

PLANNING COMMISSION MINUTES

DATE: AUGUST 7TH, 2019

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in the Commission Chambers, at City Hall, 9th and Broadway, on Wednesday, August 7th, 2019, at 1:30 p.m., pursuant to notice duly posted as prescribed by law.

AGENDA ITEM NO.1:

Roll Call

Upon roll call the following members were present:

Present: Matthews, Walker, Bergsten, Rowell, Kienzle, Melot

Absent: Deem

Meeting was called to Order.

AGENDA ITEM NO.2:

Consideration of approval of the minutes from the regular meeting of the Planning Commission on July 3rd, 2019

Chairman Bergsten asked Commissioners for any comments, questions, or a vote. Commissioner Matthews motioned to approve the minutes; seconded by Commissioner Kienzle.

Motion passed:

AYE: Matthews, Rowell, Kienzle

NAY:

ABSTAIN: Walker, Bergsten

OBSERVING: Melot

AGENDA ITEM NO.3:

Citizens' Participation

Chairman Bergsten opened the public portion of the meeting and announced that this is an open time for discussion for those with questions on topics not on the Agenda and asked if anyone would like to come forward.

No one came forward and Chairman Bergsten closed the public portion of the meeting.

AGENDA ITEM NO.4:

Case #P11-19 – Public hearing and consideration of approval of a rezone request from A-1 (Rural Agricultural) to R-1 (Single-Family Residential), located at 1510 North Elm Avenue, Shawnee, Oklahoma, for the purpose of a single-family home

Applicant: Dale Wiginton

Planning Director Rebecca Blaine presented staff report. She stated the lot is being rezoned to a district for its current use, a single-family home. She stated the Planning Department has a policy of correcting incorrectly zoned lots such as this one, and that they waived the application fee for Mr. Wiginton. She stated staff recommends approval.

Chairman Bergsten opened the public portion of the meeting and asked if anyone speaking against the item would like to come forward.

No one came forward and Chairman Bergsten asked if anyone speaking in favor of the item would like to come forward. No one came forward and Chairman Bergsten closed the public portion of the meeting.

Chairman Bergsten asked if there were any other comments or questions. There were no comments or questions and Chairman Bergsten asked for a motion. Commissioner Kienzle motioned to approve of the rezone; seconded by Commissioner Matthews.

Motion passed:

AYE: Matthews, Walker, Bergsten, Rowell, Kienzle

NAY:

ABSTAIN:

OBSERVING: Melot

AGENDA ITEM NO.5:

Case #P12-19 – Public hearing and consideration of approval of a rezone request from R-1 (Single-Family Residential) to C-3 (Highway Commercial), located at 3914 North Kickapoo Avenue, Shawnee, Oklahoma, for the purpose of a shopping strip center

Applicant: Margaret Davis

Planning Director Rebecca Blaine presented staff report. She stated many rezones are happening in this area due to Kickapoo Avenue being one of the primary commercial arterial streets in Shawnee, and that the Planning Department encourages commercial development in areas like this. She stated staff recommends approval.

Chairman Bergsten opened the public portion of the meeting and asked if anyone speaking against the item would like to come forward.

No one came forward and Chairman Bergsten asked if anyone speaking in favor of the item would like to come forward. No one came forward and Chairman Bergsten closed the public portion of the meeting.

Chairman Bergsten asked if there were any comments or questions. There were no comments or questions and Chairman Bergsten asked for a motion. Commissioner Kienzle motioned to approve of the rezone; seconded by Commissioner Rowell.

Motion passed:

AYE: Matthews, Walker, Bergsten, Rowell, Kienzle

NAY:

ABSTAIN:

OBSERVING: Melot

AGENDA ITEM NO.6:

Case #P13-19 – Public hearing and consideration of approval of a rezone request from C-1 (Neighborhood Commercial) to C-3 (Highway Commercial), located at 1601 North Kickapoo Avenue, Shawnee, Oklahoma, for the purpose of making leasing vacant spaces easier

Applicant: John Brown

Planning Director Rebecca Blaine presented staff report. She stated the applicant property is adjacent to two C-3 zoned properties, and that the applicant desires to broaden the amount of uses tenants can do in the building. She stated staff recommends approval.

Chairman Bergsten opened the public portion of the meeting and asked if anyone speaking against the item would like to come forward.

No one came forward and Chairman Bergsten asked if anyone speaking in favor of the item would like to come forward. The applicant, John Brown, came forward. He stated he is representing his parents. He stated he is here to answer any questions the Commission may have, and thanks the Commission for their service. No one else came forward and Chairman Bergsten closed the public portion of the meeting.

Chairman Bergsten asked if there were any comments or questions. There were no comments or questions and Chairman Bergsten asked for a motion. Commissioner Walker made a motion to approve of the rezone; seconded by Commissioner Kienzle.

Motion passed:

AYE: Matthews, Walker, Bergsten, Rowell, Kienzle

NAY:

ABSTAIN:

OBSERVING: Melot

AGENDA ITEM NO.7:

Case #P14-19 – Public hearing and consideration of approval of a rezone request from RE (Residential Estate) to C-3 (Highway Commercial), located at 39405 West MacArthur Street, Shawnee, Oklahoma, for the purpose of a medical marijuana dispensary

Planning Director Rebecca Blaine presented staff report. She stated that, in the mile stretch of this block, there are eight different zoning classifications from four different districts. She stated the 2005 Comprehensive Plan designates the future land use of this area as residential; however, there have been several rezones to C-3 in this area since the 2005 Comprehensive Plan was adopted, all of which took place in areas it designated as residential. She noted that the City has been working on a new Comprehensive Plan, which will be on the Agenda for the Planning Commission next month, and the City will have a new Comprehensive Plan adopted. She stated the new Comprehensive Plan has the subject property designated as residential; furthermore, the housing study completed by the consulting firm RDG stated the City is low on housing inventory stock. She stated staff recommends approval of this rezone due to the current precedent that has been set for this area.

Chairman Bergsten asked Director Blaine to clarify the date that the Planning Commission will be reviewing the Comprehensive Plan. She stated it would be on September 4th, 2019. Chairman Bergsten stated to the Commission that they have the option to defer the item in order to base the decision of the Commission on either the 2005 Comprehensive Plan or the 2019 Comprehensive Plan to be adopted.

Chairman Bergsten stated to the audience that the Commission may defer the item in order to make a decision on the subject property based upon the soon to be newly adopted Comprehensive Plan, and a motion to defer the item to a later date could be made right now. Commissioner Matthews stated his interest in doing so. He stated the City has put a lot of effort into developing the 2019 Comprehensive Plan. Commissioner Matthews clarified that if the Commission chooses to defer the item right now, they would wait to hold the public portion of the meeting until the next time the item is heard by the Commission. Chairman Bergsten asked for a motion. Commissioner Matthews made a motion to defer the item to the October 2nd, 2019 Planning Commission Meeting; seconded by Commissioner Rowell.

Motion passed:

AYE: Matthews, Walker, Bergsten, Rowell, Kienzle

NAY:

ABSTAIN:

OBSERVING: Melot

AGENDA ITEM NO.8:

Consideration and discussion of an Urban Chicken Ordinance, for the purpose of regulating the keeping and raising of fowl.

Planning Director Rebecca Blaine presented the ordinance. She explained what the origins for the conceptualization of this ordinance was. She stated that the cities of Norman and Edmond have recently adopted new urban chicken ordinances. She briefly summarized the contents of the Ordinance.

Commissioner Walker asked Director Blaine how the enforcement of this Ordinance would be implemented. She stated it would be complaint driven. She stated the other communities with urban chicken ordinances that she has discussed this issue with have stated they have had little issues with their citizenry when it came to this type of regulation. Commissioner Walker stated the ordinance does not state what happens if the City determines a chicken is a nuisance animal. Director Blaine stated their permit for having chickens would be revoked with Director's discretion. She stated additional language could be added to more specifically address this process.

Commissioner Matthews asked if this Ordinance is consistent with Norman and Edmond. Director Blaine stated Edmond's ordinance is unique. She stated their minimum lot size for chickens is 0.68 acres. She stated her ordinance is most in line with Norman, and that she preferred Norman's ordinance.

Chairman Bergsten clarified that enforcement would be complaint driven and that there is no other avenue of enforcement. Director Blaine stated that is correct.

Chairman Bergsten asked if there were any comments or questions. There were no comments or questions and Chairman Bergsten asked for a motion. Commissioner Matthews made a motion to approve of the Urban Chicken Ordinance; seconded by Commissioner Walker.

Motion passed:

AYE: Matthews, Walker, Bergsten, Rowell, Kienzle

NAY:

ABSTAIN:

OBSERVING: Melot

AGENDA ITEM NO.9:

Planning Director's Report

Planning Director Rebecca Blaine stated the final draft of the 2019 Comprehensive Plan that RDG has created for the City.

She stated there was an inquiry about the fencing at the Shawnee Milling Company. She stated they are fixing their fencing, and cleaning up the area.

She stated the APA Quad-State conference is coming up at the end of September in Tulsa, Oklahoma. She told the Commission that they are welcome to come. Commissioner Kienzle stated she is presenting at this conference.

AGENDA ITEM NO. 10:

Commissioners Comments and/or New Business

Commissioner Kienzle expressed her excitement about the sidewalks being created on Harrison Avenue.

Commissioner Walker noted that a vehicle dealer had their wares parked on the sidewalk.

Chairman Bergsten asked what else would be coming to Domino Plaza. Director Blaine stated a clinic is going there. Commissioner Kienzle asked if the clinic was for humans or pets. Director Blaine stated it is for humans. Chairman Bergsten the dog park looks nice.

Commissioner Kienzle asked what the City's regulations on drop-off bins for donating clothing and shoes are. Director Blaine stated she would look into that issue. Commissioner Kienzle stated it is an eye sore. Commissioner Walker stated it looks like an outside storage facility.

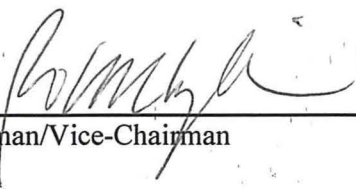
Chairman Bergsten asked if there have been any updates on Phase II of the Shawnee Market Place. Director Blaine stated she has no updates on that project.

Chairman Bergsten congratulated Rachael Melot on her appointment to the Planning Commission and expressed his appreciation for her joining the Commission.

AGENDA ITEM NO.11:

Adjournment

Meeting was adjourned.



Chairman/Vice-Chairman

Joseph Barker
Planning Commission Secretary