



Tulsa Metropolitan Area
Planning Commission

Case : MR-2 – The Summit at Tulsa
Hills

Hearing Date: February 6, 2019
(Continued from: January 16, 2019 &
December 19, 2018)

Case Report Prepared by:

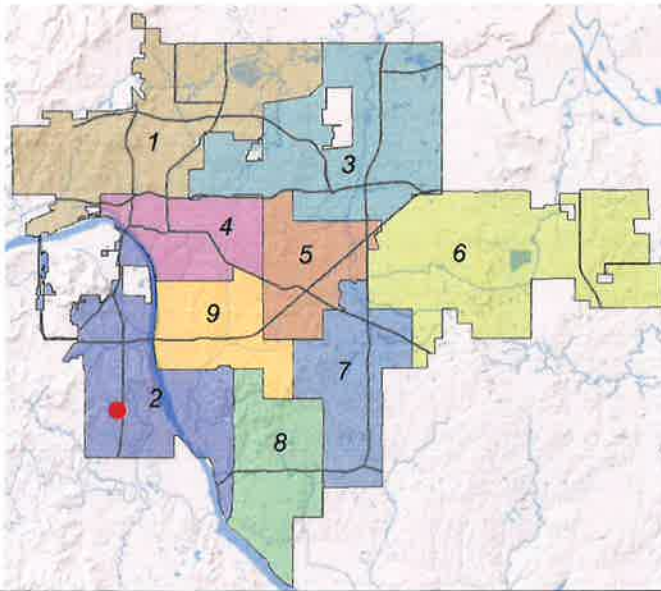
Nathan Foster

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

6.1

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.

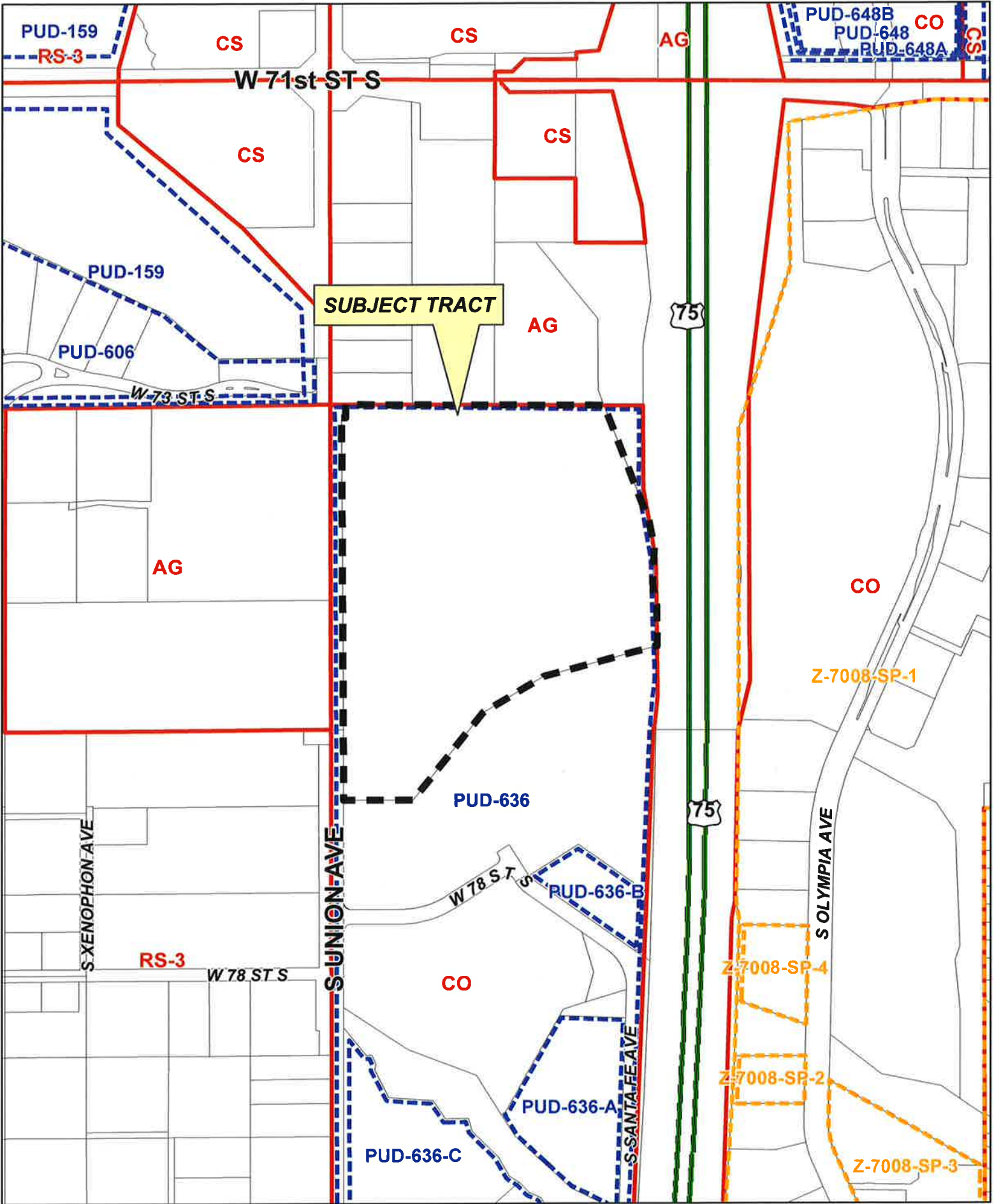
The proposed subdivision includes 59 new single-family residential lots. The property is situated between an existing apartment complex and commercial uses to the south and undeveloped property to the north. If the property to the north were rezoned and developed, platting requirements would be incurred 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.

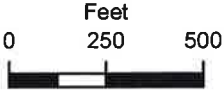
Staff recommends **denial** of the modification of the Subdivision and Development Regulations to remove the requirement for sidewalk construction along South Union Avenue adjacent to the proposed "The Summit at Tulsa Hills" subdivision plat finding that it does not align with the Tulsa Comprehensive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

6.2

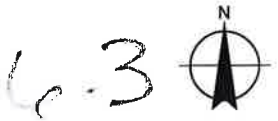


SUBJECT TRACT

**THE SUMMIT AT
TULSA HILLS**



18-12 11





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

18-12 11

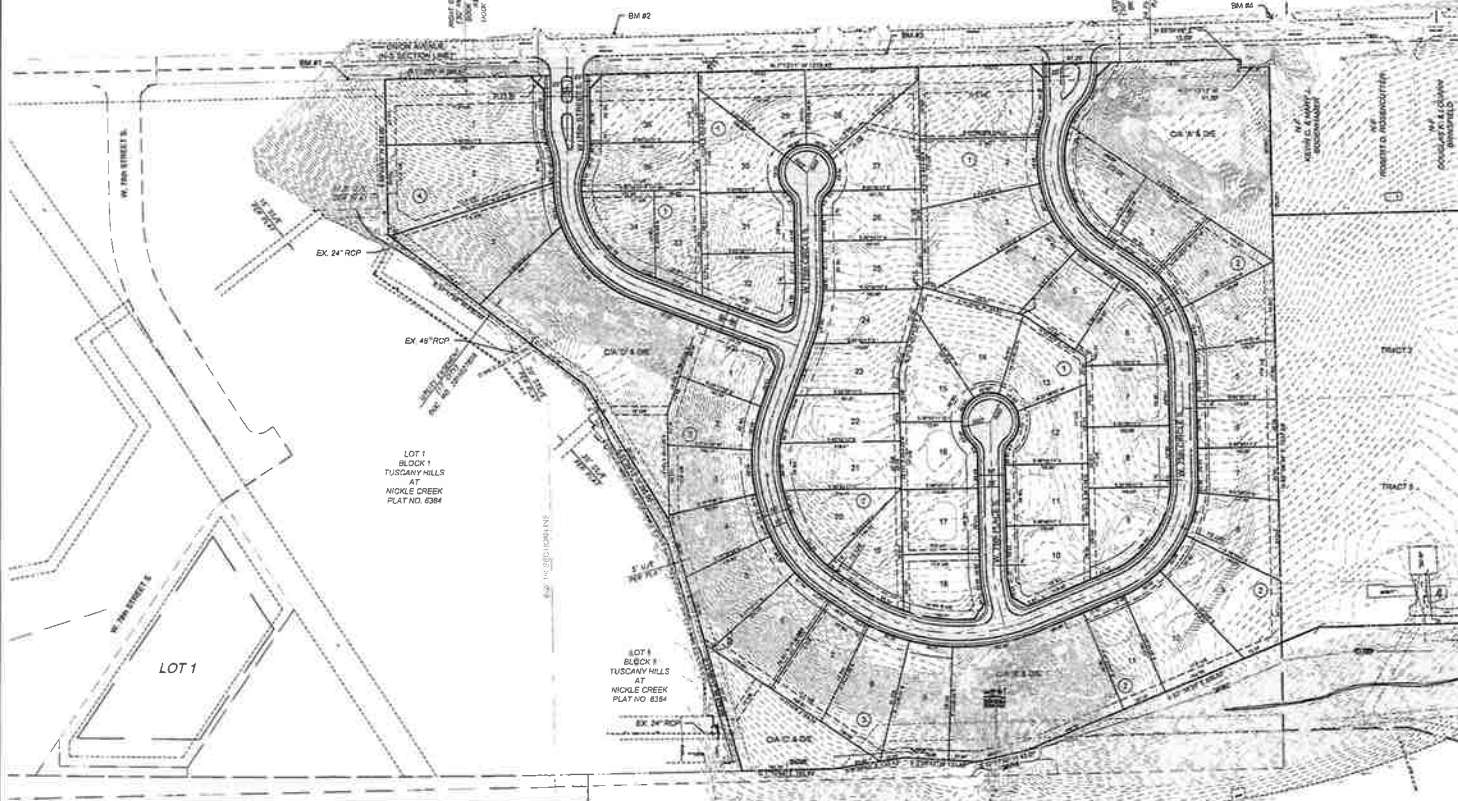
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018



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



PARCEL ONE DESCRIPTION
A TRACT OF LAND DISCONTIGUOUS PARCELS ONE HEREIN THAT IS PART OF THE WEST HALF OF THE WEST HALF (W/2 W/2) OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH RANGE TWELVE (12) EAST OF THE NINAM 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 GUT CAN BEEN IN DOCUMENT NO. 202200948 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 NORTHWEST QUARTER (SW 1/4) OF SAID SECTION 11; THENCE NORTH 0°54'11" EAST ALONG THE SOUTHERLY LINE PRESENT EASTERN RIGHT-OF-WAY LINE OF SOUTH UNION AVENUE, SAID POINT BEING A CORNER OF THE PROPERTY AND THE POINT OF BEGINNING OF PARCEL ONE;

THENCE ALONG THE PROPERTY FOR THE FOLLOWING WIRE (IN COURSES) NORTH 1°13'11" WEST FOR A DISTANCE OF 123.43 FEET TO A POINT; THENCE NORTH 8°50'00" EAST FOR A DISTANCE OF 15.20 FEET TO A POINT; THENCE NORTH 7°11'11" WEST FOR A DISTANCE OF 51.30 FEET TO A POINT; THENCE NORTH 8°50'00" EAST FOR A DISTANCE OF 107.89 FEET TO A POINT; THENCE SOUTH 22°04'00" EAST FOR A DISTANCE OF 502.29 FEET TO A POINT; THENCE SOUTH 12°17'58" WEST FOR A DISTANCE OF 34.07 FEET TO A POINT; THENCE SOUTH 2°29'41" WEST FOR A DISTANCE OF 13.15 FEET TO A POINT; THENCE SOUTH 7°39'00" EAST FOR A DISTANCE OF 132.12 FEET TO A POINT; THENCE SOUTH 1°10'18" EAST FOR A DISTANCE OF 159.18 FEET TO A POINT;

THENCE SOUTH 7°29'00" WEST FOR A DISTANCE OF 478.28 FEET TO A POINT; THENCE SOUTH 0°52'50" WEST FOR A DISTANCE OF 265.00 FEET TO A POINT; THENCE SOUTH 2°29'00" WEST FOR A DISTANCE OF 450.00 FEET TO A POINT; THENCE SOUTH 6°48'55" WEST FOR A DISTANCE OF 285.80 FEET TO A POINT ON THE WESTERN LINE OF THE PROPERTY; THENCE NORTH 1°17'00" WEST AND ALONG SAID WESTERN LINE FOR A DISTANCE OF 788.87 FEET TO THE POINT OF BEGINNING OF PARCEL ONE;
SAID PARCEL ONE CONTAINING 1,588,888 SQUARE FEET OR 36,178 ACRES

SITE DATA

TOTAL AREA: 1,588,888 SF (36,178 AC)
NUMBER OF LOTS: 24
NUMBER OF BLOCKS: 4
NUMBER OF COMMON AREAS: 4
BLOCK LENGTH
BLOCK 1: 1,422 LF
BLOCK 2: 1,074 LF
BLOCK 3: 744 LF
BLOCK 4: 274 LF

Curve #	Radius	Length	Chord Direction	Chord Length	Beta
C1	25.00	21.16	N 64°19'38" E	23.94	N 45°29'34" E
C2	52.00	9.18	N 44°37'32" E	9.17	N 79°32'31" E
C3	52.00	9.18	N 44°37'32" E	9.17	N 79°32'31" E
C4	25.00	21.16	N 64°19'38" E	23.94	N 45°29'34" E
C5	25.00	21.16	N 64°19'38" E	23.94	N 45°29'34" E
C6	25.00	21.16	N 64°19'38" E	23.94	N 45°29'34" E

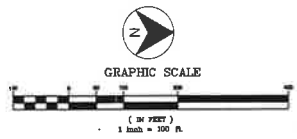
VERTICAL DATUM: NAVD 88

BENCHMARK - BM 1 ELEVATION: 205.47 MONUMENT: 1/2" IRON PIN W/CHA 8381 CAP SET AT N. END LOCATION: ON E. SIDE OF UNDIV. 1/2" CHAIN EAST OF NORTH END OF QUADRANT	BENCHMARK - BM 3 ELEVATION: 206.28 MONUMENT: 1/2" IRON PIN LOCATION: 1/2" IRON PIN 7' N. OF PAYMENT EDGE HORSES FROM ADJACENT BLOCK
BENCHMARK - BM 2 ELEVATION: 208.17 MONUMENT: 1/2" IRON PIN LOCATION: ON WEST SIDE OF UNDIV. 1/2" CHAIN N. OF PAYMENT EDGE ON TOP OF HILL	BENCHMARK - BM 4 ELEVATION: 218.82 MONUMENT: 1/2" IRON PIN ON TOP OF CURB LOCATION: E.E. CORNER OF INTERSECTION OF WEST 1ST STREET AND UNION AVENUE

MONUMENT NOTE
1/2" IRON PIN W/CHA 8381 CAP OR W/CHA 8381 TAG SET AT ALL CORNERS UNLESS OTHERWISE NOTED

LEGEND
S.S.C. = SURFACE CHANNEL EXISTENCE
R.O.S. = POINT OF BEGINNING
U.P. = UTILITY EXISTENCE
R.O.S. = RIGHT-OF-WAY LINE
P.O.C. = POINT OF COMMENCEMENT
P.O.B. = POINT OF BEGINNING

SCALE OF BEARING
THE DISTANCE FROM THE CHAIN TO THE POINT OF BEGINNING OF THE PLAT IS 100 FEET. THE DISTANCE FROM THE CHAIN TO THE POINT OF BEGINNING OF THE PLAT IS 100 FEET. THE DISTANCE FROM THE CHAIN TO THE POINT OF BEGINNING OF THE PLAT IS 100 FEET.



OWNER:
CEDAR CREEK DEVELOPERS, INC.
730 W. 24th AVE. SUITE 210
WESTMINSTER, CO 80534
CONTACT: RUSS WATKINSON JR.
PHONE: (720) 201-4651
EMAIL: Russ@cedarcreekdev.com



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Surveying • Engineering • Planning
CERTIFICATE OF AUTHORIZATION NO. 6239 EXPIRES JUNE 30, 2019
DATE OF PREPARATION: JUNE 26, 2019

6.5

Eller Detrich
A Professional Corporation

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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


6.6

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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