

AGENDA
PLANNING COMMISSION
OCTOBER 2, 2024 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 September 4, 2024, regular meeting.
2. Consideration of a request for a Final Plat for Union Square Addition
Case No. **FPL02-24** | Applicant: Royal Land Properties, LLC
3. Public hearing and consideration of a request to rezone from C-1 (Local Commercial District) to R-2 (Medium Density Residential District). Case No. **RZ02-24** | Applicant: Gerona Fowler
4. Public hearing and consideration of a request to rezone from R-1 (Low Density Residential District) to C-2 (Regional Commercial District). Case No. **RZ04-24** | Applicant: Rueben Peltier Properties (Nick Atwood, Attorney)
5. Community Development Department Updates
6. Commissioners Comments
7. Adjournment

Respectfully submitted,

Rian Harkins, 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)

PLANNING COMMISSION MINUTES

DATE: September 4, 2024

MINUTES

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a regular meeting on September 4, 2024, at 1:30 p.m., according to notice duly posted as prescribed by law.

Chair Barrett 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, Porter, Hayes (1:34pm arrival), Barrett, Reese, Alexander

Absent: Hembree

Item 1. Consideration of approval of the minutes from the regular meeting on August 7, 2024. Chair Barrett asked for questions or corrections to the minutes.

Commissioner Resse made a motion to **Approve** the minutes as presented, which Commissioner Porter seconded. Motion **passed 6-0-0.**

Aye: Johnson, Barrett, Reese, Porter, Alexander

Nay: None

Abstain: None

Item 2. Public hearing and consideration of a request for a Conditional Use Permit (CUP) for an Accessory Dwelling Unit (ADU). Case No. CUP02-24 | Applicant: Kaye Steele

Background

The subject property is located at 1303 W. Farrall Street and contains approximately 38 acres. This Conditional Use Permit (CUP) application is being concurrently processed with a request to rezone the property from C-3 (Highway Commercial District) to R-3 (Multifamily Residential District). The rezoning application (RZ02-24) is the first step to bring the property into compliance. A Conditional Use Permit (CUP) is required to allow one (1) Accessory Dwelling Unit (ADU) on the property.

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 22-291. Table 22-291. Permitted uses in Residential Zoning Districts. The table indicates that in zoning district R-3, the use of an "Accessory Dwelling Unit (ADU) to a single-family residential" (use) is permitted subject to acquiring a Conditional Use Permit (CUP).

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has a Mixed-Use land use designation. C-3 and R-3 are appropriate zoning districts for this land use designation. The request is in conformance with the 2040 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 public hearing was published in The County Democrat weekly newspaper. A sign providing details and contact information was placed on the subject property.

This item was originally heard at the June 5, 2024 Planning Commission meeting and was deferred 90 days so the applicant could determine appropriate next steps once the land auction process had been completed. After no offers were received for the subject property, the item is now placed back on the agenda for consideration.

Findings and Facts:

- The subject property is concurrently applying to rezone to R-3 (Multifamily Residential District).
- Proper notification for a public hearing was served.
- The application was reviewed, and conditions are recommended.
- Regulations for ADUs per Section 22-297.8 of the Zoning Code are required conditions

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 CUP02-24 to locate one (1) Accessory Dwelling Unit (ADU) at 1303 W. Farrall 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.
- Adherence to Section 22-297.8 of the Shawnee Zoning as follows:

(8) Accessory dwelling units (ADUs). Accessory dwelling units are designed to allow for a secondary residence which is attached to the main structure or over a current detached garage. The intent of this regulation is to allow additional options for homeowners in relation to allowing family members or renters housing while still maintaining a neighborhood feel. In addition to a conditional use permit, accessory dwelling units must also meet the following criteria:

- a. The property owner must reside in either the principal structure or the ADU.
- b. Only one ADU is allowed per lot in conjunction with a single-family house. ADUs are not allowed in conjunction with duplexes, triplexes or multifamily dwelling units.
- c. An instrument shall be recorded with the register's office covenanting that the structure is being established as an accessory dwelling unit and may only be used under the conditions expressed herein.
- d. The ADU may only be located in the established rear yard.
- e. The living space of the ADU shall not exceed 900 square feet.
- f. The footprint of a single story detached accessory dwelling shall not exceed 50 percent of the first floor area of the principal structure.
- g. The footprint of a two-story detached accessory dwelling shall not exceed 40 percent of the first floor of the principal structure.
- h. ADUs with a second story dwelling unit shall enclose the stairs interior to the structure.
- i. The ADU shall be of similar style, design and material color and used for the principal structure and shall use similar architectural characteristics, including roof form and pitch, to the existing principal structure.
- j. A home occupation shall not be based out of the ADU.
- k. The ADU must provide, at minimum, one off-street parking space.
- l. A separate driveway providing exclusive access to the ADU from a road shall not be allowed unless problematic, lot-specific circumstances exist which requires approval from the director.
- m. The lot area shall be larger than 10,000 square feet.

Options:

- Recommending Approval of Case No. CUP02-24 to allow for one Accessory Dwelling Unit as requested by the applicant.
- Recommending Denial of the application for CUP02-24.
- Recommending Deferral Case No. CUP02-24 with a request for additional and specific information to a certain date.

This CUP application will be heard at the City Commission meeting on Monday, September 16, 2024, at 6:00 pm.

Chair Barrett opened the public hearing, and then noted no one present to speak on the item, after which the public hearing was closed after no additional comment. Planning Commission members then discussed the merits of the application, the ongoing internal decision-making processes of the applicant, and the lack of clear direction by the applicant.

Recommendation: Based on the Findings and Facts, staff recommends that the Planning Commission recommend to the City Commission **APPROVAL** of **CUP02-24**.

Commissioner Reese made a motion to recommend the **DENIAL** of Case No. CUP02-24, which Commissioner Hayes seconded.

Motion **passed 5-1-0**.

Aye: Reese, Johnson, Porter, Hayes, Alexander

Nay: Barrett

Abstain: None

It was noted the application would be on the agenda of the City Commission at its regular meeting on August 19, 2024.

Item 3. Public hearing and consideration of a request to rezone from C-3 (Highway Commercial District) to R-3 (Multifamily Residential District).
Case No. **RZ02-24** | Applicant: Kaye Steele

Background

The subject property is located at 1303 W. Farrall Street and contains approximately 38 acres. The request is to rezone the property from C-3 (Highway Commercial District) to R-3 (Multifamily Residential District). This property was rezoned from Agricultural zoning to C-3 in the summer of 2022 (RZ09-22). This rezoning is the first step to bring the property into compliance. An application for a Conditional Use Permit (CUP02-24) to allow one (1) Accessory Dwelling Unit (ADU) on the property is being concurrently processed.

Discussion

The subject property is zoned C-3 (Highway Commercial District). The properties surrounding the subject property to the east, south, and west are zoned A-1 (Rural Agricultural District). To the north, across W. Farrall Street, the land is zoned I-2 (Light Industrial District). To the northeast and further east is land zoned R-3 (Multifamily Residential District).

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has a Mixed-Use land use designation. R-3 is an appropriate zoning district for this land use designation. The request 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 public hearing was published in The County Democrat weekly newspaper. A sign providing details and contact information was placed on the subject property.

This item was deferred from the June 5, 2024 Planning Commission agenda to this date to allow for the completion

of the land auction process. No offers were received for the subject property, and the item is now on the agenda again per the previous action of the Planning Commission.

Findings and Facts:

- The subject property is near R-3 zoning on W. Farrall Street and N. Kennedy Avenue.
- The request is in conformance with the Comprehensive Plan Future Land Use Map (FLUM).
- Notification for a public hearing was served.

Options:

- Recommending Approval of Case No. RZ02-24 to rezone from C-3 (Highway Commercial District) to R-3 (Multifamily Residential District) as requested by the applicant.
- Recommending Denial of the application for RZ02-24 to rezone the subject property.
- Recommending Deferral Case No. RZ02-24 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 **RZ02-24** to rezone the subject property from C-3 (Highway Commercial District) to R-3 (Multifamily Residential District).

This rezoning application will be heard at the City Commission meeting on Monday, September 16, 2024, at 6:00 pm.

Chair Barrett opened the public hearing, and then noted no one present to speak on the item, after which the public hearing was closed after no additional comment. Planning Commission members then discussed the merits of the application, the ongoing internal decision-making processes of the applicant, and the lack of clear direction by the applicant for this and the previous CUP application.

Commissioner Porter made a motion to recommend the **APPROVAL** of Case No. RZ03-24, which Commissioner Reese seconded.

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

Aye: Reese, Johnson, Porter, Hayes, Alexander, Barrett

Nay: None

Abstain: None

Item 4. Public hearing and consideration of a request to adopt an Official Zoning Map
Case No. TXT02-24 Applicant: City of Shawnee

Background

Over the last 2.5 years the City of Shawnee has been working on creating a new Unified Development Code. The new code is one of many implementation steps identified in the 2019 New Horizons Comprehensive Plan. New Unified Development Code was adopted by the City in August of 2024. At this time, city staff seeks to formally adopt a new official zoning map to work in conjunction with the newly adopted development code.

Discussion

City Staff, working with a consultant, has completed the Unified Development Code, in that the zoning and subdivision regulations are no longer separate documents but one complete ordinance. The project began with focus groups of stakeholders and users sharing thoughts regarding the current development regulations and issues they present the community.

Aside from the text, the code also correlates to a zoning map, which is used by staff and the community to help administer the unified development code.

Staff completed the required public hearing notifications for this application, with a notice of public hearing was published in The County Democrat weekly newspaper as this is similar to an amendment to the current zoning

ordinance.

Findings and Facts:

- The proposed zoning map conforms to the newly adopted development code is in compliance with the comprehensive plan.
- Proper notification for a public hearing 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 TXT02-24.

Options:

- Recommending Approval of Case No. TXT02-24 as requested by the applicant.
- Recommending Approval of Case No. TXT02-24 as requested by the applicant with additional conditions noted by the Planning Commission.
- Recommending Denial of the application for TXT02-24.
- Recommending Deferral Case No. TXT02-24 with a request for additional and specific information to a certain date.

This item will be heard at the City Commission meeting on Monday, September 16, 2024, at 6:00 pm.

Chair Barrett opened the public hearing, and then noted no one present to speak on the item, after which the public hearing was closed after no additional comment. Planning Commission members then discussed the area around the downtown zoning district, and recommended revisions relating to the area delineated for that zoning district.

Commissioner Johnson made a motion to recommend the **APPROVAL** of Case No. TXT02-24 as amended, which Commissioner Reese seconded.

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

Aye: Reese, Johnson, Porter, Hayes, Alexander, Barrett

Nay: None

Abstain: None

Item 5. Community Development Update

Community Development Director Harkins advised the Planning Commission that a search for one vacant staff position is still underway. CDBG housing rehabilitation projects continue. Staff will be looking at additional feedback and project opportunities using CDBG funds, and that input can be sent to city staff for discussion as part of the Annual Action Plan. Director Harkins also spoke of the upcoming Quad State Planning Conference held this coming October in Arkansas, and then introduced Petya Stefanoff as the newest member of the department staff, and then noted that staff will be looking at continued efforts with community stakeholders to increase housing in the community.

Item 6. Planning Commissioners' Comments

Commissioners expressed excitement for the achievements of many groups in the community, how the community continues to move forward, and excitement for the ongoing and upcoming events and projects, including Pedal-palooza at OBU on September 28, 2024..

Item 7. Adjournment

The meeting adjourned at **2:22 p.m.**

Chair/Vice-Chair

Date

Community Development Director

Date

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:	<u>FPL 05-24</u>
Project Number:	<u>20241291</u>
Date Filed:	<u>8-27-24</u>
Amount Paid:	<u>\$252.00</u>
Receipt No.:	<u>5548</u>

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 Kent Mace
APPLICANT ADDRESS 5744 Huettner Ct., Ste. 100 Norman, OK 73069
APPLICANT PHONE NUMBERS 405-872-7594
EMAIL ADDRESS Kent@MBLS.US
NAME OF PLAT Union Square Addition
LOCATION NE Corner of N. Union Street and E 45th Street
NUMBER OF ACRES 11.970 NUMBER OF LOTS 8 + 1 common

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS: FEE: \$225.00
PLUS \$3.00 PER LOT UP TO FIFTY (50) LOTS - NUMBER OF LOTS 9 27.00
PLUS \$1.00 PER LOT OVER FIFTY (50) LOTS - NUMBER OF LOTS _____
TOTAL COST 252.00

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

OWNER/DEVELOPER INFORMATION:

NAME Royal Land Properties, LLC
ADDRESS 1805 Pecan Crossing Drive Shawnee, OK 74804
CONTACT NUMBERS Katie Landes -
EMAIL ADDRESS Katie.landes@yahoo.com landes_andrew@yahoo.com

PROJECT ENGINEER INFORMATION:

NAME Kent Mace - MacBax Land Surveying, PLLC
ADDRESS 5744 Huettner Ct., Ste 100
CONTACT NUMBERS 405-872-7594
EMAIL ADDRESS kent@MBLS.US

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



Permit #: 20241291

Permit Type:

Address: N UNION & E 45TH

City: SHAWNEE

State: OK

Zip: 74804

Owner: ROYAL LAND PROPERTIES LLC

Owner Address: 1805 PECAN CROSSING DR

Owner City: SHAWNEE

Owner State: OK

Owner Zip: 74804

Owner Phone:

Owner Email:

Receipt #: 5548

Date: 08/27/2024

Paid By: MACBAX LAND SURVEYING, PLLC

Description:

Payment Type: Check

Payment Type Description: 1515

Accepted By: Sandi Rehagen

Fees Paid

Fee Name	Fee Type	Description	Factor	Total Fee Amount	Amount Paid
Final Plat Applications - 2 acre Lots or greater	Planning	Enter number of Lots	9.00	252.00	252.00
				Total:	\$252.00

August 27, 2024

City of Shawnee

Re: **UNION SQUARE ADDITION FINAL PLAT**

We are submitting the Final Plat for approval to the City of Shawnee.

Included:

6-24"x36" copies of the plat
1-8-1/2"x14" copy of the plat
2-24"x36" copies of the construction drawings
2-Storm Drainage Reports
1-Application
1-Check for Application Fee

Sincerely,



Kent Mace, PE, PLS
MacBax Land Surveying, PLLC

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■	PERMANENT MONUMENT-SET NAIL	—●—●—●—●—●—●—●—●—●—	FENCE
■	IRON PIVOT WITH ALUMINUM CAP	_____	SECTION LINE
●	SET NAIL OF IRON PIVOT	_____	QUARTER SECTION LINE
●	SET NAIL OF IRON PIVOT	_____	SECTION LINE
●	SET MAG WALK WITH	_____	LOT LINE
▲	SHINER MAGADOL CA 8137	_____	EXISTING LINES
▲	SET COTTON SPRING W/ CA 8137	_____	USE = UTILITY/ EASEMENT
▲	FOUND MAG NAIL	_____	USE = EASEMENT/ EASEMENT
★	FOUND IRON PIVOT	_____	USE = EASEMENT/ EASEMENT
★	FOUND IRON PIVOT	_____	PEACE = EASEMENT/ EASEMENT
★	FOUND IRON PIVOT	_____	DL = BUILDING LINE
1000-	FOUND PLASS MONUMENT	_____	HOW = FRONT OF WAY
	ADDRESS		

LAND SURVEYORS:

5744 Hueltner Court, Ste. 100
Norman, OK 73069
Telephone: (405) 872-7594
Email: kent@jmbbs.us

Norman, OK 73069
Telephone: (405) 872-7594

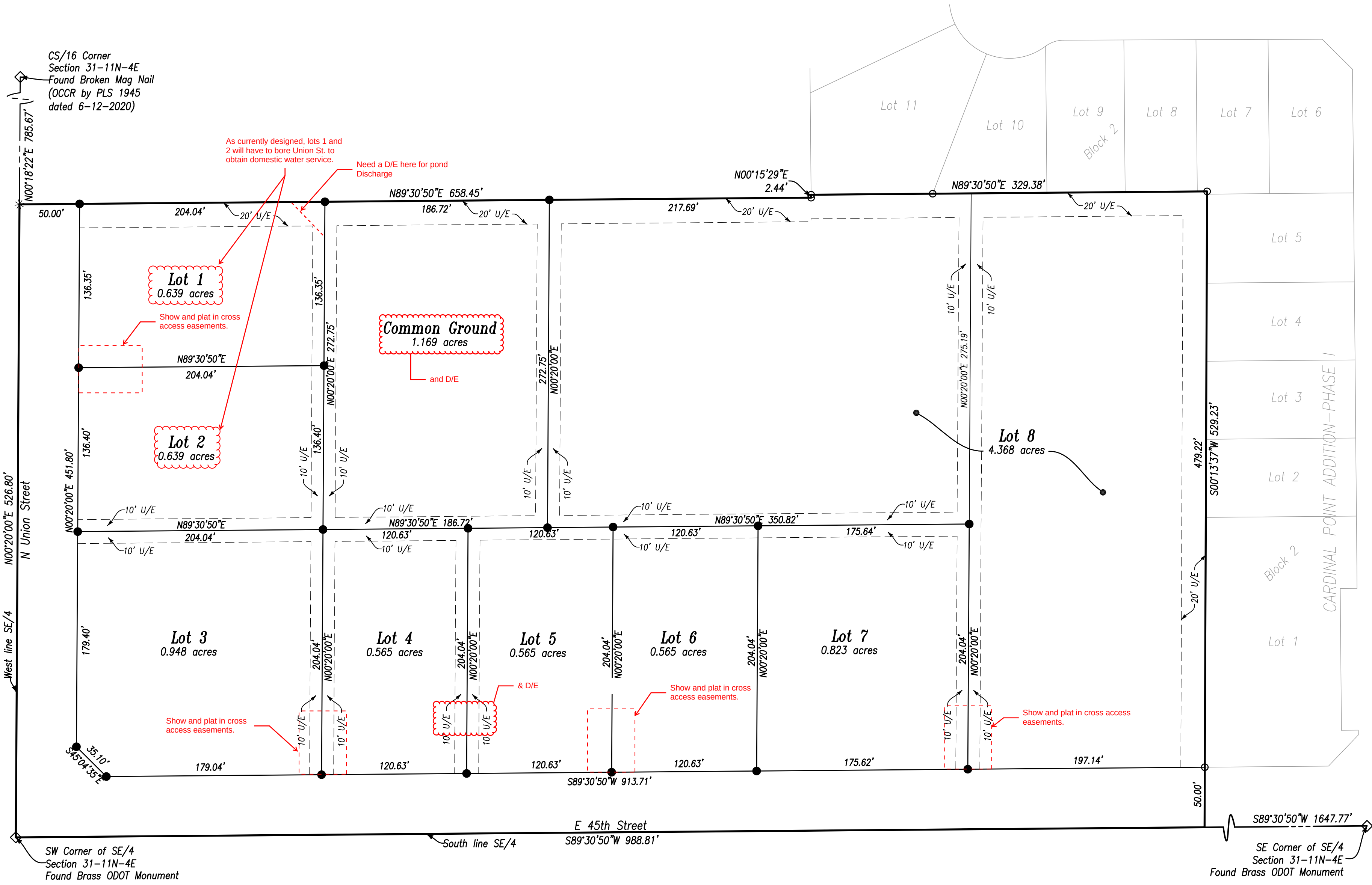
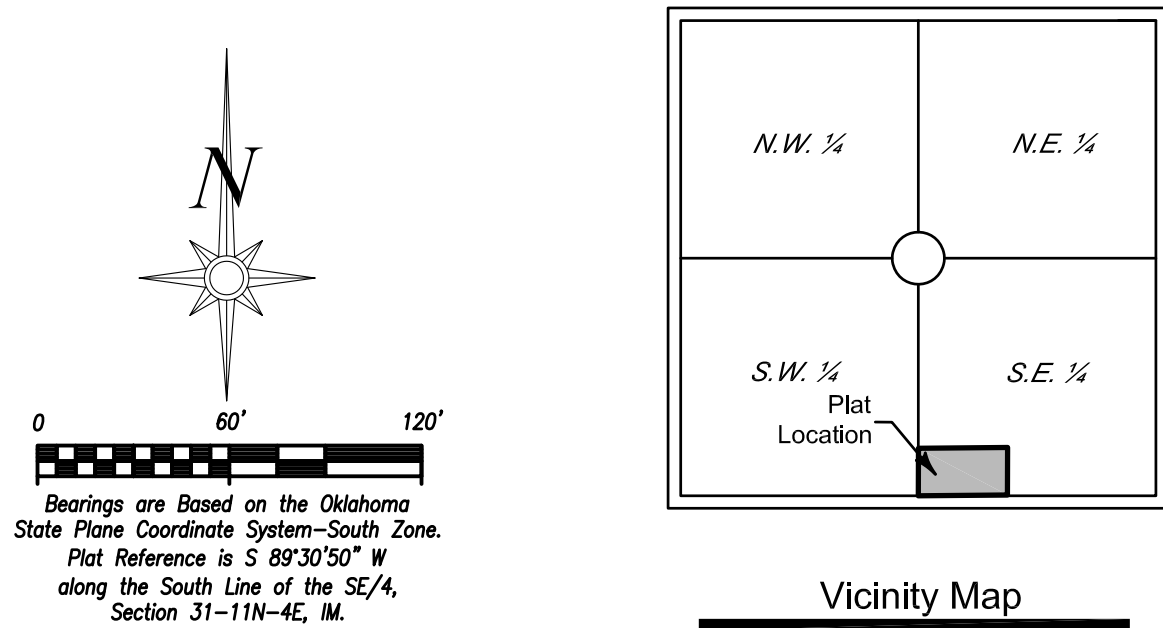
**Certificate of
Authorization**

FOUND IRON PIN
FOUND PLSS MONUMENT

BL = BUILDING LINE

SEMENT

FINAL PLAT OF:
UNION SQUARE ADDITION
PART OF THE SOUTHEAST QUARTER,
SECTION 31, TOWNSHIP 11 NORTH, RANGE 4 EAST, I.M.,
CITY OF SHAWNEE, POTTAWATOMIE COUNTY, OKLAHOMA



OWNER'S CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That ROYAL LAND PROPERTIES L.L.C., an Oklahoma Limited Liability Company does hereby certify that it is the owner of and the only person, firm, or corporation having any right, title or interest in and to the land shown on the annexed plat, and that it has caused the same to be surveyed and platted, and that it hereby dedicates all the streets and utility easements shown hereon to the public for the purposes of streets, utilities and drainage, for their heirs, executors, administrators, successors and assign forever, and have caused the same to be released from all encumbrances except as shown on the bonded abstractor's certificate.

In witness whereof, the undersigned have caused this instrument to be executed this ____ day of _____, 2024. Covenants, reservations and restrictions for this addition are contained in a separate instrument.

STATE OF OKLAHOMA, COUNTY OF POTTAWATOMIE §

Before me, the undersigned a notary public, in and for said County and State, on this ____ day of _____, 2024, personally appeared _____, to me known to be the identical person who executed the within and foregoing instrument on behalf of said company, and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of said company, for the purposes herein set forth.

My Commission Expires _____ Notary Public

CITY PLANNING COMMISSION APPROVAL

I, _____, Chairman of the City Planning Commission for the City of Shawnee, State of Oklahoma, hereby certify that the said commission duly approved the annexed plat on this ____ day of _____, 2024.

Chairman

CERTIFICATE OF CITY CLERK

I, _____, City Clerk of the City of Shawnee, State of Oklahoma, hereby certify that I have examined the records of said City and find that all deferred payments on unmaturred installments upon special assessments have been paid in full and that there is no special assessment procedure now pending against the land on the final plat of UNION SQUARE ADDITION on this ____ day of _____, 2024.

City Clerk

ACCEPTANCE OF DEDICATION OF CITY COMMISSION

Be it resolved by the Council of the City of Shawnee, Oklahoma that the dedications of streets and utility easements shown on the final plat of UNION SQUARE ADDITION are hereby accepted. Adopted by the Council of the City of Shawnee, Oklahoma on this ____ day of _____, 2024.

City Clerk Mayor

LEGAL DESCRIPTION

A part of the Southeast Quarter of Section 31, Township 11 North, Range 4 East, I.M., in Shawnee, Pottawatomie County, Oklahoma, more particularly described as follows: BEGINNING at the Southwest Corner of said Southeast Quarter; THENCE N 00°20'00" E, along the west line of said Southeast Quarter, a distance of 526.80 feet; THENCE N 89°30'50" E a distance of 658.45 feet; THENCE N 00°15'29" E a distance of 2.44 feet to the southwest corner of CARDINAL POINT ADDITION, a subdivision of record in Pottawatomie County, Oklahoma; THENCE N 89°30'50" E, along the south line of said CARDINAL POINT ADDITION, a distance of 329.38 feet; THENCE S 00°13'37" W, along the west line of said CARDINAL POINT ADDITION, a distance of 529.23 feet to the south line of said Southeast Quarter; THENCE S 89°30'50" W, along the south line of said Southeast Quarter, a distance of 988.81 feet to the POINT OF BEGINNING, containing 11.970 acres more or less.

COUNTY TREASURER'S CERTIFICATE

I, _____, do hereby certify that I am the duly elected, qualified and acting County Treasurer of Pottawatomie County, State of Oklahoma, that the tax records of said County show all taxes are paid for the year _____ and prior years on the land shown on the final plat of UNION SQUARE ADDITION that the required statutory security has been deposited in the office of County Treasurer guaranteeing payment of the current years taxes. In witness whereof, said County Treasurer has caused this instrument to be executed at the City of Shawnee, Oklahoma on this ____ day of _____, 2024.

County Treasurer

BONDED ABSTRACTER'S CERTIFICATE

The undersigned, a duly qualified and lawfully Bonded Abstractor of titles in and for the County of Pottawatomie, State of Oklahoma, hereby certifies that the records for said County show that the land shown on the final plat of UNION SQUARE ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma is vested in ROYAL LAND PROPERTIES L.L.C., an Oklahoma Limited Liability Company. All lands described and referred to are unencumbered by pending actions, judgments, liens, mortgages, taxes and other encumbrances, EXCEPT oil, gas and other mineral leases and interests which have been previously conveyed and easements and general mortgages of record.

Executed this ____ day of _____, 2024

_____, for _____
Vice President Old Republic Title Company of Oklahoma

LAND SURVEYOR'S CERTIFICATE

I, Kent Mace, do hereby certify that I am a Professional Land Surveyor in the State of Oklahoma, and the final plat of UNION SQUARE ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, represents a survey made under my supervision on the ____ day of _____, 2024, and the monuments shown thereon exist and their positions are correctly shown, and this Survey meets the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of licensure for Professional Engineers and Land Surveyors, and that said Final Plat complies with the requirements of Title 11 Section 41-108 of the Oklahoma State Statute.

Kent Mace, PE, LS - LS #1873

STATE OF OKLAHOMA, COUNTY OF CLEVELAND §

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kent Mace, to me known to be the identical person who executed the above instrument and acknowledged to me that he executed the same as his free and voluntary act and deed. Given under my hand and seal the ____ day of _____, 2024.

My Commission Expires _____ Notary Public

DATE PREPARED:

8/12/2024

OWNERS:

Royal Land Properties L.L.C.,
1805 Pecan Crossing Drive
Shawnee, OK 74804

LAND SURVEYORS:



5744 Huettner Court, Ste. 100
Norman, OK 73069
Telephone: (405) 872-7594
Email: kent@mbls.us

Certificate of
Authorization
No. 8137

LEGEND

- | | | | |
|--------|-----------------------------|------------------------------|----------------------|
| ■ | PERMANENT MONUMENT-SET 5/8" | —○—○—○— | FENCE |
| ● | IRON PIN WITH ALUMINUM CAP | ---- | SECTION LINE |
| ● | SET 1/2" IRON PIN WITH | - - - - | QUARTER SECTION LINE |
| ● | CAP "MACBAX CA 8137" | ---- | BOUNDARY LINE |
| ● | SET MAG NAIL WITH | ---- | LOT LINES |
| ● | SHINER "MACBAX CA 8137" | ---- | EASEMENT LINES |
| ▲ | SET COTTON SPINDLE WITH | | |
| | SHINER "MACBAX CA 8137" | | |
| * | FOUND MAG NAIL WITH | | |
| ◇ | FOUND IRON PIN | | |
| ◇ | FOUND PLSS MONUMENT | | |
| ~1000~ | ADDRESS | | |
| | | U/E = UTILITY EASEMENT | |
| | | D/E = DRAINAGE EASEMENT | |
| | | L/E = LANDSCAPE EASEMENT | |
| | | PE/D/E = PEDESTRIAN EASEMENT | |
| | | B/L = BUILDING LINE | |
| | | ROW = RIGHT OF WAY | |



Planning Commission Meeting – October 2, 2024 – City of Shawnee, Oklahoma

Final Plat Application | FPL05-24 | Union Square Addition

=====

To: Shawnee Planning Commission
From: Rian Harkins, Community Development Director
Date: September 25, 2024
Subject: **Staff Report** – Consideration of a request for a Final Plat for Union Square Addition
Case No. **FPL0-24** | Applicant: Royal Land Properties, LLC

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Background: The subject property is located northeast of the intersection of E 45th Street and N. Union Avenue in Section 31, Township 11 North, Range 4 East. The property is zoned C-3 (Highway Commercial District). The Preliminary Plat included approximately 11.952 acres and was approved in May 2024. The Preliminary Plat of Union Square Addition contained eight (8) lots and one (1) common tract. The City Commission reviewed and approved the Preliminary Plat after suggested changes made by staff were incorporated.

Discussion:

The proposed Final Plat was submitted by the applicant and reviewed by staff, which proposes the following revisions:

- Noting all cross-access easements as delineated on the copy of the proposed plat staff has marked up.
- Revise easements to note they are also drainage easements as shown on the marked-up copy of the proposed plat.
- Include the additional drainage easement near the northwest corner of the common area as noted by staff.

Findings and Facts:

- Staff has reviewed the document for accuracy and finds it sufficient.
- The City Engineer, Community Development Director, and Fire Marshal are satisfied with the Final Plat with the proposed revisions

Alternatives:

- Recommending Approval of Case No. FPL05-24, for the Final Plat, Union Square Addition as presented.
- Recommending Approval of Case No. FPL05-24, for the Final Plat, Union Square Addition as recommended (including suggested revisions).
- Recommending Denial of the application for Case No. FPL05-24.
- Recommending Deferral of Case No. FPL0-24 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 **CONDITIONAL APPROVAL** of **FPL05-24** for the Final Plat, Union Square Addition with the suggested revisions.

This application will be heard at the City Commission meeting on Monday, October 21, 2024, at 6:00 p.m. in the City Hall Commission Chambers.



Planning Commission Meeting – 9.4.2024 – City of Shawnee, Oklahoma

Staff Report | RZ03-24 | C-3 to R-2 | 1303 W. Farrall Street

Date: September 25, 2024

To: Shawnee Planning Commission

From: Rian Harkins, Community Development Director

Subject: **Staff Report** - Public hearing and consideration of a request to rezone from C-1 (Local Commercial District) to R-2 (Medium Density Residential District).
Case No. RZ02-24 | Applicant: Gerona Fowler

Background

The subject property is located at 1339 E Highland and is currently zoned C-1 Local Commercial. The request by the applicant is to rezone the property to the R-2 Medium Density Residential District. The subject property is at the corner of Highland and Pesotum at the southwest corner of the intersection.

Discussion

The subject property is zoned C-1 (Local Commercial District). The properties surrounding the subject property to the east, west, and north are a combination of C-1 Local Commercial and C-2 Regional Commercial Zoning Districts. To the south, the adjacent parcels are zoned R-2 (Medium Density Residential District). The applicant is currently looking to sell the property, which contains a single family detached dwelling unit. However, the existing dwelling unit is considered a non-conforming use. Because of this, the applicant is seeking the zoning change to make the dwelling unit a legally compliant structure as part of the sale of the property.

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has a Medium Density Residential land use designation. This land use designation features a density of up to 12 dwelling units per acre. R-2 is an appropriate zoning district for this land use designation. The request 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 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 R-2 zoning.
- If approved, the rezoning of the property would make the existing dwelling unit a conforming structure.
- Removing the non-conforming status of the dwelling unit will allow for easier title transfer.
- The request is in conformance with the Comprehensive Plan Future Land Use Map (FLUM).
- Notification for a public hearing was served.

Options:

- Recommending Approval of Case No. RZ03-24 to rezone from C-1 (Local Commercial District) to R-2 (Medium Density Residential District) as requested by the applicant.
- Recommending Denial of the application for RZ03-24 to rezone the subject property.
- Recommending Deferral Case No. RZ03-24 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 **RZ03-24** to rezone the subject property from C-1 (Local Commercial District) to R-2 (Medium Density Residential District).

This rezoning application will be heard at the City Commission meeting on Monday, October 21, 2024, at 6:00 pm.

PLANNING COMMISSION APPLICATION



City of Shawnee Community Development Department

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

www.ShawneeOK.org

For Office Use Only

Case Number:

R2 03-24

Project Number:

2024/292

Date Filed:

8-27-24

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 Commercial (C-1) District to residential District (R-2) as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): ~~4436~~ ~~1339~~ 1339 E. Highland

LEGAL DESCRIPTION: Jerome Bk 1 lot 1 thru 4 less .06 A to state 4.00 lots

PROPERTY OWNER (S): Gerona Fowler

PROPERTY AGENT (APPLICANT): Gerona Fowler

APPLICANT'S ADDRESS: 4436 Lilly Valley

CITY: Shawnee STATE: OK ZIP: 74804

EMAIL ADDRESS: gerona.f.fowler@gmail.com gerona.fowler@gmail.com

TELEPHONE NUMBER: (405) 275-4699 CONTACT NUMBER: (405) 388-5459

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

CURRENT ZONING: Commercial CURRENT USE: for sale

PROPOSED ZONING: residential PROPOSED USE: 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.

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

Gerona Fowler
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. 5549

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

NOTIFICATION SIGN \$ 50.00

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COMMISSION ACTION: _____ DATE: _____

PLACE ON ZONING MAP: _____ ORDINANCE NO.: _____

REVOCABLE TRANSFER ON DEATH DEED

Gerona Fowler, a married person dealing in her separate property which is non-homestead property, being of competent mind and having the legal capacity to execute this document, as sole owner, hereby transfers on death to the following:

- An undivided one-third (1/3rd) interest - Rodney Fowler
724 W. Broadway
Enid, OK 73701
- An undivided one-third (1/3rd) interest - Pamela Hatchard
P.O. Box #2
Round Top, TX 78954
- An undivided one-third (1/3rd) interest - Kimberly Winsett
16533 S.E. 89th St.
Choctaw, OK 73020



as tenants in common, and not as joint tenants, as grantee beneficiaries, all of owner's interest in and to the following described interest in real estate:

Surface Only of Lots One (1), Two (2), Three (3), and Four (4),
Block One (1), Timm's Addition to the City of Shawnee,
Pottawatomie County, Oklahoma, according to the recorded plat
thereof (1339 E. Highland, Shawnee, OK)

THIS TRANSFER-ON-DEATH DEED IS REVOCABLE. IT DOES NOT TRANSFER ANY OWNERSHIP UNTIL THE DEATH OF THE OWNER. IT REVOKES ALL PRIOR BENEFICIARY DESIGNATIONS BY THIS OWNER FOR THIS INTEREST IN REAL ESTATE. THE GRANTOR HAS THE RIGHT TO WITHDRAW OR RESCIND THIS DEED AT ANY TIME. ANY BENEFICIARY NAMED IN THIS DEED IS HEREBY ADVISED THAT THIS DEED MAY BE WITHDRAWN OR RESCINDED WHETHER OR NOT MONEY OR ANY OTHER CONSIDERATION WAS PAID OR GIVEN.

THE GRANTEE BENEFICIARIES OF THIS TRANSFER-ON-DEATH DEED TAKE THE INTEREST OF THE OWNER IN THE REAL ESTATE AT DEATH, SUBJECT TO ALL CONVEYANCES, ASSIGNMENTS, CONTRACTS, MORTGAGES, LIENS AND SECURITY PLEDGES MADE BY THE RECORD OWNER OR TO WHICH THE RECORD OWNER WAS SUBJECT DURING THE LIFETIME OF THE RECORD OWNER.

This Revocable Transfer on Death Deed is executed pursuant to the Oklahoma Nontestamentary Transfer of Property Act, Title 58, O.S. Section 1251 et. seq, and is exempt from the documentary stamp tax.

RETURN TO:

HENSON & MARSHALL, PLLC

101 W. 9TH, P.O. BOX 3488, SHAWNEE, OKLAHOMA 74802-3488

VIEW ADDITIONAL LAND RECORDS AT
OKCOUNTYRECORDS.COM

Tax Roll Inquiry

Pottawatomie County Treasurer



Buddy Anderson, Treasurer
PO Box 3069, Shawnee, OK 74802-3069
Phone: 405-273-0213
Fax: 405-275-8644
E-Mail: noreply@pottcotrea.org



20230025236

Owner Name and Address

FOWLER GERONA
4436 LILLY VALLEY
SHAWNEE OK 74804-0000

Taxroll Information

Tax Year : 2023
Property ID : 2910-00-001-001-0-000-00
Location : 1339 E HIGHLAND SHAWNEE 1
School District : 093S 93 SHAWNEE Mills : 104.47
Type of Tax : Real Estate
Tax ID : 25236

Legal Description and Other Information:

TIMMS BLK 1 LOTS 1 THRU 4 LESS .06A TO STATE 4.00 Lots

Assessed Valuations	Amount	Tax Values	Amount
Land	680	Base Tax	651.00
Improvements	5555	Penalty	0.00
Net Assessed	6235	Fees	0.00
		Payments	651.00
		Total Paid	651.00
		Total Due	0.00

Date	Receipt	Paid With	Payment For	Amount	Paid By
12/29/2023	24523	Check	Taxes	651.00	GERONA FOWLER->SAME->405-275-4699->Check# 279

[illegible]

Lots One (1), Two (2), Three (3) and Four (4), Block One (1), TIMMS' ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof. LESS and EXCEPT that portion deeded to the State of Oklahoma for Highway purposes recorded in Book 694 Page 309.

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.

First American Title Insurance Company

Julie Jordan
Abstractor License No. 4071
OAB Certificate of Authority # 017
File No. 2890670-OK99

OWNERSHIP LIST

ORDER NO 2890670-OK99

DATE PREPARED: August 26, 2024

EFFECTIVE DATE: August 17, 2024 at 7:30 am

OWNER	LOT	BLK	ADDITION
FOWLER GERONA 4436 LILLY VALLEY SHAWNEE, OK 74804-0000	LOTS 1 THRU 4 LESS .06A TO STATE	1	TIMMS
STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	.06A STRIP OF LAND LYING IN LOTS 1 THRU 4	1	TIMMS
O'BRIEN OWEN JR & JENNIFER 1335 E HIGHLAND ST SHAWNEE, OK 74801-	LOTS 5 THRU 9 LESS N23' OF LOTS	1	TIMMS
STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	N23' OF LOTS 5 THRU 9	1	TIMMS
O'BRIEN OWEN JR & JENNIFER 1335 E HIGHLAND ST SHAWNEE, OK 74801-	LOTS 10 THRU 12 LESS N23'	1	TIMMS
STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	N23' OF LOTS 10 THRU 12	1	TIMMS
O'BRIEN OWEN JR & JENNIFER 1335 E HIGHLAND ST SHAWNEE, OK 74801-	S71' LOTS 10 &; 11	16	WHITTAKER AP BLKS 1-2-8-13-16
STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	N23' LOTS 10 &; 11	16	WHITTAKER AP BLKS 1-2-8-13-16
SPEARS KELLEY & LISA STEIRMAN JERRY 2308 E 11TH SHAWNEE, OK 74801-0000	S71' LOTS 6 THRU 9	16	WHITTAKER AP BLKS 1-2-8-13-16
STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	N23' LOTS 6 THRU 9	16	WHITTAKER AP BLKS 1-2-8-13-16
SCHAMLE AGENCY INC 5921 E CENTRAL WICHITA, KS 67208-	LOTS 14 &; 15	16	WHITTAKER AP BLKS 1-2-8-13-16
REUBEN PELTIER PROPERTIES LLC 2412 WINGED FOOT WAY SHAWNEE, OK 74804-0000	LOTS 12 &; 13	16	WHITTAKER AP BLKS 1-2-8-13-16
HOME SWEET HOME RENTALS L L C P O BOX 3861 SHAWNEE, OK 74801-0000	LOTS 13 &; 14	1	TIMMS
SCOTT BOBBY G & BETTY L TRUST 17606 COKER RD SHAWNEE, OK 74801-0000	LOTS 15 THRU 17 &; W5' OF LOT 18	1	TIMMS
POTTAWATOMIE COUNTY 309 N BROADWAY SHAWNEE, OK 74801-	E20' LOT 18 &; ALL LOT 19	1	TIMMS

LS5 RESIDENTIAL LLC 1010 E MACARTHUR SHAWNEE, OK 74804-0000	LOTS 20 THRU 22	1	TIMMS
REDLANDS RENTAL LLC F/B/O 430 NORTH PESOTUM SERIES 48594 WOLVERINE RD PRAGUE, OK 74864-	LOTS 1 &; 2	2	TIMMS
WORLEY RYAN SHANE 1341 E WHITTAKER SHAWNEE, OK 74801-0000	LOTS 3 &; 4	2	TIMMS
WILSON ANDREW P P O BOX 600 SHAWNEE, OK 74802-0591	LOTS 5 &; 6	2	TIMMS
ROBERTSON EMMA & DEANGELO COBERLEY 1331 E WHITTAKER ST SHAWNEE, OK 74801-7452	LOTS 7 &; 8	2	TIMMS
BROOKS CASSIDY 4610 MACKENZIE DR MOORE, OK 73160-	LOTS 9 &; 10	2	TIMMS
WASHBURN CHARLES KEITH & VICKI DENISE TRUSTEES OF WASHBURN FAMILY TR 18214 GADDY RD SHAWNEE, OK 74801-	LOTS 11 &; 12	2	TIMMS
PRESLEY DEBBIE S 1311 E WHITTAKER SHAWNEE, OK 74801-0000	LOTS 10 &; 11	17	WHITTAKER
BREWER AMBER 1309 E WHITTAKER ST SHAWNEE, OK 74801-	LOTS 7 &; 8 &; 9	17	WHITTAKER
DAVIS PATTY GENE 1332 E 11TH SHAWNEE, OK 74801-0000	BEG 140'W SE/C LOT 23 N113' W73' S113' E73' POB	17	WHITTAKER
MAXON MICHAEL & CAROLE 45601 RIVER RD SHAWNEE, OK 74801-0000	E140' OF LOT 23 AKA BEG SE/C LOT 23 N113' W140' S113' E140' POB	17	WHITTAKER
YOUNG RANDY 410 N FLORENCE AVE SHAWNEE, OK 74801-0000	LOTS 13 &; 14 &; N1/2 LOT 15	6	OAK PARK
BARTONVILLE PROPERTY MANAGEMENT LLC 5 CREEK DR SHAWNEE, OK 74801-	LOTS 8 THRU 12	6	OAK PARK
LINCOLN CAPITAL LLC SERIES 420 NORTH FLORENCE 401 DANA LANE MCLOUD, OK 74851-	LOTS 5 &; 6 &; 7	6	OAK PARK
MAIN PROPERTIES LLC P O BOX 50285 MIDWEST CITY, OK 73140-	LOTS 3 &; 4	6	OAK PARK
RAMIREZ OSCAR & AMY B 511 N BEARD AVE SHAWNEE, OK 74801-	LOTS 1 &; 2	6	OAK PARK
TERECO LLC 1421 E 45TH ST SHAWNEE, OK 74804-0000	LOTS 18 THRU 20 LESS S15'	6	OAK PARK

JONES JOANNE M & TIMOTHY HICKEY JR 411 N PESOTUM SHAWNEE, OK 74801-0000	S15' LOT 20 &; ALL LOTS 21 &; N 20' LOT 22	6	OAK PARK
TORRES CHRISTOPHER M P O BOX 3504 SHAWNEE, OK 74802-	S10' LOT 25 &; ALL OF LOT 26 &; N15' LOT 27	6	OAK PARK
WASSON RONALD & KAREN 409 N PESOTUM AVE SHAWNEE, OK 74801-	LOTS 23 &; 25 &; ALL LOT 24 ; S5' LOT 22	6	OAK PARK
ROLETTE ELLIS G & CAROL 405 N PESOTUM SHAWNEE, OK 74801-0000	S10' LOT 27 &; ALL LOTS 28 &; 29	6	OAK PARK
CANNON RENTALS LLC 22 W MAIN STE A SHAWNEE, OK 74801-	LOTS 30 &; 31	6	OAK PARK
JONES JOANIE 401 N PESOTUM SHAWNEE, OK 74801-	LOTS 32 THRU 34	6	OAK PARK
RAMIREZ OSCAR & AMY B 511 N BEARD AVE SHAWNEE, OK 74801-	LOT 13 LYING S OF EXTENDED EDWARD STREET LESS &; EXCEPT S10' AND LESS BEG 11.70' S NE/C LOT 13 TH S140'W150'N140'E150'POB		REMINGTON & BEARD
LEGACY PARENTING CENTER, INC 126 S. CENTER ST. SHAWNEE, OK 74801	PART OF LOT 13		REMINGTON & BEARD
BROUDRICK SONIA L 44 PINEY RIDGE LN SHAWNEE, OK 74801-0000	LOT 1 &; LOT 2 LESS 20' X 20' LESS S10'	1	HIGHLAND HEIGHTS
CHLOUBER STEVEN & KELLEY 8 DEL RANCHO CT SHAWNEE, OK 74804-0000	LOTS 3 THRU 7 LESS S10' 1	1	HIGHLAND HEIGHTS
STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	S10' OF LOTS 3 THRU 7	1	HIGHLAND HEIGHTS
AVILA JAIME & MARIA T GUTIERREZ 1942 N ONTANIO ST BURBANK, OK 91505-	LOTS 8 &; 9 LESS S10' LESS BEG NE/C OF LT 8 S140' W4' NELY 140' TO POB LESS S10'	1	HIGHLAND HEIGHTS
CRABB MONTY 1328 E HIGHLAND SHAWNEE, OK 74801-0000	LOTS 10 &; 11 LESS S10'	1	HIGHLAND HEIGHTS
SIGLER WILLIAM 4138 N 49TH AVE PHOENIX, AZ 85031-0000	LOTS 12 &; 13 LESS S10'	1	HIGHLAND HEIGHTS
HOUSING AUTH OF SAC & FOX NATI P O BOX 1252 SHAWNEE, OK 74802-1252	LOTS 14 &; 15 LESS S10'	1	HIGHLAND HEIGHTS
MESSER MICHAEL C 1312 E HIGHLAND SHAWNEE, OK 74801-0000	LOTS 16 &; 17 LESS S10'	1	HIGHLAND HEIGHTS
STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	S10' LOTS 14 THRU 19	1	HIGHLAND HEIGHTS

STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	S10' OF LOTS 10 &; 11	1	HIGHLAND HEIGHTS
STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	S10' LOTS 12 &; 13	1	HIGHLAND HEIGHTS
STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	S10' OF LOTS 8 &; 9	1	HIGHLAND HEIGHTS
STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	S10' OF LOTS 3 THRU 7 L	1	HIGHLAND HEIGHTS
STATE OF OKLA 200 NE 21ST OKLA CITY, OK 73105-0000	S10' OF LOTS 1 &; 2	1	HIGHLAND HEIGHTS
SMOTHERS CHRISTINA LEE 1345 E ADA ST SHAWNEE, OK 74801	LOTS 46 &; 47	1	HIGHLAND HEIGHTS
HERRARA LUIS & FEATHER LOMAINTEWA 1341 E ADA SHAWNEE, OK 74801-	LOTS 44 &; 45	1	HIGHLAND HEIGHTS
TSOTADDLE MICHEAL A & LEA M 1337 E ADA SHAWNEE, OK 74801-0000	LOTS 42 &; 43	1	HIGHLAND HEIGHTS
ROBERTSON KALEB K 1335 E ADA SHAWNEE, OK 74801-0000	LOTS 40 &; 41	1	HIGHLAND HEIGHTS
GELINO JOYCE ANN & RUSSELL R 1323 E ADA SHAWNEE, OK 74801-0000	LOTS 36 THRU 39	1	HIGHLAND HEIGHTS
MASQUAS GRACE 1315 E ADA SHAWNEE, OK 74801-0000	LOTS 32 THRU 35	1	HIGHLAND HEIGHTS

NOTICE OF PUBLIC HEARING
Rezoning Request (RZ03-24)

It is hereby noticed that the City of Shawnee Planning Commission will hold a public hearing on October 2, 2024, 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 21, 2024, at 6:00 p.m. in the Commission Chambers at City Hall. The Planning Commission and City Commission will consider a rezoning request (**RZ03-24**) to rezone from C-1 (Neighborhood Commercial District) to R-2 (Medium Density Residential District) at property addressed as 1339 E Highland and described as:

Lots One, Two, Three, and Four, Block One, Timm's Addition to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof. Less and except that ported deeded to the State of Oklahoma for Highway purposes recorded in Book 694 Page 309

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.



RZ03—24 1339 E Highland, C-1 to R-2



PUBLIC HEARING

For more information

Community Development Department
Shawnee City Hall
16 W. 9th Street
Shawnee, OK 74801
405-878-1672

Planning Commission

October 2, 2024

City Hall at 16 W. 9th Street, Commission Chambers
1:30 PM

City Commission

October 21, 2024

City Hall at 16 W. 9th Street, Commission Chambers
6:00 PM



RZ03—24 1339 E Highland, C-1 to R-2

Project Information

Request: Request to rezone from C-1 (Neighborhood Commercial District) to R-2 (Medium Density Residential District)

Applicant: Gerona Fowler

Location: 1303 W. Farrall Street

Case #: RZ03-24



Frequently Asked Questions

What is a Rezoning?

A Rezoning is a request to change the zoning of a property to a different zoning district. The zoning of a property determines many of the allowed uses available for development.

What is a Conditional Use Permit (CUP)?

A Conditional Use Permit (CUP) is a request for a particular use that has been classified in the Zoning Code as requiring a CUP. These uses require a thorough review because some uses could more intensely affect the area in which it is located.

Why did I receive a letter?

You own property within 300 feet of the subject property.

How do I comment on the request?

Try to attend the public hearing if you are able. Staff will also accept written comments for those who cannot attend.

What if I have questions?

Call the Community Development Dept. at 405-878-1672 or email the Community Development Director at rian.harkins@shawneeok.org.

What if I cannot attend the hearing?

Staff will accept written comments. You may also have a neighbor or friend attend the hearing to represent your interests at the meeting.

How will this request affect me?

Every property is different. Contact the Community Development Department for more information if you have concerns about any impact on you.

I am not in favor of the request, what do I do?

Attend the meetings or provide written comments if you cannot attend. Property owners within 300 feet of the subject property may also prepare a protest petition. Staff can supply information about the protest petition requirements.

Legal Description: RZ03-24

Lots One, Two, Three, and Four, Block One, Timm's Addition to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof. Less and except that ported deeded to the State of Oklahoma for Highway purposes recorded in Book 694 Page 309



Planning Commission Meeting – 10.2.2024 – City of Shawnee, Oklahoma

Staff Report | RZ04-24 | R-1 to C-2 | 2025 MacArthur

Date: September 25, 2024

To: Shawnee Planning Commission

From: Rian Harkins, Community Development Director

Subject: **Staff Report** - Public hearing and consideration of a request to rezone from R-1 (Low Density Residential District) to C-2 (Regional Commercial District).
Case No. RZ04-24 | Applicant: Rueben Peltier Properties (Nick Atwood, Attorney)

Background

The subject property is located at approximately 2025 E MacArthur and contains approximately 4.84 acres. The request is to rezone approximately 1.81 acres of the property to C-2 (Regional Commercial District) from the current R-1 (Low Density Residential District). The subject property is just to the east of the intersection of Bryant and MacArthur. The remaining part of the property would likely be split from the area under consideration for later development. The applicant is requesting the rezoning in order to construct a Dollar General store location.

Discussion

The subject property is zoned R-1 (Low Density Residential District). The properties surrounding the subject property to the east are zoned TA (Transitional Agricultural District). To the north, across MacArthur, the land is zoned C-2 (Regional Commercial District). To the immediate west and then further west at the intersection is land zoned R-1 and C-1 respectively. Thus, the request would be an extension of the existing C-2 zoning located to the north of the subject property.

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has a Large Lot Residential land use designation. The description of this land use is that is a land use focused on single family detached development, with civic uses generally allowed, and with special permission granted for higher intensity uses. Transitional Agricultural zoning is generally the appropriate zoning district for this land use designation. However, there is a low intensity commercial land use immediately north of the subject property. This land use classification generally lends itself to the C-1 Local Commercial District. With this in mind, the request for the C-2 zoning would not be 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 public hearing was published in 'The County Democrat weekly newspaper. A sign providing details and contact information was placed on the subject property.

Staff have received objections to the rezoning request, with any written objections included as an attachment to the staff report.

Findings and Facts:

- The subject property is adjacent to C-2 and TA zoning on MacArthur.
- Due to the Large Lot Residential future land use classification, the request is generally not in conformance with the Comprehensive Plan Future Land Use Map (FLUM).
- There is a Low Intensity Commercial designation on the FLUM immediately across MacArthur to the north.
- The increased lighting, landscaping, and screening standards would help mitigate any negative impacts upon neighboring properties.
- Notification for a public hearing was served.

Options:

- Recommending Approval of Case No. RZ024-24 to rezone from R-1 (Low Intensity Residential District) to C-2 (Regional Commercial District) as requested by the applicant.
- Recommending Approval of Case No. RZ024-24 to rezone from R-1 (Low Intensity Residential District) to C-1 (Local Commercial District).
- Recommending Denial of the application for RZ04-24 to rezone the subject property.
- Recommending Deferral Case No. RZ04-24 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 **DENIAL** of **RZ04-24** to rezone the subject property to C- 2 (Highway Commercial District) to R-1 (Low Density Residential District).

This rezoning application will be heard at the City Commission meeting on Monday, October 21, 2024, at 6:00 pm.

PLANNING COMMISSION APPLICATION



City of Shawnee 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>R204-24</u>
Project Number:	<u>20241308</u>
Date Filed:	<u>9.3.2024</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 Residential District to Commercial District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): _____

LEGAL DESCRIPTION: Attached as Exhibit "A"

PROPERTY OWNER (S): Rueben Peltier Properties, LLC.

PROPERTY AGENT (APPLICANT): Nicholas Atwood, Attorney

APPLICANT'S ADDRESS: 116 North Bell Avenue P.O. Box 3011

CITY: Shawnee STATE: Oklahoma ZIP: 74802

EMAIL ADDRESS: natwood@rrmalaw.com

TELEPHONE NUMBER: (405) 878-2080 CONTACT NUMBER: () _____

DIMENSIONS OF PROPERTY: AREA: 4.84 Acres WIDTH: 225.00'
LENGTH: 350.00' FRONTAGE: 225.00'

CURRENT ZONING: R-1 **CURRENT USE:** Empty

PROPOSED ZONING: C-2 **PROPOSED USE:** Retail Sales

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]
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. 5505

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

NOTIFICATION SIGN \$ 50.00

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COMMISSION ACTION: _____ DATE: _____

PLACE ON ZONING MAP: _____ ORDINANCE NO.: _____

Planning Department Application Submittal Guidelines - City of Shawnee, OK

Planning Department – 222 N. Broadway Ave. – 405-878-1616

Rezoning (RZ) – Conditional Use Permits (CUP) – Planned Unit Developments (PUD)

Applicants are strongly encouraged to speak with a member of the Planning Department staff **prior** to submitting an application. Please contact the Planning Department to schedule a time to discuss your application with a staff member. Initial meetings can be over the phone, virtual, or in-person. Follow-up phone calls and emails are welcomed.

Application packages shall be submitted to the Planning Department **at least 30 days** prior to the Planning Commission meeting. Attached to these guidelines are a current Planning Commission meetings calendar and the corresponding due dates for application submittal.

The submittal package shall include **Application – Deed or Affidavit – Mailing List – Fees**

Application

The completed and signed application. Include the full legal description of the subject property – attached by separate sheet if necessary. Incomplete or unsigned applications will not be accepted or will be returned.

Deed or Affidavit

A copy of the deed of ownership or a signed affidavit from the property owner explicitly giving permission for the public hearing for a rezoning is allowed on the subject property.

Mailing List

A mailing address list of all property owners located within a 300' radius of the perimeter of the subject property lines. Multi-family uses or treatment facilities rezoning requests require a radius of 1,320 feet and increased notice time. (*see next page*)

The certified list **must be obtained** from a registered, bonded abstract company or a licensed title insurance company. The cost of obtaining the list is the applicant's responsibility.

Fees

The fees due with submittal are application and sign fees. Calls or emails to confirm are welcomed.

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Upon receipt, staff will review the submittal and contact the applicant with any questions.

In compliance with Oklahoma State Statute the notifications of a public hearing must be mailed, published, and posted not less than 20 days prior to the public hearing meeting date

- A notification of a public hearing shall be mailed to all property owners located within a 300' radius of the perimeter of the subject property lines. City staff will generate and mail the notification letters.
- A legal notice of a public hearing shall be published in a newspaper of general circulation in Shawnee. City staff will arrange for the publication.
- A sign announcing a public hearing shall be posted on the subject property by the City.

- The Planning Commission will hold a public hearing to review the rezoning/CUP/PUD request. The Planning Commission is a recommending body, so a recommendation of approval, approval with conditions, or denial will be forwarded with the application to the City Commission for review.
 - While not required, the applicant or a knowledgeable representative should plan to attend and speak at the public hearing. Legal representation is not needed.
- The City Commission will hold a public hearing and review the rezoning/CUP/PUD request along with the Planning Commission's recommendation. If you do not attend the meeting, you may contact the Planning Department after the City Commission meeting for the final decision. The City Commission typically meets the first and third Mondays of each month at 6:00 p.m.

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- When a rezoning request is for multi-family or treatment facilities, and similar facilities
 - 11 O.S. 43-106 – “ In addition to the notice required in this subsection, if the zoning change requested permits the use of treatment facilities, multiple family facilities, transitional living facilities, halfway houses and any housing or facility that may be used for medical or nonmedical detoxification as these terms are defined pursuant to Section 3-403 of Title 43A of the Oklahoma Statutes, the entity proposing the zoning change shall mail a written notice within thirty (30) days of the hearing to all real property owners within one-quarter (1/4) of a mile where the area to be affected is located...”
 - ❖ This additional notification time will affect the due date for application submittal. The typical due date is 30-days prior to the scheduled Planning Commission meeting you wish to attend. For the uses listed pursuant to 11 O.S. 43-106, the submittal due date may be 60-days prior to the public hearing meeting. Planning staff will confirm an application due date on a case-by-case basis.

Planning Applications Submittal Checklist

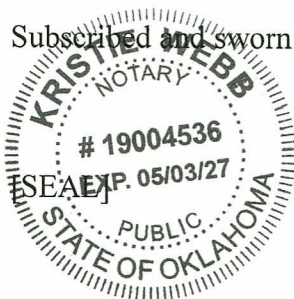
- _____ Meeting with Planning Department staff member
- _____ Application – completed and signed
- _____ Certified list of property owners' addresses obtained from a licensed abstract or title company
- _____ Deed or Affidavit – proof of ownership or signed permission for land use change application
- _____ Fees – The cost of the application and applicable fees are due at the time of submittal.

[illegible]

1. I, Reuben Peltier, am the Member Manager of and authorized to represent and act on behalf of Reuben Peltier Properties, LLC.
2. Reuben Peltier Properties, LLC., is the owner of the property described within attached Exhibit "A."
3. I, Reuben Peltier, being the legal owner of the property described above, hereby give my consent for DJD Reality, LLC., and Attorney Nicholas Atwood of Ritchie Rock & Atwood, to appear before the City of Shawnee to perform a Rezone Application on the aforementioned property.
4. The purpose of this consent is to authorize DJD Reality, LLC., and Attorney Nicholas Atwood to submit and process any necessary applications and documents related to the Rezone with the City of Shawnee.
5. I acknowledge that I have read and understood the implications of this consent and that it is given voluntarily without any duress or undue influence.


Reuben Peltier

Subscribed and sworn before me this 29th day of August 2024.



Kristine Webb
Notary Public



201300001222
Filed for Record in
POTTAWATOMIE OKLAHOMA
RAESHEL FLEWALLEN, COUNTY CLERK
01-18-2013 At 10:04 am.
QCD 17.00

Instrument PG 1 OF 3
201300001222

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS:

That Reuben Peltier, s/p/a Reuben M. Peltier, a single person, party of the first part, for good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, does hereby quit claim, grant, bargain, sell and convey unto, Reuben Peltier Properties, L.L.C., an Oklahoma Limited Liability Company, 2412 Winged Foot Way, Shawnee, Oklahoma 74804, the following described real property and premises situated in Pottawatomie County, Oklahoma, to-wit:

Lots Forty-two (42) & Forty-three (43), Block Eight (8), HILLCREST 2nd ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 534 W. Wallace;

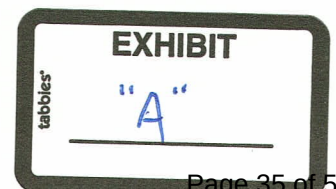
Lot Eight (8), Block One (1), SUNSET PARK 2nd ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 625 W. Rosa;

Lots Eighteen (18) & Nineteen (19), Block Nine (9), HILLCREST 2nd ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 635 W. Ford;

The East 25 feet of Lot Five (5) & ALL of Lot Six (6), Block Five (5), THOMPSON ACRES ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1202 E. Independence;

The North Half (N/2) of Lot Six (6), and the West 20 feet of the North 100 feet of Lot Seven (7), and an irregular tract of land on the South side of Lots Four (4) and Five (5), more definitely described as beginning at the Southwest Corner (SW/C) of said Lot Five (5); thence North 8 feet to a point; thence East at right angles with Broadway Street, 160 feet to a point; thence South to the south line of Lot Four (4); thence West along the south boundary line of said Lot 4 to the Southeast Corner (SE/C) of Lot 5; thence West along the South boundary line of Lot 5 to the point of beginning, ALL being in Block Five (5), NORTH PARK ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1207 N. Broadway;

Lots Fourteen (14) and Fifteen (15), Block Three (3), THE TIMBERS ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1914-1916 Aspen;



Lots Sixteen (16) & Seventeen (17), Block Three (3), THE TIMBERS ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1915-1917 Aspen;

The South 30 feet of Lot Thirteen (13) & ALL of Lot Fourteen (14), Block One (1), AP COLLEGE VIEW ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, a/k/a 3909 N Aydelotte;

Lots Eighteen (18) & Nineteen (19), Block Two (2), THE MEADOWS AP ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, a/k/a 4110-4112 N Market;

A tract of land described as beginning 662.75 feet S88°11'20"E of the Northwest Corner of the Northwest Quarter (NW/4 NW/4) of Section Nine (9), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence S88°11'20"E and along the North line of said Section 9 a distance of 331.27 feet; thence S00°59'53"W a distance of 635.80 feet; thence N88°14'20"W a distance of 331.68 feet; thence N01°02'10"E and parallel with the West line of said Section 9 a distance of 636.07 feet to the point of beginning; said tract of real property located on MacArthur Street, Shawnee, Oklahoma;

A tract of land beginning at a point 33 feet East and 160 feet South of the Northwest Corner of Lot Three (3), being the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of Section Eighteen (18), Township Nine (9) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence East 325 feet; thence North 140 feet; thence East 40 feet; thence South 140 feet; thence East 394 feet; thence South 225 feet; thence West 609 feet; thence North 150 feet; thence West 150 feet; thence North 75 feet to the point of beginning; LESS AND EXCEPT a tract of land described as beginning at the Northwest Corner of said Lot Three (3), thence S00°16'22"W a distance of 235 feet; thence N89°11'00"E a distance of 183 feet to the Point of Beginning; thence N89°11'00"E a distance of 9.95 feet; thence S00°16'22"W a distance of 150 feet; thence N90°00'00"W a distance of 9.92 feet; thence N00°15'43"E a distance of 149.86 feet to the point of beginning, containing 3.5 acres, more or less, located in Tecumseh, Oklahoma.

To have and to hold said described real property and premises unto the said party of the second part, and to its successors and assigns, forever.

Signed and delivered this 16th day of January, 2013.

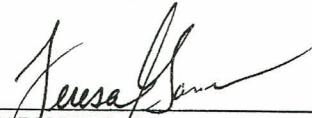

REUBEN PELTIER

EXEMPT FROM DOCUMENTARY STAMP TAX - 68 Okla. Stats. §3202(4).

STATE OF OKLAHOMA)
) SS:
COUNTY OF POTTAWATOMIE)

Before me, a Notary Public in and for said County and State, on this 16th day of January, 2013, personally appeared Reuben Peltier, s/p/a Reuben M. Peltier, a single person, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.




NOTARY PUBLIC
Commission No. 11002037
My Commission Expires: 3-4-15



First American Title™

First American Title Insurance Company

133 NW 8th Street
Oklahoma City, OK 73102
Phone: (405)236-2861 / Fax: (866)535-3211

PR: SOCENT

Ofc: 2499 (607)

Final Invoice

To: Ritchie Rock & Atwood C/O Ivan Bigknife
116 N. Bell
Shawnee, OK 74801

Invoice No.: 607 - 2499183531

Date: 08/26/2024

Our File No.: 2890635-OK99

Title Officer:

Escrow Officer:

Customer ID: 5856583

Liability Amounts

Attention:

Your Ref.:

RE: Property:
PT NW/4 9-10N-4E, Shawnee, OK 74802

Buyers: REUBEN PELTIER PROPERTIES LLC

Sellers:

Description of Charge	Invoice Amount
Ownership Report	\$450.00

INVOICE TOTAL **\$450.00**

Comments:

Thank you for your business!

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

Attention: Accounts Receivable Department

*To pay electronically go to, <https://firstam.us/paytitleinvoice>, or mail check to PO Box 776119
Chicago, IL 60677-6119*

OWNERSHIP LIST

ORDER NO 2890635-OK99

DATE PREPARED: August 26, 2024

EFFECTIVE DATE: August 17, 2024 at 7:30 am

OWNER	LOT	BLK	ADDITION
REUBEN PELTIER PROPERTIES LLC P O BOX 3071 SHAWNEE, OK 74802-3071			BEG 662.75'E NW/C E331.27' S635.80' W331.68' N636.07' POB. (9-10N-4E)
FIRST CHURCH OF GOD INC 1025 E 9TH ST SHAWNEE, OK 74801-0000			BEG 331.47'E NW/C E331.28' S636.07' W331.28' N636.35' POB. (9-10N-4E)
ERVIN MICHAEL D & JOHNN A C 5 MULLINS DRIVE SHAWNEE, OK 74804-0000			BEG 651.65'S & 325.61'E OF THE NW/C NW/4 E382.82' S299.85' W301.95' S345.07' W80.86' N645.86' POB & BEG 636.66'S & 325.6'E NW/C NW/4 E382.82' S15' W382.82' N15' POB (9-10N-4E)
LS5 RESIDENTIAL LLC 1010 E MACARTHUR SHAWNEE, OK 74804-0000			BEG 636.66'S & 708.43'E NW/C NW/4 E130.46' S659.59' W432.41' N345.07' E301.95' N314.85' POB (9-10N-4E)
SWANTEK CHARLES P & DEANA 63 GRANADA SHAWNEE, OK 74804-			BEG SW/C OF LOT 63 GRANADA COUNTRY ESTATES SWLY ON A CURVE TO THE RIGHT 21.59' W121.71' N659.56' E143' S658.06' POB (9-10N-4E)
3UP3DWN LLC 1910 KATIE RD SHAWNEE, OK 74804-0000	64	1	GRANADA COUNTRY ESTATES
SWANTEK CHARLES P & DEANA 63 GRANADA SHAWNEE, OK 74804-	63	1	GRANADA COUNTRY ESTATES
MOTRYCH JASON & AMBER 71 SONATA SHAWNEE, OK 74804-0000	LOT 71 & LOT 70 LESS & EXCEPT A TR NW 9- 10-4 WITH A PLATTED BASIS OF BEARING N88*00'00"W ALONG TH S LINE LOT 70 GRANADA COUNTRY EST MPDA BEG AT SE/C LOT 70 TH N305.95' TH S12*04'45"W A DIS 310.33' TO PT ON S LINE LOT 70 TH N88*00'00"A DIS 65.18' POB	1	GRANADA COUNTRY ESTATES
NOBLE STEWART N & JACKLYN J 72 SONATA LN SHAWNEE, OK 74084-0000	72	1	GRANADA COUNTRY ESTATES

SHAHER PATSIE 73 SONATA LN SHAWNEE, OK 74804-	73	1	GRANADA COUNTRY ESTATES
NEEDHAM PAUL W & MARY J 3302 MONTICELLO DR SHAWNEE, OK 74804-0000	2	1	CORONADO TERRACE
ERNST CHERYL N & SHELLY BELTZ 43106 MACARTHUR SHAWNEE, OK 74801-0000	3	1	CORONADO TERRACE
ERNST CHERYL N & SHELLY BELTZ 43106 MACARTHUR SHAWNEE, OK 74801-0000			751.23' E SW/C SW N533.46 E83.308' S533.44' W82.872' POB (4-10N-4E)
RUSSELL DONNA S & TIMOTHY W 1718 E MACARTHUR SHAWNEE, OK 74804-0000			A TR IN SW BEG 585.49' E SW/C N533.46' E166.616' S533.46' W165.744' POB (4-10N-4E)
C-3 AUTO ELECTRIC INC 2028 E MACARTHUR SHAWNEE, OK 74804-0000			E/2 TR IN SW DES AS BEG 419.75'E SW/C SW NO1*W 535.5' E166.616' S01*E 533.48' W165.744' POB (4-10N-4E)
AKIN FRED DEAN REVOCABLE TRUST 43004 W MACARTHUR SHAWNEE, OK 74804-			A TR IN SW BEG 419.75'E SW/C N 533.5' E166.616' S533.48' W165.744' POB LESS E/2 (4-10N-4E)
ENRIGHT DENNIS & KATHY 5 TYLER LN SHAWNEE, OK 74801-0000			BEG 338.1'E SW/C SW N533.5' E81.65' S533.5' W81.65' POB (4-10N-4E)

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:

A tract of land described as beginning at a point 662.75 feet S 89°50'57"E of the Northwest Corner of the Northwest Quarter (NW/4) of Section Nine (9), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence S89°50'57"E and along the North line of said Section Nine (9) a distance of 225.00 feet; thence S00°43'04"E a distance of 350.00 feet; thence N89°50'57"W a distance of 225.00 feet; thence N00°40'50"W and parallel with the West line of said Section Nine (9) a distance of 350.00 feet to the point of beginning.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (2), both inclusive.

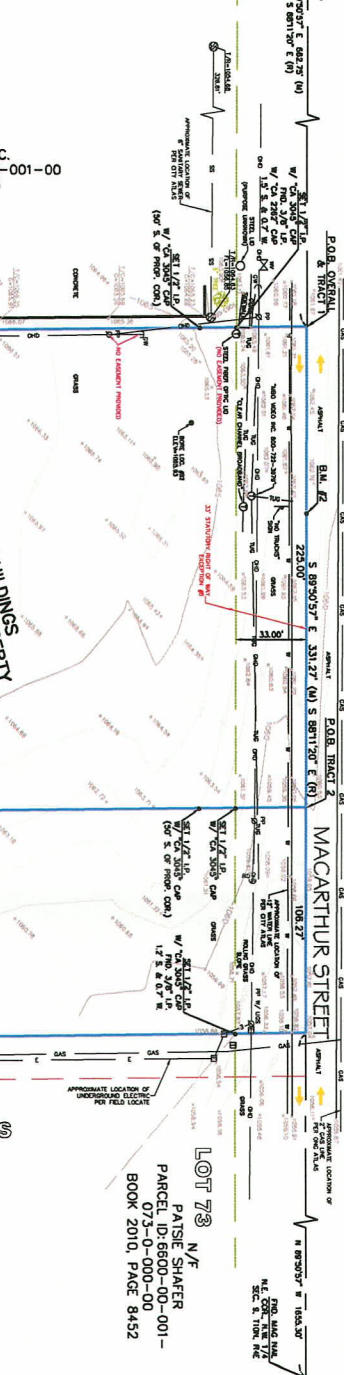
NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental 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: AUGUST 17, 2024 at 7:30 AM

First American Title Insurance Company

By: 

Julie Jordan
Abstractor License No. 4071
OAB Certificate of Authority # 017
File No. 2890635-OK99



BLK 7.1 (NINE SPOT CORNER)
 1/2 AC. 7" x 1" TOP OF CURB
 SE. CORNER OF WEST
 1/2 AC. 7" x 1" TOP OF CURB
 D.L.W. 1098.50. PAVING LOT

BLK 7.2
 1/2 AC. N.E. IN MACDONALD STREET
 APPROX. 60' W. OF EAST OF
 PROPERTY P.L.B.
 D.L.W. 1098.50.

BLK 7.3
 TOP HALF OF FIRE HYDRANT
 PAVING LOT
 1/2 AC. 7" x 1" TOP OF CURB
 D.L.W. 1098.14

LOT 73 N/F
PATSIIE SHAFER
PARCEL ID: 6600-00-001-
073-0-000-00
BOOK 2010, PAGE 8452

N/F
JASON & AMBER MOTRYCH
PARCEL ID: 6600-00-001-
071-0-000-00
BOOK 2003, PAGE 7451

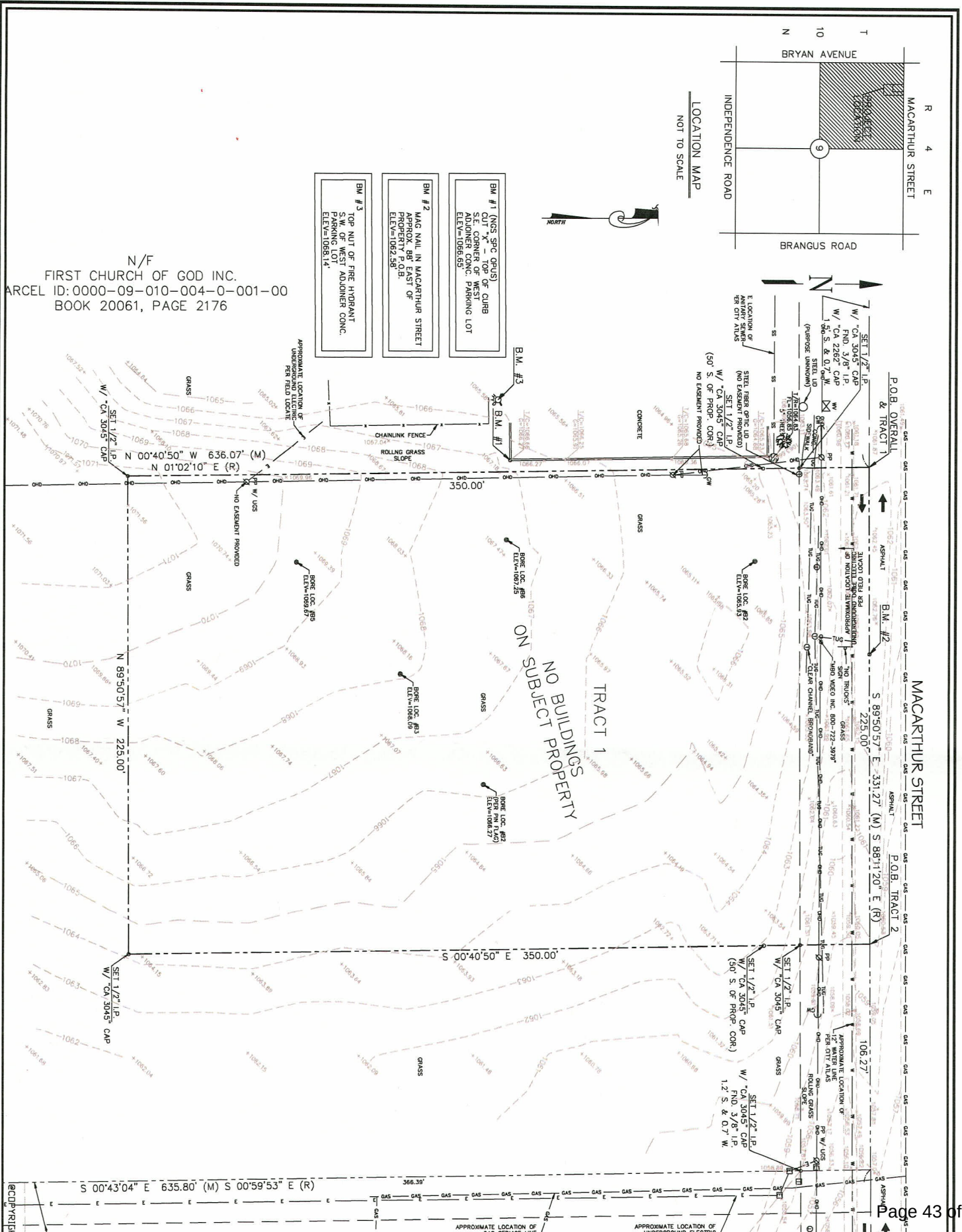
104

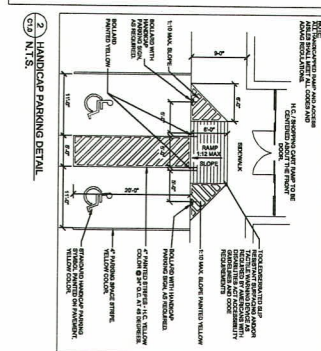
Case	Case Line	Communication Line
0	ST/PLD. MONITOR	
(a)	MEASURED DISTANCE	
(b)	RECORD DISTANCE	
(c)	PLATTED DISTANCE	
(d)	CALCULATED DISTANCE	



Date 7/10/94

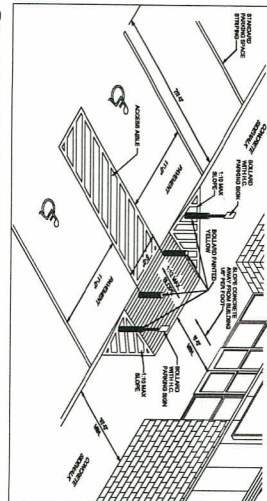
N/F
 FIRST CHURCH OF GOD INC.
 PARCEL ID: 0000-09-010-004-0-001-00
 BOOK 20061, PAGE 2176



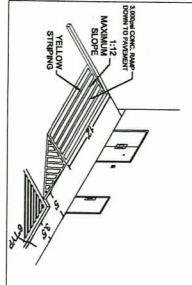


3 HANDICAP PARKING SIGN DETAIL
C1.0 N.T.S.

MANICAP PARKING DETAIL
N.T.S.



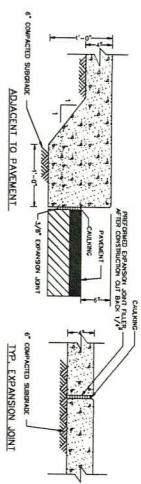
4 HANDICAP PARKING, ACCESS RAMP AND ACCESS AISLE DETAILS
N.T.S.



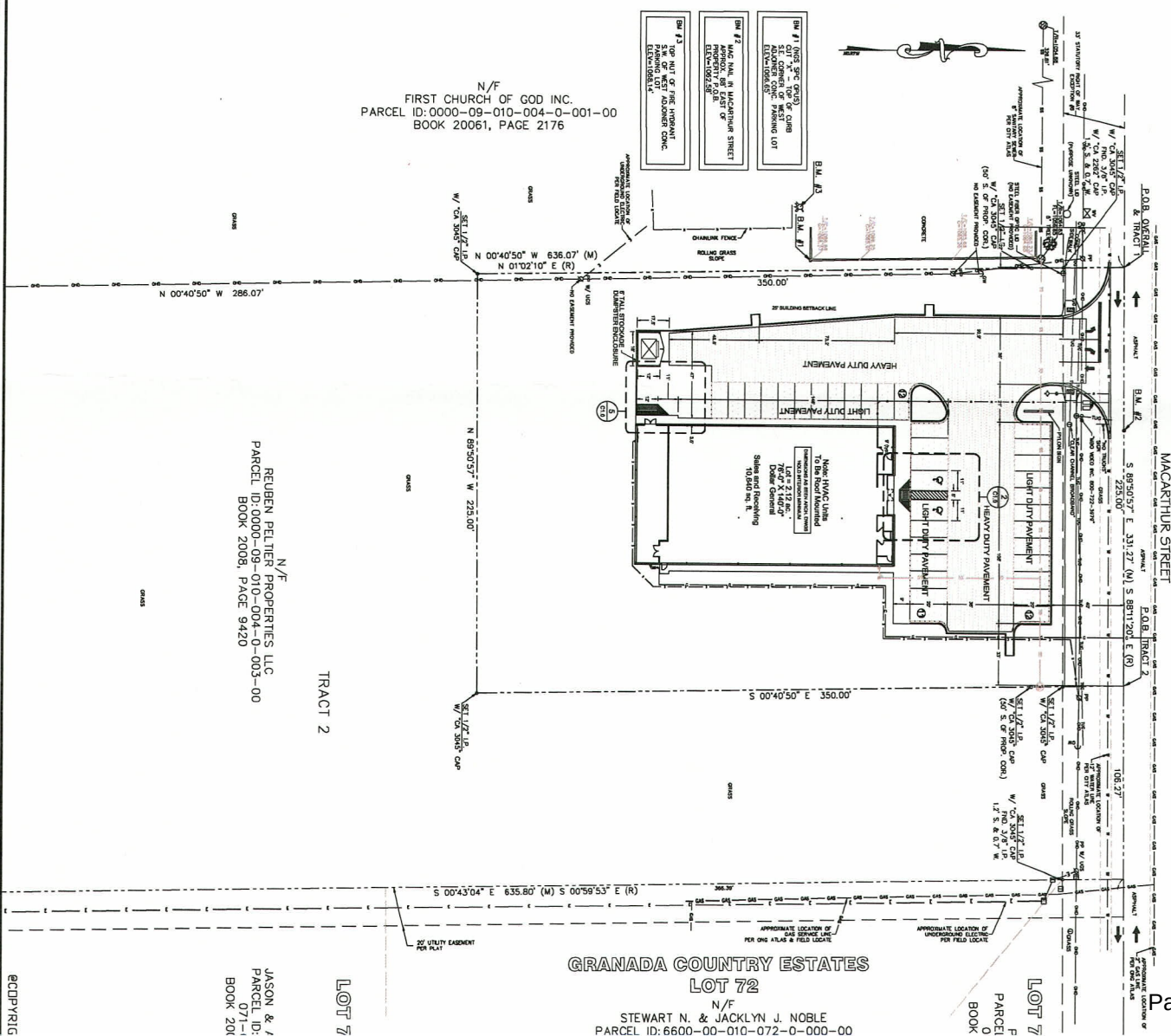
STRIPING LEGEND	
YELLOW CURBING - PARKING LOT	SURFACES SHOULD BE CLEAN, DRY AND METAL SURFACES FREE OF HEAVY RUST 2 COATS SHERWIN WILLIAMS - ENAM 4000 ACRILIC ALKID ENAMEL SAFETY TOP COAT 65913030
STRIPING, PARKING LOT	SURFACES SHOULD BE CLEAN, DRY, TOP COAT SHERWIN WILLIAMS - PRO MAR TRAFFIC MARKING PAINT YELLOW 106068
HANDICAP STRIPING, PARKING LOT	SURFACES SHOULD BE CLEAN, DRY, TOP COAT SHERWIN WILLIAMS - PRO MAR TRAFFIC MARKING PAINT V.C.

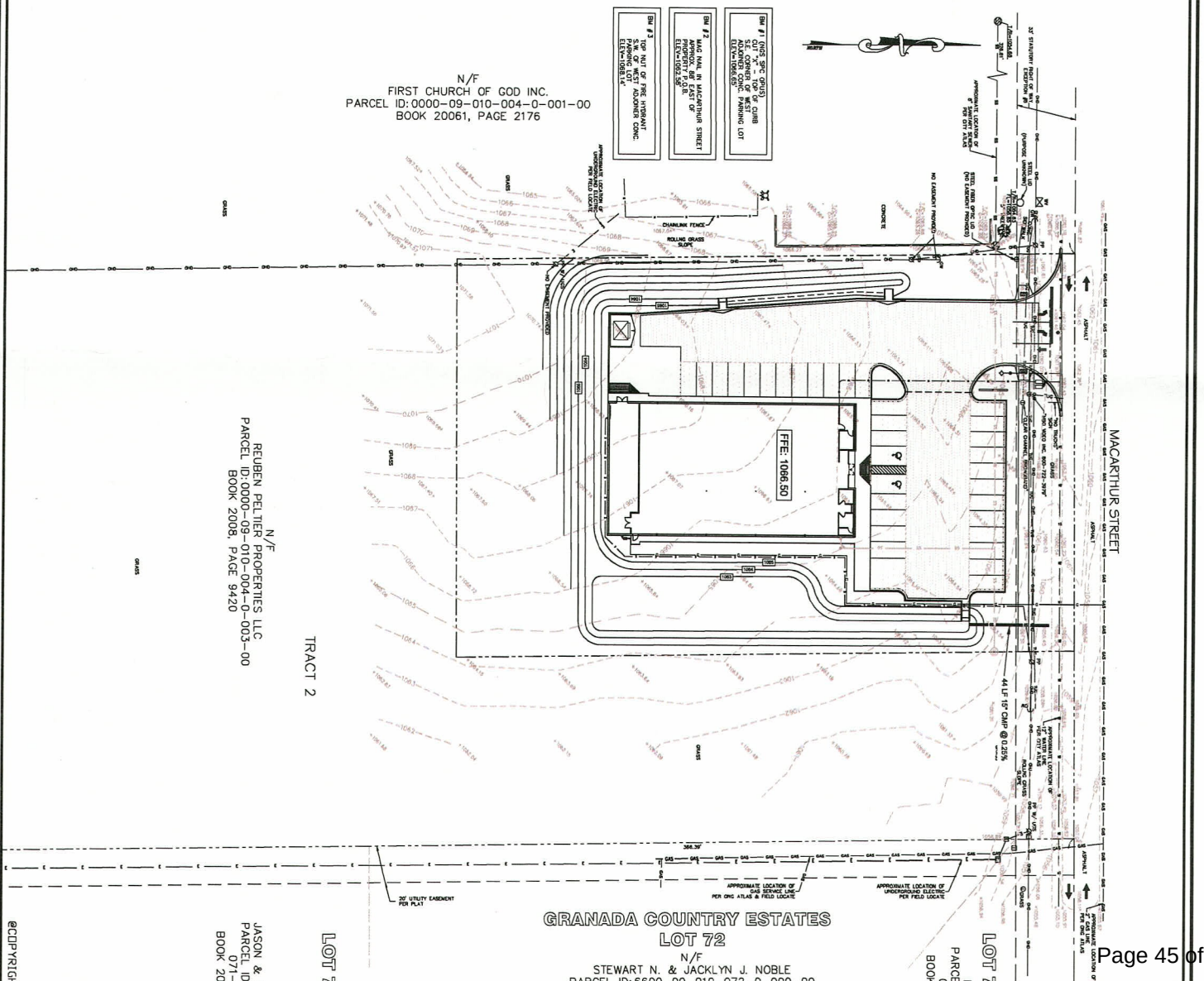
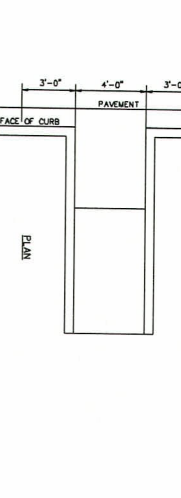
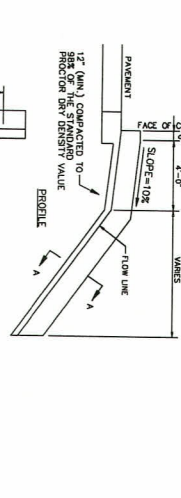
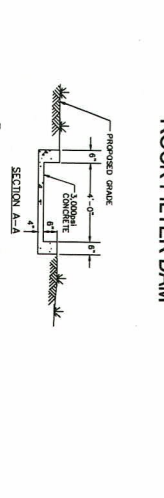
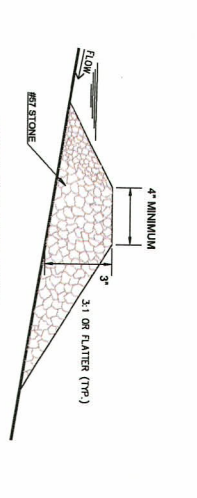
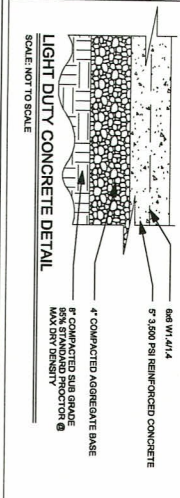
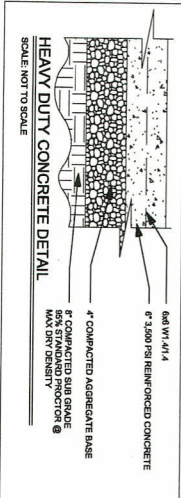
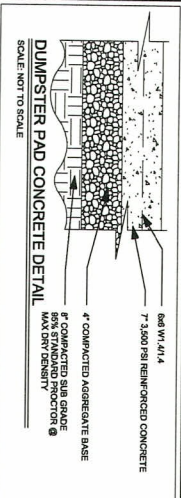
CONTRACTOR IS RESPONSIBLE FOR ALL PUBLIC UTILITY CONNECTIONS (ELECTRIC, WATER, GAS, SEPTIC, SEWER) AS WELL AS PROVIDING ALL INFRASTRUCTURES REQUIRED BY UTILITY COMPANY

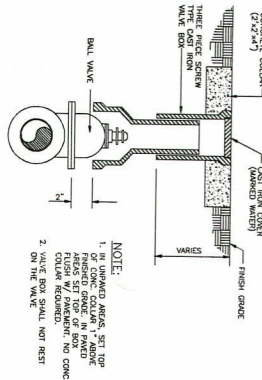
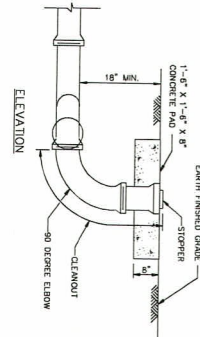
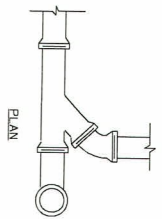
5 LOADING DOOR DETAIL
C10 N.T.S.



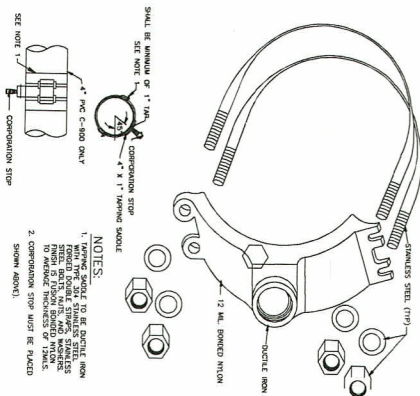
NOTE: CONC. TO BE 5,000ps
SIDEWALK SECTIONS
NOT TO SCALE







WATER VALVE BOX
NOT TO SCALE



1/2\"/>

AS SHOWN IN RESPECT TO MAIN MAN (S)

N/F
FIRST CHURCH OF GOD INC.
PARCEL ID: 0000-09-010-004-0-001-00
BOOK 20061, PAGE 2176

N/F
REUBEN PELTIER PROPERTIES LLC
PARCEL ID: 0000-09-010-004-0-003-00
BOOK 2008, PAGE 9420

TRACT 2

LOT 7

GRANADA COUNTRY ESTATES
LOT 72

N/F
STEWART N. & JACKLYN J. NOBLE
PARCEL ID: 6600-00-010-072-0-000-00

GENERAL NOTES:

1. NAME OF RECEIVING WATERS: UNMANNED TRIBUTARY OF WOLF CREEK
2. NO ACTIVITIES SHALL BE CONDUCTED WITHIN THE 100-FOOT STREAM BUFFER ALONG THE BANKS PERENNIAL STREAMS.
3. ANY REMEDIATION TO THE EROSION CONTROL PLAN WHICH HAVE A SIGNIFICANT EFFECT ON THE BANKS WITH A HYDRAULIC EFFECT MUST BE APPROVED BY THE ENGINEER.
4. EROSION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF THE EROSION CONTROL MEASURES ARE DAMAGED OR DESTROYED, THE EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS.
5. ALL SLOPES SHALL BE PROTECTED WITH EROSION CONTROL MEASURES. THE EROSION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF THE EROSION CONTROL MEASURES ARE DAMAGED OR DESTROYED, THE EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS.
6. EROSION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF THE EROSION CONTROL MEASURES ARE DAMAGED OR DESTROYED, THE EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS.
7. EROSION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF THE EROSION CONTROL MEASURES ARE DAMAGED OR DESTROYED, THE EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS.
8. EROSION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF THE EROSION CONTROL MEASURES ARE DAMAGED OR DESTROYED, THE EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS.
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10. EROSION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF THE EROSION CONTROL MEASURES ARE DAMAGED OR DESTROYED, THE EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS.
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12. EROSION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF THE EROSION CONTROL MEASURES ARE DAMAGED OR DESTROYED, THE EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS.
13. EROSION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF THE EROSION CONTROL MEASURES ARE DAMAGED OR DESTROYED, THE EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS.

EROSION CONTROL AND TEMPORARY MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF THE EROSION CONTROL MEASURES ARE DAMAGED OR DESTROYED, THE EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS.

THE ESCAPE OF SEDIMENTS FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES. EROSION CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF THE EROSION CONTROL MEASURES ARE DAMAGED OR DESTROYED, THE EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS.

MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED AT ALL TIMES. IF THE EROSION CONTROL MEASURES ARE DAMAGED OR DESTROYED, THE EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED WITHIN 24 HOURS.

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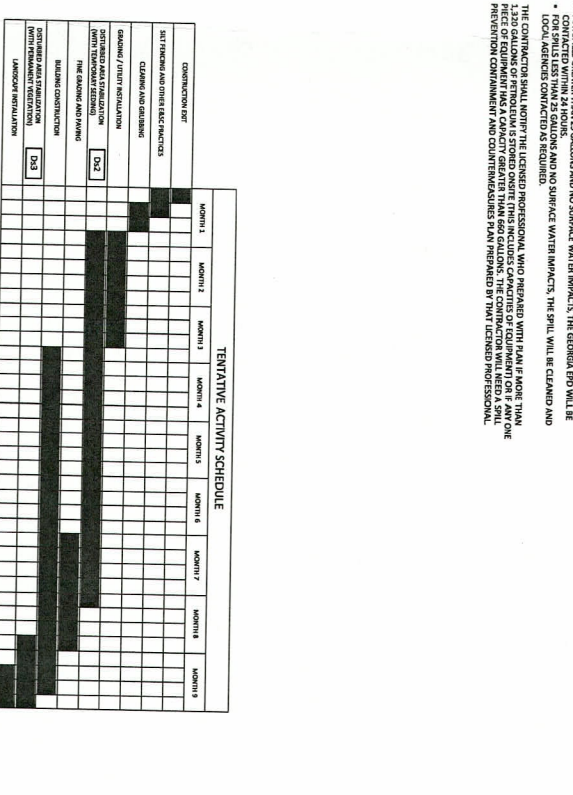
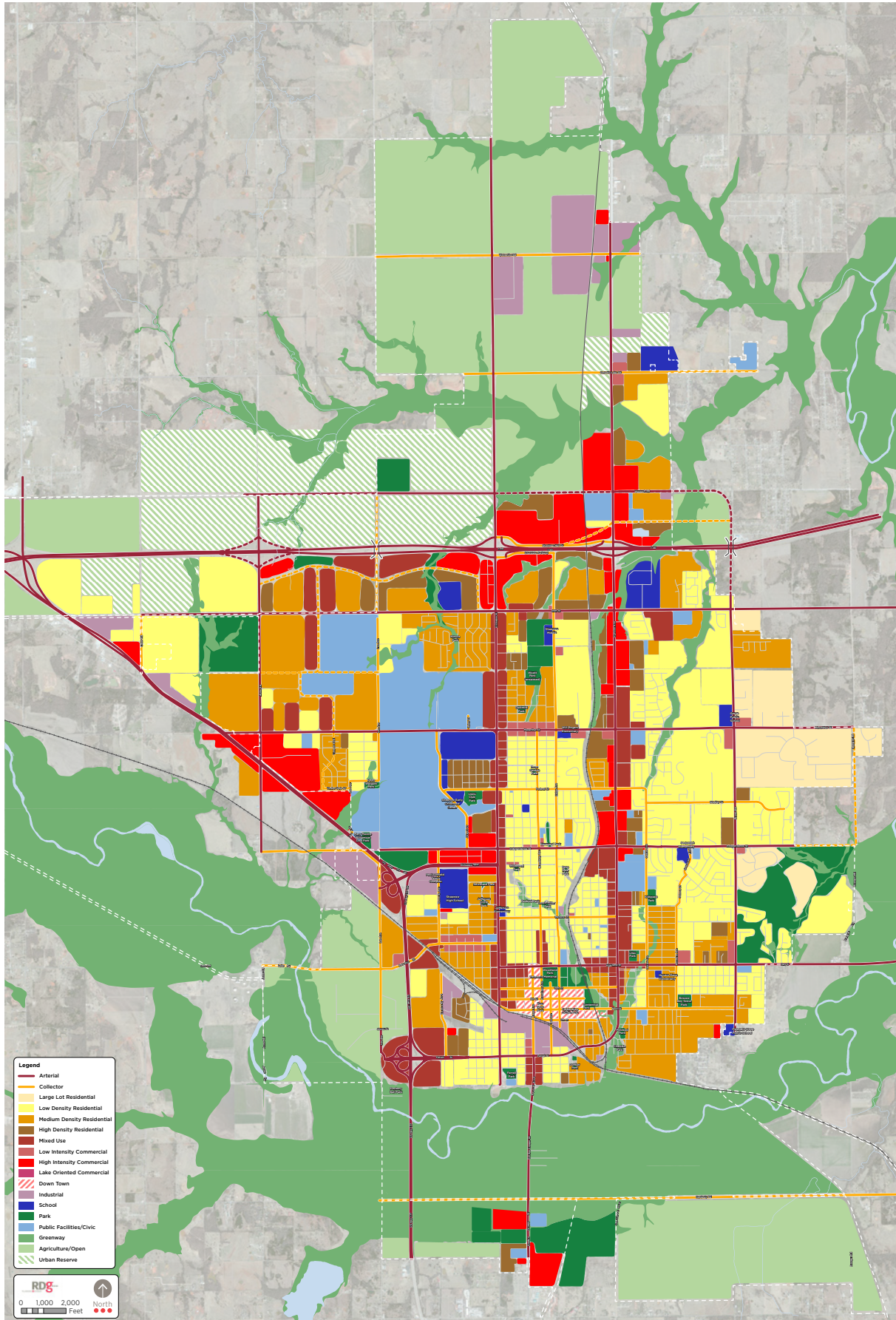


FIGURE 3.4: Future Land Use Plan

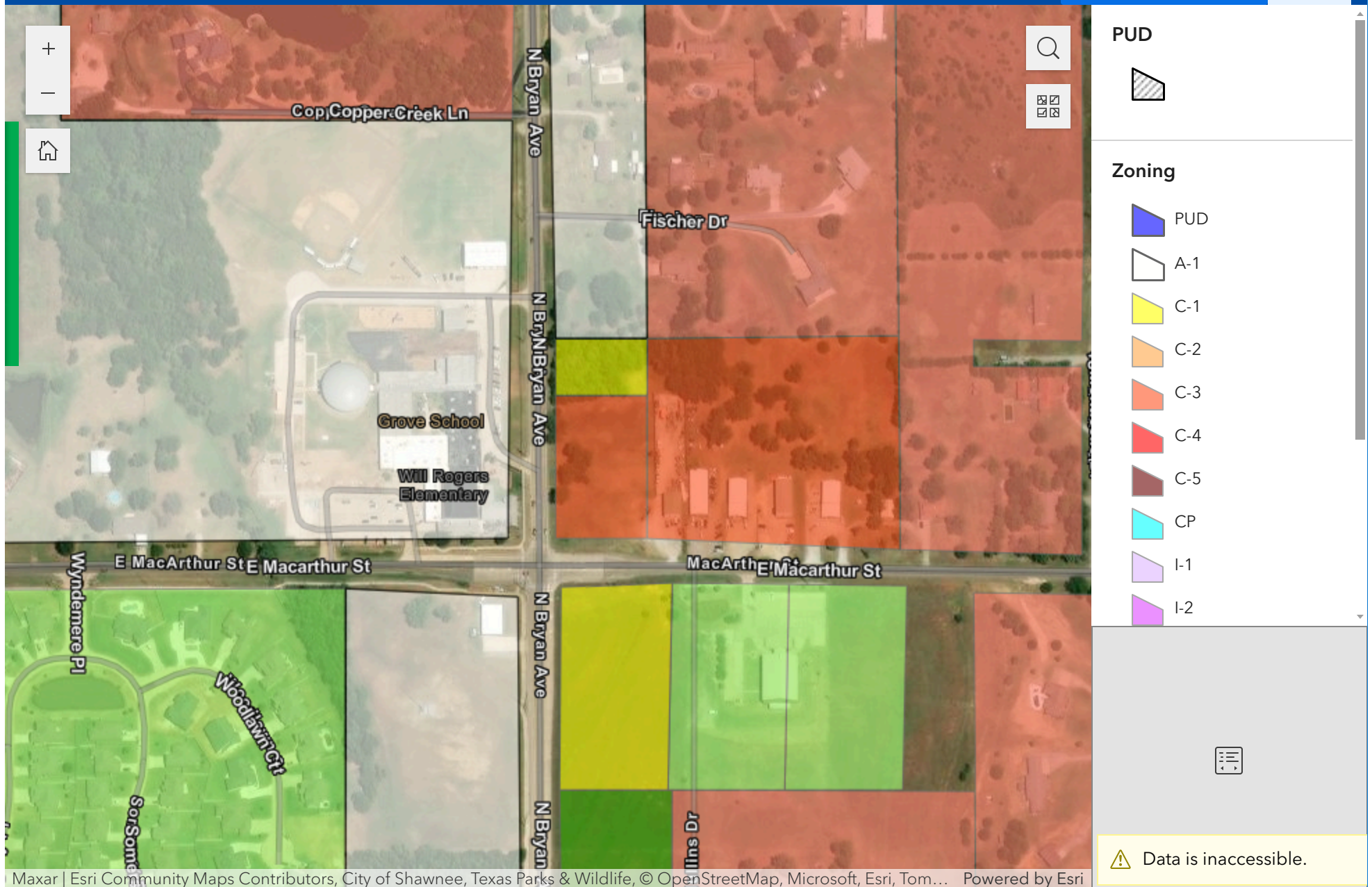


General Maps

Sign In

City

Shawnee Municipal





PUBLIC HEARING

For more information

Community Development Department
Shawnee City Hall
16 W. 9th Street
Shawnee, OK 74801
405-878-1672

Planning Commission

October 2, 2024

City Hall at 16 W. 9th Street, Commission Chambers
1:30 PM

City Commission

October 21 2024

City Hall at 16 W. 9th Street, Commission Chambers
6:00 PM



RZ04-24 R-1 to C-2 2025 E MacArthur

Project Information

Request: Rezoning request (**RZ04-24**) to rezone from R-1 (Low Density Residential District) to C-2 (Regional Commercial District)

Applicant: Reuben Peltier Properties, LLC (Nick Atwood, Attorney)

Location: 2025 E MacArthur



Frequently Asked Questions

What is a Rezoning?

A Rezoning is a request to change the zoning of a property to a different zoning district. The zoning of a property determines many of the allowed uses available for development.

What is a Conditional Use Permit (CUP)?

A Conditional Use Permit (CUP) is a request for a particular use that has been classified in the Zoning Code as requiring a CUP. These uses require a thorough review because some uses could more intensely affect the area in which it is located.

Why did I receive a letter?

You own property within 300 feet of the subject property.

How do I comment on the request?

Try to attend the public hearing if you are able. Staff will also accept written comments for those who cannot attend.

What if I have questions?

Call the Community Development Dept. at 405-878-1672 or email the Community Development Director at rian.harkins@shawneeok.org.

What if I cannot attend the hearing?

Staff will accept written comments. You may also have a neighbor or friend attend the hearing to represent your interests at the meeting.

How will this request affect me?

Every property is different. Contact the Community Development Department for more information if you have concerns about any impact on you.

I am not in favor of the request, what do I do?

Attend the meetings or provide written comments if you cannot attend. Property owners within 300 feet of the subject property may also prepare a protest petition. Staff can supply information about the protest petition requirements.

Legal Description: RZ04-24

Lots Forty-two (42) & Forty-three (43), Block Eight (8), HILLCREST 2nd ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 534 W. Wallace; Lot Eight (8), Block One (1), SUNSET PARK 2nd ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 625 W. Rosa; Lots Eighteen (18) & Nineteen (19), Block Nine (9), HILLCREST 2nd ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 635 W. Ford; The East 25 feet of Lot Five (5) & ALL of Lot Six (6), Block Five (5), THOMPSON ACRES ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1202 E. Independence; The North Half (N/2) of Lot Six (6), and the West 20 feet of the North 100 feet of Lot Seven (7), and an irregular tract of land on the South side of Lots Four (4) and Five (5), more definitely described as beginning at the Southwest Corner (SW/C) of said Lot Five (5); thence North 8 feet to a point; thence East at right angles with Broadway Street, 160 feet to a point; thence South to the south line of Lot Four (4); thence West along the south boundary line of said Lot 4 to the Southeast Corner (SE/C) of Lot 5; thence West along the South boundary line of Lot 5 to the point of beginning, ALL being in Block Five (5), NORTH PARK ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1207 N. Broadway; Lots Fourteen (14) and Fifteen (15), Block Three (3), THE TIMBERS ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1914-19 I 6 Aspen; and Lots Sixteen (16) & Seventeen (17), Block Three (3), THE TIMBERS ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1915-1917 Aspen; The South 30 feet of Lot Thirteen (13) & ALL of Lot Fourteen (14), Block One (1), AP COLLEGE VIEW ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, a/k/a 3909 N Aydelotte; Lots Eighteen (18) & Nineteen (19), Block Two (2), THE MEADOWS AP ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, a/k/a 4110-4112 N Market; A tract of land described as beginning 662.75 feet S88°1'120"E of the Northwest Corner of the Northwest Quarter (NW/4 NW/4) of Section Nine (9), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence S88°1'120"E and along the North line of said Section 9 a distance of 331.27 feet; thence S00°59'53"W a distance of 635.80 feet; thence N88°14'20"W a distance of 331.68 feet; thence N01°02'10"E and parallel with the West line of said Section 9 a distance of 636.07 feet to the point of beginning; said tract of real property located on MacArthur Street, Shawnee, Oklahoma; A tract of land beginning at a point 33 feet East and 160 feet South of the Northwest Corner of Lot Three (3), being the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of Section Eighteen (18), Township Nine (9) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence East 325 feet; thence North 140 feet; thence East 40 feet; thence South 140 feet; thence East 394 feet; thence South 225 feet; thence West 609 feet; thence North 150 feet; thence West 150 feet; thence North 75 feet to the point of beginning; LESS AND EXCEPT a tract of land described as beginning at the Northwest Corner of said Lot Three (3), thence S00°16'22"W a distance of 235 feet; thence N89°11'00"E a distance of 183 feet to the Point of Beginning; thence N89°11'00"E a distance of 9.95 feet; thence S00°16'22"W a distance of 150 feet; thence N90°00'00"W a distance of 9.92 feet; thence N00°15'43"E a distance of 149.86 feet to the point of beginning, containing 3.5 acres, more or less, located in Tecumseh, Oklahoma.

NOTICE OF PUBLIC HEARING
Rezoning Request (RZ04-24)

It is hereby noticed that the City of Shawnee Planning Commission will hold a public hearing on October 2, 2024, 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 21, 2024, at 6:00 p.m. in the Commission Chambers at City Hall. The Planning Commission and City Commission will consider a rezoning request (**RZ04-24**) to rezone from R-1 (Low Density Residential District) to C-2 (Regional Commercial District) at property addressed as 2505 E MacArthur and described as:

Lots Forty-two (42) & Forty-three (43), Block Eight (8), HILLCREST 2nd ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 534 W. Wallace; Lot Eight (8), Block One (1), SUNSET PARK 2nd ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 625 W. Rosa; Lots Eighteen (18) & Nineteen (19), Block Nine (9), HILLCREST 2nd ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 635 W. Ford; The East 25 feet of Lot Five (5) & ALL of Lot Six (6), Block Five (5), THOMPSON ACRES ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1202 E. Independence; The North Half (N/2) of Lot Six (6), and the West 20 feet of the North 100 feet of Lot Seven (7), and an irregular tract of land on the South side of Lots Four (4) and Five (5), more definitely described as beginning at the Southwest Corner (SW/C) of said Lot Five (5); thence North 8 feet to a point; thence East at right angles with Broadway Street, 160 feet to a point; thence South to the south line of Lot Four (4); thence West along the south boundary line of said Lot 4 to the Southeast Corner (SE/C) of Lot 5; thence West along the South boundary line of Lot 5 to the point of beginning, ALL being in Block Five (5), NORTH PARK ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1207 N. Broadway; Lots Fourteen (14) and Fifteen (15), Block Three (3), THE TIMBERS ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1914-1916 Aspen; and Lots Sixteen (16) & Seventeen (17), Block Three (3), THE TIMBERS ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof, a/k/a 1915-1917 Aspen; The South 30 feet of Lot Thirteen (13) & ALL of Lot Fourteen (14), Block One (1), AP COLLEGE VIEW ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, a/k/a 3909 N Aydelotte; Lots Eighteen (18) & Nineteen (19), Block Two (2), THE MEADOWS AP ADDITION to the City of Shawnee, Pottawatomie County, Oklahoma, a/k/a 4110-4112 N Market; A tract of land described as beginning 662.75 feet S88°11'20"E of the Northwest Corner of the Northwest Quarter (NW/C NW/4) of Section Nine (9), Township Ten (10) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence S88°11'20"E and along the North line of said Section 9 a distance of 331.27 feet; thence S00°59'53"W a distance of 635.80 feet; thence N88°14'20"W a distance of 331.68 feet; thence N01°02'10"E and parallel with the West line of said Section 9 a distance of 636.07 feet to the point of beginning; said tract of real property located on MacArthur Street, Shawnee, Oklahoma; A tract of land beginning at a point 33 feet East and 160 feet South of the Northwest Corner of Lot Three (3), being the Northwest Quarter of the Southwest Quarter (NW/4 SW/4) of Section Eighteen (18), Township Nine (9) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence East 325 feet; thence North 140 feet; thence East 40 feet; thence South 140 feet; thence East 394 feet; thence South 225 feet; thence West 609 feet; thence North 150 feet; thence West 150 feet; thence North 75 feet to the point of beginning; LESS AND EXCEPT a tract of land described as beginning at the Northwest Corner of said Lot Three (3), thence S00°16'22"W a distance of 235 feet; thence N89°11'00"E a distance of 183 feet to the Point of Beginning; thence N89°11'00"E a distance of 9.95 feet; thence S00°16'22"W a distance of 150 feet; thence N90°00'00"W a distance of 9.92 feet; thence N00°15'43"E a distance of 149.86 feet to the point of beginning, containing 3.5 acres, more or less, located in Tecumseh, Oklahoma.

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.



RZ04-24 R-1 to C-2 2025 E MacArthur