PLANNING COMMISSION MINUTES
DATE: MAY 2ND, 2018

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, May 2nd, 2018 at 1:30 p.m., pursuant to notice duly posted as prescribed by law.

AGENDA ITEM NO.1: **Roll Call**

Upon roll call the following members were present:

Present: Deem, Matthews, Walker, Bergsten, Rowell
Absent: Cowen, Kienzle

Meeting was called to Order.

AGENDA ITEM NO.2: **Consideration of approval of the minutes from the April 4th, 2018 Planning Commission Meeting**

Chairman Bergsten asked if there were any questions, comments or if anyone would like to entertain a motion. Commissioner Matthews made a motion to approve, seconded by Commissioner Deem.

Motion passes:
AYE: Deem, Matthews, Walker, Bergsten, Rowell
NAY:
ABSTAIN:

AGENDA ITEM NO.3: **Citizens' 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. No one came forward and Chairman Bergsten closed the public portion of the meeting.

AGENDA ITEM NO.4: **Case #P05-18 – A public hearing in consideration of approval for the Shawnee Retail Center Planned Unit Development located at the 4900 N. Harrison Avenue, Shawnee, OK (Deferred from April 4th, 2018 Planning Commission)**

Applicant: TLP Associates, INC

Chairman Bergsten asked for the staff report. Brittney Burton presented staff report and asked Commissioners to combine the staff report for cases #P05-18 & #S03-18 for PUD approval and Preliminary Plat. Ms. Burton informed board that staff recommends deferral to next month as client has not submitted any new documentation. Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Chairman Bergsten asked if anyone in favor would like to come forward. No one came forward. Chairman Bergsten closed the public portion of the meeting and asked if there were any questions, comments or a motion. Commissioner Walker made a motion to defer, seconded by Commissioner Matthews.

Motion to defer to June 6th, 2018 Planning Commission Meeting:
AYE: Deem, Matthews, Walker, Bergsten, Rowell
NAY:
ABSTAIN:

AGENDA ITEM NO.5: **Case #S03-18 – Consideration of approval of a Preliminary Plat for Shawnee Retail Center located at 4900 N. Harrison Avenue, Shawnee, OK (Deferred from April 4th, 2018 Planning Commission)**

Applicant: TLP Associates, INC

Combined staff report with Case #P05-18. Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Chairman Bergsten asked if anyone in favor would like to come forward. No one came forward. Chairman Bergsten closed the public portion of the meeting and asked if there were any questions, comments or a motion. Commissioner Matthews made a motion to defer, seconded by Commissioner Deem.

Motion to defer to June 6th, 2018 Planning Commission Meeting:
AYE: Deem, Matthews, Walker, Bergsten, Rowell
NAY:
ABSTAIN:

AGENDA ITEM NO.6: **Case #S04-18 – Consideration of approval of a Preliminary Plat for Maple Development, LLC located on Shawnee Mall Drive, East of the BNSF Railroad Tracks, Shawnee, OK (Deferred from April 4th, 2018 Planning Commission)**

Applicant: Sid and Javal, INC

Chairman Bergsten asked for staff report. Brittney Burton presented staff report and explained the property is located to the east of the Ford Dealership and would like to defer until next month as there are still items missing. Chairman Bergsten asked if there were any questions. There were none. Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Chairman Bergsten asked if anyone in favor would like to come forward. No one came forward. Chairman Bergsten closed the public portion of the meeting and asked if there were any questions, comments or a motion. Commissioner Deem made a motion to defer, seconded by Commissioner Walker. Commissioner Matthews asked if it needed to be noted for item to be deferred to the June 6th date and board agreed.

Motion to defer to June 6th, 2018 Planning Commission Meeting:
AYE: Deem, Matthews, Walker, Bergsten, Rowell
NAY:
ABSTAIN:

AGENDA ITEM NO.7: **Case #S07-18 – Consideration of approval of a Preliminary Plat for Shawnee Motel Addition, located at 4981 N. Harrison Avenue, Shawnee, OK**

Applicant: Joe Covey

Chairman Bergsten asked for the staff report. Brittney Burton presented staff report and stated the property is located next to Denny's restaurant off Interstate I-40 and recommended an additional deferral to next month's agenda after speaking with applicants. Chairman Bergsten asked if there were any other questions. There were none. Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Chairman Bergsten asked if anyone in favor would like to come forward. No one came forward. Chairman Bergsten closed the public portion of the meeting and asked if there were any questions, comments or a motion. Commissioner Rowell made a motion defer, seconded by Commissioner Deem.

Motion to defer to June 6th, 2018 Planning Commission Meeting:
AYE: Deem, Matthews, Walker, Bergsten, Rowell
NAY:
ABSTAIN:

AGENDA ITEM NO.8: **Case #P09-18 – A public hearing in consideration of approval of a Rezone from R-1; Single-Family Residential Distrct to C-3; Highway Commercial District, located at 3946 N. Kickapoo Avenue, Shawnee, OK**

Applicant: Darin Sparkman

Chairman Bergsten asked for the staff report. Brittney Burton presented staff report and informed Commissioners the property is located south of Penney Street, across from Ken-Del Drive. Ms. Burton explained the applicant requests to rezone from R-1 to C-3; with surrounding zonings consisting of C-2 and C-3. Staff recommends approval of rezone and stated it fits within city standards. Commissioner Matthews asked what the property would be used for. Ms. Burton stated a strip center would be constructed. Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Chairman Bergsten asked if anyone in favor would like to come forward. No one came forward. Chairman Bergsten closed the public portion of the meeting and asked if there were any questions, comments or a motion. Commissioner Walker made a motion to approve, seconded by Commissioner Matthews.

Motion:
AYE: Deem, Matthews, Walker, Bergsten, Rowell
NAY:
ABSTAIN: Cowen

AGENDA ITEM NO.9: **Case #P08-18 – A public hearing in consideration of approval for the Bison Crossing Planned Unit Development located at 3954 N. Kickapoo Avenue, Shawnee, OK**

Applicant: Kurt Kalies

Chairman Bergsten asked for the staff report. Brittney Burton presented staff report and stated the property was located south of Penney Street and north of the previous case approved for rezone. Ms. Burton informed board that staff recommends deferral to June 6th Planning Commission based on some minor details that need correction. Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. Brenda Miles came forward to speak against request and mentioned she lives by potential development. Mrs. Miles discussed traffic concerns and stated she is against more construction in the area until more stoppage is installed on Kickapoo Avenue. Chairman Bergsten asked if anyone in favor would like to come forward. John Peck came forward to speak in favor and sympathized with Mrs. Miles regarding the traffic concerns. Mr. Peck discussed possibility of adding a traffic light on Kickapoo Avenue and expressed the willingness to accommodate wherever it is needed. Steve Landes came forward to speak in favor and discussed history of work for development, plans and purpose for PUD and explained how property next to site is included in project. Mr. Landes also brought up the POA agreement and landscaping details. Dr. Kirk Kalies came forward and discussed understanding the traffic concerns with design to minimize more issues by location of entryways for development. Chairman Bergsten closed the public portion of the meeting and asked if there were any questions, comments or a motion. Commissioner Deem stated the need for traffic control and asked if procedure involved the traffic commission. Mr. Erickson agreed and informed board it would also have to be a budgeted project and go through City Commission. Mr. Erickson explained the board or himself could convey the concerns to the City Commission. Commissioner Deem asked about temporary changes being implemented at present time. Mr. Erickson stated enhanced police patrol and citations would be most effective measure at present. Chairman Bergsten asked about the process to reduce speed limit. Mr. Erickson explained that is also an inexpensive measure to implement as first step. Commissioner Matthews stated he had a hard time punishing developers for others breaking the law and asked what time frame would be to install traffic light and if it's possible to be completed by project completion. Commissioner Deem asked if it would be appropriate of this committee to request provision that immediately implements traffic measures being discussed. Mr. Erickson agreed and stated a recommendation could be included. Vice-Chairman Cowen explained his opposition to traffic light being included in approval and discussed how many properties have been affected by changes. Vice-Chairman Cowen sympathizes with Mrs. Miles but believes the traffic concern is a law enforcement issue and stated the fact that Kickapoo Avenue is a commercial street in a commercial area. Commissioner Walker explained how the board can request a traffic study and asked if there was Blue Zones involvement with the sidewalks. Mr. Erickson agreed and stated the City intends to connect sidewalks. Commissioner Rowell made a motion to defer, seconded by Commissioner Walker.

Motion to defer to June 6th, 2018 Planning Commission Meeting::
AYE: Deem, Matthews, Walker, Bergsten, Cowen, Rowell
NAY:
ABSTAIN:

<u>AGENDA ITEM NO.10:</u> **Planning Director's Report**

Brittney Burton informed board that Chicken Express has submitted their building permit. Jared Cooper gave details regarding time frames and plan submittals for project. Mr. Cooper also stated Pizza Hut has started their construction. Commissioner Deem asked if there was a limit on the number fast food restaurants that were allowed to come in. Mr. Cooper stated he did not know the nature of the possibility to limit them to a specific number. Commissioner Deem asked about the properties that were grandfathered in and if maintenance codes would address some of the cosmetic issues. Brittney Burton informed her they did not have the information at that time yet. Commissioner Rowell asked if they knew what was going into the Delta Café yet. Mr. Cooper informed him they did not but there has been interest in it.

AGENDA ITEM NO.11: **Commissioners Comments and/or New Business**

Commissioner Deem asked if there were any updates regarding the hygiene of the Pawn Shop on Highland Street. Jared Cooper informed her he received a complaint and the owner intends to put a fence up. Commissioner Deem expressed the assumption that there is no distinction between a stockade or chain link fence. Mr. Cooper agreed. Commissioner Rowell asked if there was anything that can stop a property owner from demoing before request from board is approved. Mr. Cooper stated there was not.

AGENDA ITEM NO.12: **Adjournment**

Meeting was adjourned.

Chairman/Vice-Chairman

Cheyenne Pettigrew
Planning Commission Secretary