

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF JULY 18, 2017
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED JULY 14, 2017 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

Brad Rickelman, Vice-Chair
Dusty Lane, Member
Mike Buchert, Member
Ariel Ross, Member
Zelte Wilkins, Member

MEMBERS ABSENT

STAFF PRESENT

Dennis McGrath, Assistant City Attorney
Paula Dennison, Development Services Director
Tom Coots, Planner I
Ashley Camren, Administrative Assistant

1. CALL MEETING TO ORDER.

Vice-Chair Rickelman called the meeting to order at 5:30 PM.

2. LAND USE ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

- a. Stuever, Justin P & Lori D, **MAP AMENDMENT (REZONING) (PZ-17-2211)**, requesting review and approval of a Map Amendment to rezone property addressed as 1205 S. Husband Place from CG (Commercial General) – BID (Business Improvement District overlay) to RT (Residential Two-Family) – BID (Business Improvement District overlay). Coots

Tom Coots, Planner I, presents staff's report and findings.

Tom asks if there are any questions for him.

Commissioner Lane asks what the lot size is. Tom responds that it is approximately 7,000 square feet.

Commissioner Lane asks what the dimensions of the lot are. Tom responds that it is around 50 feet wide by 140 feet long.

Commissioner Lane asks if these lot sizes are allowed in RT zoning.

Tom advises that when a lot is being established it would need to be larger for RT zoning but, in this instance, for a lot that is already established and is just being rezoned it is allowed. Tom also advises that there is previous precedent in which this has been done even though it creates a legal, non-conforming lot.

Commissioner Lane asks if that is within the Planning Commission's parameters to create a legal non-conforming lot. Tom responds, yes, that there is previous precedent to do so.

Commissioner Wilkins asks for clarification of the side yard setback if the property is rezoned. Tom advises that, for a residential use, the side yard setback would be 5 feet.

Tom asks if there are any other questions; none respond.

Vice-Chair Rickelman opens the public hearing and asks if there is anyone who would like to speak in favor of the proposed Map Amendment.

Mr. Justin Stuever, 1205 S. Husband Place, comes to speak on the following:

- Applicant for the proposed Map Amendment.
- Gives brief explanation behind the requested Map Amendment and advises that, even though the block is zoned Commercial General, most of the area is residential and he wants the use to fit with the rest of the neighborhood.

Mr. Stuever asks if the Commissioners have any questions for him; none respond.

Vice-Chair Rickelman asks if there is anyone else who would like to speak in favor; none respond. Vice-Chair Rickelman asks if there is anyone who would like to speak in opposition; none respond.

Vice-Chair Rickelman closes the public hearing and asks for staff's alternatives.

Tom 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.

Tom asks if there are any other questions; none respond.

Vice-Chair Rickelman asks if there is any discussion among the Commissioners; none respond.

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

Roll call:	Vacant	Rickelman	Lane	Buchert	Ross	Wilkins	Vacant
	-	Yes	Yes	Yes	Yes	Yes	-

Time: 12 minutes

- b. City of Stillwater, **MAP AMENDMENT (REZONING) (PZ-17-2213)**, requesting review and approval of a Map Amendment to rezone property addressed as 2224 W. 6th Avenue from RSS (Residential Single-Family Small-Lot) within the Westwood Neighborhood Overlay District to P (Public). **Coots**

Tom Coots, Planner I, presents staff's report and findings.

Tom asks if there are any questions for him.

Commissioner Buchert asks if staff has any idea of what kind or size of sign will go on the location.

Tom responds that nothing has been submitted yet such as a sign permit. Tom advises that he has

some bits of information but nothing set at this time.

Commissioner Buchert asks if there will be any limits on the sign, such as size and kind, if the rezoning is approved for public use and if it will come back before the Planning Commission.

Tom responds that no sign permit is submitted and advises that the Planning Commission does not see sign applications.

Vice-Chair Rickelman opens the public hearing and asks if there is anyone who would like to speak in favor of the proposed Map Amendment.

Mr. James Rogers, 2221 W. 5th, comes to speak on the following:

- Advises that he is in favor of the proposal but has some concerns such as the alley and bright lighting.
- Questions if the easement in the back of the property will remain accessible.
- Asks that if there is something that does not conform to the zoning of that property, would it have to go before the Board of Adjustment and if he would be notified.

Mr. Mark Janda, 2222 W. 6th, comes to speak on the following:

- Advises that he is in favor of the green space
- Voices concerns that the light from the sign, if there is any light, will be an issue and provides an example of the flashing bright sign across the street from their residence.

Dennis McGrath, Assistant City Attorney, advises the Commissioners, staff, and the citizens that the questions being posed are not what is before the Planning Commission and is speculative at this point. Mr. McGrath states that the issue before the Planning Commission is the rezoning of the property only, not the use. Dennis also advises Mr. Roger's questions regarding the Board of Adjustment and states that the City would have to adhere to the same process.

Commissioner Buchert states the Planning Commission cannot put any restrictions on the rezoning and goes on to say that the comments made this evening will go on record for the City Council and others to be advised of but the issue tonight is pertaining to zoning only.

Dennis confirms Commissioner Buchert's statement.

Commissioner Buchert states that, in his experience, the City of Stillwater would not make it to the Board of Adjustment as the City would make sure to comply with the codes and ordinances beforehand and would not move forward with something that would have to go before the Board of Adjustment.

Commissioner Buchert confirms Mr. Roger's concern that there is an ordinance against bright light and states that Mr. Roger's interpretation and the City of Stillwater's interpretation of "too much light" may not be the same.

Mrs. Sharon Janda, 2222 W. 6th, comes to speak on the following:

- Ask who owns the easement in the back of the properties
- States she hoped the improvement would reach out further to what is assumed to be an

easement.

Dennis advises that the Planning Commission does not have the purview to answer that question and that this public forum is only for speaking in favor or opposition to the rezoning.

Vice-Chair Rickelman asks if there is anyone else who would like to speak in favor; none respond.

Vice-Chair Rickelman asks if there is anyone who would like to speak in opposition; none respond.

Vice-Chair Rickelman closes the public hearing and asks for staff's alternatives.

Tom returns to the podium and responds to comments. He advises that there is an easement behind the property and that there are regulations against bright light shining directly into residential structures which would create a nuisance, and the easement would most likely remain accessible but that it is not a public alley and he cannot speak on the future of the easement. Tom advises that the City Council are the stewards of the property and that the comments will be good for the Council to hear so that they will be aware of the citizen's concerns on how the property is used. Tom states that how the property is used is up to the City Council.

Tom 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.

Tom asks if there are any questions for him.

Commissioner Lane asks if a fence would be required since this would be next to residential property. He states that when commercial is next to residential screening is required and wants to know if the same would apply here.

Tom advises that the code does not cover this for Public zoned properties but, as the current plan is just for a small basic sign with no lighting, a fence would most likely not be required at this time.

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

Roll call:	Vacant	Rickelman	Lane	Buchert	Ross	Wilkins	Vacant
	-	Yes	Yes	Yes	Yes	Yes	-

Time: 13 minutes

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

- a. Approval of the regular meeting summary of June 20, 2017.

Commissioner Buchert moved, Commissioner Ross seconded to approve the regular meeting summary of

June 20, 2017.

Roll call:	Vacant	Rickelman	Lane	Buchert	Ross	Wilkins	Vacant
	-	Yes	Yes	Yes	Yes	Yes	-

Time: 1 minute

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

- a. Next Planning Commission meeting August 01, 2017.

5. ADJOURNMENT

ADJOURNMENT. This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Buchert, seconded by Commissioner Lane at approximately 5:56 PM on July 18, 2017 with all members present in agreement, the next regularly scheduled meeting will be held August 01, 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

