

# AMENDMENT TO THE LAND USE PLAN AND REZONING

REQUESTED BY: Shane Lupi

PROPOSED USE: Amendment to the 2030 Land Use Plan from residential to commercial, and a change of zoning from the R-4 High-Density Apartment District to C-1 Local Commercial District zoning classification

## AREA DESCRIBED AS:

A tract of land described as Lot 10-12, Block 14, Mountain View Addition, Lawton, Comanche County, Oklahoma.

## Legend

 AREA DESCRIBED





## CITY OF LAWTON PLANNING DEPARTMENT

212 SW 9<sup>th</sup> Street, Lawton, OK 73501  
Telephone 580-581-3375 Fax 580-581-3573

### APPLICATION FOR REZONING

1. Applicant(s): SHANE LUPI Phone 580 704 0018  
Address: P.O. Box 3520, LAWTON, OK 73502 Fax 580 699 5029
2. Owner(s): CCMH Phone 580 355 8620  
Address: 3401 W GORE BLVD Fax \_\_\_\_\_
3. Request Rezoning From: R4 To: C1
4. Proposed Use (including all buildings to be constructed)  
From: VACANT LAND  
To: PARKING LOT
5. Street Address or Location: 1212 NW ARLINGTON
6. Legal Description of Property: MOUNTAIN VIEW BLK 14 LOTS 10-12
7. Tract Size: 140' x 75'
8. In order that your application can be considered at the next available Planning Commission meeting, you must submit this completed application and all other information to include filing fee to the Planning Division for processing. Due to public hearing notice requirements the Planning Staff will advise you of the earliest date available for consideration by the Planning Commission and City Council. You must submit the following:
  - (a) A completed application form.
  - (b) Proof of ownership of the property or power of attorney from the property owner.
  - (c) Certified list of names and addresses of all property owners within 300 feet of the request. A map showing the 300-foot notification area will be provided to the applicant by the Planning Staff.
  - (d) A filing fee as required by Appendix A, Schedule of Fees and Charges, Lawton City Code.
  - (e) A site plan, basic or detailed, as required by Section 18-1-1-114 of the Lawton City Code. The site plan requirements of Section 18-1-1-114 are located on the back side of this application. Please note: if a detailed site plan is required, the site plan will be part of the rezoning ordinance and will be binding on the development of the property.
9. You may submit any other information you wish to support your request for rezoning.

Signature of Applicant(s)

Signature of Property Owner(s)

Date Submitted: 2-27-23



# CITY OF LAWTON PLANNING DEPARTMENT

City Hall – 212 SW 9<sup>th</sup> Street, Lawton, OK 73501 Telephone 580-581-3375 Fax 580-581-3573

## APPLICATION FOR AMENDMENT TO THE 2030 LAND USE PLAN

- A. Location and extent of requested amendment (legal description, street address. Attach map if possible):

1212 NW ARLINGTON  
MOUNTAIN VIEW BLK 14 LOTS 10-12

- B. Present land use designation: ~~VACANT LANDS RT~~ RESIDENTIAL/LOW DENSITY

- C. Requested land use to be changed to: ~~PARKING LOT CT~~ COMMERCIAL

- D. **Justification for change. The applicant must answer the following questions. If marked Yes, explain efforts to be provided by applicant to lessen the impact. Supplemental information is also encouraged.**

1. Will the proposed land use increase traffic congestion on streets serving the lot or tract or the area within 300 feet of the lot or tract?

☐ Yes ☒ No

2. Will proposed land use increase fire danger to area within 300 feet?

☐ Yes ☒ No

3. Will proposed land use increase health danger or decrease general welfare of the area within 300 feet of the lot or tract?

☐ Yes ☒ No

4. Will proposed land use diminish adequate light and air including the light and air quality to the tract or area within 300 feet of the lot or tract?

☐ Yes ☒ No

5. Will proposed land use cause overcrowding of structures on the lot or tract applied for or within 300 feet of the lot or tract?

☐ Yes ☒ No

6.a. Is the proposed land use in an area designated for historic preservation? If yes, answer 6b.

☐ Yes ☒ No

\_\_\_\_\_

\_\_\_\_\_

b. Will proposed land use diminish any historic preservation efforts on the lot or tract or the area within 300 feet of the lot or tract?

☐ Yes ☐ No

\_\_\_\_\_

\_\_\_\_\_

7. Will the proposed land use cause undue concentration of population on the lot or tract or within 300 feet of the lot or tract?

☐ Yes ☒ No

\_\_\_\_\_

\_\_\_\_\_

8.a. Will the proposed land use be served by existing infrastructure including streets, water, sewage, drainage, schools, parks, or other public facilities? If yes, answer 8b.

☒ Yes ☐ No

\_\_\_\_\_

\_\_\_\_\_

b. Will the proposed land use overburden the existing infrastructure including streets, water, sewage, drainage, parks, or other public facilities?

☐ Yes ☒ No

\_\_\_\_\_

\_\_\_\_\_

9. Is the proposed land use in character and suitable with the area within 300 feet of the lot or tract?

☒ Yes ☐ No

\_\_\_\_\_

\_\_\_\_\_

10. Will the proposed land use diminish the value of existing structures in the area within 300 feet of the lot or tract?

☐ Yes ☒ No

\_\_\_\_\_

\_\_\_\_\_

Applicant: SHANE LUPI

Address: P.O. Box 3520, LANTON, OK 73562

Phone: 580 704-0018

Date Submitted: 2-23-23

Signature: Josh Whitman

If filed in conjunction with an application for rezoning please enter the name of the applicant for such rezoning:

SHANE LUPI

**WARRANTY DEED  
(OKLAHOMA STATUTORY FORM)**

File No.: 22-07-0108

Documentary Stamp: \$16.50

That Walter E Holt, a single person, party of the first part, in consideration of the sum of TEN & NO/100 Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto

Comanche County Hospital Authority  
party (ies) of the second part, the following described real property and premises situate in Comanche County, State of Oklahoma, to wit: \* 3401 W. Gore Blvd, Lawton, Ok 73505

Lots Ten (10), Eleven (11), and Twelve (12), Block Fourteen (14),  
MOUNTAIN VIEW ADDITION, to the City of Lawton, Comanche  
County, Oklahoma, according to the recorded plat thereof.

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. LESS AND EXCEPT any interest in and to oil, gas, metallic ores and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interests and estates of whatsoever nature incident thereto or arising thereunder, and SUBJECT TO easements, rights of way, restrictive covenants of record.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature. EXCEPT covenants, conditions, easements, restrictions and mineral conveyances of record.

Signed and delivered this date this 18<sup>th</sup> day of October, 2022.

Walter E. Holt  
Walter E Holt



**ACKNOWLEDGMENT - OKLAHOMA FORM**

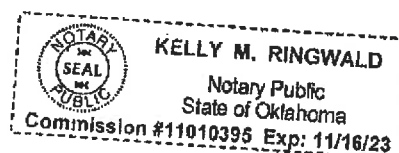
State of: OKLAHOMA ) STATE OF OK  
COMANCHE COUNTY  
County Of: COMANCHE ) SS. DOCUMENTARY STAMPS: \$22.50

18<sup>th</sup> Before me, the undersigned, a Notary Public, in and for said County and State, on this day of October, 2022, personally appeared Walter E Holt, a single person, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth

Given under my hand and seal the day and year last above written.

Kelly M. Ringwald  
Notary Public

My Commission Expires:  
Commission No.



Underwriter: ORT  
**SOVEREIGN TITLE SERVICES**  
1609 West Gore Blvd.  
Lawton, OK 73501

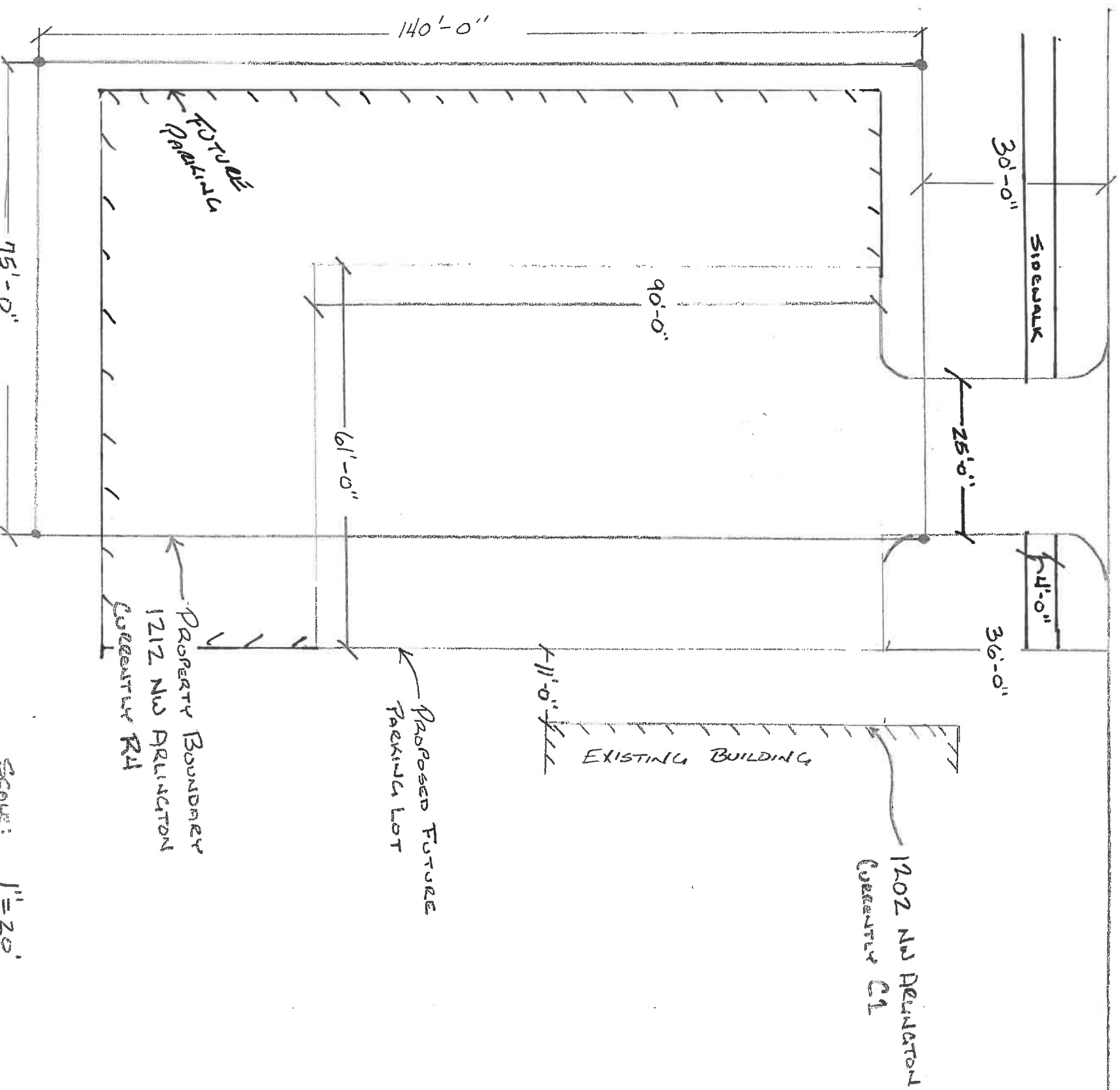
Sirena Line Warranty Deed - Statutory Rev. 10/13/2016

FILE NO. 22-07-0108

CCMH PARKING LOT

OWNER - CCMH  
APPLICANT - LUPI CONSTRUCTION  
SHANE LUPI  
PHONE - (580) 7104-0018  
DATE - 2-10-23

NW ARLINGTON



SCALE: 1"=20'

ALL IN



**Planning Department**  
212 SW 9<sup>th</sup> Street, Lawton, Oklahoma 73501  
Phone: 580-581-3375 Fax: 580-581-3573

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## MEMORANDUM

**TO:** City Planning Commission  
**FROM:** Charlotte Brown, Interim Director of Planning & Community Services  
**STAFF:** Kameron Good, Senior Planner  
Tyler Pobiedzinski, Planner I  
**SUBJECT:** Request for Rezoning and Amendment to the 2030 Land Use Plan for Property  
Located at 1212 NW Arlington Avenue, Lawton, OK 73507  
**MEETING DATE:** March 30, 2023

The following is an analysis of the request for a change of zoning the R-4 High-Density Apartment District to C-1 Local Commercial District zoning classification and amendment to the 2030 Land Use Plan from Residential/Low-Density to Commercial for the property

Lawton Community Health Center (LCHC) is the owner of the properties located at 1212 NW Arlington Avenue, Lawton, OK 73507 (Lots 10-12, Block 14, Mountain View). This property is located on the south side of NW Arlington Avenue between NW 13th St and NW 12th St. There was a vacant residential structure that had two structure fires May 5, 2022 and November 11, 2022. The land is now currently vacant. The proposed use for this property will be a parking area. This is a permitted use within the C-1 zoning classification.

This analysis is based upon criteria set out in Title 11, Sections 43-102 and 43-103, Oklahoma Statutes.

1. *To lessen congestion in the streets.* The proposed plan is to build a parking lot to complement the LCHC office in the adjacent lot. Constructing a parking area will lessen any present and foreseeable street congestion.
2. *To secure from fire, panic, and other dangers.* This property is not within the 100-year floodplain. There are two fire hydrants located within 300 feet of the property.
3. *To promote health and the general welfare.* Lawton City Code requires opaque fence or wall and tree buffer between the residential property to the West of this property. Opaque screening should not be less than six feet nor more than eight feet high. All construction, i.e., drives, parking, sidewalks, landscaping, etc., are required to meet all Lawton City Code requirements.
4. *To provide adequate light and air.* The proposed site is a R-4 High-Density Residential area, any parking areas created will need to be properly lit at night. Lawton City Code requires the light to be oriented, so it does not trespass on the adjacent properties. The new trees from the required tree buffer would help air quality.

5. *To prevent the overcrowding of land.* No additional structures are proposed to be built on the property at this time.
6. *To promote historical preservation.* There are no historic buildings, landmarks, or overlays on the requested property. There is also no historic buildings, landmarks, or overlays on the adjacent properties.
7. *To avoid undue concentration of population.* The proposed zoning change from R-4 to C-1 will not bring additional residential living space to this area.
8. *To facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.* The City of Lawton Public Utilities placed a 16" water line adjacent to NW 13<sup>th</sup> St, an 8" water line on the North side of NW Arlington Ave, and an 8" sewer line along the center of NW 13<sup>th</sup> St. The proposed construction will be placing a parking area on these lots. There is no record of any inspections for the capping of the water, sewer, and gas lines from previous residential use.
9. *To conserve the character of the district and buildings and encourage the most appropriate land uses.* The 2030 Land Use Plan has this designated as Low-Density Residential. The proposed construction must meet city code for architectural standards to include the proper screenings.

Based upon these facts, if the request is approved, it is recommended to add the following conditions per city code:

-add the appropriate screenings





## CITY OF LAWTON PLANNING DEPARTMENT

Mailing Address: 212 SW 9<sup>th</sup> Street, Lawton, Oklahoma 73501  
Phone (580) 581-3375 • [www.lawtonok.gov](http://www.lawtonok.gov)

April 3, 2023

### NOTICE OF PUBLIC HEARING ON A REZONING REQUEST

The Lawton City Council will conduct a public hearing at 2:00 p.m., Tuesday, May 9, 2023, in the Auditorium of City Hall, 212 SW 9<sup>th</sup> Street, Lawton, Oklahoma, to consider a change of zoning from the R-4 High-Density Apartment District to the 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.

Below is the legal description for the property located at 1212 NW Arlington Avenue, Lawton, OK 73507:

Lot 10-12, Block 14, Mountain View Addition, Lawton, Comanche County, Oklahoma.

The above-described property is shown on the attached map as the "Area Described." Also attached is a proposed site plan for this request. The proposed use for this property will be a parking lot and is a permitted use within the C-1 zoning classification.

The City Planning Commission held a public hearing on March 30, 2023, and recommended to deny this request.

You are receiving this notice because your property is located within 300 feet of the requested area. If you desire to make a statement for or against said change of zoning at this location, you are invited to appear in person, by petition, or by attorney to so state your position to the Council on the above dates.

If you wish to submit a petition to the City Council, it must be submitted to the City Clerk at least three (3) days prior to the public hearing. If you have any questions regarding this notice, please call the Planning Department at (580) 581-3375.

CITY PLANNING COMMISSION

  
CHARLOTTE BROWN, SECRETARY

CITY OF LAWTON, OKLAHOMA

 -for-  
TRACI HUSHBECK, CITY CLERK

Attachment – Location Map  
Site Plan

## NOTICE OF PUBLIC HEARING

Notice is hereby given pursuant to Title 11, Oklahoma State Statutes, and Section 18-1-1-114, Chapter 18, Lawton City Code, 2015, that on May 9, 2023, at 2:00 p.m. in the Auditorium of City Hall, 212 SW 9th Street, Lawton, Oklahoma, the Lawton City Council will hold a public hearing and review, for the following purpose:

To consider a request for an amendment to the 2030 Land Use Plan from Residential Low-Density to Commercial, and a change of zoning from the R-4 High-Density Apartment District to C-1 Local Commercial District zoning classification. The request is located at 1212 NW Arlington Avenue, Lawton, OK 73507. Below is the legal description for the requested area:

A tract of land described as Lot 10-12, Block 14, Mountain View Addition, Lawton, Comanche County, Oklahoma.

Any parties having an interest and any citizens desiring to be heard shall be afforded an opportunity to be heard at said public hearing.

Given under my hand and seal of the City of Lawton, Oklahoma, this 12<sup>th</sup> day of April 2023.

CITY PLANNING COMMISSION



CHARLOTTE BROWN, SECRETARY

CITY OF LAWTON, OKLAHOMA



TRACI HUSHBECK, CITY CLERK

(Published in *The Lawton Constitution* this 21st day of April 2023.)