

ORDINANCE NUMBER 931

AN ORDINANCE CHANGING THE ZONING
FROM R-3(MULTI-FAMILY DISTRICT) TO I-2 (LIGHT INDUSTRIAL DISTRICT) FOR
PROPERTY LOCATED IN THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP
12 NORTH, RANGE 17 W.I.M. (1725 S HIGHWAY 183)
IN CLINTON, CUSTER COUNTY, OKLAHOMA;
AND DECLARING AN EMERGENCY.

WHEREAS, the owners of a tract of land located in the Northwest Quarter of Section 26, Township 12 North, Range 17 W.I.M. in Clinton, Custer County, Oklahoma request that the zoning of said land be changed from R-3 (Multi- Family District) to I-23 (Light Industrial District); and

WHEREAS, the Planning and Zoning Board of said City of Clinton, Oklahoma met on November 30, 2010, after due legal notice thereof to all owners of property situated within a radius of 300 feet of subject tract of land and has reviewed the said application and has recommended to this Council that the zoning of such property be approved as requested; and

WHEREAS, the City Council did conduct a Public Hearing on this matter on this date in the Council Room of the Clinton City Hall pursuant to due legal notice thereof published in the Clinton Daily (Oklahoma) News on December 21, 2010; and

WHEREAS, the matter was discussed in open forum at this Public Hearing before and by the members of the Council and the Council being fully informed in the premises does find that the interest of the City of Clinton will be served best by establishing the subject zoning district as requested in the subject application and as recommended by the Clinton Planning and Zoning Board; and

NOW THEREFORE, be it ordained by the City Council of the City of Clinton, Oklahoma that the following described property in the Northwest Quarter of Section 26, Township 12 North, Range 17 W.I.M. (1725 S Highway 183) in Clinton, Custer County, Oklahoma be and the same is hereby zoned I-2 (Light Industrial District).

WHEREOF, an emergency is hereby declared to exist and the Ordinance shall be in full force and effect from and after its passage and proof of publication.

PASSED AND APPROVED this _____ day of _____, 2010.

Allen Bryson, Mayor

ATTEST:

Lisa Anders, City Clerk

**MINUTES OF A SPECIAL MEETING OF THE PLANNING AND ZONING BOARD
TUESDAY, NOVEMBER 30, 2010**

A special meeting of the Planning and Zoning Board of the City of Clinton, Oklahoma, was held on Tuesday, November 30, 2010 at 9:00am in the City of Clinton Council Room, City Hall. A notice of this meeting with agenda was posted on the bulletin board in the lobby of Clinton City Hall on November 23, 2010.

Members Present were: Julie Strong, Mariela Acosta, Jay Wyer, Doyce Walker and Corky Heard
Others Present: Lisa Anders, Charles Fry, Teresa Krewall, Toby Anders, Bran Hartsell, Kent Powell, O.B. Williams and others

2. CONSIDER MINUTES OF THE NOVEMBER 9, 2010 MEETING

Motion was made by Jay Wyer and seconded by Mariela Acosta to approve the minutes of the previous meeting.

Chairman put the motion to a roll call vote:

Aye: Wyer, Acosta, Strong, Walker, Heard
Nay: None

Chairman declared the motion carried.

3. CONSIDER REQUEST OF O.B. WILLIAMS TO REZONE TRAC OF LAND DESCRIBED AS THE NW/4 OF SECTION 26, TOWNSHIP 12 NORTH, RANGE 17 W.I.M. TO THE CITY OF CLINTON, CUSTER COUNTY, OKLAHOMA AND CONSIDER A USE PERMITTED ON REVIEW FOR THE HOUSING OF OFFICE SPACE (1725 S HIGHWAY 183)

Chairman Heard reviewed the request for rezoning of the property at 1725 S Highway 183.

Building Inspector Charles Fry asked about the purpose of the building.

Bran Hartsell said the reason I-2 had been requested is because all the property around it is zoned I-2.

Kent Powell said the adjoining property is I-2.

Chairman Heard said he preferred to keep the zoning the same as the adjoining property.

Hartsell said when Elmer Smith had rezoned his property, Mr. Williams had been asked if he wanted to rezone to I-2 so he thought that would be the appropriate zoning.

Jay Wyer said he would like to keep the I-2 since the surrounding property is zoned I-2.

Chairman Heard said he felt future development would benefit from I-2 zoning.

Motion was made by Doyce Walker and seconded by Jay Wyer to rezone the property at 1725 S Highway 183 from R-3 to I-2.

Chairman put the motion to a roll call vote:

Aye: Walker, Wyer, Acosta, Strong, Heard

Nay: None

Chairman declared the motion carried.

Chairman Heard reviewed the plans for the Change in Use for the building from a furniture store to the housing of office spaces. In review the Plot Plan, it was noted there is plenty of room for the additional parking.

Motion was made by Julie Strong and seconded by Mariela Acosta to approve the Use Permitted on Review for the housing of office space at 1725 S Highway 183.

Chairman put the motion to a roll call vote:

Aye: Strong, Acosta, Walker, Wyer, Heard

Nay: None

Chairman declared the motion carried.

4. CONSIDERATION AND POSSIBLE ACTION ON A RESOLUTION OF THE CLINTON PLANNING AND ZONING BOARD DECLARING THE "PROJECT PLAN RELATING TO INCREMENT DISTRICT NUMBER ONE, CITY OF CLINTON, OKLAHOMA (CLINTON WATER PARK INCREMENT DISTRICT)" TO BE IN COMPLIANCE WITH THE COMPREHENSIVE PLAN OF THE CITY OF CLINTON; AND RECOMMENDING APPROVAL OF THE PROJECT PLAN BY THE CLINTON CITY COUNCIL

Jay Wyer, representative of the Planning and Zoning Board for the City of Clinton Local Development Act Review Committee, reported on the latest meeting of the committee. He explained that the TIF district had been determined and placed on a fifteen year term with hopes of a payout in five to seven years.

City Manager Grayson Bottom reviewed the projected number for the Clinton Water Park Increment District Project. He explained that the three types of taxes are ad valorem tax, sales tax and lodging tax. He explained that the consensus of the committee was to use the excess revenue in debt reserve account to pay off the debt early.

Chairman Heard asked about the purpose of the resolution.

City Manager Grayson Bottom said the Comprehensive Plan for the City of Clinton that had been prepared by SWODA several years ago is the Comprehensive Plan mentioned in the resolution. He said the Planning and Zoning Board had been involved in the preparation of the plan and the approval of the resolution means that in the Board's opinion, this development of the Water Park Increment District Project is in compliance with the Capital Improvement Plan.

Motion was made by Jay Wyer and seconded by Doyce Walker to approve Resolution No. 1.

Chairman put the motion to a roll call vote:

Aye: Wyer, Walker, Acosta, Strong, Heard

Nay: None

Chairman declared the motion carried.

5. ADJOURN

Motion was made by Julie Strong and seconded by Mariela Acosta to adjourn the meeting.

Chairman put the motion to a roll call vote:

Aye: Strong, Acosta, Walker, Wyer, Heard

Nay: None

Chairman Heard declared the meeting adjourned at 9:30 a.m.