

AMENDED

AGENDA PLANNING COMMISSION JULY 5, 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 May 3, 2023, regular meeting.
2. Public hearing and consideration of a request for a Conditional Use Permit (CUP) for a brewery/taproom at the property located at 313 East Main Street. Case No. CUP01-23 | Applicant: Vortex Alley Brewing, LLC.
3. Public hearing and consideration of a request to rezone from I-2 (Light Industrial District) and R-1 (Single-Family Residential District) to A-1 (Rural Agricultural District) on property located at 1804 W. Dewey Street. Case No. RZ10-23 | Applicant: Larry LeRay
4. Review and consider the proposed text amendment to Section 22-295 of the Zoning Code regarding Traditional Neighborhood (TN) infill standards. Case No. TXT01-23
5. Planning Commission Training Session -- Part Two
6. Community Development Department Updates
7. Commissioners Comments
8. Adjournment

Respectfully submitted,

A handwritten signature in blue ink that reads "R. Clyne". The signature is written in a cursive, flowing style.

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: May 3, 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 May 3, 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: Walker, Johnson, Reese, Barrett, Porter, Rowell, Mew-Palmer

Absent: none

Item 1. Approval of Minutes – Regular Meeting

Consideration of approval of the minutes from the regular meeting of March 1, 2023. Chair Reese asked for questions or corrections to the minutes.

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

Motion **passed 7-0-0.**

Aye: Walker, Johnson, Reese, Barrett, Porter, Rowell, Mew-Palmer

Nay: None

Abstain: None

Item 2. Case No. **RZ04-23** – Public hearing and consideration of a request to rezone from C-1 (Neighborhood Commercial District) to C-3 (Automotive Commercial District) on property located at 1320 N. Harrison Avenue.

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

Findings and Facts:

- The subject property is located along a Commercially zoned strip of N. Harrison Avenue, an arterial street.
- The request, if approved, increases the conformance with the Comprehensive Plan.
- The proper notification for a public hearing was served.

Based on the Findings and Facts, staff recommended that the Planning Commission recommend to the City Commission **APPROVAL** of **RZ04-23** to rezone the subject property from C-1 (Neighborhood Commercial District) to C-3 (Automotive Commercial District).

Commissioner Johnson made a motion to recommend the **Approval** of Case No. RZ04-23, which Commissioner Mew-Palmer seconded.

Motion **passed 7-0-0.**

Aye: Walker, Johnson, Reese, Barrett, Porter, Rowell, Mew-Palmer

Nay: None

Abstain: None

It was noted the application would be on the agenda of the City Commission at its regular meeting on May 15, 2023, at 6:00 p.m.

Item 3. Case No. **RZ06-23** – Public hearing and consideration of a request to rezone from I-2 (Light Industrial District) and R-1 (Single-Family Residential District) to A-1 (Rural Agricultural District) on property located at 1804 W. Dewey Street.

Planner Clyne explained to the Planning Commissioners that the applicant had withdrawn the application as the property had sold. The item was on the agenda since notification of a public hearing had been served; however, no action was required.

It was noted the application would be on the agenda of the City Commission at its regular meeting on May 15, 2023, at 6:00 p.m.

Item 4. Case No. **RZ07-23** – Public hearing and consideration of a request to rezone from A-1 (Rural Agricultural District) to C-1 (Neighborhood Commercial District) on property located at 15301 Hwy 102.

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

Findings and Facts:

- The subject property is located along a State Highway, which is appropriate for limited commercial uses.
- The request, if approved, increases the conformance with the Comprehensive Plan.
- The proper notification for a public hearing was served.

Based on the Findings and Facts, staff recommended that the Planning Commission recommend to the City Commission **APPROVAL** of **RZ07-23** to rezone the subject property from A-1 (Rural Agricultural District) to C-1 (Neighborhood Commercial District).

Commissioner Johnson made a motion to recommend the Approval of Case No. RZ07-23, which Commissioner Mew-Palmer seconded.

Motion **passed 7-0-0**.

Aye: Walker, Johnson, Reese, Barrett, Porter, Rowell, Mew-Palmer

Nay: None

Abstain: None

It was noted the application would be on the agenda of the City Commission at its regular meeting on May 15, 2023, at 6:00 p.m.

Item 5. Case No. **PPL03-23** – Consideration of a request for a Preliminary Plat, Shawnee Twin Lakes, Lake No. 2, of approximately 1,754.59 acres.

Planner Clyne explained that the subject property is located in Township 10 North, Range 2 East, and part of Sections 2, 3, 4, 8, 9, 10, and 11. The Preliminary Plat includes approximately 1,754.59 acres. The property is zoned A-1 (Rural Agricultural District). The Preliminary Plat of the Shawnee Twin Lakes – Lake No. 2 subdivision was completed to define the boundaries of the land located within the city limits of Shawnee, Oklahoma.

Findings and Facts:

- Staff has reviewed the document for accuracy and found it sufficient.
- The Preliminary and Final Plat applications are submitted together for expediency.
- The City Engineer is satisfied with the Preliminary Plat as submitted.

Based on the Findings and Facts, staff recommended that the Planning Commission recommend to the City Commission **APPROVAL** of **PPL03-23** for the Preliminary Plat, Shawnee Twin Lakes, Lake No. 2.

Commissioner Rowell made a motion to recommend the Approval of Case No. PPL03-23, which Commissioner Johnson seconded.

Motion **passed 7-0-0**.

Aye: Walker, Johnson, Reese, Barrett, Porter, Rowell, Mew-Palmer

Nay: None

Abstain: None

It was noted the application would be on the agenda of the City Commission at its regular meeting on May 15, 2023, at 6:00 p.m.

Item 6. Case No. **FPL03-23** – Consideration of a request for a Final Plat, Shawnee Twin Lakes, Lake No. 2, of approximately 1,754.59 acres.

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

Findings and Facts:

- Staff has reviewed the document for accuracy and found it sufficient.
- The Preliminary and Final Plat applications are submitted together for expediency.
- The City Engineer is satisfied with the Final Plat as submitted.

Based on the Findings and Facts, staff recommended that the Planning Commission recommend to the City Commission **APPROVAL** of **FPL03-23** for the Final Plat, Shawnee Twin Lakes, Lake No. 2.

Commissioner Rowell made a motion to recommend the Approval of Case No. FPL03-23, which Commissioner Johnson seconded.

Motion **passed 7-0-0**.

Aye: Walker, Johnson, Reese, Barrett, Porter, Rowell, Mew-Palmer

Nay: None

Abstain: None

It was noted the application would be on the agenda of the City Commission at its regular meeting on May 15, 2023, at 6:00 p.m.

Item 7. Planning Commission Training Session – Part One

Director Harkins presented a slide show to the Planning Commissioners discussing the fundamentals of the planning commission's duties and the basis for their authority. He explained that a planning commission was an advisory body that made recommendations to the governing body (City Commission). Harkins provided information on case law and referenced Oklahoma State Statutes. He finished the training by briefly discussing the distinction between a planning commission and a board of adjustment.

Item 8. Community Development Update

Director Harkins stated the Love Your Block (LYB) mini-grants cycle started with mostly residential activities such as tree plantings and a community garden. Next, Harkins provided an update on the citywide response to the tornado and wind event of April 19, 2023. He advised that FEMA was on the ground and had conducted initial reviews. FEMA was now moving door to door. He noted that several non-profit organizations, including the Red Cross, Catholic Charities, and United Way, had pulled together to provide resources. Community Renewal was engaged in the clean-up efforts. Harkins added that the large debris pick-up trucks began on Saturday, April 29, 2023. The trucks would make three full rides throughout the City for debris removal.

Next, Director Harkins stated that staff had a working draft of the zoning districts for the UDC project. He explained that the focus was on removing the lot size minimum with a focus on minimum street width to maximize the coverage ratio, which is intended to increase housing opportunities. Harkins provided an update that the Twin Lakes Master Plan draft summary was expected early next week. He stated that the Infill Housing Palette contract had been signed and that he expected to see blueprints after 30 days. Lastly, Director Harkins explained there were no additional resources for the Love Your Block (LYB) program to take a second neighborhood but will reassess in the fall.

Item 9. Planning Commissioners' Comments

The Commissioners voiced appreciation for the training received and looked forward to additional training. Additionally, they thanked staff for their work and appreciated the updates on the tornado relief efforts and the Twin Lakes update.

Item 10. Adjournment

The meeting adjourned at 2:13 p.m.

Chair/Vice-Chair

Date

City Planner

Date



Planning Commission Meeting – 7.5.2023 – City of Shawnee, Oklahoma

Staff Report | CUP01-23 | 313 E Main Street

Date: 6.8.2023

To: Shawnee Planning Commission

From: Rachel Clyne, City Planner

Subject: **Staff Report** - Public hearing and consideration of a request for a Conditional Use Permit (CUP) for a brewpub on property located at 313 E. Main Street.

Case No. **CUP01-23** | Applicant: Vortex Alley Brewing, LLC

Background

The subject property is located at 313 E Main Street and is currently a vacant structure. The request for a Conditional Use Permit (CUP) to locate a brewery/taproom in the existing building. The property is zoned C-4 (Central Business District).

Discussion

Referencing the City of Shawnee Zoning Code (Code) DIVISION 14. – Administration. Section 22-605. – Conditional Use Permit. "The uses designated under the various districts herein as "conditional uses" are so classified because they could more intensely dominate the area in which they are located...." The conditional uses shall be reviewed and authorized or rejected with or without special conditions placed on the project."

In the Code, Section 22-331. Table 22-331. Permitted uses in Commercial Zoning Districts. The table indicates that in zoning district C-4, the use "Drinking establishments; sit-down, alcohol permitted" is permitted subject to acquiring a Conditional Use Permit (CUP).

The applicant met with several different staff members, including Planning, Building Inspections, and the Fire Marshal prior to application submittal. Currently, the applicants own and operate a similar business in Ponca City, Oklahoma, Vortex Alley Brewing. www.facebook.com/vortexalleybrewing/

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has the land use designation of Downtown. According to the Comprehensive Plan, Downtown land use is defined, in part, as "Commercial uses should include activities that extend beyond the standard workday such as restaurants, theaters, or galleries." This Conditional Use Permit request, if granted, would conform with the Comprehensive Plan.

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 at the subject property.

Findings:

- The subject property is located in downtown Shawnee and conforms with the Comprehensive Plan.
- The proper notification for a public hearing was served.
- The application was reviewed, and conditions are recommended.

Staff Recommendation: Based on the review of the application and the listed Findings, staff recommends that the Planning Commission recommend to the City Commission **APPROVAL** of **CUP01-23** to locate a brewery/taproom at 313 East Main 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.
- All licenses, permits, and regulations enforceable by the Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) Commission shall be followed.
- Compliance with all provisions of the Oklahoma Alcoholic Beverage Control (ABC) Act.

Recommendation Options:

- Approval of Case No. CUP01-23, to locate a brewery/taproom at 313 East Main Street with the conditions presented by staff.
- Denial of the application for CUP01-23, thus preventing the operation brewery/taproom at the subject property.
- Deferral of Case No. CUP01-23 with a request for additional and specific information to a certain date.
- Approval of Case No. CUP01-23, to locate a brewery/taproom at 313 East Main Street with the conditions presented by staff plus additional conditions.

This CUP application will be heard at the City Commission meeting on Monday, July 17, 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): 313 E. Main, Shawnee, OK

LEGAL DESCRIPTION: Choctaw BLK 24 LOT 6

PROPERTY OWNER(S): Leaning Tree Homes

PROPERTY APPLICANT: Vortex Alley Brewing LLC

APPLICANT'S ADDRESS: 220 E. Central Ave

CITY: Ponca City **STATE:** OK **ZIP:** 74601

EMAIL ADDRESS: vortexalleybrewing@gmail.com

TELEPHONE NUMBER: (580) 304-4781 **CONTACT NUMBER:** ()

DIMENSIONS OF PROPERTY: **AREA:** 3325 sq ft **WIDTH:** 25 ft

LENGTH: 133 ft **FRONTAGE:** 25 ft

CURRENT ZONING: C-4 **CURRENT USE:** N/A

PROPOSED ZONING: _____ **PROPOSED USE:** Brewery/Taproom

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.**

SIGNATURE OF APPLICANT

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.:** _____

Publish May 12, 2023
NOTICE OF PUBLIC HEARING
Rezoning Request (CUP01-23)

It is hereby noticed that the City of Shawnee Planning Commission will hold a public hearing on June 7, 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 June 20, 2023, at 6:00 p.m. in the Commission Chambers at City Hall. The Planning Commission and City Commission will consider a request for a Conditional Use Permit (**CUP01-23**) for a brewery/taproom located at 313 E. Main Street and described as:

Lot Six (6), Block Sixteen (16), Choctaw Addition, to the city of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

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.





Planning Commission Meeting – 7.5.2023 – City of Shawnee, Oklahoma

Staff Report | RZ10-23 | I-2 & R-1 to A-1 | 1804 W. Dewey St.

Date: 6.15.2023

To: Shawnee Planning Commission

From: Rachel Clyne, City Planner

Subject: **Staff Report** - Public hearing and consideration of a request to rezone from I-2 (Light Industrial District) and R-1 (Single-Family Residential District) to A-1 (Rural Agricultural District) on property located at 1804 W. Dewey Street.
Case No. **RZ10-23** | Applicant: Larry LeRay

Background

The subject property is located at 1804 W. Dewey and contains approximately 11.43 acres. The request is to rezone the property from I-2 (Light Industrial District) and R-1 (Single-Family Residential District) to A-1 (Rural Agricultural District). The area zoned R-1 contains the applicant's residence. The I-2 land to the north is undeveloped. The applicant intends to have their own livestock or lease the land for grazing on the northern section of the subject property.

Discussion

The land adjacent to the southeast is zoned (Single-Family Residential District). Property to the northeast is zoned I-2 (Light Industrial District). The properties located to the south and to the west are zoned A-1 (Rural Agricultural District). If approved, this action would be a downzoning, which may be defined as a change in the zoning district of a tract or parcel of land from a greater to less intense usage.

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has the land use designation of Mixed Use. The Comprehensive Plan defines Mixed Use as areas with access to highways and arterial streets. Although the northern portion of the subject property is adjacent to S.H. 177, there is no direct access to the highway from W. Dewey Street. The FLUM does not prohibit agricultural uses in Mixed Use land designations.

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, A-1 (Rural Agricultural District).
- The request is in conformance with the Comprehensive Plan Future Land Use Map (FLUM).
- The request would be a downzone to less intensive use of the land.
- The proper notification for a public hearing was served.

Recommendation Options:

- Recommending Approval of Case No. RZ10-23 to rezone the subject property from I-2 (Light Industrial District) and R-1 (Single-Family Residential District) to A-1 (Rural Agricultural District) as requested by the applicant.
- Recommending Denial of the application for RZ10-23 to rezone the subject property.
- Recommending Deferral Case No. RZ10-23 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 **RZ10-23** to rezone the subject property from I-2 (Light Industrial District) and R-1 (Single-Family Residential District) to A-1 (Rural Agricultural District).

This rezoning application will be heard at the City Commission meeting on Monday, July 17, 2023, at 6:00 pm.

Rachel Clyne 405-878-1672

PLANNING COMMISSION APPLICATION



City of Shawnee
Community Development
Department

222 N. Broadway
Shawnee, OK 74801
(405) 878-1672
www.ShawneeOK.org

Ca
Pr
De

Case # RZ10-23

Rec'd 6/7/23 RC

Planning Commission Secretary

REQUEST:

☒ Rezoning ☐ 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-2 & R-1 District to A-1 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 1804 W. Dewey Street

LEGAL DESCRIPTION: See attachment

PROPERTY OWNER (S): Larry T. Le Ray

PROPERTY AGENT (APPLICANT): Larry T. Le Ray

APPLICANT'S ADDRESS: 1804 W. Dewey

CITY: Shawnee **STATE:** OK **ZIP:** 74801

EMAIL ADDRESS: gajuntractor@att.net

TELEPHONE NUMBER: (405) 941-3027 **CONTACT NUMBER:** (405) 380-3636
or 405-382-1111

DIMENSIONS OF PROPERTY:

See Survey

AREA: _____ **WIDTH:** _____

LENGTH: _____ **FRONTAGE:** _____

CURRENT ZONING: Commercial R-1 & R-2

CURRENT USE: unused, Home only

PROPOSED ZONING: Ag A-1

PROPOSED USE: Run live stock

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.

Larry T. Le Ray
SIGNATURE OF APPLICANT

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.:** _____

Publish June 9, 2023
NOTICE OF PUBLIC HEARING
Rezoning Request (RZ10-23)

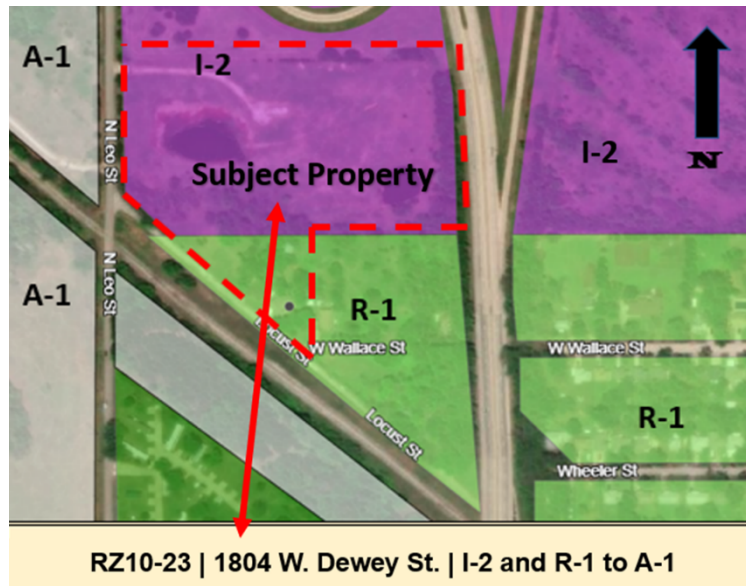
It is hereby noticed that the City of Shawnee Planning Commission will hold a public hearing on July 5, 2023, at 1:30 p.m. in the Commission Chambers at City Hall, 16 W. 9th St, Shawnee, OK. The City of Shawnee City Commission will hold a public hearing on July 17, 2023, at 6:00 p.m. in the Commission Chambers at City Hall. The Planning Commission and City Commission will consider a rezoning request (**RZ10-23**) to rezone from I-2 (Heavy Industrial District) and R-1 (Single-Family Residential District) to A-1 (Rural Agricultural District) on a parcel located at 1804 West Dewey Street and described as:

TRACT 1 - A tract of land lying in a part of the Southwest Quarter of the Southwest Quarter of the Northwest Quarter (SW/4 SW/4 NW/4) and also lying in a part of the West Half of the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (W/2 SE/4 SW/4 NW/4) of Section Thirteen (13), Township Ten (10) North, Range Three (3) East of the Indian Meridian, Pottawatomie County, Oklahoma, and further described as commencing at the Southwest Corner (SW/c) of said SW/4 SW/4 NW/4; thence N00°00'39"E along the West line of said SW/4 SW/4 NW/4 a distance of 131.18 feet to a point on the Northeast right of way line of the C. R. I. & P. Railroad Company, also being the Point of Beginning; thence N00°00'39"E continuing along said West line a distance of 345.62 feet; thence S89°56'54"E a distance of 904.21 feet, to a point on the West right of way line of Highway No. 177, said point also being a point on a non-tangent curve to the right, having a radius of 2764.80 feet; thence Southeasterly along the arc of said curve to the right and along said West right of way line of Highway No. 177 a distance of 341.26 feet, said curve having a cord bearing and distance of (S06°25'10"E 341.05 feet); thence S02°53'00"E continuing along said West right of way line a distance of 134.41 feet, to a point where said West right of way line intersects the South line of the Northwest Quarter of said Section 13; thence S89°49'44"W along said South line a distance of 794.36 feet, to a point on the Northeast right of way line of said C. R. I. & P. Railroad Company; thence N49°49'26"W along said Northeast right of way line a distance of 202.62 feet to the Point of Beginning.

Also described as: The Southwest Quarter of the Southwest Quarter of the Northwest Quarter and the West Half of the Southeast Quarter of the Southwest Quarter of the Northwest Quarter of Section Thirteen (13), Township Ten (10) North, Range Three (3) East of the Indian Meridian, Pottawatomie County, Oklahoma, less the former right of way of the C. R. I. & P. Railroad Company.

AND TRACT 2 - The West Half (W/2), or the West 30 feet and 6 inches, of Lot Two (2), all of Lots Three (3), Four (4), Five (5) and Six (6) and the West Half (W/2) of Lot Seven (7), BRADBURY'S ADDITION, being a Re-plat of Block Seven of Maywood Addition, less and except the Westerly 34 feet of said Block Seven (7), to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

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.





Planning Commission Meeting – 7.5.2023 – City of Shawnee, Oklahoma

Staff Report | TXT01-23

Date: 6.8.2023

To: Shawnee Planning Commission

From: Rachel Clyne, City Planner

Subject: **Staff Report** - Review and consider the proposed text amendment to Section 22-295 of the Zoning Code regarding Traditional Neighborhood (TN) infill standards.
Case No. **TXT01-23**

Background

When it is necessary to make an amendment to the language of the Zoning Code, the change must follow the regulations for other Planning Commission cases. The Planning Commission must review and make a recommendation to the City Commission on any text amendments presented by staff.

Sec. 22-645. - Planning commission recommendation required. “The regulations, restrictions, prohibitions and limitations imposed and the districts created may from time to time 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.”

Discussion

In the Zoning Code, **Sec. 22-295. - Traditional neighborhood infill standards.** Describes the traditional neighborhood (TN) floating zone that can be applied to legally created lots recorded prior to 1960. The underlying base zoning of the lot does not change. However, additional zoning standards are applied to the base zoning to ensure that construction is compatible with the neighborhood.

Typically, the TN overlay is used in residential areas where the original platted lots were narrow but deep. Two of the TN standards are the “build-to line” and “setback averaging”. The intent of a “build-to line” is to ensure that new residences constructed in established neighborhoods are placed in a manner that is compatible with existing homes to maintain a consistent building line. For example, if existing houses are built close to the street with shallow front yards, then the new home should be located in line with the residences on the street. If, however, the adjacent residential build lines (or setbacks) vary in distance, a “setback average” is determined. That distance is based on the average of the building setbacks on the two adjacent lots.

To encourage additional infill residential construction, staff recommends the addition of the following language to TN floating zone standards: Minimum Lot Size. The minimum lot size for lots within this zoning overlay district shall be 3,500 square feet. The minimum lot size for lots within R-1 (Single-Family Residential District) is currently

6,000. By allowing the reduction in lot size, new infill housing can more easily be built on the narrow but deep lots from before 1960. The zoning district remains, but the overlay allows for minimal adjustment to make the smaller lots buildable.

Staff completed the required public notifications for this application. A notice of a public meeting was published in The County Democrat weekly newspaper.

Findings:

- The Traditional Neighborhood (TN) is an existing zoning overlay for residential standards.
- Within city limits, many vacant residential lots are smaller than the required 6,000 sq. ft.
- There is a demand for housing options in established neighborhoods of the City.
- The proper notification for a public meeting was served.

Staff Recommendation:

Based on the review of the application and the listed Findings, staff recommends that the Planning Commission recommend to the City Commission **APPROVAL** of **TXT01-23** for the proposed text amendment to Section 22-295 of the Zoning Code.

Recommendation Options:

- Approval of Case No. TXT01-23, for the proposed text amendment to Section 22-295 of the Zoning Code as presented by staff and indicated on the accompanying ordinance
- Denial of the application for TXT01-23.
- Deferral of Case No. TXT01-23 with a request for additional and specific information to a certain date.

This text amendment will be heard at the City Commission meeting on Monday, July 17, 2023, at 6:00 pm.

(Publish May 26, 2023)

It is hereby noticed that the City of Shawnee Planning Commission will review the proposed text amendment to Section 22-295 of the Zoning Code on June 7, 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 review that text amendment on June 20, 2023, at 6:00 p.m. in the Commission Chambers at City Hall.

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 22-295 OF THE ZONING ORDINANCE OF THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA, MORE SPECIFICALLY KNOWN AS THE TRADITIONAL NEIGHBORHOOD INFILL STANDARDS, BY ADDING A SECTION 22-295(5) TO SAID ZONING ORDINANCE.

WHEREAS, pursuant to notice duly given as required by law, a public hearing conducted by the Board of Commissioners of the City of Shawnee, Oklahoma on the 20th day of June 2023, to revise certain sections of the zoning ordinance.

WHEREAS, the Planning Commission of the City of Shawnee has conducted one or more public hearings on said amendment pursuant to notice as required by law and has submitted its final report and recommendation regarding said amendment to the Board of Commissioners; and,

WHEREAS, it appears to be in the best interest of the City of Shawnee and the inhabitants thereof for said amendment to be adopted

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA:

SECTION 1: That the Section 22-295 of the Zoning Ordinance be amended to include the following:

.

- (5) *Minimum Lot Size.* The minimum lot size for lots within this zoning overlay district shall be 3,500 square feet.

SECTION: That all existing provisions of Section 22-295 of the Zoning Ordinance as currently adopted remain unchanged:

PASSED AND APPROVED this ____ day of _____, 2023.

(SEAL)
ATTEST:

ED BOLT, MAYOR

LISA LASYONE, CMC, CITY CLERK

Approved as to form and legality this ____ day of _____, 2023.

JOSEPH M. VORNDRAN,
CITY ATTORNEY

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ED BOLT, MAYOR

LISA LASYONE, CMC, CITY CLERK

Approved as to form and legality this ____ day of _____, 2023.

JOSEPH M. VORNDRAN,
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