

MINUTES
CITY PLANNING COMMISSION
CITY HALL AUDITORIUM
June 15, 2023

Minutes of the City Planning Commission meeting held June 15, 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: John Jones
 Ron Jarvis
 Deborah Jones
 Allen Smith
 Darren Medders
 Neil Springborn
 David Denham

MEMBERS ABSENT: Joan Jester(excused)
 Michael Logan (excused)

ALSO PRESENT: Madison Aust, Recording Secretary
 Charlotte Brown Director Community Services/Planning
 Kameron Good, Senior Planner
 Tyler Pobiedzinski, Planner 1
 Gregory Gibson, City Attorney
 Christina Ryans-Huffer, Planning Administrative Assistant II

2. Verify posting of meeting.

The meeting was posted on June 13, 2023, at 9:18 am by Kobe Humble.

3. Establish Quorum.

7 (seven) of the 9 (nine) present.

4. Consider approving the minutes from the May 25, 2023, meeting.

Motion by Medders, Second by John Jones, to approve the minutes from the May 25, 2023, meeting as written. **Aye:** Denham, J. Jones, Jarvis, D. Jones, Smith, Medders **Nay:** None
Motion Passed.

5. Hold a discussion to set parking requirements for stadiums, sports fields, and arenas, and consider directing staff to draft a code amendment to add stadiums, sports fields, and arenas.

Good stated this is about discussion item LPS is planning on building facilities on their property and currently we are trying to calculate their parking requirements and we do not have the calculations set in our code for sports fields. So right now, we can only calculate what is needed for their schools and not necessarily what their football fields or baseball fields would be requiring, or their softball fields would require. We looked at Wichita Falls, we looked at Norman we talked to them, in your background information, Norman is 1 per 4 patrons and Wichita Falls is 1 per 4 seats. The Fire Marshalls, we discussed it with them how they calculate the occupancy for those fields and it's 1 per fixed seating, that's 1 per 1, and then when there is not fixed seating it's just bench style seating it's 1 per 18 inches of fixed seating. Eighteen inches is considered where 1 person would be able to fit on a bench. So that is how they calculate the occupancy but we're looking to discuss, and we'll bring back a changed ordinance to actually put this parking into code.

Denham stated any questions for Kameron.

Jarvis stated when I read this, I know they have parking lots at the high schools and the track is adjacent to their parking lot at the high school. Is that parking doubled requirement because that athletic field can use it, like when school is in session as part as the athletic field?

Good stated it would be the total amount. So, it wouldn't be concurrent, two spaces wouldn't count for both uses. You would calculate the schools, calculate the sports facility, and you would combine that for the total number required.

Jarvis stated they would have to increase the size of that parking lot.

Good stated if they currently didn't meet.

Brown stated possibly.

Good stated possibly we are trying to calculate whether or not they would currently meet. So, when they add this new facility in whether or not if they had to provide additional parking spaces or not.

D. Jones I live next to Tomlinson Junior High School, and when it was a full junior high the only time, I saw real problems is when they had basketball tournaments or graduation, and things like that. Using this formula, I'm trying to diminish the overflow into the adjacent neighborhood,

because that's when the calls start, they can't get their mail delivered and all of that. Are you all confident that adding these two would be sufficient that we wouldn't have that problem?

Brown stated I believe so, but we've also told them that they do have the option to go to the Board of Adjustments if they felt, you know because that is an option if they wanted to vary their number of parking requirements, but I feel like if we add the two, I think it would take care of the issue.

D. Jones stated so you're suggesting they should go to the Board of Adjustments for a variance based on hardship, that they can't meet the parking. If we are going to diminish it, it sounds like we are causing the hardship.

Brown stated I talked to CDBL who is the contractor on this, their understanding is that their facilities would be used by the students, like during the day or on the weekends. They don't foresee a lot of extra attendance, outside attendance, using these facilities, at the moment but I said in the future that's always the possibility that if they wanted to because originally, they were 8,000 square foot buildings that they were going to build, now we're down to 4000 square foot because they started running numbers and stuff.

Good stated we do have the parking calculations for the facilities that they're proposing on building already but to get their overall parking requirements for their whole parcel would include their school and all these sports complexes. So, we already talked, for tennis courts it's 4 parking spaces per court. We already have that in code, what we don't have is for baseball field, a softball field, a football field. That's where the sports fields at the other cities were just 1 per 4 patrons or 1 per 4.

Denham stated it sounds like you are doing this on a cumulative basis, even though very rarely are you going to have a football scrimmage and a softball game at the same time, or a tennis match or a baseball game. They would have their own separate amounts of parking per field or arena and in addition to the school.

Good stated yes sir.

Denham stated are these schools already way over on parking.

Good stated they have not provided the numbers on that. It's based on, first it goes on elementary school, middle school, or high school and then it's numbers per classroom. So, when they provide us those numbers, we will be able to calculate those numbers and see if there even close to it or not but right now we can't calculate their total parking requirements without these sports fields.

D. Jones stated ironically enough I had an experience, not at the junior high or high school.

Springborn stated I'm curious is this a problem we have had in the past or are we trying to overregulate something.

D. Jones stated it has been a problem in the past.

Brown stated it has been a problem in the past. I don't as staff think we are overregulating, we are just trying to set some guidelines for future developments.

Good stated as of right now we can't calculate what their total parking requirements are. So, their asking with this new facility are they required to provide more parking. We don't know because we don't know what's provided is adequate or not.

Denham stated we also have a potentially new huge sports facility, in the works, and they got multiple indoor-outdoor places that are not all going to be used at the same time, yet we're going to require parking. We assume so.

Brown stated we also have Bishop Independent School district has submitted for their middle school sports field and in the future to have fields for their high school as well. So, this will also help us calculate parking for them as well and in the future.

D. Jones stated specifically I had an experience, and it is still going on at Pat Henry School. When Pat Henry School would have a little league game or something or a graduation, they would park in the neighborhood, and it became a bit of a bitter issue because they couldn't get their mail delivered. The Post Office was raising Cain, the neighbors were raising Cain, the school was going to say we used all our room and all I can say is I would urge you to look at all of this, make sure, we're not creating a problem. I don't want LPS to build anymore parking than they should, it's expensive but you guys get the phone calls.

Jarvis stated I come from that background, I was a principle at an elementary school here in Lawton and there's barely enough parking at those schools for the faculty to park so then when you have a program for the parents or a PTA meeting there's nothing. So, what you're going to do is require them to pave the playground and it will be a parking lot to be maintained that's used twice or three times a year but it's going to take up space that was used for another purpose.

Good stated when there isn't space adequate that would be the hardship. That's when a Board of Adjustments variance would be.

Jarvis stated what they did, they would take the neighborhood over. It would fill up the neighborhood both sides of the road.

Good stated right now I do believe we, have specifications for the buildings. Obviously, these schools were built before the parking code of being what it is today. So, now when they purpose building a new structure that when the parking calculations have to be addressed, either brought up to code or they have to have a path forward.

D. Jones stated my concern is, I know financial hardship is not a grounds for the Board of Adjustments, under the variance procedure. Normally the special exception on parking has a time period attached to it. It was designed for like a church that's building over their parking lot, they're going to be out of sorts for a little while like 18 months. So, you set the 18 months and they build new parking, and it goes away. I'm like Ron I have some real concerns about this because we can name numerous schools that are in existence that do not have adequate parking for parents. Every day they are blocking the mailboxes right now, and all I'm saying I would encourage everybody, the staff, to look at this strongly and do some survey work, both in

elementary and middle school and high school. Now I know, I share LPS's heartburn of trying to adjust the size of their schools and moving them and things like that, that to me is hardship but when we set the code and we need it at the time then the neighbors start complaining, we're going back, I'm not sure how that works.

Good stated right now we don't know whether they're conforming or not based on their parking provided. So, right now we're discussing whether or not they what would be needed as far as those sports facilities, so that we can calculate what is needed. Right now, they don't have a path forward on their parking. We're just trying to get to them, saying this is the number required.

Smith stated I got it on the schools and the grade schools, you kind of don't know because you haven't got your numbers there yet but let's take the new sports facility going in, they're going to have I forget how many indoor courts, I think up to 6 or 8 baseball diamonds, 3 or 4 rectangle fields for soccer or football. I think doing what you say there, they are going to have more parking than facility, I think it's one of those deals to where you're not playing baseball all year round, you're not playing football all year round. So, what they came up with.

Good stated the way it's proposed is based on the seating that's provided. Whether it's a massive baseball field or not if they only have a small bench section, that's how it's calculated as far as the occupancy and that is how the other cities calculated off of.

Smith stated I just know how they've done it in other states. It's 1 per 250 ft on a diamond. No, the indoor is 1 person per 250 square feet, on a baseball diamond it's 80 per field and on a rectangle field it's a 100 per field. I just don't want to say one rule fits everything. If they built these all over the state, they probably got their numbers figured out.

Good stated currently for the sports complexes, like the indoor recreation centers, we do for the first 20,000 square feet 1 per 200 and then for anything greater we do 1 per 300. So, we have it already in our code what a recreation center would, but it's the outdoor fields that we don't have specified in code. The cities we talked to were Norman and Wichita Falls.

Medders stated the newest school is Eisenhower Junior High (he meant to say Eisenhower Middle School), with the auditorium and with their parking, it that grandfathered in or is that.

Denham stated just on the facilities.

Medders stated just on the facilities my wife and daughter teach there and we do things there and just going into the auditorium alone, I don't know how it is for teacher parking but there's not enough parking. I wondered what was that figured at?

Brown stated that was figured at just the classrooms actually I believe, that's the way the schools are written is the classrooms and auditorium. The auditorium is there for the students, they do their plays and stuff like that, so it's just calculated your expecting to use that during the school day with the students is how that's calculated.

Medders responded thank you.

D. Jones stated under non-conforming if they built, let's take Darren's example, Eisenhower High School if they decided to build 2 football fields and 2 more baseball fields, they would be

additions to the non-conforming. So, they would have to upgrade to make changes, that's not answering the questions about existing. I would like for you all to check with Chickasha softball complex, just kind of interested, as you drive by up I-44, because I don't even know how many seats, they have but they have a lot of diamonds certainly.

Denham stated this would apply to City properties as well as far as Ohlschlager and the East.

Good stated this would be going forward, anything that is not up to that number would then be considered nonconforming going forward and if they ever wanted to build another facility there, then they would have to bring their parking up to standards.

Denham stated how many new facilities are the schools doing at the high schools? I was under the impression they were just upgrading their existing facilities.

Good stated they are currently turfing 9 fields but then we have been contacted with a facility that is wanting to build 3, one for each high school, for a kind of like a multipurpose recreational facility for their sports team to practice inside. So, whether it be indoor batting cages, stuff like that. We already have that calculations fixed but.

Denham stated no bleachers or anything like that.

Good stated no, right now we are trying to determine whether their conforming or not with existing parking before we start adding a new facility and telling them whether meet that number already.

Denham stated would it be possible to get some of that data before we proceed with this particular code. I much rather we get the information and tweak, then to lay it down and then have to come and amend code.

Brown stated yes, you can make a motion to table, while we pull some more information for you.

Good stated this is a discussion. So, when we bring back the ordinance proposed, we would be able to provide you all the information that you are asking for today at that time as well.

Denham stated good point, the agenda item is a discussion. We just direct staff to initiate the amendment. I think you're getting the jest as far as what we would like to see before we get the.

Good stated so we can get some more comparisons from other cities and other facilities.

Denham stated yes and I would include the folks working on the youth sports deal for their input and the Bishop folks, possibly as well depending on any perceived growth in this type of area, Cameron, their existing facilities, I'm sure they're in compliance, I don't know so much about the softball field, but I do know the baseball field and football field are probably.

D. Jones stated they are exempt because they are state regent owned.

Denham stated gotcha. Okay, we have a motion to table by Jarvis and second by Allen, any discussion? Call the roll please.

Motion by Jarvis, Second by Smith, to table discussion to set parking requirements for stadiums, sports field, and arenas, and consider directing staff to draft a code amendment to add stadiums, sports field, and arenas pending staff research. **Aye:** Denham, J. Jones, Jarvis, D Jones, Smith, Medders, Springborn **Nay:** None **Motion Passed.**

Denham stated it's unanimous 7 (seven) to 0 (zero) even though I didn't think a table was necessary, but you'll bring back the information with a little bit more detail.

6. Commissioner's Reports or Comments.

Denham stated I apologize for the rustiness on the new system, I will try and have it worked out by the next meeting. Any other commissioners' reports?

D. Jones stated don't miss any meetings.

Denham stated you've got to raise your hand. I missed the meeting too DJ.

7. Secretary's Report

Brown stated so, for the first meeting in July, you are doing a public hearing to do amendments to the URP, Urban Renewal Plan, to add some language for an appeal process if LURA determines that a use is not conducive with the use permit on review that we put in. It goes to LURA next week for their discussion and then we will be bringing it to you before taking it to council.

D. Jones stated do we have a legal opinion on this, we've got a bunch of redevelopment contracts that are filed, and they are based on a plan specifications that says Urban Renewal Plan takes precedent over all zoning and those types of things. We also have a contract with City National Bank that specifies they have to approve any amendments to the Urban Renewal Plan in the downtown, that's on record. I am going to suggest you all sit down with legal and see what is doable and whether it affects any title or redevelopment contracts as well as the Urban Redevelopment Act.

Denham stated good point.

Gibson stated DJ, I understand what you're saying. We probably would need to do that with more than just Legal. We probably would have Cindy Augustine our Real Property Administrator because right now we have Tim Wilson and I and we don't have the on the ground experience. We would just have to go through everything and look at it and that maybe a bigger, it's a great idea but it would be bigger.

D. Jones stated it's probably 72 pages.

Gibson stated I think we can probably get to it by 2025.

Brown stated let me just give you a heads up what's driving this, the proposed car wash at 2nd and Gore, we received a letter from their lawyers the other day they feel we missed a step in the process. I have a meeting scheduled Monday morning with Legal to go over what they believed we missed and stuff, but I have a timeline that I have to take, I had a discussion item with council, I have a time limit that I have to get it back to council. So, that is where we're at. That's why we're doing this, the appeal process to come to CPC, if LURA declines it.

Denham stated very good.

D. Jones stated I still think you all need to look at this. When you get into these things, and I know they'll drive you nuts, but you can't take one from column A one from Column C and make B.

Brown stated I'm aware.

D. Jones stated it's just that simple.

Denham stated we're in reports, not agenda. I did have a question on this monthly report. What started it and how are we to use it.

Brown stated it's Darren's fault. Darren requested some information to be provided to you, so you were aware of what permits have been issued. So, this report is a list of permits that issued in the month of May. You'll start getting this on a monthly basis to let you know what is going on and what's coming in.

Denham stated that is awesome and excellent. Thank you staff for putting that together. So, we have to wait for the monthly report in the newspaper. We can have a better feel for it.

Brown stated this is what the newspaper pulls their information from.

Denham stated perfect thank you very much.

8. Comments from the Public.

Denham stated Christy welcome aboard.

9. Adjournment.

Motion by Medders, **Second** by Jarvis, to adjourn the meeting, **Aye:** Denham, J. Jones, Jarvis, D. Jones, Smith, Medders, Springborn **Nay:** None **Motion Passed.**

With no further business the meeting was adjourned.