

**AGENDA
CITY OF SHAWNEE
PLANNING COMMISSION
MAY 4TH, 2016 AT 1:30 P.M.
COMMISSION CHAMBERS
CITY HALL, 16 W 9TH ST**

- 1)** Roll Call
- 2)** Consideration of approval of the minutes from the April 6th, 2016 Planning Commission meeting
- 3)** Citizens' Participation
(A three minute limit per person)
(A twelve minute limit per topic)
- 4)** Case #P03-16 - A public hearing for consideration of approval a Planned Unit Development located at 1500 E. Independence St., Shawnee, OK
Applicant: The Landrun Group, LLC
- 5)** Case #S06-16 – Consideration of approval of a Preliminary Plat for Shawnee Park, located at the southeastern corner of Transportation Drive and North Harrison Street, Shawnee, OK
Applicant: Zimmerman Properties Development, LLC
- 6)** Case #S09-16 – Consideration of approval of a Preliminary Plat for Belmont Park Phase 2, located at the Northeast corner of MacArthur Street and Acme Road, Shawnee, OK
Applicant: Belmont Park, LLC
- 7)** Case #S11-16 – Consideration of approval of a Final Plat for Rolling Hills Addition, Phase 1, located at the Northeast corner of Main Street and Bryan Avenue, Shawnee, OK
Applicant: Absentee Shawnee Housing Authority
- 8)** A public hearing for consideration of an ordinance allowing Ground Floor Residential uses in the Central Business District (C-4).
Applicant: City of Shawnee
- 9)** Planning Director's Report
- 10)** Commissioners Comments and/ or New Business
- 11)** Adjournment

PLANNING COMMISSION MINUTES

DATE: APRIL 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, April 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, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

Absent:

Meeting was called to Order.

AGENDA ITEM NO. 2:

Consideration of Approval of the minutes from the March 2nd, 2016 Planning Commission Meeting

Chairman Bergsten asked if the Board had time to review the minutes and if there were any questions or comments. There were none and Commissioner Affentranger made a motion to approve, seconded by Commissioner Kerbs.

Motion passed:

AYE: Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN: Morton

AGENDA ITEM NO. 3:

Citizen's Participation

Chairman Bergsten 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. Lesa Shaw came forward and asked the Board to look into the proximity of homes near tornado sirens and place on Agenda for consideration. Chairman Bergsten asked if there was any one else that would like to speak. There were none and Chairman Bergsten closed the public portion of the meeting.

AGENDA ITEM NO. 4:

Case #S07-16 – Consideration of approval of a Preliminary Plat for Timbers Park, a Re-Plat of Block 12, The Timbers Addition to the City of Shawnee, located at Oaktree Ct. and Bent Tree Rd., Shawnee, OK

Applicant: The Landrun Group, LLC

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report. Mr. Debruin stated there would be a dual staff report for both the Preliminary and Final Plats on Timbers Park. Justin Debruin explained that the applicant requested a re-plat on a small section of the original Final Plat for Timbers Addition and the intent was to take the site of the private park and separate four lots for additional housing. Mr. Debruin mentioned that the detention utility easement would run on the southern side of the park area. Sewer, water and storm water drainage documents look ok. Mr. Debruin informed

the Commissioners that due to City Standards, there was no requirement for the applicant to put in parks and therefore staff has no objection to the Preliminary Plat with four conditions listed. Most construction documentation has been turned in. Staff also has no objection to the Final Plat with an additional four conditions listed. Mr. Debruin mentioned requiring the applicant to show the common areas on the Final Plat. Commissioner Kerbs asked if the current developer is the same developer for the full development. Justin Debruin stated he believed there are different owners. Commissioner Kerbs stated his concerns for work already being completed prior to approval on site and for altering the original plot for a private park. Mr. Debruin stated that any work that is done on the site is at the risk of the developer and staff does not have to approve it. The lines could be ordered to be dug up and inspected if needed. Commissioner Clinard asked if there was flooding in this subdivision earlier in the spring. Justin Debruin mentioned hearing of some complaints and Commissioner Clinard asked if taking away the parks would increase the amount of flooding and water issues. Mr. Debruin believed the flooding issues were more towards the entrance of development and storm water drainage plans have to prove to staff that it will contain all the runoff for the development. Commissioner Affentranger asked if the park was platted as such but never used for that purpose and Justin Debruin agreed. Commissioner Affentranger also asked if the street would go in between the two houses on each side and Mr. Debruin stated it would go around with entrances on side. Commissioner Kerbs discussed the park being kept up by the developer and could fall back onto the Parks Department. Justin Debruin agreed and stated it is an issue that has been persistent in Shawnee for some time and needs to be corrected. Commissioner Kienzle asked if developer still owned the development, why staff would not use code enforcement for issues. Mr. Debruin stated once the developer completes project that is when it becomes an issue with ownership. Commissioner Kienzle asked if there were any drawings given about the parks in the past and Justin Debruin stated he did not find any. Chairman Bergsten asked if there were any more questions. Commissioner Kienzle asked if the developer would own the land if the request was approved. Justin Debruin agreed. Commissioner Kienzle asked if houses were built then developer may or may not maintain the area around it. Mr. Debruin agreed. Commissioner Kienzle also asked if the City hired groups like neighborhood alliance to come where an HOA was not involved and would be beneficial to help. Justin Debruin stated there wasn't enough capacity to handle that but would explore that more. Chairman Bergsten opened the public portion of the meeting and asked if anyone against the item would like to come forward. No one came forward. Chairman Bergsten asked if anyone in favor of the item would like to come forward. Steve Landes came forward to discuss some issues brought up. Vice-Chairman Cowen asked if the triangle left would be usable and Steve Landes said it would be a detention swale area but would be more of a green site. Commissioner Kerbs asked how long that area has been there. Steve Landes stated it was just completed. Commissioner Kerbs also asked if the area would have the same developer and Steve Landes stated it would be Mike Little. Chairman Bergsten asked if there was anyone else that would like to speak in opposition of the case. There were none and Chairman Bergsten closed the public portion of the meeting and asked if the Commissioners had any comments or a motion. Justin Debruin stated they would be voting on the Preliminary Plat. Commissioner Affentranger made a motion to approve with the conditions listed, there was no second.

Died due to lack of a motion:

AYE:

NAY:

ABSTAIN:

AGENDA ITEM NO. 5:

Case #S08-16 –Consideration of approval of a Final Plat for Timbers Park, a Re-Plat of Block 12, The Timbers Addition to the City of Shawnee, located at Oaktree Ct. and Bent Tree Rd., Shawnee, OK

Applicant: The Landrun Group, LLC

Combined staff report with Case #S07-16.

No Action Taken:

AYE:

NAY:

ABSTAIN:

AGENDA ITEM NO. 6:

Case #P03-16 –A public hearing for consideration of approval of a Planned Unit Development located at 1500 E. Independence St., Shawnee, OK

Applicant: The Landrun Group, LLC

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report. Mr. Debruin informed the Commissioners that the subject site is zoned R-1; Single Family Residential. Justin Debruin described the engineer requesting a buffer between the single family residential next door and the duplex development. The intent would be to provide single family housing along the eastern side of the property with fifteen lots and half of the site would have an allowance for duplexes. Mr. Debruin discussed driveways, various accommodations and general concepts. Justin Debruin stated staff has issues with the design statement including the provisions to supersede city code listed, allowance for C-1 office space, four foot sidewalk requirement listed instead of six foot and the terminology listed in statement. Mr. Debruin stated that staff recommends deferral. Commissioner Affentranger asked if the statement listed is abnormal and Justin Debruin stated it was not but the applicant has to alleviate any questions from statement. Commissioner Kerbs asked if staff requires applications thirty days prior and Justin Debruin agreed. Commissioner Kerbs also discussed complications arising from revisions turned in at a later notice and Mr. Debruin briefly went over those topics. Chairman Bergsten asked about potential for item being brought to meeting with approval or denial and Commissioner Kerbs discussed wording on PUD. Commissioner Affentranger asked if the PUD purpose was to take questions out and Justin Debruin agreed. Vice-Chairman Cowen mentioned having questions answered. Commissioner Kienzle asked how the PUD worked and Mr. Debruin went over process. Commissioner Clinard asked if the letters from homeowners will move forward to City Commission and Justin Debruin agreed. Commissioner Clinard also asked about Section Eight housing. Commissioner Affentranger asked if revised documents were turned in a week ago and Mr. Debruin agreed. Commissioner Kerbs discussed recommendations and Commissioner Clinard asked how Section Eight worked. Vice-Chairman Cowen discussed Section Eight processes. Chairman Bergsten stated the importance of understanding the potential for Section Eight or rentals to be developed without coming before the board. Chairman Bergsten asked if there were any other questions, there were not and Chairman Bergsten mentioned considering not having public comment if the vote was to defer. Lesa Shaw asked to have the public comment for the public hearing and Justin Debruin agreed. Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition of the item would like to come forward. Roger Henson, Christopher Aston, Charles Hill and Lesa Shaw came forward. Their discussions included, but were not limited to, the number of petitions, incorporation of a cul-de-sac, duplexes, flooding issues, state of Elm Street, master plan for City and response from citizens. Chairman Bergsten asked if anyone in favor of the item would like to come forward. Kara Coley, Jared Marical and Steve Landes came forward. Their discussions included, but were not limited to number of driveways, single family buffer zone, drainage issues, demand for higher end rentals, platting stages and language adjustments. Justin Debruin stated application fee was met. Commissioner Kerbs discussed receiving a proper PUD. Mr. Debruin spoke on PUD details. Commissioner Affentranger asked about façade treatments. Chairman Bergsten stated he was concerned with all the questions and asked if there were any other questions or a motion. Commissioner Kerbs made a motion to defer, seconded by Vice-Chairman Cowen.

Motion to defer to May 4th, 2016 Meeting:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 7:

Downtown Ground Floor Residential Ordinance Presentation

Justin Debruin discussed the Downtown Ground Floor Ordinance proposal with points including but not limited to wayfinding efforts, parking availability, off-street parking, residential allowances up floor and in back and Conditional Use Permits for Commercial uses. Commissioner Kerbs asked about permits for parking spaces and Commissioner Clinard mentioned limiting the parking area. Commissioner Kerbs mentioned storing and warehousing uses. Mr. Debruin spoke about research from other towns and cities. Chairman Bergsten asked about the application process. Commissioner Clinard asked about the process to consider market ready properties. Commissioner Kienzle brought up helping to make downtown thrive. Commissioner Clinard mentioned idea of student housing. Commissioner Kerbs asked if Conditional Use Permit stays with property or home owner. Justin Debruin stated it historically stays with property but will explore the area more. Brad Carter came forward to speak in favor of Ordinance. Vice-Chairman Cowen asked about the code enforcement process.

AGENDA ITEM NO. 8:

Planning Director's Report

No report.

AGENDA ITEM NO. 9:

Commissioners Comments and/or New Business

Commissioner Kerbs asked if Justin Debruin would keep in mind the homeowners and green spaces regarding the subdivision codes and congratulated Mr. Debruin on expecting his first child. Vice-Chairman Cowen discussed the costs to develop, standards by engineering department and amenities resulting in the decrease in home purchases here. Chairman Bergsten asked if the tornado sirens fell in the Planning area and Mr. Debruin stated it could.

AGENDA ITEM NO. 10:

Adjournment

Meeting was adjourned.

Chairman/Vice-Chairman

Cheyenne Lincoln
Planning Commission Secretary



**STAFF REPORT
REZONE
CASE #P03-16**

TO: Shawnee Planning Commission

AGENDA: May 4, 2016

RE: Rezone Request - R1: Single Family Residential District to
Planned Unit Development (PUD) – Country Grove Cottages

PROPOSAL

The applicant is requesting a rezone from R-1: Single Family Residential District to a PUD in order to develop a master planned site incorporating R-1 (Single Family Residential) and R-2 (Combined Residential). The subject site is approximately 12 Acres in size and is generally located on the north-east corner of East Independence and North Elm.

GENERAL INFORMATION

Applicant	The Land Run Group, LLC
Owner	Clayton Eads (contract to purchase – Marical Brothers Real Estate)
Site Location/Address	1500 E. Independence
Current Site Zoning	R1: Single Family Residential District
Proposed Zoning	PUD: R-1 & R-2
Property Area	12 Acres
Current Use	Single Family Residential
Proposed Use	Duplex and Single Family Residential

	Development
Comprehensive Plan Designation	Residential
Existing Land Use	Undeveloped
Surrounding Land Use	Residential/Rural Agricultural
Surrounding Zoning	A1: Rural Agricultural C1: Neighborhood Commercial R1: Single Family Residential R3: Multi-Family Residential

STAFF REVIEW AND ANALYSIS

The applicant is requesting approval to rezone the subject property from R-1 (Single Family Residential) to a Planned Unit Development (PUD) which incorporates both R-1 and R-2 (Combined Residential District) uses.

“A PUD is a special zoning district category that provides an alternate approach to convention land use controls. . . it is the intent of a PUD to encourage innovative land development while maintaining appropriate limitations on the character and intensity of use, assuring compatibility with adjoining and proximate properties” (Section 22-190, Shawnee Zoning Code).

The property is not currently owned by the applicant. Instead, a purchase agreement is in place between the property owner and applicant. It has been deemed by the City Attorney that this is an acceptable arrangement to proceed with a recommendation.

Background:

- The subject site was both rezoned from A-1 (Rural Agricultural) to R-1 (Single Family Residential) and received preliminary plat approval March 16, 2015.
- On January 6th, 2016, Case#P15-15 was reviewed by the Planning Commission with a goal to rezone the site from R-1 to R-2. Over 40 letters of protest and a petition were provided by neighboring property owners, many of whom were present at the Planning Commission meeting. After much discussion and debate, a vote to approve the case was denied. Then, a vote to defer until February 3rd, 2016 Planning Commission was approved.
- On February 3rd, 2016, Case #P15-15 was once again reviewed by the Planning Commission. After much discussion, the request for approval was denied. Application was withdrawn prior to City Commission review.

- On April 6th, 2016, Case #P03-16 was reviewed by the Planning Commission with a goal to rezone the site from R-1 to PUD. Staff recommended to defer due to a number of issues with the PUD Design Statement. The case was, therefore, deferred until May 4th, 2016.



Figure 1: Aerial view of the site – approximate total area outlined in red.

Grove Park Cottages PUD

The Grove Park Cottages is a PUD designed to provide a mix of single family housing and duplexes on 12 acres of land located at the north-east corner of Elm and Independence. Instead of seeking approval for an R-2 zoning designation, allowing a complete duplex/triplex development, the PUD will incorporate both single family residential and duplex housing only. Possible amenities to be included are:

- Pond and common area
- Pavilion(s)
- Optional walking trail
- Public sidewalks along both Elm St. and Independence St.

All duplex housing is intended for rental purposes with a property association to provide for maintenance of all yards, common areas, and landscaping areas. Membership in the

Property Association is mandatory and dues will be used to pay lawn/landscape maintenance, electric charges, general liability insurance, and reserves for maintenance, etc. Per the Design Statement, all duplex housing will be limited to single-story structures, with the units limited to two (2) bedroom and three (3) bedroom designs. Twenty-one (21) lots, primarily along the eastern boundary, are dedicated for single family residential allowing a buffer between the duplex developments and the neighboring single family residential homes to the east.

Approximately 38 individual lots are shown with a maximum twelve (12) multi-family duplex patio homes. Twenty-three (23) single family residential homes are represented on the PUD map (not including lots 1-3, block 2 which are remaining R-1). A total of 47 dwelling units are proposed for this site, exclusive of the three (3) lots to remain R-1 (lots 1-3, block 2).

There has been a significant amount of negotiation between the adjacent property owners, Planning Commission, and Staff, so first will be provided an explanation of Staff's approach to considering such a rezone:

1. What is the current zoning on the subject property?

R-1 (Single Family Residential). This zoning designation allows only single family residential homes.

2. What types of zoning designations exist in the general area?

R-1 zoning is the primary zoning classification in this area, to the north, south, east, and portions to the west. The properties fronting Independence St. directly adjacent to the west are C-1 (Neighborhood Commercial District), C-2 (Limited Office District), and R-3 (Multi-family Residential).

3. According to the 2005 Shawnee Comprehensive Plan, what future land use designation is dedicated for both the property, and the area?

The zoning designation for both the property and a large portion of the general area is "Residential," which is described as, *"Within the Residential category, conventional one-family detached dwellings represent the primary use, although two-family units such as duplexes and 'granny flats' are acceptable throughout the area. . . . When appropriate, other uses may include multifamily residential activity and neighborhood commercial"* (Shawnee Comprehensive Plan P. 4-26).

4. Would such a zoning request be consistent with past and present allowances the City offers?

There are a number of items to consider when answering this question. The subject property fronts upon a major arterial, Independence Street. Other examples of major arterials in Shawnee would include: Kickapoo, Harrison,

MacArthur, and Highland. If we explore trends and allowances along these major roads, we discover consistent multi-family and high density commercial allowances (Figure 4).

In regards to Independence Street, directly west of the subject property, there is already an approved R-3 (Multi-family Residential) zoning district and some commercial allowances. Less than a half-mile west are two multi-family establishments that exist along Independence Street. An interpretation of the code would say that a rezone from R-1 to PUD (R-1 & R-2) is arguably consistent to allowances in the immediate area, but less dense than the neighboring R-3 use designation. Such a rezone is also consistent with identical allowances along our other major arterials in Shawnee.

5. Based on size of the property, what further requirements will the property owner have to comply with before any structures are built?

Being that the property is approximately twelve (12) acres in size and the intent is to build numerous duplexes / single family homes, the project will have to go through the platting process outlined in the City of Shawnee Subdivision Regulations. As a PUD, the applicant will be bound to any approved requirements of a Design Statement. The Design Statement, in great detail, explains exactly what can be constructed on each lot. Any requested changes will require submittal of a revised PUD to the Planning Commission and City Commission for approval.

If the rezone is approved, the developer will have to first submit a preliminary plat. A preliminary plat requires the developer show several items, a few of which include:

- a. A general layout of the site, including roads, utilities, sidewalks, and number of lots intended for the site.
- b. Where the increased storm water runoff from building out the site will be managed (i.e. storm water detention / retention) and released at a pre-development rate.
- c. It shall be shown that all portions of the design are in conformance with the PUD Design Statement.

Once approved, construction documents must be provided to prove that all infrastructure and storm water plans will be constructed to the satisfaction of City requirements. These requirements are ensured before a final plat is approved.

For better understanding, the major complaints will be summarized with Staff commentary:

1. The surrounding property predominately consists of single family residences.

The surrounding area is, in fact, primary single family residential in nature. Though this is true and deserves consideration, the City has allowed similar or higher density rezones in the immediate area, which begs the question, are we being consistent on how we interpret these requests based on past and present decisions?

2. A fear that the subject rezone will negatively affect property values.

This is certainly a debatable topic. There is no overwhelming support to show that such a design will negatively affect property values. The primary goal of this PUD is to buffer the neighboring single family residential neighborhood and the proposed duplexes by incorporated required single family residential between the two.

3. An already existing flooding issue that will only be worse with increased development.

During the platting process, the site developers are required to produce a storm water drainage study, proving that the on-site storm water management method used will contain and release runoff at pre-development rates. They are not obligated to fix a regional issue, but simply not make it worse.

4. Traffic flow along the narrow Elm Street, further compounded with on-street parking.

This is a genuine concern. A requirement from the City, during platting, is half street improvements along Elm Street. To alleviate driveway concerns, the developer has established a maximum of six (6) driveways along Elm Street, not including the three (3) southernmost lots which shall remain R-1.

5. Current development offers an element of city convenience and country living.

While this is true, the subject property exists within central Shawnee which is prime land for development. As the property sits today, development of single family residential homes can already occur.

6. High density developments generally have higher crime rates, low ownership pride and exceed parking needs.

The intended developer on this site has similar developments in town, including Golden Acres Cottages. It has been suggested by the developer that, similar to Golden Acres, a property association will be established allowing all maintenance and utilities to be centralized. Provided to these renters will be property maintenance and all parking will be adequate for City standards. The properties the developer currently maintains rent for \$1,200 - \$1,400 per month, indicating a proven quality product and certain standard of living. Also, higher crime rates

associated with Golden Acres, or all duplex developments has not been proven to correlate with higher crime rates.

7. Increased traffic, noise, pollution, and increased danger to the health and safety of children.

Increased traffic, noise, and pollution are effects of any development, including the single family residential allowances already accepted on this site. The health and safety of children will be a very serious concern when considering any development in Shawnee. Based on the proximity to Sequoyah Elementary School, Staff will require sidewalks along both Elm Street and Independence to provide ideal walking space for children and citizens alike.

Staff has reviewed the Grove Park Cottages PUD and finds it to be in conformance with several of the requested changes from Staff and the Planning Commission. Instead of proposing all residential duplexes, the developer has provided a buffer of single family residential housing. Also, several amenities have been proposed to incorporate a pond, walking train, park, benches, and pavilions. As requested, limiting drives along Elm Street will provide a higher degree of safety. Staff will not, at this time, approve any commercial uses on the site and still finds a number of corrections that will condition approval.

Based on the general consistency with the Shawnee Comprehensive Plan and the Shawnee Zoning Code, Staff has no objection to the proposed zone change from R-1 (Single Family Residential) to the proposed PUD, with general corrections to the Design Statement.

STAFF RECOMMENDATION

Staff has **no objection** for the proposed rezone from ***R1 (Single Family Residential)*** to ***PUD (Planned Unit Development)*** for the subject property with the following conditions:

1. If approved, preliminary and final plat shall be in complete conformance with the PUD Design Statement.
2. All applicable City standards apply.

Attachments

1. Figure 1: Aerial view of site
2. Figure 2: Zoning Map
3. Figure 3: Future Land Use Map
4. Figure 4: Zoning Consistency Map
5. Exhibit 1: PUD Master Development Plan Map
6. Exhibit 2: PUD Design Statement
7. Exhibit 3: Letters of Protest

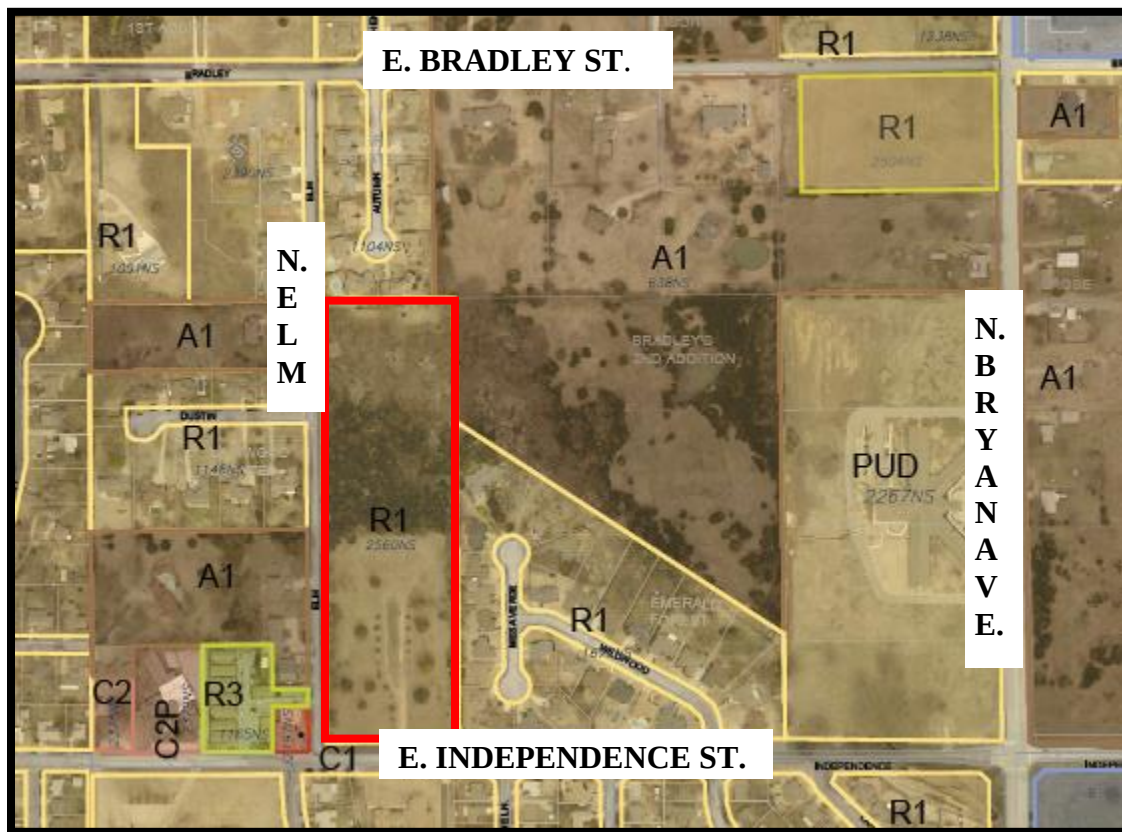


Figure 2: Zoning Map of site – approximate total area outlined in red.

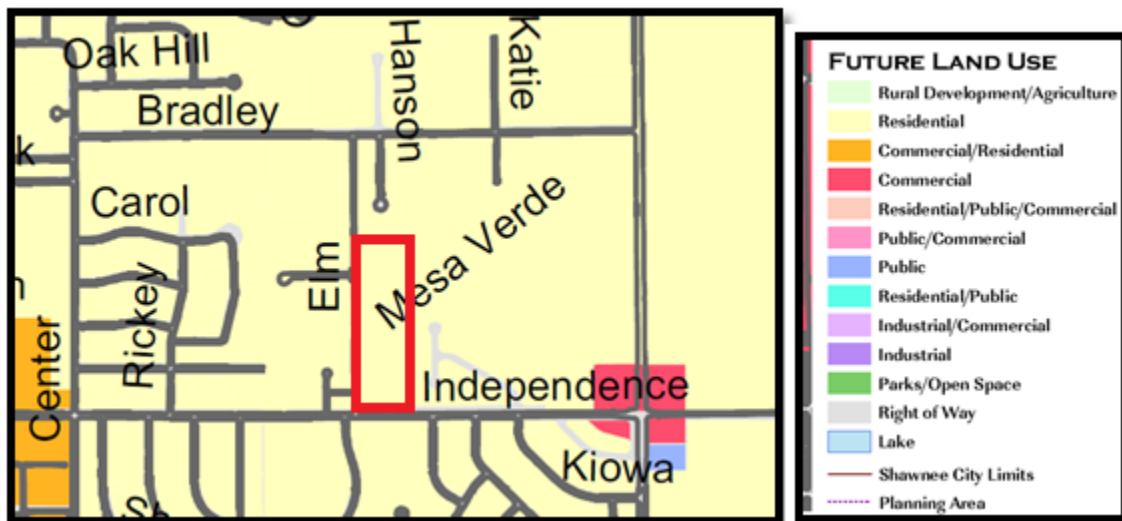


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map – approximate total area outlined in red

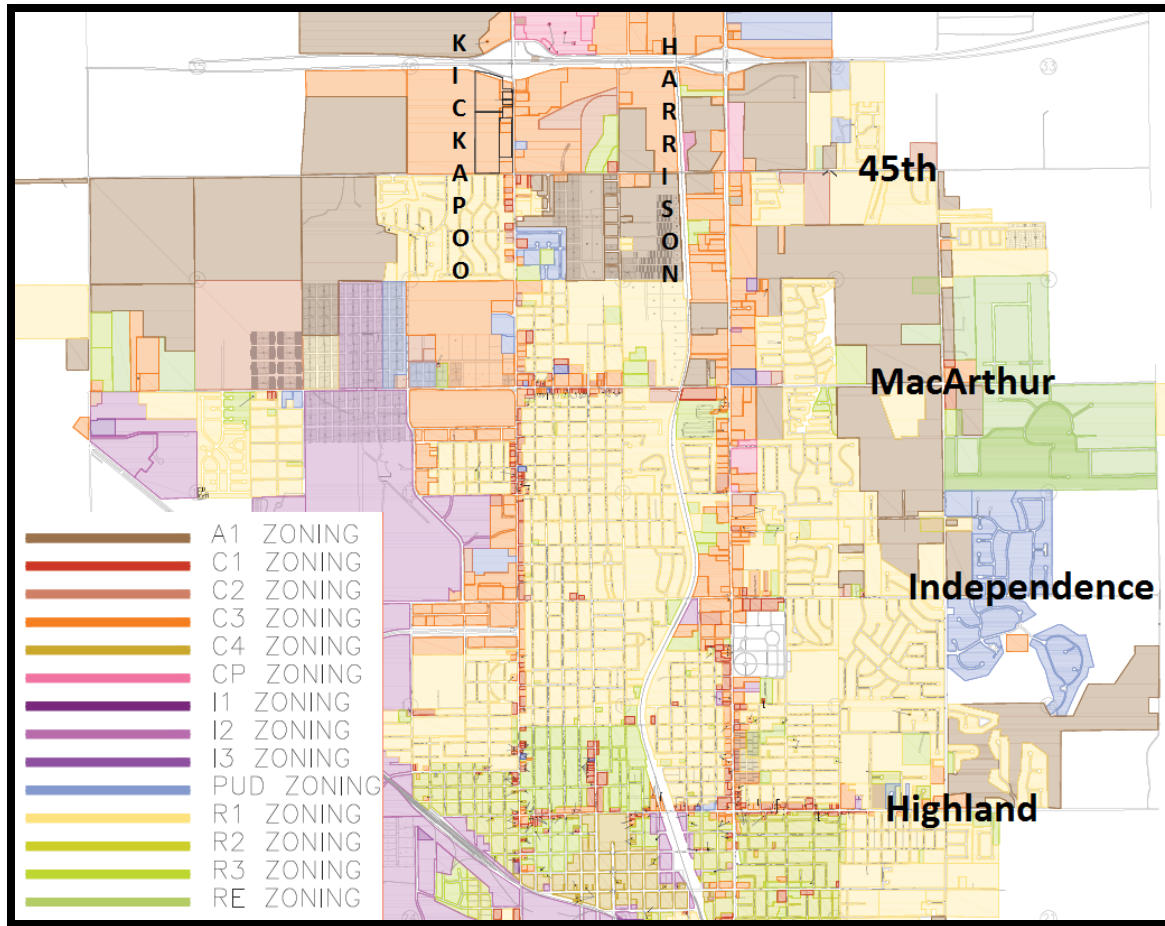


Figure 4: Zoning Consistency Map: Provided to show the correlation between major arterials and high density commercial and residential development.

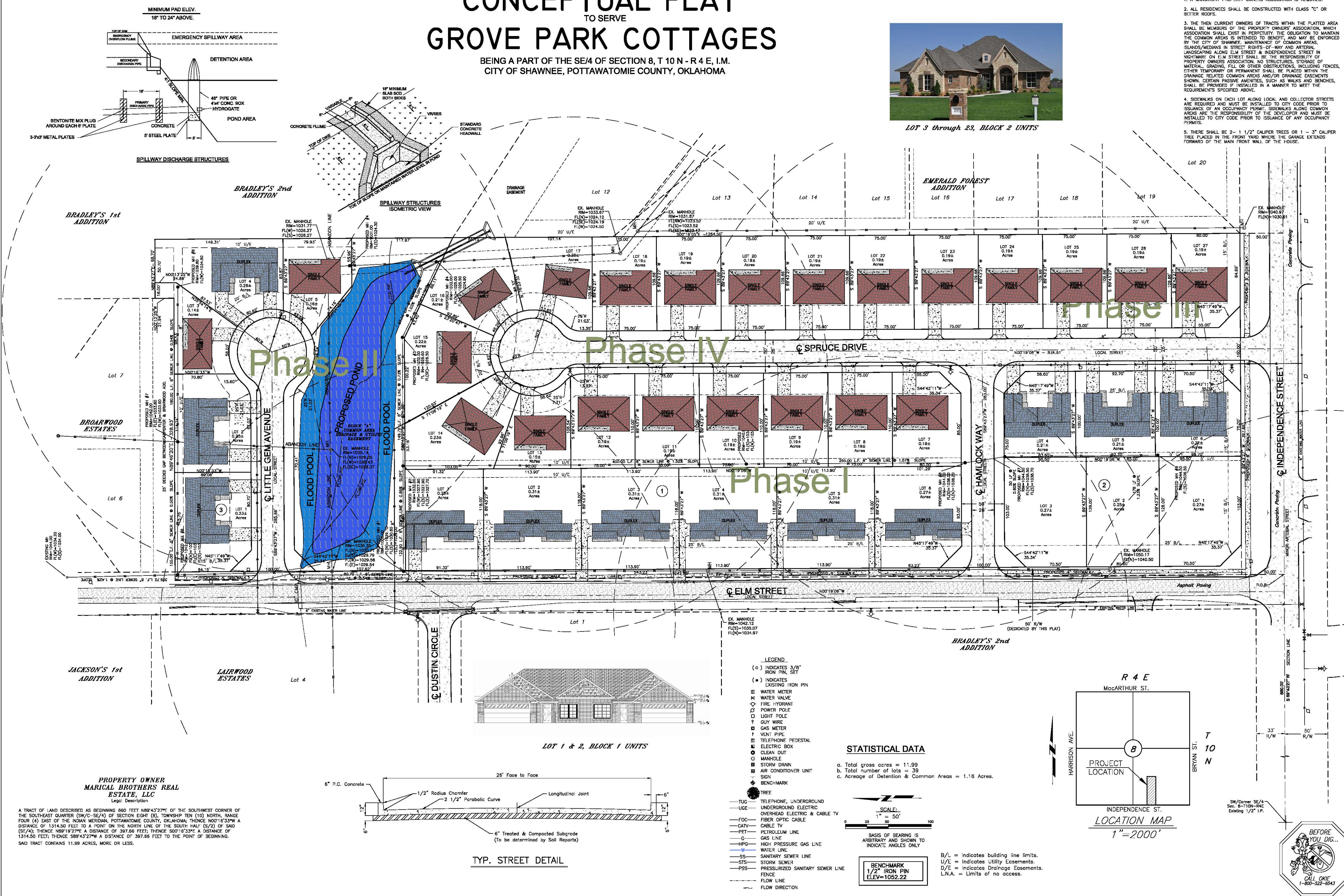
CONCEPTUAL PLAT TO SERVE GROVE PARK COTTAGES

BEING A PART OF THE SE/4 OF SECTION 8, T 10 N - R 4 E, I.M.
CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA



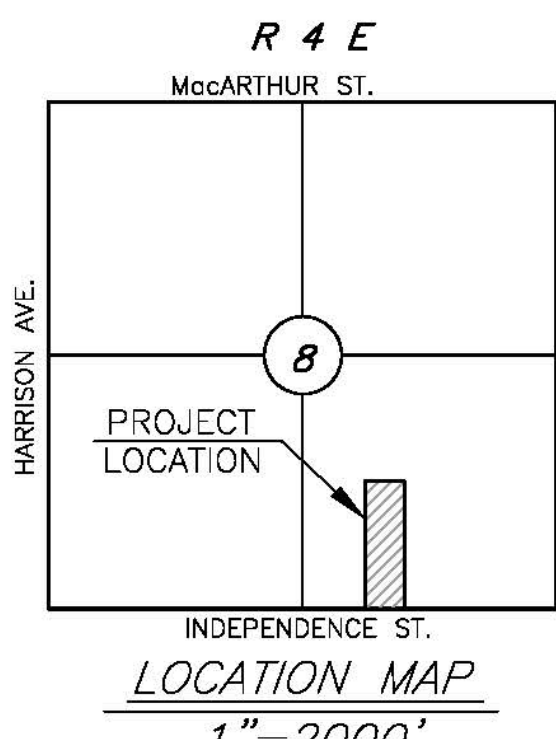
LOT 3 through 23, BLOCK 2 UNITS

- NOTES:
1. A MANDATORY PROPERTY OWNERS ASSOCIATION IS REQUIRED.
 2. ALL RESIDENCES SHALL BE CONSTRUCTED WITH CLASS "C" OR BETTER ROOFS.
 3. THE THEN CURRENT OWNERS OF TRACTS WITHIN THE PLATTED AREA SHALL BE MEMBERS OF THE PROPERTY OWNERS ASSOCIATION, WHICH ASSOCIATION SHALL EXIST IN PERPETUITY. THE OBLIGATION TO MAINTAIN THE COMMON AREAS IS INTENDED TO BENEFIT, AND MAY BE ENFORCED BY THE CITY OF SHAWNEE. MAINTENANCE OF COMMON AREAS, ISLANDS/MEDANS IN STREET RIGHTS-OF-WAY AND MATERIAL LANDSCAPING ALONG ELM STREET SHALL BE THE RESPONSIBILITY OF PROPERTY OWNERS ASSOCIATION. NO STRUCTURES, STORAGE OF MATERIAL, GRADING, FILL OR OTHER OBSTRUCTIONS, INCLUDING FENCES, EITHER TEMPORARY OR PERMANENT SHALL BE PLACED WITHIN THE DRAINAGE RELATED COMMON AREAS AND/OR DRAINAGE EASEMENTS SHOWN. CERTAIN PASSIVE AMENITIES, SUCH AS WALKS AND BENCHES, SHALL BE PROVIDED IF INSTALLED IN A MANNER TO MEET THE REQUIREMENTS SPECIFIED ABOVE.
 4. SIDEWALKS ON EACH LOT ALONG LOCAL AND COLLECTOR STREETS ARE REQUIRED AND MUST BE INSTALLED TO CITY CODE PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT. SIDEWALKS ALONG COMMON AREAS ARE THE RESPONSIBILITY OF THE DEVELOPER AND MUST BE INSTALLED TO CITY CODE PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMITS.
 5. THERE SHALL BE 2- 1 1/2" CALIPER TREES OR 1 - 3" CALIPER TREES PLACED IN THE FRONT YARD WHERE THE GARAGE EXTENDS FORWARD OF THE MAIN FRONT WALL OF THE HOUSE.



PROPERTY OWNER
MARICAL BROTHERS REAL ESTATE, LLC
Legal Description
A TRACT OF LAND DESCRIBED AS BEGINNING 660 FEET NB 43°27'27\"

- LEGEND
- (o) INDICATES 3/8\"
 - (•) INDICATES
 - WATER METER
 - WATER VALVE
 - FIRE HYDRANT
 - POWER POLE
 - LIGHT POLE
 - GUY WIRE
 - GAS METER
 - VENT PIPE
 - TELEPHONE PEDESTAL
 - ELECTRIC BOX
 - CLEAN OUT
 - MANHOLE
 - STORM DRAIN
 - AIR CONDITIONER UNIT
 - SIGN
 - BENCHMARK
 - TREE
 - TELEPHONE, UNDERGROUND
 - UNDERGROUND ELECTRIC
 - OVERHEAD ELECTRIC & CABLE TV
 - FIBER OPTIC CABLE
 - CABLE TV
 - PETROLEUM LINE
 - GAS LINE
 - HIGH PRESSURE GAS LINE
 - WATER LINE
 - SANITARY SEWER LINE
 - STORM SEWER
 - PRESSURIZED SANITARY SEWER LINE
 - FENCE
 - FLOW LINE
 - FLOW DIRECTION
- STATISTICAL DATA
- a. Total gross acres = 11.99
 - b. Total number of lots = 39
 - c. Acreage of Detention & Common Areas = 1.16 Acres.
- SCALE: 1\"
- BASIS OF BEARING IS ARBITRARY AND SHOWN TO INDICATE ANGLES ONLY
- BENCHMARK 1/2\"
- B/L = Indicates building line limits.
U/E = Indicates Utility Easements.
D/E = Indicates Drainage Easements.
L.N.A. = Limits of no access.



Client

Project

Drawn

Check

Date

MARICAL BROTHERS REAL ESTATE, LLC

GROVE PARK COTTAGES

CONCEPTUAL PLAT

4/18/2016

1

1

THE LANDRUN GROUP, LLC

LandRun Engineering, LLC

116 N. BROADWAY * P.O. BOX 1584

Shawnee, OK 74802-1584

(405) 273-4222

CA# 6182 Exp. 6-30-2014

E-mail: slandes@landrungle.com

Professional Engineer

STEPHEN T. LANDES

PL 19339

4/18/2016

Date

Revisions

No.	Date	Revised
1	4-18-2016	MODIFIED PER CITY REVIEW
2		
3		
4		



THE LANDRUN GROUP, LLC

ENGINEERING, DRAFTING, LAND MANAGEMENT, CONSTRUCTION MANAGEMENT, LEGAL

Master Plan of

Grove Park Cottages Independence & Elm Street Shawnee, OK

A Planned Unit Development

PUD #

February, 2016

An 11.99 acre tract in the Southeast Quarter
of Section 8, Township 10 North, Range 4 East I.M.,
City of Shawnee, Pottawatomie County, Oklahoma

OWNER/DEVELOPER

Marical Brothers Real Estate, LLC
16759 CR 3520
Ada, OK 74820

DEVELOPMENT CONSULTANTS

This Master Development Plan and engineering documents have been prepared by:

The LandRun Group, LLC
LandRun Engineering, LLC
JDGL Legal Resource, Group, LLC
201 West 9th Street
Shawnee, OK 74801

PART 1: DESIGN STATEMENT

GENERAL PLANNED UNIT DEVELOPMENT CONCEPT

The Grove Park Cottages is a privately funded planned residential community located on East Independence Street and Elm Street in Shawnee, Oklahoma. The land use is for a combination of single and multi-family residences that will be served by municipal water and sanitary sewer utilities. The development will be approximately thirty (39) individual lots with a maximum twelve (12) multi-family duplex patio homes located on Lots 1-6, Block 1, Lot 4-6, Block 2, and Lots 2,3, and 5, Block 3. Lots 1-3, Block 2 are not included in this PUD and will remaining R-1. The development is established with a pond and common area, pavilions, and an optional walking trail to establish recreational amenities for the development to provide a small family environment (controlled by home owners association). Additional features include public sidewalks along Elm and Independence Streets capable of reaching the walking trail recently developed along Bryan Street and access to school facilities within walking distance. These features combined with the quiet surrounding residential neighborhoods establish this as an excellent location for a safe and secure development for younger and older families alike.

This development will be restricted to privately funded housing that must be maintained above standard median household income levels.

This development was formed in recognition of a segment of today's society interested in having amenities without the time for property maintenance yet still interested in the single family environment. The development effort was to combine a permanent housing environment with a percentage of transitional executive housing. The formation of a percentage of transitional executive housing in the development intertwined with permanent single family housing establishes an environment for younger and older executives moving into the community either on a temporary basis or in an area similar to the location where they intend to find permanent housing. A Property Association (PA) will be created in the subdivision covenants to provide for an elevated maintenance of all yards, common areas, landscaping areas inside and outside the walls of the individual homes and courtyards. Membership in the PA will be mandatory with dues assessed against each property. Said dues will be used to pay for lawn/landscape maintenance, electric charges, general liability insurance, reserves for maintenance, etc.

The Grove Park Cottages Addition will not be specifically geared toward any specific age group and there will not be an age restriction. The floor plans offered will be geared towards young or growing families with diversity in the amenities for a wider range of age groups. Transitional multi-family patio homes will be restricted to above standard median household income levels.

The common amenities being established for this development include walking trail around pond with benches and picnic tables, and pavilions. The covenants will be written to allow the PA to develop additional amenities upon the discretion of its members and city code requirements. All housing will require individual or group storm shelters.

Vehicle access to the development will be via Independence and Elm Streets. A maximum of six (6) individual drive on Elm Street and one (1) drive on Hamlock Way to serve Lots 1-6, Block 1. All other drives will be developed on public streets developed for Grove Park Cottages. On Elm Street for Lots 1-6, Block 1 a 15 foot (7.5 feet either side of property line) joint access easement/agreement will be

established on all lots located in Block (1) along Elm Street. The depth of the cross-access agreement will be restricted to 55 feet from the west property line along Elm Street.

Public water lines will be installed in the development allowing individual services for each home.

Public sanitary sewer lines exist or will be developed allowing individual services for each home. All other right of way and easements will be developed to allow public and private utilities adequate space to provide services for each property.

See the Master Development Plan for details.

SURROUNDING ZONING AND LAND USES

Surrounding land uses include R-1 (North, South, East & West), R-3 (West), C-1 (West), A-1 (West and Northeast). Some special permit commercial zoning exists along Independence to the West that will have no impact on this development. This tract is currently zoned R-1 and the proposed PUD development is being developed as combined R-1 and limited R-2 zoning characteristics. The defined purpose of R-2 zoning is as follows: an internally stable, attractive, orderly, and efficient residential environment, which is also the primary goal associated with this PUD development.

SUBDIVISION IMPROVEMENTS - DESCRIPTIONS, STANDARDS, COMMITMENTS, AND REQUESTS

1. WATER

All properties in Grove Park Cottages will be served potable water by the Shawnee municipal water system. Water lines, fire hydrants, and appropriate easements are included in the subdivision development in accordance with City of Shawnee standards. The potable water distribution system will be constructed by the Developer and maintained by the City.

2. SANITARY SEWER

All properties in Grove Park Cottages will be served by a public sanitary sewer system that is connected to City of Shawnee mains in accordance with City of Shawnee standards.

3. STORM WATER CONSIDERATIONS

The subject tract generally drains to a channel running west to east approximately 1,100 feet north of the intersection of Independence and Elm Street. Due to drainage concerns in the area the channel will be excavated to provide detention and a controlled discharge to improve drainage conditions to both the Emerald Forest Addition and surrounding area. Drainage on Elm Street and internal streets will be developed with a conventional curb and gutter drainage system routed to the pond and detention system. Flow continues east behind the Emerald Forest Addition until it goes under Independence and Bryan Streets into the Bridges Addition. The channel is routed through the addition and country club until it reaches the North Canadian River. City infrastructure was reviewed and it was determined that the only public storm sewer system capable of servicing this development was the curb and guttering system along the public streets. The cost to extend an underground piping storm sewer from this property to the nearest public system exceeded a practical distance or development cost from this property. A

combination underground and surface storm water drainage/detention was developed in the drives and greenbelt areas with a controlled discharge into the pond to equal or reduce the pre-development rates currently existing from this property.

4. OTHER UTILITIES

Grove Park Cottages will be served by all other utilities including natural gas, electricity, telephone, and cable television. Utility easements either already exist or will be provided in accordance with City of Shawnee regulations.

5. STREET DESIGN

The development will require the establishment of a public street. The local streets will be public and constructed of subdivision standard code requirements. Elm Street does not currently meet minimum standards for a local street. A curb and gutter will be added to raise the east half of the street to City of Shawnee standards (1/2 street improvement).

A six (6') foot public sidewalk will be created Independence Street and a four (4') public sidewalk will be established along east side of Elm Street. The sidewalks shall meet ADA and be designed per city codes.

6. OTHER IMPROVEMENTS

This development will comply with green initiatives where determined practical. All structures will meet energy star requirements and the use of recycled materials and green products will be incorporated into the structures and site amenities whenever possible.

THE FOLLOWING VARIATIONS FROM CITY STANDARDS ARE REQUESTED:

Curbing on Elm Street will be a conventional barrier curb. All internal curbing will be a 6" shallow roll curb. Such curbing is intended to alleviate the trip and fall hazard that a raised curb can create.

7. LOT SIZES, SETBACKS, SPACING, FENCING, ETC.

The Grove Park Cottages Subdivision will be developed in three (3) blocks. Each lot maintains frontage on a public street and meets subdivision requirements such as street frontage and direct access to public utilities (water and sanitary sewer). Specific structures are designed on each lot with minor modifications to provide an individual appearance of each structure while maintaining a uniform appearance for the development. The property association will maintain all garden areas outside the residential yards. The building setback established on the preliminary and final plat shall apply to the perimeter of the PUD. Minimum spacing between houses shall be ten feet (10') to meet fire code requirements. A sight proof wood fence six to eight feet (6'-8') in height shall be allowed along east line adjacent to existing residential properties. Lighting will be provided as part of the development. It is intended that the multi-family housing in each block remain as one ownership to maintain a cohesive landscaping and maintenance.

8. SIGNS

Signs will be subject to City of Shawnee sign regulations. The Developer anticipates monument signs at the entrances along Elm and Independence Streets. Each sign shall incorporate a monument base and shall not exceed 18 square feet of display area.

DEVELOPMENT FEATURES

The Grove Park Cottages will consist of single family home which may be either single or two-story and will be subject to conventional R-1 regulations. All multi-family patio homes shall be limited to single-story structures with the units limited to two (2) bedroom and a (3) three-bedroom designs. The houses will be built with energy star rated services and will incorporate green products where applicable and feasible to the cost and design.

The exterior of all residential structures will have a brick veneer with the roof design incorporating both hip and gable ends. Roof pitch of all housing units will be a minimum 4/12 pitch. Exterior colors and floor plan orientation will be varied to create diversity and individuality. The architectural styling of the houses will be contagious within the development. Covenants will be established to provide additional architectural control of all structures. No more than two (2) single family houses may be developed as identical homes without establishing variations in exterior elevations.

DEVELOPMENT SCHEDULE

It is the intent of the Developer to begin all subdivision improvements as soon as City approvals are granted. A preliminary plat will be developed for the Grove Park Cottages Addition but all final plats will be developed in phases. Completion of the drainage system will not be required until construction of the second phase.

PART 2. PRELIMINARY PLAT

Location of the subject tracts is an 11.99 acre parcel located at the intersection of Elm and Independence Streets. The legal descriptions for the properties can be reviewed in the attachments.

A TRACT OF LAND DESCRIBED AS BEGINNING 660 FEET N89°43'27"E OF THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SW/C-SE/4) OF SECTION EIGHT (8), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE N00°16'33"W A DISTANCE OF 1314.50 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF (S/2) OF SAID (SE/4); THENCE N89°19'27"E A DISTANCE OF 397.66 FEET; THENCE S00°16'33"E A DISTANCE OF 1314.50 FEET; THENCE S89°43'27"W A DISTANCE OF 397.66 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 11.99 ACRES, MORE OR LESS.

Existing zoning is R-1. The parcel is to be developed and re-platted as Grove Park Cottages Addition, Section 1 through 4.

A Preliminary Plat will be prepared at a scale of (1 = 50') which will be nearly identical to the attached Master Plan (Conceptual Plat) as included in the design statement as a part of the application for rezoning. The conceptual plat designates the design concept of Grove Park Cottages along with the general pattern of driveways / street and alley / lot sizes, etc. Exact configuration and measurements of lots and driveways may be adjusted in the platting process, but no significant deviation from the Preliminary Plat is anticipated.

EXHIBITS

Exhibits A, is attached hereto and made an integral part of this Planned Unit Development.

A – Design Master Plan

EXHIBIT
3

Christopher E. Aston, Ph.D.
1516 Mesa Verde
Shawnee, OK 74804

Friday, April 29, 2016

Justin Debruin,
City of Shawnee Planning Commission

Re: Case #P03-16 Rezone of property from R1 to Planned Unit Development

A serious concern of potential flooding

Dear Justin,

I have a serious concern of potential flooding of my home (1516 Mesa Verde) after examining the latest Master Plan for the Planned Unit Development (PUD) of 1500 E. Independence Street (case #P03-16).

Rather than alleviating the flooding issues I believe this plan will exacerbate them for my home.

First, let me be clear that my concern is specific to the effect on my home. I am inclined to agree that the proposed plan may alleviate the current flooding issues for those homes on the west side of Emerald Forest, abutting the 1500 E. Independence property.

To begin, let me show you what you are up against. The following photographs show flooding in and around my property.

This kind of flooding, thankfully, does not happen often. Flooding to this level occurs perhaps once every two or three years but it will reach half to two-thirds of this once or twice a year. It is still an enormous amount of water when it does occur and is very damaging. In Figure 6 we lost over a foot of soil from the entire east side yard.

Figure 1. From 1516 MV looking NE into the Mesa Verde cul-de-sac. Notice the run-off (just the other side of the mailbox on the right) from 1500 E. Independence (to the right of this picture) between 1514 MV and 1512 MV. Similar flows occur all along this west side of Mesa Verde.



Figure 2. From 1516 MV looking SE into the MV cul-de-sac.



Figure 3. Looking east between 1513 MV (on right) and 1516 MV (on left). The water joins with the flow from the east then flows out-of-frame to the right into the creek that runs behind the properties on the east side of Emerald Forest.



Figure 4. This is how this looks without the flood.



Figure 5. From behind 1513 MV looking E, showing water flowing in from the east joining the cul-de-sac run-off (from the left) at the head of the creek and flowing out to the bottom right.



Figure 6. Looking from 1513 MV at the yard on the east side of 1516 MV (my property). The building is the east end of my home.



Figure 7. Looking from 1513 MV at the yard on the east side of 1516 MV (my property). The building is the east end of my home. The water is up to patio (seen on the right of the grey wall of the building), that is, covering the entire yard. (Different flood from Figure 6.)



Figure 8. Looking S from the east side patio of 1516 MV.



Figure 9. Looking S from the east side patio of 1516 MV. (Different flood from Figure 8.)



Figure 10. Looking S from the east end balcony of 1516 MV.



Figure 11. Aftermath. That is a 12" wide, 4ft long log washed up against our patio. The logs all come from somewhere out to the NE.



Figure 12. With and without water



These pictures span several flooding events from 2007 to 2015. My main point here is to show the amount of water that flows around and through (the east side) of my property.

Figure 13. Water flow under normal conditions (shown in light blue). 1513 MV is in bottom right corner with 1516 MV to its upper left. The yellow lines are the N and S property lines for 1516 MV (according to the Plat) and the orange line shows the boundary of the (theoretical) drainage easement. The light line between 1516 MV and 1513 MV is the storm drain shown in Figure 4. The green rectangle is a large garden shed.

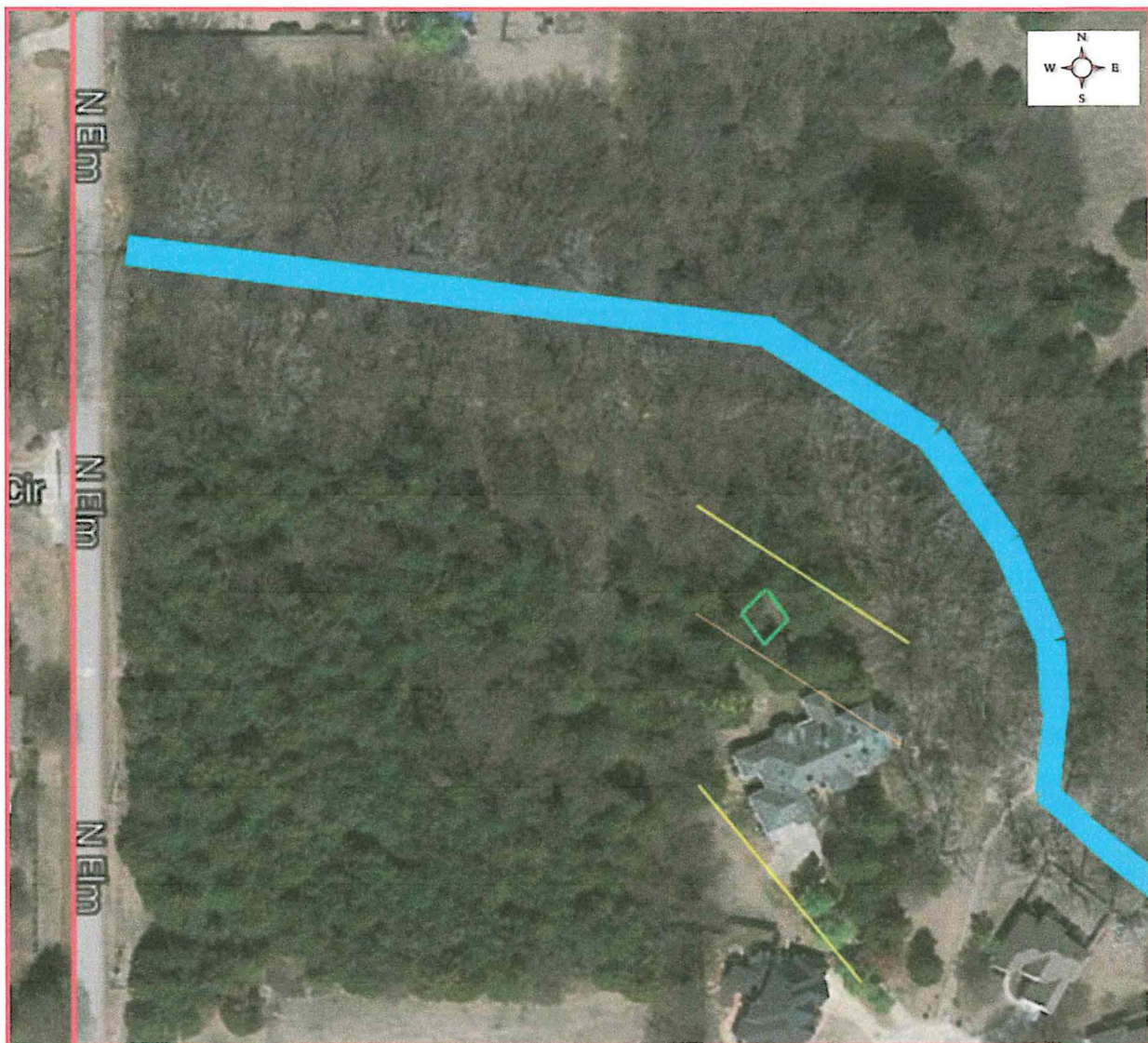
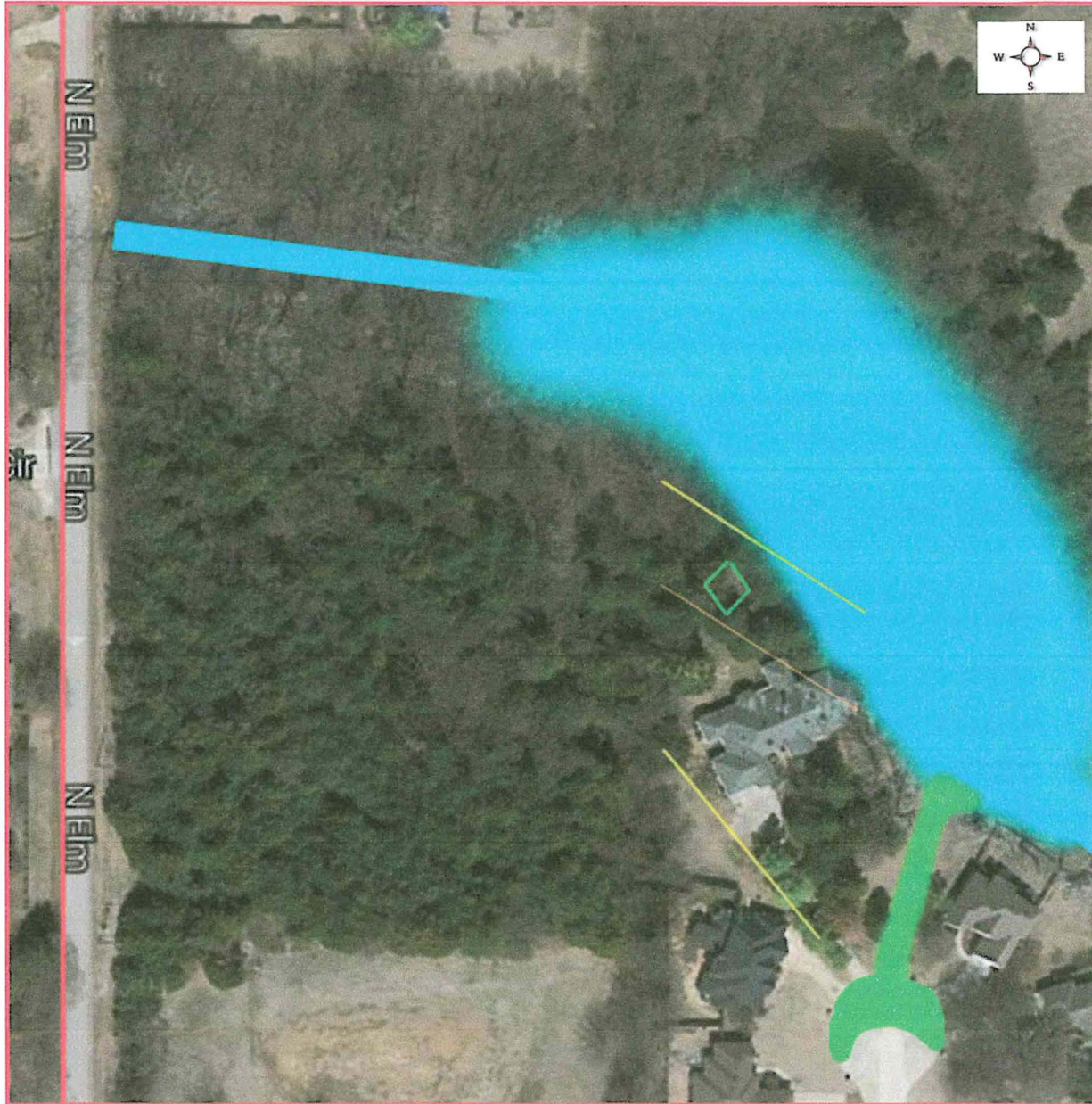
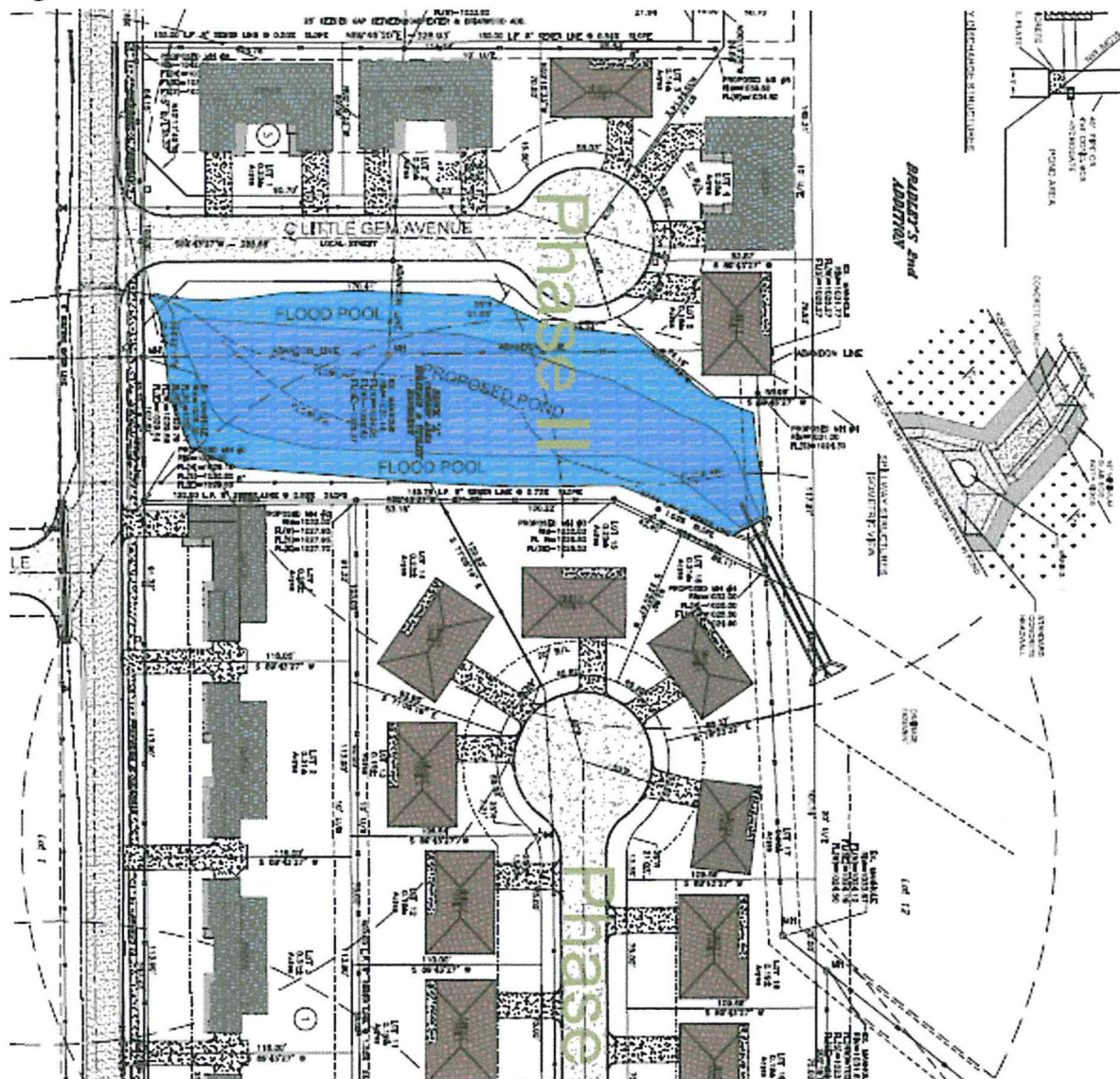


Figure 14. The flooding most immediate to 1516 MV is shown here with light blue corresponding to Figures 5 – 12, and green corresponding to Figures 1 – 3. Understandably, I have not walked into this area during flooding to see what is and is not covered so only the edges nearest 1516 MV are confirmed.



To deal with this run-off the Marical Brothers/Landrun Engineering proposed the flood control pool shown in Figure 15.

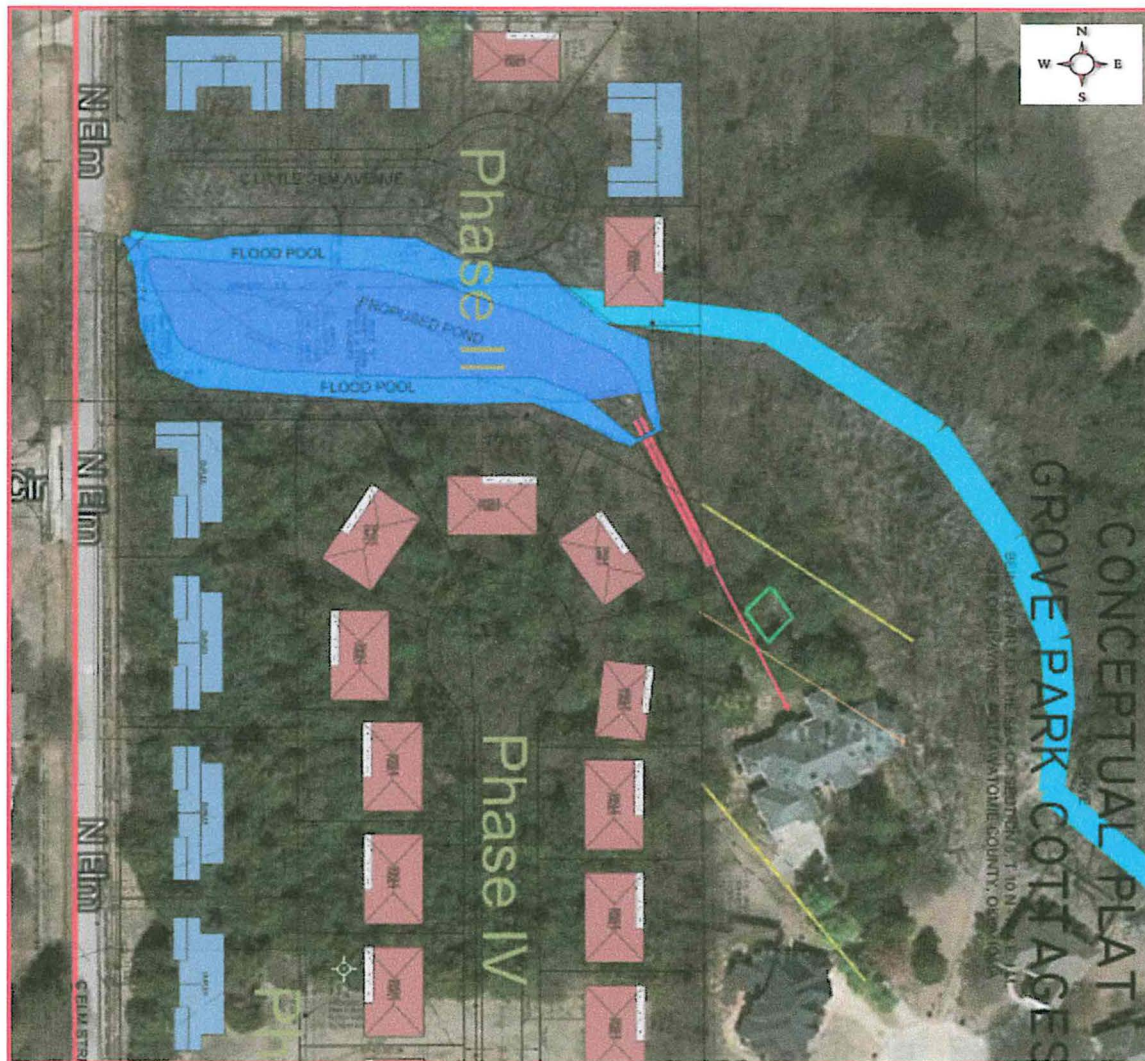
Figure 15.



The plan is that the run-off seen flowing (Figure 1) through the west end homes of Emerald Forest and gathering in the cul-de-sac (Figures 1-3) should be diverted north through the Grove Park Cottages development to the flood pool thus alleviating the flooding problems for those on the west side of Mesa Verde. This same pool is also intended to gather all of the water flow shown in Figures 5 – 11 and then direct it **eventually** to the creek that runs behind the east side Emerald Forest.

The concern arises when the conceptual plat is overlaid on Figure 13 – the actual view of this area.

Figure 16. The proposed flood release channel is highlighted in red with an added thin red line showing the continued direction of that flow DIRECTLY INTO THE BACKDOOR OF MY HOME, no doubt floating the garden shed into the back of my house.



In other words, the Marical Brothers/Landrun Engineering are going to take all of that water seen in Figures 1 – 12 spreading over an area of 100ft or more wide and run it through a pipe a few feet wide that is pointed at my back door.

What the Marical brothers have failed to observe or understand is (1) that the natural water drainage coming from the swamp that Phase II will sit on and then running off the 1500 E. Independence property actually exits further to the north than the drainage easement they are planning on forcing the water into, (2) that the area behind the garden shed where the flood release pipe outlet lies is actually on higher ground than the area to the north thus negating the protection I gain from my home sitting on land above the floods seen in Figures 5 – 12, the

water will in fact flow downhill from their release point towards my house and (3) that moving up stream in the creek that currently drains this area, it turns north between 1516 MV and 1513 MV, that is, their outlet is several hundred feet from creek that they no doubt intended to drain into.

I suggest that whoever is designing this flood control system should go back and look at the actual geography and rethink their plan to fit the reality of the situation.

I have put my concerns in writing and presented this to the city. Despite some very large floods, in the 21 years that this house has stood here, not once has the house itself been flooded. If the changes in water flow made by this proposed development and its flood control system lead to my house being flooded after I have expressed this concern then let me be very clear that I will come after the city, Marical Brothers Real Estate, Landrun Engineering and the Landrun Group for restitution and punitive damages.

Emphatically,



C. E. Aston
1516 Mesa Verde
Phone: 405 314-0737

RECEIVED
APR 29 2016
CITY CLERK

Thursday, April 28

Dear Mr. DeBruin and Planning Commissioners,

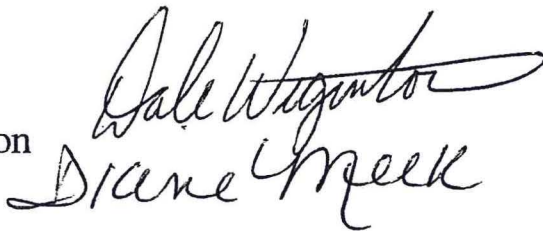
We live at 1510 N. Elm. We own our home there and have lived in it for over 20 years. We are adamantly opposed to the proposed rental development of the 11.99 acres across the street from us. To our way of thinking, there is no way that a large group of packed-in rentals--whether apartments, duplexes, or single-family residences--would be good for our neighborhood. And driveways entering N. Elm is a disaster in the making. The developers, it seems to us, are thinking of nothing but the bottom line. We do not believe that a complex expressly built as "transition" housing is in any way a good thing for us, our family, or our neighbors.

Please do not allow the Ada developers to have their way with those acres across our street.

Thank you.

Sincerely,

Dale Wiginton
Diane Meek

Handwritten signatures of Dale Wiginton and Diane Meek. Dale Wiginton's signature is written above Diane Meek's signature.

Larry Inman
1520 N. Elm Avenue
PO Box 3551
Shawnee, Oklahoma 74802-3551
405.273.7677 (Home) 405.323.6070 (Cell)
Carpenter-n-Wife@sbcglobal.net

RECEIVED
APR 29 2016
CITY CLERK

April 29th, 2016

Dear Mr. DeBruin and Planning Commissioners,

My name is Larry Inman, and I live at 1520 N. Elm Avenue.

Each Marical Brothers proposal has been unprecedented for our street and neighborhood. How is the land at 1500 E. Independence more desirable for multiple rental units than other land in Shawnee not surrounded by owner-occupied homes? How will Elm Ave. handle the added traffic engendered by a concentrated rental development? The developers will not protect the long-standing watershed on this land... who will?

In the sense that we care about our property values, we of the neighborhood are thinking about the "money" side of this matter, but that's only one factor out of many which we care about here. I think it's fair to say, however, that the "money" side of the matter is all the Ada people here care about. There isn't much evidence to think otherwise. Section 8 does not loom in their lives; flooding does not loom in their lives; increased traffic hazard does not loom in their lives, nor do litter, noise, or potential for more crime. Nothing looms in their lives, except the possibility of not getting what they want. The use of the word "transition" in their PUD documents describes their own view as to the type of housing they want to build, and it undercuts any of their statements to the contrary.

If on Clayton Eads' 12 acres, the Maricals were prevented by the city from building any type of rental development (even single-family home rental development), they would lose the money they've paid to their engineer, but it goes without saying--to state the obvious--that they would not lose value to their other rentals, and certainly not to their own homes in Ada. The opportunity to make money here in Shawnee would not be taken away from them in the event of a Commission denial; they'd buy other land somewhere else. The money they've paid to the engineer to plat Mr. Eads' land is the risk they took in doing business; the city needn't "cover" their losses by granting approval.

I've been a residential building contractor for 43 years, more than half of those in Shawnee. One valuable lesson in the building business is that the interests of the homeowner always take precedence over those of the contractor--period. Knowing that we the homeowners object to numerous rentals, the developers here in question nevertheless have dismissed the homeowners'

Larry Inman
1520 N. Elm Avenue
PO Box 3551
Shawnee, Oklahoma 74802-3551
405.273.7677 (Home) 405.323.6070 (Cell)
Carpenter-n-Wife@sbcglobal.net

interests, seemingly out-of-hand. I can say this because the developers persist in their effort to foist on us their own agenda of building rental after rental after rental. If they want to build a rental empire, that is certainly their prerogative, only please don't allow them to do so at the expense of local property owners.

There is no homeowner of the area in question who is in favor of a 12 acre compacted rental development. If even one of our concerns comes to pass, we local homeowners pay the price. If the risks, hazards, concerns, and worries of the local residents regarding the proposal before you could be distilled and put in a bottle, our guess is that the developers might take a sip, but we the people who actually live here would be compelled to drink it down to the dregs.

Sincerely,

A handwritten signature in cursive script that reads "Larry Inman".

Larry Inman

Diana Inman
1520 N. Elm Avenue
PO Box 3551
Shawnee, Oklahoma 74802-3551
405.273.7677 (Home) 405.323.6070 (Cell)
Carpenter-n-Wife@sbcglobal.net

RECEIVED
APR 29 2016
CITY CLERK

TO: Justin DeBruin, City Planner and the Planning Commission, City of Shawnee, OK,
RE: Case #PO3-16 Rezoning of former Carpenter property from R-1 to PUD Multi-Family

Friday 29 April 2016

I am among the property owners on Elm Avenue: 1520 N. Elm Avenue to be precise. In the past I have indicated my objections to the Marical development of the property at 1500 E. Independence primarily on technical grounds. Today I'm protesting on more general grounds.

` To be totally honest, I do not want rental development, PUD or no PUD on this property. I prefer single family, owner-occupied houses consistent with the personality and value of the existing homes in the area.

` I do not want development on this property by the Marical Brothers who have no personal stake in the area beyond making money. I prefer a builder who cares about Shawnee and the impact of his development on the immediate area.

` Sadly, the truest statement in the PUD document is the inappropriate reference to "Nightmare On Elm Street" which occurs in the "Notes" at the top right corner of the PUD Plat Diagram. Such a statement is unprofessional and has no place in this proposal. Considering the time the Marical Brothers have had to prepare this document, such inclusions are inexcusable. If the paperwork is poorly done, one wonders about the quality of work for the development itself.

` I have seen the kind of property the Marical Brothers develop in the form of Golden Acres at MacArthur and Leo. The buildings are purely "production" and monolithic in appearance. The driveways are too short to accommodate vehicles without their protruding over the sidewalks. The properties are packed together into the space in order to maximize income.

` The belligerent behavior by Mr. Marical at the last Planning Commission meeting indicates a general uncooperative attitude toward the concerns of both the Shawnee city government and its residents.

` Despite the objections of the local homeowners, the Marical Brothers have insisted on putting their high-density rental project on the land without regard to our concerns. They have made no significant changes to their plan, only superficial ones. The development remains rental and the driveways remain on Elm Avenue.

While I believe PUD #PO3-16 can be protested on technical grounds because the document itself is vague, inconsistent, inaccurate, and contains errors, my primary protest today is against the entire project by these developers. I sincerely hope the Planning Commission will acknowledge the concerns of the area Shawnee citizens and vote to deny this PUD project.

Sincerely,


Diana Inman

Roger D. Flint
1522 N. Elm Avenue
Shawnee OK 74804

RECEIVED
APR 29 2016
CITY CLERK

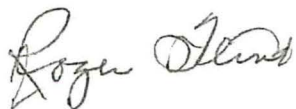
Dear Mr. DeBruin and Planning Commissioners,

My name is Roger Flint, and I live at 1522 N. Elm. My residence there now enters its 20th year.

I wish to express my objection to the proposed re-zoning of 1500 E. Independence from R1 to PUD. Not only that, I wish to express my objection to any kind of concentrated rental development at that address, be it apartment, duplex, or single-family. I believe that the damage to my area from such an ill-conceived project would be long-lasting and cover many fronts.

Please do not approve the re-zoning application. Please do not approve an R1 rental development.

Sincerely,

A handwritten signature in blue ink that reads "Roger Flint". The signature is written in a cursive style with a large, stylized "R" and "F".

Roger Flint, PhD
Professor of Accounting
Oklahoma Baptist University

RECEIVED
APR 28 2016

CITY CLERK

To: City of Shawnee Mayor, City Manager, City Planner and City Commissioners:

Subject: Second unwanted rezoning attempt of corner lot on Independence and Elm Street from R-1 to PUD Case # P03-16.

What the heck is going on?! I feel as if I am in the Twilight Zone with this second attempt at rezoning this property when all surrounding homeowners and business owners CLEARLY expressed that they are NOT IN FAVOR of this proposed rezoning the first time (from R-1 to multifamily dwellings). Yet employees in the City Planning Department and outsider developers think that they can just exhaust all options to try to attempt to bring in UNWANTED developments and transient people into our back and side yards! Explain just what is going on here?! I feel that you are not respecting our rights as citizens and area homeowners.

Why are you allowing these kinds of wasteful attempts to continue? I believe there needs to be an investigation to make certain that no city employees or representatives are accepting bribes. Why else would they try so hard to push through and promote this development that is unwanted by area citizens instead of listening to the common sense pleas of the people? And would the City Treasurer please look into the tax records and tell me whether or not the Landrun Group is in financial good standing with the City of Shawnee? Why do we let people who are not vested and do not own the site try to repeatedly rezone property that the area resident homeowners clearly do not want rezoned? I want a formal letter answering the questions I have asked in this letter sent to me by someone with some kind of legal authority. This is also a demand letter.

Please put an end to this and stop wasting everyone's time and resources here! Is the city really that anxious to have to deal with possible legal repercussions and ramifications of making such a controversial and unwanted (if approved) decision? Why didn't the City Planning department vote "No" against the proposed rezoning and decide to DEFER IT AGAIN?! Especially in the light that the plan was not accurate, or even a concrete plan, basically just vague ideas of how to do or build something based on unknown future factors. Why are Roberts Rules of Order so disregarded by the Planning Department? They tried to get away with refusing to let the citizens speak at the last planning meeting over this rezoning for Pete's sake! If it weren't for Lesa Shaw being there they would have gotten away with it! I propose that an investigation be started to ascertain if there are ANY conflicts of interest involved because it is hard to believe that there is not considering the way that they are handling this not only the first time around but also the second attempt as well. Why are they are giving the Landrun Group more liberties, more time to get their act/plan together, and chances than they deserve or are entitled to?

I want to have faith in the Planning Department and all of you who this letter is addressed to but it is hard for me as a homeowner to do this when the City of Shawnee Planning Department has failed us in the past, appears to have not heard our first recent outcry, and is currently not doing a very good job of instilling confidence in this particular matter at the present. Tell the Landrun Group loud and clear so that they may understand that we want them to build their "Grove Concrete Park Cottages" (which is more accurately descriptive—just view "Golden (Gray) Acres" yourself-- somewhere else! There are other more suitable sites elsewhere.

I will reiterate why I don't want this property rezoned and I live VERY close to the property and would be most affected with lower property values and unwanted drainage/crime onto my hard earned dream home.

- The will of the majority of property owners SHOULD PREVAIL over special interests!
- LOWERED property values! (Do you really want to increase the probability of having a class action lawsuit in the future-- if the will of the people is subjugated by government and property values do decline as a result)? Does the city even have extra funds for risk?
- Increased crime and noise pollution (more transient people= more bad stuff happening).
- Too close to Sequoyah Grade School for safety (sex predators and drug dealers will move in ultimately) remember the "high end" apartments that renters now refer to as "ghetto"? This will cause the further and more rapid decline of our community—WHY should we welcome this!? Plus increased traffic will be a safety factor for children especially.
- Grove is reaching capacity and more transient students will utilize limited resources and teaching time to the detriment of taxpaying permanent students whose parents paid good money to own a home in the Grove School District. As a consequence, fewer out of district transfers will be granted to other taxpaying home owning citizens of Shawnee. A bad decision affects many others in a negative way. This is what makes a decision bad.

I will say again that I don't believe ANY of you would vote in favor of this rezoning if you lived in our neighborhood and you will put yourself in our shoes when you vote IF you are truly the PUBLIC servants that you are setting yourselves out to be.

Send your formal reply to: Dr. Bonnie Boone, Treasurer Emerald Forest Homeowner's Ass.
1516 Mesa Verde
Shawnee, OK 74804

Thank you again for your consideration and for the thankless job you do in good faith. I hope for your sake as well as for the sake of resident home owners of Shawnee that you can provide more experienced and objective employees working for (or train them to be) the Shawnee Planning Department. Please investigate why this unwanted controversial topic keeps recurring. We all deserve some answers being taxpayers in good standing and we do not want this property rezoned! We want a city government that is responsive and accountable to its constituents not outside special interests.

Bonnie Boone, D.V.M.

Treasurer of E.F.H.A. 4-12-2016

Letter Of Protest Concerning Case #PO3-16 Rezoning 1500 East Independence For PUD Development

Elm street must be widened and improved on both sides with curbing to safely handle additional traffic loads that would be contagious with this development. This improvement must be incumbent on the City of Shawnee.

The developers existing properties have non-functional driveways requiring occupants to park diagonally and on pedestrian sidewalks that create safety concerns. This proposed new development appears to be similar.

In the last planning commission meeting, the developer threatened that he would build to the minimum standard should this development not be approved and stay as R-1. This is clearly contempt and exemplifies ill intent as to not doing what is best for the city and community.

With heavy rains as recent as this month, Elm street within the proposed building site flooded.

Dan and Kathy Climer 3 Dustin Circle

RECEIVED
APR 28 2016
CITY CLERK

From concerned citizens and home owners with regard to the City of Shawnee Case #P03-16

Notice is hereby given to the Commissioners of the City of Shawnee that the following citizens **OPPOSE** the proposed Rezoning of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

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General Location Known As: 1500 E. Independence St., Shawnee, OK
Current Zoning Classification: R -1; Single Family Residential District
Requested Zoning Classification: Planned Unit Development (PUD)
Proposed Use of Property: Single and **Multi-Family** Housing
Applicant: The Landrun Group, LLC

We the following live in the residential area whose property values and life would be adversely affected by the proposed change in the zoning. We feel that the City of Shawnee Commissioners are public servants elected to represent the citizens of Shawnee especially the stakeholders who are property owners that would be directly affected. We respectfully request that you as Commissioners follow the will of the people and not developer/speculators that do not plan on living in the habitats that they build.

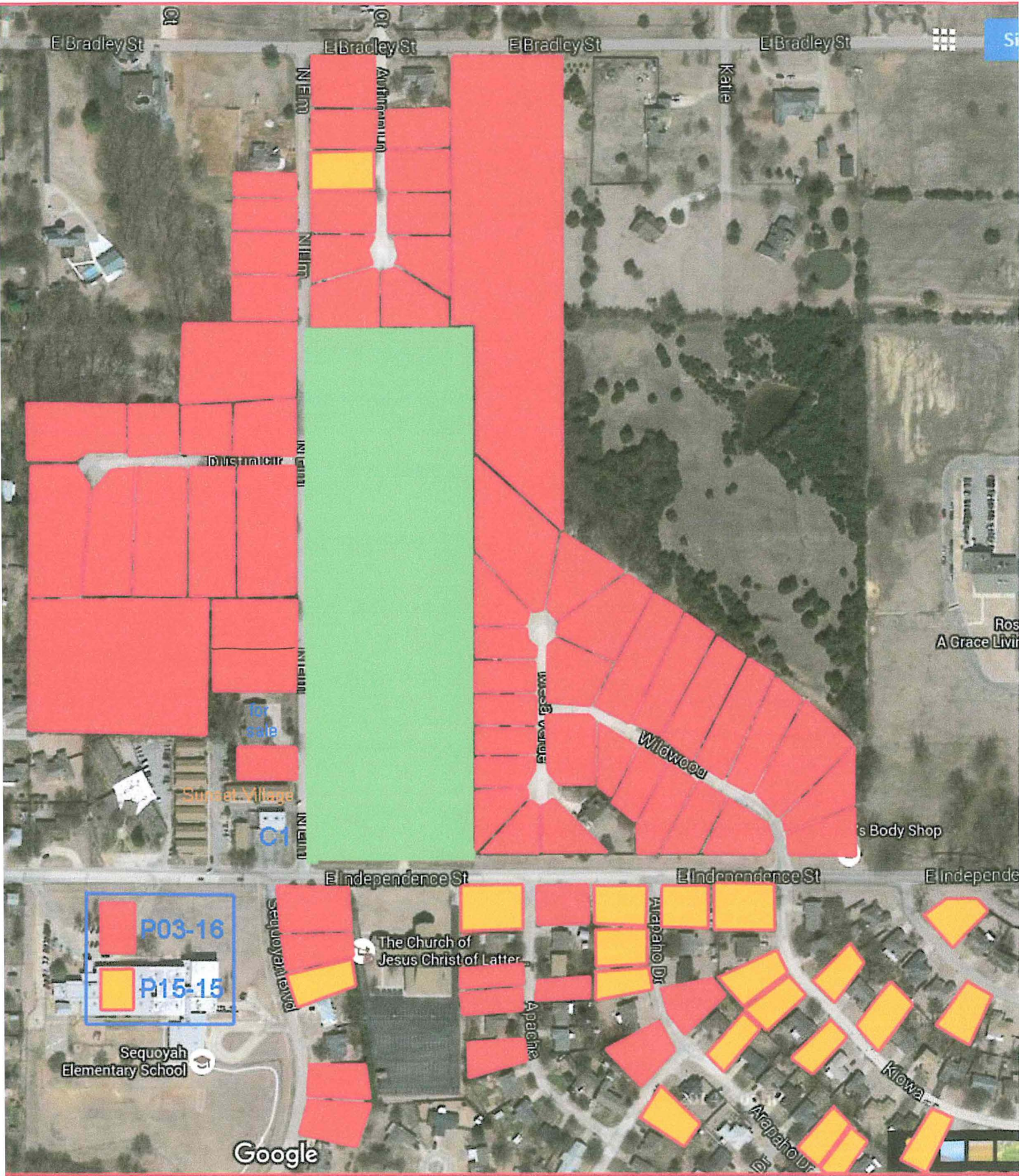
Petitions are attached

- **112 signatures**
- **67 residences (in red on page 1)**

Page 1 Shows locations of the residences represented by these signatures:

- **Red blocks represent residences with signatures opposing multi-family residences proposed for Case #P03-16, the current case.**
- **Yellow blocks represent residences with signatures opposing multi-family residences proposed for previous almost identical Case #P15-15 (signatures not included here). Signatures yet to be re-gathered for #P03-16.**

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Signature / Name	Address	Phone	Date
1 <i>Tommy Payer</i>	1514 Mesa Verde	(405)249-6904	3/31/16
2 <i>Carl J. Payer</i>	1510 Mesa Verde	405-222-6268	3/31/16
3 <i>Carl J. Payer</i>	1508 Mesa Verde	405-761-4044	3-31-16
4 <i>C.E. Payer</i>	1516 Mesa Verde	405-878-8082	3/31/16
5 <i>Mike</i>	1710 Wildwood	" 271-9408	3-31-16
6 <i>Mike</i>	1504 Mesa Verde	405-273-7891	3-31-16
7 <i>Bill Burnett</i>	1500 Mesa Verde	405-343-8809	3-31-16
8 <i>JoAnn W. Burnett</i>	1500 Mesa Verde	405-343-8435	3-31-16
9 <i>Karl Dean Clark</i>	1501 Mesa Verde	405-473-3700	3-31-16
10 <i>Allison Brown</i>	1705 Wildwood	405-517-7030	3-31-16
11 <i>Stella Howard</i>	1704 Wildwood	405-214-9414	3-31-16
12 <i>Shannon Ward</i>	1707 Wildwood	405-229-9861	3-31-16
13 <i>Mike Ward</i>	1707 Wildwood	405-613-9837	3/31/16
14 <i>Bob Dossert</i>	1713 Wildwood	405-275-0777	3/31/16
15 <i>Bob Dossert</i>	1713 Wildwood	405-275-0777	3/31/16
16 <i>R.D. Van Zant</i>	1715 Wildwood	273-5994	3-31-16
17 <i>Bob Dossert</i>	1715 Wildwood	273-5994	3-31-16
18 <i>Mark Hampton</i>	1715 Wildwood	273-5994	3-31-16
19 <i>Ann Cherry</i>	1718 Wildwood	405-630-8683	3-31-16
20 <i>Ann Cherry</i>	1718 Wildwood	405-914-6774	3/31/16

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Signature / Name	Address	Phone	Date
1 Joe Hall	1513 MESA VERDE	405-203-1319	3-31-16
2 Joe Hall	1513 Mesa Verde	405-788-9465	
3 Tim Pa	1514 Mesa Verde	405 380 3236	3-31-16
4 Dr. Bonnie Brown	1516 Mesa Verde	405 823-3546	3-31-16
5 Crystal Mesquero	1510 Mesa Verde	405-245-1326	3-31-16
6 Crystal Mesquero	1500 mesa verde	405 343-6755	3-31-16
7 Christopher	1506 mesa verde	405 343-6766	3-31-16
8 Todd Hall	1704 Wildwood	405-214-9414	3-31-16
9 Tim Walker	1705 Wildwood		3/31/16
10 Roger Hanson	1709 Wildwood	275-3705	3/31/16
11 Jim Meyers	1710 wildwood	273-0870	3/31/16
12 Mike B Shaw	1714 wildwood	405-384-9505	3-31-16
13 Chris Smith	1714 Wildwood		3-31-16
14 Dana Jacobs	1508 Mesa Verde	405 761-8646	3.31.16
15 Tim Ream	1516 Mesa Verde	405-878-8082	4-2-16
16 John	1511 Mesa Verde	405-788-8155	4/3/16
17 Kevin FH	1511 Mesa Verde	405 305 3090	4/3/16
18 Jeff Brown	1705 Wildwood	405 517-7595	4-3-16
19 Bill Mc Lee	1502 mesa Verde	405-223-8246	4-3-16
20 Robbin Nansen	1709 Wildwood	405 275 3705	4-3-16

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Signature / Name	Address	Phone	Date
1 Shirley Prigley	1712 Wildwood	273-0870	3-31-16
2 Ronny Shaw	1714 Wildwood	918	03-31-16
3 [Signature]	1711 Wildwood	275-3928	4-4-16
4 Rebecca Reed	1516 Mesa Verde	878-8082	4-3-16
5 Betty Beck	1706 Wildwood	273-3449	4-3-16
6 [Signature]	1720 Wildwood	512-1543	4-2-16
7 Hani Anthony	1720 Wildwood	512-1538	4-3-16
8 Jamera Gannon	1711 Wildwood	830-9652	4-3-16
9 [Signature]	1712 Wildwood	831-0638	4-3-16
10 Glen R. Brown	1512 Mesa Verde	830-3726	4-3-16
11 Anna Hansen	1709 Wildwood	405-496-8922	4/4/16
12 Joe Walker	1708 Wildwood	405-585-9831	4/4/16
13 Bobby C. Blair	1716 Wildwood	405-214-9765	4/28/16
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Signature / Name	Address	Phone	Date
1 Coleen Chapman	1701 Autumn Ln, Shawnee	405-275-4743	3/31/16
2 W Chapman	1701 Autumn Ln Shawnee	"	3/31/16
3 Val N	1704 Autumn Ln S	405-388-0860	
4 Val N Gucker	1704 Autumn Ln	405-514-7129	3-31-16
5 Shelby Hembree	1702 Autumn Ln	405-317-1290	4-1-16
6 Val N	1702 Autumn Ln	405-432-7188	4-1-16
7 Sami Allen	1705 Autumn Ln	405-777-0715	4-3-16
8 Julie Coleman	1705 Autumn Ln	405-808-6320	4-3-16
9 S.P. SHETTY	1706 Autumn Ln	405-275-4288	4/3/16
10 Deepa Shetty - DEEPA SHETTY	1706 Autumn Ln	405-275-4288	4/3/16
11 Charles Hays	1705 Bradley	405-283-7837	4/3/16
12 Mary M. Hill	1705 E. Bradley	405-273-7837	4-3-16
13 Kathy Santino	1712 Autumn Lane	405-620-2811	4/3/16
14 Angel Clabon	1712 Autumn Lane	281-386-8194	4/3/16
15 Nanea Sawyers	1710 Autumn Lane	405 273 5537	4/3/16
16 Kristi Dittles	1767 Autumn Lane	405 584-2951	4/3/16
17 Kristi Dittles	1707 Autumn Lane	405 584 2952	4-3-16
18 Kristi Dittles	1703 Autumn Lane	405-249-5543	4-3-16
19 Kristi Dittles	1703 Autumn Ln	405-808-8250	4-3-16
20 Kristi Dittles	1709 Autumn Lane	405-990-4140	4/26/16

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Signature / Name	Address	Phone	Date
1 <i>Diana Sue Hill</i>	1520 N. Elm Shawnee	405-273-7677	3-31-2016
2 <i>Garry Johnson</i>	1520 N Elm Shawnee	405-273-7677	3/31/2016
3 <i>Mike Hall</i>	2 Dustin Cir Shawnee	405-788-4679	3/31/2016
4 <i>Wayne Cunniff</i>	4 Dustin Cir Shawnee	405 273-0439	3/31/2016
5 <i>Dana Coats</i>	4 Dustin Cir Shawnee	273-0439	3/31/2016
6 <i>Roger Klaus</i>	6 Dustin Circle	826-3672	3-31-16
7 <i>Phonnie Butcher</i>	7 Dustin Cir	642-1514	3/31/16
8 <i>John C. Cane</i>	7 Dustin Cir	517-1620	3/31/16
9 <i>Frank H. Hargis</i>	1800 N. Elm Ave	206-286332	3-31-16
10 <i>Th. Hargis</i>	1816 N. Elm Ave	405 474 3637	3/31/16
11 <i>Sp. Wall</i>	9 Dustin Circle	405-641-0198	4-4-16
12 <i>Nick Wagoner</i>	1510 N. Elm	405-788-5408	4-5-16
13 <i>Diane Meek</i>	1510 N. Elm	405-788-6352	4-5-16
14 <i>Roger Hinds</i>	1522 N. Elm Ave.	405-481-3226	4-5-16
15 <i>James Lowe</i>	1404 Charles Dr	" 273-5716	4-6-16
16 <i>Charlotte Loxar</i>	1404 Charles Dr.	" 273-5716	4-6-16
17 <i>John Blanton</i>	1812 N. Elm	405 760-2269	4-28-16
18 <i>Robert K. Spanbauer</i>	1808 Elm St	405 924-2588	04-28-16
19 <i>Debra D. Hargis</i>	1804 N. Elm	405 275 5460	04-28-16
20 <i>Karen Wall</i>	9 Dustin Cir.	405-227-4705	04-28-16

From concerned citizens and home owners to the City of Shawnee Case #P03-16

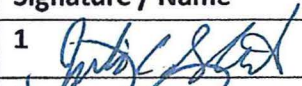
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Signature / Name	Address	Phone	Date
1  John Stewart	5 Dustin Cir	405-431-9530	4-28-16
2  John Stewart	5 Dustin Cir	405-570-3659	4-28-16
3			
4			
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Signature / Name	Address	Phone	Date
1 Dolores Jones	2 Sequoyah Dr	223 - 7936	4/3/16
2 Marie Askay	4 Sequoyah	405.915.4210	4.3.16
3 Raymond Askay	4 Sequoyah	405.915.4230	4.3.16
4 James Klett	12 Sequoyah	405 878 6722	4-2-16
5 James Klett	12 Sequoyah	405 878 6722	4/7/16
6 Carol Klett	14 Sequoyah		4-2-16
7 Gayle Swearingen	5 Apache	405-243-0570	4/3/16
8 Wood	7 Apache	405.273.8055	4-3-16
9 Brandon Davis	11 Apache	405 638-5196	4/3/16
10 Edger	8 Apache	405 919-8285	4/3/16
11 Elena Allen Bailey	3 Apache	405.1062.3683	4.3.16
12 Winston B. Ciley	2 Apache	405-618-7078	4.3.16
13 Howard K. Kain	9 Apache	714-348-2832	4-3-16
14 Howard K. Kain	9 Apache	"	4-3-16
15 Howard K. Kain	"	"	4-3-16
16 Howard K. Kain	"	"	4/3/16
17 Howard K. Kain	8		4-3-16
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19			
20			

April 28, 2016

From: Joe Hall, 1513 Mesa Verde, Shawnee, OK 74804

RE 1500 E. Independence

To The Planning Commission
Justin DeBruin

RECEIVED
APR 28 2016
CITY CLERK

I appreciate the changes the Marical Brothers made in the second Master Plan for Grove Park Cottages. The plan now shows exactly where dwellings will be built and provides for more single-family, permanent dwellings than before.

However, the plan lacks some central characteristics required in the City Code, "General Provisions of Planned Unit Development (PUD)." If these characteristics were followed, Grove Park Cottages could become an "innovative development" that "maximize[s] the unique physical features" of the lot at 1500 E. Independence along with providing "diversified living environments and land uses" (General Provisions of PUD, 22-190.2. B). I hope Marical Brothers Real Estate will continue to pursue PUD zoning, since this zoning can help guide them in creating a beautiful addition to Shawnee. Unfortunately, their current Master Plan does not fulfill the conception of a PUD as described in the city code.

The quotations below are from section 22-190 of the city code, "General Provisions of Planned Unit Development." Most quotations and references are to 22-190.2, "Intent and Purpose," and 22-190.5, "Criteria for Planned Unit Development Review and Approval." These references demonstrate that the Grove Park Cottages Master Plan does not provide for the required amenities; does not adequately provide for the health, safety, and welfare of the community; does not provide adequately for the continued maintenance of the development; does not demonstrate innovative development; and above all, does not maximize the features of the lot at 1500 E. Independence. All these are intended or are criteria for a PUD in the city code.

Amenities beyond those required in a conventional development.

Amenities should be additions to Grove Park Cottages to make it a more pleasant place to live. The General Provisions require that "the applicant should be prepared to provide amenities . . . that might not be required or possible in a conventional development" (GP 190.5). It further provides that "Amenities should be considered as an important justification for development and City approval of a PUD" (GP 190.5, 8). The amenities proposed in the Grove Park Cottages master plan are not adequate to justify City approval.

In addition to sidewalks and storm shelters, the developers say that a "pond and common area, pavilions, and an optional walking trail [will] establish recreational amenities" (Master Plan, page 1). Later, the plan adds "benches and picnic tables" to this list (page 2). This seems good, except that while the pond is on the Master Plan, the common area, benches, picnic tables, and pavilions are not. Even worse, the walking trail is "optional," meaning that the developers have not committed to building it. The area

around the pond might be intended to be the common area, but that area is a steep incline which will be covered with water after heavy rains and is not suitable for a common area, picnic tables, or pavilions.

The promised amenities do not provide “an important justification for development and City approval” of this PUD.

Protecting the health, safety and welfare of the community (GP 190.2, 6).

The slope of the lot is down to the north and east, causing rain water, debris, snakes, and other undesirable objects to flood the back yards of residents on the west side of Mesa Verde. A berm is required to turn this water to the north, but the developers will “allow” only a wood fence along the east line. In addition to being inadequate to control the flow of water, “allowing” this to be built seems to leave the fence as an option for each resident on the east side of Spruce Drive. Since this is Phase III and IV of Grove Park Cottages, even the inadequate fence might not be built for several years, leaving water to continue to flow through the back yards of neighboring residents.

Providing for continued maintenance.

The Master Plan should provide for the “permanent retention and continued maintenance” of usable open space (GP 190.5, 8). However, the provision for maintenance of Grove Park Cottages is not clear and perhaps not practical. The Master Plan calls for a Property Association to be formed. This PA will be responsible for “an elevated maintenance of all yards, common areas, landscaping areas inside and outside the walls of the individual homes and courtyards” (Master Plan, page 2, paragraph 3). However, the Property Association’s responsibility later in the same document is restricted to “all garden areas outside the residential yards” (page 4, #7). This does not make clear who is to maintain the yards.

In addition, the Master Plan does not clarify who will manage the Property Association. The PA is to use mandatory dues “to pay for lawn/landscape maintenance, electric charges, general liability insurance, reserves for maintenance, etc.” but no provision is made for anyone to hire the workers, write the checks, and generally oversee this considerable work. This lack of clarity and absence of responsibility does not seem adequate for the “continued maintenance” of Grove Park Cottages.

Innovative Development.

The General Provisions of PUD, when describing the intent and purpose of PUD, state three times that the PUD is to “encourage innovative development” (GP 190.2, 1, 5, 6). The Conceptual Plat for Grove Park Cottages does not demonstrate innovation (to introduce something new) except in finding ways to build as many dwellings on 12 acres as possible.

Maximizing the features of the lot.

PUD is to “Permit flexibility within the development to maximize the unique physical features of the particular site” (GP 120.2, 2). Nowhere in the Master Plan do the developers recognize the lot’s physical features other than the creek bed at the north end. In the Master Plan, the magnificent pines, spreading live oaks, groves of smaller trees,

and the forested area on the north end of the lot are apparently only objects to be removed instead of valuable shade trees, delightful amenities for the people who will live in these dwellings, and valuable and rare trees that add to the attractiveness of the entire community.

These trees have not grown haphazardly, but have been planted perhaps fifty years ago so as to be distributed through the open space on the south half of the lot. They are sometimes planted in groups of two or three, providing a thick canopy for shade, cooling a large area in the summer. In one place, three live oaks surround an old concrete bird bath, evidence of the planning that provided for the even distribution of the trees on the lot. Destroying these trees would deprive the community of natural features that cannot be replaced in another forty or fifty years.

Maximizing these unique physical features and being innovative might involve building only one street down the middle of the lot, perhaps weaving its way among the trees, and providing for lots that take full advantage of the location of the trees, shrubs, and other features. Duplexes could be worked in among single-family homes or placed together in one location along the parkway. In addition to saving the trees, this would eliminate the troublesome six exits onto Elm by removing the six duplexes lined up on the west side of the lot and would save the Marical Brothers the expense of bringing Elm Street up to code. The current Master Plan fails, however, to show any attention to the required landscaping in spite of the many advantages the lot already holds.

The north end of the property should not be developed, but should be retained as a unique forested area containing large examples of several trees native to Oklahoma. A trail through this park with benches would be a major amenity for younger and older families as well as for users of the Bryan Street walkway.

A consideration of the physical features of the lot will also find trees growing along the east and west borders of the lot. These might be used for screening instead of building a fence on the east side and for privacy on the west side if the row of duplexes is omitted (190.5, 11. a.)

While such a plan might reduce the profit to be made from the property, it would make the Grove Park Cottages live up to its name, make it far more acceptable to the neighborhoods surrounding it, and make it a lovely addition to the Brian Street walkway and to Shawnee.

March 22, 2016

City Manager Justin Erickson
City of Shawnee Mayor Wes Mainord
City Commissioners – Mainord, Agee, Harrod, Hall, Shaw, Eykstra
City Planning - Morton, Clinard, Kerbs, Bergsten, Cowen, Kenzle, Affentranger

RECEIVED
APR 05 2016
CITY CLERK

Re: Rezone of property Case #P03-16

To Whom It May Concern:

We, Todd and Starla Howard, have lived in the neighborhood of Emerald Forest, for the past 10 years at 1704 Wildwood.

We have been informed as to the rezoning effort and are opposed to a Planned Unit Development (PUD)/Single & Multi-Family Housing. This is not a positive endeavor for our neighborhood of Emerald Forest on Mesa Verde and Wildwood. We wish for this property to remain at the current zoning classification of R-1; Single Family Residential District.

This rezoning will draw additional traffic around the school, which is likely to present additional risk/danger to the health and safety of our children. This property is on a corner, at a bus stop, in a school zone; therefore, there is much concern for traffic and congestion. Flooding and drainage is also an issue for homes in Emerald Forest and surrounding neighborhoods. Crime is also another factor. Noise and other nuisances are other issues. Another huge concern is home value diminution for the homes in Emerald Forest as well as other nearby neighborhoods.

As homeowners and residents of Emerald Forest, we believe that the rezoning will have a significant impact on the character and quality not only of our neighborhood, but of the township as a whole. Fear of decreased property value and concern of investments are valid reasons and concerns for opposing this rezoning. This zoning change could adversely impact many neighborhoods in the township. The rezoning also may mean a tax increase. The new development may not enlarge the tax base enough to pay for the new schoolrooms and additional county services its residents may require. Rezoning can promote neighborhood decay and speed the demise of the single family neighborhood. Zoning is meant to preserve this, not endanger or attack this.

On another note, I have taught at Will Rogers Elementary School in the Shawnee Public School system for 20 years. In this time I have witnessed first hand these types of developments that come in to our communities and districts labeled "high income" but our community has never been able to support "high income" rental property and therefore become low income, Section 8, Native American, tribal housing. These developments also have a very high mobility rate which in turn effects a school system/district dramatically in a very negative way.

In the 20 years of teaching I have serviced these type families and have witnessed the high mobility rate at which these families move about the community. Will Rogers has gone

from 32% free and reduced lunches to 97% free and reduced lunches based on poverty rate since properties such as these developed in our district. This is not beneficial to school districts (test scores, class size, teacher student ratio, etc.). I also realize that many community members earn a living by buying, selling, building and renting properties such as these. We as a community cannot continue to cater to this endeavor. There is a healthy balance to be maintained (agricultural, residential, commercial, R-1, R-2, etc.). Our rental property percentage is just as much or more than our single family home properties.

This is why the planning committee, commissioners and mayor are in place to maintain this healthy balance. It is not a question of the quality of materials, craftsmanship or intent. It is a question of is this a healthy balance for our community, this particular neighborhood, location, school district, etc. The high mobility rate will also cause this development to decrease in appearance and value thus decreasing surrounding property values. We can also not compare Golden Acres or other developments such as these to the intended development. Each neighborhood, location, community, district has it's own individual impact and issues. Golden Acres is zoned much differently at a much higher standard than this intended development and has a very different impact on that area's property value.

This why we are here today to ask the committee, commission and mayor to please maintain a healthy balance and deny the rezoning of property case #P03-16.

Sincerely,



Todd Howard
1704 Wildwood
405-214-9414



Starla Howard
1704 Wildwood
405-214-9414

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APR 05 2016
CITY CLERK

1513 Mesa Verde

Shawnee, OK 74804
April 1, 2016

RECEIVED
APR 01 2016
CITY CLERK

To the City Planning Commission and to the City Commission

Letter of Protest concerning Case #PO3-16

My wife and I protest the proposed rezoning of 1500 E. Harrison from R-1 to PUD. We believe the Master Plan submitted in support of rezoning reflects confused or duplicitous thinking about the proposed Planned Unit Development.

The following nine points suggest confusion or duplicity by the developers.

1. This development is going to be called "Grove Park Cottages"--or maybe it will be called "Elm Street Cottages" (Master Plan, Cover and Part 1, paragraph 1).
2. The developers will build single-family houses on both sides of Spruce Drive--but maybe later they will change the West side of the street to duplexes even though this will make the single-family houses less desirable. Will they inform the people who want to rent the single-family houses that they might build duplexes across the street from their houses?
3. The developers recognize that they should "provide amenities and services that might not be required or possible in a conventional development" (General Provisions of PUD, 22-190.5). They surely know that these "amenities should be considered as an important justification for development and City approval of a PUD" (General Provisions of PUD, 22-190.5, A. 8). Knowing this, they say that they will provide a greenbelt and private park (though they might replace these with a management office), and if they build the management office it will "potentially" (but clearly not necessarily) provide amenities such as a community room, pool and weight room. So the developers have listed these required amenities but have not promised to provide any of them.
4. The developers know that their development should "maximize the unique physical features of the particular site" (General Provisions of PUD 22-190.2, B.2), so they will use a creek bed as the location for a pond. They will build a "walking trail around [the] pond with benches and picnic tables, and pavilions" (Master Plan, page 3, paragraph 1). However, in their general statement about the development (page 2, paragraph 1), they state that the walking trail around the pond is "optional." This provides the developers with a way to avoid building the walking trail, and maybe the benches and picnic tables as well.
5. They apparently believe their plan is "in accordance with the spirit and purpose of the . . . land use and zoning districts adjacent to it" (General Provisions, 22-190.5, A. 1.), even though less than one percent of the area within one-fourth mile of 1500 E. Harrison is multifamily housing, and in spite of petitions signed by about

100 people who live around 1500 W. Harrison protesting the building of rental duplexes on this lot.

6. In spite of many people living on and using Elm Street who believe that increased travel on the narrow street will be dangerous, the developers nevertheless find it necessary to build up to six drives in addition to the outlet street, Hamlock Way, on Elm Street.

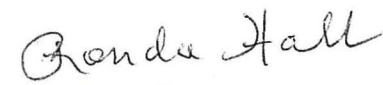
7. The developers understand that they must employ treatments to "separate the PUD from abutting properties, including commitments to landscaping, screening, earth berms, or similar techniques" (General Provisions of PUD, 22-190.6, 11.a.). However, they choose the cheapest and shortest-lasting method, a wood fence (Master Plan, page 4, #6).

8. In order to provide for the "permanent retention and continued maintenance" (General Provisions of PUD, 22-190.5, A.8) of (potential) open spaces, along with "an elevated maintenance of all yards . . . landscaping areas inside and outside the wall of the individual homes and courtyards," a "Property Association (PA) will be created in the subdivision covenants" (Master Plan, page 2, paragraph 3). Based on our experience of the difficulty of maintaining a neighborhood association even when everyone owns his home, we are doubtful that several temporary residents in rental property will step forward to take this responsibility upon themselves. We doubt that this method will insure the permanent retention and maintenance of open spaces and residential lawns.

9. The developers seem confused about who will maintain different areas. In their description on page 2, paragraph 3, they propose that all landscaping areas including "all yards . . . inside and outside the wall of individual homes and courtyards" will be maintained by the Property Association. But on page 4, #7, they restrict the Property Association's responsibility to "all garden areas outside the residential yards." This is not a clear statement about who will care for the yards.

Ronda and I believe these inconsistencies, suggesting poor planning and disregard for the provisions for PUD zoning and for previous protests, should lead the Planning Commission and the City Commission to deny the application to rezone the property at 1500 E Harrison, leaving it R-1.


Joe Hall


Ronda Hall

1513 Mesa Verde

Shawnee, OK 74804
April 1, 2016

RECEIVED
APR 01 2016
CITY CLERK

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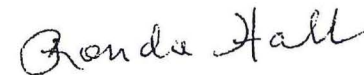
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Joe Hall


Ronda Hall

March 25, 2016

RE: CASE: PO3-16

To: City of Shawnee Planning Commissioners

City of Shawnee City Commissioners

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APR 01 2016
CITY CLERK

This letter is our formal protest in the rezoning request of the property located at the corner of Elm & Independence from an R-1 (Single Family) to a PUD.

A recent attempt to rezone this from R-1 to R-2 was met with great opposition and was voted down by the Planning Commission. We were surprised to receive another letter notifying us of another rezoning attempt. Changing the rezoning from a R2 to a PUD and allowing for multifamily dwellings (rental complex) is what we were opposed to the first time and what we are still opposing!

We want our neighborhoods which mainly consist of single family "owned" homes to remain just that!

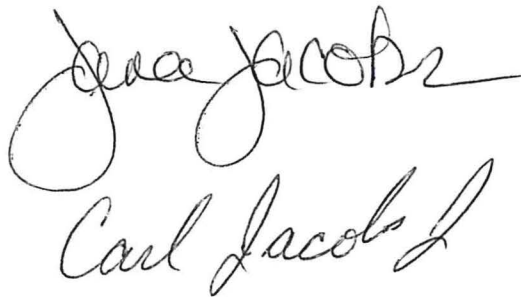
This rezoning application process has also been a concern to us. It makes no sense that the Landrum Group can propose this PUD rezoning but the plan isn't available in a timely manner for us to review. We've made several attempts to get this plan but were told it was not complete. Why we were even notified of this rezoning if the plans weren't complete & available to us?

****We are 100% opposed to this rezoning and would ask that you vote this down & allow this property to remain a single family zone.****

Carl & Jana Jacobs

1508 Mesa Verde

Shawnee OK 74804



Carl Jacobs

4/11/16

Shore Planning Commission
& Shore City Commission,

Re: Case # P03-16: Rezoning
as a Planned Unit Development

We write to express
our strong opposition
to the PUD referenced
above. As a homeowner
in the area, we are
deeply concerned that
these plans will change
the fabric of our
neighborhood - in a
detrimental way.
A multiunit residential
development will increase

traffic congestion,
decrease safety, and
reduce property values.

Please note, we are
not opposed to development.
Please. A development of
single family ownerhomes
consistent with the
surrounding neighborhood
would not be opposed.

The current development
Plan, however, is detrimental
to our families & therefore
not supportable. Please deny
this request.

RECEIVED

Mike & Rhonda Bick

APR 01 2016

7 Dustin Clegg

CITY CLERK

Shore, CT 06484

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APR 01 2016
CITY CLERK
3

Letter of Protest

April 1, 2016

City of Shawnee Planning Commission/City Commission
City Hall
16 W 9th St.
Shawnee, Ok. 74801

Re: Re-Zoning Case # PO3-16

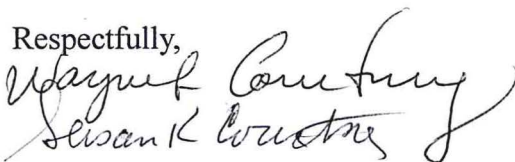
Dear Sirs:

We are writing this letter in protest of the proposed rezoning of the former Carpenter property (Independence & Elm) from R-1 to PUD. We have lived at 4 Dustin Circle off Elm Street for 29 years and are strongly against the zoning change. This quiet district of single family homes has provided our family and our neighbors the privacy and security that we had envisioned when we bought our home in the particular area of Shawnee.

Of primary concern is the potential dramatic increase in traffic on the streets (Elm Street in particular) in the immediate vicinity that already are in marginal condition, That being said, we see no positive results from changing the zoning status of this property either for our neighborhood or the city of Shawnee.

We feel the the PUD application is both incomplete and vague about the proposed phases of construction and the final PUD completion result. Therefore we ask that you deny the approval of re-zoning case #PO3-16.

Respectfully,



Wayne and Susan Courtney
4 Dustin Circle
Shawnee ,Oklahoma 74804

405-273-0439

Brian Dude

1709 Autumn Lane • Shawnee, OK 74804 • Phone: 405-990-4140



April 1, 2016

Lesa Shaw
Ward 5 Commissioner
City of Shawnee
16 W 9th St.
Shawnee, OK 74801

Dear Commissioner Shaw:

I am once again writing to you to express my concern regarding Case #P03-16 which addresses the rezoning of the former Carpenter property located at the intersection of Independence and Elm from R-1 to PUD. As we've been through the process before, with the developer proposal to rezone from R-1 to R-2, the case number may have changed, but I can assure you that the concerns and opposition to this development from my family and neighbors remains the same. I am happy to re-state those reasons for you below.

As a relatively recent arrival in Shawnee, and thus involved in the local real estate market, I am extremely troubled by the prospect of a rezoning decision that could have significant negative implications on my property value, as well as the property values of my neighbors.

Since purchasing our home last May, we have enjoyed the quietness and neighborliness we have found. We often walk our child and dog up and down Bradley, Elm and Independence and the surrounding neighborhoods. We have always felt safe doing so.

In my view, building a development like the one proposed by this group, not only is not a "fit" for the area based on the surrounding neighborhoods, but would also have a significant deleterious effect on the quiet, family-oriented atmosphere of the area.

Most significant, however, is the potential for a substantial loss of property value on our home. Based on the research I have seen, the impact of this development could be such that it would be untenable for our family to stay in our current home without suffering a significant financial blow.

In short, a development of this sort in our backyard is NOT what we signed up for when we moved to the area last year and I hope you will continue to do everything in your power to prevent this rezoning. Nothing has changed for the residents of this area since this developer last tried to pass this re-zoning, and I hope that the city will recognize that the will of the citizens who make this area our home is strongly in opposition to this project.

Thank you again for your time and attention to this matter.

Sincerely,

Brian Dude

Cc: City of Shawnee Planning Commission
Shawnee City Commission

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APR 01 2016
CITY CLERK
5

Larry & Diana Inman
1520 N. Elm Avenue
PO Box 3551
Shawnee, Oklahoma 74802-3551
405.273.7677 (H) 405.323.6070 (Cell)
Carpenter-n-Wife@sbcglobal.net

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APR 01 2016
CITY CLERK
6

TO: Planning Commission, City of Shawnee, OK,
RE: Case #PO3-16 Rezoning of former Carpenter property from R-1 to PUD Multi-Family

Friday 1 April 2016

Ladies and Gentlemen

We live at 1520 N. Elm Avenue, directly west of the property in question. We strongly object to the proposed development of the "Carpenter Property" as described in the "Grove Park Cottages Master Plan."

- 1) We are not against all development for this property. We would support R-1 with a single entrance from the primary street (Independence) diverging into internal cul-de-sacs. Such is the development pattern of other R-1 sub-divisions in the area: Emerald Forest, Dustin Circle, Briarwood Estates, Deerfield Estates, Granada Estates, Henson Hill, Windmill Ridge, and others.
- 2) The "Master Plan" document is inconsistent and incomplete. The plat is not specific as to what kind and how many structures and/or driveways will be placed in various sections of the development. (It is suspicious that virtually all details are missing from the "Duplex" section facing Elm Avenue, which was an extremely contentious element of the previous plat presentation.)
- 3) The zoning request includes both R-1, R-2 Multi-Family, as well as "Alternative Zoning." The opening of the development for "Alternative Zoning" is so vague as to allow for virtually any kind of development the builders desire, regardless of the current plat.
- 4) Turning this property into a large rental sub-division will negatively impact nearby property values.
- 5) Since we moved to 1520 N. Elm Avenue in 1997, we have been continually investing in our property and find this proposed rezoning distressing.

Larry & Diana Inman
1520 N. Elm Avenue
PO Box 3551
Shawnee, Oklahoma 74802-3551
405.273.7677 (H) 405.323.6070 (Cell)
Carpenter-n-Wife@sbcglobal.net

6) The presence of numerous driveways emptying onto Elm Avenue will create a traffic problem, as well as endanger children and adult pedestrians, especially because Elm Avenue is not a standard-sized street, at the same time as it is a cut-through street. Young men often enjoy Elm as a test road for their big engines.

7) The City of Shawnee will incur significant costs to improve Elm Avenue because of the increased traffic and driveways

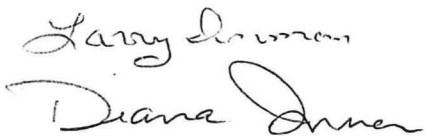
8) The presence of multi-family dwellings on Elm Avenue will necessitate numerous mail boxes and vehicles along the street as well as polycarts, and recycling boxes on trash pickup day.

9) This proposed development will destroy all local habitat within the 11.99 acres. This habitat currently supports deer, turkey, fox, and other local wildlife. A less dense R-1 project would not be so environmentally devastating.

Summary: You are the people responsible to the residents of Shawnee for the way development impacts all of us. You are charged with seeing to the interests of the local population rather than the sole interest of an out-of-town developer. There are many other locations in Shawnee where a development such as the one proposed by the Marical Brothers would be welcome and appropriate. 1500 E; Independence is not it.

Please do not approve this zoning change as presented by The Land Run Group and Marical Brothers Real Estate.

Sincerely,

Handwritten signatures of Larry Inman and Diana Inman in blue ink. Larry's signature is above Diana's.

Larry & Diana Inman

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APR 01 2016
CITY CLERK
7

Christopher E. Aston, Ph.D.
Homeowner and President,
Emerald Forest Homeowners' Association
1516 Mesa Verde
Shawnee, OK 74804

Friday, April 01, 2016

City of Shawnee Planning Commission
City of Shawnee City Commission

Re: Case #P03-16 Rezone of property from R1 to Planned Unit Development

To the Honourable Mayor, Commissioners, City Manager and City Planner,

I am president of the Emerald Forest Home Owners' Association and own a property (1516 Mesa Verde) that abuts directly to the east of the property referred to in case #P03-16.

I OPPOSE THE PROPOSED REZONING FROM R-1 TO PLANNED UNIT DEVELOPMENT (PUD)

of 1500 E. Independence Street. I ask you to **NOT APPROVE** the proposed rezoning from R-1 to PUD of 1500 E. Independence St.

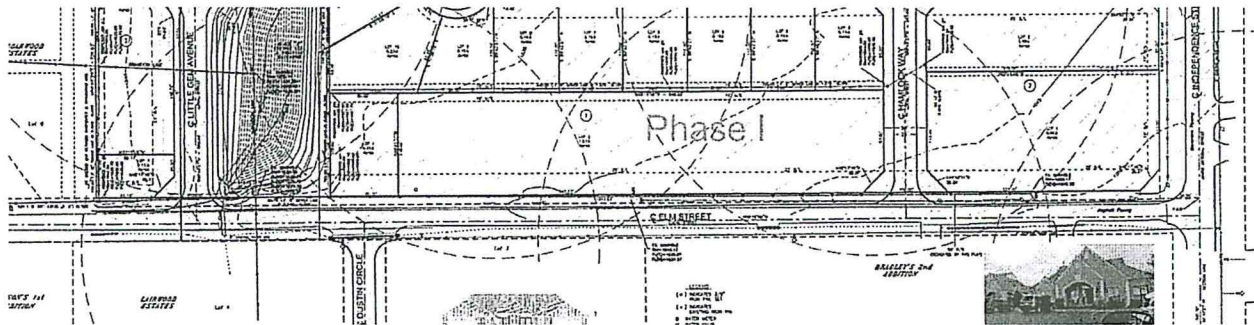
I will address the following concerns regarding the PUD proposal:

- Constituents
- Cost
- Consistency
- Congestion
- Crime
- Consequences

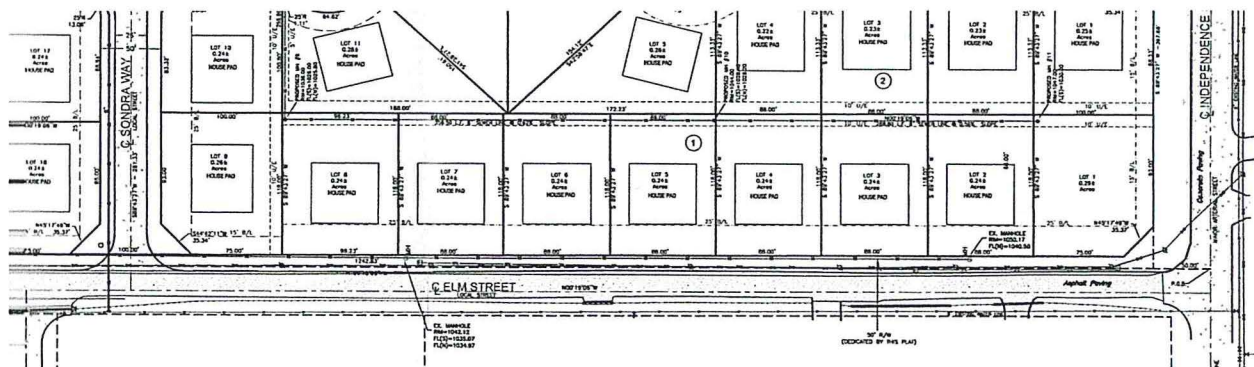
However, I first raise some issues regarding the application itself. First, we, the affected homeowners, received a notice of the rezoning request dated March 17th. It states on this notice that "A copy of the application is available for public inspection". This was not true. As of March 17th a copy of the application was not available. It was not until March 28th that a copy of the application was available for public inspection, leaving just 5 work-days to determine what the plan was and act before letters and petitions against the plan were due at the City Clerk's office. The reason given was that the City Planning department had required some changes. This suggests that application for the PUD was not, in fact, complete at the time that March 17th

notice to give adequate public inspection. To allow adequate time this application should be deferred to the next City Planning Commission meeting in May.

Second, the application, or more specifically the Conceptual Plat, is incomplete or at least lacking in key details. In the Plat the entire development along Elm Street and at the north end across the back of Autumn Lane is devoid of detail.



Buried in The Master Plan is that these blocks will be developed as duplexes with at least six driveways accessing directly onto Elm St. In a previous plan submitted by this same developer for this same property, the development along Elm St. was shown in detail



as duplexes with driveways accessing directly onto Elm St. This raised a lot of opposition, especially from homeowners on Elm St. and Dustin Circle with respect to subsequent congestion and safety issues on Elm St. The feeling among the affected homeowners is that the developers are being deceptive about their plans along Elm St. to avoid this same backlash. Indeed, looking at the Conceptual Plat as a whole, it is notable that while lots with single-family residences are actually drawn in the plat, no lot with a duplex multi-family residence is indicated anywhere. Knowing that it is the duplex, multi-family residences that provoked the most opposition that last time this same developer proposed a plan for this same property, this failure to indicate any multi-family residences also leaves the affected homeowners feeling that the developers are being deceptive about their plans. However, even what detail they show is deceptive. While lots 3 – 8 are indicated as single-family residences on the Conceptual Plat, the Master Plan states “if not developed by 2020 Lots 3 through 8” these will be developed as

duplexes. There are several other parts of the plan that allow the developers to change to duplex multi-family residences if the land is not already otherwise developed by 2020. Particularly egregious is the plan to rezone one block as R-2 when the previous rezoning application from R-1 to R-2 in this area was not approved by the Planning Commission. Given these deceptions, apparent or real, how can the homeowners be expected to trust the developers to hold to any of their assurances regarding who they accept to rent these residences? If only to provide complete details for blank spaces in the Conceptual Plat (that is, all of the duplexes) this incomplete application should be deferred to the next City Planning Commission meeting in May.

Apart from the application itself, this rezoning R-1 to a Planned Unit Development (PUD) has resolved none of the main issues that I had raised in opposition to the previous application for rezoning from R-1 to R-2.

CONSTITUENTS: In spite of the short time-frame (we were not going to ask people to sign a petition until we had seen what the PUD plans were, which was not until March 28th) we have already gathered fifty (50) signatures opposing the rezoning from R-1 to PUD . (Copies attached at the end of this letter.) These represent nearly all residences in the Emerald Forest Edition to the east and nearly all of the residences on Elm St. and Dustin Circle to the west of the proposed development. I remind you that against the previous attempt by this same developer for this same property with a very similar plan to build multi-family residences we collected 105 signatures and we expect more than this in opposition to this rezoning from R-1 to PUD. Thus far, for either round of petitions, has anyone that we approached refused to sign the petitions in opposition to multi-family residences in this development. The people living in this area surrounding 1500 E. Independence have repeatedly expressed their opposition to multi-family housing in this development. Please follow the will of the people and do not approve this application for rezoning of 1500 E. Independence from R-1 to PUD.

COST: I and my fellow homeowners in Emerald Forest have substantial investments in our homes; homes that are valued at two, three or even four hundred thousand dollars. We are concerned that the proposed development of the neighboring property into rental properties, especially duplex rental properties as stated by the developers, as allowed under the proposed PUD rezoning, will negatively impact the values of our homes in neighborhood. Now some would say that the claim that neighboring rental properties will reduce property values, while widely believed, is anecdotal at best. Indeed, at the last Planning Commission meeting (January 6th) the City Planner, Justin Debruin, stated that he had not read anything to substantiate the

claim. To address this I researched the matter and found several research reports (Usery, 2012; Ellen, 2007; Obrinsky, 2007; Goetz, 1996; Sirmans, 1996; Wang, Grissom, Webb & Spellman, 1991 – see List of References). There are also some studies that failed to show a change in property values as pointed out by the developers at a City Planning Commission meeting for the previous application from same developer for this same property defending rezoning from R-1 to R-2 (multi-family residences). Of these studies, the most applicable to Shawnee is Usery (2012), which was based on Fort Collins, Colorado. Like Shawnee, Fort Collins is 40 miles from a major city (Denver); like Shawnee, Fort Collins has a college campus (Colorado State University), has Hospitals and much the same professional clientele that the developers claim to be targeting with their high-end rental residences. Usery (2012) showed that "Rentals within 1/4 mile of a sold home had a negative impact on price." My property and most if not all the Emerald Forest neighborhood, **lies within a quarter mile of the proposed rental properties.** Hence I and my fellow Emerald Forest homeowners believe our concern that our property values will be reduced is valid.

I would also point out that it is not just the homeowners in Emerald Forest that are concerned. From the petitions that have been circulated (see attached petitions – originals are with the City Commission), homeowners residing on Autumn Lane to the north, on Dustin Circle and N. Elm Street to the west, and on Sequoyah, Apache, Arapaho and others to the south are also concerned about the negative impact of the proposed development and are opposed to the rezoning of 1500 E. Independence from R-1 to PUD.

To what extent will prices be affected? Based on models presented by Usery and the proposed number of rental units from the developers, a homeowner can expect

a loss of 10% - 24%, that is, \$20,000 to \$48,000 dollars for a \$200,000 home,

with the 24% being reached if the developers proceed with all of the duplex development hidden in their Master Plan. To be clear, this model does not consider the presence of rental property as an all or nothing effect. The model uses the percentage increase in the number of rental units within a quarter mile of Emerald Forrest. We are well aware of the neighboring rental units, such as those on the north-west corner of E. Independence and N. Elm (Sunset Village), and the rental properties on the south side of E. Independence. These have been factored in to the model. The predicted large loss in home value calculated above is due to the proposed massive development of rental property over and above what already exists. Rezoning from R-1 to PUD to allow higher density multi-family, duplex rental housing plays a large role in this.

The developers have claimed in the past (for example, at the City Planning Commission meeting on January 6th) that their rental property development on the corner MacArthur and N. Leo (see Figure 1) has actually increased property values in that neighborhood. One has to wonder

if, with the additional rental property development they are building next to the first, the three homes that will be hemmed in on the same block as these developments will actually see an increase in value. Are we to believe that increase in home values for home in the neighborhood of MacArthur and N.Leo (see Figure 2) implies that homes in Emerald Forest (see Figure 3), Dustin Circle (see Figure 4) and Autumn Lane (see Figure 5) will also see an increase in value? I for one fail to see the comparison.

CONSISTENCY: At a previous Planning Commission (January 6th) the City Planner, Justin Debruin, raised the point that the “Sunset Village” rental units on the north-west corner of E. Independence and N. Elm property is zoned R-3 and, therefore, sets a precedent for rezoning higher than R-1(single family residences) in the area. On looking at these surrounding neighborhoods I would point out that 1500 E. Independence is almost completely surrounded by either R-1 or A-1 zoning (according to the Planning Department’s website): Emerald Forest to the east is R-1, Autumn Lane to the north is R-1, Dustin Circle and N. Elm street are R-1 and A-1 and it is R-1 on the south side of E. Independence. If a quarter mile wide band is drawn around 1500 E. Independence (see Figure 6) then this R-3 (multi-family residence) zoned area represents **less than 1%** of the surrounding area. Thus, the current R-1 (single family residence) zoning is far more consistent with the area than the proposed PUD/multi-family residence zoning.

CONGESTION: A concern, which is perhaps a greater concern for those living on Elm St and Dustin Circle but I will mention here, is the increase in traffic that the development will cause, particularly from the duplexes, allowed under PUD zoning, the developers propose to build along Elm St. Elm St is currently a narrow road that is worrisome to drive particularly at night (see Figure 7). The developers, as required, will improve the side of the Elm Street abutting these proposed duplexes. Is the city prepared to improve the west side of the road at the same time? The west side is kerbed at the north end of Elm St (north of the north end of the 1500 E. Independence property but the east side is not, leaving Elm St. narrow north of the north end of the 1500 E. Independence property. Who will be responsible for ensuring that from Independence Bradley, Elm Street can safely accommodate the increased traffic, especially from the high density duplex rental property allowed by PUD zoning that will open directly on to Elm? There does not seem to be any plan in place for this.

CRIME: A second issue these Sunset Village units raise is increased crime rates. I and my fellow homeowners are concerned about increased crime in our neighborhood because of the proposed rental development. The **original plan** for the Sunset Village rental units was as a retirement community. These rental units have since been sold and have now become section-8 rental property. Those neighboring these rental units (Dustin Circle and Elm St.) now witness numerous visits by the police with arrests and searches. While the developers of the proposed rental properties on 1500 E. Independence swear up and down that they will not accept section-8 renters, there is no guarantee that a few years from now they sell the property and the new owners do accept section-8 renters, just as the above units changed from the original retirement community plan to section 8 rental property except on a far larger scale.

In this vein, consider the history of the Chapel Ridge development on Union and 45th Street that has some disturbing parallels to the proposed development of 1500 E. Independence. The **original plan** for the Chapel Ridge development was to provide high-end rental property, just like the intent of the current developers for 1500 E. Independence, to cater to professionals from, for example, OBU, St. Gregory's, the hospital and those commuting from Shawnee to Tinker AFB and OKC. Yes, we are aware that these were apartments, not duplexes or single family homes, but they are still rental properties. The developers were unable to achieve better than 10%-20% capacity and began to hemorrhage money. In desperation they turned the development into section-8 rental housing. The consequences have been far reaching. The local school, Will Rogers, once among the top schools scholastically in Shawnee, is now among the bottom. The free lunch program at Will Rogers went from 30% participation to 98% participation. Judging from recent reviews, there has been a significant up-swing in crime:

ChapelRidge of Shawnee

130 E 45th St, Shawnee, OK

[Write a review](#)

3.8 ★★★★★ 9 reviews

Sort by: Most helpful ▾



Mary Stevens

3 weeks ago

★★★★★ Very bad, do not live here. The rooms are infested with ants, the heaters don't work and don't get fixed, there is gang violence within, the people at the front desk are not nice. Terrible terrible experience. It's cheap because the ... [More](#)



Kaitlin Dixon

8 months ago

★★★★★ Horrible people horrible environment to live in if you have kids instead of it called chapel ridge it should be called ghetto Ridge, security fences don't even work there is gang violence everywhere especially after hours car got broken ... [More](#)



Brian Sharpe

2 months ago

★★★★★ Nice place although the local tenants are less refined.

The Chapel Ridge development was very nice with excellent amenities. It was close to OBU, the hospital and highway access. Yet with the goal of providing high end rental property for professionals in Shawnee it failed. One could conjecture reasons – perhaps there just is not a sufficient volume of professionals in Shawnee seeking such rental property to sustain a high-end rental development. No matter the reason, the question remains whether the proposed 1500 E. Independence rental development that is not as close to OBU, not as close to the hospital, not as close to highway access, will fare any better at attracting sufficient high-end clientele to fill the high density development afforded by PUD zoning to avoid a similar descent because of financial hardship. I am sure that with a little research several more such instances will be found. Again, while the developers of the proposed rental properties on 1500 E. Independence swear up and down that they will not accept section-8 renters, can they guarantee this for the next decade or two decades. Shawnee history with There is no guarantee that a few years from now they sell the property and the new owners do accept section-8 renters and we, the homeowners, are left with a mess on our hands, possibly a dangerous mess at that.

CONSEQUENCES: Speaking of Will Rogers School raises concern about the effect the 1500 E. Independence rental development will have on Grove School, the school in which area the development falls. More than likely the renters, high-end or low, will be younger families with children. Grove is already at capacity and has to expand with the new developments appearing along MacArthur. Given the higher density afforded by PUD zoning, what effect will 80 -120 additional children have on Grove School? What effect will it have if, like Chapel Ridge, larger numbers of these children are from families using section 8 housing, perhaps not with the current developers but with a future owner?

I and my fellow Emerald Forest homeowners see no benefit, only detriment, with re-zoning. Therefore, to reiterate, I ask you to NOT APPROVE the proposed rezoning from R-1 to PUD of 1500 E. Independence St.

Sincerely,



C. E. Aston

President of the Emerald Forest Homeowners' Association

Resident of 1516 Mesa Verde

Phone: 405 314-0737

Reference List

Usrey W (2012) The rental next door: the impact of rental proximity on home values, Dept of Economics, Colorado State University.

Ellen IG (2007) Does Federally subsidized rental housing depress neighborhood property values? *Journal of Policy Analysis and Management*, 26(2), 257-280.

Obrinsky MA (2007) Overcoming opposition to multifamily rental housing. National Multi Housing Council.

Goetz EL (1996) There goes the neighborhood? The impact of subsidized multi-family housing on urban neighborhoods. Center for Urban and Regional Affairs: Working Paper.

Sirmans JR (1996) Depreciation, maintenance, and housing prices. *Journal of Housing Economics*, 5, 369-389.

Wang K, Grissom TV, Webb JR & Spellman L (1991) The impact of rental properties on the value of single-family residences. *Journal of Urban Economics*, 30, 152-166.

Petitions

From concerned citizens and home owners to the City of Shawnee

Case #P03-16

From concerned citizens and home owners to the City of Shawnee Case #P03-16

Notice is hereby given to the Commissioners of the City of Shawnee that the following citizens **OPPOSE** the proposed Rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land described as beginning 660 feet N89°43'27"E of the Southwest Corner of the Southeast Quarter (SW/4 SE/4) of Section Eight (8), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence N00°16'33"W a distance of 1314.50 feet to a point on the North line of the S/2 SE/4; thence N89°19'27"E a distance of 397.66 feet; thence S00°16'33"E a distance of 1314.50 feet; thence S89°43'27"W a distance of 397.66 feet to the point of beginning

General Location Known As: 1500 E. Independence St., Shawnee, OK
Current Zoning Classification: R -1; Single Family Residential District
Requested Zoning Classification: Planned Unit Development (PUD)
Proposed Use of Property: Single and Multi-Family Housing
Applicant: The Landrun Group, LLC

We the following live in the residential area whose property values and life would be adversely affected by the proposed change in the zoning. We feel that the City of Shawnee Commissioners are public servants elected to represent the citizens of Shawnee especially the stakeholders who are property owners that would be directly affected. We respectfully request that you as Commissioners follow the will of the people and not developer/speculators that do not plan on living in the habitats that they build.

Signature / Name	Address	Phone	Date
1 <i>Jimmy Payer</i>	1514 Mesa Verde	(405)249-6904	3/31/16
2 <i>Art W. Payer</i>	1510 Mesa Verde	405-222-6268	3/31/16
3 <i>Carl Payer</i>	1508 Mesa Verde	405-761-4044	3-31-16
4 <i>C.E. Payer</i>	1516 Mesa Verde	405-878-8082	3/31/16
5 <i>Mike</i>	1710 Wildwood	" 271-9408	3-31-16
6 <i>Joe</i>	1504 Mesa Verde	405-273-7891	3-31-16
7 <i>Billy Burnett</i>	1500 Mesa Verde	405-343-8809	3-31-16
8 <i>Joe W. Burnett</i>	1500 Mesa Verde	405-543-8435	3-31-16
9 <i>Fall Donnell</i>	1501 Mesa Verde	405-473-3706	3-31-16
10 <i>Allison Brown</i>	1705 Wildwood	405-517-7030	3-31-16
11 <i>Stella Howard</i>	1704 Wildwood	405-214-9414	3-31-16
12 <i>Shannon Ward</i>	1707 Wildwood	405-229-9861	3-31-16
13 <i>Myron V</i>	1707 Wildwood	405-613-9837	3/31/16
14 <i>Bob Dorsett</i>	1713 Wildwood	405-275-0777	3/31/16
15 <i>Bob Dorsett</i>	1713 Wildwood	405-275-0777	3/31/16
16 <i>R.D. Van Zant</i>	1715 Wildwood	273-5994	3-31-16
17 <i>Sam W</i>	1715 Wildwood	273-5994	3-31-16
18 <i>Mark Hampton</i>	1715 Wildwood	273-5994	3-31-16
19 <i>Ann Cherry</i>	1718 Wildwood	405-630-8683	3-31-16
20 <i>Ann Cherry</i>	1718 Wildwood	405-919-6774	3-31-16

From concerned citizens and home owners to the City of Shawnee Case #P03-16

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General Location Known As: 1500 E. Independence St., Shawnee, OK
 Current Zoning Classification: R -1; Single Family Residential District
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Signature / Name	Address	Phone	Date
1 Joe Hall	1513 MESA VERDE	405-203-1319	3-31-16
2 Joe Hall	1513 Mesa Verde	405-788-9465	
3 Joe Hall	1514 Mesa Verde	405 380 3236	3-31-16
4 Dr. Bonnie Boone	1516 Mesa Verde	405 823-3546	3-31-16
5 Crystal Mesner	1510 Mesa Verde	405-245-1326	3-31-16
6 Crystal Mesner	1502 mesa verde	405 343-6755	3-31-16
7 Crystal Mesner	1506 mesa verde	405 343-6766	3-31-16
8 Bill Hall	1704 Wildwood	405-214-9414	3-31-16
9 Bill Hall	1705 Wildwood		3/31/16
10 Roger Hanson	1709 Wildwood	275-3705	3/31/16
11 Jim Muggery	1710 wildwood	273-0870	3/31/16
12 Chris D. Stone	1714 wildwood	405-384-9505	3-31-16
13 Chris D. Stone	1714 wildwood		3-31-16
14 Janae Jacobs	1508 Mesa Verde	405 761-8046	3.31.16
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Signature / Name	Address	Phone	Date
1 <i>Shirley Gregory</i>	<i>1712 Wildwood</i>	<i>273-0870</i>	<i>3-31-16</i>
2 <i>Ron Shaw</i>	<i>1714 Wildwood</i>	<i>918-8</i>	<i>03-31-16</i>
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Signature / Name	Address	Phone	Date
1 <i>Diana Sue Hill</i>	1520 N Elm Shawnee	405.273.7677	3-31-2016
2 <i>Sandra Gorman</i>	1520 N Elm Shawnee	405-273-7677	3/31/2016
3 <i>Mike Hall</i>	2 DUSTIN Cir Shawnee	405- 786-786 786-786	3/31/2016
4 <i>Wayne Cumber</i>	4 DUSTIN Cir Shawnee	405 773-0439	3/31/2016
5 <i>Dana Coats</i>	4 DUSTIN Cir Shawnee	273-0439	3/31/2016
6 <i>Koger Klaus</i>	6 DUSTIN Circle	826-3672	3-31-16
7 <i>Rhonda Butcher</i>	7 DUSTIN Cir	642-1514	3/31/16
8 <i>John C. Cane</i>	1 DUSTIN CIR	517-1620	3/31/16
9 <i>Paul H. H. H.</i>	1800 N. Elm Ave	206- 3332 3332	3-31-16
10 <i>Tom Vang</i>	1816 N ELM AVE	405 474 3637	3/31/16
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The property requesting rezoning is described as follows:

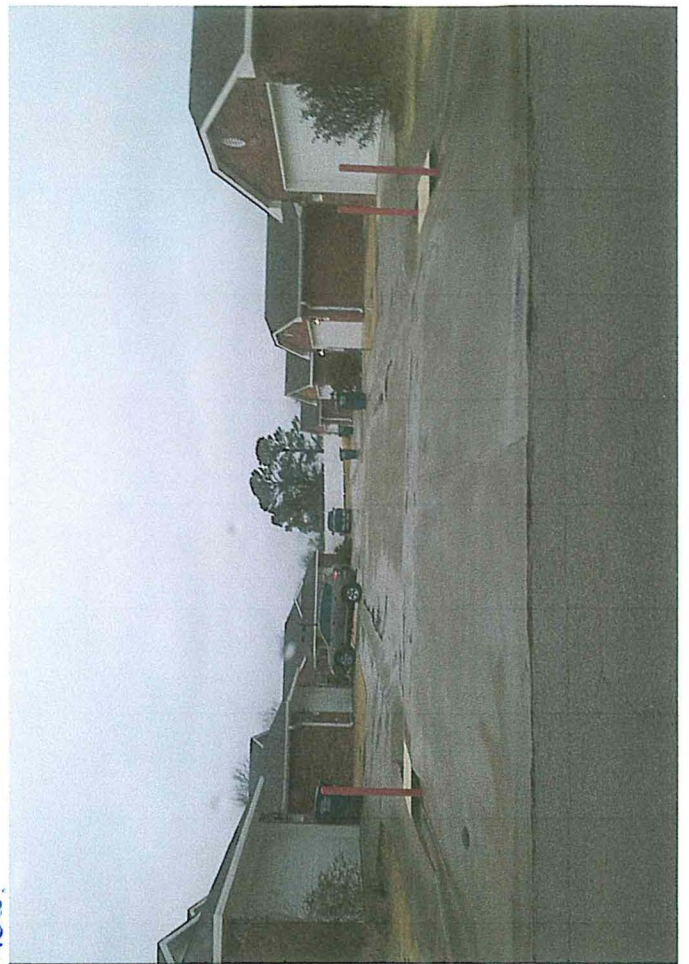
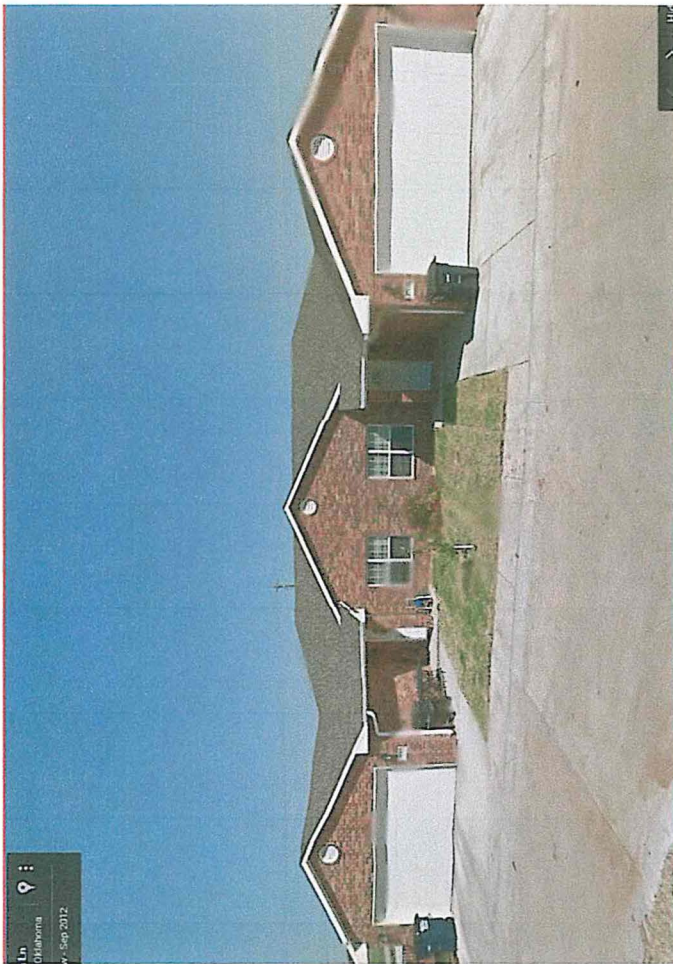
A tract of land described as beginning 660 feet N89°43'27"E of the Southwest Corner of the Southeast Quarter (SW/C SE/4) of Section Eight (8), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence N00°16'33"W a distance of 1314.50 feet to a point on the North line of the S/2 SE/4; thence N89°19'27"E a distance of 397.66 feet; thence S00°16'33"E a distance of 1314.50 feet; thence S89°43'27"W a distance of 397.66 feet to the point of beginning

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Signature / Name	Address	Phone	Date
1 <i>Coleen Chapman</i>	1701 Autumn Ln, ^{Shawnee}	405-275-4743	3/31/16
2 <i>W. Chapman</i>	1701 Autumn Ln Shawnee	"	3/31/16
3 <i>Mark N. H.</i>	1704 Autumn Ln S	405-388-0860	
4 <i>Patricia Tucker</i>	1704 Autumn Ln	405-514-7129	3-31-16
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Figure 1

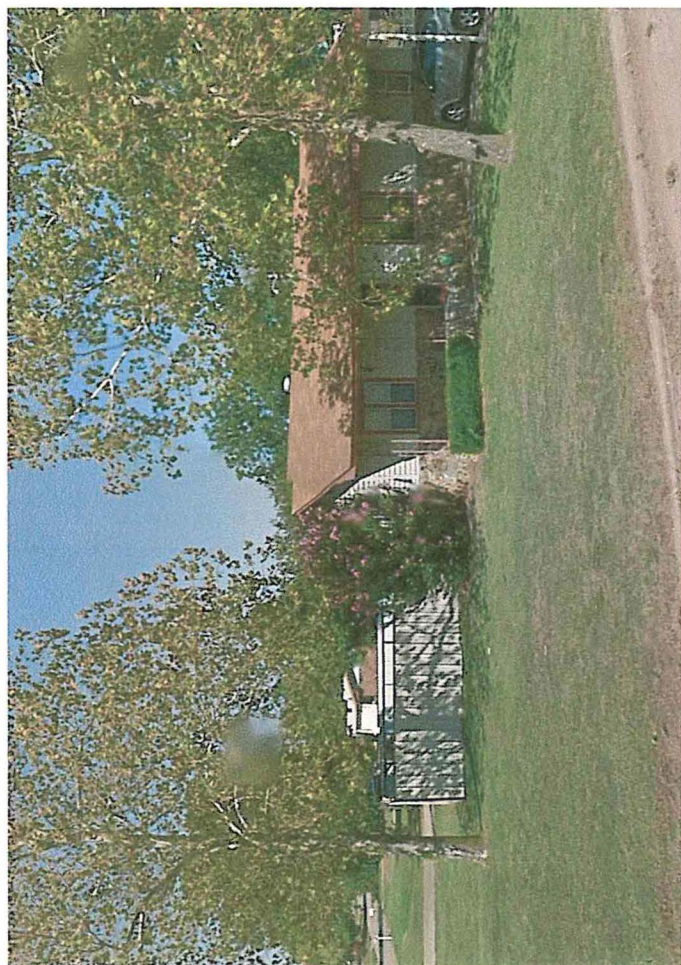
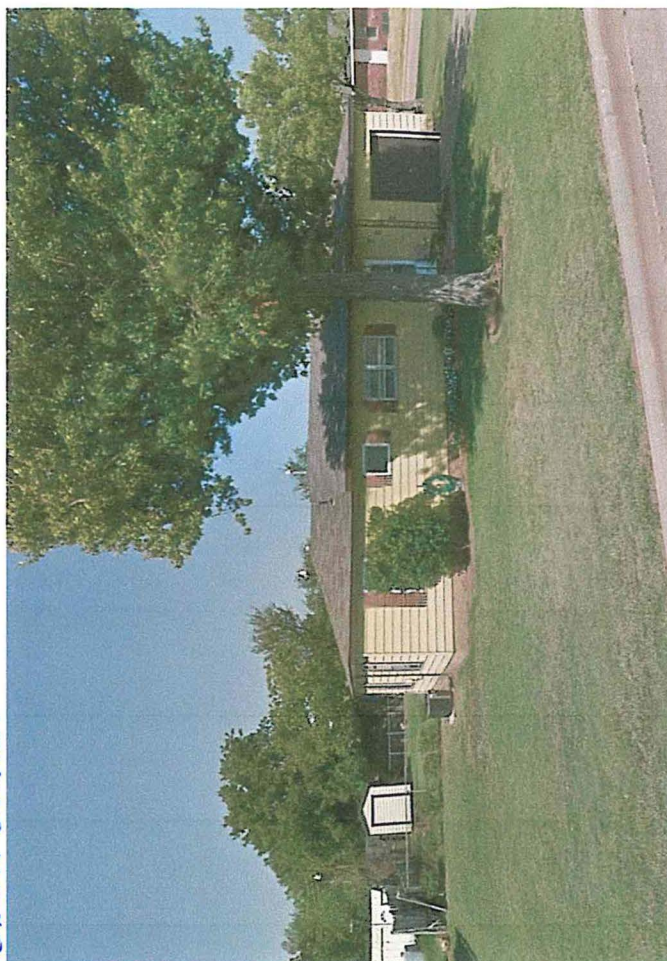


Golden Oaks.

Figure 2



Golden Oaks.



Properties around



Aston-16

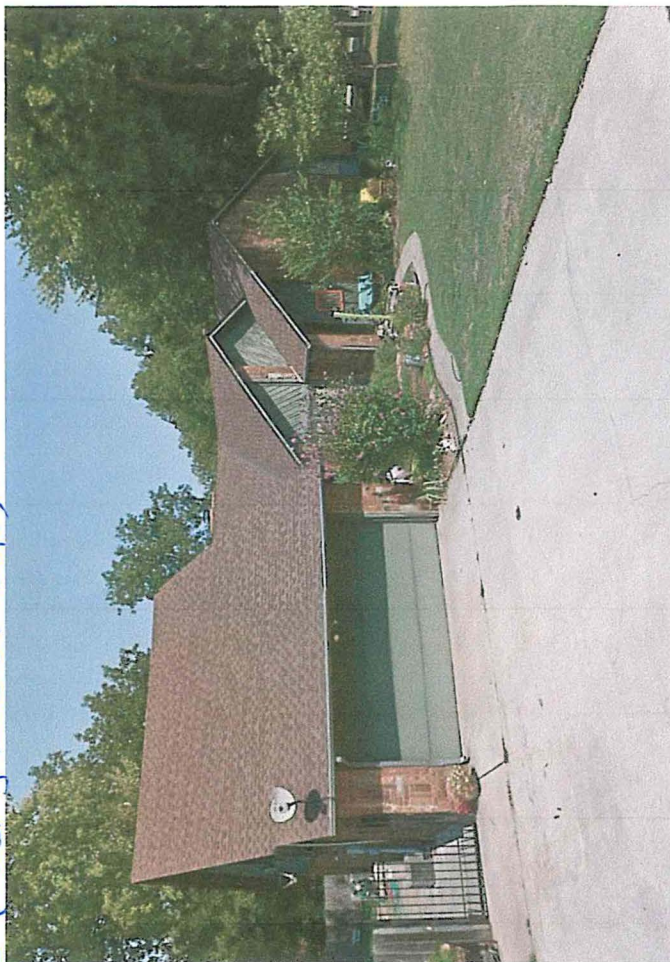
Figure 3



Emerald Forest (East of 1500 E. Maple)



Figure 4



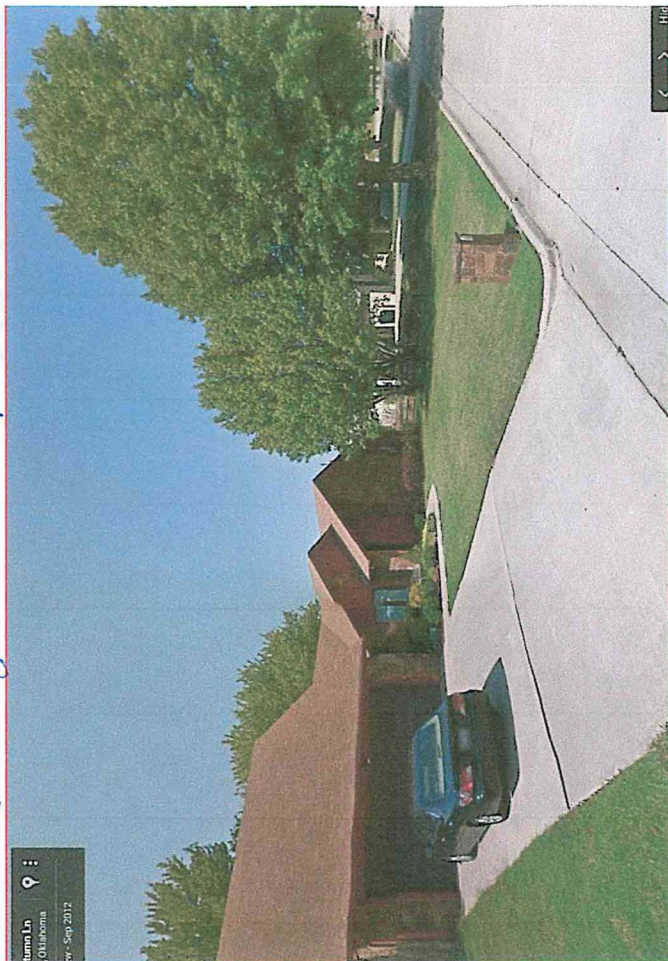
Dustin Circle (West of 1500 E. Interp.)



Figure 5



Autumn Lane (North of 1500 E. Indep



Aston - 19



Figure 6: Zoning in the neighborhood of 1500 E. Independence within a surrounding quarter mile band.

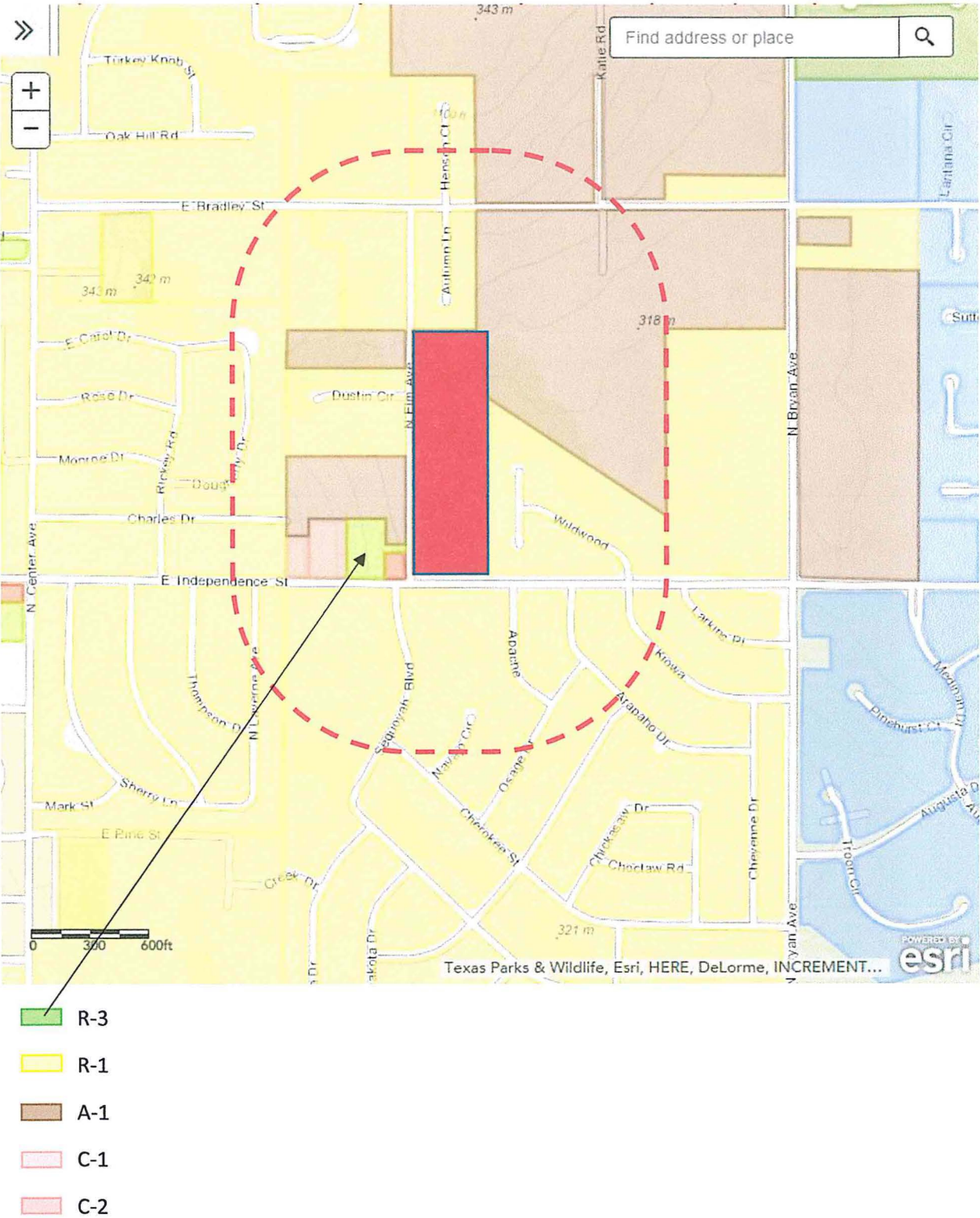
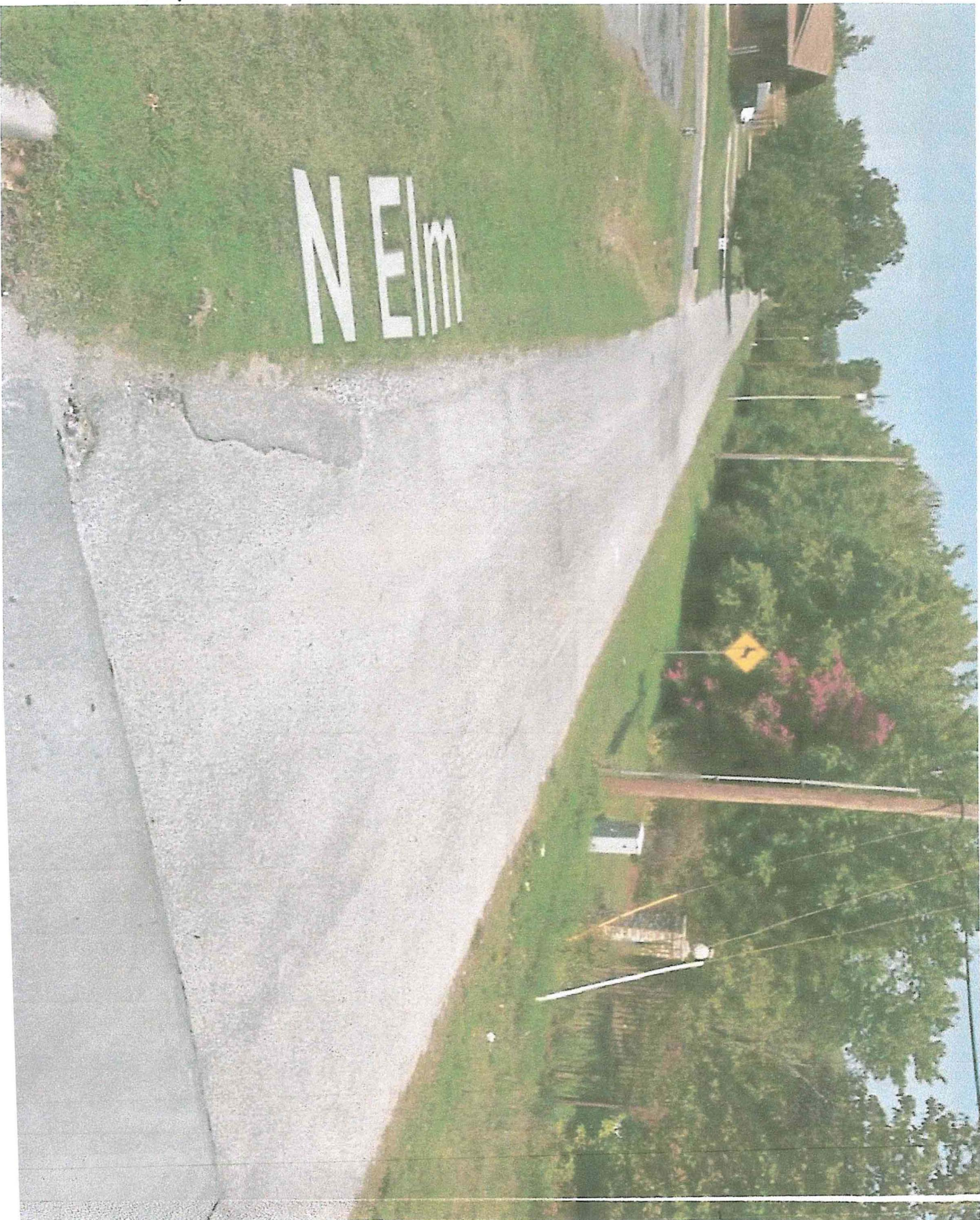
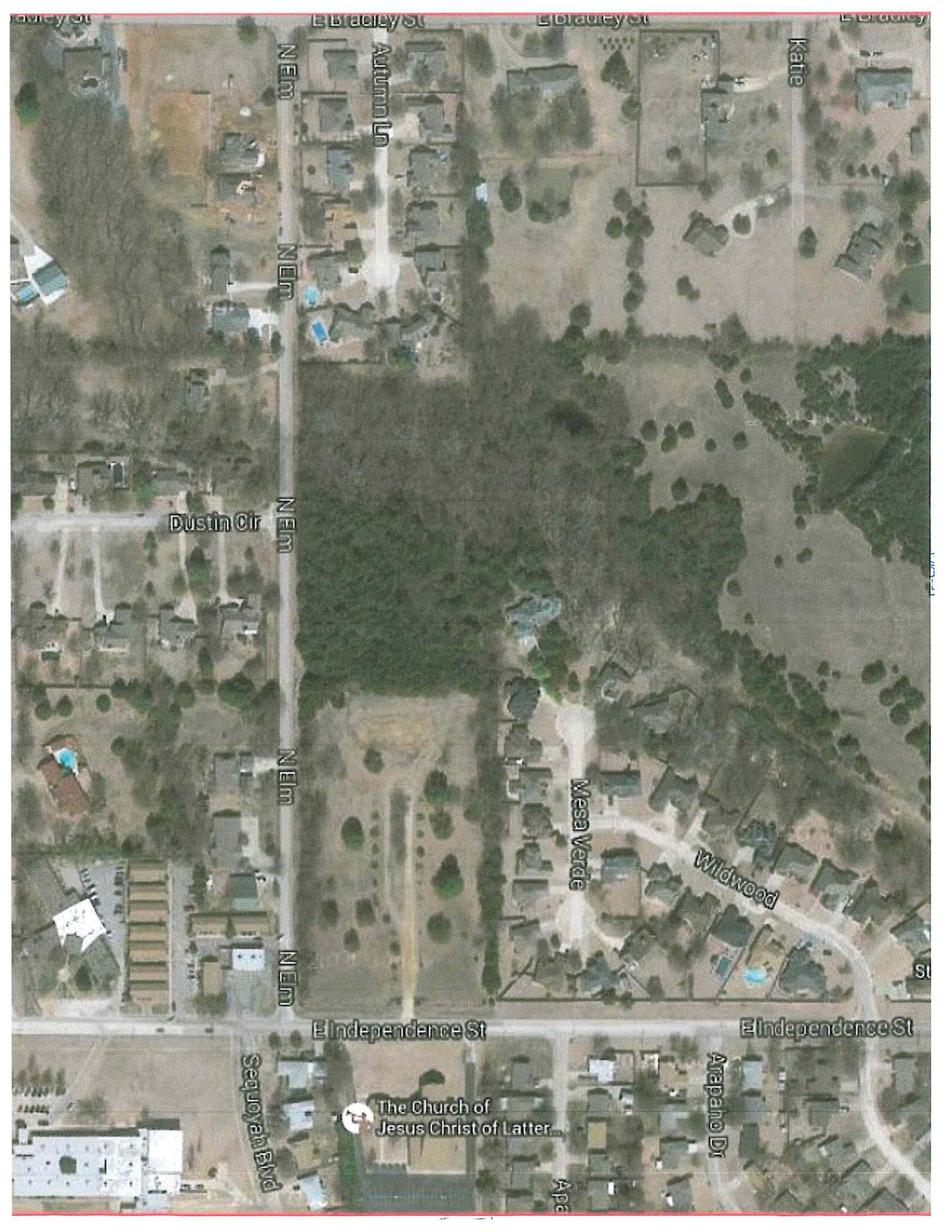


FIGURE 7



Elm St. looking north from Independence
Action - 200

↑ 1500 E. Independence



The Church of
Jesus Christ of Latter...

CITY OF SHAWNEE PLANNING COMMISSION/CITY OF SHAWNEE CITY COMMISSION

REGARDING CASE #P03-16

I am protesting the rezoning of the property "General Location Known As" 1500 E. Independence St., Shawnee, OK from R-1 to PUD.

The surrounding property predominately consists of single family residences and I am vehemently opposed to this zoning change that will negatively affect property values, traffic flow along the narrow Elm Avenue and increased flooding in the area of my residence.

Any concentrated development along Elm Avenue increases the possibility of flooding and on-street parking which will turn this narrow two lane into a narrow one lane. Vehicles already have to pull to the shoulder when meeting school buses, sanitation trucks, etc.

Thank you for your consideration.

Frank Harris

Frank Harris 3-24-16

1800 N Elm Ave.

Shawnee, OK 74804



RECEIVED

MAR 07 2016

PLANNING COMMISSION APPLICATION

PLANNING / CODE



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: P03-16

Project Number: 160322

Date Filed: 3-7-16

Cheryl Lincoln
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 R1 District to PUD District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 1500 East Independence

LEGAL DESCRIPTION: See Exhibit 1

PROPERTY OWNER (S): Marical Brothers Real Estate

PROPERTY AGENT (APPLICANT): The LandRun Group, LLC

APPLICANT'S ADDRESS: PO Box 1584

CITY: Shawnee STATE: OK ZIP: 74802-1584

EMAIL ADDRESS: landrungroup@landrungroup.com

TELEPHONE NUMBER: (405) 273-4222 CONTACT NUMBER: (405) 273-4222

DIMENSIONS OF PROPERTY: AREA: 12200 sq. ft. WIDTH: 400' MOL

LENGTH: 1315' MOL FRONTAGE: 400' MOL

CURRENT ZONING: R1 CURRENT USE: Undeveloped

PROPOSED ZONING: PUD PROPOSED USE: Single & Multi family Housing

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, 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

RECEIPT NO. 1854949

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

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.: _____

STATE OF OKLAHOMA)
) §:
COUNTY OF POTTAWATOMIE)

By: 
Jason Waldroup
Abstractor License No. 1400
OAB Certificate of Authority # 017
File No. 2087504-SH99

OWNERSHIP LIST

ORDER NO. 2087504

DATE PREPARED: November 12, 2015
EFFECTIVE DATE: November 2, 2015 at 7:30 a.m.

OWNER	LOT	BLK	ADDITION
EADS CLAYTON H & JUDY KAYE 106 HUNTINGTON CT SHAWNEE OK 74801-0000			27-SU BEG 660'E SW/C SE N657.25' E397.66' S657.25' W397.66' POB. & TR BEG 660'E & 657.25'N SW/C SE N657.25' E397.6 6' S657.25' W397.66' POB 11.91 Acres
MACGILFREY EDWARD J 21500 CACIFA ST. # 92 WOODLAND HILLS CA 91367-0000			BRADLEY'S 2ND LOT 8 BEG SW/C LOT 8 E335' N295.6' E145' S112' E140' S54.40' W99.83' S129.40' W184.48'POB
WIGINTON DALE E 1510 N ELM SHAWNEE OK 74804-0000			BRADLEY'S 2ND S80' OF N112' OF E140' LOT 8
SWEARINGEN THOMAS & ESPERANZA 1214 CHARLES DR SHAWNEE OK 74804-0000			BRADLEY'S 2ND PT LOT 8 COMM SW/C LOT 8 TH E520'POB N129.40' E99.83' S129.20' W100.52'
JACKSON FRED M JR 4600 WOODGATE CT LOOMIS CA 95650-0000			BRADLEY'S 2ND N32' OF E140' LOT 8 & S199.15' OF E140' LOT 7 LESS A TR BEG 61.4'N SE/C LOT 7 W140' N137.75' E140' S137.75' POB 2008-15534
<i>Lawrence D. & Diana Sue</i> <i>1520 N Elm Ave 74804 POBox 3551</i> <i>Shawnee OK 74802</i> LOWE JIM D 1404 CHARLES DR SHAWNEE OK 74804-0000			BRADLEY'S 2ND 1/2 UNDIV INT. IN LOT 7 BEG 247'E NW/C LOT 7 S148.6' E142' S180' ETC.
LOWE JIM 1404 CHARLES DR SHAWNEE OK 74804-0000			BRADLEY'S 2ND BEG SW/C LOT 7 E389' N180' W214' S31.4' W25' S139' W150' S9.6' POB
HOBBS BELINDA G P O BOX 3634 SHAWNEE OK 74802-3634	1	2	LAIRWOOD ESTATES BLK 2 LOT 1 1.00 Lots
CLIMER DAN B & KATHRYN M 3 DUSTIN CIR SHAWNEE OK 74804-0000	2	2	LAIRWOOD ESTATES BLK 2 LOT 2 1.00 Lots
STEWART MICHAEL R & JULIA C 5 DUSTIN CIR SHAWNEE OK 74804-0000	3	2	LAIRWOOD ESTATES BLK 2 LOT 3 1.00 Lots
HALL KEVIN D & DIANA 2 DUSTIN CIR SHAWNEE OK 74804-0000			LAIRWOOD ESTATES BLK 1 BEG SE/C LOT 4 W145' N105' E145' S104.14' POB
COURTNEY WAYNE L & SUSAN K TRUST 4 DUSTIN CIRCLE SHAWNEE OK 74804-0000	3	1	LAIRWOOD ESTATES BLK 1 LOT 3 1.00 Lots
KLAUS ROGER 6 DUSTIN CIR SHAWNEE OK 74804-0000	2	1	LAIRWOOD ESTATES BLK 1 LOT 2 1.00 Lots
HARRIS FRANK R & VALERIE M 1800 N ELM SHAWNEE OK 74804-0000			LAIRWOOD ESTATES BLK 1 LOT 4 LESS BEG SE/C LOT 4 W145' N105' E145' S104.14' POB 1.00 Lots

RILEY CONNIE 13 CHEYENNE SHAWNEE OK 74801-0000			BRADLEY'S 1 ST BEG SW/C LOT 10 TH W 330 N 220 E 330 S 220 POB
BDC HOMES LLC % JOHN F BARRETT 1210 GORDON COOPER SHAWNEE OK 74801-0000			BRADLEY'S 1ST THE WEST 25' OF A TRACT OF LAND DESCRIBED AS THE E305' LOT 9 & N90' OF E305' LOT 10
HEMBREE SHELLEY K 1702 AUTUMN LANE SHAWNEE OK 74801-0000			BRIARWOOD ESTATES LOT 6 & TR BEG AT SW/C LOT 5 TH N33.07' N78'E65.27' TH SW53*79.04' POB 1.25 Lots
TUCKER MICHAEL R & SABRA S 1704 AUTUMN LN SHAWNEE OK 74801-0000	5		BRIARWOOD ESTATES LOT 5 LESS TR
SHETTY 2012 REVOC TRUST 1706 AUTUMN LN SHAWNEE OK 74801-0000	4		BRIARWOOD ESTATES LOT 4 1.00 Lots
CHAPMAN WILLIAM A & COLEEN P 1701 AUTUMN LN SHAWNEE OK 74804-0000			BRIARWOOD ESTATES LOT 7 & BEG SW/C OF LOT 7 BROARWOOD ESTATES-REPLAT BLK 11 BRADLEY'S 1ST TH S25' E160' N25' W160' POB 1.00 Lots
SMITH GREGORY J & KIMBERLY F 1703 AUTUMN LN SHAWNEE OK 74804-0000	8		BRIARWOOD ESTATES LOT 8 1.00 Lots
COLUMBUS RONNIE R & JULIA F 1705 AUTUMN LN SHAWNEE OK 74801-0000	9		BRIARWOOD ESTATES LOT 9 1.00 Lots
HILL CHARLES F JR & MARY M TRUSTEES OF HILL FAMILY TRUST 1705 E BRADLEY SHAWNEE OK 74802-1341	12		BRADLEY'S 1ST LOT 12 4.70 Acres
HILL CHARLES F JR & MARY M TRUSTEES OF HILL FAMILY TRUST 1705 E BRADLEY SHAWNEE OK 74804-0000			A TR IN SE BEG 1057.66' E & 967.40' N SW/C TH N 350' E 931.67' S 973.34' N56*W 1119.44' POB LESS .24 AC TO HONEYFARM 14.10 Acres
PECK ROBERT G & BETTY A TRUST 1706 WILDWOOD SHAWNEE OK 74801-	8	1	EMERALD FOREST BLK 1 LOT 8
HOWARD TODD & STARLA 1704 WILDWOOD SHAWNEE OK 74804-0000	9	1	EMERALD FOREST BLK 1 LOT 9 1.00 Lots
FEH GODWIN 1511 MESA VERDE SHAWNEE OK 74801-0000	10	1	EMERALD FOREST BLK 1 LOT 10
HALL LARRY JOE & RONDA L 1513 MESA VERDE SHAWNEE OK 74804-0000	11	1	EMERALD FOREST BLK 1 LOT 11
BOONE BONNIE S & CHRISTOPHER ASTON 1516 MESA VERDE SHAWNEE OK 74804-0000	12	1	EMERALD FOREST BLK 1 LOT 12
POYER JAMES REID II & TAMARA L 1514 MESA VERDE SHAWNEE OK 74804-0000	13	1	EMERALD FOREST BLK 1 LOT 13 1.00 Lots
PARSONS GLEN R 1512 MESA VERDE SHAWNEE OK 74801-0000	14	1	EMERALD FOREST BLK 1 LOT 14 TOD STEVEN R PARSONS & DAVID A PARSONS 2013-7616

MCSPAREN ARTHUR & CRYSTAL 1510 MESA VERDE SHAWNEE OK 74804	15	1	EMERALD FOREST BLK 1 LOT 15
JACOBS CARL E JR & JANA S 1508 MESA VERDE SHAWNEE OK 74801-0000	16	1	EMERALD FOREST BLK 1 LOT 16
BALL LUVERNE & RANDALL 1506 MESA VERDE SHAWNEE OK 74801-0000	17	1	EMERALD FOREST BLK 1 LOT 17
ADKISON JENNY LOU 1504 MESA VERDE SHAWNEE OK 74804-0000	18	1	EMERALD FOREST BLK 1 LOT 18
MCCOIN BILL 1502 MESA VERDE SHAWNEE OK 74804-0000	19	1	EMERALD FOREST BLK 1 LOT 19
BURNETT BOBBY G & JOANN W 1500 MESA VERDE SHAWNEE OK 74804-0000	20	1	EMERALD FOREST BLK 1 LOT 20
AKIN FRED DEAN 1501 MESA VERDE SHAWNEE OK 74804-0000	21	1	EMERALD FOREST BLK 1 LOT 21
CRANE TONIA ANN & CAMERON K 1503 MESA VERDE SHAWNEE OK 74804-0000	22	1	EMERALD FOREST BLK 1 LOT 22
BROWN JEFF & ALLISON REVOCABLE TRUST 1705 WILDWOOD SHAWNEE OK 74804-0000	23	1	EMERALD FOREST BLK 1 LOT 23
WARD SHANNON T & MARY ANN 1707 WILDWOOD SHAWNEE OK 74804-0000	24	1	EMERALD FOREST BLK 1 LOT 24
WATSON GLENN V & LORINE P TRUST 1925 E BRADLEY SHAWNEE OK 74804-0000	13		BRADLEY'S 1ST S305' LOT 13 W/EASEMENT 2.35 Acres
SCHOOL LAND SCHOOL #93 SHAWNEE OK -0		C	LARKINS MEADOW BLK C 1.00 Lots
JONES BRITT JR & DOLORES 2 SEQUOYAH SHAWNEE OK 74801-0000	2	B	LARKINS MEADOW BLK B LOT 2 1.00 Lots
ASKAY RAYMOND & MARIE 4 SEQUOYAH SHAWNEE OK 74801-0000	3	B	LARKINS MEADOW BLK B LOT 3 1.00 Lots
MILLER DAVID A & AIMEE M 102 BAKER ST SHAWNEE OK 74801-0000	4	B	LARKINS MEADOW BLK B LOT 4 1.00 Lots
STARNES KEATH E 8 SEQUOYAH SHAWNEE OK 74804-0000	5	B	LARKINS MEADOW BLK B LOT 5 1.00 Lots
MORMAN CHURCH XXXXXXXXXX SHAWNEE OK 74801-0000	1	B	LARKINS MEADOW BLK B LOT 1 1.00 Lots
STREET CATHY L & DEBRA GARCIA 14051 CARNELL ST WHITTIER CA 90605-0000	5	6	LARKINS MEADOW BLK 6 LOT 5 1.00 Lots
CHAKENATHO CORENE 7 APACHE SHAWNEE OK 74804-0000	4	6	LARKINS MEADOW BLK 6 LOT 4 1.00 Lots

HARROD KAYE STEELE FAMILY TRUST 1303 W FARRALL SHAWNEE OK 74801-0000	3	6	LARKINS MEADOW BLK 6 LOT 3 1.00 Lots
SAXON STEVEN E & LISA D 1816 OAKRIDGE DRIVE SEMINOLE OK 74868-0000	2	6	LARKINS MEADOW BLK 6 LOT 2 1.00 Lots
HARROD KAYE STEELE FAMILY TRUST 1303 W FARRALL SHAWNEE OK 74801-0000	1	6	LARKINS MEADOW BLK 6 LOT 1 1.00 Lots
EXLEY WINSTON B & LINDA F P O BOX 1092 SHAWNEE OK 74802-7092		7	LARKINS MEADOW BLK 7 N60' LOT 13
RODGERS JOHN R 4 APACHE SHAWNEE OK 74801-0000		7	LARKINS MEADOW BLK 7 N55' LOT 12 & S15' LOT 13
WILSON JOQUETA 36204 HARDESTY RD SHAWNEE OK 74801-0000		7	LARKINS MEADOW BLK 7 N50' LOT 11 & S10' LOT 12
SAMPLE STEVEN & CISSILI 8 APACHE SHAWNEE OK 74801-0000		7	LARKINS MEADOW BLK 7 N40' LOT 10 & S15' LOT 11
SMITH KRISTIN 807 N KIMBERLY TECUMSEH OK 74873-0000		7	LARKINS MEADOW BLK 7 N37' LOT 9 & S25' LOT 10 1.00 Lots
SIMS DARRELL D & CAROLYN M 7 ARAPAHO SHAWNEE OK 74801-0000	4	7	LARKINS MEADOW BLK 7 LOT 4 1.00 Lots
STEWART THOMAS M & JOYCE C 5 ARAPAHO SHAWNEE OK 74801-0000	3	7	LARKINS MEADOW BLK 7 LOT 3 1.00 Lots
JORDAN CLAUDE L & SUSAN 3 ARAPAHO SHAWNEE OK 74801-0000	2	7	LARKINS MEADOW 2ND BLK 7 LOT 2 1.00 Lots
DEES GEORGE W & FRANCES L ET AL 1 ARAPAHO SHAWNEE OK 74801-0000	1	7	LARKINS MEADOW BLK 7 LOT 1

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P03-16

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on an application for approval of a Planned Unit Development, which is a special zoning district, on property located within the City of Shawnee.

The applicant requests a Planned Unit Development for the following described property:

A tract of land described as beginning 660 feet N89°43'27"E of the Southwest Corner of the Southeast Quarter (SW/C SE/4) of Section Eight (8), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence N00°16'33"W a distance of 1314.50 feet to a point on the North line of the S/2 SE/4; thence N89°19'27"E a distance of 397.66 feet; thence S00°16'33"E a distance of 1314.50 feet; thence S89°43'27"W a distance of 397.66 feet to the point of beginning.

General Location Known As:	<u>1500 E. Independence St., Shawnee, OK</u>
Current Zoning Classification:	<u>R-1; Single Family Residential District</u>
Requested Zoning Classification:	<u>Planned Unit Development (PUD)</u>
Proposed Use of Property:	<u>Single & Multi-Family Housing</u>
Applicant:	<u>The Landrun Group, LLC</u>

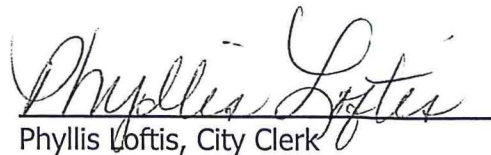
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

April 6 th , 2016 AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
April 18 th , 2016 AT 6:30 P.M.:	CITY OF SHAWNEE CITY COMMISSION

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the Planned Unit Development. The Commission reserves the right to limit discussion and debate on the proposed Planned Unit Development in the public hearing, in which event those persons appearing in support or opposition of the proposed Planned Unit Development will be allotted equal time. Any formal protest must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Planning Department at 878-1616. A copy of the application is available for public inspection during normal working hours in the Planning Secretary's office at 222 N. Broadway.

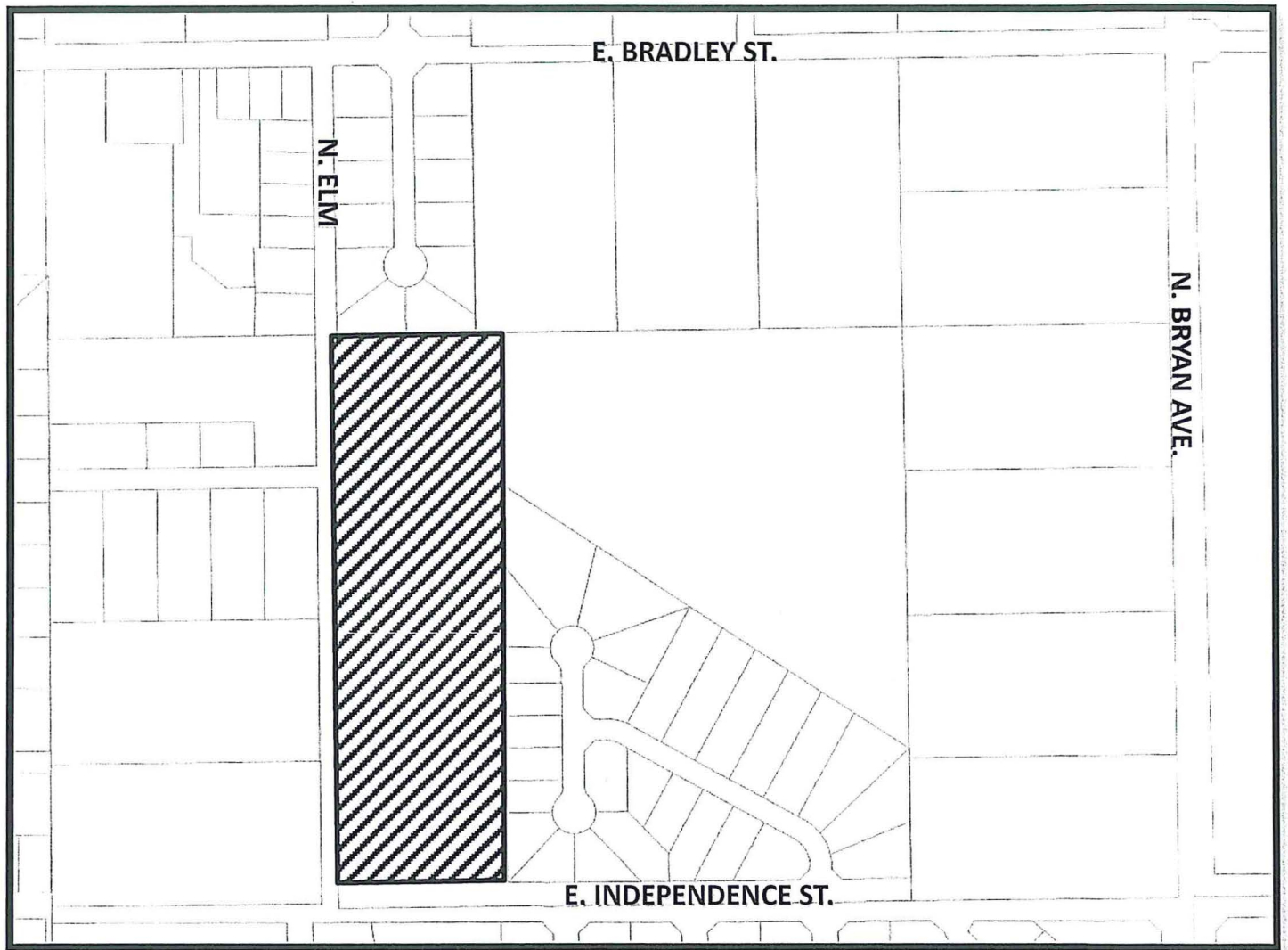
Witness my hand this 17th day of March, 2016.




Phyllis Loftis, City Clerk

LOCATION MAP

CASE# P03-16



EXTENSION OF CONTRACT FOR SALE OF REAL ESTATE

This Extension is entered into this 27th day of March, 2016, with an effective date of January 29, 2016, between Clayton H. Eads and Judy Kaye Eads (hereinafter referred to as "Sellers"), and Marical Brothers Real Estate, LLC (hereinafter referred to as "Buyer");

WITNESSETH:

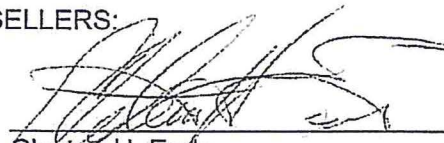
1. The parties state that they entered into a Contract for Sale of Real Estate dated September 11, 2015, and further entered into an Addendum to Contract for Sale of Real Estate, dated September 30, 2015. The parties further state that under the terms of said documents, the closing was to have occurred on or before January 29, 2016.

2. That for and in consideration of the escrow agent designated in said agreements continuing to hold the Ten Thousand Dollar (\$10,000.00) good faith money in a client trust fund account, and other good and valuable consideration, the parties hereby agree to ratify and confirm said Contract for Sale of Real Estate, and said Addendum to Contract for Sale of Real Estate, and hereby agree to extend the closing date by mutual agreement to on or before April 19, 2016; provided that the parties may further extend said closing date by mutual agreement in writing.

3. The undersigned parties hereby ratify and approve all of the terms and conditions of said original Contract, and Addendum thereto, and state that this

Extension Agreement is binding upon the parties hereto, their heirs, personal representatives, successors, and assigns.

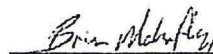
SELLERS:


Clayton H. Eads
Dated: 3/8/16


Judy Kaye Eads
Dated: 3/8/16

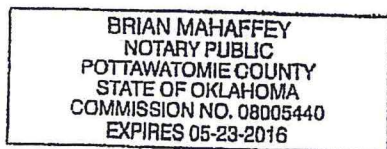
STATE OF OKLAHOMA)
) SS.
POTTAWATOMIE COUNTY)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, this 8th day of March, 2016, personally appeared Clayton H. Eads and Judy Kaye Eads, husband and wife, to me known to be the identical persons who executed the above and foregoing instrument and acknowledged to me that they executed the same as their own free and voluntary act and deed for the uses and purposes therein set forth.



Notary Public

(SEAL)



Extension of Contract for Sale of Real Estate
March 2016, with an effective date of January 29, 2016

BUYER:

Marical Brothers Real Estate, LLC

By: [Signature]
Darrin M. Marical, Managing Member
Dated: 3-9-16

STATE OF OKLAHOMA)
) SS.
POTTAWATOMIE COUNTY)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, this 9 day of March, 2016, personally appeared Darrin M. Marical, Managing Member, Marical Brothers Real Estate, LLC, an Oklahoma limited liability company, to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as Managing Member of Marical Brothers Real Estate, LLC, and acknowledged to me that he executed the same as his own free and voluntary act and deed and as the free and voluntary act and deed of said limited liability company for the uses and purposes therein set forth.

[Signature]
Notary Public





**STAFF REPORT
Preliminary Plat
CASE #S06-16**

TO: Shawnee Planning Commission

AGENDA: May 4, 2016

RE: Shawnee Park - Preliminary Plat

PROPOSAL

The applicant, Kaw Valley Engineering, is requesting preliminary plat approval for Shawnee Park. The subject property is generally located north-east of the North Harrison Street and I-40 intersection. The site was previously zoned as a planned unit development (PUD) with both commercial and residential allowances. The proposed development includes two (2) lots and one (1) tract of land to serve as a common area. A total of 108 dwelling units are proposed.

GENERAL INFORMATION

Applicant	Kaw Valley Engineering, Inc.
Owner(s)	Scott Woodward
Site Location/Address	East of Harrison, on Transportation Parkway.
Current Site Zoning	Planned Unit Development
Parcel Size	10.03 Acres
Comprehensive Plan Designation	Commercial / Residential
Existing Land Use	Vacant
Surrounding Zoning	Planned Unit Development

STAFF REVIEW AND ANALYSIS

The applicant has requested preliminary plat approval for the construction of multi-family residential units on 10.03 Acres of property. The basic site details include:

1. Total Acreage: 10.03 Acres
2. Two (2) buildable lots.
 - a. Lot 1 = 3.74 Acres. Sixty (60) dwelling units proposed.
 - b. Lot 2 = 3.39 Acres. Forty-eight (48) dwelling units proposed.
 - c. Tract A = 2.90 Acres. Common Area – unbuildable as a separate lot.
3. Required expansion of the existing public sewer and water line.
4. Required purchase of additional land to provide appropriate public right-of-way along Transportation Parkway.



Figure 1: Aerial Plat Map – approximate total area outlined in blue.

Staff has reviewed all details of the Preliminary Plat and find it to be in general conformance with City Codes. The development meets the intent of the PUD and conforms to the Shawnee Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends approval of the proposed preliminary plat for the subject property with the following conditions:

1. City Engineer must receive and approve a means for providing sanitary sewer to the lots.
2. Provide staff with a detailed hydrology report.
3. Receive and approve all offsite easements for public improvements.
4. Four (4') foot sidewalk required along Transportation Parkway.
5. Final construction documents must be approved by the City Engineer concurrent with Final Plat approval.
6. Any necessary drainage plans must be approved by the City Engineer concurrent with Final Plat approval.
7. All other applicable City standards apply.

Attachments

1. Figure 1: Aerial Plat Map
2. Figure 2: Zoning Map
3. Figure 3: Future Land Use Map
4. Exhibit 1: Preliminary Plat
5. Exhibit 2: Preliminary Plat (Basic)

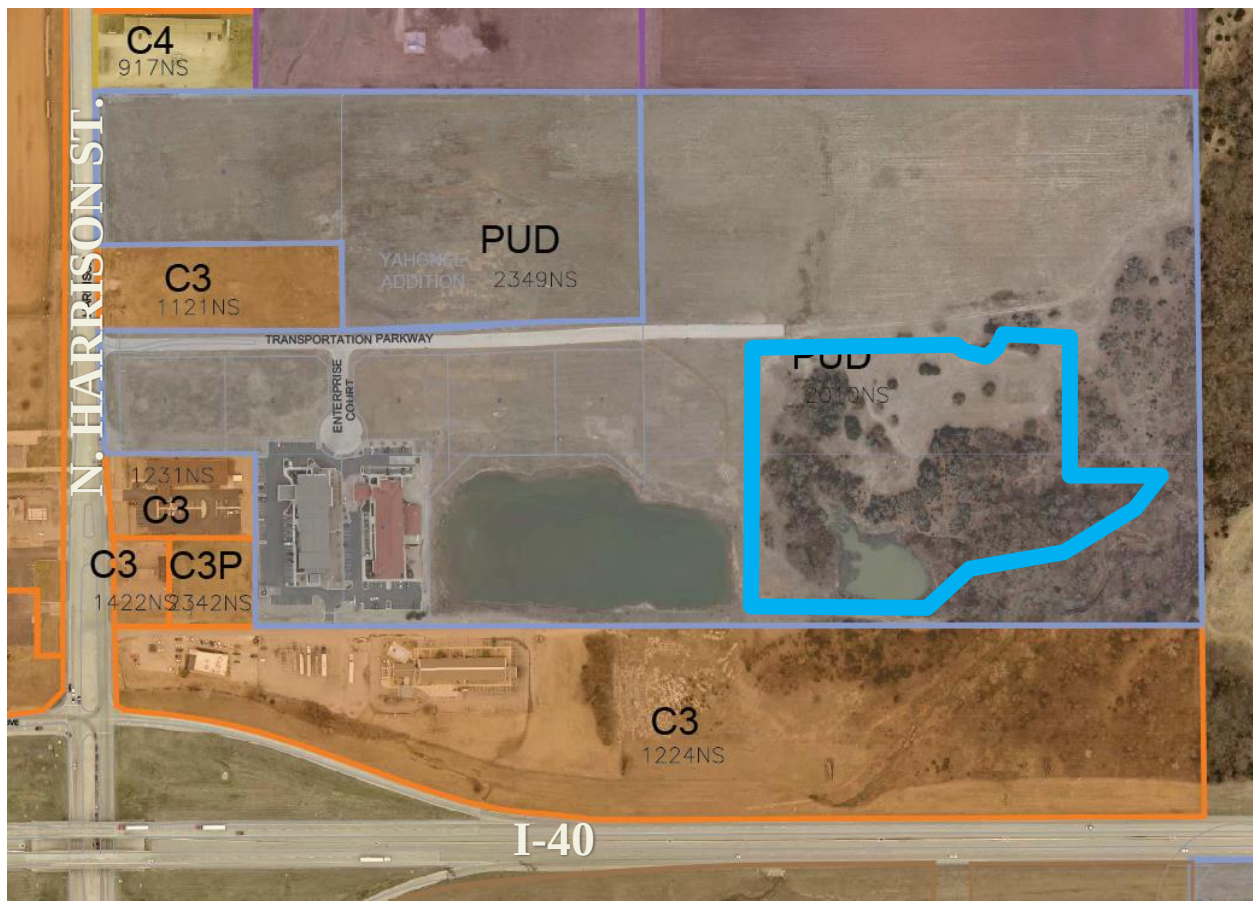


Figure 2: Zoning Map of site – approximate total area outlined in blue.

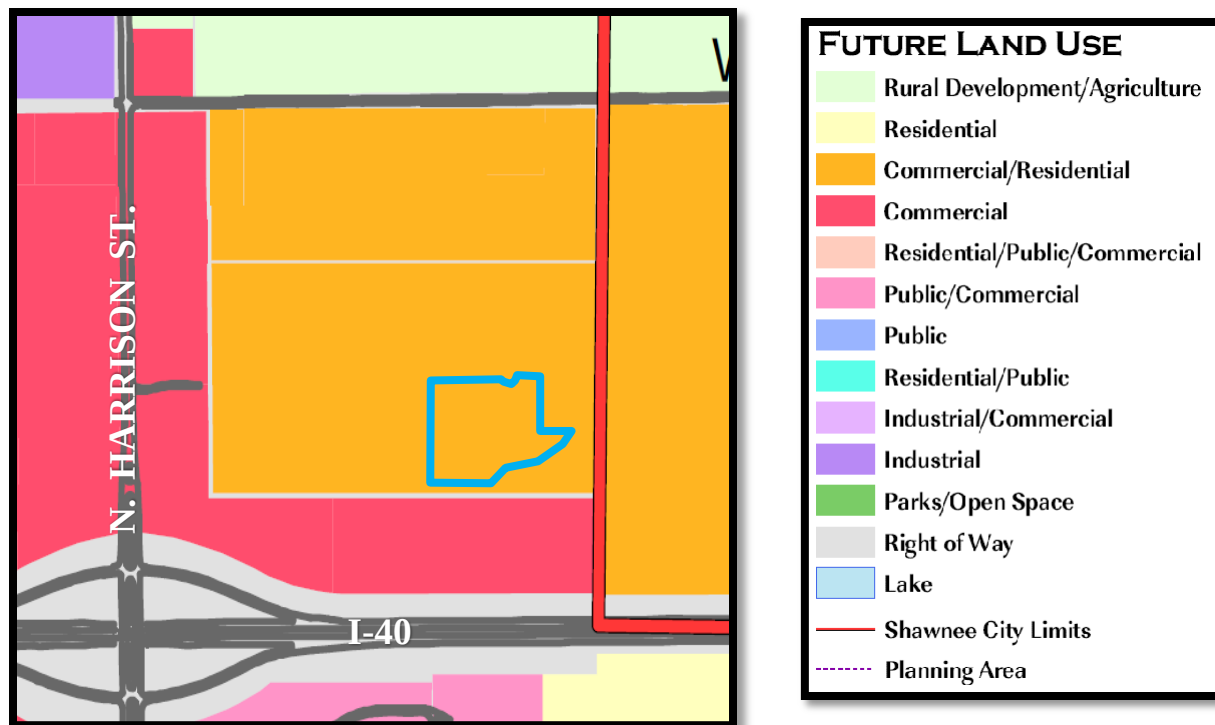


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map (Figure 4.2). Approximate area outlined in blue.

EXHIBIT 1

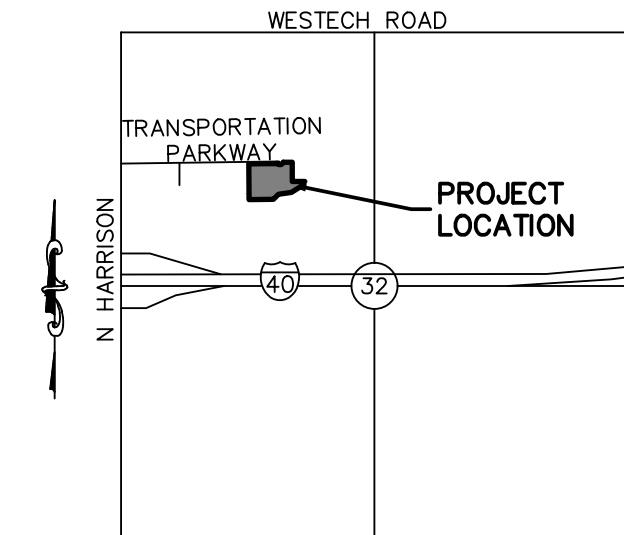
PRELIMINARY PLAT SHAWNEE PARK

A SUBDIVISION OF LAND IN SECTION 32 - TOWNSHIP 11 NORTH - RANGE 4,
EAST OF THE INDIAN MERIDIAN SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA

PROPERTY ADDRESS:
TRANSPORTATION PARKWAY & NORTH HARRISON
SHAWNEE, OKLAHOMA 74804

EXISTING ZONING:
PUD-(PLANNED UNIT DEVELOPMENT)

FLOOD STATEMENT:
LOT 1 AND LOT 2 ARE SHOWN TO BE LOCATED IN ZONE "X". ZONE "X" IS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS NOTED ON FLOOD INSURANCE RATE MAP FOR POTTAWATOMIE COUNTY, OKLAHOMA, MAP NUMBER 40125C0070H, REVISED SEPTEMBER 3, 2010. TRACT A IS SHOWN TO BE LOCATED IN ZONE "AE". ZONE "AE" IS AN AREA DETERMINED TO BE THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD, AS NOTED ON FLOOD INSURANCE RATE MAP FOR POTTAWATOMIE COUNTY, OKLAHOMA, MAP NUMBER 40125C0070H, REVISED SEPTEMBER 3, 2010. LOCATION DETERMINED BY A SCALED GRAPHICAL PLOT OF THE FLOOD INSURANCE RATE MAP.



VICINITY MAP
SEC 32-TWP 11-RNG 4
1" = 2000'

OWNER:
SCOTT WOODWARD
2301 W. I-44 SERVICE ROAD, SUITE 200
OKLAHOMA CITY, OK 73112
(405) 659-0779

ARCHITECT:
PARKER ASSOCIATES
2202 E 49TH STREET, #200
TULSA, OK 74105
CONTACT: BRYAN HULST
(918) 742-2485

DEVELOPER:
ZIMMERMAN PROPERTIES DEVELOPMENT
1730 E. REPUBLIC ROAD, SUITE F
SPRINGFIELD, MO 65804

ENGINEER:
KAW VALLEY ENGINEERING, INC.
14700 W 114TH TERRACE
LENEXA, KS 66215
CONTACT: MICHAEL R. OSBOURN
(913) 894-5150

STORMWATER FLOW:

LOT 1, 2, AND TRACT A SHALL BE DETAINED IN TRACT A. EXISTING OFFSITE RUNOFF SHALL BE ROUTED THROUGH THE PROPOSED STORM SEWER SYSTEM IN TRANSPORTATION DRIVE AND THROUGH THE PROPOSED SANITARY SEWER AND DRAINAGE EASEMENT ADJACENT TO LOT 1.

FOUND 3/8" REBAR
W/CAP RPLS-1424

N 89°29'10" E
1336.83'

LEGEND:

- SECTION CORNER
- MONUMENT SET
- CONTROL POINT
- BENCHMARK
- UNDERGROUND ELECTRIC
- ELECTRICAL TRANSFORMER
- UTILITY POLE
- OVERHEAD POWER LINE (# OF LINES)
- SANITARY SEWER LINE
- SANITARY SEWER MANHOLE
- STORM SEWER LINE
- STORM SEWER MANHOLE
- FIRE HYDRANT
- WATER LINE GATE VALVE
- GAS METER
- UNDERGROUND TELEPHONE
- TELEPHONE PEDESTAL
- EXISTING GRADE 1' CONTOUR
- EXISTING GRADE 5' CONTOUR
- EXISTING SPOT ELEVATION
- DECIDUOUS TREE
- TREE LINE
- CONIFEROUS TREE
- BARBED WIRE FENCE
- FLOODWAY AREAS IN ZONE AE
- ZONE X- AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD
- (C) CALCULATED
- (D) DEEDED
- S/E STORM SEWER EASEMENT
- SS/E SANITARY SEWER EASEMENT
- (M) MEASURED

DESCRIPTION:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 11 NORTH, RANGE 4 EAST OF THE INDIAN MERIDIAN, IN THE COUNTY OF POTTAWATOMIE, STATE OF OKLAHOMA, AND BEING DESCRIBED BY JASON R. LOADER, PS 1759 AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ON THE WEST LINE OF SAID NORTHWEST QUARTER, S 00°03'04" W 774.37 FEET TO THE WESTERLY PROLONGATION OF THE NORTH LINE OF YAHGNEE ADDITION, A SUBDIVISION RECORDED AS INSTRUMENT 20050001531; THENCE ON SAID NORTH LINE AND ITS WESTERLY PROLONGATION, N 89°29'10" E 1336.83 FEET TO THE NORTHEAST CORNER OF SAID YAHGNEE ADDITION; THENCE ON THE EAST LINE OF SAID YAHGNEE ADDITION, S 00°41'02" E 540.86 FEET TO THE SOUTHEAST CORNER OF LOT 8 OF SAID YAHGNEE ADDITION AND THE POINT OF BEGINNING AND A POINT OF CURVATURE; THENCE EASTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 6855.41 FEET, AN ARC LENGTH OF 174.76 FEET, AND WHOSE CHORD BEARS N 89°29'14" E 174.76 FEET; THENCE N 89°29'14" E 566.83 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET, AN ARC LENGTH OF 48.74 FEET, AND WHOSE CHORD BEARS N 42°12'48" E 47.41 FEET; THENCE N 89°34'39" E 64.75 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 17.49 FEET, AND WHOSE CHORD BEARS S 19°45'56" E 17.13 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET, AN ARC LENGTH OF 61.48 FEET, AND WHOSE CHORD BEARS S 11°06'54" E 58.83 FEET TO A CORNER ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED RECORDED AS INSTRUMENT NUMBER 201000017059; THENCE ON THE NORTH LINE OF SAID TRACT, N 89°29'14" 153.31 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE ON EASTERLY, SOUTHERLY, AND WESTERLY LINES OF SAID TRACT THE FOLLOWING 8 COURSES: 1) S 00°23'48" E 325.31 FEET, 2) 89°36'12" E 210.43, 3) S 36°06'15" W 96.73 FEET, 4) S 57°46'43" W 198.27 FEET, 5) S 81°29'39" W 225.16 FEET, 6) S 43°23'30" W 118.27 FEET, 7) S 89°34'57" W 411.26 FEET, 8) N 00°23'48" W 602.70 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S 89°29'14" W 101.87 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 6795.41 FEET, AN ARC LENGTH OF 174.61 FEET, AND WHOSE CHORD BEARS S 89°29'15" W 174.61 FEET TO THE NORTHEAST CORNER OF LOT 7 OF SAID YAHGNEE ADDITION; THENCE ON SAID EAST LINE OF YAHGNEE ADDITION, N 00°41'02" W 60.00 FEET TO THE POINT OF BEGINNING. CONTAINS 11.31 ACRES MORE OR LESS.

END OF DESCRIPTION.

THIS DRAWING SHALL NOT BE UTILIZED BY ANY PERSON, FIRM, OR CORPORATION IN WHOLE OR IN PART WITHOUT THE SPECIFIC PERMISSION OF KAW VALLEY ENGINEERING, INC.

SITE DATA:

TOTAL ACREAGE: 10.03 ACRES
TOTAL NUMBER OF LOTS: 2

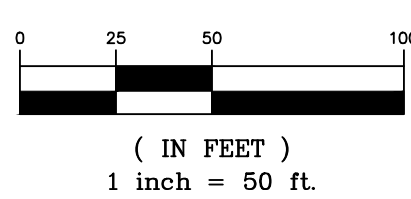
MULTI-FAMILY RESIDENTIAL
LOT 1: 3.74 ACRES
60 UNITS - 60/3.74=16.04 UNITS/AC

MULTI-FAMILY RESIDENTIAL
LOT 2: 3.39 ACRES
48 UNITS - 48/3.39=14.16 UNITS/AC

COMMON SPACE
TRACT A: 2.90 ACRES

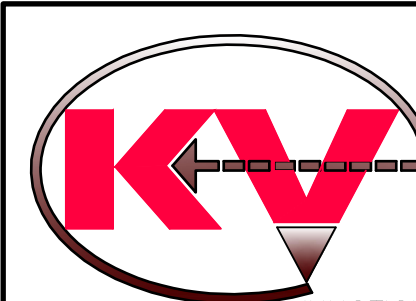
PROPOSED PUBLIC STREET ROW: 1.28 ACRES
PROPOSED PUBLIC STREET: 520 LF

GRAPHIC SCALE



PRELIMINARY PLAT

of a 10.07 acre tract of land
out of the NW 1/4 of Sec. 32 T11N, R4E,
City of Shawnee, Pottawatomie County, Oklahoma
10.07 Acres - January 20, 2016
Sheet 1 of 2



KAW VALLEY ENGINEERING, INC.
CONSULTING ENGINEERS - LAND SURVEYORS
14700 WEST 114TH TERRACE
LENEXA, KANSAS 66215
PH. (913) 894-5150 | FAX (913) 894-5977
lx@kveg.com | www.kveg.com
JUNCTION CITY, KS | KANSAS CITY, MO | LENEXA, KS | SALINA, KS

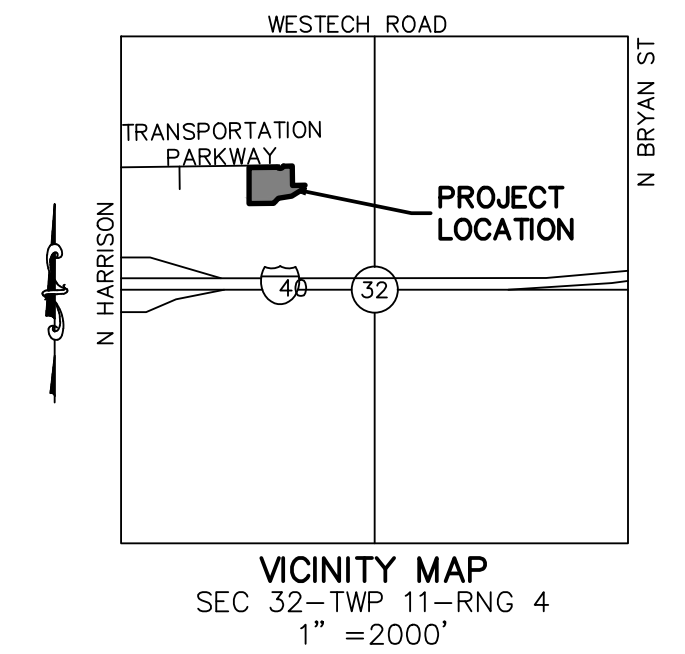
PREPARED FOR:
ZIMMERMAN INVESTMENTS, LLC
1730 EAST REPUBLIC ROAD
SPRINGFIELD, MISSOURI 65804

KAW VALLEY ENGINEERING, INC., IS AUTHORIZED TO
OFFER SURVEYING SERVICES BY OKLAHOMA STATE
CERTIFICATE OF AUTHORIZATION NO. 1700.
EXPIRES 06/30/16

PROJECT NO.
C14_8095
DRAWN BY
EDV
CHECKED BY
CFN
8095PPLAT
SHEET
1 OF 2

PRELIMINARY PLAT SHAWNEE PARK

A SUBDIVISION OF LAND IN SECTION 32 - TOWNSHIP 11 NORTH - RANGE 4,
EAST OF THE INDIAN MERIDIAN SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA



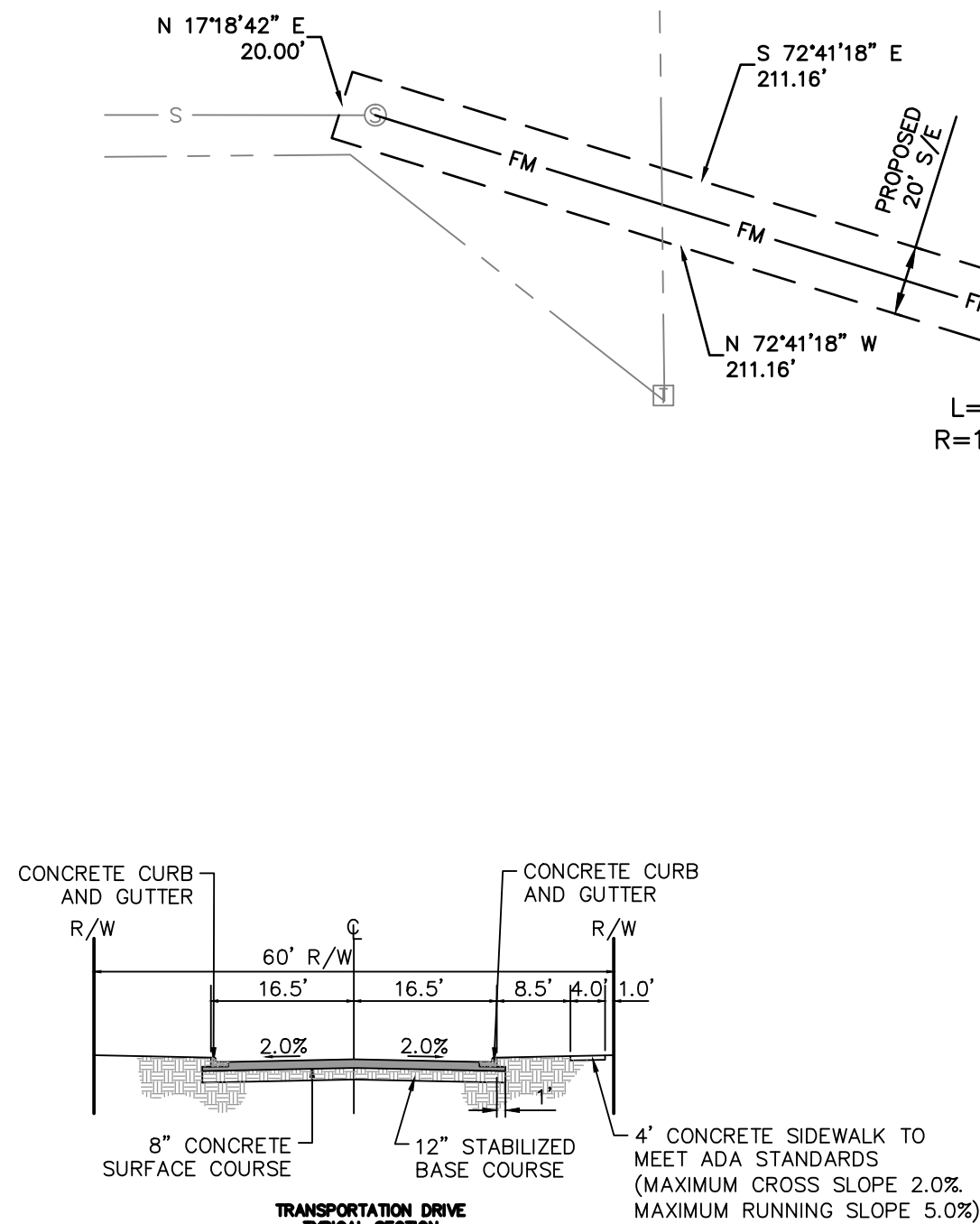
POC
FOUND PAINTED HOLE
NW COR., NW 1/4
SEC. 32-11-4
0001 STA. NO. P-63-19

S 00°31'04" W
774.37'

FOUND 3/8" REBAR
W/CAP RPLS-1424
N 89°29'10" E
1336.83'

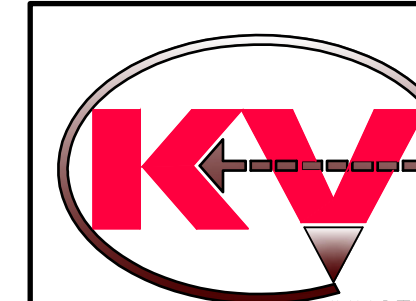
LEGEND:

- SECTION CORNER
- MONUMENT SET
- CONTROL POINT
- BENCHMARK
- UNDERGROUND ELECTRIC
- ELECTRICAL TRANSFORMER
- UTILITY POLE
- OVERHEAD POWER LINE (# OF LINES)
- SANITARY SEWER LINE
- SANITARY SEWER MANHOLE
- STORM SEWER LINE
- STORM SEWER MANHOLE
- FIRE HYDRANT
- WATER LINE GATE VALVE
- GAS METER
- UNDERGROUND TELEPHONE
- TELEPHONE PEDESTAL
- EXISTING GRADE 1' CONTOUR
- EXISTING GRADE 5' CONTOUR
- EXISTING SPOT ELEVATION
- DECIDUOUS TREE
- TREE LINE
- CONIFEROUS TREE
- BARBED WIRE FENCE
- FLOODWAY AREAS IN ZONE AE
- ZONE X- AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD
- (C) CALCULATED
- (D) DEEDED
- S/E STORM SEWER EASEMENT
- SS/E SANITARY SEWER EASEMENT
- (M) MEASURED



GRAPHIC SCALE
0 25 50 100
(IN FEET)
1 inch = 50 ft.

PRELIMINARY PLAT
of a 10.07 acre tract of land
out of the NW 1/4 of Sec. 32 T11N, R4E,
City of Shawnee, Pottawatomie County, Oklahoma
10.07 Acres - January 20, 2016
Sheet 2 of 2



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PREPARED FOR:
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2 OF 2

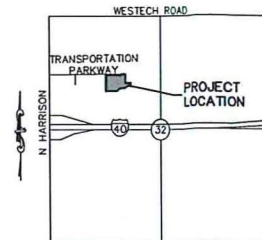
PRELIMINARY PLAT SHAWNEE PARK

A SUBDIVISION OF LAND IN SECTION 32 - TOWNSHIP 11 NORTH - RANGE 4,
EAST OF THE INDIAN MERIDIAN SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA

PROPERTY ADDRESS:
TRANSPORTATION PARKWAY & NORTH HARRISON
SHAWNEE, OKLAHOMA 74804

EXISTING ZONING:
PUD-(PLANNED UNIT DEVELOPMENT)

FLOOD STATEMENT:
LOT 1 AND LOT 2 ARE SHOWN TO BE LOCATED IN ZONE "X". ZONE "X" IS AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS NOTED ON FLOOD INSURANCE RATE MAP FOR POTTAWATOMIE COUNTY, OKLAHOMA, MAP NUMBER 40125C0070H, REVISED SEPTEMBER 3, 2010. TRACT A IS SHOWN TO BE LOCATED IN ZONE "AE". ZONE "AE" IS AN AREA DETERMINED TO BE THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD, AS NOTED ON FLOOD INSURANCE RATE MAP FOR POTTAWATOMIE COUNTY, OKLAHOMA, MAP NUMBER 40125C0070H, REVISED SEPTEMBER 3, 2010. LOCATION DETERMINED BY A SCALED GRAPHICAL PLOT OF THE FLOOD INSURANCE RATE MAP.



VICINITY MAP
SEC 32-TWP 11-RNG 4
1" = 2000'

OWNER:
SCOTT WOODWARD
2301 W. L-44 SERVICE ROAD, SUITE 200
OKLAHOMA CITY, OK 73112
(405) 659-0779

ARCHITECT:
PARKER ASSOCIATES
2202 E 49TH STREET, #200
TULSA, OK 74105
CONTACT: BRYAN HULST
(918) 742-2485

DEVELOPER:
ZIMMERMAN PROPERTIES DEVELOPMENT
1730 E. REPUBLIC ROAD, SUITE F
SPRINGFIELD, MO 65804

ENGINEER:
KAW VALLEY ENGINEERING, INC.
14700 W 114TH TERRACE
LENEXA, KS 66215
CONTACT: MICHAEL R. OSBOURN
(913) 894-5150

STORMWATER FLOW:
LOT 1, 2, AND TRACT A SHALL BE DETAINED IN TRACT A. EXISTING OFFSITE RUNOFF SHALL BE ROUTED THROUGH THE PROPOSED STORM SEWER SYSTEM IN TRANSPORTATION DRIVE AND THROUGH THE PROPOSED SANITARY SEWER AND DRAINAGE EASEMENT ADJACENT TO LOT 1.

LEGEND:

- SECTION CORNER
- MONUMENT SET
- CONTROL POINT
- BENCHMARK
- UNDERGROUND ELECTRIC
- ELECTRICAL TRANSFORMER
- UTILITY POLE
- OVERHEAD POWER LINE (# OF LINES)
- SANITARY SEWER LINE
- SANITARY SEWER MANHOLE
- STORM SEWER LINE
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- FIRE HYDRANT
- WATER LINE GATE VALVE
- GAS METER
- UNDERGROUND TELEPHONE
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- EXISTING GRADE 1' CONTOUR
- EXISTING GRADE 5' CONTOUR
- EXISTING SPOT ELEVATION
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- FLOODWAY AREAS IN ZONE AE
- ZONE X - AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD
- (C) CALCULATED
- (D) DEEDED
- S/E STORM SEWER EASEMENT
- SS/E SANITARY SEWER EASEMENT
- (M) MEASURED

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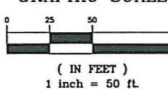
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48 UNITS - 48/3.39=14.16 UNITS/AC

COMMON SPACE
TRACT A: 2.90 ACRES

PROPOSED PUBLIC STREET ROW: 1.28 ACRES
PROPOSED PUBLIC STREET: 520 LF

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COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE ON THE WEST LINE OF SAID NORTHWEST QUARTER, S 00°03'04" W 774.37 FEET TO THE WESTERLY PROLONGATION OF THE NORTH LINE OF YAHGNEE ADDITION, A SUBDIVISION RECORDED AS INSTRUMENT 20050001531; THENCE ON SAID NORTH LINE AND ITS WESTERLY PROLONGATION, N 89°29'10" E 1336.83 FEET TO THE NORTHEAST CORNER OF SAID YAHGNEE ADDITION; THENCE ON THE EAST LINE OF SAID YAHGNEE ADDITION, S 00°41'02" E 540.86 FEET TO THE SOUTHEAST CORNER OF LOT 8 OF SAID YAHGNEE ADDITION AND THE POINT OF BEGINNING AND A POINT OF CURVATURE; THENCE EASTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 6855.41 FEET, AN ARC LENGTH OF 174.76 FEET, AND WHOSE CHORD BEARS N 89°29'14" E 174.76 FEET; THENCE N 89°29'14" E 566.83 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET, AN ARC LENGTH OF 48.74 FEET, AND WHOSE CHORD BEARS N 42°12'48" E 47.41 FEET; THENCE N 89°34'39" E 64.75 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 17.49 FEET, AND WHOSE CHORD BEARS S 19°45'56" E 17.13 FEET TO A POINT OF REVERSE CURVATURE; THENCE SOUTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET, AN ARC LENGTH OF 61.48 FEET, AND WHOSE CHORD BEARS S 11°06'54" E 58.83 FEET TO A CORNER ON THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN DEED RECORDED AS INSTRUMENT NUMBER 201000017059; THENCE ON THE NORTH LINE OF SAID TRACT, N 89°29'14" E 153.31 FEET TO THE NORTHEAST CORNER OF SAID TRACT; THENCE ON EASTERLY, SOUTHERLY, AND WESTERLY LINES OF SAID TRACT THE FOLLOWING 8 COURSES: 1) S 00°23'48" E 325.31 FEET, 2) 89°36'12" E 210.43, 3) S 36°06'15" W 96.73 FEET, 4) S 57°46'43" W 198.27 FEET, 5) S 81°29'39" W 225.16 FEET, 6) S 43°23'30" W 118.27 FEET, 7) S 89°34'57" W 411.26 FEET, 8) N 00°23'48" W 602.70 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE S 89°29'14" W 101.87 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 6795.41 FEET, AN ARC LENGTH OF 174.61 FEET, AND WHOSE CHORD BEARS S 89°29'15" W 174.61 FEET TO THE NORTHEAST CORNER OF LOT 7 OF SAID YAHGNEE ADDITION; THENCE ON SAID EAST LINE OF YAHGNEE ADDITION, N 00°41'02" W 60.00 FEET TO THE POINT OF BEGINNING. CONTAINS 11.31 ACRES MORE OR LESS.

END OF DESCRIPTION.

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PREPARED FOR:
ZIMMERMAN INVESTMENTS, LLC
1730 EAST REPUBLIC ROAD
SPRINGFIELD, MISSOURI 65804

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PROJECT NO.
C14-8095
DRAWN BY
EDV
CHECKED BY
CFN
8095PPLAT
SHEET
1 OF 2

KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO
OFFER SURVEYING SERVICES BY OKLAHOMA STATE
CERTIFICATE OF AUTHORIZATION NO. 1700.
EXPIRES 05/30/16

PRELIMINARY PLAT APPLICATION FOR THE CITY OF SHAWNEE

Please provide a submittal letter, 6-24 X 36 maps, 1-8 1/2 x 14 map, 1 electronic map and filing fees upon submitting this application. Please call 878-1616 with any questions.

APPLICANT Zimmerman Properties Development, LLC

APPLICANT ADDRESS 1730 E. Republic Road, Suite F, Springfield, Missouri 65804

APPLICANT PHONE NUMBERS 417-883-1632

EMAIL ADDRESS jzimmerman@wilhoitproperties.com

NAME OF PLAT Shawnee Park

LOCATION South side of Transportation Drive, East of North Harrison

NUMBER OF ACRES 10 NUMBER OF LOTS 2

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS: FEE: \$225.00

PLUS \$3.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS 2 \$6.00

PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS

TOTAL COST \$231.00

FOR LESS THAN 2 ACRE LOTS: FEE: \$225.00

PLUS \$2.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS

PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS

TOTAL COST

OWNER/DEVELOPER INFORMATION:

NAME Harrison Landing, LLC - Scott Woodward

ADDRESS 2301 W. 1-44 Service Road, Suite 200, Oklahoma City, Oklahoma 73112

CONTACT NUMBERS 405-659-0079

EMAIL ADDRESS

PROJECT ENGINEER INFORMATION:

NAME Kaw Valley Engineering, Inc - Michael R. Osbourn, P.E.

ADDRESS 14700 W. 114th Terrace, Lenexa, Kansas 66215

CONTACT NUMBERS 913-894-5150

EMAIL ADDRESS mikeo@kveng.com

FOR STAFF USE ONLY

PROJECT NUMBER: 1160187 CASE NUMBER: 506-16

DATE: 02-04-16 AMOUNT PAID: \$231.00 RECEIPT NO. 01841999



**STAFF REPORT
Preliminary Plat
CASE #S09-16**

TO: Shawnee Planning Commission

AGENDA: May 4, 2016

RE: Belmont Park Phase II - Preliminary Plat

PROPOSAL

The applicant, Belmont Park LLC, is requesting preliminary plat approval for Belmont Park Phase II. The subject property is generally located at the North-east corner of MacArthur and Acme and is approximately 8.47 acres in size. The site is primarily zoned as Multi-Family Residential (R-3), but contains an area of Highway Commercial (C-3) along the southwest corner.

GENERAL INFORMATION

Applicant	Belmont Park LLC
Owner(s)	Belmont Park LLC
Site Location/Address	East of Acme Rd. & N. of MacArthur Blvd.
Current Site Zoning	Multi-Family Residential (R-3) & Highway Commercial (C-3)
Parcel Size	8.47 Acres
Comprehensive Plan Designation	Residential
Existing Land Use	Multi-Family Residential (R-3)
Surrounding Zoning	Multi-Family Residential (R-3), Residential Estates (RE), Suburban Office Commercial (C-2), Restrictive Automotive and Commercial Recreation (C-3)

STAFF REVIEW AND ANALYSIS

Belmont Park LLC submitted their preliminary application in March 2016 to develop a total of sixteen (16) lots on 8.47 Acres. Fourteen (14) lots are proposed for construction of duplexes, while two (2) lots shall be available for commercial use. Belmont Park Drive will be a private road, built to City standards and maintenance will remain the responsibility of the property owners. All residential driveways shall front upon Belmon Park Drive.

One major concern for the property is substantial existing pipeline easement that prohibits any and all construction upon it. Baring a letter from the organization holding rights to the easement, Blueknight Energy Partners, approval cannot be granted. Work intended within the pipeline easement includes:

1. A proposed ten (10') utility easement to be dedicated to the public and containing the public waterline intend to cross the pipeline easement.
2. Two (2) separate locations where a twenty (20') utility easement holding the public sewer line must traverse the pipeline easement.
3. Portions of the cul-du-sac to be constructed are within the pipeline easement.

The following is a detailed list of the proposed design:

1. Fourteen (14) single family residential lots and two (2) commercial lots on 8.47 acres
2. One (1) common area – 3.15 acres
3. Six (6') foot sidewalk along the full extent of the property, on both MacArthur Blvd. and Acme Rd.
4. Detention pond to mitigate storm water runoff.
5. Existing C-3 Zoning will contain two (2) commercial buildings with shared parking.
6. Sewer lines are properly designed to serve all lots within the subdivision.
7. Water lines are properly designed and looped to serve all lots within the subdivision.



Figure 1: Aerial Plat Map – approximate total area outlined in blue.

Staff has reviewed all details of the Preliminary Plat and find it to be in general conformance with City Codes. The City Engineer has provided the following notes in regards to conditions of approval, “Engineering can recommend approval of the Preliminary Plat contingent on water, sanitary sewer, detention, and paving construction plans being submitted and approved.”

STAFF RECOMMENDATION

Staff recommends **approval** of the proposed preliminary plat for the subject property with the following conditions:

1. A letter from Blue Knight must be presented to further any construction
2. Final construction documents must be approved by the City Engineer concurrent with Final Plat approval.
3. Any necessary drainage plans must be approved by the City Engineer concurrent with Final Plat approval.
4. All other applicable City standards apply.

Attachments

1. Figure 1: Aerial Plat Map
2. Figure 2: Zoning Map
3. Figure 3: Future Land Use Map
4. Exhibit 1: Preliminary Plat

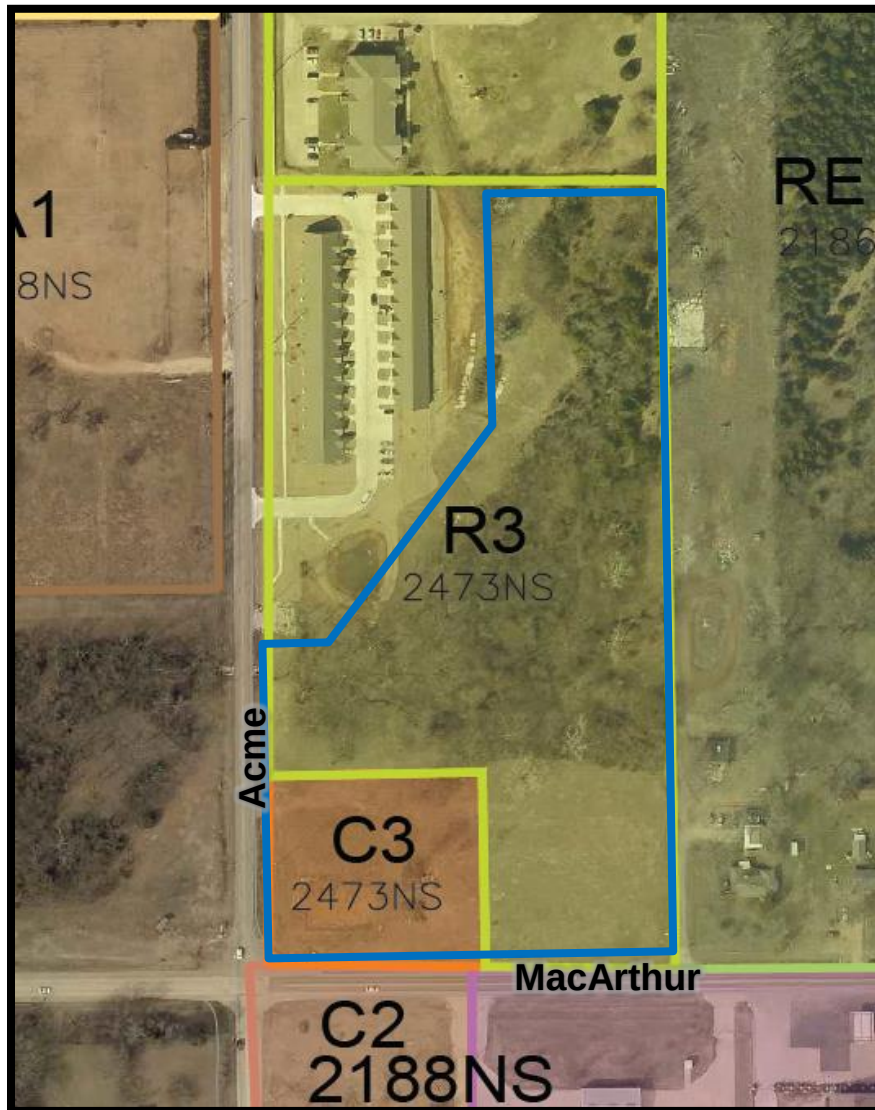


Figure 2: Zoning Map of site – approximate total area outlined in blue.

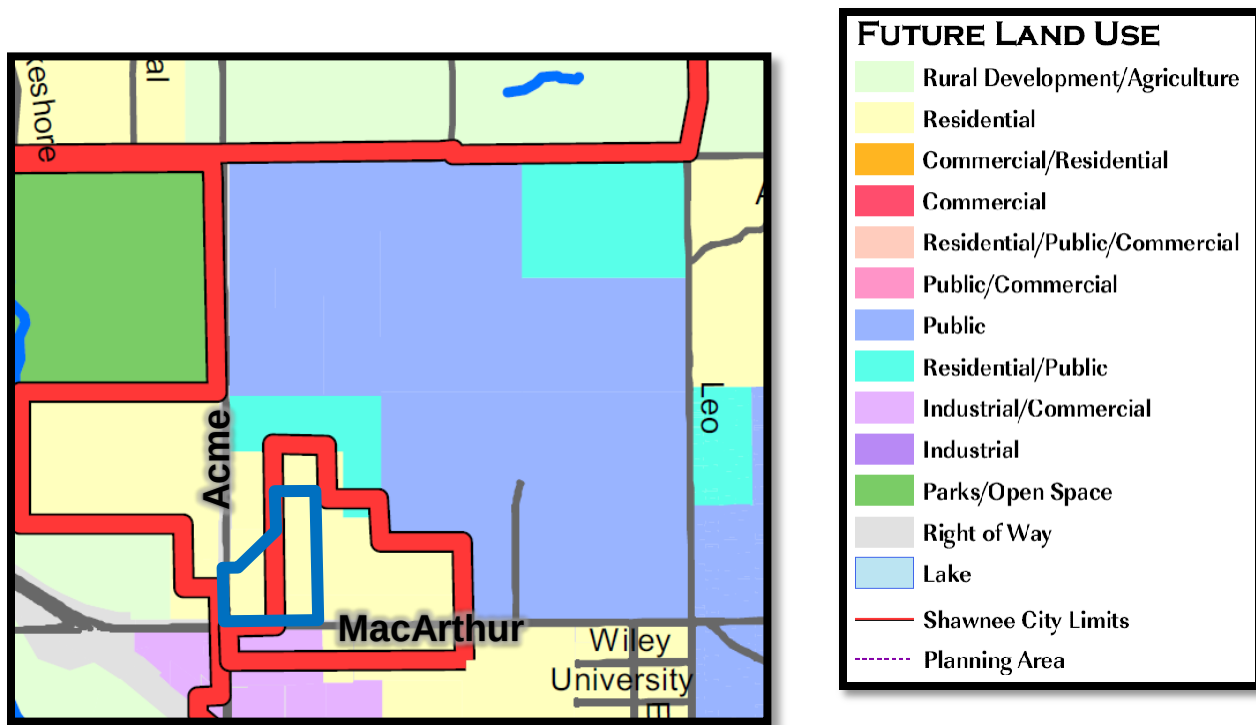


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map (Figure 4.2). Approximate area outlined in blue.

LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN THE SOUTHWEST QUARTER (SW/4) OF SECTION TWO (2), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW/4);
THENCE NORTH 00°34'33" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4), A DISTANCE OF 488.36 FEET TO THE SOUTHWEST CORNER OF BELMONT PARK ADDITION, AN ADDITION TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF;

THENCE ALONG THE SOUTH AND EAST LINES OF SAID ADDITION FOR THE FOLLOWING THREE (3) COURSES:

1. NORTH 89°22'51" EAST, A DISTANCE OF 103.10 FEET;
2. NORTH 26°09'10" EAST, A DISTANCE OF 348.85 FEET;
3. NORTH 00°34'33" WEST, A DISTANCE OF 308.99 FEET TO THE NORTHEAST CORNER OF SAID ADDITION;

THENCE NORTH 89°22'51" EAST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW/4), A DISTANCE OF 290.00 FEET;

THENCE SOUTH 00°34'33" EAST, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4), A DISTANCE OF 1,108.80 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW/4);

THENCE SOUTH 89°22'51" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 550.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 472,959 SQUARE FEET OR 10.8576 ACRES, MORE OR LESS.

THE BASIS OF BEARING FOR THE ABOVE-DESCRIBED TRACT OF LAND IS THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4) HAVING A PLATTED BEARING OF NORTH 00°34'33" WEST.

SUBDIVISION AREA: 6.36 ACRES (GROSS)

PROPOSED LOTS: 22

COMMON AREA: 3.55 ACRES

CURRENT ZONING: R3 (4.70 ACRES)
C3 (1.43 ACRES)

DENSITY: 8.94 UNITS/ACRE (R-3)

PRELIMINARY PLAT

BELMONT PARK ADDITION

PHASE 2

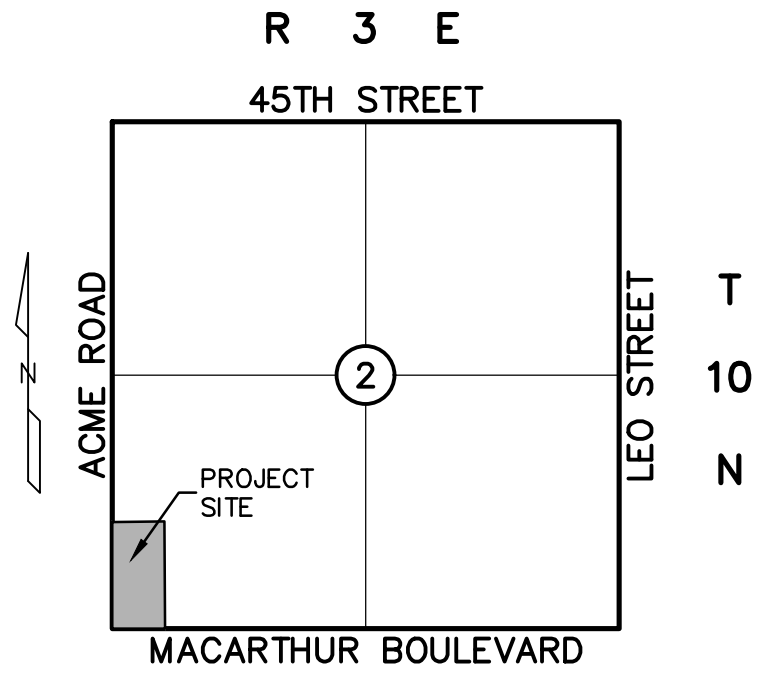
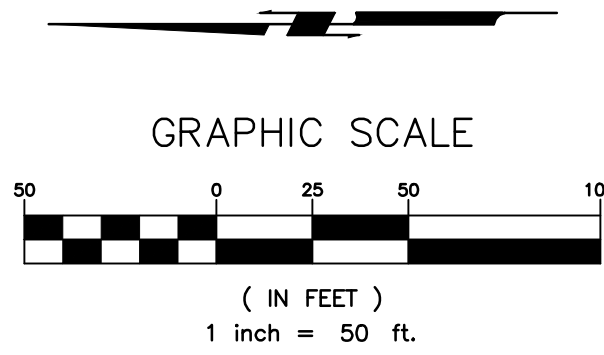
A TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWO (2), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA

OWNER:
BELMONT PARK, LLC
20 EAST 9TH STREET, SUITE 130
SHAWNEE, OKLAHOMA 74801
(405) 641-5878

ENGINEER:
GRUBBS CONSULTING, LLC
1819 S. MORGAN ROAD
OKLAHOMA CITY, OKLAHOMA 73128
(405) 265-0641
FAX: (405) 265-0649

NOTE:

1. MAINTENANCE OF COMMON AREAS AND PRIVATE STREETS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION. NO STRUCTURES, STORAGE OF MATERIAL, GRADING, FILL OR OTHER OBSTRUCTIONS, INCLUDING FENCES, EITHER TEMPORARY OR PERMANENT, SHALL BE PLACED WITHIN THE DRAINAGE RELATED COMMON AREAS AND/OR DRAINAGE EASEMENTS SHOWN. CERTAIN ADJACENTS SUCH AS, BUT NOT LIMITED TO, WALKS, BENCHES, PIERS, AND DOCKS SHALL BE PERMITTED IF INSTALLED IN A MANNER TO MEET THE REQUIREMENTS SPECIFIED ABOVE.
2. SHARED PARKING & ACCESS PERMITTED BETWEEN LOTS 1 & 2, BLOCK 1.



LOCATION MAP
SCALE: 1"=2000'

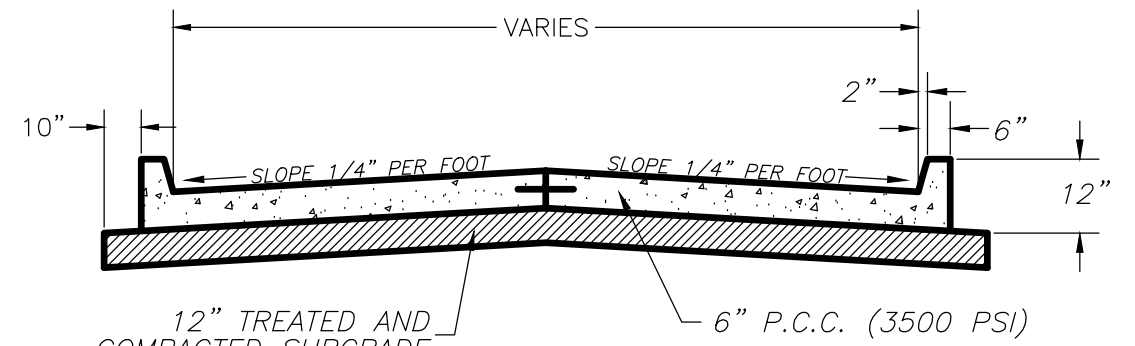
Legend

LNA = LIMITS OF NO ACCESS
B/L = BUILDING LINE
U/E = PUBLIC UTILITY EASEMENT
D/E = PUBLIC DRAINAGE EASEMENT
D & U/E = PUBLIC DRAINAGE & UTILITY EASEMENT
PDE = PRIVATE DRAINAGE EASEMENT
CA = COMMON AREA
ROW = RIGHT-OF-WAY
PS & U/E = PRIVATE STREET & UTILITY EASEMENT

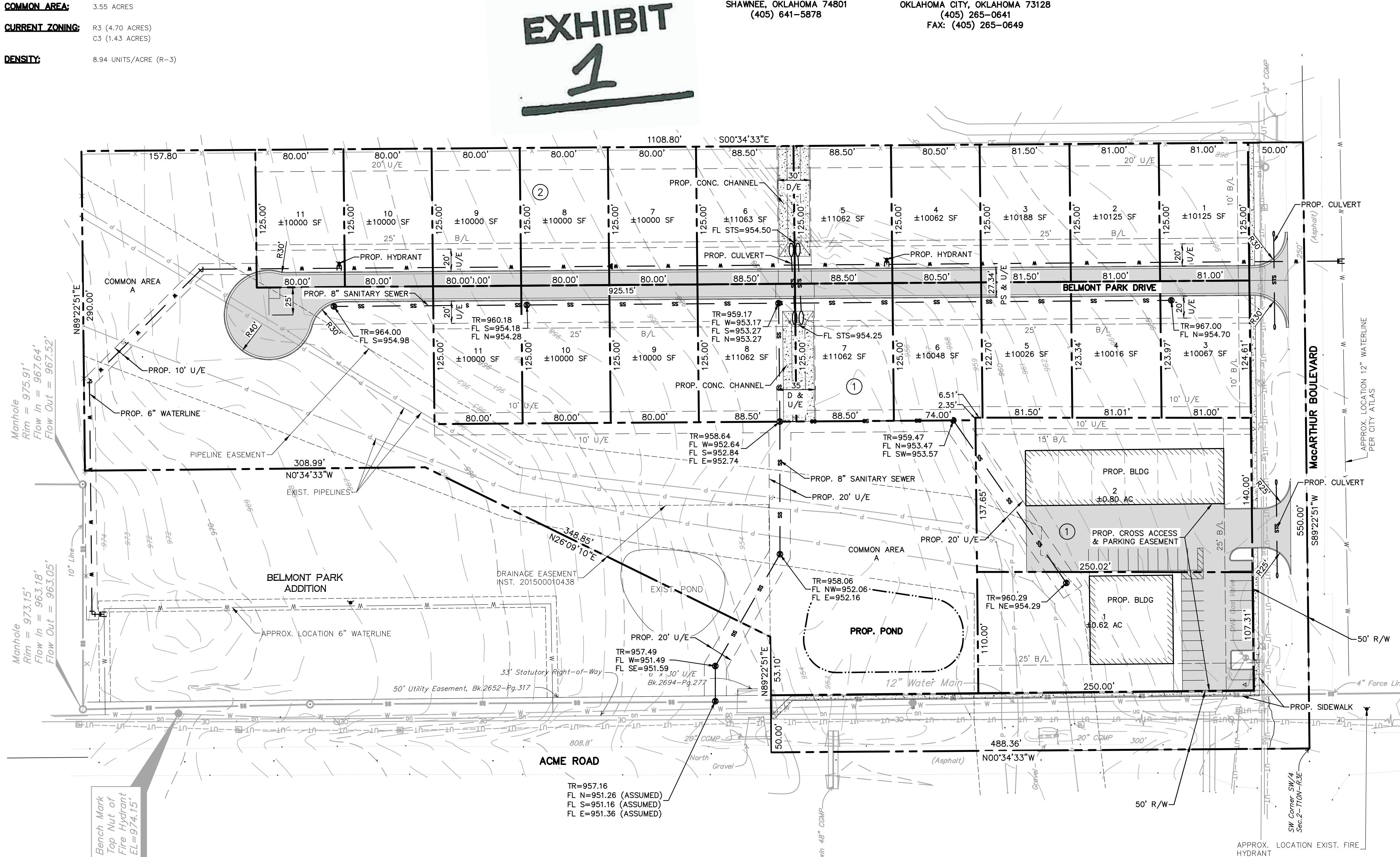
Lot Requirements

BUILDING SETBACKS: FRONT = 25 FEET
SIDE = 5 FEET
REAR = 10 FEET

MINIMUM AREA: 6,000 SQ. FT. (1 UNIT)
10,000 SQ. FT. (2-3 UNITS)
10,000 SQ. FT. + 2,000 SQ. FT./PER UNIT OVER 3



CURB & GUTTER - CONCRETE
TYPICAL GRADING AND SURFACING SECTION



GRUBBS CONSULTING, LLC
CIVIL ENGINEERING & LAND PLANNING
1819 S. Morgan Road
Oklahoma City, OK 73128
Phone: (405) 265-0641
Fax: (405) 265-0649

GRUBBS CONSULTING, LLC. CERTIFICATE OF AUTHORIZATION NO. CA 5115 EXP. 06/30/16

PRELIMINARY PLAT 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: 509-16
Project Number: 160302
Date Filed: 3-3-2016
Amount Paid: \$257.00
Receipt No.: 01852962

Please provide a submittal letter, 6-24 X 36 maps, 1-8 1/2 x 14 map, 1 electronic map and filing fees upon submitting this application. Please call 878-1616 with any questions.

APPLICANT Belmont Park LLC
APPLICANT ADDRESS 20 E 9th Street, Suite 130, Shawnee 74801
APPLICANT PHONE NUMBERS 405-641-5878
EMAIL ADDRESS jramer27@gmail.com
NAME OF PLAT BELMONT PARK PH 2
LOCATION East of Acme Rd & north of MacArthur Blvd
NUMBER OF ACRES 8.47 NUMBER OF LOTS 16

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS: FEE: \$225.00
PLUS \$3.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS _____
PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS _____
TOTAL COST _____

FOR LESS THAN 2 ACRE LOTS: FEE: \$225.00
PLUS \$2.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS 16 32.00
PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS _____
TOTAL COST 257.00

OWNER/DEVELOPER INFORMATION:

NAME Belmont Park LLC
ADDRESS 20 E 9th St, Suite 130, Shawnee 74801
CONTACT NUMBERS 405-641-5878
EMAIL ADDRESS jramer27@gmail.com

PROJECT ENGINEER INFORMATION:

NAME Grubbs Consulting LLC c/o Mark Grubbs
ADDRESS 1819 S Morgan Rd, OKC 73128
CONTACT NUMBERS 405-265-0641
EMAIL ADDRESS mark.grubbs@gc-okc.com

APPLICATION, SITE PLAN, CONSTRUCTION DOCUMENTS, PAYMENT, ETC... MUST BE RECEIVED 30 DAYS PRIOR TO MEETING



STAFF REPORT
Final Plat
CASE #S11-16

TO: Shawnee Planning Commission

AGENDA: May 4, 2016

RE: Rolling Hills Final Plat

PROPOSAL

The applicant, Absentee Shawnee Housing Authority, is requesting final plat approval for the Rolling Hills Addition. The subject property is generally located at the north-east corner of Main and Bryan and is approximately 9.38 acres in size. The site is currently zoned Residential (R-1) and had been previously platted.

GENERAL INFORMATION

Applicant	Absentee Shawnee Housing Authority
Owner(s)	Absentee Shawnee Housing Authority
Site Location/Address	NE Corner of Main and Bryan
Current Site Zoning	Residential (R-1)
Parcel Size	9.38 Acres
Comprehensive Plan Designation	Residential
Existing Land Use	Residential (R-1)
Surrounding Zoning	Residential (R-1)

STAFF REVIEW AND ANALYSIS

The Absentee Shawnee Housing Authority had previously, in May of 2012, received Final Plat approval for the Rolling Hills Addition to develop 26 lots. The development never came to fruition and has therefore remained vacant. In August of 2014, the neighboring property to the east, with a vacant residential home, was purchased by the Absentee Shawnee Housing Authority. A conditional use permit (CUP) was applied for, and approved, on the newly purchased property to allow a new use within the existing residential home – a community center.

The newly revised plat will combine both properties, and the following is a detailed list of the proposed design:

1. Twenty-four (24) single family residential lots on 9.38 acres
2. One (1) common area – 2.29 acres
3. One (1) existing residential home, located on Lot 11, will remain and continue to front upon N. Bryan Ave.
4. Four (4') foot sidewalk along the full extent of the property, on both Bryan Ave. and Main St.
5. Half-street and full-street improvements along Main St.
6. Detention pond to mitigate storm water runoff
7. Existing community center to remain with a privately created five (5') foot walking trail as an amenity.
8. Sewer lines are properly designed to serve all lots within the subdivision.
9. Water lines are properly designed and looped to serve all lots within the subdivision.



Figure 1: Aerial Plat Map – approximate total area outlined in blue.

Staff has reviewed all details of the final plat and find it to be in general conformance with City Codes.

STAFF RECOMMENDATION

Staff recommends **approval** of the proposed preliminary re-plat for the subject property with the following conditions:

1. Final construction documents must be approved by the City Engineer prior to construction.
2. The final engineered drainage plan must be approved by the City Engineer prior to construction
3. All other applicable City standards apply.

Attachments

1. Figure 1: Aerial Plat Map
2. Figure 2: Zoning Map
3. Figure 3: Future Land Use Map
4. Exhibit 1: Preliminary Plat



Figure 2: Zoning Map of site – approximate total area outlined in blue.

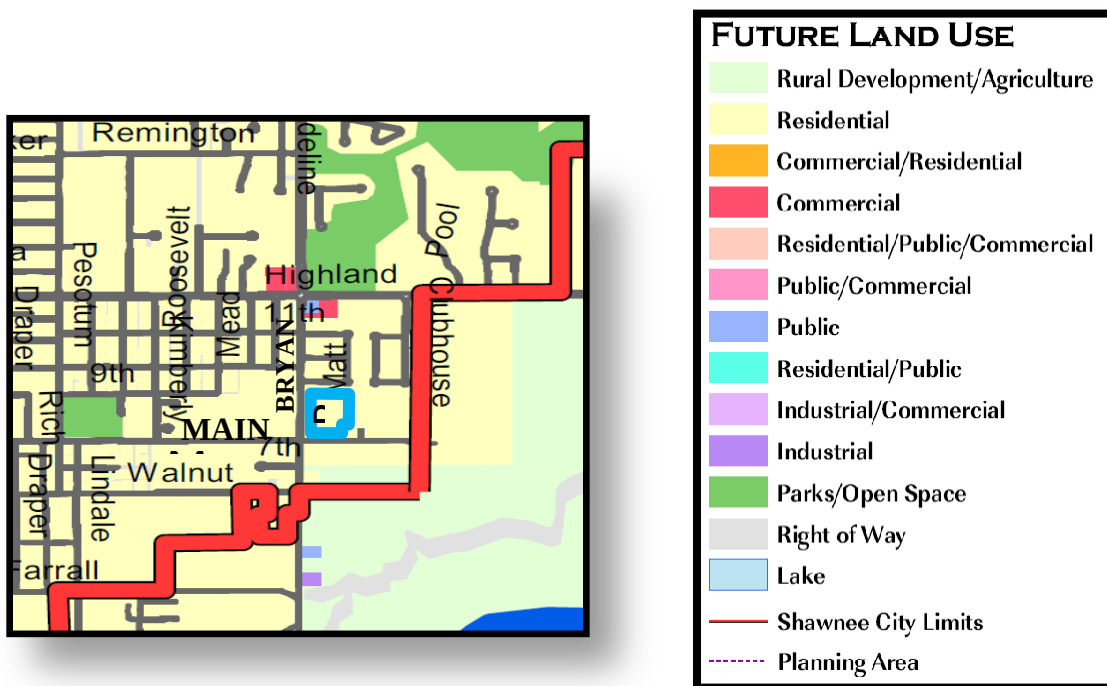
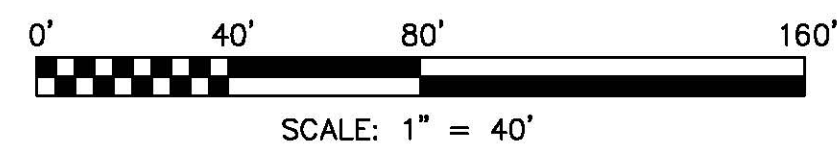
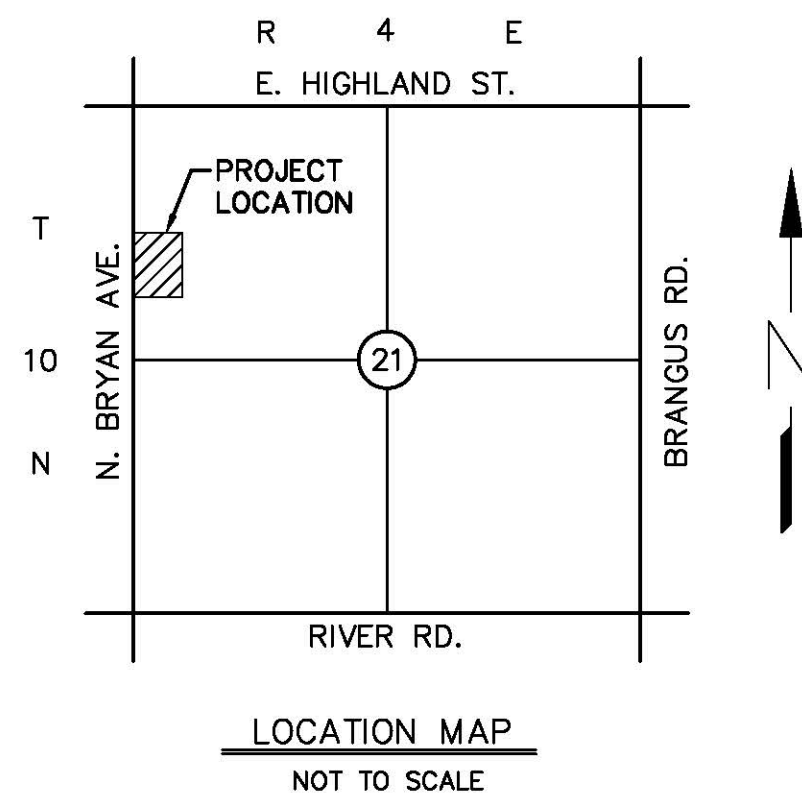
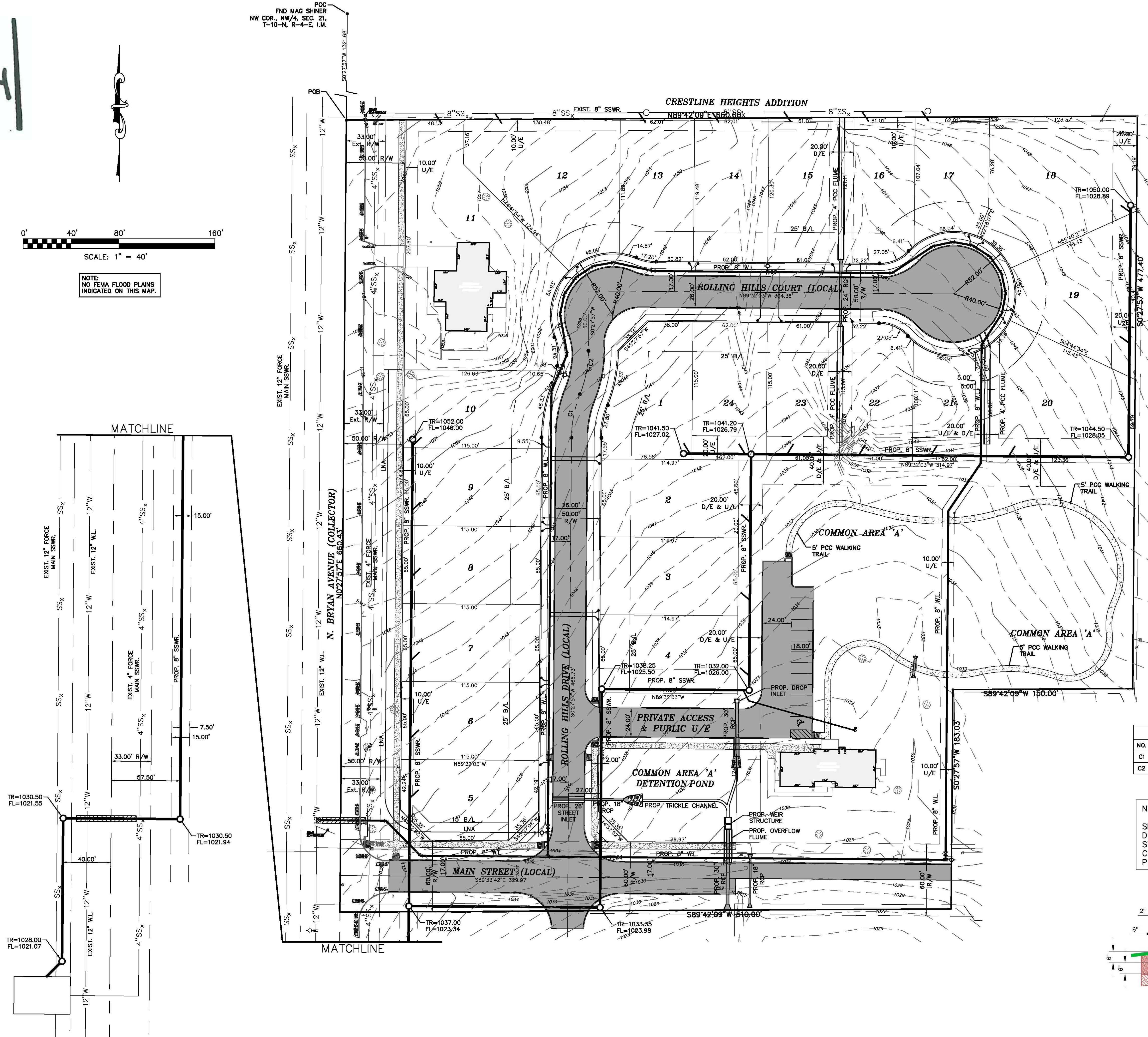


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map (Figure 4.2). Approximate area outlined in blue.



NOTE:
NO FEMA FLOOD PLAINS
INDICATED ON THIS MAP.



LEGAL DESCRIPTION

A tract of land being a part of the Northwest Quarter (NW/4) of Section Twenty One (21), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as follows:

COMMENCING at the Northwest corner of said Northwest Quarter (NW/4), thence South 00°27'57" West along the West line of said Section Twenty One (21) a distance of 1321.68 feet to THE POINT OF BEGINNING:

Thence North 89°42'09" East, a distance of 660.00 feet;
Thence South 00°27'57" West, a distance of 477.40 feet;
Thence South 89°42'09" West, a distance of 150.00 feet;
Thence South 00°27'57" West, a distance of 183.03 feet;
Thence South 89°42'09" West, a distance of 510.00 feet;
Thence North 00°27'57" East, a distance of 660.43 feet;
THE POINT OF BEGINNING.

Said described tract containing 408,393.05 square feet or 9.375 acres, more or less.

OWNER/CLIENT:

THE HOUSING AUTHORITY OF THE
ABSENTEE SHAWNEE TRIBE OF OKLAHOMA
107 N. KIMBERLY
SHAWNEE, OK 74801

CONTACT: AMANDA RAMIREZ
(405) 273-1050

ALT. CONTACT: BOB SHEPPARD
(405) 273-1050

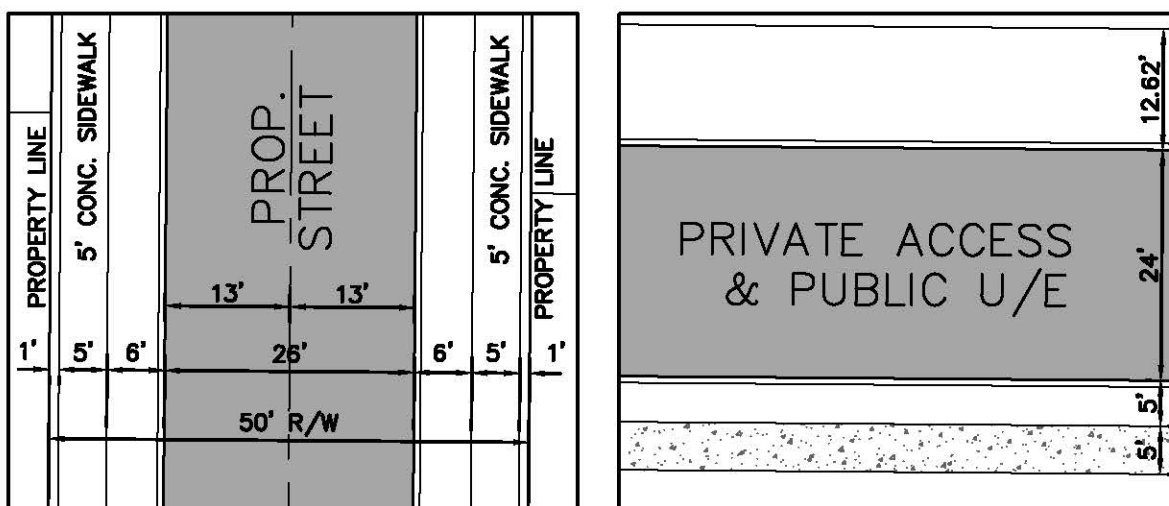
ZONING: R1

AREA: 9.38 AC.
COMMON AREA: 2.29 AC.
TOTAL NO. LOTS: 24

OKLAHOMA STATE PLANE COORDINATE
SYSTEM, OKLAHOMA SOUTH ZONE
HORIZONTAL DATUM: NAD 83
VERTICAL DATUM: NAVD 88

BENCHMARK #1 ELEVATION = 1040.99
OUT "x" TOP OF CURB, N.W. COR.
INTERSECTION OF N. BRYAN AVE. & E.
MAIN STREET

BENCHMARK #2 ELEVATION = 1080.06
OUT "x" TOP OF CURB, EAST SIDE OF N.
BRYAN AVE. IN LINE WITH NORTH LINE
OF SUBJECT PROPERTY



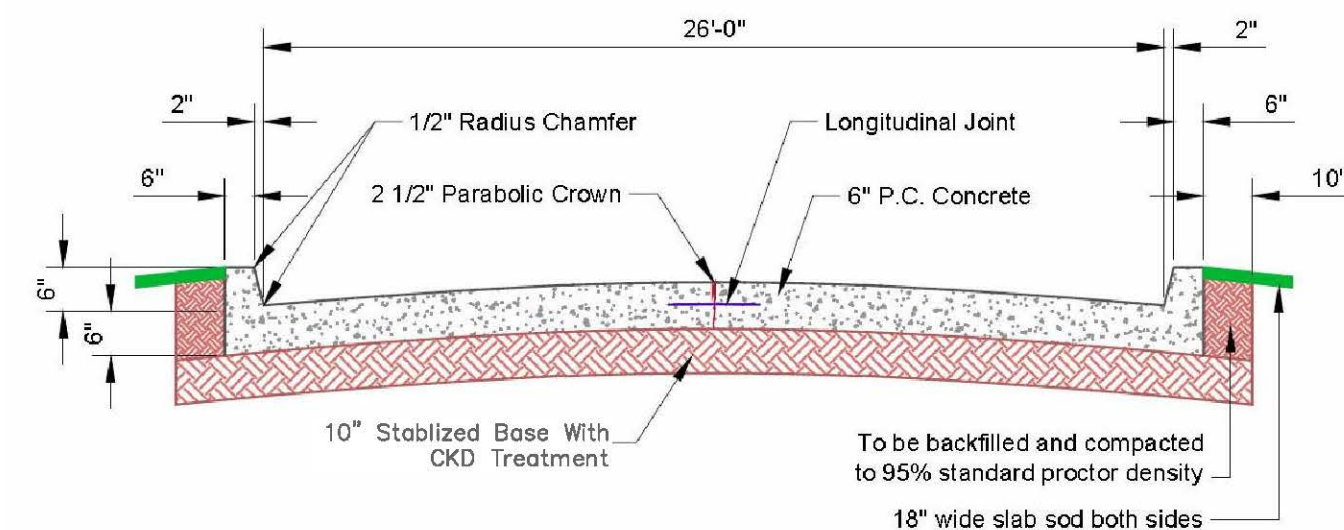
TYP. DIMENSIONS
FOR STREET/ROW
LAYOUT

CURVE TABLE

NO.	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD LENGTH	CHORD DIRECTION
C1	100.00	37.07	21°14'13"	18.75	36.85	N 11°05'03" E
C2	100.00	37.07	21°14'13"	18.75	36.85	N 11°05'03" E

NOTE:

SIDEWALKS WITHIN COMMON AREAS TO BE CONSTRUCTED BY DEVELOPER, PER CITY CODE. SIDEWALKS WITHIN MAIN STREET OR N. BRYAN AVENUE RIGHT-OF-WAYS TO BE CONSTRUCTED BY DEVELOPER, PER CITY CODE. SIDEWALK PLAN TO BE APPROVED PRIOR TO CONSTRUCTION.



• TYPICAL SECTION •
26' P.C. CONCRETE PAVING
(STABILIZED SOIL BASE)

ROLLING HILLS ADDITION
PART OF THE NW/4 SEC. 21, T-10-N, R-4-E, I.M.
SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA
PRELIMINARY PLAT

RED PLAINS
PROFESSIONAL, INC.
CIVIL ENGINEERING • GIS • PLANNING • CONSTRUCTION MANAGEMENT
www.rap-plains.com

PRELIMINARY

This document is released for the purpose of interim plan review under the authority of Sean P. McGraw, P.E. 26495, Thursday, February 4th, 2016. It is not to be used for construction, bidding, and/or permitting purposes.



Red Plains Professional, Inc.
2833 South Bryant Ave.
Edmond, Oklahoma 73013
Telephone: (405) 341-4031
FAX: (405) 341-4037

CERTIFICATE OF AUTHORIZATION
NO. 2926
JUNE 30, 2017

Proj. 21118
SHT. 1

OWNER'S CERTIFICATE AND DEDICATION

The undersigned, THE HOUSING AUTHORITY OF THE ABSENTEE SHAWNEE TRIBE OF OKLAHOMA, does hereby certify that they are the owners and only persons, firms or corporations having any right, title or interest in the surface rights to the land shown on the final plat of ROLLING HILLS ADDITION, SECTION 1, a subdivision of a part of the NW/4, Section 21, T10N, R4E, I.M., Pottowatomie, Oklahoma, and does further certify:

That the owners to the title to said surface rights, hereby dedicate the Streets and Avenues shown on said plat for the use of the public and its successors and assigns, and subject to; oil, gas and mineral rights which have been, or are hereby reserved in their entirety, rights of oil, gas and mineral lessee's, present and future, which may include, among other rights, the right to lay pipe lines and build various appurtenances and structures necessary to remove oil, gas and minerals per terms of their lease agreements; easements, encumbrances, encroachments, rights-of-way and mortgages of record and exceptions as listed in the Bonded Abstractor's Certificate.

That the area indicated on said plat as Utility and/or Drainage Easements are hereby reserved for the purpose of locating, constructing, erecting, maintaining, conducting and performing any public or quasi public utility function or service above or beneath the surface of the ground, with rights of ingress and egress at any time for the purpose of installation, repair, operation and removal of any such public or quasi public utility.

That said property covered by said plat and dedication is covered by certain restrictions, reservations and covenants in a separate instrument which may be filed subsequent to the filing of said plat and dedications.

THE HOUSING AUTHORITY OF THE
ABSENTEE SHAWNEE TRIBE OF OKLAHOMA

, Manager

State of Oklahoma)
County of Oklahoma) ss

Before me the undersigned, a Notary Public in and for said County and State on this ____ day of ____, 20__, personally appeared ____ to me known to be the identical person who subscribed the name of the maker thereof to the above and foregoing instrument as its Manager and acknowledged to me that she executed the same as the free and voluntary act and deed of said company for the uses and purposes thereon set forth.

My Commission Expires: ____

Notary Public

BONDED ABSTRACTER'S CERTIFICATE

The undersigned, duly qualified and lawfully Bonded Abstractor of Titles in and for Pottowatomie, State of Oklahoma, hereby certify that the records of proper officials of said County show that title to the land included in the annexed plat of ROLLING HILLS ADDITION, SECTION 1, a subdivision of a part of the Northwest 1/4, Section 21, T10N, R4E, I.M., an addition to the City of Shawnee, Pottowatomie, Oklahoma, is vested in THE HOUSING AUTHORITY OF THE ABSENTEE SHAWNEE TRIBE OF OKLAHOMA, and that on this ____ day of ____, 20__, there are no actions pending or judgments of any nature in any court or on file with the Clerk of any court in said County and State, against said land or owners thereof, that the taxes are paid for the year 20__, and all prior years and that no outstanding tax liens, mortgages or other encumbrances of any kind are against said land with the annexed plat.

EXCEPT:

Easements, Rights-of-way and Mortgages of record

Attest: FIRST AMERICAN TITLE & TRUST COMPANY

Secretary Vice-President

State of Oklahoma)
County of Oklahoma) ss

Before me, the undersigned, a Notary Public in and for said County and State on this ____ day of ____, 20__, personally appeared ____ to me known to be the identical person who signed the name of the maker thereof to the within and foregoing instrument as its President and acknowledged to me that she executed the same as ____ free and voluntary act and deed and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My Commission Expires: ____

Notary Public

SURVEYOR'S CERTIFICATE

I, Greg J. Massey, a Registered Land Surveyor in the State of Oklahoma, do hereby certify that the annexed plat ROLLING HILLS ADDITION, SECTION 1, represents a survey made under my supervision, and that all monuments shown thereon actually exist and their relative positions are correctly shown. This survey meets the Oklahoma Minimum Standards for the Practice of Land Surveyors as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors; and that said Final Plat complies with the requirements of Title II Section 41-108 of the Oklahoma State Statutes.

Greg J. Massey, P.L.S.

#1313

State of Oklahoma)
County of Oklahoma) ss

Before me the undersigned, a Notary Public in and for said County and State on this ____ day of ____, 20__, personally appeared Greg J. Massey to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

My Commission Expires: ____

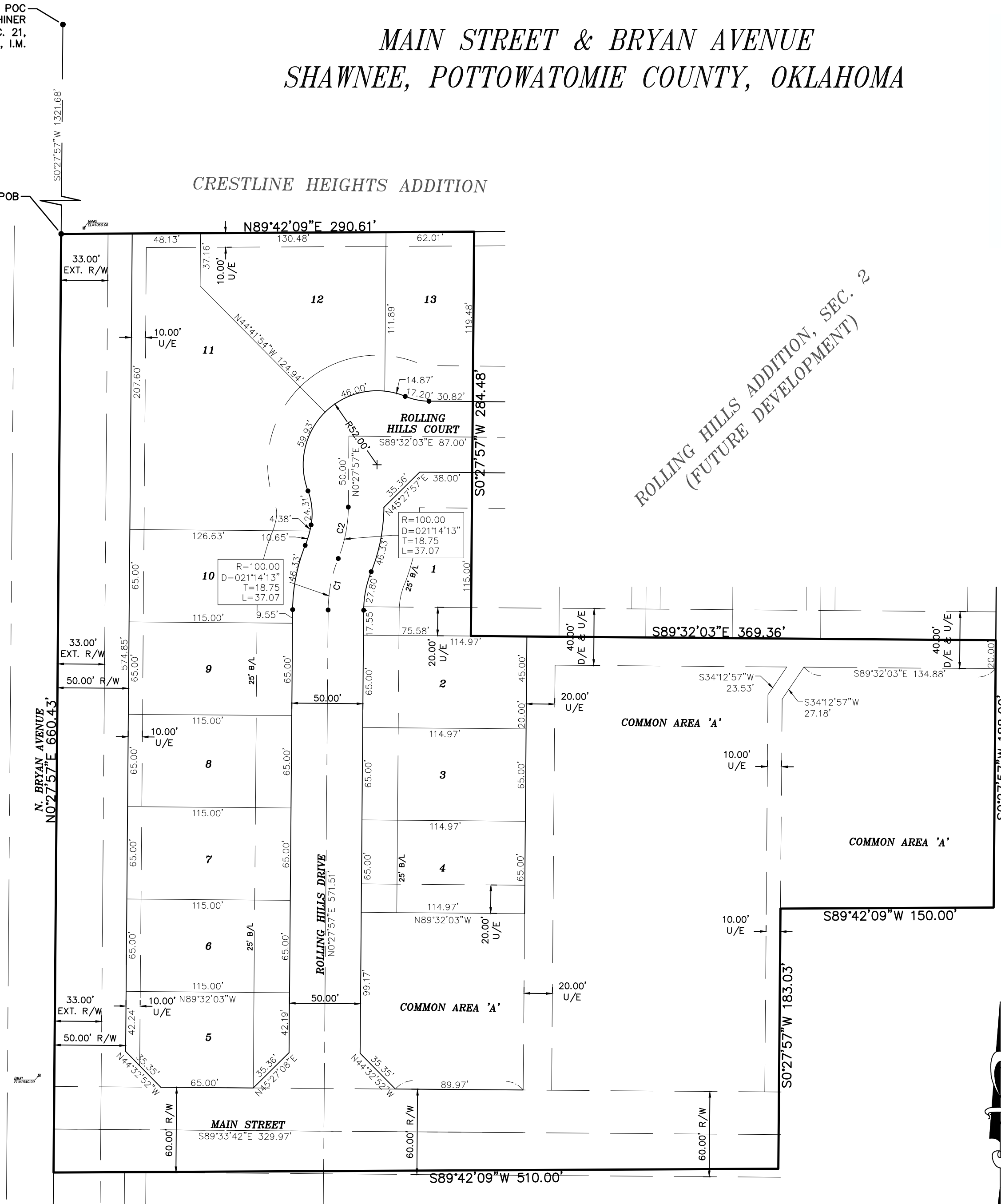
Notary Public

FINAL PLAT

ROLLING HILLS ADDITION, SECTION 1

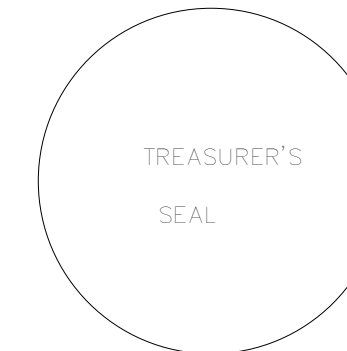
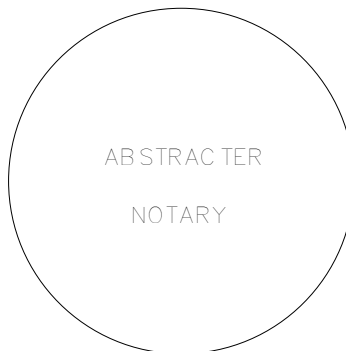
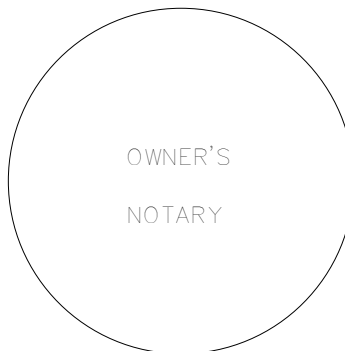
MAIN STREET & BRYAN AVENUE
SHAWNEE, POTTOWATOMIE COUNTY, OKLAHOMA

CRESTLINE HEIGHTS ADDITION



CURVE TABLE					
NO.	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD DIRECTION
C1	100.00	37.07	21°14'13"	18.75	36.85 N 11°05'03" E
C2	100.00	37.07	21°14'13"	18.75	36.85 N 11°05'03" E

0' 60' 120' 240'
SCALE: 1" = 60'



CITY PLANNING COMMISSION APPROVAL

I, _____, Planning Director of the City of Shawnee do certify that the Shawnee City Planning Commission duly approved this Plat on the ____ day of _____, ____.

PLANNING DIRECTOR

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

BE IT HEREBY RESOLVED by the Council of the City of Shawnee, Oklahoma, that the dedications shown on the annexed plat of ROLLING HILLS ADDITION, SECTION 1 an addition to the City of Shawnee, Oklahoma are hereby accepted, adopted by the Council of the CITY OF SHAWNEE, OKLAHOMA this ____ day of ____, 20__.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATE OF CITY CLERK

I, _____, City Clerk of the CITY OF SHAWNEE, OKLAHOMA, hereby certify that I have examined the records of the said CITY OF SHAWNEE, and find that all deferred payments or unmatured installments upon special assessments have been paid in full and that there is no special assessment procedure now pending against the land on the annexed plat of ROLLING HILLS ADDITION, SECTION 1, an addition to the CITY OF SHAWNEE, OKLAHOMA, on this ____ day of _____, 20__.

CITY CLERK

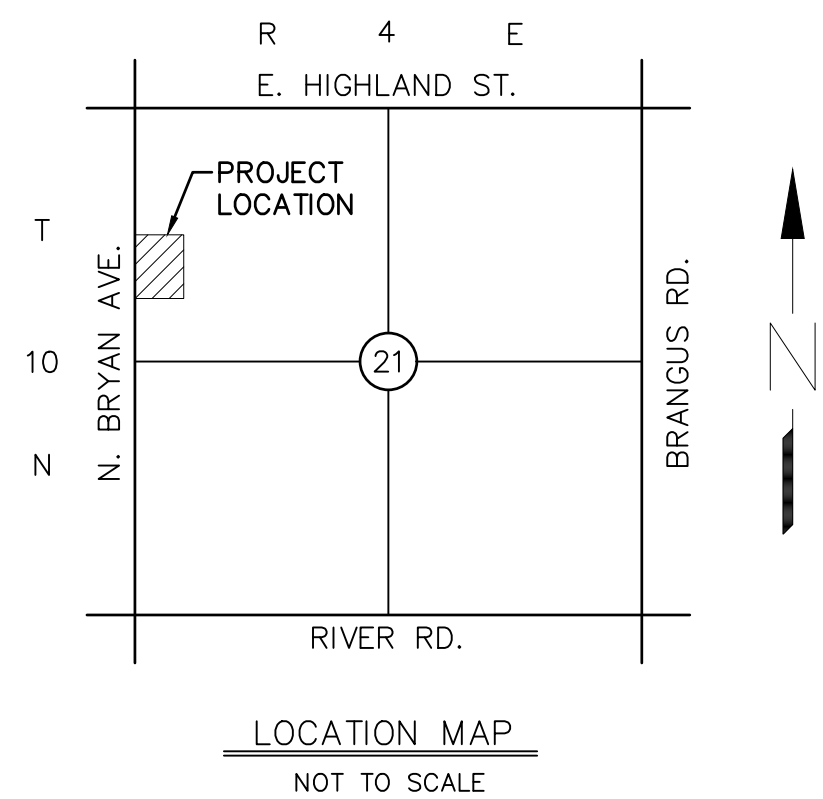
COUNTY TREASURER'S CERTIFICATE

I, _____, do hereby certify that I am the duly elected qualified and acting County Treasurer of POTTOWATOMIE COUNTY, STATE OF OKLAHOMA, that the tax records of said County show that all taxes are paid for the year 20__ and prior years on the land shown on the annexed plat of ROLLING HILLS ADDITION, SECTION 1, an addition to the CITY OF SHAWNEE, POTTOWATOMIE COUNTY, OKLAHOMA, and that the required statutory security has been deposited in the Office of the County Treasurer, guaranteeing payment of current years taxes.

IN WITNESS WHEREOF, said County Treasurer has caused this instrument to be executed at the CITY OF SHAWNEE, OKLAHOMA, this ____ day of _____, 20__.

COUNTY TREASURER

LEGAL DESCRIPTION
A tract of land being a part of the Northwest Quarter (NW/4) of Section Twenty One (21), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottowatomie County, Oklahoma, more particularly described as follows:
COMMENCING at the Northwest corner of said Northwest Quarter (NW/4), thence South 00°27'57" West along the West line of said Section Twenty One (21) a distance of 1321.68 feet to
THE POINT OF BEGINNING:
Thence North 89°42'09" East, a distance of 290.61 feet;
Thence South 00°27'57" West, a distance of 284.48 feet;
Thence South 89°32'03" East, a distance of 369.36 feet;
Thence South 00°27'57" West, a distance of 188.00 feet;
Thence South 89°42'09" West, a distance of 150.00 feet;
Thence South 00°27'57" West, a distance of 183.03 feet;
Thence North 89°42'09" East, a distance of 510.00 feet;
Thence North 00°27'57" East, a distance of 660.43 feet;
THE POINT OF BEGINNING.
Said described tract containing 302,410.62 square feet or 6.9424 acres, more or less.



LOCATION MAP
NOT TO SCALE

OKLAHOMA STATE PLANE COORDINATE
SYSTEM, OKLAHOMA SOUTH ZONE
HORIZONTAL DATUM: NAD 83
VERTICAL DATUM: NAVD 88

BENCHMARK # 1 ELEVATION = 1040.99
CUT "X" TOP OF CURB, N.W. CORNER
INTERSECTION OF N. BRYAN AVE. & E. MAIN STREET

BENCHMARK # 2 ELEVATION = 1060.06
CUT "X" TOP OF CURB, EAST SIDE OF N. BRYAN AVE. IN LINE WITH NORTH LINE OF SUBJECT PROPERTY

RED PLAINS
PROFESSIONAL INC.

2933 S. Bryan Avenue, Edmond, Oklahoma 73013
Telephone: 405-341-4031, Fax: 405-341-4037
Certificate of Authorization No. 2936 June 30, 2017

FINAL PLAT 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: 511-16
Project Number: 1160388
Date Filed: 3-21-16
Amount Paid: \$264.00
Receipt No.: 018611689

Please provide a submittal letter, 6-24 X 36 maps, 1-8 1/2 x 14 map, 1 electronic map and filing fees upon submitting this application. Please call 878-1616 with any questions.

APPLICANT The Absentee Shawnee Housing Authority
APPLICANT ADDRESS 107 N. Kimberly, Shawnee, OK 74801
APPLICANT PHONE NUMBERS 405-273-1050
EMAIL ADDRESS ARamirez@ashousingauthority.com
NAME OF PLAT Rolling Hills Addition, Phase I
LOCATION NE Corner of Main / Bryan
NUMBER OF ACRES 6.9424 NUMBER OF LOTS 13

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS: FEE: \$225.00
PLUS \$3.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS 13 \$39
PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS — —
TOTAL COST \$264.00

FOR LESS THAN 2 ACRE LOTS: FEE: \$225.00
PLUS \$2.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS — —
PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS — —
TOTAL COST —

OWNER/DEVELOPER INFORMATION:

NAME The Absentee Shawnee Housing Authority
ADDRESS 107 N. Kimberly, Shawnee, OK 74801
CONTACT NUMBERS 405-273-1050
EMAIL ADDRESS ARamirez@ashousingauthority.com

PROJECT ENGINEER INFORMATION:

NAME Sean McGraw (Red Plains Professional, Inc.)
ADDRESS 2933 S. Bryant Ave., Edmond, OK 73013
CONTACT NUMBERS 405-341-4031
EMAIL ADDRESS Sean.McGraw@red-plains.com

APPLICATION, SITE PLAN, CONSTRUCTION DOCUMENTS, PAYMENT, ETC... MUST BE RECEIVED 30 DAYS PRIOR TO MEETING



Community Development Department

STAFF REPORT

TO: Shawnee Planning Commission

AGENDA: May 4, 2016

RE: Ground Floor Residential Ordinance

Proposed is an ordinance amending the Shawnee Zoning Code, Section 22-165.7 – Residential Standards in C-4 Zone. Generally, this ordinance will provide for ground floor residential allowances within the Downtown Core District (DCD), under specific guidelines.

Prior to adoption of the amended Zoning Code on June 2, 2014, residential allowance were not allowed, unless a grandfathered use could be presented. When the amended Shawnee Zoning Code was adopted, standards were set in place to allow ground floor residential uses within the C-4 district outside of the DCD (Exhibit 1). Within the DCD, only upper floor residential is currently allowed by right.

These changes were a significant step in the right direction to provide mixed use allowances in the downtown area. Since these changes were implemented, Staff has been approached on numerous occasions with prospective buyers of downtown property with the hopes to establish residential living quarters in the upper floors. Unfortunately, because of existing residential codes (universally adopted by the state), as they apply to historic structures, it has not been financially viable for property owners to meet minimum safety standards, while producing basic upper floor residential living. As a result, none of these projects came to fruition.

For Downtown to thrive, Staff believes multi-family residential use will present the best opportunity for downtown residential growth, as it tends to be more financially feasible. By allowing incidental, ground floor residential uses more opportunity are present to fill such a need. While making sure commercial uses remain fronting upon the primary right-of-way and continuing to be the primary use, ground floor residential allowances should not affect the character of downtown.

By obtaining greater residential use downtown, many current issues have a chance to be resolved:

1. An increased residential presence will provide an economic base for existing/potential restaurants and businesses, allowing them to thrive downtown. Currently, the downtown area

lacks a residential population that can support current and future downtown businesses at a base line.

2. Issues with safety have the ability to better themselves organically. The term, “eyes on the street,” coined by Jane Jacobs, describes the idea that streets with plenty of activity and, most of all, custodians who care about what goes on in them, will be safe and secure streets. More residents mean more people active on the streets, day and night, providing a better sense of security and comfort in numbers. These “eyes,” include store owners, residents, and visitors. In many cases, this can result in reduced crime rates.
3. An increased residential population downtown will foster a need for an active, bustling downtown at night. Businesses and restaurants will have reason to stay open in the evenings.

The residual effects of increased residential use are numerous:

1. Existing shops become convenient for the increased residential population.
2. Increased number of diners looking for convenient places to eat and drink.
3. Increased demand for grocery stores and other service establishments to provide daily needs.
4. Increased demand and support for localized police enforcement.
5. Increased viability for future development, as the downtown is far from critical mass and will continue to improve with continued investment.
6. The needs of residential property owners will provide a need for diversity in the commercial market downtown.

One of the greatest and most unique qualities present in historic downtowns is the infrastructure that is already in place that represents the desires of many present day citizens. Concepts such as walkability, pedestrian-centered design, and mixed-use - these already exist.

Staff is proposing an ordinance that will allow for ground floor residential use within the DCD, under the following conditions:

1. Approval by conditional use permit (CUP). The variety of space and design in regards to downtown properties require a need to explore requests on a case-by-case basis. Between the variety of uses unique to each building and general diversity in structural size, not all requests for ground floor residential, even following specific guidelines, would be considered in the best interest of health, safety, and welfare of all citizens. A CUP will allow the Commission to evaluate the unique aspects of each case.
2. Residential must be accessory to the commercial, ground floor use. Commercial space must be the greater of the two, accounting for at least 50% of the ground floor space.
3. The commercial space must always front upon the primary street right-of-way. Staff is confident that with this provision the character and qualities we love so much about downtown Shawnee will remain.

Lastly, ground floor residential use, as opposed to strictly upper floor allowances, provides a fair opportunity for affordable ADA accessibility measures to residential space. Furthermore, such an ordinance will allow all property owners downtown, even in single story buildings, the opportunity to apply for ground floor allowances.

Justin DeBruin

Community Development Director

222 N. Broadway

Shawnee, OK 74801

(405) 878 - 1665

justin.debruin@shawneeok.org

DOWNTOWN CORE DISTRICT

EXHIBIT
1

HIGHLAND

ELEVENTH

TENTH

NINTH

MAIN

MARKET

BEARD

BROADWAY

HIGHLAND

TENTH

NINTH

MAIN

SEVENTH

ELEVENTH

PHILADELPHIA

OKLAHOMA

HIGHLAND

ELEVENTH

TENTH

NINTH

MAIN

LEGEND



DOWNTOWN CORE DISTRICT



C4 ZONING

SHAWNEE, OKLAHOMA

0 125 250 500 Feet

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RESPONSIBILITY OR THE LIABILITY OF THE CITY OF SHAWNEE.

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CITY OF SHAWNEE
ORDINANCE NO. _____

AN ORDINANCE AMENDING THE SHAWNEE MUNICIPAL CODE, CHAPTER 22: PLANNING AND DEVELOPMENT, AS MORE SPECIFICALLY SET FORTH HEREIN, TO ALLOW FOR GROUND FLOOR RESIDENTIAL USES AS AN ACCESSORY USE WITHIN THE DOWNTOWN CORE DISTRICT, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Shawnee Planning Commission approved Ordinance #2545NS on June 2, 2014 adopting the amended City of Shawnee Zoning Code; and

WHEREAS, the Shawnee Planning Commission has reviewed design standards for the Central Business District (C-4) and recommends that said standards be adopted; and

WHEREAS, the Shawnee City Commission finds that amendment of the Shawnee Zoning Code, promotes the public good and protects public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA THAT THE SHAWNEE MUNICIPAL CODE BE AMENDED AS FOLLOWS:

SECTION 1: AMENDATORY. Section 22-165.7 of Article VI, Chapter 22 of the Shawnee Municipal Code is hereby amended to read as follows:

SECTION 22-165.7 RESIDENTIAL STANDARDS IN C-4 ZONE

All residential construction in the C-4 Zoning District shall adhere to the following standards:

- A. For the purposes of implementing this Section, “existing” shall mean structures that were in existence at the time of original adoption of this ordinance.
- B. For the purposes of implementing this Section, “ground floor” shall mean the first floor of a building other than a cellar or basement.
- C. For the purpose of implementing this Section, “accessory ground floor residential” shall mean a use that is incidental and subordinate to the commercial use located on the ground floor level. Commercial space shall account for at least fifty (50%) of the ground floor area.
- D. For the purpose of implementing this Section, “commercial space” shall mean the physical space accounted for by a commercial use.
- E. Permitted residential uses shall be allowed, by right, on the ground floor level only on properties located outside of the Downtown Core area as shown in Figure 22-165.7.1.
- F. Residential uses are permitted on upper floors of all buildings, existing or new, within the Downtown Core as shown in Figure 22-165.7.1. Accessory ground floor residential uses may be approved by Conditional Use Permit (CUP). Commercial space shall in all cases front upon the primary public right of way
- G. New multi-family or townhouse development not within existing structures shall be constructed in accordance with the following standards within the C-4 Zone:
 - 1. Parking lots shall be located to the side and/or back of buildings and shall not front upon Main Street.
 - 2. Units adjacent to public streets shall have the primary building entrances located on the façade facing the street.
 - 3. All building elevations facing a public street right-of-way shall provide clearly marked and prominent primary entrances, and a combination of windows, porches, and/or balconies. A minimum of thirty-five (35%) percent of front (i.e., street-facing) elevations and a minimum of twenty-five (25%) percent of side and rear building elevations shall meet this standard. “Percent of elevation” is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. The standard applies to each full and partial building story.
 - 4. Townhouse and multi-family development shall be designed so that garage doors do not dominate the ground level street-facing façade and do not project beyond the front plane of the residence. This can be accomplished by incorporating alley access into site design

and locating garage and parking areas to the rear or by limiting and including design elements. Garage doors shall not comprise more than 40% of the front yard facing façade of a townhouse and shall not extend beyond the front building elevation (plane of the structure). There shall be no garage doors along Main Street.

5. Sidewalks are required along any public street that fronts a multi-family or townhouse development in the C-4 Zone and shall be installed by the developer. The minimum width shall be eight (8') feet.

SECTION 2: AMENDATORY. Table 22-165.2.1 of Section 22-165.1 of Article VI, Chapter 22 of the Shawnee Municipal Code is hereby amended to read as follows:

USES	ZONING DISTRICTS					
	C-1	C-2	C-3	C-4	C-5	CP
Ground floor residential uses, subject to Section 22-165.7	—	—	—	P	—	—

SECTION 3: REPEALER. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: SEVERABILITY. The provisions of this ordinance are severable and, if any sentence, provision, or other part of this Ordinance shall be held invalid, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

PASSED AND APPROVED this ____ day of _____, 2016.

WES MAINORD, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK
(seal)

APPROVED AS TO FORM:

JOSEPH M. VORNDRAN, CITY ATTORNEY

DOWNTOWN CORE DISTRICT

EXHIBIT
1

HIGHLAND

ELEVENTH

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NINTH

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C4 ZONING

SHAWNEE, OKLAHOMA

0 125 250 500 Feet

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