

MINUTES
CITY PLANNING COMMISSION

Minutes of the City Planning Commission meeting held October 15, 2020 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 Chairman David Denham.

MEMBERS PRESENT: David Denham
Ron Jarvis
Paula Bowen
Neil Springborn
Deborah Jones
Dave Davison
Darren Medders

MEMBERS ABSENT: John Jones (excused)

ALSO PRESENT: Charlotte Brown, Planning and Subdivision Administrator
Cindy Augustine, Planning and Subdivision Administrator
Greg Gibson, Assistant City Attorney
Richard Rogalski, Secretary
Travis Estep, Senior Transportation Planner
Tammy Anderson, Recording Secretary
John Mackey, Legal Counsel

CONSIDER APPROVING THE MINUTES OF THE SEPTEMBER 24, 2020, MEETING.

MOTION by Davison, SECOND by Medders, to approve the minutes of the September 24, 2020 meeting. AYES: Jarvis, D. Jones, Davison, Denham, Bowen, Springborn, Medders. NAYS: None. MOTION CARRIED 7 - 0.

CONSIDER RE-APPROVING THE RECORD PLAT FOR A REPLAT OF BLOCK 18, LESS AND EXCEPT LOTS 5 AND 6, OF EASTLAKE ADDITION, PART 3A.

The Replat of Block 18, Eastlake Addition, Part 3A, is located approximately 1/4 mile east of NE Flower Mound Road on the north side of NE Cache Road and contains 14 lots totaling 3.56 acres. The zoning is R-1 Single-Family Dwelling District in a Planned Unit Development Overlay District. The developer is Keegan Ledford and the consulting engineer is Alan Hendrick.

The original plat included 20 lots in Block 18 for townhouses. On January 12, 2012, CPC recommended approval of the original plat which City Council approved on January 24, 2012.

The developer submitted a request for a Planned Unit Development Overlay District for Block 18, less and except Lots 5 and 6, Eastlake Addition, Part 3A. Lots 5 and 6 had already been developed. The overlay district provided flexibility, such as no setbacks or coverage requirements, when developing the townhouse lots. On December 13, 2018, CPC recommended approval of a PUD overlay district which City Council approved on December 18, 2018.

The developer submitted a replat of Block 18, Less and Except Lots 5 and 6, of Eastlake Addition, Part 3A, that contained 14 townhouse lots and was in conformance with the PUD overlay site plan. CPC recommended approval of the replat on February 28, 2019 and City Council approved on March 12, 2019. However, Section 21-3-305C of the Lawton City Code states that any record plat approved by City Council is required to be filed in the office of the county clerk within 60 days from the date of council approval or the record plat is void.

The public improvements for this replat have already been constructed and accepted by City Council.

Staff has reviewed this replat and recommends re-approval.

MOTION by D. Jones, SECOND by Jarvis, to re-approve the record plat for a Replat of Block 18, Less and Except Lots 5 and 6, of Eastlake Addition, Part 3A.
AYES: Jarvis, D. Jones, Davison, Bowen, Medders, Springborn, Denham. NAYS: None.
MOTION CARRIED 7 – 0.

CONSIDER APPROVING A RESOLUTION FINDING AMENDMENT NO. 5 TO THE DOWNTOWN I URBAN RENEWAL PLAN ADDING INSTITUTIONAL, LIMITED INDUSTRIAL, MEDICAL SERVICES, AND RESEARCH SERVICES AS PERMITTED USE WITHIN THE COMMERCIAL CENTRAL DISTRICT TO BE IN CONFORMANCE WITH THE 2030 LAND USE PLAN FOR THE CITY OF LAWTON.

On September 22, 2020, the Lawton City Council approved a lease of the vacant Sears store in Central Mall for Fires Innovation Science and Technology Accelerator, or FISTA. FISTAs activities are slated to include defense-related industrial space for research and development, science and technology laboratory rooms, and an initial prototyping integrating facility. With the closing of two of the anchor stores and the leasing of Sears, it is evident the mall is transitioning to non-retail uses. It would be prudent to expand the permitted uses to allow for opportunities of continued uses for the remaining spaces in Central Mall and allow institutional, limited industrial, medical services, and research services uses in the Commercial Central District.

On October 12, 2020, the Lawton Urban Renewal Authority adopted Resolution No. 20-12 amending the Downtown I Urban Renewal Plan to add institutional, limited industrial, medical services, and research services as permitted uses within the Commercial Central District.

A minor modification of an urban renewal plan requires approval by the Lawton Urban Renewal Authority, a finding by the City Planning Commission that the proposed modification is in accordance with the 2030 Land Use Plan, and then final approval by the City Council.

Commissioner D. Jones said she is concerned about the 2030 Land Use Plan being out of date.

Rogalski said staff is working on finalizing the 2045 Land Use Plan.

Commissioner Medders asked if there is a plan to address drainage issues at Central Mall.

Rogalski said the mall parking lot was designed to hold water and meter it out at a slower pace. However, when rain accumulates at a rapid rate (e.g. 5 inches in 15 minutes) there's no where for the water to go. Rogalski said there are some areas of the mall that do need drainage work. He said the City will look at these issues moving forward. Rogalski said changing the size of the underground storm drain system is not easy, but it can be done if necessary. He said drainage issues will need to be assessed carefully. If water is simply pushed off the property it will become a flooding issue for nearby property owners.

Commissioner D. Jones said one of the biggest problems in the development of the mall is that the drainage south of F Avenue all the way past Lee Boulevard is inadequate. She agrees with Richard in the sense that pushing water off mall property could possibly create a detention pond with no outflow.

MOTION by Jarvis, SECOND by Medders, to adopt Resolution No. 20-2 finding the Amendment No. 5 to the Downtown I Urban Renewal Plan to add institutional, limited industrial, medical services, and research services as permitted uses in the Commercial Central District to be in conformance with the 2030 Land Use Plan for the City of Lawton and recommending approval to the City Council.

AYES: Jarvis, D. Jones, Davison, Bowen, Medders, Springborn, Denham. NAYS: None.

MOTION CARRIED 7 – 0.

HOLD A PUBLIC HEARING AND CONSIDER AN AMENDMENT TO CHAPTER 18, LAWTON CITY CODE, 2015, THAT CREATES SECTIONS 18-4-3-450 THROUGH 18-4-3-458 TO CREATE THE SIMPLE PLANNED UNIT DEVELOPMENT OVERLAY ZONING DISTRICT AND CREATING THE REGULATIONS OF SAID DISTRICT.

The Planning Division has been approached by the Lawton Housing Authority to amend the City Code to allow smaller lots for affordable housing. They have recently received several lots from the Lawton Urban Renewal Authority and are planning to replat the lots in order to build smaller homes on them. City Code currently does not allow any lots smaller than 6,000 square feet for single-family dwellings.

Attached is the proposed ordinance establishing the simple planned unit development (SPUD). The SPUD would be an overlay zoning district that provides an alternative approach to conventional land use controls and to a traditional PUD to maximize the unique physical features of a site and produce unique, creative, progressive and/or quality land developments. The SPUD would require a narrative and development plan map which would be adopted as part the ordinance approving the SPUD overlay. General design and development guidelines include amenities, land area, off-street parking, relationship to abutting uses, and common access. The public hearing process for approval of a SPUD would follow the same process as a rezoning.

Notice of public hearing was published in *The Lawton Constitution* on September 30, 2020.

Chairman Denham declared the public hearing open.

Chairman Denham declared the public hearing closed.

MOTION by D. Jones, SECOND by Medders, to recommend to the City Council approval of an amendment to Chapter 18 that creates Sections 18-4-3-450 through 18-4-3-458 to create the Simple Planned Unit Development (SPUD) overlay zoning district and creating the regulations for said district. AYES: Jarvis, D. Jones, Davison, Bowen, Medders, Springborn, Denham. NAYS: None. MOTION CARRIED 7 – 0.

COMMISSIONERS' REPORTS OR COMMENTS

Commissioner D. Jones said she read this weekend about the proposal from the Friends of the Library to put a mural on the façade of the library. She said that while she has no objection to the content of the mural, she would like to suggest to the Mayor and City Council that the project be amended to not allow any mural to be painted on the red brick façade. Commissioner D. Jones said the library was built by the McMahon Foundation and was the cornerstone of the Civic Center project. The library was to be the new focal point of Lawton, and it was built with library plazas on the north and south that were fully landscaped and irrigated. Commissioner D. Jones said the library was built in the early 70's. In the early 90's, the McMahon Foundation sent correspondence to the City of Lawton with regards to their failure to properly maintain facilities such as the library, the auditorium, and the Museum of the Great Plains. Over a period of time, this led to the McMahon Foundation changing their financial emphasis to Cameron University. Commissioner D. Jones said she would like to maintain the library's brick façade. She would like to propose to the City Council that a free-standing frame be built to hold the

mural. She noted that all murals are temporary in nature, and this option would allow for future removal of the mural if necessary. Commissioner D. Jones said she has not spoke with Dr. Sheppard regarding this issue.

Commissioner D. Jones said she'd also like to recommend that all DLARC appeals within the overlay district be moved from the Board of Adjustment to the City Planning Commission. She said the CPC represents every Ward and has a natural recommending process to the City Council. Commissioner D. Jones said there are more interested parties in the downtown area than ever before (e.g. the Lawton Economic Development Authority, the Lawton Urban Renewal Authority, and the new FISTA project). She said these parties don't necessarily fall within the 300-foot notification boundary. Commissioner D. Jones said the Planning Commission could provide a forum where these parties are brought together to provide a good flow of information and opinion. Commissioner D. Jones said the Board of Adjustment is a statutory committee that's really meant for development hardship.

Commissioner D. Jones recommends that Dr. Sheppard and possibly the Chairman of the McMahon Foundation meet with the Mayor and see if an alternative can be worked out that would allow the library building to remain untouched. She said she doesn't think it's a good idea to paint murals on modern architecture.

Commissioner Davison said he agrees with Commissioner D. Jones.

Mackey said we must also be careful to not create something that would potentially offend someone in the future.

Commissioner D. Jones said her real concern is the way murals must be removed. She said this typically involves abrasives that would alter the original look of the brick.

Chairman Denham inquired about the status of this project.

Rogalski said the next step of this project is the approval of a Memorandum of Understanding between the Friends of the Library and the City of Lawton. This item will be brought before the City Council on October 27th. He said the mural was considered by LETA and DLARC. The DLARC denied the mural, and an appeal of this decision was brought before the Board of Adjustment. The BOA approved the appeal. City Council will have the final decision on approval of the mural.

Rogalski said at the last LURA meeting he was asked to organize a joint session between the Downtown Lawton Architectural Review Committee and the Board of Adjustment in an effort create more understanding amongst the two bodies.

Rogalski said all appeals brought before the Board of Adjustments deal with Chapter 18 of City Code. He said all changes to Chapter 18 are brought to the Planning Commission before they go to the City Council, so it is appropriate for the Planning Commission to give direction on modifications made to Chapter 18.

Rogalski also noted that an appeal of the Board of Adjustment goes to District Court and is taken out of the City's purview. Whereas an appeal of Planning Commission goes before City Council. Rogalski said Commissioner D. Jones's recommendation would make the process more internal and he does not see much flaw in it.

Chairman Denham said if he recalls correctly the main objection to the mural surrounded the interpretation of the mural as a sign.

Rogalski said there were two issues. He said the DLARC was ruling on the suitability of the mural in the Downtown Lawton Overlay District. The other issue was that the mural constituted a sign because it spells the word "library". However, the appeals for both issues were approved by the Board of Adjustment.

Rogalski said the Planning Commission's recommendation on the mural would be a letter signed by the Chairman from the Planning Commission addressed to the Mayor and City Council. He said the process of changing the appellant of decisions made by the Downtown Lawton Architectural Review Committee would require a code change.

SECRETARY'S REPORT

Rogalski said the applicant for the rezoning request at 501 NW 38th Street has withdrawn his request. This request will not proceed to City Council.

Mackey asked if work is still being done with the Census.

Estep said new counts are no longer being accepted as of midnight this morning, but staff is still working on processing data. He said approximately 70% of these counts have been self-reported.

Estep said a draft of the 2045 Land Use Plan will be brought before the Commission by January 2021. Travis said staff encourages Commissioners to review and critique the draft Plan once it is presented to them so that appropriate changes can be made before compiling a final draft. He said the final approval of this Plan will be brought before the City Council.

AUDIENCE PARTICIPATION

None.

Meeting adjourned at 2:07 p.m.

David Denham, Chairman
City Planning Commission