



Legislation Details (With Text)

File #: O-1920-1 **Version:** 1 **Name:** Eviana LLC - SPUD
Type: Zoning Ordinance **Status:** Passed
File created: 6/21/2019 **In control:** City Council
On agenda: 11/12/2019 **Final action:** 11/12/2019
Title: CONSIDERATION OF ORDINANCE O-1920-1 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1) OF BLOCK ONE (1), SALYER ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2505 WEST MAIN STREET)

Sponsors:

Indexes:

Code sections:

Attachments: 1. City Council Staff Report, 2. O-1920-1, 3. Location Map, 4. Staff Report - Eviana, 5. SPUD narrative revised 10-4-19, 6. 2505 W Main Site Map, 7. Predevelopment Eviana, 8. Protest Map & Letters 7-10-19, 9. Support Emails, 10. 7-11-19 PC Minutes, 11. Eviana 7.2.19 SPUD Narrative

Date	Ver.	Action By	Action	Result
11/12/2019	1	City Council		
11/12/2019	1	City Council		
10/22/2019	1	City Council		
7/11/2019	1	Planning Commission		

CONSIDERATION OF ORDINANCE O-1920-1 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 460 OF CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN SO AS TO REMOVE LOT ONE (1) OF BLOCK ONE (1), SALYER ADDITION, TO NORMAN, CLEVELAND COUNTY, OKLAHOMA, FROM THE C-2, GENERAL COMMERCIAL DISTRICT, AND PLACE SAME IN THE SPUD, SIMPLE PLANNED UNIT DEVELOPMENT DISTRICT; AND PROVIDING FOR THE SEVERABILITY THEREOF. (2505 WEST MAIN STREET)

SYNOPSIS: The applicant's request is to rezone from C-2, General Commercial District to a Simple Planned Unit Development (SPUD) to allow a Medical Marijuana Processor, allowing for all types of processing including on-site extraction, and a Medical Marijuana Dispensary at 2505 W. Main Street. The applicant will be bound by all State of Oklahoma laws overseen by the OMMA.

ANALYSIS: The site is approximately 3.16 acres with an existing structure that is approximately 38,900 square feet. The existing structure is currently an automobile and motorcycle dealership with a repair and detail shop.

The applicant currently operates a marijuana growing and processing facility with a dispensary in another municipality. The applicant would like to locate the same business model in Norman, less the growing element. Therefore, the applicant is requesting the SPUD zoning to accomplish this

business model. The City of Norman Zoning Ordinance allows all medical marijuana activities to co-exist only in the I-2, Heavy Industrial District.

THE SPECIFICS OF THIS SPUD ARE AS FOLLOWS:

- **USES** The SPUD allows for all permitted uses in the C-2, General Commercial District, as that district is currently defined, and allows for a Medical Marijuana Processor, processing includes extraction on-site, for the northern portion of the property.
- **SITE PLAN** The existing structure will be utilized and there is adequate parking on site. No changes in the existing site plan are proposed at this time. In the event the applicant chooses to demolish the existing structure and rebuild or add new structures or remodel, all City of Norman codes will be followed and required permits will be obtained.
- **SIGNS** Signage will be allowed according to the C-2, General Commercial District City of Norman Sign Code.

ALTERNATIVES/ISSUES:

- **IMPACTS** A Medical Marijuana Processor should not be a more intensive use than the existing automobile dealership with a repair shop and service facility already on this site.
- **ACCESS** The current access is on West Main Street which is a right-in and right-out only. No other access is requested.

OTHER AGENCY COMMENTS:

- **PARK BOARD** Parkland dedication is not required for this commercial development proposal.
- **PREDEVELOPMENT PD19-07 - June 27, 2019**
No neighbors attended the meeting.
- **PUBLIC WORKS** The parcel is platted as Lot 1 of Block 1, Salyer Addition and all public infrastructure is in place.

STAFF RECOMMENDATION: The applicant's request for a SPUD, to allow for a Medical Marijuana Dispensary is similar to the commercial/retail uses in the general vicinity. The request for the Medical Marijuana Processor on-site should be no more intense than the existing auto mechanic/body shop already in business on this site. Staff supports the applicant's request and recommends approval of Ordinance O-1920-1.

At their July 11, 2019 meeting, the Planning Commission motion to recommend adoption of Ordinance O-1920-1 failed by a vote of 2-4.

After the Planning Commission meeting the applicant chose to postpone before moving forward to City Council, this postponement gave the applicant time to address concerns regarding the request for a Medical Marijuana Commercial Grower at this site. In response to citizen concerns, the

applicant decided to remove the request for Medical Marijuana Commercial Grower from their application. The concerns expressed at the Planning Commission meeting were focused on the location of the facility, located at the gateway of Norman, and with the Medical Marijuana Commercial Grower. The applicant is now requesting to allow for a Medical Marijuana Processor, on-site extraction, and the permitted uses in C-2, General Commercial District for this SPUD.