PLANNING COMMISSION MINUTES
DATE: DECEMBER 4TH, 2019

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in the Commission Chambers, at City Hall, 9th and Broadway, on Wednesday, December 4th, 2019, at 1:30 p.m., pursuant to notice duly posted as prescribed by law.

AGENDA ITEM NO.1: **Roll Call**

Upon roll call the following members were present:

Present: Deem, Walker, Bergsten, Kienzle, Melot
Absent: Matthews, Rowell

Meeting was called to Order.

AGENDA ITEM NO.2: **Consideration of approval of the minutes from the regular meeting of the Planning Commission on November 6th, 2019**

Chairman Bergsten asked Commissioners for any comments, questions, or a vote. Commissioner Deem requested a change to the Minutes. She stated that she gave the wrong name for the mill property company. The correct name is the Shawnee Saw Mill. Commissioner Melot made a motion to approve the minutes; seconded by Commissioner Deem.

Motion passed:
AYE: Deem, Walker, Bergsten, Kienzle, Melot
NAY:
ABSTAIN:

AGENDA ITEM NO.3: **Citizens' Participation**

Chairman Bergsten opened the public portion of the meeting and announced that this is an open time for discussion for those with questions on topics not on the Agenda and asked if anyone would like to come forward.

No one came forward and Chairman Bergsten closed the public portion of the meeting.

AGENDA ITEM NO.6: **Case #P14-19 – Public hearing and consideration of approval of a rezone request from RE (Residential Estate) to C-3 (Highway Commercial) for a 2.58-acre property, located at 39405 West MacArthur Street**

Applicant: Gregory Peck

Planning Director Rebecca Blaine presented staff report. Director Blaine noted the item had been deferred from the prior month upon the applicant's request. She stated that at the time this application was submitted, the Planning Department had been working under the 2005 Comprehensive Plan, and the Planning Commission deferred the item until the 2019 Comprehensive Plan was adopted, which was adopted October 21st, 2019 by the City Commission. She briefly described the characteristics of the property and the application. She stated the 2019 Comprehensive Plan designates the future land use of this property to be low density residential. She noted there have been five protest letters submitted against the application, including a petition by Redeemer Lutheran Church. She stated staff recommends denial of the rezone.

Chairman Bergsten opened the public portion of the meeting and asked if anyone speaking against the item would like to come forward. Gary Dowdy came forward to speak against the application. He stated before this area had been annexed by the City of Shawnee, there did not exist regulations that residents favored. He stated the fact that the 2019 Comprehensive Plan designates the future land use of this area to be residential is encouraging to him, and that they would like to maintain that status for as long as they can.

Lewis Walters, the pastor of the Redeemer Lutheran Church, came forward to speak against the application. He shared a three-year study conducted by the Ohio State University in Denver, Colorado. He stated they found that marijuana shops are linked to higher levels of property crimes in nearby areas. He stated they loan part of their facility to the EPIC Charter School.

No one else came forward and Chairman Bergsten asked if anyone speaking in favor of the item would like to come forward. No one came forward and Chairman Bergsten closed the public portion of the meeting.

Chairman Bergsten asked if there were any comments or questions. There were no comments or questions and Chairman Bergsten asked for a motion. Commissioner Kienzle made a motion to deny the rezone; seconded by Commissioner Walker.

Motion passed:
AYE: Deem, Walker, Bergsten, Kienzle, Melot
NAY:
ABSTAIN:

AGENDA ITEM NO.4: **Case #P21-19 – Public hearing and consideration of approval of a rezone request from A-1 (Rural Agricultural) to C-3 (Highway Commercial) for a 4.68-acre property, located 250 feet south of the southwest corner of Highway 102 and Lake Road**

Applicant: Linda Nowlin

Planning Director Rebecca Blaine presented staff report. She stated the 2019 Comprehensive Plan notes that this area lacks services to serve residents and visitors to the Twin Lakes, and that this property designates this area to have some commercial services. She stated staff recommends approval of the rezone.

Chairman Bergsten opened the public portion of the meeting and asked if anyone speaking against the item would like to come forward.

No one came forward and Chairman Bergsten asked if anyone speaking in favor of the item would like to come forward. No one came forward and Chairman Bergsten closed the public portion of the meeting.

Chairman Bergsten asked if there were any comments or questions. There were no comments or questions and Chairman Bergsten asked for a motion. Commissioner Melot made a motion to approve the rezone; seconded by Commissioner Kienzle.

Motion passed:
AYE: Deem, Walker, Bergsten, Kienzle, Melot
NAY:
ABSTAIN:

AGENDA ITEM NO. 5: **Case #P22-19 – Public hearing and consideration of approval of a conditional use permit for a manufactured home for a 6.4-acre property, located at 39182 Clearpond Road**

Applicant: Karen Hinrichs

Planning Director Rebecca Blaine presented staff report. She stated the zoning in the area is all agricultural. She stated the 2019 Comprehensive Plan recommends this area remains agricultural. She stated staff recommends approval.

Commissioner Kienzle asked if the conditional use permit would only be for the applicant's manufactured home throughout its life. Director Blaine stated it is, and that if the ownership changes, the conditional use permit would remain in affect unless the manufactured home were removed.

Commissioner Deem asked about the letter requesting deferment. Director Blaine stated the Planning Department requires an abstractor's list, whose information is derived by the County Assessor's Office. She stated when ownership changes, the county takes 30 to 45 days to update their records, and that the author of the letter bought his property during this time frame, so notification of this conditional use permit had been sent to the previous owner. She stated the Planning Department also publishes a public hearing notice in the *Shawnee News-Star* and posts a sign on the property. She stated the Planning Department has consulted with the City's representation, and they have been told they did their due diligence.

Chairman Bergsten opened the public portion of the meeting and asked if anyone speaking against the item would like to come forward.

No one came forward and Chairman Bergsten asked if anyone speaking in favor of the item would like to come forward. Bill Madole came forward to speak in favor of the conditional use permit. He stated he has lived next to the subject property his entire life, and he has known the applicant for all her life. He stated his property borders the longest stretch of property involved on the three sides of this property. He stated they have been great neighbors to him. He stated this property is rural and the City getting utilities out there is low on their priority list.

Chairman Bergsten asked if there were any comments or questions. There were no comments or questions and Chairman Bergsten asked for a motion. Commissioner Walker made a motion to approve the conditional use permit; seconded by Commissioner Deem.

Motion passed:
AYE: Deem, Walker, Bergsten, Kienzle, Melot
NAY:
ABSTAIN:

AGENDA ITEM NO.6: **Case #P14-19 – Public hearing and consideration of approval of a rezone request from RE (Residential Estate) to C-3 (Highway Commercial) for a 2.58-acre property, located at 39405 West MacArthur Street**

Applicant: Gregory Peck

This item was moved up to an earlier portion of the meeting by Chairman Bergsten.

AGENDA ITEM NO.7: **Planning Director's Report**

Planning Director Rebecca Blaine reminded everyone there will be a listening session hosted by the City Commission from 6:00 PM to 9:00 PM regarding the Broadway Project. Commissioner Kienzle asked if it was originally scheduled to be at the church. Director Blaine stated there was a non-City affiliated session at First Christian Church. She stated it is available on the Shawnee CTV Facebook page for viewing. Commissioner Kienzle asked how the session went. Director Blaine stated it was a good session.

Chairman Bergsten asked about what is being built at the Domino Plaza Addition. Director Blaine a SSMH medical complex is being built.

Commissioner Deem asked if there has been a response from the Shawnee Saw Mill. Director Blaine said there has not been a response.

Commissioner Kienzle noted there has been improvements at the U-Haul facility on North Harrison Avenue. Commissioner Melot stated somebody said to her a lot has been done with that facility.

AGENDA ITEM NO. 8: **Commissioners Comments and/or New Business**

Chairman Bergsten asked Commissioner Melot for an update on the status on the bike lanes project on Broadway. Commissioner Melot stated someone told her this morning the bike lanes project is the most controversial issue they have ever seen. She stated the Broadway project is a lot more than just bike lanes. She stated much of the cost is associated with lighting, getting the sewer and utility lines corrected, restriping the street and street repairs, and intersection safety. She stated that while the bike lanes are the most controversial part of the project, they are the least expensive part of it. She stated there are people strongly in favor and against the bike lanes. She stated they expect large attendance at tonight's session. Chairman Bergsten stated it is sad to see something happen and then people who had not previously said anything make complaints against it. Commissioner Melot stated public discussion of the project had been publicly announced starting in February 2017.

Commissioner Melot asked about the downed light pole at Woodland Park. Director of Engineering Michael Ludi stated he does have an update on that. He stated OG & E do not have a timeline to replace it because they must engineer it. Commissioner Walker recalled an article he read in the newspaper about the number of street lights that were not working and why it takes time to replace them. Commissioner Kienzle asked about the lighting on both sides of I-40. Mr. Ludi stated they are working on that. He stated copper wiring theft is a major issue right now.

Commissioner Melot asked about the lighting under the airport. Mr. Ludi stated he does have replacing them in the budget. He stated he is in the process of looking for an appropriate lighting product. He noted replacing them is a very expensive process. Chairman Bergsten asked if solar power been considered. Mr. Ludi stated it has not been considered at that level. He stated there are governmental standards on how bright the lights must be.

Commissioner Melot reminded everyone to go to the Christmas parade on December 5th, 2019. She stated she heard there are almost 100 parade entries.

Commissioner Kienzle stated she received an e-mail by Stacey Moore, Director of Tourism at the Chamber of Commerce. She stated the e-mail stated Ms. Moore put resources together for a public art resource team, with the goal being creating a positive environment for the arts to thrive. Theirs tasks would be to review proposals for new or updated public art installations. She stated the 2019 Comprehensive Plan had recommendations for public art. She stated the City needs to make sure Ms. Moore knows everything regarding public art in the 2019 Comprehensive Plan. She stated she sent Ms. Moore information that Commissioner Kienzle had taken to the Oklahoma City Arts Commission regarding roles and duties for chairs and vice-chairs for arts commissions.

Chairman Bergsten thanked Director of Engineering Michael Ludi for his input, and Mr. Clover for participating as legal representation.

AGENDA ITEM NO.9: **Adjournment**

Meeting was adjourned.

Chairman/Vice-Chairman

Joseph Barker
Planning Commission Secretary