

STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF January 7th, 2025
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED January 3rd, 2025, 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, Development Services Director
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 request from KMR Development, LLC for a 2nd twelve (12) month extension of the preliminary plat approval for Park View Estates which covers Phase 1 of Park View Estates, Section 10 pending substantial completion and acceptance of improvements and final plat

Chair Phillips invites staff to present the item.

Diana Hood, Associate City Planner, presents the item and states the applicant is requesting a second extension for a 12-month extension for the preliminary plat approval of Park View Estates, Section 10; and this extension is due to pending acceptance of public improvements such as water and sewer; and the plat was originally approved in January 2022 and had already been extended once in January 2024.

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

Mr. Stephen Gose, Gose and Associates, 113 E 8th Ave., comes to speak on the following:

- Reiterates that they are just finishing up some improvements with the preliminary plat.
- The final plat has been applied for and is just waiting for the approval on this one.
- This 12-month extension is just because they are running up on the date for the first 12 months.

Commissioner Shanahan asks where they are at with the improvements. Mr. Gose responds that all the improvements have been installed and they have submitted record drawings; elaborated on the delays, citing minor outstanding issues with water valve stabilization, erosion around pavement edges, and Tracer wire concerns that had since been resolved.

Chair Phillips invites staff back up to share findings and alternatives.

Diana Hood presents findings and alternatives, which are:

Findings:

1. The request for a time extension for the approved preliminary plat was received prior to the expiration date as set forth in Section 23-63.g.1 of the City Code.
2. The approved preliminary plat was granted a twelve-month extension on January 9, 2024.
3. The C3 Plan recommends low density uses at this location.

Alternatives:

1. Accept findings and approve the proposed extension of the approved preliminary plat as presented.
2. Approve the proposed extension of the approved preliminary plat with conditions, noting what conditions should be met for the approval of the final plat.
3. Reject findings and deny the proposed extension of the approved preliminary plat as presented.

**Commissioner Shannahan moves to grant the extension of the preliminary plat,
Commissioner Prather Seconds.**

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

Time: 7 minutes

3. PUBLIC HEARING

- a. 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) district. (*Tabled from December 17th, 2024, meeting.*)

Chair Phillips noted there was a notice issue related to this item, which require rescheduling and therefore, no action was taken.

- b. Receive public comment regarding a request from Independent School District No. 16 and Bank SNB for a MAP AMENDMENT (MA24-15), to rezone 5021 N. Perkins Road from A (Agriculture), IL (Light Industrial), RSS (Small Lot Single-Family), O (Office), RTM (Two-Family and Multi-Family), and CG (Commercial General) to P (Public).

Chair Phillips invites staff to present the item.

Diana Hood, Associate City Planner, presents staff's report and asks if there are any questions for staff.

Commissioner Shanahan asks what is the rational of zoning CG to Public for this use and if that is due to it being owned by Stillwater public school. Ms. Hood explains that the Stillwater Public School is planning to expand the office building as well as add additional facilities for bus maintenance and rezoning to Public would allow for consistency across the whole lot while allowing for the proposed uses.

Chair Phillips asks what uses are allowed by right in the public zoning. Ms. Hood explains that public zoning is a little different than the other zoning districts as it does not have set uses, it allows for whatever City Council votes to be put in.

Chair Phillips asks if it is required to be zoned public if the school district is going to use it and if it is public can things go here that wouldn't usually go next to residential zoning. Ms. Hood states they will need to research if it is required; and as for uses, there is not a set list of uses-by-right for the public zoning, but screening requirements would be enforced where applicable.

Mrs. Kim Payne, Assistant City Attorney, advises that staff can research this further.

Chair Phillips requests to table this item until the next meeting.

Chair Phillips moves to table MA24-15 until the January 28th Planning Commission, Vice Chair Williams seconds.

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

Time: 9 minutes

- c. Receive public comment regarding a request from the City of Stillwater and Stillwater Regional Airport for a MAP AMENDMENT (MA24-17) to rezone from IL (Light Industrial) to P (Public) a portion of property addressed as 2020 W. Airport Road, said area, is also referred to as 3111 N. Hargis Road.

Chair Phillips invites staff to present the item.

Diana Hood, Associate City Planner, presents the staff's report and asks if there are any questions.

Commissioner Shanahan asks if this was the location decided on as a more viable location of the animal welfare as opposed to the northwest part of Boomer Lake. Ms. Hood responds yes.

Chair Phillips clarifies that difference of the Light Industrial (IL) zoning being darker blue and a light blue being Public (P). Ms. Hood elaborates on the two zonings and this request being on a specific area of the darker blue which is currently Light Industrial (IL); and it is being requested to rezone to the light blue which is Public (P).

Chair Phillips asks for a representative to speak.

Ms. Kellie Reed, Stillwater Regional Airport Director, comes forward.

Chair Phillips asks if there is an intent to keep the area that is zoned IL as part of the parcel. Ms. Reed confirms that the shape of the rest of the parcel and the zoning will remain the same they just plan to rezone this portion so that they can bring a vote forward to have an area to construct the proposed new Animal Welfare center. Ms. Reed shares that approval had been obtained from the FAA, and the Stillwater Regional Airport support the proposal.

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

The following come to speak on the item:

Gary Cotton, 1215 W Osage Dr.

- concerns about potential noise and odors, citing the property's proximity to homes.

Tom Houston, 35 Liberty Cir.

- concerns about drainage and erosion from prior developments near the site and its potential impact on property.

Chair Phillips asks staff to return to address the concerns.

Ms. Hood states that the City Council still needs to designate this spot for the proposed animal welfare site; and explained that noise and drainage concerns would be addressed during the building permit stage.

Mr. David Barth, Development Services Director, states that there have not been any studies on odor or noise; this is just a map amendment; a city project still must follow drainage requirements so a study would be required; typically, these wouldn't come before the Planning Commission; and the future development would comply with engineering and environmental standards.

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

Ms. Hood returns and presents staff findings and alternatives, which are:

Findings:

1. The Land Development Code allows for rezoning of land via Map Amendments.
2. Public zoning is near the subject area
3. The Comprehensive Plan calls for public 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.

Chair Phillips asks for Planning Commission discussion.

Vice-Chair Prather asks if this location will replace the existing location; Chair Phillips confirms.

Chair Phillips comments that the lot size of the property is larger than the existing site; there is substantial distance between the proposed site and the residential area; staff have done a great

job of addressing questions on how we are moving forward; and states there is still a public vote pending on this item.

Vice-Chair Williams states he believes this request to be an appropriate use for this property.

Vice Chair Williams moves to accept 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: 15 minutes

- d. Receive public comment regarding a request from Seventh Chapter Land Trust for a revised PRELIMINARY PLAT (SUB22-08) named Greenheart Place, creating 47 residential lots and one (1) outlot in the Small Lot Single-Family Residential district with a Planned Unit Development overlay (RSS-PUD) on properties currently addressed as 1413 and 1599 E. Lakeview Road.

Chair Phillips invites staff to present the item.

Diana Hood, Associate City Planner, introduces a request made for Greenheart Place, formerly known as Quail Meadows, proposed a revised preliminary plat with 47 residential lots and one outlot; and significant changes included the addition of three lots and modifications to drainage design.

Vice Chair Williams confirms that with the changes, they determined they could add three extra lots and still have enough drainage capacity in outlot A. Ms. Hood confirms and lets staff know the engineer with the project is present.

Commissioner Shanahan states he would like information how they came to the conclusion that they could add three extra lots in that drainage area; Chair Phillips states that would probably be best addressed by the engineer

Chair Phillips invites the applicant to answer questions.

Aaron Ferguson, Bancroft Design, 923 S. Lowry comes to speak on the following:

- Explains that this was previously accepted and then extended due to issues with sewer access that have since been resolved.
- Improvement plans have been submitted but have been on hold since they decided to add these three lots.
- He explains that the new lots were made possible by redesigning drainage areas, referenced as Outlot A.
- An abandoned oil well was located on outlot B had been plugged, and documentation was provided.
- Coordinating with City on what additional documents is needed to support that the easement has been vacated.

Chair Phillips asks if there are monitors on that well. Mr. Ferguson says he is unsure but believes it was plugged deep enough so that it can be built on top of.

Chair Phillips confirmed that there was documentation from the Oklahoma Corporation Commission confirming that. Mr. Ferguson says there is.

Mr. Ferguson continues that there is a revised detention analysis that has been submitted as well; reviewed the traffic impact analysis that was previously submitted and determined that it did not require any updates with the additional lots. Mr. Ferguson mentions that the analysis includes the sixteen (16) duplexes which are still a part of the proposal and a total of 40 single family homes were covered in the analysis and with the revised plat, there will be 38 single family homes, and 192 apartment units which have not yet been proposed, so they are still under the analysis calculation.

Chair Phillips confirms the number of single-family homes and duplexes. Mr. Ferguson advises there will be 16 duplexes and 38 single family homes.

Commissioner Prather asks if any of the lot sizes still comply with city standards. Mr. Ferguson says yes, the only other change to the plat was an additional drainage easement along lots 8 and 7 for a flume to carry water to the detention pond and had to increase the size of a few of the utility easements for the sewer going to the north.

Commissioner Prather asks if it is the intention for Pacific Avenue to continue to the south to connect to future infrastructure. Mr. Ferguson confirms that it is left open if anyone did want to develop there in the future.

Chair Phillips comments that there is not another north/south paved road immediately east of this plat; and asks the applicant to show the location of the capped oil well and the associated easements. Mr. Ferguson indicates on the plat the location.

Chair Phillips asks about a trail and if that is also an easement; Mr. Ferguson confirms that, yes, it is also part of the easement.

Chair Phillips confirms if this is part of the oil well easement that is to be abandoned; Mr. Ferguson confirms. Chair Phillips asks if it was for a well site or if it was just an access easement to the well; Mr. Ferguson says he believes it is just an access easement.

Chair Phillips asks if there are any further questions for the applicant; none respond.

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

Chair Phillips asks staff forward to present findings and alternatives.

Ms. Hood presents findings & alternatives:

Findings:

1. The proposed preliminary plat meets the subdivision and zoning requirements.
2. The C3 Plan recommends High Density Residential uses at this location.

3. Outlot 'A' is labeled as a Drainage and Utility Easement. Drainage easement areas typically include drainage structures, and the City Code does not allow permanent structures within utility easements. Staff recommend that utility easements are separate from drainage easements, when possible.

4. A Right of Way and Easement (Book 879, Page 672) exists in the area of Lot 2, Block 6. A 30-foot Pipeline Easement (Book 897, Page 684) exists along the north boundary of Lot 1, Block 4.

5. A plugged oil well is shown along the north boundary of Lots 2 and 3 in Block 6. There are no proposed easements along the north boundary of Lots 2 and 3 in Block 6.

Alternatives:

1. Accept findings and approve the proposed preliminary plat as presented.

2. Approve the proposed preliminary plat with conditions, noting what conditions should be met for the approval of the final plat.

3. Reject findings and deny the proposed preliminary plat as presented.

4. Find that additional information or discussion is needed prior to making a decision and table the request to a certain date noting that action must be taken within 60 days of the public hearing.

Mr. David Barth, Development Services Director, comes back to explain some of the points of staff's findings and recommendation as they are more extensive than usual.

Mr. Barth brings up the maps again and points out the area that is outlot A and where it is currently labeled as a drainage and utility easement and there is a sewer line there as well; explains as is, the easement is just one gigantic area that is marked as utility, so if the developer builds a drainage or detention facility, there is nothing really to stop private utility contractors, like gas or fiber, from putting something through that detention facility.

Mr. Barth explains that the code does not say that you must, but the city is recommending that they dedicate the sewer line that is on the east side of the lots as well as the water line that's at the back of the Cul de sac in their own dedicated utility easement and then separate the rest as drainage.

Mr. Barth states that regarding the well, staff are unaware of any monitoring systems, but they did reach out to the Oklahoma Corporation Commission that did confirm that it was plugged 4 feet below the surface; and The staff's concern is that if someone goes to buy the house and then tries to put in a pool, if the oil easement is abandoned that could create a problem and believe requiring an easement over it would be helpful to protect future homeowners.

Mr. Barth states that he is unsure if oil well closures are documented in a title, but easements would be something to consider; and the easements that are there and can be closed on the plat.

Commissioner Shanahan asks if there would be a plugged well on a lot meant for building a house. Ms. Payne confirms that that is correct and has been done before and is permitted.

Commissioner Shanahan is concerned as this puts buyers in a buyer beware situation and in past cases the Planning Commission has had reservations about that. Chair Phillips states that she shares those reservations.

Vice Chair Williams asks if they can require an easement that would state where that well is.

Chair Phillips states that it would prevent building on top of it but could still allow access but could restrict building in that area; continues that the OK Corp Commission would probably want monitoring wells to make sure that nothing leaks after a number of years; and they would need to allow for some kind of access.

Chair Phillips states that this is within walking distance of the elementary and middle school so there would be a lot of young families in this area, and this could be a potential health concern ;and share concern about having buildable lots.

Mr. Barth says there is currently a fence immediately around it but you could put an easement over that area but that doesn't address the concerns about the monitor.

Commissioner Prather asks if the property line is moved to the other side of the well would that make the lot size too small. Ms. Hood confirms that it would make it smaller than the minimum.

Chair Phillips asks if the easement that goes to the south of the oil well along the back of the lots was for a pipe or just access. Mr. Ferguson states he believes that it was just access and the larger one in the outlot was for the piping that is planned to be removed.

Chair Phillips asks if there is an adjacent tank battery. Mr. Furgeson says he does not believe so.

Commissioner Prather asks if the sewer easement is dedicated separately, does that challenge the math of the drainage area. Mr. Ferguson says it does not as they could also move the sewer line further to the west if needed.

Vice Chair Williams states he believes it's less about the ability to build on top of it but more that he wants any future owner to be aware it's there and then they can decide if they want to buy it and build there and how is the best way to make sure they are aware of that. Mr. Ferguson says that they could add a note on the final plat for future buyers.

Vice Chair Williams asks if it would go on the title. Mr. Ferguson says he does not know if it goes on the title, but it would be on the final plat for the lots.

Ms. Payne states she does not think a title attorney or would know how to look at the land records

Commissioner Prather asks if you could rotate the lots. Mr. Ferguson says that it would still be on the lots.

Vice-Chair Williams asks if the lots could be moved to the west. Mr. Ferguson says that's a low point so that would be where the pound is located.

Chair Phillips says that they could possibly put lots off the back of the cul de sac with earth work; if they could get some additional information on title work to show the well is there, she would be in favor of tabling this to be able to receive this information

Ms. Payne advises that they did try and research that and wasn't successful.

Mr. Ferguson states that the property owner is willing to add language to the plat that will be filed as record to disclose the well and its location.

Commissioner Shanahan asks if it is even a necessity for financial viability to even have this lot. Chair Phillips specifies it straddles two lots. Mr. Ferguson says they are having to extend the sewer line which is adding cost that this is helping offset costs.

Commissioner Prather asks if they could give up one lot and move one to the west. Mr. Ferguson says that they are running into issues with space for drainage there.

Commissioner Shanahan says he would hate to disapprove the plat based on necessity for additional housing in the area because of two lots but there is a degree of risk here that he wouldn't want to take.

Chair Phillips asks if there is a possibility of doing something off the cul de sac to increase lots. Mr. Ferguson responds that it could be looked at it.

Chair Phillips states she would be agreeable to approve this preliminary plat with the consideration of items noted in the findings, specifically item 3 and 4 addressing the drainage and utility easement separation and addressing the ROW and easement being closed as noted as discussed previously but not in favor of those three (3) lots and those would be the conditions for approval.

Chair Phillips moves to approve the Preliminary Plat with conditions, Commissioner Shanahan seconds with the conditions as follows:

- 1. Adjustments to drainage and utility easements on outlot A to make a specific sewer and water line easement as discussed in item 3. of staff findings which are: #3 Outlot 'A' is labeled as a Drainage and Utility Easement. Drainage easement areas typically include drainage structures, and the City Code does not allow permanent structures within utility easements. Staff recommend that utility easements are separate from drainage easements, when possible.**
- 2. Completion to close the easement discussed in item 4. of staff findings which is: #4. A Right of Way and Easement (Book 879, Page 672) exists in the area of Lot 2, Block 6. A 30-foot Pipeline Easement (Book 897, Page 684) exists along the north boundary of Lot 1, Block 4.**
- 3. Removal of additional lots 1, 2, and 3 due to concerns about the oil well.**

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

Time: 35 minutes

4. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION:

- a. November 5, 2024, Regular Meeting Minutes

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

Commissioner Peters motions to approve, Vice Chair Williams seconded the November 4, 2024 meeting summary as presented.

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

Time: 1 minute

b. December 3, 2024, Regular Meeting Summary

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

Commissioner Prather motions to approve, Vice Chair Williams seconded the December 3, 2024 meeting summary as presented.

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

Time: 1 minute

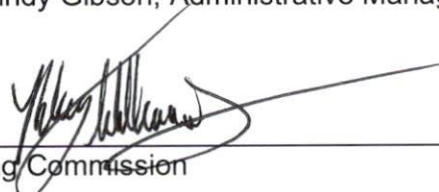
5. MISCELLANEOUS ITEMS FROM STAFF, PLANNING COMMISSIONERS OR CITY ATTORNEY FOR DISCUSSION AND POSSIBLE ACTION:

The next regular meeting is scheduled for January 28, 2025.

6. ADJOURNMENT

This regular meeting of the Stillwater Planning Commission was called for adjournment by Vice Chair Williams, Commissioner Prather seconded at approximately 6:37 PM on January 7th, 2025, the next regularly scheduled meeting will be held Tuesday, January 28th, 2025, at 5:30 p.m. 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