

REGULAR PLANNING COMMISSION MINUTES

DATE: March 2, 2022

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a regular meeting on March 2, 2022, at 1:30 p.m., according to notice duly posted as prescribed by law.

Item 1. Roll Call

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

The following Commissioners were present:

Present: Walker, Johnson, Deem, Reese, Rowell

Absent: Loftis-Walton, Mew-Palmer

Item 2. Approval of Minutes – Regular meeting

Consideration of approval of the minutes from the regular meeting of February 2, 2022. Chair Deem asked the Planning Commissioners for questions or corrections to the minutes.

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

Motion passed 5-0-0.

Aye: Walker, Johnson, Deem, Reese, Rowell

Nay: None

Abstain: None

Chairperson Deem announced she had a conflict of interest with the next agenda item and stepped down from the dais.

Item 3.

Case No. CUP01-22 – Public hearing and consideration of a request for a Conditional Use Permit (CUP) for a guest cottage at 16712 Magnino Road.

Applicants: Lora Davis and James Hunter

Commissioner Walker read the agenda item and asked for a staff report. Planner Clyne provided background information on the application request. The subject property is located at 16712 Magnino Road and has an existing single-family residence and existing workshop. The Conditional Use Permit (CUP) allows for an Accessory Dwelling Unit (ADU), which would require the remodeling of the existing shop.

Planner Clyne advised the City of Shawnee Zoning Code, Section 22-605. allows for Conditional

Use Permits, which shall be reviewed and authorized or rejected with or without special conditions placed on the project. She further explained the conditions for an ADU as listed in the Code, Section 22-120. – Permitted uses.

Staff recommended that the Planning Commission recommend to the City Commission APPROVAL of CUP01-22 a request for a Conditional Use Permit (CUP) for an Accessory Dwelling Unit (ADU) for use as a guest cottage at 16712 Magnino Road with the following conditions:

- The guest cottage shall not exceed 600 square feet.
- It shall not be sublet.
- It shall share a common driveway with the principal residence.
- A building permit shall be issued before any guest cottage modifications to the existing structure.
- The guest cottage shall not serve as a residential use until a Certificate of Occupancy is issued.

Commissioner Walker opened the public hearing. The applicant, Jo Davis spoke to the Planning Commissioners and stated that she respected the lake and advised there would be no increase in footprint for this project. She was available for questions. With no other speakers, the public hearing was closed.

Commissioner Reese made a motion to recommend the APPROVAL of Case No. CUP01-22 as presented to the City Commission, which Commissioner Rowell seconded. Following any discussion, the motion passed 4-0-1.

Aye: Walker, Johnson, Reese, Rowell

Nay: None

Abstain: Deem

It was announced the item would be heard at the March 21, 2022, City Commission meeting at 6 p.m.

Item 4.

Case No. CUP02-22 -- Public hearing and consideration of a request for a Conditional Use Permit (CUP) for a crematorium at 603 W. Independence Street.

Applicant: Todd Tramel, AE Funeral Services, LLC

Chairperson Deem read the agenda item and asked for a staff report. Planner Clyne provided background information by stating the subject property 603 W. Independence Street and contains a commercial business, AE Funeral Services, LLC. The property is zoned C-3 (Highway Commercial District). A Conditional Use Permit (CUP) allows for the construction of a crematorium in the existing building.

Staff recommended that the Planning Commission recommend to the City Commission

APPROVAL of CUP02-22 for a crematorium at 603 W. Independence Street with the following conditions:

- Compliance with the Oklahoma Funeral Licensing Act and all related regulations is required.
- A building permit shall be issued before installing cremation facilities in the existing structure.
- Before functioning as a crematorium, the construction must be inspected and receive final approval from the City's Building Inspectors, including a Certificate of Occupancy.

Chair Deem opened the public hearing. The applicant, Todd Tramel spoke to the Planning Commissioners and stated that there was an increased demand for cremation, and he wanted to provide that service to the people in Shawnee. Mr. Tramel explained that the crematorium would follow all EPA standards, as well as those for the Funeral Board approval. He was available for questions.

Commissioner Walker asked if this (crematorium) would be in addition to the existing funeral home, to which Mr. Tramel stated the crematorium would be a part of the business and advised there was a required separate license. Chair Deem asked the applicant to discuss EP standards.

With no other speakers, the public hearing was closed.

Commissioner Walker made a motion to recommend APPROVAL of Case No. CUP02-22 to the City Commission, which Commissioner Johnson seconded. Following any discussion, the motion passed 5-0-0.

Aye: Walker, Johnson, Deem, Reese, Rowell

Nay: None

Abstain: None

It was announced the item would be heard at the March 21, 2022, City Commission meeting at 6 p.m.

Item 5.

Case No. RZ04-22 -- Public hearing and consideration of a request to rezone property located near E. 45th Street and Sydney Drive from R-1 (Single-Family Residential District) to R-3 (Multifamily Residential District).

Applicant: Brenda Wyatt

Chairperson Deem read the agenda item and asked for a staff report. Planner Clyne stated the subject property was located near E. 45th Street and Sydney Drive. The parcel is ±1.8 acres and is vacant. This application requests that the subject property be rezoned from R-1 (Single-Family Residential District) to R-3 (Multifamily Residential District). Clyne also provided the zoning districts for the surrounding properties adjacent to the property. She further explained that rezoning requests for multifamily residential were required to send notice of public hearing to

property owners within 1320' of the perimeter of the subject property.

Planner Clyne continued to explain that staff had recommended the R-3 zoning district to allow the applicants as much flexibility as possible because no clear decisions had been made on the actual structure(s) to be built. She referenced a rendering provided by the architect of "Shawnee Lofts" that was an option for the property. Since the parcel is less than two acres, the size of the finished structure was limited to covering a percentage of the actual land. That example demonstrated the maximum number of units, twenty (20), that could fit on the subject property. Planner Clyne emphasized that until Sydney Drive was built to city specifications and accepted by the City Commission, there would be no construction activity on the site.

Staff recommended that the Planning Commission recommend to the City Commission APPROVAL of RZ04-22 for the request to rezone property located near E. 45th Street and Sydney Drive from R-1 (Single-Family Residential District) to R-3 (Multifamily Residential District).

Community Development Director, Rian Harkins, reassured the Planning Commission that during the development process, a building permit application is required. This includes a site plan review that would ensure the necessary screening, parking, and access requirements are correct or addressed. Since this is a speculative rezoning with infrastructure not yet being in place, the site plan would also include a full layout of the design, with the density and height stated along with building locations. If any significant use changes were proposed by the current or future owner, this item would return to the Planning Commission. Otherwise, all reviews will remain at the staff level.

Chair Deem opened the public hearing. Katie Parson of 4504 Churchill voiced her concerns over the project. Damage to her street occurred during construction at the adjacent Wildwood Addition and she fears it could happen again since it's the same property owner. Additionally, Ms. Parson has concerns because there are no specifics to the project and the traffic in the area was already an issue. Lastly, she questioned if low-income housing was a possibility.

Liz Konecki of 46505 Garretts Lake Road stated her mother owns the property adjacent (to the east) to the subject property. Her concerns were about the vagueness of the development. She was okay with townhomes. Her mother opted not to build on the land because of the amount of traffic. Ms. Konecki expressed concern that new owners might do something other than townhomes, which she was okay with, but not more dense development than that.

Rob Morris of 1307 Windsor stated he was basically against the project. He wondered if the applicant list on the agenda was present so people could get answers to their questions. He opined that the application should be deferred since the applicant did not attend the meeting.

Oliva New of 4520 Churchill stated the neighborhood was quiet and both young and older people. She calculated that 20 units would be 40 people, which would be another 40 cars when there is already a traffic problem. Ms. New named specific companies and organizations that contributed to the traffic congestion. She is not against apartments but does not want an increase in the

population of the area.

Michael Mitscher, Mitscher & Associates, is the Architect for the project stated there would be townhomes on the subject property. He advised there would be no Section 8 and no low income—that was not the intent. Mr. Mitscher advised that he was happy to answer any questions. He had some conceptual renderings on his phone. The intent is to build quality housing with a nice aesthetic. The housing development to the north (Wildwood) is different than the project he is representing. He is speaking for Ms. Wyatt, who could not attend, and for Salazar, the developer.

Chair Deem spoke to Mr. Mitscher regarding the concern about future changes because the application was only for zoning not for a development. She opined that some of the nervousness that people were feeling was due to a lack of assurances. Mitscher replied that the only assurance he could give was that he was providing the client with what he was being paid to provide. He continued stating that this was the project he was moving forward with, and it was not just a rezoning but the beginning of a development.

Chair Deem ask the representative about the timeline since Sydney was in a state that would not allow construction to begin. Mr. Mitscher stated that Sydney Drive had curb and gutter. He was not aware of any hold-up. The road was gated but appeared to be finished. Both Mitscher and Deem agreed that traffic was often a concern in every city.

Commissioner Reese asked if there was another opportunity where plans will be approved. Planner Clyne mentioned Director Harkins's earlier comments about site plan review at the staff level. It was associated with but separate from the building permit. With no further comments from the audience, the pubic hearing was closed.

Commissioner Walker made a motion to recommend APPROVAL of Case No. RZ04-22 to the City Commission, which Commissioner Reese seconded.
Following any discussion, the motion passed 5-0-0.

Aye: Walker, Johnson, Deem, Reese, Rowell

Nay: None

Abstain: None

It was announced the item would be heard at the March 21, 2022, City Commission meeting at 6 p.m.

Item 5. Community Development Department Update

Community Development Director Rian Harkins addressed the Planning Commission and mentioned the addition of the public hearing notice sent to property owners. He pointed out that it was a new format designed to be easier to understand. He asked the Commissioners for suggestions for changes or additions to staff reports or the notices. Director Harkins responded

to questions about the update to the Zoning Code with the Unified Development Code. He replied that there would be several meetings to reach as many people as possible, and it would likely be a two-year process. He also answered queries about the timeframe for CDBG availability and an update on the homeless initiative.

Item 7. Planning Commissioners' Comments

Commissioner Walker asked for an update on the next step for the Lake Advisory Committee. Director Harkins advised staff was working on a draft for an RFP for a Lake Master Plan to be sent to the City Attorney for review.

Chair Deem asked about the timeframe for the Master Lake Plan. Harkins suggested consultant selection would likely occur this summer with community input of the actual plan occurring in the fall.

Item 8. Adjournment

The meeting adjourned at 2:22 p.m.


Chair/Vice-Chair

/s/ Rachel Clyne
City Planner