

**STILLWATER PLANNING COMMISSION SUMMARY  
SPECIAL MEETING OF March 23, 2021  
IN ACCORDANCE WITH THE OKLAHOMA OPEN MEETING  
LAW, THE AGENDA WAS POSTED March 18, 2021 IN THE  
MUNICIPAL BUILDING AT 723 SOUTH LEWIS STREET**

MEMBERS PRESENT

Brad Rickelman, Chair  
Jana Phillips, Vice-Chair  
Mike Shanahan, Member  
Brett Allred, Member  
Preston Bobo, Member

STAFF PRESENT

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

MEMBERS ABSENT

1. CALL MEETING TO ORDER.

Chair Rickelman calls the meeting to order at 5:30 PM. Chair Rickelman explains the procedures and process for the meeting.

2. PUBLIC HEARING:

- a. Cooper Project Advisors c/o Steve Cooper, **FORM BASED CODE – WARRANT (FCB21-01)**, requesting review and approval for a warrant in the Form Based Code area for building setback from primary frontage and location of parking lot adjacent to primary frontage at property addressed as 201 N. Knoblock St in the Transcent 5 (T5) zoning district. Harkins

Rian Harkins, Senior Planner explained FCB21-01, said that the applicant or agent is here to present, and asked if there were any questions for staff.

Chair Rickelman asked if there were any questions for staff.

Commissioner Bobo stated that he couldn't see on the plan but asked if there was still a sidewalk on the east side on the west street. Rian responded that the applicant can explain more, but there is a proposed sidewalk along site property edges as that will be a requirement of the form based code; and the other requirements are still applicable, warrant requests are only for these two situations.

Vice-Chair Phillips asked if the form based code addressed the location of the dumpsters and trash pickup. Rian responds said that he defers to Mr. Gross since he is more familiar with some of the aspects, but overall the code does talk about some of those type of accessory uses or accessory structures within the code and he'll refer to the applicant as well.

Vice-Chair Phillips said that she didn't see it addressed in the warrant and if it was, she missed it. Rian states that the staff report discusses the two requests that are made.

Chair Rickelman asked if there were any other questions for staff; none respond. Chair Rickelman opened the public hearing and asked for anyone speaking in favor to come forward or note themselves as such.

Mr. Stephen Gose, Gose & Associates 113 E 8<sup>th</sup> shares the site plan on the screen and comments on the following:

- Knoblock is on the west, Miller is on the south, and West St. is on the east.
- They have 6ft sidewalks adjacent to the property lines on all three frontages.
- The church sits in the southwest quadrant of the site.
- There is a two story apartment structure that sits where the future drive will go.
- There's gravel parking lots on about three lots in the northwest corner.
- There is an alleyway that was vacated a couple of years ago through City Council and the district court.
- Part of this project that is referenced in the letter is relocating the sanitary sewer to the west of the new building once the current building is demolished.
- There's a storm line that runs across the middle of the site east/west that's getting relocated.
- Based on the utilities that are there and the layout, they decided to put the sewer in the southeast quadrant of the site.
- They pushed the building east as far as they can and south up to the back property line which leaves the west side open to parking and gathering areas for any athletics.
- The dumpsters will have gates on them.
- There's an elevation change between the finished floor and the elevation of West St. so there is a ramp coming down about 6ft.
- The kitchen is in the southeast corner that's why the dumpsters are in that location.
- They are seeking a variance for the setbacks on the west side to allow surface parking with frontage on Knoblock.

Chair Rickelman states that there was a comment that fencing or landscaping could not be done around the parking due to utilities. Mr. Gose responds that they discussed the building orientation because of the utilities but having to have the parking on some frontage because of the utilities.

Chair Rickelman states that he may have misunderstood but thought that part of the variance or the warrant request was that there would not be landscaping and or fencing around the parking side. Mr. Gose responds that there is a low wall being proposed along the Miller and Knoblock front.

Vice-Chair Phillips states that as she read the information, the fact that the building is set back on the east portion of the property owned is due to the existing utilities were restrictive and there was not space to get the entire building on the western portion of the property owned; and since the sewer line is being relocated doesn't follow why they are asking for the building to be moved to the eastern side if the form based code would actually restrict it more towards the west side without warrant. Mr. Gose responds that if they put it on the west side they would have the same problem on the east side - it's not economical to make the building go from property line to property line.

Vice-Chair Phillips states she understands that but if the sewer line is being relocated regardless, it's no longer in the vacated easement; and where it's shown now is located under the existing building, since it has to be relocated anyway is there a reason why it couldn't go the other direction, could it not go to the east. Mr. Gose responds that part of the design and layout of the church is to have it open to the west because that's where most activity is, campus and athletic facilities are there; and having people come from the west into the church for tailgating and weddings, having all that activity on the west side of the building being visible from campus and people coming in from campus as opposed to the other way around; the new church footprint is wider east/west than the half block width no matter if it's on the west side or the east side; technically Knoblock isn't even a public street, it's owned by the university up to the property line; and all of the driveways are off of Miller or West, any of that public access is coming off of those currently dedicated public streets.

Vice-Chair Phillips states that she was not certain that she follows that Knoblock is not a city street. Mr. Gose responds that if you go back on one of Rian's exhibit, all the research into this is that Knoblock from Athletic north is not a City of Stillwater right-of-way; it's been used so there's probably a prescriptive easement in place and maintenance but Knoblock is owned by the university in all the deeds and plats and everything they've done research on.

Chair Rickelman stated that where the stairs are coming down that this is not the main entrance into the facility and that that is the back side of the facility as it opens to the west. Mr. Gose responds that is correct, the primary doors to the building will be in the middle with a tower feature; the church will be in the north quarter of the building and the student center will be in the south; the doors in the back are for a fire exit, they have to have them there; and the majority of the entrance will be through the front on the west side.

Chair Rickelman asked if there were any other questions.

Commissioner Bobo states that an elevation change is mentioned at the back, and asked if there was a dock back there. Mr. Gose responds that there isn't a dock per se, but there is a ramp system going down so a delivery truck would park on West St for the kitchen and roll up into the service doors back there as there is a 4-6ft elevation change because it's all one finished floor across it so there's some fall from the northwest to the southeast in elevation.

Vice-Chair Phillips comments about having a couple other questions about the site plan and asked Mr. Gose to explain what he had mentioned about the visual barrier that would screen the parking. Mr. Gose responds that right now it is envisioned as a low 30in wall, something to screen the headlights and the front foot of the vehicle; the architects and landscape architects are still trying to work it out but one thing they have talked about is a two foot brick column with either wrought iron between it with scrubs or a low brick wall.

Vice-Chair Phillips states that she is going to lean a little bit on staff for form based code but is the goal of the screening to screen headlights or the vehicles themselves and does form based code give guidance on that. Mr. Gose responds that he didn't read into it one way or the other, so staff will have to address what the intent of it is.

Rian states that he believes it's a mix of both, and that when he reads the code and you look at the screening requirements part of it is more of the aesthetic type of visual look as parking lots

should be a little bit more visually appealing as part of an overall larger design concept.

Vice-Chair Phillips comments on her concern with the drive entrance being as close as it is to the corner as well as there are two curb cuts and understands that this is probably for convenience of getting in and out; and asked if there was any concern from the city that there is a curb cut that close to an intersection. Rian responds that none was raised by engineering during the internal review process.

Vice-Chair Phillips asked if the parking count was based on a form based code prescriptive, is that a city ordinance, or is that just driven by the use of the facility. Mr. Gose responds that they worked with staff to develop it based on all the uses in the building for an overall 135 space requirement based on the church and the student center; and they have 60 spots on site and have a letter from OSU parking services allowing after hour and off hour uses of the adjacent lot. Rian states that in the form based code, parking standards are based on what they have elsewhere in the ordinance and then reduces it by 20%.

Vice-Chair Phillips thanked Rian and stated that she appreciated that response and that those were all her questions.

Chair Rickelman comments that they didn't have any architectural renderings or drawings but the form based code broadly has a sort of look and feel and asked if it was going to fit within the form baseness of the space. Mr. Gose responds that the architects seem to believe so, as they have reviewed it and said based on their interpretation of the code and they have had a pre-application meeting with the city.

Chair Rickelman states that that didn't speak anything to the warrants requested but he wants it to fit broadly within the form based code even with the warrant. Rian Comments that when the architect submits their plans, staff will go review the architectural design for compliance with form based code requirements.

Chair Rickelman states that they are not lowering any of those requirements, the Planning Commission is approving warrants to the particular aspects that they want to vary from. Rian responds, that is correct.

Chair Rickelman asked if there were any other questions for the applicant; none respond. Chair Rickelman asked if there was anyone else who wished to speak in favor; none respond. Chair Rickelman asked if there was anyone who wished to speak in opposition to the item; none respond. Chair Rickelman closed the public hearing and asked for staff to present findings and alternatives.

Rian presented the findings and alternatives and asked if there were any questions.

Chair Rickelman said he didn't hear any questions for staff and asked for commissioner discussion.

Vice-Chair Phillips states that in looking at the report, she was expecting to find that there were existing conditions that made it cost prohibitive to follow the form based code and to locate the building on the western portion of the property; they are losing something on the form based

code by losing that edge along Knoblock and that is something that really is in the spirit of the form based code; not finding a compelling reason to support that warrant and to lose that edge of the building on that lot. Vice-Chair Phillips continues stating that she could see where if there was a way that they wanted to try to address the activity with the grassy area and have an L-shaped building or something that would define those edges and leave a little bit of garden space and then have the parking on the eastern side that she could be supportive of it; but having the parking there and the building pushed all the way back doesn't follow along with the form based code spirit.

Commissioner Shanahan comments that he agrees with Vice-Chair Phillips and thought cost constraints were dictating the placement of the structure but found out that is not necessarily the case; hasn't yet heard a compelling reason for deviating from the form based code yet, so is in sympathy with Vice-Chair Phillips perspective.

Chair Rickelman states that while he visualizes that corner, looking west on the parking lot and then to the south, almost all parking lot except for where the building is planned; wasn't expecting as much given that the structure in terms of form based if it were there would be sitting out as a pendulum on the west side; can't speak to what is going to happen south of this area, but thought that by setting it back at least a little bit while keeping architecturally the look, at least it gives some sort of a welcome mat towards the position on the thing given where it's seated right now and with what's around it right now; and a little bit uncertain with regard to at least the positioning of where it would sit given that at least in the near term future or any future given that position right there on the corner of Knoblock and Miller.

Commissioner Bobo asked what the status is of Knoblock north of Athletic.

Mr. Gose asked if that was an applicant question, staff, or legal.

Chair Rickelman and Commissioner Bobo respond that they think it would be staff that would have to answer that as to what the legal status is of that. Mr. Gose responds that if Rian brought up his map that it has some hatches relative to the right-of-way.

Rian shared the zoning map stating that Knoblock essentially stops and that is why Mr. Gose was referring to that part of Knoblock as being part of the university and not a public street even though it functions like that as it comes up towards Mathews.

Mr. Gose states that it dead ends at the northwest corner of their project and you can't go any further north up toward Gallagher.

Vice-Chair Phillips states that it is a one-way.

Mr. Gose states that when they built the student athletic center that Mathews becomes a one-way westbound street just south of the entrance to Gallagher and back to the south; and he can address the concerns about moving off of Knoblock now or if they want to address this right-away question first.

Commissioner Bobo comments that this was his question, is it accurate that the university owns Knoblock. Vice-Chair Phillips comments certainly not in front of the property that they are talking

about she wouldn't think.

Commissioner Bobo states that he thinks that the map shows that they actually do own Knoblock in front of the property. Vice-Chair Phillips asked if they could get confirmation on that. Mr. Gose states that this is a question that has been being asked for 6 years.

Rian comments that the zoning map, which is made from our GIS, indicates that public right-of-way ends south of Miller but that they can certainly do some additional research to clarify that issue for the future if they desire.

Commissioner Bobo responds that he thinks that it would be compelling for where they would want to place their building if they would have access to the road in front of their building or not.

Discussion is held about the location of the building was determined by this knowledge of Knoblock; the drives being on West and Miller and not Knoblock; frontage was too small to place the building frontage there plus working in the sewer line; setback issue would be either direction is the building was placed property line to property line without significant off-site improvements; Presbyterian church on 6<sup>th</sup>'s placement being of similar thought; church will be on north side with connector to tower and south side of 2-story student center with ground floor for larger gatherings, dining area with kitchen and some office spaces as well as classrooms and study area on 2<sup>nd</sup> floor.

Further discussion is held regarding the building placement allowing a specific set of doors for entry to keep people coming and being greeted at the same location; and a type of crowd control and security point.

Vice-Chair Phillips comments that she wasn't here when the form based code was adopted but believes things like the Presbyterian church with the open corner like that are some of the reasons why the form based code was adopted so to that you can have a very pedestrian friendly street edge and a walkable city.

Chair Rickelman asked if there was more commissioner discussion.

Commissioner Bobo states that a big sticking point is who owns Knoblock and is it public, and that this would influence his decision a bit. Chair Rickelman asked if he felt like he would have to have that information before he would be ready to make a decision one way or the other; Commissioner Bobo states that he can make a decision without that information.

Chair Rickelman comments that if the Planning Commission is going forward there will need to be a motion.

Commissioner Bobo states that right now his preferred option would be to table until they can get that information if they think that they could get it quickly and apparently they have been waiting for a long time.

Chair Rickelman responds that it has to be set to a date certain and that it can't set it to six years that it has to be within an immediate period of time if that information is available.

Commissioner Bobo states if they have been waiting 6 years for that information then that is not

good for them.

Mr. Gose states that he requests some direction that if Knoblock is or isn't a public street what does the Planning Commission want to see so that they can work with staff and their client, if it does get tabled, so they can try and work some of it out before a follow up meeting.

Vice-Chair Phillips states the questions she would have is if Knoblock isn't a public street then are they interpreting the form based code correctly or if that is university owned then they are looking at different edges. Mr. Gose responds that this part of the variance would go away and all they would be asking for is to allow the parking to be exposed to Mathew or Miller.

Rian states that next two Planning Commission meetings are April 6<sup>th</sup> or April 20<sup>th</sup> ; staff would recommend tabling to April 20<sup>th</sup> which would give staff time to research the issue more and get with the applicant, their client, their agent/engineer to resolve the issue and come up with the appropriate game plan moving forward.

**Commissioner Bobo motioned to table FCB21-01 to the April 20, 2021 Planning Commission meeting; Vice-Chair Phillips seconded.**

Roll call:	Rickelman	Phillips	Shanahan	Allred	Bobo
	Yes	Yes	Yes	Yes	Yes

**Time: 46 minutes**

3. MEETING SUMMARY FOR REVIEW AND POSSIBLE ACTION:

- a. Special Meeting Summary of March 2, 2021.

Chair Rickelman asked if there was a motion or any changes that people have noted.

**Vice-Chair Phillips moved to accept the minutes as submitted; Commissioner Bobo seconded.**

Roll call:	Rickelman	Phillips	Shanahan	Allred	Bobo
	Yes	Yes	Yes	Yes	Yes

**Time: 2 minutes**

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

Chair Rickelman said that they do have the 6<sup>th</sup> Avenue Corridor reimagining coming up on the 31<sup>st</sup> and they can bring that up for attention to anyone who is listening in. It is March 31<sup>st</sup> from 5:30pm – 7pm at Stillwater Community Center and that it is about our city.

Rian states that Community Development is working with engineering on that corridor study so they're actually working as the project manager; the corridor study is a study area that goes from Perkins to Western and then from 9<sup>th</sup> up to University as part of the project, their consultant team will be doing a quick question and answer session with at the April 6<sup>th</sup> Planning Commission meeting, virtually sharing information and taking input from the Planning Commission. They are free to share that information as far as the public meeting on the 31<sup>st</sup> with anyone that they think

would be interested; there is a Speak-Up Stillwater page about it as well where people can post pictures, ideas, ask questions, as well as a map of the study area that they can drop a pin on and make a suggestion as well.

Chair Rickelman asked if there was a motion to adjourn.

- a. Next Planning Commission meeting March 23, 2021.

5. ADJOURN.

This special meeting of the Stillwater Planning Commission was called for adjournment by Commissioner Allred, seconded by Vice-Chair Phillips at approximately 6:20 p.m. on March 23, 2021 with all members present in agreement, the next regularly scheduled meeting will be held April 6, 2021 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

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