

PLANNING COMMISSION MEETING AGENDA

APRIL 16, 2024



723 S. Lewis Street, Room 1122 B

Stillwater, OK 74074

5:30 PM

Chair Jana Phillips, Vice-Chair Mark Prather, Commissioner Mike Shanahan, Commissioner Riley Williams, and Commissioner Andrew Van Leuven.

NOTE: Members of the Planning Commission and City Staff will gather prior to the regular meeting in Room 1121 beginning at 5:00 PM. No Planning Commission business will be discussed or otherwise acted upon at this time. This is not a closed session, and members of the public and press are welcome to attend.

1. Call Meeting to Order

2. Public Hearing

The Planning Commission will hear public comments, discuss, and take action including a vote or series of votes on each item unless otherwise indicated.

- a. **SHORT TERM RENTAL (STR-0159)**, consideration, discussion and possible action, including recommendation approval or denial of an application for a Short Term Rental from Anna Mason for property addressed as 1719 N. Payne Street in the Single Family Small Lot Residential (RSS) district.

3. Meeting Summary for Review and Possible Action:

- a. Regular meeting summary of April 2, 2024.

4. Miscellaneous Items from Staff, Planning Commissioners or City Attorney for Discussion and Possible Action:

- a. Next regular meeting is May 7, 2024.

5. Adjourn

On _____ at _____, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 723 S. Lewis Street, Stillwater, OK.

The Planning Commission may take action, including a vote or series of votes on all items listed on the agenda, unless the item specifically indicates that no action will be taken. The City of Stillwater encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, please notify the Community Development Desk at least 48 hours prior to the meeting by calling 405.742.8220.

- Meetings are televised on AT&T U-verse channel 99 and Optimum channel 14.

- Find meeting agendas and minutes online at [Agendas and Minutes](#)
- Official minutes are archived in the Office of Community Development.

MEMORANDUM

DATE: 4/15/2024
TO: Stillwater Planning Commission
FROM: Jacquelyn Porter, City Planner
SUBJECT: Short-Term Rental (STR) Application Review

Under the recent Ordinance 3435, short-term rentals (STR) are to be licensed with the City if located within RSL, RSS, or RT zoning districts. As part of the licensing process, property owners within 300-feet of the subject property are notified of the STR application and have 30-days within which to file an appeal to the licensing.

At this time, appeal(s) have been filed on STR application requests:

- **1719 North Payne Street** the RSS zoning district.

The Planning Commission is the hearing body for STRs. The hearings will be held as a Specific Use Permit hearing except there is no staff report or presentation. The criteria by which the Planning Commission is to review the STR applications is Section 23.180, attached with the consideration criteria highlighted. The applicant for the STR has the burden for their case.

A question of private restrictions/covenants is likely to arise. The City cannot enforce private restrictions/covenants but the Planning Commission can give weight to them as part of the deliberative process.

The City of OKLAHOMA	Application for RESIDENTIAL SHORT-TERM RENTAL
--	---

Property Owner: Anna Masan Mailing Address: 6608 N. Western Ave #1043
OKC, OK 73116

Owner Contact Information: Phone: 405-295-5214 Email: blue4pro@gmail.com

Property Management Contact Name: same as above

Phone: same Email: same

Property Street Address: 1719 N. Payne St

Zoning Classification: RSS Number of Bedrooms Offered for Rent: 4

URL for an advertisement of the rental. not yet listed

Required documents to be submitted with the residential short-term rental application.

SUBMITTED BY APPLICANT	DOCUMENT	VERIFIED BY CITY
	Completed Application form	
	Typewritten list & electronic/digital data capable of being reproduced as mailing labels, certified by the Payne County Assessor, licensed abstractor, attorney, engineer or architect, of all property owners within 300 feet of the subject property. List shall be prepared no more than 30 days prior to submission.	To OFFICE ✓ 2-14-24
	Initial application fee of \$100.00. NOTE: Licenses expire January 31 of each year or upon change of ownership. The annual renewal fee is \$10.00.	
	Completed Notarized Affidavit form verifying working smoke detectors, working carbon monoxide detector, and functioning fire extinguisher.	✓
	Floorplan depicting the location of: • Rooms provided for rent • Smoke detectors • Carbon monoxide detector • Fire extinguishers	✓
	Proof of Ownership by either a recorded deed, a recorded homestead exemption, or a screenshot of the ownership record from the Payne County Assessor ()	✓
	Sales Tax Permit issued by State of Oklahoma or evidence tax collection is done by a rental agent. Evidenced by either a completed and executed contract or notarized statement from the rental agent.	✓

APPLICANT SIGNATURE: Anna Masan DATE: 2/14/24

Date Application Received: <u>2-15-24</u>		Application # <u>STR-0159</u>		Received by: <u>AC</u>	
30-Day Objection Period: _____		Objection Filed: ☐ YES ☐ NO		PC Hearing Date: _____	
Approval Date: _____		Denial Date: _____			

AFFIDAVIT OF COMPLIANCE WITH
SMOKE DETECTORS, CARBON MONOXIDE DETECTORS
AND FIRE EXTINGUISHER

I Anna Mason, owner of listed property below, hereby attest and swear that these statements are true.

Property address: 1719 N Payne St. Stillwater, OK 74075

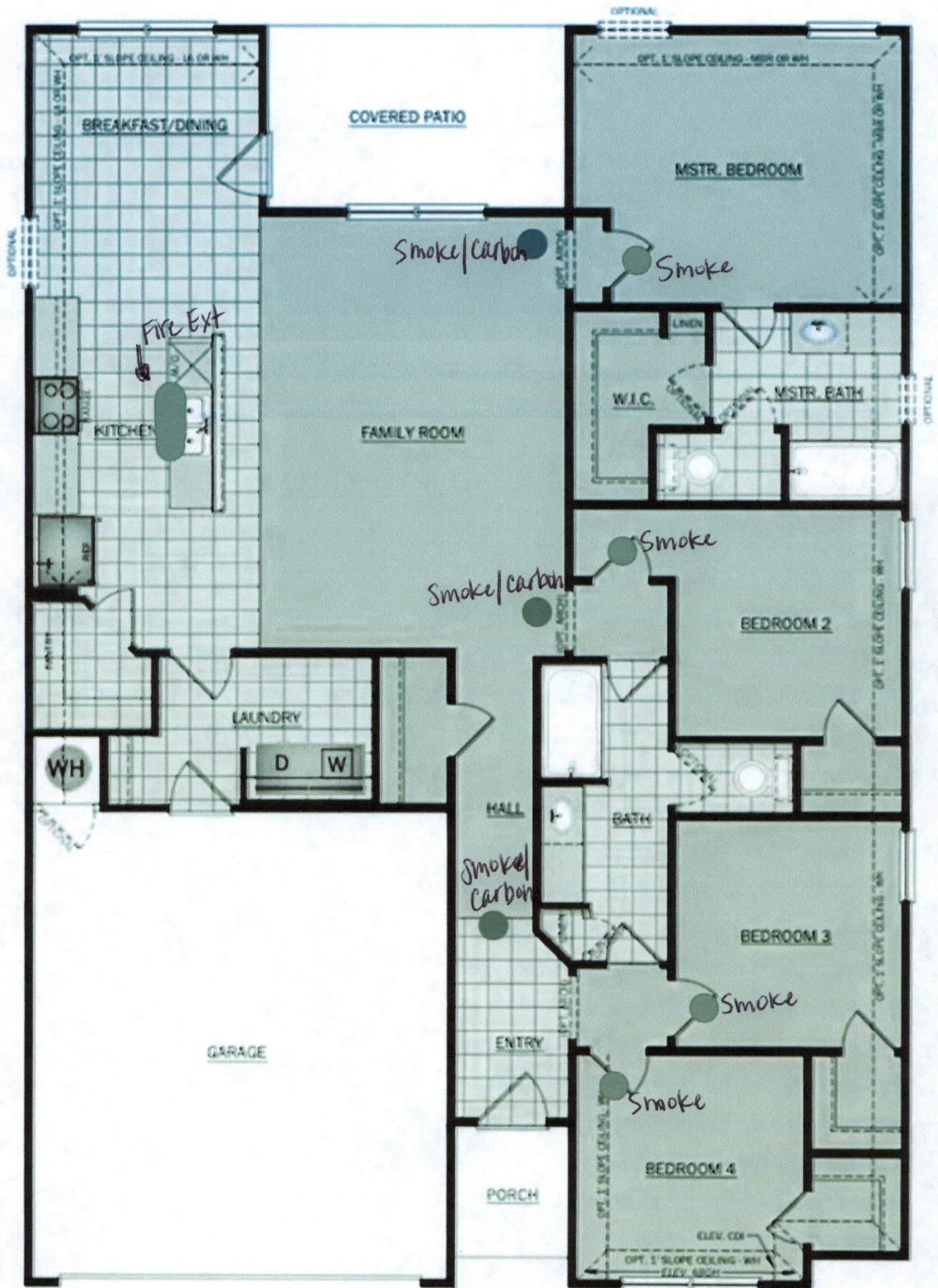
- A. The property listed above is equipped with a fire extinguisher. The extinguisher is in working order and functioning properly.
- B. The property listed above is equipped with carbon monoxide detectors. The detectors are in working order and functioning properly.
- C. The property listed above is equipped with smoke detectors. The detectors are in working order and functioning properly.

Anna Mason 2/14/24
Owner Date

Anna Mason
Print name



02-14-24



First Floor



Payne County Oklahoma Assessor's Office

600090191
1719 N Payne StMason, Evan C & Anna R
1719 N Payne St
Stillwater OK 74075-31572023 Market Value
\$247,190

KEY INFORMATION

Parcel ID	19N02E-12-1-SS444-002-0003		
Land Size	1.00000	Land Unit	Lot
Class	UR	School District	Stillwater Town (016T)
Exemption	HOMESTEAD EXEMPTION	Section	12
Township	19N	Range	02E
2023 Taxes	\$2,758		
Neighborhood	Stillwater Northeast		
Legal Description	SKYLINE EAST, SEC 2 PHASE 1 BLK 2 LOT 3		

2023 APPRAISAL DETAILS

Land Value	\$30,000
Building Value	\$217,190
Misc Imp Value	\$0
Total Market Value	\$247,190

BUILDING DETAILS

BUILDING (1) - 1719 N PAYNE ST

Type	Single-Family Residence	Style	One Story
Finished Living Area	1,692 sf	Basement	-
Quality	Average	Condition	Average
Year Built	2022	Exterior Walls	Veneer, Brick
Bedrooms	4	Roof Cover	Composition Shingle
Full Bath	2	HVAC	Warmed & Cooled Air
Half Bath	0	Garage Type	Attached Garage



OKLAHOMA Tax Commission



BLUE4 PROPERTIES LLC
6608 N WESTERN AVE # 1043
OKLAHOMA CITY OK 73116-7326

Account ID:	STS-14992353-05
Letter ID:	L1150296096
Issued:	February 12, 2024

TRO

Dear Taxpayer,

You received this notice because your registration application for a sales tax account has been processed.

What Happens Next

Your account number is **STS-14992353-05** and your filing frequency is **monthly**. Your first return is due on **April 22, 2024** for filing period ending **March 31, 2024**.

What You Need To Do Immediately

New users are required to complete an account registration on OkTAP before filing returns or submitting payments online. To register, visit OkTAP via **tax.ok.gov** and click the **Create an Account** link.

Contact Us

If you would like to discuss this notice, you can contact us in the following ways:

- Email: Send an email to **taxassist@tax.ok.gov**.
- Phone: Call **405.521.3160**.
- Mail: Send a letter to **Oklahoma Tax Commission Oklahoma City, OK 73194**. To avoid delays, make sure to include a copy of this letter.
- In Person: Schedule an appointment via **tax.ok.gov**.

**LIMITED LIABILITY COMPANY OPERATING AGREEMENT
OF
BLUE4 PROPERTIES, LLC**

This Multi-member LLC Operating Agreement represents BLUE4 PROPERTIES, LLC that was formed in the State of Oklahoma on January 18th 2017, hereinafter known as the "Company".

There are a total of Two (2) Members in the Company known as:

EVAN MASON, of 302 ALLEN RD, GUTHRIE, Oklahoma, 73044 and has 50% percent ownership-interest in the Company;

ANNA MASON, of 302 ALLEN RD, GUTHRIE, Oklahoma, 73044 and has 50% percent ownership-interest in the Company;

hereinafter known as the "Member(s)".

WHEREAS the Member(s) desire to create a limited liability company under the laws of the State of Oklahoma and set forth the terms herein of the Company's operation and the relationship between Member(s).

THEREFORE, in consideration of the mutual covenants set forth herein and other valuable consideration, the receipt and sufficiency of which hereby are acknowledged, the Member(s) and the Company agree as follows:

1. Name and Principal Place of Business

The name of the Company is BLUE4 PROPERTIES, LLC with a principal place of business at 302 ALLEN RD, GUTHRIE, Oklahoma, 73044. The mailing address shall be 302 ALLEN RD, GUTHRIE, Oklahoma, 73044.

2. Registered Agent

The name of the Registered Agent is ANNA MASON with a registered office located at 302 ALLEN RD, GUTHRIE, Oklahoma, 73044 for the service of process as of March 27th 2017. This may change at any time by the Company filing an amendment with the Secretary of State, or respective office, in the State of Oklahoma.

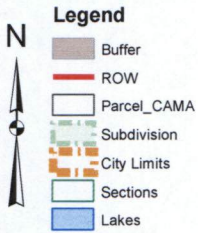
3. Formation

The Company was formed on January 18th 2017, when the Member(s) filed the Articles of Organization with the office of the Secretary of State pursuant to the statutes governing limited liability companies in the State of Oklahoma (the "Statutes").

4. Purpose

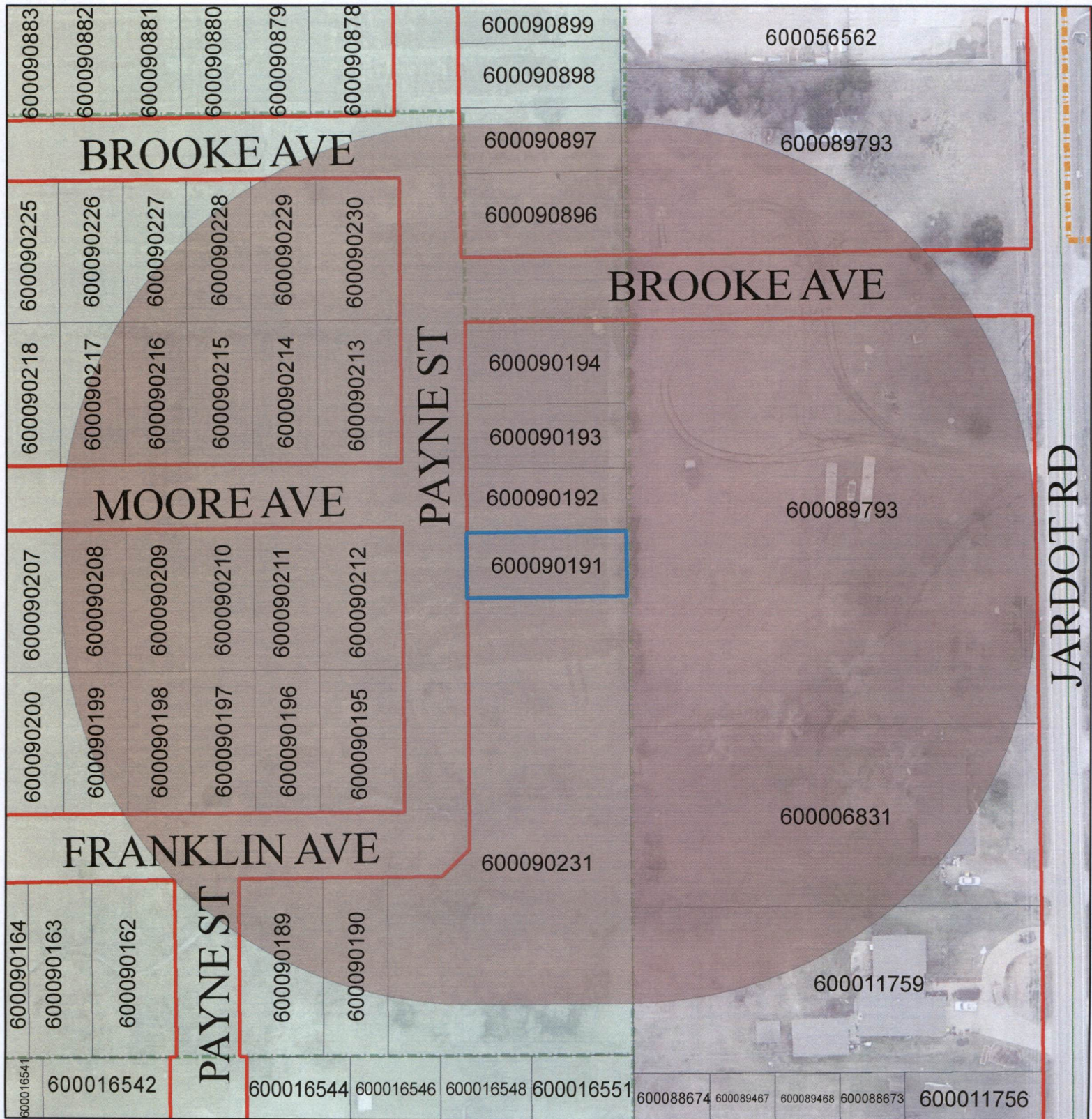
The purpose of the Company is to engage in and conduct any and all lawful businesses, activities or functions, and to carry on any other lawful activities in connection with or incidental to the foregoing, as the Member(s) in their discretion shall determine.

Page 10 of 19

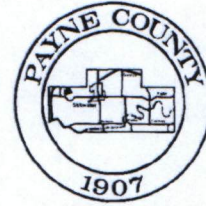


Payne County

300' BUFFER
1719 N Payne St



James C Cowan
Payne County Assessor



CERTIFICATE OF OWNERSHIP

Re: Account # 600090191
Address: 1719 N Payne St

PAYNE COUNTY ASSESSOR'S OFFICE does hereby certify that every effort is made to produce and publish the most current and accurate ownership information possible. The ownership information reflects the tax roll of record owners per instruments filed in the Payne County Clerk's Office. Said ownership is located within the Three Hundred feet of the following described property, to-wit:

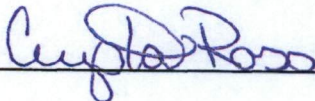
Lot Three(3), Block Two (2), in SKYLINE EAST, SECTION TWO-PHASE 1, part of the NE/4 of Section 12, Township 19 North, Range 2 East, I.M., City of Stillwater, Payne County, State of Oklahoma, according to the recorded Plat thereof.

Attached you will find the current year's tax roll list of ownership that is within the Three Hundred feet of described legal. The ownership information includes the owner's name, mailing address, legal description, and situs address of the property if available.

The Payne County Assessor's Office believes this information to be true and correct at the time of Certification; however, no liability is or can be assumed by the undersigned with reference to the interpretation or validity of an instrument. This report is finished and accepted with the specific understanding above set forth.

Dated this 14 day of February, 2024.

PAYNE COUNTY ASSESSOR'S OFFICE

BY: 

'24MAR14AM8:34

Teresa Kadavy

From: Kim McBride <kimberlymcbride555@gmail.com>
Sent: Thursday, March 14, 2024 7:21 AM
To: CityClerk
Subject: Objection to residential short-term rental application STR-0159

CITY CLERKS OFFICE

This email originated from an **External Source**. Please use proper judgement and **Caution** when opening attachments, clicking links, or responding to this email.

Good morning,

I wish to object the application to establish a residential short-term rental in the Single Family Small Lot Residential RSS zoning district. This application has been brought forth by Anna Mason of 1719 N Payne Street. Application # STR-0159

I have received notice of said application with my right to email my objection here. Please let me know if any other information is needed. Would you please confirm your receipt of my objection and next steps.

Thank you,

Kim McBride
1916 E Franklin Ave

Sent from [Mail](#) for Windows

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF APRIL 02, 2024
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED MARCH 28th, 2024 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

Jana Phillips, Chair
Mark Prather, Vice Chair
Mike Shanahan, Member
Andrew Van Leuven, Member
Riley Williams, Member

MEMBERS ABSENT

STAFF PRESENT

Kim Payne, Sr. Assistant City Attorney
Jacquelyn Porter, City Planner
Diana Hood, Associate City Planner
Cindy Gibson, Administrative Services
Alexandria Maged, Administrative Assistant
Brady Moore, Deputy City Manager

STAFF ABSENT

1. CALL MEETING TO ORDER.

Chair Phillips called the meeting of the Stillwater Planning Commission to order at 5:30 p.m.

2. PUBLIC HEARING

- a. Chamber of Commerce of Stillwater, MAP AMENDMENT (MA24-10), consideration, discussion and possible action, including recommending approval or denial to rezone a portion of property currently addressed as 1300 E. Airport Road, also referred to as the northwest quarter (NW/4) of Section 36, Township 20 North, Range 2 East of the Indian Meridian from Public (P) to General Industrial (IG) district.

Chair Phillips introduces the item and asks staff to present.

Jacquelyn Porter, City Planner presents staff report and asks if there are questions.

Commissioner Shanahan asks staff to clarify the referenced location, the address is listed as Airport Road but the highlighted portion bounds Richmond Rd. Ms. Porter clarifies that the full parcel's address is off of Airport Road; however, only part of that parcel is being requested to be rezoned and that is the northwest corner along Richmond and Perkins Roads.

Commissioner Williams asks what the original purpose was of this chunk being zoned public while the rest is zoned industrial. Ms. Porter invites Brady Moore, Deputy City Manager, to come to the podium as well.

Mr. Moore states that this is CLO – Commissioners of the Land Office Land and that is why most of it is zoned Industrial already and the City does not have record that he know for why that portion is zoned public but is now asking for it to match the surrounding parcel.

Chair Phillips points out that there is also a portion in the southeast corner on Airport Rd that is also zoned public and asks if that is to remain. Mr. Moore responds yes as that is the City's energy center so that is set to remain.

Chair Phillips invites the applicant to come forward and present any additional information.

Elaine Zannotti, President of the Chamber of Commerce of Stillwater comes to the podium and comments that they are looking forward for economic development in Stillwater and plans for that corridor/land are to have it under one zoning classification so that it is consistent with the types of businesses the Chamber would like to attract. Ms. Zannotti also comments that there is the Armstrong industrial facility south of this location and although that is empty now, they would like to attract similar businesses and are hoping by rezoning ahead of time, it will be an incentive.

Vice-Chair Prather asks tentatively what type of projects the chamber is looking for. Ms. Zannotti says that it would probably be for light industrial similar to what the Armstrong facility was; and the chamber owns land to the south of that as well where the HUB is planning to go so also entertainment opportunities, but they plan to focus more on the light industrial and manufacturing.

Vice-Chair Prather asks if there has been any interest in repurposing the Armstrong building. Ms. Zannotti says there has been interest.

Chair Phillips asks if there are any other questions for Ms. Zannotti; none respond. Chair Phillips opens the public hearing and asks if there is anyone that would like to speak in favor; none respond. Chair Phillips asks if anyone would like to speak in opposition; none respond. Chair Phillips opens up the floor to the public for questions.

Mr. David Winslow, here with his wife, owns property on the northeast; has no objection at this time but is curious as to what this property is going to be used for as they have agricultural land. City Attorney Kim Payne states that the hearing tonight is just for the rezoning and not a specific business.

Chair Phillips reads several of the types of businesses that fall under this zoning that they are changing it to would be something they could answer. Mr. Winslow states that is his question and additionally asks to clarify that he understood this property to be school property and asks if the zoning can be changed with state statute as well. Ms. Porter says yes to the zoning under state statute.

Chair Phillips asks if there are any more questions before staff comes up to answer.

Ms. Crystal Shedrick-Hayes, 908 E Richmond Rd, comes to the podium and comments on the following:

- Has 80 acres next to the rezoned property that does beef production.
- Concerned about her water if this area is zoned industrial.
- Says there has been previous oil drilling on the property being rezoned.
- Not opposed to industry change and progress but states that if anyone is ranchers or cow/calf producers they know why they're here.
- Their abstracts run as far back to the land run, and they just want to make sure there are things in place to make sure their land is protected.
- Since the codes did not seem to apply when the drilling was done out there, she wants to be assured that there are codes in place currently that the city will enforce.

Chair Phillips invites staff back up to address both applicants' questions.

Ms. Porter brings up a list of the permitted use by right businesses that can be in general industrial as well as what would be allowed with a specific use permit under industrial general; points out that the areas of concern fall under the specific use and those would require public notice so the neighbors and her would get notified if that did become an option.

Ms. Porter also notes the City is aware of the drilling and if a business comes on this property in order to build the will need to provide documentation that it has been properly capped in compliance with federal and state regulations. Additionally, when building the property developers will need to meet city and ODEQ requirements before the city approves the permits.

Chair Phillips asks for clarification that when Ms. Porter is talking about the state does she mean remediation by the Corporation Commission for the well that's capped. Ms. Porter responds yes, and they will require the documentation that has been approved by those parties.

Chair Phillips asks if Ms. Porter would explain the processes of getting building permits though the city to those who might not be familiar with building permits, earth change permits, etc. Ms. Porter explains that it can be a multi-phase process which usually starting with a pre application meeting that way the city can go over how the project would fit within the City's zoning and building standards; the applicant then submits the building permits and plans with a checklist that outlines the required documents such as drainage studies, water/wastewater demands, document on intensity; multiple departments review the permit and documentation submitted to ensure it meets the requirements and work with the applicant(s) to ensure compliance; once all preliminary requirements have been fulfilled, building and earth change permit will be issued. Ms. Porter continues by stating that the city will inspect throughout the building process to ensure that building codes are met and once all inspections are completed and approved, a certificate of occupancy is issued and the business will be able to open.

Chair Phillips asks staff to elaborate on the storm water runoff requirements with the earth change permitting and asks for clarification that the building plans are reviewed to make sure there is not improper run off once the building is finished. Ms. Porter states that yes, the runoff is reviewed for mitigation both during and after the project is completed.

Chair Phillips asks the citizens if that answered their questions. Ms. Shedrick-Hayes says yes, they were particularly worried about a grow facility.

Ms. Porter assured them that that would fall under specific use and they would be notified and it would come back before the board.

Chair Phillips closes the public hearing and asks for findings and alternatives.

Jacqueline Porter, present the findings and alternatives to the commissioners which are:

Findings:

1. The Land Development Code allows for rezoning of land via Map Amendments.
2. General Industrial (IG) is adjacent to this location.
3. The Comprehensive Plan calls for Industrial and Commercial use at the property's location.

Alternatives:

1. Accept findings and recommend that the City Council approve the proposed map amendment as presented.

2. Find that the map amendment is not an appropriate use for the property based upon the impacts to the surrounding vicinity and do not recommend that the City Council approve the map amendment.
3. Find that additional information or discussion is needed prior to making a recommendation and table the request to a certain date.

Commissioner Williams motions to accept the findings and approve map amendment; Commissioner Shanahan seconds.

Roll Call:	Phillips	Shanahan	Prather	Williams	Van Leuven
	Yes	Yes	Yes	Yes	Yes

Time: 21 minutes

- b. TEXT AMENDMENT (TXT24-01), consideration, discussion and a possible action, including recommending approval or denial of a text amendment to Stillwater City Code Chapter 23, "Land Development Code," Article V, "Use Categories And Limitations," Division 1, "Generally," Section 23-96, "Definitions," by adding the term "Communication Services"; amending Chapter 23, "Land Development Code," Article VI, "Land Use Classifications," Division 5, "Industrial Districts," Section 23-161, "IG General Industrial District" by providing for "Communication Services" As a Permitted Use By Right; amending Article XXIV, Table Of Uses, Section 23-435, Created, by providing for "Communication Services".

Chair Phillips invites staff forward to present the item.

Jacquelyn Porter, City Planner presents staff report and asks if there are questions.

Commissioner Shanahan asks what exactly would fall under communication services. Ms. Porter invites Deputy City Manager Brady Moore forward for clarification.

Mr. Moore says a specific example of what they are proposing to add this definition for is a data center. Commissioner Shanahan asks what that is and Mr. Moore responds it's a Data Center Campus.

Vice Chair Prather asks if this is just because there was any place for that to fit in the current code. Mr. Moore responds yes, projects go through the city planners to check if they are code compliant and the goal is to have an answer in the code for everything but this fell in a grey area and they are hopping to update our code and provide a better definition as well as separate it from things like bit coining and wanted to have something more specific for communication services.

Vice Chair Prather points out that bit coining could possibly fall under this as well. Mr. Moore said he feels it would not but they are planning on adding more definitions to update the code and add bit coining as a Specific Use Permit but believes that can be brought back at a later time as needed.

Chair Phillips makes a comment that lots of times codes fall behind the curb of industry development and how she views this as a way to keep up with current business and industry growth and development.

Chair Phillips then opens the public hearing and asks if anyone would like to speak in favor of this item; none respond. Chair Phillips asks if anyone would like to speak in opposition; none respond. Chair Phillips asks if there are any general questions.

Ms. Crystal Shedrick-Hayes, 908 E Richmond Rd., points out that this would fall under the IG zoning change and would apply to the zoning on the previous item and wants to know if this communication center includes the tower that was voted against last year. Mr. Moore responds that he believes she is talking about the Park View Estates tower and that project has been moved and is now being located at the City's facility of Hoyte Grove park off 8th Avenue.

Chair Phillips asks if there are any other questions; none respond. Chair Phillips closes the public hearing and for findings and alternatives.

Jacquelyn Porter presents the finding and alternatives which are:

Findings:

1. A text amendment to the Land Development Code is needed to further update these sections of code.

Alternatives:

1. Accept findings and recommend that the City Council approve the proposed Text Amendment as presented.
2. Find that the Text Amendment is appropriate for the Definition with identified amendments and recommend the City Council approve the request.
3. Find that additional information or discussion is needed prior to making a recommendation and table the request to a future Planning Commission meeting.
4. Find that the Text Amendment is not needed and do not recommend that the City Council approve the request.

Commissioner VanLeuven motions to accept the findings and recommend that the City Council approve the Text Amendment as presented; Vice Chair Prather seconds the motion.

Roll Call:	Phillips	Shanahan	Prather	Williams	Van Leuven
	Yes	Yes	Yes	Yes	Yes

Time: 10 minutes

3. Meeting Summary for Review and Possible Action

- a. Regular meeting minutes of March 5th, 2024.
- b. Regular meeting minutes of March 26th, 2024.

Chair Phillips asks if there are any changes and/or edits; none respond.

Commissioner Williams motions to approve both sets of minutes as presented; Commissioner Van Leuven Seconds

Roll Call:	Phillips	Shanahan	Prather	Williams	Van Leuven
	Yes	Abstain	Yes	Yes	Yes

Time: 2 minutes

4. MISCELLANEOUS ITEMS FROM STAFF, PLANNING COMMISSIONERS OR CITY ATTORNEY FOR DISCUSSION AND POSSIBLE ACTION:

- a. Next Planning Commission Meeting is April 16, 2023.

5. ADJOURN

ADJOURNMENT. This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Williams, seconded by Commissioner Van Leuven at approximately 6:04 PM on April 2, 2024. The next regularly scheduled meeting will be held Tuesday, April 16th, 2024 at 5:30 p.m. in the City Commission Hearing Room, Municipal Building, 723 South Lewis Street.

Prepared by – Alexandria Maged, Administrative Assistant

Reviewed by – Cindy Gibson, Administrative Services Manager

Approved by - _____
Stillwater Planning Commission

DRAFT