

ORDINANCE NO. 3909

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-002565-2025, generally located one-tenth mile north of the northwest corner of E. Kenosha Street (71st Street) and Oneta Road (241st E. Avenue), granting CG (Commercial General) zoning classification upon the tract, repealing all ordinances to the contrary; and declaring an emergency it being immediately necessary for the preservation of the public peace, health, safety, or welfare, an emergency is hereby declared to exist

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 CG (Commercial General) district; and

WHEREAS, rezoning case BAZ-002565-2025 (AG to CG) was approved by the Broken Arrow City Council on February 3, 2026, subject to the property being platted; and

WHEREAS, the property is generally located one-tenth mile north of the northwest corner of E. Kenosha Street (71st Street) and Oneta Road (241st E. Avenue); and

WHEREAS, the proposed zoning is compatible with the comprehensive plan and surrounding uses after COMP-002532-2025 for 8.8 acres of the 16.875 acres was approved by City Council on January 20, 2026; 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-002565-2025

BEING a tract of land situated in the SE1/4 of the SE 1/4 of Section 4, Township 18 North, Range 15 East of the Indian Meridian, City of Broken Arrow, Wagoner County, Oklahoma, and being all of those tracts of land described in a General Warranty Deed to Oneta71 LLC, recorded in Book 2913, Page 309 and all of that tract of land described in a General Warranty Deed to Oneta71 LLC, recorded in Book 2913, Page 323, both of the Official Public Records of Wagoner County,

Oklahoma, and being more particularly described as follows:

COMMENCING at an ODOT brass disk found for the southeast corner of Section 4, Township 18 North, Range 15 East, and being the centerline intersection of E. 71st Street (E. Kenosha Street) and S. 241st East Avenue;

THENCE North 01°34'19" West, along the east line of said section 4, a distance of 50.0 feet to a MAG nail with a washer, stamped "KHA PLS1767" set for the **POINT OF BEGINNING** of the herein described tract, same being the southeast corner of the Oneta71 LLC tract as recorded in said Book 2913, Page 309;

THENCE South 89°06'27" West, departing the east line of said Section 4 and said S. 241st East Avenue, along the south line of the Oneta71 LLC tract as recorded in said Book 2913, Page 309 and along the north right of way line of said E. 71st Street (E. Kenosha Street), a distance of 662.27 feet to a concrete monument found for the southwest corner of said Oneta71 LLC, same being on the east line of a tract of land described in a deed to Public Service Company of Oklahoma, recorded in Book 526, Page 92 of the Official Public Records of Wagoner County, Oklahoma;

THENCE North 01°26'58" West, departing the north right of way line of said E. 71st Street (E. Kenosha Street), along the west line of the Oneta71 LLC tract as recorded in said Book 2913, Page 309, a west line of Oneta71 LLC tract as recorded in said Book 2913, Page 323 and the east line of said Public Service Company of Oklahoma tract, a distance of 611.72 feet to a 1/2-inch iron rod found for the northeast corner of said for corner of said Public Service Company of Oklahoma tract;

THENCE South 89°03'28" West, along a south line of the Oneta71 LLC tract as recorded in said Book 2913, Page 323 and the north line of said Public Service Company of Oklahoma tract, a distance of 661.50 feet to a 5/8-inch iron rod with an illegible plastic cap found for the westerly, southwest corner of the Oneta71 LLC tract as recorded in said Book 2913, Page 323 and the northwest corner of said Public Service Company of Oklahoma tract, same being on the east line of Meadowood Estates III, an addition to the City of Broken Arrow, according to the Map or Plat, recorded in Book 5, Page 7 of the Plat Records of Wagoner County, Oklahoma;

THENCE North 01°22'03" West, along the west line of the Oneta71 LLC tract as recorded in said Book 2913, Page 323 and the east line of said Meadow Estate III, a distance of 249.47 feet to a 5/8-inch iron rod with an illegible plastic cap found at the northwest corner of Oneta71 LLC tract as recorded in said Book 2913, Page 323, same being the southwest corner of tract of land, described in a deed to Celia M. Zuccala, et al, recorded in Book 2965, Page 614 of the Official Public Records of Wagoner County, Oklahoma;

THENCE North 89°01'55" East, along the north line of the Oneta71 LLC tract as recorded in said Book 2913, Page 323 and the south line of said Zuccala, et al tract, a distance of 1,321.56 feet to a MAG nail with a washer, stamped "KHA PLS1767" set in S. 241st East Avenue, on the east line of said Section 4, for the northeast corner of the Oneta71 LLC tract as recorded in said Book 2913, Page 323 and the southeast corner of said Zuccala, et al tract;

THENCE South 01°34'19" East, along the east line of said Section 4, a distance of 862.39 feet to the **POINT OF BEGINNING** and containing 16.875 acres (735,084 square feet) of land, more or

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be and the same is hereby changed from the zoning AG to CG (Commercial General).

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 1st day of June, 2026.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY