

ORDINANCE NO. 3307

An ordinance amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1736, BAZ 1860 and PUD 207B, approving BAZ 1736 and BAZ 1860, granting PUD 207B and Commercial Heavy zoning classification be placed upon the tracts, 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, on November 20, 2006, the City Council approved BAZ 1736 to change the zoning on most of the property located north of the Broken Arrow Expressway, west of 9th Street to a C-5 zoning classification. The C-5 District was changed to CH with the Zoning Ordinance update in 2008; and

WHEREAS, BAZ 1736 was approved subject to platting; and

WHEREAS, rezoning case BAZ 1860 (A-1 to C-H) and PUD 207 were approved by the Broken Arrow City Council on December 21, 2010, subject to the property being platted;

WHEREAS, BAZ 1860 was for a small portion of the property (0.18 acres), while PUD 207 encompassed all of the property associated with BAZ 1736 and BAZ 1860; and

WHEREAS, on August 22, 2013, the Planning Commission approved BAZ 207A, a minor amendment to PUD 207; and

WHEREAS, on December 20, 2013, the plat "Hillside Crossing" was recorded in Tulsa County; and

WHEREAS, PUD 207B, a request for a minor amendment to PUD 207A, was approved by the Planning Commission on May 22, 2014; and

WHEREAS, the property is located north of the Broken Arrow Expressway, west of 9th Street; 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 BAZ 1736, BAZ 1860 and PUD 207B

All of Hillside Crossings, a part of the SE/4 of Section Two (2), Township Eighteen (18) North, Range (14) East, of the Indian Base and Meridian, City of Broken Arrow, Tulsa County, State of Oklahoma, plat no. 6505

be and the same is hereby changed from the zoning classification of A-1 to CH and PUD 207B.

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 6th day of October, 2015.

Craig W. Thurmond
MAYOR

ATTEST:

Mary E. Bryce
(Seal) CITY CLERK

APPROVED:

Kim Slinkard
Assistant CITY ATTORNEY