

ORDINANCE NO. 3943

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-002310-2025, 7.5 acres, located at the southwest corner of the intersection of Kenosha Street (71st Street) and Oneta Road (241st E Avenue/65th Street), granting CH (Commercial Heavy) 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 a CH (Commercial Heavy) district; and

WHEREAS, the Future Land Use designation for this property in the Comprehensive Plan was amended from Level 4 to Level 6 (COMP-002347-2025) at the October 7, 2025, City Council meeting; and

WHEREAS, rezoning request BAZ-002310-2025 was approved by the Broken Arrow City Council on November 4, 2025; and

WHEREAS, the property is generally located at the southwest corner of the intersection of Kenosha Street (71st Street) and Oneta Road (241st E Avenue/65th 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 CH (Commercial Heavy) District Zoning (7.5 acres)

TRACT 1:

A tract of land that is part of the North half of the East half of the Northeast Quarter (N/2 E/2 NE/4) of Section 9, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, said tract of land being described as follows:

Commencing at the Northeast Corner of Section 9:

Thence North 89°33'46" West along the Northerly line of said Section 9 for 50.00 feet; Thence South 00°10'22" East for a distance of 50.00 feet to the Point of beginning; Thence South 00°10'22" East for 488.98 feet; Thence due West a distance of 237.71 feet to a point of curve; Thence Northwesterly along a curve to the left, with a radius of 120.00 feet, a central angle of 59°59'46", a chord bearing of North 60°00'07" West, and a chord distance of 119.99 feet, for an arc length of 125.66 feet; Thence due West a distance of 571.89 feet; Thence North 01°34'51" West for 1.65 feet to a point of curve; Thence Northwesterly along a curve to the left, with a radius of 291.36 feet, a central angle of 32°41'56", a chord bearing of North 17°55'49" West, and a chord distance of 164.03 feet, for an arc length of 166.28 feet; Thence North 34°16'47" West a distance of 148.55 feet to a point of curve; Thence Northwesterly along a curve to the right, with a radius of 270.00 feet, a central angle of 01°39'41", a chord bearing of North 33°26'56" West, and a chord distance of 7.83 feet, for an arc length of 7.83 feet; Thence South 89°33'46" East a distance of 107.88 feet to a point on the Westerly line of Tract B, Commercial Addition, a Subdivision in the City of Broken Arrow, Wagoner County State of Oklahoma, according to the official recorded Plat thereof, as filed in Plat Cabinet 1-208 in the Wagoner County Clerk's Office; Thence south 00°10'22" East along the West line of said Tract B for 61.57 feet to the Southwest corner of said Tract B; Thence South 89°33'46" East along the South line of Tract B for 134.57 feet to the Southeast corner of said Tract B, the same being a point on the Westerly line of Lot 1, Block 1, Dollar General Kenosha & Oneta Centre, A Subdivision in the City of Broken Arrow, Wagoner County, State of Oklahoma, according to the recorded plat thereof; then South 00°10'22" East along the Westerly line of said Lot 1 for 59.42 feet to the Southwest corner of said Lot 1; thence South 89°33'46" East along the Southerly line of said Lot 1 for 187.00 feet to the Southeast corner of said Lot 1; Thence north 00°10'22" West along the Easterly line of said Lot 1 for 59.42 feet; Thence south 89°33'46" East for 146.60 feet; Thence North 00°10'22" West for 211.57 feet; Thence South 89°33'46" East for 475.00 feet to the Point of Beginning of said tract of land.

(This tract formerly was part of Tract C, D.S.M. Commercial Addition, a subdivision in the City of Broken Arrow, Wagoner County, State of Oklahoma, according to the official recorded plat thereof, as file in Plat Cabinet 1-208 in the Wagoner County Clerk's Office. Tract C was vacated by proceedings in Wagoner County District Court, Case No. CV-2012-63.)

TRACT 2:

A tract of land that is part of the North half of the East half of the Northeast Quarter (N/2 E/2 NE/4) of Section 9, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, said tract of land being described as follows:

Commencing at the Northeast corner of Section 9; Thence North 89°33'46" West along the Northerly line of said Section 9 for 525.00 feet to the Point of Beginning of said track of land; Thence continuing North 89°33'46" West along said Northerly line for 333.60 feet; Thence South 00°10'22" East along the Northerly extension of the Westerly line of Lot 1, Block 1, Dollar General Kenosha & Oneta Centre, a subdivision in the City of Broken Arrow, Wagoner County, State of Oklahoma, according to the recorded plat thereof, for 60.00 feet to the Northwest corner of said Lot 1; Thence South 89°33'46" East along the Northerly line of said Lot 1 for 247.00 feet to the Northeast corner of said Lot 1; Thence South 00°10'22" East along the Easterly line of said Lot 1 for 70.00 feet; Thence North 89°33'46" West along said Easterly line for 60.00 feet; Thence

South 00°10'22" East along said Easterly line for 131.57 feet to a point; Thence South 89°33'46" East for 146.60 feet; Thence North 00°10'22" West for 261.57 feet to the Point of Beginning of said tract of land.

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 _____, 2026.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY