

AGENDA
CITY OF SHAWNEE
ZONING BOARD OF ADJUSTMENT
May 18th, 2017 at 2:30 P.M.,
Commission Chambers
at City Hall, 16 W. 9th St.

- 1) Roll Call

- 2) Approval of the minutes from the March 16th, 2017 Zoning Board of Adjustment meeting

- 3) Case #Z02-17: North East Corner of North Harrison and Transportation Parkway, Shawnee, OK

Applicant: Prestige Hotels, LLC

A public hearing for consideration of the following requested variances:
 1. A request to exceed the maximum building height limit of 45' established for the C-3 (Highway Commercial) zoning district.

- 4) New Business/Planning Director's report

- 5) Adjournment

ZONING BOARD OF ADJUSTMENTS

DATE: March 16th, 2017

The Zoning Board of Adjustment met at a scheduled meeting on Thursday, March 16th, 2017 at 2:30 p.m. in the Commission Chambers at City Hall, Shawnee, Oklahoma, Pottawatomie County, pursuant to notice duly posted as prescribed by law. Justin Debruin, Planning Director for the City of Shawnee, presented the staff reports. Staff reports are available upon request.

AGENDA ITEM NO. 1: Roll Call

Upon roll call the following members were present: Mark Cannon, Jim Cooper and William Kirkland

A quorum was declared present.

NOTE: Tom Bierd was absent. Mat Thomas came in late.

AGENDA ITEM NO. 2: Approval of the December 8th, 2016 Zoning Board of Adjustment Special Call meeting minutes

Commissioner Thomas made a motion to approve the minutes, seconded by Commissioner Cannon.

Motion carried:

AYE: Thomas, Cannon, Kirkland

NAY: None

ABSTAIN: Cooper

AGENDA ITEM NO. 3: Case #Z01-17 – 25 E. Farrall, Shawnee, OK

A public hearing for consideration of the following requested variances:

- 1. Use of Right-of-Way (ROW) for maneuvering space.
Section 22-185.3**

Applicant: Landes Engineering

Commissioner Cooper asked for the staff report. Justin Debruin presented staff report. Mr. Debruin informed the Commissioners that the applicant is planning on constructing a church and there are typically 30' dedications for local roads whereas this particular site requires 50' on both sides and therefore reduces space for development. Justin Debruin explained the due to the size

of the church and the number of seats the required parking is thirteen spaces and currently can fit twelve. The proposal is to take up 15' of the right of way along Bell Street for parking. Staff does recommend approval. Commissioner Thomas asked if the applicant could be allowed to have one fewer parking space. Mr. Debruin stated it is another option but would have to be approved by the board and it would benefit Church to have more parking spaces. Commissioner Cooper asked how big the lots were. Justin Debruin informed him they are 25' wide. Commissioner Thomas asked for clarification on if the maneuverability would be sufficient and Mr. Debruin agreed. Commissioner Thomas made a motion to approve, seconded by Commissioner Cannon.

Motion passes:

AYE: Cannon, Thomas, Cooper, Kirkland

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 4:

New Business/Planning Director's Report

Commissioner Thomas asked when Freddy's Frozen Custard when would be open. Mr. Debruin stated that the opening is scheduled for May and discussed new commercial construction permits. Commissioner Kirkland asked if Harbor Freight turned in a permit and Mr. Debruin agreed. Commissioner Cannon commented on Downtown Shawnee coming along well. Justin Debruin discussed the Downtown Property Maintenance Code.

AGENDA ITEM NO. 5:

Adjournment

Meeting was adjourned.

Chairman/Vice-Chairman

Cheyenne Pettigrew

Zoning Board of Adjustment Secretary

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # Z02-17 PUBLIC HEARING DATE: May 18, 2017
APPLICANT: Prestige Hotels LLC	3030 SI-35 Service Road Oklahoma City, OK 73129	(580) 747-4163	
PROPERTY ADDRESS/LOCATION: North East Corner of North Harrison Avenue and Transporation Parkway			
BRIEF SUMMARY OF REQUEST: The applicant has submitted a request to exceed the maximum building height established for the C-3 (Highway Commercial) zoning district.. The intent is to construct a 4-story, Marriott hotel at a possible height of 60'.			
EXISTING ZONING: C3	EXISTING LAND USE: Vacant	SURROUNDING ZONING & LAND USE: C-3 (Highway Commercial) PUD (Planned Unit Development)	PROPERTY SIZE: 2.6 Acres
STAFF RECOMMENDATION			
Staff has reviewed the case and has no objection to approving the requested variance, allowing the construction of a 4-story hotel. Currently, the City of Shawnee Zoning Code provides no allowance for structure height to exceed 45'. Though exceeding the required height is not a common request, an allowance in the C-3 zoning district through a conditional use permit (CUP) will be explored by Staff in the future when updated the Zoning Code. Such a height variance request has been historically approved in the area north of Interstate-40, including Case#14-08 – Shawnee Mall Subdivision Section III. In the mentioned case, an allowance for, “up to four (4) stories or 75’” was approved through a Planned Unit Development (PUD). Due to the general location and land uses established on surrounding properties, Staff finds no detriment to allowing a height variance of 60'. The applicant has agreed to produce additional landscaping, beyond the required 10% of overall site, if approved for the subject variance. Staff has added the additional landscaping as a condition for approval.			

APPROVE	APPROVE WITH CONDITIONS		DENY	
Staff has received no letters of protest from surrounding property owners.				
ATTACHMENTS: (CIRCLE)	SUBMITTED PLANS	PUBLIC HEARING PETITION/ APPLICATION FORM	LEGAL NOTICE	LEGAL DESCRIPTION
PUBLIC COMMENTS	AGENCY COMMENTS		RESPONSE TO STANDARDS	
OTHER DESCRIBE:				



Bill Patel
Prestige Hotel LLC
3030 South I-35 Service road
Oklahoma city, Oklahoma 73129

City of Shawnee Planning department
222 North Broadway
Shawnee, Oklahoma

Subject: Zoning Variance for Building Height for proposed Fairfield Inn & Suite located at north east corner of North Harrison road and Transportation parkway north of interstate I-40

As per our meeting with planning department the project we are proposing requires 4 story building and since it's a Marriott franchise they require certain look for a building and in order to achieve the look we would require at least 57 feet maximum at the highest part of parapet as you can see in elevation. If zoning board can approve our variance request we would provide more landscape then required by city by increasing the landscape area and provide more trees. Please let us know if you need more information in regards to this project.

A handwritten signature in blue ink, appearing to read "Bill Patel", is positioned above the typed name.

Bill Patel
President
Prestige Hotels LLC

Legacy Hotels Management LLC
3030 S I – 35 Service Rd.
OKC, OK 73129
580-747-4163

CITY OF SHAWNEE
222 N. BROADWAY
SHAWNEE, OK 74801

PLANNING DEPARTMENT
PHONE: (405) 878-1666
FAX: (405) 878-1587

ZONING BOARD OF ADJUSTMENT
PROJECT NO. 17042 CASE NO. 202-17

NAME OF PROPERTY OWNER: Belterre Development Co

ADDRESS: 5401 North Harrison Avenue

CITY: Shawnee STATE: OK ZIP CODE: 74804

TELEPHONE: (405) 878 6393

APPLICANT'S NAME: B Prestige Hotels LLC

APPLICANT'S RELATIONSHIP TO OWNER (S): [CHECK ONE] SAME ☐ AGENT ☒

APPLICANT'S ADDRESS: 3030 S1-35 Service Rd

CITY: Oklahoma city STATE: OK ZIP CODE: 73129

TELEPHONE: (580) 747 4163

(PLEASE COMPLETE FOR THE PROPERTY THAT THE VARIANCE IS REQUESTED FOR.)

PROPERTY LOCATION (ADDRESS): North East Corner of North Harrison & Transportation Pkwy

LEGAL DESCRIPTION: YANG NEE ADDITION

(DIMENSIONS OF PROPERTY) AREA: 2.348 Acre WIDTH: 193 feet

LENGTH: 500 feet FRONTAGE: 192 feet

CURRENT ZONING: PUD C3 CURRENT USE: N/A (Vacant Land)

VARIANCE REQUESTED: We are requesting City of Shawnee to allow us to have Building Height of 60'-0" for 4 Story Hotel Fairfield Inn & Suites Marriott Brand.

12/26
APPLICANT'S SIGNATURE

(OFFICE USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 27th day of April 20 17.

FILING FEE: \$90.00

RECEIPT NO: 02035571

ZBOA DECISION: _____

Cheryl Dettgen
ZONING BOARD OF ADJUSTMENT SECRETARY

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #Z02-17

Notice is hereby given that the Zoning Board of Adjustment of the City of Shawnee, Oklahoma, will conduct a Public Hearing to hear a request for a variance (as authorized under 1301.1.C Powers) to the City of Shawnee Zoning Code. This hearing concerns certain property located within the City of Shawnee, Oklahoma.

The property under consideration is described as follows:

The South Half of the Northeast Quarter (S/2 NE/4) of Section Five (5), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as beginning at the Southeast Corner of said S/2 NE/4; thence N89°59'00"W a distance of 2652.53 feet to the Southwest Corner of said S/2 NE/4; thence N00°59'22"W a distance of 1326.40 feet to the Northwest Corner of said S/2 NE/4; thence S89°55'40"E a distance of 2646.87 feet to the Northeast Corner of said S/2 NE/4; thence S01°14'07"E a distance of 1324.95 feet to the point of beginning.

GENERAL LOCATION: Northeast corner of North Harrison & Transportation Parkway,
Shawnee, OK

ZONING CLASSIFICATION: C-3; Highway Commercial District

The requested variance is as follows:

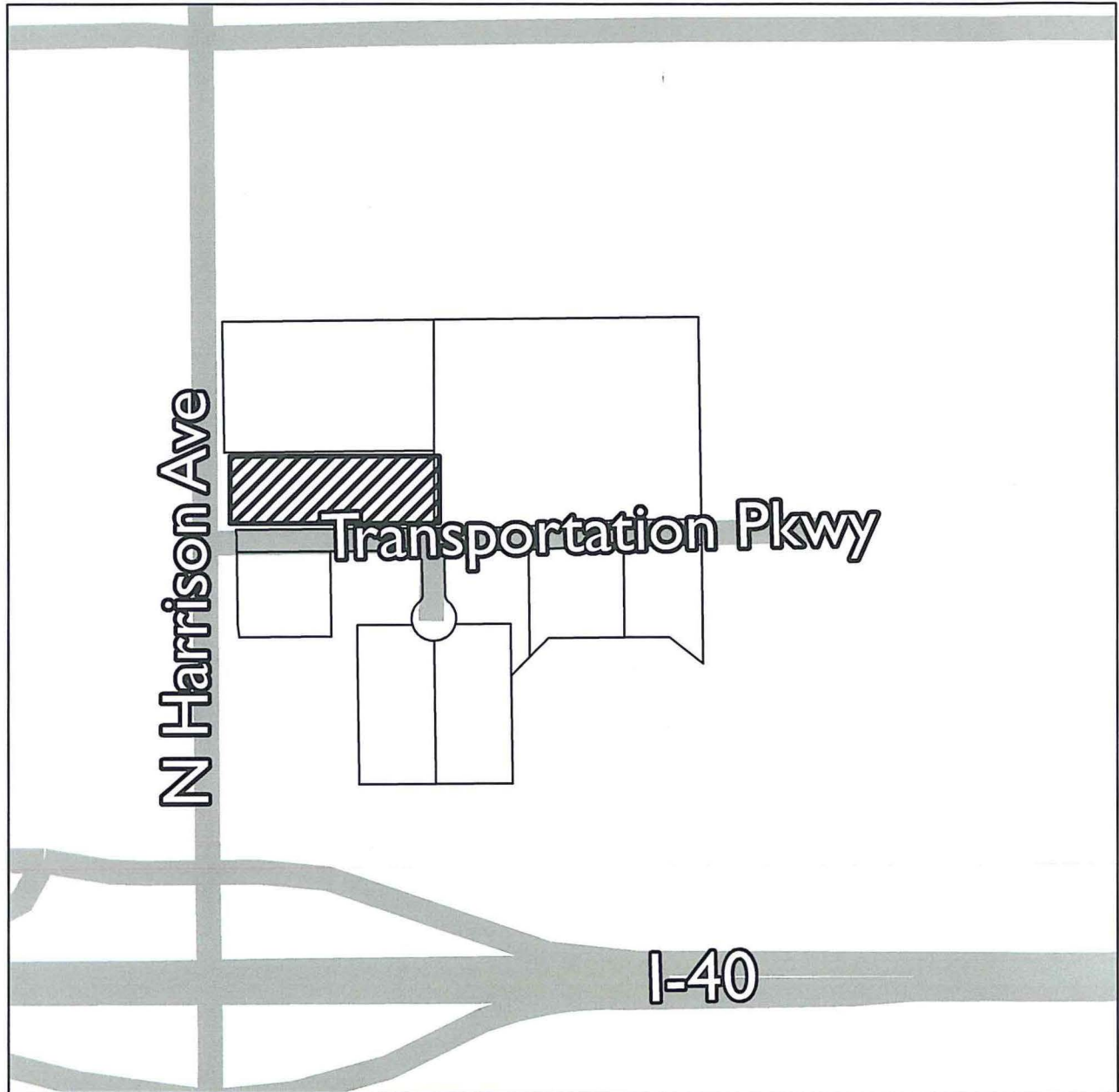
A request to exceed the maximum building height limit of 45' established for the C-3 (Highway Commercial) zoning district.

The public hearing will be held in the Commission Chambers, City Hall, 16 W. 9th St. Shawnee, Oklahoma on the 18th day of May at 2:30 p.m. At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the requested variance. Please call 878-1616 with any questions. A copy of the application is available during normal working hours in the Zoning Board of Adjustment Secretary's office located at 222 N. Broadway.

Witness my hand this 4TH day of May, 2017.

Cheyenne Pettigrew
Secretary, Zoning Board of Adjustment

CASE # Z02-17



[illegible]

By: Michelle Cook
Abstractor License No. 3286
OAB Certificate of Authority # 017
File No. 2234631-SH99

OWNERSHIP LIST

ORDER NO. 2234631

DATE PREPARED: April 27, 2017

EFFECTIVE DATE: April 21, 2017

OWNER	LOT	BLK	ADDITION
LLL PROPERTIES, LLC 1901 N KICKAPOO SHAWNEE OK 74804-0000			S/2 NE4 (80.00 ACRES) 5-10N-4E
ROOTH WILLIAM RAMON & ELIZABETH ANN 2211 BRYANT VIA SHAWNEE OK 74804-0000	14	1	ENCHANTED FOREST
GOODSON JACOB 2209 BRYANT VIA SHAWNEE OK 74804-0000	13	1	ENCHANTED FOREST
MCBEE JIM & ELAINE 2207 BRYANT VIA SHAWNEE OK 74804-0000	12	1	ENCHANTED FOREST
JOHNSON PAUL D & ROBIN A 2205 BRYANT VIA SHAWNEE OK 74804-0000	11	1	ENCHANTED FOREST
BRYANT BUILDERS INC % BRADLEY JETT 4404 LILLY VALLEY SHAWNEE OK 74804-0000	1	B	ENCHANTED GARDENS
HEARD JENNIE 4405 LILLY VALLEY SHAWNEE OK 74804-0000	28	1	ENCHANTED GARDENS
TURNER SANDRA L TRUST 4403 LILLY VALLEY SHAWNEE OK 74804-0000	27	1	ENCHANTED GARDENS
MCKINNEY PAUL & MARION 4406 LILLY VALLEY SHAWNEE OK 74804-0000	24	1	ENCHANTED GARDENS
JETT BRADLEY D & TERESA G 4404 LILLY VALLEY SHAWNEE OK 74804-0000	25	1	ENCHANTED GARDENS
KIRK KELLY D 4402 LILLY VALLEY SHAWNEE OK 74804-0000	26	1	ENCHANTED GARDENS
FORTY FIFTH STREET CENTRE LLC P O BOX 1447 SHAWNEE OK 74802-0000			E1/2 NE NW 20.00 Acres 5-10N-4E

HEMBREE BRADLEY L & TERESA E P O BOX 1594 SHAWNEE OK 74802-1594			E1/2 SE NW 20.00 Acres 5-10N-4E
WHITE MARK E 1997 TRUST 2320 AIRPORT DR SHAWNEE OK 74804-0000			27-SU BEG 2001'W NE/C SE S599.9' W469.62' S208.7' W190.38' N808'6" E660' POB. 5-10N-4E
WIGGINS GLENN EDWARD & RAE JEAN N 34 ROSEHEART SAN ANTONIO TX 78259-0000			27-SU LOT 9 BEG NW/C E1/2 SE W660' S808.6' E660' N808.6' POB LESS STRIP 15' WD BEG SW/C ETC. 5-10N-4E
HENSON JOHNNY & JULIA 3724 N BRYAN SHAWNEE OK 74804-0000			BEG NE/C SE W1320' S404.3' E653.32' N392.03' E666.68' N12'2-5/8" POB 5-10N-4E
HAMES MARY V 2004 REV TRUST 3720 N BRYAN SHAWNEE OK 74804-0000			LOT 1 BEG NE/C SE/4 W1320' S404.3' E1320' N404.3' POB' LESS 6.25 ACRES DESCRIBED AS BEG NE/C SE/4 W1320' S404.3' E653.32' N392.03' E666.68' N 12'2-5/8" POB & LESS 1.78 ACRES BEG NE/C SE/4 S12' POB S307.03' W253' N307.03' E253' POB 5-10N-4E
PERCELL MICHAEL G & JANICE R 3718 N BRYAN SHAWNEE OK 74804-0000			BEG NE/C SE/4 S12' POB S307.03' W253' N307.03' E253' POB 5-10N-4E
BELL ESTHER & LISA STRANGE & TYSON STRANGE 3715 N BRYAN SHAWNEE OK 74804-0000			BEG NW/C SW E265.5' S253' W265.5' N253' POB. 4-10N-4E
GRIDER BILLY W & CHRISTINE E 3711 N BRYAN SHAWNEE OK 74804-0000			27-SU BEG 253'S OF NW/C SW E265.5' S275' W265.5' N275' POB. ORDINANCE REC 2003-18071 4-10N-4E
HOLLAND BRYCE & JULIA 5 TERRA LN SHAWNEE OK 74804-0000			27-R BEG 265.5'E NW/C SW S528' E247.5' N528' TO PT ON N LINE W247.5' POB. ORDINANCE REC 2003-18071 4-10N-4E
SEHORN MARK & CATHERINE 43302 E MACARTHUR ST SHAWNEE OK 74804-0000			S1/2 S1/2 NW LESS A TR BEG AT NW/C S/2 S/2 NW/4 S 265' E 493.2' N 265' W 493.2' 4-10N-4E

EDMONDS DALE 2424 N HARRISON SHAWNEE OK 74804-0000			27-SU TR BEG NW/C S1/2 S1/2 NW S265' E328.8' N265' W328.8' POB. 4-10N-4E
CRAIN RICKEY DALE 3803 N BRYAN SHAWNEE OK 74804-0000		11	COUNTRY ESTATES 1 (COMMERCIAL LOT & PARK)
DAWSON JENNIFER LYNN 4305 LIBERTY CIR SHAWNEE OK 74804-0000	3	2	COUNTRY ESTATES 1
WILLIAMS EDWARD C. & KIMBERLY S. 4300 FAITH BLVD. SHAWNEE, OK 74804	2	2	COUNTRY ESTATES 1
WEST ORVILLE L & WILLA L TRUST 4304 FAITH BLVD SHAWNEE OK 74804-0000	1	2	COUNTRY ESTATES 1
MOSSER DONALD E 4308 FAITH BLVD SHAWNEE OK 74804-0000	4	1	COUNTRY ESTATES 1
CRAIN RICKEY D & KIMBERLY A 4312 FAITH BLVD SHAWNEE OK 74802-1322	3	1	COUNTRY ESTATES 1
BOGGS CYNTHIA 4316 FAITH BLVD SHAWNEE OK 74804-0000	2	1	COUNTRY ESTATES 1
GRIDER VICKI DIANE 4318 FAITH BLVD SHAWNEE OK 74804-0000	1	1	COUNTRY ESTATES 1
CRAIN RICKEY D 3803 N BRYAN SHAWNEE OK 74804-0000			27SU BEG 228.5' S NW/C N/2 S/2 NW4 S112.5' E294.' N112.5' W294 POB 4-10N-4E
DAVIS DREAM TEAM INC 131 MILT PHILLIPS SEMINOLE OK 74868-0000			27-SU BEG NW/C N1/2 S1/2 NW S228.5' E294.' N228.5' W294.'POB 4-10N-4E
LYNCH DONALD DALE 2205 GRAY DOVE RIDGE DR SHAWNEE OK 74804-0000	29	1	GRAY DOVE RIDGE
CHAINAKUL PACHNEERAT P O BOX 3755 SHAWNEE OK 74802-0000	30	1	GRAY DOVE RIDGE

ABSENTEE SHA HOUSING AUTH P O BOX 425 SHAWNEE OK 74802-0000			COMM SW/C S/2 S/2 NW NW E 50' POB TH E145.48' N2* 65.67' W145.48' S2*E 65.67' TO POB 4-10N-4E
MORROW JESSICA A 4303 N BRYAN SHAWNEE OK 74804-0000			PT S/2 S/2 NW NW COMM SW/C TH E 50' N65.67' POB TH N75.77' E145.48' S75.77'W145.48' 4-10N-4E
CHASE KAREN L 2200 GRAY DOVE DR SHAWNEE OK 74804-0000	3	1	GRAY DOVE RIDGE
EZELL RHONDA 4401 N BRYAN SHAWNEE OK 74804-0000	1	1	GRAY DOVE RIDGE
CLAY DANIEL J & KELLIE 4405 N BRYAN SHAWNEE OK 74804-0000	2	1	GRAY DOVE RIDGE