

ORDINANCE NO. 3628

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving PUD-275, generally located north of the northeast corner of Aspen Avenue (145th E. Avenue) and Albany Street (61st Street), south of the Broken Arrow Expressway, granting PUD-275 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-275, which involved a 1.02 acre parcel, was approved by the Broken Arrow City Council on April 3, 2018, and replatting was waived; and

WHEREAS, PUD-29D, a previous zoning case that was approved on the property was abrogated; and

WHEREAS, the property is generally located north of the northeast corner of Aspen Avenue (145th E. Avenue) and Albany Street (61st Street), south of the Broken Arrow Expressway, 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:

A TRACT OF LAND BEING A PART OF LOT ONE (1), BLOCK TWO (2), TIMBERCREST PARK, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT, SAID POINT BEING THE NORTHWEST CORNER OF LOT 1, BLOCK 2; TIMBERCREST PARK ADDITION; THENCE NORTH 89°53'00" EAST A DISTANCE OF 95.03 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1,834.86 FEET AND A DELTA ANGLE OF 02°24'15", A DISTANCE OF 76.99 FEET TO A POINT; THENCE SOUTH 00°07'00" EAST A DISTANCE OF 220.91 FEET TO A POINT; THENCE NORTH 83°27'17" WEST A DISTANCE OF 0.00

FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 175 FEET AND A DELTA ANGLE OF 06°32'43" A DISTANCE OF 19.99 FEET TO A POINT; THENCE DUE WEST A DISTANCE OF 155.18 FEET; THENCE NORTH 09°23'32" EAST A DISTANCE OF 18.89 FEET TO A POINT; THENCE NORTH 00°07'00" WEST A DISTANCE OF 202.40 FEET TO THE POINT OF BEGINNING.

AND

A TRACT OF LAND BEING A PART OF LOT ONE (1), BLOCK TWO (2), TIMBERCREST PARK, AN ADDITION TO THE CITY OF BROKEN ARROW, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT ONE (1), BLOCK TWO (2), THENCE NORTH 89°53'00" EAST AND ALONG THE NORTH LINE OF SAID LOT ONE (1), BLOCK TWO (2) FOR A DISTANCE OF 95.03 FEET TO A POINT ON A CURVE; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 1,834.86 FEET AND A CENTRAL ANGLE OF 02°24'15" FOR A DISTANCE OF 76.99 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 1,834.86 FEET AND A CENTRAL ANGLE OF 00°52'32" FOR A DISTANCE OF 28.04 FEET; THENCE SOUTH 00°07'00" EAST FOR A DISTANCE OF 225.18 FEET; THENCE NORTH 74°05'42" WEST FOR 0.00 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 175.00 FEET AND A CENTRAL ANGLE OF 09°21'35" FOR A DISTANCE OF 28.59 FEET; THENCE NORTH 00°07'00" WEST FOR A DISTANCE OF 220.91 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINING 44,278.85 SQUARE FEET (1.02 ACRES), MORE OR LESS.

be and the same is hereby changed from the zoning PUD-29D/CH (Commercial Heavy) to PUD-275/CH.

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 this 7th day of April, 2020.

/s/ Craig W Thurmond
MAYOR

ATTEST:

/s/ Curtis Green
(Seal) CITY CLERK

APPROVED:

/s/ Tammy Ewing
ASSISTANT CITY ATTORNEY