



**CITY OF
Tulsa**
Board of Adjustment

Case Number: BOA-23465

Hearing Date: 12/13/2022 1:00 PM

Case Report Prepared by:

Austin Chapman

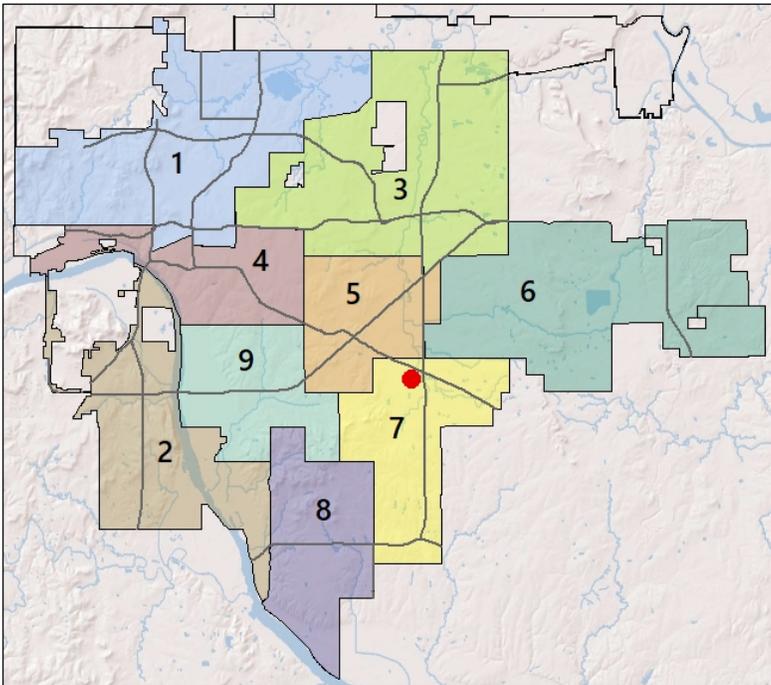
Owner and Applicant Information:

Applicant: Himanshu Punjani

Property Owner: Himanshu Punjani

Action Requested: Special Exception to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district (Sec. 15.020, Table 15-2)

Location Map:



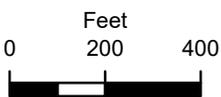
Additional Information:

Present Use: Medical Marijuana Cultivation

Tract Size: 0.18 acres

Location: 9909 E. 46 P. S.

Present Zoning: IL



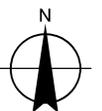
Subject
Tract

BOA-23465

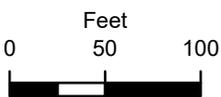
19-14 30

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021



12.2



Subject
Tract

BOA-23465

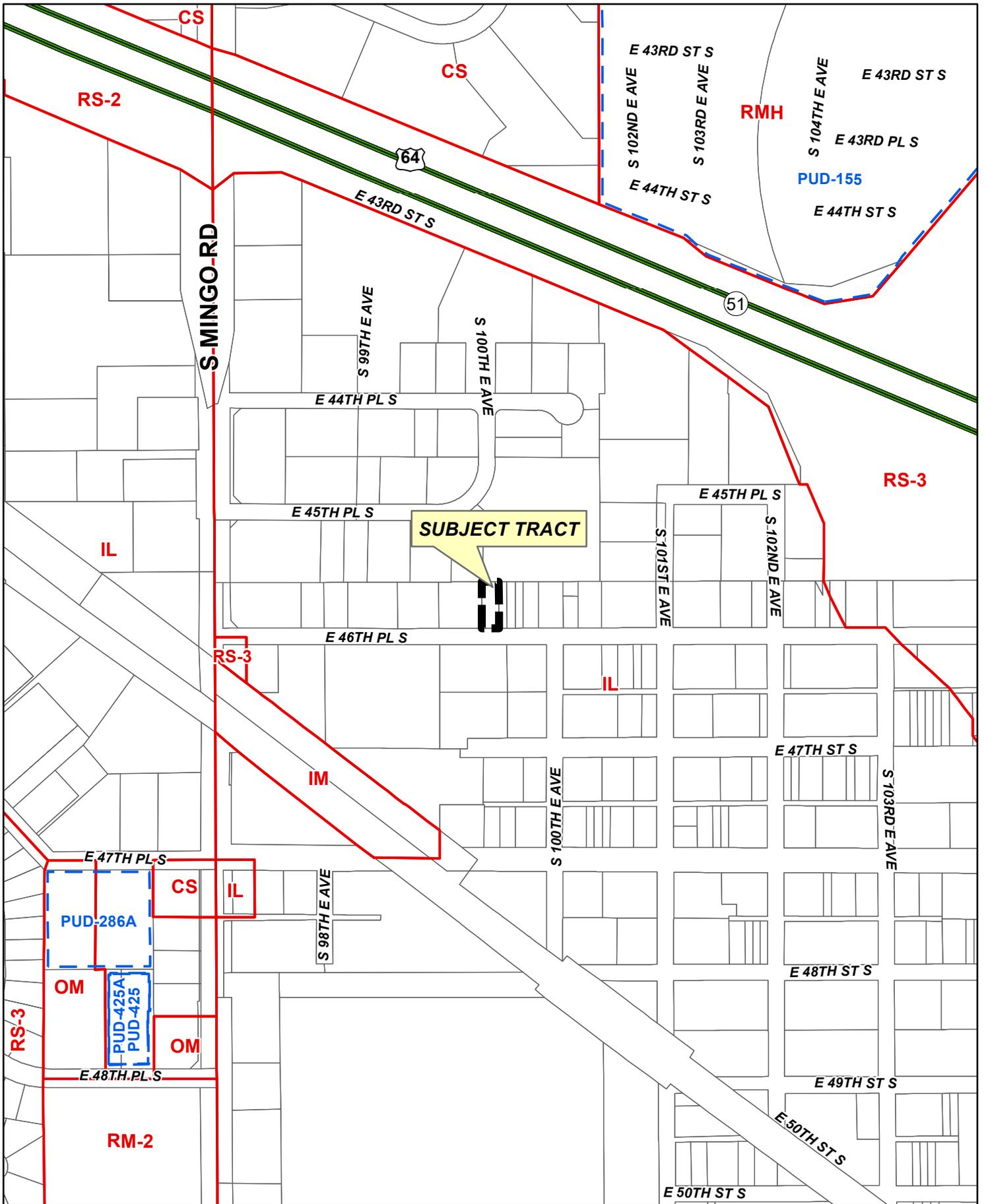
19-14 30

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021



12.3

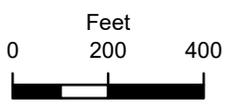


SUBJECT TRACT

BOA-23465

19-14 30

12.4



BOARD OF ADJUSTMENT CASE REPORT

STR: 9430

Case Number: BOA-23465

CD: 7

HEARING DATE: 12/13/2022 1:00 PM

APPLICANT: Himanshu Punjani

ACTION REQUESTED: Special Exception to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district (Sec. 15.020, Table 15-2)

LOCATION: 9909 E. 46 Pl. S.

ZONED: IL

PRESENT USE: Medical Marijuana Cultivation

TRACT SIZE: 7701.44 SQ FT

LEGAL DESCRIPTION: LTS 7 & 8 & E5 LT 9 BLK 6, ALSUMA CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

RELEVANT PREVIOUS ACTIONS:

Surrounding properties:

BOA-23379; On 06.28.22 the Board **approved** a Special Exception to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district, property located at 9901 E. 46th Pl. S. immediately West of the subject property.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an “Employment” Land Use Designation and an “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. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity. Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

STAFF ANALYSIS: The applicant is requesting a Special Exception to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district (Sec. 15.020, Table 15-2)

Moderate-impact Medical Marijuana Processing Facility

An establishment in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes are limited to use of non-flammable substances such as carbon dioxide, and to food-based and water-based extraction.

Per the applicant the requested exception would be to allow water based Medical Marijuana Processing.

SAMPLE MOTION:

Move to _____ (approve/deny) a Special Exception to permit Moderate-Impact Medical Marijuana processing (Moderate-impact Manufacturing & Industry Use) in the IL district (Sec. 15.020, Table 15-2)

- Per the Conceptual Plan(s) shown on page(s) _____ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):
_____.

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



Subject property



DEVELOPMENT SERVICES
175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA

CORRECTIONS SUMMARY

BLDC-130669-2022 (9909 E 46TH PL S Tulsa Tulsa, OK 74146) 130669 PLANS_v1.pdf Markup Summary #1

Building (1)



Subject: Building
Page Label: 1
Status:
Author: Roberto
Date: 10/13/2022 2:38:45 PM
Color: ■

Section 107.2.1 Information on construction documents. Your application indicated a "wall" as part of the scope of work. However, the plans presented have not changed from the approved ones. Revise the plan to indicate which wall will be added or removed from this plan to enable review.

Note (1)



Subject: Note
Page Label: 1
Status:
Author: danabox
Date: 10/7/2022 9:11:24 AM
Color: ■

Sec.15.020 Table 15-1: You are proposing a Moderate-impact Medical Marijuana Processing Facility in which the preparation, manufacture, processing or packaging of medical marijuana products by the holder of a medical marijuana processor license issued by the Oklahoma State Department of Health is conducted, in accordance with the terms of such license, and in which extraction processes are limited to use of non-flammable substances such as carbon dioxide, and to food based and water-based extraction. It is in an IL zoning district.
Review comment: A Moderate-impact Medical Marijuana Processing Facility use requires an approved BOA Special Exception to be in an IL district. Submit a copy of the approved BOA Special Exception as a revision to this application. Contact INCOG/Tulsa Planning Office at 918-584-7526 for further instruction and next steps.

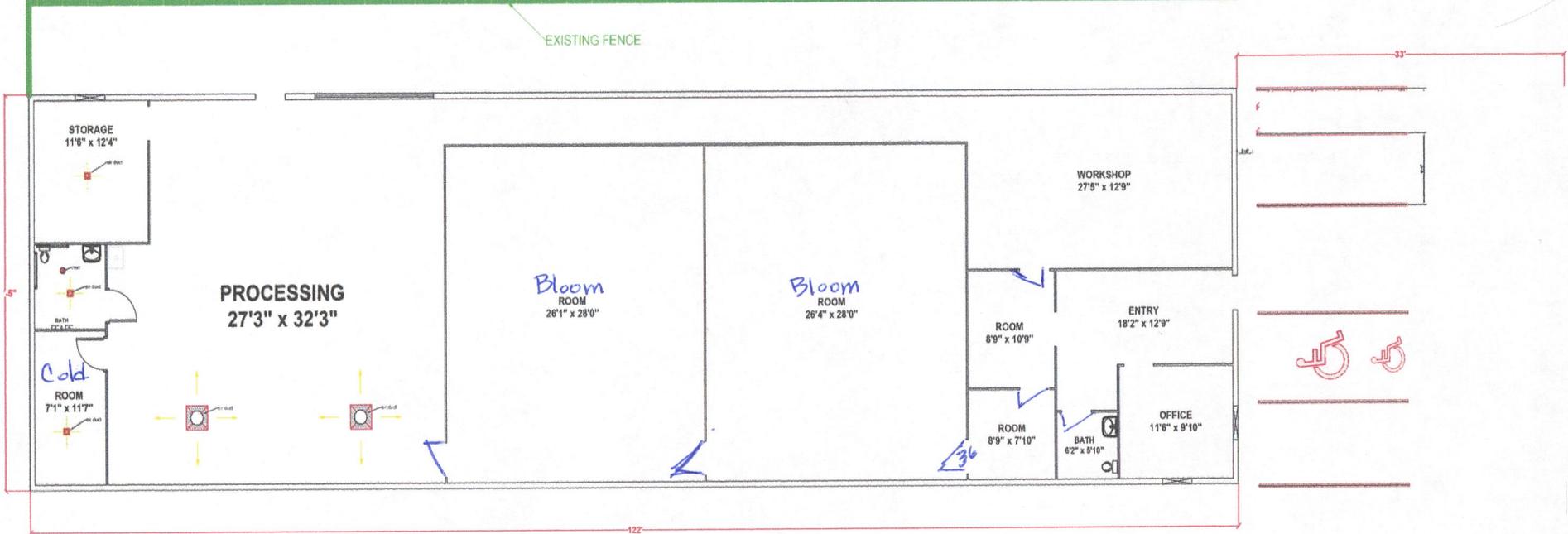
12.7



Kevin Davis Co.

RECEIVED
OCT 08 2008
5505 80 700

E 16th DI



E 16th DI