

**MINUTES
CITY PLANNING COMMISSION**

Minutes of the City Planning Commission meeting held June 16, 2022, 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 1:43 p.m. by Chairman David Denham.

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

MEMBERS ABSENT: Shelli Fox

ALSO PRESENT: Richard Rogalski, Deputy City Manager
 Janet Smith, Director Planning and Community Services
 Greg Gibson, Assistant City Attorney
 Kameron Good, Planner
 Paul Martin, Planning Administrator
 Charlotte Brown, Code Plans Supervisor
 Cindy Augustine, Legal
 Denise Ezell, Recording Secretary

2. Verify posting of meeting.

Recommended Action: Verification of posting time and date

June 15, 2022 at 8:45 a.m. by Tammy Anderson.

3. Establish Quorum.

Recommended Action: Establish that a quorum is present

Denham asked did we hear from Shelly.

Ezell stated yes.

Denham stated please show her excused. We do have a quorum with eight (8) of the nine (9) members present.

4. Approval of Minutes.

Recommended Action: Motion to approve minutes from the May 12, 2022, meeting.

Motion by Medders, Second by Logan, to approve the minutes of May 12, 2022 as written.

Aye: Denham, Jones John, Jarvis, Jones, Deborah, Medders, Logan, Springborn. **Abstain:** Davison. **Nay:** None. **Motion Passed.**

Denham stated I would just like to remind everyone when speaking please remember to speak into the mic. I noticed in the minutes we had trouble hearing some of our conversations.

New Business

5. Consider approving the proposed 9/11 Memorial to be located at the Public Safety Building (100 S Railroad Street) and making a recommendation to the City Council.

Recommended Action: Motion to approve.

Seaton stated good morning. We are requesting to put a 911 Memorial at the public safety building. This is a vision of Ms. Teresa LeDay-Mauney Dyson, a local Girl Scott Ambassador with Troop 224, in pursuit of her Gold Award. Her current fundraising goal is \$18,000 for the project and to date she has raised \$9,000. Here is the location map and the site plan. I believe this will be a great addition to the public safety building. Are there any questions.

Logan asked is the location a parking lot right now.

Seaton stated it is a gravel area adjacent to the parking lot.

Denham stated it is where the driveway is for the fire department. Just to the south.

Seaton stated yes.

Denham asked are there any additional questions. This is part of our new role in approving monuments. We are the recommending body to City Council. Are there any further questions. If not I would entertain a motion.

Motion by Medders, Second by Springborn, to approve the proposed 9/11 Memorial to be located at the Public Safety Building (100 S Railroad Street) and making a recommendation to the City Council. **Aye:** Denham, Jones John, Jarvis, Jones Deborah, Medders, Logan, Springborn. **Nay:** None. **Motion Passed.**

Denham stated it is unanimous. We wish Ms. Dyson all the best with her fund raising and sprucing up the new public safety building.

Seaton stated thank you.

6. Consider approving the construction plat for Rose Creek Addition Part 1A, subject to conditions.

Recommended Action: Motion to approve.

Martin stated this is a proposed subdivision located north of Bishop Road between 38th and 52nd Street. Recently we brought before you the construction plat for Rolling Hills Part V. This is west and south of that. East of this is the Rolling Hills subdivision. It comes off of Bishop Road. They will create an entrance/access to Rolling Hills. This is Part 1A of Rose Creek and there is further development planned. In 2011 Rose Creek Part 1 was approved but it was never developed. Our standards have changed and listed are some of the conditions. They have updated most but some of the minor changes will be dealt with before going to Council.

Jones D asked do we have sewage to this tract.

Martin stated yes, they are going to tie into the line located along Bishop Road.

Jones D stated so there is an existing line.

Martin stated yes. This is backing up to Rolling Hills.

Jones D asked do you need ODEQ as well.

Martin stated yes.

Jones D asked is that a condition as well.

Martin stated yes.

Jones D asked do you normally approve construction plats before you do LOMR.

Martin stated yes.

Jones D asked for construction plats.

Augustine stated yes.

Jones D asked to you approve record plats with bonding pending a LOMR.

Augustine stated we have.

Jones D stated okay.

Denham asked the cutout going to the northeast is that a road to somewhere.

Martin stated the existing Rolling Hills.

Denham asked is that to the east or north.

Martin stated the one going northwest is further expansion and the one going northeast ties back into Rolling Hills providing another egress.

Denham stated so it will be a mirrored shape development that will loop into it.

Martin stated this is the further planned area for their development. Rolling Hills is in this area. There is a street that ties into the existing and this is for further expansion.

Denham stated got it. Thank you.

Jones D asked were there drainage problems in Rolling Hills.

Martin stated Rolling Hills Part V there is an off-site improvement that deals with drainage issues. Down through here and at the Trailer Park there were some issues. We have approved construction to handle the drainage issues.

Jones D asked in this proposed plat do we have any off-site drainage that has to be constructed.

Martin stated no.

Jones D stated okay.

Denham asked are there any other questions for Paul. Staff recommends approval of the plat subjected to the listed conditions to which many have already been completed.

Motion by Jones D, Second by Jones J, to approve the construction plat for Rose Creek Addition Part 1A, subject to conditions and the submission of ODEQ permits for water and sewer. **Aye:** Denham, Jones J, Jarvis, Jones D, Davison, Medders, Logan, Springborn. **Nay:** None. **Motion Passed.**

Denham stated before moving on I understand that Ms. Dyson is here. She is the girl scout that is working on the memorial. Welcome and thank you for coming.

Dyson stated it is a pleasure to meet all of you. I was told you approved my project. I'm extremely happy and grateful. I've been working hard to get back to Lawton to be in close contact with this project. I'm in school working on two (2) majors and two (2) jobs. I'm very grateful and will answer any questions you may have.

Denham stated we have an excellent representative from the Lawton Constitution with us that you might want to visit with. Maybe she can help generate some publicity and hopefully help you obtain the rest of your funding goals. Are there any questions for Ms. Dyson.

Logan stated I would like to help with some fund raising. Please reach out to Pastor Michael Logan.

Dyson stated thank you. I'll stick around and hopefully meet some of you.

Denham stated you are very welcome. Thank you for helping our city.

7. Hold a public hearing and consider recommending approval of an amendment to the Downtown – I Urban Renewal Plan modifying existing language in permitted land uses, adding use, and the Uses Permitted On Review process in the Commercial Central District and the Mixed-Use District.

Recommended Action: Hold a public hearing and recommend approval.

Denham stated item seven (7) is similar in concept to the other three (3) areas of the Urban Renewal Plan. We will hold each public hearing separately. We will start with the Downtown-I Urban Renewal Plan modifying the existing language in permitted land uses, adding use, and the Uses Permitted on Review process in the Commercial Central District and the Mixed Use District.

Smith stated this originated with LURA, Lawton Urban Renewal Authority. It is the Urban Renewal Plan that was adopted years ago. We have tried to allow for some consistency between the three (3) different plans. Some of the language was in certain areas and did not carry over into other areas. We felt there needed to be more continuity. As you look through this please keep in mind we have a lot of developers coming to Lawton wanting to develop in the downtown area but there were some restrictions due to the URP. The planning staff made some recommendations to LURA, which they approved, and that is how we got to this point today. Item seven (7) is concerning the Downtown-I Urban Renewal Plan. We included a map of the Downtown-I area in your packet. The title of the resolution gives you a synopsis of what we have done in this section. We have modified existing language and have stricken language that is outdated. Where you see

a line drawn through is where we are deleting verbiage, such as on the first page under number six (6) we struck through “drug store not to include medical marijuana dispensary and notions or gift shop”. Anywhere you see underlining this is verbiage we added. Under number seven (7) we have added “multi-family residential, administrative and professional offices, community recreation”. On the following page we added “daycare center licensed by the State of Oklahoma”. We have stricken “no bars, taverns or lounges permitted”. We took that section out and allowed for consideration of those in number twenty-seven (27). We added a “Uses Permitted On Review” and that will come to CPC. Number twenty-seven (27) Uses Permitted on Review states “any uses not similar in character to those enumerated above as determined by the Planning Commission will be reviewed and submitted and will go through the same process as other Uses Permitted on Review in Chapter 18”. We have a process in place and felt it was important to add this into the plan to take away the administrative side of us saying no. We always want to defer to the governing body. We want it to be your decision on what you want located in certain areas. In number twenty-six (26) we included the transportation facilities. That is to help us with location of additional services for LATS. We found ourselves needing to update those facilities and for us to comply with some of the federal guidelines that are coming into play requiring zero emissions buses. We may end up needing to locate facilities in other areas to accommodate electric busses. They have a very low coverage area on a charge. Battery life is between 140 and 175 miles. Again, LURA did recommend these changes. As you move through the pages you will see other mark throughs in different areas related to eating establishments and beverages. Those are under the oversight of the ABLE Commission and we tried to adopt their language into our documents to have consistency with what they require. We added number forty-five (45) “uses which are similar in character to those enumerated above as determined by the Planning Commission, provided these uses are not more obnoxious or detrimental to the area in which it is located”. The Planning Commission will have oversight on things that are similar to anything in here. On number forty-six (46) we added “things that are dis-similar to the things that are enumerated in here”. That is my synopsis on the Downtown-I Urban Renewal Plan modification and LURA has recommended this governing body consider.

Denham asked are there any questions on this item. The next couple of items are very similar. Seeing no questions of staff I’ll open the public hearing. Anyone wishing to speak for or against this item please come to the podium and state your name and address.

Public Hearing Opened

Denham stated seeing no one come forward we will close the public hearing.

Public Hearing Closed

Denham asked members of the commission what is your pleasure.

Jones D stated I would offer two (2) amendments. I would like to strike the word taverns. City code no longer has the term tavern. Code is as it is related to ABLE licensing. I don't want any confusion. I would offer the wording "establishments with ABLE license serving mixed drinks, domestic, imported, or craft beer". This would be true in all paragraphs where we did the striking. The second amendment I would propose is in number forty-six (46) under subsection A it states "Uses Permitted on Review. Any use that is not similar in character to those enumerated above as determined by the Planning Commission will be reviewed as submitted and will go through the same process as other Use Permitted on Reviews in Chapter 18 of Lawton City Code". I would offer the language "any use that is not similar in character to those enumerated as determined by the Planning Commission after reviewing the recommendation on said use by the Lawton Urban Renewal Authority and will go through the same process as other Uses Permitted on Review in Chapter 18 of the Lawton City Code". It doesn't have to be a resolution just a letter or memo. Their vision of redevelopment is very important to me. They know how the uses fit together and what the architectural standards are. I would feel more comfortable if the Planning Commission has a letter/memo from Dr. Sheppard and his people on what they think is a good or bad use. We are not bound by it, but I think it is something for us to consider. Council is not bound by our recommendation. They have the final decision. Those are the amendments I would like to see.

Denham asked anyone else. DJ would you like to make that a motion.

Jones D stated yes, and the same motion will basically be applicable to the other items.

Motion by Jones D, **Second** by Medders, to approve an amendment to the Downtown – I Urban Renewal Plan modifying existing language in permitted land uses, adding use, and the Uses Permitted On Review process in the Commercial Central District and the Mixed-Use District subject to the deletion of the word "tavern" where it appears and in paragraph 46 adding "any use that is not similar in character to those enumerated as determined by the Planning Commission after reviewing the recommendation on said use by the Lawton Urban Renewal Authority and will go through the same process as other Uses Permitted on Review in Chapter 18 of the Lawton City Code." **Aye:** Denham, Jones J, Jarvis, Jones D, Davidson, Medders, Logan, Springborn. **Nay:** None. **Motion Passed.**

8. **Hold a public hearing and consider recommending approval of an amendment to the D-6 Urban Renewal Plan modifying existing language in permitted land uses, adding use, and the Uses Permitted On Review process in the Commercial Central District and the Mixed-use District.**

Recommended Action: Hold a public hearing and recommend approval.

Denham stated this item is similar just a different area of the community.

Smith stated I agree. This is very similar to what we just discussed.

Denham stated okay, I'll declare the public meeting opened. Anyone wishing to speak for or against this item please come to the podium and state your name and address.

Public Hearing Opened

Denham stated seeing no one come forward we will close the public hearing.

Public Hearing Closed

Denham asked are there any questions, concerns or comments.

Motion by Jones D, **Second** by Logan, to approve an amendment to the D-6 Urban Renewal Plan modifying existing language in permitted land uses, adding use, and the Uses Permitted On Review process in the Commercial Central District and the Mixed-use District subject to the deletion of the word "tavern" where it appears and in paragraph 46 adding "any use that is not similar in character to those enumerated as determined by the Planning Commission after reviewing the recommendation on said use by the Lawton Urban Renewal Authority and will go through the same process as other Uses Permitted on Review in Chapter 18 of the Lawton City Code." **Aye:** Denham, Jones J, Jarvis, Jones D, Davidson, Medders, Logan, Springborn. **Nay:** None. **Motion Passed.**

9. Hold a public hearing and consider recommending approval of an amendment to the Civic Center Urban Renewal Plan modifying existing language in permitted land uses, adding use, and the Uses Permitted On Review process in the Commercial Central District and the Mixed-use District.

Recommended Action: Hold a public hearing and recommend approval.

Smith stated we have the same ground to cover on this one. We have standardized language, added some additional uses, revised terminology, added the uses on review, and again the multi-modal transportation station which is very important.

Jones D asked when you have an ABLE license can they sell for off-premises consumption for mixed drinks.

Denham stated yes, as long as they are properly sealed. We had a program with an ABLE officer, and I asked how they were going to get that Genie back in the bottle. He said it was

permanent and that you can get your bottle of wine at Olive Garden with your takeout if you so choose until they change the constitution. Are there any other questions or comments.

Motion by Jones D, **Second** by Medders, to approve an amendment to the Civic Center Urban Renewal Plan modifying existing language in permitted land uses, adding use, and the Uses Permitted On Review process in the Commercial Central District and the Mixed-use District subject to the deletion of the word “tavern” where it appears and in paragraph 46 adding “any use that is not similar in character to those enumerated as determined by the Planning Commission after reviewing the recommendation on said use by the Lawton Urban Renewal Authority and will go through the same process as other Uses Permitted on Review in Chapter 18 of the Lawton City Code.” **Aye:** Denham, Jones J, Jarvis, Jones D, Davidson, Medders, Logan, Springborn. **Nay:** None. **Motion Passed.**

10. **Hold a public hearing and consider an amendment to Chapter 18, Lawton City Code, 2015, that amends Section 18-12-2-1232 and 18-12-2-1243, Chapter 18, Lawton City Code, 2015, to modify existing permitted uses, add a use, and to add Uses Permitted On Review, providing for severability and allows floor amendments.**
Recommended Action: Hold a public hearing and recommend approval.

Smith stated we will send this to City Council to amend the municipal code.

Denham stated they also have the right to make amendments as well when it gets to them.

Smith stated yes.

Denham asked are there any questions or comments. Seeing none I will open the public hearing. Anyone wishing to speak for or against this item please come forward and state your name and address.

Public Hearing Opened

Denham stated seeing no one come forward we will close the public hearing.

Public Hearing Closed.

Denham asked Commissioners what is your pleasurer.

Motion by Jones D, **Second** by Logan, to approve making a recommendation to City Council to modify existing uses, adding uses, deleting uses, and adding Uses Permitted on Review process subject to the amended language that has been approved in the previous three (3) Urban

Renewal Plans to Chapter 18, Lawton City Code, 2015, that amends Section 18-12-2-1232 and 18-12-2-1243, Chapter 18, Lawton City Code, 2015. **Aye:** Denham, Jones J, Jarvis, Jones D, Davidson, Medders, Logan, Springborn. **Nay:** None. **Motion Passed.**

Denham stated there is the potential for good things for downtown with these changes. Let's hope it all works out and is approved.

11. Commissioner's Reports or Comments.

Denham stated I would like to thank everyone for their patience during our technical issues.

12. Secretary's Report.

Smith stated I would like to report that the recommendations made by the CPC at the last Council meeting were approved as to your recommendations. This was the commercial rezoning on Flowermound that was denied by the CPC and the approval of the rezoning for the Hearts That Care that was approved by CPC.

13. Comments from the Public.

None

14. Adjournment.

There being no further business the meeting adjourned at 2:30 p.m.

Motion by Springborn, Second by Logan, to adjourn. **Aye:** Denham, Jones John, Jarvis, Jones, Deborah, Davidson, Medders, Logan, Springborn. **Nay:** None. **Motion Passed.**

David Denham, Chairman