

## **ORDINANCE NO. 3568**

**An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving PUD-264, generally located on the northeast corner of Tucson Street (121<sup>st</sup> Street) and 9<sup>th</sup> Street (177<sup>th</sup> E. Avenue), granting PUD-264 zoning classification be placed 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**, rezoning case PUD-264, which involved a 4.14 acre parcel, was approved by the Broken Arrow City Council on July 18, 2017, subject to the property being platted; and

**WHEREAS**, BAZ-1943, a previous zoning case that was approved to change the zoning on the property from A-1 to CG was abrogated; and

**WHEREAS**, the property has been platted as Top Dog Training Facility. The plat for Top Dog Training Facility, which contains 4.14 acres, was recorded in Tulsa County on September 6, 2018; and

**WHEREAS**, the property is generally located on the northeast corner of Tucson Street (121st Street) and 9th Street (177th E. Avenue), Broken Arrow, Oklahoma; 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:

All of Top Dog Training Facility, a Subdivision of part of the Southwest Quarter (SW/4) of Section Thirty-Six (36), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, City of Broken Arrow, Tulsa County, State of Oklahoma, document number 6811.

be and the same is hereby changed from the zoning A-1 (Agricultural) to A-1/PUD-264.

**SECTION II.** Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.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 7<sup>th</sup> day of May, 2019.

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MAYOR

ATTEST:

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(Seal) CITY CLERK

APPROVED:

  
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ASSISTANT CITY ATTORNEY