



Tulsa Metropolitan Area Planning Commission

Case Number: CZ-475

Hearing Date: September 19, 2018

Case Report Prepared by:

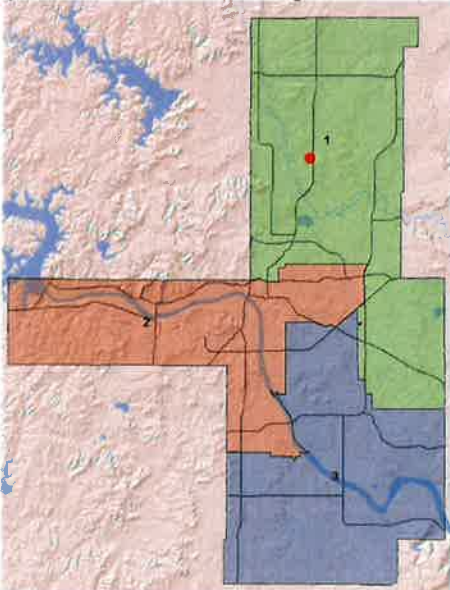
Jay Hoyt

Owner and Applicant Information:

Applicant: Robert Bird

Property Owner: LAWRENCE, RON LIVING TRUST

**Location Map:
(shown with County Commission Districts)**



Applicant Proposal:

Present Use: vacant

Proposed Use: commercial uses

Concept summary: Rezone from RMH to CH in order to market for commercial uses.

Tract Size: 8.4 ± acres

Location: N. & W. of NW/c of N. HWY 75 & E. 86th St. N.

Zoning:

Existing Zoning: RMH

Proposed Zoning: CH

Comprehensive Plan:

Land Use Map:

Stability and Growth Map:

Staff Recommendation:

Staff recommends denial for CH but recommends approval for CS.

Staff Data:

TRS: 1321

CZM: 16

Atlas: N/A

County Commission District: 1

Commissioner Name: Mike Craddock

SECTION I: CZ-475

DEVELOPMENT CONCEPT: The applicant has requested CH zoning in order to permit the marketing and possible future development of commercial uses on the subject lot. No specific uses are planned at this time.

EXHIBITS:

INCOG Case map
INCOG Aerial

DETAILED STAFF RECOMMENDATION:

Staff recommends denial of CZ-475 to rezone property from RMH to CH however **staff recommends approval for CS zoning.**

DETAILED STAFF RECOMMENDATION:

CH zoning is not consistent with expected development pattern in the area, and

CH zoning is not compatible with the existing development pattern in the area and the uses allowed in CH zoning may be injurious to the surrounding property, and

CH zoning does not provide the use limitations or design standards necessary to satisfy the guidelines defined in the comprehensive plan, and

CS zoning has already been established in the area and is more consistent with the expected development pattern and uses that are contemplated in the comprehensive plan therefore,

Staff recommends denial of CZ-475 to rezone property from RMH to CH. The uses and development standards allowed in CS zoning are more consistent with the highway 75 corridor development area and we recommend approval of CS zoning at this location.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

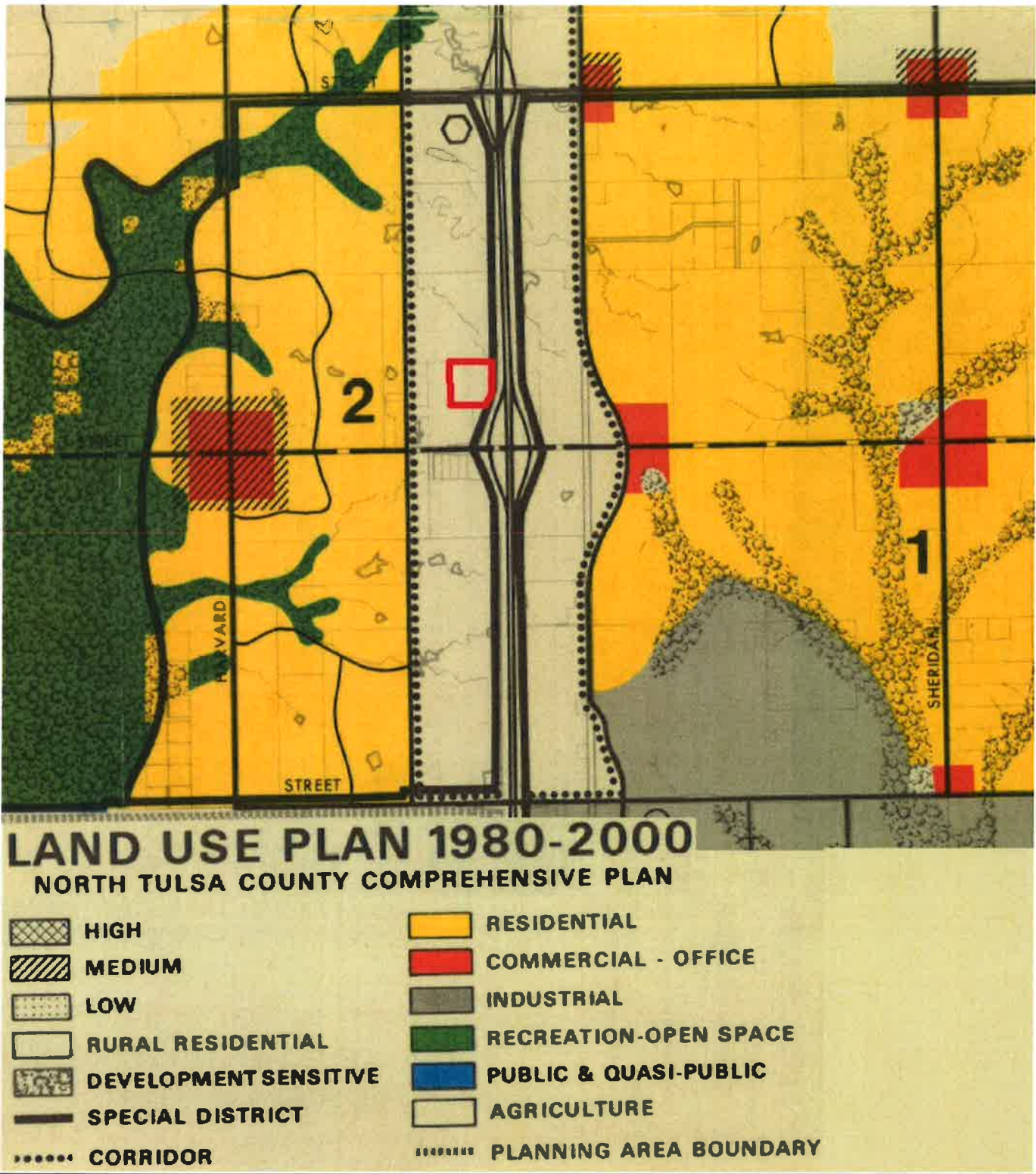
Staff Summary: This area is outside of the City of Tulsa Comprehensive Plan area. The area is called out as a Corridor in the North Tulsa County Comprehensive Plan 1980-2000.

Corridors are defined as specific areas located along expressways and are to contain major employment and region serving functions in concert with a medium to high intensity residential base.

The comprehensive plan illustrates this area with a maximum non-residential development density of approximately 50% which is consistent with the maximum floor area ratio in a CS zoned district. Corridor district zoning could allow a higher density development with a higher utilization of setbacks, buffering uses and other separations and other design considerations beyond CH zoning standards to be compatible with low intensity development.

CH zoning does not provide those guidelines.

5.2



Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: N/A

Trail System Master Plan Considerations: None

Small Area Plan: N/A

Special District Considerations: N/A

Historic Preservation Overlay: N/A

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently vacant land.*

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
Frontage Road	None	N/A	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	AG	N/A	N/A	Vacant/Agricultural
South	CS	N/A	N/A	Commercial
East	AG	N/A	N/A	Hwy 75
West	AG	N/A	N/A	Single-Family

SECTION III: Relevant Zoning History

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

Subject Property:

Z-3909 June 1971: All concurred in **approval** of a request for *rezoning* a 47± acre tract of land from AG to RMH on property located north of the northwest corner of East 86th Street North and HWY 75, a portion of the subject property.

Z-3861 January 1971: All concurred in **denial** of a request for *rezoning* a 10± acre tract of land from AG to IM on property located west of the northwest corner of East 86th Street North and HWY 75; a portion of the subject property.

5.4

Z-3847 December 1970: All concurred in **denial** of a request for *rezoning* a tract of land from AG to IM on property located north of the northwest corner of East 86th Street North and HWY 75, a portion of the subject property. Applicant appealed then withdrew the application.

Surrounding Property:

CZ-385 March 2007: All concurred in **approval** of a request for *rezoning* an 80± acre tract of land from AG to RS/OL/CS on property located on the southeast corner of East 86th Street North and North Harvard Avenue.

CZ-306 May 2002: All concurred in **approval** of a request for *rezoning* a 6.6± acre tract of land from AG to CS on property located on the northeast corner of East 86th Street North and HWY 75.

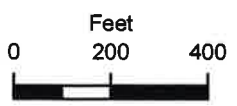
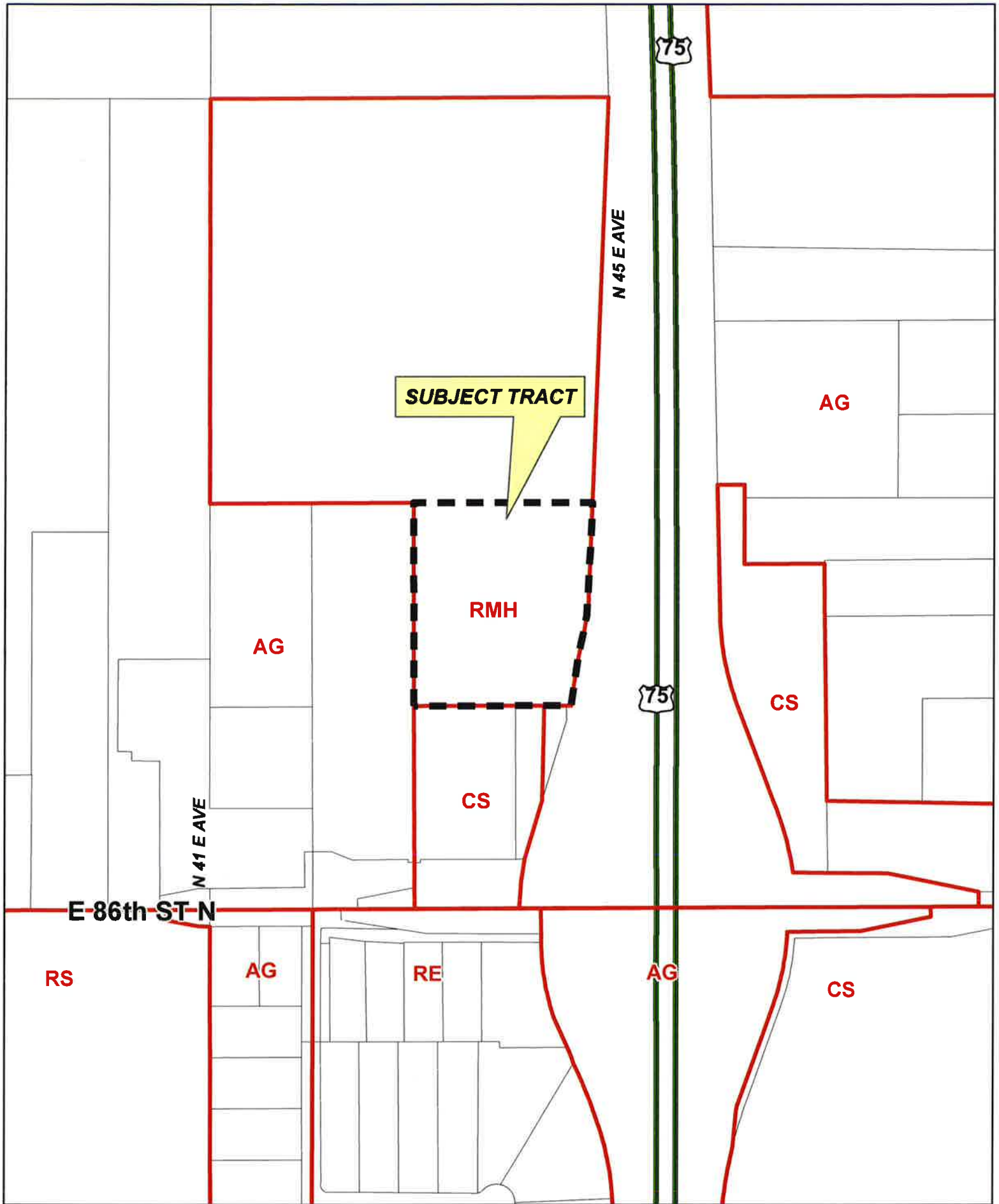
CZ-214 December 1994: All concurred in **approval** of a request for *rezoning* a 3.7± acre tract of land from AG to CS on property located on the northwest corner of East 86th Street North and North Yale Avenue. The request was to rezone from AG to CG.

CBOA-1014 April 1991: The Board of Adjustment **approved**, per conditions, a *variance* for the maximum 60' height limitation for a transmitting tower to 360' in a CS zoned district, on property located west of the northwest corner of East 86th Street North and U.S. Highway 75.

CZ-97 December 1983: A request to *rezone* a 5.91± tract located on the northwest corner of East 86th Street North and U.S. Highway 75 from AG to CS. Staff recommended denial with TMAPC approving the south 330 feet of the tract for CS Zoning; The County Commission **approved** CS on the entire 5.91 acres.

9/19/2018 1:30 PM

5.5



CZ-475

21-13 21

5.6 



75

N 45 E AVE

75

N 41 E AVE

E 86th ST N



Subject Tract

CZ-475

21-13 21

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

Aerial Photo Date: February 2018

