

PLANNING COMMISSION MINUTES

DATE: JULY 6TH, 2016

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, July 6th, 2016 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: Morton, Clinard, Cowen, Kienzle, Affentranger

Absent: Kerbs, Bergsten

Meeting was called to Order.

AGENDA ITEM NO. 2: Consideration of Approval of the minutes from the June 1st, 2016 Planning Commission Meeting

Vice-Chairman Cowen asked if the Board had time to review the minutes and if there were any questions or comments. Commissioner Affentranger made a motion to approve, seconded by Commissioner Kienzle.

Motion passed:

AYE: Clinard, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN: Morton

AGENDA ITEM NO. 3: Citizen's Participation

Vice-Chairman Cowen 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 Vice-Chairman Cowen closed the public portion of the meeting.

AGENDA ITEM NO. 4: Case #P05-16 – A public hearing for consideration of approval of a Rezone from PUD; Planned Unit Development to C-3; Highway Commercial, located on the East side of Harrison Street, North of Transportation Parkway, Shawnee, OK

Applicant: Wallace Engineering

Justin Debruin presented the staff report and informed the Commissioners the rezone resides northeast of Harrison Street and that Majestic Dominion previously set it up to be a master plan site and property is no longer under one ownership. Mr. Debruin stated staff has no objection to the rezone since previous zoning on the site was C-3. Vice-Chairman Cowen asked if religious facility referred to as a church and Justin Debruin agreed. Vice-Chairman Cowen asked if the three hundred foot limit would apply to adjoining properties regarding liquor sales. Mr. Debruin mentioned that any future business with more than fifty percent of liquor sales would be affected. Vice-Chairman Cowen discussed how it could adversely affect the neighboring properties. Justin Debruin discussed that it would not affect businesses that sales are under fifty percent. Commissioner Affentranger asked if a bar within a hotel would not be allowed and Mr. Debruin informed him

that the primary sales would be the hotel and not the bar so it would be allowed then. Commissioner Morton mentioned if a bar was owned by someone other than the hotel owner it would differ. Commissioner Kienzle discussed the area was one of three potential hubs to get off I-40. Commissioner Affentranger asked if staff knew what church was going in and Mr. Debruin stated the representative was available. Vice-Chairman Cowen asked if by changing the zoning, the applicant would not be granted a building permit and Justin Debruin agreed. Vice-Chairman Cowen proceeded to ask if they would still have to come before this board if they wanted to build the church and Mr. Debruin disagreed, the rezone would change the classification. Commissioner Kienzle asked if the surrounding property owners would receive notice of a church going in and Mr. Debruin stated notices were not required. Justin Debruin explained the zoning was previously C-3 before the PUD was approved but the PUD no longer stands and is requesting to remove the PUD. Commissioner Clinard asked if the built a church, the surrounding area would not have to be notified and Mr. Debruin agreed. Vice-Chairman Cowen asked if the three hundred foot radius applied to the building itself or the property line and Mr. Debruin stated it was the property line. Vice-Chairman Cowen discussed looking into that law because of the area and Justin Debruin stated staff could look into it but would not be able to be any less restrictive than State law. Commissioner Kienzle asked what would happen if they left it as a PUD. Mr. Debruin stated that any use would still be allowed but that this is just a technical change. Commissioner Kienzle asked about submitting a PUD and Mr. Debruin stated the applicant would be required to submit a new PUD. Commissioner Morton asked if the new owner would not be required to develop as a PUD and Mr. Debruin stated the applicant could comply with the PUD but that it was not possible in this case. Vice-Chairman Cowen asked if there were any other questions or comments and opened the public portion of the meeting and asked if anyone in favor of the item would like to come forward. Jim Beech came forward with Wallace Engineering representing LifeChurch and stated the building would be around 37,000 square feet and that the zoning allows for a church. Mr. Beech mentioned that the three hundred foot mailing notice was sent out and asked if there were any questions. Commissioner Affentranger asked what the plans were for the current LifeChurch building and Mr. Beech stated they would sell it. Commissioner Affentranger further confirmed that they would not occupy both places and Mr. Beech agreed. Commissioner Kienzle asked what made the site so attractive. Mark Allen came forward with LifeChurch and stated they liked to be on main arteries and Oklahoma is where they originated from. Mr. Allen discussed different properties they looked at. Commissioner Kienzle asked if the hotel by Wal-Mart was more than three hundred feet and Mr. Debruin agreed. Vice-Chairman Cowen asked if there was a motion. Commissioner Affentranger made a motion to approve, seconded by Commissioner Kienzle.

Motion passed:

AYE: Morton, Clinard, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 5:

Case #S14-16 –Consideration of approval of a Final Plat for Shawnee Park Addition, located on the South side of Transportation Drive, East of North Harrison Street, Shawnee, OK

Applicant: Zimmerman Properties Development, LLC

Vice-Chairman Cowen asked for the staff report. Justin Debruin came forward and stated staff requests a deferral to the August 3rd, 2016 Planning Commission meeting due to some required paperwork not being submitted as of yet. Vice-Chairman Cowen asked for a motion. Commissioner Kienzle made a motion to approve, seconded by Commissioner Affentranger.

Motion passed:

AYE: Morton, Clinard, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 6:

Planning Director's Report

Justin Debruin discussed the scope of work for the streetscape goes to the Oklahoma Intersection and regarding the three trees situated on the east, the city will remove two of the three trees that have torn up the concrete but will not extend fully to the third tree. Mr. Debruin mentioned reviewing Oklahoma City's vacant building ordinance, went over the three step process, enforcement process and gave handouts to Commissioners. Justin Debruin stated he would like to look into other cities and brought up processes for the downtown properties. Mr. Debruin also gave an update on the downtown property maintenance code sites.

AGENDA ITEM NO. 7:

Commissioners Comments and/or New Business

Commissioner Morton asked for The Garage Restaurant opening date and Mr. Debruin stated they were in training now and should open Mid-July.

AGENDA ITEM NO. 8:

Adjournment


Chairman/Vice-Chairman

Cheyenne Lincoln
Planning Commission Secretary