

**NORMAN PLANNING COMMISSION  
REGULAR SESSION MINUTES**

**JULY 9, 2020**

The Planning Commission of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session via Video Conference and in the Council Chambers of the Norman Municipal Building, 201 West Gray Street, on the 9<sup>th</sup> day of July, 2020.

Notice and agenda of the meeting were posted at the Norman Municipal Building and online at <http://www.normanok.gov/content/boards-commissions> at least twenty-four hours prior to the beginning of the meeting.

Chair Lark Zink called the meeting to order at 6:30 p.m.

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Item No. 1, being:

**ROLL CALL**

MEMBERS PRESENT  
via Video Conference

Erin Williford  
Tom Knotts  
Lark Zink  
Erica Bird  
Dave Boeck  
Sandy Bahan  
Steven McDaniel

MEMBERS ABSENT

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A quorum was present.

STAFF MEMBERS PRESENT  
(in person, unless otherwise noted)

Jane Hudson, Director, Planning &  
Community Development  
Roné Tromble, Recording Secretary  
Lora Hoggatt, Planner II  
Ken Danner, Subdivision Development  
Manager  
Bryce Holland, Multimedia Specialist  
Nathan Madenwald, Capital Projects  
Engineer  
Beth Muckala, Asst. City Attorney (video)  
Kelvin Winter, Code Compliance Supervisor  
(video)  
David Riesland, Traffic Engineer (video)

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Item No. 6, being:

**O-2021-1 – VINCENT PRECILLA REQUESTS SPECIAL USE FOR “ONE AND ONLY ONE OF THE SPECIFIC USES PERMITTED IN THE M-1, RESTRICTED INDUSTRIAL DISTRICT ...”, SPECIFICALLY “(G) 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” IN THE A-2, RURAL AGRICULTURAL DISTRICT, WITH A WAIVER FROM SECTION 22:431.4(1)(A), EXTERIOR APPEARANCE, FOR PROPERTY LOCATED AT 3927 12<sup>TH</sup> AVENUE N.W.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Location Map
2. Staff Report
3. Site Plan

**PRESENTATION BY STAFF:**

1. Lora Hoggatt reviewed the staff report, a copy of which is filed with the minutes. We did receive protests for this application that came to 51.9% of the area within the notification radius.

**PRESENTATION BY THE APPLICANT:**

1. Vincent Precilla, 3927 12<sup>th</sup> Avenue N.W., the applicant – I just want to give you a quick heads-up. Like she said, it's zoned agriculture, A-2. We've been in business over a year and a half there with no issues or problems. Basically all I'm trying to do – I don't know if you can see this. Basically, all I'm doing is taking material that's already prepped in the facility that is allowed, it's put into this wrapper and then it's put into this tube. That's all I'm doing. According to OMMA, you need to have a processing license to do that, and that's something that I've had on-site for over a year. There is no sale. I'm the only person that moves product on and off that facility, so we don't have any traffic, foreign people – when I say foreign people, I'm referring to people that are not residents of that property. So you don't have a streaming of traffic. We've had no issues, like I said. In the future, I know my neighbor very well, actually. It was a shock to me when I got that protest from them, and I think it's leaning to economics, which is, you know, he mentioned the subdivision behind me and he's looking at his land value with that subdivision coming on. This license can be moved. So when it gets to the point that he wants to sell his 80 acres to the developer to push that subdivision, if the developer is willing to pay for my parcel, I have no issues also at that point to take my license and move to another location. So I am not trying the hostile type environment. My building is 1,000 feet off the road. I've had all the City folks – Fire Department, everybody that have come through on multiple occasions, because the grow has also gone for a renewal process. I already have a license on the facility. This stuff that I'm finding out as I have to renew my processing license, making pre-rolls. There's history at this location. This is not something that I am now trying to do; it's stuff that has been done and is currently occurring over the last year and a half. There is no police calls, no break-ins, no theft that I'm aware of in the area. Because, like I said, there is no public sales, there's no coming into the property. So that's kind of where I am. If you have any questions, like I said. If they want to develop that 80 acres and they want to buy my 25, I'll pick up the license and move to another location. So fear of their property values going down, or future progress – I'm all about progress. It's all about a balance. So I want the folks around that own that property that are looking at it from an economic standpoint – I'm not here to stop anybody or create issue for anybody. I'm willing to get onboard. If they want to put up housing subdivisions in the area. It's all about what is best for the environment and for the neighborhood. And that's kind of where I am. I'm not trying to create any issues for anybody around where I live. Because I also live on-site. That's pretty much all I have. If you all have any questions, I'm more than willing to answer.

2. Mr. Boeck – I guess one of the things that bothers me and the site plan that you were showing us, you showed another growery – a greenhouse right up against that property line. Why aren't you proposing to build it right next to the other one or right behind the other one. That would bother me a lot if I was a property owner next door. It just doesn't make any sense.

Mr. Precilla – Well, I can explain that. Currently the existing building was there prior to the OMMA passing the rules, so it's 2,400 square feet. Based upon all the zoning requirements, it's

over 40' from the property line. It's located next because the Fire Department and everybody that went through the proposed site have to have certain accessibility, so that's why it's where it is. The reason that it's on hold right now is because of funding. It requires probably around \$400,000 to get constructed, and in this business it is not something that you can go to the bank to finance, so you have to save money to put aside to build. So that's kind of where I am. Like I said, this was a shock to me. When I got the email – well, I mean ...

Mr. Boeck – If I owned that property with it showing there – and I don't want to second guess the City, but I know they want fire lanes and stuff like that. But you could put that closer to your existing one and still have a road around it. That shows hostility by showing that building right ...

Mr. Precilla – No, no, no, no, no. I would love to do what you say. The City told me I had to have 20' apart from the buildings. The City has basically boxed me in and said this is where it have to be to meet code and fire and all these different things. I'm just following the rules. I agree with you. I don't see why I can't just put it right there. I am 100% with you. But the City is telling me this is how it have to be. The building code department is telling me it have to be. Like I said, I have no issues when it comes to the subdivision behind me pushing on and taking up that 80 acres, and they want to buy out the 25 because I have no problems picking up the license and moving to another location. It's all about progress. I have no issues with that, like I said. I've been in existence there for a year and a half with no issues, no problems, and I'm all about progress. So I agree with you with what you said, but this is what the City is telling me I have to do to allow to get that building permit.

**AUDIENCE PARTICIPATION:**

1. Marti Bushore, 3400 38<sup>th</sup> Avenue N.E. – I'm here on behalf of my family and my parents. My parents are the ones that live right next door to the south at 3811 N.W. 12<sup>th</sup>, next to Vincent's property. So I'm here to kind of speak on their behalf. I first want to say the land has been in our family for over 70 years, and my parents have lived there 56 years, and I guess we never thought we'd be dealing with this right now. But there's been a lot of love on our family. We've had – it's very quiet. It's peaceful. A lot of family memories there. My parents have a lot of grandkids. I just want to touch, I think, on a few thing Vincent had said. I was trying to take notes as he was speaking. We did notice in the – well, I got an email today with all the property lines and everything that he is putting a greenhouse on that property line. What you didn't see in the picture that you saw of the property is there are – it's a big residential area, for those of you who aren't familiar with that – it's right south of VoTech. I mean, within 1,000' or less, right behind where the new greenhouse would be, there is a whole new development. To the south of Tecumseh, which is less than a half mile, there's a whole other development, and to the west across 12<sup>th</sup> Street from where my parents live another whole development. So we're just really concerned about the expansion and what that's gonna bring to the area with the marijuana and the traffic. Because, to me, Vincent, as you said, there's not much traffic, but there is a lot – it definitely increased, my parents have said – a lot of increase in traffic delivery trucks and stuff, and then employees. With this greenhouse, you will need more employees. Right? That's just concerning. And that comes with that. So we were definitely concerned with that. Let me see what else I had written down when he was talking. Okay. I think I kind of touched on his – but I had kind of written down something just kind of from my heart that I just kind of want to read, just to kind of let you know who we are – how heartfelt we are with our land. How far we've come from the day when I was child concerned about people growing illegal marijuana down at the river and hoping harm wouldn't come to our house, to a day now in 2020 speaking against someone being legally allowed to grow marijuana next to my parents' house by that same river, and still having the same concerns of safety. Since the growing of marijuana began, there has been an increase of traffic on the road. I just really want to say that we don't want to devalue that 80 acres of my family's land.

2. Cindy Tietsort, 4750 12<sup>th</sup> Avenue N.W. – We own the farm catty corner from him. We've lived there 30 years. I don't want a processing pre-roll plant there. It will increase traffic more.

This is approximately ¼ mile from the Moore Norman Technical Center. I think it's too close. I do believe it will bring more crime to the area, once people find out it is a processing pre-roll plant. I don't want to live by a wholesale distribution processing plant. It's a nice, quiet community. I think the burglaries will increase – just more crime – more crime in the area and we don't need that. I think you could go further out, if that's what you want to do, or choose another avenue. But these are our farms. We've lived there for so many years. We raised our children, our grandchildren come. I don't want to be by that. Do you have any questions for me? Thank you. I do have another comment. Why couldn't he go to an industrial area or somewhere more fitting for this distribution center? It will devalue our property. No one wants to be by a processing plant like that. It will devalue all the property around it. And there are neighborhoods right behind you and just to the south of you on Tecumseh. You have neighborhoods very close.

3. Mr. Precilla – I understand the concerns, but until this application was filed, none of these residents new I existed. There's an industrial right opposite the two huge subdivisions that they referred to on the back of me have processing and grow facilities. Again, there is no employees. It's not a processing plant. They're making it sound like have hundreds of employees coming there. I have two employees on site – that's it. I have the grower and one person that processes and handles packaging of the flower. That's it. There is nobody else comes and go on that property, and I'm the only one licensed to take the marijuana off-site to the dispensaries. There is no public. I don't see any more excessive stuff because you're growing stuff. All the chemicals that come on there – fertilizer, all that stuff – I bring. A few UPS trucks that bring stuff from Amazon for my wife, because we live on-site. So there are a few trucks that deliver personal items to us, but it is not every day thing that you have trucks running up and down and people coming in and out. And, again, I'd like to reiterate it's two people on that site that work and, like I said, when they get ready to develop that 80 acres – that's her concern her back of that property. I'm right next to them. More than welcome to buy – I'm allowed, once again, to move that license. I have no problem picking it up and move. At that time, I'll have the finances, if they buy my property, to move. I am not objecting to the safety or the development of the whole area. It's a 2,400 sq. ft. building. It's 1,000 feet. Even the projected building that I'm talking about that has been approved is over 1,000 feet from the road. You have tree lines that, when you drive on 12<sup>th</sup> Street, you don't know it's in existence there, and based on the elevation the subdivision behind me doesn't even know I exist because they can't see what is actually on my property. The only time that becomes a problem is when they get ready to develop the 80 acres and, like I said, I'm more than willing to sign on when they get ready to sell that 80 acres to sell my 25 and they can put a subdivision there and I'd move on. Again, two employees is not hundreds of employees on-site, and I'm willing to do anything to make life happy for the two residents that are complaining. I didn't have any issue with the Vo-Tech people that were on the last time we had this meeting. The people that are in that subdivision didn't have any issues. I'm talking about these two individuals that are here. I understand that it old school and they look at this as a drug, and some people look at it as medicine. I mean, I have my son-in-law that is a vet in the Iraq war. He uses marijuana because it calms him down from what he had to go through there. So people look at this stuff as a stigma. I mean, opioids is worse than this stuff. I just want to try and tell the two neighbors on my side I'm willing to work with them in any way to make them comfortable. If they have any concerns or issues, they can come talk to me; I'm a rationale person. And that's where I am. I'm willing to do anything to help keep things comfortable.

**DISCUSSION AND ACTION BY THE PLANNING COMMISSION:**

*Dave Boeck moved to recommend adoption of Ordinance No. O-2021-1 to City Council. Erin Williford seconded the motion.*

There being no further discussion, a vote on the motion was taken with the following result:

YEAS	Erin Williford, Tom Knotts, Lark Zink, Erica Bird, Steven McDaniel
NAYES	Dave Boeck, Sandy Bahan
MEMBERS ABSENT	Nouman Jan

Ms. Tromble announced that the motion, to recommend adoption of Ordinance No. O-2021-1 to City Council, passed by a vote of 5-2.

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