

EDMOND PLANNING COMMISSION MEETING

Tuesday, August 22 , 2006

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson Leroy Cartwright at 5:30 p.m., Tuesday, August 22, 2006, in the City Council Chambers at 20 South Littler. Other members present were Bill Moyer, Suzy Thrash, Barry K. Moore and Elizabeth Waner. 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 August 8, 2006, Planning Commission minutes.

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

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

The next item on the agenda was **Case #Z060022 Public Hearing and Consideration of amendment to Edmond Plan III from Single Family Dwelling to Restricted Commercial Usage located north of Danforth at 1413, 1431, 1531 W. Danforth and 1311 Sherry Lane. (Catherine Ethridge, French Properties, LLC, Phillip and Melba Castillo and R.W. and Sue Lute – Plaza's of Ketch Acres)**

Randel Shadid representing the applicants has amended his request to provide the only other use than offices for these lots would be for an optical shop. The request previously excluded some retail. The application has been amended for offices. The current "D-O" District allows optical sales within a clinic not visible from the adjacent street. The owners may be planning a free standing optical shop. An optician is allowed in "D-O".

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

1. Infrastructure: A water line is located to the south of this property on the south side of Danforth. For commercial construction and possibly conversion of any home to commercial, a new water main could be needed on the north side of Danforth providing the adequate supply for fire protection. The traditional water tap for the domestic service may not be sufficient depending on which "D-1" use is constructed, for example, restaurants. Sanitary sewer is not readily available. It appears the sewer lines on the south side of Danforth near the fire station are not deep enough to serve all of the properties involved. The best solution indicates that a sewer line extends to the east and then connects to the northeast to an outfall sewer line. The staff has also checked the line depth in Pebble Creek which is not an improvement over a sewer line extension from the south side of Danforth. Septic tanks would be permitted for office uses since the coverage would be expected less than retail. The land use will have to accommodate the space available with building, paved parking and lateral fields.

2. Traffic: Approximately 20,000 cars both directions along Danforth per day. The road has been four laned and there is a traffic light at the entry to the Service Blake soccer complex.
3. Existing zoning pattern:
North – “R-2” Urban Estate
South – “A” Single Family
East – “A” Single Family
West – “A” Single Family
4. Land Use:
North – Ketch Acres Addition single family acreage lots
South – Service Blake soccer complex, City of Edmond
East – Ponyland, large 10 acre tract
West – Pebble Creek and electric substation
5. Density: n/a commercial use
6. Land ownership pattern:
North – acreage lots 40,000 square feet
South – large ownership, soccer fields, 60 acres
East – large ownership 10 acres
West – urban lots Pebble Creek
7. Physical features: these lots are in a built environment condition, each have an existing home, water well and septic tank
8. Special conditions: lighted soccer fields to the south
9. Location of Schools and School Land: North high school 3/4s mile to the east, John Ross Elementary a mile northeast
10. Compatibility to Edmond Plan III: the Plan suggests residential.
11. Site Plan Review: required for new commercial construction or house conversion

Attorney Randel Shadid represented the applicants requesting “D-1” PUD indicating the main reason for the retail usage was for an optical shop. Other commitments of the PUD such as no access on residential streets would stay the same. The buildings will be brick or stone.

Susie Lute, one of the property owners of the houses, spoke in favor indicating it was extremely difficult to access Danforth, that the City had slowly grown up around this area with more noise, lights, traffic and was time for a change from Single Family homes. The street is no longer safe to have a home on it. Bill West, 1700 Sherry Lane, spoke in opposition indicating that businesses will make the streets even more dangerous. He did not want any retail using residential streets which they may be tempted to do even with no curb cuts on Danforth just to circulate around the area during times of congestion. He expressed concern about Mr. French’s metal buildings which may attempt to be used for commercial when they are actually used for storage at this time. Mr. West felt if they were to drill additional wells, that would affect the water table in the area which is already low. They may want to drill wells to water the landscaping. Commission Chairperson Cartwright commented that the buildings would have to connect to city water. Mr. West indicated 41 persons are opposed to this zoning in the Ketch Acres Addition.

Ronnie Williams with the ENA indicated there are covenants that restrict commercial uses. He indicated it seemed inappropriate for the City to approve zoning which requires the residents to sue to enforce even though the City is not bound by the covenants since they were not a party to them. Mr. Shadid indicated this was a very reasonable use across from the soccer fields and based on the commercial near the corner at Kelly and Danforth immediately to the east. The traffic alone with lots fronting a busy street was appropriate justification. The developer had committed not to use Sherry and Carol Drive which are the residential streets adjacent to the lots. Mr. Cartwright asked if Mr. Shadid was familiar with the covenants; he indicated he was. He indicated the covenants were not a concern to the Planning Commission or the City Council and the City would not be able to enforce the covenants. Commissioner Thrash asked about the buffer between the proposed office uses and the homes to the north. It was indicated that would be a sensitive border area requiring additional setback and landscaping. It was noted that drives to the French storage buildings would remain on Sherry Lane as long as the buildings continue to be used as storage only. Commissioner Waner was concerned about access on Danforth and the property next to the substation. Commissioner Moore agreed that the optician would generate more traffic. Chairperson Cartwright indicated at some point this area would change and that this was a limited approach.

Motion by Moore, seconded by Waner, to approve this request. **Motion denied** by a vote of 2-3 as follows:

AYES: Members: Moyer and Chairperson Cartwright

NAYS: Moore, Waner and Thrash

The next item on the agenda was **Case #Z060023 Public Hearing and Consideration of rezoning from "R-2" Urban Estate Dwelling to "D-1" Restricted Commercial Planned Unit Development located north of Danforth at 1413, 1431, 1531 W. Danforth and 1311 Sherry Lane. (Catherine Ethridge, French Properties, LLC, Phillip and Melba Castillo and R.W. and Sue Lute – Plaza's of Ketch Acres)**

Attorney Randel Shadid has amended the request for the lots in Ketch Acres to provide for offices with the exception of an optical sales. An optician where eyes are tested or treated and prescriptions written is a use permitted in "D-O" Suburban Office. An optical shop is also allowed in "D-O" as long as there is no visibility from the street and it is located entirely within the clinic. The Planning Commission may wish to request if the application could be amended to a lesser district than the "D-1" PUD such as "D-O". This would be consistent with the policy determination reached by the Planning Commission regarding the Kang rezoning. If a free standing optical shop is needed, that does require the retail district and the most restrictive is "D-1".

Motion by Moyer, seconded by Thrash, to approve this request. **Motion denied** by a vote of 2-3 as follows:

AYES: Members: Moyer and Chairperson Cartwright

NAYS: Thrash, Waner and Moore

The next item on the agenda was **Case #SP060037 Public Hearing and Consideration of commercial site plan approval for an office building on the west side of the West**

I-35 Frontage Road 1/8th mile north of 33rd Street. (Oklahoma Municipal Power Authority)

General Site Criteria:

Existing zoning – “D-3” Office Commercial

Setbacks – front from the property line along I-35 is 96 feet, property line to the west to the nearest building is 115 feet, setback to the north is 80 feet and setback to the south is 370 feet.

Height of buildings – 36 feet, the building does meet the additional setback required of 1 foot for each 2 foot that the building exceeds 35 feet in height. The building is split level and is actually 3 stories in height for some parts of the structure.

Parking – 85 parking spaces are shown on the plans, the building is 16,000 square feet.

Lot size – 6.84 acres

1. Landscape Plan –

<u>Landscaping - Lot area = 298,273 sf</u>	<u>Landscape provided on plans submitted</u>
22 ½% percent of lot = 67,111 sf	70,567 sf preservation area
Plant units required = 10,738 PU	13,527 plant units
Evergreen required = 4,295 PU	0 plant units
Requirements in front = 5,369 PU	7,515 plant units
= 33,556 sf	38,900 sf

OMPA is preserving approximately 1.62 acres of Cross Timbers forest across their site. The preservation is divided into 4 separate stands; one in the southeast corner of the site, and the other three surrounding the building and parking lot on the west, north, and east. The south and southwest corner of the site are not being counted towards preservation due to the detention pond and septic system field being located in these areas. However, they have intentions of transplanting some of the Eastern Red Cedars in these areas to areas around the building. In addition, they are proposing some new landscaping. None of the new landscaping or transplanted trees is being counted towards their landscaping requirements at this time. Due to the amount of preservation on the site, it is requested that they receive a variance on the evergreen requirement.

2. Lighting Plan – this location is in the I-35 Corridor and light poles cannot exceed 24 foot in height including the base and must be down directed shoebox style lights, they cannot be decorative. The lights will be located in the tree areas to fit with the landscaping.
3. Driveways/Parking – one drive approach is planned along the I-35 Frontage Road.
4. Mechanical equipment – the roof is flat but this project plans a geothermal cooling and heating system so there will be no equipment located on the roof of the building. The lab building has a pitched roof located to the west of the main building and there will be no mechanical equipment on that roof either.
5. Fencing/screening – no sight fencing is proposed. Chain link will be used to secure the site. The property to the west is zoned Single Family but there is a undisturbed tree area left on the west of the property west of the building.
6. Signage – the one ground sign is 48 square feet constructed on a brick columned structure. This is much less than allowed on I-35 with the length of frontage this property has.

7. General architectural appearance – the building appearance provides for a combination of brick, stone and glass with a flat roof.
8. Drainage Report and related Grading Report Plans – drainage detention is being met on the south side of the building and parking area.
9. Refuse facilities – the dumpster enclosure is located between the main building and the lab. This location will not be seen by residents or travelers along I-35.
10. Sensitive borders – there is a sensitive border to the west; as indicated, the setback is 115 feet, the minimum setback in “D-3” is 20 feet, the sensitive border setback and landscaping of 50% more has been met. The overall landscaping is 22½% at this location.
8. Street paving and access management – no street paving is required along the Frontage Road, more drives could be approved with the amount of frontage. The property will be secured and gated.
9. Title 21 Water and Sanitary Sewer Plans – City water is available along I-35 and will be connected for service. No city sewer is available. This site required extra land based on the aerobic system and sensitive border.

Mr. Speegle indicated they had talked to the neighbors about the fencing and tree preservation. The plans met all the I-35 Corridor standards and the building was of very high quality just like previously approved. No one appeared in objection.

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

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

The next item on the agenda was **Case #Z060062 Public Hearing and Consideration of amendment to Chisholm Lake Townhouse Planned Unit Development Design Statement on the south side of West Edmond Road, east of the Inspirations Tea Room, west of the Jim Bryan Insurance Office and the Laurel Court Development. (John Gravitt)**

John Gravitt and Christine Seo have recently purchased Common Areas C and D in Chisholm Lake Townhomes Section One. The property owners would like to build a duplex on Common Area C and a single family home on Common Area D. These properties were designated as common areas for the addition when the property was originally zoned to “C-2” PUD Medium Density Multi-Family Planned Unit Development in 1980. The Planned Unit Development Design Statement states that no common areas are planned when it was written before the property was rezoned, although when the property was platted in 1982 after the rezoning, the addition contained four common areas, two being connected to the detention for the addition. If this request is approved, the staff suggests the following steps be used to actually develop these two common area. First, the property owners need to amend the design statement to reflect that common areas originally platted are proposed to be built on (that is the request currently before the Planning Commission). Secondly, these lots must be re-platted which would include a hydraulic study of the entire addition as well as a study of the drainage impact on the adjacent lots. There is a problem to the west where a foundation has been built

lower than the surrounding property and the owner has requested assistance through the Storm Water Advisory Board. Additionally, Common Area D contains a utility easement that crosses the lot with an electric line in it, which will have to be closed/vacated and the line relocated, at the owner's expense. The development of these common areas presents a challenge for the property owner who purchased the land at a sheriff's sale. After this development was started in the 1980's by Leadership Properties, it sat mostly undeveloped for many years, with the City having to mow and maintain the vacant lots. Eventually, the project was completed with single family homes, duplexes, tri-plex units in Chisholm Lake Townhomes Section I. The original additions; Chisholm Lake Townhomes I and II, proposed 142 units and the project now contains 107 units, with Chisholm Lake Townhomes II being all single family residences. The density of the project is less than originally proposed but both common areas have restrictions that do not lead to easy development of the areas. The developer proposes a duplex, 1500 square foot per side, for Common Area C, which would have access off the private alley since there is only 10' of frontage onto Longhorn. This would put the rear of the structure along the public street, when all the other residences front onto Longhorn. This lot also sits higher than those units along Abilene, and so the drainage will have to be evaluated closely so as not to aggravate an existing drainage problem. The developer proposes a single family residence, 1400-1700 square feet, for Common Area D, with the access off Fox Fire Road. Again, this structure is proposed to front onto Fox Fire Road not Lariat Circle as other residences do. This lot will have to have a utility line relocated, the easement closed and vacated and a variance for the drive approach due to the close proximity to Edmond Road. A Community Connection meeting was held on August 1, 2006 to discuss this proposal. Ten citizens were present at the meeting and the minutes for the meeting are attached. It appeared that most citizens of the area would be happy to have structures on these common lots so as not to continue to be a nuisance, but expressed concerns regarding size and scale of the structures proposed, access to the properties, and drainage. There was quite a bit of discussion concerning the non mandatory homeowner association for this addition, but no resolution of this issue was discussed.

Mr. Gravitt indicated he understood all of the additional steps he would have to go through to actually build on these lots. Commissioner Thrash expressed concern about changing PUDs especially pertaining to the open space. Robin Edwards on Old Bugle indicated she was concerned about the driveway planned on Fox Fire on the entrance to Edmond Road. June Friger was concerned about something being built on the property. Residents were always told nothing would be built on these lots. Chairperson Cartwright was concerned about no one taking responsibility to maintain these properties. He noted it continues to happen in several different additions where there may not be a mandatory homeowners association still working. Ronnie Williams with ENA indicated he felt this was the first time this had happened. Commissioner Moore indicated this was a mess because there were different homeowners associations and different levels of participation as well as different improvements for each to maintain. It was noted that the common area for the detention had been sold to another party and was over grown with weeds. It appeared the lake at the south end of the addition next to the high school was being cared for by a different group and the bulk of the residents in Chisholm Lake were not contributing to the detention area that benefited their homes. Commissioner Waner indicated this was a very dangerous precedent. Commissioner Moyer indicated he was

surprised by the situation and that he couldn't support allowing the homes to help solve the problem. Commissioner Thrash indicated she couldn't support the situation either to build on the open space set aside for this addition.

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

AYES: Members: Chairperson Cartwright

NAYS: Thrash, Moore, Waner, Moyer

The next item on the agenda was **Case #Z060060 Public Hearing and Consideration of amendment to Edmond Plan III from Restricted Commercial and Suburban Office Planned Unit Development to Restricted Commercial Planned Unit Development Usage north of West Edmond Road, ½ mile west of Kelly. (Dooley Farms, LLC)**

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

1. Infrastructure: This location is adjacent to city water and sewer along West Edmond Road, Dooley Farms Lane and the creek area to the northwest of the site. No changes would be planned to the creek area since all the detention and drainage structure improvements have been completed with the initial construction.
2. Traffic: 24,000 cars a day both directions along West Edmond Road.
3. Existing zoning pattern:
North – Multi-family and the creek area adjacent to Kimberly Crossing
South – “C-2” and “D-O”
East – “D-1” PUD
West – “D-1” PUD
4. Land Use:
North – undeveloped
South – Jim Bryan Insurance Office, Chisholm Lake Addition
East – undeveloped
West – Steve's Rib
5. Density: N/A
6. Land ownership pattern:
North – same owner Dooley Farms, LLC
South – Jim Brian and Chisholm Lake homes
East – Dooley Farms LLC
West – Steve's Rib
7. Physical features: the land has been graded for development. There are no trees on the majority of the property. There are trees along the creek which will not be disturbed.
8. Special conditions: None
9. Location of Schools and School Land: the nearest school is Santa Fe High School and Ida Freeman Elementary School
10. Compatibility to Edmond Plan III: the plan reflects the current zoning of the property from the original PUD. This parcel is between 2 retail locations and is a moderate use PUD with consideration to the design appearance for the proposed structures.

11. Site Plan Review: Site Plan review would be required as well as the plat.

Brian Coon representing the owners requested approval of additional retail developed in a PUD. This PUD would include limitations to monument signs only even though taller signs are permitted on West Edmond Road. Residential scale buildings with brick veneer and pitched roofs and interconnection of all the driveways and no additional curb cuts on Edmond Road then approved with the plat of the Dooley Farms Business Park. Steve Seikel with Steve's Rib indicated he had concerns about the arrangement of the PUD Plan since the buildings were pushed close to Edmond Road with a number of small parking lots. He felt that restaurants would be an important use in this project and more parking would be needed for restaurants not spread over the entire area. Mr. Seikel presented several examples of how the area might be reconfigured. Doug Glenn from the Copperfield Addition asked that lighting be limited and that no fiber optic or neon type lighting be used and this would be included in the PUD. Chairperson Cartwright indicated that many of these items would be addressed with the site plan.

Ronnie Williams thanked the applicant for a good job approaching changing from office to retail. Commissioner Waner was concerned that there was too much retail being requested with the large area be added north of the bank.

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

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

NAYS: Waner

The next item on the agenda was **Case #Z060061 Public Hearing and Consideration of rezoning from "D-1" Restricted Commercial and "D-O" Suburban Office Planned Unit Development to "D-1" Restricted Commercial Planned Unit Development Usage north of West Edmond Road, ½ mile west of Kelly. (Dooley Farms, LLC)**

Brian Coon representing Dooley Farms, LLC, is requesting approval of retail uses west of Arvest Bank on the north side of West Edmond Road and along Dooley Farms Lane north of Arvest Bank. This property contains 14.34 acres. The following uses will not be permitted on the lots that abut Edmond Road:

1. Help yourself laundry
2. Franchise Restaurants that would require specific architectural styles that would not match buildings as specified in the PUD application.
3. Car wash
4. Convenience store
5. Fuel service station
6. Indoor theaters
7. Grocery store, Supermarket
8. Any business that includes a drive-in window
9. Appliance store
10. Newspaper and magazine sales
11. Radio and television sales and service

12. Restaurants shall have the following exclusions: no drive-in window, no pickup service, no exterior menu board

The following use will not be located within this PUD: drive-in restaurant such as Sonic or Johnnie's.

The Master Development Plan sets out sites for 10 buildings accessed off West Edmond Road or Dooley Farms Lane. All the buildings are interconnected with driveways. Steve's Rib is located immediately west of this site and would also connect with the driveway system. Steve's Rib serves as a possible example of architectural quality for the additional retail buildings planned. Steve's Rib has no ground sign even though West Edmond Road allows a 20 foot tall ground sign and 75 square feet. The landscaping has been well maintained. Materials on the building are a combination of stone and high quality stucco materials constructed in neutral colors that are compatible with the nearby residential and do not a noticeable change to the surroundings. Access management is completed to the highest standard with separation of and location of driveways. The height of the building and scale work with the building setbacks from the edges of the property.

The proposed development provides for the narrow dimension of the building to face Edmond Road so that there will not be a strip center facing the street. There are minimal setbacks on the buildings but this will provide for a small landscape area along Edmond Road and works with the driveway spacing planned. There will only be 2 additional drives beyond the exit from Arvest Bank and the entrance into Steve's Rib. The commercial buildings nearest Kimberly Crossing are on the east side of the lot away from the creek and the east side of the residential area. This project will likely be a mixed use project of light retail and office.

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

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

NAYS: Waner

The next item on the agenda was **Case #PR060024 Consideration of Final Plat for Water's Edge at Covell Village located northeast of Covell Village Parkway west of Kelly south of Covell. (Derek Turner)**

Derek Turner is requesting approval on a 11.6 acre multi-family parcel that is in the center of the Covell Village project. The property is zoned "C-3" so 180 units could be built on this property. The PUD Design Statement identified fewer multi-family units. There is a large detention pond on this property. Three single family additions are under construction to the west, the south and the southeast. When those additions are finished city water and sewer will be adjacent to the property as well as the completion of Covell Village Drive. The addition consists of one lot most of which is common area for either the pool and the community building or the detention area. The front setback along Covell Village Drive is 25 feet. The land to the north and east is zoned commercial.

Keith Beatty with Isch and Associates representing the applicant indicated that when the project is ready, they do not plan more than 150 units.

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

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

The next item on the agenda was **Case #U060008 Public Hearing and Consideration of Special Use Permit to include for a convenience store, car wash, gasoline sales and commercial site plan approval for one building in "D-1" Restricted Commercial District on the northeast corner of Air Depot and Covell. (Mark Abel)**

Commissioner Moore left the room for the discussion and vote of this item.

The property on the northeast corner of Covell and Air Depot is zoned "D-1" Restricted Commercial. The land to the west is zoned "D-1" Restricted Commercial but is part of a larger tract with "E-1" uses for the 160 acres west of Air Depot north of Covell extending west to I-35. The southwest corner of the intersection contains the Fire Training Center on land zoned "F-1" Light Industrial PUD. A small tract of land on the southeast corner is still zoned residential but is projected for higher uses on the proposed Edmond Plan IV.

General Site Criteria:

Existing zoning – "D-1" Restricted Commercial, Special Use Permit required for convenience store, car wash and gasoline sales.

Setbacks – setback from the center line of Covell is 212 feet and from the center line of Air Depot is 140 feet; 70 foot of right-of-way is needed on both of these streets and the setbacks will still be met even with the right-of-way provided at the time of the plat; parking will need to be modified along Air Depot or considered temporary if the full right-of-way is used for street improvements to include utility line relocation.

Height of buildings – 23 feet, 3960 square feet in area

Parking – 38 parking spaces are provided not including the 13 spaces that could be affected by the right-of-way along Air Depot, this would be parking for the entire project if another building is added in the future

Lot size – 71,572 square feet (1.64 acres)

1. Landscape Plan

Landscaping - <u>Lot area = 71,572 sf</u>	<u>Landscape provided on plans submitted</u>
Ten per cent of lot = 7,157 sf	7157 sf landscaping/lawn area
Plant units required = 573 plant units	583 plant units
Required in front yard = 3579 total sf	3579 sf in front yard
Front yard plant units = 287 plant units	287 plant units
Evergreen required = 229 plant units	398 plant units

2. Lighting Plan – the owner is planning to have no light poles, there would be lighting under the canopy of the pump island and wall packs on the building with shields to reduce the amount of ambient light spreading off the site. One pole light may be needed Air Depot on the north side of the driveway next to the 13 parking spaces and that is all that is planned at this time.

3. Driveways/Parking – at this time, one driveway is planned on Covell Road and two on Air Depot. Due to the intersection location, right-of-way is needed for the turning movements for the long term future even if the roads were four laned without a parkway or median divider.
4. Mechanical equipment – the roof construction is flat, mechanical equipment will be located on the roof, the parapet wall will screen the mechanical equipment.
5. Fencing/screening – a 6 foot tall sight proof fence is required along the north property line.
6. Signage – no ground signs are planned, only wall signs. The building signs could be 225 square feet facing Covell, 115 facing Air Depot for one building and 135 for the second building if constructed at some time in the future.
7. General architectural appearance – the building is planned to be red brick veneer and split face block. There is a concrete panel arch at the entryway. The roof is flat.
8. Drainage Report and related Grading Report Plans – drainage plans have been reviewed by Engineering.
9. Refuse facilities – the dumpsters are located in the far northeast corner of the property and a back-up space has been provided for the trucks to maneuver.
10. Sensitive borders – the convenience store is located 123 feet from the north property line. Trees are planned in the north 30 feet and a fence would be installed as needed. This site plan does not cover the future retail center shown. The convenience store exceeds the sensitive border standard at this time which is not a minimum mandatory requirement at this location.
11. Street paving and access management – widening is suggested along both Covell and Air Depot to facilitate access to the convenience store which generates significant trips. It will be some time before Air Depot and Covell will qualify for street improvement funding.
12. Title 21 Water and Sanitary Sewer Plans – city water will need to be connected and extended the length of this property for this particular site which may be over 220 foot including the connection to Air Depot. Sewer may need to be extended to the smaller lot with the appropriate easements.

The architect for Mark Abel indicated that there would be a fence on the north property line and landscaping near the north property line nearest the homes. The land for the convenience store was also at a lower elevation than the back yards of the homes so they would not be able to see the entire building from their back yards, only the top of the canopy. Commissioner Thrash asked if the convenience store could add a pitch roof to be more residential in character since this was one of the first commercial businesses to be constructed. Pitch roofs have been used at the Cross Timbers Complex. The architect indicated he would have to discuss that with the owners. A new resident at 5800 Hardwick Lane indicated he had moved in one week ago and he felt the gas station was a potential hazard. He referred to a location he had been in in Florida where the gas pumps blew up. He felt the project was too close to the residential.

Commissioner Waner commented the appearance of the structure even with the brick veneer was not preferred to fit within this residential area. She felt the project had minimal landscaping for the location and that screening near the homes was not adequate. Commissioner Thrash felt the project looked like most other convenience stores; in this

case it was not designed to blend with the homes. The canopy was just the standard canopy. J. W. Armstrong spoke in favor of the request indicating the pumps and tanks were inspected by the Fire Department routinely as well as the State and they were well over 300 feet from any homes at a much lower elevation. Commissioner Waner felt this was not a quality project for East Edmond.

Motion by Moyer, seconded by Waner, to approve this request. **Motion denied** by a vote of 2-2 as follows:

AYES: Members: Moyer and Chairperson Cartwright

NAYS: Thrash and Waner

(Commissioner Moore left the room for the discussion and vote of this item.)

The next item on the agenda was **Case #Z060060 Public Hearing and Consideration of request for "D-1" PUD Plan Amendment for the Danforth Plaza project located south of Danforth west of Park Lane Addition, east of the Wal-Mart Supercenter on the southeast corner of Danforth and Santa Fe. (Patsy Ruble)**

Patsy Ruble representing the property owner is requesting an amendment to the PUD to allow a liquor store as one of the Special Permit uses that could be requested at this shopping center. There was a list of 8 uses that were disallowed with the original PUD submitted by Expressway Development Associates. This is not a Special Use Permit request but an amendment to the PUD Design Statement. Changing the Design Statement would be a policy matter for the Planning Commission and City Council. All of the uses face west toward Wal-Mart backing up to homes in the Park Lane Addition. There are doors on the back of the building but since there is such a narrow fire lane, there is no room to load much from the back driveway without blocking the fire lane. A copy of the original PUD Design Statement is attached.

Patsy Ruble indicated the shopping center was approximately 45% vacant. She felt the liquor store was a very controlled business and would be compatible with the surrounding area. A resident at 1205 Blue Ridge spoke in opposition indicating that the original developer agreed not to have a liquor store or to upgrade the uses. He indicated there were other liquor stores within one mile. He indicated the trees had not been maintained in the back of the center. Gary Stillman 1208 Earl A Rodkey Drive, president of the Park Lane Estates Homeowners Association, spoke in opposition. Ed Moore spoke in opposition referencing the agreement reached with Frank Battle with the original zoning, indicated it was not appropriate to change the understanding that all the residents had. Ronnie Williams with ENA spoke in opposition. He indicated this was a big issue because the conditions of the agreement allowed the upgrade from "D-O" to "D-1". Chairperson Cartwright indicated this was specifically excluded as a use and including the requirement that the Design Statement could not be upgraded.

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

AYES: None

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

The next item on the agenda was **Case #PR060020 Public Hearing and Consideration of Preliminary Plat for the Naylor Addition on the west side of Broadway, west of Applebee's Restaurant. (Dollar Developers, LLC)**

A preliminary plat has been submitted for the Candlewood Suites project indicating the proposed building and a potential future building to the south. The parking lots interconnect between the two lots. A fire lane is provided around the perimeter, north south, east and west of the two lots. All signs will be placed on the individual lots even though these properties over 237 feet west of Broadway. Railroad tracks are located immediately to the west. Market Square is located to the north and the City Bites restaurant is located to the south. Water, sewer and drainage plans have been submitted.

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

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

The next item on the agenda was **Case #PR060020 Consideration of Final Plat for the Naylor Addition on the west side of Broadway, west of Applebee's Restaurant. (Dollar Developers, LLC)**

This plat covers the area proposed for the Candlewood Suites Hotel. The Candlewood Suites would be constructed on Block 1, Lot 1 (1.86 acres). Lot 2 located to the south (0.96 acres) would be a separate use. There is a utility and access easement separating the two lots. The property to the east is developed as the Applebee's Restaurant and there is a separate lot also to the east for the Harley Davidson's shop. The building on the property will be demolished to make way for the hotel. The historical access to this property has been from Broadway and that ingress and egress easement is shown on the plat. A utility easement surrounds the lots as shown on the plat.

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

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

The next item on the agenda was **Case #PR060021 Consideration of Final Plat of the MHA Business Park located south of Kelly Pointe Drive north of 33rd Street.**

Mark Farris with Red Plains Engineering is requesting Final Plat approval of the MHA Business Park where the Maschino office building was recently approved. This property is located east of the original Kelley Pointe two story office building where the MRI facility is located. This subdivision will contain 3 lots, 2 of which require a common access easement because they are not adjacent to a public street. The drive way to the two story office building is located immediately west and was the approved access for the Maschino building. All of the land is zoned industrial around this property so the side yard setbacks are minimal based on the zoning code, the building code will most likely require

a 10 foot side yard setback. The setback on Kelley Pointe Drive is 25 feet and that setback line needs to be shown on the plat as well as the interconnecting driveway easement unless there is a common easement already in place west of this property on the KayBee Investment land and that easement is recorded guaranteeing lots 1 and 2 access. Public water and sewer are also needed for each lot and possibly fire hydrants which need to be placed in public utility easements. With the conditions mentioned in this memorandum, this plat is ready for approval.

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

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

NAYS: None

The next item on the agenda was **Case #PR060022 Public Hearing and Consideration of Preliminary Plat for Peavine Ridge Addition west of North Douglas Boulevard, one-half mile north of Sorghum Mill Road. (Paul and Cynthia Waits)**

Satish Dasharathy with Eagle Consultants is requesting approval on behalf of the property owners Paul and Cynthia Waits for an 16.96 acre Preliminary Plat of Peavine Ridge, west of Douglas, north of Sorghum Mill Road. The addition contains 7 lots and has been recently zoned "R-1" Rural Estate Dwelling. The lot sizes for this addition, including the private street, are at least 90,000 square feet, which is the minimum lot size in "R-1". While Lot 7 appears to be under the 90,000 square foot size limit, the adjacent common area can be counted in calculating the lot size. This addition will be developed with water wells and septic tanks. Currently, the property is vacant with a small pond near the western side of the property.

The roads are identified as being private for this addition. There is a flood plain at the western side of this addition and that is identified as Common Area "A". There is also a private drainage easement between Lots 1 and Lots 2. There are "Limits of No Access" along Douglas Road. There are also limitations for driveways for Lots 1 and 2 due to the separation needed between the drives and the private drainage easement. The property to the south contains a new single family residence. The property east and west is unplatted and undeveloped, and zoned "G-A" General Agricultural District. The land to the north is outside Edmond's city limits, an unincorporated area of Oklahoma County.

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

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

NAYS: None

The next item on the agenda was **Consideration of request by Ryan Litz for deed certification dividing a 5.06 acre tract into two parcels, one 3 acres and one 2.06 acres at 2516 Bobwhite Trail (unrecorded plat of "Deer Creek Estates II").**

Ryan Litz is requesting that one 5.06 acre tract be divided into two residential lots one 3 acres and one 2.06 acres. This area is zoned "A" Single Family and is sometimes

referred to "Deer Creek Estates II" but it is actually un-platted. The descriptions are metes and bounds as shown on the legal descriptions and as shown by the Oklahoma County Assessor. A number of lots have been divided into 2 acre tracts in this development south of Sorghum Mill Road, west of Santa Fe. There is a house on the 3 acre tract. This area will be served with individual well and septic tanks and/or aerobic systems. Driveways will be constructed on Bobwhite Trail. There are lots to the east of this property that front on Santa Fe also part of the "Deer Creek Estates II". The lots are not located within a floodplain. Each lot meets the minimum lot size for an individual well and septic tank. There is no city water near this property. Staff recommends approval.

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

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

The next item on the agenda was **Case #PR060023 Consideration of Final Plat of the Shops at the Piazza located on the east side of Kelly north of the Northoaks Shopping Center. (Michael Forth)**

Coon Engineering is requesting approval of a 10.7 acre tract for the commercial development of 3 lots and a common area next to the Westborough Addition north of the Northoaks Shopping Center. Lot 1 is proposed to be a bank and will be developed in the future. Lot 2 is a shopping center facing Kelly and Lot 3 is primarily a self storage facility with some retail shops and the residential office on the front. 70 foot of right-of-way has been shown on Kelly in front of this property. The land is zoned as a PUD and setbacks along Kelly can be modified as a part of the PUD. The Common Area A will be reconstructed as a detention area. Utilities will be extended on to the self storage Lot 3 for fire hydrants and water line loops. The plat provides for utility easements as needed.

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

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

The next two items on the agenda were **Case #Z060064 Public Hearing and Consideration of amendment to Edmond Plan III from Office Commercial Planned Unit Development to Single Family Dwelling Usage on the southwest corner of Wayne and Jackson, 525 N. Jackson. (Ronnie Taylor)**

and

Case #Z060065 Public Hearing and Consideration of rezoning from "D-3" Office Commercial Planned Unit Development to "A" Single Family Dwelling District on the southwest corner of Wayne and Jackson, 525 N. Jackson. (Ronnie Taylor)

These two items were withdrawn by applicant Ronnie Taylor.

There was no New Business.

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

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

NAYS: None

Meeting adjourned at 8:23 p.m.

Leroy Cartwright, Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission