

CITY OF KREBS  
PLANNING AND ZONING MEETING  
November 7, 2023

KREBS CITY HALL  
5 NE WASHINGTON  
KREBS, OK

November 7, 2023  
TUESDAY AT  
6:00 P.M.

1. **MEETING CALLED TO ORDER** by Chairman Mark Moy
  
2. **ROLL CALL** by Chairman Moy. Dana DeFrange- present, Robert Patton- present, Larry Coxsey- present, James Garigin- present, Chairman Moy- present.
  
3. **DISCUSS AND ACT TO APPROVE/DISAPPROVE THE MINUTES OF THE OCTOBER 3, 2023 PLANNING & ZONING MEETING.** Chairman Moy asked for a motion. Dana DeFrange makes a motion to approve the minutes. James Garigin seconded. Chairman Moy called for a vote. Dana DeFrange-yes, Robert Patton- yes, Larry Coxsey- yes, James Garigin- yes. Motion passed.
  
4. **BUSINESS PREVIOUSLY DISCUSSED**
  - A. **DISCUSS AND ACT TO RECOMMEND/NOT RECOMMEND THE REZONING OF PROPERTY AT 350 MAIN ST. LOTS 5 & 6 BLOCK 99 OF KREBS, OK, FROM R-1 RESIDENTIAL TO C-1 COMMERCIAL**

Owner of said property, Tyler Partain, is requesting this property be rezoned to C-1 commercial, so that he can put in a shop, to sell archery and fire arms. Mr. Partain states the shop would be a max of 800 square feet.

Chairman Moy asked for more details. Chairman Moy asked if it was going to be like a pawn shop.

Mr. Partain states he brought the ATF descriptions of the type of licenses he is requesting. Mr. Partain states he wants to get the type I, and II license. Type I is a dealer and fire arm, other than destructive devises. The type II is a pawn broker of fire arms. Mr. Partain state they have to have the type II in case they purchase a stolen fire arm, they would be covered under the pawn brokers law.

Chairman Moy states there is some opposition and once it is zoned as commercial Mr. Partain would be able to do what ever he wanted with it.

Larry Coxsey stated that the road in front of this property is only about 12 feet wide and would not handle two-way traffic.

Chairman Moy states the board would like to give the surrounding neighbors an opportunity to respond.

Krebs resident Phillip Coxsey asked what kind of building it would be, and what kind of sprinkler system would be in the building, in case of fire.

Mr. Partain states he is going to build it himself. It will be wood frame with thick metal on the outside. For fire protection, and burglary, the exterior will be wrapped in expanded metal. Mr. Partain states, he believes, by ATF rules he does have to have a sprinkler system. Mr. Partain states the only thing they will keep enclosed, inside safes, will be black powder.

Resident Phillip Coxsey states ammo goes where it wants to. He expressed concern about ammunition going off and potentially harming child playing in the area, since this location is a between two houses, in a residential area.

Dana DeFrange states there is also a house behind this property.

Krebs resident Jack Mouser asked, if the city can rezone one piece of property in the middle of a neighborhood, and not rezone anything else around it.

Chairman Moy responds that yes, they can, but do not normally do so. Chairman Moy states, the planning & zoning commission, is here for the residents of Krebs and if they do not want a commercial building in their residential area, they should let the board know.

Krebs resident Cathleen Cuevas and her husband voice that they are very much opposed to the rezoning of this property. Mrs. Cuevas states they do not want a gun/ammo shop, or any kind of business right next door to their home. She states they live on a one lane road that can already be congested when repair, and service people need to park their vehicles, or when a neighbor is going the opposite direction. Mrs. Cuevas is also concerned that the home owners and car insurance rates would increase. She is worried about the potential risk to her home, and the surrounding neighbors' homes if the proposed gun shop were to catch fire. What would happen to the property values with a gun and ammo shop in the neighborhood? Mrs. Cuevas states, with so many empty commercial buildings in Krebs, why not use one of those instead of putting a commercial building in the middle of a neighborhood.

Mrs. Cuevas ask the Planning & Zoning commission to keep their neighborhood residential, and deny this rezoning request.

Krebs resident Darlene Mousser expresses concerns about the already heavy traffic at "all hours of the day and night" to the house behind this property.

Chairman Moy ask for a motion. Robert Patton makes a motion to table the, recommend/not recommend rezoning of the property at 350 Main St. Lots 5 & 6 block 99 of Krebs, OK from R-1 residential to C-1 commercial, until the December 5<sup>th</sup>, 2023 planning & zoning meeting.

James Garigin seconded. Chairman Moy calls for a vote. Dana DeFrange- yes, Robert Patton- yes, Larry Coxsey- yes, James Garigin- yes. Motion passed.

## **5. BUSINESS NOT PREVIOUSLY DISCUSSED**

### **A. DISCUSS AND ACT TO RECOMMEND/NOT RECOMMEND THE REZONING OF THE PROPERTY**

**LOCATED NEAR NW CHURCH ST AND CREEK AVE. (SEE PROPERTY DESCRIPTION IN PACKET)**

**FROM A-1 AGRICULTURAL TO R-1 RESIDENTIAL** Chairman Moy states this is property on the

north side of Creek Street. Where we recently talked about putting the 20 homes, it's across the

road.

Erick Silva with Sunview construction states he is requesting a rezoning of the property located on the north east corner of Church Street and Creek Street. The reason for the rezoning request is we want to rezone to R-1 single family housing. We want to build standard single family housing. No apartments no multi family, none of that. Erick states the reason for the request is, all the adjacent property owners are all currently classified as single-family housing. We are not looking to put a commercial building in the middle of a residential. We are asking to continue with the progression of the city development, which is single family housing. There can be no vote on rezoning recommendation at this time because all the requirements for rezoning request have not yet been met.

Alex with Sunview asked if they would be able to have a vote by the December meeting.

Chairman Moy states, to his understanding that would be correct. Chairman Moy also states there may be an issue with supplying water.

Erick asked if there was a certified letter from an engineer stating there is a problem with the water.

Chairman Moy states that would be a question for the city council.

Erick is told that Foxx Engineer is the engineer for the city of Krebs.

Erick asked if the city was going to do a moratorium on building.

Chairman Moy states, the city is not doing a moratorium because the city needs commercial business. Cities do not survive without business.

Alex states, he thinks the zoning could be granted, and no building permits granted. That just because it's zoned a certain way, does not mean houses are going to be built right then.

Larry Coxsey states if it is going to be a development, there is more to it than just asking for it to be rezoned. You have to present a plat with infrastructure.

Krebs resident Carolyn Crone asked, why they were trying to rezone the property from agriculture to residential, without the plats, and infrastructure being presented, when you can build houses on agricultural land.

Erick responded, that it is the first step of the process. You can't propose houses without the proper zoning.

Ms. Crone ask if they already have a certain number of houses they are planning on building there.

Erick states they don't have an exact amount of house, but that they do have an idea.

Alex states, he wants it on the record, that he does not want a table on the motion next month, that they will need a vote in December.

Chairman Moy ask for a motion. Larry Coxsey made a motion to table the recommend/ not recommend rezoning of the property located near NW church street and Creek Ave.

James Garigin seconded. Chairman Moy calls for a vote. Dana DeFrang- yes, Robert Patton- Yes, Larry Coxsey- yes, James Garigin- yes, Chairman Moy- yes. Motion passed.

## 6. COMMENTS

7. **ADJOURN** Chairman Moy ask for a motion. Dana DeFrange makes a motion to adjourn. Robert Patton seconded. Chairman Moy calls for a vote. Larry Coxsey- yes, James Garigin- yes, Robert Patton- yes, Dana DeFrange- yes. Motion passed.