### Case Report Prepared by:
Jay Hoyt

### Owner and Applicant Information:
**Applicant:** Paras Chhabra  
**Property Owner:** DRAGON ENERGY INC

### Applicant Proposal:
**Present Use:** Retail  
**Proposed Use:** Medical Marijuana Dispensary and Retail Sales Uses  
**Concept summary:** Rezone from RM-0/CS to CS in conjunction with a PUD Major Amendment to permit a Medical Marijuana dispensary and Retail Sales Uses  
**Tract Size:** 1.65 ± acres  
**Location:**  
West of the Northwest corner of East 91st St  
South and South 79th East Avenue  
7727 E 91 Street South  
Development Area 2-B

### Zoning:
**Existing Zoning:** RM-0/CS  
**Proposed Zoning:** CS

### Comprehensive Plan:
**Land Use Map:** Town Center  
**Stability and Growth Map:** Area of Growth

### Staff Recommendation:
**Staff recommends approval.**

### Staff Data:
**TRS:** 8314  
**CZM:** 53, 57

### City Council District:
**City Council District:** 8  
**Councilor Name:** Phil Lakin Jr.

### County Commission District:
**County Commission District:** 3  
**Commissioner Name:** Ron Peters

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**Case Number:** Z-7637  
(Related to case PUD-360-G)  
**Hearing Date:** January 19, 2022
SECTION I:  Z-7637

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject lot from RM-0/CS to CS in conjunction with a Major Amendment to the PUD to permit a Medical Marijuana Dispensary as well as Retail Sales uses in Development Area 2-B.

The site is located in the Town Center designation of the City of Tulsa Comprehensive Plan. The proposed CS zoning and addition of uses would be compatible with this designation. The rezoning to CS is required so that the underlying zoning of the site would allow the proposed uses to be added via the proposed Major Amendment.

EXHIBITS:
INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map

DETAILED STAFF RECOMMENDATION:
Requested CS zoning is consistent with the Town Center vision of the Tulsa Comprehensive Plan and,
CS zoning is consistent with the expected development of surrounding properties and,
Uses allowed by CS zoning are non-injurious to proximate properties therefore,
Staff recommends Approval of Z-7637 to rezone property from RM-0 and CS to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The site is designated as Town Center in the City of Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Town Center

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the City where general agreement exists that development or redevelopment is beneficial.
Transportation Vision:

Major Street and Highway Plan: E 91st St S is designated as a Secondary Arterial.

Trail System Master Plan Considerations: A bike lane is suggested along E 91st St S. A sidewalk gap is shown to exist along the E 91st St S frontage.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site currently contains a retail shopping center.

Environmental Considerations: None

Streets:

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tbody>
<tr>
<td>E 91st St S</td>
<td>Secondary Arterial</td>
<td>100 Feet</td>
<td>2</td>
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</tbody>
</table>

Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Area of Stability or Growth</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RM-0/CS/PUD-360-E</td>
<td>Town Center</td>
<td>Growth</td>
<td>Commercial</td>
</tr>
<tr>
<td>South</td>
<td>CO/CS/PUD-405</td>
<td>Town Center</td>
<td>Growth</td>
<td>Auto Dealership</td>
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<tr>
<td>East</td>
<td>CS/PUD-360-E</td>
<td>Town Center</td>
<td>Growth</td>
<td>Bank</td>
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<td>West</td>
<td>RS-3/PUD-215</td>
<td>Existing Neighborhood</td>
<td>Stability</td>
<td>Single Family</td>
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</tbody>
</table>

SECTION III: Relevant Zoning History

History: Z-7637 Rel. PUD-360-G

ZONING ORDINANCE: Ordinance number 11809 dated June 26, 1970, established zoning for the subject property.

Surrounding Property:

PUD-360-F January 2018: All concurred in approval of a proposed Major Amendment to PUD on a 3.17+ acre tract of land for on property located Northwest of the Northwest corner of East 91st Street South & South Memorial Drive.

BOA-20895 April 2009: The Board of Adjustment approved a Verification to permit the spacing requirement for an adult entertainment establishment from a church, school, park, and another adult entertainment establishment (Section 1212. a.C.3); a Variance of the spacing requirement for an Adult Entertainment Establishment of 50 ft. from an R district (Section 1212.aC.3. a); & a Special Exception.
to permit a wine bar in the existing commercial center, on property located at 8922 South Memorial Drive, Suite C-3.

1/19/2022 1:00 PM
SUBJECT TRACT
LAND USE PLAN:
TOWN CENTER

Land Use Plan Categories
- Downtown
- Downtown Neighborhood
- Main Street
- Mixed-Use Corridor
- Regional Center
- Town Center
- Neighborhood Center
- Employment
- New Neighborhood
- Existing Neighborhood
- Park and Open Space
- Arkansas River Corridor

Z-7637/PUD-360-G
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