



**Board of Adjustment**

**Staff Report  
Variance BOA-23673**

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

**Owner and Applicant Information**

Applicant: Apex Imaging Services

Property Owner: QuikTrip

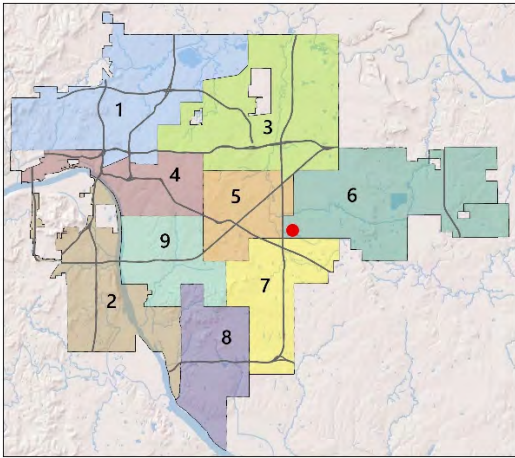
**Property Location**

4030 S. Garnett Rd.

Tract Size: ±2.5 acres

**Location within the City of Tulsa**

*(shown with City Council districts)*



**Elected Representatives**

City Council: District 6, Christian Bengel.

County Commission: District 1, Stan Sallee.

**Public Notice Required**

Newspaper Notice – min. 10 days in advance  
Mailed Notice to 300’ radius – min. 10 days in advance

**Case History:**

04/09/2024: First appearance on the agenda, item continued at the request of the applicant

**Request Summary**

Variance to permit a dynamic display sign within 20-feet of the driving surface (Sec.60.100-E); Variance to permit more than 1 dynamic display sign in a Commercial Zoning District (Sec.60.080-E).

**Zoning**

Zoning District: CS

Zoning Overlays: PUD-801

**Comprehensive Plan Considerations**

**Land Use**

Land Use Plan: Local Center

Small Area Plans: None

Development Era: Late Automobile

**Transportation**

Major Street & Highway Plan: N/A

planitulsa Street Type: Secondary arterial

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

**Environment**

Flood Area: N/A

Tree Canopy Coverage: 10-20%

Parks & Open Space: N/A

## 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); and a Variance to permit more than 1 dynamic display sign in a commercial zoning district (Sec.60.080-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.

**60.080-E** **Dynamic Displays on On-premise Wall, Projecting and Freestanding Signs**  
A maximum of one of the on-premise wall signs, projecting signs or freestanding signs allowed on a lot in a mixed-use, commercial or industrial zoning district may include a dynamic display. The dynamic display may not exceed the maximum sign area allowed for the respective sign type or 48 square feet, whichever is less. The sign area allowed for a dynamic display is not in addition to the maximum sign area allowed for a wall, projecting or freestanding sign, but rather is counted as part of the maximum area of the wall, projecting or freestanding sign. Only one, contiguous dynamic display is allowed on a wall, projecting or freestanding sign face. Off-premise outdoor advertising signs that incorporate a dynamic display are subject to the dynamic display regulations of [Section 60.100](#).

### Relevant Case History

- BOA-14358, January 1987, Variance of signage display area size.

## Comprehensive Plan Considerations

### Land Use Plan

The subject property is designated as Local Center. **Local Centers** serve the daily needs of those in the surrounding neighborhoods. This designation implies that the center generally does not serve an area beyond the nearby neighborhoods. Typical uses include commercial or retail uses that serve the daily needs of nearby residents. In order to introduce a regional trip generator, the entire local center designation should be amended to be Regional Center with significant input from all affected properties and nearby neighborhoods.

### Surrounding Properties:

<i>Location</i>	<i>Existing Zoning/Overlay</i>	<i>Existing Land Use Designation</i>	<i>Existing Use</i>
North	CS	Local Center	Restaurant
East	CS	Local Center	Restaurant
South	CS	Local Center	Restaurant
West	CS	Local Center	Restaurant

### Small Area Plans

The subject properties are not in 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: Secondary arterial

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: 5,065 vehicles per lane per day on Garnett and 5,482 vehicles per lane per day on E 41st St.

**Environmental Considerations**

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

Tree Canopy Coverage: Tree canopy in the area is 21%. Significant effort should be given to preserve mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

**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 more than 1 dynamic display sign in a Commercial Zoning District (Sec.60.080-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:

- 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;
- That literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose;
- 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;
- That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
- That the variance to be granted is the minimum variance that will afford relief;
- 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
- 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**

LOTS 4-6 BLOCK 1, CROSSBOW CENTER II RESUB, City of Tulsa, Tulsa County, State of Oklahoma

**Exhibits**

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

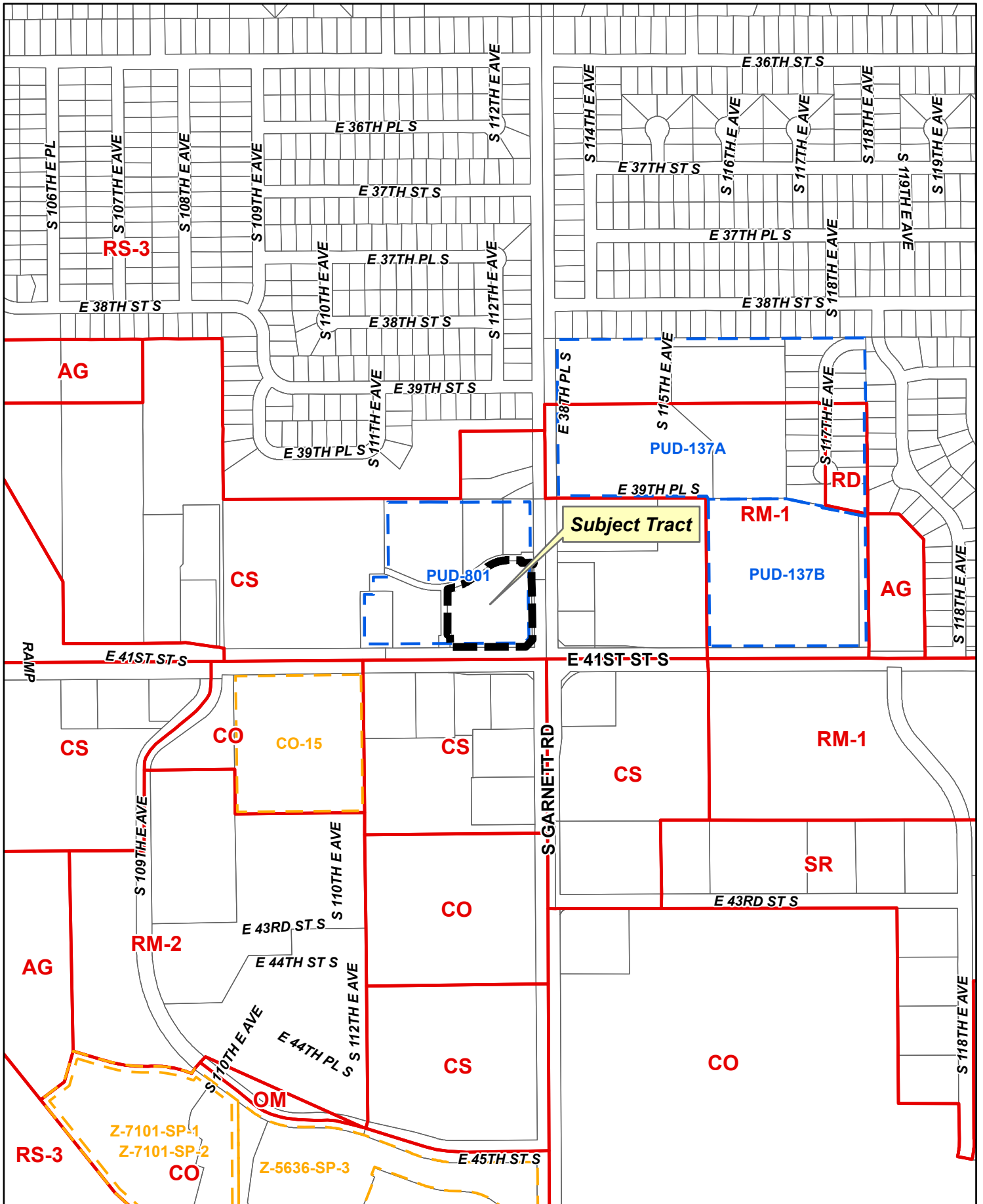


**Subject property looking south on Garnett Rd (Image used from Google Street view)**

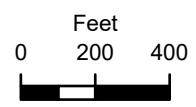


**Subject property looking east on 41st St (Image used from Google Street view)**

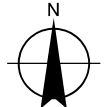


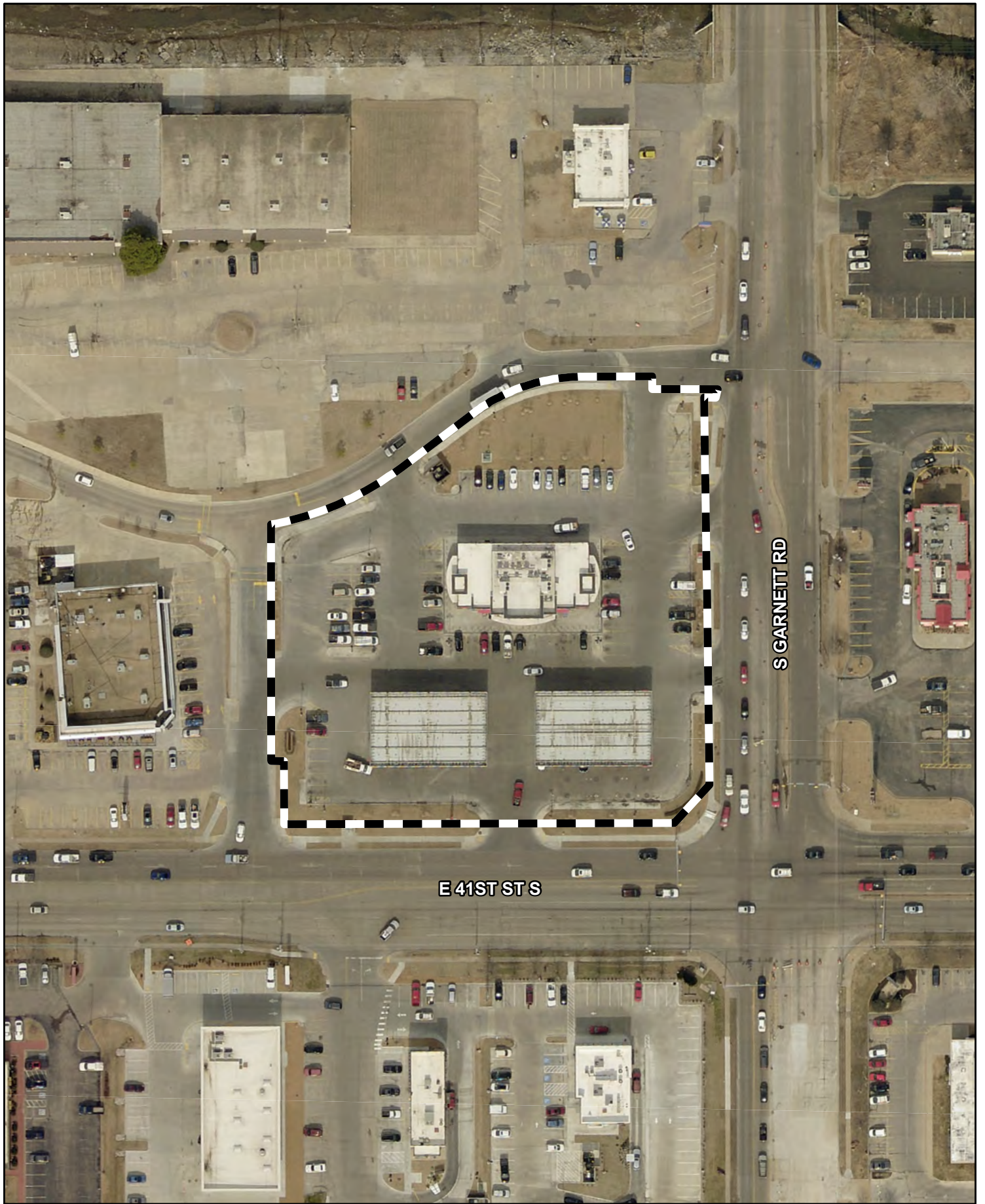


Subject Tract



BOA-23673



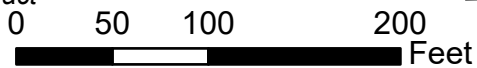


E 41ST ST S

S GARNETT RD



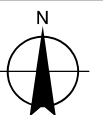
Subject Tract



**BOA-23673**

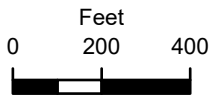
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021



7.7



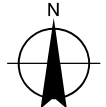


 Subject Tract

**BOA-23673**

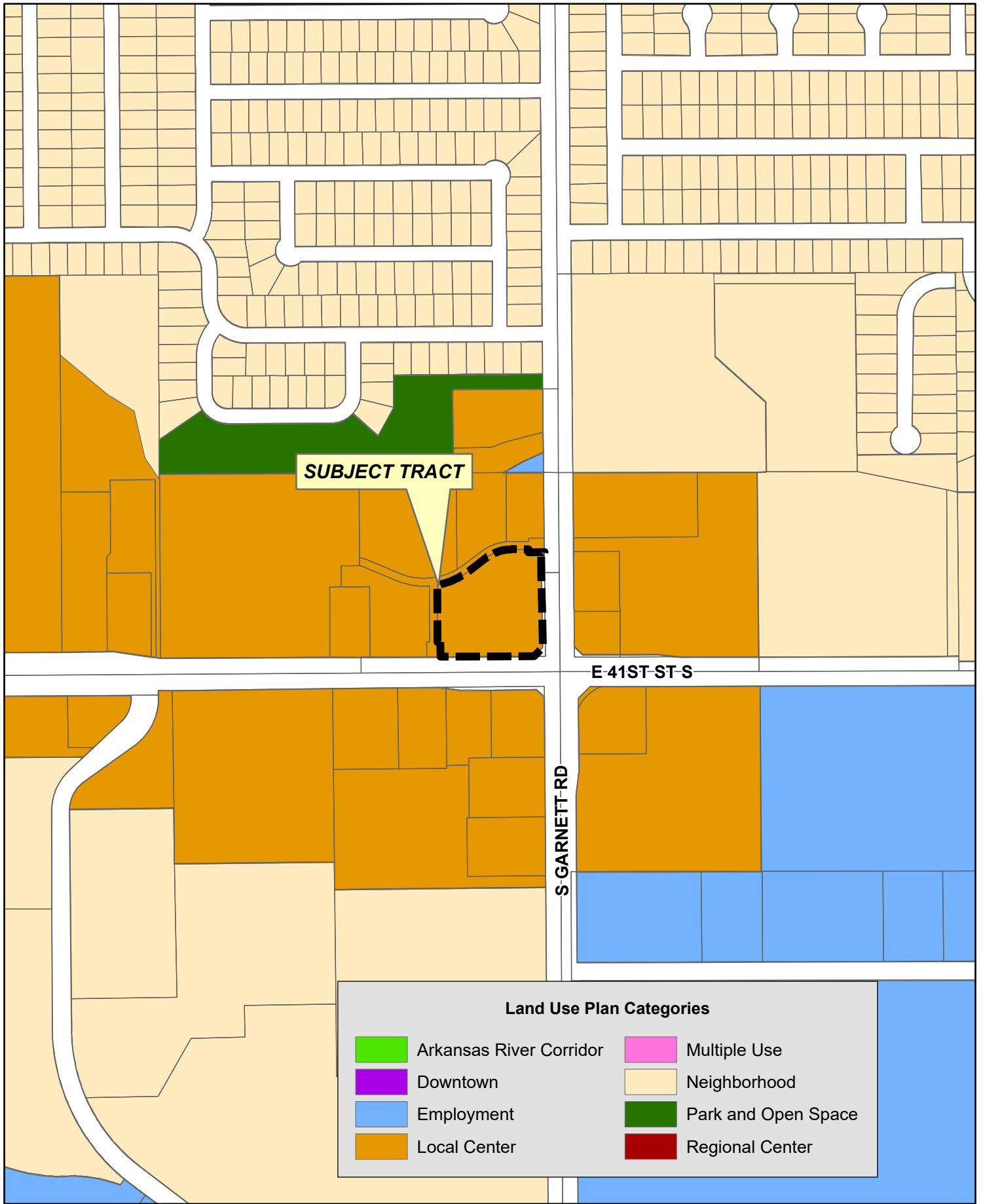
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021



7.8











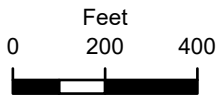


**SUBJECT TRACT**

**E 41ST ST S**

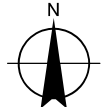
**S GARNETT RD**

Land Use Plan Categories			
	Arkansas River Corridor		Multiple Use
	Downtown		Neighborhood
	Employment		Park and Open Space
	Local Center		Regional Center



**BOA-23673**

19-14 04



7.9

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 provide the distance from the sign to the curb on the site plan. If 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](mailto:planning@cityoftulsa.org) to discuss Board of Adjustment scheduling and procedures.

Section 30.010-D.3 Planned Unit Development, Signs Except for regulations governing dynamic displays, which must comply with all applicable provisions of Chapter 60, signs in a PUD, including outdoor advertising signs, must comply with all provisions of the PUD or if not provided for within the PUD, with all applicable provisions of the zoning code in effect at the time any new sign permit application is submitted. Review Comments: A PUD Sign Review is required by the Tulsa Planning Office (TPO) prior to receiving a sign permit from the City of Tulsa. This parcel is located in PUD 801, and therefore requires a detailed sign plan review and approval from the TPO. Please provide this office with two stamped and signed copies of an approved detail site/sign plan from the TPO (or upload one copy if you applied online). IMPORTANT NOTE: Should you receive PUD District detail sign plan approval from the TPO it is your responsibility to provide this office with the TPO stamped approved sign plan. Contact the TPO regarding detail sign review and approval at 918-596-7526 or email [planning@cityoftulsa.org](mailto:planning@cityoftulsa.org).



#### 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 #84

QuikTrip

4030 S Garnett Rd Tulsa, OK 74146

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



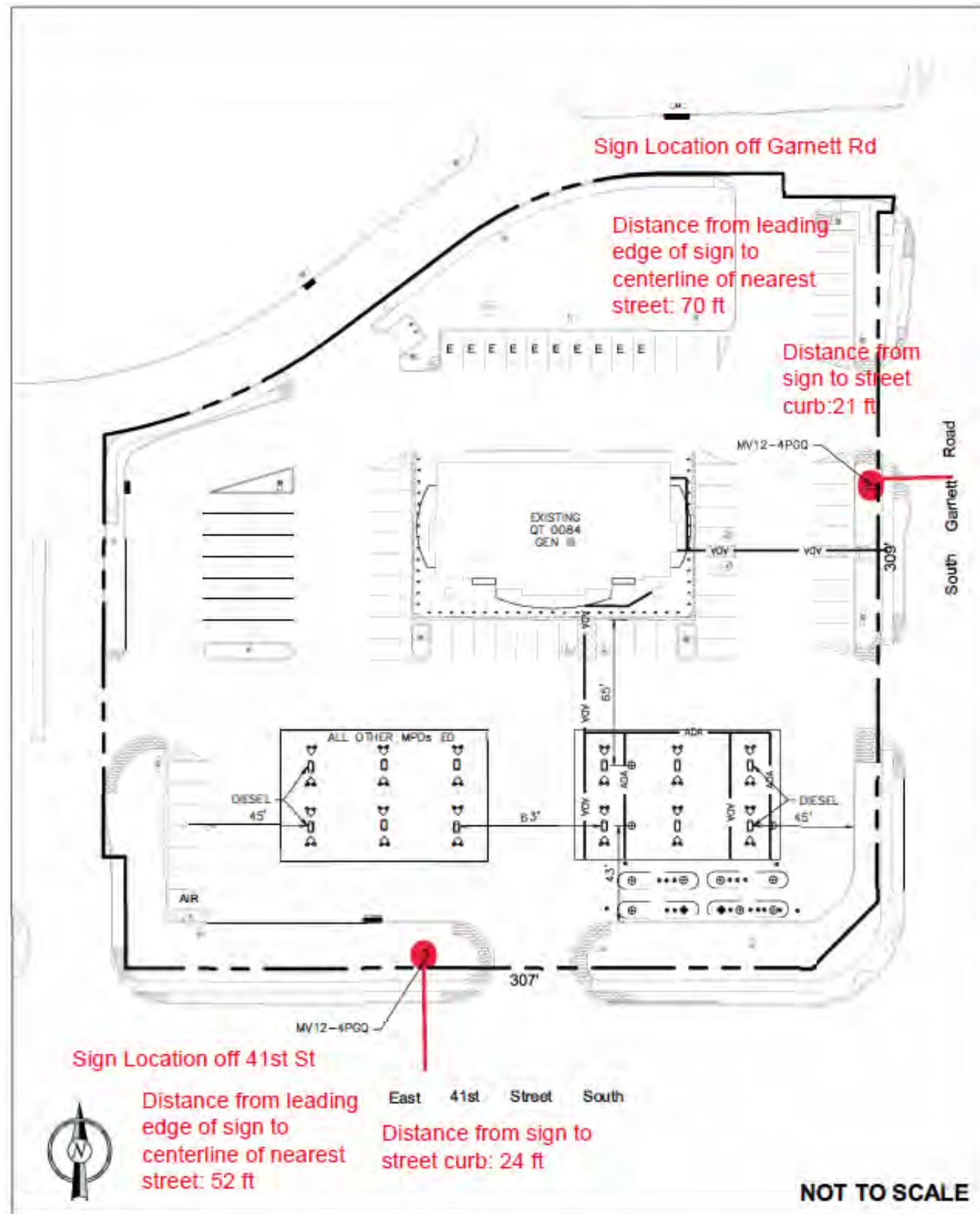
Existing Signs

Existing sign sq ft: 83.125



Proposed LED Signs (Not exact)  
Proposed sq ft: 83.125

VICINITY PLAN



TITLE: EXISTING SITE PLAN		STORE #: 0084	REVISION LOG	
SITE #: 107.506	CONCRETE #: 79.250	STORE TYPE: GEN III	DATE:	DESCRIPTION:
DATE: 07-07-2017	DRAWN BY: CTH			



**Work Detail**

**Project Data**

**Project Directory**

<b>1</b>	Option 1 - Existing Manual Tiles	<b>2</b>	Option 1 - Proposed LED Replacement
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<b>3</b>		<b>4</b>	
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<b>5</b>		<b>6</b>	
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Mark	Date	Revisions/Notes	Initial	Mark	Date	Revisions/Notes	Initial

**SITE PLAN and ELEVATIONS**

**7.13**

**Vicinity Map**

**7**