



City of Broken Arrow

Request for Action

File #: 22-638, **Version:** 1

Broken Arrow Planning Commission
05-26-2022

To: **Chairman and Commission Members**
From: **Community Development Department**
Title:

Public hearing, consideration, and possible action regarding BAZ-2109 (Rezoning), Blue Bull Capital LLC Property, 1.05 acres, A-R-1 (Annexed Single-Family Residential) to R-2 (Single-Family Residential), north of Jasper Street (131st Street), one-half mile east of Aspen Avenue (145th E. Avenue) at 12952 South 152nd East Avenue

Background:

Applicant:	Gabe Walker
Owner:	Blue Bull Capital LLC
Developer:	Blue Bull Capital LLC
Engineer:	N/A
Location:	North of Jasper Street (131st Street), one-half mile east of Aspen Avenue (145th E. Avenue)
Size of Tract	1.05 acres
Number of Lots:	1
Present Zoning:	A-R-1 (Single-Family Residential)
Proposed Zoning:	R-2 (Single-Family Residential)
Comp Plan:	Level 2 (Urban Residential)

BAZ-2109 is a request to change the zoning designation on 1.05 acres from A-R-1 (Annexed Single-Family Residential) to R-2 (Single-Family Residential). The property is located north of Jasper Street (131st Street), one-half mile east of Aspen Avenue (145th E. Avenue) at 12952 South 152nd East Avenue and is not platted. This item was continued from the May 12, 2022 Planning Commission meeting.

As a result of being annexed into Broken Arrow City Limits in May of 2002, the property's current zoning designation is transitional Annexed Single-Family Residential. With BAL-2165, a companion item on this agenda, the applicant has also applied to split the lot into two approximately one-half acre lots for the purpose of constructing a new single-family residence on the north lot. The south lot currently has a single-family residence.

According to Chapter 1 Section 4.B.7 of The Broken Arrow Zoning Ordinance, no new use may be commenced on unplattd property with transitional zoning without obtaining appropriate conventional zoning. Splitting the lot represents the potential for a new use due to there being only one residential home on the lot as presently

configured. The request to rezone the property to a conventional zoning designation of R-2 for the purpose of splitting the lot and constructing a new single-family residence maintains compliance with the Zoning Ordinance.

In the Planning Commission meeting of May 12, 2022, two citizens spoke in opposition to this request as they were not in favor of the applicant splitting the lot to construct a new single-family home. Concerns that were cited include density, construction noise, traffic, and the potential removal of trees.

According to the legal descriptions and exhibit submitted by the applicant for the lot split they have requested in conjunction with this rezoning request, the north lot would have approximately 147 feet of frontage onto S 152nd E Ave, and the south lot would have approximately 132 feet of frontage onto S 152nd E Ave and 164 feet onto Jasper Street. As the lot is requested to be split into two approximately one-half-acre lots, they would have around 22,000 square feet of area each.

The minimum frontage required by the Zoning Ordinance for a lot in the R-2 zoning district is 70 feet, and the minimum lot size required is 8,000 square feet. According to Tulsa County records, S 152nd E Ave is owned by Tulsa County and measures approximately 20-feet wide.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The surrounding properties contain the following uses, along with the following development guide and zoning designations:

Location	Comprehensive Plan	Zoning	Land Use
North	Level 2	R-2	Single Family Residential
East	Level 2	A-1	Single Family Residential
South	Level 10	R-2 & SP-272	Golf Course
West	Level 2	A-R-1	Single Family Residential

According to FEMA's National Flood Hazard Layer, none of the property is located in the 100-year floodplain.

The property is designated as Level 2 in the Comprehensive Plan. The R-2 zoning being requested is in accordance with the Comprehensive Plan in Level 2.

Attachments:

BAZ-2109 Aerial Image
Case Map for BAZ-2109
Case Map for BAL-2165
Comprehensive Plan
Tulsa County Map of Area Lots

Recommendation:

Based upon the Comprehensive Plan, the location of the property, unique conditions associated with the property, and the surrounding land uses, Staff recommends that BAZ-2109 be approved subject to the following:

1. Waiver of platting.
2. A 17.5-foot utility easement be provided along Jasper Street (131st Street) and South 152nd East Avenue for the whole frontage of the property.

Reviewed by: Jill Ferenc

Approved by: Larry R. Curtis

LMS