

STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF January 28th, 2025
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED January 24th, 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

STAFF PRESENT

Kim Payne, City Attorney
David Barth, Development Services Director
Joshua Brown, Project Manager
Cindy Gibson, Administrative Services
Alexandria Maged, Administrative Assistant

MEMBERS ABSENT

Staff Absent

Diana Hood, Associate City Planner

1. CALL MEETING TO ORDER.

2. PUBLIC HEARING

- a. 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). Memo to withdraw.

Chair Phillips announces that item has been withdrawn via the applicant.

- b. SHORT TERM RENTAL (STR-0193), consideration, discussion and possible action, including recommending approval or denial of an application for a Short-Term Rental from John and Karen Parks for property addressed as 137 S. Monticello in the Small Lot Single-Family Residential (RSS) zoning district with the Westwood overlay.

Chair Phillips invites staff to present the item.

Joshua Brow, Project Manager, presents the Short-Term Rental and asks if there are any questions; none respond.

Chair Phillips invites the applicant forwarded.

Kathy Bab, 1615 E Pioneer Cleveland Oklahoma, property owner and

John Parks, 7820 Dry Bean Trail, Stillwater Oklahoma, contractor and property manager, come to speak.

Chair Phillips asks the applicant to tell them about the property and how it will be used.

Mrs. Bab says they had bought the property for their kids while they were in school and then had it as a long-term rental for other students; during this time, it fell into disrepair; did major renovations with Mr. Parks as the contractor; and it is now their intention to rent it as an Airbnb.

Mr. Parks states he and his wife are going to be the property managers; the rental will have a maximum of 8 people, quiet hours and no pets and smoking.

Commissioner Prather asks if it's a minimum stay Mrs. Bab says it will have a two (2) night minimum; their drive can comfortably fit five (5) large vehicles.

Commissioner Prather asks if they will restrict local people from renting it. Mrs. Bab says no, but there is a minimum age of 25 and Airbnb does a good job of vetting people and will filter out anyone who has had issues in the past.

Commissioner Prather asks if that's the platform they will be using. Mrs. Bab confirms and states that their target is Oklahoma State events.

Vice Chair Williams summarizes that this was a college rental and now they are trying to get a nicer clientele. Mrs. Bab confirms that that's what they're hoping for; plans to check in frequently; Mr. Parks will be available, and have a ring camera to make sure extra guests aren't coming in.

Vice Chair Williams asks if that means John will be able to get there quickly in emergencies. Mr. Park confirms the clients will have his number; also own a local cleaning service and will be cleaning the home as well; shares that the owner has done a really good job of revamping the house and making improvements to the property; and there will be emergency contacts available, and he is 10 mins away.

Chair Phillips asks how long Mrs. Bab has owned the property. Mrs. Bab says since 2012.

Chair Phillips asks if she knows the amount of short- and long-term rentals in this area. Mrs. Bab says that there are a lot of rentals but not sure how many Airbnb's there are but she know there are some.

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

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 there is anyone that wishes to speak in opposition; none respond.

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

Joshua Brown presents alternatives.

Alternatives:

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

Commissioner Prather motions to approve the application, Commissioner Peters seconds.

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

Time: 8 minutes

- c. Receive public comment regarding a request from Stillwater Star West for a MAP AMENDMENT (MA24-16), to rezone properties addressed as 5599 W. 6th Avenue, also referred to as 5499 W. 6th Avenue, from RTM (Two-Family and Multi-Family) and CG (Commercial General) to RTM (Two-Family and Multi-Family) district.

Chair Phillips invites staff to present the item.

Joshua Brown, Project Manager, presents the item.

Chair Phillips asks about access to the right-of-way. Mr. Brown states that the applicant would be able to address that.

Chair Phillips invites the applicant forward to answer questions.

Mr. Aaron Ferguson, Bancroft Design 923 S Lowry, is here on behalf of the applicant and their request is to rezone the whole area to RTM which is close by; the access easement goes through the east of the O'Rielly's parking lot; and there is a strip on the west side that is a utility easement.

Chair Phillips notes that she saw a communications cabinet there. Mr. Ferguson confirmed that they would have to work with utilities to work around that.

Chair Phillips asks if the easement makes this a non-conforming lot because access does not touch the main roadway. Mr. Ferguson responds that the property is connected to the main roadway and does have an access easement; not sure but does not believe it is non-

conforming; and states that if it was rezoned to all commercial, the access points would still be the same no matter what the lot was used for in the future.

Commissioner Prather asks for the details of having an access easement through another property. Mr. Ferguson explains it allows the accessing property to use that piece of property for access and the property owner with the agreement can't block it off.

Commissioner Prather asked, if that meant if homes go here, does that mean residents would be driving through the O'Rielly's parking lot. Mr. Ferguson confirms.

Vice Chair Williams asks if this is something O'Riley's would have agreed to at the time of their purchase. Mr. Ferguson confirms.

Chair Phillips asks if it is private access, whose responsibility is it to maintain it for emergency vehicle standards. Mr. Ferguson states that it is his understanding it would be O'Riley's responsibility.

Chair Phillips asks if O'Riley's is aware they would have to maintain it to emergency vehicle access standards. Mr. Ferguson responds yes, that it is part of the access easement agreement; and does not know all the specifics, believes the developer will collaborate with O'Rielly's but, as it stands, O'Rielly's is responsible.

Chair Phillips opens the hearing to the public and invites up anyone who would like to speak in favor of the item.

Mr. Don Williams, C-Star Construction Company at 301 S. Duck Street

- Here on behalf of the applicant, Star West
- Currently the two zonings straddle this lot behind O'Rielly's, and need to rezone for future development
- Plan is to make this a low-density project so the use for the access will not be very high.

Chair Phillips asks if Mr. Williams has any more information about the access easement as he was around when it was done. Mr. Williams references a similar project on Bourbon St. that uses a comparable access easement and explains this one will be set up very similarly and says it is a common practice.

Mr. Williams continues stating that they are typically designed so the entity that dedicates the access easement is required to maintain it in the absence of a homeowners association.

Chair Phillips clarifies that they are thinking Low-Density or R-2 for this area even though the Comprehensive Plan calls for Commercial. Mr. Williams responds yes, it'll be considerably less dense than a Commercial zoning and less dense than the R-3 which is behind it.

Mr. Williams states that the Low-Density works better here with the limited access; have met with the fire department about the access through the parking lot and it will become a designated fire lane; and it is a fire lane right now, but it is not designated.

Chair Phillips asks if he knows if the pavement that is there currently is rated to be a fire lane. Mr. Williams believes it is based on a conversation with Stillwater Fire and it is currently the fire lane for O'Rielly's.

Chair Phillips asks if anyone else would like to speak in favor to come forward; none respond.

Chair Phillips asks for anyone in opposition or who has questions to come forward.

Becky Shirley, 5521 W 6th Ave. comes to speak on the following:

- Owns the property to the West that shares the Utility easement.
- Is concerned how the use of this easement would affect her and her property and if she would have any responsibility for maintenance as well.

Mrs. Kim Payne, Assistant City Attorney advises that her questions would better be answered by staff outside of the hearing.

Chair Phillips invites staff to present findings and alternatives.

Joshua Brown returns to the podium and presents findings and alternatives, which are:

Findings:

1. The Land Development Code allows for rezoning of land via Map Amendments.
2. RTM zoning is located in the vicinity.
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 recommend the City Council disapprove the map amendment.
3. Find that additional information or discussion is needed prior to making a recommendation and table the request to a certain date.

Commissioner Prather asks if it is in the commission's purview to consider if access has been worked out with O'Riley's.

Chair Phillips says she thinks so because if you're going to rezone it to allow for a residential development the ability for that density to access it is a question; continues that she is a little torn that the Comprehensive plan does have this projected as Commercial, but there is a need in Stillwater for more affordable housing which this particular zoning would provide.

Commissioner Prather says he also believes it would be limited in which businesses would choose to go behind O’Rielly’s.

Commissioner Prather motions to accept the findings and recommend that the City Council approve the map amendment as presented, Commissioner Peters seconds.

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

Time: 21 minutes

- d. Receive public comment regarding a request from Halle Properties, LLC, for a SPECIFIC USE PERMIT (SUP24-06), to allow Vehicle & Equipment Sales & Service on a portion of property addressed 1600 N Perkins Rd. in the CS (Commercial Shopping) district.

Chair Phillips invites staff to present the item.

Joshua Brown, Project Manager, presents the item.

Chair Phillips asks if this business does not belong in a Commercial Shopping what zoning district is it allowed in. Mr. Brown responds that Commercial General would allow this use.

Chair Phillips invites the applicant up to present.

Mr. Juan Vazquez, Vazquez Engineering, 1919 S Charla Rd., Garland, Texas comes to speak on the following:

- Discount Tire a national chain.
- Only does tires and wheels.
- Everything is done in the building, nothing is done or stored outside.
- Has entered into an agreement with Lowe’s which is common.
- Open Mon- Friday 8am-6pm and 8am-5pm on Saturday. This ensures potential noise is kept to normal business hours and since Lowe’s is open for more hours and there are on a major road, this should not be a particularly big impact.
- There is a small distance buffer between them and the closest homes. There will also be trees and fences in between.

Commissioner Prather asks for clarification which way the business will face and when and where the impact wrenches will be in operation. Mr. Vazquez states that it will face the town homes; and the wrenches will go during their normal business hours, but they will all be in the building on the far side.

Chair Phillips opens the public hearing and invites anyone who would like to speak in favor of this item. None respond. She invites anyone who would like to speak in opposition.

Mr. Kenny Hallman, 307 W Burris Rd. comes to speak on the following:

- President of the HOA townhomes that it will be facing.
- Residents that do not work normal business hours or who have young children are concerned about the noise.
- Is concerned with the doors facing them directly that the sound will definitely travel.
- Is wondering if the building material will also affect the noise or if the building could be reoriented.

Chair Phillips asks the applicant back up to address the questions.

Ms. Vazquez notes that the building is a masonry building; the bays are facing, that is the only configuration they could make the site work; have been working on this layout for over a year, and this is the only way they can make it work for them and for Lowe's as Lowe's has requirements of where they can lay out their site as well.

Chair Phillips asks if the techs are driving the cars in and out of the bays. Mr. Vazquez says typically people drive their own cars in and out, since they just change tires, it is usually fast.

Chris Phillips notes that if it was flipped, they would have people pulling out into a through drive lane which could risk collisions. Mr. Vazquez confirms it's to reduce traffic impact.

Chair Phillips asks if it is standard practice for the doors to be up or down. Mr. Vazquez says they are open while they are working.

Commissioner Prather says he sees there is an existing 8ft wood fence and a retaining wall and asks if the retaining wall already exists and how tall will that be. Mr. Vazquez responds that it does not yet exist and will probably be 3-4 ft tall to address grading issues; states that they can only control what they put up on their property, but they would be agreeable to replacing the 8 ft wood fence with an 8 foot masonry wall to mitigate noise; and shares that they do this often for residential areas and it dampens the sounds.

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

Joshua Brown presents findings and alternatives, which are:

Findings:

1. The Land Development Code allows vehicle and equipment sales and service in the Commercial Shopping (CS) zoning district with a Specific Use Permit.
2. 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.

Mrs. Kim Payne, Assistant City Attorney advises that they can also approve with conditions.

Chair Phillips motions to approve the SUP with the conditions that an 8 foot high masonry wall be put in place to abate sound. Vice Chair Williams seconds.

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

Time: 16 minutes

3. MISCELLANEOUS

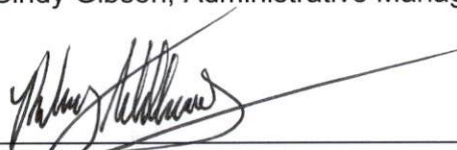
- a. Next Regular meeting is February 4, 2025

4. ADJOURNMENT

This regular meeting of the Stillwater Planning Commission was called for adjournment by Vice Chair Williams, seconded by Commissioner Peters at approximately 6:17 PM on January 28th, 2025, the next regularly scheduled meeting will be held Tuesday, February 4th, 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