



**Board of Adjustment**

**Staff Report  
BOA-23731**

**Hearing Date:** July 9, 2024  
**Prepared by:** Dylan Siers  
dsiers@cityoftulsa.org  
918-596-7584

**Owner and Applicant Information**

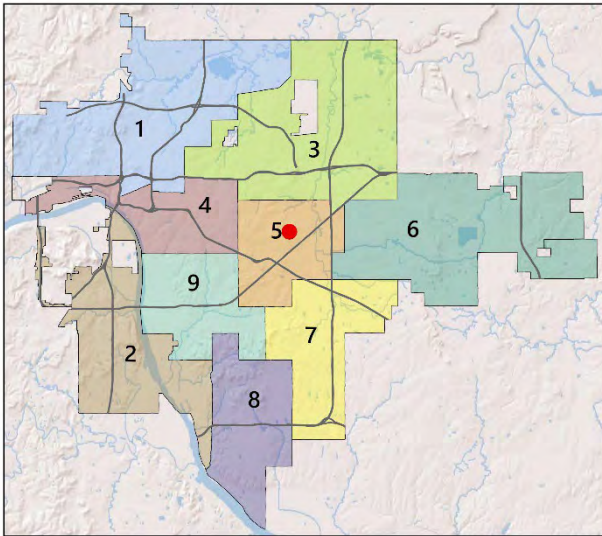
Applicant: Nathalie Cornett, Eller & Detrich  
Property Owner: QuikTrip Corp

**Property Location**

8105 E 21st St  
Tract Size: ±1.62 acres

**Location within the City of Tulsa**

*(shown with City Council districts)*



**Elected Representatives**

City Council: District 5, Grant Miller  
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 two dynamic display signs on a lot (Sec. 60.080-E); Variance to permit a dynamic display sign to be located within 50 feet of a signalized intersection (Sec. 60.100-D)

**Zoning**

Zoning District: CS  
Zoning Overlays: None

**Comprehensive Plan Considerations**

**Land Use**

Land Use Plan: Multiple Use  
Small Area Plans: None  
Development Era: Early Automobile

**Transportation**

Major Street & Highway Plan: E 21st St (Primary Arterial) and S Memorial Dr (Primary Arterial)  
planitulsa Street Type: Commuter Street  
Transit: Regular Route  
Existing Bike/Ped Facilities: Sidewalks  
Planned Bike/Ped Facilities: None

**Environment**

Flood Area: N/A  
Tree Canopy Coverage: 10-20%  
Parks & Open Space: None

## **Staff Analysis**

The applicant is proposing a Variance to permit two dynamic display signs on a lot (Sec. 60.080-E); and a Variance to permit a dynamic display sign to be located within 50 feet of a signalized intersection (Sec. 60.100-D)

### Relevant Case History

- None

## **Statement of Hardship**

"The Applicant requests (1) a Variance of Section 60.080-E of the Tulsa Zoning Code (the "Code") to permit two dynamic displays signs on a lot, and (2) a Variance of Section 60.100-D of the Code to permit a dynamic display sign to be located within 50 feet of a signalized intersection, for property located at 8105 E. 21<sup>st</sup> St. (the "Property"). The Property is located at the northeast corner of E. 21<sup>st</sup> St. and S. Memorial Dr. and is operated as a QuikTrip. The Property is abutted by streets on two sides: E. 21<sup>st</sup> Street to the south and S. Memorial Drive to the west. QuikTrip has two (2) 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. 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:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	CS	Multiple Use	Restaurant
East	CS	Multiple Use	Vacant lot
South	CS	Multiple Use	Commercial
West	CS	Multiple Use	Vehicle Sales

### **Small Area Plans**

The subject property is not in a small area plan.

**Development 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: E 21st St and S Memorial Dr are classified as Primary Arterials.

Comprehensive Plan Street Designation: Memorial Dr is designated as a commuter corridor. Commuter streets prioritize the efficient movement of large numbers of automobiles, with access management techniques utilized to minimize the frequency of turning movements along the corridor. This reduces the chance of collisions that could lead to congestion. Other transportation modes, such as public transit and pedestrian infrastructure, are provided and designed in ways that protect the users from dangerous interactions with automobile traffic. Medians and pedestrian islands are appropriate for increased pedestrian safety, as well as separation between traffic heading in each direction. Bicycle infrastructure is not recommended on Commuter Streets unless it is a multi-use path separated from the street.

Transit: Regular Route 150 runs along E 21st St, and Regular Route 201 runs along S Memorial Dr.

Existing Bike/Ped Facilities: Sidewalks are present on E 21st St and S Memorial Dr.

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: 2500-5000 per lane along both E 21st St and S Memorial Dr

**Environmental Considerations**

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

Tree Canopy Coverage: Tree canopy in the area is 10-20%. 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 two dynamic display signs on a lot (Sec. 60.080-E); and a Variance to permit a dynamic display sign to be located within 50 feet of a signalized intersection (Sec. 60.100-D)

- per the conceptual plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.
- subject to the following conditions (including time limitation, if any): \_\_\_\_\_:

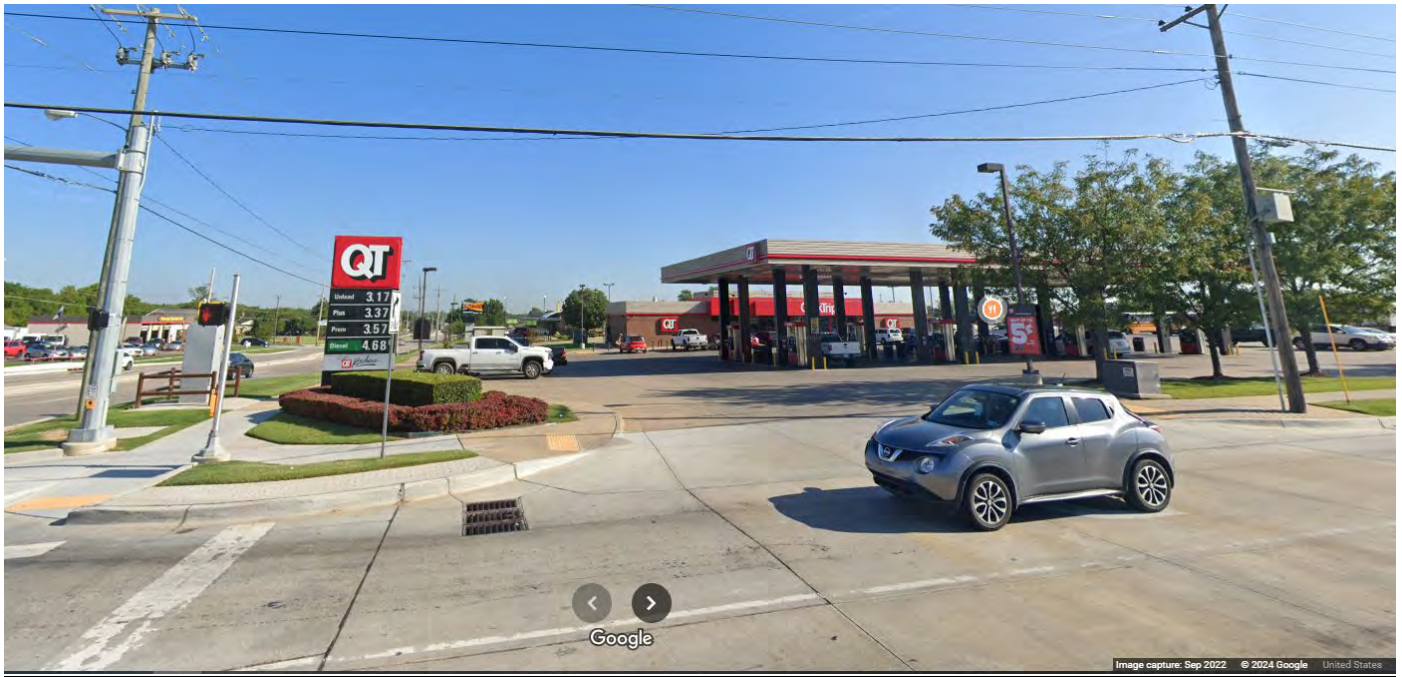
The board finds the hardship to be \_\_\_\_\_.

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**

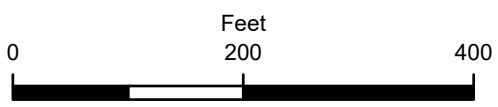
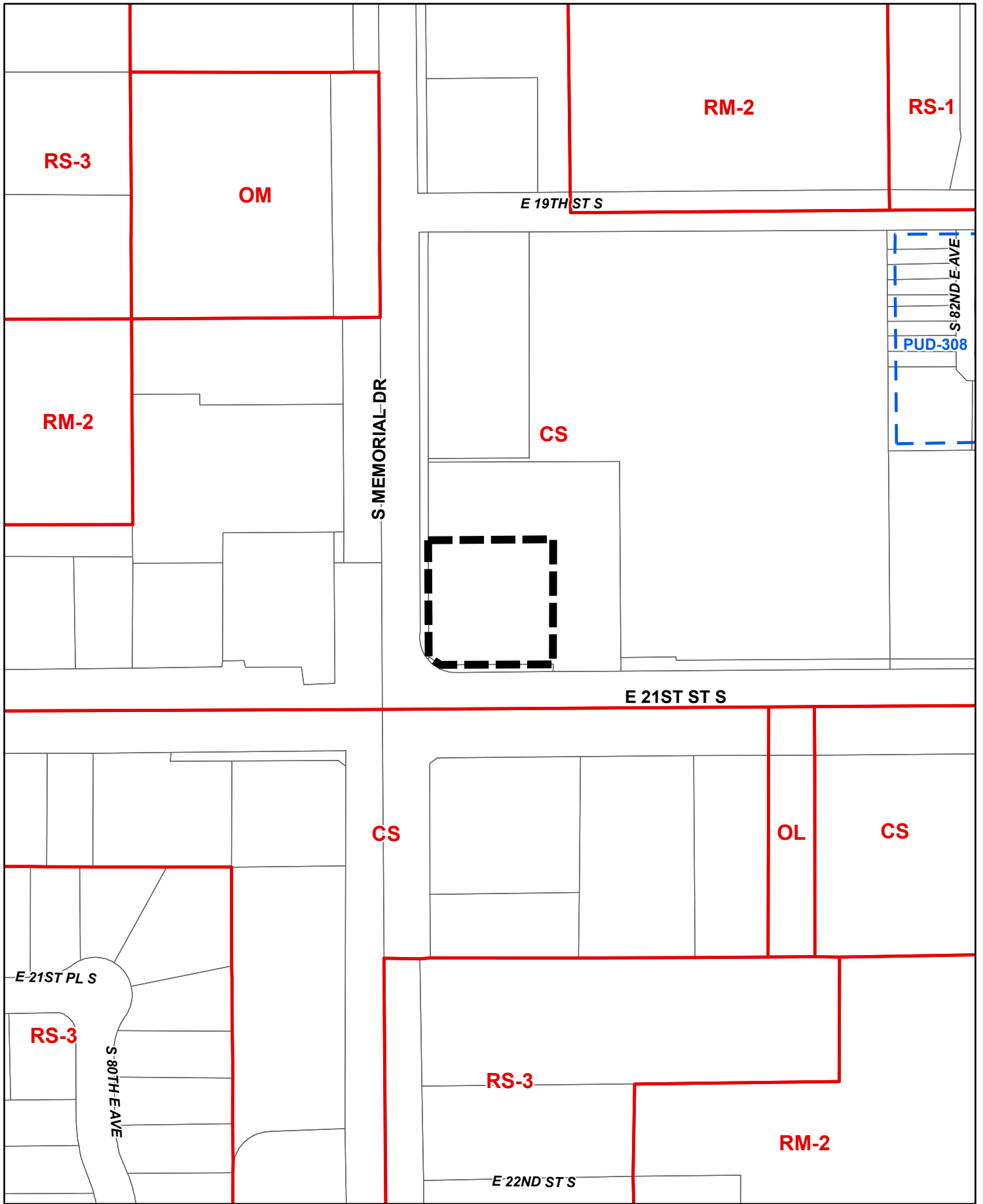
A tract of land that is part of Block Nine (9), O’CONNOR PARK ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat No. 1236 thereof, said tract of land being described as follows: Commencing at the Northwest corner of said Block 9; thence South 01°10’04" East along the Westerly line of said Block 9 for 410.76 feet; thence North 88°50’54" East parallel with and 175.00 feet Northerly of as measured perpendicularly to the Southerly line of said Block 9 for 10.00 feet to the Point of Beginning of said tract of land; thence continuing North 88°50’54" East parallel with and 175.00 feet Northerly of said Southerly line for 165.00 feet; thence South 01°10’04" East, parallel with and 175.00 feet Easterly of as measured perpendicularly to said Westerly line of Block 9 for 165.00 feet; thence South 88°50’54" West parallel with and 10.00 feet Northerly of as measured perpendicularly to said Southerly line of Block 9 for 150.00 feet; thence North 46°11’10" West for 21.21 feet; thence North 01°10’04" West parallel with and 10.00 feet Easterly of as measured perpendicularly to said Westerly line of Block 9 for 150.01 feet to the Point of Beginning of said tract of land.



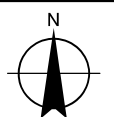
(Image from Google Street View of 8105 E 21st St)

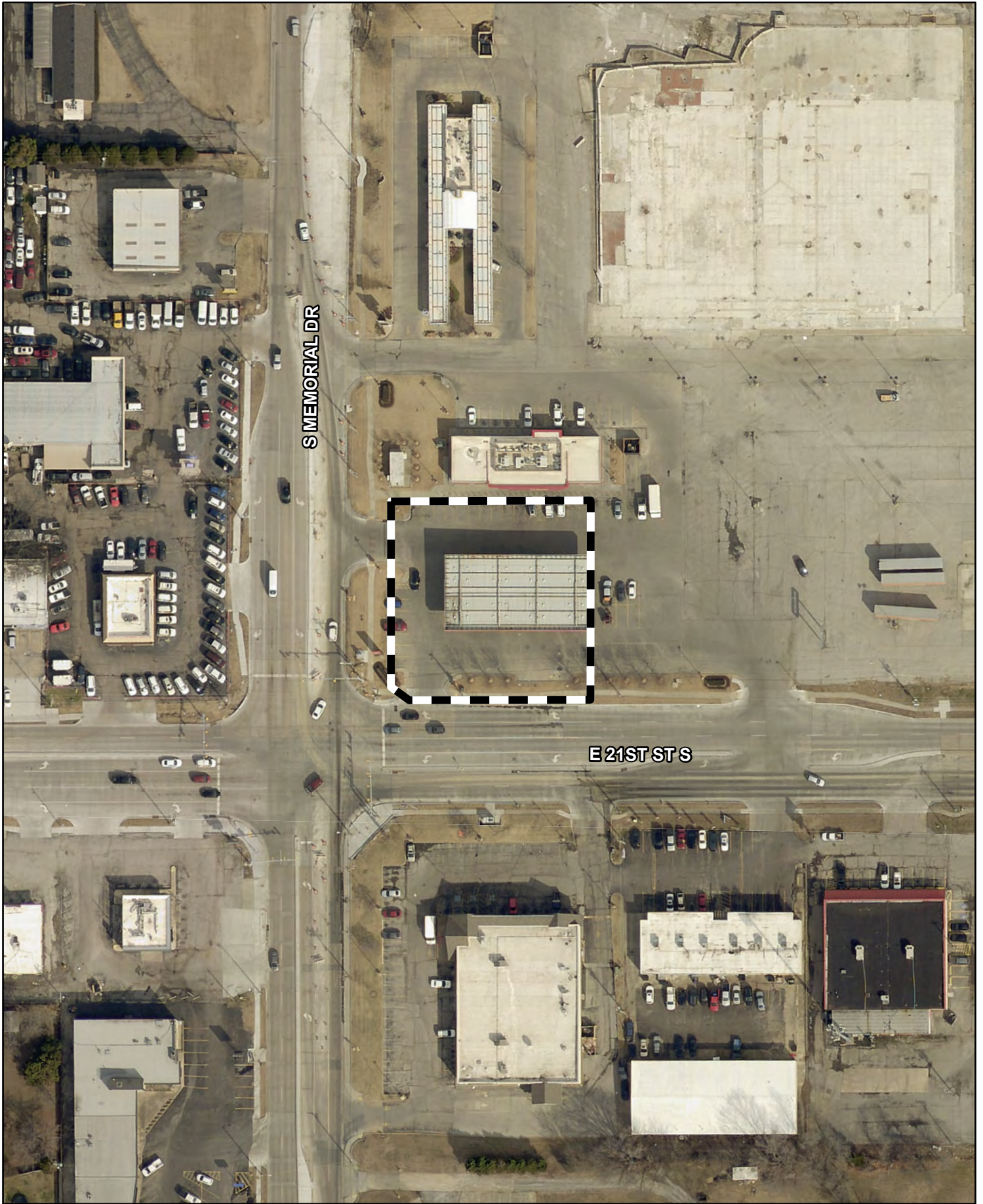
**Exhibits**

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



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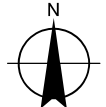
S MEMORIAL DR

E 21ST ST S

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

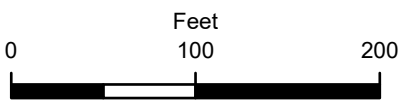
Aerial Photo Date: 2021



**7.7**

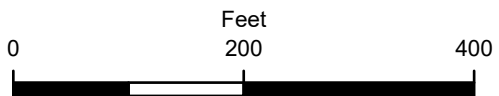


*Subject Tract*



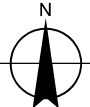


Subject Tract



**BOA-23731**

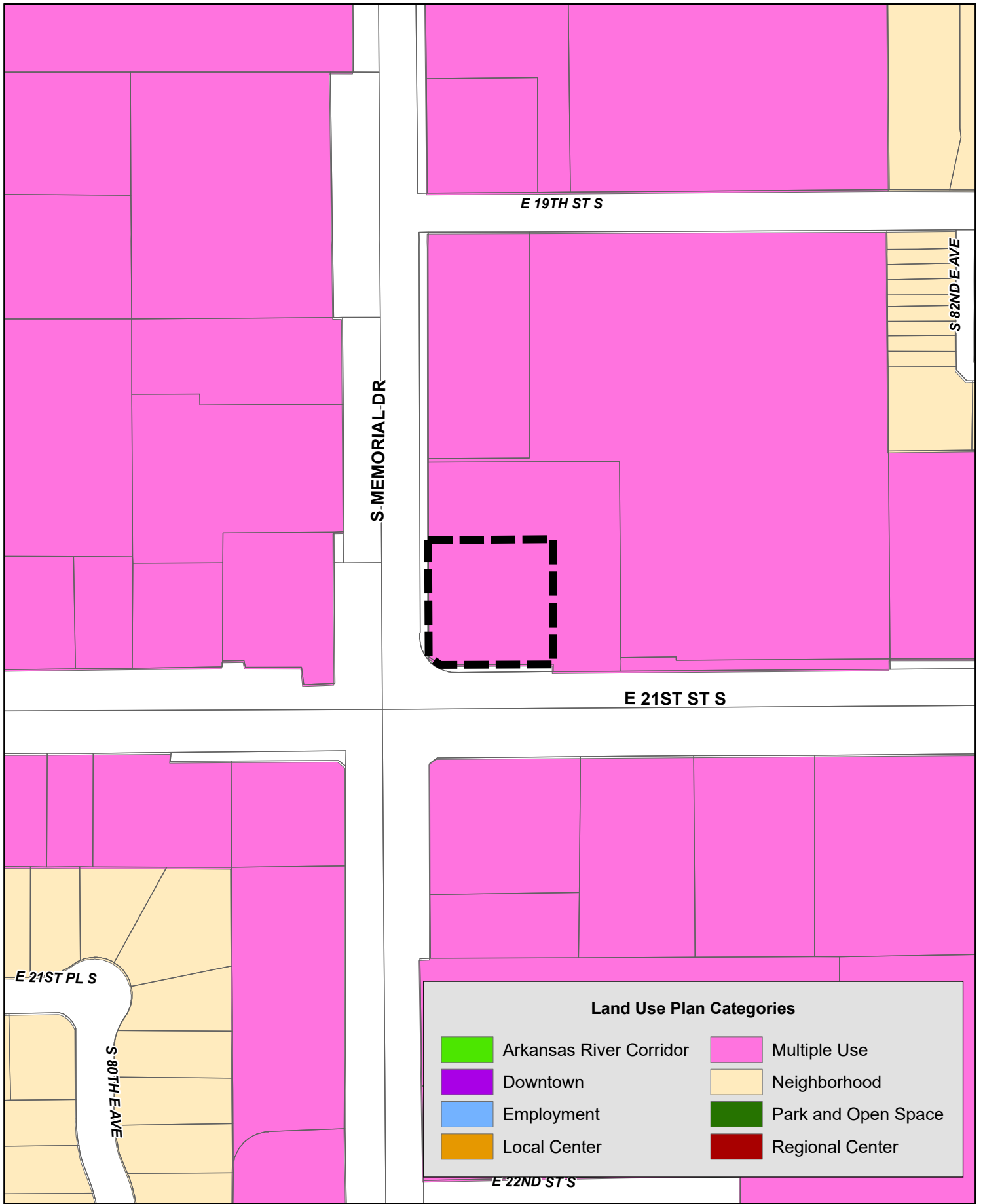
Note: Graphic overlays may not precisely align with physical features on the ground.











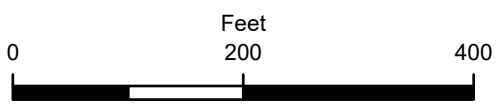
Aerial Photo Date: 2021

**7.8**





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



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## Exhibit "B"

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Site Plan

Store #19

QuikTrip

8105 E 21st St  
Tulsa, OK 74129

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 Cabinet Replacement

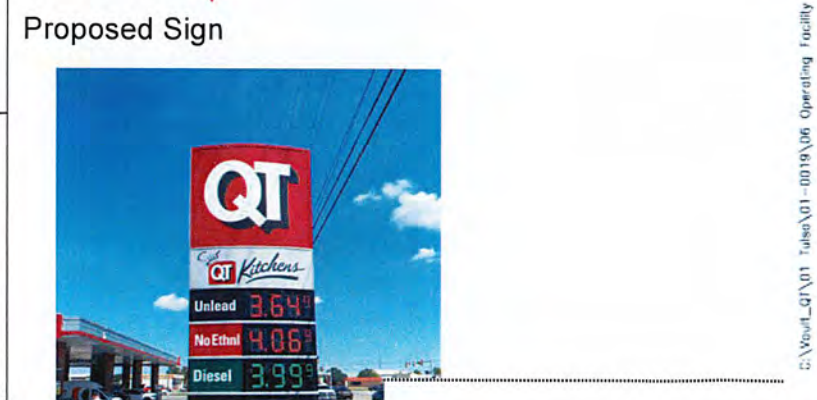
- New cabinets are the same size as existing
- Changing to LED
- Utilizing existing power and data lines

1. Take off hindering signage to reach pricer cabinets
2. Remove existing pricer cabinets and prep for disposal
3. Install new pricer cabinets
4. Ensure power and data are working properly



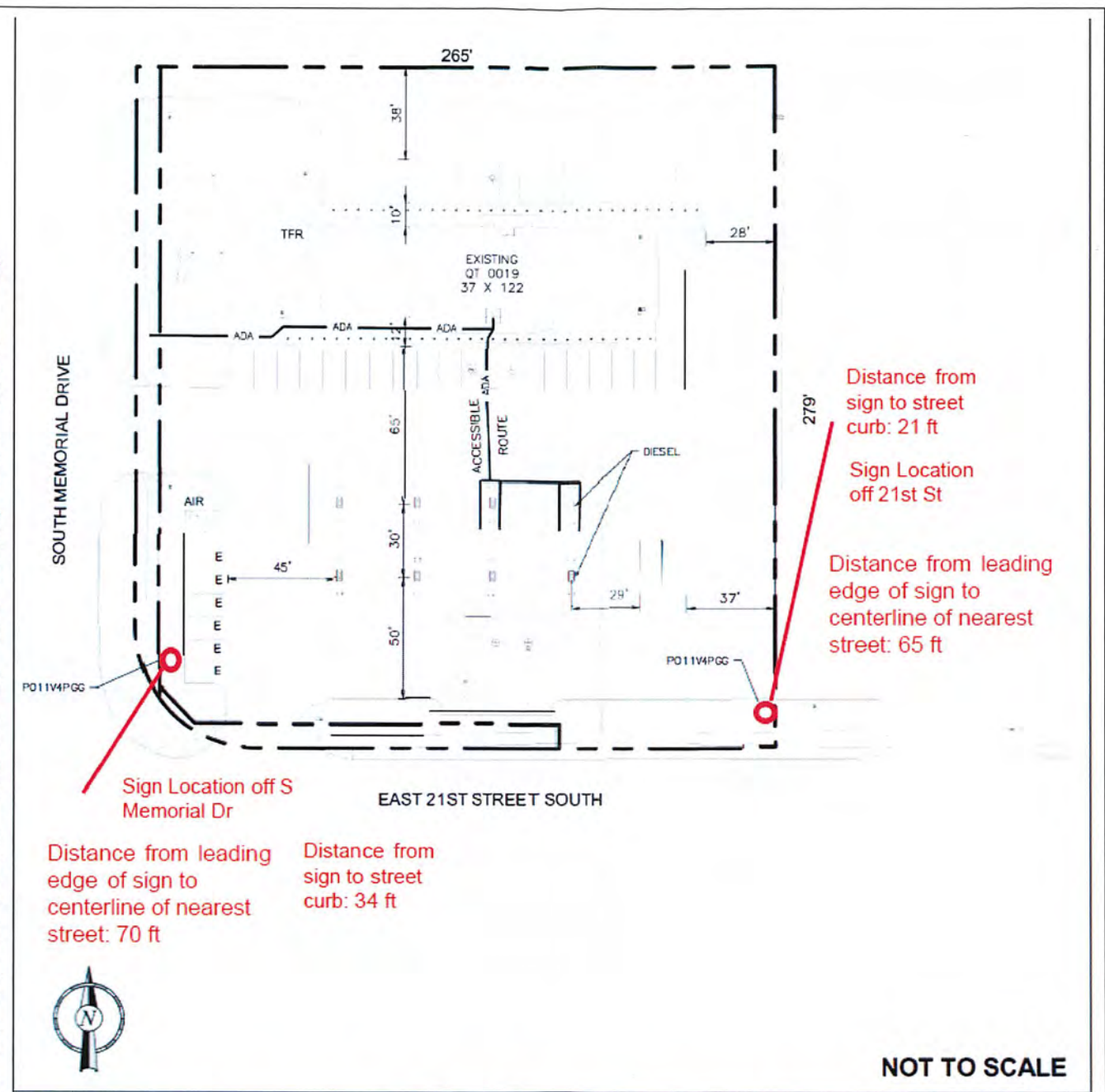
Existing Sign  
Existing Signs sq ft 70.39

↓



Proposed LED Signs  
(Not exact) Proposed signs sq ft: 70.39

VICINITY PLAN



TITLE: EXISTING SITE PLAN		STORE #: 0019	REVISION LOG	
SITE SF: 73,874		CONCRETE SF: 50,843	DATE: 11-01-2018	DESCRIPTION: ADDED PARKING BY CANOPY
DATE: 01-14-13	DRAWN BY: RHW			

**Work Detail**

- Scope of Work - Pricer Cabinet Replacement
- New cabinets are the same size as existing
  - Changing to LED- Utilizing existing power and data lines
1. Take off hindering signage to reach pricer cabinets
  2. Remove existing pricer cabinets and prep for disposal
  3. Install new pricer cabinets
  4. Ensure power and data are working properly

8105 E 21st St Tulsa, OK 74129



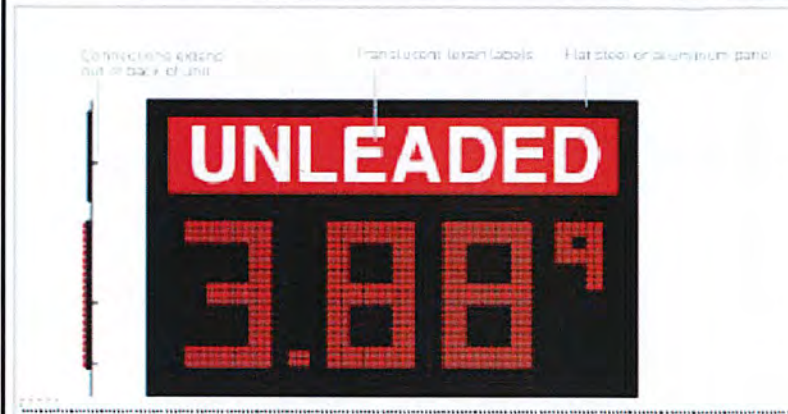
**1** Option 1 - Existing Manual ties



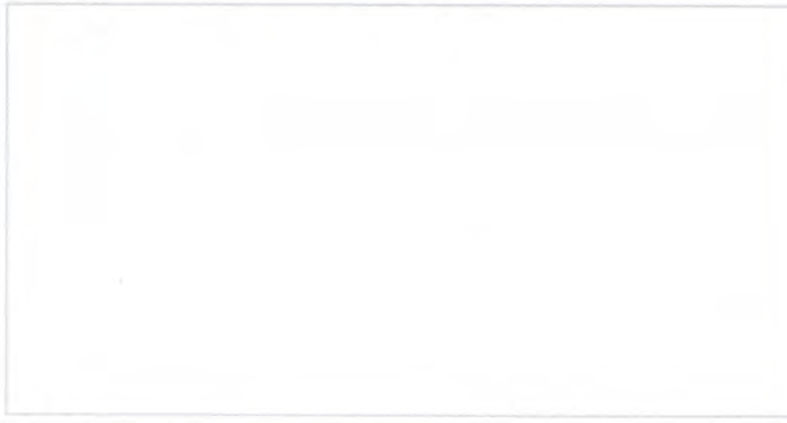
**2** Option 1 - Proposed LED Replacement



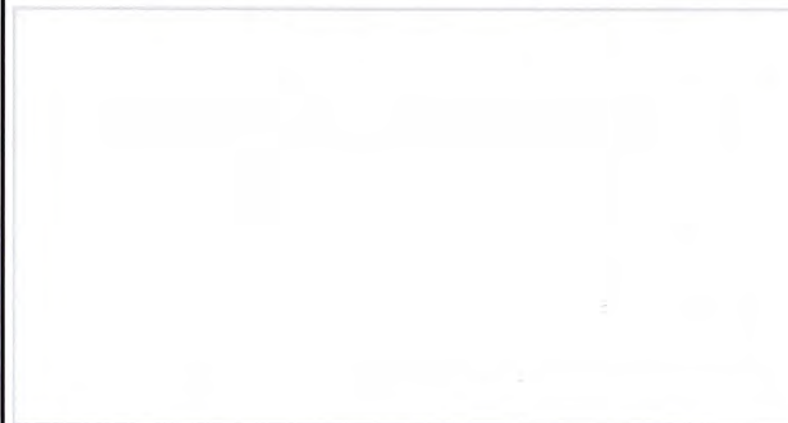
**3** Option 1- Existing Pole Sign



Option 1-Proposed Cabinet Replacement



**5**



**6**



**7**

**Vicinity Map**



**Project Data**

Project Name: QuikTrip Signage Upgrade  
 Project Address: 8105 E 21st St Tulsa, OK 74129

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

Mark	Date	Revisions/Notes	Initial	Mark	Date	Revisions/Notes	Initial

**APEX** 720 Indigo Ct.  
 Pomona, CA 91767

**SITE PLAN and ELEVATIONS**

**7.13**

Drawing Created 1/5/2023

Sheet **A1**