

MINUTES CITY PLANNING COMMISSION

Minutes of the City Planning Commission meeting held September 15, 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 1:30 p.m. by Deborah Jones.

MEMBERS PRESENT: Ron Jarvis
 Deborah Jones
 Dave Davison
 Darren Medders
 Michael Logan

MEMBERS ABSENT: David Denham
 John Jones
 Shelli Fox
 Neil Springborn

ALSO PRESENT: Charlotte Brown, Senior Planner
 Kameron Good, Planner II
 Cindy Augustine, Legal
 Denise Ezell, Recording Secretary

Jones asked did we hear from the members that are absent.

Ezell stated yes.

Jones stated please let the record reflect those absent are excused

2. Verify posting of meeting.

Recommend Action: Verification of posting time and date

Meeting posted on September 14, 2022 at 9:45 a.m.

3. Establish Quorum.

Recommend Action: Establish that a quorum is present

Jones stated let the record reflect there are five (5) of the nine (9) members present.

4. Approval of Minutes.

Recommend Action: Motion to approve minutes from the August 25, 2022, meeting.

Motion by Medders, **Second** by Jarvis, to approve the minutes of August 25, 2022 meeting as written. **Aye:** Jarvis, Jones Deborah, Davison, Medders, Logan. **Nay:** None. **Motion Passed.**

BUSINESS

5. Consider approving construction plans for an 8-inch waterline and fire hydrant to serve K & D Construction company located at 119 NE 20th Street, subject to the conditions listed.

Recommend Action: Recommend approval for construction plans for an 8-inch waterline and fire hydrant to serve K & D Construction company located at 119 NE 20th Street, subject to the conditions listed.

Good stated Kameron Good, Planner II of the planning department. This is for an eight (8) inch offsite infrastructure waterline to install a fire hydrant for the property located at 119 NE 20th Street. The property owner is K & D Construction, and they are putting in the waterline. The intended use for the parcel is a PSO lay yard. The consulting engineer is Landmark Engineering. K & D Construction does have representation here if you have any questions.

Jones asked members of the board do you have any questions of Kameron or the applicant. Seeing none I will entertain a motion.

Motion by Medders, **Second** by Logan, to approve the construction plans for an 8-inch waterline and fire hydrant to serve K & D Construction company located at 119 NE 20th Street, subject to the conditions listed. **Aye:** Jarvis, Jones Deborah, Davison, Medders, Logan. **Nay:** None. **Motion Passed.**

6. Hold a Public hearing to consider a change of zoning from the R-3 Multiple-Family Dwelling District to the C-5 General Commercial District zoning classification, subject to the conditions of adding the required tree buffer and opaque screening for the property located at 1503 NW Sheridan Road, Lawton, OK 73505.

Recommend Action: Hold a Public hearing and recommend approval to the City Council of the rezoning from R-3 Multiple-Family Dwelling District to the C-5 General Commercial District, subject to the conditions of adding the required tree buffer and opaque screening for the property located at 1503 NW Sheridan Road, Lawton, OK 73505.

Good stated this is a rezoning request from R-3 multiple-family dwelling district to C-5 general commercial district located at 1503 NW Sheridan Road. This is one (1) block north of Cache Road off the corner of Sheridan and Lawton Avenue. The entire property will not need to be rezoned just the east four (4) lots. The surrounding zoning of this area is R3 to the north, C5 to the south, R3 to the east and C5 to the west. The current land use is commercial, and all the surrounding land uses is commercial. This is for a proposed tunnel carwash for Tommy's Express. The initiator is the Edna Hennessee Living Trust. This was mailed to thirty-one (31) property owners within 300 feet on August 23 and posted in the Lawton Constitution on August 28th. Staff's recommendation is to approve this with the required tree buffer and opaque screening on the eastside of the property due to the residential use to the east.

Jones asked with the exceptions that you noted is this the final site plan.

Good stated yes ma'am. It will have to go through the permitting process through License and Permits. This is the submitted site plan. I have noted with them that they will need to relocate their dumpster pad and their handicap access aisle needs to be the proper eight (8) feet. The fence and the landscaping plan have not been submitted.

Jones stated alright, thank you. Are there any other questions? If not, I will open the Public hearing. Anyone wishing to speak for or against this item please come to the podium and state your name and address.

Good stated we do have representative here if you have questions.

Public Hearing Opened

Jones stated seeing no one come forward I will close the Public hearing.

Public Hearing Closed

Jones stated I will ask for the commissioner's recommendation.

Motion by Jarvis, **Second** by Medders, to approve a change of zoning from the R-3 Multiple-Family Dwelling District to the C-5 General Commercial District zoning classification, subject to the conditions of adding the required tree buffer and opaque screening for the property located at 1503 NW Sheridan Road, Lawton, OK 73505. **Aye:** Jarvis, Jones Deborah, Davison, Medders, Logan. **Nay:** None. **Motion Passed.**

7. Consider approving the record plat for Eastlake Addition 3A – Sharps Replat.

Recommended Action: Approve the record plat for Eastlake Addition 3A – Sharps Replat.

Good stated this is for Eastlake Addition Part 3A Sharps Replat. The original plat was approved by Council on January 24, 2012. There was a replat done on October 27, 2020 and another replat done on December 15, 2020. That replat was vacated July 13, 2021. This is the new proposed Eastlake 3A Sharps Addition to this almost triangle shaped lot with a common area that will be maintained by the HOA. Here is the overlay of the aerial. As you see this unplatted property back here is going to be the 3A Sharp Replat.

Jones asked does that have street frontage.

Good stated the street frontage will come into the Eastlake 3A part. That is why they had to have a fifteen (15) foot driveway between the two (2) lots. It will be a common area as designated on the plat and will be maintained by the HOA. The fire marshal and public utilities have reviewed this and recommend approval.

Jones asked is there no fifty (50) foot frontage on a residential lot.

Brown stated when this part of Eastlake was originally platted Mossy Oak Drive is the actual road. All of this is a private drive. The houses here that have been platted this is a private drive. They are just adding an additional private drive here to attach to the lot they are making in the back.

Davison asked the lot in the back will it have any construction on it.

Brown stated it is supposed to be a single-family resident.

Davison stated I thought it was going to be donated to the HOA.

Brown stated no, just the common area right here. The area labeled "Common Area" right here is going to be donated to the HOA. This is going to be their driveway to get back there.

Davison stated I thought that was going to be driveway.

Brown stated this area will be driveway.

Jones stated I'm sorry I am confused on this plat because I wasn't involved in it. Is there a separate instrument in the easement, beside this plat, that gives the new Lot 18...

Good stated it will be Lot 23 for Block 18.

Jones stated oh okay, thank you. Is there a separate easement or a note on the plat regarding the giving access from the HOA?

Good stated yes ma'am. It is noted on the plat that the intended purpose for Common Area B is to provide private drives, open space to be owned and maintained by the Homeowners Association. That is written on the plat.

Jones stated before I went to Council, I would seek an opinion on whether they needed a separate instrument or put it on the face of the plat.

Brown stated okay.

Jones stated then if we continue to replicate this you start to set a pattern of them knowing legally that they have access.

Davison asked how do you have a piece of land donated to the HOA to take care of, yet it is going to be a private driveway for a resident that is living there. I don't quite understand how you can have two (2) different ownerships.

Jones stated and maintenance responsibility.

Augustine stated all of that is a private drive for the townhouses there. This is a townhouse subdivision.

Jones stated oh, I see what you are saying it is like PUD.

Augustine stated yes. That access for Common Area B will still give the north and south lots access for their driveways. So, it is not just for the new plat.

Jones stated no, I understand what you are saying. I understand it says on the face of the plat it is to be designated a common area. Are there any other instruments in the townhouse PUD that gave them the lots?

Augustine asked on the original plat.

Jones stated or whenever we did this PUD.

Augustine stated yes, there was a note on there that it is common area and to be maintained by the HOA.

Jones stated okay, so that answers Dave's question. The Homeowners Association are going to maintain all the driveways.

Augustine stated correct.

Jones stated what they are saying is all of this, correct me if I'm wrong, all of this as well as this is all private driveways. They will come in here and do that. These are the lots.

Good stated the private driveway has lots on either side of it.

Jones stated and it says on the face of the plat, one of the plats, that the Homeowners Association will maintain from here, going to here, going to here, going to here, and here.

Davison asked does it say who is to asphalt it or whatever they are going to do with that driveway.

Jones stated I assume that will be handled in the building permit.

Good stated the private road access that loops around right there from the road, that is already built. The only new piece is just this piece going between these two (2) lots so this lot will have access. All this is already a private access road. As you see on the aerial this road over here has been built and there is a house built over there. These two (2) lots are vacant and the new one is vacant as well.

Jones stated okay, I'm finally understanding what is going on. Do we have a motion?

Motion by Medders, Second by Logan, to approve the record plat for Eastlake Addition 3A – Sharps Replat. **Aye:** Jarvis, Jones Deborah, Davison, Medders, Logan. **Nay:** None. **Motion Passed.**

Jones stated I think when you go to Council you might want to have a slide and remove your lots. Have a slide that shows your public street and the driveway lanes. That way they can kind of follow the mouse through the maze.

8. Discuss and approve appointing an ‘Alternate’ for the Lawton Metropolitan Transportation Policy Board (LMPO) to serve in the absence of the CPC Chairman.

Recommended Action: Approve appointing an ‘Alternate’ for the Lawton Metropolitan Transportation Policy Board (LMPO) to serve in the absence of the CPC Chairman.

Brown stated this was discussed at the last meeting but due to the wording of the item we had to bring it back for approval. We are bringing it back to officially approve an alternate.

Jones asked do you remember who we were going to appoint.

Brown stated I believe it was the vice chairman, John Jones.

Jones stated okay, can I entertain a motion.

Motion by Logan, Second by Medders, to approve appointing the Vice Chairman, John Jones, as the ‘Alternate’ for the Lawton Metropolitan Transportation Policy Board (LMPO) to serve in the absence of the CPC Chairman. **Aye:** Jarvis, Jones Deborah, Davison, Medders, Logan. **Nay:** None. **Motion Passed.**

9. Commissioner’s Reports or Comments.

Davison stated last month we talked about the Ward 4 Councilperson, I believe that was taken care of since then.

Brown asked Dewayne, has Ward 4 Councilperson been determined to be George Gill.

Burk stated yes.

Jones stated I believe that was in the newspaper. Are there any other comments?

10. Secretary’s Report.

None

11. Comments from the Public.

None

12. Adjournment.

There being no further business the meeting adjourned at 1:50 p.m.

Motion by Medders, Second by Logan, to adjourn. **Aye:** Jarvis, Jones Deborah, Davison, Medders, Logan. **Nay:** None. **Motion Passed.**