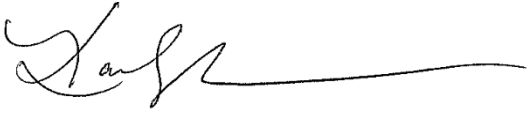


This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 2nd day of November, 2022 and that an agenda of said meeting was posted at the place of such meeting at 09:00 a.m. on the 28th day of July, 2023.



Kari Speers , City of Durant

MINUTES OF THE MEETING OF DURANT PLANNING COMMISSION
August 1, 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 5:36 p.m.

INVOCATION/FLAG SALUTE

Chairman Horner provided the invocation. Vice Chairman Knight led the flag salute.

ROLL CALL

Present:

Planning Commissioner Thomas Newsom
Planning Commissioner Whitney Kerr
Planning Commissioner Clent Horner
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 June 27, 2023

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

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Horner, Knight, Jackson

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Public Hearings

- a. Discussion, Consideration and Possible Action on PC2023-16, a Planned Unit Development (PUD) and Preliminary Plat Request for property located near Lindenwoods Drive and Thomas Circle.

Danielle O'Neal reviewed with the Planning Commission an update regarding a request from HPH Investors LP (Ryan Hackett) for a Planned Unit Development - Preliminary Plat located near Lindenwoods Drive and Thomas Circle. Since the last meeting, staff as well as the Chairman met with the applicant to find a path forward. Staff also did research into the past plats to help determine what was adopted by the City of Durant in the past phases. That research showed that all streets within all Lindenwoods development with the exception of the current Lindenwoods Drive was adopted as public streets. Staff has requested that in order to have the existing Lindenwoods Drive become a public road that all cracking is sealed and curbs are repaired along Lindenwoods Drive. In addition, exchanging Thomas Circle as well as a segment of Thomas Way to a private street and that the water meters would be changed over to a master meter. Additionally, staff is requesting that the drainage be fixed in the area of Matthew and Thomas Way.

Ryan Hackett, applicant, spoke regarding the streets becoming public verses private.

Thomas Marcum, spoke regarding the streets becoming public.

Motion was made by Commission Member Kerr and seconded by Commission Member Horner to approve the preliminary plat and the PUD request contingent on the following conditions: 1. Repairs to the current Lindenwoods Drive. 2. The drainage issues on the SE corner of that property are fixed and addressed before occupancy permits are issued. 3. The roads are fixed with any issues in terms of sealing the cracks before the City takes over. 4. Additionally, another condition would be that Thomas Circle will be private and the meters in the townhomes in that area would be transferred over to a central meter which the builder is putting together and planning.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Horner, Knight, Jackson

Nays: None

Abstain: None

- b. Discussion, Consideration and Possible Action on PC2023-18, a Final Plat request for property located near North 1st Avenue and Gerlach Drive.

Danielle O'Neal reviewed with the Planning Commission members a request from Kevin and Amanda Hammond for a Final Plat for property located near North 1st Avenue and Gerlach Drive. The applicant approached staff regarding the platting of this property in order to create two separate lots. The current lot has an existing structure on the lot, and the new lot would be a vacant lot. The subject property is approximately a total of about 2.2 acres and has an existing business on the property. The plat shows the existing lot being separated into two lots. The plat indicates that both lots will be over 1 acre. Both lots meet the size requirements within the zoning district. There appears to be city water and sewer in the area. The plat shows an existing public water line running through the southern lot. The plat further shows a 10-foot easement along this water line. It should be noted that no permanent structures can be built over the water line. The lots will not need any public infrastructure. Staff has signed off supporting the approval of this plat. A note made was regarding an easement that needed to be placed on the plat for the water line, which was completed as well as that no permanent structure can be placed on the water line. Another note was made that should greater than an acre is disturbed that the applicants will need to obtain a Stormwater Pollution Prevention Program and a Stormwater Permit from the Oklahoma Department of Environmental Quality (ODEQ). They will need to provide a copy to city staff. The current Land Use Map has this area as commercial / residential mixed use; 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.

Randy Cantrell spoke regarding the water lines.

Kevin Hammond, applicant, spoke in favor of this request.

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

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Horner, Knight, Jackson

Nays: None

Abstain: None

- c. Discussion, Consideration and Possible Action on PC2023-19, a Sketch Plat

request for property located near Peppernut Lane and Red Bud Lane. Danielle O'Neal reviewed with the Planning Commission members a request from Scott Goad for a Sketch Plat for property located near Peppernut Lane and Red Bud Lane. This parcel is a part of other parcels of land in this area that were sold without going through the platting process. Another owner came to the City looking at the possibility of building a house on their property, and discovered that the land in this area was not platted correctly. Therefore, they could not obtain a building permit until the parcel was platted. However, that particular parcel did not have street frontage, so they were waiting for the seller to have the whole area platted. Staff and past management worked with the seller to have these parcels platted, and worked to stop the sale of any land in that area that has not been platted correctly (February / March 2022). Staff has been working with the seller during this time, and the seller has yet to have a completed application. The seller was instructed about what needed to be completed on the plat to have it meet City Ordinances as well as what was needed to complete the application, but staff has not had any further contact with the seller since April 2023. Staff has tried to work with a couple of the buyers that have bought land in this area, and one of those is now wanting to have a conversation with Planning Commission and City Council on how to correct the issue at hand. As a note, since these parcels were not legally platted, they are not supposed to be sold off, per state statute. Furthermore, staff has seen this issue pop up on several other properties throughout the city. The subject property is approximately a total of 1 acre as shown on the survey. This parcel is in the area where if approved could create a potential orphaned parcel that abuts this parcel to the West. This is also the area that when talking with the seller that a public street was going to be located possibly. This is in Rural Water 2's district, and the applicant does have a letter from Rural Water 2 stating they can supply water in this area. There is no city sewer in the area, so any lot created would need to work with the Oklahoma Department of Environmental Quality for septic/aerobic systems. Staff has reviewed the request and most of them do not have a problem with what the applicant wants to do. However, we have not received a plat that meets what is required in City Ordinances as well as having concern about orphaning the parcel that is to the West of this parcel. The Community Development Director did not sign off since this survey does not meet ordinance requirements as well as having the concern of creating an orphaned piece of property. The current Future Land Use map shows this area as low-density residential; therefore, this 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 of support or protest regarding this request.

Scott Goad, applicant, spoke in favor of this request.

Dale Goad spoke in favor of this request.

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

Motion Passed with the following vote:

Ayes: Newsom, Horner, Knight, Jackson

Nays: None

Abstain: Kerr

- d. Discussion, Consideration and Possible Action on PC2023-20, a Re-Plat request for property near Maxey Drive and Wilson Street.

Danielle O'Neal reviewed with the Planning Commission members a request from Sills Family Trust for a Re-plat for property located near Maxey Drive and Wilson Street. A buyer for this property approached staff regarding filing for a re-plat request with the hopes of changing the lot lines of these two lots. The purpose is to have one lot that has the floodplain on it and another lot that would not. The applicant intends to build a single-family house. The subject property is approximately 2 acres total. The plat shows the lot lines changing to where each lot would wind up being just over 1 acre apiece. Both of these lots will meet the lot size requirements for the existing zoning district. There appears to be city water and sewer in the area. The only comments from staff were that all structures would need to meet current setback requirements and the driveway would need to be a sealed surface. The fire marshal will ensure that all fire code regulations are met at the time the construction plans are submitted. The current Future Land Use Map has this area as low to medium residential; therefore, this request is generally in line with the Comprehensive Plan. Notifications have been made to the surrounding property owners and at the time of this report, there have not been any calls, letters or emails received by staff.

Kevin Keener spoke in favor of this request.

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

Motion Passed with the following vote:

Ayes: Newsom, Horner, Kerr, Knight, Jackson

Nays: None

Abstain: None

4. New Business

There was no new business.

ADJOURNMENT

Motion made by Commission Member Newsom and seconded by Vice Chairman Knight to adjourn the meeting.

Motion Passed with the following vote:

Ayes: Newsom, Kerr, Horner, Knight, Jackson

Nays: None

Abstain: None