

Draft until approved at the next meeting:

**STILLWATER BOARD OF ADJUSTMENT  
Special MEETING OF April 15, 2021  
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING  
LAW, THE AGENDA WAS POSTED March 30, 2021  
IN THE MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

Members Present:

Craig Spencer  
Dora Busch  
Mark Nordquist  
Charles "Tim" Hardin

Staff Present:

Dennis McGrath, Assistant City Attorney  
Lanc Gross, Planning Manager  
Melissa Higgins, Administrative Assistant

Guests:

Steven Cooksey  
Nick Johnson

Members Absent:

**1. CALL MEETING TO ORDER.**

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

The following individuals are sworn in:

Mr. Lanc Gross                      Mr. Steven Cooksey                      Mr. Nick Johnson

**2. BUSINESS ITEMS FOR DISCUSSION AND POSSIBLE ACTION ON:**

- a. Starbuck's Coffee Company c/o Dave Delach, **VARIANCE (VAR21-02)**, requesting review and granting of a variance to Chapter 23, Section 23-220 Table 4.2 for required parking spaces at property addressed as 306 E. Hall of Fame Avenue in the Commercial General (CG) district. **Gross**

Lanc Gross, Planning Manager presents staff report and asks for any questions for staff.

Mr. Hardin asks if all parties of the shared access are okay with the request and proposed plan; Mr. Gross responds affirmatively.

Chair Spencer asks if the adjacent grocery store has been consulted in regards to the request; Mr. Gross responds affirmatively.

Ms. Busch expresses concern in the proposed plan hindering large trucks making deliveries to adjacent businesses and asks if that has been addressed; Mr. Gross defers to the applicant.

Mr. Cooksey responds that the shared access is 30 feet and the drive approach is roughly 40 feet so there will be plenty of room.

Ms. Busch asks if the applicant intends to install anything to keep the drive-through lane contained to where it should be located.

Chair Spencer asks what type of installation she is referring to; Ms. Busch responds striping or rubber barricades of some kind.

Chair Spencer asks again what the width of the shared access is; Mr. Cooksey responds that the drive is 40 feet and the shared access is 30 feet and the applicant would be open to doing striping if that is an acceptable solution to address the Board concerns.

Chair Spencer asks for clarification that the request is for a reduction in parking spaces for the hotel; Mr. Gross responds affirmatively.

Chair Spencer asks for any further questions for staff; none respond.

Chair Spencer opens public meeting. Chair Spencer asks if there is anyone wishing to speak in favor of this item.

Mr. Steven Cooksey, with Kimley-Horn, 767 Eustis Street, Suite 100, St. Paul, MN comes to speak on the following:

- Representing the applicant.
- Details the shared access and redirection of drive-through allowing up to 23 cars before interfering with Hall of Fame Ave traffic
- Details how application meets required criteria.
- Here to answer any questions for the Board.

Chair Spencer asks if there are any further questions for the applicant; none respond.

Mr. Gross presents staff alternatives to the Board and asks if there are any questions for staff; none respond.

Chair Spencer thanks staff and opens Board discussion.

Chair Spencer asks staff for clarification that the four variance criteria must be met for this request; Mr. Gross responds affirmatively.

Mr. Nordquist notes in driving by the property he observed 10 to 12 cars waiting to turn in to the drive; and its current arrangement appears to be a hazard to the public.

Ms. Busch notes that good points were made in needing to address the shared access as well as the current hazardous condition but there will still be a conflict with the traffic exiting the lane if it backs up too far; recommends striping or signage of some kind to notate that the exit lane cannot be blocked.

Chair Spencer states it was noted in the presentations that the drive-through could hold 11 cars before even reaching the hairpin turn in to the shared access; Ms. Busch responds that the drive-through que has been observed to back up on Hall of Fame Avenue past the railroad crossing.

Mr. Nordquist states the current configuration also blocks customers parked in the parking lot.

Chair Spencer asks staff to share the site plan view again; Ms. Busch again expresses the recommendation for signage to be installed to deter blocking of the exit lane.

Mr. Hardin states that the proposed change is much improved from the current situation and the loss of six parking spaces doesn't seem to concern the hotel; asks if the shared access allows for large truck traffic either way or if it's one directional.

Chair Spencer agrees that while the proposed plan may not be perfect it is much better than the current situation.

Ms. Busch asks staff how long the hotel has been at this location; Mr. Gross responds since 2015.

Chair Spencer asks if the Board is ready for a motion of approval with conditions or if there are any further questions or discussion.

Mr. Hardin motions to approve the variance having met the four criteria following

1. The hardship being a change to the existing look as the ordinance was put in place after construction of this building.
2. It's peculiar due to the necessity to update the logo to corporate standards
3. The request will not cause a substantial detriment to the public.
4. This is the minimum necessary to alleviate the hardship.

**Mr. Hardin moved, Ms. Busch seconded to approve the variance request.**

Chair Spencer motions to amend the motion to include the following conditions:

1. The west entry drive will include a painted lane to delineate the 10-foot cueing lane for the drive-through.
2. Pavement cross-hatching will be placed in the west drive where the drive-through traffic will exit, indicating that this area cannot be blocked.

**Chair Spencer moved, Ms. Busch seconded to approve the variance request with noted conditions.**

Roll Call:	Spencer	Busch	Nordquist	Hardin	Vacant
	Yes	Yes	Yes	Yes	

*Time: 34 Minutes*

- b. Dalmarc Signs c/o Bruce Edwards, **VARIANCE (VAR21-03)**, requesting review and granting of variance to Chapter 23, Section 23-198(c)(2) for allowed number of signs at property addressed as 633 N Perkins Rd in the Commercial Shopping (CS) district.

**Gross**

Lanc Gross, Planning Manager presents staff report and asks for any questions for staff.

Ms. Busch asks which sign would be their pole sign. Mr. Johnson replies that the pole sign is not included in the variance request as there is an existing multi-tenant pole sign that will be utilized.

Mr. Hardin asks staff if this situation and request is common practice. Mr. Gross responds that it is somewhat unusual.

Ms. Busch asks if there will be a code update to address the current predicament with signage restrictions that require variances frequently seen by the Board. Mr. Gross responds that staff is working on a code update currently that will address this concern.

Chair Spencer asks for any further questions for staff; none respond.

Chair Spencer opens public meeting. Chair Spencer asks if there is anyone wishing to speak in favor of this item.

Mr. Nick Johnson, with ES&A Signs, 89975 Prairie Rd, Eugene, OR, comes to speak on the following:

- Representing the applicant.
- The signs are the corporate standard for this business.
- Details the sign locations and shows elevations for each side.
- Details how application meets required criteria.
- Here to answer any questions for the Board.

Chair Spencer asks for any questions of the applicant; none respond. Chair Spencer asks if there is anyone else wishing to speak in favor of the item; none respond. Chair Spencer asks if there is anyone wishing to speak in opposition of the item; none respond. Chair Spencer closes the public hearing.

Mr. Gross presents staff alternatives to the Board and asks if there are any questions for staff; none respond.

Chair Spencer thanks staff and opens Board discussion.

Ms. Busch states that she doesn't see any issue in approving the variance request as it appears to really only be three signs and three business logos. Chair Spencer agrees.

Mr. Nordquist makes note that the signs requested in the variance are all wall signs and sees no issues with approval. Mr. Hardin agrees.

Chair Spencer motions to approve the variance having met the following four criteria:

1. The variance hardship being the structure is small and sits back off the main road.
2. The application is peculiar due to the structure size and location.
3. No detriment to the public good.
4. This is the minimum necessary to alleviate the unnecessary hardship.

**Chair Spencer moved, Mr. Nordquist seconded to approve the variance request.**

Roll Call:	Spencer	Busch	Nordquist	Hardin	Vacant
	Yes	Yes	Yes	Yes	

*Time: 14 Minutes*

**3. MEETING SUMMARY FOR DISCUSSION AND POSSIBLE ACTION:**

- a. Special Meeting Summary of March 4, 2021.

Mr. Nordquist motions to approve the meeting summary as presented.

**Mr. Nordquist moved, Ms. Busch seconded to approve the meeting summary of March 4, 2021 as presented.**

Roll Call:	Spencer	Busch	Nordquist	Hardin	Vacant
	Yes	Yes	Yes	Yes	

*Time: 1 Minute*

- b. Special Meeting Summary of March 11, 2021.

Mr. Nordquist motions to approve the minutes with noted correction.

**Mr. Nordquist moved, Ms. Busch seconded to approve the meeting summary of March 11, 2021 with noted correction.**

Roll Call:	Spencer	Busch	Nordquist	Hardin	Vacant
	Yes	Yes	Yes	Yes	

*Time: 1 Minute*

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

- a. Next Board of Adjustment meeting Thursday, May 06, 2021.

4. **ADJOURNMENT.**

This special meeting of the Board of Adjustment adjourned with all members in attendance in agreement at approximately 6:26 p.m.

Prepared by – Melissa Higgins, Administrative Assistant

Approved by: Approved by the Board of Adjustment at the 06.03.2021 virtual meeting  
Stillwater Board of Adjustment