

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF AUGUST 6TH, 2024
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED August 1st, 2024, IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

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

MEMBERS ABSENT

STAFF PRESENT

Brady Moore, Deputy City Manager
Kim Payne, City Attorney
Jacquelyn Porter, City Planner
Diana Hood, Associate City Planner
Joshua Brown, Project Manager
Cindy Gibson, Administrative Services
Staff Absent

1. CALL MEETING TO ORDER.

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

2. GENERAL ORDERS.

The board/committee/commission will hear a staff presentation and take action including a vote or series of votes on each item listed as presented or as amended or revised by members of the board/committee/commission unless the agenda entry specifically states no action will be taken. The requested action is indicated in each agenda entry but may be amended or revised prior to action by the board/committee/commission.

3. PUBLIC HEARING:

- a. Receive public comment on a request for a SHORT TERM RENTAL (STR-0169), from Ensign Properties of OK c/o Shannon Bleyl for property addressed as 3227 S. Pioneer Street in the Single Family Small Lot Residential (RSS) district. (This item was tabled from the July 16, 2024 meeting.)

Chair Phillips introduces the item and asks staff to present.

Ms. Diana Hood, Associate City Planner, presents the staff report and asks if there are any questions; none respond.

Chair Phillips asks the applicant to present.

Shannon Bleyl, 3227 S Pioneer St., comes to the podium and speaks on the following:

- Lives at the address and specifies that this is more of a midterm rental; plans to rent it out to contract nurses or summer employees; and is not looking for quick turnover
- Owns another property in Cushing; and when her kids are gone for the summer, would like to rent out this property legally and be licensed.

- Stayed at the Cushing location for a month last summer and had a couple staying at this location (not as a rental). However, that didn't go well so she is looking to find a contract nurse for next summer.
- Works at one of the local hospitals so hoping to find someone there.

Commissioner Williams asks if she will be living there as well while renting it. Ms. Bleyl states that she will be living in Cushing, unless she ended up renting to students by the room, in that case she would live there as well.

Vice Chair Prather asks her to elaborate on the one (1) month test she did last summer. Ms. Bleyl stated she knew a newly wed couple that both still had contracts in student housing; while they were looking for a place together, she invited them to bring their trailer to hook up on her property; and they took care of her pets and home while she was working on renovations on the Cushing property, but they did not do a good job.

Ms. Bleyl explains that she has had other Air BnB's and three (3) other rental properties in the past; states she is not new to landlord laws, or vetting tenants; does background checks and is very careful with who she selects; and she even checked to make sure there wasn't any public or private covenants on this property.

Vice Chair Prather asks if 13-week nursing contracts are common. Ms. Bleyl confirms that they are very common especially since covid.

Commission Williams states that the objection letter the Commission received does mention the RV from last summer. Ms. Bleyl confirms that that was probably them, but no money was exchanged so that was not technically a short-term rental; did tell the neighbors that the couple would be staying there short-term so the neighbors would know what was happening; and that way the neighbors could keep an eye on things and call her if there were any problems because she was just in Cushing.

Commissioner Williams comments that another part of the complaint was regarding issues with the people watching the dog and asks if that would not be the case now. Ms. Bleyl responds that she would be taking her dog with her this time as she would not leave her pets for the whole summer.

Commissioner Williams asks what kind of rules she would be implementing with a 13-week rental and if she would be using Air BnB. Ms. Bleyl states that she is hoping to find someone she works with, or though someone she knows and just do a contract with them so there would be a standard lease agreement policy.

Commissioner Williams clarifies that she would not be going through Air BnB as she does not want to come back to clean up after guests. Mrs. Kim Payne, Assistant City Attorney advises that short term rentals are for 30 days and under, therefore, this license would not be applicable to a 13-week rental. Ms. Bleyl responds she was not aware of that; and initially, considering shorter-term rentals but that is not what she would prefer.

Vice Chair Prather states if they didn't approve this it, it wouldn't prevent her from doing the 13-week rental. Ms. Bleyl agrees but states that she would like the option of being able to offer 30 days or less.

Mrs. Payne clarifies that the commission would need to approve this license for her to host for 30 days or less.

Ms. Bleyl says she would like the license just to be compliant with her business.

Vice Chair Prather clarifies that this license is to allow for flexibility. Ms. Bleyl confirms and reiterates that she is not new to being a landlord and wants to make sure everything is done correctly.

Chair Phillips asks the applicant about her previous short-term rentals and if they were in Stillwater. Ms. Bleyl responds no, they were out of State as she moved here in 2015.

Chair Phillips asks about how she handled the upkeep. Ms. Bleyl states that they were duplexes, and she had a property manager that lived in one side and then she rented the other.

Chair Phillips says it does sound like she has good experience on the management end of it; says some of the things the commission usually asks about, that neighbors look for, is not renting to local addresses, minimum age of renter, number of cars, etc. and asks if the applicant will be implementing any of these. Ms. Bleyl responds yes, as she does a full background check with a minimum credit score requirement to make sure they're quality applicants.

Vice Chair Prather inquires about the number of renters she is looking for. Ms. Bleyl clarifies that ideally, she would like four.

Vice Chair Prather asks if her neighbors are aware that her plan is different than a typical short-term rental. Ms. Bleyl responds she has talked to some of them.

Vice Chair Prather asks what the feedback has been. Ms. Bleyl responds that there's some comment on the desire to keep the neighborhood safe and she shares that sentiment.

Chair Phillips opens the hearing to the public and asks if there is anyone who would like to speak in favor of this request; none respond. Chair Phillips asks if there is anyone that wishes to speak in opposition and invites them forward.

The following come to speak:

- Debbie Shawnoki, 1003 w 33rd
- John Straw, 3011 W 33rd

The following are comments shared:

- Would like to know that someone will be keeping up the yard.
- Would like to know what the process is if there are any concerns.
- Is concerned about the safety aspect.

Chair Phillips asks if there are is anyone else that wishes to speak in opposition; none respond. Chair Phillips invites the applicant back up to address the questions.

Ms. Bleyl returns to the podium and thanks them for their concerns and states that she thinks it would be a good idea to add a clause to the lease agreement requiring they keep up the yard. Ms. Byle continues

by stating if there are any concerns about the tenants, the neighbors are welcome to text her as she is responsive and 19 miles away; and as for safety, a thorough background check is really the best any landlord can do but if she finds out anything once they move in, she'll get them out fast.

Chair Phillips closes the public hearing and asks staff to explain the options neighbors have to voice complaints to the City.

Mr. Payne advises if it is a lawn or trash issue, it can go through code enforcement; or if it is an issue with the tenant, they can go through PD or the City Clerk.

Ms. Hood comments if there are consistent issues with a short-term rental on record it will be reviewed and the license potentially revoked.

Dianna Hood Presents the alternatives:

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

Vice Chair Prather motions to approve the request for the short term rental. Commissioner Williams Seconds.

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

Time: 17 minutes

- b. Receive public comment regarding a request from Series 7 of Gofourth Murray Properties, LLC. for a Map Amendment (MA24-08), to rezone property addressed as 320 South Walnut Street from Small Lot Single Family Residential (RSS) to Two-Family and Multi-Family Residential (RTM).

Chair Phillips introduces the item and ask for staff's report.

Jacquelyn Porter, City Planner, presents the item.

Commissioner Shanahan comments that having the zoning more clearly identified in their packets would be helpful.

Chair Phillips asks for clarification on how many lots are being highlighted on their map. Ms. Porter clarifies it is one address containing multiple (4) lots.

Chair Philips invites the applicant up to present.

Mr. Arron Fergeson, Bancroft Design, 923 S Lowry comes to speak on the following:

- States that there are not currently plans for the development of this property, this rezoning is for projected future development.
- States that there is similar zoning nearby and the zoning across the street is actually higher density than what they're requesting.

Commissioner Shanahan asks if the map amendment would bring the property in to being more compatibility with the surrounding density. Mr. Fergeson confirms that this is increasing the density but not to the extent of the density to the east; and shares that the property owner also owns the properties to the north.

Commissioner Shanahan asks if those properties are owner occupied or rentals. Mr. Fergeson says he would assume they are rentals as one person owns all of them.

Chair Phillips shares that she takes this route to work and believes it is mostly rentals.

Vice Chair Prather asks if they change this to RTM and then the owner decides they want to build a single-family home, would they have to re-do this process. Mrs. Kim Payne, Assistance City Attorney confirms they would have to request another map amendment to re-zone it back to RSS.

Chair Philips asks if by granting this map amendment on a property that already has a single-family residence would that make this lot non-compliant. Mrs. Payne responds yes, it would make it legally non-conforming.

Vice Chair Prather asks what the ramifications of that are. Ms. Porter states that if a property is vacant for over 90 days it needs to be brought into code compliance, but there is no one really enforcing that.

Mrs. Payne adds that if they took down the single-family home, they would not be able to put one back up, they would need to come back to rezone or build to the amended standards.

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

William Stockhold, 324 S Orchard St., comes to speak on the following:

- Is concerned that he does not know what will be going in as he does not want an apartment complex in his back yard and would like to know what this zoning would entail.

Ms. Porter shares a sheet that has the bulk building requirements such as height, set back requirements and lot coverage. (Stillwater Code of Ordnances Sec. 23-139)

Mr. Stockhold asks how many homes the developer can put on this lot with this zoning. Chair Phillips helps explain that there would be a limit of 6ish units and that with the lot size and requirements it would restrict what can be built there.

Mr. Stockhold shares concerns that parking lots are allowed in this district and that he does not want that in his backyard; and asks if the Commission is able to approve the map amendment with the condition that it not a parking lot. Chair Phillips states they could not as that would be a Use-By-Right of the zoning.

Chair Phillips closes the public hearing and asks the applicant's representative back up to answer questions.

Mr. Fergeson addresses the concern of the parking lot by sharing that he does know the applicant plans to build something residential.

Vice Chair Prather asks if he knows the actual dimensions of the lot as opposed to the acreage which is what they have listed. Mr. Fergeson says he does not.

Vice Chair Prather states he believes that the calculation for the square footage falls short of the requirements listed in the bulk standards; points out that the minimum lot width and minimum lot depth do not equal the minimum lot area.

Ms. Porter verifies that the lots' total square footage would be short, but the dimensions would work, and the discrepancy is due to incorrect wording in the code.

Chair Phillips reviews the math and says she believes the minimum is not necessarily the total of the width and depth but a separate requirement.

Chair Philips shares that since the total square footage is short, she is hesitant to grant the zoning request for such a small lot even if she thinks the step-down zoning is appropriate for this area.

Commissioner Williams says he would feel better about granting this change if he knew what was going to go there.

Mrs. Payne points out what they are deciding on is if the property meets the zoning requirements not what is going there because the use could always change down the line. Commissioner Williams says he understands.

Chair Phillips tries to go over the math again for what could fit here with the rezoning and believes it would be very limited.

Mr. Stockholm requests to ask an additional question from the audience and inquires how many addresses and lots this really is.

Mrs. Payne explains it is one address that has 4 lots.

Chair Philips reiterates that with the parcel being smaller than the current minimum square footage for the zoning requirements, believes the buffer zoning in this area is a good idea, however, does not think this piece of property, as is, meets the qualifications.

Chair Phillips asks for staff to present findings and alternatives.

Ms. Porter presents:

Findings:

1. The Land Development Code allows for rezoning of land via Map Amendments.
2. Two-Family and Multi-Family District (RTM) is located in the vicinity to the southeast along with RMI to the east with various high-density further east of the subject properties.
3. The Comprehensive Plan calls for Low Density Residential for the subject properties' location.

Alternatives:

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

Chair Philips moves to deny the application based on the fact that minimum lot size is not met. Vice Chair Prather seconds the motion.

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

Time: 29 minutes

4. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION

- a. July 9th, 2024

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

Commissioner Williams motioned to approve the minutes as presented, Commissioner Peters seconds.

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

Time: 2 minutes

- b. July 16th, 2024

Chair Philips comments that there is a needed correction on spelling of her name on page 3.

Commissioner Williams motioned to approve the minutes as amended, Commissioner Peters seconds.

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

Time: 2 minutes

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

- a. City Attorney's office has an announcement regarding an agenda set for Monday, October 28th, 2024, to discuss short term rentals with City Council. The format of that meeting is still being discussed but if the Commission would like to attend, they should add it to their calendars.

Vice Chair Prather asks if this will let them address previously filed complaints if anyone has been filing complaints on the short-term rentals.

Mrs. Payne states that there have been complaints. The Attorney's Office has compiled all of them and will have a presentation that will present all the data they have. The meeting will be in the evening, but the time has not been set.

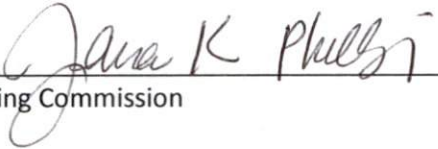
b. The next regular meeting is August 20th, 2024

6. ADJOURN

ADJOURNMENT. This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Williams, seconded by Commissioner Peters at approximately 6:21 PM on August 6th, 2024. The next regularly scheduled meeting will be held Tuesday, August 20th, 2024 at 5:30 p.m. in the City Commission Hearing Room, Municipal Building, 723 South Lewis Street.

Prepared by – Alexandria Maged, Administrative Assistant

Reviewed by – Cindy Gibson, Administrative Services Manager

Approved by - 
Stillwater Planning Commission