

ELLEN PATRICIA HACKLER & CHASE F. HACKLER  
4390 48<sup>th</sup> Avenue N.E.  
Norman, Oklahoma 73026  
(405) 401-2931

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 6/8/2020

VIA HAND-DELIVERY:

Norman Planning Commission  
201-A W. Gray Street  
Norman, Oklahoma 73069

RE: JORDAN FAYAK REQUEST FOR SPECIAL USE PROTEST

To Whom It May Concern:

Please accept this letter as our written protest of the Request for Special Use submitted by Jordan Fayak as it relates to:

Part of the Northeast Quarter (NE/4) of Section Eleven (11), Township Nine (9) North, Range Two (2) West of the Indian Meridian, Cleveland County, Oklahoma, described as follows: Beginning at a point 1773.8 feet East of the Northwest Corner of the Northeast Quarter (NE/4); thence South 262.00 feet; thence West 5 feet; thence South 1468.0 feet; thence West 251.03 feet; thence North 1730 feet, thence East 256.03 feet to the Point of Beginning.

Said tract contains 9.0 acres or less.

We are supportive in general of the legal medical marijuana industry; however, we object to the proposed large, industrial medical marijuana processing facility being built and operated in this area. Our family has owned our property since 1969 and our home was built in 1978. In the fifty (50) years that our family has owned this property, the area has transitioned from a more rural, agricultural area to a more residential area with large agricultural acreages being divided into smaller residential 5-10 acre homesteads. There are no other industrial operations near our home. City Zoning Ordinances were enacted to protect property values by keeping incompatible or unsuitable uses away from other properties in order to maximize the benefit to the surrounding communities. There are no industrial or restricted industrial properties adjacent to Mr. Fayak's property, and the granting of his request will create an island of industrial use in a primarily residential area.

Robin Hill Elementary School (at the corner of Franklin and 48<sup>th</sup> Avenue NE) sits less than 1000 feet from Mr. Fayak's property, and the granting of his request would pose a safety concerns, for the school and the surrounding homes.

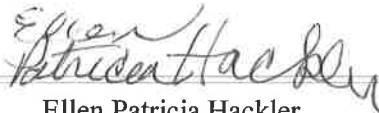
A large medical marijuana processing facility will undoubtedly increase traffic on Franklin Road (a narrow, two-lane road); additionally, medical marijuana processing facilities are subject to being targeted for marijuana theft; and if Mr. Fayak is granted his request for special use, how many more applications for industrial operations will be submitted in the coming years? We are genuinely concerned that allowing this variance will promote additional industrial operations seeking special use variances that will threaten the tranquil nature of our home.

Furthermore, medical marijuana processing and grow operations even with air filtration produce strong, distinctive odors that will pollute the air of our property and our neighbors.

This commercial operation is incompatible with the current trend transitioning this area from rural agricultural to more residential and will undoubtedly have a detrimental effect on the surrounding property values. We respectfully request that you protect the safety, value, and peaceful nature of our home by denying Mr. Fayak's request for Special Use from A-2 Rural Agricultural District to M-1 Restricted Industrial District for the above described property.

Should you have any further questions or require any additional information, please do not hesitate to contact us. Thank you.

Sincerely,



Ellen Patricia Hackler



Chase F. Hackler

June 6, 2020

Norman Planning Commission  
201-A West Gray Street,  
Norman, OK 73069

Dear Norman Planning Commission,

This is regarding case PD20-14 (Jordan Fayak, applicant).

We are Tom and Sharon Myers of 4610 East Franklin Road in Norman. We have lived on our plot of 3+ acres for about 34 years. Our property is one of several small parcels that abuts Mr. Fayak's land.

First, I would like to draw your attention to the size of the properties close by, zoned A-2, RE (Residential Estates), and A-1 in one case. A-2 zoning now requires 10 acres per parcel, but these older properties of our neighborhood are much smaller, as can be seen on the map. Several properties are actually less than an acre. Of those abutting Mr. Fayak's acreage on the east side, two are 5 acres, one is 6, three of them are about 2 acres, and one is about three. This is a neighborhood of small properties. We would assume that when the city planners allowed A-2 zoning to include the special use of the M-1 Restricted Industrial District, they were not envisioning a neighborhood of small parcels. We think they were envisioning larger country acreages. An industrial use such as Mr. Fayak is requesting is not a good fit for our neighborhood's size of plots and density. It is not compatible "with existing or permitted uses on abutting sites."

Second, we see that this commission may recommend that the City Council require conditions of the applicant to "minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed 'Special Use' with existing or permitted uses in the surrounding area." When the Pre-Development meeting was held, Mr. Fayak and his brother made some promises. Among these were that they would try to put carbon filters on the exhaust; that there shouldn't be traffic late at night; that there would not be a lot of lights at night; that at first there would be only 5-10 employees (how will traffic or parking be handled if the business grows?); and there would be a fence, first to separate Mrs. Argo's driveway from Mr. Fayak's driveway, and also to surround the property and keep his dogs inside. That fence was spoken of as ten feet high, topped with barbed wire. We would ask that the Planning Commission and the City Council require that such promises be enacted by the applicant if his application is not denied. We are not in a position to know if carbon filtering is the ideal system, but we do understand that some type of filter is needed. We also know that many employees and many lights at night are not part of a rural neighborhood. We also understand that a surrounding fence such as was described in the Pre-Development meeting needs to be far away from the street, so that Mr. Fayak's property doesn't have the appearance of a detention facility in our neighborhood.

Thank you for your consideration of these things.

Sincerely,



Tom and Sharon Myers

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 6-8-20

27 May 2020

City of Norman  
Department of Planning & Community Development  
201 West Gray, Building A  
Norman, OK 73069-73070

Re: Case No. PD 20-14, Jordon Fayak, 4520 E. Franklin Road

Members:

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I am an owner of property adjacent to subject tract and I strongly oppose the requested exception. A marijuana processing facility should not be permitted at this location for a variety of substantial reasons.

I plan to attend the discussion of this proposal on Thursday, 28 May, since I do not have the capability to participate via ZOOM.



Jim Hamilton  
4200 Crickett Lane  
Norman, OK 73071

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 5/28/20



May 5, 2020

City of Norman  
Planning Department  
201 West Gray  
Norman, OK 73069

RE: Pre-Development Written Description of Project

Dear City of Norman,

We represent the Applicant in the attached application for Pre-Development Information Meeting. The Applicant seeks a special use for the property located at 4520 E. Franklin Road. The property is currently zoned A-2; Rural Agricultural, and currently allows for Medical Marijuana Commercial Grower and Education Facilities as a matter of right. The Applicant seeks a special use pursuant to § 420 2(3)(K) of Norman's Zoning Ordinance, to add a special use of Medical Marijuana Processor, as allowed by state law.

We respectfully request that you set a Pre-Development neighborhood meeting for this application. Please let me know if you have any question. We thank you for your consideration.

Very Truly Yours,  
RIEGER LAW GROUP PLLC

GUNNER B. JOYCE  
Attorney at Law

FILED IN THE OFFICE  
OF THE CITY CLERK  
ON 5/21/20

from



Carlene Parker  
4600 48th Ave NE  
Norman, OK 73026-0462

of Rieger  
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ekrampf@riegerlawgroup.com

100 Thompson Drive, Norman, OK 73069 | 405.310.5274 | www.RiegerLawGroup.com

To Whom this may concern:

My name is Carlene Parker. My property backs up to his land. I am totally against this action. We are already dealing with the noise from the firing range. We have an elementary school nearby. I don't want the children exposed to this plant. Years ago, my father, Troy Johnston, rented the 160 acres north of his house on Franklin. My father had to deal with people trespassing on his land often, looking for marijuana. It didn't get violent, but it came close several times. Please consider my opinion. I sure don't want to smell the stench from it either. I cannot attend the zoom meeting that day, I have another obligation,  
Thank you,  
Carlene Parker



# Pre-Development Informational Meeting

City of Norman Planning Commission 201 W. Main St., Bldg. A - Norman, OK 73069 (405) 310-5274 Fax (405) 310-5274

APPLICANT AND OWNER c/o Rieger Law Group c/o Joyce	ADDRESS c/o Rieger Law Group PLLC, Attorney for Applicant 136 Thompson Drive Norman, OK 73069
EMAIL ADDRESS c/o Rieger Law Group joyce@riegerlawgroup.com	NAME AND PHONE NUMBER OF CONTACT PERSON c/o Gunner Joyce, Attorney for Applicant (405) 310-5274 BEST TIME TO CALL: M-F Business Hours

Concurrent Planning Commission review requested and application submitted with this application

A proposal for development on a parcel of land, generally located at 4520 E. Franklin Rd

and containing approximately 9 acres, will be brought forward to the Planning Commission and City Council for consideration within the next six months.

The Proposed Use(s) in this development will include (please describe specific land uses and approximate number of acres in each use):

The Applicant seeks a special use on the property to allow Medicinal Marijuana Processing, as allowed by state law. The Applicant seeks to construct a building which will house the processing activities.

Proposed development will necessitate (check all that apply)	Items Submitted	Concurrent Planning Commission Review Requested <input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Plan Amendment	<input checked="" type="checkbox"/> Deed or Legal Description	Received on: 5-4-2020
<input type="checkbox"/> Growth Boundary	<input checked="" type="checkbox"/> Radius Map	at 1:30 a.m.
<input type="checkbox"/> Land Use	<input checked="" type="checkbox"/> Certified Ownership List	by [Signature]
<input type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Written description of project	
Special Use for 22420-2(3)(K) Medical Marij. Processor	<input checked="" type="checkbox"/> Preliminary Development Map	
<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Greenbelt Enhancement Statement	
<input type="checkbox"/> Norman Rural Certificate of Survey (COS)	<input checked="" type="checkbox"/> Filing fee of \$125.00	
<input type="checkbox"/> Commercial Communication Tower	Current zoning: A-2	
	Current Plat Designation: Country Residential	



# The City of NORMAN

201 West Gray, Bldg. A • P.O. Box 370  
Norman, Oklahoma 73061 • 73070

PLANNING AND COMMUNITY DEVELOPMENT  
Phone: 405-266-5433

CASE NUMBER: 1920-14  
 APPLICANT: Jordan Kayak  
 DATE: May 7, 2020  
 LOCATION: 4520 E. Franklin Road  
 TO: Interested Neighbors  
 WARD: 5  
 FROM: City of Norman Department of Planning and Community Development  
 SUBJECT: Pre-Development Discussion of a Special Use for Medical Marijuana Processor

You are receiving this letter because you own property within the 350-foot notification boundary of a Pre-Development application to consider a Special Use pursuant to 22-420.2(3)(K), "One and only one of the specific uses permitted in the M-1, Restricted Industrial District . . ." specifically "191 Medical Marijuana Processor (any tier, except that Tier I and Tier II will not be allowed to have on-site sales) as allowed by state law". This property is currently zoned A-2, Rural Agricultural District.

Please join us for a Pre-Development discussion of this proposal on Thursday, May 28, 2020 from 5:30 p.m. until 6:00 p.m. This Pre-Development Informational Meeting will be held via ZOOM video conference. Although City Council Chambers will be open, there is limited seating, and we would strongly recommend that you attend via ZOOM if at all possible to ensure your safety, as well as the safety of participants who cannot attend virtually and staff. Council Chambers of the Norman Municipal Complex is at 201 West Gray Street, located north and west of the downtown Post Office. If you would like to participate in the ZOOM meeting, please email us prior to 4:00 p.m. on May 28 at [CurrentPlanning@NormanOK.gov](mailto:CurrentPlanning@NormanOK.gov) and we will send you the link to access the meeting. PLEASE BE SURE TO INCLUDE THE CASE NO. AND APPLICANT, FOUND AT THE TOP OF YOUR LETTER, SO THAT WE SEND YOU THE PROPER CODE.

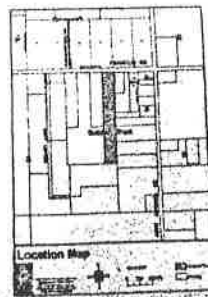
This applicant has filed a concurrent application for Planning Commission consideration of this project at their June 11, 2020 meeting. You will also be receiving notice of that meeting in the near future.

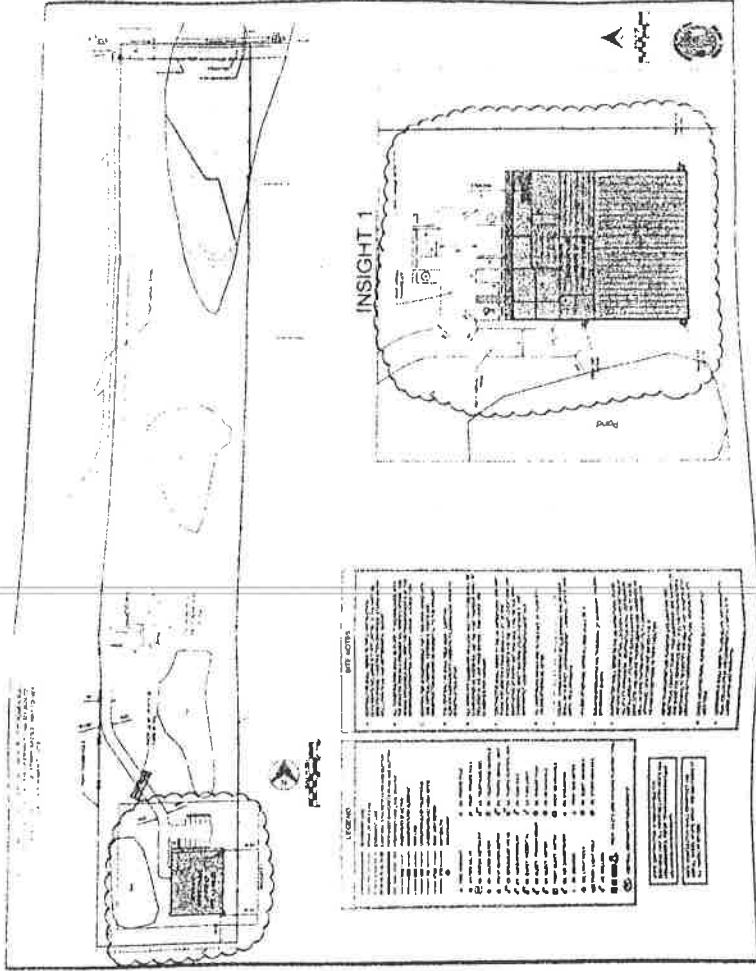
Pre-Development meetings are required for property owners seeking to undertake certain land use actions (any Special Use, rezoning of land over 40 acres in size, amendment of the NORMAN 2025 Land Use & Transportation Plan, subdivision of property, Rural Certificate of Survey greater than 40 acres, or construction of a cellular tower) that could have an impact on surrounding properties.

Pre-Development meetings allow applicants and neighboring property owners to meet informally to discuss proposals and air concerns prior to the public hearing process. Often Pre-Development meetings allow applicants and neighbors to resolve issues of concern.

If you have questions about the proposal, please call the contact person, Gunner Joyce, Attorney for Applicant, (405) 310-5274 during business hours. We look forward to your participation and thank you for taking an active role in your community.

VICINITY MAP





INSIGHT 1

**LEGEND**

**SYMBOLS**

**1** Building Footprint

**2** Building Perimeter

**3** Building Area

**4** Building Volume

**5** Building Height

**6** Building Orientation

**7** Building Shape

**8** Building Material

**9** Building Color

**10** Building Age

**11** Building Condition

**12** Building Use

**13** Building Location

**14** Building Surroundings

**15** Building Access

**16** Building Egress

**17** Building Security

**18** Building Maintenance

**19** Building Renovation

**20** Building Demolition

Scale: 1:1000

North Arrow