

O-1213-13

ITEM NO. 13a

STAFF REPORT

GENERAL INFORMATION

APPLICANT	Absentee Shawnee Tribe of Oklahoma Daycare
REQUESTED ACTION	Amendment of the 185' setback line established by Ordinance No. 1862 (February 1966)
EXISTING ZONING	TC, Tourist Commercial District
SURROUNDING ZONING	North: PUD, Planned Unit Development East: TC, Tourist Commercial South: A-2, Rural Agricultural District West: TC, Tourist Commercial
LOCATION	North side of Little Axe Drive approximately 775' east of 156 th Avenue N.E.
SIZE	2.5 Acres
PURPOSE	Daycare Facility
EXISTING LAND USE	Vacant
SURROUNDING LAND USE	North: Institutional East: Vacant South: Casino/Restaurant West: Vacant
2025 LAND USE PLAN DESIGNATION	Commercial

SYNOPSIS: This is a request for an amendment to the setback requirement of an existing zoning ordinance, No. 1862. In February, 1966 this ordinance established a 185-foot building setback line from the section line road in existence at that time. The submitted proposal at that time was an intense retail development with a proposed sporting good store, lodge, tourist retail store and cafe. The intent was to keep these uses as far from Highway No. 9 as possible. As a result, the 185-foot building setback was imposed. The applicant, Absentee Shawnee Tribe of Oklahoma, has recently improved the land which includes the Absentee Shawnee Tribe Health Center located on the property. This development removed the direct access from Highway No. 9 and created a cul-de-sac on what was previously E. Robinson

St./Little Axe Drive where the connection to the section line road previously existed. As a result of the removal of the connection with Highway No. 9 and the type of development that has occurred and is proposed, there is no need for the setback to remain in place. The standard 50-foot setback requirement is proposed in its place. The 185-foot setback would run through the side of the proposed daycare facility as it is proposed, creating an issue for the applicant.

STAFF RECOMMENDATION: The 185-foot setback is no longer needed and the standard 50-foot setback is appropriate. Staff supports this request and recommends approval of Ordinance No. O-1213-13.