

ORDINANCE NO. 3459

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1937, granting CG and FD zoning classifications being placed upon the tract, 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 Commercial General and Floodplain Districts, subject to the property being platted; and

WHEREAS, rezoning case BAZ 1937 (A-1 to CG and FD) was approved by the Broken Arrow City Council on June 15, 2015, subject to the property being platted; and

WHEREAS, the property has been platted as Countyline Crossings. The plat for Countyline Crossings, which contains 19.24 acres, was recorded in Wagoner County on November 28, 2016; and

WHEREAS, the property is generally located on the northeast corner of Dearborn Street and 23rd 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 A-1 to CG

All of Countyline Crossings, the west half of Government Lot 4 in the S.W. Quarter of Section 19, Township 19 North, Range 15 East, I.M., City of Broken Arrow, Wagoner County, Oklahoma, less and except the following:

A tract of land lying in the West Half (W/2) of Government Lot 4 in Section Nineteen (19), Township Nineteen (19) North, Range Fifteen (15) East of the Indian Meridian, Wagoner County, State of Oklahoma being more particularly described as follows:

COMMENCING at the southwest corner of Government Lot 4 of said Section 19;

THENCE North 00°07'37" East, along the west line of said Government Lot 4, a distance of 1,322.84 feet to the northwest corner of said Government Lot 4;

THENCE North 89°58'53" East, along the north line of said Government Lot 4, a distance of 60.00 feet to the southwest corner of Lot 37 in Block 10 of STEEPLE CHASE SUBDIVISION according to the plat recorded in Plat Cabinet 3, Page 254 and the POINT OF BEGINNING;

THENCE continuing North 89°58'53" East, along the south line of said Lot 37, a distance of 154.00 feet;

THENCE South 30°18'36" East a distance of 57.76 feet;

THENCE South 65°14'23" East a distance of 82.16 feet;

THENCE South 63°29'19" East a distance of 192.49 feet;

THENCE South 49°05'48" East a distance of 188.87 feet to a point on the west line of Block 1 of STEEPLECHASE FARMS according to the plat recorded in Plat Cabinet 4, Page 320;

THENCE South 00°05'24" West, along the west line of said Block 1, a distance of 140.00 feet;

THENCE South 44°51'03" West a distance of 149.06 feet;

THENCE North 54°42'21" West a distance of 54.01 feet;

THENCE North 29°12'42" West a distance of 58.36 feet;

THENCE South 78°48'30" West a distance of 12.15 feet;

THENCE South 26°40'26" West a distance of 40.87 feet;

THENCE South 58°58'55" West a distance of 66.28 feet;

THENCE South 81°22'26" West a distance of 66.84 feet;

THENCE South 19°28'19" West a distance of 49.86 feet;

THENCE South 28°55'18" East a distance of 36.60 feet;

THENCE South 63°10'09" West a distance of 54.58 feet;

THENCE North 72°38'08" West a distance of 109.21 feet;

THENCE North 40°38'39" West a distance of 84.38 feet;

THENCE South 65°12'41" West a distance of 39.78 feet to a point being 60.00 feet east of the west line of said Government Lot 4;

THENCE North 00°07'37" East, parallel with and 60.00 feet east of the west line of said Government Lot 4, a distance of 564.15 feet to the POINT OF BEGINNING.

Said described tract of land contains 252,581 square feet or 5.7985 acres, more or less.

The bearing of South 00°05'24" West as shown on the plat of STEEPLECHASE FARMS recorded in Plat Cabinet 4, Page 320 as the west line of Block 1 was used as the basis of bearing for this survey.

be and the same is hereby changed from the zoning classification of A-1 (Agricultural) to CG (Commercial General).

Legal Description for A-1 to FD

A tract of land lying in the West Half (W/2) of Government Lot 4 in Section Nineteen (19), Township Nineteen (19) North, Range Fifteen (15) East of the Indian Meridian, Wagoner County, State of Oklahoma being more particularly described as follows:

COMMENCING at the southwest corner of Government Lot 4 of said Section 19;

THENCE North 00°07'37" East, along the west line of said Government Lot 4, a distance of 1,322.84 feet to the northwest corner of said Government Lot 4;

THENCE North 89°58'53" East, along the north line of said Government Lot 4, a distance of 60.00 feet to the southwest corner of Lot 37 in Block 10 of STEEPLE CHASE SUBDIVISION according to the plat recorded in Plat Cabinet 3, Page 254 and the POINT OF BEGINNING;

THENCE continuing North 89°58'53" East, along the south line of said Lot 37, a distance of 154.00 feet;

THENCE South 30°18'36" East a distance of 57.76 feet;

THENCE South 65°14'23" East a distance of 82.16 feet;

THENCE South 63°29'19" East a distance of 192.49 feet;

THENCE South 49°05'48" East a distance of 188.87 feet to a point on the west line of Block 1 of STEEPLECHASE FARMS according to the plat recorded in Plat Cabinet 4, Page 320;

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be and same is hereby changed from the zoning classification of A-1 (Agricultural) to FD (Floodplain District).

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.

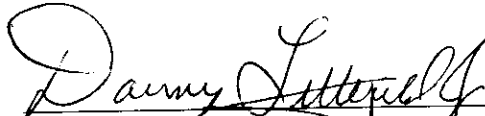
PASSED AND APPROVED and the emergency clause ruled upon separately this _____
day of _____, 2016.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:



ASSISTANT CITY ATTORNEY