

ORDINANCE NO. 3552

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1868, granting a RM and FD zoning classification be placed upon the tract along with PUD-191B, generally located one-half mile west of Aspen Avenue, one-quarter mile north of Kenosha Street, at the north end of Elder Place, 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 Residential Multifamily District and Floodplain District; and

WHEREAS, rezoning case BAZ-1868 (IL to RM and FD) and PUD-191A, which contains 8.70 acres, were approved by the Broken Arrow City Council on September 6, 2011, subject to the property being platted; and

WHEREAS, PUD-191B, a major amendment to PUD-191A, was approved by the City Council on July 7, 2015; and

WHEREAS, the plat, Kenosha Villas, was recorded in Tulsa County on January 15, 2016; and

WHEREAS, the property is generally located one-half mile west of Aspen Avenue, one-quarter mile north of Kenosha Street, at the north end of Elder 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:

Legal Description for RM portion of BAZ-1868 (5.76 acres)

All of Kenosha Villas, an addition to the City of Broken Arrow, Oklahoma, a part of the northwest quarter of the southeast quarter (NW/4 SE/4) of Section Four (4), Township Eighteen (18N), Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, less and except Reserve D.

Legal description for FD portion of BAZ-1868 (2.94 acres)

Reserve D of Kenosha Villas, an addition to the City of Broken Arrow, Oklahoma, a part of the northwest quarter of the southeast quarter (NW/4 SE/4) of Section Four (4), Township Eighteen (18N), Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma.

Legal description for PUD-191B (8.70 acres)

All of Kenosha Villas, an addition to the City of Broken Arrow, Oklahoma, a part of the northwest quarter of the southeast quarter (NW/4 SE/4) of Section Four (4) Township Eighteen (18N), Range 14 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma.

be and the same is hereby changed from the zoning classification IL (Light Industrial) to RM (Residential Multifamily), FD (Floodplain District), and PUD-191B

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 5TH day of FEBRUARY, 2019.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:



ASSISTANT CITY ATTORNEY