

**STILLWATER PLANNING COMMISSION SUMMARY
SPECIAL MEETING OF July 21, 2020
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING
LAW, THE AGENDA WAS POSTED July 15, 2020 IN THE
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

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

STAFF PRESENT

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

MEMBERS ABSENT

1. CALL MEETING TO ORDER.

Chair Buchert announces the beginning of the meeting, Ms. Jones took a verbal role call.

2. PUBLIC HEARINGS:

- a. Donald Scott & Gerri C Petty, **MAP AMENDMENT (MA20-03)**, requesting review and approval of a map amendment to rezone property addressed as 503 S. Pine Street from Residential Two & Multi-Family (RTM) to Residential Multi-Family Intermediate (RMI) zoning district. Harkins

Chair Buchert reads MA20-03 and asks staff to present.

Rian Harkins, Senior Planner presents explaining the location and said that the applicant is here tonight to speak on their application. Mr. Harkins said that what they are planning on doing is selling the property to one of the greek houses so that they can build a parking lot. Mr. Harkins said that this is similar to a proposal they reviewed within the last year, further to the West of this area near the Westwood neighborhood. Mr. Harkins said that this is the same greek house and that this property is actually closer to their house. Mr. Harkins said that he would be happy to answer any questions they may have of staff.

Chair Buchert asked if there were any questions of staff; none. Chair Buchert asked if the applicant wanted to say anything.

There were technical difficulties and the applicant Mr. Donald Scott was unable to be heard.

Mr. McGrath recommended to open up the public hearing while they wait for Mr. Scott.

Chair Buchert opened the public hearing and asked if there were any comments from anyone; none responded. Chair Buchert closed the public hearing and asked for the staff to present their review.

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

Chair Buchert asked if there were any questions of the staff; none responded. Chair Buchert asked if there was any discussion of the commissioners or any comments; none responded. Chair Buchert asked if any commissioner wanted to make a motion.

As the voting was taking place Mr. Scott was able to get his Zoom working. Chair Buchert apologized to Mr. Scott for him not getting to speak but said that he hopes he does not object to them approving the application.

Mr. Scott said not at all, thanked the commissioners for their service, and apologized for the technical difficulties. Chair Buchert thanked him for being apart of the meeting. Commissioner Jerome thanked Mr. Scott for attending.

Commissioner Jerome moved to accept the findings and recommend City Council approve the Map Amendment as presented, Vice-Chair Rickelman seconded.

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

Time: 8 minutes

- b. Oklahoma Green Stop, LLC, **SPECIFIC USE PERMIT (SUP20-07)**, requesting review and approval of a specific use permit to establish a medical marijuana dispensary at property addressed as 207 S. Main Street in the Commercial General (CG) district. **Harkins**

Chair Buchert read SUP20-07 and asked staff to make their presentation.

Rian Harkins, Senior Planner presented the application and said that for the record they have not opened up; they have put up some signage but they are not open and operating; and said he would answer any questions of staff.

Chair Buchert asked if there were any questions of staff; none responded. Chair Buchert asked if the applicant wanted to say something hearing and seeing nothing opened the public hearing.

Mr. Dennis Adams, 207 S Main owner of Oklahoma Green Stop said that he is here and is the applicant and would like to say something. Mr. Adams stated that he is a resident of Stillwater; the business is not open yet but they do have up some signage and the permit has been sent in; once they are open they will be employing between 10-15 people and are members of Stillwater Chamber of Commerce; and have registered the alarm system with 14 cameras with the City of Stillwater.

Chair Buchert asked if there were any questions of the applicant; none responded. Chair Buchert comments that the public hearing has been opened and asks if there is anyone else who would like to speak on this particular item. Chair Buchert said hearing nor seeing anyone to speak on this item he would like to close the public hearing. Chair Buchert asked staff to go over the alternatives.

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

Chair Buchert asked if there were any questions of staff. Chair Buchert said hearing no questions of staff does the council have any comments or internal discussion or is there a motion.

Commissioner Jerome moved to accept findings and recommend approval as presented, Commissioner Shanahan seconded the motion.

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

Time: 7 minutes

- c. **SHORT TERM RENTAL (STR-0048)**, review of application from Stilly LLC for a short term rental property at 110 S Lewis in the Residential Small Lot Single Family (RSS) zoning district.

Chair Buchert read STR-0048.

Rian Harkins, Senior Planner presented the application and explained that it has come before them because there has been at least one objection letter received.

Mr. Harkins Zoom stopped working. Chair Buchert made sure he wasn't the only one who lost Mr. Harkins. Commissioner Rickelman said that he thinks it would be ok to hear from the applicant since they know enough about it.

Chair Buchert opened up the public hearing and asked if there was anyone that would like to speak at this time either for or against.

Jenny Smithson, 110 S Lewis St. comes to speak and makes the following comments:

- They just bought this property in March
- Have done a lot of renovations to the property
- Was in pretty bad shape
- When first seeing it it had a beer table and beer cans in the yard and was a little scary
- Structure itself had chipping and peeling paint
- There was a trailer parked there that was left there all the time for a tailgate trailer which is now gone
- Have hired a lawn service company that is mowing the yard and is spraying the weeds for them
- Have cleaned the place up, totally repainted, and replaced rod and siding
- The objection letter stated that it is a party house; emailed over all the rules that are on Air BnB and do not allow partying
- There is a \$3,000 dollar deposit on the property so if it gets torn up they are going to pay \$3,000
- States that they also have 110 S Lewis St A that has a \$1,500 deposit on that one, same rules apply there.
- Actively monitoring who is renting the property via Air BnB and they have to approve them
- Air BnB monitors people and they canceled a reservation that they had because they were deemed unfit to rent the property;
- Assures that the houses will not be party houses

John Smithson, 110 S Lewis St comes to speak on the following:

- Felt the complaint was issued because neighbors thought it was going to be rented to college students
- That is not what the intent was.
- Since having had the property, the last several months renters have all been larger families that are in town for livestock shows and several for weddings that had to get canceled.
- Between family reunions and livestock shows and things like that based on the size of the house that amount of people that it will hold that has generally been their clientele.

Mr. McGrath said that he is going to assume that they have the same address but could he please state his name. Mr. Smithson said John.

Mrs. Smithson said that they are also there most of the time; if there is a guest in one house they are in the other one and the guests know that so they know what it looks like; states that they are there on a weekly basis; states that since the tenants know that they are there, they think that helps them follow the rules; and the backyards join on the two properties so you can see whats going on.

Chair Buchert asked if there was anyone else who would like to say anything at this time since he has already opened up the public hearing. Chair Buchert said he didn't hear anything or see anyone else, closes the public hearing and asked if the staff covers the alternatives.

Mr. Harkins said that the alternatives are very simple, if you vote in favor you are voting in favor of the short term rental or if you vote against it, you are voting to deny the short term rental application. Chair Buchert said so they don't need a motion they just go to the vote.

Mr. Harkins states that a motion to approve or deny is needed, or if you feel there is additional information needed motion to table the item to a date certain..

Chair Buchert asked if the commission had discussion or could they make a motion.

Vice-Chair Rickelman asked if they could make a motion on both STR-0048 and STR-0049 at the same time.

Mr. McGrath said that they have to be separate.

Chair Buchert said that if you are going to make a motion make a motion on the one item STR-0048.

Vice-Chair Rickelman motioned to allow the STR-0048 to proceed, commissioner Shanahan seconded.

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

Time: 8 minutes

- d. **SHORT TERM RENTAL (STR-0049)**, review of application from Stilly LLC for a short term rental property at 110 S Lewis A in the Residential Small Lot Single Family (RSS) zoning district.

Chair Buchert read STR-0049 and said that he doesn't think that we need a staff presentation on this and opens the public hearing.

Chair Buchert asked if since the applicant has pretty much already covered this is there anything else they would like to say. Mr. Smithson said that they should be good.

Chair Buchert asked if there was anyone that would like to speak on this particular item besides the applicant; hearing and seeing none Chair Buchert closed the public hearing. Chair Buchert said that they have the same alternatives that they had on the previous item, does the council have discussion or does he hear a motion.

Vice-Chair Rickelman moved to accept, Commissioner Jerome seconded.

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

Time: 1 minutes

3. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION:

- a. Regular Meeting Summary of July 7, 2020

Chair Buchert asked if he hears a motion or any corrections.

Vice-Chair Rickelman said that on page 5 where it says what comments did Roger make, what comments did Stephen make, since there is just nothing in there we should probably strike that.

Ms. Jones said that we can strike that.

Vice-Chair Rickelman said that he moves to accept with striking said comments, commissioner Jerome seconded.

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

Time: 2 minutes

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

- a. Next Planning Commission meeting August 4, 2020.

5. ADJOURN.

This special meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Allred, seconded by Vice Chair Rickelman at approximately 5:57 p.m. on July 21, 2020 with all members present in agreement, the next regularly scheduled meeting will be held August 4, 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