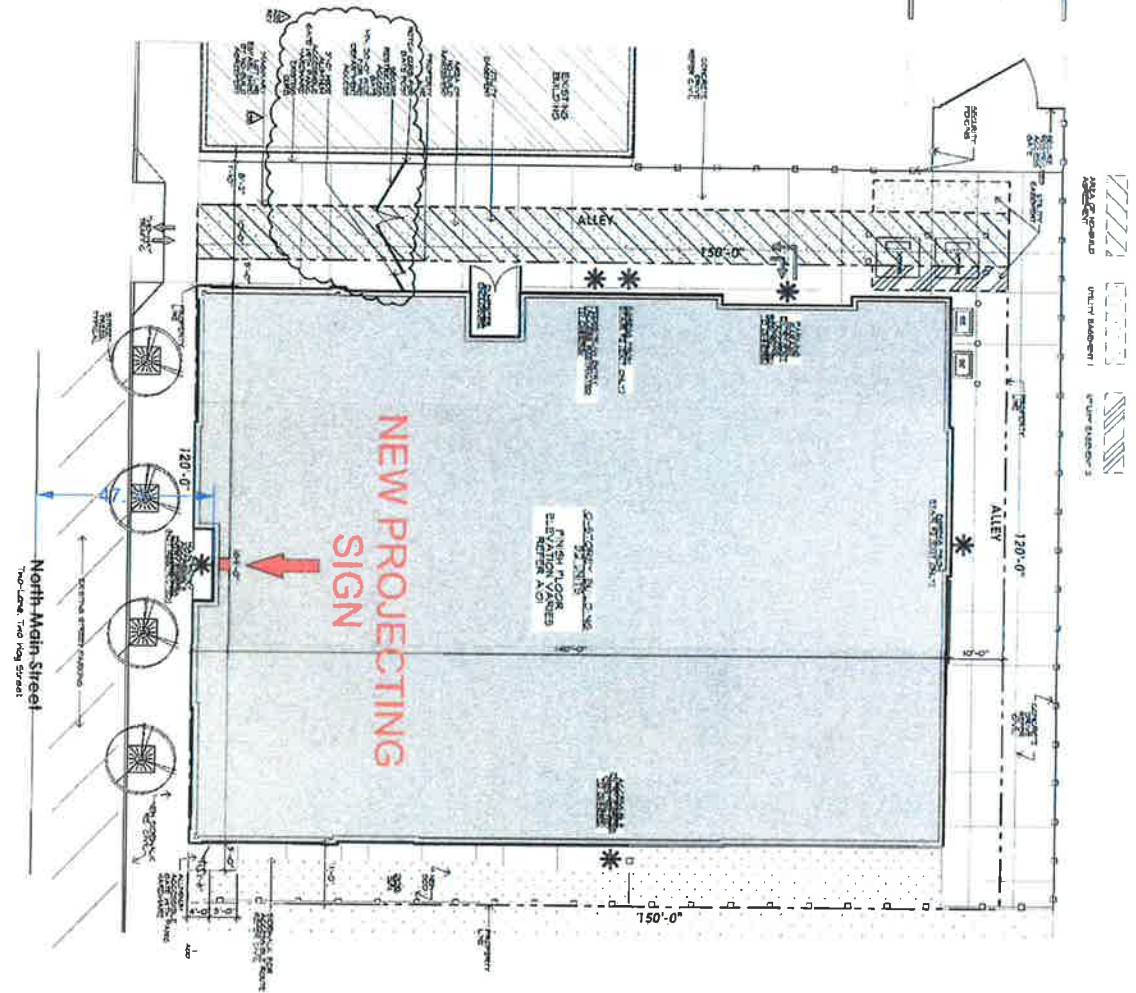


**SITE INFORMATION**

- **DATE OF PARCEL:** 1800 10/14/17
- **BOUNDARY:** 1800 10/14/17
- **NAME:** 1800 10/14/17
- **ADDRESS:** 1800 10/14/17
- **APPROXIMATELY 200 FEET NORTH OF THE SITE**

**PARKING COUNT**

- **STREET PARKING:** 2 SPACES
- **STREET PARKING:** 2 SPACES
- **TOTAL # OF PARKING SPACES:** 4 SPACES



**ARCHITECTURAL SITE PLAN**



Davenport Lofts - Shell Permit  
 405 N Main  
 Tulsa, OK.

ARCHITECTURAL SITE PLAN

**A001**

03/15/2017



**INTEGRATED**  
 construction + design

9735 E. 42ND STREET  
 SUITE 210  
 TULSA, OK 74114  
 918.505.4875  
 WWW.ICDGROUP.COM

11.10

**DOUBLE SIDED BLADE ID**

SCALE: 1/4"=1'-0"

1.0

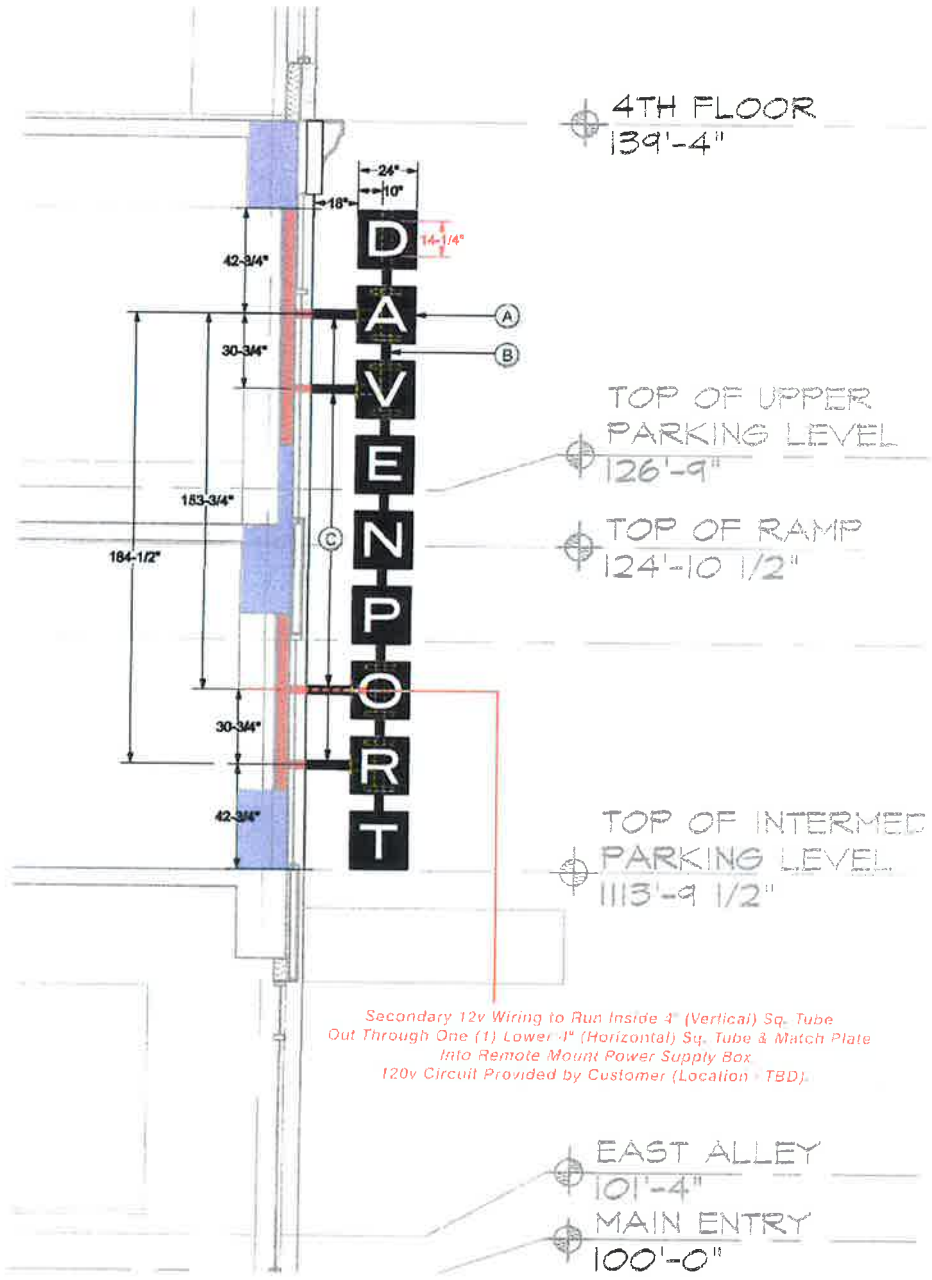
- (A) Letter Cabinets (Pan-In-Pan):** .063" Alum. Face Pans w/ Routed Copy, .063" Alum. Backer Pans, .063" Alum. Filler Between Cabinets. Prefinished - Black (Matte).

**Push-Thru Letters:** 3/4" Thick Clear Acrylic w/ 3635-70 Diffuser on Back & 3630-20 White Vinyl on Face. Internal White LED Illumination (Remote Mount Power Supplies).

Cabinets Attach to Vertical 4" Sq. Steel Tube Structure w/ Mechanical Fasteners.

- (B) Sign Support Structure:** (1) Vertical - 4" x 4" x 3/16" Wall Steel Sq. Tube, (18) Horizontal - 2" Wide x 1/8" Thick Flat Strap Steel Cabinet Supports, (4) Horizontal - 4" x 4" x 3/16" Wall Steel Sq. Tubes w/ 4" x 8" x 3/8" Thick Steel Match Plates. **Match Plates Per Spec. Provided by G.C (See Detail Below).** Painted Finish - Black (Satin).

- (C) Building Attachment Points (Provided by Owner):** (4) Horizontal - 4" Steel Sq. Tubes w/ Match Plates. Painted Finish - Black (Satin).



Secondary 12v Wiring to Run Inside 4" (Vertical) Sq. Tube Out Through One (1) Lower 4" (Horizontal) Sq. Tube & Match Plate Into Remote Mount Power Supply Box. 120v Circuit Provided by Customer (Location TBD).

<p>8820 E. 55th Place Tulsa, Oklahoma 74145                  PH: (918) 822-4661   FX: (918) 822-0659                  WWW.A-MAX-SI.COM</p>	PROJECT: DAVENPORT		<p>UL LISTED</p>	<p>npe</p>	REVISIONS			
	LOCATION: 405 N Main Tulsa, OK				DATE: 1 / 30 / 2020	SCALE: AS NOTED	NO.	DESCRIPTION
	SALES REP: Brian Ward				DRAWN BY: RAM	CLIENT APPROVAL / DATE:	1.	
	FILE NAME: Blade ID						2.	
							3.	
<p>WORK ORDER: 00000</p> <p>Page 2 of 3</p>			<p>DWG: 013020-02</p>					

11.11

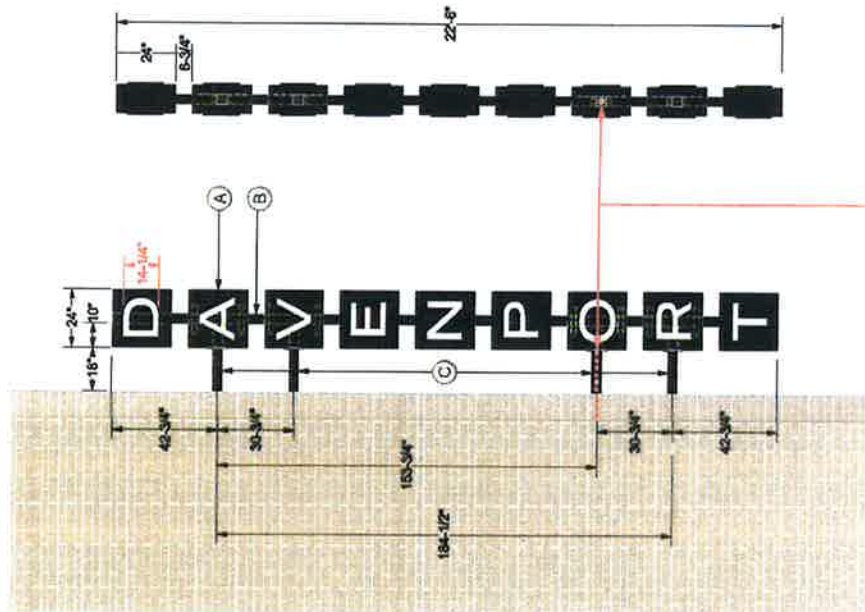


# DOUBLE SIDED BLADE ID 2' X 22.5'=45SQFT

SCALE: 1/4"=1'-0"

1.0

- (A) Letter Cabinets (Pan-In-Pan): .063" Alum. Face Pans w/ Routed Copy, .063" Alum. Backer Pans, .063" Alum. Filler Between Cabinets. Prefinished - Black (Matte).  
Push-Thru Letters: 3/4" Thick Clear Acrylic w/ 3635-70 Diffuser on Back & 3630-20 White Vinyl on Face. Internal White LED Illumination (*Remote Mount Power Supplies*). Cabinets Attach to Vertical 4" Sq. Steel Tube Structure w/ Mechanical Fasteners.
- (B) Sign Support Structure: (1) Vertical - 4" x 4" x 3/16" Wall Steel Sq. Tube (18) Horizontal - 2" Wide x 1/8" Thick Flat Strap Steel Cabinet Supports. (4) Horizontal - 4" x 4" x 3/16" Wall Steel Sq. Tubes w/ 4" x 8" x 3/8" Thick Steel Match Plates. Match Plates Per Spec. *Provided by G.C. (See Detail Below)*. Painted Finish - Black (Satin).
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Secondary 12v Wiring to Run Inside 4" (Vertical) Sq. Tube Out Through One (1) Lower 4" (Horizontal) Sq. Tube & Match Plate into Remote Mount Power Supply Box. 120v Circuit Provided by Customer (Location - TBD).



WEST ELEV.  
SCALE: NTS

SCALE	AS NOTED
DATE	7/30/2020
FILE	Blade ID
SALES REP.	Brian Ward
DRAWN BY	JB FINAL - PAW
PROJECT	DAVENPORT
LOCATION	Tulsa, OK
ADDRESS	405 N Main
CLIENT APPROVAL	SIGNATURE & DATE

**U** Sign will be made with all substrates as required.  
**M** All sign substrates must be 1/8" thick and 1/4" wide.  
**W** All sign substrates must be 1/8" thick and 1/4" wide.  
**Y** All sign substrates must be 1/8" thick and 1/4" wide.

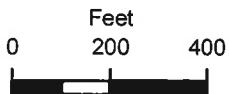
REVISIONS:

1	
2	
3	
4	
5	

If there are any changes to this drawing, please contact the designer for a revised drawing. All drawings are subject to change without notice. The client is responsible for providing all necessary information and materials. The designer is not responsible for any errors or omissions in this drawing.

11.12





Subject Tract

**BOA-22922**

19-12 02

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

Aerial Photo Date: February 2018

11.13







Subject  
Tract

**BOA-22922**

19-12 02

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

Aerial Photo Date: February 2018

