



Board of Adjustment

Staff Report BOA-23732

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: Douglas R Maryott 2021 Irrevocable Trust

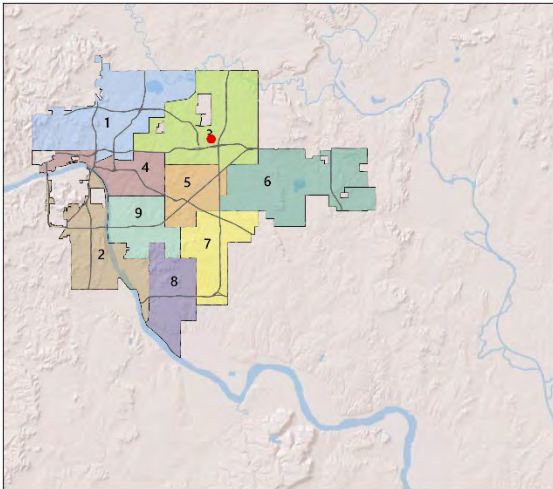
Property Location

9621 E Pine St N

Tract Size: ±2 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 3, Crista Patrick

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 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: IL

Zoning Overlays: None

Comprehensive Plan Considerations

Land Use

Land Use Plan: Local Center

Small Area Plans: None

Development Era: Late Automobile

Transportation

Major Street & Highway Plan: N Mingo Rd (Secondary Arterial) & E Pine St (Secondary Arterial)

planitulsa Street Type: N Mingo Rd (Multi-Modal Street) & E Pine St (Multi-Modal Street)

Transit: Regular Route

Existing Bike/Ped Facilities: Buffered Bike Lane (N Mingo Rd), Sidewalks

Planned Bike/Ped Facilities: Bike Corridor (E Pine St)

Environment

Flood Area: N/A

Tree Canopy Coverage: 30-50%

Parks & Open Space: N/A

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 9621 E. Pine St. N. (the "Property"). The Property is located at the northwest corner of E. Pine St. and N. Mingo Rd. and is operated as a QuikTrip. The Property is abutted by streets on two sides: E. Pine Street to the south and N. Mingo Road to the east. 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 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	IL	Employment	Light Industrial
East	IL	Employment	Light Industrial
South	CS	Local Center	Commercial
West	IL	Employment	Vacant

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 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 Mingo Rd and E Pine St are classified as Secondary Arterials.

Comprehensive Plan Street Designation: N Mingo Rd and E Pine St are designated as multi-modal streets.

Multi-modal streets support commercial and residential development along major arterial streets. These streets align with the recommendations for on-street bicycle infrastructure establish in the 2015 GO Plan, and they should be evaluated for feasibility with regard to the reallocation of street space for bicycle facilities.

Transit: Regular Route 201 runs along E Pine St.

Existing Bike/Ped Facilities: A Buffered Bike Lane is present on N Mingo Rd. Sidewalks are present on N Mingo Rd and E Pine St.

Planned Bike/Ped Facilities: The Tulsa GO Plan calls for a Bike Corridor along E Pine St.

Arterial Traffic per Lane: 0-2500 per lane on N Mingo Rd & 5000-7500 per lane on E Pine St.

Environmental Considerations

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

Tree Canopy Coverage: Tree canopy in the area is 20-30%. Significant effort should be given to the preservation of 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 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 lying in the East Half of the Southeast Quarter of the Southeast Quarter (E/2 SE/4 SE/4) of Section Twenty-five (25), Township Twenty (20) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:

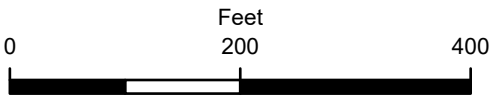
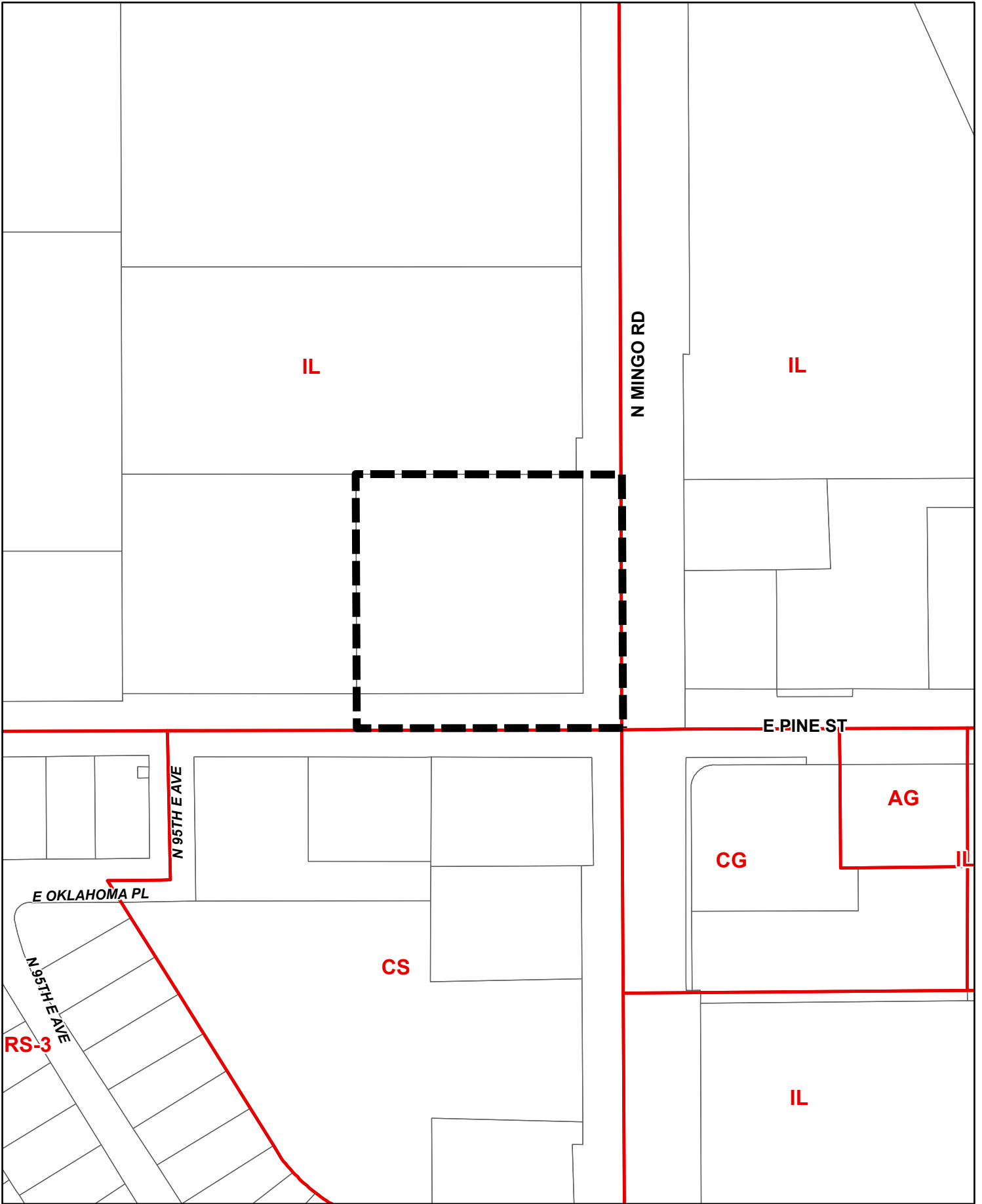
Beginning at the Southeast corner of said E/2 SE/4 SE/4, thence South 89°58'39" West and along the South line of said E/2 SE/4 SE/4 for a distance of 350.00 feet; thence North 00°07'01" West and parallel to the East line of said E/2 SE/4 SE/4 for a distance of 340.00 feet; thence North 89°58'39" East and parallel to the South line of said E/2 SE/4 SE/4 for a distance of 350.00 feet to a point in the East line of said E/2 SE/4 SE/4; thence South 00°07'01" East and along said East line for a distance of 340.00 feet to the Point of Beginning.



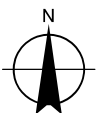
(Image of 9621 E Pine St captured from Google Earth)

Exhibits

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



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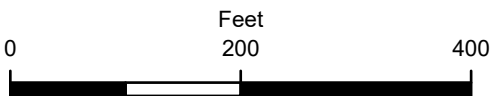


8.6



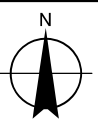
 Subject Tract

BOA-23732



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

Aerial Photo Date: 2021 **8.7**





E PINE ST

N MINGO RD

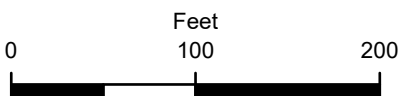
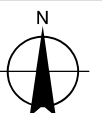


Subject Tract

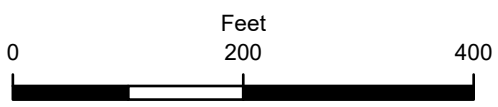
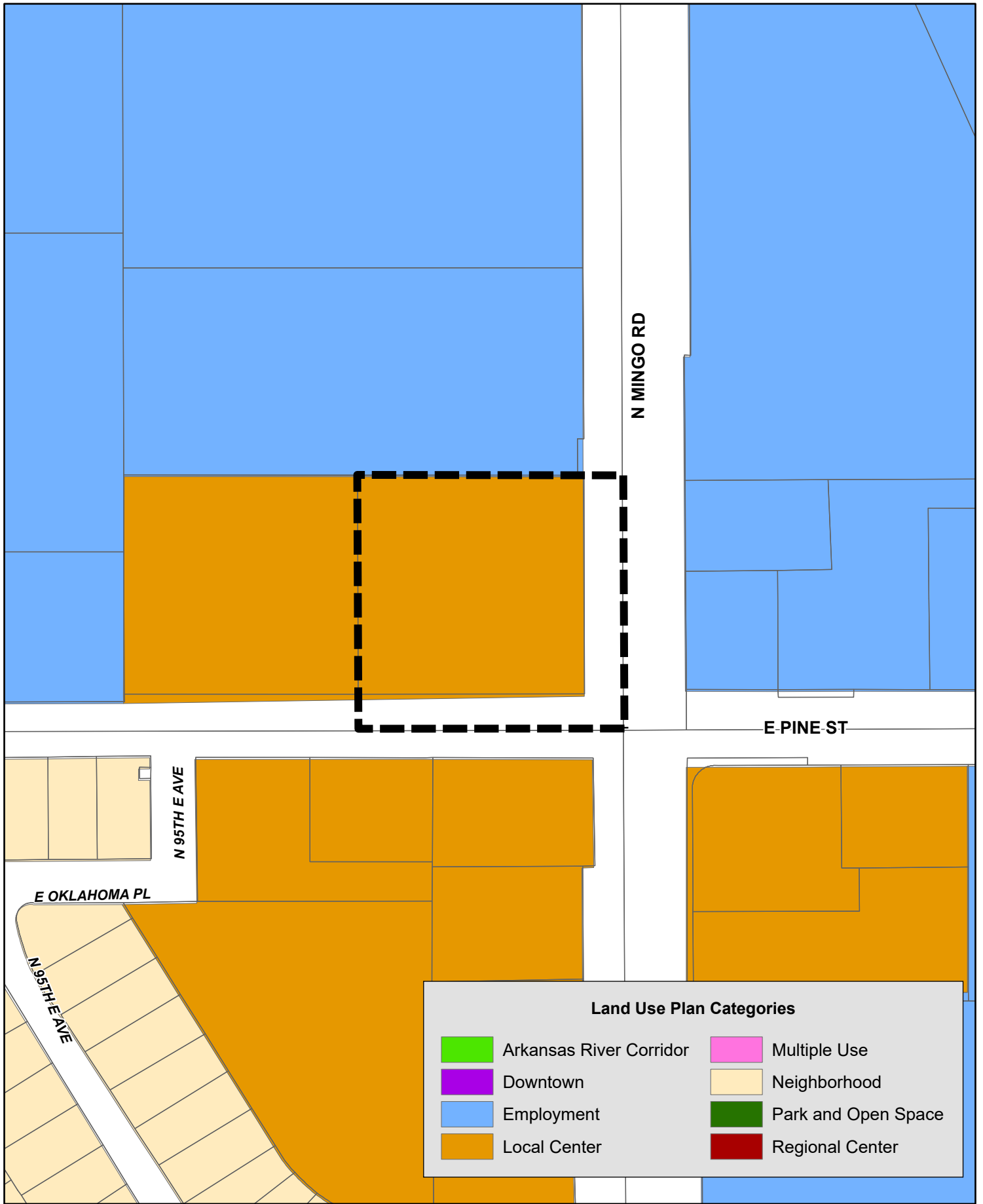
BOA-23731

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

Aerial Photo Date: 2021



8.8



BOA-23731

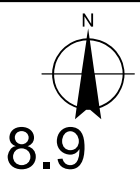


Exhibit "A"

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Exhibit “B”

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Site Plan

Store #56

QuikTrip

9621 E Pine St,
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

- 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 Sign
Existing Signs sq ft 50.3

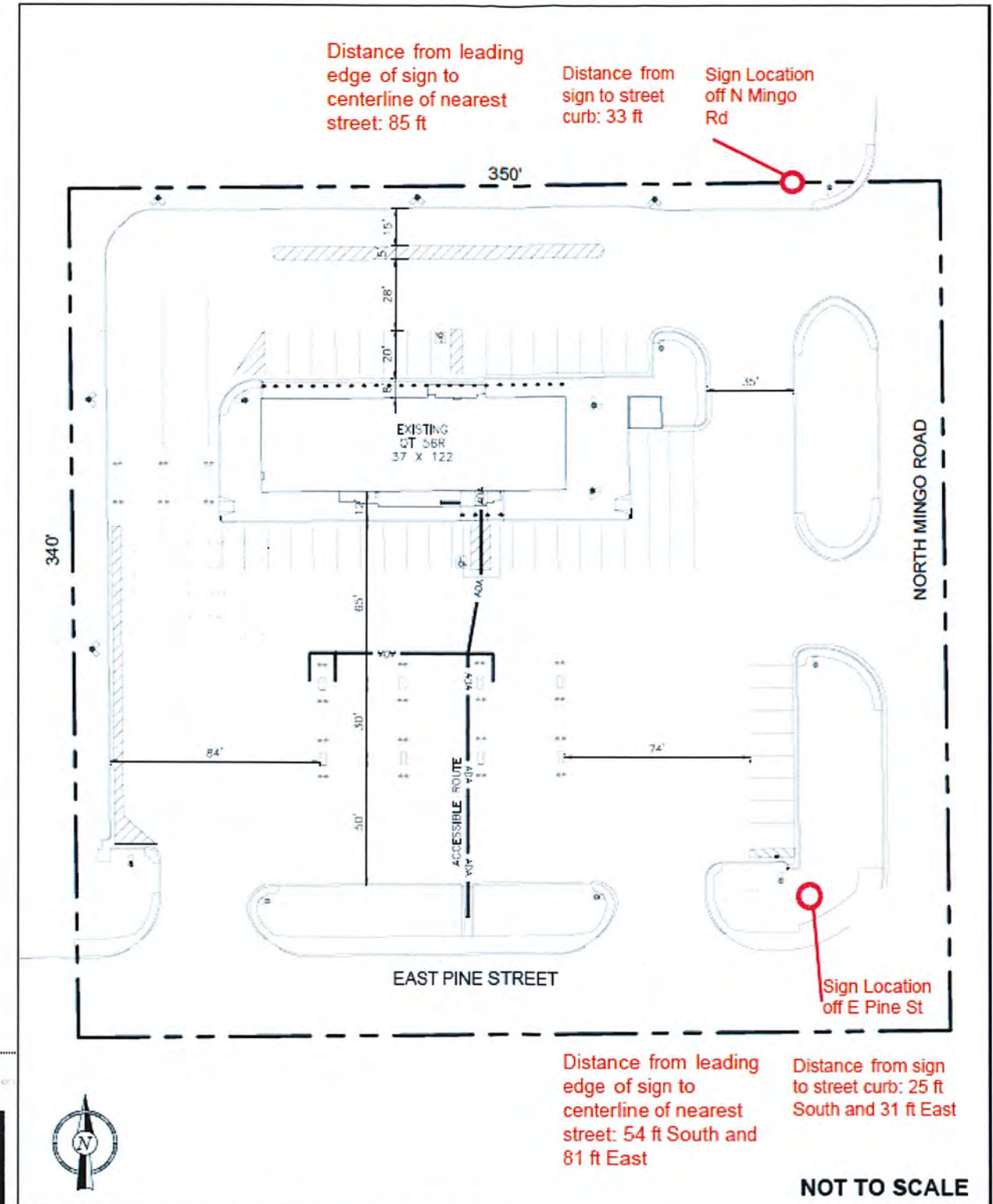


Proposed Sign



Proposed LED Signs
(Not exact)
Proposed signs sq ft:
50.3

VICINITY PLAN



TITLE: EXISTING SITE PLAN		STORE # 0056	
SITE SP: 90,000		STORE TYPE: GEN II	
CONCRETE SP:		DRAWN BY: KSR	
DATE: 02-16-13		REVISION LOG	
		DATE	DESCRIPTION

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

9621 E Pine St, Tulsa, OK 74115



1 Option 1 - Existing Manual ties



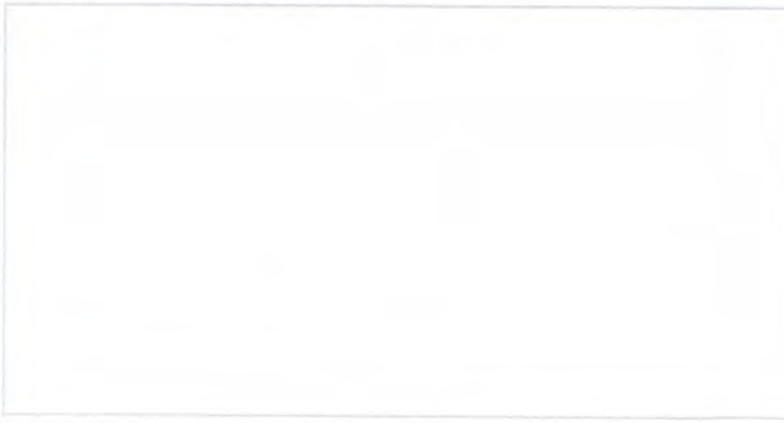
2 Option 1 - Proposed LED Replacement



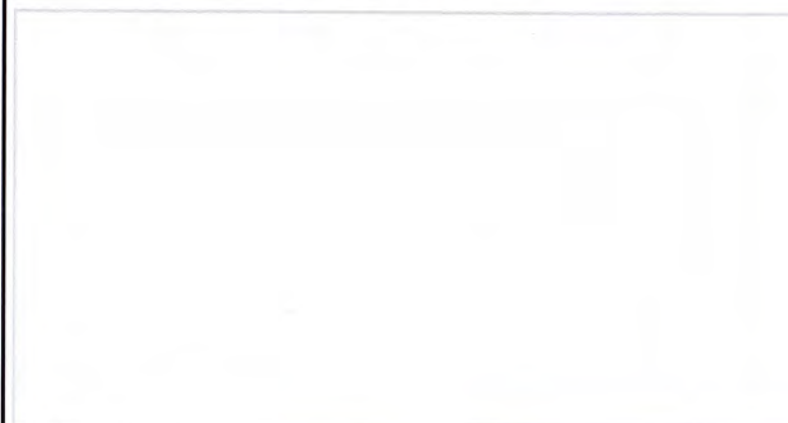
3 Option 1- Existing Pole Sign



Option 1-Proposed Cabinet Replacement



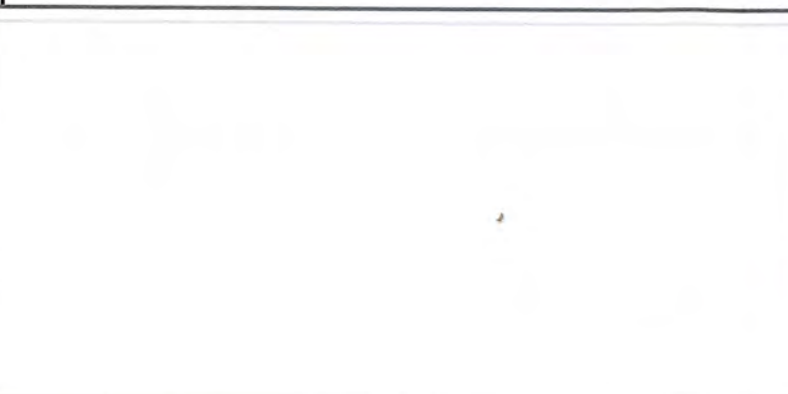
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6



7

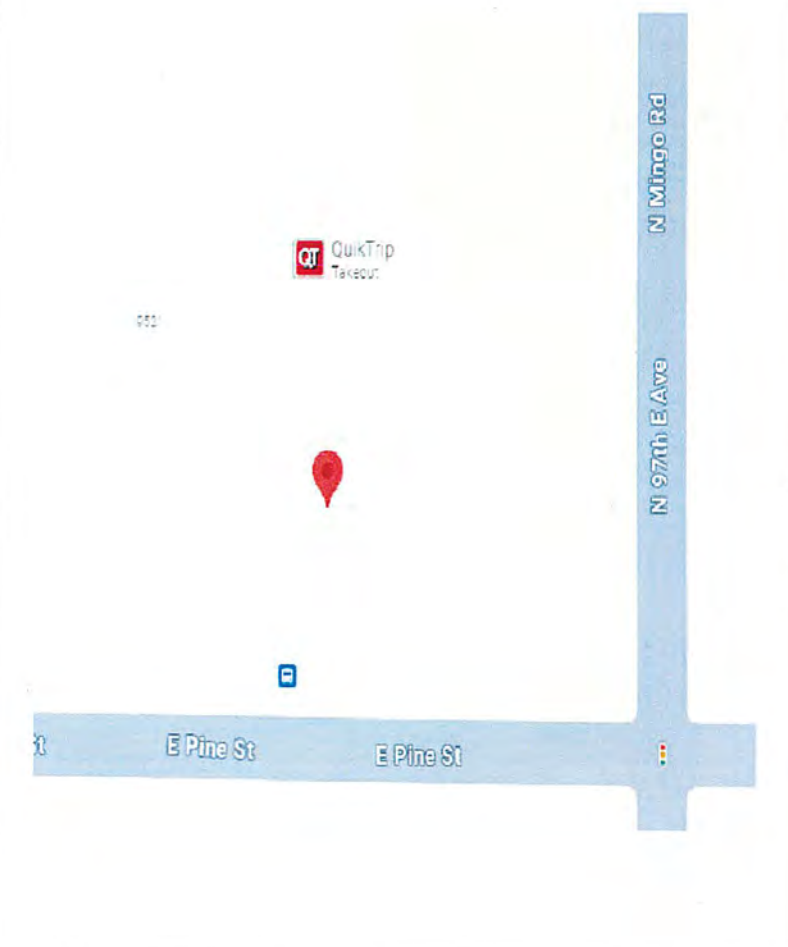


Project Data

Project Name: QuikTrip Signage Upgrade
 Project Address: 9621 E Pine St, Tulsa, OK 74115
 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



Vicinity Map

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

9621 E Pine St
 Tulsa, OK 74115

APEX 720 Indigo Ct.
 Pomona, CA 91767

SITE PLAN and ELEVATIONS

8.13

Drawing Created 1/5/2023

Sheet **A1**