

MINUTES
CITY PLANNING COMMISSION
CITY HALL AUDITORIUM
May 25, 2023

Minutes of the City Planning Commission meeting held May 25, 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 John Jones.

ROLL CALL

MEMBERS PRESENT: John Jones
 Joan Jester
 Ron Jarvis
 Allen Smith
 Neil Springborn

MEMBERS ABSENT: David Denham (excused)
 Darren Medders (excused)
 Michael Logan (excused)
 Deborah Jones (excused)

ALSO PRESENT: Madison Aust, Recording Secretary
 Kameron Good, Senior Planner
 Tyler Pobiedzinski, Planner I
 Gregory Gibson, City Attorney
 Christina Ryans-Huffer, Planning Administrative Assistant II
 Chase Bridgforth, K & D Construction
 Jeremy Lohman, Citizen

2. Verify posting of meeting.

The meeting was posted on May 19, 2023 at 4:45 pm by Kobe Humble.

3. Establish Quorum.

5 (five) of the 9 (nine) members where present.

4. Consider approving the minutes from the March 30, 2023 meeting.

Motion by Springborn, Second by Smith, to approve the minutes from the March 30, 2023 meeting as written. **Aye:** Springborn, Smith, Jester, Jarvis, John Jones **Nay:** None **Motion Passed**

5. Consider approving the minutes from the April 13, 2023 meeting.

Motion by Jarvis, Second by Springborn, to approve the minutes from the April 13, 2023 meeting as written. **Aye:** Springborn, Smith, Jester, Jarvis, Jones **Nay:** None **Motion Passed**

6. Consider approving the minutes from the May 11, 2023 meeting.

Motion by Springborn, Second by Jarvis, to approve the minutes as written from the May 11, 2023 meeting as written. **Aye:** John Jones, Jarvis, Jester, Smith, Springborn **Nay:** None **Motion Passed**

7. Hold a public hearing and consider a request to amend the binding site plan for property located at 119 NE 20th Street, Lawton, OK 73507.

Good stated this is a request to amend a binding site plan of a property located at 119 NE 20th Street. This is on the eastside of Lawton behind the Los Tres. This is being brought to you guys because the Board of Adjustments approved an extension of a zoning boundary back on May 13, 2022 and part of a condition, they put on that approval was a bind site plan on the property. This is 16.4 acres that is currently zoned I-3 now. 10 acres is currently being used a laydown yard on the binding site plan that is what is shown, and now the request is to extend that lay yard for the rest of the 6.4 acres. This was sent out to everyone within 300 feet on April 25, 2023, and May 9, 2023 it was posted in The Lawton Constitution. The surrounding neighborhoods the one to the north, the closet residential house is 582 feet, and the closet residential house to the east is 772 feet. This is the aerial shot as you can see the laydown yard is currently being used, and the request is to extend it over to the east. Here is the site plan showing that. This is a recommendation showing that they will move on to Council and any questions that I can answer for you.

John Jones asked any questions for members of the Planning Commission?

Jarvis stated I read this when we published this and I thought we had dealt with this once before and voted to not approve this and sent it to Council. Is that not true?

Good responded this was brought as a request for rezoning, it was brought in front of the City Planning Commission, and City Planning Commission did make the recommendation to deny that. The application was then pulled before Council because the Board of Adjustments does have another power which is to adjust the boundary line, because this was one property that was divided into two separate zonings, and the Board of Adjustments has the power to adjust the

boundary line as they see fit. That was the application that they brought back to the Board of Adjustments on May 13th and that is when they made that approval to adjust that boundary line over. They did put the condition on there to add that binding site plan. The binding site is what restricts them right now to just utilize 10 acres for that lay yard instead of the full 16.4 acres, and now they are requesting to amend that binding site plan to allow them to utilize the remainder of the property.

John Jones stated okay, are there any more questions from the members of the Planning Commission?

Jarvis stated I think what they are really saying is to extend that with the binding site plan is, basically it is just a laydown yard. No buildings no structures, so it's just a vacant piece of property. The binding site plan is a vacant piece of property, is that correct?

Good responded there is a structure that was permitted in the original site plan. It has already been constructed in the southwest corner. It is not shown in this aerial shot, because like I said it was just approved and it's just constructed. It hasn't even finished a full CO (Certificate of Occupancy) yet. It is a permitted structure on the southwest corner of this property. This would not permit them to build anymore structures this is just an extension of the lay yard; it will just move the gravel area further to the right. They would still be required to have opaque screening and a tree buffer along that east property line due to the residential use and zone to the east. This is to just extend that boundary line for that lay yard from 10 acres to let them utilize the full property to the 16.4 acres.

Smith stated so on that rezoning, the first house is about 552 feet and the other was 700 and something feet, you got no requests from those homeowners.

Good responded yes, this is not a rezoning. The property has already been rezoned essentially to that I-3 zoning, so this is just an amendment to the binding site plan. Like you said the closet house is right now about 552 feet away. As Scissortail development does extend right now there is no platted area closer than that 552 feet. They could in the future plat more of that property and build houses closer, but currently the closet house is about 552 feet.

John Jones stated we are answering the same questions we have heard before during the zoning process. Of course, the Board of Adjustments overrode us, and created a zoning of I-3, right? That's my understanding of it. Any more questions from the Commission? Since I see none, I will open the public hearing. Do we have anyone who would like to come forward and speak?

Good stated we do have Chase Bridgforth here from the property, if you have any questions from the property owner themselves.

Bridgforth stated as Kameron said I'm Chase Bridgforth and I am with K & D Construction, the owner of this property. I'm here for any questions that you have but also to just clarify the 19 acres immediately to the east roughly in the shape of a V down there in that photo, that is also owned by K & D Construction. We purchased that property as a buffer between us and the existing housing. The land immediately to the northeast is still owned by Lance Wade and it is not platted for development at this time. At the time we went to the Board of Adjustments one of

the questions was what our plans were for the 6 acres, at that time my answer was if we knew that there a use for it of course we would have included that in the first site plan. At that time, we didn't believe our tenant need those 6 acres, they have come back to use and requested that we gravel the remaining 6 acres and use it for laydown of construction materials. If you have any questions, I'd be happy to answer them.

John Jones asked are there any questions from the members of the Planning Commission?

Bridgforth stated I think to sum it up from us, is this is the most least intrusive use of that ground. To date K & D has spent about 1.3 million dollars developing this project. We have cleared out a homeless encampment in the back of that property. We have hauled off multiple roll offs of trash. We put out a grass fire that was lit out there, I think we have been a good neighbor. If there is anything we need to do, we are ready to. Thank you.

John Jones responded thank you.

Lohman stated okay, I am Jeremy Lohman. Can you hear me fine?

John Jones responded yes.

Lohman stated I live at 1014 NE Oriole Drive, which happens to be in the neighborhood that is close to this property. I will agree with Chase, he has done a great job cleaning it up, but the noise and effort from the trucks and stuff is still an issue. It's not going to go away. I don't necessarily mind how they are using it now but the extension to the east is going to lead to problems. And setting precedence to give lee way and Lance is going to sell the property as soon as he can of course because who in his position would. Allowing the expansion and extension beyond the land they are asking for today is going to cause a problem for 30,40,50 homeowners that are probably going to stay here the rest of their life, I hope to stay here the rest of my life, and that situation will cause me to move. Not particularly this, but the expansion of it. I just caution opening the door when things like this are close to a neighborhood. Most of those houses in Scissortail are custom homes that people built and plan to stay there, I think. The last time we went through this round I wasn't sure I thought the Board of Adjustments didn't have the authority to do what they did but apparently, they do. I'm still in question of that. Any expansion to the east will put pressure on to the neighborhood, I think just with the north level it's just big trucks, and I don't know what can happen after you vote yes and City Council votes yes what's going to happen in thirty years. You guys won't be on this board, and I will still be living there. This is my two cents to say I tried and so I will go to the City Council members and talk with them no matter how you vote today. I appreciate your time and consideration.

John Jones responded thank you. Questions or remarks? We went through this before. These are all the same concerns that we had, but I don't think we are here today to talk about zoning and what can go there. The zoning is already in place from the Board of Adjustment. Our meeting today is to talk about amending the binding site plan and I think that is what we have to stay with.

Good stated yes, I just want to make one thing clear with the binding site plan, this is just an amendment of it. The binding site doesn't just go away. This would just amend that, and the

binding site plan would still be in place. Any future modifications would have to come back through this same process. If you all permit this as recommended to approve this, it gets approved by Council, and we move the boundary of the lay yard or any modifications in the future will still come back before this board and Council.

John Jones stated okay, that is my understanding. Anyone else who would like to come forward in the public hearing? Since no one is coming forward I declare the public hearing closed. Members of the Planning Commission what is your wish?

Motion by Jarvis, Second by Smith, to amend the binding site plan for property located at 119 NE 20th Street, Lawton, OK 73507. **Aye:** Jester, Smith, John Jones, Springborn, Jarvis **Nay:** None **Motion Passed**

8. Commissioners Reports or Comments

None

9. Secretary's Report

Good stated I do want to give you all some updates on some items that have been before you guys and have moved on to Council. We had two on Arlington believe it or not, one was 1212 Arlington that was for the hospital doing the parking lot. They motion was to deny the rezoning and permit it as a Use Permitted on Review and marry those lots. That is what Council moved forward with denying the rezoning and permit it as a Use Permitted on Review for that parking lot to serve that commercial property along with marrying those lots together. The other one was the 2122 Arlington, it is right behind Arby's on the corner of Sheridan and Gore, the two commercial lots they did approve that to be rezoned to C-1. I just wanted to give you that update.

10. Comments from the Public.

None

11. Adjournment.

Motion by Jarvis, Second by Springborn, to adjourn the meeting. **Aye:** Springborn, Smith, Jester Jarvis, John Jones **Nay:** None **Motion Passed**

With no further business the meeting was adjourned.