



City of Broken Arrow

Request for Action

File #: 18-161, Version: 1

**Broken Arrow City Council
Meeting of: 01-16-2018**

To: Mayor and City Council Members
From: Development Services Department
Title:

Approval of and authorization to adopt Ordinance No. 3496-CORRECTED, an ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1975 and PUD 214A, generally located on the northwest corner of Omaha Street and Evans Road, one-quarter mile west of the Creek Turnpike, repealing all ordinances or parts of ordinances in conflict herewith; and declaring an emergency

Background:

On September 5, 2017, Ordinance No. 3496 was approved by the City Council. After further review by Staff, clerical errors were discovered and corrected. Staff recommends that the Council adopt Ordinance No. 3496-CORRECTED.

Rezoning case BAZ 1975 (A-1 to CH and IH) and PUD 214 were approved by the Broken Arrow City Council on March 6, 2012, subject to the property being platted. On June 16, 2016, the City Council approved PUD 214A, a major amendment to PUD 214. PUD 214A was also approved subject to the property being platted. The plat, Latshaw Addition, was recorded in Wagoner County on January 24, 2017. The property contains 36.51 acres.

Zoning Change: A-1 to CH and IH along with PUD 214A.

Acreage: 36.51 acres

Legal Description for BAZ 1975 (A-1 to CH and IH) and PUD 214A

LEGAL DESCRIPTION FOR BAZ 1875

A-1 to CH

A tract of land located in the Southeast-Quarter (SE ¼) of the Southeast-Quarter (SE ¼) of Section Twenty-Nine (29), Township Nineteen (19) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner county, State of Oklahoma, according to the United States Government survey thereof, more particularly described as:

Commencing at the Southeast Corner of said Section 29:

Thence N00°12'31"W along the east line of said Section a distance of 65.58 feet:

Thence N89°47'29" W a distance of 90.00 feet to a point on the proposed right of way, to the Point of Beginning:

Thence N89°50'36"W a distance of 259.58 feet along the proposed north right of way of Omaha Street:
Thence S60°09'24"W and distance of 10.00 feet along the proposed north right of way of Omaha Street:
Thence N89°50'36"W a distance of 147.68 feet along the proposed north right of way of Omaha Street:
Thence N00°12'31"W and distance of 289.55 feet:
Thence S89°50'36"E a distance of 440.95 feet to a point on the proposed right of way Evans Road:
Thence S00°12'31"E, along said right of way a distance of 259.55 feet:
Thence S44°58'27"W a distance of 35.24 feet to the Point of Beginning said tract containing 125,919.04 s.f or 2.8907 acres, more or less.

A-1 to IH

A tract of land located in the Southeast-Quarter (SE ¼) of the Southeast-Quarter (SE ¼) of Section Twenty-Nine (29), Township Nineteen (19) North, Range Fifteen (15) East of the Indian Base and Meridian, Wagoner county, State of Oklahoma, according to the United States Government survey thereof, more particularly described as:

Commencing at the Southeast Corner of said Section 29:

Thence N00°12'31"W along the east line of said Section a distance of 65.58 feet:
Thence N89°47'29" W a distance of 90.00 feet to a point on the proposed right of way:
Thence N89°50'36"W a distance of 259.58 feet along the proposed north right of way of Omaha Street:
Thence S60°09'24"W and distance of 10.00 feet along the proposed north right of way of Omaha Street:
Thence N89°50'36"W a distance of 147.68 feet along the proposed north right of way of Omaha Street, to the Point of Beginning:

Thence N89°50'36"W a distance of 816.12 feet along the proposed north right of way of Omaha Street:
Thence N00°09'08"W a distance of 1263.55 feet:
Thence S89°49'05"E a distance of 1260.83 feet to a point on the proposed right of way of Evans Road:
Thence S00°12'31"E, along said right of way, a distance of 964.73 feet:
Thence S29°42'01"W, along said right of way, a distance of 10.03 feet:
Thence N89°50'36" W a distance of 440.95 feet:
Thence S00°12'31"E a distance of 289.55 feet, to the point of Beginning, said tract containing 1,464,392.54 s.f. or 33.6178 acres, more or less.

LEGAL DESCRIPTION FOR PUD 214A

All of Latshaw Addition, a part of the SE/4 of the SE/4 of Section Twenty-Nine (29), Township Nineteen (19) North, Range Fifteen (15) East, of the Indian Base and Meridian, City of Broken Arrow, Wagoner County, State of Oklahoma, Book 2336, Page 366.

be and the same is hereby changed from the zoning classification of A-1 to CH and IH along with PUD 214A.

Cost: **Recording Fees**
Prepared By: **Legal Department**

Reviewed By: **Legal Department**
 Assistant City Manager - Operations

Approved By: **Michael L. Spurgeon, City Manager**

Attachments: **Ordinance No. 3496 -CORRECTED**
 Case Map

Recommendation:

Adopt Ordinance No. 3496-CORRECTED and approve the emergency clause.