

STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF December 17th, 2024
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED December 12th, 2024, IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET

MEMBERS PRESENT

Jana Phillips, Chair
Riley Williams, Vice Chair
Mark Prather, Member
Mike Shanahan, Member
David Peters, Member

MEMBERS ABSENT

STAFF PRESENT

Kim Payne, City Attorney
David Barth, Comm. Dev. Director
Jacquelyn Porter, City Planner
Diana Hood, Associate City Planner
Joshua Brown, Project Manager
Cindy Gibson, Administrative Services
Alexandria Maged, Administrative Assistant
Staff Absent

1. CALL MEETING TO ORDER.

2. GENERAL ORDERS

- a. Receive public comment regarding an objection to an application 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. (Tabled from the December 3, 2024 meeting.)

Chair Phillips invites staff to present the item.

Diana Hood, Associate City Planner, presents the item. There are no questions for staff from the Commissioners.

Chair Phillips invites the applicant or their representative up to present.

Mr. Tim Morenc, 811 N Star Drive comes to the podium.

Chair Phillips explains that the Planning Commission had tabled this item, and another one on the agenda, at the previous meeting as the Commission would like to hear more about the applicant's intent for this rental. Chair Phillips states there was an objection letter submitted and asked if the applicant had seen it; Mr. Morenc confirmed.

Mr. Morenc states that he and his wife purchased both properties and had renovated them with the intent to rent them out for game days due to their close proximity to OSU.

Chair Phillips reads the concerns from the letter submitted; the citizens are concerned about the rentals becoming party houses, that strangers could throw debris into their yard where their pets are, and that there are already rentals in the area.

Mr. Morenc shares, to prevent parties, they have a maximum of 6 tenants per home and he has to approve the booking beforehand (no automatic bookings). For the pets, he states that the houses behind them are elevated and have an 8ft fence so it would be very difficult for guests to throw things over it or disturb the

neighbors' pets. Additionally, with the houses around them being rentals, he isn't sure if neighbors have had issues with them in the past, but he and his wife live in 811 N Star Dr. (the house next door) and are very quiet.

Vice Chair Williams asks the applicant if they are planning on continuing to live at that address and just rent it out occasionally. Mr. Morenc confirms they are going to stay at 811 and then take care of 801 from next door. He states that they also have a full-time rental on Preston Dr. He adds that when there is a big event at the school, they can rent both places out and stay elsewhere.

Vice Chair Williams asks if they have any policies for no parties or quiet hours. Mr. Morenc confirms that there are no parties, and they have quiet hours set as 10pm for weekdays and 12am on weekends. They also installed Ring cameras on the outside of the home.

Commissioner Prather asks if there is a minimum number of nights stay. Mr. Morenc says 2.

Vice Chair Williams asks if there is sufficient parking for both addresses. Mr. Morenc states 811 has room for 4 vehicles in the driveway and curb parking is allowed in front. 801 can fit 3 cars in the driveway and has parking on the front curb as well. He says that across the street there is also an open lot for a church so tenants could park there too.

Chair Phillips opens the public hearing and asks if anyone would like to speak in favor of the item; none respond. Chair Phillips asks if anyone would like to speak in opposition; none respond. Chair Phillips closes the public hearing and invites staff back to present the alternatives.

Diana Hood presents the alternatives to the commissioners which are:

Alternatives:

1. Approve the application.
2. Defer for additional discussion.
3. Deny the application.

Vice Chair Williams observes that given the applicant actually lives in 811 that is one of the best-case scenarios for short-term rentals.

Vice Chair Williams motions approve the short-term rental application as presented. Commissioner Prather seconds.

Roll Call:	Phillips	Williams	Prather	Shanahan	Peters
	Yes	Yes	Yes	Yes	Yes

Time: 8 minutes

- b. Receive public comment regarding an objection to an application 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. (Tabled from the December 3, 2024 meeting.)

Chair Phillips invites staff to present the item.

Diana Hood, Associate City Planner, presents the item. There are no questions for staff from the Commissioners.

Chair Philips invites the applicant back up to present.

Mr. Tim Morenc, 811 N Star Drive the property in discussion is 801 N Star Dr. returns to the podium.

Chair Phillips asks if this property will be handled in the same way as was discussed for the previous item. Mr. Morenc confirms.

Chair Phillips opens the public hearing and asks if anyone would like to speak in favor of the item; none respond. Chair Phillips asks if anyone would like to speak in opposition; none respond. Chair Phillips closes the public hearing and invites staff back to present the alternatives.

Diana Hood presents the alternatives to the commissioners which are:

Alternatives:

4. Approve the application.
5. Defer for additional discussion.
6. Deny the application.

Vice Chair Williams motions approve the short-term rental application as presented. Commissioner Peters seconds.

Roll Call:	Phillips	Williams	Prather	Shanahan	Peters
	Yes	Yes	Yes	Yes	Yes

Time: 3 minutes

- c. Receive public comment regarding an objection to an application from Jeff and Sue Macumber for a SHORT TERM RENTAL (STR-0186), for discussion and possible action, including a recommendation of approval or denial of said application for property addressed as 1822 E. Krayler Avenue in the Small Lot Single-Family Residential (RSS) district.

Chair Phillips invites staff to present the item.

Diana Hood, Associate City Planner, presents the item.

Chair Philips invites the applicant or their representative up to present.

Ms. Abbey Macumber, 800 E Hall of Fame Ave. comes to the podium.

Chair Phillips states that they did receive a letter from Mr. Macumber and confirms that the representative is the applicant's daughter.

Chair Philips states that the information Mr. Macumber provided was very thorough and extensive. Ms. Macumber notes that he is a perfectionist.

Vice Chair Williams asks if she will be the one in town managing the property. Ms. Macumber confirms that she is no more than a 5-minute drive away and will be maintaining the house, taking out the trash, etc.

Chair Philips reads off some of the rules in the letter sharing that the applicant says there is a no party rule, quiet time is 10pm, a 2-night minimum, ample parking in the garage, and street parking is discouraged.

Vice Chair Williams notes that the letter answers many questions he typically has, and he likes to know that there is someone in town to take care of any issue if it arises.

Chair Phillips opens the public hearing and asks if anyone would like to speak in favor of the item; none respond. Chair Phillips asks if anyone would like to speak in opposition; none respond. Chair Phillips closes the public hearing and invites staff back to present the alternatives.

Diana Hood presents the alternatives to the commissioners which are:

Alternatives:

7. Approve the application.
8. Defer for additional discussion.
9. Deny the application.

Commissioner Prather motions approve the short-term rental application as presented. Commissioner Shanahan seconds.

Roll Call:	Phillips	Williams	Prather	Shanahan	Peters
	Yes	Yes	Yes	Yes	Yes

Time: 4 minutes

- d. 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. (Tabled from the December 3, 2024 meeting.).

Chair Phillips invites staff to present the item.

Jacquelyn Porter, City Planner, presents the item. There are no questions for staff from the Commissioners.

Chair Philips invites the applicant or their representative up to present.

Mr. Blaine Ryder, 2520 S Durham Court comes to the podium.

Chair Phillips states that at the last Planning meeting some questions arose that they would like addressed such as the location of access, and if it would be off 3rd Ave., was one of them; and notes that the diagram the applicant has since submitted shows that they won't be adding additional driveways to 3rd Ave. Mr. Ryder confirms that they have existing private access and will be tying the drives into there.

Chair Phillips opens the public hearing and asks if anyone would like to speak in favor of the item.

Ms. Ashley Hernandez Torres, 3110 E 3rd Ave. comes to the podium and shares thanks the applicant for answering the question that she had brought up at the previous meeting; and her only other question at this time is what the construction timeline would be.

Chair Phillips asks if anyone would like to speak in opposition; none respond. Chair Phillips invites the applicant back up to respond to the question.

Mr. Ryder comes up and states they would like to start as soon as possible. Ms. Hernandez clarifies she would like to know the projected end date as well. Mr. Ryder hopes for 6 months at the fastest, a year at the slowest.

Chair Phillips closes the public hearing and invites staff back to present the findings and alternatives.

Jacquelyn Porter presents the findings and alternatives to the commissioners which are:

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.

Vice Chair Williams moves to accept staff's findings and recommend that the City Council approve the Map Amendment as presented, Commissioner Shanahan seconds.

Roll Call:	Phillips	Williams	Prather	Shanahan	Peters
	Yes	Yes	Yes	Yes	Yes

Time: 8 minutes

- e. Receive public comment regarding a request from Matt & Maria Clark and K-Life Ministries for a SPECIFIC USE PERMIT (SUP24-04) to allow for churches and other religious institutions at property addressed as 1307 N. Husband Street in the Small Lot Single Family Residential (RSS) and Residential Two Family (RT) district

Chair Phillips invites staff to present the item.

Diana Hood, Associate City Planner, presents the item.

Chair Phillips clarifies what the surrounding zoning is. Ms. Hood specifies that it is partially RSS and partially RT.

Ms. Hood adds that there was an investigation done by code enforcement since the staff packet was published and it was determined that K-Life is not currently in business at this location. Chair Phillips asks about how they came to that conclusion as there are signs saying that they are currently conducting business there.

Ms. Hood specifies that the signs are meant as advertisement in anticipation of moving, but the business K-Life is not currently located there according to code enforcement.

Chair Phillips asks if they had pulled permits for the construction. Ms. Hood confirms that they did pull building permits.

Chair Philips invites the applicant or their representative up to present.

Matt Clark, 5325 W Trenton Ct. Stillwater Ok, 74074

- Is the property owner who applied for the permits and has also brought a representative of K-life for the business side of the SUP.
- Has been in Stillwater for 10 years and is part of the community.
- Is aware of some of the complaints the Commission might hear having to do with building codes, noise, property value, etc. and he hopes to be able to address all those issues.
- Explains that the property had a very low property value when they first started looking at it.
- The property had squatters, homeless encampments in the backyard, and high schoolers using the shed that was there previously to smoke during the school day.
- The shed and decaying trees were a safety concern.
- Does not think the neighbors that have complained were aware of the state of the buildings and what they were being used for.
- Acknowledges that there has been a lot of noise with the current construction to rectify these issues.
- States that he and his wife were looking to revitalize and restore this property for the community. Their research shows that this property is the 11th deeded property in the state of Oklahoma, and they plan to keep it as a center piece of the Community.
- Held an open house in October for the neighbors, where they told the neighbors about the coming construction projects ahead of time.
- States they got all the required building permits before commencing.
- States that the materials they are using have all been used to increase safety and property value.
- Are closing off access from the Redbud Dr. and Main St. side of the property and are redirecting traffic to Husband St.
- Have already widened the access on Husband St.
- Plan to increase parking as well.
- Have removed every rotten tree on the property, installed new fencing, and plan to add additional fencing.
- Have landscaping plans. They plan to add a community sitting area with a dog walking station.
- States that K-life has other properties that they operate as rental/businesses and he and his wife are happy with the way they handle everything elsewhere.

Commissioner Prather asks if his family will live there. Mr. Clark says no, but there will be a K-life representative living on the top floor of the property.

Commissioner Prather asks what age group K-life is. Mr. Clark says the K-life rep will talk more about the business, but it's K-12 with college students as leaders.

Vice Chair Williams asks if most of the renovations were done on the home or the barn. Mr. Clark states that most of the renovations have been made on the home. The other building is a new structure, they planned to rehab the shed that was there, but it was not salvageable, and they rebuilt.

Chair Phillips asks if the upstairs is a rental what will the downstairs be. Mr. Clark says it will be for smaller gatherings such as bible study or coffee meet ups. He states that this will not be a childcare center, they do not meet every day of the week or operate all day. He states that any of the activities that involve a larger group would be less frequent and K-Life's activity schedules are posted online and open to the public.

Chair Phillips asks what specific hours they would be operating. Mr. Clark says smaller bible study is 7:30-8:30am at different frequencies. There are some after-school activities. In the future he also hopes to add extra activities after sports or events.

Chair Phillips asks if he knows the occupancy loads for the buildings. Mr. Clark says his contractor is here and might be able to help with that. He notes that it is approximately 3,500 square feet and they have large garage doors to allow easy in and out access. He says they have followed fire codes and never expects to exceed capacity relative to the size.

Chair Phillips asks how this building was permitted. Mr. Clark says it was permitted as a residential accessory, but non-dwelling unit.

Chair Phillips asks if the applicant is aware that getting this SUP would make the structure an assembly occupancy structure that would have different requirements. Mr. Clark says yes, he is aware after this step further requirements will need to be met, and they plan to meet all those legal obligations.

Chair Phillips asks how many people they have there today. Mr. Clark says currently there is no one in the large building as it is not yet completed.

Chair Phillips asks at their other location on Husband what is the largest capacity. Mr. Clark says their current building is about half the size and the most they have is about 40.

Commissioner Peters asks what the largest anticipated crowd would be at this location. Mr. Clark says it's hard to predict that, but he can't imagine it would ever be more than 60 and shares that it would be wonderful if they had so many people come out that they met max capacity. He states currently they expect the largest to be 40-50 people.

Commissioner Chair Phillips invites the co-applicant up to present as well.

Ms. Angie Ward, 1511 S Mansfield Dr. comes and speaks on the following:

- States that K-Life has been operating in Stillwater for 15 years.
- Have 75 OSU students operating as leaders and mentors in various capacities.
- K-life hosts small group study before school typically 10-12 students lead by 3-4 college students held between 7-7:30am.
- Club events are held 3 separate times based on age a week. They would be after school for an hour and a half around 7:00pm. Those events are typically 30 students.
- The traffic impact is projected to be minimal as it is scheduled before or after rush hours.
- The times are meant to be mindful of neighbors as people will be getting ready for work during the early meetings and the later one isn't too late either as they consider that these are school nights for students.
- Traffic has all been directed to the expanded driveway off Husband St., which eliminates the need for pick up lines.

- As most students will be dropped off, they don't anticipate any parking concerns but do have access to the parking lot at the high school if needed.
- The materials they have used in the buildings themselves are noise reducing.
- They are moving because their previous lease has ended, and they explored several properties, but they were not able to find anything else in town that provided a safe outdoor environment for kids to play while being affordable.
- Proximity to the high school is also very important to K-Life.

Chair Phillips brings up that there are 75 college volunteers and asks what type of staff they have to mentor/train the college volunteers. Ms. Ward says there are 2 full-time staff members, a director and a women's director and there are also board members with K-life that support them.

Chair Phillips asks where, and how often, do they meet. Ms. Ward says they meet in the downstairs area of the home monthly.

Commissioner Prather asks about what other meeting places they've been located at. Ms. Ward says they used to have a location off Main St.

Chair Phillips opens the public hearing and asks if there is anyone that wishes to speak in in favor of this item; none respond. Chair Phillips asks if there is anyone that wishes to speak in favor of this item.

Planning Commission Clerk, Alexandria Maged, explains there will be a 3-minute timer per speaker due to the size of the crowd and based upon the sign-in sheet.

The following come to speak and comments shared:

Chris Stockton, 3402 W 29th

- President of the board for K-Life.
- States that he has been involved in K-life since he was in high school.
- Is soon to be the president of United Way in Stillwater.
- Mentions this because a lot of their community outreach programs promote mental health for youth within the community and he feels this location, across from the high school, is very important for that outreach.
- Feels since they will be blocking off the Main St. entrance and the only access will be from the high school they won't be adding any more traffic.

Ronald Insilman, 1210 N Main St.

- Owns the property directly to the west and south.
- Before the applicants came and cleaned things up the high school kids would come leave their trash and paraphilia on their property.
- Feels the applicants have already improved the area drastically.
- One of the old trees fell and damaged their property and the previous owners never took care of it, but everything has now been taken care of.
- Feels the applicants really plan to take care of the Community.
- States, although the construction is noisy if someone else had some in and built residential houses the construction would still be noisy.

Blaine Rider, 2520 S Durham Ct.

- Is the general contractor.
- Apologies for the noise but assured everyone it is just standard construction.
- Has brought his kids over for bible study in the main building and emphasizes how positive he believes this is for the community.

Carter Roberson 1307 N Husband St.

- Is the one living on the second level of the home.
- Chapter Director of Stillwater K-Life.
- Safety is his number one priority.
- Was involved in the open house meeting.
- Hopes that K-life will be able to be here to positively affect people the way it's positively affected him.

Chair Phillips now asks if anyone would like to speak in opposition of the item.

Ron Clark, 102 Randolph Ct.

- Says he supports K-life's mission but is upset with the building.
- He has a picture of the barn structure that was erected that he passes around to the Commission.
- Questions about how they got permission prior to this SUP.
- He believes the building might negatively impact property values.
- Also believes in the future people will not want to buy his home because of the proximity.

Barbara Miller, 101 Randolph Ct.

- Started reaching out with questions about this project when landscaping started in September.
- Contacted City Staff and was told that the building was permitted.
- Contacted the City Manager and was told the building was allowed but they would need a specific use permit for how it would be used.
- City Management let her know that they had been in communication with the applicant and citizens would receive a notification letter when it was scheduled for public hearing.
- Her objections is to the fact that this was not sent to hearing until after the building was completed.
- She was informed that they could deny the SUP but the building would still be allowed to stay up.

Joan York, 111 E Redbud Dr.

- Is opposed as she believed this negatively impacts their residential neighborhood .
- Many of the homes in this neighborhood are \$300-500k homes built by the same builder with very similar facades.
- Believes the blue metal building's industrial look is out of place in the residential neighborhood.
- Believes Mr. Clark has been running the religious institution from the property the whole time and believes he knows the neighbors are opposed.
- Believes this sets a dangerous precedent for other commercial buildings in residential areas
- Does not think the neighborhood can take the traffic impact.
- Thinks the noise will be an issue.
- Believes these combined factors will negatively affect the neighbors quality of life.

Jacob Longan 107 Randolph Ct.

- States he is upset he did not receive a notice from the city.
- Says Main St. already has bad traffic.

- There's no sidewalk or street lights, the increased traffic will make this more unsafe.
- Thinks even if they block off the Main St. entrance people will still come around that way and drop off on the street.

Aleine Ackerson, 113 Randolph ct.

- Concerned about possible additional uses.
- The building is very large and sticks out.
- While talking to the applicant, Ms. Ackerson claims that they told her that they might rent the blue building out to other parties outside of K-life for activities and is concerned about what these might entail.

Rennée Rahule, 1315 N Husband.

- States that the benefit of K-life to the community as a whole is not the issue for them and they don't have anything against the organization but feels the building and location are what is not appropriate for the neighborhood.
- Wants to keep the tree lined older home residential feel of the neighborhood and is concerned about the developing commercial aesthetic of this project bringing their property value down.
- Is wondered if they got this SUP would they then be able to put other structures up on the property, would they be able to put up large signs or even a new church building.
- Says there have been activities at the building and sometimes there are 20-30 cars parked in the front yard.

Don Ruhle, 1350 N Husband

- Says although code enforcement investigation found that K-Life was not hosting activities at this location yet, they live across the street and have seen lots of activities and cars parked in front of their home.
- States that K-Life has sold tickets for parking for high school football games.
- States that the signs they already put up have blown over in the street and their yard .
- Is concerned about the capacity number for people being in the 400s for the barn structure and if there is anything if this is passed to stop them from having this many or from putting up additional structures that could fit more.
- Doesn't believe that they did pull all their permits, such as for the porch on the main house.

Mike Banks, 123 Randolph Ct.

- He is one of the original developers for the neighborhood and his family grew up down the street.
- He supports K-life as an organization.
- Would like to see some things change before the board considers granting anything.
- Would like to see that the traffic issue is addresses as well as the landscaping and fence put up because as the building exists now the Main St. drive is still in use and the building does not fit with the residential look of the neighborhood.

Andrew Doust, 120 Randolph Ct.

- Doesn't believe that the trees were all rotten.
- Is wondering why the building went up before the SUP was applied for .
- Is concerned that K-life's specific structure is "you make disciples to make disciples" so it's something that is structured to grow and is worried that there won't be regulation of this growth and this area is not suited for that.

- The building at the moment is very unaesthetic.

Linda Good, 114 Randolph Ct.

- Also concerned about the current aesthetic.
- Additionally, is concerned even if the drive is closed on Main St. the City still allows for street parking on that side, even though across the street has limited or no parking she thinks making no parking at all on North Main St. would help alleviate this.
- Says it was surprising that the City would allow a 3200ft building in a backyard even with a permit.

Kieth Good, 114 Randolph Ct.

- Points out that this large metal building does not have HVAC so when it gets hot the 12ft garage doors would have to be open and he anticipates that will cause noise issues.
- The High school's football games already cause noise issues so meetings after the games would just prolong that.
- Believes this would be a strain on City resources as neighbors would be calling the police with noise complaints.
- Says that there's no lighting on this part of Main St. so it makes a visibility and safety issues with after school and after games activities.

Chair Phillips closes the public hearing and invites staff back to address some of the questions first.

Jaquelyn Porter, City Planner, comes up to address some of the main concerns.

- For the concerns that neighbors were not notified of the initial building going up: The permit that was received was a Residential Accessory Permit for a barn.
- Anyone in these two zoning districts can build a residential accessory structure on their property and it does not require notice.
- The permit was reviewed and granted as such and it wasn't until neighbors began calling the city about the use that the need for the SUP was brought up and the city was not able to immediately request the project be paused based on hearsay.

Chair Phillips asks if with the Residential Accessory permit there was a size limit for the building. Ms. Porter says no, there is not a limit for the square footage. The only limit is that it can't be taller than the primary residential structure. Additionally, she notes that there are no requirements for the façade.

Mrs. Kim Payne, Assistant City Attorney, specifies that the barn building as it is permitted as a residential accessory structure is in full compliance with City Code. This review is for the specific use of the property location.

Ms. Porter confirms that even if the specific use permit is denied the structure is allowed to stay.

Chair Phillips asks if the building also meets all the setback requirements. Ms. Porter confirms that it meets all the setback requirements.

Chair Phillips asks if aesthetics are not regulated in this area. Ms. Porter also confirms.

Mrs. Payne advises that the commission can place conditions on the SUP including landscaping and parking.

Chair Phillips asks if Ms. Porter could clarify the notification process, which was also brought up; as she understands it, a building permit that is approved and meets all requirements does not require notification to the neighbors; however, when the SUP was applied for, that is what triggered the requirement for notification. Ms. Porter explains that with the SUPs, once staff receive the SUP application, which includes a certified list of property owners within a 300 ft buffer radius, they then send out notification within a specific window of the public hearing.

Chair Phillips advises that this buffer area can be smaller than people expect and that might be why some neighbors received notices, and some didn't.

Mrs. Payne reads off other questions for staff to answer regarding the City's ability to prohibit parking on Main St.; and the Commissioners are unable to regulate that as part of the conditions they can place, they can condition parking on the property, but neighbors would need to request changes to street parking through the city.

Chair Phillips clarifies that neighbors can contract the city to request no parking on one or both sides of the street, but the Commission can only consider parking on the property as part of their deliberations. Mrs. Payne confirms that is correct.

Chair Phillips asks staff about the use, as she believes this is more commercial use for the property and asks if the building might require re-evaluation for this use and if it is code compliant since it has no HVAC. Mrs. Payne clarifies this hearing is the permitting process to change the use.

Chair Phillips says if this is going to be a different use than it was originally permitted, how it was originally approved it has no HVAC. Mrs. Payne clarifies that it is not being permitted for Commercial use with this SUP it is being permitted as a religious institution.

Chair Phillips asks if that would still trigger the building to need to be rated for Assembly Occupancy. Mrs. Payne states they would need to verify this but as on right now the building is still being looked at as residential accessory.

Chair Phillips asks for specification on what requirements would need to be met as she is pretty sure changing the use would mean the building would need to meet Assembly Occupancy requirements that would require HVAC, toilets and energy code compliance.

Chair Phillips asks staff if they know what the current occupancy limit would be as they have heard/calculated different number and how many parking spaces would that require per city code. Mrs. Payne advises that staff will research questions further.

Ms. Porter responds that the building does have rest rooms just not HVAC.

Chair Phillips asks if whether the SUP would cover only the existing structures or would it also cover any other development and would it allow them to demo and put other structures in. Mrs. Payne responds that is correct, it is for the whole property.

Commissioner Prather asks if SUP comes for renewal. Ms. Porter states that they are renewed annually but it does not come back to planning commission. Mrs. Payne states that unless the use or owners change.

Chair Phillips says she did not think it was annual. Ms. Porter clarifies the annual renewal is administrative similar to a liquor license, the renewal is handled internally by staff.

Commissioner Prather says he was looking for if the SUP is permitted and then the neighbors' concerns are realized is there a way for them to log the complaints with the City and can the SUP be revoked. Mrs. Payne says they would need to do more research. Ms. Porter clarifies that complaints would go through PD if neighbors did have them.

Chair Phillips says she found that churches were exempt from noise ordinances in the code. Ms. Porter confirms and adds that per the Assembly Occupancy parking question, it is in Stillwater's Code they have Auditorium requirements, and it is one space per 6 seats, or 9 linear feet of fixed bench, or 45sqft of floor.

Chair Phillip asks if it would have to be hard scape or gravel for the parking requirements. Mrs. Payne responds that it would have to be researched.

Chair Phillips adds that if it does need to be paved, would the lot coverage trigger the need for additional run off mitigation or drainage. Ms. Porter says yes, if it exceeds the lot coverage.

Chair Phillips thinks that this needs to be looked at more and is leaning towards tabling this item until those questions can be answered.

Mrs. Payne summarizes some of the questions that the Commissioners would be looking to have answered if the item is tabled is.

- If there is a revokable process for the SUP.
- If Occupancy Permit Changes are required due to Assembly.
- Is paved parking currently required/ can it be a condition/ and what drainage requirements would be associated.

Chair Phillips adds that they want clarification on if there are any other associated occupancy requirements.

Commissioner Shanahan asks if there is a difference between Religious Institution and Commercial use for a SUP, such as is Commercial something that generates cash flow vs Institutional being nonprofit.

Ms. Porter confirms that they will research that as well and add the definitions to the next report.

Chair Phillips invites the applicant forward to further address and questions that have been brought up.

Mr. Clark returns and brings up some of the points.

- that when they purchased this property after it had been on the market for a while they had initially explored multiple opportunities for the property while going through the initial building permitting process. They filed all necessary building permits for the structures as they exist currently on the property.
- He understands some of the worries about safety and traffic flow but believes that if someone is parking or doing something wrong that that this can be addressed.
- As for the material and the color, although some might find it ugly they were trying to match the color of the house.
- The materials used allow for proper air flow and are fire resistant materials and included toilets.

- For the point that there might be additional use, that was brought up during the open house just to discuss ways the property could possibly be used. The context was that he would be open to letting the neighborhood use the property for family gatherings or weddings in their future.
- Is aware of the traffic that already exists on Main St. but does not believe they are inducing any more than already exists.
- He believes they have addressed the issue of increased traffic on main by closing it off and expanding the other entrance.
- Continues that the Main St. side will be fenced off as a portion of the property will be completely enclosed parents would not be able to drop their kids off on that side.
- Although he can't prevent anyone from parking on the street and climbing a fence, K-Life does give clear communication to parents as to where they should park or drive for pickups and drop-offs.
- Assures that as property owners they will hold anyone that uses this property responsible for following the rules and know that K-life will do the same.
- They specifically have not added additional hardscape to prevent any drainage issues.
- Although he does not know what the property will become if they do sell to someone else he plans to do everything legally and commits to being a good neighbor.

Commissioner Prather asks if there will be a fence between them and the property to the north. Mr. Clark says that most of the property to the north already has a fence, if there is any additional fencing required they would be happy to consider it and one of the neighbors has already sent a suggestion that they've reviewed and plan to keep the fencing in line with the rest of the neighborhood.

Commissioner Prather asks if the front of the building will be covered by a fence and if so, how tall that fence will be. Mr. Clark says since there is a drop from the property to Redbud they plan on addressing that with landscaping instead of a fence and plan to put in taller trees such as evergreens and crepe myrtle. Mr. Clark states they are taking input from neighbors on what kind of landscaping they put in as well.

Chair Phillips asks if the drive they will be closing on main is also one of the entrances for the duplexes. Mr. Clark says no, they have a separate curb cut to their drive and it hasn't been used for a number of years as access.

Chair Phillips asks if they plan to completely remove the curb cut. Mr. Clark states probably not as the main drive isn't paved so they plan on doing some landscaping all the way up to the curb cut. Mr. Clark also notes they will be adding some artificial grass in areas to keep it looking nice year-round and address some drainage issues.

Chair Phillips asks staff if since there is a different zoning on the front and back of the property there might be a requirement for drive access on both sides. Mrs. Payne advises that they can add that to the list to research.

Chair Phillips asks staff to present findings and alternatives.

Diana Hood presents the findings and alternatives to the commissioners which are:

Findings:

1. The Land Development Code allows church and other religious institutions in the Small Lot Single-Family (RSS) and Two-Family Residential (RT) zoning district with a Specific Use Permit.
2. The Comprehensive Plan calls for Low Density Residential 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.

Vice Chair Williams motions that additional information and discussion is needed and to table the request to the January 7th 2025 Planning Commission meeting. Commissioner Peters seconds.

Roll Call:	Phillips	Williams	Prather	Shanahan	Peters
	Yes	Yes	No	Yes	Yes

Time: 1 hour 50 minutes

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

- a. Next Planning Commission Meeting is January 7th 2025.

4. ADJOURN

ADJOURNMENT. This regular meeting of the Stillwater Planning Commission was called for adjournment by Vice Chair Williams, seconded by Chair Phillips at approximately 7:46 PM on December 17th, 2024 - the next regularly scheduled meeting will be held Tuesday, January 7th, 2025 at in the City Commission Hearing Room, Municipal Building, 723 South Lewis Street.

Drafted by – Alexandria Maged, Administrative Assistant

Reviewed by – Cindy Gibson, Administrative Manager

Approved by - 
Stillwater Planning Commission