

**AGENDA
CITY OF SHAWNEE
PLANNING COMMISSION
FEBRUARY 1ST, 2017 AT 1:30 P.M.
COMMISSION CHAMBERS
CITY HALL, 16 W 9TH ST**

- 1)** Roll Call
- 2)** Consideration of approval of the minutes from the December 7th, 2016 Planning Commission meeting
- 3)** Citizens' Participation
(A three minute limit per person)
(A twelve minute limit per topic)
- 4)** Consideration of approval for a fee-in-lieu of sidewalk construction for property located at 8331 N. Harrison Street, Shawnee, OK
Applicant: Redbud Development, LLC
- 5)** Planning Director's Report
- 6)** Commissioners Comments and/ or New Business
- 7)** Adjournment

PLANNING COMMISSION MINUTES

DATE: DECEMBER 7TH, 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, December 7th, 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: Clinard, Bergsten, Cowen, Kienzle, Affentranger

Absent:

Meeting was called to Order.

AGENDA ITEM NO. 2: **Consideration of Approval of the minutes from the November 2nd, 2016 Planning Commission Meeting**

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

Motion passed:

AYE: Clinard, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 3: **Citizen's Participation**

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

AGENDA ITEM NO. 4: **Consideration of approval of the 2017 Schedule of Regular Meetings for the Planning Commission**

Chairman Bergsten asked if there were any questions or concerns. Commissioner Kienzle made a motion to approve, seconded by Vice-Chairman Cowen.

Motion passed:

AYE: Clinard, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 5: **Case #P11-16 – A public hearing for consideration of approval of a Rezone from PUD; Planned Unit Development to C-3; Highway Commercial, located on the East side of Harrison Street, North on Transportation Parkway, Shawnee, OK**

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report. Mr. Debruin explained the case was mostly procedural. The site was zoned as a Planned Unit Development in 2001 and Staff is requesting to revert back to the underlining zoning of C-3; Highway Commercial. Justin Debruin informed the Board that there are two city owned pieces of property located off Transportation Parkway that are out for bid. The property is around 2.57 acres in size with public infrastructure in place and surrounded by C-3 development. Staff has no objection and recommends approval. Chairman Bergsten asked if there was a contract and Mr. Debruin agreed stating it has already gone out for bids. Chairman Bergsten asked if he knew what the future use would be and Justin Debruin stated that Staff has heard that a restaurant would be the most likely use of the site. Vice-Chairman Cowen asked if the property was going to a public bid and Mr. Debruin agreed stating that it has and Vice-Chairman Cowen asked if the City has received one that is acceptable and under contract and Mr. Debruin agreed. Chairman Bergsten asked if there were any other questions. There were none and Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Chairman Bergsten asked if anyone in favor would like to come forward. No one came forward and Chairman Bergsten closed the public portion of the meeting and asked if there were any comments, questions or a motion from the Commissioners. Vice-Chairman Cowen made a motion to approve with conditions listed, seconded by Commissioner Kienzle.

Motion passed:

AYE: Clinard, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 6:

Planning Director's Report

Justin Debruin informed the Board that he would give a few updates. Regarding the Downtown Property Maintenance Code, the date was pushed back to January 5th for the Skate shop building and a remodel permit was turned in to hopefully address some of the issues. Commissioner Clinard asked if that was just a ploy to let the permit run out and Mr. Debruin stated it was possible. Vice-Chairman Cowen stated he had the same question as Commissioner Clinard and asked if Justin Debruin perceived that to be a stall tactic. Mr. Debruin stated that the contractors turned in a detailed permit and what he has seen in the past are more lacking in detail. Commissioner Clinard asked for the scope of the work. Justin Debruin mentioned there would be inside and outside repair with an upwards of \$25,000.00 repair costs. Vice-Chairman Cowen asked if the property owner asked for a continuance or if the Judge pushed it back or why it was delayed. Mr. Debruin stated it was delayed before the hearings so he is not aware as to why. Justin Debruin discussed Shawnee Marketplace and permits have been turned in for Freddy's Frozen Custard and Aspen Dental located north of CVS. Mr. Debruin stated nothing has been turned in for the remaining two lots yet, but indications point towards one business occupying both lots. Shawnee Auto Mall's Chevy Dealership permit has been turned in. Universal Forest Products switched engineers but are submitting final documents so they can open. Streetscape has an early January completion date. Domino Express convenience store had a few more elevation issues than originally anticipated but is coming along and has an opening date for January. Commissioner Affentranger asked if they will make an access through the median off Kickapoo Spur. Mr. Debruin informed him that it is ODOT's property at the moment but Staff is looking into it and there is an additional option for access along the drives where the Masonic Lodge, dance studio and Shawnee Pho are located. The Avedis Park project continuation plans are coming along. Commissioner Kienzle asked if there were Tennis Courts and Justin Debruin agreed. Sonic has turned in a permit for the new location on Harrison and Highland and includes sidewalks. 413 E. Main Street has a two story coffee shop going in. Mr. Debruin asked if there were any questions and Vice-Chairman Cowen asked about the Cinderella property. Justin Debruin mentioned that he is unaware of who currently owns the property. Commissioner Kienzle asked if there has been any discussion about the hotel/motel tax not passing and Mr. Debruin stated there hasn't been any yet. Commissioners had discussion regarding this matter.

AGENDA ITEM NO. 7:

Commissioners Comments and/or New Business

No comments or new business.

AGENDA ITEM NO. 8:

Adjournment

Meeting was adjourned.

Chairman/Vice-Chairman

Cheyenne Pettigrew
Planning Commission Secretary



**Fee In Lieu of Sidewalk Request
8331 N. Harrison**

TO: Shawnee Planning Commission

AGENDA: February, 1 2017

RE: Consideration of approval for a fee-in-lieu of sidewalk construction for property located at 8331 N. Harrison Street, Shawnee, OK

Applicant: Redbud Development, LLC.

The applicant, Redbud Development, LLC., has requested to pay a fee-in-lieu of sidewalk installation, required upon approval of the North Harrison Business Park Addition (2014). In accordance with Section 40.2.8(G) of the Shawnee Municipal Code, "An applicant may request to pay a fee instead of installing a sidewalk by filing a written request on forms prepared by the Director." No public hearing is required and the decision made by the Planning Commission is final.

The subject property is located at 8331 N. Harrison and is being constructed as a mini-storage facility. The land is zoned I-3 (Heavy Industrial) and the surrounding land uses are primarily industrial and agricultural. The City Engineer has reviewed the written request (Exhibit 1) and finds that the proposed payment is in conformance with the calculated construction estimates.

Staff recommends approval of the requested fee-in-lieu of sidewalk installation.

Attachment:

1. Figure 1: Aerial view of site
2. Figure 2: Zoning map
3. Exhibit 1: Written request by applicant

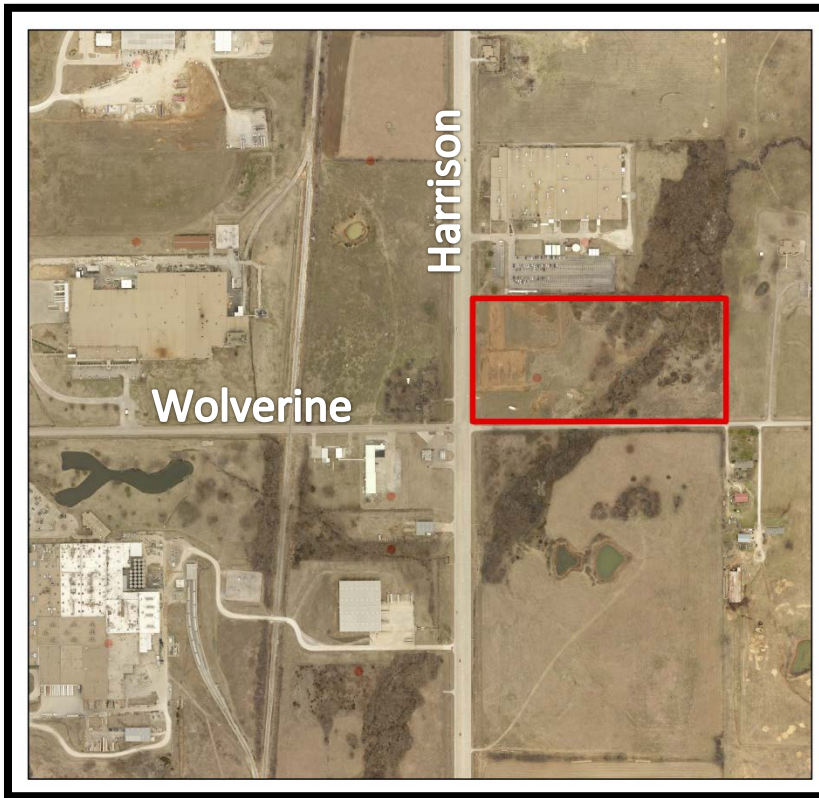


Figure 1: Aerial view of site-approximate total area outlined in red.

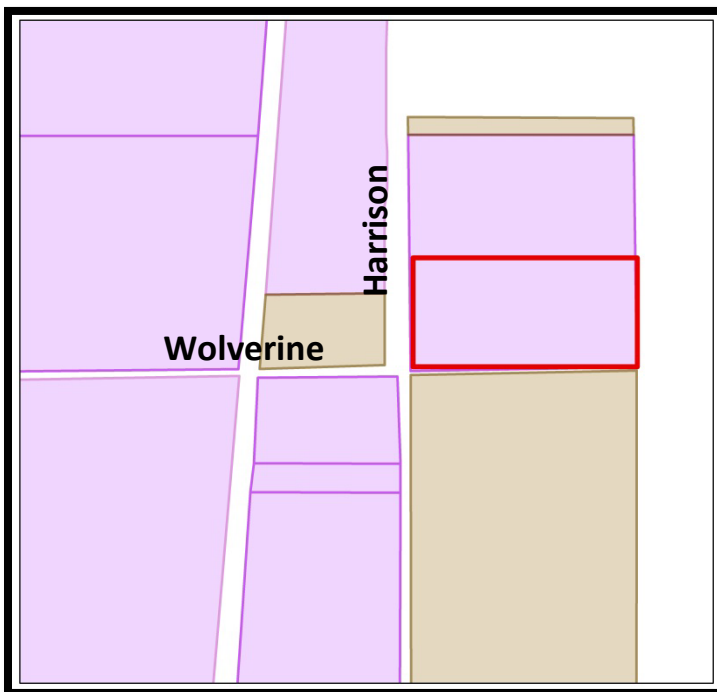


Figure 2: Zoning Map of site-approximate total area outlined in red.

January 3, 2017

City of Shawnee
Justin DeBruin
Community Development Director
222 N. Broadway
Shawnee, OK 74801

EXHIBIT

1

Hello Mr. DeBruin,

My name is Brian Mahaffey with Redbud Development, LLC. We are nearing the completion of our new storage facility located at 8331 N. Harrison. We would like to officially request to make a payment to the City of Shawnee, in lieu of having to construct a sidewalk, as required on our site plan. The number we were given, as a payment, is \$11,227. Please let us know if this option is available to us at this time. Thank you very much for your time.

Sincerely,



Brian Mahaffey
Redbud Development, LLC
39300 W. MacArthur
Shawnee, OK 74804
Phone: 405-306-4566
Phone: 405-760-2880 (Clayton Eads)