

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF December 7, 2021
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED December 3, 2021 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

Jana Phillips, Chair
Brett Allred, Vice-Chair
Mike Shanahan, Member
Mark Prather, Member
Stephen Hallgren, Member

STAFF PRESENT

Jeff Mathews, Community Development Director
Beth Ann Childs, Special Counsel
Rian Harkins, Senior Planner
Chelsey Jones, Administrative Assistant

MEMBERS ABSENT

1. CALL MEETING TO ORDER.

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

2. PUBLIC HEARING:

- a. Clover Patch Stillwater, LLC, **SPECIFIC USE PERMIT (SUP21-18)**, requesting review and approval for a specific use permit to allow a medical marijuana dispensary at property addressed as 524 W. 6th Avenue in the Commercial General (CG) district.

Chair Phillips asks staff to present the item.

Rian Harkins, Senior Planner, presents the specific use permit application and asks if there are any questions for staff.

Chair Phillips asks if there are any questions for staff; none respond. Chair Phillips opens the public hearing and asks if there is anyone who would like to speak in favor of the item.

Diego Enzensperger, Gose & Associates 113 E 8th Ave, Stillwater, OK, on behalf of the applicant says that he is here to answer any questions that anyone may have.

Chair Phillips asks if there is anyone else who would like to speak in favor of the item; none respond. Chair Phillips asks if there is anyone who would like to speak in opposition of the item.

Mable Caldwell, 4324 W 19th Ave, Stillwater, OK, says that there are already too many dispensaries in Stillwater and she would like them to explain why there is need for another one.

Chair Phillips asks if there is anyone else who would like to speak in opposition of the item; none respond. Chair Phillips closes the public hearing and asks staff to present the findings and alternatives.

Mr. Harkins presents the findings and alternatives and asks if there are any questions for staff. Chair Phillips asks if there any questions for staff.

Commissioner Prather asks if it is their role to control the quantity of dispensaries. Chair Phillips asks Mr. Harkins to clarify. Mr. Harkins explains that the City of Stillwater doesn't control the number of dispensaries or other businesses in the city, and that the rules are set by OMMA.

Chair Phillips asks if there are any questions, discussion, or a motion.

Vice-Chair Allred motions to accept the findings and recommend approval to city council; Commissioner Shanahan seconds.

Roll call:	Phillips	Allred	Shanahan	Prather	Hallgren
	YES	YES	YES	YES	YES

Time: 9 minutes

- b. KMR Development, LLC c/o Universal Surveying & Mapping, LLC, **PRELIMINARY PLAT (SUB21-13)**, requesting review and approval to develop a new residential subdivision, named "Park View Estates, Section 10" consisting of 37 lots at property currently addressed as 4698 N. Rogers Drive, in the Residential Single Family Small Lot (RSS) district.

Chair Phillips reads the items and asks staff to present. Mr. Harkins presents the items explaining that in the staff report it lists three things that need to be addressed and that yesterday the applicant submitted their re-submittal which addresses two of the three items. There is also a subdivision exception request for lot 14 for the lot width. They City of Stillwater has received several concerns about drainage, access, and site-lines. Mr. Harkins asks if there are any questions for staff.

Commissioner Prather asks Mr. Harkins about 20 lots per acre. Mr. Harkins explains that in low density residential can have up to 20 units per acre which, the applicant is way below.

Commissioner Hallgren asks about the cross hatched pattern. Mr. Harkins explains that it used to be marked as public right-of-way; however, they are now closing that and will be using it for buildable lot space.

Commissioner Shanahan asks if the subdivision exception that references the hardship due to drainage issues is the same drainage issues that citizens have expressed concern with. Mr. Harkins states that it is likely in some way related; however, he will let the applicants engineer address that.

Commissioner Hallgren explains that the applicant will have to move the lot away from the stream if they wish to build on it; however, the request doesn't refer to the drainage study that was provided. Mr. Harkins explains the reason for that is because the exception is only for that one lot. Mr. Harkins also stated that a drainage report was submitted to the City of Stillwater which was reviewed by City Engineering and approved stating they had no issues.

Chair Phillips asks if there are any further questions for staff at this time; none respond. Chair Phillips opens the public hearing and asks is there is anyone who would like to speak in favor of the item.

Josh Powers, Universal Surveying and Mapping, says that he is here to answer any questions there are.

Commissioner Hallgren asks about being able to use lot 14 and the drainage issues. Mr. Powers explains that originally they had the lots laid out differently; however, they were going to have to build a retaining wall that isn't feasible so they have changed the layout so that they don't have to disturb the drainage area at all.

Mr. Powers says that all of the drainage will be handled in section 8 which is to the south and has a pond that everything will run to. Commissioner Hallgren asks for more clarification on the pond and if it will be holding water at all times. Mr. Powers says that it is a dry detention pond that will not hold water at all times. The western side will flow into the boomer creek area.

Commissioner Shanahan asks how much of the drainage study is based on historical data mentioning that it may not be the correct paradigm to use. Mr. Powers says all of it is since they are required to use City of Stillwater standards.

Commissioner Hallgren asks if anyone has talked to the neighbors in that area to see if there have been any existing drainage issues. Mr. Powers says no, that they took the topography as it is and diverted the water to where they need to. Commissioner Hallgren said that he looked at the area and didn't really see any issues, but wondered if the neighbors had any. Mr. Powers said that any drainage issues are likely due to erosion and that they will be running the water down the street which will help clean it up. Mr. Powers says that the City of Stillwater streets have high curbs to help with the flow of water for drainage.

Chair Phillips asks if anyone else has any questions for the representative; none respond. Chair Phillips asks if anyone else would like to speak in favor of the item; none respond. Chair Phillips asks if there is anyone who would like to speak in opposition of the items.

Rosemary Angel, 100 E Rogers Dr, Stillwater, OK, speaks on the following:

- Drainage is already a huge issue for several of the properties and with adding more impervious surfaces it will only get worse.
- The City of Stillwater should have storm drainage instead of having the water run off through properties and streets.

Commissioner Hallgren, Chair Phillips, and Mrs. Angel look at the maps provided discussing where Mrs. Angel's property is located. Commissioner Hallgren asks Mrs. Angel how many significant flooding issues she has had since 2005 when she moved there. Mrs. Angel says that she has had at least 6-8 major issues. Commissioner Hallgren says that the field that the water used to flow through to get to her lot will now have two roads that will direct water in a different direction before it gets to her property. Mrs. Angel says that roads are impervious surfaces that will not soak up anything.

Chair Phillips says that in order to give everyone a chance to speak and with many of the comments being on similar issues we will need to move on to the next citizen and if there are still specific questions towards the end that haven't been answered she can have another chance to come up and ask those.

Chair Phillips asks if there is anyone else who would like to speak in opposition.

Raeann Meyer, 105 E Marie Dr., Stillwater, OK

Julia Ray, 4719 N Britton Dr., Stillwater, OK, HOA member for Park View Estates,
Janice Cox, 4506 N Greenvale Cir, Stillwater, OK

- Lot 5 will have a fence that backs up to another lot that will block the view both aesthetically and the site line for pulling out of the driveway.
- The layout of lot 5 will also make the sidewalk different from the previous lots.
- Flooding and drainage are major issues. HOA has already spent money on helping with the drainage and it's a concern that it will be money wasted if the new area makes the drainage worse.
- Some of the infrastructure is 47 years old.
- Worried about losing the greenbelt.
- Traffic and speeding down Britton is already an issue and it will most likely get worse with the increase of houses; therefor, traffic signs may need to be added.
- Worried Greenvale Cir will become a thorough-fare.
- The Roger's intent with the original design of the neighborhood should be followed and more research needs to be done on it.
- The developers have already cut many people's cable and phone lines.
- A lot of the close neighbors didn't get notice at all before the meeting besides social media.

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

Mr. Harkins presents the findings and alternatives and asks if there are any questions for staff.

Chair Phillips asks Mr. Harkins for clarification on the requirement to take action within 60 days. Mr. Harkins and Beth Ann Childs, Special Counsel confirm that it would have to be picked back up by the Planning Commission within 60 days if they decided to table it.

Commissioner Hallgren and Mr. Harkins discuss how the process is supposed to happen on making a motion on the subdivision exemption and the plat, saying that most of the time it is made in two different motions. Mr. Harkins also says that staff is comfortable with the exemption request that has been made.

Commissioner Prather asks if the drainage study that was approved by City Engineering is going to improve the drainage issues that the neighbors in the other sections have brought up.

Mr. Harkins says that drainage report that was received said that the drainage would go to the retention pond. When engineering staff reviewed the report it was decided that the drainage system that would be put in place with the retention pond, would be able to handle the runoff that would be created.

Chair Phillips asks if there are any further questions.

Commissioner Hallgren says that he is surprised the surrounding community weren't more involved in the discussion more. Mr. Harkins explains that by code it's not mandatory to send notice to the neighbors; however, the City of Stillwater does send out notice as a curtesy so that the neighbors are aware. Commissioner Hallgren asks what information the notices have and if they address how drainage will be handled. Mr. Harkins explains the content of the notices and says that they do not address

drainage. Commissioner Hallgren asks if the developer has any obligation to notify the neighbors. Mr. Harkins says that there is no requirement for the developer or applicant to meet with the adjacent property owners; however, a common practice when problems do arise, is the applicant's engineer will try to have a meeting and work the issues out with the affected neighbors. Commissioner Hallgren asks about the past drainage compared to the future drainage. Mr. Harkins says that the applicant's engineer would have to speak more on that subject if he still has more questions on that, but that the City of Stillwater Engineering staff did review and approve the study submitted.

Commissioner Prather asks about the neighbor's opportunity to see and speak on this development again. Mr. Harkins explains that the final plat will come to the Planning Commission and they can speak more on it there as well.

Commissioner Shanahan asks if it is correct that there are not storm drainage system in the streets. Mr. Harkins says he can't confirm either way; however, since they neighborhood is older there may not be any there and that would be something that would have to be put in later.

Chair Phillips asks if there are any further questions from the commissioners or discussion; none respond. Chair Phillips says because of concerns from the neighbors it might be beneficial for more conversation between them and the developer; therefore, there may be some validity in tabling the item to a date certain so a meeting can be made between the two.

Commissioner Shanahan agrees with Chair Phillips saying that he is concerned however that the floods are becoming more prevalent and there should be a more proactive design since the drainage studies are based off of past events, not looking forward.

Commissioner Hallgren says that tabling the item might help with some clarity since he doesn't see how they can separate the drainage issues into sections and not together. Commissioner Hallgren asks what future information should be requested if the item is tabled to a date certain.

Chair Phillips says she would like to see the applicant's engineer and the surrounding neighbors to setup a meeting to discuss the issues brought up about drainage. Commissioner Hallgren asks what would have to be done to make sure that happens. Mr. Harkins explains that the Commission could table the item based off either objective: one, asking the developer and/or engineer to have a meeting with the surrounding neighbors to talk and work out issues with drainage, or two, asks the applicant or engineer to come back with more information on the drainage. When the item comes back to the Planning Commission common practice would be to ask if either/both things were done depending on what was requested of them.

Commissioner Shanahan asks Mr. Harkins who would help handle the current traffic problem in the neighborhood. Mr. Harkins says that it would be something the neighborhood or neighborhood's HOA would need to discuss with the City's Public Works Department or Engineering.

Chair Phillips asks if there is any further discussion or a motion.

Commissioner Hallgren says that he is shocked a neighbor has already had to put in a french-drain to help with drainage issues and that he doesn't think the entire surrounding neighborhood has been given enough notice so far.

Commissioner Prather motions to table the item until the January 11, 2022 Planning Commission meeting with the expectation that a meeting will occur between the HOA, affected property owner's, the engineer, and the applicant; Commissioner Shanahan seconds.

Roll call:	Phillips	Allred	Shanahan	Prather	Hallgren
	YES	YES	YES	YES	YES

Time: 60 minutes

3. PLANS/POLICIES/ORDINANCES FOR DISCUSSION ONLY:

- a. Hear presentation regarding the proposed 6th Avenue Corridor Study.

Chair Phillips introduces the next item and asks staff to present.

Rian Harkins, Senior Planner, presents the 6th Avenue Corridor Study expanding on the following items:

- Who the City has been working with for this project
 - Advisory Committee (input and Insight)
 - Public Engagement
 - Two Workshops
 - Online Engagement/outreach
 - Key Stakeholder Interviews
 - Planning Commission
 - Staff: Technical Direction and ODOT Corrdination
- Areas of Focus
 - Active Transportation
 - Connect the norht and south sides of the 6th Aveneue corridor.
 - Enhance circulation and connectivity in the corridor.
 - Connect the downtown area to the Oklahoma State University campus.
 - Redevelopment Opportunities/Revitalization
 - Improve the front door to Oklahoma State University campus.
 - Campus Corner
 - Monroe Gateway
 - Maximize pedestrian and bicycle space while balancing the need for parking and vehicular circulation.
 - Land Use
 - Focus and prioritize higher density development and redevelopment around the Oklahoma State Unicersity Campus and other majoroactivity areas.
 - Preserve the Westwood neighborhood and other existing single-family neighborhoods.
 - Urban Design
 - Create a cohesive streetscape environment throughout the 6th Avenue study area.
 - Develop final design for the 6th Avenue, revitalize Washington St from 6th Ave to University Ave, and gateway features at Monroe St and Main St.
 - Develop and implement open green and urban public realm spaces.
 - Indigenous Inspired
 - Layered • Native • Feathered • Expression • Geomorphic • Historical • Landscape • Poetic
- Implementation
 - Consistency of Leadership
 - Funding
 - Parnerships
 - Phasing

Mr. Harkins explains to a citizen in the audience after a question is asked, that the coloration on the map around Hester St. is to show intended improvements to separate bike and vehicular traffic and that it is not an underpass.

Carolyn Whitener, owner of Mazzio's at 624 W 6th Ave, Stillwater, OK, asks about the right-of-way that is going to be used for the 6th Avenue expansion. Mr. Harkins informs Mrs. Wagner that that is part of the engineering design for the street itself and ODOT has public information available; however, he is able to take her information and call her back during business hours tomorrow and get her more information.

Mr. Harkins says that this project will come back to the Planning Commission and to City Council to adopt this as an amendment to the comprehensive plan. Mr. Harkins asks if there are any questions.

Commissioner Hallgren asks if this is adopted as part of the comprehensive plan, how it will manifest itself and how it would be implemented. Mr. Harkins explains that when we get projects or development proposals it would be reviewed the same way we already review to make sure things fit with the comprehensive plan. It will help with potential grant opportunities that might help fund some of the projects, as well as why it might be prioritized higher in the Capital Improvement Plan.

Commissioner Hallgren asks if it will ever lead to someone from the City actively working to make sure this gets accomplished or if it'll be more passive sit on the shelf and only visit a few times. Mr. Harkins says that he doesn't make plans that sit on shelves. Staff will be working with Community Development, Engineering, and a few other departments to help implement each of these.

Beth Ann Childs, Special Counsel, asks if what will be adopted to the comp plan is the land use updates on page 53. Mr. Harkins confirms that yes that is what would be adopted and it would be updating the future land use map.

Commissioner Hallgren says the timing might be good because of the new federal stress to spend on infrastructure. Mr. Harkins says that it is a potential for what could be used as part of the funding. Mrs. Childs clarifies that the federal money is for water, sanitary sewer, and broadband. Mr. Harkins says that it doesn't specifically use language for that; however, it will be looked at with the implement of future projects.

Chair Phillips says that she really appreciates how much time and effort that has already been put into this and the implementation of this and that it creates a great road map for the future of it. Mr. Harkins says that he thinks it is very important for it to be able to be implemented in steps or phases.

Commissioner Shanahan asks if there is someone who will be overseeing this project and that it would be a good idea to have a project manager with an office in the City to help implement this. Mr. Harkins says there will be several staff members that will be involved depending on what the specific project is.

4. MISCELLANEOUS ITEMS FROM STAFF, PLANNING COMMISSIONERS, OR CITY ATTORNEY:

Chair Phillips asks if there are any miscellaneous items from Staff, Commissioners, or City Attorney; none respond.

Chair Phillips asks if there is a motion to adjourn.

- a. Next Planning Commission December 21, 2021.

5. ADJOURN.

This regular meeting of the Stillwater Planning Commission was called for adjournment by Vice-Chair Phillips, seconded by Commissioner Hallgren at approximately 7:35 p.m. on December 7, 2021 with all members present in agreement. The next regularly scheduled meeting will be held December 21, 2021 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