



City of Broken Arrow

Request for Action

File #: 19-209, Version: 1

Broken Arrow City Council
Meeting of: 02-05-19

Title:

Approval of and authorization to waive the sidewalk requirement along a portion of East 37th Street associated with a single family home immediately east of 23rd Street (193rd East Avenue and/or County Line) and immediately north of East 37th Street, part of Steeple Chase Subdivision, Broken Arrow, Oklahoma

Background:

Juan De Dias Huerta purchased Lot 4, Block 1 of Steeple Chase subdivision a few years ago with intent to construct a single family residence. During this time he has coordinated off and on with the Steeple Chase Homeowners Association (HOA) about his intent, cooperation of reviews, inclusion within the HOA, and existing fencing and trees along the north side of Steeple Chase entry 37th street.

The western half of the property is located in the 100-year floodplain of Spunky Creek. As such, Huerta contacted City staff approximately 6 months ago to discuss his intentions of single family home and pond. He hired a consultant that performed a drainage study for the placement of pond within the floodplain area of the property. This study was reviewed and approved by the City stormwater manager/floodplain administrator. An earth change permit was issued to Huerta.

The pond has been constructed. Huerta submitted application in October for the single family home which will be placed on the eastern half of the property outside the floodplain. City code requires sidewalks to be installed along frontage of both arterial streets and subdivision streets.

Steeple Chase subdivision was constructed several decades ago in the County and then annexed into the City of Broken Arrow. Sidewalks were not constructed along 37th street or within the subdivision. Also, there exist a rail-type fence and trees along 37th street, both north and south sides. Based on current survey of the property, both the fence and trees are located outside the 37th street rights-of-way on Huerta property.

Huerta has coordinated with the HOA and City staff and indicated that he intends to leave the fence and trees as is except for an approximately 20 foot section on the eastern half for his drive way entry. Placement of a sidewalk one (1) foot inside the 37th street rights-of-way would cause the trees to have be removed or damage the root system.

Huerta has agreed to place the portion of sidewalk along 23rd Street (193rd E. Ave. and/or County Line) in escrow with the City.

On behalf of Huerta and Steeple Chase HOA, city staff request approval to waive sidewalk placement along 37th street, entry into Steeple Chase subdivision.

Cost: None

Funding Source: N/A

Requested By: Michael Skates, Development Services Director

Approved By: Michael L. Spurgeon, City Manager

Attachments: Property Plans
Property Survey
Aerial Photo

Recommendation:

Approve sidewalk waiver along 37th street associated with the Huerta property