

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>10/5/2022</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 11:08 a.m. /p.m. on 9/29/2022

SIGNED: 
City Clerk/Deputy Clerk

=====

FOR CITY CLERK'S OFFICE USE ONLY

DATE NOTICE RELEASED TO NEWS MEDIA: 9/29/2022

PERSON FILING NOTICE: /s/ Rachel Clyne

NOTICE VERIFIED BY: Amber Johnson

AGENDA

PLANNING COMMISSION of SHAWNEE, OK

Regular Meeting
October 5, 2022, at 1:30 P.M.
City Hall, 16 W. 9TH St. Shawnee, OK

1. Roll Call
2. Consideration of approval of the minutes from the regular meeting of the Shawnee Planning Commission on September 7, 2022.
3. Case No. **RZ11-22** – Public hearing and consideration of a request to rezone from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District) the property at 1910 W. Benedict St.
Applicants: Christopher and Jennifer Gober
4. Case No. **RZ12-22** – Public hearing and consideration of a request to rezone from R-1 (Single-Family Residential District) to C-3 (Highway Commercial District) the properties at 4029 & 4031 N. Union Avenue.
Applicants: David and Amie McDaniel
5. Community Development Department Updates
6. Commissioners' Comments
7. Adjournment

REGULAR PLANNING COMMISSION MINUTES

DATE: September 7, 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 September 7, 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 Mew-Palmer, Barrett, Rowell

Absent: Loftis-Walton

Item 2. Approval of Minutes – Regular meeting

Consideration of approval of the minutes from the regular meeting of August 3, 2022. Chair Reese asked for questions or corrections to the minutes.

Commissioner Johnson made a motion to **Approve** the minutes as presented, which Commissioner Mew-Palmer seconded.

Motion **passed 6-0-0**.

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

Nay: None

Abstain: None

Item 3. Case No. RZ11-22 – Staff Report - Public hearing and consideration of a request to rezone from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District) the property at 1910 W. Benedict Street.

Community Development Director Rian Harkins advised the applicants had applied for a single-family residential building permit. Due to the minimum lot of 5 acres in the A-1 zoning district and its required setbacks, a rezoning was necessary. Staff, along with the applicants, requested the application be deferred to ensure the legal notification and advertisement of this public hearing were administered.

Staff recommended the Planning Commission **Defer** Case No. **RZ11-22** until the October 5, 2022, Planning Commission meeting and recommend that the City Commission **Defer** this item to a future meeting.

Commissioner Walker made a motion to Defer RZ11-22 until the October 5, 2022, Planning Commission meeting, which Commissioner Johnson seconded.

Following any discussion, the motion **passed 6-0-0**.

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

Nay: None

Abstain: None

Item 4. Case No. RZ12-22 – Staff Report - Public hearing and consideration of a request to rezone from R-1 (Single-Family Residential District) to C-3 (Highway Commercial District) the properties at 4029 & 4031 N. Union Avenue.

Community Development Director Rian Harkins advised that after notification and publication of this rezoning public hearing, the applicant's legal counsel realized the legal description was incomplete. Staff has since received a list of surrounding property owners for the entire property. To ensure complete and legal compliance, staff will resend notification letters and republish the notice of public hearing.

Staff recommended the Planning Commission **Defer** Case No. **RZ12-22** until the October 5, 2022, Planning Commission meeting and recommend that the City Commission Defer this item to a future meeting.

Commissioner Rowell made a motion to Defer Case No. RZ12-22 until the October 5, 2022, Planning Commission meeting, which Commissioner Mew-Palmer seconded. Following any discussion, the motion **passed 6-0-0**.

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

Nay: None

Abstain: None

Item 5. Community Development Department Update

Community Development Director Rian Harkins addressed the Planning Commission and provided an update on the Love Your Block (LYB) program. Mini-grant projects continue through the first of November. LYB is currently organizing workshops for small businesses with a focus on business plans and financing.

The Advisory Committee for the Twin Lakes Master Plan will have its first meeting next week. A public information meeting will be held at Gordon Cooper Public Safety on September 27, 2022, at 6 p.m. There is also an interest survey that will go live simultaneously on the City's website. Everyone is encouraged to attend the meeting or participate in the survey.

The Unified Development Code (UDC) project – the Diagnostic Report was posted on the City's website today for all to review. Director Harkins provided a summary of the report in detail to the Commissioners. The consultants will provide a quick report overview at the next City Commission meeting.

Staff is finalizing an RFP for infill residential units program. The project intends to have 6 to 12 building plans, which are stamped by an architect and pre-approved by the building inspectors. These plan sets will be geared toward residential infill development and will increase the number of buildable lots within the City. This is another step in addressing stakeholder concerns discussed during the initial meetings regarding the UDC.

Item 6. Planning Commissioners' Comments

Commissioners Walker, Johnson, Mew-Palmer, and Chair Reese expressed the need for the infill housing plans, stated readiness to read the UDC Diagnostic Report, and were excited to see progress being made by the LYB program.

Item 7. Adjournment

The meeting adjourned at 1:59 p.m.

Chair/Vice-Chair

/s/ Rachel Clyne
City Planner

DRAFT



Planning Commission Meeting – 10.5.2022 – City of Shawnee, Oklahoma

Staff Report | RZ11-22 | A-1 to R-1 | 1910 W. Benedict St.

To: Shawnee Planning Commission

From: Rachel Clyne, City Planner

Date: 9.28.2022

Subject: RZ11-22 – Staff Report - Public hearing and consideration of a request to rezone from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District) the property at 1910 W. Benedict Street.

Background

The subject property is located at 1910 W. Benedict Street. The land is currently vacant. The application is to rezone from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District). The applicants for this request are Christopher & Jennifer Gober.

Discussion

The property is zoned A-1 (Rural Agricultural District), which requires a minimum of five (5) acres of land to construct a residential structure. Previously a single-family residential structure occupied the property, and the applicant demolished the residence with the intent to rebuild a single-family home. Within the Zoning Code, a permitted use allowed in A-1 that does not meet the minimum land area requirements may be allowed per Section 22-263(b). Under this regulation, the subject parcel may not touch any other land of the same owner, which is accurate for this application.

However, the side yard setbacks (30' each side) required for A-1 zoning prevent the property owner from rebuilding the residence on this parcel. The zoning district R-1 (Single-Family Residential) allows for residential construction on a property with a minimum of 6,000 square feet. The subject property is approximately 1.25 acres ($\pm$ 53,750 square feet.) Additionally, the side yard setbacks in the R-1 zoning district are 5' per side. The rezoning of the property will allow the reconstruction of a single-family home at the subject property.

The zoning district A-1 surrounds the subject property; however, along West Benedict Street, the lot sizes vary from 0.65 acres to 6.5 acres. Of the twelve (12) lots surrounding the subject property, only three (3) meet the minimum 5-acre requirement of the A-1 zoning district.

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject property has the Urban Reserve and Agriculture/Open Space Use land use designation. Since the referenced twelve (12) properties surrounding the subject property currently have residential structures, the Large Lot Residential land use designation is more appropriate for this area.

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 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 the Planning Commission recommend that the City Commission **Approve** Case No. **RZ11-22** to rezone from A-1 (Rural Agricultural District) to R-1 (Single-Family Residential District) the property at 1910 W. Benedict Street.

This application will be heard at the City Commission meeting on October 17, 2022, at 6 p.m.

222 N. Broadway
Shawnee, OK 74801
(405) 878-1672
www.ShawneeOK.org

Case Number: REV-22

Project Number : _____

Date Filed: _____

Planning Commission Secretary

X 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): 1910 W. Benedict St, Shawnee OK 74801

LEGAL DESCRIPTION: ~~East Half (1/2) of the West Half (1/2) of the West Half~~ look on back

PROPERTY OWNER (S): Christopher Gobe & Jennifer Gobe

PROPERTY AGENT (APPLICANT): Christopher Gober

APPLICANT'S ADDRESS: 18901 SE 56th St.

CITY: Newells STATE: OK ZIP: 74857

EMAIL ADDRESS: chris@goberheatandair.com

TELEPHONE NUMBER: (405) 481-6621 CONTACT NUMBER: (405) 481-6621

DIMENSIONS OF PROPERTY: 1 1/4 Acres AREA: 54,450 sq ft WIDTH: 82'

1 LENGTH: 660' FRONTAGE: 82'

CURRENT ZONING: A-1 CURRENT USE: Single Family Home

PROPOSED ZONING: R-1 PROPOSED USE: Single Family Home

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**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.:** _____



PUBLIC HEARING

For more information

Community Development Department
Annex Building
222 N. Broadway Avenue
Shawnee, OK 74801

405-878-1672

Planning Commission

Wednesday, October 5, 2022

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

City Commission

Monday, October 17, 2022

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

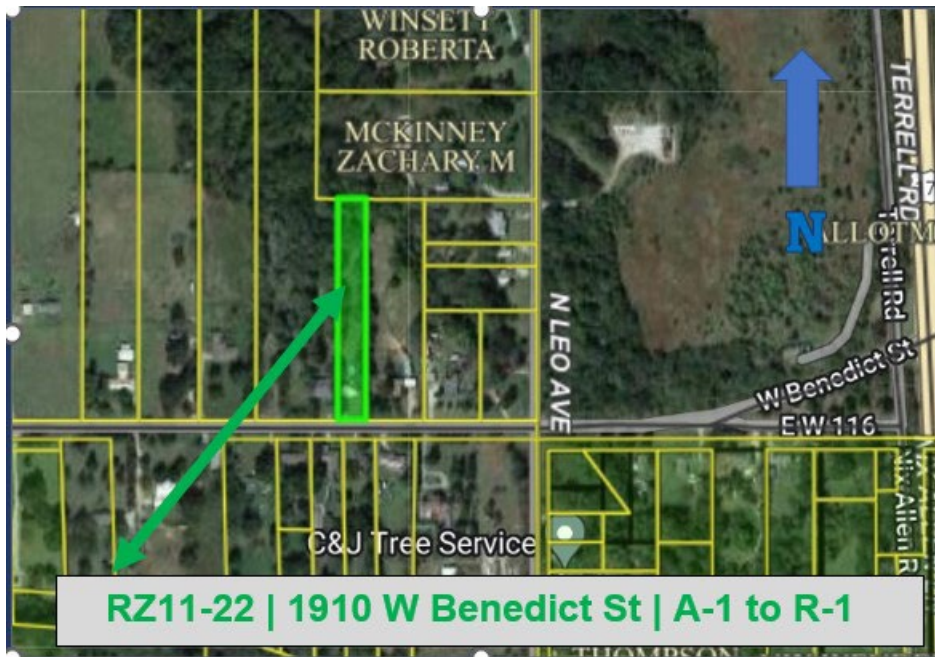
Project Information

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

Applicant: Chris & Jennifer Gober

Location: 1910 W. Benedict Street

Case #: RZ11-22





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 make 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 at 405-878-1672 or contact 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 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 additional information about the protest petition requirements.

Legal Description:

The East Half of the West Half of the West Half of the Southeast Quarter of the Southeast Quarter of the Southeast Quarter | (E/2 W/2 W/2 SE/4 SE/4 SE/4) of Section Fourteen (14), Township Ten (10) North, Range Three (3) East of the Indian Meridian, Pottawatomie County, Oklahoma.

RZ11-22



Planning Commission Meeting – 10.5.2022 – City of Shawnee, Oklahoma

Staff Report | RZ12-22 | R-1 to C-3 | 4029 & 4031 N. Union Avenue

To: Shawnee Planning Commission

From: Rachel Clyne, City Planner

Date: 9.28.2022

Subject: RZ12-22 – Staff Report - Public hearing and consideration of a request to rezone from R-1 (Single-Family Residential District) to C-3 (Highway Commercial District) the properties at 4029 & 4031 N. Union Avenue.

Background

The subject properties are located at 4029 & 4031 N. Union Avenue. Currently, the land is used as a child care center. The application is to rezone from R-1 (Single-Family Residential District) to C-3 (Highway Commercial District). The applicants for this request are David & Amie McDaniel.

Discussion

The properties are zoned R-1 (Single-Family Residential District), which does not permit the use of a child care center. To comply with the Zoning Code, a child care center must be located within a commercial zoning district. The least intense commercial district for which a child care center may be permitted as use by right is C-3 (Highway Commercial). Approval of the rezoning request will make the subject properties compliant with the Zoning Code. The two parcels are slightly less (0.996 acres) each and are separated by a twenty-foot (20') utility easement.

The Comprehensive Plan Future Land Use Map (FLUM) indicates the subject properties are located in a Low-Density Residential land use designation and near the Civic/Schools/Institutional/Public Facilities land use designation. The use of a child care center complies 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 300' from the perimeter of the subject properties were mailed a public hearing notification letter. Additionally, a notice of public hearing was published in The County Democrat weekly newspaper. A sign providing details and contact information was placed at the location of the subject properties.

Recommendation

Staff recommends the Planning Commission recommend that the City Commission **Approve** Case No. **RZ12-22** to rezone from R-1 (Single-Family Residential District) to C-3 (Highway Commercial District) the properties at 4029 & 4031 N. Union Avenue.

This application will be heard at the City Commission meeting on October 17, 2022, at 6 p.m.

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:	<u>RZ12-22</u>
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 _____ District to _____ District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): 4031 & 4029 N. Union Ave.

LEGAL DESCRIPTION: Armourdale Blk 37 Lots 17 thru 20

PROPERTY OWNER (S): David & Amie McDaniel

PROPERTY AGENT (APPLICANT): _____

APPLICANT'S ADDRESS: 103710 S. 3458 Rd.

CITY: Meeker STATE: OK ZIP: 74855

EMAIL ADDRESS: amchildcare@att.net or davidamiemac@yahoo.com

TELEPHONE NUMBER: () _____ CONTACT NUMBER: 405 570-6503

DIMENSIONS OF PROPERTY: AREA: 47,600 WIDTH: 140 feet

LENGTH: 300 feet FRONTAGE: 140

CURRENT ZONING: R-1 CURRENT USE: Child Care Center

PROPOSED ZONING: C-3 PROPOSED USE: child care center

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.

Amie McDaniel
SIGNATURE OF APPLICANT David McDaniel

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.: _____



PUBLIC HEARING

For more information

Community Development Department
Annex Building
222 N. Broadway Avenue
Shawnee, OK 74801

405-878-1672

Planning Commission

Wednesday, October 5, 2022

City Hall at 16 W. 9th Street, Commission Chambers
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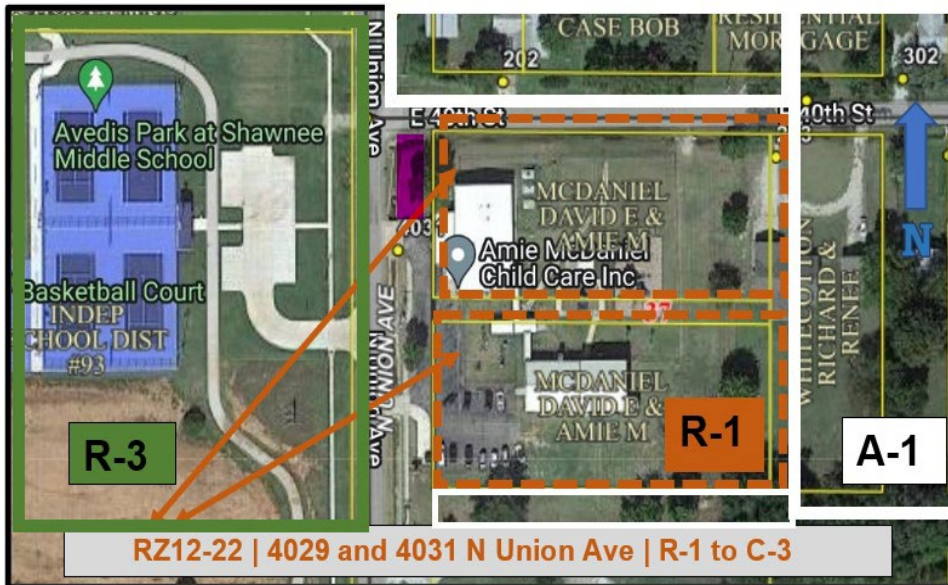
Project Information

Request: Request to rezone (R-1 (Single-Family Residential District) to C-3 (Highway Commercial District))

Applicant: David and Amie McDaniel

Location: 4029 and 4031 N. Union Avenue

Case #: RZ12-22





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Every property is different.

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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 additional information about the protest petition requirements.

Legal Description:

Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Block Thirty-seven (37), ARMOURDALE ADDITION, to the City of Shawnee, Pottawatomie County, Oklahoma, according to the recorded plat thereof.

RZ12-22