

PLANNING COMMISSION MINUTES

DATE: OCTOBER 5TH, 2016

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, October 5th, 2016 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: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

Absent:

Meeting was called to Order.

AGENDA ITEM NO. 2:

Consideration of Approval of the minutes from the September 7th, 2016 Planning Commission Meeting

Chairman Bergsten asked if the Board had time to review the minutes and if there were any questions or comments. Vice-Chairman Cowen made a motion to approve, seconded by Commissioner Kienzle.

Motion passed:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 3:

Citizen's 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. 4:

Case #S18-16 – Consideration of approval of a Final Plat for the re-plat of Vision Bank Addition, Section I, located at 4301 N. Harrison St., Shawnee, OK

Applicant: Vision Bank, NA

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report and mentioned that the first two cases coincide together. Mr. Debruin briefly described the Preliminary Plat re-plat that previously came before the Planning Commission and covered the site drainage to fix a non-conforming issue as well as concrete channelization to reduce the floodplain. Justin Debruin stated the property is located on the northeast corner of Harrison and 42nd Street, lot one is InStock Now and lot two is Vision Bank and one of the changes to the plat is an additional acre. Mr. Debruin stated staff does recommend approval but they are waiting on the letter of map revision from FEMA which should arrive within a week or two and no CO's will be issued

until then. Justin Debruin stated he would be happy to answer any questions. Chairman Bergsten asked if there were any questions. There were none and Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Chairman Bergsten asked if anyone in favor 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, questions or a motion from the Commissioners. Commissioner Kienzle made a motion to approve with conditions listed, seconded by Vice-Chairman Cowen.

Motion passed:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 5:

Case #S10-16 –Consideration of approval of a Final Plat for Vision Bank Addition, Section II, located at 4301 N. Harrison St., Shawnee, OK

Applicant: Vision Bank, NA

Chairman Bergsten asked for the staff report. Justin Debruin presented the staff report and stated this case represents the remaining property to the southeast with the preliminary plat being approved in March. Section II includes two buildable lots and two outlots. Mr. Debruin explained that they were recommending approval on three of the four components, with Section II being final platted in two separate phases. Lot one and the two outlots are included in the first phase and staff is waiting on the letter of map revision from FEMA. Justin Debruin discussed that staff recommends approval with four conditions and stated he would be happy to answer any questions. Chairman Bergsten asked if there were any questions. Commissioner Kerbs asked if this covered the east side and Mr. Debruin agreed, stating it also included the outlot. Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Chairman Bergsten asked if anyone in favor would like to come forward. Richard Landes came forward to speak in favor and mentioned letter from FEMA would be coming in and project should be wrapping up soon. Chairman Bergsten closed the public portion of the meeting. Chairman Bergsten asked if there were any comments, questions or a motion from the Commissioners. Commissioner Clinard made a motion to approve with conditions listed, seconded by Commissioner Kerbs.

Motion passed:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 6:

Case #P08-16 –A public hearing for consideration of approval of a Rezone from R-1; Single Family Residential to C-1; Neighborhood Commercial, located at 1500 E. Independence St., Shawnee, OK

Applicant: ADG, PC

Chairman Bergsten asked for the staff report. Justin Debruin came forward and stated he would be presenting a combined staff report for the rezone and the potential preliminary plat located at the northeast corner of Independence and Elm Street. Mr. Debruin informed the Commissioners that the subject property has been heard numerous times this year and provided a brief history. Justin Debruin stated the proposal includes one commercial office building around 7,000 square feet, centralized upon site, keeping trees and creek in place. Mr. Debruin informed the Commissioners that since Elm Street is a local road, they cannot have means of ingress or egress and it will not have frontage. No half street improvements are required. Staff does recommend approval with four conditions and is in conformance with comprehensive plan. Mr. Debruin stated he would be happy to answer any questions. Chairman Bergsten asked if the location of the storm water discharge would be similar to where it is now and Mr. Debruin stated they would make sure it would not add any more to the area. Commissioner Kienzle asked if there were curbs and gutters along both streets and Mr. Debruin informed her there were not any along Elm. Commissioner Kienzle asked if the sidewalk requirement would be similar to what is along Union by Middle School and Justin Debruin agreed, stating it would be a four foot sidewalk with no curb added. Commissioner Kerbs asked if there can be any contingencies placed on this property if rezoned and if zoning would revert back to R-1. Justin Debruin discussed the details surrounding townhomes, zoning and mentioned zoning would stay C-1 if approved for rezone. Commissioner Kerbs and Vice-Chairman Cowen mentioned deed restriction and Attorney, Mike Clover stated that would be between seller and buyer. Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Chairman Bergsten asked if anyone in favor would like to come forward. Jason Cotton with ADG, PC came forward to inform the Commissioners he assisted the Avedis Foundation with the applications and would be available to answer any questions. Mr. Cotton also mentioned that the storm water detention pond would drain to the existing low spot. Commissioner Kienzle asked if there was a timeline on project. Mr. Cotton asked Michelle Briggs to come forward to answer. Mrs. Briggs stated that they were hoping to close on property by end of the year and construction would start immediately. Commissioner Clinard asked for confirmation that there would not be a lot of traffic in and out and Mrs. Briggs confirmed they only had a staff of four and a half. Vice-Chairman Cowen asked that this was an office building to serve the public and not build townhomes and also asked that they had the funding. Mrs. Briggs confirmed and explained proposal. Commissioner Kerbs asked if worst case scenario under C-1 zoning, there could possibly be ten townhomes. Justin Debruin agreed but said he would have to check for sure. Chairman Bergsten asked if anyone else would like to speak in favor. Carl and Jana Jacobs came forward to say they had faith in the Avedis Foundation and they appreciate their help in keeping the neighborhoods integrity. Diana Inman came forward to inform the Commissioners that she and her husband are thrilled and wanted to thank them for their support. Carl Packwood came forward to reassure Commissioner Kerbs on the location choice. Chairman Bergsten closed the public portion of the meeting. Chairman Bergsten asked if there were any comments, questions or a motion from the Commissioners. Commissioner Morton stated she had a comment and wanted to thank everyone for coming and speaking in favor. Chairman Bergsten asked for a motion. Vice-Chairman Cowen made a motion to approve, seconded by Commissioner Morton.

Motion passed:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO.7:

Case #S17-16 – Consideration of approval of a Preliminary Plat for Avedis Park, located at 1500 E. Independence St., Shawnee, OK

Applicant: ADG, PC

Combined staff report. Chairman Bergsten asked if there were any questions for Mr. Debruin. There were none and Chairman Bergsten opened the public portion of the meeting and asked if anyone in opposition to the case would like to come forward to speak. No one came forward and Chairman Bergsten asked if anyone in

favor would like to come forward. No one came forward. Chairman Bergsten closed the public portion of the meeting and asked if there were any questions or a motion from the Commissioners. Commissioner Kerbs made a motion to approve with conditions listed, seconded by Commissioner Kienzle.

Motion passed:

AYE: Morton, Clinard, Kerbs, Bergsten, Cowen, Kienzle, Affentranger

NAY:

ABSTAIN:

AGENDA ITEM NO. 8:

Planning Director's Report

Justin Debruin discussed phase one at Shawnee Marketplace, including the four tenant structure and the two tenant structure. Shawnee Automall is having foundation work completed. Mr. Debruin described that Universal Forest Products structure is up and underway. Regal car lot is looking to open within the next couple of weeks. Justin Debruin stated that Domino Express is pouring concrete and structure is going along. Silt fencing has been requested numerous times. Timbers has six building permits with the road open to Leo Street. Deer Field Estates has nineteen lots. Rolling Hills has twenty four units and Shawnee Park has one hundred and eight apartment units being constructed. Mr. Debruin gave an update over Downtown Property Maintenance Code. Vice-Chairman Cowen clarified addressing and Commissioner Kerbs asked about citation given to property. Mr. Debruin went over details. Commissioner Kerbs asked what the city was going after and Justin Debruin stated they issued the citation but it would be up to the judge after that point. Commissioner Morton asked if it was District Court and Attorney, Mike Clover stated it was Municipal Court and described process. Commissioner Clinard and Attorney, Mike Clover discussed mediation timeframe. Commissioner Clinard asked if staff had photos and Mr. Debruin confirmed.

AGENDA ITEM NO. 9:

Commissioners Comments and/or New Business

Commissioner Kerbs announced Boo on Bell coming up and Vice-Chairman Cowen reminded everyone about Commissioner Kienzle giving a presentation at Broadway Arts that afternoon.

AGENDA ITEM NO. 10:

Adjournment

Meeting was adjourned.


Chairman/Vice-Chairman

Cheyenne Lincoln
Planning Commission Secretary