

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:

11.04.2020 1:30 P.M. Commission Chambers
City Hall
16 W. 9th Street
Shawnee, OK 74801

To be completed by person filing notice:

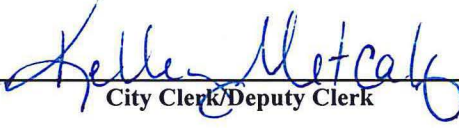
NAME: Rebecca Blaine

TITLE: Planning Director

ADDRESS: Commission Chambers

PHONE: (405) 878-1616

Filed in the office of the municipal clerk at 9:15 0 a.m. /p.m. on 11.03.2020

SIGNED: 
City Clerk/Deputy Clerk

=====

FOR CITY CLERK'S OFFICE USE ONLY

DATE NOTICE RELEASED TO NEWS MEDIA: 11-3-2020

PERSON FILING NOTICE: Rebecca Blaine

NOTICE VERIFIED BY: Kelley Metcalf

**AGENDA
CITY OF SHAWNEE
PLANNING COMMISSION
NOVEMBER 4TH, 2020 AT 1:30 P.M.
COMMISSION CHAMBERS
CITY HALL, 16 W. 9TH ST**

- 1)** Roll Call
- 2)** Reconsideration of approval of the amended minutes from the special meeting of June 19th, 2020.
- 3)** Consideration of approval of the regular minutes from the regular meeting of September 2nd, 2020 and the special meeting of September 17th, 2020.
- 4)** Swearing in of new Planning Commissioners Amanda Johnson and Jay Lester.
- 5)** Nominations, discussion and possible action on selecting a Chairperson.
- 6)** Citizens' Participation
(A three-minute limit per person)
(A twelve-minute limit per topic)
- 7)** Case #P17-20 Public Hearing and Consideration of a rezoning from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) for the purpose of an automotive dealership located on a 0.35-acre property located at 1027 N. Harrison Avenue.
Applicant: Patrick & Kelly Anne Buttram
- 8)** Case #P18-20 – Public Hearing and Consideration of a rezoning from A-1 (Rural Agricultural District) to R-E (Residential Estates District) for the purpose of a three parcel, minimum one-acre lot size lot split located on a five-acre property located at 32105 Homer Lane.
Applicant: Henry & Helen Wilkos
- 9)** Planning Director's Report
- 10)** Commissioners' Comments
- 11)** New Business
- 12)** Adjournment

SPECIAL CALL PLANNING COMMISSION MINUTES

DATE: JUNE 19th, 2020

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a special call meeting on June 19th, 2020, at 3:30 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, Matthews, Melot

Absent: Walker, Rowell

A quorum was declared, and the meeting was called to order.

AGENDA ITEM NO.2: **Welcome of new Planning Commissioners.**

New Commissioners Cami Engles and Amy Loftis-Walton were sworn in by City Clerk, Lisa Lasyone. The new Planning Commissioners were seated.

AGENDA ITEM NO.3: **Nominations, discussion and possible action on electing Planning Chairperson.**

A motion was made by Commissioner Melot to nominate Commissioner Matthews as Chairperson. Commissioner Deem seconded this motion.

Aye: Melot, Deem, Engles, Loftis-Walton

Nay: None

Abstain: Matthews

AGENDA ITEM NO.4: **Nominations, discussion and possible action on electing Planning Vice Chairperson.**

Commissioner Matthews made a motion to nominate Commissioner Deem for Vice Chairperson. Commissioner Melot provided a second.

Aye: Matthews, Melot, Engles, Loftis-Walton

Nay: None

Abstain: Deem

AGENDA ITEM NO.5: **Planning Director's Comments**

Blaine welcomed the new Planning Commissioners and stated she looked forward to working with them both.

AGENDA ITEM NO.6: **Commissioners' Comments**

Amy Loftis-Walton and Cami Engles introduced themselves.

AGENDA ITEM NO.7:

Adjournment

Meeting was adjourned at 3:43 p.m.

Chairman/Vice-Chairman

Rebecca Blaine, AICP
Planning Director

REGULAR PLANNING COMMISSION MINUTES

DATE: SEPTEMBER 2ND, 2020

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a regular meeting on September 2nd, 2020, 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: Walker, Loftis-Walton, Deem, Engles, Rowell

Absent: None

A quorum was declared, and the meeting was called to order.

AGENDA ITEM NO.2: **Reconsideration of approval of the amended minutes from the regular meeting of March 4th, 2020, the special meeting of May 15th, 2020, the special meeting of May 29th, 2020, the regular meeting of June 3rd, 2020, and the special meeting of June 19th, 2020.**

Vice Chairperson Deem requested a motion for approval. Commissioner Walker made a motion with a second by Commissioner Engles. Motion carried 5-0.

Aye: Walker, Loftis-Walton, Deem, Engles, Rowell

Nay: None

Abstain: None

AGENDA ITEM NO.3: **Consideration of approval of the minutes from the regular meeting of July 1st, 2020 and the regular meeting of August 5th, 2020.**

Vice Chairperson Deem requested a motion for approval. Commissioner Loftis-Walton made a motion with a second by Commissioner Walker. Motion carried 5-0.

Aye: Walker, Loftis-Walton, Deem, Engles, Rowell

Nay: None

Abstain: None

AGENDA ITEM NO.4: **Citizens' Participation (A three-minute limit per person) (A twelve-minute limit per topic)**

No citizens came forward to comment.

AGENDA ITEM NO.5: **Case #P13-20 Public Hearing and Consideration of a rezoning from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) on a 0.19-acre property located at 1018 W. Benedict Street. Applicant: Ken Stafford, representing the Carole Ann Stafford 2013 Revocable Trust (deferred from last regular meeting of August 5th, 2020)**

Director Blaine presented the staff report. She mentioned most of the area is zoned residential (R-1 & R-2) and upholds that neighborhood character. She indicated three parcels did hold commercial zoning classifications in that area, that were not congruent. It was discussed the wide array of heavier business uses that are allowable by right in the requested C-3 (Highway Commercial District). She said the 2040 Comprehensive Plan had low intensity commercial and residential designated for the future land use of this area. The property could still be used as income property under the current C-1 (Neighborhood Commercial District) zoning.

Vice Chairperson Deem opened the public hearing portion for this case. Ken Stafford (applicant) came up to speak on behalf of his case. He mentioned the property was his mother's and had been in their family for 45 years. Commissioner Loftis-Walton inquired if the applicant had a specific business use in mind for the property. He stated he did not. Vice Chairperson Deem inquired on how long the building had been vacant. Ken Stafford stated about one year. He mentioned Rent-a-Tent had occupied the building previously for warehouse space. Stafford asked about a process to amend the Comp Plan. Director Blaine stated she was working with the City Attorney to adopt a process and application for amendments, that it had not been created by past staff. Vice Chairperson Deem asked if anyone else wanted to speak on behalf of the item. No one else came forward and Deem closed the public hearing.

Commissioner Loftis-Walton discussed the options of the use of the building under C-1 verses C-3. She stated she felt the property was more economically marketable as C-3.

Commissioner Loftis-Walton made a motion to approve. It was seconded by Commissioner Rowell. Motion passed 4-1.

Aye: Loftis-Walton, Rowell, Deem, Engles

Nay: Walker

Abstain: None

It was stated the application would be heard at the next regular City Commission meeting on Tuesday, September 8th at 6:00 p.m. in the Commission Chambers.

AGENDA ITEM NO.6: **Case #P14-20 – Public Hearing and Consideration of a rezoning from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) with a CUP (Conditional Use Permit) for a cellular communications tower on a 1.66-acre property located at 815 N. Harrison Ave.**

Applicant: Troy Williams, Branch Communications, AT&T

Director Blaine gave the staff report. The proposed site is located on the S & S Salvage property. She mentioned this was the third communications tower application from the applicant, Troy Williams of Branch Communications on behalf of AT&T. The market analysis showed a great deficit in infrastructure and bandwidth for the Shawnee area. The COVID-19 pandemic has only increased that need due to more people working from home and education going to virtual platforms. Blaine mentioned this item would also have to go to the Zoning Board of Adjustment for a setback variance due to the age of the City of Shawnee's code predating the engineered design of sectional towers which would collapse within it's compound instead of falling over the height of the tower. Staff recommended approval of this item.

Vice Chairperson Deem asked if the commissioners had any questions of Blaine. Commissioner Loftis-Walton asked for clarification of vehicles being stored in or around the lease area. Blaine clarified that there would be no storage of excess materials or vehicles within the lease area which would be fenced off; however, outside the leased area would still be able to stow away vehicles.

Vice Chairperson Deem opened the public hearing portion for this case. Troy Williams of Branch Communications on behalf of AT&T (applicant) came forward. He added that he had obtained support letters from surrounding properties, such as the Sac & Fox Nation. Loftis-Walton asked if this tower would help boost 5G signal in the area. Williams confirmed that it would.

Vice Chairperson Deem asked if anyone would like to make a motion. Commissioner Walker made a motion to deny the application. It was seconded by Commissioner Engles.
Motion carried 5-0.

Aye: Walker, Engles, Loftis-Walton, Deem, Rowell
Nay: None
Abstain: None

It was stated the application would be heard at the next regular City Commission meeting on Tuesday, September 8th at 6:00 p.m. in the Commission Chambers. Deem clarified Monday, September 7th was a holiday; therefore, the City Commission meeting would be on Tuesday instead of Monday.

AGENDA ITEM NO.7: **Case #P15-20 – Public Hearing and Consideration of a rezoning from C-3 (Highway Commercial District) to C-3 with a CUP (Conditional Use Permit) for the purpose of an outdoor gathering space containing food trucks, on-premise sale and consumption of alcohol, pop-up shops and restrooms located on a 1.29-acre property located at 6-20 W. MacArthur Street.**
Applicant: GCR Sunset Enterprises, LLC

Director Blaine gave the staff report. She stated the applicants' inspiration for the project was from the Bleu Garten's concept in Oklahoma City. She mentioned the applicants would have to go to Zoning Board of Adjustment to get approval to use a shipping container as permanent restrooms, as current City Code did not have options for non-traditional construction types such as shipping containers. She stated that she was in favor of the concept, but that Planning, Engineering and Building departments would need to have specific plans for review. She noted a letter of opposition was received by a business owner on the south side of MacArthur Street. She stated the creation of a CUP (Conditional Use Permit) document would be useful in setting parameters for the development. Commissioner Walker mentioned a similar document had been crafted for the Shawnee Trading Post on N. Kickapoo. Blaine concurred. Commissioner Loftis-Walton asked why the applicant did not submit a particular plan for their development proposal. Blaine said she would defer that question to the applicant if they were present at the meeting.

Vice Chairperson Deem opened the public hearing portion for this case. Gary Barnett, co-property owner and applicant came forward. He stated they were coordinating with the City departments and the utility companies before developing a specific plan. He stated they wanted to follow all codes and make a family-friendly space. He said they wanted to be neighbor-friendly and a space for OBU students to hang out.

Commissioner Walker asked if the item was deferred to next month's regular meeting if that would give staff time to meet with the applicants and compose the CUP document. Blaine confirmed that she believed it would be ample time. Commissioner Engles stated the concept was very exciting to entertain for the Shawnee community, and that she had been to similar developments across the state. Charlotte Barnett, co-applicant, stated they intended to have mural art, landscaping, live music, food trucks serving food and alcohol, etc. as part of the development. The applicants agreed they could have plans produced by the next regular Planning Commission meeting, which is Wednesday, October 7th, 2020. The item was deferred to the October 7th, 2020 meeting.

AGENDA ITEM NO.8: **Case #P16-20 – Public Hearing and Consideration of a rezoning from A-1 (Rural Agricultural District) to C-3 (Highway Commercial District) for the purpose of indoor cultivation of medical marijuana on a 1.00-acre property located at 2124 W. Benedict Street.**
Applicant: Executive Home Rentals, LLC

Director Blaine presented the staff report. She stated the parcel was illegal, nonconforming due to a lot split that was not reviewed and approved by the City of Shawnee and that a parcel requires a minimum of five acres as well as specific dimensional standards in order to have the A-1 (Rural Agricultural District) zoning classification. This parcel is one-acre tract that was split off a larger seven-acre tract. She explained medical marijuana related businesses are only permitted by ordinance in C-3, C-4 and C-5, as well as industrial districts. The 2040

Comprehensive Plan has this area designated as rural/agricultural. Blaine mentioned the desire to keep the area as such with various other properties with permitted zoning districts existing across city limits. Staff recommended denial of this item. She also mentioned an opposition letter that was received from a surrounding property owner within the 300' radius.

Vice Chairperson Deem opened the public hearing portion for this case. Dr. David Wade, son-in-law of William 'Bill' Rapp, stated his father-in-law has lived on his seven acres for seventy years. He mentioned the rural feel of this area and the lack of suitability to the area for a medical marijuana grow facility that could produce odor, decrease in property values, and potential for an increase in crime.

Sarah Inselman stated they were closer to the property than the Rapp family. She said they were concerned about the value of the property her family just purchased. She said she was concerned about security and safety of her grandchildren and the premises. She also had concerns about odor control.

Ann McDonald stated she submitted the letter of opposition. She stated they purchased the property over twenty years ago because of the rural feel of the area. She had concerns about safety, crime, security, and odor.

Dick Dixon stated he agreed with the reasons of opposition that had previously been stated.

Cecil Cole stated concerns about odor control as well as security/safety of area and his children.

Kevin Hanna stated he was the applicant and wished to withdraw his application due to the neighbors' concerns. He mentioned his desire to potentially apply for permission to have a mobile home on the property. Blaine stated a minimum of five acres was required to entertain a CUP (Conditional Use Permit) on land outside of a designated mobile home park zoning district. She stated the applicant could apply for a variance through Zoning Board of Adjustment if he felt strongly about that option. Vice Chairperson Deem said she appreciated the applicant's sensitivity to his neighbors' concerns.

AGENDA ITEM NO.9: Planning Director's Report

Blaine mentioned that herself and the attorney's office were working on the ordinance, application, fees and timeframes to review amendments to the Comprehensive Plan. There was discussion on frequency and timeframes for review of internal recommended amendments as well as external applicants.

AGENDA ITEM NO.10: Commissioners' Comments

No comments.

AGENDA ITEM NO.11: New Business

No new business.

AGENDA ITEM NO.12: Adjournment

Vice Chairperson Deem asked for a motion to adjourn. Commissioner Engles made a motion with a second by Commissioner Walker. Motion carried 5-0.

Aye: Walker, Loftis-Walton, Deem, Engles, Rowell

Nay: None

Abstain: None

Meeting was adjourned at 2:56 p.m.

Chairman/Vice-Chairman

Rebecca Blaine

Planning Director

SPECIAL PLANNING COMMISSION MINUTES

DATE: SEPTEMBER 17TH, 2020

The Planning Commission of the City of Shawnee, County of Pottawatomie, State of Oklahoma, met in person for a special meeting on September 17th, 2020, at 4:15 p.m., pursuant to notice duly posted as prescribed by law. Director Blaine prefaced that the purpose of this special meeting was to give an opportunity for anyone to be heard for public hearing items that was dependent on the digital notification instead of the newspaper or the notice to surrounding property owners.

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

Upon roll call the following members were present:

Present: Walker, Loftis-Walton, Deem, Engles, Rowell

Absent: None

A quorum was declared, and the meeting was called to order.

AGENDA ITEM NO.2: **Reconsideration of approval of the amended minutes from the regular meeting of March 4th, 2020, the special meeting of May 15th, 2020, the special meeting of May 29th, 2020, the regular meeting of June 3rd, 2020, and the special meeting of June 19th, 2020.**

Approved at the regular Planning Commission meeting of Wednesday, September 2nd, 2020.

AGENDA ITEM NO.3: **Consideration of approval of the minutes from the regular meeting of July 1st, 2020 and the regular meeting of August 5th, 2020.**

Approved at the regular Planning Commission meeting of Wednesday, September 2nd, 2020.

AGENDA ITEM NO.4: **Old Business**

- a. **Case #P13-20 Public Hearing and Consideration of a rezoning from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) on a 0.19-acre property located at 1018 W. Benedict Street.**

Applicant: Ken Stafford, representing the Carole Ann Stafford 2013 Revocable Trust (deferred from last regular meeting of August 5th, 2020)

- b. **Case #P14-20 – Public Hearing and Consideration of a rezoning from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District) with a CUP (Conditional Use Permit) for a cellular communications tower on a 1.66-acre property located at 815 N. Harrison Ave.**

Applicant: Troy Williams, Branch Communications, AT&T

- c. **Case #P15-20 – Public Hearing and Consideration of a rezoning from C-3 (Highway Commercial District) to C-3 with a CUP (Conditional Use Permit) for the purpose of an outdoor gathering space containing food trucks, on-premise sale and consumption of alcohol, pop-up shops and restrooms located on a 1.29-acre property located at 6-20 W. MacArthur Street.**

Applicant: GCR Sunset Enterprises, LLC

- d. **Case #P16-20 – Public Hearing and Consideration of a rezoning from A-1 (Rural Agricultural District) to C-3 (Highway Commercial District) for the purpose of indoor cultivation of medical marijuana on a 1.00-acre property located at 2124 W. Benedict Street.**
Applicant: Executive Home Rentals, LLC

Director Blaine stated that no citizens were in attendance that afternoon to participate in any of the public hearings. In agenda item 4a Case #P13-20, Blaine asked for clarification on the intent of the motion that was made at the regular Planning Commission meeting of Wednesday, September 2nd, 2020. Commissioner discussion included that the amendment discussion primarily took place after the vote. A revote of this item was had.

A motion was made by Commissioner Engles to deny the rezone application request but equip the applicant with the amendment process to the Comprehensive Plan when available. Commissioner Walker seconded that motion. Motion carried

Aye: Engles, Walker, Deem
Nay: Loftis-Walton, Rowell
Abstain: None

It was announced that these items would all be heard at the regular City Commission meeting of Monday, September 21st, 2020.

Director Blaine asked the commissioners if they would like to discuss any other items under Old Business apart from 4d-Case #P16-20 which was requested to be withdrawn by the applicant at the regular Planning Commission meeting of Wednesday, September 2nd, 2020.

Breanne Gordon, attorney from city attorney's firm, asked the commission to make a motion to ratify all previous recommendations from the previous meeting with the exception of Item 4a Case #P13-20 which was modified. Commissioner Walker made a motion with a second by Commissioner Rowell.

Aye: Walker, Rowell, Loftis-Walton, Deem, Engles
Nay: None
Abstain: None

AGENDA ITEM NO.5: Adjournment

Vice Chairperson Deem asked for a motion to adjourn. Commissioner Walker made a motion with a second by Commissioner Engles. Motion carried 5-0.

Aye: Walker, Loftis-Walton, Deem, Engles, Rowell
Nay: None
Abstain: None

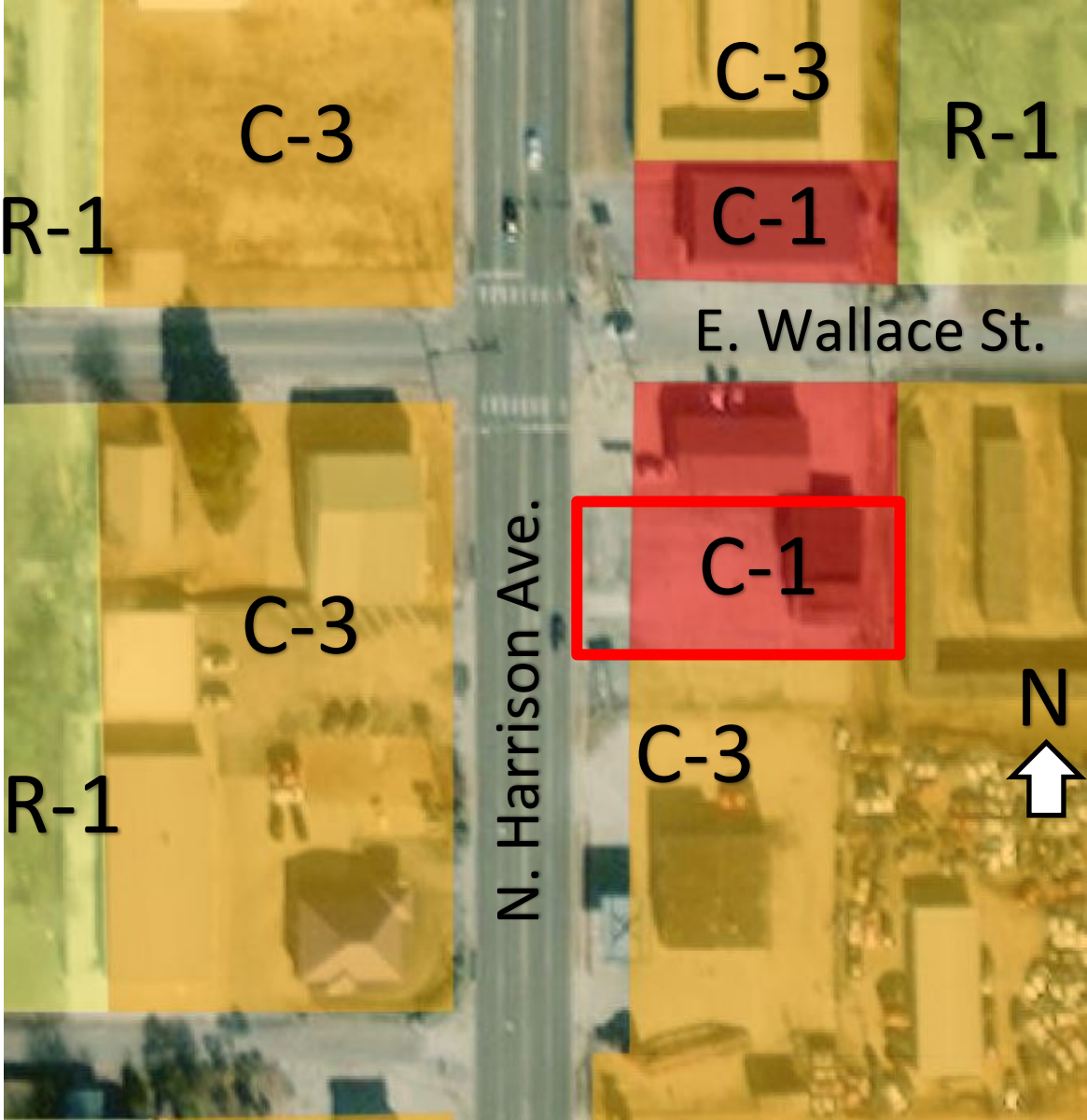
Meeting was adjourned at 4:39 p.m.

Chairman/Vice-Chairman

Rebecca Blaine
Planning Director

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 www.ShawneeOK.org		CASE # P17-20 PLANNING COMMISSION: November 4 th , 2020 CITY COMMISSION DATE: November 16 th , 2020
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APPLICANT: Patrick and Kelly Anne Buttram PROPERTY ADDRESS/LOCATION: 1027 N. Harrison Avenue

The applicants, Patrick and Kelly Anne Buttram, is requesting a rezone of a 0.34-acre property from C-1 (Neighborhood Commercial) to C-3 (Highway Commercial) Zoning District.	 Surrounding Zoning Districts: R-1 (Single Family Residential), C-1 (Neighborhood Commercial), and C-3 (Highway Commercial) make up the majority of surrounding properties. <i>Notifications were mailed to surrounding property owners. No written responses have been received at this time, either in support or opposition of this rezoning request application.</i>
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STAFF RECOMMENDATION

This application is being requested for the business use of an automotive dealership. **Business uses that could be allowed by right in the C-3 District that are not allowed in the C-1 District are:** *automotive repair, tires and service, towing and other road services, automotive sales and service, bus, motorcycle, all-terrain vehicle dealers, truck or large vehicle dealers, drive-in or drive-through restaurants, farm equipment sales and service, department store or super store, gasoline service station, hotel/motel/inn, laundry service or dry cleaning, light automobile dealer, lumberyard, building materials store or hardware store, outdoor sales and storage of materials, retail sales of low-point beer off-premise consumption, sales and service for mobile homes, travel trailers, large trucks and equipment, personal storage (mini-storage), tattoo parlors, veterinary clinic, wholesaling, storage, distribution, performance or movie theatre, indoor recreation, amusement activities such as mini-golf, arcade, bowling center, assisted living, nursing home, continuum of care facility, cemetery, monument, tombstone, mausoleum, funeral home, private school or university, bus terminal, bus maintenance facility.*

The 2040 Comprehensive Plan has this area reserved for mixed use. It is the opinion of staff that a parcel with lot frontage on major arterial such as N. Harrison Avenue is an appropriate zoning designation and business use supporting this application.

The Zoning Code requires C-3 lots to have:

- A minimum of 10,000 square feet
- A minimum lot width of 100 feet
- A minimum street frontage of 100 feet

This parcel meets all of the above criteria.

STAFF RECOMMENDATION

Staff recommends approval of this rezoning request from C-1 (Neighborhood Commercial District) to C-3 (Highway Commercial District).

APPROVE

APPROVE WITH CONDITIONS

DENY

ATTACHMENTS:
(CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING
PETITION/
APPLICATION FORM

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

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:

P17-20 (Nov 4th)

Project Number:

200971

Date Filed:

9-14-20

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

PROPERTY LOCATION (STREET ADDRESS): 1027 N. Harrison

LEGAL DESCRIPTION: Lots (3), (4), (5), Block Three, Harrison Ave Addition

PROPERTY OWNER (S): Patrick D. Buttram and KellyAnne Buttram

PROPERTY AGENT (APPLICANT):

APPLICANT'S ADDRESS: 19388 Abigail Dr

CITY: Shawnee

STATE: OK

ZIP: 74801

EMAIL ADDRESS: Buttram_Patrick@yahoo.com

TELEPHONE NUMBER: (405) 388-9704

CONTACT NUMBER: ()

DIMENSIONS OF PROPERTY:

AREA: 13699

WIDTH: 103 ft

LENGTH: 133 ft

FRONTAGE: 103 ft

CURRENT ZONING: C-1

CURRENT USE:

PROPOSED ZONING: C-3

PROPOSED USE: Automotive Dealership

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.

APPLICATION, OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING

SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

RECEIPT NO. 0246198

SIGN DEPOSIT \$ 50.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION:

DATE:

CITY COMMISSION ACTION:

DATE:

PLACE ON ZONING MAP:

ORDINANCE NO.:

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT, **COREY L. CRENSHAW AND JENNIFER L. CRENSHAW**, HUSBAND AND WIFE, (the “Grantor”) parties of the first part, in consideration of the sum of Ten Dollars and other valuable considerations to it in hand paid, the receipt of which is hereby acknowledged does hereby grant, bargain, sell and convey unto **PATRICK D. BUTTRAM and KELLY ANNE BUTTRAM**, Husband and wife, parties of the second part, as joint tenants and not as tenants in common, with the right of survivorship, the whole estate, to vest in the survivor, (the “Grantee”), the following described real property and premises situate in POTTAWATOMIE County, State of Oklahoma, to-wit:

LOTS THREE (3), FOUR (4) AND FIVE (5), BLOCK THREE (3), HARRISON AVENUE
ADDITION, TO THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY ,
OKLAHOMA, according to the recorded plat thereof..

Property Address: 1027 North Harrison, Shawnee, OK 74801

Return to
Patrick D. Buttram
1027 N Harrison Street
Shawnee, Ok 74801

Together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same. LESS AND EXCEPT any interest in and to oil, gas, coal, metallic ores and other minerals therein and thereunder previously reserved or conveyed of record and all rights, interests and estates of whatsoever nature incident thereto or arising thereunder, and SUBJECT to easements, rights of way and restrictive covenants of record.

TO HAVE AND TO HOLD said described premises unto the Grantee, and to their heirs, successors and assigns, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered 3rd day of September, 2020.


Seller

Jennifer Cranshaw
Seller

THE STATE OF OKLAHOMA)
) SS.
COUNTY OF: POTTAWATOMIE)

Before me, the undersigned, a Notary Public, in and for said County and State, on this 3RD day of SEPTEMBER, 2020, personally appeared COLEMAN, ROBIN M. SHAWN AND JENNIFER L. CRENSHAW, to me known to be the identical person(s) who signed their names on the maker thereof to the within and foregoing instrument and acknowledged to me that they have executed the same as their free and voluntary act and deed, for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public in and for the State of
Notary's Printed Name: Robin Weger

CERTIFICATE OF BONDED ABSTRACTOR (300 FEET RADIUS REPORT)

[illegible]

The undersigned bonded abstractor in and for Pottawatomie County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

LOTS 3-5, BLOCK 3 HARRISON AVENUE ADDN & N2 OF VAC PARKER STREET.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (2), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: AUGUST 28, 2020 at 7:30 AM

First American Title Insurance Company

By: Julio Indon

Julie Jordan
Abstractor License No. 4071
OAB Certificate of Authority # 017
File No. 2549250-SH99

OWNERSHIP LIST

ORDER NO. 2549250-SH99

DATE PREPARED: September 3, 2020

EFFECTIVE DATE: August 29, 2020 at 7:30 am

OWNER	LOT	BLK	ADDITION
CRENSHAW COREY L & JENNIFER L 1027 N HARRISON SHAWNEE, OK 74801	3 - 5 & N1/2 VAC PARKER ST	3	HARRISON AVE
WALL K G & K E REV FAMILY TRUS ANTHONY NEWTON WALL	1	3	HARRISON AVE
BARRETT DAVID J & CONNIE J 18708 GADDY RD SHAWNEE, OK 74801	6 & N1/2 VAC PARKER ST & 7 THRU 14	3	HARRISON AVE
KIRKENDALL ELSIE MAE & BERNICE ELIZABETH YOUNG 919 E WALLACE SHAWNEE, OK 74801	15	3	HARRISON AVE
KIRKENDALL ELSIE MAE & BERNICE ELIZABETH YOUNG 919 E WALLACE SHAWNEE, OK 74801	17-18	3	HARRISON AVE
NALLEY FAMILY TRUST A 1 CHOCTAW SHAWNEE, OK 74801	9-10	2	HARRISON AVE
FRANCE RUSSELL & JODY MARIE 916 E WALLACE SHAWNEE, OK 74801	11-13	2	HARRISON AVE
NALLEY FAMILY TRUST A 1 CHOCTAW SHAWNEE, OK 74801	14-16	2	HARRISON AVE
CHAPMAN WILLIAM 1701 AUTUMN LN SHAWNEE, OK 74804	17-20 & W10' LOT 21	2	HARRISON AVE
BOARD OF COUNTY COMMISSIONERS 325 N BDWY, SHAWNEE, OK 74801	45-49	2	HARRISON AVE
STOUT BILLY & BILLIE TRUST 3017 PINE RIDGE RD OKLA CITY, OK 73120	47-48	2	HARRISON AVE
ROBBINS JERRY ROY & ANGELA MICHELLE & MICHAEL JODY 1001 N HARRISON SHAWNEE, OK 74801	10	1	HARRISON AVE
HUNTER GRACE LLC PO BOX 1466	7-8	7	DEXTERS 2ND
AZ RX REAL ESTATE LLC 1006 N HARRISON	11 & 12 BLK 8 BEG NE/C LOT 11 W100'	8	DEXTERS 2ND

SHAWNEE, OK 74801	S100' E80' N44*E 28.27' N80'POB		
CANTRELL LEONARD G 114 TEAL DR SHAWNEE, OK 74804	11 & 12 LESS BEG NE/C LOT 11 W100' S100' E80' N44*E 28.27' N80' POB	8	DEXTERS 2ND
CANTRELL LEONARD G 114 TEAL DR SHAWNEE, OK 74804	9-10	8	DEXTERS 2ND
ADDINGTON MARY E & LINDA JO 204 S RUTH SHAWNEE, OK 74801	7 LESS E121.45'	8	DEXTERS 2ND
WALKER DWANE L TRUST 16203 ROCK CREEK RD SHAWNEE, OK 74801	E121.45' LOTS 7 & 8	8	DEXTERS 2ND
ADDINGTON MARY E & LINDA JO 204 S RUTH SHAWNEE, OK 74801	E25' LOTS 5 & 6 LESS 3' X 10' TO ONG	8	DEXTERS 2ND
WELLS ARTHUR C JR & KAREN SUE 17067 US HWY 70 DURANT, OK 74701	W115' LOT 5	8	DEXTERS 2ND
WINTERRINGER J C PO BOX 1809 SHAWNEE, OK 74802	W80' OF 16 & W80' OF S35' OF 15	21	DEXTERS 2 ND
WINTERRINGER J C INC C/O SOUTHWEST PROPERTY TAX PO BOX 5037 GRANBURY, TX 76049	14 & 15 LESS THE W80' & 16 LESS W80'	21	DEXTERS 2 ND
WINTERRINGER J C INC 22 W MAIN SHAWNEE, OK 74802	1-13	21	DEXTERS 2 ND

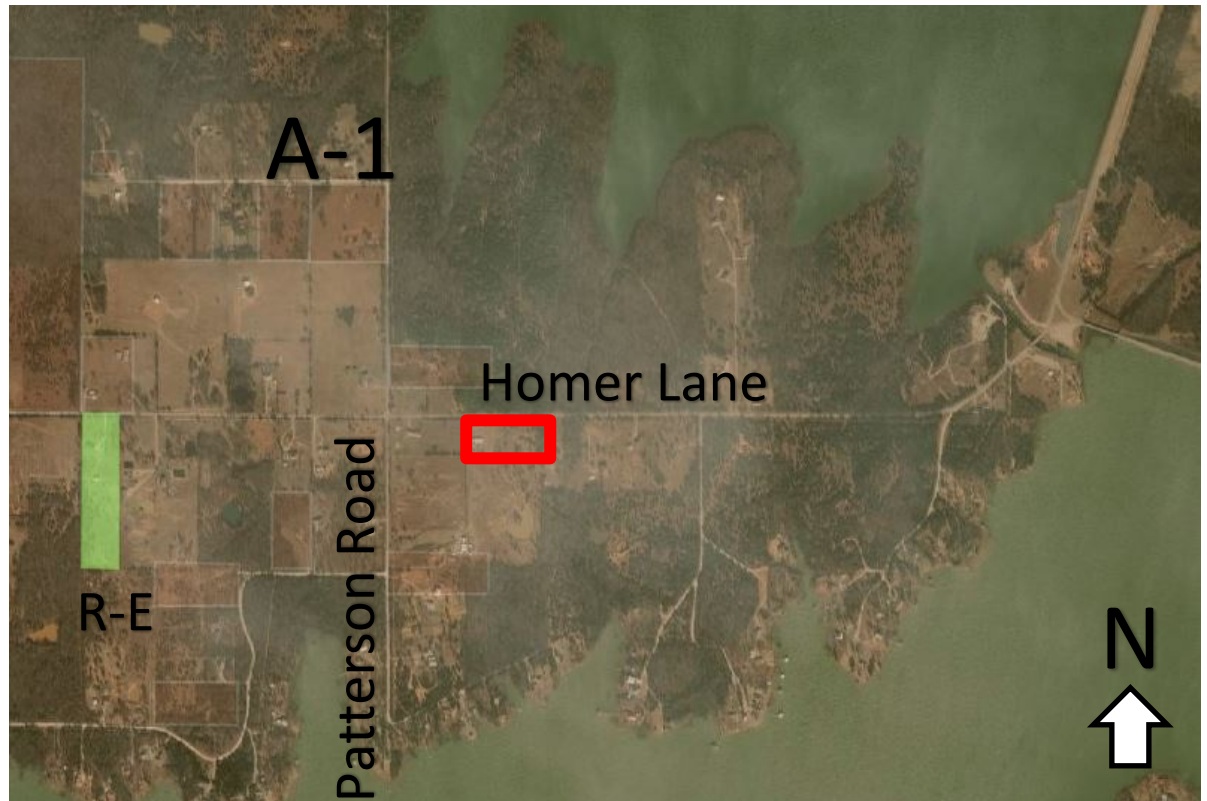
APPLICANT:

Henry Wilkos

PROPERTY ADDRESS/LOCATION:

32105 Homer Lane

The applicant, Henry Wilkos, is requesting a rezone of a five-acre property from A-1 (Rural Agricultural) to R-E (Residential Estates) Zoning District.



Surrounding Zoning Districts:

All surrounding parcels are zoned A-1 (Rural Agricultural) except for a ten-acre parcel located 0.56 miles to the west of this property on Homer Lane.

Notifications were mailed to surrounding property owners. No written responses have been received at this time, either in support or opposition of this rezoning request application.

STAFF RECOMMENDATION

This rezoning application is being requested to subdivide this five-acre parcel into three lots with a minimum of one-acre. Although rezoning to the R-E district will still preserve the rural feel of this area out by the Twin Lakes which is emphasized in the 2040 Comprehensive Plan, this particular property has a mobile home currently on it. Per the City of Shawnee's Zoning Code, a mobile home can only exist in two instances: 1) within a mobile home park (R-3 Multifamily Residential District) or, 2) on an A-1 parcel through a Conditional Use Permit consisting of a minimum of five acres. With that said, staff cannot support this rezone application which would bring this mobile home into nonconformity. This rezoning application should only be considered if the applicant is willing to remove the mobile home and has the understanding that only traditional construction of single-family homes would be allowed on these one-acre minimum parcels.

STAFF RECOMMENDATION

Staff recommends denial of this application as submitted.

APPROVE

APPROVE WITH CONDITIONS

DENY

ATTACHMENTS:
(CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING
PETITION/
APPLICATION FORM

LEGAL NOTICE

LEGAL DESCRIPTION

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS



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: _____

Project Number: #P18-20

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 A1 District to RE District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 32105 HOMER LANE RD

LEGAL DESCRIPTION: CE 1/2 N 1/2 N 1/2 NW 1/4 NW 1/4 OF SECTION 15, TOWNSHIP 10 NORTH, RANGE 2 EAST OF INDIAN MERIDIAN

PROPERTY OWNER (S): HENRY T. WILKOS JR AND HELEN RUTH WILKOS

PROPERTY AGENT (APPLICANT): HENRY T. WILKOS JR

APPLICANT'S ADDRESS: 14816 SABLE ST

CITY: OKLAHOMA CITY STATE: OKLAHOMA ZIP: 73165

EMAIL ADDRESS: WILLYBIRD56@YAHOO.COM

TELEPHONE NUMBER: (405) 735-1082 CONTACT NUMBER: (_____) _____

DIMENSIONS OF PROPERTY: AREA: 219,450 WIDTH: 330

LENGTH: 665 FRONTAGE: 665

CURRENT ZONING: A1 CURRENT USE: RESIDENTIAL

PROPOSED ZONING: RE PROPOSED USE: RESIDENTIAL

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.

APPLICATION, OWNERSHIP LIST AND PAYMENT
MUST BE RECEIVED 30 DAYS PRIOR TO MEETING

Henry T. Wilkos Jr
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. _____

PLANNED UNIT DEVELOPMENT FEE \$ 550.00

SIGN DEPOSIT \$ 50.00

(Refundable if Applicant returns 48 hrs. after City Commission Meeting)

PLANNING COMMISSION ACTION: _____ DATE: _____

CITY COMMISSION ACTION: _____ DATE: _____

PLACE ON ZONING MAP: _____ ORDINANCE NO.: _____

2020 CALENDAR YEAR
SCHEDULE OF REGULAR MEETINGS
PLANNING COMMISSION

DATE	TIME	PLACE OF MEETING
<u>January 8, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>February 5, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>March 4, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>April 1, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>May 6, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>June 3, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>July 1, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>August 5, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>September 2, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>October 7, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>November 4, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>
<u>December 2, 2020</u>	<u>1:30 PM</u>	<u>Commission Chambers</u> <u>Room at City Hall</u>

Name: Shalah Black, Secretary
Address: P.O. Box 1448
Shawnee, OK 74802-1448
Phone Number: (405) 878-1616

Filed in the office of the municipal clerk at _____ am/pm on _____, ~~2019~~ ²⁰²⁰

Signed _____
Clerk/Deputy Clerk

CERTIFICATE OF BONDED ABTRACTOR (300 FEET RADIUS REPORT)

STATE OF OKLAHOMA)
) §:
COUNTY OF POTTAWATOMIE)

The undersigned bonded abstractor in and for Pottawatomie County, State of Oklahoma, does hereby certify that the following Ownership is true and correct according to the current year's tax rolls in the office of the County Treasurer of Pottawatomie County, Oklahoma, as updated by the records of the County Clerk of Pottawatomie County, Oklahoma; that the owners, as reflected by said records, are based on the last conveyance or final decree of record of certain properties located within 300 feet in all directions of the following described land:

E2 N2 N2 NW4 NW4 15-10N-2E, POTTAWATOMIE COUNTY, OKLAHOMA.

and find the following owners, addresses and brief legal descriptions on the attached pages numbered from (1) to (1), both inclusive.

NOTICE TO CUSTOMERS: This report is released with the understanding that the information is strictly confidential. This report contains information from public land records only and is not to be construed as an abstract of title, opinion of title, title commitment, title insurance policy, or environmental research report. As used herein, the term "public land records" means those land records which under the recording laws of the applicable state, impart constructive notice to the third parties with respect to recorded, unreleased or record instruments memorializing legal interests in real estate. The company suggests that you contact your attorney for matters of a legal nature or legal opinion. We have exercised due care and diligence in preparing this report, however, the Abstractor does not guarantee validity of the title and acceptance of this report by the Company or person(s) for whom this report is made, constitutes agreement and confirmation of the limitation of this report.

Dated: SEPTEMBER 9, 2020 at 7:30 AM

First American Title Insurance Company

By:

Julie Jordan
Abstractor License No. 4071
OAB Certificate of Authority # 071
File No. 2555357-SH99

OWNERSHIP LIST

ORDER NO 2555357-SH99

DATE PREPARED: September 28, 2020

EFFECTIVE DATE: September 9, 2020 at 7:30 am

OWNER	LOT	BLK	ADDITION
WILKOS HENRY T JR & HELEN 14816 SABLE ST OKLAHOMA CITY, OK 73165			E1/2 N1/2 N1/2 NW NW (15-10N-2E)
DAVIS CASEY & TIFFANY 327 REBEL CIRCLE #187 SKY VALLEY, GA 30537			BEGINNING 328.75'S & 664'E NW/C NW/4 E666.4' S975' W1330.4' N328' E672' N649' POB LESS A TRACT BEGINNING 328.75'S NW/C NW/4 E1330.4' S324.1' W1330.4' N328' POB (15-10N-2E)
NICHOLAS JOHN E & LISA D 32209 HOMER LANE SHAWNEE, OK 74801			BEG 1,330.40'E NW/C NW E332.60' S657.50' W332.60 N657.50' TO POB (15-10N-2E)
DAVIS CASEY & TIFFANY 327 REBEL CIRCLE # 187 SKY VALLEY, GA 30537			BEGINNING 328.75' S NW/C NW/4 N89°87'04"E664' S0°38'43"E649' N89°52'52"W672' N0°3'40"E647' POB (15-10N-2E)
WADE JANET & JUAN CERDA JR 32001 HOMER LANE RD SHAWNEE, OK 74801			W1/2 N1/2 N1/2 NW NW (15-10N-2E)
MILLER CHAD & ANNA CANDELARIA 14901 PATTERSON RD SHAWNEE, OK 74801			SW SW SW LESS N/2 SW SW SW (10-10N-2E)

11731

(ORDER BY NUMBER)

JOINT TENANCY WARRANTY DEED

(INDIVIDUAL FORM)

Know All Men by These Presents:

That Carolyn Sue Benton Staggs and Wade

Staggs, husband and wife,

of Pottawatomie County,

State of Oklahoma, part ies of the first part, in consideration of the

sum of Tena and No/100-----DOLLARS and other valuable considerations

in hand paid, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and

Convey unto Henry T. Wilkos Jr. and Helen Ruth Wilkos (formerly Barbour)

husband and wife, 3409 Hillside Drive, Del City, Ok 73115

as joint tenants and not as tenants in common with full rights of survivorship, the whole estate to

vest in the survivor in the event of the death of either, of Oklahoma County,

State of Oklahoma, parties of the second part, the following described real

property and premises situate in Pottawatomie County, State of Oklahoma

to-wit:

THE SURFACE AND AN UNDIVIDED 1.875 ACRE INTEREST IN THE OIL, GAS
AND OTHER MINERALS of the East half of the North half of the
North half of the Northwest quarter of the Northwest Quarter
(E/2 N/2 N/2 NW/4 NW/4) of Section 15, Township 10 North, Range 2
East of the Indian Meridian, containing 5 acres, more or less.



together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, as joint tenants, and to the heirs and assigns of the survivor, forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and incumbrances of whatsoever nature.

Signed and delivered this 30th day of September, 1977

Carolyn Sue Benton Staggs
Wade Staggs



STATE OF OKLAHOMA }
COUNTY OF Pottawatomie } SS: INDIVIDUAL ACKNOWLEDGMENT
Oklahoma Form

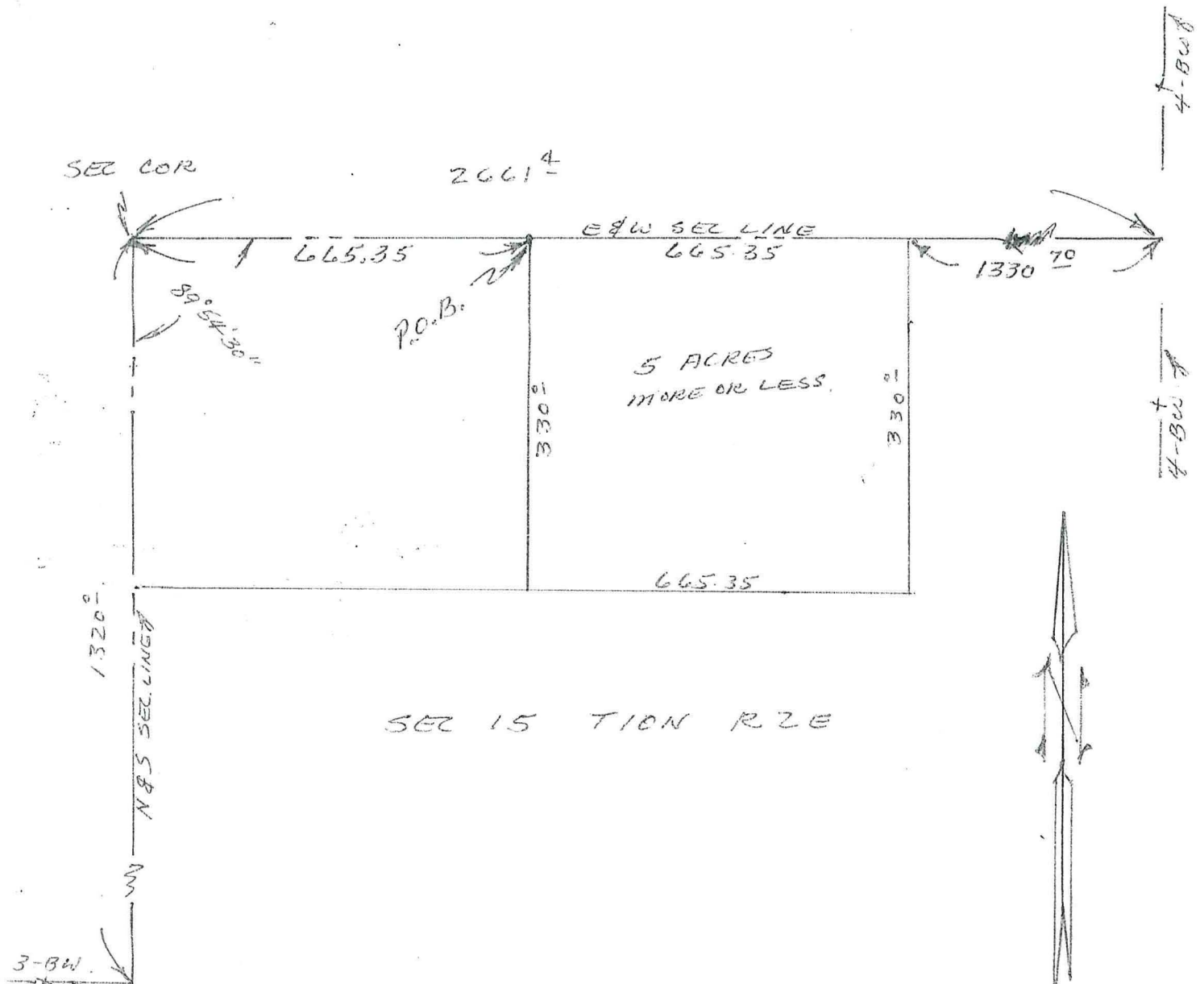
Before me, the undersigned, a Notary Public in and for said County and State on this 30th day of

September, 1977, personally appeared Carolyn Sue Benton Staggs
and Wade Staggs, husband and wife,

to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

My commission expires My Commission Expires Oct. 29, 1980 Letta D. Benton Notary Public.



State Of Oklahoma
County Of: Pottawatomie

I, Harold W. Furr, a Registered Land Surveyor of the State of Oklahoma, do hereby certify that a careful survey was made under my supervision of the following described property according to the recorded plat thereof:

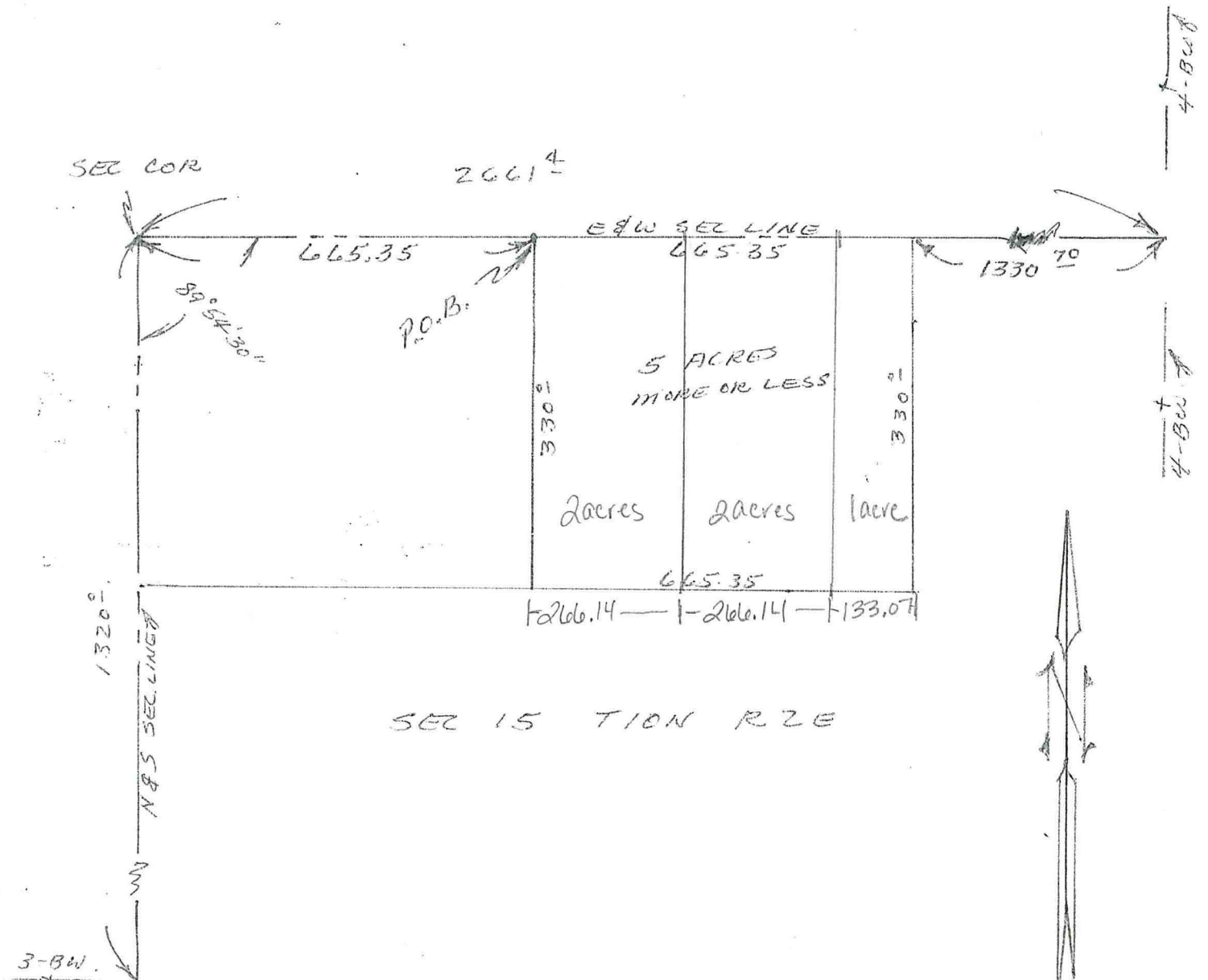
Beginning at the Northwest Section Corner Section 15 T10N R2E of I.M. Five (5) Acres more or less, East $\frac{1}{2}$ North $\frac{1}{2}$ North $\frac{1}{2}$ Northwest $\frac{1}{4}$ Northwest $\frac{1}{4}$ of said Section 15 T10N R2E of I.M. Thence East 665.35' to point of beginning. Thence South 330 feet, thence East 665.35 feet, thence North 330 feet, thence West 665.35 feet to point of beginning.

SURVEYED: September 10, 1977

Harold W. Furr

HAROLD W. FURR LS # 369

Proposed lot splits



State Of Oklahoma
County Of: Pottawatomie

I, Harold W. Furr, a Registered Land Surveyor of the State of Oklahoma, do hereby certify that a careful survey was made under my supervision of the following described property according to the recorded plat thereof:

Beginning at the Northwest Section Corner Section 15 T10N R2E of I.M.
Five (5) Acres more or less, East $\frac{1}{2}$ North $\frac{1}{2}$ North $\frac{1}{2}$ Northwest $\frac{1}{4}$ of said Section 15 T10N R2E of I.M. Thence East 665.35' to point of beginning. Thence South 330 feet, thence East 665.35 feet, thence North 330 feet, thence West 665.35 feet to point of beginning.

SURVEYED: September 10, 1977

Harold W. Furr

HAROLD W. FURR LS # 369