

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF January 10, 2023
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED January 5, 2023 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

Jana Phillips, Chair
Stephen Hallgren, Vice-Chair
Mike Shanahan, Member
Riley Williams, Member

STAFF PRESENT

Jeff Mathews, Community Development Director
Jacquelyn Porter, City Planner
Diana Hood, Associate Planner
Kim Payne, Assistant Attorney
Bill Millis, City Engineering
Chelsey Weaver, Administrative Assistant

MEMBERS ABSENT

Mark Prather, Member

1. CALL MEETING TO ORDER.

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

2. INTRODUCTION OF NEW MEMBER.

Chair Phillips introduces Riley Williams as a new Planning Commissioner and asks him to say a few things about himself.

Commissioner Williams states that he was born and raised here in Stillwater where he also went to college and now works for CStar Management.

3. PUBLIC HEARING:

- a. Gose & Associates, **PRELIMINARY PLAT (SUB22-29)**, consideration, discussion, and possible action including approval or denial of a preliminary plat, Maple Creek Estates, to create 12 residential lots at properties currently addressed as 2108 & 2024 N Husband St, Stillwater, OK, in Residential Single-Family Small Lot (RSS) zoning.

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

Jacquelyn Porter, City Planner, presents the item, asks if there are any questions for staff, and comments that both City Planning and Engineering are available to answer questions.

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

Vice-Chair Hallgren asks if septic systems are allowed in the area. Ms. Porter states that they are. Vice-Chair Hallgren asks if it makes a difference that the area is near a blue stream.

Bill Millis, City Engineering, explains that ODEQ has jurisdiction over septic systems; however, they are normally allowed near streams. Chair Phillips asks if the City inspects them at all. Mr. Millis explains that since ODEQ does oversee the systems we ask for documentation before issuing a water meter if one is requested.

Chair Phillips asks if the private drive has been vetted through Sanitation similarly to the last plat with a private drive. Ms. Porter confirms that yes the trash trucks will come down the private drive and there won't be trash cans along the main road piled up.

Chair Phillips asks if there are any further questions; none respond. Chair Phillips asks if the applicant or representative would like to speak.

Stephen Gose, 113 E 8th St, Stillwater, OK, on behalf of the applicant speaks on the following:

- The first phase is 11 half acre lots fronting on a private road;
- There aren't currently any plans for the north three acre lot; however, there are three parent parcels that make up the entire plat.
- The drainage study is a preliminary study. The final drainage study will be done with a final plat.

Chair Phillips asks if there are any questions.

Vice-Chair Hallgren asks for confirmation on how many lots there are and inquires as to why the drainage study doesn't include the 12th lot in block two. Mr. Gose explains that the 12th lot is being treated as unchanged land at this time since it is zoned RSS and if later it is subdivided that will trigger the requirement of a drainage study.

Vice-Chair Hallgren asks Mr. Gose to give a brief summary of the drainage study and explain how they will prevent increased runoff.

Mr. Gose explains some of the factors that go into a drainage study including soil density and lot size stating that there are complicated equations that are used to calculate the flow of runoff.

Vice-Chair Hallgren expresses his concerns about the increase in runoff considering roads and roof tops are 100% impervious. Mr. Gose explains that the study follows the requirements and City Engineering has reviewed and approved it also.

Vice-Chair Hallgren and Mr. Gose discuss soil types, concrete streets, and flow rates. Chair Phillips asks if it would be fair to say there are many different factors and complicated equations that go into the drainage study. Mr. Gose confirms and concludes that the runoff is not 0%; however, it is mitigated and meets requirements.

Chair Phillips asks if the existing structures will remain and if they have septic systems now. Mr. Gose explains the residential structures will remain; however, the barn on lot six will either be altered or demolished. Mr. Gose states that the houses are on septic systems, and explains another reason it was decided to go with septic systems is because of the elevation a lift station would be necessary.

Chair Phillips asks if there are any further 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.

Roger Gilbert, member of the building committee for Community of Christ Church, 2121 N Husband St, Stillwater, OK, speaks on the following:

- Doesn't believe the lots are large enough for both a septic system and a house.
- Would like to know why they are not required to install sidewalks considering when the church was built city required a sidewalk be built that ended up costing them \$60k.

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

Jannet Nazemetz, 2119 N Husband St, Stillwater, OK, speaks on the following:

- Worried about environmental issues with septic systems so near the creek.
- Her husband, John Nazemetz, sent an email with concerns about lot sizes, increase in run-off and a few others he believes staff needs to review clearly.
- Agrees that neither she nor her husband are against development, they would just like to see it done in a correct manner.

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

Billy Treadwell, 2101 N Husband St, Stillwater, OK, speaks about the need for sidewalks along Husband St for safety reasons.

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 if there are any questions that staff or the applicant would like to address.

Mr. Gose says that the onsite sewer will be aerobic which requires less space and that he will work with city staff on the sidewalks and understands the concerns.

Commissioner Williams asks Mr. Gose to explain why City sewer can't be reached. Mr. Gose explains that the location and elevations would require a lift station.

Ms. Porter explains that after researching further with staff, sidewalks are not mandatory due to the size of the lots. Discussion is held regarding the City Code in relation to sidewalks summarizing at this time they can't be required for this project.

Chair Phillips 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 low residential uses at this location.

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 any questions, discussion, or a motion.

The Commissioners and Legal Staff discuss sidewalks and the need for a code update since currently it can't be a condition made on the development to include sidewalks because it's not in the code.

Vice-Chair Hallgren talks about the benefits of the subdivision in the area and the need for housing not on the outskirts of town.

Chair Phillips asks if there is a motion.

Commissioner Shanahan motions to accept findings and approve the preliminary plat as presented; Commissioner Williams seconds.

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

Time: 39 minutes

- b. Northern Wat Grower, LLC, **SPECIFIC USE PERMIT (SUP22-08)**, consideration, discussion, and possible action, including recommending approval or denial of a specific use permit to operate a medical marijuana grow facility at property addressed as 1198 E Airport Rd, Stillwater, OK, in Industrial General (IG) zoning.

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

Diana Hood, Associate Planner, presents the item and asks if there are any questions for staff; none respond.

Chair Phillips asks if the applicant or representative would like to make any comments; none respond. Chair Phillips recognizes there isn't anyone to speak in favor or opposition and asks staff to present the findings and alternatives.

Ms. Hood presents the findings and alternatives:

Findings:

1. Oklahoma State Law allows for medical marijuana facilities.
2. The Land Development Code allows the use of a medical marijuana growing facility in the General Industrial (IG) 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 City services are adequate for them to operate the type of business they want.

Kim Payne, Assistant Attorney, states that the business is already in place, this is just a change in ownership and company name.

Jacquelyn Porter, City Planner, explains that the City has already reviewed the use and have confirmed City Utilities can adequately serve the business, and any expansions would be reviewed as well.

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

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

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

Time: 7 minutes

- c. Glow Ventures, LLC, **SPECIFIC USE PERMIT (SUP22-11)**, consideration, discussion, and possible action including recommending approval or denial of a specific use permit to operate a medical marijuana dispensary at property addressed as 1023 E 6th Ave, Stillwater, OK, in Commercial General (CG) zoning.

Chair Phillips introduces the item and asks staff to present.

Diana Hood, Associate Planner, presents the item and asks if there are any questions for staff.

Vice-Chair Hallgren asks for confirmation that the use will only be for the small building and not the entire parking lot. Ms. Hood confirms it will be operating in the existing building. Commissioner Shanahan asks if this is another change in ownership. Chair Phillips states that was her questions as well based off the signage. Ms. Hood confirms it was previously a dispensary.

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

Linnelle Mitchell, 1706 NW Gray Warr PL, Lawton, OK, explains that he is one of the owners and this application is for the change of ownership and to rebrand.

Chair Phillips asks if there are any questions for the applicant; none respond. Chair Phillips recognizes

there is no one else to speak in favor or opposition and asks staff to present the findings and alternatives.

Ms. Hood presents the findings and alternatives:

Findings:

1. Oklahoma State Law allows for medical marijuana dispensaries.
2. The Land Development Code allows the use of a medical marijuana dispensary in the Commercial General (CG) zoning district with a 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.

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

Commissioner Williams motions to accept findings and recommend that the City Council approve the proposed SUP as presented; Vice-Chair Hallgren seconds.

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

Time: 5 minutes

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

- a. Next Planning Commission January 24, 2023.

Jeff Mathews, Community Development Director, explains to the Commissioners that the City is currently looking into a full code update and the process it will take to get it done. Mr. Mathews also states that it is a long process; however, it is one that the City has started.

5. ADJOURN.

This regular meeting of the Stillwater Planning Commission was called for adjournment by Vice-Chair Hallgren, seconded by Commissioner Williams at approximately 6:26 p.m. on January 10, 2023, with all members present in agreement. The next regularly scheduled meeting will be held January 24, 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