

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 2nd day of November, 2022 and that an agenda of said meeting was posted at the place of such meeting at 03:30 p.m. on the 3rd day of March, 2023.



Kari Speers, City of Durant

MINUTES OF THE MEETING OF DURANT PLANNING COMMISSION
March 7, 2023 AT 5:30 PM, Roscoe J. Hatfield
Council Chambers,
300 West Evergreen,
Durant, Oklahoma

CALL TO ORDER

Chairman Jackson called the meeting to order at 5:33 p.m.

INVOCATION/FLAG SALUTE

Commission Member Newsom provided the invocation. Vice Chairman Knight led the flag salute.

ROLL CALL

Present:

Planning Commissioner Clent Horner
Planning Commissioner Whitney Kerr
Planning Commissioner Thomas Newsom
Planning Commission Vice Chairman Shane Knight
Planning Commission Chairman Drew Jackson

Absent:

None

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

- a. Consider Approval of Regular Meeting Minutes of January 3, 2023

Motion was made by Commission Member Newsom and seconded by Commission

Member Horner to approve the minutes as presented.

Motion Passed with the following vote:

Ayes: Horner, Kerr, Newsom, Knight, Jackson

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

4. Administration

Chairman Jackson requested a motion to move items 4a and 4b to the end of the agenda.

Motion was made by Commission Member Newsom and seconded by Vice Chairman Knight to move the items as requested.

Motion Passed with the following vote:

Ayes: Horner, Kerr, Newsom, Jackson, Knight

Nays: None

Abstain: None

a. Discussion of Title XV (Land Use) Ordinances Update from Crafton Tull
The City of Durant's Comprehensive Plan was adopted in August 2021. The next step after completing the comprehensive plan is updating the land use ordinances. Since that time, the City of Durant has contracted with Crafton Tull to update the Title XV Land Use Ordinances. Staff has been working with Crafton Tull since February 2022. A Committee was created that consisted of members from City Council, Planning Commission, Board of Adjustment and Staff that has been working alongside of Crafton Tull to help guide the process. The project is divided up into three different phases, and to date phase one has been completed. For this meeting we will be provided an update on where we are as well as answer questions that you may have.

A presentation was given by Robyn Lane with Crafton Tull.

b. Discussion, Consideration and Possible Action on an Amendment to Section 156.034 (District Regulations) of the Durant Code of Ordinances
In fall 2021, Planning Commission and City Council asked staff to research and bring back to them of how other cities handle permitted uses and more particularly how other cities handled allowing more restrictive uses within the less restrictive zoning categories. In October, the Planning Commission requested that staff draft an

ordinance to change where the more restrictive use would be allowed only in the less restrictive zoning category. Meaning that only the residential uses would be allowed in the residential zoning categories and the commercial uses allowed in commercial categories, etc. The Planning Commission and City Council heard this in November but the item failed at that time. The Planning Commission has requested this item be brought back to the Planning Commission and City Council for consideration again.

Motion was made by Vice Chairman Knight and seconded by Commission Member Horner to approve the request as presented.

Motion Passed with the following vote:

Ayes: Horner, Kerr, Newsom, Knight, Jackson

Nays: None

Abstain: None

5. Public Hearings

a. Discussion, Consideration and Possible Action on PC2023-02, a Planned Unit Development request for property near Gerlach Drive and Carl Albert Drive

Danielle O'Neal reviewed with the Planning Commission members a request from Mark Cope for a Planned Unit Development for property located near the intersection of Gerlach drive and Carl Albert Drive. The applicant approached staff regarding a request for a Planned Unit Development (PUD) to place a mixed residential type development that will include townhomes and multi-family homes. The applicant would like to develop the property where the townhomes would be along Gerlach and the multi-family units would be further back to the south of the property. The concept plan shows the townhome development containing about seven buildings and the applicant stated there would be 36 units. The concept plan shows 5 multi-family buildings and the applicant stated there would be 144 units. The timing of development hinges upon should the approval occur, and then they will go out and get the engineering for the project completed. The aforementioned property is approximately 22 acres and currently is a vacant lot. The surrounding area is made up of a mix of Residential, Agriculture and Industrial Zoned properties. The subject property does meet the requirements for the lot area that is required within the requested Planned Unit Development. This development will meet the required setbacks, parking as well as having sidewalks and streetlights as required within ordinance. The applicant is having discussions with the Streets Department with regards of a traffic study that they are to conduct in this area. They also talked with the Water & Sewer Line Maintenance Department, regarding the possibility of moving a public water line that runs through the property as shown on the plat. Staff members reviewed and signed off on this project with the following provisions being requested. Maintenance and Operations Supervisor is asking that the water and sewer easements state the length and as the lines lay. Community Development and Neighborhood Services has a comment that the applicant will be required to obtain a Stormwater Permit from the Oklahoma Department of Environmental Quality (ODEQ)

and provide a copy of their permit and Stormwater Pollution Prevention Program (SW3P) plans to city staff before a building permit can be obtained should they disturb greater than 1 acre. Staff does recommend approval of the above requests since it is in line with ordinances and requirements. There is a concern from the Street Department regarding traffic impacts of the area. Staff does recommend that the above requests be considered in this request. The current Future Land Use Map has this area as mixed residential land uses; therefore, this PUD request is in line with the Future Land Use Map. Notifications have been made to the surrounding property owners and at the time of this report staff has not received any phone calls or letters regarding this request.

Johnathan Kirby spoke in favor of this item.

Motion was made by Commission Member Knight and seconded by Commission Member Newsom to approve the request as presented.

Motion Passed with the following vote:

Ayes: Kerr, Newsom, Jackson, Knight

Nays: Horner

Abstain: None

- b. Discussion, Consideration and Possible Action on PC2023-04, a Final Plat request for property near Cemetery Road and State Highway 70 (Bypass)

Kari Speers reviewed with the Planning Commission members a request from Randi and Tyler Burkham, for a Final Plat Request of the property located near Cemetery Road and Highway 70 (Bypass). The applicant approached staff regarding the platting of this property with the desire of building a single family home and garage. The subject property is approximately a total of 10 acres as shown on the plat. There is City water nearby but there is not City sewer available. The applicant will work with City Staff for any connections that will be needed. The applicant will need to work with the Oklahoma Department of Environmental Quality for septic/aerobic systems. Staff has signed off supporting the approval of this plat. Staff recommends approval of the final plat since the plat does meet all requirements. The current Future Land Use map shows this area as industrial; therefore, this request is not in line with the Future Land Use Map. However, with the newer residential development that is occurring in this area, the request does fit the current development pattern. Notifications have been made to the surrounding property owners and at the time of this report staff has not received any phone calls or letters of support or protest regarding this rezoning request.

Motion was made by Commission Member Horner and seconded by Commission Member Kerr to approve the request as presented.

Motion Passed with the following vote:

Ayes: Horner, Kerr, Newsom, Knight, Jackson

Nays: None

Abstain: None

- c. Discussion, Consideration and Possible Action on PC2023-06, a Final Plat request for property near Washington Avenue and Mockingbird Lane

Danielle O'Neal reviewed with the Planning Commission members a request from Durant First Church Of The Nazarene, for a Final Plat Request for property located near Washington Avenue and Mockingbird Lane. The applicant approached staff regarding platting the property as well as gaining a Conditional Use Permit with the desire to separate the property into three lots and use the corner approximately 6 acre lot for a new church site. They are expecting to leave the house on the approximate acre lot as is until the church decides what they will do with it. Staff published the platting case and the Conditional Use Permit case separately in hopes of lessening any confusion. The final plat shows three total lots. Two of the lots are over 5 acres, but one of the lots is just over 1-acre. They did not wish to go through a rezoning at this time for the other two lots until the church decided what to do with them later. The subject property is approximately a total of 16.5 acres and has a house on the property. The applicant has three lots on the plat. The plat indicates that two of the lots will be over 5 acres, but one of the lots will be just over 1-acre. Rural Water District 2 serves the area, and the applicants did obtain a letter from the water district stating that they would be able to serve water to this location. They recently were notified that they would find an alternative source for fire suppression and this will be covered by the fire marshal during the plan review. There is no sewer in the area, so they will need to work with the Oklahoma Department of Environmental Quality for septic/aerobic systems. The lots will not need any public infrastructure. Staff has signed off supporting the approval of this plat. The only note made was regarding the alternative source for a fire suppression system as well as that one of the lots being under an acre. The zoning category does require a 5-acre minimum for the current zoning. Staff does recommend approval of the plat since the plat does meet all of the platting requirements. Staff has signed off supporting the approval of the final plat. The lot that is just over an acre does not meet the zoning requirements for the current zoning of the lot. The current Land Use Map has this area as low-density residential uses; therefore, this request is generally in line with the Future Land Use Map. Notifications have been made to the surrounding property owners and at the time of this report staff has not received any phone calls or letters of support or protest regarding this final plat request.

Brent Smith, applicant, spoke in favor of this item.

Jerry Combrink spoke in favor of this item.

Motion was made by Commission Member Knight and seconded by Commission Member Jackson to deny the request as presented.

Motion Passed with the following vote:

Ayes: Horner, Kerr, Newsom, Knight, Jackson

Nays: None

Abstain: None

- d. Discussion, Consideration and Possible Action on PC2023-06, a Conditional Use Permit (CUP) request for property near Washington Avenue and Mockingbird Lane

Danielle O'Neal called for no action to be taken on this item.

6. New Business

There was no new business.

ADJOURNMENT

Chairman Jackson moved to adjourn the meeting.

Motion Passed with the following vote:

Ayes: Horner, Kerr, Newsom, Knight, Jackson

Nays: None

Abstain: None