



DEVELOPMENT
SERVICES

**Planning Commission Minutes
April 10, 2023**

The City of Yukon Planning Commission held a Meeting on April 10, 2023 at 7:00 p.m. in the Centennial Building at 12 South 5th St.

ROLL CALL: (Present) Bill Baker, Chairman
Jarrid Wright, Vice-Chairman
Nick Grba, Commissioner
Jeff Geis, Commissioner

(Absent) David Enmark, Commissioner

OTHERS PRESENT: Jessica Bloye, City Planner with J&A
Mark Zitzow, City Planner with J&A
Julie Shannon, Planning Manager
Mitchell Hort, Assistant City Manager
Roger Rinehart, City Attorney

INVOCATION: Commissioner Baker
FLAG SALUTE: Commissioner Baker

1.ITEM: APPROVAL OF THE MINUTES OF THE JANUARY 23, 2023 MEETING

Commissioner Geis stated I would like to motion to approve the minutes of the March 13, 2023 meeting.

Seconded by Commissioner Grba.

The Vote:
Ayes: Baker, Geis, Grba, Wright
Nays: None
Vote: 4-0 Motion Carried

2.ITEM: VISITORS None

3.ITEM: TO HEAR A REQUEST BY SAWAZKY CONSTRUCTION ON BEHALF OF BRADY SPENCER FOR A COMMERCIAL PUD FOR GROUND CONTROL TRAMPOLINE PARK AT 1700 HEALTH CENTER PARKWAY. LEGAL: A PORTION OF LOT C, BLOCK 1 AND LOT 2, BLOCK 1, YUKON PARKWAY WEST, PHASE VI, YUKON, CANADIAN COUNTY, OKLAHOMA.

Brady Spencer, owner of the proposed project showed a video about Ground Control Trampoline and explained his project. He owns 2 trampoline parks / family entertainment centers in other states that have done well over the last 4 years and they hope the Yukon site will be successful as well.

Commissioner Grba asked about the percentage of metal siding. Mr. Spencer explained that the metal is architectural metal and it will be broken up by EFIS pillars on the outside. Commissioner Baker asked about the size of the building and the architect replied that it was 34,000 sq feet.

Chairman Wright asked about the 25% metal siding that the Staff Report referred to and Mr. Sawazky explained that the purpose of the PUD was to address the percentage of siding and the look of the building. Assistant City Manager, Mitchell Hort, came forward to explain that the whole reason for doing the PUD was to ask to exceed the current requirement for metal and to give a little flexibility for modern design. Kevin Snyder came forward to explain the design in more detail. Pictures were passed out after the packets were delivered.

The pictures were not included in the packet and they should be included in the PUD packet that goes to City Council for clarification purposes. The PUD document will be modified before going to City Council to reflect desires of the Planning Commission.

Chairman Baker asked if the Planning Commission could include an item in the recommendation and strike a couple of the other recommendations from the staff report. Mark Zitzow, City Planner, said they should strike conditions 2 & 3 and that the staff report was based on the current code and that the Planning Commission could approve the PUD based on the 65% metal and a split-faced block.

Commissioner Wright liked the 7/4 split-faced block. Chairman Baker said that he would like to strike conditions 2&3 change conditions 4 to 2 and add condition 3 that the percentage of metal be agreed upon by Planning Staff before going to City Council.

Jason Warner, a neighbor in Oklahoma City, south of 10th Street, said that he would like the Planning Commission to keep in mind that there is a housing development nearby and to keep them in mind as they make a decision.

Mitchell Hort spoke about landscaping requirements along 10th Street and Health Center Parkway as well as Professional Circle. The lighting will have controls on it so that it does not cast past the property.

Motion: Chairman Wright made the motion to approve by stating:

“In the case of the C-5 PUD application by Sawatzky Construction, on behalf of Brady Spencer, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with the staff findings cited in the Staff Report. I move that this item be recommended for approval with the following additional conditions.”

CONDITIONS:

1. The following underlined text be added to section J.2. Bulk Regulations to read: “The Planned Unit Development of Ground Control Trampoline Park will comply with the lot, yard, and height regulations of C-5, Automotive and Commercial Recreation District.”
2. The building size requirement (section J.3.b.) be removed.
3. Percentage of metal exterior will be agreed upon by City Planning staff before the City Council approves.

Seconded by Commissioner Geis.

The Vote:

Ayes: Baker, Geis, Grba, Wright

Nays: None

Vote: 4-0 Motion Carried

4. ITEM: TO HEAR A REQUEST BY CHARLES BODIKER ON BEHALF OF YUKON ROUTE 66 PIT STOP FOR A CONDITIONAL USE PERMIT FOR A MIXED-USE AUTOMOTIVE THEMED BUSINESS AT 517 AND 519 WEST MAIN STREET. LEGAL: YUKON ORIGINAL TOWN LOTS 19-26, BLOCK 6, YUKON, CANADIAN COUNTY, OKLAHOMA.

Charles Bodiker spoke about the project. He said that he met with Mr. Greenfield a few months ago about doing something car themed on Route 66. They want to focus on restoring antique cars and selling a specialized car called the Defender. They would like to have a mixed-use space that might have food and refreshments. They want to create a destination point on Route 66 that would be unique to Yukon. They would like to bring out food trucks, create some minor night life venue for youtubers, displaying a special car once a week, they might do a band on occasion, he also wants to put concrete ping pong table outdoors where kids can come out and do things. The project could be a cruise point to connect with another spot where car gatherings occur on weekends.

Commissioner Wright asked about parking and Mr. Bodiker stated that the parking would be on the street in the Downtown area. Many of the buildings in the Downtown area do not have off-street parking.

Chairman Baker asked about alcohol. Mr. Bodiker said that they would like to have a restaurant that might sell alcohol but that it would not be a bar.

Assistant City Manager, Mitchell Hort, spoke about a statute that allows alcohol to be sold if it is over 50% food. Mr. Baker asked about automotive restoration and automotive sales. The automobiles are manufactured in the UK. Commissioner Baker asked if people would park at City Hall. Mr. Hort spoke about it being in the Historical area of town that did not have on-site parking and that the hours that they would be open would be after hours of most businesses. Chairman Wright asked about the outdoor screens.

Asa Warlick, a homeowner in the area spoke on his and his neighbor's concerns about parking and being able to get in and out of their homes.

Motion: Commissioner Grba made the motion to approve by stating:

“In the case of the CUP application by Charles Bodiker, on behalf of The Yukon Route 66 Pit Stop, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with the staff findings cited in the Staff Report. I move that this item be recommended for approval with the following additional conditions.”

CONDITIONS:

1. Sight-proof screening meeting Yukon Municipal Code requirements be required along the alley. This should consist of a minimum 6-foot opaque fence or dense vegetation to block noise and light from adjacent neighbors. Access may be maintained from the alley at no more than a 30-foot-wide driveway. Screening may be placed on north side of alley subject to adjacent owner approval.
2. Hours of operation be established for food truck usage and outdoor events as Sunday-Thursday: 7am-10pm and Friday-Saturday: 7am-12am.
3. Electronic messaging displays shall not be permitted within this development.

Seconded by Commissioner Geis.

The Vote:

Ayes: Baker, Geis, Grba, Wright

Nays: None

Vote: 4-0

Motion Carried

5. ITEM: PUBLIC HEARING ITEM: REQUEST FOR APPROVAL OF UNIFIED DEVELOPMENT CODE AND PROPOSED ZONING MAP AS RECOMMENDED BY JOHNSON & ASSOCIATES FOR ADOPTION BY CITY COUNCIL.

Commissioner Baker asked when the City Council would hear the item and Planning Manager, Julie Shannon, responded May 2, 2023.

Mark Zitzow, City Planner, of Johnson & Associates spoke about the item stating that they have presented the new code several times over the last year and ½ and asked that it be recommended for approval and sent on to City Council.

Nick Grba said thanks for all of the hard work on the new code.

Commissioner Baker said he would like to start with Accessory Dwelling Units. He wanted to know where they could find the minimum square footage of an ADU and Mark Zitzow said there was not a minimum size. He said the size of your lot would dictate the size and that a lot should be on a corner or have alley access.

Joe Horn, resident, asked why it was ok to have ADU's in his neighborhood but not in other neighborhoods. Dick Swift, resident, asked if you had a 3500 square foot lot if you would be able to 65 % coverage on it? He said he does not see how you could do this. He was concerned about too many cars and overbuilding lots.

City Planner, Mark Zitzow, said that one of the things that ADU's accomplish are addressing affordable housing, allowing different housing types, and the average age of the Yukon citizen is higher than the metro average. ADU's allow people to age in place if they need to live in a smaller place behind their family's home.

Dick Swift asked if the ADU's were only in the Urban Core? Mark Zitzow, City Planner, explained that different housing strategies came out of the Comprehensive Plan and that the Urban Core is a more walkable area where smaller lots work. Julie Shannon, Planning Manager, stated that there is a distinction between ADU's and the Urban Core. ADU's are proposed to be allowed in several zoning districts including the Urban Core. The Urban Core is an overlay area that will allow a smaller lot size than any other area.

Chairman Baker moved to the next topic of short-term rentals. The proposed process for short-term rental permits was discussed. Commissioner Wright asked Mr. Zitzow to define short-term rental. Chairman Baker stated that cities Nichols Hills and The Village do not allow short-term rentals and he would like us to consider the burden on the police for responding to incidents. Mr. Burris, resident, came forward to explain what was going on next door to his house at an illegally operating short-term rental.

Mr. Koenig, resident, spoke about how we were planning for the future that we do not have a need for right now. He does not understand why we have to worry about anybody but the people here in Yukon. Otis Davenport, resident, discussed the "party

house” and the issues he has experienced and the limitations that the police currently have with responding. Linda Elly, lives next to the illegal short term rental and she talked about being intimidated by guests at the party house. They throw cigarette butts and trash in her yard. She is very unhappy about the short term rentals.

Chairman Baker asked if anyone wanted to address another part of the City Steve Pasaski, resident, received a notice about the zoning change from R-2 to R-1 and he wanted to make sure he understood the letter.

Chairman Baker asked if people who had been operating short-term rentals illegally would be able to apply for permits. Assistant City Manager, Mitchell Hort, stated that every short-term rental will have to come forward with an application for a special use permit in order to be able to be granted permission to operate.

Resident Susan Burris asks why can't we do something with it since it is illegal now. Mark Zitzow, City Planner, says we are putting forth a set of requirements for someone to apply to run a short-term rental. There are two sets of fines in this code. He explained the process, the fines and the violations that would be applicable. He said we want the code to represent what the City wants. Mark said that the neighbors would all be notified if this process is passed and the party house short-term stay applied for a permit. The license can be denied or re-voked upon an issue. Currently, there is no mention of short term stays in the existing code and there is no process to re-volk a license or fine them.

Chairman Baker asked City Attorney Roger Rinehardt if the license could be denied based on issues prior to the date of the application and Mr. Rinehardt confirmed that past issues could be used as a basis to deny an application.

Julie Shannon, Planning Manager, explained the process that the police have to follow when writing tickets for violations so that they will not be thrown out of court echoing what Mark Zitzow was saying about creating a process. Commissioner Geis asked Mark Zitzow to clarify the process. Part of the process would be to send notices to property owners within 600 feet of the proposed short-term rental. Every short-term rental that is operating illegally is going to have to go through this proposed process if the code is adopted.

Chairman Baker asked about the adoption process of the code and if an emergency clause would be put in place. Attorney Rinehart said it would likely be 30 days unless City Council passed it with an emergency clause.

Blake Gussi, resident, said he did not see that short-term rentals offered any benefit to the town. He thought the most effective form of avoiding issues would be a blanket ban. Several other citizens spoke against the short-term rentals. Commissioner Geis asked if we just put in the code that no short-term rentals would be allowed, if that would be enough to stop the problem.

Joe Horn brought up food pantries and requested that we do not allow them. City Planner, Mark Zitzow, said that charity cannot be outlawed and that there would have to be a health and safety issue to not allow food pantries.

City Attorney, Roger Rinehart, brought up two letters from property owners that are exceptions to the proposed zoning map. Julie Shannon, Planning Manager, discussed the reasons for the letters and why they are viable exceptions to the proposed zoning map and how they can be included in the motion to approve the proposed map.

Motion made by Commissioner Chairman Baker.

“We have read the staff report and received testimony at the public hearing. We find ourselves in agreement with the staff findings cited in the Staff Report. I move that:

1. Recommend repeal of Appendix A - Zoning Ordinance, Appendix B - Subdivision and Platting Regulations, and Zoning Map of the City of Yukon, Oklahoma, and
2. Recommend approval of the Unified Development Code and Zoning Map of the City of Yukon, Oklahoma, with the exception of Accessory Dwelling Units be removed by right in all base zoning districts and
3. Recommend approval of proposed changes to Chapter 18 of Yukon, Oklahoma - Code of Ordinances.
4. Exception to zoning map 125 S 5th which will be zoned R-1 and 309 Cedar which will remain as currently zoned with a combination of I-1 (light industrial) and C-3 (Restricted Commercial).

Seconded by Commissioner Wright.

The Vote:

Ayes: Baker, Geis, Grba, Wright

Nays: None

Vote: 4-0 Motion Carried

6. ITEM: NEW BUSINESS None

7. ITEM: OPEN DISCUSSION

Commissioner Grba wanted to thank everyone for coming out and speaking their minds. He said that we might not agree on everything but everyone in the room wanted Yukon to be a better place and we were trying to get there.

8. ITEM: ADJOURNMENT - NEXT MEETING MAY 8, 2023