

LAWTON CITY PLANNING COMMISSION

REGULAR MEETING

August 24, 2023 @ 1:30 PM

212 SW 9TH STREET

CITY HALL AUDITORIUM



AGENDA

1. Meeting called to order and roll call.
2. Verify posting of meeting.
3. Establish Quorum.
4. Consider approving the minutes from June 29, 2023, meeting.
5. Consider approving the minutes from July 13, 2023, meeting.

BUSINESS

6. Select City Planning Commission member(s) for 2050 Land Use Plan Steering Committee.
7. Hold a public hearing and consider an amendment to Chapter 18, amending Sections 18-6-16-678, Chapter 18, Lawton City Code, 2015, by modifying the special screening requirement for the I-3 light industrial district, providing for severability and allowing floor amendments.
8. Consider approving the record plat for Bulldog Subdivision of 7210 NW Cache Road, subject to conditions.
9. Commissioner's Reports or Comments.
10. Secretary's Report.
11. Comments from the Public.
12. Adjournment.

MINUTES
CITY PLANNING COMMISSION
CITY HALL AUDITORIUM
June 29, 2023

Minutes of the City Planning Commission meeting held June 29, 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 1:31 p.m. by David Denham

ROLL CALL

MEMBERS PRESENT: John Jones
Joan Jester
Ron Jarvis
Allen Smith
Neil Springborn
David Denham
Deborah Jones
Michael Logan

MEMBERS ABSENT: Darren Medders (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
Chris Boyd CDBL, Inc.

2. Verify posting of meeting.

The meeting was posted on June 26, 2023, at 4:24 pm by Kobe Humble.

3. Establish Quorum.

8 (eight) of the 9 (nine) members where present.

4. Consider approving the minutes from the June 15, 2023, meeting.

Motion by Jarvis, **Second** by D. Jones, to approve the minutes from the June 15, 2023 meeting as written. **Aye:** Denham, D. Jones, Logan, Jester, Jarvis, John Jones **Nay:** None
Motion Passed

UNFINISHED BUSINESS

5. Continue 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 good afternoon, Kameron Good Planning Department. This is to continue the discussion we had you had previous asked to bring back more information on parking requirements for stadiums, sports fields, and arenas. The additional information you had asked for was Chickasaw parking requirements. After contacting them several times they finally got back with us they were doing further research and trying to figure out and look back at when the sports fields were built and what the calculations were. They have no records of what they required but we did take it upon ourselves to count how many spaces they have and how many fields they have. They 454 total parking spaces, which comes out to be about 21 spaces per field and they do have a mixture of baseball, softball, and soccer fields.

Denham stated did you happen to count the seats.

Good stated no, we did not count the bleachers, no Sir.

Denham stated Okay, since it looks like that is what we are basing ours on. Any additional questions for Kameron. So what we did come up with, ours is the last page of the agenda item, the table.

Good stated no, that is just our current parking for public, civic, and commercial spaces. That is just what our current code has available. Like we said in the previous meeting, Wichita Falls does theirs as 1 per 4 seats provided. Norman does 1 per 4 patrons based on occupancy. Oklahoma City, they list theirs as director approval, we reached out to them several times trying to figure out what that actually calculates to. They never got back to us, it's just whatever the director approves.

Denham stated has LPS gotten back to us, as far as their current parking with their situations.

Good stated no but based on further discussion, the classrooms alone don't seem like there is going to be enough based on what our requirements are.

D. Jones stated one of my concerns is if you base it on seating, I just drove by some of these facilities, they have very little bleacher seating. I think what they do is park, and you bring your lawn chairs and sit out. When dealing with the junior high and high schools nobody really objects to it because mainly after school but when we put it in a public setting, we are going to

have cars everywhere. I don't know, I can't seem to wrap my head around how to address this. Really, I don't know.

Denham stated one of my concerns from the last meeting was that we were going to include all facilities as a cumulative number. I just think of high schools for example where you've got football which is of course is practice so there is not really going to be any fans there but then you've got a baseball game and softball games and their schedules are different parts of the year, basketball as well. It just seems like; I just have some issues the multiple facilities being included so they have all these extra seats that just seems a little excessive. And then again, we are not sure what this is going to entail for the proposed youth sports center either, since we don't even have a location yet let alone plans.

D. Jones stated would it be appropriate not to take action until LPS gets back with us. Maybe Kameron and some of the facility managers of LPS. All the high schools have quite a management, if you will, structure and sit down and talk about this. And get a little more information.

Denham stated was the city the one that approached us for the code requirements or is this just something as the city was discussing their plans, we said hey we don't even have something we ought to address this before it is an issue.

Good stated there is an architectural firm that is planning on developing these new facilities for the three high schools that reached out to us trying to calculate the parking for the facilities. We gave them the parking numbers that we had for the schools. We do have the calculation for the new facility itself but when you're talking about total parking numbers required, we do not have the numbers to calculate the fields and what their requirements are. So, we can't give them the total number required without specifying how we are going to calculate these sports fields. So, it was the architectural firm that's working on these proposed buildings who reached out to us asking for the information. When it's not specified in the code of how we would require it that's when we bring the discussion item to the CPC.

Springborn stated I'm just going to add to this, Don Davis when he was the president of Cameron had a possible solution. He got called by the head of the Board of Education not the one that's there now, the Board of Education about the high schools playing football out there at the stadium. They approached Don Davis and said will you sell us the stadium for a dollar, and Don Davis said just have it out of here by noon. That would solve the problem, not as if we can solve these problems as easily.

J. Jones stated it appears to me the school system is a whole different situation than stadiums or public affairs. I don't see how you can mix this in with anything like that. Schools a lot of times there is just kids involved, people drop kids off. So parking is certainly different than it would be on stadium or some private sports arena. I think whatever we do I think we have to be real conscious to build something that has some flexibility in it. To sit down and just put numbers of, 1 parking space per 3 or 4 seats or whatever to me I think that seems prohibitive to someone coming in. We have look at the use of it, to see what parking be needed. If we put a number based on seats or based on football fields or whatever. I see that really impossible.

Good stated so are you saying you feel that parking for a public or civic use such as a school would be a separate category than a commercial code.

J. Jones stated that's my thought.

Good stated also just a note I don't know if my opinion is allowed to be said or not, but the school itself already has a parking calculation, for these high schools 8 per 1 classroom. These are the same students that are going to be using these sports fields. Not all the kids are going to be coming out for sports when they are actually in play. So, the ones that are coming in visiting could already be offset by the parking that is already provided by the schools.

Brown stated so, what you could do you could set a precedence and say if they're apart of the school they are included in the existing school parking that is there for the existing buildings.

D. Jones stated I need to know more about this, how many fields, are they in different neighborhoods, what impact is on the neighborhood. I gave you my example, unfortunately, the city got in between the Postmaster and the schools, mail couldn't be delivered. I'm with John this is a very complex situation and I'm sure the schools are much different than the public facilities. It seems to me we just don't have a whole lot of information here, I would rather delay maybe two weeks or whatever and have the staff of the Planning Commission sit down and maybe the Architect could come down, the staff of the school board that they think appropriate and get us more information. You know what we don't want to do is go through all this and then have LPS say, and the architect say oh that won't work. Then we wasted that time. So, can we delay two weeks on this.

Denham stated I think one of the areas we are not even talking about is the elementary schools. This is strictly for the secondary schools. They're the ones that have the sports fields. There's no sporting events at elementary schools. They have plays, they have PTAs, they have the other stuff that cause the problems you're referring to, graduation or whatever the case may be. We're talking the secondary facilities, they have their own parking for everything and in the middle schools you have no students driving, you should have plenty of spots available for parents to come watch the deal. All the high schools they pretty much have the parking. I know Eisenhower Middle School they didn't have enough I believe at our last meeting already and it's the newest school of the bunch. So, the athletic director portion of the LPS would probably be the group we need. I think all the schools all have athletic director plus Mr. Dees is the LPS athletic director, you can work with them, they know what they're wanting to do. Let's see how we can work together to get that done. Then let's address the future sports field. The sports authority that's doing the eastside, the westside, and the other deal and get with them on what they envision what their needs because they're already growing their participation up higher. We are almost chasing a problem that doesn't exist yet.

Good stated would you like potentially some attendance records of the bigger sporting events at these high schools, would that be information that would tell us how many people are in attendance of that. That would at least give us a baseline.

Denham stated I would be shocked if they could get that for you frankly, but I would think that the schools as John mentioned with their parking allocated for the school requirements that

would be enough for their after-school events going on so not even worry about regulating it. Unless these plans they're bringing together is going to cause additional, during school, events that will add to that burden. I think that's why you need to get with LPS, administration, athletic directors and see what they're looking to do and then consider those numbers. That will be project A and then Lawton Sports Authority will be Project B with their plans too and find a way that we can combine the two because one is a public-school entity and the other is a Lawton Trust Authority. So, it's not like we really dealing with commercial operations of anything yet.

Good stated do you feel that we would still need to make a code adjustment to clarify that the high schools, if that's how we went, the high schools do already provide enough parking. That the uses on site would just be accessory uses that are classified under that. Would that still need a code change.

J. Jones stated why don't we leave the schools alone. The schools are an entity that services and governs their own needs. So, why do we want to get into the school business.

Denham stated the schools came to us. They are initiating this, their architect.

J. Jones stated well it appears to me then the schools should send a recommendation to us of what they need because they're asking us to sort of figure that we have no experience in, they have all the experience in, they have the architects that can tell you what the needs are. So why don't we listen to what they have to say instead of them trying to jump all over us and not agree with us. It doesn't make sense to me. They know what they need. Why don't we listen, let's reverse this let them come back to us and tell us what they need.

Brown stated I do think that if we do decide to go that route that I do believe a code change and that way it's in record that this is what the CPC recommended the accessory fields at the schools are accessory uses and don't count toward their parking lot.

Denham stated not subject to.

Brown stated not subject to the regular parking requirement, so I feel like that would be a good thing to have and in 20 years when none of us are here. It's an ordinance and it's there.

Denham stated do you promise. It feels like I have been here for thirty.

Brown stated I have sixteen left.

D. Jones stated before we recommend an accessory use or something like that, let's get all the stuff together and see because, as I have said contrary to what you've observed, I can tell you the people of Waterford every time when Tomlinson was a middle school. They couldn't get their mail and if it was muddy instead of parking on the ball field, they were parking in the neighborhood. Granted it was one day. You know you just kind of put up with it. It's just like a church and funerals. Let's just get all our stuff together and with that I make a motion to table this. Kameron do you need two weeks, four weeks.

Denham stated I would say until you can meet with the staff and administration of the schools.

D. Jones stated alright my motion is to table this indefinitely.

Motion by D. Jones, Second by Logan, to table indefinitely 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. **Aye:** Denham, J. Jones, Jarvis, Jester, D. Jones, Logan, Springborn **Nay:** None **Motion Passed.**

Denham stated its unanimous motion has passed 7 (seven) to 0 (zero) to table item indefinitely, with coordinating with those entities that we have discussed.

NEW BUSINESS

6. Consider making a recommendation to City Council for waiving section 18-6-16-678 of Lawton City Code stating a I-3 Light Industrial District across the street from a residential district requires opaque screening installed along the side facing the residential district and take action as necessary.

Good stated this a request that has been brought to us by CDBL, Inc. the contractor for a new office building for Kirk's EMS located at 1608 SW F avenue. The building permit has been applied for and issued with the condition that an opaque screening built across the north property line due to section 18-6-16-678 because this is zoned I-3 and across the street to the north is zoned R-4 and used as single-family dwellings. Their site plan does show opaque screening to be constructed straight out from their buildings to the east and west which would be blocking their side yards and rear yards from across the street, but it would not block the actual property or the use because the parking lot and the building would still be seen. This is to request to construct as proposed with the opaque screening being on the side, blocking the side yard and rear yard, not the full property. Chris Boyd is here if you have any questions. He is with CDBL, Inc.

Denham stated this has always been in code where it is across the street, I thought it was if it was adjacent or behind.

Good stated this section is specifically in the I-3 zoning which says across from an alleyway across the street. It says across a street, across the roadway, alleyway, or easement. This is different than your typical opaque screening which a street would nullify that screening requirement but this one is specifically listed in the I-3 which catches this one because of the zoning of the property.

Denham stated any questions for Kameron.

D. Jones stated I would like to ask a question; this provision has been in code a long time. I'm not sure why they're asking this to be waived. Can you give me an answer. That's the first question.

Boyd stated they are requesting it to be waived because they don't want to put a fence up. Up on the street, along the street and blocking their entire building.

D. Jones stated have they been made aware of an alternative, and Kameron correct me if the alternative is not there if they can build an opaque screening fence on the residential side.

Boyd stated no we were not given that option but that would be across the street on somebody else's property, in somebody else's front yard.

D. Jones stated I understand but it is an option to you.

Boyd stated no that was not made.

D. Jones stated okay, my next question is to the City Attorney. What's the citation for waiving an ordinance, that we recommend waiving an ordinance.

Gibson stated I don't have the citation, I just checked with the City Attorney Tim Wilson, and he said that we can get the citation for you but we don't have it right now but Tim confirms they can waive that.

D. Jones stated the Council can waive that.

Gibson stated yes, the Council can waive that.

D. Jones stated I want to recommend a waiver when the waiver is not in the code. I have never heard of a waiver but that's okay. I have heard of varying the code, modifying the code, amending the code but I have never heard of waiving.

Good stated we recently brought two through the CPC for opaque screening requirements, one was 1130 SW Lee, and one was with the Sheridan Square Strip Center. Both of those came through the CPC for the recommendation and both were waived by Council.

D. Jones stated well if that's the case, that's fine. I want it to be legal that you can waive an ordinance. No offense to Mr. Wilson, I see some real issues here. Let's just waive all the ordinances. And I would like that question posed to him sometime. You send me an email, thank you very much. You don't have any hardship; you just don't want to build a fence.

Boyd stated correct they don't want to put their building behind an opaque fence. They would like to run the fence from the building to the site property lines. The fence itself is metal panel, which will match their metal panel building.

D. Jones stated I understand. I think we need to think about this folks, okay let's say I am a hotel owner, and we do the set back for height and I say I don't want to build a fence, I don't want to put the landscaping in and we're adjacent to a R-1 area. This is a sticky wicket. Unless we can come up with some kind of reason other than I don't want to, I just don't think this is a good precedence at all. I'm sorry that we recommended this twice before, I really am.

Good stated David I just wanted to let you know the use of the property is an office building, not a typical I-3 zoned use.

Denham stated where is the location to the actual dispatch.

Good stated right next door. There is vacant land just to the east of it. They will be connecting that property with this property.

Denham stated which is the east version of the plans.

Good stated I am going to pull up the visual aid for you on that.

Denham stated would it be the third one.

Good stated yes as you can see on the screen, the property in the red box is where the proposing on building and Kirks is the west of it. It is I-3 zoned already with the R-4 to the north across F avenue. This is their site plan, right now, they are required to put it up here in the north property line screening their entire use of the property, but they are proposing on putting it straight out from their building. The parking lot on the north side of the building will be the only portion not screened essentially. The current Kirks EMS building does not have the opaque screening it has a wrought iron fence as you can see on the north side right here. It's just a gate that is made out of wrought iron. So, their parking lot currently isn't being screened already.

Denham stated is the building inline with the gate or is it farther south.

Good stated the current facility.

Denham stated no the proposed.

Good stated no it will be further south. The current building is built at the building limit line. This one is roughly 25 feet further south of that.

Denham stated so the fence would be where to little red asterisks are where the code would require.

Good stated yes sir, that's my notes on their site plan submitted through license and permits was to provide an opaque screening fence. The driveways would not have an opaque screening. It would just be the portions east and west of that.

Brown stated Mr. Chairman I would like to say this code section came up a year or year and a half ago over by Salas just west of Salas, they were going to put up an open display and it's I-3 zoning. This is why we told them they had to screen the portion that was across the street from the residential or shift everything over where it was across from the public facility's portion because they were upset, they didn't want to screen. We kind of been looking at this code section to do an amendment to take out that when it's across the street requirement because like this one, a lot of businesses are not going to want to put a screening fence across the front of their property when it's across the street, if it was right next to it obviously, you know I definitely wouldn't recommend waiving or modifying code or anything like that but when it's across the street an opaque screening fence isn't going to do a lot to actually screen the property when you get that far away from it.

D. Jones stated why don't we recommend a code amendment instead of waiving the code.

Denham stated how long would that take and how long would that set Chris back.

Good stated they kind of already been issued their permit. This is just going to be a condition on their permit so they wouldn't be able to close out and get a final CO until this was either waived, changed code or they constructed it according to code. I don't know what your time frame is on construction, five months.

Denham stated so we can get the code amended by then.

D. Jones stated another way is we could send him to BOA and let BOA determine if they have a hardship.

Good stated this is kind of a reoccurring issue.

D. Jones stated I think the amendment of the code is a permanent solution.

Good stated if the code said if it were an I-3 use.

D. Jones stated are you going to do I-4 too.

Good stated this is only specifically listed in the I-3 it is not listed in the I-4 currently

Denham stated on those other prior examples except for Salas, those were commercial.

Good stated yes those were commercial uses.

Denham stated the across the street seemed new to me.

Brown stated we are also working on that code change that was recommended when we did those other two to allow a waiver or an appeal to come through. Instead of having to go all the way through to Council they would direct us to give to either you or Board of Adjustments.

Denham stated when you recommended BOA, I feel we would be doing it anyway.

Brown stated I think it's going to come back to you actually. That's my opinion.

Denham stated so we can just deny the recommendation and instruct staff to pursue a code modification and then they got their building permit, nothings getting held up, so they proceed accordingly and therefore we get this thing back before the end of summer and everything's good.

Good stated so we would just have to draft it, send out public notices for code change to Chapter 18 which is a minimum of 15 day a newspaper notice and then we would come back to next available CPC meeting and then that code change would be a recommendation to Council.

Denham stated to Council another notification

Good stated another 15-day notification but it could be a double noticed because it's a code change.

Brown stated with the discussion here, I believe we could do a double notice because I know which way you guys want to go I feel like I know which way you guys want to go on that, we could do a double notice on that, bring it back to the fist available CPC meeting, then it would go to the immediate nest Council meeting.

Denham stated okay. Do we need to do that in a form of a motion.

D. Jones stated I move that we deny the motion before us and recommend that staff pursue a code amendment so that we can get the input of the Council with regard to this issue and possible changing it and if possible, I would recommend the staff consider double notice.

Denham stated any further discussion. Thank you.

Motion by D. Jones. Second by Logan, deny the motion before us and recommend that staff pursue a code amendment so the we can get the input of the Council with regard to this issue and possible changing it and if possible, I would recommend staff consider double notice. **Aye:** Denham, J. Jones, Jarvis, Jester, D. Jones, Smith, Logan, Springborn **Nay:** None **Motion Passed.**

Denham stated motion passed 8 (eight) to 0 (zero).

7. Commissioner's Reports or Comments.

Denham stated FYI all meeting unless special are at 1:30pm the Thursday following the regular Council Meeting. Council meets seven times a week these days. The regularly scheduled meeting. Any other commissioners report.

Springborn stated information about AI.

D. Jones stated may I recommend the City Attorney's Office sit down amongst the, I know John is in the front office, if there is such a citation that allows the Council to waive a law and that's what an ordinance is. I think you guys need to go to lunch and think about that and maybe come up with whether that's a good idea or a bad idea and what the ramifications are. None of us need to be involved, you legals need to get together.

Gibson stated I will find that authority, I will find that, it is something we need to be aware of for sure.

Brown stated can you get me a copy of that Greg.

Gibson stated will do.

D. Jones stated if you could just imagine we go through a re-zoning and go to the Council, and we've had a public hearing and people think we've set certain conditions affect their property on this proposed use then all of sudden waive them. That affects their real estate, it affects their investment.

Denham stated very good points. Any other commissioners reports.

8. Secretary's Report.

Brown stated there is none.

9. Comments from the Public.

Denham stated there is none. I will go ahead and call for a motion to adjourn.

10. Adjournment.

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

With no further business the meeting was adjourned at 2:10pm.

CITY PLANNING COMMISSION
CITY HALL AUDITORIUM
July 13, 2023

Minutes of the City Planning Commission meeting held July 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 1:38 p.m. by David Denham

ROLL CALL

MEMBERS PRESENT:

Darren Medders
Allen Smith
Neil Springborn
David Denham
Michael Logan

MEMBERS ABSENT:

Ron Jarvis (Excused)
John Jones (Excused)
Joan Jester (Excused)
Deborah Jones (Excused)

ALSO PRESENT:

Madison Aust, Recording Secretary
Charlotte Brown Director Community Services/Planning
Kameron Good, Senior Planner
Tyler Pobiedzinski, Planner 1
Christina Ryans-Huffer, Planning Administrative Assistant II
Dewayne Burk Assist City Manager
Sheryl Gregory Great Plain Improvement Foundation

2. Verify posting of meeting.

The meeting was posted on July 7, 2023, at 11:10 am by Tammy Branstetter.

3. Establish Quorum.

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

4. Election of a Vice-Chairman.

Denham stated our current Vice-Chairman is asked to resign due to time restraints. We need to elect a new Vice-Chairman. I will entertain motions.

Medders stated I make a motion to elect Allen Smith.

Logan stated I second that motion.

Denham stated we have a motion and a second, any discussion.

Motion by Medders, Second by Logan, to appoint Allan Smith as Vice-Chairman. **Aye:** Smith, Logan Medders, Springborn, Denham **Nay:** None **Motion Passed.**

Denham stated congratulations Mr. Smith.

5. Select Alternate for MPO Policy Board.

Denham stated that is the Lawton Metropolitan Planning Organization does the air mitigation, the transportation planning, Chairman of the Planning Commission is an assigned member. So due to quorums or lack thereof we have had to seek out alternates for each member. We need to nominate an alternate for that position. I will entertain a motion. The meeting is typically the first Tuesday of the month at 11:00 am here at City Hall.

Smith stated is that the one where they do the traffic and stuff.

Smith stated I nominate myself.

Medders stated I second.

Denham stated any discussion.

Motion by Smith, Second by Medders to appoint Allan Smith as Alternate for MPO Policy Board. **Aye:** Springborn, Logan, Medders, Smith, Denham **Nay:** None **Motion Passed.**

6. Hold a public hearing to consider a request for an amendment to the 2030 Land Use Plan from Industrial & Public Facility to Public Facility, and a change of zoning from the Temporary A-1 General Agricultural District to P-F Public Facilities District zoning classification for the property located at 2302 SW Bishop Road Lawton, OK 73505.

Good stated good afternoon chair and commission, Kameron Good with the Planning Department. This is a request brought to you by Bishop Public Schools for the new middle school planned at the southwest corner of Bishop and Sheridan Road. This has a temporary zoning of A-1 on it and since they are wanting to build a structure, they do have to update that zoning. Here is the current zoning temporary T-1 zoning you have a R-1 to the north and PF to the east and where their elementary school is built. This is the current Land Use map that shows a portion of the piece of property as Industrial. That is why this is an amendment to the Land Use Plan as well. This is the current aerial shot, it's just farmland currently vacant and this is the proposed site plan for the new middle school. There is a proposed future parking on the north side, that is not being built at this time with another entrance onto Bishop Road. Right now the only entrance is off of SW Sheridan that will enter, do a loop and then exit back on SW Sheridan. These plans are currently in our license and permits under review. This was noticed to everyone from 300 feet, which was 4 (four) property owners on June 21, 2023 and was posted in The Lawton Constitution on June 25, 2023.

Denham stated have we heard anything.

Kameron stated we have not heard any phone calls or received any letters for or against this item.

Brown stated I will say Barbara McNally asked me about it yesterday and I told her it was not in their flight path. So it was not included in that.

Denham stated it was just that 1(one) building next to the loop.

Good stated yes Sir, just to the southwest of the loop is the proposed building and then there is a future portion of it that extends to the west that they are not building at this time.

Denham stated that is the little square on the top left.

Good stated yes sir.

Denham stated the triangle is the detention pond.

Good stated on the very southern portion of the proposed building. This won't take up the full parcel, it's only going to be built in the northeast corner of this parcel, which is a very large parcel.

Denham stated it would be about equivalent to the land for the elementary school.

Good stated yes Sir.

Denham stated any questions of Kameron before I open the public hearing. None, I will declare the Public Hearing open. Anybody wanting to speak for or against this item please approach the podium. We need you to sign in and state your name please.

Gregory stated good afternoon, everybody. My name is Sheryl Gregory, Executive Director for Great Plain Improvement Foundation Community Action Agency here in Lawton and we own property about 300 feet from the planned construction of Bishop Middle School. So, at the time that our agency purchased this land, which was 20 (twenty) years ago back in 2003, we were

going to build affordable housing on this property, but we were told at the time, well after we purchased the property, and we were in the middle of the application process to build. Our project was halted because we were told, later on after we got into the process, that we couldn't build anything taller than a blade of grass on this land. So, now that Bishop has petition to re-zone, I guess to re-zone the land for the middle school, where does that leave us as an agency. Can we now sale this property.

Denham stated where is your property related to this.

Brown stated so she owns property north of the existing school and it is within the airport easement. The airport easement extends all the way from Bishop up to Douglas, which I believe is the last road there, on the east side of Sheridan. The existing houses that are on the east side are not in compliance with the airport easement.

Denham stated so if she was on west side of Sheridan.

Brown stated if she were on the west side of Sheridan, she wouldn't have the restrictions.

Denham stated this property is on the west side of Sheridan.

Good stated I can get you a copy of the airport easement document we have on file down there plus the site plan that shows it but it's east of Sheridan Road, north of Bishop and this re-zoning is talking about south of Bishop and west of Sheridan. So, your property that you are talking about is up here and there is the easement. The airport easement runs from Bishop all the way up to the south side of the Lawton View Subdivision and it is a square of about 400 feet , east and west, and 1200 feet north and south. That was the restriction of when you were wanting to build, was that airport easement that has an overlay over those properties. Which we have met with Barbara McNally, we do have another meeting scheduled to come up with solutions potentially modifying that easement document, maybe putting a height restriction rather than what it states now, that nothing can be constructed.

Brown stated you can't have light poles, trees, or anything.

Denham stated I remember working when we were trying to get Delta Airlines in here, that was also another concern with the flight path, why that was brought into play. That is a pretty strict deal and it's a federal type requirement.

Good stated the easement is currently owned by the Airport Authority, nothing really that the City itself can really do about it other than try to come up with a solution the airport.

Denham stated what is that building to the northeast of the elementary school.

Good stated it is an existing single-family dwelling.

Denham stated was it there before the easement.

Good stated it was built before 1964 before the City zoning went into place. The easement went into place 1949 is when the document went into place. It's been there ever since, until 1964

when our zoning code went into place, we didn't police that. So, now after 1964 nothing has been constructed there. Everything constructed there is non-conforming.

Denham stated very good. Mrs. Gregory, I don't think that helps but does it answer your questions.

Gregory stated well it's water under the bridge, but I just hate the fact that our agency went out and purchased this land and this wasn't told to us before we got involved, it was after we were almost done with this to start constructing that we found this information out.

Denham stated this was in 2003.

Gregory stated this was in 2003 yes. Johnny Owens has been working with me to try to sell this parcel of land for us. We've been digging and digging trying to figure out what we can do to unload this property. Now according to this letter, it says it's 300 feet from where Bishop wants to build. So, can you put that picture back up there so I can have a visual again of what that 300 feet looks like.

Good stated yes ma'am. Your property is up here in this area, so 300 feet is roughly right across the corner from where they're building is where the easement starts but it's outside this easement.

Denham stated since you own that property that is within 300 feet of the northeast corner of this property we're talking about. That is how you got noticed.

Good stated this has been a current topic recently in the Planning Department because there is also a R-4 zoned property within that easement that use to be a trailer park before 1964 and it's for sale as well and it's exchanged hands, I feel multiple times without disclosure of the easement. The current owner is disclosing the easement and he is having trouble selling it. It has dropped in price a lot because nothing can be constructed there right now. We've probably received at least 1 (one) phone call a week currently for interest in selling that property. They want to put another Mobile Home park there and right now.

Denham stated even a mobile home is too high to go that property.

Good stated yes Sir and all these people we have been directing to the Airport Authority and that's why the Airport Authority has been in touch with us trying to come up with a solution for this entire easement area.

Gregory stated there are other structures there, not too far from where our land is but it's hills, we have put dirt out there and so it's grass. It just looks like hills over there that is taller than a blade of grass, I mean it's been sitting there for 20 years, and we haven't been able to do anything with it. So, I don't know, I hope that the City, well I don't know if you guys can do anything. That's Airport Authority, that's federal property from what I understand. Is that considered federal property.

Denham stated it's sits; I don't know if it's federal property but it's.

Gregory stated the air space.

Denham stated yes.

Good stated it's privately owned but because of this easement overlays it, that's the restriction they have an easement overlaying the private property but like I said we have been in discussion with the Airport Authority to come up with a solution for these problems.

Denham stated you think you could get grazing land or something.

Brown stated we have a meeting scheduled with Barbara next week to discuss if they would allow single family dwellings, no taller than 20-25 feet or something to be constructed in there. I think that help a lot and would allow for some development in that area.

Good stated I know that there is FDA restrictions and stuff and they're going to be more knowledgeable about that, but I would believe flight capability has changed in the last 70 years, since this easement was put into place. They are open to the ideas to modifying this easement. We just got to come up with a solution and we are meeting next week about it.

Denham stated they're going to have things like lighting and other issues that can affect planes landing and taking off is part of it too. So that's the nature of it in the first place and you're not the first person that brought property with an intended use. Somebody selling the property should have known about.

Gregory stated we've always had a, we kind of in our heads we were trying to figure out how in the world can Bishop build, and Bishop added on to their school going west closer to the airport as opposed to where we wanted to build. I mean that's what didn't make sense to us that Bishop was allowed to build and extend their school going west and we weren't able to build at all.

Kameron stated I have Tyler printing out the easement.

Smith stated but it starts at Bishop Road.

Gregory stated I'm sorry.

Smith stated the zoning starts at Bishop Road.

Good stated yes, so everything.

Denham stated the easement starts at Bishop Road north.

Smith stated Bishop Road north.

Good stated Tyler has gone to the office to print off the document with the easement and it has a map on it that shows the outlined easement with the actual easement document. I definitely get that to you.

Gregory stated can we get a copy of that. I would love that.

Good stated yes ma'am absolutely .

Denham stated we'll have that to you this afternoon, I mean soon. Mrs. Gregory thank you very much and good luck. Hopefully we got you some more answers, might not been the right

answers or preferred answers but some answers. Anybody else. Seeing no body, I will go ahead and close the public hearing. What does the Commission feel. I will entertain a motion.

Medders stated I will move to approve.

Logan stated I second the motion.

Denham stated any further discussion.

Motion by Medders. **Second** by Logan, to approve an amendment to the 2030 Land Use Plan from Industrial & Public Facility to Public Facility, and a change of zoning from the Temporary A-1 General Agriculture District to P-F Public Facilities District zoning classification for the property located at 2302 SW Bishop Road, Lawton, OK 73505. **Aye:** Logan, Denham, Smith, Medders, Springborn **Nay:** None **Motion Passed.**

7. Commissioner's Reports or Comments.

Medders stated thank you for the monthly report.

Denham stated Isn't it great and thank you Mr. Smith.

8. Secretary's Report.

Brown stated the only thing is we are working with Garver Engineering on the contract for the Land Use Plan and so hopefully before too much longer we'll start seeing some of that. The MPO is paying for it. It may be, we do some and then wait, get some money back from ODOT and then do some more. So, we may have some touch and go's with that but we are moving forward to update to the 2050 Land Use Plan.

Denham stated we're currently working on the 2030, so we're 20 years behind. That's been a long-drawn-out process. What is the Planning Commission's role in approving or in the past staff would do this report, bring it to us, we'd have a couple of public hearings, we'd approve it, and it goes to City Council.

Brown stated we're going to set up a steering. I'm not sure yet if that will actually be CPC or if it will be members of the different bodies CPC, City Council, MPO, Technical Board and we will be doing public input meetings outside of this body and when we have a rough draft, we will bring it back to you guys for review and questions or changes before we submit a final draft for approval.

Denham stated okay, very good. Thank you.

Brown stated Kameron has the easement documents we just talked about.

Good stated that's a map right there and the easement document itself. That's the airport itself. The map you have in your hands the northwest corner with the hash on it. This hash and the northwest of it, is the easement.

Denham stated and this is Bishop School.

Good stated yes Sir. The easement document that I'm also passing out is the actual document itself that's filed as record of 1949 and on page 2(two) is where it specifically lists, nothing can be constructed because the hazard of the flight of the aircrafts.

Denham stated whoever built that house just did it without any approval because that was after 1949.

Good stated after 1949 prior to any of this City of Lawton Reviews.

Smith stated this was built in 1964.

Good stated 1964 yes Sir.

Brown stated building codes weren't really followed either.

Denham stated Tyler , thank you. Kameron , thank you. We got a history lesson in addition with the meeting today. So, that worked out well. Anything else Charlotte.

Brown stated no that's all I have.

Denham stated any additional comments from the public on Item 9. Mrs. Gregory again thank you for coming, we appreciate you pointing this stuff out to us. Alright seeing nothing else I'll go ahead and call for a motion to adjourn.

10. Adjournment.

Motion by Springborn. Second by Smith. to adjourn the meeting, **Aye:** Smith, Medders, Logan, Springborn, Denham **Nay:** None **Motion Passed.**

With no further business the meeting was adjourned at 2:03 pm.

CPC AGENDA ITEM COMMENTARY

ITEM TITLE: Hold a public hearing and consider an amendment to Chapter 18, amending Sections 18-6-16-678, Chapter 18, Lawton City Code, 2015, by modifying the special screening requirement for the I-3 light industrial district, providing for severability and allowing floor amendments.

INITIATOR: Charlotte Brown, Director of Planning & Community Services

STAFF INFORMATION SOURCE: Kameron Good, Senior Planner

BACKGROUND: This proposed ordinance will modify the screening requirements for the section below:

18-6-16-678 - Special requirements when abutting residential district.

Whenever an I-3 Light Industrial District abuts, is adjacent to or is directly across a street, way, road, alley or easement from any residential district, there shall be screening by opaque ornamental fences or walls not less than six feet nor more than eight feet in height installed along the side facing the residential district. The screening shall be well maintained. However, if the industrial parcel is of such unusual size, shape or topography that the screening fence will not function to block the view from the abutting residential district, the screening fence will not be required.

The proposed change will only require the screening if the use of the property requires I-3 Light Industrial District zoning classification. If the proposed use of the industrial parcel is a permitted use in a lower zoning classification than the screening requirements shall follow the lower zoning classification.

EXHIBITS: Ordinance No. 23-

KEY ISSUES: Current Lawton City Code requires all uses to be screened if its zoned I-3 Light Industrial District and is adjacent to or is directly across a street, way, road, alley or easement from any residential district.

RECOMMENDED ACTION: Hold a public hearing and recommend approval to the City Council of an amendment to Chapter 18, Lawton City Code, 2015, Sections 18-6-16-678.

ORDINANCE NO. 23-_____

AN ORDINANCE PERTAINING TO SPECIAL REQUIREMENTS WHEN ABUTTING RESIDENTIAL DISTRICTS, AMENDING SECTIONS 18-6-16-678, CHAPTER 18, LAWTON CITY CODE, 2015, BY MODIFYING THE SPECIAL SCREENING REQUIREMENT FOR THE I-3 LIGHT INDUSTRIAL DISTRICT, PROVIDING FOR SEVERABILITY AND ALLOWING FLOOR AMENDMENTS.

BE IT ORDAINED by the Council of the City of Lawton, Oklahoma, that:

SECTION 1. Section 18-6-16-678 is hereby amended to read as follows:

18-6-16-678 - Special requirements when abutting residential district.

Whenever ~~an~~ a use requires the I-3 Light Industrial District and abuts, is adjacent to or is directly across a street, way, road, alley or easement from any residential district, there shall be screening by opaque ornamental fences or walls not less than six feet nor more than eight feet in height installed along the side facing the residential district. The screening shall be well maintained. ~~However, if~~ the industrial parcel is of such unusual size, shape or topography that the screening fence will not function to block the view from the abutting residential district, the screening fence will not be required. If the proposed use of the industrial parcel is a permitted use in a lower zoning classification than the screening requirements shall follow the lower zoning classification.

SECTION 2. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma, this ____ day of _____, 2023.

STAN BOOKER, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK

APPROVED as to form and legality this ____ day of _____, 2023.

TIMOTHY WILSON, ITERIM CITY ATTORNEY

ORDINANCE NO. 23-____

AN ORDINANCE PERTAINING TO SPECIAL REQUIREMENTS WHEN ABUTTING RESIDENTIAL DISTRICTS, AMENDING SECTIONS 18-6-16-678, CHAPTER 18, LAWTON CITY CODE, 2015, BY MODIFYING THE SPECIAL SCREENING REQUIREMENT FOR THE I-3 LIGHT INDUSTRIAL DISTRICT, PROVIDING FOR SEVERABILITY AND ALLOWING FLOOR AMENDMENTS.

Brief Gist

This ordinance relates to the screening requirement for the I-3 Light Industrial District. The code currently requires any use in the I-3 Light Industrial District to screen when it abuts, is adjacent to or is directly across a street, way, road, alley or easement from any residential district. Moving forward if the proposed use of the industrial parcel is a permitted use in a lower zoning classification than the screening requirements shall follow the lower zoning classification.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma, this ____ day of _____, 2023.

STAN BOOKER, MAYOR

ATTEST:

TRACI HUSHBECK, CITY CLERK

(Published in *The Lawton Constitution* this ____ day of _____, 2023)

CPC AGENDA ITEM COMMENTARY

ITEM TITLE: Consider approving the record plat for Bulldog Subdivision of 7210 NW Cache Road, subject to conditions.

INITIATOR: Rhonda Clemmer

STAFF INFORMATION SOURCE: Kameron Good, Senior Planner
Charlotte Brown, Director of Planning & Community Services

BACKGROUND: Bulldog is about 1.5 acres divided into 2 lots. This plat is located on the east side of NW 73rd Street, south of NW Cache Road. The current zoning is C-3, Planned Community Shopping Center District. The property has been split more than 3 times in the past and will need to be platted to break off any more portions. The property owner, Rhonda Clemmer, would like to sell a portion of her land to the daycare center to the south of her property. There are no public improvements to be contracted with this plat.

Stormwater has reviewed the plat and recommends approval.

Public Utilities has reviewed the plat and recommends Lot 2 needs to have a sewer easement. This is based on Chapter 21 Subdivisions Section 21-1-102- Policies “Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace; and land shall not be subdivided until appropriate public facilities and improvements are available or proper provisions has been made for drainage, water, sewerage and other capital facilities such as schools, parks and roads.”.

EXHIBITS: Record Plat of Bulldog Subdivision

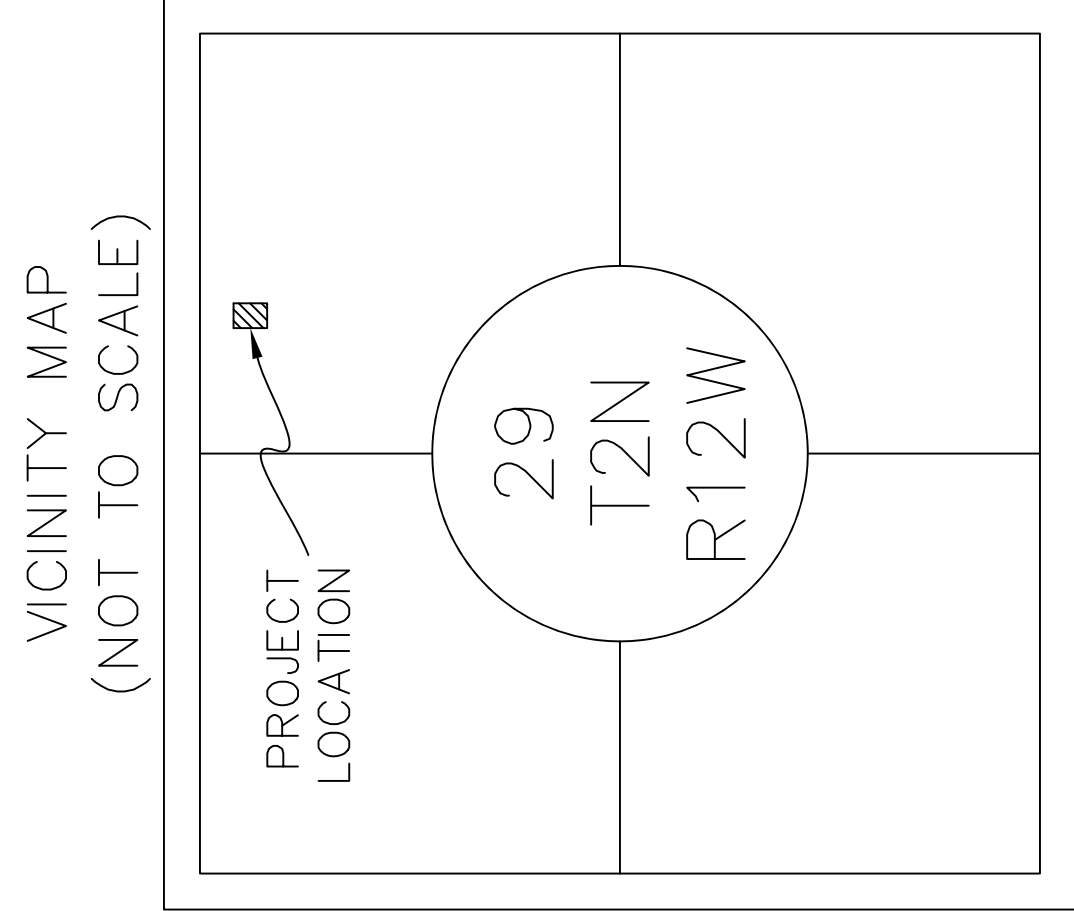
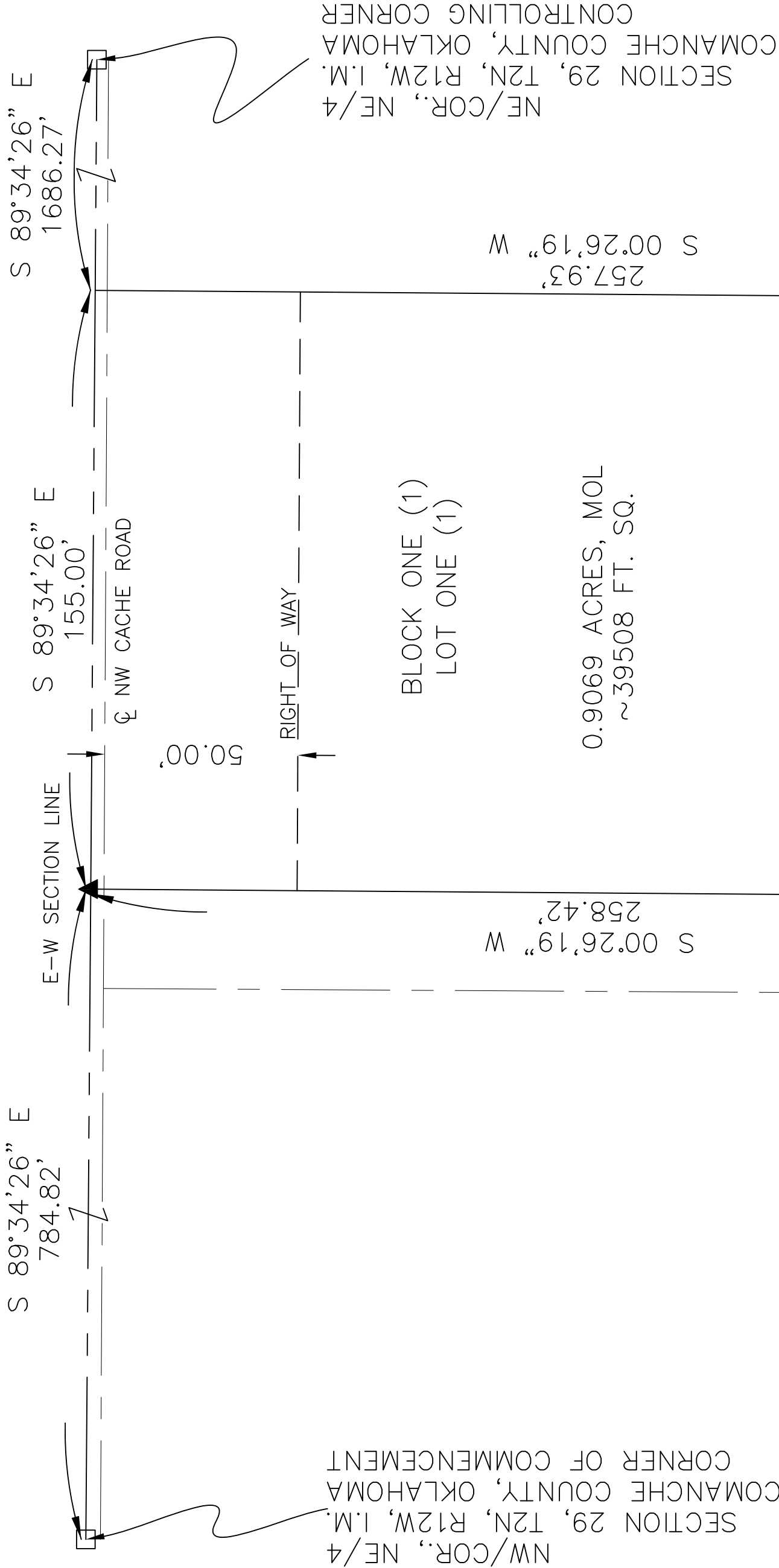
KEY ISSUES: N/A

RECOMMENDED ACTION: Approve the Record Plat for Bulldog Subdivision, subject to conditions.

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BULLDOG SUBDIVISION

to the City of Lawton
Comanche County, Oklahoma



ACCEPTANCE OF DEDICATION BY CITY COUNCIL

Be it resolved by the City Council, City of Lawton, Oklahoma, that the dedications shown on the above foregoing annexed plat are hereby accepted. Adopted by the City Council, the City of Lawton, Oklahoma, this ____ day of _____, 20____. Approved by the Mayor of the City of Lawton, Oklahoma this ____ day of _____, 20____.

ATTEST

Mayor _____ County Clerk _____

CITY PLANNING COMMISSION APPROVAL

I, _____, Chairman of the CPC for the City of Lawton, County of Comanche, State of Oklahoma, hereby certify that the said Commission duly approved the above foregoing annexed plat on this ____ day of _____, 20____.

Chairman _____ Secretary _____

CERTIFICATE OF COUNTY CLERK

I, _____, City Clerk of the City of Lawton, State of Oklahoma, hereby certify that I have examined the records of the said City and find that all deferred payments or unmatured instalments upon special assessments procedure pending against the land shown on the above foregoing annexed plat except: _____ on this ____ day of _____, 20____.

City Clerk _____

CERTIFICATE OF COUNTY CLERK

I, _____, County Clerk of the County of Comanche, State of Oklahoma, hereby certify that this is a true and correct copy of a like instrument as appears on record in this office on this ____ day of _____, 20____.

This instrument was filed on this ____ day of _____, 20____ A.D. at _____ (____), and duly recorded in BOOK _____, PAGE _____.

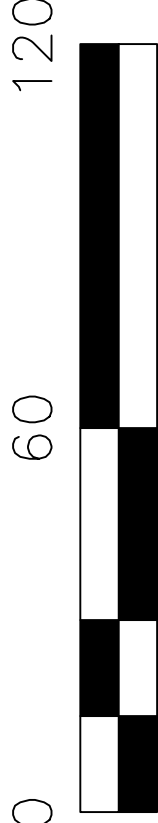
County Clerk _____

LEGEND

These standard symbols will be found in the drawing.

Description	Symbol
FOUND #4 IRON PIN	○
SET #4 IRON PIN	●
SET MAG NAIL	▲
FOUND MAG NAIL	△
FOUND SURVEY SPIKE	□

BASIS OF BEARING:
SPCS OK-S NAD83(2011)



OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS: Rhonda Clemmer, being the sole owners in fee simple of the following described real property to wit:

A tract of land located in the Northeast Quarter (NE/4) of Section Twenty-nine (29), Township Two North (T2N), Range Twelve West (R12W) of the Indian Base and Meridian, Comanche County, Oklahoma, according to the U.S. Government Survey thereof. Said tract of land being more particularly described as follows:

COMMENCING from the Northwest Corner Northeast Quarter (NE/4) of Section Twenty-nine (29), Township Two North (T2N), Range Twelve West (R12W) of the Indian Base and Meridian, Comanche County, Oklahoma, which is a found survey spike; THENCE, S89°34'26"E, along the North line of said NE/4, a distance of 784.82 feet to a set mag nail, PLS 1944, which is the POINT OF BEGINNING; THENCE, S00°26'19"W, a distance of 420.00 feet to a set #4 iron pin, PLS 1944; THENCE, S89°45'19"E, a distance of 155.00 feet to a set #4 iron pin, PLS 1944; THENCE, N00°26'19"E, a distance of 420.00 feet to a found #4 iron pin on the North line of said NE/4; THENCE, N89°34'26"W along the North line of said NE/4, a distance of 155.00 feet to the POINT OF BEGINNING. Said tract containing 64,591 FT. SQ., or 1.4827 acres, more or less.

That it has caused the same to be surveyed and plotted as shown on said annexed plat, which said annexed plat represents a correct survey of all property included therein to the City of Lawton, Comanche County, Oklahoma.

The undersigned does hereby further certify that it is the owner of the land and the only company, corporation, partnership, person or entity having any right, title or interest in and to the land included in said annexed plat. The undersigned does hereby grant to the City of Lawton an easement over and across said private streets for the purpose of a fire lane and use of the City of Lawton Police for police protection purposes and for garbage services. The private streets shall remain open to all emergency personnel and all personnel from a federal, state, county, or city agency.

In witness whereof, Rhonda Clemmer, has caused these presents to be signed this ____ day of _____, 20____.

By: _____ Rhonda Clemmer

State of Oklahoma
County of Comanche

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by
Tessa Barlow.

Notary Public

My Commission Number: _____

My Commission Expires: _____

SURVEYOR'S CERTIFICATE

I, Kyle D. Adams, a registered Land Surveyor in the State of Oklahoma, hereby certify that I have made a careful and accurate survey of the foregoing described property, and that the above foregoing plat is a correct representation of said survey. This plat of survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as Adopted by the Oklahoma State Board of Licensure for Professional Engineers and Professional Land Surveyors.

Witness my hand this ____ day of _____, 20____.

Kyle D. Adams PLS 1944

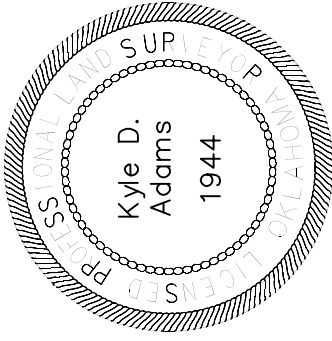
STATE OF OKLAHOMA
COUNTY OF COMANCHE

The foregoing instrument was acknowledged before me this ____ day of _____, 20____ by _____

Notary Public

My Commission Number: _____

My Commission Expires: _____



COUNTY TREASURER'S CERTIFICATE
I, _____, County Treasurer, hereby certify that I am the duly elected, qualified and acting County Treasurer of Comanche County, State of Oklahoma, and that the tax records of the said county show all taxes are paid for the year _____ and prior years on the land shown on the above foregoing plat located in Comanche County, Oklahoma.

In witness whereof, said County Treasurer has caused this instrument to be executed at Lawton, Oklahoma on this ____ day of _____, 20____.

County Treasurer _____