

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

MEMBERS PRESENT

Jana Phillips, Chair
Mike Shanahan, Member
Mark Prather, Member

STAFF PRESENT

Jeff Mathews, Community Development Director
Kim Payne, Assistant City Attorney
Jacquelyn Porter, City Planner
Diana Hood, Associate Planner
Joshua Brown, Project Manager
Chelsey Weaver, Administrative Assistant

MEMBERS ABSENT

Brett Allred, Vice-Chair
Stephen Hallgren, Member

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. AM Financial, LLC c/o Keystone Engineering & Surveying, **MAP AMENDMENT (MA22-12)**, consideration, discussion, and possible action, including recommending approval or denial to rezone properties currently addressed as 2318 & 2322 N Washington St, Stillwater, OK, from Residential Small Lot Single-Family (RSS) to Commercial General (CG) zoning.

Chair Phillips reads the item and asks for Staff to present.

Jacquelyn Porter, City Planner states that the applicant has requested to table the item until the next Planning Commission Meeting of October 4th, 2022.

Chair Phillips asks if there is a motion.

Commissioner Prather motions to table MA22-12 until the October 4, 2022 Planning Commission Meeting; Commission Shanahan Second.

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

Time: 3 minutes

- b. Hilltop Land Investments, LLC / Jacob Floyd, **PRELIMINARY PLAT (SUB22-15)**, consideration, discussion, and possible action, including approval or denial of a preliminary plat named titled Stillwater 74 to create fifteen (15) lots currently addressed as 1407 E Burris Rd (Also referred to as 1809 E Burris Rd & 5920 N Jardot Rd) in Residential Single-Family Large Lot (RSL) zoning.

Chair Phillips reads the item and asks for staff to present.

Jacquelyn Porter, City Planner, presents the item adding that there are no City of Stillwater utilities available in the area. Ms. Porter asks if there are any questions for staff.

Chair Phillips asks if this is the same piece of property that was previously before them for rezoning. Ms. Porter confirms it is the same property.

Commissioner Shanahan asks if and when the City of Stillwater plans to pave Burris Road. Ms. Porter says at this time there aren't any plans for paving that area. Ms. Porter asks if there are any further questions; none respond.

Chair Phillips asks if the applicant or representative would like to speak.

Katelynn Purdy, Gose & Associates, 113 E 8th Ave, Stillwater, OK, on behalf of the applicant speaks on the following:

- Proposed 15 lots
- There are no utilities on site. Unless the owners choose a different solution the options for utilities are septic for sewer, wells for water, propane tanks for gas, and CREC for electric.

Chair Phillips asks Ms. Purdy if any of the rural water companies provide water to that area, to which Ms. Purdy couldn't answer.

Commissioner Shanahan asks about the properties being partially in the floodplain and if there are any plans to put in a detention pond. Ms. Purdy explains that the houses will not be allowed in the floodplain and if there are drives put in it will require culverts since you can't impede the floodplain in any negative way and the owners would have to provide compensatory storage per building.

Chair Phillips asks if an earth change permit would be required per City of Stillwater or if the properties are exempt due to the size. Ms. Purdy says that anything over an acre requires an earth change permit and that building permits are required as well since it is inside City limits.

Commissioner Prather asks if Jardot Road is also gravel in that area. Ms. Porter confirms he is correct.

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 to the item; none respond. Chair Phillips closes the public hearing and asks for staff to present the findings and alternatives.

Ms. Porter presents the findings and alternatives.

Findings:

1. The proposed preliminary plat meets the subdivision and zoning requirements.
2. The C3 Plan recommends industrial uses at this location. However, the city's current infrastructure is not available to sustain industrial uses.

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.

Chair Phillips asks if there are questions for staff.

Commissioner Prather asks if there is a restriction on the number of houses allowed on each lot. Ms. Porter explains in RSL zoning only a single family dwelling unit is allowed. Chair Phillips adds that if the owner chooses to do a lot split it will have to come back to planning.

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

Chair Phillips asks if there is any discussion or a motion. Commissioner Shanahan and Chair Phillips discuss their concerns about the gravel road and lack of utilities and if the plat is approved does that set a precedent for future plats.

Kim Payne, Legal Counsel, explains that plats can't be denied for any arbitrary reasons and that any plat has to meet the requirements.

The Commissioners, Mrs. Payne, and Ms. Porter discuss the lack of utilities and the concerns that come with that including:

- Future buyers might not be aware that there are not utilities from the City of Stillwater available.
- It's stated on the plat that there are no easements dedicated to the City of Stillwater for any improvements.
- If the City of Stillwater decides to expand in that area the City would have to obtain the land from the individual homeowners for easements which could potentially get very pricey.
- 40ft of right-of-way is being dedicated which is required on all section lines, it also includes the 33ft of statutory right-of-way requirements.

Chair Phillips asks if there are further questions; none respond. Chair Phillips asks if there is any more discussion or a motion.

Commissioner Prather motions to accept the findings and approve the preliminary plat as presented; Chair Phillips seconds.

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

Time: 3 minutes

- c. Consideration, discussion and possible Text Amendment (**TXT22-01**) to Chapter 23, Land Development Code, Article VII, Signs, Division 2, District Sign Regulations, Section 23-197 through Section 23- 200.

Chair Phillips reads the item and asks staff to present.

Jacquelyn Porter, City Planner, explains that this text amendment was brought before the Planning Commission earlier this year and staff was asked to provide more information and examples. Ms. Porter presents the text amendment with the following information:

Staff constructed the text amendment to have the smallest possible impact to the current code but address the request given by Board of Adjustment. The proposed text amendment is a draft amendment to change a subsection in each of the four commercial districts listed in the sign code. The most noticeable change is in verbiage used for the permitted number of signs from "one of each sign type per street frontage per business" to:

"The permitted number of signs are as follows:

- (1) Monument or pole signs: one per parcel per street frontage.
- (2) Other permitted structural signs:
 - a. One wall sign per each side of the structure except when multiple businesses share an exterior wall, in which case one wall sign per business."

There are 40 types of signs listed in our sign code chapter. The proposed text amendment only addresses structural signs—in most cases this means wall signs.

Ms. Porter concludes the presentation and asks if there are any questions for staff.

Commissioner Shanahan asks if the size of the wall is taken into consideration when depicting the size of the sign allowed and number of signs. Ms. Porter says that particular situation would go before Board of Adjustment who would take into consideration the size of the wall.

Kim Payne, Legal Counsel, and Ms. Porter explain that some of the examples shown would still have to go to the Board of Adjustment for their approval. The main purpose of the text amendment at this time is to clean up the language. The text amendment addresses about 50% of the sign applications that had to go to the Board of Adjustment over the last couple years.

Chair Phillips asks if promotional signs such as vinyl or paint on windows would be considered a second sign. Mrs. Payne says that from a quick glance she believes it would have to be considered temporary and be removed after 30 days for it to not be considered a second sign; however, she will look further into the matter and let her know.

Chair Phillips asks if each of the zoning districts have different restrictions on signs. Ms. Porter confirms they are addressed separately since some areas are higher-impact commercial than others.

Commissioner Prather asked how many of the sign variances get denied. Ms. Porter and Mrs. Payne explain that none of them have been in the last 2 years and when you start seeing this many variances for any specific thing it is time to take another look at the code.

Chair Phillips says that she was the most vocal about her concerns with changing the code section for signs; however, after seeing the examples and having the discussion tonight it seems like an appropriate change.

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

Commissioner Shanahan asks staff to explain the essential difference between alternatives one & two since they read the same in different words to him.

Ms. Porter explains alternative number two is an option if the Commissioners want to approve the text amendment while adding extra language before being heard before the City Council.

**Commissioner Shanahan motions to approve the proposed text amendment as presented;
Commissioner Prather seconds.**

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

Time: 21 minutes

3. PRESENTATION BY SPECIAL COUNSEL OF THE CITY ATTORNEY'S OFFICE REGARDING STATE STATUTES, THE STILLWATER CODE OF ORDINANCES, THE ZONING CODE, AND CASES OF INTEREST ON PLANNING AND ZONING MATTERS.

Kim Payne, Legal Counsel, says there is not presentation tonight.

4. MISCELLANEOUS ITEMS FROM STAFF, PLANNING COMMISSIONERS, OR CITY ATTORNEY FOR DISCUSSION AND POSSIBLE ACTION:
 - a. Next Planning Commission Meeting October 4, 2022.
5. ADJOURN.

This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Shanahan, seconded by Commissioner Prather at approximately 6:18 p.m. on September 20, 2022, with all members present in agreement. The next regularly scheduled meeting will be held October 4, 2022, 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

