

STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF June 14, 2022
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED June 9, 2022 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

MEMBERS ABSENT

STAFF PRESENT

Beth Anne Childs, Special Counsel
Jacquelyn Porter, City Planner
Diana Hood, Associate Planner
Joshua Brown, Project Manager
Chelsey Weaver, Administrative Assistant

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. Josh Wilson, dba Blue Sky Buds, LLC, **SPECIFIC USE PERMIT (SUP22-02)**, consideration, discussion, and possible action, including recommending approval or denial of a request for a medical marijuana dispensary at property addressed as 135 S. Main Street, Stillwater, OK, in the Commercial General (CG) zoning district.

Chair Phillips reads the items and asks staff to present.

Jacquelyn Porter, City Planner, presents the item. Chair Phillips asks if there are any questions for staff; none respond. Chair Phillips asks the applicant or representative to speak.

Josh Wilson, 7707 S Prairie Rd, Stillwater, OK, explains that he is opening up a dispensary and can answer any questions. Chair Phillips asks if there are any questions; none respond. Chair Phillips opens the public hearing and asks if there is anyone who would like to speak in favor or opposition; none respond. Chair Phillips closes the public hearing and asks staff to present the findings and alternatives.

Ms. Porter presents the findings and alternatives. Chair Phillips asks if there are any questions for staff; none respond. Chair Phillips asks if there is any discussion or a motion.

Commissioner Prather motions to recommend City Council approve the SUP as presented; Vice-Chair Allred seconds.

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

Time: 6 minutes

- b. Keystone Engineering & Surveying, MAP AMENDMENT (MA22-06), consideration, discussion, and possible action, including recommending approval or denial to rezone property currently addressed as 923 S. Lowry Street, Stillwater, OK, from IL (Light Industrial) to CB (Commercial Business).

Chair Phillips asks staff to present.

Jacquelyn Porter, City Planner, presents the item. Chair Phillips asks if there are any questions for staff; none respond. Chair Phillips asks the applicant or representative to speak.

Kelly Harris, Keystone Engineering, 923 S Lowry St, Stillwater, OK, speaks on the following:

- The office was remodeled in 1995 and was previously an ODOT maintenance facility, likely the reason for the Light Industrial zoning.
- There are other properties surrounding the subject building that are of the same or similar zoning.
- This zoning request would bring the current use into compliance.
- She has already gone to City Council to request a closing for the proposed future expansion of their building.

Chair Phillips thanks the applicant for explaining why IL was the existing zoning and asks the commissioner's if there are any questions; none respond.

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

Ms. Porter presents the findings and alternatives.

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

Vice-Chair Allred motions to accept the findings and recommend City Council approve the map amendment as presented; Commissioner Shanahan seconds.

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

Time: 5 minutes

- c. City of Stillwater, MAP AMENDMENT (MA22-07), consideration, discussion, and possible action, including recommending approval or denial to rezone a portion of property addressed as 701 Boomer Lake Station Drive, Stillwater, OK, from Public (P) and Commercial General (CG) to Residential Multi-Family Intermediate (RMI) district.

Chair Phillips reads the item and asks staff to present.

Jacquelyn Porter, City Planner, presents the item.

Chair Phillips asks if there are any questions for staff; none respond. Chair Phillips asks the applicant or representative to speak.

Kelly Harris, Keystone Engineering, on behalf of the City of Stillwater, OK, speaks on the following:

- There was a small section where backup generators were stored. Now that they have decided the generators can be moved the applicant would like to include that area into the RMI zoning.
- The applicant would also like to extend the RMI slightly to the west.

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

Ms. Porter presents the findings and alternatives.

Chair Phillips asks if there are any questions; none respond. Chair Phillips asks since there are no questions if there is any discussion or a motion.

Vice-Chair Allred motions to accept staff's findings and recommend the City Council approve the map amendment as presented; Commissioner Hallgren seconds.

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

Time: 5 minutes

- d. Robert Pierce c/o Keystone Engineering, PRELIMINARY PLAT (SUB22-08), consideration, discussion, and possible action, including approval or denial of a preliminary plat named Quail Meadows to create 49 residential lots and one (1) outlot on property currently addressed as 1413 and 1599 E. Lakeview Road, Stillwater, OK.

Chair Phillips reads the item and asks staff to present.

Jacquelyn Porter, City Planner, presents the item.

Chair Phillips asks if there are any questions for staff; none respond. Chair Phillips asks the applicant or representative to speak.

Kelly Harris, Keystone Engineering, 923 S Lowry St, Stillwater, OK, speaks on the following:

- In 2009 a PUD was accepted for this site and this preliminary plat is closely aligned
- Stormwater requirements have been met.
- There is proper separation from the oil well.
- A Traffic Impact Analysis has already been done and accepted by City of Stillwater staff.
- There will be one public access point on Grandview St and one public access point on Krayler St
- There will be a private access off of Lakeview Rd that will run east and west behind the four duplex lots in order for the driveways to be on the south side of the properties instead of off of Lakeview Rd.

Chair Phillips asks if there are any questions from the commissioners.

Commissioner Hallgren asks about the part of the approved PUD that is not being shown on the preliminary plat. Mrs. Harris explains that the area in question was approved with the PUD to be apartments; therefore any development that goes on there will be done through the CUBR process.

Commissioner Hallgren asks about the distance from the well pump-jack. Mrs. Harris explains that for now they have the required distance from the well and they have to plan around it; however, they would like to move it in the future. Commissioner Hallgren asks if the land around the pump labeled drainage and utility is to keep drainage from running off of the property. Mrs. Harris confirms and includes that there will be a detention facility located in that lot as well as one on the large lot, lot 1 block 5.

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

Gary Parli, 1601 E Lakeview, Stillwater, OK, voices the following concerns:

- Drainage detention ponds and precautions need to take place before dirt work or construction begins.
- There needs to be something put into place to prevent trash from blowing onto their land and contaminating their cattle's hay.

Chair Phillips asks if the applicant would like to come back up to answer any of the questions mentioned.

Mrs. Harris says that the detention pond and drainage issues will be handled before construction begins and she will talk to the developer about how to prevent trash.

Vice-Chair Allred asks Mrs. Harris if she was aware of the phone call that the city received regarding the project. Mrs. Harris says that she is aware and that it is regarding the same issues that she just addressed.

Commissioner Hallgren asks if the intent will be to reduce the amount of runoff. Mrs. Harris confirms. Commissioner Hallgren asks Mrs. Harris to explain what has been approved with the PUD. Mrs. Harris explains that the PUD was previously approved in 2009 and there have been other preliminary plats approved; however, they have expired. Mrs. Harris also adds that the preliminary plat she is bringing before them today has decreased density compared to what was previously approved.

Chair Phillips asks for staff to present the findings and alternatives. Ms. Porter presents the findings and alternatives.

Chair Phillips asks staff if there are any regulations by the city to keep up with trash and debris. Ms. Porter says that while there are screening requirements and fencing requirements on commercial projects, there are not any on residential.

Commissioner Shanahan asks if there is any type of enforcement for the trash and debris. Ms. Porter explains that while code enforcement can help with the large mounds of trash, there is nothing on the books that allow the development side to police the matters.

Commissioner Shanahan asks for explanation on how the drainage and runoff is measured from the beginning to the end of the project. Ms. Porter explains that there are formulas they use to measure the runoff.

Beth Anne Childs, Special Counsel, says that the applicants are required to submit hydrology reports before, and As-Built after, both of which the city has to review and approve. Mrs. Harris adds that while there are formulas that they use to measure, no one is actively going out after the rain to do physical inspections.

Chair Phillips asks if there are any other questions for staff.

Beth Anne Childs, Special Counsel, explains that the City of Stillwater inspectors do have the ability to address some of the issues with the developers and are able to issue a stop work order if needed; however, when problems such as these arise they do need to be called into the City.

Chair Phillips expresses her gratitude to Mrs. Childs for explaining some of the other avenues the city has to help enforce a clean development area.

Commissioner Prather asks how citizens can be sure that the developer will install the detention area before construction. Mrs. Childs explains that even before the Planning Commission sees the preliminary plat, the City of Stillwater has already reviewed everything with engineering. Mrs. Childs also explains that the City of Stillwater is completely involved with the improvements review and installation and that all requirements are met. Mrs. Childs also adds that the City of Stillwater will not issue building or earth change permits without engineering approval of all the reviews. Mrs. Childs explains that part of the final plat process is to make sure that the improvements have been completely installed and have been tested to City of Stillwater standards, otherwise building permits won't be issued and the final plat won't be approved.

Chair Phillips asks if there are any further questions for staff; none respond. Chair Phillips asks the commissioners if there is any discussion or a motion.

Commissioner Hallgren motions to accept the preliminary plat as presented; Vice-Chair Allred seconds the motion.

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

Time: 24 minutes

- e. Remington Properties, LLC c/o LTS Engineering Services, PRELIMINARY PLAT (SUB22-09), consideration, discussion, and possible action, including approval or denial of a preliminary plat named Northridge to create 171 residential lots on properties currently addressed as 6099, 6001, 5911 and 5823 N. Perkins Road, Stillwater, OK.

Chair Phillips explains that some additional information is needed for the next two items and that they will both be tabled to dates certain. Chair Phillips asks if there is a motion. Jacquelyn Porter, City Planner, clarifies that the preliminary plat for Northridge item e. is requesting to be withdrawn due to the need for a traffic impact study. Beth Anne Childs, Special Counsel, asks if the applicant understands that they will need to re-advertise. Ms. Porter confirms the applicant understands. Mrs. Childs states that an action shouldn't be taken on the item.

- f. Keystone Engineering & Surveying, PRELIMINARY PLAT (SUB22-11), consideration, discussion, and possible action, including approval or denial of a preliminary plat named Cedar Farms to create nine (9) residential lots on part of the property currently addressed as 2615 E McElroy Road, Stillwater, OK.

Chair Phillips asks for confirmation that the preliminary plat for Cedar Farms item f. needs to be tabled. Jacquelyn Porter, City Planner, confirms that the item is being requested for a date certain. Chair Phillips asks if the July 12, 2022, date is acceptable. Ms. Porter confirms with the applicant and tells Chair Phillips they agree.

Chair Phillips says that she would entertain a motion to table item f., Keystone Engineering & Surveying, PRELIMINARY PLAT (SUB22-11).

Beth Anne Childs, Special Counsel, notes that the applicant's representative is in agreement to tabling the item until the next meeting; therefor, they will stipulate to the 60 day period for the commissioners to take action starting July 12, 2022.

Commissioner Hallgren motions to table SUB22-11 to July 12, 2022; Vice-Chair Allred seconds.

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

Time: 3 minutes

3. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION:
 - a. Regular Meeting Summary of June 7, 2022.

Chair Phillips notes that on page 2 of 3 the meeting summary originally referred to Commissioner Shanahan as Vice-Chair and the correction was made to reference him as Commissioner. Chair Phillips asks if there is a motion to approve the meeting summary with that correction.

Commissioner Shanahan motions to approve the meeting summary of June 7, 2022, with the correction Chair Phillips suggested; Commissioner Hallgren seconds.

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

Time: 1 minute

4. 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.

Beth Anne Childs, Special Counsel, presents on a case, Kelo vs City of New London, which was about taking imminent domain for economic development. The Supreme Court decided that yes it was in the best interest of the citizens that the government can take imminent domain for things not only related to infrastructure, but also economic development. After the Supreme Court's decision there were many laws presented and passed by many states to protect private land.

Vice-Chair Allred and Mrs. Childs discuss how Oklahoma law can supersede federal law.

5. MISCELLANEOUS ITEMS FROM STAFF, PLANNING COMMISSIONERS, OR CITY ATTORNEY FOR DISCUSSION AND POSSIBLE ACTION:
 - a. Next Planning Commission Meeting July 12, 2022.
6. ADJOURN.

This regular meeting of the Stillwater Planning Commission was called for adjournment by Vice-Chair Allred; seconded by Commissioner Prather at approximately 6:24 p.m. on June 14, 2022, with all members present in agreement. The next regularly scheduled meeting will be held July 12, 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