

PLANNING COMMISSION MEETING AGENDA
DECEMBER 3, 2024



723 S. Lewis Street, Room 1122
Stillwater, OK 74074
5:30 PM

Chair Jana Phillips, Vice-Chair Riley Williams, Commissioner Mike Shanahan, Commissioner Mark Prather, and Commissioner David Peters.

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. Receive public comment regarding an objection to an application Diana Hood from Timothy Morenc for a **SHORT TERM RENTAL (STR-0182)**, for discussion and possible action, including a recommendation of approval or denial of said application for property addressed as 811 N. Star Drive in the Small Lot Single-Family Residential (RSS) district.
- b. Receive public comment regarding an objection to an application Diana Hood from Timothy Morenc for a **SHORT TERM RENTAL (STR-0183)**, for discussion and possible action, including a recommendation of approval or denial of said application for property addressed as 801 N. Star Drive in the Small Lot Single-Family Residential (RSS) district.
- c. Receive public comment regarding a request from Josh Wilson Diana Hood for Blue Sky Buds LLC, d/b/a/ BRIXX Cultivation for a **SPECIFIC USE PERMIT (SUP23-07)** to allow a medical marijuana dispensary at property addressed as 121 S. Main Street in the Commercial General (CG) district.
- d. Receive public comment regarding a request from Jason Johnson Jacquelyn Porter for a **MAP AMENDMENT (MA24-13)** to rezone property addressed as 701 W. Highpoint Drive from Commercial General (CG) to Commercial Business (CB) district.
- e. Receive public comment regarding a request from Pioneer Investment Group, LLC for a **MAP AMENDMENT (MA24-14)** to

rezone property addressed as 3118-3124 E. 4th Avenue from Small Lot Single-Family (RSS) to Two-Family and Multi-Family (RTM) district.

3. Meeting Summary for Review and Possible Action
 - a. Accept the October 28th, 2024 City Council and Planning Commission Joint Study Session Special Meeting minutes.
4. Miscellaneous Items from Staff, Planning Commissioners or City Attorney for Discussion and Possible Action:
 - a. Next regular meeting is December 17, 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: 11/20/2024
TO: Stillwater Planning Commission
FROM: Diana Hood, Associate 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:

- **811 North Star Drive** in the RSS 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 Stillwater OKLAHOMA	Application for RESIDENTIAL SHORT-TERM RENTAL
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Property Owner: Timothy Morenc Mailing Address: 811 N. Star Drive
Stillwater, OK 74075

Owner Contact Information: Phone: 949-228-8789 Email: morenc28@gmail.com

Property Management Contact Name: Lori Morenc
 Phone: 949-231-2326 Email: lorimorenc@gmail.com

Property Street Address: 811 N. Star Drive, Stillwater, OK 74075

Zoning Classification: RSS Number of Bedrooms Offered for Rent: 3

URL for an advertisement of the rental. TBD

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.	<i>assessor</i>
	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 (Payne County Assessor website)	✓
	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: Lori Morenc DATE: 9-12-24

Date Application Received: <u>9-16-24</u>	Application # <u>STR-0182</u>	Received by: <u>JK</u>
30-Day Objection Period: _____ Objection Filed: ☐ YES ☐ NO PC Hearing Date: _____		
Approval Date: _____ Denial Date: _____		

After recording Return to:
Community Escrow & Title Co.
623 S. Lewis
Stillwater, OK 74074

RETURNED AT COUNTER

1-2024-006725 Book: 2812 pg: 101
7/10/2024 3:33 PM pgs: 101 - 103
Fees: \$22.00 Doc: \$268.50
Glenna Craig, Payne County Clerk
Payne County - State of Oklahoma



Warranty Deed

KNOW ALL PERSONS BY THESE PRESENTS:

THAT **Sharral L. Tye and Ernest B. Tye, Co-Trustees of the Sharral L. Tye Trust** under Revocable Trust Agreement dated February 3, 2009, party of the first part, in consideration of the sum of Ten and No/100ths Dollars (\$10.00) and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey unto **Tim Morenc, 3976 Potsdam Ave. PMB 2424, Sioux Falls, SD 57104**, party of the second part, the following described real property and premises situated in Payne County, State of Oklahoma, to-wit:

Lot Five (5), in Block Three (3), according to the Replat of Block Three (3), RIDGECREST ADDITION, FIRST SECTION to the City of Stillwater, Payne County, State of Oklahoma, according to the recorded plat thereof.

together with all the improvements thereon and the appurtenances thereunto belonging, and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said party of the second part, and the heirs, successors and assigns thereof forever, free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature, subject to easements, rights-of-way and restrictions of record, if any, and except all oil, gas and other minerals previously reserved or conveyed of record, if any.

I-2024-006725 Book: 2812 pg: 102
7/10/2024 3:33 PM pgs: 101 - 103
Fees: \$22.00 Doc: \$288.50
Glenna Craig, Payne County Clerk
Payne County - State of Oklahoma

Signed and delivered this 9th day of July, 2024.

Sharral L. Tye
Sharral L. Tye, Co-Trustee of the Sharral L. Tye
Trust under Revocable Trust Agreement dated February 3, 2009

Ernest B. Tye
Ernest B. Tye, Co-Trustee of the Sharral L. Tye
Trust under Revocable Trust Agreement dated February 3, 2009

STATE OF OKLAHOMA

COUNTY OF PAYNE

Before me, the undersigned, a Notary Public in and for this state on this the 9th day of July, 2024 personally appeared Sharral L. Tye and Ernest B. Tye, Co-Trustees of the Sharral L. Tye Trust under Revocable Trust Agreement dated February 3, 2009, to me known to be the identical persons who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed and the free and voluntary act and deed of the Trust for the uses and purposes therein set forth.

Danielle Schmitt
Notary Public
My commission expires: 11/07/25



Deed Presented for Filing By: Community Escrow & Title Co.
File No.: SW240622721
Name of Title Insurer: First American Title Insurance Company

OAG 2024-1 - INDIVIDUAL

Exhibit to Deed

AFFIDAVIT OF LAND OR MINERAL OWNERSHIP: INDIVIDUAL

STATE OF OKLAHOMA

COUNTY OF PAYNE

ss.

TO: THE ATTORNEY GENERAL OF THE STATE OF OKLAHOMA

Before me, the undersigned TIM MORENC

(list legal name and any aliases) (the "Affiant"), who, having been first duly sworn, deposes and states as of the date of this Affidavit:

1. I am eighteen (18) years of age or older and have personal knowledge of the statements made herein.
2. I have personal knowledge of the statements made herein.
3. I am:

☒ a citizen of the United States; or

☐ not a citizen of the United States, but an alien who is or shall become a bona fide resident of the State of Oklahoma.

4. I acquired title to the real property identified in the Deed to which this Affidavit is attached (the "Property").
5. This Affidavit is executed in accordance with and pursuant to 60 O.S. § 121, which provides in part as follows:

No alien or any person who is not a citizen of the United States shall acquire title to or own land in this state either directly or indirectly through a business entity or trust, except as hereinafter provided, but he or she shall have and enjoy in this state such rights as to personal property as are, or shall be accorded a citizen of the United States under the laws of the nation to which such alien belongs, or by the treaties of such nation with the United States, except as the same may be affected by the provisions of Section 121 et seq. of this title or the Constitution of this state. Provided, however, the requirements of this subsection shall not apply to a business entity that is engaged in regulated interstate commerce in accordance with federal law.

6. I acknowledge and understand that section 121 generally prohibits an alien or person who is not a citizen of the United States from acquiring title to or owning land in the State of Oklahoma. I further acknowledge and understand that section 121 does not prohibit an alien who is or who shall become a bona fide resident of the State of Oklahoma from acquiring title to or owning land in the State of Oklahoma.
7. I acquired title to the Property in compliance with the requirements of 60 O.S. § 121 and no funding source was used in the sale or transfer of the Property in violation of section 121 or any other state or federal law.
8. I acknowledge and understand that making or causing to be made a false statement in this affidavit may subject me to criminal prosecution for perjury and/or being liable for actual damages suffered or incurred by any person or other entity as a result or consequence of the making of or reliance upon such false statement.

FURTHER-AFFIANT SAYETH NOT

AFFIANT

Date

The foregoing instrument was subscribed and sworn to before me this 9th day of JULY, 2024, by TIM MORENC

My Commission Expires: 11/07/2025

My Commission Number: 17010295



Danielle Schindt
NOTARY PUBLIC

NOTARY CERTIFICATION OF SAFETY EQUIPMENT

State of Oklahoma

County of Payne

I, Teresa Kadavy, a Notary Public in and for said county and state, do hereby certify that on this 16 of September, 2024, before me personally appeared Timothy Morenc, who is known to me (or satisfactorily proven) to be the person whose name is subscribed below.

Subject of Certification:

I certify that the following safety equipment has been installed and is operational in the property located at 811 N Star Drive Stillwater OK 74075:

1. **Smoke Detectors:**
 - o Quantity: 2
 - o Installation Date: August 2024
 - o Functionality Test Date: August 2024
2. **Carbon Monoxide Detectors:**
 - o Quantity: 1
 - o Installation Date: August 2024
 - o Functionality Test Date: 2024
3. **Fire Extinguishers:**
 - o Quantity: 1
 - o Installation Date: August 2024
 - o Last Inspection Date: August 2024

Certification Statement:

I hereby declare that the above-mentioned safety equipment has been installed in compliance with all applicable safety codes and regulations, and that all equipment has been tested for functionality and is in proper working order.

Timothy Morenc Signature



Date

9-16-24

Notary Public Signature:



[Notary Name] J

Notary Public for [State] _____

My commission expires:

[Notary Seal]



NOTARIZED STATEMENT OF PROMISE TO COLLECT TAX

State of Oklahoma

County of Payne

I, the undersigned, Timothy Morenc, acting as the authorized representative of **Blue Sky Investments LLC** (Business ID #DL269077), hereby declare and promise that **Blue Sky Investments LLC** will collect all applicable taxes, including but not limited to sales taxes, for the property located at:

Property Address:

811 N Star Drive

Stillwater, Oklahoma 74075

This statement is made in good faith, and Blue Sky Investments LLC acknowledges its responsibility to comply with all relevant federal, state, and local tax laws, ensuring that all taxes associated with the property are duly collected and remitted in a timely manner.

Authorized Representative's Signature:

[Authorized Representative's Full Name]

Timothy Morenc

[Title/Position] CEO

Blue Sky Investments LLC

Date: 9-16-24

Notary Public Acknowledgment:

On this 16 of September, 2024, before me, [Notary Name] Teresa Kadavy, a Notary Public in and for said state, personally appeared Timothy Morenc, known to me (or satisfactorily proven) to be the individual who executed the foregoing statement as the authorized representative of **Blue Sky Investments LLC**, and acknowledged that they executed the same for the purposes therein contained.

Notary Public Signature:

Teresa Kadavy

[Notary Name]

Notary Public for [State]

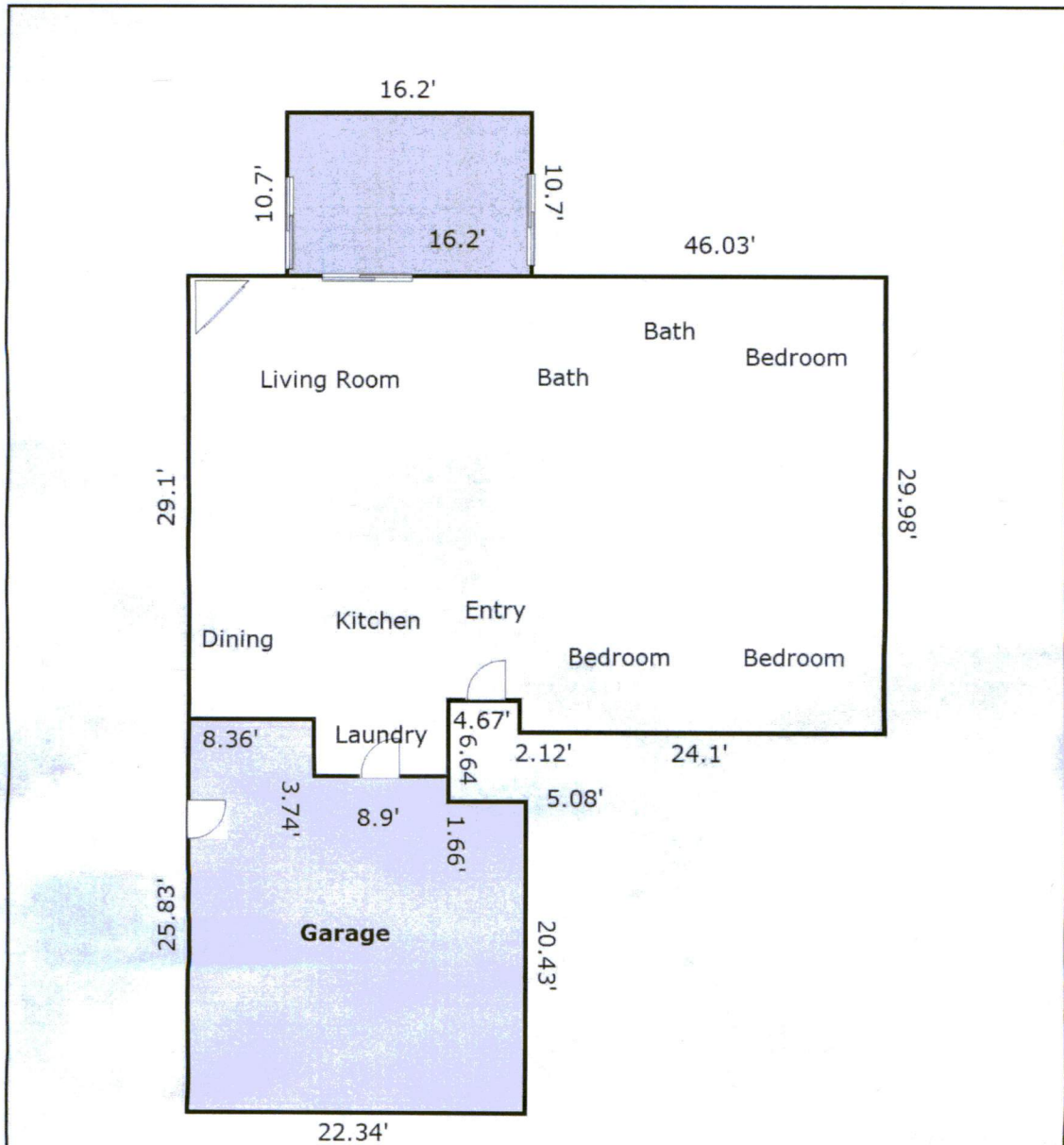
My commission expires: [Expiration Date]

[Notary Seal]



Building Sketch

Borrower	Tim Morenc				
Property Address	811 N Star Dr				
City	Stillwater	County	Payne	State	OK Zip Code 74075
Lender/Client	Exchange Bank & Trust Co				



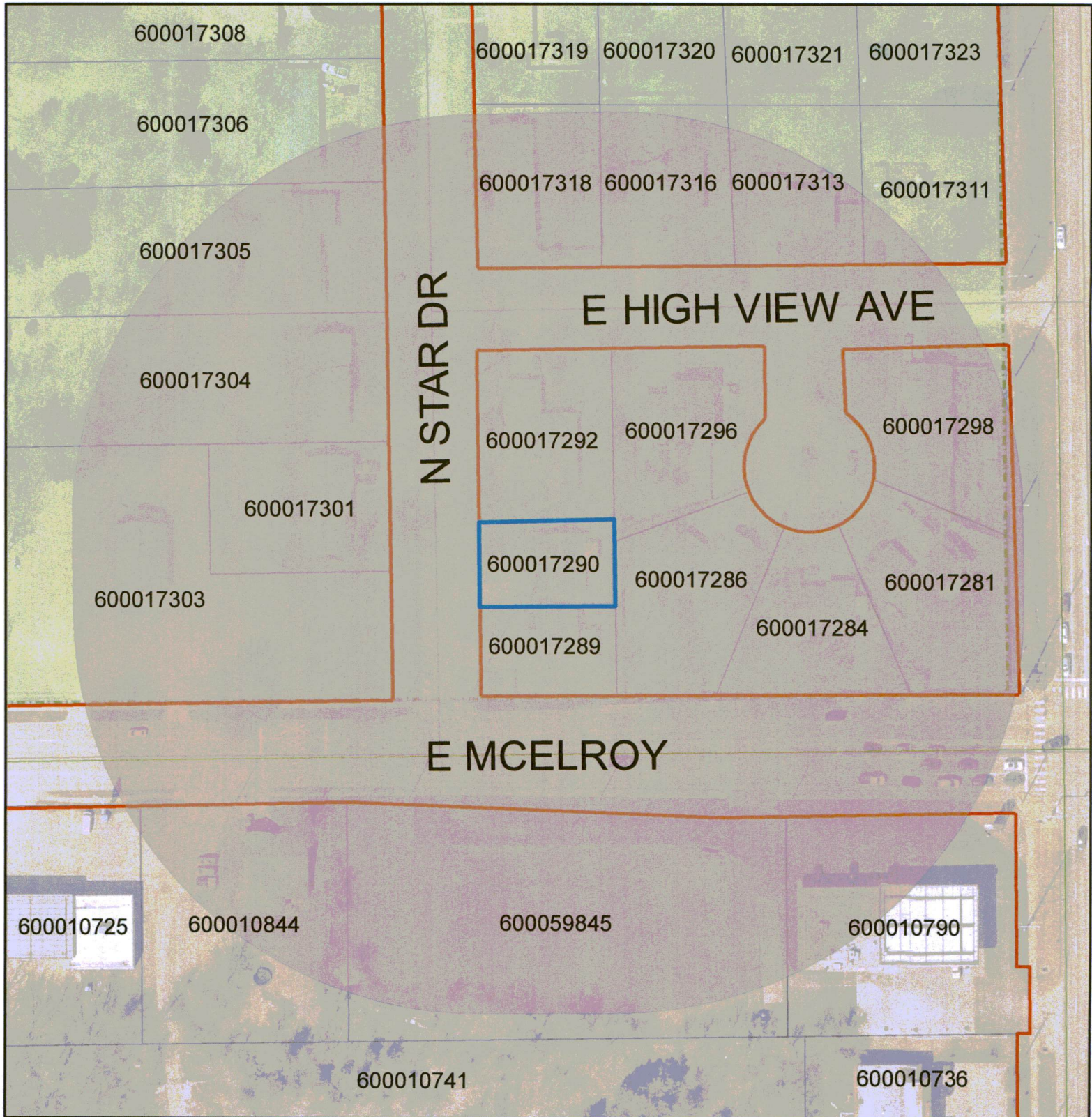
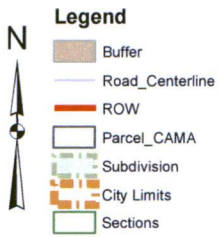
TOTAL Sketch by a la mode		Area Calculations Summary	
Living Area		Calculation Details	
Garage	-516.32 Sq ft	22.34 × 20.43 =	456.41
		5.4 × 8.36 =	45.14
		8.9 × 1.66 =	14.77
First Floor	1388.18 Sq ft	29.98 × 24.1 =	722.52
		21.93 × 27.86 =	610.97
		4.98 × 8.9 =	44.32
		1.24 × 8.36 =	10.37
Total Living Area (Rounded):	1388 Sq ft		
Non-living Area			
Enclosed Porch	173.34 Sq ft	10.7 × 16.2 =	173.34

Page 11 of 55

Payne County

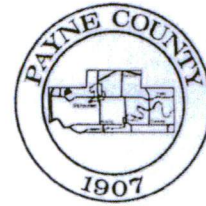
300' BUFFER

811 N Star Dr



This map is for assessment purposes only and is not intended for use in making conveyances or for preparing legal descriptions.

Jason Gomez
Payne County Assessor



CERTIFICATE OF OWNERSHIP

Re: Account # 600017290
Address: 811 N Star Dr

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 Five (5), in Block Three (3), according to the Replat of Block Three (3), RIDGECREST ADDITION, FIRST SECTION to the 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 13 day of September, 2024.

PAYNE COUNTY ASSESSOR'S OFFICE

BY: Crista Cary

City of Stillwater

Customer Receipt

9/16/2024

R15593

Job ID: STR-0182 - \$100.00

811 N STAR DR -

SHORT TERM RENTAL

SHORT TERM RENTAL- \$100.00

NEW

Job ID: STR-0183 - \$100.00

801 N STAR DR -

SHORT TERM RENTAL

SHORT TERM RENTAL- \$100.00

NEW

Tender Detail:

Total Tendered: \$200.00

Total Paid CHECK

1010

\$200.00

Signature for credit card

Thank you for your payment

STR-0182 + STR-0183

CITY OF STILLWATER

'24OCT17AM7:52

CITY CLERKS OFFICE

OBJECTION LETTER: Short Term rental at 801N Star Dr. and 811 N Star Dr

Hello City Clerk,

As the owners of the home whose backyard abuts to both 801 N Star Dr. and 811 N Star Dr. we have some serious concerns with both of those properties becoming short term rentals. Our concerns are based on the high potential for both properties to become party houses. We fear our dogs will be subjected to exuberant strangers tossing things into our yard at them. The fact two closely neighboring homes are intended as short term rentals exacerbates the likelihood large crowds will develop from larger groups renting both houses for events and these homes will be very disruptive in our quiet cul-de-sac.

We hope to be afforded the opportunity to discuss our objection to the short term rental at these locations at a public hearing.

Sincerely,

Lewis and Guin Wogan

509 E Highview Ave

Stillwater, OK 74075

MEMORANDUM

DATE: 11/20/2024
TO: Stillwater Planning Commission
FROM: Diana Hood, Associate 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:

- **801 North Star Drive** in the RSS 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 Stillwater® OKLAHOMA	Application for RESIDENTIAL SHORT-TERM RENTAL
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Property Owner: Tim Moranc Mailing Address: 801 N North Star
Stillwater OK 74075

Owner Contact Information: Phone: 9492288789 Email: Moranc28@gmail.com

Property Management Contact Name: Lori Moranc
 Phone: 9492312326 Email: LoriMoranc@gmail.com

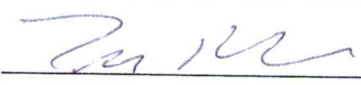
Property Street Address: 801 N North Star Stillwater OK 74075

Zoning Classification: RSS Number of Bedrooms Offered for Rent: 3

URL for an advertisement of the rental: TBD

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.	assessor ✓
	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 (Payne County Assessor website)	✓
	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:  DATE: 9-12-24

Date Application Received: <u>9-16-24</u>	Application # <u>STR-0183</u>	Received by: <u>JK</u>
30-Day Objection Period: _____ Objection Filed: ☐ YES ☐ NO PC Hearing Date: _____		
Approval Date: _____ Denial Date: _____		

I-2024-008885 Book: 2821 pg: 20
9/4/2024 3:51 PM pgs: 20 - 22
Fees: \$22.00 Doc: \$195.00
Glenna Craig, Payne County Clerk
Payne County - State of Oklahoma

RETURNED AT COUNTER

Return to:
OCTS
614 South West Street
Stillwater, OK 74074
File No.: 24-0996ESC



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT Melvin Headley and Daireth Jo Headley, husband and wife party/parties of the first part, in consideration of the sum of Ten and no/100 Dollars and other good and valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do/does hereby grant, bargain, sell and convey unto:

Tim Morenc
801 N Star Dr
Stillwater, OK 74075

party/parties of the second part, the following described real property and premises situated in Payne County, State of Oklahoma, to-wit:

Lot Six (6), Block Three (3), according to the REPLAT of Block Three (3), RIDGECREST ADDITION, FIRST SECTION, to the City of Stillwater, Payne County, State of Oklahoma, according to the recorded plat thereof.

together with all the improvements thereon and the appurtenances thereunto belonging and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, and to the heirs and assigns of the survivor, forever free, clear and discharged of and from all former grants, charges, taxes, judgments, mortgages and other liens and encumbrances of whatsoever nature, EXCEPT SUBJECT to easements, restrictions, covenants, zoning ordinances, and mineral reservations of record.

American Eagle
TITLE INSURANCE COMPANY

Signed and delivered this 29th day of August, 2024.

Melvin Headley
Melvin Headley
Daireth Jo Headley
Daireth Jo Headley

INDIVIDUAL ACKNOWLEDGMENT-OKLAHOMA FORM

STATE OF Mississippi

COUNTY OF Madison

On This 29th day of August, 2024, before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Melvin Headley and Daireth Jo Headley, husband and wife to me known to be the identical person(s) who executed the within and foregoing instrument and acknowledged to me that he/she/they executed the same as his/her/their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

[Signature]
Notary Public



OAG 2024-1 - INDIVIDUAL

Exhibit to Deed

AFFIDAVIT OF LAND OWNERSHIP: INDIVIDUAL

STATE OF OKLAHOMA)
) ss.
COUNTY OF PAYNE)
TO: THE ATTORNEY GENERAL OF THE STATE OF OKLAHOMA

Before me, the undersigned: Tim Morenc
(list legal name and any aliases) (the "Affiant"), who, having been first duly sworn, deposes and states as of the date of this Affidavit:

1. I am eighteen (18) years of age or older and have personal knowledge of the statements made herein.
2. I have personal knowledge of the statements made herein.
3. I am:
☒ a citizen of the United States; or
☐ not a citizen of the United States, but an alien who is a bona fide resident of the State of Oklahoma.
4. I acquired title to the real property identified in the Deed to which this Affidavit is attached (the "Property").
5. This Affidavit is executed in accordance with and pursuant to 60 O.S. § 121, which provides in part as follows:
No alien or any person who is not a citizen of the United States shall acquire title to or own land in this state either directly or indirectly through a business entity or trust, except as hereinafter provided, but he or she shall have and enjoy in this state such rights as to personal property as are, or shall be accorded a citizen of the United States under the laws of the nation to which such alien belongs, or by the treaties of such nation with the United States, except as the same may be affected by the provisions of Section 121 et seq. of this title or the Constitution of this state. Provided, however, the requirements of this subsection shall not apply to a business entity that is engaged in regulated interstate commerce in accordance with federal law.
6. I acknowledge and understand that section 121 generally prohibits an alien or person who is not a citizen of the United States from acquiring title to or owning land in the State of Oklahoma. I further acknowledge and understand that section 121 does not prohibit an alien who is or who shall become a bona fide resident of the State of Oklahoma from acquiring title to or owning land in the State of Oklahoma.
7. I acquired title to the Property in compliance with the requirements of 60 O.S. § 121 and no funding source was used in the sale or transfer of the Property in violation of section 121 or any other state or federal law.
8. I acknowledge and understand that making or causing to be made a false statement in this affidavit may subject me to criminal prosecution for perjury and/or being liable for actual damages suffered or incurred by any person or other entity as a result or consequence of the making of or reliance upon such false statement.

FURTHER AFFIANT SAYETH NOT.

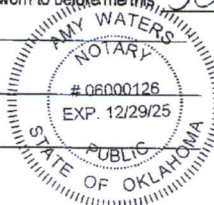
Tim Morenc
AFFIANT

8-30-24
Date

The foregoing instrument was subscribed and sworn to before me this 30th day of August, 2024,
by Tim Morenc

My Commission Expires: _____

My Commission Number: _____



[Signature]
NOTARY PUBLIC

NOTARY CERTIFICATION OF SAFETY EQUIPMENT

State of Oklahoma

County of Payne

I, Teresa Kadavy, a Notary Public in and for said county and state, do hereby certify that on this 16 of September, 2024, before me personally appeared Timothy Morenc, who is known to me (or satisfactorily proven) to be the person whose name is subscribed below.

Subject of Certification:

I certify that the following safety equipment has been installed and is operational in the property located at 801 N Star Drive Stillwater OK 74075:

1. Smoke Detectors:

- Quantity: 2
- Installation Date: August 2024
- Functionality Test Date: August 2024

2. Carbon Monoxide Detectors:

- Quantity: 1
- Installation Date: August 2024
- Functionality Test Date: 2024

3. Fire Extinguishers:

- Quantity: 1
- Installation Date: August 2024
- Last Inspection Date: August 2024

Certification Statement:

I hereby declare that the above-mentioned safety equipment has been installed in compliance with all applicable safety codes and regulations, and that all equipment has been tested for functionality and is in proper working order.

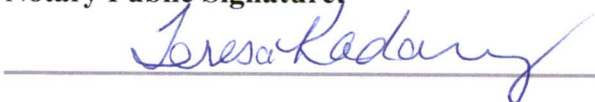
Timothy Morenc Signature



Date

9-16-24

Notary Public Signature:

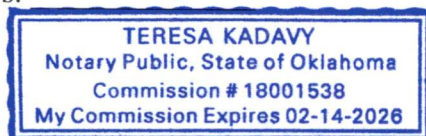


[Notary Name] _____

Notary Public for [State] _____

My commission expires:

[Notary Seal]



NOTARIZED STATEMENT OF PROMISE TO COLLECT TAX

State of Oklahoma
County of Payne

I, the undersigned, Timothy Morenc, acting as the authorized representative of **Blue Sky Investments LLC** (Business ID #DL269077), hereby declare and promise that **Blue Sky Investments LLC** will collect all applicable taxes, including but not limited to sales taxes, for the property located at:

Property Address:
801 N Star Drive
Stillwater, Oklahoma 74075

This statement is made in good faith, and Blue Sky Investments LLC acknowledges its responsibility to comply with all relevant federal, state, and local tax laws, ensuring that all taxes associated with the property are duly collected and remitted in a timely manner.

Authorized Representative's Signature:

[Authorized Representative's Full Name] Timothy Morenc
[Title/Position] CEO
Blue Sky Investments LLC
Date: 9-16-24

Notary Public Acknowledgment:

On this 16 of September, 2024, before me, [Notary Name] Teresa Kadavy, a Notary Public in and for said state, personally appeared Timothy Morenc, known to me (or satisfactorily proven) to be the individual who executed the foregoing statement as the authorized representative of **Blue Sky Investments LLC**, and acknowledged that they executed the same for the purposes therein contained.

Notary Public Signature:

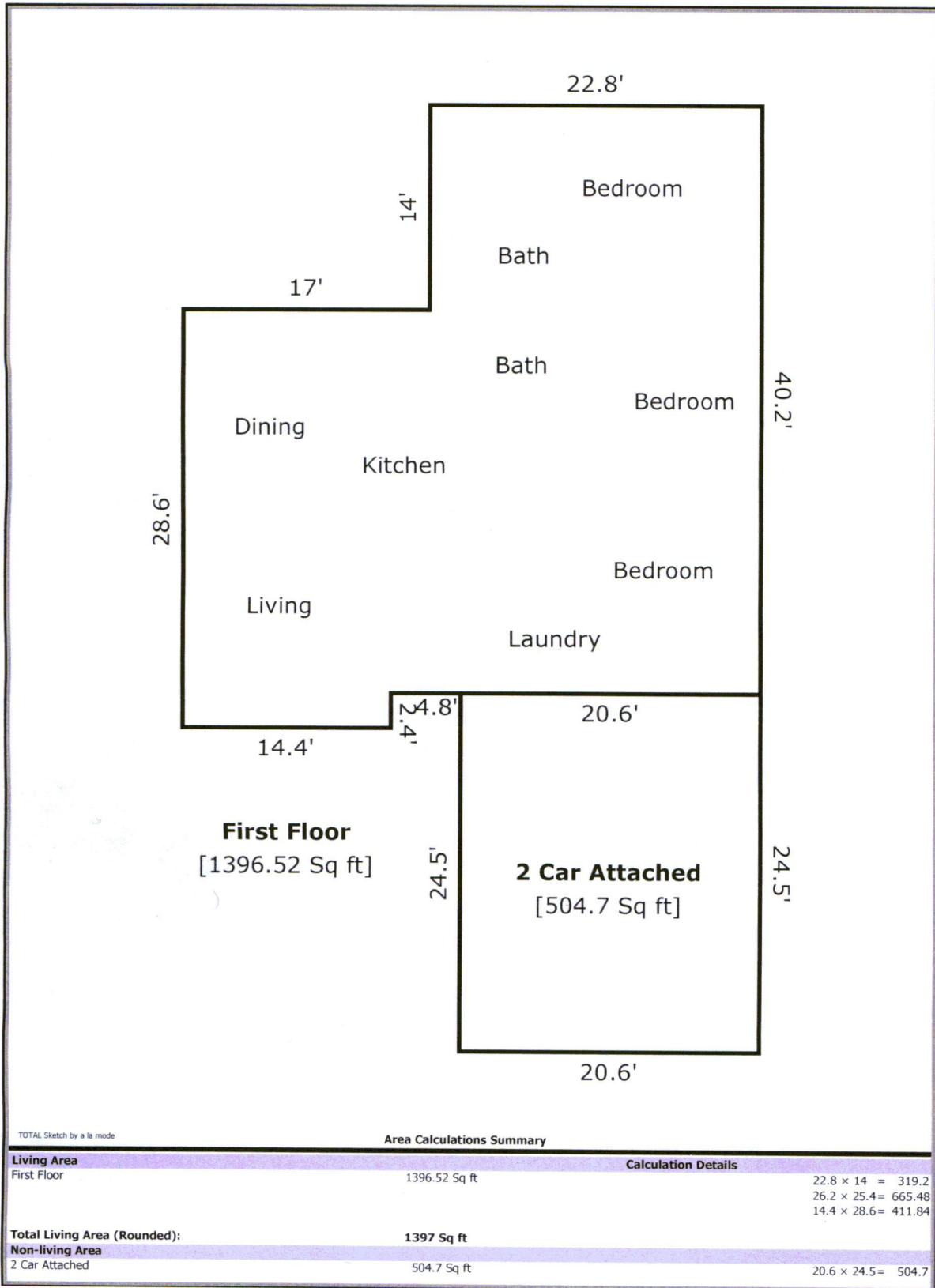
Teresa Kadavy

[Notary Name]
Notary Public for [State]
My commission expires: [Expiration Date]
[Notary Seal]



Building Sketch

Borrower	Tim Morenc					
Property Address	801 N Star Dr					
City	Stillwater	County	Payne	State	OK	Zip Code 74075
Lender/Client	Exchange Bank & Trust Company					

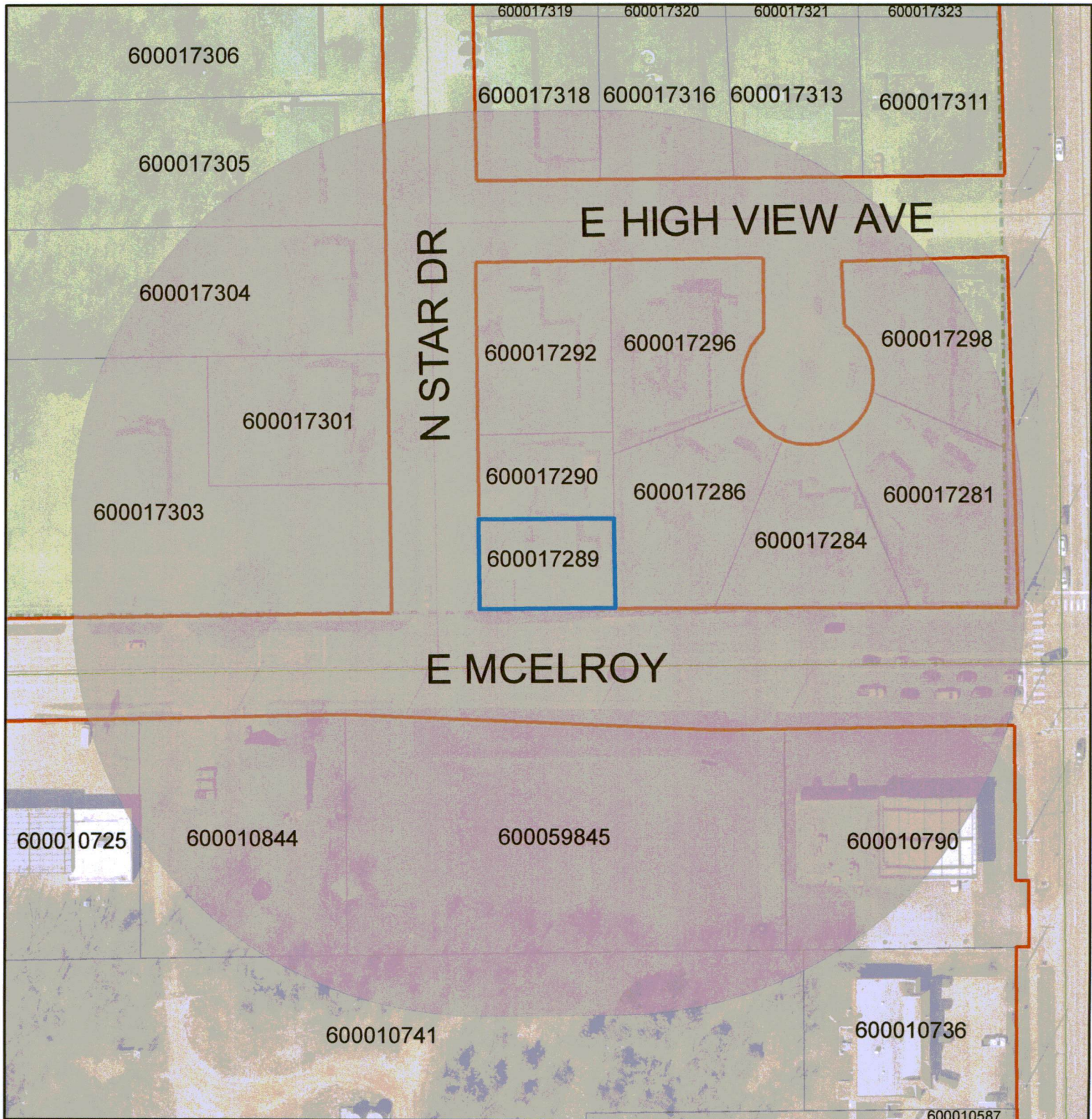
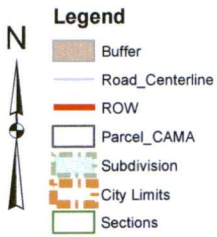


Page 24 of 55

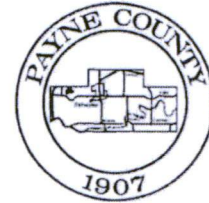
Payne County

300' BUFFER

801 N Star Dr



Jason Gomez
Payne County Assessor



CERTIFICATE OF OWNERSHIP

Re: Account # 600017289
Address: 801 N Star Dr

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:

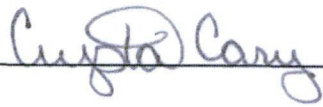
Lot Six (6), Block Three (3), according to the REPLAT of Block Three (3), RIDGECREST ADDITION, FIRST SECTION, to the City of Stillwater, Payne County, State of Oklahoma, according to the recorded plat thereof.

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 13 day of September, 2024.

PAYNE COUNTY ASSESSOR'S OFFICE

BY: 

City of Stillwater

Customer Receipt

9/16/2024

R15593

Job ID: STR-0182 - \$100.00

811 N STAR DR -

SHORT TERM RENTAL

SHORT TERM RENTAL- \$100.00

NEW

Job ID: STR-0183 - \$100.00

801 N STAR DR -

SHORT TERM RENTAL

SHORT TERM RENTAL- \$100.00

NEW

Tender Detail:

Total Tendered: \$200.00

Total Paid CHECK

1010

\$200.00

Signature for credit card

Thank you for your payment

STR-0182 + STR-0183

CITY OF STILLWATER

'24OCT17AM7:52

CITY CLERKS OFFICE

OBJECTION LETTER: Short Term rental at 801N Star Dr. and 811 N Star Dr

Hello City Clerk,

As the owners of the home whose backyard abuts to both 801 N Star Dr. and 811 N Star Dr. we have some serious concerns with both of those properties becoming short term rentals. Our concerns are based on the high potential for both properties to become party houses. We fear our dogs will be subjected to exuberant strangers tossing things into our yard at them. The fact two closely neighboring homes are intended as short term rentals exacerbates the likelihood large crowds will develop from larger groups renting both houses for events and these homes will be very disruptive in our quiet cul-de-sac.

We hope to be afforded the opportunity to discuss our objection to the short term rental at these locations at a public hearing.

Sincerely,

Lewis and Guin Wogan

509 E Highview Ave

Stillwater, OK 74075

Date of Meeting: December 3, 2024

Subject: Specific Use Permit: 121 South Main Street

Purpose of Report: The applicant requests the review and approval of a Specific Use Permit to operate a Medical Marijuana Dispensary in the Commercial General (CG) zoning district at the property addressed as 121 South Main Street.

Background: In June of 2023, the Planning Commission approved a Specific Use Permit for a Medical Marijuana Dispensary at the property addressed as 135 South Main Street. That applicant, Blue Sky Buds, LLC dba BRIXX Cultivation, is seeking to move locations from the previously mentioned 135 S Main Street to 121 S Main Street, which is located 2 parcels to the north.

The proposed new location has frontage on South Main Street between Elm Avenue and Maple Avenue. The property is prepared for the business to move in and has passed all building inspections required by the City and by OMMA. Section 23-180 of the Stillwater Land Development Code requires that when the business location changes, a new Specific Use Permit must be obtained.

The application for the new Specific Use Permit was submitted in November of 2023, but circumstances had delayed their ability to proceed with the request until recently.

The subject property is zoned Commercial General (CG), with similar zoning to the north, south, and southwest. The Form-Based Code T5 zoning is located to the northwest, and Small Lot Single-Family Residential (RSS) is located to the east.

Application Processing Information:

Owner/Applicant – Blue Sky Buds, LLC dba BRIXX Cultivation

Notice – Letters mailed to property owners within 300 feet and notice in the NewsPress

Processing Track:

Submittal Date – November 9, 2023

Planning Commission – December 3, 2024

City Council – January 13, 2025

Project/Site Design Data/Details:

Zoning – Commercial General, Section 23-153

Existing Use – Prepared to open business, location rented by BRIXX Cultivation

Proposed Use – Allow the applicant to open for business

Adequate Public Facilities Findings/Improvements:

- Streets/Traffic: The property currently has access off of South Main Street.
- Transit Facilities/Bike Lanes or Trails/Sidewalks: Sidewalks are currently available along the east side of South Main Street. OSU Transit Services – The OSU White Route has stops to the north, near the intersection of Main Street and East Miller Avenue
- Electric: City electric is available

Applicable City Plans/Policies:

The Future Land Use Map within the Comprehensive Plan indicates that the desired land use within this part of the community is Commercial (10-4).

Discussion: The applicant is requesting a Specific Use Permit to operate a Medical Marijuana Dispensary, per Section 23-115 of the Stillwater Land Development Code. A Medical Marijuana Dispensary is allowed in the Commercial General (CG) zoning district with a Specific Use Permit. The business is relocating from 135 South Main Street to 121 South Main Street, which triggers the requirement for a new Specific Use Permit under Section 23-180 of the Stillwater Land Development Code.

Findings:

1. The Land Development Code allows a Medical Marijuana Dispensary in the Commercial General (CG) zoning district with a Specific Use Permit.
2. The change in business location requires a new Specific Use Permit, per Sec. 23-180 of the Land Development Code.
3. The Comprehensive Plan calls for Commercial uses at the property's location.

Alternatives:

1. Accept findings and recommend that the City Council approve the proposed specific use permit as presented.
2. Find that the specific use permit 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 request.
3. Find that additional information or discussion is needed prior to making a recommendation and table the request to a certain date.

Prepared by:

Diana Hood, Associate City Planner

Reviewed by:

Jaquelyn Porter, City Planner

Jeff Mathews, Community Development Director

Joshua Brown, Project Manager

Date of Preparation:

November 20, 2024

Attachments:

Application, Area Map, OMMA License, Permission to Operate, Floor Plan

Map Designation:

NW

CITY OF STILLWATER - DEVELOPMENT SERVICES DEPARTMENT
APPLICATION FOR REVIEW/ACTION

ZONING:

- ☐ Map Amendment
☐ Planned Unit Dev.
 ☐ Preliminary
 ☐ Final
 ☐ Subdivision
 ☐ Amendment
☒ Specific Use Permit
☐ Annexation

SUBDIVISION:

- ☐ Lot Split
☐ Commercial Minor Subdivision
☐ Minor Subdivision
☐ Preliminary Plat
☐ Final Plat

OTHER:

- ☐ Closing
☐ Drainage Plans/Study
☐ Drilling Permit
☐ Improvement Plans
☐ Right-of-Way Agreement
☐ Small Business Permit
☐ Text Amendment

SITE PLANS:

- ☐ Minor Amendment
☐ Final Drill Site Dev. Plan

Title of Subdivision/Plan/Use: Blue Sky Buds LLC dba Brix

Owner(s) of Property: SZ Rentals c/o Jennifer Sanders

Owner(s) Address: 9213 Lupine Rd Yukon, OK 73099

Owner(s) Phone/Fax/Email: jennifersanders51@yahoo.com (405)334-6116

Applicant/Developer of Property: Josh Wilson

Applicant/Developer Address: 505 E 58th St Stillwater, OK 74074

Applicant/Developer Phone/Fax/Email: josh@brixxcultivation.com (817)219-6000

Design Engineer address/phone/fax/email & Registration No.: _____

Surveyor address/phone/fax/email & Registration No.: _____

Address or Description of Property to be Subdivided/Developed: 121 S Main St Stillwater, OK 74074

Original Tract Deed Book and Page Number: _____

Number of Acres in Development: _____

Number of Lots Created: _____

Current Zoning/Requested Zoning: Commercial General

Reason for zoning request/use permit/map amendment (describe project):

Dispensary

This application must be accompanied by the appropriate checklist for the type of item being submitted for review. This application must be completed, signed, and dated by the Applicant and Owner(s).

We do hereby certify that the information provided herein is both complete and accurate to the best of our knowledge, and we understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

[Signature]
Applicant/Preparer

11/1/2024
Date

[Signature]
Owner/Agent (with documentation) Date

Applicant/Preparer

Date

Owner/Agent (with documentation) Date

For City of Stillwater Use Only:

CASE NO#: _____

Submission Date: _____

Processing Tract: IRC 11/13, PC 12/3, CC 117

Approval Date: _____

Fees: _____ Number of Copies: _____

**City of Stillwater
Specific Use Permit (SUP)
Chapter 23, Article 6, Division 7**

Applications will be accepted Monday through Friday, from 8:30 AM to 11:30 AM
Per Resolution CC-2007-16

Because the uses identified as requiring specific use permits are more intense or have a greater impact than those permitted by right, such uses shall be evaluated based upon their ability to locate next to less intensive uses. This CHECKLIST identifies the items needed. All items indicated as **SUCH** are required for the submittal to be considered complete.

APPLICANT	REQUIREMENTS	CITY
	Section 23-180	
✓	COMPLETED APPLICATION FORM AND CHECKLIST	
✓	FILING FEE: NEW CONSTRUCTION @ \$350.00 PLUS \$0.01/SQ FOOT OF BUILDING OR EXISTING BUILDING @ \$250.00 SHALL BE PAID UPON VERIFICATION OF COMPLETE SUBMITTAL.	
✓ pl ck 1020	A TYPEWRITTEN LIST, CERTIFIED BY A LICENSED ABTRACTOR, ATTORNEY, ENGINEER OR ARCHITECT OF ALL PROPERTY OWNERS WITHIN 300 FEET OF THE SUBJECT PROPERTY AND AN ELECTRONIC/DIGITAL COPY CAPABLE OF BEING REPRODUCED AS MAILING LABELS. THE OWNERSHIP LIST SHALL NOT HAVE BEEN PREPARED MORE THAN 30 DAYS PRIOR TO SUBMISSION OF APPLICATION. <i>emailed 11/4</i>	
✓	TYPED LEGAL DESCRIPTION EMAILED TO DIGITALS@STILLWATER.ORG <i>emailed 11/7/2018</i>	
Don't need	COPY OF EXISTING OR PROPOSED RESTRICTIVE COVENANTS	
	BUILDING ELEVATION DRAWINGS AND CONSTRUCTION MATERIALS WHEN ABUTTING A RESIDENTIAL DISTRICT.	
	ELECTRONIC PDF DRAWING, EMAILED TO DIGITALS@STILLWATER.ORG shall show the following:	
<i>emailed 5/11/18 attached</i>	a. Dimensions of the site, including easements and rights-of-way, and location with respect to streets and adjacent properties;	
	b. Dimension of buildings and location with respect to property boundaries;	
	c. Location and type of existing and proposed outdoor features such as signs, fences, landscaping, or outdoor light fixtures;	
	d. Location, arrangement, and dimensions of off-street parking and loading spaces and access drives;	
	e. Number of residential dwelling units, if any, per structure;	
	f. Any other physical features or characteristics which may be unique to the property or particular use proposed;	
	g. Existing use of abutting/adjoining properties	
	h. Existing zoning of the subject property and the abutting/adjoining properties;	
	i. Location of existing and proposed public utilities	
	j. Distance from any public place as defined in Oklahoma Administrative Code Title 310, Chapter 681 (Per Ordinance No. 3416)	
✓	COPY OF OKLAHOMA STATE DEPARTMENT OF HEALTH MEDICAL MARIJUANA LICENSE FOR ☐ COMMERCIAL GROWER ☐ PROCESSING/MANUFACTURING ☒ DISPENSARY/RETAIL (PER ORDINANCE No. 3416)	
Don't need	FINAL DRAINAGE STUDY AND FINAL DRAINAGE PLAN (ARTICLE 19)	

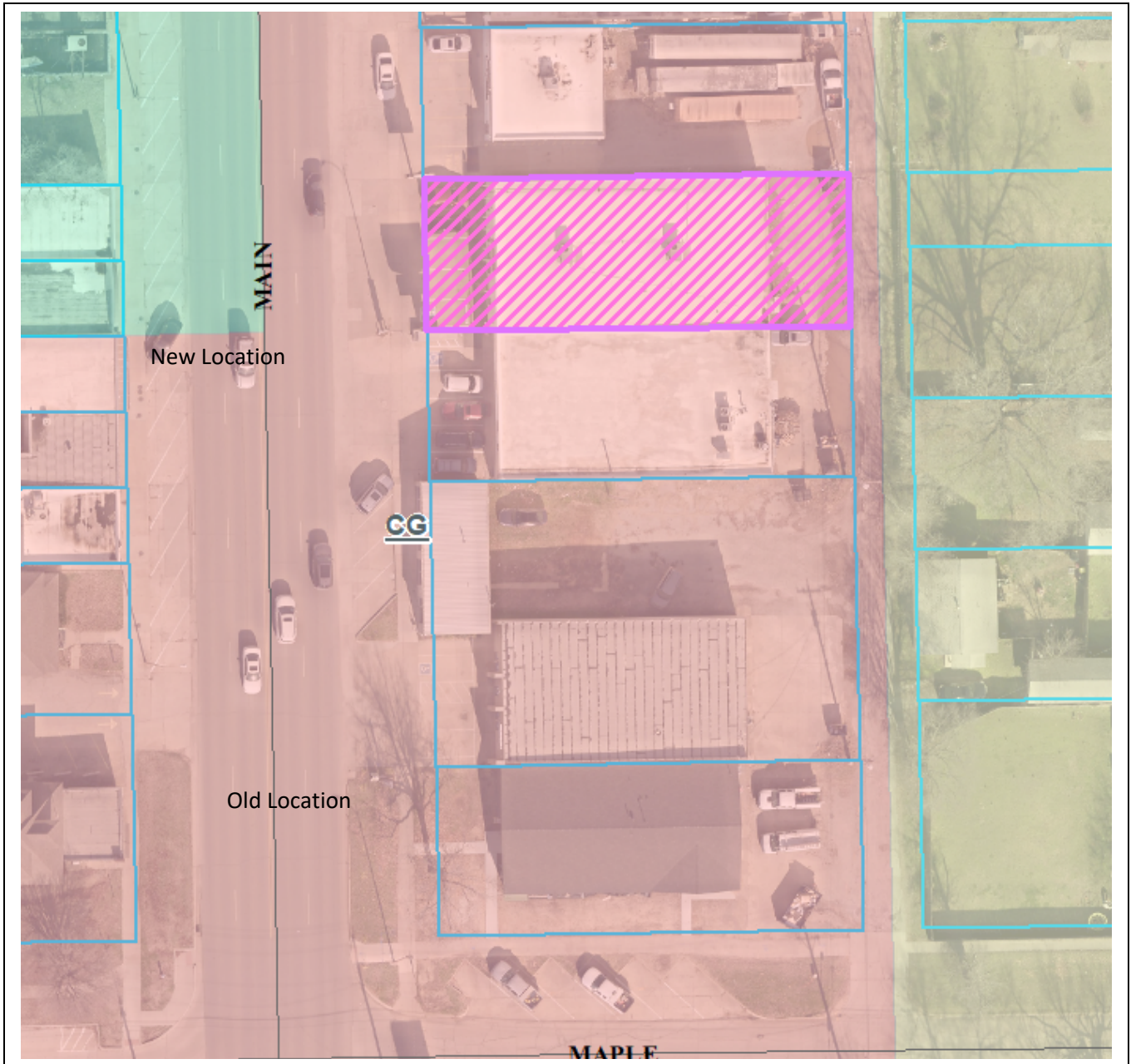
City of Stillwater
Specific Use Permit (SUP)
Chapter 23, Article 7, Division 7

INFORMATIONAL
Required fire flows. Appendix B (2009 IFC)
Hydrant spacing Section 507.5 and Appendix C (2009 IFC)
Sprinkler requirements, Section 903 (IFC)
Annual Inspections will occur to verify continual compliance with the conditions of approval of the SUP

Certification: I hereby certify that the information provided herein is both complete and accurate to the best of my knowledge and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.


Preparer's Signature


Date



Stillwater. OKLAHOMA
stillwaterok.gov

Project Type: Specific Use Permit (SUP23-07)
Request: Specific Use Permit to operate a Medical Marijuana Dispensary
Address: 121 S Main St.
Applicant: Blue Sky Bud d/b/a BRIXX



State of Oklahoma

License Certificate

NON-TRANSFERABLE

Commercial Dispensary License

HEREBY GRANTED TO

Blue Sky Buds LLC

121 S Main St, Stillwater, Oklahoma, 74074

The license issued by the Oklahoma Medical Marijuana Authority to certify the above has fulfilled the requirements of 63 O.S. §§ 420 et seq.; 63 O.S. §§ 427.1 et seq.; 63 O.S. §§ 428 et seq.; and the OKLAHOMA ADMINISTRATIVE CODE at Title § 442. The license is subject to the representations made on the application therefor and may be suspended or revoked for cause as provided by law and rule. The licensee shall observe and comply with all applicable laws, ordinances, rules, and regulations of the State of Oklahoma.

Adria A. Berry

Adria Berry
Executive Director
Oklahoma Medical Marijuana Authority



OKLAHOMA
Medical Marijuana Authority

License Number: **DAAA-N7HP-C56Y**

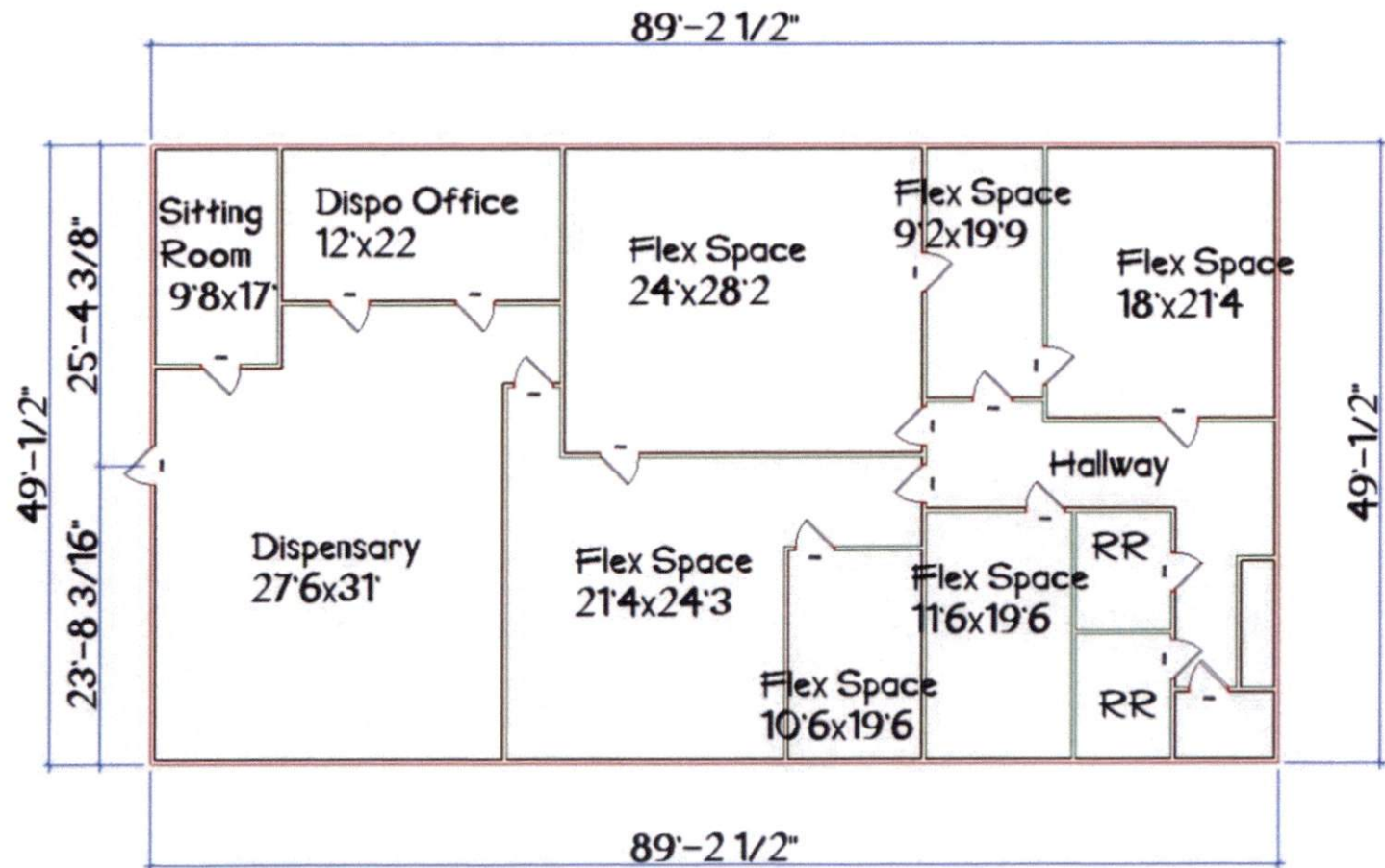
Expiration Date: **01/10/2025**

SZ Rentals
Jennifer Sanders
9213 Lupine Rd
Yukon, OK 73099

City of Stillwater,

To whom it may concern we give permission for Blue Light LLC, dba Brixx, to operate a cannabis dispensary that follows all state and local laws concerning the operation of a cannabis dispensary in the State of Oklahoma and Payne county.

Sincerely,
Jennifer Sanders
405-334-6116
Jennifersanders51@yahoo.com



Date of Meeting: December 3, 2024

Subject: Map Amendment: 701 West Highpoint Drive

Purpose of Report: The applicant requests review and approval of a Map Amendment to rezone the property addressed as 701 West Highpoint Drive from Multi-Family Intermediate (RMI) and Commercial General (CG) to Commercial Business (CB).

Background: The subject property is located in the northeast area of Stillwater, near the intersections of West Highpoint Drive and North Boomer Road. The subject property is currently zoned Multi-Family Intermediate (RMI) with the southwest corner zoned Commercial General (CG) with three multifamily structures on the property. The rezoning request is made by the applicant to Commercial Business (CB) to allow the existing facility to be converted from apartments to condominiums for potential parking and/or commercial redevelopment.

Commercial Business (CB) is the only zoning district that defines condos as a permitted use by right.

Application Processing Information:

Applicant – Jason Johnson

Owner – MPH Investments Properties, LLC, signed off on application to allow Jason to apply

Notice – Letters mailed to property owners within 300 feet, notice in the NewsPress and posted signage

Processing Track:

Submittal Date – October 21, 2024

Planning Commission – December 3, 2024

City Council – January 13, 2025

Project/Site Design Data/Details:

Zoning – Multi-Family Intermediate (RMI), Section 23-140 and Commercial General (CG), Section 23-153

Proposed Zoning – Commercial Business (CB), Section 23-152

Existing Use – Three Multifamily Residential structures

Proposed Use – Condominiums

Total Lot sizes –approx. 1.01 acres

Adequate Public Facilities Findings/Improvements:

- Streets/Traffic: The property has access off of West Highpoint Drive.
- Transit Facilities/Bike Lanes or Trails/Sidewalks: The OSU Green Route runs along North Boomer Road with the closest stop is near Cimmaron Plaza/New Stillwater High School. Sidewalks are not located near the subject property.
- Water Service: City water service is available.
- Sanitary Sewer Service: City sewer service is available.
- Electric: City electric service is available

Applicable City Plans/Policies:

The Future Land Use Map within the Comprehensive Plan indicates that the desired land use for the subject property is Commercial (10-4).

Discussion: The applicant requests review and approval of a Map Amendment to rezone the property addressed as 701 West Highpoint Drive from Multi-Family Intermediate (RMI) and Commercial General (CG) to Commercial Business (CB). Commercial General surrounds the subject property with Public located to the north for Boomer Lake. Remington Ranch Apartments is located to the south. The new Stillwater High School, previously Cimarron Plaza, is located in the vicinity to the Southeast.

Findings:

1. The Land Development Code allows for rezoning of land via Map Amendments.
2. Condominiums are only allowed in Commercial Business (CB) zoning district as a permitted use by right.
3. The Comprehensive Plan calls for commercial uses in this area.

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.

Prepared by:	Jacquelyn Porter, City Planner
Reviewed by:	Diana Hood, Associate City Planner Josh Brown, Project Manager Jeff Mathews, Community Development Director
Date of Preparation:	November 22, 2024
Attachments:	Application, Area Map, Zoning Comparison Table
Map Designation:	NE

CITY OF STILLWATER - DEVELOPMENT SERVICES DEPARTMENT
APPLICATION FOR REVIEW/ACTION

ZONING:

☒ Map Amendment
☐ Planned Unit Development
☐ Preliminary
☐ Final
☐ Subdivision
☐ Amendment
☐ Specific Use Permit
☐ Annexation

SUBDIVISION:

☐ Lot Split
☐ Commercial Minor Subdivision
☐ Minor Subdivision
☐ Preliminary Plat
☐ Final Plat

OTHER:

☐ Closing
☐ Improvement Plans
☐ Drainage Plans/Study

SITE PLANS:

☐ Minor Amendment

COMMERCIAL USE-BY-RIGHT: Complete a Commercial Building Permit Application **AND** Commercial Use-By-Right Checklist

Title of Subdivision/Plan/Use: 701 W High Point Drive-Condos
 Owner(s) of Property: MPH Investments Properties, LLC
 Owner(s) Address: PO Box 578 Stillwater OK 74076
 Owner(s) Phone/Fax/Email: _____
 Applicant/Developer of Property: Jason Johnson
 Applicant/Developer Address: 5010 E 68th St, Suite 106 Tulsa OK 74136
 Applicant/Developer Phone/Fax/Email: 405.202.6767 jasonjjohnson26@yahoo.com
 Design Engineer address/phone/fax/email & Registration No.: Gose & Associates (CA 1640)
Stephen C. Gose, P.E. (22808) 113 E. 8th, Stillwater, OK 74074 / 405.743.4907 / stephen@gose-associates.com
 Surveyor address/phone/fax/email & Registration No.: n/a

Address or Description of Property to be Subdivided/Developed: 701 W Highpoint Dr

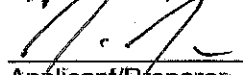
Original Tract Deed Book and Page Number: Book 2525 Page 607
 Number of Acres in Development: 1.01
 Number of Lots Created: n/a
 Current Zoning/Requested Zoning: Mult-Family Intermediate (RMI) and Commercial General (CG) to Commercial Business
 Reason for zoning request/use permit/map amendment:
to allow for existing facility to convert from apartments to condominiums.

This application must be accompanied by the appropriate checklist for the type of item being submitted for review. This application must be completed, signed, and dated by the Applicant and Owner(s).

We do hereby certify that the information provided herein is both complete and accurate to the best of our knowledge, and we understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

 10/15/2024
 Applicant/Preparer Date

Signed by:  10/16/2024 | 1:16:12 PM PDT
 Owner/Agent (with documentation) Date

 10-15-24
 Applicant/Preparer Date

Owner/Agent (with documentation) Date

For City of Stillwater Use Only: CASE NO#: _____

Submission Date: 10/21/24 Processing Tract: IRC 11/6, PC 12/3, CC 1/6/25
 Approval Date: _____ Fees: _____ Number of Copies: _____

Application for Review/Action:

**City of Stillwater
Map Amendment Checklist
Chapter 23, Article 3**

Applications will be accepted Monday through Friday, from 8:30 AM to 11:30 AM
Per Resolution CC-2007-16

Zoning district boundaries created under the authority of the City of Stillwater may be amended to change the zoning classification on one or more properties by the City Council. This **CHECKLIST** identifies the items needed. All items indicated as **SUCH** are required for the submittal to be considered complete.

APPLICANT	REQUIREMENTS	CITY
	Section 23.58	
☒	COMPLETED APPLICATION FORM AND CHECKLIST	
☒	TYPED LEGAL DESCRIPTION SENT TO DIGITALS@STILLWATER.ORG	
\$252.00	FILING FEE OF \$250.00 PLUS \$2.00/ACRE	
☒	A TYPEWRITTEN LIST AND ELECTRONIC/DIGITAL COPY, CERTIFIED BY THE PAYNE COUNTY ASSESSOR, LICENSED ABTRACTOR, ATTORNEY, ENGINEER OR ARCHITECT, OF ALL PROPERTY OWNERS WITHIN THREE HUNDRED (300) FEET OF THE SUBJECT PROPERTY. THE OWNERSHIP LIST SHALL HAVE BEEN PREPARED NO MORE THAN THIRTY (30) DAYS PRIOR TO SUBMISSION.	

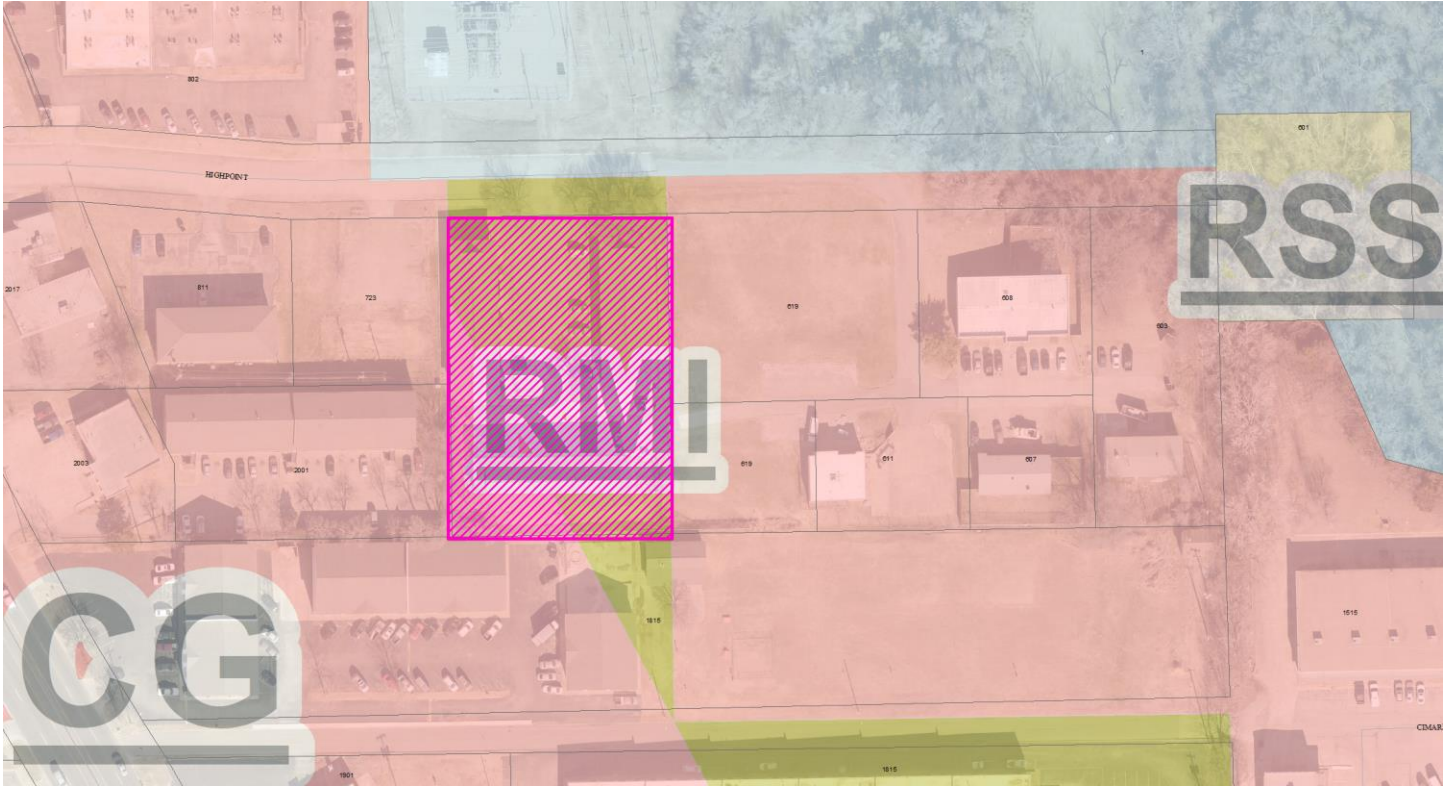
Certification: I hereby certify that the information provided herein is both complete and accurate to the best of my knowledge and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

Katelynn Purdy

10/17/24

Preparer's Signature

Date



Stillwater. OKLAHOMA
stillwaterok.gov

Project Type: Map Amendment (MA24-13)
Request: RMI and CG to CB
Address: 701 W Highpoint Ave.
Applicant: Gose & Associates o/b/o MPH Investments Properties

ZONING COMPARISON CHART

	RMI (Residential Multi-Family Intermediate)	CG (Commercial General)	CB (Commercial Business)
Min Lot Size	15,000 square feet	No min requirements	No min requirements
Min Lot Width/Depth	75/130 feet	No min requirements	No min requirements
Max Structure Height	50 feet	No max height	No min requirements
Min Front Yard	20 feet/10 feet from alley	25 feet	No min requirements
Min Side Yard - boundary with:			
Residential district	5 feet	20 feet	20 feet
Commercial district	25 feet	No min requirements	No min requirements
Industrial district	25 feet	No min requirements	No min requirements
Min Rear Yard - boundary with:			
Residential district	20 feet	20 feet	25 feet
Any other district	20 feet	No min requirements	No min requirements
Max Lot Coverage	40 percent	50 percent	100 percent
Landscaping/Screening (earth berms, shrubs, fences, man-made materials, trees)	No requirements	Required when abutting RSS, RSL, RMH, RT or RM; 70% opaque up to 3-feet tall and 40% opaque up to 5-feet tall	Required when abutting RSS, RSL, RMH, RT or RM; 70% opaque up to 3-feet tall and 40% opaque up to 5-feet tall; 1+ story structure requires 6-foot high landscape buffer when adjacent to residential district
Permitted Uses by Right (Uses in <i>italic</i> are allowed in both zoning districts)	• Boarding house/Rooming house • <i>Churches and Religious Institutions</i> • <i>Free-standing Self Service Facilities</i> • Multiple-family with max gross density of 30 units per acre • Parking lot/garages • Townhome • Two-family (duplex)	• Arts & Entertainment • Bed & Breakfast, Hotel, Motel • Beverage Services • Churches & Religious Institutions • Financial Institutions & Services • Food Services • Free-Standing Self-Service • Health Care & Social Assistance • Information • Parking Lots/Garages • Personal & Laundry Services • Personal Storage & Warehousing • Professional & Administrative Offices • Recreation • Research & Development • Retail Trade • Transportation Activities • Utilities • Vehicle & Equipment Sales/Service • Wholesale Trade	• Arts and Entertainment • Bed and Breakfast, Hotel, Motel • Beverage Services • Boarding houses/Rooming houses • Educational Services • Financial Institutions and Services • Food Services • Free-Standing Self Service Facilities • Mixed Use • Multi-family • Parking Lots/Garages • Personal and Laundry Services • Professional and Administrative Office and Services • Public Administration and Service • Recreation • Retail Trade • Townhome • Unit (condominium) Ownership

Date of Meeting: December 3, 2024

Subject: Map Amendment: 3118-3124 East 4th Avenue

Purpose of Report: The applicant requests review and approval of a Map Amendment to rezone the property addressed as 3118-3124 E. 4th Avenue from Small Lot Single-Family (RSS) to Two-Family and Multi-Family (RTM).

Background: The subject property is located in the northeast area of Stillwater, with three street frontages along East 3rd Avenue, South Mockingbird Lane, and East 4th Avenue. The subject property is currently zoned Small Lot Single-Family (RSS) with single multifamily structure (quadplex), with frontage on East 4th Avenue and parking/access off South Mockingbird Lane. The applicant is requesting to rezone to Two-Family and Multi-Family (RTM) to allow for the use to add two new duplex structures north of the existing quadplex.

Application Processing Information:

Applicant/Owner – Pioneer Investment Group, LLC

Notice – Letters mailed to property owners within 300 feet, notice in the NewsPress and posted signage

Processing Track:

Submittal Date – October 22, 2024

Planning Commission – December 3, 2024

City Council – January 13, 2025

Project/Site Design Data/Details:

Zoning – Small Lot Single-Family (RSS), Section 23-137

Proposed Zoning – Two-Family and Multi-Family (RTM), Section 23-139

Existing Use –Multifamily Residential structure, Quadplex

Proposed Use – Adding two duplex to property

Total Lot sizes –approx. 0.66 acres

Adequate Public Facilities Findings/Improvements:

- Streets/Traffic: The property has access off of East 3rd Avenue, South Mockingbird Lane, and East 4th Avenue.
- Transit Facilities/Bike Lanes or Trails/Sidewalks: The OSU Red Route is the closest route that runs along East 6th Avenue with the closest stop being near Mockingbird Estates. Sidewalks are located on the south side of East 4th Avenue and the West side of South Mockingbird Lane.
- Water Service: City water service is available.
- Sanitary Sewer Service: City sewer service is available.
- Electric: City electric service is available

Applicable City Plans/Policies:

The Future Land Use Map within the Comprehensive Plan indicates that the desired land use for the subject property is High Density Residential (10-3).

Discussion: The applicant requests review and approval of a Map Amendment to rezone the property addressed as 3118-3124 East 4th Avenue from Small Lot Single-Family (RSS) to Two-Family and Multi-Family (RTM). Small Lot Single-Family (RSS) is located to the north, east, and a portion to the northwest of the subject property, and Two-Family Residential (RT) is located to the southwest of the subject property, with Two-Family and Multi-Family (RTM) to the south at Saddle Creek Apartments.

Findings:

1. The Land Development Code allows for rezoning of land via Map Amendments.
2. Two-Family and Multi-Family (RTM) is located to the south of the subject property.
3. The Comprehensive Plan calls for high density residential uses in this area.

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.

Prepared by:	Jacquelyn Porter, City Planner
Reviewed by:	Diana Hood, Associate City Planner Josh Brown, Project Manager Jeff Mathews, Community Development Director
Date of Preparation:	November 22, 2024
Attachments:	Application, Area Map, Zoning Comparison Table
Map Designation:	NE

CITY OF STILLWATER - DEVELOPMENT SERVICES DEPARTMENT
APPLICATION FOR REVIEW/ACTION

ZONING:

 X Map Amendment
 Planned Unit Development
 Preliminary
 Final
 Subdivision
 Amendment
 Specific Use Permit
 Annexation

SITE PLANS:

 Minor Amendment
 Final Drill Site Development Plan

SUBDIVISION:

 Lot Split
 Commercial Minor Subdivision
 Minor Subdivision
 Preliminary Plat
 Final Plat

OTHER:

 Closing
 Improvement Plans
 Drainage Plans/Study
 Drilling Permit

COMMERCIAL USE-BY-RIGHT: Complete a Commercial Building Permit Application **AND** Commercial Use-By-Right Checklist

Title of Subdivision/Plan/Use: Brush Creek Meadow
Owner(s) of Property: Pioneer Investment Group, LLC
Owner(s) Address: 4024 W 44th St, Stillwater, OK 74074
Owner(s) Phone/Fax/Email: 405-747-5079
Applicant/Developer of Property: Pioneer Investment Group, LLC
Applicant/Developer Address: 4024 W 44th St, Stillwater, OK 74074
Applicant/Developer Phone/Fax/Email: 405-747-5079
Design Engineer address/phone/fax/email & Registration No.: Kevin Walthall

Surveyor address/phone/fax/email & Registration No.: Clayton Cantrell - Crossroads Survey Company, LLC
104 W Broadway St., Cushing, OK 74023, 918-225-0345

Address or Description of Property to be Subdivided/Developed: _____
3118-3124 E 4th Ave., Stillwater, OK 74074

Original Tract Deed Book and Page Number: Deed Book 2652 and Deed Page 413
Number of Acres in Development: Approximately 0.66
Number of Lots Created: _____
Current Zoning/Requested Zoning: RSS / RTM
Reason for zoning request/use permit/map amendment (describe project):
Would like to build two new duplexes on the land immediately north of our existing
quadplex. Rezoning to RTM would allow for us to add the two new structures.

This application must be accompanied by the appropriate checklist for the type of item being submitted for review. This application must be completed, signed, and dated by the Applicant and Owner(s).

We do hereby certify that the information provided herein is both complete and accurate to the best of our knowledge, and we understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.

 10/21/24
Applicant/Preparer Date

 10/21/24
Owner/Agent (with documentation) Date

Applicant/Preparer Date

Owner/Agent (with documentation) Date

For City of Stillwater Use Only:

CASE NO#: _____

Submission Date: _____
Approval Date: _____

Processing Tract: IRC _____, PC _____, CC _____
Fees: _____ Number of Copies: _____

**City of Stillwater
Map Amendment Checklist
Chapter 23, Article 3**

Applications will be accepted Monday through Friday, from 8:30 AM to 11:30 AM
Per Resolution CC-2007-16

Zoning district boundaries created under the authority of the City of Stillwater may be amended to change the zoning classification on one or more properties by the City Council. This CHECKLIST identifies the items needed. All items indicated as SUCH are required for the submittal to be considered complete.

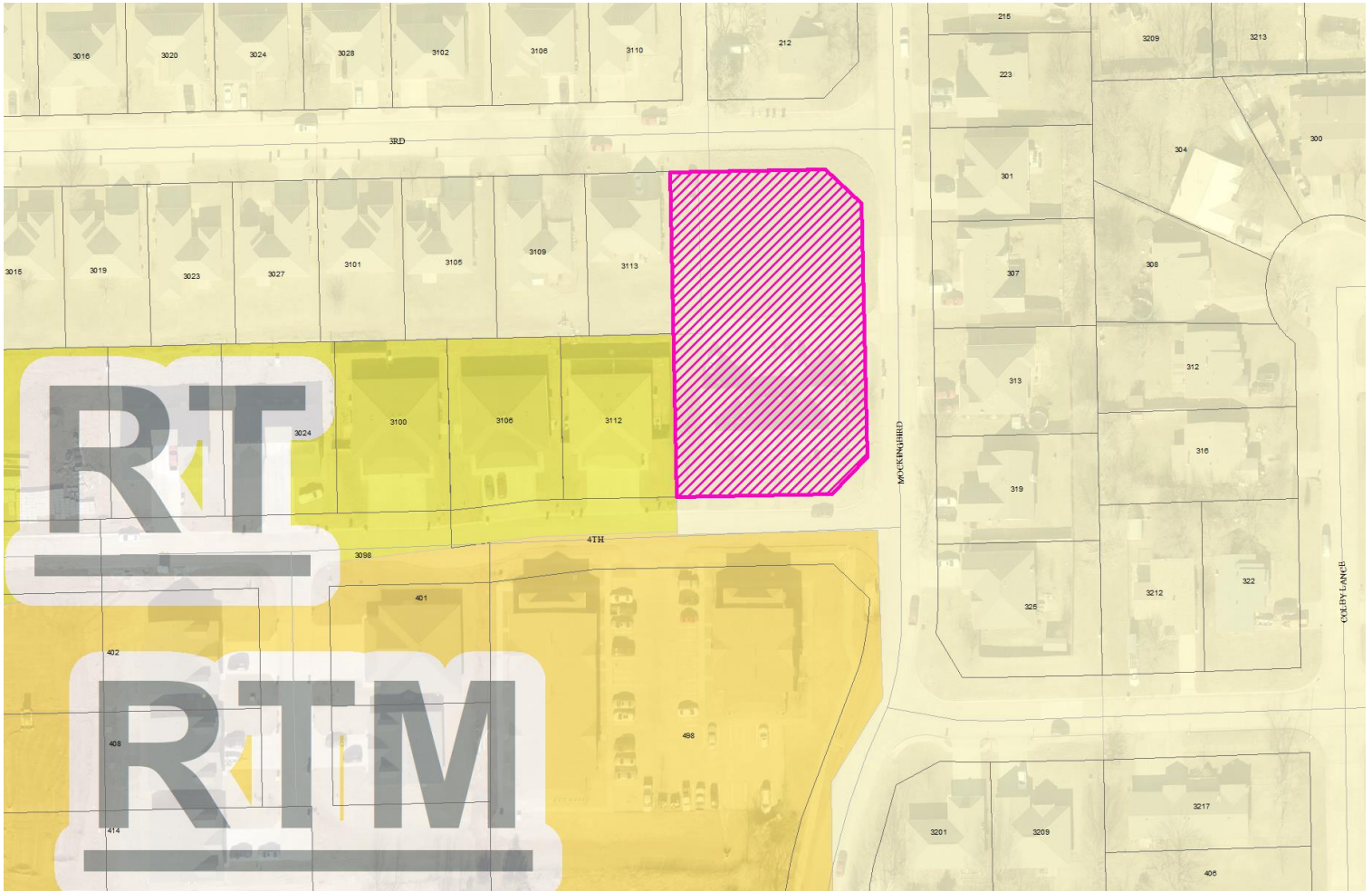
APPLICANT	REQUIREMENTS	CITY
	Section 23.58	
	COMPLETED APPLICATION FORM AND CHECKLIST	
	TYPED LEGAL DESCRIPTION SENT TO DIGITALS@STILLWATER.ORG	
	FILING FEE OF \$250.00 PLUS \$2.00/ACRE	
	A TYPEWRITTEN LIST AND ELECTRONIC/DIGITAL COPY, CERTIFIED BY THE PAYNE COUNTY ASSESSOR, LICENSED ABTRACTOR, ATTORNEY, ENGINEER OR ARCHITECT, OF ALL PROPERTY OWNERS WITHIN THREE HUNDRED (300) FEET OF THE SUBJECT PROPERTY. THE OWNERSHIP LIST SHALL HAVE BEEN PREPARED NO MORE THAN THIRTY (30) DAYS PRIOR TO SUBMISSION.	

Certification: I hereby certify that the information provided herein is both complete and accurate to the best of my knowledge and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application.


Preparer's Signature

10/21/24

Date

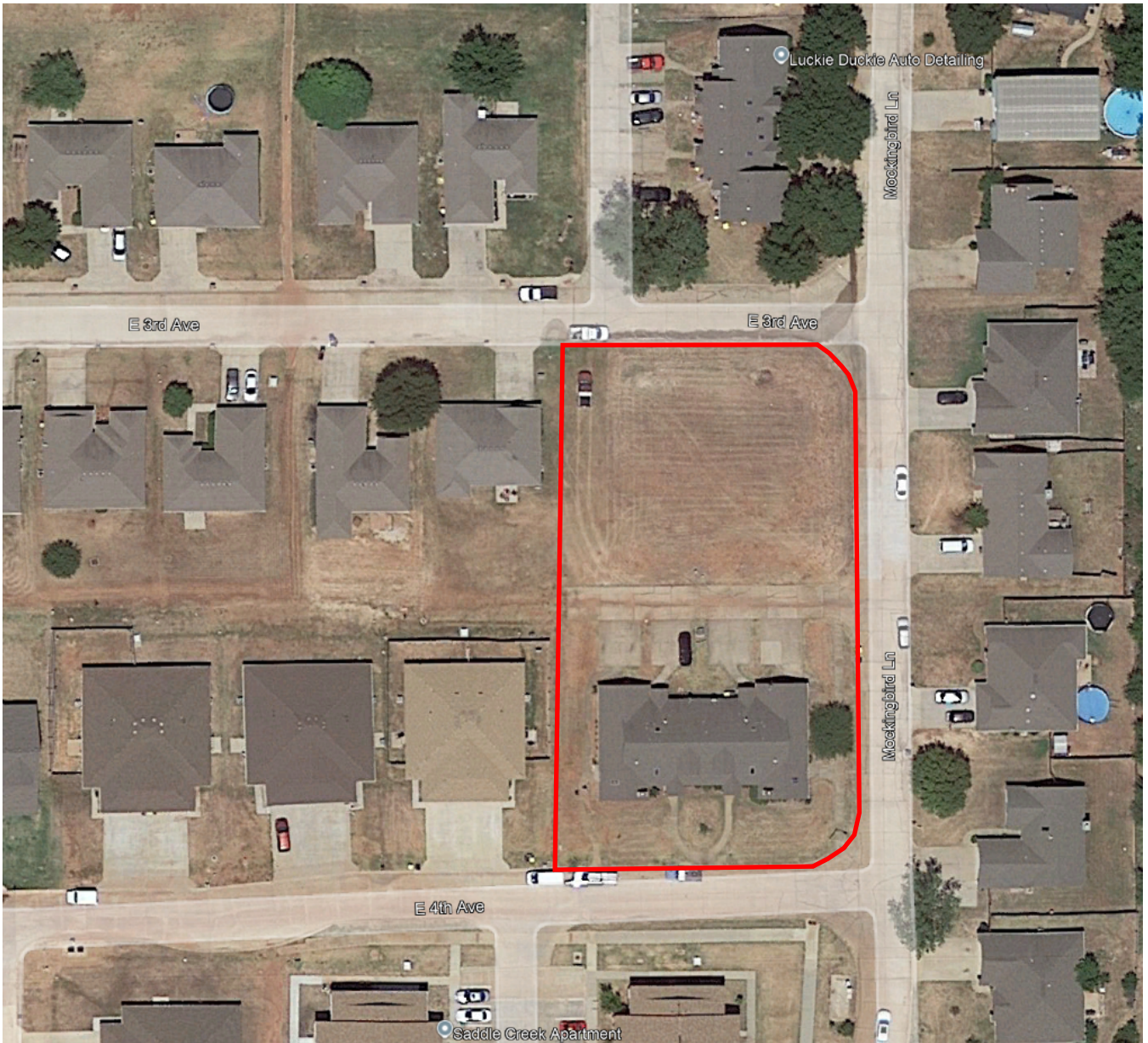


Stillwater OKLAHOMA
stillwaterok.gov

Project Type: Map Amendment (MA24-14)
Request: Rezone from RSS to RTM
Address: 3124 E 4TH AVE
Applicant: Pioneer Investment Group, LLC



SE/4 of SECTION 18,
T 19 N - R 03 W
PAYNE COUNTY, OKLAHOMA



SE/4 SEC. 18
PIONEER INVESTMENT GROUP, LLC

Existing Lot
REZONE from RSS to RTM

ZONING COMPARISON CHART		
	RSS (Residential Single Family Small Lot)	RTM (Residential Two-family and Multi-family)
Min Lot Size	5000 square feet	20,000 square feet
Min Lot Width/Depth	50/100 feet	100/130 feet
Max Structure Height	35 feet	35 feet
Min Front Yard	20 feet/10 feet from alley	20 feet/10 feet from alley
Corner lot optional setback	Front: 20 feet Street Side: 15 feet	N/A
Min Side Yard - boundary with:		
Residential district	5 feet	5 feet
Commercial district	15 feet	15 feet
Industrial district	15 feet	15 feet
Min Rear Yard - boundary with:		
Residential district	20 feet	20 feet
Any other district	20 feet	20 feet
Max Lot Coverage	No max limit	40 percent
Landscaping/Screening (earth berms, shrubs, fences, decorative man-made materials, trees)	No requirements	Required for parking lots only
Permitted Uses by Right (Uses in <i>italic</i> are allowed in both zoning districts)	• Conventional single-family • Residential design manufactured homes	• Boarding House/Rooming House • Church and Religions Institutions • Multiple-family with a maximum gross density of 20 units per acre • Townhome • Two-family (duplex)



Together, Investing in Municipal Excellence

**CITY COUNCIL SPECIAL MEETING
AND
PLANNING COMMISSION SPECIAL MEETING
JOINT STUDY SESSION MINUTES**

OCTOBER 28, 2024
Community Center, Room 121
315 W. 8th
Stillwater, OK 74074
5:30 PM

**PRESENT: MAYOR WILLIAM H. JOYCE, VICE MAYOR AMY DZIALOWSKI,
COUNCILORS CHRISTIE HAWKINS, KEVIN CLARK AND TIM HARDIN**

**CHAIR JANA PHILLIPS, VICE CHAIR RILEY WILLIAMS, COMMISSIONER MIKE
SHANAHAN, COMMISSIONER MARK PRATHER, COMMISSIONER DAVID PETERS**

ABSENT: NONE

1. Call Meeting to Order

Mayor Joyce called the meeting to order at 5:30 p.m.

2. General Orders

A joint study session of the City Council and the Planning Commission to discuss and consider short term rentals in the City of Stillwater, including but not limited to possible discussion and presentation of statistics of residential short-term rentals within the City, including the number of licenses issued, code enforcement complaints and activity, tax collections attributable to residential short-term rentals, and possible discussion of the City's short-term rental code provisions which may include comparisons to similar code provisions for other Oklahoma cities and provide possible direction to staff regarding short-term rentals in the City of Stillwater. There will be no action taken on this item.

Interim City Manager Brady Moore welcomed the public and he discussed the positive and negative impacts short-term rentals (STR) have on a community and the current process in the City code to regulate short-term rentals. He reported that the Planning Commission (PC) and public will share their experiences in dealing with STRs. Mr. Moore introduced Senior Assistant City Attorney Kim Payne as she works closely with the Planning Commission and the City Planning Department. He introduced City Planner Jacquelyn Porter.

City Planner Jacquelyn Porter presented STR data, current code and the process the City of Stillwater has for STR applications and how the City code compares with other cities. She also discussed the history of STR complaints and how the objection process works.

Assistant City Manager and Finance Director Christy Cluck presented the positive economic impact STRs have on the City of Stillwater.

Planning Commission Chair Jana Phillips presented the concerns and questions from the PC regarding objections and their role in approving or denying these STR applications when presented at a PC meeting.

Commissioner Shanahan stated that biggest issue is that the PC needs some kind of policy guidelines to help direct them when there is a Public Hearing regarding a STR objection.

Mayor Joyce asked why the City put a STR regulation in place.

City Planner Jacquelyn Porter explained that it varies in communities across the state from no regulations on STRs to strict regulations. The City of Stillwater implemented the STR process so residents living in residential zoned areas would know what was going on in their neighborhoods and be allowed to file an objection.

City Attorney Kimberly Carnley reported that at the State level there are no regulations on STRs, so it has been left up to local governments to determine the regulations that best meets the needs of each community. She reported that the history of the City's current provisions was to address residential zoning districts and that would be the zoning that a STR license would be required. Another primary concern was the local lodging industry because there are hotels already invested and paying lodging taxes, so regulation ensures that the City can capture that economic benefit to the City.

Mayor Joyce asked for clarification on if the STRs in commercial zoning that do not require a license, if their numbers were included or not in the economic impact chart STRs have on the City.

Assistant City Manager and Finance Director Christy Cluck stated that those numbers are hard to differentiate but yes, the STRs in the commercial zoning areas are included in those numbers with the best estimate possible.

Mayor Joyce stated that he assumes there are STRs operating in the zoning areas that do require a license and he asked if there is a way to track those STRs. He asked how the City can enforce licensing requirements.

City Planner Porter stated that currently there is not a process in place to track unlicensed STRs.

Senior Assistant City Attorney Kim Payne stated that code enforcement receives complaints from neighbors that a STR might be operating out of a house then code enforcement can investigate and make sure the owner applies for a STR license.

Councilor Clark stated that he is concerned that the City does not know where the commercial STRs are located mainly because of life safety and fire concerns.

3. Public Comment

Gary Clark, 320 Eyler Lane, stated his concerns that he feels the longtime residents are not being listened to and are ignored when they express their reasons for their objections to a STR in their neighborhoods. He asked how many STRs have been denied with objections that have been heard by PC and or City Council.

Bob Graalman, 2224 Sunset Drive, stated that STRs can change a neighborhood's dynamics and that over occupancy is hard to regulate and enforce.

Mark Weiser, 223 N. Old Hwy 51, stated his concerns are regarding enforcement of STR licensing and the consequences of not being licensed. He stated they abide by the rules, drive by their properties weekly and try to be good neighbors so he wishes there was a way to inspire other STR owners/operators to do the same.

Denise Talley, stated she understands the concerns of the neighborhoods regarding STRs, but they have figured out a way to monitor the renters of their STRs. They keep up their properties by mowing, driving by, etc. and the STRs have benefited her family by supplementing their income. She feels there needs to be a policy that penalizes STRs for not keeping up their properties and not going by the guidelines.

Cristy Morrison, with Visit Stillwater, 2617 W. 6th Ave., stated Visit Stillwater has done research and has a lot of data regarding STRs that would be helpful.

Councilor Hawkins stated that the City needs to find the balance and have some guardrails that will protect the neighborhoods and housing market. She stated that she thinks the City owes it to the community members to take into consideration on how STRs might impact their neighborhoods. She presented STR guidelines from other college football towns.

Vice Mayor Dzialowski stated she felt that maybe a cap or moratorium on STRs in neighborhoods close to campus would be very important. She requested staff get more data so the City can understand the issue better by understanding the types of visitors the City should be planning for and make a policy accordingly. Vice Mayor acknowledged the concerns of neighborhoods that STRs cause such as the integrity of the neighborhoods, parking, infrastructure, etc.

Mayor Joyce clarified with Mr. Gary Clark that he is not asking for a complete moratorium on all STRs in the Westwood Overlay but that he is just asking for enforcement of the current regulations.

Mayor Joyce stated that there are a few options, one is to continue what the City is doing which is a fairly low impact where a lot of time or money is not being spent on code enforcement. The City does not have the money or personnel to do much more than is being done now. If more

guidelines and regulations are put in place, then the City will absolutely have to increase fees and money will have to come from somewhere else to fund the increase in enforcement. Mayor stated he thinks that the City needs look at increasing the level of regulation around STRs and then figure out a way to enforce it.

City Attorney Kimberly Carnley stated that it is important to point out that the current code requires notices sent out to neighbors within 300' radius of the potential STR but anyone can file an objection or appeal. Staff is looking into limiting the objections or appeals to only the neighbors within the 300' radius. Ms. Carnley stated that the code does provide for suspension or revocation after the license has been issued with any violation of the code or State law.

Mayor Joyce stated that if the license is revoked how is that enforced to make sure it is no longer being used as an STR. If there is a regulation about STRs on the books, then the City has to have a process in place and truly enforce it.

Councilor Hardin stated that the data point that sticks out to him is that there are 150 STRs that the City knows about but 500 or so not known about. He said that the City needs to get a handle on that gap and figure out how many STRs there are and where they are located.

Vice Mayor Dzialowski asked the PC what other guidance would be helpful to them as staff considers changes to the ordinance.

Commissioner Riley Williams stated that what is tough for him is when Stillwater residents are objecting to an STR and the PC rules in favor of the applicant which lives out of town. He stated that having someone living in Stillwater that is directly responsible for the property is important.

Commissioner Mike Shanahan stated he agrees with Mr. Williams' comment. He suggested it would help having the requirement that the person has to be an owner occupant of the house.

Chair Jana Phillips stated that she would like to see some consideration given to safety around the schools.

Mayor Joyce stated that if any Councilor or Commissioner has a genuine concern about a STR application they should use their discretion and vote no. These applications do not have to be approved.

Commissioner Shanahan stated that this discussion has given the PC some degree of authority to make discretionary approvals.

City Attorney Kimberly Carnley stated that as long as the reason for denial or approval is not applied arbitrary or capricious and the reason is set forth in the record for the decision.

Commissioner Prather stated that the PC asks the same questions at a STR objection hearing so it might be helpful if those questions were addressed on the initial application such as how many people are allowed, how many vehicles, minimum number of nights, etc. If these items are claimed by the applicant in writing it might be beneficial for enforcement and if violations occur then the STR license is revoked.

Senior Assistant City Attorney Kim Payne stated that when there is a public hearing for a STR application it is the same questions the PC likes to ask the applicant. She stated she would propose looking into adding these items to the initial application. Ms. Payne stated the this would give the applicant time to think about these issues and the PC can make a better decision.

Chair Phillips stated that it would be beneficial to be able to see a map of how many STRs are in a neighborhood and maybe STRs could be limited in each area. She stated this could also maybe help keep the price of houses from skyrocketing in certain neighborhoods.

Mark Weiser stated that it would help to require the STR license number to be posted on public postings. He suggested adding to the ordinance that any advertisements must have the license number listed, so if code enforcement sees a listing on AirBnB without a license number, then they would know that this STR is in violation.

Mayor Joyce stated that he thought this was a good idea and that he would like to see the STRs in Commercial Zoning get a permit, then they could list their permit number in advertisements and the City could better track them as well.

Interim City Manager Brady Moore explained the next steps in drafting revisions for this ordinance. He stated that with staff having a lot of work to do on this item, it would probably be brought back to Council as a discussion item before making any draft revisions.

City Attorney Kimberly Carnley stated that it sounds like more data points need to be presented and improvements to the code to address the regulations, application process, and a secondary piece regarding enforcement. She stated if Council and PC think this is a good next step, staff will work on that.

Mayor Joyce reported that unfortunately this will be a slow process and he realizes there are pending applications and issues of concern while this process is being reviewed and addressed.

4. Adjourn

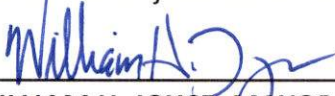
MOTION BY COUNCILOR CLARK, SECOND BY COUNCILOR HAWKINS TO ADJOURN THE OCTOBER 28, 2024 SPECIAL MEETING JOINT STUDY SESSION OF THE STILLWATER CITY COUNCIL AND PLANNING COMMISSION.

ROLL CALL VOTE: JOYCE-YEA, DZIALOWSKI-YEA, HAWKINS-YEA, CLARK-YEA, HARDIN-YEA.

ROLL CALL VOTE: PHILLIPS-YEA, WILLIAMS-YEA, SHANAHAN-YEA, PRATHER-YEA, PETERS-YEA.

NAY-NONE. MOTION CARRIED WITH TEN YEA VOTES.

The October 28, 2024 Special Meeting Joint Study Session of the Stillwater City Council and Planning Commission adjourned at 7:09 p.m.


WILLIAM H. JOYCE, MAYOR
STILLWATER CITY COUNCIL


TERESA KADAVY
CITY CLERK