



REPORT TO:  
STILLWATER PLANNING COMMISSION No. PZ.17.2192  
*ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT - STILLWATER, OKLAHOMA*

**Date of Meeting:** May 2, 2017

**Subject:** 12<sup>th</sup> Avenue Land Use Plan and Overlay Districts

**Purpose of Report:** Review of planning process, possible change to Stillwater's Comprehensive Plan and possible text amendment to establish overlay districts for the 12<sup>th</sup> Avenue Land Use Plan area

**Background:** An application to rezone property at 1220 W 12<sup>th</sup> Avenue from RSS to RTM and Office began in October of 2016. After multiple public hearings, the City Council, at the January 23<sup>rd</sup> meeting, postponed this rezoning request for staff to conduct a public process to consider a possible change to the Comprehensive Plan for the vicinity. The planning process began in February and extends through May with significant input for the future of this study area.

**Summary:** The information presented is based on preservation of residential uses and houses while recognizing that the area has, is and will continue to change. Overlay districts provide the framework by which preservation and appropriate change can be accomplished.

At the direction of City Council, staff began a public planning process to consider possible change to the Comprehensive Plan for the area along 12<sup>th</sup> Avenue. Included in the planning process is an objective to evaluate any possible changes to Stillwater City Code to apply to the area. A study area was identified for direct evaluation and possible application of zoning changes. A larger notification area was identified to fully inform the neighborhood. The study area encompasses 90 parcels; the notification area encompasses 377 parcels.

Beginning in February of 2017, staff prepared a variety of public input means to facilitate input from owners, residents and workers in the study area, the notification area, and throughout the City. Input was distributed and received through: survey on SurveyMonkey, newsfeed at Stillwater.org; input meetings with notices emailed and mailed through the US Postal Service; direct emails from citizens. The following are results of the input initiatives:

- Total of 138 SurveyMonkey responses:
  - 31 SurveyMonkey responses from owners/residents in the study area
  - 26 SurveyMonkey responses from owners/residents in the notification area
  - 4 SurveyMonkey responses from workers in the study or notification area

- 77 SurveyMonkey responses from interested citizens outside the study or notification area
- 3 input meetings with average attendance of 36
- Total of 1,609 letters sent via USPS
- Total of 146 recipients of notifications by email
- 23 emails from citizens
- Use of polling software, results provided real-time vote casting and tally from input meeting attendees

The following are general summaries of the input received. Specific data is included in the attachment to this report. The collection of input and the application of planning theory and process are the basis for the two land use plans and the two overlay districts presented for consideration.

Emails: The emails received ranged from support and recognition of change to questions about the process and purpose to firm positions on keeping the residential neighborhood with no changes. Input indicates a strong sense of neighborhood, positive experiences in the neighborhood, preservation of residential uses, proper integration of non-residential uses into the existing neighborhood, and ability to get from the neighborhood to destinations in the vicinity and throughout the community.

Survey: From the total respondents, approximately 74% own the home they occupy. However, according to the Census Bureau, the study area is approximately 65% rental occupancy which is indicative of the rental occupancy throughout the entire city. Responses indicate a strong desire to preserve the single-family residential aspect of the neighborhood with the provision of park/open space as an appropriate use for the area. Additionally, the need for multi-modal improvements and the need to have development integrated with the neighborhood through the use of residential-style look, height, materials are identified as needed for any development in the area.

Polling: Staff provided two opportunities for open polling at input meetings. The study area results of the first poll aided in the development of two land use plans and two overlay districts. The final poll asked specific questions with the results drilled down to specific site/building design requirements and uses for consideration in the overlay districts. The results of these two polls are attached.

Outcome: Staff prepared two land use proposals and two overlay districts for the Planning Commission to review. Land Use Plan Alternative #1 proposes no changes to the existing adopted land use for the study area. Land Use Plan Alternative #2 proposes overlay districts for the study area located on the north side of 12<sup>th</sup> avenue. Two overlay districts are proposed: 1) Neighborhood Conservation Overlay District bound by lots on the west side of Pine Street, 11<sup>th</sup> Avenue, lots on the east side of Stanley Street, and 12<sup>th</sup> Avenue and 2) Neighborhood Mixed-Use Overlay District bound by the property bisected by Blakeley Street, 11<sup>th</sup> Avenue, the lot at 11<sup>th</sup> and Washington Street on the east side, and 12<sup>th</sup> Avenue. The properties in the study area on the south side of 12<sup>th</sup> Avenue are not included in the alternative #2 or overlay district proposals.

At the beginning of this planning process, there existed heavy polarization of opinions with about half wanting nothing but residential development. As the process continued, and more information was openly discussed, the atmosphere became more understanding of opposite opinions and of coming together for the betterment of the whole. People moved from “no” or “yes” to “possibly” and “let’s talk about that”.

**Processing Track:**

*Planning Commission – May 2, 2017*

*City Council – May 15, 2017*

**Comprehensive Plan:**

The C<sup>3</sup> Plan indicates the area on the south side of 12<sup>th</sup> Avenue as Public and Commercial. The north side of 12<sup>th</sup> Avenue, within the study area is indicated as primarily Low-Density Residential with a small portion of Public, with Commercial at the northwest corner of 12<sup>th</sup> & Washington and with Park/Open Space for property on the east side of Washington Street.

**Discussion:** At the final input meeting, a number of items remained unresolved for the overlay district proposals. These are outlined below and the Planning Commission is asked to make a determination as part of findings.

- Is the area identified for Neighborhood Conservation Overlay District proper or does it need to be adjusted?
- Is the area identified for Neighborhood Mixed-Use Overlay District proper or does it need to be adjusted?
- Is a rezoning process necessary for the underlying property, in addition to the applied overlay district? Even with an overlay district that identifies specific uses and the manner in which properties are developed, a public hearing would be held to rezone the underlying zoning to a category that allows the proposed use.
- What is a proper size limitation of free-standing, single unit buildings?
- What is a proper size limitation of multi-unit buildings?
- What kinds of alcohol establishments should be allowed in the mixed-use overlay: wine bar, beer garden, etc?
- Should increased screening for dumpsters be specified?

**Findings:**

1. A planning process was conducted to consider a possible change to the Comprehensive Plan for the area around 1220 W 12<sup>th</sup> Avenue.
2. The study area has, is and will continue to develop in some form.
3. Through a variety of means to collect public input, a desire to preserve and enhance the neighborhood was found.
4. Overlay districts may be used to accomplish the neighborhood concerns and to allow for appropriate development.
5. Land use plan alternative #1 would make no changes to the Land Use Plan as adopted in the Comprehensive Plan.
6. Land use plan alternative #2 would authorize specific uses and design criteria for developments in the study area.
7. Neighborhood Conservation Overlay District would establish low-density residential development as the only uses allowed for a specified area.

8. Neighborhood Mixed-Use Overlay District would establish a mixture of uses complimentary to the residential neighborhood and with specific design criteria for all buildings and site development for a specified area.
9. Planning Commission is requested to make determinations on specific items in the overlay district proposals.
10. These overlay districts will encourage appropriate development opportunities and themes.

**Alternatives:**

1. Find that the Comprehensive Plan for the area needs adjustment, that the proposed text amendment is needed and recommend that the City Council approve the 12<sup>th</sup> Avenue Land Use Plan Alternative #2 as presented and approve the proposed text amendment establishing the Neighborhood Conservation Overlay District and the Neighborhood Mixed-Use Overlay District as presented.
2. Find that the Comprehensive Plan for the area needs adjustment, and that the proposed text amendment is needed and recommend that the City Council approve the 12<sup>th</sup> Avenue Land Use Plan Alternative #2 with identified amendment and approve the proposed text amendment establishing the Neighborhood Conservation Overlay District and the Neighborhood Mixed-Use Overlay District with identified amendments.
3. Find that the Comprehensive Plan for the area does not need adjustment, and that the proposed text amendment is needed and recommend that the City Council approve the proposed text amendment establishing the Neighborhood Conservation Overlay District as presented.
4. Find that no changes are needed to the adopted Comprehensive Plan or to City Code and recommend that the City Council take no action.

**Prepared by:**

*Paula J. Dennison*

**Date of Preparation:**

*April 28, 2017*

**Attachments:**

- *12<sup>th</sup> Avenue Land Use Plan Study and Notification Area Map*
- *12<sup>th</sup> Avenue Land Use Plan Alternative #1*
- *12<sup>th</sup> Avenue Land Use Plan Alternative #2*
- *Neighborhood Conservation Overlay District draft*
- *Neighborhood Mixed-Use Overlay District draft*
- *Public Input Data & Information: emails, SurveyMonkey results, consensus meeting polling results, final draft and wrap-up meeting polling results*