



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-470

Hearing Date: March 7, 2018

Case Report Prepared by:

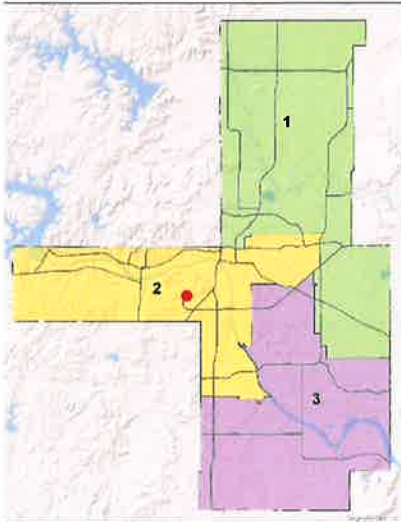
Jay Hoyt

Owner and Applicant Information:

Applicant: Thomas Barclay

Property Owner: BARCLAY, THOMAS NELL
& EDWARD LEE BARCLAY

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: vacant

Proposed Use: as allowed in CS

Concept summary: Rezone from RS to CS to permit commercial uses as allowed in CS.

Tract Size: 4.62 ± acres

Location: Northwest corner of West 41st Street
South & South 51st West Avenue

Zoning:

Existing Zoning: RS

Proposed Zoning: CS

Comprehensive Plan:

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9220

CZM: 45

Atlas: 257

County Commission District: 2

Commissioner Name: Karen Keith

311

SECTION I: CZ-470

DEVELOPMENT CONCEPT: Rezone from RS to CS in order to permit the marketing and possible future development of commercial uses, as allowed in CS, for the subject lot. No specific uses are proposed at this time.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)

DETAILED STAFF RECOMMENDATION:

CS zoning is non injurious to the existing proximate properties and;

CS zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-470 to rezone property from RS/ to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The Tulsa County District 9 plan designates the subject lot as being, Low Intensity within a Corridor along the Gilcrease Expressway. A new Berryhill Small Area Plan is currently being developed, which this lot would be located within, which will bring the plan for this area into a more up-to-date form.

Land Use Vision:

Land Use Plan map designation: Low Intensity / Corridor

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: W 41st St S is designated as a Secondary Arterial. A new interchange between the Gilcrease Expressway expansion and W 41st St S is currently planned approximately ¼ mile from the subject lot.

Trail System Master Plan Considerations: The site is located within ¼ mile of the Gilcrease West Trail

Small Area Plan: Subject lot will be located within the Berryhill Small Area Plan, currently being developed.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject lot is currently vacant except for a barn and single-family home that appear to no longer be in use.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
W 41 st St S	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	RS	N/A	N/A	Single-Family
South	IR	N/A	N/A	Vacant
East	RS	N/A	N/A	Vacant/Single-Family
West	RS	N/A	N/A	Single-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property: No relevant history.

Surrounding Property:

CBOA-2612 January 2017: The Board of Adjustment **approved** a *special exception* to allow auto repair and service (Use Unit 17) in the CS District (Section 710); and a *variance* of the screening requirement along the north lot line (Section 1217), on property located at the northeast corner of South 49th West Avenue and West 41st Street South.

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PUD-824/CZ-437 January 2015: All concurred in **approval** of a proposed *Planned Unit Development* on a 21.85+ acre tract of land; and **approval** of a request for *rezoning* from AG to RM-2/CG/PUD-824 on property located west of the southwest corner of West 41st Street South and South 49th West Avenue.

CBOA-2352 November 2009: The Board of Adjustment **approved** a *special exception* to permit a church use (Use Unit 5) in an IL district (Section 910), on property located west of the southwest corner of West 41st Street South and South 49th West Avenue.

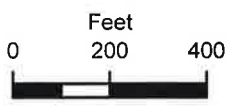
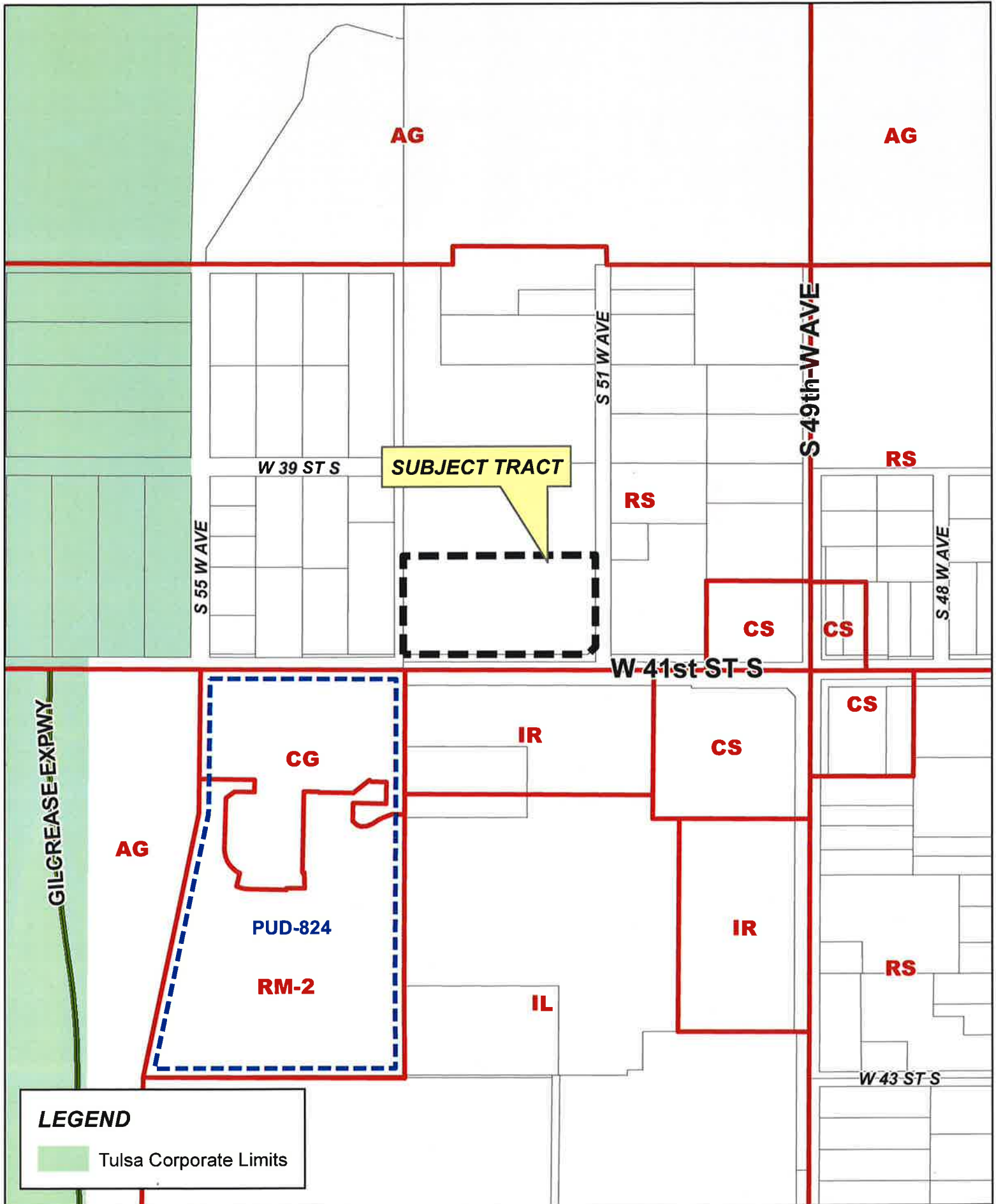
CBOA-2268 June 2007: The Board of Adjustment **approved** a *special exception*, with conditions, to permit a fireworks stand, a pumpkin patch, and Christmas tree sales (Use unit 2) in a CS district; and **approved** a *variance* of the paving requirement to permit a temporary gravel driving surface, on property located west of the southwest corner of West 41st Street South and South 49th West Avenue.

CBOA-2090 April 2004: The Board of Adjustment **approved** a *special exception* to allow an Electrical Contracting business in the CS district and **denied** a *special exception* to allow a gravel parking area, on property located at the southeast corner of South 49th West Avenue and West 41st Street South.

CZ-162 January 1988: All concurred in **approval** of a request for rezoning a 40+ acre tract of land from AG to CS/IR/IL for commercial and light industrial on property located on the southwest corner of West 41st Street South and South 49th West Avenue.

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CZ-470

19-12 20





W 39 ST S

S 55 W AVE

S 51 W AVE

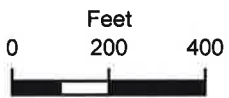
S 49th W AVE

S 48 W AVE

W 41st ST S

GILCREASE EXPWY

W 43 ST S



Subject Tract

CZ-470

19-12 20

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

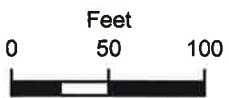
Aerial Photo Date: February 2016





S 51st WAVE

W 41st ST S



Subject Tract

CZ-470

19-12 20

31.7

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

Aerial Photo Date: February 2016

