

PLANNING COMMISSION
Regular Meeting Minutes
Monday, May 11, 2020
4:00 p.m.
Case Community Center Gymnasium
1050 W. Wekiwa Rd.

MEMBERS PRESENT: Paul Shindel, Chairman 9-1
Harold Neal, Vice-Chairman 9-1 (Teleconference)
Jason Mikles, Secretary 9-1 (Teleconference)
Patty Dixon 8-2
Tom Askew 9-1 (Teleconference)
Matt Barnett 2-0

MEMBERS ABSENT: Joe Shelton 9-1

STAFF PRESENT: Brad Bates, City Planner/Asst. Director-Community Dev.
Cynthia Webster, Recording Secretary

The Sand Springs Planning Commission met in a regular session on Monday, May 11, 2020 at the Case Community Center Gymnasium, 1050 W. Wekiwa Rd., pursuant to the agenda filed with the City Clerk's office, posted on the display board located at Sand Springs City Hall, 100 E. Broadway, Springs, Oklahoma, and posted on the City of Sand Springs website at www.sandspringsok.org at 2:30 p.m., May 6, 2020, by Cynthia Webster.

1. Call to Order

Chairman Shindel called the meeting to order at the noted time of 4:00 p.m.

2. Roll Call

Chairman Shindel called for an individual roll call with members replying in the following manner: Mr. Barnett, here; Mr. Shindel, here; Ms. Dixon, here; Mr. Shelton, no response; Mr. Mikles, here, via teleconference; Mr. Askew, here, via teleconference; Mr. Neal, here, via teleconference.

Mr. Shelton was noted as absent.

3. Minutes of April 13, 2020

Commissioners considered approval of the minutes from the April 13, 2020 meeting.

Ms. Dixon made a motion that the minutes of April 13, 2020 be approved as presented. Mr. Barnett seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

4. SUP-58

City Planner Bates presented the staff report. The Planning Commission is being asked to conduct a public hearing and complete the Findings of Fact and Conclusions of Law for a Specific

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Use Permit to allow a medical marijuana processing facility at 3417 S. 113th W. Ave., #B2.

Chairman Shindel opened the public hearing at 4:05 p.m.

Applicant Patricia Goins was present. Ms. Goins stated she is proposing to have a commercial kitchen to make edibles, mostly consisting of chocolate. Applicant operates a medical marijuana dispensary in adjacent unit, #A2. Applicant stated that oil for processing will be made off-site so odors should be minimal. Applicant stated she is open to installing any filtration system that the Commission recommends.

There were no audience members to speak for or against the application and the public hearing was closed at 4:08 p.m.

Chairman Shindel stated that the Planning Commission would now complete the Findings of Fact and Conclusions of Law.

Mr. Neal made a motion that the project will have a minimal effect on the adjacent property. Ms. Dixon seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

Mr. Neal made a motion that the community welfare will not be adversely affected by the project. Mr. Askew seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

Mr. Neal made a motion that the project will not have an impact on public facilities. Mr. Askew seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

Chairman Shindel stated that he would add paragraph (d) to item 4 on the Findings of Fact, requiring that carbon filters be added to the exhaust system. Mr. Neal made a motion to approve the safeguards as outlined in the staff report including new paragraph (d). Ms. Dixon seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

Mr. Neal made a motion that all procedural requirements have been met and recommended approval of SUP-58 to City Council. Ms. Dixon seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion

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carried 6-0-0.

5. SUP-59

City Planner Bates presented the staff report. The Planning Commission is being asked to complete the Findings of Fact and Conclusions of Law for SUP-59, a Specific Use Permit to allow a medical marijuana growing and medical marijuana processing facility at 801 Long Street.

Chairman Shindel opened the public hearing at 4:16 p.m.

Attorneys Jonathan Nation and Stephanie Sinclair were present for applicant. Ms. Sinclair stated the applicant will utilize four oversight committees to review items such as water usage and odor. The facility will use carbon scrubbers much like what hospitals use. The facility has a commercial kitchen and there will be no solvent or oil processing. There will be no signage on the building.

The following citizens spoke in opposition to the application:

Barbara Shockley, 202 Broad St.
Beth Schaefer, 4006 S. Maple Ave.
Kelly Shockley, 9441 W. Country Rd.
Sonny Moody, 314 Broad St.
Tom Toliver, 803 Katy St.
Cliff Hewitt, 803 Katy St.
Kathryn Spencer, 819 Long St.
Karen Grigsby, 851 Long St.

The following citizen spoke in favor of the application:

Patricia Goins, 16610 Buford Ave., Sapulpa.

Chairman Shindel closed the public hearing at 4:53 p.m. and stated the Commission would now complete the Findings of Fact and Conclusions of Law.

Ms. Dixon made a motion that the facility would have a substantial effect on the adjacent property. There was no second to the motion.

Mr. Neal made a motion that the facility would have a minimal effect on the adjacent property. Mr. Askew seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, nay; Mr. Shindel, aye; Ms. Dixon, nay; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 4-2-0.

Ms. Dixon made a motion that the facility will adversely affect the community welfare. Mr. Barnett seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, nay; Ms. Dixon, aye; Mr. Mikles, aye, Mr. Neal, nay; Mr. Askew, nay. The motion resulted in a tie vote of 3-3-0.

Mr. Neal made a motion that the facility will not have an impact on public facilities. Mr. Askew

seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

Chairman Shindel stated that he would add paragraph (d) to item 4 on the Findings of Fact, requiring that carbon filters be added to the exhaust system. Mr. Neal made a motion to approve the safeguards as outlined in the staff report including new paragraph (d). Mr. Askew seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

Chairman Shindel stated that before proceeding to item 5 on the Findings regarding the recommendation to City Council, he would like to clarify the vote on item 2.

Ms. Dixon made a motion that the facility will adversely affect the community welfare. Mr. Barnett seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, nay; Ms. Dixon, aye; Mr. Mikles, no response, Mr. Askew, nay; Mr. Neal, nay. The motion did not carry at 2-3-0.

A second request was made of Mr. Mikles. There being no response, it was noted that Mr. Mikles had left the meeting at 5:15 p.m.

Ms. Dixon made a motion to recommend denial of SUP-59 to City Council. Mr. Barnett seconded the motion.

Before the vote was taken, Mr. Mikles announced that he had returned to the meeting at 5:16 p.m.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, nay; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, nay; Mr. Neal, nay. The motion resulted in a 3-3 vote and Chairman Shindel stated that this application will be sent to City Council with no recommendation.

6. SUP-60

City Planner Bates presented the staff report. The Planning Commission is being asked to complete the Findings of Fact and Conclusions of Law for a Specific Use Permit to allow a medical marijuana dispensary at 3 E. 41st St.

Chairman Shindel opened the public hearing at 5:22 p.m.

Applicant Ryan Reese was present for questions and provided background information on his businesses.

There were no audience members to speak for or against the application.

Chairman Shindel closed the public hearing at 5:24 p.m.

Chairman Shindel stated that the Planning Commission would now complete the Findings of Fact and Conclusions of Law.

Mr. Neal made a motion that the project will have a minimal effect on the adjacent property. Ms. Dixon seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

Mr. Neal made a motion that the community welfare will not be adversely affected by the project. Ms. Dixon seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

Mr. Neal made a motion that the project will not have an impact on public facilities. Ms. Dixon seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

Ms. Dixon made a motion to approve the safeguards as outlined in the staff report. Mr. Neal seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

Mr. Neal made a motion that all procedural requirements have been met and recommended approval of SUP-60 to City Council. Ms. Dixon seconded the motion.

With no further discussion, Chairman Shindel called for the vote recorded as follows: Mr. Barnett, aye; Mr. Shindel, aye; Ms. Dixon, aye; Mr. Mikles, aye; Mr. Askew, aye; Mr. Neal, aye. The motion carried 6-0-0.

7. Director's Report

City Planner Bates stated that management is continuing to monitor State and CDC guidelines regarding social distancing to determine when meetings can return to City Hall.

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8. Adjournment

There being no other items, the meeting was adjourned at the noted time of 5:34 p.m.



Date of Approval



Jason Mikles, Secretary