

## **ORDINANCE NO. 3736**

**An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2044, along with PUD-297 generally located west of the southwest corner of New Orleans Street (101st Street) and Elm Place (161st E. Avenue), granting CG & IL zoning classification upon the tract along with PUD-297, 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 Industrial Light District; and

**WHEREAS**, rezoning case BAZ-2044 (CG to IL) was approved by the Broken Arrow City Council on January 21, 2021, subject to the property being platted; and

**WHEREAS**, Planned Unit Development PUD-297 was approved by the Broken Arrow City Council on January 21, 2021; and

**WHEREAS**, the property is generally located west of the southwest corner of New Orleans Street (101st Street) and Elm Place (161st E. 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 Wagoner County, State of Oklahoma, being more particularly described as follows:

### Legal Description for BAZ-2044

A TRACT OF LAND LYING IN LOT ONE (1), BLOCK ONE (1), LUBY'S, AN ADDITION TO THE CITY OF BROKEN ARROW BEING A PART OF THE NW/4 OF THE NE/4 OF THE NE/4 OF SECTION 27, T-18-N, R-14-E, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 1, LUBY'S, THENCE S00°00'00"W, ALONG THE WEST LINE OF LOT 1, FOR A DISTANCE OF 100.46

FEET TO THE POINT OF BEGINNING; THENCE N89°57'28"E, PARALLEL WITH THE NORTH LINE OF LOT 1, FOR A DISTANCE OF 109.54 FEET; THENCE S00°00'00"W, PARALLEL WITH THE WEST LINE OF LOT 1, FOR A DISTANCE OF 109.54 FEET; THENCE S89°57'28"W, PARALLEL WITH THE NORTH LINE OF LOT 1, FOR A DISTANCE OF 109.54 FEET TO A POINT ON THE WEST LINE OF LOT 1; THENCE N00°00'00"E, ALONG THE WEST LINE OF LOT 1, FOR A DISTANCE OF 109.54 FEET TO THE POINT OF BEGINNING, CONTAINING 12,000 SQUARE FEET.

be and the same is hereby changed from the zoning CG to IL (Industrial Light).

Legal description for PUD-297

LOT ONE (1), BLOCK ONE (1), LUBY'S, AN ADDITION IN THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

be and the same is hereby changed from the zoning CG to CG (Commercial General) and IL (Industrial Light) along with PUD-289.

**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 \_\_\_\_\_, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
(Seal) CITY CLERK

APPROVED:



\_\_\_\_\_  
ASSISTANT CITY ATTORNEY