



# City of Broken Arrow

## Legislation Details (With Text)

<b>File #:</b>	19-1526	<b>Name:</b>	
<b>Type:</b>	General Business	<b>Status:</b>	Agenda Ready
<b>File created:</b>	12/16/2019	<b>In control:</b>	Broken Arrow City Council
<b>On agenda:</b>	1/7/2020	<b>Final action:</b>	
<b>Title:</b>	Consideration, discussion and possible approval of PUD-126C (Planned Unit Development Major Amendment), Broken Arrow Plaza, 9.64 acres, CG/PUD-126 (Commercial General), located west of Elm Place (161st E. Ave), north of Tucson Street (121st Street)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. 2-PUBLISHED PLANNING COMMISSION STAFF REPORT, 2. 3-CASE MAP, 3. 4-AERIAL, 4. 5-DESIGN STATEMENT		

Date	Ver.	Action By	Action	Result
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### Broken Arrow City Council Meeting of: 01-07-2020

**Title:**  
Consideration, discussion and possible approval of PUD-126C (Planned Unit Development Major Amendment), Broken Arrow Plaza, 9.64 acres, CG/PUD-126 (Commercial General), located west of Elm Place (161<sup>st</sup> E. Ave), north of Tucson Street (121<sup>st</sup> Street)

**Background:**  
Planned Unit Development (PUD)-126C involves a 9.64-acre parcel located west of Elm Place (161<sup>st</sup> E. Avenue), north of Tucson Street (121<sup>st</sup> Street).

With PUD-126C, the applicant is requesting approval of a major amendment to PUD-126 to include Medical Marijuana Dispensary as a permitted use in addition to other principal and accessory uses permitted as a matter of right in the CG (Commercial General) zoning district. When PUD-126 was approved, medical marijuana dispensary was not a permitted use; therefore, an amendment to the PUD is necessary to include the dispensary use as a permitted use.

On September 18, 2018, the City Council adopted Ordinance No. 3542 allowing for retail medical marijuana establishments, commercial marijuana growing facilities, wholesale marijuana facilities, and marijuana storage facilities. The ordinance allows for retail medical marijuana establishments in commercial zoning districts provided that the establishment is not located within one thousand (1,000) feet from any public or private school entrance. The ordinance also outlines the process that an operator must complete in order to obtain the required City of Broken Arrow Medical Marijuana Dispensary permit. Should this PUD major amendment be approved, the business operator will be required to obtain the dispensary permit.

In their meeting of December 5, 2019, the Planning Commission recommended approval (4-0 vote) of PUD-

126C per Staff recommendation. Staff had recommended that the business operator obtain all applicable licenses and permits. At this meeting, no one spoke during the Public Hearing session on the item.

**Cost:** \$0

**Funding Source:** None

**Requested By:** Larry R. Curtis, Director of Community Development

**Approved By:** City Manager's Office

**Attachments:** Published Planning Commission Staff Report  
Case map  
Aerial  
PUD Amendment Development Standards

**Recommendation:**  
Approve PUD-126C.