

REGULAR PLANNING COMMISSION MINUTES

DATE: AUGUST 5th, 2020

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a regular meeting on August 5th, 2020, 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: Deem, Walker, Melot, Matthews, Engles, Loftis-Walton, Rowell

Absent: None

A quorum was declared, and the meeting was called to order.

AGENDA ITEM NO.2:

Consideration of approval of the amended minutes from the special called June 19th, 2020 meeting and minutes from the regular meeting of July 1st, 2020 (Request deferment).

Chairperson Matthews requested a motion for deferment. Commissioner Walker made a motion with a second by Commissioner Melot. Motion carried 7-0.

Aye: Walker, Melot, Deem, Matthews, Engle, Loftis-Walton, and Rowell

Nay: None

Abstain: None

It was stated that item would be deferred until the next regular Planning Commission meeting on Wednesday, September 2nd, 2020.

AGENDA ITEM NO.3:

Citizens' Participation

(A three-minute limit per person)

(A twelve-minute limit per topic)

Bruce Bushong came forward to inquire if the E. 39th Street rezoning was on the agenda. Chairperson Matthews confirmed it was on the agenda and there would be a public hearing at which time he could speak to that item. No one else came forward to speak, and the Citizens' Participation was closed.

AGENDA ITEM NO.4:

Case #P11-20 – Public Hearing and Consideration of a conditional use permit (CUP) for an ADU (Accessory Dwelling Unit) for a 0.40-acre property, located at 1120 N. Louisa Avenue.

Applicant: Brent & Amanda Newsom

Chairperson Matthews asked for a staff report. Director Blaine presented the staff report. She stated the purpose of the ADU was for a space for out-of-state family to stay when visiting, and that it would not be sublet. She stated the Zoning Code's criteria for ADU's included a maximum of 900 square feet. The existing accessory structure was 900 square feet, 600 of which would be remodeled for dwelling space. The remaining 300 square feet would be kept as storage space. Proper public notice and notice to surrounding property owners was completed. No written responses had been received. She stated the approval of the ADU would take the base zoning to R-2 (Medium Density Residential District); however, it would default back to R-1 (Single Family Residential District) if the ADU (Accessory Dwelling Unit) was ever to go away. She stated the 2040 Comprehensive Plan discussed having more diversity in housing options and that the Zoning Code should consider that when renewed. Staff recommended approval of this application.

Chairperson Matthews opened the public hearing. He asked if anyone wanted to speak in favor of this case. No one came forward. He asked if anyone wanted to speak in opposition of this case. No one came forward. Chairperson Matthews then closed the public hearing.

Chairperson Matthews asked if any Commissioners had questions or comments. Commissioner Engles said she had confidence in the contractor listed to perform the remodel. Commissioner Melot said she was in support of the application which fulfilled a housing need.

Commissioner Melot made a motion to approve. It was seconded by Commissioner Loftis-Walton. Motion passed 7-0.

Aye: Melot, Loftis-Walton, Deem, Walker, Matthews, Engles, and Rowell
Nay: None
Abstain: None

It was stated the application would be heard at the next regular City Commission meeting on Monday, August 17th at 6:00 p.m. in the Commission Chambers.

Chairperson Matthews tabled Agenda Item 5 to first address Agenda Item 6.

AGENDA ITEM NO.5:

Case #P12-20 – Public Hearing and Consideration of a rezoning from A-1 (Rural Agricultural) to PUD (Planned Unit Development) for the purpose of a residential subdivision on a 13.37-acre property, located on the north side of E. 39th Street approximately 840’ east of Harrison Avenue.

Applicant: Cedar Ridge Investments

Chairperson Matthews requested the staff report. Director Blaine presented the staff report. She stated proper public notification as well as notification to 37 surrounding property owners were met to satisfy legal requirements. She mentioned the following written communication was received: a letter of support from Vision Bank, a petition of support for R-1 (Single Family Residential District) only authored by E. Bruce Bushong with 10 signatures and a petition in opposition of the PUD authored by Lawrence Epple with 60 signatures. Concerns of the petitions were stormwater runoff/flooding, the increase of vehicle traffic volume for E. 39th Street which is not built to city standards, safety concerns of development being adjacent to the OG+E substation, concerns about adverse flooding affects on the Northridge VII pond, and a concern regarding a development with non-homeowners verses homeowners associating non-homeowners with domestic disturbances, crime and decreased property values. Direct Blaine addressed the concerns to the Commission. Civil engineering plans would be required for submittal, review and staff approval for drainage and detention. The correlation of homeowners versus non-homeowners to domestic disturbances, crime and reduction in property values is based on opinion only and not factual. The OG+E substation is secured with a 6’ fencing and locked gate. This should be a non-issue. The 2040 Comprehensive Plan had this parcel designated for High Density Residential which is defined as 12 dwelling units per acre (12DU/AC) or more. The current proposed PUD with 62 lots only equates to 7 dwelling units per acre (7DU/AC). Blaine stated the support of the Planning Office to add new rooftops to the community, but that this development as proposed should be considered for a different location. She said the 2040 Comprehensive Plan designates over 1100 acres for all types of future residential. She also stated that PUDs (Planned Unit Developments) should be used sparingly for developments with unique characteristics that would not fit within a standard zoning district. This development does not possess the uniqueness. Chairperson Matthews asked if the Commission had any questions for Director Blaine. No questions were brought forth.

Chairperson Matthews opened the public hearing portion of the meeting for those wishing to speak in favor of this application. Stephen Landes, Engineer of Landes Engineering representing the developer, David Tomlinson, came to the podium. He stated the developer was not interested in a multifamily development. Landes mentioned they would be filling in the existing pond on the property and add a wet and a dry pond for detention. Bruce Bushong, author of one of the petitions, came forward. He stated they had concerns about the affects of the pond in Northridge and the investment the homeowners had put into the pond. He mentioned the concern with the increase of traffic as well. Lawrence Epple, the author of the other petition, came forward. He stated concerns with the increase of traffic with the one access point on E. 39th Street, stormwater runoff and the safety of development adjacent to the OG+E substation. Korbin Williams came forward. He stated he believes he owns part of the pond that Landes indicated they were going to fill in. He inquired if this application would change the zoning of his property. Chairperson Matthews stated only the parcel on the application would potentially be rezoned. Chairperson Matthews closed the public hearing portion of the meeting.

Matthews asked for Commissioners' comments. Commissioner Loftis-Walton commented that the letters/petitions seem to be in favor of R-1 (Single Family Residential District) and that Shawnee had a need for additional housing. She thought it was a positive that this development would be in Shawnee Public School District so they would receive property taxes. Commissioner Walker inquired about adding a second entrance to 42nd Street. Chairperson Matthews inquired about the responsibility of the developer to improve E. 39th Street to support the increase of traffic. Commissioner Melot gave a thanks to the public for their involvement. Melot stated she was very involved in the making of the 2040 Comprehensive Plan as well as builders, developers and persons from other sectors of the community. She stated multifamily housing was assessed as a need for the community, and Shawnee currently didn't have many multifamily options. Melot stated the need to adhere to the future land use of the Comp Plan and pointed out the ample other areas designated for single family residential. Commissioner Deem was in agreeance with the roadway needing improved. Director Blaine stated E. 39th Street was not currently on the priority list of roadway projects. Chairperson Matthews stated changes to the Comprehensive Plan should only be done under thorough review and careful consideration. Director Blaine expressed concern with deviating from the Comprehensive Plan that was newly adopted last October. Commissioner Engles stated she had nothing against the proposed development, but that the Comp Plan should be upheld. She said that multifamily can come in many forms. Blaine asked if the developer was prepared to invest in the road improvements necessary to support his development. Tomlinson stated he would help but was not willing to pay all the infrastructure improvement costs on his own. Seth Barkhimer, City Engineer, stated it was not unprecedented for a municipality to require the developer to bare costs of infrastructure improvements required to support their development. Commissioner Walker stated it was not a good approach to allow development without making the necessary infrastructure improvements.

Commissioner Melot made a motion to deny the application. It was seconded by Commissioner Deem. Motion passed 5-2.

Aye: Melot, Deem, Walker, Matthews, Engles
Nay: Loftis-Walton, Rowell
Abstain: None

It was stated the application would be heard at the next regular City Commission meeting on Monday, August 17th at 6:00 p.m. in the Commission Chambers.

AGENDA ITEM NO.6: **Case #P13-20 – Public Hearing and Consideration of a rezoning from C-1 (Neighborhood Commercial) to C-3 (Highway Commercial) for a 0.19-acre property, located at 1018 W. Benedict Street.**

Chairperson Matthews asked for a staff report. Director Blaine advised the Planning Commission that the applicant had approached her prior to the start of the meeting to request the item be deferred to the next regular Planning Commission meeting. Chairperson Matthews then returned back to Agenda Item 5.

AGENDA ITEM NO.7:

Planning Director's Report

No report.

AGENDA ITEM NO.8:

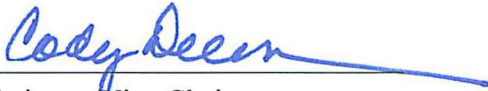
Commissioners Comments/New Business

Commissioner Melot gave a thanks to the City for the lights in the MacArthur Street tunnel but said they were not on all the time at night or early morning. She stated she had a new mural painted on her building. She announced she would be resigning from the Planning Commission due to a career opportunity she was taking. Commissioner Walker inquired about the review process and amendments of the Comprehensive Plan. Blaine discussed specifics. Commissioner Deem asked about the house on N. Tucker with the fallen tree. Blaine mentioned the demolition had gone out for bid, and that job should be completed by late September.

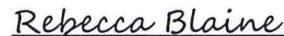
AGENDA ITEM NO.7:

Adjournment

Meeting was adjourned at 2:35 p.m.



Chairman/Vice-Chairman



Planning Director