

ORDINANCE NO. 3543

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-2008, generally located one-half mile north of New Orleans Street, east of First Place, granting a RE zoning classification be placed upon the tract along with PUD-278, 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 the existing Commercial Heavy District to be combined with a proposed Residential Estate District as part of an overall Planned Unit Development (PUD); and

WHEREAS, rezoning case BAZ-2008 (A-1 to RE) and PUD-278 were approved by the Broken Arrow City Council on August 7, 2018, subject to right-of-way and utility easement being dedicated along First Place; and

WHEREAS, 60 feet of right-of-way was dedicated and recorded in Tulsa County on August 23, 2018, along with 17.5 feet of utility easement (Documents 2018076477 and 2018076478); and

WHEREAS, the property is generally located one-half mile north of New Orleans Street, east of First Place; 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:

PUD-278 LEGAL DESCRIPTION

The North One hundred fifty-five (155) feet of the North Half of the Northwest Quarter of the Southeast Quarter (N1/2, NW1/4 SE1/4) of Section Twenty-three (23), 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.

BAZ-2008 LEGAL DESCRIPTION (A-1 TO RE)

Commencing at the Northwest Corner of the N/2 of the NW/4 of the SE/4 of 23, T-18-N, R-14-E, East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey Thereof.

Thence N 88°38'07" E along the quarter section line a distance of 240.00 feet to the "Point of Beginning"

Thence continuing N 88°38'07" E along quarter section line a distance of 1079.37 feet;

Thence S 01°17'46" E a distance of 155.00 feet;

Thence S 88°38'07" W a distance of 1079.23 feet;

Thence N 01°20'57" W a distance of 155.00 feet to the "Point of Beginning";

Said tract contains 167,293 square feet or 3.84 acres.

be and the same is hereby changed from the zoning A-1 (Agricultural) to (Residential Estate) along with PUD-278.

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 _____, 2018.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:

ASSISTANT CITY ATTORNEY