

REGULAR PLANNING COMMISSION MINUTES

DATE: April 6, 2022

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a regular meeting on April 6, 2022, at 1:30 p.m., according to notice duly posted as prescribed by law.

Item 1. Roll Call

Vice-Chair Loftis-Walton called the meeting to order at 1:30 p.m. City Planner, Rachel Clyne, called roll and stated a quorum was present.

The following Commissioners were present:

Present: Walker, Johnson, Loftis-Walton, Mew-Palmer Reese, Rowell

Absent: Deem

Item 2. Approval of Minutes – Regular meeting

Consideration of approval of the minutes from the regular meeting of March 2, 2022. Vice-Chair Loftis-Walton asked the Planning Commissioners for questions or corrections to the minutes.

Commissioner Walker made a motion to Approve the minutes as presented, which Commissioner Reese seconded.

Motion passed 6-0-0.

Aye: Walker, Johnson, Loftis-Walton, Mew-Palmer, Reese, Rowell

Nay: None

Abstain: None

Item 3.

Case No. CUP03-22 -- Public hearing and consideration of a request for a Conditional Use Permit (CUP) for an Accessory Dwelling Unit (ADU) at 1717 Remington Street.

Applicants: Steven and Gloria Barnett

Vice-Chair Loftis-Walton read the agenda item and asked for a staff report. Community Development Director, Rian Harkins, provided background information on the application request. The subject property is located at 1717 E Remington Street and has an existing single-family residence and existing workshop. The Conditional Use Permit (CUP) allows for an Accessory Dwelling Unit (ADU), which would require the remodeling of the existing shop.

The subject property is zoned R-1 (Single-Family Residential District); the City's Zoning Code does not allow Accessory Dwelling Units (ADU) to be located in the R-1 zoning district. However, the Zoning Code does allow ADUs in A-1, R-2, and R-3 zoning districts. In each of those districts, the ADU is allowed only with a single-family home. To ensure compliance, the property owners are

seeking conditional approval on this CUP request to be immediately followed by a request to rezone.

Staff recommended that the Planning Commission recommend to the City Commission APPROVAL of CUP03-22, which is for a Conditional Use Permit (CUP) at 1717 Remington Street to allow an Accessory Dwelling Unit (ADU), with the following conditions.

1. The property owner must reside in either the principal structure or the ADU.
2. Only one ADU is allowed per lot in conjunction with a single-family house. ADUs are not allowed in conjunction with duplexes, triplexes, or multifamily dwelling units.
3. An instrument shall be recorded with the register's office covenanting that the structure is being established as an accessory dwelling unit and may only be used under the conditions expressed herein.
4. The ADU may only be located in the established rear yard.
5. The living space of the ADU shall not exceed 900 square feet.
6. The footprint of a single-story detached accessory dwelling shall not exceed 50 percent of the first-floor area of the principal structure.
7. The footprint of a two-story detached accessory dwelling shall not exceed 40 percent of the first floor of the principal structure.
8. ADUs with a second-story dwelling unit shall enclose the stairs interior to the structure.
9. The ADU shall be of similar style, design, and material color and used for the principal structure and shall use similar architectural characteristics, including roof form and pitch, to the existing principal structure.
10. A home occupation shall not be based out of the ADU.
11. The ADU must provide, at minimum, one off-street parking space.
12. A separate driveway providing exclusive access to the ADU shall not be allowed.
13. The lot area shall be larger than 10,000 square feet.
14. A building permit shall be issued prior to construction.
15. The ADU shall not serve as a residential use until a Certificate of Occupancy is issued.
16. The subject property must be rezoned to R-2 (Medium Density Residential) within 90 days of City Commission approval of the CUP.

Vice-Chair Loftis-Walton asked if there were questions for staff, and then opened the public hearing. Since the applicant was not in attendance, and no speakers came forward, the public hearing was closed.

Commissioner Walker made a motion to recommend the DEFERRAL of Case No. CUP03-22 to the next regular Planning Commission meeting to the City Commission, which Commissioner Rowell seconded.

Following any discussion, the motion passed 5-1-0.

Aye: Walker, Johnson, Loftis-Walton, Mew-Palmer, Rowell

Nay: Reese

Abstain:

It was announced the item would be heard at the April 18, 2022, City Commission meeting at 6 p.m.

Item 4.

Case No. RZ03-22 -- Public hearing and consideration of a request to rezone property located at 1015 N. McKinley Ave from R-1 (Single-Family Residential District) to R-3 (Multifamily Residential District).

Applicant: Theresa Nicoletto

Vice-Chair Loftis-Walton read the agenda item and asked for a staff report. Director Harkins provided background information on the application request. The subject property is located at 1015 N. McKinley Avenue and is vacant. This application requests that the subject property be rezoned from R-1 (Single-Family Residential District) to R-3 (Multifamily Residential District). The applicant's plan is to construct a fourplex residence. The R-3 zoning district requires 10,000 sq. ft. of land plus an additional 2,000 sq. ft. for each dwelling unit greater than three (3). If the rezoning is approved, the largest residential structure that could be built upon the subject property is a four-unit quadruplex.

Staff recommended the Planning Commission recommend to the City Commission APPROVAL of RZ03-22 a request to rezone property located at 1015 N. McKinley Avenue from R-1 (Single-Family Residential District) to R-3 (Multifamily Residential District).

Vice-Chair Loftis-Walton asked if there were questions for staff, and then opened the public hearing. The applicant, Theresa Nicoletto, was present and provided information about the project. Her company, JBT, LLC, has already renovated fifty (50) homes in Shawnee. The subject property had contained a dilapidated home and shop, which the company had demolished. Ms. Nicoletto stated she was working with a design professional to determine what size, height, and parking could occur on the site. She explained that it would be a quadruplex with four separate units—two (2) units would be 2 bedrooms and 2 baths. Two (2) units would be 3 bedrooms with 2 baths (or 2.5 baths). With no other speakers, the public hearing was closed.

Commissioner Mew-Palmer made a motion to recommend APPROVAL of Case No. RZ03-22 to the City Commission, which Commissioner Reese seconded.
Following any discussion, the motion passed 6-0-0.

Aye: Walker, Johnson, Loftis-Walton, Mew-Palmer, Reese, Rowell

Nay: None

Abstain: None

It was announced the item would be heard at the April 18, 2022, City Commission meeting at 6 p.m.

Item 5. Community Development Department Update

Community Development Director Rian Harkins addressed the Planning Commission and gave an update on the progress of the Unified Development Code. He advised the consultant team had been delayed, but work was ready to begin soon. He assured the Commissioners that there would be several meetings with the public in small groups—town hall style, the Planning Commission, and other advisory boards, and with individuals to ensure the public input was included in the creation of the new Unified Development Code.

Director Harkins advised the board members that an RFP for the Twin Lakes Master Plan was open until the end of the month. He stated the budget for the study was not public information; it was not in the scope or provided to consultants. Director Harkins shared that John Hopkins, the funding source for the Love Your Block (LYB) program, had visited Shawnee. The LYB program is designed to eliminate blight through volunteerism. The John Hopkins representatives met with stakeholders from the Dunbar Heights neighborhood and left with a positive impression of the City's LYB activities thus far.

Item 7. Planning Commissioners' Comments

Vice-Chair Loftis-Walton asked for an update on the Kid's Space Park. Harkins advised that bids were awarded at the April 6, 2022, City Commission meeting. He anticipated one year for construction. She reminded attendees that the Legacy Parenting treehouse was at the Shawnee Mall.

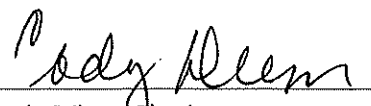
Commissioner Johnson asked if the Planning Commissioners could be involved with the Unified Development Code update. Director Harkins advised that yes, small groups of Planning Commission members would meet to avoid Open Meetings Act violations. Johnson also expressed her excitement about the increased activity in the City, was happy to see more staff, and noticed an improvement in the City's social media presence. She thanked staff.

Commissioner Mew-Palmer commented that she was glad to hear about the new things discussed.

Commissioner Reese advised he would not attend the May Planning Commission meeting.

Item 8. Adjournment

The meeting adjourned at 2:11 p.m.


Chair/Vice-Chair

/s/ Rachel Clyne
City Planner