

STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF MAY 20TH, 2025
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED May 16th, 2025 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET

MEMBERS PRESENT

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

MEMBERS ABSENT

Mike Shanahan, Member

STAFF PRESENT

Kim Payne, City Attorney
David Barth, Development Services Director
Henry Bibelheimer, Senior City Planner
Joshua Brown, Development Coordinator
Alexandria Holle-Maged, Administrative Assistant

Staff Absent

1. CALL MEETING TO ORDER.

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

2. GENERAL ORDERS

- a. Receive public comment regarding a request for a Preliminary Plat (SUB25-05) to create 3 lots in the Public (P) zoning district at property addressed as 410 W. Franklin Ave.

Mrs. Kim Payne, Assistant City Attorney requested that no action is to be taken on this item.

- b. Receive public comment regarding a request 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 Two-Family Residential (RT) district.

Mr. Henry Bibelheimer, Senior City Planner, presents the item clarifying the location of the subject property and the surrounding area; defines the request concerning churches and other religious institutions and explains that they are permitted in both zoning districts with a Specific Use Permit (SUP); explains the considerations for granting an SUP, including the possibility of placing conditions on the improvements and evaluating the effects on the character of the neighborhood; notes that the current setback requirement for the accessory building is 5 feet; however, if the SUP is granted, a 15-foot setback would be required, triggering the need for a variance.

Commissioner Prather inquires why the setback would change from 5 feet to 15 feet if the building has already been approved. Mrs. Payne advises that the original permit application submitted to the city was for a residential accessory structure; since the structure would now be used for a religious institution, it would no longer be classified as a residential accessory structure; therefore, it would need to comply with the regulations for religious institutions, which would trigger the 15-foot setback requirement.

Chair Phillips clarifies that, since the building is already constructed, the applicant would need to obtain a variance from the Board of Adjustment. Mrs. Payne confirms this and states that during the staff's findings

and alternatives section of the hearing, staff will include a recommendation that the Commission require this condition if they choose to approve the SUP.

Mr. Bibelheimer confirms that approval of a variance from the Board of Adjustment would be required if the SUP is approved.

Chair Phillips asks about the parking requirements if the SUP is approved. Mr. Bibelheimer states that for churches and religious institutions, the requirement is one parking space per 60 square feet; and based solely on the accessory structure, this would require 42 parking spaces.

Chair Phillips asks if the SUP also applies to the house on the property, would that space be factored into the parking requirement. Mr. Bibelheimer confirms that it would need to be factored in.

Chair Phillips clarifies that the parking requirement would apply to the total built square footage on the property. Mr. Bibelheimer confirms this.

Chair Phillips then asks whether the residential structure on the property would also need to be brought up to code for use as a religious institution. Mr. Bibelheimer explains that the renovations to the home were permitted and inspected as a residential structure and that it has not yet been inspected for compliance as a religious institution.

Mr. Bibelheimer also corrects his earlier statement regarding parking requirements, clarifying that it is one parking space per 60 square feet, not per 300 square feet.

Chair Phillips asks if the parking would need to be impervious. Mr. Bibelheimer confirms that it would.

Chair Phillips asks for confirmation on the total number of parking spaces required. Mrs. Payne advises that the current estimate is 42 spaces, but this number would be re-evaluated during the permitting process if the SUP is granted and the applicant proceeds with renovations to meet applicable building codes.

Mr. Bibelheimer further clarifies that for the residential structure on the property, only the square footage being used for religious activities would be considered when calculating parking requirements that the residential living quarters would not be included.

Chair Phillips asks if Mr. Bibelheimer knows the acreage of the property, noting that runoff needs to be considered if impervious surface area is increased. Mr. Bibelheimer responds that he does not know the acreage but confirms that a drainage study would be required if the SUP is granted.

Mrs. Payne advises that if the SUP is approved, the applicant would be required to comply with all applicable building codes for religious institutions.

Chair Phillips asks if there are any further questions for staff; none respond. Commissioner Phillips invites the applicant to come forward to present.

Mr. Matt Clark, 5325 W. Trenton Ct., comes to speak on the following:

- Is the Property Owner
- States that they are applying for the specific use for the whole property.

- Plan on keeping the home primarily residential.
- Planning to get building permits and build the accessory structure up to assembly code if required
- If they are approved, they do plan to work through the Board of Adjustment to bring anything that does not comply into requirements.

Chair Phillips opens the public hearing and advises that citizens will be called up to speak from signup sheet and there will be a 5-minute limit per speaker. Chair Phillips 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 of this item.

The following come to speak in opposition:

- Barbara Miller, 101 Randolph Court
- Elaine Akerson, 113 Randolph Court
- Tom Hennessy, 124 E. Redbud Drive
- Ron and Linda Clark, Lives across the street
- Renee Rule, 1315 N. Husband
- Don Rule, Also 1315 N. Husband

The following are comments expressed:

- Concerned the applicant, Mr. Clark, made unverifiable promises about parking at the high school.
- Claims K-Life held events with up to 40 people at a previous, smaller location—raising doubts about promised quiet, indoor use.
- Notes lack of HVAC would force people outdoors.
- Says construction continued despite being told to pause, and Mr. Clark gave conflicting statements about future use (duplex housing vs. K-Life).
- Mentions illegal use of the property for events and a still-active promotional website.
- Criticizes property upkeep (e.g., 3-foot weeds).
- References similar noise issues from a K-Life facility in Prairie Village, KS.
- Incompatible use with a residential area.
- Argues occasional gatherings by homeowners differ from regular, large group events.
- Potential for K-Life to expand beyond its original scope.
- Cites exemption from noise ordinances for religious organizations as a burden on neighbors.
- Emphasizes the accessory building is more suited to commercial use and lacks safety considerations for public assembly.
- Does not believe that Mr. Clark has been a good neighbor due to the contradiction of actions and declining property maintenance.
- Submitted photos of overgrown and unmaintained landscaping. (pictured below)
- Stressed negative visual and neighborhood impact.
- Citizen asked whether the city could enforce landscaping or visual buffer requirements if the SUP is approved.
- Concerned about declining property value and visual impact.
- Commented the building would hurt resale value.
- Noted overgrown weeds and lack of upkeep.
- Opposes the SUP due to its disruption of a family-based, quiet neighborhood.
- Argues K-Life has held events without approval, violating zoning.
- Logged and submitted documentation to the city, including dates, photos, social media event promotions and observations.

- Describes the largest event they've held since the last hearing - stating there were 30 people with loud outdoor games and music on May 4th.
- Emphasizes that this is a concern, since at the last meeting K-Life stated they planned to have meetings this size 3-4 times a week.
- Reported multiple weekly events, including early morning or evening gatherings not visible to code enforcement as the main code enforcement staff are not there at these times.
- Cars parked in grass, property used as a meeting point for trips, and a large party occurred.
- Cited the zoning ordinance requiring SUPs to "integrate well" with surroundings—argues K-Life does not.

Mr. Clark returns to the podium to address questions and concerns:

- States that the accessory building is code-compliant.
- Believes since there is no HOA no landscaping ordinances apply.
- Property was previously neglected and occupied by squatters and believes that K-Life improved it.
- Argues community noise (OSU, high school) is normal and K-Life is no different.
- Believes this type of business integrating in a neighborhood is what Specific Use Permits are meant for.
- Denied holding assembly-size events post-December without approval.
- Claims weekly Bible studies (12–15 attendees) do not rise to level of "assembly."
- Blames current weed growth on seasonal issues and personal priorities.
- States commitment to following all codes and being a good neighbor, pending SUP approval.

Chair Phillips asked Mr. Clark to address the condition of the property, specifically the overgrown weeds visible in the photos shared and during her site visit earlier that day and questioned why the grass had not been mowed. Mr. Clark responded that the unmaintained grass was due to seasonal weather challenges and that mowing had not been a priority; and added that he and his family had been focused on other activities and acknowledged that upkeep of that portion of the property had not been top of mind.

Chair Phillips followed up, asking if maintaining the lawn had simply not been a priority. Mr. Clark confirmed that was the case, particularly for the small section of the property shown in the photos.

Commissioner Peters asked if the issue of tall weeds extended across the entire property or was isolated to a particular area. Mr. Clark replied that only certain sections had been neglected; and stated that they had mowed areas along North Husband, but the side along Redbud was more difficult to access due to slope and muddy conditions.

Commissioner Peters clarified that the photos were taken from the east side of the property, along Main and Redbud, which Mr. Clark confirmed.

Mrs. Payne, Sr. Assistant City Attorney, informed the commission that the City had received a formal complaint about the property the previous day; and Code Enforcement visited the site and posted a seven-day notice for compliance regarding the tall grass and weeds.

Chair Phillips then asked Mr. Clark to respond to a recurring concern mentioned during public comment regarding the understanding from the December meeting that no events would be held until the specific use permit (SUP) was decided. Mr. Clark said that was not his understanding; explained that he believed only events considered "assemblies" under city code were prohibited; since December, the only activities held at

the property were the same ones occurring before the hearing, namely small morning Bible studies with around 12 to 15 students.

Chair Phillips asked how Mr. Clark defined an “assembly size”. Mr. Clark replied that he had not been given a definitive number by the city, but knew that based on square footage, the building’s occupancy could be up to 199 people; however, he said the city had not specified what number of attendees constituted an “assembly”.

Chair Phillips noted that the assembly classification likely depended more on the nature of the activity than the number of attendees; and asked Mr. Clark to confirm that the gatherings held were for religious purposes. Mr. Clark affirmed that they were still holding activities and the activities, such as Bible studies, were indeed religious in nature.

Commissioner Peters shifted the discussion to parking and asked whether there was any on-street parking available on North Husband. Mr. Clark responded that he did not believe there was on-street parking available on either side of North Husband; added that Main Street also had limited or restricted parking; mentioned that if the SUP were approved, parking considerations would be taken to the Board of Adjustment, including potential shared use of the high school’s parking lot after hours.

Commissioner Peters then asked about sidewalks on the east side of Husband Street. Mr. Clark said he did not believe there was a sidewalk on their side of the street; and acknowledged there was sidewalk along the west side of Husband by the high school and possibly some on Redbud, but none on the east side adjacent to the property.

Chair Phillips confirmed that there were no sidewalks on the property’s side of North Husband, and Mr. Clark agreed.

Chair Phillips asks if there were any additional questions for the applicant; none respond.

Chair Phillips asked staff to respond to a public comment regarding landscaping and asks if staff could comment on the landscaping requirements that would apply if the specific use permit is granted. Mr. Henry Bibelheimer, Senior Planner, responded that if the SUP were approved, the site would be subject to commercial landscaping requirements; and explained that once a building permit was submitted to bring the site up to commercial standards, all landscaping provisions in the city code would apply.

Vice Chair Williams followed up by asking if the landscaping requirements would include screening or buffering, particularly on the north, south, and east sides of the property. Mr. Bibelheimer explained that the screening code is based on zoning, not use. Since both the subject property and surrounding parcels are zoned residential, a buffering fence would not be required; However, he added that the Commission could impose screening or landscaping as a condition of the SUP if they found it necessary to make the use appropriate for the neighborhood.

Mr. Bibelheimer also confirmed that the site is 1.8 acres, and that the photos and emails referenced by a public commenter were included in the agenda packet for review.

Chair Phillips then asked if there were any other questions for staff.

Vice Chair Williams asked if screening is based off zoning, but the setback change from 5 feet to 15 feet is that based on use. Mr. Bibelheimer confirmed that was correct.

Chair Phillips noted there were no additional speakers signed up to speak in favor of the item but asked one final time if anyone else wished to speak in support of the application none responded. Chair Phillips closes the public hearing.

Mr. Bibelheimer then presented staff's official findings and alternatives:

Findings:

1. The Land Development Code allows church and other religious institutions in the Small Lot Single Family Residential (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.
3. The accessory structure was permitted/inspected as a Residential Accessory structure (metal barn). If the specific use permit is approved, it will change the applicable building and fire code requirements for all structures.
4. If the Specific Use Permit were to be approved, all applicable site design requirements from the Land Development Code, like parking and drainage requirements, will need to be met.
5. Changing the use will make the accessory structure non-conforming with the existing side yard setback to the south.

Alternatives:

1. Accept findings and recommend that the City Council approve the proposed specific use permit.
2. Accept findings and recommend that the City Council conditionally approve the proposed specific use permit subject to conditions being met which can include, but are not limited to:
 - a. A variance from the 15-foot side yard setback requirement being granted by the Board of Adjustment to allow for the existing accessory structure to be conforming.
3. 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.
4. Find that additional information or discussion is needed prior to making a recommendation and table the request to a certain date.

Mr. Bibelheimer states that staff's recommendation is that if they accept the Specific Use, they do so with conditions that the applicant will obtain a variance from the 15 foot side yard setback.

Chair Phillips asks for Planning Commission discussion and emphasized that public comments reflected a clear, consistent concern: that the proposed use did not fit the character of the neighborhood.

Chair Phillips states she believed they had effectively witnessed a "trial run" of the proposed use since activities at the site had continued and in her view, this trial revealed the incompatibility; described the neighborhood as quiet and residential, with occasional traffic and noise tied to the high school, but nothing of the frequency and density described by residents.

Chair Phillips notes the kind of activity we're seeing and the parking that would be required, really begins to change the character of the area; that once the site meets all commercial requirements, it starts to feel like spot zoning and a commercial pocket in the middle of a consistent residential area.

Chair Phillips states she had originally viewed the applicant's purchase of the previously abandoned property positively; however, in the months since, continued activity and deterioration of upkeep had made her question whether the applicant would be a responsible long-term neighbor; and she notes that this does not necessarily affect the land use decision, but it affects the character of the neighborhood.

Commissioner Prather states that the debate is between Option 2 (conditional approval) and Option 3 (denial), but was leaning toward denial; and added that if the commission did opt for approval, strong mitigating conditions would be needed such as perhaps including visual and sound buffers like fast-growing trees on the east side or along the north, near the Rule family's property.

Chair Phillips asked staff a clarifying question about whether religious institutions are exempt from the city's noise ordinance. Mrs. Payne confirms that they are exempt from the noise ordinance.

Vice Chair Williams asked whether the commission could impose noise restrictions through the SUP process. Mrs. Payne responded that under Section F of the Specific Use Permit ordinance, the commission may impose development standards, operational conditions, and other safeguards needed to protect the adjacent properties.

Vice Chair Williams noted that enforcement would still rely on neighbors reporting violations and code enforcement or police responding and often these events happen outside of business hours. Mrs. Payne shared that neighbors can still call the non-emergency police line in the evenings or on weekends.

Vice Chair Williams asked if the city had been made aware of continued use of the property since the December meeting. Mrs. Payne responds yes as the city received an email with complaints around May 8; those complaints included continued gatherings without an approved SUP; cars parked in the grass; and overgrown vegetation.

Mrs. Payne states that code enforcement had posted a 7-day notice on the property for the tall grass, but that cars parked in grass are not a violation of city code and the events themselves, however, were not permitted under the current zoning.

Commissioner Peters asked if right now, they're not supposed to be having any Bible studies at the property. Mrs. Payne clarified that is correct; and the property is currently zoned for single-family and two-family residential use, therefore, organized gatherings, especially recurring ones, are not allowed under that zoning.

Mrs. Payne states that a homeowner could certainly invite friends over occasionally, but promoting weekly events, especially those with dozens of attendees, exceeds the limitations of residential use.

Chair Phillips clarifies that's different from texting a few people to say, 'Come over for dinner or a Bible study, especially, when holding events multiple times a week and advertising them on social media then that's a different use.

Mrs. Payne agreed, emphasizing that this distinction is organized, advertised, recurring group events and that is what moved the activity out of compliance.

Chair Phillips moved to deny the Specific Use Permit, stating that it was not an appropriate use based on: Incompatibility with surrounding residential character; Increased density and frequency of use; Ongoing noise and parking issues; the burden on neighbors to report and monitor violations; and believes It just really changes the character of the neighborhood.

Vice Chair Williams seconded the motion and acknowledged the positive intentions of K-Life but emphasized that regardless of what K-Life represents, the question is does the land use fit and shared that he doesn't believe it does.

Chair Phillips motions deny the specific use permit, Vice Chair Williams seconds.

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

1 hour 1 minute

3. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION

- a. Regular meeting Summary of April 15, 2025.

Mrs. Ally Holle-Maged, Clerk, requested no action be taken on this item.

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

- a. Next Regular Meeting is June 3rd 2025.

3. ADJOURN

ADJOURNMENT. This regular meeting of the Stillwater Planning Commission was called for adjournment by Vice Chair Williams, seconded by Commissioner Prather at approximately 6:35 PM on May 20th, 2025 the next regularly scheduled meeting will be held Tuesday, June 3rd 2025 at 5:30 p.m. in the City Commission Hearing Room, Municipal Building, 723 South Lewis Street.

Prepared by – Alexandria Holle-Maged, Administrative Assistant
Reviewed by – Cindy Gibson, Administrative Services Manager

Approved by - 
Stillwater Planning Commission