

**STILLWATER PLANNING COMMISSION SUMMARY
REGULAR MEETING OF February 18, 2020
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED February 12, 2020 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

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

STAFF PRESENT

Dennis McGrath, Assistant City Attorney
Lanc Gross, Development Review Manager
Rian Harkins, Senior Planner
Kim Payne, Outside Council
Chelsey Jones, Administrative Assistant

MEMBERS ABSENT

1. CALL MEETING TO ORDER.

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

2. PUBLIC HEARINGS:

- a. 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 (*Deferred from 01/07/2020 Planning Commission Meeting*)

Rian Harkins, Senior Planner explains the Specific Use Permit requested and asks for the applicant or agent to come up to explain further and for any questions.

Roberto Estrada and Rafael Estrada with Simply Green Crops approached the podium and introduced themselves.

Chair Buchert asked if it would be a correct statement to say that that this is a grow facility and that they would be growing the plants indoors. Roberto said that is correct. Chair Buchert asked if they will have a system indoors and have lights and there will not be any growth outside except to transport them. Roberto said that is correct everything will be indoors.

Chair Buchert asks if there are any other questions.

Commissioner Allred asks about the security of the facility. Roberto said that currently they have a camera system around all the units there as well as an alarm system and if they need to add more in time they will do that.

Chair Buchert asks if there are any more questions; none. Chair Buchert opens the Public Hearing and asks if anyone would like to speak in favor of this item; none. Chair Buchert asks if there is anyone who would like to speak in opposition or neutral to this item.

Kathy Houston 1107 E Skyline St, said that while she supports medical marijuana she thinks that this facility is too close to the schools.

Chair Buchert closes the Public Hearing and asks staff to come up and present the findings and alternatives.

Mr. Harkins presents staff findings and alternatives.

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

Vice-Chair Rickelman motioned to accept findings and approve SUP19-33 as presented, Commissioner Jerome seconded.

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

Time: 7 minutes

- b. 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. 32nd Avenue and is currently zoned Residential Single Family Small Lot (RSS) and Agricultural (A). Harkins (*Deferred from 01/07/2020 Planning Commission Meeting*)

Mr. Harkins said that this is a preliminary plat that originally came to planning commission December 17th and was delayed through the holidays to address one issue between this and another development nearby. Mr. Harkins explains the details of the preliminary plat.

Chair Buchert said that in the information that was provided to the commissioners there were 8 items that they would recommend conditional approval upon those 8 items. Are those 8 items still valid that you would want to recommend conditional approval?

Mr. Harkins said yes they are, they are changes that staff in the last review see that need to be made. Some of them are minor, the biggest was with the sanitary sewer that they say they have worked out with the property owner to the north. The rest staff feels can be done easily but do need to be addressed.

Chair Buchert asks that the representative from Engineering or Development come forward.

Brad Reid, Crafton Tull Associates on behalf of the applicant said that if they have any particular questions he can answer those. He can talk on the sanitary sewer if they want.

Chair Buchert said that he doesn't need him to talk on the sanitary sewer only to know that it will work.

Mr. Reid said that the issue was with another preliminary plat and they had to get with their layout, but they are in agreement with their engineer and agree to work with them to get it to work.

Chair Buchert asks if the 8 items that they would approve this with the condition of these items does he have any comment or objection on those items. Mr. Reid said no they do not, they are in agreement on those items.

Chair Buchert asks if there are any questions of any other commissioners; none.

Chair Buchert opens the Public Hearing and asks if there is anyone that would like to speak in favor of the item; none. Chair Buchert asks if there is anyone who is there to speak in opposition or neutral of this item; none. Chair Buchert closes the Public Hearing and asks staff to present findings and alternatives.

Mr. Harkins presents the findings and alternatives.

Chair Buchert asks if there is any questions of staff. Chair Buchert asks if there is any discussion of the commission or a motion.

Vice Chair Rickelman recommended that they accept the findings and approve the preliminary plat as presented with the recommended 8 recommended revisions that was presented by staff in the packet, Commissioner Allred seconded to approve with the following revisions:

- Any remaining easements that contain a single utility be labeled as a 15 foot electric easement.
- Street light easement will need to be dedicated on the final plat per city standards.
- An additional 10 foot U/E added along the north side of Lot 9, Block 5.
- Block 4, Lots 1-20 will need to increase the 10 foot utility easement west of the property lines will need to 20 foot wide.
- Provide revised street names on the Final Plat per Section 23-81 (f) for all streets except Buffalo Drive.
- Provide written confirmation (signed agreement, etc.) regarding proposed sanitary sewer connections with adjacent property to the north of the proposed plat.
- Update the drainage study to indicate basin areas, peak flow rates, and soil types per Sec. 23-386.
- Revise the zoning for the property to the north as RSS instead of R-1.

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

Time: 7 minutes

- c. Kabosh Cannabis Co., LLC, **SPECIFIC USE PERMIT (SUP19-31)**, requesting review and approval to establish a grow and processing facility at 1198 E. Airport Road in the Industrial General (IG) district. Harkins

Mr. Harkins presents SUP19-31 and asks the agent or applicant to come up.

Stephen Gose, Gose and Associates 113 E 8th on behalf of the applicant said that all operations will be inside the building, there will be no outside growing or processing. There are perimeter fences and the

standard security system that they have and will add to if necessary. Mr. Gose asks if there are any questions that he can answer; none.

Chair Buchert opens the Public Hearing and asks if there is anyone there that would like to speak in favor; none. Chair Buchert asks if there is anyone there that would like to speak in opposition or neutral of the item; none. Chair Buchert closes the Public Hearing and asks staff to come up and present findings and alternatives.

Mr. Harkins presents the staff findings and alternatives and asks if there are any questions of staff; none.

Chair Buchert asks if there is any discussion or a motion.

Commissioner Jerome motioned to accept the findings and approve the SUP19-31 as presented, Commissioner Allred seconded.

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

Time: 5 minutes

- d. 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 02/04/2020 Planning Commission Meeting*)

Mr. Harkins says that this item came before Planning Commission January 7th and was deferred to February 4th and then until this meeting for additional discussion. Mr. Harkins presents the preliminary plat and says that a Traffic Impact Analysis that recommended no new additional improvements was submitted and showed that the access points were adequate. Mr. Harkins also went over the discussion that was held between Stillwater Public Schools, the Developer, and City Staff with resulting a response letter from the neighborhood that they request access to Jardot as well as the elimination of access from Moore and Payne Streets. Mr. Harkins also said that it the density has been brought up as an issue, and staff believes that it does meet the RSS zoning district.

Chair Buchert said that Mr. Harkins made a statement that the traffic study showed that the connections to the residential streets are adequate, what in the traffic study leads to that conclusion. Mr. Harkins says that that was their conclusion and recommendation and says that they were in the meeting with staff, school, and the neighborhood via conference call and explained why they made that recommendation.

Chair Buchert asks if there are any other questions of staff at this time; none. Chair Buchert asks for the applicant to approach.

Stephen Gose, Gose and Associates 113 E 8th on behalf of the applicant requesting approval of the preliminary plat. Tonight to address the traffic Ester Shaw Smith is here. Mr. Gose said that he wanted to touch on a few other topics the density specifically. The density as defined in our code is the amount or quantity of something per unit of measure, the number of units in a

given land area or building area. Gross density which is what applies in this in regards to the comprehensive plan. The Zoning is gross density is units per acre density measurement that includes in the calculation all land occupied by use, right of way or easement, recreational activity, civic activity, building, parking, landscaping, and any other improvement necessary for the development. So in the context of this request they are at 4.6 – 4.8 units per acre, the comp plan calls for 20 units an acre or less and the zoning calls for 8 units or less. The other items he has to address can come after the public hearing and the traffic information.

Ester Shaw Smith, Lee Engineering 525 Central Park Dr, OKC said that she wants to give an overview of the traffic study that was given in the packets. They did confirm data collection sites with the city via conference call December 18th so that they would be very aware of the areas of their data collection. They performed peak hour am and pm counts and 24 hour counts on the arterial, major, and minor arterials. The major intersections were also performed adequate at those major intersections and arterial roadways because those are critical to your traffic flow and mobility within the community, they provide access points and higher speeds and volumes. Local streets are not included in data collection because they are low speeds and low volumes and that is the industry standard. Based on the preliminary plat the development is supposed to include 132 lots and based on those trip generation rates that equates to 99 total trips in the am, 25 into the development and 74 out of the development in the am peak hour. For the pm peak hour there will be 133 trips generated that 84 into the development and 49 out. The am and pm peak hours are typically from 7:15-8:15 in the morning, and the evening from 4-5pm. That am peak hour does coincide with Skyline Elementary by about 15 minutes since they have a start time of 8am, the pm doesn't. They take those trips and distribute them on the roadway network and they distribute them based on how existing traffic is coming and leaving the current development now. That leaves around 55% that is going to the north and to the west, and 40% going to the south and the west, and 5% going to the east or using Jardot. Most of the city is west of this development. Operational analysis of this study area and roadway was performed and it was found the traffic generated by Skyline was not significant enough to have a large impact on your arterial or major collector streets and they all operate at level C or better. The access points that were proposed by the developer are adequate. It should be mentioned that the extension of Grandview was used in the analysis as it will be installed prior to build out of this development.

Chair Buchert asked if she assumed in her traffic study that a street that has not been built yet is connected. Mrs. Smith said that is correct. Chair Buchert asked what rational or what evidence do you have that that street will be connected and in what timeframe. Mrs. Smith said that she was directed by city staff that that is something that would be happening and the applicant said that that would be happening in the next few months on that extension. They look at future roadway conditions when they look at the future condition analysis so they have to say that if there are planned roadways or planned developments they need to incorporate that into the study. They did observe operations at Skyline Elementary and at the Stillwater Jr High and it did last around 10-15 minutes. They did notice that pedestrians and students have infrastructure on their school grounds, sidewalks, signage, school zone flashers, there is a four-way stop sign at Skyline and Sunrise and has high visibility crosswalks and they did observe students using the crosswalks. There was a capacity issue on Sunrise, according to the roadway classification the capacity is 5,000 vehicles per day and right now has less than 1,500 vehicles per day. The neighbor who counted that location had a very similar count as theirs for that location.

Chair Buchert asks if there are any further questions at this time; none. Chair Buchert asks Mr. Gose to come back up.

Chair Buchert says that the Grandview connection is included in the study, when will that be implemented and when can they count on it. Mr. Gose said that those plans have been reviewed and approved by city staff as part of them having an Eastridge Second Addition to create and build out the lots on the North side of Swim and the west side of Grandview. Part of why Grandview hasn't been built prior to this is various property owners on the west and the east couldn't get on the same page to get the right of way on who's building the road lined up. Their client on that who is also a partner in this has acquired that right of way from the property owner to the east and the deed has been sent to the city, last he heard it was in the city attorney's office, signed and notarized by the property owner on the east side of Grandview. It just needs to be accepted by City Counsel as the right of way, the plans have been reviewed and approved by city staff, so that road is really close to being built. It's not conceptual, it is approved plans.

Chair Buchert asks if it's ok to approve the development contingent on Grandview being in place before the final plat comes back to this commission. Mr. Gose said that they are fine with that condition because their intent is to have that road built prior to a house being occupied in Skyline East.

Chair Buchert asks if there are any other questions. Commissioner Shanahan asked who Mr. Gose said was financially contributing to buying easements so that Grandview can be a through street. Mr. Gose said that it was dedicated, that there was no money exchanged for the dedication of the east half of the right of way.

Chair Buchert opens the Public Hearing and says that he has eight people signed up to speak and then he will open it up to anyone else who would like to speak for or against this.

The following come to speak in opposition of the development:

Simon Ringsmuth, 1705 E Linda Ave

Bob Graalman, 2224 W Sunset Dr. on behalf of the Stillwater School Board

Anthony Shore, 2001 E Linda Ave

Leslie Meyer, 1102 N Payne St

David Goad, 1210 N Payne

Mathew Wycough,

Tom Bradley, 1107 N Payne St

Kathy Houston, 1107 N Skyline

Ross Roy, 1819 E Linda

Mary McFarland, 1917 N Skyline

Valerie Kisling, 1903 N Skyline

Stephanie Bundy, 901 E Dell Ave

Judy Hall, 1519 E Cimarron Dr

Aaron Underwood, 1920 N Grandview

Steve Franklin, 1424 N Skyline

- Density – almost four times as dense as the surrounding neighborhoods
- Traffic – the issue is not artery roads, it is interior roads
- Safety – Traffic Impact study didn't get information on pedestrian traffic
- Streets are too narrow to handle the increase in traffic as they are already too narrow
- Streets are already clogged and have students crossing them
- Need to add an access point to direct traffic away from school zones, not increase the traffic.
- Grandview is just going to move the traffic to the east because of the new neighborhood that will be developed.
- Need to remove access to Moore and Sunrise and put in a road to Jardot
- The Schools as always will adjust to whatever the situation dictates, while hoping the best decisions are made for an efficient and safe school environment inside and outside the buildings.
- These are challenging topics that create a lot of confusion around the public about who's responsible about what, and while new school measures may alter and somewhat improve the situations more can only be done with the assistance of the city planners.
- Schools can't do everything, and while there may have been wishful thinking that the schools are going to provide a road that will ease the congestion, that is not a part of their responsibility and they will adjust as much as they can for the areas that they are responsible for but otherwise it is impossible to make commitments such as that.
- Potential risk for those that drive, walk, or bike to the Jr High and Skyline and efficient approaches and departures from the schools is well known.
- When growth and tradition come face to face, each side must give something to get something.
- Skyline Elementary School does have drop off and pickup on sight and yet still has queuing in the adjacent streets.
- The traffic study mentions nothing about the school crossings at McElroy and Skyline, doesn't mention the school crossing at Skyline and Sunrise, and doesn't mention the school zone at Skyline and Sunrise
- It is the City's job to promote and protect the safety and health of the city.
- Original comprehensive plan commissioned by the City of Stillwater low density residential was defined as all single family and two family residential uses that involve a gross density of 4 dwelling units or less per acre. In the C3 Plan adopted in 2013 and currently in effect the definition of low density residential was changed to conventional single family attached dwellings to family units and low density multifamily with a gross density of 20 units per acre.
- During the two to three years of construction all of the equipment will be coming through the school zones.
- Grandview should have been built when East ridge was first built
- Grandview will help with the traffic flow to the arterial but will do nothing for the focus area around the Jr High and the Elementary school
- As currently platted all access points are in school zones
- There's not a problem with an access point to an arterial street when the developer wants it.
- You're supposed to build streets not for slow traffic but for the most congested times

- The 5ft ditch they are proposing to put in is going to be a hazard since it will be hard to mow unless you have specialized equipment.
- The developer is not liable for anything that is not on his property only
- Feels that the notification should have been sent out to every person that goes to those schools and that the developer is just doing the bare minimum.
- Need sidewalks for safety so that no one will be walking through the already congested streets.
- The places that they put the counters for the traffic study are areas that people already avoid, so it's not possible the count is correct
- It shouldn't be the responsibility of the schools to fix the issues just so that the developer can put more money in their pockets
- Any development in this area has to have an access to Jardot
- Worried about emergency vehicles getting access into the neighborhood quickly enough.
- As far as density is concerned they have followed the letter of the law, but she feels they have not followed the intent of the law.
- The traffic has made community members question living in the area anymore and restricted times that they can leave their homes.
- All those houses are going to be taking away from the environment such as the trees and grass.

Commissioner Buchert said that the requirements are there are no tree plantings for a residential area, the developer when they develop a property can take whatever trees they want to out of the property and they do not have to plant any trees back according to the code and the commission can't do anything about that per code.

Mr. Harkins said for clarification landscaping requirements do not exist for single family structures under the development code.

Chair Buchert closes the Public Hearing.

Chair Buchert asks legal and or staff if they can legally require the developer to have a connection to Jardot realizing that they have provided two or more connections.

Mr. Harkins said no you can't, if you were to approve with the condition that they have the access to Jardot you would need to give them an opportunity to negotiate that and a caveat for how to proceed forward if they can't give that access.

Mrs. Payne said that if the board decides to conditionally approve the plat reasons must be given, and those reasons must refer specifically to parts of the comprehensive plan or city regulations in which the plat does not conform to.

Chair Buchert said that in terms if he wants the developer to eliminate the connection at Moore Ave so they still have two connections which is contingent on the Grandview connection then that is in compliance with the city code and master plan and therefore legally he can't require a connection to Jardot.

Mrs. Payne said as long as there are two access points and they are in compliance with the comprehensive plan and city regulations, then no you can't have an additional requirement of Jardot.

Chair Buchert said that there have been discussions about Sunrise Ave only being twenty foot wide, it is a city street, not a city right of way that the city rebuilt the twenty foot wide. Can they require the developer to widen that street since it is on city right of way and the city built the street?

Mr. Harkins said that they could make the request as a condition. If you provide the original approval the process moving forward would be they would submit revised plat to the city and it would then come back to you for approval. Chair Buchert asks if that would be a revised preliminary plat. Mr. Harkins said yes a revised preliminary plat back to planning commission before any final plat could be submitted and that is per code.

Mrs. Payne said that she concurs with that.

Chair Buchert asked if anyone from the commission wanted to ask anything from the staff or legal at this time.

Commissioner Rickelman asked if they did something like that, there is a 60 days that it is automatic past a certain time does the conditional aspect increase the timing on that.

Mrs. Payne said that the 60 day rule would not apply if they approve conditionally.

Chair Buchert asked Mr. Gose if he would like to say anything. Chair Buchert said one item that he brought up that he wants to see if Mr. Gose is in objection to is that he would like to eliminate the connection to Moore Ave, he believes that is right in the middle of the highest area of the school. It leaves two other access with one of those being the Grandview connection.

Mr. Gose said that he talked to his client and they have no objection to taking Moore out, also talked to Ester about it and she doesn't feel it will be a negative aspect to that, so his client is ok with removing Moore and making it a pedestrian access.

Mr. Gose said that he has a question for legal on the balance of the conditional approval does it come back to Planning Commission, because what he heard on the previous preliminary plat that had conditions that's not coming back that as long as those conditions are met that the improvement plans and final plat can proceed.

Mrs. Payne said that conditionally approved plats shall be required to be submitted back to the Planning Commission for review before the final can be approved.

Chair Buchert said if we go forward with this and eliminate the connection to Moore that would be a condition that you would have to re-due the preliminary plat and bring it back here. If the Grandview connection is finished before the final plat than he will remember that and vote for the final plat, but if it is not done before the final plat he won't make it a condition but would not vote for the final plat unless that was finished.

Mr. Gose said for a point of clarification this is going to be plated in two phases. Phase one will be half of it, and phase two will be half of it. He'd like to make that intention upon approval of the second final plat when traffic is at 130 lots not 65.

Chair Buchert asked if the 65 lots goes up to Brooke Ave. Mr. Gose said if they take Moore out they would build the west road up to Krayler as part of phase one so that the access at Krayler and the access at Payne would be constructed as part of phase one. Chair Buchert asked which half the south, north, east, or west. Mr. Gose said the south half is phase one and in this case block one, block two, block four, five, and block three, lots 1-10. Chair Buchert said that to have the second connection you would need a road to Krayler. Mr. Gose said Blocks 6,7,8, and the north half of block three would be phase two. Chair Buchert asked if before they do the final plat for phase two then they would do the Grandview connection. Mr. Gose said that he suspects that it will be done sooner.

Chair Buchert asks if Mr. Gose would like to say anything else to the commission.

Mr. Gose said that he thinks the rest of the items that came up during the public hearing they have addressed previously. As far as staging for the schools the neighborhood will provide an additional parking lot for the schools during pickup so hopefully that will alleviate some of the concerns. A Jardot would provide another pass through to the Jr High which could create some safety issues within the neighborhood. Level C service is not the worst service, level F is in traffic studies and they can bring Ester back up if there are more questions on the traffic study. The density came up again, there are 6 acres in roads and two acres in ponds, those acreages were considered in the gross density. Total area, total number of lots.

Chair Buckert asks if there are any questions; seeing none Chair Buchert asks Staff to come up and give their findings and alternatives.

Mr. Harkins said that based on everything said staff has the following findings. That the preliminary plat as proposed currently meets all the zoning and subdivision requirements for the zoning district. That meets the RSS zoning requirements as far as density, layout, ect. It meets the subdivision requirements for building, two access points because it's over 30 lots. The comprehensive plan recommends low density residential. There is residential and AG in this area right now as far as existing land use. The proposed density is in line with the RSS zoning district in spite of the issues brought to the table. Staff feels it is in conformance with the comprehensive plan with regards to the future land use element because low density residential covers up to 20 units per acre.

Mr. Harkins said for alternatives, you can accept the findings as presented and recommend approval or approved as presented. You can find the request is not appropriate and recommend denial. You can provide conditions and give conditional approval with the stipulations noted on the record knowing that that conditional approval means it will come back to you for review again. If you feel additional items are needed for discussion or information you can table the item to a certain date later.

Mr. Harkins asks if there are any questions Staff can answer. Chair Buchert asked if Sunrise is a collector street. Mr. Harkins said that yes it is classified as a collector in the transportation plan

and the comprehensive plan. Chair Buchert asks what the section for public streets. Mr. Harkins said that it is wider than 20 ft 1in. Chair Buchert said somewhere in the neighborhood of 36 ft. Mr. Harkins said as far as street width yes.

Commissioner Shanahan asked if Mr. Harkins just stated that sunrise is a collector. Chair Buchert said that Sunrise in the future should be a collector street. It's only 20 ft wide and in the future should be widened to 36ft wide. Mr. Harkins said that when it was rebuilt it was rebuilt to the 20ft 1in for many reasons at the time but as the community grows that should change to that 36ft in order to accommodate additional traffic. Chair Buchert said that hopefully Jardot will be enlarged to a four or five lane some day in the future.

Chair Buchert asks if there are any more questions of staff or legal. Chair Buchert asks if there is any commission discussion.

Vice-Chair Rickelamn said that he has two things he wanted to bring up. Certainly we all know that the City of Stillwater has areas where the roads are not adequate. Two the sewer and water pressure issues are things that have come to them over time that they know need to be fixed. But none of those things are going to happen if they don't have people in Stillwater, they won't be able to fix any of those problems. There was a comment that said that infill development must be compatible with the existing area and he thinks that just in the last few months they have made decisions where infill doesn't necessarily fit with the existing area for many reasons. While they want to be aware of the existing area they have to make their decision the best that they can for the city and the citizens there of. So in that regard yes in the local area they're in is affected so they have to make a decision of what's best for the city and the growth of the city. While he understands their concerns development in this part of Stillwater is important and has been an import part of the growth of Stillwater. He can't fix all the problems that have gone on there but if they get people building in there they might do something about it.

Commissioner Shanahan said that he has an issue with the traffic study and thinks that it is fundamentally flawed. Still don't understand why the counting's weren't done on the interior streets which is where the true impact is going to be felt. He can understand the argument that they do need development, Stillwater needs housing but he still has a lot of difficulty saying that development or growth should take total precedence over an established neighborhood. There should be balance there, he would like to see a development where it is do no harm. He is concerned in this instance that there will be. There is still concern about emergency vehicle access into this area with the school and adding 132 lots without an egress out to Jardot and thinks that's a major safety issue. The discussion related to the school district will need to figure out how to accommodate the additional traffic is another thing he has an issue with. There was a comment made that while yes the body has approved infill development that was not compatible with the existing building environment he disagrees with that. The traffic issue and the street infrastructure issue is a major issue and he can't support the development unless there is a more reasonable resolution to the traffic and street issue. He would like to see the developer, the neighborhood, and city come up with a reasonable compromise to address this. He doesn't feel the neighborhood should have to bear the brunt or negative impact of this development.

Chair Buchert said that he'll make a few statements. Statement one is that this development is in accordance with the codes and regulations. Even though some of the surrounding area has less of a density, he believes in a city that this is an appropriate development in this particular area and has no problem with the density. He would love to have a connection with Jardot and talked to Monty Karns about this but he has concerns that this will be a cut through area for the school situation and a future safety concern on Jardot 10-15 years from now for future development. What he is hearing from legal and staff is because they have two or three other connections and he would like to eliminate the connection one and make it pedestrian only and make it two connections that they are not in good legal standing to have them make a connection to Jardot. With the connection on Grandview he believes that this development is acceptable and would vote for the development as long as that connection to Grandview is made before phase two is built.

Chair Bucher asks if anyone else would like to say anything; none. Chair Buchert asked if there was a motion.

Vice-Chair Rickelman said that Chair Buchert had brought up the fact that he was wanting A. with the closing of Moore and B. that Grandview is completed before the start of phase two.

Vice-Chair Rickelman said that he would make the motion to accept the findings and approve the preliminary plat as presented with those two conditions thereof, Chair Buchert Seconded.

Mrs. Payne if a conditional plat is motioned and seconded and passed reasons must be provided for the conditions and the reasons must refer specifically to the comp plan or to city regulations as to why the plat doesn't conform.

Chair Bucher said that he moves that eliminate Moore Avenue because it leaves two connections and he believes that it is in the middle of a highly congested area of the school district and the developer agrees to that reduction and connection and make it residential only. And do they need any more reasons than that.

Chair Buchert asks if there is anybody who is going to second that. Not hearing a second Chair Buchert asks if he can now second the motion.

Mrs. Payne said she believes so.

Roll call:	Buchert	Rickelman	Shanahan	Jerome	Allred
	Yes	Yes	No	Absent	No

Time: 1 hour 40 minutes

Chair Buchert said that the motion did not pass, is there any more discussion or does someone want to make a motion.

Chair Buchert asks from the two commissioners that voted no, would they vote for a motion that requires a connection to Jardot and then legal can work through that issue. Commissioner

Shanahan said that he would be totally supportive of that. Commissioner Allred said that he would be supportive of that.

Chair Buchert said that if someone would like to make a motion to that effect he would still like to include eliminating the Moore connection and making it pedestrian only and having Grandview completed before phase two starts.

Commissioner Shanahan said that he would like to make a motion but wants to make sure it is worded properly. Chair Buchert said take as much time as he desires or if he wants he can talk to legal. Commissioner Shanahan asks how such a motion could be structured.

Mrs. Payne said that he can approve the plat conditionally upon an access on Jardot, make Moore a pedestrian access, and also for Grandview to be completed prior to phase two starting and reasons will need to be provided for all those conditions that relate to the comp plan or city regulations. Chair Buchert said that he has already provided reasons for Moore and Grandview connection so the question is what is the rational to require the developer to connect to Jardot that is in accordance with the comp plan. Commissioner Shanahan said that there was phrasing in part of the discussion earlier regarding the integrity of the neighborhood and he feels that would be adequate justification governed by the comp plan.

Mrs. Payne said thank you.

Chair Buchert said that Mrs. Payne is ruling that they have justification, whether it is legally justified or not she is now ruling to that effect, so it will be entered into the minutes and that will be their justification.

Commissioner Shanahan moved to accept the findings and approve the preliminary plat as presented with the conditions that 1. Moore Avenue is made pedestrian only, 2. That Grandview must be completed before the start of phase 2, and 3. There is a connection to Jardot, Commissioner Allred seconded.

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

Time: 5 minutes

3. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION:

- a. Regular Meeting Summary of February 4, 2020

Commissioner Allred made a motion to approve the 02.04.2020 meeting summary as presented, Vice Chair Rickelman seconded.

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

Time:2 minutes

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

- a. Next Planning Commission meeting March 3, 2020.

5. ADJOURN.

This regular meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Allred, seconded by Commissioner Shanahan at approximately 7:40 p.m. on February 18, 2020 with all members present in agreement, the next regularly scheduled meeting will be held March 3, 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 - [Apvd by Planning Commission on 06.16.2020 at virtual meeting.](#)
Stillwater Planning Commission