

**MINUTES
LAWTON URBAN RENEWAL AUTHORITY**

Minutes of the Lawton Urban Renewal Authority meeting held April 19, 2022, in the 2nd Floor Conference Room, City Hall, 212 SW 9th Street, Lawton, Oklahoma.

The meeting was called to order at 1:00 p.m. by Chairman Ernest Sheppard.

Notice of the meeting and agenda were posted on the City Hall bulletin board on April 15, 2022 at 1:33 P.M. by Donalynn Blazek-Scherler, as required by State law.

ROLL CALL

MEMBERS PRESENT: Jacob Brox
Jesse Cross
John Purcell, Jr.
Ernest Sheppard

MEMBERS ABSENT: Joe Abshire

OTHERS PRESENT: Janet Smith, Planning Director
Gregory Gibson, Assistant City Attorney
Cindy Augustine, Real Property Admin
Charlotte Brown, Code Plans Supervisor
Kameron Good, Planner I
Susan Schlecht, Finance
Denise Ezell, Recording Secretary

3. Establish Quorum.

Recommended Action: Establish that a quorum is present.

Four (4) of the five (5) members present.

4. Approval of Minutes.

Recommended Action: Motion to approve minutes from the February 15, 2022, meeting.

Motion by Cross, **Second** by Brox, to approve the minutes of February 15, 2022 as written.

Aye: Brox, Cross, Purcell, Sheppard. **Nay:** None. **Motion Passed.**

BUSINESS

5. Consider approving the expenditures for the months of December 2021 through April 19, 2022 and accepting the financial status report for the month of February 2022 and March 2022.

Recommendation Action: A motion to approve the expenditures and to accept the financials.

LURA Minutes
April 19, 2022

Schlecht stated we have two (2) months on financials and expenses. There are two (2) expenses from Lawn Wizards. One from September 17th and one from November 30th. Both were for \$2,080. We have one from Smith and Son for \$529.

Purcell asked do we have a sheet on the expenses.

Schlecht stated no. If you need a check number or any information I can provide that. You probably won't see those on your financials unless they are in accounts payable.

Sheppard asked do you want to approve the expenses and then the financials.

Schlecht stated that is up to you. Since it is listed as one item, we can approve them all together.

Sheppard stated alright. You can move to the financials for February and March.

Schlecht stated looking at the balance sheet for February we began the month with \$15,819.56. Smith and Son cleared in the amount of \$529 and the audit invoice also cleared the cash. Those are no longer in accounts payable. The bank fee and interest has been applied as well. At the end of February your balance was \$11,489.55. Outstanding accounts payables currently is \$4,960 for Lawn Wizards. Are there any questions.

Purcell stated I'm confused. I know I bring this up almost every time. You answered part of my questions. Let's start with February. In the checking account we have \$11,500 and we have payables of \$4,160. The Profit and Loss doesn't show anything other than the bank charges. Obviously, something was paid in March that reduced the balance in the checking account to \$9,400 and we still have payables of \$2,080. Nothing shows up in the way of expenses for March. So, my question is, the \$4,160 was a payable and they came in earlier as you explained. One in November and one in September. I understand that. When did we pay some of the \$4,160 that showed up at the end of February? Was it paid in March?

Schlecht asked when you say pay do you mean when did we cut a check.

Purcell stated yes and mail it.

Schlecht stated the check run was in December. The September 15th invoice was on December 22, 2021 and the November was on December 17, 2021.

Purcell asked that was when you sent the check out.

Schlecht stated that was when the checks were cut and mailed on the following Monday.

Purcell stated now I'm more confused. If that is the case was that in the \$4,160 payable.

Schlecht stated yes.

LURA Minutes
April 19, 2022

Purcell asked at the end of February.

Schlecht stated yes.

Purcell asked how can they be payables at the end of February if you mailed the checks in December or November. This confuses me on the financials every single time.

Schlecht stated it is a payable until it takes cash out of the bank.

Purcell asked is that some new accounting principle under governmental accounting. I haven't taken governmental accounting for fifty-five (55) years. Unless it has changed that is impossible.

Schlecht stated it is.

Purcell stated I'm not criticizing I'm saying this is very confusing. It looks like we had \$11,500 available to spend at the end of February when in reality we didn't. Even though it hasn't cleared the bank you can't write checks if those cleared before the end of February. See what I'm saying.

Schlecht stated yes, which is why it is a payable.

Purcell stated it is misleading in terms of cash. If we needed money to pay bills we don't have as much as it appears on the balance sheet. We have less. Normally when the bill comes in you debit the expense and you credit the payable. The minute you write the check and mail it you credit the bank account and debit the payable which reduces the payable. Then you know exactly how much money you have at the end of the month to pay future bills. We are not seeing that. That is happening on a regular basis.

Schlecht stated right.

Sheppard asked is there an accounting reason you don't take it out of the payables until the cash is going out of the account.

Schlecht stated you are correct. It can be handled both ways. You could write a check but hold on to it until the end of the following month. You have the option at that moment to take it away from your register now or wait until it is cashed and clears the bank. Now that changes my cash. The way I handle this is waiting until it goes through the bank. Once it clears the bank then the cash is lowered.

Purcell stated I understand, but it is very misleading for anyone looking at the financial statements. I'm not sure it would pass an audit and I know we have been audited many times. Right now, you show at the end of March we have payables of \$2,080. Have you written and mailed that check?

LURA Minutes
April 19, 2022

Schlecht stated yes, the \$2,080 is one of the payables in February and was paid. He cashed one of the checks and it has cleared the bank in March. This is why our cash is now \$2,080 less.

Purcell stated have you sent out this other \$2,080 payable that was on March 31st.

Schlecht stated yes, that checked went out in December. I'm not sure which one it is because they are the same. We will say December 21st.

Purcell stated what I'm saying is we don't have available to us today \$9,400. We have approximately \$7,400.

Schlecht stated exactly.

Purcell stated so the financials are misleading. They don't reflect what we have available.

Schlecht stated I understand this is not your preferred way. It is not misleading and at the last meeting I told everyone we had about \$7,000 and some change. I made sure to tell you that. It is always that amount minus your account payables. Going forward we can reflect that.

Purcell stated I believe it needs to.

Schlecht stated I have no problem verbally adjusting it.

Purcell stated I think it needs to show on the financials. If I were auditing this, I would say there was a problem with the books because you don't have that amount. I thought we were missing something in the expenditures in February and March, but the expense happened in September and November. Do you ever pick anything up as an expense that shows on the Profit and Loss? Does it ever go through an expense account so we would see it as an expense on the Profit and Loss?

Schlecht stated yes.

Purcell stated back in September and November.

Schlecht stated yes. It is just a preference of treatment. I have done this for all the component units. No auditor has every said anything about it. I mean I can do that.

Purcell stated that is up to the rest of the committee.

Schlecht stated it is a matter of subtracting it and telling you what the actual amount is. I keep this here because I need to know which checks are outstanding. At the end of the fiscal year, we want all the checks to be cashed. I communicated with Renee at Lawn Wizards to let them know that he has only cashed one (1) check. It is a concern.

Purcell stated that comes about because you reconcile the checkbook. You know those checks are outstanding.

LURA Minutes
April 19, 2022

Schlecht stated yes, I balance the account every single month.

Sheppard asked are you waiting on a bank statement to reflect the check clearing the bank before you adjust the balance sheet.

Schlecht stated before I remove the accounts payable.

Purcell stated to me this is different. I would not keep a personal checkbook that way. You could. Your personal checkbook it not a big deal because you're not telling us or the world how much money you have available. I'm saying the balance sheet should reflect what is available for us to spend and it doesn't. If we had a bill for \$9,000 the balance sheets reflects we have enough money and we don't.

Schlecht stated exactly.

Purcell stated that is why I think that is a problem.

Schlecht stated okay, if the board wants me to change that I can put it on here. I'll find another way to track payables if I need to.

Purcell stated it is up to the board. If everyone is happy with the way it is, I'll shut up.

Sheppard asked are there any suggestions or questions.

Brox stated I'm with you, but I don't want to add extra work.

Purcell stated I'm not sure it is extra work.

Schlecht state no it isn't.

Sheppard asked how do you handle the other trust.

Schlecht stated the same way.

Purcell stated okay, I'll shut up.

Schlecht stated okay, in March we started the month with \$11,489.55 and by the end of the month the Lawn Wizard check for \$2,080 clear and we had the interest and bank fees. It was a negative.89¢. That's how we got to \$9,408.66. That is cash in the bank. The accounts payable has been adjusted to one (1) check outstanding for \$2,080. On the Profit and Loss, you have the interest and bank fees.

Cross stated I can't believe the bank charges us .97¢.

Schlecht stated the bigger the balance the more they charge.

LURA Minutes
April 19, 2022

Motion by Brox, **Second** by Cross, to accept the financials. **Aye:** Cross, Purcell, Sheppard, Brox. **Nay:** None. **Motion Passed.**

6. Consider approving a Contract for Sale of LURA Lots

Recommended Action: Motion to approve the contract for sale of 61 lots in Lawton View at \$1000 each for a total amount of \$61,000 to Builder Investment Group, 1723 W. Britton Rd., OKC, OK., and to accept a check for earnest money in the amount of \$6,000.00.

Smith stated unfortunately they are not with us today. The asked me to let you know it was not because they were not interested in this contract. They had another meeting in Oklahoma City. I apologize, the last contract I sent out had a few errors. This contract is for a \$1,000 for each lot with a total of sixty-one (61) lots. That was the discussion we talked about the last time. There was some discussion on a higher price for the smaller lots but in negotiation after the meeting they said they would hold firm to a \$1,000 for each lot. You will get a check for \$61,00 if you accept this contract.

Sheppard asked and that includes all the twenty-five (25) foot lots.

Smith stated yes sir. Cindy Augustine is with us today. She has worked with me to verify the lots. We had to remove some of the lots because the city needed them for right-a-way or had designated them for other uses. They are willing to purchase these lots and would like for you to approve this contact. They have given me a check for \$6,000 that I'm holding.

Gibson asked is this contingent on Council accepting the smaller lot size.

Smith stated it is not. They want them. If there were three (3) lots and Council doesn't approve the twenty-five (25) foot lot, they would just sell the small lot with the other two (2). It is not contingent on anything. They are serious about wanting to build here and I'm excited about it. We have lost a little momentum because we didn't approve this the first time. They have moved us behind some of their more expensive areas in the city. However, they are committed to building here.

Sheppard asked how many lots did you take out for city use.

Smith stated we just kind of substituted some. I think there were two (2).

Augustine stated there were two (2) we left out.

Smith stated we found two (2) had already been sold or donated to another agency. It was good that the contract wasn't approved because we were able to go over it with a fine-tooth comb and go through legal to make sure we were able to sell these.

Sheppard asked Cindy, does that liquidate all our lots to include the ones going to the city or other agencies.

LURA Minutes
April 19, 2022

Augustine stated yes.

Smith stated no more grass cutting.

Cross asked no more grass cutting as of the day they sign the contract.

Sheppard asked what does the committee want to do.

Motion by Cross, Second by Purcell, to approve the contract for sale of 61 lots in Lawton View at \$1000 each for a total amount of \$61,000 to Builder Investment Group, 1723 W. Britton Rd., OKC, OK., and to accept a check for earnest money in the amount of \$6,000.00. **Aye:** Purcell, Sheppard, Brox, Cross. **Nay:** None. **Motion Passed.**

7. Discussion concerning recommended changes to the municipal code concerning minimum lot sizes.

Recommended Action: None

Smith stated this is concerning the minimum lot size. You see the draft ordinance and let me point out residentially owned platted lots. We did an analysis of the smaller lots. I asked staff to put together a list that shows how many lots we had available that were twenty-five (25) foot and a non-conforming lot. I'll let Kameron explain this. We have a need for an ordinance such as this to be outside the LURA lots. We have other areas within the city with smaller lot size.

Good stated the map shows the non-conforming lots right now. It shows all the twenty-five (25) foot lots. The map shows which ones are platted and where they are platted. These are the ones that doesn't meet our required single family dwelling lot size. They are considered to be non-conforming. This ordinance allows an individual to build on those lots if they meet the standards under 18-7-1-704 of the ordinance. It allows a single-family dwelling to be constructed which is located on a residential zoned lot. Codes says, "the lot is not smaller in size or width of fifty (50) percent of the minimum lot area or lot width required by that applied zoning other than townhouses, main accessory buildings, shall not cover more than forty-five (45) percent." This is a coverage rule in our single-family dwelling code, so we put it in here also. This would allow someone to develop on a twenty-five (25) foot lot if they meet the coverage rule.

Smith stated and our normal standard would apply. We wanted you to see what we are working on. We do have things in place that regulate where trailers can go. There are specific areas within the city they can go. Charlotte is that correct.

Brown stated yes.

Smith stated there are standards for manufactured homes. Theoretically they could go on a smaller lot because they are different than trailers. Anything that goes there will have to be approved.

Good stated look at the chart. This is a breakdown of what the map actually means. There is a total number of lots in each of these that are twenty-five (25) feet and are considered non-

LURA Minutes
April 19, 2022

conforming. There are six thousand nine hundred and ninety (6,990) and one thousand one hundred forty-eight (1,148) are vacant. In Lawton View we have eight hundred twenty (820) vacant lots that can not be built on.

Smith stated they are too small.

Good stated they don't meet the single-family criteria. This map shows all six thousand nine hundred ninety (6,990) lots. Only eighteen (18) percent of those are vacant. This code change would allow someone to build a single-family dwelling on a twenty-five (25) foot lot.

Smith stated another aspect that is important is a block has thirty-two (32) lots. We are proposing that no more than twenty-five (25) percent of that block be developed as a single twenty-five (25) foot lot. We don't want to overweight it in such a way that we have a lot of small houses. We want a good blend and mix. Those are things we are considering.

Good stated we would like to hear discussion from you on how you would like to see these limited. Would you like to see it limited to twenty-five (25) percent? We have in place if it is a twenty-five (25) foot lot they can go to the Board of Adjustment to get a variance and build. We would put something in Section 704 that would say if we have met the twenty-five (25) percent you could appeal to the Board of Adjustment. It would be limited with the ability to go through an appeal process.

Sheppard asked can you summarize what you are saying in one (1) or two (2) sentences.

Good stated we have lots that are twenty-five (25) foot lots and are non-conforming. This allows someone to build a single-family dwelling on that lot. We are asking you if you if you want to limit the number of builds within a block. Do you want to limit it to twenty-five (25) percent so that only eight (8) shotgun homes could be built in a block?

Commented [PE1]:

Cross asked what happens if I want to combine three (3) lots to build a house.

Good stated that would be a conforming lot.

Brown stated you would marry those lots together and they become one (1) piece of property. It would meet the regular standards we have now.

Brox stated under the current ordinance you cannot build on a twenty-five (25) foot lot.

Good stated correct. The minimum is fifty (50) foot.

Brox asked would this new ordinance affect anyone living on a lot right now. We won't be kicking anyone out or anything like that.

Smith stated no.

Good stated it allows for more development on the non-conforming lots.

LURA Minutes
April 19, 2022

Brox stated I just need to know that is a fact.

Smith stated yes.

Good stated if someone has a non-conforming lot with a house and it burns by more than fifty (50) percent you must go before the Board of Adjustment to build back. If you are in a residentially zoned area, you would not have to go through that appeal process to build back.

Smith stated we changed that. Why should someone, as long as they comply with all the other regulations, have to be burdened with that process because their structure burned.

Good stated if they are in an industrial zone, they would have to go through the appeals process to rebuild. If they are in a residential area, they do not have to do that. This is part of the new ordinance.

Purcell asked don't you have to have a setback on either side.

Good stated yes.

Purcell stated so that means you are building a house that is only fifteen (15) feet wide.

Smith stated yes, they are long and narrow.

Purcell stated I don't know how you build something like that.

Good stated they are building them all over. Arkansas has taken over this concept. You can go through the Board of Adjustment and expand it to eighteen (18) feet if you wanted. Fifteen (15) foot wide meets our covered rules with multi bedrooms, living room, and kitchen.

Smith stated it is amazing. They have show us what they would like to do. We just wanted to give you an opportunity to think about this. We are not ready to present anything yet.

Brox asked just here.

Smith stated yes.

Good stated those are the only lots that apply.

Sheppard asked what does 2-I mean.

Good stated fifty (50) percent of our minimum would be twenty-five (25). Our minimum is fifty (50) foot wide. This means they couldn't go lower than fifty (50) percent of the lot area. Minimum lot size is six thousand (6,000) square feet so you would not be able to go below three thousand (3,000) square feet.

LURA Minutes
April 19, 2022

Brown stated if we take a twenty-five (25) foot lot and do a lot line adjustment to take five (5) feet of the lot the twenty (20) feet left would have to be joined with another property to get three thousand (3,000) square feet. You can't build on the twenty (20). The minimum is twenty-five (25) feet.

Sheppard asked is that buildable space or total lot.

Good stated total size. Basically, this lowers the building lot size from six thousand (6,000) to three thousand (3,000) square feet.

Cross asked what is the difference between a trailer without an axle and a modular home.

Brown stated a modular home is without a chasey and is made to fit on a foundation. A mobile home is built to HUD standard and is drivable down the street. HUD standards do not transfer to a modular home.

Cross asked does city code say you have to be in a trailer park.

Brown stated in a mobile home park or sub-division.

Good stated we did not adjust anything like that. That is in place in Chapter 14.

Brown stated this does not allow mobile homes or travel trailers to be placed as a permanent resident at this area.

Good stated are you questioning if you feel it is necessary to limit a block to a certain amount of these homes. Would you want them to be able to build thirty-two (32) in a block?

Cross stated I think they should be limited.

Sheppard asked why.

Cross stated you would have a lot of row houses together. I would think it would be a fire hazard.

Sheppard stated I'm thinking about the homeowners. New construction would be valuable for them.

Good stated they are talking homes in the \$90,000 to \$100,000 range.

Smith stated they will have granite and high-end aspects. We have to get a price point that is affordable. We want to start a transition, but we want to start in a price point with a better product. If we put something there in the \$170,000 range I'm not certain that will work. We have to start the transition, so we get people moving out of the older homes.

LURA Minutes
April 19, 2022

Sheppard stated we are talking about limiting this to twenty-five (25) percent of the non-conforming lots.

Good stated that is an option.

Sheppard asked how many blocks will that affect.

Good stated everything in orange is a twenty-five (25) foot lot.

Sheppard stated yes, but a lot of those have two (2) and three (3) lots.

Good stated yes, this would not limit them to building on that. This just gives the capability to build a house on a single twenty-five (25) foot lot. If you have four (4) lots right next to each other and build four (4) of these homes, it will allow that. We are trying to find a way to limit it to where they can't come in and build thirty-two (32) or sixteen (16) on one (1) street.

Sheppard asked and why do you want to do that.

Smith stated the value of the area historically for one (1) reason.

Sheppard asked do you think it will lower the value.

Smith stated new construction invariably increases the value. If overnight fifteen (15) of these are side by side they are going to wonder what happened. We are trying to regulate the pace of change. Later if we decide we like this concept we can bring it back and change it. We don't want too over correct.

Good stated this gives you a good step up in the price point of \$90,000 to \$100,000. It gets that area up one (1) step. We don't want to take over the area and that be the only step. We would like to take another step to maybe \$130,000 to \$140,000 and develop on two (2) lots.

Smith stated this doesn't say that all these lots become twenty-five (25) foot lots and have to be sold that way. It says some of them can be. We still want the six thousand (6,000) square foot building space, but we also want to allow for the smaller ones.

Purcell asked what size house would be built on a twenty-five (25) foot lot.

Good stated up to fourteen hundred (1,400) square feet.

Sheppard asked if your logic applies then why do we have additions that have a minimum square footage when they are developed.

Smith stated the reason for bringing this to you is because we have non-conforming lots we can't do anything with. Most new developers want the bigger houses. We just approved Rolling Hills and their square footage is eight (8) or nine (9) thousand square foot. Those are huge

LURA Minutes
April 19, 2022

lots. We are trying to find a way to fix the problem on a smaller scale. The only thing we can do with these lots now is mow them.

Sheppard stated I'm trying to figure what the problem is.

Brox stated yes, what sparked this.

Smith stated your LURA lots that you can't sale.

Brox stated those were sold to BIG. Does BIG know about this.

Smith stated yes, they are the ones that ask us to bring this to you.

Good stated if you have five (5) lots and you build on two (2) lots and then the other two (2) it leaves you with one (1) twenty-five (25) foot lot between them. This allows you to build a shotgun home on this lot.

Sheppard asked okay, so why do you want to limit that. That is what I don't understand.

Good asked if you have five (5) lots do you want five (5) shotgun houses built on them.

Sheppard asked do you not want five (5).

Smith stated we might. They could build all five (5) together if they are not over the proposed twenty-five (25) percent for the entire block.

Good stated they could come in with SPUD, do zero lot line and build with ten (10) feet on one (1) side to give them a driveway or patio for all five (5) lots.

Smith stated we are trying to give them some options.

Brox asked so now there is a third option. They showed us two (2), a normal home and a smaller one. Now there is a third option for even a smaller home.

Smith stated they have a lot of options. They want to know if they will have the opportunity to build a small house. They are going to build the larger ones and we need to give them options for the twenty-five (25) foot lots.

Sheppard stated that is why I asked how many blocks this would apply to.

Smith stated it looks like twelve (12).

Sheppard stated okay, so they are planning on building on two (2) lots that are fifty (50) foot wide.

Smith stated for the most part.

LURA Minutes
April 19, 2022

Sheppard stated okay, I assume you will limit them to one (1) house on a fifty (50) foot lot. If you do how many twenty-five (25) foot lots does that leave and how many blocks does that affect.

Smith stated we had seven (7) lots that they needed some type of option.

Sheppard stated so we are talking about seven (7) lots in this whole area.

Smith stated for LURA.

Sheppard asked Cindy, how many blocks are those seven (7) lots in.

Smith stated there might be four (4) different blocks.

Sheppard stated so this will affect four (4) blocks and seven (7) lots.

Smith stated potentially yes.

Sheppard stated because you are going to require them to build on a fifty (50) foot lot where they can.

Smith stated yes. We aren't asking you to approve anything today. We just wanted to discuss this with you.

Sheppard stated I'm very hesitate about government mandating things like this. If you let the market take place it usually solves the problem.

Smith stated we can't let the market take place because we can't allow them to build on a non-conforming lot. This would allow them to do so.

Sheppard stated you could approach this the other way. You could say anytime there is a fifty (50) foot lot they must build or combine lots to build. The remaining lots can be built with a small home. That solves the problem. You don't have to limit it to the lot.

Smith stated we can put that language in. It already exist. We feel that talking is better than us making our own decision. Thank you for your input. We will bring this back.

Sheppard stated thanks. That was a good discussion.

8. Consider approving recommended changes to the URP.

Recommended Action: Motion to approve the recommended changes to the URP.

Smith stated the URP has been in place since the 70's. It renews in 2030 and is a fifty (50) year plan. There is an automatic renewal at the fifty (50) year mark. At that point we can make major changes. Until then we can only make minor revisions. Otherwise, we have to go back out

LURA Minutes
April 19, 2022

to the public. We sent you three (3) parts of the URP and I put together a summary. I tried to go through and notate everywhere we made any type of change. On page two (2) at the bottom where it says, "rational for the proposed minor revisions to spur and continue growth opportunities for retail, eating establishments and housing." People have come to us and said that the URP is so restrictive that they can't bring in a bar. We are limited on housing and retail that we can put in this area. The second piece is we need to allow for the location of the LATS transportation hub. We are in the home stretch of deciding on where the transfer center will be located. We like to call it Grand Central Station. Planning worked with then to come up with a place on Railroad across from the public safety center between A and B with an additional property at D off Railroad. They need all that space to spread out their facility. We have to rezone it to allow them to use the area. It is not designated to allow the transportation hub. The third reason where we say alcohol, no bars, taverns, lounges, alcohol, beer, and wine it listed all these things out.

Good stated I believe it said spirits.

Smith stated yes, it listed all those out. We want to bring it up to current language that we use when dealing with the ABLE Commission. The last piece, which I think is important, is the consistency of governing body approval for uses permitted on review. We found a couple of areas that require you to go through CPC and Council and then some areas that had no governing body authority. It was left on the administration's shoulders, which are my shoulders, to interpret. My staff and I are uncomfortable with that. We need a governing body to make the decisions. As an example, the property located at 2nd and Gore says, "carwash coming". The property sold before checking to see if a carwash was allowed. Under this URP it is not allowed. Under existing zoning before the URP, it was not allowed, yet we have a sign that says, "carwash coming soon". The purchase has been made and significant pressure has been put on the Planning Department to allow it to be built. I'm uncomfortable with saying I'm going to interpret very loosely the URP and say since you spent \$1.7 million why shouldn't you build it where you want. I'm putting this back on you and asking you to allow the uses permitted on review. In Downtown I turn to page seven (7) number twenty-seven (27) is highlighted. This is proposed language and you can change whatever you want. What we have offered here is uses permitted on review. They will go through the same process all the other uses permitted on review do as in Chapter 18, Lawton City Code. We have a process in place to approve these types of things. We are putting that language in here and have suggested automatic carwash because that is the hot topic of the day. I need to know if you want to allow that automatic carwash. Then section B "bars and taverns". You can take out A or B and not specify anything under that section. I'm asking what do you want us to do about the carwash and bars and taverns. I will tell you we have had great interest in an Irish Pub in the old Subway between Silver Spoon and Boomrang. Our URP says you can't do that because there will be no food. It is a standalone alcohol only bar. We are about to have a huge workforce come into that area. I need more retail, restaurants and bars and taverns. The URP doesn't allow them to consider coming into this area. I'm asking you to allow us to put a section in that says uses permitted on review bars and taverns. It would go through CPC and ultimately Council for it to get off the starting baseline.

Cross asked did bars and taverns include Go Go Houses. I ask because there use to be a whole line of them on B and C.

LURA Minutes
April 19, 2022

Sheppard asked what is the advantage of having a bar or tavern over a restaurant that serves liquor.

Smith stated the advantage for the business owner is they don't have to have a full kitchen. I have been offering to the Irish Pub to do Uber Eats. They could outsource to Boomrang, Silver Spoon and Bricktown Brewery and have it delivered. We are not requiring them to have a kitchen we are requiring them to have food sales or sales outside of alcohol. We are trying to accommodate growth and development there knowing what is in the pipeline. We are asking you to consider allowing uses on permit review in this section so as development opportunities come, we can take them through the process of CPC and Council. It has to start here with you.

Sheppard stated I would be in favor of uses permitted on review but not specifying any particular use.

Smith stated okay. Is there any problem with that?

Brown stated not that I'm aware of. We can use some language about uses similar to those listed above.

Denham stated you could subtract the no bars are taverns are allowed as in the code currently. It specifically says you cannot do bars and taverns.

Smith stated that is right.

Sheppard stated right, but if we don't say one way or another.

Denham stated if you strike it and don't put it under a use permitted.

Smith stated that is right and we have done that. On page six (6) number thirteen (13) we marked that out. We have stricken that language. We will be happy to do as you direct. I don't want to seem like I'm the bad guy turning everyone down, but I also want you to be the governing body that you are. Number twenty-six (26) allows our LATS transfer center. This is an important one. You see we have copied all kinds of language from other areas in this document. We have made it flow consistently from one to the next to the next. We have tons of development opportunities coming and our hands are tied, and we can't accommodate the request coming in. We would like to put some retail in the transfer center near the end of A & B. We have someone that is purchasing the Lawtonian, and they would like to do some multi-family housing, retail, and professional office. Right now, we can't allow them to do that.

Cross asked what makes this a better document. Do you need to make the recommended changes and then bring it back to us?

Smith stated these are the recommended changes. We can take out twenty-seven (27) A and B, remove automatic car wash and bars and taverns.

Purcell asked uses permitted on review is the Planning Commission, correct.

LURA Minutes
April 19, 2022

Brown stated Planning Commission and Council.

Purcell stated okay. Same as always.

Smith stated yes. We just didn't have it specified in here.

Brox stated you said the carwash deal has been signed, sealed, and delivered.

Smith stated the land has been sold.

Brox asked to a developer.

Smith stated yes, for a carwash.

Brox asked if we say no what happens.

Smith stated he will have to float the property. Right now, land is a good value and is increasing. There is only so much of it. He already owns property in town. I have spoken with the real estate agent, but the property owner has never contacted us.

Brox stated they never do. They ask for forgiveness. They don't ask for permission.

Purcell stated they always do that.

Smith stated unfortunately they are in a location they can't hide. They won't get away with anything. They will not be able to build without going through the process. As soon as they come through our doors, we will tell them it is not permitted.

Purcell asked do we really want to make a carwash a permitted use.

Sheppard stated that is why I said omit that and say uses permitted on review. Leave everything else along. If they want a carwash, they can come apply for it and it will be approved or disapproved.

Smith stated staff will make a recommendation and our recommendation right now is no. It does not comply with anything that we have in place.

Sheppard stated we have uses permitted on a lot.

Smith stated and binding site plans as well. That is important. Once it is approved it becomes a binding site plan and they cannot deviate from that.

Brox stated the realtors need to be held accountable a little. I've said that for years.

LURA Minutes
April 19, 2022

Sheppard stated in Downtown I you have crossed out night club and entertainment facilities and bars and/or taverns entered. That doesn't eliminate the girls.

Denham stated that is county owned. You can't do any of that within the city limits.

Brox asked why not have night clubs.

Smith stated they are not called that anymore. That is not even a designation.

Sheppard stated why not have a restaurant that serves drinks.

Good stated we have that.

Sheppard stated Jacob, you were not alive in the 70's when downtown Lawton was full of night clubs. I don't see a reason to have a bar separate from a restaurant. If you want a drink you can walk into a restaurant.

Denham stated we are talking about live....work....play for downtown at some point. Restaurants close at 8:00 or 9:00 and you are looking for entertainment. You have the Sidebar because they were grandfathered in, but nobody else can put in a bar.

Smith stated correct, there is a monopoly that exists and nobody else can enter the market. We can take out A and B for the automatic carwash and bars and taverns. I think everyone is fine with everything else.

Denham stated one thing that confused me when I was reading this stuff is now you have three (3) sections. The sit-down restaurant's alcohol not permitted, alcohol limited prohibited, and then permitted. You could remove a bunch of words and say alcohol not permitted and alcohol permitted. I don't know if there is a limited prohibited anymore.

Brown stated I don't believe there is. I believe it is one or the other.

Smith stated we are trying to change as little as possible. That is why we added bars and taverns to take care of what you are talking about.

Denham stated but these are still under restaurants. That has nothing to do with bars and taverns.

Brown stated right. Currently, we are doing minor changes. If not, we have to go back out to a vote of the people. We can come back in a couple of months with that change.

Denham stated I was going to recommend that before you brought it to CPC. I thought maybe we could nip it before it got to us.

Brown stated if the board recommends that as a minor change then we do that.

LURA Minutes
April 19, 2022

Sheppard stated you have other sections you have this marked out and it says no bars, taverns, or lounges.

Smith stated on the other page we do allow it.

Sheppard stated under uses permitted, okay.

Smith stated we just struck the old language.

Brown stated we put it in the mixed uses in all three (3) sections.

Smith stated we can strike any language you want us to but bear in mind it has to be considered minor. We can bring something back in a couple of months. I didn't want to overwhelm you. This looks like this is significant but it's really adding consistent language. We have given you one (1) new thing and that's uses permitted on review. That is very important to the development of this area.

Purcell asked if you take out A and B will any use that is not prohibited somewhere else be reviewed.

Smith stated yes.

Purcell stated would bars and taverns not be available under that. If you take out automatic carwash, which eliminates that completely, and put in bars and taverns.

Smith stated yes.

Sheppard stated it was prohibited somewhere else and they have eliminated that.

Purcell stated then it will specifically say bar and taverns under uses permitted on review, but you can't get an automatic carwash under permits. Take that one out.

Smith stated yes.

Sheppard stated I think take A and B out and just say uses permitted.

Smith asked will we be able to allow bars and taverns even though they are not in that section. That is my concern.

Good stated the language we would use is under uses permitted on review. We would say any other use not listed has to go through the uses permitted on review. If we are striking it from the permitted section where it prohibits it.

Sheppard stated I don't think you gain many friends by putting those two (2) uses in there. If you leave it blank you will be better off.

LURA Minutes
April 19, 2022

Smith stated yes, but we wanted you to know what the two (2) issues are.

Sheppard stated we appreciate that.

Smith stated we will strike that language and does everything else look good.

Sheppard stated most of it looked good. I haven't been over it in detail.

Good asked you want us to move forward with those corrections.

Smith stated yes, just take out A and B and add in the line that says any other use not listed will be a uses permitted on review and go through the process.

Sheppard asked on review or approval.

Good stated review.

Sheppard asked what does review constitute.

Good stated it goes through CPC and Council.

Sheppard stated so CPC must approve it.

Good stated they make a recommendation to Council.

Smith stated then it goes to Council with a recommendation from CPC. Council has the final decision.

Denham stated and they have a binding site plan as well.

Smith stated yes. All those things will apply.

Brown stated we will notify you when those come in to see if you have any comments or suggestions to make.

Good stated the architectural standards still apply downtown. If they want something not allowed, they have to go through the approval process.

Sheppard asked do we want them to make the changes and bring it back to us at the next meeting. Is there a hurry?

Brox asked what about the carwash.

Smith stated yes, there really is. We do need to get a decision.

Brox stated we changed the language.

Good stated you need to include that in your motion.

Brox asked do we know what those are.

Smith stated yes, I have them written down.

Good stated and it will be in the minutes you approve at your next meeting.

Brown stated we will make the changes and email them to you.

Good stated we have to take these changes to CPC and then Council.

Motion by Cross, **Second** by Purcell, to approve the recommended changes to the URP with the stated corrections. **Aye:** Sheppard, Brox, Cross, Purcell. **Nay:** None. **Motion Passed.**

9. Commissioner's Reports or Comments.

None

10. Secretary's Report.

Smith asked would you like to consider changing the time of your meeting. Is 1:00 good for everyone. For staff 1:30 would be better because typically from 12:00 to 1:00 we are at lunch.

Sheppard stated there was a previous conflict with City Council being at 2:00.

Brown stated I don't believe that is an issue any longer since you meet on the third Tuesday. That is their off week.

Smith stated we would recommend 1:30. This way we would be at the same time as CPC.

Sheppard stated that is fine with me. Do we need a motion?

Ezell stated we will need to look at the by-laws first. I believe we will need to change those.

Smith stated we will bring it back to the next meeting for your approval.

11. Comments from the Public.

Nothing

12. Adjournment.

There being no further business the meeting was adjourned at 2:45 p.m.

LURA Minutes
April 19, 2022

Motion by Cross, **Second** by Brox, to adjourn. **Aye:** Brox, Cross, Purcell, Sheppard.
Nay: None. **Motion Passed.**

Ernest Sheppard, Chairman

Jacob Brox, Secretary