



Board of Adjustment

**Staff Report
Variance BOA-23674**

Hearing Date: April 9, 2024
Prepared by: Sean Wallace
swallace@cityoftulsa.org
918-596-7585

Owner and Applicant Information

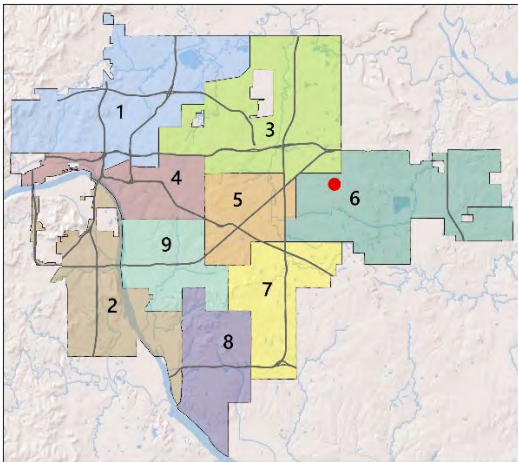
Applicant: Apex Imaging Services
Property Owner: QuikTrip

Property Location

12910 E. 21st St.
Tract Size: ±.9 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

Request Summary

Variance to permit more than 1 dynamic display sign in a Commercial Zoning District (Sec.60.080-E).

Zoning

Zoning District: CS
Zoning Overlays: N/A

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: Primary Arterial
Transit: BRT Route
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: None

Environment

Flood Area: N/A
Tree Canopy Coverage: 0-10%
Parks & Open Space: N/A

Staff Analysis

The applicant is requesting a Variance to permit more than 1 dynamic display sign in a Commercial zoning district (Sec.60.080-E).

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

- None

Statement of Hardship: See attached.

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:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	CS	Local Center	Used-car lot
East	CS	Local Center	Restaurant
South	CS	Local Center	Church
West	CS	Local Center	Truck/trailer rental

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: Primary Arterial

Transit: BRT Route

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: 2,411 vehicles per lane per day on E 21st St.

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: N/A

Sample Motion

I move to approve or deny 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

PRT LT 2 BEG 174.98E & 104S NWC BLK 1 TH E17.62 S238 W186.21 NE2.11 N113 E167.48 N123.37 POB BLK 1; PRT LTS 1 & 2 BEG 8E SWC LT 1 TH N126.07 NE31.21 E139.07 S227.37 W167.48 N87 POB BLK 1, MIZEL CENTER SUB TR 1 SMITTLE ADDN, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits

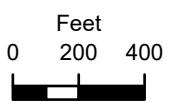
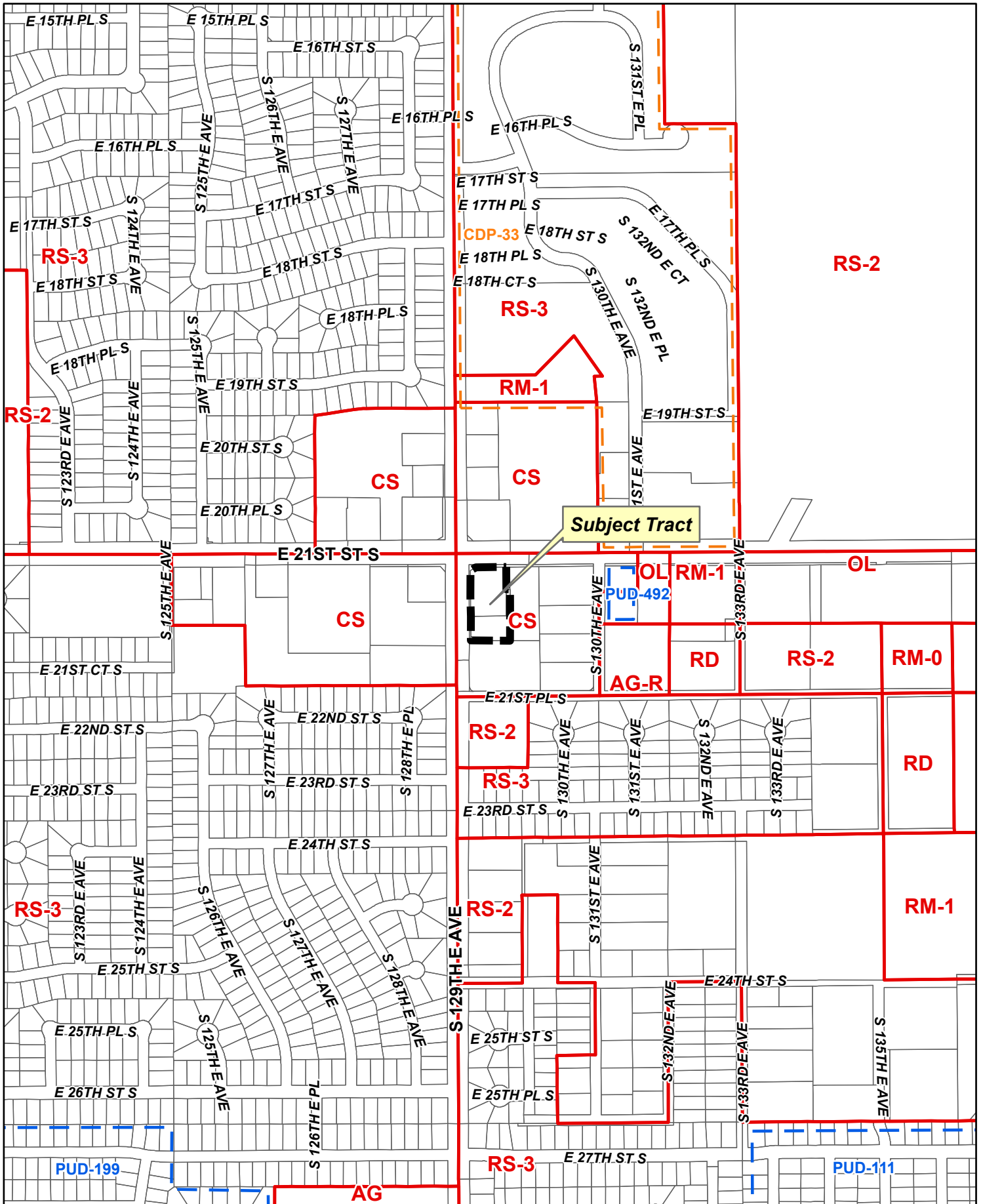
- Photos
- Case map
- Aerial (small scale)
- Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map



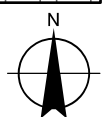
Subject property looking north on S 129th E Ave (Image used from Google Street view)

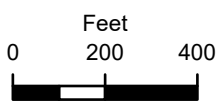


Subject property looking west on E 21st St (Image used from Google Street view)



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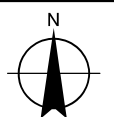


 Subject Tract

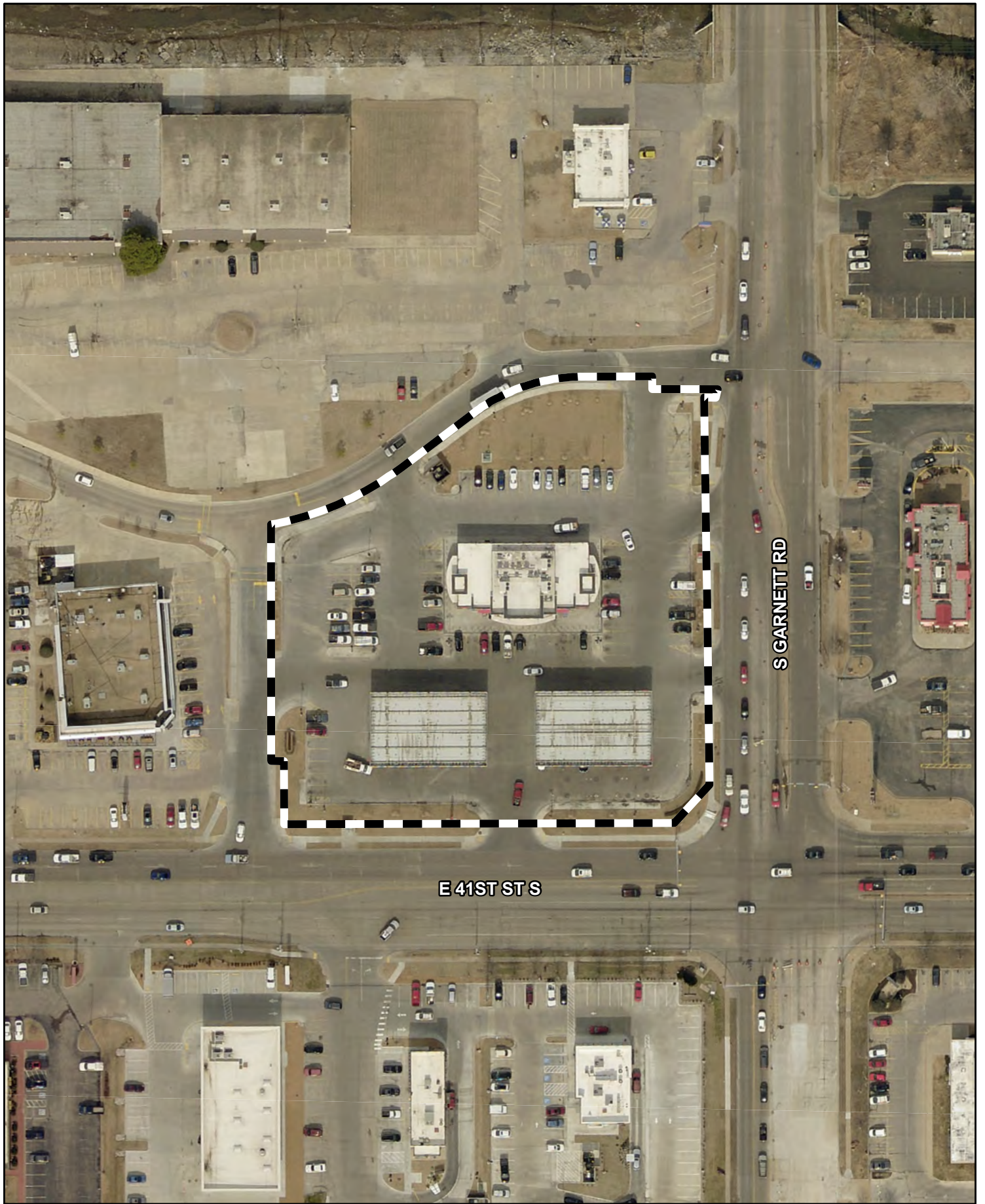
BOA-23674

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

Aerial Photo Date: 2021



18.7

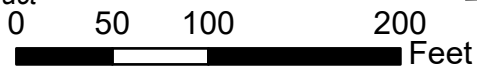


E 41ST ST S

S GARNETT RD



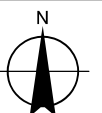
Subject Tract



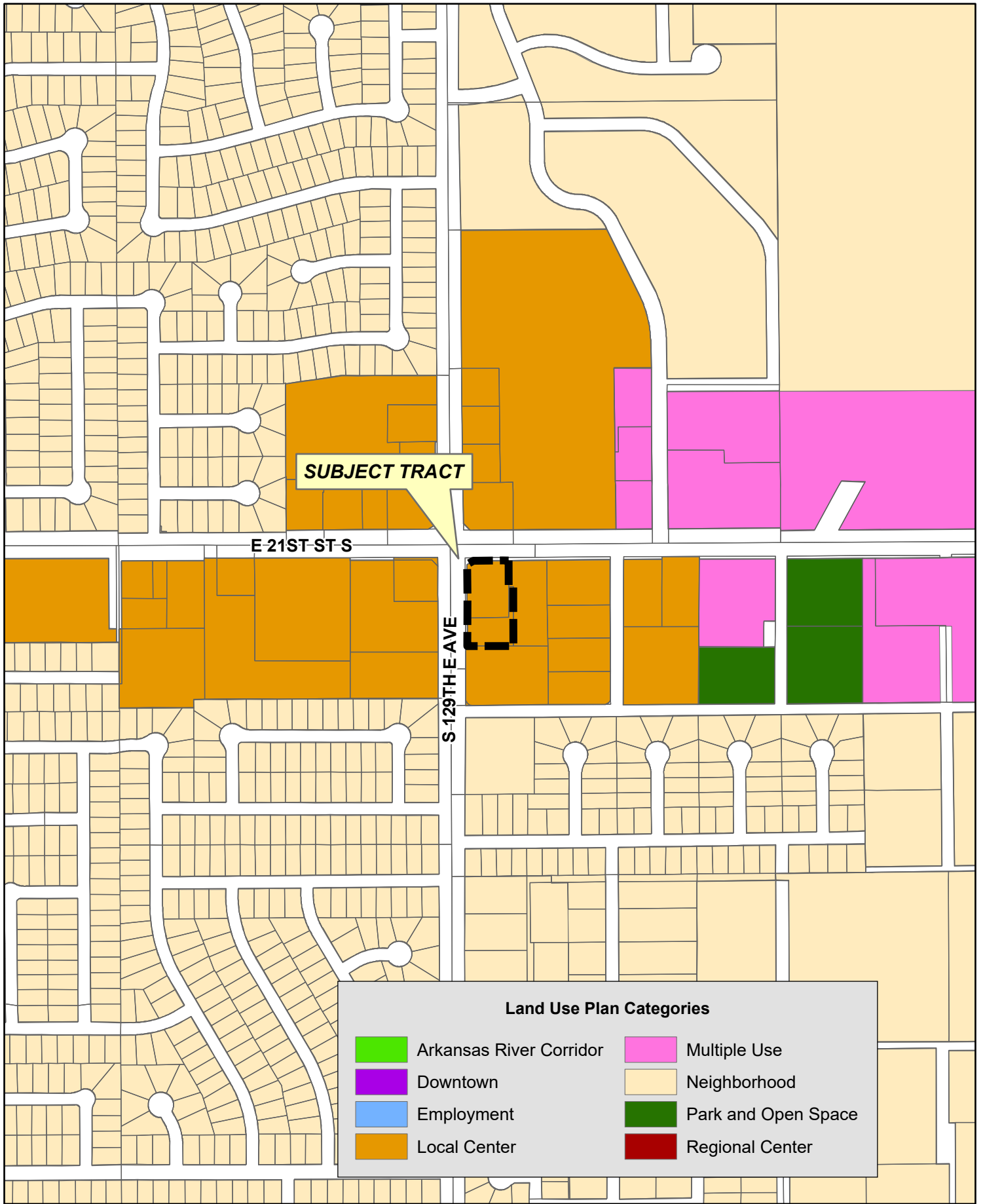
BOA-23674

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

Aerial Photo Date: 2021



18.8











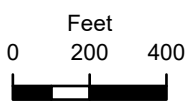
SUBJECT TRACT

E 21ST ST S

S 129TH E AVE

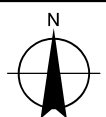
Land Use Plan Categories

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



BOA-23674

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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.

Note: this sign meets the definition of a Dynamic Display sign per Section 95.220 of the zoning code. Also, there are two different freestanding gas price signs on this lot. This review is only for the sign nearest to the 21st St. frontage. The sign on the south end of the lot is not part of this review. Per Section 60.080-E, only one dynamic display sign is allowed per lot. If you wish to have each freestanding sign converted to dynamic display, you will need to request a Variance from the Board of Adjustment to have two dynamic display signs on one IL zoned lot. The second sign will also need it's own permit.

Danny

A second permit has already been applied for

Site Plan

Store #26

QuikTrip

12910 E 21st St
Tulsa, OK
74134

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

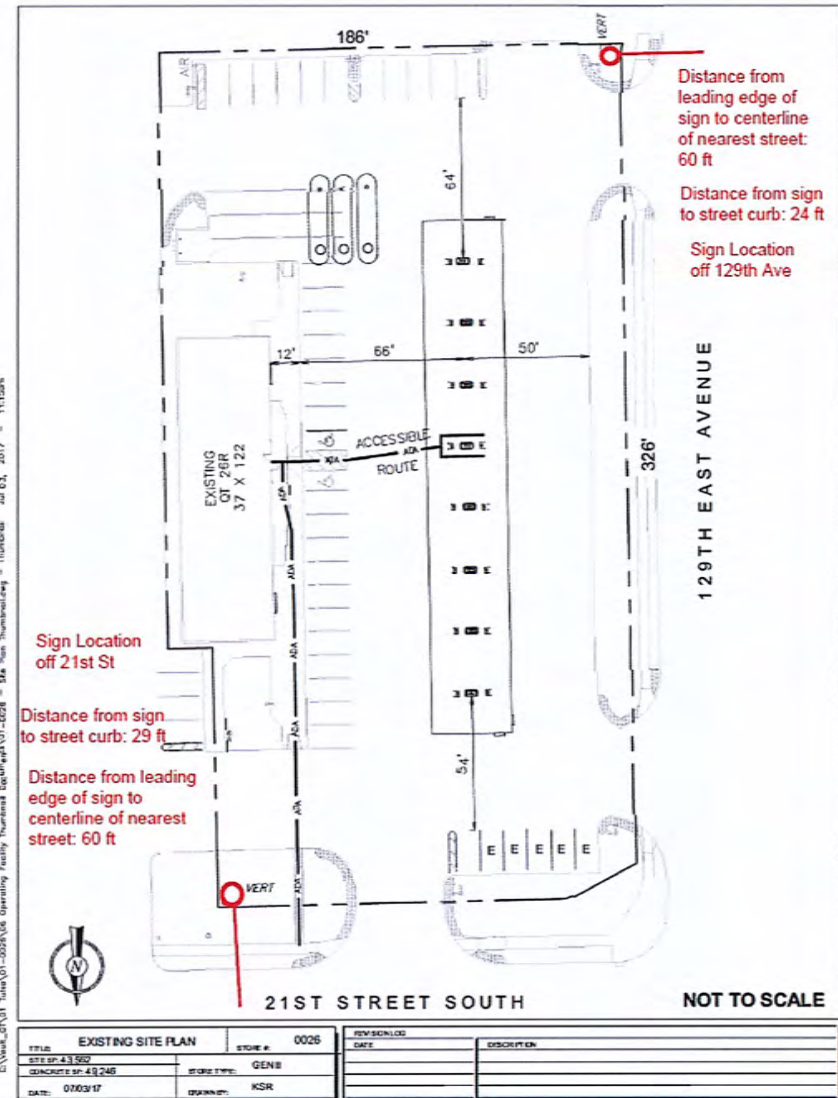


Existing Signs
Existing Signs sq ft: 53.1



Proposed LED Signs
(Not exact)
Proposed signs sq ft: 53.1

VICINITY PLAN



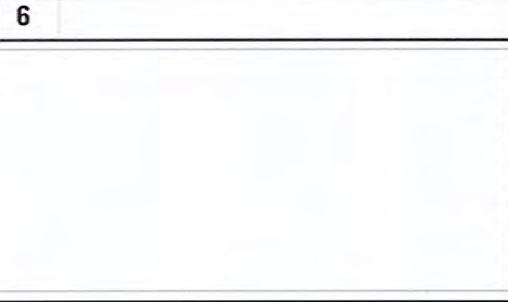
Work Detail

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



1 Option 1 - Existing Manual Tiles

2 Option 1 - Proposed LED Replacement



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Project Data

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

Project Directory

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

7950 E 41st St S Tulsa, OK 74145



Vicinity Map

Mark	Date	Revision/Notes	By	Mark	Date	Revision/Notes	By
						7950 E 41st St S	
						Tulsa, OK 74145	
720 Indigo Ct. Pomona, CA 91767				SITE PLAN and ELEVATIONS			
Drawing Created 1/5/2023							Sheet A1