

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. City Commissioner 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. City Commissioner 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 City Commissioner 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