



Office of Community of Development
**NOTICE OF A MEETING FOR
CITY OF CHICKASHA
PLANNING COMMISSION**

In compliance with Title 25, Oklahoma Statutes, Section 301-314, the Oklahoma Open Meeting Act, including the posting of notices and agenda, be advised that the **City of Chickasha Planning Commission** of the City of Chickasha, Oklahoma, meeting on **Tuesday, September 13, 2022, at 4:00 PM.**

Said meeting will be held at City Hall, 2nd Floor City Council Chambers, 117 N. 4th Street, Chickasha, Oklahoma.

The City of Chickasha encourages participation from all its citizens. If special accommodations are needed, please notify the City Clerk at least 48 hours prior to the scheduled meeting. The City may waive the 48-hour rule if the necessary accommodations can be easily made.

AGENDA

1 Call to Order/Roll Call

2 Meeting Items

- a. Discussion, Consideration and Possible action to approve the minutes from the July 12, 2022 Meeting
- b. Public hearing to discuss and consider the request to Vacate Real Property owned by the City of Chickasha between 510 W Grand and 515 W Utah for applicant Lawson Retail Properties.
- c. Discussion, Consideration and possible action to approve the request to Vacate Real Property owned by the City of Chickasha between 510 W Grand and 515 W Utah for applicant Lawson Retail Properties.
- d. Public hearing to discuss and consider the Use on Review Application for 1809 W Grand Ave. for applicant Josh Woods
- e. Discussion, consideration and possible action to approve the Use on Review application for 1809 W Grand Ave for Applicant Josh Woods.
- f. Public hearing to discuss and consider changes to the Tattoo Parlor ordinance for the Historic Downtown Urban Center Ordinance.
- g. Discussion, Consideration and Possible action to approve the Changes made to the Uses Permitted on Review to the Historic Downtown Urban Center Ordinance.

3 Motion to Adjourn.

Rachel Bernish, Community Development Director



City of
CHICKASHA

Meeting Type: Planning Commission 9/13/22

Meeting Date: 9/13/2022

Department: Community Development

Agenda Item No. 2.a.

AGENDA ITEM: Discussion, Consideration and Possible action to approve the minutes from the July 12, 2022 Meeting

I. BACKGROUND/DESCRIPTION:

II. RECOMMENDED ACTION:

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director:
NAME, TITLE

Fund	Account	Amount
(To)		
FUND	ACCOUNT	AMOUNT
(From)		

Meeting Date:
September 13, 2022

V. ATTACHMENTS:

1. PLANNING COMMISSION 7-12-22

PLANNING COMMISSION MEETING

7-12-2022 4:00 pm

1. Call meeting to order: 4:00 pm

Roll Call: Mike Mosley, Tim Smith, John Grote, Glenn Snedeker, James Schoppa, Jeff McClure (alternate), Joe Hutmacher (alternate)

Present: Mike Mosley, Glenn Snedeker, James Schoppa, Joe Hutmacher

Absent: Tim Smith, John Grote, Jeff McClure

Staff Present: Rachel Bernish Community Development Director, Kara Taylor Permit Technician, Darren Martin Chief Building Official

Citizens Present: Jeremy Broyles and Jerry Reed

2. Meeting Items

a. Discussion, Consideration and Possible action to approve the minutes of the June 14, 2022 meeting.

*Motion by Glenn Snedeker and second by James Schoppa to approve minutes of June 14, 2022 Planning Commission meeting.

Roll Call: Mike Mosley, Tim Smith, John Grote, Glenn Snedeker, James Schoppa, Jeff McClure (alternate), Joe Hutmacher (alternate)

Ayes: Mike Mosley, Glenn Snedeker, James Schoppa, Joe Hutmacher

Nays:

Abstain:

Motion Carries

b. Public hearing to discuss and consider the request for an oversized building at 2227 W. Country Club Road for applicant Jeremy Broyles

Hearing opened: 4:02 pm

Hearing closed: 4:04 pm

- c. **Discussion consideration and Possible action** to approve the request for an oversized building

*Motion by Joe Hutmacher and second by Glenn Snedeker to approve

Roll Call: Mike Mosley, Tim Smith, John Grote, Glenn Snedeker, James Schoppa, Jeff McClure (alternate), Joe Hutmacher (alternate)

Ayes: Mike Mosley, Glenn Snedeker, James Schoppa, Joe Hutmacher

Nays:

Abstain:

3. Motion to adjourn meeting: 4:08 pm

*Motion **Glenn Snedeker** and a second by James Schoppa

Let the record show this is approved for 2227 W Country Club Road.

Roll Call: Mike Mosley, Tim Smith, John Grote, Glenn Snedeker, James Schoppa, Jeff McClure (alternate), Joe Hutmacher (alternate)

Ayes: Mike Mosley, Glenn Snedeker, James Schoppa, Joe Hutmacher

Nays:

Abstain:



City of
CHICKASHA

Meeting Type: Planning Commission 9/13/22

Meeting Date: 9/13/2022

Department: Community Development

Agenda Item No. 2.b.

AGENDA ITEM: Public hearing to discuss and consider the request to Vacate Real Property owned by the City of Chickasha between 510 W Grand and 515 W Utah for applicant Lawson Retail Properties.

I. BACKGROUND/DESCRIPTION:

II. RECOMMENDED ACTION:

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director:
NAME, TITLE

Fund	Account	Amount
(To)		
FUND	ACCOUNT	AMOUNT
(From)		

Meeting Date:
September 13, 2022

V. ATTACHMENTS:



City of
CHICKASHA

Meeting Type: Planning Commission 9/13/22

Meeting Date: 9/13/2022

Department: Community Development

Agenda Item No. 2.c.

AGENDA ITEM: Discussion, Consideration and possible action to approve the request to Vacate Real Property owned by the City of Chickasha between 510 W Grand and 515 W Utah for applicant Lawson Retail Properties.

I. BACKGROUND/DESCRIPTION:

The request is to vacate an alley between 510 W Grand and 515 W Utah.

According to public works, there are not any sewer or water lines contained in this right of way. The request was made for future development on this lot.

Lawson retail properties will be closing on this property at the end of the month and the current owner has provided a letter approving the closure.

II. RECOMMENDED ACTION:

Staff recommends to approve.

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director:
NAME, TITLE

Fund	Account	Amount
(To)		
FUND	ACCOUNT	AMOUNT
(From)		

Meeting Date:
September 13, 2022

V. ATTACHMENTS:

- 20220819085628836

2. 510 W Grand - Application for closure of easement



Request to Vacate Real Property Owned by the City of Chickasha

Applicant: Lawson Retail Properties, LLC

Address: 2201 Tecumseh Dr Norman OK 73069

Email Address/Phone: Mike@lawsonholdings.net; misty@lawsonholdings.net

Location of property: (state lot and block or attach metes and bounds description of entire lot)

510 West Grand and 515 W. UTAH

State your ownership in this lot:

☒ Fee simple estate

☐ Leased fee

☐ Easement

☐ Renter or leaseholder

☐ Other: (describe) _____

This request is to vacate: (please check one)

☒ Easement: ☒ utility ☐ access ☐ landscape

☐ Paved Street

☐ Unpaved Right-of-Way

☐ Other (describe) _____

Reason for request: Vacate alley, utilities, included unpaved right of way.

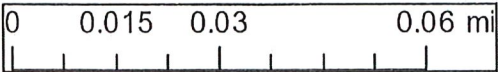
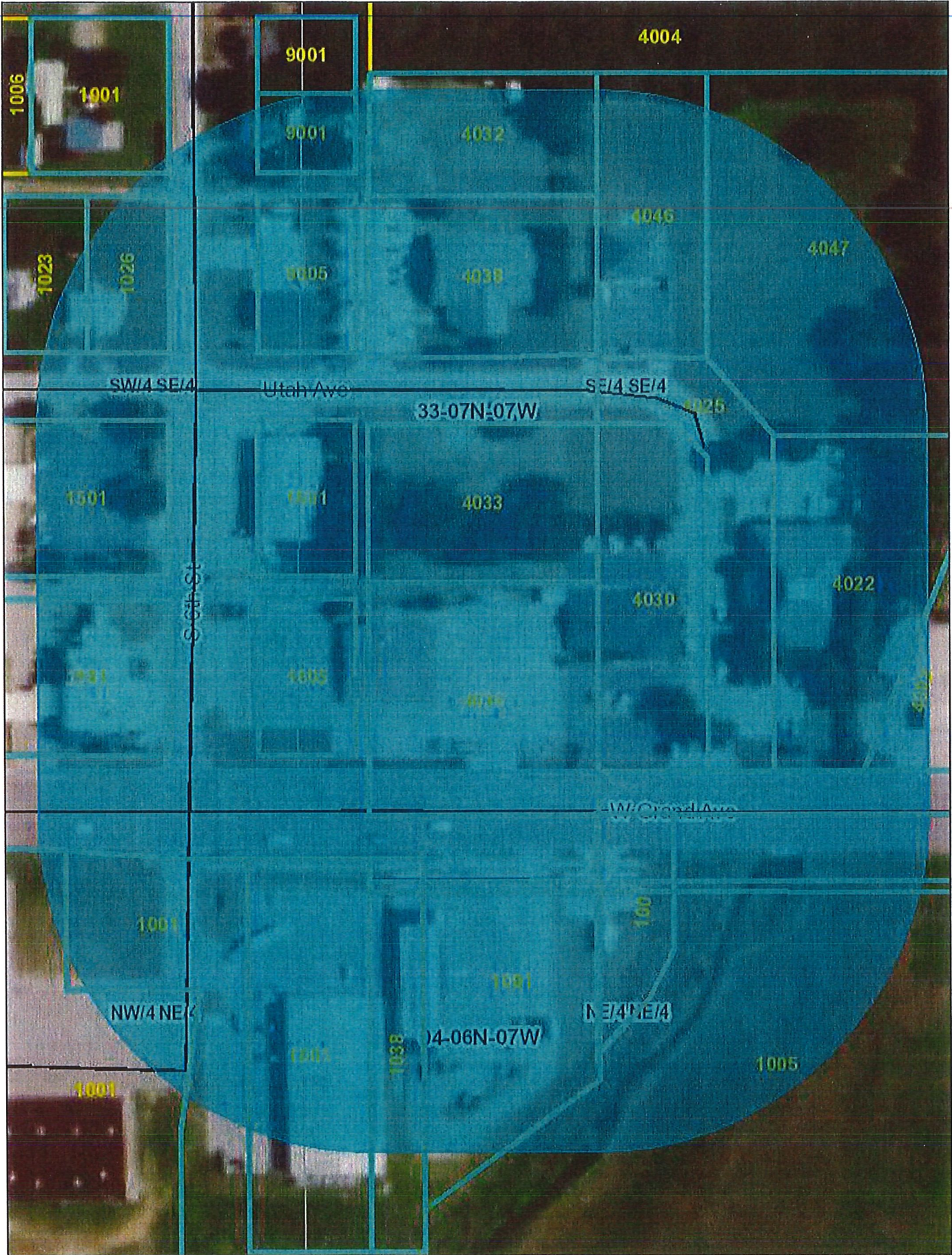
To the best of your knowledge, are any utilities located in the easement, including drainage ditched or pipe? ☒ Yes ☐ No

I hereby make application for vacation of the above cited property owned by the City of Chickasha. All the statements contained in this application are true to the best of my knowledge and belief. I have attached all required documents (as listed on the instruction sheet).

Signature & Date: Mike Lawson

Application fee paid: _____

Title



This is for assessment purposes only, and is not intended for use in making conveyances or for preparing legal descriptions
Copyrighted by the GRADY COUNTY ASSESSOR
Chickasha, Oklahoma, 2021

0000-33-07N-07W-4-030-00 33-07-07-19950 TR IN SW/4 SE/4 SE/4 BG 40' N
 STILLWATER NATIONAL BANK & 208.71' E OF SW/C SW/4 SE/4 SE/4 TH N 310' E 70' S 45
 TRUST COMPANY ATTN: FINANCE DEPARTMENT DEG 00 MIN E 42.43' S 280' W
 P.O. BOX 1988

			School	Acres	Book-Page	Situs
STILLWATER	OK	74076	9001 Chick City	0.7	2874	500 W GRAND AVE

0000-04-06N-07W-1-038-00 COMM. NE/C SECTION 4, TH N 89 51'50" W ALG NORTH
 YYY DG LLC LINE 1319.82' TO NE/C LOT 2 OF SEC. 4, S 00 00'31"W 50'
 15 VERBENA AVENUE SUITE 200 TO S R-O-W OF GRAND AVE FOR POB,

			School	Acres	Book-Page	Situs
FLORAL PARK	NY	11001	9001 Chick City	0.4	5127	

0000-33-07N-07W-4-032-00 33-07-07-20050 BG 550' N OF SW/C SW/4 SE/4
 SOTO, OLIVIA SE/4 TH N 110' E 208.71' S 110' W 208.71' TO BG
 1903 S. 6TH STREET

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0.52	4952	1914 S 5TH ST

0000-33-07N-07W-4-033-00 33-07-07-20150 BG 208.71' N OF SW/C SW/4
 LAFORGE PROPERTIES, LLC SE/4 SE/4 TH N 141.29' E 208.71' S 141.29' W 208.71'
 2808 S. 4TH STREET

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0.67	5717	515 UTAH AVE

0000-33-07N-07W-4-047-00 33-07N-07W COMM SE/C SW/4 SE/4 SE/4 TH N 340' TO
 MOSLEY REAL ESTATES, INC. POB; TH N 320'; TH W351.29'; TH S 00DEG 03'18"E 250.40';
 P.O. BOX 2100 TH S 45DEG E 84.85'; TH E 291.29' TO POB

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73023	9001 Chick City	2.56	4899	

0000-04-06N-07W-1-006-00 04-06-07-34700 BG 40' S OF NW/C LOT 1 TH S
 CHICKASHA, CITY OF 89 DEG 52 MIN E 1140.49 S 0 DEG 08 MIN. E 10' N 89
 DEG. 52 MIN. W 1140.49' N 0 DEG. 08 MI

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0.26		

0000-33-07N-07W-4-002-00
BORDWINE URBAN & RURAL
DEVELOPMENT CORP.
P.O. BOX 327

33-07-07-18550 TR BEG 40' N OF SE/C SW/4
SE/4 SE/4 - N 300' W 90' SW/LY 323.1' E 210' TO BG - LESS
TR BG 40' N OF SE/C SW/4 SE/4 SE/

	School	Acres	Book-Page	Situs
CHICKASHA OK 73023	9001 Chick City	0.96	4171	420 W GRAND AVE

C380-00-009-005-0-000-00 33-07-07-03250 ALL LOTS 5-6-7-8 BLK 9
WARDEN, BRAD & AMY HIGHLAND PARK ADDN

%AMY'S DOG GROOMING
1927 S. 6TH ST.

	School	Acres	Book-Page	Situs
CHICKASHA OK 73018	9001 Chick City	0	3681	1927 S 6TH ST

C380-00-015-001-0-000-00 33-07-07-05300 LOTS 1 THRU 7 & E 15' OF LOT 8
FIRST NATIONAL BANK & TRUST & ALL LOTS 22 THRU 28 BLK 15
COMPANY CHICKASHA HIGHLAND PARK ADDN
P.O. BOX 1130

	School	Acres	Book-Page	Situs
CHICKASHA OK 73023	9001 Chick City	0	3068	616 GRAND AV

0000-04-06N-07W-1-005-00 04-06-07 COMM NE/C NE/4 TH N 89DEG 51'50"W 625.01'
CHICKASHA DEVELOPMENT CO., LLC TO POB TH S 00DEG 01'14"E 385.00' TH S 89DEG 51'50"E
P.O. BOX 722760 200.00'; TH N 00DEG 01'14"W 123.00'; TH S 89

	School	Acres	Book-Page	Situs
NORMAN OK 73070	9001 Chk CtyBAV32.2		5490	

0000-33-07N-07W-4-046-00 33-07N-07W BEG. AT THE SE/C SE/4 TH
ARROW PROPERTIES, LLC ALONG S LINE SE/4 ON A BEARING OF N 89 59'31"W
500 W UTAH AVE 1108.58', N 00 03'18"E 409.99' TO POB. TH N 00

	School	Acres	Book-Page	Situs
CHICKASHA OK 73018	9001 Chick City	0	3609	

C290-00-001-001-0-006-00 04-06-07 DOLLAR GENERAL ADD'N A TRACT OF LAND IN
YYY DG LLC LOT 2 COMM AT THE NE/C OF SEC 4; TH N 89 51'50"W
15 VERBENA AVE 1319.82'; TH S 00 00'31"W 50' TO THE S ROW OF GRAN
STE 200

	School	Acres	Book-Page	Situs
FLORAL PARK NY 11001	9001 Chick City	0.93	5127	527 W GRAND AVE

C380-00-010-023-0-000-00
ABEDIAN, ILA
616 UTAH AVE

33-07-07-03750
BLOCK 10

ALL LOTS 23-24-25
HIGHLAND PARK ADDN

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	5793	616 UTAH AVE

C380-00-016-005-0-000-00
FIRST NATIONAL BANK & TRUST CO
P.O. BOX 1130

33-07-07-05800
HIGHLAND PARK ADDN

ALL LOTS 5-6-7-8
BLK 16

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73023	9001 Chick City	0	3009	2027 S 6TH ST

0000-33-07N-07W-4-022-00
DENTON, M. CRAIG & STEPHEN L.
MCRAY - UND. 54.69% & ETAL C/O MOSLEY
FAMILY P.O. BOX 2100

33-07-07-19500
SW/4 SE/4 SE/4 TH E 81.29' N 21 DEG 48 MIN E 323.1' W
201.29' S 300' TO BEG
ETAL

BEG 40' N & 368.71' E OF SW/C

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73023	9001 Chick City	0.97	3091	428 GRAND AVE

C380-00-009-001-0-000-00
BERRY, DANNY C. & TERRY L.
P.O. BOX 671

33-07-07-03150
HIGHLAND PARK ADDN

N 1/2 LOTS 1-2-3-4
BLK 9

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73023	9001 Chick City	0	5444	1901 S 6TH ST

C380-00-016-001-0-000-00
JOHNSON, DONNIE C. & TAMMY R.
2001 S 6TH STREET

33-07-07-05750
16
HIGHLAND PARK ADDN

ALL LOTS 1-2-3-4
BLK

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	3670	2001 S 6TH ST

C109-00-001-001-0-000-00
TWICE THE ICE ICE HOUSE #1
WEBB'S CONTRACTING, LLC
PO BOX 577

04-06N-07W LOT 1 BLOCK 1 WEBB'S CONTRACTING, LLC
PKA COMM NE/C TH N 89DEG 51'50"W 1040.40' TO
POB; TH S 00DEG 02'45"E 120.00'; TH S 28DEG

			School	Acres	Book-Page	Situs
LINDSAY	OK	73052	9001 Chk CtyBAV	0.28	5084	0 GRAND AV

C290-00-001-001-0-001-00 04-06-07-09350 ALL LOT 1-LESS N 100' OF W
 GRANDVIEW LTD. 140' & TR BG 738.31' E OF NW/C LOT 2 E 581.69' S 843.72'
 ATTN: CARL POJEZNY W 380' S 470' W 300' N 598.33' W 1
 P.O. BOX 20837

	School	Acres	Book-Page	Situs
OKLAHOMA CITY OK 73156	9001 Chick City	6.24		601 W GRAND AVE

C380-00-010-001-0-000-00 33-07-07-03300 ALL LOTS 1-2-3-4-5 BLK
 BARNES, SANDRA CRADDOCK 10 HIGHLAND PARK ADDN
 607 S WISCONSIN AVE

	School	Acres	Book-Page	Situs
CHICKASHA OK 73018	9001 Chick City	0	5047	607 S WISCONSIN AVE

C380-00-010-026-0-000-00 33-07-07-03800 ALL LOTS 26-27-28 BLK
 KILGORE, RUBY S & 10 HIGHLAND PARK ADDN
 MARY JOHNSON
 2012 W IDAHO

	School	Acres	Book-Page	Situs
CHICKASHA OK 73018	9001 Chick City	0	5586	602 UTAH AVE

0000-33-07N-07W-4-025-00 33-07-07-19650 SW/4 SE/4 SE/4 LESS W 208.71'
 MOSLEY REAL ESTATES, INC. THEREOF & LESS TR BG 40' N OF SE/C SW/4 SE/4 SE/4
 BOX 2100 TH N 300' W 90' SW/LY 323.1' TH E 210'

	School	Acres	Book-Page	Situs
CHICKASHA OK 73023	9001 Chick City	0.61		

0000-33-07N-07W-4-036-00 33-07-07-20250 BG SW/C SW/4 SE/4 SE/4 TH E
 LAFORGE PROPERTIES, LLC 208.71' N 208.71' W 208.71' S 208.71' NEW CHINA
 2808 S. 4TH STREET RESTURANT

	School	Acres	Book-Page	Situs
CHICKASHA OK 73018	9001 Chick City	1	5764	510 W GRAND AVE

0000-33-07N-07W-4-038-00 33-07-07-20350 TR BG 410' N OF SW/C SW/4
 SIGHTS, WOLTERS, L.L.C. SE/4 SE/4 TH N 140' E 208.71' S 140' W 208.71' TO BG
 PO BOX 456

	School	Acres	Book-Page	Situs
CLINTON OK 73601	9001 Chick City	0.68	4346	

C713-00-001-001-0-000-00
SHINETIME CARWASH, LLC
504 N. FIRST

4-6-7 LOT 1 BLOCK 1 TUNNEL CAR WASH PKA A
TRACT OF LAND IN LOT 1-COMM AT THE NE/C OF SEC 4
TH N 89 51'50W ALNG THE N LINE OF SEC 4 1110.40'

			School	Acres	Book-Page	Situs
ANADARKO	OK	73005	9001 Chk CtyTIF	1.1	5095	523 W GRAND AV

C290-00-001-001-0-003-00
CHICKASHA DEVELOPMENT CO. LLC
P.O. BOX 722760

04-06N-07W PART OF COMM NE/C NE/4 TH
N 89DEG 51'50"W 625.01' TO POB TH S 00DEG 01'14"E
385.00' TH S 89DEG 51'50"E 200.00'; TH

			School	Acres	Book-Page	Situs
NORMAN	OK	73070	9001 Chk CtyBAV	7.9	5490	

C380-00-009-001-0-001-00
INOSTROZA, JOSE LORENZO &
OLIVIA SOTO AVILA
1903 S. 6TH STREET

33-07-07-03200 S 1/2 LOTS 1-2-3-4 BLK 9
HIGHLAND PARK ADDN

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	4729	1903 S 6TH ST

SPECIAL CERTIFICATE

STATE OF OKLAHOMA }
 }
COUNTY OF GRADY } SS:

The Undersigned, lawfully bonded abstracters in and for said County and State, hereby certify that the foregoing attached sheets contain a true and complete list of all property owners owning property with in a 300 foot radius of the following described premises, to wit:

A tract of land beginning at the Southwest corner of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Thirty-three (33), Township Seven (7) North, Range Seven (7) West of the Indian Meridian, Grady County, Oklahoma, thence East 208.71 feet, thence North 208.71, thence West 208.71, thence South 208.71 feet to the point of beginning.

AND

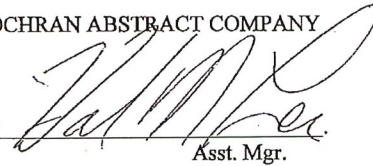
A tract of land situated in the Southwest Quarter of Southeast Quarter of Southeast Quarter (SW¼ SE¼ SE¼) of Section Thirty-three (33) in Township Seven (7) North, of Range Seven (7) West of the Indian Meridian, Grady County, Oklahoma, described as follows:
Beginning at a point 208.71 feet North of the Southwest corner of SW¼ SE¼ SE¼ of Section 33-7N-7W LM., thence North 141.29 feet, thence East 208.71 feet, thence South 141.29 feet, thence West 208.71 feet to the point of beginning.

as such list appears in the records of the County Treasurer of Grady County, Oklahoma.

Dated at Chickasha, Oklahoma, this 20th day of July, A.D. 2022
at 7:59 A.M.

COCHRAN ABSTRACT COMPANY

By


Asst. Mgr.

ORDER #66913

Compiled by

COCHRAN ABSTRACT COMPANY
INCORPORATED

BONDED ABSTRACTERS

Keegan V Doke, Manager

LEGAL DESCRIPTION:

Tract 1

A tract of land situated in the Southwest Quarter of the Southeast Quarter of the Southeast Quarter (SW/4 SE/4 SE/4) of Section Thirty-three (33), in Township Seven (7) North, Range Seven (7) West of the Indian Meridian, Grady County, Oklahoma, described as:

Beginning at a point 208.71 feet North of the Southwest Corner (SW/C) of SW/4 SE/4 SE/4; thence North 141.29 feet; thence East 208.71 feet; thence South 141.29 feet; thence West 208.71 feet to the point of beginning.

AND

Tract 2

A tract of land Beginning at the Southwest corner of the SW/4 SE/4 SE/4 of Section 33, Township 7 North, Range 7 West of the Indian Meridian, Grady County, State of Oklahoma; Thence East 208.71 feet; Thence North 208.71 feet; Thence West 208.71 feet; Thence South 208.71 feet to the Point of Beginning.

Said Tracts 1 and 2 being combined and further described as follows:

Tracts 1 and 2 Combined

A tract of land being a part of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter (SW/4 SE/4 SE/4) of Section Thirty-three (33), in Township Seven (7) North, Range Seven (7) West of the Indian Meridian, Grady County, Oklahoma, described by metes and bounds as follows:

BEGINNING at the Southwest corner of said SW/4 SE/4 SE/4;

THENCE North 00°00'30" West (North Record) a distance of 350.00 feet;

THENCE North 89°59'30" East (East Record) a distance of 208.71 feet;

THENCE South 00°00'30" East (South Record) a distance of 350.00 feet to a point on the south line of said SW/4 SE/4 SE/4;

THENCE South 89°59'30" West (West Record, along said south line, a distance of 208.71 feet to the POINT OF BEGINNING.

Said described tract of land contains an area of 73,049 square feet or 1.7670 acres, more or less.

LaForge Properties, LLC

August 19, 2022

City of Chickasha Community Development Director
117 N. 4th Street
Chickasha, OK 73108

Re: Application for Closure of Easement
Letter of Authorization

Dear Ms. Burnish:

LaForge Properties, LLC ("LaForge") is owner of the property located at 510 W. Grand and 515 W. Utah in Chickasha. Included in that property is a public easement recorded at Book 2847 Page 130 in the Grady County Clerk's office. A copy of the recorded easement is attached hereto for your convenience. As manager of LaForge, I hereby authorize Lawson Retail Properties, LLC, or their representative, to pursue closing of the public easement with the City and vacation of the easement in district court.

If you have any questions, please do not hesitate to contact me.

Sincerely,

 *Steve LaForge*

890939

BOOK 2847 PAGE 130

EASEMENT

120474

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of value received, the undersigned owner or owners, as the case may be, do hereby grant and dedicate to the public, for public use, a easement over and across the following described property situated in the County of Grady, State of Oklahoma, to-wit:

A tract beginning at a point 40 feet north of the Southwest corner of the Southwest quarter of the Southeast quarter of the Southeast quarter of Section 33 T7N-R7W, thence North 10 feet, thence East 208.71 feet, thence South 10 feet, thence West to point of beginning.

And a tract beginning at a point 248.71 feet North of the Southwest corner of the Southwest quarter of the Southeast quarter of the Southeast quarter of Section 33 T7N-R7W, thence East 208.71 feet, thence South 20 feet, thence West 208.71 feet, thence North to point of beginning.

with ingress and egress to and from the same; with utility/public way easement and grant shall be for the purpose of constructing, maintaining, or operating utility structures, and other Appurtenant appliances; and together with all rights and privileges incident thereto.

TO HAVE AND TO HOLD the said easement and grant unto the public for public use, forever; the consideration hereof being in full payment for the rights and privileges herein granted.

EXECUTED this 29 day of January 1996

Paul Huce.

Vicki

STATE OF OKLAHOMA
GRADY COUNTY S.S.
THIS INSTRUMENT WAS FILED FOR RECORD
ON the 19 day of March A.D. 1996
at 11:00 o'clock A.M. and duly recorded
in book 2847 on page 130
By Betty Ballery, County Clerk
By Vicki Nichols Deputy

ACKNOWLEDGMENT

STATE OF Oklahoma

COUNTY OF Grady



Before me, the undersigned, a Notary Public, in and for said County and State, on the 29th day of January, 1996, personally appeared Paul Huce + Vicki Huce.

to me know to be the identical persons who executed the within and foregoing instruments, and acknowledged to me that They executed the same as a free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year above written.



Juvenette Gardner
Notary Public
My Commission Expires January 7, 2000



City of
CHICKASHA

Meeting Type: Planning Commission 9/13/22

Meeting Date: 9/13/2022

Department: Community Development

Agenda Item No. 2.d.

AGENDA ITEM: Public hearing to discuss and consider the Use on Review Application for 1809 W Grand Ave. for applicant Josh Woods

I. BACKGROUND/DESCRIPTION:

II. RECOMMENDED ACTION:

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director:
NAME, TITLE

Fund	Account	Amount
(To)		
FUND	ACCOUNT	AMOUNT
(From)		

Meeting Date:
September 13, 2022

V. ATTACHMENTS:



City of
CHICKASHA

Meeting Type: Planning Commission 9/13/22

Meeting Date: 9/13/2022

Department: Community Development

Agenda Item No. 2.e.

AGENDA ITEM: Discussion, consideration and possible action to approve the Use on Review application for 1809 W Grand Ave for Applicant Josh Woods.

I. BACKGROUND/DESCRIPTION:

This is a use on review application for a congregate living facility located at 1809 W Grand Ave. The owners plan to lease this property to USAO Student athletes. This ordinance was recently approved and adopted by City Council.

II. RECOMMENDED ACTION:

staff recommends to approve.

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director:
NAME, TITLE

	Fund	Account	Amount
	(To)		
	FUND	ACCOUNT	AMOUNT
Meeting Date: September 13, 2022	(From)		

V. ATTACHMENTS:

- 20220822090300795

Due On: _____

Planning Commission Meeting Date: _____



City of

Chickasha

117 North 4th Street
Chickasha, OK 73018

Community Development

CITY OF CHICKASHA
APPLICATION FOR USE ON REVIEW

DATE: 8/15/22

1. Applicant(s) Name: Joshua Woods
Address: 1327 S 19th Chickasha, OK 73018
Phone: 405-974-6108
2. Legal Description of subject property: Lots 5, 6 Block 3, University Heights
*see attached.
3. Address of subject property: 1809 W Grand Ave Chickasha, OK 73018
4. Present zoning of subject property: R1
5. Physical Characteristics of Subject Property:
Frontage on Street: 50'
Lot Depth: 140'
Drawing Attached: X YES _____ NO
6. Proposed Use for the Property: Congregate living. Dormitory style rooms w/common living
6 Bed Rooms. 2 Bath, spec.
7. Public Utilities Which Serve the Property:
Street, Surface Material: Summit, PSO, Chickasha water
City Water: Y YES _____ NO, then list source of water _____
City Sanitary Sewer: Y YES _____ NO, then list provider _____
8. Number of Off-Street Parking Spaces: 3 to 7 (will move more parking in back) (slab)
Surface Material of Parking Spaces: concrete
9. Abstractors Certified Property Owners List Provided: _____ YES X NO
10. Owner of Record: Monkey Island Investment properties
Address: 1427 S 4th St, Suite A Chickasha OK 73018 Phone Number: _____
11. \$330.00 Application Fee Paid: _____ YES X NO

ALL INFORMATION ON THIS FORM MUST BE COMPLETED IN ORDER TO PROCESS YOUR REQUEST

Applicant(s) Signature: [Signature] Date: 8/15/22

117 North 4th Street, Chickasha, Oklahoma 73018 (405)222-6010 Fax No. (405)574-1015

E-mail: rachel.bernish@chickasha.org



To: Property Owners within 300 feet of 1809 W. Grand Ave.

Legal Description: Lots 5 and 6, Block 3, University Heights Addition to the City of Chickasha, Grady County, Oklahoma, according to the recorded plat thereof.

Location: 1809 W Grand Ave.

From: Community Development

Date: August 16, 2022

Applicant: Joshua Woods

Re: Use On Review for 1809 W Grand Ave to allow for Congregate Living Facilities.

Public hearings have been scheduled regarding the request for a use on review for Congregate Living Facility to be located at 1809 W Grand Ave.

If you wish to voice your support or protest regarding the above application you should attend the Planning Commission meeting on **September 13, 2022 at 4:00 PM** in the City Council Chambers Rm. 210 at City Hall, 117 North 4th Street, Chickasha, Oklahoma

and the **City Council** meeting on **October 3, 2022 at 6:30 PM** in the City Council Chambers Room. 210 at City Hall, 117 North 4th Street, Chickasha, Oklahoma. Written comments, if received prior to the meetings, may be entered into the record.

If you have any questions regarding this matter, please contact me at 405-222-6010 or email me at rachel.bernish@chickasha.org

Sincerely

Rachel Bernish
Community Development Director
Emergency Manager
405-222-6010
Rachel.bernish@chickasha.org
117 N 4th Street
Chickasha, OK 73018

PRELIMINARY TITLE OPINION

PARK, NELSON, CAYWOOD & JONES, LLP

Attorneys at Law

Post Office Box 968

Chickasha, Oklahoma 73023-0968

Telephone: (405) 224-0386

March 8, 2022

Cochran Closing Company
314 W. Choctaw Avenue
Chickasha, Oklahoma 73018

To Whom It May Concern:

Pursuant to your request, I have examined Abstract of Title No. 92973, containing 57 sheets, certified to April 8, 1984 at 7:59 A.M., by Washita Valley Abstract Company, Chickasha, Oklahoma; Supplemental Abstract of Title No. 97535, containing 21 sheets, certified to March 4, 2003 at 7:59 A.M., by Washita Valley Abstract Company, Chickasha, Oklahoma; and Supplemental Abstract of Title No. 124228-C, containing 87 sheets, certified to March 3, 2022 at 7:59 A.M., by Cochran Abstract Company, Chickasha, Oklahoma covering the following described real property, to-wit:

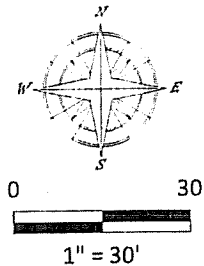
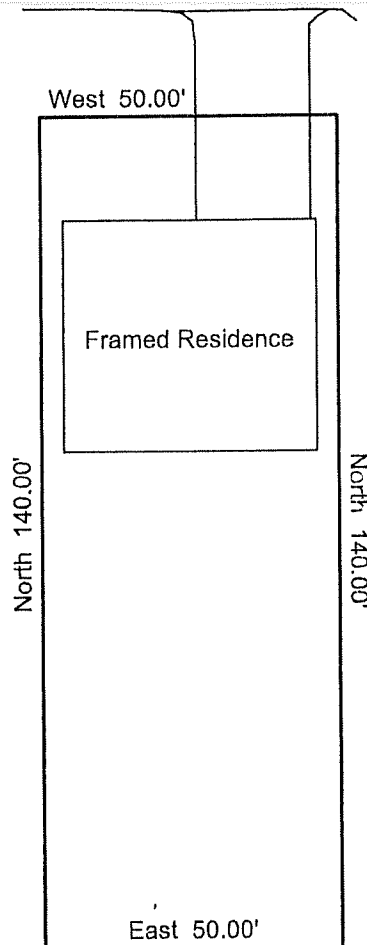
Lots 5 and 6, Block 3, University Heights Addition to the City of Chickasha, Grady County, Oklahoma, according to the recorded plat thereof.

In my opinion, marketable title in and to the above described real property is vested in Tianqing Lu, as shown by a warranty deed appearing at Sheet 87 of Supplemental Abstract No. 124228-C dated December 22, 2016 and recorded December 22, 2016 in Book 5148 at Page 386 of the records of Grady County, Oklahoma subject to the following:

1. At Sheet 22 of the base abstract appears an amended plat to the University Heights Addition to the City of Chickasha dated March 5, 1910 and filed of record April 4, 1910. The original dedication to the University Heights Addition to the City of Chickasha does not appear in the abstracted materials. Purchaser is on notice of the amended plat and takes title subject to any covenants, restrictions, regulations, easements, rights of way or ordinances applicable to the property at issue by way of such amended plat.
2. At Sheet 2 of Supplemental Abstract No. 97535 appears a right of way agreement in favor of Reliance Pipeline Company recorded January 3, 1986 in Book 1644 at Page 57 of the records of Grady County, Oklahoma granting the right of way and easement for the construction and operation of a pipeline over and across a portion of the property which is the subject of this easement. You are placed on notice of this right of way agreement and take title subject thereto.

Mortgage Inspection Report

— W. Grand Avenue —



Prepared for:

- Monkey Island Investment Properties LLC
- Cochran Closing Company

Physical Address:

1809 Grand Avenue
Chickasha, OK 73018

Title Opinion

Entry 1- Blanket.
Entry 2- Not Plottable.
Entry 3- Not Plottable.
Entry 4- Does not affect.
Entry 5- Blanket.

Legal Description:

Lots 5 and 6, Block 3, University Heights Addition to the City of Chickasha, Grady County, Oklahoma, according to the recorded plat thereof.

Surveyor's Certification

It is not a land or boundary survey plat, and it is not to be relied upon for the establishment of fence, building or other future improvement lines. The accompanying sketch is a true representation of the conditions that were found at the time of the inspection, and the linear and angular values shown on the sketch, if any, are based on record or deed information and have not been verified unless noted. Underground and above ground utilities were not field located and therefore are not shown on this plat unless specifically requested by the client. This plat is prepared solely for the client listed hereon as of this date and may not be used for any subsequent loan closing, refinance, or other transaction. No responsibility or liability is assumed herein or hereby to the present or future land owner or occupant.

C720-00-002-011-0-000-00 05-06-07-06050 ALL LOTS 11-12
 NABORS, BILL R. & MILDRED E. BLOCK 2 UNIVERSITY HEIGHTS ADDN
 LIFE ESTATE NICKEY O. & JEAN M. CROSKY
 1721 W. GRAND AVE

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	3955	1721 GRAND AVE

C720-00-003-011-0-000-00 05-06-07-06850 ALL LOTS 11-12
 UNIVERSITY OF SCIENCE AND ARTS BLOCK 3 UNIVERSITY HEIGHTS ADDN
 OF OKLAHOMA
 1727 W. ALABAMA

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	4533	1823 GRAND AV

C720-00-002-017-0-001-00 05-06-07-06250 S 70' LOTS 17-18-19-20
 MCCARTY, TERRY & PAM BLOCK 2 UNIVERSITY HEIGHTS ADDN AND
 2125 S. 18TH STREET VACATED PUBLIC ROADWAY BEG SE/

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	5552	2125 S 18TH ST

C720-00-003-013-0-000-00 05-06-07-06900 ALL LOTS 13, 14, 15, & 16
 UNIVERSITY OF SCIENCE AND ARTS BLOCK 3 UNIVERSITY HEIGHTS ADDN
 OF OKLAHOMA
 ATTN: MIKE COPONITI

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	4022	1825 GRAND BLVD

C720-00-003-021-0-000-00 05-06-07-07100 ALL LOTS 21-22 BLOCK
 WALSH, CHRIS & AMBER 3 UNIVERSITY HEIGHTS ADDN
 401 MOCKINGBIRD ROAD

			School	Acres	Book-Page	Situs
NINNEKAH	OK	73067	9001 Chick City	0	4839	1820 PARK AVE

C720-00-003-025-0-000-00 05-06-07-07200 ALL LOTS 25-26-27-28
 FLEETWOOD, MICHELLE L. BLOCK 3 UNIVERSITY HEIGHTS ADDN
 1814 PARK AVE

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	5151	1814 PARK AVE

✓ C720-00-002-021-0-000-00 05-06-07-06300 ALL LOTS 21-22 BLOCK
 MATHEWS, DONALD E. & LISA R. 2 UNIVERSITY HEIGHTS ADDN
 1720 PARK AVE.

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	3221	1720 PARK AVE

✓ C720-00-003-001-0-000-00 05-06-07-06600 ALL LOTS 1-2 BLOCK
 MACDONALD, SEAN I. 3 UNIVERSITY HEIGHTS ADDN
 701 BALCONES DR. APT. 30

			School	Acres	Book-Page	Situs
COLLEGE STA	TX	77845	9001 Chick City	0	4291	2102 S 18TH ST

✓ C720-00-003-029-0-000-00 05-06-07-07250 ALL LOTS 29-30
 HARKINS, TOM R. & BLOCK 3 UNIVERSITY HEIGHTS ADDN
 HARKINS, JOANN MILLER
 P.O. BOX 1462

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73023	9001 Chick City	0	2500	1808 PARK AVE

✓ C720-00-002-015-0-000-00 05-06-07-06150 ALL LOTS 15-16 BLOCK
 ERSLAND, MICHAEL JOE & SUSIE O 2 UNIVERSITY HEIGHTS ADDN
 1727 GRAND AVENUE

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	2579	1727 GRAND AVE

✓ C720-00-002-017-0-000-00 05-06-07-06200 N 70' LOTS 17-18-19-20
 WILLMON, STEPHEN REV TRST BLK 2 UNIVERSITY HEIGHTS ADDN
 2851 COUNTRY CLUB DR

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	4309	2119 S 18TH ST

✓ C720-00-003-019-0-000-00 05-06-07-07050 ALL LOTS 19-20
 TEAGUE, JON COLLIN BLOCK 3 UNIVERSITY HEIGHTS ADDN
 216 W VETERANS MEMORIAL HWY

			School	Acres	Book-Page	Situs
BLANCHARD	OK	73010	9001 Chick City	0	4927	1824 PARK AVE

C720-00-002-013-0-000-00
 WHITE, DUANE ALAN
 1725 W. GRAND AVE.

05-06-07-06100
 BLOCK 2

ALL LOTS 13-14
 UNIVERSITY HEIGHTS ADDN

CHICKASHA	OK	73018	School	Acres	Book-Page	Situs
			9001 Chick City	0	3037	1725 GRAND AVE

C720-00-003-009-0-000-00
 UNIVERSITY OF SCIENCE &
 ARTS OF OKLAHOMA
 1727 W. ALABAMA AVE

05-06-07-06800
 BLOCK 3

ALL LOTS 9-10
 UNIVERSITY HEIGHTS ADDN

CHICKASHA	OK	73018	School	Acres	Book-Page	Situs
			9001 Chick City	0	5661	1815 GRAND BLVD

C720-00-003-023-0-000-00
 THOMPSON, DAVID EUGENE &
 LYNN ANN
 1816 W PARK AVE

05-06-07-07150
 3

ALL LOTS 23-24
 UNIVERSITY HEIGHTS ADDN BLOCK

CHICKASHA	OK	73018	School	Acres	Book-Page	Situs
			9001 Chick City	0	5624	1816 W PARK AVE

C720-00-010-013-0-000-00
 TATE, CHARLES W. & MERLINDA C.
 P.O. BOX 379

05-06-07-08400
 10

ALL LOTS 13-14
 UNIVERSITY HEIGHTS ADDN BLOCK

NINNEKAH	OK	73067	School	Acres	Book-Page	Situs
			9001 Chick City	0	5230	1825 PARK AVE

C720-00-003-005-0-000-00
 LU, TIANQING
 1718 S. 1ST ST

05-06-07-06700
 3

ALL LOTS 5-6
 UNIVERSITY HEIGHTS ADDN BLOCK

CHICKASHA	OK	73018	School	Acres	Book-Page	Situs
			9001 Chick City	0	5148	1809 GRAND AV

C720-00-003-017-0-000-00
 WILLIAMS, DELL J
 2627 S 19TH

05-06-07-07000
 BLOCK 3

ALL LOTS 17-18
 UNIVERSITY HEIGHTS ADDN

CHICKASHA	OK	73018	School	Acres	Book-Page	Situs
			9001 Chick City	0	3424	1828 PARK AVE

✓ C720-00-010-011-0-000-00 05-06-07-08350 ALL LOTS 11-12 BLOCK
 PHILLIPS, TOMMY 10 UNIVERSITY HEIGHTS ADDN
 2144 COUNTY STREET 2820

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	4462	1823 W PARK

✓ C720-00-010-009-0-000-00 05-06-07-08300 ALL LOTS 9-10 BLOCK
 INNOVATIVE INVESTMENTS, LLC 10 UNIVERSITY HEIGHTS ADDN
 P.O. BOX 2153

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73023	9001 Chick City	0	5513	1821 PARK AVE

✓ C370-00-001-000-0-000-00 32-07-07-02300 ENTIRE BLOCK HIGGIN'S
 O.C.W. PLACE

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0		

✓ C720-00-003-003-0-000-00 05-06-07-06650 ALL LOTS 3-4 BLOCK
 MCCrackin, Jeff & Lori 3 UNIVERSITY HEIGHTS ADDN
 2103 LAKEWOOD DR

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	3487	1805 GRAND AV

✓ C720-00-003-007-0-000-00 05-06-07-06750 ALL LOTS 7-8 BLOCK
 TIBBETTS RENTALS, L.L.C. 3 UNIVERSITY HEIGHTS ADDN
 25 WALNUT DRIVE

			School	Acres	Book-Page	Situs
NINNEKAH	OK	73067	9001 Chick City	0	2878	1811 GRAND BLVD

✓ C720-00-003-031-0-000-00 05-06-07-07300 ALL LOTS 31-32 BLOCK
 PHILLIPS, PATRICK 3 UNIVERSITY HEIGHTS ADDN
 2144 COUNTY STREET 2820

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	5646	2126 S 18TH ST

C720-00-010-001-0-000-00 05-06-07-08100 N 70' LOTS 1-2-3 BLOCK 10
HOWELL RENTALS, LLC UNIVERSITY HEIGHTS ADDN
✓ 112 ROSEWOOD DRIVE

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	5627	2204 S 18TH ST

C720-00-010-004-0-000-00 05-06-07-08200 ALL LOTS 4-5-6 BLOCK
HARRIS, JANIE 10 UNIVERSITY HEIGHTS ADDN
1811 PARK AVE.

			School	Acres	Book-Page	Situs
CHICKASHA	OK	73018	9001 Chick City	0	3593	1811 PARK AVE

C720-00-010-007-0-000-00 05-06-07-08250 ALL LOTS 7-8 BLOCK
COOPER, PAMELA SUZANNE 1/3 10 UNIVERSITY HEIGHTS ADDN
✓ & ROBERT KEITH COX 1/3 &
MARK DAVID COX 1/3

			School	Acres	Book-Page	Situs
NINNEKAH	OK	73067	9001 Chick City	0	5619	1815 PARK AVE

SPECIAL CERTIFICATE

STATE OF OKLAHOMA }
 }
COUNTY OF GRADY } SS:

The Undersigned, lawfully bonded abstracters in and for said County and State, hereby certify that the attached sheets contain a true and complete list of all property owners within a 300 foot radius of the following described property:

Lots Five (5) and Six (6) in Block Three (3), University Heights Addition, Grady County, Oklahoma, according to the recorded plat thereof;

as such list appears in the Certified Tax Rolls of Grady County, Oklahoma.

Dated at Chickasha, Oklahoma, this 15th day of August, A.D. 2020 at 7:59 A.M.

COCHRAN ABSTRACT COMPANY

By 
Asst. Mgr.

Compiled by
COCHRAN ABSTRACT COMPANY
INCORPORATED

BONDED ABSTRACTERS

Keegan V. Doke, Manager



Page 31 of 36



City of
CHICKASHA

Meeting Type: Planning Commission 9/13/22

Meeting Date: 9/13/2022

Department: Community Development

Agenda Item No. 2.f.

AGENDA ITEM: Public hearing to discuss and consider changes to the Tattoo Parlor ordinance for the Historic Downtown Urban Center Ordinance.

I. BACKGROUND/DESCRIPTION:

II. RECOMMENDED ACTION:

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director:
NAME, TITLE

Fund	Account	Amount
(To)		
FUND	ACCOUNT	AMOUNT
(From)		

Meeting Date:
September 13, 2022

V. ATTACHMENTS:



City of
CHICKASHA

Meeting Type: Planning Commission 9/13/22

Meeting Date: 9/13/2022

Department: Community Development

Agenda Item No. 2.g.

AGENDA ITEM: Discussion, Consideration and Possible action to approve the Changes made to the Uses Permitted on Review to the Historic Downtown Urban Center Ordinance.

I. BACKGROUND/DESCRIPTION:

An individual attended the City Council and requested we update the tattoo parlor ordinance to allow Tattoo Parlors in the historic downtown urban center.

Current Tattoo parlors are allowed in C2 under a use on review. This change would allow a tattoo parlor under a use on review in the historical downtown area.

II. RECOMMENDED ACTION:

Staff Recommends to approve.

III. FISCAL INFORMATION -

IV. FUND INFORMATION:

Dept. Director:
NAME, TITLE

Fund	Account	Amount
(To)		
FUND	ACCOUNT	AMOUNT
(From)		

Meeting Date:
September 13, 2022

V. ATTACHMENTS:

1. Sec._54_46.____Historic_Downtown_Urban_Center

Sec. 54-46. Historic Downtown Urban Center.

- (a) *General description.* The Historic Downtown Urban Center is an overlay district encompassing the core of the historic downtown district of the city, which serves as a shopping and employment area for the city and the surrounding area. This district is intended to provide for general business uses such as retailing of all kinds, professional offices, financial institutions, restaurants, and residential facilities. Land uses deemed as incompatible to the desired commercial mix are prohibited uses. The underlying zoning provisions shall prevail, unless the provisions contained in this article are more restrictive, in which case, the overlay district regulations shall prevail.
- (b) *District boundaries.* The historic downtown urban center is bordered on the east by the railroad, on the south by the alley between Kansas Avenue and Colorado Avenue, on the west by 7th Street, and on the north by the alley between Choctaw Avenue and Pennsylvania Avenue, also described as follows: Beginning at the intersection of 7th Street and the alley between Kansas Avenue and Colorado Avenue, thence north to the intersection of 7th Street and the alley north of W. Choctaw Avenue, thence east to the Union Pacific Railroad (formerly Oklahoma, Kansas and Texas Railway and the Chicago, Rock Island and Pacific Railroad), thence southeasterly along the railroad right-of-way to the intersection of the railroad and the alley south between Kansas Avenue and Colorado Avenue, thence west along said alley to the point of beginning.
- (c) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Architectural resources means districts, structures, buildings, monuments, and sites that possess historic interest or artistic merit, or which are particularly representative of their class or periods or represent achievements in cultures, architecture, engineering technology or design.

Façade means the face or exterior of a building, especially an exterior facing the street and having decorative architectural details, and related structures.

Historic district means a geographically definable area as designated by ordinance of the city council which may contain one or more significant landmarks and which may have within its boundaries other property or structures while of such historic and/or architectural significance to be designated as landmarks, nevertheless, contribute to the overall visual characteristics of the district.

Landmark means an individual structure, building, site or monument, which contributes to the historic architectural or archaeological heritage of the city and is worthy of rehabilitation, restoration and/or preservation.

Preservation means the adapted use, conservation, protection, reconstruction, restoration, or rehabilitation or stabilization of sites, buildings, districts, structures, monuments or other resources significant to the heritage of the people of the city.

- (1) *Adaptive use* means the alteration of a historic or architectural resource to accommodate uses for which the resources were not originally constructed in such a way in which to maintain the general historic character.
- (2) *Conservation* means the sustained use and appearance of a resource essentially in its existing or restored state.
- (3) *Protection* means maintaining the security and integrity, as it exists, or establishment of the mechanism of this article.
- (4) *Reconstruction* means the process of replication, or reproducing by new construction all or part of the form and detail of resources as it appeared at a specific period of time.

-
- (5) *Rehabilitation* means the process of returning the historic or architectural resources to the state of efficiency or soundness by repair or alteration designed to encourage its continued use but without noticeably changing the exterior appearance of the resource.
 - (6) *Restoration* means the process of accurately replicating or recovering all or part of the form and detail of the resource as its setting at a particular period of time by means of removal of later work and the replacement or duplication of missing earlier work.
 - (7) *Stabilization* means the process of applying measures designed to halt deterioration and to establish the structural stability of an unsafe or deteriorated resource while maintaining the essential form, as it presently exists without noticeably changing the exterior appearance of the resource.
 - (8) *Structure* means anything constructed or erected, the use of which requires permanent location on the ground or which is attached to something having a permanent location on the ground; this includes but is not limited to buildings, fences, walls, driveways, sidewalks, parking areas and signs.
 - (9) *Ordinary maintenance and repairs* means any work for which a building permit or any other city permit or certificate is not required and where the purpose is stabilization, and further where such work will not noticeably change the exterior appearance of the resource.
- (d) *Purpose and intent.* The creation of the historic downtown urban center is intended to promote the historical, architectural, cultural, economic and aesthetic features of the central business district. Therefore, it is hereby declared that the purposes of this district shall be as follows:
- (1) To preserve, protect, enhance, and perpetuate those structures which reflect the outstanding elements of the city's cultural, artistic, social, economic, political, architectural, and historic heritage as identified by the city council.
 - (2) To stabilize and improve the aesthetic and economic vitality and values of such structures.
 - (3) To sustain the character and integrity of the central business district by focusing special attention on the maintenance of the physical environment.
 - (4) To prevent economic obsolescence and to promote reinvestment by fostering stable property values.
 - (5) To foster the harmonious and orderly growth, development and redevelopment of the central business district and to provide jobs and promote tourism for the city.
- (e) *Permitted and prohibited uses and structures.*
- (1) *Permitted use:* Property and buildings located in the historic downtown urban center shall be used only for the following uses:
 - a. Any uses permitted by right in the C-1 or C-2 commercial districts except those listed under prohibited uses in this section.
 - (2) *Uses permitted on review.* Any establishment that offers, or intends to offer, for sale or consumption any type of alcoholic or nonintoxicating beverage.
 - a. Any restaurant, which has the primary purpose of serving food to the public, and which offers as a part of its menu for consumption on the premises any nonintoxicating beverage as defined by the statutes of the state.
 - b. Tavern or bottle club.
 - c. Liquor store.
 - d. Residential.
 - e. **Tattoo Parlors**

(3) *Prohibited uses.*

- a. Adult entertainment establishments.
- b. Alcohol and drug treatment centers, residential.
- c. Bingo parlors.
- d. Blood banks.
- e. Detention centers, forced.
- f. Mental health facilities, transitional.
- g. Mobile home sales and service.
- h. Pari-mutuel betting, either as a primary use or an accessory use.
- i. Shelters, emergency, for victims of domestic violence, or for dependent and neglected children.
- ~~j. Tattoo parlors.~~
- k. Storage warehouse.

(4) *Prohibited structures.* Metal buildings, either premanufactured or site-build, unless the exterior of such building is constructed of a masonry or similar material that is compatible with the character and integrity of the architectural style prevalent in the overlay district. This determination shall be made by the code administrator.

- (f) *Incentive grant program.* The city council is authorized to establish an incentive grant program to promote economic development of the city through the preservation of facades of structures in the historic downtown urban center. The incentive grant program shall provide for grants to partially cover the cost of preserving the facades of structures in the historic downtown urban center determined by the city council to have significant historic and/or architectural significance for the city and to be appropriate for the purposes of this article.

(Code 2012, § 16-4-20; Ord. No. 2007-14, 12-3-2007; Ord. No. 2015-12, § 1, 10-19-2015; Ord. No. 2016-23 , § I, 10-3-2016)