

**STILLWATER PLANNING COMMISSION SUMMARY
SPECIAL MEETING OF APRIL 04, 2017
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AMENDED SPECIAL AGENDA WAS POSTED APRIL 03, 2017 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

Josh Marler, Chair
Brad Rickelman, Vice-Chair
Dusty Lane, Member
Mike Buchert, Member
Ariel Ross, Member
Gilbert Emde, Member
Zelte Wilkins, Member

STAFF PRESENT

John Dorman, City Attorney
Dennis McGrath, Assistant City Attorney
Paula Dennison, Development Services Director
Mike Beaty, Development Review Manager
Tom Coots, Planner I
Patricia Evans, Planner II
Ashley Camren, Administrative Assistant

MEMBERS ABSENT

1. CALL MEETING TO ORDER.

Chair Marler called the meeting to order at 5:30 PM.

2. LAND USE ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

- a. **RECONSIDERATION OF** Rogers, Gary & Micki, **FINAL PLAT (PZ.17.2181)**, requesting review and approval of a Final Plat for property addressed as 700-800 E. Northgate Drive to replat Lot 36, Block 1 and Lot 14, Block 2, 5th Section in order to create 12 residential lots and 1 common area in the RSS (Residential Single-Family Small-Lot) zoning district and a request to consider design modifications to the public water main extension per Section 23.64 and 23.357.

Mr. Mike Beaty, Development Review Manager, presents staff's report and findings.

Mike states that we are revisiting this Final Plat from the last meeting due to there being some items not made clear in the last report.

Mike advises that one of the conditions of granting approval for the special exception to this Final Plat is that it needed to be granted by 3/4 of the entire Planning Commission. Mike states that this was not made clear to the Planning Commission at the previous meeting. Mike goes on to say that at the last meeting the request was granted by a majority but not a full majority.

Mike states that the City of Stillwater's current standards were adopted after the preliminary plat for this whole subdivision was granted and requires that any new water lines built would provide a minimum 40 psi (pounds per square inch) of water pressure.

Mike advises that due to the close location of this development to the water tower, the City's standard cannot be met. Mike goes on to say that the Department of Environmental Quality's requirement is that all new water lines meet 25 psi minimum pressure, but this does not meet the City of Stillwater's standard. The applicant is requesting a special exception to this standard.

Mike advised that there will be no water line extension along E. Baker Street. Mike states that each individual house will have its own private water service line extended from the water line along Hartford or Northgate via easements across adjacent properties.

Mike states that approval of the Final Plat as presented would require the approval of the exception.

Mike asks if there are any questions for him.

Commissioner Ross asks if they are being asked to waive the requirement of the public water line extension. Mike responds, yes but makes the correction of "water service lines" instead of "water line".

Commissioner Ross asks what the psi of the private lines will be. Mike responds that it will be between 30 and 35 psi. Commissioner Ross asks for confirmation that it would not meet the 40 psi. Mike advises that it will not meet 40 psi.

Commissioner Emde asks what the difference is between a private water service line and a private water line. Mike advises that a private water service line is the individual line serving each house and is small, such as 1 – 1 1/2 inches. Mike states that a private water line is larger than a service line at around 6 inches and that it would not be allowed here unless there were improvements made to the height of the water tower, an expensive pump station, or granting of the requested exception.

Commissioner Ross asks if the private water service lines are required to meet the 40 psi. Mike responds no and advises that the requirement is for new public mains.

Commissioner Emde asks who would maintain the private water service lines. Mike responds that it would be the private property owner's responsibility. Mike goes on to say that the City would not maintain past the meter and explains where the meters would be located. Mike states that from the meter to the house would be the private property owner's responsibility.

Commissioner Buchert states that if the water service line breaks across a neighbor's lot and damages the neighbor's line as well that there will have to be open and honest discussions between those neighbors. Mike responds with yes.

Commissioner Emde asks if this is done in other places in Stillwater. Mike responds that there are several places where private water service lines run across multiple properties. Commissioner Emde asks if this has worked well in those areas. Mike responds that it works, but does not know particular details; however, this is not a unique situation where private water service lines run across adjacent properties.

Commissioner Emde asks if these are 1 – 2 inch flexible lines. Mike responds with yes and that some are larger.

Commissioner Ross states that the report shows the developer does not wish to extend Northgate Drive and asks if there is a reason for that decision. Mike responds that it refers to the portion along

the southern lots but is not related to the requested exception.

Mike asks if there are any other questions for him.

Commissioner Lane asks if there are any other options. Mike responds that there are other options but that it would become considerably more expensive. Mike advises there was a similar issue in another part of the city where there were pressure problems. Mike goes on to say that they were thinking of putting in a pump station as you cannot isolate a water system for a particular part or area of a subdivision. Mike advises that it would have to address the entire area supported by that particular water tower and that with increased density the more expensive it would be. Mike advises that the tower could be raised, a booster pump could be installed that would have to be isolated from the rest of the system which would require special controls in order to prevent other issues. Mike states that it would not be an easy solution but that the options exist.

Commissioner Emde asks how many lots there are involved with this request. Mike responds that in this instance there are 12 lots but the impacted area is somewhere between 70 and 80 lots.

Commissioner Emde asks if there are 70 – 80 lots currently on the main. Mike responds, yes.

Chair Marler asks if this would impact the water pressure of those lots. Mike responds, no, that the connection of additional users would not affect the outcome as it is not a volume problem but a problem with the height of the tower creating the pressure problem.

Commissioner Lane asks if there are other areas of town that do not meeting the 40 psi requirement. Mike responds, yes, there are existing areas, one in particular, along with others, that do not even meet DEQ (Department of Environmental Quality) standard of 25 psi. Mike advises that to alleviate that problem the City of Stillwater adopted the standard of 40 psi. Mike goes on to state there are areas of town in a moratorium due to any new development affecting the water pressure.

Mike goes on to advise that as this development was started with a preliminary plat before to the 40 psi standard, but meets DEQ standards, that it would be a good choice for the exception.

Commissioner Buchert asks if the public works department will not accept an exception to the standard. Mike responds, that the public works department has not indicated they will accept an exception. Commissioner Buchert asks if Mike knows the rationale behind this decision. Mike responds that it is a standard the City is trying to uphold.

Commissioner Buchert advises that he understands but what he does not understand is why, since this development was previously platted before the 40 psi standard, there cannot be an exception to the standard. Commissioner Buchert states that he thinks we are just causing problems here by having private water service lines go across multiple properties even though there will be an easement.

Mike states that he disagrees.

Commissioner Emde asks if the City were to run a new main if it would be 25-30 psi. Mike states that it would be 30-35 psi due to the height of the tower.

Commissioner Emde states that it would be below the City's standard. Mike states that it would be below the City minimum but higher than the DEQ minimum.

Commissioner Buchert states that it is his understanding that the other homes in this area are at the 30-35 psi. Mike responds, yes.

Mike states there are complaints within the area. Commissioner Buchert states that this will not solve the problem and that if there are complaints, there will be complaints with these new homes and that in his experience, in 25-30 years when the lines start to deteriorate, the home owners don't understand that they are responsible for the lines even with the easement. Commissioner Buchert states that he believes there to be a better option but that if this is the only option that they have to develop this way and move forward.

Commissioner Emde asks if the City will not consider building a main there at a lower pressure. Mike responds that the City is aware there is a problem but is under a DEQ mandate to address other issues that are which are worse than this particular issue. Mike advises that it is on the list of items to be done but that there are other higher priority items.

Commissioner Buchert states that he agrees with the rationale of having a public main of 30-35 psi because when the improvements are made some time in the future where it is above 40 psi, the City would not have to do anything in this neighborhood. Commissioner Buchert states that now the City would not only have to raise the tower but would also have to go back and add a public main at a public expense as of where now a developer would build it.

Commissioner Ross states that she agrees with Commissioner Buchert.

Commissioner Buchert advises that he understand that Mike cannot respond to that question.

Commissioner Ross asks if Mike knows how much of the city is below the current water pressure standard. Mike responds that it is a small percentage and the areas are located in Tower Park. Mike states that this is probably the worst area in the city for water pressure issues. Mike advises that there are areas out in the county where it is as bad but, within the city limits, this is the worst area.

Commissioner Emde inquires about what happens if after the mains have been installed for 30-50 years, if they will start to drop below 40 psi with issues such as calcium build up; Mike states that restriction of the line can cause flow issues and pressure loss.

Commissioner Lane advises that he thinks we are penalizing the landowner/developer with a requirement of 40 psi that the City cannot make happen and the developer is trying to come up with a solution to make use of their land. Commissioner Lane advises that it may not be a good solution to have private service lines but is the only option.

Commissioner Buchert agrees but states his frustration with the situation.

Chair Marler states that we are also holding the developer to a standard that they maybe should not be held to as the area was platted before the standard of 40 psi was implemented.

Commissioner Lanes agrees with Chair Marler.

Chair Marler states that it is not ideal but is just where they are at.

Mike advises that the standard of 40 psi can be met.

Commissioner Emde asks if they would have to meet the 40 psi for the whole subdivision. Mike responds that unique engineering would have to be looked at in order to see how to isolate the 12 lots and not affect the rest of the subdivision.

Chair Marler states that there will be 6 -7 lots where the buyer will take a risk that 30 years from now they are going to have to replace a water line, call City Hall and be advised that it is a private service line, and the homeowner will have to be responsible for repairing or replacing the service line. Chair Marler states that we can only hope that when the buyer goes to close on the home that they will be informed of the easement.

Mike advises that the easement will be shown on the plat.

Chair Marler says that there are 6 possible residents that could run into an issue but should be warned of such issue when closing on the home or before. Chair Marler goes on to state that along with this and the fact that we are holding the developer to a standard that cannot be met, that this should not be a reason that the developer cannot do what they want with their land.

Mike advises that he should explain the reason for the re-hearing of this issue and that the engineer for the development is here to address any specific questions.

Commissioner Lane asks for confirmation that there has to be 75 percent to approve and if that is 5 or 6 commissioners. Mike advises that 6 must vote yes for the item to move forward.

Chair Marler opens the public hearing and asks if there is anyone who would like to speak in favor of the proposal.

Mrs. Kelly Harris of Keystone Engineering, 923 S. Lowry, comes to speak on the following:

- Representing the owners.
- Advises that what makes the request unusual is the design complication.
- Requesting to not construct a public water line in the cul-de-sac.
- The request is not based on funding to construct the water line but that it is due to not being able to meet the 40 psi requirement.
- Reasons for the unusual request due to the location and height of the water tower.
- Volume is not an issue and that the water pressure would not change no matter how many taps are installed.
- Advises that these are infill lots as the rest of the neighborhood has already been developed.
- This is an older neighborhood built before the 40 psi regulation.
- The area has been modeled.
- The pressure will not be decreased.

- Another option is available to create the lots but would take several years. A minor subdivision could be done and create 3 lots a year.
- Due to efficiency, money, and time, they are asking for this modification up front.

Commissioner Emde asks where the public easements are in relation to the private easements. Mrs. Harris explains locations and types of the different easements which is a 10 foot utility easement along the right-of-way, and their request of an additional 10 foot easement adjacent to the utility easement. Mrs. Harris advises that on some lots the easement will be along the front of the yard and that they will not be taking away any buildable area along these lots.

Mrs. Harris goes on to state that on other lots, the easement will be in the back of the lot due to which water line it is connecting to. Mrs. Harris states that on these lots there is a 20 foot utility easement in which they will have an adjacent easement for a total 30 foot easement. Mrs. Harris states this could potentially decrease the buildable area for those lots.

Chair Marler asks if there are any other questions for Mrs. Harris.

Commissioner Emde asks what Mrs. Harris' other solutions are. Mrs. Harris responds that in order to bring the pressure up to 40 psi they would have to install a pump station, which would require a building to house that pump station, and in order to only build one big enough for the 12 lots they would have to find a way to separate them from the remaining 80 some lots. Mrs. Harris goes on to state that they will be incrementally improving the rest of the subdivision as they try to get these 12 lots in line.

Commissioner Emde asks if it would be one pump station. Mrs. Harris responds, yes.

Mrs. Harris states they have not done a design on a pump station.

Commissioner Emde asks what the cost of doing a pump station would be. Mrs. Harris responds that, going on other parts of town, it would be somewhere around \$250,000.

Chair Marler asks if there are any more questions for Mrs. Harris; none respond.

Chair Marker asks if there is anyone else who would like to speak in favor; none respond. Chair Marler asks if there is anyone who would like to speak in opposition; none respond.

Chair Marler closes the public hearing and asks for staff's alternatives.

Mike presents alternatives, which are:

1. Accept findings and approve the proposed Final Re-plat and allow the removal of the improvement requirement.
2. Find that the Final Re-plat is not an appropriate use for the property based on the impacts to the surrounding vicinity and do not approve the Final Re-plat and water line modifications.
3. Find that additional information or discussion is needed prior to making a decision and table the request to a certain date.

Chair Marler asks if there are any questions.

Commissioner Emde asks if the “utility department” is okay with the request.

Mike advises that this is not a new water main, but private service lines which take precedent.

Chair Marler asks for discussion among the Commission.

Vice-Chair Rickelman states that when the subdivision exception was created, by having such a high standard of 3/4 vote for approval, that means all the Commissioners must really be okay with the decision and that if they move forward that it must be in the best interest and public welfare of the city.

Chair Marler asks if their concern with the City is what the homeowners down the road may try to do if there are issues or what other negatives are there.

Commissioner Buchert advises that his main concern is the future homeowners will not be made aware when purchasing their home that they have private service lines. Commissioner Buchert states that when working for the City of Tulsa, this was a major issue and ended up funding public mains to eliminate the problem. Commissioner Buchert goes on to state that it is a balancing act and this is the only way the developer can move forward with developing the property.

Commissioner Lane agrees with Commissioner Buchert and states that this may not be the best solution but the only solution available at this time.

Commissioner Lane moved, Commissioner Buchert seconded to accept findings and approve the proposed Final Re-plat and allow the removal of the improvement requirement.

Roll call:	Marler	Rickelman	Lane	Buchert	Ross	Emde	Wilkins
	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Time: 35 minutes

3. PLANS/POLICIES/ORDINANCES FOR DISCUSSION ONLY:

- a. Platting process to include vesting, phasing, and others included in Chapter 23, Article 3, Land development Process and Chapter 23, Article 16, Subdivision Preparation and Requirements.

Mrs. Paula Dennison, Development Services Director, presents information regarding the platting process, phasing, and vesting within the City of Stillwater’s land development process.

Paula advises the Planning Commission on periods of approval for plats which include the following:

- Preliminary plats are valid for a length of 2 years.
- Staff’s interpretation is that a final plat must be filed on an active preliminary plat in order for the preliminary plat to stay active and each filing of the final plat extends the preliminary plat’s active status for another 2 years. This interpretation is not written in code.
- Oklahoma City and Norman was researched in how they handle the platting process.
- Oklahoma City has the following regulations:
 - 5 year preliminary plat active status.
 - A final plat must be filed on the active preliminary plat in the initial 5 year period. If

- o no final plat is filed, the entire platting process must be started over completely.
- o Any final plat filed within the initial 5 year period, there is one additional 5 year period for the preliminary plat to remain active.

Commissioner Emde asks Paula why you would want to keep a preliminary plat active if you have filed for a final plat. Paula responds that several subdivisions are platted in phases and it could take multiple years between filings of each of those final plats.

Paula goes on to state that in order to continue the process, and not have to start over with the preliminary plat, a final plat would have to be filed within 2 years of the preliminary plat. Paula advises that a longer period of active approval status would be more beneficial to the continuing development of that vision for the subdivision.

Paula advises that one subdivision can have several sections, such as The Canyons which has 9 sections.

Commissioner Emde asks if a final plat must be filed on each section. Paula responds that the preliminary plat is for the whole subdivision and a final plat is done after each section. Paula goes on to say that this can take longer than 2 years.

Paula continues with periods of approval:

- Oklahoma City continued:
 - o Planning Commission can grant a single 5 year extension for a preliminary plat.
 - o This makes a total of 15 years that a preliminary plat can remain active without having to start over.
- Norman has the following regulations:
 - o 5 year active status for initial filings of a preliminary plat.
 - o 2 year automatic extension with the filing of a final plat.
 - o Capped at 7 years unless Norman has some other criteria that can extend a preliminary plat's active status.

Paula advises the Planning Commission on platting in phases which include the following:

- Tied in with periods of approval
- In Stillwater, small acreages can be platted in a relatively quick manner. Larger quarter section parcels, however, can take a lot of preparation, time, and initial investment.
- Stillwater, currently, does not have a process established regarding phasing of plats.
- Oklahoma City and Norman's processes tie back into their periods of approval.
- In Norman, preliminary plats must be approved by the City Council.

Paula advises the Commission that we would like to take a better look at administrative amendments to plats. Paula provides an example and states that a preliminary plat is filed, something happens and there is no final plats approved. Currently there is no mechanism, if zoning changes, or other changes occur, for the changes to be made administratively and to determine if the change requires going through the entire platting process from the beginning.

Paula goes on to advise that Oklahoma City has criteria where their staff evaluates the changes to a preliminary plat and determine if they can proceed with filing a final plat without having to come

back before the Planning Commission to re-file the preliminary plat. Paula states that this occurs in Stillwater and the city would benefit from adopting a similar procedure as Oklahoma City in this regard.

Paula advises that in Norman a preliminary plat administrative approval is:

- The granting of a 5 year term extension.
- Receipt of a renewal fee.
- A preliminary plat must be identical to the approved preliminary plat currently on file or only has minor adjustments.

Paula advises that, in Oklahoma City:

- Street or lot layout cannot be substantially altered.
- When removing a lot to put a street connection through, the Planning Commission here tonight can help decide if this is considered a “substantial alteration”.
- Lot lines do not create substandard lots, which is pretty typical.
- The density is not increased or decreased by more than 10 percent. In some large developments this can be a large number, but in one lot smaller developments.
- This gives flexibility, administratively, to make adjustments depending on what the market is doing.
- Utility easement adjustments will not substantially change the subdivision layout as the layout usually consists on the connections to and how the utilities run.
- Common open space would not be reduced by more than 5 percent.
- Also have criteria for final plats to be administratively amended.

Paula asks if there are any questions before she moves on; none respond.

Paula proceeds with discussion regarding vesting. Paula states that we do not know when vesting applies, to what extent it applies, nor do we have a time limit on how long vesting will be valid. Paula also states that, in Oklahoma, court cases usually determine what vesting rights there are.

Paula advises that Oklahoma does not have much in regards to vesting.

Commissioner Emde advises that Paula did not provide a definition of vesting. Paula advises that there is not one for the City of Stillwater and that the Planning Commission will help develop this definition.

Chair Marler asks how this will affect the approval periods for preliminary plats and filing fees. Paula advises that we really have not gotten that far. Paula goes on to say that, for example, if a building permit is applied for on June 30 and then on July 1 fees go up and someone else applies for that same permit, but on July 1, they will pay a higher rate. Therefore, there could be a difference in what you pay versus your neighbor.

Paula asks if there are any more questions for her; none respond.

Paula invites some members of the audience to come and speak in regards to the discussion.

Roger Gose of Gose & Associates, 113 E. 8th Avenue, comes to speak on the following:

- Advises that vesting is having a right to use a piece of property over a period of time.
- Speaks on platting, timelines, and how various items, such as a market crash, can affect filing time of final plats and how vesting is involved/beneficial in that regard.
- Advises on his experience with the platting of Oakdale Park, the market crash, the increase of the City's standards, and how it is now harder to develop the rest of Oakdale Park.
- States that he disagrees with staff's interpretation of the code for preliminary plats in that he reads it to be as long as a final plat is filed on any section that the preliminary plat will stay active no matter if another final plat is filed.
- States that he thinks there should be more clear standards.
- Provides other examples on how the platting process can be affected.
- States that he is glad these standards are being looked at as the process needs to be adjusted.

Mr. Gose asks if there are any questions for him; none respond.

Mr. Rusty Kraybill of Kraybill Homes comes to speak on the following:

- Developer of The Canyons.
- Encouraged by Paula's discussion of timeline extensions of preliminary plats.
- Provides some history regarding the platting process he has experienced with The Canyons.
- States that a market crash happened and lasted around 15 years and that our current standards do not provide enough time.
- States that we need to look at this in depth and come up with a better timeline.

Commissioner Lane asks Mr. Kraybill what he thinks would be a good timeline. Mr. Kraybill responds that he likes the 15 year available renewal time period. Mr. Kraybill goes on to state that 2 years is definitely not long enough, especially when you have a large development.

Mr. Kraybill asks if there are any other questions; none respond.

Mrs. Kelly Harris of Keystone Engineering comes to speak on the following:

- Advises that she hasn't had a chance to speak with Paula one-on-one regarding the topic but states that she couldn't find anywhere that says the Planning Commission can vote "no" on a preliminary plat as long as it meets all the City's codes.
- States that City staff will not bring a preliminary plat before the Planning Commission unless it meets the City's code.
- Advises that preliminary plats should be completely administrative approval and not come before the Planning Commission.

Commissioner Lane asks Mrs. Harris to confirm that she thinks that preliminary plats should not come to Planning Commission at all. Mrs. Harris responds that it sets up the Commissioners for failure due to the fact that the Planning Commission has to vote to approve a preliminary plat unless there is a code requirement that is not met.

Commissioner Emde states that City staff would not bring it before the Planning Commission if that were the case. Mrs. Harris confirms and advises that they would be made to take it before the Board of Adjustment or fix it before it came to the Planning Commission.

Commissioner Ross states that there should still be a public forum to allow for public input. Mrs. Harris responds that if the zoning on the lot is in place and the preliminary plat follows all code that it must be approved.

Commissioner Ross states that the public opinion should make a difference.

Commissioner Emde asks if there is overwhelming public opposition could it be denied at the final plat stage.

Mrs. Paula Dennison, Development Services Director, comes back to the podium and advises that, according to the national planning subdivision practice and theory and the state planning subdivision laws and, therefore, local subdivision laws, if you meet the requirements that the jurisdiction has set, there is nothing subjective. Paula explains that if the criteria are met then it must be approved.

Paula goes on to explain the difference between the approval processes of a preliminary plat and a final plat. Paula advises that a preliminary plat, much like a conceptual site plan, is the vision of how the developer sees the property developing, how many lots they can get, the layout and connections of proposed utilities in order to make the best use of the property. Paula states that the only approval, for a preliminary plat in Stillwater, is letting them start designing the infrastructure and designing the final plat. Paula states that approval of a preliminary plat does not allow for things such as granting of a water meter, building permit, selling of the lot or dedication of an easement. Paula advises that with a preliminary plat, the Planning Commission is the last reviewing body.

Paula goes on to explain that a final plat goes to the City Council and a decision is made, with the recommendation of the Planning Commission, on whether or not to accept the things which are being dedicated. Paula states these items are easements, rights-of-way, and if they have built the utilities, whether or not to accept that infrastructure. Paula advises that this is where the denial period comes in but explains that there must be a reason. Paula provides an example such as there not being water pressure for a water line to be built and, therefore, not accept a water line easement because the water line cannot be built. Paula advises that this is a reason for denial of a final plat but not street layout or of the number of lots or of the zoning or size of those lots. Paula advises that the final plat is only the document that the City Council uses for the legal acceptance of what is being dedicated. Paula states that it then is filed with the County and property can be sold.

Commission Lane asks why the Planning Commission even sees plats or makes recommendations regarding plats if it is just accepting improvements and easements. Paula responds that the Planning Commission's role is to recommend, for the best interest of the community, planning initiatives or projects to the City Council, one of which is the subdivision of land and the dedication and acceptance of those dedications associated to the plat.

Paula asks the Commission what direction they would like to go.

Commissioner Buchert states that someone else in the audience would like to speak.

Roger Gose of Gose & Associates, 113 E. 8th Ave, comes to speak on the following:

- State statutes give the Planning Commission the charge to approve the roads and

development of the community and that the Planning Commission should look into that charge.

- Explains why he thinks this is a good time to be reviewing this topic and states that he has a list of preliminary plats on file with the City of Stillwater where only a few are viable.
- Asks Commissioner Buchert to advise on what the City of Tulsa's requirements are in regards to the platting process.

Commissioner Buchert states that he does not recall what the City of Tulsa's regulations were and asks staff to find out this information as well the process by Broken Arrow as they do a lot of economic development.

Commissioner Lane states that there is vagueness within the City of Stillwater code, especially within the area regarding the platting process. Commissioner Lane states that he is in favor of increasing time for active preliminary plats as 2 years is nothing for a developer. Commissioner Lane goes on to say that we will, hopefully, see more development, which is needed as the City of Stillwater is running out of lots.

Commissioner Emde states that 5 years is too short and likes 15 years. Commissioner Emde asks if the timeline of a final plat passes down to the next person who buys the land. Paula responds, yes and advises that the recorded document at the County becomes the official dedication, acceptance, and conveyance mechanism and this is what deeds are filed from. Paula goes on to say that this is not tied to the developer only as ownership of the property is transferring to whoever buys it. Paula advises that the ability to change that plat can be changed by new owners and can be re-platted. Paula goes on to say that the new owner can close and vacate a plat and start over and gives an example of the Ranch development where Peaceable Acres Subdivision used to be located.

Commissioner Emde states that we are stuck with some 50 foot wide lots. Paula advises that there are also 25 foot wide lots even on lots where there is 100 feet of right-of-way.

Paula asks if there is any other direction from the Commissioners.

Commissioner Buchert advises that staff needs to look into vesting and more information and doing more research. Commissioner Buchert goes on to say that he is in favor of extending times of preliminary plats. Commissioner Buchert states that he likes that preliminary plats come to the Planning Commission as it allows for public notice and allows the public to listen to the item regardless if the Planning Commission has to pass it or not versus an administrative process.

Commissioner Emde states this allows the public to become more engaged and involved in what is going on within that neighborhood and allows the public the ability to protest.

Commissioner Lane states that in commercial construction it also shows the developer that there will be a potential issue.

Commissioner Emde cites instances within 12th Avenue where the Planning Commission decision was overturned by the City Council.

Paula asks if the discussion should continue at the next Planning Commission meeting. The Planning

Commission agrees and Paula advises that more information will be gathered and presented at the next meeting.

Paula offers to have the PowerPoint presentation to be sent to the Commissioners.

Commissioner Emde states this would also be good to be given to developers. Paula responds that it will be discussed and presented to the Builders Group.

Commissioner Wilkins asks if there might be anyone who would be against extending the times of active preliminary plats. Paula responds that there could be some who are in opposition as anytime there is change there will be those who are uncertain or a little skeptical about what that change might bring. Paula goes on to say that there may also be some who are not as inclined to support development in the community who may be opposed or see it as granting property owners and developers some undue privileges.

Paula asks if there is anything else for her; none respond. Paula advises that the discussion will be continued at the next Planning Commission meeting.

Commissioner Lane takes the time to thank those who came and provided their opinion on the matter.

4. MISCELLANEOUS ITEMS FROM STAFF FOR DISCUSSION AND POSSIBLE ACTION:

- a. Presentation of Commercial Activities and Housing Starts 2015-2016.

Mr. Tom Coots, Planner I, presents information regarding commercial activities and housing starts for 2015-2016.

- b. Next Planning Commission meeting April 18, 2017.

5. APPROVAL OF THE MEETING SUMMARY FOR DISCUSSION AND POSSIBLE ACTION:

- a. Approval of the regular meeting summary of March 21, 2017.

Commissioner Buchert moved, Commissioner Emde seconded to approve the regular meeting summary of March 21, 2017.

Roll call:	Marler	Rickelman	Lane	Buchert	Ross	Emde	Wilkins
	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Time: 1 minute

6. ADJOURNMENT

ADJOURNMENT. This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Buchert, seconded by Commissioner Lane at approximately 6:58 PM on April 04, 2017 with all members present in agreement, the next regularly scheduled meeting will be held April 18, 2017 at 5:30 p.m. in the City Commission Hearing Room, Municipal Building, 723 S. Lewis Street.

Prepared by – Ashley Camren, Administrative Assistant

Approved by - _____
Stillwater Planning Commission

DRAFT