

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF May 3, 2022
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED May 2, 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

STAFF PRESENT

Brady Moore, Chief Performance Innovation Officer
Jeff Mathews, Community Development Director
Beth Anne Childs, Special Counsel
Kelly Driscoll, Consultant with Johnson & Associates
Joshua Brown, Project Manager
Jacquelyn Porter, City Planner
Chelsey Weaver, 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. Thana & Safealdean Alusi, **MAP AMENDMENT (MA22-04)**, consideration, discussion, and possible action, including recommending approval or denial of a request to rezone properties addressed as 1924, 1930 and 2002 E. McElroy Road, Stillwater, OK from Residential Single Family Large Lot (RSL) to Residential Single Family Small Lot (RSS) district.

Chair Phillips asks for staff to come forward to present the item.

Ms. Kelly Driscoll, Johnson & Associates, comes to the podium and presents staff report, alternatives and findings.

Chair Phillips asks if there any questions for staff; none respond. Chair Phillips asks for the applicant to come forward.

Safealdean Alusi of 2002 E. McElroy comes to the podium and comments on the following:

- Happy to connect to the community
- Going to develop 5,000 square foot lots for residential housing
- Family environment
- Similar to the development across the street from this location

Mr. Alusi asks if there are any question for him; none respond.

Chair Phillips opens the public hearing and asks if there is anyone that wishes to speak in favor of this request.

The following come to speak in favor or neutral.

Mr. Larry Roy, 1819 Linda comes to speak on the following:

- Own property north of this property
- Concerned about lot size
- Flooding on their agricultural property
- Not wanting multi-family
- Asks how many lots they want to develop
- Worried about how the rezoning of Mr. Alusi's property will affect his property's zoning
- Wants to know minimum house size

Ms. Driscoll, returns to the podium to answer Mr. Roy's questions. Stating that if you reduce the amount of land by 20% for infrastructure, it looks to be about 18 lots.

Commissioner Hallgren says his math adds to about 25. Chair Phillips asks Ms. Driscoll to run the numbers and please have them available before they close the item.

Ms. Driscoll explains that City of Stillwater Code states that any development can't increase run-off on any other property.

Chair Phillips asks if there is anyone else who would like to speak in favor; none respond. Chair Phillips asks if there is anyone who is opposed and starts with the sign-in sheet.

The following come to speak in opposition:

Jacqueline Hooper Morrison, 2212 E 6th Ave, Stillwater, OK

Margret Lavenue, 823 N Skyline St, Stillwater, OK

- Against the rezoning since it would stick out and will not be beneficial to the surrounding neighbors
- Mrs. Morrison owns 3 ½ acres on the corner of McElroy & Jardot with only 1 house.
- Worried that this development will end up taking over more area than currently proposed

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 for staff to return to present the findings and alternatives.

Ms. Driscoll mentions that even if this property is rezoned, prior to any development, this would have to go through the platting process and come back before the Planning Commission. Mrs. Driscoll presents the findings and alternatives.

Chair Phillips confirms with staff that this rezoning will only affect the property requested and any other rezoning's would have to come back before the Planning Commission.

Commissioner Prather asks if it is a reasonable assumption to make that had someone asked for this property to be rezoned Commercial with the way the Comprehensive Plan/Future Land Use Plan is laid out, would they have strongly consider it. Commissioner Prather points out that rezoning to RSS would be

less of an impact to the surrounding neighbors. Chair Phillips agrees. Commissioner Hallgren says that this change would be quite different from what the CP3 Plan shows. Commissioner Shanahan explains that in his experience the comp plan is a living, growing, document meant to change with the needs of the community. Chair Phillips says that in the future it's possible to have nearby residential commercial.

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

Commissioner Prather motions to accept the findings and recommend to the City Council that they approve the Map Amendment as presented; Commissioner Shanahan seconds.

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

Time: 22 minutes

- b. Hill Family Trust, **MAP AMENDMENT (MA22-03)**, consideration, discussion, and possible action, including recommending approval or denial of a request to rezone property addressed as part of 2810 S. Western Road, Stillwater, OK from Residential Single Family Small Lot (RSS) to Commercial General (CG) district.

Chair Phillips introduces the item and asks that staff present.

Ms. Kelly Driscoll, Johnson & Associates, comes to the podium and presents staff report, alternatives and findings.

Chair Phillips opens the public hearing and asks that the applicant or anyone in favor come forward to speak.

Jimmy Hill, 2700 S Western Rd, Stillwater, OK

- Future Comp Plan 2030 shows this property as commercial.
- Contacted adjacent land owners with the plans for a mini storage and have received no objections.
- There are two developments with over 500 lots in the surrounding facility.

The following come to speak in favor:

Marshall Walker, 3705 S Woodstone, Stillwater, OK

Aaron Reeves, 3116 W Shiloh Creek Ave, Stillwater, OK

JR Reeves, 2008 S Avondale St, Stillwater, OK

- This plan is consistent with the objectives of the future comp plan in regards to lessening traffic impact; therefore improving quality of life for the surrounding area.
- Access to self-storage is limited in both distance and capacity
- With the new residential developments in the area, self-storage will help reduce traffic
- The self-storage will be aesthetically pleasing
- It will be open 24 hours a day with security cameras and secure access for renters
- Lighting will be facing down to not disturb surrounding residents
- Within the last year while trying to rent a self-storage unit, the only one available was in Perry

and with the additional homes being developed the need for self-storage will increase.

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

Ms. Driscoll presents the findings and alternatives and asks if there are any questions.

Commissioner Hallgren asks if this development is residential commercial and if that fits the Future Comp Plan. Ms. Driscoll confirms that it does. Commissioner Hallgren asks about the wells that are still on the property. Chair Phillips says that it is grandfathered in and asks Legal to confirm. Beth Anne Childs, Special Counsel, confirms. Commissioner Shanahan asks about the development of new homes where an existing well is located. Chair Phillips points out that even though the comp plan currently shows low density, there is commercial zoning shown just south of the area in question.

Chair Phillips asks if there are any further questions for staff; none respond. Chair Phillips asks if there is any discussion or comments. Commissioner Prather comments that it will meet a need and they plan on making it look nice so he is in favor.

Commissioner Prather motions to accept the findings and recommend that City Council approve the Map Amendment as presented; Commissioner Allred seconds.

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

Time: 20 minutes

3. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION:

- a. Regular Meeting Summary of April 19, 2022

Chair Phillips introduces the next item and asks if there are any corrections, additions, or a motion.

Commissioner Hallgren motions to approve; Commissioner Shanahan seconds.

Roll call:	Phillips	Allred	Shanahan	Prather	Hallgren
	YES	Abstain	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 Religious Land Use and Institutionalized Persons Act (RLUIPA) explaining that discrimination or favoritism is prohibited.

Vice-Chair Allred asks Mrs. Childs to find a case to present on that is about a case being denied based on being arbitrary and capricious. Mrs. Childs commits to that.

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

- a. Next Planning Commission Meeting May 17, 2022.

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

6. ADJOURN.

This regular meeting of the Stillwater Planning Commission was called for adjournment by Vice-Chair Allred, seconded by Commissioner Shanahan at approximately 6:23 p.m. on May 3, 2022, with all members present in agreement. The next regularly scheduled meeting will be held May 17, 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