

ORDINANCE NO. 3467

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1957, granting a DM zoning classification along with Specific Use Permit 276 be placed upon the tracts, generally located on the southeast corner of Cedar Avenue and Dallas Street, 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 on June 20, 2016, that the land in question would be proper for a Downtown Mixed Use Core District along with Specific Use Permit 276. Replatting was waived; and

WHEREAS, the property is generally located on the southeast corner of Cedar Avenue and Dallas 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:

All that portion of Lots One (1) and Two (2), in Block Fifty-three (53), in BROKEN ARROW – ORIGINAL TOWN, in the City of Broken Arrow, State of Oklahoma; being more particularly described as follow, to-wit:

BEGINNING at the Northwest corner of said Lot 1; THENCE East upon and along the North line of said Lot 1 a distance of 120.15 feet; THENCE South 37°08' West a distance of 33.02 feet; THENCE East 37°08' South a distance of 72.50 feet to a point on the Northeast-Southwest line of Lot 2 39.25 feet from the Southwest corner of said Lot 2; THENCE Southwest upon and along said Northeast-Southwest line of Lot 2 a distance of 39.25 feet to the South common corner of said Lots 1 and 2; THENCE Northwest upon and along the Northwest-Southeast line of said Lot 1 a distance of 168.27 feet to the POINT OF BEGINNING. Parcel: 78100-84-11-04160

be and the same is hereby changed from the zoning classifications of R-3 to DM and SP 276.

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 _____ day of _____, 2017.

MAYOR

ATTEST:

(Seal) ACTING CITY CLERK

APPROVED:



ASSISTANT CITY ATTORNEY