



Tulsa Metropolitan Area
Planning Commission

Case : MR-2 – The Summit at Tulsa Hills

Hearing Date: January 16, 2019
(Continued from: December 19, 2018)

Case Report Prepared by:

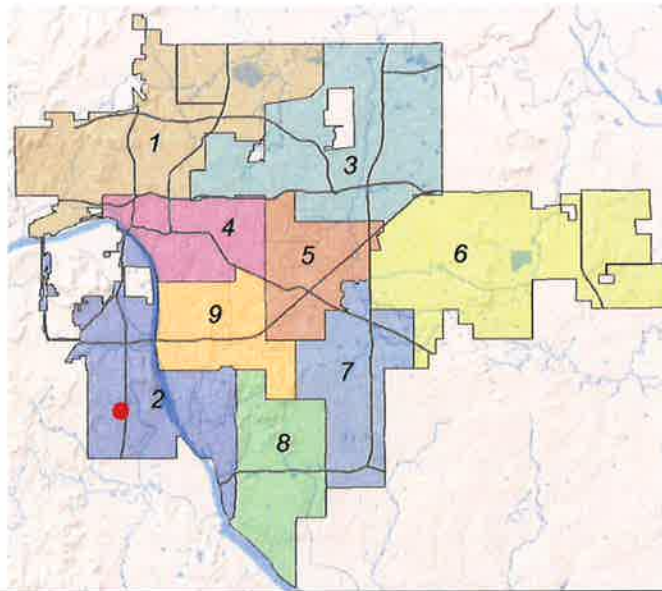
Nathan Foster

Owner and Applicant Information:

Applicant: Nathalie Cornett, Eller & Detrich

Owner: Nickel Creek Developers, INC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Modification to the Subdivision and Development Regulations

Purpose: Requesting a modification to the sidewalk requirements of Section 5.070 to remove the requirement for construction of sidewalks along South Union Avenue.

Location: South of the southeast corner of West 71st Street South and South Union Avenue

Zoning: CO/PUD-636

Staff Recommendation:

Staff recommends **denial** of the modification

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

EXHIBITS: Site Map, Aerial, Preliminary Plat, Applicant's Request

MODIFICATION OF THE SUBDIVISION AND DEVELOPMENT REGULATIONS

MR-2 – The Summit at Tulsa Hills - (CD 2)

South of the southeast corner of West 71st Street South and South Union Avenue

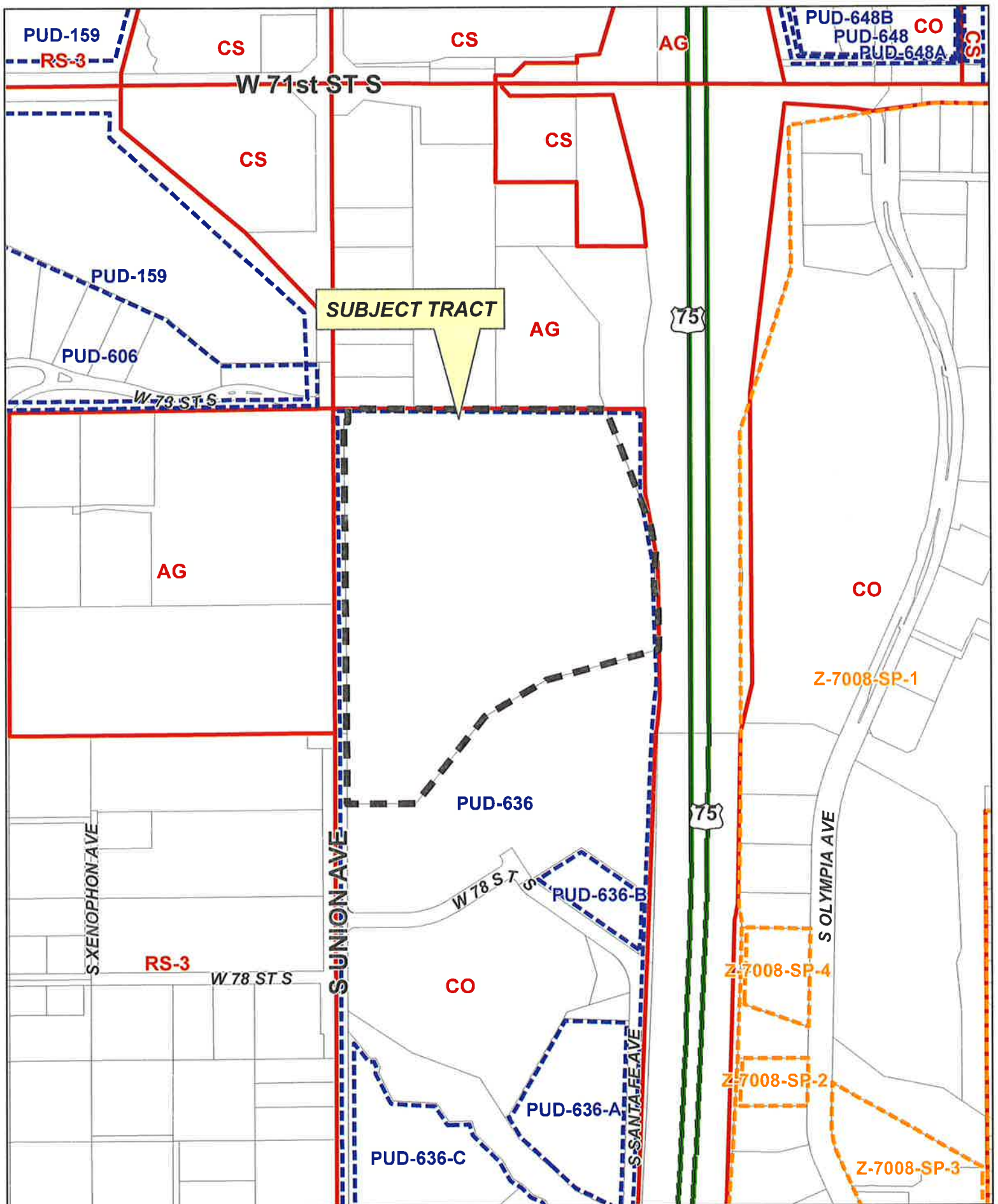
The applicant has requested that the Planning Commission remove the requirement that the property owner construct a sidewalk as part of the construction of a new single-family subdivision. The Subdivision and Development Regulations require sidewalks to be constructed on all arterial streets adjacent to new subdivisions.

The proposed subdivision includes 59 new single-family residential lots. The property is situated between an existing apartment complex and commercial uses to the south and undeveloped property to the north. If the property to the north were rezoned and developed, platting requirements would be incurred and sidewalks would be required to be installed that would connect the subject property to West 71st Street. There are existing sidewalks and a Tulsa Transit stop on West 71st Street that should be connected to new developments occurring along South Union Avenue via a sidewalk.

Sidewalks were required for the multifamily project south of the site; however, they were not installed. The requirement for sidewalks remains and could cause future permitting issues for the property owners.

There are currently no plans for widening of South Union Avenue. The City of Tulsa does not have funding in place nor do they have any imminent plans to alter the configuration of the street.

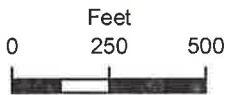
Staff recommends **denial** of the modification of the Subdivision and Development Regulations to remove the requirement for sidewalk construction along South Union Avenue adjacent to the proposed "The Summit at Tulsa Hills" subdivision plat finding that it does not align with the Tulsa Comprehensive Plan or meet the modification requirements of the Subdivision and Development Regulations.



SUBJECT TRACT

**THE SUMMIT AT
TULSA HILLS**

18-12 11



3.3





W 71st ST S

W 73 ST S

S XENOPHON AVE

W 78 ST S

S UNION AVE

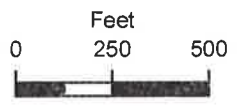
W 78 ST S

S SANTA FE AVE

S OLYMPIA AVE

75

75



Subject Tract

THE SUMMIT AT TULSA HILLS

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

Aerial Photo Date: February 2018

18-12 11

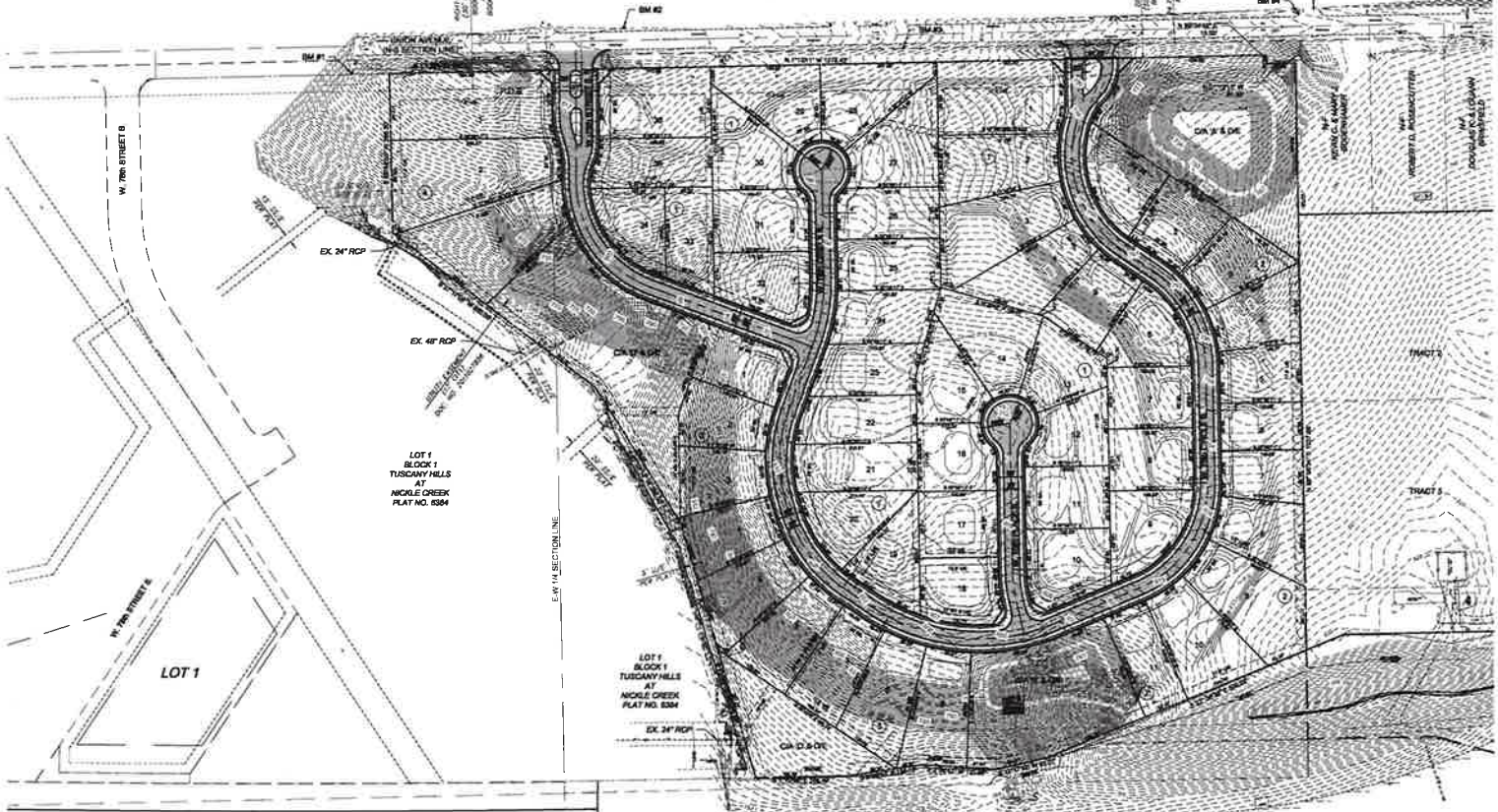


PRELIMINARY PLAT

OF

THE SUMMIT

BEING A PART OF THE W/2 W/2 OF SECTION 11, T-18-N, R-12-E, I.M.
TULSA, TULSA COUNTY, OKLAHOMA



NICKLE CREEK
PART OF THE W/2 W/2 OF SECTION 11, T-18-N, R-12-E
NORTH TRACT PARCEL ONE DESCRIPTION
A TRACT OF LAND DESIGNATED "PARCEL ONE" HEREIN THAT IS PART OF THE WEST HALF OF THE WEST HALF ONE-W/2 OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST, OF THE MEAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, AND WHOLLY CONTAINED WITHIN THAT CERTAIN REAL PROPERTY RECORDED AS A QUIT CLAIM DEED IN DOCUMENT NO. 280007948 OF THE OFFICE OF THE COUNTY CLERK OF TULSA COUNTY, OKLAHOMA, THE PROPERTY, SAID PARCEL ONE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTH-WEST QUARTER (SW/4) OF SAID SECTION 11; THENCE NORTH 89°41'1" EAST AND ALONG THE SOUTHERLY LINE OF SAID QUARTER TO THE POINT OF BEGINNING OF PARCEL ONE;
THENCE ALONG THE PROPERTY FOR THE FOLLOWING (9) COURSES:
NORTH 1°11'11" WEST FOR A DISTANCE OF 1273.45 FEET TO A POINT; THENCE NORTH 89°41'1" EAST FOR A DISTANCE OF 116.30 FEET TO A POINT; THENCE NORTH 89°41'1" EAST FOR A DISTANCE OF 102.88 FEET TO A POINT; THENCE SOUTH 87°40'0" EAST FOR A DISTANCE OF 86.53 FEET TO A POINT; THENCE SOUTH 17°40'0" WEST FOR A DISTANCE OF 85.57 FEET TO A POINT; THENCE SOUTH 17°40'0" WEST FOR A DISTANCE OF 131.52 FEET TO A POINT; THENCE SOUTH 87°40'0" EAST FOR A DISTANCE OF 131.52 FEET TO A POINT; THENCE SOUTH 1°15'18" EAST FOR A DISTANCE OF 181.49 FEET TO A POINT;
THENCE SOUTH 17°38'12" WEST FOR A DISTANCE OF 475.28 FEET TO A POINT; THENCE SOUTH 87°41'12" WEST FOR A DISTANCE OF 286.26 FEET TO A POINT; THENCE SOUTH 87°41'12" WEST FOR A DISTANCE OF 485.86 FEET TO A POINT; THENCE SOUTH 87°41'12" WEST FOR A DISTANCE OF 286.26 FEET TO A POINT ON THE WESTERLY LINE OF THE PROPERTY; THENCE NORTH 1°15'18" WEST AND ALONG SAID WESTERLY LINE, FOR A DISTANCE OF 286.87 FEET TO THE POINT OF BEGINNING OF PARCEL ONE.
SAID PARCEL ONE CONTAINING 1,558.804 SQUARE FEET OR 35.781 ACRES.

SITE DATA	
TOTAL AREA:	1,558.804 SF (35.781 AC)
NUMBER OF LOTS:	58
NUMBER OF BLOCKS:	4
NUMBER OF COMMON AREAS:	4
BLOCK LENGTH:	
BLOCK 1:	4,229 LF
BLOCK 2:	1,074 LF
BLOCK 3:	744 LF
BLOCK 4:	274 LF

Curve Table - Lots					
Curve #	Status	Length	Chord Direction	Chord Length	Delta
C1	25.00	21.16	N 64°19'34" E	20.84	N 40°29'34" E
C2	52.00	9.18	N 44°37'32" E	9.17	N 79°33'2" E
C3	52.00	9.18	N 44°37'32" E	9.17	N 79°33'2" E
C4	25.00	21.16	N 64°19'34" E	20.84	N 40°29'34" E
C5	25.00	21.16	N 64°19'34" E	20.84	N 40°29'34" E
C6	25.00	21.16	N 64°19'34" E	20.84	N 40°29'34" E

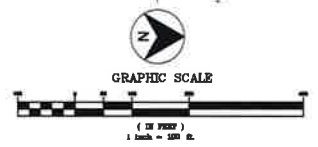
VERTICAL DATUM: NAVD 88

BENCHMARK - BM 1 ELEVATION: 808.42 MONUMENT: 1/2" IRON PIN LOCATION: ON E. ROW OF UNION AVE. SIX EAST OF NORTH END OF GUARDRAIL.	BENCHMARK - BM 3 ELEVATION: 808.29 MONUMENT: 1/2" IRON PIN LOCATION: E. ROW OF UNION AVE. EAST OF NORTH END OF GUARDRAIL.
BENCHMARK - BM 2 ELEVATION: 818.17 MONUMENT: 1/2" IRON PIN LOCATION: IN WEST 1/4 OF UNION AVE. E. 1/4 - 1/4 OF PAYMENT TOWER ON TOP OF HILL.	BENCHMARK - BM 4 ELEVATION: 778.82 MONUMENT: CUT X ON TOP OF CURB LOCATION: S.E. CORNER OF INTERSECTION OF WEST 72nd STREET AND UNION AVENUE.

MONUMENT NOTE
1/2" IRON PIN N/CA 6381 CAP OF AND N/CA 6381 TAG SET AT ALL CORNERS UNLESS OTHERWISE NOTED.

LEGEND
S.S. = SURVEYING STATION
E.C. = ELEVATION CONTROL
U.C. = UTILITY CEMENT
B.L. = BUILDING STATION LINE
P.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING

BASE OF BEARING
The Oklahoma State Plane Coordinate System (North Zone) using North 47°17'17" East as the meridian of the Oklahoma State Plane of Section 11, Township 18 North, Range 12 East of the Indian Meridian was used as the basis of bearing for this survey.



OWNER
NICKLE CREEK DEVELOPERS, INC.
700 W. 24th AVE., SUITE 210
WESTMINSTER, CO 80234
CONTACT: RUSSELL WATTEBSON, JR.
PHONE: (720) 251-4431
EMAIL: Russ@nicklecreekdev.com



DOOSON - THOMPSON - MANSFIELD, PLLC
SURVEYING - ENGINEERING - PLANNING
CERTIFICATE OF AUTHORIZATION NO. 4261 EXPIRES JUNE 30, 2018
DATE OF PREPARATION: JUNE 06, 2018

3.5

Eller & Detrich
A Professional Corporation

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Writer's E-Mail

NCornett@EllerDetrich.com

November 26, 2018

VIA HAND DELIVERY

Tulsa Metropolitan Area Planning Commission
c/o INCOG
Attn: Mr. Nathan Foster
2 West Second Street, Ste. 800
Tulsa, OK 74103

Re: Request for Modification of Subdivision Regulations for The Summit at Tulsa Hills

Dear Nathan:

This letter serves as a request for a modification of the Tulsa Subdivision and Development Regulations (the "Regulations") to waive the requirement for sidewalk installation (Section 5-070) along South Union Avenue at The Summit at Tulsa Hills (the "Project"). The preliminary plat for the Project was approved by TMAPC on September 5, 2018, a copy of which is attached hereto as **Exhibit "A"**.

The reason for the requested waiver is due to the topography and existing bar ditch that runs along Union Ave., making the installation of a sidewalk impractical. In fact, there have not been any sidewalks installed for any of the developments along Union Ave. between 71st Street and 81st Street.



www.EllerDetrich.com

2727 East 21st Street, Suite 200, Tulsa Oklahoma 74114-3533

3.4

Strict compliance with the sidewalk requirement would cause undue hardship to the property owner based on the existence of a bar ditch running the length of South Union Avenue. In accordance with Section 10-070.4 of the Regulations, the requested waiver will not be detrimental to the public safety, health or welfare; nor will it be injurious to other property or improvements; nor will it impair the spirit and intent of the Tulsa Zoning Code or Comprehensive Plan.

Enclosed with this letter is a check for the requisite filing fee. Should you need any additional information to process this request, please do not hesitate to call me at (918) 747-8900.

Sincerely,

ELLER & DETRICH
A Professional Corporation



Nathalie M. Cornett

Cc: Jason Emmett
Enclosures

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