



Board of Adjustment

**Staff Report
BOA-23772**

Hearing Date: September 24, 2024
Prepared by: Felicity Good
fgood@cityoftulsa.org
918-596-7602

Owner and Applicant Information

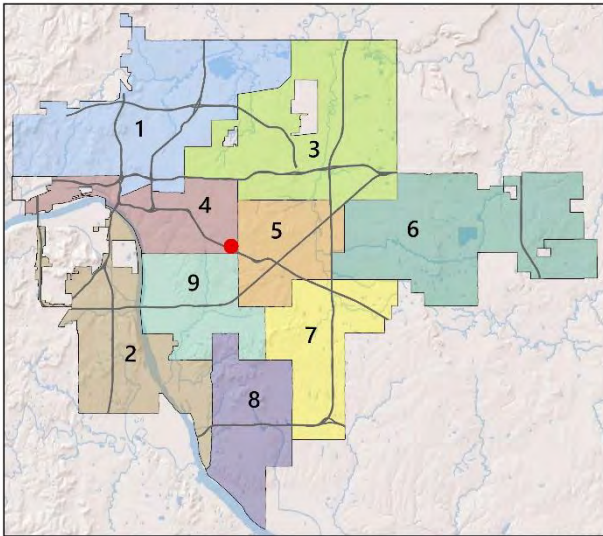
Applicant: Precision Sign & Design c/o Justin Haynes
Property Owner: Rawlings Investments LLC

Property Location

4527 East 31st Street South
Tract Size: ±0.49 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 4, Laura Bellis
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 a dynamic display sign within 200 feet of residentially zoned lots (Section 60.100-F).

Zoning

Zoning District: CS
Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

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

Transportation

Major Street & Highway Plan: Secondary Arterial
planitulsa Street Type: Multi-Modal Street
Transit: Regular Route
Existing Bike/Ped Facilities: N/A
Planned Bike/Ped Facilities: Bike Corridor

Environment

Flood Area: N/A
Tree Canopy Coverage: 10-20%
Parks & Open Space: N/A

Staff Analysis

The applicant requests a variance to permit a dynamic display sign within 200 feet of residentially zoned lots (Section 60.100-F). The applicant intends to add a dynamic display component to an existing sign. Dynamic displays are prohibited within 200 feet of residentially zoned lots. The proposed sign is located within 200 feet of and would be visible from the RS-3 district on the south side of 31st Street.

Section 60.100 Dynamic Displays

The supplemental regulations of this section apply to all signs with dynamic displays. Except as otherwise expressly stated, these regulations apply whether incorporated into off-premise outdoor advertising signs or on-premise signs that are allowed to include a dynamic display.

60.100-F Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R, AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary.

Relevant Case History

- None found

Statement of Hardship

The applicant’s statement of hardship is attached as a separate exhibit.

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	RM-2	Neighborhood	Apartments
East	CS	Multiple Use	Vehicle Repair
South	CS/RS-3	Multiple Use	Commercial/Fire Station
West	CS	Multiple Use	Office

Small Area Plans

The subject property is not included 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: East 31st Street South is classified as a Secondary Arterial, which calls for a total right-of-way width of 100 feet.

Comprehensive Plan Street Designation: East 31st Street South is designated as a Multi-Modal Street. 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: Bus route 300 runs along East 31st Street South.

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: The GO Plan recommends a Bike Corridor along East 31st Street South.

Arterial Traffic per Lane: East 31st Street South has an average annual daily traffic (AADT) count of 3,060 vehicles per lane.

Environmental Considerations

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

Tree Canopy Coverage: Tree canopy in the area is 16%. 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. 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 a dynamic display sign within 200 feet of residentially zoned lots (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:

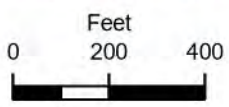
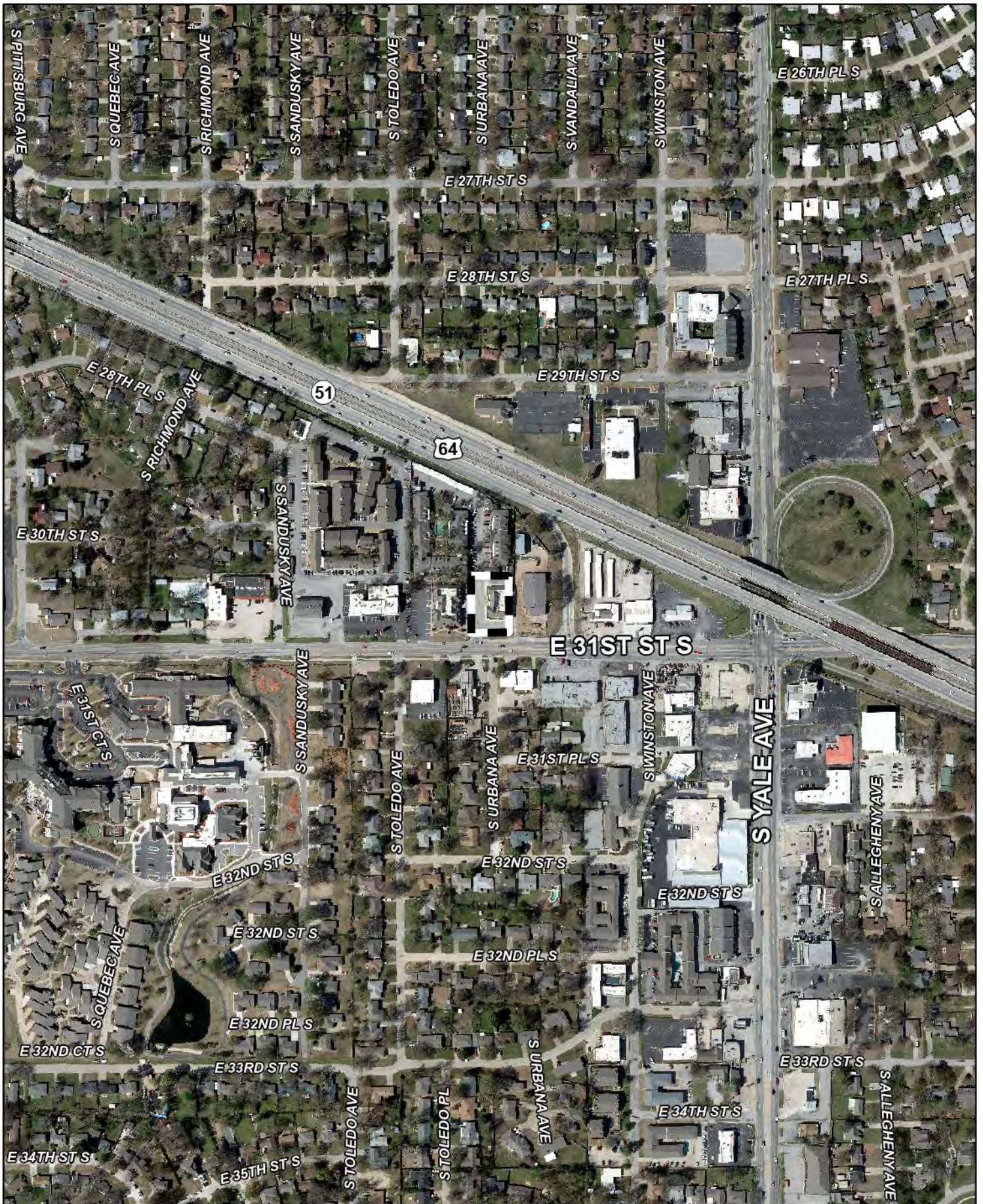
- That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- That literal enforcement 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

Lot 3, Block 1, Southern Elms Addition, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits

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



 Subject Tract

BOA-23772

19-13 16

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

Aerial Photo Date: 2022



5.5



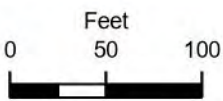
E 31ST ST S

STOLEDO AVE

S URBANA AVE

51

64



Subject Tract

BOA-23772

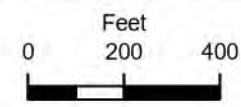
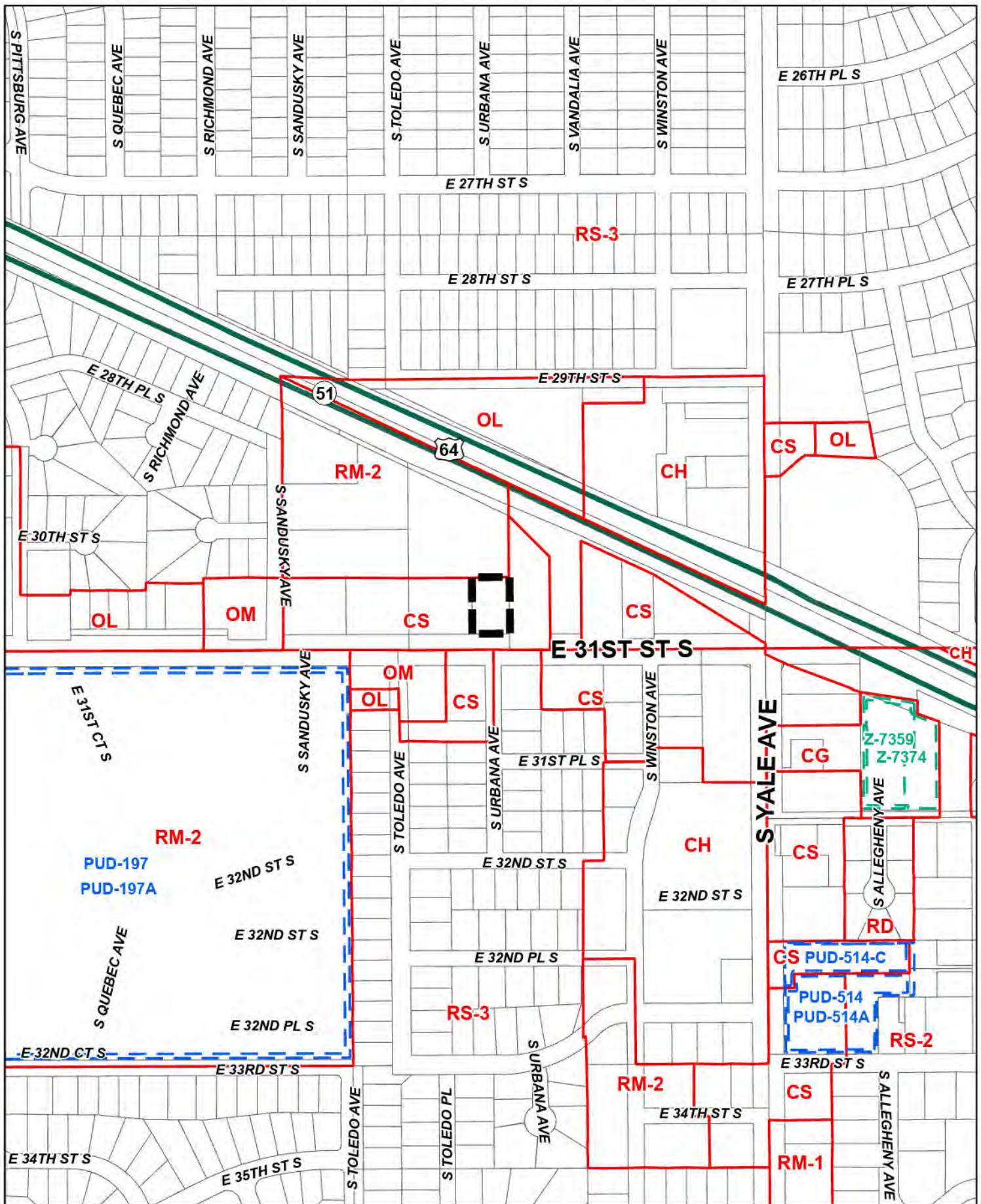
19-13 16

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Aerial Photo Date: 2022



5.6



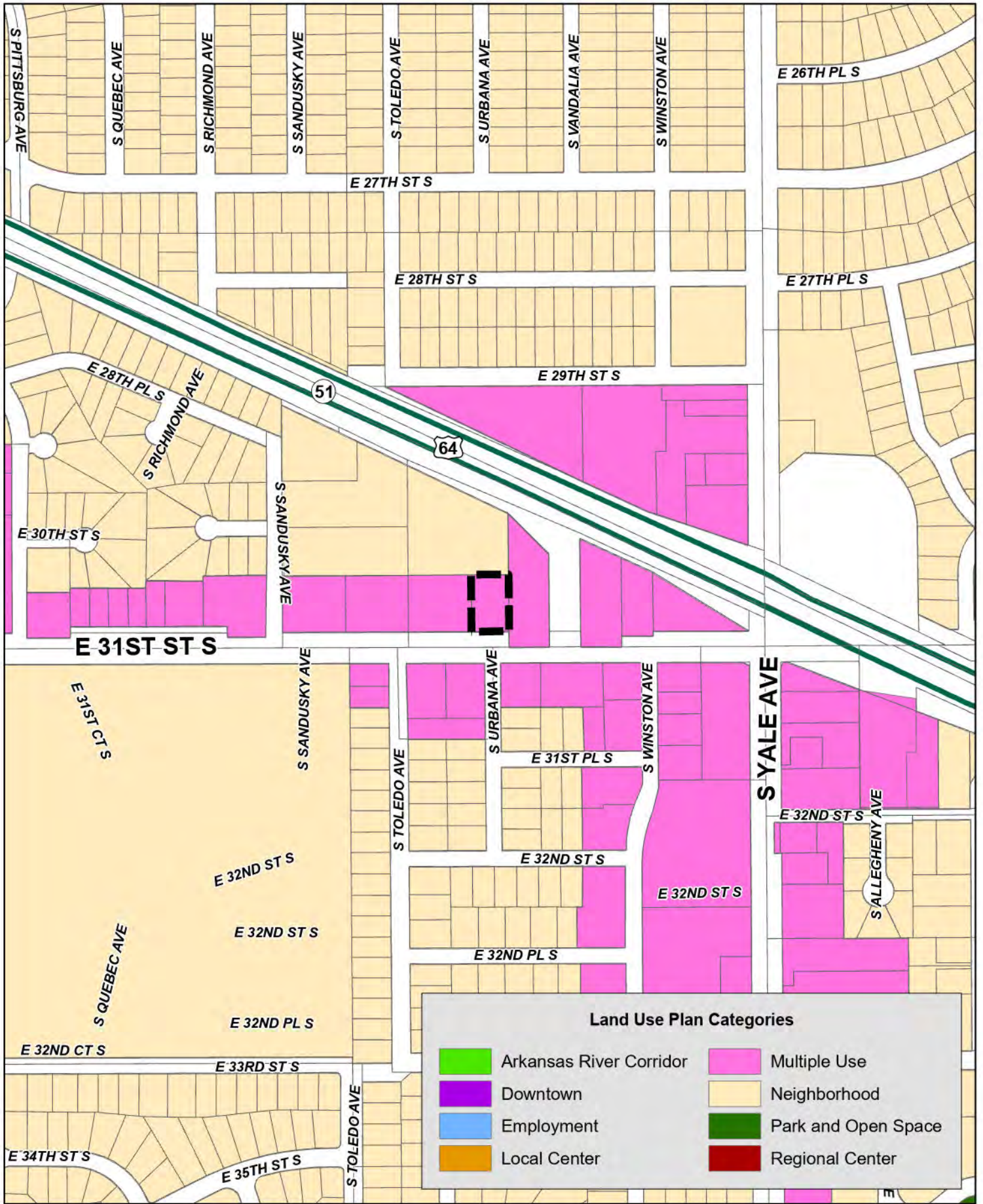
 Subject Tract

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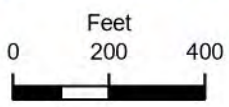


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Land Use Plan Categories

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



 Subject Tract

BOA-23772

19-13 16





DEVELOPMENT SERVICES

175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA

PLAN CORRECTIONS SUMMARY

SIGN-187802-2024 (4527 E 31ST ST S Unit_A Tulsa, OK 74114) Markup Summary #1

Sign Review (2)



Subject: Sign Review
Page Label: 1
Author: DWhiteman
Date: 8/8/2024 9:21:50 AM
Status:
Color: ■
Layer:
Space:

Section 60.100-F Dynamic displays may not be located within 200 feet of any of the following: (1) an R or AG-R district (other than street, highway or freeway right-of-way); (2) a residential development area. This separation distance does not apply if the dynamic display is not visible from the referenced district, area or lot, and the requirements may be modified in R, AG, and AG-R districts if approved through the special exception process. Required separation distances must be measured horizontally in a straight line from the nearest point on a sign structure to the nearest point of an R or AG-R district or residential development area boundary. REVIEW COMMENT: The proposed dynamic display sign appears to be located within 200 feet of an RS-3 Residential zoning district. You may pursue a variance from the Board of Adjustment to permit a digital sign to be located within 200 feet of an RS-3 zoning district.



DEVELOPMENT SERVICES

175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA

PLAN CORRECTIONS SUMMARY



Subject: Sign Review
Page Label: 1
Author: DWhiteman
Date: 8/8/2024 9:21:42 AM
Status:
Color:
Layer:
Space:

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 COMMENT: Please verify the distance from the leading edge of the dynamic display to the curb for 31st St. If it is less than 20', you will need to request a variance from the Board of Adjustment to permit a dynamic display to be located within 20' of a street curb. Either way please show the distance from the dynamic display to the curb on your site plan.

Prime Industrial / C.U.R.
Board of Adjustment Hardship

Prime Industrial / CUR has been in this Tulsa location for 18 years and has had the same sign, the same marquee to advertise Job Opportunities for the Public. I personally have had to repair that sign at least twice in the last years, from lighting to repairing the marquee tracks. They would like to update the marquee portion to a Digital Display.

Prime / CUR is a hiring service for multiple Manufacturers in Tulsa, with the old style marquee they are not able to advertise more than a couple of jobs available at a time. This not only hinders them but it also hinders the public who is looking for work. Being able to advertise multiple openings at a time would be ideal for both Prime / CUR and the Public.

While looking at the Zoning map it show that they are within the 200' of RM-2, however it also shows that they have a slight CS Commercial zone. If this sign was to be 5' to the South it would be in the CS zone but also close to the easement. The sign is 190' from the RM-2 zone to the North and 250' to the nearest house to the South, neither of which will be affected by the Digital Display.

Prime / CUR understands that if recommended the display be dimmed at night and shut off at a certain time at night and will comply with that recommendation.

Thank you for your time.

Justin Haynes

Precision Sign & Design.





A - 56' From Center of 31st
B - 100' Lot Front.
C - 80' Building Front.



