

## **ORDINANCE NO. 3857**

**An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1825, along with PUD-199A generally located south and west of the southwest corner of Elm Place (161<sup>st</sup> East Avenue) and Tucson Street (121<sup>st</sup> Street), granting CN (Commercial Neighborhood) zoning classification upon the tract along with PUD-199A, repealing all ordinances or parts of ordinances in conflict herewith, and declaring an emergency**

**WHEREAS**, the State of Oklahoma has granted cities, as governmental entities, the duty and power to enact zoning ordinances for the protection of persons and property residing within the City limits, and for securing the benefits of orderly development as a whole; and

**WHEREAS**, a series of governmental administrative hearings have been conducted at which time it was determined that the land in question would be proper for an CN (Commercial Neighborhood) District; and

**WHEREAS**, rezoning case BAZ-1825 (A-1 to CN) was approved by the Broken Arrow City Council on March 17, 2009, subject to the property being platted; and

**WHEREAS**, Planned Unit Development PUD-199A was approved by the Broken Arrow City Council on March 17, 2009, subject to the property being platted; and

**WHEREAS**, the property has been platted as 121 Elm. The plat for 121 Elm which contains 1.43 acres, was recorded in Tulsa County on October 17, 2019; and

**WHEREAS**, the property is generally located south and west of the southwest corner of Elm Place (161<sup>st</sup> East Avenue) and Tucson Street (121<sup>st</sup> Street); and

**WHEREAS**, the proposed zoning is compatible with the comprehensive plan and surrounding uses; and

**WHEREAS**, the granting of the application will not have an adverse effect on the other property in the area or in the community; and

**WHEREAS**, for these reasons, the City Council finds this request should be granted.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW, OKLAHOMA:**

**SECTION I.** The zoning classification of the following described real estate situated in Tulsa County, State of Oklahoma, being more particularly described as follows:

Legal Description for BAZ-1825 and PUD-199A

All of 121 Elm, a tract of land situated in the northeast quarter (NE/4) of Section Three (03),

Township Seventeen (17) North, Range Fourteen (14) East, of the Indian Base & Meridian, Tulsa County, State of Oklahoma

be and the same is hereby changed from the zoning A-1 to CN (Commercial Neighborhood) along with PUD-199A.

**SECTION II.** Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

**SECTION III.** An emergency exists for the preservation of the public health, peace, and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

PASSED AND APPROVED and the emergency clause ruled upon separately this 15<sup>th</sup> day of April 2025.

---

MAYOR

ATTEST:

---

(Seal) CITY CLERK

APPROVED:

---

ASSISTANT CITY ATTORNEY