

ORDINANCE NO. 3591

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1916 and BAZ-1997, generally located one-quarter mile south of Omaha Street (51st Street) and west of Aspen Avenue (145th E. Avenue), granting CH and IL zoning classifications be placed upon the tract along with PUD-226A, 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 BAZ-1916 (A-CH to CH), which involved 1.52 acres, and PUD-226, which involved 4.25 acres, were approved by the Broken Arrow City Council on June 16, 2014, subject to the property being platted; and

WHEREAS, a new application, PUD-226A, along with BAZ-1997 (A-CH and CH to IL), were approved by the Broken Arrow City Council on August 7, 2018, subject to the property being replatted; and

WHEREAS, the property has been replatted as CSD Enterprises Amended. The plat for CSD Enterprises Amended, which contains 4.09 acres, was recorded in Tulsa County on July 23, 2018; and

WHEREAS, the property is generally located one-quarter mile south of Omaha Street (51st Street) and west of Aspen Avenue (145th 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:

Legal Description for PUD-226A

All of CSD Enterprises Amended, an Addition to the City of Broken Arrow, Being a Replat of Block 1, and Reserve A of "CSD ADDITION" and a Part of Lot 1 of Block 1 of "BATTLECREEK MINI-STORAGE" and a subdivision of a Part of Northeast Quarter of Section 33, Township 19 North,

Range 14 East, Indian Meridian, Tulsa County, State of Oklahoma, Document Number 6803.

Legal Description for remaining portion of BAZ-1916 (A-CH to CH)

Lot 3, Block 1, CSD Enterprises Amended, an Addition to the City of Broken Arrow, Being a Replat of Block 1, and Reserve A of "CSD ADDITION" and a Part of Lot 1 of Block 1 of "BATTLECREEK MINI-STORAGE" and a subdivision of a Part of Northeast Quarter of Section 33, Township 19 North, Range 14 East, Indian Meridian, Tulsa County, State of Oklahoma, Document Number 6803 along with and including the south 113.20 feet of Reserve A of CSD Enterprises Amended.

Legal Description for BAZ-1997 (A-CH and CH to IL)

Lot 2, Block 1, CSD Enterprises Amended an Addition to the City of Broken Arrow, Being a Replat of Block 1, and Reserve A of "CSD ADDITION" and a Part of Lot 1 of Block 1 of "BATTLECREEK MINI-STORAGE" and a subdivision of a Part of Northeast Quarter of Section 33, Township 19 North, Range 14 East, Indian Meridian, Tulsa County, State of Oklahoma, Document Number 6803

be and the same is hereby changed from the zoning A-CH (Annexed Commercial Heavy) and CH (Commercial Heavy)/PUD-226 to CH (Commercial Heavy) and IL (Industrial Light), along with PUD-226A.

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 _____, 2019.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:



ASSISTANT CITY ATTORNEY