

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF June 15, 2021
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED June 11, 2021 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

Brad Rickelman, Chair
Jana Phillips, Vice-Chair
Mike Shanahan, Member
Preston Bobo, Member

STAFF PRESENT

Melissa Reames, Deputy City Manager/CFO
Brady Moore, Community Development Interim Director
Kimberly Carnley, Assistant City Attorney
Lanc Gross, Development Review Manager
Rian Harkins, Senior Planner
Chelsey Jones, Administrative Assistant

MEMBERS ABSENT

Brett Allred, Member

1. CALL MEETING TO ORDER.

Chair Rickelman calls the meeting order at 5:30 PM. Chair Rickelman explains the procedures and process for the meeting.

2. PUBLIC HEARING:

- a. City of Stillwater, **MAP AMENDMENT (MA21-04)**, requesting review and approval of map amendment to rezone from Public (P) to Multi-Family Intermediate (RMI) for Tract A1 and Commercial General (CG) for Tract A2 for future development at property addressed as 701 Boomer Lake Station Dr. Harkins

Chair Rickelman reads the map amendment and asks for staff to present.

Rian Harkins, Senior Planner presents MA21-04 and asks if there are any questions that staff can answer. Mr. Harkins also explains that the Deputy City Manager/CFO is also involved in the project and is available for questions if staff can't answer them.

Commissioner Shanahan asks about the proposed beach access. Mr. Harkins states there is still a proposed easement at the site that could be used for that.

Commissioner Bobo asks about the carved out area and what is located there now. Mr. Harkins states an existing building will be kept in public use there for electric utilities. Commissioner Bobo asks for a more specific details of the existing structure.

Mrs. Melissa Reames, Deputy City Manager/CFO states the NW corner that is carved out is the Chickasaw fiber hut and is trunk-lined for the City to come in. The City has created an easement to move the fiber into it. The land that the fiber hut sits on will not be conveyed to the developer. It will remain City property. The section in the center NE area that is carved out will not be conveyed to the developer either. The City has a set of diesel generators that are a part of the capacity agreement with GRDA. We

are unable to move them at this point. Once they are decommissioned the City might convey the property to the developer at that point. The sidewalk is a part of the Kameoka Trail and was created with federal park and wildlife dollars and can't be conveyed to the developer. The beach is going to be further to the south and will not be conveyed to the developer. Part of the development agreement is to create a more appetizing beach environment.

Commissioner Bobo asks if the City has done any investigating into how much of an impact the exhaust from the diesel generators has on the residential area.

Mrs. Reames states that they are only run periodically. In February when they needed them, because of the severity of the temperature they didn't run. Due to the infrequency of the generators running it is not something that the developer is concerned about even though Commissioner Bobo's concerns are noted and valid. The hope is that they will at some point be decommissioned and moved.

Commissioner Bobo states that while that is a good plan, if they are running them during the summer because of the blackouts it is going to be a concern. Mrs. Reames states it is something they will for sure look into.

Chair Rickelman opens the public hearing and asks if there is anyone who wishes to speak in favor; none respond. Chair Rickelman asks if there is anyone who wants to speak in opposition; none respond. Chair Rickelman closes the public hearing and asks for staff to present the findings and alternatives.

Mr. Harkins presents the findings and alternatives and asks if there are any questions for staff; none respond.

Chair Rickelman asks if there is any discussion or a motion.

Commissioner Bobo states that he is not great with the generators being right by the houses but that he could be if they had any information or reports on what kind they are and what type of emissions they have and asked if that would be possible to get that within a couple of weeks. Mrs. Reames asks for clarification if he is asking to bring this item back to the next Planning Commission meeting and hear it again at that time. Commissioner Bobo states only conditionally on any kind of report on the impact of them being run. Commissioner Bobo states especially when they are being run because of blackouts due to heat since we probably don't get too many blackouts due to cold. Mrs. Reames states that this has not been her experience since she's lived here in Stillwater and even the blackout in February was unprecedented. The diesel engines themselves are older and they are only run when GRDA is coming to test for capacity to make sure they can run when we need them. Commissioner Bobo asks if the only time we've been called to use them has been for the snow storm. Mrs. Reames states to her knowledge, 2015-present, that is correct.

Chair Rickelman states that at this time we are only talking about the zoning however if he would like to make a motion requesting more information he can do that and see if there is a second. Commissioner Bobo states with the information he has now he is comfortable approving the map amendment.

Chair Rickelman asks if there is any further discussion from the Planning Commissioners; none respond.

Commissioner Shanahan motions to accept the findings and recommends approval; Vice-Chair Phillips seconded.

Roll call:	Rickelman	Phillips	Shanahan	Allred	Bobo
	Yes	Yes	Yes	Absent	Yes

Time: 16 minutes

- b. Nathalie Cornett/Eller & Detrich, P.C., **SPECIFIC USE PERMIT (SUP21-16)**, requesting review and approval of specific use permit to allow an electronic message center sign in Commercial General (CG) zoning district adjacent to a residential zoning district at property addressed as 2319 E 6th Ave Commercial General (CG) district. **Harkins**

Rian Harkins, Senior Planner presents the specific use permit application and asks if there are any questions for staff.

Vice-Chair Phillips asks for verification on the requirements of height and size allowed in CG zoning. Mr. Harkins states that they allow up to 200 sq. ft. per sign. Within the Commercial General district they are allowed one sign type per street frontage per business, with the number of pole signs limited to one pole per street frontage which is why you see multiple signs per pole. The signs are measured from one side and can be illuminated externally or internally. No sign shall extend more than 10 ft. over the primary structure and no more than 35 ft. above ground whichever is shorter.

Chair Rickelman opens the public hearing and asks if anyone wants to speak in favor of the item and recommends it is the applicant first.

Nathalie Cornett, 2727 E 21st St #200, Tulsa, OK with Eller & Detrick, P.C. comes to speak on the following:

- Proposed sign is 31 sq. ft., the existing static signs are each 17 ½ sq. ft., which with the new sign will make it a total of 65 sq. ft. of signage.
- The sign will be oriented to face 6th Ave for the traffic in the 6th Ave Corridor to be able to see it.
- How the building sits it separates the visibility of the signage from the Crest View park to the south.
- Will have minimal to no impact to the residential area.

Chair Rickelman mentions that the signs are bright and asks if they have intentions on turning them off at a certain time. Mrs. Cornett says that as of right now they dim and change brightness automatically with daylight. If there is a time that the commission wants to have them shut off before that she would be favorable of that.

Chair Rickelman asks if anyone else wants to speak in favor of the item; none respond. Chair Rickelman asks if anyone wants to speak in opposition; none respond. Chair Rickelman closes the public hearing and asks for staff to present findings and alternatives.

Mr. Harkins presents the findings and alternatives and mentions that the SUP is only for the sign being lit near a residential area, other requirement must still be met. Mr. Harkins asks if anyone has any questions of staff; none respond.

Chair Rickelman asks if there is any further discussion from the Commissioners.

Chair Rickelman states that these signs are very bright especially at night when the stores are closed. There is nothing problematic with the sign he would just like to see them turned off at night especially for business that are closed during those hours.

Vice-Chair Phillips says that she thinks the signs do their job in grabbing your attention because they are very bright. It could be a bit of a distraction, however there hasn't been any issues with that happening so far and she's not going to make it one. The sign is positioned to be blocked by the building so she has no issue with it.

Chair Rickelman asks if there is any discussion or a motion.

Commissioner Shanahan motions to accept staff findings and approve the applicant's proposal; Commissioner Bobo seconded.

Roll call:	Rickelman	Phillips	Shanahan	Allred	Bobo
	Yes	Yes	Yes	Absent	Yes

Time: 10 minutes

- c. William T Basore, **MAP AMENDMENT (MA21-05)**, requesting review and approval of map amendment to rezone from Commercial General (CG) to Industrial Light (IL) at property addressed as 2817 E 6th Ave. Harkins

Rian Harkins, Senior Planner presents the map amendment and asks if there are any questions for staff; none respond.

Chair Rickelman opens the public hearing and asks for the applicant or their representative to come forward.

Charlie Meyers, 711 S Husband St, Stillwater, OK representing Mr. Basore comes to speak on the following:

- The applicants have owned companies called Audio Innovations and Que Logic at these locations for many years.
- In these very properties they manufactured 1,000 speaker boxes a day.
- Property has generally been used for manufacturing better fit for IL.
- Both retired and moved to AZ and have tried to sell the property, however no one is interested after they find out that they are zoned CG.
- Two weeks ago 2805 E 6th Ave was rezoned for a MM Grow Facility and these are adjacent to that property.
- There are more opportunities to sell if IL.

Chair Rickelman asks if there is anyone else who would like to speak in favor of the item; none respond.

Chair Rickelman asks if anyone wants to speak in opposition; none respond. Chair Rickelman closes the public hearing and asks for staff to present the findings and alternatives.

Mr. Harkins presents the findings and alternatives and asks if there is any questions for staff; none respond.

Chair Rickelman asks if there are any questions, discussion, or a motion.

Commissioner Bobo states that the last one they approved had a plan and they were very organized with what they were doing. This one would be very open to what use could go into it.

Commissioner Shanahan states it can't be any use; it will have to be one that is allowed in IL. Commissioner Shanahan also mentions that he thought it was still IL. Historically it's been used as IL, it's an appropriate use, and he doesn't see a problem with not having a specific plan at this time.

Vice-Chair Phillips states that when the previous one came up, it was brought up that these buildings haven't been used in a long time. After getting a little bit more background on the uses of these buildings they do tend to lend themselves more towards IL. The two zoning classifications are very close and anything that can go in CG can still go into IL, it just opens it up for a few more things. Given their history of being used as IL in the past she has no problem with the rezoning.

Chair Rickelman asks if there is a motion or any other discussion anyone would like to bring up.

Vice-Chair Phillips motions to accept staff findings and recommends for approval; Commissioner Shanahan seconded.

Roll call:	Rickelman	Phillips	Shanahan	Allred	Bobo
	Yes	Yes	Yes	Absent	Yes

Time: 8 minutes

- d. David & Yvonne Cunningham, MAP AMENDMENT (MA21-06), requesting review and approval of map amendment to rezone from Commercial General (CG) to Industrial Light (IL) at property addressed as 2811 E 6th Ave. Harkins

Rian Harkins, Senior Planner presents the map amendment and asks if there are any questions for staff; none respond.

Chair Rickelman opens the public hearing and asks for the applicant or representative to come forward.

Charlie Meyers, 711 S Husband St, Stillwater, OK representing Mr. and Mrs. Cunningham states that he would like to echo his comments from the last property and add that these clients are trying to sell these properties to bring businesses into town which will benefit the City.

Chair Rickelman asks if there is anyone else who would like to speak in favor of the item; none respond.

Chair Rickelman asks if there is anyone who wants to speak in opposition of the item; none respond.

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

Mr. Harkins presents the findings and alternatives and asks if there are any questions for staff; none respond.

Vice-Chair Phillips motions to accept staff's findings and recommends for approval; Commissioner Shanahan seconded.

Roll call:	Rickelman	Phillips	Shanahan	Allred	Bobo
	Yes	Yes	Yes	Absent	Yes

Time: 4 minutes

- e. David & Yvonne Cunningham, MAP AMENDMENT (MA21-07), requesting review and approval of map amendment to rezone from Commercial General (CG) to Industrial Light (IL) at property addressed as 2723 E 6th Ave. Harkins

Rian Harkins, Senior Planner presents the map amendment adding that this is very similar and adjacent to the previous map amendments they just heard and asks if there are any questions; none respond.

Chair Rickelman opens the public hearing and asks for the applicant or representative to come forward.

Charlie Meyers, 711 S Husband St, Stillwater, OK asks that the Planning Commission approve the map amendment.

Chair Rickelman asks if anyone else wants to speak in favor of the item; none respond. Chair Rickelman asks if anyone wants to speak in opposition of the item; none respond. Chair Rickelman closes the public hearing and asks for staff to present the findings and alternatives.

Mr. Harkins presents the findings and alternatives and asks if there are any questions for staff; none respond.

Chair Rickelman asks if there is any discussion or a motion.

Commissioner Shanahan motions to accept staff findings and approve the map amendment; Commissioner Bobo seconded.

Roll call:	Rickelman	Phillips	Shanahan	Allred	Bobo
	Yes	Yes	Yes	Absent	Yes

Time: 4 minutes

- f. SHORT TERM RENTAL (STR-0055), review of application from Jennifer Swick for a short term rental property at 5203 W 1st Ave in the Residential Family Small Lot (RSS) district. Tabled from the 06.01.2021 Planning Commission meeting.

Rian Harkins, Senior Planner presents the short term rental application and notes that it had been deferred to this meeting from the June 1st Planning Commission meeting so that the applicant and neighbors could talk about some of their concerns. The objection petition letter that had been circulating before the June 1st meeting didn't have over 51% of the adjacent property owners. Mr. Harkins asks if there are any questions for staff; none respond.

Chair Rickelman opens the public hearing and asks if anyone would like to speak in favor and recommends the applicant or representative come first.

Jennifer Swick, 1408 W 187th St, Edmond, OK comes to speak on the following:

- Had a meeting with 5 of the neighbors to help address some of the issues that were brought up.
- She said that she agreed to express the need to park in the driveway and follow the speed limits for safety.
- They exchanged phone numbers between the neighbors so if there are issues she can address them.
- Her son lives in Perkins and he checks on the property and cleans it.
- Talked about installing cameras to increase safety.

Chair Rickelman asks if there are any questions; none respond. Chair Rickelman asks if there is anyone else who wants to speak in favor of the item.

Synthia Vanderbuilt, 1408 NW 187th, Edmond, OK came to speak on the following:

- She is the applicants daughter and is the one who screens all the applicants and decides who can rent and who can't.
- Feels like they addressed everything the neighbors had concerns about.
- Agreed to stress the parking, speed limit, and other rules right before they gain access as another reminder.

Chair Rickelman asks if there is anyone else who wants to speak in favor of the item; none respond. Chair Rickelman asks if there is anyone who wants to speak in opposition to the item.

Stan Ketterer 5105 W 1st Ave, Stillwater, OK came to speak on the following:

- In four months there could be up to 16 different sets of renters that they don't know.
- 8 people could be 4 couples which could be 8 cars and too many cars block the road.
- Still thinks it's a motel in a neighborhood.
- The City of Stillwater needs to revisit their short term rental ordinance.

Chair Rickelman asks if there is anyone else who would like to speak in opposition to the item.

Sharon Schonhaler, 5110 W 1st Ave, Stillwater, OK came to speak on the following:

- What rights do home owners have to protect their investments/neighborhoods from short term rentals that bring down property values.
- The City of Stillwater needs to do more research and put in more restrictions such as the number of short term rentals allowed in a neighborhood.

Chair Rickelman asks if there is anyone else who wants to speak in opposition to the item; none respond. Chair Rickelman closes the public hearing and asks staff to present the findings and alternatives.

Mr. Harkins explains the short term rental process, presents the findings and alternatives, and asks if there are any questions for staff; none respond.

Chair Rickelman says hearing no questions, asks the Commissioners if there is any discussion.

Commissioner Bobo asks about how many short term rental applications have been received and how many have been denied.

Mr. Harkins states that approximately 55 applications have been received. Commissioner Shanahan and Chair Rickelman talk about there being at least one application that did get denied. After the corrections to the condition of the property were made, City Council sent that application back to the Planning Commission and it did get approved.

Chair Rickelman states there was mention that the Planning Commission had set the standards and regulations for the short term rental process, however that isn't the case. The Planning Commission was assigned the duties of reviewing the applications that receive objections. They take each application individually and make each decision on a case by case basis.

Commissioner Shanahan states that he has stayed in an Air-B&B in Colorado that the owner occupied and was available to monitor at all times. It is understandable to have concern that the owners would not be present. Commissioner Bobo states that he too has stayed in one recently, however that one was run by an LLC and was setup in a condo like structure that was made to accommodate that type of rental. Commissioner Shanahan mentions it is different since it wasn't imbedded in the middle of a residential neighborhood.

Chair Rickelman states that the City created the process he believes to get a handle on what has been an un-managed process in the City. There are probably more short term rentals in the City of Stillwater than they have received applications for; however, the process was made so there could be some sort of recourse if things are not working out. When applicants do go through the proper process it shows that they are trying follow the rules. No neighborhood, as of yet, has been excited to have a short term rental in it. The Planning Commission has asked the City Council for better frame works to work with; however, it hasn't happened as of yet.

Vice-Chair Phillips states she does like hearing some of the background on these; however, it does sound like maybe they need to re-evaluate the processes and see what is working and what isn't. At this moment there is an application before them that they have to decide on. She commends the applicant for taking the time to meet with the residents since there are about seven households that signed the petition. The majority of the neighborhood that has been notified however didn't respond, therefore she is in favor of approving the application as submitted.

Chair Rickelman asks for clarification on if the application goes to City Council after the Planning Commission has made their decision. Mr. Harkins states it would only go to City Council if there is an objection to the Planning Commission's decision.

Chair Rickelman asks if there is a motion or any further comments.

Commissioner Bobo states that while he may not be in favor of it, at this point, the applicant has followed the process and done everything right to help it work with the neighborhood.

Commissioner Bobo motions to approve the application from Jennifer Swick for the property at 5203 W 1st Ave and accept staff's findings; Vice-Chair Phillips seconded.

Roll call:	Rickelman	Phillips	Shanahan	Allred	Bobo
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	Yes	Yes	Yes	Absent	Yes
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Time: 22 minutes

3. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION:

- a. Special Meeting Summary of May 4, 2021

Commissioner Bobo motions to accept the special meeting summary from May 4, 2021; Vice-Chair Phillips seconded.

Roll call:	Rickelman	Phillips	Shanahan	Allred	Bobo
	Yes	Yes	Yes	Absent	Yes

Time: 1 minutes

4. MISCELLANEOUS ITEMS FROM STAFF, PLANNING COMMISSIONERS, OR CITY ATTORNEY:

- a. Next Planning Commission meeting July 6, 2021.

5. ADJOURN.

This regular meeting of the Stillwater Planning Commission was called for adjournment by Vice-Chair Phillips, seconded by Commissioner Shanahan at approximately 6:35 p.m. on June 15, 2021 with all members present in agreement, the next regularly scheduled meeting will be held July 6, 2021 at 5:30 p.m. in Room 1122, Municipal Building, 723 S. Lewis Street.

Prepared by – Chelsey Jones, Administrative Assistant

Approved by - _____
Stillwater Planning Commission