

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF JULY 10, 2018
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED JULY 05, 2018 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

Brad Rickelman, Chair
Ariel Ross, Vice-Chair
Dusty Lane, Member
Mike Buchert, Member
Cindy Thielman-Braun

STAFF PRESENT

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

MEMBERS ABSENT

1. CALL MEETING TO ORDER.

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

2. LAND USE ITEMS FOR DISCUSSION AND POSSIBLE ACTION:

- a. Jim Rutledge, **SPECIAL EXCEPTION TO PLANNING COMMISSION (SEPC18-01)**, requesting review and approval, per City Code Section 23-64, of a subdivision design modification for street requirements, for a portion of property addressed as 3805 W. Rutledge Drive, and known as Juniper Ridge, located outside City Limits. This item was tabled from the 06.19.2018 Planning Commission meeting.

Lanc Gross, Development Review Manager, presents staff's report and findings.

Lanc asks if there are any questions.

Chair Rickelman asks Lanc to clarify what it means that the subdivision regulations were allowed for the initial phase of Juniper Ridge due to the developer taps provided.

Paula Dennison, Development Services Director, comes to the podium and explains that when Mr. Rutledge acquired the property, he had the opportunity to purchase a certain number of water meters for him to develop a certain number of properties. When Mr. Rutledge paid for the water meters he was not yet ready to develop the subdivision. When the City of Stillwater acquired Rural Water Corp 3 the transfer agreement stated that if purchasing water meters within one-half mile of the City Limits the subdivision regulations would apply. However, Mr. Rutledge had already paid for the water meters and, therefore, was not required to comply with the arrangements of the transfer agreement.

Chair Rickelman opens the public hearing and asks if anyone would like to speak in favor of the item; none respond.

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

Lanc presents alternatives, which are:

1. Accept findings and approve the subdivision exception as requested.
2. Accept findings and approve the subdivision exception with identified modifications or conditions.
3. Find that the subdivision exception is not appropriate and deny the request.
4. Find that additional information or discussion is needed prior to making a recommendation and table the request to a certain date.

Chair Rickelman asks for any discussion among the Commissioners.

Chair Rickelman states that property owners are going to purchase these properties not realizing that they are going to have to pay for road repairs since they are private.

Commissioner Buchert states that the Planning Commission is not deciding if the road will be public or private but whether or not the road meets the City of Stillwater Standards for streets.

Chair Rickelman states that if the street isn't built to standard then it may never be accepted by the City of Stillwater in the future.

Commissioner Buchert states that the City may not ever annex this area into the city limits anyway and, therefore, does not see an issue with the remainder of the streets being developed to the same standard as the existing streets.

Commissioner Lane also advises that he has performed work in this subdivision and that the property owners are made aware that it is a private street and will be responsible for any repairs to the street, and is fairly normal when outside the city limits.

Vice-Chair Ross asks about the differences between this subdivision's standards and the City of Stillwater standards.

Lanc advises that the planned design standards for the subdivision are 5 inches of compacted aggregate base for up to 3 years and then pave with 3 inches compacted Type A base gravel and then 2 inches of Type B, fine finish asphalt on top of that.

Commissioner Buchert asks for clarification and states that it will have 3 inches of Type A base asphalt and then 2 inches of the finished grade, and the City of Stillwater standards are thicker than that.

Lanc confirms.

Commissioner Buchert states that he doesn't know exactly how these streets will differ from the Stillwater standards.

Commissioner Ross states that it looks like the City of Stillwater standards are wider streets.

Commissioner Buchert moved, Vice-Chair Ross seconded to accept findings and approve the subdivision exception as requested.

Roll call:	Rickelman	Ross	Lane	Buchert	Thielman-Braun
	No	Yes	Yes	Yes	Yes

Time: 10 minutes

- b. JBJR, LLC, **PRELIMINARY PLAT (SUB18-08)**, requesting review and approval of a Preliminary Plat on a portion of property addressed as 1910 W. 26th Avenue, and known as Teal Ridge Estates, to create 38 residential lots in the RSS (Residential Single-Family Small-Lot) and RT (Residential Two-Family) zoning districts. **This item was tabled from the 06.19.2018 Planning Commission meeting.**

Commissioner Lane is the applicant for this item and asks to be recused from consideration and discussion of this item. Therefore, Commissioner Lane leaves the room.

Lanc Gross, Development Review Manager, presents staff's report and findings.

Chair Rickelman asks if there are any questions for staff.

Commissioner Ross asks for clarification on voting for the Preliminary Plat before the Map Amendment.

Paula Dennison, Development Services Director, comes to the podium and advises that, as this is only a Preliminary Plat, the Planning Commission is mainly voting to whether it is in line with the other properties in the area and if the street connections and utility connections are going to continue, and if the easement locations are proper. The plans for each lot will be more relevant at the final plat stage and the rezoning, if it passes, will already be in effect at that time.

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

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

- Speaking on behalf of the owner.

Mrs. Harris asks if there are any questions for her; none respond.

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

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

Lanc presents alternatives which are:

1. Accept findings and approve the proposed Preliminary Plat as presented, with the condition that the Map Amendment be approved.
2. Find that the preliminary plat does not conform to city codes, specify deficiencies, and do not approve.
3. Find that additional information or discussion is needed prior to making a recommendation

and table the request to a certain date noting that action must be taken within 60 days of the public hearing.

Chair Rickelman asks if there is any discussion or actions.

Commissioner Buchert moved, Vice-Chair Ross seconded to accept findings and approve the proposed Preliminary Plat as presented, with the condition that the Map Amendment be approved.

Roll call:	Rickelman	Ross	Lane	Buchert	Thielman-Braun
	Yes	Yes	Recused	Yes	Yes

Time: 5 minutes

- c. JBJR, LLC, **MAP AMENDMENT (MA18-05)**, requesting review and approval of a Map Amendment to rezone a portion of property addressed as 1940 W. 26th Avenue from RT (Residential Two-Family) to RSS (Residential Single-Family Small-Lot) zoning districts.

Commissioner Lane is also recused from consideration and discussion of this item.

Lanc Gross, Development Review Manager, presents staff's report and findings.

Lanc asks if there are any questions; none respond.

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

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

- Speaking on behalf of the owner.
- Advises that the Preliminary Plat encompasses two different zoning districts and the owner / applicant wants to make it all one zoning district.

Mrs. Harris asks if there are any questions for her; none respond.

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

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

Mr. Dobb, 2223 S. Willis, comes to speak on the following:

- Is not necessarily in opposition but requests clarification of the following:
 - What can be built on the lots
 - What is the buffer mentioned between the two different zonings to the east and west of the property.
 - Topography and drainage

Commissioner Buchert advised that duplexes will not be allowed on the lots. Only single-family houses will be allowed in RSS.

Chair Rickelman advised that the RSS zoning is just being expanded.

Lanc advised that the standard setback requirements would be in place for the buffer between the two zoning districts.

Commissioner Thielman-Braun states that in that sense it isn't an actual buffer but a difference in land use.

Lanc confirms.

Commissioner Thielman-Braun notes the mis-use of "buffer" in this application and that the rezoning only creates a continuance of RSS zoning consistent with the rest of the RSS zoning currently in existence on the surrounding properties.

Lanc advises that the RSS zoning is a less intense use than RT zoning.

Commissioner Buchert states that in regards to the term "buffer", which usually means some kind of distance that you cannot develop within or landscaping, that will not apply here and only refers to setback requirements.

Lanc says that is correct.

Commissioner Buchert advises that drainage studies will be required with the final plat by an engineer.

Mrs. Harris returns to the podium and advises that they will follow the existing grade for the existing road. Where the topography does change on the back side of the west lots there are different options for that drainage but they do not know if that will be submitted with each lot development or with the overall subdivision plan.

Commissioner Thielman-Braun asks what the requirement is for a usable backyard.

Mrs. Harris states that there is a 20 foot setback off the back of the west property lines and cannot build a building past that. A concrete deck or retaining walls can be built as long as it isn't in an easement but they do not plan on any easements on the west property lines.

Commissioner Thielman-Braun asks if the site will be balanced for rough grading or will there be a mass grade for the whole site.

Mrs. Harris advises that they do not plan to change the site much.

Chair Rickelman states that, in summary, if there are any grading changes it will be based on each individual lot or if the builder decides to make some changes.

Mr. Dobbs disagrees and states that he does not see how it will be possible to build without changing the topography and asks when that engineering or drainage report will be solidified.

Lanc advises that it will come to us during the final plat stage.

Commissioner Thielman-Braun asks if there is any "blue-line" drainage.

Mrs. Harris advises that there is no blue-line stream or any floodplain on the property being developed.

Commissioner Thielman-Braun states that the requirement is that the drainage from a newly built lot and road cannot negatively impact another property.

Mr. Dobb states he has no other concerns and supports the rezoning.

Paula Dennison, Development Services Director, comes to the podium and advises that the final plat does not include the drainage study or analysis on it. Those items must be submitted prior to the final plat with the improvement plans for the street, water and sewer extension, the sidewalks, etc. The final plat is a conveyance of dedications that the City Council will accept such as easements and rights-of-way and shows the final design and layout of the lots themselves with the infrastructure.

Paula states that anytime a property owner or citizen has questions or concerns staff is available to provide those answers.

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

Lanc 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.

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

Roll call:	Rickelman	Ross	Lane	Buchert	Thielman-Braun
	Yes	Yes	Recused	Yes	Yes

Time: 15 minutes

Commissioner Lane re-enters the room to resume his seat.

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

- a. Approval of the regular meeting summary of June 19, 2018.

Commissioner Buchert moved, Commissioner Lane seconded to approve the regular meeting summary of June 19, 2018.

Roll call:	Rickelman	Ross	Lane	Buchert	Thielman-Braun
	Yes	Yes	Yes	Yes	Abstain

Time: 2 minutes

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

- a. Next Planning Commission meeting July 17, 2018.

5. ADJOURNMENT

ADJOURNMENT. This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Buchert, seconded by Commissioner Lane at approximately 6:02 p.m. on July 10, 2018 with all members present in agreement, the next regularly scheduled meeting will be held July 17, 2018 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