

AGENDA
BOARD OF CITY COMMISSIONERS
March 19, 2018 AT 6:00 P.M.
COMMISSION CHAMBERS AT CITY HALL
SHAWNEE, OKLAHOMA

CALL TO ORDER

DECLARATION OF A QUORUM

INVOCATION

FLAG SALUTE

All motions will be made in the affirmative. The fact that a commissioner makes or offers a second to a motion does not mean that the commissioner must vote in favor of passage.

1. Consider approval of Consent Agenda:
 - a. Minutes from the March 1, 2018 Special Call meeting and March 5, 2018 regular meeting.
 - b. Acknowledge the following reports and minutes:
 - License Payment Report for February 2018
 - Project Payment Report for February 2018
 - Planning Commission Minutes from January 3, 2018 meeting
 - Shawnee Beautification Committee Minutes from January 18, 2018
 - Shawnee Urban Renewal Authority Minutes from November 7, 2017
 - c. Budget Amendment – Fund 601
Amend budget for refunds from the excess liability carriers on large settlements.
 - d. Budget Amendment – Fund 301
Amend budget for insurance money to replace a police vehicle that was totaled.
 - e. Authorize City Manager to terminate the agreement between the City of Shawnee and Visit Shawnee, Inc. effective June 30, 2018 in preparation for the annual community service contract review process.
 - f. Lake Lease Transfers:

TRANSFERS:
Lot 9 Eckel Tract, 15201 Eckel Road
From: Michael Violett and Kristen Pfenninger
To: Chad and Courtney Warmington
 - g. Acknowledge waiving Sections 8-431 and 8-434 of the Code of the City of Shawnee involving Garage Sale licenses and fees for the days of April 6-8, 2018.

2. Citizens Participation
(A three minute limit per person)
(A twelve minute limit per topic)
3. Presentation by City Manager to Employee of the Month, Michael Johnson, Parks Department.
4. Discussion, consideration, and possible action to approve an ordinance amending Ordinance No. 2606NS changing the name of the Shawnee Beautification Committee to Shawnee Community Beautification Committee; providing for severability, codification, and repealer; and providing for emergency.
5. Public hearing and consideration of an ordinance to rezone property located east of the intersection of Highland Street and Bryan Avenue from R-1; Single Family Residential District to PUD; Planned Unit Development. Case No. P01-18. Applicant: Landrun Group, LLC
(Deferred by the Planning Commission to the March 7, 2018 meeting. Deferred from the January 16, 2018 City Commission meeting.)
6. Public hearing and consideration of an ordinance to rezone property located at 7109 North Kickapoo Avenue from A-1; Rural Agricultural District to A-1; Rural Agricultural District with a Conditional Use Permit. Case No. P03-18, Applicant: Nelmon Brauning. *(Deferred by the Planning Commission to the March 7, 2018 meeting. Deferred from the January 16, 2018 City Commission meeting.)*
7. Public hearing and consideration of an ordinance to rezone property located at 2204 North Leo Avenue from R-1; Single Family Residential District to R-2; Combined Residential District. Case No. P04-18, Applicant: Marical Brothers Real Estate, LLC
8. Public hearing and consideration of an ordinance to rezone property located at 4900 North Harrison Avenue from C-3; Highway Commercial to PUD; Planned Unit Development. Case No. P05-18, Applicant: TLP Associated, Inc. *(Deferred by the Planning Commission to the April 4, 2018 meeting.)*
9. Consideration of approval of a Preliminary Plat for Shawnee Retail Center located at 4900 North Harrison Avenue. Case No. S03-18, Applicant: TLP Associated, Inc. *(Deferred by the Planning Commission to the April 4, 2018 meeting.)*
10. Public hearing and consideration of an ordinance to rezone property located at 3900 North Union Avenue from A-1; Rural Agricultural District to R-3; Multi-Family Residential District. Case No. P06-18, Applicant: Nelmon Brauning.
11. Public hearing and consideration of an ordinance to rezone property located at 2327 North Harrison Avenue from CP; Planned Shopping Center District to C-3; Highway Commercial District. Case No. P07-18, Applicant: Amerco Real Estate Company.
12. Consideration of approval of a Preliminary Plat for Maple Development, LLC located on Shawnee Mall Drive, East of the BNSF Railroad Tracks. Case No. S04-18, Applicant: Sid and Javal, Inc. *(Deferred by the Planning Commission to the April 4, 2018 meeting.)*
13. Consideration of approval of a Preliminary Plat for First United Bank of Shawnee located at 2600 North Harrison Avenue. Case No. S05-18, Applicant: Mr. William Fahrendorf.

14. Discussion, consideration, and possible action of a resolution to formalize the Community Service Contract Review Committee.
15. Acknowledge Sales Tax Report received March 2018.
16. City Manager Report
17. New Business
(Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda)
18. Commissioners Comments
19. Consideration and possible vote to enter into executive session to discuss the status of negotiations with the IAFF, Local No. 206 for a new Collective Bargaining Agreement for FY 2018-2019 and to discuss the City's last best offer in connection with the scheduled interest arbitration for a Collective Bargaining Agreement for FY 2017-2018 as authorized by 25 O.S. Section 307(B)(2).
20. Consideration and possible action on the items discussed in executive session regarding the status of negotiations with the IAFF, Local No. 206 for a new Collective Bargaining Agreement for FY 2018-2019 and to discuss the City's last best offer in connection with the scheduled interest arbitration for a Collective Bargaining Agreement for FY 2017-2018 as authorized by 25 O.S. Section 307(B)(2).
21. Adjournment

Respectfully submitted

Phyllis Loftis, CMC, City Clerk

The City of Shawnee encourages participation from its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made. (ADA 28 CFR/36)

Regular Board of Commissioners

1.a.

Meeting Date: 03/19/2018

Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Minutes from the March 1, 2018 Special Call meeting and March 5, 2018 regular meeting.

Attachments

SC Minutes

Minutes

**BOARD OF CITY COMMISSIONERS AND
THE BOARD OF TRUSTEES OF THE SHAWNEE AIRPORT AUTHORITY AND
THE SHAWNEE MUNICIPAL AUTHORITY
CITY OF SHAWNEE
SPECIAL CALLED SESSION
MARCH 1, 2018**

The Board of City Commissioners of the City of Shawnee and the Board of Trustees of the Shawnee Airport Authority and the Shawnee Municipal Authority met in Special Called Session at the Heart of Oklahoma Exposition Center, Highway 177 and Independence Street, Shawnee, Oklahoma, Thursday, March 1, 2018 at 11:00 a.m., pursuant to notice duly posted as prescribed by law. Mayor Finley presided and called the meeting to order. The following members were in attendance and a quorum was declared.

Richard Finley
Chairman

Dub Bushong
Commissioner Ward 1

Absent at Roll Call
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Darren Rutherford
Commissioner Ward 4

Absent at Roll Call
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

Absent: Ron Gillham, Lesa Shaw

The Call for said meeting was entered upon the records by the City Clerk, said Call being as follows:

NOTICE OF A CALLED SPECIAL SESSION OF THE BOARD OF CITY
COMMISSIONERS OF THE CITY OF SHAWNEE AND THE BOARD OF TRUSTEES
OF THE SHAWNEE AIRPORT AUTHORITY AND THE SHAWNEE MUNICIPAL
AUTHORITY, OKLAHOMA

You and each of you are hereby notified that by virtue of a call issued by me on this 21st day of February, 2018, a Special Called Session will be held of the Board of Commissioners of the City of Shawnee and the Board of Trustees of the Shawnee Airport Authority and the Shawnee Municipal Authority, Oklahoma at the Heart of Oklahoma Exposition Center, 1700 West Independence Street, Shawnee, Oklahoma at 11:00 a.m. on the 1st day of March, 2018, and you are hereby notified to be present at said meeting. The purpose of the meeting is a work session for general discussion of issues within city government, the Shawnee Airport Authority and the Shawnee Municipal Authority, including possible new initiatives; general discussion of city priorities, projects, goals, long-term needs and funding options; and general discussion of commission policies; and presentation of the Heart of Oklahoma Exposition Center Master Plan.

Witness my hand this 21st day of February, 2018.

(SEAL)

ATTEST:

/s/ Phyllis Loftis
PHYLLIS LOFTIS, CMC
CITY CLERK

/s/ Justin Erickson
JUSTIN ERICKSON
CITY MANAGER

STATE OF OKLAHOMA, COUNTY OF POTTAWATOMIE, SS.

I received this notice on the 21st day of February, 2018 at 10:00 a.m., and executed the same by delivering a true and correct copy thereof to the Mayor and to each of the Commissioners of the Board of City Commissioners for the City of Shawnee and the Board of Trustees of the Shawnee Airport Authority and the Shawnee Municipal Authority, Oklahoma as follows:

A read verification was not received from Mayor Richard Finley via email.

A read verification was received from Commissioner Dub Bushong via e-mail at 4:47 p.m. on February 21, 2018.

A read verification was not received from Commissioner Ron Gillham via e-mail.

A read verification was received from Commissioner/Vice Mayor James Harrod via e-mail at 5:59 p.m. on February 22, 2018.

A read verification was received from Commissioner Darren Rutherford via e-mail at 5:35 p.m. on February 21, 2018.

A read verification was not received from Commissioner Lesa Shaw via e-mail.

A read verification was received from Commissioner Ben Salter via e-mail at 4:25 p.m. on February 21, 2018.

/s/ Phyllis Loftis

PHYLLIS LOFTIS, CMC,
CITY CLERK

CALL FOR SPECIAL SESSION OF THE SHAWNEE BOARD OF CITY COMMISSIONERS OF THE CITY OF SHAWNEE AND THE BOARD OF TRUSTEES OF THE SHAWNEE AIRPORT AUTHORITY AND THE SHAWNEE MUNICIPAL AUTHORITY, OKLAHOMA TO BE HELD ON THE 1ST DAY OF MARCH, 2018 AT 11:00 A.M. AT THE HEART OF OKLAHOMA EXPOSITION CENTER, 1700 WEST INDEPENDENCE STREET, SHAWNEE, OKLAHOMA. THE PURPOSE OF THE MEETING IS A WORK SESSION FOR GENERAL DISCUSSION OF ISSUES WITHIN CITY GOVERNMENT, THE SHAWNEE AIRPORT AUTHORITY AND THE SHAWNEE MUNICIPAL AUTHORITY, INCLUDING POSSIBLE NEW INITIATIVES; GENERAL DISCUSSION OF CITY PRIORITIES, PROJECTS, GOALS, LONG-TERM NEEDS AND FUNDING OPTIONS; AND GENERAL DISCUSSION OF COMMISSION POLICIES; AND PRESENTATION OF THE HEART OF OKLAHOMA EXPOSITION CENTER MASTER PLAN.

BY VIRTUE OF THE AUTHORITY VESTED IN ME BY SECTION 4, ARTICLE IV OF THE CHARTER OF THE CITY OF SHAWNEE, OKLAHOMA, A SPECIAL SESSION OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF SHAWNEE AND THE BOARD OF TRUSTEES OF THE SHAWNEE AIRPORT AUTHORITY AND THE SHAWNEE MUNICIPAL AUTHORITY, OKLAHOMA IS HEREBY CALLED TO MEET AT THE HEART OF OKLAHOMA EXPOSITION CENTER, HIGHWAY 1700 WEST INDEPENDENCE STREET, SHAWNEE, OKLAHOMA AT 11:00 A.M. ON THE 1ST DAY OF MARCH, 2018 FOR THE PURPOSE OF THE MEETING IS A WORK SESSION FOR GENERAL DISCUSSION OF ISSUES WITHIN CITY GOVERNMENT, THE SHAWNEE AIRPORT AUTHORITY AND THE SHAWNEE MUNICIPAL AUTHORITY, INCLUDING POSSIBLE NEW INITIATIVES; GENERAL DISCUSSION OF CITY PRIORITIES, PROJECTS, GOALS, LONG-TERM NEEDS AND FUNDING OPTIONS; AND GENERAL DISCUSSION OF COMMISSION POLICIES; AND PRESENTATION OF THE HEART OF OKLAHOMA EXPOSITION CENTER MASTER PLAN.

Witness my hand this 21st day of February, 2018.

/s/ Justin Erickson
JUSTIN ERICKSON, CITY MANAGER

(SEAL)

ATTEST:

/s/ Phyllis Loftis
PHYLLIS LOFTIS, CMC, CITY CLERK

THE BOARD OF CITY COMMISSIONERS AND THE TRUSTEES OF THE SHAWNEE AIRPORT AUTHORITY AND THE SHAWNEE MUNICIPAL AUTHORITY OF THE CITY OF SHAWNEE, COUNTY OF POTTAWATOMIE, STATE OF OKLAHOMA, MET IN SPECIAL CALLED SESSION AT THE HEART OF OKLAHOMA EXPOSITION CENTER, HIGHWAY 177 AND INDEPENDENCE STREET, SHAWNEE, OKLAHOMA, FRIDAY, MARCH 1, 2018 AT 11:00 A.M., PURSUANT TO NOTICE DULY POSTED AS PRESCRIBED BY LAW. MAYOR FINLEY PRESIDED AND CALLED THE MEETING TO ORDER. THE FOLLOWING MEMBERS WERE IN ATTENDANCE.

CALL TO ORDER AT 11:00 A.M.

PRESENT AT ROLL CALL: Bushong, Gillham, Harrod, Finley, Rutherford
ABSENT AT ROLL CALL: Shaw, Gillam

DECLARATION OF A QUORUM

City Staff in Attendance: Justin Erickson, City Manager
Joe Vorndran, City Attorney
Don Lynch, Emergency Management
Mason Wilson, Police Chief
Justin DeBruin, Planning Director
James Bryce, Director of Operations
Bonnie Wilson, Airport Manager
Tammy Johnson, Human Resources Director
Chris Dunlap, Assistant Expo Manager
Phyllis Loftis, City Clerk

Others in Attendance: Vicki Misa, Shawnee News Star

COMMISSIONER SHAW ARRIVED AT 11:05 A.M.
COMMISSIONER GILLIAM ARRIVED AT 11:55 A.M.

Staff deviated from the printed agenda with Agenda Item No. 2 being presented first.

AGENDA ITEM NO. 2: Presentation of the Heart of Oklahoma Exposition Center Master Plan.

Mr. Charlie Kolarik, Associate Principal Architect of Populous, presented the Heart of Oklahoma Exposition Center facility assessment. Mr. Kolarik gave an overview of existing facilities and presented building improvement recommendations. Among those discussed were as follows:

- a. Arena C – concession facilities
- b. Arena G – concession facilities and lounge plan
- c. Barn E – extension to increase by 156 stalls
- d. Entry façade improvements

- e. West façade improvements
- f. New maintenance facility and yard relocation
- g. Barn E – Restroom and show office renovation
- h. Roof and Insulation replacements
- i. Floor replacement in Building B – concrete
- j. Floor replacement in Building D – asphalt

Mr. Kolarik shared photographs of the current buildings, noting areas of needed change or improvements. He also provided architectural drawings and photographs of the improvements to each area.

Mayor Finley asked about prioritizing the improvement projects. The deferred maintenance projects were determined to be the most critical projects; those include roofs and insulation repairs. Projects that may help to retain existing customers or attract new customers were noted to be important but not critical; those were identified as restroom and concession upgrades. Mayor Finley also emphasized the importance of input from the Expo Board.

THE COMMISSION BROKE FOR LUNCH AT 12:10 P.M.

AGENDA ITEM NO. 1:

General discussion of issues within city government, the Shawnee Airport Authority (SAA) and Shawnee Municipal Authority (SMA), including possible new initiatives; general discussion of city priorities, projects, goals, long-term needs and funding options; and general discussion of commission policies.

Emergency Management Director Don Lynch gave a presentation regarding community tornado shelters. Mr. Lynch introduced Matt Miller, Assistant Emergency Management Director, to Commissioners. Mr. Lynch explained that wind shelters are intended to provide protection from both wind forces and windborne debris.

The Enhanced Fujita Scale was discussed and information provided that shows most tornadoes are rated between EF0 – EF2, with only 0.1% of all tornadoes being rated as EF5, the most dangerous storm. Specifically relating to Pottawatomie County, there have been seventy-eight (78) tornadoes since 1950 with five (5) of those reported in the City of Shawnee. Since 1894, there have been six (6) tornado related fatalities in or near Shawnee.

When discussing community shelters, Mr. Lynch stated that in addition to the City of Shawnee, the only other city operating a community shelter is Newcastle. Current public shelters in Shawnee include the cellar in Boy Scout Park and the safe room at North Rock Creek School. Soon to be added as a public shelter is the Grove School safe room. The school shelters will be available to the public when school is not in session or evening events are not scheduled. It was noted that the Boy Scout Park shelter is not currently being used and will eventually be closed due to safety concerns. The procedures for opening the community shelters were explained, which includes contacting key holders of the facilities and arranging for shelter security during each tornado watch and/or warning.

Responding to a question from Commissioner Shaw, it was noted that all public schools have tornado plans in place, although not all schools have safe rooms at this time. Commissioner Shaw also asked about day care requirements for safe rooms/shelters. Mr. Lynch responded that there is nothing in the City Code that addresses day care centers, although the Oklahoma State Health Department requires each facility to have a tornado plan. There is not currently a mandate that would require disclosure of whether a shelter is or is not located at a day care facility.

In closing, Mr. Lynch reminded those present that the two worse places you can be during a tornado is in a vehicle or outdoors. He showed a short video of a tornado which affected Tushka, Oklahoma, which emphasized the importance of seeking shelter prior to the arrival of a tornado.

Mr. Lynch then answered questions from the Commission. He noted that the cost for construction of a public shelter would be approximately \$500 per person.

Commissioner Gillam asked Mr. Lynch to look into reports of airplane contrails which may indicate the spraying of chemicals being used for climate modification. Commissioner Gillam knows it is a factor in Oklahoma and is concerned about the health aspects.

City Manager Justin Erickson then introduced the topic of a sales tax increase. Comparison was made between a one-quarter ($\frac{1}{4}$) cent sales tax increase and a one-half ($\frac{1}{2}$) cent sales tax increase. After discussion of the capital projects and other City needs, it was determined that a one-half ($\frac{1}{2}$) cent sales tax increase would be presented to voters.

Mayor Finley stated that he was concerned after the recent school shooting in Florida and recently discussed this with Police Chief Mason Wilson. After that conversation, Mayor Finley is convinced that our police department is doing everything possible to prepare for such an event.

Regarding the current City Charter requirement for at-large voting for Commission seats, Mayor Finley stated he is now in favor of ward only voting. Discussion between Commissioners showed Commissioner Shaw in favor of this charter change and Commissioner Gillam against the change. Mayor Finley indicated that additional discussion between Commissioners is needed before any action is taken on the Charter change.

City Manager Justin Erickson gave an update on the recent low water pressure issues in the City. He stated that there had been a 14" waterline break overnight which has now been repaired. Additionally, the water tower at Federal and Park streets is undergoing maintenance which added to the problem.

Commissioner Bushong reminded everyone that Shawnee will be featured on C-Span March 3rd and 4th. It will also be available on-line at a later time.

Commissioner Salter expressed his concern regarding traffic in Shawnee, especially along 45th Street if a new elementary school is located there.

Commissioner Shaw said she understood the traffic issue and urged Commissioners to look at all options and not put pressure on one particular area.

AGENDA ITEM NO. 3:

ADJOURNMENT

There being no further business to be considered, the meeting was adjourned by power of the Chair at 2:16 p.m.

RICHARD FINLEY, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

BOARD OF CITY COMMISSIONERS PROCEEDINGS
MARCH 5, 2018 AT 6:00 P.M.

The Board of City Commissioners of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in Regular Session in the Commission Chambers at City Hall, 9th and Broadway, Shawnee, Oklahoma, Monday, March 5, 2018 at 6:00 p.m., pursuant to notice duly posted as prescribed by law. Mayor Finley presided and called the meeting to order. Upon roll call, the following members were in attendance.

Richard Finley
Mayor

Absent
Commissioner Ward 1

Ron Gillham
Commissioner Ward 2

James Harrod
Commissioner Ward 3-Vice Mayor

Darren Rutherford
Commissioner Ward 4

Lesa Shaw
Commissioner Ward 5

Ben Salter
Commissioner Ward 6

ABSENT: Dub Bushong

INVOCATION

Don Lynch,
Emergency Management Director

FLAG SALUTE

AGENDA ITEM NO. 1:

Consider approval of Consent Agenda:

- a. Minutes for February 20, 2018 regular meeting.
- b. Acknowledge the following minutes:
 - Traffic Commission Minutes from October 24, 2017 meeting.
- c. Authorize staff to enter into a contract with U.S. Digital Designs for installation of a Fire Station Alerting System at Fire Station No. 2 and the Dispatch Center at City Hall.
- d. Mayor's Appointments

Shawnee Beautification Committee

Sue Nelson 1st Full Term

Expires 01/01/2022

Appointment to New Committee

e. Traffic Commission Recommendations

- 1) Consideration of request by Tina Hanna to install stop signs for East and West bound traffic at the intersection of Ninth Street and Louisa Avenue.

BOARD RECOMMENDATION: Board recommends approval of request.

STAFF RECOMMENDATION: Staff recommends approval of request.

Commissioner Rutherford asked that Consent Agenda Item No. 1(c) be pulled for separate consideration.

A motion was made by Commissioner Gillham, seconded by Commissioner Salter, to approve Consent Agenda Item Nos. 1(a-e), less item No. 1(c). Motion carried 5-1.

AYE: Gillham, Salter, Harrod, Finley, Rutherford

NAY: Shaw

Regarding Consent Agenda Item No. 1(c), Commissioner Rutherford asked to know the benefits and details of the Fire Station Alerting System (FSAS). Fire Chief Dru Tischer said it is an electronic notification system that includes lighting, speakers, and improvements to alerting equipment that is already in place. Currently, the City of Shawnee Dispatch Center does not have the ability to dispatch individual stations. The FSAS will provide the capability for Fire Station No. 2 to be dispatched individually to emergency incidents. This system will also provide a text-to-speech capability that will begin the dispatch process when the dispatcher starts typing into the CAD system.

A motion was made by Commissioner Shaw, seconded by Commissioner Rutherford, to approve Consent Agenda Item No. 1(c). Motion carried 6-0.

AYE: Shaw, Rutherford, Salter, Gillham, Harrod, Finley

NAY: None

AGENDA ITEM NO. 2:

Citizens Participation
(A three-minute limit per person)
(A twelve-minute limit per topic)

Holly Gordon announced that Paul's Place Steakhouse has become a Blue Zones approved restaurant.

Kate Joyce with the Shawnee Senior Citizens Center announced that beginning at 9:00 a.m. on Thursday, March 22, 2018, a Disabled American Veterans (DAV) Mobile Service Office will be at their location to educate and assist Veterans with their claims.

Ms. Joyce also announced that during Health Week there will be a Senior Stroll on April 4, 2018 at 5:00 p.m. It is a one mile walk. It will begin and end at the Municipal Auditorium.

AGENDA ITEM NO. 3:

Mayor's Proclamations:

"Arbor Day"
March 15, 2018

James Bryce accepted the Mayor's Proclamation for "Arbor Day" presented by Mayor Finley.

AGENDA ITEM NO. 4:

Discussion and possible action regarding the Contract Review Committee.

City Manager Justin Erickson gave background information on the Contract Review Committee. Mr. Erickson stated that more direction is needed from the City Commission to either: disband the Contract Review Committee, allowing staff to proceed with contracts and proposals to be presented to the City Commission; or direct staff to formalize the Contract Review Committee with a formal resolution or ordinance to be considered by the City Commission.

After discussion was held among the Commissioners, a motion was made by Commissioner Shaw, seconded by Vice Mayor Harrod, to direct staff to formalize the Contract Review Committee through the creation of a formal resolution or ordinance to be considered by the City Commission at a future date. Motion carried 5-1.

AYE: Shaw, Harrod, Rutherford, Salter, Gillham,
NAY: Finley

AGENDA ITEM NO. 5:

Discussion and consideration of Consulting Agreement with INSURICA to provide insurance consulting and employee benefit services to the City of Shawnee.

City Manager Justin Erickson provided a staff report. He stated Insurica has provided the City of Shawnee with insurance consulting and employee benefit services for approximately ten years. The contract will be for one year and will be reviewed annually by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Shaw, to approve an agreement with Insurica for employee benefit consulting services to the City of Shawnee in the amount of \$30,000.00. Motion carried 6-0.

AYE: Harrod, Shaw, Salter, Gillham, Finley, Rutherford

NAY: None

AGENDA ITEM NO. 6:

Discussion relating to the calling of an election to amend Section Two of Article III of the City Charter regarding electing City Commissioners at-large.

Discussion was had among the board regarding electing City Commissioners at-large versus ward only voting. Mayor Finley directed staff to gather information about how other municipalities elect commissioners.

AGENDA ITEM NO. 7:

Consider an ordinance related to terms of mayor and city commissioners and election of vice mayor, amending Section Four and Section Six of Article III of the Charter of the City of Shawnee, Oklahoma, changing the time for the beginning terms for mayor and city commissioners to conform with election dates and setting the time for election of vice mayor; and setting the effective date and providing for severability. *(Deferred form the August 21, 2017 City Commission meeting.)*

City Manager Justin Erickson provided a staff report for both Agenda Item Nos. 7 and 8. He stated the items are essentially the same item, one is an ordinance and one is a resolution. He stated that embedded in these changes are just clarifications of when the Mayor and Commissioners would take office.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve an ordinance related to terms of mayor and city commissioners and election of vice mayor, amending Section Four and Section Six of Article III of the Charter of the City of Shawnee, Oklahoma, changing the time for the beginning terms for mayor and city commissioners to conform with election dates and setting the time for election of vice mayor; and setting the effective date and providing for severability.

Ordinance No. 2626NS was introduced.

AN ORDINANCE RELATED TO TERMS OF MAYOR AND CITY COMMISSIONERS AND ELECTION OF THE VICE MAYOR, AMENDING SECTION FOUR AND SECTION SIX OF ARTICLE III OF THE CHARTER OF THE CITY OF SHAWNEE, OKLAHOMA, CHANGING THE TIME FOR THE BEGINNING OF TERMS FOR THE MAYOR AND CITY COMMISSIONERS TO CONFORM WITH ELECTION DATES AND SETTING THE TIME FOR ELECTION OF VICE MAYOR; AND SETTING THE EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY.

Motion carried 5-0-1.

AYE: Harrod, Gillham, Finley, Rutherford, Salter

NAY: None

ABSTAIN: Shaw

Commissioner Shaw stated that there was language in the proposed ordinance in Agenda Item No. 7 calling for the Vice Mayor to be elected verses appointed.

A motion was made by Commissioner Shaw, seconded by Commissioner Rutherford, to revisit Agenda Item No. 7. Motion carried 6-0.

AYE: Shaw, Rutherford, Salter, Gillham, Harrod, Finley

NAY: None

A motion was made by Commissioner Shaw to defer Agenda Item No. 7 to the March 19, 2018 City Commission meeting. Motion fails due to lack of a second.

A new motion was made regarding Agenda Item No. 7 by Vice Mayor Harrod, seconded by Commissioner Rutherford, to replace the word "election"

with the word “appointment” in all instances in reference to the position of Vice Mayor.

Ordinance No. 2626NS was introduced.

AN ORDINANCE RELATED TO TERMS OF MAYOR AND CITY COMMISSIONERS AND APPOINTMENT OF THE VICE MAYOR, AMENDING SECTION FOUR AND SECTION SIX OF ARTICLE III OF THE CHARTER OF THE CITY OF SHAWNEE, OKLAHOMA, CHANGING THE TIME FOR THE BEGINNING OF TERMS FOR THE MAYOR AND CITY COMMISSIONERS TO CONFORM WITH ELECTION DATES AND SETTING THE TIME FOR APPOINTMENT OF VICE MAYOR; AND SETTING THE EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY.

Motion carried 5-0-1.

AYE: Harrod, Rutherford, Salter, Gillham, Harrod

Nay: None

ABSTAIN: Shaw

Ordinance No. 2626NS was adopted by the City Commission.

AGENDA ITEM NO. 8:

Consider a resolution calling for, and providing for the holding of a general election in the City of Shawnee, Oklahoma, for the purpose of adopting an ordinance amending Section Four and Section Six of Article III of the charter of the City of Shawnee, Oklahoma, changing the time for the beginning of terms for the mayor and city commissioners to conform with election dates and setting the time for election of the vice mayor; and providing for said election to be conducted by the Pottawatomie County Election Board, and providing for voting by absentee ballot. *(Deferred from the August 21, 2017 City Commission meeting.)*

City Manager Justin Erickson stated that Item No. 8 is the companion piece to Item No. 7.

A motion was made by Commissioner Rutherford, seconded by Vice Mayor Harrod, to approve with an amendment by interlineation to replace all instances of “election” to “appointment” in reference to the position of Vice Mayor within the resolution calling for, and providing for the holding of a general election in the City of Shawnee, Oklahoma, for the purpose of adopting an ordinance amending Section Four and Section Six of Article III of the charter of the City of Shawnee, Oklahoma, changing the time for the beginning of terms for the mayor and city commissioners to conform with election dates and setting the time for election of the vice mayor; and providing for said election to be conducted by the Pottawatomie County Election Board, and providing for voting by absentee ballot.

Resolution No. 6556 was introduced.

A RESOLUTION CALLING FOR, AND PROVIDING FOR, THE HOLDING OF A GENERAL ELECTION IN THE CITY OF SHAWNEE, OKLAHOMA, FOR THE PURPOSE OF ADOPTING AN ORDINANCE AMENDING SECTION FOUR AND SECTION SIX OF ARTICLE III OF THE CHARTER OF THE CITY OF SHAWNEE, OKLAHOMA, CHANGING THE TIME FOR THE BEGINNING OF TERMS FOR THE OFFICE FOR THE MAYOR AND THE CITY COMMISSIONERS, AND ALSO PROVIDING FOR THE DATES OF APPOINTMENT OF THE VICE MAYOR; PROVIDING FOR SAID ELECTION TO BE CONDUCTED BY THE POTTAWATOMIE COUNTY ELECTION BOARD, AND PROVIDING FOR VOTING BY ABSENTEE BALLOT.

Motion carried 5-0-1.

AYE: Rutherford, Harrod, Finley, Salter, Gillham

NAY: None

ABSTAIN: Shaw

AGENDA ITEM NO. 9:

Consider an ordinance related to the calling of an election, amending Section Seven of Article XIV of the charter of the City of Shawnee, Oklahoma, changing the method of ordering the holding of elections by resolution, which conforms with state law; and setting the effective date and providing for severability. *(Deferred from the August 21, 2017 City Commission meeting.)*

City Manager Justin Erickson gave a staff report on Agenda Items Nos. 9 and 10. He stated that the City Charter requires the City Commission to pass ordinances for elections and that state law requires resolutions be passed and delivered to the County Election Board. If the Commission passes Agenda Items

No. 9 and 10 and the voters pass it in the June election, it would allow the City to default to state law and to what the County Election Board mandates, which is to call for an election by resolution.

A motion was made by Vice Mayor Harrod, seconded by Mayor Finley, to approve an ordinance related to the calling of an election, amending Section Seven of Article XIV of the charter of the City of Shawnee, Oklahoma, changing the method of ordering the holding of elections by resolution, which conforms with state law; and setting the effective date and providing for severability.

Ordinance No. 2627NS was introduced.

AN ORDINANCE RELATED TO THE CALLING OF AN ELECTION, AMENDING SECTION SEVEN OF ARTICLE XIV OF THE CHARTER OF THE CITY OF SHAWNEE, OKLAHOMA, CHANGING THE METHOD OF ORDERING THE HOLDING OF ELECTIONS BY RESOLUTION, WHICH CONFORMS WITH STATE LAW; AND SETTING THE EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY.

Motion carried 5-0-1.

AYE: Harrod, Finley, Rutherford, Salter, Gillham

NAY: None

ABSTAIN: Shaw

Ordinance No. 2627NS was adopted by the City Commission.

AGENDA ITEM NO. 10:

Consider a resolution calling for, and providing for the holding of a general election in the City of Shawnee, Oklahoma, for the purpose of adopting an ordinance amending Section Seven of Article XIV of the charter of the City of Shawnee, Oklahoma, changing the method of ordering the holding of elections by resolution, which conforms to state law; and providing for said election to be conducted by the Pottawatomie County Election Board, and providing for voting by absentee ballot. *(Deferred from the August 21, 2017 City Commission meeting.)*

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve a resolution calling for, and providing for the holding of a general election in the City of Shawnee, Oklahoma, for the purpose of adopting an ordinance amending Section Seven of Article XIV of the charter of the City of Shawnee, Oklahoma, changing the method of ordering the holding of elections by resolution, which conforms to state law; and providing for said election to be conducted by the Pottawatomie County Election Board, and providing for voting by absentee ballot.

Resolution No. 6557 was introduced.

A RESOLUTION CALLING AND PROVIDING FOR THE HOLDING OF A GENERAL ELECTION IN THE CITY OF SHAWNEE, OKLAHOMA, FOR THE PURPOSE OF ADOPTING AN ORDINANCE AMENDING SECTION SEVEN OF ARTICLE XIV OF THE CHARTER OF THE CITY OF SHAWNEE, OKLAHOMA, CHANGING THE METHOD OF ORDERING THE HOLDING OF ELECTIONS BY RESOLUTION, WHICH CONFORMS WITH STATE LAW; PROVIDING FOR SAID ELECTION TO BE CONDUCTED BY THE POTTAWATOMIE COUNTY ELECTION BOARD, AND PROVIDING FOR VOTING BY ABSENTEE BALLOT.

Motion carried 5-1.

AYE: Harrod, Gillham, Finley, Rutherford, Salter

NAY: Shaw

AGENDA ITEM NO. 11:

Consider an ordinance calling for a general and runoff election for Ward 1, Ward 5, and Ward 6.

City Manager Justin Erickson stated that those three wards are up for election in June.

A motion was made by Commissioner Rutherford, seconded by Commissioner Gillham, to approve an ordinance calling for a general and runoff election for Ward 1, Ward 5, and Ward 6.

Ordinance No. 2628NS was introduced.

AN ORDINANCE CALLING AND PROVIDING FOR THE HOLDING OF A GENERAL AND RUNOFF ELECTION IN THE CITY OF SHAWNEE, OKLAHOMA, FOR THE PURPOSE OF NOMINATING AND ELECTING CANDIDATES FOR THE OFFICES OF CITY COMMISSIONER OF THE FIRST WARD, CITY COMMISSIONER OF THE FIFTH WARD AND CITY COMMISSIONER OF THE SIXTH WARD; ESTABLISHING A FILING PERIOD AND QUALIFICATIONS FOR SUCH OFFICES; DESIGNATING THE MANNER OF ELECTING THE VARIOUS CITY OFFICES NAMED HEREIN; PROVIDING FOR SAID ELECTIONS TO BE

CONDUCTED BY THE POTTAWATOMIE COUNTY ELECTION BOARD; PROVIDING FOR VOTING BY ABSENTEE BALLOT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY. AN ORDINANCE RELATED TO THE CALLING OF AN ELECTION, AMENDING SECTION SEVEN OF ARTICLE XIV OF THE CHARTER OF THE CITY OF SHAWNEE, OKLAHOMA, CHANGING THE METHOD OF ORDERING THE HOLDING OF ELECTIONS BY RESOLUTION, WHICH CONFORMS WITH STATE LAW; AND SETTING THE EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY.

Motion carried 5-1.

AYE: Rutherford, Gillham, Harrod, Finley, Salter

NAY: Shaw

Ordinance No. 2628NS was adopted by the City Commission.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Gillham, to approve emergency clause relating to Ordinance No. 2628NS. Motion carried 5-1.

AYE: Harrod, Gillham, Finley, Rutherford, Salter

NAY: Shaw

AGENDA ITEM NO. 12:

Consider a resolution calling for a general and runoff election for Ward 1, Ward 5, and Ward 6.

A motion was made by Vice Mayor Harrod, seconded by Commissioner Salter, to approve a resolution calling for a general and runoff election for Ward 1, Ward 5, and Ward 6 with correction of “BEARD” to “BOARD” in the resolution title.

Resolution No. 6558 was introduced.

A RESOLUTION CALLING AND PROVIDING FOR THE HOLDING OF NONPARTISAN GENERAL AND GENERAL RUNOFF ELECTIONS IN THE CITY OF SHAWNEE, OKLAHOMA, FOR THE PURPOSE OF NOMINATING AND ELECTING CANDIDATES FOR THE OFFICES OF CITY COMMISSIONER OF THE FIRST WARD, CITY COMMISSIONER OF THE FIFTH WARD, AND CITY COMMISSIONER OF THE SIXTH WARD; ESTABLISHING A FILING PERIOD AND QUALIFICATIONS FOR SUCH OFFICES; DESIGNATING THE MANNER OF ELECTING THE VARIOUS CITY OFFICES NAMED HEREIN; PROVIDING FOR SAID ELECTIONS TO BE CONDUCTED BY THE POTTAWATOMIE COUNTY ELECTION BOARD; PROVIDING FOR VOTING BY ABSENTEE BALLOT.

Motion carried 5-1.

AYE: Harrod, Salter, Gillham, Finley, Rutherford

NAY: Shaw

AGENDA ITEM NO. 13:

Discussion and possible action to direct staff to prepare an ordinance and resolution relating to the calling of an election for the purpose of a one-half (1/2) cent sales tax for June 26, 2018 general election.

A motion was made by Mayor Finley, seconded by Vice Mayor Harrod, to direct staff to prepare an ordinance and resolution relating to the calling of an election for the purpose of a one-half (1/2) cent sales tax for June 26, 2018 general election. Motion carried 5-0-1.

AYE: Finley, Harrod, Rutherford, Salter, Gillham

NAY: None

ABSTAIN: Shaw

AGENDA ITEM NO. 14:

New Business (Any matter not known about or which could not have been reasonably foreseen prior to the posting of the agenda.)

There was no New Business.

AGENDA ITEM NO. 15:

Commissioners Comments

Vice Mayor Harrod said that he was happy that a potential bill in the Oklahoma State Senate that would not allow school boards and municipalities to call special elections did not get out of committee.

Commissioner Rutherford spoke of the Citizen Academy put on by the Shawnee Police Department. He advised the dates and topics to be discussed are: local government structure on March 15th; parks and recreation and non-profits on March 17th; economical development and technology on March 22nd; and police, fire and React on March 24th. He encouraged citizens to participate.

Commissioner Shaw wanted to reiterate that our teachers are struggling. She asked citizens to encourage your legislatures to support actions that would improve the health and well-being for our teachers.

AGENDA ITEM NO. 16:

Adjournment

There being no further business to be considered, the meeting was adjourned by power of the Chair. (7:05 p.m.)

RICHARD FINLEY, MAYOR

ATTEST:

LISA LASYONE, CMC
DEPUTY CITY CLERK

Regular Board of Commissioners**1.b.**

Meeting Date: 03/19/2018

Reports and Minutes

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Acknowledge the following reports and minutes:

- License Payment Report for February 2018
- Project Payment Report for February 2018
- Planning Commission Minutes from January 3, 2018 meeting
- Shawnee Beautification Committee Minutes from January 18, 2018
- Shawnee Urban Renewal Authority Minutes from November 7, 2017

Attachments

License Pymt Rpt

Project Pymt Rpt

PLN Minutes 01-03-2018

Beautification Minutes

SURA Minutes

3/06/2018 9:59 AM
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L I C E N S E P A Y M E N T R E P O R T
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PAGE:
PAYMENT DATES: 2/01/2018 TO 2/28/2018

** FEE CODE TOTALS **

FEE CODE	DESCRIPTION		FEE	===== PAYMENT DISTRIBUTION =====			TOTAL PAI
				PENALTY	TAX	INTEREST	
ALARM	BURGLAR/FIRE ALARM LICENSE	3	75.00CR				75.00
ALARMRENEW	BURGLAR/FIRE ALARM RENEW	15	225.00CR				225.00
BEERWINER	BEER AND WINE RENEWAL	1	450.00CR				450.00
DEMOL	DEMOLITION LICENSE FEE	2	150.00CR				150.00
ELEC1	ELECTRICAL CONTRACTOR INITIAL	2	200.00CR				200.00
ELEC2	ELECTRICAL CONTRACTOR RENEW	11	825.00CR				825.00
EXT	EXTERMINATOR LICENSE FEE	2	50.00CR				50.00
LAKEINSP	LAKE LEASE INSPECTION	2	150.00CR				150.00
LAKELEASE	LAKE LEASE	13	7,767.00CR				7,767.00
LIQR	RETAIL LIQUOR OCCUPATIONAL TAX	1	600.00CR				600.00
MECH1	MECHANICAL CONTRACTOR INTIAL	2	200.00CR				200.00
MECH2	MECHANICAL CONTRACTOR RENEW	5	375.00CR				375.00
MIXER	MIXED BEVERAGE RENEWAL	2	1,800.00CR				1,800.00
PLUM1	PLUMBING CONTRACTOR INITIAL	1	100.00CR				100.00
PLUM2	PLUMBING CONTRACTOR RENEW	7	525.00CR				525.00
RESAL	RESIDENTIAL SALE	9	90.00CR				90.00
SIGN	SIGN HANGERS LICENSE FEE	2	150.00CR				150.00
STORM	STORM CELLAR LICENSE FEE	1	75.00CR				75.00
TREE	TREE TRIMMING LICENSE FEE	2	50.00CR				50.00
TOTAL			13,857.00CR				13,857.00

03/05/2018 4:03 PM
STATUS: ALL
SEGMENT CODES: All
FEE CODES: All

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PROJECTS: THRU ZZZZZZZZZZ
PAYMENT DATES: 2/01/2018 TO 2/28/
SORTED BY: PRO

** GENERAL LEDGER DISTRIBUTION **

FUND G/L ACCOUNT	ACCOUNT NAME	AMOUNT
001-2133	UBCC FEE PAYABLE	144.00CR
001-4202	BUILDING PERMITS	2,767.97CR
001-4203	PLUMBING PERMITS	1,725.00CR
001-4204	ELECTRICAL PERMITS	250.00CR
001-4205	ZONING PERMITS & APPLICATIONS	751.00CR
001-4206	HEATING & A/C PERMITS	275.00CR
001-4249	OTHER PERMITS	380.00CR
001-4822	OTHER MISC. REVENUE	18.00CR
101-4249	OTHER PERMITS	180.00CR
501-4510	WATER TAPS	1,400.00CR
799-1023	BANCFIRST GENERAL	7,890.97

03/05/2018 4:03 PM
STATUS: ALL
SEGMENT CODES: All
FEE CODES: All

P R O J E C T P A Y M E N T R E P O R T

PAGE:
PROJECTS: THRU ZZZZZZZZZZ
PAYMENT DATES: 2/01/2018 TO 2/28/
SORTED BY: PRO

** SEGMENT CODE TOTALS **

SEGMENT CODE	DESCRIPTION	TOTAL PAID
B1-NEW	BUILDING CONSTRUCTION NEW	4,134.22CR
B3-REMODEL	BUILDING CONSTRUCTION REM	1,128.75CR
B4-SHELTER	BUILDING SHELTER	59.00CR
B4-STORAGE	BUILDING STORAGE SHED	29.50CR
E3-REMODEL	ELECTRICAL REMODEL/REPAIR	272.50CR
M3-REMODEL	MECHANICAL REMODEL/REPAIR	297.50CR
P3-REMODEL	PLUMBING REMODEL	654.00CR
X-BORE/CUT	BORING & PAVING CUT PERMI	180.00CR
X-DEMO	DEMOLITION PERMIT	100.00CR
X-PLATREV	PLAT REVIEW PRELIM	471.00CR
X-SIGN	SIGN PERMIT	150.00CR
X-SWIMPOOL	SWIMMING POOL PERMIT	34.50CR
Z-OCCUP	OCCUPANCY PERMIT	100.00CR
Z-REZONING	REZONING REQUEST	280.00CR
TOTAL		7,890.97CR

PLANNING COMMISSION MINUTES

DATE: JANUARY 3RD, 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, January 3rd, 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: Matthews, Walker, Bergsten, Cowen, Kienzle, Rowell

Absent:

Meeting was called to Order.

AGENDA ITEM NO.2:

Consideration of approval of the minutes from the October 4th, 2017 Planning Commission Meeting

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

Motion passed:

AYE: Walker, Bergsten, Cowen, Kienzle, Rowell

NAY:

ABSTAIN: Matthews

AGENDA ITEM NO.3:

Consideration of approval of the minutes from the November 1st, 2017 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 Walker.

Motion passed:

AYE: Matthews, Walker, Bergsten, Cowen, Rowell

NAY:

ABSTAIN: Kienzle

AGENDA ITEM NO.4:

Swearing in of Cody Deem to the Planning Commission

Cody Deem was sworn in.

AGENDA ITEM NO.5:

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.6:

Case #P01-18 – A public hearing for consideration of approval for the 19th Hole Planned Unit Development located at Country Club Heights Addition, Section 1, Shawnee, OK

Applicant: The Landrun Group, LLC

Chairman Bergsten asked for the staff report. Justin Debruin presented staff report and informed board that the subject property is located on Highland Street, next to Bryan and north of Harbor Estates. Property is currently zoned R-1; single family residential and is two acres in size. Mr. Debruin explained the request is for a more high density concept on smaller lots around 4000 square feet. Justin Debruin discussed the previous R-1Z lots and the exceptions for the proposed R-2 development. Mr. Debruin explained amenities and requirements. Property Owner Association will be established. Justin Debruin spoke on the issues and necessary corrections as well as addressing the existing covenants. Mr. Debruin explained the comprehensive plan shows for the proposed area to be zoned residential which can be anywhere from single family to multi-family so request is in conformance. Justin Debruin informed board that two other surrounding properties were rezoned to the R-3; multi-family residential. Mr. Debruin stated staff generally has no objection to site if three conditions are met. Justin Debruin also informed board that the City Attorney, Mike Clover was present to answer any questions. Mr. Clover discussed information regarding the covenants and asked for any questions. Commissioner Matthews asked if rezone were approved today, the applicant would still not be able to go further until they satisfy the covenants. Mr. Clover stated that if board chose to rezone it, the owners of real property, who feel bound by the covenants, could initiate an order through court to stop what board approved if no agreement is met with developer. Commissioner Kienzle asked just as a matter of development practice, wouldn't the applicant want to address things like that before coming to city for a rezone and platting. Mr. Clover stated he did not know if he could answer her question, but if he were the developer then yes, he would want that resolved first before getting to this point. Chairman Bergsten asked if the board should take the covenants into consideration when making their decision. Mr. Clover stated he believed covenants were valid and in full effect govern use of property but if board approves it doesn't necessarily mean it stops there. Justin Debruin explained process for plats and amending the Planned Unit Development. Commissioner Kienzle asked if the surrounding multi-family rezone that was previously approved was actually constructed. Mr. Debruin stated he believed it was not. Commissioner Kienzle also asked if something was developed at the time covenants were constructed, with an overall scheme of future plan for area. Justin Debruin explained he did not have much content for Country Club Heights. Commissioner Matthews asked if the proposal fundamentally changed the feel of the existing neighborhood. Mr. Debruin stated conformance with surrounding properties did warrant the particular situation and meets staff's requirements, even with the higher density. Vice-Chairman Cowen asked if title was transferred from the people who put covenants together to the 19th Hole LLC. Mr. Clover was unaware. Bill Ford spoke and stated he was also not aware but mentioned it changed hands originally. Vice-Chairman asked if the intent was for these covenants to move forward and Mr. Ford agreed. Vice-Chairman asked Mr. Landes if they owned it and he confirmed ownership. 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. William (Bill) Ford came forward and stated he helped put the covenants together in 1977 and have abided by them for forty years. No changes or exceptions have been made and he hoped that the Commissioners had a chance to review the documents. Commissioner Kienzle asked if he received a request by the building committee. He stated he did not and only started inquiring when the sign posted off highway was noticed. Chairman Bergsten asked if there was any conversation with developer and he said no. Commissioner Deem asked what the primary objection to rezoning was. Mr. Ford stated covenant was abided by for forty years and if one is changed, more start changing. Chris Lillard came forward and described his main concerns as being potential traffic hazards,

negatively affecting the neighboring property values, overloading the creek with storm water runoff, and the proposed homes being constructed too close to the golf course. Richard Finley came forward as a resident of the area and to answer Commissioner Deem's question. He stated the PUD by definition is a one lot, one house thing and was not in existence at time this was put in, while these were designed to be primarily single family houses. Mr. Finley believes the single family definition falls short of the original zoning.

Chairman Bergsten asked if anyone in favor would like to come forward. Steve Landes came forward to speak in favor as one of the owners of the project. Mr. Landes explained they were trying to keep the concept of single family homes but believes this design's amenities will appeal to many homeowners. Steve Landes discussed the amenities, detention and handed out floor plan designs. Chairman Bergsten informed Mr. Landes his time was up. Steven Landes stated the items he went through fit into the covenants. Commissioner Matthews asked about point four, regarding sixteen houses on two lots. Steve Landes discussed re-platting it and also mentioned he met with the Country Club owner. Commissioner Walker asked Mr. Landes to explain what he means when stating that covenants allow proposal, but also mentioned he didn't believe covenants were in effect because committee is perpetuated. Steve Landes stated he was kind of in between. Commissioner Walker asked if there was any attempt to resolve the matter with the surrounding homeowners. Mr. Landes stated his wife, an attorney, looked through the covenants and that was their interpretation, as well as discussing with the Country Club. Chairman Bergsten closed the public portion of the meeting and asked if there were any comments, questions or a motion from the Commissioners. Commissioner Walker mentioned how the issue should have been discussed in more detail before coming to the board. Chairman Bergsten discussed voting options for the new members of board. Vice-Chairman Cowen explained how he is pro development, but given these issues he doesn't believe they can go forward until issues are resolved with homeowners. Chairman Bergsten asked for confirmation that there has not been any effort made to meet and discuss with the surrounding homeowners. Mr. Landes agreed and stated he did get a call from Mr. Lillard. Vice-Chairman Cowen asked time frame for applicant to re-apply if denied. Mr. Debruin informed him it was six months. Commissioner Walker asked if approved, it could still be a civil matter. Mr. Clover agreed and City could be made a part of it. Commissioner Walker made a motion to defer to the March Planning Commission meeting, seconded by Vice-Chairman Cowen. Commissioner Kienzle asked for staff to request the overall development plan the Country Club is using and advertising to purchasers.

Motion deferred to March 7th, 2018 PC Meeting:

AYE: Deem, Matthews, Walker, Bergsten, Cowen, Kienzle, Rowell

NAY:

ABSTAIN:

AGENDA ITEM NO.7:

Case #P02-18 – A public hearing for consideration of approval for the Shawnee Trail Office Park Planned Unit Development located at the SE corner of East 45th Street and Hyatt Road, Shawnee, OK

Applicant: Bonray Real Estate, LLC

Chairman Bergsten asked for the staff report. Justin Debruin presented staff report and stated location is on 45th Street, east of Harrison Avenue and property is around four acres, with a zoning of C-2. Mr. Debruin informed the board the primary intent for the Planned Unit Development was to clean up language regarding private roadways and parcel agreements. Justin Debruin explained exhibit one regarding the business offices and also discussed city requirements. Staff recommends approval for Planned Unit Development with two conditions. Mr. Debruin stated he would be combining the staff report for the preliminary plat and mentioned the plat adheres to the subdivision regulations. Staff has three conditions to add to approval. Justin Debruin explained what staff looks for on a preliminary plat. Staff recommends approval for Preliminary Plat with three conditions. Commissioner Walker asked if the only access was on the northern side of property. Mr. Debruin agreed and mentioned a commercial drive is not allowed on a residential road. Justin Debruin also discussed a property association taking care of maintenance on the site. 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. Chairman Bergsten asked if anyone in favor would like to come forward. No one came forward and Chairman Bergsten closed the public portion of the meeting and asked if there were any questions, comments or a motion. Vice-Chairman Cowen made a motion to approve with conditions listed, seconded by Commissioner Kienzle.

Motion passed:

AYE: Deem, Matthews, Walker, Bergsten, Cowen, Kienzle, Rowell

NAY:

ABSTAIN:

AGENDA ITEM NO.8:

Case #S01-18 – Consideration of approval of a Preliminary Plat for Shawnee Trail Office Park, located at the SE corner of East 45th Street and Hyatt Road, Shawnee, OK

Applicant: Bonray Real Estate, LLC

Combined staff report. 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. Chairman Bergsten asked if anyone in favor would like to come forward. No one came forward and 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 approve with conditions listed, seconded by Commissioner Walker.

Motion passed:

AYE: Deem, Matthews, Walker, Bergsten, Cowen, Kienzle, Rowell

NAY:

ABSTAIN:

AGENDA ITEM NO.9:

Case #S02-18 – Consideration of approval of a Final Plat for Chicken Express Addition, located near the intersection of North Harrison Street and 45th Street, Shawnee, OK

Applicant: Wilma Smith/Paul Pogue 2012 Trust

Chairman Bergsten asked for the staff report. Brittney Burton presented the staff report. Ms. Burton stated the final plat proposal is located south of 45th Street on the west side of Harrison Avenue. City Commission approved the preliminary plat on November 6th, 2017. Brittney Burton discussed the five conditions that were included in the approval of the Chicken Express preliminary plat. Since these were met, staff recommends approval of final plat with three conditions. 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. Chairman Bergsten asked if anyone in favor would like to come forward. No one came forward and 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 with conditions listed, seconded by Vice-Chairman Cowen.

Motion passed:

AYE: Deem, Matthews, Walker, Bergsten, Cowen, Kienzle, Rowell

NAY:

AGENDA ITEM NO.10:

Case #P03-18 – A public hearing for consideration of approval for a Conditional Use Permit located at 7109 N. Kickapoo Avenue, Shawnee, OK

Applicant: Nelmon Brauning

Chairman Bergsten asked for the staff report. Justin Debruin presented staff report and informed board the subject site is located on the northeast corner of Kickapoo and Garrett's Lake Road, being roughly 157 acres in size. Site is located more in an industrial area, with request being a commercial type use. Mr. Debruin explained that the use is allowed with a conditional use permit in agricultural zoned areas. Staff considered a few items when reviewing request; including controlling and maintaining traffic, trash pickup and collection, providing adequate restroom facilities and adhering to city regulations. Justin Debruin stated he believed applicant had the land/space to make a request of this nature work. Staff requests applicant to provide documentation/plan prior to events, with a change to include providing a plan to be approved by staff. Vice-Chairman Cowen asked what time frame is listed to give staff enough time in advance to be notified and how long staff has to respond. Justin Debruin offered seven days prior to the event, giving staff two days to review. Vice-Chairman asked if they would plan an event seven days in advance. Mr. Debruin mentioned his intent would not having a new document each time, if event changed to a certain scope, staff would be able to keep track and discussed how code is open-ended for use. Commissioner Kienzle suggested a thirty day time frame and asked if it was specific to planning staff. Mr. Debruin agreed. Commissioner Kienzle asked if they could describe event and Justin Debruin agreed. Commissioner Kienzle also asked if a security plan was required. Mr. Debruin stated he did was not aware of one being required. Commissioner Kienzle mentioned the plan can be very limited or much larger when needed based on activities. Commissioner Kienzle asked if operator would be insured. Mr. Debruin agreed. Commissioner Kienzle asked if city regulation was written to show where they provide us with the certificate of insurance and meets state guidelines. Justin Debruin stated he had a question on if a special event permit would apply versus private property operations. Mr. Debruin offered possibly deferring to review more details. 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. Jodi McKean came forward and stated she only noticed sign posted but thanked Commissioners for bringing security up. Traffic is a concern. Mrs. McKean spoke of bad experiences from sales she previously attended out of state and did not want such as her neighbor. She mentioned her concern for animals being left. Vice-Chairman Cowen asked Mrs. McKean how she would feel if animal sales were restricted. Mrs. McKean stated she would feel better but stated the term flea market could mean anything and Vice-Chairman Cowen stated he understood but that was the purpose of the board to talk to her and applicants to work out details in advance and believes it is a valid point. Mrs. McKean also mentioned firearm sales and what restrictions were. Vice-Chairman Cowen asked if City Attorney knew the requirements. Mike Clover stated he did not know if he could answer that right then but will get back to him with one. Vice-Chairman Cowen offered getting more details with proposed deferment regarding these issues. Doyle Short came forward to speak and stated he lives in the area and was just made aware of this last night. Mr. Short informed board his main concern would be his property value going down with a flea market located half a mile from his house on 157 acres. Mr. Short also mentioned Kickapoo street being inadequate, concerns regarding crime and didn't understand an agricultural zoned property having anything to do with flea markets. Chairman Bergsten asked if anyone in favor would like to come forward. No one came forward and Chairman Bergsten closed the public portion of the meeting and asked if there were any questions, comments or a motion. Commissioner Matthews asked if there were any points of access known. Justin Debruin informed him there is currently one point of access off Garrett's Lake Road that is a residential type drive and would suffice with city code. Commissioner Matthews also asked if they could specify what uses would go in and he mentioned he would like to hear more from the applicant. Mr. Debruin stated he could request a letter from applicant detailing all points. Commissioner Deem asked if conditional use permit is time limited. Justin Debruin explained it transfers with title. Commissioner Matthews asked if they could put a one year approval on it. Mike Clover informed board that if conditional use permit is approved, it will stay until brought before board to change. Commissioner Walker asked if there are any requirements with city for events to be permitted. Mr. Debruin stated public events are permitted, private events are not. Commissioner Walker asked if they would have to come forward with every event. Justin Debruin informed board he would get with City Attorney about that.

Commissioner Kienzle wanted to see about city regulations regarding fire danger. Vice-Chairman Cowen asked Mr. Clover and Mr. Debruin how long they needed. Sixty days was agreed upon. Vice-Chairman Cowen made a motion to defer for sixty days, seconded by Commissioner Kienzle.

Motion deferred to March 7th, 2018 PC Meeting:

AYE: Deem, Matthews, Walker, Bergsten, Cowen, Kienzle, Rowell

NAY:

ABSTAIN:

AGENDA ITEM NO.11:

Planning Director's Report

Vice-Chairman Cowen asked for an update on the property next to the Owl Shoppe. Justin Debruin informed him the remodel permit is set to expire in February and will have to go back through the court system after. Mike Clover stated only a fine would be issued through that court if ordered. Vice-Chairman Cowen asked at what point could they condemn and Mr. Debruin explained it would explore next measures. Commissioner Kienzle discussed her concern with the steep drive going into the Elevated Grounds development. Justin Debruin stated he would speak with the engineering and traffic department. Commissioner Kienzle also expressed concern with the traffic issue at the intersection of I-40 and Kickapoo Avenue. Commissioner Walker expressed his concerns with the same area. Commissioner Matthews informed potential issue with the entrance/exit at the LifeChurch location.

AGENDA ITEM NO.12:

Commissioners Comments and/or New Business

No comments and/or new business.

AGENDA ITEM NO. 13:

Adjournment

Meeting was adjourned.



Chairman/Vice-Chairman

Cheyenne Pettigrew
Planning Commission Secretary



Office of the Director of Operations

Minutes

Shawnee Beautification Committee

JANUARY 18, 2018

The Shawnee Beautification Committee met at the Shawnee Community Center

The meeting was called to order at 4:00 pm

Roll Call was taken showing the following members present:

		Present	Absent
Member	Tom Terry	<u> X </u>	<u> </u>
Member	Debi Renegar	<u> X </u>	<u> </u>
Member	Joe Harbeson	<u> X </u>	<u> </u>
Member	Sherry Lankford	<u> X </u>	<u> </u>
Member	Kevin Huddleston	<u> X </u>	<u> </u>
Member	Ethan Birdwell	<u> X </u>	<u> </u>
Member	Mike Mlynek	<u> </u>	<u> X </u>
Member	Holly Gordon	<u> X </u>	<u> </u>
City Staff	Whisper Peace	<u> X </u>	<u> </u>
City Staff	James Bryce	<u> X </u>	<u> </u>
City Staff	Jim Vanantwerp	<u> X </u>	<u> </u>
Guest	Sue Nelson	<u> X </u>	<u> </u>

AGENDA NO 2 **Roll Call and Declaration of a Quorum.** Roll was called and a quorum was declared.

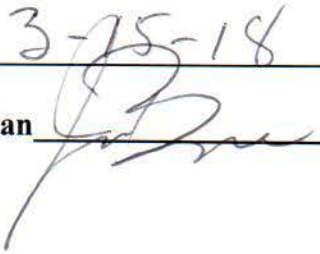
AGENDA NO 3 **Approved Minutes for December 2017.** The minutes for December 21, 2017 were approved with a motion made by Sherry Lankford and 2nd by Debi Renegar. The motion carried unanimously.

- AGENDA NO 4** **Welcome New Members.** New members are Ethan Birdwell, Holly Gordon, and Mike Mlynek(not present)
- AGENDA NO 5** **Discussion on ‘Gardening with the Experts.’** Tom Terry passed out a rough draft of the program handout and discussed door prizes and how each group member was going to participate in the event. Members agreed to meet on Friday to set up for the event.
- Tom Terry-greater/ announcer
Kevin Lankford-greater/door prize announcer
James Bryce/Debi Renegar-information table/ ticket seller
Ethan Birdwell-sound system/computer operator
Jim Vanantwerp/Joe Harbeson-door greater/collect evaluations and hand out rain gauges
Sherry Lankford-computer operator
Sue Nelson- water
- AGENDA NO 6** **Discussion and possible action on renaming the committee.**
“Shawnee Community Beautification Committee”
Debi Renegar made a motion to choose this name. Sherry Lankford 2nd the motion and the vote carried unanimously.
- AGENDA NO 7** **Discussion on appointing a chairperson for the Committee.** James Bryce suggested appointing a Chairperson since the group is growing.
- AGENDA NO 8** **Old Business.** Kevin showed the group the rain gauges for the Gardening with the Experts event.
- AGENDA NO 9** **New Business.** Tom Terry announced that next year will be the 20th Anniversary for “Gardening with the Experts.”

AGENDA NO 10 Comments.

AGENDA NO 11 Adjournment.

Date 3-25-18

Chairman 

SHAWNEE URBAN RENEWAL AUTHORITY

MINUTES OF November 7, 2017

The Board of Commissioners of the **Shawnee Urban Renewal Authority** met for a regular meeting Tuesday, November 7, 2017 at 9:00 a.m. in the CDBG Conference Room, 227 N. Broadway, Suite C, Shawnee, Oklahoma.

Tiffany Barrett called the meeting to order at 9:02 a.m.

AGENDA ITEM NO. 2

ROLL CALL:

Roll call was taken showing the following members present:

Chairman	Tiffany Barrett
Commissioner	Larry Gill
Commissioner	Johnie Maxwell
Commissioner	Renee' Wortham

Absent: Vice Chair Stephen Rice

Also present:

Bryan Logan, CDBG Program Manager, SURA

Karen Drain, Secretary, SURA

Elaine Shrum, Administrative Specialist, SURA

A quorum was declared.

AGENDA ITEM NO. 3

APPROVAL OF MINUTES:

A motion to approve the minutes of August 1, 2017 was made by **Commissioner Maxwell**, seconded by **Commissioner Gill**. Motion carried with no abstentions.

VOTING YES: Barrett, Gill, Maxwell and Wortham

VOTING NO: None

AGENDA ITEM NO. 4

APPROVAL OF CLAIMS:

A motion to approve claims totaling \$ 72,252.12 was made by **Commissioner Gill**, seconded by **Commissioner Wortham**. Motion carried with no abstentions.

VOTING YES: Barrett, Gill, Maxwell and Wortham
VOTING NO: None

AGENDA ITEM NO. 5
REQUEST APPROVAL:

Bryan Logan, CDBG Program Manager addressed the following requests:

a) 2018 Schedule of Regular Meetings

A motion to approve 2018 Schedule of Regular Meetings was made by **Commissioner Gill**, seconded by **Commissioner Wortham**. Motion carried with no abstentions.

VOTING YES: Barrett, Gill, Maxwell and Wortham
VOTING NO: None

b) Subordination Agreement

A motion to approve the subordination Agreement was made by **Commissioner Gill**, seconded by **Commissioner Wortham**. Motion carried with no abstentions.

VOTING YES: Barrett, Gill, Maxwell and Wortham
VOTING NO: None

AGENDA ITEM NO. 6
UPDATE ON PROJECT OPENINGS:

Bryan Logan, CDBG Program Manager reported the following results:

- 1. Home Repair: Roof**
Cost Estimate: \$ 13,125.00
Bids received: 4
Bid awarded to: **Patterson Roofing for \$11,923.00**

- 2. Home Repair: Roof, A/C**
Cost Estimate: \$ 11,550.00
Bids received: 5
Bid awarded to: **A/C Drs. for \$10,320.00**

- 3. Home Repair: Plumbing**
Quotes received: 1, only immediate source
Awarded to: Complete Plumbing for \$4,400.00
- 4. Home Repair: Plumbing**
Quotes received: 3
Awarded to: Cole Plumbing for \$1,800.00
- 5. Home Repair: Roof/Siding**
Cost Estimate: \$ 18,400.00
Bids Received: 4
Bid awarded to: Dave VanBrunt for \$19,680.00
- 6. Demolition: Demolish Storage Shed**
Cost Estimate: \$ 1,950.00
Bids Received: 1
Bid awarded to: Meier & Son for \$2,000.00
- 7. Special Project: SURA, 1202 N. Penn**
Cost Estimate: \$ 32,500.00
Bids Received: 3
Bid awarded to: Dave VanBrunt for \$29,915.00
- 8. Demolition: Demolish Structure**
Cost Estimate: \$ 3,250.00
Bids Received: 1
Bid awarded to: Meier & Son for \$4,500.00
- 9. Home Repair: Plumbing**
Quotes Received: 2
Awarded to: LG Construction for \$6,625.00
- 10. Home Repair: Plumbing**
Quotes Received: 2
Awarded to: LG Construction for \$3,750.00

AGENDA ITEM NO. 7
UPDATE ON CLOSED PROJECTS:

Bryan Logan, CDBG Program Manager reported the following results:

1. Home Repair: Plumbing & A/C
Bid Awarded to: Complete Plumbing for \$9,900.00 – Closed out at \$14,675.00
2. Home Repair: Roof
Bid Awarded to: Statewide Roofing for \$7,884.00 – Closed out at \$8,268.00
3. Home Repair: Roof
Bid awarded to: Patterson Roofing for \$11,923.00 – Closed out at \$13, 203.00
4. Home Repair: Roof, A/C
Bid awarded to: A/C Drs. for \$10,320.00 – Closed out at \$13,150.00
5. Home Repair: Plumbing
Awarded to: Cole Plumbing for \$1,800.00 – Closed out at \$2,150.00
6. Home Repair: Plumbing
Awarded to: Complete Plumbing for \$4,400.00

**AGENDA ITEM NO. 8
OLD/NEW BUSINESS:**

There was no old or new business.

**AGENDA ITEM NO. 9
PROGRAM MANAGER'S REPORT:**

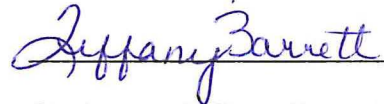
Bryan Logan, CDBG Program Manager explained the process for foreclosures.

**AGENDA ITEM NO. 10
ADJOURNMENT**

There being no further business to come before the Board at this time, a motion to adjourn at 9:35 a.m. was made by **Commissioner Gill** seconded by **Commissioner Wortham**. Motion carried with no abstentions.

SURA
November 7, 2017
Page 5

VOTING YES: Barrett, Gill, Maxwell and Wortham
VOTING NO: None


Chairman, Tiffany Barrett


Secretary, ~~Larry Gill~~ Renee Wortham

Regular Board of Commissioners

1.c.

Meeting Date: 03/19/2018

Budget Amendment 601

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Budget Amendment – Fund 601

Amend budget for refunds from the excess liability carriers on large settlements.

Attachments

Budget Amend 601

City of Shawnee
Budget Amendment
Work Comp Fund 601
March 19, 2018

Estimated Revenue, Fund Balance, or Transfers IN

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
601	4825			Refunds & Reimbursements	-	555,990.37	555,990.37
				Total	-	555,990.37	555,990.37

Appropriations

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
601	5050-5365			Claim Settlements	40,000.00	555,990.37	595,990.37
					-	-	-
					40,000.00	555,990.37	595,990.37

Approved by the City Commission this _____

Explanation of Budget Amendment:

To amend budget for refunds from the excess liability carriers on large settlements

Approved:

Mayor _____

Attest: _____

City Clerk _____

Posted By _____ Date _____ BA# _____ Pkt.# _____

Regular Board of Commissioners

1.d.

Meeting Date: 03/19/2018

Budget Amendment 301

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Budget Amendment – Fund 301

Amend budget for insurance money to replace a police vehicle that was totaled.

Attachments

Budget Amend 301

City of Shawnee
Budget Amendment
CAPITAL FUND
March 19, 2018

Estimated Revenue, Fund Balance, or Transfers IN

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
301	4804			Insurance Recovery	5,086.00	25,973.96	31,059.96
				Total	-	25,973.96	25,973.96

Appropriations

Fund Number	Account Number	Project Code	Line Item	Description	Balance Before Amendment	Amount of Amendment Increase (Decrease)	Balance After Amendment
301	5-0610-5450	806	0610-51	Capital Equipment	166,225.00	25,973.96	192,198.96
					-	-	-
					166,225.00	25,973.96	192,198.96

Approved by the City Commission this
 _____ 03/19/2018 _____

Explanation of Budget Amendment:
 To amend the budget for insurance money to replace a police vehicle
 that was totaled

Approved:

Mayor _____
 Attest: _____

City Clerk _____

Posted By _____ Date _____ BA# _____ Pkt.# _____



City of Shawnee

Chief Mason Wilson

16 W 9th

Shawnee, Oklahoma 74801

Office (405) 878-1680 or 1681 *Fax (405) 878-1520

E-Mail: mwilson@shawneeok.org



FROM : **Mason Wilson** *mw*
Chief of Police

TO : Cynthia Arnold
Finance Director

SUBJECT : Funds Transfer Request

DATE : March 7, 2018

During incident on 11-10-17 unit #4849 was damaged and later totaled by insurance company. OMAG reimbursed City for vehicle and equipment costs totaling 25,973.96.

This memo is to request checks received from OMAG totaling \$25,973.96 currently deposited in Insurance recovery capital account #301-4804 be transferred to account #301-5-0610-5450 project #806 0610-51 in order to cover costs to purchase replacement unit and equipment.

OKLAHOMA MUNICIPAL
ASSURANCE GROUP
CLAIMS
3850 S. BOULEVARD
EDMOND, OK 73013-5581
(405) 637-1100

MidFirst Bank
Customer Care

39-8799/3030

DATE 12/06/2017

Twenty-Five Thousand Nine Hundred Seventy-Three and 96/100 Dollars***

DOLLARS \$ **\$25,973.96**

(VOID AFTER 60 DAYS)

PAY
TO THE
ORDER
OF

City of Shawnee
P.O. Box 1448
Shawnee, OK 74802

VOID AFTER 60 DAYS



⑈033101⑈ ⑈303087995⑈ ⑈5201008382⑈

Description	From Date	To Date	Invoice #	Invoice Amt	Amount
VEHICLE EQUIPMENT			VEH EQUIP - 2016 Expl	\$0.00	\$1,798.96
Claim Number: 204245 Claimant: City of Shawnee Payee: City of Shawnee					
Check Number: 33101 Total Check Amt: \$25,973.96 Event Date: 11/10/2017 Department: Shawnee City of Shawnee					
Policy Name : GLA 1400505 01					
AUTO COLLISION			2016 Ford Expl V-7177	\$0.00	\$24,175.00
Claim Number: 204245 Claimant: City of Shawnee Payee: City of Shawnee					
Check Number: 33101 Total Check Amt: \$25,973.96 Event Date: 11/10/2017 Department: Shawnee City of Shawnee					
Policy Name : GLA 1400505 01					



Big Bear Cruisers, Inc.

Police Cruisers - Emergency Equipment



Muldrow, OK

918-427-8888

To: City of Shawnee, OK Police Dept.

From: Josh Huff

Date: 02/23/2018

#16 W. 9th St

Shawnee, OK 74801

Off# 405-273-1950

Proposal

Here is the following information on a black and white 2014 Ford Police Interceptor Utility Explorer.
If you need any further information; please let us know.

1. #9194, 2014 Ford Police Interceptor Utility Explorer, V-6, 70K miles, \$15,995.00
Black & White, w/ dark gray interior, Bucket Seats, AM/FM/CD, PS, PB, PW, PL,
Pwr Mirrors, AC, Tilt, Overdrive, etc.
VIN# 1FM5K8AR1EGB59194

2. Delivery to **Shawnee, OK** No Charge
3. 12 month/12,000 mile limited warranty No Charge
4. Installation of any purchased equipment No Charge

Total Price: \$15,995.00

Thank you for your interest,
Joshua Huff
Big Bear Cruisers, Inc.

706 Gibbons Lane, Muldrow, OK 74948

Phone: (918) 427-8888 Fax: (918) 427-8889

Web: www.policecars.com
Email: patrolcars@aol.com

Try our Customer Satisfaction Guarantee
References available upon request

Regular Board of Commissioners

1.e.

Meeting Date: 03/19/2018

VSI Contract

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Authorize City Manager to terminate the agreement between the City of Shawnee and Visit Shawnee, Inc. effective June 30, 2018 in preparation for the annual community service contract review process.

Attachments

VSI Memo

VSI Contract



Office of the City Manager

MEMORANDUM

AGENDA: March 19, 2018

TO: Honorable Mayor and Members of the City Commission

FROM: *Justin Erickson*
Justin Erickson, City Manager

RE: **Annual Contract with Visit Shawnee, Inc.
Termination Notice to Facilitate FY 18-19 Contract**

SUMMARY AND BACKGROUND

The City of Shawnee has an agreement with Visit Shawnee, Inc. to provide tourism development and other services. This contract expires on June 30, 2018. Staff anticipates that a contract for fiscal year 2018-2019 will be presented to the Contract Review Committee in April. Section IV of the current agreement (attached), notes that the contract "shall automatically renew for a term of one year" unless it is "terminated by either part upon ninety (90) days' notice prior to June 30 of the agreement year."

RECOMMENDATION

Staff recommends that the City Commission approve the termination of the existing contract to facilitate the annual community service contract review process. Staff does not anticipate major changes to the contract, but the contractual language requires 90 days' notice, meaning the Commission must take this action to retain the ability to make any adjustments to the contract under the most stringent interpretation of the agreement.

Attachment

AGREEMENT BETWEEN THE CITY OF SHAWNEE and
VISIT SHAWNEE, INC.

This Agreement made and entered into this 1st day of July, 2017, is between the City of Shawnee, a municipal corporation hereinafter referred to as "CITY", and Visit Shawnee, Inc. an Oklahoma non for profit corporation hereinafter referred to as "VSI".

I. DUTIES AND RESPONSIBILITIES OF SEDF

1. **Services.** VSI agrees to provide services to encourage, promote, and foster conventions, conferences, and tourism development in the City of Shawnee consistent with Sections 25-226 through 25-239 of the City of Shawnee Municipal Code.
2. **Employees.** VSI agrees to provide a qualified and competent staff and to provide all the management and administrative services required to present a viable promotional program including, but not limited to, the gathering and dissemination of information, ideas, research, promotional programs, servicing conventions (including all normal convention support services and equipment), representing local business, negotiating civic and hotel interest with associations and other convention groups, and assisting in development and promotion of local activities and attractions designed to enhance the City's tourist desirability. All employees carrying out tasks pursuant to this Agreement are employees of VSI and are not employees of the City of Shawnee. VSI will carry workers compensation insurance in accordance with the laws of the state of Oklahoma.
3. **Insurance.** VSI shall obtain insurance to cover loss of any equipment or real estate owned by the City as well as liability insurance in an amount at least equal to the limits of liability under the Oklahoma Government Tort Claims Act.
4. **Records and Reporting.**
 - a. **Reports.** VSI will provide quarterly reports of its activities and finances (including income, expenditures, and balance) to the City Commission, including annual audited financials.
 - b. **Inspection and Audit.** VSI agrees to make its books and records available for inspection by a designee of the CITY or those hired by the city to perform audits upon reasonable notice during regular business hours.
 - c. **Compliance with Open Meeting and Open Records Laws.** All VSI Board meetings and VSI records shall be open to the public in accordance with the Open Meeting Act (25 O.S. §§ 301-314) and the Open Records Act (51 O.S. §§ 24A 1-29 et seq.). All VSI Board meetings will be held locally.
 - d. VSI shall maintain a Conflicts of Interest Policy, set forth at Exhibit A, attached to this agreement and incorporated by reference.

II. DUTIES AND RESPONSIBILITIES OF CITY OF SHAWNEE

1. **Collection and Disbursement of Hotel Tax.** City shall collect the Hotel Tax as set out by law. Each month the City shall distribute ninety-four percent (94%) of such collection to VSI.
2. **Staff Assistance.** City will provide advice and assistance upon request from its various departments in providing training and advice to the employees and volunteers who have responsibilities under this Agreement.
3. **Contract Review Committee.** City agrees its Contract Review Committee will meet in a timely fashion so as to not delay recommendation for budget and renewal.

III. DISPOSITION OF FUNDS AND EQUIPMENT

1. **Funds.** In the event this Agreement or any successor Agreement is terminated, all Funds in the possession of VSI shall be returned to the City.
2. **Equipment.**
 - a. In the event this Agreement is canceled or terminated, all equipment, furniture, fixtures, and improvements to which the City holds title shall be returned to the City. City shall assume the obligations that VSI lawfully incurred in the purchase of same. All files and work products of VSI shall be the property of the City.
 - b. Advance approval of the City is required for all capital expenditures from Funds in excess of \$5,000 for depreciable assets; and in excess of \$10,000 for services, publications, etc., or non-depreciable assets. Expenditures for event support shall not require advance approval of the City. Approval of a line item in the budget by the City will be deemed advance approval of the expenditure.

IV. TERM OF AGREEMENT, NO TRANSFER OR ASSIGNMENT

1. **Effective Date.** This Agreement shall take effect on July 1, 2017, and shall remain in effect until June 30, 2018. This contract shall automatically renew for a term of one year unless:
 - a. Terminated by either party upon ninety (90) days' notice prior to June 30 of the agreement year,
 - b. Terminated due to breach of the Agreement as described in Article VII hereof,
 - c. Terminated by mutual agreement.

2. **Modifications.** All modifications to this agreement must be in writing and approved by VSI and the City.
3. **Transfer of Rights and Responsibilities.** No party to this agreement can transfer or assign its rights and responsibilities without approval of the other party.
4. **Assumption of Liabilities.** Upon termination of this Agreement, whether pursuant to breach or nonrenewal by any party, the City shall assume any and all obligations entered into by VSI in furtherance of this Agreement, in the event of termination. The City also agrees to assume the defense of VSI and any of its employees, agents, or directors related to such obligations.
5. **Shawnee Chamber.** Both parties agree that VSI shall assume all obligations entered into by the Greater Area Shawnee Chamber of Commerce (in matters relating to tourism) with third parties prior to the date of this Agreement.
6. **Renewal.** VSI shall submit a request for renewal to the City Clerk's Office no later than March 30, 2018. As a part of this request, VSI shall submit a clean, unqualified audit of its financials and be prepared to substantiate the services rendered pursuant to this Agreement in the prior year. The City's Community Service Contract Review Committee will then review the request in accordance with its procedures and make its recommendation to the City Mayor and Commission.

V. NON-DISCRIMINATION

VSI agrees not to discriminate against any employee, applicant for employment, or party seeking the services of VSI because of race, creed, color, national origin, gender, ancestry, disability, or VSI membership. VSI shall take affirmative action to insure that employees are provided equal opportunity in employment, promotion, demotion, transfer, or termination, rates or pay, or other forms of compensation, and selection for training.

VI. WAIVER

The waiver by any part of any breach of any term, condition, or covenant herein contained shall not be deemed a waiver of any subsequent breach of the same, or any other term, condition, or covenant.

VII. BREACH OF AGREEMENT

If either party to this Agreement fails, refuses, or neglects to abide by its duties and responsibilities hereunder, the other party may give notice of such breach. The breaching party shall be notified, in writing, of its alleged breach and shall be given ninety (90) days (unless such time is extended by the non-breaching party) to cure the breach. If the breach is due to violation of law or mismanagement or embezzlement of funds by the SEDF, the Agreement shall terminate immediately. If the breach is not remedied, the other party may

terminate the Agreement. The notice period shall not operate to extend the Agreement beyond its current term.

WITNESS our hands this 20th day of July, 2017.

VISIT SHAWNEE, INC.



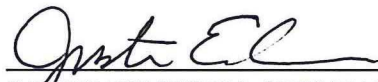
CHAIRMAN OF THE BOARD

ATTEST:


SECRETARY/NOTARY

APPROVED by the Mayor and the City Commissioners of the City of Shawnee this 19th
_____ day of June, 2017.

THE CITY OF SHAWNEE, OKLAHOMA
A Municipal Corporation


JUSTIN ERICKSON, CITY MANAGER

ATTEST:


PHYLLIS LOFTIS, CMC, CITY CLERK

APPROVED as to form and legality this 22 day of June, 2017



JOSEPH M. VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners

1.f.

Meeting Date: 03/19/2018

Lake Lease

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Lake Lease Transfers:

TRANSFERS:

Lot 9 Eckel Tract, 15201 Eckel Road

From: Michael Violet and Kristen Pfenninger

To: Chad and Courtney Warmington

Attachments

Lake Lease

**SHAWNEE TWIN LAKES CABIN SITE LEASES
SUMMARY/INSPECTION REPORT – FOR RENEWALS/TRANSFERS**

Date	03/13/2018	License No. #032175
Type	☐ Renewal ☒ Transfer	
Commission Meeting Date	March 19 th , 2018	
Property Address	15201 ECKEL ROAD	
Lake Site Location	LOT 9 ECKEL TRACT	
Lease Dates	03/19/2018 – 03/19/2048	
Lease Fee (changes annually)	\$703.00	
Inspection Fee	\$75.00 Applicable: ☐ Yes ☒ No	
Lessee (Transfer To)		
Name(s)	CHAD & COURTNEY WARMINGTON	
Address	SEE FILE	
Phone	SEE FILE	
Current Lessee (Transfer From) <i>(if applicable)</i>		
Name(s)	MICHAEL VIOLETT & KRISTEN PFENNINGER	
Address	SEE FILE	
Phone	SEE FILE	
Inspection Information		
Inspection Required	☐ Yes ☒ No	
DEQ Report on File	☒ Yes ☒ No	
Type of Septic System	☒ Conventional ☐ Aerobic	
Last Inspected/Pumped	05/31/2017	
Misc. Comments	 Total Charges Paid: \$1,703.00	

PLEASE READ CAREFULLY

THIS LEASE IS NOT TRANSFERABLE AND IS SUBJECT TO CANCELLATION BY THE CITY FOR ANY VIOLATIONS OF THE TERMS THEREOF AS MORE SPECIFICALLY SET FORTH IN SECTION 16-326 OF THE SHAWNEE MUNICIPAL CODE:

**CABIN SITE LEASE
LEASE# 032175**

STATE OF OKLAHOMA, POTTAWATOMIE COUNTY, SS:

This Lease made and entered into in duplicate this date of March 19th, 2018 by and between the CITY OF SHAWNEE, a municipal Corporation, PARTY OF THE FIRST PART, and

CHAD WARMINGTON
of 401 NW 147TH TER EDMOND OK 73013-2466 ,
COURTNEY WARMINGTON
of 401 NW 147TH TER EDMOND OK 73013,
PARTY OF THE SECOND PART.

WITNESSETH: That the first party in consideration of the sum of \$ 703.00 dollars for 2018, does hereby acknowledge receipt of the applicable rental fee, and other good and valuable considerations, does by these presents demise, lease and let unto the second party the following described real estate situated on, and a part of the site, owned by the first party as a City Reservoir and known as Shawnee Twin Lake No. 1, in the County of Pottawatomie State of Oklahoma, to-wit:

**15201 ECKEL RD
LOT 9 ECKEL TRACT**

TO HAVE AND TO HOLD SAME UNTO the second party for a term of thirty (30) years from the date hereof.

IT IS FURTHER mutually understood and agreed by and between the parties hereto as follows:

The said party of the second part shall and will and does hereby agree to pay to the first party annual lease payments as set forth in "Exhibit A", payable yearly in advance. The City shall retain the right to adjust the lease rate schedule at the termination of the original 30-year lease or at such time that a transfer is approved in accordance with Section 16-321 of the Shawnee Municipal Code (hereafter "SMC").

That at the expiration of the primary term hereof, the lessee shall have the right and option to renew said lease for an additional period of thirty (30) years under the terms and conditions set forth in Section 16-321 SMC. There is no limit to the number of times a lease can be renewed.

The premises of all lots leased by the City shall at all times be kept clean and maintained in a sanitary condition by the lessee. There is a 25-foot lakeshore buffer that extends landward of the ordinary high water mark on all leased lots for the purpose of watershed protection. This area shall not be used by the general public, except during an emergency situation. Within this buffer, leaseholders are encouraged to preserve existing native vegetation. Docks and other approved structures may be located within the buffer area. Fertilizers and other chemicals shall not be used within the buffer area. All other applicable City regulations and rules apply

That in addition to the possession of the property so leased, the lessee shall have the right and privilege of a site for a boat house and boat dock on the land owned by the City adjoining and immediately in front of a lot leased, which said boat house shall be erected and maintained by and at the cost of the lessee on ground not to exceed an area of thirty (30) feet by thirty (30) feet, which said boat house shall never be used as a place of human habitation, and which said boat house or boat dock shall conform to the provisions of Section 16-325 SMC, and that said boat dock or boat house shall be the private property of the lessee, who shall have the right of ingress and egress to and from the same, subject to the rights of the public as set forth herein. The lessee shall agree to keep said lot and boat house and dock in a clean and sanitary condition, and to maintain the same in a safe condition, and the City as lessor shall in no manner be liable to lessee for any damages suffered by lessee to said lot or boat house or dock, or the improvements thereon on account of the rise and fall of the water line of said lake, or for the enlargement or decrease by the City of the size of said lake, or on account of any rule or regulation that may hereafter be adopted by lessor, governing the regulations of said lake, and lessee agrees to hold the lessor free and harmless from all damages suffered by him or by any other person, on account of personal injuries or loss of property that many incur upon said lot, boat house or boat dock.

That the lessee agrees to lease the premises **AS IS** from the lessor with the knowledge and understanding that the lessor does not guarantee access to lots. Should the Lessee determine that an access road is necessary to reach his/her lot from a road already in existence, lessee agrees to use his/her own funds to create said access road. Lessee further agrees that upon access road completion it shall not be a private road, but rather, will be available for public use, including, but not limited to, allowing neighbor lots to connect to it to improve access to their lots or to allow joint access to bordering lots upon the one access road. The location of any access road to be constructed by the lessee must be approved by the City Engineer of the City of Shawnee prior to the beginning of construction.

That should the lessee construct any building or other structure, said construction will be in accordance to City of Shawnee development regulations. Lessee agrees that prior to commencing construction on any structure on the leased premises he/she will obtain an approved building permit from the City.

That lessee is solely responsible for determining the flood elevation on the leased premises and is required to satisfy lessor that prior to any construction on the leased premises the determination of the flood elevation has been done correctly and that any structure or building to be constructed on the leased premises be above the flood elevation. **LESSOR EXPRESSLY MAKES NO WARRANTIES OR REPRESENTATIONS AS TO SAFETY FROM FLOODING ON THE LEASED PREMISES AND LESSEE EXPRESSLY RELEASES THE LESSOR FROM ANY LIABILITY DUE TO FLOOD DAMAGE, BOTH PERSONAL AND PROPERTY, OCCURRING ON THE LEASED PREMISES FROM ANY CAUSE OR CONDITION.**

That all sanitary facilities to be constructed on the premises shall be wholly contained on the leased premises. Sanitary facilities, include, but are not limited to, septic tanks and lateral lines.

All septic systems and waste disposal systems on leased lake lots shall be inspected and subject the standards set forth in Chapter 16 SMC. The leaseholder shall have sixty (60) days to correct any defects found in the system. Corrections not made within the allotted time shall be grounds for the City to cancel the lease of the leaseholder.

That no lease shall be assigned or sublet, but lessee may at any time during the term of his/her lease, sell and transfer to other parties the improvements on the lot leased by him/her.

That in the event of the sale of the improvements by the lessee, the transfer shall not become effective until approved by the Board of Commissioners of the City of Shawnee at a regular or adjourned meeting held for that purpose and the City as lessor reserves the right to reject and disapprove any transfer when in its opinion it would be to the best interests of the City and its inhabitants to do so. If the transfer is approved, a new lease shall be entered into between the purchaser and the City, and a transfer charge is hereby fixed and established in the sum of one-thousand dollars (\$1000.00) to be paid to the City prior to said transfer in accordance with Section 16-322 SMC.

That the lessee shall be the owner of all improvements which may be placed by him or her, said improvements including cabins or other buildings and boat houses constitute personal property and lessee shall have the right to remove same from the lot at the termination of the lease, subject to the following: whenever a lease has been cancelled by the City as provided herein or by ordinance, the lessee or owner of said improvements shall remove the same within sixty (60) days of the date of the said cancellation of the lease and upon failure to do so, said improvements shall revert to and become the property of the City of Shawnee. And it shall have the right, without further notice or demand to take immediate possession of all said improvements and these will belong to the first party or its assigns, as liquidated damages for the non-fulfillment of the lease by lessee and for the use and rental thereof.

That the said second party does hereby release the City of Shawnee of any claim or claims for damages by reason of the cancellation of the said lease aforesaid.

That the second party shall at all times during the term of this lease be subject to and does hereby agree to abide by and conform to any rules, regulations or ordinances now in force, or that may hereafter be adopted by the City of Shawnee, governing the regulation of said lake and within the described premises, as to fishing, hunting, boating and other recreational activities upon and around said water reservoir, and to conform to and abide by all further rules, regulations and ordinances now in force, or that hereafter may be adopted by the City of Shawnee, Oklahoma, governing the regulations of said premises and lake.

The City Commission may upon a showing of intentional disregard for the terms of the lease and this division or other city ordinance pertaining to the lake, cancel the city lease upon 30 days notice to the lessee by mailing a copy of such notice to the lessee at his/her last known address. If a lease is cancelled either by the city or the lessee of a city-owned lot prior to the expiration of the lease term, the lessee shall pay the city an early termination fee of \$1,000 in exchange for a release of liability from the remaining term.

That this lease shall be binding upon the representatives, heirs, and assigns and successors in interest of the parties hereto.

It is understood by the parties hereto that a failure to comply with the terms of said Cabin Site Lease shall constitute a misdemeanor and any person, firm, or corporation convicted of such violation shall be punished by a fine not exceeding five hundred dollars (\$500.00) plus costs, or imprisonment for a term not exceeding thirty (30) days, or by such fine and imprisonment.

IN WITNESS WHEREOF, party of the first part has caused its name to be affixed hereto by the Mayor of the City of Shawnee, Oklahoma, and attested by the City Clerk, and the party of the second part hereunto affixed his/her name the day and year first above written.

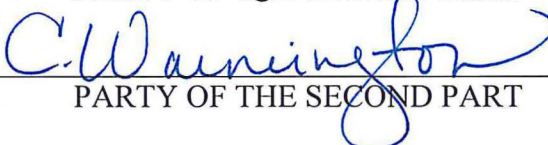
CITY OF SHAWNEE, OKLAHOMA
A Municipal Corporation,

BY: _____
MAYOR
PARTY OF THE FIRST PART

ATTEST:

CITY CLERK



PARTY OF THE SECOND PART


PARTY OF THE SECOND PART

Regular Board of Commissioners

1.g.

Meeting Date: 03/19/2018

Garage Sales

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Acknowledge waiving Sections 8-431 and 8-434 of the Code of the City of Shawnee involving Garage Sale licenses and fees for the days of April 6-8, 2018.

Attachments

No file(s) attached.

Regular Board of Commissioners

3.

Meeting Date: 03/19/2018

EOM

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Presentation by City Manager to Employee of the Month, Michael Johnson, Parks Department.

Attachments

No file(s) attached.

Regular Board of Commissioners

4.

Meeting Date: 03/19/2018

Beautification Name Change

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Discussion, consideration, and possible action to approve an ordinance amending Ordinance No. 2606NS changing the name of the Shawnee Beautification Committee to Shawnee Community Beautification Committee; providing for severability, codification, and repealer; and providing for emergency.

Attachments

Beautification Name Change Memo

Beautification Name Change Ord



Office of the Director of Operations

Date: March 15, 2018
To: Mayor and City Commissioners
From: James Bryce, Director of Operations
RE: **Shawnee Beautification Committee Name Change**

Since the formation of the new Shawnee Beautification Committee the committee has grown to 10 members filling every seat available except for the City Commissioner seat.

This committee is made up of individuals that care about the appearance of the City and the surrounding community and spend their personal time alongside of our beautification employee grooming the beautification areas.

As you know this committee is made up of individuals that own businesses and work within our City limits, not just live here. With that being said the Committee brought up the thought to change the committee name to give it a better feel and make it their own. The name was brought up in our November and December meeting and voted on in the January meeting.

It is staff's recommendation to change the name of the Shawnee Beautification Committee to the Shawnee Community Beautification Committee. An ordinance with the name change is attached.

ORDINANCE NO. _____NS

AN ORDINANCE AMENDING ORDINANCE NO. 2606NS CHANGING THE NAME OF THE SHAWNEE BEATUIFICATION COMMITTEE TO SHAWNEE COMMUNITY BEAUTIFICATION COMMITTEE; PROVIDING FOR SEVERABILITY, CODIFICATION, AND REPEALER; AND PROVIDING FOR EMERGENCY.

WHEREAS, the Code of Ordinances of the City of Shawnee must be amended from time to time to comply with the laws of the State of Oklahoma and the Charter of the City of Shawnee; and

WHEREAS, the Mayor and City Commission have determined that other amendments must be made for the more efficient and practical operations for the City of Shawnee:

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

COMMITTEE NAME: That the name Shawnee Beautification Committee is now the Shawnee Community Beautification Committee.

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.

CODIFICATION. This Ordinance shall be codified in the Shawnee Municipal Code, and the codifier is authorized to set out the ordinance as appropriate.

REPEALER. All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance, are repealed.

EMERGENCY. Because it is necessary for the protection of the public's health, safety, and welfare, an emergency is declared to exist. This ordinance shall be effective immediately upon its passage and publication.

PASSED AND APPROVED this _____ day of _____, 2018.

ATTEST:

(SEAL)

RICHARD FINLEY, MAYOR

PHYLLIS LOFTIS, CMC, CITY CLERK

Emergency separately approved this _____ day of _____, 2018.

ATTEST:

(SEAL)

RICHARD FINLEY, MAYOR

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality this _____ day of _____, 2018.

JOSEPH VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners

5.

Meeting Date: 03/19/2018

P01-18 Highland & Bryan

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance to rezone property located east of the intersection of Highland Street and Bryan Avenue from R-1; Single Family Residential District to PUD; Planned Unit Development. Case No. P01-18. Applicant: Landrun Group, LLC *(Deferred by the Planning Commission to the March 7, 2018 meeting. Deferred from the January 16, 2018 City Commission meeting.)*

Attachments

P01-18 Staff Rpt

P01-18 Ordinance

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: The Landrun Group, LLC
FOR: Planned Unit Development
LOCATION: East of the Intersection of Highland Street and
Bryan Avenue, Shawnee, OK
PROJECT#: 171220 Case# P01-18

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION:

R-1; Single Family Residential District

REQUESTED CLASSIFICATION:

PUD; Planned Unit Development

PROPOSED PROPERTY USE:

Residential

PLANNING COMMISSION MEETING DATE: March 7th, 2018

PLANNING COMMISSION RECOMMENDATION: Deny

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM	X		X			
MATTHEWS			X			
WALKER			X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)		X	X			
KIENZLE			X			
ROWELL			X			

RESPECTFULLY SUBMITTED,

Cheyenne Pettigrew

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____



STAFF REPORT
Planned Unit Development (PUD)
Case #P01 -18

TO: Shawnee Planning Commission

AGENDA: March 7, 2018

RE: 19th Hole Planned Unit Development (PUD)

PROPOSAL

The 19th Hole development is a high density residential concept located on Highland Street east of Bryan Avenue and the property is currently zoned R1 (Single Family Residential). Placed on a two (2) acre tract, the development proposes the following (Exhibit 1):

- Sixteen (16) individual lots, sized at approximately 4,000 square feet.
- One (1) community building with golf cart storage and a common area with pavilion.
- Ten (10%) percent landscaping throughout the development.
- Three (3') foot sidewalks connecting the internal drive to the required sidewalk on Highland St.
- Up to ten (10) on street parking spaces along a private, internal drive.
- East Highland fencing alternatives include wrought iron, masonry, or vinyl.
- Maintenance controlled by a Property Owner's Association (POA).
- Security gate along Highland St. for private access.

GENERAL INFORMATION

Applicant	LandRun Group, LLC.
Owner(s)	19 th Hole, LLC.
Site Location/Address	Lots 1-2, Block 1, Country Club Heights Addition
Current Site Zoning	R1 (Single Family Residential)
Parcel Size	2 Acres (Approximate)
Proposed Use	Residential
Comprehensive Plan Designation	Residential
Existing Land Use	Vacant
Surrounding Zoning	A1 (Agricultural), R1, and R3 (Multifamily Residential),



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

STAFF REVIEW AND ANALYSIS

The 19th Hole PUD is designed based on an R1-Z (Zero-lot-line residential) zoning designated, which existed in the City's Zoning Code prior to 2014. The intent of the R1-Z district is to permit and establish regulations for comprehensively planned single family tracts with zero side yard building setbacks. The internal side yard (where the structure

is placed on a property line) must be consistent among all lots in a development. The minimum lot size is established at 4,000 square feet, being substantially more dense than the R1 and R2 (Combined Residential) zoning districts.

Due to the exclusion of R1-Z zoning in the updated Zoning Code, the developer has chosen to establish the underlying zoning as R2, in recognition that the density is substantially too high for R1 zoning. The R2 district allows townhouses (3 structures per 10,000 sq. ft. of lot size), single family housing (6,000 sq. ft. min. lot size), duplex / triplex development (10,000 sq. ft. min. lot size), and the maximum site coverage is thirty-five (35%) percent.

Because of the fundamental difference between the proposed concept and the R2 zoning district, the following are the primary variances requested from City Code(Exhibit 2):

1. Min. lot area	R2 – 6,000 sq. ft.	Provided 4,004 sq. ft.
2. Min. frontage	R2 – 60 feet	Provided 38.5 feet
3. Min. front setback	R2 – 25 feet	Provided 10 feet
4. Max lot coverage	R2 – 35%	Provided 47%

Issues and necessary corrections

1. For the purpose of providing orderly development, covenants were established on Lots 1-16 of the Country Club Heights Addition in 1977 (Exhibit 4), which includes the subject property. Numerous letters of protest have been received based on a potential conflict with the private covenants.
2. Part I, Section 3 of the 19th Hole PUD Design Statement describes storm water mitigation measures. The intent, to which storm water would be released directly into the adjacent creek, does not meet the City's on-site detention requirement. To avoid confusion, this section should be corrected to state that storm water mitigation will be in conformance with City Engineering specifications.
3. Additional language should be added to the PUD Design Statement in accordance with the previous R1-Z zoning district, including:
 - a. No portion of the dwelling or architectural features shall project over any property line.
 - b. A perpetual five (5') foot maintenance easement shall be provided on the lot adjacent to the zero lot property line. This easement shall be shown

on the plat and incorporated into each deed transferring title to the property.

- c. The roof shall be so designed that water runoff from the dwellings placed on the zero-lot-line drains onto the owner's property.
- d. No accessory structure shall be located in the maintenance easement.

The 19th Hole development is in general conformance with the City's Comprehensive Plan, which designates this area for residential use. The requested rezone would allow for higher density than the existing R1 zoning district. However, land adjacent and to the south of this subject property is currently zoned R3, allowing for high-density multi-family residential use.

Due to general conformance with City standards, Staff has no objections to the requested PUD if the following conditions are met:

- 1. Storm water mitigation shall be in conformance with City requirements and corrected on the PUD Design Statement and Plan Map.
- 2. Additional language shall be included in the Design Statement in conformance with item 3 from the section titled, "Issues and necessary corrections."
- 3. All other applicable City standards apply.

Attachments:

- 1. Figure 1: Aerial view of site
- 2. Figure 2: Zoning Map
- 3. Figure 3: Comprehensive Plan Map
- 4. Exhibit 1: PUD Plan Map
- 5. Exhibit 2: PUD Design Statement
- 6. Exhibit 3: Landscape Plan
- 7. Exhibit 4: Private Covenants
- 8. Exhibit 5: Letter of Support – Country Club Ownership
- 9. Exhibit 6: Letters of Protest – Affected Property Owners
- 10. Exhibit 7: Updated Memo for March Planning Commission
- 11. Exhibit 8: Applicant Neighborhood Handout Letter

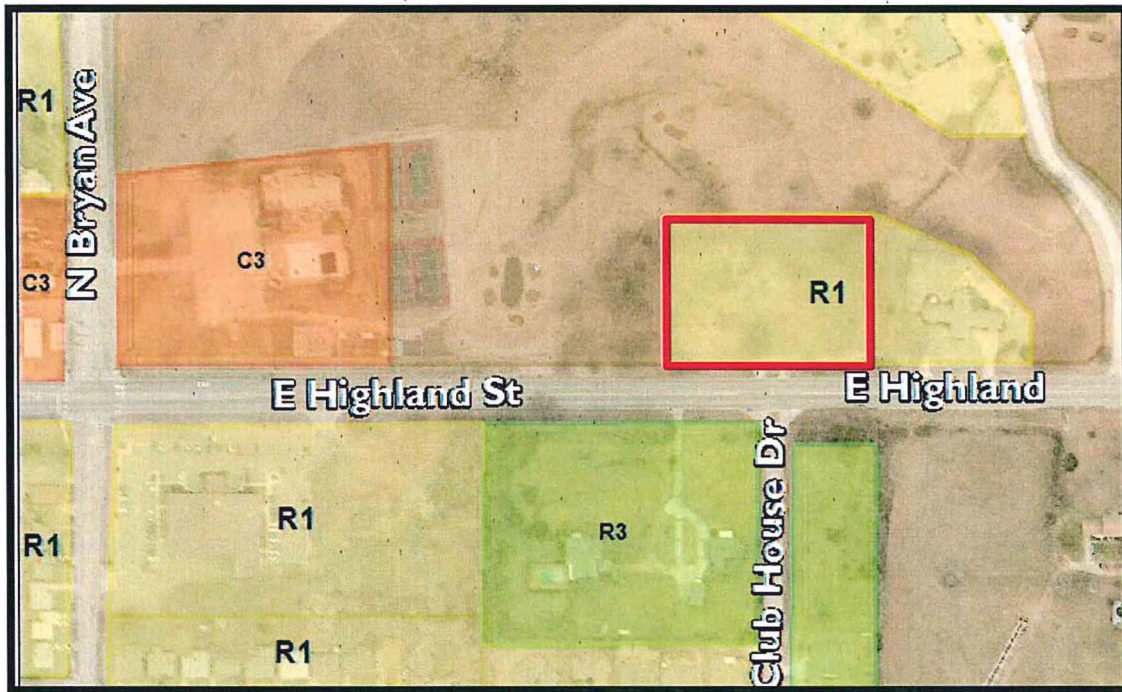


Figure 2: Zoning Map of site – approximate total area outlined in red.

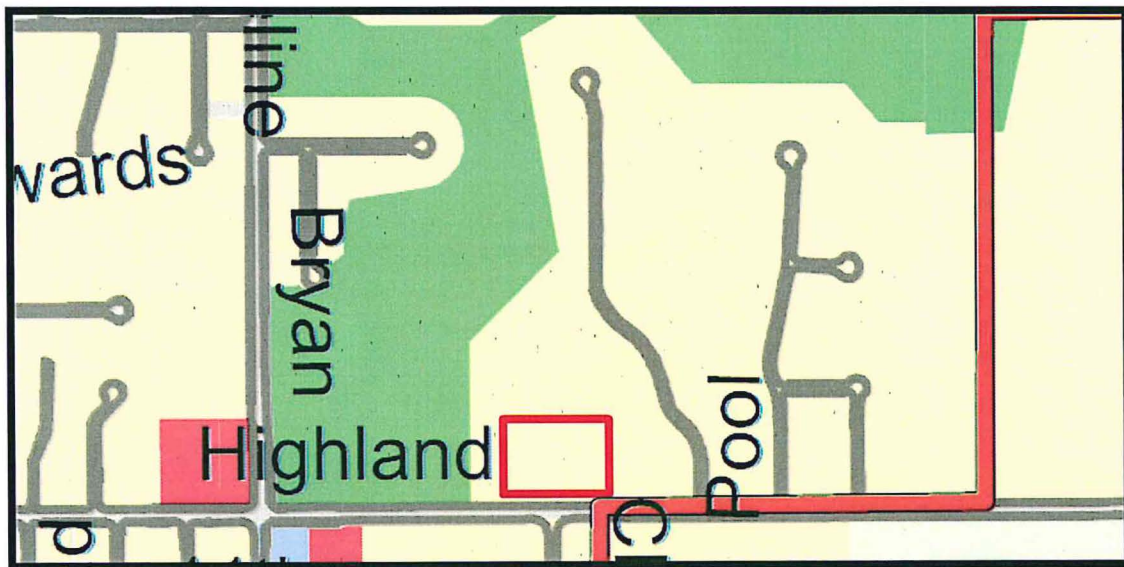


Figure 3: Future Comprehensive Plan Map – approximate total area outlined in red.

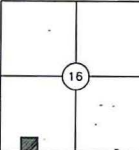
EXHIBIT 1

MASTER PLAN THE 19th HOLE LOTS 1 & 2, BLK. 1 COUNTRY CLUB HEIGHTS ADDITION SHAWNEE, OKLAHOMA



GAZEBO

R 4 E
INDEPENDENCE AVE.



HIGHLAND ST.
LOCATION MAP
SCALE: 1" = 2000'

65' EASEMENT, STATE OF OKLAHOMA
BOOK 204, PAGE 555

40' EASEMENT, STATE OF OKLAHOMA
BOOK 64, PAGE 50

33' STATUTORY R/W

33' STATUTORY R/W

33' STATUTORY R/W

33' STATUTORY R/W

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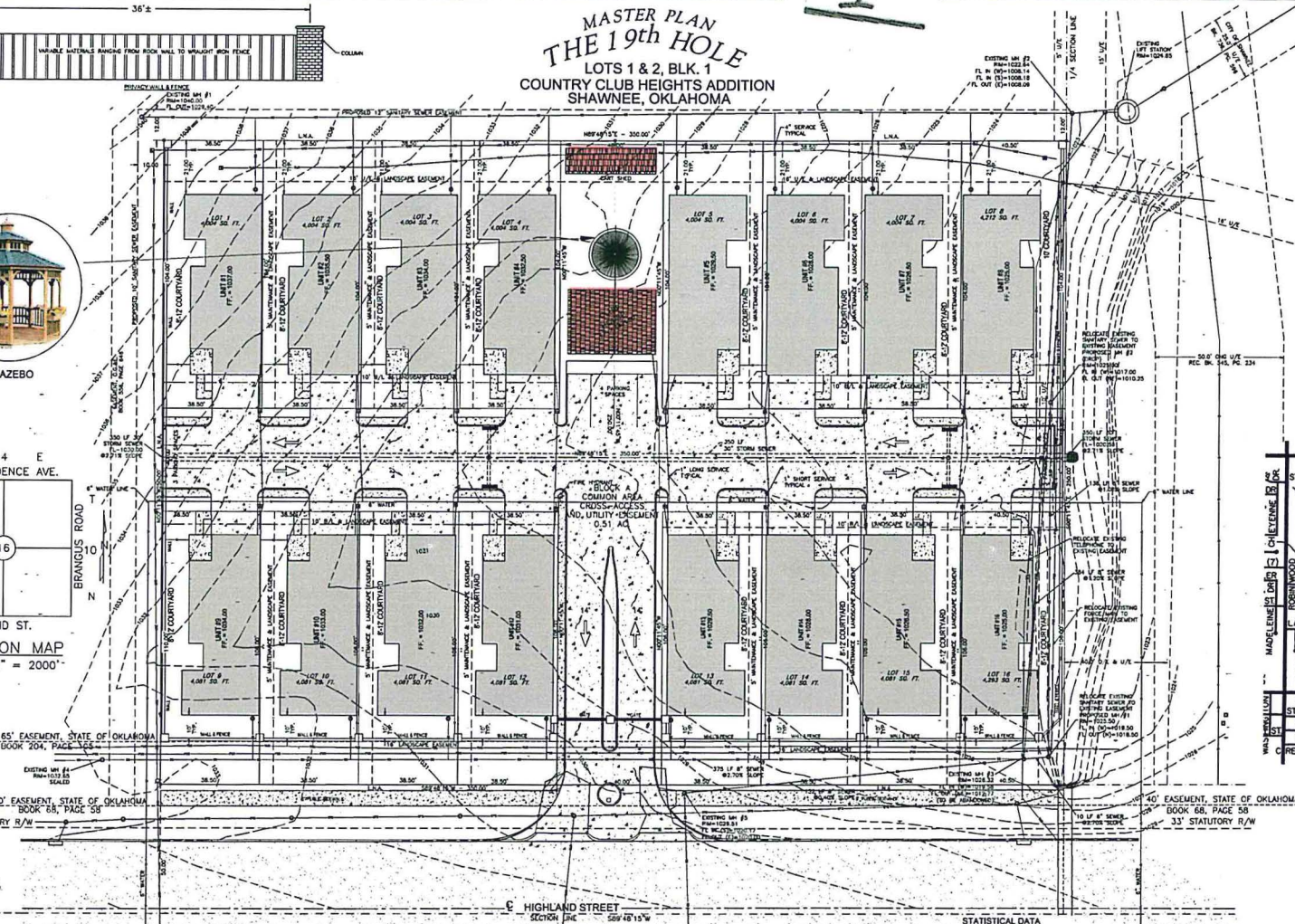
33' STATUTORY R/W

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33' STATUTORY R/W



SCALE
1" = 20'

LEGEND

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EXHIBIT
2



THE LANDRUN GROUP, LLC

ENGINEERING, LEGAL SERVICES, DRAFTING, LAND MANAGEMENT, CONSTRUCTION MANAGEMENT

Master Plan of

19th Hole

Lots 1 & 2, Blk.1

Country Club Heights

A Planned Unit Development

PUD #

January 15, 2018

An 2.00 acre tract in the Southwest Quarter
of Section 16, Township 10 North, Range 4 East I.M.,
City of Shawnee, Pottawatomie County, Oklahoma

OWNER/DEVELOPER

19th Hole, LLC
201 W. 9th Street
Shawnee, OK 74801

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

201 WEST 9TH STREET
SHAWNEE, OK 74801

PO BOX 1584
SHAWNEE, OK 74802-1584

PART 1: DESIGN STATEMENT

GENERAL PLANNED UNIT DEVELOPMENT CONCEPT

The 19th Hole is a privately funded planned residential community located on East Highland Street and in Shawnee, Oklahoma. The land use is for a single residence based on a zero-lot line residential development approach served by municipal water and sanitary sewer utilities. To conform to a conventional City of Shawnee zoning, the general guidelines of the PUD will be developed on an R-2 basis with a conventional townhouse model. The development will be approximately sixteen (16) individual lots with sixteen single family patio homes. The development will be established with a community building with golf cart storage, common area with a pavilion, additional parking spaces, and a privacy/security gate from East Highland Street. The development will provide community landscaping, exterior residential maintenance, community building maintenance established for both individual and a small family environment (controlled by Property Owner's Association). The development will not be age restrictive but establish with individually owned homes for individuals attracted to increased density private living with staff through the POA capable of assisting with the community appearance and maintenance. Golf cart stalls and trails will be developed for individual members of the Shawnee Golf & Country Club interested in utilizing club services. These features combined with the quiet surrounding residential neighborhoods establishes this as an excellent location for a safe and secure development for younger and older families alike.

This development is restricted to privately funded housing 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. A Property Owner's Association (POA) will be created in the subdivision covenants to provide for either an individual or company to control all maintenance of all yards, common areas, landscaping areas inside and outside the walls of the individual homes and courtyards. Membership in the POA 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 19th Hole 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.

The common amenities being established for this development include a community building, community golf carts & stalls for use by members of the POA for access to the Shawnee Country Club and pavilion. The covenants will be written to allow the POA 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 a gated entrance located on East Highland Street. Due to the 65 feet of right of way depth on East Highland Street a turn-around island will be established to accommodate vehicles incapable of entering the security gate. The gate will be established with a knock

box for access from city or security vehicles when or if necessary. All individual home will have 2 car garages with a corresponding eighteen (18') to twenty (20') feet drives on a private street/drive developed for the 19th Hole. The private street will be a twenty-four (24') feet concrete street with curb constructed on either a stabilized sub-base or gravel base to conventional street standards. The road and utilities will be installed in existing easements or in a utility and drive easement. Eight to ten (8-10) on-street parking spaces will be developed (as shown on master development plan) to accommodate vehicles incapable of parking in spaces developed for each individual home. Additional on-street parking will be prohibited.

A 3' sidewalk will be developed around the perimeter of the east/west street with a sidewalk developed along the west side of the entrance that connects to the city sidewalk developed in the right of way.

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

Public sanitary sewer lines exist 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 A1 (North & West) consisting of the Shawnee Golf and Country Club, R-3 (South) across E. Highland Street, R-1 (East) consisting of an individual home on the east side of this development. Surrounding properties beyond the actual golf course include R-1, R-3 and C-3 development areas. This tract is currently zoned R-1 and the proposed PUD development is being developed as single family residential townhouses under R-2 guidelines.

SUBDIVISION IMPROVEMENTS - DESCRIPTIONS, STANDARDS, COMMITMENTS, AND REQUESTS

1. WATER

All properties in the 19th Hole 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. Water will include development of a 6" water main under Highland Street and either looped back to the existing main or back upon itself.

2. SANITARY SEWER

All properties in 19th Hole will be served by a public sanitary sewer system that is connected to City of Shawnee mains in accordance with City of Shawnee standards. The existing sanitary sewer system already provides lines adjacent to each proposed lot.

3. STORM WATER CONSIDERATIONS

The subject tract generally drains to a channel running north and south along the east side of the development. The site will be developed with storm sewer located in the private street capable of draining into the existing channel. The channel on the east side will be cleared and opened to improve flow. Detention for the facility will be developed in the underground storm sewer line and upon the surface of the private street.

4. OTHER UTILITIES

The 19th Hole 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 twenty-four (24') feet curb and gutter private drive/street. The street is required to be private due to the gated entrance associated with the development.

6. LANDSCAPING

Landscaping will be established at a minimum of 10% above City of Shawnee Code requirements. Landscape area have been defined along both the exterior and interior portions of the development. The POA will maintain all yard and landscape areas and general maintenance of the yard area and courtyards spaces not considered private by the individual home owners. The perimeter landscaping along Highland Street will operate as a sound and privacy barrier. Plants and planting area defined on the master plan may be substituted with alternative materials as necessary based on availability and hardiness based on both soil and site conditions.

7. 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.

A combination six (6') Wrought Iron and column decorative fence will be established along East Highland Street. Landscaping will be established along the perimeter of the fence to provide both a sound and privacy. The developer may add consider substituting either a masonry wall and/or vinyl for the fencing combined with the columns along East Highland at their own digression.

THE FOLLOWING VARIATIONS FROM CITY STANDARDS ARE REQUESTED:

All 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 19th Hole Subdivision will be developed with each lot maintaining frontage on the private drive/street. Each lot will have a minimum 38.5 feet frontage and direct access to public utilities (water and sanitary sewer). Specific structures are designed with a minimum 12' to 8' courtyard located on one side of the structure. The exterior wall of the adjacent lot will be considered the property line for the adjacent structure. The private east/west drive/road will be established in a forty (40') access and utility easement.

Variations from R-2 - Combined Residential District

- | | |
|---------------------------------------|---|
| 1. Min. Lot area R-2 – 6000 sq. ft. | Provided 4,004 sq. ft. |
| 2. Min. Frontage R-2 – 60 feet | Provided 38.5 feet |
| 3. Min. Front Setback R-2 – 25 feet | Provided 10 feet from private easement line |
| 4. Min. Side Setback R-2 – 8 feet | Provided 8 to 12 feet |
| 5. Min. Rear Setback R-2 – 20 feet | Provided 10 to 21 feet |
| 6. Max Lot Coverage R-2 - 35% | Provided 47% |
| 7. Max Height R-2 – 2.5 stories | Provided 2 stories |
| 8. Landscape Per City Code | Provided City Code + 10% |
| 9. Multi-family Unit allowed | Provided with Single Family only |
| 10. Internal Sidewalks not required | Provided with Sidewalks |
| 11. Additional Amenities not required | Provided with Clubhouse, Cart Shed & Gated Entrance |

A 10' building line will be established beyond the easement line. The PUD was developed similar to a previous zoning district "R-1Z" which was abandoned during previous modifications to the zoning code because it was deemed obsolete. The more suitable replacement was established as a PUD with variations to allow for the design of site specific facilities. The building setback established on the preliminary and final plat shall apply to the perimeter of the PUD. The exterior wall adjacent to the courtyards will be developed on the property line. Lighting will be provided as part of the development.

8. SIGNS

Signs will be subject to City of Shawnee sign regulations. The Developer anticipates monument signs at the entrances along East Highland Street. If a sign is developed, it shall incorporate a monument base and shall not exceed 18 square feet of display area. Additional signage may be constructed into the wrought iron aspect of the gate structure to identify the development.

DEVELOPMENT FEATURES

The 19th Hole will consist of single family home which may be either single or two-story and will be subject to conventional R-2 regulations unless modified herein. 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 eifs, brick or rock veneer. Roofing materials may be alternative composite materials mimicking a slate or terracotta style, slate, terracotta, or concrete type materials, excluding conventional architectural composite materials. Second story's may incorporate elevated patios, exterior colors and floor plan orientation will be varied to create diversity and individuality. The architectural styling of the houses will be contiguous within the development. Covenants will be established to provide additional architectural control of all structures. The covenants will conform with most of the covenants originally developed for the County Club Heights Addition with exception to being reflective of the re-plat for the 19th Hole Addition, requirements defined within this PUD, not less than 1,800 gross area and regulated through the POA. Exception would be clubhouse and amenities established for the residents of the 19th Hole Addition.

Special attention will be placed on the back or rear façade's facing either Highland Street or the Shawnee Country Club Golf course. The rear façade will be developed in a way to present an attractive look equal to the appearance on the front of or street side of the residential structure. Special attention will be placed on the creation of an ascetic visual perspective adjacent to both Highland Street and the golf course.

DEVELOPMENT SCHEDULE

It is the intent of the Developer to begin all subdivision improvements as soon as City approvals are granted. A preliminary plat and final plat will be developed for the 19th Hole Addition.

PART 2. PRELIMINARY PLAT

Location of the subject tracts is a 2.00 acre parcel with the following legal descriptions for the property.

Lot 1 and 2, Block 1, Country Club Heights Addition to the City of Shawnee, Pottawatomie County, Oklahoma according to the recorded plat thereof.

Existing zoning is R-1. The parcel is to be developed and re-platted as The 19th Hole Addition to the City of Shawnee, Potawatomie County, Oklahoma according to the recorded plat thereof.

A Preliminary Plat will be prepared at a scale of (1 = 20') 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.

EXHIBITS

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

A – Design Master Plan

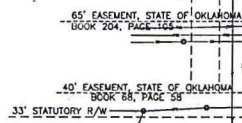
B – Landscape Plan

C – Final Plat

EXHIBIT
3

PLANT LEGEND

- (1) CHINESE PISTACHE
- (2) LOBELLOLY PINE
- (3) BALD CYPRESS
- (4) OKLAHOMA REDBUD
- (5) MELLER PL. STEVENS HOLLY
- (6) CRAWPE LAUREL
- (7) DUNBAR HAWTHORN FOUNTAIN GRASS
- (8) JAPANESE BARBERRY
- (9) MONKEY GRASS



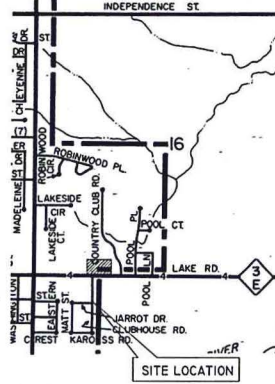
LANDSCAPE REQUIREMENTS		MINIMUM QUANTITY
FRONT YARD - 10' SETBACK	1 TREE PER 30' (GARGANO)	250/25 = 10 TREES
FRONT YARD - 10' SETBACK	1 TREE PER 30' (GARGANO)	(350/25) + 15 = 11 TREES
SIDE YARD - 5' SETBACK	1 TREE PER 40 SQ. FT.	2500/40 = 62 TREES
SIDE YARD - 5' SETBACK	1 TREE PER 40 SQ. FT.	(3900/40) + 1 = 7 TREES
REAR YARD - 10' SETBACK	1 TREE PER 40 SQ. FT.	(350/40) + 1 = 10 TREES
REAR YARD - 10' SETBACK	1 TREE PER 40 SQ. FT.	(11/40) = 0.3 TREES
PARKING LOT - 10 SPACES	1 TREE AND 3 SHRUBS PER 6 SPACES	(11/6) = 1.8 TREES
PARKING LOT - 10 SPACES	1 TREE AND 3 SHRUBS PER 6 SPACES	(12/6) = 2 SHRUBS
TOTAL LANDSCAPE REQUIRED:		30 TREES
(INCLUDING 12% BUFFER)		6 SHRUBS

- ## LANDSCAPING NOTES
1. ALL LANDSCAPING TO CONFORM AND BE REVIEWED FOR CITY OF DENVER ZONING CODE SECTION 22.06.
 2. ALL LANDSCAPING SHALL BE IN PLACE PRIOR TO RECEIVING A CERTIFICATE OF OCCUPANCY UNLESS SCHEDULED CONSTRUCTION MAINTS INSTALLATION IMPELABLE, IN WHICH CASE THE REQUIREMENTS SHALL BE REVIEWED.
 3. A MINIMUM OF 15% OF THE OVERALL SITE SHALL BE LANDSCAPED WITH AREAS AND AREAS ARE REQUIRED AND NOT PROVIDED BY THE APPLICANT. SIZE OF LANDSCAPING SHALL BE DETERMINED BASED ON THE EXISTING LANDSCAPING.
 4. ALL TREES AND SHRUBS SHALL MEET THE MINIMUM SIZE AND SPACING STANDARDS SET FORTH IN TABLE 22-103.01 OF THE CITY OF DENVER ZONING CODE.
 5. EXISTING NONNATIVE VEGETATION MAY BE USED IN MEETING LANDSCAPING REQUIREMENTS WHEN EXISTING MATERIALS ARE PROTECTED ON THE SITE. THE SECOND-WASHING MAY BE USED IN MEETING THE NUMBER OF TREES REQUIRED BY A RATIO OF ONE-ONE-HALF CAPER OF NEW TREES FOR EACH TREE REMOVED.
 6. BURNED, DEAD, OR DAMAGED OF OTHER NON-LIVE PLANTS SHOULD NOT BE USED, BUT SHALL COVER NO MORE THAN 10% OF THE LANDSCAPING. PLANTS SHALL BE COMPIED TO MEET ALL LANDSCAPING PLANTS. NON-LIVE PLANTS SHOULD BE REPLACED BY A SUBSTITUTE FOR UPLAND GROUND PLANTS.
 7. THE USE OF DROOL-RESISTANT WHITE PLANT SPECIES IS ENCOURAGED, AND MAY BE REQUIRED WHEN IRRIGATION IS NOT AVAILABLE OR WHEN LANDSCAPING MATERIALS ARE LIMITED. THE USE OF PLANTS THAT ARE NOT LISTED IN THE CITY OF DENVER ZONING CODE PROVIDES A LIST OF RECOMMENDED SPECIES. LANDSCAPING MATERIALS SHALL BE AUTOMATIC.
 8. LANDSCAPING COMPANY IS TO BE CONTRACTED PRIOR TO BEGINNING CONSTRUCTION TO INSURE ALL PLANTS FOR SITE HAVE BEEN ORDERED.
 9. LANDSCAPING COMPANY WILL GUARANTEE ALL PLANTS FOR A TEN YEAR PERIOD (MINIMUM) FROM DISEASES AND DEATH NOT RELATED TO THE CONSTRUCTION OF THE PROJECT.



SCALE
1" = 20'

- (a) INDICATES 3/8" IRON PIN, SET
 - (*) INDICATES EXISTING IRON PIN
 - UNA LIMITS OF NO ACCESS
 - W WATER VALVE
 - ✕ FIRE HYDRANT
 - POWER POLE
 - LIGHT POLE
 - γ GAS WIRE
 - ⊥ VENT PIPE
 - TELEPHONE PEDestal
 - ELECTRIC BOX
 - CLEAN OUT
 - MANHOLE
 - STORM DRAIN
 - W/ CONCRETE 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



DEVELOPERS INFORMATION

CURRENTLY ZONED R-1
PROPOSED: PUD ZONED R-2 - BASE
LOCATION: 3400 BLK. E HIGHLAND ST.
SHAWNEE, OKLAHOMA

OWNER & DEVELOPER: The 19th Hole, LLC
201 W. 9th Street
SHAWNEE, OK. 74801
405-275-4222

201 W. 9th Street
SHAWNEE, OK. 74801
405-275-4222

DEBARMENT/RESTITUTION NOTE:
DETENTION WILL BE PRO-ARREST

AND UNDERGROUND UNDER ROAD.

109

2-6543

3. CONTRACTORS MUST

AND REVENUE ADMINISTRATION

1. BURNED UTILITIES ARE
RESPONSIBILITY OF THE

SERVICES. CONTRACTOR
CONSTRUCTION.

The 19th Hole, LLC

THE LANDRUN GROUP, LLC
LandRun Engineering LLC

The 19th Hole Addition

Camkran Engineering, LLC
201 West 9th Street • P.O. BOX 1584
Shawnee, OK. 74801-1584 (405) 273-4222

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EXHIBIT

4

BOOK 806 PAGE 804

FILE 591 9

5668

OWNER'S CERTIFICATE AND RESTRICTIONS

TO

FILE NO. _____ DATE _____ PAGE _____
STATE OF OKLAHOMA, COUNTY OF POTTAWATOMIE, SS:
FILED FOR RECORD AT 2:24 CLOCK P.M. 11.0
BY: *W. J. 2* 12/28
GEORGIA LEE, County Clerk
BY: *W. J. 2* DFPUI

Lots 1-16, inclusive, COUNTRY CLUB HEIGHTS a subdivision of a part of Section 16, Township 10 North, Range 4 East of the Indian Meridian, Shawnee, Pottawatomie County, Oklahoma.

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, N. W. Baptist, III, William L. Ford, and Sim K. Sims, Trustees, certify that they are the owners and the only persons, firm or corporation having any legal title or interest in and to all of Lots 1-16, inclusive, COUNTRY CLUB HEIGHTS, as shown and embraced by the plat of said addition, recorded in the office of the County Clerk of Pottawatomie County, State of Oklahoma.

For the purpose of providing an orderly development of the entire addition above described, and for the purpose of providing adequate restrictive covenants for the mutual benefit of ourselves, or our successors in title to the said premises, we, the owners, do hereby impose the following restrictions and reservations on the above described plat, COUNTRY CLUB HEIGHTS, to which it shall be incumbent upon all successors in title to adhere, and any person or persons, corporation, trust, partnership or other legal entity whatsoever, hereafter becoming the owner either directly or indirectly through subsequent transfer, or any manner whatsoever, of any lot or lots, block or blocks, included in said plat, shall take, hold and convey the same subject to the following, to-wit:

(1) All lots in this subdivision shall be used as Single Family residential lots.

(2) Single family residences erected in said addition may be one-story, one and one-half story, split level or two-story in height.

(3) No building shall be located on any lot or building site, nearer to the front property line than the Building Limit Line as shown on the recorded plat. The minimum distance between the building and the side and rear property lines shall be not

*Miller, Peter & Deborah
Box 1923 - Shawnee, OK*

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less than five (5) feet from said property lines. In the instance that the owner of a lot, or building site, desires to locate his building less than five (5) feet from the said property lines, and his lot is located adjacent to a vacant lot, he must obtain permission, in writing, from the owner of the adjacent property in order that he may locate the building as close as five (5) feet to the said property lines.

For the purpose of this covenant, eaves, steps and open porches shall not be considered as a part of the building, provided, however, that this shall not be construed to permit any portion of a building to encroach upon another site.

(4) No single family residence shall be erected or placed on any building site of less than one lot, but may be erected on a site consisting of more than one lot.

(5) No building or structure shall be erected, or altered on any building site or lot in this addition until the building plans and specifications, and plot plan, showing the location of such building, have been approved in writing as to the conformity and harmony of external design with existing structures in the subdivision, and as to the location of the building with respect to topography and finished ground elevation by a Building Committee composed of N. W. Baptist, III, William L. Ford, Murlin Derebery, Chris J. Lillard and H. Jeffrey Diamond, or by a representative designated by a majority of the members of said committee. In the event of death or resignation of any member of said committee, the remaining members shall have full authority to approve or disapprove such design and location or to designate a representative with like authority. In the event said committee or its designated representative with like authority fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, or in any event, if no suit to enjoin the erection of such building, or the making of such building, or the making of such alterations have been commenced prior to the completion thereof, such approval will not be necessary and this covenant will be deemed to have been fully complied with. Neither the members of the committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. The power and duties of the committee and its designated representative shall cease on or after January 1, 1998. Thereafter the approval described in this covenant shall not be required unless prior to said date and effective thereon, a written

instrument shall be executed by the then record owners of a majority of the lots or building sites in this addition, and duly recorded in the land records of said county, appointing a representative or representatives who shall thereafter exercise the same powers previously exercised by the committee.

(6) No business, trade or activity shall be carried on upon any residential lot or building site. No noxious or offensive activity shall be carried on upon any lot or building site, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

No cows, horses, or other livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, nor maintained for any commercial purpose.

No trash, ashes or other refuse may be thrown or dumped on any vacant lot in the addition. Each owner of a vacant lot is required to keep said lot in presentable condition or the Building Committee may, at its discretion, mow said lot, trim trees, remove trash or refuse and levy a lien on said lot for the cost involved, which cost, the owner of any such lot agrees to pay upon demand.

(7) No structure or building of a temporary character, trailer, tent, shack, garage, barn or other outbuilding shall be used on any lot or building site at any time as a residence, either temporarily or permanently. Outbuildings such as cabanas, greenhouses, play houses, servants quarters and similar buildings erected on any of said lots shall be approved, in advance of construction, by the Building Committee, within fifteen (15) days of submission, and shall correspond in style and structure to the residence to which it is appurtenant.

Dog pens shall be concealed from the street, and the location of same approved by the Building Committee.

No garbage or trash cans shall be visible from the street or golf course.

No campers, boats, housetrailer, or trucks of any kind shall be permitted to be continuously parked in sight in the front of a residence, or on any portion of any lot in the addition, and must be totally concealed from the street and abutting lot owners.

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BOOK 391 PAGE 13

(14) All utility services shall be underground for as long as such underground facilities are available from supplier and the owner of each lot shall provide facilities to take and receive such services by means of properly installed underground service lines.

(15) These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1998, (except as otherwise specified herein), at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless an instrument signed by a majority of the then owners of the lots or building sites has been recorded, agreeing to change said covenants in whole or in part.

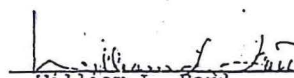
(16) If the parties hereto, or any of them, or their heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situated in said subdivision to prosecute any proceedings at law or in equity against the person or persons violating, or attempting to violate any such covenants and either to prevent him or them from doing or to recover damages or other dues for such violation.

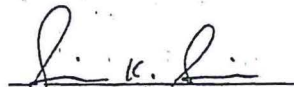
(17) Invalidatation of any of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have affixed their signatures this 18th day of August, 1977.

N. W. BAPTIST, III, WILLIAM L. FORD
and SIM K. SIMS, TRUSTEES


N. W. Baptist, III


William L. Ford


Sim K. Sims

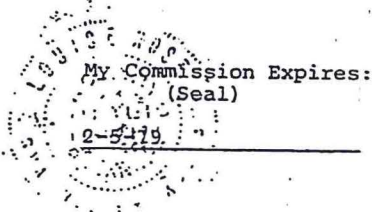
BOOK 591 PAGE 14

BOOK 806 PAGE 809

STATE OF OKLAHOMA)
COUNTY OF POTTAWATOMIE) ss.

The foregoing instrument was acknowledged before me this
18th day of August, 1977, by
N. W. Baptist, III, William L. Ford and Sim K. Sims, Trustees.

Louise R. Ruel
Notary Public



[illegible]

Sec. 2, see back

EXHIBIT
5



September 1, 2017

Mr. Justin Erickson, City Manager
City of Shawnee
16 West 9th Street
Shawnee, OK 74801-6802

Dear Mr. Erickson:

The ownership of Shawnee Country Club has recently been in discussions with Mr. Bryce Barfield in regards to a planned development called "The 19th Hole".

Based upon the information detailed by Mr. Barfield, the ownership of Shawnee Country Club has determined that the planned development does not infringe on the existing operations of Shawnee Country Club, does not conflict with its operations, and appears to be a quality development.

Therefore, the ownership of Shawnee Country Club does not object to the project and its possible approval by the City of Shawnee to proceed.

Cordially,

Highlands, L.L.C. dba Shawnee Country Club

A handwritten signature in blue ink, appearing to read "Gary A. Akin", is written over a light blue circular stamp.

Gary A. Akin, L.L.C. Manager

EXHIBIT
6

December 20, 2017

Planning Commission
City of Shawnee
16 West 9th Street
Shawnee, Oklahoma 74801

RE: Proposed Planned Unit Development
Referred to as 19th Hole, located on
Lots 1 & 2, Country Club Heights Addition
to the City of Shawnee

Ladies and Gentlemen:

The undersigned lot owners in Country Club Heights Addition hereby protest referenced Planned Unit Development for the reason that same conflicts with the Owners Certificate & Restrictions for Country Club Heights, a copy of which is attached hereto.

This protest letter may be signed in one or more counterparts.

Respectfully Submitted,

Lot 9, Richard Finley 1997 Trust

By *Richard Finley*
Richard Finley

Lot 11, Leonard Taron & Bevelyn Taron

By *Leonard Taron*
Leonard Taron

By *Bevelyn Taron*
Bevelyn Taron

RECEIVED CITY CLERK'S OFFICE

Date 12/21/17 Time 2:18 pm
Marie Eck

received
12-21-17

R.D.

December 20, 2017

Page 2

Lot 12, Chris J. Lillard & Patty Lillard

By _____
Chris J. Lillard

By _____
Patty Lillard

**Lot 13 & 14, Nancy M. Ford
Revocable Trust**

By Nancy M. Ford
Nancy M. Ford

By William L. Ford
William L. Ford

**Lot 16, H. Jeffrey Diamond and
Nance L. Diamond**

By H. Jeffrey Diamond
H. Jeffrey Diamond

By Nance L. Diamond
Nance L. Diamond

December 21, 2017

PLANNING COMMISSION

CITY OF SHAWNEE

16 WEST 9TH STREET

SHAWNEE, OKLAHOMA 74801

RE: PROPOSED PLANNED UNIT DEVELOPMENT
REFERRED TO AS 19TH HOLE, LOCATED ON
LOTS 1 & 2, COUNTRY CLUB HEIGHTS ADDITION
TO THE CITY OF SHAWNEE

LADIES AND GENTLEMEN:

THE UNDERSIGNED LOT OWNERS IN COUNTRY CLUB HEIGHTS ADDITION HEREBY **PROTEST** THE REFERENCED PLANNED UNIT DEVELOPMENT FOR THE REASON THAT SAME CONFLICTS WITH THE OWNERS CERTIFICATE & RESTRICTIONS FOR COUNTRY CLUB HEIGHTS, A COPY OF WHICH IS ATTACHED HERETO.

THIS PROTEST LETTER MAY BE SIGNED IN ONE OR MORE COUNTERPARTS.

RESPECTFULLY SUBMITTED,

LOT 4 BLOCK 1, RAYMOND & LAVERNE SHAFFER

BY Raymond Shaffer
RAYMOND SHAFFER

BY Laverne Shaffer
LAVERNE SHAFFER

Kacio Ick
RECEIVED CITY CLERK'S OFFICE
Date 12/21/17 Time 3:57pm

26 December 2017

Planning Commission
City of Shawnee
16 West 9th Street
Shawnee, OK 74807

Re: Proposed Planning Unit Development
referred to as 19th Hole, located on
Lots 1 & 2, Country Club Heights Subdivision
to the City of Shawnee

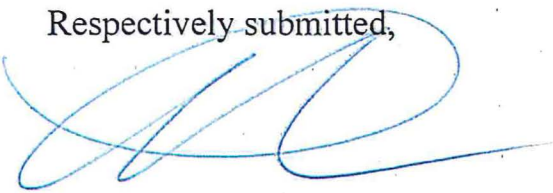
Members of the Planning Commission:

I am the owner of Lot 6 in the Country Club Heights Subdivision and hereby protest the above referenced proposed development which is subject to the existing "Owner's Certificate & Restrictions for the Country Club Heights Subdivision" (restrictions), a copy of which is attached hereto. Such proposed development would be contrary to and in violation of the deed restrictions which I personally relied upon when purchasing my property in April 2017. I would like to assume that such restrictions will be applied to any proposed development in the Country Club Heights Subdivision both now and in the future.

Even though I am new to Shawnee, there are numerous existing sites elsewhere where the proposed development could be sited.

Please deny the request from the Land Run Group relative to its proposed development on Lots 1 & 2 of the Subdivision referenced herein.

Respectively submitted,



Loyd Drain, Owner LOT 6
6 Country Club Road
Shawnee, OK 74801
Loyd.Drain1@gmail.com

received
12-27-17
JG

December 20, 2017

Planning Commission
City of Shawnee
16 West 9th Street
Shawnee, Oklahoma 74801

RE: Proposed Planned Unit Development
Referred to as 19th Hole, located on
Lots 1 & 2, Country Club Heights Addition
to the City of Shawnee

Ladies and Gentlemen:

The undersigned lot owners in Country Club Heights Addition hereby protest referenced Planned Unit Development for the reason that same conflicts with the Owners Certificate & Restrictions for Country Club Heights, a copy of which is attached hereto.

This protest letter may be signed in one or more counterparts.

Respectfully Submitted,

Lot 9, Richard Finley 1997 Trust

By _____
Richard Finley

Lot 11, Leonard Taron & Bevelyn Taron

By _____
Leonard Taron

By _____
Bevelyn Taron

received
12-28-17
wr

December 20, 2017

Page 2

Lot 12, Chris J. Lillard & Patty Lillard

By Chris J. Lillard
Chris J. Lillard

By Patty Lillard
Patty Lillard

**Lot 13 & 14, Nancy M. Ford
Revocable Trust**

By _____
Nancy M. Ford

By _____
William L. Ford

**Lot 16, H. Jeffrey Diamond and
Nance L. Diamond**

By _____
H. Jeffrey Diamond

By _____
Nance L. Diamond



**STAFF REPORT
Planned Unit Development (PUD)
Case #P01 -18**

TO: Shawnee Planning Commission

AGENDA: March 7th, 2018

RE: 19th Hole PUD – Additional Comments and Updates

In summary, the 19th Hole Development was deferred from the January 3rd Planning Commission meeting to the March 7th agenda. The main objectives for this sixty day deferral were:

1. To allow the developer time to meet with surrounding residents to better explain the proposal and possibly facilitate an agreement.
2. To provide the applicant an opportunity to resolve City concerns, listed as conditions in the January staff report. The main items include the addition of necessary language in the PUD Design Statement and providing a means for stormwater mitigation that conforms to City standards.
3. Additionally, a request was made for Staff to explore current and future plans affecting Country Club Heights Addition and the Country Club area to provide details concerning historic land use patterns.

As of February 28, 2018, Staff has received no revisions to the PUD document(s) and stormwater mitigation concerns remain unresolved. The applicant has indicated that letters were delivered to all residents of Country Club Heights Addition providing a project summary and possible points for negotiation (Exhibit 8).

In regard to the Country Club and associated neighborhoods, City records do not indicate a consolidated future plan for the area. However, the following four subdivisions have been developed since the late 1970's which have defined the general land use pattern for this area:

1. The Bridges Addition I, II, & III
2. Country Club Heights I & II
3. Augusta Court
4. Highland Farm Estates

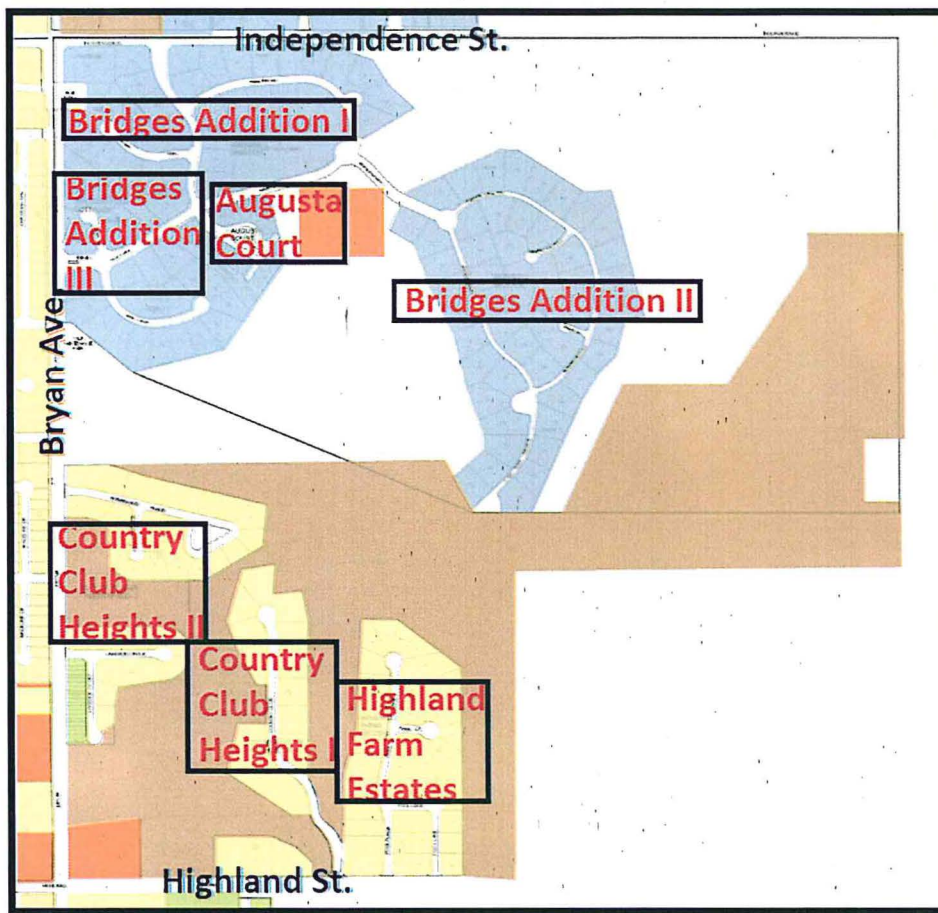


Figure 1: Subdivisions associated with the Shawnee Country Club.

Country Club Heights I & II (1977)

Country Club Heights Addition, Section I was platted in 1977, followed by Section II in 1980. These developments are primarily associated with large lot, single family residential development. However, Block I of Country Club Heights II is specifically reserved, by covenants, for minimal townhouse development. The covenants for Block I, Section II are quite detailed and ensure high quality construction.

Highland Farms Estates (1985)

Highland Farms Estates was platted in 1985 for single family residential housing. There are approximately 32 lots, which generally range in size from 0.5 - 1.5 Acres.

The Bridges Addition (1998)

The Bridges Addition was originally platted as two separate entities, Bridges I and Bridges II, both in October of 1998. All subject land was rezoned from A1 to a PUD (The Greens at Shawnee Country Club), to incorporate the golf course and a variety of housing options. "Residential opportunities range from multi-family villa units to large lot single-family

residential" (PUD Design Statement). The proposed residential zoning includes RE, R-1, R-3, and C-3. The residential housing selection was broken into:

1. Executive Lots: 125 ft. x 175 ft.
2. Premier Lots: 165 ft. x 200 ft.
3. Estate Lots: 185 ft. x 235 ft.
4. Multi-family: 8 DU's per acre for a total of 94 DU's

In 2007, Block two of the existing Bridges I Addition was vacated and re-platted as Bridges III, The Cottages. Consistent with this change, a new PUD was established to allow for higher density residential. The primary difference between the existing PUD and the new PUD (The Greens at Shawnee Country Club) includes: six lots became 19 lots with common areas, a gated entrance was added, a wall was erected around the development, and the properties were moved from separate ownership to a condo type development with a target market for persons over 55 years of age. The new lot sizes ranged between 2,500 sq. ft. - 3,500 sq. ft., allowing structures to be built in a zero-lot line arrangement, using the common area to obtain adequate separation between structures. The new PUD also allows for one office and one community center.

Augusta Court (2000)

The Augusta Court Addition is a replat of Lot 8, Block 4 of the Bridges I Addition and was established as an R1-Z development (zero-lot-line). Points worth noting about this development are the approved private street, reduced front yard setbacks, and zero side yard setbacks in conformance with R1-Z standards. Twenty (20) lots, at approximately 6,000 square feet, cover approximately 5.4 Acres of land.

The three original subdivisions, established in the late 1970's through the 1980's provided for large, single family lots. As indicated in Figure 1, these subdivisions comprise roughly the southern half of land developed and associated with the Country Club. It should be pointed out that the three original neighborhoods have maintained low density residential use, aside from one planned block of townhouses associated with Country Club Heights II. The newer, northern half of this land section has a significantly different timeline, however. As previously discussed, Bridges Addition I & II were established in 1998 and provided options for a variety of residential densities, ranging from single family residential to multi-family development. In the early and mid-2000's, portions of the Bridges Addition were re-platted, incorporating significantly higher density residential uses.

Summary of Staff Findings

The 19th Hole PUD is in general conformance with the City's Comprehensive Plan. The subject property and surrounding areas are designated for residential uses, ranging from single family to multifamily residential development. The land is currently zoned R-1 (Single Family Residential) which limits development to one dwelling unit per lot. The proposed PUD represents a substantially higher density than currently permitted, based on the anticipated sixteen lots

covering two acres of land. When assessing the validity of a zoning change, Staff first explores the general zoning pattern of adjacent properties and the general area. On the north side of Highland Street, the majority of properties are zoned R1, and Agricultural for the existing golf course. Staff's assessment becomes complex on the south side of Highland Street, where two large properties received R3 (Multi-family Residential) zoning approval, which allows for maximum density residential development. Though this issue is merely one variable in the commission's decision, there is a general precedent for allowing high density residential development in the immediate area.

Next, Staff reviews the subject site as it relates to the public roadway. Highland Street is considered a major arterial in Shawnee. Generally, the City's major arterials facilitate higher density development, including multi-family residential and high density commercial. This pattern can be recognized along Highland Street, particularly between Bryan Avenue and Kickapoo Street. Though the Highland Street corridor east of Bryan does not currently follow this pattern, it is reasonable to assume that it could in the future.

Staff does find the requested use to be reasonable based on consistency with the Comprehensive Plan designation for this area, the approved multi-family residential zoning directly south of the subject site, and the conforming land use patterns that exist on Highland Street and similar arterial roads. However, Staff recognizes issues with this particular project. First, per the conditions listed in the January staff report, the requested corrections are yet to be addressed by the applicant. Second, based on the covenants presented for Country Club Heights, Section I (Exhibit 4), the proposed PUD appears to be in conflict. Such covenants are generally created to assure homeowners of the type of development that can be expected in their neighborhood.

Though the City does not enforce private covenants, Staff certainly reviews the covenants as evidence. Until the PUD can be reconciled with the existing covenants, it is Staff's opinion that further review should cease.



THE LANDRUN GROUP, LLC

ENGINEERING, LEGAL, LAND MANAGEMENT, CONSTRUCTION MANAGEMENT

February 20, 2018

Resident of Country Club Heights

Subject: Proposed 19th Hole Addition
Located on Lots 1 & 2, Block 1
Country Club Heights Addition

Dear Sir or Madam:

A year ago, I was contacted by a developer regarding interest in the old Country Club facility located at the intersection of Bryan Street and East Highland. During review of the property I discovered a sign on the above referenced lots. I was familiar with the lots because of previous review of the property during development of an ALTA survey of the Country Club and the current Country Club facility to the north. I have also been privileged to have designed or assisted with the golf course, clubhouse parking area, the Bridges, and Bridges Cottages Additions.

In January of 2016, I was asked to evaluate the need for a higher density, exclusive housing development, like the Bridges Cottages, on the east side of Shawnee. The location under consideration was the corner of Elm Street and Independence Avenue. The assessment determined a need in this type of development which would serve both elderly and executive housing needs. The comparison presented to the developer was to create executive housing comparable to Brookhaven Village on the west side of Norman (north side of Sooner Fashion Mall). The variation was to create a gated community combining single family executive homes, exclusive multi-family housing, and amenities. The developer's intent was to create the appearance that we were trying to develop this type of housing while intending on constructing housing like their other developments. It is my professional opinion, due to the disparity in design concepts the zoning was not approved, and the project was abandoned.

When reviewing the old Country Club property, I realized this is an exceptional location for the type of development perceived on the Elm and Independence parcel. The clientele would primarily be a combination of young professionals, mature families downsizing, and corporate housing. It seems not uncommon for larger companies to own a maintained property for either visiting executives, corporate dignitaries, or honored guests. The size was acceptable to establish a higher density development with the amenities for potential home owners. A golf course and Country Club provided a location what would be considered secure and attractive for this type of clientele. An additional attribute is the potential privacy that is associated with the area.

201 W. 9TH STREET
SHAWNEE, OK 74801
(405) 273-4222

PO BOX 1584
SHAWNEE, OK 74802-1584
WWW.LANDRUNGROUP.COM

Concerns that had to be addressed included the proximity to Highland Street. Due to the depth off of the arterial street adequate landscaping and barriers/walls or fencing could be developed similar to the Bocage and the Greens Additions in Oklahoma City off of 122nd Street. Other obstacles considered were arrangements with the owners of the Shawnee County Club, Dennis Jones (adjacent property owner), and the covenants. Prior to purchasing the lots, we had been in contact with Mr. Overland and Mr. Akin to discuss housing and consideration of purchasing the old country club property. Regarding this project they were not in disagreement. We indicated that it would be mandatory for all property owners to apply for a social membership at Shawnee Golf and Country Club. Following the initial communications, I was not part of any further communications. I contacted and spoke with Mr. Jones, who indicated he had considered similar ideas with Mr. Tomlinson but really did not have a problem with the project. He indicated he was intending on sizing down and selling his property. I asked if the development had a Home Owners Association (HOA) and he indicated that there was not one. By this time, we were having issues with the seller because of asking for time extensions. We obtained and researched a copy of the covenants. We first identified the age of the covenants and some minor discrepancies due to the age. One being with a building committee which, per covenants, disbanded in 1998. This information combined with no indication of an HOA or building committee by Mr. Jones brought us to the interpretation that if we construct single family homes on individual lots, this project would not be in violation of the covenants. We also knew the property would have to be re-platted with its own set of covenants, which made it independent of the original covenants.

This information is presented to provide an understanding why we never contacted individuals in the neighborhood prior to purchasing the property. Similar reasons exist, as to prior to the discussion with Mr. Chris Lillard, we did not perceive opposition to this development. We met with City staff several times to develop the Planned Unit Development (PUD) prior to submittal. Following the discussion with Mr. Lillard, my opinion was a lack of understanding of our intention. The best way of addressing concerns, after receiving copies of the protest letters, was to attend the meeting, discuss the concerns, and table the project to allow these items to be addressed.

The planning commission tabled this item until March to allow us to communicate and achieve this task. Directly following the meeting, I was taken back by the level of apprehension and later spoke with Mr. Diamond regarding some of the Country Club Heights resident's concerns. The concerns discussed with Mr. Diamond are partially addressed below;

1. **Impact on Existing Covenants** – Two (2) possibilities to protect the existing covenants. First while the property is being re-platted, once re-platted should be outside the Country Club Heights covenants. The Planned Unit Development (PUD) should protect your interests in maintaining compatible requirements. We will expand language in the PUD to make sure this development meets certain guidelines. Second, we would work with the residents of Country Club Heights to amend and update existing covenants. This update of the covenants would solidify that splitting any lot on Country Club Road would be prohibited, all houses must be single family homes, refer to current zoning regulations, and place whatever additional restrictions discussed on lots fronting Highland Street which would address this development.

2. **Density** – Mr. Diamond indicated that a meeting held, following the planning commission meeting, addressed concerns regarding density. The reason for the density was related with the “typical townhouse” type of a development combined allowing the Property Owners Association (POA) dues to maintain the proposed amenities. The proposed development includes a clubhouse, community golf carts for use by the property owners, a security gate, landscaping, and a part-time employee to assist with maintaining the properties security, yardwork, and landscaping. Analysis determined that a monthly POA fee over \$200 was considered an extravagant fee for this type of a development. The 16 houses with a monthly POA dues of \$185, would generate \$2,960/month and capable of sustaining the property amenities. Removal of the golf carts and stalls, reducing the employee to only being responsible for cleaning of the clubhouse, yardwork, and landscaping could decrease the development to 12 houses. Eliminating clubhouse and all amenities could reduce it even further.
3. **Depth adjacent to Golf Course** – Concern was raised regarding golf balls hitting and damaging the houses. The houses close to the course were already being developed addressing this concern. The common wall between houses do not have windows and are constructed of materials resistant to an impact. The first story was designed 16’ off of the back-property line but the second story is an additional 25 to 30 feet or a total distance of 41 to 45’ away from the property line. Based on the existing sewer line or manhole located on the course the back of the first floor will be 32’ south of the sewer line and the second floor will be approximately 60 feet south. This will preserve some of the large oak trees between the course and the homes. Additional trees and amenities can be added to provide additional protection, if desired. It was also indicated that many people accidentally slice golf balls into this property. When mowing this property approximately 12-15 balls were found. Due to the location where the balls were found, I anticipate most of these balls came from people trying to drive over this property to the green. It is common for people who can hit long drives to “cut the corner” when possible and over tree lines. The probability of people wanting to “cut the corner” will diminish if homes are constructed, requiring people to use the fairway as the course was designed.
4. **Traffic on Highland** – I believe the reason why this property has not developed in 40 years is because the entrance and noise on Highland makes the property less desirable. To combat this concern, the wall and gate is 40 feet north of the Highland Street curb or twice a conventional building line. The widened divided entrance combined with the gate and turn around, similar to the Bridges Cottages property, creates a turnabout outside the gate. Currently each lot would have a drive, therefor allowing two additional driveways which would be viewed by both city and state as potentially more dangerous and less desirable. This development’s drive is directly across from Clubhouse Drive which is the entrance into Harbor Estates. A traffic study could be requested for consideration of a street light or reduced flashers to Tim Hardcaste (Region 4 - O.D.O.T).

These are four (4) principle concerns discussed which I believe could be further discussed and/or worked through with proper communications.

As stated during the meeting, I am not only the design engineer but a Shawnee native since 1977 and the owner. I was dismayed following the planning commission meeting because most of the protestors I know, have worked with, or known their children. Equally, I hope to believe your view of me is being of sound intent and character. I believed this project to be an opportunity to step out-side my usual engineering experience of assisting other people's desires to develop a quality development which would serve as part of my future retirement.

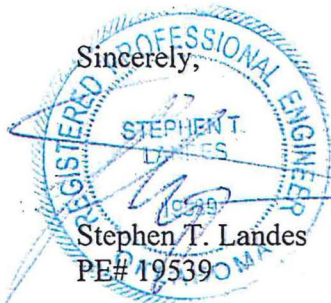
Unlike comments by Mayor Finely, I don't believe there isn't a viable solution to resolve the differences in our design concept. My concern is due to the location on Highland Street, without a variation to these lots, future development is less viable unless an individual wanting a large estate property is found.

Subsequently, I would request one of two possibilities for consideration;

1. Discuss of options to modify this potential development and make it a viable development. We could divide it into anywhere between 4 and 16 individual lots with the gated entrance allowing me to revise the PUD, re-plat and amend the existing covenants to address current zoning codes; or
2. If different interests exist including a desire to leave it in a natural state, I would be willing to update the covenants, revise the PUD to fit alternative interests you might and sell the lots for what I currently have invested which is approximately \$75,000.

I truly hope to hear from one or several of you as representative of the group to communicate potential options. If further information is required, please feel free to call (405) 273-4222.

Sincerely,



Stephen T. Landes
PE# 19539

201 W. 9TH STREET
SHAWNEE, OK 74801
(405) 273-4222

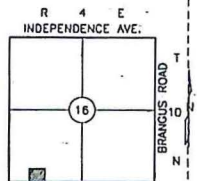
PO BOX 1584
SHAWNEE, OK 74802-1584
WWW.LANDRUNGROUP.COM

LANDSCAPE PLAN
THE 19th HOLE
LOTS 1 & 2, BLK. 1
COUNTRY CLUB HEIGHTS ADDITION
SHAWNEE, OKLAHOMA

LANDSCAPE SCHEDULE			
REV	LEADS	COMMON NAME	SCIENTIFIC NAME
1		CHINESE PINE	PISTIA CHINENSIS
2		PINE, LIBERTY	PAULS PINE
3		BALL CYPRESS	WAXWOOD SHEETMAN
4		DELAWARE REDWOOD	CERES CANDIDUS
SHRUBS & PERENNIALS			
1		WALLS STEVENS HILL	WALLS & WALLS & STEVENS
2		COMPTONIA	INDICATED INDIA
3		SHARP HEDER	PROBATIONAL ALLEGATIONS
4		PARVISE BURNERY	REPAIRS TO BURNERY
5		WINDY DUNE	WINDY DUNE

PLANT LEGEND

-  (1) COLUMBIA FIRESTICK
-  (2) LON GARY PINE
-  (3) BALDWIN PINE
-  (4) COLUMBIA FIRESTICK
-  (5) PINELEAF STEVENSON
-  (6) COLUMBIA FIRESTICK
-  (7) COLUMBIA FIRESTICK
-  (8) JAPANESE BURNING
-  (9) COLUMBIA FIRESTICK



LOCATION MAP
SCALE: 1" = 2000'

65' EASEMENT, STATE OF OKLAHOMA
BOOK 204, PAGE 105

40' EASEMENT, STATE OF OKLAHOMA
BOOK 88, PAGE 58

LANDSCAPE REQUIREMENTS		TOTAL PLANT INCREASE	
FRONT YARD - 1/2 ACRE	1 TREE PER 30' DIAMETER	250'/25' = 10 TREES	1500'/4.5' = 33 TREES
SIDE YARD - 1/2 ACRE	1 TREE PER 60' SQ. FT.	2500'/40' = 6 TREES	1500'/4.5' = 33 TREES
REAR YARD - 1/2 ACRE	1 TREE PER 60' SQ. FT.	3000'/40' = 8 TREES	1500'/4.5' = 33 TREES
PARKING LOT - 10 SPACES	1 TREE AND 2 SHRUBS PER 6 SPACES	10/6 = 3 TREES 10/3 = 3 SHRUBS	(1/2) 10 = 5 TREES (1/2) 10 = 5 SHRUBS
		TOTAL LANDSCAPING REQUIRED (INCLUDES 10% INCREASE)	30 TREES & 30 SHRUBS

LANDSCAPING NOTES

- [illegible]

Note To Contractors
Call Orla 11-800-522-6543

EVERY EFFORT HAS BEEN MADE TO LOCATE AND IDENTIFY APPROXIMATE LOCATIONS OF UNDERGROUND UTILITIES LINES. BURIED UTILITIES ARE NOT NECESSARILY AS SHOWN. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND PRESERVE ALL SERVICES. CONTRACTOR MUST CONTACT ALL UTILITIES PRIOR TO ANY CONSTRUCTION.



DEVELOPERS INFORMATION

PROPOSED PLD ZONED R-12 - BASE
LOCATION 2400 S.W. E HIGHLAND ST.
SHREVEPORT, LOUISIANA

OWNER & DEVELOPER The 19th Hole,
231 W. 9th St.
Spokane, OR.

PROJECT OWNER: STEPHEN LAMON
201 W. 8th St.
BIRMINGHAM, AL.
205-773-1222

2-8543

3. CONTRACTORS MUST
NOTION OF CONSTRUCTION

AND CONFIRM APPROXIMATE
A. BUREAU UTILITIES ARE

SPONSORSHIP OF THE
SERVICES. CONTRACTOR
CONSTRUCTION.

Client	The 19th Hole, LLC
Project	The 19th Hole Addition
Design	Landscape Development
Scale	1" = 10'
Sheet	5/3

THE LANDRUN GROUP, LLC
LandRun Engineering, LLC,
2701 West 9th Street • P.O. BOX 1594
Shawnee, OK 74801 • 1-586-6 (405) 273-4222
CAY 6182 Exp. 06/30/2018
E-mail: slandres@landruncorp.com

Stephen T. Landes, ALCOA 9539 Date

Revisions

A RE-PLAT OF LOTS ONE (1) & TWO (2), COUNTRY CLUB HEIGHTS ADDITION
LOCATED IN THE SE/4 OF SECTION 16, TOWNSHIP 10 NORTH, RANGE 4 EAST OF THE I.M.,
CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA.

OWNERS CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS,

That I, the undersigned, do hereby certify that they are the owner of _____ and the only persons, firm, or corporation having any right, title or interest in said _____ and to the land shown on the annexed plat, and that they have caused the same to be surveyed and plotted, and that the same shall remain forever dedicated to the public, for the purpose of utilities and drainage, for their heirs, executors, administrators, successors and assigns forever, and that the same shall be forever exempt from taxation, and that the title shall be clear, except as is in the abstract's certificate, in witness whereof, the undersigned have caused this instrument to be executed this _____ day of _____, 20____.

(Signature) _____

(Print Name)

The foregoing facts stated herein for the adjoiner are contained in a separate instrument.

1998 Nov. UC

PRESIDENT - Mr. [REDACTED]

STATE OF OKLAHOMA }
COUNTY OF POTTER } ss:
The foregoing instrument was acknowledged before me this ____ day of _____

My Commission Expires: _____

 Station, P.O.# _____

LAND SURVEYOR'S CERTIFICATE

LAND SURVEYOR'S CERTIFICATE

I, **City Gene Knight**, Registered Land Surveyor hereby certify that the annexed plat of the **10th Hole Addition, an addition to the City of Shawnee, Pottawatomie County, Oklahoma**, correctly represents a careful survey made under my supervision and any monuments shown thereon actually exist and their respective positions are correctly shown. I further certify that this plat complies with the requirements of Senate Bill No. 377, Section 518, as amended.

Dry Core Engraving, P.L.S. 1744

STATE OF OKLAHOMA } ss:
COUNTY OF POTTER }
The foregoing instrument was acknowledged before me this ____ day of _____ 20____
by _____
to _____

LEGAL DESCRIPTION

LOVE ONE (1) & TWO (2), COUNTRY CLUB HEIGHTS ADDITION TO THE CITY OF SHAMOKA, PORTLAND, ME, COUNTRY CLUB HEIGHTS ADDITION TO THE CITY OF SHAMOKA, ME.



BOXES OF SLATS
 BARRIERS ALONG THE SOUTH LINE
 OF SECTION 13, T10N, 84E
 POTTERHAWNE COUNTY, OKLAHOMA

0' 30' 60'

SCALE: 1" = 30'

LNA = LIMITS OF NO ACCESS



LOCATION MAP
SCALE: 1" = 2000'

5. MAINTENANCE OF ROAD/DRIVE, COMMON AREAS AND DRAINAGE ARE THE RESPONSIBILITY OF THE PROPERTY OWNERS WITHIN THE 18TH HOLE ADDITION.

17050

(a) INDICATES 3/8"
IRON PH. SET

(+) INDICATES
FOUND IRON PH.

(b) INDICATES
FOUND "S" IN CONC

R/W RIGHT-OF-WAY
U/E UTILITY EASEMENT
D/E DRAINAGE EASEMENT
B/L BUILDING LINE

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, a duly qualified abstractor in and for Pottawatomie County, State of Oklahoma, hereby certifies that according to the records of said County, late to the land included in the aforesaid plat of the 19th Hole Addition, an Addition to the City of Shawnee, Pottawatomie County, Oklahoma, appears to be vested in the 19th Hole, L.L.C. All lands described and referred to are unencumbered by pending actions, judgments, liens, mortgages, leases and other encumbrances, except all taxes and other amounts, taxes and interests which have been previously conveyed and easements and general authorizations of record.

DECEASED of City of Shreve, Pottawatomie County,
State of Oklahoma, on this ____ day

ATTENTION: East American Film & Tour Co.

By Asst. Secretary By Vice-President

STATE OF OKLAHOMA }
COUNTY OF POTTER } ss:

The foregoing instrument was acknowledged before me this
 ___ day of _____, 20__.

By _____ Vice-President of First American
Title & Trust Co., an Overhome Corporation, on behalf of the
Corporation.

My Commission Expires:

_____ **John Doe**

COUNTY TREASURER'S CERTIFICATE

I, _____, do hereby certify that I am the duly elected, qualified and acting County Treasurer of Pottawatomie County, State of Oklahoma, that the last receipts of said County show all taxes paid for the year 20____ and prior years on the land shown on the annexed plat, that the required statutory security has been deposited in the office of the County Treasurer, guaranteeing payment of the 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

CITY PLANNING COMMISSION APPROVAL

_____, Chairman of the City Planning Commission for the City of Shawnee, State of Oklahoma, hereby certify that the said commission duly approved the annexed plat on the ____ day of _____, 20__.

Chlorine

ACCEPTANCE OF DEDICATION OF CITY COMMISSION

BE IT RESOLVED by the Council of the City of Shawnee, Oklahoma, that the dedications shown on the annexed plat are hereby accepted. Adopted by the Council of the City of Shawnee, Oklahoma, this ____ day of _____, 20__.

Attest: City of Shawnee, Oklahoma

City Clerk Mayor

CERTIFICATE OF CITY CLERK

I, _____, City Clerk of the City of Shawnee, State of Oklahoma, hereby certify that I have examined the records of said City and find that all delinquent payments or uncollected installments upon special assessments have been paid in full and that there is no special assessment procedure now pending against the land shown on the annexed plat on this _____ day of _____, 20____.

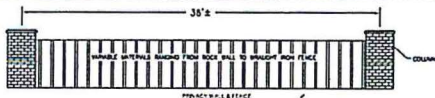
THIS PLAN OF SURVEY MEETS THE
OKLAHOMA MINIMUM STANDARDS FOR THE
PRACTICE OF LAND SURVEYING AS
ADOPTED BY THE OKLAHOMA STATE BOARD
OF LEGISLATION FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS.

KLS CA. 712/218-6600
#310A/710
#HAWNEE, INCL. AIRMAIL
#06/21/82/21

DOCKERY ADDITION SEC.

DATE 04/18/2017	REV:
ISSUED BY STL	ISSUING AGENCY
CHANGED BY ECH	1 of

THE LANDRUN GROUP, LLC
LandRun Engineering, LLC
201 W. 9th ST. • P.O. BOX 1594
Shawnee, OK 74802-1594
(405) 273-4222 CA# 6182 Exp. 6-30-2



GAZEBO



WALKWAYS

R 4 E
INDEPENDENCE AVE.



HIGHLAND ST.
LOCATION MAP
SCALE: 1" = 2000'

MASTER PLAN THE 19th HOLE LOTS 1 & 2, BLK. 1 COUNTRY CLUB HEIGHTS ADDITION SHAWNEE, OKLAHOMA



- LEGEND
- 1-10 TELEPHONE, UNDERGROUND
 - 1-10 UNDERGROUND ELECTRIC & CABLE TV
 - 1-10 FIBER OPTIC CABLE
 - 1-10 CABLE TV
 - 1-10 PETROLEUM LINE
 - 1-10 GAS LINE
 - 1-10 HIGH PRESSURE GAS LINE
 - 1-10 SANITARY SEWER LINE
 - 1-10 STORM SEWER
 - 1-10 PROPOSED SANITARY SEWER LINE
 - 1-10 FLOW LINE
 - 1-10 FENCE
 - 1-10 BENCHMARK
 - 1-10 TREE
 - 1-10 TELEPHONE, UNDERGROUND
 - 1-10 UNDERGROUND ELECTRIC & CABLE TV
 - 1-10 FIBER OPTIC CABLE
 - 1-10 CABLE TV
 - 1-10 PETROLEUM LINE
 - 1-10 GAS LINE
 - 1-10 HIGH PRESSURE GAS LINE
 - 1-10 SANITARY SEWER LINE
 - 1-10 STORM SEWER
 - 1-10 PROPOSED SANITARY SEWER LINE
 - 1-10 FLOW LINE
 - 1-10 FENCE
 - 1-10 BENCHMARK
 - 1-10 TREE



DEVELOPER'S INFORMATION

DEVELOPER: THE 19th HOLE, LLC
201 WEST 5th STREET, SUITE 100
SHAWNEE, OKLAHOMA 74066
405-275-1232

PROJECT OWNER: STEPHEN T. LUNGE
201 WEST 5th STREET, SUITE 100
SHAWNEE, OKLAHOMA 74066
405-275-1232

STATISTICAL DATA

1. TOTAL NUMBER OF LOTS: 228
2. TOTAL NUMBER OF LOTS: 18
3. THE NUMBER OF LOTS, THE AVERAGE, THE MINIMUM, MAXIMUM OF LOTS: 18
4. THE NUMBER OF LOTS AND AVERAGE ALLOCATED TO THE MINIMUM, MAXIMUM OF LOTS: 18
5. THE AVERAGE ALLOCATED TO PLANS AND EDITIONS: 18
6. THE AVERAGE ALLOCATED TO EDITIONS AND SPACES: 18
7. THE AVERAGE ALLOCATED TO EDITIONS AND SPACES: 18
8. THE AVERAGE ALLOCATED TO EDITIONS AND SPACES: 18
9. THE AVERAGE ALLOCATED TO EDITIONS AND SPACES: 18
10. THE AVERAGE ALLOCATED TO EDITIONS AND SPACES: 18

Notes to Contractors
Call 1-800-522-8543

LOCATION OF UNDERGROUND UTILITY SERVICES, CONTRACTORS MUST
CONTACT THE OWNER PRIOR TO ANY LOCATION OR CONSTRUCTION.
EVERY EFFORT HAS BEEN MADE TO LOCATE AND IDENTIFY APPROPRIATE
LOCATIONS OF UNDERGROUND UTILITIES. BURNED UTILITIES ARE
NOT NECESSARILY SHOWN. IT IS THE RESPONSIBILITY OF THE
CONTRACTOR TO LOCATE AND IDENTIFY ALL UTILITIES. CONTRACTOR
MUST CONTACT ALL UTILITIES PRIOR TO ANY CONSTRUCTION.

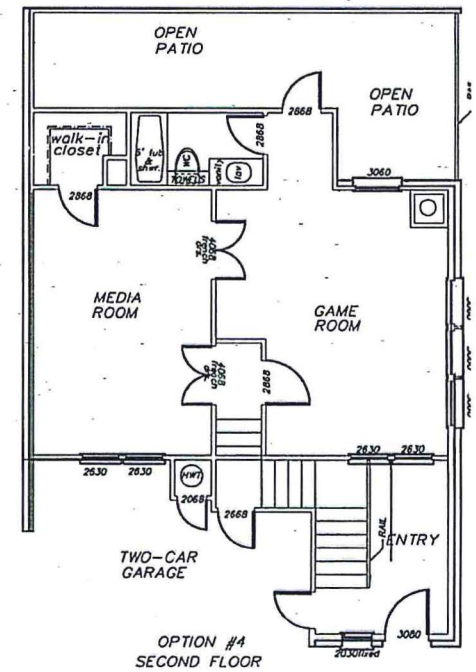
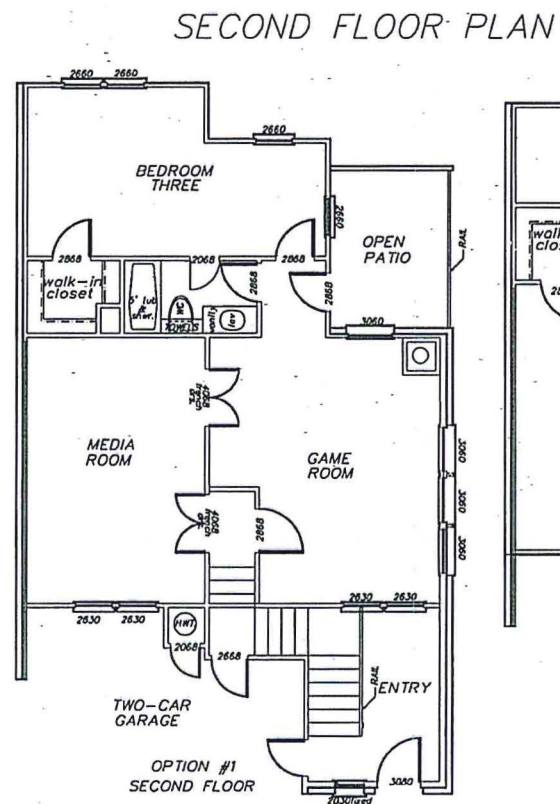
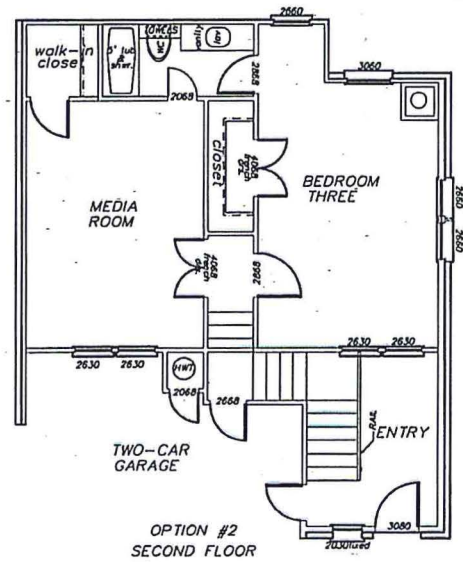
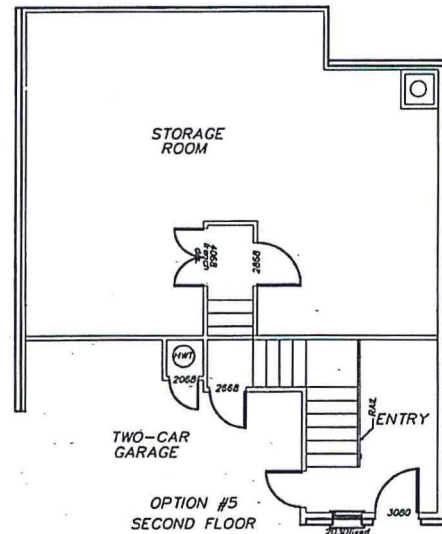
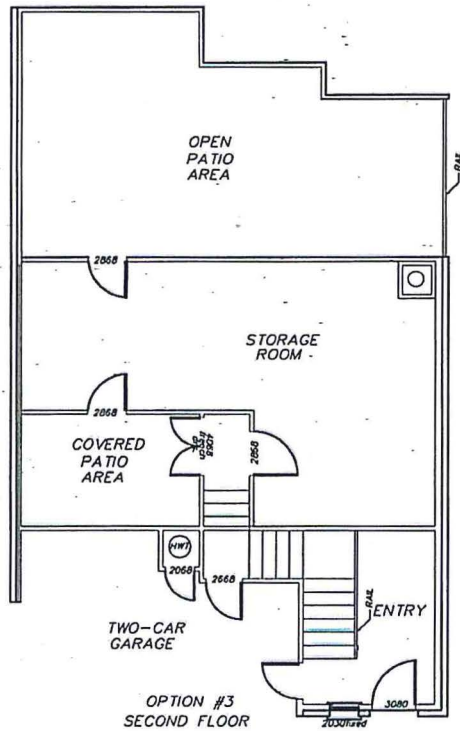


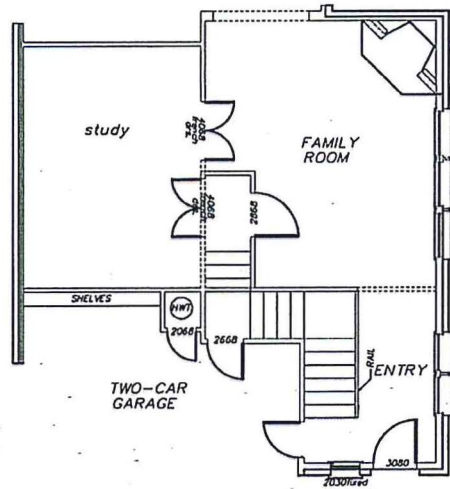
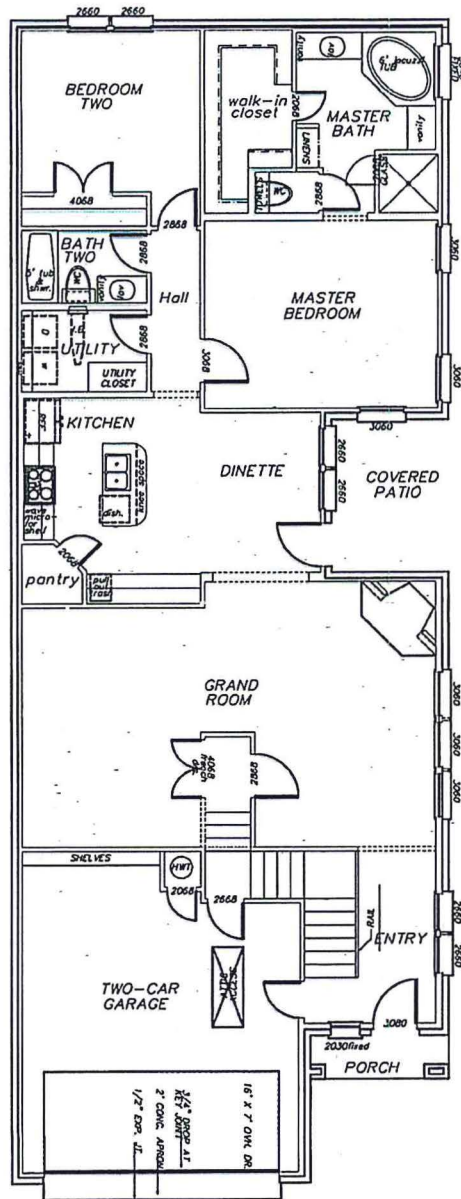
THE 19th HOLE, LLC
The 19th Hole Addition
Master Development Plan

THE LANDRUN GROUP, LLC
LandRun Engineering, LLC
201 West 5th Street, Suite 100
Shawnee, Oklahoma 74066
405-275-1232
E-mail: shawnee@landrune.com

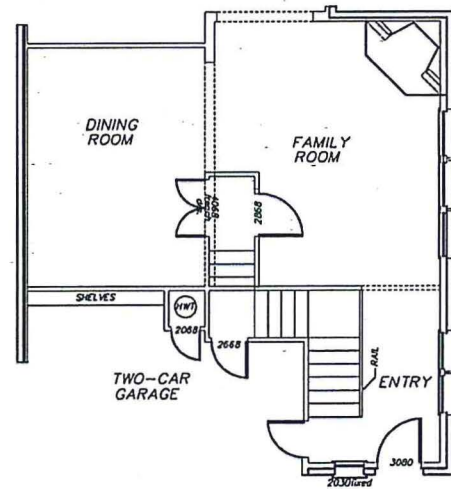
Stephen T. Lunge
Date: 3/2/17

Revision	Date	Description
1	3/2/17	Initial Issue



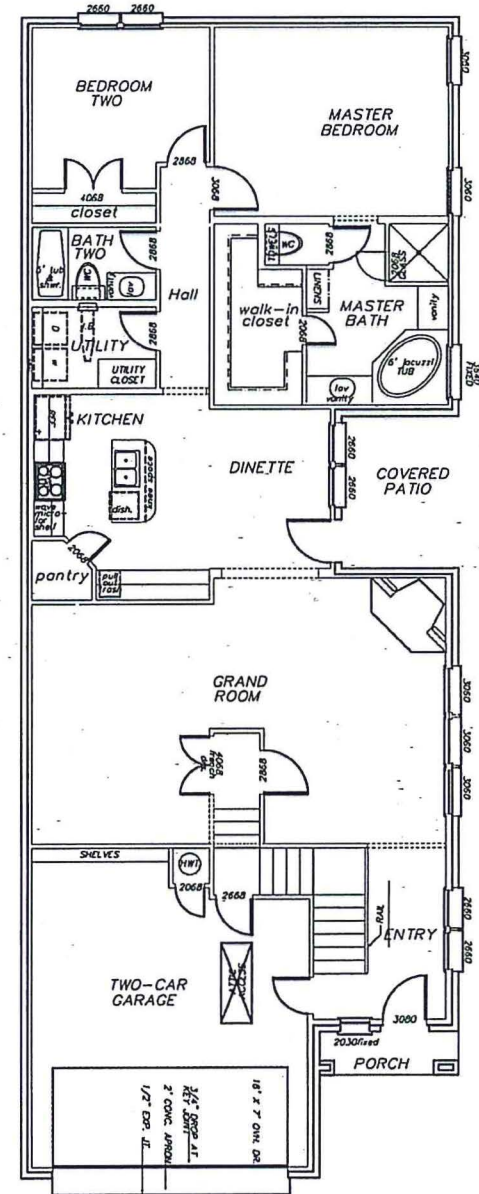


OPTION #1
STUDY



OPTION #2
DINING ROOM

FIRST FLOOR PLAN



December 20, 2017

Planning Commission
City of Shawnee
16 West 9th Street
Shawnee, Oklahoma 74801

RE: Proposed Planned Unit Development
Referred to as 19th Hole, located on
Lots 1 & 2, Country Club Heights Addition
to the City of Shawnee

Ladies and Gentlemen:

The undersigned lot owners in Country Club Heights Addition hereby protest referenced Planned Unit Development for the reason that same conflicts with the Owners Certificate & Restrictions for Country Club Heights, a copy of which is attached hereto.

This protest letter may be signed in one or more counterparts.

Respectfully Submitted,

Lot 9, Richard Finley 1997 Trust

By _____
Richard Finley

Lot 11, Leonard Taron & Bevelyn Taron

By _____
Leonard Taron

By _____
Bevelyn Taron

RECEIVED CITY CLERK'S OFFICE

Date 12/29/17 Time 8:45am
Hacie Eck

received
12-28-17

December 20, 2017

Page 2

Lot 12, Chris J. Lillard & Patty Lillard

By Chris J. Lillard
Chris J. Lillard

By Patty Lillard
Patty Lillard

**Lot 13 & 14, Nancy M. Ford
Revocable Trust**

By _____
Nancy M. Ford

By _____
William L. Ford

**Lot 16, H. Jeffrey Diamond and
Nance L. Diamond**

By _____
H. Jeffrey Diamond

By _____
Nance L. Diamond

December 21, 2017

PLANNING COMMISSION

CITY OF SHAWNEE

16 WEST 9TH STREET

SHAWNEE, OKLAHOMA 74801

RE: PROPOSED PLANNED UNIT DEVELOPMENT
REFERRED TO AS 19TH HOLE, LOCATED ON
LOTS 1 & 2, COUNTRY CLUB HEIGHTS ADDITION
TO THE CITY OF SHAWNEE

LADIES AND GENTLEMEN:

THE UNDERSIGNED LOT OWNERS IN COUNTRY CLUB HEIGHTS ADDITION HEREBY **PROTEST** THE REFERENCED PLANNED UNIT DEVELOPMENT FOR THE REASON THAT SAME CONFLICTS WITH THE OWNERS CERTIFICATE & RESTRICTIONS FOR COUNTRY CLUB HEIGHTS, A COPY OF WHICH IS ATTACHED HERETO.

THIS PROTEST LETTER MAY BE SIGNED IN ONE OR MORE COUNTERPARTS.

RESPECTFULLY SUBMITTED,

LOT 4 BLOCK 1, RAYMOND & LAVERNE SHAFFER

BY Raymond Shaffer
RAYMOND SHAFFER

BY Laverne Shaffer
LAVERNE SHAFFER

Kacio Eck
RECEIVED CITY CLERK'S OFFICE
Date 12/21/17 Time 3:57pm

5668

591 9

OWNER'S CERTIFICATE AND RESTRICTIONS
TO

FILE NO. _____ BOOK _____ PAGE _____
STATE OF OKLAHOMA, POTTAWATOMIE COUNTY, SS:
FILED FOR RECORD AT 2:20 CLOCK P.M. 1925
MAY 2
GEORGIA DELL AUSTIN County Clerk
BY: *V. La. M. M.* DEPT

Lots 1-16, inclusive, COUNTRY CLUB HEIGHTS a
subdivision of a part of Section 16, Township
10 North, Range 4 East of the Indian Meridian,
Shawnee, Pottawatomie County, Oklahoma.

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, N. W. Baptist, III, William L. Ford,
and Sim K. Sims, Trustees, certify that they are the owners and
the only persons, firm or corporation having any legal title or
interest in and to all of Lots 1-16, inclusive, COUNTRY CLUB
HEIGHTS, as shown and embraced by the plat of said addition, re-
corded in the office of the County Clerk of Pottawatomie County,
State of Oklahoma.

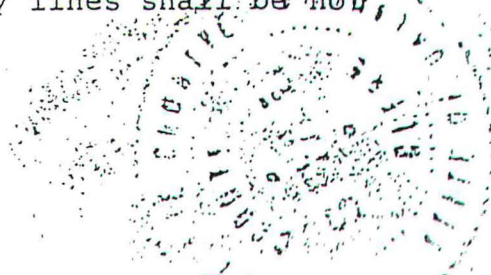
For the purpose of providing an orderly development of the
entire addition above described, and for the purpose of provid-
ing adequate restrictive covenants for the mutual benefit of
ourselves, or our successors in title to the said premises, we,
the owners, do hereby impose the following restrictions and
reservations on the above described plat, COUNTRY CLUB HEIGHTS,
to which it shall be incumbent upon all successors in title to
adhere, and any person or persons, corporation, trust, partner-
ship or other legal entity whatsoever, hereafter becoming the
owner either directly or indirectly through subsequent transfer,
or any manner whatsoever, of any lot or lots, block or blocks,
included in said plat, shall take, hold and convey the same
subject to the following, to-wit:

(1) All lots in this subdivision shall be used as Single
Family residential lots.

(2) Single family residences erected in said addition
may be one-story, one and one-half story, split level or two-
story in height.

(3) No building shall be located on any lot or building
site, nearer to the front property line than the Building Limit
Line as shown on the recorded plat. The minimum distance between
the building and the side and rear property lines shall be not

*Miller, J. W. & W. W. - Shawnee, Ok
Box 1925 - Shawnee, Ok*



less than five (5) feet from said property lines. In the instance that the owner of a lot, or building site, desires to locate his building less than five (5) feet from the said property lines, and his lot is located adjacent to a vacant lot, he must obtain permission, in writing, from the owner of the adjacent property in order that he may locate the building as close as five (5) feet to the said property lines.

For the purpose of this covenant, eaves, steps and open porches shall not be considered as a part of the building, provided, however, that this shall not be construed to permit any portion of a building to encroach upon another site.

(4) No single family residence shall be erected or placed on any building site of less than one lot, but may be erected on a site consisting of more than one lot.

(5) No building or structure shall be erected, or altered on any building site or lot in this addition until the building plans and specifications, and plot plan, showing the location of such building, have been approved in writing as to the conformity and harmony of external design with existing structures in the subdivision, and as to the location of the building with respect to topography and finished ground elevation by a Building Committee composed of N. W. Baptist, III, William L. Ford, Murlin Derebery, Chris J. Lillard and H. Jeffrey Diamond, or by a representative designated by a majority of the members of said committee. In the event of death or resignation of any member of said committee, the remaining members shall have full authority to approve or disapprove such design and location or to designate a representative with like authority. In the event said committee or its designated representative with like authority fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, or in any event, if no suit to enjoin the erection of such building, or the making of such building, or the making of such alterations have been commenced prior to the completion thereof, such approval will not be necessary and this covenant will be deemed to have been fully complied with. Neither the members of the committee nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. The power and duties of the committee and its designated representative shall cease on or after January 1, 1998. Thereafter the approval described in this covenant shall not be required unless prior to said date and effective thereon, a written

instrument shall be executed by the then record owners of a majority of the lots or building sites in this addition, and duly recorded in the land records of said county, appointing a representative or representatives who shall thereafter exercise the same powers previously exercised by the committee.

(6) No business, trade or activity shall be carried on upon any residential lot or building site. No noxious or offensive activity shall be carried on upon any lot or building site, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

No cows, horses, or other livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, nor maintained for any commercial purpose.

No trash, ashes or other refuse may be thrown or dumped on any vacant lot in the addition. Each owner of a vacant lot is required to keep said lot in presentable condition or the Building Committee may, at its discretion, mow said lot, trim trees, remove trash or refuse and levy a lien on said lot for the cost involved, which cost, the owner of any such lot agrees to pay upon demand.

(7) No structure or building of a temporary character, trailer, tent, shack, garage, barn or other outbuilding shall be used on any lot or building site at any time as a residence, either temporarily or permanently. Outbuildings such as cabanas, greenhouses, play houses, servants quarters and similar buildings erected on any of said lots shall be approved, in advance of construction, by the Building Committee, within fifteen (15) days of submission, and shall correspond in style and structure to the residence to which it is appurtenant.

Dog pens shall be concealed from the street, and the location of same approved by the Building Committee.

No garbage or trash cans shall be visible from the street or golf course.

No campers, boats, housetrailer, or trucks of any kind shall be permitted to be continuously parked in sight in the front of a residence, or on any portion of any lot in the addition, and must be totally concealed from the street and abutting lot owners.

No basketball backboard shall be erected in the front yard or attached to the front of any residence in the addition.

No antenna, poles, or similar items other than TV antennas shall be erected on any residential lot or building site in the addition, which extends more than five (5) feet above the peak of the residence.

(8) The minimum square footage of all single family residences shall be twenty-two hundred (2200) square feet. In computing the square footage of a residence it is to be figured exclusive of basements, open porches, carports and garages.

(9) No living unit shall be constructed on any lot in the addition unless it has an attached garage or carport with a capacity sufficient for at least two cars. All garages and carports must face the side lot line or the rear lot line, and in no case will be permitted to face or open onto the street.

(10) The outside wall structure of the ground floor living area of any one family residence in the addition shall be at least sixty per cent (60%) brick veneer or stone.

(11) No building shall be erected on any lot unless it shall have a wood shingle, slate or tile roof. However, this restriction shall not prevent the submission of specifications and plans for other types of roof covering to the Building Committee members mentioned herein, for approval of said deviation. In the event approval is granted, in writing, by the Building Committee, this deviated type of roof covering may be used.

(12) No outbuilding of any nature shall be permitted in the easements reserved for utilities, and there shall be no retaining wall permitted in easements unless approved by the Building Committee, in writing.

(13) No fences or walls shall be commenced, erected or maintained, unless such fence or wall shall have the approval of the Building Committee in writing, and in approving the building of any fence or wall, or extension or alteration of any fence or wall, the Building Committee shall take into consideration the suitability of such fence or wall, the materials of which it is to be built, the harmony thereof with the surroundings, and the effect of the construction of said fence or wall or the extension thereof shall have upon the adjacent or neighboring property.

(14) All utility services shall be underground for as long as such underground facilities are available from supplier and the owner of each lot shall provide facilities to take and receive such services by means of properly installed underground service lines.

(15) These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1998, (except as otherwise specified herein), at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless an instrument signed by a majority of the then owners of the lots or building sites has been recorded, agreeing to change said covenants in whole or in part.

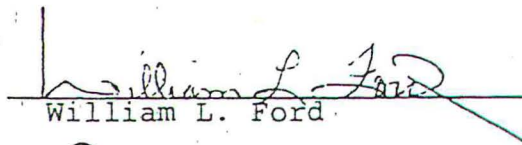
(16) If the parties hereto, or any of them, or their heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situated in said subdivision to prosecute any proceedings at law or in equity against the person or persons violating, or attempting to violate any such covenants and either to prevent him or them from doing or to recover damages or other dues for such violation.

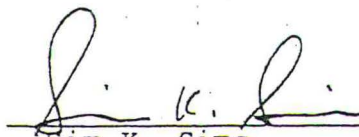
(17) Invalidation of any of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have affixed their signatures this 18th day of August, 1977.

N. W. BAPTIST, III, WILLIAM L. FORD
and SIM K, SIMS, TRUSTEES


N. W. Baptist, III


William L. Ford


Sim K. Sims

STATE OF OKLAHOMA)
COUNTY OF POTTAWATOMIE) ss.

The foregoing instrument was acknowledged before me this
18th day of August, 1977, by
N. W. Baptist, III, William L. Ford and Sim K. Sims, Trustees.

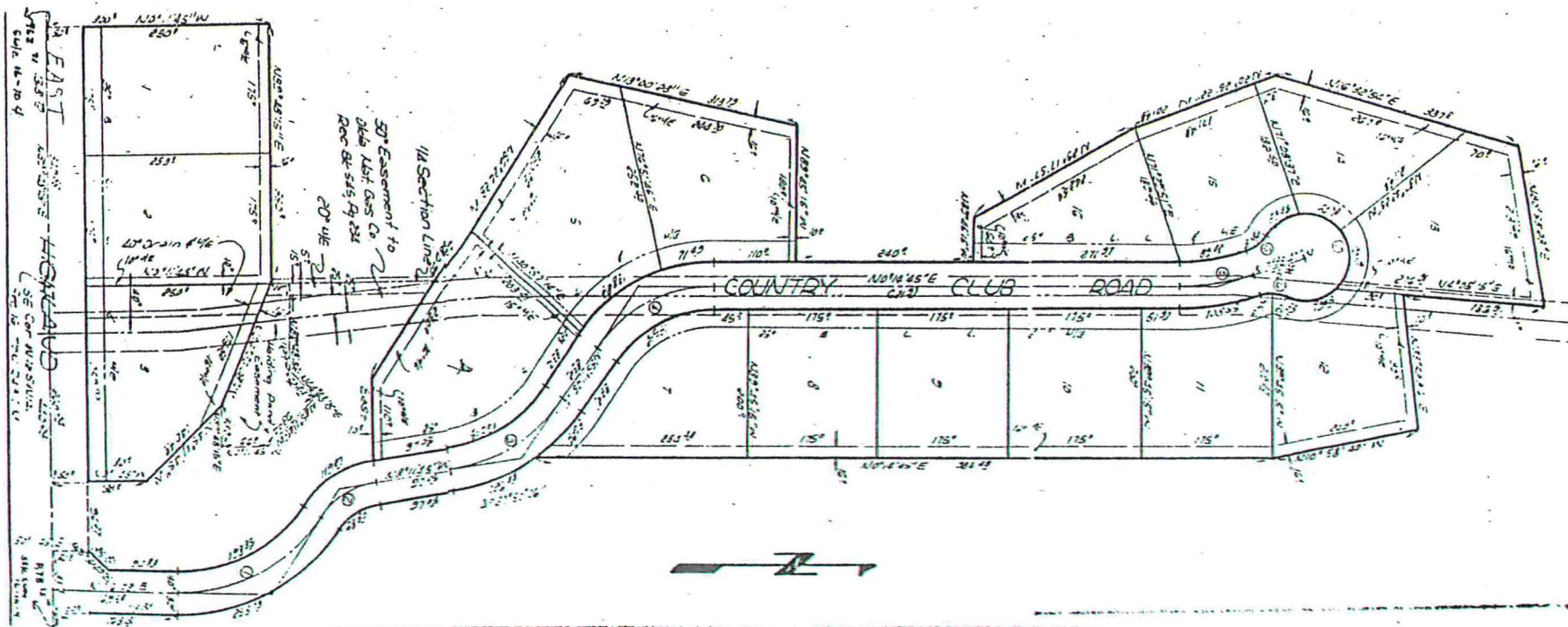
Louise Rose
Notary Public

My Commission Expires:
(Seal)

12-5-79

COUNTRY CLUB HEIGHTS

PART OF THE SW $\frac{1}{4}$, SECTION 16, T10N, R4E; I.M.
SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA



26 December 2017

Planning Commission
City of Shawnee
16 West 9th Street
Shawnee, OK 74807

Re: Proposed Planning Unit Development
referred to as 19th Hole, located on
Lots 1 & 2, Country Club Heights Subdivision
to the City of Shawnee

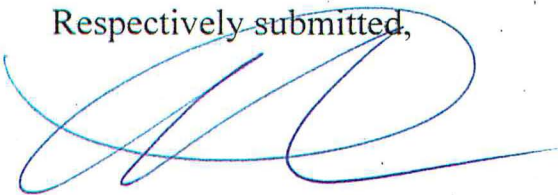
Members of the Planning Commission:

I am the owner of Lot 6 in the Country Club Heights Subdivision and hereby protest the above referenced proposed development which is subject to the existing "Owner's Certificate & Restrictions for the Country Club Heights Subdivision" (restrictions), a copy of which is attached hereto. Such proposed development would be contrary to and in violation of the deed restrictions which I personally relied upon when purchasing my property in April 2017. I would like to assume that such restrictions will be applied to any proposed development in the Country Club Heights Subdivision both now and in the future.

Even though I am new to Shawnee, there are numerous existing sites elsewhere where the proposed development could be sited.

Please deny the request from the Land Run Group relative to its proposed development on Lots 1 & 2 of the Subdivision referenced herein.

Respectively submitted,



Loyd Drain, Owner LOT 6
6 Country Club Road
Shawnee, OK 74801
Loyd.Drain1@gmail.com

received
12-27-17
JN

December 20, 2017

Planning Commission
City of Shawnee
16 West 9th Street
Shawnee, Oklahoma 74801

RE: Proposed Planned Unit Development
Referred to as 19th Hole, located on
Lots 1 & 2, Country Club Heights Addition
to the City of Shawnee

Ladies and Gentlemen:

The undersigned lot owners in Country Club Heights Addition hereby protest referenced Planned Unit Development for the reason that same conflicts with the Owners Certificate & Restrictions for Country Club Heights, a copy of which is attached hereto.

This protest letter may be signed in one or more counterparts.

Respectfully Submitted,

Lot 9, Richard Finley 1997 Trust

By _____
Richard Finley

Lot 11, Leonard Taron & Bevelyn Taron

By _____
Leonard Taron

By _____
Bevelyn Taron

December 20, 2017

Page 2

Lot 12, Chris J. Lillard & Patty Lillard

By _____
Chris J. Lillard

By _____
Patty Lillard

**Lot 13 & 14, Nancy M. Ford
Revocable Trust**

By _____
Nancy M. Ford

By _____
William L. Ford

**Lot 16, H. Jeffrey Diamond and
Nance L. Diamond**

By _____
H. Jeffrey Diamond

By _____
Nance L. Diamond

December 20, 2017

Planning Commission
City of Shawnee
16 West 9th Street
Shawnee, Oklahoma 74801

RE: Proposed Planned Unit Development
Referred to as 19th Hole, located on
Lots 1 & 2, Country Club Heights Addition
to the City of Shawnee

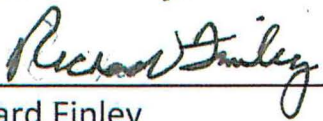
Ladies and Gentlemen:

The undersigned lot owners in Country Club Heights Addition hereby protest referenced Planned Unit Development for the reason that same conflicts with the Owners Certificate & Restrictions for Country Club Heights, a copy of which is attached hereto.

This protest letter may be signed in one or more counterparts.

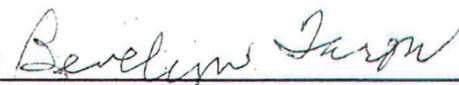
Respectfully Submitted,

Lot 9, Richard Finley 1997 Trust

By 
Richard Finley

Lot 11, Leonard Taron & Bevelyn Taron

By 
Leonard Taron

By 
Bevelyn Taron

RECEIVED CITY CLERK'S OFFICE

Date 12/21/17 Time 2:15 pm
Hacie Eck

received
12-21-17
K.S.

December 20, 2017

Page 2

Lot 12, Chris J. Lillard & Patty Lillard

By _____
Chris J. Lillard

By _____
Patty Lillard

**Lot 13 & 14, Nancy M. Ford
Revocable Trust**

By Nancy M. Ford
Nancy M. Ford

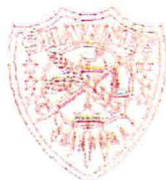
By William L. Ford
William L. Ford

**Lot 16, H. Jeffrey Diamond and
Nance L. Diamond**

By H. Jeffrey Diamond
H. Jeffrey Diamond

By Nance L. Diamond
Nance L. Diamond

PLANNING COMMISSION APPLICATION



City of Shawnee
Planning Department

222 N. Broadway
Shawnee, OK 74801
(405) 878-1616 Fax (405) 878-1587

For Office Use Only

Case Number: PC-18
Project Number: 171220
Date Filed: November 22nd 2017
Chrysanne 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 PUD District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): Country Club Heights addition Sec. 1

LEGAL DESCRIPTION: LOTS 1 & 2 B1K. 1 SE 1/4 of Section 16, township 10

PROPERTY OWNER (S): North Range 4 East of the 1. M., City of Shawnee, OK

PROPERTY AGENT (APPLICANT): 1st Hole, LLC

APPLICANT'S ADDRESS: LandRun Group, LLC

CITY: 201 W. 9th Street

STATE: Shawnee ZIP: OK 74801

EMAIL ADDRESS: Slendes@landrungle.com

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

DIMENSIONS OF PROPERTY: AREA: 87120 WIDTH: 750 ft.

LENGTH: 350 ft. FRONTAGE: 350 ft.

CURRENT ZONING: R1 CURRENT USE: Undeveloped

PROPOSED ZONING: PUD PROPOSED USE: Residential

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 OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 02108783

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.: _____

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P01-18

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:

Lots One (1) and Two (2), COUNTRY CLUB HEIGHTS ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

General Location Known As:	<u>East of the Intersection of Highland Street</u> <u>and Bryan Avenue, Shawnee, OK</u>
Current Zoning Classification:	<u>R-1; Single Family Residential District</u>
Requested Zoning Classification:	<u>PUD</u>
Proposed Use of Property:	<u>Residential</u>
Applicant:	<u>Landrun Group, LLC</u>

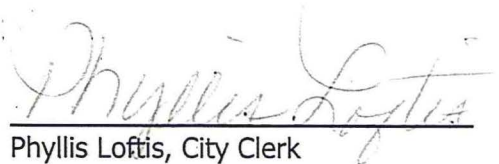
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

January 3 rd , 2018 AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
January 16 th , 2018 AT 6:00 P.M.:	CITY OF SHAWNEE CITY COMMISSION

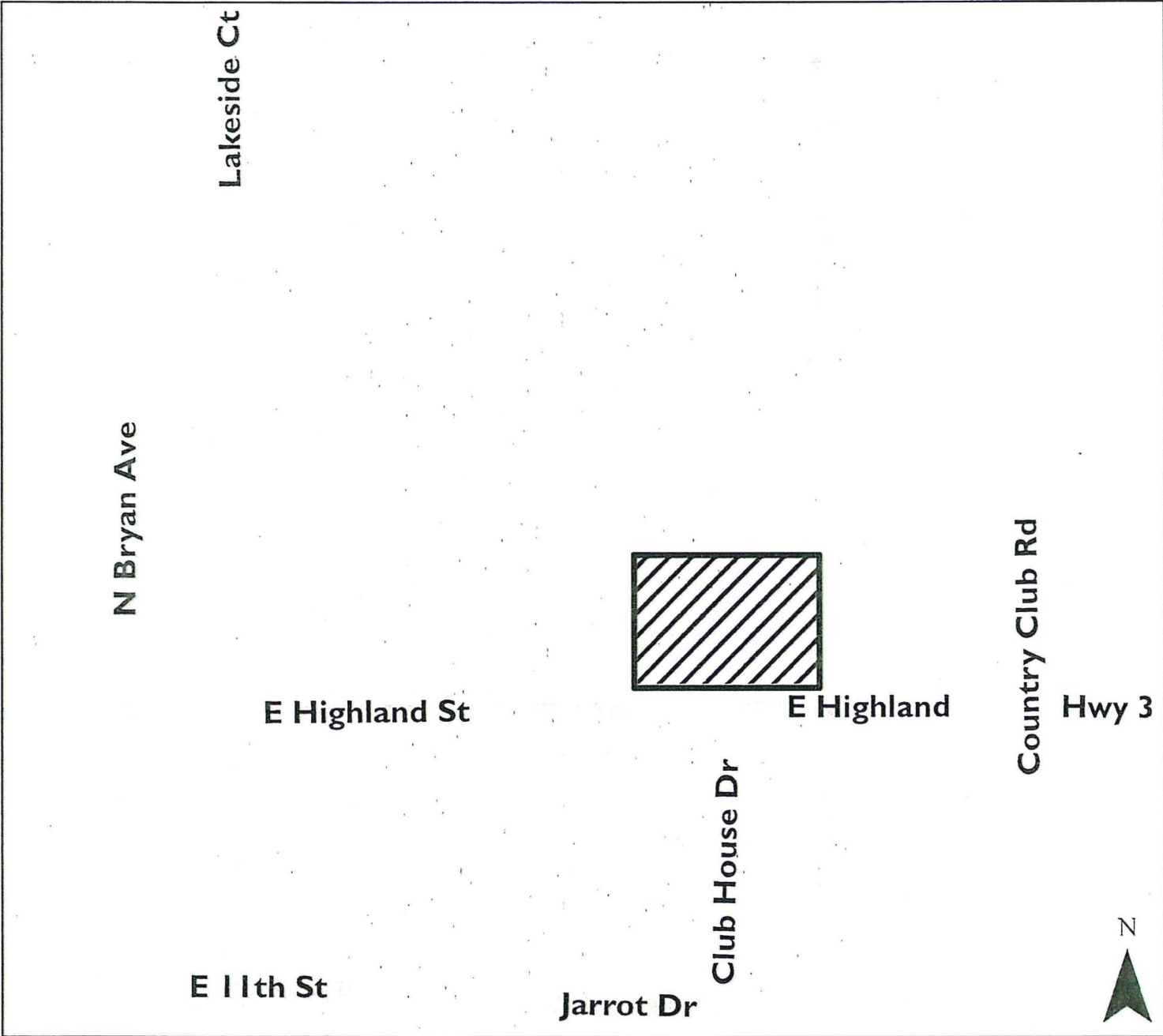
At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the Planned Unit Development. The Commission reserves the right to limit discussion and debate on the proposed Planned Unit Development in the public hearing, in which event those 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 13TH day of December, 2017.




Phyllis Loftis, City Clerk

CASE# P01-18
CONSIDERATION FOR PUD APPROVAL
EAST OF BRYAN AVE. AND HIGHLAND ST. INTERSECTION



CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA)
) §:
COUNTY OF POTTAWATOMIE)

The undersigned bonded abstractor in and for Pottawatomie County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

Lots One (1) and Two (2), COUNTRY CLUB HEIGHTS ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (2), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: MAY 31, 2017 at 7:30 AM

First American Title & Trust Company

By: 

Michelle Cook
Abstractor License No. 3286
OAB Certificate of Authority # 017
File No. 2246280-SH99

OWNERSHIP LIST

ORDER NO. 2246280-SH99

DATE PREPARED: June 7, 2017

EFFECTIVE DATE: May 31, 2017 @ 7:30 am

OWNER	LOT	BLK	ADDITION
THE 19 TH , LLC PO BOX 1584 SHAWNEE, OK 74802	1	1	COUNTRY CLUB HEIGHTS
THE 19 TH , LLC PO BOX 1584 SHAWNEE, OK 74802	2	1	COUNTRY CLUB HEIGHTS
JONES DENNIS D & LECIA RAE 2424 E HIGHLAND SHAWNEE OK 74801-0000	3, LESS STRIP TO STATE	1	COUNTRY CLUB HEIGHTS
HIGHLANDS LLC % DAN OVERLAND P O BOX 250 EARLSBORO OK 74840-0000			TRACTS A & B IN E/2 SW/4 AS DESC. IN BOOK 672 PAGE 330 40.73 Acres COUNTRY CLUB HEIGHTS
SHAFFER RAYMOND L & LAVERNE W 2 COUNTRY CLUB RD SHAWNEE OK 74801-0000	4	1	COUNTRY CLUB HEIGHTS
GOODSON JACOB C 5 BINGHAM CIRCLE SHAWNEE OK 74804-0000	5	1	COUNTRY CLUB HEIGHTS
HIGHLANDS LLC % DAN OVERLAND P O BOX 250 EARLSBORO OK 74840-0000			29SR W/2 SW/4 LESS TRACTS (COUNTRY CLUB HEIGHTS)AND 2 TR DES AS A TR LOCATED BETWEEN LOTS 3 & 4 BLK 3 COUNTY CLUB HEIGHTS SEC II DES AS BEG AT THE SELY FRONT CORNER OF LOT 3 BLK 3 COUNTY CLUB HGHTS II TH N 13°E ALG THE EASTERLY LOT LINE OF LOT 3 156.35' TO THE NE/C LOT 3 TH S 76°E 15' TO THE NW CORNER OF LOT 4 BLK 3 TH S13°W ALG THE WESTERLY LN LOT 4 156.36' TO THE SWLY CORNER OF LOT 4 TH N 76° W 15' POB AND BEG AT SE/C LOT 25 BLK 3 N36°E 140' S76°E 16.35' S36°W 146.5' N53°W 15' POB(9 hole course) 43.96 Acres (SW4.16-10N-4E)
HODGES LOUIS & ANGELA 2401 E HIGHLAND SHAWNEE OK 74801-0000			BEG 660'E NW/C NW S411' E330.50' N411' W330.50' POB. (NW4 21-10N-4E)

JONES S N LEVI & PAULA W 2403 E HIGHLAND SHAWNEE OK 74801-0000			93-SU BEG 990.5'E NW/C NW S411' E131' N411' W131' POB. (NW4 21-10N-4E)
JONES SAMUEL NATHAN LEVI & PAULA JONES 2403 E HIGHLAND SHAWNEE OK 74801-0000			93-SU BEG 1121.5'E NW/C NW S411' E199' N411' W199' POB. LESS RD R/W (NW4 21-10N-4E)
HARDIN CYNTHIA JEAN OLIVER 311 W MACARTHUR SHAWNEE OK 74801-0000			NE NW LESS TRACTS NO MAIL RECEIVED AT HOME- P O WON'T DELIVER -USE BUSINESS ADDRESS 37.54 Acres (NE4 NW4 21-10N-4E)

ORDINANCE NO. ____NS

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: LOTS ONE (1) AND TWO (2), COUNTRY CLUB HEIGHTS ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM ZONING CLASSIFICATION R-1; SINGLE FAMILY RESIDENTIAL DISTRICT TO PUD; PLANNED UNIT DEVELOPMENT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 19th day of March 2018, upon an application to rezone certain properties located in the City of Shawnee, Oklahoma from zoning classification R-1; Single Family Residential District to PUD; Planned Unit Development.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said properties to be rezoned to PUD; Planned Unit Development.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: LOT ONE (1) AND TWO (2), COUNTRY CLUB HEIGHTS ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM ZONING CLASSIFICATION R-1; SINGLE FAMILY RESIDENTIAL DISTRICT TO PUD; PLANNED UNIT DEVELOPMENT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

PASSED AND APPROVED this _____ day of _____, 2018.

RICHARD FINLEY, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality this _____ day of _____, 2018.

JOSEPH VORNDRAH, CITY ATTORNEY

Regular Board of Commissioners

6.

Meeting Date: 03/19/2018

P03-18 7109 N. Kickapoo

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance to rezone property located at 7109 North Kickapoo Avenue from A-1; Rural Agricultural District to A-1; Rural Agricultural District with a Conditional Use Permit. Case No. P03-18, Applicant: Nelmon Brauning. *(Deferred by the Planning Commission to the March 7, 2018 meeting. Deferred from the January 16, 2018 City Commission meeting.)*

Attachments

P03-18 Staff Rpt

P03-18 Ord

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Nelmon Brauning

FOR: Conditional Use Permit

LOCATION: 7109 N. Kickapoo Avenue, Shawnee, OK

PROJECT#: 171287 Case# P03-18

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION:

A-1; Rural Agricultural District

REQUESTED CLASSIFICATION:

A-1; Rural Agricultural District w/ CUP

PROPOSED PROPERTY USE:

Flea & Farmers Market

PLANNING COMMISSION MEETING DATE: March 7th, 2018

PLANNING COMMISSION RECOMMENDATION: Approve w/ following conditions:

1. Conditional Use Permit (CUP) approval shall be granted for one (1) year, to begin upon formal City Commission approval;
2. Hours of Operation shall be limited to 8:00am – 5:00pm;
3. Events shall be restricted to two (2) per month;
4. Applicant must remove all trash immediately following each event;
5. All vendors shall be properly licensed and insured;
6. No event signs or placards shall be permanently posted;
7. Events must be accessible to persons with disabilities;
8. An event plan and map shall be submitted to the Planning Department for review thirty (30) days prior to events, which will include but not be limited to: parking, directional traffic arrows, restrooms, vendor locations, traffic control signage, etc. This is to ensure that public events are safe and well-planned. Such plan may be approved for a recurring event on multiple dates in the same year if no changes are made to the site plan or participants ;
9. The CUP may be revoked if any of the following issues are identified by City Staff: fraud, misrepresentation, imminent threat to public health, safety and/or welfare; and
10. All local, state, and federal requirements shall be adhered to.
11. Events shall be contained to the south-west most ten (10) acres of land.
12. Events shall be limited to the weekend, defined as Saturday and Sunday, with additional allowances at the discretion of the Planning Director.

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM			X			
MATTHEWS		X	X			
WALKER	X		X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)			X			
KIENZLE			X			
ROWELL			X			

RESPECTFULLY SUBMITTED,

Cheyenne Pettigrew

SECRETARY, PLANNING COMMISSION

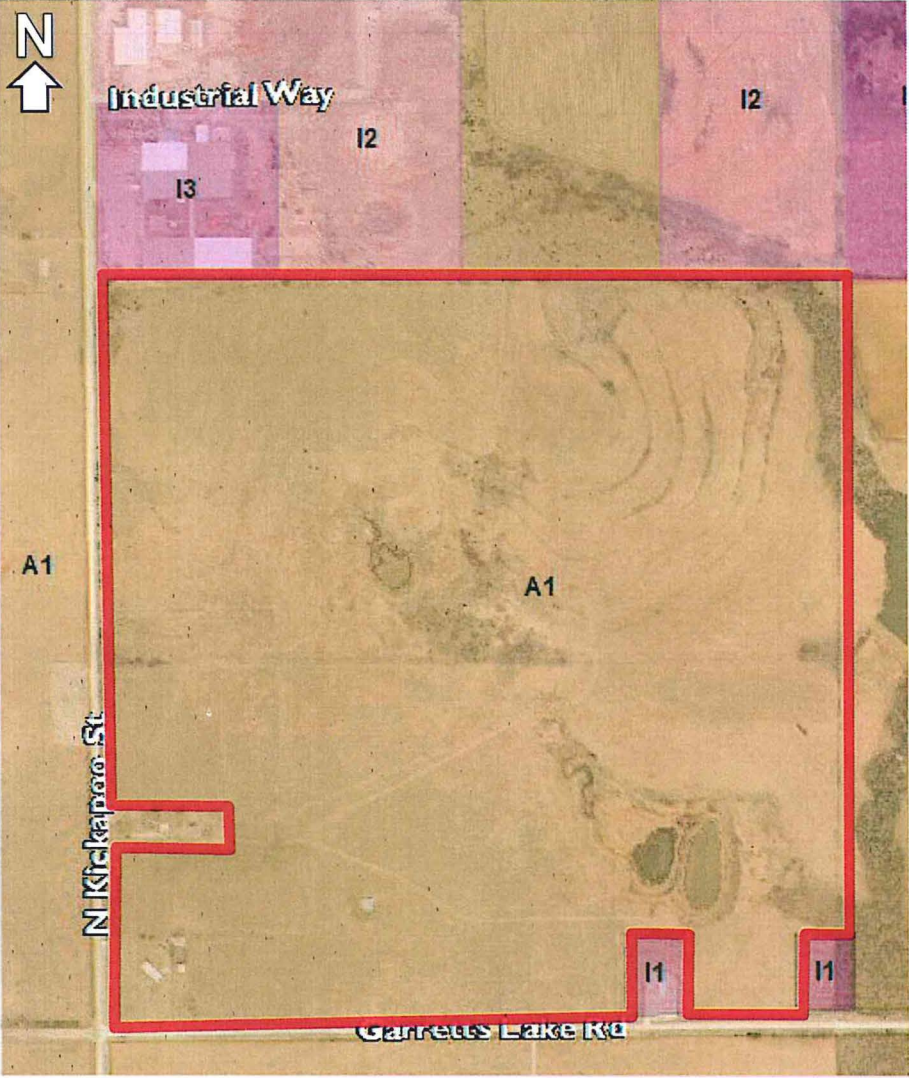
ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org		CASE # P03-18 PUBLIC HEARING DATE: March 7th, 2018 CITY COMMISSION DATE: March 19 th , 2018
APPLICANT: 35963 EW 99A (405) 370-0394 Nelmon Brauning Seminole, OK 74868		
PROPERTY ADDRESS/LOCATION: 7109 N. Kickapoo, Shawnee OK, 74801		
The applicant, Nelmon Brauning, is requesting a Conditional Use Permit (CUP) on A1 (Agricultural) zoned land to allow for "carnival, circus, tent revival or similar temporary open air enterprise," in accordance with Table 22-155.2.1 of the Zoning Code. The property owner intends to use the 157 (approximate) acre property for a variety of temporary open air market uses, including craft, flea, and farmers market uses. If the venture proves successful, the applicant may explore commercial rezoning in the future. The subject property is located on the north-east corner of Kickapoo St. and Garrett's Lake Rd., is surrounded by agricultural and industrial uses, and is designated for industrial use per the Comprehensive Plan. This case was deferred from the January 3rd Planning Commission meeting until the March 7th agenda. The intent behind deferral was to obtain more information regarding events held on the subject property and to allow Staff time to prepare reasonable conditions for approval.		

EXISTING ZONING: A1	EXISTING LAND USE: Residential	SURROUNDING ZONING & LAND USE: A-1 (Agricultural) I-1 (Restricted Light Industrial) I-2 (Light Industrial) I-3 (Heavy Industrial)	School District: North Rock Creek	PROPERTY SIZE: 157.55 Acres
STAFF REVIEW				
Since the January 3rd, 2018 Planning Commission meeting, a letter has been received, per Staff request, providing further details regarding the proposed use (Exhibit 1). The subject property is approximately 157 Acres in size, but the requested temporary use will be limited to the south-western most 10 acres of land. Events are planned to take place up to twice per month, and the following are additional items addressed in the letter: - Hours of operation will be between 9:00am and 5:00pm; - Due to the large property size, traffic and circulation will be managed on-site. Personelle will be available to direct traffic and parking; - Portable restroom facilities and dumpsters will be available for events, and personelle will be designated for appropriate trash collection; - The property owner, or a designated event manager, will organize all events; and - Signage for events will be in conformance with City Code. Staff has reviewed the request and find such a use to be in conformance with the City Zoning Code and Comprehensive Plan. Per Figure 4.2, "Future Land Use Map," of the City's Comprehensive Plan, the subject land is appropriate for a variety of uses, as high impact as industrial allowances. Because the property is quite large, it seems evident that temporary events will be located in manner that creates a significant degree of separation from neighboring properties. Because the City does not have a permitting process for events on private property, aside from those involving the use of public property, the City's major concerns are ensuring appropriate hours of operation, honoring the temporary nature of the this request with limited event frequency, providing adequate on-site parking and circulation, limiting adverse effects on neighboring land, and generally ensuring proper health, safety, and welfare standards. With that in mind, Staff has spent time reviewing private event permitting guidelines from appropriate Oklahoma municipalities to assist in conditioning such a use in Shawnee. If approved with the conditions listed, the applicant will be required to submit an Event Plan (with map), ensuring a well planned and safe event that minimizes adverse effects on surrounding property owners. When determined necessary by the Planning Director, said plan will be distributed to appropriate City Staff for further review. If conditions of the event do not change, the Event Plan may serve to satisfy requirements for additional events in the same year, up to two times per month. The CUP may be revoked in the event of fraud or misrepresentation. Until the process can certainly be refined by City Staff in the future, it is recommended to limit the CUP to one year. In the interim, City Staff will explore ways to refine this process for similar requests in the future. Staff recommends approval of the requested CUP, subject to the following conditions: 1. Conditional Use Permit (CUP) approval shall be granted for one (1) year, to begin upon formal City Commission approval;				

2. Hours of Operation shall be limited to 8:00am – 5:00pm;
3. Events shall be restricted to two (2) per month;
4. Applicant must remove all trash immediately following each event;
5. All vendors shall be properly licensed and insured;
6. No event signs or placards shall be permanently posted;
7. Events must be accessible to persons with disabilities;
8. An event plan and map shall be submitted to the Planning Department for review thirty (30) days prior to events, which will include but not be limited to: parking, directional traffic arrows, restrooms, vendor locations, traffic control signage, etc. This is to ensure that public events are safe and well-planned. Such plan may be approved for a recurring event on multiple dates in the same year if no changes are made to the site plan or participants ;
9. The CUP may be revoked if any of the following issues are identified by City Staff: fraud, misrepresentation, imminent threat to public health, safety and/or welfare; and
10. All local, state, and federal requirements shall be adhered to.

APPROVE

APPROVE WITH CONDITIONS

DENY

Exhibit 1: Applicant Letter of Explanation

**SUBMITTED
PLANS**

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

N. Kickapoo Flea Market CUP

Justin,

Answers to you request for the use of owners property:

The overall intent for the 157 acres on N. Kickapoo & Garretts Lake Rd. is to develop a very nice area for the citizen of Shawnee and the surrounding area to enjoy a relaxing time with their family and friends, to shop and sell their goods to the public and have fun doing it. It will also bring revenue into Shawnee businesses such as: the hotels, restaurants and shopping. His plan is to someday have something like the one in Canton, Texas.

The plan is to start with approximately 10 acres on the corner of N. Kickapoo and Garretts Lake Rd. on a temporary basis with hopes of enlarging as the need arises.

The hours of operation to start will be based on the number of venders that sign up with the hopes of growing. To start the hours will probably be from 9AM to 5 PM on Sat. and Sun. Note: We have had several venders asking for spots for their crafts.

The number of events to start (depending on the season) maybe 2 times a month the 1st and 3rd weekend.

As to the traffic flow on the property that should not be a problem, with the amount of land there is for roads and parking there can always be additional roads added to site to carry the flow.

There are plans to have personal at the entrance to direct traffic to and from the events.

There will be a porta pots service and employees to pick up trash as well dumpsters on the premises.

The property owner will oversee the events with a project manager to organize the events. The owner hopes in time to develop his property into an outdoor entertainment area for the community and someday to have a nice flea market, craft market, and farmers market like the one in Canton, TX.

Signage: To start a large sign that meets city code on the corner of N. Kickapoo and Garretts Lake Rd. Additional signage maybe needed as the projects grows. There maybe directional signage during the events.

The events will have area for handicapped accessibility.

The owner will be available to the city staff at anytime for additional questions.

At this time, the owner can not see any excessive noise concern that should be addressed. The property is not located need any housing additions, the property adjoining to the north is the industrial area. (see aerial attached)

The owner also agrees to comply with any fire and police requirement as needed to ensure a safe environment for the community.

There is electric on site from a house that burned down also a water well. A 16" water line is located on N. Kickapoo across street from this site.

There are 2 food truck owners that have shown interest in setting on site during events.

Any future expansion to this property will be designed to meet city, state and DEQ requirements. At this time we are only doing a temporary site, testing the market before going to the expense of engineering and building permanent structures.

I hope this answers your concerns, if you need anything else, please do not hesitate and let me know.

Respectfully,

A handwritten signature in blue ink, appearing to read "Nelmon Brauning".

Nelmon Brauning

405-370-0394

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: P03-18
Project Number: 171287
Date Filed: December 14th 2017
Chrysene Pottier
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): 7109 N. Kickapoo, Shawnee OK

LEGAL DESCRIPTION: See ATTACH LEGAL

PROPERTY OWNER (S): Marcial Escobedo dba Escobedo LLC

PROPERTY AGENT (APPLICANT): NELMON BRAUNING

APPLICANT'S ADDRESS: 35963 HWY. 99A

CITY: Seminole STATE: OK ZIP: 74868

EMAIL ADDRESS: nbrauning@hotmail.com

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

DIMENSIONS OF PROPERTY: AREA: 157.55 AC WIDTH: 2631'
LENGTH: 2645' FRONTAGE: 2561' on Kickapoo

CURRENT ZONING: AG CURRENT USE: Pasture / Hay

PROPOSED ZONING: Conditional 2/c PROPOSED USE: Craft, Pica & Farmers MARKET

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. 0215330

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.: _____

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P03-18

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on an application for a Conditional Use Permit on property located within the City of Shawnee.

The applicant requests a conditional use permit for the following described property:

Lots 3 and 4 (Known as the West Half of the Southwest) and the East Half of the Southwest Quarter (SW/4) of Section Nineteen (19), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma. LESS AND EXCEPT A tract of land described as beginning 691 feet North of the Southwest Corner of the Southwest Quarter of the Southwest Quarter (SW/C SW/4 SW/4) of Section Nineteen (19), Township Eleven (11) North, Range Four (4) East, Pottawatomie County, Oklahoma; thence 396 feet East; thence 110 feet North, thence 396 feet West, Thence 110 feet South to the point of beginning. LESS AND EXCEPT a tract of land in the East half of the Southwest Quarter (E/2 SW/4) of said Section 19, described as beginning at a point 556.20 feet S89°20'28"W of the Southeast Corner of said E/2 SW/4; thence N00°20'27"E a distance of 333.00 feet; thence S89°20'29"W a distance of 200.00 feet; thence S00°20'27"W a distance of 333.00 feet to the south line of said East Half of the Southwest Quarter; thence N89°20'28"E along and parallel to said south line a distance of 200.00 feet to the point of beginning.

General Location Known As:	<u>7109 N. Kickapoo Avenue, Shawnee, OK</u>
Current Zoning Classification:	<u>A-1; Rural Agricultural District</u>
Requested Zoning Classification:	<u>A-1; Rural Agricultural District w/CUP</u>
Proposed Use of Property	<u>Flea & Farmers Market</u>
Applicant:	<u>Nelson Brauning</u>

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

January 3 rd , 2018	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
January 16 th , 2018	AT 6:00 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 conditional use permit. The Commission reserves the right to limit discussion and debate on the proposed conditional use permit in the public hearing, in which event those persons appearing in support or opposition of the proposed conditional use permit will be allotted equal time. 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 13th day of December, 2017.

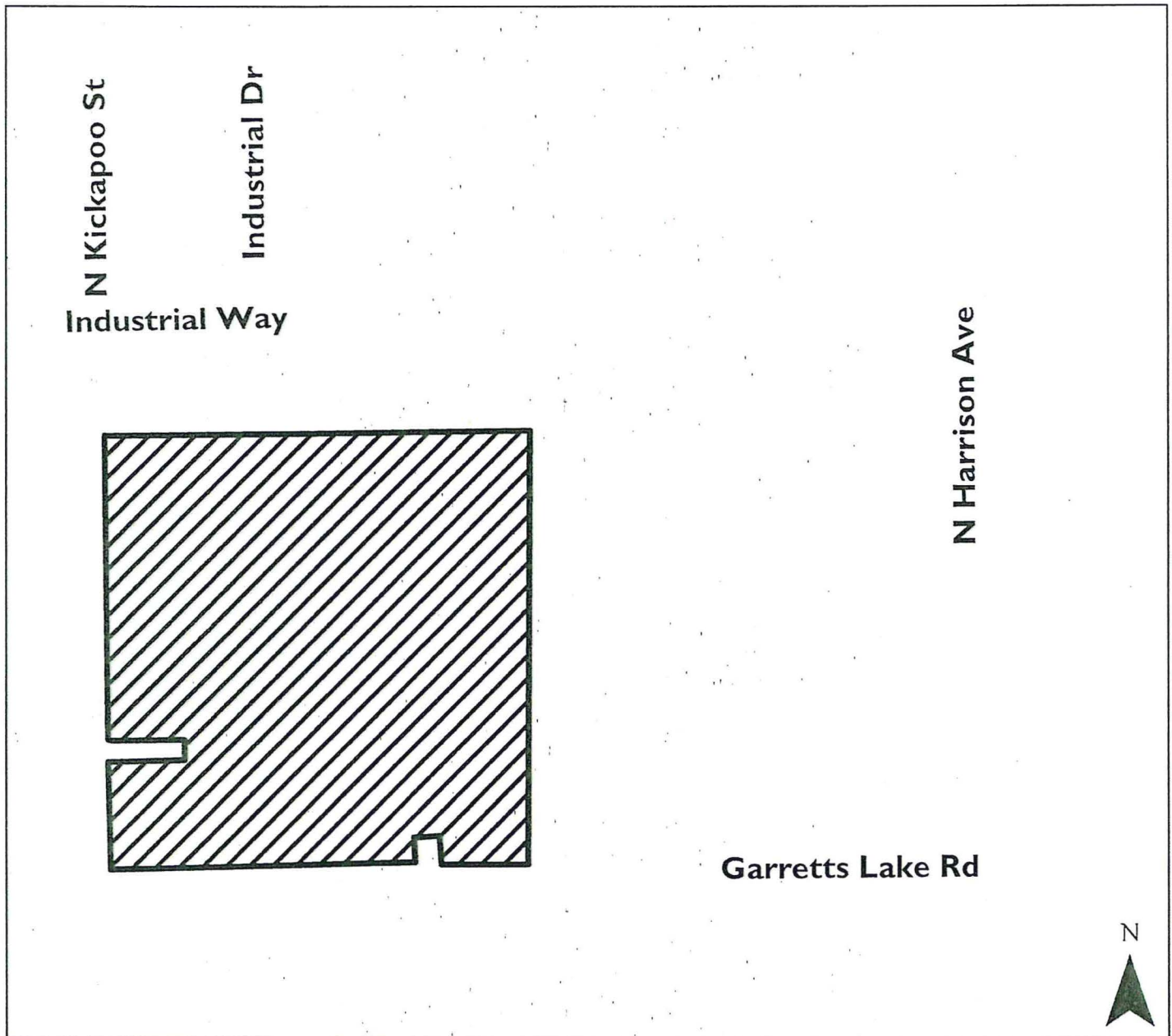



Phyllis Loftis, City Clerk

CASE# P03-18

CONSIDERATION FOR CONDITIONAL USE PERMIT

7109 N. KICKAPOO



CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA

)
) §:

COUNTY OF POTTAWATOMIE

)

The undersigned bonded abstractor in and for Pottawatomie County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

Lots 3 and 4 (Known as the West Half of the Southwest) and the East Half of the Southwest Quarter (SW/4) of Section Nineteen (19), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma. LESS AND EXCEPT A tract of land described as beginning 691 feet North of the Southwest Corner of the Southwest Quarter of the Southwest Quarter (SW/C SW/4 SW/4) of Section Nineteen (19), Township Eleven (11) North, Range Four (4) East, Pottawatomie County, Oklahoma; thence 396 feet East; thence 110 feet North, thence 396 feet West, Thence 110 feet South to the point of beginning. LESS AND EXCEPT a tract of land in the East half of the Southwest Quarter (E/2 SW/4) of said Section 19, described as beginning at a point 556.20 feet S89°20'28"W of the Southeast Corner of said E/2 SW/4; thence N00°20'27"E a distance of 333.00 feet; thence S89°20'29"W a distance of 200.00 feet; thence S00°20'27"W a distance of 333.00 feet to the south line of said East Half of the Southwest Quarter; thence N89°20'28"E along and parallel to said south line a distance of 200.00 feet to the point of beginning.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (2), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: November 22, 2017 at 7:30 AM

First American Title & Trust Company

By:



Michelle Cook

Abstractor License No. 3286

OAB Certificate of Authority # 017

File No. 2291217-SH99

OWNERSHIP LIST

ORDER NO. 2291217

DATE PREPARED: December 8, 2017

EFFECTIVE DATE: November 22, 2017 at 7:30 am

OWNER	LOT	BLK	ADDITION
ESCOBEDO LLC 11127 NS 3500 RD PRAGUE OK 74864-0000			10-SR SW LESS 1A & LESS BEG 556.2'W SE/C E/2 SW TH N 333' W200' S333' W200' WITH A EASEMENT 157.55 Acres (SW4 19-11N-4E)
COX JAMES L & JANICE K 7207 N KICKAPOO SHAWNEE OK 74804-0000			10-SU BEG 691'N SW/C E396' N110' W396' S110' POB. (SW4 19-11N-4E)
WILLIAMS COMMUNICATIONS INC P O BOX 2400 MD 50-6 TULSA OK 74102-2400			BEG 556.2'W SE/C E/2 SW/4 N333' W200' S333' E200' POB WITH A 20' EASEMENT
KOZEL KARL A 7108 N HARRISON SHAWNEE OK 74804-0000			N/2 OF PT SE/4 LYING WEST OF THE WEST R/W LINE EASTERN RR CO TOGETHER WITH EASE (SE4 19-11N-4E)
SESTAK VALDENE REVOC TRUST 56495 WOLVERINE RD PRAGUE OK 74864-0000			S/2 OF PT SE/4 LYING WEST OF THE WEST R/W LINE EASTERN RR CO SUB TO EASE (SE4 19-11N-4E)
SIOUX REALTY LLC 196 1/2 E 6TH ST SIOUX FALLS SD 57104-0000			BEG SW/C NW/4 N659' E656.91' S659' W656.91' POB & BEG 656.91'E SW/C NW/4 N659' E656.91' S659' W656.91' POB (NW4 19-11N-4E)
SESTAK VALDENE REVOC TRUST 56495 WOLVERINE PRAGUE OK 74864-0000			W1/2 E1/2 NW (NW4 19-11N-4E)
SHAWNEE ECONOMIC DEV FOUNDATIO 131 N BELL STE 208 SHAWNEE OK 74801-0000			10-SR E1/2 E1/2 NW (NW4 19-11N-4E)

FILMS SHAWNEE LLC ATTN: ACCOUNTS PAYABLE 41501 WOLVERINE RD SHAWNEE OK 74801-0000			BEG NW/C NE/4 S50' POB E1375.37' S85°6'54"E100.5' E217.9' S4°7'10"W623.22' S85°52'50"E50' S4°7'10"W1805.54' W ALONG THE SOUTH LINE OF THE NE/4 1533.8' N ALONG TH E W LINE OF THE NE/4 2413.95' POB 97.00 Acres (NE4 19-11N-4E)
THE GRANT DOCKERY PARTNERSHIP 6203 COKER RD SHAWNEE OK 74804-0000			10-SR LOTS 1 & 2 & E1/2 NW LESS TR BEG SW/C LOT 2 N471' E471' S471' W471' POB TOD TO DACE DOCKREY 2015-2995 155.00 Acres (NW4 30-11N-4E)
ALLOTMENT OK -0			10-SR NE LAND 7000 160.00 Acres (NE4 30-11N-4E)
HAWK LARRY & BARBARA 40701 GARRETTS LAKE RD SHAWNEE OK 74804-0000			AN UNDIVIDED INTEREST IN THE SOUTHEAST (SE/4) LESS A 1 ACRE TRACT DESCRIBED AS BEGINNING NE/C SE/4 SE/4 S300' W150' N300' E150' TO POB & LESS A 2 ACRE TRACT DESCRIBED AS BEGINNING 742.64'W SE/C SE/4 W208.71' N417.42' E208.71' S417.42' POB 157.00 Acres (SE4 24-11N-3E)
NEW ONG TRANSMISSION CO PUBLIC SERVICE SHAWNEE OK 74801-0000			BEG NE/C SE SE S300' W150' N300' E150' TO POB (SE4 24-11N-3E)
HAWK LARRY W & BARBARA R 40701 GARRETTS LAKE RD SHAWNEE OK 74804-0000			E/2 NE/4 LESS TRACTS 38.60 Acres (NE4 25-11N-3E)

ORDINANCE NO. ____NS

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: LOTS THREE (3) AND FOUR (4) (KNOWN AS THE WEST HALF OF THE SOUTHWEST) AND THE EAST HALF OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINETEEN (19), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA. LESS AND EXCEPT A TRACT OF LAND DESCRIBED AS BEGINNING 691 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/C SW/4 SW/4) OF SECTION NINETEEN (19), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE 396 FEET EAST; THENCE 110 FEET NORTH, THENCE 396 FEET WEST, THENCE 110 FEET SOUTH TO THE POINT OF BEGINNING. LESS AND EXCEPT A TRACT OF LAND IN THE EAST HALF OF THE SOUTHWEST QUARTER (E/2 SW/4) OF SAID SECTION 19, DESCRIBED AS BEGINNING AT A POINT 556.20 FEET S89°20'28"W OF THE SOUTHEAST CORNER OF SAID E/2 SW/4; THENCE N00°20'27"E A DISTANCE OF 333.00 FEET; THENCE S89°20'29"W A DISTANCE OF 200.00 FEET; THENCE S00°20'27"W A DISTANCE OF 333.00 FEET TO THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHWEST QUARTER; THENCE N89°20'28"E ALONG AND PARALLEL TO SAID SOUTH LINE A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING. ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM ZONING CLASSIFICATION A-1; RURAL AGRICULTURAL DISTRICT TO A-1; RURAL AGRICULTURAL DISTRICT WITH CONDITIONAL USE PERMIT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 19th day of March 2018, upon an application to rezone certain properties located in the City of Shawnee, Oklahoma from zoning classification A-1; Rural Agricultural District to A-1; Rural Agricultural District with Conditional Use Permit.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said properties to be rezoned to A-1; Rural Agricultural District with Conditional Use Permit.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: LOTS THREE (3) AND FOUR (4) (KNOWN AS THE WEST HALF OF THE SOUTHWEST) AND THE EAST HALF OF THE SOUTHWEST QUARTER (SW/4) OF SECTION NINETEEN (19), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA. LESS AND EXCEPT A TRACT OF LAND DESCRIBED AS BEGINNING 691 FEET NORTH OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW/C SW/4 SW/4) OF SECTION NINETEEN (19), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST, POTTAWATOMIE COUNTY, OKLAHOMA; THENCE 396 FEET EAST; THENCE 110 FEET NORTH, THENCE 396 FEET WEST, THENCE 110 FEET SOUTH TO THE POINT OF BEGINNING. LESS AND EXCEPT A TRACT OF LAND IN THE EAST HALF OF THE SOUTHWEST QUARTER (E/2 SW/4) OF SAID SECTION 19, DESCRIBED AS BEGINNING AT A POINT 556.20 FEET S89°20'28"W OF THE SOUTHEAST CORNER OF SAID E/2 SW/4; THENCE N00°20'27"E A DISTANCE OF 333.00 FEET; THENCE S89°20'29"W A DISTANCE OF 200.00 FEET; THENCE S00°20'27"W A DISTANCE OF 333.00 FEET TO THE SOUTH LINE OF SAID EAST HALF

OF THE SOUTHWEST QUARTER; THENCE N89°20'28"E ALONG AND PARALLEL TO SAID SOUTH LINE A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING. ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM ZONING CLASSIFICATION A-1; RURAL AGRICULTURAL DISTRICT TO A-1; RURAL AGRICULTURAL DISTRICT WITH CONDITIONAL USE PERMIT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

PASSED AND APPROVED this _____ day of _____, 2018.

RICHARD FINLEY, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality this _____ day of _____, 2018.

JOSEPH VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners

7.

Meeting Date: 03/19/2018

P04-18 2204 N. Leo

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance to rezone property located at 2204 North Leo Avenue from R-1; Single Family Residential District to R-2; Combined Residential District. Case No. P04-18, Applicant: Marical Brothers Real Estate, LLC

Attachments

P04-18 Staff Rpt

P04-18 Ord

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Marical Brothers Real Estate, LLC
FOR: Rezone
LOCATION: 2204 N. Leo Avenue, Shawnee, OK
PROJECT#: 180005 Case# P04-18

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION:

R-1; Single Family Residential District

REQUESTED CLASSIFICATION:

R-2; Combined Residential District

PROPOSED PROPERTY USE:

Triplex/Duplex

PLANNING COMMISSION MEETING DATE: March 7th, 2018

PLANNING COMMISSION RECOMMENDATION: Approve

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM		X	X			
MATTHEWS			X			
WALKER			X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)			X			
KIENZLE	X		X			
ROWELL			X			

RESPECTFULLY SUBMITTED,

Cheyenne Pettigrew

SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____

City of Shawnee
Planning Department
222. N. Broadway
Shawnee, OK 74801
(405) 878-1616
Fax: (405) 878-1587
www.ShawneeOK.org



CASE # P04-18
PUBLIC HEARING DATE:
March 7th 2017
CITY COMMISSION DATE:
March 19th 2017

APPLICANT:
Darrin Marical

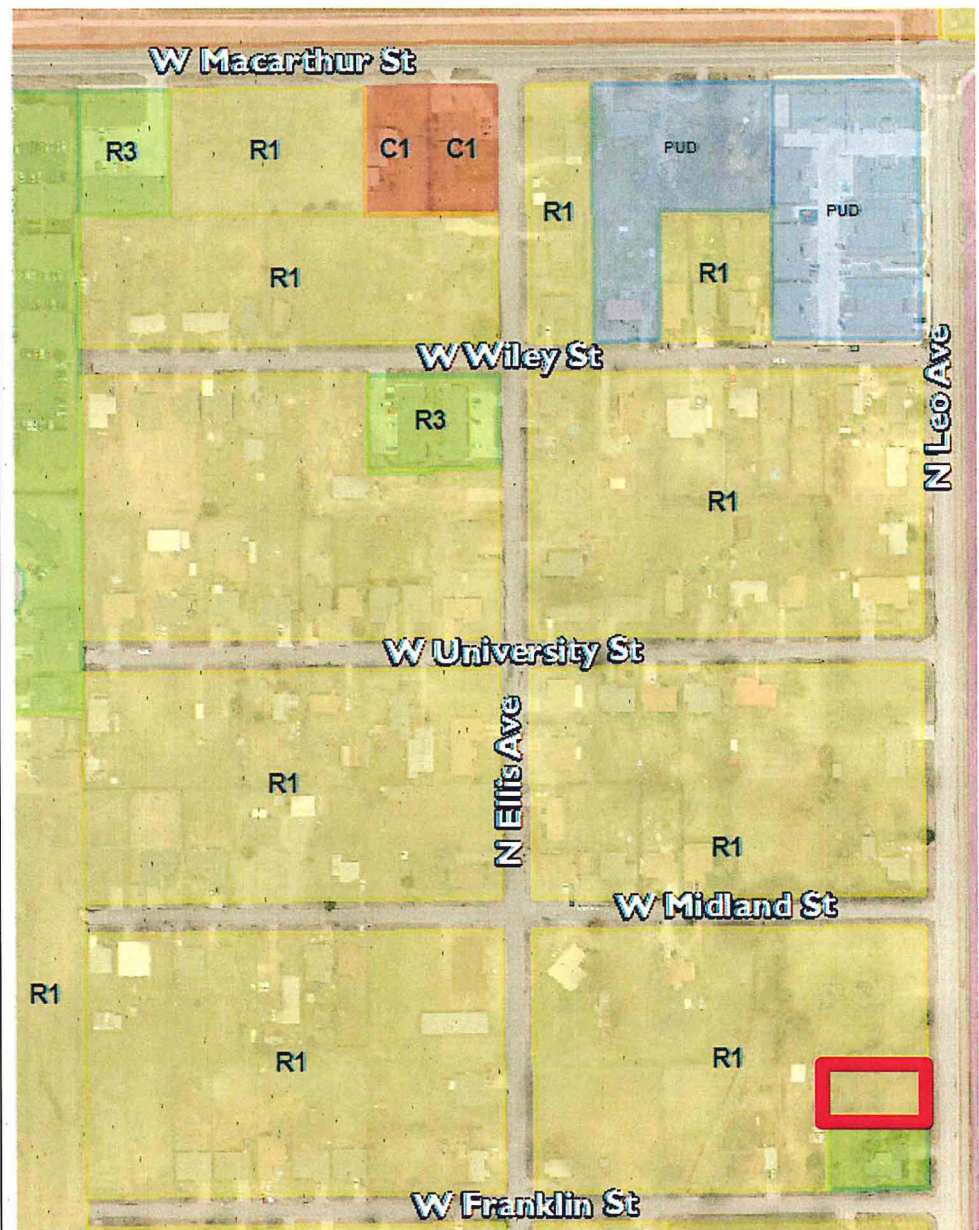
16759 CR 3520
Ada, OK 74820

(580)320-3520

PROPERTY ADDRESS/LOCATION:

2204 N. Leo
Shawnee, OK 74804

The applicant is requesting approval to rezone property from R1 (Single Family Residential) to R2 (Combined Residential District) in order to develop one (1) duplex home on the site. Two properties located directly to the south, and Golden Acres Cottages Addition at the south-west corner of Leo Avenue and MacArthur are examples of similar rezone cases approved since the mid-2000's.



EXISTING ZONING:
R1

EXISTING
LAND
USE:
Vacant

SURROUNDING ZONING & LAND
USE:
R-1 (Single Family)

School District:
I-93

PROPERTY SIZE:
15,000 Sq. Ft.

		Residential) R-2 (Medium Density Residential) C-1(Neighborhood Commercial) C-3 (Highway Commercial)		
STAFF RECOMMENDATION				
The requested rezone from R1 to R2 is consistent with similar requests in the area. In January of 2016, the adjacent property to the south was rezoned from R1 to R2. Similarly, property at the south-west corner of Franklin Street and Leo Avenue received R2 zoning approval (Ordinance #2295NS). Along with Golden Acres cottages, due north, these properties have received R2 and R3 (Multifamily Residential) zoning approval because they are on the periphery of their respective single family neighbourhoods, and along Leo Avenue, a fairly active collector road in Shawnee. The request is also consistent with the City's Comprehensive Plan and Zoning Code. For these reasons, Staff does hereby recommend approval for the requested rezone from R1 to R2. No indications of protest have been received.				
APPROVE		APPROVE WITH CONDITIONS		DENY
ATTACHMENTS:	SUBMITTED PLANS	PUBLIC HEARING PETITION/ APPLICATION FORM	LEGAL NOTICE	LEGAL DESCRIPTION
PUBLIC COMMENTS		AGENCY COMMENTS	RESPONSE TO STANDARDS	

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: P04-18
Project Number: 180005
Date Filed: January 30, 2018
Cheylene 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 R-1 District to R-3 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 2204 N. Leo

LEGAL DESCRIPTION: Block Lot 3, Block 8 Golden Acres

PROPERTY OWNER (S): John Roberts

PROPERTY AGENT (APPLICANT): Marical Brothers Real Estate LLC

APPLICANT'S ADDRESS: 16759 CR 3520

CITY: Ada STATE: OK ZIP: 74820

EMAIL ADDRESS: darrin@maricalbrothers.com

TELEPHONE NUMBER: (580) 332-3061 CONTACT NUMBER: (580) 320-3520

DIMENSIONS OF PROPERTY: AREA: 20,000 sq ft WIDTH: 100'
LENGTH: 200' FRONTAGE: 100' Leo

CURRENT ZONING: R-1 CURRENT USE: Residential

PROPOSED ZONING: R-3 PROPOSED USE: Triplex or Duplex

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

Darrin Marical
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. 02120818

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.: _____

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P04-18

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed Rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

Lot Three (3), Block Eight (8), GOLDEN ACRES ADDITION, to the City of Shawnee,
Pottawatomie County, Oklahoma, according to the recorded plat thereof.

General Location Known As:	<u>2204 N. Leo Avenue, Shawnee, OK</u>
Current Zoning Classification:	<u>R-1; Single Family Residential District</u>
Requested Zoning Classification:	<u>R-2; Combined Residential District</u>
Proposed Use of Property:	<u>Triplex/Duplex</u>
Applicant:	<u>Marical Brothers Real Estate, LLC</u>

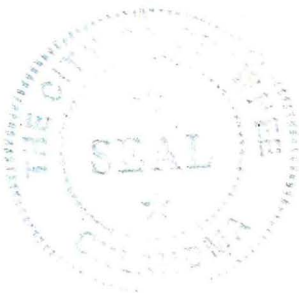
The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.

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

March 7 th , 2018	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
March 19 th , 2018	AT 6:00 P.M.:	CITY OF SHAWNEE CITY COMMISSION

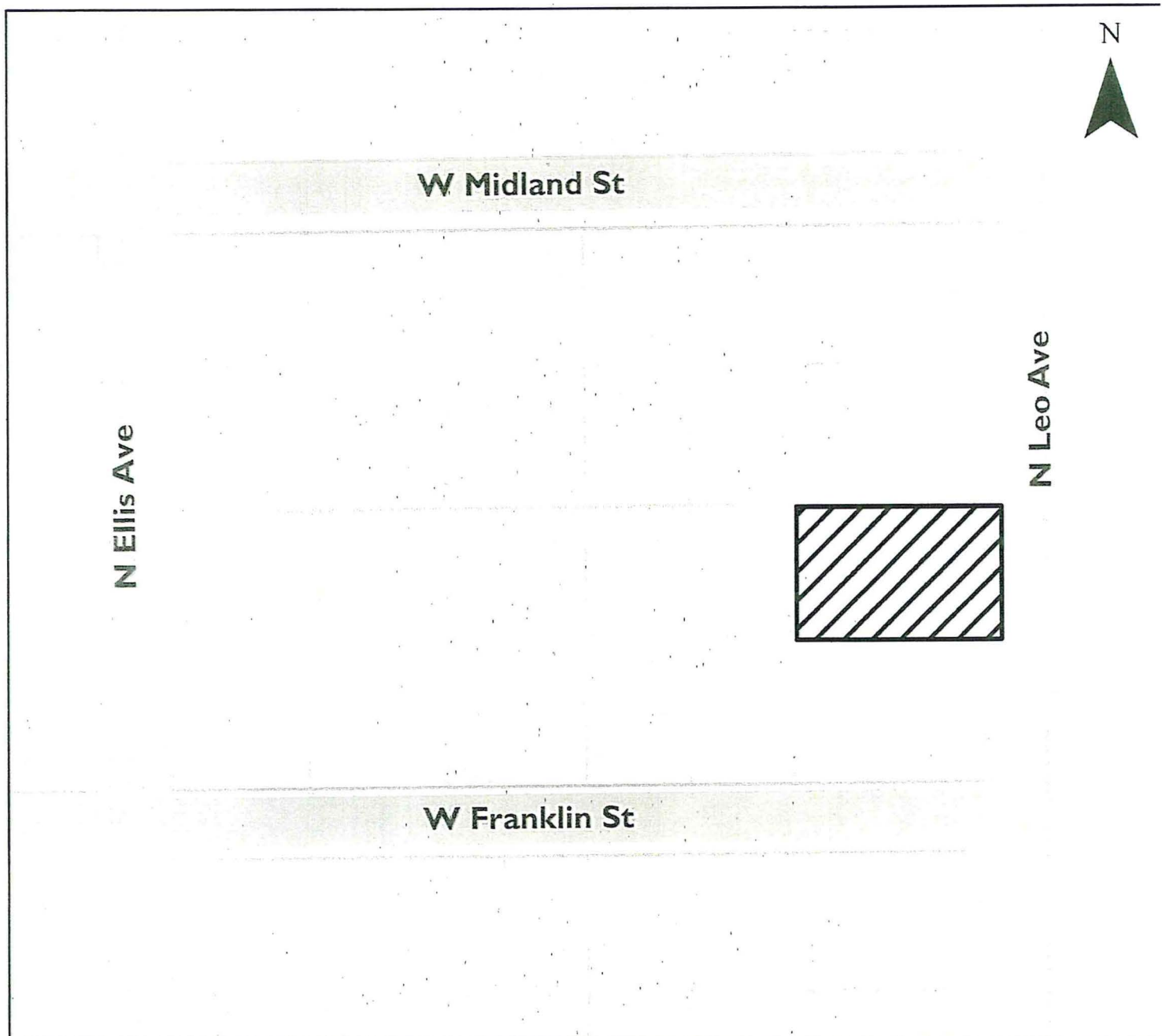
At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone 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 12th day of February, 2018.




Phyllis Loftis, City Clerk

CASE# P04-18
REZONE FROM R-1 TO R-2
2204 N. LEO AVE.



CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA)
) S:
COUNTY OF POTTAWATOMIE)

The undersigned bonded abstractor in and for Pottawatomie County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

Lot Three (3), Block Eight (8), GOLDEN ACRES ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (2), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: January 11, 2018 at 7:30 AM

First American Title & Trust Company

By: *Terrie Dugan*
Terrie Dugan
Abstractor License No. 4396
OAB Certificate of Authority # 017
File No. 2294024-SH99

OWNERSHIP LIST

ORDER NO. 2094320

DATE PREPARED: 1-19-18

EFFECTIVE DATE: 1-11-18

NO.	OWNER	LOT	BLK	ADDITION
	Joy Pruitt 2306 N Leo Shawnee, OK 74804	1	5	GOLDEN ACRES
	Ryan Baldwin 1729 W Midland Shawnee, OK 74804	6 & 7	8	GOLDEN ACRES
	Anita Holuby (Cully) & Glen Kernell ETAT C/O Norma Hopkins Oklahoma City, OK 73107	1 & 2 & 5	8	GOLDEN ACRES
	Cleta Martin Living Trust Cleta Martin Trustee 44 Serenada CT Shawnee, OK 74804	8	9	GOLDEN ACRES
	R Doyle & Shirley Roberts 1733 W Midland Shawnee, OK 74801	8	8	GOLDEN ACRES
	John Bruce Roberts 1714 W Franklin Shawnee, OK 74801	3 & 14	8	GOLDEN ACRES
	John B Roberts 1714 W Franklin Shawnee, OK 74804	12 & 13	8	GOLDEN ACRES
	David & Patricia A Koehler 2103 N Leo Shawnee, OK 74801	2 & S ½ 5	9	GOLDEN ACRES
	Marguerite Barbere 2302 N Leo Shawnee, OK 74804	13 & 14	5	GOLDEN ACRES
	Jack Dockrey 41297 Benson Park Rd Shawnee, OK 74801	N ½ 7	9	GOLDEN ACRES
	Jack Dockrey 41297 Benson Park Rd Shawnee, OK 74801	N ½ 6	6	GOLDEN ACRES
	Jack Dockrey 41297 Benson Park Rd Shawnee, OK 74801	1 & N ½ 5	9	GOLDEN ACRES
	Jo Ellen Watson Trust 606 N Kickapoo Shawnee, OK 74801	10 & 11	8	GOLDEN ACRES
	Mark & Jennifer Drummond 2103 N Leo Shawnee, OK 74804	S ½ 6 & 7	9	GOLDEN ACRES
	Matti Tiger 1726 W Midland Shawnee, OK 74804	E 66.67' 12	5	GOLDEN ACRES

ORDINANCE NO. _____NS

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: LOT THREE (3), BLOCK EIGHT (8), GOLDEN ACRES ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM ZONING CLASSIFICATION R-1; SINGLE FAMILY RESIDENTIAL DISTRICT TO R-2; COMBINED RESIDENTIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 19th day of March 2018, upon an application to rezone certain properties located in the City of Shawnee, Oklahoma from zoning classification R-1; Single Family Residential District to R-2; Combined Residential District.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said properties to be rezoned to R-2; Combined Residential District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: LOT THREE (3), BLOCK EIGHT (8), GOLDEN ACRES ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF REZONING SAID PROPERTY FROM ZONING CLASSIFICATION R-1; SINGLE FAMILY RESIDENTIAL DISTRICT TO R-2; COMBINED RESIDENTIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

PASSED AND APPROVED this _____ day of _____, 2018.

RICHARD FINLEY, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality this _____ day of _____, 2018.

JOSEPH VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners

8.

Meeting Date: 03/19/2018

P05-18 4900 N. Harrison

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance to rezone property located at 4900 North Harrison Avenue from C-3; Highway Commercial to PUD; Planned Unit Development. Case No. P05-18, Applicant: TLP Associated, Inc. *(Deferred by the Planning Commission to the April 4, 2018 meeting.)*

Attachments

P05-18 Staff Rpt

P05-18 Ord

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: TLP Associates, INC
FOR: Planned Unit Development
LOCATION: 4900 N. Harrison Avenue, Shawnee, OK
PROJECT#: 180040 Case# P05-18

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION: C-3; Highway Commercial District
REQUESTED CLASSIFICATION: PUD; Planned Unit Development (PUD)
PROPOSED PROPERTY USE: Motel and Retail Development

PLANNING COMMISSION MEETING DATE: March 7th, 2018

PLANNING COMMISSION RECOMMENDATION: Defer to April 4th, 2018 PC Meeting

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM			X			
MATTHEWS			X			
WALKER			X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)			X			
KIENZLE	X		X			
ROWELL		X	X			

RESPECTFULLY SUBMITTED,

Cheyenne Pettigrew

SECRETARY, PLANNING COMMISSION

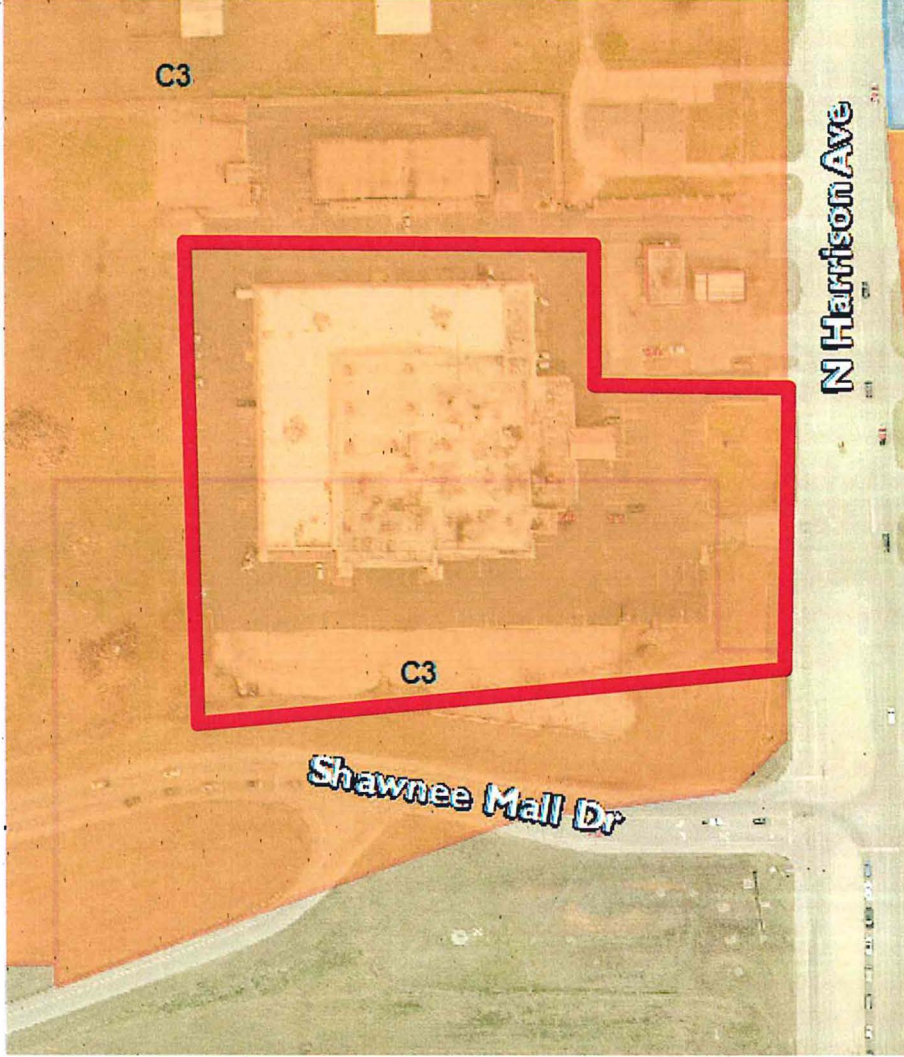
ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # P05-18 CASE # S03-18 PUBLIC HEARING DATE: March 7th, 2018 CITY COMMISSION DATE: March 19th, 2018	
APPLICANT: Terry L. Pollock TLP Associates, INC.	703 S. Ranchwood Blvd. Yukon, Ok. 73099	(405) 210-3169		
PROPERTY ADDRESS/LOCATION: 4900 N. Harrison St.				
SUMMARY OF REQUEST: The applicant, Mr. Nilesh Patel, owns approximately 4.5 Acres of property located at 4900 N. Harrison Street. Mr. Patel is requesting a rezone from C-3 (Highway Commercial) to a Planned Unit Development (PUD) to facilitate additional commercial development (Exhibit 1). As the Quality Inn Motel occupies the one existing lot, the intent is to create an additional lot, at approximately 2.33 Acres in size, to facilitate three additional commercial structures. The two proposed lots will maintain common access, per a reciprocal access easement recorded by the County. Though the underlying zoning for the subject PUD will remain C-3, the PUD provides a vehicle for negotiating modifications in standard development requirements in order to both encourage innovative development and protect the health, safety, and welfare of the community (Section 22-190.2(B)(6), COS Zoning Code).				
EXISTING ZONING: C3	EXISTING LAND USE: Hotel	SURROUNDING ZONING & LAND USE: C3 (Highway Commercial)	Number of Lots: 1	PROPERTY SIZE: 4.51 Acres

STAFF REVIEW AND ANALYSIS

As a number of corrections are necessary to comply with City Code, Staff recommends deferring to the April 4, 2018 Planning Commission Agenda.

APPROVE

APPROVE WITH CONDITIONS

DENY

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

**ATTACHMENTS:
(CIRCLE)**

**SUBMITTED
PLANS**

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

Attachments:

Exhibit 1: PUD Master Plan

Exhibit 2: Shawnee Retail Center Preliminary Plat

EXHIBIT

1

PLANNED UNIT DEVELOPMENT
DESIGN STATEMENT
FOR

SHAWNEE RETAIL CENTER
PUD-XXXX

DEVELOPER:

MR. NILESH PATEL
SHIV PROPERTIES, LLC
4900 N. HARRISON STREET
SHAWNEE, OK 71804-9105

PREPARED BY:

T L P

ASSOCIATES, INC.

CIVIL ENGINEERING LAND PLANNING

OK CERTIFICATE OF AUTHORIZATION 7901
703 S. RANCHWOOD BLVD. YUKON, OK 73099
☎ 405.210.3169 ✉ terry@tlp-associates.com

DESIGN STATEMENT FOR THE PLANNED UNIT DEVELOPMENT OF

SHAWNEE RETAIL CENTER PUD-XXXX

1.0 INTRODUCTION

This Planned Unit Development for **SHAWNEE RETAIL CENTER** consists of 4.4694 acres more or less and is located in the East half of the Northeast Quarter (E/2 NE/4) of Section Thirty-One (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma. It is located on the North West corner of Harrison Street and West Bound Interstate Highway No. 40.

The property is presently zoned C-3 Highway Commercial District.

2.0 LEGAL DESCRIPTION

A tract of land lying in the East half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, being described as follows:

BEGINNING at the Southeast corner of said NE/4 of Section 31, T11N, R4E of the Indian Meridian, Pottawatomie County, State of Oklahoma;

Thence North 00°40'04" East, along the East line of said Quarter Section, a distance of 864.10 feet;

Thence South 05°35'22" West a distance of 9.40 feet to the true POINT OF BEGINNING, said point being on the West Right-of-Way of State Highway No. 18;

Thence South 88°30'36" West a distance of 133.40 feet;

Thence on a curve to the right having a radius of 1.60 feet, (a chord bearing North 46°43'37" West, chord length of 2.25 feet) an arc distance of 2.50 feet;

Thence North 00°40'00" West a distance of 117.40 feet;

Thence South 89°52'00" West a distance of 374.41 feet;

Thence South 00°17'50" East a distance of 491.25 feet to a point on the North Right-of-Way line of Interstate Highway No. 40;

Thence North 70°19'54" East along said North Right-of-Way line a distance of 81.59 feet;

Thence on a curve to the right having a radius of 1582.39 feet, (a chord length of 415.02 feet) along said North Right-of-Way line a distance of 416.23 feet, to a point on the West Right-of-Way line of State Highway No. 18;

Thence North 05°35'22" East said West Right-of-Way line a distance of 263.20 feet to the true POINT OF BEGINNING.

Said described tract of land contains an area of 194,689 square feet or 4.4694 acres, more or less.

3.0 **OWNER/DEVELOPER**

The owner/developer of Shawnee Retail Center is:

Mr. Niles Patel
Shiv Properties, LLC
4900 N. Harrison Street.
Shawnee, OK 74804-9105

4.0 **SITE AND SURROUNDING AREAS**

The Shawnee Retail Center will be constructed South East of existing Quality Inn Motel located at 4900 N. Harrison Street in Shawnee. The parcel reserved for the existing Quality Inn Motel will continue to be under its existing classification of C-3 Zoning. The terrain for Shawnee Retail Center is undeveloped and slopes approximately 2% to the Southeast.

- (a) The property on the West is undeveloped grass land, zoned C-3.
- (b) The property on the North is an existing Super 8 Motel, zoned C-3. The Super 8 Motel and Quality Inn Motel share an asphalt drive and cross access is by a Reciprocal Access Easement Recorded Rec. #2002-16409.
- (c) The property on the Northeast is an existing Sinclair Gas Station, zoned C-3.
- (d) The property on the East is State Highway 18 or Harrison Street. The properties on the East side of Harrison Street are commercial properties, all are zoned C-3.
- (e) The property on the South is I-40 service road named Shawnee Mall Drive. Shawnee Mall Road is a two-way paved road. South of this road is West bound I-40.

5.0 **CONCEPT**

The concept of the Shawnee Retail Center PUD is to allow the existing Quality Inn Motel to continue to provide quality accommodations for the public and to provide upscale retail shopping, personal service businesses, restaurants and other businesses to serve the residents of the City of Shawnee.

6.0 **SERVICE AVAILABILITY**

6.1 **STREETS**

The property has 663 feet of frontage along Harrison Street which will serve as the arterial road access to the site.

Access to the site shall be from two existing drives. The 30-foot-wide north drive will be a shared drive for the Quality Inn Motel and Shawnee Retail Center. The existing 28-foot-wide drive lies 130 south of the north drive and will provide access to the Shawnee Retail Center.

All drives within the PUD will be Private Drives. Private and public emergency vehicles will have access to all portions of the site and buildings.

6.2 UTILITIES

Water Service:

An existing 12" water line is located on the East side of Harrison Street. The existing Quality Inn Motel is served by a 3" line tapped from this existing 12" main line and runs West to the Quality Inn Motel and enters the Motel on the South side.

The developer will extend an appropriate water line to serve the needs of the existing Quality Inn Motel and all anticipated new buildings for the Shawnee Retail Center in accordance with City Codes and regulations.

Sanitary Sewer Service:

Sanitary sewer facilities are presently available to be extended to the Shawnee Retail Center. The existing sewer system is in the West Right-of-Way of Harrison Street, 202 feet north of the proposed Shawnee Retail Center.

The developer will extend a sanitary sewer line South to the Shawnee Retail Center in accordance with City Codes and regulations. All sanitary sewer within the Shawnee Retail Center will be private.

The existing sanitary sewer serving the Quality Inn Motel will continue will remain as is and no improvements are anticipated at the time of this PUD. If improvements are required by City Code, they will be provided at the of the construction of Shawnee Retail Center.

Natural Gas, Electricity, Telephone and Cable/Data:

The existing Quality Inn Motel has all these services and these underground utility lines serving the Quality Inn Motel are to remain on the platted lot for the Shawnee Retail Center. All required easements for these utilities shall be provided at time of construction.

All utilities shall be extended as required to serve the Shawnee Retail Center.

6.3 Fire Protection:

Fire protection is provided by the City of Shawnee. The nearest fire station is located at 306 E. MacArthur approximately 2.0 miles south of the site. The site is located within a 2.5-minute fire response time. Water distribution lines and a fire hydrant will be installed in conformance with requirements of the City of Shawnee.

6.0 SPECIAL DEVELOPMENT REGULATIONS FOR SHAWNEE RETAIL CENTER ONLY (BLK. 1, Lot 2)

The following Special Development Regulations and/or limitations are placed upon the development carried out under this Planned Unit Development. Certain zoning districts and regulations referred to in this text shall be those which appear in the Planning and Zoning Code for the City of Shawnee, adopted June 2, 2014, Ordinance #2545NS, as amended. For purposes of clarification and interpretation, the operative and controlling language and regulations of such zoning districts as contained in said code, as such exists on the day of enactment of the ordinance approving this Planned Unit Development by the City Council of the City of Shawnee shall govern this Planned Unit

Development. In cases of conflict between provisions of Article VII. – Zoning, Section 22 of the City of Shawnee Code and the provisions of this Planned Unit Development, the Planned Unit Development provisions shall supersede. The regulations are as follows:

7.1 Development and Use Regulations

7.1.1 Existing Quality Inn Motel

The development and use regulations of the C-3 Highway Commercial District shall govern for existing Quality Inn Motel (Block 1, Lot 1).

7.1.2 Shawnee Retail Center

The development and use regulations of the C-3 Highway Commercial District shall govern for Shawnee Retail Center (Block 1, Lot 2), except as herein modified:

- a. Minimum lot width shall be 30'.
- b. Minimum Street Frontage shall be 55'.
- c. Quality Inn Motel pole sign to remain on Block 1, Lot 2.
- d. Existing underground utilities and electrical equipment serving Quality Inn Motel shall remain on Block 1, Lot 2 with a perpetual easement for this service.

7.2 All buildings constructed in the Shawnee Retail Center (Block 1, Lot 2) shall meet C-3 zoning code as stated in Sec. 22-165.5 of the Shawnee Zoning Code, adopted June 2, 2014.

8.0 ACCESS

8.1 Limits of access to Harrison Street and Shawnee Mall Drive shall be as reflected on the Master Development Plan (Exhibit "A") and as stated herein to the following:

8.1.1 The existing drive located 620' north of the properties SE corner shall remain.

8.1.2 The existing drive located 290' north of the properties SE corner shall remain.

8.1.3 No other access to Harrison Street shall be allowed.

8.1.4 No access to Shawnee Mall Drive shall be allowed in this Planned Unit Development. The Developer reserves the right to revise this No Access to Shawnee Mall Drive if ODOT revises the Shawnee Mall Drive to a single West bound lane to access I-40 and drive way approval is granted by ODOT and the City Engineer of Shawnee.

8.1.5 All measurements stated herein shall be measured from SE corner of Block 1, Lot 1 to the Centerline of existing drives.

9.0 SCREENING AND LANDSCAPING

9.1 Within the Shawnee Retail Center site (Bk. 1, Lot 2) all commercial sized refuse containers shall be screened from public view. Screening shall be designed to match or complement the architectural style of the structures.

9.2 Within the Shawnee Retail Center site (Bk. 1, Lot 2), C-3 landscape codes shall apply except areas of landscape buffers along Harrison Street and Shawnee Mall Drive are less than 10' wide. This development sets back from Harrison Street an

average of 100'. This area is ODOT Right-of-Way and will continue to be maintained as grassed area. On the South side of the development there is approximately 200' of existing grassed ODOT easements and Right-of-Ways. This area will continue to be grassed.

10.0 LIGHTING

- 10.1 Outdoor lighting shall be restricted to the minimum approved by City of Shawnee Engineer at the time of each building permit application. Parking lots lights and building wall packs shall be used through out all phases of Shawnee Retail Center for public safety.

No lighting shall be directed to public Rights-of-Way or be constructed to create traffic hazards.

11.0 OTHER

- 11.1 All drainage improvements shall be in accordance to applicable sections of the City of Shawnee Drainage Code and Ordinances. All onsite drainage systems shall be private and maintained by the Developer.
- 11.2 The following building setback lines as depicted on the Master Development Plan (Exhibit "B") shall be maintained for Shawnee Retail Center.
- 11.2.1 A 100-foot building setback line shall be maintained along the East boundary at Harrison Street.
- 11.2.2 A 50-foot building setback line shall be maintained along the South boundary at Shawnee Mall Drive.

12.0 SIGNAGE

Signage shall be in accordance with the present ordinances of the City of Shawnee, for C-3 Highway Commercial District provided that the following provisions shall also apply to such signs:

- 12.1 The existing Quality Inn Motel pole sign located in the South-East corner shall remain on Blk. 1, Lot 2.
- 12.2 The existing Quality Inn Motel sign on Harrison Street shall be relocated to the North-East corner of Blk. 1, Lot 1 as shown on the Master Development Plan (Exhibit "A").
- 12.3 A new sign for Shawnee Retail Center shall be constructed per current City of Shawnee Codes in the North-East Corner of Blk. 1, Lot 1, as shown on the Master Development Plan (Exhibit "A").

13.0 GENERAL PROVISIONS

- 13.1 Development phasing shall be allowed for the Planned Unit Development of Shawnee Retail Center.
- 13.2 Maintenance of all streets, open spaces, landscaping and other features shall be the responsibility of the Developer.
- 13.3 The Shawnee Retail Center PUD shall be platted, (no changes to be made to the existing Quality Inn Motel). The Shawnee Retail Center buildings shall be architecturally designed and engineered and submitted to the City of Shawnee for complete review and for compliance with the provisions of the Planned Unit

Development prior to or in conjunction with the issuance of building permits.
Development improvements as required as a part of this PUD will be installed at
the time of final platting.

14.0 EXHIBITS

The following exhibits are hereby made a part of this Planned Unit Development of
Shawnee Retail Center. The exhibits are as follows:

Exhibit "A"	Legal Description
Exhibit "B"	Master Site Plan
Exhibit "C"	East side Master Site Plan
Exhibit "D"	West side Master Site Plan
Exhibit "E"	Topographic Survey

EXHIBIT "A"

LEGAL DESCRIPTION

A tract of land lying in the East half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the 4th Indian Meridian, East half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the 4th Indian Meridian, Pottawatomie County, Oklahoma, being described as follows:

BEGINNING at the Southeast corner of said NE/4 of Section 31, T11N, R4E of the Indian Meridian, Pottawatomie County, State of Oklahoma;

Thence North 00°40'04" East, along the East line of said Quarter Section, a distance of 864.10 feet;

Thence South 05°35'22" West a distance of 9.40 feet to the true POINT OF BEGINNING, said point being on the West Right-of-Way of State Highway No. 18;

Thence South 88°30'36" West a distance of 133.40 feet;

Thence on a curve to the right having a radius of 1.60 feet, (a chord bearing North 46°43'37" West, chord length of 2.25 feet) an arc distance of 2.50 feet;

Thence North 00°40'00" West a distance of 117.40 feet;

Thence South 89°52'00" West a distance of 374.41 feet;

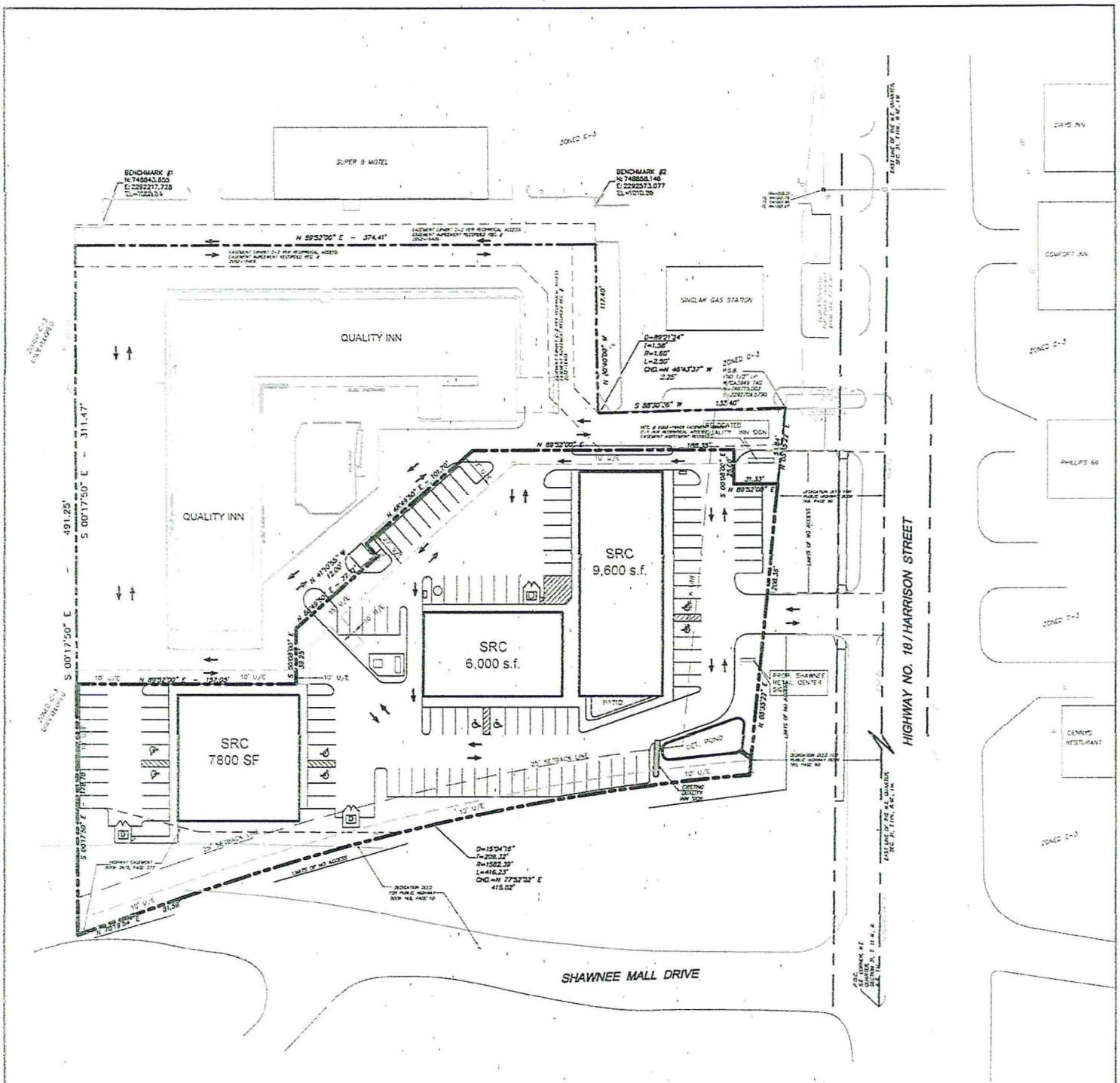
Thence South 00°17'50" East a distance of 491.25 feet to a point on the North Right-of-Way line of Interstate Highway No. 40;

Thence North 70°19'54" East along said North Right-of-Way line a distance of 81.59 feet;

Thence on a curve to the right having a radius of 1582.39 feet, (a chord length of 415.02 feet) along said North Right-of-Way line a distance of 416.23 feet, to a point on the West Right-of-Way line of State Highway No. 18;

Thence North 05°35'22" East said West Right-of-Way line a distance of 263.20 feet to the true POINT OF BEGINNING.

Said described tract of land contains an area of 194,689 square feet or 4.4694 acres, more or less.



MASTER SITE PLAN

SCALE: 1"=100'

PROPOSED LEGEND

- PAVEMENT
- LANDSCAPING
- CONC. SIDEWALK
- FENCE ENCLOSED DUMPSTER

SITE INFORMATION

1. TOTAL AREA= 4.4694 AC.
2. TOTAL AREA SHALL BE PLATTED W/ 2 LOTS.
3. LOT 1, BLK. 1 AREA= 2.1350 AC.
4. LOT 2, BLK. 1 AREA= 2.3344 AC.
5. TOTAL AREA SHALL BE PLATTED W/ 2 LOTS.
6. EXISTING ZONING IS C-3 HIGHWAY COMM. DISTRICT.

TLP

ASSOCIATES, INC.

CIVIL ENGINEERING
LAND DEVELOPMENT

703 S. Blanchard Blvd.
Tulsa, OK 74309
C 405.210.3169
E: terr@tla-associates.com
CA NO. 7901
CA Expires 9-30-2019

SHAWNEE RETAIL CENTER
4900 N. HARRISON STREET
SHAWNEE, OK

Msp

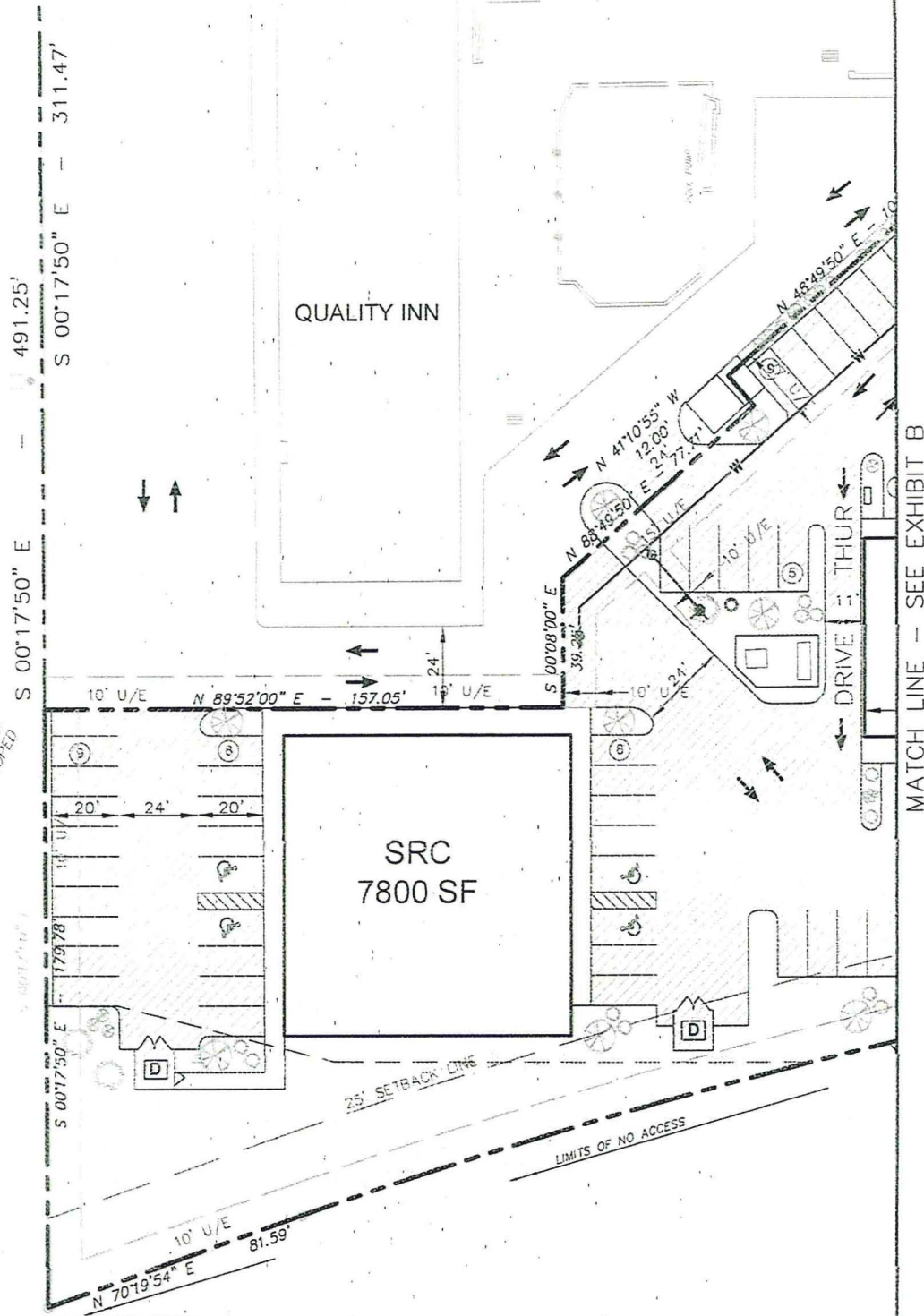
MASTER SITE
PLAN

PUD-XXXX

EXHIBIT "B"

01-10-15

ZONED C-3
UNDEVELOPED



PROPOSED LEGEND

- PAVEMENT
- LANDSCAPING
- CONC. SIDEWALK
- FENCE ENCLOSED DUMPSTER



WEST SIDE
SHAWNEE RETAIL CENTER

SCALE: 1"=50'

TLP
ASSOCIATES, INC.
CIVIL ENGINEERING
LAND DEVELOPMENT

703 S. Ranchwood Blvd.
Tulsa, OK 74109
C: 405-210-3109
EW: terryl@tlp-associates.com
CA NO. 7951
CA Expires 6-30-2019

SHAWNEE RETAIL CENTER
4900 N. HARRISON STREET
SHAWNEE, OK

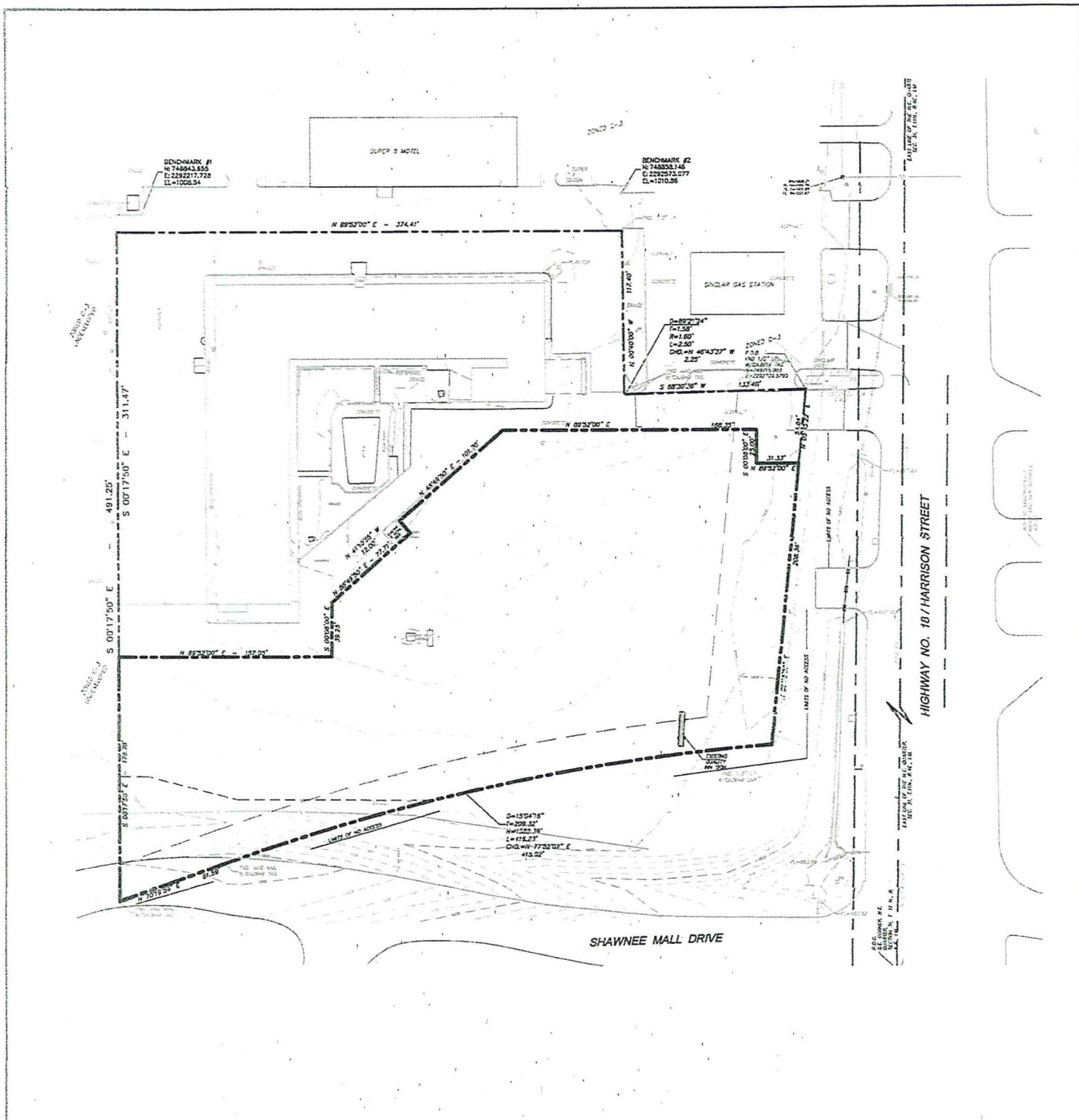
Msp

ENLARGED
MASTER SITE
PLAN

PUD-XXXX

EXHIBIT "D"

01-10-18



PROPOSED LEGEND

- PAVEMENT
- LANDSCAPING
- CONC. SIDEWALK
- FENCE ENCLOSED DUMPSTER



TOPOGRAPHIC SURVEY

SCALE: 1"=100'

SHAWNEE RETAIL CENTER
4900 N. HARRISON STREET
SHAWNEE, OK

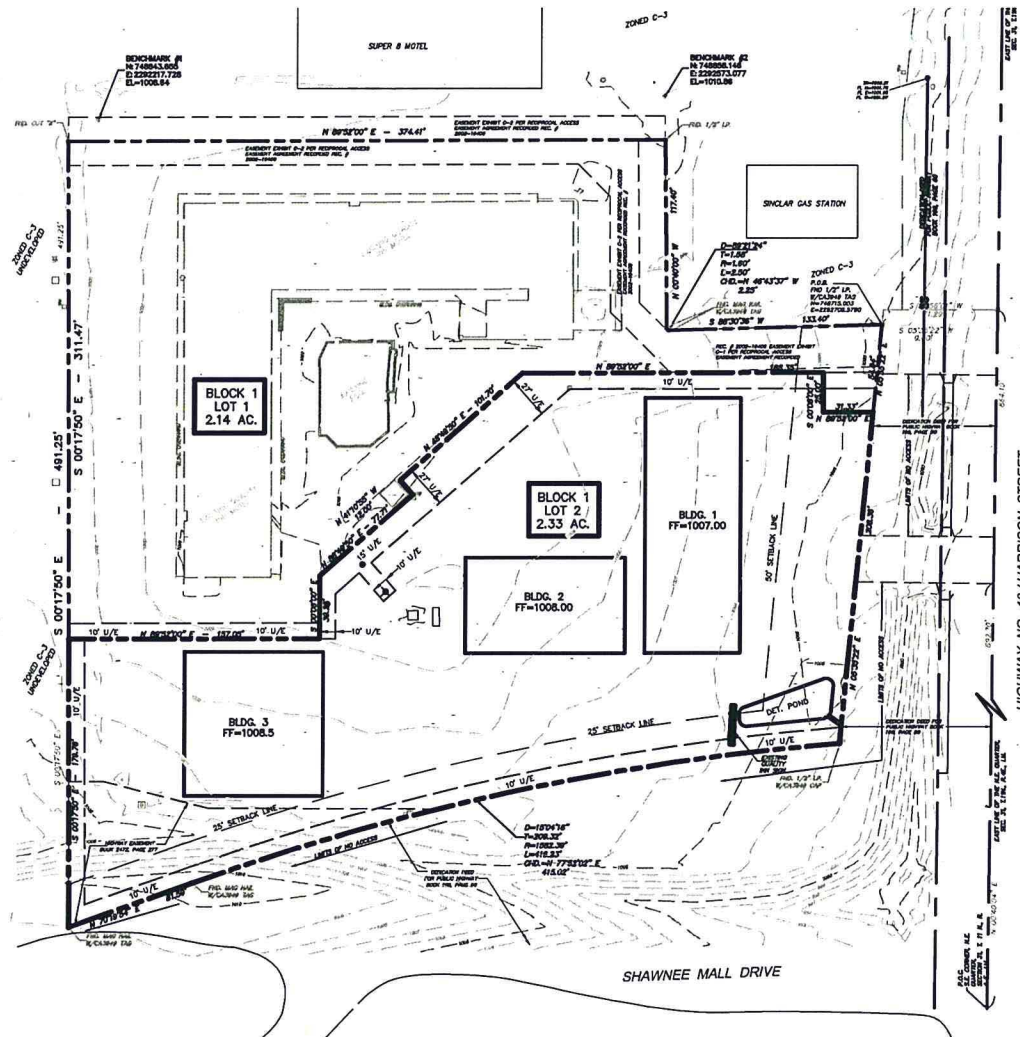
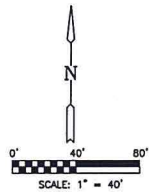
Ts TOPOGRAPHIC
SURVEY
PUD-XXXX

EXHIBIT "E"

EXHIBIT

2

PRELIMINARY PLAT
FOR
SHAWNEE RETAIL CENTER
NE 1/4 SEC. 31, T11N, R4E, I.M.
POTTAWATOMIE COUNTY, OKLAHOMA



LEGAL DESCRIPTION:

A tract of land lying in the East Half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, being described as follows:

BEGINNING at the Southeast corner of said NE/4 of Section 31, Township 11 North, Range 4 East of the Indian Meridian, Pottawatomie County, State of Oklahoma;

864.10 feet;

said point being on the West Right-of-Way line of State Highway No. 18;

THENCE on a curve to the right having a radius of 1.60 feet, (a chord bearing North

line of Interstate Highway No. 40;

THENCE on a curve to the right having a radius of 1562.39 feet, (a chord length of 415.02 feet) along said North Right-of-Way line a distance of 415.23 feet, to a point on the West Right-of-Way line of State Highway No. 18;

the true POINT OF BEGINNING.

Said described tract of land contains an area of 194,689 square feet or 4.4594 acres, more or less.



JAN. 9, 2018

TLP
ASSOCIATES, INC.
CIVIL ENGINEERING
LAND DEVELOPMENT
703 S. Rockwood Blvd.
Tulsa, OK 74209
C: 405.510.3189
EM: terry@tulp-associates.com
CA Lic. 7801
CA Expire 8-30-2019

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: POS-18
Project Number: 180040
Date Filed: January 10th 2018
Cheryle Pottigrew
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 C-3 District to PUD District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 4900 N HARRISON ST.

LEGAL DESCRIPTION: SEE ATTACHED

PROPERTY OWNER (S): MR. NILESH PATEL

PROPERTY AGENT (APPLICANT): TERRY L. POLLOCK TLP ASSOCIATES, INC.

APPLICANT'S ADDRESS: 703 S. RANCHWOOD BLVD.

CITY: YUKON STATE: OK ZIP: 73099

EMAIL ADDRESS: TERRY@TLP-ASSOCIATES.COM

TELEPHONE NUMBER: (405) 210-3169 CONTACT NUMBER: (405) 210-3169

DIMENSIONS OF PROPERTY: AREA: 4.47AC WIDTH: 479.82'
LENGTH: 491.25 FRONTAGE: 208.36'

CURRENT ZONING: C-3 CURRENT USE: COMMERCIAL

PROPOSED ZONING: PUP PROPOSED USE: COMMERCIAL

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

TLP Pollock
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 02124298

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.: _____

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P05-18

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 lying in the East Half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, being described as follows:

Beginning at the Southeast Corner of the Northeast Quarter (NE/4) of Section 31, Township 11 North, Range 4 East of the Indian Meridian, Pottawatomie County, State of Oklahoma; Thence North 00°40'04" East along the East line of said Quarter Section a distance of 864.10 feet; Thence South 89°56'01" West a distance of 71.29 feet; Thence South 05°35'22" West a distance of 9.40 feet to the true point of beginning, said point being on the West Right-of-Way line of State Highway No. 18; Thence South 88°30'36" West a distance of 133.40 feet; Thence on a curve to the right having a radius of 1.60 feet, (a chord bearing North 46°43'37" West, chord length of 2.25 feet) an arc distance of 2.50 feet;

Thence North 00°40'00" West a distance of 117.40 feet; Thence South 89°52'00" West a distance of 374.41 feet; Thence South 00°17'50" East a distance of 491.25 feet to a point on the North Right-of-Way line of Interstate Highway No. 40; Thence North 70°19'54" East along said North Right-of-Way line a distance of 81.59 feet; Thence on a curve to the right having a radius of 1582.39 feet, (a chord length of 415.02 feet) along said North Right-of-Way line a distance of 416.23 feet, to a point on the West Right-of-Way line of State Highway No. 18; Thence North 05°35'22" East along said West Right-of-Way line a distance of 263.20 feet to the true point or place of beginning.

General Location Known As:	<u>4900 N. Harrison Avenue, Shawnee, OK</u>
Current Zoning Classification:	<u>C-3; Highway Commercial</u>
Requested Zoning Classification:	<u>Planned Unit Development (PUD)</u>
Proposed Use of Property:	<u>Motel and Retail Development</u>
Applicant:	<u>TLP Associates, INC</u>

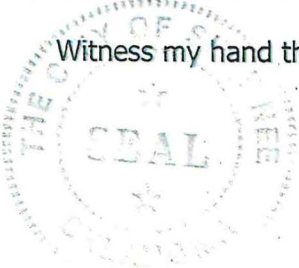
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

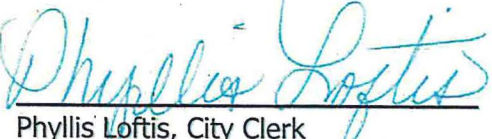
March 7th, 2018 AT 1:30 P.M.:
March 19th, 2018 AT 6:00 P.M.:

CITY OF SHAWNEE PLANNING COMMISSION
CITY OF SHAWNEE CITY COMMISSION

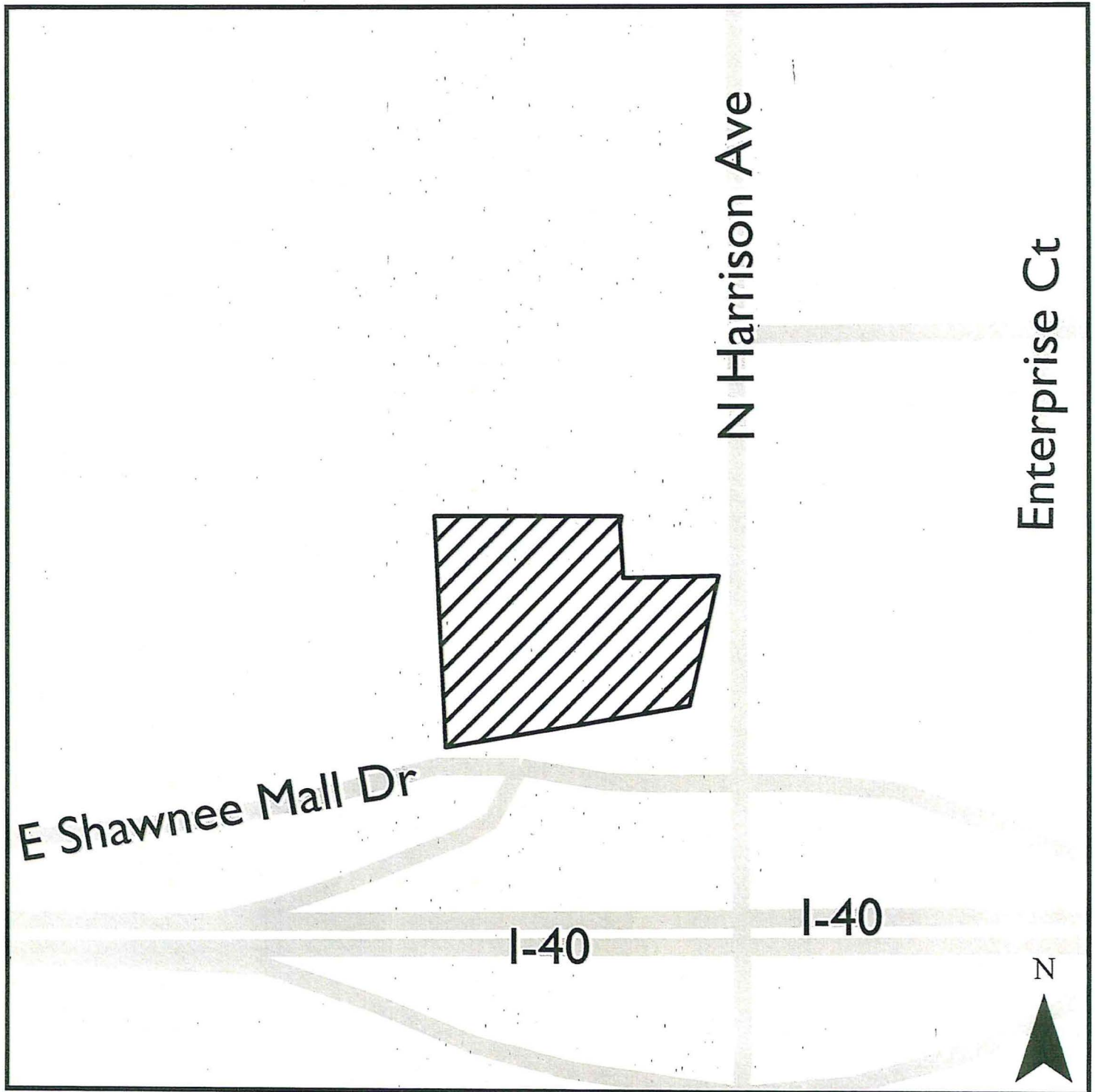
At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the Planned Unit Development. The Commission reserves the right to limit discussion and debate on the proposed Planned Unit Development in the public hearing, in which event those 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 12th day of February, 2018.




Phyllis Loftis, City Clerk

CASE # P05-18
REZONE FROM C-3 TO PUD
4900 N. HARRISON



CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA

)
) §:
)

COUNTY OF POTTAWATOMIE

The undersigned bonded abstractor in and for Pottawatomie County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

A tract of land lying in the East Half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, being described as follows:

Beginning at the Southeast Corner of the Northeast Quarter (NE/4) of Section 31, Township 11 North, Range 4 East of the Indian Meridian, Pottawatomie County, State of Oklahoma; Thence North 00°40'04" East along the East line of said Quarter Section a distance of 864.10 feet; Thence South 89°56'01" West a distance of 71.29 feet; Thence South 05°35'22" West a distance of 9.40 feet to the true point of beginning, said point being on the West Right-of-Way line of State Highway No. 18; Thence South 88°30'36" West a distance of 133.40 feet; Thence on a curve to the right having a radius of 1.60 feet, (a chord bearing North 46°43'37" West, chord length of 2.25 feet) an arc distance of 2.50 feet; Thence North 00°40'00" West a distance of 117.40 feet; Thence South 89°52'00" West a distance of 374.41 feet; Thence South 00°17'50" East a distance of 491.25 feet to a point on the North Right-of-Way line of Interstate Highway No. 40; Thence North 70°19'54" East along said North Right-of-Way line a distance of 81.59 feet; Thence on a curve to the right having a radius of 1582.39 feet, (a chord length of 415.02 feet) along said North Right-of-Way line a distance of 416.23 feet, to a point on the West Right-of-Way line of State Highway No. 18; Thence North 05°35'22" East along said West Right-of-Way line a distance of 263.20 feet to the true point or place of beginning.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (3), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: January 12, 2018 at 7:30 AM

First American Title & Trust Company

By:

Michelle Cook

Michelle Cook
Abstractor License No. 3286
OAB Certificate of Authority # 017
File No. 2297051-SH99

OWNERSHIP LIST

ORDER NO. 2297051

DATE PREPARED: January 22, 2018

EFFECTIVE DATE: January 12, 2018 at 7:30 am

OWNER	LOT	BLK	ADDITION
SHIV PROPERTIES LLC C/O AJAY PATEL 18235 N 27TH AVE PHOENIX AZ 85053-0000			BEG SE/C NE N864.10' W71.29' S5*9.40' POB SW88*133.40' ON A CURVE TO R A RADIUS 1.60' A DIST OF 2.50' N117.40' W374.41' S491.25' N70*E81.59' TH ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1582.39' ALG N R/W LINE A DIS OF 416.23' TH N05*E263.20' POB AMERICA'S BEST VALUE INN 4.47 Acres
SPARKMAN O L L P GAS INC P O BOX 218 SHAWNEE OK 74802-0000			10-SU BEG SE/C NE N00*40'04" E ALG E LINE 864.4' W59.70' TRUE POB BEING W R/W STATE HWY 18 W11.59' SW9.40' SW 133.40' TH ON A CURVE TO RIGHT A RADIUS OF 1.60' A DIS OF 2.50' N 147.40' N45*E 14.38' E 141.51' TO A POINT OF W R/W HWY TH S5*W ALG HWY R/W 28.08' TH S 117' POB
MAPLE DEVELOPMENT LLC 12204 N I-35 SERVICE ROAD OKC OK 73113-0000			BEGINNING SE/C NE/4 N1110.13' W586.57' POB S532.92' TO A POING ON THE NORTH RIGHT-OF-WAY LINE OF I-40 W68.43' S38.74' S74*36'43"W230.17' S66*47'47"W98.58' S76*3'45"W98.02' S88*23'32"W105.03' TO A POINT ON THE EAST RIGHT- OF-WAY LINE OF RAILROAD N2*44'20"W691.14' E605.24' POB 8.46 Acres

JOHNSON JEROME L & SHIRLEY JUN 2009 REVOCABLE TRUST 1311 N 1082 RD LAWRENCE KS 66046-0000			BEG 48'W & 1285.62'S NE/C E/2 NE W1176.82' TO THE E R/W LINE OF AT&SF RR S ALG RR 303.70' E1143.52' N4°E240.34' N63.37' POB POB LESS .16 TO STATE & LESS .39 ACRES (WD 2017-2345) 6.89 Acres
SAI OM SAI LLC 5104 N HARRISON SHAWNEE OK 74804-0000			A TR IN E/2 NE DES AS BEG SE/C NE TH N 864.10' W71.29' S5°W9.40' S88°W 133.40' TH ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1.60' (A CHORD BEARING N46°W CHORD A LENGTH OF 2.25') AN ARC DIS OF 2.5' TH N 117.40' POB TH W 374.41' N139.50' E351.50' S106.20' E22.29' S 33.30' POB SUPER 8 MOTEL 1.14 Acres
STATE OF OKLA 200 NE 21ST OKLA CITY OK 73105-0000			I-40 FRONTAGE ROAD
LAXMI INN INC % DAYS INN 5107 N HARRISON SHAWNEE OK 74804-0000			10SU PT N1/2 S1/2 NW, BEG SW/C N1/2 S1/2 NW E128.05' & N200' POB E300' N200' W315.58' SE125.61' S75.45' POB DAYS INN 1.40 Acres (32-11N-4E)
HICKEY FAMILY LIMITED PARTNER C/O DONNA WILSON 19101 SADDLE RIVER EDMOND OK 73012-0000			10-SU BEG 128.05'E SW/C N1/2 S1/2 NW E300' N200' W300' S200' POB. 1.37 Acres (32-11N-4E)
LAFREEDA FAMILY PARTNERSHIP 5839 SEBASTIAN PLACE STE 102 SAN ANTONIO TX 78249-0000			S2 S2 NW BEG N675.06' & E128.05' SW/C S111.97' SE CURVE TO RIGHT 452.83' N204.13' W440.95' POB DENNY'S RESTAURANT 1.60 Acres (32-11N-4E)
LAFREEDA FAMILY PARTNERSHIP 5839 SEBASTIAN PLACE STE 102 SAN ANTONIO TX 78249-0000			A TR BEG SW/C S 1/2 S 1/2 NW N ALG W LINE 675.06' TO NW/C E569' TO POB, E122' S250.67' NW130.79' N204.13' POB PARKING LOT BEHIND DENNY'S

STATE OF OKLA 200 NE 21ST OKLA CITY OK 73105-0000			BEG SW/C N1/2 NW N ALONG W LINE 208' E96.64' S207.99' TO A PT ON S LINE THENCE W ALONG S LINE 99.30' POB (32-11N-4E)
PRESTIGE HOTELS LLC 3030 S I-35 SERVICE RD OKC OK 73129-0000			BEGINNING NW/C NW/4 S 1127.11' POB E627.97' S208' W627.91' N208' POB LESS A TRACT BEGINNING NW/C NW/4 S1141.67' POB E96.63' S207.99' W99.3' N208' POB 2.86 Acres
ROMBERG EDWIN WESLEY & CAROLYN P O BOX 321 SHAWNEE OK 74802-0321			BEGINNING SW/C NW/4 N147.95' E1767.66' N150' POBN60' E40' S60' W40' POB(BILLBOARD SITE 12) AND BEGINNING SW/C NW/4 N147.95' E2292.58' N150' POBN60' E40' S60' W40' POB(BILLBOARD SITE 13)
STATE OF OKLA 200 NE 21ST OKLA CITY OK 73105-0000			BEG SW/C NW N675.06' E128.05' S111.97' SELY>R=1550.39' 453.83' S69°E 271.48' ETC BOOK164 PG102 21.43 Acres

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: 503-18
Project Number: 180041
Date Filed: January 10th, 2018
Amount Paid: \$231.00
Receipt No.: 02124304

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 TLP ASSOCIATE, INC. FOR MR. NILESH PATEL
APPLICANT ADDRESS 703 S. RANCHWOOD BLVD., YUKON, OK 73099
APPLICANT PHONE NUMBERS 405-210-3169
EMAIL ADDRESS TERRY@TLP-ASSOCIATES.COM
NAME OF PLAT SHAWNEE RETAIL CENTER
LOCATION 4900 N. HARRISON ST., SHAWNEE, OK
NUMBER OF ACRES 4.47 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 2 225
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 MR. NILESH PATEL OF SHN PROPERTIES, LLC
ADDRESS 4900 N. HARRISON ST., SHAWNEE OK 74804
CONTACT NUMBERS 858-442-2495
EMAIL ADDRESS NPATEL4461@GMAIL.COM

PROJECT ENGINEER INFORMATION:

NAME DARIN TEEMAN PE 25180 CA-7901
ADDRESS 703 S. RANCHWOOD BLVD, YUKON, OK 73099
CONTACT NUMBERS 405-210-3169
EMAIL ADDRESS DTEEMAN@TLP-ASSOCIATES.COM

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

ORDINANCE NO. ____NS

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: A TRACT OF LAND LYING IN THE EAST HALF OF THE NORTHEAST QUARTER (E/2 NE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, STATE OF OKLAHOMA; THENCE NORTH 00°40'04" EAST ALONG THE EAST LINE OF SAID QUARTER SECTION A DISTANCE OF 864.10 FEET; THENCE SOUTH 89°56'01" WEST A DISTANCE OF 71.29 FEET; THENCE SOUTH 05°35'22" WEST A DISTANCE OF 9.40 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 18; THENCE SOUTH 88°30'36" WEST A DISTANCE OF 133.40 FEET; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1.60 FEET, (A CHORD BEARING NORTH 46°43'37" WEST, CHORD LENGTH OF 2.25 FEET) AN ARC DISTANCE OF 2.50 FEET; THENCE NORTH 00°40'00" WEST A DISTANCE OF 117.40 FEET; THENCE SOUTH 89°52'00" WEST A DISTANCE OF 374.41 FEET; THENCE SOUTH 00°17'50" EAST A DISTANCE OF 491.25 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 40; THENCE NORTH 70°19'54" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 81.59 FEET; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1582.39 FEET, (A CHORD LENGTH OF 415.02 FEET) ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 416.23 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 18; THENCE NORTH 05°35'22" EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 263.20 FEET TO THE TRUE POINT OR PLACE OF BEGINNING FROM ZONING CLASSIFICATION C-3; HIGHWAY COMMERCIAL TO PUD; PLANNED UNIT DEVELOPMENT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 19th day of March 2018, upon an application to rezone certain properties located in the City of Shawnee, Oklahoma from zoning classification C-3; Highway Commercial to PUD; Planned Unit Development.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said properties to be rezoned to PUD; Planned Unit Development.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: A TRACT OF LAND LYING IN THE EAST HALF OF THE NORTHEAST QUARTER (E/2 NE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, STATE OF OKLAHOMA; THENCE NORTH 00°40'04" EAST ALONG THE EAST LINE OF SAID QUARTER SECTION A DISTANCE OF 864.10 FEET; THENCE SOUTH 89°56'01" WEST A DISTANCE OF 71.29 FEET; THENCE SOUTH 05°35'22" WEST A DISTANCE OF 9.40 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 18; THENCE SOUTH 88°30'36" WEST A DISTANCE OF 133.40 FEET; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1.60 FEET, (A CHORD BEARING NORTH 46°43'37" WEST, CHORD LENGTH OF 2.25 FEET) AN ARC

DISTANCE OF 2.50 FEET; THENCE NORTH 00°40'00" WEST A DISTANCE OF 117.40 FEET; THENCE SOUTH 89°52'00" WEST A DISTANCE OF 374.41 FEET; THENCE SOUTH 00°17'50" EAST A DISTANCE OF 491.25 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 40; THENCE NORTH 70°19'54" EAST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 81.59 FEET; THENCE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1582.39 FEET, (A CHORD LENGTH OF 415.02 FEET) ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 416.23 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 18; THENCE NORTH 05°35'22" EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 263.20 FEET TO THE TRUE POINT OR PLACE OF BEGINNING FROM ZONING CLASSIFICATION C-3; HIGHWAY COMMERCIAL TO PUD; PLANNED UNIT DEVELOPMENT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

PASSED AND APPROVED this _____ day of _____, 2018.

RICHARD FINLEY, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality this _____ day of _____, 2018.

JOSEPH VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners

9.

Meeting Date: 03/19/2018

S03-18 Prelim Plat 4900 N Harrison

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration of approval of a Preliminary Plat for Shawnee Retail Center located at 4900 North Harrison Avenue. Case No. S03-18, Applicant: TLP Associated, Inc. *(Deferred by the Planning Commission to the April 4, 2018 meeting.)*

Attachments

S03-18 Staff Rpt

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: TLP Associates, INC
FOR: Preliminary Plat for Shawnee Retail Center
LOCATION: 4900 N. Harrison Avenue, Shawnee, OK
PROJECT# 180041 CASE# S03-18

PLANNING COMMISSION MEETING DATE: March 7th, 2018
PLANNING COMMISSION RECOMMENDATION: Defer to April 4th, 2018 PC Meeting

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM			X			
MATTHEWS			X			
WALKER			X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)			X			
KIENZLE	X		X			
ROWELL		X	X			

RESPECTFULLY SUBMITTED,

Cheyenne Pettigrew

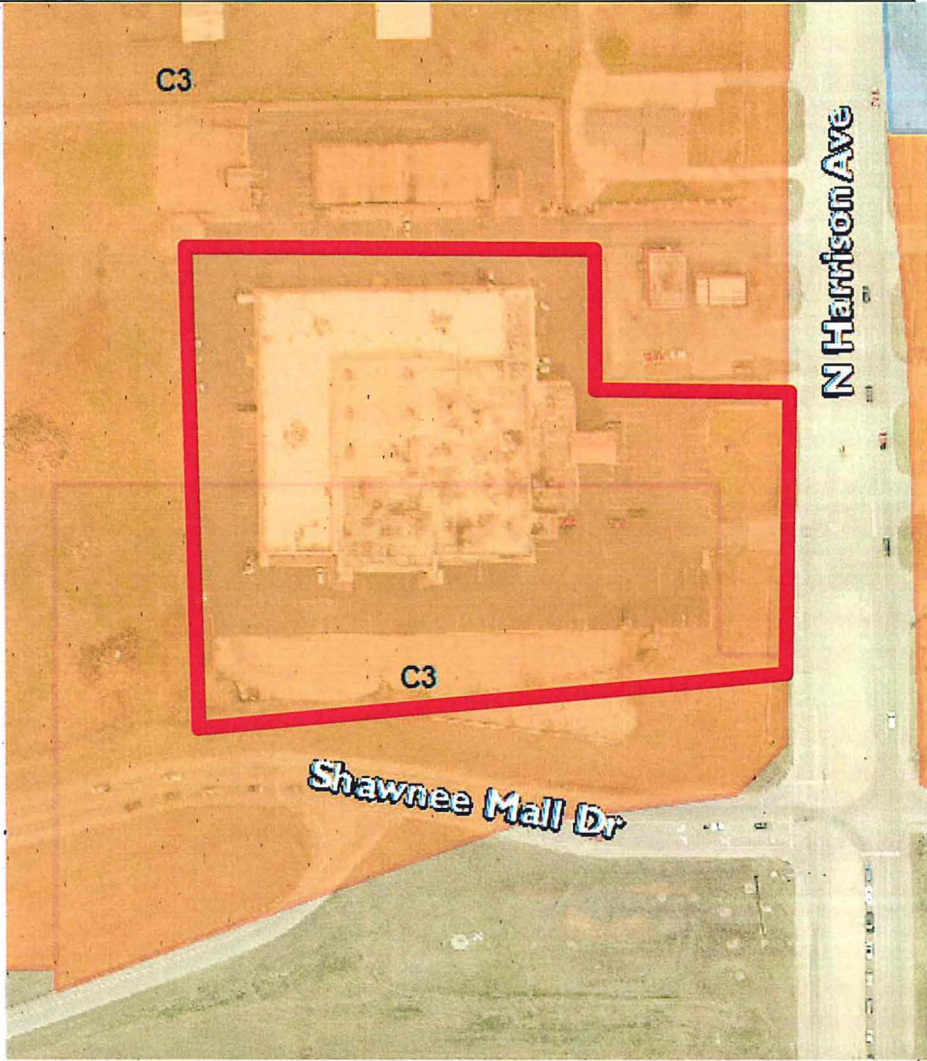
SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # P05-18 CASE # S03-18 PUBLIC HEARING DATE: March 7th, 2018 CITY COMMISSION DATE: March 19th, 2018	
APPLICANT: Terry L. Pollock TLP Associates, INC.	703 S. Ranchwood Blvd. Yukon, Ok. 73099	(405) 210-3169		
PROPERTY ADDRESS/LOCATION: 4900 N. Harrison St.				
SUMMARY OF REQUEST: The applicant, Mr. Nilesh Patel, owns approximately 4.5 Acres of property located at 4900 N. Harrison Street. Mr. Patel is requesting a rezone from C-3 (Highway Commercial) to a Planned Unit Development (PUD) to facilitate additional commercial development (Exhibit 1). As the Quality Inn Motel occupies the one existing lot, the intent is to create an additional lot, at approximately 2.33 Acres in size, to facilitate three additional commercial structures. The two proposed lots will maintain common access, per a reciprocal access easement recorded by the County. Though the underlying zoning for the subject PUD will remain C-3, the PUD provides a vehicle for negotiating modifications in standard development requirements in order to both encourage innovative development and protect the health, safety, and welfare of the community (Section 22-190.2(B)(6), COS Zoning Code).				
EXISTING ZONING: C3	EXISTING LAND USE: Hotel	SURROUNDING ZONING & LAND USE: C3 (Highway Commercial)	Number of Lots: 1	PROPERTY SIZE: 4.51 Acres

STAFF REVIEW AND ANALYSIS

As a number of corrections are necessary to comply with City Code, Staff recommends deferring to the April 4, 2018 Planning Commission Agenda.

APPROVE

APPROVE WITH CONDITIONS

DENY

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

**ATTACHMENTS:
(CIRCLE)**

**SUBMITTED
PLANS**

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

Attachments:

Exhibit 1: PUD Master Plan

Exhibit 2: Shawnee Retail Center Preliminary Plat

EXHIBIT

1

PLANNED UNIT DEVELOPMENT
DESIGN STATEMENT
FOR

SHAWNEE RETAIL CENTER
PUD-XXXX

DEVELOPER:

MR. NILESH PATEL
SHIV PROPERTIES, LLC
4900 N. HARRISON STREET
SHAWNEE, OK 71804-9105

PREPARED BY:

T L P

ASSOCIATES, INC.

CIVIL ENGINEERING LAND PLANNING

OK CERTIFICATE OF AUTHORIZATION 7901

703 S. RANCHWOOD BLVD. YUKON, OK 73099

☎ 405.210.3169

✉ terry@tlp-associates.com

DESIGN STATEMENT FOR THE PLANNED UNIT DEVELOPMENT OF

SHAWNEE RETAIL CENTER PUD-XXXX

1.0 INTRODUCTION

This Planned Unit Development for **SHAWNEE RETAIL CENTER** consists of 4.4694 acres more or less and is located in the East half of the Northeast Quarter (E/2 NE/4) of Section Thirty-One (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma. It is located on the North West corner of Harrison Street and West Bound Interstate Highway No. 40.

The property is presently zoned C-3 Highway Commercial District.

2.0 LEGAL DESCRIPTION

A tract of land lying in the East half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, being described as follows:

BEGINNING at the Southeast corner of said NE/4 of Section 31, T11N, R4E of the Indian Meridian, Pottawatomie County, State of Oklahoma;

Thence North 00°40'04" East, along the East line of said Quarter Section, a distance of 864.10 feet;

Thence South 05°35'22" West a distance of 9.40 feet to the true POINT OF BEGINNING, said point being on the West Right-of-Way of State Highway No. 18;

Thence South 88°30'36" West a distance of 133.40 feet;

Thence on a curve to the right having a radius of 1.60 feet, (a chord bearing North 46°43'37" West, chord length of 2.25 feet) an arc distance of 2.50 feet;

Thence North 00°40'00" West a distance of 117.40 feet;

Thence South 89°52'00" West a distance of 374.41 feet;

Thence South 00°17'50" East a distance of 491.25 feet to a point on the North Right-of-Way line of Interstate Highway No. 40;

Thence North 70°19'54" East along said North Right-of-Way line a distance of 81.59 feet;

Thence on a curve to the right having a radius of 1582.39 feet, (a chord length of 415.02 feet) along said North Right-of-Way line a distance of 416.23 feet, to a point on the West Right-of-Way line of State Highway No. 18;

Thence North 05°35'22" East said West Right-of-Way line a distance of 263.20 feet to the true POINT OF BEGINNING.

Said described tract of land contains an area of 194,689 square feet or 4.4694 acres, more or less.

3.0 **OWNER/DEVELOPER**

The owner/developer of Shawnee Retail Center is:

Mr. Nilesh Patel
Shiv Properties, LLC
4900 N. Harrison Street.
Shawnee, OK 74804-9105

4.0 **SITE AND SURROUNDING AREAS**

The Shawnee Retail Center will be constructed South East of existing Quality Inn Motel located at 4900 N. Harrison Street in Shawnee. The parcel reserved for the existing Quality Inn Motel will continue to be under its existing classification of C-3 Zoning. The terrain for Shawnee Retail Center is undeveloped and slopes approximately 2% to the Southeast.

- (a) The property on the West is undeveloped grass land, zoned C-3.
- (b) The property on the North is an existing Super 8 Motel, zoned C-3. The Super 8 Motel and Quality Inn Motel share an asphalt drive and cross access is by a Reciprocal Access Easement Recorded Rec. #2002-16409.
- (c) The property on the Northeast is an existing Sinclair Gas Station, zoned C-3.
- (d) The property on the East is State Highway 18 or Harrison Street. The properties on the East side of Harrison Street are commercial properties, all are zoned C-3.
- (e) The property on the South is I-40 service road named Shawnee Mall Drive. Shawnee Mall Road is a two-way paved road. South of this road is West bound I-40.

5.0 **CONCEPT**

The concept of the Shawnee Retail Center PUD is to allow the existing Quality Inn Motel to continue to provide quality accommodations for the public and to provide upscale retail shopping, personal service businesses, restaurants and other businesses to serve the residents of the City of Shawnee.

6.0 **SERVICE AVAILABILITY**

6.1 **STREETS**

The property has 663 feet of frontage along Harrison Street which will serve as the arterial road access to the site.

Access to the site shall be from two existing drives. The 30-foot-wide north drive will be a shared drive for the Quality Inn Motel and Shawnee Retail Center. The existing 28-foot-wide drive lies 130 south of the north drive and will provide access to the Shawnee Retail Center.

All drives within the PUD will be Private Drives. Private and public emergency vehicles will have access to all portions of the site and buildings.

6.2 UTILITIES

Water Service:

An existing 12" water line is located on the East side of Harrison Street. The existing Quality Inn Motel is served by a 3" line tapped from this existing 12" main line and runs West to the Quality Inn Motel and enters the Motel on the South side.

The developer will extend an appropriate water line to serve the needs of the existing Quality Inn Motel and all anticipated new buildings for the Shawnee Retail Center in accordance with City Codes and regulations.

Sanitary Sewer Service:

Sanitary sewer facilities are presently available to be extended to the Shawnee Retail Center. The existing sewer system is in the West Right-of-Way of Harrison Street, 202 feet north of the proposed Shawnee Retail Center.

The developer will extend a sanitary sewer line South to the Shawnee Retail Center in accordance with City Codes and regulations. All sanitary sewer within the Shawnee Retail Center will be private.

The existing sanitary sewer serving the Quality Inn Motel will continue will remain as is and no improvements are anticipated at the time of this PUD. If improvements are required by City Code, they will be provided at the of the construction of Shawnee Retail Center.

Natural Gas, Electricity, Telephone and Cable/Data:

The existing Quality Inn Motel has all these services and these underground utility lines serving the Quality Inn Motel are to remain on the platted lot for the Shawnee Retail Center. All required easements for these utilities shall be provided at time of construction.

All utilities shall be extended as required to serve the Shawnee Retail Center.

6.3 Fire Protection:

Fire protection is provided by the City of Shawnee. The nearest fire station is located at 306 E. MacArthur approximately 2.0 miles south of the site. The site is located within a 2.5-minute fire response time. Water distribution lines and a fire hydrant will be installed in conformance with requirements of the City of Shawnee.

6.0 SPECIAL DEVELOPMENT REGULATIONS FOR SHAWNEE RETAIL CENTER ONLY (BLK. 1, Lot 2)

The following Special Development Regulations and/or limitations are placed upon the development carried out under this Planned Unit Development. Certain zoning districts and regulations referred to in this text shall be those which appear in the Planning and Zoning Code for the City of Shawnee, adopted June 2, 2014, Ordinance #2545NS, as amended. For purposes of clarification and interpretation, the operative and controlling language and regulations of such zoning districts as contained in said code, as such exists on the day of enactment of the ordinance approving this Planned Unit Development by the City Council of the City of Shawnee shall govern this Planned Unit

Development. In cases of conflict between provisions of Article VII. – Zoning, Section 22 of the City of Shawnee Code and the provisions of this Planned Unit Development, the Planned Unit Development provisions shall supersede. The regulations are as follows:

7.1 Development and Use Regulations

7.1.1 Existing Quality Inn Motel

The development and use regulations of the C-3 Highway Commercial District shall govern for existing Quality Inn Motel (Block 1, Lot 1).

7.1.2 Shawnee Retail Center

The development and use regulations of the C-3 Highway Commercial District shall govern for Shawnee Retail Center (Block 1, Lot 2), except as herein modified:

- a. Minimum lot width shall be 30'.
- b. Minimum Street Frontage shall be 55'.
- c. Quality Inn Motel pole sign to remain on Block 1, Lot 2.
- d. Existing underground utilities and electrical equipment serving Quality Inn Motel shall remain on Block 1, Lot 2 with a perpetual easement for this service.

7.2 All buildings constructed in the Shawnee Retail Center (Block 1, Lot 2) shall meet C-3 zoning code as stated in Sec. 22-165.5 of the Shawnee Zoning Code, adopted June 2, 2014.

8.0 ACCESS

8.1 Limits of access to Harrison Street and Shawnee Mall Drive shall be as reflected on the Master Development Plan (Exhibit "A") and as stated herein to the following:

8.1.1 The existing drive located 620' north of the properties SE corner shall remain.

8.1.2 The existing drive located 290' north of the properties SE corner shall remain.

8.1.3 No other access to Harrison Street shall be allowed.

8.1.4 No access to Shawnee Mall Drive shall be allowed in this Planned Unit Development. The Developer reserves the right to revise this No Access to Shawnee Mall Drive if ODOT revises the Shawnee Mall Drive to a single West bound lane to access I-40 and drive way approval is granted by ODOT and the City Engineer of Shawnee.

8.1.5 All measurements stated herein shall be measured from SE corner of Block 1, Lot 1 to the Centerline of existing drives.

9.0 SCREENING AND LANDSCAPING

9.1 Within the Shawnee Retail Center site (Bk. 1, Lot 2) all commercial sized refuse containers shall be screened from public view. Screening shall be designed to match or complement the architectural style of the structures.

9.2 Within the Shawnee Retail Center site (Bk. 1, Lot 2), C-3 landscape codes shall apply except areas of landscape buffers along Harrison Street and Shawnee Mall Drive are less than 10' wide. This development sets back from Harrison Street an

average of 100'. This area is ODOT Right-of-Way and will continue to be maintained as grassed area. On the South side of the development there is approximately 200' of existing grassed ODOT easements and Right-of-Ways. This area will continue to be grassed.

10.0 LIGHTING

- 10.1 Outdoor lighting shall be restricted to the minimum approved by City of Shawnee Engineer at the time of each building permit application. Parking lots lights and building wall packs shall be used through out all phases of Shawnee Retail Center for public safety.

No lighting shall be directed to public Rights-of-Way or be constructed to create traffic hazards.

11.0 OTHER

- 11.1 All drainage improvements shall be in accordance to applicable sections of the City of Shawnee Drainage Code and Ordinances. All onsite drainage systems shall be private and maintained by the Developer.
- 11.2 The following building setback lines as depicted on the Master Development Plan (Exhibit "B") shall be maintained for Shawnee Retail Center.
- 11.2.1 A 100-foot building setback line shall be maintained along the East boundary at Harrison Street.
- 11.2.2 A 50-foot building setback line shall be maintained along the South boundary at Shawnee Mall Drive.

12.0 SIGNAGE

Signage shall be in accordance with the present ordinances of the City of Shawnee, for C-3 Highway Commercial District provided that the following provisions shall also apply to such signs:

- 12.1 The existing Quality Inn Motel pole sign located in the South-East corner shall remain on Blk. 1, Lot 2.
- 12.2 The existing Quality Inn Motel sign on Harrison Street shall be relocated to the North-East corner of Blk. 1, Lot 1 as shown on the Master Development Plan (Exhibit "A").
- 12.3 A new sign for Shawnee Retail Center shall be constructed per current City of Shawnee Codes in the North-East Corner of Blk. 1, Lot 1, as shown on the Master Development Plan (Exhibit "A").

13.0 GENERAL PROVISIONS

- 13.1 Development phasing shall be allowed for the Planned Unit Development of Shawnee Retail Center.
- 13.2 Maintenance of all streets, open spaces, landscaping and other features shall be the responsibility of the Developer.
- 13.3 The Shawnee Retail Center PUD shall be platted, (no changes to be made to the existing Quality Inn Motel). The Shawnee Retail Center buildings shall be architecturally designed and engineered and submitted to the City of Shawnee for complete review and for compliance with the provisions of the Planned Unit

Development prior to or in conjunction with the issuance of building permits.
Development improvements as required as a part of this PUD will be installed at the time of final platting.

14.0 **EXHIBITS**

The following exhibits are hereby made a part of this Planned Unit Development of Shawnee Retail Center. The exhibits are as follows:

Exhibit "A"	Legal Description
Exhibit "B"	Master Site Plan
Exhibit "C"	East side Master Site Plan
Exhibit "D"	West side Master Site Plan
Exhibit "E"	Topographic Survey

EXHIBIT "A"

LEGAL DESCRIPTION

A tract of land lying in the East half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the 4th Indian Meridian, East half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the 4th Indian Meridian, Pottawatomie County, Oklahoma, being described as follows:

BEGINNING at the Southeast corner of said NE/4 of Section 31, T11N, R4E of the Indian Meridian, Pottawatomie County, State of Oklahoma;

Thence North 00°40'04" East, along the East line of said Quarter Section, a distance of 864.10 feet;

Thence South 05°35'22" West a distance of 9.40 feet to the true POINT OF BEGINNING, said point being on the West Right-of-Way of State Highway No. 18;

Thence South 88°30'36" West a distance of 133.40 feet;

Thence on a curve to the right having a radius of 1.60 feet, (a chord bearing North 46°43'37" West, chord length of 2.25 feet) an arc distance of 2.50 feet;

Thence North 00°40'00" West a distance of 117.40 feet;

Thence South 89°52'00" West a distance of 374.41 feet;

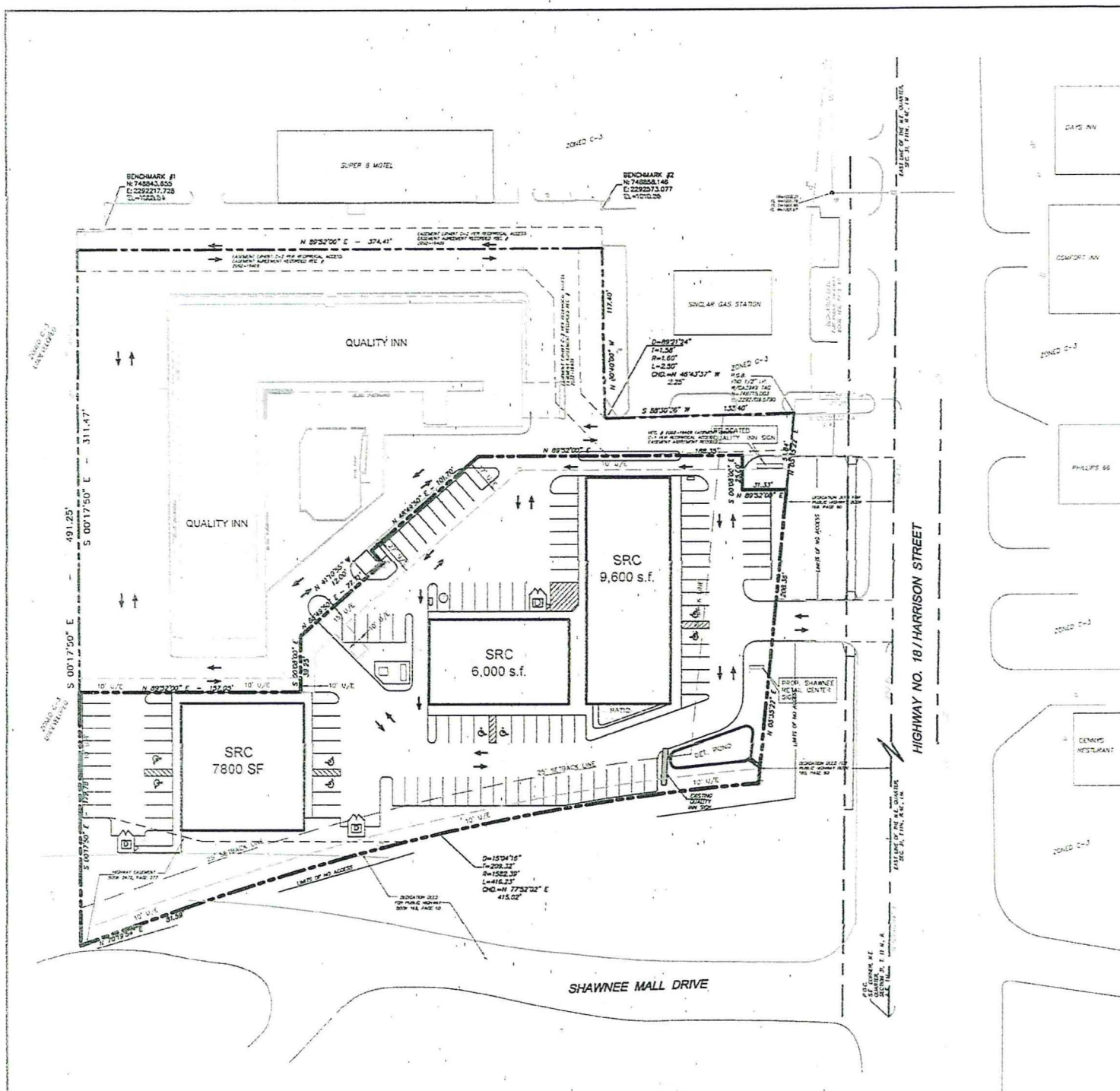
Thence South 00°17'50" East a distance of 491.25 feet to a point on the North Right-of-Way line of Interstate Highway No. 40;

Thence North 70°19'54" East along said North Right-of-Way line a distance of 81.59 feet;

Thence on a curve to the right having a radius of 1582.39 feet, (a chord length of 415.02 feet) along said North Right-of-Way line a distance of 416.23 feet, to a point on the West Right-of-Way line of State Highway No. 18;

Thence North 05°35'22" East said West Right-of-Way line a distance of 263.20 feet to the true POINT OF BEGINNING.

Said described tract of land contains an area of 194,689 square feet or 4.4694 acres, more or less.



MASTER SITE PLAN

SCALE: 1"=100'

PROPOSED LEGEND

- PAVEMENT
- LANDSCAPING
- CONC. SIDEWALK
- FENCE ENCLOSED DUMPSTER

SITE INFORMATION

1. TOTAL AREA= 4.4894 AC.
2. TOTAL AREA SHALL BE PLATTED W/ 2 LOTS.
3. LOT 1, B.L.K. 1 AREA= 2.1350 AC.
4. LOT 2, B.L.K. 1 AREA= 2.3344 AC.
5. TOTAL AREA SHALL BE PLATTED W/ 2 LOTS.
6. EXISTING ZONING IS C-3 HIGHWAY COMM. DISTRICT.

TLP
ASSOCIATES, INC.

CIVIL ENGINEERING
LAND DEVELOPMENT

703 S. Birchwood Blvd.
Riverside, CA 92506
C: 951-210-3169
E: terry@tla-associates.com
CA NO. 7901
CA Expires 9-30-2019

SHAWNEE RETAIL CENTER
4900 N. HARRISON STREET
SHAWNEE, OK

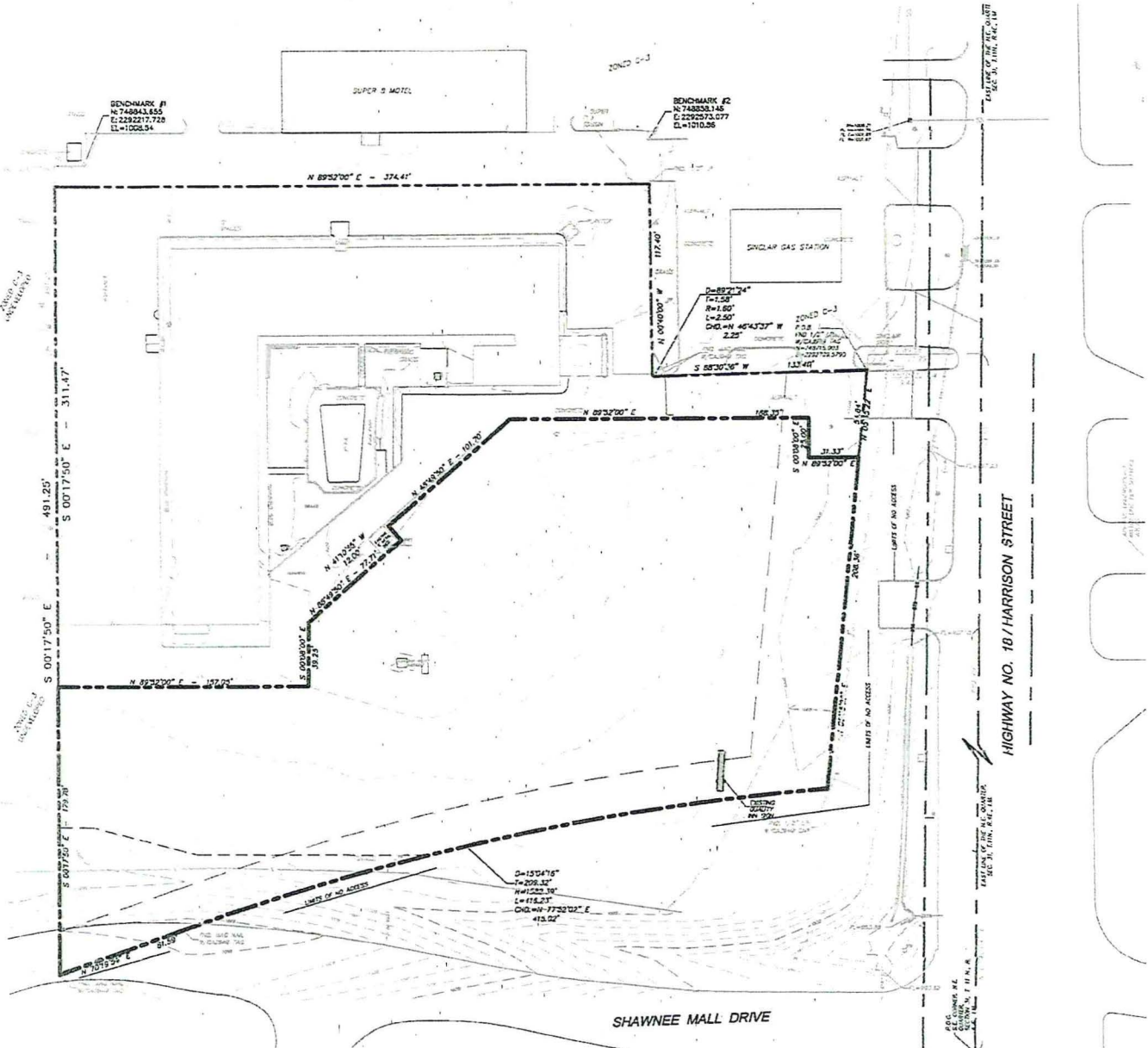
(Msp)

MASTER SITE
PLAN

PUD-XXXX

EXHIBIT "B"

01-10-18



PROPOSED LEGEND

- PAVEMENT
- LANDSCAPING
- CONC. SIDEWALK
- FENCE ENCLOSED DUMPSTER



TOPOGRAPHIC SURVEY

SCALE: 1"=100'

SHAWNEE RETAIL CENTER
4900 N. HARRISON STREET
SHAWNEE, OK

Ts TOPOGRAPHIC SURVEY
PUD-XXXX

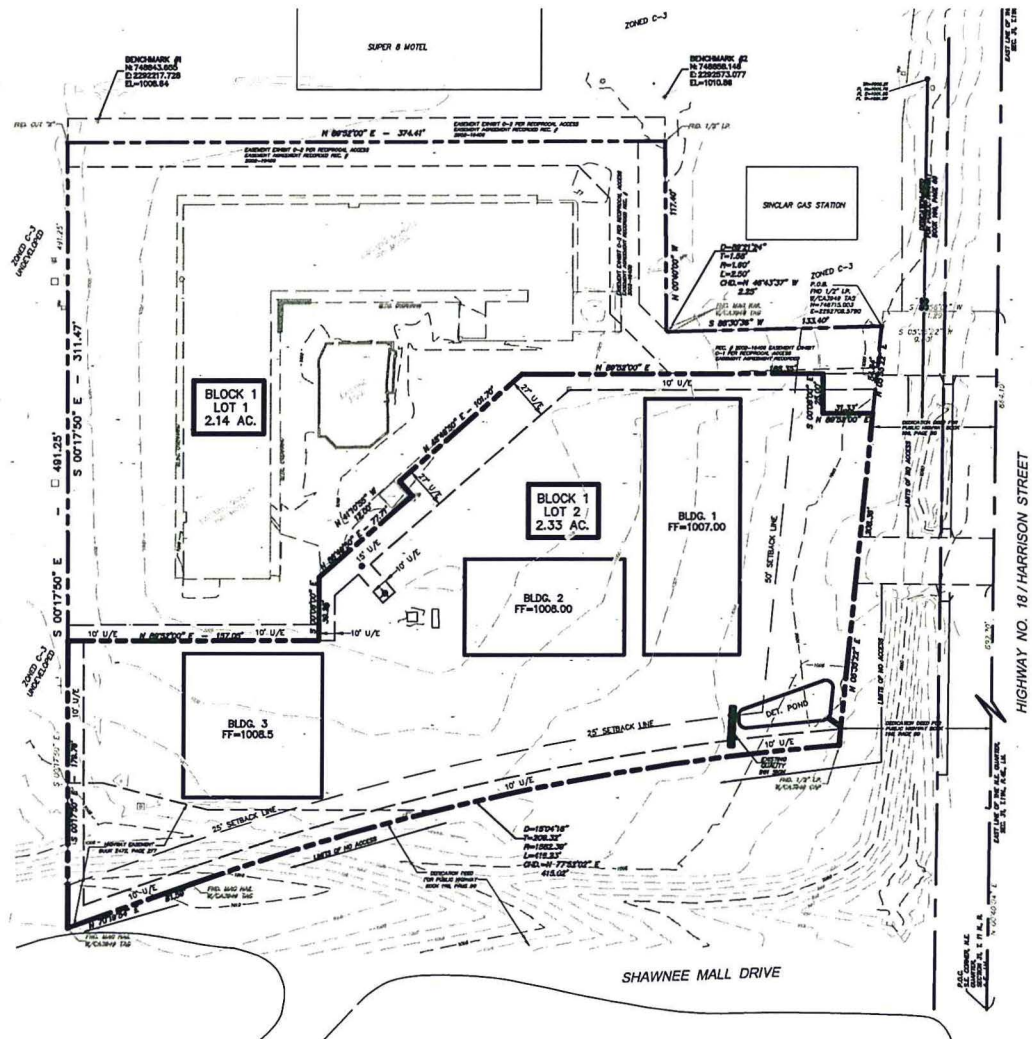
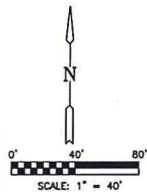
EXHIBIT "E"

TLP
ASSOCIATES, INC.
CIVIL ENGINEERING
LAND DEVELOPMENT
703 S. Tonguehead Blvd.
Tulsa, OK 74109
C 409.213.3119
E: terry@tlp-associates.com
CA NO. 7901
CA Expires 6-30-2019

EXHIBIT

2

PRELIMINARY PLAT FOR SHAWNEE RETAIL CENTER NE 1/4 SEC. 31, T11N, R4E, I.M. POTTAWATOMIE COUNTY, OKLAHOMA



LEGAL DESCRIPTION:

A tract of land lying in the East Half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, being described as follows:

BEGINNING at the Southeast corner of said NE/4 of Section 31, Township 11 North, Range 4 East of the Indian Meridian, Pottawatomie County, State of Oklahoma;

864.10 feet;

said point being on the West Right-of-Way line of State Highway No. 18;

THENCE on a curve to the right having a radius of 1.60 feet, (a chord bearing North

line of Interstate Highway No. 40,

THENCE on a curve to the right having a radius of 1502.39 feet, (a chord length of 415.02 feet) along said North Right-of-Way line a distance of 418.23 feet, to a point on the West Right-of-Way line of State Highway No. 18,

the true POINT OF BEGINNING.

Said described tract of land contains an area of 194.689 square feet or 4.4004 acres, more or less.



TLP
ASSOCIATES, INC.
CIVIL ENGINEERING
LAND DEVELOPMENT
703 S. Birchwood Blvd.
Tulsa, OK 74209
O. 405-310-3189
EM: 1-877-OK-ENGINEERS
CA REG. 7901
CA Expires 8-30-2018

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: POS-18
Project Number: 180040
Date Filed: January 10th 2018
Cheryle 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 C-3 District to PUD District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 4900 N HARRISON ST.

LEGAL DESCRIPTION: SEE ATTACHED

PROPERTY OWNER (S): MR. NILESH PATEL

PROPERTY AGENT (APPLICANT): TERRY L. POLLOCK TLP ASSOCIATES, INC.

APPLICANT'S ADDRESS: 703 S. RANCHWOOD BLVD.

CITY: YUKON STATE: OK ZIP: 73099

EMAIL ADDRESS: TERRY@TLP-ASSOCIATES.COM

TELEPHONE NUMBER: (405) 210-3169 CONTACT NUMBER: (405) 210-3169

DIMENSIONS OF PROPERTY: AREA: 4.47AC WIDTH: 479.82'
LENGTH: 491.25' FRONTAGE: 208.36'

CURRENT ZONING: C-3 CURRENT USE: COMMERCIAL

PROPOSED ZONING: PUD PROPOSED USE: COMMERCIAL

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

TLP Pollock
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 02124298

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.: _____

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P05-18

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 lying in the East Half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, being described as follows:

Beginning at the Southeast Corner of the Northeast Quarter (NE/4) of Section 31, Township 11 North, Range 4 East of the Indian Meridian, Pottawatomie County, State of Oklahoma; Thence North 00°40'04" East along the East line of said Quarter Section a distance of 864.10 feet; Thence South 89°56'01" West a distance of 71.29 feet; Thence South 05°35'22" West a distance of 9.40 feet to the true point of beginning, said point being on the West Right-of-Way line of State Highway No. 18; Thence South 88°30'36" West a distance of 133.40 feet; Thence on a curve to the right having a radius of 1.60 feet, (a chord bearing North 46°43'37" West, chord length of 2.25 feet) an arc distance of 2.50 feet;

Thence North 00°40'00" West a distance of 117.40 feet; Thence South 89°52'00" West a distance of 374.41 feet; Thence South 00°17'50" East a distance of 491.25 feet to a point on the North Right-of-Way line of Interstate Highway No. 40; Thence North 70°19'54" East along said North Right-of-Way line a distance of 81.59 feet; Thence on a curve to the right having a radius of 1582.39 feet, (a chord length of 415.02 feet) along said North Right-of-Way line a distance of 416.23 feet, to a point on the West Right-of-Way line of State Highway No. 18; Thence North 05°35'22" East along said West Right-of-Way line a distance of 263.20 feet to the true point or place of beginning.

General Location Known As:	<u>4900 N. Harrison Avenue, Shawnee, OK</u>
Current Zoning Classification:	<u>C-3; Highway Commercial</u>
Requested Zoning Classification:	<u>Planned Unit Development (PUD)</u>
Proposed Use of Property:	<u>Motel and Retail Development</u>
Applicant:	<u>TLP Associates, INC</u>

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

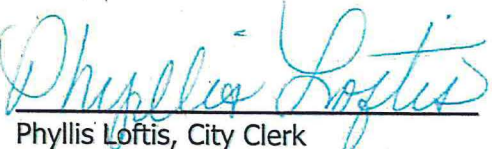
March 7th, 2018 AT 1:30 P.M.:
March 19th, 2018 AT 6:00 P.M.:

CITY OF SHAWNEE PLANNING COMMISSION
CITY OF SHAWNEE CITY COMMISSION

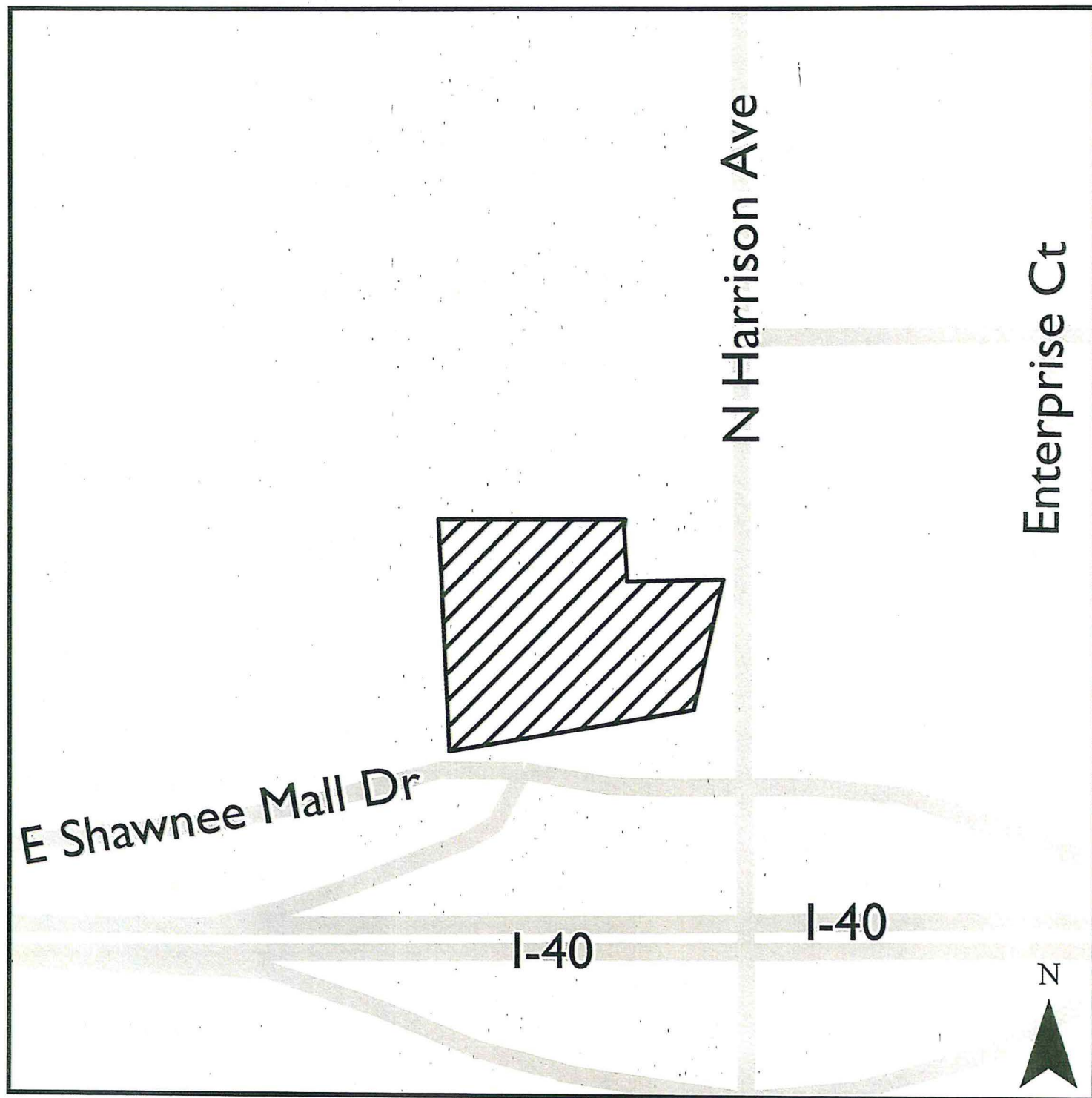
At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the Planned Unit Development. The Commission reserves the right to limit discussion and debate on the proposed Planned Unit Development in the public hearing, in which event those 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 12th day of February, 2018.




Phyllis Loftis, City Clerk

CASE # P05-18
REZONE FROM C-3 TO PUD
4900 N. HARRISON



CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA

)
) §:
)

COUNTY OF POTTAWATOMIE

The undersigned bonded abstractor in and for Pottawatomie County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

A tract of land lying in the East Half of the Northeast Quarter (E/2 NE/4) of Section Thirty-one (31), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, being described as follows:

Beginning at the Southeast Corner of the Northeast Quarter (NE/4) of Section 31, Township 11 North, Range 4 East of the Indian Meridian, Pottawatomie County, State of Oklahoma; Thence North 00°40'04" East along the East line of said Quarter Section a distance of 864.10 feet; Thence South 89°56'01" West a distance of 71.29 feet; Thence South 05°35'22" West a distance of 9.40 feet to the true point of beginning, said point being on the West Right-of-Way line of State Highway No. 18; Thence South 88°30'36" West a distance of 133.40 feet; Thence on a curve to the right having a radius of 1.60 feet, (a chord bearing North 46°43'37" West, chord length of 2.25 feet) an arc distance of 2.50 feet; Thence North 00°40'00" West a distance of 117.40 feet; Thence South 89°52'00" West a distance of 374.41 feet; Thence South 00°17'50" East a distance of 491.25 feet to a point on the North Right-of-Way line of Interstate Highway No. 40; Thence North 70°19'54" East along said North Right-of-Way line a distance of 81.59 feet; Thence on a curve to the right having a radius of 1582.39 feet, (a chord length of 415.02 feet) along said North Right-of-Way line a distance of 416.23 feet, to a point on the West Right-of-Way line of State Highway No. 18; Thence North 05°35'22" East along said West Right-of-Way line a distance of 263.20 feet to the true point or place of beginning.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (3), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: January 12, 2018 at 7:30 AM

First American Title & Trust Company

By: 

Michelle Cook
Abstractor License No. 3286
OAB Certificate of Authority # 017
File No. 2297051-SH99

OWNERSHIP LIST

ORDER NO. 2297051

DATE PREPARED: January 22, 2018

EFFECTIVE DATE: January 12, 2018 at 7:30 am

OWNER	LOT	BLK	ADDITION
SHIV PROPERTIES LLC C/O AJAY PATEL 18235 N 27TH AVE PHOENIX AZ 85053-0000			BEG SE/C NE N864.10' W71.29' S5*9.40' POB SW88*133.40' ON A CURVE TO R A RADIUS 1.60' A DIST OF 2.50' N117.40' W374.41' S491.25' N70*E81.59' TH ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1582.39' ALG N R/W LINE A DIS OF 416.23' TH N05*E263.20' POB AMERICA'S BEST VALUE INN 4.47 Acres
SPARKMAN O L L P GAS INC P O BOX 218 SHAWNEE OK 74802-0000			10-SU BEG SE/C NE N00*40'04" E ALG E LINE 864.4' W59.70' TRUE POB BEING W R/W STATE HWY 18 W11.59' SW9.40' SW 133.40' TH ON A CURVE TO RIGHT A RADIUS OF 1.60' A DIS OF 2.50' N 147.40' N45*E 14.38' E 141.51' TO A POINT OF W R/W HWY TH S5*W ALG HWY R/W 28.08' TH S 117' POB
MAPLE DEVELOPMENT LLC 12204 N I-35 SERVICE ROAD OKC OK 73113-0000			BEGINNING SE/C NE/4 N1110.13' W586.57' POB S532.92' TO A POING ON THE NORTH RIGHT-OF-WAY LINE OF I-40 W68.43' S38.74' S74*36'43"W230.17' S66*47'47"W98.58' S76*3'45"W98.02' S88*23'32"W105.03' TO A POINT ON THE EAST RIGHT- OF-WAY LINE OF RAILROAD N2*44'20"W691.14' E605.24' POB 8.46 Acres

JOHNSON JEROME L & SHIRLEY JUN 2009 REVOCABLE TRUST 1311 N 1082 RD LAWRENCE KS 66046-0000			BEG 48'W & 1285.62'S NE/C E/2 NE W1176.82' TO THE E R/W LINE OF AT&SF RR S ALG RR 303.70' E1143.52' N4°E240.34' N63.37' POB POB LESS .16 TO STATE & LESS .39 ACRES (WD 2017-2345) 6.89 Acres
SAI OM SAI LLC 5104 N HARRISON SHAWNEE OK 74804-0000			A TR IN E/2 NE DES AS BEG SE/C NE TH N 864.10' W71.29' S5°W9.40' S88°W 133.40' TH ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1.60' (A CHORD BEARING N46°W CHORD A LENGTH OF 2.25') AN ARC DIS OF 2.5' TH N 117.40'POB TH W 374.41' N139.50' E351.50' S106.20' E22.29' S 33.30'POB SUPER 8 MOTEL 1.14 Acres
STATE OF OKLA 200 NE 21ST OKLA CITY OK 73105-0000			I-40 FRONTAGE ROAD
LAXMI INN INC % DAYS INN 5107 N HARRISON SHAWNEE OK 74804-0000			10SU PT N1/2 S1/2 NW, BEG SW/C N1/2 S1/2 NW E128.05' & N200'POB E300' N200' W315.58' SE125.61' S75.45'POB DAYS INN 1.40 Acres (32-11N-4E)
HICKEY FAMILY LIMITED PARTNER C/O DONNA WILSON 19101 SADDLE RIVER EDMOND OK 73012-0000			10-SU BEG 128.05'E SW/C N1/2 S1/2 NW E300' N200' W300' S200' POB. 1.37 Acres (32-11N-4E)
LAFREEDA FAMILY PARTNERSHIP 5839 SEBASTIAN PLACE STE 102 SAN ANTONIO TX 78249-0000			S2 S2 NW BEG N675.06'& E128.05' SW/C S111.97'SE CURVE TO RIGHT 452.83' N204.13' W440.95' POB DENNY'S RESTAURANT 1.60 Acres (32-11N-4E)
LAFREEDA FAMILY PARTNERSHIP 5839 SEBASTIAN PLACE STE 102 SAN ANTONIO TX 78249-0000			A TR BEG SW/C S 1/2 S 1/2 NW N ALG W LINE 675.06' TO NW/C E569' TO POB, E122' S250.67' NW130.79' N204.13' POB PARKING LOT BEHIND DENNY'S

STATE OF OKLA 200 NE 21ST OKLA CITY OK 73105-0000			BEG SW/C N1/2 NW N ALONG W LINE 208' E96.64' S207.99' TO A PT ON S LINE THENCE W ALONG S LINE 99.30' POB (32-11N-4E)
PRESTIGE HOTELS LLC 3030 S I-35 SERVICE RD OKC OK 73129-0000			BEGINNING NW/C NW/4 S 1127.11' POB E627.97' S208' W627.91' N208' POB LESS A TRACT BEGINNING NW/C NW/4 S1141.67' POB E96.63' S207.99' W99.3' N208' POB 2.86 Acres
ROMBERG EDWIN WESLEY & CAROLYN P O BOX 321 SHAWNEE OK 74802-0321			BEGINNING SW/C NW/4 N147.95' E1767.66' N150' POBN60' E40' S60' W40' POB(BILLBOARD SITE 12) AND BEGINNING SW/C NW/4 N147.95' E2292.58' N150' POBN60' E40' S60' W40' POB(BILLBOARD SITE 13)
STATE OF OKLA 200 NE 21ST OKLA CITY OK 73105-0000			BEG SW/C NW N675.06' E128.05' S111.97' SELY>R=1550.39' 453.83' S69°E 271.48' ETC BOOK164 PG102 21.43 Acres

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: 503-18
Project Number: 180041
Date Filed: January 10th, 2018
Amount Paid: \$231.00
Receipt No.: 02124304

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 TLP ASSOCIATE, INC. FOR MR. NILESH PATEL
APPLICANT ADDRESS 703 S. RANCHWOOD BLVD., YUKON, OK 73099
APPLICANT PHONE NUMBERS 405-210-3169
EMAIL ADDRESS TERRY@TLP-ASSOCIATES.COM
NAME OF PLAT SHAWNEE RETAIL CENTER
LOCATION 4900 N. HARRISON ST., SHAWNEE, OK
NUMBER OF ACRES 4.47 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 2 225
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 MR. NILESH PATEL OF SHN PROPERTIES, LLC
ADDRESS 4900 N. HARRISON ST., SHAWNEE OK 74804
CONTACT NUMBERS 858-442-2495
EMAIL ADDRESS NPATEL4461@GMAIL.COM

PROJECT ENGINEER INFORMATION:

NAME DARIN TEEMAN PE 25180 CA-7901
ADDRESS 703 S. RANCHWOOD BLVD, YUKON, OK 73099
CONTACT NUMBERS 405-210-3169
EMAIL ADDRESS DTEEMAN@TLP-ASSOCIATES.COM

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

Regular Board of Commissioners

10.

Meeting Date: 03/19/2018

P06-18 3900 N Union

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Public hearing and consideration of an ordinance to rezone property located at 3900 North Union Avenue from A-1; Rural Agricultural District to R-3; Multi-Family Residential District. Case No. P06-18, Applicant: Nelmon Brauning.

Attachments

P06-18 Staff Rpt

P06-18 Ord

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE
CITY OF SHAWNEE
PLANNING COMMISSION

RECOMMENDATION FROM:

SUBJECT:

APPLICANT: Nelmon Brauning

FOR: Rezone

LOCATION: 3900 N. Union Avenue, Shawnee, OK

PROJECT#: 180114 Case# P06-18

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION:

A-1; Rural Agricultural District

REQUESTED CLASSIFICATION:

R-3; Multi-Family Residential District

PROPOSED PROPERTY USE:

Retirement Community

PLANNING COMMISSION MEETING DATE: March 7th, 2018

PLANNING COMMISSION RECOMMENDATION: Approve

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM		X	X			
MATTHEWS			X			
WALKER			X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)			X			
KIENZLE	X		X			
ROWELL			X			

RESPECTFULLY SUBMITTED,

Cheyenne Pettigrew

SECRETARY, PLANNING COMMISSION

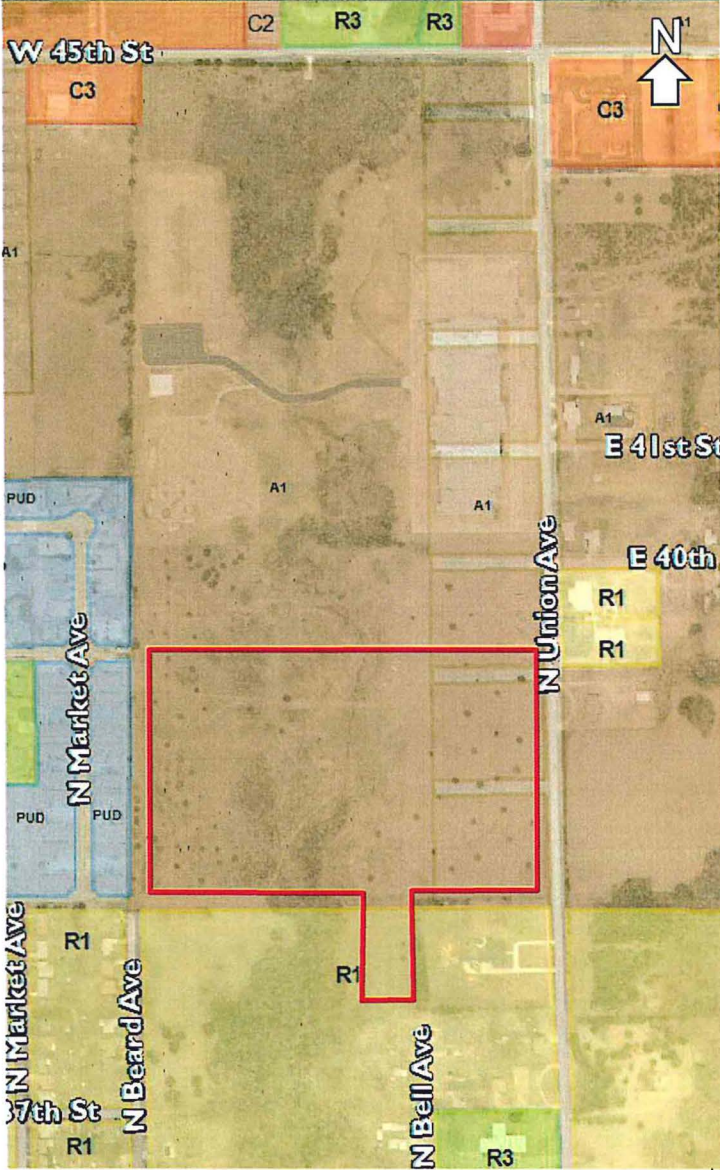
ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org		CASE # P06-18 PUBLIC HEARING DATE: March 7th, 2018 CITY COMMISSION DATE: March 19th, 2018			
<table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">APPLICANT: Nelmon Brauning</td> <td style="width: 33%; text-align: center;">35963 EW 99A Seminole, OK 74868</td> <td style="width: 33%; text-align: right;">(405) 370-0394</td> </tr> </table>			APPLICANT: Nelmon Brauning	35963 EW 99A Seminole, OK 74868	(405) 370-0394
APPLICANT: Nelmon Brauning	35963 EW 99A Seminole, OK 74868	(405) 370-0394			
PROPERTY ADDRESS/LOCATION: 3900 N. Union, Shawnee OK, 74801					
The applicant, Nelmon Brauning, is requesting the rezone of property from A1 (Rural Agricultural District) to R3 (Multi-family Residential District) on 20.14 Acres, located at 3900 North Union Street. The site is generally located south of the Shawnee Middle School, west of Union Ave., and the intent is to develop a multi-unit retirement community (Exhibit 1). Housing will be accomplished in four to six unit, one-story structures, while amenities such as a clubhouse with workout facilities, safe room, and meeting room will be included. The development will be required to conform to Section 22-160.7 of the Zoning Code, "Multifamily Development Standards," which assures safe and cohesive design for high density residential development. A brief summary of such requirements include: - Parking lots shall be located to the side or behind buildings and shall not dominate the front yard area; - Pedestrian access routes shall be provided from the public or private streets to all primary building entrances; - Lighting shall be directed downward, inward and away from public rights-of-way and adjoining uses. All lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source; and - Developments with multiple buildings shall use appropriate architectural variations and use of colors to differentiate buildings within the development.					
EXISTING ZONING: A1	EXISTING LAND USE:	SURROUNDING ZONING & LAND USE:	School District: I-93	PROPERTY SIZE: 20.14 Acres	

	Residential	A-1 (Agricultural) R-1 (Single Family Residential) PUD	Shawnee	
STAFF REVIEW				
According to the City's Comprehensive Plan, this area is designated for future residential use, "which may include multifamily residential activity and neighborhood commercial" (Page 4-26, COS Comprehensive Plan). Zoning in the general vicinity includes A1, R1 (Single Family Residential), and C3 (Highway Commercial). With the Shawnee Middle School to the north, a childcare center to the east, and general residential surrounding uses, Staff finds no conflict with the proposed zoning. Major residential benefits of this site include recently constructed sidewalks spanning from MacArthur Street to the Shawnee Middle School, and the newly constructed amenities provided by the school (tennis courts, walking trail, etc.). Based on the general lack of accessibility to the public sewer line, Union Street north of MacArthur has remained underdeveloped. If approved, the developer will be required to extend the public sewer line to their site, opening up more land for future development. Based on the City's improved standards for multifamily development and the applicant's willingness to provide a quality product, Staff recommends approval of a rezone from A1 to R3 for this location.				
APPROVE		APPROVE WITH CONDITIONS		DENY
Exhibit 1: Applicant Letter of Explanation Exhibit 2: Similar Design Sample (not the official site layout)				
SUBMITTED PLANS		PUBLIC HEARING PETITION/ APPLICATION FORM		LEGAL NOTICE
PUBLIC COMMENTS		AGENCY COMMENTS		LEGAL DESCRIPTION
				RESPONSE TO STANDARDS



EXHIBIT
1

February 12, 2018

Re: 3900 N. Union

To Whom It May Concern:

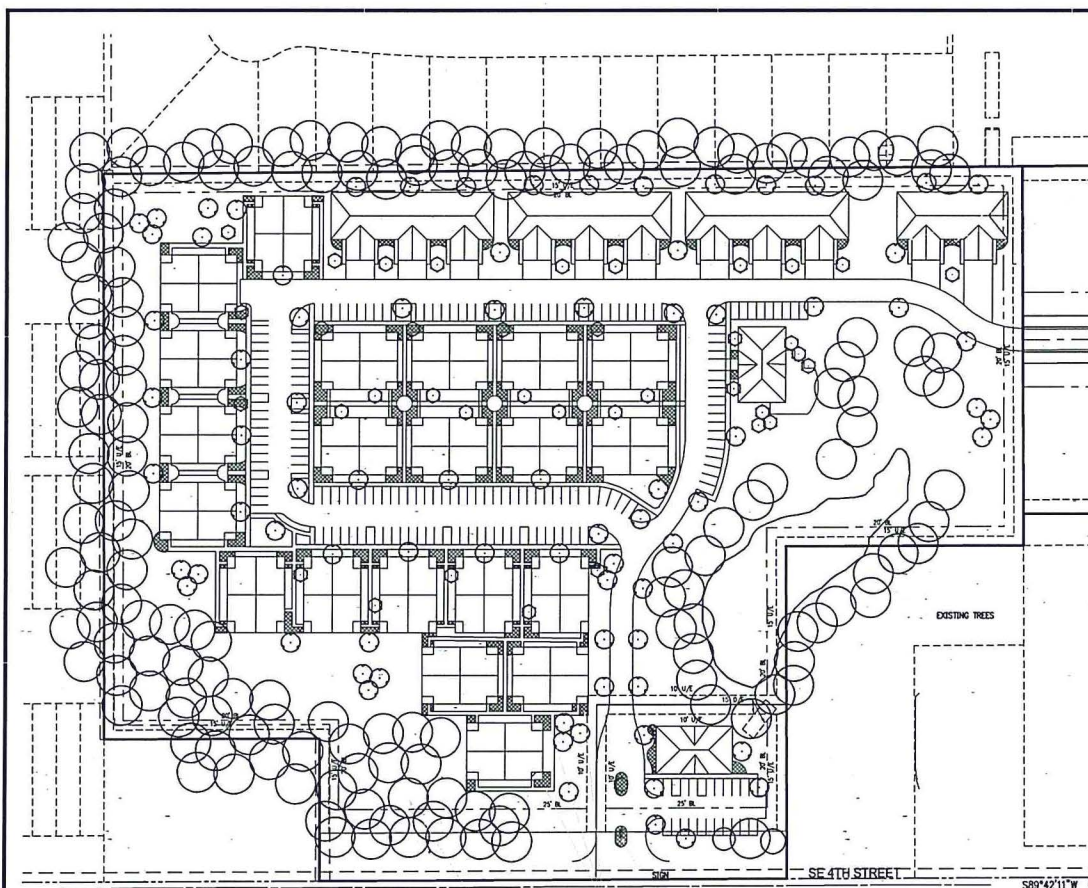
We are very excited about the opportunity to pursue a development in Shawnee. I wanted to provide information with regards to our proposed usage of the property coming before zoning and city council. We are seeking rezoning in order to conform to city requirements to develop a 55yr+ retirement community. The concept being designed is one that will be single story, leasable units in a gated neighborhood. We currently are in construction on one of these communities in Moore, OK. I have attached the design for it as reference. We are currently designing a similar development for this land. The units will consist of one and two bedroom units. Buildings will consist of four to six units. There will be a clubhouse with theater room, safe room, meeting room, and workout facility.

Should there be any questions, please contact our office at (405)794-MEEK or 405-642-1130.

Thank You,

A handwritten signature in black ink, appearing to be "T Meek", written over a faint, large, light blue watermark of the MEEK DEVELOPMENT logo.

Tony Meek
President
Meek Development

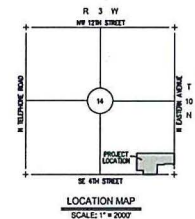


EXISTING TREES

SHRUB BED, TYPICAL



EXHIBIT
2



PLANTING NOTES:

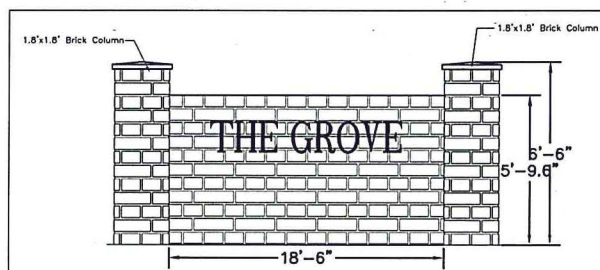
- 1.) THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL SITE UTILITIES, COORDINATING UTILITY CONSTRUCTION WITH OWNER, AND PROTECTING UTILITIES DURING CONSTRUCTION.
- 2.) CONTRACTOR IS RESPONSIBLE FOR ALL PLANTS SHOWN ON PLANTING PLANS AND COVERAGE OF ALL AREAS DELINEATED. WHEN ANY DISCREPANCIES OCCUR BETWEEN PLANT LIST AND PLANTING PLAN, THE PLANTING PLAN IS TO SUPERCEDE. NOTIFY ARCHITECT OR DESIGNATED REPRESENTATIVE OF ANY LAYOUT DISCREPANCIES PRIOR TO ANY PLANTING.
- 3.) ALL PLANTING BED LOCATIONS AND SHAPES, AND THE LOCATIONS OF ALL TREES, MUST BE APPROVED BY THE A REPRESENTATIVE OF THE OWNER BEFORE PLANTING OF ANY PLANT MATERIAL. STAKE TREE LOCATION AND MARK BED LOCATIONS WITH STAKES OR PAINT, THEN NOTIFY THE GENERAL CONTRACTOR TO ARRANGE FOR INSPECTION.
- 4.) NO SUBSTITUTIONS SHALL BE ALLOWED WITHOUT APPROVAL OF THE LANDSCAPE ARCHITECT OR ARCHITECT.
- 5.) ALL UNEVEN AREAS CAUSED BY PLANTING SHALL BE GRADED SMOOTH. ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR AT NO COST TO THE OWNER.
- 6.) ALL PLANT MATERIALS SHALL BE PLANTED IN ACCORDANCE WITH DETAILS.
- 7.) NO PLANT MATERIAL SHALL BE PLANTED IN FROZEN GROUND.
- 8.) ALL DISTURBED AREAS TO BE PLANTED WITH 1-3' BERMUDA SOO.

EXISTING TREES

SE 4TH STREET

PLANT PALETTE

	BOTANICAL NAME	COMMON NAME	SIZE
SHADE TREES			
	ACER SACCHARUM 'AUTUMN SPECTOR'	CADDO SUGAR MAPLE	2-1/2"-3" CAL. 8'-10' HT.
	PISTACIA CHINENSIS	CHINESE PISTACHE	2-1/2"-3" CAL. 10'-12' HT.
	QUERCUS SHUMARDII	SHUMARD RED OAK	2-1/2"-3" CAL. 10'-12' HT.
	ULMUS PARVIFOLIA	LACEBARK ELM	2-1/2"-3" CAL. 10'-12' HT.
ORNAMENTAL TREES			
	CERIS CANADENSIS 'OKLAHOMA'	OKLAHOMA REDBUD	2" CAL. 6'-8' HT.
	CUPRESSUS ARIZONICA 'SILVER SMOKE'	ARIZONA CYPRESS	2" CAL. 6'-8' HT.
	ILEX VOMITORIA	YALPON HOLLY	15 GAL., 5'-6" MULTI-TRUNK
	LAGERSTROEMIA INDICA 'RED ROCKET'	RED ROCKET CRAPE MYRTLE	15 GAL., 5'-6" MULTI-TRUNK
SHRUBS/GROUNDCOVER			
	HEMEROCALLIS X 'STELLA DE ORO'	STELLA DE ORO DAYLILY	1 GAL.
	ILEX CORNUTA 'SOFT TOUCH'	SOFT TOUCH HOLLY	3 GAL.
	LAGERSTROEMIA INDICA 'BATON ROUGE'	MINI CRAPE MYRTLE 'BATON ROUGE'	3 GAL.
	LIRIOPE MUSCARI 'BIG BLUE'	BIG BLUE LILYTURF	1 GAL.
	NANDINA DOMESTICA 'FIRE POWER'	FIREPOWER NANDINA	3 GAL.
	PENNETUM ALOPECUROIDES 'HAMELY'	HAMELY DWARF FOUNTAIN GRASS	3 GAL.



300 Prairie Parkway Boulevard
Tulsa, Oklahoma 74107
Crafton Tull
architectural engineering llc
405.787.4271 405.787.4274
www.craftontull.com

THE GROVE
MOORE, OKLAHOMA

This document and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton Tull & Associates, Inc. and shall not be used in whole or in part for any other project without the written authorization of Crafton Tull & Associates, Inc.

PROJECT NO. 2008-0001
SHEET NO. 001/010
DATE: 11/11/10
CONTRACT: Public Housing
CCT-001-10

11/11/10
11/11/10

© 2010 Crafton Tull & Associates, Inc.
LANDSCAPE

C-001

PLANNING COMMISSION APPLICATION



City of Shawnee Planning Department

222 N. Broadway
Shawnee, OK 74801
(405) 878-1616 Fax (405) 878-1587
www.shawneeok.com

For Office Use Only

Case Number: P016-18
Project Number: 180114
Date Filed: 1-29-18
Chapine Pettigrew
Planning Commission Secretary

REQUEST:

☒ Rezoning ☐ Rezoning w/Conditional Use Permit
☐ 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 Ag District to R3 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 3900 N Union St, Shawnee

LEGAL DESCRIPTION: Tracts 4, 5, 6, 7 in SE/4 NW/4 Sec 6 - T10N - R4E - 20.14 Ac +/-

PROPERTY OWNER (S): Community Resources Real Estate - Rhonda Goodwin VP.

PROPERTY AGENT (APPLICANT): Nelmon Brauning

APPLICANT'S ADDRESS: 35963 Hwy 99A

CITY: Seminole STATE: OK ZIP: 74868

EMAIL ADDRESS: nbrauning@hotmail.com

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

DIMENSIONS OF PROPERTY: AREA: 20.14 Ac +/- WIDTH: 922'
LENGTH: 659' FRONTAGE: 618'

CURRENT ZONING: Ag CURRENT USE: vacant land

PROPOSED ZONING: R3 PROPOSED USE: Retirement Community with Club House

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

Nelmon Brauning
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. 02130579

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.: _____

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P06-18

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed Rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land located in the West Half (W/2) of Section Six (6), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as follows: BEGINNING at the Northeast Corner (NE/c) of the Northwest Quarter (NW4/), of said Section 6; THENCE S00°33'52" E a distance of 2194.96 feet to the point of beginning; THENCE S00°33'52" E a distance of 451.90 feet; THENCE S89°52'11" W a distance of 456.68 feet; THENCE S01°10'43" E a distance of 304.90 feet; THENCE N89°48'28" W a distance of 203.00 feet; THENCE N03°50'37" W a distance of 304.50 feet; THENCE S89°58'21" W a distance of 645.98 feet; THENCE N00°14'236" E a distance of 452.96 feet; THENCE N89°58'26" E a distance of 1313.45 feet to the POINT OF BEGINNING.

AND

A tract of land located in the West Half (W/2) of Section Six (6), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as follows: BEGINNING at a point 1528.95 feet; S00°33'52" E of the Northeast Corner (NE/c) of the Northwest Quarter (NW4) of said Section 6; THENCE S00°33'52" E a distance of 666.01 feet; THENCE S89°58'26" W a distance of 1313.45 feet; THENCE N00°14'26" E a distance of 665.97 feet; THENCE N89°58'26" E a distance of 1304.09 feet to the POINT OF BEGINNING.

General Location Known As:	<u>3900 N. Union Avenue , Shawnee, OK</u>
Current Zoning Classification:	<u>A-1; Rural Agricultural District</u>
Requested Zoning Classification:	<u>R-3; Multi-Family Residential District</u>
Proposed Use of Property:	<u>Retirement Community</u>
Applicant:	<u>Nelmon Brauning</u>

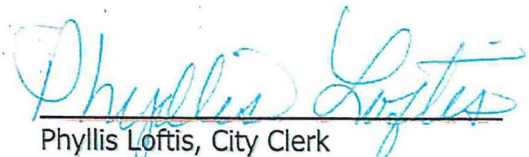
The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.

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

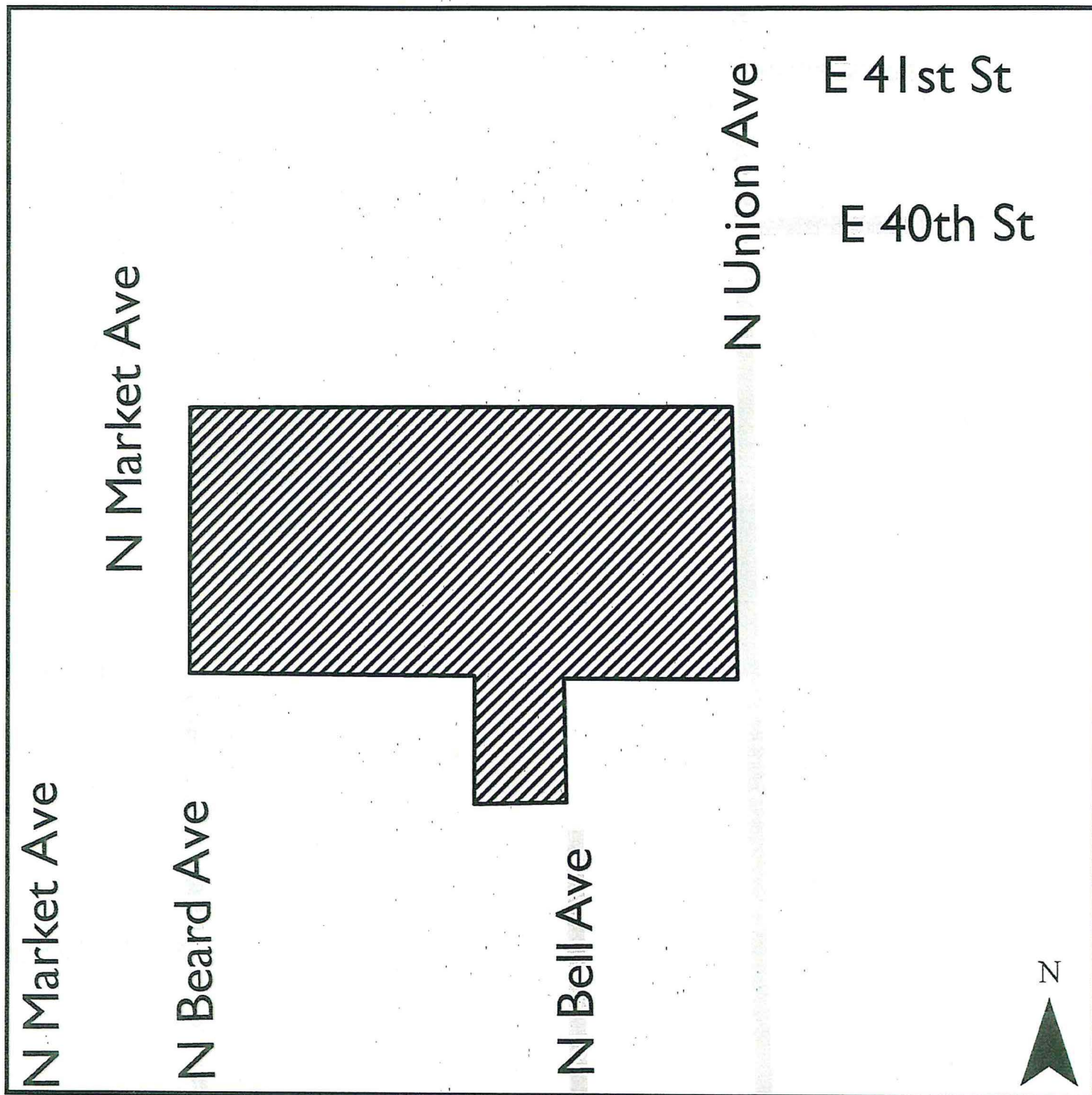
March 7 th , 2018	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
March 19 th , 2018	AT 6:00 P.M.:	CITY OF SHAWNEE CITY COMMISSION

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone 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 12th day of February, 2018.


Phyllis Loftis, City Clerk

CASE # P06-18
REZONE FROM A-1 TO R-3
3900 N. UNION



CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA

)

) S:

COUNTY OF POTTAWATOMIE

)

The undersigned bonded abstractor in and for Pottawatomie County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

A tract of land located in the West Half (W/2) of Section Six (6), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as follows: BEGINNING at the Northeast Corner (NE/c) of the Northwest Quarter (NW4/), of said Section 6; THENCE S00°33'52" E a distance of 2194.96 feet to the point of beginning; THENCE S00°33'52" E a distance of 451.90 feet; THENCE S89°52'11" W a distance of 456.68 feet; THENCE S01°10'43" E a distance of 304.90 feet; THENCE N89°48'28" W a distance of 203.00 feet; THENCE N03°50'37" W a distance of 304.50 feet; THENCE S89°58'21" W a distance of 645.98 feet; THENCE N00°14'236" E a distance of 452.96 feet; THENCE N89°58'26" E a distance of 1313.45 feet to the POINT OF BEGINNING.

AND

A tract of land located in the West Half (W/2) of Section Six (6), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as follows: BEGINNING at a point 1528.95 feet; S00°33'52" E of the Northeast Corner (NE/c) of the Northwest Quarter (NW4) of said Section 6; THENCE S00°33'52" E a distance of 666.01 feet; THENCE S89°58'26" W a distance of 1313.45 feet; THENCE N00°14'26" E a distance of 665.97 feet; THENCE N89°58'26" E a distance of 1304.09 feet to the POINT OF BEGINNING.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (5), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: January 3, 2018 at 7:30 AM

First American Title & Trust Company

By:



Michelle Cook

Abstractor License No. 3286
OAB Certificate of Authority # 017
File No. 2296363-SH99

OWNERSHIP LIST

ORDER NO. 2296363

DATE PREPARED: January 10, 2018

EFFECTIVE DATE: January 3, 2018 at 7:30 am

OWNER	LOT	BLK	ADDITION
COMMUNITY RESOURCES REAL ESTATE INC 1000 N BROADWAY OKC OK 73102-0000			BEG 2194.96'S NE/C NW/4S451.9 S89*52'11"W456.68' S1*10'43"E304.9' N89*48'28"W203' N3*50'37"W304.5' S89*58'21"W645.98' N452.96' N89*58'26"E1313.45' POB 15.14 Acres
COMMUNITY RESOURCES REAL ESTATE INC 1000 N BROADWAY OKC OK 73102-0000			BEG 1528.95'S NE/C NW/4 S666.01' S89*58'26"W1313.45' N665.97' N89*58'26"E1304.09' POB LESS A TRACT BEG 1528.95'S NE/C NW/4 S0*33'52"E499.91' S89*58'26"W1311.12' N0*14'26"E499.88' N89*58'26"E1304.09' POB 5.00 Acres
SCHOOL LAND INDEP SCHOOL DIST #93 326 N UNION SHAWNEE OK -0	1	1	SHAWNEE MIDDLE SCHOOL
GOODSON JOSHUA A & KATIE D P O BOX 805 TECUMSEH OK 74873-0000	17-18	42	ARMOURDALE
GOODSON JOSHUA A & KATIE D P O BOX 805 TECUMSEH OK 74873-0000	19-32	42	ARMOURDALE
CASE BOB 202 E 40TH SHAWNEE OK 74804-0000	7-12 & E20; OF 13	42	ARMOURDALE
RESIDENTIAL MORTGAGE ACCEPTANCE CORPORATION LLC P O BOX 1244 SHAWNEE OK 74802-1244	1-6	42	ARMOURDALE
SHUMAKER DAN E 1016 STERLING DR SEMINOLE OK 74868-0000	W5' OF 13 & ALL OF 14-16	42	ARMOURDALE

MCDANIEL DAVID E & AMIE M 4031 N UNION SHAWNEE OK 74804-0000	17-28	37	ARMOURDALE
WHITECOTTON RICHARD & RENEE 203 E 40TH SHAWNEE OK 74801-0000	1-4 & 29-32	37	ARMOURDALE
MCDANIEL DAVID E & AMIE M 4031 N UNION SHAWNEE OK 74804-0000	5-16	37	ARMOURDALE
HARDIN CYNTHIA L 4025 N UNION SHAWNEE OK 74804-0000	17-28	34	ARMOURDALE
BARRETT J A JR 1210 GORDON COOPER SHAWNEE OK 74801-0000			VACATED PT OF ARMOURDALE ADDN DES AS A TR IN E/2 SECTION 6 MORE FULLY DESCRIBED IN BOOK 2047 PAGE 64 41.59 Acres
MOON THOMAS E JR 136 HONEYSUCKLE LN LONGVIEW TX 75605-9622	9-10	29	ARMOURDALE
BARRETT JOHN ADAMS JR TRUSTEE JA BARRETT IRR TR DATE 7-12-93 1210 GORDON COOPER DR SHAWNEE OK 74801-0000			VACATED PT OF KELLEYS DES AS A TR OF LAND IN E/2 OF SEC 6 MORE FULLY DESCRIBED IN BK 2239 PG 227 LESS.916 AC DES IN BK 2239 PG 30 AND LESS TR 38.49 Acres
GUINN BILLY JACK & DORAN L 3800 N UNION SHAWNEE OK 74804-0000	1-28	16	ARMOURDALE
CITY OF SHAWNEE P O BOX 1448 SHAWNEE OK 74802-1448	1-24	1	VISTA HEIGHTS
CITY OF SHAWNEE P O BOX 1448 SHAWNEE OK 74802-1448	1-33	3	VISTA HEIGHTS
HOUSING AUTH OF SAC & FOX NATI P O BOX 1252 SHAWNEE OK 74802-1252	15-16 & N15' OF 17	10	ARMOURDALE
WRIGHT KEITH D & MACHELLE 1212 TURNBERRY CIR SHAWNEE OK 74801-0000	12-14	10	ARMOURDALE
TISON RICKEY D 6221 BETHEL RD SHAWNEE OK 74804-0000	1-3	10	ARMOURDALE

NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	18	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	17	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	16	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	15	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	14	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	16	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	12	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	11	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	10	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	9	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	8	6	THE MEADOWS – PHASE II

NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	7	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	6	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	5	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	4	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	3	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	2	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	1	6	THE MEADOWS – PHASE II
NEIGHBORS FRED R & MARIA TRUSTEES REVOC TRUST 101 KEN DEL DR SHAWNEE OK 74804-0000	26-27	1	THE MEADOWS AP
HAGGARD SHERRY 12701 HENNEY RD JONES OK 73049-0000	24-25	1	THE MEADOWS AP
DOUGLAS STREET REALTY LLP 3701 N HARRISON SHAWNEE OK 74804-0000	22-23	1	THE MEADOWS AP
DOUGLAS STREET REALTY LLP 3701 N HARRISON SHAWNEE OK 74804-0000	20-21	1	THE MEADOWS AP
DOUGLAS STREET REALTY LLP 3701 N HARRISON SHAWNEE OK 74804-0000	18-19	1	THE MEADOWS AP

BUFORD WHITE LUMBER CO P O BOX 1029 SHAWNEE OK 74802-1029	17	1	THE MEADOWS AP
BUFORD WHITE LUMBER CO LLC P O BOX 1029 SHAWNEE OK 74802-1029	16	1	THE MEADOWS AP
HACKNEY SHANNON 130 MEADOWS LN SHAWNEE OK 74804-0000	15	1	THE MEADOWS AP
MCLEOD JAMES N & JAMES C 4118 N MARKET SHAWNEE OK 74804-0000	14-15	2	THE MEADOWS AP
DOUGLAS STREET REALTY LLC 3701 N HARRISON SHAWNEE OK 74804-0000	16-17	2	THE MEADOWS AP
REUBEN PELTIER PROPERTIES LLC P O BOX 3071 SHAWNEE OK 74802-0000	18-19	2	THE MEADOWS AP
DOUGLAS STREET REALTY LLC 3701 N HARRISON SHAWNEE OK 74804-0000	20-21	2	THE MEADOWS AP
MERCURIAL ASSETS LLC 3515 E 66TH ST TULSA OK 74136-0000	22-23	2	THE MEADOWS AP
NORTHSIDE VETERINARY HOLDINGS 121 W 45TH SHAWNEE OK 74804-0000			93-SU BEG NE/C NW NW WHICH IS CENTER OF BEARD S1320' W328.76' N1320' E328.76'(FORMERLY DESC.AS BLKS 23,24 & 27 ARMOURDALE ADDN) 10.00 Acres

Nelmon's Real Estate LLC
35063 Hwy 99A
Seminole, Ok. 74868
Cell: 405-370-0394

To Whom it May Concern:

I Rhonda Godwin, Vice President of Community Resources Real Estate, Inc. (Owner), hereby give permission for Nelmon Brauning, with Nelmon's Real Estate LLC. to assist in the rezoning of the property located at 3900 N Union Street, Shawnee, OK. from Ag to R2 containing 20.14 acres m/l, also to apply for a Deed Approval Application in order to combine tracts 4,5,6,&7 of attached survey into 1 lot.

Legal: See attached survey.

Respectfully,


Rhonda Godwin

ORDINANCE NO. ____NS

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: A TRACT OF LAND LOCATED IN THE WEST HALF (W/2) OF SECTION SIX (6), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER (NE/C) OF THE NORTHWEST QUARTER (NW4/), OF SAID SECTION 6; THENCE S00°33'52" E A DISTANCE OF 2194.96 FEET TO THE POINT OF BEGINNING; THENCE S00°33'52" E A DISTANCE OF 451.90 FEET; THENCE S89°52'11" W A DISTANCE OF 456.68 FEET; THENCE S01°10'43" E A DISTANCE OF 304.90 FEET; THENCE N89°48'28" W A DISTANCE OF 203.00 FEET; THENCE N03°50'37" W A DISTANCE OF 304.50 FEET; THENCE S89°58'21" W A DISTANCE OF 645.98 FEET; THENCE N00°14'236" E A DISTANCE OF 452.96 FEET; THENCE N89°58'26 E A DISTANCE OF 1313.45 FEET TO THE POINT OF BEGINNING. AND A TRACT OF LAND LOCATED IN THE WEST HALF (W/2) OF SECTION SIX (6), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1528.95 FEET; S00°33'52" E OF THE NORTHEAST CORNER (NE/C) OF THE NORTHWEST QUARTER (NW4) OF SAID SECTION 6; THENCE S00°33'52" E A DISTANCE OF 666.01 FEET; THENCE S89°58'26" W A DISTANCE OF 1313.45 FEET; THENCE N00°14'26" E A DISTANCE OF 665.97 FEET; THENCE N89°58'26" E A DISTANCE OF 1304.09 FEET TO THE POINT OF BEGINNING FROM ZONING CLASSIFICATION A-1; RURAL AGRICULTURAL DISTRICT TO R-3; MULTI-FAMILY RESIDENTIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 19th day of March 2018, upon an application to rezone certain properties located in the City of Shawnee, Oklahoma from zoning classification A-1; Rural Agricultural District to R-3; Multi-Family Residential District.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said properties to be rezoned to R-3; Multi-Family Residential District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: A TRACT OF LAND LOCATED IN THE WEST HALF (W/2) OF SECTION SIX (6), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER (NE/C) OF THE NORTHWEST QUARTER (NW4/), OF SAID SECTION 6; THENCE S00°33'52" E A DISTANCE OF 2194.96 FEET TO THE POINT OF BEGINNING; THENCE S00°33'52" E A DISTANCE OF 451.90 FEET; THENCE S89°52'11" W A DISTANCE OF 456.68 FEET; THENCE S01°10'43" E A DISTANCE OF 304.90 FEET; THENCE N89°48'28" W A DISTANCE OF 203.00 FEET; THENCE N03°50'37" W A DISTANCE OF 304.50 FEET; THENCE S89°58'21" W A DISTANCE OF 645.98 FEET; THENCE N00°14'236" E A DISTANCE OF 452.96 FEET; THENCE N89°58'26 E A DISTANCE OF 1313.45 FEET TO THE POINT OF BEGINNING. AND A TRACT OF LAND LOCATED IN THE WEST HALF (W/2) OF SECTION SIX (6), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 1528.95 FEET; S00°33'52" E OF THE NORTHEAST CORNER (NE/C) OF THE NORTHWEST QUARTER (NW4) OF SAID SECTION 6; THENCE S00°33'52" E A DISTANCE OF 666.01 FEET; THENCE S89°58'26" W A DISTANCE OF 1313.45 FEET; THENCE N00°14'26" E A DISTANCE OF 665.97 FEET; THENCE N89°58'26" E A DISTANCE OF 1304.09 FEET TO THE POINT OF BEGINNING

FROM ZONING CLASSIFICATION A-1; RURAL AGRICULTURAL DISTRICT TO R-3;
MULTI-FAMILY RESIDENTIAL DISTRICT AND AMENDING THE OFFICIAL ZONING
MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

PASSED AND APPROVED this _____ day of _____, 2018.

RICHARD FINLEY, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality this _____ day of _____, 2018.

JOSEPH VORNDRAN, CITY ATTORNEY

Regular Board of Commissioners**11.**

Meeting Date: 03/19/2018

P07-18 2327 N Harrison

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information**Title of Item for Agenda**

Public hearing and consideration of an ordinance to rezone property located at 2327 North Harrison Avenue from CP; Planned Shopping Center District to C-3; Highway Commercial District. Case No. P07-18, Applicant: Amerco Real Estate Company.

Attachments

P07-18 Staff Rpt

P07-18 Ord

P07-18 Protest Ltrs

P07-18 Presentation

P07-18 Presentation(2)

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Amerco Real Estate Company

FOR: Rezone

LOCATION: 2327 N. Harrison Avenue, Shawnee, OK

PROJECT#: 180139 Case# P07-18

LEGAL DESCRIPTION:

SEE OWNERSHIP LIST

CURRENT CLASSIFICATION:

CP; Planned Shopping Center District

REQUESTED CLASSIFICATION:

C-3; Highway Commercial District

PROPOSED PROPERTY USE:

Self-Storage, Truck & Trailer Share, Retail Sales

PLANNING COMMISSION MEETING DATE: March 7th, 2018

PLANNING COMMISSION RECOMMENDATION: Approve

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM			X			
MATTHEWS			X			
WALKER		X	X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)	X		X			
KIENZLE			X			
ROWELL			X			

RESPECTFULLY SUBMITTED,

Cheyenne Pettigrew

SECRETARY, PLANNING COMMISSION

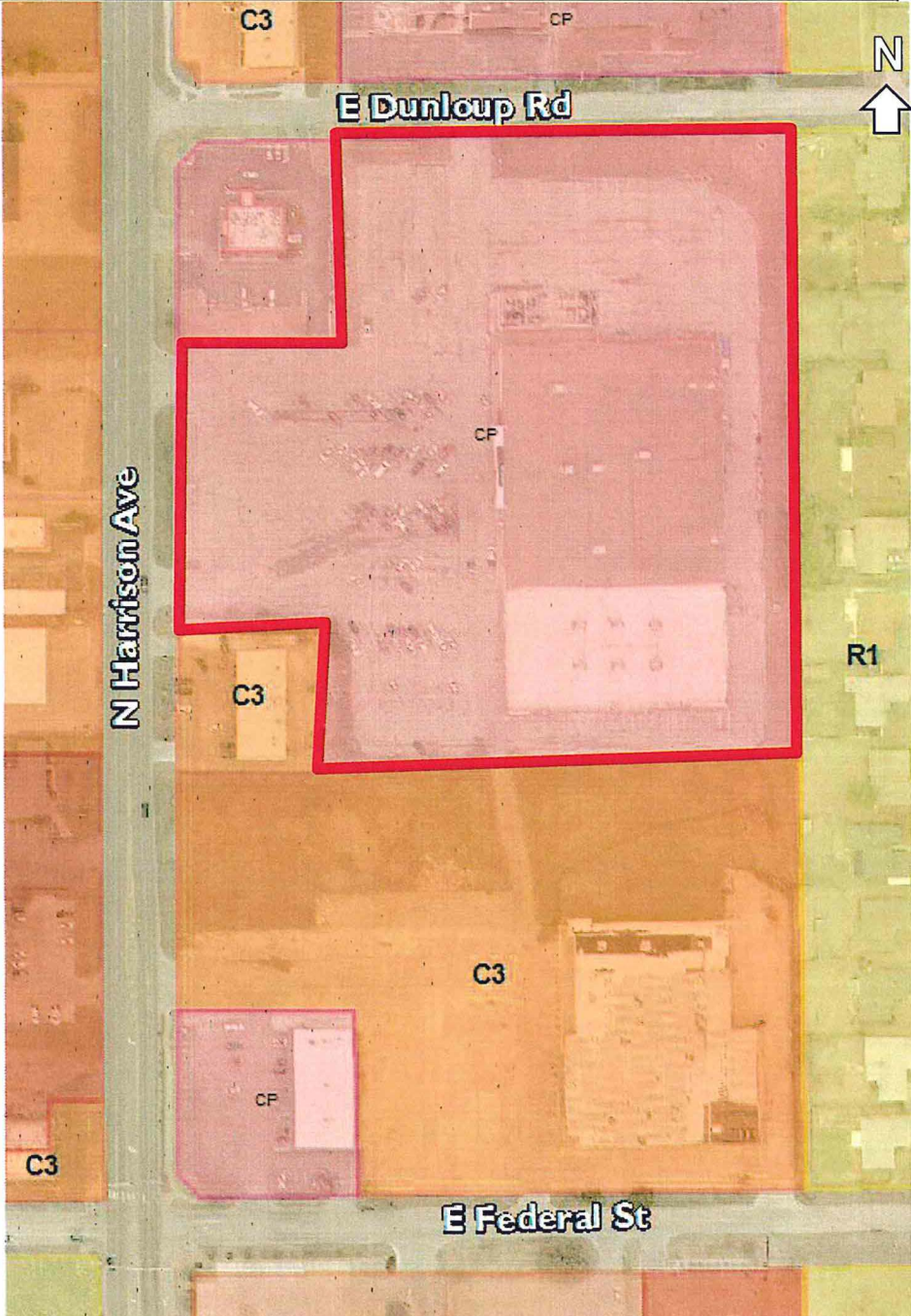
ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

ORDINANCE NO. _____

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org		CASE # P07-18 PUBLIC HEARING DATE: March 7th, 2018 CITY COMMISSION DATE: March 19th, 2018
APPLICANT: Nathan Alison, LLC		
PROPERTY ADDRESS/LOCATION: 2327 N. Harrison St Shawnee, OK 74804		
The applicant, Amerco Real Estate Company, a real estate subsidiary of U-Haul, is requesting a rezone from CP (Planned Shopping Center District) to C3 (Highway Commercial) for an 8.10 Acre property located at 2327 N. Harrison Avenue, and commonly known as the Kmart building. The requested rezone is necessary to facilitate repurposing of the existing 84,000 square feet structure into a U-Haul Moving and Storage Store. "Our uses will consist of self-storage, U-Haul truck and trailer sharing, and related retail sales" (Exhibit 1). Aside from interior renovation, the structure will remain as is with no immediate modifications proposed. Please see Exhibit 1 for an in depth narrative of the proposal.		

EXISTING ZONING: A1	EXISTING LAND USE: Residential	SURROUNDING ZONING & LAND USE: A-1 (Agricultural)	School District: I-93 Shawnee	PROPERTY SIZE: 20.14 Acres
STAFF REVIEW				
In recent years, Uhaul has made a business of repurposing large, vacant structures to better serve the storage needs of the community and activate a property that is currently vacant. At 84,000 square feet in size, options for reuse are rare and limited, causing structures to remain unoccupied for long periods of time and eventually exist in a state of decay. Adaptive reuse is a practical solution to these problems that affect smaller cities and towns, such as Shawnee. Staff has organized findings into the following list: - At 84,000 square feet, there is a limited market interested in the reuse of such structures; - Per the City's Comprehensive Plan, the Harrison Avenue corridor supports residential and commercial uses that create a more dynamic environment, promoting interaction and walkability; - The site as it exists today already supplies appropriate parking and circulation. Additionally, traffic volumes will be reduced in comparison to the previous business; - The business, once completed, would employ between 10 and 15 employees; - The U-Haul business is compatible with surrounding uses; Staff finds the subject proposal to be a positive opportunity for the City of Shawnee. The requested rezone is in conformance with surrounding land uses, the Comprehensive Plan, and Zoning Code. For these reasons, Staff recommends approval of a rezone from CP to C3 for the subject site.				
APPROVE		APPROVE WITH CONDITIONS	DENY	
Exhibit 1: Project Narrative Exhibit 2: Sample Elevations				
SUBMITTED PLANS	PUBLIC HEARING PETITION/ APPLICATION FORM		LEGAL NOTICE	LEGAL DESCRIPTION
PUBLIC COMMENTS	AGENCY COMMENTS		RESPONSE TO STANDARDS	

AMERCO[®]

REAL ESTATE COMPANY

2727 North Central Avenue, 5-N • Phoenix, Arizona 85004
Phone: 602.263.6555 • Fax: 602.277.5824 • Email: stephany_sheckey@uhaul.com

Narrative Project Summary

AMERCO Real Estate Company (AREC) has prepared this application package for the opportunity to receive the City of Shawnee's participation and counseling in regards to a Rezoning for the property located at 2327 N Harrison St. AREC is the wholly owned real estate subsidiary of the U-Haul System.

The proposed 8.10 acre property is located at 2327 N Harrison St. U-Haul is proposing an adaptive reuse of the existing 84,000 SF building by converting it into a U-Haul Moving and Storage Store. Our uses consist of self-storage, U-Haul truck and trailer sharing, and related retail sales. The interior of the building will be retrofitted to house self-storage units. This infill development will allow U-Haul to better serve the storage needs of the community and activate a property that is currently vacant.

The property is currently zoned CP (Planned Shopping Center District). The use of self-storage and U-Haul truck and trailer share are not permitted within this zoning district. U-Haul is proposing to rezone the property to C3 (Highway Commercial District). The building will be used structurally as is with the exception of imaging and signage.

Custom site design for every U-Haul store assures that the facility compliments the community it serves. Adherence to community objectives is key in order to ensure each U-Haul store is both a neighborhood asset and an economic success.

U-Haul is more of a commercial type use that serves the residential communities within a 3-5-mile radius. We feel the U-Haul would be an appropriate use for the property and there are proven benefits for allowing self-storage facilities in communities:

- Self-storage facilities are quiet
- They provide an excellent buffer between zones
- They create very little traffic
- They have little impact on utilities
- They have no impact on schools
- They provide a good tax revenue
- They provide a community service

U-Haul Moving and Storage is a convenience business. Our philosophy is to place U-Haul stores in high growth residential areas, where we fill a need for our products and

services. Customers are made aware of the U-Haul store, primarily via drive-by awareness, much like that of a convenience store, restaurant or hardware store. Attractive imaging and brand name recognition bring in area residents — by our measures, those who live within a four-mile radius of the center.

The U-Haul Store:

U-Haul stores characteristically serve the do-it-yourself household customer. The U-Haul Store will be staffed with 10-15 employees, both full-time and part-time. Families will generally arrive in their own automobiles, enter the showroom and may choose from a variety of products and services offered there. When situated near public transit, approximately 50% of those families utilize alternative transportation to access U-Haul equipment and services.

- Families typically use U-Haul Self-Storage rooms to store furniture, household goods, sporting equipment, or holiday decorations. During transition periods between moves, moving to a smaller home, combining households, or clearing away clutter to prepare a home for sale, storage customers will typically rent a room for a period of two months to one year.
- U-Haul stores also provide truck and trailer sharing for household moving, either in-town or across country.
- Families who need packing supplies in advance of a move or to ship personal packages can choose from a variety of retail sales items, including cartons, tape and sustainable packing materials.
- Families who tow U-Haul trailers, boats, or recreational trailers can select, and have installed, the hitch and towing packages that best meet their needs.
- Moving and storage are synergistic businesses. Over half of our storage customers tell us they used U-Haul storage because of a household move. Customers will typically use U-Haul equipment or their personal vehicle to approach the loading area and enter the building through the singular customer access. All new U-Haul stores are designed with interior storage room access, giving the customer the added value of increased security, and the community the benefit of a more aesthetically pleasing exterior.

Significant Policies:

- Hours of Operation:

Mon. - Thurs.	7:00 a.m. to 7:00 p.m.
Fri.	7:00 a.m. to 8:00 p.m.
Sat.	7:00 a.m. to 7:00 p.m.
Sun.	9:00 a.m. to 5:00 p.m.

- All U-Haul storage customers are issued a card-swipe style identification card that must be used to gain access to their room. This is but one of many security policies which protect the customer's belongings and decrease the ability of unauthorized access to the facility.
- It is against policy for a business to be operated from a U-Haul storage room.
- Customers and community residents who wish to use the on-site dumpsters for disposing of refuse must gain permission to do so, and are assessed an additional fee.
- Items that may not be stored include: chemicals, flammables, and paints.
- U-Haul stores are protected by video surveillance.
- U-Haul stores are non-smoking facilities.
- U-Haul will provide added services and assistance to our customers with disabilities.

Traffic Study:

- U-Haul stores generate less vehicular traffic volume while still embodying an active-use site. Truck and trailer sharing and self-storage all represent dynamic transitions from one customer to another. DIY moving customers are presented with opportunities to utilize equipment and storage on a temporary basis, supporting a shared-economy, an effective economic model and an environmentally-sound way to conduct business.

USE COMPARISON					
Use	Square Feet	Traffic	Volume	Typical Hours	Days
		Weekday	Weekend		
Fast Food Restaurant	3,000 sq ft	3,161 trips	3,430 trips	18 hours - 24 hours	7
Gas Station w/ Convenience Store	2,200 sq ft	1,200 trips	2,200 trips	18 hours - 24 hours	7
Hotel	50,000 sq ft	905 trips	901 trips	24 hours	7
Casual Dining	5,000 sq ft	1,075 trips	1,258 trips	11 am - 11 pm 12 hours	7
U-Haul Center	80,000 sq ft	31 trips	53 trips	7 am - 7 pm 12 hours	7

U-Haul looks forward to working with the City of Shawnee as you consider the Rezoning Application we are currently submitting.

Sincerely,

Stephany Sheekey
AMERCO Real Estate - Planner

EXHIBIT

2

Big Box Conversion

U-Haul Moving & Storage at Verona Road was acquired in August of 2011.
The building grossed 68,612 SQFT, and was a former Cub Food Store.
This location also houses are local marketing company.



U-Haul Moving & Storage at Verona Road
4716 Verona Rd, Madison, Wisconsin 53711

Big Box Conversion

Property was formerly a K-Mart and was converted to a U-Haul center offering truck and trailer rental, interior heated and climate controlled self-storage and U-Box storage. Two additional mini storage buildings were also added to the property.



U-Haul Moving & Storage of NW Detroit
19990 Telegraph Rd, Detroit, Michigan 48219

Big Box Conversion

Property consists of two block buildings totaling 125,331 sf, on 7.043 acres.
The former Pathmark Grocery Store has been developed into a U-Haul center and climate controlled self-storage (SC-10s and lockers).



U-Haul Moving & Storage of North Bergen
6701 Tonnelle Ave. North Bergen, NJ 07047

Big Box Conversion

Property is a former Lowes Store situated on Enchanted Parkway, which is the major commercial arterial in Federal Way. Improvements consist of a 109,304sf building converted to 59,836 net rentable sf of self storage (816 rooms).



U-Haul Moving & Storage of Federal Way
35205 Enchanted Pkwy S. Federal Way WA 98003

Big Box Conversion

Property was formerly a K-Mart and was converted to a U-Haul center offering truck and trailer rental, interior heated and climate controlled self-storage and U-Box storage.



U-Haul Moving & Storage of Oshkosh West
900 N Koeller St. Oshkosh, WI 54902

Big Box Conversion

Property was formerly a Menards and was converted to a U-Haul center offering truck and trailer rental, interior heated and climate controlled self-storage and U-Box storage.



U-Haul Moving & Storage at Pendleton Pike & 38th St.
6800 Pendleton Pike, Indianapolis, IN 46226

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: P07-18
Project Number: 180139
Date Filed: February 5th 2018
Cheryl Rottgen
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 CP District to C3 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 2327 N Harrison St Shawnee, OK 74804

LEGAL DESCRIPTION: APN: 331500012007000000

PROPERTY OWNER (S): Nathan Alison, LLC

PROPERTY AGENT (APPLICANT): Amerco Real Estate Company

APPLICANT'S ADDRESS: 2727 N Central Ave, 5N

CITY: Phoenix STATE: AZ ZIP: 85004

EMAIL ADDRESS: stephany_sheekey@uhaul.com

TELEPHONE NUMBER: (602) 263-6555 CONTACT NUMBER: (863) 412-9217

DIMENSIONS OF PROPERTY: AREA: 8.10 AC WIDTH: ~ 636 ft
LENGTH: ~ 617 ft FRONTAGE: ~ 263 ft.

CURRENT ZONING: CP CURRENT USE: Vacant

PROPOSED ZONING: C3 PROPOSED USE: Self-Storage, U-Haul Truck & Trailer Share, and Retail Sales

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 OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. 02132412

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.: _____

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P07-18

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed Rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

Lot Seven (7), Block Twelve (12), NORTHBRIDGE ADDITION, 4th SECTION, being a subdivision of a part of the North Half (N/2) of Section Eight (8), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, containing 5.964 acres, more or less.

General Location Known As:	<u>2327 N. Harrison Avenue, Shawnee, OK</u>
Current Zoning Classification:	<u>CP; Planned Shopping Center District</u>
Requested Zoning Classification:	<u>C-3; Highway Commercial District</u>
Proposed Use of Property:	<u>Self-Storage, Truck & Trailer Share, Retail Sales</u>
Applicant:	<u>Amerco Real Estate Company</u>

The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.

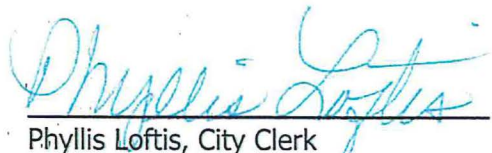
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

March 7 th , 2018	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
March 19 th , 2018	AT 6:00 P.M.:	CITY OF SHAWNEE CITY COMMISSION

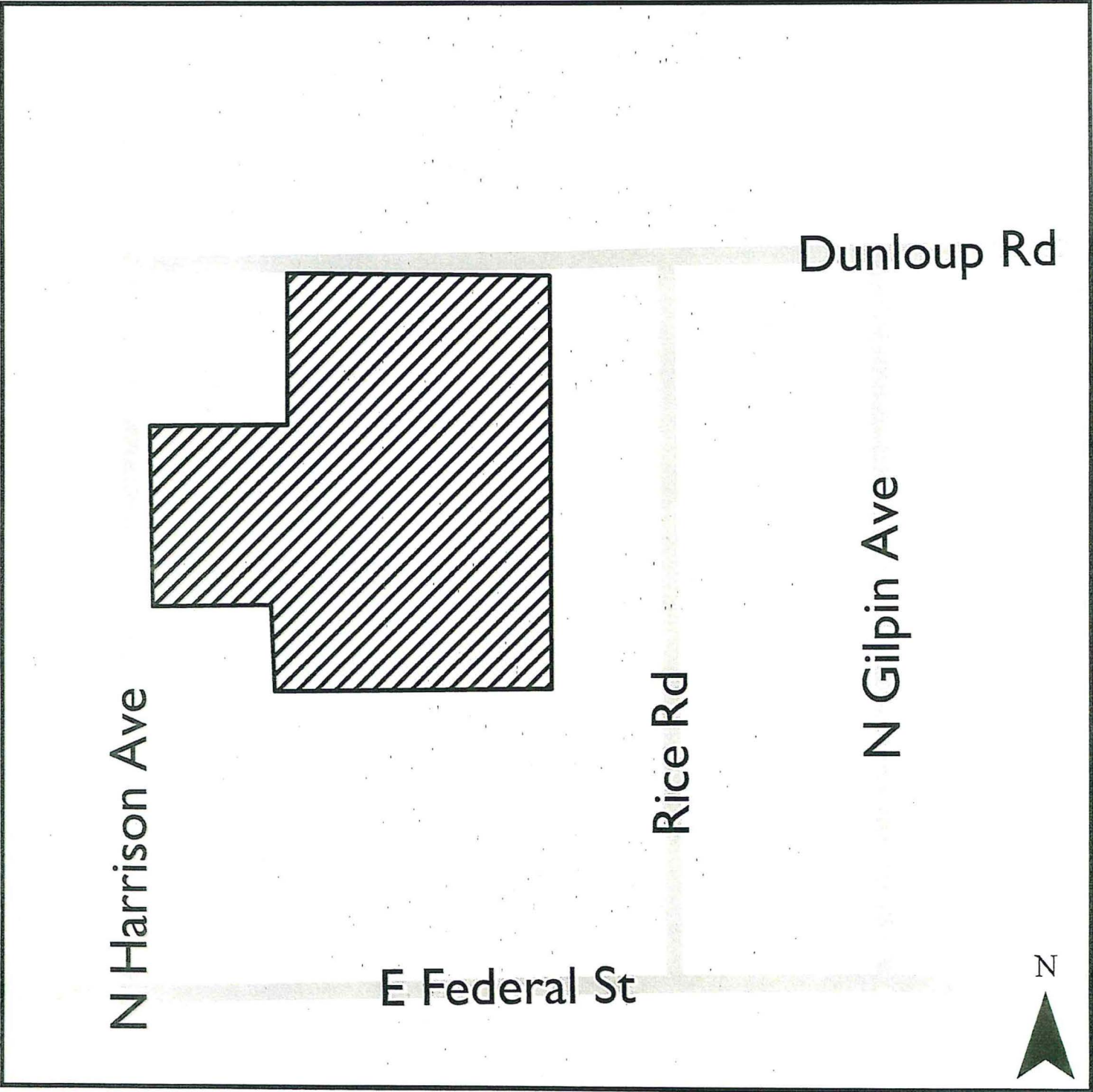
At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone 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 12th day of February, 2018.




Phyllis Loftis, City Clerk

CASE # P07-18
REZONE FROM CP TO C-3
2327 N. HARRISON



CHOICE TITLE & ABSTRACTING
INSURANCE
ESCROW/CLOSING/ABSTRACTING
AGENCY
118 N. Broadway
Shawnee, Oklahoma 74801

Telephone (405) 273-9820
Fax (405) 273-9813
Email: orderdesk@choicetitle.net

Attn: Stephanie Sheekey
2727 N Central Avenue, Suite 500
Phoenix, AZ 85004

Email: stephany_sheekey@uhaul.com
Telephone: (863) 412-9217

Re: Choice File No. 7835

February 2, 2018

LEGAL DESCRIPTION

Lot Seven (7), Block Twelve (12), NORTHRIDGE ADDITION, 4th SECTION, being a subdivision of a part of the North Half (N/2) of Section Eight (8), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, containing 5.964 acres, more or less.

Property Address: 2333 thru 2327 North Harrison Street, Shawnee, Oklahoma

Property Owner: NATHAN-ALISON, LLC, c/o Kin Properties Inc., 185 N.W. Spanish River Boulevard, Suite 100, Boca Raton, Florida 33431 - Partial Lot 7 Block 12, Northridge Addition, 4th Section, Beginning SW/C Lot ; thence North 285.26 feet; thence East 180 feet, thence North 180 feet; thence East 452.14 feet; thence South 462.61 feet; thence West 633.9 feet to the POB

Tenant: KMART CORPORATION c/o Sears Holdings Management Corporation, 3333 Beverly Road, Hoffman Estates, Illinois 60179 Attention: President-Real Estate

Property Owner: THUNDER PROPERTIES LLC, 1600 Corn Camp Road, Buttonwillow, California 93206 - Partial Lot 7 Block 12, Northridge Addition, 4th Section, Beginning NW/C of Lot 7, thence East 151.03 feet; thence South 180 feet; thence West 180 feet; thence North 151.03 feet to the POB

Tenant: OK Restaurant Holdings, L.L.C., 1301 Solana Blvd., Bldg. 2, Suite 2300, Westlake, Texas 76262 - Carl's Jr. # 1649, 2333 N. Harrison, Shawnee, OK 74802

Page 2 - File No. 7835

300' SURROUNDING PROPERTY OWNERS (taken from corner boundaries of Lot 7 Block 12, Northridge Addition, 4th Section)

City of Shawnee, P.O. Box 1448, Shawnee, OK 74802-1448

State of Oklahoma, C/O Department of Transportation, 200 N.E. 21st Street,
Oklahoma City, OK 73105

Nordent, Inc., 20 Dunloup Road, Shawnee, OK 74804 - Lot 9 Block 13, Northridge Addition, 4th Section

Dunloup LLC, 18 Dunloup, Shawnee, OK 74804 - Lot 9 Block 13, Northridge Addition, 4th Section

D. Jack M Chinn, DDS, 20 Dunloup, Shawnee, OK 74804 - Lot 9 Block 13, Northridge Addition, 4th Section

Pinnacle Dental, 20 E Dunloup, Shawnee, OK 74804 - Lot 9 Block 13, Northridge Addition, 4th Section

Orthodontic Specialists of Oklahoma, 18 Dunloup, Suite A, Shawnee, OK 74804 - Lot 9 Block 13, Northridge Addition, 4th Section

Austin & Austin Investments, LLC, 37311 45th Street, Shawnee, OK 74804 - Lot 9 Block 13, Northridge Addition, 4th Section - Boomerang Corporate Offices, 2400 N. Harrison, Shawnee, OK 74802

OK Holding LLC, 1301 Solana Blvd., Bldg 2, Suite 2300, Westlake, Texas 76262-6281 - Tenant Carl's Jr. # 1649, 2333 N. Harrison, Shawnee, OK 74802

Patriot International LP, 465 Venetian Villa Drive, New Smyrna, Florida 32168 - Tenants The Mad Tatter, 2304 N Harrison, Shawnee, OK 74804; Healing Essance Massage Therapy, 2302 N Harrison, Suite D, Shawnee, OK 74804

Midfirst Bank, c/o MERITAX LLC, 14901 Quorum Drive, Suite 740, Dallas, TX 75254
Midfirst Bank Location: 2320 N. Harrison, Shawnee, OK 74802

Northridge Church of Christ, PO Box 666, Shawnee, OK 74802-0666 - Lot 8 Block 13, Northridge Addition, 4th Section

Tanya Gilbert Irrevocable Trust, 26 Dunlop Drive, Shawnee, OK 74804 - Lot 7 Block 13, Northridge Addition, 4th Section

Page 3 - File No. 7835

Gerren D. Bowlan, 28 E Dunlop Drive, Shawnee, OK 74804 - Lot 6 Block 13, Northridge Addition, 4th Section

Willie F. & Patricia A. Clagg, 28 Rice Road, Shawnee, OK 74804 - Lot 1 Block 12, Northridge Addition, 4th Section

Jason Willis & Kaci N. Grasty, 26 Rice Road, Shawnee, OK 74804 - Lot 2 Block 12, Northridge Addition, 4th Section

Marguerite L. Russell, 24 Rice Road, Shawnee, OK 74804 - Lot 3 Block 12, Northridge Addition, 4th Section (Transfer of Death Deed 1/3 Marilyn S. Chung; 1/3 Joyce E Tredinnick; 1/3 Donald Russell)

Freeman B. & Twilla Smith, 235 S. Oak, Shawnee, OK 74801 - Lot 4 Block 12, Northridge Addition, 4th Section

Linda & Bill S. Haselwood, 20 Rice Road, Shawnee, OK 74804 - Lot 5 Block 12, Northridge Addition, 4th Section

Calvin B. & Erika H. Jones, PO Box 1471, Shawnee, OK 74802-1471 - Lot 6 Block 12, Northridge Addition, 4th Section

Patricia A. Jackson, 17 Rice Road, Shawnee, OK 74804 - Lot 7 Block 11, Northridge Addition, 4th Section

Malania Hammer, 19 Rice Road, Shawnee, OK 74804 - Lot 8 Block 11, Northridge Addition, 4th Section

John W. Glasco, 8400 Edinger Avenue, Apt Y106, Huntington Beach, CA 92647 - Lot 9 Block 11, Northridge Addition, 4th Section

Andrea L. Brown, 23 Rice Road, Shawnee, OK 74804 - Lot 10 Block 11, Northridge Addition, 4th Section

Robert A. Robinson & Cheryl R. Trindle, 25 Rice Road, Shawnee, OK 74804 - Lot 11 Block 11, Northridge Addition, 4th Section

Thomas L. Miller, 27 Rice Road, Shawnee, OK 74804 - Lot 12 Block 11, Northridge Addition, 4th Section

Page 4 - File No. 7835

Donna S. Lasenberry, 16 Rice Road, Shawnee, OK 74804 - Lot 1 Block 14, Northridge Addition, 5th Section

Robert G. Bentley, 14 Rice Road, Shawnee, OK 74804 - Lot 2 Block 14, Northridge Addition, 5th Section

Keith Hoogland Limited Partnership c/o Accounts Payable, 1022 E. Adams, Springfield, IL 62703 - Lot 9, Block 14, Northridge Addition, 5th Section (Family Video # 582)

Charlene & Billy J.E. Partain, Sr., 13 Rice Road, Shawnee, OK 74804 - Lot 15 Block 15, Northridge Addition, 5th Section

Lavonta L. Miller, 15 Rice Road, Shawnee, OK 74804 - Lot 16 Block 15, Northridge Addition, 5th Section (Life Estate D'Anna V Fleming; Darnell A. Miller; Natasha N. Miller)

COURTESY NOTIFICATION

Wall Family LLC, c/o M. Keywood Deese, Sr VP, Trust Officer, Vision Bank NA, Ada Main Street, 101 East Main Street, Ada, OK 74821-0669 - Lot 9 Block 14, Northridge Addition, 5th Section

Family Video # 582, Movie Club Inc., 2500 Leigh Avenue, Glenview, IL 60026 - Property Location 2001 N. Harrison, Shawnee, OK 74802

Subway Sandwiches # 7501, c/o Raymond Walker, 1321 S State Highway 152, Mustang, OK 73064 - Property Location 2025 N. Harrison, Shawnee, OK 74802

Americash Loans, 2029 N. Harrison, Shawnee, OK 74801

Cordially,


Pam Atyia, Owner

Choice Title & Abstracting

RECEIVED CITY CLERK'S OFFICE

Date 3/6/18 Time 2:48 pm

March 5, 2018

City of Shawnee Planning Commission & City Commission
222 N. Broadway
Shawnee, OK 74801

RE: Case #P07-18

Dear Esteemed Commissioners:

As private business owners, we appreciate and are supportive of free enterprise. But, as dental health practitioners, community investors, and neighborhood custodians, we feel a responsibility to voice our concerns with Amerco Real Estate Company's application for rezoning from CP to C3 of the former K-Mart location which would allow them to open a self-storage/U-haul rental & retail establishment. We feel strongly that such a business would be counterproductive to the preservation of what has been established as a secure and prosperous professional business area. We have made substantial financial investments and worked very hard for several decades to establish and continually improve as a professional dental health complex among commonality businesses. It has been disappointing to lose K-mart, but to replace a nationally recognized retail store with a self-storage facility is not in line with nor the desired progress of this area and would be adding insult to injury.

Shawnee has recently experienced rejuvenation with new buildings, new reputable national chain businesses, and noteworthy renovations to existing establishments South of the highway along Kickapoo. New growth has also been expanding East of Kickapoo along the highway frontage and along 45th to Harrison. Sehorn Yamaha built an impressive new building, First United Bank is in the initial stage of construction of a new location, the improvements made for DeGraffs which changed hands to the long established Cassadorez, the renovated Boomerang corporate offices, and the new Domino station show Harrison is also moving in the direction of fresh professionalism.

On the other hand, if there is any doubt of how a few poor choices can negatively affect a prosperous area, you can look to the Kickapoo street area between MacArthur and Federal. In the course of 30 years, we who grew up here witnessed central Kickapoo go from the place to be, to struggling to draw customers. Long term restaurants and retail were replaced with businesses that fell short of the previous for the sake of quick sales and avoiding vacant buildings. The demographic decline resulted in a domino effect of failed businesses replaced by increasingly lesser quality. With recent street improvements and the new physical fitness establishments, there hope for greater stability but at the price of untold dollars for both the City of Shawnee and business owners.

We are a society who love our stuff and often need a place to store the abundance. Climate-controlled storage demand has resulted in a profound increase of facilities over the past decade. We believe Shawnee would utilize and support a climate-controlled self-storage facility regardless of where it was located, but we do not believe in the middle of established professional and retail businesses is necessary for its success. Shawnee is not so large that this type of self-storage would be challenging to access if

located near the outskirts or warehouse-oriented districts, as are many of Shawnee's successful self-storage facilities.

While climate-controlled storage units are an asset for preservation of temperature sensitive items, they have also proven popular for less reputable endeavors. Despite rules, contracts and security measures, self-storage facilities tend to be susceptible to overnight meth labs or drug distribution locations, increased incidents of theft, desperate individuals covertly utilizing units as low-cost housing, not to mention vermin and pestilence infestations. The effects of each can and do cross property lines to adjacent business and homes. While we do not anticipate this prospective business making national headlines, we are concerned our businesses will not go unscathed. This is not paranoid speculation. We have in fact been previously negatively affected by a similar establishment. Years ago, a U-Haul rental was allowed to be added to a filling station directly East of our location. Despite responsible ownership efforts, there was an increase of trash and insects, obstructions of egresses, an increase of loitering in evening hours which affected the security of our practice's predominately female staff, and an inadequately secured trailer rolled off their property resulting in considerable damage to an employee's vehicle. The U-haul business did not prove to be good neighbors.

In addition, we already experience occasional lawn damage from large trucks that park in the North end of what was K-mart's parking lot, so the drivers can walk across our property to eat at Golden Corral. Some trucks have difficulty negotiating the turn without going up and over our curb leaving deep ruts in our green space resulting in the expense of having dirt brought in to fill plus grass repair. These are drivers with their CDL. We fear drivers with less experience and training who rent a truck and or trailer will only increase the frequency of damage and repair expenses.

We appreciate that a vacant building the size of K-mart's may take time to draw a quality replacement, but we hope you will be diligent in the interest of recent quality urban renewal. Thank you for your consideration of this matter.

Sincerely,



Dr. J. Eric Hopkins

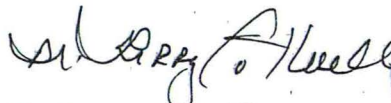


Dr. Ashley Bledsoe Cook

Hopkins Dental Clinic, P.L.L.C. 18 E. Dunloup Road, Shawnee, OK 74804



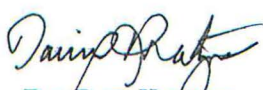
Dr. Michael Behrmann



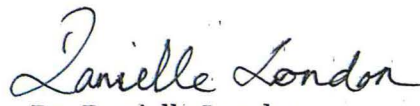
Dr. Terry Cotterell



Dr. Onur Kadioglu



Dr. Dan Kratzer



Dr. Danielle London

Orthodontic Specialists of Oklahoma, 18 E. Dunloup Road, Shawnee, OK 74804

RECEIVED CITY CLERK'S OFFICE

Date 3/7/18 Time 9:53am
Le

March 6, 2018

City Commissioners
City of Shawnee: Mayor Richard Finley
City Manager: Justin Erickson

Re: Rezone of property Case #P07-18

To Whom It May Concern:

We, William S. and Linda L. Haselwood have lived in the Northridge neighborhood for twenty-five (25) years. We moved to Shawnee in 1992 and purchased our home at 20 Rice Road in 1993. Bill has been practicing law for 25 years in Shawnee and I taught school in the Shawnee Public School District for 19 of the 37 years of my teaching career. Our daughter, Sarah, started fourth grade when we moved here. She graduated high school in 2001 and then attended Oklahoma Baptist University in 2006. She is currently the Director of Food Sales at Shawnee Milling Company. Our granddaughter Emma is in fourth grade at Will Rogers Elementary. All this to say, we have a vested interest in our community.

We were given notice by mail that the City of Shawnee, Oklahoma will conduct a public hearing on a proposed Rezone of property described as follows:

Lot Seven (7), Block Twelve (12), NORTHRIDGE ADDITION, 4th SECTION, being a subdivision of a part of the North Half (N/2) of Section Eight (8), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma, containing 5.964 acres, more or less.

We, William and Linda Haselwood are opposed to this Rezone. We do not feel that this is in the best interest of our neighborhood of Northridge. Our home was not purchased with the intention of having a Highway Commercial District Zoning Classification Storage, Truck and Trailer Share, Retail Sales literally in our backyard.

As a homeowner and resident of Northridge, we believe that the rezoning will have a significant adverse impact and diminish the character of the Northridge neighborhood. Allowing a Commercial Dealership will have an impact not only on the neighborhood, but of the township as a whole. Below are our reasons for opposing the Rezone:

- This all-night facility is adjacent to my back yard. I lose all privacy! Anyone could vandalize the facility and jump my fence and use my backyard as an escape route.
- The rezone will generate more traffic around the neighborhood and congest the entrance into and out of the neighborhood.
- Night access to facility is likely to present additional danger to the neighborhood.
- Crime is a factor.
- Noise, security lights, etc.
- Fear of decreased property value. Any economic benefits would be negated by reduction in property value of Northridge homes.
- High mobility rate of people moving in and out of this facility could cause this development to decrease in appearance and value.

We are asking the planning committee, commission, and mayor this very crucial question, "Would you like this facility in your backyard?" We are sure the answer would be, "Absolutely NOT." The Northridge neighborhood deserves your attention on this matter. Please maintain a healthy balance of a healthy neighborhood and the township as a whole.

Thank you,

William S. Haselwood



Linda L. Haselwood



RECEIVED CITY CLERK'S OFFICE
Date 3/7/18 Time 1:28pm
KC

March 6, 2018

City Commissioners
City of Shawnee Mayor, Richard Finley
City Manager, Justin Erickson

Re: Rezone of Property Case #P07-18

To Whom It May Concern:

I, Andrea Brown, have lived in the neighborhood of Northridge, my whole life. As a child, I lived at 17 Gilpin and now as an adult, I live at 23 Rice. This neighborhood has been here for years but remains a nice neighborhood to live in.

I have been informed as to the rezoning of the Kmart property and am opposed to it. This is not a positive endeavor for our neighborhood of Northridge.

This rezoning will draw additional traffic around the neighborhood during night time hours, which is likely to present additional risk/danger to the safety of our neighborhood. Crime is big factor in considering a 24 hour self storage facility. Noise, security lights shining down into backyards and windows at all hours, pests and rodents and other nuisances are other issues. Self storage is a fire hazard with all the stuff piled high in the units. I have been informed by an area police officer that homeless people rummage through dumpsters. Items such as clothes mold and are smelly in these units. Another huge concern is home value diminution for the homes in Northridge, as well as other nearby neighborhoods.

As a homeowner and resident of Northridge, I 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. 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

Self storage units are all over town. I know in the past that the commission talked about restricting the construction of more storage units in the town of Shawnee. Apparently, this measure didn't pass, but I consider it still to be a problem that Shawnee needs to address. They are not pretty and will not add to the commerce of our town. Storage units will not draw much tax revenue for the city. A fifty dollar storage unit will draw around \$5 a month in taxes, whereas retail shopping could increase tax revenue and add much more to our tax base. There is a healthy balance to be maintained (agricultural, residential, commercial, R-1, R-2, etc.). Our rental self storage facilities are abundant in Shawnee. This property is on a prominent corner entering Northridge. This additional facility right in the middle of town on this corner will not promote growth and the beautification of our city.

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 of people moving in and out of this facility will also cause this development to decrease in appearance and value thus decreasing surrounding property values. The commercial zoning that stands now had a very different impact on the area's property value.

This is why I am here today to ask the committee, commission and mayor to please maintain a healthy balance and deny the rezoning of property case #P07-18.

Sincerely,

A handwritten signature in cursive script that reads "Andrea Brown". The ink is dark and the signature is fluid.

Andrea Brown
23 N. Rice Avenue
405-517-0021

ORDINANCE NO. _____NS

AN ORDINANCE CONCERNING THE ZONING CLASSIFICATION OF THE FOLLOWING DESCRIBED PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, TO-WIT: LOT SEVEN (7), BLOCK TWELVE (12), NORTHRIDGE ADDITION, 4TH SECTION, BEING A SUBDIVISION OF A PART OF THE NORTH HALF (N/2) OF SECTION EIGHT (8), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, CONTAINING 5.964 ACRES, MORE OR LESS REZONING SAID PROPERTY FROM ZONING CLASSIFICATION CP; PLANNED SHOPPING CENTER DISTRICT TO C-3; HIGHWAY COMMERCIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 19th day of March 2018, upon an application to rezone certain properties located in the City of Shawnee, Oklahoma from zoning classification CP; Planned Shopping Center District to C-3; Highway Commercial District.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said application pursuant to notice as required by law and has submitted its final report and recommendation upon said application to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said properties to be rezoned to C-3; Highway Commercial District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: That the following described property located in the City of Shawnee, Oklahoma, to-wit: LOT SEVEN (7), BLOCK TWELVE (12), NORTHRIDGE ADDITION, 4TH SECTION, BEING A SUBDIVISION OF A PART OF THE NORTH HALF (N/2) OF SECTION EIGHT (8), TOWNSHIP TEN (10) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, CONTAINING 5.964 ACRES, MORE OR LESS REZONING SAID PROPERTY FROM CP; PLANNED SHOPPING CENTER DISTRICT TO C-3; HIGHWAY COMMERCIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SHAWNEE ACCORDINGLY.

PASSED AND APPROVED this _____ day of _____, 2018.

RICHARD FINLEY, MAYOR

(SEAL)

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

Approved as to form and legality this _____ day of _____, 2018.

JOSEPH VORNDRAN, CITY ATTORNEY

Date 3/13/18 Time 4:36pm

March 8, 2018

City Commissioners

City of Shawnee Mayor, Richard Finley

City Manager, Justin Erickson

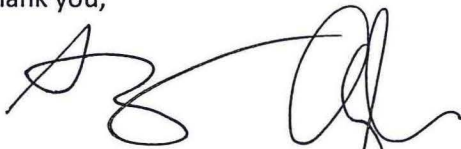
To Whom It May Concern:

We are writing in opposition to the rezoning of property case #P07-18. This building is prime commercial frontage that would be more suited for a retail development, that will generate much needed sales tax dollars, as did K-Mart when it occupied the location. It doesn't seem to benefit our community to put in yet another storage facility, which will generate minimal sales tax and only employ 10-15 citizens. We, along with much of our community, feel that it would be more beneficial to wait until something better comes along. We can do better. Let's shop the location to developers who could potentially divide the space into several retail locations, or propose the location to bigger retailers who may be interested coming to our community. If Shawnee wants to have greater things on the horizon and keep our citizens spending dollars in town, that in turn support our firemen, police, and schools, then we must do our part to bring beneficial businesses to this town. It's crucial and allowing this location to be rezoned and turned into a storage facility seems like a missed opportunity.

We are aware that it seems like the community is indifferent to this proposal, due to the lack of presence at the hearing, for which there could be any number reasons. However, we encourage you to look at the comments on social media, particularly the comments on News-Star's article about this proposal. Our community has a voice, and although it isn't being voiced in the traditional sense of being present at the meeting, or writing formal letters to the Commission, it should be heard and considered.

Ultimately, we all want to see our city grow and succeed and be able to compete with surrounding areas. We need to take great consideration into issues such as this. Please strongly consider denying the rezoning of property case # P07-18.

Thank you,



Dr. Andrew and Mrs. Annie Minnigh

RECEIVED CITY CLERK'S OFFICE

Date 3/13/18 Time 4:36pm

March 10, 2018

Shawnee, Oklahoma
City Commissioners
Mayor Finley
C.M. Justin Erickson

Regarding: Rezoning property Case #PO7-18

Dear Sirs:

I have lived on Gilpin Avenue since the houses were first built. I've lived through empty U-Haul trucks racing back to their base across from the old K-Mart. On two occasions I complained to management about their drivers to no avail. So I am going to take this opportunity to protest this rezoning measure.

Harrison Street is the scene of numerous wrecks already. Kickapoo Street is also. Do we really need to add more traffic?

There are storage units all over town. There are storage units a few blocks away from proposed site owned by Commissioner Harrod and his wife; or is that just his wife? How much storage do we need? It would be nice to consider what is good for our neighborhoods instead of what is good for a few pockets.

Would you like the proposed facility close to your house?

Wanda Barnett
17 Gilpin Ave.
405-273-2929

March 6, 2018

RECEIVED CITY CLERK'S OFFICE
Date 3/13/18 Time 4:36pm

City Commissioners
City of Shawnee Mayor, Richard Finley
City Manager, Justin Erickson

Re: Rezone of Property Case #P07-18

To Whom It May Concern:

I, Andrea Brown, have lived in the neighborhood of Northridge, my whole life. As a child, I lived at 17 Gilpin and now as an adult, I live at 23 Rice. This neighborhood has been here for years but remains a nice neighborhood to live in.

I have been informed as to the rezoning of the Kmart property and am opposed to it. This is not a positive endeavor for our neighborhood of Northridge.

This rezoning will draw additional traffic around the neighborhood during night time hours, which is likely to present additional risk/danger to the safety of our neighborhood. Crime is big factor in considering a 24 hour self storage facility. Noise, pests and rodents and other nuisances are other issues. Self storage is a fire hazard with all the stuff piled high in the units. I have been informed by an area police officer that homeless people rummage through dumpsters. Items such as clothes mold and are smelly in these units. Another huge concern is home value diminution for the homes in Northridge, as well as other nearby neighborhoods.

As a homeowner and resident of Northridge, I 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. 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

Self storage units are all over town. I know in the past that the commission talked about restricting the construction of more storage units in the town of Shawnee. Apparently, this measure didn't pass, but I consider it still to be a problem that Shawnee needs to address. They are not pretty and will not add to the commerce of our town. Storage units will not draw much tax revenue for the city. A fifty dollar storage unit will draw around \$5 a month in taxes, whereas retail shopping could increase tax revenue and add much more to our tax base. There is a healthy balance to be maintained (agricultural, residential, commercial, R-1, R-2, etc.). Our rental self storage facilities are abundant in Shawnee. This property is on a prominent corner entering Northridge. This additional facility right in the middle of town on this corner will not promote growth and the beautification of our city.

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 of people moving in and out of this facility will also cause this development to decrease in appearance and value thus decreasing surrounding property values. The commercial zoning that stands now had a very different impact on the area's property value.

This is why I am here today to ask the committee, commission and mayor to please maintain a healthy balance and deny the rezoning of property case #P07-18.

Sincerely,

A handwritten signature in black ink that reads "Andrea Brown". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Andrea Brown
23 N. Rice Avenue
405-517-0021



U-Haul Neighborhood Stores

Partnering with Cities and Towns to Support
Sustainable, Resilient Communities

Presented to:
City of Shawnee Planning Department
March 2018

U-Haul Supports the City of Shawnee

It would be a great honor and privilege for U-Haul to partner with such a thoughtful community in creating a sustainable future for Shawnee.

Sustainability efforts at U-Haul include:

- ❑ Truck & Trailer Sharing
- ❑ Neighborhood Dealers
- ❑ Green Building Features
- ❑ Product stewardship
- ❑ Reuse Programs
- ❑ Sustainable Retail Products
- ❑ Tree Planting Partnerships



Photo: <https://www.facebook.com/pg/VisitShawneeOklahoma>

U-Haul Extends Social and Economic Sustainability

- ❑ More than 18 million customers shared U-Haul trucks and trailers in 2017. U-Haul provides positive economic support to a community by attracting customers from different regions.
- ❑ This added customer base increases awareness of other nearby merchants, and fosters relationships that may bring new business to the community, ensuring a viable, expanding local economy.
- ❑ Increased business traffic may require hiring additional employees, improving the quality of life for residents needing work to support themselves and/or their families.

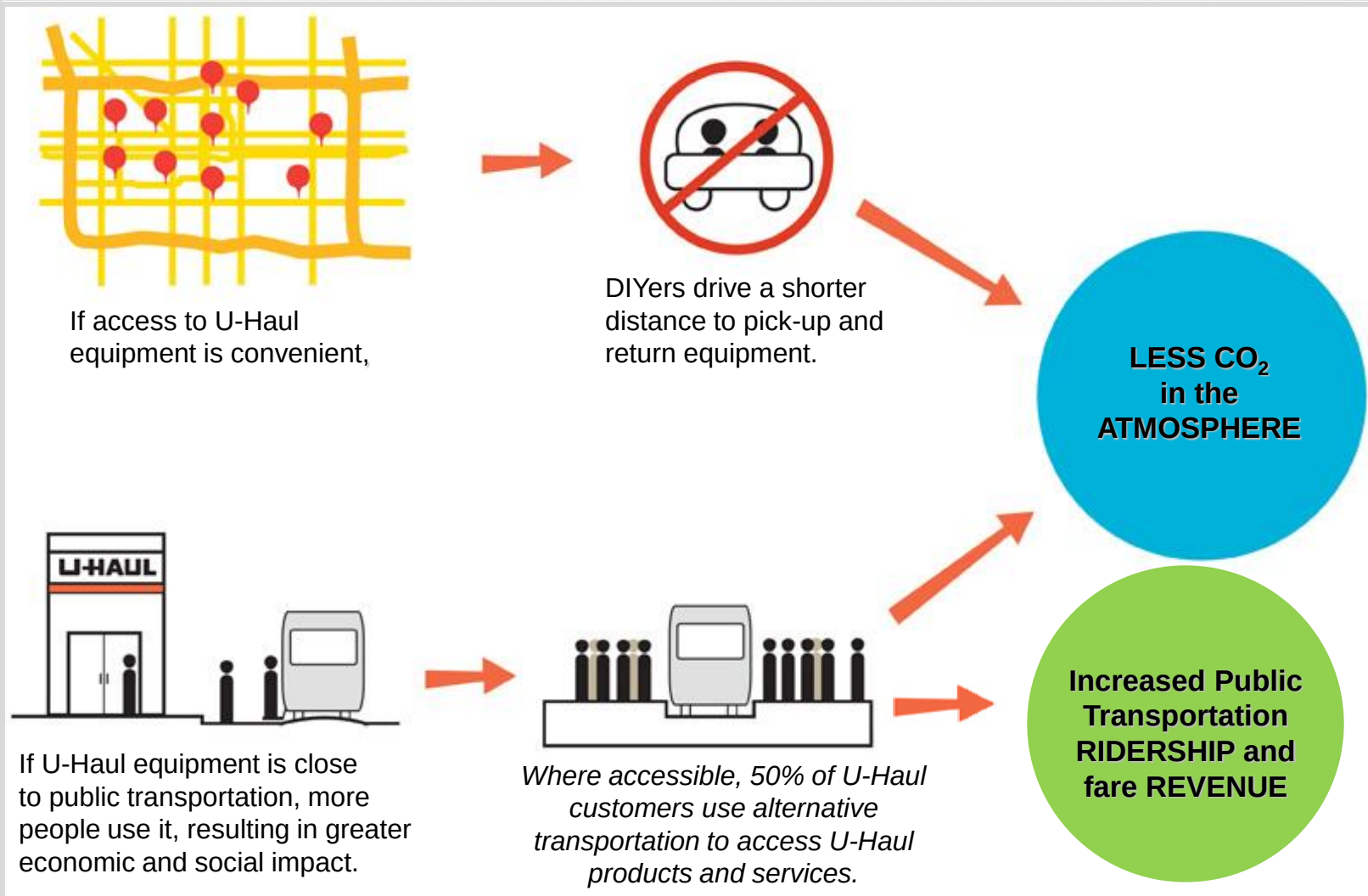


U-Haul Truck Sharing is the Sustainable Option

- ❑ Residents reserving one properly-sized U-Haul truck will eliminate numerous trips with a personal pickup truck or other vehicle, reducing emissions and minimizing traffic congestion.
- ❑ Drivers tend to plan trips more carefully and drive less when they pay for mileage and are held to a specific reservation.

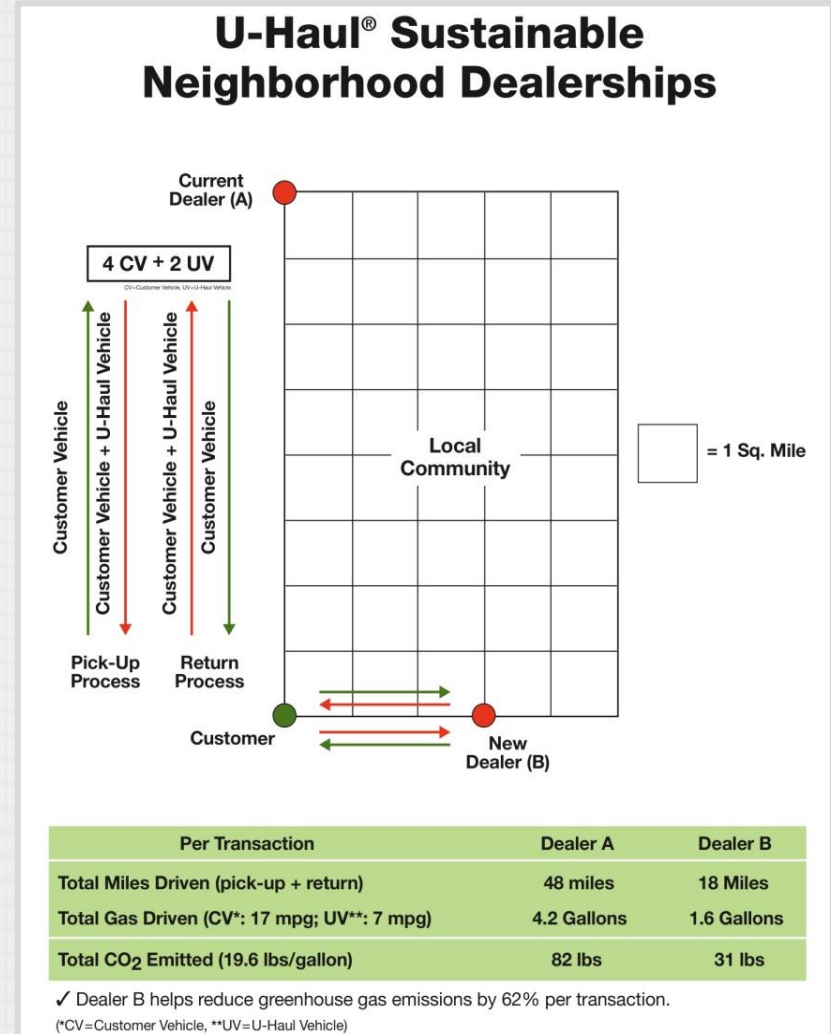


Truck Sharing: Essential to the Public Transportation Infrastructure



Strategic Locations Ensure Lowered Emissions

- ❑ The conveniently located neighborhood Dealer ensures less customer travel, less CO₂ emissions into the air and less traffic congestion.
- ❑ The closer equipment and storage is to citizens' pickup and drop off locations, the fewer miles traveled and the less fuel ultimately burned. Less fuel burned means less CO₂ put into the atmosphere. **Every mile closer eliminates 12 pounds of carbon dioxide emissions.**



“Over time, every U-Haul vehicle placed in a community serves as a potential substitute for 19 personally owned large-capacity vehicles.”

—Allan Yang, U-Haul chief sustainability scientist

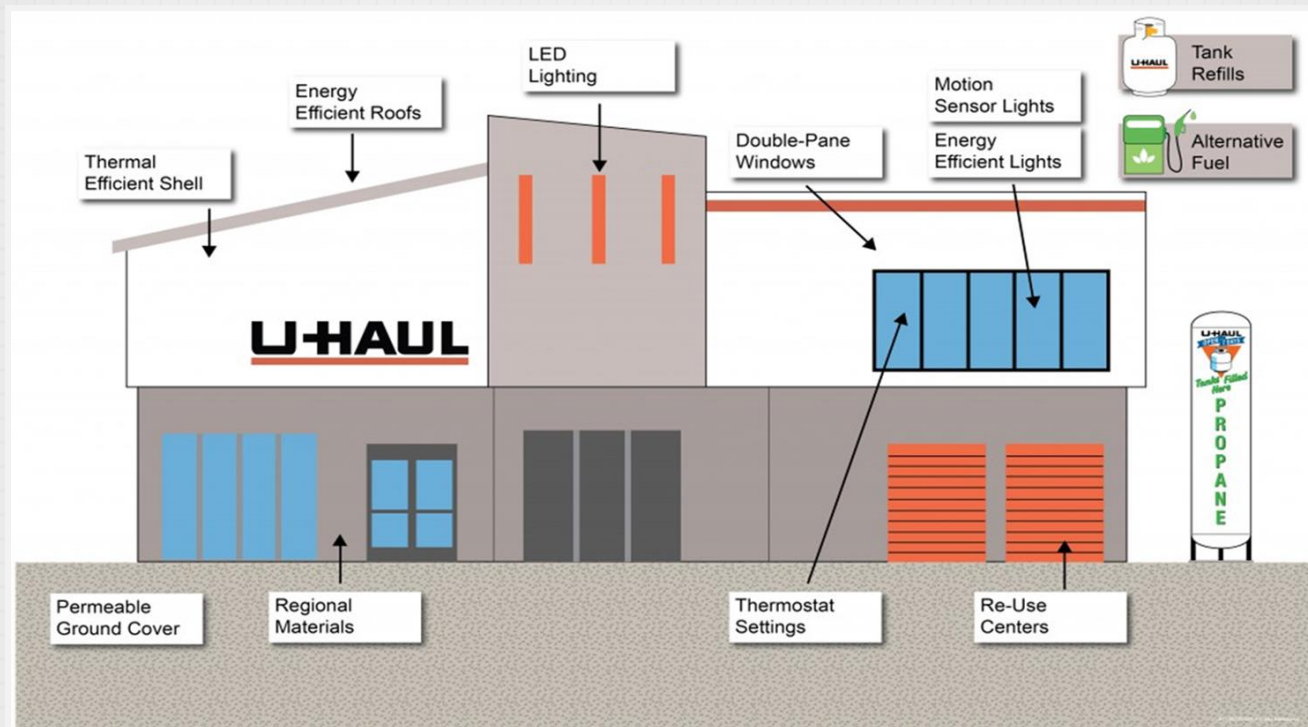


U-Haul Store Adaptive Reuse Building Conversions



A fundamental policy in U-Haul property development is to rehabilitate existing buildings in lieu of building anew. Adaptive reuse promotes infill development and enables resources to be focused on opportunities to rehabilitate buildings with environmentally thoughtful features rather than creating waste in the form of demolition, preserving valuable natural resources and land normally required for new construction.

Integrating Green Building Practices



The majority of U-Haul owned locations currently employ these principles:

- ❑ **Reduce:** Water consumption with low-flow aerators, efficient plumbing devices and irrigation systems, and native landscape requiring infrequent watering
- ❑ **Reduce:** Energy consumption with energy-efficient lighting, HVAC systems and day-lighting. To date, energy-efficient projects save more than 42,000,000 kWh every year.
- ❑ **Reuse:** Reclaimed rainwater with permeable ground cover parking lots
- ❑ **Recycle:** Building and operation materials such as steel, aluminum, wood, paper, glass and plastics

Adaptive Reuse Building Conversions

U-Haul rescued an abandoned supermarket complex and converted the building to host an attractive, functional business which serves the Durham, North Carolina community.



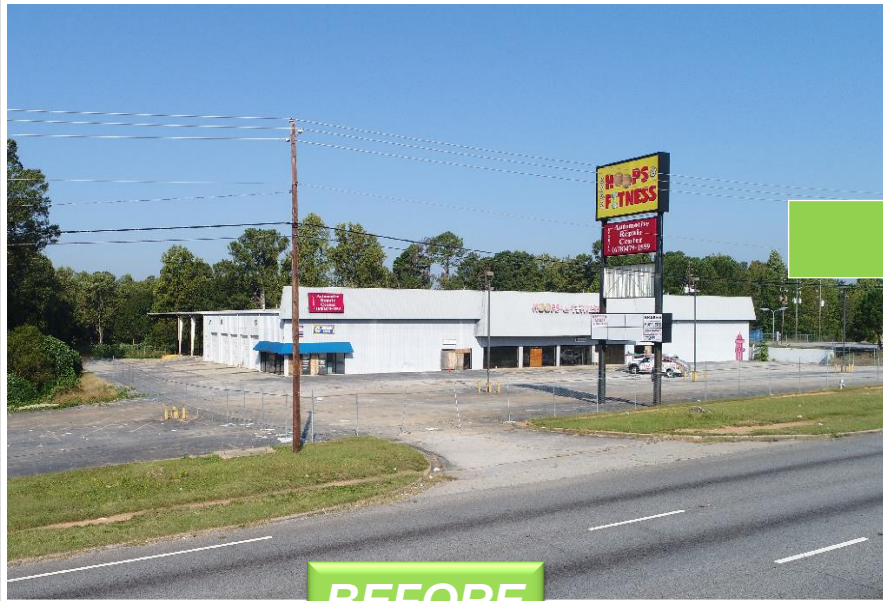
BEFORE



AFTER



Adaptive Reuse Building Conversions



BEFORE



AFTER

U-Haul converted a vacant fitness center to a new, inviting business location which serves the Jonesboro, Georgia community.

Potential U-Haul Store at 2327 N. Harrison St.



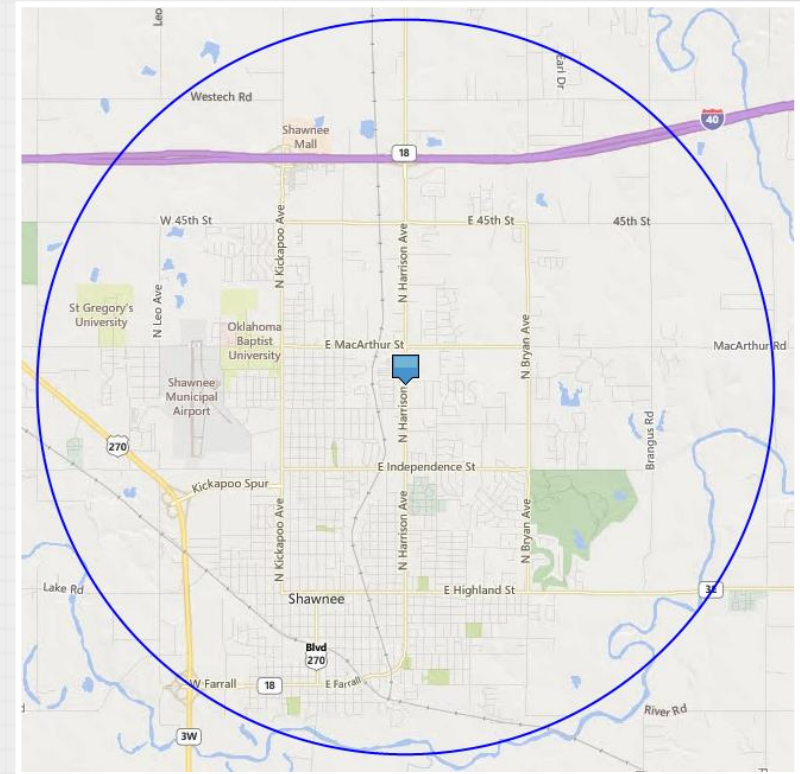
VISION:

U-Haul Company's success with adaptive reuse and infill development is a true testament to public and private interests working together to create a sustainable, modern and thriving community. 2327 N. Harrison St. is currently a vacant building located in a key urban area and can be transformed into a successful, mixed-use truck sharing, self storage and retail destination.

U-Haul Store at 2327 N. Harrison St.

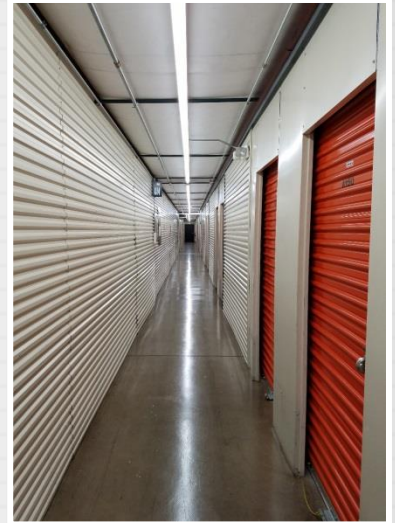
- ❑ A U-Haul store at this location would proudly serve the Shawnee community. This store would employ 10-15 local team members to retail truck and trailer sharing, self storage and quality moving supplies and services.
- ❑ This store would be able to provide moving equipment to more than 12,010 households within 3 miles, allowing shorter travel distances for customers to pick up and drop off equipment. Customers would otherwise have to travel 2 miles to reach the next closest U-Haul rental location.
- ❑ This store anticipates averaging 400 monthly rental transactions, which would contribute to the economic stability of the Shawnee community and support the local tax base.
- ❑ This location can bring added exposure and support to neighboring businesses, also adding to their economic success and resiliency.

**2327 N. Harrison St.
Shawnee, OK 74804**



Incorporating Green Building Features & Sustainable Development

It is our desire to improve the quality of the existing property by implementing environmentally thoughtful features. This location may be eligible for sustainable building upgrades such as **energy-efficient lighting upgrades, dual pane window replacements, energy efficient HVAC units, electric vehicle charging stations and alternative fuel propane stations.**



U-Haul Equipment Shunting

SHUNT (verb):

To travel back and forth, as in 'to shunt between the two towns'.

The truck shunting practice presents a real-world example of efficient land use.

- ❑ U-Haul Stores serve as dynamic shunting areas instead of static parking lots.
- ❑ In other words, it allows U-Haul to keep our shared-use vehicles in use, never parked in one spot for a long time. Once a customer returns the truck, it's cleaned and maintained and presented to the next customer without sitting parked in a lot for any length of time.



Product Stewardship: U-Haul Trucks

- ❑ U-Haul moving trucks have a low profile, rounded corners and advanced chassis skirts to reduce wind drag and improve fuel economy up to 20%.
- ❑ Fuel Economy Gauges are installed in every new-production U-Haul truck to provide real-time feedback to drivers to help optimize fuel consumption.
- ❑ U-Haul trucks are painted with 3-Wet Paint technology allowing three layers of wet paint to be applied one on top of another and baked once, eliminating two paint ovens and resulting in a smaller, more energy-efficient paint shop.
- ❑ U-Haul rental trucks use cheaper, cleaner and more convenient unleaded fuel.
- ❑ Properly inflated radial tires and specially engineered Gentle-Ride Suspension ensure a smooth ride.
- ❑ U-Haul trucks have more safety features than any other rental trucks in the industry.



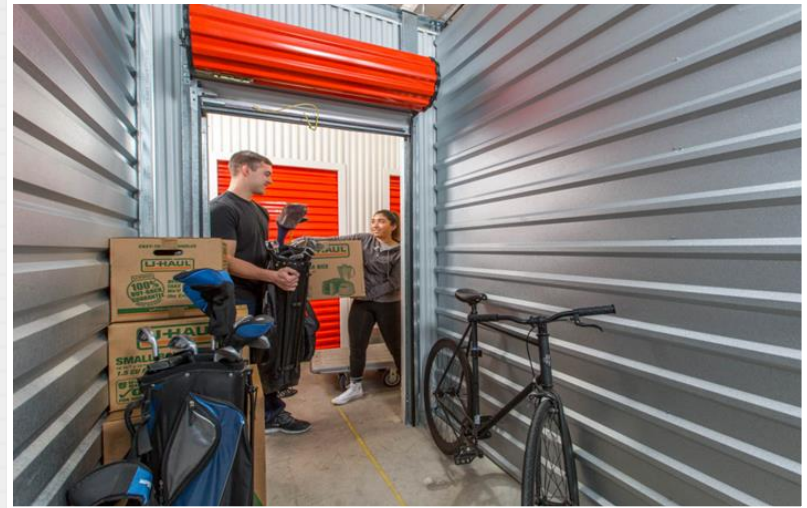
U-Haul Locations Share U-Haul Cargo Vans, Pickups & Trailers

- ❑ A cargo van is a low-cost solution for both businesses and individuals who need to transport items within town limits. Ideal for local and in-town moves, all cargo vans have rub rails and tie downs, and are capable of transporting more than 3,500 lbs.
- ❑ Pickup trucks are perfect for individuals who solely own smaller vehicles, but need to move larger items from one place to another. Commonly, people reserve pickup trucks to help with home improvement projects.
- ❑ U-Haul pickup trucks are also popular with local businesses that don't want the added expense of owning a truck, but would like to utilize a truck for a limited time, once or a few times annually.
- ❑ If your car or moving truck is filled to capacity but you have items left over, hitch up a U-Haul trailer. Trailers reduce the environmental impact of moving because they do not emit CO₂ or other greenhouse gasses.



U-Haul Self-Storage

- ❑ In times of need, utilizing local self-storage space instead of one's own home enables a family to live in a more compact, affordable home.
- ❑ U-Haul storage buildings provide safe, dry, climate controlled and secure storage for all of our customers' possessions.
- ❑ Interior storage room access provides increased security, reduction of noise and a more aesthetically pleasing exterior.
- ❑ All storage managers are actively involved with local police to ensure security and safe access to customers' stored goods.



U-Haul Storage Re-Use Centers™

U-Haul has implemented more than 677 Storage Re-Use Centers across the United States and Canada.

Annually, this redistribution network supports local residents reusing more than 152,204 household goods, which equates to:

- ❑ Diverting **4.6 million pounds** of materials from local landfills
- ❑ Avoiding **720,000 pounds of GHG/CO₂** emissions being released into the atmosphere through eliminating municipal waste trucks transporting waste to landfills.



U-Haul Sells Sustainable Retail Products

Reducing waste in landfills

- ❑ **Biodegradable Packing Peanuts**
Made primarily of corn and potato starch, the peanuts dissolve/degrade in water as an eco-friendly alternative to Styrofoam. **This allows for the annual diversion of more than 407,000 cubic feet of materials formerly destined for landfills.**
- ❑ **Box Exchange & Take A Box Leave A Box**
Both programs encourage reuse of U-Haul boxes, which are built to be reused again and again. **Nearly 1 million boxes are reused every year.**
- ❑ **Recycled Moving Pads**
Contain 100% recycled content material formerly destined for landfills. **Allows the annual diversion of 2.4 million pounds of recyclable materials from landfills.**



U-Haul Customers Offset Emissions

U-Haul and The Conservation Fund have worked together since 2007 to raise both money and awareness to address climate change by planting trees.

Together, we've engaged more than 1.7 million U-Haul customers to donate at checkout, raising more than \$6 million to plant 675,000 native trees at 10 National Wildlife Refuges; restore more than 1,800 acres of forest; trap an estimated 441,000 tons of carbon dioxide over the next 100 years; and build neighborhood Parks with Purpose in Atlanta, Detroit and Kansas City.



Photo Credit: Ivan LaBianca

— THE —
CONSERVATION FUND

U-Haul is the Industry Leader in Sustainability

- ❑ **2017 – The American Planning Association Sustainable Communities Division** awarded U-Haul a partner award along with the Conservation Fund for Excellence in Sustainability
- ❑ **2015** - U-Haul was nominated as a “Healthy Community, Sustainable Workplace” finalist at **Arizona Forward’s Environmental Excellence Awards**.
- ❑ **2014** - U-Haul was named as a finalist for the **Platts 2014 Global Energy Awards** in the “Efficiency Initiative - Commercial End-User”.
- ❑ **2012** - One of twelve finalists for the world-class **Platts Global Energy Awards** for Corporate Social Responsibility award. As well as one of seven finalists for the **Platts Global Energy Award** for Energy Efficiency Program of the Year: Commercial End-User. Winner of **Valley Forward’s Crescordia Award** for Contributions to Environmental Education and Awareness.
- ❑ **2011** - Finalist of international **Platts Global Energy Awards** for Energy Efficiency Program of the Year: Commercial End-User award and winner of **Valley Forward’s Crescordia Award** for Energy Efficiency Program of the Year
- ❑ **2010** – Winner of **Alliance to Save Energy’s Galaxy Star of Energy Efficiency Award** and **The Conservation Fund’s Heroes of Go Zero® Award** for addressing climate change and restoring America’s forest legacy
- ❑ **2009** – **AAMVA’s Environmental Leadership Award** for Climate Change and Energy and Resource Conservation, **Valley Forward’s Environmental Stewardship Award of Merit**



ARIZONA
FORWARD



U-Haul is a Sustainable Choice

For years, U-Haul has been committed to preserving resources for future generations

- ❑ Truck and Trailer Sharing
- ❑ Neighborhood Dealerships
- ❑ Box Exchange Program
- ❑ Take A Box, Leave A Box
- ❑ Storage Re-Use Centers
- ❑ Green Building Practices
- ❑ Adaptive Reuse Locations
- ❑ Fuel Efficient Technologies
- ❑ Van Body Self-Storage
- ❑ Permeable Parking Areas
- ❑ Recycled Moving Pads
- ❑ pH Neutral Truck Wash Soap
- ❑ Biodegradable Packing Peanuts
- ❑ Bioremediation
- ❑ Energy Efficient Lighting and HVAC investments



Questions?

Scott Brackin

Marketing Company President

U-Haul Company of Oklahoma

Phone: (405) 474-5563

Scott_Brackin@uhaul.com



U-HAUL
OF
OSHKOSH WEST

900 N KOELLER ST.
OSHKOSH, WI 54902,



SW6141
Softer Tan



SW7036
Accessible Biege



SW6227
Meditative



SW6768
Gulfstream



Sierra Sunset



SW2208
Mesa Tan



SW High
Gloss Green



Rust-Oleum
Forest Green



Brick Veneers

ANY CHANGES REQUIRE
REBID OF PROJECT

868074
868074 MSTR ART-03AC
12/26/2017



WEST ELEVATION / CONCEPTUAL IMAGING



OF
TELEGRAPH ROAD

19990 TELEGRAPH RD,
DETROIT, MI 48219

754072
754072 MSTR ART 02
03/10/2016



729-72
3015 Tower Ave,
Superior, WI 54880



EAST ELEVATION AFTER

781-71

4703 Babcock St NE,
Palm Bay, FL 32905



NORTHWEST ELEVATION AFTER

856-71

1900 Douglas Rd,
Montgomery, IL 60538



SOOUTHWEST ELEVATION AFTER

868-34

2201 N Main St.
Green Bay, Wisconsin 54302





AT
PENDLETON PIKE & 38TH ST

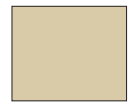
6800 PENDLETON PIKE,
INDIANAPOLIS, IN 46226



August Moon



Yellow Stone



Believable Buff



Nacre



Ultra White



High Gloss Green



Tropical Teal



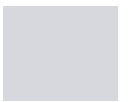
Obstinate Orange



Sierra Sunset



Eggshell Black



Light Gray

PRELIMINARY
IMAGING

ANY CHANGES REQUIRE
REBID OF PROJECT

764077
764077MSTR ART NHO1
09/28/2017



ARCHITECTURAL
FENESTRATION
TO REPLICATE
RETAIL LOOK

STRUCTURAL EMPHASIS ON MAIN CORNER
PROVIDING ARTICULATION TO THE BUILDING

CHANGE IN PAINT TO PROVIDE
ARTICULATION TO THE ELEVATION

REPLICATING EXISTING STRUCTURE
TO BRING FOCUS ON MAIN CORNER
OF THE BUILDING

SOUTH ELEVATION / CONCEPTUAL IMAGING

Regular Board of Commissioners

12.

Meeting Date: 03/19/2018

S04-18 Prelim Plat Maple Development

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration of approval of a Preliminary Plat for Maple Development, LLC located on Shawnee Mall Drive, East of the BNSF Railroad Tracks. Case No. S04-18, Applicant: Sid and Javal, Inc. *(Deferred by the Planning Commission to the April 4, 2018 meeting.)*

Attachments

S04-18 Staff Rpt

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Sid and Javal, INC
FOR: Preliminary Plat for Maple Development, LLC
LOCATION: Shawnee Mall Drive, East of the BNSF Railroad
Tracks, Shawnee, OK
PROJECT# 180144 CASE# S04-18

PLANNING COMMISSION MEETING DATE: March 7th, 2018

PLANNING COMMISSION RECOMMENDATION: Defer to April 4th, 2018 PC Meeting:

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM			X			
MATTHEWS	X		X			
WALKER			X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)			X			
KIENZLE			X			
ROWELL		X	X			

RESPECTFULLY SUBMITTED,

Cheyenne Pettigrew

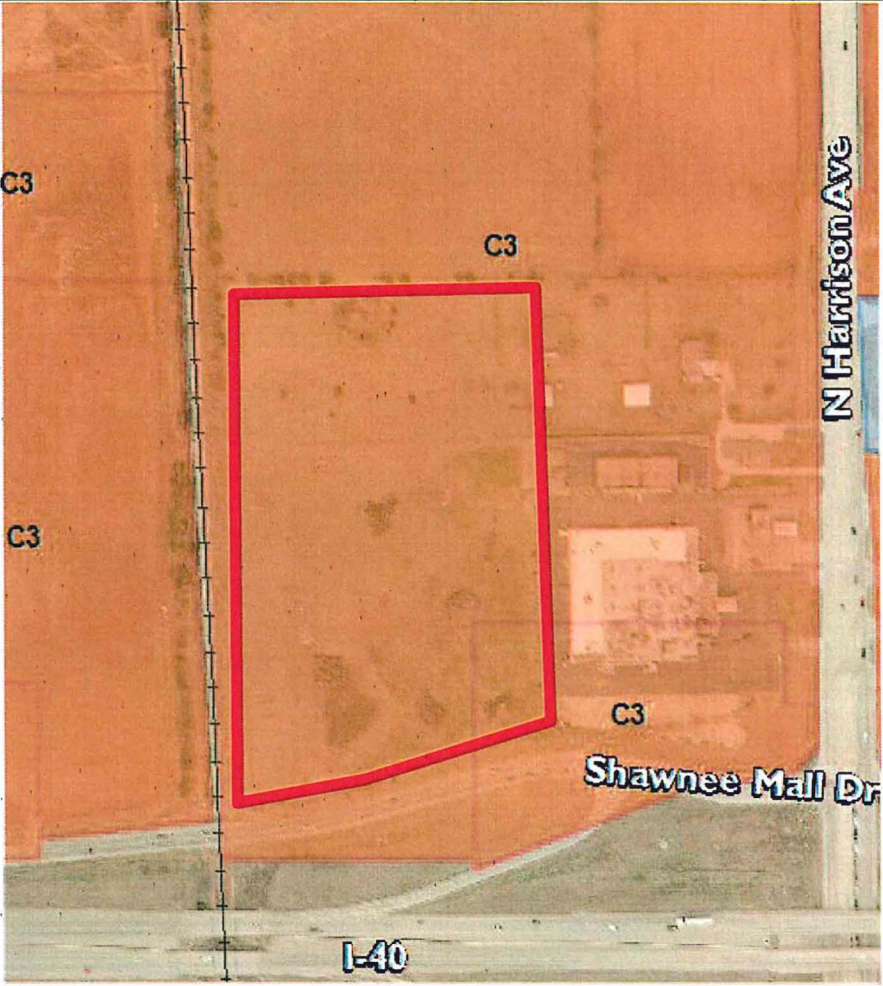
SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # S04-18 PUBLIC HEARING DATE: March 7 th , 2017 CITY COMMISSION DATE: March 19 th , 2017	
APPLICANT: Sid and Javal Inc.	13512 S. Blackwelder Ave. Oklahoma City, OK 73170		(405) 326-0880	
PROPERTY ADDRESS/LOCATION: A part of the NE/4 of Sec 31, T-11-N, R-4-E, IM				
SUMMARY OF REQUEST: The applicant, Sid and Javal Inc., is requesting preliminary plat approval to divide approximately 8.5 acres of land into 5 commercial lots. Access is limited to one cul-du-sac due to an Oklahoma Department of Transportation (ODOT) limits-of-no-access.				
EXISTING ZONING: C3	EXISTING LAND USE: Vacant	SURROUNDING ZONING & LAND USE: C-3 (Highway Commercial)	Number of Lots: 5	PROPERTY SIZE: 8.59
STAFF REVIEW AND ANALYSIS				
Based on Staff's review of the proposal, a number of corrections are necessary to in conformance with City Code. Staff recommends this item be <u>deferred to the April 4th, 2018 Planning Commission agenda</u> , to allow the applicant time to				

make corrections..

APPROVE

APPROVE WITH CONDITIONS

DENY

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

**ATTACHMENTS:
(CIRCLE)**

**SUBMITTED
PLANS**

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

Attachments:

Exhibit 1: Maple Development Preliminary Plat

Exhibit 2: Applicant Narrative

PRELIMINARY PLAT
OF
MAPLE DEVELOPMENT, L.L.C.
A PART OF THE NE/4 OF SEC 31, T-11-N, R-4-E, I.M.
SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA
SHEET 1 OF 1

DEVELOPER
SID AND JAVAL INC.
M.N. SIDDIQUI
13512 S BLACKWELDER AVE.
OKLAHOMA CITY, OK 73170
PHONE: (405) 326-0880



LEGEND

A PART OF THE NORTHEAST QUARTER OF SECTION 31, T-11-N, R-4-E, LM, POTTAWATOMIE COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast Corner of the Northeast Quarter of Section 31, T-11-N, R-4-E, 32° E a distance of 110.13 feet; Thence S89°13'48"W a distance of 558.57 feet to the POINT OF BEGINNING; Thence from said POINT OF BEGINNING S89°13'48"W a distance of 650.23 feet; Thence S22°44'20"E a distance of 691.13 feet; Thence S72°57'12"E a distance of 376.1 feet; Thence N10°53'45"E a distance of 98.02 feet; Thence N66°47'47"E a distance of 95.56 feet; Thence S73°43'43"W a distance of 230.17 feet; Thence N00°20'52"E a distance of 39.74 feet; Thence N09°38'38"E a distance of 48.43 feet; Thence N02°00'00"E a distance of 170.70 feet; Thence N02°56'56"W a distance of 342.12 feet to the POINT OF BEGINNING. Said tract contains 8.592 acres or less and is subject to any Easements or Rights of Way.

PLAT NOTES

1. ALL STREETS ARE PUBLIC STREET & PUBLIC U/E.
2. DETENTION WILL BE PROVIDED FOR EACH INDIVIDUAL TRACT, ON TRACT 1

STATISTICAL DATA

TOTAL NUMBER OF GROSS ACRES:	8.59±
TOTAL NUMBER OF LOTS:	5
NUMBER OF DWELLING UNITS:	0
ACREAGE:	0
RESIDENTIAL DENSITY:	0
NET RESIDENTIAL DENSITY:	0
NUMBER OF COMMERCIAL LOTS:	5
NUMBER OF INDUSTRIAL LOTS:	0
PARK ACREAGE:	0
COMMON RECREATIONAL ACREAGE:	0
COMMON OPEN ACREAGE:	0
LINEAL FOOTAGE OF STREETS	362.75
PUBLIC LOCAL:	362.75
COLLECTOR:	0
ARTERIAL:	0
OTHER PUBLIC ACREAGE:	0
OTHER SEMI-PUBLIC ACREAGE:	0

LEGEND

U/E	UTILITY EASEMENT
D/E	DRAINAGE EASEMENT



DATE 02-02-18	PRELIMINARY PLAT
SCALE 1" = 50'	MAPLE DEVELOPMENT, L.L.C.
JOB NUMBER MOM18004	SHAWNEE, OK
DRAWN BY S.G.B.	 ANCHOR ENGINEERING, L.L.C. Specializing in Subdivisions CA No. 4181 Exp. 06/30/18 12617 S. Orchard Road (405) 748-9928 McLoud, Ok. 74353 (405) 748-9927 Fax info@anchorengineering.net
APPROVED BY D.H.B.	
SHEET	
1 OF 1	

P.O.C.
Southeast Corner
Northeast Quarter
Section 31,
T. 11 N., R. 4 E., I.M.,
Pottawatomie County, OK

THIS PLAT IS DESIGNED IN
ACCORDANCE WITH THE CITY OF
SHAWNEE ORDINANCES AND
REGULATIONS GOVERNING THE
SUBMISSION OF LAND.

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: 504-18
Project Number: 180144
Date Filed: February 6th 2018
Amount Paid: \$240.00
Receipt No.: 02133623

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 Sid and Javal Inc. M.N. Siddiqui
APPLICANT ADDRESS 13512 S. Blackwelder Ave., Oklahoma City, OK 73170
APPLICANT PHONE NUMBERS 405-326-0880
EMAIL ADDRESS sidisok@hotmail.com
NAME OF PLAT Maple Development, L.L.C.
LOCATION A part of the NE/4 of Sec 31, T-11-N, R-4-E, IM
NUMBER OF ACRES 8.59 AC NUMBER OF LOTS 5

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS: FEE: \$225.00
PLUS \$3.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS 5 \$ 15.00
PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS _____
TOTAL COST \$ 240.00

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 Sid and Javal, Inc. M.N. Siddiqui
ADDRESS 13512 S. Blackwelder Ave., Oklahoma City, OK 73170
CONTACT NUMBERS 405-326-0880
EMAIL ADDRESS sidisok@hotmail.com

PROJECT ENGINEER INFORMATION:

NAME Anchor Engineering, L.L.C. Dwight H. Butler, P.E.
ADDRESS 12617 S. McLoud Road, McLoud, OK 74851
CONTACT NUMBERS Phone: 405-749-9998 Fax: 405-749-9997
EMAIL ADDRESS dbutler@anchorengineering.net

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

Regular Board of Commissioners

13.

Meeting Date: 03/19/2018

S05-18 2600 N Harrison

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration of approval of a Preliminary Plat for First United Bank of Shawnee located at 2600 North Harrison Avenue. Case No. S05-18, Applicant: Mr. William Fahrendorf.

Attachments

S05-18 Staff Rpt

RECOMMENDATION TO:

MAYOR
BOARD OF CITY COMMISSIONERS
CITY OF SHAWNEE

RECOMMENDATION FROM:

CITY OF SHAWNEE
PLANNING COMMISSION

SUBJECT:

APPLICANT: Mr. William Fahrendorf
FOR: Preliminary Plat for First United Bank of Shawnee
LOCATION: 2600 N. Harrison Avenue, Shawnee, OK
PROJECT# 180152 CASE# S05-18

PLANNING COMMISSION MEETING DATE: March 7th, 2018
PLANNING COMMISSION RECOMMENDATION: Approve w/ following conditions:

1. Final Construction documents must be approved by the City Engineer concurrent with Final Plat approval.
2. Any necessary drainage plans must be approved by the City Engineer concurrent with Final Plat approval.
3. All other applicable City standards apply.

VOTE OF THE PLANNING COMMISSION:

MEMBERS PRESENT: 7

MEMBERS:	1ST	2ND	AYE	NAY	ABSTAIN	COMMENTS
DEEM			X			
MATTHEWS	X		X			
WALKER		X	X			
BERGSTEN (CHAIRMAN)			X			
COWEN (VICE-CHAIRMAN)			X			
KIENZLE			X			
ROWELL			X			

RESPECTFULLY SUBMITTED,

Cheyenne Pettigrew

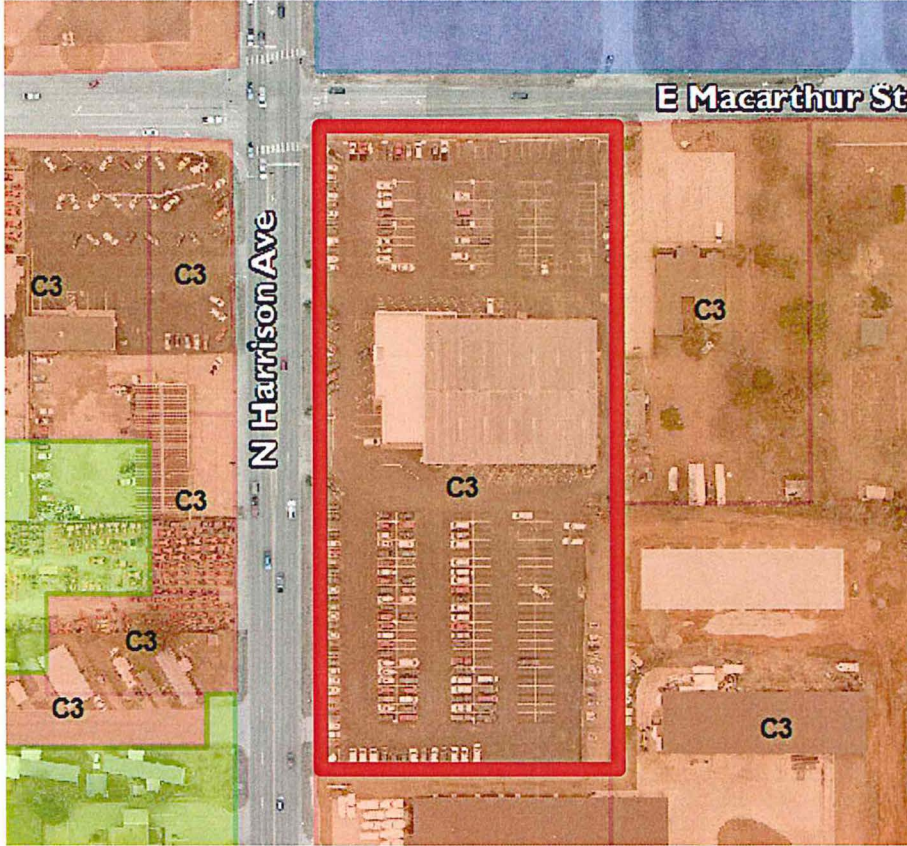
SECRETARY, PLANNING COMMISSION

ACTION BY CITY COMMISSION:

PUBLIC HEARING SET: _____

DATE OF ACTION: _____

ADOPTED _____ DENIED _____

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # S05-18 PUBLIC HEARING DATE: March 7 th , 2017 CITY COMMISSION DATE: March 19 th , 2017	
APPLICANT: Mr. William Fahrendorf	P.O. Box 130 Durant, OK 75702		(580) 924-2112	
PROPERTY ADDRESS/LOCATION: 2600 N. Harrison Shawnee, OK 74804				
SUMMARY OF REQUEST: The applicant, Mr. William Fahrendorf, is requesting preliminary plat approval to facilitate development of the First United Bank of Shawnee. The subject site is generally located at the south-east corner of MacArthur Street and Harrison Avenue, and was formally the Joe Cooper Ford location.				
EXISTING ZONING: C3	EXISTING LAND USE: Business	SURROUNDING ZONING & LAND USE: C-3 (Highway Commercial) C-5 (General Commercial)	Number of Lots: 2	PROPERTY SIZE: 4.317
STAFF REVIEW AND ANALYSIS				
Staff has reviewed the First United Bank Preliminary Plat and find it to be in full conformance with the City of Shawnee Subdivision Regulations and Zoning Code. The property is fully served by public water via a 10" water line on Harrison Avenue and a 12" water line on MacArthur Street. The existing 8" sanitary sewer line will be extended south from MacArthur Street to serve both proposed lots. Currently, the former Joe Cooper Ford structure has been demolished, and in its place will be constructed a First United Bank. On such a vital intersection in Shawnee, the redevelopment of this site will be a positive change for Shawnee.				

While the site was completely impervious, the new construction will comply with all modern commercial standards. Six foot sidewalks will be installed along Harrison Avenue and MacArthur Street, the land will be landscaped to the extent of 10%, the First United Bank building has indicated a modern and compliant building façade, and all other nonconforming issues will be resolved.

Staff finds the First United Bank Preliminary Plat to be consistent with City standards and recommends plat approval.

APPROVE

APPROVE WITH CONDITIONS

DENY

Staff recommends approval of the First United Bank Addition Preliminary Plat with the following conditions:

- 1. Final Construction documents must be approved by the City Engineer concurrent with Final Plat approval.**
- 2. Any necessary drainage plans must be approved by the City Engineer concurrent with Final Plat approval.**
- 3. All other applicable City standards apply.**

**ATTACHMENTS:
(CIRCLE)**

**SUBMITTED
PLANS**

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

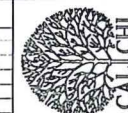
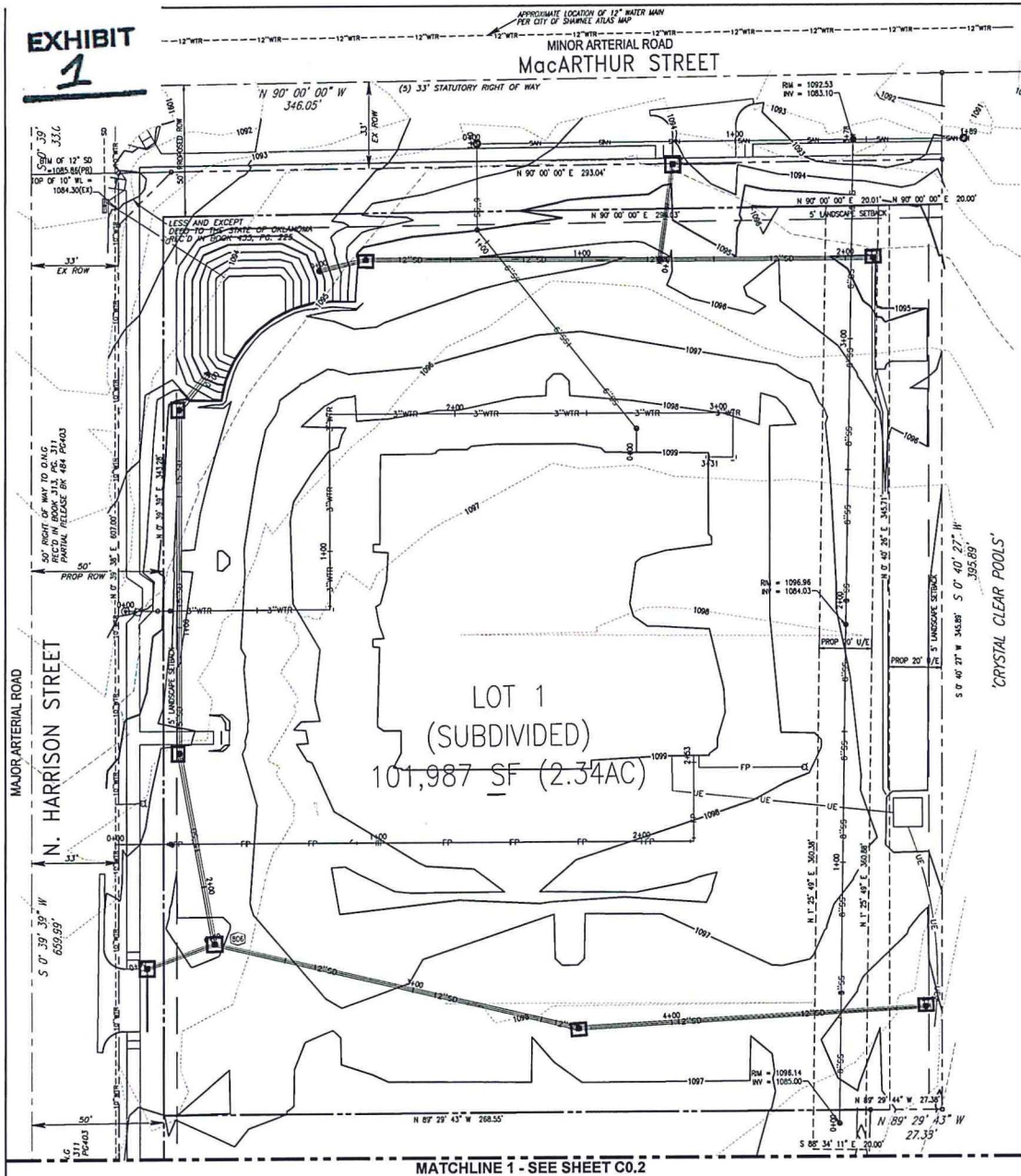
AGENCY COMMENTS

RESPONSE TO STANDARDS

Attachments:

Exhibit 1: First United Bank Addition Preliminary Plat

1



SHEET NO.
C0.1

C0.2

PRELIMINARY PLAT APPLICATION



City of Shawnee Planning Department

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Shawnee, OK 74801
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www.ShawneeOK.org

For Office Use Only

Case Number: 505-18
Project Number: 180182
Date Filed: February 9th, 2018
Amount Paid: \$231.00
Receipt No.: 02134659

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 Mr. William Fahrendorf
APPLICANT ADDRESS First United Bank, P.O. Box 130, Durant, OK 75702
APPLICANT PHONE NUMBERS 580.924.2112
EMAIL ADDRESS william@firstunitedbank.com
NAME OF PLAT First United Bank of Shawnee
LOCATION 2600 N. Harrison Street, Shawnee, OK 74804
NUMBER OF ACRES 4.317 NUMBER OF LOTS 1(EX.), 2 (PROPOSED)

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 Mr. William Fahrendorf
ADDRESS First United Bank, P.O. Box 130, Durant, OK 75702
CONTACT NUMBERS 580.924.2112
EMAIL ADDRESS william@firstunitedbank.com

PROJECT ENGINEER INFORMATION:

NAME Mr. Austin Hahn, PE (OK)
ADDRESS 1 N. LaSalle St., Suite 3950, Chicago, IL 60602
CONTACT NUMBERS 312.940.4393
EMAIL ADDRESS austin@calichi.com

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

Regular Board of Commissioners

14.

Meeting Date: 03/19/2018

Contract Rev Comm

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Discussion, consideration, and possible action of a resolution to formalize the Community Service Contract Review Committee.

Attachments

Contract Review Reso

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING THE CONTRACT REVIEW COMMITTEE FOR THE CITY OF SHAWNEE; SETTING FORTH VARIOUS PROVISIONS AND OFFICIAL DUTIES.

WHEREAS, on May 3, 1993 the Shawnee City Commission adopted Community Service Contract guidelines; and

WHEREAS, said guidelines were never adopted by resolution or ordinance by the Shawnee City Commission; and

WHEREAS, the Contract Review Committee has faithfully discharged its duties from 1993 to the present day; and

WHEREAS, there is a desire to formalize the Committee structure and official duties through the passage of a resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION I. CREATION

- A. There is hereby established a Contract Review Committee that shall review all community service contracts, whereby the City is paying a third-party to provide a direct community governmental or quasi-governmental service. Examples include services related to transportation, senior citizens and various community programs, economic development, promotion of tourism, and similar activities that are budgeted for on an annual basis. Contracts of this nature are only made with nonprofit entities including 501(c)(3) and 501(c)(6) entities.
- B. A community service contract does not include contracts that are made with for-profit enterprises for goods and services or for public construction projects.

SECTION II. POWERS AND DUTIES

- A. The Contract Review Committee shall make a recommendation on each contract to the Shawnee City Commission for final consideration.
- B. The Contract Review Committee shall have the general authority to review contracts and related documents and discuss administrative, financial, and operational matters with current or prospective community service contract holders.

SECTION III. COMPOSITION

- A. The Contract Review Committee shall consist of five members. These members shall include a minimum of two, but no more than three, members of the City Commission including the Mayor, along with a minimum of two, but no more than three, members of the general public that reside in Shawnee city limits. The Mayor shall chair the meeting.
- B. Members are nominated by the Mayor and confirmed by the City Commission.

- C. City of Shawnee staff members including the City Manager, City Attorney, City Clerk or their designees may serve the Contract Review Committee in an advisory and non-voting capacity.

SECTION IV. TERMS OF OFFICE

- A. Members of the Shawnee City Commission that serve on the Contract Review Committee may serve as long as they are in office.
- B. Citizen members of the Contract Review Committee may serve up to two consecutive three-year terms, not including partial terms.

SECTION V: MEETINGS

- A. Meetings of the Contract Review Committee are open public meetings and shall be posted as such in accordance with the Oklahoma Open Meeting Act.
- B. The Contract Review Committee meets intermittently and typically meets up to two times during the budget preparation cycle in April and/or May, but may meet more regularly as needed. The Mayor or City Manager is authorized to call a meeting as necessary.
- C. A quorum of three members is required to conduct business.

SECTION VI. ELIGIBILITY FOR FUNDING

- A. The City may spend funds for goods or services which aid the municipality and the citizens who reside within Shawnee corporate limits. This includes contracting for such goods or services which are provided to the public by or on behalf of the City. Such expenditures must support a public purpose.
- B. A public purpose is affected with a public interest and performed by the public body in the exercise of its governmental functions.
- C. A function of the governmental body is not to be confused with a general benefit to the community. Mere benefit to the community is not enough. Municipal funds cannot be used as donations or subsidies to private entities.
- D. The City cannot spend public funds for a purpose that the City has no power to perform. It must be a municipal government function. When the City has the power to perform the function and the requisite control, then it can contract for the service as an alternative.

SECTION VII. REVIEW PROCESS

- A. The City Clerk shall have the power to establish an application process and administrative protocol related to submittal requirements and submittal timeframes by those organizations seeking funding for the first time or those seeking contract renewal.
- B. Those seeking funding should address in letter form the following details:
 - a. Specify how the program complies with the requirements set forth in Section I.
 - b. Specify how the objective of the program serves the community and specifically the municipality in providing services for the citizens.
 - c. Provide details regarding the specific program such as, but not limited to: location of facility, number of employees, services provided, organization structure and history, length of service in this capacity, etc.
 - d. Are the services offered by other agencies or organizations in Shawnee?

- e. Provide financial statements and audit documents if available and note other major donors and sources of non-City funding and if the City funding is used as match for State, Federal or other donors.
- f. If currently under contract with the City, submit any proposed changes to existing contract language or funding levels.
- g. The ability of the program to become self-sufficient over time.
- h. Information regarding fees/charges paid by the public to utilize services provided.
- i. For renewal requests, a copy of the organization's annual report or list of accomplishments from the previous year detailing how City funds were utilized.
- j. Indicate the amount of funds requested and specifically how the funds will be expended.
- k. Some or all of the above requirements can be waived by the Contract Review Committee for contracts being renewed, without substantive changes to contract language or funding levels where sufficient detail has been presented previously by the community service contract holder.

PASSED AND APPROVED THIS ____ DAY OF _____, 2018

RICHARD FINLEY, MAYOR

ATTEST:

PHYLLIS LOFTIS, CMC, CITY CLERK

(SEAL)

Regular Board of Commissioners

15.

Meeting Date: 03/19/2018

Sales Tax

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Acknowledge Sales Tax Report received March 2018.

Attachments

Sales Tax



Date: March 14, 2018
TO: Mayor and Commissioners
From: Cynthia S. Arnold, Finance Director
Subject: February Sales Tax Deposit (March)

Sales Tax Collections:

March deposit for February sales tax was \$1,308,463 which will be divided among the following funds:

General	\$ 872,309
Capital Improvements	\$ 169,010
Street Fund	\$ 190,817
Economic Development	\$ 21,808
Police Sales Tax Fund	\$ 27,259
Fire Sales Tax Fund	\$ 27,259

Compared to March 2017 we were down \$62,527 or 4.56% For the year we are up 1.12% which is slightly below what we budgeted for.

We need to remember to Shop Shawnee as much as possible to keep the sales tax steady.

Use tax deposit in March was \$95,761 down \$35,561 or 37.13 % from last year.

Compared to last year use tax is up \$124,007 or 12% for the year.

Sales Tax Comparison:

	April 2015	April 2016	April 2017	Increase	(Decrease)
	through	through	through	Over Prior Year	
Month	March 2016	March 2017	March 2018	Amount	Percentage
April	1,426,451	1,552,529	1,469,441	(83,088)	(5.35%)
May	1,466,536	1,493,399	1,573,986	80,587	5.40%
June	1,438,144	1,437,412	1,556,869	119,457	8.31%
July	1,442,218	1,475,520	1,537,860	62,340	4.22%
August	1,588,410	1,530,246	1,559,594	29,348	1.92%
Sept	1,494,203	1,490,836	1,493,327	2,491	0.17%
Oct	1,545,245	1,496,732	1,571,844	75,112	5.02%
Nov	1,426,192	1,468,286	1,412,195	(56,091)	(3.82%)
December	1,506,784	1,405,365	1,436,804	31,439	2.24%
January	1,546,951	1,558,709	1,573,267	14,558	0.93%
February	1,605,202	1,676,413	1,652,541	(23,872)	(1.42%)
March	1,316,044	1,370,990	1,308,463	(62,527)	(4.56%)
Total	17,802,379	17,956,437	18,146,191	189,753	1.06%
		Prior Year	Current Year	Increase	(Decrease)
Period		Actual	Actual	Over Prior Year	
Fiscal Year to Date		13,473,097	13,545,895	72,798	0.54%

Top sales tax codes: February Collections		Feb 2018	Feb 2017
Retail Trades	44-45	\$776,352	\$799,626
Accommodation and Food Service	72	\$242,332	\$238,412
Wholesale Trades	42	\$ 85,440	\$94,919
Utilities	22	\$104,463	\$78,161
Information	51	\$44,925	\$52,185
Manufacturing	31-33	\$14,326	\$52,654
Real Estate Rental & Leasing	53	\$15,678	\$28,089
Other Services	81	\$12,037	\$12,780
Unclassified	UNC	\$830	\$3,174
Arts & Entertainment	71	\$6,171	\$5,891
Professional	54	\$1,693	\$2,079
Other		\$4,214	\$3,018

TOP REVENUE THRU 02/28/2018		2017-2018	2016-2017	2015-2016	% to 2016	% to 2015
General Fund:	001					
Sales Tax	4001	\$8,147,767	\$8,058,365	\$8,103,896	1.11%	.54%
Use Tax	4002	\$1,061,160	\$901,591	\$1,052,691	17.70%	.80%
Alcoholic Beverage Tax	4003	\$88,685	\$87,741	\$80,821	1.08%	9.73%
Cigarette Tax	4006	\$141,858	\$140,334	\$146,104	1.09%	.-2.91%
Court Fines	4301	\$246,753	\$274,098	\$253,182	-9.98%	-2.54%
Court Cost	4302	\$59,689	\$73,136	\$72,283	-18.39%	-17.42%
		\$9,745,911	\$9,535,266	\$9,708,978	2.21%	.38%
Franchise Taxes:	001	\$36,025	\$39,677	\$37,471	-9.20%	-3.86%
Cable - Vyve	4016	\$81,869	\$79,167	\$76,754	3.41%	6.66%
Electric-CVEC	4018	\$839,505	\$753,373	\$790,643	11.43%	6.18%
Electric-OG&E	4014	\$203,799	\$180,820	\$169,927	12.71%	19.93%
Gas-ONG	4013					
		\$10,907,109	\$10,588,302	\$10,783,773	3.01%	1.14%
Top Ten Revenue						
Total Other Revenue		\$2,932,270	\$3,248,080	\$3,303,894		
Total Revenue		\$ \$13,839,379	\$13,836,382	\$14,087,667	0.02%	-1.76%

Regular Board of Commissioners

16.

Meeting Date: 03/19/2018

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

City Manager Report

Attachments

CM Report

City Manager Report

February 2018



Highlights

C-Span Visits Shawnee and City Commission Meets

Mayor Richard Finley welcomed C-SPAN to Shawnee on Tuesday, February 6 at the Shawnee Public Library as they kicked off a visit to record the history and non-fiction literary life of Shawnee on the cable network's non-fiction book channel BookTV (on C-SPAN2) and history channel American History TV (on C-SPAN3). Thank you Vyve Broadband for helping to make this happen. The video segments can be viewed at: <https://www.c-span.org/series/?citiesTour&city=6741>

The Shawnee City Commission held a workshop on March 1 at the Shawnee EXPO. Commissioners heard an update on completion of the EXPO Master Plan and community emergency shelters and sirens. They also discussed capital improvements and the possibility of taking a temporary sales tax increase to voters in 2018.

New City Website Launches Soon!

The City of Shawnee will launch a new website in late-March or early-April. A preview of the homepage appears below. The new site incorporates the adopted community branding elements and highlights the City and community in a visually stunning way. It will also provide an efficient way for the public to utilize services, catch up on news and events, and seek assistance.

Meetings and Noteworthy Items

City Commission – March 19, April 2

(Note: All regular Commission meetings now start at 6:00 PM in 2018)

Planning Commission – April 4

Beautification – April 19

Other Important Dates:

3rd Friday Block Party – April 20, May 18

Redbud Festival- April 20- 21

Other Events:

www.visitshawnee.com/Calendar

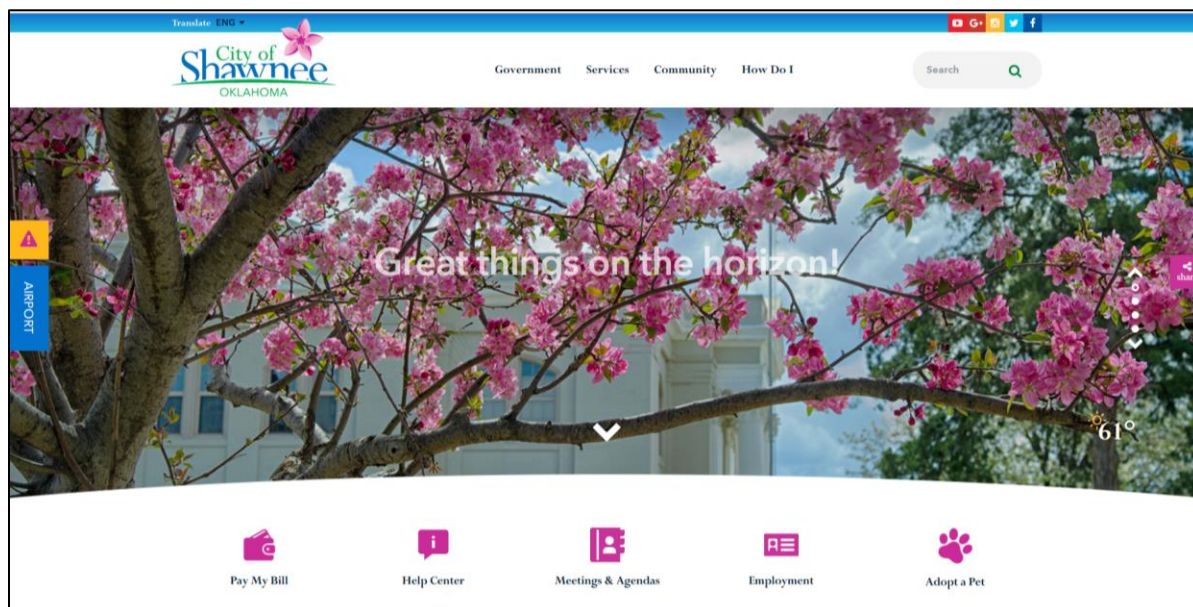
<http://www.shawneexpo.org/calendar.html>

Board Openings:

Traffic Commission

Note: Applications can be obtained:

www.shawneecok.org/gov/Boards/



City Manager Report

February 2018



OTHER UPDATES BY DEPARTMENT

Finance/Treasurer Report

Sales Tax. February deposit of January sales tax collected was \$1,652,541 compared to February 2017 we are down \$23,872 or 1.42 percent. For the year, the City is up 1.12 percent which is below what was budgeted for this fiscal year.

Shawnee Municipal Authority

Master Plan Implementation. In 2014, the SMA adopted a Comprehensive Water and Wastewater Master Plan which evaluated all water supply, water treatment, collection systems and wastewater treatment facilities. The Plan included a Capital Improvement Plan (CIP) with recommendations for prioritization and phasing of the recommended short term (0-5 years and 5-10 years) and long term (10-20 years) Capital Improvements Plan (CIP) projects. The City Commission hired an engineering consultant, C.H. Guernsey, to lead the effort to design and construct the first phase of improvements. Guernsey and staff had an official kickoff meeting March 24, 2017 that started with a presentation by Guernsey and ended with Guernsey and SMA staff touring the Southside Sewer Plant, Water Treatment Plant and the Northside Sewer Plant. Guernsey conducted a detailed immersion of the plants on April 27 and 28. SMA staff and Guernsey presented the Capital Improvement Plans to DEQ on Tuesday, May 9, 2017.

At this time, engineering work is about 35% complete. Staff toured the Midwest City plant on Friday, October 27, 2017. Staff toured 3 Wastewater Plants in Austin, TX in November to get a look at what the new proposed Southside Wastewater Plant could resemble. Staff along with Guernsey toured the El Reno SBR sewer plant in January 2018. On January 17 Guernsey provided a comprehensive update to the City Commission at their special meeting/workshop. City and Guernsey staff had a work shop February 7 at Public Works. The material covered at the work shop was where we're at with the engineering of the Southside sewer plant, Northside sewer plant and water plant. Guernsey gave a presentation to SMA staff on February 14 on UV disinfection for a unit process at both sewer plants.

Operations Department (Parks, Cemetery, Fleet Management)

Classes at the Community Center: (call 275-3986 for more information)

Martial Arts- Monday, Wednesday and Friday 6-8:30 pm (\$)

Pound Course- Tuesday and Thursday from 5:30-6:30 pm (\$)

Open Gym- Monday- Friday from 12-1pm and from 3-5pm, basketballs and various other equipment available (18 laps = 1 mile)

City Manager Report

February 2018



Engineering and Streets

Rehab Concrete Streets Project. The project contractor is finishing work on N. Pottenger Street and will be moving on to Chapman, Chandler and Madeline.

Kickapoo Street from Farrall to Spur. The second set of Preliminary Right-of-Way and Utility Plans were submitted for review. A meeting is scheduled with POE and Associates to go over changes and revisions needed before meeting with ODOT.

Avedis/City Sidewalk Project. The second phase of this project has begun starting on the east side of Broadway just north of Highland. They have completed approximately twelve blocks to date and will continue along the east side until they reach Federal Street. Currently, working between Independence and Elizabeth.

Planning Department

Clean-up Efforts. The Action Center maintains a very active caseload, with numerous complaints received daily. For a complete list of Action Center cases or to submit a complaint anonymously online, see: <http://www.shawneeok.org/actioncenter/default.asp>

Transportation Alternatives Program. The City was notified in August 2016 that its application to the Oklahoma Department of Transportation for a Transportation Alternatives Program grant was approved. The planned sidewalk will bridge a critical missing gap along MacArthur Street east of Harrison. The Avedis Foundation has agreed to provide matching funds equal to ten percent of the project cost. Staff is working with ODOT on scheduling of this project. The Shawnee Engineering Department is providing the engineering design of this project, saving the City considerable funds. The project is expected to ready to bid in Spring 2018 pending ODOT approval.

Comprehensive Plan Update. The City is starting the process of updating its Comprehensive Plan – a long range planning document that encompasses all aspects of the community and helps to ensure positive long-term growth and development. On February 20, the City Commission approved a contract with the planning firm RDG to assist the City with this process. Public meetings and outreach efforts will begin soon and the process should be concluded in approximately one year.

Fire Department

Station 2 Rehab/Renovation. Work continues on this project and the better weather is helping progress. The three-week outlook by the contractor, includes completion of the roof and beginning the exterior sheathing and brick. This project is scheduled to be completed in late-Spring.

Hydrant Flowing (ISO requirement). Work continues on this project.

Hydrant Painting (ISO requirement). Work continues on this project.

City Manager Report

February 2018



Blue Card Incident Command Certification. Nine (9) Fire Department Captains are now enrolled in the Blue Card program. They have been given until March 31, 2018 to complete the 50-hour online portion of the class. Our Blue Card Command Training Center will be operational beginning Tuesday, March 13.

Police Department

Administration. The City is finalizing the budget and the contract for the IACP grant. The donated car for the chaplain program is in and receiving graphics. SPD is preparing for a LESO equipment audit in March and are preparing for the assessors visit in April for accreditation. We are working through the Lexipol policy process. The policies are being administered and accepted a few at a time.

Patrol. New officers have started with the department. They have begun their CLEET or FTO training. We are in the process of hiring three new officers. We have all the motorcycle gear ordered and should be able to get the motorcycle on the street in March. Community Oriented Policing officers are attending many neighborhood and organization meetings. The COPS program is off to a great start with many good reviews from the citizens.

Animal Welfare. : Staff is working with Lowes to start some adoption weekends in the next few months. We are working with SMA to repair the sewer line for the remodeled building so we can use it this Spring. The Animal Shelter is still looking for volunteers. Applications are available at the shelter.

Dispatch. We currently have open positions in the communications center and are holding presentations with the public to better educate them about the process they will encounter when calling 911.

Emergency Management

Planning Projects. A variety of planning efforts are underway, including an update to the Emergency Operations Plan, EOC Standard Operations Guide, and the Elected Officials Briefing Book.

Regional Airport

Bonnie Wilson stated work as the new Airport Manager on January 22. Ms. Wilson have an extensive aviation background including over sixteen years of service at the Jackson Municipal Airport Authority in Mississippi, where she held several positions including: Director of Public Safety and Operations, Chief Operating Officer, Interim Chief Executive Officer and Chief Administrative Officer. She holds a Bachelor's Degree in History and Public Administration from the University of Houston and is a Certified Member of the American Association of Airport Executives.

Aviation Safety Seminars offered by the Federal Aviation Administration Safety Team (FAAST) will be held at the Shawnee Regional Airport March 15, 2018 -- Owner Maintenance/Preventative Maintenance and Accident Avoidance and April 19, 2018 -- Automatic Dependent Surveillance – Broadcast (ADS–B). For more information contact the Shawnee Regional Airport (405) 878-1633.





Shawnee Regional Airport Hosts Oklahoma Forestry Services' Firehawks -

Annual Wildland Fire Season has arrived and the Shawnee Regional Airport is playing an essential part of the wildfire emergency response. Firehawk helicopters, crew, and equipment stage at the airport, ready to launch an aerial attack on wildland fires. These aircraft can fly at the rate of 138 miles per hour to water sources nearest the scene of the fire. Load, carry and deliver up to 800 gallons of water and foam to the hottest parts of wildland fires often inaccessible to ground based fire fighters.



Future Aviators - The ladies of the Shawnee Middle School Cheer Squad joint the “jet set” to have their yearbook photo taken this year. Cheer Squad Coach Michelle McCormick arranged for the aviation experience with Shawnee Regional Airport based flight school FlyOKAir owner Wes Elliott, Airport Advisory Board member Mr. Donald “Andy” Freeman provided the aircraft. Coach McCormick’s squad often fly through their moves on the sports fields, but she set a goal of introducing these 7th and 8th grade students to a different kind of flying. Supporting Science, Technology, Engineering and Math education begins with these types of opportunities. Thanks Coach!

Regular Board of Commissioners

19.

Meeting Date: 03/19/2018

Enter Executive Session

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration and possible vote to enter into executive session to discuss the status of negotiations with the IAFF, Local No. 206 for a new Collective Bargaining Agreement for FY 2018-2019 and to discuss the City's last best offer in connection with the scheduled interest arbitration for a Collective Bargaining Agreement for FY 2017-2018 as authorized by 25 O.S. Section 307(B)(2).

Attachments

No file(s) attached.

Regular Board of Commissioners

20.

Meeting Date: 03/19/2018

Discuss Executive Session

Submitted By: Kacie Eck, City Clerk

Department: City Clerk

Information

Title of Item for Agenda

Consideration and possible action on the items discussed in executive session regarding the status of negotiations with the IAFF, Local No. 206 for a new Collective Bargaining Agreement for FY 2018-2019 and to discuss the City's last best offer in connection with the scheduled interest arbitration for a Collective Bargaining Agreement for FY 2017-2018 as authorized by 25 O.S. Section 307(B)(2).

Attachments

No file(s) attached.
