

# CITY PLANNING COMMISSION

## CITY HALL AUDITORIUM

June 13, 2024

Minutes of the City Planning Commission meeting held June 13, 2024, in the City Council Auditorium, City Hall, 212 SW 9th Street, Lawton, Oklahoma.

The agenda for the meeting was posted on the bulletin board in City Hall in compliance with the Oklahoma Open Meeting Act.

The meeting was called to order at 1:31 p.m. by David Denham.

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### ROLL CALL

MEMBERS PRESENT      David Denham  
                                 Melissa Busse  
                                 Ron Jarvis  
                                 Joan Jester  
                                 Deborah Jones  
                                 Allan Smith  
                                 Darren Medders  
                                 Michael Logan  
                                 Neil Springborn

MEMBERS ABSENT:      None

ALSO PRESENT:        Christina Ryans-Huffer, Recording Secretary  
                                 Christine James, Planning Director  
                                 Kameron Good, Senior Planner  
                                 Gregory Gibson, Assistant City Attorney  
                                 Dewayne Burk, Deputy City Manager

**The meeting has established a quorum and was posted according to the Oklahoma Open Meeting Act, 25 O.S. 301-314.**

### **CONSENT AGENDA**

The following items are considered to be routine by the City Planning Commission and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

2. **Consider approving the minutes from the regular scheduled meeting from May 30, 2024.**

**Motion by Springborn. Second by Logan** to approve the minutes from the regular scheduled meeting from May 30, 2024 as written **Aye:** Busse, Jarvis, Jester, Jones, Smith, Medders, Logan, Springborn, Denham **Nay:** None. **Motion Passed 9-0**

## **OLD BUSINESS**

None.

## **NEW BUSINESS**

3. **Consider approving the record plat located at the southeast corner of SW 67<sup>th</sup> Street and SW Bishop Road, Lawton, OK 73505, for Prairie Acres Addition, subject to conditions and take appropriate action as deemed necessary.**

Good stated good afternoon Chair and Commission. Kameron Good with the Planning Department. This is a record plat for the southeast corner of 67<sup>th</sup> Street and SW Bishop Road. As you can see on the location map provided, this will be basically the entire northwest quarter section minus the existing Fire Station 8 that is built there. As you can see on this aerial there is nothing constructed out there, it's just agriculture land as of right now. The current zoning for this is Temporary A-1. A zoning change was just brought through to you guys and goes to Council later this month and that would be to change it to the northern lots of this proposed zoning being R-E Residential Estate and the rest being A-2 Suburban District. The reason for the 2 (two) zonings is because of the size of the tracts of the land. The A-2 zoning had a minimum of 2.5 acres so the smaller lots on the north could not be A-2 and that's why they chose the R-E proposed zoning. This is the proposed record plat. You do have some conditions and comments from the Planning Department and a handout given to you with the comments from Public Utilities, those were provided to us after we had created the packet. I can go through those comments if you have any questions about them.

Denham asked where were those questions?

Jones asked Kameron can you go over the Public Work's and Fire's conditions that came in late?

Good responded Public Utilities provided us with some comments they circled Lots 1 (one), 2 (two), 3 (three) and 4 (four) which is in the northwest corner and labeled that as these Lots have to have access to sanitary sewer and would be required to use it. They also labeled the western part of this plat that was required 60 (sixty) feet of Right-of-Way to be shown on the plat. They did circle Lots a portion of 18 (eighteen), 19 nineteen, and 20 (twenty) and a portion of 9 (nine), 10 (ten) and all of Lot 21 (twenty-one) saying these are there are a number of Lots not have Fire-Flow within the required distance of the

structure and then there is another comment saying other Lots would not have access to sewer and would need approval of a septic system. So, those are the ones you can see on the handout I gave you. The other conditions are from Planning and it's just tidying up the actual plat itself and then paying the park fee in lieu of.

Denham asked do we still have that in Code? We need to get rid of that.

Good responded there used to be a dedication requirement, where they would dedicate Land now we do not accept land dedication. We require them to pay us a fee in lieu of dedication. There is an equation to calculate based on the proposed use of the property, how many are living there and the size of the land it gives us this number and that's where you get the \$ 2,559.38. So that equation is for subdivisions.

Denham stated well that's when we wanted parks and it's basically a penalty for not putting in a park. Now we don't want parks. Can't we save the developer some money and get rid of the in lieu of.

Jones responded no.

Denham asked why?

Jones stated because we use that park money on existing parks, particularly regional parks like Elmer Thomas or McMahon. We've moved away, you're right since we don't have parks in the neighborhoods. We have bigger parks, soccer fields and practice fields.

Denham stated putting in lakes and trails and things like that.

Jones stated yes, you have got to have a money flow for that. That's why the City should not change that.

Denham stated it just seems punitive at this stage, since they were doing it for a reason and that reason no longer exists.

James stated I believe Chairman that request would have to come through the Parks Authority, the Parks Commission. They're the ones if you read their By-Laws they are the ones that deal with the parks. They have that part of Chapter 18 as part of their parameters to authorize, if that is what we want to do, we can request that Board to it and then it would go up the chain.

Denham responded okay that's just my personal opinion. What keeps them from putting in a park?

James stated Code.

Denham responded just drop the in lieu of and call it a tax. That's basically what it is.

Jones stated I have some concerns with these notes from the Fire Department when  $\frac{3}{4}$  quarters of the plat doesn't have fire pressure and I'm very concerned about this sewer issue because you don't know if Lot 6 through 13 can be septic. Let's let the Staff get together and huddle up and see if they can sort out whether we're ready to go or not. It

won't hole up the re-zoning in any way. It will proceed to Council. Another issue is on these Right-of-Ways we got to have that 120 feet to build those arterials and that's one of the arterials they're considering in the near future for improvement.

**Motion by Jones. Second by Smith** to table this item to a date certain of June 27, 2024 and have Staff set a meeting with discussion on the comments on the plat **Aye:** Jarvis, Jester, Jones, Smith, Medders, Logan, Springborn, Denham, Busse **Nay:** None.  
**Motion Passed. 9-0**

**4. Consider holding a public hearing and recommending for approval an ordinance establishing the number of parking spaces required for stadiums, sports fields and arenas, with and without fixed seating, and allowing for floor amendments if necessary.**

James stated this re-zoning came to you before regarding 2 (two) private soccer fields right off of J Avenue. It was blessed off by this Board, CPC, but when it went to Council they had some concerns about the number of parking spaces. They directed staff to bring back a revision to City Code. Current City Code does not have a parking requirement for outdoor athletic fields so they only thing we had to go by was the actual fixed building which would have been the concession stand. So that only required I think 4 (four) parking spots for 2 (two) soccer fields. Which doesn't make sense. All of the athletic fields at the schools are considered secondary to the school. They were able to use their school parking lots as accommodations for their fields and most of the other fields in town were probably developed by the City or a long time ago when there wasn't any regulations. We went through and contacted our 6 (six) peer Cities how they addressed it. A lot of them addressed it as Director's approval. Most of the Communities haven't had to cross this bridge yet with a private entity wanting to put in sports fields. See chart below.

Norman	1 per 4 patrons (capacity of viewing area calc by IBC)	155
Enid	1 space per 60sf of assembly space	155
Midwest City	per Director approval	per parking study
Moore	per Director approval	per Director approval
Edmond	no current parking code requirement	N/A
Broken Arrow	per Director approval (Recreation and Entertainment indoor)	
	1 per 250 sf)	37
Wichita Falls	1 space per 300sf gross seating area	31
Lawton	1.3 per player per field* (proposed)	57

James stated we are open to anything you suggest. I don't typically like to use a current project that we have going to write Code so just do keep in mind that this would be for any sports field that comes down the line but I did use this as an example to compare and give it some meat. I do have all of these Codes printed from these Communities if you do have any questions. We went with 1.3 just to use as a starting point to get us somewhere. We are open for any comments.

Good stated I just wanted to make one note about the current Code as it stands. You guys have all seen the Code because we had many a discussions when we were talking about sports fields and when we talked about LPS's sports fields. What we had looked at then was 1 (one) per 4 (four) patrons for the seats provided and what led us to on this one they are not providing any seats. So that got them the 0 (zero) required that's why we based this one off of the concession stand. I just wanted to give you a little note. It is 1 (one) per 4 (four) patrons now in current Code but it's for the seats provided and that is on the private side, if it's associated with LPS that is where it was an accessory use to the school and we didn't require additional parking.

James responded just to add to that we did change the Code for if you are providing fixed seating, it's the 1 (one) per 4 (four) patrons of the seats provided or the outdoor calculations which ever is greater. A lot of times they only provide a couple of benches along the field for the players and maybe no seating for parents. So, if you said seats provided 1 (one) to 4 (four) that's really only going to get you a couple because that seating is only for the players, themselves. We did put the Code to say whichever is greater of the parking calculations.

Smith asked what about a large sports complex where they drag in and out bleachers for basketball? That's not considered fixed seating, right?

James responded no. It's temporary seating. I'm not sure exactly how it reads in Code if it just reads seating provided or if it actually says fixed or temporary.

Jones stated some reads maximum capacity.

James responded yes, maximum capacity.

Good stated Allan what we are proposing today the 1.3 player per field. This is to fix that issue with the fixed seating and the non-fixed seating. It's not going to address the seating at all. It will address the number of players on the field for what sport is being played.

Denham asked do you recall what the use, what the intent was for these fields? Because they're not regulation fields as I recall they're smaller.

Good stated they are a little bit smaller than regular soccer fields but the intent is still to have tournaments.

Denham asked a league?

Good stated my understanding was to have an adult league type of thing to provide these soccer fields for the neighborhood and to hold league games there.

Denham asked can you put the site plan back up?

Good stated right now this one in particular this one provided to you as an example because it's a recent one that came through and it's what kind of sparked this whole Code change being brought back to you. This one was proposing 17 (seventeen) and right now with our calculations at the 1.3, it would be 57 (fifty-seven).

Jones asked I noticed when the Board Of Adjustments are involved in this, I don't remember, refresh my memory, if the Board of Adjustments grants a special exception do they require some kind of bumper block or railroad tie to define where the spaces are or where the aisles are? And the time limit you have for the chat parking lot to come into compliance? Hard surface?

James stated I'm not sure because Code say it must be a hard surface. So if the Board of Adjustments did grant the gravel parking, I'm not sure how we would delineate the parking spaces. I's have to look into that.

Jones stated so here's my question, why I raised it. I look at these parking lots as temporary but they're kind of like the church parking lot being built where the youth center is, they're going to reverse the buildings and that kind of stuff. But, when you get a large chat parking lot without any delineation of parking spaces then you get willy nilly parking. Guess what one of the little kids breaks his leg and we're trying to get in there a 2600 Pumper truck because they're the first responder to attend to this and they can't. There's no defined fire lanes, there's no, you don't even know if you can get in the driveway. So, it would seem to me that we have to have some safety of delineation of parking spaces if we're going to go below our parking standards and we certainly need the Fire Department say we can get through that maze. The second thing we need is we need a time limit on these. Is it 5 (five) years? That's probably reasonable. Is it 10 (ten) years I don't know. I wouldn't say anymore than 5 (five). And we've certainly granted the BOS in the past, under Special Exceptions in the past, 5 (five) years for churches to build a new building and reverse their parking but it has to be a limitation.

James stated noted. We'll take those comments if we get to the BOA. Of course, today is just going to determine how many parking spots we require them to construct. I would be willing to bet they would balk to anything. Any number that we require because they're wanting to do as little as possible. So, I can see us going to BOA for a couple of different variances probably the number and the surface. We'll definitely let those known to the BOA.

Jones asked do we know the comments of the Council on this site plan?

James responded they were concerned on not having enough, we had a couple neighbors come to express their concerns with parking in the streets, parking in front of their houses. They also brought up the dust concerns. This location is kind of on top of a hill with the wind and summer time we don't get a lot of rain so it's going to lead to dust and they did make comments as far as maintenance, is there anything that requires the to keep up, maintain and not overgrown also maintain the potential gravel. They brought up several of

those concerns and that is when they asked us to bring back the Code revision of just the number of parking spots.

Jones stated well having learned that, when we take it to Council on the number of spaces, shouldn't there be a companion item discussing what is the minimum parking lot construction standard when we go below so that the Board of Adjustments knows that the Council wants a certain thing. They want bumper blocks or railroad ties; they want a fire lane that's a hard surface and they want it delineated on parking site plan. I'm with the Council, I kind of had second thoughts about this. I don't worry about LPS. LPS has hard surfaces all over the place but these things that pop up privately I am worried about a Pumper truck and things like that.

Denham asked any other question?

Springborn stated I can think of 2 (two) venues in this town that don't have any adequate parking spaces at all. Ron Stephens Stadium for one and the ball field for the kids over behind Marie Detty. I don't think there is adequate parking over there. So, my question is if we eventually pass this thing, places are going to have to put in parking spaces? What are they going to do about that?

James stated they would be Grandfathered in as Non-Conforming until they do a major improvements or construct something brand new.

Springborn stated I know Ron Stephens was a lot of parking on the street so it may be Public School property situation however it overflow onto City property; the City would have something of an interest also.

Good stated the reason this was a concern for one of the Council members because there is a building to the east of this that is a dance studio and they have a lot of overflow parking into the grass field next to them and it causes a lot of dust because the grass isn't there anymore, it causes a lot of dust. It's a big concern. The Councilman always continue to get phone calls on and so when he saw this one it was right next door to that. The first thing that came to his mind was okay there is going to be a lot of parking on the grass here.

Denham asked these big white squares, what is that? Just vacant grass?

Good asked on the north side of the property?

Denham responded yes. Just north of the parking lot.

Good stated all grass.

Smith asked so basically if they had to do 57 (fifty-seven) they would turn all of that into parking lot?

Good stated yes.

Denham asked okay any other question before I open the Public hearing? Hearing none, I'll open the Public hearing if anybody wish to speak for or against this Ordinance please approach the podium, give us your name. Seeing no one I'll close the Public hearing. Okay I

think if we give them 57 (fifty-seven) parking spots that's going to kill this project because I don't see where they're going to make any money on this deal if they're having an adult league with 2 (two) fields. So how much is it going to cost to build a 57 (fifty-seven) spot parking lot in 5 (five) years?

Good stated so this project the only thing they were proposing paving was the handicap spaces as is the proposed 17 (seventeen). So, this one was going through the re-zoning process to see if the use would be allowed and then they would need a Board of Adjustment variance and prove hardship to lower that parking requirement. Right now, it would just be lower the surface requirement but with this Code change they would have to get 2 (two) variances one for the proposed parking spaces and one for the surface area. Their intent was already to go to the Board of Adjustments and ask for those variances.

Denham stated just getting a Code on the books.

**Motion by Jones, Second by Smith** to recommend to the City Council to approve the ordinance as drafted and to suggest that if the private soccer field project goes to the BOA requesting a variance for the parking surface and the number of parking spaces, that the following conditions be considered. 1) parking spots be delineated with parking blocks, 2) fire access isle remain open, and 3) crushed rock surface only be temporary with a plan concrete/asphalt the entire lot within 5 years. (CPC member stated that the conditions go with the rezoning to Council, but staff feels that CPC already recommended approval of the rezoning without conditions and that we will place in the background of the BOA item, if applied for, that CPC recommends the above conditions.) **Aye:** Jester, Jones, Smith, Logan, Springborn, Busse **Nay:** Medders, Denham, Jarvis. **Motion Passed 6-3**

## **5. Commissioner's Reports or Comments.**

Denham stated I do have one ask, the Lawton Metropolitan Planning Organization which I serve on as the Chair of the Planning Commission is doing a 2050 Metropolitan Transportation Plan, kind of like what we are doing with the Land Use Plan on our side of things. We are going to be going into another Committee and they are looking for 2 (two) people on this entity. One primary, one alternate I more than likely I will be in there as the primary I'm looking for help on the alternate. If anybody would like to serve, the first meeting will be next Thursday from 1:30 to 3:00pm at the Owens Multi-Purpose Center and they're anticipating monthly meetings for the next 4 (four) to 6 (six) months. I would go ahead and excuse Allen and DJ since they are already serving on the Land Use Plan but if anybody else would like to assist I would appreciate it. I need to let them know by tomorrow.

Busse stated I will.

Denham stated Melissa, thank you. I will have some help on that. Thank you. Any other Commissioners' comments?

**6. Secretary's Report.**

Good stated I have a couple of updates the property off of Floyd, the Use Permitted on Review for the medical facility it went to Council this past Tuesday and got approved. Just a reminder to David, Allen, and DJ there is a virtual Steering Committee meeting next Wednesday on the 19<sup>th</sup> for the Land Use.

Denham stated and one other note this will be Mr. Gibson's last meeting with us, so we have ran off another one and Greg I want to thank you for all your hard work and assistance at least for me on this seat and you will be missed. Thank you very much for being here. Best of luck with the new gig.

**7. Audience Participation.**

None.

**8. Adjournment.**

**Motion** by Springborn, **Second** by Logan to adjourn the meeting **Aye:** Smith, Medders, Logan, Springborn, Denham, Busse, Jarvis, Jester, Jones all in favor **Nay:** None. **Motion Passed 9-0**

**With no further business meeting was adjourned.**