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ORDINANCE NO. O-1920-20

ITEM NO. 8

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**STAFF REPORT**

**GENERAL INFORMATION**

APPLICANT	MCD Wellness Society, L.L.C. Chelsea McDonald
REQUESTED ACTION	Rezoning to CCPUD, Center City Planned Unit Development
EXISTING ZONING	Center City Form-Based Code, Urban General Frontage
SURROUNDING ZONING	North: CCFBC, Urban General East: CCFBC, Urban General South: CCFBC, Urban General West: CCFBC, Urban General
LOCATION	230 W. Gray Street
SIZE	3,500 square feet, more or less Building 2,107 square feet
PURPOSE	Medical Marijuana Dispensary, Processing, and Growing Facility
EXISTING LAND USE	Commercial/Retail (The Grateful Bud Dispensary)
SURROUNDING LAND USE	North: City of Norman Property East: Office South: Vacant West: Multi-tenant shopping center
LAND USE PLAN DESIGNATION	Current Urban Service Area

**SYNOPSIS:** The applicant is requesting to rezone this property from Center City Form Based Code, Urban General Frontage to Center City Planned Unit Development (CCPUD) to allow for the growing, processing, and dispensing of medical marijuana. The applicant is approved by the Oklahoma Medical Marijuana Authority (OMMA) for a Medical Marijuana Dispensary License at this location. The applicant proposes to have a small growing operation and plans to extract by heat extraction to create rosin for their edible products.

**CCPUD BACKGROUND:** Within the Center City Form-Based Code, Appendix B was adopted to give the applicant/property owner an option for requesting development or use on their property. This process of requesting a CCPUD gives Planning Commission and City Council the opportunity to review the proposal within the Center City Form Based Code District.

## **Appendix B**

### **Sec. 520 Center City Planned Unit Development**

***Uses Permitted.** The CCPUD regulations are designed to provide for any mix of uses. There are no specifically prescribed uses which are permitted within the boundaries of the Center City Area in order to increase creativity and flexibility in the Center City Area when development according to the CCFBC is not feasible. The owner/applicant will be responsible for the preparation of a list of permitted uses within the specific CCPUD. The development of the list shall take into account the nature and purpose of the CCPUD area, and such uses and locations shall be appropriate in order to protect and be in harmony with surrounding development.*

The applicant provided a CCPUD Narrative; this Narrative outlines the proposed uses on the property.

**ANALYSIS:** Currently, dispensing of medical marijuana is an allowed use within the CCFBC District; however, cultivation/growing and processing uses all require approval of a CCPUD.

#### **PARTICULARS OF THIS CCPUD:**

**USES:** This applicant is requesting a CCPUD for Medical Marijuana Grower and Processer at 230 W. Gray Street. The applicant currently operates a dispensary from this location, which is allowed by right under the CCFBC.

Additional guidelines per this CCPUD are as follows:

- The only form of extraction that will take place on site is heat extraction with a heat press to create rosin. The applicant will purchase distillate to use at their location for edibles and other consumable goods.
- The grow operation will be in pots with soil and all organic materials.

**SITE PLAN:** The parcel at 230 W. Gray Street has a total of 3,500 square feet, more or less. The existing building is about 2,100 square feet. This proposal is a reuse of an existing structure and no additional buildings are proposed for the site; only interior remodeling will be involved. All exterior walls of the building have a 4-hour fire protection rating.

The building will have the following square footage allotments for each use:

- Cultivation/growing - 250 sq. ft.
- Processing - 750 sq. ft.
- Dispensing – 1,100 sq. ft.

There are three existing parking spots in the rear of the building. The applicant is adding two additional spots, including one ADA spot. All parking will be restriped by the applicant. There are three public on-street/parallel parking spots on Webster Avenue, on the west side of the building.

**DISCUSSION:** Staff reviewed this CCPUD and does not see a negative impact from this proposal. The existing building has been used as a dispensary by the applicant for some time and the applicant's goal is to add the additional uses to better provide services to their clients while growing their small business.

The original discussions/concerns with Council Committees were two-fold: Council was concerned with losing commercial space to growers and not wanting the CCFBC to be overrun with medical marijuana businesses/growers. As stated, this retail business has been operating at this site for some time. Now they have the opportunity to include the growing and processing of their products at their site. The minimal square footage proposed for these additional uses will not deter from the main use of the site, that of retail in the core area of Norman. The applicant will be housing all activities within the existing building with no outside storage or activity beyond the customer and employee parking.

**STAFF RECOMMENDATION:** Staff supports this request and recommends approval of Ordinance No. O-1920-20.