

EDMOND PLANNING COMMISSION MEETING

Tuesday, May 7, 2002

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson David Woods at 5:30 p.m., Tuesday, May 7, 2002, in the City Council Chambers at 20 South Littler. Other members present were Leroy Cartwright, Bill Moyer, Dyke Hoppe and Elizabeth Waner. Present for the City were Robert L. Schiermeyer, City Planner; Kristi Anthony, Assistant City Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney. The first item on the agenda was the approval of the April 16, 2002, Planning Commission Minutes.

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

AYES: Members: Hoppe, Moyer, Cartwright and Chairperson Woods

NAYS: None

Commissioner Waner arrived after the vote on the minutes.

The next item on the agenda was **Case #U020002 Public Hearing and Consideration of Special Use Permit for a church campus uses on the northeast corner of I-35 and 15th Street. (Henderson Hills Baptist Church)**

Zoning – “E-1” PUD, General Commercial District Planned Unit Development. A Special Use Permit required for a church even in with current zoning.

Building Design/Exterior Walls – The following wording is listed in Chapter 22.29B of the City Code, “The exterior building materials, textures and colors should be carefully selected so as to be in harmony with the surrounding environment. Buildings should be predominantly of one or two exterior materials. Architectural detail such as change of plane, texturing, ribbing, fluting, banding, etc. should be considered to give large surfaces interest or dimension where appropriate. Exterior walls are suggested to be brick, stone, rock, wood, or a combination of these materials with other accent materials. Glass may be considered if it complies with the objective of this ordinance. Exterior walls using metal surfaces or untreated concrete block, including painted concrete block, shall be prohibited.” The exterior wall does have exterior surfaces of metal, primarily as an accent.

Lighting – By code, lighting structures are limited to 24 foot including base, pole and lighting fixture by the I-35 standards.

Signs – Two site signs are allowed, one on 15th and one on I-35. Church Special Use Permit signs are limited to 8 feet tall, 54 square feet per side. The land is zoned commercial but not being used commercial.

Parking – Six hundred thirty-one parking spaces are proposed for the site with this application. Nineteen of the parking spaces will be handicap parking spaces. Two hundred eighty-seven parking spaces will be located on the west side of the Church in two parking lots. One hundred forty-three parking spaces will be located on the south and two hundred one on the east side of the Church. Two additional parking lot areas are indicated on the plan on the east side of the Church for future phases of development.

Landscaping – The property does not meet the 15% landscaping requirement of the I-35 Corridor based on the number of plant units required but there is substantially more land left open some of which may ultimately be used. But for Phase 1 there will be substantially more than 15% open space. The applicant is requesting a reduction due to the standards in Chapter 22.29D. The applicant may qualify for a 12% landscaping but not 10.5% based on the staff's determination.

Lot area = 1,135,614 sf.

Fifteen per cent of lot = 170,342 sf.

Required in front yard = 85,171 sf.

Plant units req'd @ 15% = 20,441

Plant units req'd @ 10.5% = 14,308

Evergreen req'd @ 15% = 8,176

Evergreen req'd @ 10.5% = 5,723

Landscape provided on plans submitted

668,859 sf. landscaping/lawn area

627,843 sf. in front yard

14,308 plant units

796 plant units

Of the 14,308 plant units proposed for the site, 12,317 plant units are existing trees that will be preserved. New plantings will account for 1,991 plant units. The I-35 Corridor Site Plan Ordinance allows for a site's required landscape area to be reduced by not more than five full percentage points if certain criteria are met or exceeded. Reduction in landscaping can be based on the following:

- A) A 1.5% reduction for 35% of the required plant units consisting of existing trees proposed for preservation. The site is on a heavily wooded acreage. The applicant has identified several areas to be protected and preserved. These areas total approximately 86% of the required plant units based on 10.5% of the site's area. These areas are in locations where no site disturbance will occur.
- B) A 1% reduction for shared driveways by adjoining properties. Future development may occur near the proposed driveways as shown.
- C) A .5% reduction for shared regional detention facilities. A large regional detention facility is proposed on the site plan.
- D) A .5% reduction for undisturbed significant natural features, the original topography and existing native vegetation. Many areas surrounding this proposed development will be undisturbed and protected. This includes sandstone rock outcroppings and native vegetation.
- E) A 1% reduction for noise abatement, through grading modifications of existing banks and topography (lowering parking lots and roads from view from I-35 along the southwest corner of the site).

Any ground signs proposed for the site must have a landscape bed around their base.

Driveway Location – One drive will be located on 15th and one on I-35.

Firelane/Refuse Enclosure – The Fire Department has reviewed and approved the plans. Refuse enclosure will be located so as not to be observed from 15th or I-35.

Drainage – The detention facility will be located on the east side of the site.

Attorney Randel Shadid introduced the item stating that with 6,000+ member, it was time to build a new location on 26 acres to include a worship center, youth center, day care and multi-purpose center with approximately 60% open space. The buildings have cement siding, brick, stone and the youth center has some metal on it. Only the roof is visible from I-35. The applicant is requesting 12% landscaping and they feel they have met the criteria to reduce the landscaping based on the City code.

Sandy Lichtenwalter, resident of Lake Highlands, expressed concern about the traffic from the church along 15th Street and wondered if 15th would be widened to four lanes. Eileen Pool from Lake Highlands stated the traffic will be a problem because of the one way in and out of the subdivision. Dick Haag of Arrowhead Hills spoke about I-35 Corridor standards not being met. He thought there were problems with the concentration of traffic with the 15th Street driveway, exterior walls in metal, lack of 50% landscaping in front and that this will set a precedent for other buildings along I-35. John Luton of ENA spoke on concerns about the metal. Betty Jean Blue stated that not seeing the building from the interstate should not be an issue. Mr. Shadid stated his interpretation of the I-35 Ordinance was that there cannot be a total metal building and that parts were okay and that it was not their obligation to four lane any streets. George

Winters spoke saying that the Catholic Church on 9th used metal panels similar to what is proposed.

Commissioner Cartwright stated he must vote to support I-35 standards as literally as possible due to other projects coming in. Commissioner Hoppe agreed that the variety of architecture is good but metal materials are not acceptable even if the metal is complimentary to the sliding, brick and roof materials. It is a prohibited surface. Commissioner Waner stated that landscaping needs to be provided and only seeing the roof line from the interstate did not change the standards. Commissioner Moyer stated he wanted to see full landscaping compliance and cannot vote for it because of the I-35 standards. Chairperson Woods asked if there could be a substitute for the metal. Mr. Shadid conferred with the applicant and agreed to change the design from metal to the concrete siding and to provide for 12% landscaping which was not a variance since the project met the deductions allowed.

Motion by Cartwright, seconded by Hoppe, to approve this request subject to substituting concrete siding for the metal siding. **Motion carried** by a vote of 4-1 as follows:

AYES: Members: Cartwright, Hoppe, Moyer and Chairperson Woods

NAYS: Waner

The next item on the agenda was **Case #Z020028 Public Hearing and Consideration of ordinance rezoning from “A” Single Family Dwelling to “E-1” General Commercial District located on the northeast corner of First and Santa Fe Street. (Pete Reeser)**

Pete Reeser requested rezoning of the 7250 square foot property located at 129 W. 1st Street, on the corner of 1st and Santa Fe Street, from “A” Single Family Dwelling to “E-1” General Commercial District. There are currently two small houses located on the property. Water and sewer lines are located adjacent to the lot. The lot located to the east is currently vacant and is also owned by the applicant; it was zoned “E-1” General Commercial just over a year ago. The Farmers Grain business located to the south is zoned “F-1” Light Industrial, and contains the garden center part of the business. To the west is a home zoned “A” Single Family and to the north is a lawnmower shop zoned “E-1” General Commercial. A rezoning to “E-1” is consistent with Edmond Plan III and the general area is changing to commercial uses.

Commissioner Waner inquired about plans to build and Mr. Reeser replied that there are no plans with the current tenant and that the home is in poor shape. Commissioner Waner inquired about the area around this site which is projected “E-1” and Mr. Reeser stated he felt the area will change.

Motion by Moyer, seconded by Hoppe, to approve this request. **Motion carried** by a vote of 4-0 as follows with one abstention:

AYES: Members: Moyer, Hoppe, and Waner and Chairperson Woods

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The next item on the agenda was a **Case #Z020029 Public Hearing and Consideration of rezoning from “G-A” General Agricultural District to “R-1” Rural Estate Dwelling District located 827 feet west of Bryant on the south side of Waterloo Road. (Cary Manek)**

Cary Manek, on behalf of property owners Harold and Mary Greenwood, requested rezoning of a 2.06 acre tract (property dimensions 250 feet by 360 feet) from "G-A" General Agricultural District to "R-1" Rural Estate District. The unplatted property is located on the south side of Waterloo Road and 827 feet west of Bryant. Water and sewer lines are not available to serve the property. The subject property is undeveloped. Logan County is located to the north. The land to the east and west is zoned Agricultural. There is some development to the south consisting of Dr. Tom Road and Wild Rose Trail. The Edinborough Pointe Addition is development to the east of Bryant south of Waterloo Road. Edmond Plan III projects single family for this area. The Greenwoods live on Dr. Tom Road. Mr. Greenwood stated he plans to build a 3,000 square foot home on the property.

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

AYES: Members: Hoppe, Waner, Moyer, Cartwright and Chairperson Woods

NAYS: None

The next item on the agenda was **Case #U020003 Public Hearing and Consideration of Special Use Permit for a day care center generally located at 100 East 15th Suite 122. (Melinda Sendall)**

Melinda Sendall is the owner of Stop, Drop and Play day care center and is requesting a special use permit for this day care center to be located at 100 East 15th Suite 122. Current zoning is commercial. Commercial neighbors include Lady of America, Sunrise Donuts, Armed Forces Recruiting office, a hair salon and a few others. The building is already constructed and there will be some remodeling done. All utilities are available. The hours of the daycare include Monday through Thursday 9:00 am to 10:00 pm and Friday 9am to 12am and Saturday 4pm to 12am. Due to the unique feature of this daycare, there are very few parents arriving and leaving the daycare all at the same time, this will not create a huge parking or traffic problem. There is adequate parking available in this shopping center. The Fire Marshals office has inspected the interior of this building and has found no extra ordinary difficulties with it. Ms. Sendall should be able to reasonably comply with all building and fire codes.

Ms. Sendall stated the day care could be up to 6 hours a day and that traffic is not a problem because of unique hours. Commissioner Waner expressed concern about keeping the Special Use Permit in the future. The staff replied that any future expansions or changes have to come back to the Planning Commission and City Council for approval.

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

AYES: Members: Waner, Moyer, Hoppe, Cartwright and Chairperson Woods

NAYS: None

Planning Commission May 7, 2002 agenda was **Case #ES020001 Public Hearing and Consideration of May Creek Drive in the Creek Bend 1st Addition. (Bud Bartley)**

Mr. Bates asked that this item be continued until the May 21 meeting.

Motion by Moyer, seconded by Waner, to continue this request to May 21. **Motion carried** a by a vote of 5-0 as follows:

AYES: Members: Moyer, Waner, Cartwright, Hoppe and Chairperson Woods

NAYS: None

The next item on the agenda was **Case #Z020030 Public Hearing and Consideration of rezoning from "G-A" General Agricultural to "A" Single Family Dwelling District located north of Coffee Creek Road, west of Coltrane. (The Ranch Limited Company)**

This was discussed along with the next companion item, **Case #PR020004 Public Hearing and Consideration of Preliminary Plat located north of Coffee Creek Road, west of Coltrane. (The Ranch Limited Company)**

The Ranch Limited Company requested rezoning on a 35 acre tract located north of Coffee Creek Road, west of Coltrane from "G-A" General Agricultural to "A" Single Family Dwelling District. The subject property is currently vacant. Windmill Estates is located to the west, zoned "A" Single Family. Steeplechase is located to the south also zoned "A" Single Family. To the north and east of the subject property, the zoning is "G-A" General Agricultural. A 5 acre tract to the south will be left as "G-A" for common area purposes. The rezoning of this property is in accordance with the Edmond Plan III.

The preliminary plat for this property is located north of Coffee Creek Road and west of Coltrane. The plat shows 75 lots all that are approximately 14,000 square feet in size. Access will be from Coffee Creek Road, with only one way in and one way out. By having only 75 lots, they meet the driveway policy with one point of access. The driveway policy currently states that an additional point of access should be added for 90 or more lots. The engineer representing the company has been given a copy of this policy. Streets will be private and maintained by the owner. Ranch Drive is currently a cul-de-sac but can be extended with future development if necessary. Mr. Harper also owns the adjoining property to the north and east. This is the only street that will be able to be extended to future development. The property meets all setback requirements and will not require any variances. A pipeline currently runs through the southeast corner of the plat and will only run through the corners of two lots.

Commissioner Waner inquired about the Fire Marshal's comments and Sydney Wright replied that they will present the gate to the Fire Marshal's office before the Final Plat.

Mr. Bill Lawry of Walnut Ridge objected to the 1/3 acre lots; this will be the first in this section to be under one acre. Mr. Lawry stated that the zoning should not be approved, it would be easy to get away from the plat size and asked if more restrictions could be added. Mr. Lawry indicated that if the zoning were approved, it should be restricted in the motion to larger lots. Chairperson Woods indicated that was not possible under the Zoning Code.

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May 7, 2002 spoke expressing concern about density, that every home in their section is over one acre, the impact on their homes from losing wooded area and that they wanted larger lots. Sue Lawry stated the cul-de-sac that can be extended will affect their area. The applicant responded that they want to be a good neighbor and that the lots within the development will have a tree belt behind the homes. Ms. Richardson stated concern on the impact on value of their homes since most of them are pretty large and people buy a view and the neighborhood.

Commissioner Waner stated she had no problem with the rezoning but that she had a problem with the single entrance and the gas line. Chairperson Woods stated concern with the plat

because of connectivity, poor circulation, and the road being constructed across a 12 inch gas line at the entry of the addition posing a substantial safety issue. Mr. Woods inquired about plans for the 5 acre tract and the remainder of the quarter section. The applicant stated that the five acres along Coffee Creek would be used as a tree buffer or ultimately divided into lots depending on what happens along Coffee Creek.

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

AYES: Members: Cartwright, Hoppe, Waner, Moyer and Chairperson Woods

NAYS: None

Motion by Hoppe, seconded by Cartwright, to approve this request for the preliminary plat.

Motion denied by a vote of 1-4 as follows:

AYES: Cartwright

NAYS: Members: Hoppe, Waner, Moyer and Chairperson Woods

The next item on the agenda was **Case #SP020017 Public Hearing and Consideration of Commercial Site Plan approval for a commercial retail center located on the northwest corner of Danforth and Santa Fe. (Danforth Development, LLC)**

This item was continued to May 21 at the request of the applicant.

The next item on the agenda was a **Consideration of deed approval and variances on lot size for alternate sewer system and private water line south of Locust Lane on the east side of Fisher Road. (Stan Hoig)**

Chairperson Woods left the room for the discussion and vote of this item.

Property owner Stan Hoig, with the assistance of builder Dale Dodson, requested a new land division to provide for a 28,200 square foot (.6 acre) lot facing Fisher Road west of Bryant. The existing owners home facing Locust Lane will be sold separately on a 64,860 square foot (1.4 acre) tract. The proposal is to build a new house on the south side of the Hoig property with an aerobic sewer treatment system. The City County Health Department will approve an aerobic system on a 28,200 square foot lot if the house is connected to city water. Mr. Hoig also proposes to extend a private water service line 230 feet south from Locust Lane to serve the new house.

Two variances are needed to approve this request: (1) approve a building site for one single family home, 28,200 square foot lot – the standard lot size is 60,000 square feet (there is no variance for an aerobic treatment system even if connected to city water as with the state); (2) approve extension of a private water service line to serve the new house rather than a public water main as required by Section 13.13.065 of Chapter 13.12 Water Service. In support of the private water service line, Mr. Hoig will record an easement extending 230 feet south from Locust Lane so that a future homeowner will have access on private property to maintain the water service. It is essential that the home be served by city water to meet the Health Department standard for the aerobic system. Other standards for deed approval are in compliance. The lot is not situated near a FEMA or other special study floodplain such as a CH2Mhill or Ogden study. The 28,200 square foot lot has 100 foot of frontage on Fisher Road and the corner lot with the original Hoig home has frontage on Locust Lane and Fisher Road. The streets are a bar ditch standard. An exception for similar size lots has been approved for

Redmont Trace 1st Addition through the subdivision review process. There are aerobic systems in the Caliburn Addition situated on 60,000 square foot lots with water wells and there are also one or two non-conforming lots in the Leavitts North Park Addition using aerobic systems.

Commissioner Waner stated concerns about the water line situation. She felt this changed the character of the area with the smaller lots. Commissioner Moyer noted Redmont Trace was approved with aerobic systems and he asked the staff how the project was working. It was indicated that there was no real construction in this addition although it had been approved. Pat Hoig stated she had talked to neighbors and they were not interested in having water or septic brought to them; they are on city water currently and would like to get rid of the large house.

Motion by Moyer, seconded by Hoppe, to approve this request. **Motion carried** by a vote of 3-1 as follows with one abstention:

AYES: Members: Moyer, Hoppe and Cartwright

NAYS: Waner

ABSTAIN: Chairperson Woods

The next item on the agenda was **Case #PR020006 Public Hearing and Consideration of Final Plat of Cedar Pointe IV located east of Santa Fe, one-quarter mile south of Covell Road. (John Coleman)**

Cedar Pointe IV is located east of Santa Fe and south of Covell Road. It is zoned "A" single-family dwelling. The lot sizes are approximately 7,600 square feet, meeting the code that requires 6,000 square feet. They will need to request and receive a variance on the building lines, as they are showing at 20 feet setbacks instead of the required 25 feet. The plat shows 81 lots. Cedar Point I has 69 lots, Cedar Pointe II has 81 lots and Cedar Point III has 42 lots, for a total of 192 lots. With Cedar Pointe IV, they will have a total of 273 lots. A second, full standard access to Santa Fe as shown with Pine View Terrace is needed for Cedar Pointe IV, with a connection to Cedar Pointe I, II, and III, to provide minimum public safety access. he traffic may not distribute in this manner, but there will be 135 lots accessing each entry. This substantially exceeds the policy that has been discussed by the Planning Commission but no alternative is available. If the original Anthony house is developed into the Cedar Pointe Plat at some time in the future an additional connection to Santa Fe needs to be required. Full widening of Santa Fe is recommended to allow for a deceleration lane across the Anthony home site and this needs to be completed with Cedar Pointe IV. The streets are private and Planning Commission s. All city services are being provided and there is a water line loop May 7, 2002 to the North into Cedar Pointe.

Commissioner Cartwright inquired about lack of agreement on the deceleration lane. John Coleman stated there is 400 feet of private property where the Anthony home is, that the deceleration lane will be located there and it won't take the full 400 feet. City Engineer Steve Manek responded that would work.

Linda Walin, president of Cedar Pointe Homeowners, stated that construction trucks are using their road and the entrance even though the developer had agreed this would not happen. She said that the wear and tear on the roads is very evident. Mr. Coleman responded that he only found out about this problem a month ago and cannot regulate traffic, but has hired people to sweep and clean the streets and that the traffic problem will be fixed within two months.

Ronnie Williams of ENA noted the ongoing problem of construction uses for streets owned by homeowners. Ms. Walin stated they had tried to work with them and they never had permission to use their streets but were supposed to use an entryway built out. Chairperson Woods inquired if the construction entrance is not being used and Ms. Walin stated it is not being used even though it is accessible. The applicant stated he will write a letter telling the contractors to use the construction access.

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

AYES: Members: Cartwright, Moyer, Hoppe, Waner and Chairperson Woods

NAYS: None

The next item on the agenda was **Case #RP020005 Consideration of Preliminary Plat of Tuscany at Borgata located east of Vista Lane, one-half mile south of Second Street. (A & V Development Co.)**

Coon Engineering represented A & V Development, Inc. from Yukon, Oklahoma in requesting approval of Tuscany at Borgata Preliminary Plat, located east of Vista Lane, one-fourth mile west of Coltrane, approximately one-half mile south of Second Street. This property is zoned "A" Single Family PUD, by Ordinance #2137, originally approved in 1994. This PUD will need to be extended or modified to maintain a current PUD Design Statement. The property as proposed contains 39.49 acres, 109 single family lots. The lot sizes proposed are generally 9,600 square feet or larger, (80 x 120). The developer may wish to drop the PUD since the plat as proposed meets the standard single family requirements. There is an oil well and tank battery in the area of the plat. The Chimney Hill Addition is located immediately to the south, Oakridge Mobile Home Park is located to the west and several phases of the Borgata are located to the east. Capri @ Borgata contains 36 lots, Portofino @ Borgata I contains 23 lots, Portofino @ Borgata II contains 5 lots, Verona @ Borgata I contains 16 lots, Verona @ Borgata II contains 17 lots for a total of 97 lots.

The number of lots require two access points. The gate from Vista Lane needs to be a two-way gate to meet the minimum public safety requirements for this number of lots. The addition will be served with full City utilities. A waterline can loop between Vista Lane and Coltrane because of the interconnection of the street Borgata Way. A detention area is proposed on the south side of the development, draining into the creek extending into Chimney Hill Addition.

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Engineering stated he had met with the oil company and had signed an agreement not to build within 200 feet, that the detention pond would be built in the first phase and the trail easement will be given, there would be a two way entrance at Vista and the gate would be constructed in Phase 2 or 3.

Mr. Scott Warner asked for a continuance to meet with the developer. He noted that the residents had bought homes under the protection of a PUD and want it extended, dropped or modified. Chimney Hill needs to see Phase 1 and building, etc. He noted that Borgata Way was intended for 115 lots and adding 100+ lots will be a big change in use. He stated that 6,000 square foot lots do not fit the character of the area, that the mobile home park traffic will use Borgata entrance which raises traffic congestion. He questioned if they would be paying homeowners fees.

Brian Coon stated he wanted to address staff comments. He stated that all the Borgatas will be in one homeowners subdivision and agreed to a continuance for two weeks to May 21st and then to Council on May 28.

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

AYES: Members: Cartwright, Moyer, Waner, Hoppe and Chairperson Woods

NAYS: None

There was no **New Business**.

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

AYES: Members: Moyer, Hoppe, Waner, Cartwright and Chairperson Woods

NAYS: None

Meeting adjourned at 9:05 p.m.

David Woods, Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission