

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. Exactly what the title says this is the proposed code change. Currently if you would like are 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 a 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. All the way up to that 1/2 mile. 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 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 currently, 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 estate 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.

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 second home for a family member. 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 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. 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 you're saying in this case it's 500 feet.

Good responded yes, sir. It's just under 500, it gets it down about 400 foot minimum for a two-family dwelling. 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. 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 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.

John Jones stated thank you.

Denham stated good questions, anything else? 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:** Denham, 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 R-1 Single Family Dwelling District to the C-1 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 C-1, zoning 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 re-notice to all the property owners when their use came in and the proposed site plan would then be a binding site plan. 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 opaque 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 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 Braums site.

Good responded yes ma'am.

Deborah Jones stated which didn't manifest and didn't we have substantial protest on that Braums 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. If 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 do not have speculative zoning unless that there's changes in the socio-economic data in the Land Use Plan. Now the last Land Use Plan is grossly out of date. We know for a fact from the newspaper that we've lost 7,000 in population in the last 10 years. Now, that's not to say we'll lose another 7,000, we hope not, just the opposite. 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 but changing the language. The second thing that bothers me is I don't know how anyone could have an opinion who's a residential owner 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 Braums was coming up in, in traffic and hours of operation. There were just a number of things that came up.

Denham responded I do know before the and I don't know that the deal was actually falling through it was put on Braums back burner to say the least, but they did do some work. I think they closed the easement, alleyway, or something.

Good responded sewer line.

Denham stated a sewer line, and that was obviously the property to the north. 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.

Good stated we already sent out RFQ's for the Land Use plan, and we've received some back and then we'll 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 site 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 Braums 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 very little value for residential. I mean just where they are located the back end is commercial. (cannot discern audio) zoned commercial. _____ so parking is going to be a problem. There's not a lot of depth for a commercial site to go in there. _They are going to sit there dead if we don't do something to allow more space for a prospective tenant or owner to come in and build commercial. Most commercial areas have to have parking. Parking 140 by 110 is one of the requirements. I don't see a reason not to move forward with this. (cannot discern audio) this would give you a tract of land that any prospect that comes into our city looking for a location, a commercial site, this would already zoned and ready for them. Most of them would back off if you have to get it zoned. A site plan would have to be done so , finding a prospective buyer is limited when half commercial and half residential. I would vote in favor of this. Get your land Tract is clean, good site, right next to Arby's. I would do all sites the lots in back and the lots in the front.

Denham stated I admit that the two houses immediately east were nice houses. That are next door to the property in question 2120 and 2118 they were very nice houses I was surprised.

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 shown as professional office as a transition. We've got capacity problems on Sheridan Road, we've had numerous requests for more curb cuts, more median 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 you in front of you and I mean, 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 the second one.

Denham stated being your representative of the LMPO, we've got Gore going out this year from Lawrie Tatum to 7th Street. Hopefully next year we will tackle 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 and all these other ones.

Deborah Jones stated David that's one source of funding. We have an entire CIP with \$6 million we can identify. The Metropolitan Planning Transportation funds of Very 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 I think the problem if you have someone come in without a site there's no way to get a full perspective. This site is not ready for the Land Use it needs to be used for. Look at the vacant house over on Sheridan Road going north, they can't be used for anything. People don't want to live there facing Sheridan, this is a way of utilizing the two lots facing Sheridan Road and have a width to be able to be used. I just think we are delaying the inevitable meaning this is missing good prospects.

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, granted 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 David let's look across the street on the northside of Arlington you can see where they are also.

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 and doing this for.

John Jones responded so it does 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 at is much easier with a zone it than on it to get a use permitted on review when this commission has recommended the rezoning. Now that's just a fact folks. I disagree with, all we're doing, we're putting pressure on older smaller size, lots to convert them to commercial and land cost less than the zone that's already out there with C-5 C-4 and it's already on an arterial and it's been spec zoned over the years because they didn't know any better. All of a sudden in my neighborhood, we got up five story hotel, looking down on a whole tier of lots, but you can't give away those lots, and those are nice houses. Somebody in that neighborhood will pay the price. Now if they want it, it's fine, but I think they ought to, there a couple for me, I think it just violates the land use plan and it violates what I think the Council's trying to achieve which is a very good thing, and I think they need to be coupled together.

Denham responded thank you DJ. And again, this is just a recommendation that we do to the Council as well, so the binding site plan is important. It is concerned that none of the neighbors came to this meeting, because there was no shortage of them on the Braums deal, so maybe there's just less neighbors, or maybe these are rental properties, and they don't get the notice.

Deborah Jones asked what will they look at?

Denham responded well they just see it's coming into their neighborhood. I mean, that map was there.

Deborah Jones stated but it doesn't show anything. It shows lots and blocks.

Denham responded right, they just see the empty lots there, and I'm sure they're ready for something to come there too. You never know. Any more discussion? I will entertain a motion.

Motion by Jarvis, **Second** by Springborn, to approve 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. **Aye:** Logan, Springborn, Denham, John Jones, Jarvis **Nay:** Deborah Jones **Motion Passed**

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

James stated good afternoon. As you guys are probably aware, back in March of last year, City Council approved the City Lawton Parks, Sports and Recreation Trails, and Open Spaces Master Plan, and as part of that plan the analysis recommendation was that we have to much park space to maintain with the staff that we have. Part of their recommendation was to relook at some of our park spaces to see if there was potential of repurposing them. Repurposing them could be anything leaving it as natural land, some of them are drainage ways so that could turned back into drainage, development, repurposing is wide definition. We looked at all 74 parks that we have staff went through them, we designated what we thought we weren't best in those areas, then we meet with each council member about parks in their wards and got their recommendations, after that we tweaked our list, went back out to the public meeting here in council chambers requesting public input on all of those parks. We've got all that accumulated all of that last year. So here we are now with the accumulation of all the concerns addressed and we feel like this is our, I guess you take as a final draft of the parks. Right now, when we have it as 52.7 acres of repurposing that is not including the area, we would make into drainage ways. If there are not any questions, I will turn it over to Cynthia to go over the parks specifically.

Augustine stated most of the parks we looked at were well, there were seven of them in the different wards that were pocket parks. Seven of the parks in the wards are pocket parks. They do not have access to public streets. I've tried to make notes on each one of them that would say they are containing alley for the utility easements trying to note on which ones where renters, owner occupied, and of course these are still suggestions. This will be what will be taken to council and where the surplus will go to public auction.

Denham stated let's just start with the first two Baltimore and Atlanta. Those are the old hidden park type deals, I mean Atlanta, maybe not Baltimore. On these you recommend that they go back to their neighborhood organizations or surrounding property owners?

Augustine responded well that is one option.

Denham asked okay. What are the other options?

Augustine responded they could be declared surplus, and hope that the neighborhood will start maybe a community garden, or the surrounding property owners we could divide up that land and adjoin it to their lots.

Denham asked is there any kind of zoning or replants or stuff that would have to be done? Would they have to pay for that?

Augustine responded the City would do that, in order to start the sale and also to get rid of them instead of maintaining them. Right now, it's zoned PF and they would have to rezone it and depending on who would be interested in it us they would have to plat it if they wanted to adjoin it to the original lots.

Deborah Jones stated wouldn't you have to vacate it off of your original plant? The one I'm interested in that will just, Tomlinson Park on 38th. It was dedicated on the original plat.

Augustine responded there is language in the dedication saying the park and streets belong to the public.

Deborah Jones stated but wouldn't you have to vacate that and get title to it?

Augustine responded yes.

Denham asked that was the one we had neighbors here up in arms.

Deborah Jones stated really, it's just me I'd hold that out separately from the rest. I think it's going to get special attention and I couldn't tell you one way or the other, you know, going. In the meantime, if that is sold for any other purpose Tomlinson, what I call Pill Hill, there's going to be great interest.

Denham responded well, they were going to maintain it, mow it, and do all that stuff as long as we retained it as a park when we were trying to sell the commercial property to the north.

Deborah Jones stated more like they wanted the city to mow and maintain it.

Denham stated and that's the whole reason these things are going bye bye.

Deborah Jones stated I agree with you but I'm just saying I would separate that out from the pack.

Denham stated I had spoken to Janet about because, as I recall, when you do a new development part of the deal was you had to dedicate land or money in lieu of. Has that been removed from?

Deborah Jones responded no; I think it's still there. I think they are mostly getting money now.

Augustine stated the code has changed to say money in lieu of parkland.

Deborah Jones stated I think it's up to the Park Department to examine that the in the planning process.

Denham stated but as a developer I have gave you land instead of money in lieu of a park and you have to dedicate it and maintain it.

Augustine stated there is one in Sungate. It does not have public access it's basically over by a creek. But now because of the change they can't give parkland, they have to give money in lieu of park land. There are calculations in city code have to give money.

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Deborah Jones stated whatever happened God bless him, he is deceased. We had as I recall, we had a sewer easement that could access this park and that was thought of the way because to do it because Mr. Richards would not, I mean, he gave you a landlocked parcel intentionally. Nothing was proceeded on the series being accessed?

Augustine stated there is nothing over there. I think I have on there we would revert it back to the developer. That would be only option really.

Deborah Jones stated I don't really have any, I just wanted to know what the status was.

Denham stated John is a developer of a couple of the subdivisions, what is your thought on this?

John Jones stated what surprises me on these landlocked areas is that the city would consider dumping those on somebody living in that area. I may not, but I know a couple of contractors that they may know or they might not know. _____ whatever. I'm really surprised you haven't had a lot of oppositions with this. I can see the areas that have access you can develop those. That is a different issue. When you get to landlocked it's almost nothing. Unless you take houses out, buy houses and have access to it.

Augustine responded right or join that property to the existing lots.

John Jones stated you have to have some access to get in there.

Denham stated you're just basically giving people bigger backyards as what we're talking about, I think.

John Jones stated (cannot discern audio)

Denham stated you have to get everyone to agree to do it. What if you get half of them.

John Jones stated (cannot discern audio) it doesn't make any sense.

Augustine stated we have had some people come forward and talk about community gardens and setting some up.

Deborah Jones stated it would still have to have access though.

Augustine stated there are still 5-foot walkway accesses and some of them do have alleys.

John Jones stated extending yards back is what they are talking about.

Deborah Jones stated well, you take on this Sungate, we could acquire land and provide some kind of limited access. I'm talking about chat or something. Community gardening is great. It's done quite often, but often you also need to pick up and there are serious gardeners is what I'm saying. They aren't going to walk with a wheelbarrow.

Denham stated you need access to water.

Augustine stated this would be declaring them surplus to allow people who are interested to come forward.

Denham stated it's a wonderful concept. I just don't know how it works in the implementation of it.

John Jones stated that is my concern.

Denham stated I'm thinking I guess it was this Carol Park was behind my grandparents' house and off of 14th there, kids loved it. There was actually playground equipment and baseball backstop in the day. But you're right, you had two little sidewalk access points and that was it. You just wonder if it gets turned over what's going to happen if it's not getting maintained and it's not being monitored.

Deborah Jones stated one of the things in pocket parks that used to be the trend, was because they were secluded and were surrounded by lots was parents felt safe sending their children to play on that playground because of the surrounding houses. I agree with you, it's a problem everywhere. I don't know.

Augustine stated if there isn't anyone who is interested, the city would still be maintaining those packet parks until someone comes up.

Denham stated well, you've had, I remember every ward of their meetings and they were decently attended, as I recall from the coverage.

Augustine stated on all the pocket parks I sent notices to each one of the property owners that were surrounding pocket parks to attend meetings, but not all of them were owner occupied.

Denham stated so there's really not, you're just looking to us to approve where you've got them, and that's in essence under each part when you've recommended to declare surplus auction revert to developer a couple of them, go back to the original family or whatnot. I saw one of those on 40th Street. Members of the Commission, what do you think?

John Jones stated the 38th Street location was there a reversion clause or was there a deed when the park was dedicated?

Deborah Jones stated that is the one that is north of Greer family. That's north. (cannot discern audio, commissioners are talking over each other) This was Tomlinson's. There are heirs but it's not noted in the plat or any instruments. I have never, I've certainly worked with the heirs, they never mentioned wanting to challenge that plat dedication. I mean, they came to that rezoning and that was opposed but I don't remember them saying that.

Denham stated Ward 8 doesn't have anything. Nothing to work with, okay. Well, I know a lot of man hours are going into this project, what is the next step if we approve, what's the next step? Council?

Augustine responded council yes.

Denham asked do we want to go through how many of these parks and micromanage.

Deborah Jones responded no; I think they've done a really good job. I would recommend that we recommend to the Council that we declare surplus with the exception of the 38th Street Park,

which I think should be handled separately from the other bundle. Based upon our past experience, that rezoning actually did not go to Council, it was withdrawn. There was such a mess on it and it's sitting on an arterial, it's prime development land.

Augustine stated we would have to declare it surplus in order to sell to a developer though.

Denham stated I don't see any recommendation in that page. It just says this park showing Tomlinson Ridge plat from 1952. There's really nothing that what is your recommendation on that park?

Augustine responded declare it surplus and go to public auction.

Denham asked will that come back to us again?

Deborah Jones asked do we need to rezone it prior to going to auction?

Augustine stated that's going to be tricky though. Depending on what they want to do there, they might want to go auction.

Deborah Jones stated this where we get hoisted by our own petard.

Augustine stated they might want to auction it as development or ____.

Denham stated this is what got us in to the problem with the neighborhood before because they were wanting to change zoning and eliminate the park, and then they all came in and drove.

Deborah Jones stated and what if I made you an offer that I just want to commercially zone. I don't know what I want to put there.

Denham responded make it C-5.

Deborah Jones stated at least. Would that traffic count?

Augustine stated it would come before this committee, and it would depend on the rezoning.

Deborah Jones stated I recommend that you handle that separately.

Denham stated that's definitely a future nightmare. We have a motion to approve the plan with the one park Tomlinson Park in Ward 3, by handled separately, going forward to Council, that's a motion by DJ. Is there a second?

John Jones asked what is your recommendation on 38th Street too? For this group to the rest of them? Is there a reservation in use of it?

Deborah Jones stated that is not my motion. My motion is to declare recommend the Council that we recommend to the Council that they declare this surplus parkland. However, the issue of the 38th Street Park should be a separate agenda item, so that we take it out of the out of the bundle. They can make up their mind, one way or another.

James stated just for clarification, declare it surplus but then break it out of the group.

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Deborah Jones responded yes, because I do not want someone to say that it was hidden in the bundle.

Denham stated you're going to get everything else tied up as one part. It creates a stumbling block.

James stated and of course nothing will be sold, you know, in groups. We'll just declare them all surplus. But I agree that you know that will be the touchier one of all of these. We can definitely put that in two different agenda items and then, you know really going to be off based off of their interest we received back from the public on what happens after we declare a surplus. Declaring the surplus just means that these are the properties that the city is comfortable ridding themselves of if something comes along. If someone is interested.

Denham asked are all those zoned PF?

Deborah Jones and James stated no.

James stated they are all over the place.

Deborah Jones asked let me ask you this, have you had any discussions with Legal about when you go to auction, are they as is in zoning or are they? Do we have a contingency in there or something like the city will consider rezoning because I want if we're going to do it something like that. I want the public to know what, what it looks like, and the maximum amount of information.

James stated we have received a couple requests for some of these pieces of property that we're declaring surplus some of them are adjacent to churches, stuff like that. Where they have requested interest in that and if we have a specific request for that we could make that zoning maybe part of part of the contract for sale. A lot of these we just don't know the future of them yet.

Deborah Jones stated here we go, because you know, if we advertise one on 38th Street is five acres of commercial you're going to get more money.

Gibson stated oh, yeah. I mean, from a legal perspective, Cindy is in our in our office and so we would sit down discuss this a little further. She's the expert for our office.

Augustine responded (cannot discern audio) I think it would be depending on the interest that we get and if we needed to rezone something that we wouldn't sale till it was contingent on the zoning.

Deborah Jones stated so you're going to advertise as is.

Augustine responded yes, and depending on the interest we get.

Deborah Jones stated okay, that answers my question. You're going to advertise as is.

Good stated all the rezoning will have to go through the rezoning process and public notice and public hearings and come through this board and then Council.

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Deborah Jones responded I understand that, but I have my concerns about the site plan.

John Jones asked is that correct, they have to come back here for rezoning?

Augustine and James responded yes.

James stated and just also FYI and any of these pieces of properties that have existing equipment and improvement only and we will try to repurpose and reuse in some of our remaining parks. A lot of these playground equipment are not compliant as they stand, we would not be able to pick them up as a whole and move them, but we would be able to piece in that and park them to keep some of the other playground equipment.

Deborah Jones stated do you have all of the easements required for any public utility that cross these parks?

James responded we will, after Council says, we want to move forward with that we will start working on drawing up all those documents.

Deborah Jones stated, and she will verify where they are.

James responded yes.

Deborah Jones stated thank you.

James stated yes, but we didn't want to do all that (cannot discern audio)

Denham stated we still have the motion.

John Jones stated I'm confused on what your motion is. I mean why would someone buy a piece of property if they don't know how they can use it. This is a question I have. The city would like to get as much money out of these as they can also. I can't see anyone spending a lot of money on a piece of property when they don't know what they do with it. To me a buyer would need to know what they can do with the property before they buy it.

James responded right and just to be clear, the city is not putting these or declaring to make money, we will be saving money by not having to maintain them. And so that's a win in itself and an advantage to the city itself. Making money although that would be great, that's not necessarily the goal. This the goal is to not have to maintain these parks in order to save the staff time and money, and to put these resources towards other parks. We will you know I guess save money even if we do not make a lot of money.

Deborah Jones stated unless I've missed something in my illustrious career every single surplus land sale of the City of Lawton has been declared under the Charter to be less than \$50,000 in value.

Augustine responded yes, anything over \$50,000 has to go to Council and.

Deborah Jones stated it has to revert to the people if it's over \$50,000 if I recall.

Augustine stated I think Council back when Jack Hannah was Parks & Rec Director that they have to come back. I'm not sure how to handle that one.

Deborah Jones responded they passed a resolution stating the value was less \$50,000. I'm finished.

Denham stated I'd just love for them to be developed on go the property tax rolls myself, but I know that's not going to happen.

James stated if we get a few it will be a win.

Denham stated but like I say, it's I see a couple of interesting meetings in our future regardless.

John Jones responded I see a lot of them. I can see problems with maintaining it. I see property values being affected by it. There some many ifs, I don't know what you can do with it. That to me is like shooting dice.

James stated there was discussion during the public meetings on these pocket parks. Unfortunately, times have changed and so once upon a time, it was a nice safe playground because it was kind of secluded and kind of hidden by neighbors. And this day 30-40 years later there a nice, secluded place for people to things not up to par. You have that double edged sword there that you know these days parents don't let their kids do what they did when I was growing up. We ran the streets, worked from sunup to sundown and you just can't do that anymore. Unfortunately, we have received some security concerns about these pocket parks from the police department and some neighbors saying that there's activity going on because there's not regular patrol, they're hidden, and they do want that behind their backyards.

Denham stated we have a couple of those out there, so it's legitimate concern. We still have an outstanding motion to approve the staff recommendation with the asterisk on the Tomlinson Park is there a second? Having no second is there another motion? We are recommending, not we are not making a recommendation to the Council on this plan is what you're telling me? Okay.

John Jones stated I don't see how we can get around this without doing all these parks. These spots of land that could be sold should have some designated use or some projected use because is going to vary all over the board.

Denham stated we have 19 parks here so.

John Jones stated I know but

Deborah Jones stated when you make the one on Tomlinson I want to be advised in advance, I can feel a toothache coming on. Can you imagine us recommending R-4 for that tract? R-3? How about commercial, want to go for C-2? C-3? C-4? Even C-5?

James responded unfortunately, most of these have a current zoning that would need to be changed so that at that time they would come here with their potential use. We can't do much with PF.

Deborah Jones stated one of the reasons I wanted Tomlinson separate is it is not necessarily the purpose, is for somebody on Council to start thinking about the issues related to this. Before they're confronted with them. I mean John's right, I know you don't want three years' worth of work to go out the window, the surround property owners have lots and there's access problems. There's just a lot of problems.

James stated and that is why it's taken a year to get here.

Deborah Jones responded I understand.

John Jones stated _____ consistent inconsistent. One location has one code, and another location has a different code.

Deborah Jones stated John though I'm trying to follow what I have read in the newspaper. They've got a study the Council has paid about 3/4 of \$1,000,000 from this study, which says these should be declared surplus. So, this is the first step I guess I'm just trying to get rid of the hot potato. We see these things.

James responded we could always take 20 more employees in park maintenance, so we could take care of all of these. There is the other option.

Deborah Jones stated with the new stuff you're building you're going to need at least 40.

Denham stated we understand the need for it, but I guess the next step would be if it stopped here that I would recommend possibly you go through each park, maybe list current zoning, where public facilities, what's different, what potential, I don't know if you could even say desired use or potential use and potential zoning that is suitable. Obviously 33rd Street is up on our screens right and it's a pocket park. We can assure that there's no commercial opportunities there.

Deborah Jones responded they could go through the alley.

Denham stated like a drive thru.

Deborah Jones asked there is access to that isn't there?

Denham responded there's normally a walkway or two between houses.

John Jones stated there is not access to it.

Denham stated there is no vehicular access.

John Jones stated but there is a part for walking access.

Denham responded right, but in this case a community garden was discussed. If you got all those households there with the little white circles of names on them, I'll guarantee you half of those are renters. It won't really have much ability to sign off on that.

James stated on some of those, there's additional page that shows the renters and the homeowners and their starred.

Deborah Jones stated they've got 40 feet on one side and that's 10 on the other.

James stated TSET Group stated they were interested in making one of the properties in a park and they wanted to find a pocket surrounded by property owners not renters to get the community to buy them.

Deborah Jones responded it would make a good dog park.

Denham stated there you go, but again the City doesn't want to maintain a dog park.

John Jones stated let me ask one more question is there a time crunch on this? Are we pushing time on anything?

James responded not necessarily, it's just low staff.

John Jones stated just a little suggestion.

Denham stated more grass to mow in the summertime.

John Jones stated what if we could take two or three parks from this meeting and discuss _____ property owners an opportunity.

James responded we have already done that.

John Jones stated I know that, but we are talking about use of those _____. (cannot discern audio) I would like to hear from the owners. I am just making a suggestion

Denham stated I just tried to go to the one for my ward, but I wasn't able to, but I mean and I'm sure none of us went to those, but they've gone through multiple meetings.

James responded we had large turn outs at our meetings, and when we talked about the pocket parks everyone was like.

Deborah Jones stated let me put this differently let me reverse it. Did you have any opposition in these neighborhood meetings?

James responded we did on some, and recommendations did change from some of those meetings. This list is not the original we started out with.

Deborah Jones stated this is the result of the neighborhood meetings.

James responded we've taken several off, modified some, every time we did another step. Staff did it and when we went to Council, made some tweaks based off of their recommendations. When we went to the public meeting, we made tweaks, and this is the result of all of those public meetings, and this is I guess the final draft.

Deborah Jones asked so the Council has already considered this once?

James responded each Council member held a ward meeting. So, they are aware of the ones in their parts. They attended the public meetings for the ones in their wards.

Deborah Jones asked have they seen this bundle?

James responded this is a slimmed down version of what they've seen prior.

Deborah Jones stated thank you.

Denham stated we're the first step and then it goes from us to them, but right now I guess it goes back to the drawing board.

Deborah Jones stated I think you need to send it on, it's their plan. I'm sorry.

Denham stated we just have to live with it. We could send it; we could sit there and have you do a bunch more work and.

James asked can we take it to council with no recommendation from CPC?

Deborah Jones responded yes.

Gibson stated I've never experienced this before. I guess you would just go to council and say CPC did not take any action on this and therefore there's no recommendation on recommendations.

Denham stated not for or against.

Deborah Jones stated let me try to phrase something. I move that the CPC transfer this item as suggested by the staff in the neighborhood meetings with the with the issue of the 38th Street Park being handled as a separate agenda item commentary. If Council desires any further information from the CPC that it indicates so. Can I get a second?

Denham responded I didn't understand it.

John Jones stated I don't know what we are talking about now.

Deborah Jones responded what we are talking about is stopping it right here and suggesting that we get more information to the Council.

Denham stated that's one option, or the one that the second option as we've discussed, is that it just goes to the City Council with no action taken by Planning Commission.

Deborah Jones asked is that a motion.

Denham responded I can't make motions.

Deborah Jones stated no, I'm sorry. I'm all tongue twisted now. Is there a motion on the floor?

Denham stated there is one motion that died with the lack of a second. That is why I came up with the deal that there would be no action taken by this body.

Deborah Jones responded okay.

John Jones stated there should be a reason that we do not take action. There should be a reason we aren't taking action other than we just can't decide.

Deborah Jones responded the reason we're taking action is that the Council initiated this study when the Council told the staff to have neighborhood meetings and they got that input along with the individual Ward Councilmen. Parks are a major facility itemized in the Oklahoma Statute

that must come before the Planning Commission before we recommend either acceptance, dedication, funding, etcetera. That's why it's here.

John Jones stated but the Planning Commission has not been a part of any of the meetings or anything else, so you're asking us to make a decision based on meetings or others have had, so we have not heard the exposure to these park areas and to locate the accessibility and use. So, it can invoke a motion to make decision. It makes me kind of uneasy to not have enough information to make a rational decision. I feel like the others feel that same way. We hate to segregate one area based on _____ area and I just think these areas might have unique differences that my concern. Especial those pocket parks. Those really bother me because what are you going to use them for.

Denham responded well I see it we can approve the staff recommendation; we can disapprove the staff recommendation, or we can abstain and not provide a recommendation for or against due to lack of institutional knowledge or comfort with the ability. This plan is I guess a nutshell the Parks and Rec Department are recommending be done with each specific park, but it technically doesn't. I mean, that's kind of the part. If we came back and said here are the 19 parks, here is our recommendation for each park, what can be done or anything. Just so we know what we are approving, then maybe. Like I said, you go to Tomlinson Park there's no recommendation there. There are on some, but there aren't on others.

James stated the recommendation would be declaring then surplus. We can't recommend what we would want a developer or apply the entity to do. We just have to say it's been determined that it's no longer needed by the city and declaring it surplus.

Denham stated the key issue. Does CPC have any modification to the staffs list of recommended parts to be repurposed? Sounds like we got some, but without going through all nineteen of them, I don't know how we go with that. The recommended action approved staff recommendation regarding the repurposing of City Park lands that's what staff has recommended.

James responded if you want to go through all 19 parks we can. It's all right here in the presentation. Are there any questions on a case-by-case basis?

Deborah Jones stated I would agree with John. I'm trying to politely say that this is a Council study. The staff has been directed to have these neighborhood meetings to get the Council's input. We were excluded from the process and it's almost a fail complete. What happens in the real world goes back and it's declared surplus then it's going to boomerang back here. In terms of how it affects these existing parks, whether it's zoning, access, easements or whatever. So, John is perfectly right about that.

Gibson stated is there may be a way to come up with the motion, that kind of signifies what you're thinking, not necessarily approve or recommend approval or recommend denial, but to just motion with the Commission can all get together and say we just don't feel like we have enough information at this point to.

Deborah Jones responded let's do that as a motion. I move that we send this to Council with no recommendation based upon the information that has been submitted to us.

Logan stated I second.

Denham asked any further discussion.

Motion by Deborah Jones, Second by Logan, to move the item to Council with no recommendation from the City Planning Commission based upon the information that was sent to the commission. **Aye:** John Jones, Jarvis, Deborah Jones, Logan, Springborn, Denham **Nay:** None **Motion Passed**

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 item, now we have all of that here and on the agenda item we have the allocation amounts. Mr. Brooks welcome back.

Brooks stated well, I was just going to go through, the only thing that's really different 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 forgiving the repayable portions. We were going to make it all forgivable and it was approved. Then we had our monitoring training session with HUD this year they require that all 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 must 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 end of the period before the update, which for all home rehab in the last 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 eight 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 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 up to \$35,000 with an additional \$5,000 for change orders.

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 inhouse or Old 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 hasn't 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 must 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 Fed 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

8. Commissioner's Reports or Comments.

None

9. Secretary's Report.

None

10. Comments From the Public.

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

11. Adjournment

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