

REGULAR PLANNING COMMISSION MINUTES

DATE: December 7, 2022

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a regular meeting on December 7, 2022, at 1:30 p.m., according to notice duly posted as prescribed by law.

Item 1. Roll Call

Vice-Chair Walker called the meeting to order at 1:30 p.m. Community Development Director, Rian Harkins, called roll and stated a quorum was present.

The following Commissioners were present:

Present: Walker, Johnson, Mew-Palmer, Rowell, and Barrett (arrived at 1:33 PM)

Absent: Reese

Item 2. Approval of Minutes – Regular meeting

Consideration of approval of the minutes from the regular meeting of November 2, 2022. Vice-Chair Walker asked for questions or corrections to the minutes. Commissioner Johnson indicated a vote for an item on the agenda had not been included in the minutes. City Planner, Rachel Clyne, made note of the necessary amendment.

Commissioner Johnson made a motion to **Approve** the minutes with the requested for amendment, which Commissioner Rowell seconded.

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

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

Nay: None

Abstain: None

Item 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.

Planner Clyne, explained the subject property is located at 4731 N. Union Avenue. The ±16.25-acre property is situated 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.

Surrounding the subject property are two land use designations: High-Density Residential and Medium-Density Residential. Amending the land use designation of the subject property to High-Density Residential is a reasonable request for an unforeseen opportunity for residential development. Approval of this request for a Comprehensive Plan Amendment (CPA) is the initial step of the corresponding rezoning application (RZ13-22).

Staff recommended that the Planning Commission recommend to the City Commission **APPROVAL** of Case No CPA01-22 as presented.

Vice-Chair Walker opened the public hearing. The owner's representative, David M. Box, was present and available for questions. With no additional speakers, the public hearing was closed.

Commissioner Barrett made a motion to recommend the **Approval** of Case No. CPA01-22, which Commissioner Mew-Palmer seconded.

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

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

Nay: None

Abstain: None

It was noted the application would be heard by the City Commission at its regular meeting on December 19, 2022, at 6:00 p.m.

Item 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.

The subject property is located at 4731 N. Union Avenue. The ±16.25-acre property is situated 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).

The land surrounding the subject property is zoned with residential and commercial zoning districts. The zoning includes R-1 (Single-Family Residential District), R-3 (Multifamily Residential District), C-2 (Limited Office District), and C-3 (Automotive Commercial District). This application follows the Comprehensive Plan Amendment application to adjust the FLUM to High-Density Residential in the 2040 Comprehensive Plan. This land use designation allows +12 dwelling units per acre.

Staff recommended that the Planning Commission recommend to the City Commission **APPROVAL** of Case No RZ13-22 as presented.

Vice-Chair Walker opened the public hearing. The owner's representative, David M. Box, was present and available for questions. Commissioner Walker asked about the number of dwelling units, and Mr. Box replied approximately 350 market-rate units were anticipated. With no additional speakers, the public hearing was closed.

Commissioner Barrett made a motion to recommend the **Approval** of Case No. RZ13-22, which Commissioner Johnson seconded.

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

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

Nay: None

Abstain: None

It was noted the application would be heard by the City Commission at its regular meeting on December 19, 2022, at 6:00 p.m.

Item 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.

The subject property is located at 39104 W. MacArthur Street, which is generally situated east of the intersection of West MacArthur Street and Acme Road. The ±4.4-acre property contains a residential structure and two (2) outbuildings. The request is to rezone from RE (Residential Estates District) to I-2 (Light Industrial District). There is an area of I-2 zoning to the south. Additionally, RE zoning is located to the east and north of the property, with a Planned Unit Development (PUD) to the west that contains R-3 and C-2 zoning.

The applicant intends to use the subject property for medical marijuana (MMJ) indoor grow operation, which is permitted in the I-2 zoning district. The growing aspect would be indoors and toward the property's rear (north) half. Under the Zoning Code Section 22-365(a).1, a watchman living on the premises may utilize the residence at the southern end of the subject property if the land is zoned I-2.

While a less intense zoning district, such as C-3 (Automotive Commercial District), would permit a medical marijuana growing outfit, the subject property is not adjacent to any C-3 zoned property.

If approved, the property is subject to all industrial zoning restrictions, including appropriate landscaping to buffer adjacent residential zoning districts. If rezoned to C-3, the existing house could not be used for residential purposes.

The following options were presented to the Planning Commission:

- 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.

Staff recommended that the Planning Commission recommend to the City Commission DENIAL of Case No RZ14-22 as presented.

Vice-Chair Walker opened the public hearing. The applicant's representative, Josh Moore, was present and available for questions. With no additional speakers, the public hearing was closed.

Commissioner Rowell made a motion to recommend the **Denial** of Case No. RZ14-22, which Commissioner Johnson seconded.

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

Aye: Walker, Johnson, Mew-Palmer, Rowell

Nay: Barrett

Abstain: None

It was noted the application would be heard by the City Commission at its regular meeting on December 19, 2022, at 6:00 p.m.

Item 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.

The ±80.05-acre subject property is 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 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 applicant is also applying for a Preliminary Plat (PPL06-22).

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has the land use designation 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 Comprehensive 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.

Staff recommended that the Planning Commission recommend to the City Commission **APPROVAL** of Case No RZ15-22 as presented.

Vice-Chair Walker opened the public hearing. The applicant's representative, Scott Holtzen, was present and available for questions. He advised there were 272 lots in the proposed subdivision. Rob Morris stated he wanted to know the size of the homes within the subdivision. With no additional speakers, the public hearing was closed.

Commissioner Johnson made a motion to recommend the **Approval** of Case No. RZ15-22, which Commissioner Rowell seconded.

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

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

Nay: None

Abstain: None

It was noted the application would be heard by the City Commission at its regular meeting on December 19, 2022, at 6:00 p.m.

Item 7. Case No. **PPL06-22** – 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.

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.

The City Engineer requested a Traffic Impact Analysis (TIA) to determine if additional public infrastructure, such as turn lanes, would be required. The TIA indicates no additional traffic infrastructure is necessary. Engineering found the proposed design sufficient to meet the requirements of the Subdivision Regulations.

In the Subdivision Regulations, Section 40.2.5.C discusses the potential for dedicated easements for mid-block crosswalks when a block exceeds six hundred (600) feet in length. If such crosswalks are deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities, they may be required by the Planning Commission.

Community Development staff received a request from the applicant's engineer, to waive the requirement of dedicated easement for mid-block crosswalks on streets 600' or longer. Since the Preliminary Plat does not indicate schools, shopping centers, or other community facilities in the development, staff recommended the Planning Commission accept the waiver request for the mid-block crosswalks.

Staff reviewed the Preliminary Plat and requested minor changes to the proposed thoroughfare names to be more consistent with existing roadways in Shawnee and to avoid duplicate street names. All other aspects of the Preliminary Plat were satisfactory.

Staff recommended that the Planning Commission recommend to the City Commission APPROVAL of Case No PPL06-22 subject to the street name changes proposed by staff.

Commissioner Johnson made a motion to approve the waiver request and to recommend the **Approval** of Case No. PPL06-22, subject to the street name changes proposed by staff, which Commissioner Mew-Palmer seconded.

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

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

Nay: None

Abstain: None

It was noted the application would be heard by the City Commission at its regular meeting on December 19, 2022, at 6:00 p.m.

Item 8. Community Development Department Update

Community Development Director Rian Harkins updated the Planning Commission on the progress of the Unified Development Code (UDC) project. He advised that the Love Your Block (LYB) team was wrapping up year one. The Twin Lakes Master Plan project is ongoing. March or April should bring meetings seeking public input. The CDBG COVID relief funds were now available for mental health assistance with residents of the Shawnee Housing Authority. The results of the ODOT grant application for repairs to the Santa Fe Depot will be made available in the late spring or summer of 2023. Director Harkins explained a program in its beginning stages that will allow new residential construction on non-typical lots. Lastly, he attended the recent Walkability session and there was much discussion about different approaches to community engagement.

Item 9. Planning Commissioners' Comments

Commissioners Rowell and Barrett had no comments. Commissioner Walker asked staff about where to report crosswalk concerns along Harrison and Federal. All Commissioners voiced or affirmed appreciation for the efforts of the Community Development Department staff and for receiving regular updates.

Item 10. Adjournment

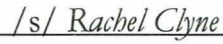
The meeting adjourned at 2:20 p.m.

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A handwritten signature in blue ink, appearing to read "Stephen", written over a horizontal line.

Chair/Vice-Chair

A handwritten signature in blue ink, appearing to read "/s/ Rachel Clyne", written over a horizontal line.

City Planner