

CITY PLANNING COMMISSION  
CITY HALL AUDITORIUM  
August 24, 2023

Minutes of the City Planning Commission meeting held August 24, 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 Allen Smith.

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ROLL CALL

MEMBERS PRESENT:

Darren Medders  
Allen Smith  
John Jones  
Deborah Jones  
Michael Logan  
Joan Jester  
Ron Jarvis

MEMBERS ABSENT:

David Denham (Excused)  
Neil Springborn (Excused)

ALSO PRESENT:

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

**2. Verify posting of meeting.**

The meeting was posted on August 21, 2023, at 3:06 pm by Kobe Humble.

**3. Establish Quorum.**

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

**4. Consider approving the minutes from June 29, 2023, meeting.**

**Motion by Logan, Second by Medders**, to approve the minutes from June 29, 2023, meeting as written. **Aye:** J. Jones, Jarvis, D. Jones, Jester, Smith, Medders, Logan **Nay:** None  
**Motion Passed.**

**5. Consider approving the minutes from July 13, 2023, Meeting.**

**Motion by Logan, Second by Medders** to approve the minutes from July 13, 2023, meeting as written. **Aye:** J. Jones, Jarvis, Jester, D. Jones, Smith, Medders, Logan **Nay:** None  
**Motion Passed.**

**Business**

**6. Select City Planning Commission member(s) for 2050 Land Use Steering Committee.**

Smith stated to be honest I'm not real familiar with this.

Brown stated we've selected Garver to help us prepare our Land Use Plan for 2050. We've run into some possible money issues with the cost, the cost to do it but we're just trying to be prepared. I believe David is already a member for the Transportation Policy board but we would like to see 1(one) or 2(two) CPC members sit on that Steering Committee as well to help guide the discussion and the direction that the new Land Use Plan will go.

Smith asked how often do they meet.

Brown stated we haven't set a schedule time yet. It will probably be once a month or so when we get everything or more but probably no more than twice a month, I'd say.

D. Jones stated okay I've raised enough cane about this so, I volunteer.

Medders stated I second.

Smith stated I'll go ahead and volunteer.

Medders state I'll second that.

Brown stated DJ & Allen.

Smith stated and Denham, he already said.

Brown stated Denham will represent the Policy Board for it, so yes.

Smith stated any more discussion on that. I think that's it.

Brown stated I guess someone just needs to make a motion and a second to put DJ and Allan.

**Motion by Medders. Second by D. Jones.** to approve the selection of Allan Smith and Deborah Jones as the City Planning Commission members to the 2050 Land Use Steering Committee. **Aye:** J. Jones, Jarvis, D. Jones, Smith, Medders, Jester, Logan **Nay:** None **Motion Passed.**

**7. Hold a public hearing and consider an amendment to Chapter 18, amending Section 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.**

Good stated good afternoon, Chair and Commission this is going to be modifying 18-6-16-678 special requirements when abutting a residential district in the I-3 zoning classification. The proposed change will only require the screening if the use of the property requires I-3 Industrial District zoning classification. If the proposed use of this Industrial parcel is a permitted use in a lower zoning classification the screening requirements shall follow the lower classification. As it is right now this section reads that all uses that go into this I-3 zoning when its adjacent to abutting and directly across the street from still requires this screening requirement. This is going to lower the screening requirement for uses that aren't permitted in this I-3 zoning. If it is the lower zoning classification, it will follow the screening requirements for that lower classification.

D. Jones asked let me understand if an I-3, that's an I-3 then you wouldn't have the screening.

Good responded correct.

D. Jones stated okay, if it abutted a residential use you would go to the residential screening requirements, is that what you're saying.

Good responded if a I-3 parcel, if somebody comes in and wants to put a use there, that is a residential use, it would follow the residential screening requirements. Now if this was an I-3 use then it would follow I-3.

D. Jones stated okay thank you.

Brown stated this stems from the Kirk's Ambulance business building that they were constructing in the I-3 zoning, it was across the street from a residential zone.

A. Smith stated I think it's a less requirements, if it's commercial, not industrial. If it's a Commercial business, then you wouldn't have to put up all the opaque screening.

Brown responded correct.

A. Smith stated but if you're industrial. I think that's the way it sets easy for me.

D. Jones stated a C-3 isn't abutting a residential.

Good responded yes, that's correct. The side requirements and everything and other screening requirements would still follow that lower screening requirements.

D. Jones stated okay.

Good asked are there any other questions I can answer.

Smith stated if not then we'll open it up to the public.

G. Smith stated I'm a slow writer.

Smith stated if you please state your name and address.

G. Smith stated my name is Gregory Smith, I live at 108 SW I Avenue. Screenings, we're talking about the stuff that goes down on the road for people to park on right.

A. Smith stated no, screening is a fence requirement.

Good stated like an opaque screening fence.

G. Smith stated well they put up a metal fence across from me like a year or two ago. You familiar with 108 I. It's back to the I-3 zoning between Guy's Body Shop and Railroad Street. You guys put up a fence around there. There used to be 2 (two) houses there. There's like a 6 (six) or 8 (eight) foot fence there. I lost a roof right after they put the fence up. I can't prove that the fence had anything to do about it or not, but the house has been there about 50(fifty) years and then swish. To make a long story short I thought using screenings on parking, 1 (one) of my complaints is over that. The screening of the fence too. The people that. I was all into the I-3 Industrial District, when they changed where I lived at, but the City is slow but surely been pushing me. I'm in a residential house, everything else is in the I-3. I've been pushed away. I even tried to talk to my City Council lady and stuff. There's things that you guys could do to help out on my end, but they just won't be done.

A. Smith stated I mean if you're there existing, it's my understanding I think you can stay there as long as you want.

G. Smith stated well yeah but if something happens, I'd like to see this happen. If something happens to my house that I could actually re-build another house on that property but because of being I-3, if something happens to my house, it's gone. I gotta go back to Industrial deal, am I correct on that.

A. Smith stated I would have to go back to talk to legal about that.

Brown stated no, actually since you're existing non-conforming, if something were to happen to your house you would just go through the Board of Adjustments for a variance to be able to re-construct your house back at that location.

G. Smith stated okay, let's go back to this I-3. I got a neighbor on one side of me that I can't even work on the side of my house because he's such a butt head. Last time when I lost my roof a year or so ago, I went up on my roof and looked down, they're using the side of my house for a bathroom. I went to Ms. Johnson. I've been to City Council Meetings, and they just raise their hands and say oh well that's the way it goes. That's your neighbors. I've been all over town, I've been to attorneys, I've been everywhere, isn't there something since it's been an I-3 zone and

I'm residential, isn't there something that the City could do to at least get them to work with me to be able to work on my house, you understand what I am saying.

Brown stated we do. Unfortunately, we cannot get involved in civil matters. We can go out and address junk and debris, violations of code but a civil matter where they won't allow you to be able to work on the side of your house, we wouldn't be able to get involved with that.

G. Smith stated even civil matters, he the address that is on his tax returns and everything at the Court Clerk's Office, isn't him. When the City or I send stuff to him, he just doesn't pick it up because that's not his address.

Brown stated I did get a letter to him a couple of years ago.

G. Smith stated a couple of years ago.

Brown stated when you first came to me about it. I was able to send out a letter to him and he responded but unfortunately the civil matters, our City Council and Legal has said, if it's a civil matter we're not allowed to get involved. All we can do is the refer you to contact a lawyer.

G. Smith stated all lawyers in this town all they want to do is take your money, and it's just.

A. Smith stated I think what we're here to talk about today is just the screening of the fences.

G. Smith stated I have, you guys don't do no kind of I was going to say look into but this guy here he put up, you guys automatically put up a fence for him that's what he wanted it, there was no kind of research to see if there was water drainage or any kind. Being on I Avenue we get flooded out all the time when it rains. The fence doesn't help. The fence makes it worse. As far as Ms. Johnson and everybody they came by and say that can't do it but when they come to City Hall it's forget about. You understand what I am saying.

A. Smith responded not really; I mean.

G. Smith stated thank you, Allen.

A. Smith stated you bet. Any more discussion on that? Do I hear a motion to modify that. We need to close the Public Hearing. The Hearing is closed. Do I hear a motion?

**Motion by Jarvis, Second by Medders, to recommend approval to the City Council of an amendment to Chapter 18, Lawton City Code, 2015, Section 18-6-16-678. Aye: Logan, Medders, A. Smith, D. Jones, Jarvis, Jester, J. Jones Nay: None Motion Passed.**

## **8. Consider approving the record plat for Bulldog Subdivision of 7210 NW Cache Road, subject to conditions.**

Good stated this is a record plat called Bulldog Subdivision and it's located the southeast corner of Northwest Cache Road and Northwest 73<sup>rd</sup> Street, address is 7210 NW Cache Road. There is 1(one) parcel, which is the old pharmacy, just west of The Outback and there is a daycare located just south of that, Children of Joy Learning Academy. It has been brought to our attention that

they want to give the grass area, south of the pharmacy, to the Children of Joy Learning Center to build a parking lot, for additional parking. This is an unplatted area so they have to split this into 2(two) separate lots so that they can give that portion to the daycare. This is the record plat as you can see, they are splitting that section into 2 (two) separate parcels, 2(two) separate lots, creating that lot they won't have access to sanitary sewer. Currently the northern portion lot 1 (one) has an easement that goes across the Outback parking lot, the lot 2(two) does not. So, subject to those conditions, the condition is that they provide us an easement. The blue area on this picture is shown as a proposed easement that we told them that maybe they can get that easement across the daycare's parking lot, to get access to the sanitary sewer which is the green line on the image.

D. Jones asked what if they don't get the easement.

Good responded then we, this won't go to Council until they get that condition fixed.

Medders asked but if it's parking why would they need a sewer easement.

D. Jones stated all lots need sewage because lots change, you know ownership.

Good stated the use of the lot could change.

D. Jones stated it needs to be a publicly dedicated so they could get access to it.

A. Smith stated but if the owner sold the whole lot as 1 (one), there's already easement up by the pharmacy so they wouldn't need easement.

Good stated correct if they sold the entire lot.

A. Smith stated lot 1 (one) and 2 (two).

Good stated they're wanting to split off that southern portion, is the reason that they're needing to plat this. This was sent to Public Utilities, they approved on everything besides this condition needing to get that access. Storm Water also recommended approval on this plat. There are no public improvements to be constructed at this time and the property is currently zoned C-3 Planned Community Shopping Center District.

Medders asked does that have to be changed for the day care.

Good responded to use it as a parking lot, no Sir.

Medders stated okay.

D. Jones asked Kameron, they have access to water.

Good responded yes. I'm not sure. I think the water line runs potentially along the west side of the street. I'd have to clarify.

D. Jones stated probably. Certainly, there is one on Cache Road, but I would assume because that's a platted street, that the waterline is coming down.

Good stated the condition for that sanitary sewer easement was sent to us from Public Utilities and they didn't say about the water.

D. Jones responded they didn't say there was any problem with water, okay.

A. Smith stated I guess what we're trying to do is just to prove with the condition of having that easement there.

Good responded we've been in contact with the engineer, he's aware of this condition and they're working on acquiring that easement and they would have the options to get it from the Outback property to the east or go across the day care property to the south and get it.

D. Jones asked are you saying that's a public line in the Outback parking lot.

Good responded that green line is a public sanitary sewer line.

D. Jones stated I understand that but you're suggesting that if they couldn't get the one to the south, that they could get one from Outback.

Good responded yes, if they could get an easement to go across that parking lot, so that the property would have access to that sanitary sewer as well. Either way, currently the parcel as it is has an easement, it just goes from the southeast corner of lot 1 (one) and goes across the parking lot and connects. So, they can tie into that east sewer line but this lot 2(two) doesn't have access to that.

D. Jones stated okay.

A. Smith stated but it seems to me, if the daycare is buying that lot, to me that would be the easiest way for them to get their easement.

Good responded that's what was suggested from the Public Utilities Department because the day care is the one acquiring the property and getting that easement document should be easy.

A. Smith stated acquiring that property.

D. Jones stated you want it there because if you have to maintain it, you're not tearing up Outback's parking lot.

Good responded yes.

D. Jones stated you're adjacent to the street easement. Okay, move to approve the record plat for Bulldog Subdivision subject to conditions.

**Motion by D. Jones .Second by Medders**, to approve the record plat for Bulldog Subdivision of 7210 NW Cache Road, subject to conditions. **Aye:** Logan, Medders, A. Smith, D. Jones, Jester, Jarvis, J. Jones. **Nay:** None **Motion Passed.**

## **9. Commissioner's Report or Comments.**

None

**10. Secretary's Report.**

Brown stated I have got a couple of things, the Bishop Re-Zoning was approved Tuesday 7 (seven) to 1(one) not sure what the nay response was, but Councilman Harris voted against it, but it was approved. They will be able to move forward with the school. We have met, staff met with LPS in regard to the accessory uses and the fields and stuff like that and we are waiting for them to provide some more information back to us. Then the first meeting in September we will have a couple of more minor code changes that we're bringing to you guys for review. That's all I got.

A. Smith stated that's it.

**11. Comments from the Public.**

None.

**12. Adjournment.**

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

With no further business the meeting was adjourned.