

## ORDINANCE NO. 3306

**An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1878, granting PUD 217 and Residential Multi-Family zoning classification be placed upon the tracts, 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 a Residential Multi-Family District, along with PUD 217, subject to the property being platted; and

WHEREAS, on December 13, 2013, the plat "The Park at Albany" was recorded in Wagoner County; and

WHEREAS, the property is located east of 23<sup>rd</sup> Street, one-quarter mile north of Albany 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 Wagoner County, State of Oklahoma, being more particularly described as follows:

### **Legal Description for BAZ 1878 and PUD 217**

All of The Park at Albany, a part of the SW/4 of Section 31, Township 19 North, Range 15 East, a Subdivision in the City of Broken Arrow, Wagoner County, Oklahoma

be and the same is hereby changed from the zoning classification of A-1 to RM and PUD 217.

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 Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.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 6<sup>th</sup> day of October 6, 2015.

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MAYOR

ATTEST:

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(Seal) CITY CLERK

APPROVED:

*Sesli Myers*  
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Asst. CITY ATTORNEY