

December 2, 2008

EDMOND PLANNING COMMISSION MEETING

Tuesday, December 2, 2008

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson Suzy Thrash at 5:30 p.m., Tuesday, December 2, 2008, in the City Council Chambers at 20 South Littler. Other members present were Bill Moyer, Leroy Cartwright, Barry K. Moore and Ingrid Young. Present for the City were Robert L. Schiermeyer, City Planner; Jan Ramseyer-Fees, City Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney. The first item on the agenda was the approval of the November 18, 2008, Planning Commission minutes.

Motion by Young, seconded by Moore, to approve the minutes as written. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Young, Moore, Moyer, Cartwright and Chairperson Thrash
NAYS: None

The next item on the agenda was **Case #ES080004 Public Hearing and Consideration of request to close approximately 591 feet of the east side of Kickingbird Road, extending east from Bryant, west of the Huntwick II Addition. (BVP Arbor Place, L.L.C.)**

Motion by Cartwright, seconded by Moyer, to continue this request until January 6, 2009. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Cartwright, Moyer, Young Moore and Chairperson Thrash
NAYS: None

The next item on the agenda was **Case #PR080033 Public Hearing and Consideration of Preliminary Plat of the Arbor Place Addition, located on the south side of Kickingbird Road, approximately one half mile east of Bryant Avenue. (BVP Arbor Place, L.L.C)**

Motion by Moyer, seconded by Cartwright, to continue this request until January 6, 2009. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Moyer, Cartwright, Young, Moore and Chairperson Thrash
NAYS: None

The next item on the agenda was **Case #Z080016 Public Hearing and Consideration of Edmond Plan Amendment from Single Family PUD to Planned Unit Development on an 8.8 acre tract west of Kelly, north of Coffee Creek Road. (Oak Tree Park Development, LLC)**

December 2, 2008

This application requests amendment of the remaining portion (8.8 acres) of a residential PUD, situated between retail ("D-1" Restricted Commercial) on the immediate northwest corner of Kelly and Coffee Creek Road and the existing Oak Tree Park Addition. This land was zoned 24 years ago. Some of the PUD has developed as a part of the standard Oak Tree Park Addition, with no particular PUD design benefit attached to the development. The 8.8 acre tract has remained undeveloped, as well as the 6 + acre "D-1" Restricted Commercial tract on the immediate corn. The PUD for the residential property has expired.

The following general planning considerations represent some of the factors evaluated in reviewing justifications for Plan Map Amendments.

1. Infrastructure: City of Edmond water and sewer lines are adjacent to this parcel and could be extended for service. There are larger water mains along Kelly and Coffee Creek.
2. Traffic: The north/south traffic on Kelly is approximately 12,000 vehicles per day.
3. Existing zoning pattern:
North – "A" Single Family PUD
South – "A" Single Family PUD
East – "D-1" Restricted Commercial District
West – "A" Single Family PUD
4. Land Use:
North – Single Family homes
South – Single Family detached patio homes
East – Undeveloped 6+ acre tract
West – Single Family homes
5. Density: N/A as proposed by this request.
6. Land ownership pattern:
North – Single Family ownership
South – Single Family ownership
East – Undeveloped, owned by Coffee Creek Village, LLC
West – Single Family ownership
7. Physical features: The property slopes from the north to the south, with a wooded area near the southwest corner of the property.

December 2, 2008

8. Special conditions: There is a stub out street to the north in one of the earlier phases of Oak Tree Park, anticipating interconnection to provide alternate entrances or exits.

9. Location of Schools and School Land: The nearest elementary school is to the north at Cross Timbers, approximately ¾ of a mile.

10. Compatibility to Edmond Plan: Not compatible with the Edmond Plan.

Site Plan Review: Site Plan Review would be required if approved for offices along with preliminary and final platting.

Jan Ramseyer-Fees indicated that the applicant had worked with the residents to amend the PUD Design Statement to create standards that the residents felt compatible with the new office PUD. An 80 foot undisturbed landscape buffer is to be set aside on the west and the north side of the property. A new PUD Design Statement was distributed. Attorney Randel Shadid represented the applicants, he indicated he was aware of Mr. McCarthy's objection but the majority of the residents were in favor with the PUD restrictions. He indicated he worked with Lydia Lee, attorney for the residents. Mrs. Young asked when the project will be completed. Mr. Shadid indicated he hoped five years but could not make that statement as an absolute commitment. Lydia Lee, on behalf of the Oak Tree Park Homeowner's Association, thanked Mr. Bob Sullivan in working with the residents and answering their concerns. She noted that the 80 foot undisturbed buffer was of absolute importance and the size and location of the buildings. Britt Reese, President of the Homeowner's Association felt the project was appropriate for the neighborhood and probably than smaller lots, even with single family homes. Commissioner Barry K. Moore asked if the PUD requirements would stay with the property even if it is sold and Randel Shadid indicated if there were any changes there would have to be a new hearing with notices.

Motion by Moore, seconded by Cartwright, to approve this request. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Moore, Cartwright, Young, Moyer and Chairperson Thrash

NAYS: None

The next item on the agenda was **Case #Z080043 Public Hearing and Consideration of Rezoning from " PUD Single Family Planned Unit Development to PUD Planned Unit Development on an 8.8 acre tract west of Kelly, north of Coffee Creek Road. (Oak Tree Park Development, LLC)**

Attorney Randel Shadid, representing the property owners Oak Tree Park Development LLC, has submitted a new rezoning application from " PUD Single Family Planned Unit Development to " Planned Unit Development for the property north of Coffee Creek

December 2, 2008

Road and west of Kelly. In March, 2008, this property was requested for rezoning to “ O Suburban Office District, which was denied by the Planning Commission April 22, 2008. A Community Connections meeting was held on June 19 with the residents and the developer to discuss the project and the possibility of amending their “ application to a PUD. The minutes of that meeting are attached for your information. The new rezoning application to a PUD amends the previous application, and so what is now being considered is a rezoning request from “ to “ A The developer has been negotiating the details of the PUD Design Statement for several months and appears to have reached an agreement with the surrounding h o association, e which is reflected in the design statement.

U P
o

The Planned Unit Development Design Statement states the 8.8 acre property will be developed as a neighborhood office park with a maximum of 79,000 square feet of office space with 13 buildings as outlined in Exhibit “ The maximum square footage in Buildings 2, 4, 6, 8, 10 and 12 will be 5000 square feet. The maximum square footage in Buildings 1, 3, 5, 7, 9, 11 and 13 will be 7000 square feet. Per Exhibit “ Buildings 2, 4, 6, 8, 10, and 12 shall have no windows facing the residential neighborhood. All structures in the PUD will be similar in architecture and style to Exhibit “ and Exhibit “ and have a minimum of 80% rock or brick and any remaining material will be wood”, EFIS or a similar type material. No metal buildings, including accessory and storage building will be constructed on the property. All light will be directed away from the residential areas with no commercial pole lighting allowed, just residential style street lighting. The lots that back up to the residential area will be limited to wall pack lighting in the rear of their buildings and landscape lighting is permissible.

A

The design statement calls for an 8’ undisturbed buffer on the west and north sides, adjacent to the single family homes in Oak Tree Park, which leaves all existing trees and adding and/or relocating a similar density and types of trees located in the currently dense buffer located behind the homes on Wild Plum Lane of Oak Tree Park 2nd Addition Lots 1-10 or where the treed area ends. Section 13 and 15 of the Design Statement notes additional detailed descriptions of the buffer area. Signage for the development will be a monument sign where permitted and no larger than allowed by the Edmond Municipal Code, and signage on the front of the buildings will be no more than 2 signs per building, with each no larger than 1’ X 3’. Dumpsters or trash containers will be fully enclosed in a material that matches the building and dumpsters cannot be located on any lot adjacent to a residential lot. The roofing material for the offices will be standard and consistent in appearance. No additional outbuildings or structures will be allowed that are not listed in Exhibit “ with the exception of the trash enclosures.

Regular advertised business hours for tenants will not exceed 7 AM to 9 PM. Loading and unloading hours will be limited to the same business hours. No antennas, radio antennas, cell phone towers or towers of any kind will be allowed under this PUD. The

December 2, 2008

developer will comply with platting requirements of the City of Edmond and plats will be consistent with the layout of Exhibit "A". There will be one drive on Coffee Creek will loop thru the development and connect to a drive off Kelly. The developer will connect to all city utilities and drainage will comply with Title 23. The project will be developed in phases and completed with 5 years from the date the construction begins.

Motion by Moore, seconded by Moyer, to approve this request. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Moore, Moyer, Young, Cartwright and Chairperson Thrash

NAYS: None

The next item on the agenda was **Case #Z080061 Public Hearing and Consideration of Edmond Plan Amendment from Office usage to PUD usage for a memory care center located on the west side of Bryant at 2711 South Bryant. (Brosseau Development)**

Motion by Cartwright, seconded by Moyer, to continue this request until January 6, 2009. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Cartwright, Moyer, Moore, Young and Chairperson Thrash

NAYS: None

The next item on the agenda was **Case #Z080054 Public Hearing and Consideration of Rezoning from "D-O" Suburban Office to "PUD" Planned Unit Development for Cypress Springs Alzheimer's and Memory Care Residence on the west side of Bryant at 2711 South Bryant. (Brosseau Development)**

Motion by Moyer, seconded by Cartwright, to continue this request until January 6, 2009. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Moyer, Cartwright, Young, Moore and Chairperson Thrash

NAYS: None

The next item on the agenda was **Case #Z080052 Public Hearing and Consideration of request to amend the Edmond Plan from "E-2" Open Display to "F-2" Heavy Industrial for a wrecker service salvage yard south of Ninth street, west of Broadway on a 12, 508 square foot parcel adjacent to the Burlington Northern and Santa Fe railroad tracks. (Harold Langley)**

Motion by Cartwright, seconded by Moyer, to continue this request indefinitely. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Cartwright, Moyer, Moore, Young and Chairperson Thrash

NAYS: None

December 2, 2008

The next item on the agenda was **Case #Z080053 Public Hearing and Consideration of Rezoning from “E-2” Open Display Commercial to “F-2” Heavy Industrial located south of Ninth Street, west of Broadway on a 12, 508 square foot parcel adjacent to the Burlington Northern and Santa Fe railroad tracks. (Harold Langley)**

Motion by Moyer, seconded by Cartwright, to continue this request indefinitely. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Moyer, Cartwright, Young, Moore and Chairperson Thrash

NAYS: None

The next item on the agenda was **Case #Z080060 Public Hearing and Consideration of Rezoning from “A” Single Family Dwelling to “D-O” Suburban Office District located on the north side of Thirty Third Street at 1253 East Thirty Third Street. (Thirty Third Street Partners, L.L.C.)**

Mr. Ron Harmon, with Thirty Third Street Partners, L.L.C. is requesting that a 5 acre tract approximately one half mile west of Bryant on the north side of Thirty Third Street be rezoned for offices. The current property owner is the Boyce Family Living Trust and there is an existing house on the property. Mr. Harmon is familiar with the area and has constructed the Christman Parke Offices approximately one quarter mile west of Bryant on the North side of Thirty Third Street. The subject site is adjacent to water and sanitary sewer. The development to the west is the Prairie Meadows Addition and the Fisher Hills un-recorded plat is to the north and east. The Whispering Heights and Smiling Hills Additions are to the south on the south side of Thirty Third Street. The Edmond Plan has projected this area for office, limited to the “ Suburban Office. In the past, the Council has denied the rezoning of some of the homes facing Thirty Third Street based on traffic congestion concerns, driveway separation, detention plans and compatibility with the character of building appearance.

Mr. Harmon plans to build an office park similar to Christman Parke with one drive approach into the common drive and parking, a limitation of windows on the second floor and an architectural style that is compatible for the buildings to be constructed. The buildings are anticipated to be brick and stone with pitched roofs and will comply with the square footage limitations in “D-O” Office zoning.

Ron Harmon, requested this rezoning and indicated he previously developed Christman Park. He indicated the design would be the same for this project with one access point, no connection to the surrounding neighborhoods, even with the stub out streets and similar office buildings with brick veneer and pitch roofs. Mr. Henry Mogilka at 3005 Hidden Valley Road indicated he was concerned with drainage to the north toward his property. He commented that the property had a lot of trees presently that would be removed for the construction. He asked about a buffer of fencing between the offices and the residential to the north. Chairperson Suzy Thrash indicated his questions

December 2, 2008

related to Site Plan issues, the land would be limited to office uses of 10,000 or less square foot buildings. She indicated he would receive a notice for additional meetings.

Motion by Cartwright, seconded by Moyer, to approve this request. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Cartwright, Moyer, Moore, Young and Chairperson Thrash

NAYS: None

The next item on the agenda was **Case #Z080059 Public Hearing and Consideration of Rezoning from “D-2” Neighborhood Commercial to “A” Single Family Dwelling District on property located in The Orchards at the Trails Addition, south of Danforth Road and west of Santa Fe. (City of Edmond)**

This addition located west of Santa Fe, south of Danforth, is fully developed. All the single family detached homes are currently zoned “D-2” Neighborhood Commercial. The Trails North Addition is located to the west and south, the Pine Valley Addition is located to the Northwest. The Edmond Plan has projected the property for single family homes as it is actually developed. This request matches the practice of bringing the property into conformance with the Edmond Plan, consistent with the way it is developed.

Mr. Cartwright asked the staff how it started that the City initiated the rezoning. The staff indicated a report had been prepared identifying 26 additions that were developed with homes but zoned differently than single family. Council requested that 5 neighborhoods at a time be considered through the standard application process. The City Attorney notified the Homeowner’s Association prior to the property owner’s notice and that a property owner’s list was developed from the County records and signs posted as well as the newspaper notice, meeting the Standard requirements. Mr. Cartwright indicated he found it interesting that some of the projects were less than three years old and that the City was spending money on these requests rather than involving or requesting the property owners make the applications as is the normal method of rezoning.

Motion by Moore, seconded by Young, to approve this request. **Motion carried** by a vote of 4-1 as follows:

AYES: Members: Moore, Young, Moore and Chairperson Thrash

NAYS: Cartwright

The next item on the agenda was **Case #Z080057 Public Hearing and Consideration of Rezoning from “D-3” Office Commercial and “E-2” Open Display Commercial to “A” Single Family Dwelling District on property located west of Coltrane, one eighth of a mile south of Covell Road. (City of Edmond)**

December 2, 2008

The southwest corner of Covell & Coltrane was rezoned in advance of any development of the Faircloud Hills Addition. The natural gas control station, located on the southwest corner of Covell and Coltrane was one of the considerations of higher intensity zoning. The Single Family residential continued to develop to the south and at one point there was even a cul-de-sac with at least eight additional lots planned north of the subject property. That particular street was vacated and improvements removed. This area is just east of Pawnee Crossing. The nine lots being requested to be changed are all developed with single family homes and projected as such in the Edmond Plan.

Property owner Chris Gilbert, 2516 Mission Road asked how this affected his property and the staff indicated that the Commercial zoning where the homes were built would be changed to Single Family and that is the only change that would take place.

Motion by Moyer, seconded by Young, to approve this request. **Motion carried** by a vote of 4-1 as follows:

AYES: Members: Moyer, Young, Moore and Chairperson Thrash

NAYS: Cartwright

The next item on the agenda was **Case #Z080056 Public Hearing and Consideration of Rezoning from "E-1" General Commercial District to "A" Single Family Dwelling District on property generally located in the Northridge Addition, north of Fifteenth Street, west of Fretz. (City of Edmond)**

The Northridge Addition, located west of Fretz is currently zoned "E-1" General Commercial. The Edmond Plan suggests the property for single family. The land to the north and east is developed as single family and zoned as such. The land to the west is zoned "A" Single Family but developed as a mobile home park with a Special Use Permit. The land to the south is zoned "E-1" General Commercial. The design of the addition would not lend itself to being re-developed as commercial based on the type of street and utility layout. Single family is the best use for this developed parcel. Whitney Oxford asked if this request would affect the mobile home park. Staff indicated there would be no change to the mobile home park. Joyce Hayden asked what the change was about. Staff indicated the zoning was taking place because of the actual construction of homes rather than businesses on the commercially zoned parcels in Northridge.

Motion by Moyer, seconded by Moore, to approve this request. **Motion carried** by a vote of 4-1 as follows:

AYES: Members: Moyer, Moore, Youg and Chairperson Thrash

NAYS: Cartwright

The next item on the agenda was **Case #Z080058 Public Hearing and Consideration of Rezoning from "C-2" Medium Density Multi-Family Residential District and "D-**

December 2, 2008

2” Neighborhood Commercial District to “A Single Family Dwelling District on property generally located in the Clegern Park Addition, south of East Second Street, east of Rankin. (City of Edmond)

The 14 lots in the Clegern Park Addition are zoned multi family and or neighborhood commercial. The detention area has been included in the rezoning since it was a requirement of the subdivision plat. A building permit has recently been submitted on two lots south of the detention area, immediately west of Fink Park. The property should be zoned “A” Single Family as developed. The Edmond Plan reflects the property as single family.

Mr. Boss, 501 Park Place, asked if the land to the north of Clegern Park was included. It was indicated that area was not included where the multi family townhouse project had been previously planned. It was indicated that plan was no longer valid because the approval time had expired.

Mr. Cartwright indicated that two of the lots had not been built on. Mr. Manek advised the Planning Commission that a building permit for one home had been requested on the two lots.

Motion by Moore, seconded by Young, to approve this request. **Motion carried** by a vote of 4-1 as follows:

AYES: Members: Moore, Young, Moyer and Chairperson Thrash

NAYS: Cartwright

The next item on the agenda was Case #Z080055 Public Hearing and Consideration of Rezoning from “D-0” Suburban Office District to “A” Single Family Dwelling District, located east of Santa Fe Avenue, north of Mill Valley Boulevard. (City of Edmond)

The City of Edmond is requesting that the 14 lots in the Mill Creek Addition be rezoned to “A” Single Family, as the property is actually used. The land to the west is zoned “D-0” Office and is undeveloped. The land to the north is zoned “A” Single Family and is developed as the Chisholm Lake Addition. The land to the south, across Mill Valley Road, is zoned “D-3” Office Commercial, but developed with a single family home on a large tract ownership. The land to the east is zoned as a residential Planned Unit Development and developed with Duplex style units. The Edmond Plan suggests this use be Single Family.

Motion by Young, seconded by Moyer, to approve this request. **Motion carried** by a vote of 4-1 as follows:

AYES: Members: Young, Moyer, Moore and Chairperson Thrash

NAYS: Cartwright

December 2, 2008

New Business: Ms. Lydia Lee commented that despite Mr. Cartwright's opinion that she felt this project, initiated by the Mayor and City Council was worthy for the use of the rezoning procedures. The rezoning to the Single Family provided a substantial benefit to the homeowner's with their largest investment in their home and the advantages for the future should additional changes be introduced on the adjoining property. She felt the money for the notices was well spent. Mr. Cartwright responded, indicating he is not in favor of the City initiating the rezoning; he was concerned about the City Council requesting the change in zoning process and that normally the developer of property owner pay for the procedure.

Motion by Moyer, seconded by Moore, to adjourn. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Moyer, Moore, Young, Cartwright and Chairperson Thrash
NAYS: None

Meeting adjourned at 6:15 p.m.

Suzy Thrash, Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission