

ORDINANCE NO. 3614

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ-1965, generally located north of Kenosha Street, one-quarter mile east of Elm Place, granting an ON, CN, and IL zoning classifications be placed upon the tract along with PUD-253A, 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-1965 (R-2, RM, CN, and CH to ON, CN, and IL) and PUD-253 were approved by the Broken Arrow City Council on December 20, 2016, subject to the property being platted; and

WHEREAS, PUD-253A, a major amendment to PUD-253, was approved by the City Council on July 3, 2018, subject to the property being platted; and

WHEREAS, the property has been platted as North Rose Business Park. The plat for North Rose Business Park, which contains 12.61 acres, was recorded in Tulsa County on June 3, 2019; and

WHEREAS, the property associated with North Rose Business Park is generally located north of Kenosha Street, one-quarter mile east of Elm Place, 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 CN (Commercial Neighborhood)

A TRACT OF LAND THAT IS PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SW/4) OF SECTION TWO (2), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S.

GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION TWO (2); THENCE NORTH 88°32'07" EAST ALONG THE SOUTHERLY LINE OF THE SW/4 SW/4 OF SAID SECTION 2 FOR 823.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 01°12'00" WEST FOR 226.00 FEET; THENCE NORTH 88°32'07" EAST PARALLEL WITH THE SOUTHERLY LINE OF SAID SW/4 SW/4 FOR 281.00 FEET; THENCE SOUTH 01°12'00" EAST FOR 226.00 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SW/4 SW/4; THENCE SOUTH 88°32'07" WEST ALONG THE SOUTHERLY LINE OF SAID SW/4 SW/4 FOR 281.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 63,506 SQUARE FEET OR 1.458 ACRES, MORE OR LESS.

Legal Description for IL (Industrial Light)

A TRACT OF LAND THAT IS PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SW/4) OF SECTION TWO (2), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION TWO (2); THENCE NORTH 88°32'07" EAST ALONG THE SOUTHERLY LINE OF THE SW/4 SW/4 OF SAID SECTION 2 FOR 751.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 01°12'00" WEST ALONG THE SOUTHERLY EXTENSION OF THE EASTERLY LINE OF SHARP'S COMMERCIAL CENTER, A SUBDIVISION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND ALONG THE EASTERLY LINE OF SAID SHARP'S COMMERCIAL CENTER, FOR 600.00 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 88°32'07" WEST PARALLEL WITH THE SOUTHERLY LINE OF SAID SW/4 SW/4, AND ALONG THE NORTHERLY LINE OF SAID SHARP'S COMMERCIAL CENTER, FOR 91.00 FEET; THENCE NORTH 01°12'00" WEST FOR 390.00 FEET; THENCE NORTH 88°32'07" EAST PARALLEL WITH THE SOUTHERLY LINE OF SAID SW/4 SW/4 FOR 444.00 FEET; THENCE SOUTH 01°12'00" EAST 764.00 FEET; THENCE SOUTH 88°32'07" WEST PARALLEL WITH THE SOUTHERLY LINE OF SAID SW/4 SW/4 FOR 281.00 FEET; THENCE SOUTH 01°12'00" EAST FOR 226.00 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SW/4 SW/4; THENCE SOUTH 88°32'07" WEST ALONG THE SOUTHERLY LINE OF SAID SW/4 SW/4 FOR 72.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 321,451 SQUARE FEET OR 7.379 ACRES, MORE OR LESS.

Legal Description for ON (Office Neighborhood)

A TRACT OF LAND THAT IS PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/4 SW/4) OF SECTION TWO (2), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION TWO (2); THENCE NORTH 88°32'07" EAST ALONG THE SOUTHERLY LINE OF THE SW/4 SW/4 OF SAID SECTION 2 FOR 1104.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 01°12'00" WEST FOR 990.00 FEET; THENCE NORTH 88°32'07" EAST PARALLEL WITH THE SOUTHERLY LINE OF SAID SW/4 SW/4 FOR 218.05 FEET TO A POINT ON THE EASTERLY LINE OF SAID SW/4 SW/4, THE SAME BEING A POINT ON THE WESTERLY LINE OF KENWOOD IV, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE SOUTH 01°13'39" EAST ALONG THE EASTERLY LINE OF SAID SW/4 SW/4, AND ALONG THE WESTERLY LINE OF KENWOOD IV, AND ALONG THE WESTERLY LINE OF KENWOOD, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND ALONG THE SOUTHERLY EXTENSION THEREOF, FOR 790.00 FEET TO A POINT THAT IS NORTH 01°13'39" WEST A DISTANCE OF 200.00 FEET FROM THE SOUTHEAST CORNER OF SAID SW/4 SW/4; THENCE SOUTH 88°32'07" WEST PARALLEL WITH THE SOUTHERLY LINE OF SAID SW/4 SW/4 FOR 123.42 FEET; THENCE SOUTH 01°12'00" EAST FOR 119.00 FEET; THENCE SOUTH 24°27'36" WEST FOR 90.06 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SW/4 SW/4; THENCE SOUTH 88°32'07" WEST ALONG THE SOUTHERLY LINE OF SAID SW/4 SW/4 FOR 56.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 189,824 SQUARE FEET OR 4.358 ACRES, MORE OR LESS.

Legal Description for PUD 253A

All of North Rose Business Park, part of the SW Quarter (SW/4) of Section 2, Township 18 North, Range 14 East, City of Broken Arrow, Tulsa County, State of Oklahoma, document number 6858.

be and the same is hereby changed from the zoning R-2 (Single-Family Residential), RM (Residential Multifamily), CN (Commercial Neighborhood), and CH (Commercial Heavy) to ON (Office Neighborhood), CN (Commercial Neighborhood), and IL (Industrial Light) along with PUD-253A.

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 _____, 2020.

MAYOR

ATTEST:

(Seal) CITY CLERK

APPROVED:

 1/13/2020

ASSISTANT CITY ATTORNEY