



REPORT TO:  
STILLWATER PLANNING COMMISSION No. PZ-17-2165  
ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT - STILLWATER, OKLAHOMA

**Date of Meeting:** February 21, 2017

**Subject:** Map Amendment: 823 W 11<sup>th</sup> Ave to rezone from RSS, Residential Small-lot Single-family to O, Office

**Purpose of Report:** The applicant requests review and approval of a Map Amendment to rezone property addressed as 823 W 11<sup>th</sup> Ave from the RSS, Residential Small-lot Single-family district to the O, Office district.

**Background:** The applicant has filed a Specific Use Permit to allow food services concurrently with the Map Amendment application. The applicant seeks to continue to use the property as a residence as a legal non-conforming use and use the remainder of the property for restaurant operating from a food trailer.

The property was historically used as a restaurant prior to the zoning regulations; however, the use evidently lost the legal-non-conforming status at some point. The Board of Adjustment approved a variance to allow the applicant to sell carry-out food from the property as a home occupation in 1990.

In order to re-establish and expand on the restaurant use, the applicant applied for a Map Amendment in 1991 to rezone to a commercial district. However, the request was remanded to the Planning Commission for the applicant to prepare a PUD, Planned Unit Development application. There is no indication that this was ever acted on. In 1992, two variances related to the development of the restaurant were approved by the Board of Adjustment.

**Application Processing Information:**

Applicant/Owner – Bobby and Joyce Douglas  
Notice – Property owners within 300’ and notice in the NewsPress  
Assigned Planner – Tom Coots, Planner 1

**Processing Track:**

Submittal Date – January 18, 2017  
Planning Commission – February 21, 2017  
City Council - March 6, 2017

**Project/Site Design Data/Details:**

Zoning – RSS, Residential Small-lot Single-family district to the O, Office district, Sec 23.150  
Existing Use – Residential  
Proposed Use – Residential and Commercial (food services with Specific Use Permit)  
Lot – 14,000 sq. ft.  
Buildings – One house and one accessory building (to be removed)  
Parking – Use of the adjacent public parking for Southern Woods Park is proposed.

**Adequate Public Facilities Findings/Improvements:**

- Streets/Traffic: The property has frontage on 11<sup>th</sup> Ave, a local street; and Washington St, a minor collector.
- Transit Facilities/Bike Lanes or Trails/Sidewalks: Sidewalks must be constructed with development.
- Water Service: City water service is available.
- Sanitary Sewer Service: City sewer service is not directly available to the property.
- Electric: City electric service is available.
- Engineering/Drainage: Not required for a Map Amendment.

**Applicable City Plans/Policies:**

The C<sup>3</sup> Plan: Park/Open Space (Page 10-8)

**Discussion:** The subject property is adjacent to O, Office zoning across Washington Street. The property is surrounded on the north, east, and south sides by P, Public zoning and Southern Woods Park. The Map Amendment application was received concurrently with an application for a Specific Use Permit to allow food services for a small restaurant operating from a food trailer.

The property is completely within the FEMA 100 year floodplain. Any development must meet the floodplain development regulations.

**Findings:**

1. The property is surrounded on the north, east, and south sides by Public zoned property and Southern Woods Park.
2. The Comprehensive Plan anticipates that the property could someday be acquired by the city for park use. However, there are no immediate plans to purchase the property.
3. Office zoning is adjacent to the property to the west across Washington St.
4. The Map Amendment application was received concurrently with an application for a Specific Use Permit to allow food services in the Office district.
5. The property has been used for commercial uses in the past.

**Alternatives:**

1. Accept findings and recommend that the City Council approve the proposed Map Amendment as presented.
2. Find that the map amendment 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 Map Amendment.
3. Find that additional information or discussion is needed prior to making a recommendation and table the request to a certain date.

**Prepared by:** Tom Coots, Planner I  
**Reviewed by:** Paula J. Dennison, Development Services Director  
**Date of Preparation:** February 14, 2017  
**Attachments:** Area Map, Zoning Comparison Table  
**Map Designation:** SW