



City of Broken Arrow

Request for Action

File #: 19-547, **Version:** 1

Broken Arrow Planning Commission

05-23-2019

To: Chairman and Commission Members

From: Development Services Department

Title: Public hearing, consideration, and possible action regarding BAZ-2027, Callaway Project, 7.03 acres, A-1 to RD, one-eighth mile south of Jasper Street (131st Street), east of Olive Avenue (129th E. Avenue)

Background:

Applicant: Cody D. Callaway

Owner: The Callaway Family Revocable Trust DTD

Developer: Randall and Jan Stickney

Engineer: NA

Location: One-eighth mile south of Jasper Street (131st Street), east of Olive Avenue (129th E. Avenue)

Size of Tract 7.03 acres

Number of Lots: 1

Present Zoning: A-1

Proposed Zoning: RD

Comp Plan: Level 3 (Transition Area)

BAZ-2027 is a request to change the zoning designation on 7.03-acres from A-1 (Agricultural) to RD (Residential Duplex). The unplatted property is located one-eighth mile east south of Jasper Street (131st Street), east of Olive Avenue.

Applicant is proposing to sell the property associated with BAZ-2027 to a couple who wants to build a 5,500 square foot single story single-family detached home on the property. It is their desire to split the property into two lots and build their home on one of the lots. They plan to sell the remaining parcel to someone else who wants to build a single-family detached home.

The property is presently zoned A-1. In the A-1 district, the minimum lot size is five acres and the minimum lot frontage is 330 feet. Therefore, the property cannot be split and meet the minimum lot size and frontage requirements of the A-1 district. The property is designated as Level 3 (Transition Area) in the Comprehensive Plan. RD zoning, which allows single-family detached homes, is considered to be in accordance with the Comprehensive Plan. Conversely, in the Comprehensive Plan, the R-2 and RS-2 districts are identified as “possible” in Level 3. According to the Comprehensive Plan, “It may also be appropriate for R-2, RS-2, and RS-3 zoning district to occur within Level 3 under the following circumstances:

- The proposed R-2, RS-2, or RS-3 zoning in Level 3 is an extension of an adjacent R-2, RS-2, R-3, or RS-3 district and would not preclude access to a potential higher intensity use from an arterial street, or
- The proposed R-2, RS-2, or RS-3 zoning is part of a planned unit development with attention given to screening and buffering the single-family uses from potential higher intensity use.

While there is R-2 and RS-3 zoning a short distance to the east, it is not adjacent to the property associated with BAZ-2027. Since single-family detached is a permitted use in the RD, and since RD zoning is considered to be in conformance with the Comprehensive Plan, applicant has submitted a request to change the zoning from A-1 to RD with the desire to split the property into two lots and construct one single-family detached structure on each lot.

The existing parcel was created in 2017 as part of BAZ-2015 that split a 14.02 parcel into two lots. As part of the lot split process, right-of-way and utility easements were dedicated along Olive Avenue and Jasper Street in accordance with the Subdivision Regulations for the entire 14.02 acres.

Surrounding land uses and zoning classifications include the following:

North:	A-1 (CN approved via BAZ-1944)	Undeveloped
East:	AG (Tulsa County)	Large lot single-family residential
South:	AG (Tulsa County)	Large lot single-family residential
West:	RS (Tulsa County)	Single-family residential

The Future Development Guide of the Comprehensive Plan shows the site to be designated as a Level 3. The RD zoning being requested is considered to be in accordance with the Comprehensive Plan in Level 3.

On April 26, 2019, applicant mailed a letter to all the property owners on the radius report list informing them that he intends to divide the property into two 3.5 acre estate lots with each lot containing one single-family estate home. According to the applicant, the response he has received has been positive.

Attachments: Case map for BAZ-2027
Aerial photo
Comprehensive Plan
Conceptual site plan and floor plan for proposed single-family structure
Letter sent by applicant to surrounding property owners

Recommendation:

The RD zoning requested with BAZ-2027 is in conformance with the Comprehensive Plan. If the rezoning is approved, it is applicant's intent to split the property and build one single-family detached structure on each lot. Zoning, however, goes with the property and not the property owner. Single-family detached, single-family attached, and duplex are all uses that are allowed in the RD district.

Therefore, based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-2027 be approved subject to the property being platted. The platting requirement shall apply only if the property were to have duplex or single-family attached units. Staff can recommend that platting be waived for instances where a lot split is submitted that divides the property into only two lots. On the warranty deeds associated with the lot split, it shall specifically state that on each warranty deed that the

property can only be used for one single-family-detached residence.

Reviewed and approved by: Larry R. Curtis

BDM