

MINUTES
CITY PLANNING COMMISSION
CITY HALL AUDITORIUM
March 30, 2023

Minutes of the Special City Planning Commission meeting held March 30, 2023 in the 3rd Floor Conference Room, 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 1:30pm by David Denham.

MEMBERS PRESENT: David Denham
John Jones
Ron Jarvis
Deborah Jones
Allen Smith
Neil Springborn

MEMBERS ABSENT: Michael Logan (excused)
Shelli Fox (excused)
Darren Medders (excused)

ALSO PRESENT: Madison Aust, Recording Secretary
Charlotte Brown, Director of Community Services/Planning
Kameron Good, Senior Planner
Tyler Pobiedzinski, Planner I
Cynthia Augustine, Real Properties Administrator
Gary Brooks, Community Development Administrator
Broderick Jackson, Rehabilitation Specialist
Kim McConell, The Lawton Constitution
Erin Owens, Trinity Autism Clinic
Clint Kerr, Trinity Autism Clinic
Tony Hosey, Trinity Autism Clinic
Lizent Hosey, Trinity Autism Clinic
Mark Bridges, Citizen
Brooke Brown, Grandeur of Grace
Randy Cairgle, Citizen
Daphine Cairgle, Citizen

Judy Neale, Citizen

Bernita Taylor, MIGHT

Marcia Fraizer, Teen Court

Glen Ryswyk, Clinical Director Christian Family Counseling Center

Jeannine Lily, Interim Director Center for Creative Living

Latricia Kippers, Program Director Marie Detty New Directions

Sarah Svec, Executive Director Family Promise

Brooke Brown, Vice President Grandeur of Grace

Jasmine Cry, Shelter Director C Carter Crane

Jervis Jack, Program Coordinator Lawton Support Services

Business

5. Hold a public hearing to consider a change of zoning from R-4 High Density Apartment District to C-1 Local Commercial District zoning classification and a change to the 2030 Land Use Plan from Residential/ Low Density to Commercial for the property located at 1212 NW Arlington Avenue, Lawton Ok 73507.

Good stated good afternoon, Chairman, Kameron Good Senior Planner with the Planning Department. We have a request for rezoning from the R-4 High Density Apartment District to C-1 Commercial Zoning District. This is off Arlington between 13th and 12th Street. The hospital to the east acquired these lots, there used to be a structure on these lots. There were a couple of fires, and the structure was demoed. So, it is vacant now. It is currently zoned R-4 with R-4 to the North, R-4 to the West, C-1 to the East and C-5 to the South. The purposed zoning is C-1, as you can see from this aerial shot it is currently over trees and you can there was a structure that is no longer there. The hospital to the east is wanting to rezone this to build a parking lot the purposed site plan is here. There are conditions to do a tree buffer and opaque screening to the west side of that due to the residential use. We did send notice to 27 property owners with 300 hundred on March 8th and it was posted in The Lawton Constitution on March 12th. There were no phone calls or letters against this item.

Denham asked any questions for Mr. Good? I'm noticing staff is not making recommendations on more recent items. Is that by design or?

Brown responded yes, felt after visiting with Legal we fell we would prefer that the committees should just have the facts from staff, and the applicant is going to provide the information and leave it up to the committees to make whatever decision they feel like.

Good stated we will answer questions about code. So, of these requests are Board of Adjustments those are variance requested that are in code. We are strictly here to enforce what code said. Current zoning says this they are requesting to change that. We can answer questions about that.

Deborah Jones respond Mr. Chairman, here it is a new day. The Planning Department writes the comprehensive plans that is approved by this body and the Council. Oklahoma Statutes you must be compliant with the comprehensive plan before you can rezone. I cannot believe we are recommending staffs' recommendation they not provide opinion which to me is a fact. It's your professional opinion. It's not a personal opinion it's a professional opinion. We have a Land Use Plan that is out of date by a probably a decade. We have a Transportation Plan that is out of date. I think it's important whether you agree with it or not that we get a professional staff recommendation.

Denham stated that's the way it has always been done but that's not the way you need to do it, but I noticed on a couple of items it would be nice to have such guidance from the professionals. So maybe that is something we can agenda for another meeting and see if Legal will

Deborah Jones stated I would like to see Legal comment on this.

Denham stated this came out of the blue without us really noticing. Without being notified.

Brown responded we will work on that.

Denham stated okay. We will address that in a future meeting. But in the meantime, we do have an idea here and are there any other questions before I declare the public meeting (he meant hearing) open. I will declare the public hearing to change the zoning from R-4 High Density Apartment District to C-1 Local Commercial District zoning and a change to the 2030 Land Use Plan from Residential/ Low Density to Commercial for the property located at 1212 NW Arlington to please approach the podium and give your name. If you do speak will need you to sign in. Seeing no one approach I will close the public hearing. Members of the Commission what is your preference?

Deborah Jones responded Mr. Chairman I would like to offer the Commission an alternative to the rezoning and use permitted on review. A medical facility is permitted in an R-4 district because of cumulative zoning it is listing in the R-3 district therefore it rolls into the R-4 as a use permitted on review. What I like to offer is that we tie lots 10 through 16 I believe it was, to ask the applicant to tie them together were they cannot be sold separately. Therefore, they become a medical facility in other words the parking lot cannot be used for different commercial use other than medical facility. Leave it R-4 we advertise as a use permitted on review tying those lots together and therefore the don't need to rezone, they simply will be looking at this site plan you're looking at today for the parking lot.

Denham stated you said lots 10 through 16 and I believe we are only discussing 10 through 12.

Deborah Jones stated well I want all of those lots tied together. That's how you get to a medical facility.

Brown responded it would be one through twelve.

Deborah Jones stated I'm sorry one through twelve. You took my map away.

Denham stated now I'm a little more on board.

Deborah Jones responded I apologize.

Denham asked does staff have anything on this to prohibit us from considering that.

Brown responded no, you guys are able to consider because you guys just make the recommendation to Council so your recommendation could be that we take it back as a use permitted on review and tie all those lots together.

Deborah Jones stated as well as what Kameron recommended in his review.

Brown stated yes.

Denham stated subject to these conditions. Would that be an alternative motion?

Deborah Jones stated yes, that's a (cannot discern audio)

Motion by Deborah Jones Second by John Jones, to marry lots 1-12, deny the rezoning and to bring it back as a use permitted on review. **Aye:** Smith, Deborah Jones, Jarvis, John Jones, Denham, Springborn **Nay:** None **Motion Passed**