

MINUTES
CITY PLANNING COMMISSION
CITY HALL AUDITORIUM
April 13, 2023

Minutes of the City Planning Commission meeting held April 13, 2023, 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 1:30 p.m. by David Denham.

ROLL CALL

MEMBERS PRESENT: David Denham
Deborah Jones
John Jones
Neil Springborn
Michael Logan
Ron Jarvis

MEMBERS ABSENT: Shelli Fox (unexcused)
Darren Medders (excused)
Allen Smith (excused)

ALSO PRESENT: Madison Aust, Recording Secretary
Gregory Gibson, City Attorney
Kameron Good, Senior Planner
Tyler Pobiedzinski, Planner 1
Cindy Augustine, Real Properties Administrator
Christine James, Director of Parks and Recreation
Michael Glaze-Lyle, Parks Supervisor
Gary Brooks, Community Services Administrator
Kim McConell, The Lawton Constitution

2. Verify posting of meeting

The meeting was posted on April 10, 2023 at 1:00pm by Tammy Branstetter

3. Establish Quorum

BUSINESS

4. Hold a public hearing and consider an amendment to Chapter 21, Lawton City Code, 2015 that amends Section 21-5-209, Chapter 21, Lawton City Code, 2015, by designation the required distance a residential estate subdivision can be away from a publicly dedicated sewer main before they are no longer required to connect to the publicly decided sewer main, providing for severability and allowing floor amendments

Denham asked Kameron you tackling this one?

Good responded yes sir. Yes, exactly what the title says this is the proposed code change. Currently if you would like to be a residential estate zoning, and you want to subdivide that land you are required to connect to any publicly dedicated sewer main if it's within half a mile. We currently have somebody that is residential estate zoned and they are wanting to build a second house on their property, which would require them to then subdivide that into two separate parcels. They already did the subdivision and it's the Hunt Addition. They are required to connect to the sewer line because it's 500, roughly feet away, and it's a 21-inch sewer main, which is a hefty line, it's very big expense just to build one home. And so, with this code change that's proposed, depending on how many single family dwellings you would want to build would determine that distance required. So, all the way up to that 1/2 mile. And these numbers were proposed by the Public Utilities Department to equal out cost for a septic tank versus linear footage of a sewer main. Those are numbers provided by the Public Utilities Department so that's how we calculated up these distances and the number of dwellings that it would take to kick in that requirement.

Denham asked any questions for Kameron?

John Jones stated I have one, Kameron does this just apply to new subdivisions and how does this doing to work with existing subdivisions when you extend sewer lines out.

Good responded So this is only applying to a subdivision when it's a residential estate zoned property.

John Jones stated describe definition of that to me.

Good responded I provided in the background of the AIC what the residential estate district is, what the minimum lot width and intensity of use, their lot depths. These are intended to be bigger lots, their minimum of 1 acre size. We only have one residential estate zoning in town, and it is this one. We took a rezoning in front of you guys last year to then rezone that property, went through council it was accepted as the first residential state zoning in the city.

Denham asked is this the one off of Skyline Drive?

Good stated it is southeast Skyline.

Denham stated yeah, that's off of Gore.

Good stated south of Lee.

Denham responded south of Lee, right right, right.

Good stated they also had to do the subdivision and that is the Hunt Addition. And they're just taking their one tract of land, turning it into two separate parcels to build a separate home for a family member. And so that's when this requirement of connecting to a sewer line for that new house was found under the residential state sewer public improvements.

John Jones stated okay one more question, when you get to an area where the city sewer line does not work because the subdivision elevation is below the city sewer main. Can they use septic tanks?

Good responded it's stated in the ordinance that in that section of code of it, If you can't do it, if you cannot connect due to elevation that would have to be waived by, currently it says City Engineer, we are changing that to Director Of Public Utilities. And so, if it isn't feasible then the director of Public Utilities would then be able to waive that requirement.

John Jones stated thank you.

Good responded yes, sir.

Denham stated in this case it's 500 feet.

Good responded Yes, Sir. It's just under 500. So, it gets it down about 400 foot minimum for a two-family dwelling. So, if they were to ever add a third family or dwelling there, which their tracks of land aren't big enough to do so they're limited with the zoning to a minimum of 1 acre. This, they're just barely meeting that requirement. There isn't room for them to add a third dwelling as this zoning, but yes, it's just under 500 feet for this instance. OK, well, this right here is just to amend the code itself, but I just want to give you a little background why we brought this code change to you.

John Jones stated okay, one more question, this means in this case the 21-inch sewer line to be extended they can't tie on, they can tie on they must extend the 21-inch line out.

Good stated they would have to tie-in to whatever sewer lines available within that distance. Depending on the size the size that they put in the ground would just have to be the minimum required. The line that they're connecting to that doesn't matter what the size of that line.

John Jones responded so they would have to run half a mile.

Good stated as the code stands now, if one house went in and they were within that half mile distance, they would have to run a sewer line all the way through the

John Jones responded now we're talking about a few hundred feet.

Good responded if there was one family, one house 1 to go in another residentially zoned and they were as instance right now 500 feet away now they would not be required. They would be able to move forward as a septic system as of and the septic system would still have to leave all the other ODEQ permits and stuff like that.

April 13, 2023

Denham stated good questions, anything else? So at this time, I'll go ahead and declare the public hearing opened or see if anybody would like to speak for or against this amended change to code seeing no one approach I'm going to close the public hearing. Members of the Commission what is your preference?

John Jones stated move for approval.

Motion by John Jones, **Second** by Logan, to approve the amendment of Section 21-5-209, Chapter 21, Lawton City Code, 2015. **Aye:** John Jones, Jarvis, Deborah Jones, Logan, Springborn **Nay:** None Motion Passed

5. Hold a public hearing to consider a change of zoning from the R-1 Single-Family Dwelling 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 2122 & 2124 NW Arlington Avenue, Lawton, OK 73507.

Good stated as stated, this is a rezoning request to go from the R1 Single Family Dwelling District to the C1 Local Commercial District. It also is a change to the 2030 Land Use Plan from Residential Low to Commercial this is located at the off of Arlington, just east of Sheridan, right there behind Arby's. The current zoning, like I said, is R-1. The zoning to the north of this property is C1, to the west is C-1, zoning to the south is C-5 and R-3. Arby's parking lot when it was extending over was rezoned R-3. Then to the East is residential R-1 zoning. The proposed is to extend the C-1 over and make these two lots C-1. The current Land Use Plan shows that as Residential low density you have commercial to the North Professional Office transition to the west, commercial to the South. There is no proposed building for this property, it's just a blank site plan, so they would have to come back to an amendment site plan, and that would just follow the exact same issue. We would we notice to all the property owners when their use came in and the proposed site plan would then be a binding site. And it would go through the process. This right now is just to rezone the property and make it all commercial so that they can try to sell it and get a use to come in. This is an aerial shot of that area. The current house that's shown on the aerial is no longer there, both lots are currently vacant, houses the land to the west of it and land to the north of it. There is a house to the east and that's why on the site plan you do see a proposed 6-foot OPEC fence and tree buffer that would need to be constructed.

Denham asked now in the future, if they come back with the site plan, is the binding only required on these two lots or the two to the west as well?

Good responded it would be the whole site.

Denham asked so the four lots?

Good responded if they if somebody came in and proposed to build on those four lots over there, then this would be the entire site unless the use came in and only used two lots then, yes. But right now, I think the proposal is to rezone these two commercial hopefully to then get it as attractive land that they would be able to build on all of it. This was sent out to 24 property

April 13, 2023

owners within 300 feet on March 21st and posted in The Lawton Constitution on March 28th, and we received no phone calls for or against.

Deborah Jones stated ladies and gentlemen if I'm not wrong to the north, was the Braum's side.

Good responded yes ma'am.

Deborah Jones stated which didn't manifest and didn't we have substantial protest on that Braum's site, and they had one in council. David, do you remember that?

Denham responded yes, definitely.

Deborah Jones stated ok, you can open the public hearing.

Denham asked any other comments or questions before I open the public hearing? I'll go ahead declare a public hearing open to consider a change of zoning from the R-1 Single Family Dwelling 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 properties located at 2122 and 2124 NW Arlington Avenue. Anybody would like to discuss this, please approach the microphone or the podium sign in. Seeing no one approach I will go ahead and declare the public hearing closed. Okay DJ comments.

Deborah Jones stated my concern number one is the land use plan says it's a policy that you not have speculative zoning unless that there's changes in the socio-economic data in the Land Use Plan. Now the last land use pattern is grossly out of date. But we know for a fact from the newspaper that we've lost 7000 in population in the last 10 years. Now, that's not to say we'll lose another 7000, we hope not. We know the traffic counts are up, so we don't have any socio-economic data to, you know, encourage us to be not violating the changing the language. The second thing that bothers me is I don't know how anyone could have an opinion who's a residential unit there because it shows nothing, no driveways, no parking, no use, I mean it's just a lot and block map that went out. I just don't think it's a good idea to do this. Now I may have an entirely different opinion when we know the use and we know the driveways and we know you know whether they're drive through lanes and all that, but I don't think this is the time to do this. I think it is for land value only and I just don't think it's a good idea for the neighborhood. When we can't as I recall answer things like drainage came up and I was not familiar with the area but in that Braum's was coming up in, in traffic and hours of operation.

Denham responded I do know before the and I don't know that the deal was actually falling through it was put on Braum's back burner to say the least, but they did do some work. I think they closed the easement, alleyway or something and that was obviously the property to the north, so there were some concerns with the flooding in the streets. I drove by it yesterday and those are just four empty lots. There is not even driveway sign of a driveway and it's obviously at that location. I was surprised to see the land use was Professional office, frankly. So, but again, I agree with DJ that land use plan is woefully out of date, and I see we are going to solicit bids to get somebody to do that for us.

April 13, 2023

Good stated we already sent out RFQ's for the Land Use plan, and we've received some back and then we review those.

Deborah Jones stated we can be easily two years out from this.

Good responded one thing that I looked at today already projected 2024 before we even have the proposed for final edits. I do want to just state that the amendment to the buying side plan will have to go throughout the we notice still going within 300 feet, they would go through essentially exact same thing as a use permanent review.

Deborah Jones stated it could be combined with and resumed again with the binding site plan. You're serving the same notice; except you're providing more information to the 300-foot area. I'm very concerned because this, I don't know why this Braum's thing sticks in my mind.

Denham stated it was here. There were a lot of neighbors against it due to the concern with flooding that was the main thing. I think right now being empty land both North and South, flooding is no longer much of an issue down there.

Deborah Jones responded I don't know because we don't have a site plan for Braums and we don't have a site plan for this.

Denham stated I'm just saying it's soaking up mud.

Deborah Jones stated the runoff is not the issue right now.

Denham stated John is a developer and I know your residential versus commercial, but what is the value of these lots split between residential and commercial?

John Jones responded ____ residential. I mean just where they are located ____ commercial. (cannot discern audio) zoned commercial. ____ parking is going to be a problem. There's not a lot of depth for a commercial site to go in there. ____ if we were going to do something to allow more space (cannot discern audio) I don't see a reason not to move forward with this. (cannot discern audio)

Denham stated I admit that the two houses immediately east were nice houses. That are next door to the property in question.

Deborah Jones responded you know from a traffic standpoint; this is the worst thing we can do. Strip out the arterials without knowing what's going on them. we've been through this on Cache Road now granted the lots are deeper John's right, these are not very that's why they're showing this professional office as a transition. But we've got capacity problems on Sheridan Road, we've had numerous requests for more curb cuts more ____ cuts. I don't know if you all have ever been northbound on Sheridan Road when someone is dying to get a chicken sandwich, there's a fast-food place up there, and it's they just told and I mean, you know, it's a blind opening is what it is, but we allowed it. I don't say we the council allowed it. I just think we need to adhere to what the Council committed to a couple of months ago. We need some corridor analysis on Gore was the first one, and I think Cache Road was like when I don't.

Denham stated being your representative of the LMPO, we've got more going out this year from Lawrie Tatum to 7th Street. Hopefully next year we will talk from Gore to Sheridan to in spots and Sheridan to 38th St. to handle Cameron and all that. We're looking 2-3 years before we even get to Cache Road let alone Sheridan.

Deborah Jones stated that's one source of funding. We have an entire CIP with \$6 million. We can identify the Metropolitan Planning Transportation funds of Fear Limited. All I'm saying is in light of what we've done, the fact that we do not promote spec zonings, we do not have any site plans from the north or the south, I just think we ought to wait until we know more. That's all I'm saying. If it comes in next week for the site plan, let's put it on, look at it, and have the neighbors look at. We make the call as we make the call.

John Jones stated (cannot discern audio)

Deborah Jones stated this is the same circumstance we had on the north side of Cache Road between 33rd and 38th. If the Council hadn't finally recognized that this is an issue on your arterials, that you have diminished capacity, that they need to look at this and need to look at how they are doing these things. Perhaps I would just say oh it's inevitable, but it isn't inevitable. We've got property owners, they didn't come down here and complain, but we got a nice neighborhood and Lee addition. Lots of those houses been lower priced, they've been redone, and then they're viable. They're marketable and I don't want to damage them. I want, I'm trying to implore more information before we do something. Not that we don't do it at that time, I just don't think we should be strip zoning all of the arterials. What are we going to do next? Are we going to be confronted with Fort Sill Blvd like we were last week? Well, it's not going to be a behavior center, so let's make it a here we go with Braums on Fort Sill Blvd. We had a heck of a time, David. You and I were in favor of it, putting that little ATM by the high school. I mean, these arterials are overloaded and there's issues with them, there's drainage issues, there's, you know, access issues.

Denham responded I personally, use Arlington quite frequently as you turn out of the Arby's drive through and go half a block and go back down Arlington to the east. And that is one road in serious need of being rebuilt. Yeah, this is a tough one, but the lands cleared and thinking of industrial development, shovel ready projects usually are a lot more attractive for development than stuff you got to go do a bunch of administrative stuff too. I tend to agree with John on this particular deal, but I see where Debbie's coming from, from all the different issues this Commission has addressed in the years past.

John Jones stated (cannot discern audio)

Denham stated that is the Braums project

John Jones responded (cannot discern audio)

Denham stated and I'm sure that's what the developer bought the property for.

John Jones responded so it doesn't even make sense. (cannot discern audio)

Good stated I just want to reiterate the fact that this is not your final say. You rezone this property C-1, and they do whatever development comes back will have to be come through you guys again.

Deborah Jones stated it is much easier with a zone it than on it to get a use permitted. Stopped at 30:54

6. Consider approval of staff's recommendation regarding repurposing of city parklands.

7. Approve draft version of FFY 2023 Annual Action Plan (AAP) that includes Public Service Organization (PSO) Funding recommendations, and HCD Policy Manual changes recommended by Housing and Urban Development (HUD).

Denham stated we touched on this with the PSO's last meeting. There wasn't an agenda to do the other items, now we have all of that here and on the agenda item, we have the allocation amount. Mr. Brooks welcome back.

Brooks stated well, I was just going to go through, the only thing that's really different to in the sheets that I gave you, it goes through the budget and it's very similar to prior years. The projects haven't really changed a great deal. The only real item that last year, when I brought it to.

Denham stated that one there, yeah.

Books stated last year when I brought it to the Planning Commission, we talked about the first-time home buyers and for giving the repayable portions. We were going to make it all forgivable and it was approved. Then we had our month training session with HUD this year they require that all of our home rehabilitation budgets and the thought behind it is that basically the people are going to need help. These small payments that they're making are just more or less owners on them and less on us because there's a certain amount of upkeep you have to do, keeping up with it and moving money, and all of that, that's just better. I basically included some language actual part, most of it from Oklahoma City, but it just talks about forgiving and making the entire amount forgiving the what the end of the period before the update, which for all home rehab since 10 years.

Denham asked how many homes is that on average?

Books responded well, right now in the last three or four years, we haven't had any old home rehabs. I think we have one last year. We've got 8 in the works right now, so it's a little bit of an increase. And I think they're all good projects.

Denham stated you're looking at what, 330,000 plus dollars there plus 100,000 carry over, so that's.

Brooks stated Well, and that's if they all come to pass, and if they're all for the full amount. Our amount that we spend of those is about \$35,000 with an additional \$5000 for change orders.

April 13, 2023

Denham stated okay.

Brooks stated the big issue too is in the home program is that we haven't really been sending money in the last few years. Now that carryover that helped us with but in the future, the programs that we do really well the In House or Home Rehabs, Exterior Home Improvements, Emergency Repairs.

Denham asked once you've provided this budget or allocation plan now difficult or easy, use it to change categories? I know you can't for the public service organizations and administration.

Brooks stated I don't think there's much trouble in in changing categories. We've been putting a similar amount towards old home rehabs in the budget, it just has been set. But that's really the main thing we have that's a change. We went over the public service organizations last time. I wrote this up a little bit different than what had been done in the past and part of that is on that allocation out on the action plan where we have to have the money printed out. We're trying to make it more mirror our budget for the City and Munis, so that the two-look identical because that's hard to do, I think. There's something completely different and I was able to do it.

Deborah Jones responded good luck, the way the Feds does something completely different, and I was never able to do it with LATS. I mean, I had to have a supplemental budget that went line item by line item.

Brooks stated I'm still learning and I think we went through the change when GEMS meeting was 21 and I think everyone is still learning, but we're getting there.

Denham asked okay again this says the recommended action is provide recommendation for approval to you or I mean is this going to Council?

Brooks responded to the Council.

Denham stated okay, that's what I would have thought.

Brooks stated well that's I took that off a prior form. We need to take it to Council I guess.

Denham stated is there a motion or is there questions for Mr. Brooks? We'll entertain a motion.

Motion by Jarvis, Second by Springborn, to approve the draft version of FFY 2023 Annual Action Plan (AAP) that includes Public Service Organization (PSO) Funding recommendations, and HCD Policy Manual changes recommended by Housing and Urban Development (HUD). **Aye:** Logan, Jarvis, Denham, Deborah Jones, Springborn **Nay:** None
Motion Passed

9. Secretary's Report

None

April 13, 2023

10. Comments From the Public

Denham stated I saw how good we did in the paper becoming additions so thanks again for being here Kim.

11. Adjournment

With no further business the meeting was adjourned at 2:51 pm.

DRAFT

DRAFT

DRAFT

DRAFT

DRAFT

DRAFT