

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF February 4, 2020
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED January 28, 2020 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

Mike Buchert, 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
Beth Ann Childs, City Attorney Office

MEMBERS ABSENT

Brad Rickelman, Vice Chair
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 (*Deferred from 01/07/2020 Planning Commission Meeting*)

Rian Harkins, Senior Planner introduces and explains SUB19-23. Rian explains that this item was brought before the Planning Commission 01/07/2020 and then deferred while waiting for the traffic analysis. Rian said that the staff has received that and reviewed it. Rian asks if there any questions; seeing none he introduces the applicant.

Stephen Gose, 113 E 8th Ave on behalf of CHC Management, LLC speaks on the following:

- 27 acre 132 lot subdivision
- Zoning is RSS (Residential Small Lot Single Family)
- The comprehensive plan for this area is low density (the gross density of less than 20 units an acre)
- RSS allows up to 8 units per acre
- Currently layout has 4.8 units per acre
- Going to be developed in two phases. South half will be developed first, North half will be developed second.
- Different from the layout from 2016 which had a series of North South streets.
- Minimum lot size on current layout is 50x110 which is 5500 sq ft, code minimum is 5000.
- Several of the lots on the west, south, and east, are up to 125 -135 ft deep
- Goal for the development is Workforce or Affordable housing 190k price range

- Drainage study has been submitted and approved by City Staff as part of the preliminary plat
- Three drainage areas on the site, one to the south that picks up a pretty good area south and west of the site. Another discharge on the north, and a small area that drains to the east.
- No street drainage off site that doesn't go through one of the detention ponds.
- There is an outfall currently served from an inlet in skyline that drains the east part of Skyline and South part of the Jr High, the plan is to put that in a ditch drain it around, culvert under Payne into the detention pond. That ditch is about 5ft deep. The 100yr storm event that flows in that ditch are about 2ft deep.
- The Traffic Study has been completed since the last meeting that was one of the conditions for tabling it.
- The Study was done by a firm out of OKC who does studies in and around Stillwater all the time, someone that has talked to the city engineer and worked with before and trust.
- The findings show that there were no offsite improvements that would be warranted by this development or additional points of access.
- This developer is working on a buildout of Eastridge to the NW of the schools that includes the extension of Grandview from Dell Ave to Lakeview which would relieve a lot of the traffic that is going down Dell and Benjamin right now through those streets.
- The primary entrance for construction traffic will be in the NW corner off of Krayler
- The City Transportation Department has a good program right now where part of new construction projects like this they will go through and assess the street, work with the developers and their contractors to address construction routes and assess damages. After construction if roads are damaged they will have them go back and fix those.
- Since the last meeting they've been working on the water and sewer modeling that will be submitted working improvement plans.
- The modeling shows that the flow and pressures will be more than city standards
- Current pressures are pretty low so their improvement should help those down on Sunrise.
- Attended two neighborhood meetings on this, one prior to the last meeting in December prior to the Map Amendment when they submitted the preliminary plat initially to rezone the east piece from RT to RSS they had a neighborhood meeting at the school where four neighbors showed up.
- Since the last meeting January 19th a handful of neighbors hosted a meeting at one of their houses that he went to and explained what they were proposing and why they were doing it.
- The neighbors expressed their concerns and wants of two points of access and a lower density.
- Mentioned in the TIA and the City Transportation Department doesn't want a road to Jardot because it has to be maintained and creates an additional intersection which is where traffic conflicts and accidents happen most.
- 40% less density than what is allowed by code 4.8 units per acre versus 8.

Chair Buchert asks if there are any questions; Commissioner Shanahan asks Mr. Gose to read the conclusion of the traffic study again.

Mr. Gose said that the short version is recommendations and improvements those are the two bullets. Intersection and roadway improvements are not shown to be needed based off the analysis documented in this report and not recommended at this time. The second bullet, Stillwater Jr High and Skyline Elementary school should consider drop off and pick up procedures that maximize vehicle storage on site and limits spill back onto adjacent roadways.

Commissioner Shanahan asks if there are numbers presented in this analysis that would lead us to understand how that conclusion was made. Mr. Gose said that there is 133 page traffic analysis.

Chair Buchert asks if traffic counts were given or if they were received on Krayler or Skyline. The four major roads there are traffic counts and there are projections, but on the residential streets especially next to the school he couldn't find any.

Mr. Gose said that they did traffic counts at Lakeview and Perkins, Benjamin and Lakeview, Sunrise and Jardot, Skyline and McElroy, and Jardot and McElroy.

Chair Buchert asks if they did any interior residential traffic counts that would show the impact of this in the school areas. Mr. Gose said that they didn't count Skyline and Sunrise, that they used their distribution models to extrapolate those numbers.

Chair Buchert said that the impact in the school districts, when they went through their model, are they assuming or not assuming peak on peak timeframes. Mr. Gose said that yes they would be doing that at least at Skyline because that drop-off is during the peak hour.

Chair Buchert said that they are talking about 130 homes with 60% of the people coming down Krayler Ave and having an impact during the peak school drop-off time, and you are requesting schools to spend money for them to be off the road?

Mr. Gose said that what they are saying is that currently there is traffic queuing on the public streets and the school district is trying to get those off the streets. 15-20 min in the morning there is going to be peak on peak and based on their analysis it operates and will continue to operate at level of service C. Chair Buchert asks if Krayler is operating at a level C during this peak timeframe. Mr. Gose said either level C or better.

Chair Buchert asks if there are any other questions; none Chair Buchert opens the Public hearing and asks if there is anyone there to speak in favor of the item; none.

Chair Buchert said that we had a signup sheet and that we will go through that first and then open it up to anyone else who would like to speak.

The following come to speak:

Simon Ringsmuth, 1705 E Linda Ave

Carla Goad, 1210 N Payne

Mark Moore, 318A S Knoblock

Mathew Wyckoff, 1824 E Sunrise Ave

Leslie Meyer, 1102 N Payne St

Valerie Kisling, 1903 N Skyline

Tom Bradley, 1107 N Payne

- On one single acre of actual housing in Skyline East there will be nearly 8 houses 7.92 to be exact. This density is a massive contrast to everything East, South, and West and one of the biggest problems with the plat.
- The raw numbers of the development don't match the reality of the development because you can't build a house on a street or a detention pond.
- Will be amongst the most densely populated residential neighborhoods in the whole city.
- 200ft South are some of the largest lots in town with 1 lot per acre
- Nowhere else is Stillwater has this much of a contrast between two neighborhoods
- No other neighborhoods have their access points lead directly into school zones.
- No one is saying that we don't need workforce housing, they are just saying to do it in a way and a location that will work
- Three options to consider, lower the density of the housing, make the homes and lots bigger and more attractive, and create direct access to Jardot.
- The traffic around the schools will be bad
- The drop-off points will be worse because they already back up onto the other streets
- Since there are no curbs on east Sunrise to the east of north skyline people are parking on the resident's yards.
- There are no traffic controls other than the four way stop
- At Skyline and Sunrise there are a lot of students that are walking through there
- Need to keep in mind crosswalks and how much foot traffic there is and will be
- Will create an irregular traffic flow
- Worried that they will unload and load heavy equipment on existing roads and damage them.
- All equipment should be loaded and unloaded in the development area
- How many of the people that will be living there will be able to keep up with the care of the 5ft ditch and the easements
- When they were building Skyline they blocked access, worried the same will happen
- Why do they have to defend their neighborhood from developments that are ill advised and will certainly bring negative consequences to the neighboring schools
- Doesn't like the fact that the developer is anonymous and only one of them is from Stillwater
- Worried it will bring down the property value
- Safety of the children since there are no sidewalks

Chair Buchert closes the Public Hearing and asks if the applicant would like to say anything.

Mr. Gose said that he represents Jimbo Carnley who is the local resident, he and his brother and one more partner are the developers and owners of this.

- The code is gross density that is how they are at the 4.8
- With regard to it being out of place density, Eastridge one and Eastridge two to the west of skyline those are 4.7 houses per acre, 4.5 units per acre, and some 4.4 so they are not double those, they are in the same general ball park
- Building of the road to Jardot cost is an issue but it's not profit, it's the efficiency of the lot development to try and keep them in the affordable housing market that the

builder has seen and wants to address. The money is being spent putting a quality product on the ground, not in the pocket.

- Skyline and Sunrise keeping a four-way stop in there instead of putting in a stop light, there are studies that go both ways. In a normal situation a four-way stop has been shown in downtown high pedestrian areas to be safer than lights because if drivers are functioning like they should be they will stop, look around and then go. If you put a stop light in there might be a student trying to run across.

Commissioner Allred asked about meeting with the neighborhood. Mr. Gose said that they hosted a meeting at Skyline in December and they sent out notices for the 300ft area. Commissioner Allred asked about the second meeting. Mr Gose said that it was a handful of people that showed up.

Mr. Harkins presented the findings and alternatives.

Chair Buchert asked when the traffic report was received by Staff. Mr. Harkins said that it was officially received today. He said that engineering reviewed it today and gave their findings. Their opinion is that the traffic study is sufficient, they have no issues with the traffic study. The city engineer feels that this proposed development does not need access to Jardot and is opposed to it. He feels that the access points currently as proposed are adequate.

Commissioner Shanahan asked that if it is felt that the traffic study being based on a model is sufficient. Mr. Harkins said that is their opinion.

Chair Buchert asked if the traffic study looked at any of the residential intersections and the capability to get pedestrians through those intersections. Mr. Harkins said that to his understanding that they did not take that into account, that it was vehicular traffic.

Chair Buchert asks if there are any other questions of staff; none. Chair Buchert asked staff to put the three alternatives back on the display.

Chair Buchert says he has a challenge in his mind that the traffic study was delivered to staff today and that he has great respect for the city staff and has worked with many of them and has great respect for the city engineer and knows he has lots of experience in this area, but when he reads through it he has some concerns. For staff and the planning commission to review it he is just uncomfortable making a decision tonight with what has been presented and the time it has been presented.

Commissioner Allred says that from his prospective he knows that the neighbors all agree and know that at some point the plot is going to be developed. The developer has met all standards we believe is up to code and is zoned appropriately. Transportation study recommends that the access point to Jardot is not needed and not recommended and the city engineer agrees that there should not be an access point on Jardot. The developer and the neighborhood have met together on two separate occasions, the first meeting a larger group and the second meeting a smaller group. Everyone can agree that traffic is not only a safety concern but it is a congestive conflict and concern too. Skyline and Stillwater Jr High are due for future plans whether it be new school or renovations, so we'll be back here addressing that at some point. The developer and neighbors are both anxious to come to a resolution at this point and if we defer this and

come back a fourth time there will probably be some frustration, but from his point of view he would rather get it right than reach a decision just to reach a decision.

Commissioner Shanahan said that he agrees with that, that they need to make the right decision rather than rushing to make a judgement and he agrees with the Chairman that there was not adequate time to read and analyze the traffic impact study and that he didn't even have a chance to look at it. Commissioner Shanahan said that he feels that pedestrians should be included in the whole analysis of the situation and while that may not be traditional of a traffic impact study cities are trying to encourage cycling and pedestrian movement so that should be part of these traffic logs. He is very familiar with the area and the traffic that goes through there, and feels it is a legitimate concern that the citizens in the neighborhood have because it could be a safety issue. At the beginning of the presentation it was said that if there was an intersection put in at Jardot at some point in the plan development that there could be accidents, but what will happen when you have all this traffic around the school without adequate egress and ingress. There needs to be a deep dive into this traffic issue. While you can't vote against it based on the density he found it disingenuous that the developer said that it was less than the maximum density that is allowed, but looking at the actual area that will be used for the housing units that really changes the picture. It is much more dense area than was originally presented, even though it does meet code. He agrees with the other two commissioners, that it is an inconvenience to table it and have to come back for reconsideration but he thinks a development of this size and potential impact needs that additional consideration.

Chair Buchert asked for staff to come up and with the direction from legal that it is his understanding that it is 60 days from the day that it was first on, that they must do something with this or it is approved without their action. Mr. Harkins said that that is correct. Chair Buchert said since it was at Planning Commission January 7th, can they defer it to the first meeting in March or do they need to defer it to February 18th. Mr. Harkins said that that would be March 3rd, if the developer agrees to continue the 60 days is not an issue, if they don't and they still defer based on the initial public hearing they should be legally safe. If the applicant agrees with the deferral regardless that they will be ok. Chair Buchert asked Mrs. Childs if she is in agreement with that. Mrs. Childs said that yes if the developer agrees to continue it that the 60 days is inapplicable, and the one piece of advice that she would have for the commission is that if they table it that they make certain that the motion contains a date certain. Mr. Harkins said that it will either be the February 18th meeting or the March 3rd. Chair Buchert said that they already have another possible controversial plat on the agenda and that is why he is thinking the March 3rd date would be better and does the developer have any comments towards the March 3rd versus February 18th. Mr. Gose said that they prefer February 18th and understanding exactly what they want to look at because they have already escalated the TIA to the preliminary plat from the final plat which is what is required by code. Chair Buchert said that the developer has asked for the February 18th date even though they have another item that may take them a while but he would like to be in support of that.

Chair Buchert said that there are three areas that he has concern with. Number one he would like to hear from the developer and the city engineer on why they don't want to tie to Jardot Rd. When he looks at this and looks across the city and look at where it would tie and look at the distance between the roads it is comparable to other developments across the city. Is there something particular about this or does the city have rules now that they want that distance to

be greater now than what they have approved in the past. Another is the pedestrians, especially children, sidewalks, and crossings. He's heard comments about sidewalks not being in good condition or not being there and it would seem like sidewalks are one of the most inexpensive items to address if it's a problem. The other is the conflict with the neighborhood with all the traffic that is occurring there. The school system has a master plan which they are going to take additional traffic off and que them up off the street. He would like to know from the City Engineer's prospective coordinate with the school system how many additional vehicles that is and will it actually address the congestion in the area. They talk about a street connecting to another street and that might occur some day and that might reduce congestion and if there is any possibility of that occurring and what kind of timeframe. Chair Buchert said that while he said three he apologizes for coming up with a fourth while he was talking. Mr. Harkins said that his fourth to be clear is will Grandview help. Chair Buchert said yes.

Chair Buchert asked if the Commissioners have anything else they would like to see addressed.

Commissioner Allred said that he is highly encouraged and recommend that if the Commission makes a motion and approves the deferral to the February 18th meeting he would encourage them to suggest that Mr. Gose and the developer or one or the other, a representative from the school board, a spokesman from the neighborhood, and city staff all come together so that all voices are heard and they can hammer this all out at the same time.

Chair Buchert asks if there are any other comments from the Commissioners. Chair Buchert asked if there was a motion.

Commissioner Shanahan moved to table SUB19-23 to the February 18th meeting of Planning Commission incorporating the Chairman's four concerns and have those addressed by the February 18th meeting, Commissioner Allred Seconded.

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

Time: 70 minutes

- b. Frits Properties, LLC, **MAP AMENDMENT (MA20-01)**, requesting review and approval to rezone property addressed as 1724 N. Jardot Road from Agricultural (A) to Residential Single Family Small Lot (RSS) and Commercial General (CG) districts. Harkins

Chair Buchert introduces MA20-01 and asks staff to present the item. Mr. Harkins presents the item and calls on the applicant or agent to come up.

Stephen Gose, 113 E 8th said that the property owner owns these five acres and that he has the north four acres for sale. There is a house on the south 140 ft and that one acre he can't do a minor subdivision and sell the partial without the appropriate zoning. So with it being zoned agricultural there is a five acre per house minimum so they are asking for a Map Amendment to go RSS on the south which is consistent with the areas to the west and the south. They are asking to go to CG on the north piece of it which is consistent with the comprehensive plan.

Chair Buchert asks if there are any questions of the applicant; none.

Chair Buchert opens the public hearing and asks if there is anyone there that would like to speak in favor of the item; none. Chair Buchert asks if there is anyone who would like to speak against the item or neutral.

Cathy Huston 1107 N Skyline St, said that she would like to know more about the item. She wasn't aware of it and would just like more information on it, what will it look like density wise and so forth. She said that she would just like a little more information on what they are building there.

Chair Buchert closed the public hearing and asked the applicant to come up and describe the zoning.

Roger Gose 1120 E Connell Ave, said that this property has been on the market for about 1,000 days and Mr. Fritz is willing to sell it but he wants to keep the house. He can't divide off the house without getting it out of AG zoning. The comprehensive plan calls for CG therefor the application is for CG, there's no current plan but to get the house to where it can be sold. That's why this is a zoning application, then there will be a minor subdivision that would create the one acre tract and the remaining four plus acres to the north.

Chair Buchert says the RSS zoning is similar to the previous item in terms of 5,000 sq ft per lot, what is the density. Roger Gose said that this is a one acre tract and the reason is that the way that house sits in there to draw a boundary line there on the north side of the house of twenty feet from the house. Chair Buchert asks with what they are going to zone to, what density?

Roger Gose said 5,000 per lot.

Chair Buchert asks if there are any questions; none. Chair Buchert asks if the applicant would like to say anything else.

Stephen Gose said that just to clarify and follow up, that lot probably meets the RSL standard, the Large Lot Single Family but there is nothing contiguous to the south and to the west is RSS, to avoid the appearance of spot zoning and keeping it consistent. Stephen said that as Mr. Roger Gose said that there are no plans that they are aware of, that Mr. Fritz wants to sell the north piece and retain the house and they can't legally submit a minor subdivision with the current zoning in place because it would be a nonconforming lot under the AG zoning. There is RSL across the street to the east but not on this side of the street and north of sunrise.

Chair Buchert asked if there were any other questions of the applicant. Chair Buchert asked Staff to present their recommendation.

Staff presented the findings and alternatives and asks if there are any questions for staff at this time.

Commissioner Shanahan asks if it is rezoned RSS, how many units could be built in this plat?

Mr. Harkins said that they have a one acre tract and in RSS you have a 5,000 minimum lot size so they could potentially depending on access get two lots. You would also have to get the

other bulk standards met which would be difficult to do. Mr. Harkins said that in all likelihood you are taking the house as it sits now and making zoning compatible to the adjacent lots to the south and west.

Chair Buchert asks if there is any discussion or if they would like to make a motion.

Chair Buchert said that he thinks that it is in accordance with the comprehensive plan and he has no problem with this change.

Commissioner Allred made a motion to approve MA20-01 as presented, Commissioner Shanahan seconded.

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

Time: 11 minutes

3. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION:

- a. Regular Meeting Summary of January 21, 2020.

Commissioner Allred asked if he was not present if he can second to approve. Mr. McGrath said that yes if he is not present that he should not make a motion to approve but that he can make the second and vote.

Commissioner Shanahan made a motion to approve the meeting summary as presented, Commissioner Allred Seconded.

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

Time: 1 minute

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

- a. Study session on the Open Meetings Act

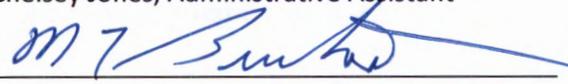
Chair Buchert said that the study session on the Open Meetings Act has been deferred to a later date.

- b. Next Planning Commission meeting February 18, 2020.

5. ADJOURN.

This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Allred, seconded by Commissioner Shanahan at approximately 6:56 p.m. on February 4, 2020 with all members present in agreement, the next regularly scheduled meeting will be held February 18, 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