



MINUTES
CITY OF COWETA PLANNING COMMISSION
REGULAR MEETING 6:30 PM MONDAY, DECEMBER 17, 2018.
COWETA CITY HALL 310 S. BROADWAY, COWETA, OK 74429

I. Call To Order

Chairperson Melanie Lander called the Regular Meeting to order at 6:38 p.m.

II. Roll Call

Carter Mathews	Present
Kathleen Robinson	Present
Jessica Morris	Absent
Joanna Jones	Present
Melanie Lander	Present

Chairperson Melanie Lander requested that the roll be called and a quorum was declared to be present.

III. Discussion and Consideration of the Minutes of the Regular Meeting of November 26, 2018.

Motion was made by Commissioner Kathleen Robinson and a second by Chairperson Melanie Lander to approve the Minutes of the Planning Commission Regular Meeting of November 26, 2018.

Motion passed by a vote of 4-0 with the following votes cast:

Carter Mathews	Yes – to approve
Kathleen Robinson	Yes – to approve
Jessica Morris	Absent
Joanna Jones	Yes – to approve
Melanie Lander	Yes – to approve

IV. Public Hearing Items

1. Public hearing to accept public comment on CZ 18-06 SUP, a request from Jenkins Properties, LLC, the property owner, and from Black Fox Productions, LTD, the applicant, license number DAAA-4K0G-3150, to establish a Specific Use Permit for a marijuana retail establishment, medical marijuana dispensary, in an existing building on the property zoned Commercial General (CG). The property is located at 33448 East State Highway 51, Coweta, OK, in Section 16, Township 17 North, Range 16 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

The public hearing was opened.

City Planner, Tom E. Young Jr., presented the Staff Report, and summarized the request by Jenkins Properties, LLC, the property owner, and Black Fox Productions, LTD, the applicant. Mr. Young reported that all required documents for the SUP have been provided to him. The applicant, Mr. Shawn Jenkins, was present for the meeting.

Mr. Jenkins came forward to introduce himself and explain his request to the Planning Commission.

Citizen Judy McMillan came forward to express her concerns about a retail medical marijuana establishment being located so close to her dance studio. Among her concerns were the location, the safety of her students, security, crime, the products they would sell and why the business will have a ventilation system.

Chairperson Melanie Lander next read a letter that was mailed by a Ms. Lucille McCarty-Morse. She lives in Houston, Texas, but owns property in Coweta that is directly across the highway from the location of the proposed marijuana business. In summary, the letter expressed concerns about the location of the business and how close it would be to the Big Valley neighborhood and the negative impact the business could have on the value of her property.

The public hearing was closed.

V. Old Business

1. Discuss and consider possible action, including recommendation of approval, approval with conditions or denial of CZ 18-06 SUP, a request from Jenkins Properties, LLC, the property owner, and from Black Fox Productions, LTD, the applicant, license number DAAA-VKYY-YFJD, to establish a Specific Use Permit for a marijuana retail establishment, medical marijuana dispensary, in an existing building on the property zoned Commercial General (CG). The property is located at 33448 East State Highway 51, Coweta, OK, in Section 16, Township 17 North, Range 16 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

Mr. Jenkins addressed the Commission to respond to some of the concerns mentioned during the public hearing. He explained that his property will have 24/7 digital and physical security, physical meaning actual security guards on site. He suggested that the dance studio next door would have heightened security due to the guards that will be present at his business. Concerning the Big Valley neighborhood, Mr. Jenkins explained that his property will have a security fence all the way around it which will separate his property from the neighborhood. He also explained that his business will have a ventilation system because it is a requirement of the Oklahoma State statute.

Commissioner Carter Mathews asked if the security guards would only be on site during business hours. Mr. Jenkins replied that the security guards would be on site all the time.

City attorney, Ron Cates, inquired about Mr. Jenkin's ownership regarding Jenkins Properties and Black Fox Productions. Mr. Jenkins responded that he is co-owner of both businesses. Mr. Cates asked if there was a lease agreement for the property

between the two businesses. Mr. Jenkins said that there is a lease agreement and he had sent a copy to the City. A copy of the lease agreement could not be located in the documents that were at the meeting, per City Planner, Tom E. Young, Jr. Mr. Jenkins said he did not have a copy of the lease agreement with him but he would be happy to get another copy of it to the City.

Motion was made by Commissioner Kathleen Robinson and a second by Commissioner Carter Mathews to recommend approval to the City Council of the application submitted by Jenkins Properties, LLC, and Black Fox Productions, LTD for a Specific Use Permit.

Motion passed by a vote of 4-0 with the following votes cast:

Carter Mathews	Yes – to approve
Kathleen Robinson	Yes – to approve
Jessica Morris	Absent
Joanna Jones	Yes – to approve
Melanie Lander	Yes – to approve

PLATS

1. Discuss and consider possible action, including recommendation of approval, approval with conditions or denial of a request by Ron Spradlin and Terry Spradlin, Developer; Engineer: Richard Kosman, P.E., RK & Associates PLC, for Final Plat approval of Spradlin Estates, a subdivision of approximately 2.94 acres, more or less, with 12 lots bounded on the East by South 273rd East Avenue. This tract is located in Section 18, Township 17 North, Range 16 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma.

The applicants were present for the meeting.

Chairperson Melanie Lander asked if there had been any major changes on the plat since the Planning Commission had seen the preliminary plat. She said it appears that the land goes further down than it did on the preliminary plat. City Planner, Tom E. Young, Jr., replied that the land does go down further. It now abuts the private land of the Abundant Rain Church. Other changes included reduced lot sizes and a decrease in the number of lots by two.

City Engineer, Chip Cohrs, came forward to inform the Planning Commission that reserve areas A and B on the plat are land owned by the Abundant Rain Church and are not part of the platted area. He noted that he needs a legal description of where the reserve areas are located. He would also like to see a document, i.e., a permanent easement or deed that states that the reserve areas are designated as drainage reservoirs. Mr. Cohrs also noted that the drainage plan was proposed by the church and will include the subdivision and the Home Owner's Association. City attorney, Ron Cates, added that a deed of dedication to the public is needed and also a permanent easement with the City listed as beneficiary. The applicants replied that they do not want the reserve areas open to the public. Mr. Cates clarified that the land would still be owned by the church. The reserve areas are not included in the subdivision and there needs to be a permanent easement document to bind those reserves to the subdivision. Mr. Spradlin noted that even with the permanent easement, the church would still like to maintain responsibility for the maintenance of the reserve areas. City Engineer, Chip Cohrs, added that the church did have a

drainage study done and the report indicated that the reservoir will accommodate the completed subdivision's drainage.

Commissioner Kathleen Robinson asked who would maintain the drainage reservoirs in 50 years after everybody associated with it at the church is gone. City attorney, Ron Cates, answered that the City would be responsible for it if the permanent easement document is drawn up.

The Spradlins again noted that they do not want the public to have access to the reserve areas. Mr. Cates reiterated that the easement is for the sole purpose of municipality access to deal with maintenance of the drainage reservoirs, if the need ever arises. The public will not have access to the land.

A motion was made by Commissioner Carter Mathews and seconded by Commissioner Kathleen Robinson to recommend approval to the City Council of the final plat for Spradlin Estates with the condition of a permanent easement document being written and filed after approval by the Technical Advisory Committee, the City Engineer and the City Attorney.

Motion passed by a vote of 4-0 with the following votes cast:

Carter Mathews	Yes – to approve
Kathleen Robinson	Yes – to approve
Jessica Morris	Absent
Joanna Jones	Yes – to approve
Melanie Lander	Yes – to approve

2. Discuss and consider possible action, including recommendation of approval, approval with conditions or denial of a request by Integrity Development Group, LLC, Developer: KKT Architects, Inc., Engineer; for Final Plat approval of Wynstone – Phase 1, a subdivision of approximately 40.47 acres, more or less, with 139 lots. This tract is located on the corner of South 273rd East Avenue and East 111th Street South in Section 25, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma. This land is zoned RS-3 (Residential Single Family).

The applicants were present for the meeting.

City Planner, Tom E. Young, Jr., noted that nothing had changed on the plat. There were a few minor corrections in the deed of dedication made by the developer. Those corrections will be completed prior to the City Council meeting.

Commissioner Carter Mathews asked what the purpose was for reserve area B. Nicole Henderson with KKT Architects replied that the area will be used to plant trees.

Commissioner Kathleen Robinson asked what the purpose was for reserve area A. Nicole Henderson with KKT Architects replied that the area will be used for a detention pond.

A motion was made by Commissioner Carter Mathews and seconded by Commissioner Joanna Jones to recommend approval to the City Council of the final plat for Wynstone – Phase 1 with the condition that the developer meets the comments set forth by the Technical Advisory Committee and the City Engineer.

Motion passed by a vote of 4-0 with the following votes cast:

Carter Mathews	Yes – to approve
Kathleen Robinson	Yes – to approve
Jessica Morris	Absent
Joanna Jones	Yes – to approve
Melanie Lander	Yes – to approve

VI. New Business

None

VII. Adjournment

Motion by Commissioner Kathleen Robinson, seconded by Chairperson Melanie Lander to adjourn the meeting.

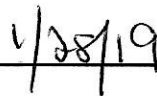
The motion was approved 4-0, by the following vote:

Carter Mathews	Yes – to approve
Kathleen Robinson	Yes – to approve
Jessica Morris	Absent
Joanna Jones	Yes – to approve
Melanie Lander	Yes – to approve

The meeting adjourned at 7:37 p.m.

Approved:


Chairman


Date


Secretary