



Board of Adjustment

Staff Report Variance Case BOA-23665

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

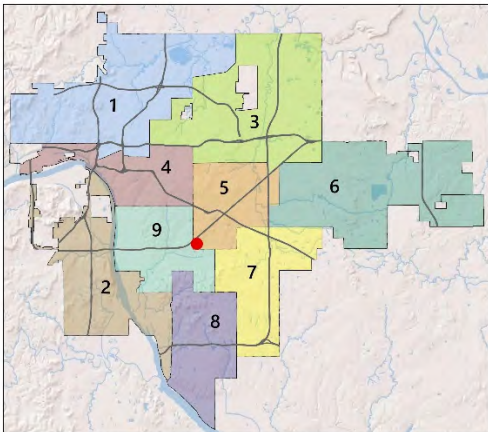
Property Location

4795 S. Yale Ave.

Tract Size: ±1.4 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 5, Grant Miller.

County Commission: District 3, Kelly Dunkerley.

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).

Zoning

Zoning District: CS

Zoning Overlays: None.

Comprehensive Plan Considerations

Land Use

Land Use Plan: Multiple Use

Small Area Plans: None

Development Era: Late Automobile

Transportation

Major Street & Highway Plan: N/A

planitulsa Street Type: Primary Arterial

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Environment

Flood Area: N/A

Tree Canopy Coverage: 0-10%

Parks & Open Space: LaFortune Park is nearby

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).

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.

Statement of hardship: See attached.

Relevant Case History

- None

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	Auto sales
East	CS	Multiple Use	Office
South	CS	Multiple Use	Restaurant
West	CS/CH	Multiple Use	Restaurant

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: N/A

Comprehensive Plan Street Designation: Primary Arterial

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: 5,616 vehicles per lane per day on S. Yale Ave.

Environmental Considerations

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

Tree Canopy Coverage: Tree canopy in the area is 5%. 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: LaFortune Park is nearby.

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).

- 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 1 THRU 3 & W21.80 LT 4 LESS W10 LT 1 BLK 1 & W221.8 S130 LT 28 LESS W10 THEREOF BLK 1 STAIGER ADDN, OFFICE PARKWAY RESUB L29 B1 STAIGER ADDN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Exhibits

Photos

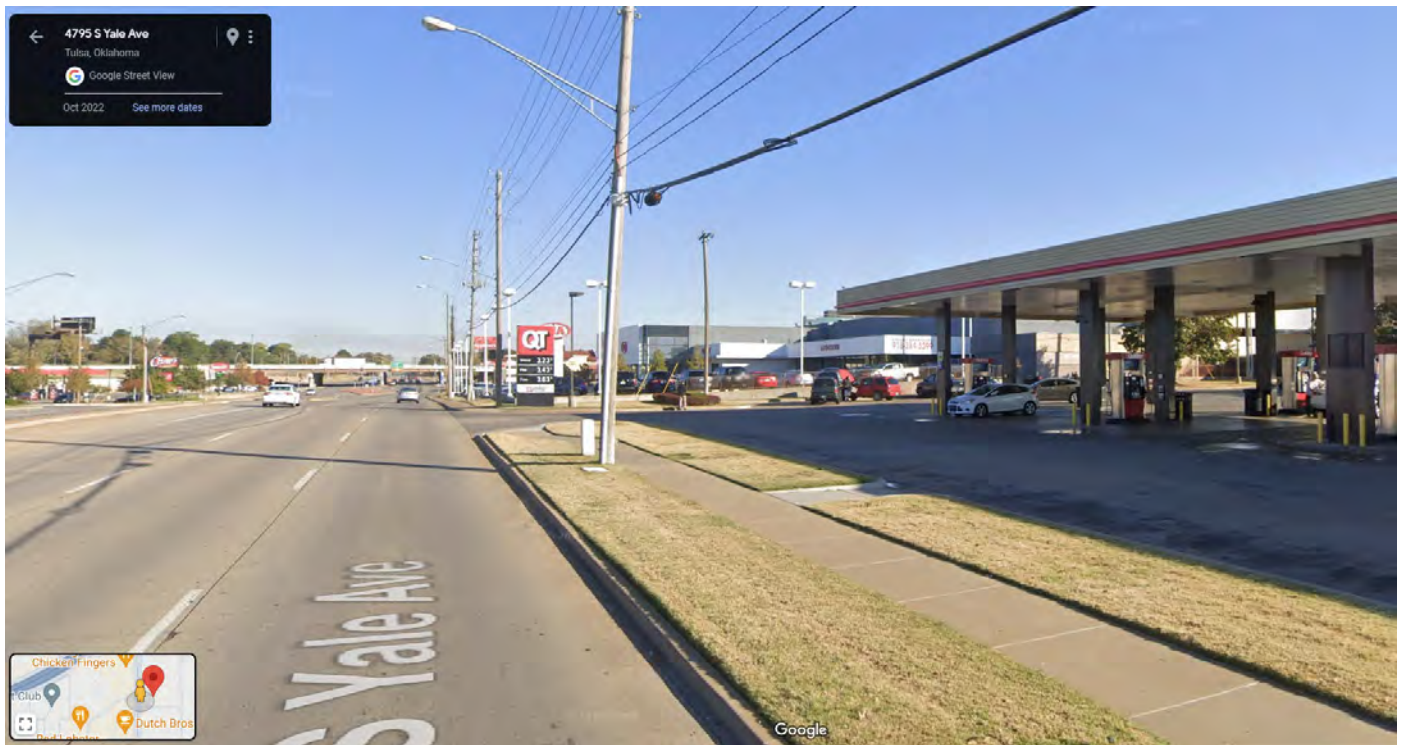
Case map

Aerial (small scale)

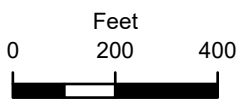
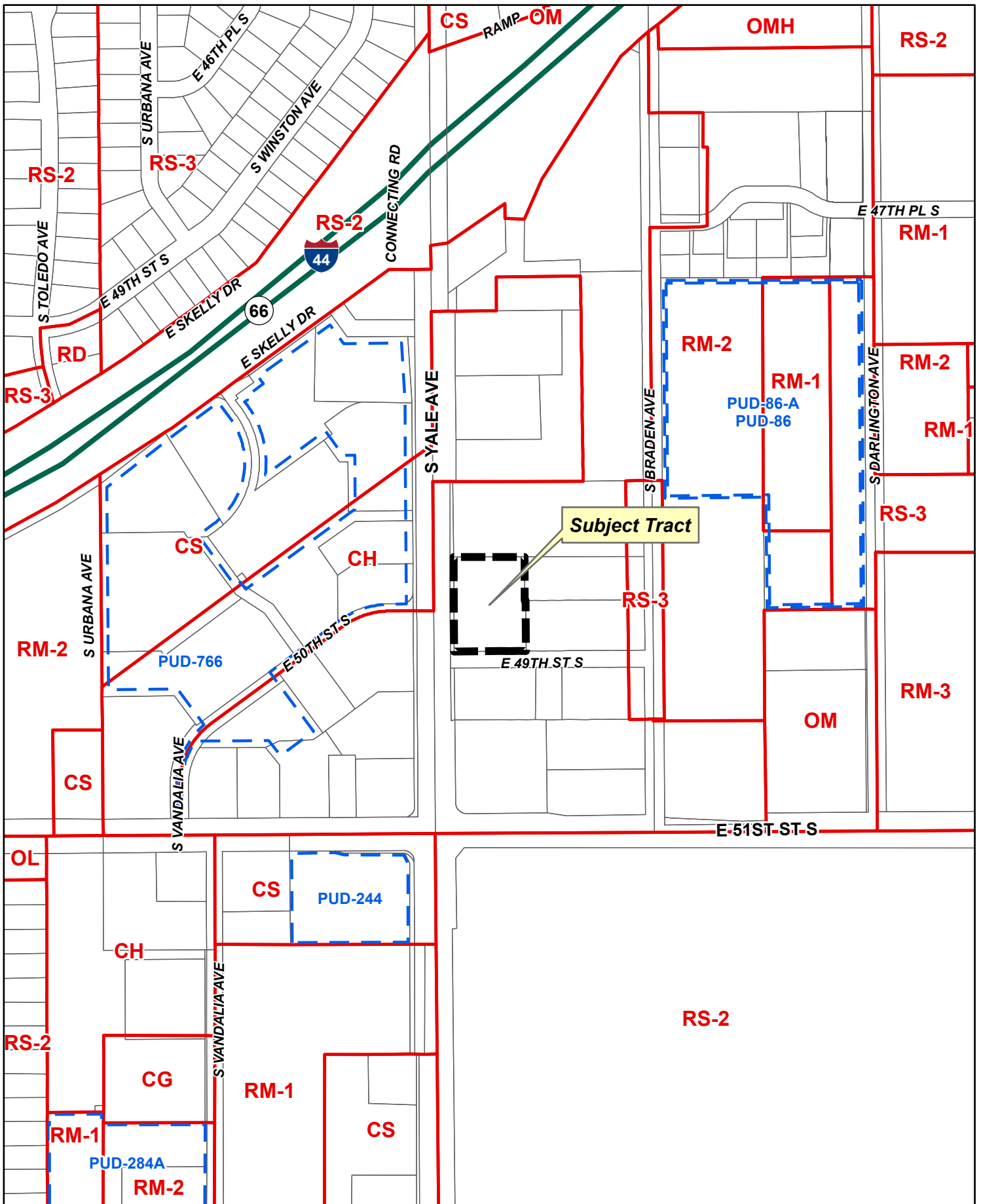
Aerial (large scale)

Tulsa Comprehensive Plan Land Use Map

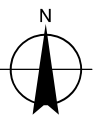
Applicant's Exhibits



Subject property in BOA-23665 (Image used from Google Street view)

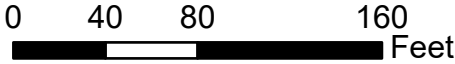


BOA-23665





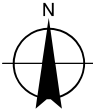
Subject
Tract



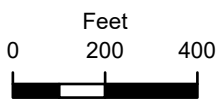
BOA-23665

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

Aerial Photo Date: 2021



19.6

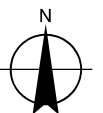


Subject
Tract

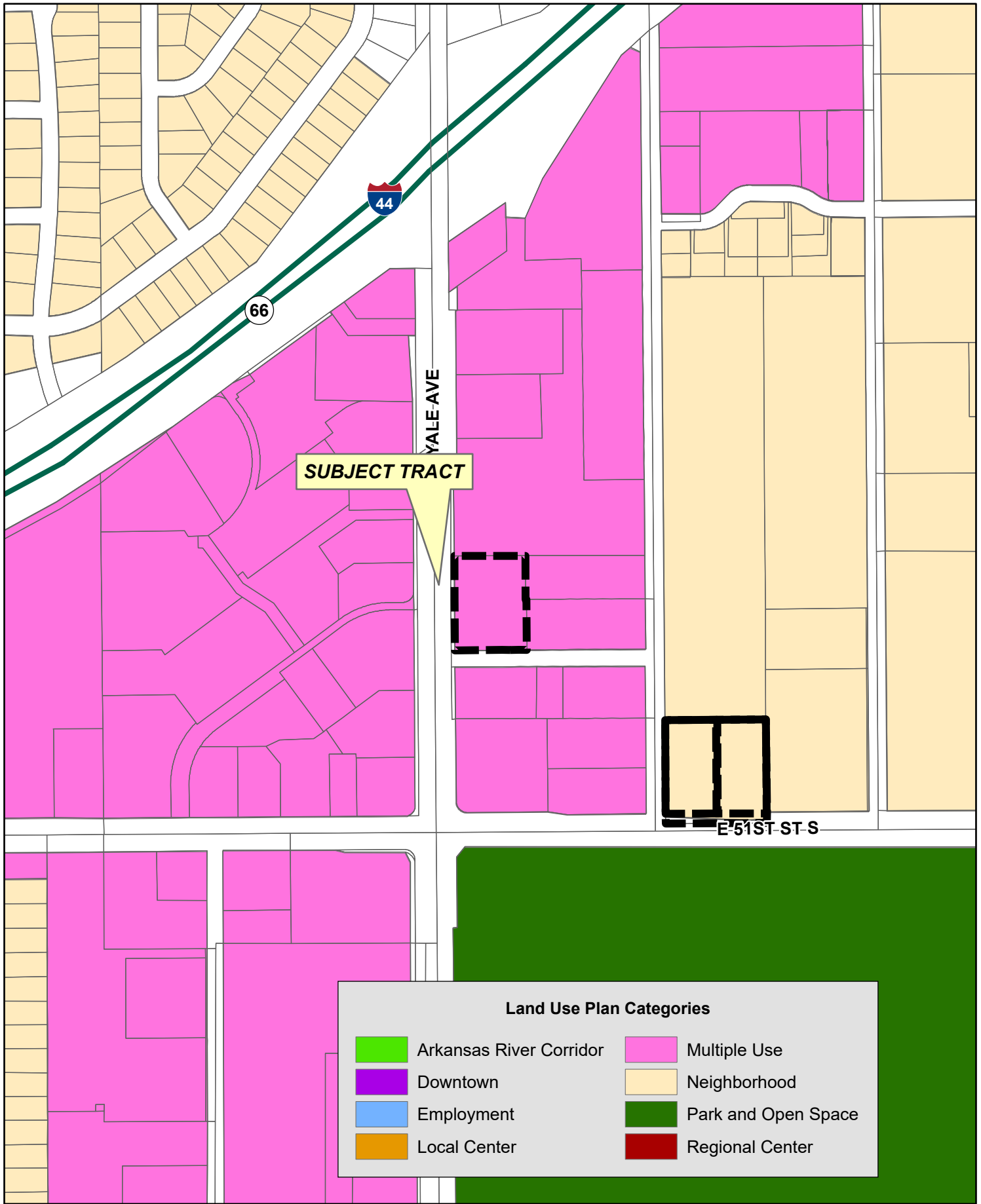
BOA-23665

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

Aerial Photo Date: 2021



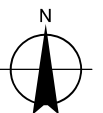
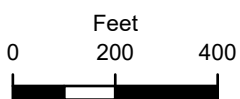
19.7



BOA-23665

19-14 04

19.8



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.

SIGN-170527-2024 (4795 S YALE AVE) plan markup summary

SIGN REVIEW COMMENTS:

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: The proposed dynamic display appears to be within 20 feet of the street curb for Yale Ave. 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.

Site Plan

Store #25

QuikTrip

4795 S Yale Ave
Tulsa, OK
74135

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

VICINITY PLAN

Sign location



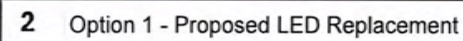
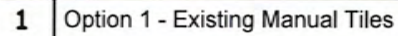
Distance from leading edge of sign to centerline of nearest street: 65 ft

Distance from sign to street curb: 11 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

+



Contractor Contact:
PM - Matt Hohn (909)-717-2302
Director of Construction - Jay Kassity
(949)-463-4463



7

Drawing Created 1/5/2023 A1