

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF December 20, 2022
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED December 16, 2022 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

Stephen Hallgren, Vice-Chair
Mike Shanahan, Member
Mark Prather, Member

STAFF PRESENT

Jacquelyn Porter, City Planner
Diana Hood, Associate Planner
Tammy Ewing, Assistant Attorney
Chelsey Weaver, Administrative Assistant

MEMBERS ABSENT

Jana Phillips, Chair

1. CALL MEETING TO ORDER.

Vice-Chair Hallgren calls the meeting to order at 5:30 p.m. and explains the procedures and process for the meeting.

2. PUBLIC HEARING:

- a. SHORT TERM RENTAL (STR-0090), consideration, discussion, and possible action approving or denying the application for a Short Term Rental from Page Provence at property addressed as 2702 N Monroe St, Stillwater, OK, in Residential Single-Family Large Lot (RSL) zoning.

Vice-Chair Hallgren introduces the item and asks staff to present.

Jacquelyn Porter, City Planner presents the item and asks if there are any questions for staff; none respond.

Vice-Chair Hallgren opens the public hearing and asks for the applicant or representative to speak.

Page Provence, 4645 S Western Rd, Stillwater, OK, speaks on the following:

- Bought the property to have a handicap accessible home for her parents if/when time is needed.
- Long Term rental will not work if there is an emergency with her parents since she wouldn't be able to end a lease early.
- Since she is local she can make sure the property is properly maintained.
- Will highly encourage guests to use the driveway not park in the street.
- The rental will be geared toward people coming up to see family or for game days.
- Will use a ring doorbell for security.
- Very private and quite large lot.
- There are two driveways which is shown on the survey provided.

Vice-Chair Hallgren asks if there are any questions for the applicant.

Commissioner Shanahan asks if there will be any rules. Ms. Provence says there will be no partying or smoking inside. Commissioner Prather asks about parking. Ms. Provence states that she will follow the City ordinances and if there are no parking signs there will not be people parking there. Commissioner Prather says that she could include in her rules there is no parking on the street. Ms. Provence asks if there are parking regulations in that area, stating that other areas do and she intends to follow the City laws.

Commissioner Prather asks for further explanation why short term is better than long term rental. Ms. Provence explains that if she signs someone to a 12 month lease and her mom has an emergency and needs a 1 story home she wouldn't be able to evict the residents. Ms. Provence also explains that long renters don't always maintain the house like an owner will.

Vice-Chair Hallgren asks if there are any further questions; none respond. Vice-Chair Hallgren asks if there is anyone else who would like to speak in favor.

Ms. Provence explains she has an email from the previous owner's son Mark Talkington, who is in support of the short term rental.

Vice-Chair Hallgren asks if there is anyone else who would like to speak in favor; none respond. Vice-Chair Hallgren asks if there is anyone who would like to speak in opposition and reminds the speakers that it isn't a time for questions, please speak oppositions without repeating things that have already been stated.

Emilie Harper, 2615 N Monroe St, Patricia Emig, 2427 n Monroe St, Elizabeth Noell, 2723 N Monroe St, Stillwater, OK, speak on the following:

- The driveway is extremely steep therefor it will be likely people will park on the street causing safety access issues.
- Increase in traffic will be a safety issue since there are a lot of walkers and runners in the neighborhood and it is a main artery street.
- There are many fire pits in the yard, an interesting mural, and a target setup which makes it seem like a perfect party house.
- There are extremely high standards of the neighborhood.
- One of the previous owners fell and broke her hip in the home on the concrete floors.
- There should be some criteria set by City Council by which STR's are reviewed.

Vice-Chair Hallgren asks if there is anyone else who would like to speak in opposition; none respond. Vice-Chair Hallgren asks if staff would present. Ms. Porter asks if there are any questions for staff before she presents the alternatives.

Vice-Chair Hallgren asks what happens after the vote tonight. Ms. Porter explains that whatever the Planning Commission votes is the ruling. Ms. Porter also explains that if someone decides to file a formal objection it will be taken to City Council.

Ms. Porter presents the alternatives.

Vice-Chair Hallgren closes the public hearing and asks if there is any discussion. Commissioner Shanahan says in the past the Commissioners have asked the applicant to have a meeting with the neighbors to try and work out the matter. Vice-Chair Hallgren and Tammy Ewing, Assistant Attorney discuss the options of tabling the matter concluding you can't require the applicant meet with neighbors.

Commissioner Prather says that while he understands the concerns from the neighbors, he doesn't believe a meeting will help and there are certain rights a property owner has. Vice-Chair Hallgren says he thinks short term rentals often are better kept than long term rentals and he understands wanting to keep a peaceful neighborhood.

The Commissioners discuss the rating process on the short term rental plat form.

Commissioner Shanahan asks if there is a way to revoke a license if it is approved tonight. Ms. Ewing says there is a section of the code that has the process for removing a license. Vice-Chair Hallgren makes sure the audience could hear there is a revocation process.

Vice-Chair Hallgren asks if there is a motion.

**Commissioner Prather motions to approve the Short Term Rental application as presented;
Commissioner Shanahan seconds.**

Roll call:	Phillips	Hallgren	Prather	Shanahan	VACANT
	Absent	YES	YES	YES	

Time: 39 minutes

- b. SHORT TERM RENTAL (STR-0091), consideration, discussion, and possible action approving or denying the application for a Short Term Rental Fisher Provence Property Management on behalf of Pauline Poe and Joe Poe, Trustees, for property addressed as 1909 W State Lane, Stillwater, OK, in Residential Two-Family (RT) zoning.

Vice-Chair Hallgren introduces the item and asks for staff to present.

Jacquelyn Porter, City Planner, presents the item and asks if there are any questions for staff.

Vice-Chair Hallgren asks if there are any HOA rules or other groups that have put requirements on the neighborhood. Ms. Porter explains that the City of Stillwater doesn't regulate HOA rules as it is a private matter.

Vice-Chair Hallgren opens the public hearing and asks for the applicant to speak.

Averi Blackmon, 3704 W 47th St, Stillwater, OK, speaks on the following:

- Manages 8 Short Term Rentals that are all on Air BnB.
- 3 years of experience and no complaints from neighbors or police.
- The owner of the property lives in the area and will help with property management.
- The owner has three other properties on the street.
- The property is meticulously cleaned between renters.
- 2 car garage with 4 additional spaces in the drive.

- Recently remodeled.
- The home sleeps 5 people, it is a 3 bed two bath house.
- House rules include no parties, pets, or smoking.
- Will only approve 5 star rating renters.
- The owner's mother-in-law lives in the neighborhood and takes pride in keeping the house in good condition.
- The owner has long term rentals and would like to see if a different avenue for renting will work better after damages and problems from long term renters.

Vice-Chair Hallgren asks if there are any questions for the applicant.

Commissioner Prather asks about the percentage the property is actually rented out. Ms. Provence and Commissioner Prather discuss that the occupancy is way lower than most would expect averaging 30%. Vice-Chair Hallgren asks what Ms. Provence thinks has been the biggest problem in Stillwater. Ms. Provence says she hasn't had any really; however, they will not be renting on Calf Fry Weekend.

Vice-Chair Hallgren asks if the license is for both sides of the duplex. Ms. Provence explains that at this time they have only applied for a license on the side before them today.

Vice-Chair Hallgren asks if there is anyone else who would like to speak in favor.

Joe & Pamela Poe, 9 N Roka Ridge, Stillwater, OK, property owner, speaks on the following:

- Long-Term renters have done major damages in some of his other properties.
- Their mother-in-law/mother lives next door and there will be a ring doorbell on the house, both of which will help with security.
- This is a short term plan since their daughter will eventually be staying there while she is in college.

Vice-Chair Hallgren asks if there is anyone else who would like to speak in favor; none respond. Vice-Chair Hallgren asks if there is anyone who would like to speak in opposition.

Marilyn Kletke, 2 W Preston Ln, James Burkman, 3 Liberty Cir, Lori Edgmand, Gerald Horn, 1717 W Liberty, Stillwater, OK, speak on the following:

- If this is approved more applications will follow and it will affect all of the University Estates.
- Just because there is parking in the driveway doesn't mean renters will use it.
- Not all property owner will keep up with the rentals like Mr. Poe does.
- Would like to keep the neighborhood small and close.
- Even though the Commission can't take into consideration the HOA rules, at least it shows the intent of the neighborhood.
- Long term renters are there long enough to get to know the neighborhood and have a connection unlike short term rentals.

Vice-Chair Hallgren asks if there is anyone else who would like to speak in opposition; none respond. Vice-Chair Hallgren closes the public hearing and asks for staff to present the alternatives.

Ms. Porter presents the alternatives.

Vice-Chair Hallgren asks if there is any discussion. Commissioner Prather expresses that the neighbors aren't worried about short vs long term rentals which doesn't follow the data that short term are better taken care of.

Tammy Ewing, Assistant Attorney expresses that this license is available for any home in the correct zoning areas and this one can be approved or denied and will not cause a domino effect.

The Commissioners discuss the data and lack thereof on short term rentals; however, without hard criteria to deny a short term rental and with there being a process to revoke a license is seems appropriate to approve it.

Vice-Chair Hallgren asks if there is a motion.

**Commissioner Prather motion to approve the Short Term Rental application as presented;
Commissioner Shanahan seconds.**

Roll call:	Phillips	Hallgren	Prather	Shanahan	VACANT
	ABSENT	YES	YES	YES	

Time: 32 minutes

- c. SPECIFIC USE PERMIT (SUP22-06), consideration, discussion, and possible action, including recommending approval or denial of an application from American Cannabis Company – 16, LLC for a medical marijuana dispensary at property addressed as 104 S Perkins Rd, Stillwater, OK, in Commercial Shopping (CS) zoning.

Vice-Chair Hallgren introduces the item and asks for staff to present.

Jacquelyn Porter, City Planner presents the item adding that there was one letter of objection from the representative of Firestone and asks if there are any questions for staff; none respond.

Vice-Chair Hallgren opens the public hearing and asks the applicant or representative to speak.

Donna Ramsey, CEO's personal assistant to American Cannabis Company speaks on the following:

- This will be their 15th location
- They currently lease from two other Family Videos

Vice-Chair Hallgren asks Ms. Ramsey has had any personal contact with anyone in the strip mall. Ms. Ramsey says only the digital place next door when she was there with OMMA and he was very nice.

Vice-Hallgren asks if there is anyone else who would like to speak in favor; none respond. Vice-Chair Hallgren asks if there is anyone who would like to speak in opposition; none respond. Vice-Chair Hallgren closes the public hearing and asks for staff to present the findings and alternatives.

Ms. Porter presents the findings and alternatives and asks if there are any questions for staff; none respond.

Findings:

1. Oklahoma State Law allows for medical marijuana facilities.
2. The Land Development Code allows the use of a medical marijuana dispensary in the Commercial General zoning district with specific use permit.

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 Hallgren asks if there is any discussion. Commissioner Prather says it isn't next to a school therefore he sees no reason not to approve it.

Vice-Chair Hallgren asks if there is a motion.

Commissioner Shanahan motions to accept the findings and recommend the City Council approve the SUP as presented; Commissioner Prather seconds.

Roll call:	Phillips	Hallgren	Shanahan	Prather	VACANT
	ABSENT	YES	YES	YES	

Time: 8 minutes

3. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION:
 - a. Regular Meeting Summary of September 12, 2022.
 - b. Regular Meeting Summary of September 20, 2022.
 - c. Regular Meeting Summary of October 18, 2022.
 - d. Regular Meeting Summary of December 7, 2022.

Vice-Chair Hallgren asks if there are any correction that need to be made.

Commissioner Shanahan points out an error where the word "sings" should read "signs", staff acknowledges and marks the correction. Commissioner Shanahan commends Mrs. Weaver on attending the meetings and taking the minutes, stating it isn't easy bringing order into chaos.

Vice-Chair Hallgren asks if there are any further corrections; none respond. Vice-Chair Hallgren asks if there is a motion.

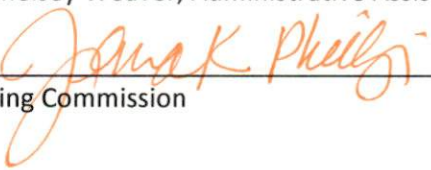
Commissioner Shanahan to accept all four meeting summaries with the one correction noted; Commissioner Prather seconds.

Roll call:	Phillips	Hallgren	Shanahan	Prather	VACANT
	ABSENT	YES	YES	YES	

Time: 3 minutes

This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Prather, seconded by Commissioner Shanahan at approximately 6:53 p.m. on December 20, 2022, with all members present in agreement. The next regularly scheduled meeting will be held January 10, 2023, at 5:30 p.m. in the City Council Hearing Room (Room 1122), Stillwater Municipal Building, 723 S. Lewis Street, Stillwater, OK.

Prepared by – Chelsey Weaver, Administrative Assistant

Approved by - 
Stillwater Planning Commission