



Legislation Details (With Text)

File #:	21-495	Version:	1
Type:	Consent Agenda	Status:	Agenda Ready
File created:	9/7/2021	In control:	City Council
On agenda:	9/28/2021	Final action:	
Title:	Hold a public hearing and consider an ordinance changing the zoning of the property located at 1925 West Gore Blvd Suite A, Lawton, OK 73505 from the C-1 Local Commercial District to the C-5 General Commercial District zoning classification with a binding site plan, and also consider a request for a Use Permitted on Review for medical marijuana processing (non-chemical) in conjunction with a dispensary.		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. Site Plan (1925 W Gore) 2021-0907, 2. Location Map for Rezoning(1925 W Gore) 2021-0907, 3. Application for Rezoning(1925 W Gore) 2021-0907, 4. Opposition Letter, 5. Ordinance (1925 West Gore Blvd Suite A) 2021-0907		

Date	Ver.	Action By	Action	Result
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ITEM TITLE:

Hold a public hearing and consider an ordinance changing the zoning of the property located at 1925 West Gore Blvd Suite A, Lawton, OK 73505 from the C-1 Local Commercial District to the C-5 General Commercial District zoning classification with a binding site plan, and also consider a request for a Use Permitted on Review for medical marijuana processing (non-chemical) in conjunction with a dispensary.

INITIATOR:

Richard Rogalski, Deputy City Manager

STAFF INFORMATION SOURCE:

Richard Rogalski, Deputy City Manager
Kameron Good, Planner I

BACKGROUND:

1. This request is for Lots 15-21, Block 5, Lee Addition, located at 1925 West Gore Blvd Suite A. The proposed zoning is C-5 with the use being limited to all C-1 uses with the addition of medical marijuana processing (non-chemical) in conjunction with a dispensary. The property owner is Thomas Curt Francias.

2. The zoning of the surrounding area is:

North - R-1
South - C-1
East - C-1
West - C-1

3. The land use of the surrounding area is:

North - single-family residential
South - commercial
East - commercial

West - commercial

4. As shown on the site plan submitted with the application, the applicant proposes to open a medical marijuana processing facility (non-chemical) in conjunction with a dispensary.

5. Notice of public hearing was mailed to 49 owners of property within 300 feet of the requested area on September 8, 2021 and proper notice was published in *The Lawton Constitution* on July 13, 2021. No calls for or against have been received. However, the planning department did receive a letter opposing the rezoning, from Mr. Raymond Duncan of 1914 NW Arlington Ave.

6. This item was brought to the City Planning Commission on August 12, 2021 but was tabled until the next meeting. On August 26, 2021 the CPC continued the public hearing and voted to recommend denial. Following discussion, some Commissioners voiced concerns that the request represented “spot zoning” and that changing the medical marijuana processor definition, suggested by staff, would be a better solution.

EXHIBIT:

Site Plan

Location Map

Application

Letter

Ordinance No. 21-____

KEY ISSUES:

The City Planning Commission was concerned that the request represented “spot zoning”.

FUNDING SOURCE:

N/A

STAFF RECOMMENDED COUNCIL ACTION:

Hold a public hearing and do not approve Ordinance No. 21-____.