



City of Broken Arrow

Request for Action

File #: 20-80, **Version:** 1

Broken Arrow Planning Commission
01-09-2020

To: Chairman and Commission Members
From: Development Services Department
Title: Public hearing, consideration, and possible action regarding BAZ-2043 (Rezoning), The Cannabis Co. LLC, 0.60 acres, A-1 to CN, west of the northwest corner of 65th Street (241st E. Avenue/Oneta Road) and Highway 51

Background:

Applicant: David Antonio Aguilar Perez
Owner: Alberto Donato Agredano
Developer: Alberto Donato Agredano
Architect: Align Design Group
Location: West of the northwest corner of 65th Street (241st E. Avenue/Oneta Road) and Highway 51
Size of Tract 0.60 acres
Number of Lots: 1
Present Zoning: A-1
Proposed Zoning: CN
Comp Plan: Level 4 (Commercial/Employment Nodes)

BAZ-2043 is a request to change the zoning designation on 0.60-acres from A-1 (Agricultural) to CN (Commercial Neighborhood). The property is located west of the northwest corner of 65th Street (241st E. Avenue/Oneta Road) and Highway 51. The property has been platted as a part of Lot 12, Block 2, Prairie Dale addition. The Prairie Dale addition, however, was platted in Wagoner County, which has different subdivision standards than that required by the City of Broken Arrow.

The A-1 zoning classification was assigned to the property when it was annexed into Broken Arrow on January 5, 1987, with Ordinance 1436. The plat for Prairie Dale was recorded in Wagoner County on August 4, 1970.

Applicant is interested in putting in a medical marijuana dispensary in the existing building on the property. Medical marijuana dispensaries are allowed in the CN district but not in the A-1 district. As a result, they have submitted a request to change the zoning on the property from A-1 to CN.

Surrounding land uses and zoning classifications include the following:

North: Unincorporated area of Wagoner County Prairie Dale neighborhood

East:	PUD-247A/CN	Kum-N-Go convenience store
South:	A-1	State Highway 51
West:	A-1	Commercial

The Future Development Guide of the Comprehensive Plan shows the site to be designated as a Level 4. The CN zoning being requested is considered to be in accordance with the Comprehensive Plan in Level 4.

Attachments: Case map for BAZ-2043
Aerial photo
Comprehensive Plan
Site plan for Cannabis Co.
Prairie Dale recorded plat

Recommendation:

While the applicant is contemplating having a medical marijuana dispensary on the property, any use allowed in the CN district would be allowed if BAZ-2043 is approved. Therefore, what needs to be evaluated is whether or not this is the appropriate location for CN zoning. The CN zoning requested with BAZ-2043 is in conformance with the Comprehensive Plan.

Therefore, based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-2043 be approved, subject to the property being replatted to the City of Broken Arrow Subdivision standards.

Reviewed by: Jill Ferenc

Approved by: Larry R. Curtis

BDM