

AGENDA
CITY OF SHAWNEE
PLANNING COMMISSION
FEBRUARY 3RD, 2016 AT 1:30 P.M.
COMMISSION CHAMBERS
CITY HALL, 16 W 9TH ST

- 1)** Roll Call
- 2)** Consideration of approval of the minutes from the January 6th, 2016 Planning Commission meeting
- 3)** Citizens' Participation
(A three minute limit per person)
(A twelve minute limit per topic)
- 4)** Case #S14-15 – Consideration of approval of a Final Plat for Shawnee Auto Mall located on Shawnee Mall Dr., east of Union Street, Shawnee, OK

Applicant: Huitt-Zollars, INC
- 5)** Case #P15-15 – A public hearing for consideration of approval of a Rezone for property located at 1500 E. Independence St. from R-1; Single Family Residential to R-2; Combined Residential, Shawnee, OK

Applicant: The Landrun Group, LLC
- 6)** Planning Director's Report
- 7)** Commissioners Comments and/ or New Business
- 8)** Adjournment

PLANNING COMMISSION MINUTES

DATE: JANUARY 6TH, 2016

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in the Commission Chambers, at City Hall, 9th and Broadway, on Wednesday, January 6th, 2016 at 1:30 p.m., pursuant to notice duly posted as prescribed by law.

AGENDA ITEM NO.1:

Roll Call

Upon roll call the following members were present:

Present: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

Absent:

Meeting was called to Order.

AGENDA ITEM NO. 2:

Consideration of Approval of the minutes from the December 2nd, 2015 Planning Commission Meeting

Chairman Bergsten asked if the Board had time to review the minutes and if so would ask to entertain a motion if there were no questions or discussion. Commissioner Kerbs made a motion to approve, seconded by Commissioner Kienzle.

Motion passed:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 3:

Citizen's Participation

Chairman Bergsten opened the public portion of the meeting and announced that this is an open time for discussion for those with questions on topics not on the Agenda and asked if anyone would like to come forward. No one came forward and Chairman Bergsten closed the public portion of the meeting.

AGENDA ITEM NO. 4:

Case #S14-15 – Consideration of approval of a Final Plat for Shawnee Auto Mall located on Shawnee Mall Dr., east of Union Street, Shawnee, OK

Applicant: Huitt-Zollars, INC

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report. Mr. Debruin informed the Commissioners that staff recommends deferring the case one more month to the February 3rd, 2016 Planning Commission meeting. Justin Debruin mentioned that construction documents were turned in around two weeks ago and more time was needed to review and prepare. Chairman Bergsten asked if there were any questions for staff, there were none and Chairman Bergsten opened the public portion of the meeting and asked if anyone who would like to speak against the item to come forward. No one came forward and Chairman Bergsten asked if anyone in favor of the item would like to come forward. No one came forward and Chairman Bergsten closed the public portion of the meeting. Chairman Bergsten asked if the Commissioners had any questions or comments or would like to entertain a motion. Vice-Chairman Cowen made a motion to defer, seconded by Commissioner Kienzle.

Motion passed:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 5:

Case #P15-15 – A public hearing for consideration of approval of a Rezone for property located at 1500 E. Independence St. from R-1; Single Family Residential to R-2; Combined Residential, Shawnee, OK

Applicant: The Landrun Group, LLC

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report. Mr. Debruin stated that the applicant is requesting a rezone from R-1; Single Family Residential to R-2; Combined Residential and property was not developed when rezoned to R-1 last year. Property is around twelve acres in size. Mr. Debruin stated storm water drainage and increased traffic in area as previous problems. Justin Debruin went over some topics that were of concern from complaint letters staff received. Mr. Debruin discussed storm water drainage will have to be satisfied by City before plat approval. Justin Debruin explained that half street improvements would be required and mentioned that staff does not see an issue with comprehensive plan due to area. Mr. Debruin informed the Commissioners that sidewalks would be constructed and site plans or plats are not required at the rezone phase. The project would also be built in phases, not all at once. Mr. Debruin recommended approval. Chairman Bergsten asked if the Commissioners had any questions. Commissioner Clinard asked if Elm Street in a whole would be repaired. Mr. Debruin mentioned that Elm Street is not a collector street and is not required to be repaired by the applicant. Commissioner Kerbs asked about the half street improvements and Justin Debruin stated street would be asphalt like other side and would be up to the City for additional improvements. Vice-Chairman Cowen asked if other side was developed. Mr. Debruin agreed except for northern section. Vice-Chairman Cowen discussed the possibility of no street improvements in future if developed. Mr. Debruin explained there was potential for that northern section. Commissioner Kerbs mentioned if that area was developed, it would not take on the entirety of the street and Justin Debruin agreed and stated it would be a City concern at that point. Commissioner Kerbs asked for definition of R-3 zoning. Mr. Debruin stated it was basically duplexes. Commissioner Kerbs also asked if they were owned duplexes. Justin Debruin could not confirm. Commissioner Affentranger asked for confirmation that the property was rezoned from Agricultural to R-1 roughly a year ago and Mr. Debruin agreed. Commissioner Affentranger went on to ask if there was any opposition at that time to the request and also regarding the traffic issue. Commissioner Kerbs stated there were two letters turned in. Commissioner Affentranger asked if the previous request include two thirty-six lots. The Board agreed and Commissioner Kerbs mentioned that the emphasis from previous request was not as much on the traffic concerns as it was for storm water drainage issues. Commissioner Affentranger wanted to clarify that there weren't traffic concerns then and Commissioner Kerbs stated they were secondary, storm water drainage was primary. Commissioner Kienzle asked how many units were on the multi-family structure to the west and Mr. Debruin stated it looked like ten duplexes. Commissioner Clinard asked how many duplexes would go in at this location. Justin Debruin informed her they did not know at this point in the rezone phase. Commissioner Kerbs asked if going to R-2 restricted it to only single level and not put in apartment complexes and Mr. Debruin agreed. Commissioner Affentranger asked if staff knew where entrances would go and Justin Debruin they did not know at this point. Commissioner Kerbs asked what else is acceptable in R2 zoning. Mr. Debruin informed him it consisted of duplexes, single family and townhomes. Vice-Chairman Cowen asked for the density requirements for R1 and R2 and/or how many more families/persons could occupy R2 versus R1. Justin Debruin stated that generally the differences between them are as follows: minimum lot size in R1 is 6000 sq feet and R2 is 10000 sq feet for duplex type structures; minimum lot width is 60 feet for single family and 80 feet for duplexes. Chairman Bergsten asked if there were any other questions for staff.

There were none and Chairman Bergsten opened the public portion of the meeting and asked if anyone who would like to speak against the item would like to come forward. Several people in opposition came forward to speak against the item and discussed issues including, but not limited to, flooding and storm water drainage, decrease in value of property for surrounding property owners, crime and traffic increase and upkeep of new development. Chairman Bergsten asked if anyone in favor of the item would like to come forward. Julie Landes with The Landrun Group came forward to mention that the storm water drainage would be brought up to state and federal regulations as well and city codes and also discussed a few of the concerns that were brought up. Vice-Chairman Cowen asked for a timeline and Julie Landes said the next step would be Preliminary Plat. Commissioner Affentranger asked for a number of units and Julie Landes informed him there would be around thirty five units. Steven Landes came forward to speak in favor and informed the Commissioners of more details regarding development. Commissioner Kienzle discussed the possibility of the surrounding property owners and the applicant having discussion to go over the issues described. Jared Marical came forward to speak in favor of item on behalf of the applicant and briefly went over some issues. Chairman Bergsten closed the public portion of the meeting and asked Justin Debruin to come forward to discuss a few more topics. Commissioner Affentranger asked for clarification that the drainage issue could possibly be improved with this development and Justin Debruin agreed. Commissioner Affentranger also asked if there was information regarding the de-valuation of the surrounding property owners and Mr. Debruin informed him there were no records. Commissioner Kerbs asked about regulating what is allowed to go in on the site and Justin Debruin discussed this briefly. Commissioner Clinard asked about the proposed layout of property and a driveway going in. Vice-Chairman Cowen went over the process for the applicant and mentioned a few other topics. Commissioner Kerbs discussed a few items and Chairman Bergsten asked if there were any other questions or comments. Vice-Chairman Cowen made a motion to approve, seconded by Commissioner Affentranger. Motion did not pass and Commissioner Kienzle made a motion to defer, seconded by Chairman Bergsten.

Motion Approved to defer to February 3rd, 2016 meeting:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 6:

Case #P16-15 – A public hearing for consideration of approval of a Rezone for property located at 2202 N. Leo St. from R-1; Single Family Residential to R-2; Combined Residential, Shawnee, OK

Applicant: Darrin Marical

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report and informed the Commissioners that the property is located on the northwest corner of Leo and Franklin Streets. Mr. Debruin stated that there would be one unit for a duplex and meets standards for construction. Commissioner Kerbs asked what the zoning is and Justin Debruin informed him it was R1. Commissioner Kerbs asked for the lot size and Mr. Debruin explained it was fifteen thousand. Chairman Bergsten asked if there were any other questions for staff. There were none and Chairman Bergsten opened the public portion of the meeting and asked if anyone against the item would like to come forward. No one came forward and Chairman Bergsten asked if anyone in favor of the item would like to come forward. Carl Packwood came forward and Chairman Bergsten closed the public portion of the meeting and asked if there were any questions or comments for staff. Vice-Chairman Cowen made a motion to approve, seconded by Commissioner Morton.

Motion Approved:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 7:

Case #S17-15 – Consideration of approval of a Preliminary Plat for the re-plat of Vision Bank Addition, Section I, located at 4301 N. Harrison, Shawnee, OK

Applicant: Vision Bank, NA

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report. Mr. Debruin mentioned the location was between 45th and 42nd Streets and discussed the reasons for the re-plat were to correct the lines on the current plat and to shrink the floodplain to the large concrete channel on property for more space for development. Mr. Debruin explained there would be an addition of around sixty eight feet and it would fix lot lines for future developments. Justin Debruin stated it would correct some issues and also mentioned there were four conditions. Commissioner Clinard asked about the channel location and whether it would put any additional stress on other properties and Mr. Debruin informed her that the channel was already on property but not finished and would not hinder any other properties. Commissioner Kerbs asked about the Agricultural classification showing on figure 2 and Justin Debruin stated it was not accurate and is zoned Commercial. Commissioner Kienzle asked if the city relied on a methodology for a ten year history for storm water drainage and Mr. Debruin discussed there are issues that can hopefully be updated in future. Chairman Bergsten asked if there were any questions for staff. There were none and Chairman Bergsten opened the public portion of the meeting and asked if anyone would like to speak against the item. No one came forward and Chairman Bergsten asked if anyone would like to speak in favor of the item. Carl Packwood came forward and spoke in favor. Chairman Bergsten asked what use property would have and Mr. Packwood stated that a company would like to make it into an office and a strip center. Richard Landes with Landes Engineering came forward to speak about the development. Commissioner Kerbs asked if storm water drainage would affect neighboring property and Mr. Landes informed him it would not. Chairman Bergsten closed the public portion and asked if there were any questions or comments. Commissioner Kienzle made a motion to approve with conditions, seconded by Commissioner Kerbs.

Motion approved:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 8:

Planning Director's Report

Justin Debruin informed Link Cowen that stop signs would be put in the Hyatt Addition. Mr. Debruin mentioned that the Shawnee Marketplace was issued their Final Certificates of Occupancy and there is a drive being put in for two more pad sites.

AGENDA ITEM NO. 9:

Commissioners Comments and/or New Business

Commissioner Kerbs asked about the North Harrison Industrial Park construction. Mr. Debruin informed him that the construction has moved slower but is still in the works. Commissioner Kerbs asked for an update on the Downtown Property Maintenance Code. Justin Debruin stated that four properties were sent a

letter and have communicated with Building Inspector. Commissioner Clinard asked about the sidewalks for downtown. Mr. Debruin mentioned he was unsure of the exact date but would verify timelines. Commissioner Kerbs discussed issues with drainage and Mr. Debruin went over procedures and different items that could be changed. There was general discussion over sub division regulations.

AGENDA ITEM NO. 10:

Adjournment

Meeting was adjourned.

Chairman/Vice-Chairman

Cheyenne Lincoln
Planning Commission Secretary



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

STAFF REPORT
Final Plat
Case #S14 -15

TO: Shawnee Planning Commission

AGENDA: February 3, 2016

RE: Shawnee Auto Mall Addition, Final Plat

PROPOSAL

The applicant, Huitt-Zollars, Inc., is requesting Final Plat approval for four (4) lots on a twenty-one (21) Acre property intended for the construction of multiple car dealerships. The site is located north-east of the I-40 service road and Union Street. The subject site is zoned C-3 (Highway Commercial) and is currently vacant. Preliminary Plat approval was received on August 17, 2015.

GENERAL INFORMATION

Applicant	Huitt-Zollars, Inc.
Owner(s)	Cooper Shawnee Investments LLC
Site Location/Address	Shawnee Mall Drive, east of Union Street.
Current Site Zoning	C-3 (Highway Commercial)
Parcel Size	21 Acres (Approximate)
Proposed Use	Car dealership
Comprehensive Plan Designation	Commercial
Existing Land Use	Vacant
Surrounding Zoning	Commercial (C-3) and Agricultural (A-1)



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

STAFF REVIEW AND ANALYSIS

Staff has review the final plat and all supporting documents. The proposed development will consist of the following details:

- Twenty-one (21) Acre land area.
- Four (4) total lots at roughly 4.5 Acres each.
- One (1) public access drive (Auto Mall Drive) located off of Shawnee Mall Drive as a cul-de-sac.
- A Stormwater retention pond along the northern extent of the property.
- Planned to complete in two (2) phases.
- Six (6') foot sidewalk required along the I-40 service road frontage and four (4') sidewalk required along the interior collector road, Auto Mall Drive.
- Cul-de-sac to exceed five-hundred (500') feet variance approved during preliminary plat.

As dictated through preliminary plat approval, the proposed development is consistent with current land use in the area, the designated zoning, and the Shawnee Comprehensive Plan for this area (Figure 4.2). The City Engineer has reviewed the plat and has agreed it is sufficient for approval, with conditions.

STAFF RECOMMENDATION

The technical aspects of the Final Plat have been reviewed by the City Engineer and other appropriate staff. Staff does recommend approval of the Final Plat, with the following conditions:

1. Final construction documents must be approved by the City Engineer prior to construction.
2. The final engineered drainage plan must be approved by the City Engineer prior to construction.
3. Landscape Plans shall be submitted concurrent with the building permit.
4. Six (6') foot sidewalk required along the I-40 service road frontage and four (4') sidewalk required along the interior collector road, Auto Mall Drive.
5. All other applicable City standards apply.

Attachments

1. Figure 1: Aerial view of site
2. Figure 2: Zoning Map
3. Figure 3: Future Comprehensive Plan Map
4. Exhibit 1: Final Plat
5. Exhibit 2: Preliminary Plat

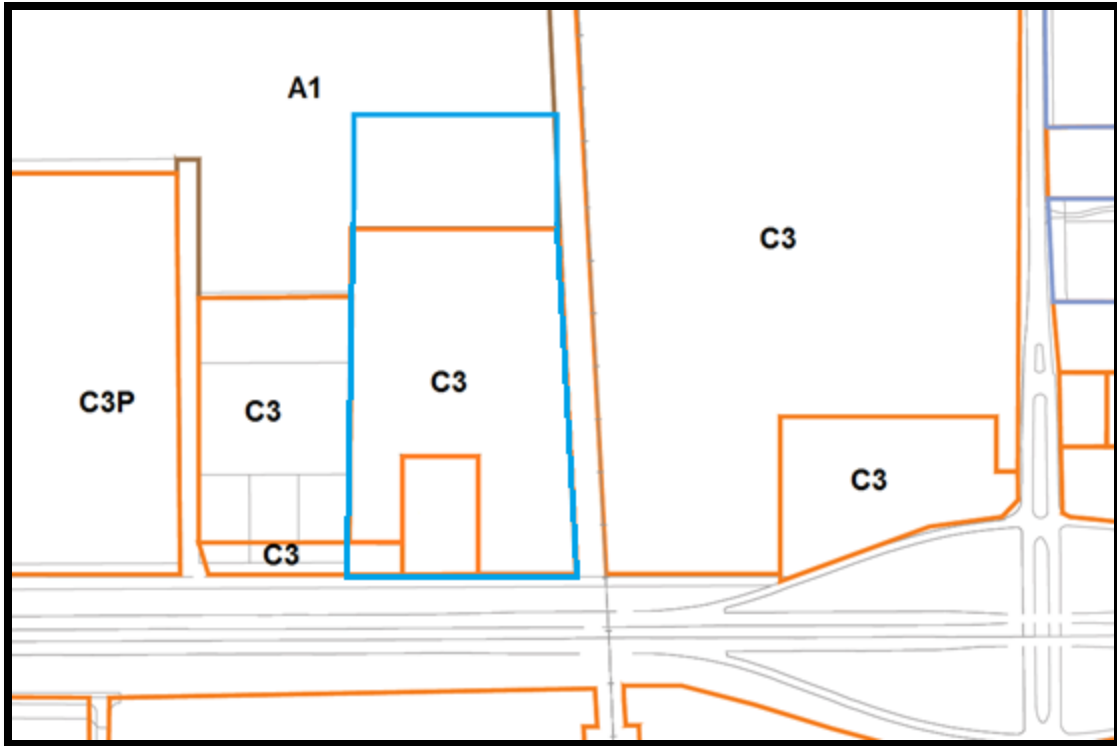


Figure 2: Zoning Map of site – approximate total area outlined in red.

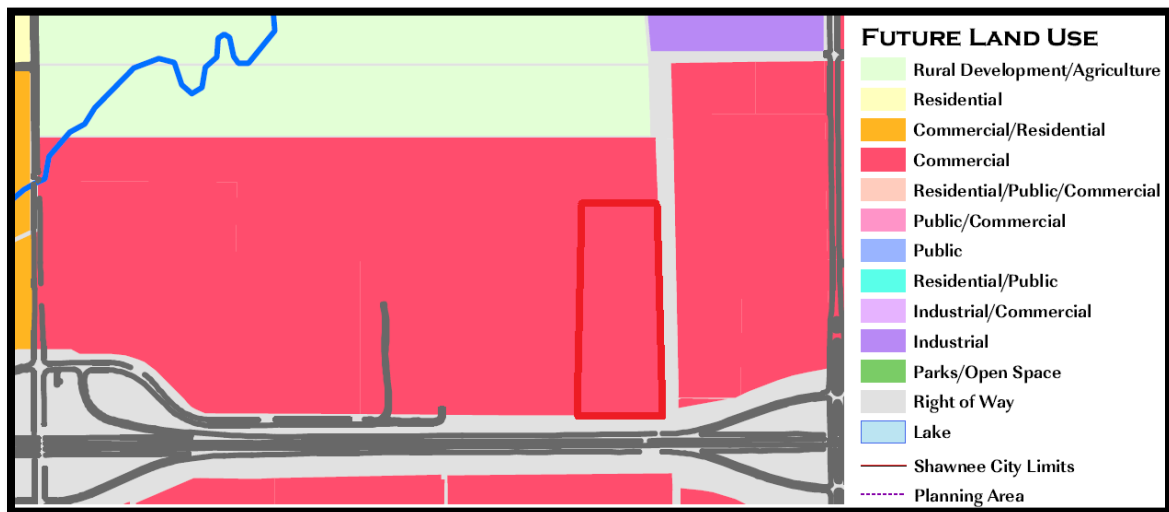


Figure 3: Future Comprehensive Plan Map – approximate total area outlined in red.

OWNER'S CERTIFICATE AND DEDICATION
KNOW ALL MEN BY THESE PRESENTS:

That COOPER SHAWNEE INVESTMENTS, LLC, an Oklahoma Limited Liability Company, hereby certifies that it is the owner of and the only persons, firm or company having any right, title, or interest in and to the land shown on the annexed plat of SHAWNEE AUTO MALL, an addition to the City of Shawnee, Oklahoma. That it has caused the same to be surveyed and platted into lots, blocks, public streets and public easements as shown on said annexed plat, which said annexed plat represents a correct survey of all property contained and included therein under the name of SHAWNEE AUTO MALL, an addition to the City of Shawnee, Pottawatomie County, Oklahoma.

The undersigned does hereby further certify that it is the owner of the land and the only company, corporation, partnership, person or entity having any right, title or interest in and to the land included in said annexed plat, except as set forth in the Bonded Abstractor's Certificate, and does hereby dedicate all streets and easements as shown on said annexed plat to the public for use as public streets and drainage and utility easements for their heirs, executors, administrators, successors, and assigns forever and shall cause the same to be released from all encumbrances so that title is clear.

The Owner's Restrictive Covenants and Limitations for the development of this addition are set out on typewritten sheets of paper and will be subsequently filed separately.

IN WITNESS WHEREOF the undersigned has executed this instrument at the City of Shawnee, Pottawatomie County, on this _____ day of _____, 2015.

Attest: COOPER SHAWNEE INVESTMENTS, LLC
an Oklahoma LIMITED LIABILITY COMPANY

Name: _____
Title: MANAGER

STATE OF OKLAHOMA }
COUNTY OF OKLAHOMA } SS

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 2015,

, personally appeared _____, to me known to be the identical person who subscribed, as MANAGER of COOPER SHAWNEE INVESTMENTS LLC, an Oklahoma limited liability company, and duly acknowledged to me that he executed the same as the free and voluntary act and deed of himself and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

My Commission Expires: _____

Notary Public

BONDED ABSTRACTOR'S CERTIFICATE

The undersigned, a duly qualified and lawfully bonded abstractor of titles in and for Oklahoma County and the State of Oklahoma, hereby certifies that the records of said county show that the title to the land shown on the annexed plat of SHAWNEE AUTO MALL, an addition to the City of Shawnee, Oklahoma, is vested in COOPER SHAWNEE INVESTMENTS INC., an Oklahoma corporation, and on the _____ day of _____, 2015, there are no actions pending or judgments of any nature in any court or on file with the clerk of any court in said county and state against said land or owners thereof, that the taxes are paid for the year of 2014 and prior years, that there are no outstanding tax sales certificates against said land and no tax deeds are issued to any person, that there are no liens, mortgages or other encumbrances of any kind against the land included in the annexed plat, except mortgages of record.

ATTEST

In witness whereof, said Bonded Abstractor has caused this instrument to be executed this _____ day of _____, 2015.

AMERICAN EAGLE TITLE GROUP, L.L.C.

By: _____ Assistant Secretary
By: _____ Vice President

STATE OF OKLAHOMA }
COUNTY OF OKLAHOMA } SS

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 2015, personally appeared _____

to me known to be the identical Vice President who acknowledged to me that he executed the same as his free and voluntary act and deed, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

My Commission Expires: _____

Notary Public

LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-ONE (31), TOWNSHIP ELEVEN (11) NORTH, RANGE FOUR (4) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, HAVING AN ASSUMED BASIS OF BEARING OF NORTH 89°38'30" EAST ALONG THE NORTH LINE OF SAID NE/4, AND MORE PARTICULARLY DESCRIBED AS: **COMMENCING** AT THE NORTHWEST CORNER (NW/C) OF SAID NE/4; THENCE NORTH 89°38'30" EAST ALONG THE NORTH LINE OF SAID NE/4 A DISTANCE OF 1274.75 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA, & SANTA FE RAILROAD; THENCE SOUTH 02°14'09" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 878.05 FEET TO THE **POINT OF BEGINNING**; THENCE FROM SAID POINT OF BEGINNING CONTINUING SOUTH 02°14'09" EAST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 1397.62 FEET TO A POINT ON THE I-40 ACCESS R.O.W.; THENCE SOUTH 73°56'36" WEST ALONG THE NORTH LINE OF THE I-40 ACCESS R.O.W. A DISTANCE OF 69.74 FEET; THENCE SOUTH 85°44'48" WEST CONTINUING ALONG THE NORTH LINE OF THE I-40 ACCESS R.O.W. A DISTANCE OF 151.75 FEET; THENCE SOUTH 86°57'57" WEST CONTINUING ALONG THE NORTH LINE OF THE I-40 ACCESS R.O.W. A DISTANCE OF 99.80 FEET; THENCE SOUTH 86°44'21" WEST CONTINUING ALONG THE NORTH LINE OF THE I-40 ACCESS R.O.W. A DISTANCE OF 202.32 FEET; THENCE SOUTH 84°57'49" WEST CONTINUING ALONG THE NORTH LINE OF THE I-40 ACCESS R.O.W. A DISTANCE OF 97.78 FEET; THENCE SOUTH 89°10'55" WEST CONTINUING ALONG THE NORTH LINE OF THE I-40 ACCESS R.O.W. A DISTANCE OF 58.91 FEET; THENCE NORTH 00°55'25" EAST A DISTANCE OF 1456.55 FEET; THENCE SOUTH 89°42'29" EAST A DISTANCE OF 598.32 FEET TO A POINT ON SAID WEST RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA, & SANTA FE RAILROAD, SAID POINT BEING THE POINT OF BEGINNING, CONTAINING 914,798.9283 SQUARE FEET OR 21.0009 ACRES, MORE OR LESS.

LEGEND

LNA= LIMITS NO ACCESS
B.L.L.= BUILDING LIMIT LINE
U/E= UTILITY EASMENT
P.O.C.= POINT OF COMMENCEMENT
P.O.B.= POINT OF BEGINNING

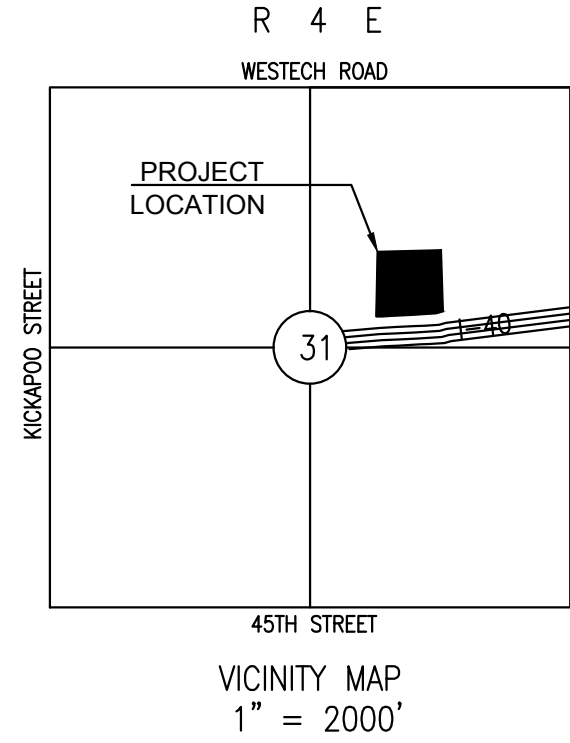
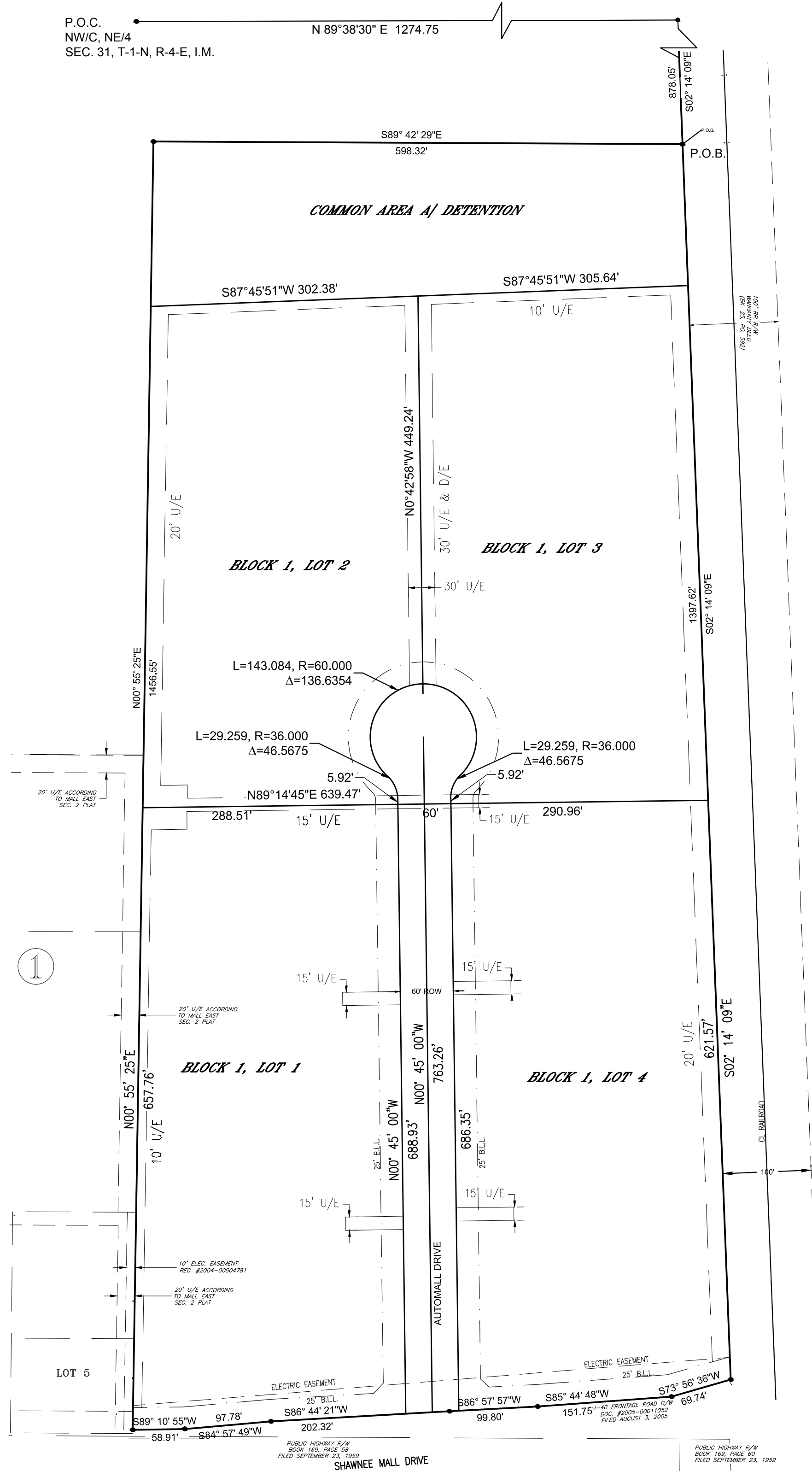
BASIS OF BEARING

ASSUMED NORTH 89°38'30" EAST ALONG THE NORTH LINE OF THE NE/4, SEC. 31,T-11-N, R-4-E, I.M.

EXHIBIT
1

FINAL PLAT
OF
SHAWNEE AUTO MALL

A PART OF THE NORTHEAST QUARTER OF SECTION 31
• T 11 N, R 4 E, I.M., SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA



CERTIFICATE OF CITY CLERK

I, _____, City Clerk of Shawnee, Oklahoma, hereby certify that I have examined the records of said City and find that all deferred payments or unmatured installments upon special assessments have been paid in full and that thereare no special assessment procedures now pending against the land shown on the annexed plat of SHAWNEE AUTO MALL ADDITION, an addition to the City of Shawnee, Oklahoma.

Signed by the City Clerk on this _____ day _____, 2015.

City Clerk

REGISTERED SURVEYOR'S CERTIFICATE

I, Bryan E. Coon, do hereby certify that I am by Profession a Land Surveyor, and the annexed plat of SHAWNEE AUTO MALL ADDITION, an addition to the City of Shawnee, Oklahoma, consisting of five (5) sheets, represents a survey made under my supervision on the _____ day of _____, 2015.

I further certify that said annexed plat complies with Requirements of Senate Bill 377, Section 518 as amended and that this plat of survey meets the Oklahoma Minimum Standards for the Practice of Land Surveyors as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors; and that said Final Plat complies with the requirements of Title 11(Eleven) Section 41-108 of the Oklahoma State Statutes.

Bryan E. Coon
Professional Land Surveyor #1276

STATE OF OKLAHOMA }
COUNTY OF OKLAHOMA } SS

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 2015, personally appeared Bryan E. Coon, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth. Given under my hand and seal the day and year last above written.

My Commission Expires: _____

Notary Public

COUNTY TREASURER'S CERTIFICATE

I, _____, do hereby certify that I am the duly elected, qualified and sworn County Treasurer of Pottawatomie County, Oklahoma, that the tax records of said county show that all taxes from the year 2014 and prior years are paid on the annexed plat of SHAWNEE AUTO MALL ADDITION, an addition to the City of Shawnee, Oklahoma, and that the required statutory security has been deposited in the offices of the County Treasurer guaranteeing payment for the current year's taxes.

In witness whereof said County Treasurer has caused this instrument to be executed this _____ day of _____, 2015.

County Treasurer

CERTIFICATE OF PLANNING COMMISSION

I, _____, Chairman of the Planning Commission of the City of Shawnee, Oklahoma, hereby certify that the said Planning Commission duly approved the final plat of SHAWNEE AUTO MALL ADDITION, an addition to the City of Shawnee, Oklahoma at a meeting on the _____ day _____ of _____, 2015.

Chairman

ACCEPTANCE OF DEDICATION BY CITY COUNCIL

BE IT HEREBY RESOLVED by the Council of the City of Shawnee that the annexed plat of SHAWNEE AUTO MALL ADDITION, an addition to the City of Shawnee, Pottawatomie County, Oklahoma, is hereby approved and the dedications shown hereon are hereby approved and accepted.

ADOPTED by the Council of the City of Shawnee this _____ day of _____, 2015.

APPROVED by the Mayor of the City of Shawnee this _____ day of _____, 2015.

ATTEST

City Clerk Mayor

PLAT NOTES

- Maintenance of common areas, islands, medians and/or private drainage easements is the responsibility of the property owners and/or property owners association within this plat. No structures, storage of material, grading, fill or other obstructions, including fences, either temporary or permanent, shall be placed within drainage related common areas or drainage easements.

PLAT BY: HUITT-ZOLLARS, INC.

CA 1489 EXP. 6-30-17
2832 W. WILSHIRE BLVD.
OKLAHOMA CITY, OKLAHOMA
405-842-0363
R304973.01
SHEET 1 OF 1

SHAWNEE AUTO MALL ADDITION

OWNER/DEVELOPER
COOPER SHAWNEE INVESTMENTS, LLC
32 NW 144 Circle Ste A
Edmond, Oklahoma 73013

OWNER'S
NOTARY

CITY
CLERK

COUNTY
TREASURER

SURVEYOR

SURVEYOR'S
NOTARY

ABSTRACTOR

ABSTRACTOR'S
NOTARY

RECEIVED

JUL 29 2015

PLANNING / CODE

PRELIMINARY PLAT
SHAWNEE AUTO MALL ADDITION

A PART OF THE NW/4 OF SEC. 31, T-11-N, R-4-3, I.M.
CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA

NOTE
THE PRELIMINARY PLAT HAS BEEN PREPARED TO THE BEST OF OUR
ABILITIES IN ACCORDANCE WITH THE COMPREHENSIVE PLAN WITH
WHICH WE ARE FAMILIAR, AND IN ACCORDANCE WITH THE
ORDINANCES AND REGULATIONS GOVERNING THE SUBDIVISION OF
LAND EXCEPT WHERE VARIANCES ARE BEING REQUESTED.

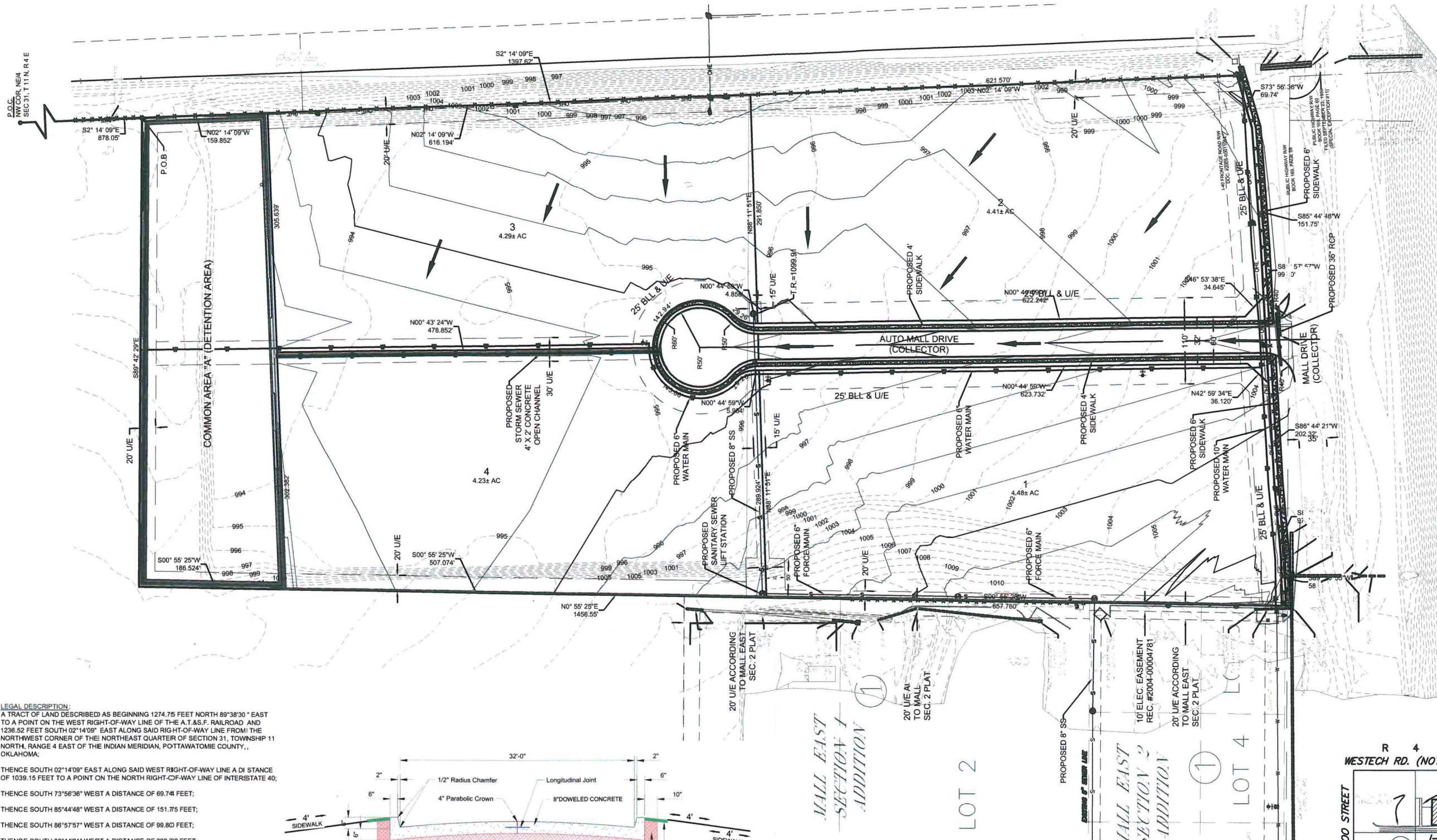
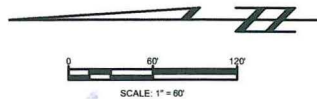
2832 W. Wilshire Blvd.
Oklahoma City, Oklahoma 73116
Phone: (405) 842-0393
www.huilt-zollars.com

HUILT-ZOLLARS
Huilt-Zollars, Inc.
Oklahoma City, Oklahoma

DATE	REVISION	LEVEL	DATE	CHANGE ORDER	NUMBER

DATE	REVISION	LEVEL	DATE	CHANGE ORDER	NUMBER

DATE	REVISION	LEVEL	DATE	CHANGE ORDER	NUMBER

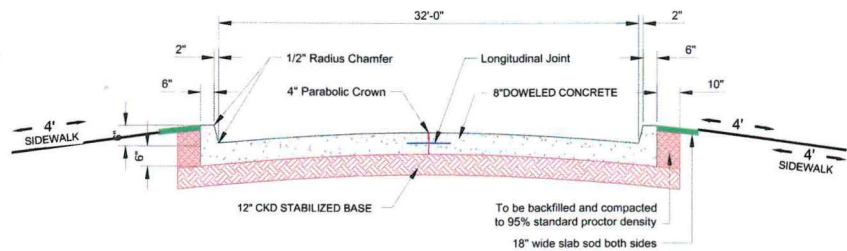


LEGAL DESCRIPTION:
A TRACT OF LAND DESCRIBED AS BEGINNING 1274.75 FEET NORTH 89°38'30" EAST
TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE A.T.&S.F. RAILROAD AND
1236.52 FEET SOUTH 02°14'09" EAST ALONG SAID RIGHT-OF-WAY LINE FROM THE
NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 11
NORTH, RANGE 4 EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY,,
OKLAHOMA;

THENCE SOUTH 02°14'09" EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE
OF 1039.15 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF INTERSTATE 40;
THENCE SOUTH 73°56'36" WEST A DISTANCE OF 69.74 FEET;
THENCE SOUTH 85°44'48" WEST A DISTANCE OF 151.75 FEET;
THENCE SOUTH 86°57'57" WEST A DISTANCE OF 99.80 FEET;
THENCE SOUTH 86°44'21" WEST A DISTANCE OF 202.32 FEET;
THENCE SOUTH 84°57'49" WEST A DISTANCE OF 97.78 FEET;
THENCE SOUTH 89°10'55" WEST A DISTANCE OF 58.91 FEET;
THENCE NORTH 00°55'25" EAST A DISTANCE OF 1098.41 FEET;

THENCE SOUTH 89°42'29" EAST A DISTANCE OF 618.08 FEET TO THE POINT OF
BEGINNING.

SAID TRACT CONTAINS 696.99 0.60 SQUARE FEET, MORE OR LESS.



• TYPICAL SECTION •
32" P.C. CONCRETE PAVING

SURVEY DATA
BEARINGS ARE BASED ON O.S.P.C.
DATUM: NAD83 OKLAHOMA
NORTH ZONE, US FEET
VERT: GEOID 96

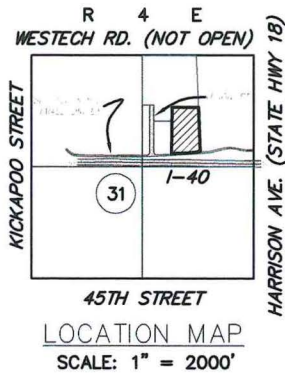
STATISTICAL DATA
A. 21.00 +/- ACRES
B. 4 LOTS, 1 OUTLOT
C. NONE
D. 4 LOTS, 17.41 +/- ACRES
E. NONE
F. 2.59 +/- ACRES
G. 765 L.F. AUTO MALL DRIVE (COLLECTOR)
H. NONE

DEVELOPMENT INFORMATION
ZONING: C3

STORMWATER FLOW
LOTS 1 & 2 WILL BE GRADED TO
CONVEY THE WATER INTO CATCH
BASINS AT THE NORTH END OF THE
LOTS WHERE IT WILL BE DISCHARGED
AND FLOW IN TO THE DETENTION
POND ON THE NORTH END OF THE
PROPERTY.

ENGINEER/SURVEYOR
HUILT-ZOLLARS, INC.
2832 W. WILSHIRE BLVD
OKLAHOMA CITY, OK 73116
405-842-0393
WWW.HUILT-ZOLLARS.COM
CA# 1489 EXP. 6/30/2017

OWNER/DEVELOPER
COOPER SHAWNEE INVESTMENTS, LLC
32 NW 144TH CIRCLE, SUITE A,
EDMOND, OK 73013
405-919-0282



FINAL PLAT APPLICATION FOR THE CITY OF SHAWNEE

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 Huitt-Zollars, Inc. for Cooper Shawnee Investments, LLC

APPLICANT ADDRESS 2832 W. Wilshire Blvd., Ste. 200 OKla. City, OK 73116

APPLICANT PHONE NUMBERS (405) 842-0363

EMAIL ADDRESS brandonc@huitt-zollars.com

NAME OF PLAT Shawnee Auto Mall

LOCATION On Shawnee Mall Drive west of Harrison St. NE 1/4 Sec. 31. T11N-
R4E

NUMBER OF ACRES 21.0 ± Ae.

NUMBER OF LOTS 4

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS:

FEE: \$325.00

PLUS \$3.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS 4 \$ 331.00

PLUS \$1.00 PER LOTS OVER FIFTY (50) LOTS NUMBER OF LOTS _____

TOTAL COST _____

FOR LESS THAN 2 ACRE LOTS:

FEE: \$325.00

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 Cooper Shawnee Investments, LLC, Attn: Timothy J. Smith

ADDRESS 32 N.W. 144th Circle, Ste. A, Edmond, OK 73013

CONTACT NUMBERS (405) 919-0282

EMAIL ADDRESS tsmith@okeproperties.com

PROJECT ENGINEER INFORMATION:

NAME Huitt-Zollars, Inc. Attn: Brandon Coon

ADDRESS 2832 W. Wilshire Blvd., Ste. 200, OKla. City, OK 73116

CONTACT NUMBERS (405) 842-0363

EMAIL ADDRESS brandonc@huitt-zollars.com

FOR STAFF USE ONLY

PROJECT NUMBER: 151126

CASE NUMBER: 514-15

DATE: 11-2-15 AMOUNT PAID: \$337.00 RECEIPT NO. 01809600



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
www.ShawneeOK.org

STAFF REPORT
REZONE
CASE #P15-15

TO: Shawnee Planning Commission

AGENDA: February 3, 2016

RE: Rezone Request - R1: Single Family Residential District to R2:
Combined Residential District

PROPOSAL

The applicant is requesting a rezone from R-1: Single Family Residential District to R-2: Combined Residential District to develop a series of duplexes. The subject site is approximately 12 Acres in size and is generally located on the north-east corner of East Independence and North Elm.

GENERAL INFORMATION

Applicant	The Land Run Group, LLC
Owner	Marical Brothers Real Estate
Site Location/Address	1500 E. Independence
Current Site Zoning	R1: Single Family Residential District
Proposed Zoning	R2: Combined Residential District
Property Area	12 Acres
Current Use	Single Family Residential
Proposed Use	Duplex Development
Comprehensive Plan Designation	Residential

Existing Land Use	Undeveloped
Surrounding Land Use	Residential/Rural Agricultural
Surrounding Zoning	A1: Rural Agricultural C1: Neighborhood Commercial R1: Single Family Residential R3: Multi-Family Residential

STAFF REVIEW AND ANALYSIS

The applicant is requesting approval to rezone the property from R-1 to R-2 (Combined Residential District) in order to develop a series of duplexes intended for rental purposes. According to the applicant the building of the duplexes will be done in phases, instead of a full, compressive buildout of the site.

The applicant has purchased the subject property making this site independently owned; therefore, R-2 is the appropriate zoning request for the intended use.

There are a number of items to consider for this case, so first will be provided an explanation of Staff's approach to considering such a rezone:

1. What is the current zoning on the subject property?

R-1 (Single Family Residential). This zoning designation allows only single family residential homes.

2. What types of zoning designations exist in the general area?

R-1 zoning is the primary zoning classification in this area, to the north, south, east, and portions to the west. However, the properties fronting Independence St. directly adjacent to the west are C-1 (Neighborhood Commercial District), C-2 (Limited Office District), and R-3 (Multi-family Residential).

3. According the 2005 Shawnee Comprehensive Plan, what future land use designation is dedicated for both the property, and the area?

The zoning designation for both the property and a large portion of the general area is "Residential," which is described as, "*Within the Residential category, conventional one-family detached dwellings represent the primary use, although two-family units such as duplexes and 'granny flats' are acceptable throughout the area. . . When appropriate, other uses may include multifamily residential activity and neighborhood commercial*" (Shawnee Comprehensive Plan P. 4-26).

4. Would such a zoning request be consistent with past and present allowances the City offers?

There are a number of items to consider when answering this question. The subject property fronts upon a major arterial, Independence Street. Other examples of major arterials in Shawnee would include: Kickapoo, Harrison, MacArthur, and Highland. If we explore trends and allowances along these major roads, we discover consistent multi-family and high density commercial allowances (Figure 4).

In regards to Independence Street, directly west of the subject property, there is already an approved R-3 (Multi-family Residential) zoning district and some commercial allowances. Less than a half-mile west, there are two multi-family establishments that exist along Independence Street. An interpretation of the code would say that a rezone from R-1 to R-2 would not only be consistent to allowances already allowed in the immediate area, but less dense than the neighboring R-3 designation. Such a rezone is also consistent with identical allowances along our other major arterials in Shawnee.

5. Based on size of the property, what further requirements will the property owner have to comply with before any structures are built?

Being that the property is approximately twelve (12) acres in size and the intent is to build numerous duplexes / single family homes, the project will have to go through the platting process outlined in the City of Shawnee Subdivision Regulations.

If the rezone is approved, the developer will have to first submit a preliminary plat. A preliminary plat requires the developer to show several items, a few of which include:

- a. A general layout of the site, including roads, utilities, sidewalks, and number of lots intended for the site.
- b. Where the increased storm water runoff from building out the site will be managed (i.e. storm water detention / retention) and released at a pre-development rate.
- c. It shall be shown that all portions of the design are in conformance with R-2 zoning.

Once approved, construction documents must be provided to prove that all infrastructure and storm water plans will be constructed to the satisfaction of City requirements. These requirements are ensured before a final plat will be approved.

An extensive number of protests letters have been received for this case, as many as 38. For better understanding, the major complaints will be summarized with Staff commentary:

1. The surrounding property predominately consists of single family residences.

The surrounding area is, in fact, primary single family residential in nature. Though this is true and deserves consideration, the City has allowed similar or higher density rezones in the immediate area, which begs the question, are we being consistent on how we interpret these requests based on past and present decisions?

2. A fear that the subject rezone will negatively affect property values.

Being so early in the redevelopment process, it is merely speculative to make assumptions on density, or quality of development, or quality of occupants for that matter. For that reason, such a claim is premature and without evidence to prove it will affect property values.

3. An already existing flooding issue that will only be worse with increased development.

During the platting process, the site developers are required to produce a storm water drainage study, proving that the on-site storm water management method used will contain and release runoff at pre-development rates. They are not obligated to fix a regional issue, but simply not make it worse.

4. Traffic flow along the narrow Elm Street, further compounded with on-street parking.

This is a genuine concern. A requirement from the City, during platting, is half street improvements along Elm Street. Even with the half street improvement, there is a concern for traffic congestion and potential on-street parking. Consideration for internal street access may have to be considered.

5. Current development offers an element of city convenience and country living.

While this is true, the subject property exists within central Shawnee which is prime land for development. As the property sits today, development of single family residential homes can already occur.

6. High density developments generally have higher crime rates, low ownership pride and exceed parking needs.

The intended developer on this site has similar developments in town, including Golden Acres Cottages. It has been suggested by the developer that, similar to

Golden Acres, a property association will be established allowing all maintenance and utilities to be centralized. Provided to these renters will be property maintenance and all parking will be adequate for City standards. The properties the developer currently maintains rent for \$1,200 - \$1,400 per month, indicating a proven quality product and certain standard of living. Also, higher crime rates associated with Golden Acres, or all duplex developments has not been proven to correlate with higher crime rates.

7. Increased traffic, noise, pollution, and increased danger to the health and safety of children.

Increased traffic, noise, and pollution are effects of any development, including the single family residential allowances already accepted on this site. The health and safety of children will be a very serious concern when considering any development in Shawnee. Based on the proximity to Sequoyah Elementary School, Staff will require sidewalks along both Elm Street and Independence to provide ideal walking space for children and citizens alike.



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

As the subject case is for a rezone, no site plan has been required at this point. If the property is rezoned, the developer is ultimately bound only to the minimum standards of

City Code. To put that in perspective, as many as 31 lots (62 rental units) or more could likely fit on the property. Though Staff may find no objection to a rezone specifically, the scope of development being 12 Acres is quite large in size. That too should be a factor for consideration.

A sometimes unfortunate design of the city's development procedure is that 300' mailing notice and notice provided to the newspaper is only produced during the rezone of any project. Once approved, the platting procedures require no such notice. In fact, once rezoned, a developer is bound only to meet minimum standards for R-2 zoning, with certain modification by the Planning Director, if found necessary. Once rezoned, the property can be sold, allowing any buyer the rights to the designated zoning.

Staff does present an alternative that could perhaps be beneficial to all concerned. If the applicant were to propose a rezone to a Planned Unit Development (PUD) instead, certain requirements will provide a degree of certainty as to what will be developed on site. Unlike a traditional rezone, a PUD requires a Design Statement and Plan Map. The Design Statement specifies many particulars of a project that must be followed, including:

1. Type of land use
2. Residential densities
3. Development regulations
4. Locations of specific elements of the development, such as open space, landscaping, and screening.

Based on the substantial size of the development, Staff would not be opposed to suggesting any progress should be made in the form of a PUD, allowing a degree of design certainty to remain on that property, whether sold or developed as intended. Through a PUD there could perhaps be flexibility for both the developer and the City to require landscaping and a mix of single family residential, as an example.

Based on the general consistency with the Shawnee Comprehensive Plan and the Shawnee Zoning Code, Staff has no objection to the proposed zone change from R-1 (Single Family Residential) to R-2 (Combined Residential District). However, based on size of the development, requesting the rezone be posed as a PUD would be beneficial to all decision makers.

STAFF RECOMMENDATION

Staff has **no objection** for the proposed rezone from **R1 (Single Family Residential)** to **R2 (Combined Residential District)** for the subject property. However, Staff does suggest a rezone to PUD might provide more influence on design to better account for concerns..

Attachments

1. Figure 1: Aerial view of site

2. Figure 2: Zoning Map
3. Figure 3: Future Land Use Map
4. Figure 4: Zoning Consistency Map
5. Exhibit 1: Letters of Protest.

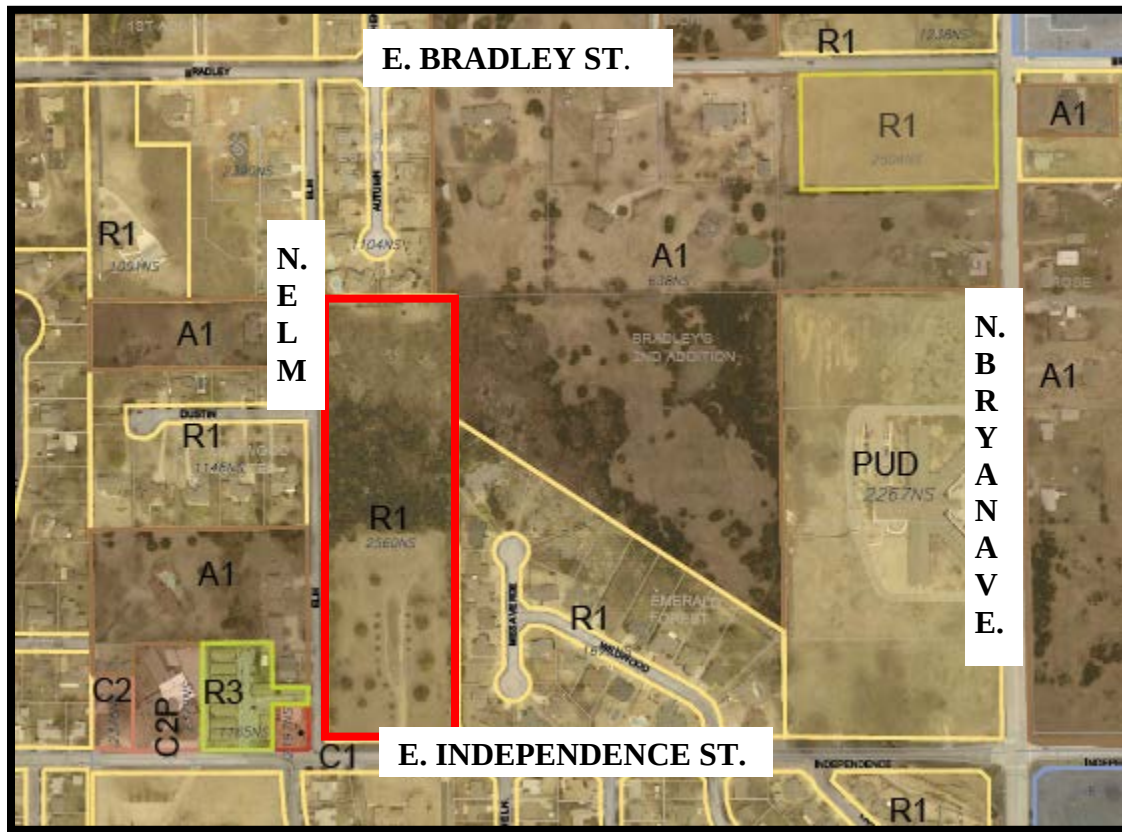


Figure 2: Zoning Map of site – approximate total area outlined in red.

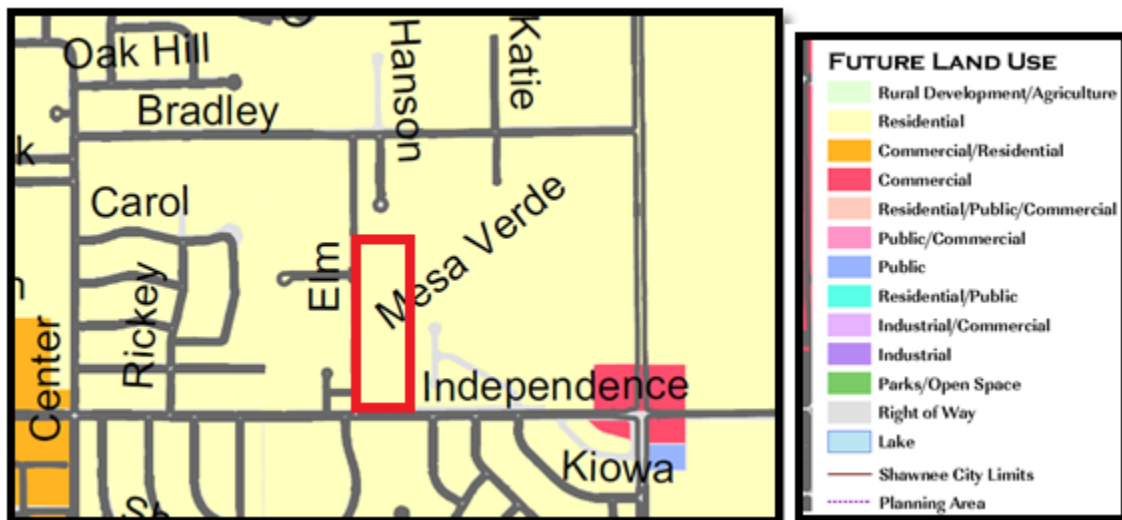


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map – approximate total area outlined in red

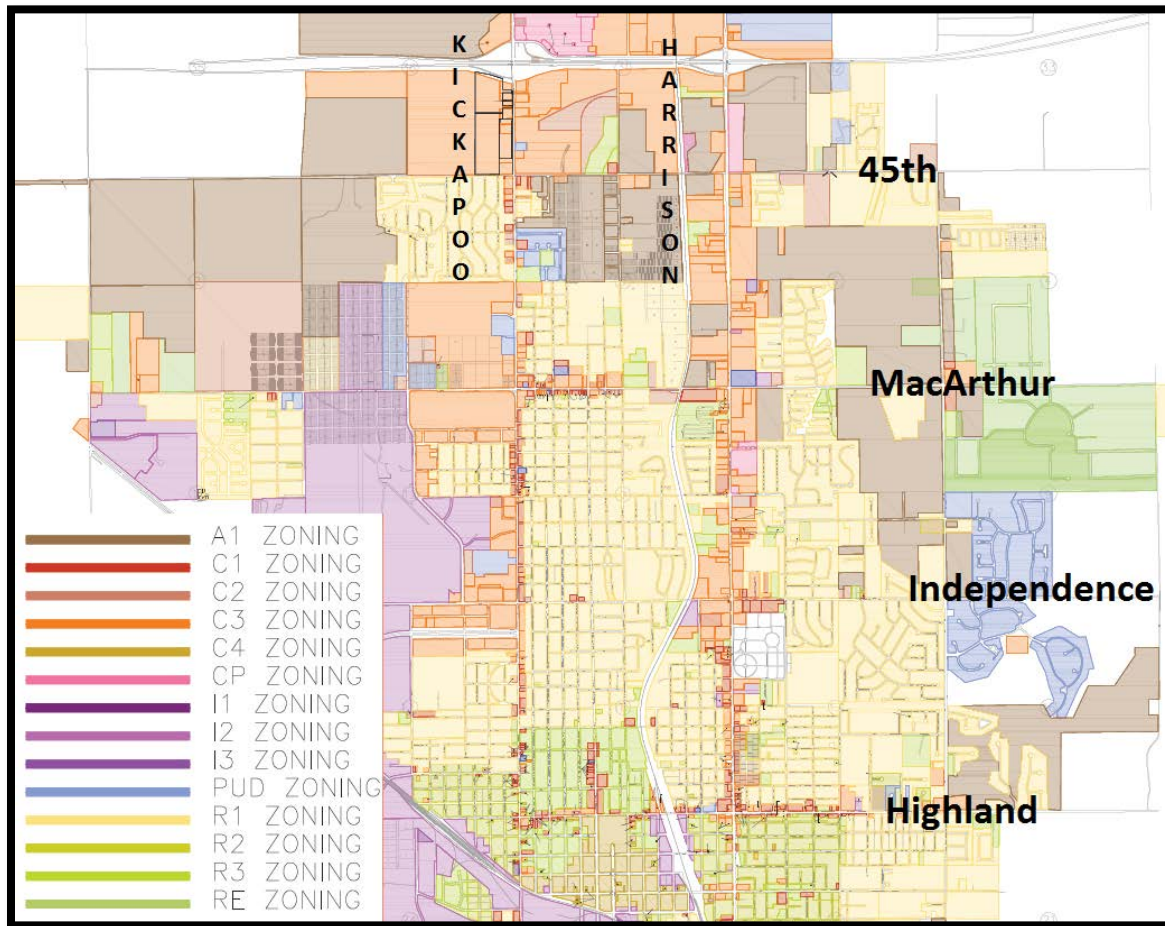


Figure 4: Zoning Consistency Map: Provided to show the correlation between major arterials and high density commercial and residential development.

CITY OF SHAWNEE PLANNING COMMISSION/CITY OF SHAWNEE CITY COMMISSION

REGARDING CASE #P15-15

I am protesting the rezoning of the property "General Location Known As" 1500 E. Independence St., Shawnee, OK from R-1 to R-2.

The surrounding property predominately consists of single family residences and I am vehemently opposed to this zoning change that will negatively affect property values, traffic flow along the narrow Elm Avenue and increased flooding in the area of my residence.

Any concentrated development along Elm Avenue increases the possibility of flooding and on-street parking which will turn this narrow two lane into a narrow one lane. Vehicles already have to pull to the shoulder when meeting school buses, sanitation trucks, etc.

Thank you for your consideration.

Frank Harris *Frank Harris 12-29-2015*

1800 N Elm Ave.

Shawnee, OK 74804

RECEIVED

DEC 30 2015

PLANNING / CODE

Oppositions To Changing the Proposed Zoning Request From R 1 To R 2

1. The current surrounding infrastructures are designed for low density residential living. Elm street is currently a fragile asphalt base surface and in disrepair. This street does not currently meet the necessary width for safe passing of oncoming traffic. Traffic load cannot not be increased in it's current state
2. Current developments around proposal are low density housing by design and enjoy an element of city convience and country living.
3. The current nearby Fire station is being vacated and would strain resources from other facilities in emergencies.
4. High density developments generally have higher crime rates, low ownership pride and exceed parking needs. Look at developers current Golden Acre development.
5. Elm street currently floods across the proposed development at the North end creek. Any build up of elevation would concentrate higher flood situations on Elm street.
6. R2 development by design and architecture can be regarded as Compounds that do not fit in low density neighborhoods.

Dan Climer

3 Dustin Circle off Elm

RECEIVED

DEC 31 2015

PLANNING / CODE

Opposition of case #P15-15

Wednesday, December 30, 2015

8:53 PM

Reid and Tammy Poyer
1514 Mesa Verde
Shawnee, OK 74804



Dear Sir/Madam,

City of Shawnee Planning Commission:

Propose rejection of erected duplexes adjacent to Emerald Forest

I write in connection with the above property rezoning application. I wish to object strongly to the development of these duplexes in this location.

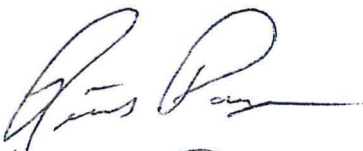
Having these duplexes adjacent to the Emerald Forest addition would increase traffic, noise and pollution.

Furthermore, there would be a concern for upkeep of the property with no known residential restrictions. A single resident addition would keep our property values high and in the opposite, a chance of our property decreasing value with the erection of the multiple family duplexes.

Furthermore, it would be of best interest to keep the property as a R-1 zone as originally intended to keep the quality of growth at highest standards in our town.

Regards,

Reid and Tammy Poyer

 12-30-15
 12-30-15

RECEIVED

JAN 01 2016

PLANNING / CODE

December 31, 2015

Shawnee Planning Department
Attn: Cheyenne
405-878-1587

Re: Rezone of property Case #P15-15

To Whom It May Concern:

We, Todd and Starla Howard, have lived in the neighborhood of Emerald Forest, for the past 10 years at 1704 Wildwood.

We have been informed as to the rezoning effort and are opposed to it. This is not a positive endeavor for our neighborhood of Emerald Forest on Mesa Verde and Wildwood.

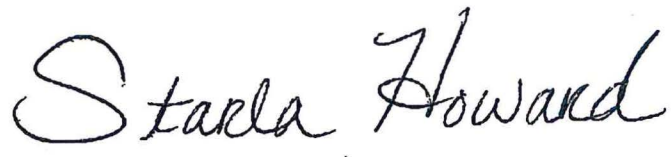
This rezoning will draw additional traffic around the school, which is likely to present additional risk/danger to the health and safety of our children. This property is on a corner, at a bus stop, in a school zone; therefore, there is much concern for traffic and congestion. Flooding and drainage is also an issue for homes in Emerald Forest and surrounding neighborhoods. Crime is also another factor. Noise and other nuisances are other issues. Another huge concern is home value diminution for the homes in Emerald Forest as well as other nearby neighborhoods.

As homeowners and residents of Emerald Forest, we 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. The rezoning also may mean a tax increase. The new development may not enlarge the tax base enough to pay for the new schoolrooms and additional county services its residents may require. 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.

Again, we do not support zoning case #P15-15.

Sincerely,


Todd Howard
1704 Wildwood


Starla Howard
1704 Wildwood

RECEIVED

JAN 01 2016

PLANNING / CODE

Bobby G. Burnett
1500 Mesa Verde
Shawnee, OK 74804

RECEIVED

JAN 04 2016

CITY CLERK

To: City Clerk, Shawnee, OK

Subject: Rezoning of Property located at 1500 E. Independence St.

Purpose: To protest the rezoning of this property to allow Duplex Apartments to be built.

My property joins this property and rezoning will lower the value of all property in Emerald Forest Sub-division.

I sold property on E, Briarwood and moved into a duplex on Ella Lane near McArthur and Leo Streets. I lived there for a year and a half, before moving for safety reasons. I looked out my front window one day to see six black unmarked SUVs and law enforcement officers dressed like a swat team armed with AK-47 automatic rifles in the front of the duplex across the street. They had two of the residents, handcuffed standing in the front yard. A Shawnee patrol car showed up about 30 minutes after the raid started. There was not any shots fired because those accosted cooperated with the police. These were new duplexes and for the first year it was nice and quiet. Then people started moving in who were not what I call good neighbors.

From what I hear on the news and read in the Newspaper, most crimes in residential areas are committed in apartment complexes. A stray bullet could hit my house or other houses in Emerald Forest. I survived 25 years of military service and wanted to live out my retirement years with my wife in a peaceful community. Duplexes conjoining my property will not make for a peaceful situation.

Request you not approve the rezoning of this property to allow duplexes to be built.

Sincerely,


Major Bobby G. Burnett, USAF Retired

405 343 8809

8
RECEIVED

JAN 11 2016

CITY CLERK

1504 Mesa Verde
Shawnee, Ok 74804
405-837-7891
9 January 2016

To: The Mayor, City Manager and City Commissioners of Shawnee, OK:

Subject: Rezoning of Property on Independence and Elm Street from R-1 to R-2

I found out by accident that a meeting was held by the Planning Commission without my knowledge concerning a change of Zoning on **property Formerly known as the "Carpenter Property" from R-1 to R-2 on 6 Jan 2016**. I never received a written notice from the Planning Commission stating "their desire to change zoning on this property" so I could "voice my opinion" about this situation. I should have received written correspondence from your committee concerning my property since I have lived in Emerald Forest on Mesa Verde for 16 years.

I cannot see why the Planning Commissioners thinks changing the Zoning from R-1 to R-2 is the correct thing to do considering the surrounding area is already zoned as R-1 "Residential". Having rental apartments placed in a residential area will hurt the resale value of Emerald Forest and the homeowner properties around it. It devalues the area. Because no one wants to live behind or in front of rental housing areas due to the noise, increased crime and a lack of enforcement of animal control.

The owners of the apartment area and the people renting there will have no stake in the property. The owners of the rental properties in Oklahoma City are constantly on the news about not keeping their properties up. Shawnee, I doubt will have a better outcome since more than likely the owners will not be from Shawnee. And even if they are from Shawnee-trying to force an owner to keep up their property is almost impossible.

I am asking the Commissioners not to approve the deferral because the will of the citizens were subjugated by the will of the Planning Commission.



Jenny Lou Adkison

RECEIVED

JAN 11 2016

CITY CLERK

Jan 10, 2016

Attn: Shawnee City Commissioners

As a homeowner in Emerald Forest and a member of the association my husband and I want to request that the rezoning of the property at Independence and Elm Street from R-1 to R-2 be rejected by the City Commissioners. We feel this change in zoning would not be an advantage for the people living in our zone. This could effect water flow and decrease the value of our homes in years to come.

Our property is in a Flood zone and with a heavy rain we have seen water from the creek about 80 feet from our back door. Our concern is with building multiple home in that area could change the flow of water and maybe increase the flow of water at the back of our home.

We also are concerned that if the homes built in that area are not in the price range of homes in this area that could affect the value of our home.

When this issue of rezoning comes before you please consider our concerns and reject rezoning at the corner of Independence and Elm Streets.

Jim & Shirley Gregory
1712 Wildwood
Emerald Forest
405-273-0870

RECEIVED
JAN 11 2016
CITY CLERK

To the Commission:

I simply ask that you do not rezone The property in question.

Having lived at 1710 Wildwood for going on 20 years, I do not see any advantage for myself or other residents in the area, in regard to having the property rezoned. I will skip the logical and obvious problems (you should hear scores of them), and ask instead who could possibly believe this is a good change that is being considered?

Thank you for your consideration. MK


1710 Wildwood (Mike Knicker)
275-9408

January 07, 2016

RECEIVED
JAN 11 2016
CITY CLERK

Shawnee Planning Dept
Shawnee City Commissioners
Shawnee City Mayor

Re: Rezoning of property located at 1500 E Independence (Case #P15-15)

To Whom It May Concern:

We live at 1508 Mesa Verde in the neighborhood of Emerald Forest. We do not support the rezoning of the property listed above from R1 to R2. We believe that this rezoning will have a negative impact on the quality of the neighborhood & significantly bring down the property value of our home's.

We have amply rental property in Shawnee and we believe the city should be focusing on development of more single family home ownership housing additions.

Again, we ask that you do not approve the rezoning of this property!

Sincerely,

Carl & Jana Jacobs
1508 Mesa Verde
Shawnee, OK. 74804
405-761-8646

Handwritten signatures of Jana Jacobs and Carl Jacobs. The signature of Jana Jacobs is written above the signature of Carl Jacobs.

12
RECEIVED

JAN 11 2016

CITY CLERK

City of Shawnee

Public Hearing Case #P15-15

11 Jan 2016

To: City of Shawnee City Commissioners, Mayor Wes Mainord, City Manager
Justin Erickson

I oppose rezoning of the location known as 1500 E, Independence St, Shawnee Ok. This location is classified as R-1 Single Family Residential District. The city planning commission wants to rezone this area to R-2 a combined residential district with a proposed use of the property as Duplex's. The duplex's will back up within 10 to 20 feet from my fence and this will affect my property value, cause noise. My property tax's and my street will be affected more than I want. I thought when I bought my home it would be in a Single Family Resident District as I moved from the same kind of housing that is being proposed in Stillwater OK. The people living in the duplex's had two to three families living in them and up to 6 vehicles parking in the street and on the grass and the noise was all times of the night. If this is rezoned to R-2 and duplex's are built this tax payer will be moving.



Arthur T. McSparen

1510 Mesa Verde

405-202-6268

RECEIVED

JAN 11 2016

CITY CLERK

City of Shawnee

Public Hearing Case #P15-15

11 Jan 2016

To: City of Shawnee City Commissioners, Mayor Wes Mainord, City Manager
Justin Erickson

I oppose rezoning of the location known as 1500 E, Independence St, Shawnee Ok. This location is classified as R-1 Single Family Residential District. The city planning commission wants to rezone this area to R-2 a combined residential district with a proposed use of the property as Duplex's. The duplex's will back up within 10 feet from my fence and this is will affect my property value, cause noise. My property tax's and my street will be affected more than I want. I thought when I bought my home it would be in a Single Family Resident District. The people living in the duplex's can have three familys living in them and up to 3 vehicles parking in the street and on the grass and the noise will be all the time of the night. I have had rental property and I had good renters that were run off because of the people that lived next door that were dealing and stealing from the neighbors. If this is rezoned to R-2 and duplex's are built this tax payer will be totally unhappy. I feel that I should be represented in my request by the city of Shawnee Ok for this to remain R-1!


Glen Parsons

1512 Mesa Verde

405-830-3726

RECEIVED

JAN 11 2016

CITY CLERK

January 10, 2016

City of Shawnee

Re: Rezone of property Case #P15-15

To Whom It May Concern:

We, William and Coleen Chapman are the owners of the home and property at 1701 Autumn Lane in the Briarwood Addition. Our property lies directly north of the property being considered for rezoning. We have lived here for 22 years, and have lived in the neighborhood a total of 26 years. We have maintained a portion of the property in question for the 22 years we have lived at 1701 Autumn Lane, providing lawn care to the area up to and the tree line behind our home.

We have been informed of the efforts to rezone the property adjacent and directly south of our property from single residence homes to that of multiple family residences. We are opposed to this effort. This proposed project is not a positive one for our neighborhood in the Briarwood Addition, nor is it beneficial to the surrounding neighborhoods.

Our primary concern involves the devaluation of our property with the construction of smaller duplexes of far lesser value than our home. Also, the probability that these duplexes will become rental property which will lead to further devaluation of all properties in this area is a concern. We understand that included in the proposal is a children's park. Although we are not opposed to children's parks in general, we feel and have seen evidence in other neighborhoods that many times neighborhood parks fall into disrepair from vandalism and lack of upkeep – this is especially concerning in a neighborhood with rental properties.

Another issue is the problem with drainage and flooding on Autumn Lane which is likely to worsen with development of this area directly south of our property. In the wooded area behind us is a low lying creek bed – developing this area would change this natural landscape and the benefits that the creek provides for natural

drainage to the area. Raising the ground level in this area would impair the already compromised drainage leading to potential flooding on Autumn Ln. Preservation of the creek bed and the area surrounding the creek should be considered a high priority in any development plan for this area.

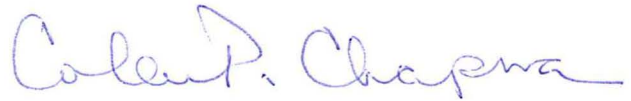
We believe that the rezoning will have a detrimental effect on the quality of our neighborhood and on the surrounding neighborhoods. We have invested in a quality neighborhood and do not wish for property values to decrease. As this area proposed likely will be marketed towards families, the school system will need to adjust, the possibility of needing to add schoolrooms to accommodate more students leading to a need for more taxes to pay for this and for other city services to the area.

Because of the reasons mentioned above, we do not support rezoning Case #P15-15.

Sincerely,

A handwritten signature in blue ink, appearing to read 'W Chapman'.

William A. Chapman
1701 Autumn Lane
(405)275-4743

A handwritten signature in blue ink, appearing to read 'Coleen P. Chapman'.

Coleen P. Chapman
1701 Autumn Lane
(405)275-4743

1513 Mesa Verde
Shawnee, OK 74804
January 10, 2016

7
RECEIVED
JAN 11 2016
CITY CLERK

RE: Rezoning 1500 E. Independence

Sent to Mayor Mainord, Commissioners Agee, Dykstra, Shaw, Hall:

We hope you will join us in our opposition to rezoning 1500 E. Independence from R-1 to R-2. We agree with most of the arguments and evidence you will read in other letters, but will repeat here the arguments we think are most weighty.

The property is in the midst of a sea of R-1 zoning, the exceptions being a former retirement residence just west of the lot and two duplexes on Elm. We believe that degrading this area with as many as 35 combined rental housing units is damaging to the area's future and possibly to its present status as a single-family residential area. The city commissioners, while needing to ensure the economic viability of Shawnee builders, should not let this concern cause you to lose sight of a major purpose of zoning, which is to preserve the integrity of residential areas.

We have maintained an active neighborhood association in Emerald Forest. We make certain that the neighborhood covenant is upheld and that standards of neatness are maintained. Whereas owners of single family units at 1500 Independence might be inclined to maintain such standards, many examples suggest that people in combined rental housing units would be less inclined to do so.

Finally, people on the west side of Mesa Verde, after dealing with excessive run-off from the 1500 E. Independence lot for years, could have housing units built within thirty feet of their back doors if the zoning is changed to R-2, since the set-back behind such houses is only ten feet and some of the Mesa Verde houses have only twenty feet behind their houses. This would be only one result of over-dense housing in this part of Shawnee, where single family units are the rule.

We hope that these concerns, along with issues described in other letters you have received, will lead you to reject the request to change the zoning from R-1 to R-2.

Sincerely,


Joe Hall


Ronda Hall

January 9, 2016

City Commissioners
City of Shawnee Mayor Wes Mainord
City Manager Justin Erickson

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JAN 11 2016
CITY CLERK

Re: Rezone of property Case #P15-15

To Whom It May Concern:

We, Todd and Starla Howard, have lived in the neighborhood of Emerald Forest, for the past 10 years at 1704 Wildwood.

We have been informed as to the rezoning effort and are opposed to it. This is not a positive endeavor for our neighborhood of Emerald Forest on Mesa Verde and Wildwood.

This rezoning will draw additional traffic around the school, which is likely to present additional risk/danger to the health and safety of our children. This property is on a corner, at a bus stop, in a school zone; therefore, there is much concern for traffic and congestion. Flooding and drainage is also an issue for homes in Emerald Forest and surrounding neighborhoods. Crime is also another factor. Noise and other nuisances are other issues. Another huge concern is home value diminution for the homes in Emerald Forest as well as other nearby neighborhoods.

As homeowners and residents of Emerald Forest, we 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. The rezoning also may mean a tax increase. The new development may not enlarge the tax base enough to pay for the new schoolrooms and additional county services its residents may require. 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.

On another note, I have taught at Will Rogers Elementary School in the Shawnee Public School system for 20 years. In this time I have witnessed first hand these types of developments that come in to our communities and districts labeled "high income" but our community has never been able to support "high income" rental property and therefore become low income, Section 8, Native American, tribal housing. These developments also have a very high mobility rate which in turn effects a school system/district dramatically in a very negative way.

In the 20 years of teaching I have serviced these type families and have witnessed the high mobility rate at which these families move about the community. Will Rogers has gone from 32% free and reduced lunches to 97% free and reduced lunches based on poverty rate since properties such as these developed in our district. This is not beneficial to school

districts (test scores, class size, teacher student ratio, etc.). I also realize that many community members earn a living by buying, selling, building and renting properties such as these. We as a community cannot continue to cater to this endeavor. There is a healthy balanced to be maintained (agricultural, residential, commercial, R-1, R-2, etc.). Our rental property percentage is just as much or more than our single family home properties.

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 will also cause this development to decrease in appearance and value thus decreasing surrounding property values. We can also not compare Golden Acres or other developments such as these to the intended development. Each neighborhood, location, community, district has it's own individual impact and issues. Golden Acres is zoned much differently at a much higher standard than this intended development and has a very different impact on that area's property value.

This why we are here today to ask the committee, commission and mayor to please maintain a healthy balance and deny the rezoning of property case #P15-15.

Sincerely,



Todd Howard
1704 Wildwood
405-214-9414



Starla Howard
1704 Wildwood
405-214-9414

To Whom it May Concern:

Subject::DEVELOPMENT OF PROPERTY OF FORMER CARPENTER ESTATE AND REZONING
FROM R 1 TO R 2.

I am a resident of Emerald Forest. My husband, Bob Peck and I chose to build a custom home here 18 years ago. We protest the development and rezoning of the Carpenter Property. We do not want duplexes and rentals next to our homes!! We are very proud of Emerald Forest. We have a very active Homeowners Association. We have near 100% participation in assessment of dues. We want to maintain the integrity of our homes ! Most all the homes here are custom built. To have rental property on our back side would devalue our homes.

Betty and Bob Peck
1706 Wildwood
Shawnee, Oklahoma, 74804

Betty A Peck
405-273-3449



RECEIVED
JAN 11 2016
CITY CLERK

To Whom it May Concern:

Subject: DEVELOPMENT OF PROPERTY OF FORMER CARPENTER ESTATE AND REZONING
FROM R 1 TO R 2.

I am a resident of Emerald Forest. My husband, Bob Peck and I chose to build a custom home here 18 years ago. We protest the development and rezoning of the Carpenter Property. We do not want duplexes and rentals next to our homes!! We are very proud of Emerald Forest. We have a very active Homeowners Association. We have near 100% participation in assessment of dues. We want to maintain the integrity of our homes! Most all the homes here are custom built. To have rental property on our back side would devalue our homes.

Betty and Bob Peck
1706 Wildwood
Shawnee, Oklahoma, 74804

Betty a Peck
405-273-3449

RECEIVED
JAN 11 2015
CITY CLERK

Monday, January 11, 2016

Re: Case #P15-15

Dear City Commissioners,

RECEIVED
JAN 11 2016
CITY CLERK

I am president of the Emerald Forest Home Owners' Association and own a property (1516 Mesa Verde) that abuts directly to the east of the property referred to in case #P15-15. I OPPOSE THE PROPOSED REZONING FROM R-1 TO R-2 of 1500 E. Independence Street. I ask you to NOT APPROVE the deferral recommended by the City Planning Commission because the will of the citizens was subjugated by the will of the Planning Commission. I further ask you to NOT APPROVE the proposed rezoning from R-1 to R-2 of 1500 E. Independence St.

I and my fellow Emerald Forest homeowners have substantial investments in our homes; homes that are valued at two, three or even four hundred thousand dollars. We are concerned that the proposed development of the neighboring property into rental properties, especially duplex rental properties as stated by the developers, as allowed under the proposed R-2 rezoning, will negatively impact the values of our homes in the Emerald Forest neighborhood. Now some would say that the claim that neighboring rental properties will reduce property values, while widely believed, is anecdotal at best. Indeed, at the City Planning Commission meeting (January 6th) the City Planner, Justin Debruin, stated that he had not read anything to substantiate the claim. However, a research study by Wendy Usrey in the Department of Economics at the Colorado State University, College of Business showed that "Rentals within ¼ mile of a sold home had a negative impact on price." My property, and most if not all the Emerald Forest neighborhood, **lies within a quarter mile of the proposed rental properties**. Hence I and my fellow Emerald Forest homeowners believe our concern that our property values will be reduced is valid.

I would also point out that it is not just the homeowners in Emerald Forest that are concerned. From the petitions that have been circulated, homeowners residing on Autumn Lane to the north, on Dustin Circle and N. Elm street to the west, and on Sequoyah, Apache, Arapaho and others to the south are also concerned about the negative impact of the proposed development and are opposed to the rezoning of 1500 E. Independence from R-1 to R-2.

On looking to these surrounding neighborhoods I would point out that 1500 E. Independence is almost completely surrounded by either R-1 or A-1 zoning: Emerald Forest to the east is R-1, Autumn Lane to the north is R-1, Dustin Circle and N. Elm street are R-1 and A-1 (according to the website) and it is R-1 on the south side of Independence. The exception is very small piece of C-1 zoning on the north-west corner of Elm and Independence. Thus, the current R-1 zoning is more consistent with the area than the proposed R-2 zoning.

In addition to the negative effect on home values, and possibly contributing to the negative impact rental property has, I and my fellow Emerald Forest homeowners are concerned about increased crime in our neighborhood because of the proposed rental development. Several of our homeowners moved to Emerald Forest from neighborhoods with increasing numbers of rental properties close by to escape the increasing crime rates. They also cited increasing noise and traffic. At least two of the homeowners have stated that they would sell and move elsewhere if the proposed rental development proceeds especially the kind of rental property allowed under R-2 zoning.

For those of us with homes on the west side of Mesa Verde (including myself) and those on the south end of Autumn Lane, properties that directly abut 1500 E. Independence, we are very concerned about the 10

foot easement allowed under R-2 zoning compared to the 20 foot easement allowed under R-1. 10 feet is simply too close.

I and my fellow Emerald Forest homeowners have other concerns such as ensuring adequate planning for water run-off. However, these are tangential to the zoning question and will be addressed when the plans for R-1 development are presented.

I and my fellow Emerald Forest homeowners see no benefit, only detriment, with re-zoning. Therefore, to reiterate, I ask you to NOT APPROVE the deferral recommended by the City Planning Commission and to NOT APPROVE the proposed rezoning from R-1 to R-2 of 1500 E. Independence St.

Sincerely,

A handwritten signature in cursive script that reads "C. E. Aston".

C. E. Aston
President of the Emerald Forest Homeowners' Association
Resident of 1516 Mesa Verde
Phone: 405 314-0737

cc'd City of Shawnee Mayor Wes Mainord,
City Manager Justin Erickson

Bonnie Boone
1516 Mesa Verde
Shawnee, OK 74804

RECEIVED
JAN 11 2016
CITY CLERK

To Honorable City Commissioners, Mayor Wes Mainord, and City Manager Justin Erickson:

As Treasurer of the Emerald Forest Homeowner's Association and longest residing resident of EF, (since 1995), I hereby do formally protest the rezoning of 1500 E. independence (the former Carpenter property) on the corner of Independence and Elm. The proposed rezoning from single residential to multi-residential will bring on more liabilities than advantages.

1. Lower property values of residential housing in the area. Despite what Justin Debruin quoted at the public hearing on 01/06/2016 "To speculate what could happen would be unfair" (concerning making judgments without more concrete plans from the developer) I counter than it is UNFAIR to us as property owners to disregard our legitimate concerns with such a flippant remark especially in the light that the proposed builders DO NOT EVEN OWN the said property yet and at least had enough sense to make the purchase contract contingent on rezoning! In addition a deferral will in NO WAY SHAPE OR FORM alleviate our concerns no matter who is involved or how long it is discussed. What part of WE DO NOT WANT RENTAL PROPERTY BUILT NEXT TO OUR RESIDENTIAL DIVISION do some of the planning commissioners and planning employees NOT UNDERSTAND?! Two of our homeowners are currently renting their properties against the covenants (the city will do nothing to help us on this issue) and the high turnover and delinquent behavior of adolescent renters have resulted in our personal ornamental lawn property and that of our neighbors being destroyed. The creek behind us is a natural draw for children's curiosity and I don't want more children of like mentality trespassing onto our properties. This is something that undoubtedly would happen especially if the zoning were to be degraded from R1 to R2.
2. Diminish the enjoyment of our neighborhood because of increase traffic, noise and crime. This at worst would cause increased chance of sex-offenders/predators and/or drug dealers living very near a public elementary school. Background checks of renters will not prevent the "boyfriend" from moving into a rental property. At best this rezoning will put children at risk when crossing the street to get to an open space to play (Sequoyah School playground). I went to Golden Acres myself to see what kind of housing would be built and it should have been named "Concrete Acres" as a more accurate description and the only significant grass I saw was what was required on a 10 foot easement from the curb!

We do not support the development of this property as planned by the out of area developers, who do NOT PLAN ON LIVING in the habitats they build (or in Shawnee for that matter)—they are from Ada, OK.

Please do the will of the long standing citizens of this community. This whole case #P15-15 reeks of clandestine modus operandi and abuse of political power. Please do not partake of it and do not enforce it on us. I don't see how even one of you in good conscience could be in favor of rezoning if you would just put yourself in our shoes (houses) and utilize the Golden Rule. Our decisions result in consequences and because of the poor decision the Carpenters made by not selling to Frank Bryant of the former Bryant Builders we are as a community now dealing with its consequences. Do not contribute to another poor decision please! Vote against deferment and against rezoning this property and keep it R1!

Thank you for your earnest consideration and for exercising responsibility to our long standing citizens.

Bonnie Boone, D.V.M. 01/11/2016

Bonnie Boone, D.V.M. resident of 1516 Mesa Verde for over 20 years. 823-3546

Opposition of case #P15-15

Wednesday, December 30, 2015

8:53 PM

Reid and Tammy Poyer
1514 Mesa Verde
Shawnee, OK 74804

RECEIVED
JAN 11 2016
CITY CLERK

✧

City of Shawnee Mayor Wes Mainord:

Propose rejection of erected duplexes and re-zoning to R-2 adjacent to Emerald Forest

I write in connection with the above property rezoning application. I wish to object strongly to the development of these duplexes in this location.

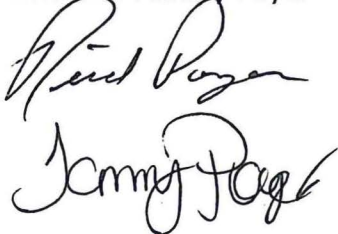
Having these duplexes adjacent to the Emerald Forest addition would increase traffic, noise and pollution.

Furthermore, there would be a concern for upkeep of the property with no known residential restrictions. A single resident addition would keep our property values high and in the opposite, a chance of our property decreasing value with the erection of the multiple family duplexes. With the residents being rotating instead of permanent, there will be no sense of owning or taking care of the property as a single residence would be. The intentions would be for the duplexes to start out in appearance nice and look new, but soon after, they would take on the appearance of the typical rental property pride of upkeep. We also know the easement on the back of our property would be 10 ft. if zoned for an R-2 vs. the 20ft if kept as an R-1 zoning. This would be a major loss of privacy and would be concerning for any owner backing up to this R-2 property.

Furthermore, it would be of best interest to keep the property as a R-1 zone as originally intended to keep the quality of growth at highest standards in our town.

Regards,

Reid and Tammy Poyer



1

J. Roger Henson
1709 Wildwood
Shawnee, OK 74804-1803

January 10, 2016

City of Shawnee
9th and Broadway
Shawnee, Oklahoma

RECEIVED
JAN 11 2016
CITY CLERK

Attn: Wes Mainard, Mayor
Linda Agee, Commissioner
James Harrod, Commissioner
Keith Hall, Commissioner
Lesa Shaw, Commissioner
Micheal Dykstra, Commissioner
Justin Erickson, City Manager

Re: Request for Change of Zoning from R-1 to R-2
Case Number P-15-15
Applicant: Landrun Group LLC
Property Address: 1500 East Independence, Shawnee

To the Honorable Mayor, Commissioners and City Manager,

As an owner of our home in Emerald Forest, we formally protest on both substantive and procedural grounds the Application of Landrun Group LLC which was filed with the City of Shawnee as P15-15. The Application requested a zoning change from R-1 to R-2.

1. When we purchased our home in 2000, the tract of land which is the subject of the application ("Carpenter Property") was occupied as a single family residence and had been for many years. The City's website revealed that the property as of January, 2014 was zoned A-1. I understand that within the last two years the zoning was changed to R-1 which is consistent with its historical use and the zoning of Emerald Forest, the real property contiguous to the Carpenter Property.

The prior zoning change to R-1 was not protested. The use would remain consistent with its historical use. It was hoped that the Carpenter's Property would be developed with single family residences consistent with the quality and value of not only the houses and homes in Emerald Forest but also the houses and homes located across Elm Street on Dustin Circle and the houses and homes located to the north in Briarwood Estates.

A review of the Zoning Code that went into effect July 2, 2014, reveals much in common between R-1 and R-2 such as the maximum building height of 35 feet, which allows for two-story structures. Notwithstanding the commonality of the two zoning classifications, there are significant differences between R-1 and R-2. Under R-2, Use is expanded to include duplex, triplex, townhouses, residential care homes, and residential child care facilities. Table 22-160.4.1 Density and Dimensional Standards by Zone reveals a very significant difference that directly impacts the quality of life and value of the homes of my neighbors that live on the west side of Mesa Verde Drive. The rear yard setback minimum is ten (10) feet. Under R-2, a developer can build a two-story triplex 10 feet from neighbors' backyards. Privacy is compromised. The quality of life and value of the homes on Mesa Verde Drive diminishes which reduces the quality of life and value of all the other homes in the small addition of Emerald Forest.

At the Planning Commission hearing, when the applicant was asked about the development details, he could not or would not disclose any. To paraphrase the response, "It depends on the zoning."

2. Historically, there have been buffers between duplexes and higher value residential property. For example, in the late 1960's, Larkins Meadows was developed. Duplexes were built on the east side of Cheyenne Street abutting Bryan Street. On the west side of Cheyenne Street were smaller single family residential homes. The more substantial homes were located further in the interior of the addition.

Another example is in Country Club Addition. The more substantial homes located on North Troon Circle south of Augusta Drive are buffered by a green belt composed of a creek and vegetation from the smaller garden homes located on Augusta Court. The same substantial homes located on North Troon Circle south of Augusta Drive are buffered by Augusta Drive and a brick wall from the smaller homes located on North Troon Circle north of Augusta Drive.

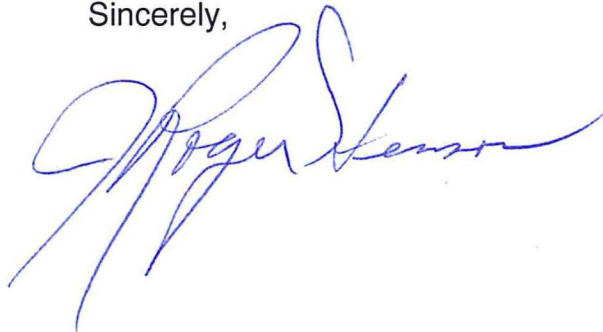
Unlike a wide green belt, or creek, there is nothing to buffer the homes in Emerald Forest from the effects of a development of duplexes, triplexes or townhouses on the property identified in the Application.

3. On a procedural note, the planning commission initially voted 5 to 2 against a motion to approve the application as submitted. Subsequently, the Planning Commission voted to postpone consideration until the next Planning Commission meeting. It is now my understanding that the City Commission

may consider the application. If the City Commission does, in fact, consider the application of Landrun Group, LLC, it would appear that it will be doing so contrary to Section 22-210.5 of the Zoning Code which requires a vote of the Planning Commission to approve the application as submitted, or as amended, or be approved subject to such modification as the Planning Commission shall deem appropriate to carry out the Comprehensive Plan.

We respectfully request that the City Commission deny the application of Landrun Group, PLLC in Case Number P15-15 for the reasons that the current zoning of R-1 is consistent with the use of the surrounding property and particularly Emerald Forest; it would allow the owner a reasonable return on the land as zoned; and it would retain the single family residence character in the surrounding area.

Sincerely,

A handwritten signature in blue ink, appearing to read "Roger Henson". The signature is fluid and cursive, with a large initial "R" and "H".

January 26, 2016

Shawnee City Planning Commission
Shawnee, Okla.

Re: Case #P15-15

Dear Commission:

This is a **letter of protest** against the rezoning of the former Carpenter property (Independence and Elm) from R-1 to R-2 (duplexes for rental).

We built our home at 9 Dustin Circle 35 years ago. It has been a safe, quiet area that we have been happy to rear our children, and now enjoy watching our young grandchildren play and ride their bikes. It is our concern that this safety will be compromised with transient neighbors and increased traffic in the area if multifamily rental property is built near our street.

The issue of property value is very important to us. We (and our neighborhood) have worked diligently over the years to maintain our quality of homes. That property value that we have improved over the years will greatly diminish if this rezoning occurs. It saddens us to watch this happen due to opportunistic non-local investors.

Additionally, the R2 zoning is very broad in scope. It could allow future multi-family developments to be built that would vary from the initial developers stated project. Finally, Shawnee needs more developed land for single home housing. We urge the developer to pursue that endeavor.

Initially when the land was sold (Carpenters), it was intended for single-family homes. Now, due to the resale of the land, the intention of the property has changed.

We implore you to deny the rezoning of this property.

Sincerely,



Greg and Karen Wall
9 Dustin Circle
Shawnee, Ok. 74804

RECEIVED
JAN 28 2016
CITY CLERK

Brian Dude



1709 Autumn Lane • Shawnee, OK 74804 • Phone: 405-990-4140

Jan. 28, 2016

Lesia Shaw
Ward 5 Commissioner
City of Shawnee
16 W 9th St.
Shawnee, OK 74801

Dear Commissioner Shaw:

I am writing to you to express my concern regarding Case #P15-15 which addresses the rezoning of the former Carpenter property located at the intersection of Independence and Elm from R-1 to R-2.

As a relatively recent arrival in Shawnee, and thus involved in the local real estate market, I am extremely troubled by the prospect of a rezoning decision that could have significant negative implications on my property value, as well as the property values of my neighbors.

Since purchasing our home in May, we have enjoyed the quietness and neighborliness we have found. We often walk our child and dog up and down Bradley, Elm and Independence and the surrounding neighborhoods. We have always felt safe doing so.

In my view, building a development like the one proposed by the Landrun group, not only is not a "fit" for the area based on the surrounding neighborhoods, but would also have a significant deleterious effect on the quiet, family-oriented atmosphere of the area.

Most significant, however, is the potential for a substantial loss of property value on our home. Based on the research I have seen, the impact of this development could be such that it would be untenable for our family to stay in our current home without suffering a significant financial blow.

In short, a development of this sort in our backyard is NOT what we signed up for when we moved to the area last year. As I'm sure you'll be inundated with similar correspondence from fellow Ward 5 residents, I urge you to do everything in your power to prevent this rezoning.

Thank you for your time and attention to this matter.

Sincerely,

Brian Dude

RECEIVED
JAN 28 2016
CITY CLERK

From concerned citizens and home owners to the City of Shawnee Case #P15-15

Notice is hereby given to the Commissioners of the City of Shawnee that the following citizens OPPOSE the proposed Rezone of property located within the City of Shawnee.

RECEIVED

JAN 11 2016

The property requesting rezoning is described as follows:

A tract of land described as beginning 660 feet N89°43'27"E of the Southwest Corner of the Southeast Quarter (SW/4 SE/4) of Section Eight (8), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence N00°16'33"W a distance of 1314.50 feet to a point on the North line of the S/2 SE/4; thence N89°19'27"E a distance of 397.66 feet; thence S00°16'33"E a distance of 1314.50 feet; thence S89°43'27"W a distance of 397.66 feet to the point of beginning.

CITY CLERK

General Location Known As: 1500 E. Independence St., Shawnee, OK
 Current Zoning Classification: R -1; Single Family Residential District
 Requested Zoning Classification: R-2: Combined Residential District
 Proposed Use of Property: Duplex
 Applicant: The Landrun Group, LLC

We the following live in the residential area whose property values and life would be adversely affected by the proposed change in the zoning. We feel that the City of Shawnee Commissioners are public servants elected to represent the citizens of Shawnee especially the stakeholders who are property owners that would be directly affected. We respectfully request that you as Commissioners follow the will of the people and not developer/speculators that do not plan on living in the habitats that they build.

Name	Address	Phone	Date
(M. Lipe)	14 Sequoyah Blvd	760-7721	1/10/16
Carole Lipe	" "	273-1993	1/10/16
Don Dillinger	✓	974-1005	1/10/16
Jim Frost	12 Sequoyah	575-6722	1/10/16
Harold Holt	13 Sequoyah	878-6922	1/10/16
✓	6 Sequoyah	481-3888	1/10/16
Jordan Wright	6 Sequoyah	915-9562	1/10/16
Ray Askey	4 Sequoyah Blvd	405-273-1759	1-10-16
Marie Askey	4 Sequoyah Blvd	405-273-1759	1-10-16

We the following live in the residential area whose property values and life would be adversely affected by the proposed change in the zoning. We feel that the City of Shawnee Commissioners are public servants elected to represent the citizens of Shawnee especially the stakeholders who are property owners that would be directly affected. We respectfully request that you as Commissioners follow the will of the people and not developer/speculators that do not plan on living in the habitats that they build. We oppose the proposed rezoning of Case#P15-15 from R-1 to R-2 .

Name	Address	Phone	Date
Betty Williams	20 Arapaho	273-2575	1/10/16
Genora Lamascus	22 Arapaho Dr	432-9874	1/10/16
Sherril Lamascus	22 Arapaho Dr.	405-481-3903	1/10/16
Holone Prewitt	29 Arapaho	405-273-749	1/10/16
Larry Bal	19 Kiowa		1-10-16
Sharon King	23 "		1-10-16
Mike McLean	27 Kiowa	405-397-4365	1-10-16
Kenna Cooley	24 Kiowa	405-481-0954	1-10-16
Patti S Wise	22 Kiowa	405-481-7105	1-10-16
Sue Gorman	8 Kiowa	405-273-1651	1-10-16
CHARLES GORMAN	8 Kiowa	405-273-1651	1-10-16
ALLEN KRAUSSE	4 Kiowa	405-273-3562	1-10-16
Barbara Johnson	2 Larkins Pl		
JAMES LYONS	10 LARKINS PLACE	405-273-4629	1-10-16
Kay Lyons	10 Larkins Place	273-4629	1-10-16
Audrey McLean	15 Larkins Plac	214-7771	1-10-16
Yolanda H	9 Larkins Pl	479-264-1804	1-10-16
Dean Allen	1501 West Lark	405-563-3008	1-10-16
Freddie Coleman	2 Larkins	405-273-2622	1/10/16

From concerned citizens and home owners to the City of Shawnee Case #P15-15

Notice is hereby given to the Commissioners of the City of Shawnee that the following citizens OPPOSE the proposed Rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land described as beginning 660 feet N89°43'27"E of the Southwest Corner of the Southeast Quarter (SW/4 SE/4) of Section Eight (8), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence N00°16'33"W a distance of 1314.50 feet to a point on the North line of the S/2 SE/4; thence N89°19'27"E a distance of 397.66 feet; thence S00°16'33"E a distance of 1314.50 feet; thence S89°43'27"W a distance of 397.66 feet to the point of beginning.

RECEIVED

JAN 11 2016

CITY CLERK

General Location Known As: 1500 E. Independence St., Shawnee, OK
 Current Zoning Classification: R -1; Single Family Residential District
 Requested Zoning Classification: R-2: Combined Residential District
 Proposed Use of Property: Duplex
 Applicant: The Landrun Group, LLC

We the following live in the residential area whose property values and life would be adversely affected by the proposed change in the zoning. We feel that the City of Shawnee Commissioners are public servants elected to represent the citizens of Shawnee especially the stakeholders who are property owners that would be directly affected. We respectfully request that you as Commissioners follow the will of the people and not developer/speculators that do not plan on living in the habitats that they build.

Name	Address	Phone	Date
RAY DEES	6005 N BRYAN	405 570 3916	1-9-16
Shance Deas	1 Arapaho Dr.	405-275-0577	1-9-16
Clairde Gordon	3 Arapaho	405-833-8958	1/9/2016
Tom Stewart	5 Arapaho Dr.	405 275-6032	1/9/16
Joyce Stewart	5 Arapaho Dr.	405 275-6032	1/9/16
Lebbie McDaniel	9 Arapaho Dr.	405 none	1/9/16
Howard McDaniel	9 Arapaho Dr.		1/9/16
Brianne Danning	"	405 877 0606	1/9/16
Dale Keese	10 Arapaho Dr.	405-314-6827	1-9-16

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Name	Address	Phone	Date
Courtney Dodson	1 Apache Ln. Shawnee, OK ⁷⁴⁸⁰¹	580-387-9037	01/09/16
Winston B. Eddy	2 Apache St	405-618-7078	01/09/16
Loretta Bradley	5 Apache	323-0570	1-9-16
Jane Lauderdale	4 Orange, Shawnee, OK 74801	273-9295	1-9-16
John Dink	28 Arapaho	365-8744	1-9-16
Mike (CD)	30 Arapaho	214-0028	1/9/16
Reg W P	32 Arapaho	405-8420	1/9/16
Jessie Kitter	31 Arapaho	889-6104	1/9/16
Tom Miller	34 Arapaho	915-9626	1/9/16
Jeff Morgan	40 Arapaho	637-1851	1-10-16
Mike Quantz	33 Arapaho	273-6786	1-10-16
Literatus	Locust	204 816 279	1-1-16
Barbara Johnson	23 Arapaho Dr.	(405) 414-8802	1/10/15
Richard Henry	1 Kiowa	432 5023	1/10/16
Cyler Haring	1 Kiowa	745-2152	1-10-16
Jim	5 Kiowa	250-3561	1-10-16
Johnny	5 Kiowa	306 7197	1-10-16
Aaron Rowley	7 Kiowa	990-7468	1-10-16
Marsha Rowley	7 Kiowa	227-1460	1-10-16
Kay Jek	1 Kiowa	550-0902	1-10-16

From concerned citizens and home owners to the City of Shawnee Case #P15-15

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Name	Address	Phone	Date
Wayne County	4 DUSTIN CIRCLE	273 0439	
Greg Wall	9 Austin Circle	273-641-0198	1-10-16
Karen Wall	" " "	227-4705	1-10-16
Michael Butcher	7 Dustin Circle	660-7904	1/10/16
Tom VEELY	1616 N ELM	405-474-3639	1/10/16
Robert Spanbauer	1808 N. ELM	405-924-2588	01/10/2016

From concerned citizens and home owners to the City of Shawnee Case #P15-15

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Name	Address	Phone	Date
Shelley Hembree	1701 Autumn Lane	405-317-1290	1-9-16
Rob Hembree	1702 AUTUMN LANE	" 625-4281	1-9-16
Shelley Hembree	1703 Autumn Lane	405 249 5543	1-9-16
R Smith	1703 Autumn Ln	405 273 0713	1/9/16
Ron Julie Columbus	1705 Autumn Ln.	405-808-6320	1/9/16
Julie Columbus	1707 Autumn Ln	405 584-2951	1/9/16
Tawa Anderson	1708 Autumn Lane	405-481-7421	1/9/16
Vanessa Anderson	1708 Autumn Lane	405-481-7421	1/9/16
Kathy Santino	1712 Autumn Lane	405-620-7811	1/9/16

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[illegible]

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Name	Address	Phone	Date
C. E. Astor	1516 Mesa Verde	405 878 8082	1/9/2016
Bonnie Boone	1516 Mesa Verde	405 823-3546	1/9/2016
Leslie Shaw	1714 Wildwood	405-584-9505	01-09-16
Shirley Gregory	1709 Wildwood	405-275-3705	1-9-16
Shirley Gregory	1712 Wildwood	405-273 0840	1-9-16
Jim Gregory	1712 Wildwood	405 273 0820	1-9-16
Art McSparran	1510 MESA VERDE	405-202-6268	1-9-16
D. D. D.	1711 Wildwood	405 830-9653	1-9-16
Bill McCoin	1502 Mesa Verde	405-223-8246	1-9-16

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Name	Address	Phone	Date
GLEN PARSONS	1512 MESA VERDE	830-3726	1-9-16
Starla Howard	1704 Wildwood	214-9414	1-9-16
JOE HALL	1513 MESA VERDE	203-1319	1-9-16
Joe Burnett	1500 Mesa Verde	343-8435	1-9-16
Bobby Burnett	1500 mesa verde	343 8809	1-9-16
Juan Jacob	1508 Mesa Verde	761-8646	1-9-16
Jenny Adkins	1504 Mesa Verde	273-7891	01-09-16
Carl Jacob	1508 Mesa Verde	761-4044	1-9-16
Mark	1514 Mesa Verde	380-3236	1-9-16
Jammy Paepr	1514 mesa verde	249-6904	1-9-16
Todd Howard	1704 W. Wildwood	214-9414	1-9-16
Betty Beck	1706 Wildwood	273-3449	1-9-16
Deann Conway	1708 Wildwood	596-0980	1-9-16
Robert Gandy	1712 Wildwood	273-8888	1-9-16
Bobby C. Blair	1716 Wildwood	214-9765	1-9-2016
CHRIS ANTHONY	1720 Wildwood	512-1543	1-9-2016
RJ Vanzant	1715 wildwood	273-5994	1-9-2016
Sandra Vanzant	1715 Wildwood	273-5994	1-9-2016
Gonda Hale	1513 Mesa Verde	788 9465	1-10-16
Shonika Felt	1511 Mesa Verde	788-8155	1-10-16
Mya W	1707 Wildwood	(405) 613-9837	1/10/16

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[illegible]

January 29, 2016

Shawnee City Clerk
16 W. 9th
Shawnee, OK 74801

RECEIVED
JAN 29 2016
CITY CLERK

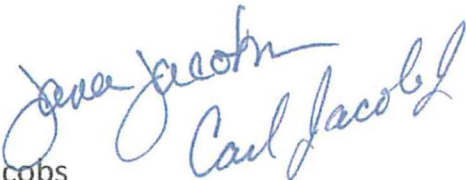
Regarding: Case #P15=15 Property at Elm & Independence subject to rezoning

To Whom It May Concern,

After meeting with the developers last night and hearing of their plans for the property listed above **we are still opposed to the rezoning from R-1 to R-2**. Our property on Mesa Verde would directly adjoin the proposed rental complex and the negative financial impact on our proper would be significant.

We purchased our home because it is located in a residential area of Shawnee away from rental complexes and we want to keep it this way. It's obvious from looking at much of the rental property already located around Shawnee that renters do not take the same pride in their property as homeowners do. We also feel that the additional number of people by building duplexes as opposed to single family homes would increase traffic, noise & crime.

We can see no benefit to our community by rezoning this property to R-2 and would ask that you vote this proposal down.


Carl & Jana Jacobs
1508 Mesa Verde
Shawnee, OK. 74804

CC: Shawnee City Planning Committee &
Shawnee City Commissioners

Letter of Protest

January 28, 2016

City of Shawnee Planning Commission
City Hall
16 W 9th St.
Shawnee, Ok. 74801

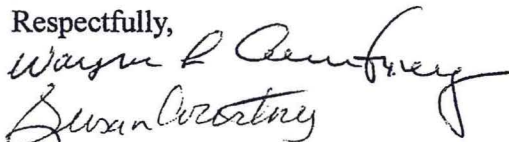
Re: Re-Zoning Case # P15-15

Dear Sirs:

We are writing this letter in protest of the proposed rezoning of the former Carpenter property (Independence & Elm) from R-1 to R-2 . We have lived at 4 Dustin Circle off Elm Street for 29 years and are strongly against the zoning change. This quiet district of single family homes has provided our family and our neighbors the privacy and security that we had envisioned when we bought our home in the particular area of Shawnee.

Of primary concern is the potential dramatic increase in traffic on the streets in the immediate vicinity that already are in marginal condition, That being said, we see no positive results from changing the zoning status of this property either for our neighborhood or the city of Shawnee.

Respectfully,



Wayne and Susan Courtney
4 Dustin Circle
Shawnee ,Oklahoma 74804

405-273-0439

RECEIVED

JAN 29 2016

CITY CLERK

Re: Rezoning of former Carpenter property(Independence & Elm) from R-1 to R-2
(duplexes for rental)

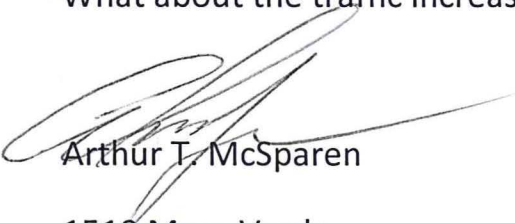
Case # 15-15

City Clerk Shawnee

28 Jan 2016

Subject: Letter of Protest against the R1 to R2 rezoning by case #15-15

I feel this will decrease my residential property value due this change is right across my fence (10 feet) and if this is approved who will take care of the property between the fence's and who will see to it that no more than one family lives in the duplex? What will be put in place to eliminate the noise that comes across the fence when you have duplex this close to my home? What about my privacy if you build two-story dwellings 10 feet from my fence? Will my tax's go down with my property value going down because of the crime that could come into the area? Who will ensure that the rodent (rats) & snakes are kept to a minimum? What about the traffic increase who going to pay for the street improvements?



Arthur T. McSparen

1510 Mesa Verde

Shawnee Ok 74804

405-202-6268

RECEIVED
JAN 29 2016
CITY CLERK

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P15-15

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 described as beginning 660 feet N89°43'27"E of the Southwest Corner of the Southeast Quarter (SW/4 SE/4) of Section Eight (8), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence N00°16'33"W a distance of 1314.50 feet to a point on the North line of the S/2 SE/4; thence N89°19'27"E a distance of 397.66 feet; thence S00°16'33"E a distance of 1314.50 feet; thence S89°43'27"W a distance of 397.66 feet to the point of beginning.

General Location Known As:	<u>1500 E. Independence St., 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>Duplex</u>
Applicant:	<u>The Landrun Group, 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.

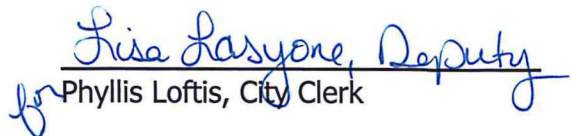
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

January 6 th , 2016	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
January 19 th , 2016	AT 6:30 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.

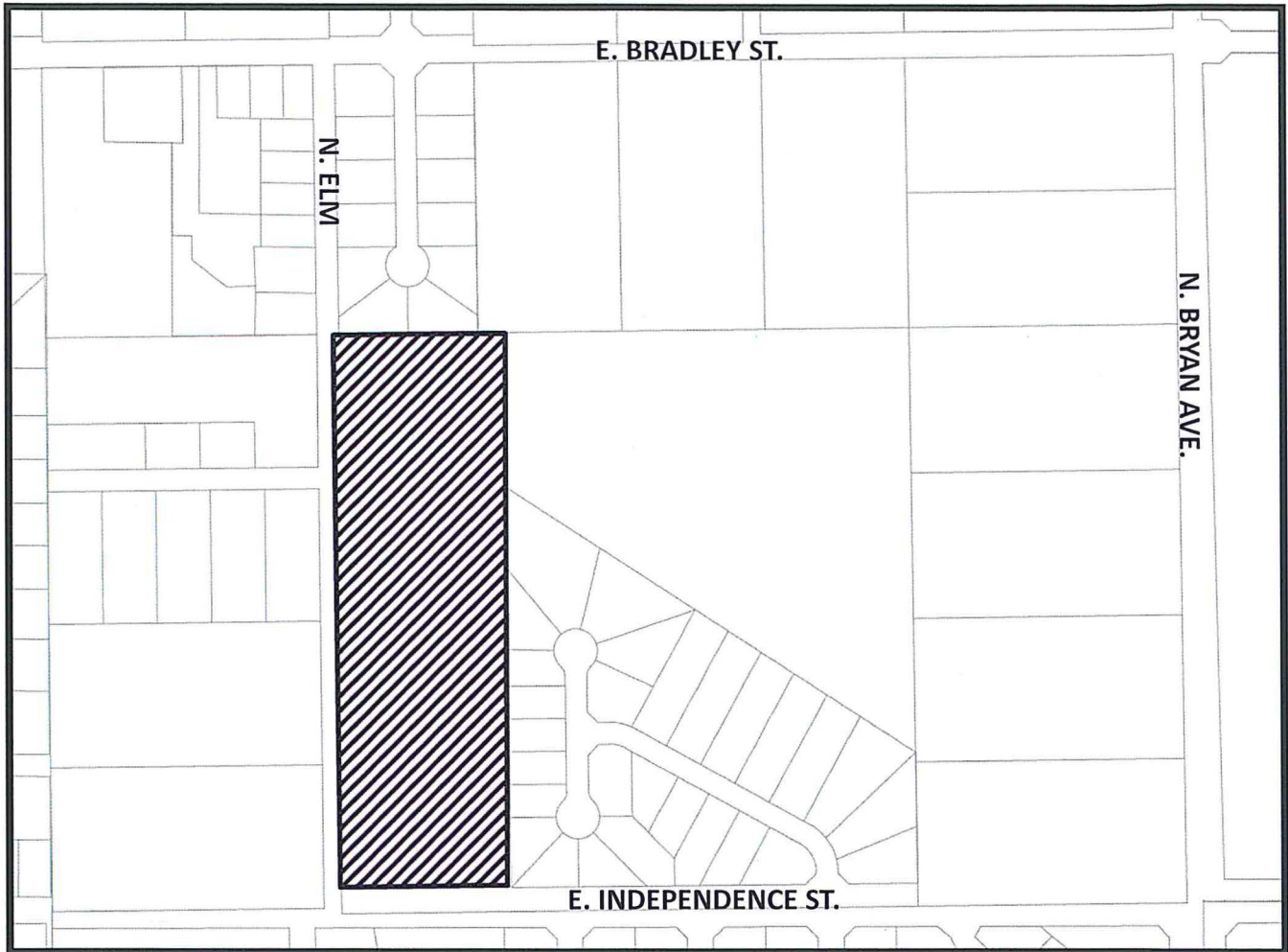
Witness my hand this 11th day of December, 2015.




Phyllis Loftis, City Clerk

LOCATION MAP

CASE# P15-15



CITY OF SHAWNEE
222 N. BROADWAY
SHAWNEE, OK 74801

PLANNING DEPARTMENT
PHONE: (405) 878-1666
FAX: (405) 878-1587

PLANNING COMMISSION APPLICATION
PROJECT NO. 011169 CASE NO. P15-15

REQUEST:

Rezoning X 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 R1 District to R2 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 1500 East Independence

LEGAL DESCRIPTION: See Exhibit 1

PROPERTY OWNER (S): Marical Brothers Real Estate

PROPERTY AGENT (APPLICANT): The Land Run Group, LLC

APPLICANT'S ADDRESS: PO Box 1584

CITY: Shawnee **STATE:** OK **ZIP:** 74802-1584

EMAIL ADDRESS: landrungle@landrungle.com

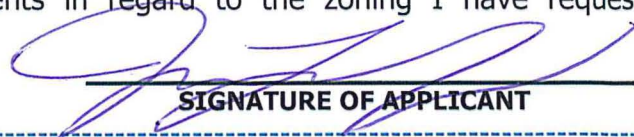
TELEPHONE NUMBER: (405) 273-4222 **CONTACT NUMBER:** (405) 273-4222

DIMENSIONS OF PROPERTY: AREA 12 acres^{mol} WIDTH 400' mol
LENGTH 1315' mol FRONTAGE 400' mol

CURRENT ZONING: R1 **CURRENT USE:** Single Family Residential

PROPOSED ZONING: R2 **PROPOSED USE:** Multi Family & Single Family 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.


SIGNATURE OF APPLICANT

(FOR STAFF USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 10th day of November 20 15

Cheryle Lincoln
PLANNING COMMISSION SECRETARY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 01815198

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.:** _____

[illegible]

By: 
Jason Waldroup
Abstractor License No. 1400
OAB Certificate of Authority # 017
File No. 2087504-SH99

OWNERSHIP LIST**ORDER NO. 2087504**DATE PREPARED: November 12, 2015
EFFECTIVE DATE: November 2, 2015 at 7:30 a.m.

OWNER	LOT	BLK	ADDITION
EADS CLAYTON H & JUDY KAYE 106 HUNTINGTON CT SHAWNEE OK 74801-0000			27-SU BEG 660'E SW/C SE N657.25' E397.66' S657.25' W397.66' POB. & TR BEG 660'E & 657.25'N SW/C SE N657.25' E397.6 6' S657.25' W397.66' POB 11.91 Acres
MACGILFREY EDWARD J 21500 CACIFA ST. # 92 WOODLAND HILLS CA 91367-0000			BRADLEY'S 2ND LOT 8 BEG SW/C LOT 8 E335' N295.6' E145' S112' E140' S54.40' W99.83' S129.40' W184.48'POB
WIGINTON DALE E 1510 N ELM SHAWNEE OK 74804-0000			BRADLEY'S 2ND S80' OF N112' OF E140' LOT 8
SWEARINGEN THOMAS & ESPERANZA 1214 CHARLES DR SHAWNEE OK 74804-0000			BRADLEY'S 2ND PT LOT 8 COMM SW/C LOT 8 TH E520'POB N129.40' E99.83' S129.20' W100.52'
JACKSON FRED M JR 4600 WOODGATE CT LOOMIS CA 95650-0000			BRADLEY'S 2ND N32' OF E140' LOT 8 & S199.15' OF E140' LOT 7 LESS A TR BEG 61.4'N SE/C LOT 7 W140' N137.75' E140' S137.75' POB 2008-15534
LOWE JIM D 1404 CHARLES DR SHAWNEE OK 74804-0000			BRADLEY'S 2ND 1/2 UNDIV INT. IN LOT 7 BEG 247'E NW/C LOT 7 S148.6' E142' S180' ETC.
LOWE JIM 1404 CHARLES DR SHAWNEE OK 74804-0000			BRADLEY'S 2ND BEG SW/C LOT 7 E389' N180' W214' S31.4' W25' S139' W150' S9.6' POB
HOBBS BELINDA G P O BOX 3634 SHAWNEE OK 74802-3634	1	2	LAIRWOOD ESTATES BLK 2 LOT 1 1.00 Lots
CLIMER DAN B & KATHRYN M 3 DUSTIN CIR SHAWNEE OK 74804-0000	2	2	LAIRWOOD ESTATES BLK 2 LOT 2 1.00 Lots
STEWART MICHAEL R & JULIA C 5 DUSTIN CIR SHAWNEE OK 74804-0000	3	2	LAIRWOOD ESTATES BLK 2 LOT 3 1.00 Lots
HALL KEVIN D & DIANA 2 DUSTIN CIR SHAWNEE OK 74804-0000			LAIRWOOD ESTATES BLK 1 BEG SE/C LOT 4 W145' N105' E145' S104.14' POB
COURTNEY WAYNE L & SUSAN K TRUST 4 DUSTIN CIRCLE SHAWNEE OK 74804-0000	3	1	LAIRWOOD ESTATES BLK 1 LOT 3 1.00 Lots
KLAUS ROGER 6 DUSTIN CIR SHAWNEE OK 74804-0000	2	1	LAIRWOOD ESTATES BLK 1 LOT 2 1.00 Lots
HARRIS FRANK R & VALERIE M 1800 N ELM SHAWNEE OK 74804-0000			LAIRWOOD ESTATES BLK 1 LOT 4 LESS BEG SE/C LOT 4 W145' N105' E145' S104.14' POB 1.00 Lots

RILEY CONNIE 13 CHEYENNE SHAWNEE OK 74801-0000			BRADLEY'S 1 ST BEG SW/C LOT 10 TH W 330 N 220 E 330 S 220 POB
BDC HOMES LLC % JOHN F BARRETT 1210 GORDON COOPER SHAWNEE OK 74801-0000			BRADLEY'S 1ST THE WEST 25' OF A TRACT OF LAND DESCRIBED AS THE E305' LOT 9 & N90' OF E305' LOT 10
HEMBREE SHELLEY K 1702 AUTUMN LANE SHAWNEE OK 74801-0000			BRIARWOOD ESTATES LOT 6 & TR BEG AT SW/C LOT 5 TH N33.07 ' N78*E65.27' TH SW53*79.04' POB 1.25 Lots
TUCKER MICHAEL R & SABRA S 1704 AUTUMN LN SHAWNEE OK 74801-0000	5		BRIARWOOD ESTATES LOT 5 LESS TR
SHETTY 2012 REVOC TRUST 1706 AUTUMN LN SHAWNEE OK 74801-0000	4		BRIARWOOD ESTATES LOT 4 1.00 Lots
CHAPMAN WILLIAM A & COLEEN P 1701 AUTUMN LN SHAWNEE OK 74804-0000			BRIARWOOD ESTATES LOT 7 & BEG SW/C OF LOT 7 BROARWOOD ESTATES-REPLAT BLK 11 BRADLEY'S 1ST TH S25' E160' N25' W160' POB 1.00 Lots
SMITH GREGORY J & KIMBERLY F 1703 AUTUMN LN SHAWNEE OK 74804-0000	8		BRIARWOOD ESTATES LOT 8 1.00 Lots
COLUMBUS RONNIE R & JULIA F 1705 AUTUMN LN SHAWNEE OK 74801-0000	9		BRIARWOOD ESTATES LOT 9 1.00 Lots
HILL CHARLES F JR & MARY M TRUSTEES OF HILL FAMILY TRUST 1705 E BRADLEY SHAWNEE OK 74802-1341	12		BRADLEY'S 1ST LOT 12 4.70 Acres
HILL CHARLES F JR & MARY M TRUSTEES OF HILL FAMILY TRUST 1705 E BRADLEY SHAWNEE OK 74804-0000			A TR IN SE BEG 1057.66' E & 967.40' N SW/C TH N 350' E 931.67' S 973.34' N56*W 1119.44' POB LESS .24 AC TO HONEYFARM 14.10 Acres
PECK ROBERT G & BETTY A TRUST 1706 WILDWOOD SHAWNEE OK 74801-	8	1	EMERALD FOREST BLK 1 LOT 8
HOWARD TODD & STARLA 1704 WILDWOOD SHAWNEE OK 74804-0000	9	1	EMERALD FOREST BLK 1 LOT 9 1.00 Lots
FEH GODWIN 1511 MESA VERDE SHAWNEE OK 74801-0000	10	1	EMERALD FOREST BLK 1 LOT 10
HALL LARRY JOE & RONDA L 1513 MESA VERDE SHAWNEE OK 74804-0000	11	1	EMERALD FOREST BLK 1 LOT 11
BOONE BONNIE S & CHRISTOPHER ASTON 1516 MESA VERDE SHAWNEE OK 74804-0000	12	1	EMERALD FOREST BLK 1 LOT 12
POYER JAMES REID II & TAMARA L 1514 MESA VERDE SHAWNEE OK 74804-0000	13	1	EMERALD FOREST BLK 1 LOT 13 1.00 Lots
PARSONS GLEN R 1512 MESA VERDE SHAWNEE OK 74801-0000	14	1	EMERALD FOREST BLK 1 LOT 14 TOD STEVEN R PARSONS & DAVID A PARSONS 2013-7616

MCSPAREN ARTHUR & CRYSTAL 1510 MESA VERDE SHAWNEE OK 74804	15	1	EMERALD FOREST BLK 1 LOT 15
JACOBS CARL E JR & JANA S 1508 MESA VERDE SHAWNEE OK 74801-0000	16	1	EMERALD FOREST BLK 1 LOT 16
BALL LUVERNE & RANDALL 1506 MESA VERDE SHAWNEE OK 74801-0000	17	1	EMERALD FOREST BLK 1 LOT 17
ADKISON JENNY LOU 1504 MESA VERDE SHAWNEE OK 74804-0000	18	1	EMERALD FOREST BLK 1 LOT 18
MCCOIN BILL 1502 MESA VERDE SHAWNEE OK 74804-0000	19	1	EMERALD FOREST BLK 1 LOT 19
BURNETT BOBBY G & JOANN W 1500 MESA VERDE SHAWNEE OK 74804-0000	20	1	EMERALD FOREST BLK 1 LOT 20
AKIN FRED DEAN 1501 MESA VERDE SHAWNEE OK 74804-0000	21	1	EMERALD FOREST BLK 1 LOT 21
CRANE TONIA ANN & CAMERON K 1503 MESA VERDE SHAWNEE OK 74804-0000	22	1	EMERALD FOREST BLK 1 LOT 22
BROWN JEFF & ALLISON REVOCABLE TRUST 1705 WILDWOOD SHAWNEE OK 74804-0000	23	1	EMERALD FOREST BLK 1 LOT 23
WARD SHANNON T & MARY ANN 1707 WILDWOOD SHAWNEE OK 74804-0000	24	1	EMERALD FOREST BLK 1 LOT 24
WATSON GLENN V & LORINE P TRUST 1925 E BRADLEY SHAWNEE OK 74804-0000	13		BRADLEY'S 1ST S305' LOT 13 W/EASEMENT 2.35 Acres
SCHOOL LAND SCHOOL #93 SHAWNEE OK -0		C	LARKINS MEADOW BLK C 1.00 Lots
JONES BRITT JR & DOLORES 2 SEQUOYAH SHAWNEE OK 74801-0000	2	B	LARKINS MEADOW BLK B LOT 2 1.00 Lots
ASKAY RAYMOND & MARIE 4 SEQUOYAH SHAWNEE OK 74801-0000	3	B	LARKINS MEADOW BLK B LOT 3 1.00 Lots
MILLER DAVID A & AIMEE M 102 BAKER ST SHAWNEE OK 74801-0000	4	B	LARKINS MEADOW BLK B LOT 4 1.00 Lots
STARNES KEATH E 8 SEQUOYAH SHAWNEE OK 74804-0000	5	B	LARKINS MEADOW BLK B LOT 5 1.00 Lots
MORMAN CHURCH XXXXXXXXXX SHAWNEE OK 74801-0000	1	B	LARKINS MEADOW BLK B LOT 1 1.00 Lots
STREET CATHY L & DEBRA GARCIA 14051 CARNELL ST WHITTIER CA 90605-0000	5	6	LARKINS MEADOW BLK 6 LOT 5 1.00 Lots
CHAKENATHO CORENE 7 APACHE SHAWNEE OK 74804-0000	4	6	LARKINS MEADOW BLK 6 LOT 4 1.00 Lots

HARROD KAYE STEELE FAMILY TRUST 1303 W FARRALL SHAWNEE OK 74801-0000	3	6	LARKINS MEADOW BLK 6 LOT 3 1.00 Lots
SAXON STEVEN E & LISA D 1816 OAKRIDGE DRIVE SEMINOLE OK 74868-0000	2	6	LARKINS MEADOW BLK 6 LOT 2 1.00 Lots
HARROD KAYE STEELE FAMILY TRUST 1303 W FARRALL SHAWNEE OK 74801-0000	1	6	LARKINS MEADOW BLK 6 LOT 1 1.00 Lots
EXLEY WINSTON B & LINDA F P O BOX 1092 SHAWNEE OK 74802-7092		7	LARKINS MEADOW BLK 7 N60' LOT 13
RODGERS JOHN R 4 APACHE SHAWNEE OK 74801-0000		7	LARKINS MEADOW BLK 7 N55' LOT 12 & S15' LOT 13
WILSON JOQUETA 36204 HARDESTY RD SHAWNEE OK 74801-0000		7	LARKINS MEADOW BLK 7 N50' LOT 11 & S10' LOT 12
SAMPLE STEVEN & CISSILI 8 APACHE SHAWNEE OK 74801-0000		7	LARKINS MEADOW BLK 7 N40' LOT 10 & S15' LOT 11
SMITH KRISTIN 807 N KIMBERLY TECUMSEH OK 74873-0000		7	LARKINS MEADOW BLK 7 N37' LOT 9 & S25' LOT 10 1.00 Lots
SIMS DARRELL D & CAROLYN M 7 ARAPAHO SHAWNEE OK 74801-0000	4	7	LARKINS MEADOW BLK 7 LOT 4 1.00 Lots
STEWART THOMAS M & JOYCE C 5 ARAPAHO SHAWNEE OK 74801-0000	3	7	LARKINS MEADOW BLK 7 LOT 3 1.00 Lots
JORDAN CLAUDE L & SUSAN 3 ARAPAHO SHAWNEE OK 74801-0000	2	7	LARKINS MEADOW 2ND BLK 7 LOT 2 1.00 Lots
DEES GEORGE W & FRANCES L ET AL 1 ARAPAHO SHAWNEE OK 74801-0000	1	7	LARKINS MEADOW BLK 7 LOT 1