

**AGENDA
CITY OF SHAWNEE
PLANNING COMMISSION
APRIL 5TH, 2017 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 February 1st, 2017 Planning Commission meeting
- 3)** Citizens' Participation
(A three minute limit per person)
(A twelve minute limit per topic)
- 4)** Swearing in of Craig Walker to the Planning Commission
- 5)** Blue Zones presentation
- 6)** Case #P01-17 – A public hearing for consideration of approval of a Rezone from R-1; Single Family Residential District to C-3; Highway Commercial District, located at 1012, 1016 and 1018 North Kickapoo Street, Shawnee, OK
Applicant: Nelmon Brauning
- 7)** Case #P02-17 – A public hearing for consideration of approval of a Rezone from R-2; Combined Residential District to I-3; Heavy Industrial District, located at 10 and 20 East Farrall Street and 524 South Bell Street, Shawnee, OK
Applicant: Joe Ford
- 8)** Case #P03-17 – A public hearing for consideration of approval of a Rezone from R-2; Combined Residential District to C-3; Highway Commercial District, located at 525 South Kickapoo Street, Shawnee, OK
Applicant: Don Waller
- 9)** Planning Director's Report
- 10)** Commissioners Comments and/or New Business
- 11)** Adjournment

PLANNING COMMISSION MINUTES

DATE: FEBRUARY 1ST, 2017

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, February 1st, 2017 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: Clinard, Bergsten, Cowen, Kienzle, Affentranger

Absent:

Meeting was called to Order.

AGENDA ITEM NO. 2: **Consideration of Approval of the minutes from the December 7th, 2016 Planning Commission Meeting**

Chairman Bergsten asked if the Board had time to review the minutes and if there were any questions or comments. Commissioner Affentranger made a motion to approve, seconded by Commissioner Kienzle.

Motion passed:

AYE: Clinard, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

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. No one came forward and Chairman Bergsten closed the public portion of the meeting.

AGENDA ITEM NO. 4: **Consideration of approval for a fee-in-lieu of sidewalk construction for property located at 8331 N. Harrison Street, Shawnee, OK**

Applicant: **Redbud Development, LLC**

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report. Mr. Debruin discussed the platting process with sidewalk construction. Justin Debruin informed the Commissioners that the property is located at the North Harrison Business Park Addition on Harrison Street. Mr. Debruin explained that the applicant originally planned to construct sidewalks but have submitted a letter to pay the fee-in-lieu of and the City Engineer has approved. Justin Debruin stated that staff recommends approval and he would answer any questions. Commissioner Clinard asked when the applicant would be required to pay the fee. Mr. Debruin explained that they would have to before Certificate of Occupancy is issued. Chairman Bergsten asked what fund the fees would go in to and how they were used. Justin Debruin mentioned the fees go into a budget for sidewalks in engineering department and it's typically used on sidewalk repairs or projects. Vice-Chairman Cowen asked if the City pays market rate for concrete or if they get a discount. Mr. Debruin stated he believed the City gets a discount but goes off market rate. Commissioner Affentranger asked if Universal Forest Products will put a sidewalk in or pay a fee-in-lieu of. Justin Debruin stated they would pay the fee-in-lieu of.

Commissioner Clinard asked why there are sidewalk requirements in that area. Mr. Debruin informed her that any development off an arterial street is required to construct a sidewalk. Commissioner Affentranger asked if a request was more centrally located in the city, if staff would not be as accepting of it. Justin Debruin agreed with the discretion to make that determination. Chairman Bergsten asked if there were any other questions. Vice-Chairman made a motion to approve, seconded by Commissioner Kienzle.

Motion passed:

AYE: Clinard, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 5:

Planning Director's Report

Justin Debruin passed out a list of current ongoing projects to Commissioners and discussed the status. Commissioner Clinard mentioned overspray on the Downtown properties from the streetscape project.

AGENDA ITEM NO. 6:

Commissioners Comments and/or New Business

Commissioners had discussions over codes, downtown properties, dilapidated structures, parked vehicles in front yards and upcoming conferences.

AGENDA ITEM NO. 7:

Adjournment

Meeting was adjourned.

Chairman/Vice-Chairman

Cheyenne Pettigrew

Planning Commission Secretary



**STAFF REPORT
REZONE
CASE #P01-17**

TO: Shawnee Planning Commission

AGENDA: April 5, 2017

RE: Rezone Request –R1: Single Family Residential District to C3:
Highway Commercial

PROPOSAL

The applicant, Nelmon Brauning, is requesting a rezone from R1: Single Family Residential District to C3: Highway Commercial on a 0.55 Acre tract of land located at the southwest corner of West Kirk Street and North Kickapoo Street. The pattern of rezoning properties abutting Kickapoo Street from residential to commercial is consistent with the Shawnee Comprehensive Plan and is quite a common occurrence.

Though the intent is the building a structure from additional storage, the prospective buyer understands that the City will require full compliance with City beautification standards (landscaping, façade treatments, site proof fencing, etc.).

GENERAL INFORMATION

Applicant	Nelmon Brauning
Owner	Christine Denham
Site Location/Address	1018 N. Kickapoo
Current Site Zoning	R1: Single Family Residential

Proposed Zoning	C3: Highway Commercial
Property Area	Approximately 0.546 Acres
Current Use	Vacant
Proposed Use	Private Storage
Comprehensive Plan Designation	Commercial/Residential
Existing Land Use	Vacant
Surrounding Land Use	Commercial/Residential
Surrounding Zoning	R1: Single Family Residential C2: Neighborhood Office Commercial C3: Highway Commercial

STAFF REVIEW AND ANALYSIS

The subject property is located south of Kirk St. on the east side of Kickapoo St.. Properties adjacent to Kickapoo Ave. are regularly rezoned from residential to commercial in conformance with the Comprehensive Plan. Staff has determined that the property is compliant with dimensional standards required for C3 zoned properties.

If approved, any construction on site would require:

1. A six (6') foot sidewalk along Kickapoo Street..
2. Landscaping to cover 10% of the overall site.
3. Façade treatment to a total of 60% where the structure abuts a public street.
4. Appropriate off-street parking.

Staff has received no calls or letters of protest from surrounding property owners.



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

Based on consistency with the Shawnee Comprehensive Plan and the Shawnee Zoning Code, Staff does hereby recommend approval for the proposed rezone from R1 (Single Family Residential) to C3 (Highway Commercial).

STAFF RECOMMENDATION

Staff recommends approval of the proposed rezone from **R1 (Single Family Residential)** to **C3 (Highway Commercial)**. for the subject property.

Attachments

1. Figure 1: Aerial view of site
2. Figure 2: Zoning Map
3. Figure 3: Future Land Use Map
4. Exhibit 1: Property Owner Consent Letter

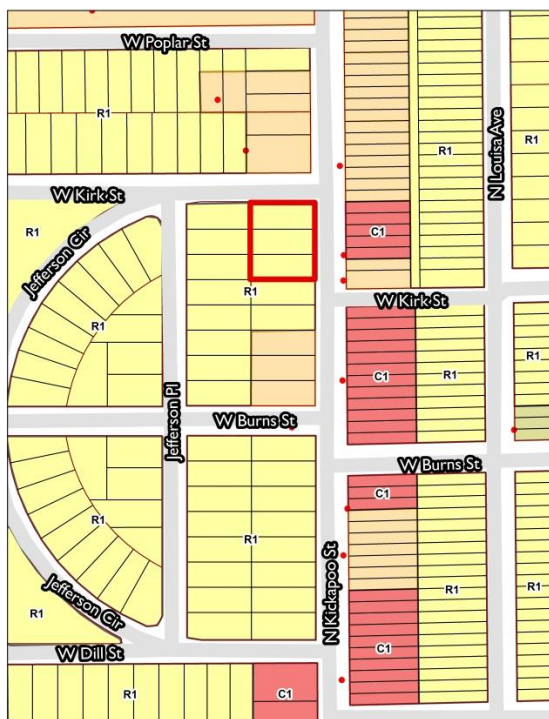


Figure 2: Zoning Map of site – approximate total area outlined in red.

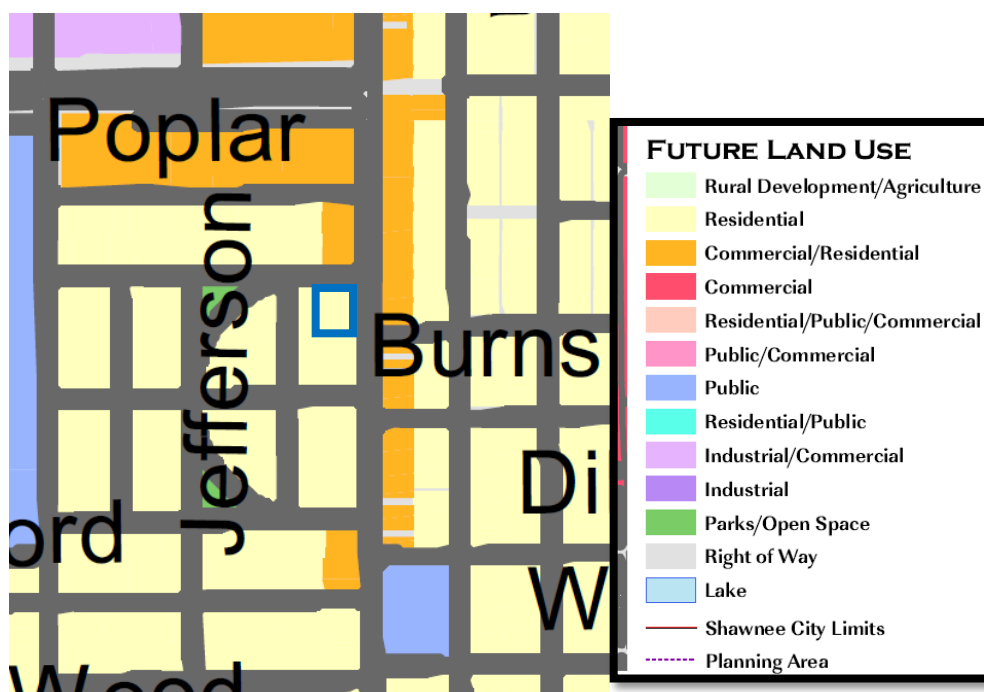


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map – approximate total area outlined in blue.

LandRun Group Real Estate, LLC.
201 W 9th Street
Shawnee, Oklahoma 74801

EXHIBIT

1

Re: Request for rezoning

To Whom it may concern:

I Christine Denham, hereby give permission for Nelmon Brauning with LandRun Group Real Estate, LLC. To assist in the rezoning of my property, located at 1012, 1016 & 1018 N. Kickapoo Ave., Shawnee, Ok. From R1 to C3 for the purpose of building an automotive parts storage building.

Legal: Jefferson Terrace Block 7 Lots 91, 92, 93 to the city of Shawnee.

Sincerely,

Christine Denham



1-12-17

PLANNING COMMISSION 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: P01-17

Project Number: MO108

Date Filed: 01-30-2017

Cheyenne Pettigrew
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 C3 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 1012, 1016, & 1018 N. Kickapoo, Sha.

LEGAL DESCRIPTION: Jefferson Terrace BL. 7 Lots 91, 92 & 93 to the city of Sha.

PROPERTY OWNER (S): Christine Denham

PROPERTY AGENT (APPLICANT): NELMON BRAUNING

APPLICANT'S ADDRESS: 201 W. 9th Street

CITY: SHAWNEE STATE: OK ZIP: 74801

EMAIL ADDRESS: nbrauning@hotmail.com

TELEPHONE NUMBER: (405) 370-0394 CONTACT NUMBER: (405) 370-0394

DIMENSIONS OF PROPERTY: AREA: .546 WIDTH: 170'

LENGTH: 140' FRONTAGE: 170'

CURRENT ZONING: R1 CURRENT USE: VACANT LOTS

PROPOSED ZONING: C3 PROPOSED USE: _____

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

Nelson Brauning
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00

RECEIPT NO. 02003272

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.: _____



**STAFF REPORT
REZONE
CASE #P02-17**

TO: Shawnee Planning Commission

AGENDA: April 5, 2017

RE: Rezone Request –R2: Combined Residential District to I3: Heavy Industrial District

PROPOSAL

The applicant, Joe Ford, is requesting a rezone from R2: Combined Residential District to I3: Heavy Industrial District on a tract of land, approximately 0.82 Acres in size on the northwest corner of East Farrall Street and South Bell Avenue. The subject property is a part of the Shawnee Mill and under the same ownership. The desire is to incorporate this land with the existing Industrial site, allowing for future expansion.

GENERAL INFORMATION

Applicant	Joe Ford
Owner	Shawnee Milling Company
Site Location/Address	10 E. Farrall
Current Site Zoning	R2: Combined Residential District
Proposed Zoning	I3: Heavy Industrial District
Property Area	Approximately 0.82 Acres
Current Use	Vacant

Proposed Use	Future Plant Expansion
Comprehensive Plan Designation	Residential
Existing Land Use	Vacant
Surrounding Land Use	Industrial/Residential
Surrounding Zoning	R2: Combined Residential District I3: Heavy Industrial District

STAFF REVIEW AND ANALYSIS

The subject property is one of the last remaining parcels owned by the Ford family that has not been rezoned and incorporated into the Shawnee Mill industrial site. The land is surrounded by industrial zoning and has been dedicated for future industrial expansion. Being that the request is consistent with the surrounding area and tied to the same ownership, Staff has no objection to the requested rezone from R2 to I3.

Staff has received no letters of protest from surrounding property owners.



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

STAFF RECOMMENDATION

Staff recommends **approval** of the proposed rezone from R2 (Combined Residential District) to I3 (Heavy Industrial District) for the subject property.

Attachments

1. Figure 1: Aerial view of site
2. Figure 2: Zoning Map
3. Figure 3: Future Land Use Map

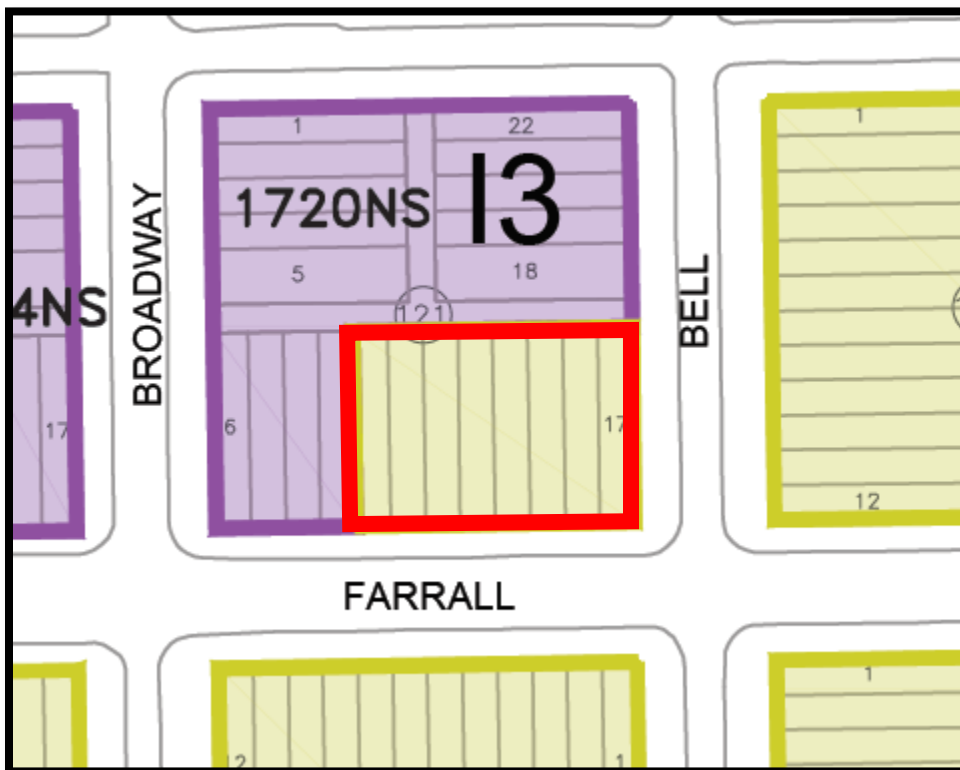


Figure 2: Zoning Map of site – approximate total area outlined in red.

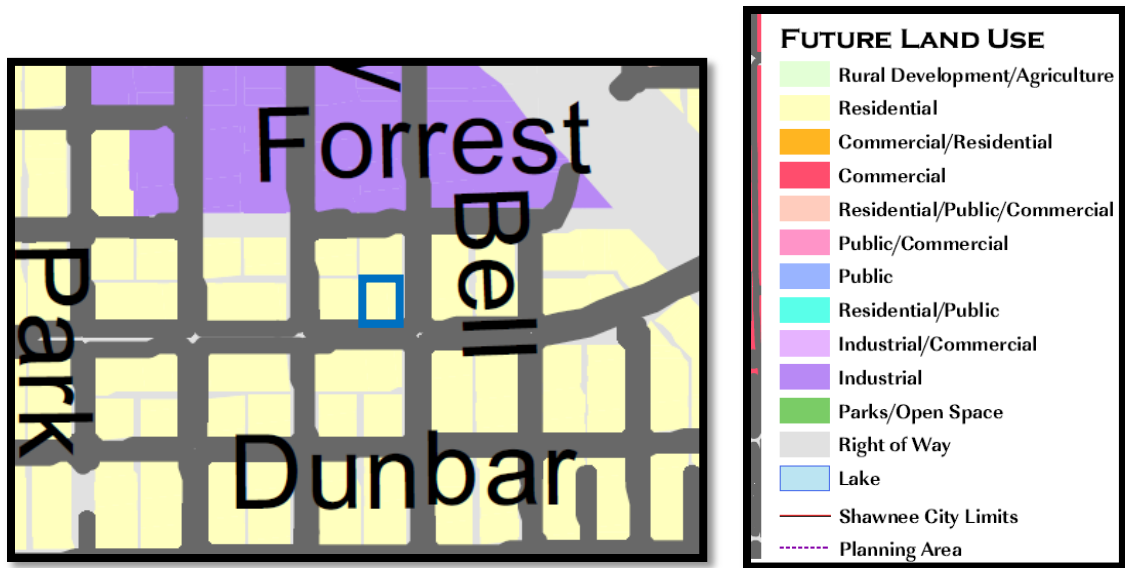


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map – approximate total area outlined in blue.

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 R-2 Residential District to I-3 Industrial District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 10 E Farrell, 20 E Farrell, 524 S. Bell

LEGAL DESCRIPTION: see attached

PROPERTY OWNER (S): Shawnee Milling Company

PROPERTY AGENT (APPLICANT): Joe Ford, President

APPLICANT'S ADDRESS: 201 S. Broadway

CITY: Shawnee **STATE:** OK **ZIP:** 74801

EMAIL ADDRESS: jford@shawneemilling.com

TELEPHONE NUMBER: (405) 273-7000 **CONTACT NUMBER:** ()

DIMENSIONS OF PROPERTY: AREA: _____ WIDTH: _____
LENGTH: _____ FRONTAGE: _____

CURRENT ZONING: R2 **CURRENT USE:** vacant lot

PROPOSED ZONING: I3 **PROPOSED USE:** Plant Expansion (future)

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**

Joe W. Ford
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00

RECEIPT NO. 02007173

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.:** _____

Project # 170142

P02-17



**STAFF REPORT
REZONE
CASE #P03-17**

TO: Shawnee Planning Commission

AGENDA: April 5, 2017

RE: Rezone Request –R2: Combined Residential District to C3:
Highway Commercial

PROPOSAL

The applicant, Don Waller, is requesting a rezone from R2: Combined Residential District to C3: Highway Commercial on a tract of land 0.321 Acres in size. The site is located on the northeast corner of South Kickapoo Street and West Farrell Avenue. The property owner is considering installing an ice and water vending machine.

GENERAL INFORMATION

Applicant	Don Waller
Owner	Don Waller
Site Location/Address	525 S. Kickapoo
Current Site Zoning	R2: Combined Residential District
Proposed Zoning	C3: Highway Commercial
Property Area	Approx. .321 Acres
Current Use	Vacant

Proposed Use	Ice and Water Vending Machine
Comprehensive Plan Designation	Commercial/Residential
Existing Land Use	Vacant
Surrounding Land Use	Commercial/Residential
Surrounding Zoning	R2: Combined Residential District C3: Highway Commercial

STAFF REVIEW AND ANALYSIS

The property owner, Don Waller, has recently purchased and consolidated two (2) lots on the corner of Kickapoo and Farrall with the intent to construct a large ice/water vending machine. Though such an intended use is not common as a “primary structure,” it is allowable by the Zoning Code and does have to adhere to the City beautification standards. The subject site is not in a floodplain and the public water and sewer lines run adjacent to the property.

The property is currently vacant with a residential home directly to the north of the site and a commercial business to the east.

If approved for rezone, any construction on site would require:

1. A six (6') foot sidewalk along West Farral Street.
2. Landscaping to cover 10% of the overall site.
3. Façade treatment to a total of 60% where facing Kickapoo Ave.
4. Appropriate off-street parking.
5. Site-proof fencing where abutting residential.

Staff has received no letters of protest from surrounding property owners.



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

Though this area is considered residential per the Shawnee Comprehensive Plan, there are a number of properties along Farrall Street and in close proximity that have been granted Commercial zoning. As Farrall is considered a major arterial road, commercial zoning is deemed appropriate.

Based on consistency with the Shawnee Zoning Code and general land use patterns in this area, Staff does hereby recommend approval for the proposed rezone from R2: Combined Residential District to C3: Highway Commercial.

STAFF RECOMMENDATION

Staff recommends **approval** of the proposed rezone from **R2: Combined Residential District** to **C3: Highway Commercial** for the subject property.

Attachments

1. Figure 1: Aerial view of site
2. Figure 2: Zoning Map
3. Figure 3: Future Land Use Map

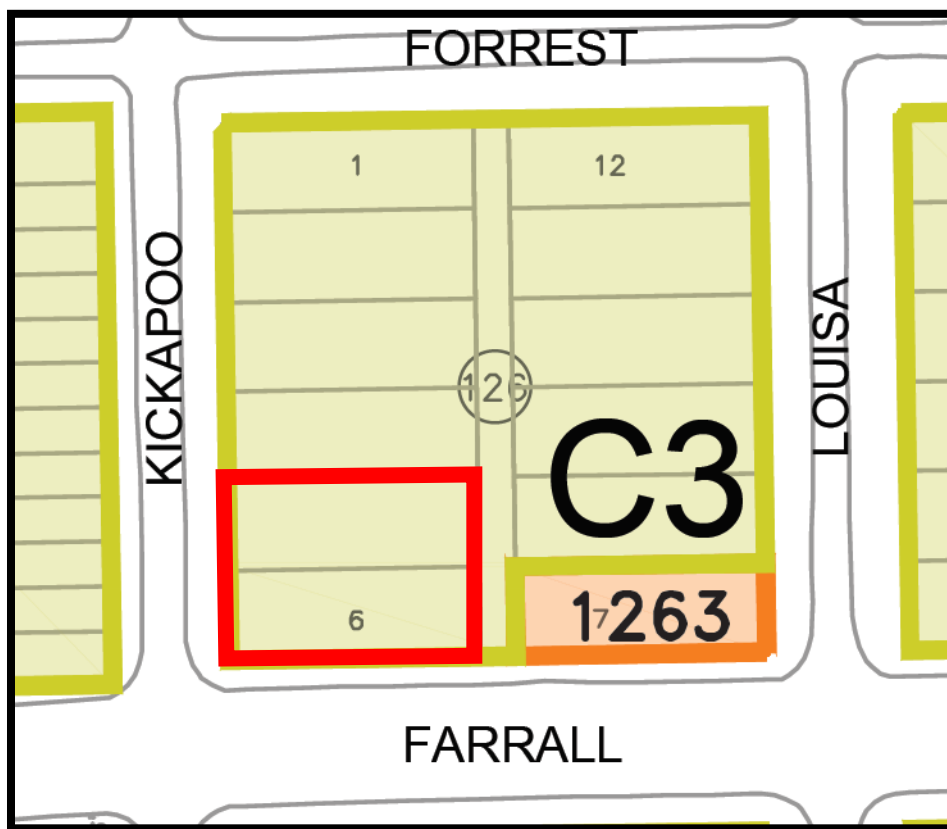


Figure 2: Zoning Map of site – approximate total area outlined in red.

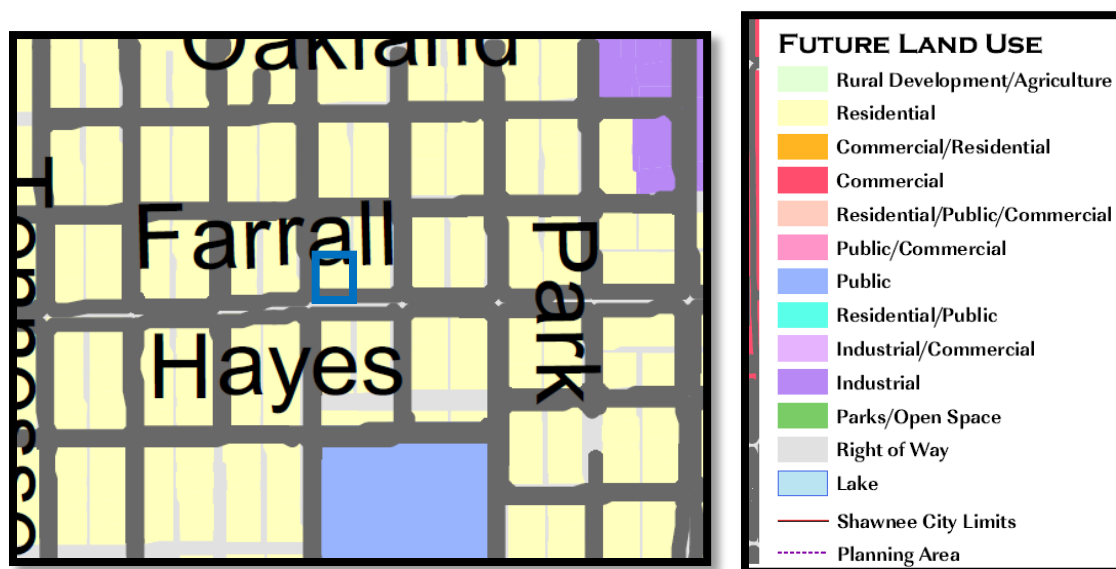


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map – approximate total area outlined in blue.

PLANNING COMMISSION 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: P03-17
Project Number: 170202
Date Filed: 2-24-17
Cheyenne Pettigrew
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 _____ District to _____ District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 525 S. Kickapoo

LEGAL DESCRIPTION: Lot 5 & 6 combined BIK 126

PROPERTY OWNER (S): Don Waller

PROPERTY AGENT (APPLICANT): _____

APPLICANT'S ADDRESS: 32007 Prospect Rd.

CITY: Macomb STATE: OK ZIP: 74852

EMAIL ADDRESS: Redon6103@yahoo.com

TELEPHONE NUMBER: (405) 820 5917 CONTACT NUMBER: (____)

DIMENSIONS OF PROPERTY: AREA: _____ WIDTH: 100'
LENGTH: 140' FRONTAGE: 100'

CURRENT ZONING: Res. CURRENT USE: Raw Land

PROPOSED ZONING: Commercial PROPOSED USE: Ice & Water Vending Machine

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

Don Waller
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00

RECEIPT NO. 02013395

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.: _____

