

PLANNING COMMISSION MINUTES

DATE: JULY 3RD, 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, July 3rd, 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: Deem, Matthews, Kienzle, Rowell

Absent: Walker, Bergsten

Meeting was called to Order (due to the absence of Chairman Bergsten and the resignation of the vice-chairman Cowen, Commissioner Kienzle chaired the meeting).

AGENDA ITEM NO.2:

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

Chairwoman Kienzle asked Commission for any comments, questions, or a vote. Commissioner Deem made a motion to approve the minutes; seconded by Commissioner Rowell.

Motion passed:

AYE: Deem, Matthews, Kienzle, Rowell

NAY:

ABSTAIN:

AGENDA ITEM NO.3:

Citizens' Participation

Chairwoman Kienzle 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 Chairwoman Kienzle closed the public portion of the meeting.

AGENDA ITEM NO.4:

Case #P10-19 – Public hearing and consideration of approval of a rezone request from a PUD (Planned Unit Development) to C-3 (Highway Commercial), located at 3939 North Kickapoo Avenue, Shawnee, Oklahoma, for the purpose of a retail development.

Applicant: Nelmon Brauning

Assistant City Planner Joseph Barker presented staff report. He stated the applicant's intended use of the property is for a retail development, and discussed the use limitations of the currently active PUD. He stated staff has recommended approval of the rezone.

Commissioner Matthews asked Assistant City Planner Barker if adding a commercial use on that property would necessitate a stop light being added to the intersection of Kickapoo Avenue and Ken Del Drive. Assistant City Planner Barker stated he is not qualified to speak on traffic requirements. Commissioner Rowell asked Assistant City Planner Barker to clarify that the purpose of the rezone is to simply remove the limitations of the current PUD. He stated that is correct.

Chairwoman Kienzle opened the public portion of the meeting asked if anyone speaking in favor of the item would like to come forward. Nelmon Brauning, the applicant, came forward. She stated her desire to open the property up for more uses in order to sell the property.

No one else came forward and Chairwoman Kienzle asked if anyone speaking against the item would like to come forward. No one came forward and Chairwoman Kienzle closed the public portion of the meeting.

Chairwoman Kienzle asked if there were any other comments or questions. There were no comments or questions and Chairwoman Kienzle asked for a motion. Commissioner Matthews made a motion to approve the rezone; seconded by Commissioner Rowell.

Motion passed:

AYE: Deem, Matthews, Kienzle, Rowell

NAY:

ABSTAIN:

AGENDA ITEM NO.5:

Case #S03-19 – Consideration of approval of a preliminary plat for Rolling Hills South Addition, a 3-acre property located on the southeast corner of North Bryan Avenue and East Main Street, Shawnee, Oklahoma, for the purpose of a single-family residential development and for the construction of the Friendship House.

Applicant: Keith Shaw

Assistant City Planner Joseph Barker presented staff report. Assistant City Planner Barker briefly summarized the property and the intent of the plat. He stated staff recommends approval of the preliminary plat upon the following conditions:

1. Final construction documents must be approved by the City Engineer concurrent with final plat approval;
2. Drainage plans must be approved by the City Engineer concurrent with final plat approval; and
3. All other applicable city standards apply.

Commissioner Matthews asked if the Shawnee Municipal Authority's comments were standard comments. Engineering Director Michael Ludi stated their comments are standard, and Assistant City Planner Barker clarified that the Shawnee Municipal Authority has approved of the preliminary plat.

Chairwoman Kienzle opened the public portion of the meeting and asked if anyone speaking in favor of the item would like to come forward. Travis Flood, the Friendship House Coordinator of Community Renewal in Pottawatomie County, came forward. He described Community Renewal's optimism for the project. Chairwoman Kienzle asked Mr. Flood to go into more details about the Friendship House program and who the clients would be. Mr. Flood stated the purpose of the Friendship House is building relationships in neighborhoods and bringing in resources to help these places grow. Commissioner Deem asked Mr. Flood if a family has already been selected. Mr. Flood stated there has been one selected that will live upstairs. He stated their job would be to run the Friendship House. He described the design of the house. Chairwoman Kienzle asked Mr. Flood to describe the process of how the families that run Friendship Houses are selected. Commissioner Deem asked if the other lots would be tribal property. Mr. Flood confirmed this to be true.

No one else came forward and Chairwoman Kienzle asked if anyone speaking against the item would like to come forward. No one came forward and Chairwoman Kienzle closed the public portion of the meeting.

Chairwoman Kienzle asked if there were any comments or questions.

There were no more comments or questions and Chairwoman Kienzle asked for a motion. Commissioner Deem made a motion to approve of the preliminary plat; seconded by Commissioner Matthews.

Motion passed:

AYE: Deem, Matthews, Kienzle, Rowell

NAY:

ABSTAIN:

AGENDA ITEM NO.6:

Case #P08-19 – Public hearing and consideration of approval of a rezone request from C-3 (Highway Commercial) to a commercial PUD (Planned Unit Development), Shawnee Retail Development, located at 4900 North Harrison, Shawnee, Oklahoma, for the purpose of a commercial development.

Applicant: TLP Associates, Inc.

Assistant City Planner Joseph Barker presented staff report. He provided a recap of what the applicant is proposing. He summarized the changes the applicant made to the PUD since the previous public hearing the item was heard at on June 5th, 2019 Planning Commission Meeting, including clarification on what “private entertainment” means in the PUD Design Statement, an access easement for both the existing signs that would become off-premise, and the waterline on Lot 2 being public was clarified. He stated staff recommends approval based upon the following conditions:

1. Property is brought up to the standards of the Zoning Code before development is started;
2. Lot 2 will not be a parking lot;
3. No parking will be adjacent to the east and south lot lines;
4. Parking will always be available to both lots; and
5. All new primary structures erected will be required to have 100% masonry coverage.

Commissioner Rowell asked if the new conditions were agreed upon by the applicant and the Planning Department. Assistant City Planner Joseph Barker stated that he does not know what correspondence Planning Director Rebecca Blaine has had with the applicant on these conditions.

Chairwoman Kienzle opened the public portion of the meeting and asked if anyone speaking in favor of the item would like to come forward. The general manager of the Quality Inn on Lot 1, Harry Patel, came forward. He stated they will update the landscaping after they finish demolishing the sidewalk. He provided the number of shrubs and trees on the property. Commissioner Kienzle asked Mr. Patel if documents would be submitted in the future to the City in order to verify the landscaping. Mr. Patel said they would do so. He showed the Planning Commission the changes to the landscaping plans. Commissioner Matthews expressed his thanks to Mr. Patel for the changes they have made to this project for the City. Chairwoman Kienzle asked Mr. Patel if he had any concerns about the conditions on the staff report. He expressed a concern about the third condition. Chairwoman Kienzle clarified that the condition states the parking cannot be adjacent to the south and east lot lines, and not that there cannot be any parking at all towards the east or south part of the lot. Mr. Patel stated he could do that. Commissioner Rowell clarified that there will be parking up front, just not on the edge of the property facing the streets. Commissioner Matthews told Mr. Patel he believes he has done a good job on the project.

No one else came forward and Chairwoman Kienzle asked if anyone speaking against the item would like to come forward. No one came forward and Chairwoman Kienzle closed the public portion of the meeting.

Chairwoman Kienzle asked if there were any comments or questions. There were no more comments or questions and Chairwoman Kienzle asked for a motion. Commissioner Matthews motioned to approve of the PUD upon the listed conditions; seconded by Commissioner Rowell.

Motion passed:
AYE: Deem, Matthews, Kienzle, Rowell
NAY:
ABSTAIN:

AGENDA ITEM NO.7:

Case #S05-19 – Consideration of approval of a preliminary plat for Shawnee Retail Development, a 4.52-acre property located at 4900 North Harrison, Shawnee, Oklahoma, for the purpose of a commercial development.

Applicant: TLP Associates

Assistant City Planner Joseph Barker presented staff report. He stated that the requested corrections listed on the staff report were resolved after the staff report was sent out to the Planning Commission. He stated staff recommends approval of the preliminary plat upon the following conditions:

1. Final construction documents must be approved by the City Engineer concurrent with final plat approval;
2. Drainage plans must be approved by the City Engineer concurrent with final plat approval;
3. All other applicable city standards apply;
4. Contours shall be added;
5. Statistical information will be corrected;
6. Engineering's requested corrections shall be made; and
7. The utility contractor will locate, expose, shut off, and detach the existing 4" service from the 12" water main located on the east side of Harrison.

Assistant City Planner Barker stated that because the applicant has made all requested corrections, conditions four through six no longer need to be conditions upon approval.

Chairwoman Kienzle opened the public portion of the meeting and asked if anyone speaking in favor of the item would like to come forward.

No one came forward and Chairwoman Kienzle asked if anyone speaking against the item would like to come forward. No one came forward and Chairwoman Kienzle closed the public portion of the meeting.

Chairwoman Kienzle asked if there were any comments or questions. There were no comments or questions and Chairwoman Kienzle asked for a motion. Commissioner Rowell motioned to approve the preliminary plat upon the listed conditions except conditions four through six; seconded by Commissioner Deem.

Motion passed:
AYE: Deem, Matthews, Kienzle, Rowell
NAY:
ABSTAIN:

AGENDA ITEM NO.8:

Planning Director's Report

Assistant City Planner Joseph Barker stated Planning Director Rebecca Blaine provided a staff report via e-mail to the Planning Commission because she could not attend the meeting. Commissioner Deem stated the U-Haul facility's property was discussed by Director Blaine. Chairwoman Kienzle stated there is outdoor storage, which was not stated in the conditional use permit as agreed upon by the City. Commissioner Deem asked Assistant City Planner Barker if Director Blaine has an update on the issue. He stated they are still in a negotiation process with

the City, but that he himself has not been apart of that process. Commissioner Matthews asked why other businesses are allowed to have outdoor storage and not U-Haul. Engineering Director Michael Ludi stated outdoor storage was not agreed upon by the City, and also stated that the U-Haul is renting units that are permanent structures. Chairwoman Kienzle recalled that the applicant had originally stated they were going to beautify the property. Commissioner Deem stated she feels the Planning Commission was fooled by the applicant regarding their intentions for the property. Commissioner Rowell stated once Director Blaine has investigated and concluded whether or not U-Haul has breached the agreement, the Planning Commission will have a legal argument against them. Commissioner Deem stated that another part of the issue is the expectation created by the applicant with the materials they had submitted for their conditional use permit. Commissioner Rowell stated there was a lot of discussion about there not being a large quantity of trucks parked on the property, and now there are instead structures in place. Commissioner Matthews stated the structures were not included in the plans submitted by the applicant. Chairwoman Kienzle expressed her disappointment with the landscaping of the property.

AGENDA ITEM NO.9:

Commissioners Comments and/or New Business

Commissioner Deem asked Assistant City Planner Barker if he had any information on the status of the replacement of fencing at the Shawnee Milling Company. He stated he has not been a part of that process, but that he would bring that up to Director Blaine.

Commissioner Deem asked Assistant City Planner Barker what is going north of the Domino Plaza. Director Ludi stated it is only a dog park. Chairwoman Kienzle stated she believes the property looks fabulous. Commissioner Deem stated she is excited for the project.

AGENDA ITEM NO.10:

Adjournment

Meeting was adjourned.



Chairman/Vice-Chairman

Joseph Barker
Planning Commission Secretary