

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

MEMBERS PRESENT

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

STAFF PRESENT

Dennis McGrath, Assistant City Attorney  
Rian Harkins, Senior Planner  
Cindy Gibson, Manager Administrative Services  
Chelsey Jones, Administrative Assistant

MEMBERS ABSENT

Mike Buchert, Chair

1. CALL MEETING TO ORDER.

2. PUBLIC HEARINGS:

- a. **SHORT TERM RENTAL (STR-0037)**, review of application from Matthew Jones for a short term rental property at 620 W Ranch Ave in the Residential Small Lot Single Family (RSS) zoning district.

Mr. Harkins presents the STR-0037 and asks if there are any questions of staff; none responded

Vice-Chair Rickelman opens the public hearing and asks that the applicant speak.

Mathew Jones 3202 W 29<sup>th</sup> Ct., spoke on the following

- The short term rental has a lot of benefits over long term rentals
- They are more involved in the day to day upkeep of the house
- Wasn't aware that there were any problems at the time but will now keep up with the easement behind the house and any yard issues that have been brought up.
- Not the only Air BNB in the neighborhood, beneficial to the neighborhood
- Wants to be a good addition to the neighborhood

Vice-Chair Rickelman asked if there were any questions of the applicant.

Commissioner Allred asked if they have received any letters of complaint from code enforcement, the city, any neighbors, or anyone else other than the letter that was presented to them tonight.

Mr. Jones said that he received the letter about the meeting tonight and other than that maybe a year ago him and several other neighbors received notification that their yards needed to be mowed because of the rainy season. That notice he did receive both by mail and posting on the door. Mr. Jones said that he was originally intimidated about this process but feels better knowing what the exact complaint is so that they can address it.

Vice-Chair Rickelman asked if there were any other questions; none responded. Vice-Chair Rickelman asked if there was anyone else who would like to speak in favor of the applicant.

Mrs. Sybid Jones 3202 W 29<sup>th</sup> Ct., said that this is very important to them. They want to improve the community and go once or twice a week to take care of the house and thinks their short term rental should be approved.

Vice-Chair Rickelman asked if there was anyone there to speak in favor; none responded. Vice-Chair Rickelman asked if there was anyone there to speak in opposition; none responded. Vice-Chair Rickelman asked that staff present alternatives.

Mr. Harkins said that when there is an appeal it comes to the Planning Commission similar to the SUP process and they make a recommendation to approve or deny and if someone objects after that, it goes to City Council but if there are no objections to the decision tonight then the applicant can move forward.

Vice-Chair Rickelman asked if there were any questions of the staff, discussion between the commissioners, or motions.

**Commissioner Allred motioned to approve STR-0037, Commissioner Shanahan seconded.**

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

*Time: 17 minutes*

- b. SHORT TERM RENTAL (STR-0038)**, review of application from Asya & Skye Cooley for a short term rental property at 1022 S Fairfield Dr. in the Residential Single Family Small Lot with Plan Development Overlay (RSS-PUD) zoning district.

Mr. Harkins presents STR-0038 and asks if there are any questions.

Vice-Chair Rickelman said there didn't seem to be any questions of staff and asked that the applicant speak; none responded. Vice-Chair Rickelman asked if there was anyone there to speak in favor of the application; none responded. Vice-Chair Rickelman asked if there was anyone there to speak against the application; none responded. Vice-Chair Rickelman closed the public hearing and asked for staff recommendations.

Mr. Harkins said that the process moving forward is that the Planning Commission would determine whether or not it is appropriate and either approve or deny, if it is appealed it would go to City Council.

Vice-Chair Rickelman asked if there were any questions for staff; none responded. Vice-Chair Rickelman asked if there was any discussion of the Planning Commission. Vice-Chair Rickelman said that in the letter that was received in the packet they did make reference to HOA and that the Planning Commission doesn't make any determination or enforce that either way as this has come up in the past and is not something that they make a determination about.

Commissioner Allred asked what has the Planning Commission has done in the past with applications that have come across with HOA. Vice-Chair Rickelman said that he can remember a specific time that one came across and in that regard they did approve it but commented that they didn't determine that based on the HOA and that the decision was independent of that particular point.

Commissioner Allred said that he has some questions for the applicant that don't seem to be here, do they have the option to table the application or can they only approve or deny. Mr. Harkins responded that they can approve, deny, or table to a specific date basically they can table until the next Planning Commission or for 30 days but it doesn't have to be to a date certain.

Vice-Chair Rickelman said that yes those are the three options, that it can be tabled to a specific date, approved, or denied.

Mr. Harkins said yes that is correct, those are the three alternatives.

Vice-Chair Rickelman said that if it was denied it still goes to the City Council. Mr. Harkins said for a point of information that it doesn't automatically go to the City Council, that if they vote to deny anyone involved in the matter can appeal the decision and then it will go to City Council.

Commissioner Allred said that if he didn't hear any other discussion he would like to table the application until they can hear from the applicant.

**Commissioner Allred motioned to table STR-0038 until August 4<sup>th</sup> Planning Commission, Commissioner Jermone seconded.**

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

**Time: 10 minutes**

- c. **SHORT TERM RENTAL (STR-0041)**, review of application from Bruce Wilkinson for a short term rental property at 1215 S Chester St in the Residential Single Family Small Lot (RSS) zoning district.

Mr. Harkins presented STR-0041 and asked if there were any questions of staff; none respond.

Vice-Chair Rickelman opens the public hearing and for the applicant to speak.

Mark Weiser 223 N Old HWY 51 representative for 1215 S Chester St, spoke on the following;

- Three other short term rentals within three blocks of this property one of which the Wilkinson's own.
- Some of the nicest properties in the area
- Meets everything on the checklist for the short term rental

Vice-Chair Rickelman asked if there was anyone else who would like to speak in favor; none responded. Vice-Chair Rickelman asked if there was anyone who would like to speak in opposition; none responded. Vice-Chair Rickelman closed the public hearing and asked for staff to present recommendations.

Mr. Harkins said that they can approve, deny, or table to a date certain. The objections raised were deterioration of property values as well as overall impact on the neighborhood citing the fact that Stillwater is a college community.

Vice-Chair Rickelman asked if there were any questions of staff, comments, or discussion between the Planning Commission.

Commissioner Shanahan said that in the third paragraph there is reference to Air BnB's becoming party houses and is there factual evidence or data submitted that shows that Air BnB's become party houses. Vice-Chair Rickelman said that there was nothing in the letter itself. Commissioner Shanahan said that answers his question.

**Commissioner Jermone motioned to approve STR-0041, Commissioner Shanahan seconded.**

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

**Time: 8 minutes**

- d. ANNEXATION (ANX20-01)**, establish recommendation of appropriate zoning classification for property subject to proposed annexation of Stillwater Springs subdivision at northeast corner of 19th Avenue and Jardot Road.

Mr. Harkins said that staff received a request for annexation from property owner Lance Windel as they do single family homes, this is just outside the city limits and what the applicant is looking at doing is requesting annexation into the city. For the Planning Commission the role is to review and recommend what the appropriate zoning classification is to City Council. City Council will make a recommendation on annexation based on state statute, Planning Commission's role will be to make a recommendation on what the zoning will be. The staff report recommends RSS zoning. There are three areas included under discussion, staff is recommending RSS for tract 3.

Vice-Chair Rickelman asked if there were any questions for staff. Vice-Chair Rickelman asked if they are platted on RSS lots, it is clear that they are building in there. Mr. Harkins said that that is outside the realm of the discussion for the zoning. They are looking at 120 residential homes and 12 outlots and it is a development they are working on to be a typical RSS development.

Commissioner Shanahan said that in the Comp Plan it was envisioned that this land would be industrial even though this land was outside of city limits. Mr. Harkins said that is correct. Commissioner Shanahan asked if there has been any interest of using it for industrial use. Mr. Harkins said that since he's been here the only talked about uses have been for residential development. Commissioner Shanahan said so taking this area off the table for possible industrial is not going to have any type of economic downfall; Mr. Harkins responds none that they can anticipate, there are still many other areas on the map that are industrial that we can utilize.

Commissioner Jerome asked if all three tracts are owned by the same owner; Mr. Harkins responds that the tracts along Jardot are owned by different property owners. Rian continues stating that there are three tracts and three property owners; the owner of tract three is the one that has started the process

of the annexation; the other owners have talked to the city off and on but it's been in small pieces; this is the full scale development that is going on at that intersection hence the need for annexation; and they have been working with staff for just over a year and with regards with zoning that was a request once the actual item of annexation came in.

Commissioner Jerome asked if she correct that for annexation it has to be adjoining property that's city limits so for annexation purposes tract one and two have to be part of it before tract three can be. Mr. Harkins responds that technically and legally yes, but whether a tract is eligible like tract three versus one and two is not part of the discussion that the Planning Commission can have, you are truly just saying that you are recommending these zoning classifications.

Vice-Chair Rickelman said that if there are no more questions for staff then they will open the public hearing.

Roger Gose 113 E 8<sup>th</sup> Gose and Associates, said the Preliminary Plat was approved through the Planning Commission on 11/05/2019; for sewer and water if you are outside of the city limits you are required to submit a request for annexation; and that was turned in around May 10<sup>th</sup> for the Stillwater Springs Development.

Stephen Gose 113 E 8<sup>th</sup> Gose and Associates, said there are three tracts, the two running along Jardot are 6.1 and 6 acres and Stillwater Springs is tract three and it is 39.6 acres; the preliminary plat generally conforms to the RSS zoning district; from a zoning stand point, they don't conform to the C3 plan but with all that's going on in the area RSS is the logical choice.

Vice-Chair Rickelman said that since it didn't sound like there were any questions for Mr. Roger Gose or Mr. Stephen Gose if Mr. Lance Windel would like to say something he is more than welcome.

Lance Windel developer and owner, said they are building 120 Single Family Homes and started talking to the city about it about 2 ½ years ago and are moving forward. They definitely want to be involved with the City of Stillwater and use their facilities.

Vice-Chair Rickelman asked if there were any questions; none. Vice-Chair Rickelman asked if there was anyone who would like to speak in favor of the annexation requesting.

Lee Terrance, owner of tract one sold Lance Wendel the land that he is developing; he doesn't feel that his land is appropriate to zone RSS because they don't plan on developing it or putting additional buildings on it; an Agricultural zoning would be more appropriate; and he thinks annexing the whole thing, tracts one, two, and three would be a good thing.

Vice-Chair Rickelman asked if there were any questions or anyone else who would like to speak; none responded. Vice-Chair Rickelman closed the public hearing and asked for staff to present recommendations.

Mr. Harkins said that staff's only recommendations are accept findings; recommend approval as presented; find the request is not appropriate and recommend denial or table to a certain date. Rian comments that it is simply about the recommended zoning when and if it is annexed.

Vice-Chair Rickelman said since there are no questions for staff he will open it up for discussion amongst the Planning Commission; none. Vice-Chair Rickelman asked if there was a motion.

**Commissioner Allred motioned to approve RSS for tract three and Agricultural for tract one and two, Commissioner Jerome seconded.**

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

*Time: 30 minutes*

- e. **SPECIFIC USE PERMIT (SUP20-01)**, requesting review and approval for a specific use permit to establish a medical marijuana dispensary at property addressed as 116 N Main Street in the Commercial General (CG) district.

Mr. Harkins presents staff's report and asked if there were any questions of staff; none responded

Vice-Chair Rickelman opened the public hearing and asked for the applicant to speak.

Jim McCollum 116 N Main St., said that he was there to answer any questions anyone may have.

Vice Chair Rickelman asks if there are any questions; none respond. Vice-Chair Rickelman asks if there is anyone else who would like to speak on behalf of the application; none respond. Vice-Chair Rickelman asked if there was anyone there who would like to speak in opposition to the application; none respond. Vice-Chair Rickelman closed the public hearing and asked for staff recommendations.

Mr. Harkins presented the staff findings and alternatives and asked if there were any questions.

Vice-Chair Rickelman asked if there were any questions of staff and or any discussion among the commissioners; none respond. Vice-Chair Rickelman asked if there was a motion.

**Commissioner Jerome motioned to approve SUP20-01 as presented, Commissioner Shanahan seconded.**

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

*Time: 5 minutes*

- 3. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION:
  - a. Regular Meeting Summary of June 16, 2020

Commission Allred said that he would like to change the meeting summary to reflect that he did join the meeting but was not able to participate via ZOOM due to technical difficulties.

Vice-Chair Rickelman said that yes that can be added in to reflect that.

**Commissioner Jerome motioned to accept the meeting summary with the addition that Commissioner Allred was in attendance, Commissioner Allred seconded.**

<b>Roll call:</b>	<b>Buchert</b>	<b>Rickelman</b>	<b>Shanahan</b>	<b>Jerome</b>	<b>Allred</b>
	<b>Absent</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>

***Time: 3 minutes***

4. MISCELLANEOUS ITEMS FROM STAFF, PLANNING COMMISSIONERS, OR CITY ATTORNEY:
  - a. Next Planning Commission meeting July 21, 2020.
5. ADJOURN.

This special meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Allred, seconded by Commissioner Shanahan at approximately 6:42 p.m. on July 7, 2020 with all members present in agreement, the next scheduled meeting will be held July 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 - [Approved by the Planning Commission on the 08/04/2020 Virtual Meeting](#)  
Stillwater Planning Commission