

**STILLWATER PLANNING COMMISSION SUMMARY  
REGULAR MEETING OF January 7, 2020  
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING  
LAW, THE AGENDA WAS POSTED January 2, 2020 IN THE  
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

Mike Buchert, Chair  
Brad Rickelman, Vice Chair  
Mike Shanahan, Member  
Brett Allred, Member

STAFF PRESENT

Dennis McGrath, Assistant City Attorney  
Lanc Gross, Development Review Manager  
Rian Harkins, Senior Planner  
Chelsey Jones, Manager Administrative Services

MEMBERS ABSENT

Vicky Jerome, Member

1. CALL MEETING TO ORDER.

Chair Buchert announces the beginning of the meeting and explains the process.

2. PUBLIC HEARINGS:

- a. CHC Management, LLC, **PRELIMINARY PLAT (SUB19-23)**, requesting review and approval to create a new residential subdivision named "Skyline East, Section Two" consisting of 132 residential lots and two (2) outlots on property addressed as 1798 N. Payne Street. **Harkins**

Rian Harkins, Senior Planner introduces the preliminary plat. Chair Buchert asks if Jardot is a major street and if the street to the east is a residential street. Mr. Harkins says that that is correct as staff understands.

Mr. Harkins asks for the applicant to come to the podium to explain their item.

Stephen Gose, Gose and Associates 113 E 8<sup>th</sup> Ave on behalf of the applicant CHC Management LLC, Spoke on the following:

- 132 lot subdivision on approximately 27 acres
- Will be developed in two phases, the north phase and the south phase
- Three points of access are proposed at this time, Krayler, Moore, and Payne
- RSS zoning Residential Small Lot Single Family, which the lots meet the requirements for
- Adjacent zoning is RSS, Agricultural, and Industrial. Further south on the south side of Sunrise is Large Lot Single Family.
- Comprehensive plan calls for it to be low density which is 20 units an acre or less
- Small Lot Single Family is a gross density of 8 acres, this configuration is about 5 units an acre as it is laid out
- Preliminary drainage study has been submitted and approved by City Staff
- Will do final drainage studies with the infrastructure plans

- Traffic impact analysis has been released to start weather pending after school gets back in session.

Commissioner Shanahan asks Mr. Gose to point out the three points of access. Mr. Gose said that the South is Payne St off of Sunrise, on the East off of Skyline, Moore stops at the back of the blocks to it will be extended in, Krayler at the NE Corner of the Jr high will be extended.

Commissioner Shanahan asks if the three points of egress will empty on Skyline and Sunrise. Mr. Gose says Skyline, Krayler, and Sunrise.

Mr. Gose said that there was a preliminary plat that came through in 2015-2016 that had an extension from Krayler out to Jardot that shows up on City maps as Arjay, it's not a public street, it is a 25 ft access easement between the two partials, the owners of which were at the meeting and did not want an extension of a public street through that property.

Chair Buchert asks Mr. Gose if he has pursued an access to Jardot. Mr. Gose said that they have not that their client doesn't control any of the three partials and they were planning to wait to get the traffic study to figure out what public improvements it recommends so that they are not building roads that have to be maintained forever by the City if there are improvements that are warranted in other places.

Chair Buchert Opens the public hearing.

Simon Ringsmuth, 1705 E Linda Ave  
Leslie Meyer, 1102 N Payne St  
Dave Meyer, 1102 N Payne St  
Marc Moore, 314 S Lewis, Superintendent of Schools  
Lawrence Roy, 1819 E Linda  
Marvin Smith, 1324 N Payne  
Lacey Corbitt, 1623 N Skyline  
Mathew Wyckoff, 1824 E Sunrise

The above mentioned came to speak on the following:

- The increase in traffic from the added 132 lots will be un-manageable
- The traffic is already bad on game and special event days at the school
- Need to have better access points, like to Jardot and Krayler
- Need to purchase the land to be able to get an exit to Jardot
- Keep the integrity of the area and have large lots
- Residents won't use the other exits such as Sunrise, they will use Payne to get to Jardot which will create too much congestion.
- Surrounding area has about 1 house per acre not 8
- There isn't a transition from the surrounding area to this high density area
- Such a large complex increases the chances of pedophiles
- Too high density to be that close to a school
- Accidents will increase with the increased traffic especially around the school
- Will be an increase in rental properties who will not be as concerned with the safety and upkeep of the neighborhood

- Drainage if not done properly could be an issue since it already floods in some of the areas there.
- Improper drainage could have an additional impact on the utility easement
- On the north end they have issues with sewage backing up and water pressure is already an issue, improvements need to be better than before as it should add to the area not just be the minimum standards.
- Won't know the effects on the sewage and water until after the houses are already put in.
- Consider the needs of all parties concerned, school district, parents dropping off children, bus drivers, emergency vehicles, children walking to school ect.
- Skyline is experiencing declined enrollment
- Neighborhood will be close enough to school that they will not have to provide transportation
- There is a large number of children that walk to school this number will increase
- Will add about 30-35 students
- There are 20 busses in the morning for the Jr High and 18 for the afternoon, coming in from Krayler and Skyline
- Construction traffic is going to damage the streets and who will be responsible for fixing them

Chair Buchert asks if the applicant would like to come up to address any items before the public hearing is closed.

Mr. Gose came to the podium and spoke on the following points:

- As far as access one thing that is planned, Grandview north of Krayler to Lakeview the developer is party to a development deal going on over there that will extend that road. Those plans are in for approval to the city, the right of way has been obtained from the property owner to the east which is why the road never got built the east half of Grandview, they never got the right of way until two weeks ago.
- On the construction access, the city now has better policy of addressing construction routes to new projects, doing an analysis and watching any damage that's done to those streets and holding the developers responsible.
- These are trying to be built as work-force housing, 190 thousand dollar range so that there are places for the teachers, and firefighters, and whoever wants to live there.
- Convenient for children to walk to school
- The quality of homes is going to be similar to what is being built on Swim, as far as he knows there have been no concerns with poor construction or trash blowing around
- Nobody can stop rentals in a neighborhood, Stillwater's percentage is like a 60/40 split owner occupied rentals which is a national trend that is creeping up.
- His reading of the comprehensive plan low density is twenty units an acre, which seems really high to him. This is going to be about 5 unit an acre on the current layout, the zoning allows up to 8.
- The drainage on the southwest side they are going to reshape that swell, put in detention ponds
- With regards to elevation change from the current houses on the north side of Sunrise to the ditch they are putting the closest is 5ft most of it is 8ft, the ground does slope away from there the ditch will be constructed on the other side as an existing

easement back there to convey that water.

Chair Buchert said that from what he heard and his concern before tonight reading the staff report and before this is that there is no connection to Jardot, and there has been no traffic study. Why shouldn't he table the item until the traffic study is finished?

Mr. Gose said that that is a decision they would have to make, that the traffic impact analysis in the code is not required until the final platting stage. They have talked about it and 130 lots is about 1 trip per house in the peak hour, so to look at the distribution it's going to be a car a minute added to what's going on. Its infield development, they have infrastructure there, they have roads there, they have schools there, they aren't going a mile out to build an increase car traffic to the schools.

Mr. Gose said that hopefully Grandview helps, getting that open will alleviate some of that on the west. He can understand access to Jardot, and doesn't think cars are going to go all the way down to Linda and out cause you can get from Payne to Sunrise and get out a whole lot quicker to get to Jardot.

Chair Buchert closes the Public Hearing and asks if the Planning Commission has any discussion.

Chair Buchert says that he can tell you what his position is, that yes a traffic study is not required for the Final Plat, however there are lots of questions about this and lots of public comments about it, and the impact of the traffic study and the connections is very important in terms of public safety in his perceptions as far as if there is a public safety issue or not and therefor wants to table the item until the traffic study is complete.

Commissioner Shanahan said that he agrees with that, that there is going to be a major impact on the neighborhood due to the development and there have been a lot of comments to that affect. He has lived in that part of town for several years so he understands that, and there are two schools in the area which should be even more of a concern because of the traffic safety. He thinks that he needs to see a traffic study before they can move forward.

Chair Buchert asks if there are any more Planning Commission comments; none. Chair Buchert asks if he hears a motion.

**Commissioner Allred motioned to table the Preliminary Plat (SUB19-23) until the February 4th Planning Commission meeting, Commissioner Shanahan seconded.**

Roll call:	Buchert	Rickelman	Shanahan	Jerome	Allred
	Yes	Yes	Yes	Absent	Yes

**Time: 43 minutes**

- b. Dubway Dispensary, **SPECIFIC USE PERMIT (SUP19-32)**, requesting review and approval of a specific use permit to establish a medical marijuana dispensary on property addressed as 210 N. Hoke Street in the T-5 zoning district. Harkins

Commissioner Buchert announces that we will take a 5 min break while the room clears.

Chair Buchert asks Mr. Harkins to start the discussion on item 2d.

Mr. Harkins presents the Specific Use Permit SUP19-32 and then yields the floor to the applicant.

Kelly Harris, Keystone Engineering, 923 S Lowry representing the developer. Mrs. Harris says that this dispensary is just a little bit different since it is located in the T5 form based code zone even though it is still an allowed use with a SUP. It does not trigger any public improvements since it is going into an existing commercial building and they are not planning any outside improvements to the building.

Mrs. Harris said that there are two buildings that are located on the property, the commercial building is up near the street, and there is a small residential piece that is an apartment type building that is not part of this development it will continue to act as an apartment building.

Chair Buchert asks what is adjacent to the property and said that the challenge in his mind so that he can address the challenge is that yes it is acceptable in T5 because they have multi-story buildings where they have commercial on the first floor, but that is not this case. Chair Buchert said that to him this is a residential area that hasn't really developed into a T5 area and therefor has some challenges with doing this permit.

Mrs. Harris said that this building was previously a salon so it has been a commercial building. To the south the property is owned by the same owner and all of the buildings has access and use of the parking lot that is along the south side. Across the street it is a nice commercial building that she believes has two spaces, retail spaces and a parking lot that goes all the way out to the street. There are also two buildings that have recently been demolished as they were dilapidated buildings. This area is kind of in transition and since the property on the corner is commercial it really lends itself to continue to commercial in the area.

Chair Buchert asks if there are any other questions; none respond. Chair Buchert opens the Public Hearing and asks if there is anyone that would like to speak.

Rick Randolph, 214 N Hoke

- It is residential and there are children in the area of 10 years and younger
- Possible increase in crime
- Since this used to be a house and this is a new industry he is worried about what they will do for security.

Chair Buchert asks if there is anyone else that would like to speak on the item; none respond. Chair Buchert asks if the applicant would like to say anything.

Mrs. Harris said they plan on starting business hours from 9am to 9pm to start with, and for security they will have cameras in place.

Chair Buchert closes the public hearing and asks if there is any discussion or a motion.

Vice-Chair Rickelman said that part of the issue is how commercial is commercial, in one sense it has been a hair salon and there is a parking lot put in so this is another use of that commercial property that has already been commercial. Since it is right there on Miller it's kind of a connector street more than a residential, it's a way to get from Duck over to Main, with the liquor store on the corner and things of that sort.

Chair Buchert said that after discussion he is not opposed to this permit.

Chair Buchert asks if there is a motion.

**Vice-Chair Rickelman motioned to approve as presented, Commissioner Shanahan Seconded.**

Roll call:	Buchert	Rickelman	Shanahan	Jerome	Allred
	Yes	Yes	Yes	Absent	Yes

**Time: 7 minutes**

- c. Simply Green Crops. **SPECIFIC USE PERMIT (SUP19-33)**, requesting review and approval of a specific use permit to establish a medical marijuana grow facility at property addressed as 2000 E. Arjay Avenue in the Light Industrial (IL) district.

**Harkins**

Mr. Harkins introduces the Specific Use Permit. Vice-Chair Rickelman asks about Arjay and said that he thought in 2015 they talked about it was a city street but staff is now saying it is a private street. Mr. Harkins says that it is staff's understanding that it is a private street but there may be information that staff now does not know from that point in time.

Chair Buchert asks if the applicant is present; none respond. Chair Buchert opens the public hearing and asks if there is anyone who would like to speak.

Lacey Corbitt, 1623 N Skyline  
Brian Price, 1111 N Payne St

Come to speak on the following:

- Worried about the safety of the children that are that close to the school
- Safety of the neighborhood and possible big scary dogs the company may have
- Wants some clarification on if Arjar is an open or public street
- Work with the owner to discuss opening it as a public street due to traffic

Mr. Harkins presents the findings. Mr. Harkins also stated that when a grow facility or a dispensary apply for a state license that they go through a review process and have to be over 1000 feet from school.

Mr. Harkins presents the alternatives and asks if there are any questions for staff.

Chair Buchert said that he doesn't have any questions for staff and asks if there is any questions or discussion for the Planning Commission.

Vice-Chair Rickelman says that he has an issue with the development that is going on right in this area, where one of the issues is to talk about alternatives for access and this sort. Vice-Chair Rickelman said that if they put in the grow facility right there that it will add to the complexities of the discussion that they just tabled for a month. Vice-Chair Rickelman said that he thinks he's generally amenable to these types of things, he's more apt to wait a month so that they can work out Arjay as an access point and some of the other issues.

Mr. Harkins said that as a point of information referring back to the item that was tabled, the engineer or the applicant noted that their discussion with the property owner at this location that they were not amenable to any kind of access easement or extension of streets.

Commissioner Shanahan said that he would like to hear from the developer to address some of the concerns as far as safety and doesn't know that he would be for approving at this time.

Chair Buchert says that he is in complete agreement that he is either for tabling it or denying it.

Commissioner Allred Motioned to Deny; Motioned died for lack of a second.

Dennis McGrath, Assistant City Attorney said that it would be his recommendation based on what he is hearing the commissioners saying is that they vote to table this to a certain point, if they vote to deny it they will have to provide very specific and direct reason as to why it is denied. Tabling until there is more information may be the better option.

Commissioner Allred Moved to withdraw his motion.

**Commissioner Allred motioned to table the Specific Use Permit (SUP19-33) until the February 18, 2020 Planning Commission meeting, Commissioner Shanahan Seconded.**

Roll call:	Buchert	Rickelman	Shanahan	Jerome	Allred
	Yes	Yes	Yes	Absent	Yes

**Time: 14 minutes**

- d. RSR OKC North, LLC c/o Crafton Tull & Associates, **PRELIMINARY PLAT (SUB19-20)**, requesting review and approval of a preliminary plat creating 182 residential lots and four (4) outlots at property currently addressed as 1998 W. 32<sup>nd</sup> Avenue and is currently zoned Residential Single Family Small Lot (RSS) and Agricultural (A). **Harkins** (*Deferred from 12/17/19 Planning Commission Meeting*)

Mr. Harkins says that this item was deferred to this date to give time for some additional discussion, the applicant has now asked for a 30 day continuance until the February 4<sup>th</sup> meeting in order to address some of the comments they were not able to due to the holidays.

Mr. Harkins introduces the preliminary plat and findings and asks if there are any questions.

Commissioner Rickelman asks is some of the unresolved issues that haven't been done by this point are digging the sewers and drainage and things of that sort, are those things that are

sufficient to hold up or is it acceptable to continue to do a preliminary plat if all other things are done.

Mr. Harkins says that they would have to submit their improvements plans after this would be approved at a minimum, but that those are some of the things they are trying to improve. Mr. Harkins says that they would rather have that settled before they bring it back.

Chair Buchert asks if there are any other questions; Chair Buchert opens the Public Hearing and asks if anyone would like to come up.

Bob Barker, 3201 S Western

- Has some questions about drainage and flooding since it already floods on his property
- Doesn't think the common area from the houses will be sufficient to stop runoff from the development
- Traffic is going to be an issue, 32<sup>nd</sup> and Western is already a dangerous area
- Thinks its short sided not to have more information about the traffic
- The city needs to provide a dumpster for the construction site cause nobody ever picks it up.

Chair Buchert asks if there is anyone else who would like to comment on this item; seeing none; Chair Buchert closes the Public Hearing.

Chair Buchert says that the applicant would like to table this until the first week of February but that his recommendation would be to table it to the second meeting in February.

**Vice-Chair Rickelman motioned to table the Preliminary Plat (SUB19-20) until the February 18, 2020 Planning Commission meeting, Commissioner Shanahan seconded.**

Roll call:	Buchert	Rickelman	Shanahan	Jerome	Allred
	Yes	Yes	Yes	Absent	Yes

**Time: 14 minutes**

3. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION:

- a. Regular Meeting Summary of December 17, 2019.

**Vice-Chair Rickelman moved to accept, Commissioner Shanahan seconded.**

Roll call:	Buchert	Rickelman	Shanahan	Jerome	Allred
	Yes	Yes	Yes	Absent	Yes

**Time: 1 minute**

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

- a. Next Planning Commission meeting January 21, 2020.

5. ADJOURN.

This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Allred, seconded by Vice-Chair Rickelman at approximately 6:46 p.m. on December 3, 2019 with all members present in agreement, the next regularly scheduled meeting will be held January 21, 2020 at 5:30 p.m. in the City Commission Hearing Room, Municipal Building, 723 S. Lewis Street.

Prepared by – Chelsey Jones, Administrative Assistant

Approved by - \_\_\_\_\_  
Stillwater Planning Commission

DRAFT