

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF MAY 02, 2017
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED APRIL 25, 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
Zelte Wilkins, Member

STAFF PRESENT

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

Gilbert Emde, Member

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. OK Stillwater, LLC, **SPECIFIC USE PERMIT (PZ-17-2185)**, requesting review and approval of a Specific Use Permit to allow a Healthcare and Social Assistance use (dental office) at property addressed as 2307 N. Perkins Road in the CS (Commercial Shopping) zoning district. **This item was noticed and originally scheduled for the April 18th Planning Commission meeting that was cancelled due to lack of a quorum.**

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

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

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

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

- Speaking as the engineer for the applicant.
- Advises that he is available to answer any questions if needed.

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

Chair Marker asks if there is anyone else who would like to speak in favor of the proposal; 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 recommend that the City Council approve the proposed Specific Use

- Permit.
2. Accept findings and recommend that the City Council approve the proposed Specific Use Permit with conditions to mitigate any impact of the proposed use.
 3. Find that the Specific Use Permit is not an appropriate use for the property based on the impacts to the surrounding vicinity and do not recommend that the City Council approve the Specific Use Permit.
 4. Find that additional information or discussion is needed prior to making a recommendation and table the request to a certain date.

Chair Marler asks if there are any questions from the Commissioners for Mike.

Vice-Chair Rickelman asks if the parking places added or if they are part of the larger parking area.

Mike responds that they are all going to be new parking places around the building.

Chair Marler asks if there are any more questions or a motion; none respond.

Commissioner Buchert moved, Commissioner Wilkins seconded to accept findings and recommend that the City Council approve the proposed Specific Use Permit.

An issue occurred with the voting software and a verbal vote is taken.

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

Time: 4 minutes

- b. Sigma Phi Epsilon Alumni Corp, **MAP AMENDMENT (REZONING) (PZ-17-2190)**, requesting review and approval of a Map Amendment to rezone property addressed as 1121 W. 4th Avenue from RTM (Residential Two-Family and Multi-Family) to RMI (Residential Multi-Family Intermediate).

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

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

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

- Representing the owner.
- Advises that they are requesting the zoning change in order to have similar zoning to the other sororities and fraternities to the north.
- Advises that they will have to go to the Board of Adjustment in order to receive variances for building height and density.

Chair Marler 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.

Mrs. Shirley Weeks, 71 University Cir, comes to speak on the following:

- Advises that she waited to come forward as she only has questions.
- Mrs. Weeks does not understand the parking requirements and advises that there is a shortage of parking space in the area.

Chair Marler invites Mike back to the podium to address the concern.

Mike returns to the podium and advises that the intent is to redevelop the property and that, even though we do not know what the proposal will be, most likely the applicant will need to obtain a variance for parking requirements. Mike goes on to say that there will be several options but as we do not have the exact proposal plans at this time that we cannot say for sure what those requirements will be.

Commissioner Buchert advises that as this is a rezoning the Planning Commission cannot take the parking into account as it does not pertain to a rezoning.

Mike advises that parking will be a requirement that goes along with whatever the proposal will be and that there are other alternatives which are independent from a rezoning.

Commissioner Ross asks if the variance that goes to the Board of Adjustment would deal with the issue of parking. Mike responds, yes it would be a separate issue.

Chair Marler asks if there is anyone else who would like to speak in opposition to the item; none respond. Chair Marler closes the public hearing and asks for staff's alternatives.

Mike presents alternatives, which are:

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.

Chair Marler asks if there is any discussion.

Commissioner Ross states, it makes sense to allow this property to have the same requirements as other sororities and fraternities.

Commissioner Ross moved, Commissioner Buchert seconded to accept findings and recommend that the City Council approve the proposed Map Amendment.

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

Time: 7 minutes

- c. Excel Development Group, **MAP AMENDMENT (REZONING) (PZ-17-2191)**, requesting review and approval of a Map Amendment to rezone property addressed as 702 S. Jardot Road from MH (Mobile/Manufactured Home) to RTM (Residential Two-Family and Multi-

Family).

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

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

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

Jennifer McCabe, 45402 Hardesty Road, Shawnee, OK, comes to speak on the following:

- Representing the applicant.
- Available for any questions if needed.

Chair Marler 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 of the item; none respond. Chair Marler closes the public hearing and asks for staff's alternatives.

Mike presents alternatives, which are:

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.

Chair Marler asks if there are any questions for Mike; none respond. Chair Marler asks for discussion among the Commissioners.

Commissioner Lane states that he is excited to see development in this area of town.

Commissioner Buchert moved, Chair Marler seconded to accept findings and recommend that the City Council approve the proposed Map Amendment as presented.

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

Time: 4 minutes

3. PLANS/POLICES/ORDINANCES FOR DISCUSSION AND POSSIBLE ACTION:

- a. City of Stillwater, 12th Avenue Land Use Plan, **AMENDMENT TO COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE AMENDMENT (PZ-17-2192)**, requesting review and approval of an amendment to the Stillwater C3, Comprehensive Plan 2030, Chapter 9, Areas of Special Interest, and text amendment to Land Development Code Chapter 23, Article 13 Overlay Districts by adding overlay districts to 12th Avenue Land Use Plan study area.

Chair Marler states that he will be advising on certain guidelines for the item and asks for a show of hands on who intends to speak on the item. Chair Marler requests that each member of the

audience only take one turn at the podium in order for everyone to get a chance to speak. Chair Marler advises that each speaker will be provided 5 minutes to speak on the item. Chair Marler goes on to state that the responsibility of the Planning Commission is solely to provide a recommendation to the City Council and that the citizens will also be provided opportunity to be heard at the City Council meeting. Chair Marler goes on to request that the speaker not repeat anything that has already been expressed by a previous speaker as it does not increase dialog and will only take away time from another speaker who has something new to provide. Chair Marler also requests that there be no clapping, cheering, or booing in response to a speaker's comment. Chair Marler advises that when each speaker comes to the podium to state their name and address.

Chair Marler advises that all questions from the audience will be addressed by staff at the end of the public hearing portion of the item.

Mrs. Paula Dennison, Development Services Director, presents staff's report and findings.

Paula makes note that 2 additional emails which were received in addition to what was already in the packets and has been distributed to the Commissioners at this time.

Paula advises that she is available for questions.

Commissioner Lane states that he has several questions. Commissioner Lane asks how many of the people at the meetings actually lived inside or outside the study area.

Paula responds that a poll was not taken but that it would be close to half of those in attendance were within the study and/or notification area and some outside the study area.

Commissioner Lane asks if this is considered Form Based Code.

Paula advised that it is not Form Based Code. Paula advises that Form Based Code has a lot of design criteria but is primarily design based criteria and less use where this particular item incorporates both the design and use allowances.

Commissioner Lane states that it is similar to Form Based Code but not exact. Paula confirms.

Commissioner Lane asks if there are any unintended consequences to moving forward with the overlay districts.

Paula advises that there could certainly be unintended consequences. Paula states that if the Mixed-Use Overlay District moves forward to the City Council and is approved there would be a limit to just those uses allowed within that overlay district and the properties covered by that overlay. Paula advises that there are possible unforeseen consequences but there are processes in place to address those.

Paula goes on to state that the same would follow for the residential area. Paula gives examples of vinyl siding and being able to maintain the siding. Paula advises that as long as it is only maintained and nothing new is built it would be allowed.

Commissioner Lane asks what would happen if you did an add-on or remodel.

Paula advises that an add-on would need to comply with, primarily, brick and stone. Paula goes on to state that some accent of the siding would still be permitted to tie it together with the rest of the house but for any new development, which would include an addition, you would not be able to just continue on that theme as it exists. Paula advises that remodeling is usually interior and would not be affected.

Commissioner Lane asks who would make that determination such as what criteria would be followed.

Paula advises it would be reviewed by the planning staff and if any major issue was identified then it would have to go before the Board of Adjustment, which is the proper body to hear any appeal to staff's determination. Paula goes on to state that she does not anticipate anything going that far but with "unintended consequences" it is not able to be determined at this time.

Commissioner Lane agrees but states that he wanted the possibilities to be discussed at this meeting so that the property owners would be made aware.

Commissioner Lane states that in the Mixed-Use Overlay District he noticed that a drive-thru would not be permitted other than such uses such as a pharmacy. Commissioner Lane goes on to state that it is a concern of his as some businesses, such as a bank, that need to have a drive up window or they will most likely not build in that location. Commissioner Lane states that this could really limit what could go in commercially and that maybe this is the intent but is something we should be cognizant about because if it is restricted too much then nothing will develop in that area.

Commissioner Lane states that a 2,000 square feet maximum is too small for commercial buildings. Commissioner Lane advises that the pharmacies he has built have been between 2,500 and 3,000 square feet and should also be looked at.

Commissioner Lane states that he understands the parking requirements but that sometimes it is difficult to limit the parking in front and should possibly be changed to be a project to project basis.

Commissioner Lane asks if lots can be combined. Commissioner Lane advises that he saw in the report about there being a 50 foot lot maximum with 1 structure on it, but if you want to do a 3 or 4 unit commercial building with different uses you really wouldn't be able to do that.

Paula advises that the 50 feet is a minimum lot width along the street, not a maximum. Paula states that it is a minimum 50 feet for interior lots and 60 feet for corner lots.

Commissioner Lane advises that he wants to make sure that during the polling process that it is a true representation of those who live and work there. Commissioner Lane states that the data could be skewed if you're not careful and wants to make sure that the graphs accurately represent those in the study area.

Commissioner Wilkins asks if the surveys were sent out to the actual home owners or just the current residents.

Paula advises that they were sent out to both the current residents within the study/notification area as well as the property owners. Paula states that out of town land owners were notified as well as those who actually lived in the houses.

Commissioner Wilkins states that the report shows that 65 percent of the residents are renters.

Paula advises that within the study area itself that is true and is typical in Stillwater. Paula states that the respondents to the online survey were a majority owner occupied residents but that the respondents for the survey could be anyone throughout the community. Paula goes on to state that those located in the study area are pretty indicative to the rest of the community with a highest percentage of rental occupancy.

Paula advises that some of the "current resident" letters were returned due to the houses being vacant.

Commissioner Ross asks if there was a noticeable difference of opinion between those who rent versus owner occupied.

Paula responds that was not a detail that was researched.

Chair Marler asks if there are any other questions for Paula; none respond.

Paula states that this is a lot of information and expresses her appreciation to the time and detail the Commissioners have shown the item. Paula advises that this was an exciting project for staff as they have done the overall Comprehensive Plan and the Corridor Redevelopment Plan, but had not had a recent opportunity to do just a small neighborhood scale study. Paula goes on to state that one of the things that staff saw was the members of the neighborhood who had not previously met or been active were finding common goals and objectives and are now building relationships and communication and humanity.

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

Chair Marler opens the public hearing and invites members of the audience to come to the podium and speak in regards to the proposal.

John Pollock, 1106 S. Adams Street, comes to speak on the following:

- Mr. Pollock lives in what could be the Mixed-Use Overlay District.
- Came in to City Hall and spoke with a City Employee and was provided with information but was surprised that there was no mention of the hospital which will spark a lot of change.
- States that he would prefer solely residential properties in this area but that he understands change and that it can be good.
- States that he doesn't believe this to be a finished product yet and that if it is adopted there should be a case by case review for each business application, zoning application, etc. as once this gets started there are too many unknown variables.
- Mr. Pollock states that he would rather live next to a well maintained business that next to a rundown house.

Geri Auel, 910 S. Stanley Street, comes to speak on the following:

- Advises that her property is just north of the study area.
- Ms. Auel expresses her appreciation to staff for their efforts in engaging the community.
- Ms. Auel states that this item has caused her to become much more familiar with zoning as well as her neighbors.
- Ms. Auel advises that Mr. Pollock requested a neighborhood meeting in which she delivered invitations to the residents which provided her the opportunity to speak with at least 20 people in her neighborhood and that the consensus she discovered was that they wanted to leave the area as is.
- Ms. Auel states that individual rezoning would be more realistic.
- Ms. Auel asks if the Commissioners have really had a chance to look over the maps and go over the 2 options and how the areas were determined.

Roger Gose, 120 E. Connell, comes to speak on the following:

- Speaks in regards to some of the determinations that the Planning Commission will need to make for requirements such as rezoning properties.
- States that a single unit building should be over 3,000 feet as a 2,000 square foot building is really small.
- States that screening should be specified such as wood fence or brick.
- Advises that nothing above 2 stories should be permitted in that area.

Michael Oliver, 1123 S. Gray, comes to speak on the following:

- Advises that he and his wife purchased their property specifically due to how the neighborhood exists and has mixed feelings regarding the overlays.
- States that the lines separating the two districts may not be appropriate as it would disrupt the continuity of the existing residential area.
- States that he has concerns in regards to the mixed-use and businesses moving in could affect the property values and the desirability of the housing in the area.
- States that the area should stay the same and continue with solely residential and no businesses.

Shirley Weeks, 71 University Circle, comes to speak to the following:

- States that she was disappointed in the process as she did not feel that she received adequate educational tools in order to use the clicker at the polling and that it went too quickly.
- States that they did not have enough understanding of planning terms and ended up being more confused and thinks that the overlays are confusing within themselves.
- Concerned for the future of quality neighborhoods and that they will start to disappear.
- Requests that the boundaries to the overlays be adjusted.
- Recommends more education be made to the public before the decisions are made.

Julie Couch, 901 S. Gray Street, comes to speak on the following:

- Advises that she seconds what the last two speakers have addressed.

Chair Marler asks if there is anyone else who would like to speak in regards to the item; none

respond.

Chair Marler invites Mr. Pollock to return to the podium upon Mr. Pollock's request in order to respond to a comment made by Ms. Auel.

Mr. Pollock returns to the podium and states that he just wants to explain Geri's comment of a side meeting. Mr. Pollock advises that he wanted to get more people involved and that their input was important as the process works better with more people involved.

Bobby Douglas, 823 W. 11th Avenue, comes to speak on the following:

- Advises that he is in the process of trying to rezone his property and wants to know how this will affect his rezoning request.
- Advises that he would prefer the Mixed-Use Overlay District for his property.

Commissioner Lane asks what he was planning on rezoning his property to.

Mr. Douglas advises that it would be Office with a Specific Use Permit.

Commissioner Ross asks if Mr. Douglas would have to go to the Board of Adjustment. Mr. Douglas responds that he came to the Planning Commission for a rezoning request.

The Commissioners recall Mr. Douglas' request to rezone.

Chair Marler asks if there is anyone else who would like to speak; none respond. Chair Marler calls Paula back to the podium to address the questions and concerns posed by the audience.

Paula returns to the podium and directs the Commissioners attention to the discussion items they are tasked with. Paula advises that the Commissioners are being asked to discuss if the boundaries of the Overlay Districts need adjustment.

Paula advises that it was staff's objective to provide a starting point for the Commissioners to move forward from.

Paula advises that Mr. Douglas' request came through the Planning Commission and was presented to City Council. Paula goes on to say that it was tabled at the City Council meeting as this process had already been directed from City Council to staff. Paula advises that if no change is made that it will not negate Mr. Douglas' request as it has already been forwarded to City Council. Paula states that the City Council will discuss the 12th Avenue Use Plan at their May 15th meeting and Mr. Douglas' request is also on that same agenda after the 12th Avenue Use Plan.

Paula asks if there are any other questions for her.

Commissioner Rickelman asks for clarification on the rezoning of property with the overlay.

Paula advises that one of the discussion items to be determined by the Planning Commission will be to make that decision. Paula goes on to advise that, usually, when an overlay district is assigned to a certain area, those properties that are included within that overlay district do not have to come

back through any rezoning process because it is understood the overlay district allows those uses or criteria on those properties. Paula advises that a Planned Unit Development is a little different as the codes for Planned Unit Developments are individual property specific rather than areas such as an overlay district. Paula states that in a Planned Unit Development it is required that the underlying zoning district matches the intended use. Paula states that if the use was not allowed within that zoning district the applicant would have to come through a rezoning request and as part of the rezoning also request to apply the Planned Unit Development. Paula provides examples of overlay districts such as the Westwood Overlay District and the Business Improvement District. Paula advises that in these two overlay districts, you do not have to rezone your property for that overlay to apply. Paula advises that this is a decision the Planning Commission will need to make in regards to whether properties will still have to be rezoned when requesting that the overlay be applied.

Commissioner Buchert asks if there is a fence or screening requirement between the two overlay districts.

Paula responds that there is not a requirement between the overlay districts but that additional screening will be required when commercial properties or uses abut single-family or two-family uses.

Commissioner Lane asks if the underlying zoning is left as it is and it does not go with the overlay where each individual property has to be brought back then that screening requirement could be required at that point.

Paula responds that if a property comes through a rezoning request and is rezoned to a commercial use and is next to a residential use they would be required to have additional screening.

Commissioner Lane asks that if the overlay is approved and a rezoning is not required would the additional screening still apply.

Paula responds that if the Mixed-Use Overlay is next to a residential use the additional screening would be required.

Commissioner Ross asks for confirmation that if, within the Mixed-Use Overlay, a commercial use was next to a residential use that the additional screening would be required.

Paula responds, yes.

Chair Marler asks if there are other questions for Paula.

Commissioner Ross asks Paula to advise on how the boundaries were determined for each overlay district.

Paula responds that, from a Planning standpoint, the proposed Neighborhood Conservation Overlay District is fairly dense with residential structures and that within the proposed Neighborhood Mixed-Use Overlay District there are already duplexes, a Planned Unit Development, it abuts some multi-family, is adjacent to the hospital's new development, and there is more vacant property, and also goes over to Washington Street which is a major transportation link to the north side of Stillwater.

Commissioner Lane also advises that when looking at an aerial photo that the boundaries make sense.

Commissioner Ross advises that there was an email in the packet concerning property taxes, like within the Business Improvement District, and asks if property taxes would be affected.

Paula responds that there is no consideration in this proposal to implement any additional money-generating source for the area.

Paula shows the Commissioners the aerial photo provided by the online GIS tool via the City of Stillwater's website.

Commissioner Lane advises that if people are unaware of it that it is a great tool.

Paula asks if there are any other questions for her.

Commissioner Buchert brings up the 2,000 sq. ft. maximum for buildings and asks how that number was determined.

Paula responds that it was mainly a place for the Commissioners to start in regards to discussion. Paula also advises that the chiropractic office on the south side of 12th avenue is just less than 2,000 sq. ft. as an example. She also states that the building with the higher pitched roof is around 3,500 sq. ft. Paula states that there are a range of square footages but that this provides the Commissioners with some kind of visual idea.

Paula continues to describe where the boundaries are located for each of the proposed overlay districts by utilizing the GIS aerial tool on the City of Stillwater's website and how those boundaries were determined. Paula also advises on the fact that there is a flood plain area within the proposed Mixed-Use Overlay District and how the flood plain makes it more costly to build houses in that area.

Paula asks if there is anything else; none responds.

Paula presents alternatives, which are:

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 12th 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 12th 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 the City Code and recommend that the City Council take no action.

Chair Marler asks if there is any discussion and if they wish to address the discussion items one at a time. Commissioner Buchert agrees.

Discussion is held between the Commissioners and staff regarding the following items:

1. Is the area identified for Neighborhood Conservation Overlay District proper or does it need to be adjusted?
2. Is the area identified for Neighborhood Mixed-Use Overlay District proper or does it need to be adjusted?
3. 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.
4. What is a proper size limitation of free-standing, single unit buildings?
5. What is a proper size limitation of multi-unit buildings?
6. What kinds of alcohol establishments should be allowed in the mixed-use overlay: wine bar, beer garden, etc.?
7. Should increased screening for dumpsters be specified?

The following decisions are made by the Planning Commission in regards to the above referenced discussion:

1. No adjustments to the Neighborhood Conservation Overlay District boundary.
2. No adjustments to the Neighborhood Mixed-Use Overlay District boundary.
3. Individual property rezoning to a district that allows the intended use is not necessary. Public hearing for overlay application rezoning requests required.
4. 3,000 square foot maximum for single unit buildings.
5. 3,000 square foot maximum per unit for multi-unit buildings.
6. Within the Mixed-Use Overlay District, no liquor stores or bars. Alcohol allowed to be sold in a restaurant.
7. Screening required in the form of a wood fence, stone, or brick for dumpsters. Screening also required between new or redeveloped commercial uses and residential uses.

Other items discussed are as follows:

- The Neighborhood Conservation Overlay District Draft will remain as presented.
- Within the Neighborhood Mixed-Use Overlay District Draft the following changes will be made:
 - Item 1 under Commercial Use Restrictions will change from “2,000 total sq. ft. of building footprint” to “3,000 total sq. ft. of building footprint”.
 - Item 2 under Commercial Use Restrictions will change from “2,000 total sq. ft. of building footprint” to “3,000 total sq. ft. of building footprint”.
 - Items 3, 5 and 6 under the Design Standards, Building Front Facade section will be deleted.

Commissioner Buchert moved, Commissioner Lane seconded to 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 12th Avenue Land Use Plan Alternative #2 with identified amendments and approve the proposed text amendment establishing the Neighborhood Conservation Overlay district as presented and the Neighborhood Mixed-Use Overlay District with identified amendments.

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

Time: 1 hour 1 minute

4. 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. **Continued discussion from the April 04, 2017 Planning Commission Meeting.**

Mrs. Paula Dennison, Development Services Director, comes to the podium to continue the platting process discussion. Paula advises that the Commissioners asked for a comparison table of other cities at the previous meeting. Paula states that other cities have longer periods of standing approvals for preliminary plats but some have a one-time extension for a maximum of so many years and then if it expires you would have to reapply. Paula recommends the approval be 5 years instead of the current 2 year period, a one-time extension of 5 years prior to the initial 5 year expiration, and after that period it would have to come back to the Planning Commission again. Paula advises this would provide 10 years of active approval to file a final plat.

Paula asks for the Commissioner's recommendation and if this seems reasonable.

Commissioner Lane states that it is better that the current process.

Commissioner Buchert asks if anyone in the audience would like to speak.

Mr. Roger Gose, 120 E. Connell, comes to speak on the following:

- Preliminary plats would be active for 5 years with a 5 year extension possible.
- States that he does not entirely understand if the preliminary plat would be granted an extension beyond the 10 years if a section of a final plat is filed.

Mr. Gose discusses with Paula this item and Paula advises that all sections of a final plat must be filed within that 10 year period.

Mr. Gose asks if this means sections of the final plat which were not filed before the preliminary plat expired they would have to come back with another preliminary plat. Paula responds, yes.

Mr. Gose goes on to state that something, especially within interpretations of the text, needs to change within this process.

Chair Marler asks Paula if she has anything else. Commissioner Lane asks what the Commission's next step will be.

Paula returns to the podium and advises that staff needs to be provided with some direction from

the Commissioners in which staff can come back to the next Planning Commission meeting with some draft language for the Planning Commission to consider so that it can begin to go through the public hearing process as it would be an amendment to the Land Development Code and would need to be advertised and noticed. Paula advises that preliminary plat approval periods are the main issue but another issue is would minor amendments to approved preliminary plats be acceptable. Paula advises that other cities have those criteria for what constitutes a minor amendment that staff or the Planning Commission could hear without having to go entirely through the process of getting a new preliminary plat approved. Paula requests the recommendation of the Planning Commission to draft that language as well.

Commissioner Lane states this is a good idea in order to make the text less vague.

Paula now brings the discussion of final plats before the Commissioners. Paula states that many communities have a much shorter final plat validity period as you are already at the end of the process to have those improvements put in the ground and approved and accepted by whatever local jurisdiction. Paula goes on to state that, unlike a preliminary plat which is more of a concept plan on how the land will be divided, a final plat has more funds tied to it, has a lot of vesting, which will also be discussed at another time, and final plats should have a time period of 2 to 3 years of validity, making sure it is filed of record from the date it is approved within that time period would be reasonable.

Commissioner Lane asks Paula what she means by the date it is approved. He asks from the date what is approved.

Paula responds that it would be the date the Final Plat is approved which would be the City Council action.

Commissioner Lane asks if what Paula is saying is that within 2 or 3 years of the approval date at the City Council the Final Plat would need to be filed.

Paula states that it would need to be filed of record, yes.

Commissioner Lane states that should be plenty of time.

Paula responds that it is usually filed of record within 30 days.

Commissioner Buchert asks for confirmation that the current time period is 2 years.

Paula advises that, yes, that the current requirement is 2 years before they have to be filed of record. Paula states that it is rare to come across a final plat that has been approved and not filed of record within a month or two of its approval.

Commissioner Buchert states that the process for final plats stay the same and the changes to the preliminary plat be implemented as 2 years for final plats seems like a long time.

Commissioner Lane agrees with Commissioner Buchert and states that with final plats, as there is a lot of money tied into it, the developer is usually in a hurry to get it filed of record.

Paula advises the Planning Commissioners that staff will present the item for action at the next scheduled Planning Commission meeting.

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

- a. Approval of the regular meeting summary of April 04, 2017.

Commissioner Buchert moved, Commissioner Wilkins seconded to approve the regular meeting summary of April 04, 2017.

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

Time: 1 minute

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

- a. Next Planning Commission meeting May 16, 2017.

7. ADJOURNMENT

ADJOURNMENT. This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Buchert, seconded by Commissioner Ross at approximately 7:56 PM on May 02, 2017 with all members present in agreement, the next regularly scheduled meeting will be held May 16, 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