

MINUTES
CITY OF BETHANY
PLANNING AND ZONING COMMISSION
MAY 2, 2024

MEMBERS PRESENT: Charles Snyder, Chair
Justin Peck, Vice-Chair
Kent Lynn
Robert Helton
Steve Marx
Ron Crouch
James Clemmer
Trent Reid

MEMBERS ABSENT: None

STAFF PRESENT: Ray Jones, City Attorney
Amanda McCellon, Comm. Dev. Director
Brendan Summerville, Comm. Dev. Associate
Linda Hlinicky, Adm. Assistant

NOTICE: Agenda posted in the lobby and on the front door of Bethany City Hall, 6700 NW 36th St., Bethany, OK 73008 on Thursday, April 25, 2024, at 11:00 a.m.

Charles Snyder, Chair called the meeting to order. Steve Marx gave the invocation. Motion was made by Justin Peck, seconded by Trent Reid to approve the April 18, 2024 Planning and Zoning Commission minutes as mailed. The votes are as follows: AYE- Charles Snyder, Justin Peck, Kent Lynn, Robert Helton, Steve Marx, Ron Crouch, Trent Reid. NAY- None. ABSTAIN- James Clemmer. The motion carried 7-0-1.

ITEM 1: **PC 24-06**
Consider a request by Council Road Baptist Church, applicant & property owner, to rezone the Southwest corner of NW 30th Street & N Council Road from Single-Family Residential (R-1) to Commercial General (C-G). *Item to be heard by the Bethany City Council on the 21st of May 2024 at 6:30 p.m. in City Hall.*

LEGAL DESCRIPTION: A part of the North Half (N/2) of the SE Quarter of Sec. 19 T12N-R4W, I.M., Oklahoma County, Oklahoma, more particularly described as follows: Beginning at the Northeast corner of the Southeast Quarter (SE/4) of said Section 19, Township Twelve (12) North, Range Four (4) West; Thence along the North line of said SE/4 389.00 feet; Thence South and parallel with the East line of said SE/4 330.00 feet; Thence East and parallel to the North line of said SE/4 389.00 feet to a point on the East line of said SE/4; Thence North 330.00 feet to the Point of Beginning. Less and except the North 35.00 feet and the East 33.00 feet thereof set aside for roadway easements.

ACTION: Brendan Summerville, Comm. Dev. Associate presented the staff report to consider rezoning the SW Cor. of NW 30th Street & N. Council Road from R-1, Single Family to C-G,

Commercial General. He summarized the lot characteristics for C-G, Commercial General and R-1, Single Family zoning districts. Currently the proposed lot as well as most everything around it is zoned single family. The only difference is the lot to the south is a planned residential development. There is a 14" water line on N. Council Rd. and an 8" line on NW 30th St. There is an 8" sewer line along west side of property and 15" lines along both N. Council Rd. and NW 30th St. This property is located within the north corridor of N. Council Rd., which the comprehensive plan calls for a mix of residential and commercial uses.

Commissioner Clemmer asked about the diagonal line on the survey.

Jerry Hocker, Applicant said he suspects diagonal line is a drainage line that allows water to drain from the north side to the south side of property.

Mr. Batali, 2911 N. Council asked about the future plans for the property.

Jerry Hocker, Applicant stated there are no plans at this time.

Commissioner Snyder noted this property is earmarked to become commercial property under the comprehensive plan. So, from NW 23rd Street to NW 36th Street is earmarked for mixed use. One of the possibilities is it could be a combination of commercial-residential, like in the 1930's where people lived above their store.

Ms. Stepanek, resident of 3108 N. McMillan spoke against the commercial rezoning.

Mr. Ray, new resident of the property next door to applicant's property, spoke against the commercial rezoning. There is too much traffic already.

Motion was made by Steve Marx, seconded by James Clemmer to recommend approving the C-G, Commercial General zoning. The votes are as follows: AYE- Justin Peck, Kent Lynn, Steve Marx, Ron Crouch, James Clemmer, Trent Reid. NAY- Robert Helton. ABSTAIN- Charles Snyder. The motion carried 6-1-1.

ITEM 2: **PC 24-08**

Discussion of shipping containers as they relate to the accessory structure ordinance.

ACTION: Brendan Summerville, Comm. Dev. Associate presented the staff report to discuss shipping containers as they relate to the accessory structure ordinance. Staff was tasked with looking into whether a shipping container could be treated as an accessory building. He reviewed the current accessory structure ordinance (Section 152.02). What we look at the most is whether or not the roof pitch matches the house and if the structure looks similar to the house. Staff has some concerns about the environmental quality of the shipping containers. As these shipping containers are steel on the bottom, they are prone to degrading. If shipping containers are sitting flat on the ground without a foundation, there is a good chance structure could corrode and get into our water system.

Commissioner Reid asked if there is way to make shipping containers okay for commercial but not residential.

Brendan Summerville, Comm. Dev. Associate stated he felt if you are going to use the shipping container as part of the building that it would be possible.

Commissioner Clemmer stated he was here when the City came up with the accessory building ordinance. They did not want shipping containers in Bethany, which is why they wrote the accessory building ordinance as it is now written.

Ray Jones, City Attorney stated that currently a 40-foot shipping container would exceed the 240 sq. ft. requirement. Then you have the other elements of our accessory building ordinance in place that require the structure to have a roof pitch that matches the house and matches the house design.

Commissioner Snyder stated the original question is should shipping containers be a viable option as an accessory building. This is what we should be focusing on.

After some discussion, Commissioner Snyder suggested we delay this item until the possibility of re-writing the accessory building ordinance arises in the future.

Commissioner Reid spoke against shipping containers on residential properties.

Motion was made by Trent Reid, seconded by James Clemmer to table this discussion until such time the accessory building ordinance is reviewed for changes/updates. The votes are as follows: AYE- Charles Snyder, Justin Peck, Kent Lynn, Robert Helton, Ron Crouch, James Clemmer, Trent Reid. NAY-None. ABSTAIN-Steve Marx. The motion carried 7-0-1.

NEW BUSINESS

Amanda McCellon, Comm. Dev. Director stated she felt bad after the last Planning and Zoning Commission meeting because she felt the Planning and Zoning Commission get a “no” from staff a lot and why we cannot do things. Most of everything that has been brought up in this room has already been talked about and is on our dream list. One of the most important things I have learned from Elizabeth Gray, City Manager is that timing is everything. Just because we say no now, that does not mean not someday.

Brendan Summerville, Comm. Dev. Associate mentioned some upcoming zoning and subdivision cases.

Amanda McCellon, Comm. Dev. Director and Brendan Summerville, Comm. Dev. Associate spoke about the groundbreaking for the Blue Goose in Eldon Lyon Park.

Commissioner Marx asked if the Planning and Zoning Commission meetings could be moved from 7:00 p.m. to 6:30 p.m.

Ray Jones, City Attorney stated this request could be passed onto the City Council to approve a resolution to change the Planning and Zoning Commission meeting time from 7:00 p.m. to 6:30 p.m.

Motion was made by Steve Marx and seconded by Justin Peck to recommend changing the Planning and Zoning Commission meeting time from 7:00 p.m. to 6:30 p.m. The votes are as follows: AYE- Charles Snyder, Justin Peck, Kent Lynn, Robert Helton, Steve Marx, Ron Crouch, Trent Reid. NAY- None. ABSTAIN- James Clemmer. The motion carried 7-0-1.

Motion was made by James Clemmer, seconded by Ron Crouch to adjourn. The motion carried unanimously 8 - 0.

Chair

Date