

NOTICE OF MEETING PLANNING COMMISSION

TYPE OF MEETING

REGULAR MEETING (X) RESCHEDULED REGULAR MEETING ()
SPECIAL MEETING () CONTINUED OR RECONVENED MEETING ()

DATE: 7-2-2025 TIME: 1:30 P.M. PLACE OF MEETING: Commission Chambers
City Hall, 16 W. 9th Street
Shawnee, OK 74801

To be completed by person filing notice:

NAME: Diana Hood
TITLE: City Planner
ADDRESS: 16 W. 9th Street
Shawnee, OK 74801
PHONE: (405) 878-1672

Filed in the office of the municipal clerk at 3:28 p.m. on June 25, 2025

SIGNED: Shelley Starkey
City Clerk/Deputy Clerk

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FOR CITY CLERK'S OFFICE USE ONLY

DATE NOTICE RELEASED TO NEWS MEDIA: 06-25-2025
PERSON FILING NOTICE: Diana Hood
NOTICE VERIFIED BY: Shelley Starkey

AGENDA
PLANNING COMMISSION
JULY 2, 2025 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 June 4, 2025, regular meeting.
2. Consideration of a request to amend the Planned Unit Development restrictions for the Shawnee Marketplace commercial area (PUD01-25). Applicant: Santa Fe Properties, LLC. c/o Kimley Horn Engineering
3. Community Development Department Updates
4. Commissioners Comments
5. 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: June 4, 2025

MINUTES

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a regular meeting on June 4, 2025, 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: Alexander, Barrett, Porter, Johnson, Hembree

Absent: Hayes, Reese

Item 1. Consideration of approval of the minutes from the regular meeting on May 7, 2025. Chair Barrett asked for questions or corrections to the minutes.

Commissioner Porter made a motion to **Approve** the minutes as presented, which Commissioner Johnson seconded. Motion **passed 5-0-0.**

Aye: Hembree, Johnson, Porter, Barrett, Alexander

Nay: None

Abstain: None

Item 2. Consideration of a request for a Final Plat for Shawnee Marketplace, Phase 3

Case No. FPL01-25 | Applicant: Brady Ali Properties, LLC

Background

The subject property is located to the northwest of the intersection of North Kickapoo Street and West 45th Street in Section 36, Township 11 North, Range 3 East. The property is zoned C-2 (Regional Commercial) with a PUD overlay, with similar zoning to the north and northwest. To the west, east, and southeast lies C-2, with R-1 (Low Density Residential) to the south and southwest.

Discussion

Findings and Facts:

- Staff has reviewed the document and finds no issue with the layout of lots or access to roadways
- Easements and Improvement plans have not been submitted for review

Options:

- Recommending Approval of Case No. FPL01-25, Final Plat for Shawnee Marketplace Phase 3 as presented.
- Recommending Approval of Case No. FPL01-25 with certain conditions or restrictions.
- Recommending Denial of the application for FPL01-25 as presented.
- Recommending Deferral of Case No. FPL01-25 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 WITH CONDITIONS** of **FPL01-25** for the Final Plat of Shawnee Marketplace Phase 3. Staff recommends that approval be conditional upon the Easements and Improvement plans be provided at or before the building permit application.

This application will be heard at the City Commission meeting on Monday, June 16, at 6:00 pm. Staff noted that the Final Plat does not require a public hearing.

Commissioner Porter made a motion to recommend the **APPROVAL** of **Case No. FPL01-25** which Commissioner Alexander seconded.

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

Aye: Hembree, Porter, Alexander, Johnson, Barrett

Nay: None

Abstain: None

Item 3. Public Hearing and Consideration of a request to rezone from R-1 (Low Density Residential) to R-2 (Medium Density Residential).

Case No. RZ02-25 | Applicant: Salazar Homes, Inc./Allen Engineering Services

Background

The subject property is located at 1402 E 45th Street and is currently zoned R-1 (Low Density Residential). The request by the applicant is to rezone the property to R-2 (Medium Density Residential). The subject property is on the northeast corner of East 45th Street and Sydney Drive.

Discussion

The subject property is zoned R-1 (Low Density Residential District) with similar zoning to the north. The parcels to the east and west are zoned TA (Transitional Agriculture). C-1 (Local Commercial) is located to the south across East 45th Street. There is no R-2 zoning in the vicinity. The applicant is currently looking to place six fourplex style dwellings on the property, with the primary road access being Sydney Drive. Fourplexes are allowed in the current R-1 zoning district with a Conditional Use Permit, and are allowed by right in the requested R-2 district.

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. The Comprehensive Plan also notes that this land use designation can include a mix of lower density housing types, civic uses, and limited higher intensity uses along with connections to neighborhood commercial services. R-2 is an appropriate zoning district for this land use designation. The request would be conforming with the 2040 Comprehensive Plan. However, the requested R-2 (Medium Density Residential) Zoning District has no similar zoning in the area, and may be viewed as a case of spot-zoning. An alternative course of action would be to keep the current zoning and request a Conditional Use Permit to allow the use.

The property's location along East 45th Street subjects it to the density of use accompanied by the increased demand for Commercial uses along the Street's corridor. Furthermore, the anticipated future widening of 45th Street and the existing Commercial zoning in the vicinity may justify a rezoning to R-2 to both match the intensity of nearby uses and provide a transitional barrier for the existing residential subdivision to the north.

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 TA, R-1, and C-1 zoning.
- The request is in conformance with the Comprehensive Plan Future Land Use Map (FLUM).
- Approval would create R-2 zoning with no other similar zoning nearby.

- There is an alternative course of action to allow the desired use.
- Notification for a public hearing was served.

Options:

- Recommending Approval of Case No. RZ02-25 to rezone from R-1 (Low Density Residential) to R-2 (Medium Density Residential) as requested by the applicant.
- Recommending Denial of the application for RZ02-25 to rezone the subject property.
- Recommending Deferral Case No. RZ02-25 with a request for additional and specific information to a certain date.
- Recommending Approval of a Conditional Use Permit for the proposed development with the following conditions: a Landscape plan and a Drainage Plan must be submitted at or before Building Permits are requested.

Recommendation: Based on the Findings and Facts, staff recommends that the Planning Commission recommend to the City Commission **APPROVAL** of **RZ02-25** to rezone the subject property from R-1 (Low Density Residential) to R-2 (Medium Density Residential).

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

Commissioner Johnson made a motion to recommend the **CONDITIONAL APPROVAL** of a **CONDITIONAL USE PERMIT** which Commissioner Alexander seconded. The conditions are: applicant must provide a Landscape plan, a Drainage plan, and a Traffic Study before or at the time of Building Permit application.

Motion **passed 4-1-0**.

Aye: Johnson, Hembree, Alexander, Porter

Nay: Barrett

Abstain: None

Item 4. Community Development Update

Community Development Director Harkins noted that staff hosted a one-day workshop for the Oklahoma Chapter of the American Planning Association and thanked the members of the Commission that attended and participated. Also, Staff is currently in negotiations with a consultant firm to draft a new consolidated plan to address how best to use CDBG funds. Similarly, staff is in contract negotiations with a consulting firm to do a Housing Study for the City. Staff anticipates the Safe Streets and Roads for All action plan on the June 16th City Commission Agenda, which is a project from the Federal Highway Administration. The City continues to utilize CDBG funds for housing rehabilitation, and Staff is also currently creating a curriculum to educate City Officials and Staff from smaller communities about Planning and Zoning.

Item 5. Planning Commissioners' Comments

Commissioners expressed excitement and interest in various projects and events happening in the community and remarked on the success of recent community events.

Item 6. Adjournment

The meeting adjourned at **2:18 p.m.**

Chair/Vice-Chair

Date

Community Development Director

Date



Date: July 2, 2025
To: Planning Commission
From:
Subject: Consideration of a request to amend the Planned Unit Development restrictions for the Shawnee Marketplace commercial area (PUD01-25). Applicant: Santa Fe Properties, LLC. c/o Kimley Horn Engineering

Background: Shawnee Marketplace is located on the Northwest corner of the intersection of West 45th Street and North Kickapoo Street. The area is zoned under a Planned Unit Development with a base zoning of C-2 (Regional Commercial). The owner, Santa Fe Properties, LLC., has authorized Kimley Horn Engineering Consultants to request a revision to the existing PUD restrictions as they prepare for new commercial development. The PUD area continues to the North, with C-2 zoning extending east and west, with a strip of commercial zoning extending to the Southeast along Kickapoo Street. Across West 45th Street to the South is R-1 (Low Density Residential) zoning and hosts several residential subdivisions.

Discussion

The proposed amendment seeks to increase the maximum sign area allowed, specifically to accommodate the primary entrance for the retailer that is seeking to develop the land as a site for their store. The base zoning of C-2 allows a cumulative maximum sign area of 150 square feet for a single storefront, and the PUD specified an alternate number and sizes of freestanding signs, but left wall signage to default to the base zoning standards. The request is to allow for the main entrance of the building to have a wall sign up to 440 square feet in size.

Financial Impact: None

Attachments: 20250529 - PUD Amendment Application, 2025-06-02 HD ShawneeOK_Project Narrative and Amendment Request

Staff Recommendation: Staff recommends Approval of the requested PUD amendment.

PLANNING COMMISSION APPLICATION



**City of Shawnee
Community Development
Department**

16 West 9th Street
Shawnee, OK 74801
(405) 878-1672
Fax (405) 878-1587 www.ShawneeOK.org

For Office Use Only

Case Number: _____
Project Number : _____
Date Filed: _____

Planning Commission Secretary

REQUEST:

_____ Rezoning
_____ Conditional Use Permit
_____ Rezoning w/Conditional Use Permit
 Planned Unit Development

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 N/A District to N/A District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): Near: 4500 N Kickapoo Avenue, Shawnee, OK 74804

LEGAL DESCRIPTION: Legal Description is attached at the end of this document.

PROPERTY OWNER (S): Santa Fe Properties, LLC

PROPERTY AGENT (APPLICANT): Jordan Corbitt

APPLICANT'S ADDRESS: 11720 Amber Park Drive

CITY: Alpharetta STATE: Georgia ZIP: 30009

EMAIL ADDRESS: Jordan.Corbitt@kimley-horn.com

TELEPHONE NUMBER: (470) 333 8243 CONTACT NUMBER:(_____)

DIMENSIONS OF PROPERTY: AREA: 10.92 acres WIDTH: 608 ft

LENGTH: 800 ft FRONTAGE: W 45th Street and N Kickapoo Avenue

CURRENT ZONING: PUD **CURRENT USE:** N/A (undeveloped)

PROPOSED ZONING: PUD **PROPOSED USE:** Commercial

With the filing of this application, I acknowledge that I have been informed of off-street parking, fencing and paving requirements in regard to the zoning I have requested as witnessed by my signature **COMPLETED APPLICATION AND ALL CORRESPONDING DOCUMENTS MUST BE RECEIVED 30 DAYS PRIOR TO MEETING TO MAKE THE AGENDA.** _____
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

REZONING &/OR C.U.P FEE \$ 350.00

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

RECEIPT NO. _____

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

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

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

Planning Department Application Submittal Guidelines - City of Shawnee, OK

Community Development Department – 16 West 9th Street – 405-878-1672

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 Community Development 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 as an electronic document typed in Microsoft Word. Incomplete or unsigned applications will not be accepted or will be returned.

Deed or Affidavit

A copy of the deed of ownership and 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 foot 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 foot 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 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. Community Development staff will confirm an application due date on a case-by-case basis.

Planning Applications Submittal Checklist

- _____ Meeting with Community Development Department staff member
 - _____ Application – completed and signed
 - _____ Electronic Copy of Legal Description
 - _____ 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.
- Additional document - allowable signage



MEMORANDUM

To: City of Shawnee, Community Development
16 West 9th Street
Shawnee, OK 74801

From: Jordan Corbitt, P.E.
Kimley-Horn and Associates, Inc.

Date: June 2nd, 2025

Subject: **PUD Amendment Request: Maximum Signage Area
The Home Depot – Shawnee, OK**

Santa Fe Properties, LLC is requesting a PUD Amendment to the Shawnee Marketplace maximum signage area requirement for the subject property located at the intersection of Marketplace Boulevard and W 45th Street in Shawnee, OK. The Tax Assessors Parcel Number (parcel ID) is 630057878. The subject property is currently undeveloped and zoned as a Planned Unit Development (PUD). The nearest site address to the subject property is 4500 N Kickapoo Avenue, Shawnee, OK 74804.

According to the City of Shawnee Unified Development Code (UDC), the maximum sign area for storefront wall signs with a greater than 200-foot width, is 150 square feet. The proposed development contains 4 wall signs, with 3 of the 4 signs adhering to the 150 square foot maximum per sign. However, the main The Home Depot sign, when calculated per the City of Shawnee Unified Development Code (UDC), “as the width multiplied by the height of a single rectangle that contains all sign elements” contains a square footage of 440 square feet.

The proposed amendment is necessary to accommodate Home Depot's established prototype and brand standards, which are integral to their national identity and customer recognition. A significant reduction in the size of the main sign would compromise the visual balance and overall aesthetic that Home Depot seeks to maintain across all locations. Adhering to the standard signage is essential not only for consistency with their corporate image but also to ensure clear visibility and wayfinding for customers.

We appreciate your time and consideration of the approval for this PUD Amendment to the Shawnee Marketplace and look forward to bringing The Home Depot to the Shawnee Community. For any questions or request for additional details, please feel free to contact me via phone (770) 545-6103 or by email at: Jordan.Corbitt@kimley-horn.com

Sincerely,

Jordan Corbitt, P.E.
Authorized Representative
Kimley-Horn and Associates, Inc.

