

**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

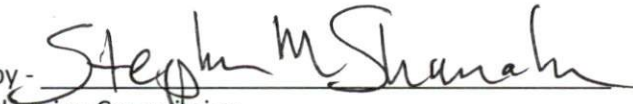
ADJOURNMENT. This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Williams, seconded by Commissioner Van Leuven at approximately 6:04 PM on April 2, 2024. The next regularly scheduled meeting will be held Tuesday, April 16th, 2024 at 5:30 p.m. in the City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

A handwritten signature in black ink, reading "Stephen M. Shanah". The signature is written in a cursive, flowing style. The first name "Stephen" is written with a large, prominent "S". The middle initial "M" is smaller and positioned between the first and last names. The last name "Shanah" is written with a large, prominent "S" and a trailing flourish.