

ORDINANCE NO. 3382

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1769, granting A-1 and RD zoning classifications to be placed upon the tract along with PUD 176, generally located one-half mile east of 9th Street, south of College 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, rezoning case BAZ 1769 (A-1 and R-1 to A-1 and R-4) and PUD 176 were approved by the Broken Arrow City Council on July 2, 2007, subject to the property being platted; and

WHEREAS, the property, located one-half mile east of 9th Street, south of College Street, has been platted as Gatesway Foundation Campus. The plat for Gatesway Foundation Campus, which contains 35.59 acres, was recorded in Tulsa County on December 21, 2011; and

WHEREAS, on February 1, 2008, the R-4 (Two Family Residential District) zoning was changed to RD (Residential Duplex); and

WHEREAS, In addition to approving BAZ 1769 and PUD 176, the City Council also abrogated Specific Use Permits SP-9, SP-12, and SP 44; 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:

Zoning Change: A-1 (Agricultural), R-1 (Single-Family Residential) and Specific Use Permits SP-9, SP-12, and SP 44 to A-1 (Agricultural), RD (Residential Duplex), and PUD 176

Acreege: 40.09 acres for PUD 176 and 30.07 acres for BAZ 1769

Legal Description for PUD 176

A tract of land being all of Lot One (1), Block One (1), Gatesway Addition, an addition to the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the recorded plat thereof.

AND

All of Gatesway Foundation Campus, a subdivision of part of the Northeast Quarter (NE/4) of the Southwest Quarter (SW/4) of Section 12, Township 18 North, Range 14 East, City of Broken Arrow, Tulsa County, Oklahoma, document no. 6406.

Legal Description for the A-1 area associated with BAZ 1769

A TRACT OF LAND BEING THE EASTERLY 10.00 ACRES OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 SW/4) OF SECTION TWELVE (12), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NE/4 SW/4; THENCE NORTH 89°59'23" EAST ALONG THE NORTHERLY LINE OF SAID NE/4 SW/4 FOR 992.31 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 89°59'23" EAST ALONG SAID NORTHERLY LINE FOR 329.74 FEET TO THE NORTHEAST CORNER OF SAID NE/4 SW/4; THENCE SOUTH 00°00'54" EAST ALONG THE EASTERLY LINE OF SAID NE/4 SW/4 FOR 1321.05 FEET TO THE SOUTHEAST CORNER OF SAID NE/4 SW/4; THENCE SOUTH 89°59'42" WEST ALONG THE SOUTHERLY LINE OF SAID NE/4 SW/4 FOR 329.74 FEET; THENCE NORTH 00°00'54" WEST PARALLEL WITH SAID EASTERLY LINE FOR 1321.02 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; CONTAINING 435,600 SQUARE FEET OR 10.000 ACRES, MORE OR LESS.

Legal Description for the RD area associated with BAZ 1769

A TRACT OF LAND BEING A PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4 SW/4) OF SECTION TWELVE (12), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NE/4 SW/4; THENCE NORTH 89°59'23" EAST ALONG THE NORTHERLY LINE OF SAID NE/4 SW/4 FOR 330.55 FEET THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 89°59'23" EAST ALONG SAID NORTHERLY LINE FOR 661.76 FEET; THENCE SOUTH 00°00'54" EAST PARALLEL WITH THE EASTERLY LINE OF SAID NE/4 SW/4 FOR 1321.02 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID NE/4 SW/4; THENCE SOUTH

89°59'42" WEST ALONG SAID SOUTHERLY LINE FOR 661.93 FEET; THENCE NORTH 00°00'27" WEST ALONG A SOUTHERLY EXTENSION OF THE EASTERLY LINE OF LOT ONE (1), BLOCK ONE (1), GATESWAY ADDITION, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND ALONG THE EASTERLY LINE OF SAID LOT 1, AND ALONG A NORTHERLY EXTENSION THEREOF FOR 1320.96 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; CONTAINING 874,288 SQUARE FEET OR 20.071 ACRES, MORE OR LESS.

be and the same is hereby changed from the zoning classifications of A-1 (Agricultural), R-1 (Single-Family Residential) and Specific Use Permits SP-9, SP-12, and SP 44 to A-1 (Agricultural), RD (Residential Duplex), and PUD 176.

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 16 day of February, 2016.

MAYOR

ATTEST:

(Seal) ACTING CITY CLERK

APPROVED:


ASSISTANT CITY ATTORNEY