

ORDINANCE NO. 3563

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1971, granting an IL zoning classification be placed upon the tract along with PUD-268, generally located east of 9th Street, one-half mile south of Houston 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, 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 Industrial Light District; and

WHEREAS, rezoning case BAZ-1971 (A-1 to IL), which contained 26.20 acres, was approved by the Broken Arrow City Council on March 7, 2017, subject to the property being platted and a Planned Unit Development (PUD) being submitted; and

WHEREAS, PUD-268, which contained 39.45 acres, was approved by the City Council on December 5, 2017, subject to the property being platted; and

WHEREAS, the plat, Alfa Laval, was recorded in Tulsa County on August 28, 2018; and

WHEREAS, the property is generally located east of 9th Street, one-half mile south of Houston 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 IL portion of BAZ-1971 (26.20 acres)

All of the South Half of the South Half of the Northwest Quarter (S/2 S/2 NW/4) of Section Thirteen (13), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof; LESS AND EXCEPT the original Plat of LYNN LANE INDUSTRIAL PARK, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

AND

The original Plat of LYNN LANE INDUSTRIAL PARK, Tulsa County, State of Oklahoma, according to the recorded Plat thereof; LESS AND EXCEPT that part platted as AMENDED PLAT OF LYNN LANE INDUSTRIAL PARK, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

Legal description for PUD-268 (35.45 acres)

All of Alfa Laval, a tract of land in the South Half (S/2) of the Northwest Quarter (NW/4) of Section Thirteen (13), Township Eighteen (18) North, Range Fourteen (14) East, City of Broken Arrow, Tulsa County, State of Oklahoma, Document Number 6807.

be and the same is hereby changed from the zoning A-1 (Agricultural) to IL (Industrial Light), along with PUD-268.

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 16th day of April, 2019.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:

L. Swaff
ASSISTANT CITY ATTORNEY