Board of Adjustment

Staff Report
BOA-23718

Hearing Date: June 11, 2024
Prepared by: Dylan Siers
dsiers@cityoftulsa.org
918-596-7584

Owner and Applicant Information
Applicant: Nathalie Cornett, Eller & Detrich
Property Owner: QuikTrip Corporation

Property Location
3230 E. Admiral Pl. N.
Tract Size: ±1.98 acres

Location within the City of Tulsa
(shown with City Council districts)

Request Summary
Variance to permit three dynamic display signs on the lot (Section 60.080-E); Variance to permit a dynamic display sign to be located within 200 feet of a residential district (Section 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: Residential Collector (E Admiral Pl), Secondary Arterial (N Harvard), Freeway (I-244)
planitulsa Street Type: Main Street
Transit: Regular Route
Existing Bike/Ped Facilities: Sidewalks
Planned Bike/Ped Facilities: Bike Corridor (N Harvard Ave)

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

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

14.1
Staff Analysis
The applicant is proposing a Variance to permit three dynamic display signs on the lot (Section 60.080-E) and a Variance to permit a dynamic display sign to be located within 200 feet of a residential district (Section 60.100-F).

Relevant Case History
• None

Statement of Hardship
The Applicant requests (1) a Variance of Section 60.100-F of the Tulsa Zoning Code (the "Code") to permit a dynamic display sign to be located within 200 feet of a residential district, and(2) a Variance of Section 60.080-E to permit three dynamic displays signs on a lot, for property located at 3230 E Admiral Place North (the "Property").

The Property is located at the southwest corner of E. Admiral Pl. N. and N. Harvard Ave. and is operated as a QuikTrip. The Property is abutted by streets on three sides: E. Admiral Place to the north, N. Harvard Ave. to the east, and E. Admiral Blvd to the south. QuikTrip has three(3) existing, freestanding ground signs on the Property, one sign addressing each street frontage.

The existing signs, as they are currently located, are permitted by right under the Code. QuikTrip desires to upgrade these existing signs to contain "E-Tile" pricing displays instead of changeable copy, plastic tile pricing displays. Except for the upgrade in pricing display, the cabinet signs will remain unchanged- in size, in location, and in internal illumination. None of the signs are visible from any nearby residential district.

The Code’s definition of a Dynamic Display Sign is extremely broad and captures any sign with LED lights "manipulated through digital input", which includes the proposed E-Tiles. Further, the Code’s definition of a Static Sign creates an ambiguity as it specifically excludes changeable copy, which are what the existing signs contain today.

The overly broad and conflicting definitions of dynamic display and static message signs results in unnecessary hardship to the Property owner. The signs exist lawfully by right and the addition of the E-Tile elements are the minimum relief necessary. The literal enforcement of the Code is not necessary to achieve its intended purpose, which is to minimize distraction to vehicle traffic from flashing or animation of digital signs - which the proposed signs will not contain.

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:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning/Overlay</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CH/RT-66 Overlay/PUD-594</td>
<td>Multiple Use</td>
<td>Commercial</td>
</tr>
<tr>
<td>East</td>
<td>CH/RT-66 Overlay</td>
<td>Multiple Use</td>
<td>Commercial</td>
</tr>
<tr>
<td>South</td>
<td>RS-3/RT-66 Overlay</td>
<td>-</td>
<td>Highway</td>
</tr>
<tr>
<td>West</td>
<td>CH/RT-66 Overlay</td>
<td>Multiple Use</td>
<td>Commercial</td>
</tr>
</tbody>
</table>
Small Area Plans
The subject properties are in the Kendall Whittier Sector Plan.

Development Era
The subject property is located in an area developed during the Early Automobile Era.

The subject property is in an area developed during the Early Automobile Era (1930s-50s), which retained a high degree of the connectivity from neighborhood streets to the arterial network, with mostly commercial, office, industrial, and other active uses along major streets and a mix of housing options and neighborhood-based uses like schools, churches, and libraries in the interior sections. Priorities in these areas include walkability, bikeability, access to public transit, historic preservation, housing type variety, mixed-use development, commercial revitalization, compatibility of scale for neighborhood development, and transitions between commercial corridors and residential areas.

Transportation
Major Street & Highway Plan: Residential Collector (E Admiral Pl) & Secondary Arterial (N Harvard)

Comprehensive Plan Street Designation: Main Street

Transit: Regular Bus Route 440 runs along Harvard Avenue.

Existing Bike/Ped Facilities: Sidewalks are present on Admiral Place and Harvard Avenue.

Planned Bike/Ped Facilities: The Tulsa Go Plan recommends a Bike Corridor on Harvard Avenue.

Arterial Traffic per Lane: North (E Admiral Pl - 4,606 Vehicles per Lane) & East (S Harvard Ave - 3,629 Vehicles per Lane)

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

Tree Canopy Coverage: Tree canopy in the area is 9%. The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: N/A
**Sample Motion**

I move to *approve or deny* a Variance to permit three dynamic display signs on the lot (Section 60.080-E) and a Variance to permit a dynamic display sign to be located within 200 feet of a residential district (Section 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**

Lot 1, Block 1, QuikTrip No. 0085, City of Tulsa, Tulsa County, State of Oklahoma
Exhibits
Case map
Aerial (small scale)
Aerial (large scale)
Photos
Tulsa Comprehensive Plan Land Use Map
Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2021
Site Plan
QuikTrip

3230 E Admiral Pl N Tulsa, OK 74115

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  Price 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 backed 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 off E Admiral Blvd Existing sign sq ft: 83.125

Proposed LED Sign (Not exact) Proposed sign sq ft: 83.125

VICINITY PLAN

Distance from sign to street curb: 33 ft
Distance from leading edge of sign to centerline of nearest street: 52 ft
Distance from sign to street curb: 37 ft
Distance from leading edge of sign to centerline of nearest street: 76 ft
Distance from sign to street curb: 26 ft
Distance from leading edge of sign to centerline of nearest street: 50 ft
Work Detail

Scope of Work - Pricer LED Replacement
- Replacing existing white numbers with LED numbers
- Re-utilizing existing power and data
- Changing 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 backed up the previous numbers

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

Vicinity Map

3230 E Admiral Pl N Tulsa, OK 74115

Option 1 - Existing Manual Tiles

Option 1 - Proposed LED Replacement

Project Data
Project Name: QuikTrip Signage Upgrade
Project Address: 3230 E Admiral Pl N Tulsa, OK 74115
Facility Owner:
Property Owner: QuikTrip
Owners Address:

Contractor Contact:
PM - Matt Hahn (609)-717-2302
Director of Construction - Jay Kassity
(949)-463-4463
Land Use Plan Categories

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