

EDMOND PLANNING COMMISSION MEETING

Tuesday, February 21, 2006

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson Leroy Cartwright at 5:30 p.m., Tuesday, February 21, 2006, in the City Council Chambers at 20 South Littler. Other members present were Bill Moyer, Suzy Thrash and Elizabeth Waner. Barry K. Moore was absent. Present for the City were Robert L. Schiermeyer, City Planner; Kristi McCone, Assistant City Planner; Jan Ramseyer-Fees, Assistant City Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney. The first item on the agenda was the approval of the February 7, 2006, Planning Commission minutes.

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

AYES: Members: Moyer, Waner, Thrash and Chairperson Cartwright

NAYS: None

The next item on the agenda was **Case #Z060009 Public Hearing and Consideration of amendment to Edmond Plan III from Open Display, Single Family and Light Industrial to Single Family, Multi-Family and General Commercial Planned Unit Development Usage located on the east side of I-35, north of East Second Street and South of Danforth. (Summit Development)**

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

1. Infrastructure: There is no sanitary sewer adjacent to this 111 acres. The PUD Design Statement on page 3 indicates that the developer will extend across Second Street 1600 feet to connect to the sanitary sewer and extend it to this property. City water is available adjacent to the property along I-35. Water towers connecting from the Arcadia Lake Water Treatment Plant are adjacent to this parcel also. Drainage/detention will be required even though the property drains into Arcadia Lake.
2. Traffic: The developer on page 2 of the PUD Design Statement provides that at the developer's expense, a traffic light will be installed on Highway 66 or East Second Street which is the primary entrance to the project. The developer does have approval from ODOT to access Danforth. There are different property owners to the immediate north along Danforth who would access Danforth separately should their property develop. There will be an interior road network connecting all parcels of the 111 acre project.
3. Existing zoning pattern:
 North – "E-2", vacant generally proposed for a church site and the Sleepy Hollow Addition
 South – Life Church, Ditch Witch
 East – Mountain View Park
 West – Woods & Sons Paving, other businesses

4. Land Use:
North – Sleepy Hollow and undeveloped along I-35
South – Life Church and Oklahoma Christian School
East – residential, Mountain View Park, no street connections
West – I-35 and existing businesses in the southern portion of the property
5. Density: The project does plan for single family residential, approximately 150 units. The initial multi-family parcel could hold 126 apartments. Page 1 of the PUD Design Statement indicates that 32 acres of potential multi-family on some of the “E-1” zoned property could develop with a Special Use Permit. This would generate just over 332 apartment units at the “C-3” density in addition to the original 126.
6. Land ownership pattern:
North – one owner for the proposed church and 2 acre lots for Sleepy Hollow
South – larger ownership for Life Church
East – 5 acre and some 2 acre tracts in Mountain View Park
West – I-35 right-of-way and commercial lots
7. Physical features: The area is gently rolling, contains some native tree cover.
8. Special conditions: I-35 Corridor which would require 15% landscaping, masonry construction, brick rock or stone with no more than 15% trim for products such as EFIS or metal style products or “Hardy Board”
9. Location of Schools and School Land: private school of Oklahoma Christian is located to the south, a new high school is planned on the east side of Life Church campus.
10. Compatibility to Edmond Plan III: This project is actually lesser use than proposed for some of the property in the Edmond Plan. The Edmond Plan III did not anticipate one owner purchasing across property lines incorporating multiple ownerships and some of the single family projected on the Plan is now proposed for multi-family. Single family is adjacent to existing single family in Mountain View Park and Kanaly’s Collegewood Acres.
11. Site Plan Review: Because this is a Planned Unit Development, site plan review and plat review will be required for all phases of the project.

Attorney Randel Shadid, representing the applicant, indicated that much of this request was less than projected by the Edmond Plan III. He noted that single family was adjacent to single family west of existing additions which was not a Plan Amendment. The developer was addressing the new urban densities by improvements he plans to make including a traffic light that he will pay for on Second Street and the off site extension of sanitary sewer to the south. A road will be provided connecting to Danforth for distribution of traffic. If the area was developed residentially, a similar number of units could be developed with single family homes as his developer is planning with a combination of single family and multi-family. He noted this project is immediately adjacent to I-35 which will continue to increase in traffic volumes and significance as a metro area corridor.

Sean Thompson spoke in opposition saying he would like to have more information about the details of multi-family such as the height of the building. Mr. Thompson read the “C-3” description and felt it did not fit in this area. Frank Pearce also spoke in opposition indicating that the project appeared to be rushed and thought a Community Connections meeting would be desirable. Mr. Shadid identified that he would be willing to have a community meeting with the residents prior to the City Council meeting. Mr. Steve Dupus

spoke in opposition indicating that this was too high a density project and needs to be located near more commercial. Ronnie Williams with the ENA indicated that there were desirable features of this project such as single family adjacent to existing single family as well as the street improvements planned. He suggested there be a maximum number of apartment units listed in the PUD since a Special Use Permit will have to be required for a majority of the multi-family anyway. There was only one parcel that was suggested for "C-3", the other multi-family was an option in a "E-1" District. Mr. Shadid compared this area to the Thomas Trails PUD which had a mixture of uses on lesser standard streets. Attorney Todd McKinnis also representing the applicant said the entry on Second Street will have 5 lanes approaching the new traffic light to allow turning movements and this will coordinate with another major project being an expansion of Oklahoma Christian School on the south side of Second Street. The traffic light will be located further east from the Life Church entry which will not interfere with I-35 and Second.

Chairperson Cartwright asked if the ODOT was aware of the access planned on Danforth. Carl Reherman representing the applicant spoke indicating he had talked directly to ODOT and they were aware of the project and he had presented the easement currently in effect for the driveway. Commissioner Waner indicated there were a lot of good parts to the application but was concerned about the density of residential. Commissioner Waner also felt that given the development in the area since the original master plan, perhaps the plan projection was inappropriate.

Motion by Moyer, seconded by Waner, to approve this request subject to a meeting not necessarily a city sponsored community connections with the residents prior to the City Council meeting. **Motion carried** by a vote of 3-1 as follows:

AYES: Members: Moyer, Thrash and Chairperson Cartwright

NAYS: Waner

The next item on the agenda was **Case #Z060011 Public Hearing and Consideration of rezoning on the following parcels:**

a) from "G-A" General Agricultural to "A" Single Family Planned Unit Development District

b) from "G-A" General Agricultural to C-3" High Density Residential and Commercial Services Planned Unit Development District

c) from "G-A" General Agricultural to "E-1" General Commercial Planned Unit Development District

d) from "F-1" Light Industrial to "E-1" General Commercial Planned Unit Development District

e) from D-2" Neighborhood Commercial District to "E-1" General Commercial Planned Unit Development District

located on the east side of I-35, north of East Second Street and South of Danforth. (Summit Development)

Attorney Randel Shadid is representing Mike Galiga in requesting a 111 acres as a multi-use project east of I-35 north of 2nd Street. This property is located northeast of Ditch Witch, north and east of the two water towers, west of Mountain View Park and west of

Kanaly's Collegewood Acres. I-35 abuts the property on the west. Danforth is located north but there is a different property owner south of Danforth east of the driveway on the ODOT right-of-way. The owner proposes several uses. Single family homes will be constructed on the east side of the project immediately west of Mountain View Park and Kanaly's Collegewood Acres. Some of those projects are planned to be gated. West of the single family near the center of the project would be the 7.84 acre site planned for multi-family. This will allow 125.44 units. The remainder of the project is being zoned commercial west of the multi-family and single family. The plans call for a 5.19 acre office building area but the zoning is requested as "E-1" PUD. Office buildings are also listed on 11.32 acres northeast of the water towers and west of the multi-family parcel but again the zoning is "E-1" General Commercial. Multi-family is also identified on 20.75 acres allowing 332 units east of I-35. That property is being zoned "E-1" which does not allow multi-family as a use permitted by right; a Special Use Permit would be required for such a use at some time in the future. Retail is proposed on the remainder of the property 13.29 acres near the entry street on Second. Some of that land is zoned industrial currently and some is zoned "D-2" Neighborhood Commercial; both of those tracts will be "E-1" PUD based on this application.

City water will be required for all of these uses and a looped water line should be constructed from Second Street through the project. Sanitary sewer will need to be extended off site to the south near Life Church at 100% of the owners expense. The owner or developer is also proposing a traffic light on Second Street at the main entry. This traffic light will be constructed at 100% of the owner's cost and is designed to match with a new high school planned to the south on the east side of the Life Church property.

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

AYES: Members: Thrash, Moyer and Chairperson Cartwright
NAYS: Waner

The next item on the agenda was **Case #ES060002 Public Hearing and Consideration of closing an alley located south of Fifth Street, west of Littler (Mark Neighbors)**

Randel Shadid requested a continuance to the next Planning Commission meeting.

Motion by Moyer, seconded by Thrash, to continue this request to March 7, 2006.

Motion carried by a vote of 4-0 as follows:

AYES: Members: Moyer, Thrash, Waner and Chairperson Cartwright
NAYS: None

The next item on the agenda was **Case #SP060004 Public Hearing and Consideration of Site Plan approval for a CVS Pharmacy, on the southeast corner of 15th and Bryant. (Armstrong)**

General Site Criteria:

Existing zoning – "D-1" PUD Design Statement attached

Setbacks – the setback from 15th Street is 110 feet from center line, the setback from Bryant is 190 feet, the setback on the east side of the property is 48 feet and on the south side of the property is 40 feet.

Height of building – 30 feet

Parking – 66 spaces, 65 are required, the building is 12,900 square feet

Lot size – 67,641 square feet

1. Landscape Plan

<u>Landscaping - Lot area = 67,651.69 sf</u>	<u>Landscape provided on plans submitted</u>
Ten percent of lot = 6,765.17 sf	7,5645 sf landscaping/lawn area
Requirement in front = 3,382.59 sf	5,075 sf
Plant units required = 541 PU	484 plant units
Evergreen required = 216 PU	216 plant units
Requirements in front =270 PU	363.5 plant units

Mr. Shadid had stated that they planned on installing 15% landscaping with the 15% being dependent on the amount of right-of-way requested by staff. But it would still exceed 10%. No additional right-of way ended up being given. And at present the landscaping does not meet the 10% requirements.

2. Lighting Plan – the lighting plan indicates the lighting levels at the property line, there are lights on the building and 6 pole lights on the site. The lights on the other retail projects on the northeast and on the northwest corners are decorative type lights. The elevation of the light pole proposed was not included with the lighting plan.
3. Driveways/Parking – there will be a driveway on the south side of the property on Bryant and a shared driveway with the church on 15th Street on the far east side of the property. Some of that driveway is off-site on the church property. Easements will need to be provided insuring the continued use of the shared driveway
4. Mechanical equipment – the roof is flat, the HVAC equipment has not be shown as to placement on the roof. The requirement, particularly at this location, would require the parapet wall be tall enough to block the view of the mechanical equipment as observed by a person standing at the property lines. This is a minimum mandatory requirement. CVS needs to verify this standard.
5. Fencing/screening – No sight proof fencing is required along the property lines. The property to the east and south is zoned “D-3”.
6. Signage – a ground sign has been identified on the southeast corner of 15th and Bryant. The sign face area is 40 square feet and the sign does have a reader board which generally indicates the sign has interior illumination. The City Council minutes are attached. There was discussion about signs compatible with Spring Creek Village and Plaza. The proposed sign is not equivalent to those standard. There are numerous ground signs directing traffic and wall signs on the building.
7. General architectural appearance – the building will be a dark brick veneer on all 4 sides as shown by the color elevation. Some of the exterior treatment is EFIS. The trim around the windows is red metal. There was discussion at the City Council that the elevation needed to connect with Spring Creek Plaza and Spring Creek Village. The window design is substantially different for this project.
8. Drainage Report and related Grading Report Plans – Engineering has reviewed the drainage plans and corrections have been made to those plans.
9. Refuse facilities – the dumpster enclosure is situated at the southeast corner of the property.

10. Sensitive borders – there are no sensitive borders adjacent to this parcel.
11. Street paving and access management – Bryant and 15th are improved to city standard. No additional right-of-way is being granted to allow further improvements.
12. Title 21 Water and Sanitary Sewer Plans – City water and sewer are adjacent to this site.

Attorney Randel Shadid spoke representing the applicant. He indicated that the windows for the Baskin Robbins are fairly standard windows and it was the trim of the brick and awnings that resembled the Spring Creek Plaza project. He suggested that similar additions could be made to the CVS Pharmacy building. He noted that the landscaping plan had been revised to meet the PUD standard and Assistant Urban Forester Kim Miller had approved the plan including all plant units required. She indicated there was 10% land area and 14% plant unit count.

Paula Jones representing the seller asked if a sight proof fence could be installed on the south and east sides of the property. It was noted that the church is zoned office and there is no mandatory requirement for the fence. Ms. Jones indicated that CVS had agreed to construct a fence. The Commission suggested that there would be no objection to the fence by the city but that the church and the pharmacy agree to the details.

Ronnie Williams of ENA spoke indicating he felt this was a poor effort on the part of CVS to comply with the Council's suggestions and as agreed in the PUD at the time of zoning for compatibility with the Spring Creek Plaza and Spring Creek Village. He indicated this would be very unfortunate to have this one building ruin all of the work that has been accomplished by many people creating a very desirable character and high quality for this intersection. Lydia Lee representing the Bryant Accord 3 indicated they agreed to mirror the other corners. There is no tree preservation plan, no decorative lighting, no 15% landscaping, no attractive monument sign that resembles what has been constructed at the other corners. This big box type building is not distinguished from any other similar structures in the city and does not recognize the characteristics of this neighborhood.

Commissioner Moyer spoke concerning the expectations. He appreciated the shared drive with the church on 15th but the building and site improvements do not meet what was agreed to and do not meet the standard of the surrounding area. Commissioner Thrash indicated this was a poor excuse for compliance with City Council requests or the zoning commitments. The example of the other centers is clear to observe and the plan should have reflected better design to accomplish what was agreed to. Commissioner Waner indicated it would be difficult to require a right turn lane at this time but the landscaping is not what was agreed to, signage is not adequate, the lights are not in character and the building does not meet compatibility with the adjoining area. Chairperson Cartwright indicated he was not very happy with the project. The examples of what should have been included in the site plan can be observed on the northern corners. The applicant and designers and engineers for the project could have complied with the Council's requests and the PUD requests without having to change the plans anticipating the City Council discussion.

Motion by Waner, seconded by Thrash, to approve this request. **Motion denied** by a vote of 0-4 as follows:

AYES: None

NAYS: Members: Waner, Thrash, Moyer and Chairperson Cartwright

The next item on the agenda was **Case #U060001 Public Hearing and Consideration of Specific Use Permit for a 130 foot cell tower located east of Coltrane, one-half mile south of Covell Road. (US Cellular)**

Attorney Audrey Blank requested a two week continuance.

Motion by Moyer, seconded by Thrash, to continue this request to March 7, 2006 .

Motion carried by a vote of 4-0 as follows:

AYES: Members: Moyer, Thrash, Waner and Chairperson Cartwright

NAYS: None

The next item on the agenda was **Case #ES060001 Consideration of ordinance closing a utility easement at 2501 Perth Drive, Lot 1, Block 3, Lake Highlands 2, Section 1 Addition (Steppe Construction Co.)**

Richard Steppe is requesting that a 20 foot utility easement on the west side of Lot 1 Block 3 Lake Highlands Addition be closed. The single family house on this lot at 2501 Perth Drive was inadvertently built into the utility easement. The house actually extends over the property line to the west and Mr. Steppe is the owner of that property. If the easement is closed, Mr. Steppe will deed an additional parcel of this land to the Lot 1 owner to correct that encroachment also. The current buyer of lot 1 is Richard O'Brien.

The Lake Highlands Addition is served with private water wells and septic tanks. The lots are generally 65,000 square feet or greater. There are no utilities in the easement. Electric is served in the front of the house along Perth and Clipper Crossing. This addition is located approximately 250 feet east of I-35 between 15th and 33rd Streets. Extension of city water and sewer lines is not imminent for this location. Private utility companies have been notified of the request to close the easement.

Mr. O'Brien, the property owner, was asked to speak. Mr. Steppe was not in attendance at the meeting. Chairperson Cartwright indicated that since Mr. O'Brien was the owner of the property, it would be better if he could be the applicant. City Attorney Steve Murdock suggested Mr. Steppe provide a letter authorizing Mr. O'Brien to proceed with the application at the next meeting. Mr. O'Brien indicated Steppe Construction was the contractor and that there were several issues to resolve since the house also extended over the property line onto additional land Mr. Steppe owned in addition to the utility easement closing.

Motion by Moyer, seconded by Waner, to continue this request to March 7, 2006. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Moyer, Waner, Thrash and Chairperson Cartwright

NAYS: None

The next items on the agenda was **Case #Z060007 Public Hearing and Consideration of amendment to Edmond Plan III from Suburban Office and Light Industrial to Restricted Light Industrial Usage located one-fourth mile south of Danforth, on the east side of Sooner Road. (Charles Bishop)**

and

Case #Z060006 Public Hearing and Consideration of rezoning from "A" Single Family Dwelling to "E-3" Restricted Light Industrial District located one-fourth mile south of Danforth, on the east side of Sooner Road. (Charles Bishop)

A continuance for both items was requested by the applicant.

Motion by Waner, seconded by Thrash, to continue this request to March 7, 2006.

Motion carried by a vote of 4-0 as follows:

AYES: Members: Waner, Thrash, Moyer and Chairperson Cartwright

NAYS: None

Under New Business, Commissioner Waner indicated she had some concerns about the Spencer "F-1" PUD project at Covell and I-35. The request started as the Curtis Harris application and was continued for some time but by the time the item reached the City Council it was substantially different as reviewed by the Planning Commission. She felt the project should have been sent back to the Planning Commission for a new review since there was so much difference. She wanted to voice her concern about substantial changes being made after the Planning Commission with no chance for the Planning Commission to continue to review the project prior to the City Council hearing. Chairperson Cartwright indicated her comments would be part of the record. Lydia Lee with the ENA invited the Commission members to the Neighborhood Summit to be held on Saturday.

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

AYES: Members: Moyer, Thrash, Waner and Chairperson Cartwright

NAYS: None

Meeting adjourned at 7:20 p.m.

Leroy Cartwright, Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission