

AGENDA
PLANNING COMMISSION
OCTOBER 4, 2023 AT 1:30 PM
COMMISSION CHAMBERS AT CITY HALL
16 WEST 9TH STREET
SHAWNEE, OKLAHOMA

Official action can only be taken on items which appear on the agenda. The public body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When more information is needed to act on an item, the public body may refer the matter to Staff or back to Committee or the recommending body. Under certain circumstances, items are deferred to a future date or stricken from the agenda entirely.

CALL TO ORDER

DECLARATION OF QUORUM

1. Consideration of approval of the Minutes from the August 2, 2023, regular meeting.
2. Case No. RZ11-23 -- Public hearing and consideration of a request to rezone from A-1 (Rural Agricultural District) to I-2 (Light Industrial District) property located at 7109 N. Kickapoo Avenue.
3. Planning Commission Training - Part Four
4. Community Development Department Updates
5. Commissioners Comments
6. Adjournment

Respectfully submitted,



Rachel Clyne, Secretary

The City of Shawnee encourages participation from its citizens in public meetings. If participation is not possible due to a disability, notify the City Clerk, in writing, at least forty-eight hours prior to the scheduled meeting, and necessary accommodations will be made. (ADA 28 CFR 36)

REGULAR PLANNING COMMISSION MINUTES

DATE: August 2, 2023

DRAFT MINUTES

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a regular meeting on August 2, 2023, at 1:30 p.m., according to notice duly posted as prescribed by law.

Chair Reese called the meeting to order at **1:30 p.m.** Community Development Director Rian Harkins called Roll and stated a quorum was present.

The following Commissioners were present:

Present: Johnson, Reese, Barrett, Rowell, Walker, Porter

Absent: Mew-Palmer

Item 1. Approval of Minutes – Regular Meeting

Consideration of approval of the minutes from the regular meeting of July 5, 2023. Chair Reese asked for questions or corrections to the minutes.

Commissioner Johnson made a motion to **Approve** the amended minutes as presented, which Commissioner Barrett seconded.

Motion **passed 6-0-0.**

Aye: Johnson, Reese, Barrett, Rowell, Walker, Porter

Nay: None

Abstain: None

Item 2. Case No. CUP02-23 – Public hearing and consideration of a request for a Conditional Use Permit (CUP) for telecommunications housing on property located at 43008 E. MacArthur Street.

City Planner Rachel Clyne provided a staff report and the following information and recommendation.

Findings and Facts:

- The subject property is located in C-3 zoning (Highway Commercial District) and conforms with the Comprehensive Plan.
- The proper notification for a public hearing was served.
- The application was reviewed, and conditions are recommended.
- The proposed structures will be fenced and screened as required by the Zoning Code.

Chair Reese opened the public hearing. The applicants, Donna and Tim Russell were present and available for questions. The applicants advised that the representatives for companies placing the telecommunications housing, Bluepeak and MBO, were present. With no other public input, the public hearing was closed.

Based on the review of the application and the listed Findings, staff recommended that the Planning Commission recommend to the City Commission **APPROVAL** of CUP02-23 to locate telecommunications housing on property located at 43008 E. MacArthur Street with the following conditions:

- Acknowledgment by the applicant that the Approval of a Conditional Use Permit (CUP) does not negate or circumvent the other requirements of development as stated in the City Codes, which include the Zoning Code and the adopted Building and Fire Codes.
- Acknowledgment by the applicant that additional permits may be required and standard inspections will be conducted.

Commissioner Barrett made a motion to recommend the **APPROVAL**, with the listed conditions, of Case No.

CUP02-23, which Commissioner Porter seconded.

Motion **passed 6-0-0.**

Aye: Johnson, Reese, Barrett, Rowell, Walker, Porter

Nay: None

Abstain: None

It was noted the application would be on the agenda of the City Commission at its regular meeting on August 21, 2023, at 6:00 p.m.

Item 5. Planning Commission Training Session – Part Three

Director Harkins presented a PowerPoint presentation discussing Development Tools and Financing.

Tax Increment Financing

- Authorized by the Oklahoma Local Development Act
- Facilitates development or redevelopment in areas unsuitable due to certain enumerated conditions
- Must be part of holistic community development plan that considers impacts to taxing jurisdictions
- Care must be taken not to “force” a project without sufficient inherent economic viability
- Most commonly used to fund infrastructure improvements or remediate natural hazards or environmental conditions
- Financing can be “up front” or over time.

Business Improvement Districts

- Require voluntary participation to form and govern
- Assessment methodology is set forth in the authorizing statute
- Most often used for installation and maintenance of streetscape, wayfinding and other placemaking projects

Leveraging/Coordinating Resources

- Housing Development
- LIHTC, HOME
- Business Retention and Expansion
- Tourism Promotion

Plan Historic Preservation and Preservation Districts

- Main Street Programs
- Business Improvement Districts
- Code Enforcement
- Capital Improvement Plan Implementation Strategies

Grants and Grant Management

- Non-Federal Funding
 - Foundations
 - Civic Groups
 - State Agencies
- Popular Federal Funding Sources
 - CDBG
 - USDA Rural Development
 - SBA/EDA
- Areas of Focus:
 - Building Internal Capacity
 - Needs Assessment
 - Opportunity Universe

- Application Development
- Compliance and Implementation

Plan Implementation Strategies

- Requests for Proposals (RFPs) and Requests for Qualifications (RFQs)
- Using Consultants and Outside Resources

Item 6. Community Development Update

Community Development Director Harkins advised the Planning Commission that the meeting was being recorded and was airing on YouTube. With the continuing strive for transparency, the Planning Commission was the first advisory board to be recorded and aired. Harkins stated that staff had received the signage section of the UDC project and had returned comments to the consultant. Harkins stated the UDC would complement the Twin Lakes Master Plan to reduce conflict in the Code's language. He stated that the final drafts for the Santa Fe Depot roof were nearing completion, and the Senior Center roof also needed repair. Next, Harkins announced that staff received five (5) more prototypes for the infill housing project, and they were currently undergoing internal review. Lastly, Director Harkins stated that Love Your Block (LYB) mini-grants were being processed. There are four projects: three (3) residential and one (1) commercial.

Item 7. Planning Commissioners' Comments

The Commissioners thanked staff for their work, for keeping them informed, and for the transparency provided by live streaming the meeting.

Item 8. Adjournment

The meeting adjourned at **2:07 p.m.**

Chair/Vice-Chair

Date

City Planner

Date



Planning Commission Meeting – 10.4.2023 – City of Shawnee, Oklahoma

Staff Report | RZ11-23 | A-1 to I-2 | 7109 N. Kickapoo Ave.

Date: 9.27.2023

To: Shawnee Planning Commission

From: Rachel Clyne, City Planner

Subject: **Staff Report** - Public hearing and consideration of a request to rezone from A-1 (Rural Agricultural District) to I-2 (Light Industrial District) property at 7109 N. Kickapoo Avenue.
Case No. **RZ11-23** | Applicant: Oklahoma Gas & Electric Company

Background

The subject property is located at 7109 N. Kickapoo Avenue and contains approximately 3.97 acres. The request is to rezone the property from A-1 (Rural Agricultural District) to I-2 (Light Industrial District). The proposed use is an OG&E electrical substation.

Discussion

The land adjacent to the east, south, and west are zoned A-1 (Rural Agricultural District). The property adjacent to the north is zoned I-2 (Light Industrial District). If approved, this action would continue the industrial zoning and uses located southeast of the intersection of N. Kickapoo Avenue and Wolverine Road. The Comprehensive Plan Future Land Use Map (FLUM) indicates that the subject property has the designation of Industrial Land Use. The proposed zoning change is in conformance with the 2040 Comprehensive Plan.

Referencing the City of Shawnee Zoning Code (Code) DIVISION 15. - Amendments; Procedures. Section 22-645. – Planning commission recommendation required. This section gives authority to the Planning Commission to make changes (amendments) to the official Zoning Map. *"...be amended, supplemented, changed, modified, or repealed by ordinance, but no change shall be made until the planning commission, after notice and public hearing, files with the city commission a report and recommendation on the proposed change."*

Staff completed the required public hearing notifications for this application. All property owners within 300' from the perimeter of the subject property were mailed a public hearing notification letter. Additionally, a notice of a public hearing was published in The County Democrat weekly newspaper. A sign providing details and contact information was placed on the subject property.

Findings and Facts:

- The subject property is adjacent to land with the desired zoning district I-2 (Light Industrial District)
- The request is in conformance with the Comprehensive Plan Future Land Use Map (FLUM).
- The proper notification for a public hearing was served.

Recommendation Options:

- Recommending Approval of Case No. RZ11-23 to rezone from A-1 (Rural Agricultural District) to I-2 (Light Industrial District) as requested by the applicant.
- Recommending Denial of the application for RZ11-23 to rezone the subject property.
- Recommending Deferral Case No. RZ11-23 with a request for additional and specific information to a certain date.

Recommendation: Based on the Findings and Facts, staff recommends that the Planning Commission recommend to the City Commission **APPROVAL** of **RZ11-23** to rezone the subject property from A-1 (Rural Agricultural District) to I-2 (Light Industrial District).

This rezoning application will be heard at the City Commission meeting on Monday, October 16, 2023, at 6:00 pm.

PLANNING COMMISSION APPLICATION



City of Shawnee
Community Development
Department

16 W. 9th Street
Shawnee, OK 74801
(405) 878-1672
www.ShawneeOK.org

For Office Use Only

Case Number: _____

Project Number: _____

Date Filed: _____

Planning Commission Secretary

REQUEST:

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

PROPERTY LOCATION (STREET ADDRESS): 7109 N. Kickapoo

LEGAL DESCRIPTION: Part of the SW/4 of Section (19) - T(11)N - R(4)E

PROPERTY OWNER(S): Escobedo, LLC

PROPERTY APPLICANT: Oklahoma Gas and Electric Company - (Ford Fentris)

APPLICANT'S ADDRESS: P.O. Box 321, M109

CITY: Oklahoma City **STATE:** OK **ZIP:** 73101

EMAIL ADDRESS: fentris@oge.com

TELEPHONE NUMBER: (405) 553-5991 **CONTACT NUMBER:** (405) 551-0500

DIMENSIONS OF PROPERTY: **AREA:** 3.97 acres **WIDTH:** 433'

LENGTH: 400' **FRONTAGE:** 400'

CURRENT ZONING: A-1 **CURRENT USE:** Pasture

PROPOSED ZONING: I-2 **PROPOSED USE:** Electrical Substation

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.

COMPLETED APPLICATION AND ALL CORRESPONDING DOCUMENTS MUST BE RECEIVED 30 DAYS PRIOR TO MEETING TO MAKE THE AGENDA.

Ford Fentris
SIGNATURE OF APPLICANT (OG&E)

FOR STAFF USE ONLY

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

RECEIPT NO. _____

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

NOTIFICATION SIGN \$ 50.00

PLANNING COMMISSION ACTION: _____ **DATE:** _____

CITY COMMISSION ACTION: _____ **DATE:** _____

PLACE ON ZONING MAP: _____ **ORDINANCE NO.:** _____



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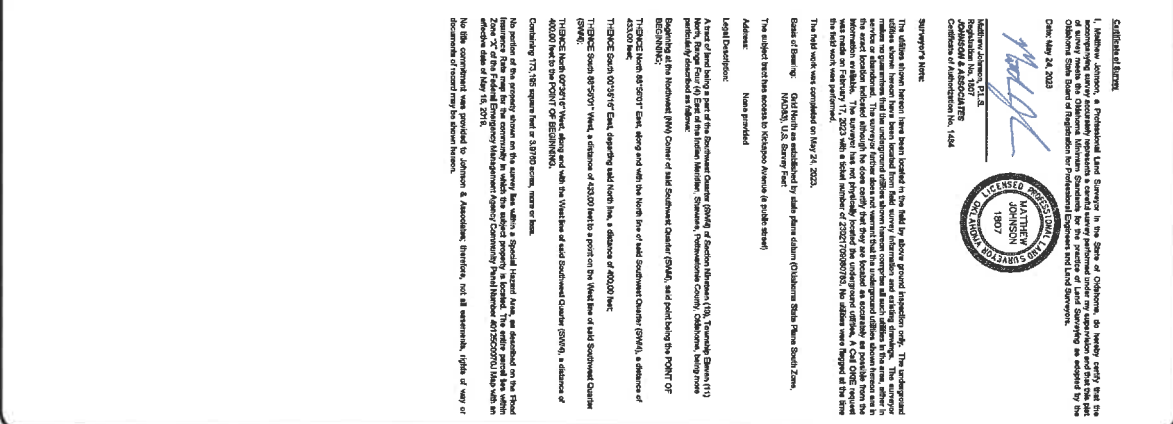
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Proj. No.: 5459
 Date: 8-3-23
 Scale: 1"=500'

OG&E - KICKAPOO ROAD
 SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA
EXHIBIT



Johnson & Associates
 1 E. Sheridan Ave., Suite 200
 Oklahoma City, OK 73104
 (405) 235-8075 FAX (405) 235-8078 www.jaokc.com
 Certificate of Authorization #1484 Exp. Date: 06-30-2025
 ENGINEERS • SURVEYORS • PLANNERS



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VPP/SLO/2013 SLO-Info.doc SLO-Info.doc

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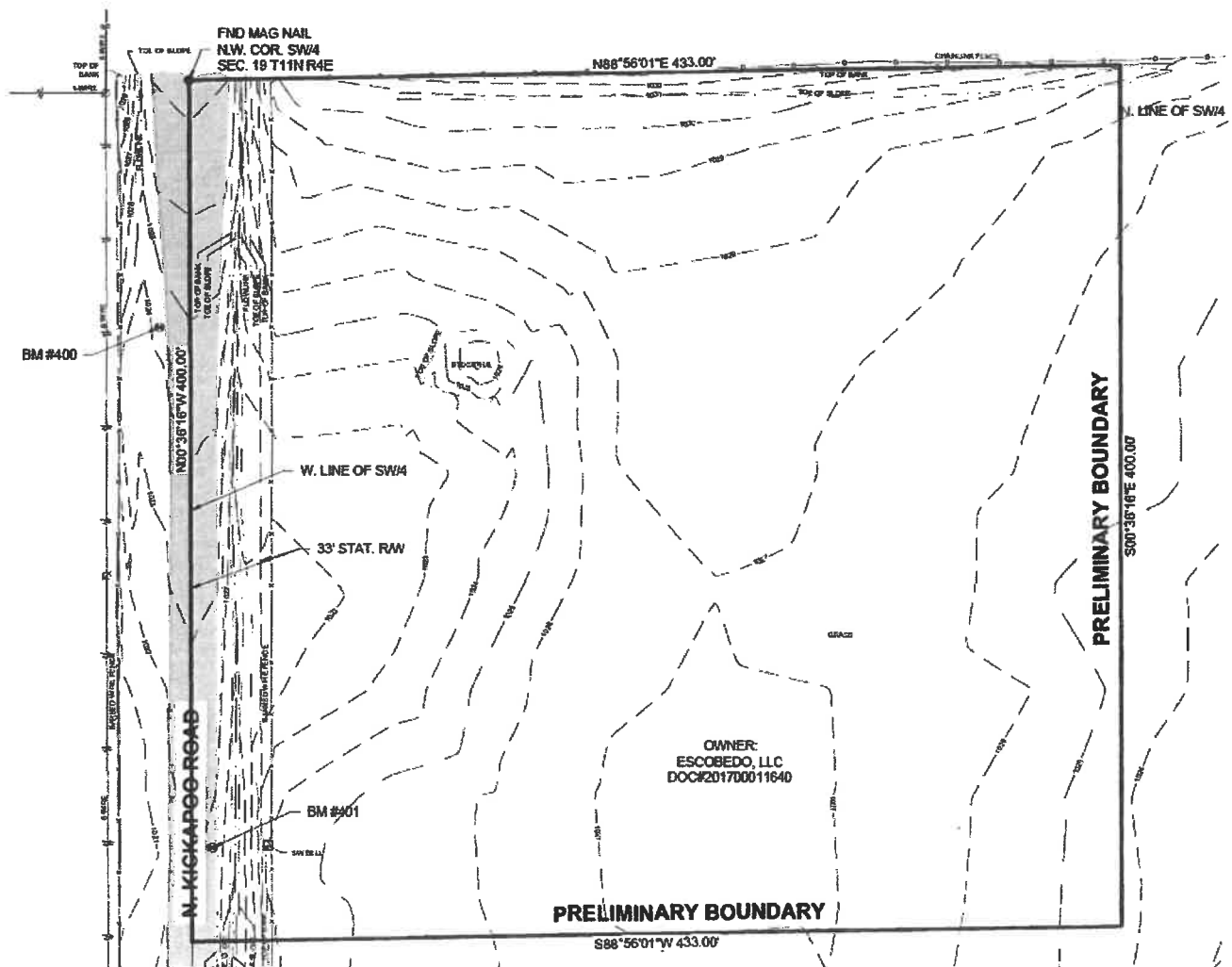


EXHIBIT A

Legal Description

The SURFACE ONLY TO:

A tract of land being a part of the Southwest Quarter (SW/4) of Section Nineteen (19), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Shawnee, Pottawatomie County, Oklahoma, being more particularly described as follows:

Beginning at the Northwest (NW) Corner of said Southwest Quarter (SW/4), said point being the POINT OF BEGINNING;

THENCE North 88°56'01" East, along and with the North line of said Southwest Quarter (SW/4), a distance of 433.00 feet;

THENCE South 00°36'16" East, departing said North line, a distance of 400.00 feet;

THENCE South 88°56'01" West, a distance of 433.00 feet to a point on the West line of said Southwest Quarter (SW/4);

THENCE North 00°36'16" West, along and with the West line of said Southwest Quarter (SW/4), a distance of 400.00 feet to the POINT OF BEGINNING.

Containing 173,195 square feet or 3.9760 acres, more or less.

Basis of Bearing: Grid North as established by state plane datum (Oklahoma State Plane South Zone NAD83). All Distances are grid distances in U.S. Survey Feet.

Publish September 1, 2023
NOTICE OF PUBLIC HEARING
Rezoning Request (RZ11-23)

It is hereby noticed that the City of Shawnee Planning Commission will hold a public hearing on October 4, 2023, at 1:30 p.m. in the Commission Chambers at City Hall, 16 W. 9th St, Shawnee, OK. The City of Shawnee City Commission will hold a public hearing on October 16, 2023, at 6:00 p.m. in the Commission Chambers at City Hall. The Planning Commission and City Commission will consider a rezoning request (**RZ11-23**) to rezone from A-1 (Rural Agricultural District) to I-2 (Light Industrial District) on a parcel located at 7109 N. Kickapoo Avenue and described as:

A tract of land being a part of the Southwest Quarter (SW/4) of Section Nineteen (19), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Shawnee, Pottawatomie County, Oklahoma, being more particularly described as follows: Beginning at the Northwest (NW) Corner of said Southwest Quarter (SW/4), said point being the POINT OF BEGINNING; THENCE North $88^{\circ}56'01''$ East, along and with the North line of said Southwest Quarter (SW/4), a distance of 433.00 feet; THENCE South $00^{\circ}36'16''$ East, departing said North line, a distance of 400.00 feet; THENCE South $88^{\circ}56'01''$ West, a distance of 433.00 feet to a point on the West line of said Southwest Quarter (SW/4); THENCE North $00^{\circ}36'16''$ West, along and with the West line of said Southwest Quarter (SW/4), a distance of 400.00 feet to the POINT OF BEGINNING. Containing 173,195 square feet or 3.9760 acres, more or less. Basis of Bearing: Grid North as established by state plane datum (Oklahoma State Plane South Zone NAD83). All Distances are grid distances in U.S. Survey Feet.

Public hearings will be held at the above times and dates. All residents and parties in interest shall have an opportunity to be heard regarding the request above.

