

EDMOND PLANNING COMMISSION MEETING

Tuesday, September 7, 2010

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Vice Chairperson Barry K. Moore at 5:30 p.m., Tuesday, September 7, 2010, in the City Council Chambers at 20 South Littler. Other members present were Leroy Cartwright, Mark Hoose and Lydia Lee. Chairperson Bill Moyer was absent. Present for the City were Robert L. Schiermeyer, City Planner; Kristi McCone, City Planner and Steve Murdock, City Attorney.

The first item on the agenda was **the approval of the August 17, 2010 Planning Commission minutes.**

Motion by Lee, seconded by Hoose, to approve the minutes as written. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Lee, Hoose, Cartwright and Vice Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #Z100005 Public Hearing and Consideration of Rezoning from "A" Single Family Dwelling District to "D-O" Suburban Office District for the Mercy Medical Pavilion, located 890 feet south of Fifteenth Street, 475 feet west of the West I-35 Frontage Road. (Mercy Health Center)**

Mercy Health Center is requesting that 2.72 acres east of the Arrowhead Valley Addition, south of Fire Station #4 be approved for suburban office. The utilities would be extended from the frontage road to serve this proposed development. The Edmond Plan has projected this area for office use as proposed by this application. The property to the north is owned by the City of Edmond and that tract is zoned "E-2" Open Display. The land to the south is zoned "E-1" General Commercial and "D-1" Restricted Commercial PUD. No plan amendment is required for this application.

David Tew with Mercy Health Network was in attendance representing the application. He indicated Mercy planned this multi-specialty physician office facility that would operate Monday through Friday with some after hours available. In addition to the specialty physicians there will also be primary care physicians and general surgery performed on site. There will also be a wellness center that will have therapy pools and a workout center that will be in conjunction with the physician's practice. He indicated the surrounding residents wanted the car traffic away from the neighborhood as much as possible so the majority of the parking will be closer to the interstate to accommodate the residents. He indicated that Mercy would take care to preserve the area to the west as a buffer and would agree to keep a 100 foot buffer on the west side of the property. Shane Van Oosten of 3816 Chickasha in Arrowhead Valley expressed his thanks to Mercy for meeting with the neighborhood several times and showing the residents the conceptual site plan. He indicated there would be a 150 foot buffer on the original JLB property as well as a 100 foot natural buffer on the current application. He indicated they accept a retaining wall in lieu of a fence and would like to see a site plan to review the site plan to make sure it is acceptable to their neighborhood. Commissioner Lee asked if the

retaining wall would be located at the edge of the property line or the natural buffer. Mr. Tew indicated the retaining wall would be located along the edge of the Mercy parking lot. Commissioner Moore thanked Mr. Tew for his commitment to the neighborhood and the community and agreeing to the buffer on the "D-O" parcel as an extra standard adjacent to the existing lots.

Motion by Cartwright, seconded by Lee, to approve this request. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Cartwright, Lee, Hoose and Vice Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #Z100004 Public Hearing and Consideration of Rezoning from "A" Single Family Dwelling District to "E-1" General Commercial District for the Mercy Medical Pavilion, located 890 feet south of Fifteenth Street on the west side of the West I-35 Frontage Road. (Mercy Health Center)**

Mercy Health Center is requesting that 4.63 acres south of Fire Station #4 south of Fifteenth Street on the west side of I-35 be rezoned to "E-1" General Commercial. This tract is projected for "E-1" General Commercial on the Edmond Plan. City water is available in front of the property along the frontage road. Mercy Health Center is aware of the need to extend off site to the north across Fifteenth Street for a connection to a sanitary sewer line. Mercy Health Center owns the land to the south, zoned "D-1" PUD and "E-1" PUD. Mercy is planning a two to three story medical pavilion allowing medical offices and treatment services.

Motion by Cartwright, seconded by Hoose, to approve this request. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Cartwright, Hoose, Lee and Vice Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #Z100013 Public Hearing and Consideration of Edmond Plan Amendment from Single Family to Planned Unit Development allowing offices and retail on a 20 acre parcel located west of Santa Fe, north of the Homestead Addition and the Santa Fe Presbyterian Church. (Gil Wright Properties, L.L.C.)**

Mr. Gil Wright is planning to purchase 20 acres of land on the west side of Santa Fe. The principal use of the property would be for a number of office buildings, a maximum of 17, and 3 retail uses on the Santa Fe frontage of the property.

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

1. Infrastructure: A 12 inch water main is located along Santa Fe in front of the property and there is also a 12 inch main along the north side of the property which is a unique location that was recently installed to provide interconnection for the water supply system in this area. Because of the 1,320 foot depth of this ownership, at least

an 8 inch and possibly a 10 inch water main will need to be extended through the development and loop or connect on Santa Fe at two locations so there is no dead end water line. Fire hydrants will be required along that water line. The retail uses will need to be fire sprinkled. It may be a benefit to install a fire sprinkler system in the office buildings once the sizes are determined. The PUD Design Statement provides for no windows on the adjoining residential, although they may have a storage area on what could be a second floor. Sanitary sewer is available to the south in the adjacent Homestead Addition.

2. Traffic: No less than 70 feet of right of way will be needed on Santa Fe to meet the Master Transportation Plan requirements. A traffic study, which is better prepared at the time of the site plan when there is more information about the actual uses may require a left turn lane northbound on Santa Fe. A deceleration lane is needed on Santa Fe at the main entry to the project. More right-of-way easement may be needed for these improvements.
3. Existing zoning pattern:
North – “A” Single Family
South – “A” Single Family and Special Use Permit
East – “A” Single Family
West – “A” Single Family
Safi-Arledge Dental Office is located to the north zoned “D-O”
4. Land Use:
North – A house on a large tract (140+/-)
South – Santa Fe Presbyterian Church, single family homes in the Homestead Addition
East – Single Family homes in the Pebble Creek Addition
West – Single Family homes in the Homestead Addition
5. Density: N/A
6. Land ownership pattern:
North – Large parcel (140 acres +/-)
South – City sized lots for homes in Homestead and a 5 acre tract for the church
East – City sized lots for homes
West – City sized lots for homes
7. Physical features: The land contains two legal descriptions, some of which has been mowed for temporary ball fields. The southern part of the property contains the Rogers’ family home. The land is generally flat and will drain to the north.
8. Special conditions: None
9. Location of Schools and School Land: The nearest school is Cheyenne Middle School at Covell and Kelly.

10. Compatibility to Edmond Plan: There has been office approved on the frontage of the Cedar Pointe Addition located to the northeast of the subject property. A Community Connections meeting has been held on this project discussing the uses and details of the project.
11. Site Plan Review: A site plan review will be required for all buildings in this project.

Gil Wright was in attendance representing the application. Mr. Wright indicated he held a Community Connections meeting with the residents. He indicated the offices would be residential in style and there would be an 8 foot privacy fence, possibly made of masonry and other materials. He indicated there would be a 30 foot setback buffer which will have a sprinkler system and trees. He indicated another group wanted deed restrictions but he was hesitant to enact deed restrictions because there might be unforeseen problems that arise. There were a few items that were not acceptable to him he indicated the building height restriction of 35 feet. He indicated the residents wanted the buffer from 30 to 35 and he felt the 30 foot buffer would be substantial enough. He indicated he had provided a list of restricted and allowed business uses and the Homestead residents were fine with the list. He indicated the 80% brick or stone would be acceptable. He indicated he would be willing to make a deed restriction prohibiting multi-family/condo usage of the property. He felt the Community Connections meeting was successful and wanted to know if the deed restrictions needed to be added to the PUD. Commissioner Cartwright asked what deed restrictions he was asked to include. Mr. Wright indicated there was a list provided by another group, not residents who live in the area. Vice Chairperson Moore asked the City Attorney to comment on deed restrictions. The City Attorney indicated that deed restrictions are usually private agreements between the developer or owner and the neighbors.

Perry Whitson of 2501 Tifton Court asked about the agreement to the hours of operation and indicated he was not aware of the list that was submitted indicating the deed restrictions that were requested by another group. Commissioner Cartwright asked if Mr. Whitson had seen the PUD Design Statement. Mr. Whitson indicated it was not available at the Community Connections meeting. Commissioner Lee asked Commissioner Cartwright if there was a mention of the hours of operation in the PUD Design Statement. Commissioner Cartwright indicated the hours of operation were mentioned in the PUD Design Statement. Carlo Pacione of 1900 Lancaster Drive indicated there was some information that had not been given to the residents prior to the Planning Commission meeting and he felt some decisions had been made and information provided to the City that the residents were not aware of. He was concerned he did not have enough information to make a decision about the proposed development. Ed Moore with the Edmond Neighborhood Alliance asked about the 5 year completion timeline and wanted to know what would be done to maintain the land during that time. He asked about the uses allowed and wanted to make sure that the residents were protected. Mark McDaniel of 1904 Lancaster Drive indicated he had not had enough time to review the PUD and he would like to have more time to review the PUD and come to an agreement with the developer about the restrictions before he could fully support this project. Carlo Pacione indicated it was the first time he had heard about a 5 year completion time line, and that the residents had not been made aware of some of the

information regarding this project. Commissioner Moore suggested that Mr. Wright wait for the Planning Commission to hear this item in two weeks to speak with the residents and discuss the questions and concerns presented at the meeting. Commissioner Cartwright asked Mr. Wright to explain to the applicants the development process and timeline. Mr. Wright indicated that infrastructure improvements often take up to a year depending on weather, financing and other factors. He indicated it could take 5 years or less. He indicated they would be sensitive to the neighborhood and not scrape the vegetation from the land until they were ready to proceed with all the utilities. Mr. Wright indicated he had been in communication with the Homestead Homeowner's Association frequently and tried to answer any questions asked. He indicated he had not given copies to the residents but it was filed with the City if they wanted to get copies.

The Homestead Homeowner's Association President, Karin Dallas of 1633 Natches Road spoke indicating she had been in contact with Mr. Wright. She indicated they had also been in contact with the Edmond Neighborhood Alliance and they had provided the document provided with the list of restrictions that was submitted to the Planning Commission. Ms. Dallas asked the Commission if the residents need to obtain the information from the City. Commissioner Moore indicated it was not a poor reflection on her, it was just an unfamiliar process. Commissioner Lee asked if it was the applicant's intention when he returned in two weeks to incorporate and amend the PUD Design Statement to include the excluded and acceptable uses and clarify issues in the Design Statement or would the next meeting be a negotiation. She indicated if the Design Statement was not amended by the next meeting and the resident's concerns were not addressed she would not vote for approval. She indicated she wanted to see a Design Statement that had all of the safeguards for the homeowners contained in the document including the comments about containing the dirt work. She indicated the whole point of the PUD Design Statement is to offer protection to the homeowners regarding the type of development and what they can expect and that is what she would like to see in the design statement. Mr. Wright indicated he would include additional information in the PUD Design Statement. Commissioner Lee indicated Page 25 of the PUD Design Statement indicated a 30 foot undisturbed buffer and she asked if it was Mr. Wright's intention to provide a 30 foot undisturbed buffer surrounding the residential. Mr. Wright indicated it was a landscaped buffer between the offices and the 8 foot privacy fence. Mr. Wright indicated it would be a landscaped buffer that would be sprinkled and maintained by the developer.

Motion by Lee, seconded by Cartwright, to continue this item until the September 21, 2010 Planning Commission meeting. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Lee, Cartwright, Hoose and Vice Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #Z100011 Public Hearing and Consideration of Rezoning from "A" Single Family Dwelling District to Planned Unit Development located west of Santa Fe, north of the Homestead Addition and the Santa Fe Presbyterian Church. (Gil Wright Properties, L.L.C.)**

Mr. Gil Wright is requesting a PUD on a 20 acre tract located north of the Homestead Addition, west of the Pebble Creek Addition and north of the Santa Fe Presbyterian Church. This property fronts along Santa Fe, west of Pebble Creek. The PUD plan provides for 17 office buildings, none exceeding 8,000 square feet. Two story structures would be permitted but adjacent to Homestead, the office buildings will have no windows on the south or west elevations. A 30 foot undisturbed buffer is also planned along the Homestead Addition. The three buildings on the front of the property along Santa Fe would be used for retail. The developer would like to provide for a bank on the southern lot, a sit down restaurant or retail on the middle parcel and a small strip center on the northern building site. A Community Connections meeting was held to discuss the PUD plan. Since this is a PUD, the range of retail needs to be defined. I believe the developer is willing to restrict the usage and would like to discuss that range with the Planning Commission members at the Planning Commission meeting. The developer has also agreed to an 8 foot sight proof fence adjacent to Homestead. Business hours will be from 7:00 a.m. to 9:00 p.m. Lighting will be residential in style and will be determined with the site plan. Wall pack lighting will be used on the buildings adjacent to Homestead. Water lines and sewer lines will need to meet City standards as to size. The plans identify three curb cuts along the 660 foot of frontage on Santa Fe.

Motion by Lee, seconded by Cartwright, to continue this item until the September 21, 2010 Planning Commission meeting. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Lee, Cartwright, Hoose and Vice Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #Z100014 Public Hearing and Consideration of Rezoning from "G-A" General Agricultural to "R-1" Rural Estate at 5200 Indian Hill Road. (John and Mary Sue Draper)**

Mr. & Mrs. Draper own 5 acres of land on the south side of Indian Hill Road, east of Brook Forest in the Kanaly's College Wood Acres Addition located south of Danforth, west of Air Depot. This development is actually unplatted and contains a combination of 5 acre, 2 acre and several 1+ acre building sites. During the last few years, a number of owners have been dividing their property into the "R-1" Rural Estate District, allowing for 2 acre (90,000 square foot) tracts. There is no water and sewer adjacent to this property. The development to the south is known as Mountain View Park. The Arbor Creek at the Summit development is occurring approximately 1/8 mile to the west but there are no street connections to the west. The lot immediately to the north at 800 Indian Hill Road is zoned "R-1". This request is not a plan amendment, all the land is projected for residential.

Mr. and Mrs. Draper were in attendance to represent the application. Mike Fightmaster of 931 Brook Forest spoke regarding this application.

Motion by Cartwright, seconded by Hoose, to approve this request. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Cartwright, Hoose, Lee and Vice Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #PR100008 Consideration of Final Plat of the Abel Retail Addition, located north of Covell Road, east of the Abel Convenience Store at Air Depot and Covell. (Mark Abel)**

Mr. Abel has submitted the Final Plat of a 4.19 acre parcel where he is constructing the Abel Retail Center. The site plan has already been approved. This property is zoned "D-1" Restricted Commercial. The Hampden Hollow Addition is located to the north, the Goddard School is located to the east. The plat identifies the 70 foot of right-of-way along Covell as measured from the center line of Covell. The 100 year floodplain is also identified on the plat and a sanitary sewer easement extends across the property. The addition consists of one lot and one block. The convenience store and the retail center will have inter-connecting driveways. The drive is already in place along Covell to serve the new retail center.

Mark Abel was in attendance representing the application.

Motion by Hoose, seconded by Lee, to approve this request. **Motion carried** by a vote of 3-1 as follows:

AYES: Members: Hoose, Lee and Cartwright Chairperson

ABSTAIN/NAYS: Members: Vice Chairperson Moore

The next item on the agenda was **Case #DD100006 and DD100007 Consideration of Deed Certification for two, 2+ acre lots at 2632 Bobwhite Trail. (Charles Sanders)**

Mr. Sanders would like to divide his 5 acre tract into two, 2+ acre tracts located 714 feet west of Santa Fe, one half mile south of Sorghum Mill Road on Bobwhite Trail. This property is unplatted although it is sometimes referred to as Deer Creek Estates. There is no City water or sewer near the property so both tracts will operate with a water well and septic tank. One tract is 2.25 acres and the other tract is 2.97 acres. There is no floodplain near this property and both parcels will have access on Bobwhite Trail. This area is zoned "A" Single Family so each exceed the minimum lot size required by zoning and for an individual well and septic tank. The two lots meet all the requirements for deed approval.

Charles Sanders was in attendance representing the application. He indicated each lot will have a house and separate utilities. He indicated the surrounding area had developed in a similar manner over the years.

Motion by Cartwright, seconded by Hoose, to approve this request. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Cartwright, Hoose, Lee and Vice Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #Z100012 Public Hearing and Consideration of Extension of a portion of the Covell Village PUD, located south of Lowe's, west of Kelly, south of Covell Road. (Jemsite Development)**

The Edmond City Council took action on August 9, 2010 to extend the undeveloped portions of the Covell Village PUD owned by Turner Development and Enclave at Covell Village owned by Bodner Properties. The only other owner of undeveloped property is Jemsite Development who owns the Lowe's and two other vacant parcels north of Covell Village Drive. Mr. Douglas Spell is requesting an extension of the PUD zoning covering two parcels, one 3.10 acres and one 5.99 acres. The PUD Extension would follow the same standards as the original PUD. The City Council minutes of August 9, 2010 are attached, which note that the original PUD requirements would apply. Since there are no changes in any of the standards, no new PUD Design Statement is provided. The property to the north of this site is developed as the Lowe's Home Improvement Center. The land to the west will be developed as the Enclave at Covell Village Apartments and the area to the south will be developed as offices and the Newbrook phase of Covell Village.

Lance Mills was in attendance representing the application.

Motion by Hoose, seconded by Cartwright, to approve this request. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Hoose, Cartwright, Lee and Vice Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Consideration of Approval for the 2011 Edmond Planning Commission Meeting Schedule.**

The meeting dates for the 2011 calendar year need to be approved to facilitate the City calendar that is published listing all public meetings. This information is also filed with the City Clerk for the Open Meeting requirements. The dates are reflected on the attached calendar.

Motion by Cartwright, seconded by Lee, to approve this request. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Cartwright, Lee, Hoose and Vice Chairperson Moore

NAYS: Members: None

There was no New Business.

Motion by Cartwright, seconded by Lee, to adjourn. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Cartwright, Lee, Hoose and Vice Chairperson Moore

NAYS: Members: None

Meeting adjourned at 6:36 p.m.

Barry K. Moore, Vice Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission