

**AMENDED AGENDA
CITY OF SHAWNEE
PLANNING COMMISSION
OCTOBER 2ND, 2019 AT 1:30 P.M.
COMMISSION CHAMBERS
CITY HALL, 16 W 9TH ST**

- 1)** Roll Call
- 2)** Consideration of approval of the minutes from the regular meeting of the Planning Commission on September 4th, 2019
- 3)** Citizens' Participation
(A three-minute limit per person)
(A twelve-minute limit per topic)
- 4)** Case #P16-19 – Public hearing and consideration of approval of a rezone request from A-1 (Rural Agricultural) to R-1 (Single-Family Residential) for a 79.85-acre property located east of North Kickapoo and north of the Shawnee Mall
Applicant: Greg Brown Homes
- 5)** Case # P17-19 – Consideration of approval of an administrative rezone from R-3 (Multi-Family Residential) to C-3 (Highway Commercial) for a 0.22-acre property, located at 430 North Tucker Avenue
Applicant: City of Shawnee
- 6)** Planning Director's Report
- 7)** Commissioners Comments and/or New Business
- 8)** Adjournment

PLANNING COMMISSION MINUTES

DATE: SEPTEMBER 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, September 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, Matthews, Walker, Kienzle, Melot

Absent: Bergsten, 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 August 7th, 2019

Chairwoman Kienzle asked Commissioners for any comments, questions, or a vote. Commissioner Walker made a motion to approve of the meeting minutes; seconded by Commissioner Matthews.

Motion passed:

AYE: Matthews, Walker, Kienzle

NAY:

ABSTAIN: Deem

OBSERVING: Melot

AGENDA ITEM NO.3: Swearing in of Rachael Melot as Planning Commission Board Member

Rachael Melot was sworn in as a Planning Commission Board Member by notary Shalah Black after giving the Oath of Office.

AGENDA ITEM NO.4: Citizens' Participation

Chairwoman Kienzle 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 Chairwoman Kienzle closed the public portion of the meeting.

AGENDA ITEM NO.5: Case #P15-19 – Public hearing and consideration of approval of a rezone request from A-1 (Rural Agricultural) to C-3 (Highway Commercial), located at 306 East 45th Street, Shawnee, Oklahoma, for the purpose of a commercial development

Applicant: Andrew Landes

Planning Director Rebecca Blaine presented staff report. She stated the proposed rezone aligns with the 2005 Comprehensive Plan, and that staff recommends approval.

Chairwoman Kienzle opened the public portion of the meeting and asked if anyone speaking in favor of the item would like to come forward.

No one came forward and Chairwoman Kienzle asked if anyone speaking against the item would like to come forward. No one came forward and Chairwoman Kienzle closed the public portion of the meeting.

Chairwoman Kienzle asked if there were any other comments or questions. There were no comments or questions and Chairwoman Kienzle asked for a motion. Commissioner Matthews motioned to approve the rezone; seconded by Commissioner Melot.

Motion passed:

AYE: Deem, Matthews, Walker, Kienzle, Melot

NAY:

ABSTAIN:

AGENDA ITEM NO.6:

Case #S07-19 – Consideration of approval of an amended final plat for Domino Plaza Addition, Section 2, a 7.74-acre property located on the southeast corner of North Harrison and John C. Bruton Boulevard, Shawnee, Oklahoma, for the purpose of a commercial retail development

Applicant: Shawnee Harrison, LLC

Planning Director Rebecca Blaine presented staff report. She briefly summarized the final plat and the changes made. She stated staff recommends approval.

Commissioner Deem asked for the rationale of changing the plat. Director Blaine stated the change gives the applicant more flexibility.

Chairwoman Kienzle opened the public portion of the meeting and asked if anyone speaking in favor of the item would like to come forward.

No one came forward and Chairwoman Kienzle asked if anyone speaking against the item would like to come forward. No one came forward and Chairwoman Kienzle closed the public portion of the meeting.

Chairwoman Kienzle asked if there were any comments or questions. There were no comments or questions and Chairwoman Kienzle asked for a motion. Commissioner Matthews motioned to approve the amended final plat; seconded by Commissioner Deem.

Motion passed:

AYE: Matthews, Walker, Bergsten, Rowell, Kienzle

NAY:

ABSTAIN:

AGENDA ITEM NO.7:

Case #S02-19 – Consideration of approval of a preliminary plat for Cardinal Pointe, a 25.16-acre property located north of East 45th Street and immediately adjacent to the west side of the A.T. & S.F. Railroad, Shawnee, Oklahoma, for the purpose of a single-family and commercial development

Applicant: Landes Engineering

Planning Director Rebecca Blaine presented staff report. She stated that the Planning Department, Engineering, and the Shawnee Municipal Authority have all approved of the plat, and that staff recommends approval.

Commissioner Walker asked Director Blaine if the collector street coming off the east side of North Union would come before or after Phase II is built. Director Blaine deferred to the applicant but stated that it appears the access off North Union would be built out during the development of Phase II. Commissioner Walker stated that traffic on East 45th Street is already bad and expressed a concern that this development could exacerbate that issue.

A representative for the applicant, Richard Landes, came forward to address the Commission's questions. He stated that it is true that until Phase II of Cardinal Pointe is completed, East 45th Street will be the only ingress and egress for the development. He stated there will be a temporary turnaround point for emergency services. He noted that East 45th Street is being considered for expansion, but that for a period there will be additional traffic on East 45th Street.

Chairwoman Kienzle asked for a timeline on the project. Mr. Landes stated that Phase I will take two to three years to complete.

Commissioner Melot asked if the intersection has been surveyed for Complete Streets. Director Blaine stated there have been discussions about widening the road, but there are no specific plans.

Commissioner Walker asked how long until the road is expanded. Director Blaine stated it is not in this year's fiscal budget. Mr. Landes stated East 45th Street is going to be a collector street. Chairwoman Kienzle expressed a concern about the viability of a residential development during a period where East 45th Street is being considered for expansion. Mr. Landes stated the City of Shawnee is running out of places to build homes, and that most housing is now being constructed outside city limits. He stated this site is viable for residential development.

Commissioner Deem asked Mr. Landes what their anticipated price range of the homes will be. Mr. Landes deferred to Bryan Little. Mr. Little stated the homes will be affordable, and that they will be in the \$175,000 to \$225,000 range.

Commissioner Melot stated she believes this area is a great place for a residential development but expressed her concern about the ingress/egress and walkability of the development. Mr. Little stated there will be sidewalks around the commercial area. He stated the collector street off North Union would not happen until Phase II.

Commissioner Deem stated one of the priorities of the Planning Commission is aesthetics. She expressed a desire to see trees preserved. Mr. Little there are some trees that will be preserved, as well as landscaping

Commissioner Matthews stated he believes this development fits well into the area, and that the project has potential to fill a need in the community.

Commissioner Walker asked how many homes will be built in each phase. Mr. Little stated there would be a roughly even split between the two phases, making around 40 homes in each phase. Director Blaine stated there are 39 residential lots in Phase I. Mr. Little stated that it will take three to four years to get to Phase II.

Chairwoman Kienzle asked Director Blaine if there has been internal discussion about how this project will affect the project on East 45th Street. Director Blaine stated it has been discussed, but they do not have a set of plans on how East 45th Street will look. She stated the positives of this project outweigh the negatives. Commissioner Matthews asked if the Planning Commission could use a project such as this to inform their decision making on expanding East 45th Street. Director Blaine stated they can. She also stated she believes there will be more development on East 45th Street, and that will make expanding East 45th Street a higher priority in the future.

Chairwoman Kienzle opened the public portion of the meeting and asked if anyone speaking in favor of the item would like to come forward.

No one came forward and Chairwoman Kienzle asked if anyone speaking against the item would like to come forward. No one came forward and Chairwoman Kienzle closed the public portion of the meeting.

Chairwoman Kienzle asked if there were any comments or questions. There were no comments or questions and Chairwoman Kienzle asked for a motion. Commissioner Matthews made a motion to approve the preliminary plat; seconded by Commissioner Deem

Motion passed:

AYE: Deem, Matthews, Walker, Kienzle, Melot

NAY:

ABSTAIN:

AGENDA ITEM NO.8:

Consideration and approval of the 2019 Comprehensive Plan

Planning Director Rebecca Blaine presented the 2019 Comprehensive Plan. She briefly summarized the process by which the new Comprehensive Plan was created. She noted to the Commission that a new document, a compatibility matrix table, has been added to the Comprehensive Plan as a visual tool to easily reference what would be viable in each future land use district. She stated staff has recommended approval of the 2019 Comprehensive Plan, which, if approved by the Planning Commission, would be heard by the City Commission at the October 7th, 2019 City Commission Meeting. Chairwoman Kienzle stated she was glad many of the requested changes have been made.

Chairwoman Kienzle asked if there were any comments or questions. Commissioner Matthews congratulated staff on the Comprehensive Plan. He also congratulated the previous Planning Director as well. He stated he believes it is a great plan.

Chairwoman Kienzle stated the Planning Department would be handling the implementation of the Comprehensive Plan.

Commissioner Matthews asked how the fact that the Comprehensive Plan is being heard at the October 7th, 2019 City Commission Meeting affects Planning Item P14-19, which was deferred to the October 2nd, 2019 Planning Commission Meeting for the purpose of being able to use the 2019 Comprehensive Plan as a guide to evaluate that application. Director Blaine stated it will be heard in November instead.

There were no more comments or questions and Chairwoman Kienzle asked for a motion. Commissioner Walker made a motion to approve the 2019 Comprehensive Plan; seconded by Commissioner Melot.

Motion passed:

AYE: Deem, Matthews, Walker, Kienzle, Melot

NAY:

ABSTAIN:

AGENDA ITEM NO.9:

Planning Director's Report

Planning Director Rebecca Blaine stated two ordinances were passed by the City Commission at the September 3rd, 2019 City Commission Meeting. One was the Urban Chicken Ordinance, and the other was an amended medical marijuana ordinance. The Urban Chicken Ordinance allows for the laying of hens on residential properties. The medical marijuana ordinance was amended to keep in line with how the state regulates commercial medical marijuana. She stated the definition of schools has been amended to only encompass K-12 facilities.

She reminded the Planning Commission about the American Planning Association Quad State Conference in October at Tulsa, Oklahoma.

Director Blaine congratulated Commissioner Melot on her appointment to the Planning Commission.

AGENDA ITEM NO. 10:

Commissioners Comments and/or New Business

Commissioner Deem expressed a concern about the aesthetics of trees that have grown under power lines. She asked Director Blaine if the Planning Commission has input on this subject. Director Blaine stated it may be a collaboration between the City and companies such as OG&E. She stated she would investigate this.

Commissioner Deem stated she is pleased with the progress on the fencing on Highland in front of the Shawnee Milling Company, and with the efforts U-Haul is making on the façade of their facility on North Harrison.

Commissioner Matthews stated he does not believe commercial businesses should be using the sidewalks as showrooms. He also expressed his concern about the sidewalks that do not lead anywhere. Director Blaine stated she would make a note about that issue. Commissioner Deem stated she has seen a business on Federal Street with cars for sale parked on the grass.

Chairwoman Kienzle asked Director Blaine if the City has had any water drainage issues recently. Director Blaine deferred to Engineering Director Michael Ludi. Director Ludi stated there have been several reports on that.

Commissioner Melot thanked the City for allowing her to serve on the Planning Commission, and stated she looks forward to working with developers and builders. She stated it is important for the City to adopt the new Comprehensive Plan and examine what other cities are doing to attract families and businesses to their communities. She congratulated staff on advancing the Comprehensive Plan.

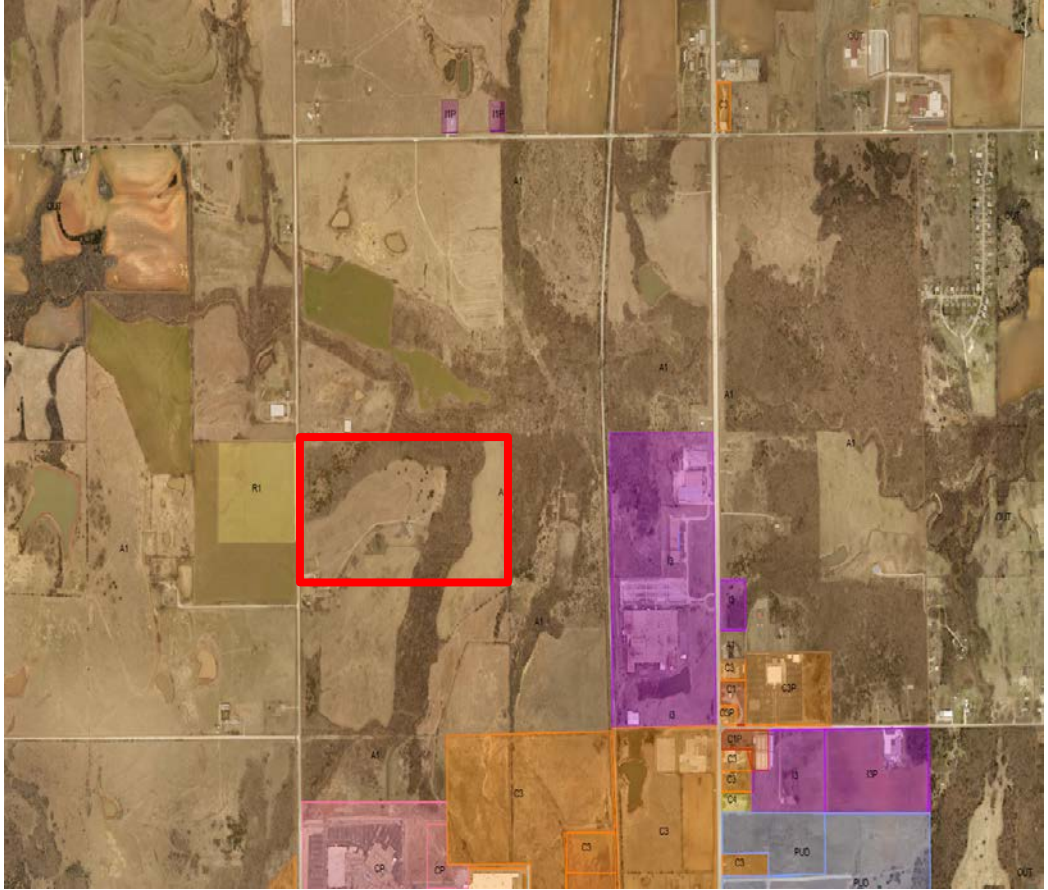
AGENDA ITEM NO.11:

Adjournment

Meeting was adjourned.

Chairwoman/Vice-Chairman

Joseph Barker
Planning Commission Secretary

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # P16-19 PUBLIC HEARING DATE: October 2nd, 2019 CITY COMMISSION DATE: October 7th, 2019	
APPLICANT: Greg Brown Homes		2510 East Independence, Suite 400 Shawnee, Oklahoma, 74804		Gbhomes12@aol.com
PROPERTY ADDRESS/LOCATION: East of North Kickapoo, north of Shawnee Mall, south of Garretts Lake Road				
The applicant, Greg Brown Homes, is requesting a rezone from A-1 to R-1 on vacant land east of North Kickapoo, north of the Shawnee Mall, and south of Garretts Lake Road, a roughly 79.85-acre parcel. The stated proposed use is for a single-family residential development.				
EXISTING ZONING: A-1	EXISTING LAND USE: Vacant	SURROUNDING ZONING & LAND USE: A-1 (Rural Agricultural) R-1 (Single-Family Residential)	SUBDIVISION: N/A	PROPERTY SIZE: 79.85 acres

STAFF RECOMMENDATION

The applicant has stated they intend to use the lot for a single-family residential development. The subject site is roughly 79.85 acres in size. Adjacent properties are zoned A-1 (Rural Agricultural) and R-1 (Single-Family Residential). The 2019 Comprehensive Plan states this area's intended use should be agriculture/open. The Comprehensive Plan considers low density residential to be completely compatible with this area; therefore, the proposed rezone aligns with the intent of the Comprehensive Plan.

The rezone is required to conform to Section 22-160.2 of the Zoning Code, "Uses [in residential districts]," which assures that the R-1 zoning district is used for single family dwellings and related recreational, religious, and educational facilities. The proposed use is permitted in the R-1 district. The rezone is also required to conform to Section 22-160.4 of the Zoning Code, "Dimensional Standards [in residential districts]." If rezoned to R-1, it would conform to these standards.

No letters of support or objection have been received regarding this application.

The subject request is in conformance with City Zoning Code and aligns with the intent of the 2019 Comprehensive Plan; therefore, Staff hereby recommends approval of the requested rezone from A-1 (Rural Agricultural) to R-1 (Single Family Residential).

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

GREG BROWN
LIVE ORANGE, LLC
2510 E. INDEPENDENCE #400
SHAWNEE, OK 74804
PH: (405) 273-1671

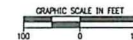
A PART OF THE SW/4 OF SECTION 30, T11N, R4E, 1M.
SHAWNEE, POTTOWATOMIE COUNTY, OKLAHOMA

THE GRANT DOCKERY PARTNERSHIP
BOOK 2297, PAGE 261

DOCKREY GRANT & LETHA (1/2 INT)
BOOK 2014, PAGE 14304

LOCATION MAP
SCALE: 1" = 2000'

SCALE: 1" = 100'



THE GRANT DOCKERY PARTNERSHIP
BOOK 2297, PAGE 261

A tract of land situate within a portion of the Southwest (SW) 1/4 Quarter of Section Thirty (30), Township Eleven North (T11N), Range Four East (R4E) of the Indian Meridian (1.M.) in SHAWNEE, POTTOWATOMIE COUNTY, OKLAHOMA, being more particularly described as follows:

COMMENCING at the Southwest Corner of said SW/4; thence
N00°39'02"W along the West line of said SW/4 a distance of 1319.46 feet to the
POINT OF BEGINNING; thence continuing

N00°39'02"W along said line a distance of 1319.46 feet
N89°04'50"E a distance of 2638.42 feet; thence
S00°21'54"E a distance of 1320.38 feet; thence
S89°05'59"W a distance of 2631.83 feet to the POINT OF BEGINNING.

Sold tract contains 3,478,062 Sq Ft or 79.85 Acres, more or less.

REZONING EXHIBIT
TRAILS END

Crafton Tull
architects | engineers | planners
405.767.6270 • 405.767.6276
www.craftontull.com

SHEET NO.: 1 OF 1
DATE: 08/20/19
PROJECT NO.: 12607100

Journal of Management Education 35(1) 10-20

201900006379
Filed for Record in
POTTAWATOMIE OKLAHOMA
RAESHEL FLEWALLER, COUNTY CLERK
06-17-2019 At 04:16 pm.
WARR DEED 818.25

Instrument PG 1 OF 2
201900006379

Return To:
John Gregory Brown
2510 E. Independence, Ste 400
Shawnee, OK 74804

WARRANTY DEED
(OKLAHOMA STATUTORY FORM)

Doc Stamps: **803.25**
Filed/insured by: First American Title Insurance Company
File No.: **2387840-SH01 (DKB)**

Tax ID#: **tbd**

That **Sherill Dolores Ball, Successor Trustee of the Willie F. Dockrey Revocable Trust and Vivian Dolores Dockrey, A Single Person**, (the "Grantor"), in consideration of the sum of TEN & NO/100----- Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby, grant, bargain, sell and convey unto **John Gregory Brown and James Andrew Hammons and Cody Lilley and Jamie Hammons**, (the "Grantee"), the following described real property and premises situated in **Pottawatomie County, State of Oklahoma**, to wit:

SURFACE ONLY:

The North Half of the Southwest Quarter (N/2 SW/4) of Section Thirty (30), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma.

LESS AND EXCEPT ANY AND ALL INTEREST IN AND TO ALL OF THE OIL, GAS, COAL AND OTHER MINERALS AND ALL RIGHTS PERTAINING THERETO.

Property Address: **6011 North Kickapoo Avenue, Shawnee, OK 74804**

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, restrictive covenants of record.

TO HAVE AND TO HOLD said described premises unto the Grantee, and to the 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 this **June 14, 2019**.

Willie F. Dockrey Revocable Trust

Sherill Dolores Ball

Sherill Dolores Ball, Successor Trustee

STATE OF OKLAHOMA
Pottawatomie County
Documentary Stamps: \$ 803.25

Vivian Dolores Dockrey by Sherill Dolores Ball as Attorney in fact

Vivian Dolores Dockrey by Sherill Dolores Ball as
Attorney in fact

First American Title SH 2387840

2/15

ACKNOWLEDGMENT - OKLAHOMA FORM

STATE OF **OKLAHOMA**

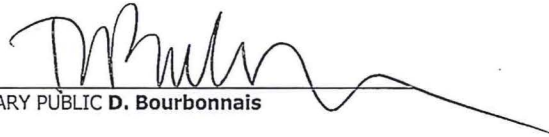
}

} ss.

COUNTY OF **Pottawatomie**

}

This instrument was acknowledged before me on **June 14, 2019**, by **Sherill Dolores Ball, Successor Trustee of the Willie F. Dockrey Revocable Trust and Sherill Dolores Ball Attorney in Fact for Vivian Dolores Dockrey, A Single Person.**



NOTARY PUBLIC **D. Bourbonnais**

My Commission Expires: **5/2/2023**



Mail Tax Statements To:

3

201900006377
Filed for Record in
POTTAWATOMIE OKLAHOMA
RAESHEL FLEWALLEN, COUNTY CLERK
06-17-2019 At 04:11 pm.
QCD 15.00

Return To:

Instrument PG 1 OF 2
201900006377

First American Title
123 W. Highland
Shawnee, OK 74801

**INDIVIDUAL
QUIT CLAIM DEED**
(OKLAHOMA STATUTORY FORM)

File No.: **2387840-SH01 (DKB)**

Doc Stamps: **Exempt per Title 68 o.s. section 3202
paragraph**

Tax ID#: **tbid**

KNOW ALL MEN BY THESE PRESENTS:

That **Sherill D. Ball and Barbara E. McLaughlin, Co-Trustees of the Vivian Dolores Dockrey Revocable Trust dated the 30th day of May, 2019**, , party(ies) of the first part, in consideration of the sum of TEN & NO/100-----Dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do(es) hereby quitclaim, grant, bargain, sell and convey unto **John Gregory Brown and James Andrew Hammons and Jamie Hammons and Cody Lilley** (the "Grantee"), the following described real property and premises situated in **Pottawatomie County, State of Oklahoma**, to wit:

The North Half of the Southwest Quarter (N/2 SW/4) of Section Thirty (30), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Pottawatomie County, Oklahoma. LESS and EXCEPT the following described real property: A part of the Northwest Quarter of the Southwest Quarter of Section Thirty (30), Township Eleven (11) North, Range Four (4) East of the I.M., Pottawatomie County, Oklahoma, being more particularly described as follows: Beginning at the Northwest corner of the Southwest Quarter (NW/c SW/4) of said Section Thirty (30), Township Eleven (11) North, Range Four (4) East of the Indian Meridian; Thence Southerly along the West Section line a distance of 1307 feet to the true Point of Beginning; Thence Northerly along the West Section line a distance of 660 feet; Thence East a distance of 660 feet; Thence South a distance of 660 feet; Thence West a distance of 660 feet to the Point of Beginning.

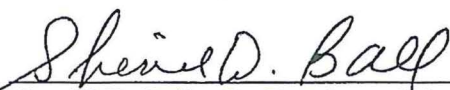
(This deed is being recorded to remove any encumbrance on the subject property created by Quit Claim Deed recorded in Instrument #201900005574.)

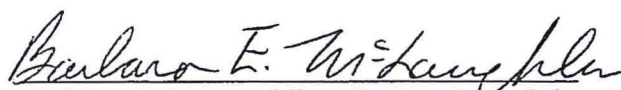
Property Address: **6011 North Kickapoo Avenue, Shawnee, OK 74804**

Together with all and singular the hereditaments and appurtenances thereunto belonging.

TO HAVE AND TO HOLD the above described premises unto the said party(ies) of the second part, and to the heirs, successors and assigns forever.

Signed and delivered this **June 14, 2019**.


Sherill D. Ball - Co-Trustee of the Vivian Dolores Dockrey Revocable Trust dated the 30th day of May, 2019


Barbara E. McLaughlin - Co-Trustee of the Vivian Dolores Dockrey Revocable Trust dated the 30th day of May, 2019

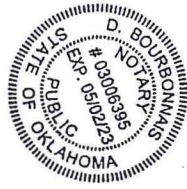
First American Title *SH 2387840*

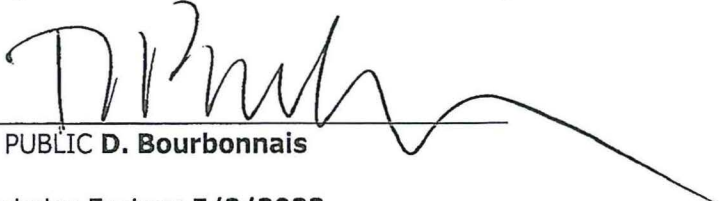


ACKNOWLEDGMENT - OKLAHOMA FORM

STATE OF OKLAHOMA }
COUNTY OF POTTAWATOMIE } ss.

This instrument was acknowledged before me on **June 14, 2019** by **Sherill D. Ball and Barbara E. McLaughlin, Co-Trustees of the Vivian Dolores Dockrey Revocable Trust** dated the 30th day of May, 2019, .




NOTARY PUBLIC **D. Bourbonnais**

My Commission Expires: **5/2/2023**



Crafton Tull
architecture | engineering | surveying

300 Pointe Parkway Blvd
Yukon, OK 73099
405.787.6270 / 405.787.6276
www.craftontull.com

Transmittal

Date: August 28, 2019
To: Planning Department/Community Development
Address: City of Shawnee
222 N. Broadway
Shawnee, OK 74801

received
8/28/2019

Telephone #:

RE: **Proposed Trails End**

Project #: **12607100**

The following items are being transmitted: Attached; Other; For your use/ Records

NO. OF COPIES:	DATE:	DESCRIPTION:
1		\$50.00 Check #9212 for Signage Deposit
1		Fee Check #9211, Rezoning Application & Exhibit
1		Ownership Listing & Vested Deed
1		Preliminary Plat Fee Check #9207, Application & Engineer Design Certification Statement
10		Preliminary Plat Copies

Remarks:

No additional Comments

K. Gibson

Signed: *for*

Kendall W. Dillon, PE/jy
VP - Residential
Joel Harrison, EI
Project Engineer

Kendall.Dillon@craftontull.com
Joel.Harrison@craftontull.com



PLANNING COMMISSION APPLICATION

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>P16-19</u>
Project Number:	<u>190780</u>
Date Filed:	<u>8/28/2019</u>
_____ 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 A-1 Agrigultural District District to Residential District, as hereinafter requested, and in support of this application, the following facts are shown:

PROPERTY LOCATION (STREET ADDRESS): N Kickapoo Ave, north of County Rd. 112

LEGAL DESCRIPTION: A part of the SW/4, SEC 30, T-11-N, R-4-E, I.M. Pottawatomie County

PROPERTY OWNER (S): Greg Brown Homes, LLC. Live Orange LLC

PROPERTY AGENT (APPLICANT): Same Greg Brown Homes, Greg Brown,

APPLICANT'S ADDRESS: 2510 E. Independence, Suite 400

CITY: Shawnee **STATE:** OK **ZIP:** _____

EMAIL ADDRESS: gbhomes12@aol.com

TELEPHONE NUMBER: (405) 273-1671 **CONTACT NUMBER:** (405) 787-6270 Kendall Dillon, Crafton Tull, 787-6270 (Engineer)

DIMENSIONS OF PROPERTY: **AREA:** 79.85 AC ± **WIDTH:** 1320.38'

LENGTH: 2631.83' **FRONTAGE:** 1319.46'

CURRENT ZONING: A-1 Agriculture **CURRENT USE:** Vacant

PROPOSED ZONING: R-1 Residential **PROPOSED USE:** Single Family Homes

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

[Signature]
SIGNATURE OF APPLICANT

FOR STAFF USE ONLY

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

RECEIPT NO. 02332603

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.:** _____

(800 FEET RADIUS REPORT)

File No. 2433354-SH99

OWNERSHIP LIST

ORDER NO. 2433354

DATE PREPARED: August 26, 2019

EFFECTIVE DATE: July 19, 2019 at 7:30 am

OWNER	LOT	BLK	ADDITION
GREG BROWN HOMES 2510 E INDEPENDENCE STE 400 SHAWNEE, OK 74084			COMM SW/C SW4 W OF SW4 1319.46 TO BEG, W1319.46' E2368.42 E1320.38, W2631.83 TO BEG (SW4 30-11N-4E)
DOCKREY WILLIE F DOCKREY REVOCABLE TRUST 6011 N KICKAPOO SHAWNEE, OK 74804			LESS 3A LESS 10 ACS NW/C SW (SW4 30-11N-4E)
DOCKREY VIVIAN DOLORES & WILLIE FRANCES DOCKREY 6013 N KICKAPOO SHAWNEE, OK 74804			BEG NW/C SW S1307' TO POB N660' E660' S660' W660' TO POB (SW4 30-11N-4E)
THE GRANT DOCKERY PARTNERSHIP 6203 COKER RD SHAWNEE, OK 74804			SW4 SE4 30-11N-4E
THE GRANT DOCKERY PARTNERSHIP 6203 COKER RD SHAWNEE, OK 74804			NW4 SE4 30-11N-4E
THE GRANT DOCKERY PARTNERSHIP 6203 COKER RD SHAWNEE, OK 74804			LOTS 1 & 2 & E1/2 NW LESS TR BEG SW/C LOT 2 N471' E471' S471' W471' POB (NW4 30-11N-4E)
DOCKREY GRANT & LETHA (1/2INT) 6203 COKER RD SHAWNEE, OK 74804			BEG SW/C LOT 2 N471' E471' S471' W471' POB (NW4 30-11N-4E)

DOCKREY DACE & SHARON LYNN PO BOX 1463 SHAWNEE, OK 74802			THE WEST 20 ACRES OF THE NORTH 35 ACRES OF THE SE/4 NE/4 AND BEGINNINGSE/C SE/4 NE/4 N165.78' W565.2' N20.17' W753.46' S189.04' E1318.59' POB (NE4 25-11N-3E)
RAMSEY MARGARET JANEET AL 2312 PINEHURST SHAWNEE, OK 74801			SE4 , LESS 2 AC 25-11N-3E
RAMSEY MARGARET JANEET AL 2312 PINEHURST SHAWNEE, OK 74801			315' N & S X691' E & W IN SE/C SE4 25-11N-3E
SCHOOL LAND SHAWNEE, OK			N2 OF 36-11N-3E
DOCKERY FAMILY 2014REV TRUST 6203 COKER RD SHAWNEE, OK 74804			W2 NW4 LESS TR & NE4 NW4 LESS TR & LESS TR (NW4 31-11N-4E)
CAMPBELL ROBERT D & DIXIE L LIVING TRUST 6500 N KICKAPOO SHAWNEE, OK 74804			S 3AC OF E15A ON N35A SE NE (NE4 25-11N-3E)
CAMPBELL ROBERT D & DIXIE L LIVING TRUST 704 N KENNEDY SHAWNEE, OK 74801			PT S 5A OF E 15A OF N 35A SE NE & E 15A OF N 35A OF SE NE LESS S 5A (NE4 25-11N-3E)

DOCKREY FAMILY 2014REV TRUST 6203 COKER RD SHAWNEE, OK 74804			W1/2 NE LESS TR BEG 1563.65'S NW/C NE E660' S660' W660' N660' POB. & LESS HWY LESS TR REC 2003 13648 & LESS REC 2003- 18482 & LESS .56AC TO STATE REC 2005-2374 LESS .38AC OF NEW R.O.W. & 10.62AC OF R.O.W OCCUPIED BY PRESENT HWY REC 2005- 11052 & LESS 16.22AC DESCRIBED IN WD 2013- 20858 & LESS 5.09AC 2014- 13750 & LESS A 2 ACRE TRACT (NE4 31-11N-4E)
WAL-MART PROPERTY TAX DEP PO BOX 8050 BENTONVILLE, AR 72712			2/1 SHAWNEE MALL SUB SEC 2

SHAWNEE BRAZOS LLC 3100 DUNDEE RD NORTHBROOK, IL 60062			A TR LAND LYING IN N/2 SEC 31-11-4 DES AS COMM AT SW/C N/2 TH N00°01'51" E ALONG WEST LINE SEC 31 A DIS 959.99' TH S89°31'1 9"E A DIS 50' TH S02°22' 47"E A DIS 212.19' TH S89°58'24"E A DIS 110.71' TH S56°17'00"E A DIS 90.1 4' TH S89°58'24"E A DIS 205.38' TH ALONG A CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS 450' & SUBTENDE BY A CHORD 346.86' IN LENGTH BEARING S67°18'16"E A DIS 356.08' TH S44°38'08"E A DIS 188.10' TH ALONG CURVE TO LEFT SAID CURVE HAVING A RADIUS 350' & SUBTENDE BY A CHORD 197.37' IN LENGTH BEARING S61°00'44" E A DIS 200.08' TH S89° 42'29"E ALONG NORTH R/W LINE OF INTERSTATE 40 A DIS 993.07' TH N00°00'5 7"E A DIS 252.47' TH N89° 59'03"W A DIS 93.58' TH N00°00'00"E A DIS 396. 41' TH N90°00'00"W DIS 7.01' TH N00°00'00"E A DIS 338.74' TH N89°59'0 3"W A DIS 112.53' TO POB TH N89°59'03"W A DIS 528.35' TH N00°27'28"E A DIS 575.32' TH N89°39'40" E A DIS 101.41' TH S42°52 '35"E A DIS 620.79' TH S00°01'15"W A DIS 121.12' POB (N2 31-11N-4E
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SHAWNEE BRAZOS LLC 3100 DUNDEE RD NORTHBROOK, IL 60062			3/A SHAWNEE MALL SUBDIVISION
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City of Shawnee OK
405-878-1616

RECH: 02332603 9/04/2019 2:54 PM
OPER: KG TERM: 020
REF#: 9211
PAID BY:

TRAN: 401.0000 BUILDING PERMIT
190780 280.00CR
BROWN, GREG
NONE
Z-REZONING 280.00CR

TENDERED: 280.00 CHECK
APPLIED: 280.00-

CHANGE: 0.00

Visit www.ShawneeOK.org
For More Information

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CITY OF SHAWNEE PUBLIC HEARI	09/15/2019	09/15/2019	2	49.35	5.00	103.70

Ad Text:

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P16-19

Payment Reference:

Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land situate within a portion of the Southwest (SW4) Quarter of Section Thirty (30), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Shawnee, Pottawatomie County, Oklahoma, being more particularly described as follows:

Total: 103.70

Tax: 0.00

Net: 103.70

Prepaid: 0.00

Total Due 103.70

CITY OF SHAWNEE
PUBLIC HEARING NOTICE
CASE #P16-19

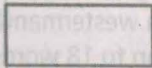
Notice is hereby given that the City of Shawnee, Oklahoma, will conduct a public hearing on a proposed rezone of property located within the City of Shawnee.

The property requesting rezoning is described as follows:

A tract of land situate within a portion of the Southwest (SW4) Quarter of Section Thirty (30), Township Eleven (11) North, Range Four (4) East of the Indian Meridian, Shawnee, Pottawatomie County, Oklahoma, being more particularly described as follows:

COMMENCING at the Southwest Corner of Said SW4; THENCE N00°39'02"W along the West line of said SW4 a distance of 1319.46 feet to the POINT OF BEGINNING; THENCE continuing N00°39'02"W along said line a distance of 1319.46 feet; N89°04'50"E a distance of 2638.42 feet; THENCE S00°21'54"E a distance of 1320.38 feet; THENCE S89°05'59"W a distance of 2631.83 feet to the POINT OF BEGINNING.

General Location Known As:
East of North Kickapoo and north of the Shawnee Mall
Current Zoning Classification:
A-1 (Rural Agricultural)
Requested Zoning Classification:
R-1 (Single-Family Residential)
Proposed Use of Property:
Single-family Homes
Applicant: Greg Brown Homes



The "Zoning Map of the City of Shawnee, Oklahoma" will be amended accordingly to reflect such change if approved by the City Commission.

The public hearing will be held in the City Commission Chambers in City Hall, 16 W. 9th St. Shawnee, Oklahoma, as follows:

October 2nd, 2019 AT 1:30 P.M.:
CITY OF SHAWNEE PLANNING COMMISSION
October 7th, 2019 AT 6:00 P.M.:
CITY OF SHAWNEE CITY COMMISSION

At this time any interested citizen of Shawnee, Oklahoma will have the opportunity to appear and be heard with regard to the rezone. The Commission reserves the right to limit discussion and debate on the proposed rezone in the public hearing, in which event those persons appearing in support or opposition of the proposed rezone will be allotted equal time. Any formal protest must be filed in writing with the City Clerk during normal working hours before 5:00 p.m. a minimum of three (3) days prior to the hearing. If there are any questions about the proposal, or you need additional information prior to the public hearing,

Affidavit of Publication

The Shawnee News-Star
215 N. Bell
Shawnee OK 74801
(405) 273-4200

State of Oklahoma
County of Pottawatomie

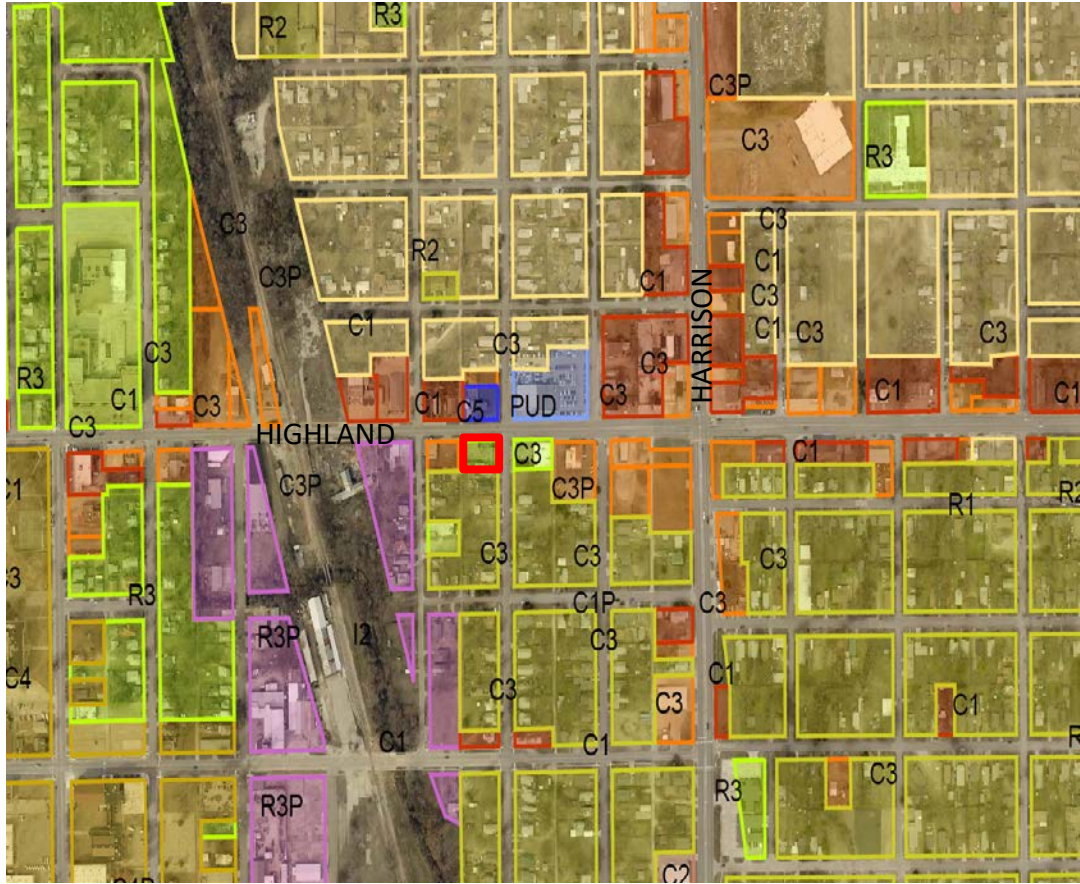
I, Wanda Westerman, of lawful age, being duly sworn upon oath, deposes and says that I am the Legal Advertising Account Executive of The Shawnee News-Star, a Daily publication that is a "legal newspaper" as that phrase is defined in 25 O.S. §106 for the City of Shawnee, for the County of Pottawatomie, in the State of Oklahoma, and that the attachment hereto contains a true and correct copy of what was actually published in said legal newspaper in consecutive issues on the following date(s):

Insertion Date(s): Sept., 15th, 2019
Publishing Fee: \$103.70

Wanda Westerman, Account Executive

Signed and sworn to before me this 16th day of Sept., 2019.

Cayla Medley, Notary Public
My Commission Expires: March 6th, 2022

City of Shawnee Planning Department 222. N. Broadway Shawnee, OK 74801 (405) 878-1616 Fax: (405) 878-1587 www.ShawneeOK.org			CASE # P17-19 PUBLIC HEARING DATE: October 2nd, 2019 CITY COMMISSION DATE: October 7th, 2019	
APPLICANT: City of Shawnee				
PROPERTY ADDRESS/LOCATION: 430 North Tucker, Shawnee, Oklahoma				
The applicant, City of Shawnee, is requesting an administrative rezone from R-3 to C-3 on 430 North Tucker. The reason this request has been made is so the property will reflect its current use. Staff cannot find any ordinances that rezoned the property to what its current use is. The only information available regarding the property's zoning is based on a zoning map created with CAD software several years ago.				
EXISTING ZONING: R-3	EXISTING LAND USE: Vacant Commercial	SURROUNDING ZONING & LAND USE: R-2 (Combined Residential) R-3 (Multi-Family Residential) C-1 (Neighborhood Commercial) C-3 (Highway Commercial) C-5 (General Commercial) PUD (Planned Unit Development)	SUBDIVISION: Beard's Addition, Block A	PROPERTY SIZE: 0.22 acres

STAFF RECOMMENDATION				
The subject site's use has been that of the C-3 (Highway Commercial) District for several decades (pharmacy and sign workshop). Due to the past uses, Staff believes this property should be zoned as C-3. Staff has found no files regarding any zoning ordinance that rezoned this property from R-3. Staff hereby recommends approval of the administrative rezone from R-3 (Multi-Family Residential) to C-3 (Highway Commercial).				
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		