

NOTICE OF MEETING
PLANNING COMMISSION

TYPE OF MEETING

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

DATE:	TIME:	PLACE OF MEETING:
<u>12/7/2022</u>	<u>1:30 P.M.</u>	<u>Commission Chambers</u>
		<u>City Hall, 9th & Broadway</u>
		<u>Shawnee, OK 74802-1448</u>

To be completed by person filing notice:

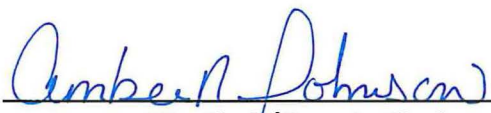
NAME: Rachel Clyne

TITLE: City Planner

ADDRESS: 16 W. 9th Street
Shawnee, OK 74801

PHONE: (405) 878-1672

Filed in the office of the municipal clerk at 1:16 a.m. (p.m.) on 12/2/2022

SIGNED: 
City Clerk/Deputy Clerk

=====

FOR CITY CLERK'S OFFICE USE ONLY

DATE NOTICE RELEASED TO NEWS MEDIA: 12/2/2022

PERSON FILING NOTICE: /s/ Rachel Clyne

NOTICE VERIFIED BY: Amber Johnson

AGENDA

PLANNING COMMISSION of SHAWNEE, OK

Regular Meeting
December 7, 2022, at 1:30 P.M.
City Hall, 16 W. 9TH St., Shawnee, OK

1. Roll Call
2. Consideration and approval of the minutes from the regular meeting of the Shawnee Planning Commission on November 2, 2022.
3. Case No. **CPA01-22** – Public hearing and consideration of a request to amend the Comprehensive Plan Land Use designation on ±16.25 acres located at 4731 N. Union Avenue.
Applicant: Donna Parmer, represented by David M. Box
4. Case No. **RZ13-22** – Public hearing and consideration of a request to rezone from A-1 (Rural Agricultural District) to R-3 (Multifamily Residential District) on ±16.25 acres located at 4731 N. Union Avenue.
Applicant: Donna Parmer, represented by David M. Box
5. Case No. **RZ14-22** – Public hearing and consideration of a request to rezone from RE (Residential Estates District) to I-2 (Light Industrial District), the property located at 39104 W. MacArthur Street.
Applicant: Ngan T. Pham
6. Case No. **RZ15-22** – Public hearing and consideration of a request to rezone from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District) on ±80.00 acres located approximately ½ mile north of Westech Rd and west of N. Kickapoo Avenue.
Applicant: John Woods, J.C. Woods Investments, LLC
7. Case No. **FPL06-22** – Consideration of a request for a Preliminary Plat, Heritage Plains Addition, on ±80.00 acres located approximately ½ mile north of Westech Rd and west of N. Kickapoo Avenue.
Applicant: John Woods, J.C. Woods Investments, LLC
8. Community Development Department Updates
9. Commissioners' Comments
10. Adjournment

REGULAR PLANNING COMMISSION MINUTES

DATE: November 2, 2022

DRAFT MINUTES

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a regular meeting on November 2, 2022, at 1:30 p.m., according to notice duly posted as prescribed by law.

Item 1. Roll Call

Chair Reese called the meeting to order at 1:30 p.m. City Planner, Rachel Clyne, called roll and stated a quorum was present.

The following Commissioners were present:

Present: Walker, Johnson, Reese, Barrett

Absent: Mew-Palmer, Rowell

Item 2. Approval of Minutes – Regular meeting

Consideration of approval of the minutes from the regular meeting of October 5, 2022. Chair Reese asked for questions or corrections to the minutes.

Planner Clyne noted that an amended version of the October 5, 2022, Planning Commission minutes was on the dais for consideration. Staff also had copies of the amended minutes available for the public.

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

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

Aye: Walker, Johnson, Reese, Barrett

Nay: None

Abstain: None

Item 3. Case No. FPL05-22 – Consideration of a request for a Final Plat, Belmont Park Addition, Phase 2, on ±8.79 acres north of West MacArthur Street and east of Acme Road.

Clyne explained that the subject property is located northeast of the intersection of West MacArthur Street and Acme Road. The proposed subdivision has twenty-two (22) lots on approximately 8.79 acres. The zoning was recently updated with the approval of an application for a Planned Unit Development (PUD01-22) of the property, which included rezoning to R-2 (Medium Density Residential District) and C-2 (Limited Commercial District).

The Final Plat submittal of the Belmont Park Addition, Phase 2 subdivision was reviewed by staff for accuracy. The City Engineer is satisfied with the Final Plat as submitted.

Staff recommended that the Planning Commission recommend to the City Commission **APPROVAL** of FPL05-22 for the Final Plat of Belmont Park Addition, Phase 2 subdivision as presented.

It was noted the application would be heard by the City Commission at its regular meeting on November 21, 2022, at 6:00 p.m.

Item 4. Case No. PUD02-22 – Public hearing and consideration of a request for a PUD (Planned Unit Development) on ±16.25 acres located at 4731 N. Union Avenue.

Clyne advised the applicant had withdrawn the PUD application and no action was required.

Item 5. Community Development Department Update

Clyne advised the Commissioners that Community Development Director Rian Harkins was in Baltimore with the Love Your Block (LYB) team. She stated that work continued for the Unified Development Code (UDC) project.

Item 5. Planning Commissioners' Comments

Commissioners Reese and Barrett had no comments. Commissioner Walker was pleased that the code revision process was ongoing. Commissioner Johnson mentioned the Twin Lakes survey was still on the City's website.

Item 6. Adjournment

The meeting adjourned at 1:40 p.m.

Chair/Vice-Chair

/s/ Rachel Clyne
City Planner



Planning Commission Meeting – 12.7.2022 – City of Shawnee, Oklahoma
Staff Report | CPA01-22 | Low-Density to High-Density | 4731 N. Union Ave.

Date: 11.17.2022

To: Shawnee Planning Commission

From: Rachel Clyne, City Planner

Subject: Staff Report - Public hearing and consideration of a request for a Comprehensive Plan Amendment (CPA) on ± 16.25 acres located at 4731 N. Union Avenue.
Case No. **CPA01-22** | Applicant: David M. Box

Background

The subject property is located at 4731 N. Union Avenue. The ± 16.25 -acre property is located north of E. 45th Street and east of N. Union Avenue and is undeveloped. The request is for a Comprehensive Plan Amendment from Low-Density Residential and Greenway land use designations to the High-Density Residential land use designation. Approval of this request for a Comprehensive Plan Amendment (CPA) is the initial step of the corresponding rezoning application (RZ13-22).

Discussion

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has the land use designations of Low-Density Residential and Greenway. The rezoning application associated with this property, RZ13-22, requires a High-Density Residential land use designation. When adopting the 2040 Comprehensive Plan, such a rezoning request was not anticipated; thus, an amendment is necessary.

Surrounding the subject property are two land use designations: High-Density Residential and Medium-Density Residential. Land to the north and west is designated High-Density Residential. To the immediate east, the designation is Medium Density Residential. To the south, the land use designations are both High- and Medium-Density Residential. Amending the land use designation of the subject property to High-Density Residential is a reasonable request.

Referencing the City of Shawnee Zoning Code (Code) Section 22-728. Amendment of Comprehensive Plan. The Planning Commission recommendation is required. After notice and public hearing, this section states that the Planning Commission files with the City Commission a report and recommendation on the proposed amendment.

Staff completed the required public hearing notifications for this application. All property owners within 1320' from the perimeter of the subject property were mailed a public hearing notification letter. Additionally, a notice of a public hearing was published in The County Democrat weekly newspaper. Staff placed a sign on the subject property providing meeting details and contact information.

Recommendation

Staff recommends that the Planning Commission recommend to the City Commission **APPROVAL** of **CPA01-22** for a Comprehensive Plan Amendment from land use designations Low-Density Residential and Greenway to High-Density Residential land use designation for the $\pm$ 16.25-acre property located at 4731 N. Union Avenue.

This CPA application will be heard at the City Commission meeting on Monday, December 19, 2022, at 6:00 pm.



APPLICATIONS REVIEWED QUARTERLY (SEE ATTACHED SCHEDULE).
APPLICATION DEADLINE IS 30 DAYS BEFORE MEETING DATE.
ALL APPLICATIONS HEARD BY PLANNING COMMISSION.

APPLICATION TO AMEND THE COMPREHENSIVE PLAN

Instructions:

1. All applicants must pay an application fee of \$370.00, plus \$6.00 per property owner to be notified.
2. The current property owner must sign the application or the City's form authorizing the owner's representative to sign the application on behalf of the owner.
3. A pre-application meeting with a member of the City's Planning Department is required prior to this application submittal.
4. Written notes of this pre-application meeting shall be submitted with this application.
5. All drawings must be drawn to scale. Document submittal must consist of two paper copies and one electronic copy in PDF format. All documents larger than 8-1/2" x 11" must be folded to that size.

PROJECT NAME: _____

Pre-Application Meeting Date: _____ Meeting Notes Attached: _____

Applicant Name: _____

Phone: _____ Email: _____

Address: _____

PROPERTY OWNER: _____

Phone: _____ Email: _____

Owner's Address: _____

PROJECT ADDRESS: _____

Quarter Section: _____ Section/Township/Range: _____ Acreage: _____

No. of Lots: _____ Plat/Subdivision: _____

Legal Description (may be attached): _____

Any private deed/plat restrictions on the property? ☐ Yes ☒ No If yes, please explain:

Present zoning/use: _____

Proposed zoning/use: _____

Related case numbers: _____

100 year FEMA floodplain on property? ☐ Yes ☒ No

Is there other property within a half-mile radius available for proposed use and development?

How does the proposed change fit into the existing Comprehensive Plan future development guide model?

Does the proposed change involve a single use/one lot development? _____

**WHAT HAS CHANGED SINCE THE COMPREHENSIVE PLAN WAS ADOPTED TO
WARRANT THIS REQUEST?**
(See instructions below)

GENERAL INFORMATION: _____

TRAFFIC COUNTS AND PATTERNS AND PROPOSED ROADWAY IMPROVEMENTS:

UTILITY/INFRASTRUCTURE/CAPACITY CHANGES: _____

STATUS OF FLOODPLAIN/HYDROLOGY: _____

CHANGE IN CONDITION: _____

ENVIRONMENTAL CONSIDERATIONS: _____

INSTRUCTIONS:

Traffic Counts and Patterns and Proposed Roadway Improvements: Clearly describe how the requested change to the Comprehensive Plan will efficiently utilize the existing transportation network, including streets, sidewalks, transit, trails, and bicycle facilities and help the community implement key components of its long range capital improvement transportation plans. Also explain whether components of the transportation system need to be improved as a result of the requested change to the Comprehensive Plan.

Utility, Infrastructure, and Capacity Changes: Clearly describe and demonstrate how municipal services meet or will meet the capacity demanded by the requested change to the Comprehensive Plan for public water, wastewater, electric, storm water, and solid waste.

Change in Condition: Conditions (physical, financial/market, service availability, etc.) can sometimes change before the City has had the opportunity to update the Comprehensive Plan. Describe what conditions have changed since the Comprehensive Plan was adopted that necessitate a change to the Comprehensive Plan.

Environmental Considerations: Describe the current environmental conditions, such as native trees or forests, flood plains, characteristics of the applicable drainage basin, or other sensitive areas. Describe how the change to the Comprehensive Plan would affect these conditions.

APPLICATION IS HEREBY MADE TO THE CITY OF SHAWNEE PLANNING COMMISSION TO CONSIDER A RECOMMENDATION TO THE CITY COMMISSION OF THE CITY OF SHAWNEE, OKLAHOMA, THAT THE COMPREHENSIVE PLAN'S FUTURE DEVELOPMENT GUIDE BE CHANGED FROM EXISTING LEVEL _____ TO PROPOSED LEVEL _____.

I hereby certify that the information herein submitted is complete, true, and accurate and that I/we have been notified of the development procedures and guidelines, including platting and site plan reviews if required and all fees and charges related to site improvements, development, and building permit costs.

Signature of applicant: _____ Date: _____

Printed name: _____

☐ Check box if attaching owner's signature authorization form

Signature of property owner: _____ Date: _____

Printed name: _____

Contact person for this application: _____

Contact person's phone number: _____

Contact person's email address: _____

FOR OFFICE USE ONLY

REC'D BY: _____ FEE: _____ RECEIPT NO.: _____

PLANNING COMMISSION DATE: _____

CITY COMMISSION DATE: _____



PUBLIC HEARING

For more information

Community Development Department
Shawnee City Hall
16 W. 9th Street
Shawnee, OK 74801

405-878-1672

Planning Commission

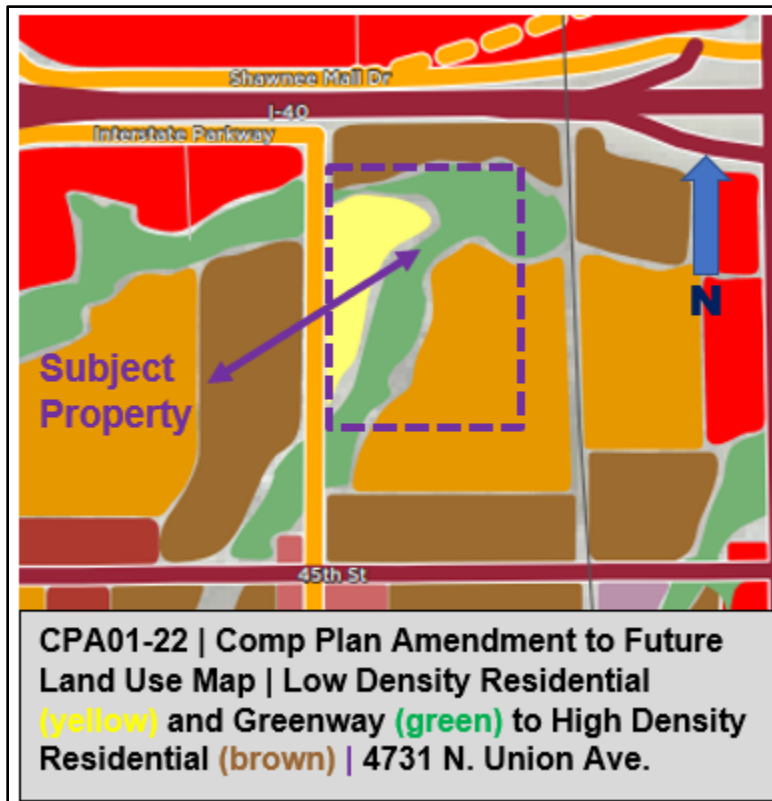
Wednesday, December 7, 2022

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

City Commission

Monday, December 19, 2022

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



Project Information

Request: Request to Amend the Future Land Use Map (FLUM) of the Comprehensive Plan

Applicant: David M. Box
representing Donna Parmer

Location: 4731 N. Union Avenue

Case #: CPA01-22



Frequently Asked Questions

What is a Change to the Future Land Use Map of the Comprehensive Plan?

A request to change the Land Use Designation of a property to a different Land Use Designation. The Land Use Designation of a property corresponds with Zoning Districts and the allowed uses available for development.



Why did I receive a letter?

You own property within 300 feet of the subject property.

What if I have questions?

Call the Community Development Dept. at 405-878-1672 or email the City Planner at rachel.clyne@shawneeok.org.

Legal Description:

A tract of land lying in the Southwest Quarter (SW/4) of Section Two (2), Township Ten (10) North, Range Three (3) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as follows:

The North Twelve (12) acres of the West Half (W/2) of the Southwest Quarter (SW/4) of the Southeast Quarter (SE/4) of Section 31, Township 11 North, Range 4 East.

AND

A parcel of land described as beginning at the Southwest Corner of the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4), thence North 180 feet, thence East 440 feet, thence South 180 feet, thence West 440 feet to the place of beginning, all located in the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4) of Section 31, Township 11 North, Range 4 East.

AND

A parcel of land described as beginning at a point 180 feet North of the Southwest Corner of the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4), thence North 105 feet, thence East 660 feet, thence South 285 feet, thence West 220 feet, thence North 180 feet, thence West to the point of beginning, all located in the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4) of Section 31, Township 11 North, Range 4 East.

(±16.25 acres)



Planning Commission Meeting – 12.7.2022 – City of Shawnee, Oklahoma

Staff Report | RZ13-22 | A-1 to R-3 | 4731 N. Union Ave.

Date: 11.17.2022

To: Shawnee Planning Commission

From: Rachel Clyne, City Planner

Subject: Staff Report - Public hearing and consideration of a request to rezone from A-1 (Rural Agricultural District) to R-3 (Multifamily Residential District) on ± 16.25 acres located at 4731 N. Union Avenue. Case No. **RZ13-22** | Applicant: David M. Box

Background

The subject property is located at 4731 N. Union Avenue. The ± 16.25 acre property is located north of E. 45th Street and east of N. Union Avenue and is undeveloped. The request is to rezone from A-1 (Rural Agricultural District) to R-3 (Multifamily Residential District).

Discussion

The subject property is zoned A-1 (Rural Agricultural District). The land to the east of the subject property is zoned R-1 (Single-Family Residential District). Land to the west (across N. Union Ave.) is zoned R-3 (Multifamily Residential District) and C-2 (Limited Office District). Properties north and south are zoned C-3 (Automotive Commercial District).

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has the land use designations of Low-Density Residential and Greenway. High-Density Residential is a more appropriate land use designation. The applicant is making a request for a Comprehensive Plan Amendment (CPA) to bring the FLUM into 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 1320' from the perimeter of the subject property were mailed a public hearing notification letter. Additionally, a notice of a public hearing was published in The County Democrat weekly newspaper. A sign providing details and contact information was placed on the subject property.

Recommendation

Staff recommends that the Planning Commission recommend to the City Commission **APPROVAL** of **RZ13-22** to rezone the subject property from A-1 (Rural Agricultural District) to R-3 (Multifamily Residential District).

This rezoning application will be heard at the City Commission meeting on Monday, December 19, 2022, 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: _____

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 A-1 District to R-3 District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 4731 N. Union Ave.

LEGAL DESCRIPTION: See attached.

PROPERTY OWNER (S): Donna M. Parmer

PROPERTY AGENT (APPLICANT): David M. Box on behalf of Applicant

APPLICANT'S ADDRESS: 522 Colcord Dr.

CITY: Oklahoma City **STATE:** OK **ZIP:** 73102

EMAIL ADDRESS: dmbbox@wbfbllaw.com

TELEPHONE NUMBER: () **CONTACT NUMBER:** () 232-0080

DIMENSIONS OF PROPERTY: **AREA:** 16.25 acres **WIDTH:** 1070 ft.
LENGTH: 440 ft. **FRONTAGE:** 1070 ft.

CURRENT ZONING: A-1 **CURRENT USE:** undeveloped; single-family residence

PROPOSED ZONING: R-3 **PROPOSED USE:** Residential development

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 and witnessed by my signature.

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

David M. Box
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

RECEIPT NO. _____

NOTIFICATION SIGN \$ 50.00

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

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

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



4731 N Union St.

Conceptual Site Plan

559 Total Parking

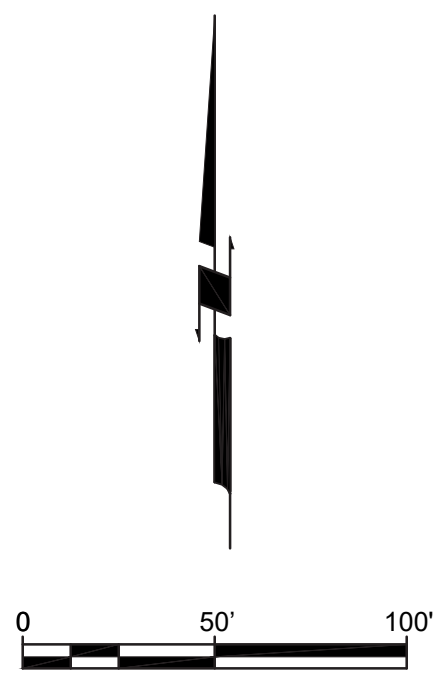
16.25 AC



Johnson & Associates
1 E. Sheridan Ave., Suite 200
Oklahoma City, OK 73104
(405) 235-8075 FAX (405) 235-8078

ENGINEERS SURVEYORS PLANNERS
10/24/22

Conceptual site plan showing feasible option
permitted under proposed rezoning





PUBLIC HEARING

For more information

Community Development Department
Shawnee City Hall
16 W. 9th Street
Shawnee, OK 74801

405-878-1672

Planning Commission

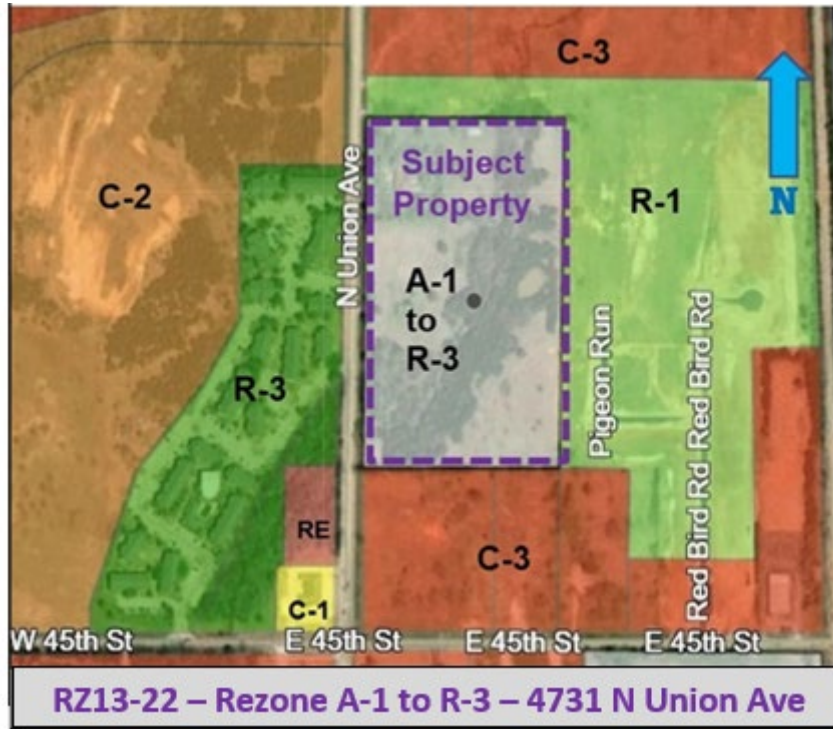
Wednesday, December 7, 2022

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

City Commission

Monday, December 19, 2022

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



Project Information

Request: Request to rezone from A-1 (Rural Agricultural District to R-3 (Multifamily Residential District)

Applicant: David M. Box
representing Donna Parmer

Location: 4731 N. Union Avenue

Case #: RZ13-22



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.

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 City Planner at rachel.clyne@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:

A tract of land lying in the Southwest Quarter (SW/4) of Section Two (2), Township Ten (10) North, Range Three (3) East of the Indian Meridian, Pottawatomie County, Oklahoma, more particularly described as follows:
The North Twelve (12) acres of the West Half (W/2) of the Southwest Quarter (SW/4) of the Southeast Quarter (SE/4) of Section 31, Township 11 North, Range 4 East.

AND

A parcel of land described as beginning at the Southwest Corner of the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4), thence North 180 feet, thence East 440 feet, thence South 180 feet, thence West 440 feet to the place of beginning, all located in the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4) of Section 31, Township 11 North, Range 4 East.

AND

A parcel of land described as beginning at a point 180 feet North of the Southwest Corner of the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4), thence North 105 feet, thence East 660 feet, thence South 285 feet, thence West 220 feet, thence North 180 feet, thence West to the point of beginning, all located in the Northwest Quarter (NW/4) of the Southeast Quarter (SE/4) of Section 31, Township 11 North, Range 4 East.
(±16.25 acres)



Planning Commission Meeting – 12.7.2022 – City of Shawnee, Oklahoma

Staff Report | RZ14-22 | RE to I-2 | 39104 W. MacArthur St.

Date: 11.17.2022

To: Shawnee Planning Commission

From: Rachel Clyne, City Planner

Subject: Staff Report - Public hearing and consideration of a request to rezone from RE (Residential Estates District) to I-2 (Light Industrial District), the property located at 39104 W. MacArthur Street.
Case No. **RZ14-22** | Applicant: Ngan T. Pham

Background

The subject property is located at 39104 W. MacArthur Street. The ±4.4 acre property is located at 39104 W. MacArthur Street and contains a residential structure and two (2) outbuildings. The request is to rezone from RE (Residential Estates District) to I-2 (Light Industrial District).

Discussion

The subject property is zoned RE (Residential Estates District). The properties located to the east are zoned RE (Residential Estates District). Land to the west of the subject property is zoned R-3 (Multifamily Residential District) and C-2 (Limited Office District). The adjacent property to the north is zoned A-1 (Rural Agricultural District). To the south, (across W. MacArthur St.) the adjacent land is zoned I-2 (Light Industrial District).

The applicant intends to use the subject property for a medical marijuana (MMJ) grow operation, which is permitted use in the I-2 zoning district. The operation would be completely indoors and located toward the rear (north) half of the property. In accordance with Section 22-365(a).1, a watchman living on the premises may utilize the residence at the southern end of the subject property.

While a less intense zoning district, such as C-3 (Automotive Commercial District) would permit an MMJ grow outfit, the subject property does not touch any C-3 zoned property, only the I-2 zoning to the south. If approved, the property is subject to all industrial zoning restrictions including appropriate landscaping to buffer adjacent residential zoning districts. Staff suggests that if approved, the rezoning of the subject to reversion to the current zoning district RE (Residential Estates District) if the business is not operational within one year of approval or if the business operation ceases for a combined total of 180 days within a 365 day period.

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has the land use designations of Mixed Use. The surrounding land use designations include Medium-density Residential, High-Intensity Commercial, and Mixed Use. The 2040 Comprehensive Plan provides this description for Mixed Use – Land Designation: *“These areas improve economic performance and opportunities for social interaction, by locating diverse and complementary uses in close proximity. Higher-density mix of housing, major commercial, office, and service uses, and limited low-intensity industrial in suitable locations.”*

The Comp Plan continues to offer examples of Mixed Uses: *“A mix of complementary uses, including multi-family residential, large offices, medical buildings, regional commercial, limited industrial, institutional uses such as churches, schools, or hospitals, and other regional attractors.”* The regulations surrounding medical marijuana would address the level of nuisances associated with industrial zoning: noise, sound, and light pollution. A limited industrial use, subject to the current Code, is included in the description of Mixed Use Land Designation; therefore is in conformance with Shawnee’s 2040 Comprehensive Plan.

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

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

Staff determined the requested rezoning is not compatible with the surrounding properties, which are primarily low- to medium-density residential. The request is not in conformance with the 2040 Comprehensive Plan. Staff cannot recommend approval of the rezoning.

Recommendation

Staff recommends that the Planning Commission recommend to the City Commission DENIAL of RZ14-22. The following options may be recommended to the City Commission regarding the rezoning request of Case No. **RZ14-22**.

- Recommending Approval of Case No. RZ14-22, rezoning from RE to I-2 as requested by the applicant.
- Recommending Denial of the rezoning request of Case No. RZ14-22.
- Recommending Deferral of the rezoning request of Case No. RZ14-22 with a request for additional and specific information to a certain date.
- Recommending Approval of Case No. RZ14-22, rezoning from RE to C-3 with commercial-only use of the residence.

This rezoning application will be heard at the City Commission meeting on Monday, December 19, 2022, 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:

RZ 14-22

Project Number:

Date Filed:

10/27/2022

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

PROPERTY LOCATION (STREET ADDRESS): 39104 W Macarthur St Shawnee, OK 74804

LEGAL DESCRIPTION: BEG 2090' W SE/4 SW N1320'

PROPERTY OWNER (S): ROBERT L. GLOVER & STIRLEY GLOVER

PROPERTY AGENT (APPLICANT): NGAN T PHAM

APPLICANT'S ADDRESS: 8813 So. Villa Pl

CITY: OKLAHOMA CITY **STATE:** OK **ZIP:** 75139

EMAIL ADDRESS: Billyvu0407@gmail.com

TELEPHONE NUMBER: (206) 504 9090 **CONTACT NUMBER:** (206) 504 9090

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

CURRENT ZONING: _____ **CURRENT USE:** _____

PROPOSED ZONING: _____ **PROPOSED USE:** _____

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

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

SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. _____

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

NOTIFICATION SIGN \$ 50.00

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

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

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



PUBLIC HEARING

For more information

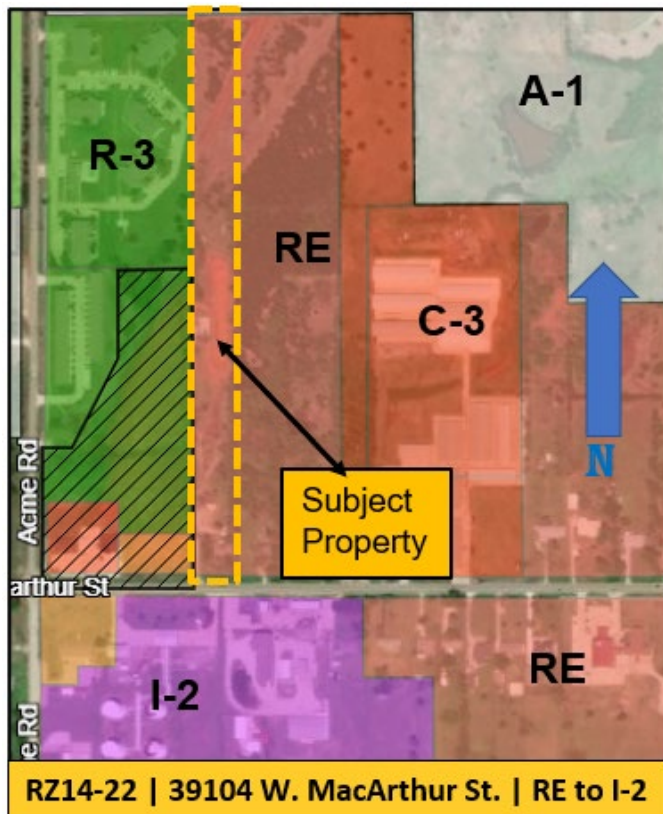
Community Development Department
Shawnee City Hall
16 W. 9th Street
Shawnee, OK 74801

405-878-1672

Planning Commission

Wednesday, December 7, 2022

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



City Commission

Monday, December 19, 2022

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

Project Information

Request: Request to rezone from RE (Residential Estates District) to I-2 (Light Industrial District)

Applicant: Ngan T. Pham

Location: 39104 W. MacArthur Street

Case #: RZ14-22



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.

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 City Planner at rachel.clyne@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:

A tract of land described as beginning at a point of 2090 feet West of the Southeast Corner of the Southwest Quarter (SE/C SW/4) of Section Two (2), Township Ten (10) North, Range Three (3) East of the Indian Meridian, Pottawatomie County, Oklahoma; thence North 1320 feet; thence East 154 feet; thence South 1320 feet; thence West 154 feet to the point of beginning.

RZ14-22



Planning Commission Meeting – 12.7.2022 – City of Shawnee, Oklahoma

Staff Report | RZ15-22 | A-1 to R-1 | ½ mile N of Westech Rd – West of N Kickapoo Ave

Date: 11.17.2022

To: Shawnee Planning Commission

From: Rachel Clyne, City Planner

Subject: Staff Report - Public hearing and consideration of a request to rezone from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District) on ±80.05 acres generally located ½ mile north of Westech Road and west of N. Kickapoo Avenue.
Case No. **RZ15-22** | Applicant: John Woods

Background

The subject property is ±80.05 acres generally located ½ mile north of Westech Road and west of N. Kickapoo Avenue and is undeveloped. The request is to rezone from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District). A portion of the subject property is currently zoned R-1. The applicant is also applying for a Preliminary Plat.

Discussion

The subject property is zoned A-1 (Rural Agricultural District). The land to the east of the subject property is zoned R-1 (Single-Family Residential District). Properties north, south, and west are zoned A-1 (Rural Agricultural District).

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has the land use designations of Urban Reserve. The Comprehensive Plan defines Urban Reserve as land use for long-term growth areas; land to accommodate growth over the next 10 - 20 years. According to the Land Use Compatibility Scale of the Comp Plan, Low-density Residential is an appropriate use. With the highest ranking of five (5), the proposed use is completely compatible with existing land uses. Development should be designed consistent with good planning practice.

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

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

Recommendation

Staff recommends that the Planning Commission recommend to the City Commission **APPROVAL** of **RZ15-22** to rezone the subject property from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District).

This rezoning application will be heard at the City Commission meeting on Monday, December 19, 2022, 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: _____

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

PROPERTY LOCATION (STREET ADDRESS): KICKAPOO RD., 1/4 MI. TO 1/2 MI. NORTH OF WESTECH RD. , SHAWNEE, OK

LEGAL DESCRIPTION: N/2 OF THE SE/4 OF SECTION 25 , T11N, R3E, I.M., POTTAWATOMIE COUNTY, SHAWNEE, OK

PROPERTY OWNER (S): Martin D. Pool for Pool Joint Revocable Living Trust

PROPERTY AGENT (APPLICANT): JOHN WOODS, J.C. WOODS INVESTMENTS, L.L.C

APPLICANT'S ADDRESS: 17501 S. SANTE FE

CITY: OKLAHOMA CITY **STATE:** OKLAHOMA **ZIP:** 73170

EMAIL ADDRESS: JWOODS@WOODSLAND.NET

TELEPHONE NUMBER: (405) 650-8262 **CONTACT NUMBER:** (405) 650-8262

DIMENSIONS OF PROPERTY: AREA: 80.05 ACRES WIDTH: 1,321-FT
LENGTH: 2638-FT FRONTAGE: 1,321-FT

CURRENT ZONING: MIXED ZONING: R-1 & A-1 **CURRENT USE:** AG

PROPOSED ZONING: R-1 **PROPOSED USE:** SINGLE FAMILY DETACHED RESIDENCES

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. _____

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

NOTIFICATION SIGN \$ 50.00

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

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

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



PUBLIC HEARING

For more information

Community Development Department
Shawnee City Hall
16 W. 9th Street
Shawnee, OK 74801

405-878-1672

Planning Commission

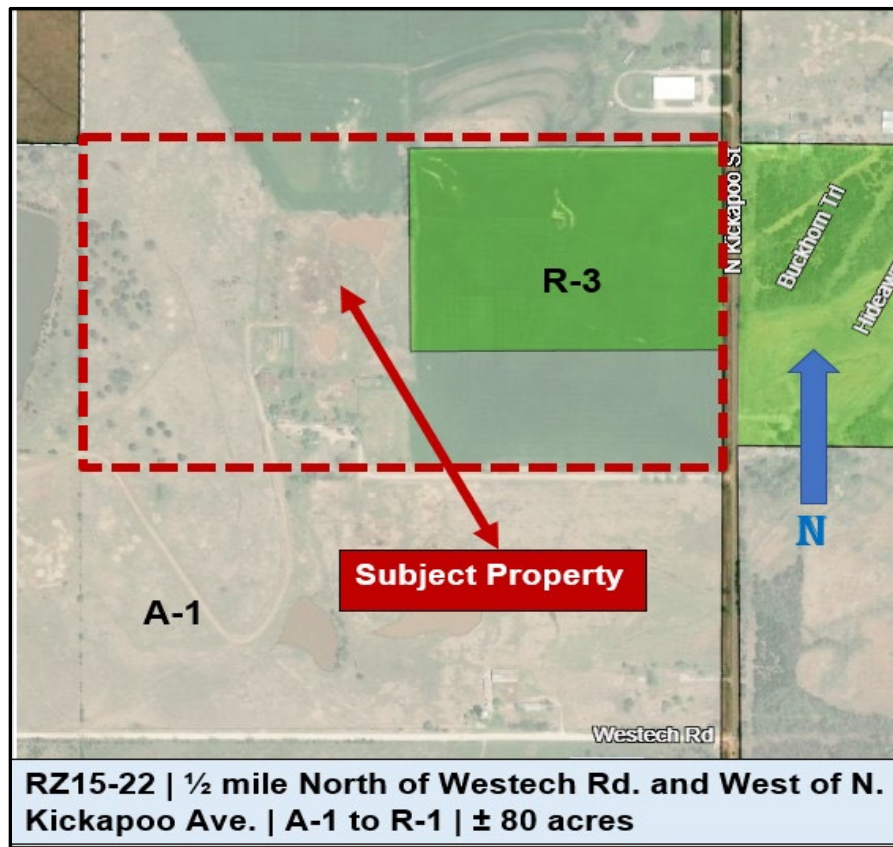
Wednesday, December 7, 2022

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

City Commission

Monday, December 19, 2022

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



Project Information

Request: Request to rezone from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District)

Applicant: John Woods, JC Woods Investments, LLC

Location: West of N. Kickapoo Ave. | One-half mile north of Westech Road

Case #: RZ15-22



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.

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 City Planner at rachel.clyne@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:

Being the North Half (N/2) of the Southeastern Quarter (SE/4) of Section 25, Township 11 North, Range 3 East of the Indian Meridian, City of Shawnee, Pottawatomie County, Oklahoma.
(±80.05 acres)

RZ15-22



Planning Commission Meeting – 12.7.2022 – City of Shawnee, Oklahoma

Preliminary Plat Application -- PPL06-22 – Heritage Plains Addition

=====

To: Shawnee Planning Commission

From: Rachel Clyne, City Planner

Date: November 23, 2022

Subject: Staff Report - Consideration of a request for a Preliminary Plat, Heritage Plains Addition, an ±80.85-acre parcel located ½ north of Westech Rd and west of N. Kickapoo Avenue.
Case No. PPL06-22

=====

Background

The subject property is located in the Southeast Quarter of Section 25, Township 11 North, Range 3 East. The proposed subdivision has 272 lots on approximately 80.05 acres. The current zoning for the property is A-1 (Rural Agricultural District) and R-1 (Single-Family Residential District). An application for rezoning (RZ15-22) that requests the entire parcel to be zoned R-1 (Single-Family Residential) is being processed concurrently with this preliminary plat application.

Discussion

Following a pre-development meeting, the City Engineer requested a Traffic Impact Analysis (TIA) to determine if additional public infrastructure, such as acceleration lanes, would be required. The City Engineer, Seth Barkhimer, PE, has reviewed the Preliminary Plat and the TIA, which indicates no additional traffic infrastructure is necessary. Mr. Barkhimer found the proposed design sufficient to meet the requirements of the Subdivision Regulations.

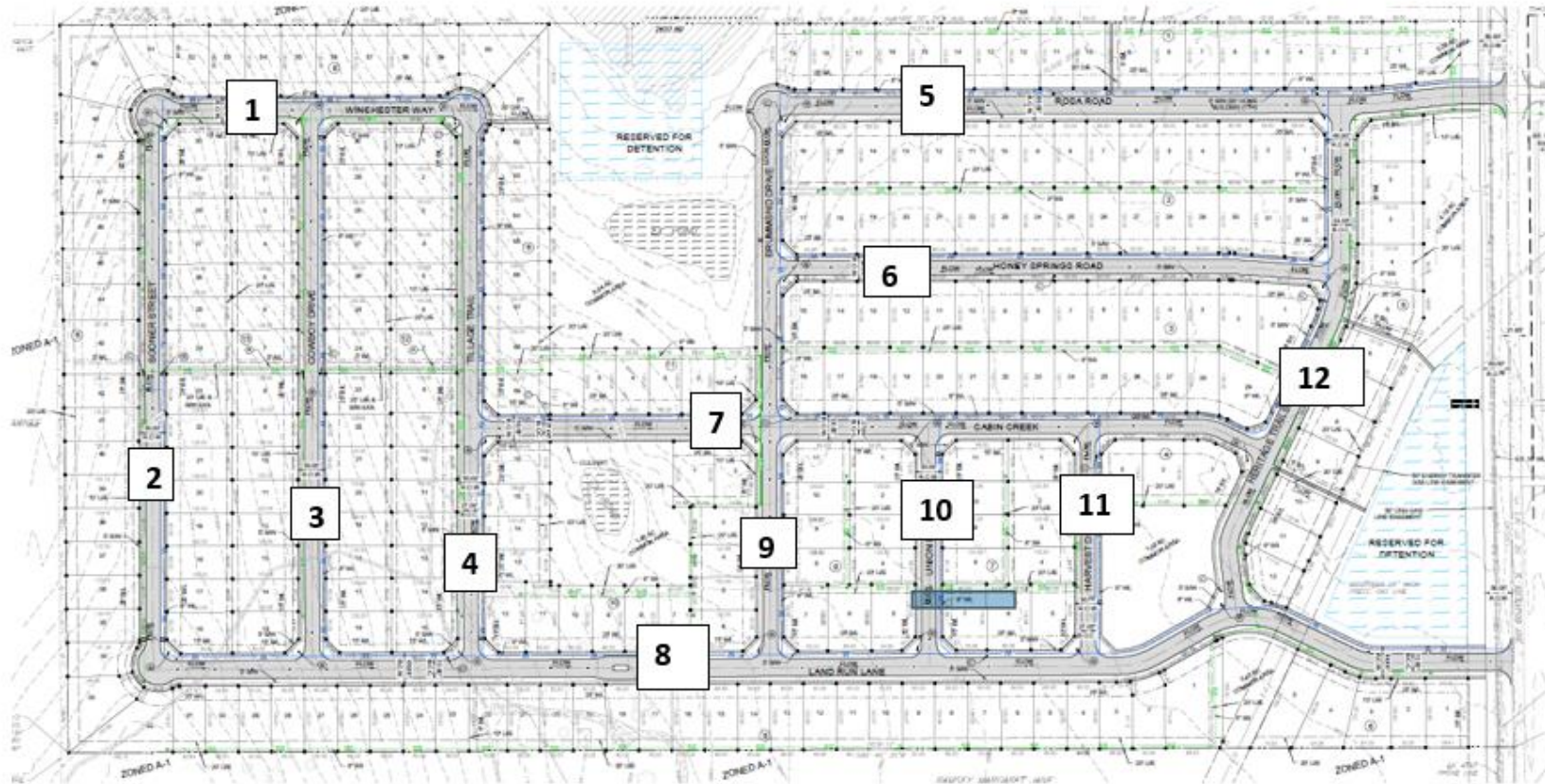
Community Development staff received a request from the project engineer, Scott Holtzen, PE to waive the requirement of dedicated easement for crosswalks on streets 600' or longer per Section 40.2.5.C of the Subdivision Regulations. Staff reviewed the Preliminary Plat and provided some changes to the thoroughfare names to be more consistent with existing roadways in Shawnee. A copy of the suggestions is attached. All other aspects of the Preliminary Plat were satisfactory.

Recommendation

Staff recommends that the Planning Commission approve the request to waive Section 40.2.5.C of the Subdivision Regulations.

Staff recommends that the Planning Commission recommend to the City Commission **CONDITIONAL APPROVAL** of **PPL06-22**, for the Preliminary Plat of Heritage Plains Addition pending updates to the subdivision's thoroughfare names.

This application will be heard at the City Commission meeting on Monday, December 19, 2022, at 6:00 p.m. in the Commission Chambers of City Hall.



1. Winchester Way
2. Sooner Avenue
3. Cowboy Avenue
4. Tillage Trail Avenue
5. Trails End Drive
6. Honey Springs Lane
7. Cabin Creek Street
8. Land Run Road
9. Drummond Avenue
10. Rosa Place
11. Harvest Place
12. Heritage Trails Drive

PRELIMINARY 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: _____
Project Number : _____
Date Filed: _____
Amount Paid : _____
Receipt No.: _____

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 878-1616 with any questions.

APPLICANT JOHN WOODS, J.C. WOODS INVESTMENTS, LLC

APPLICANT ADDRESS 17501 S. SANTE FE, OKLAHOMA CITY, OK 73170

APPLICANT PHONE NUMBERS (405)-650-8262

EMAIL ADDRESS JCWOODS@WOODSLAND.NET

NAME OF PLAT HERITAGE PLAINS ADDITION

LOCATION N/2 OF THE SE/4 OF SECTION 25, T11N, R3E, I.M., POTTAWATOMIE COUNTY, SHAWNEE, OK

NUMBER OF ACRES 80.05 NUMBER OF LOTS 272

FOR 2 ACRE LOTS OR GREATER DEVELOPMENTS: FEE: \$225.00

PLUS **\$3.00** PER LOT UP TO FIFTY (50) LOTS - NUMBER OF LOTS _____

PLUS **\$1.00** PER LOT OVER FIFTY (50) LOTS - NUMBER OF LOTS _____

TOTAL COST _____

FOR LESS THAN 2 ACRE LOTS: FEE: \$225.00

PLUS **\$2.00** PER LOT UP TO FIFTY (50) LOTS - NUMBER OF LOTS 50 \$100.00

PLUS **\$1.00** PER LOT OVER FIFTY (50) LOTS - NUMBER OF LOTS 222 \$222.00

TOTAL COST \$547.00

OWNER/DEVELOPER INFORMATION:

NAME DEVELOPER: JOHN WOODS, J.C. WOODS INVESTMENTS, LLC

ADDRESS 17501 S. SANTE FE, OKLAHOMA CITY, OK 73170

CONTACT NUMBERS (405)-650-8262

EMAIL ADDRESS JWOODS@WOODSLAND.NET

PROJECT ENGINEER INFORMATION:

NAME SCOTT E. HOLTZEN, P.E., HOLTZEN ENGINEERING GROUP, P.C.

ADDRESS 302 N. INDEPENDENCE ST., STE. 1100, ENID, OK 73701

CONTACT NUMBERS (580)-233-8533

EMAIL ADDRESS SEH@HOLTZENENGINEERING.COM

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



November 30, 2022

City of Shawnee
Attn: Rachel Clyne, City Planner
16 W. 9th St.
Shawnee, OK 74801

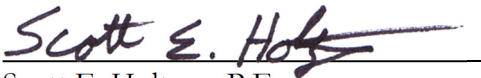
RE: Waiver request for Heritage Plains Addition - Preliminary Plat

Dear Ms. Clyne,

We are requesting a waiver of the dedicated easement and crosswalks where blocks exceed 600-feet in length, as noted in City of Shawnee Subdivision Regulations Section 40.2.5.

If you have any questions or request any additional information, please do not hesitate to contact me.

Sincerely,



Scott E. Holtzen, P.E.

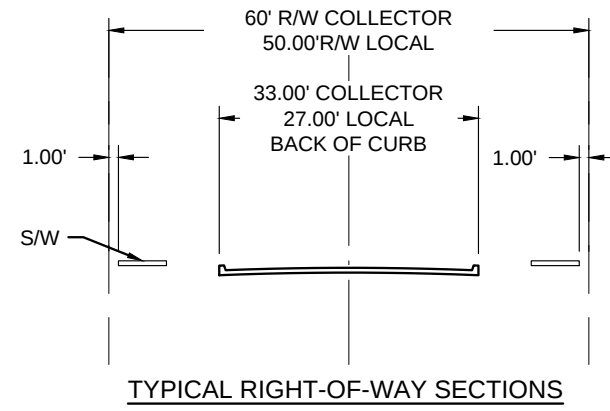
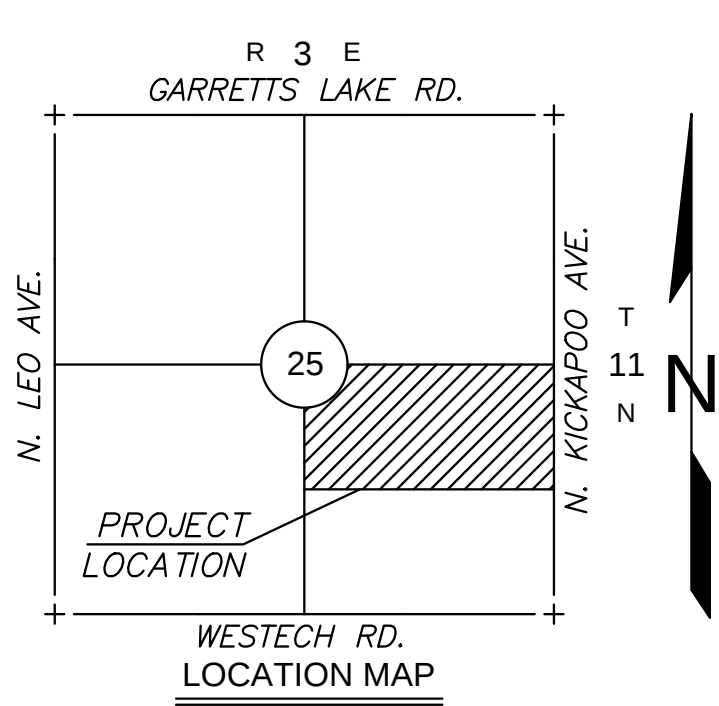
- ZONING
- EXISTING: RESIDENTIAL "R-1" AND AGRICULTURAL "A-1"
 - PROPOSED ZONING: RESIDENTIAL "R-1"

NOTES:

- ALL COMMON AREAS, DETENTION AREAS, AND GREEN AREAS WILL BE MAINTAINED BY A HOME OWNERS ASSOCIATION (H.O.A.)
- ALL STREETS IN 50' R.O.W. WILL BE CLASSIFIED AS LOCAL.
- ALL STREETS IN 60' R.O.W. WILL BE CLASSIFIED AS COLLECTOR.
- THE SIDE BUILDING LINE FOR ALL INTERNAL LOTS SHALL BE 5'-0".
- THE BACK BUILDING LINE FOR ALL LOTS SHALL BE 20'-0".
- 5' WIDE SIDEWALK ALONG STREETS ARE CONSTRUCTED BY HOME BUILDER.
- CROSSWALKS BETWEEN LOTS ARE CONSTRUCTED BY DEVELOPER.
- STREET NAMES AND ADDRESSES WILL BE DETERMINED PRIOR TO FINAL PLAN SUBMISSION.

ALL FILL SHALL BE:

- COMPACTED TO AT LEAST 95 PERCENT OF STANDARD PROCTOR MAXIMUM DRY DENSITY (ASTM D698) AT A MOISTURE CONTENT AT OR SLIGHTLY IN EXCESS OF THE OPTIMUM (i.e. -2% TO +3% OF OPTIMUM).
- PLACED IN LIFTS NOT TO EXCEED (8) INCHES IN LOOSE DEPTH.



LEGAL DESCRIPTION

A parcel of land being the North Half (N/2) of the Southeast Quarter of Section 25, Township 11 North, Range 3 East of the Indian Meridian, City of Shawnee, Pottawatomie County, Oklahoma;
BEGINNING at the Northeast corner of the Southeast Quarter (SE/4) of said Section 25;
Thence S 00°37'34"E along the East line of said Southeast Quarter (SE/4) for a distance of 1320.85 feet to the Southeast Corner of North Half (N/2) of said Southeast Quarter of Section 25;

Thence S 89°46'35"W for a distance of 2636.12 feet to the Southwest corner of the North Half (N/2) of said Southeast Quarter;

Thence N 00°41'34"W along the West line of said Southeast Quarter for a distance of 1323.91 feet to the Northwest corner of said Southeast Quarter (SE/4);

Thence N 89°50'34"E along the North line of said Southeast Quarter for a distance of 2637.69 feet to the POINT OF BEGINNING.

Said parcel contains 80.05 Acres, more or less

PRELIMINARY PLAT OF HERITAGE PLAINS ADDITION

PART OF SE/4, SEC. 25 T.11N, R.3E, I.M.

POTTAWATOMIE COUNTY, CITY OF SHAWNEE, OKLAHOMA

DEVELOPER

JC WOODS INVESTMENTS, LLC
17501 S. SANTA FE
OKLAHOMA CITY, OK 73170
(405) 650-8262

OWNERS

POOL JOINT REVOCABLE LIVING
TRUST

GROSS ACRES:
TOTAL LOTS: 272
TOTAL ACRES: 80.05 AC
COMMON AREA: 12.80 AC
OF DWELLING UNITS: 272
RESIDENTIAL DENSITY: 3.4 LOTS/ACRE
NET RESIDENTIAL DENSITY HOUSING TYPE:
• SINGLE FAMILY DETACHED RESIDENCE
• 3.4 RESIDENCES/ACRE

LEGEND

- A. PEDESTRIAN CROSS WALK
- B. STREET LIGHTS
- C. FIRE HYDRANT

STREETS
LOCAL WIDTH = 27' BACK OF CURB - 8026 L.F.
COLLECTOR WIDTH = 33' BACK OF CURB - 4810 L.F.
TOTAL - 12,836 L.F.

BOUNDARY SURVEY NOTES:
LEGAL DESCRIPTION & PROPERTY BOUNDARY IS BASED ON ALTA SURVEY PERFORMED BY BOBBY SKAGGS LAND SURVEYING, LLC DATED 10/07/2022.

0 100' 200'
SCALE IN FEET

ENGINEER



DRAWINGS ARE FOR USE ON THIS PROJECT ONLY AND ARE NOT INTENDED FOR REUSE WITHOUT WRITTEN APPROVAL FROM HOLTZEN ENGINEERING GROUP, P.C.

© COPYRIGHT 2022
HOLTZEN ENGINEERING GROUP, P.C.
DATE: 10/31/2022 (REV0)
11/01/2022 (REV1)

