



Board of Adjustment

**Staff Report
Variance Case BOA-23631**

Hearing Date: January 23, 2024
Prepared by: Sean Wallace
swallace@cityoftulsa.org
918-596-7585

Owner and Applicant Information

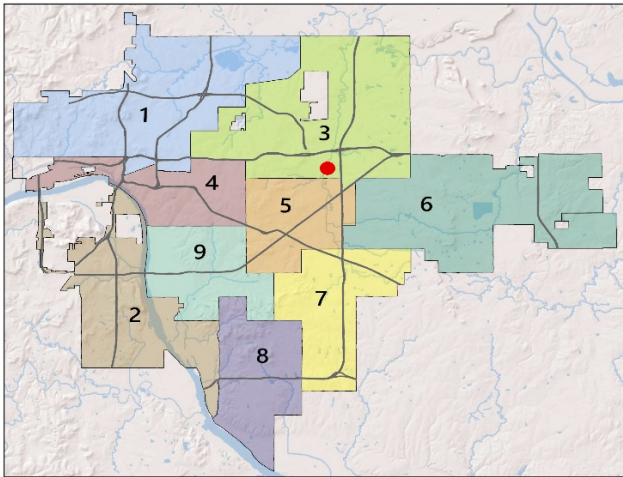
Applicant: Encino 3D Custom Products c/o Ivory Ortiz
Property Owner: Freedom Ranch, Inc.

Property Location

10117 E. 11th St.
Tract Size: ±4.9 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 3, Crista Patrick.
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

Variance to increase the allowed height for a freestanding sign in the Route 66 Overlay (Sec.20.070-B.3.a); Variance to increase the permitted display area for a freestanding sign in the Route 66 Overlay (Sec.20.070-B.2.a).

Zoning

Zoning District: CS
Zoning Overlays: Route 66

Comprehensive Plan Considerations

Land Use

Land Use Plan: Multiple Use
Small Area Plans: None
Development Era: Late Automobile

Transportation

Major Street & Highway Plan: Multimodal Corridor
planitulsa Street Type: Multimodal Corridor
Transit: BRT Route
Existing Bike/Ped Facilities: Buffered bike lane
Planned Bike/Ped Facilities: N/A

Environment

Flood Area: N/A
Tree Canopy Coverage: 10-20%
Parks & Open Space: Mingo Trail nearby

Staff Analysis

The applicant is proposing to repurpose and remodel an existing sign. The proposed sign would be 64'10" tall, while the code allows for a max. height of 25 feet. The display area of the proposed sign (1,188 sq ft) would also exceed the max. allowed (250 sq ft) per code.

2. Maximum Area

- a. Sign area for freestanding or projecting signs may be up to 50% greater than the sign area allowed by the underlying zoning district sign budget, provided that sign area shall not exceed 250 square feet.
- b. Projecting signs shall not exceed the height of the parapet or building wall to which it is attached by more than 25% or a maximum of 20 feet, whichever is greater.

3. Height

- a. Freestanding signs shall not exceed the height of the principal structure on the property by more than 25% or a maximum height of 25 feet, whichever is greater.

Relevant Case History

- BOA-23063, 1/12/21, the Board approved a special exception to permit a re-entry facility in the CS district (Sec.15.020).

Statement of Hardship

"We are seeking a variance to allow the sign to remain extant in its historical context. The existing sign at the Saratoga Hotel was constructed in 1960, along with the building, in pre-zoning code Route 66. The current city zoning code, put in place years after the installation of the sign, does not allow for signs of this height or face area in a CS zone. Literal application of the 2018 zoning code presents a hardship in and of itself for the remaining historic Route 66 signs surviving in Tulsa. We feel this request will respect the need for a modern zoning code while maintaining the surrounding area, which has been built around the sign since it's 1960 install.

Approval of variance for the historic sign in its original state is required to fulfill the requirements of the Route 66 Association of Oklahoma, who is working with the city of Tulsa to preserve these historic neighborhood landmarks. A reduced-size and area sign would no longer be considered historic under their criteria. Unfortunately, a sign compliant with the modern zoning requirements would not, under many definitions, remain a historical sign. Since this is an existing, and in a state of some disrepair, granting this variance would only improve the public good and spirit of the comprehensive plan – we would never seek a variance like this for a new-construction sign, but hope to preserve this historic Tulsa landmark."

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Multiple-Use.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	CS	Multiple-Use	Apartments
East	CS	Multiple-Use	Office
South	CS	Multiple-Use	Office
West	CS	Multiple-Use	Retail

Small Area Plans

The subject properties are included in Plan 66. This sign is receiving funding from the route 66 Neon Sign grant which was established as a direct recommendation from Plan 66.

Development Era

The subject property is located in an area developed during the late automobile era. Beginning in the late 1950s and the 1960s major changes occurred to the urban form of Tulsa. Two significant interventions include the introduction of the Interstate Highway System and the annexation events in the 1960s that more than doubled the size of Tulsa. This area of Tulsa has developed simultaneously with the development of surrounding communities, such as Broken Arrow, Owasso, Jenks, and Bixby. Though the growth of this area has been consistent for more than 60 years, the vast majority of developable land has been developed, leading to a decline in the number of properties being built each decade since the 1970s.

Transportation

Major Street & Highway Plan: Secondary Arterial.

Comprehensive Plan Street Designation: E. 11th Street is classified as a Multi modal street. These streets support commercial and residential development along major arterial streets. These streets align with the recommendations for on-street bicycle infrastructure established in the 2015 GO Plan, and they should be evaluated for feasibility with regard to the reallocation of street space for bicycle facilities.

Transit: BRT Route

Existing Bike/Ped Facilities: Buffered bike lane

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: E. 11th Street has between 2,500 and 5,000 Annual Average Daily Traffic per lane. These arterials have low levels of congestion. These arterials may be suitable for reallocation of space for other transportation modes. New development is unlikely to have a noticeable impact on traffic.

Environmental Considerations

Flood Area: The subject property is not in a flood area.

Tree Canopy Coverage: Tree canopy in the area is 15%. For areas with this range of tree canopy, 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: The property is very close to the Mingo Trail.

Sample Motion

I move to approve or deny a Variance to increase the allowed height for a freestanding sign in the Route 66 Overlay (Sec.20.070-B.3.a); and a Variance to increase the permitted display area for a freestanding sign in the Route 66 Overlay (Sec.20.070-B.2.a).

- 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 the hardship to be _____.

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.

Property Description

S652.42 LT 1 BLK 1 GUARANTY CENTER NORT .58 & LESS S15 E15
W158 THEREOF BLK 1 SARATOGA ADDN & PRT SE SW BEG 26N & 996.66W SECR SW TH NLY569 W305 E569 E TO POB LESS S26
THEREOF SEC 06 19 14 4.883ACS

Photos:



Subject Property

Exhibits

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



9810 E 58th St, Tulsa, OK 74146
(918) 286 8535
www.encinos3d.com

CUSTOMER:
Wings Of Freedom

CITY AND STATE:
10117 E. 11th
Tulsa, OK 74128 US

DATE:
12-15-2023

DRAWING NUMBER:
230129

SCALE:
1/64" = 1'

PAGE NO.:
1-1

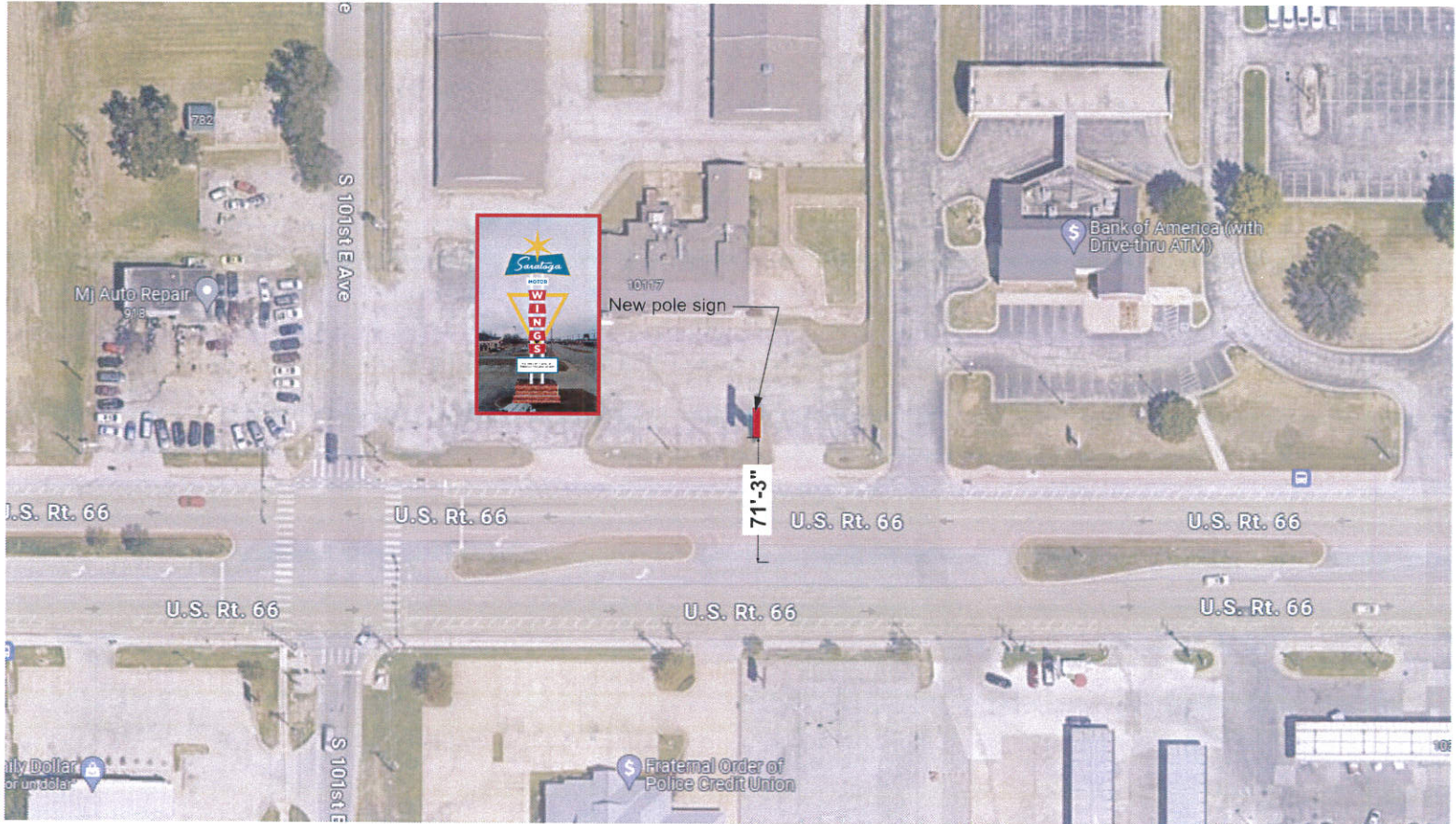
PROJECT MANAGER:
Jesus Ortiz

DESIGNER:
Luis Fonseca / Mariana Moran

SOLD BY:
Chad Plaster

Please proofread all information carefully for accuracy before signing. Check names, numbers, spelling, punctuation as well as the general layout. Revisions requested after second proof are not included in the original quoted price and will be charged accordingly. Any typographical and/or layout errors not found now will be the customers responsibility.

PYLON SIGNS
CASINO SIGNS
MONUMENT SIGNS
NEON SIGNS
BLADE SIGNS
WALL SIGNS
CHANNEL LETTERS
INTERIOR SIGNS
WAY FINDING SIGNS
POST & PANEL
LED DISPLAY
COMMERCIAL & ARCHITECTURAL SIGNS



THIS DESIGN IS SOLELY FOR REFERENCE ONLY. REMAINS PROPERTY OF ENCINOS 3D CUSTOM PRODUCTS LLC, UNTIL AGREEMENT HAS BEEN REACHED BETWEEN THE CLIENT AND ENCINOS 3D CUSTOM PRODUCTS LLC



9810 E 58th St, Tulsa, OK 74146
 (918) 286 8535
 www.encinos3d.com

CUSTOMER:
 Wings Of Freedom

CITY AND STATE:
 10117 E. 11th
 Tulsa, OK 74128 US

DATE:
 01-10-2023

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 230129

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PAGE NO.:
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PROJECT MANAGER:
 Jesus Ortiz

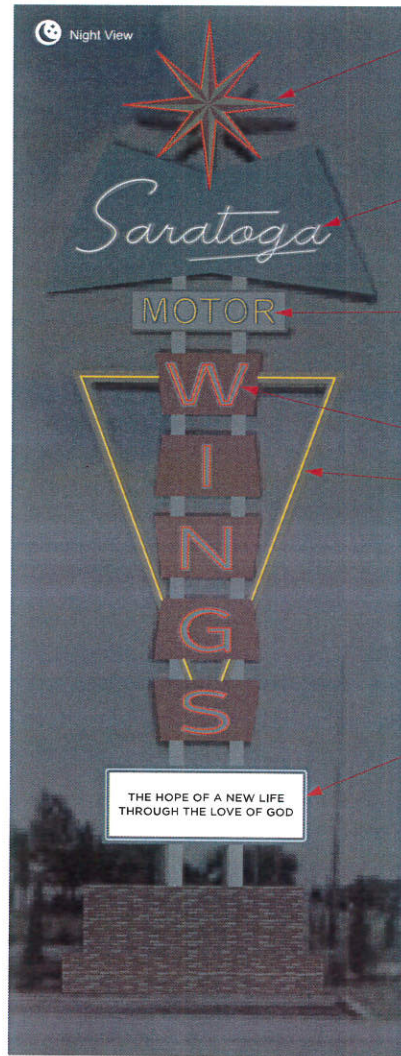
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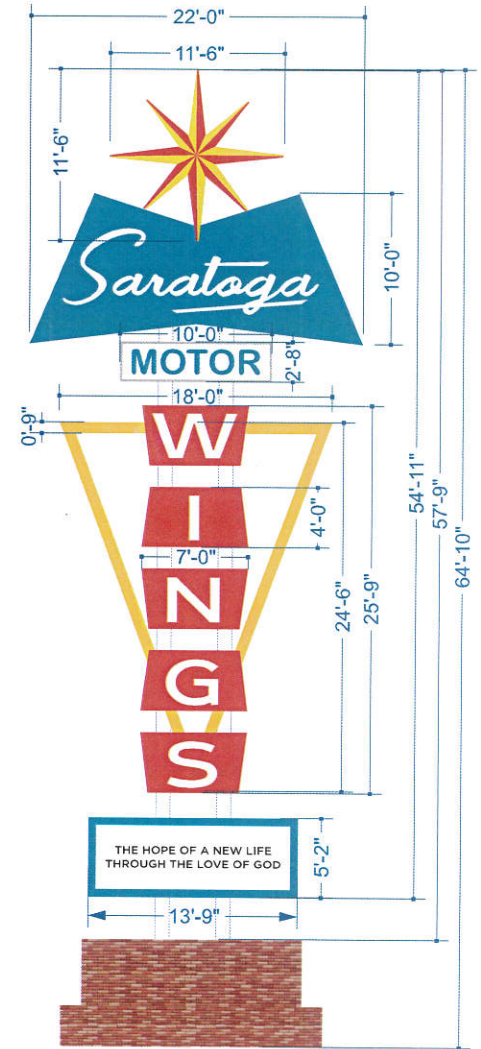
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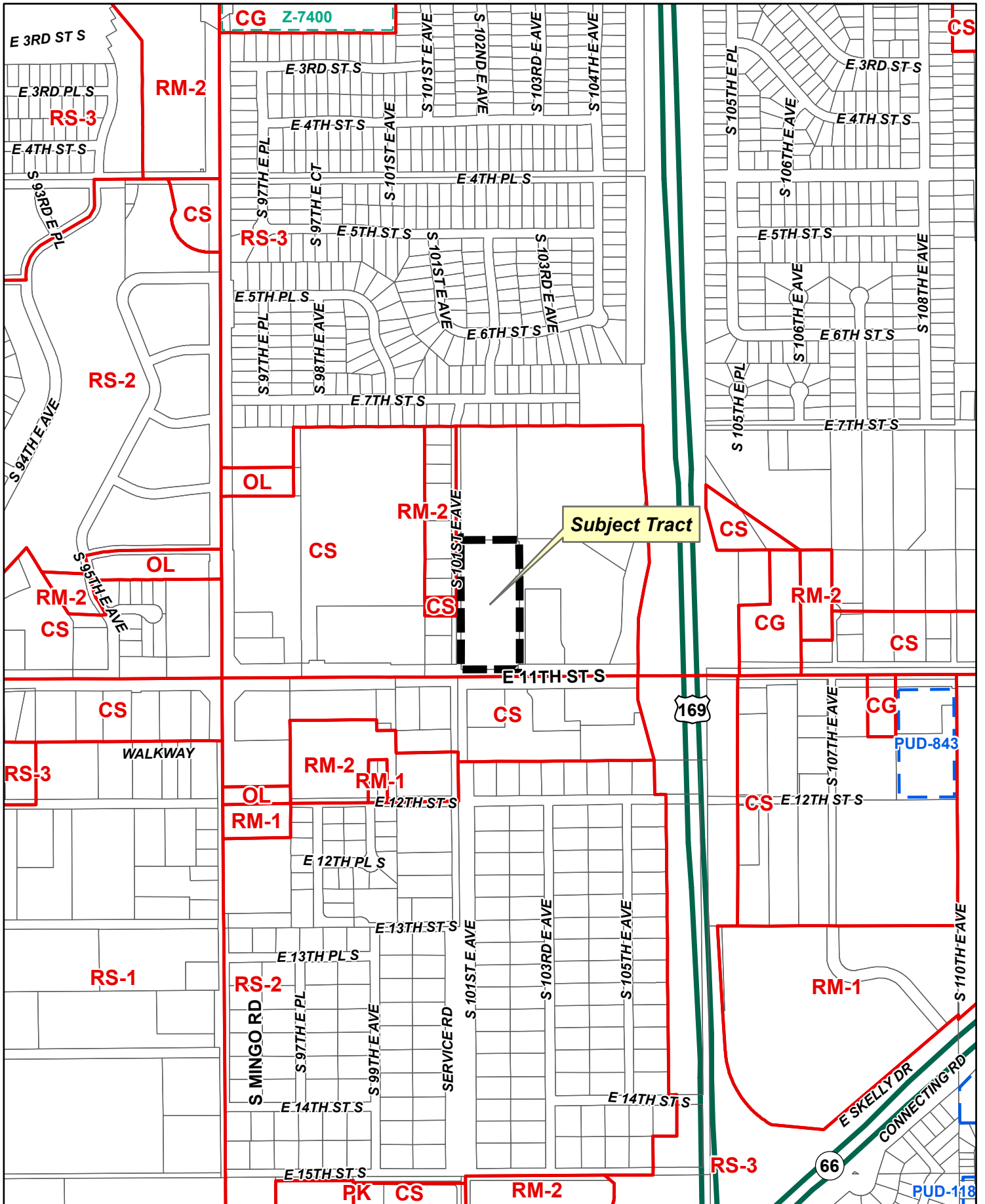
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- PYLONS SIGNS
- CASINO SIGNS
- MONUMENT SIGNS
- NEON SIGNS
- BLADE SIGNS
- WALL SIGNS
- CHANNEL LETTERS
- INTERIOR SIGNS
- WAY FINDING SIGNS
- POST & PANEL
- LED DISPLAY
- COMMERCIAL & ARCHITECTURAL SIGNS



- Clear Red Neon
- White Neon
- Yellow neon
- Double strip clear red neon
- Yellow neon
- White Neon



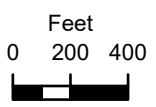


CG Z-7400

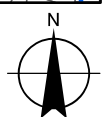
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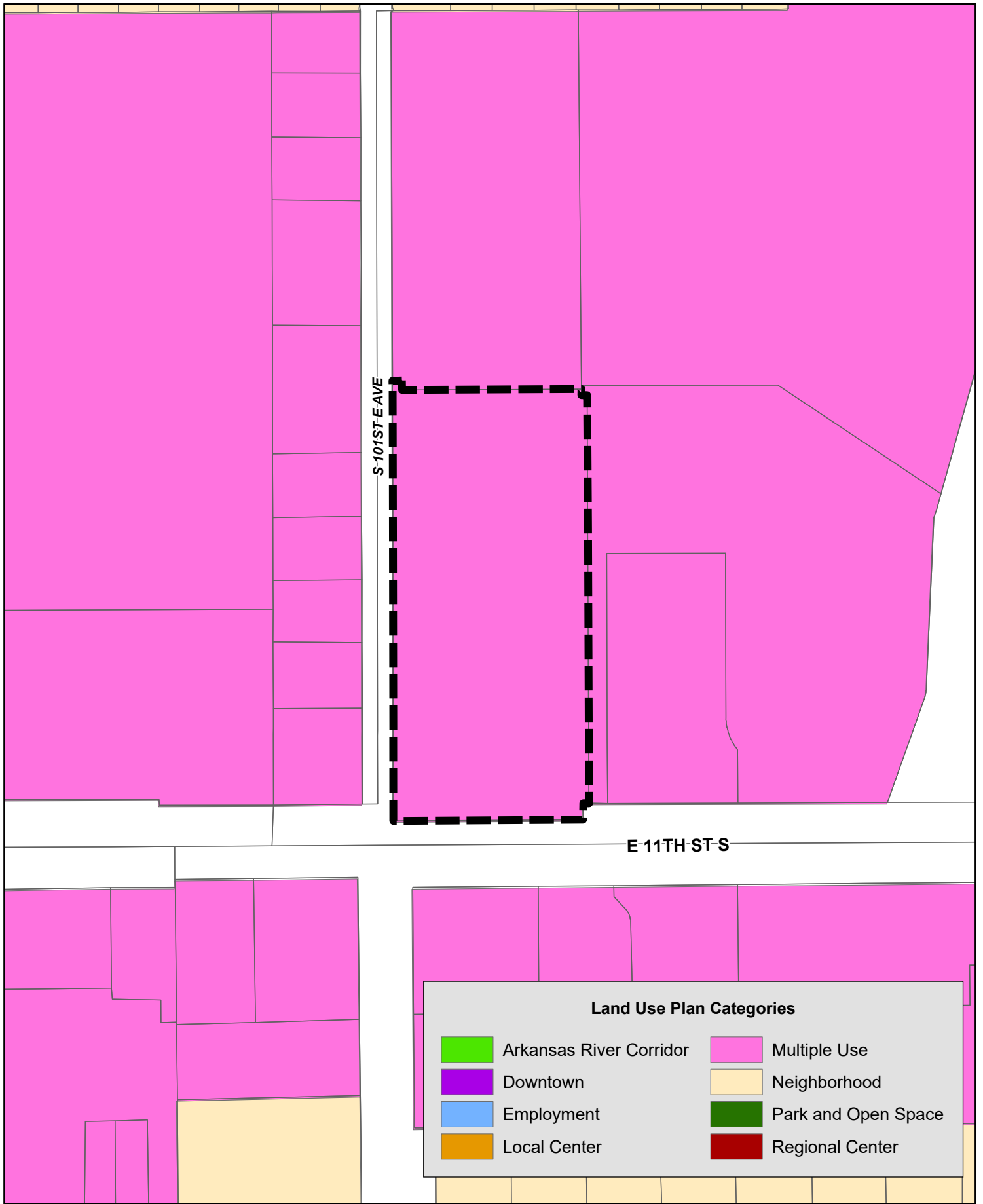
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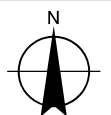
BOA-23631

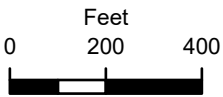


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BOA-23631

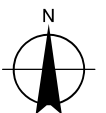




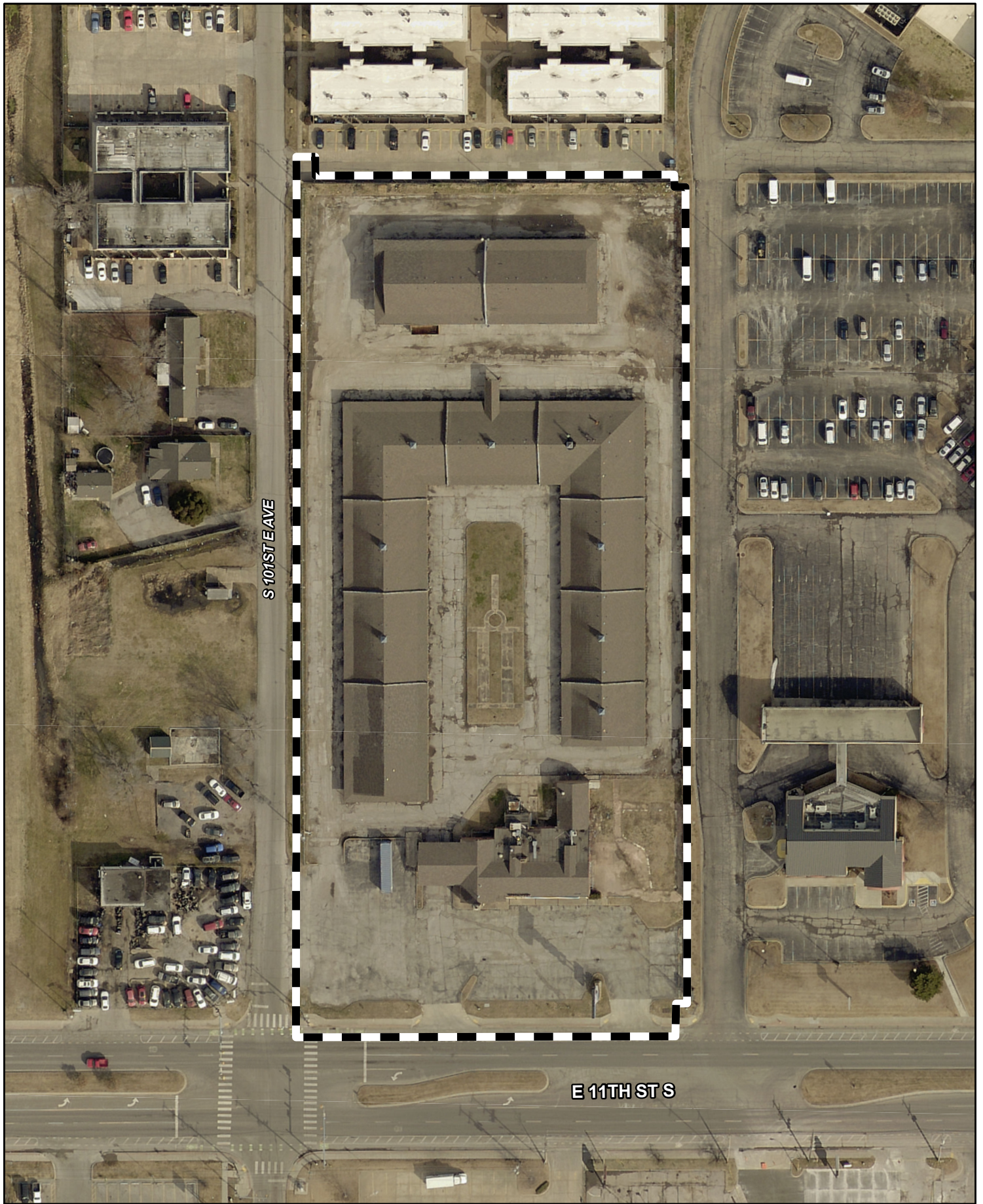
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021



9.10

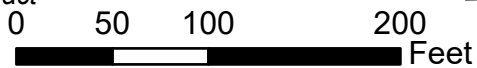


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E 11TH ST S



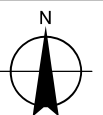
Subject Tract



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Aerial Photo Date: 2021



9.11