

ORDINANCE NO. 3510

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1803, generally located one-quarter mile south of Omaha Street, west of Aspen Avenue, granting a CH zoning classification be placed upon the tract along with PUD 209, 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 July 1, 2008, that the land in question would be proper for a Commercial Heavy District. Later, on May 3, 2011, Planned Unit Development (PUD) 209, was approved as an overlay district on the same property. Both BAZ 1789 and PUD 209 were approved subject to the property being platted; and

WHEREAS, the plat, Battle Creek Veterinary Clinic, was recorded in Tulsa County on December 19, 2011; and

WHEREAS, the property is generally located one-quarter mile south of Omaha Street, west of Aspen Avenue; 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 1803 AND PUD 209

All of Battle Creek Veterinary Clinic, a subdivision in the North Half (N/2) of the North Half (N/2) of the Northeast Quarter (NE/4) of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4), in Section Thirty-Three (33), Township Nineteen (19) North, Range Fourteen (14) East of the Indian Base and Meridian, City of Broken Arrow, Tulsa County, State of Oklahoma, Document No. 6405.

be and the same is hereby changed from the zoning classification of A-CH (Annexed Commercial

Heavy District) to CH (Commercial Heavy District) along with PUD 209.

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 _____, 2018.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:



ASSISTANT CITY ATTORNEY