

EDMOND PLANNING COMMISSION MEETING

Tuesday, July 3, 2012

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson Barry K. Moore at 5:30 p.m., Tuesday, July 3, 2012, in the City Council Chambers at 20 South Littler. Other members present were Robert Rainey, Bill Moyer, Mark Hoose and Kenneth Wohl. Present for the City were Robert L. Schiermeyer, City Planner; Kristi McCone, City Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney.

The first item on the agenda was **the approval of the June 19, 2012 Planning Commission minutes.**

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

AYES: Members: Rainey, Hoose, Moyer, Wohl and Chairperson Moore
NAYS: Members: None

The next item on the agenda was **Case #Z12-00014 Public Hearing and Consideration of Rezoning from "A" Single Family to "E-1" General Commercial, located on the west side of Boulevard, immediately north of Stonebridge Avenue. (Turner and Company)**

Earnest Isch is representing Turner and Company in requesting that a 3.0 acre parcel be rezoned to "E-1" General Commercial. A three story office building is planned on the property. The Edmond Plan has projected the parcel for "E-1" General Commercial. The zoning to the north and south is "D-O" Suburban Office and is part of the Stonebridge Planned Unit Development. There is a homeowner's association open space to the west of the parcel. The current property owners are Paul A. & Marcia L. Preston Family Trust. Utilities are adjacent to this 3 acre site. The property on the east side of Boulevard, north of Smiling Hills Boulevard is zoned "E-1" General Commercial. This situation is why the subject property was projected for "E-1" General Commercial on the west side of Boulevard. Oklahoma Christian University is located to the southeast of this site. The Stonebridge PUD consists of multi-family, the Stonebridge apartments, office buildings and single family homes.

Earnest Isch was in attendance indicating the owner needed a three story office building and the closest point to a single family home would be 136 feet.

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

AYES: Members: Hoose, Rainey, Moyer and Chairperson Moore
ABSTAIN/NAYS: Members: Wohl

The next item on the agenda was **Case # Z12-00015 Public Hearing and Consideration of Edmond Plan Amendment from Office to Planned Unit Development to allow offices and a restaurant use at Living Well at Spring Creek**

PUD located north of 15th Street, west of the Spring Creek Village shopping center, approximately 180 feet east of Pine Oak Drive. (Fisource Incorporated)

Fisource Incorporated proposes one restaurant with a maximum of 1,500 square feet to be included with a 3.53 acre office project located west of the Spring Creek Village shopping center. The property is zoned office but is undeveloped. The primary use of the property would be office buildings.

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

1. Infrastructure: City water and sewer are adjacent to this parcel. Water is available along 15th Street. Service for this tract will be from 15th Street only; no looped water lines will be needed. Sanitary sewer lines are located on the west side of the property as a part of the Oaks Lawn III addition. The floodplain through this area is on the east side of the property and the north part of the property and is not being modified. The bridge under 15th Street is along the eastern boundary of this tract and along the west side of the University Village project to the east.
2. Traffic: There are approximately 21,600 vehicles per day on 15th Street in front of this property. The number of vehicles will continue to increase at this location which is in the center of the urban part of Edmond.
3. Existing zoning pattern:
North – “D-O” PUD
South – “D-O” PUD
East – “D-1” PUD
West – “A” Single Family
4. Land Use:
North – Undeveloped
South – Undeveloped
East – Developed as Spring Creek Village shopping center
West – Developed as Oaks Lawn III addition
5. Density: No applicable; no residential will be used.
6. Land ownership pattern:
North – Valerie Gooden (some land in the unbuildable portion near the creek is being purchased from this property owner)
South – J. M. Roberts Construction
East – Charles Ballenger
West – Individual homeowners
7. Physical features: This parcel of land is west of a floodplain/creek area. Pad sites and parking areas will be graded for building sites. There is substantial tree cover which will need to be removed for the construction but trees will remain in the creek area.

Any development of this property will require tree removal.

8. Special conditions: FEMA and CH2M Hill Floodplain
9. Location of Schools and School Land: Edmond Memorial High School is located one-quarter mile to the west.
10. Compatibility to Edmond Plan: Generally compatible with the Edmond Plan. The entire parcel is not being changed to retail, only one use. It is expected that the appearance of the structures will be office in character, similar to the homes to the west, including brick veneer and pitch roofs. The owner is limiting the restaurant to 1,500 square feet and would probably limit the use in the event the restaurant is discontinued to the lesser intense retail uses allowed, in example "D-1" Restricted Commercial.
11. Site Plan Review: A site plan review will be required prior to any construction.

Earnest Isch was in attendance representing the application. He indicated the restaurant would be part of the medical practice and it would be constructed in the same office as the doctor's office. With the extra right-of-way for the bridge under 15th Street, there will be a large open space on the front of the property in the creek-area; this will give a landscaped appearance to the front even though 50% of the landscaping is in the front area. The site will have substantially more than 10% landscaping but it is on the north end of the property in the protected floodplain. A 6 foot tall stockade fence will be constructed in the west. Chairperson Moore asked about a brick fence on the west side of the property. Earnest Isch felt that the stockade fence would be best in this situation. Commissioner Wohl asked if the serving of alcohol was required to be done with a majority of food sales. Staff indicated the answer was yes since a bar was not permitted by "D-1" level uses. Commissioner Hoose asked Dr. Michele Menzel if she was willing to limit the restaurant to just her business. She indicated she would be willing to put that limitation in the design statement as a condition. She indicated there was such a focus on the healthful living though her practice that all of the food used in the business is organic and that she has some products in the restaurant that are all organic. She indicated she planned to close no later than 9:00 p.m. every night and the customers will not understand the restaurant to be a fast service restaurant. She indicated that she hoped there could be other limited products sold in the restaurant location if no other type of restaurant was going to operate at that site in the future. Isola Orick of 1428 Pine Oak Drive was concerned about the usage close to the back of her home. She was hoping there would be more of a sound proof fence than a stockade fence. She felt the office usage was a better neighbor. Earnest Isch indicated the 6 foot stockade fence would be one of the first things constructed. Mrs. Orick was concerned about the construction affecting her property. Mr. Isch indicated the sewer line was on the subject property and there would be no disturbance of her back yard for the connection of that utility. Page Breece of 1424 Pine Oak also spoke in opposition indicating she was particularly concerned about the restaurant. She indicated Dr. Menzel indicated she would be asking for a license for beer and wine and was concerned that the restaurant's hours of operation and level of activity would be disruptive to the neighborhood to the

west. She recommended the area be kept as office only. Ed Moore with the Edmond Neighborhood Alliance indicated this use was not compatible with the uses to the west with the restaurant added. He was also concerned about less landscaping in the front. Commissioner Rainey asked what alternatives were to limit the usage. City Attorney Steve Murdock indicated there could be more specific language as a condition in the PUD. Mr. Isch indicated at this time the owner was willing to limit the restaurant to 6 days a week, closing at 9:00 p.m. and if the initial health focused restaurant is discontinued that no other restaurant could be opened on the property. Chairperson Moore indicated he could not support the request with a restaurant use.

Motion by Hoose, seconded by Wohl, to approve this request subject to the amended conditions being placed in the PUD Design Statement. **Motion carried** by a vote of 3-2 as follows:

AYES: Members: Wohl, Rainey and Moyer

NAYS: Members: Hoose and Chairperson Moore

The next item on the agenda was **Case #Z12-00016 Public Hearing and Consideration of Rezoning from "D-O" Suburban Office PUD to PUD for Living Well at Spring Creek, located north of 15th Street, west of the Spring Creek Village shopping center, approximately 180 feet east of Pine Oak Drive. (Fisource Incorporated)**

Earnest Isch is representing Fisource Incorporated in requesting 3.53 acres to be rezoned as a new PUD primarily for office buildings with one building, 1,500 square feet in area to be used as a restaurant. James Sill is the owner of the property and he plans medical type office buildings with a restaurant that would fit in to a healthful living lifestyle. The restaurant would be on the front of the property and is the only retail use planned at this time. Other "D-1" uses could be possible if the restaurant is discontinued. There would be a total of 10,120 square feet of office buildings in three structures and one 1,500 square foot restaurant. It is recommended that all of the buildings are brick veneer, matching the exterior finish of the buildings nearby. There is only one access point in to the addition. Trees along the creek are not planned to be disturbed; most are in the floodplain which cannot be filled or cleared. The current zoning is "D-O" Suburban Office PUD and most of the area will be developed as office only. There will be enough parking for one restaurant and the remaining office uses. The remaining steps for approval will include preliminary and final plats as well as a site plan.

Motion by Hoose, seconded by Wohl, to approve this request. **Motion carried** by a vote of 3-2 as follows:

AYES: Members: Wohl, Moyer and Rainey

NAYS: Members: Hoose and Chairperson Moore

The next item on the agenda was **Case #PR12-00013 Public Hearing and Consideration of the Preliminary Plat of Fallbrook II Addition, located north of Covell Road, east of Western Avenue. (The Roberts Group, LLC)**

Engineer Earnest Isch is representing Bill Roberts in requesting preliminary plat approval of 74 single family lots on 46.92 acres. This is a continuation of the Fallbrook I Addition, containing 73 lots. The streets in this Addition are private and there is already a gated access. The lot size is generally 12,150 square feet with the lots generally being 90 feet by 135 feet. The houses are anticipated to be 3,000 square feet. The Addition is served with full City utilities. The plat indicates 70 feet of right-of-way on Covell Road. Since the streets are private, there is no extension planned to the east. Fallbrook I provided for Libby Lane to stub-out or extend east to an undeveloped property. It is unknown if that extension will be implemented because the streets are private and a connection will have to be accepted by the homeowners in Fallbrook. Including both sections of Fallbrook, there will be 147 lots accessed (estimated population at build-out will be 382 persons) by the one entry/exit from Covell Road. The creek area on the west side of the Addition contains a flood plain and is labeled Common Area "A". Drainage detention is provided for in the common area. The Addition provides for a private trail along the creek. This is the location of a trail projected by the Trails Master Plan. The land to the north of Fallbrook is the Oklahoma City Chisholm Creek Wastewater Treatment Plant. The staff feels the private trail is considered to meet the intent of the Trails Master Plan since extension north across a significant flood plain leading to a wastewater plant seems unlikely.

Earnest Isch was in attendance representing the application. No one appeared in objection.

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

AYES: Members: Wohl, Hoose, Moyer, Rainey and Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #DD12-00005 Consideration of request for Deed Certification on the west side of Santa Fe, approximately one-quarter mile south of Sorghum Mill Road at 5133 N. Santa Fe, dividing the property in to 2, four acre lots. (Beverly Chansolme)**

The current property owner, Beverly Chansolme would like to divide her 8 acre parcel in to 2, approximately 4 acre tracts. The two parcels would be 3.9963 acres each with 264 feet of frontage by 660 feet of depth. There is no City water or sewer in the vicinity. The property would develop with water wells and septic tanks. There is a home on the north 4 acres and that lot is being offered for sale and Mrs. Chansolme will retain the south 4 acre parcel. This is one of the larger tracts in this area generally known as Deer Creek Estates but it is an unrecorded plat. The Planning Commission recently approved a division in to a 2 acre lot on Bobwhite Trail. The property is zoned "A" Single Family. The location is not within a floodplain. There is also adequate separation for each lot to have its own driveway on Santa Fe.

Mrs. Chansolme was in attendance representing the application. No one appeared in objection.

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

AYES: Members: Wohl, Moyer, Hoose, Rainey and Chairperson Moore

NAYS: Members: None

The next item on the agenda was **Case #PR12-00017 Consideration of Final Plat of Old Towne Lofts of Edmond, Blocks 8 and 9, located on the west side of Fretz, 660 feet south of West Edmond Road. (SDF Construction, LLC)**

Mark Farris with Red Plains Engineering is requesting that two additional blocks be approved for the Old Town Lofts project on Fretz Avenue. This development is zoned "C-2" Multi-Family PUD and the dwellings are attached townhouses on individual lots. Several years ago the developer has completed all the subdivision improvements, water, wastewater lines, paving, drainage and exterior fencing. He has chosen to proceed with construction as the demand dictates and he has been approved for 25 lots to date. Block 8 would add 5 more lots and Block 9 would add 5 lots. There are only 3 blocks left to complete the Planned Unit Development of Old Towne Lofts. The land to the north is an office and day care center. Retail uses are situated along West Edmond Road west of Fretz. There is one single family house to the south on a larger lot and single family homes to the east along 6th Street and 7th Street. The lots are generally 23 feet wide by 54 to 57 feet deep providing for 1,242 square feet lots. Based on the "C-2" PUD zoning, no setbacks are required. There is substantial open space in this development; the entire addition contains 5 acres.

The owner was in attendance. No one appeared in objection.

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

AYES: Members: Hoose, Rainey, Wohl, Moyer and Chairperson Moore

NAYS: Members: None

There was no New Business.

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

AYES: Members: Rainey, Hoose, Moyer, Wohl and Chairperson Moore

NAYS: Members: None

Meeting adjourned at 6:33 p.m.

Barry K. Moore, Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission