

ORDINANCE NO. 3817

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1734, along with PUD-172 generally located north of Kenosha Street (71st Street), one-quarter mile west of 9th Street (Lynn Lane), granting RD and CH zoning classification upon the tract along with PUD-172, 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 Duplex and Commercial Heavy District; and

WHEREAS, rezoning case BAZ-1734 (R-1 to RD and CH) was approved by the Broken Arrow City Council on December 18, 2006, subject to the property being platted; and

WHEREAS, Planned Unit Development PUD-172 was approved by the Broken Arrow City Council on December 18, 2006, subject to the property being platted; and

WHEREAS, the property has been platted as Freedom Wash. The plat for Freedom Wash which contains 2.76 acres, was recorded in Tulsa County on September 12, 2019; and

WHEREAS, the property is generally located north of Kenosha Street (71st Street), one-quarter mile west of 9th Street (Lynn Lane) 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 RD along with PUD-172

All of Lot 3, Block 1, Freedom Wash, a replat of Lot 5 and Lot 7, Block 1 of Kenwood Acres (Plat

#1417), a Subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, being part of the S/2 of the SE/4 of Section Two (2), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian

be and the same is hereby changed from the zoning R-1 to RD (Residential Duplex) along with PUD-172.

Legal description for CH along with PUD-172

All of Lots 1 & 2, Block 1, Freedom Wash, a replat of Lot 5 and Lot 7, Block 1 of Kenwood Acres (Plat #1417), a Subdivision in the City of Broken Arrow, Tulsa County, State of Oklahoma, being part of the S/2 of the SE/4 of Section Two (2), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian

be and the same is hereby changed from the zoning R-1 to CH (Commercial Heavy) along with PUD-172.

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 6th day of February, 2024.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY