

AGENDA
CITY OF SHAWNEE
PLANNING COMMISSION
JANUARY 6TH, 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 December 2nd, 2015 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)** 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
- 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
- 8)** Planning Director's Report
- 9)** Commissioners Comments and/ or New Business
- 10)** Adjournment

PLANNING COMMISSION MINUTES

DATE: DECEMBER 2ND, 2015

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 2nd, 2015 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 November 4th, 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 Clinard made a motion to approve, seconded by Commissioner Kerbs.

Motion passed:

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

NAY:

ABSTAIN: Kienzle

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:

Presentation of the 2015 Park System Inventory & Assessment Final Draft by James Bryce

James Bryce came forward and discussed the changes to the Assessment and asked if the Commissioners had any questions. Commissioner Kerbs asked why the new water park facility was not listed. James Bryce informed him that the Parks department does not do much with the building. Commissioner Kienzle asked why the Fire Department does not maintain their own. Mr. Bryce stated they do maintain some of their own and used to solely maintain it but that his department does help them. Commissioner Kerbs mentioned the idea of adding the water park to the list. Commissioner Kienzle discussed public restrooms for the parks and asked if there was any prioritization for them. James Bryce informed her that he would like to see them but there would not be any at the vacant lots and also mentioned the price to construct a restroom. Commissioner Kerbs asked if camera systems would be a benefit and Mr. Bryce stated he had looked into them. Vice-Chairman Cowen commented on the condition of the parks within the city and asked if doing away with those parks would help the budget to better upkeep the parks that will be staying put. Commissioner Kerbs asked about contracting out for the department and James Bryce stated they had previously looked into that before.

AGENDA ITEM NO. 5:

Case #S13-15 – Consideration of approval of a Final Plat for The Garage Restaurant located at 190 Shawnee Mall Dr., Shawnee, OK

Applicant: Muhammad Khan, P.E.

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report. Mr. Debruin informed the Commissioners that the rezone and preliminary plat have previously come before the board and were approved. Justin Debruin stated the request for the C-3 zoning is to construct a restaurant and staff approves with conditions. Chairman Bergsten asked if there were any questions from the Commissioners. 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. No one came forward and Chairman Bergsten closed the public portion of the meeting and asked for a motion. Vice-Chairman Cowen made a motion to approve with the conditions listed, seconded by Commissioner Kienzle.

Motion Approved:

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

NAY:

ABSTAIN:

AGENDA ITEM NO. 6:

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 mentioned that staff asked for a deferral to the January meeting due to several items needing to be addressed on the plat and construction documentation. Chairman Bergsten asked if there were any particular hold ups. Justin Debruin stated they needed more documentation due to the nature of the property. Chairman Bergsten opened the public portion of the meeting and asked if there was anyone who would like to speak against the item. No one came forward and Chairman Bergsten asked if there was anyone who would like to speak in favor of the item. No one came forward and Chairman Bergsten closed the public portion of the meeting and asked for any questions, comments or a motion. Commissioner Affentranger made a motion to defer, seconded by Commissioner Kienzle.

Motion deferred:

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

NAY:

ABSTAIN:

AGENDA ITEM NO. 7:

Case #S15-15 – Consideration of approval of a Preliminary Plat for Avonlea Cottages of Shawnee located at 789 Country Grove Drive, Shawnee, OK

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report. Mr. Debruin informed the Commissioners that the plan for this request was to expand onto the existing back portion of the assisted living center and will include additional parking requirements. Justin Debruin explained that staff has no objections to the plat but will require the flood zones to be separate out lots. Mr. Debruin stated that conditions are listed including requiring a four foot sidewalk along the frontage. Chairman Bergsten asked if the proposed driveway would have any other structures on either side of it and Justin Debruin informed him it was sold by Car-Mart and is not affecting anything to the north or south. Commissioner Kerbs asked about the term "restaurant" listed on table in staff report and Mr. Debruin explained that was an error. Chairman Bergsten asked if there was anything planned for the park on the west side and Justin Debruin informed him it was in a flood zone. Chairman Bergsten asked if there were any other questions or comments for Justin Debruin, there were none and Chairman Bergsten opened the public portion of the meeting and asked if there was anyone who would like to speak against the item. No one came forward and Chairman Bergsten asked if there was anyone who would like to speak in favor of the item. Richard Landes came forward and explained that they would like to add around ten thousand square feet onto existing structure. Mr. Landes discussed the proposed driveway and stated he would be happy to answer any questions. Commissioner Kerbs asked if the private drive would be standard and Mr. Landes explained that it would be concrete and fire protection would be from main line. Richard Landes mentioned that the property south of proposed plat sold and he is working on that project now. Commissioner Kerbs asked if there was adequate space for EMS services on private drive and Mr. Landes agreed. Chairman Bergsten asked if there were any other questions for Richard Landes. There were none and Chairman Bergsten closed the public portion of the meeting and asked if the Commissioners had any additional questions or a motion. Commissioner Clinard made a motion to approve with conditions listed, seconded by Vice-Chairman Cowen.

Motion approved:

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

NAY:

ABSTAIN:

AGENDA ITEM NO. 8:

Case #S16-15 – Consideration of approval of a Final Plat for Sac & Fox Housing Wikipapi Apartments located on Highland and Kimberly, Shawnee, OK

Applicant: Sac & Fox Nation Housing Authority

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report. Mr. Debruin informed the Commissioners that the Planned Unit Development for this location was approved back in May of this year and the applicant proposes an elderly living apartment complex. Justin Debruin mentioned the Kimberly Street closure was approved in August and the Preliminary Plat was approved in September. Mr. Debruin stated easements were satisfactory and there are a few more items staff is waiting on. Justin Debruin informed the Commissioners that staff recommends approval with conditions listed. There were no questions for Mr. Debruin and Chairman Bergsten opened the public portion of the meeting and asked if there was anyone who would like to speak against the item. No one came forward and Chairman Bergsten asked if there was anyone who would like to speak in favor of the item. Richard Landes came forward to briefly discuss project and stated everything is in place and they are just waiting to meet criteria to obtain the building permit. Commissioner Kerbs asked if there was a creek that runs along tree line and Mr. Landes stated it eventually becomes swelled drainage but is not an actual creek. Chairman Bergsten asked if there were anyone else who would like to speak in favor, there were none and Chairman Bergsten closed the public portion of the meeting and asked the Commissioners if they had any questions or would entertain a motion. Commissioners Kerbs made a motion to approve with conditions listed, seconded by Commissioner Clinard.

Motion Approved:

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

NAY:

ABSTAIN:

AGENDA ITEM NO. 9:

Planning Director's Report

Justin Debruin discussed the first violation letters going out for the Downtown Property Maintenance Code. Mr. Debruin mentioned the positive feedback from property owners regarding the code and the amount who have come forward to make improvements. Justin Debruin went over the process to input the complaints and mentioned Dunham Sporting Goods may open at the beginning of the year. Chairman Bergsten asked for an indication on how quickly the applicant would move to construct The Garage Restaurant. Mr. Debruin informed him they stayed on track with getting everything turned in as quick as possible and construction could begin as early as next year. Justin Debruin introduced Brittney Burton as the new Assistant Planner.

AGENDA ITEM NO. 10:

Commissioners Comments and/or New Business

Commissioner Clinard asked for information regarding the Christmas Parade. Commissioner Kerbs discussed the festivities. Commissioner Clinard mentioned the Historic Shawnee Alliance made second place for their downtown property façade contest and a new Downtown Map has been printed. Commissioner Kienzle mentioned asking traffic to look into the south I-40 service road by Lowes for traffic confusion.

AGENDA ITEM NO. 11:

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: January 6, 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 reviewed the Final Plat and all submitted construction documentation. At this point, Staff does not find the work ready for approval and asks the commission to defer this case for one month:

STAFF RECOMMENDATION

Staff recommends to **defer** this case one month, until the following meetings:

- February 3rd, 2016 Planning Commission meeting
- February 16th, 2016 City Commission meeting

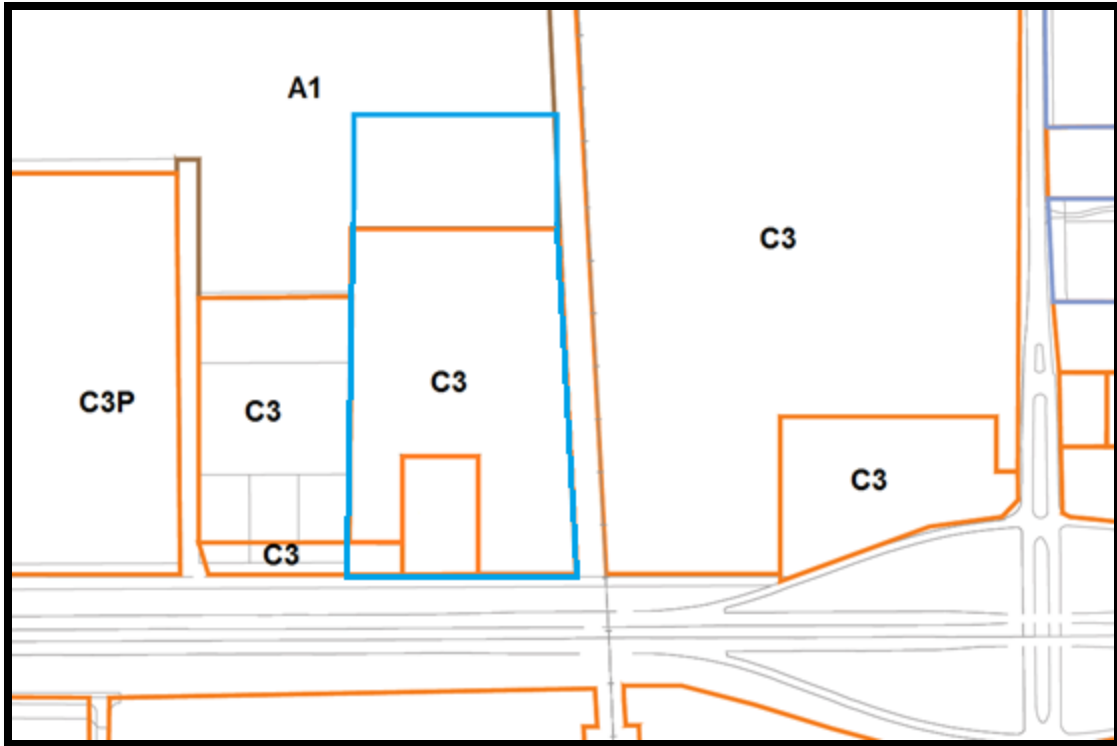


Figure 2: Zoning Map of site – approximate total area outlined in red.

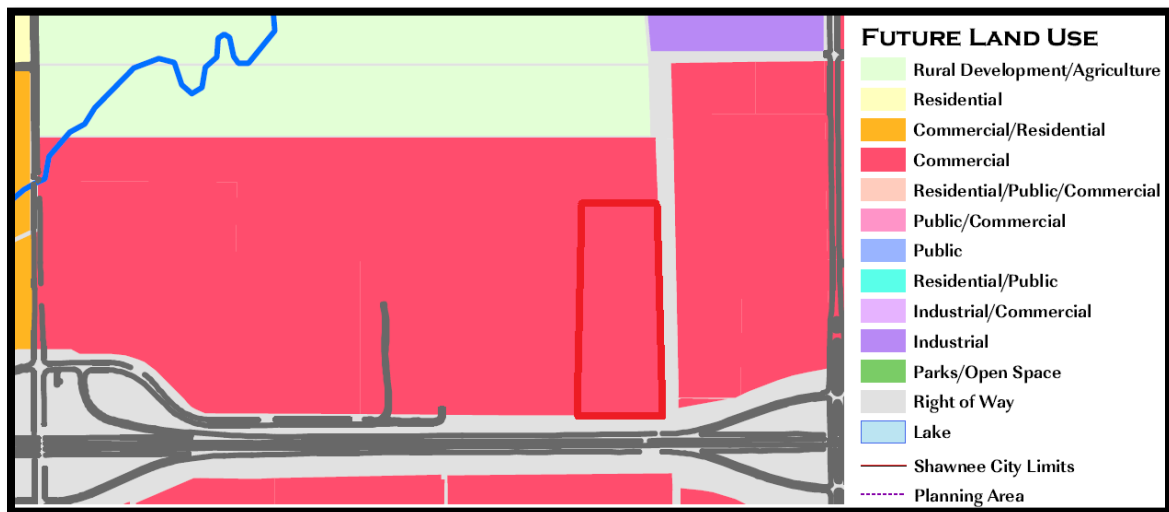


Figure 3: Future Comprehensive Plan Map – approximate total area outlined in red.



City of Shawnee
Community Development Department
222 N. Broadway
Shawnee, OK 74801
(405) 878-1665 Fax (405) 878-1587
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STAFF REPORT
REZONE
CASE #P15-15

TO: Shawnee Planning Commission

AGENDA: January 6, 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 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 from R-1 to R-2 (Combined Residential District) in order to develop a series of duplexes. 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 classification for the intended use.

There are a few considerations that amount to a recommendation of approval:

1. The subject site is along East Independence Street, a major arterial in Shawnee. As such, there are customarily commercial and higher density residential uses along these roads. It is no different for this subject property, with both commercial and multi-family residential uses directly west of the site.
2. No plans for the site have been presented or are required at this point for a rezone, however, Staff has previously reviewed this site and took great consideration for its location next to Sequoyah Elementary School. As such, Staff will require half street improvements and sidewalks along both Elm Street and Independence.
3. Housing, though Single Family Residential, does already exist along Elm Street further north near Bradley Street. Driveway separation and off-street parking will be enforced before any structure is built.
4. Stormwater drainage has historically been an issue with this site, and has been referenced in a complaint letter received. Before final approval on any plat is considered, Staff will require on-site drainage, drainage calculations and a detailed report to satisfy any concerns.



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

Staff did receive two (2) letters of complaint, both from area residents (Exhibits 1 & 2).

Based on the general consistency with the Shawnee Comprehensive Plan and the Shawnee Zoning Code, Staff does hereby recommend approval on the proposed zone change from R-1 (Single Family Residential) to R-2 (Combined Residential District).

STAFF RECOMMENDATION

Staff recommends **approval** of the proposed rezone from **R1 (Single Family Residential)** to **R2 (Combined Residential District)** for the subject property.

Attachments

1. Figure 1: Aerial view of site
2. Figure 2: Zoning Map
3. Figure 3: Future Land Use Map
4. Exhibit 1: Letter of Complaint: Frank Harris
5. Exhibit 2: Letter of Complaint: Dan Climer

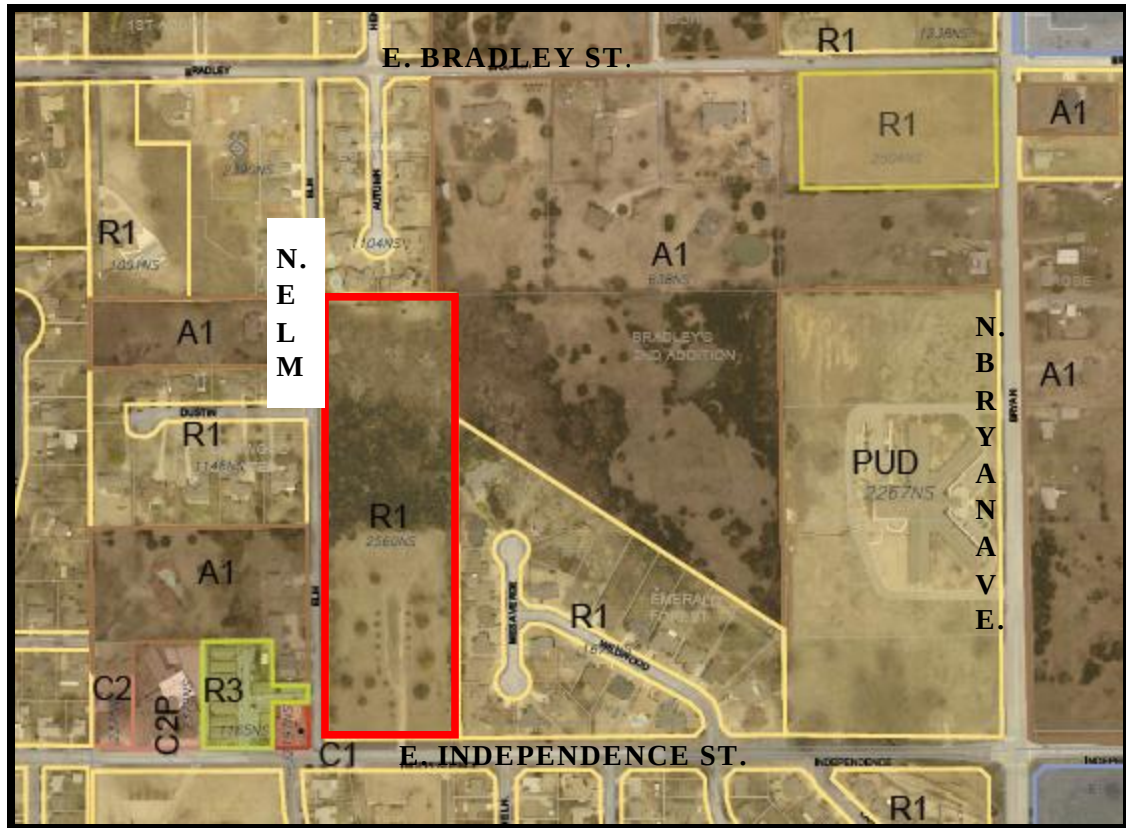


Figure 2: Zoning Map of site – approximate total area outlined in red.

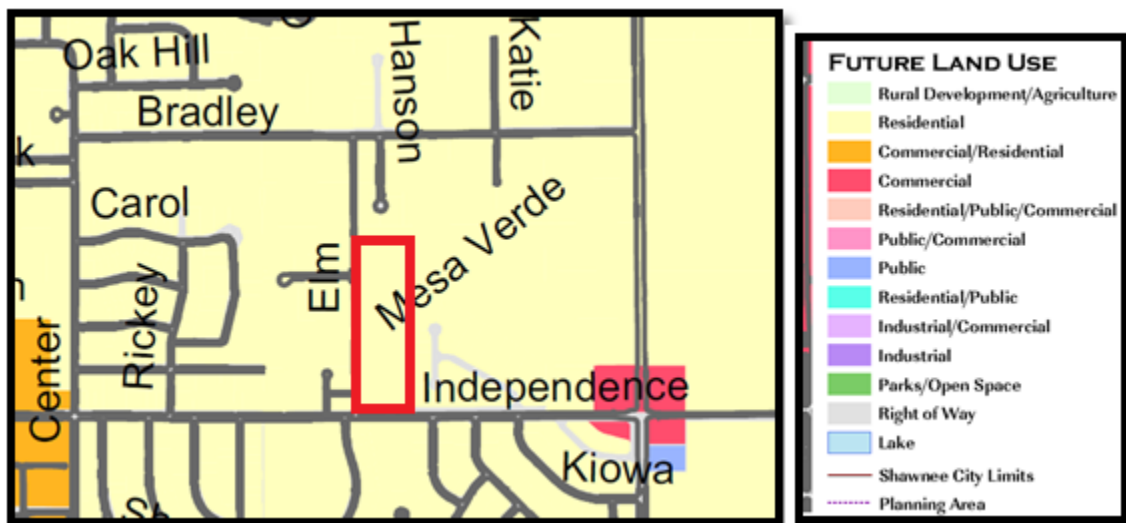


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map – approximate total area outlined in red

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

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/C 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.

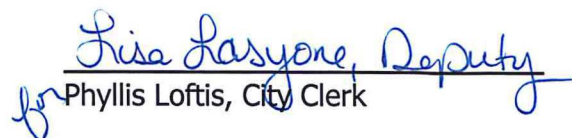
The public hearings will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

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.

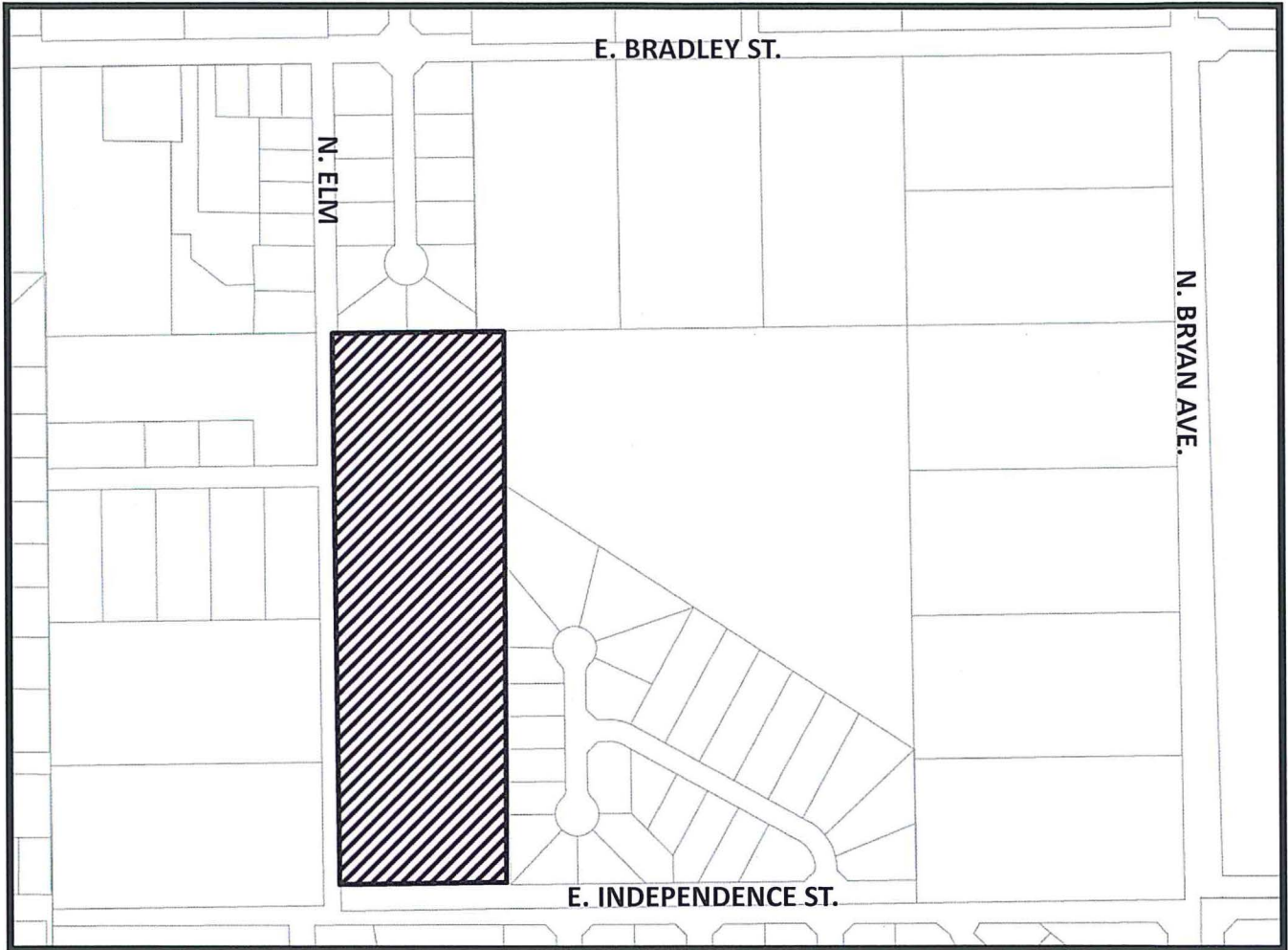
Witness my hand this 11th day of December, 2015.




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. 151169 CASE NO. P15-13

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 R4 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

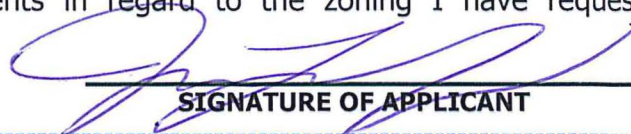
TELEPHONE NUMBER: (405) 273-4222 **CONTACT NUMBER:** (405) 273-4222

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

CURRENT ZONING: R4 **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 13

Cheryl 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.:** _____



City of Shawnee
Community Development Department
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STAFF REPORT
REZONE
CASE #P16-15

TO: Shawnee Planning Commission

AGENDA: January 6, 2016

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

PROPOSAL

The applicant is requesting a rezone from R1: Single Family Residential District to R2: Combined Residential District to develop a Duplex Home. The subject site is approximately 15,000 square feet in size and is generally located on the South East corner of Leo and Franklin.

GENERAL INFORMATION

Applicant	Darrin Marical
Owner	Marical Brothers Real Estate
Site Location/Address	2202 N. Leo
Current Site Zoning	R1: Single Family Residential District
Proposed Zoning	R2: Combined Residential District
Property Area	15,000 Square Feet
Current Use	Single Family Residential
Proposed Use	Multifamily and Single Family Residential homes
Comprehensive Plan Designation	Residential

Existing Land Use	Residential
Surrounding Land Use	Residential/Rural Agricultural
Surrounding Zoning	I2: Light Industrial R1: Single Family Residential R2: Combined Residential

STAFF REVIEW AND ANALYSIS

The applicant is requesting approval to rezone from R-1 (Single Family Residential) to R-2 (Combined Residential District) in order to develop one (1) duplex home. According to the applicant there would not be a limitation to who would be able to rent the duplex. The applicant has purchased the subject property making this site independently owned. Though surrounded mostly by R-1 (Single Family Residential), by Ordinance #2295NS, the properties directly south were rezoned to R-2 (Combined Residential) on February 5th, 2007 to allow the development of duplexes.

Being that the subject site exists on the periphery of R-1 zoning, is minimal in nature with one (1) duplex, and remains consistent with the R-2 allowance in the immediate area, Staff does recommend approval.

No formal written protests have been received.



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

Also, based on the consistency with the Shawnee Comprehensive Plan and the Shawnee Zoning Code, Staff does hereby recommend approval on the proposed zone change from R1 (Single Family Residential) to R2 (Combined Residential District).

STAFF RECOMMENDATION

Staff recommends approval of the proposed rezone from **R1 (Single Family Residential)** to **R2 (Combined Residential District)** for the subject property.

Attachments

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

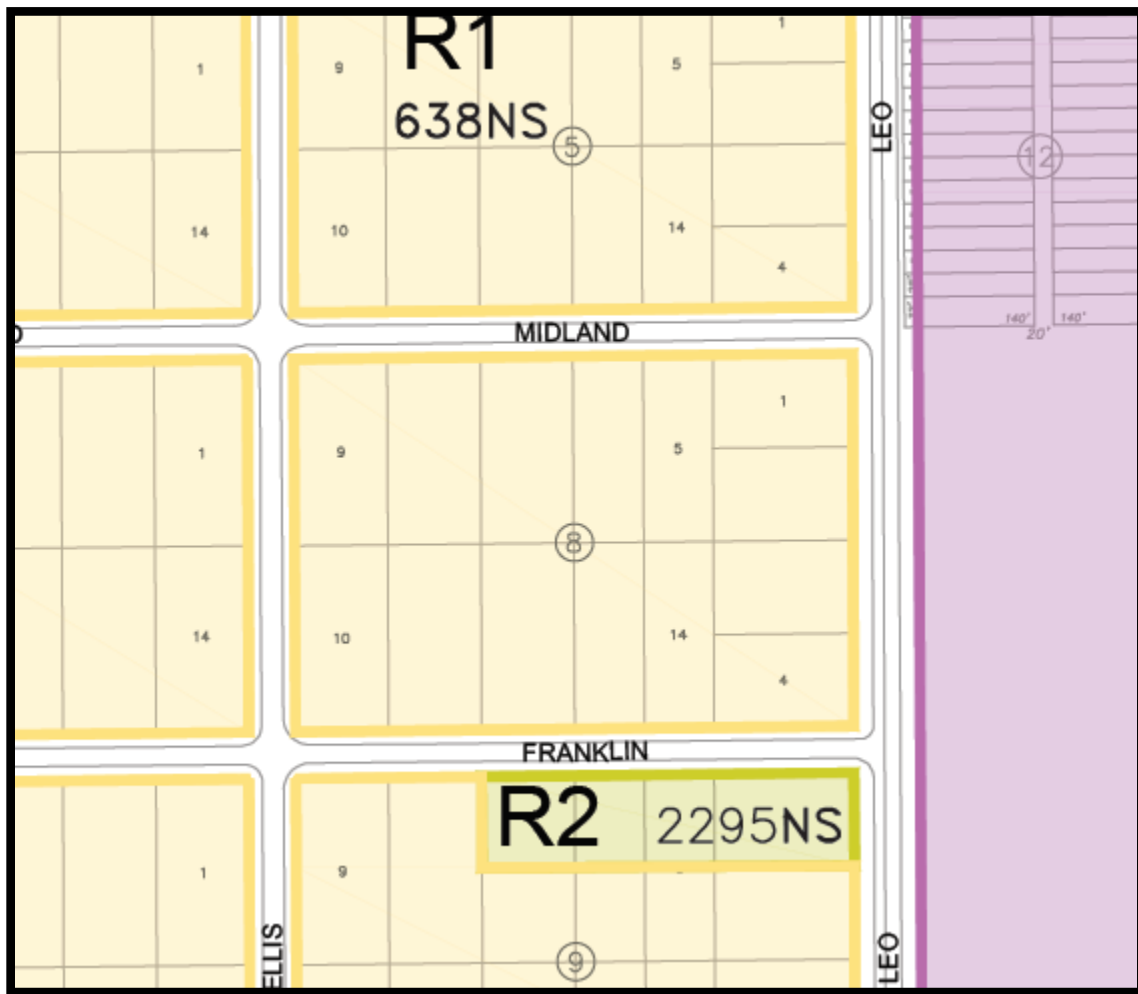


Figure 2: Zoning Map of site – approximate total area outlined in red.

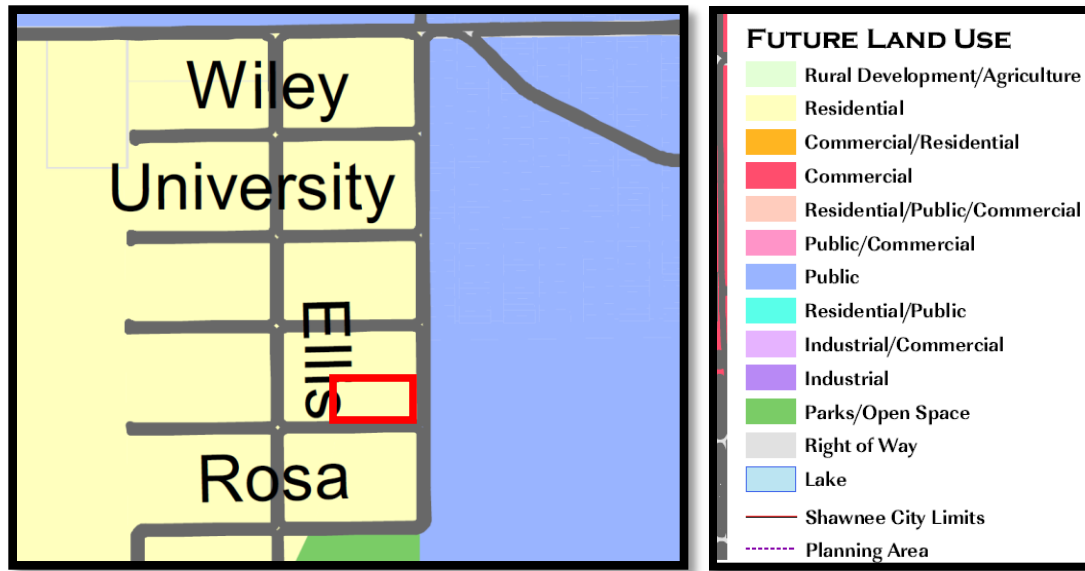


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map – approximate total area outlined in red

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P16-15

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:

Lot Four (4), Block Eight (8), GOLDEN ACRES ADDITION, to Shawnee, Oklahoma, according to the recorded plat thereof.

General Location Known As:	<u>2202 N. Leo 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>Darrin Marical</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

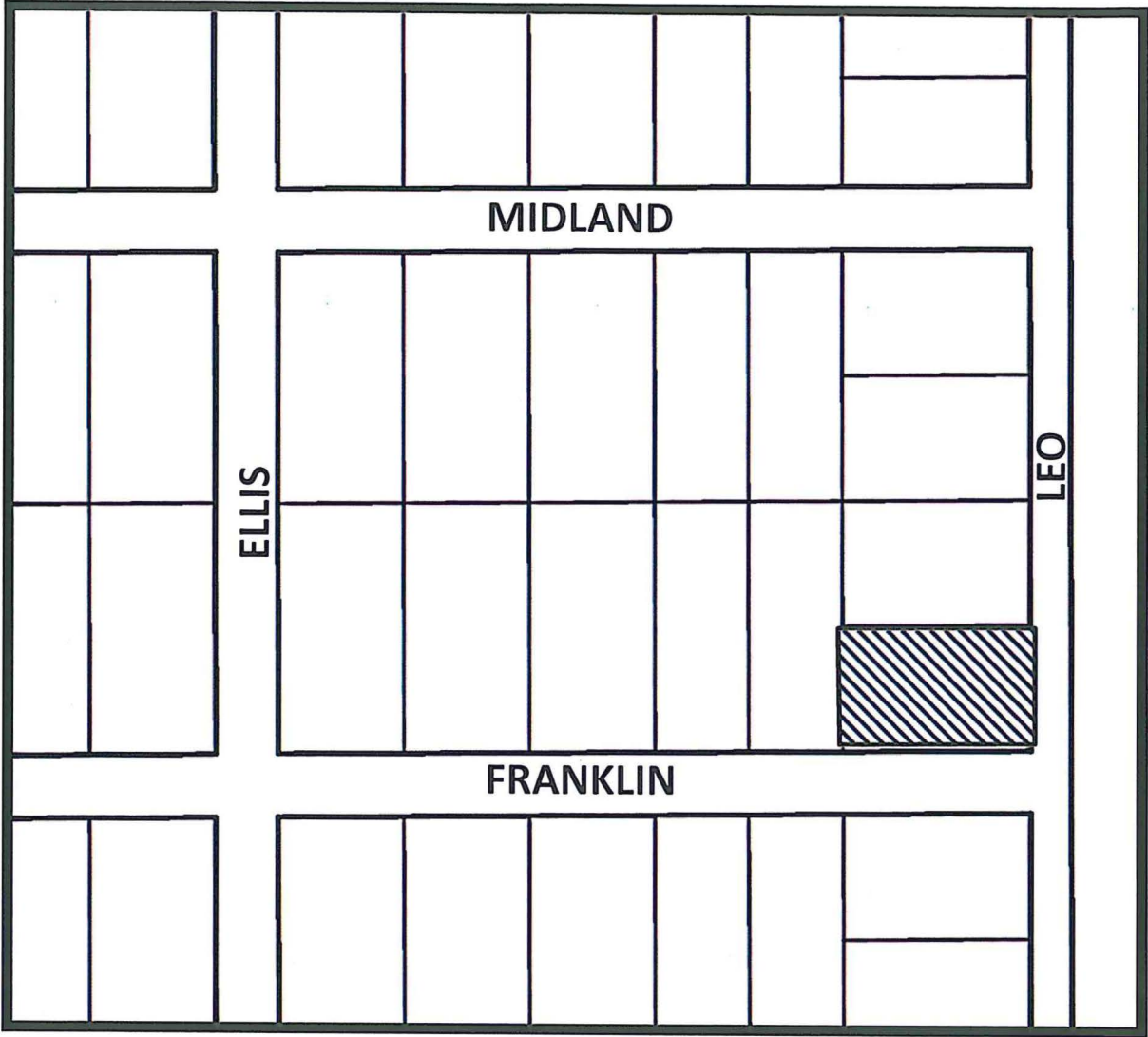
At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition 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, Deputy
for Phyllis Loftis, City Clerk

Location Map
Case #P16-15



CITY OF SHAWNEE
222 N. BROADWAY
SHAWNEE, OK 74801

PLANNING DEPARTMENT
PHONE: (405) 878-1616
FAX: (405) 878-1587

PLANNING COMMISSION APPLICATION
PROJECT NO. 51249 CASE NO. P16-15

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 R-1 District to R-3 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 2202 North Leo

LEGAL DESCRIPTION: Lot Four (4), Block Eight (8), Golden Acres Addition

PROPERTY OWNER (S): Marical Brothers Real Estate, LLC

PROPERTY AGENT (APPLICANT): Darrin Marical

APPLICANT'S ADDRESS: 16759 CR 3520

CITY: Ada **STATE** OK **ZIP** 74820

EMAIL ADDRESS: darrin@maricalbrothers.com

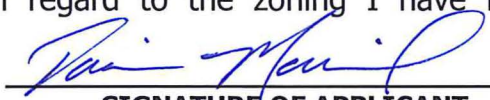
TELEPHONE NUMBER: (580) 332-3061 **CONTACT NUMBER:** (580) 320-3520

DIMENSIONS OF PROPERTY: AREA 15,000 WIDTH 150'
LENGTH 100' FRONTAGE _____

CURRENT ZONING: R-1 **CURRENT USE:** Single Family

PROPOSED ZONING: R-3 **PROPOSED USE:** Duplex

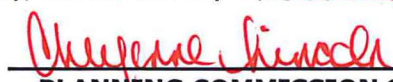
With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature.



SIGNATURE OF APPLICANT

(FOR STAFF USE ONLY)

Filed in the office of the Planning Department, 222 N. Broadway, this 7th day of December 20 15



PLANNING COMMISSION SECRETARY

REZONING &/OR C.U.P FEE \$ 280.00
RECEIPT NO. 01823068

PLANNED UNIT DEVELOPMENT FEE \$ 550.00
SIGN DEPOSIT \$ 50.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION: _____ **DATE:** _____
CITY COMMISSION ACTION: _____ **DATE:** _____
PLACE ON ZONING MAP: _____ **ORDINANCE NO.:** _____



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

STAFF REPORT
Preliminary Replat
CASE #S17-15

TO: Shawnee Planning Commission

AGENDA: January 6, 2015

RE: A Replat of Vision Addition Section 1

PROPOSAL

The applicant is requesting a re-plat of Vision Addition Section 1 to incorporate a site detention pond that was established off of the appropriate property. The subject property is generally located at the north-east corner of Harrison Street and 42nd Street and is approximately 3.19 acres in size.

The site is currently zoned A-1 (Rural Agricultural) and C-3 (Highway Commercial).

GENERAL INFORMATION

Applicant	Landes Engineering LLC
Owner(s)	Vision Bank
Site Location/Address	NE Corner of Harrison St. and 42 nd St.
Current Site Zoning	Commercial (C-3) and Agricultural (A-1)
Parcel Size	3.19 Acres
Comprehensive Plan Designation	Commercial
Existing Land Use	Commercial
Surrounding Zoning	Commercial (C-3) and Agricultural (A-1)

STAFF REVIEW AND ANALYSIS

Vision Addition Section 1 was approved for final plat in January of 2008. The Addition created two (2) lots for commercial development. Currently, Lot 1 is occupied by NStockNow, and Lot 2 is home to Vision Bank Shawnee. Much of the surrounding land is currently within a floodplain, however, plans have been presented to channelize the existing creek to effectively reduce the floodplain, allowing for more development opportunities.

The plan from the applicant is to replat the subject site for three major reasons:

1. To incorporate existing site drainage
2. To reflect a reduction in the floodplain due to planned concrete chanalization.
3. To properly align property boundaries as platting begins on the remaining land to the south and east, Vision Addition Section II.

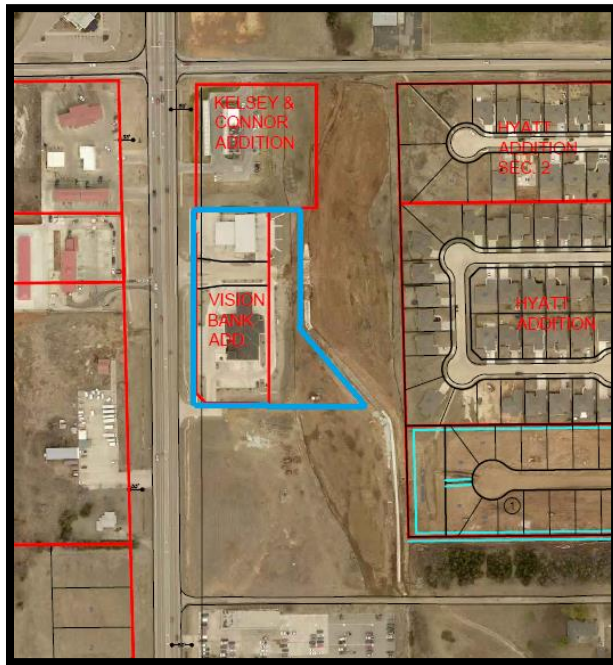


Figure 1: Aerial Plat Map – approximate total area outlined in blue.

The changes being introduced for the re-plat are as follows:

1. The addition of approximately 1.1 Acres of land to be incorporated into the current two (2) lots of Vision Addition Section 1.

2. The 60' public street right-of-way (ROW) that currently exists for Vision Boulevard will be extended approximately 66.5' to reach the new property boundary and eventually connect to the future Section of Vision Addition.
3. Along with the dedication of additional street ROW, proper utility easements shall be present and dedicated.
4. Eventual extension of City utilities will be necessary to accommodate the additional property.

If approved, this replat will serve to correct a nonconforming issue on the site and will also correct boundary lines for the forthcoming Vision Addition Section 2 which seeks to plat the remaining areas to the south and east. Plans for large scale channelization have been presented to effectively shrink the extensive floodplain on this land into a concrete channel, allowing for substantial land for development.

Staff has reviewed the preliminary plat and recommends approval with conditions.

STAFF RECOMMENDATION

Staff recommends approval of the proposed preliminary re-plat for the subject property with the following conditions:

1. Before Final Plat approval, present for review and approval an appropriate Letter of Map Revision (LOMR) from FEMA, indicating any changes to the floodplain due to channelization.
2. Final construction documents must be approved by the City Engineer concurrent with Final Plat approval.
3. Any necessary drainage plans must be approved by the City Engineer concurrent with Final Plat approval.
4. All other applicable City standards apply.

Attachments

1. Figure 1: Aerial Plat Map
2. Figure 2: Zoning Map
3. Figure 3: Future Land Use Map
4. Exhibit 1: Preliminary Plat



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

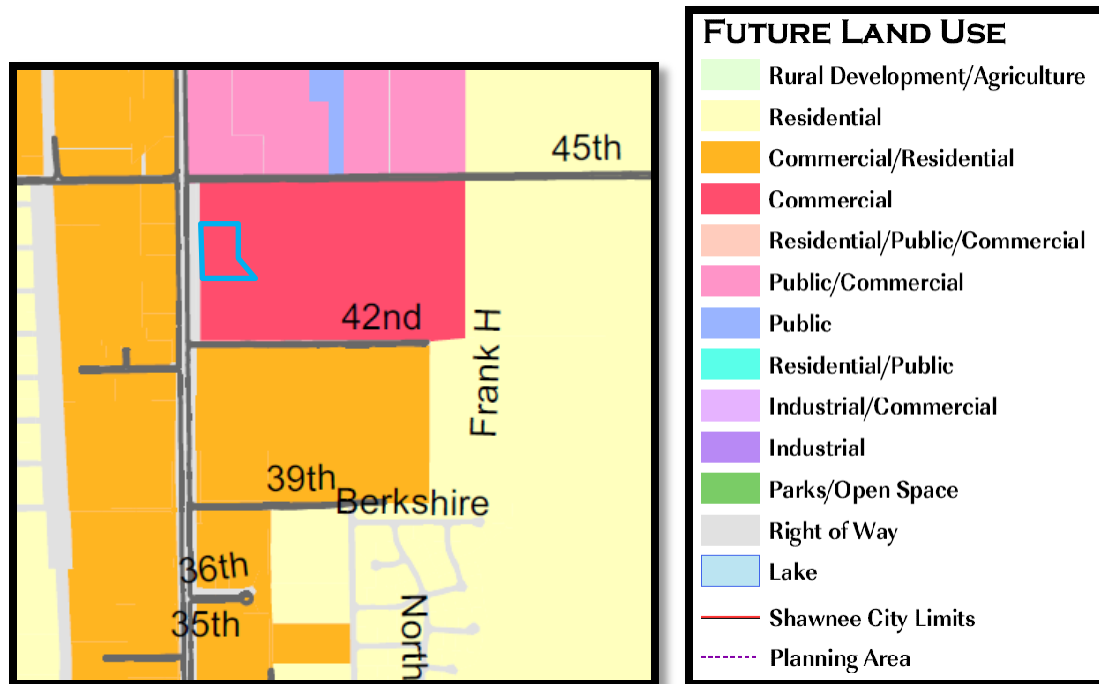
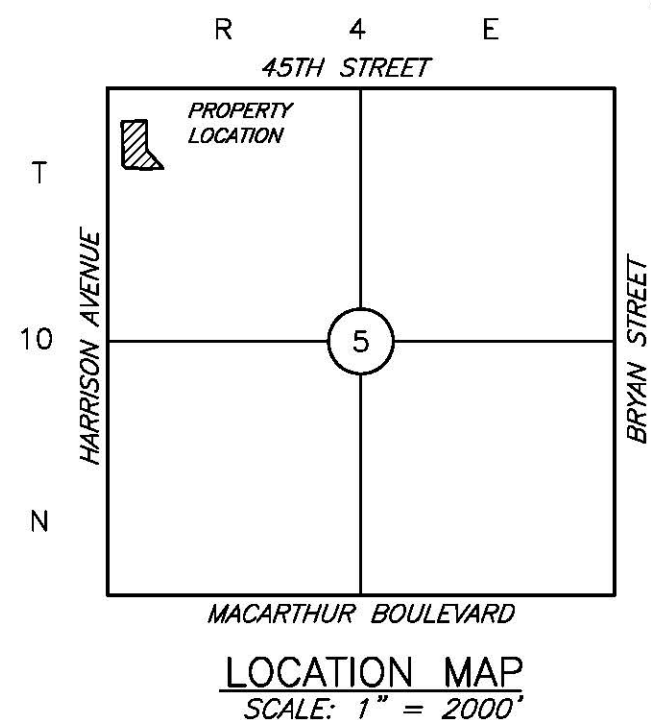
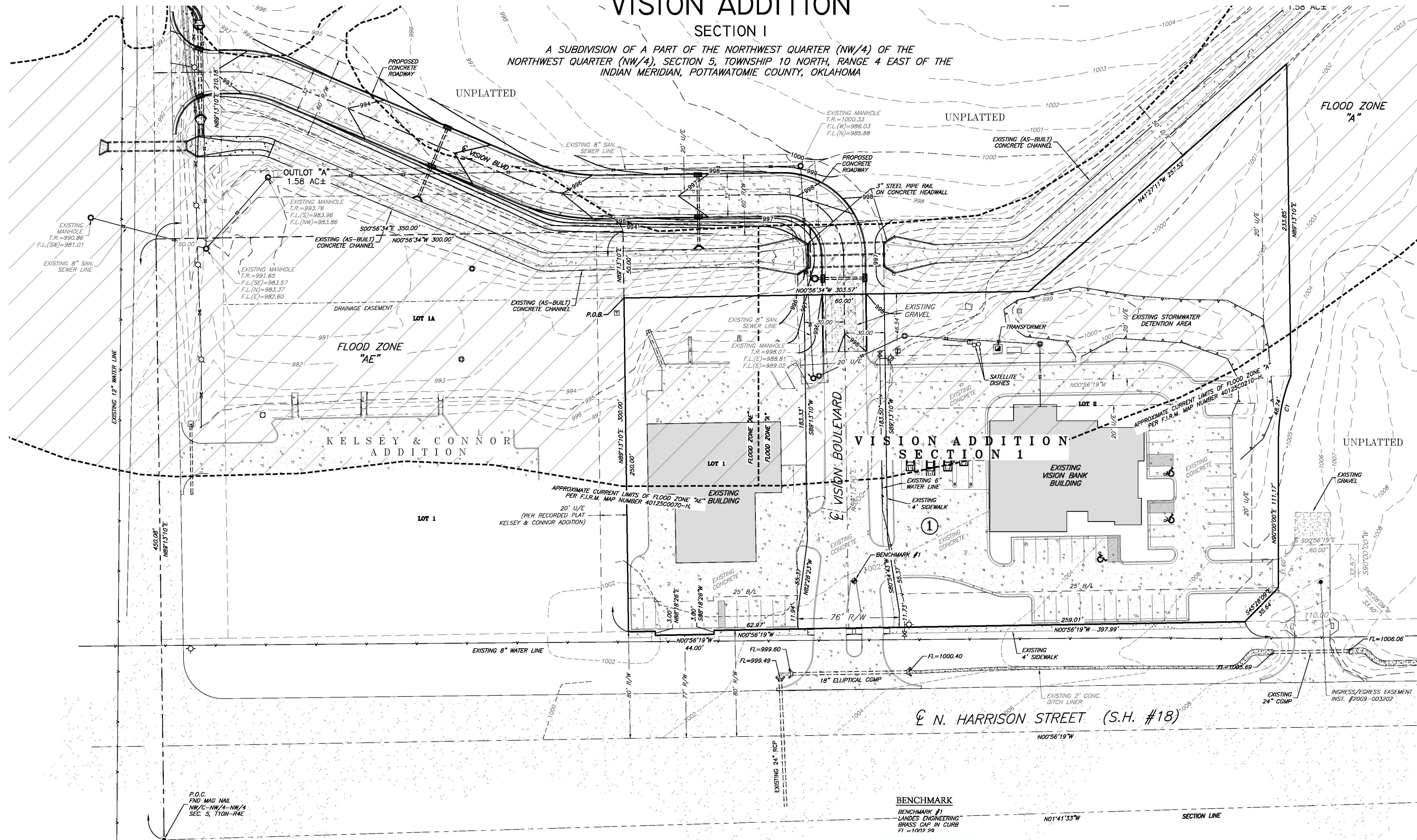


Figure 3: Shawnee Comprehensive Plan: Future Land Use Map (Figure 4.2).
Approximate area outlined in blue.

PRELIMINARY PLAT
VISION ADDITION
SECTION I

A SUBDIVISION OF A PART OF THE NORTHWEST QUARTER (NW/4) OF THE
NORTHWEST QUARTER (NW/4), SECTION 5, TOWNSHIP 10 NORTH, RANGE 4 EAST OF THE
INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA



UNDERGROUND UTILITIES NOTES

SOURCE INFORMATION FROM PLANS AND MARKINGS HAVE BEEN COMBINED WITH
OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THOSE UNDERGROUND
UTILITIES. HOWEVER, LACKING INFORMATION, THE EXACT LOCATION OF UNDERGROUND
FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. WHERE
ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED
THAT EXCAVATION MAY BE NECESSARY.

FLOOD STATEMENT

THIS PROPERTY IS PARTIALLY LOCATED IN FLOOD ZONE 'A' (NO BASE FLOOD
ELEVATIONS DETERMINED), AND PARTIALLY LOCATED IN FLOOD ZONE 'AE'
(BASE FLOOD ELEVATIONS DETERMINED). PER F.I.R.M. POTTAWATOMIE COUNTY,
OKLAHOMA AND INCORPORATED AREAS, PANEL 210 OF 550, MAP NUMBER
40125C0210-H, MAP REVISED 9-3-2010, AND F.I.R.M. POTTAWATOMIE
COUNTY, OKLAHOMA AND INCORPORATED AREAS, PANEL 70 OF 550, MAP
NUMBER 40125C0210-H, MAP REVISED 9-3-2010.

STORMWATER FLOW

ALL STORMWATER WILL BE DETAINED AND FLOW INTO IMPROVED CHANNEL INTO
THE UNNAMED TRIBUTARY TO TRIBUTARY #2 TO ROCK CREEK.

RECHANNELIZATION OF THE TRIBUTARY WILL CONTAIN THE 100-YEAR STORM
AND FLOW COMPLETELY WITHIN THE PROPOSED CHANNEL.

CHANNEL IMPROVEMENTS HAVE BEEN MADE AND WILL BE SUBMITTED IN A
FUTURE FLOOD EVALUATION TO BE SUBMITTED TO FEMA FOR A LETTER OF
MAP REVISION.

LEGEND

- (o) INDICATES 3/8" IRON PIN, SET
- (•) INDICATES EXISTING IRON PIN
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- POWER POLE
- LIGHT POLE
- GUY WIRE
- GAS METER
- VENT PIPE
- TELEPHONE PEDESTAL
- TELEPHONE BOX
- CLEAN OUT
- MANHOLE
- STORM DRAIN
- AIR CONDITIONER UNIT
- SIGN
- BENCHMARK
- TREE
- TELEPHONE, UNDERGROUND
- UNDERGROUND ELECTRIC
- OVERHEAD ELECTRIC & CABLE TV
- FIBER OPTIC CABLE
- CABLE TV
- PETROLEUM LINE
- GAS LINE
- HIGH PRESSURE GAS LINE
- WATER LINE
- SANITARY SEWER LINE
- STORM SEWER
- PRESSURIZED SANITARY SEWER LINE
- FENCE
- FLOW LINE

DEVELOPERS INFORMATI

CURRENTLY:
ZONED: C-3

LOCATION: 4301 N. HARRISON
SHAWNEE, OK. 74804

OWNER & DEVELOPER: VISION BANK N
4301 N. HARRI
SHAWNEE, OK.
(405) 395-945

PROJECT ENGINEER: RICHARD LANDE
903 E. 35TH S
SHAWNEE, OK.
(405) 275-538

STATISTICAL DATA

- A. 3.19 ACRES
- B. 2 LOTS
- C. NONE
- D. NONE
- E. NONE
- F. NONE
- G. 207 L.F. PUBLIC ROADWAY EXISTING
- H. 43 L.F. PUBLIC ROADWAY PROPOSED

LEGAL DESCRIPTION:

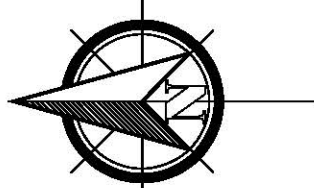
1. TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER (NW/4-NW/4) OF SECTION
7E (S), TOWNSHIP 10N, RANGE 4E, EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY,
OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 450.08 FEET N89°13'10"E AND
50.00 FEET S00°56'34"E TO THE SOUTHEAST CORNER (SE/C) OF LOT 1A OF THE KELSEY & CONNOR ADDITION, TO
THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND 50.00
FEET S89°13'10"W OF THE NORTHWEST CORNER (NW/C) OF SAID NW/4-NW/4, SAID POINT OF BEGINNING BEING ON
THE WEST LINE OF CHANNEL DRAINAGE EASEMENT; THENCE S00°56'34"E ALONG SAID WEST DRAINAGE EASEMENT LINE
A DISTANCE OF 303.57 FEET; THENCE S41°27'11"E ALONG SAID WEST DRAINAGE EASEMENT LINE A DISTANCE OF
57.52 FEET; THENCE S89°13'10"W A DISTANCE OF 233.85 FEET; THENCE NORTHWESTERLY ON A NON-TANGENT
CURVE TO THE LEFT HAVING A CHORD BEARING OF N78°49'50"W, A CHORD DISTANCE OF 48.43 FEET, A RADIUS OF
25.00 FEET FOR AN ARC DISTANCE OF 48.74; THENCE N80°00'00"W A DISTANCE OF 111.17 FEET; THENCE
N45°28'59"W A DISTANCE OF 35.64 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF HARRISON AVENUE;
THENCE N00°56'19"W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 397.99 FEET; THENCE S89°18'26"W
ALONG SAID EAST RIGHT-OF-WAY A DISTANCE OF 3.00 FEET; THENCE N00°56'19"W ALONG SAID EAST RIGHT-OF-WAY
A DISTANCE OF 44.00 FEET; THENCE N89°18'26"E A DISTANCE OF 3.00 FEET; THENCE N00°56'19"W ALONG SAID EAST
RIGHT-OF-WAY A DISTANCE OF 20.06 FEET TO THE SOUTHWEST CORNER (SW/C) OF SAID KELSEY & CONNOR
ADDITION; THENCE N89°13'10"E ALONG THE SOUTH LINE OF SAID KELSEY & CONNOR ADDITION A DISTANCE OF 250.00
FEET TO THE POINT OF BEGINNING, CONTAINING 3.19 ACRES, MORE OR LESS.

PRELIMINARY PLAT NOTE

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

CURVE TABLE

NUMBER	DELTA ANGLE	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C1	22°20'20"	S78°49'50"E	24.68	125.00	48.74	48.43



SCALE: 1" = 40'

ASSUMED BASIS OF BEARING OF N89°13'10"E ALONG
THE NORTH LINE OF NW/4 OF SECTION 5, T10N-R4E,
OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA.

LANDES ENGINEERING L.L.C.

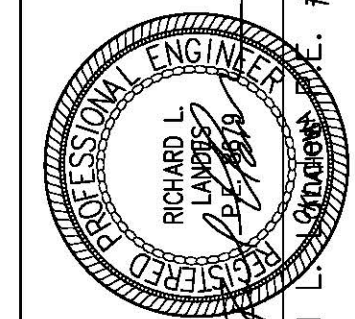
www.landesengineering.net

903 E. 35th Street * P.O. BOX 1032

Shawnee, OK 74802-1032

(405) 275-5388 * Fax (405) 275-9047

CA # 2260 EXP. 6-30-17



Revisions

Date

By

Check

Date

Client Vision Bank N.A.

Project Vision Addition Section I

Sheet 1 of 1

Preliminary Plat

Design RLL

Check RLL

Date 12/31/2015

Sheet 1 of 1

Preliminary 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 Vision Bank, NA

APPLICANT ADDRESS 4301 N. HARRISON, SHAWNEE 74804

APPLICANT PHONE NUMBERS 405.395.9455

EMAIL ADDRESS CPackwood@visionbankok.com

NAME OF PLAT RE-PLAT VISION ADDITION SECTION I

LOCATION 4301 N HARRISON

NUMBER OF ACRES 3.19 NUMBER OF LOTS 2

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS:

FEE: \$325.00

PLUS \$3.00 PER LOT UP TO FIFTY (50) LOTS NUMBER OF LOTS 2 6.00

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

TOTAL COST 331.00

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 Vision Bank, NA

ADDRESS 4301 N. HARRISON, SHAWNEE 74804

CONTACT NUMBERS 405.395.9455

EMAIL ADDRESS CPackwood@visionbankok.com

PROJECT ENGINEER INFORMATION:

NAME Richard Landes, Landes Engineering, LLC

ADDRESS 903 E. 35th St., Shawnee OK 74804

CONTACT NUMBERS 405.275.5388

EMAIL ADDRESS landesengineering@landesengineering.net

FOR STAFF USE ONLY

PROJECT NUMBER: 151243 CASE NUMBER: 517-15

DATE: 12-4-15 AMOUNT PAID: \$331.00 RECEIPT NO. 01821893