

EDMOND PLANNING COMMISSION MEETING

Tuesday, April 3, 2007

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson Leroy Cartwright at 5:30 p.m., Tuesday, April 3, 2007, in the City Council Chambers at 20 South Littler. Other members present were Suzy Thrash, Barry K. Moore and Elizabeth Waner. Bill Moyer was absent. Present for the City were Robert L. Schiermeyer, City Planner; Kristi McCone, City Planner; Jan Ramseyer-Fees, City Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney, Carrie Tomlinson, Urban Forester and Kim Miller, Assistant Urban Forester. The first item on the agenda was the approval of the March 6, 2007, and March 20, 2007 Planning Commission minutes.

Motion by Waner, seconded by Moore to approve the March 6, 2007 minutes as written.

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

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

NAYS: None

Motion by Moore, seconded by Waner to approve the March 20, 2007 minutes as written.

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

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

NAYS: None

The next item on the agenda was **Case #Z060048/50 Public Hearing and Consideration of amendment to the "E-1" General Commercial and "D-1" Restricted Commercial Planned Unit Development Design Statement for Bridges at Spring Creek located north of 15th Street, east of Bryant. (Sooner Land Co., LLC)**

Attorney Randel Shadid representing Sooner Land Company, LLC, has found that the pine trees at the south central portion of the Sooner property planned to be developed as Bridges at Spring Creek have died or they are in an unhealthy condition. Paragraph 13 of the original PUD Design Statement (attached) corrected after the June 26, 2006 City Council meeting (that is why they are referenced as "Amended") needs to be corrected to exclude the following: "pine trees on the south side of the property will be placed in a tree preservation area at time of site plan approval." The pine trees will need to be removed due to their condition and the area will be re-planted as shown on the attached landscape plan. There is no change in the percentage of landscaped area or the basis for determining the number of plant units which is 25% of the total land area.

Carrie Tomlinson, Urban Forester, presented a slide presentation of the existing pine trees diseased by beetles and/or pine wilt. She indicated the trees will continue to be damaged by the beetles once the infestation has started. Some large and old growth oak trees were indicated near the previous Marks' home that might be an alternative area to preserve depending on the wishes of the property owner. Attorney Randel Shadid representing the owner indicated that it would be best to modify the site plan to account for the pine trees that are dying or are already dead rather than just to leave them in place as originally

proposed. Commissioner Waner indicated it was difficult to determine which pine trees should be removed without looking at the entire landscape plan and what would be an effective replacement. Commissioner Moore asked what materials would be used in the area previously set aside as existing pine trees. Mr. Shadid indicated he was not here to trade out tree areas. He wanted to advise the City that he can no longer save the pine trees because of the disease; he will meet the 25% landscaping in area as well as plant units but the plan submitted can continue to preserve the dead pines or allow the landscape plan to be modified to meet landscaping at another location.

Samuel Bassett, resident of Turtlecreek Commons, indicated he was in direct sight alignment of the trees and he felt there should be an adequate replacement to not adversely affect homes in the Turtlecreek area. Attorney Lydia Lee indicated there was no written report from the Forester on this circumstance. She felt that old growth trees were needed. She indicated there was some promise in the advertising literature that 37% would be landscaped. She asked if the PUD Design Statement had been fully corrected as to City Council requirements and the developer's promises. Ronnie Williams with the ENA suggested the site plan be reviewed prior to the decision on the amended PUD. Commissioner Moore indicated there were too many unresolved questions and that it was too important a project involving a city wide election to not be done correctly. He felt there was not adequate information to vote on this issue tonight. Randel Shadid indicated he would agree to continue the item for two weeks.

Motion by Thrash, seconded by Moore, to continue this request to April 17, 2007. **Motion carried** by a vote of 4-0 as follows:

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

The next item on the agenda was **Case #Z070007 Public Hearing and Consideration of amendment to Edmond Plan III from Single Family Usage to Open Display Commercial Planned Unit Development Usage on property generally located on the southeast corner of Covell and Sooner. (Covell-35 Development, LLC)**

This Plan Amendment was received prior to the effective date of Title 22 Zoning Ordinance (March 1, 2007).

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

1. **Infrastructure:** There is no water or sewer adjacent to this property at this time. There is a 24" water transmission line along the east side of Sooner Road but that line cannot be tapped for service because it links the northwest complex at Coffee Creek and Broadway to the water supply lines connected in East Edmond. The sanitary sewer line is located a half mile or more north and would have to be extended for service. While a new distribution water line is planned along Sooner west of this property on the west side of Sooner, that line is not sufficient to serve a large scale project encompassing large square footage buildings particularly including both the north and south sides of Covell Road. A water line connection east of I-35 and/or additional looped water lines west of I-35 would be needed to accomplish the necessary service for large scale commercial.

2. Traffic: Covell is a parkway standard street requiring more than 70 foot of right-of-way from the center line of the road on each side and more right-of-way at the intersection in order to design the proper turn lanes needed particularly for the trips that would be generated from a large commercial project planned at this intersection. A Traffic Impact Assessment is needed at the time of platting or site plan.
3. Existing zoning pattern:
North – “E-1” PUD
South – “A” Single Family
East – “E-1” PUD
West – Single Family
4. Land Use:
North – undeveloped
South – undeveloped
East – undeveloped
West – partially developed with acreage lots.
5. Density: Not applicable. Commercial uses proposed.
6. Land ownership pattern:
North – larger tract ownerships
South – larger multiple owners but larger tracts
East – larger tract ownership
West – acreage ownerships with one larger ownership on the corner of Covell and Sooner.
7. Physical features: this tract of land is located in the I-35 Corridor, primarily pasture land.
8. Special conditions: None.
9. Location of Schools and School Land: N/A, the new school under construction at Coffee Creek and Coltrane would be the nearest
10. Compatibility to Edmond Plan II: The “E-1” PUD to the east represented a plan amendment which is now a factor regarding this property being considered for higher uses than single family. The conditions of the design statement would need to determine if “E-2” is higher than is appropriate.
11. Site Plan Review: Preliminary Plat, Final Plat and Site Plan would be requirements at this site.

Attorney Randel Shadid, representing the owner, indicated they needed a potential for a garden center associated with the uses allowed generally in an “E-1” type category. Many of the outdoor uses have been eliminated by the PUD as permitted in “E-2”. Ronnie Williams with the ENA said this was a big change near I-35; he was concerned about the neighborhoods to the west and there needed to be limitations in the Design Statement. Dave Pasquini and Ron Frost spoke in opposition. One of the owners lived in Asheforde Oaks, one in Shiloh Valley. Kristi Wilson of Shiloh Valley also spoke in opposition and was concerned about no buffer for open display uses. Judy Vaughn also spoke in opposition due to the fact there was no buffer.

Commissioner Waner indicated she had serious reservations about “E-2” near single family. Commissioner Thrash indicated the same viewpoint stating there needed to be a limitation along Sooner Road.

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

AYES: None

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

The next item on the agenda was **Case #Z070008 Public Hearing and Consideration of rezoning from "A" Single Family to "E-2" Open Display Commercial Planned Unit Development on property generally located on the southeast corner of Covell and Sooner. (Covell-35 Development, LLC)**

This rezoning was received prior to the effective date of Title 22 Zoning Ordinance (March 1, 2007).

Attorney Todd McKinnis is representing Mike Galiga in requesting 30 acres of "E-2" PUD zoning on the southeast corner of Covell and Sooner. The property to the northwest of this site is part of the Fairfax development with the immediate corner being zoned commercial allowing a convenience store. The property to the north is zoned "E-1" PUD and is also owned by Mike Galiga. The property to the east is zoned "E-1" PUD. The property to the west is developed as the Shiloh Valley and Saratoga Farm Addition plus there is an unplatted parcel on the immediately corner. The property to the south is zoned "A" Single Family. There is no sanitary sewer to this parcel at this time. The service area is to the north based on the outfall line along Coffee Creek. Sanitary sewer would need to be extended half a mile or greater to serve properties on the south side of Covell and Sooner. There is also no water line available with the capacity to serve this parcel.

If this 30 acre parcel is added to the land to the east, also owned by Mr. Galiga, a Traffic Impact Assessment will need to be a requirement with the plat or site plan to discuss the traffic controls needed for the larger number of trips likely to be generated. It is the city's understanding that the owner would like some "E-2" zoning to allow the possibility of outdoor storage related to a retail business. The owner may be willing to limit the location or percentage amount of open display and add that to his PUD. The PUD prohibits the following uses: truck stop, boat sales, farm machinery, mobile home & camper sales, new & used cars & trucks, prefab houses, trailer sales & rental and tavern.

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

AYES: None

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

The next item on the agenda was **Case #Z060085 Public Hearing and Consideration of Edmond Plan Amendment from Urban Estate Dwelling District to General Commercial Planned Unit Development on the northeast corner of Covell and Douglas (23.9 acres). (Caliber Development)**

Attorney Dennis Box, representing the applicant, requested a continuance of the above and following Caliber Development requests to the April 17, 2007 Planning Commission meeting.

Case #Z060086 Public Hearing and Consideration of rezoning from “R-2” Urban Estate Dwelling District to “E-1” General Commercial Planned Unit Development on the northeast corner of Covell and Douglas (23.9 acres). (Caliber Development)

Case #Z060089 Public Hearing and Consideration of Edmond Plan Amendment from Urban Estate Dwelling District to General Commercial Planned Unit Development on property located south of Coffee Creek Road between Douglas and Post (62.7 acres). (Caliber Development)

Case #Z060092 Public Hearing and Consideration of rezoning from “R-2” Urban Estate Dwelling District to “E-1” General Commercial Planned Unit Development on property located south of Coffee Creek Road between Douglas and Post (62.7 acres). (Caliber Development)

Case #Z060083 Public Hearing and Consideration of Edmond Plan Amendment from Urban Estate Dwelling Planned Unit Development and Urban Estate Dwelling Usage to Single Family Planned Unit Development Usage on several tracts extending from Sorghum Mill Road south to Covell between Post and Douglas including a tract of land containing 96.8 acres west of Douglas north of Covell Road. (Caliber Development)

Case #Z060084 Public Hearing and Consideration of rezoning from “R-2” Urban Estate Dwelling Planned Unit Development and “R-2” Urban Estate Dwelling District to “A” Single Family Planned Unit Development District on several tracts extending from Sorghum Mill Road south to Covell between Post and Douglas including a tract of land containing 96.8 acres west of Douglas north of Covell Road. (Caliber Development)

Motion by Waner, seconded by Thrash, to continue all Caliber items to April 17, 2007.

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

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

NAYS: None

The next item on the agenda was **Case #SP070008 Public Hearing and Consideration of site plan approval on the northeast corner of 33rd and Broadway to include a Carl’s Jr. restaurant and two commercial buildings. (Shops on Broadway/Tom Parker)**

This site plan was received prior to the effective date of Title 22 Zoning Ordinance (March 1, 2007).

General Description: Architect Sam Gresham, representing Tom Parker, is requesting approval of 3 buildings to include a 2900 square foot Carl’s Jr. and two additional buildings totaling 16,322 square foot where the present Carl’s Jr. is located on the immediate corner of 33rd Street and Broadway.

Planning Department:

1. Existing zoning – “E-2” Open Display

2. Setbacks – setback along 33rd Street is 87 feet to the property line, this amount will be reduced somewhat once the proper right-of-way is granted for the 33rd Street lane improvements; the side yard setback from the east property line is 78 feet; the setback from the west property line is 26 feet; and from the north property line is 64 feet. This property is not zoned as a PUD but variances were granted on setbacks due to the additional right-of-way on 33rd Street to create the best lane design and the turn lanes needed to improve traffic for this busy intersection. The setbacks comply with the variances previously approved.
3. Height of buildings – Carl's is 19 feet, the Starbucks building is 18 feet the bigger building is 22 feet.
4. Parking – 76 spaces for the two buildings of 16,322 sf near the intersection and 43 spaces for Carl's Jr.
5. Lot size – the lot size is 103,060 sf
6. Lighting Plan – light poles will be approximately 30 feet in height and will not be different from the poles used by Wal-Mart. This area is not in a sensitive border condition.
7. Signage – wall signs will only be used at this time. Mr. Parker is designing ground signs permitted under the code. The applicant will discuss signs at a later meeting. He is re-working the designs which were not sufficient for his design preferences.
8. General architectural appearance – mostly brick with EFIS trim, roof is flat but there is a substantial parapet wall to block the mechanical equipment that is illustrated on the perspective rendering. The Starbucks on the corner will look the same from both sides. The drive-through is on the Broadway side but the building will have the same window and canopy appearance from both sides of the building so that the building will not look like the back of a building on Broadway. The towers will have real tile materials; the goal is to create a Mediterranean look. Carl's Jr. will have a similar material treatment as the corner buildings in terms of brick and EFIS matching the colors of the corner buildings.
9. Sensitive borders – no sensitive borders affect this property
10. Mechanical equipment – mechanical equipment will be located on the roof but will be fully screened by the parapet wall.
11. Fencing/screening – no fencing or screening is proposed or required.

Engineering Department:

12. Driveways/Parking – the driveways were discussed with the original concept plan and meet the access management requirements and the 33rd Street improvement requirements. It is time for right-of-way to be granted along 33rd Street as discussed in the concept plan so the city can proceed with the design work needed for the 33rd and Broadway proposal.
13. Title 21 Water and Sanitary Sewer Plans – city water and sewer are adjacent to the property and will be connected for service.
14. Drainage Report and related Grading Report Plans – Smith Roberts has submitted a drainage report for a detention. The site met the previous detention standards but the new plans will comply with all current requirements.
15. Street paving and access management – as discussed, 33rd Street is planned as a new project to improve the turning lanes at Broadway and 33rd (the city's busiest intersection). Mr. Parker has agreed to provide additional right-of-way to help add to

the initial city plan, setback variances were approved so that even with the right-of-way provided, there would be no limit to the square footages of buildings planned.

Fire Protection:

16. The Edmond Fire Prevention Office has reviewed the above plans using the 2006 edition of the International Fire Code. This office grants a tentative approval of these plans pending the following.

Fire hydrants will need to be set in the following areas

- 1) The drive entrance off Broadway
- 2) The first west drive off 33rd

All hard surface asphalt shall be kept in service for fire department access at all times. Landscaping will need to be adjusted as needed.

Community Image:

17. Landscaping - <u>Lot area = 103,060 sf</u>	<u>Landscape provided on plans submitted</u>
Ten per cent of lot = 10,306 sf	10,306sf landscaping/lawn area
Required in front yard = 5,135 sf	5,135 sf in front yard
Plant units required = 842 plant units	998 plant units
Evergreen required = 336 plant units	424 plant units
Front yard plant units = 421 plant units	421 plant units

Kim Miller, is reviewing a revised landscape plan for the project which include her early review recommendations.

Sanitation Department:

18. Refuse facilities – this project will have the standard containers and enclosures located on the east or north sides of the buildings not readily observed from 33rd Street or Broadway.

Electric Department

19. Electric – electric is already available to serve this project.

Attorney Randel Shadid representing Mr. Parker on this application. He indicated that it was possible to have 10% landscaping on the overall site but with the right-of-way agreement on 33rd Street that portions of the landscaping standards might not be met on individual lots such as the Carl's Jr. Commissioner Waner asked what the lights were on this center. Tom Parker the developer indicated that the Wal-Mart lights would remain, some new decorative lights would be added where the new landscaping and curbs would be added in the parking lot and these were shorter than the Wal-Mart ones.

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

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

NAYS: None

The next item on the agenda was **Case #U070002 Public Hearing and Consideration of Special Use Permit for a 135 foot tall cellular communications tower generally located west of the house at 1501 Edgewood Drive on the south side of 15th Street. (T Mobile)**

This Special Use Permit was received prior to the effective date of Title 22 Zoning Ordinance (March 1, 2007).

The following new information has been provided amending the location of the cell tower, to move the structure closer to 15th Street and further away from the homes to the southwest and southeast. The tower is now 146 feet away from the James Forsythe home at 1600 S. Rankin and 158.3 feet from the home southeast of the subject property. The tower is now 97.7 feet from the owners home. The notice is still valid and a revised plan has been submitted. T Mobile has provided some additional information regarding cell tower locations and property values.

Dennis Box representing T Mobile is requesting a Special Use Permit in a "D-O" Suburban Office District for a 135 foot tall monopole tower. The property owner is Le Hien Nguyen. The tower is requested with the potential for 4 antennas (co-location) and the top of the highest antenna on the tower would create a height of 138 feet. Access to the tower would be from 15th Street. A concrete drive approach to the property line will be required since this is in a fully urban area. A lesser standard drive creates the potential for a hazard on 15th Street and/or deterioration of 15th Street. T Mobile is requesting gravel access from the drive approach to the 33 foot by 54 foot pad site needed for the tower and the equipment building. No portion of the fenced in area where the tower is located shall be located within a floodplain or otherwise be constructed in such a way as to restrict drainage for the creek located to the west of this site. The ordinance under which this request was submitted does not require setbacks from adjoining structures. The tower is 109.4 feet from the owner's house and 109 feet to the nearest house to the west. The tower is 112.5 feet to the house south of the owner's. There is no requirement in the Code that the tower be set back from the house the height of the tower. The site is planned to be fenced with a 6 foot wood fence (the area where the tower and equipment building is located). This site would be consistent with the separation from residential property that was part of the tower approval at 15th Street west of the Chimney Hill Addition. The last cell tower considered east of Coltrane south of Covell was 120 feet tall. The City Council did require flush mount antennas and that is the way it was constructed. The subject tower is closer to homes so the flush mount antennas or at least the T arm antenna construction would be preferred over the crow's nest style antenna structure. The T arm should allow for the extra 3 co-locations planned.

Attorney Dennis Box representing the owner indicated this location is not next to an electrical substation which Mr. Forsythe uses as an example of lessening the value of a home near Faircloud. He noted that the T-Mobile representatives submitted an example appraisal identifying that cell towers do not affect property values. Towers have become part of the necessary utility infrastructure like electric poles as the cell system has expanded in the U.S. Pat Sinclair, a teacher at Memorial High School, felt there was adequate service from T-Mobile in the area since some of her students had T-Mobile phones in her class. Dana Holden indicated there are complaints about service from the T-Mobile customers and that this relates to 911 calls. The radio frequency engineer for T-Mobile spoke indicating with a map areas that could not be served and the high school was an acceptable site because of it's elevation. It was noted that the schools did not prefer cell towers on their property but there was a low area near the apartments that cannot be served under existing conditions. Commissioner Moore indicated that the amended location was an improvement but it was unfortunate that these have to be located in residential areas.

Mr. Box indicated they had reviewed other sites on the apartments and the YMCA and that the school was not interested. He indicated the federal requirements encouraged the individual companies provide an adequate system and new locations are sought to address complaints and to provide an effective system. George Wyrick with T-Mobile indicated there were over 130 people surveyed at the store at 33rd and Broadway indicating additional service was needed. Commissioner Thrash asked if other towers in the area could co-locate another antennae for T-Mobile. Mr. Box indicated there was a small hole in the subject area that required this tower and 135 feet was the minimum height. Jim Forsythe, the property owner to the west, objected indicating he felt this would de-value his property. Jennifer Gilliland on Edgewood south of the subject location spoke in opposition due to the housing nearby.

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

AYES: Members: Thrash and Moore

NAYS: Waner and Chairperson Cartwright

The next item on the agenda was **Case #PR070012 Public Hearing and Consideration of Preliminary Plat for Iron Horse Ranch IV located approximately 800 feet west of Coltrane and 1600 feet north of Coffee Creek Road. (Iron Horse Ranch, IV/Tanner Consulting)**

Dee Greninger with Iron Horse Ranch is requesting Preliminary Plat approval for a single family zoned property containing 43.47 acres and 57 single family lots. The lots are generally 21,400 square feet or greater. The addition will be served with city water and sanitary sewer. The streets will be private just as the earlier streets in The Ranch/Iron Horse Ranch have been constructed. This area is being designed with a separate gate at this time. The Walnut Ridge Addition is located to the north and the Shadow Creek Addition is located to the west. There is no connection to either one of these additions. The stub-out street in the Walnut Ridge Estates to the north has been closed for a number of years. This project will provide a stub-out water line at the end of the old right-of-way of the street that was closed in the Walnut Ridge Estates should the Walnut Ridge residents want to vote an assessment district or otherwise extend water into their addition at their cost. A water line will need to be looped to provide adequate water pressure in the Walnut Ridge Estates. The developer is constructing the street connecting to Coltrane in The Ranch III Addition which will help provide more than one access point to this development.

The first phase of The Ranch contained 23 lots. The Ranch II Addition contained 66 lots and The Ranch III 84 lots. Once this Iron Horse Ranch IV is complete, there will be a total of 230 lots in this project. There will still be another phase of the project immediately east of this phase. The streets, the detention areas and the gates, as well as any other enhancements to the addition, will be the responsibility of the homeowners for maintenance. The Fire Marshall's office has identified the following comments: "The Gates Shall Not Be Put Into Operation until this office has approved the design and the operations through plan review and on site acceptance testing. All design shall meet the City of Edmonds Title 17 Access Standards for Access Gates; the Cul-de-sac center island needs to be corrected; fire hydrant spacing issues on the preliminary & final plats need to be

corrected.” Dee Greninger indicated the home prices were estimated at \$750,000 and up, he indicated there was a gate inside the addition as well as the gate planned on Coltrane.

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

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

The next item on the agenda was **Case #PR070013 Public Hearing and Consideration of Final Plat for Iron Horse Ranch IV located approximately 800 feet west of Coltrane and 1600 feet north of Coffee Creek Road. (Iron Horse Ranch, IV/Tanner Consulting)**

Tanner Consultants representing Dee Greninger have submitted a Final Plat for Iron Horse Ranch IV for Planning Commission and City Council consideration. The property was zoned May 2, 2002 to “A” Single Family. This addition contains 43.48 acres and 57 single family lots. The houses are planned at approximately 5,000 square feet but there is no city code regarding this issue, so there is no mandatory requirement that the city enforce this square footage. This addition will be served with full city utilities. The streets will be private and the detention area private and maintained by the homeowners for this development. The project does plan gates on the private streets. The developer will need to correct the plans as required by the codes pertaining to private streets and fire hydrant locations.

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

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

The next item on the agenda was **Case #PR060010 Consideration of amended Final Plat for Iron Horse Ranch III located north of Coffee Creek and west of Coltrane, formerly the Ranch III Addition. (Iron Horse Ranch, III/Tanner Consulting)**

Dee Greninger is requesting that the Final Plat for the Ranch III, as previously approved, be amended to exclude a stub-out street to the east west of the office parcel recently zoned on the immediate northwest corner of Coltrane and Coffee Creek. The streets in this addition are private so even if the street stubbed out to the office parcel, access could be restricted. At the time the stub-out was provided, the office parcel was zoned “G-A” Agricultural. There is not even a need for a stub out of a water line into the office parcel because there are adequate lines on Coltrane and Coffee Creek Road. The staff recommends that the original stub out street to the east property line of Iron Horse Ranch Section III/Ranch III be omitted.

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

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

The next item on the agenda was **Case #SP070015 Public Hearing and Consideration of site plan approval for an office warehouse located on the south side of Enterprise Drive east of Kelly Avenue. (J. D. Granite Marble Facility)**

This site plan was received prior to the effective date of Title 22 Zoning Ordinance (March 1, 2007).

General Site Criteria:

Existing zoning – “F-1” Light Industrial

Setbacks – front setback on Enterprise Drive is 118 feet from the property line, the side yard setback on the east is 10 feet and to the west is 30 feet, the rear yard setback on the south is 111 feet. All setbacks comply.

Height of building – 19 feet

Parking – 11 parking spaces

Lot size – 110’ by 300’, 30,000 square feet, building is 4680 sf

1. Landscape Plan – 5% due to location in Enterprise Business Park.

<u>Landscaping - Lot area = 30,000 sf</u>	<u>Landscape provided on plans submitted</u>
Five percent of lot = 1,500 sf	15,098 sf landscaping/lawn area
Plant units required = 120 PU	157 plant units
Evergreen required = 48 PU	111 plant units
Requirements in front = 60 PU =750 sf	157 plant units 3,898 sf

2. Lighting Plan – wall pack lighting will be installed on the building, light poles are not proposed.
3. Driveways/Parking – one drive approach will be provided on Enterprise Drive on the west side of the property.
4. Mechanical equipment – the mechanical equipment will need to be located on the ground. The roof is a 1 to 12 pitch common to metal building construction and the mechanical equipment would be very observable if located on the roof. The plans do not reflect mechanical on the roof.
5. Fencing/screening – no fencing is required because all the adjoining uses are industrial.
6. Signage – the only ground sign that is permitted is one that is 6 foot tall and 42 square feet.
7. General architectural appearance – the office portion of the business will be brick veneer on 3 sides extending from the front of the building. This area will be at least 50% of the front elevation surfacing of the property. The warehouse portion of the building is all metal which is allowed in Enterprise Business Park.
8. Drainage Report and related Grading Report Plans – detention will be constructed in the front of the lot adjacent to Enterprise Drive.
9. Refuse facilities – the dumpster enclosure is situated at the southwest corner of the building. This location does require a substantial backing movement for the sanitation vehicles. If the owner would like to move the dumpster to the front of the property, there would be no objection in this purely industrial area.
10. Sensitive borders – there are no sensitive borders affecting this site. All the land is zoned Industrial surrounding this location.
11. Street paving and access management – Enterprise Drive is improved as a commercial collector street and meets City Code. The street is a cul-de-sac and there is no substantial conflict with turning movements exiting the driveways.

12. Title 21 Water and Sanitary Sewer Plans – water lines and sewer lines are adjacent to serve this business.
13. Fire Prevention and Building Department – The Edmond Fire Prevention Office reviewed the plans and grants a tentative approval of these plans pending the following: the building will need to have 2000 gallons of water available for fire fighting and the hard surface fire lanes & fire hydrants shall be installed and approved before the first use of combustibles on the building. Combustibles defined: as sheetrock, roofing materials, wallboard, plastic sheeting on insulation, etc.; hard surface fire lanes defined: asphalt or concrete engineered to support 75,000 lbs. Fire hydrants shall have all City of Edmond Engineering acceptance testing & approval complete.

Don Kaspereit represented the application. No one appeared in opposition.

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

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

The next item on the agenda was **Case #SP070016 Public Hearing and Consideration of site plan approval south of 15th Street, west of Fretz Avenue, Lot 12, Signal Ridge. (Louis Morgan)**

This site plan was received prior to the effective date of Title 22 Zoning Ordinance (March 1, 2007).

Planning Department:

1. Existing zoning – “E-2” Open Display
2. Setbacks – front setback is 21 feet from property line on Fretz Avenue, the side yard setback on the north is 82 feet, the side yard setback on the south is 10 feet and the rear yard on the west is 28 feet. This property is located surrounded by commercial zoning. All the setbacks comply. There is no sensitive border. There are offices to the north, warehouses to the south.
3. Height of buildings – 16 feet
4. Parking – 15 spaces, the building size is 12,400 square feet. This project would meet the parking standard for warehouse use including office warehouse. Retail would be allowed by zoning but not based on the parking available.
5. Lot size – 36,750 sf
6. Lighting Plan – there are no light poles planned for this project, wall packs will be located on the building for basic security.
7. Signage – no ground sign is proposed, if one was requested, it would be 6 foot tall 42 square feet.
8. General architectural appearance – the warehouse building has 6 overhead doors facing north. The exterior wall includes brick and EFIS on the front elevations. Brick panels are shown for the side and rear elevations. These may be the quik brick style where they are actually panels of brick appearance masonry.
9. Sensitive borders – there are no sensitive borders

10. Mechanical equipment – mechanical equipment will need to be on the ground because of the slope on the shed type roof would not allow for screening of the mechanical by a parapet wall.
11. Fencing/screening – no fencing or screening is required on the boundaries of the property.

Engineering Department:

12. Driveways/Parking – one drive is proposed on Fretz Avenue. The lot width of 147 feet limits the variety of locations for driveway placement.
13. Title 21 Water and Sanitary Sewer Plans – city water and sewer are available to the property and are connected for service.
14. Drainage Report and related Grading Report Plans – drainage was completed for the Signal Ridge project and no specific detention area is needed for this lot.
15. Street paving and access management – Fretz has been improved as a commercial collector street.

Fire Protection:

16. Fire Prevention and Building Department – the Fire Marshal's office has provided the following comments:
 - 1) The building is noted as a fire sprinklered building and the plans were reviewed with this understanding.
 - 2) The hard surface will need to be installed before combustibles are installed on the building.

Community Image:

17. Landscaping - <u>Lot area = 36,750 sf</u>	<u>Landscape provided on plans submitted</u>
Ten percent of lot = 3,675 sf	3,829 sf landscaping/lawn area
Plant units required = 294 PU	310 plant units
Evergreen required = 118 PU	280 plant units
Requirements in front = 147 PU	302.5 plant units
= 1,837.5 sf	3,086 sf

Sanitation Department:

18. Refuse facilities – The dumpster enclosure is shown on the northwest corner of the property.

Electric Department

19. Electric – electric lines are adjacent for providing service.

No one appeared in opposition.

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

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

The next item on the agenda was **Case #PR070006 Consideration of Final Plat on north of 33rd Street on Hidden Prairie Way. (Hidden Prairie at Kelley Pointe II)**

A continuance was requested by the applicant to the April 17, 2007 meeting.

Motion by Waner, seconded by Thrash, to continue this request to April 17. **Motion carried** by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #ES070002 Public Hearing and Consideration of closing a public street generally being the north one-half of Reno Street south of Danforth west of Broadway. (Garrett and Company)**

Tony Martin representing Garrett and Company is requesting that the north half of Reno Street, an area 30 foot wide by 180 feet, be closed as a public street right-of-way. This property is located north of the Hope Center on North Broadway south of Danforth on the west side of Broadway. The Hope Center received approval years ago closing the south half of Reno Street. There are no utilities located in this portion of the right-of-way that has not been opened. Previously, Garrett and Company have requested "D-O" Office zoning on this property. The closing of the right-of-way will allow the owners to vacate the street and to use the north right-of-way as part of the building site.

It appears there is only 33 feet of right-of-way from the center line of Danforth adjacent to the Garrett property. Danforth has already been four laned. The utilities are located in the north portion of the right-of-way. The City standard is to provide for 50 foot of right-of-way from the center line which allows for utility placement and in this case a possible turn lane east board on Danforth should that be needed to help clear some of the traffic existing in this congested area between the railroad and the Broadway/Danforth stop sign. The right-of-way needs to be provided along Danforth.

Tony Martin appeared representing the application. He agreed to grant the right-of-way. He indicated he was having difficulty getting the square footage.

Motion by Thrash, seconded by Waner, to approve this request subject to the right-of-way being granted on Danforth to help relieve congestion between the railroad tracks and Broadway at some time in the future. **Motion carried** by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #SP070008 Public Hearing and Consideration of commercial site plan for a new Braum's restaurant north of Second Street, east of Bryant, east of Freddy's Frozen Custard. (Braum's)**

This site plan was received prior to the effective date of Title 22 Zoning Ordinance (March 1, 2007).

General Description: Braum's Ice Cream and Dairy Stores represented by Gordon E. Pulis is wanting to build a new store. There is an existing Oklahoma Natural Gas line extending diagonally through the subject property. The gas line will have to be moved in order to build this project. The proposal is to relocate the gas line on the west side of the property east of the driveway into Freddy's Frozen Custard.

Planning Department:

1. Existing zoning – “E-1” General Commercial
2. Setbacks – the setbacks comply with the Zoning Code. The front setback is required to be 100 feet from the center line of Second Street or 50 feet from property line, the setback is 134 feet from the center line of Second Street and 85 feet from the front property line. The zoning on both sides of the property is commercial. There is no side yard setback required; however, the east side yard setback is 70 feet, the west side yard setback is 50 feet. The property to the north is also zoned commercial. This property is not in a sensitive border condition. The rear yard setback is 90 feet, the City Code requirement is zero. (obviously, fire lanes and sanitation access require circulation which creates setbacks even if they are not required by the zoning standards).
3. Height of buildings – the height of the building standard is “E-1” is unlimited. The height to the tallest point of the building is 22.4 feet.
4. Parking – the building square footage is 6300 square feet. The required parking is 58 spaces, 62 are shown. All parking spaces shall be painted with white stripes.
5. Lighting Plan – A lighting plan has been submitted including the photometric distribution of light. The project will use metal halide, 4 light poles will be used and – in height and building lighting will be used with standard wall packs.
6. Signage – Sign permitted on Second Street is 20 feet tall, 75 square feet and there are signs on 2 elevations of the wall that are smaller than allowed by City Code. The pole cover is recommended to include some of the cultured stone used on the exterior of the building in addition to other pole cover materials.
7. General architectural appearance – The building has a pitched roof, residential style windows rather than store front windows that would extend to the side walk. The exterior materials are a combination of cultured stone and siding. The roof materials are composition shingles. The majority of the front elevation is masonry and the east side of the building. The west side where the drive-through windows are located includes a cultured stone wainscot and hardy board siding with a majority of the exterior being the hardy board siding. The appearance is different than other Braum’s stores, more residential in character.
8. Sensitive borders – There are no sensitive borders, all land within 300 feet of this site is commercial zoned.
9. Mechanical equipment – The back portion of the roof is flat and mechanical equipment is located on the roof. The parapet wall extends to block a majority of the mechanical equipment although an exhaust fan and platform extends higher as required by the International Building Code.
10. Fencing/screening – No fencing is required or provided for. A dumpster enclosure is provided on the north side of the site but it is located in the where the gas line is proposed and ONG may not approve that type of structure over their gas line.

Engineering Department:

11. Driveways – there is one drive approach on Second Street 24 foot in width and there is interconnection with Freddy’s Frozen Custard.
12. Title 21 Water and Sanitary Sewer Plans – water and sewer connections are shown connected to the building for service meeting City Code.
13. Drainage Report and related Grading Report Plans – Neal McGee is selling this property and owns land to the north. It is his preference as the seller to place the detention off site from Braum’s north on his property. He will need to grant a

drainage easement to Braum's for this purpose. The detention area will need to be located in such a way that the easements for ONG or re-alignment of the gas line on the property is approved by ONG in relationship to the detention area. It is the City's understanding that ONG did not want a detention area over their gas line.

14. Street paving and access management – Second Street is already paved to City standards. The driveways are 154.05 feet apart and they are required to be 150 feet apart. The drive separation meets the City standard.

Fire Protection:

15. Fire Prevention and Building Department – Major Mike Barnes has approved the plans and the building does not need to be sprinklered.

Community Image:

16. Landscaping - <u>Lot area = 51,644 sf</u>	<u>Landscape provided on plans submitted</u>
Ten percent of lot = 5,164 sf	9,343 sf landscaping/lawn area
Plant units required = 413 PU	483 plant units
Evergreen required = 165 PU	241 plant units
Requirements in front = 207 PU	208.5 plant units
=2,582 sf	4,101 sf

Sanitation Department:

17. Refuse facilities – The dumpster enclosure is located on the north side of the property. The dumpster pad is located over the ONG pipe line easement but the engineer for Braum's has indicated ONG has no objection.

Electric Department

18. Electric – The electric line will be located on the east side of the property extending west to the building from the Second Street service lines. The electric line could not go on the west side of the property due to the ONG pipe line.

Neal McGee as seller of the property attended the meeting along with Ricky Jones representing the engineer. He indicated that Neal McGee would provide off-site easement for the detention area to the north and that ONG would have to approve all construction in their existing easement. Ernest Isch appear in opposition representing Mr. Raspberry, owner of Freddy's Frozen Custard. He felt there was commitment to build a curb and gutter and to widen the driveway greater than 20 feet east of Freddy's on the Raspberry property. This drive will serve Neal McGee's additional property and additional development to the north. This will require the Braum's plan to be modified to move improvements to the east now planned right against the property line of Braum's. Mr. Isch felt the improvements along the west edge of the Braum's property would interfere with traffic improvements to the north as more land is developed because there is no minimal setback of possible car overhangs or utility improvements. Mr. Jones indicated that he had agreed with the staff recommendation to have the cross access with Freddy's but there was no understanding that additional width driving lane would be constructed along the entire west side of Braum's including the curb and guttering. Mr. McGee indicated he had plans for a building north of Braum's and was willing to discuss the issue with Mr. Isch between the Planning Commission and City Council meeting. The driveway west of Braum's is private and does provide for cross access to Mr. McGee's property but there is no direct jurisdiction of the City to require additional improvements. Mr. Jones indicated Braum's would not overhang the property line with car bumpers and other improvements along the west side of Braum's. The Planning Commission understood that the parties would try to reach agreement on the

access driveway prior to the City Council meeting of April 23, 2007. Mr. Isch indicated he still objected to the plan.

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

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

NAYS: None

The next item on the agenda was **Case #PR07002 Public Hearing and Consideration of Preliminary Plat for Braum's restaurant north of Second Street, east of Bryant, east of Freddy's Frozen Custard.**

Tanner Engineering is representing Braum's requesting plat approval for a 165' wide by 313' commercial lot (51,644 sf). Braum's has met the driveway separation with their proposal for another drive on the east side of the property. They will also connect with the drive on the west side of their proposed ownership now used by Freddy's Frozen Custard. The existing drive will ultimately provide access to the remainder of the property both north of Braum's and north of Freddy's which has no other outlet but to Second Street. There is an existing gas easement running diagonally through this parcel. Without the relocation of that gas line, this lot is unbuildable. The proposal is to relocate the gas line in a 50 foot wide easement on the west side of the property. The detention for this property is planned to the north on the Neal McGee property. Sanitary sewer is adjacent to the lot and water is available along Second Street. The property is platted as one lot and on block.

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

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

NAYS: None

The next item on the agenda was **Case #SP070004 Public Hearing and Consideration of commercial site plan approval for a bank located at 1812 SE 15th. (IBC Bank)**

This site plan was received prior to the effective date of Title 22 Zoning Ordinance (March 1, 2007).

Planning Department:

1. Existing zoning – "D-3" Office Commercial District Planned Unit Development
2. Setbacks – the front setback from 15th Street is 52 feet from the front property line, the east side setback is 77 feet, the west side setback is 34 feet and the rear or south setback is 44 feet from the drive through canopy. This location fully complies with "D-3" setbacks.
3. Height of buildings – 22 feet
4. Parking – 23 spaces, the building size is 4500 square feet plus there is an ATM
5. Lot size – 43,414 square foot lot
6. Lighting Plan – A lighting plan has been submitted indicating the foot candles. The pole height planned is 22'6" with down directed light fixture. There will be six light poles on the site plus the building lights

7. Signage – A monument sign of 6' tall, 42 square feet is proposed with a stone base to match the building.
8. General architectural appearance – The bank will be a red brick building with cast stone pillars and accent. The roofing material will be a composite “imitation slate” roof shingles. The ATM on the east side of the building will also have a brick veneer and stone features.
9. Sensitive borders – There are no sensitive borders
10. Mechanical equipment – Mechanical equipment will be placed on the ground due to the pitch roof construction
11. Fencing/screening –No fencing is proposed due to commercial zoning around the site. Office to the south, east and west.

Engineering Department:

12. Driveways/Parking –There will be two drives off 15th Street for this project, one that is shared with the remainder of the property to the south owned by Rodney Babb. The eastern driveway will be used primarily by the bank drive-in window traffic but it is a two way drive
13. Title 21 Water and Sanitary Sewer Plans – a water line is available along 15th Street. Sanitary sewer is located to the south on the Rodney Babb property and will need to be extended north to serve this bank. A public utility easement is needed for this sewer line
14. Drainage Report and related Grading Report Plans – the drainage detention is located off site to the south on Rodney Babb’s property. Ernest Isch is completing the drainage plans. Unless Mr. Babb plats Orchards at Turtle Creek Business Park in a timely manner, an easement will need to be provided to identify that IBC has the right to meet the detention off site
15. Street paving and access management –15th Street is already improved to arterial standard. A traffic light is planned west of Chappelwood Financial for the Bridges at Spring Creek project. This site is further east and is not affected by the future traffic light

Fire Protection:

16. Fire Prevention and Building Department – The Edmond Fire Prevention Office has reviewed the plans using the 2006 edition of the International Fire Code. The office has granted a tentative approval of these plans pending the following 1) It is understood that a fire hydrant will be set in the area of the west drive.

Community Image:

17. Landscaping - <u>Lot area = 42,857 sf</u>	<u>Landscape provided on plans submitted</u>
Ten percent of lot = 4,286 sf	10,685 sf landscaping/lawn area
Plant units required = 343 PU	387 plant units
Evergreen required = 137 PU	232 plant units
Requirements in front = 171.5 PU	217 plant units
= 2,143 sf	4,417.5 sf

Sanitation Department:

18. Refuse facilities – No refuse container is proposed at this time for this small branch bank. Due to the small amount of refuse generated from the bank which has to be shredded, the banks janitorial service will remove the refuse. The developer understands there will be a monthly solid waste charge and in the future intends to share a dumpster when the rest of the Orchards at Turtlecreek is developed

Electric Department

19. Electric – Edmond Electric will serve from their lines along 15th Street.

Engineer Josh Dougherty with C H Guernsey and architect Jose Calzada were present for this request. Commissioner Waner asked about the roof detail. Mr. Calzada indicated that it was a slate appearance but a composite material that was hail proof and offered other advantages beyond actual slate. The business owners nearby were aware of this material and suggested it and offered an example of the material used at Gaillardia.

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

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

The next item on the agenda was **Case #SP070011 Public Hearing and Consideration of site plan approval located south of East Second Street at 1019 Waterwood Parkway. (Waterwood Plaza)**

This site plan was received prior to the effective date of Title 22 Zoning Ordinance (March 1, 2007).

General Description: Blake Franklin, representing Medvelop Inc., is proposing three 2400 square foot office buildings on the remaining vacant tract on Waterwood Parkway.

Planning Department:

1. Existing zoning – “D-2” Neighborhood Commercial District
2. Setbacks – Front: 25’ required with 45’ shown
Rear: none required, with 10’ shown
Side: none required with 7’ shown
3. Height of buildings – 22’
4. Parking – 24 spaces which meets the standard of 1 space per 300 square feet
5. Lot size – 32,511 square feet
6. Lighting Plan – There will be wall-pack lights on the buildings but no parking lot lights are proposed.
7. Signage – One ground sign 6’ tall
8. General architectural appearance – The buildings will have a split-face block base, reddish brick, and some siding, timber trusses, and pitched roofs.
9. Sensitive borders – There are no sensitive borders since all properties surrounding the site are commercial.
10. Mechanical equipment – The mechanical equipment will be located on the ground due to the pitched roof construction.
11. Fencing/screening – No fencing is proposed. A retaining wall is proposed on the southeast, southwest and northwest sides of the property.

Engineering Department:

12. Driveways/Parking – One 24’ drive is proposed off Waterwood Parkway which would line up with western most drive to University Plaza on the north side of the street.
13. Title 21 Water and Sanitary Sewer Plans – An 8” public sanitary sewer main will be extended from the existing 10” sewer line servicing the office/condos approximately 75’ southwest of the property. An existing 8” waterline will serve the development.

14. Drainage Report and related Grading Report Plans – A detention pond is proposed at the south corner of the site and will be in a common area for this development. Retaining walls will be constructed along the south end and northwest sides of the property.
15. Street paving and access management –The drive aisle and parking will be common areas for this development

Fire Protection:

16. Fire Prevention and Building Department – Accepted as submitted.

Community Image:

17. Landscaping - <u>Lot area = 32,511 sf</u>	<u>Landscape provided on plans submitted</u>
Ten percent of lot = 3,251 sf	6,480 sf landscaping/lawn area
Plant units required =260 PU	321 plant units
Evergreen required = 104 PU	105 plant units
Requirements in front = 130 PU	135.5 plant units
= 1,625.5 sf	3,240 sf
Plant Units from Preservation =	187.5

A small grouping of native Post and Blackjack Oaks will be preserved in the NE corner of the site.

Sanitation Department:

18. Refuse facilities – An off-site dumpster location southwest of the site is proposed.

Electric Department

19. Electric – Will be serviced from across Waterwood Parkway.

Blake Franklin was in attendance. No one appeared in opposition.

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

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

NAYS: None

The next item on the agenda was **Case #PR070003 Consideration of Final Plat of Waterwood Plaza located south of East Second Street at 1019 Waterwood Parkway. (Waterwood Plaza)**

Blake Franklin, representing Medvelop Inc. has submitted the Final Plat of Waterwood Plaza, located south of East Second Street, and west of Bryant. The plat contains three lots on .7460 acres. Lot 1 contains .27 acres, Lot 2 contains .19 acres, and Lot 3 contains .26 acres. There is a .03 acre preservation area just off the 60' Waterwood Parkway commercial street. There is also a large cross-access easement on the southeast side of the plat, which also contains a 20' utility easement. This property is zoned "D-2" Neighborhood Commercial District. An existing 8" water main will serve the property extending to a fire hydrant south of the subject property. An 8" sewer line will be extended from property to the south to serve this project. The detention for this project will be on-site, near the southwest corner of the property. This is the last vacant lot to develop in the Waterwood Parkway area. The property southeast contains SSI, the property southwest contains office/condos, the property northwest contains a parking lot for the offices/condos, and the property northeast contains the new University Plaza.

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

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

NAYS: None

There was no New Business.

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

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

NAYS: None

Meeting adjourned at 8:20 p.m.

Leroy Cartwright, Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission