

**ORDINANCE NO. 3844**

**An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-001008-2023, generally located one-third mile south of Florence Street (111th Street), east of Aspen Avenue (145th East Avenue), granting CG (Commercial General) and CN (Commercial Neighborhood)/SP-000408-2022 zoning classification 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 an CG (Commercial General) and CN (Commercial Neighborhood)/SP-000408-2022); and

**WHEREAS**, rezoning case BAZ-001008-2023 (ON (Office Neighborhood) and CN (Commercial Neighborhood)/SP-000408-2022 to CG (Commercial General) and CN (Commercial Neighborhood)/SP-000408-2022), was approved by the Broken Arrow City Council on October 17, 2023, subject to the property being platted; and

**WHEREAS**, the property has been platted as Aspen Ridge Business Park North. The plat for Aspen Ridge Business Park North which contains 9.88 acres, was recorded in Tulsa County on August 1, 2024; and

**WHEREAS**, the property is generally located one-third mile south of Florence Street (111th Street), East of Aspen Avenue (145th E Avenue), north of the Creek Turnpike; 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 CG Zoning

Lots 1-4, Block 1 and all of Blocks 2 and 3, Aspen Ridge Business Park North, a part of the

northwest quarter (NW/4) of the southwest quarter (SW/4) of Section Thirty-Four (34), Township Eighteen (18) North, Range Fourteen (14) East, of the Indian Base & Meridian, Tulsa County, State of Oklahoma

Legal description for CN/SP-00408-2022 Zoning

Lot 5, Block 1, Aspen Ridge Business Park North, a part of the northwest quarter (NW/4) of the southwest quarter (SW/4) of Section Thirty-Four (34), Township Eighteen (18) North, Range Fourteen (14) East, of the Indian Base & Meridian, Tulsa County, State of Oklahoma

be and the same is hereby changed from the zoning (ON (Office Neighborhood) and CN (Commercial Neighborhood)/SP-000408-2022 to CG (Commercial General) and CN (Commercial Neighborhood)/SP-000408-2022)

**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 17<sup>th</sup> day of September, 2024.

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MAYOR

ATTEST:

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(Seal) CITY CLERK

APPROVED:

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ASSISTANT CITY ATTORNEY