

ZONING BOARD OF ADJUSTMENTS

DATE: November 21st, 2019

The Zoning Board of Adjustment met at a scheduled meeting on Thursday, November 21st, 2019 at 2:30 p.m. in the Commission Chambers at City Hall, Shawnee, Oklahoma, Pottawatomie County, pursuant to notice duly posted as prescribed by law. Rebecca Blaine, Planning Director for the City of Shawnee, presented the staff reports. Staff reports are available upon request.

AGENDA ITEM NO. 1:

Roll Call

Upon roll call the following members were present: Mark Cannon, Crystal Richardson, Tim Burg, and Holly Gordon.

A quorum was declared present.

NOTE: Mat Thomas was absent.

AGENDA ITEM NO. 2:

Approval of the December 21st, 2017 Zoning Board of Adjustment Meeting Minutes

Planning Director Rebecca Blaine stated the minutes could be approved to form because the Zoning Board of Adjustment could not have a quorum of members who were part of the Zoning Board of Adjustment at the December

Commissioner Gordon made a motion to approve the minutes; seconded by Commissioner Burg.

Motion carried:

AYE: Cannon, Richardson, Burg, Gordon

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 3:

Swearing in of Tim Burg and Holly Gordon to the Zoning Board of Adjustment

Director Blaine stated Commissioners Burg and Gordon were sworn in prior to the meeting.

AGENDA ITEM NO. 4:

Consideration of appointment of a Chairperson to the Zoning Board of Adjustment

Commissioner Burg made a motion to nominate Commissioner Gordon to be Chairperson; seconded by Commissioner Richardson.

Motion passed:

AYE: Cannon, Richardson, Burg

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 5:

Consideration of appointment of a Vice Chairperson to the Zoning Board of Adjustment

Chairwoman Gordon made a motion to nominate Commissioner Burg to be Vice Chairman; seconded by Commissioner Richardson

Motion passed:

AYE: Cannon, Richardson, Gordon

NAY: None
ABSTAIN: None

AGENDA ITEM NO. 6:

Case #Z02-19 – Public hearing and consideration of approval of a variance request of 9 feet for a 54-foot-tall building for a property located on the southeast corner of North Harrison Avenue and Transportation Parkway

Applicant: Nelmon Brauning

Planning Director Rebecca Blaine presented staff report. She noted there was a protest letter submitted by Bill Patel. She read the letter. She stated the standard maximum height in the C-3 (Highway Commercial) District is 45 feet, and that the applicant is requesting a variance of 9 feet. She noted the proposed hotel has a distinct design style, with features such as a tower and light beacon, that give the chain a distinct identity. She provided examples of how tall hotels of this chain are in other communities. She stated the consulting firm that designed the 2019 Comprehensive Plan recommended the Zoning Code be updated. She stated staff recommends approval of the 9-foot building height variance.

Commissioner Gordon asked what the current height of currently existing are in Shawnee. Director Blaine stated the local hotels tend to be 10 to 12 feet per story, with many of them being two stories tall.

Commissioner Burg asked if 45 feet is the limit for the commercial and industrial districts. Director Blaine stated it is the limit for the C-3 District.

Chairwoman Gordon asked if this design is complementary and goes with the 2019 Comprehensive Plan. Director Blaine stated it does.

The applicant, Nelmon Brauning, presented the application. She stated the basic structure of the hotel is 45 feet, but the additions add an additional 9 feet. She stated the Hilton Hotel in Shawnee is four stories.

Director Blaine opened the public portion of the meeting and asked anyone who wished to speak to state their name and sign in. Crystal Clout, representing LaQuinta Inn & Suites, asked what the name of the hotel is and who owns it. She stated there was a 20-year non-competition agreement before Canadian Valley bought the subject property. Ms. Brauning stated she has a confidentiality clause in her contract with her client, and she therefore cannot state their name or the brand name of the hotel chain. Ms. Clout stated she has no documentation available to her personally to verify the existence of the non-competition clause of the land. Ms. Brauning stated the clause was only for 5 years.

Commissioner Burg asked Ms. Brauning if the south side of Transportation Parkway is part of the Yahgnée Addition. Ms. Brauning stated it is.

Commissioner Burg asked if the non-competition clause is an issue for the Zoning Board of Adjustment to consider in their decision. Director Blaine was not sure if it affects the Board's ability to decide on this application, but that the Zoning Board of Adjustment was holding this meeting to discuss a proposed variance for building height.

Commissioner Burg made a motion to approve the variance as requested; seconded by Commissioner Richardson.

Motion passed:
AYE: Cannon, Richardson, Burg, Gordon
NAY: None
ABSTAIN: None

AGENDA ITEM NO. 7:

Consideration of approval of the 2020 Schedule of Regular Meetings for the Zoning Board of Adjustment

Commissioner Burg made a motion to approve the 2020 schedule; seconded by Commissioner Richardson.

Motion passed:

AYE: Cannon, Richardson, Burg, Gordon

NAY: None

ABSTAIN: None

AGENDA ITEM NO. 8:

Planning Director's Report

Planning Director Rebecca Blaine did not have a report.

There were no other comments or questions.

AGENDA ITEM NO. 7:

Adjournment

Meeting was adjourned.


Chairwoman/Vice-Chairman

Joseph Barker
Zoning Board of Adjustment Secretary