

NOTICE OF MEETING

PLANNING COMMISSION

TYPE OF MEETING

REGULAR MEETING	(X)	RESCHEDULED REGULAR MEETING	()
SPECIAL MEETING	()	CONTINUED OR RECONVENED MEETING	()

DATE:

TIME:

PLACE OF MEETING:

07/07/2021

1:30 P.M.

Commission Chambers
City Hall, 9th & Broadway
Shawnee, OK 74802-1448

To be completed by person filing notice:

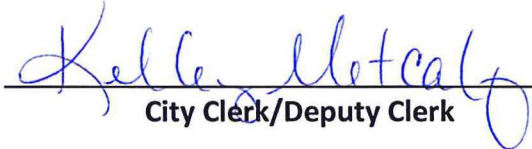
NAME: Rachel Clyne

TITLE: City Planner

ADDRESS: 222 N. Broadway Ave.
Shawnee, OK 74801

PHONE: (405) 878-1616

Filed in the office of the municipal clerk at 3:26 a.m./(p.m.) on 07/01/2021

SIGNED: 
City Clerk/Deputy Clerk

=====

FOR CITY CLERK'S OFFICE USE ONLY

DATE NOTICE RELEASED TO NEWS MEDIA: 7-1-2021

PERSON FILING NOTICE: /s/ Rachel Clyne

NOTICE VERIFIED BY: Kelley Metcalf

AGENDA
PLANNING COMMISSION SHAWNEE, OK
Regular Meeting
July 7, 2021 at 1:30 P.M.
City Hall, 16 W. 9TH St. Shawnee, OK

- 1. Roll Call**
- 2. Citizens' Participation**
 - (A three-minute limit per person)
 - (A twelve-minute limit per topic)
- 3. Consideration of approval of the minutes from the regular meeting of the Shawnee Planning Commission on April 7, 2021.**
- 4. Public hearing and consideration of an application to rezone property located at 33001 Lake Road, containing approximately 4-acres, from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with a CUP (Conditional Use Permit) for the purpose of a wedding venue with the sale and consumption of alcoholic beverage on the premises. Case No. CUP01-21, Applicant: Greta Madson (Enterprises, LLC).**
- 5. Public hearing and consideration of an application to rezone property located at 15515 Perry Road, containing approximately 1.5-acres, from A-1 (Rural Agricultural District) to A-1 (Rural Agricultural District) with a CUP (Conditional Use Permit) for the purpose of a garage/cottage guest house (ADU (Accessory Dwelling Unit)). Case No. CUP02-21, Applicant: Edward and Sandra Moore.**
- 6. Public hearing and consideration of an application to rezone property located at 3715 North Kickapoo Avenue, containing approximately 2.5-acres, from C-2 (Suburban Office Commercial District) and R-1 (Single Family Residential District) to C-3 (Highway Commercial District). Case No. RZ06-21, Applicant: Kim Wheeler on behalf of HIA Legacy, LLC.**
- 7. Planning Director's Report**
- 8. New Business**
- 9. Commissioners' Comments**
- 10. Adjournment**

REGULAR PLANNING COMMISSION MINUTES

DATE: April 7th, 2021

DRAFT minutes

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a regular meeting on April 7th, 2021, 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: Walker, Loftis-Walton, Johnson, Deem, Engles, Lester

Absent: Rowell

City Planner Rachel Clyne announced there was a quorum. Clyne explained that she would fill in for Planning Director Rebecca Blaine for today's meeting. The meeting was called to order.

AGENDA ITEM NO. 2: Citizens' Participation (A three-minute limit per person) (A twelve-minute limit per topic)

Chair Deem opened the floor for public participation for items not on the meeting's agenda. There was no participation.

AGENDA ITEM NO. 3:

Consideration of approval of the minutes from the regular meeting of March 3rd, 2021.

Chairperson Deem asked the Planning Commissioners if there were questions or corrections to the minutes.

Commissioner Walker made a motion to approve the minutes as presented, which was seconded by Commissioner Johnson. Chairperson Deem asked for a vote of aye for those in favor then asked for a vote of nay for those opposed.

Motion passed 5-0-0.

Aye: Walker, Loftis-Walton, Johnson, Deem, Engles, Lester

Nay: None

Abstain: None

AGENDA ITEM NO. 4: Case No. PL06-21 – Consideration and approval of Shawnee Retail Final Plat, a 4.26-acre tract located approximately 250 feet northwest of the intersection of Shawnee Mall Drive and Harrison Avenue. *Applicant: STP Solutions, Inc. on behalf of Shiv Properties, LLC*

Chairperson Deem asked for a staff report. Planner Clyne stated the applicant, was requesting the Final Plat of the Shawnee Retail Development subdivision be recommended for approval.

Chairperson Deem opened the public hearing. She asked if anyone wanted to speak in favor or in opposition of this case.

Terry Pollock, with STP Solutions, Inc., was available for questions.

With no other comments from the public, Chairperson Deem closed the public hearing.

Commissioner Loftis-Walton made a motion to recommend approval of **#PL06-21** as presented, which was seconded by Commissioner Engles. Chairperson Deem asked for a vote of aye for those in favor then asked for a vote of nay for those opposed. Motion passed 5-0-0.

Aye: Walker, Loftis-Walton, Johnson, Deem, Engles, Lester

Nay: None

Abstain: None

It was stated the application (Case # **PL06-21**) would be heard at the next regular City Commission meeting on Monday, April 19th, 2021 at 6:00 p.m. in the Commission Chambers.

AGENDA ITEM NO. 5:

Case No. PL07-21 Consideration and approval of Cardinal Point Final Plat, a 12.08-acre tract located approximately 1,150 feet east of Union Avenue located on the north side of East 45th Street.

Applicant: Cardinal Point Development, LLC

Chairperson Deem asked for a staff report. Planner Clyne stated the applicant, was requesting the Final Plat of the Cardinal Point subdivision be recommended for approval. Staff recommended Conditional Approval subject to the appropriate Blocks added to the Final Plat before review by the City Commissioners.

Chairperson Deem opened the public hearing. She asked if anyone wanted to speak in favor or in opposition of this case. With no comments from the public, Chairperson Deem closed the public hearing.

Commissioner Loftis-Walton made a motion to recommend conditional approval of **# PL07-21** as presented, which was seconded by Commissioner Engles. Chairperson Deem asked for a vote of aye for those in favor then asked for a vote of nay for those opposed. Motion passed 5-0-0.

Aye: Walker, Loftis-Walton, Johnson, Deem, Engles, Lester

Nay: None

Abstain: None

It was stated the application (Case # **PL07-21**) would be heard at the next regular City Commission meeting on Monday, April 19th, 2021 at 6:00 p.m. in the Commission Chambers.

AGENDA ITEM NO. 6:

Case No. PL08-21 Consideration and approval of a Preliminary plat for Rolling Hills Section 2, a 2.39-acre

tract located on the NE corner of Main Street and N Bryan Avenue.

Applicant: Absentee Shawnee Housing Authority

Chairperson Deem asked for a staff report. Planner Clyne stated the applicant, was requesting the Preliminary Plat of the Rolling Hills Section 2 subdivision be recommended for approval.

Chairperson Deem opened the public hearing. Nelmon Brauning and Bryan Richards were present and available for questions. With no other comments from the public, Chairperson Deem closed the public hearing.

Commissioner Johnson made a motion to recommend approval of # **PL08-21** as presented, which was seconded by Commissioner Walker. Chairperson Deem asked for a vote of aye for those in favor then asked for a vote of nay for those opposed. Motion passed 5-0-0.

Aye: Walker, Loftis-Walton, Johnson, Deem, Engles, Lester

Nay: None

Abstain: None

It was stated the application (Case # **PL08-21**) would be heard at the next regular City Commission meeting on Monday, April 19th, 2021 at 6:00 p.m. in the Commission Chambers.

AGENDA ITEM NO. 7: **Planning Director's Report**

Planner Clyne relayed a message on behalf of Planning Director Blaine that the applications for the Arts Commissions were due by April 15, 2021.

AGENDA ITEM NO. 8: **New Business**

There was no New Business discussed.

AGENDA ITEM NO. 9: **Commissioners Comments**

Commissioner Lester voiced concern about people crossing Interstate-40 (I-40) from the far northern end of Union Avenue. He questioned if a pedestrian bridge was a possibility. He further expressed concern about the lack of sidewalks for people to walk to the Shawnee Mall and other stores located north of I-40.

Commissioner Walker echoed Lester's concerns and stated north of MacArthur, on Kickapoo, there were no sidewalks. He also asked about progress of demolition of the dilapidated building on Main Street. Planner Clyne stated that an engineer's report of the structure's integrity was required prior to receiving a remodel permit. Commissioner Johnson stated that Director Blaine had explained and was following procedure.

Chairperson Deem asked about two properties on Center Street that needed attention from the Action Center. Planner Clyne advised she would mention the properties to the Code Enforcement Officers and follow-up with an email.

AGENDA ITEM NO. 10:

Adjournment

Commissioner Walker made a motion to adjourn, which was seconded by Commissioner Johnson. Chairperson Deem asked for a vote of aye for those in favor then asked for a vote of nay for those opposed.

Motion passed 5-0-0.

Aye: Walker, Loftis-Walton, Johnson, Deem, Engles, Lester

Nay: None

Abstain: None

Meeting was adjourned at 1:59 p.m.

Chairman/Vice-Chairman

Rebecca Blaine, AICP

Planning Director



Planning Commission Meeting – 07.07.2021 – City of Shawnee, Oklahoma

Staff Report – CUP01-21– Conditional Use Permit – 33001 Lake Rd

To: Shawnee Planning Commission

From: Planning Department

Date: June 16, 2021

Subject: CUP-01-21 – Request for a Conditional Use Permit (CUP) for approximately 4-acres located at 33001 Lake Road for a wedding and special events venue where alcoholic beverages may be sold and consumed.

It is requested that the following information be given formal consideration by the Planning Commission at its special meeting of July 7, 2021.

Background

The subject property is located at 33001 Lake Road and is approximately 4-acres. An existing 50' x 80' structure was previously known as the Shawnee Home Builders Association Cabin (SHBA) and utilized for the SHBA meetings. The Conditional Use Permit (CUP) is to allow for a wedding and special events venue with the on-site sale and consumption of alcoholic beverages. The applicant for this CUP request is Greta Madson (Enterprises, LLC).

Discussion

Referencing the City of Shawnee Zoning Code [Article VII. – Zoning] in DIVISION 4. - Agricultural Uses, Section 22-260.- Uses. The uses permitted with zoning A-1 (Rural Agricultural District) are set forth in the Table 22-260. The bottom of the table states, *“In the cases a use is not listed above and which, in the opinion of the director, is similar in character and is not more... detrimental to the area in which it is located, by reason of noise..., traffic congestion, or danger to life and property is also permitted.”*

The Planning Director finds the proposed wedding and special events venue to be in the same spirit of the previous use, and the proposed activities are not detrimental to the area or public.

Zoning Code (Code) DIVISION 14. – Administration. Section 22-605. – Conditional Use Permit. *“The uses designated under the various districts herein as “conditional uses” are so classified because they could more intensely dominate the area in which they are located....”* The conditional uses shall be reviewed and authorized or rejected with or without special conditions placed on the project.

Operations under **CUP01-21** shall adhere to all regulations within Code of Ordinances of the City of Shawnee Oklahoma including but not limited to the current noise standards (quiet hours); obtaining a Business Occupancy License through the Planning Department; and any business that requires a license from the Oklahoma ABLE Commission shall provide a current copy of said license along with the Business Occupancy License application.

Recommendation

Staff recommends that the Planning Commission recommend to the City Commission **APPROVAL** of **CUP01-21**, which requests to rezone property located at 33001 Lake Road from **A-1** (Rural Agricultural District) to **A-1** (Rural Agricultural District) with a **CUP** (Conditional Use Permit) for the purpose of a wedding and special event venue with the sale and consumption of alcoholic beverage on the premises.





PLANNING COMMISSION APPLICATION

Planning Department

222 N. Broadway
Shawnee, OK 74801
(405) 878-1616 Fax (405) 878-1587
www.ShawneeOK.org

For Office Use Only

Case Number: _____

Project Number: 20210351

Date Filed: 4.26.2021

Planning Commission Secretary

REQUEST:

____ Rezoning
☒ Conditional Use Permit

____ Rezoning w/Conditional Use Permit
____ Planned Unit Development

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from _____ District to _____ District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 33001 Lake Rd.

LEGAL DESCRIPTION: Lot 1A Mosler Tract

PROPERTY OWNER (S): Greta Madison Enterprises, LLC

PROPERTY AGENT (APPLICANT): _____

APPLICANT'S ADDRESS: 15101 Eckel Rd

CITY: Shawnee

STATE: OK

ZIP: 74801

EMAIL ADDRESS: gretamadsen@yahoo.com

TELEPHONE NUMBER: (405) 819-5831

CONTACT NUMBER: (____) _____

DIMENSIONS OF PROPERTY:

AREA: _____ WIDTH: _____

LENGTH: _____ FRONTAGE: _____

CURRENT ZONING: _____

CURRENT USE: rental

PROPOSED ZONING: _____

PROPOSED USE: rental

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.

**APPLICATION, OFFICIAL OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING**

[Signature]
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

RECEIPT NO. 314

SIGN DEPOSIT \$ 50.00

V# 2502 \$380.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION: _____

DATE: _____

CITY COMMISSION ACTION: _____

DATE: _____

PLACE ON ZONING MAP: _____

ORDINANCE NO.: _____

CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA)
) §:
COUNTY OF POTTAWATOMIE)

The undersigned bonded abstractor in and for Pottawatomie County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

PT W1/2 NW 23-10N-2E.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (1), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: APRIL 8, 2021 at 7:30 AM

First American Title Insurance Company

By: 

Julie Jordan
Abstractor License No. 4071
OAB Certificate of Authority # 017
File No. 2625631-OK99

OWNERSHIP LIST

ORDER NO 2625631-SH99

DATE PREPARED: April 22, 2021

EFFECTIVE DATE: April 8, 2021 at 7:30 am

OWNER	LOT	BLK	ADDITION
CITY OF SHAWNEE SHAWNEE, OK 74801			I-3SR PT W1/2 NW 23-10N-2E
CITY OF SHAWNEE SHAWNEE, OK 74801			I-3SR S1/2 SE & SW & W1/2 NW SE 23-10N-2E
CITY OF SHAWNEE SHAWNEE, OK 74801			I-3SR SE LESS 37.5A & SE SW NE SW & SE SW SW & NE 22-10N-2E
NIX TAMMY 33203 LAKE RD SHAWNEE, OK 74801			I-3SU BEG 1650'W NE/C NW S792' E440' N792' W440' POB 23-10N-2E
BIG EAGLE DEBRA JEAN 16311 ARCHERY RANGE RD SHAWNEE, OK 74801			BEG 1650.11'W & 784.24'S NE/C NW/4 E320' S850' W320' N858'POB 23-10N-2E
WHITE SAMUEL & CANDA 16501 ARCHERY RANGE RD SHAWNEE, OK 74801			BEG NE/C NW/4 W770' S792' W560' S858' E338.69'S982.81' E989.13'N1314.06' TO THE NE/C SE/4 NW/4N 26.26' E825.01' N505.87' W825' N792' POB LESS 13.63AC DESCRIBED AS BEG NE/C NE/4 NW/4 W20' POB W750' S792' S89*54'55"E751.19' N972' POB & LESS 10.03AC DESCRIBED AS BEG NW/C NW NE S792' E825' S505.87' W825.01' N385.19' W20' N909.5' E20' POB 23-10N-2E



Planning Commission Meeting – 07.07.2021 – City of Shawnee, Oklahoma

Staff Report – CUP02-21– Conditional Use Permit – 15515 Perry Rd

To: Shawnee Planning Commission

From: Planning Department

Date: June 16, 2021

Subject: CUP-02-21 – Request for a Conditional Use Permit (CUP) at 15515 Perry Road, approximately 1.5-acres, for an Accessory Dwelling Unit (ADU), specifically a detached garage with a guest cottage on the second story.

It is requested that the following information be given formal consideration by the Planning Commission at its special meeting of July 7, 2021.

Background

The subject property is located at 15515 Perry Road, is approximately 1.5-acres, and has an existing single-family residence. The Conditional Use Permit (CUP) is to allow for an Accessory Dwelling Unit (ADU) presented as a guest cottage above a detached garage. The applicants for this CUP request are Edward and Sandra Moore.

Discussion

Referencing the City of Shawnee Zoning Code (Code) DIVISION 14. – Administration. Section 22-605. – Conditional Use Permit. *“The uses designated under the various districts herein as “conditional uses” are so classified because they could more intensely dominate the area in which they are located....”* The conditional uses shall be reviewed and authorized or rejected with or without special conditions placed on the project.

In the Code, Section 22-120. – Permitted uses. (8) *“Guest cottages may be approved as an accessory use to an existing single-family residence with an approved conditional use permit ¹, provided that a guest cottage shall not exceed 600 square feet, shall not be sublet, and shall share a common driveway with the main residence.”*

Recommendation

Staff recommends that the Planning Commission recommend to the City Commission **APPROVAL** of **CUP02-21**, which requests to rezone property located at 15515 Perry Road from **A-1** (Rural Agricultural District) to **A-1** (Rural Agricultural District) with a **CUP** (Conditional Use Permit) for an Accessory Dwelling Unit (ADU) as a detached garage with an upstairs guest cottage.



PLANNING COMMISSION APPLICATION



City of Shawnee Planning Department

222 N. Broadway
Shawnee, OK 74801
(405) 878-1616 Fax (405) 878-1587
www.ShawneeOK.org

For Office Use Only

Case Number: 20210335

Project Number: _____

Date Filed: 4-22-2021

Planning Commission Secretary

REQUEST:

☐ Rezoning

☒ Conditional Use Permit

☐ Rezoning w/Conditional Use Permit

☐ Planned Unit Development

REQUESTING A GARAGE/COTTAGE GUEST HOUSE AS PER ATTACHMENT

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from _____ District to _____ District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 15515 PERRY RD.

LEGAL DESCRIPTION: LOT 3 ROENE TRACT (TWIN LAKES)

PROPERTY OWNER (S): EDWARD D. & SANDRA J. MOORE

PROPERTY AGENT (APPLICANT): SAME

APPLICANT'S ADDRESS: 15515 PERRY RD.

CITY: SHAWNEE STATE: OK ZIP: 74801

EMAIL ADDRESS: Ed @ PrayerForceOne.com

TELEPHONE NUMBER: (405) 818-9244 CONTACT NUMBER: () SAME

DIMENSIONS OF PROPERTY:

LAKE LEASE AS PER ATTACHMENT.

AREA: _____ WIDTH: _____

LENGTH: _____ FRONTAGE: _____

CURRENT ZONING: _____ CURRENT USE: _____

PROPOSED ZONING: _____ PROPOSED USE: _____

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.

COMPLETED APPLICATION AND ALL CORRESPONDING DOCUMENTS MUST BE RECEIVED 30 DAYS PRIOR TO MEETING TO MAKE THE AGENDA.

Edward D. Moore
SIGNATURE OF APPLICANT

Sandra J. Moore

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00 ✓

RECEIPT NO. 307

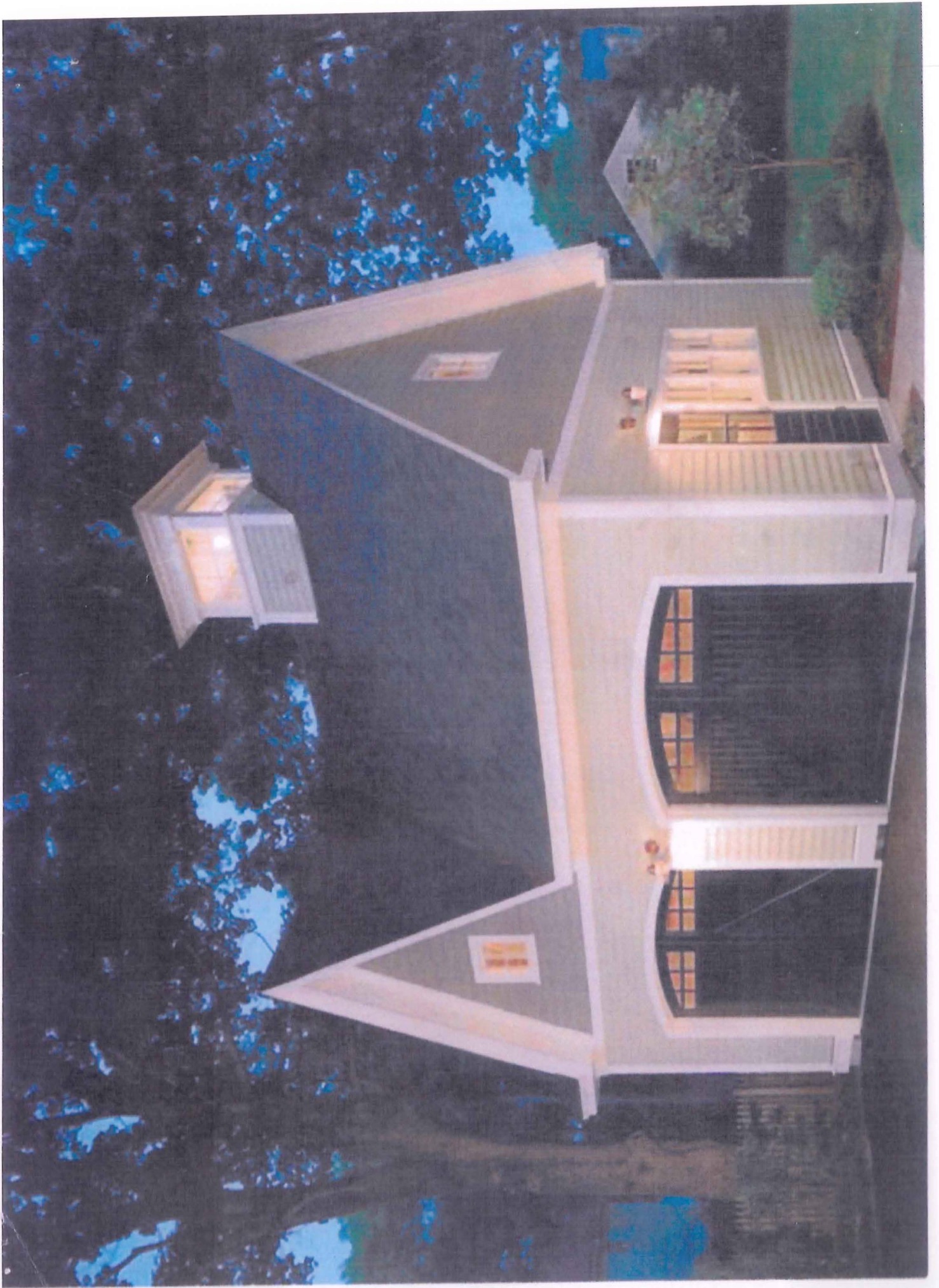
PLANNED UNIT DEVELOPMENT FEE \$ 550.00

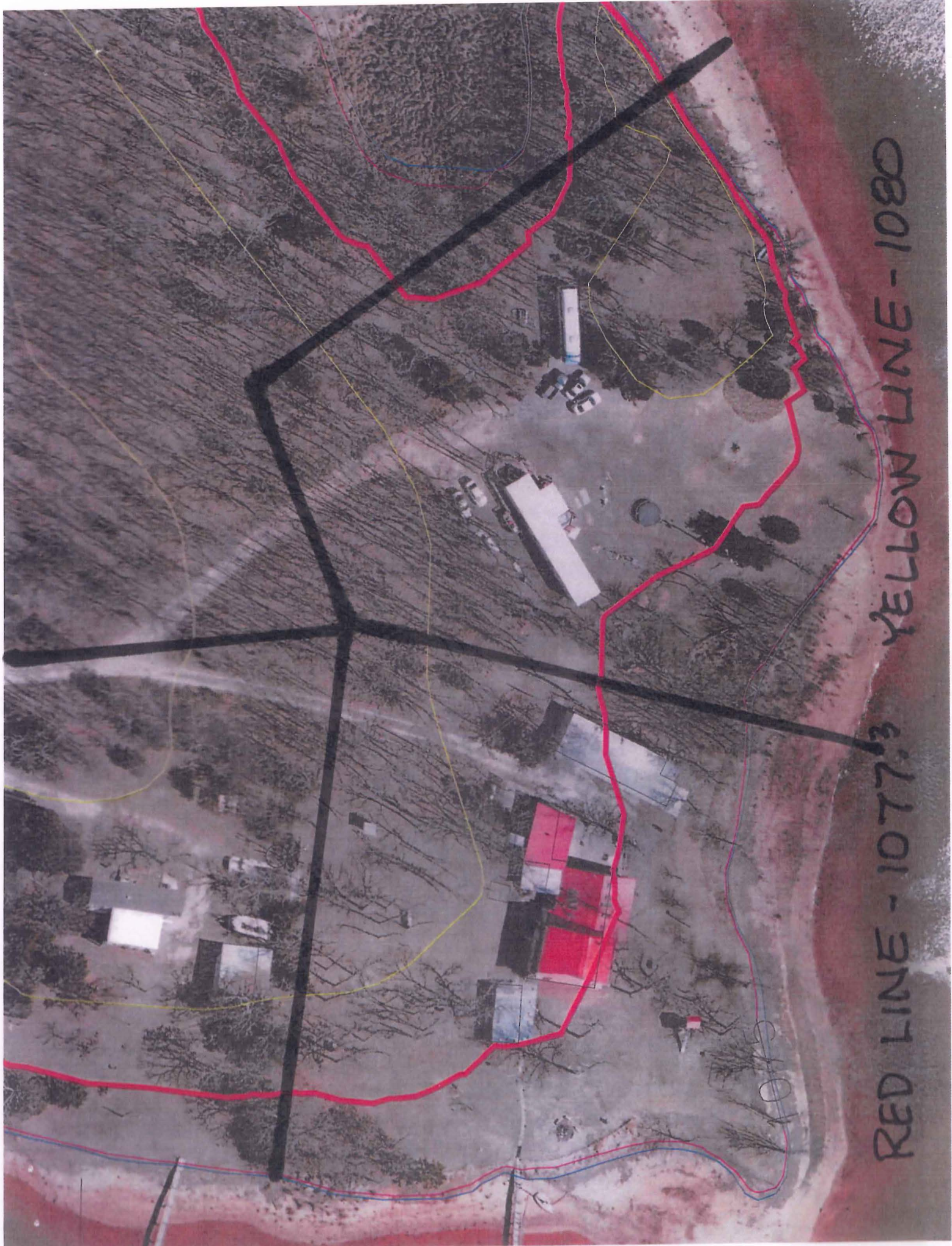
NOTIFICATION SIGN \$ 50.00 ✓

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COMMISSION ACTION: _____ DATE: _____

PLACE ON ZONING MAP: _____ ORDINANCE NO.: _____





RED LINE - 1077.3

YELLOW LINE - 1080



15515 PERRY RD.

property lines are only estimated

PLEASE READ CAREFULLY

THIS LEASE IS NOT TRANSFERABLE AND IS SUBJECT TO CANCELLATION BY THE CITY FOR ANY VIOLATIONS OF THE TERMS THEREOF AS MORE SPECIFICALLY SET FORTH IN SECTION 16-326 OF THE SHAWNEE MUNICIPAL CODE:

**CABIN SITE LEASE
LEASE# 009612**

STATE OF OKLAHOMA, POTTAWATOMIE COUNTY, SS:

This Lease made and entered into in duplicate this date of June 18, 2011 by and between the CITY OF SHAWNEE, a municipal Corporation, PARTY OF THE FIRST PART, and

EDWARD MOORE
of 15515 PERRY RD SHAWNEE OK 74801 .
SANDRA MOORE
of 15515 PERRY RD SHAWNEE OK 74801.
PARTY OF THE SECOND PART.

WITNESSETH: That the first party in consideration of the sum of \$ 612.00 dollars for 2011, does hereby acknowledge receipt of the applicable rental fee, and other good and valuable considerations, does by these presents demise, lease and let unto the second party the following described real estate situated on, and a part of the site, owned by the first party as a City Reservoir and known as Shawnee Twin Lake No. 1, in the County of Pottawatomie State of Oklahoma, to-wit:

**15515 PERRY RD
LOT 3 ROEWE TRACT**

TO HAVE AND TO HOLD SAME UNTO the second party for a term of thirty (30) years from the date hereof.

IT IS FURTHER mutually understood and agreed by and between the parties hereto as follows:

The said party of the second part shall and will and does hereby agree to pay to the first party annual lease payments as set forth in "Exhibit A", payable yearly in advance. The City shall retain the right to adjust the lease rate schedule at the termination of the original 30-year lease or at such time that a transfer is approved in accordance with Section 16-321 of the Shawnee Municipal Code (hereafter "SMC").

That at the expiration of the primary term hereof, the lessee shall have the right and option to renew said lease for an additional period of thirty (30) years under the terms and

within the described premises, as to fishing, hunting, boating and other recreational activities upon and around said water reservoir, and to conform to and abide by all further rules, regulations and ordinances now in force, or that hereafter may be adopted by the City of Shawnee, Oklahoma, governing the regulations of said premises and lake.

The City Commission may upon a showing of intentional disregard for the terms of the lease and this division or other city ordinance pertaining to the lake, cancel the city lease upon 30 days notice to the lessee by mailing a copy of such notice to the lessee at his/her last known address. If a lease is cancelled either by the city or the lessee of a city-owned lot prior to the expiration of the lease term, the lessee shall pay the city an early termination fee of \$1,000 in exchange for a release of liability from the remaining term.

That this lease shall be binding upon the representatives, heirs, and assigns and successors in interest of the parties hereto.

It is understood by the parties hereto that a failure to comply with the terms of said Cabin Site Lease shall constitute a misdemeanor and any person, firm, or corporation convicted of such violation shall be punished by a fine not exceeding five hundred dollars (\$500.00) plus costs, or imprisonment for a term not exceeding thirty (30) days, or by such fine and imprisonment.

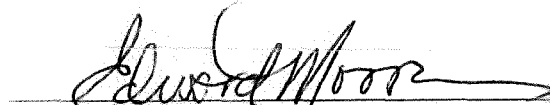
IN WITNESS WHEREOF, party of the first part has caused its name to be affixed hereto by the Mayor of the City of Shawnee, Oklahoma, and attested by the City Clerk, and the party of the second part hereunto affixed his/her name the day and year first above written.

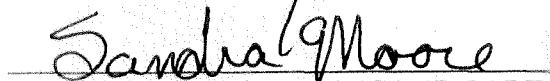
CITY OF SHAWNEE, OKLAHOMA
A Municipal Corporation,

BY: 
MAYOR
PARTY OF THE FIRST PART

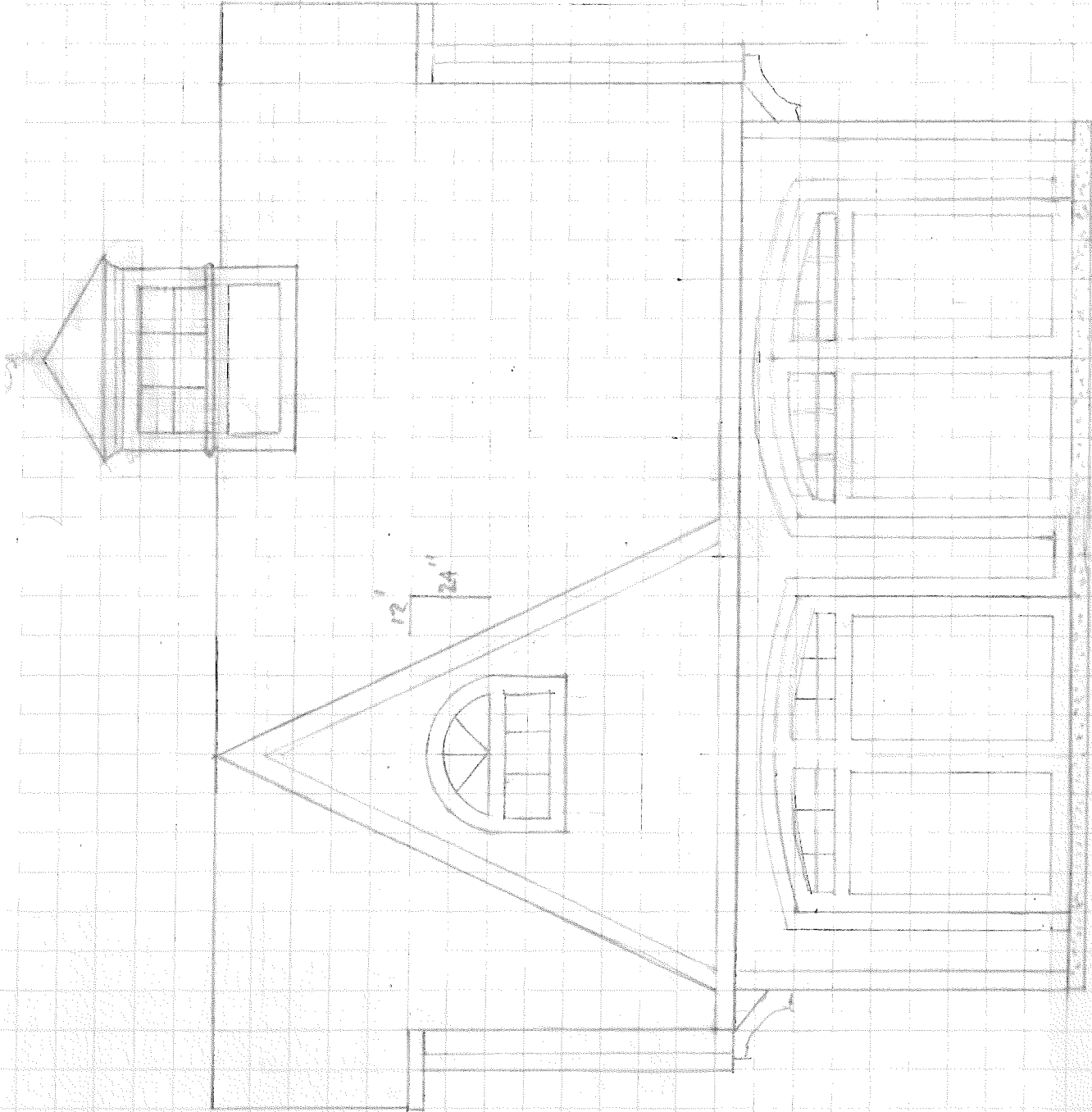
ATTEST:


CITY CLERK Deputy


PARTY OF THE SECOND PART


PARTY OF THE SECOND PART

(2)



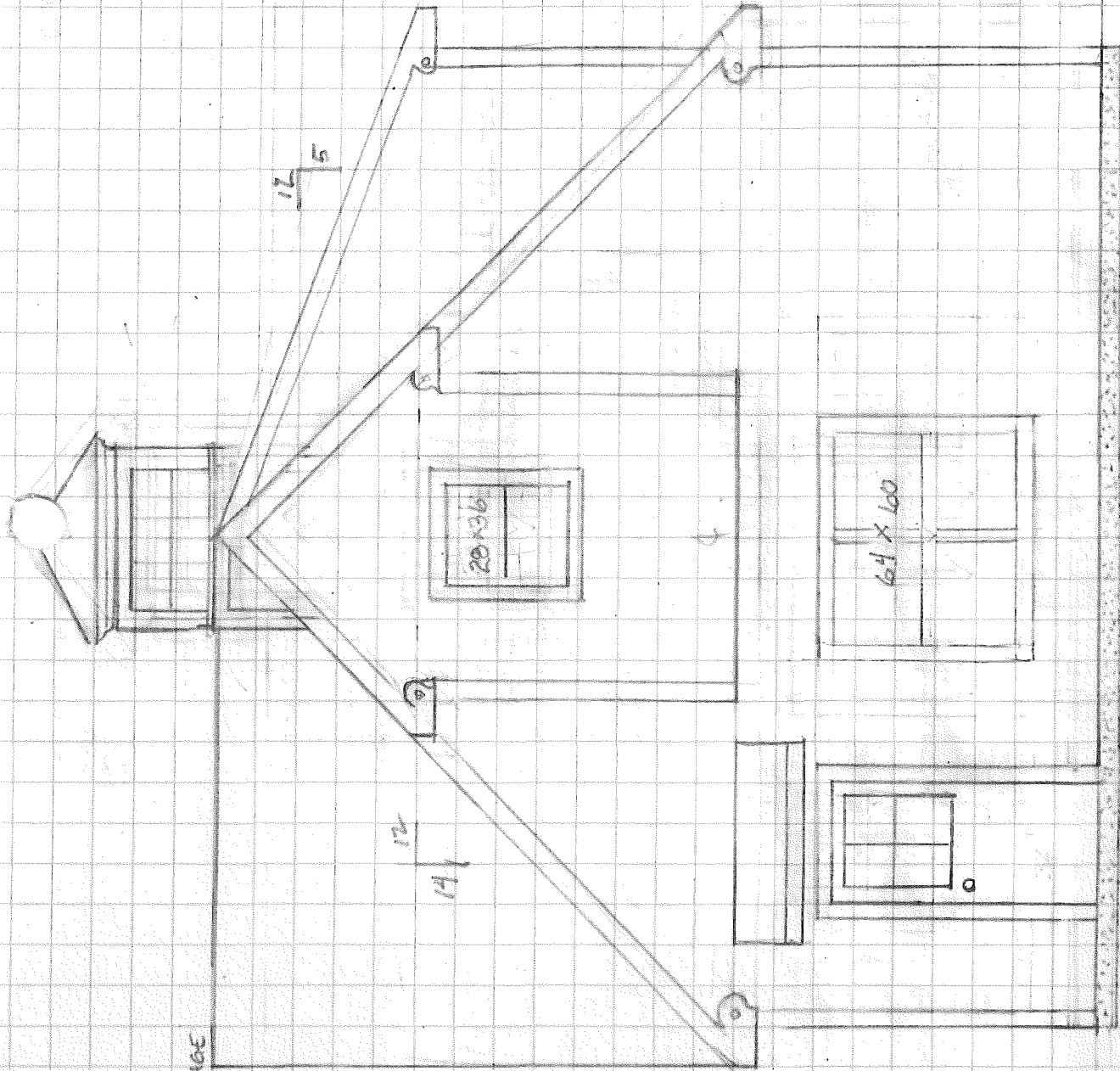
WEST ELEVATION

SCALE $\frac{1}{4}'' = 1'$

3

15515 PERRY RD

CARRIAGE HOUSE GARAGE



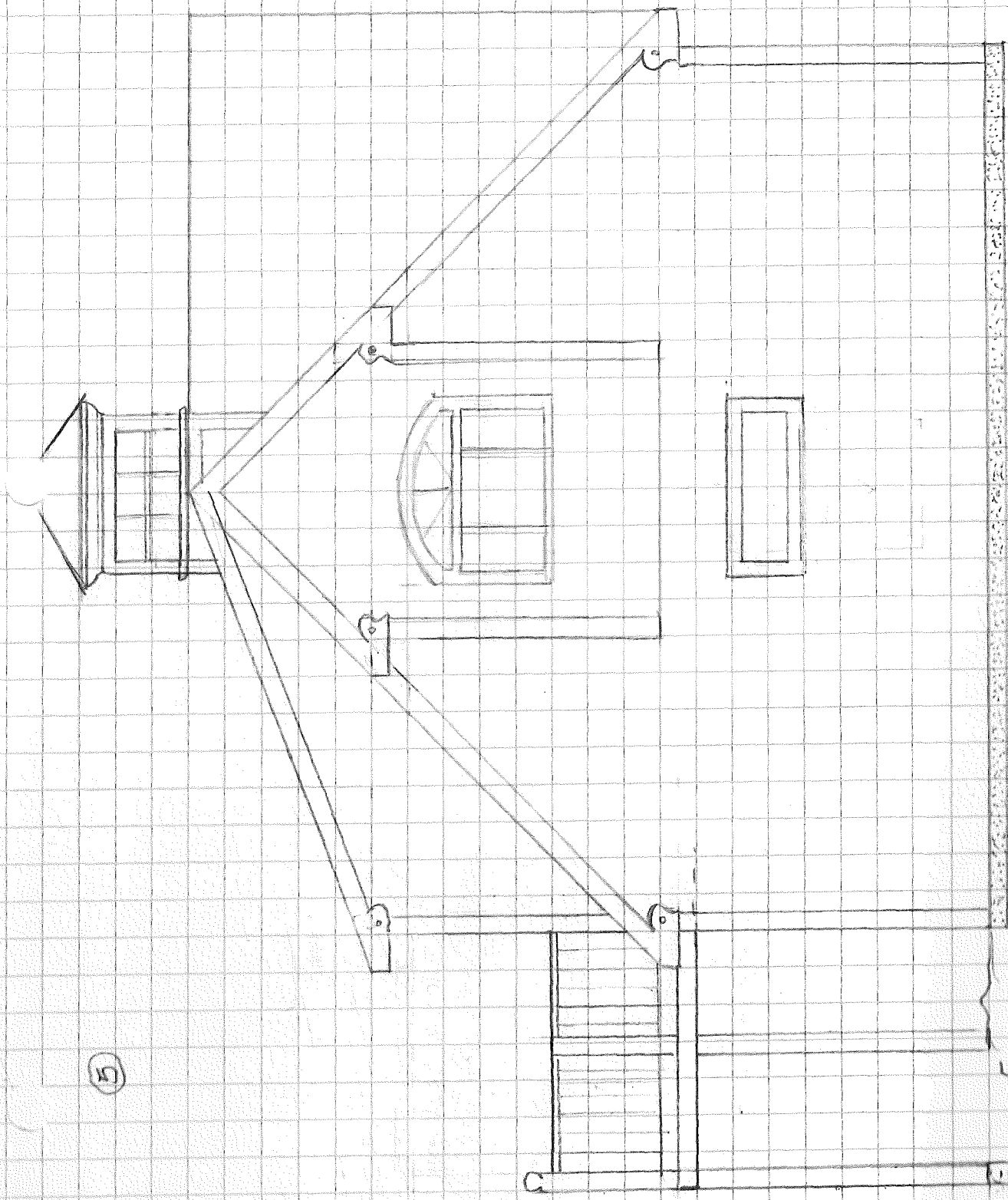
SOUTH ELEVATION

SCALE 1/4" = 1'

SCALE 1/4" = 1'

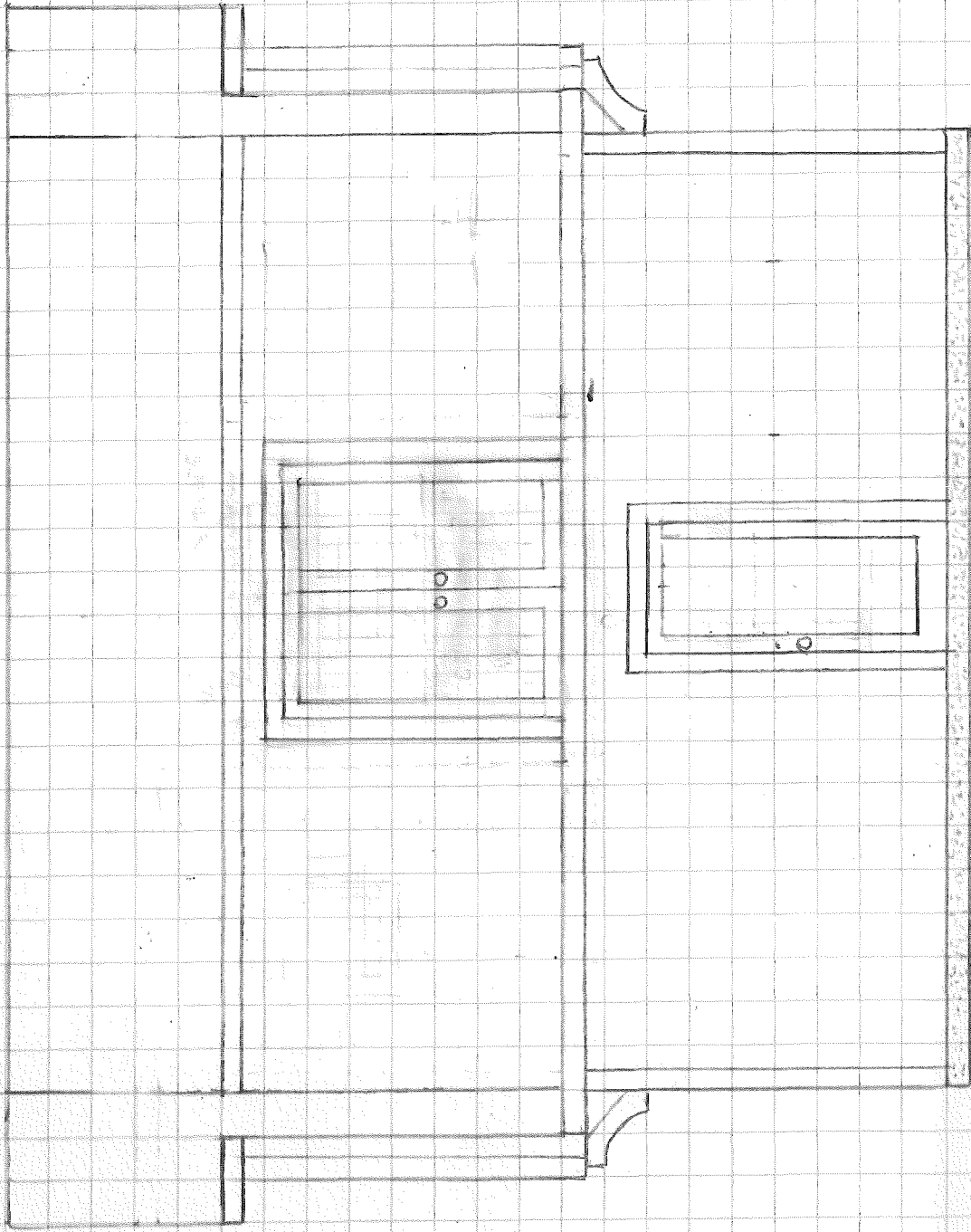
NORTH ELEVATION

24'



5

④



EAST ELEVATION

SCALE 1/4" = 1'

9

15515 PERRY RD

CARRIAGE HOUSE

GARAGE

DECK

CLOSET

W/D

SLIDE STAIRS UP TO WALL

TOILET

SINK

BREAKFAST BAR

SHEDDING COLUMN

PONY WALL

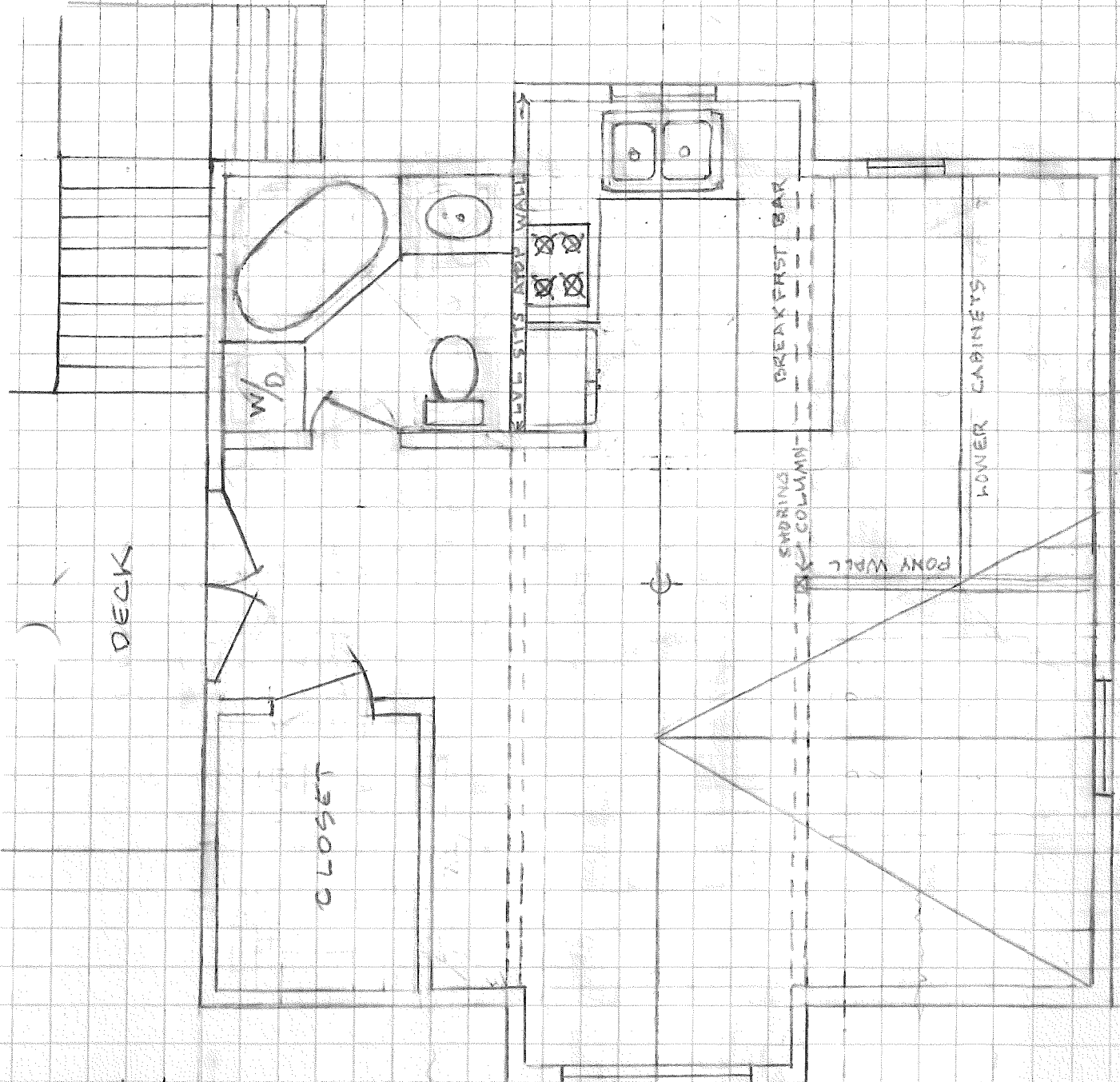
LOWER CABINETS

FRONT

SCALE 1/4" = 1'

GUEST APARTMENT

FLOOR PLAN





Planning Commission Meeting – 07.07.2021 – City of Shawnee, Oklahoma

Staff Report – RZ06-21– Conditional Use Permit – 3715 N. Kickapoo Ave.

To: Shawnee Planning Commission

From: Planning Department

Date: June 16, 2021

Subject: RZ06-21 – Request to rezone property located at 3715 North Kickapoo Avenue, containing approximately 2.5-acres, from C-2 (Suburban Office Commercial District) and R-1 (Single Family Residential District) to C-3 (Highway Commercial District).

It is requested that the following information be given formal consideration by the Planning Commission at its special meeting of July 7, 2021.

Background

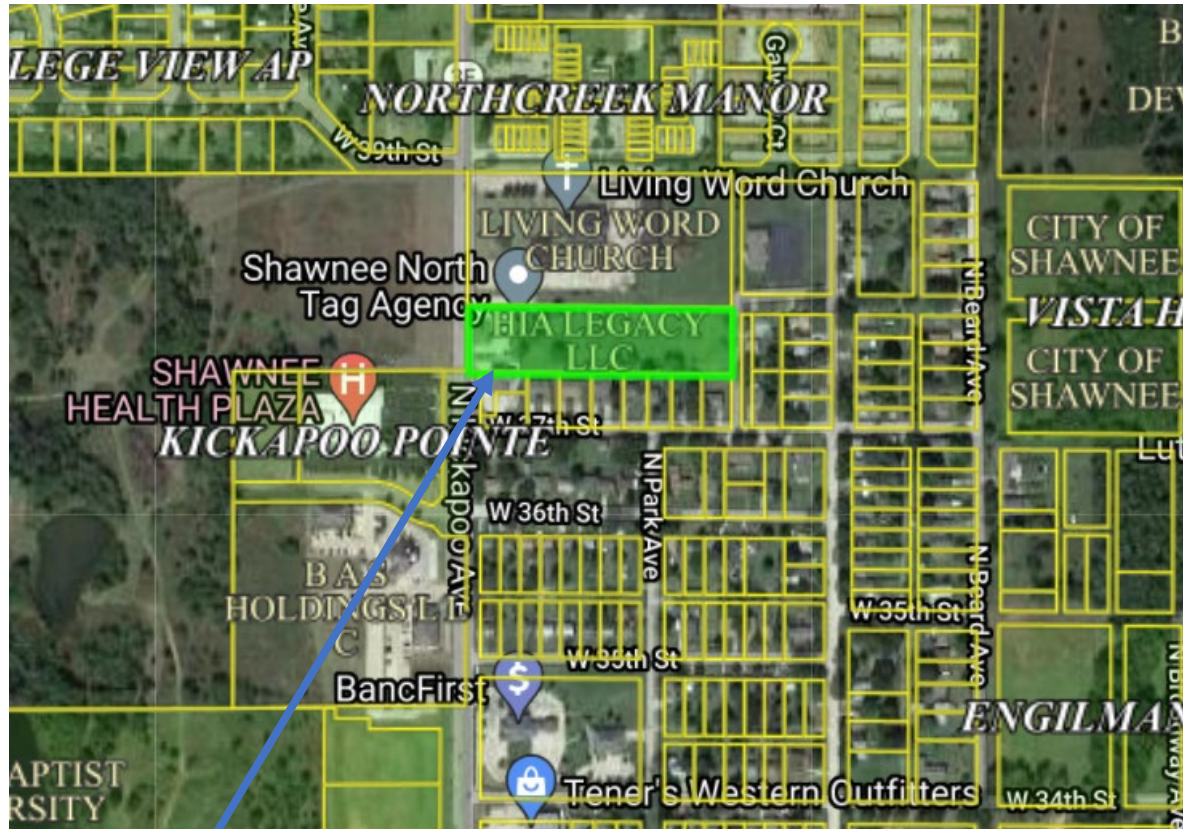
The subject property is located at 3715 N. Kickapoo Avenue and is approximately 2.5-acres. Currently the property that fronts Kickapoo is zoned C-2 (Limited Office District). The remain property to the east is undeveloped and zoned R-1 (Single Family Residential District). The request is to rezone the parcel to a single zoning district, C-3 (Highway Commercial District). The applicant for this rezoning request Mr. Kim Wheeler.

Discussion

Referencing the City of Shawnee Zoning Code (Code) DIVISION 15. - Amendments; Procedures. Section 22-645. – Planning commission recommendation required. This section gives authority to the Planning Commission to make changes (amendments) to the official Zoning Map. “...be amended, supplemented, changed, modified or repealed by ordinance, but no change shall be made until the planning commission, after notice and public hearing, files with the city commission a report and recommendation on the proposed change.” The appropriate notice of a public hearing was posted for this application. The 2040 Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property as a Mixed Use land use designation, which is compatible with C-3 zoning.

Recommendation

Staff recommends that the Planning Commission recommend to the City Commission **APPROVAL** of **RZ06-21**, which requests to rezone property located at 3715 North Kickapoo Avenue from C-2 (Suburban Office Commercial District) and R-1 (Single Family Residential District) to C-3 (Highway Commercial District).



3715 N. Kickapoo Ave.
C-2 and R-1 to C-3
RZ06-21

Next due
5-2



PLANNING COMMISSION APPLICATION

Planning Department

222 N. Broadway
Shawnee, OK 74801
(405) 878-1616 Fax (405) 878-1587
www.ShawneeOK.org

For Office Use Only

Case Number: R2-06-21

Project Number: 20210371

Date Filed: 5-3-2021

Planning Commission Secretary

REQUEST:

☒ Rezoning
☐ Conditional Use Permit
☐ Rezoning w/Conditional Use Permit
☐ Planned Unit Development

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from C-2 & R-1 District to C-3 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 3715 N. KICKAPOO, Shawnee, OK

LEGAL DESCRIPTION: Sec. 06/Tnshp. 10/R-004 - Beg. 330'S NW/4 SW E660'S 165' W660' N165' POB

PROPERTY OWNER (S): HIA Legacy, LLC

PROPERTY AGENT (APPLICANT): Kim A. Wheeler

APPLICANT'S ADDRESS: 510 Timberlane

CITY: Stroud STATE: OK ZIP: 74079

EMAIL ADDRESS: kawheeler1226@gmail.com

TELEPHONE NUMBER: (918) 290 9260 CONTACT NUMBER: (918) 290 9260

DIMENSIONS OF PROPERTY: AREA: _____ WIDTH: _____
2.5 Acres LENGTH: _____ FRONTAGE: _____

CURRENT ZONING: C-2 AND R-1 CURRENT USE: Tag Agency and VACANT LAND

PROPOSED ZONING: C-3 PROPOSED USE: Comm. Strip Shopping / Offices

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.

APPLICATION, OFFICIAL OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING

[Signature]
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

RECEIPT NO. 327 \$330.00 Cash

SIGN DEPOSIT \$ 50.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COMMISSION ACTION: _____ DATE: _____

PLACE ON ZONING MAP: _____ ORDINANCE NO.: _____



SMITH BROTHERS

ABSTRACT

118 N. Broadway Avenue

Shawnee, OK 74801

Phone: (405)273-9820 Fax: (405)273-9813

R206-21

State of Oklahoma
County of Pottawatomie

} SS

SPECIAL CERTIFICATE

IN RE: A tract of land described as Beginning at a point 330 feet South of the Northwest Corner of the Southwest Quarter (NW/C SW/4) of Section Six (6), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence East 660 feet; thence South 165 feet; thence West 660 feet; thence North 165 feet to the Point of Beginning.

The undersigned a duly bonded and qualified abstract company within and for Pottawatomie County, Oklahoma, hereby certifies that the current year's tax rolls in the office of the Pottawatomie County Treasurer shows the names and addresses of the owners of the property abutting and within 300 feet in any direction of the before described real estate as follows, to-wit:

NAME AND ADDRESS

LEGAL DESCRIPTION

HIA Legacy, LLC
3715 N Kickapoo
Shawnee, OK 74801

BEG 330'S NW/C SW E660' S165' W660' N165' POB
6-10N-4E

Shawnee Medical Properties, LLC
4324 Grant Blvd
Yukon, OK 73099

KICKAPOO POINTE SECTION 1 BLOCK 1 LOT 1

Oklahoma Baptist University
500 W University
Shawnee, OK 74801

COMM SE/C SE TH N1324.88' TO THE SE/C OF N/2
SE TH W583' POB TH W2048.84' N1326.38' E2633.65'
S500' W583' S825.44' POB

Living Word Church
PO Box 3044
Shawnee, OK 74802

93-SU BEG NW/C SW E660' S330' W660' N330' TO
POB

Pottawatomie-Lincoln Baptist Association
2302 N Kickapoo
Shawnee, OK 74801

ARMOURDALE BLK 9 LOTS 1 THRU 18

Cesar Salazar
14700 Legate Rd
Yukon, OK 73099

ARMOURDALE BLK 10 LOTS 1 THRU 3

Amanda Vineyard
3719 N Market
Shawnee, OK 74804

ARMOURDALE BLK 11 LOTS 10 & 11

John Bowen
3715 N Market
Shawnee, OK 74804

ARMOURDALE BLK 11 N1/2 LOT 7 & ALL LOTS 8 & 9

John A Ring
3711 N Market
Shawnee, OK 74804

ARMOURDALE BLK 11 LOTS 5 & 6 & S1/2 LOT 7

David K Kesler and Penny S Kesler
3707 N Market
Shawnee, OK 74804

ARMOURDALE BLK 11 LOTS 3 & 4

John David Doak and Teresa Ann Doak
213 W 36th
Shawnee, OK 74804

ARMOURDALE BLK 11 LOTS 1 & 2

Brenda Behlen and Lorraine Waybourn
301 Shenandoah Dr
Eules, TX 76039

ARMOURDALE BLK 8 N70' LOTS 14 THRU 18

Alex P Benard and Justin G Benard
3714 N Market
Shawnee, OK 74801

ARMOURDALE BLK 8 S60' LOTS 14 THRU 18

Kenda Renato
3710 N Market
Shawnee, OK 74804

ARMOURDALE BLK 8 N55' LOTS 1 THRU 5 & 10' VAC
ALLEY ADJ

Roberta F Martin
3702 N Market
Shawnee, OK 74804

ARMOURDALE BLK 8 S75' LOT 1 THRU 5

John C Akins and Tracy D Akins
215 W 38th
Shawnee, OK 74804

ARMOURDALE BLK 8 LOTS 11-13 & THE NORTH
HALF OF VACATED ALLEY ADJACENT TO LOTS
11-13

Brenda J Goode
11537 NS 3620
Seminole, OK 74868

ARMOURDALE BLK 8 LOTS 6 THRU 8 & S1/2 VAC
ALLEY ON NORTH

City of Shawnee
PO Box 1448
Shawnee, OK 74802

ARMOURDALE BLK 8 LOTS 9 & 10

Brenda J Goode
11537 NS 3620
Seminole, OK 74868

ARMOURDALE BLK 5 LOTS 1 THRU 4

Judith J Jackson and Mark A Ragsdale and Terri J
Mastin
210 W 36th
Shawnee, OK 74804

ARMOURDALE BLK 5 LOTS 5 & 6

Leslie Gibson and Cindy Gibson
213 W 37th
Shawnee, OK 74804

ARMOURDALE BLK 5 N1/2 LOTS 7 THRU 10

John W Hamilton, Sr and D'Ann K Hamilton
214 W 36th
Shawnee, OK 74804

ARMOURDALE BLK 5 S1/2 LOTS 7 THRU 10

LS5 Residential, LLC
1010 E MacArthur St
Shawnee, OK 74804

Tracy Dutcher
PO Box 3072
Shawnee, OK 74802

Dale E Harden and Susan A Harden
302 W 36th St
Shawnee, OK 74801

Bob J McDonald
306 W 36th
Shawnee, OK 74804

Michael Ware
1614 Denison Dr
Norman, OK 73069

TW9 Rentals, LLC
4007 N Aydelotte
Shawnee, OK 74804

Donald G. London and Patricia A London 2011
Revocable Trust
3 Castle Creek Pl
Shawnee, OK 74804

Silverthorne Properties, LLC
8 Turkey Knob
Shawnee, OK 74804

Amanda MacTavish
328 W 36th
Shawnee, OK 74804

Corine Knowlton
PO Box 365
Shawnee, OK 74802

Hazaretali Wushur
4023 Autumn Pines Tr
Houston, TX 77084

Bierd Properties, LLC
PO Box 201
Shawnee, OK 74802

Lela Delozier
304 W 37th
Shawnee, OK 74804

Wingo Family Properties, LLC
67 Sequoyah
Shawnee, OK 74801

ARMOURDALE BLK 5 LOTS 11 & 12

ARMOURDALE BLK 5 LOTS 13 THRU 16

ARMOURDALE BLK 6 LOTS 1 & 2

ARMOURDALE BLK 6 LOTS 3 & 4

ARMOURDALE BLK 6 LOTS 5 & 6

ARMOURDALE BLK 6 LOTS 7 & 8

ARMOURDALE BLK 6 LOTS 9 & 10 & E12 1/2 ' LOT 11

ARMOURDALE BLK 6 W12 1/2' LOT 11 & ALL LOTS
12 & 13

ARMOURDALE BLK 6 LOTS 14 THRU 16

ARMOURDALE BLK 7 LOTS 1 THRU 3

ARMOURDALE BLK 7 LOTS 4 THRU 6

ARMOURDALE BLK 7 LOTS 7 & 8 & E10' LOT 9

ARMOURDALE BLK 7 W15' LOT 9 & ALL LOT 10 &
E20' LOT 11

ARMOURDALE BLK 7 W5' LOT 11 & ALL LOTS 12
THRU 14

Cathy L Street and Debra Garcia
14051 Carnell St.
Whittier, CA 90605

ARMOURDALE BLK 7 LOTS 15 THRU 17 & E5' LOT
18

Leon Conkling and Susan F Conkling
3701 N Kickapoo
Shawnee, OK 74804

ARMOURDALE BLK 7 W20' LOT 18 ALL 19 & 20 &
E10' LOT 21

Leon A Conkling
3701 N Kickapoo
Shawnee, OK 74804

ARMOURDALE BLK 7 BEG SW/C LOT 25 TH N27.65'
E37.42' N57.31' E77.58' S84.70' W115' POB

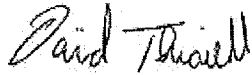
Richard G Davis and Landa W Davis Trust
15 Cedar Creek
Shawnee, OK 74804

ARMOURDALE BLK 7 BEG 27. 65' N SW/C LOT 25 TH
EAST 37.42' N57.31' E77.58' N48.02' W115'
S104.35'POB

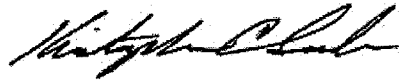
IN WITNESS WHEREOF, We have hereunto set our hand and seal at office in the City of Shawnee, Oklahoma,
this 30th day of April, 2021 at 07:00 AM.

ATTEST:

Smith Brothers Abstract & Title Co., LLC



David Thrailkill,
Abstractor License No.: 3211



President
Abstractor License No.: 1725

PZ-de-21

201900000583
Filed for Record in
POTTAWATOMIE OKLAHOMA
RAESHEL FLEWALLEN, COUNTY CLERK
01-22-2019 At 02:40 pm.
QCD 165.00

Return Recorded Instrument to:

Arthur Thompson
P.O. Box 450
Stroud, Oklahoma 74079

Instrument PG 1 OF 2
201900000583



QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That HINSON INSURANCE AGENCY, INC. (the "Grantor"), in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, bargain, sell, convey and quitclaim unto HIA LEGACY, LLC, with a tax statement mailing address of P.O. Box 450, Stroud, Oklahoma 74079 (the "Grantee"), a certain tract of real property situated in ~~Lincoln~~ *Pottawatomie* County, Oklahoma, described as follows, to wit:

A tract of land described as beginning at a point 330 feet South of the Northwest Corner of the Southwest Quarter (NW/C SW/4) of Section Six (6), Township Ten (10) North, Range Four (4) East of the Indian Meridian, thence East 660 feet; thence South 165 feet; thence West 660 feet; thence North 165 feet to the point of beginning, Pottawatomie County, Oklahoma,

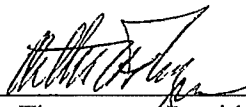
together with all the improvements thereon and appurtenances thereunto belonging.

TO HAVE AND TO HOLD said described premises unto the Grantee, and Grantee's successors and assigns forever.

EXECUTED and delivered this 31st day of December, 2018.

HINSON INSURANCE AGENCY, INC.,
an Oklahoma corporation

By:


Arthur Thompson, President

STATE OF OKLAHOMA

Pottawatomie County

Documentary Stamps: \$ 150.00

ACKNOWLEDGMENT

STATE OF OKLAHOMA)
COUNTY OF Seminole)

The foregoing instrument was acknowledged before me this 22 day of January, ²⁰¹⁹~~2018~~,
by Arthur Thompson, as President of Hinson Insurance Agency, Inc., an Oklahoma corporation.

Cheryl A. Stinnett
Notary Public

My Commission Expires: 05-19-2019

My Commission Number: 03008093
(SEAL)

