

CORRECTED 09.12.2019

STILLWATER BOARD OF ADJUSTMENT

Regular MEETING OF July 11, 2019

IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING

LAW, THE AGENDA WAS POSTED July 9, 2019

IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET

Members Present:

Terri Ventress
Trey Lester
Richard Buchanan
Craig Spencer

Staff Present:

Dennis McGrath, Assistant City Attorney
Lanc Gross, Planning Manager
Rian Harkins, Senior Planner
Cindy Gibson, Manager Administrative Services

Members Absent:

Ron Walker

Guests:

Stephen Gose
Bo Blakey
Jeffery Dye

1. CALL MEETING TO ORDER.

Chair Ventress calls the meeting to order at 5:30 PM. Chair Ventress introduces the board and explains the proceedings for the evening.

The following individuals are sworn in:

Mr. Lanc Gross
Mr. Bo Blakey

Mr. Rian Harkins
Mr. Jeffery Dye

Mr. Stephen Gose

2. BUSINESS ITEMS FOR DISCUSSION AND POSSIBLE ACTION ON:

- a. Countryside Baptist Church, **VARIANCE (VAR19-09)**, requesting review and granting of a variance to Ch. 23, Section 23-211(2)(c) regarding parking lot standard requirements at property addressed at 2124 S. Western Road in Residential Multi-Family Intermediate (RMI) district. Harkins

Rian Harkins, Senior Planner presents staff's report.

Mr. Spencer asks for clarification for an approved permeable surface; Rian responds that if they wanted to do something like a pervious payment type surface like the Zaxby's parking lot could be an alternative but they have requested gravel because it is designed to hold their peak overflow parking on Sunday with just a few other peak times.

Further discussion is held regarding what is currently gravel; was a underlayment prepared of any type or compaction of any kind; and no drainage report was received with this application as it isn't required at this time.

Chair Ventress asks if there are any more questions for staff; none respond. Chair Ventress opens the public hearing. Chair Ventress asks if there is anyone that wishes to speak in favor of this item.

Mr. Bo Blakey with Countryside Community Church, comes to speak on the following:

- Appreciates the board hearing the request

1. Find that each of the criteria for approval of the request is met. The Board will explain how each criterion is met in order to approve the variance(s).
2. Find that each of the criteria for approval of the request is met by imposing modifications or conditions to ensure that the criteria are met. The Board will explain how the criteria are met to grant partial, conditional, or modified approval of the variance(s).
3. Find that one or more of the criteria for approval of the request is not met and deny the request.
4. Table the discussion to a certain date to allow for additional information to be presented

Rian asks if there are any questions.

Mr. Spencer asks if Dev. Services typically requires an earth change permit when greater than an acre is disturbed; Rian responds yes.

Mr. Spencer comments about the drainage being an issue and wants to see a study. Lanc Gross, Planning Manager comes to the podium and states that an earth change permit would be required.

Mr. Buchanan asks how would we know if a consequence of the drainage study is that the adjacent property would be adversely impacted; Lanc responds that the drainage study would require them to have no additional runoff of the site.

Further discussion is held regarding concerns of having gravel parking lots everywhere and how it looks for the City; the site already having a drainage issue; gravel parking lots create more mud and dust; this site should not create more mud as there is going to be 7 inches of gravel; not wanting to put down asphalt or concrete to help the drainage issue; and this place not impacted the area aseptically because it is towards the back of the lot.

Chair Ventress asks if there is any more board discussion; none respond.

Mr. Spencer moved, Vice-Chair Lester seconded to grant the variance as it meets criteria #1 due to lack of extra parking creating an un-necessary hardship and not able to fill their sanctuary; criteria #2 conditions are peculiar to this piece of property because of the existing gravel lot that is already there and the paving of a hard surface would create a worse runoff condition; criteria #3, relief if granted, would not cause substantial detriment to the public good given that the earth change permit has a drainage study included; and the criteria #4, the variance, if granted, is the necessary minimum to alleviate the unnecessary hardship.

Roll Call:	Ventress	Lester	Walker	Buchanan	Spencer
	Yes	Yes	Absent	Yes	Yes

Time: 23 Minutes

- b. Gose & Associates, **VARIANCE (VAR19-10)**, requesting review and granting of a variance to Ch. 23, Section 23-198(c) regarding maximum wall sign requirements at property addressed 805 E. Virginia Avenue in the Commercial Shopping (CS) district. **Harkins**

Rian Harkins, Senior Planner presents staff's report.

Mr. Spencer asks where their parking is going to be located; Rian responds that the parking will be located to the west side of the lot and the one sign would be facing out over the parking lot.

Mr. Buchannan asks if they would be required to remove it or will it become a permanent fixture; Rian responds that they should remove it when construction is finished.

Chair Ventress asks if there are any further questions for staff; none respond.

Chair Ventress opens the public hearing. Chair Ventress asks if there is anyone that wishes to speak in favor of this item.

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

- Staff addressed mostly everything
- Gravel will be on about .7 acres – 230 feet x 130 feet
- Access is off of an existing paved road
- Drainage study – master plan was done with this development when original concept plans were developed to get drainage off of site
- The master plan has building, parking and drainage for a full build out so the drainage study addressed all of that
- The downstream system has the capacity to handle this plus future building and paved parking lots
- Drainage offsite – there is 250 feet before the storm pipe that goes under Adams so that grass will be maintained
- Proposing a underlayment of geotech fabric over compacted subgrade with 6 inches of class D ODOT type rock which is ½ to 1 ½ inch rock

Discussion is held about there being the thought that there wouldn't be much dust due to the location, fabric and size of rock; anticipate construction taking approximately 24 months; and this parking lot will be reducing on-street parking around the hospital.

Chair Ventress asks if there are any further questions for Mr. Gose; none respond. Chair Ventress asks if there is anyone else that wishes to speak in favor of the item; none respond. Chair Ventress asks if there is anyone that wishes to speak in opposition of the item; none respond. Chair Ventress asks if there is any further rebuttal; none respond. Chair Ventress closes the public hearing and asks for staff's alternatives.

Rian presents alternatives, which are:

1. Find that each of the criteria for approval of the request is met. The Board will explain how each criterion is met in order to approve the variance(s).
2. Find that each of the criteria for approval of the request is met by imposing modifications or conditions to ensure that the criteria are met. The Board will explain how the criteria are met to grant partial, conditional, or modified approval of the variance(s).
3. Find that one or more of the criteria for approval of the request is not met and deny the request.
4. Table the discussion to a certain date to allow for additional information to be presented

Mr. Spencer asks if Dev. Services is in agreement with the master drainage plan; Rian yes and defers to Mr. Gross as that was prior to his time here.

Chair Ventress comments about the drainage being done with the overall master plan in mind as that is floodplain.

Mr. Spencer asks if all of the detention has been constructed or is in process. Chair Ventress asks Mr. Gose to return to address the question.

5. ADJOURNMENT.

This regular meeting of the Board of Adjustment adjourned with all members in attendance in agreement at approximately 6:24 p.m.

Prepared by – Cindy Gibson, Manager Administrative Services

Approved by: Ji Venters 30619
Stillwater Board of Adjustment