

**AGENDA
CITY OF SHAWNEE
PLANNING COMMISSION
JANUARY 2ND, 2019 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 5th, 2018 Planning Commission meeting
- 3)** Citizens' Participation
(A three minute limit per person)
(A twelve minute limit per topic)
- 4)** Case #S12-18 – Consideration of approval of a Final Plat for the Belmont Park Addition, Phase II located at the Southwest Quarter of Section 2, Township 10 North, Range 3 East
Applicant: Crafton Tull
- 5)** Case P16-18 – Consideration of approval of a Rezone from R-1; Single Family Residential District to R-2; Medium Density Residential District, located at 323 South Eden Street, Shawnee, Oklahoma
Applicant: Eugene Biller
- 6)** Case P18-18 – Consideration of approval of a Rezone from R-1; Single Family Residential District to C-1; Neighborhood Commercial District, located at 420 West Federal Street, Shawnee, Oklahoma
Applicant: David Carter
- 7)** Case P19-18 – Consideration of approval of a Conditional Use Permit located at 806 East Grant Street, Shawnee, Oklahoma
Applicant: Crafton Tull & Associates
- 8)** Case P20-18 – Consideration of approval of a Conditional Use Permit located at 3 Burlison Road, Shawnee, Oklahoma
Applicant: Kevin Drechsel
- 9)** Planning Director's Report
- 10)** Commissioners Comments and/or New Business
- 11)** Adjournment

PLANNING COMMISSION MINUTES

DATE: DECEMBER 5TH, 2018

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in the Commission Chambers, at City Hall, 9th and Broadway, on Wednesday, December 5th, 2018 at 1:30 p.m., pursuant to notice duly posted as prescribed by law.

AGENDA ITEM NO.1: **Roll Call**

Upon roll call the following members were present:

Present: Deem, Walker, Bergsten, Cowen, Matthews, Rowell

Absent: Kienzle

Meeting was called to Order.

AGENDA ITEM NO.2: **Consideration of approval of the minutes from the October 3rd, 2018 Planning Commission Meeting**

Chairman Bergsten asked Commission for any comments, questions or a vote.
Commissioner Cowen made a motion to approve, seconded by Commissioner Deem.

Motion passes:

AYE: Deem, Walker, Bergsten, Cowen, Rowell

NAY:

ABSTAIN: Matthews

AGENDA ITEM NO.3: **Citizens' Participation**

Chairman Bergsten opened the public portion of the meeting and announced that this is an open time for discussion for those with questions on topics not on the Agenda and asked if anyone would like to come forward.

Taylor Shekarabi of the Blue Zones Project passed around copies of *Walkable City Rules* to the Commissioners. She described the book as one that covers all parts of planning, why, and how to do it, and each copy was tagged with specific pages that covered issues specific to Blue Zones Project. She sums up the book as a guideline for progressive city planners. The Commissioners thanked her for the books.

No one else came forward and Chairman Bergsten closed the public portion of the meeting.

AGENDA ITEM NO.4: **Case #S12-18 – Consideration of approval of a Final Plat for The Belmont Park Addition, Phase II located east of Acme road and north of MacArthur Street, Shawnee, OK**

Applicant: Belmont Park Villas, LLC

Justin Debruin presented staff report and informed the Commission that the site is located on the northeast corner of Acme and MacArthur and was originally platted in 2013; subsequently replatted in 2016

with slightly different design. The first portion, which was approved in 2016, was on the southwest portion of the property, which was the commercial section of the project, and are recently getting built upon. The second portion is roughly nine acres of residential property, zoned R-3. The purpose of the project is to construct duplexes. Mr. Debruin stated that staff has reviewed the application and stated that everything is fine except the sanitary sewer solution. This part of Shawnee is on a lift station as the water flow heads south. Where they are tying this line has created a concern about capacity and whether the addition of more water flow would overburden the infrastructure. The Shawnee Municipal Authority has requested that this item be deferred to the January 2nd, 2019 Planning Commission Meeting. He clarified that this is the only issue with the final plat.

Mr. Debruin introduced Michael Ludi and Jared Cooper as the Director of Engineering and the Interim Community Development Director, respectively. He stated that Mr. Ludi and Alan Blankenship of the Shawnee Municipal Authority would be the ones reviewing this plat.

Chairman Bergsten opened the public portion of the meeting and asked if anyone speaking against the item would like to come forward. No one came forward and Chairman Bergsten asked if anyone speaking in favor of the item would like to come forward. Mark Grubbs spoke on behalf of the applicant. He is with the engineering firm of the project. He stated that their firm has been coordinating with Mr. Blankenship on the project. He stated that the property has been preliminary platted, and that the final plat conforms with it. He stated that they have submitted calculations showing the lift stations will meet the DQ Standard with the addition of a backup generator. It does not currently meet emergency event standards. He states that at this point they will agree with the deferral, but he does not see any problems with the development and that this issue was not brought up before.

Chairman Bergsten asked if there were any other questions. There were none and Chairman Bergsten closed the public portion and asked for a motion. Commissioner Deem made a motion to defer to the January 2nd, 2019 Planning Commission Meeting, seconded by Commissioner Walker.

Motion to defer to January 2nd, 2019 Planning Commission Meeting:

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

NAY:

ABSTAIN:

AGENDA ITEM NO.5:

Consideration of approval of a rezone for 323 South Eden Street, Shawnee, OK, from R-1 (Single Family Residential) to R-2 (Medium Density Residential)

Joseph Barker presented staff report and informed the Commission that the applicant's rezone is contingent upon a lot split. However, the lot split has been delayed due to outstanding legal issues with the lot, according to the applicant, having an incorrect legal description. Because the lot to be rezoned does not legally exist yet, Mr. Barker stated that staff has no choice but to recommend to defer the application to the January 2nd, 2019 meeting.

Chairman Bergsten opened the public portion of the meeting and asked if anyone speaking against the item would like to come forward. No one came forward and Chairman Bergsten asked if anyone speaking in favor of the item would like to come forward. No one came forward and Chairman Bergsten closed the public portion and asked for a motion. Commissioner Matthews made a motion to defer to the January 2nd, 2019 Planning Commission Meeting, seconded by Commissioner Rowell.

Motion to defer:

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

NAY:

ABSTAIN:

AGENDA ITEM NO.6:

Planning Director's Report

Justin Debruin reiterated the fact that this will be his last Planning Commission meeting, as he has taken another position. He describes details about the new position. He expresses praise for the Planning Commission and his excitement about the comprehensive plan, which he expects will be prepared by summer, 2019. He thanked the Planning Commission for their hard work.

Commissioner Deem asks Mr. Debruin if there will be a nationwide search for a new Community Development Director. Mr. Debruin stated he does not have most of the details on when and how the search for a new Director will be conducted; however, he introduced Jared Cooper, the Chief Building Inspector, as the Interim Community Development Director.

Commissioner Deem asked if there has been any progress on Shawnee Saw Mill. Jared Cooper stated that they are going to begin looking at code enforcement options, such as citations. Commissioner Deem also expressed concern about the boxing club around the 500 block of East Main Street. Mr. Debruin stated that that property does not qualify for enforcement of the Downtown Property Maintenance Code and that the standards property maintenance code will apply to it. He stated that this particular code has a more procedural process.

Commissioner Matthews asked what the issue is with demolishing the Cinderella Motel. Mr. Debruin stated that it is illegal to occupy at the moment. Mr. Cooper provided a brief history of the issues that have made demolishing the motel difficult for the City. Mr. Debruin clarified that if the City condemns the property, the demolition of the property becomes the City's liability, which is a costly expense. In addition, it is not economically feasible to merely repair the building. He stated that there is not many uses you can do with this structure besides use it as a motel.

Placing a lien on the property is another option, but Mr. Debruin stated it would be difficult to get the City Commission to invest the money necessary due to the current financial climate and the risk that goes alongside it.

Commissioner Walker made a motion to thank Mr. Debruin for all the work he has done for the City of Shawnee, seconded by Commissioner Cowen.

Motion to expression to Justin Debruin:

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

NAY:

ABSTAIN:

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

Joseph Barker

Planning Commission Secretary

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # S12-18 PUBLIC HEARING DATE: January 2 nd , 2019 CITY COMMISSION DATE: January 22 nd , 2019	
APPLICANT: Belmont Park Villas, LLC				
PROPERTY ADDRESS/LOCATION: Southwest Quarter of Section 2, Township 10 North, Range 3 East				
SUMMARY OF REQUEST: The applicant is requesting final plat approval for the Belmont Park Addition Phase II, located at the Southwest Quarter of Section 2, Township 10, Range 3 East of the Indian Meridian, Pottawatomie County. The preliminary plat was approved by the City Commission on November 18th, 2013. Proposed on the site are 19 duplex lots. 				
EXISTING ZONING: R-3	EXISTING LAND USE: Vacant	SURROUNDING ZONING & LAND USE: A1 (Rural Agricultural) RE (Residential Estate) R-3 (Multi-Family Residential) C-2 (Office Commercial) C-3 (Highway Commercial) I-2 (Light Industrial)	Number of Lots: 19	PROPERTY SIZE: 8.79 Acres

STAFF REVIEW AND ANALYSIS

After the final plat for the Belmont Park Addition Phase II and the revised preliminary plat for Belmont Park Phase II were approved on November 13th, 2013, the project was split into two sections: Section 1 would be zoned C-3 (Highway Commercial) and Section 2 would be zoned R-3 (Multi-Family Residential). The reason the original preliminary plat was revised was to create five lots instead of three, and one common drainage area to serve as stormwater detention. Two of the new lots would be C-3 and the other three R-3. On May 16th, 2016, the project was approved for another preliminary plat. This plat had a total of sixteen lots. Fourteen would be for the construction of duplexes, while the other two for commercial use. This plat also had a 3.15 acre common area and a detention pond. On September 19th, 2016, the final plat for Section 1, the commercially zoned section, was approved. The two commercial lots were combined to form one.

Now the applicant is requesting approval for Section 2 of the plat. As shown on the final plat for Section 2 (Exhibit 1), the applicant is proposing a 19 lot duplex development. Internal circulation will be via a private drive named "Belmont Park Drive" off of West MacArthur Street, ending in a cul-de-sac. Public water and sewer lines will be extended onto the site to adequately serve all residential properties. The development is required to conform to Section 22-160.8 of the Zoning Code, "Other Residential Standards," which assures safe and cohesive design for all residential development.

At the December 5th, 2018 Planning Commission Meeting, this item was deferred due to a lack of approved sewer plans. This issue has since been resolved.

Staff hereby recommends approval of the final plat upon the following conditions:

1. Final improvement plans shall be approved by the City Engineer prior to construction.
2. Prior to filing (recording) the final plat, the applicant shall commence with making the required public site improvements in accordance with construction plans approved by the City Engineer or otherwise bond the project in accordance with City code.
3. All other applicable City standards apply.

APPROVE

APPROVE WITH CONDITIONS

DENY

**ATTACHMENTS:
(CIRCLE)**

**SUBMITTED
PLANS**

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

Attachments:

Exhibit 1: Belmont Park Addition Phase II Final Plat

Exhibit 2: Belmont Park Addition Phase II Preliminary Plat

2

LEGAL DESCRIPTION:

A TRACT OF LAND LYING IN THE SOUTHWEST QUARTER (SW/4) OF SECTION TWO (2), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER (SW/4);
THENCE NORTH 00°34'33" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4), A DISTANCE OF 488.36 FEET TO THE SOUTHWEST CORNER OF BELMONT PARK ADDITION, AN ADDITION TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF;

THENCE ALONG THE SOUTH AND EAST LINES OF SAID ADDITION FOR THE FOLLOWING THREE (3) COURSES:

1. NORTH 89°22'51" EAST, A DISTANCE OF 103.10 FEET;
2. NORTH 26°09'10" EAST, A DISTANCE OF 348.85 FEET;
3. NORTH 00°34'33" WEST, A DISTANCE OF 308.99 FEET TO THE NORTHEAST CORNER OF SAID ADDITION;

THENCE NORTH 89°22'51" EAST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW/4), A DISTANCE OF 290.00 FEET;

THENCE SOUTH 00°34'33" EAST, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4), A DISTANCE OF 1,108.80 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER (SW/4);

THENCE SOUTH 89°22'51" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 550.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 472,959 SQUARE FEET OR 10.8576 ACRES, MORE OR LESS.

THE BASIS OF BEARING FOR THE ABOVE-DESCRIBED TRACT OF LAND IS THE WEST LINE OF SAID SOUTHWEST QUARTER (SW/4) HAVING A PLATTED BEARING OF NORTH 00°34'33" WEST.

SUBDIVISION AREA: 8.47 ACRES (GROSS)

PROPOSED LOTS: 16

COMMON AREA: 3.15 ACRES

CURRENT ZONING: R3 (7.04 ACRES)
C3 (1.43 ACRES)

DENSITY: 5.7 UNITS/ACRE (R-3)

PRELIMINARY PLAT

BELMONT PARK ADDITION
PHASE 2

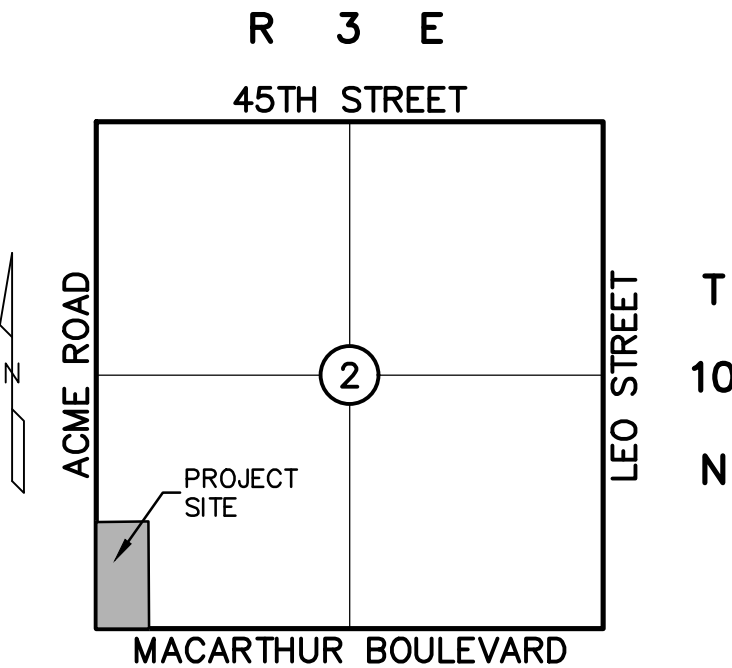
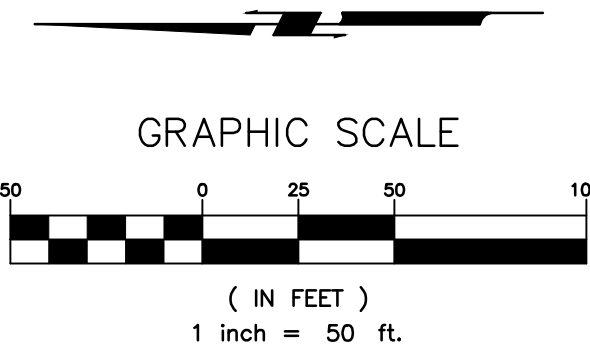
A TRACT OF LAND BEING A PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWO (2), TOWNSHIP TEN (10) NORTH, RANGE THREE (3) EAST OF THE INDIAN MERIDIAN, POTTAWATOMIE COUNTY, OKLAHOMA

OWNER:
BELMONT PARK, LLC
20 EAST 9TH STREET, SUITE 130
SHAWNEE, OKLAHOMA 74801
(405) 641-5878

ENGINEER:
GRUBBS CONSULTING, LLC
1819 S. MORGAN ROAD
OKLAHOMA CITY, OKLAHOMA 73128
(405) 265-0641
FAX: (405) 265-0649

NOTE:

1. MAINTENANCE OF COMMON AREAS AND PRIVATE STREETS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNERS ASSOCIATION. NO STRUCTURES, STORAGE OF MATERIAL, GRADING, FILL OR OTHER OBSTRUCTIONS, INCLUDING FENCES, EITHER TEMPORARY OR PERMANENT, SHALL BE PLACED WITHIN THE DRAINAGE RELATED COMMON AREAS AND/OR DRAINAGE EASEMENTS SHOWN. CERTAIN ADJACENTS SUCH AS, BUT NOT LIMITED TO, WALKS, BENCHES, PIERS, AND DOCKS SHALL BE PERMITTED IF INSTALLED IN A MANNER TO MEET THE REQUIREMENTS SPECIFIED ABOVE.
2. SHARED PARKING & ACCESS PERMITTED BETWEEN LOTS 1 & 2.



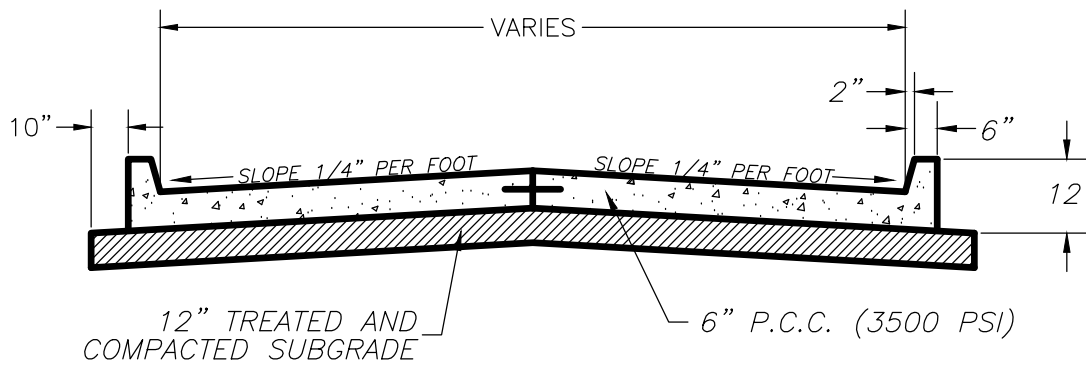
LOCATION MAP
SCALE: 1"=200'

Legend

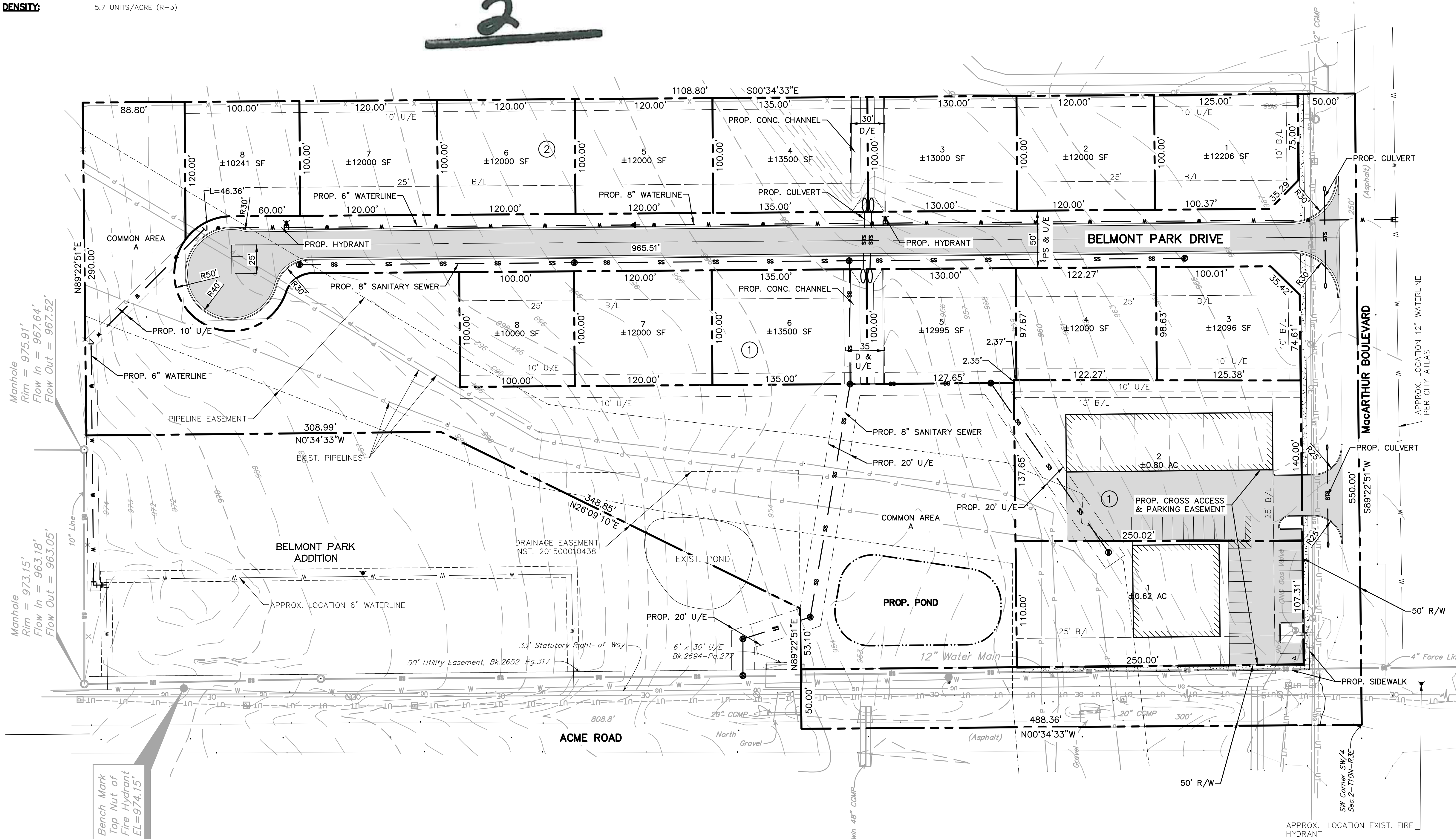
LNA = LIMITS OF NO ACCESS
B/L = BUILDING LINE
U/E = PUBLIC UTILITY EASEMENT
D/E = PUBLIC DRAINAGE EASEMENT
D & U/E = PUBLIC DRAINAGE & UTILITY EASEMENT
PDE = PRIVATE DRAINAGE EASEMENT
CA = COMMON AREA
ROW = RIGHT-OF-WAY
PS & U/E = PRIVATE STREET EASEMENT & PUBLIC UTILITY EASEMENT

Lot Requirements

BUILDING SETBACKS: FRONT = 25 FEET
SIDE = 5 FEET
REAR = 10 FEET
MINIMUM AREA: 6,000 SQ. FT. (1 UNIT)
10,000 SQ. FT. (2-3 UNITS)
10,000 SQ. FT. + 2,000 SQ. FT./PER UNIT OVER 3



CURB & GUTTER - CONCRETE
TYPICAL GRADING AND SURFACING SECTION
R.T.S.



GRUBBS CONSULTING, LLC
CIVIL ENGINEERING & LAND PLANNING
1819 S. Morgan Road
Oklahoma City, OK 73128
Phone: (405) 265-0641
Fax: (405) 265-0649

GRUBBS CONSULTING, LLC. CERTIFICATE OF AUTHORIZATION NO. CA 5115 EXP. 06/30/16

FINAL PLAT APPLICATION



Planning Department

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

For Office Use Only

Case Number: 312-18
Project Number: 181084
Date Filed: November 5th, 2018
Amount Paid: \$263.00
Receipt No.: 02228185

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 (405) 878-1616 with any questions.

APPLICANT Belmont Park Villas, LLC
APPLICANT ADDRESS 20 East 9th Street, Suite 130, Shawnee, OK 74801
APPLICANT PHONE NUMBERS 405-641-5878
EMAIL ADDRESS jramer27@gmail.com
NAME OF PLAT Belmont Park Addition Phase 2
LOCATION East of Acme Road and north of MacArthur Street
NUMBER OF ACRES 8.79 NUMBER OF LOTS 19

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS: FEE: \$225.00
PLUS **\$3.00** PER LOT UP TO FIFTY (50) LOTS - NUMBER OF LOTS _____
PLUS **\$1.00** PER LOT OVER FIFTY (50) LOTS - NUMBER OF LOTS _____
TOTAL COST _____

FOR LESS THAN 2 ACRE LOTS: FEE: \$225.00
PLUS **\$2.00** PER LOT UP TO FIFTY (50) LOTS - NUMBER OF LOTS 19 \$38.00
PLUS **\$1.00** PER LOT OVER FIFTY (50) LOTS - NUMBER OF LOTS _____
TOTAL COST \$263.00

OWNER/DEVELOPER INFORMATION:

NAME Belmont Park Villas, LLC
ADDRESS 20 East 9th Street, Suite 130, Shawnee, OK 74801
CONTACT NUMBERS 405-641-5878
EMAIL ADDRESS jramer27@gmail.com

PROJECT ENGINEER INFORMATION:

NAME Mark Grubbs, PE
ADDRESS 1819 S Morgan Road
CONTACT NUMBERS 405-265-0641
EMAIL ADDRESS mark.grubbs@gc-okc.com

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

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # P16-18 PUBLIC HEARING DATE: January 2 nd , 2018 CITY COMMISSION DATE: January 22 nd , 2018	
APPLICANT: Eugene Biller	125 Ideal Street Seminole, Oklahoma, 74868		eugenessbiller@gmail.com	
PROPERTY ADDRESS/LOCATION: 323 South Eden Street, Shawnee, Oklahoma, 74801				
SUMMARY OF REQUEST: The applicant, Eugene Biller, is requesting approval to rezone 323 South Eden Street from R-1 (Single Family Residential) to R-2 (Medium Density Residential). This property is located east of Farrell.				
EXISTING ZONING: R-1	EXISTING LAND USE: Vacant	SURROUNDING ZONING & LAND USE: R1 (Single Family Residential) R2 (Medium Density Residential)	Number of Lots: 1	PROPERTY SIZE: 5 Acres

STAFF REVIEW AND ANALYSIS

At the December 5th, 2018 Planning Commission Meeting, this item was deferred because the square footage stated on the application represented what would be the dimensions of this property after a pending administrative lot split. Since this meeting, the applicant has amended their application for all 5 acres of the lot to be rezoned to R-2, rather than the 4.63 acres that was stated on the original application.

The applicant has stated on their amended application they intend to construct a duplex development on the lot. According to the amended application, the subject site is 5 acres in size and abuts the Golden Hill Addition, the Airmount Addition, and the AP Addition, Lots 2, 3, 4, and 12. Adjacent properties are zoned R-1 (Single Family Residential District) and R-2 (Medium Density Residential District), making requested R-2 zoning consistent with surrounding land uses. Also, the request is in conformance with the Comprehensive Plan's residential designation for this area.

The subject request is in conformance with the City Zoning Code and Comprehensive Plan. Therefore, Staff hereby recommends approval on the requested rezone from R-1 (Single-Family Residential) to R-2 (Medium Density Residential).

APPROVE

APPROVE WITH CONDITIONS

DENY

ATTACHMENTS:
(CIRCLE)

SUBMITTED
PLANS

PUBLIC HEARING
PETITION/
APPLICATION FORM

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

Attachments:



PLANNING COMMISSION APPLICATION

Planning Department

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

For Office Use Only

Case Number: P16-18

Project Number: 180998

Date Filed: 10/12/2018

Cherise Pettigrew
Planning Commission Secretary

REQUEST:

☒ Rezoning
☐ Conditional Use Permit

☐ Rezoning w/Conditional Use Permit
☐ Planned Unit Development

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from R1 District to R2 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 323 S. Eden ST.

LEGAL DESCRIPTION: see attached copy of deed

PROPERTY OWNER (S): Eugene and Betty Biller

PROPERTY AGENT (APPLICANT): Eugene Biller

APPLICANT'S ADDRESS: 125 N Ideal ST

CITY: Seminole STATE: OK ZIP: 74868

EMAIL ADDRESS: eugenesbiller@gmail.com

TELEPHONE NUMBER: (662) 719-9400 CONTACT NUMBER: (903) 922-9945

DIMENSIONS OF PROPERTY: AREA: 201,800' WIDTH: 330'
LENGTH: 660' FRONTAGE: 990'

CURRENT ZONING: R1 CURRENT USE: Vacant land

PROPOSED ZONING: R-2 PROPOSED USE: Duplex/Multi-Family

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

APPLICATION, OFFICIAL OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING

Eug Biller
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. 02220624

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

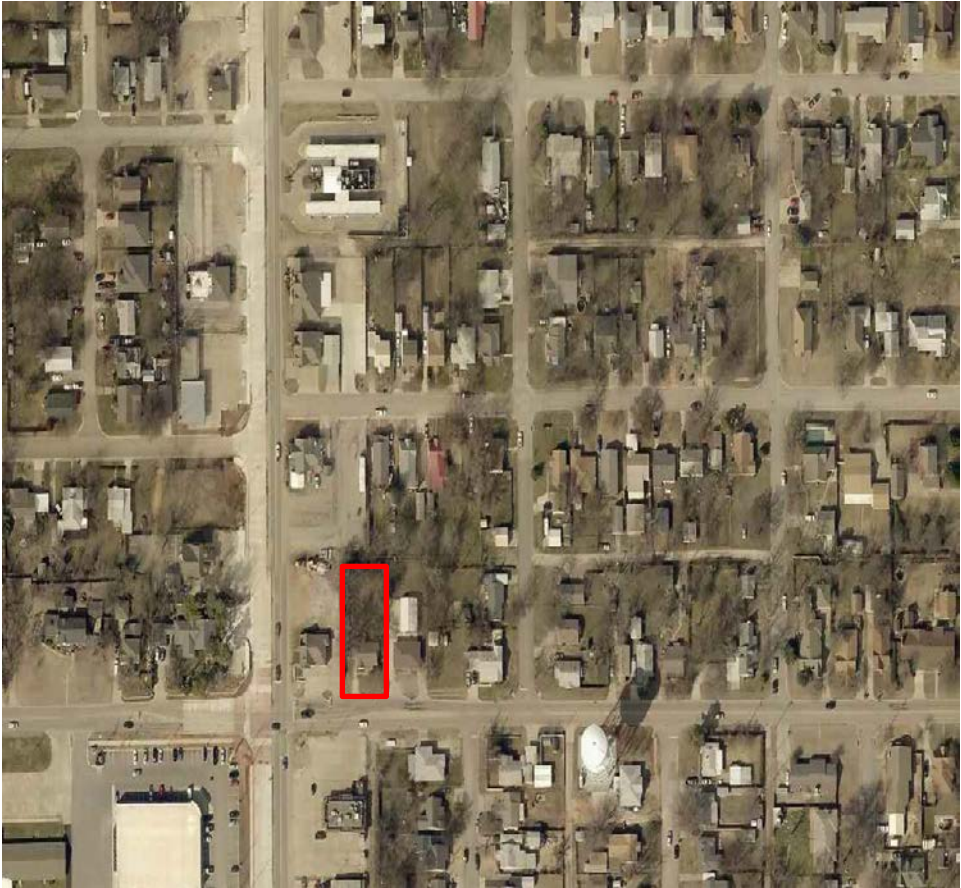
SIGN DEPOSIT \$ 50.00

(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 Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org				CASE # P18-18 PUBLIC HEARING DATE: January 2 nd , 2019 CITY COMMISSION DATE: January 22 nd , 2019	
APPLICANT: David Carter		25 West MacArthur Street Shawnee, Oklahoma 74804		Davidedagivahomes.com	
PROPERTY ADDRESS/LOCATION: 420 West Federal Street, Shawnee, Oklahoma, 74804					
SUMMARY OF REQUEST: The applicant, David Carter, who is representing DBZ Properties, Inc., is requesting a rezone from R-1 (Single-Family Residential District) to C-1 (Neighborhood Commercial District) for a property located at 420 West Federal Street.					
EXISTING ZONING: R-1	EXISTING LAND USE: Residential	SURROUNDING ZONING & LAND USE: R-1 (Single Family Residential) C-1 (Neighborhood Commercial) C-3P (Highway Commercial with Conditional Use Permit)	Number of Lots: 1	PROPERTY SIZE: 0.24 Acres	

STAFF REVIEW AND ANALYSIS

The applicant has stated they intend to use the lot for an office building. According to the submitted application, the subject site is 0.24 acres in size and abuts the Kickapoo commercial corridor and the Vermillion Heights Addition. Adjacent properties are zoned R-1 (Single Family Residential District), C-1 (Neighborhood Commercial District), and C-3P (Highway Commercial with Conditional Use Permit District). Therefore, the proposed zoning is consistent with the typical use of the area. Also, the request is in conformance with the Comprehensive Plan's residential designation for this area. The 2005 Comprehensive Plan states that neighborhood commercial may be included in these areas "when appropriate." Since the area has an established history of commercial use, this would be an appropriate situation for a rezone to neighborhood commercial.

The rezone is required to conform to Section 22-165.2 of the Zoning Code, "Uses," which assures that the C-1 zoning district is used for unified grouping of buildings of retail shops and stores and personal services of limited size and service area that provide for the regular needs and are for the convenience of the citizens residing in the adjacent residential neighborhood. The applicant intends to use the structure as an office building. The rezone is also required to conform to Section 22.165.4 of the Zoning Code, "Dimensional Standards,". If rezoned to C-1, it would conform to these standards.

The subject request is in conformance with the City Zoning Code and Comprehensive Plan; Therefore, Staff hereby recommends approval on the requested rezone from R-1 (Single-Family Residential) to C-1 (Neighborhood Commercial).

APPROVE

APPROVE WITH CONDITIONS

DENY

**ATTACHMENTS:
(CIRCLE)**

**SUBMITTED
PLANS**

**PUBLIC HEARING
PETITION/
APPLICATION FORM**

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

Attachments:



PLANNING COMMISSION APPLICATION

Planning Department

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

For Office Use Only

Case Number: P18-18
Project Number: 181088
Date Filed: November 16th, 2018
Cheylene Pettigrew
Planning Commission Secretary

REQUEST:

☒ Rezoning
☐ Conditional Use Permit
☐ Rezoning w/Conditional Use Permit
☐ Planned Unit Development

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from R1 District to C1 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 420 W. Federal St.

LEGAL DESCRIPTION: ROSE GARDEN BLK 42 Lots 21 thru 23

PROPERTY OWNER (S): DBZ PROPERTIES INC

PROPERTY AGENT (APPLICANT): DAVID CARTER

APPLICANT'S ADDRESS: 25 W. MacArthur St.

CITY: SHAWNEE STATE: OKLA ZIP: 74804

EMAIL ADDRESS: david@dagivahomes.com

TELEPHONE NUMBER: () CONTACT NUMBER: (405) 831-1952

DIMENSIONS OF PROPERTY: AREA: 10500 SF WIDTH: 75'
LENGTH: 140' FRONTAGE:

CURRENT ZONING: R1 CURRENT USE: RESIDENTIAL

PROPOSED ZONING: C1 PROPOSED USE: OFFICE BUILDING

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

APPLICATION, OFFICIAL OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING

[Signature]
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. 02278830

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.:



First American Title Insurance Company

123 West Highland

Shawnee, OK 74801

Phone: (405)275-0266 / Fax: (866)721-6216

PR: SOCENT

Ofc: 2199 (542)

Final Invoice

To: DBZ Properties Inc.
25 West MacArthur Street
Shawnee, OK 74804

Invoice No.: 542 - 219952529

Date: 11/05/2018

Our File No.: 2364459-SH99

Title Officer:

Escrow Officer:

Customer ID: 4855823

Liability Amounts

Attention:
Your Ref.:
RE: Property:
420 West Federal, Shawnee, OK

Buyers:

Sellers: DBZ Properties Inc

Description of Charge	Invoice Amount
Ownership Report	\$400.00

INVOICE TOTAL

\$400.00

Comments: DELIVER TO: DBZ PROPERTIES
REF# 420 W. FEDERAL

OWNERSHIP REPORT

Thank you for your business!

To assure proper credit, please send a copy of this Invoice and Payment to:

Attention: Accounts Receivable Department

PO Box 776119

Chicago, IL 60677-6119

CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA

)

) §:

COUNTY OF POTTAWATOMIE

)

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

Lots Twenty-one (21), Twenty-two (22) and Twenty-three (23), Block Forty-two (42), ROSE GARDEN ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

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

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

Dated: October 26, 2018 at 7:30 AM

First American Title Insurance Company

By: 

Michelle Cook

Abstractor License No. 3286

OAB Certificate of Authority # 017

File No. 2364459-SH99

OWNERSHIP LIST**ORDER NO. 2364459**

DATE PREPARED: November 5, 2018

EFFECTIVE DATE: October 26, 2018 @ 7:30 am

OWNER	LOT	BLK	ADDITION
DBZ PROPERTIES INC 25 W MACARTHUR ST SHAWNEE, OK 74804	21-23	42	ROSE GARDEN
K & K PARSONS LLC 1601 N MARKET SHAWNEE, OK 74804	24-26	42	ROSE GARDEN
HIBBEN THOMAS D & SHERRY R 402 W FEDERAL SHAWNEE, OK 74804	S/2 OF 27-32	42	ROSE GARDEN
BUSHONG ROSEMARIE 1 TURKEY KNOB SHAWNEE, OK 74804	N/2 OF 27-32	42	ROSE GARDEN
VAGUE CASEY 2020 N PARK SHAWNEE, OK 74804	1 & 2 EX E19' of S22'	42	ROSE GARDEN
BROOKS LAWRENCE L & ELKA 409 W ROSA SHAWNEE, OK 74804	3-4	42	ROSE GARDEN
ROSS CHRIS FAMILY IRR TRUST 6108 BETHEL RD SHAWNEE, OK 74804	5-6	42	ROSE GARDEN
PYEATT STACEY J & KEVIN R 5742 S NUCLA CT CENTENNIAL, CO 80015	7-8	42	ROSE GARDEN
HIBBEN THOMAS D & KATHRYN 419 W ROSA SHAWNEE, OK 74804	9-10	42	ROSE GARDEN
MARINI DOMENICA 15 DELL CIR TRUMBULL, CT 06611	11-12	42	ROSE GARDEN
MARINI DOMENICA 15 DELL CIR TRUMBULL, CT 06611	13-16	42	ROSE GARDEN

RICK CHRISTOPHER & KATHRYN A P O BOX 1445 SHAWNEE, OK 74802			BLK 42 A PART OF LOTS 17, 18, 19 & 20 BEGINNING SW/C OF LOT 17 N 39' POB S43°57'11"E47.38' E66.99' TO A POINT ON THE EAST LINE OF LOT 20 BEING 5' NORTH OF THE SE/C OF LOT 20 N135' TO THE NE/C OF LOT 20 W100' TO THE NW/C OF LOT 17 S101' POB (ROSE GARDEN)
BARRON INVESTMENT INC 2101 N KICKAPOO SHAWNEE, OK 74804	S/2 OF 17-20	31	ROSE GARDEN
HOSTER KIRK F & DARIA LYNN 45 SERENADA CT SHAWNEE, OK 74804	21-22	31	ROSE GARDEN
ROSS CHRIS FAMILY IRR TRUST 6108 BETHEL RD SHAWNEE, OK 74804	23-24	31	ROSE GARDEN
ENGLER CONNIE L & TRAVIS R & TREVER R ENGLER 123 W CHICAGO SHAWNEE, OK 74804	25-26	31	ROSE GARDEN
DENHAM ALLEN A 1110 N 13TH TECUMSEH, OK 74873			BLK 1 E210' LOT 1 LESS A TR TO CITY DESCRIBED AS BEG NE/C LOT 1 W5.27' N1°E59.38' N43°W23.22' E19.26' S76.44' POB CONTAINING .01AC OF NEW R-O-W (SUN SET PARK 2)
CENTURY 21 GOLDEN KEY REALTY 2004 N KICKAPOO SHAWNEE OK 74804-0000			BLK 1 BEG NE/C LOT 2 W225' S50' E35' S25' E190' N75' POB LESS .01AC (SUN SET PARK 2)
RAMSEYER PHYLLIS 2002 N KICKAPOO SHAWNEE, OK 74804			SUN SET PARK 2ND - RE- SUB LOT 3 BLK 1 E190' LOTS 1 & 2 LESS A TR TO CITY DESCRIBED AS BEG SE/C LOT 2 N25.09' W7' FOR POB N78.91' E7' S71.9' S45W9.93' POB CONTAINING .01AC OF NEW R-O-W (SUN SET PARK 2-RESUB)

STORE MASTER FUNDINGX LLC C/O GOODWILL INDUSTRIES OF CEN 316 S BLACKWELDER AVE OKLAHOMA CITY, OK 73108	1	1	FEDERAL PLAZA
KALIES PROPERTIES LLC 13204 COKER RD SHAWNEE, OK 74801			LOTS 25 THRU 30 BLK 17 LESS A TR TO CITY DESCRIBED AS BEG NW/C LOT 25 E26.83' S5' FOR POB S39*W42.32' N5.73' N45*E38.06' POB CONTAINING .01AC OF NEW R-O-W FRATELI'S ITALIAN RESTAUR (VERMILLION HEIGHTS)
HILL CHARLES F JR & MARY M TRUSTEES OF HILL FAMILY TRUST P O BOX 1341 SHAWNEE, OK 74802	31-33	17	VERMILLION HEIGHTS
BASS INVESTMENTS LLC 1121 INVERNESS CIR SHAWNEE, OK 74801	17-18	17	VERMILLION HEIGHTS
CHADWICK JOSEPH M & KATIE 1956 N LOUISA SHAWNEE, OK 74804	19-20	17	VERMILLION HEIGHTS
BROYLES CHESTER W 1958 N LOUISA SHAWNEE, OK 74804	21-22	17	VERMILLION HEIGHTS
OLI - TY PROPERTIES LLC 609 POOL CT SHAWNEE, OK 74801	23-24	17	VERMILLION HEIGHTS
ANGEL ESPERANZA MELISSA 311 W FEDERAL SHAWNEE, OK 74804	25-26	18	VERMILLION HEIGHTS
SMITH NOVIS ALINE 1955 N LOUISA SHAWNEE, OK 74804	27-28	18	VERMILLION HEIGHTS

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P18-18

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

The property requesting rezoning is described as follows:

ROSE GARDEN BLOCK 42, LOTS 21 THROUGH 23

General Location Known As:	<u>420 W. Federal Street, Shawnee, OK</u>
Current Zoning Classification:	<u>R-1; Single Family Residential District</u>
Requested Zoning Classification:	<u>C-1; Neighborhood Commercial District</u>
Proposed Use of Property:	<u>Office Building</u>
Applicant:	<u>David Carter</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 2 nd , 2019 AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
January 22 nd , 2019 AT 6:00 P.M.:	CITY OF SHAWNEE CITY COMMISSION

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone will be allotted equal time. Any formal protest must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing, please contact the Planning Department at 878-1616. A copy of the application is available for public inspection during normal working hours in the Planning Secretary's office at 222 N. Broadway.

Witness my hand this 10th day of December, 2018.


Lisa Lasyone
Lisa Lasyone, City Clerk



City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # P19-18 PUBLIC HEARING DATE: January 2 nd , 2019 CITY COMMISSION DATE: January 22 nd , 2019	
APPLICANT: Crafton Tull		14 West Edwards Street, Suite 111 Edmond, Oklahoma, 73003		Chris.Gray@craftontull.com
PROPERTY ADDRESS/LOCATION: 806 East Grant Street, Shawnee, Oklahoma, 74801				
The applicant is requesting a conditional use permit (CUP) approval to place a childcare center at 806 East Grant Street. There are currently two structures on the lot, both of which the applicant intends to demolish.				
EXISTING ZONING: C-1	EXISTING LAND USE: Childcare center	SURROUNDING ZONING & LAND USE: R-1 R-2 (w/ CUP) R-3 C-1 C-2 C-3	School District: I-93	PROPERTY SIZE: 1.68 acres

STAFF RECOMMENDATION				
The applicant has stated they intend to use the lot for a childcare center, which is what the current use is. The reason the applicant is required to apply for a conditional use permit despite the fact that this lot is already being used for a childcare center is because the applicant intends to demolish both structures due to the poor conditions of both buildings. According to the submitted application, the subject site is 1.38 acres in size and abuts the Beverly Hills Addition, the Yates Addition, and the Harrison Ridge Addition. Adjacent properties are zoned R-1 (Single Family Residential District), R-2 (Medium Density Residential District) with a conditional use permit, R-3 (Multi Family Residential District), C-1 (Neighborhood Commercial District), C-2 (Office Commercial District), and C-3 (Highway Commercial District). The requested use for a childcare center is not unprecedented, as this already is the current use of the lot. The southern section of this lot was rezoned from R-1 to C-1 on January 21st, 2003, and the northern section from R-3 to C-1 on January 20th, 2004. Staff hereby recommends approval on the requested conditional use for a childcare center.				
APPROVE		APPROVE WITH CONDITIONS		DENY
ATTACHMENTS: (CIRCLE)	SUBMITTED PLANS	PUBLIC HEARING PETITION/ APPLICATION FORM	LEGAL NOTICE	LEGAL DESCRIPTION
PUBLIC COMMENTS	AGENCY COMMENTS		RESPONSE TO STANDARDS	
Exhibit 1: Site Plan				

Key Plan

[illegible]

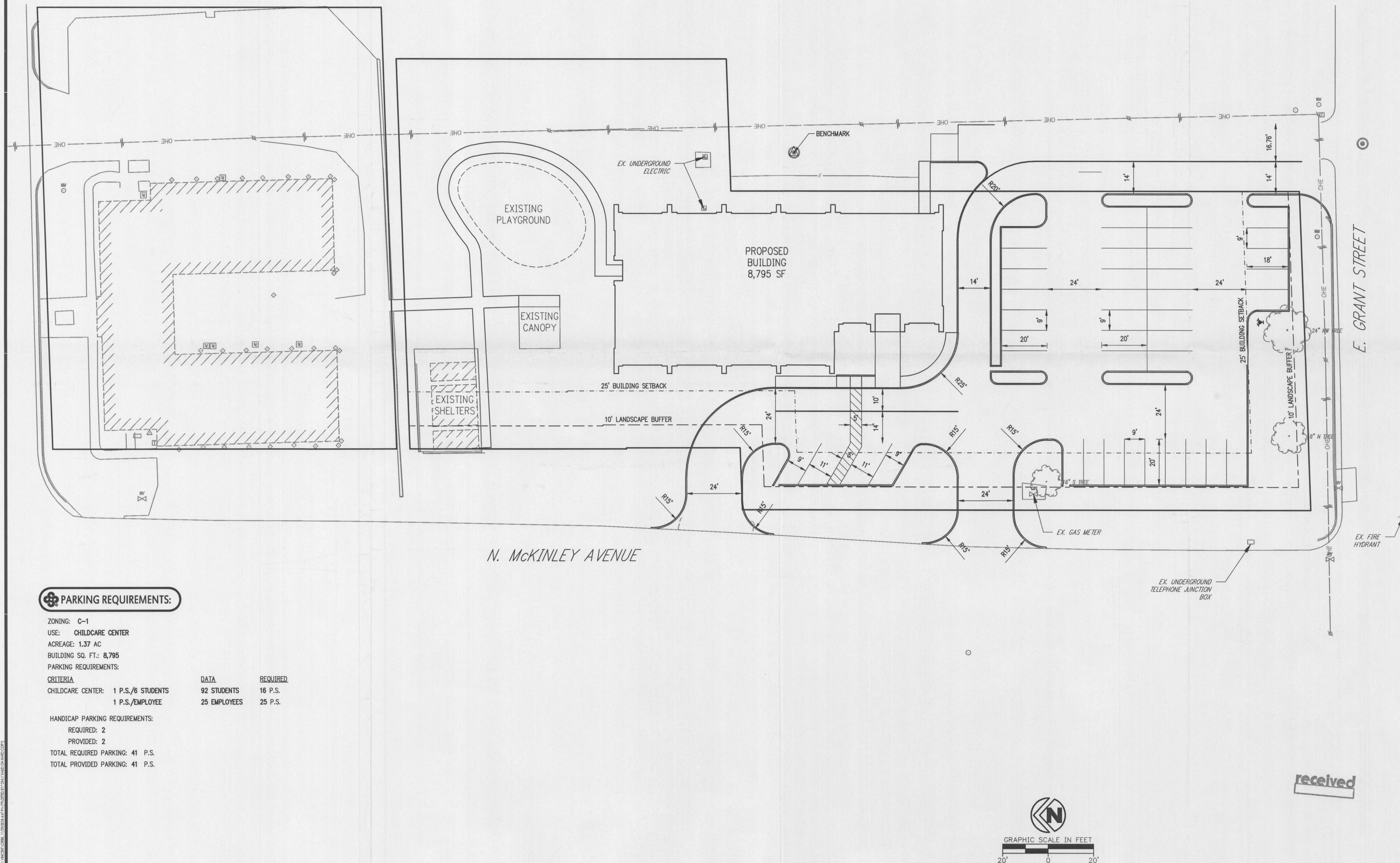
This document, and the ideas and designs incorporated herein, as an instrument of professional service, is the property of Crafton, Tull & Associates, Inc., and is not to be used, in whole or in part, for any other project, without the written authorization of Crafton, Tull & Associates, Inc.

PROJECT NO: 18615700
ISSUE DATE: 11/29/18
CONTACT: C. GRAY
CHECKED BY:

PRELIMINARY PLANS

SITE PLAN

C-102





PLANNING COMMISSION APPLICATION

Planning Department

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

For Office Use Only	
Case Number:	<u>P-19-18</u>
Project Number:	<u>187167</u>
Date Filed:	<u>11-03-2018</u>
_____ Planning Commission Secretary	

REQUEST:

☐ Rezoning
☒ Conditional Use Permit
☐ Rezoning w/Conditional Use Permit
☐ Planned Unit Development

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from NEIGHBORHOOD COMMERCIAL District to NEIGHBORHOOD COMMERCIAL District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 1535 N MCKINLEY, SHAWNEE, OKLAHOMA 74801

LEGAL DESCRIPTION: SEE ATTACHED

PROPERTY OWNER (S): CENTRAL TRIBES OF THE SHAWNEE AREA, INC

PROPERTY AGENT (APPLICANT): CRAFTON TULL & ASSOCIATES

APPLICANT'S ADDRESS: 14 WEST EDWARDS STREET, SUITE 111

CITY: EDMOND **STATE:** OK **ZIP:** 73003

EMAIL ADDRESS: CHRIS.GRAY@CRAFTONTULL.COM

TELEPHONE NUMBER: (405) 787-6270 **CONTACT NUMBER:** (405) 408-0377

DIMENSIONS OF PROPERTY: AREA: 59,873 SQ FT WIDTH: 199 FT
LENGTH: 396 FT FRONTAGE: 396 FT ALONG MCKINLEY
199 FT ALONG E GRANT ST.

CURRENT ZONING: C1 **CURRENT USE:** CHILDCARE CENTER

PROPOSED ZONING: C1 **PROPOSED USE:** CHILDCARE CENTER

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

**APPLICATION, OFFICIAL OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING**


SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. 0237779

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.:** _____

CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA)
) §:
COUNTY OF POTTAWATOMIE)

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

Lots One (1), Two (2), Three (3), Four (4), Five (5), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15) and Sixteen (16), Block Forty-nine (49), BEVERLY HILLS ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof; AND A tract of land described as beginning 172.50 feet West and 50 feet North of the Southeast Corner of Block Four (4), YATES ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof; thence West 171.50 feet; thence North 95.30 feet; thence East 171.50 feet; thence South 95.30 feet to the point of beginning; AND A tract of land described as beginning 25 feet East of the Southwest Corner of Block Four (4), YATES ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof; thence North 50 feet; thence East 171 feet; thence South 50 feet; thence West 171 feet to the point of beginning.

AND

Beginning 151.15 feet North and 150 feet West of the Southeast corner of Block Four (4), YATES ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof; thence West 194 feet; thence North 151.15 feet; thence East 194 feet; thence South 151.15 feet to the point of beginning.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (4), both inclusive.

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

Dated: November 16, 2018 at 7:30 AM

First American Title Insurance Company

By: 

Michelle Cook
Abstractor License No. 3286

OAB Certificate of Authority # 017
File No. 2368962-SH99

OWNERSHIP LIST**ORDER NO. 2368962**

DATE PREPARED: November 29, 2018

EFFECTIVE DATE: November 16, 2018 @ 7:30 am

OWNER	LOT	BLK	ADDITION
CENTRAL TRIBES OF THE SHAWNEE AREA 1535 N MCKINLEY SHAWNEE, OK 74801			LOTS 1 THRU 5 & LOT 11 EXCEPT 10' X 15' NW/C & LOTS 12 THRU 16, BLK 49 BEVERLY HILLS
CENTRAL TRIBES OF THE SHAWNEE AREA 1535 N MCKINLEY SHAWNEE, OK 74801			BEG 151.15'N 150'W SE/C BLK 4 W194' N151.15' E194' S151.15' POB SEVIECE MALL YATES
ONE GAS INC ATTN: ACCOUNTS PAYABLE PO BOX 21049 TULSA, OK 74121			10'x15' NW/C OF LOT 11, BLK 49 BEVERLY HILLS
CENTRAL TRIBES OF THE SHAWNEE AREA 1535 N MCKINLEY SHAWNEE, OK 74801			BEG 172.5'W & 50'N SE/C BLK 4 W171.5' N95.30' E171.5' S95.30' POB .38AC YATES
CENTRAL TRIBES OF THE SHAWNEE AREA 1535 N MCKINLEY SHAWNEE, OK 74801			BEG 25'E SW/C BLK 4 N50' E171' S50' W171' POB YATES
CLEEK RAMONA J TRUST 13001 VINEHAVEN BLVD OKC, OK 73170	17-18	49	BEVERLY HILLS
JOHNSON JEROME L & SHIRLEY J 2009 REVOCABLE TRUST 1311 N 1082 RD LAWRENCE, KS 66046			LOTS 20 THRU 22 LESS BEG SE/C LOT 22 W20' N44*51'E28.28' S20' POB, BLK 49 BEVERLY HILLS
SHAWNEE MEMORIALS INC 1311 N 1082 RD LAWRENCE, KS 66046	19	49	BEVERLY HILLS
SHAWNEE MEMORIALS INC 1311 N 1082 RD LAWRENCE, KS 66046	9-10	49	DEXTER'S 2
SHAWNEE MEMORIALS INC 1311 N 1082 RD LAWRENCE, KS 66046	8	49	DEXTER'S 2

MORGAN TIRE & AUTO INC ATTN TAX DEPT 535 MARRIOTT DR NASHVILLE, TN 37214			BEG SE/C BLK 4 W172.5' N100' E172.5' S100' POB .40AC YATES
CHRIS CARRELL INSURANCE LLC 1400 N HARRISON SHAWNEE, OK 74801			BEG 100'N SE/C BLK 4 W172.5' N51.5' E172.5' S51.5' POB YATES
CHURCH 1420 N HARRISON SHAWNEE, OK 74801			E150' OF N1/2 BLK 4 (FAMILY WORSHIP CENTER) YATES
KFC US PROP INC P O BOX 35370 LOUISVILLE, KY 40232			BEG SE/C BLK 3 YATES ADDN W ALG S LINE OF BLK 3 200' N153.60' E200' S153.60' POB KENTUCKY FRIED CHICKEN YATES
DREW HOLDINGS LLC 1410 N HARRISON SHAWNEE, OK 74801			LESS N16.4' OF E200' & W170' BLK 3 LESS BEG SE/C W200' N153.60' E200' S153.60' POB LESS .13 AC (REC#2009-361 DR. DREW DENTAL OFFICE) YATES
STORE MASTER FUNDINGVI LLC 27 E SHERIDAN AVE OKC, OK 73104	1	1	HARRISON RIDGE RP TACO BELL (JIMMY'S EGG)
ALKO CORPORATION ANOKLA CORP ATTN REAL ESTATE DEPT. PO BOX 28606 ATLANTA, GA 30358			(A RE-SUB OF BYLERS & W 170' BLK 3 YATES) BLK 1 LOT 1 (UPS)
CLINTON TRADE CENTERLLC & HINTON TRADE CENTER LLC 11217 E RENO YUKON, OK 73099			BEG NE/C BLK 5 W230' S175' E230' N175' POB .92AC CLINTON TRADE CENTER LLC 50% INT & HINTON TRADE CENTER LLC 50% YATES
WEBLEY DARIN EUGENE& SHELLY R 7440 B JOHNSON RD SHAWNEE, OK 74804			BEG 25'W & 70'N SE/C BLK 5 N70' W185.5' S70' E185.5' POB YATES
CROSSROADS YOUTH & FAMILY SER INC 1650 W TECUMSEH RD SUITE 500 NORMAN, OK 73069			BEG 25'W SE/C BLK 5 N70' W185' S70' E185' POB .30AC YATES
D R B REVOCABLE TRUST 3121 SE 36TH AVE NORMAN, OK 73026			BEG SW/C BLK 5 N315' E140' S315' W140' POB 1 AC M/L AND BEG 210'W SE/C BLK 5 N140' W18.5' S140' E18.5' POB .06 AC 1529-1531 MARTIAL ARTS YATES

CROSSROADS YOUTH & FAMILY SER INC 1650 W TECUMSEH RD SUITE 500 NORMAN, OK 73069	1-4	48	BEVERLY HILLS
D R B REVOCABLE TRUST 3121 SE 36TH AVE NORMAN, OK 73026	9-10	48	BEVERLY HILLS
HURST JACK & DORIS 18 SENECA DR SHAWNEE, OK 74801	6-8	48	BEVERLY HILLS
BROWN GREG DBA GREGBROWN HOME 2510 E INDEP # 400 SHAWNEE, OK 74804	15-16	48	BEVERLY HILLS
VINEYARD CASTLEBERRYCAPITOL HOLDINGS LLC P.O. BOX 1801 SHAWNEE, OK 74802	17-18	48	BEVERLY HILLS
LARABEE TRUDY LYNN TRS 1506 N MCKINLEY SHAWNEE, OK 74801	5 & N35' OF 19-24	48	BEVERLY HILLS
ORANGETREE II LLC 295 E HIGHWAY 50 STE 5 CLERMONT, FL 34711	S90' OF 19 & 20	48	BEVERLY HILLS
TAYLOR EARNEST W & COURTNEY GILLEY & KELSEY GILLEY 1502 N MCKINLEY SHAWNEE, OK 74801	S90' OF 21-24	48	BEVERLY HILLS
WREN RAY ALVIN & VERNA PAULINE 1423 N TUCKER SHAWNEE, OK 74801	N75' OF 9-14	37	BEVERLY HILLS
ACOCK PROPERTIES LLC 2026 N BEARD AVE SHAWNEE, OK 74804	7-8	37	BEVERLY HILLS
TAYLOR EARNEST 1502 N MCKINLEY SHAWNEE, OK 74801	N65' & VAC ALLEY ADJ LOTS 3-6	37	BEVERLY HILLS
DUGGAN ELDON C & CYNTHIA L 1418 N MCKINLEY SHAWNEE, OK 74801	S60' OF 3-6	37	BEVERLY HILLS
COWAN FAMILY PROPERTIES LLC 18 FAIRVIEW LN SHAWNEE, OK 74804	20-22	37	BEVERLY HILLS
TRINITY BAPTIST CHURCH 1315 N MCKINLEY SHAWNEE, OK 74801	23	37	BEVERLY HILLS

COWDEN G RANDY & JOYE E 1902 KATIE RD SHAWNEE, OK 74804	7-9	36	DEXTER'S 2
CITY OF SHAWNEE P O BOX 1448 SHAWNEE, OK 74802		6-9	MCDIVITT
CITY OF SHAWNEE P O BOX 1448 SHAWNEE, OK 74802			NW4 17-10N-4E SHAWNEE FAIRVIEW CEMETERY

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P19-18

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

The property requesting rezoning is described as follows:

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), ELEVEN (11), TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15) AND SIXTEEN (16), BLOCK FORTY-NINE (49), BEVERLY HILLS ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; AND A TRACT OF LAND DESCRIBED AS BEGINNING 172.50 FEET WEST AND 50 FEET NORTH OF THE SOUTHEAST CORNER OF BLOCK FOUR (4), YATES ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, THENCE WEST 171.50 FEET; THENCE NORTH 95.30 FEET; THENCE EAST 171.50 FEET; THENCE SOUTH 95.30 FEET TO THE POINT OF BEGINNING; AND A TRACT OF LAND DESCRIBED AS BEGINNING 25 FEET EAST OF THE SOUTHWEST CORNER OF BLOCK FOUR (4), YATES ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF; THENCE NORTH 50 FEET; THENCE EAST 171 FEET; THENCE SOUTH 50 FEET; THENCE WEST 171 FEET TO THE POINT OF BEGINNING

General Location Known As:	<u>806 E. Grant Street, Shawnee, OK</u>
Current Zoning Classification:	<u>C-1; Neighborhood Commercial District</u>
Requested Zoning Classification:	<u>C-1; Neighborhood Commercial District (w/ CUP)</u>
Proposed Use of Property:	<u>Childcare Center</u>
Applicant:	<u>Crafton Tull & Associates</u>

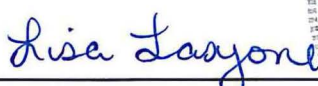
The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.

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

January 2 nd , 2019 AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
January 22 nd , 2019 AT 6:00 P.M.:	CITY OF SHAWNEE CITY COMMISSION

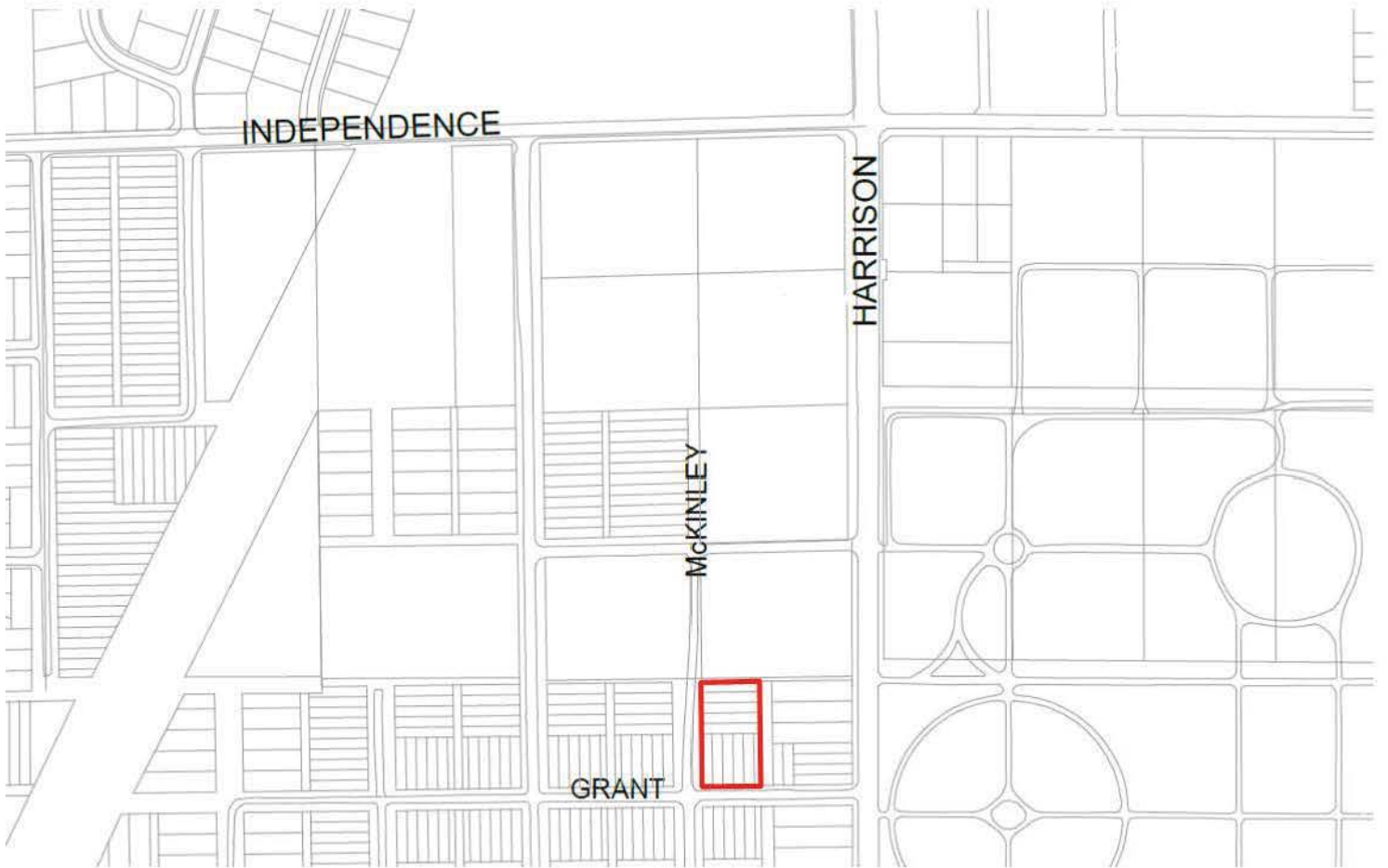
At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the conditional use. The Commission reserves the right to limit discussion and debate on the proposed conditional use in the public hearing, in which event those persons appearing in support or opposition of the proposed conditional use 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 10th day of December, 2018.



Lisa Lasyone, City Clerk





City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # P20-18 PUBLIC HEARING DATE: January 2 nd , 2019 CITY COMMISSION DATE: January 22 nd , 2019	
APPLICANT: Kevin Drechsel	32590 County Highway 3 Erhard, Minnesota, 56534			
PROPERTY ADDRESS/LOCATION: 3 Burlison Road, Shawnee, Oklahoma, 74804				
The applicant is requesting a conditional use permit (CUP) approval to place a manufactured home at 3 Burlison Road There are currently no structures on the lot.				
EXISTING ZONING: A-1	EXISTING LAND USE: Vacant	SURROUNDING ZONING & LAND USE: A-1	School District: I-3	PROPERTY SIZE: 1.07 acres

STAFF RECOMMENDATION				
The applicant has stated they intend to use the lot for a manufactured home. As per Table 22-155.2.1 of the Zoning Ordinance, manufactured homes are permitted under a conditional use in the A-1 district. According to the submitted application, the subject site is 1.07 acres in size. Adjacent properties are zoned A-1 (Rural Agricultural) The requested use for a manufactured home is not unprecedented. There is already another manufactured home at the end of Burlison Road. Staff hereby recommends approval on the requested conditional use for a manufactured home.				
APPROVE		APPROVE WITH CONDITIONS		DENY
ATTACHMENTS: (CIRCLE)	SUBMITTED PLANS	PUBLIC HEARING PETITION/ APPLICATION FORM	LEGAL NOTICE	LEGAL DESCRIPTION
PUBLIC COMMENTS		AGENCY COMMENTS		RESPONSE TO STANDARDS



PLANNING COMMISSION APPLICATION

Planning Department

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

For Office Use Only	
Case Number:	<u>P-2018</u>
Project Number:	<u>181197</u>
Date Filed:	<u>12-07-2018</u>
_____ Planning Commission Secretary	

REQUEST:

☐ Rezoning
☒ Conditional Use Permit
☐ Rezoning w/Conditional Use Permit
☐ Planned Unit Development

I, the undersigned, do hereby respectfully make application and petition to the City Commission to amend the zoning map, and to change the zoning district of the Shawnee area, from A1 District to A1P District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): _____

LEGAL DESCRIPTION: SEE Warranty deed

PROPERTY OWNER (S): Kevin Drechsel

PROPERTY AGENT (APPLICANT): Same

APPLICANT'S ADDRESS: N/A

CITY: Shawnee **STATE:** MN **ZIP:** 74801

EMAIL ADDRESS: N/A

TELEPHONE NUMBER: (214) 731 5102 **CONTACT NUMBER:** (214) 731 5102

DIMENSIONS OF PROPERTY: AREA: _____ WIDTH: 466.66
LENGTH: 466.66 FRONTAGE: _____

CURRENT ZONING: A1 **CURRENT USE:** A1

PROPOSED ZONING: A1P **PROPOSED USE:** Mobile home

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

**APPLICATION, OFFICIAL OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING**

Kevin Drechsel
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. _____

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.:** _____

CERTIFICATE OF BONDED ABTRACTOR
(300 FEET RADIUS REPORT)

STATE OF OKLAHOMA)
) §:
COUNTY OF POTTAWATOMIE)

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

Beginning at the Northwest Corner of the Northeast Quarter of Section Twenty-one (21), Township Ten (10) North, Range Two (2), East of Indian Meridian, THENCE South 466.69 feet; THENCE East 466.69 feet; THENCE North 466.69 feet; THENCE West 466.69 feet to the point of beginning, containing 5 Acres more or less situated in the Northwest Corner of the Northeast Quarter of the Northeast Quarter of Section Twenty-one (21), Township Ten (10) North, Range Two (2) East of the Indian Meridian, Pottawatomie County.

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

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

Dated: November 16, 2018 at 7:30 AM

First American Title Insurance Company

By: 

Michelle Cook
Abstractor License No. 3286
OAB Certificate of Authority # 017
File No. 2368344-OK99

OWNERSHIP LIST

ORDER NO. 2368344

DATE PREPARED: November 27, 2018

EFFECTIVE DATE: November 16, 2018 @ 7:30 am

OWNER	LOT	BLK	ADDITION
DRECHSEL KEVIN ALLEN 32590 COUNTY HWY 3 ERHARD, MN 56534			BEG NW/C NE NE S466.69' E466.69' N466.69' W466.69' POB LESS 20' EASEMENT (NE4 21-10N-2E)
DRECHSEL KEVIN ALLEN 32590 COUNTY HWY 3 ERHARD, MN 56534			BEG 466.89'S NW/C NE NE E466.69' S203' W466.69' N203' POB & 20' EASEMENT (NE4 21-10N-2E)
HASKINS TRENT & AUTUMN 9 BURLISON SHAWNEE, OK 74801			BEG 669.69'S NW/C NE NE S373.35' E466.69' N373.35' W466.69' POB & BEG 1043.04'S NW/C NE NE S93.34' E466.69' N93.34' W466.69' POB (NE4 21-10N-2E)
UNITED LAND INVESTMENTS LLC P O BOX 30057 EDMOND, OK 73003			SW/4 NE/4 & SE/4 NW/4 & E/2 NE/4 LESS BEGINING NE/C NE/4 SOUTH 8 RODS WEST 20 RODS NORTH 8 RODS EAST 20 RODS POB & LESS BEGINNING NW/C NE/4 NE/4 E823.69' S466.69' W357' S669.69'W466.69' N1136' POB & LESS BEGINNING 132'S NE/C NE/4 W330' S132' E330' N132' POB & LESS BEGINNING 330'W NE/C NE/4 NE/4 S466.69' W166.31' N466.69' E166.31' POB & LESS BEGINNING 853.31'W & 1136.38'S NE/C NE/4 NE/4 S174' W466.69' N174' E466.69' POB (NE4 21-10N-2E)
GIDDENS JAMES R & PAIGE 31807 LAKE RD SHAWNEE, OK 74804			BEG 466.69'E NW/C NE NE E153' S466.69' W153' N466.69' POB (NE4 21-10N-2E)
CITY OF SHAWNEE XXXXXXXXXX, OK 00000			NE NW & NW NE (NE4 21-10N-2E)
COMMISSIONERS OF LAND OFFICE 204 N ROBINSON AVE STE 900 OKC, OK 73102			SHAWNEE SCHOOL LAND S/2 OF SECTION (LESS 57.95 ACRES, PLATTED INTO SHAWNEE SCHOOL LAND LOTS 1-45) (S/2 16-10N-2E)

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P20-18

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

The property requesting rezoning is described as follows:

Beginning at the Northwest Corner of the Northeast Quarter of Section Twenty-one (21), Township Ten (10) North, Range Two (2), East of Indian Meridian, THENCE South 466.69 feet; THENCE East 466.69 feet; THENCE North 466.69 feet; THENCE West 466.69 feet to the point of beginning, containing 5 Acres more or less situated in the Northwest Corner of the Northeast Quarter of the Northeast Quarter of Section Twenty-one (21), Township Ten (10) North, Range Two (2) East of the Indian Meridian, Pottawatomie County.

General Location Known As:	<u>3 Burlison Road, Shawnee, OK</u>
Current Zoning Classification:	<u>A-1; Rural Agricultural District</u>
Requested Zoning Classification:	<u>A-1; Rural Agricultural District (w/ CUP)</u>
Proposed Use of Property:	<u>Manufactured Home</u>
Applicant:	<u>Kevin Drechsel</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 2 nd , 2019	AT 1:30 P.M.:	CITY OF SHAWNEE PLANNING COMMISSION
January 22 nd , 2019	AT 6:00 P.M.:	CITY OF SHAWNEE CITY COMMISSION

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



Lisa Lasyone
Lisa Lasyone, City Clerk

