



Board of Adjustment

Staff Report Variance Case BOA-23661

Hearing Date: March 26, 2024

Prepared by: Sean Wallace

swallace@cityoftulsa.org

918-596-7585

Owner and Applicant Information

Applicant: Apex Imaging Services

Property Owner: QuikTrip

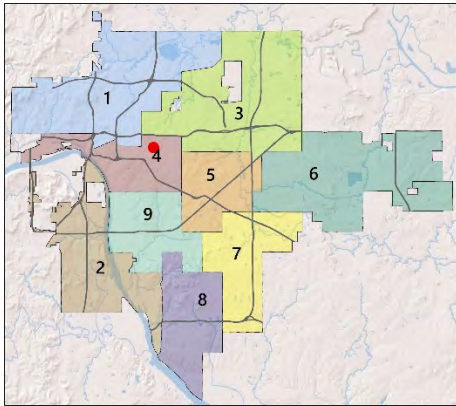
Property Location

3008 E. 11th St.

Tract Size: ±.5 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 4, Laura Bellis.

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 permit a dynamic display sign within 20-feet of the driving surface (Sec.60.100-E); Variance to permit a dynamic display sign within 200-feet of a Residential Zoning District (Sec.60.100-F).

Zoning

Zoning District: CH

Zoning Overlays: Route 66 Overlay

Comprehensive Plan Considerations

Land Use

Land Use Plan: Multiple Use

Small Area Plans: Kendall-Whittier

Development Era: Streetcar

Transportation

Major Street & Highway Plan: Main Street

planitulsa Street Type: Urban Arterial

Transit: BRT Route

Existing Bike/Ped Facilities: 11th St. bike lane.

Planned Bike/Ped Facilities: None

Environment

Flood Area: N/A

Tree Canopy Coverage: 10-20%

Parks & Open Space: Across the street from TU campus.

Staff Analysis

The applicant is requesting a Variance to permit a dynamic display sign within 20-feet of the driving surface (Sec.60.100-E); Variance to permit a dynamic display sign within 200-feet of a Residential Zoning District (Sec.60.100-F).

60.100-E Dynamic displays may not be located within or within 20 feet of the driving surface of a street, measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the street curb or edge of the traveled roadway marked or understood as such.

60.100-F Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R, AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.

Relevant Case History

- BOA-14503, June 1987, Variance of street setback for sign and to allow a flashing sign within 200 feet of a Residential zoning district.

Statement of Hardship: See attached.

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	CH	Regional Center	University of Tulsa
East	CH	Multiple Use	Restaurant
South	RM-2	Neighborhood	Residential
West	CH	Multiple Use	Restaurant

Small Area Plans

The subject property borders the Kendall-Whittier Small Area Plan.

Development Era

The subject property is in an area developed during the Streetcar Era (1910s-30s), prior to the proliferation of automobiles, when streetcars facilitated growth beyond downtown. Land uses range from fully integrated to

somewhat separated, on a half-mile grid, with a mix of housing options. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, transit-oriented development, commercial districts, and well-designed streetscapes.

Transportation

Major Street & Highway Plan: Main Streets are the streets whose land uses have maintained their historic or urban characteristics. Buildings have minimal setbacks, pedestrian infrastructure is safe and comfortable, and many buildings have a mix of uses, whether multiple storefronts, or a combination of retail and residential on different floors of the building. On-street parking, bicycle lanes, pedestrian islands, and curb extensions are used to slow traffic to a speed that is safe for pedestrians and cyclists. These streets are prime candidates for economic development and community development investment efforts.

Comprehensive Plan Street Designation: Main Streets are the streets whose land uses have maintained their historic or urban characteristics. Buildings have minimal setbacks, pedestrian infrastructure is safe and comfortable, and many buildings have a mix of uses, whether multiple storefronts, or a combination of retail and residential on different floors of the building. On-street parking, bicycle lanes, pedestrian islands, and curb extensions are used to slow traffic to a speed that is safe for pedestrians and cyclists. These streets are prime candidates for economic development and community development investment efforts.

New construction and renovations of existing properties should be consistent with the existing character of the Main Street and maintain a high degree of pedestrian accessibility. Setbacks should be minimal, and parking should be located on the street, on the side of a building, or behind the building. Uses should be predominantly mixed-use, commercial, or higher density residential. Connectivity should be maintained to surrounding neighborhoods, but transitions between Main Street and Neighborhood areas should be considerate of potential compatibility issues, such as noise, light, and parking. Interactions between Main Streets and neighborhoods should be identified and mitigated but should not cause a decrease in quality of either environment.

Transit: BRT Route

Existing Bike/Ped Facilities: 11th Street bike lane.

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: 7,151 vehicles per lane per day on 11th Street.

Environmental Considerations

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

Tree Canopy Coverage: Tree canopy in the area is 11%. 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: Across the street from TU campus.

Sample Motion

I move to approve or deny a Variance to permit a dynamic display sign within 20-feet of the driving surface (Sec.60.100-E); and a Variance to permit a dynamic display sign within 200-feet of a Residential Zoning District (Sec.60.100-F).

- 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

LTS 22 23 & 24 BLK 1,E N ADAMS ADDN AMD, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Exhibits

Photos

Case map

Aerial (small scale)

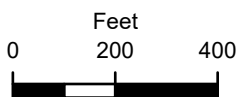
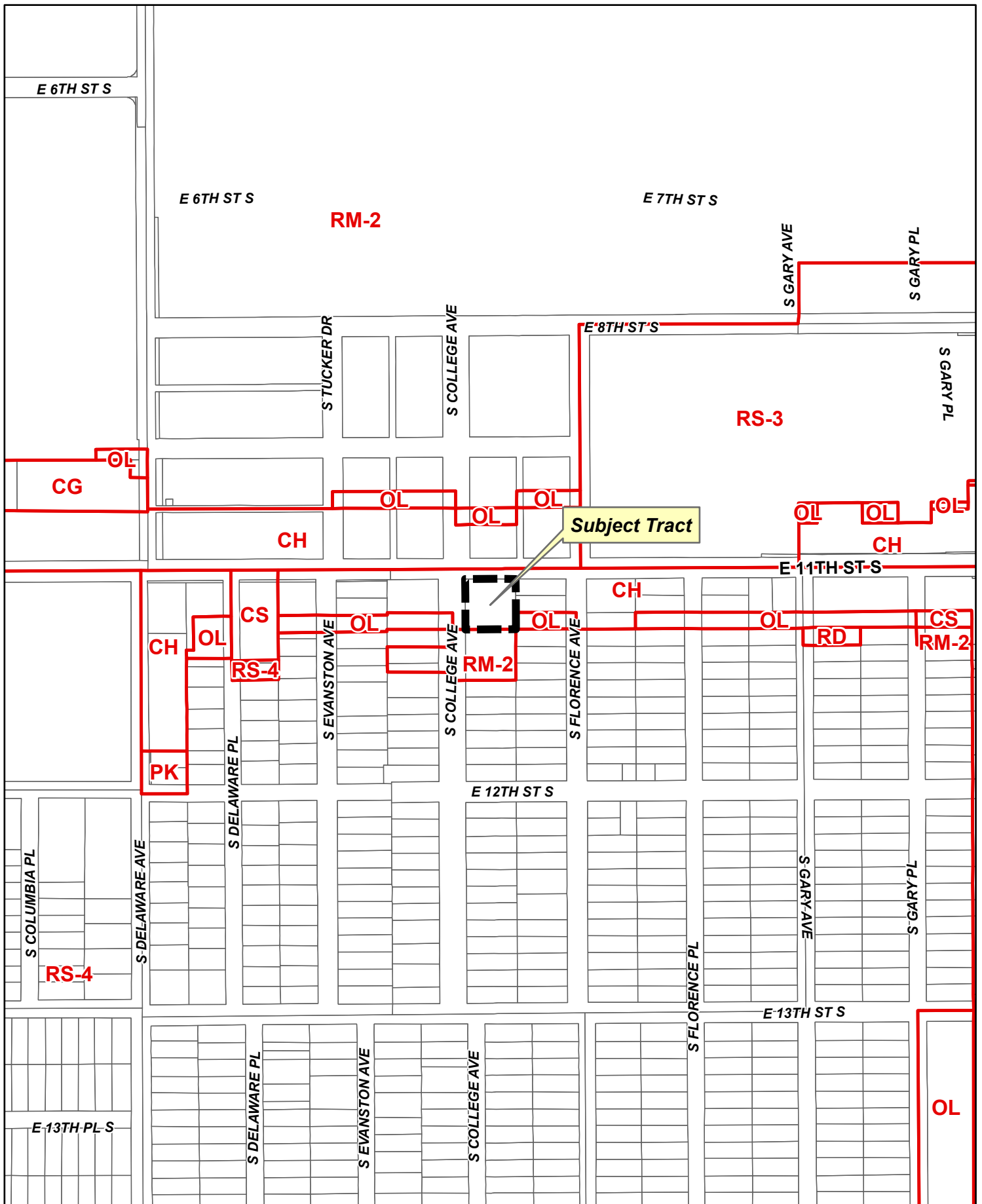
Aerial (large scale)

Tulsa Comprehensive Plan Land Use Map

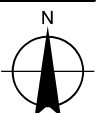
Applicant's exhibits



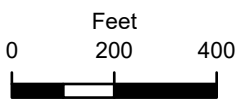
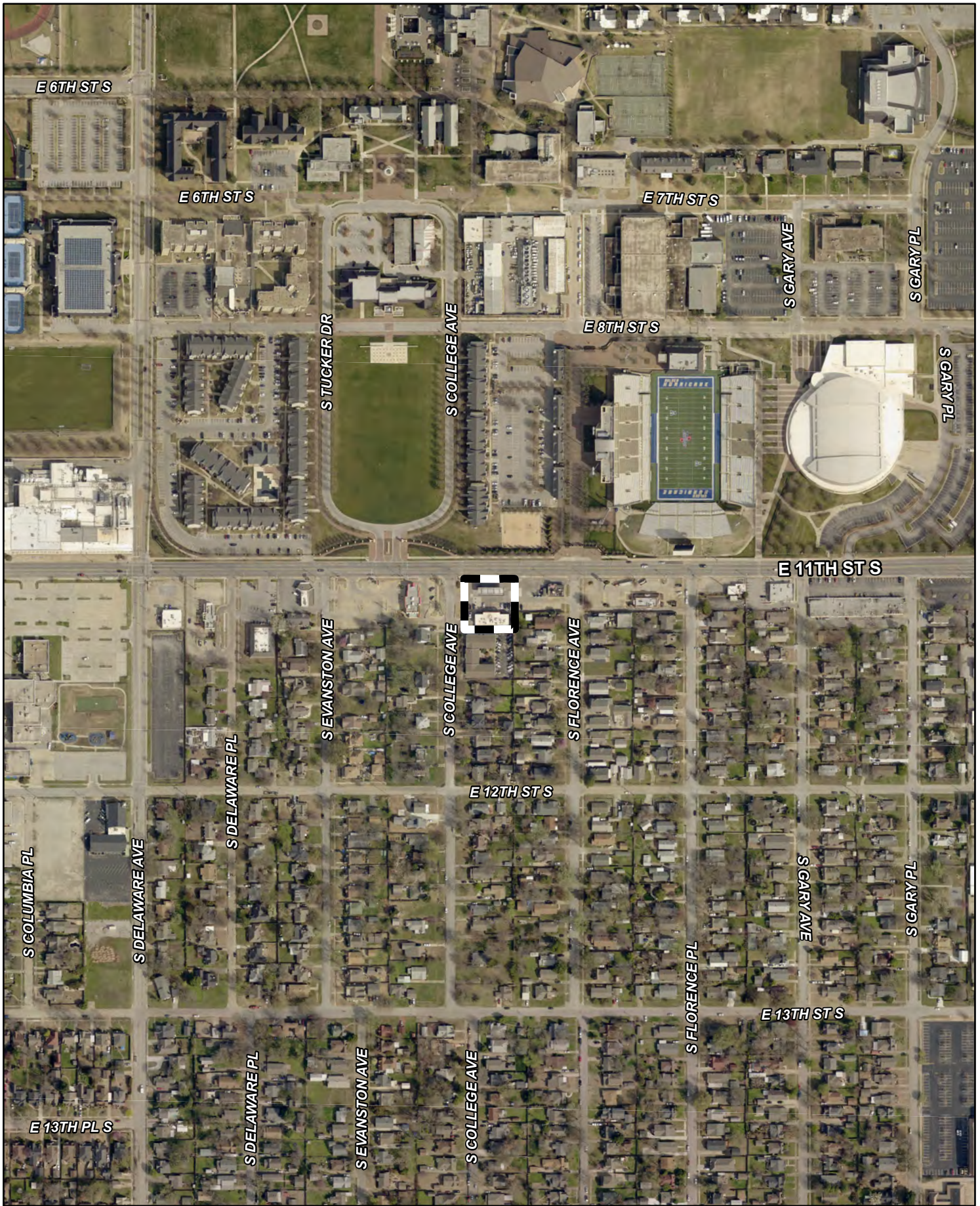
Subject property in BOA-23661 (Image used from Google Street view)



BOA-23661



15.6

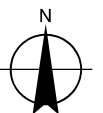


Subject
Tract

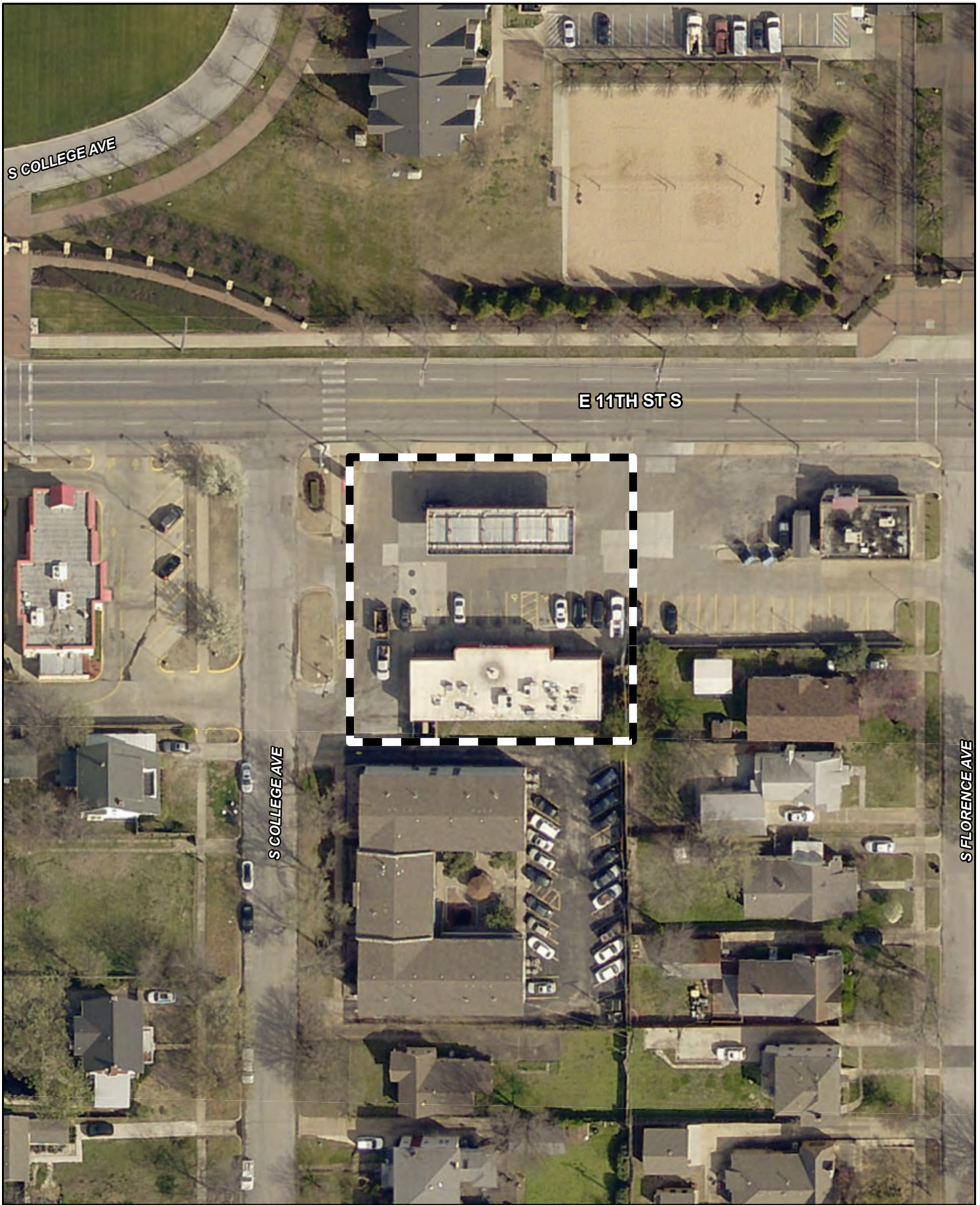
BOA-23661

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

Aerial Photo Date: 2021



15.7



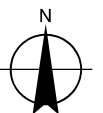
Subject
Tract

0 30 60 120
Feet

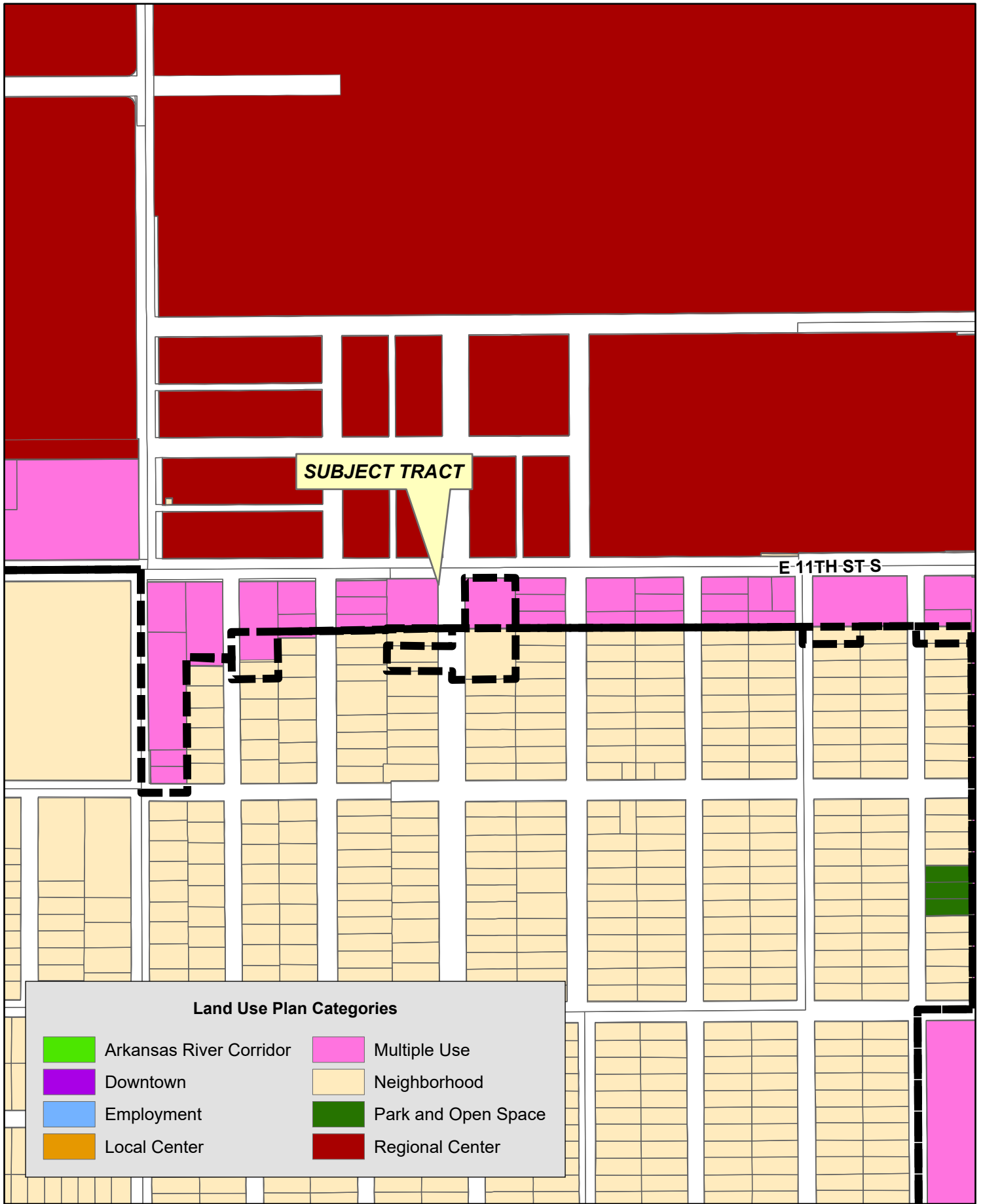
BOA-23661

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

Aerial Photo Date: 2021











15.8

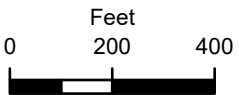


SUBJECT TRACT

E 11TH ST S

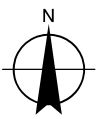
Land Use Plan Categories

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



BOA-23661

19-14 04



15.9

Markups

Text	Author/By	Page
Note: this sign meets the definition of a Dynamic Display sign per Section 95.220 of the zoning code. No other signs are included in this review.	Danny Whiteman	1
Section 60.100-E. Dynamic displays may not be located within or within 20 feet of the driving surface of a street measured horizontally in a straight line from the nearest point of the sign structure to the nearest point of the street curb or edge of the traveled road-way marked or understood as such. Review Comments: Please show the distance from the edge of the sign to the curb for 11th St. If the edge of the sign is within 20' of the curb, you may relocate the dynamic display sign 20 feet from the edge of the curb/roadway or you may pursue a variance from the Board of Adjustment to permit a dynamic display sign to be located closer than 20 feet to the edge of the curb/roadway. Please contact the Tulsa Planning Office at 918-596-7526 or planning@cityoftulsa.org to discuss Board of Adjustment scheduling and procedures.	Danny Whiteman	1
60.100-F. Dynamic displays may not be located within 200 feet of any of the following: (1) an R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R and AG districts if approved through the special exception process. Review Comments: The proposed dynamic display sign appears to be within 200 feet of a Residential zoning district. You may pursue a variance from the Board of Adjustment to permit a dynamic display sign to be located within 200 feet of Residential districts. Please contact the Tulsa Planning Office at 918-596-7526 or planning@cityoftulsa.org to discuss Board of Adjustment scheduling and procedures.	Danny Whiteman	1

Board of Adjustment Variance Info:

We, Apex Imaging Services, have been contracted by QuikTrip to assist with updating their existing ground signs to LED. This process requires replacing existing white numbers with LED numbers, re-utilizing existing power and data, and changing the numbers only to LED's. The pricing cabinet itself remains as is. There will be no changes to the structure of the sign. These signs were approved to be installed years ago, and we are only updating to LED. There will be no new power or data as that is all existing.

The size of the numbers will be like for like to what is existing, being installed in the same location and using the same power that backlit the previous numbers. See process below:

1. Remove existing numbers and prep for disposal
2. Install LED number signage
3. Ensure power and data are working properly

This upgrade does not affect any of its physical surroundings and will not serve as a flashing distraction to drivers or neighbors. It does not affect the physical surroundings since the sign itself is existing.

Site Plan

Store #16

QuikTrip

3008 E 11th
St Tulsa,
OK 74104

Property Owner

QuikTrip
4705 S. 129th E. Ave - Tulsa, OK
74134-7008
P.O. Box 3475 - Tulsa, OK 74101-3475
p: 918.615.7700

Scope of Work Pricer LED Replacement

- Replacing existing white numbers with LED numbers
- Re-utilizing existing power and data
- Changing the numbers only to LED's. Pricing cabinet to remain as is
- NO NEW POWER or DATA
- The size of the numbers will be like for like to what is existing, being installed in the same location and using the same power that backlit the previous numbers
 1. Remove existing numbers and prep for disposal
 2. Install LED number signage
 3. Ensure power and data are working properly



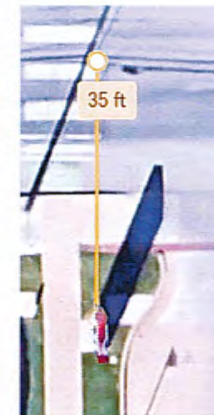
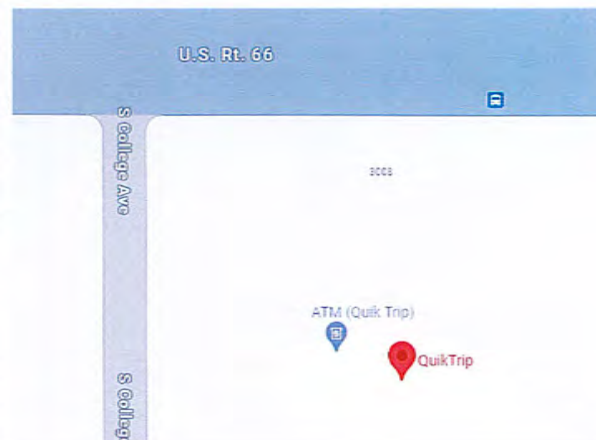
Existing Sign
Existing sign sq ft: 53.1



Proposed LED Sign (Not exact)
Proposed sign sq ft: 53.1

Sign location

VICINITY PLAN

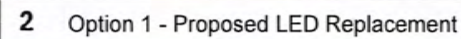
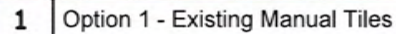


Distance from sign to street curb: 18 ft

Distance from leading
edge of sign to
centerline of nearest
street: 35 ft

Scope of Work - Pricer LED Replacement

- Replacing existing white numbers with LED numbers
- Re-utilizing existing power and data
- Changing the numbers only to LED's. Pricing cabinet to remain as is
- NO NEW POWER or DATA
- The size of the numbers will be like for like to what is existing, being installed in the same location and using the same power that backlit the previous numbers1. Remove existing numbers and prep for disposal2. Install LED number signage3. Ensure power and data are working properly



Project Name: QuikTrip Signage Upgrade
Project Address: 7950 E 41st St S Tulsa, OK
74145

Project Directory

3



7

15.13