



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-502

Hearing Date: July 15th, 2020

Case Report Prepared by:

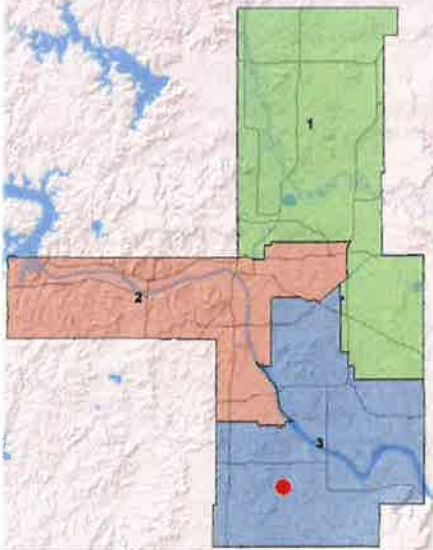
Jay Hoyt

Owner and Applicant Information:

Applicant: Ryan McCarty

Property Owner: DD&R Properties, LLC

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



Applicant Proposal:

Present Use: Residential/Agriculture

Proposed Use: Residential/Agriculture

Concept summary: Rezone from AG to AG-R for single family and agricultural uses.

Tract Size: 40 ± acres

Location: Northwest corner of East 171st Street South & South Harvard Avenue

Zoning:

Existing Zoning: AG

Proposed Zoning: AG-R

Comprehensive Plan:

Land Use Map: Rural Residential /
Neighborhood Commercial / Commercial

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 7329

CZM: 66

City Council District: N/A

Councilor Name: N/A

County Commission District: 3

Commissioner Name: Ron Peters

10.1

SECTION I: CZ-502

DEVELOPMENT CONCEPT: The applicant is proposing to rezone from AG to AG-R in order to construct single family residences with agricultural uses allowed. The site plan provided by the applicant shows the subject lot being divided into two 20 acres lots. If AG-R zoning is approved, it would allow lots with a minimum 1.1 acre area. These lots would be established as part of the platting process required with rezoning or if splitting the subject lot into more than four lots. The site is primarily located within the Rural Residential designation of the Tulsa County and City of Bixby Comprehensive Plans. The portions near the intersection of S Harvard Ave and E 171st St S contain areas of Neighborhood Commercial and Commercial designations. Given the current zoning of the area, current use and anticipated use, the proposal to rezone the subject lot to AG-R would be compatible with the development pattern of the area.

EXHIBITS:

- INCOG Case map
- INCOG Aerial
- Tulsa Comprehensive Plan Land Use Map
- Applicant Exhibits:
 - Site Plan - Plat of Survey

DETAILED STAFF RECOMMENDATION:

CZ-502 is non-injurious to surrounding proximate properties;

CZ-502 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends **Approval** of CZ-502 to rezone property from AG to AG-R.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is located within the City of Bixby Comprehensive Plan Area, adopted January 14, 2019, and within the Tulsa County Comprehensive Plan, adopted June 19, 2019. It is designated as "Rural Residential, Neighborhood Commercial, and Commercial." See the description of this designation below as well as the attached Comprehensive Plan Map.

*The **Rural Residential designation** denotes areas that have large-lot detached residential development in natural / rural portions of the City. Development in this designation should retain the rural character of the area and will be relatively low in density. However, these areas should offer sufficient access to schools, parks, trails, and open spaces to maintain the quality of life in the rural setting, and may allow limited commercial uses that support the surrounding rural area.*

*The **Neighborhood Commercial designation** denotes areas that provide goods and services to meet the frequent shopping needs of residents. Development shall have access to major roads and provide opportunities for walking and biking from nearby residential areas.*

10.2

The Commercial designation denotes areas that create retail and commercial destinations for City residents, as well as others throughout the region. This designation may also support offices and business parks. Development shall have direct access to major roads and transit.

Land Use Vision:

Land Use Plan map designation: Rural Residential, Neighborhood Commercial, and Commercial

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: E 171st St S is designated as a Primary Arterial and S Harvard Ave is designated as a Secondary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently contains a single family residence and agricultural uses with associated structures.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E 171 st St S	Primary Arterial	120 Feet	2
S Harvard Ave	Secondary Arterial	100 Feet	2

Utilities:

The subject tract has municipal water available. An ODEQ approved system will be required for sewer service.

10.3

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Rural Residential	N/A	Single Family/Agricultural
South	AG	Rural Residential/ Neighborhood Commercial/ Commercial	N/A	Single Family/Agricultural
East	AG	Rural Residential/ Neighborhood Commercial/ Commercial	N/A	Vacant
West	RE-PUD-846	Rural Residential	N/A	Single Family

SECTION III: Relevant Zoning History

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

Subject Property:

No Relevant History.

Surrounding Property:

CZ-496 January 2020: All concurred in **approval** of a request to rezone a 272.68± acre tract of land from RE/PUD-848 to AG-R for residential, on property located south and east of the southeast corner of East 161st Street South & South Lewis Avenue.

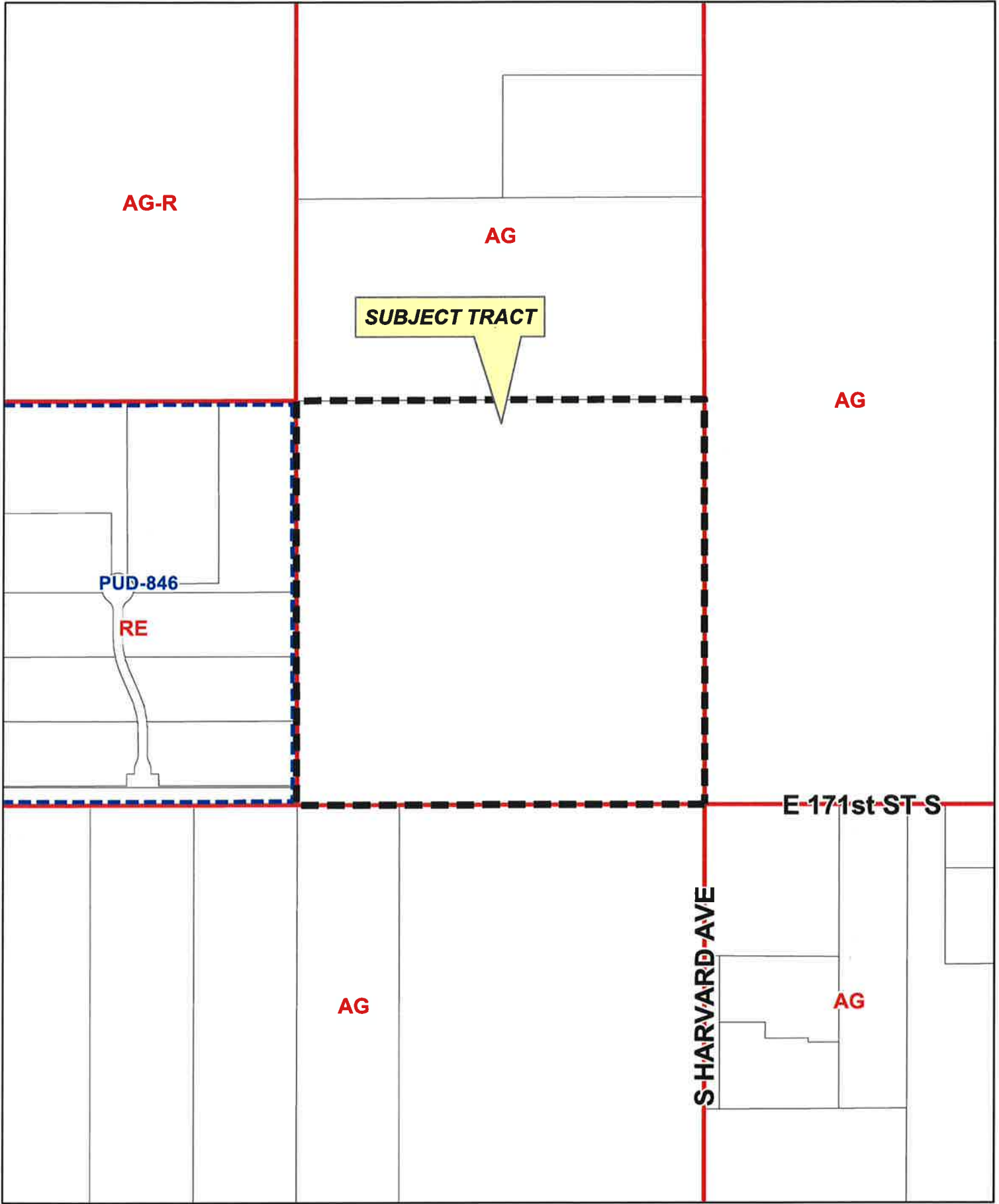
PUD-848-A January 2020: All concurred in **approval** of a proposed *Major Amendment to Abandon* a PUD on a 272.68± acre tract of land, on property located south and east of the southeast corner of East 161st Street South & South Lewis Avenue.

CZ-474/PUD-848 October 2018: All concurred in **approval** of a request to rezone a 272.68± acre tract of land from AG to RE and **approval** of a proposed *Planned Unit Development* for residential, on property located south and east of the southeast corner of East 161st Street South & South Lewis Avenue.

CZ-460/PUD-846 July 2017: All concurred in **approval** of a request to rezone a 30± acre tract of land from AG to RE and **approval** of a proposed *Planned Unit Development* for a Single-family subdivision, on property located west of the northwest corner of 171st Street South & South Harvard Avenue.

CBOA-2631 May 2017: The Board of Adjustment **approved** a *Variance* of the lot area and land area per dwelling unit and a *Variance* of the minimum lot width to permit a lot-split in the AG District, subject to the conceptual plan 5.8 in the agenda packet and that there will only be one dwelling per lot, finding the hardship to be the other lots in the area are of the same size or comparable in size and the applicant has 107 feet of frontage, on property located at 17219 South Harvard East. There us to be only one dwelling per lot.

10.4



AG-R

AG

SUBJECT TRACT

AG

PUD-846

RE

E 171st ST S

AG

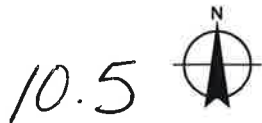
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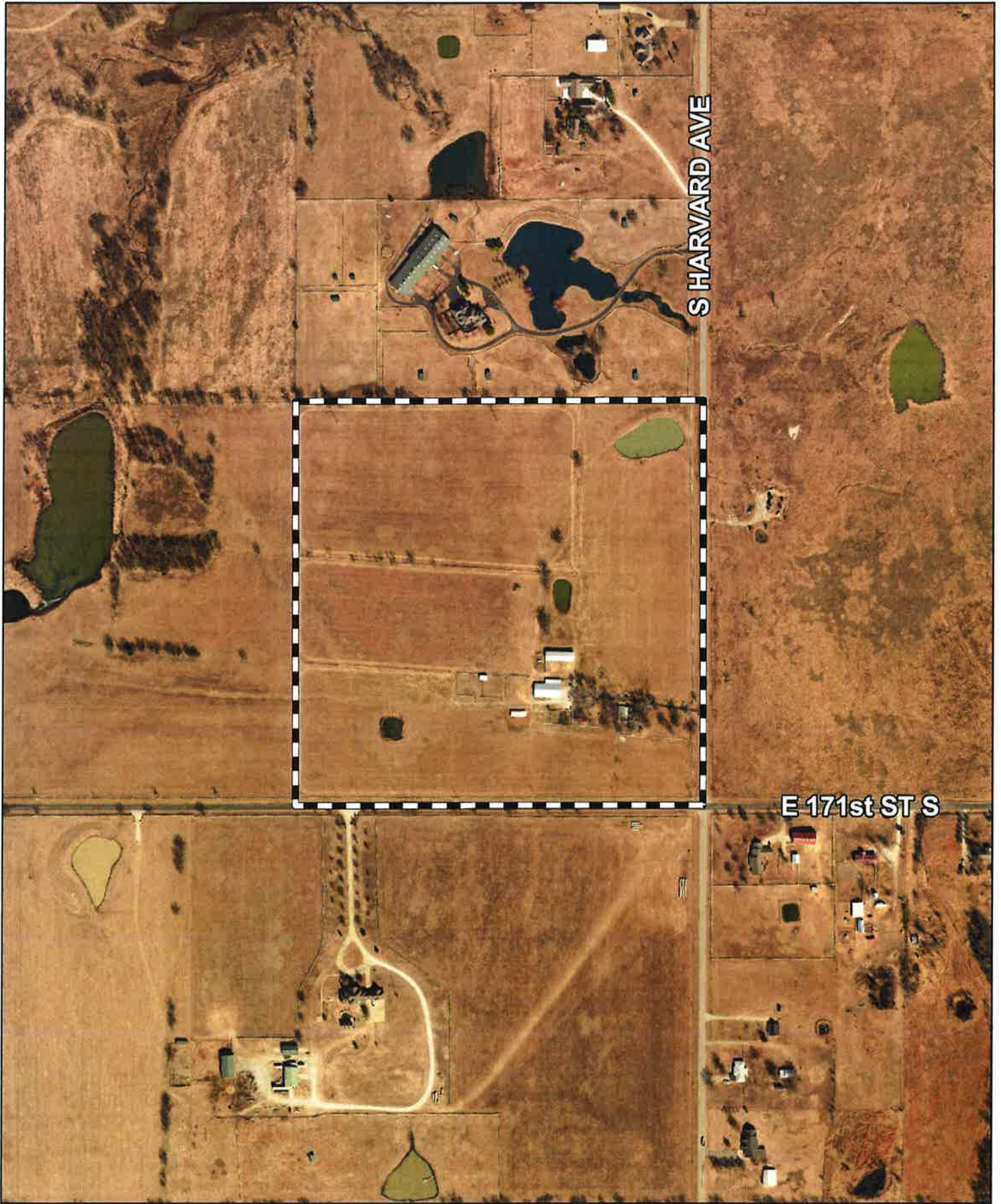
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CZ-502

17-13 29





S HARVARD AVE

E 171st ST S



Subject Tract

CZ-502

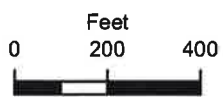
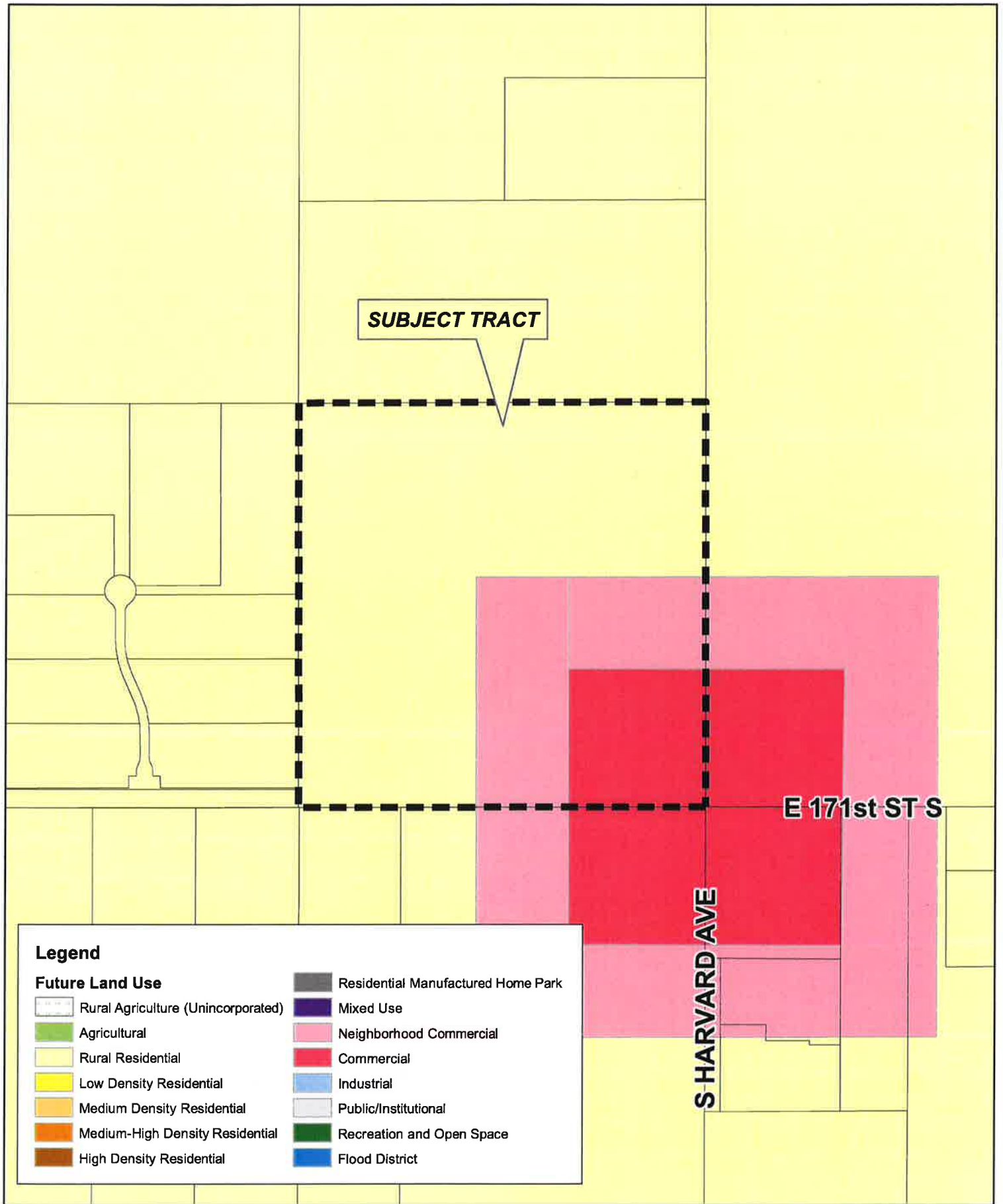
17-13 29

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

Aerial Photo Date: February 2018



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CZ-502

17-13 29

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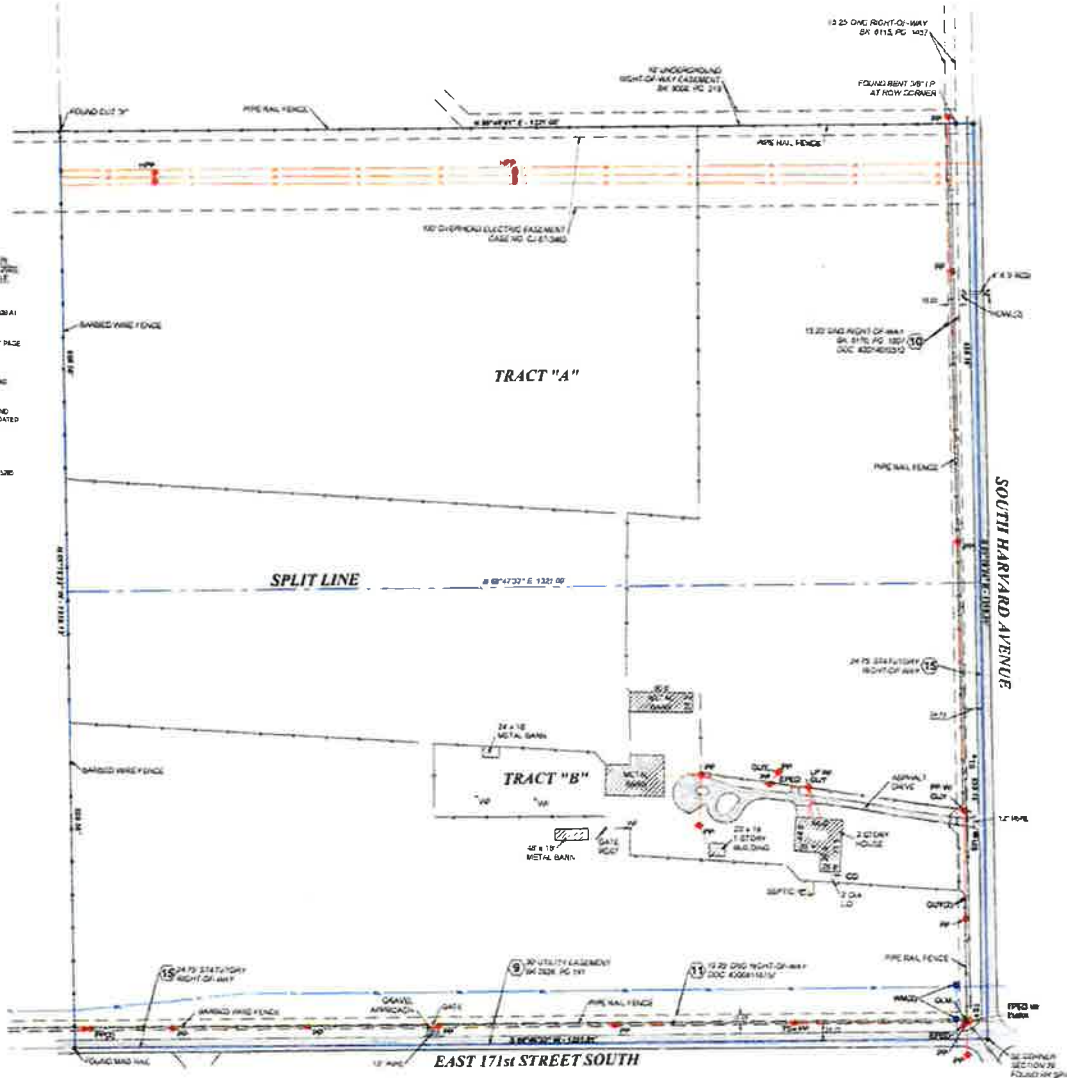
LEGAL DESCRIPTION - PARENT TRACT AS PROVIDED - WD DOC. 2017082899
 THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-NINE (29), TOWNSHIP SEVENTEEN (17), NORTH RANGE THIRTY-EIGHT (38), EAST OF THE IRON HILLS AND MIDLAND TULSA COUNTY STATE OF OKLAHOMA ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF. SAID TRACT OF LAND CONTAINS 64 3/8 AC. OR 22.20 ACRES.

LEGAL DESCRIPTION - TRACT "A" 20.00 ACRES
 THE NORTH HALF (1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-NINE (29), TOWNSHIP SEVENTEEN (17), NORTH RANGE THIRTY-EIGHT (38), EAST OF THE IRON HILLS AND MIDLAND TULSA COUNTY STATE OF OKLAHOMA ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF. SAID TRACT OF LAND CONTAINS 64 3/8 AC. OR 22.20 ACRES.

LEGAL DESCRIPTION - TRACT "B" 20.00 ACRES
 THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWENTY-NINE (29), TOWNSHIP SEVENTEEN (17), NORTH RANGE THIRTY-EIGHT (38), EAST OF THE IRON HILLS AND MIDLAND TULSA COUNTY STATE OF OKLAHOMA ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF. SAID TRACT OF LAND CONTAINS 64 3/8 AC. OR 22.20 ACRES.

- TRACT "A" ONLY. THE FOLLOWING RECORDED DOCUMENTS THAT HAVE BEEN PROVIDED IN SCHEDULE B, SECTION OF TITLE COMMITMENT NO. 2019-0123, EFFECTIVE DATE: MAY 5, 2022, AT 7:55 AM BY BRYANT, TITLE & ESCROW SERVICES, INC. AND FORTY NATIONAL TITLE INSURANCE COMPANY AFFECT THE SUBJECT PROPERTY AND INTERESTS:
10. 0. 1/4 INTEREST CASHMENT IN FAVOR OF JULIA, AND DISTRICT NO. 8 OKMILLAGE COUNTY, ACCORDING TO A BOOK 3808 AT PAGE 21.
 10. 0. 1/4 INTEREST CASHMENT IN FAVOR OF SUBJECT PROPERTY AS SHOWN HEREON.
 10. 1. 20. 0. 1/4 INTEREST IN FAVOR OF OKMILLAGE COUNTY, ACCORDING TO A BOOK 3808 AT PAGE 21.
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- LEGEND**
- ELECTRIC METER
 - POWER POLE
 - LIGHT POLE
 - ELECTRIC DISTRIBUTION
 - ELECTRIC TRANSFORMER
 - GUY WIRE
 - GAS METER
 - GAS VALVE
 - CAS REGULATOR
 - TELEPHONE FEEDSTOCK
 - CABLE TV FEEDSTOCK
 - TELEPHONE MANHOLE
 - CLEAN OUT
 - SANITARY SEWER LAMP HOLE
 - SANITARY SEWER MANHOLE
 - SANITARY SEWER MANHOLE
 - SINGLE GRATE DRAIN INLET
 - DOUBLE GRATE DRAIN INLET
 - SEWAGE SEWER MANHOLE
 - HOOD DRAIN
 - AVAIL DRAIN
 - WATER METER
 - WATER VALVE
 - FIRE HYDRANT
 - SPRINKLER HEAD
 - IRRIGATION CONTROL VALVE
 - AUTO SPRINKLER
 - PARKING METER
 - TRAFFIC SIGNAL LIGHT POLE
 - TRAFFIC SIGNAL MANHOLE
 - TRAFFIC SIGN
 - QUAD POST
 - FLAG POLE
 - GROUND LIGHT
 - MAIL BOX
 - UTILITY MARKER
 - MONITORING WELL
 - OVERHEAD ELECTRIC
 - UNDERGROUND ELECTRIC
 - REINFORCED CONCRETE PIPE
 - CONCRETE METAL PIPE
 - STORM SEWER
 - OVERHEAD COMMUNICATION
 - UNDERGROUND COMMUNICATION
 - UNDERGROUND GAS
 - UNDERGROUND GAS
 - SANITARY SEWER
 - WATER LINE
 - FEEDLINE
 - TOPPOPE OR SLOPE



SURVEYOR'S NOTES
 FIELD ADDRESS: 1310 S HARVARD AVE S, MARIETTA, GA 30067
 RECORDS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (2011) ON THE NORTH AMERICAN DATUM 1983 (NAD83) USING THE SOUTH LINE OF THE SW 1/4 OF SECTION 29 AS S 93°46'32\"/>

STATEMENT AND RECORDS
 ANY RECORDS OR DOCUMENTS REVEALING A RADIUS LINE BEYOND THE TULSA COUNTY CLERK'S LAND RECORDS ARE SHOWN HEREON. EASEMENTS OF RECORDS MAY EXIST THAT ARE NOT SHOWN. A CURRENT TITLE EXAMINATION HAS REVEALED THAT THE FOLLOWING EASEMENTS AFFECTING EASEMENTS ARE SHOWN HEREON:
 SUBJECT PROPERTY IS ZONED R-100 (RESIDENTIAL SINGLE-FAMILY).
 THE 1310 S HARVARD AVE S, MARIETTA, GA 30067, IS A PART OF THE 1310 S HARVARD AVE S, MARIETTA, GA 30067, WHICH IS A PART OF THE 1310 S HARVARD AVE S, MARIETTA, GA 30067. THE 1310 S HARVARD AVE S, MARIETTA, GA 30067, IS A PART OF THE 1310 S HARVARD AVE S, MARIETTA, GA 30067.
 ALL UTILITIES MAY NOT BE SHOWN. CALL 811 600 522 2413.

CERTIFICATE OF SURVEY
 I, ANDY HUNT, A PROFESSIONAL LAND SURVEYOR, UNDER EMPLOYMENT OF PROFESSIONAL LAND SURVEYORS, STATE THAT THIS PLAT OF SURVEY IS A TRUE AND ACCURATE REPRODUCTION OF THE SURVEY MADE BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PLAT IS A TRUE AND ACCURATE REPRODUCTION OF THE SURVEY MADE BY ME OR UNDER MY SUPERVISION. I, ANDY HUNT, A PROFESSIONAL LAND SURVEYOR, UNDER EMPLOYMENT OF PROFESSIONAL LAND SURVEYORS, STATE THAT THIS PLAT OF SURVEY IS A TRUE AND ACCURATE REPRODUCTION OF THE SURVEY MADE BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PLAT IS A TRUE AND ACCURATE REPRODUCTION OF THE SURVEY MADE BY ME OR UNDER MY SUPERVISION.
 ANDY HUNT
 LAND SURVEYOR
 1310 S HARVARD AVE S, MARIETTA, GA 30067
 ANDY HUNT 1310 S HARVARD AVE S, MARIETTA, GA 30067
 1310 S HARVARD AVE S, MARIETTA, GA 30067

PLAT OF SURVEY
 1310 S HARVARD AVE S, MARIETTA, GA 30067
 SURVEYED BY ANDY HUNT, LAND SURVEYOR, ON 10/12/2024.
 SURVEYED BY ANDY HUNT, LAND SURVEYOR, ON 10/12/2024.
 SURVEYED BY ANDY HUNT, LAND SURVEYOR, ON 10/12/2024.
 SURVEYED BY ANDY HUNT, LAND SURVEYOR, ON 10/12/2024.

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