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## Memorandum

To: Honorable Mayor and City Council  
From: Wm. H. Cohrs, III, PE; Community Development Director  
Re: CZ 19-04  
Date: November 4, 2019

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### **BACKGROUND**

The Coweta Planning Commission held a Public Hearing for the above referenced Zoning Change on October 28<sup>th</sup>, 2019. Jason N. Smith is seeking to amend the zoning map to rezone a portion of the parcel, specifically the East 240 feet of Lot 2, Block 2, CREEK HOLLOW, a subdivision of part of S1/2 of SW1/4 tract of Section 36, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, State of Oklahoma, according to the recorded plat thereof. This request for rezoning would be from the CG (General Commercial) district to IL (Light Industrial) district.

The parcel, located at 27541 East 121st Street South, consists of approximately two acres of real estate with two existing structures. The structure to the west is a hair salon and the structure to the east has been used as an events center for weddings and small parties. Those uses are consistent with the existing CG zoning and surrounding land uses.

**Proposed Zoning:** IL (Light Industrial) High Intensity

**Present Zoning:** CG (General Commercial) district.

**Adjacent Zoning:** **North:** AG (Agriculture); **East:** AG (Agriculture); **South:** CG (General Commercial) and AG (Agriculture); **West:** CG (General Commercial)

**Comprehensive Plan Intensity:** Low, however the subject property was previously rezoned to CG which is a high intensity use.

The zoning application seeks to break one parcel of property into two zoning categories, CG and IL. This is not consistent with modern zoning practices, which generally require that each parcel, outside of a PUD, carry only one zoning category. Therefore, staff recommends that this zoning application should be denied.

None of the properties contiguous to this parcel are zoned for industrial use nor are those surrounding land uses necessarily compatible with the IL zoning category. Therefore, staff recommends that this zoning application should be denied.

The Coweta Comprehensive Plan 2020 Land Use Intensities map (pg. 38) shows that area of the community to be predominately low intensity land uses, most likely residential. Also, the Coweta Comprehensive Plan, under Industrial Area Goals (pg. 23) provides in part that "it is intended that the scattering of unplanned industrial uses in areas planned for other uses be discouraged". Additionally, the Industrial Area Policies (pg. 24) provides in part that "industrial districts should be separated from low intensity uses by medium intensity nonresidential uses whenever feasible and appropriate."

Therefore, staff finds that the applied for rezoning category is not consistent with the Coweta Comprehensive Plan and recommends denial of the zoning request.

There were no public comments in the public hearing pertaining to this matter. The Planning Commission voted to recommend denial of the request for rezoning the parcel. In accordance with the requirements of the Coweta Zoning Code (Chapter 22 Section 2230.4) when the Planning Commission has recommended denial of a zoning change, the applicant, Jason Smith, has timely filed a letter City Clerk seeking a hearing with the before the City Council.

The applicant has agreed to ask the City Council for a continuance on the matter at the November 4<sup>th</sup> meeting so that he can confer with City staff on the matter. The hearing before the City Council can be scheduled for a future meeting.

#### **STAFF RECOMMENDATION**

Staff recommends denial of the rezoning request.

#### **ATTACHMENTS**

1. Aerial View Map, 2. Zoning Map, 3. Ordinance, 4. Letter from Applicant