

EDMOND CITY COUNCIL MINUTES

November 12, 2002

Mayor Sandra G. Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Tuesday, November 12, 2002, in the City Council Chambers.

2. Approval of Minutes. Motion by Knox, seconded by Rice, to approve October 28, 2002, Minutes. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller
NAYS: None

3. City Council Presentations:

A. **Presentation of "Champion of Character" award for the month of October to Larry Clemons for the character trait of Humility.** Mayor Naifeh stated this presentation would be continued.

4. Appointments to Boards and Commissions:

A. **Appointment to the Urban Forestry Commission.** Mayor Naifeh nominated June Cartwright for re-appointment to serve a term expiring October, 2005.

Motion by Lamb, seconded by Miller, to approve Item 4.A.
Motion carried as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller
NAYS: None

5. GENERAL CONSENT ITEMS: (General Consent Items were voted on collectively except where noted.)

A. Approval of Administrative Items:

1) **Approval of schedule of Edmond City Council meetings for calendar year 2003.**

2) **Approval of supplemental appropriations - Edmond Senior Center - \$1,000**

3) **Acceptance of construction permits from the Oklahoma Department of Environmental Quality for the following:**

- a) Water and sewer lines to serve the Cedar Pointe IV Addition
- b) Water and sewer lines to serve Asheforde Oaks 10th Addition

4) **Acceptance of the following utility easements:**

- a) Edmond RC, LLC, "Corrected Sanitary Sewer Easements" correcting the legal description for the McKish property on E. 2nd Street
- b) Don Chesser Homes

5) **Acceptance of the following electric easement:**

- a) Robert E. Turner - service to Water Well No. 61

Motion by Lamb, seconded by Knox, to approve General Consent Items 5.A.(1-5). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller
NAYS: None

B. **Approval of Purchases:**

1) **Approval of Change Order No. 4 with W.L. McNatt and Company for Pelican Bay Aquatic Center construction project and transfer of appropriations in the amount of \$20,399 for the Parks and Recreation Department.**

2) **Approval of Change Order No. 1 with Allen Contracting, Inc. for project B-03-007 Bridge and Channel Improvements on Coffee Creek at Air Depot Boulevard, Covell Road and Midwest Boulevard in the amount of \$2,760 for the Engineering Department.**

3) **Approval of Change Order No. 1 with J.L. Walker Construction, Inc. for the Municipal Court Building renovation project in the amount of \$7,546.**

4) **Award of bid for police uniforms, supplies and**

equipment. Purchasing Director recommended accepting bid from Galls, Inc. in the annual estimated amount of \$60,000.

5) **Award of bid for rehabilitation of residential structure located at 814 Sunset Drive as part of the Community Development Block Grant (CDBG) program.** The Citizens Participation Committee recommended accepting bid from Fren-Co Construction, Inc. in the amount of \$24,000.

Motion by Rice, seconded by Miller, to approve General Consent Items 5.B.(1-5). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller
NAYS: None

6. Approval of Tort Claim Committee's recommendation on Tort Claim.

<u>CLAIM NUMBER</u>		<u>RECOMMENDATION</u>
23-0010	Street Department	Pay - \$ 133.56
22-0062	Street Department	Deny - \$1,500.00

Steve Murdock, City Attorney, requested Claim No. 22-0062 be continued to the next meeting.

Motion by Knox, seconded by Miller, to continue Tort Claim No. 22-0062 to the next meeting. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller
NAYS: None

Motion by Lamb, seconded by Rice, to approve Tort Claim Committee's recommendation on Tort Claim No. 23-0010. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller
NAYS: None

Motion by Rice, seconded by Miller, to recess the City Council meeting in order to convene the Edmond Public Works Authority meeting. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller
NAYS: None

10. PLANNING CONSENT ITEMS:

- A. **Public Hearing and Consideration of commercial Site Plan approval for a new building, generally located on the south side of Danforth Road, west of Santa Fe, west of 7-Eleven (Designs by Tammy Florist, applicant) Case No. SP020036.**

Motion by Miller, seconded by Lamb, to approve Planning Consent Item 10.A. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller
NAYS: None

- B. **Consideration of Final Plat of Gourley-Masters Medical Park, located 240 feet south of 9th Street on the east side of Bryant, 920 S. Bryant (Dr. Robert Gourley and Lonnie Masters, applicants) Case No. PR020028.** This tract consists of 1.8 acres and will be used for a medical clinic and optical sales. A cross access easement has been provided along the east side of the property and on the south property line behind the building to provide for interconnecting access for future development to the south. A 50 foot right-of-way easement has been provided along Bryant and gabion walls have been installed to stabilize Spring Creek.

Mayor Naifeh requested the applicant plant additional trees to replace the trees that would be removed during construction.

Matt Cooper, representing the applicant, addressed Council and agreed to install additional trees on the east side between the gabion walls and parking lot to screen the view of the parking as recommended by City staff.

Motion by Rice, seconded by Miller, to approve Planning Consent Item 10.B. subject to planting plant additional trees as outlined above. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller
NAYS: None

- C. **Public Hearing and Consideration of commercial Site Plan approval for an office building, located at 920 S. Bryant (Dr. Robert Gourley and Lonnie Masters, applicant) Case No. SP020034.**

Motion by Rice, seconded by Lamb, to approve Planning Consent Item 10.C. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller

NAYS: None

- D. **Consideration of Final Plat of Redbud Canyon, located on the southwest corner of Covell Road and Douglas Boulevard (Terry Spencer, applicant) Case No. PR020009.**

Motion by Knox, seconded by Miller, to approve Planning Consent Item 10.D. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, and Miller

NAYS: Councilmember Lamb

Items 11 through 13 were discussed at one time.

11. Public Hearing and Consideration of Ordinance No. 2728 amending Edmond Plan III from Limited Light Industrial and General Office Corridor Planned Unit Development (PUD) to Light Industrial Planned Unit Development usage, generally located south of Covell Road, west of Air Depot Boulevard, east of I-35 (City of Edmond-Cross Timbers Municipal Complex, applicant) Case No. Z020062. The property consists of 135 acres and will be used to construct Fire Station No. 5, Fire Administration and training grounds, Animal Welfare Facility and the Public Service Center. The complex represents a 50 year plan for the City and will be funded by the 2000 Capital Sales Tax Fund. The City requested the zoning change to allow outdoor storage of materials associated with various public works facilities. The greenbelt easement will consist of 19.4 acres. There is an additional uncommitted open space on another 9.6 acres for potential future development. A 165 foot buffer is provided along the entire south edge of the property and a berm will be added on the south side of the property abutting the Sleepy Hollow Addition.

David Jones, representing the Orion Group, addressed Council and stated The Orion Group prepared the Master Plan with input from

City staff. He stated the back building has a view corridor from I-35 and that they will attempt to screen this area from view. Mr. Jones stated the intent is to buffer and remove from sight all the buildings associated with this complex.

John Luton, representing the Edmond Neighborhood Alliance, Steve Bridges, President of the I-35 Corridor Coalition, and Dan O'Neal, representing the Cross Timbers Tree Preservation Group, addressed Council in opposition. Mr. Luton and Mr. Bridges opposed the Plan Amendment and zoning change but were pleased with the overall project. Mr. O'Neal requested if the application is approved, that the PUD Design Statement include a requirement for 30% landscaping on this property. Wayne Page also addressed Council in opposition.

Councilmember Miller stated he felt that approving this application will be contrary to past actions of the Council. He noted the current zoning was approved in 1987 in order to protect I-35 from higher intensity uses. Councilmember Miller stated he was concerned about approving Light Industrial zoning this close to I-35 after denying a previous application.

Councilmember Lamb stated he felt the application far exceeds previous "F-0" landscaping standards. He stated he would have no objection to amending the PUD to clarify the landscaping language showing the project will contain a total of 30% landscaping. Councilmember Lamb stated each project will contain 15% landscaping. He noted with the green belts plus the individual project requirements provide the 30% landscaping. In addition, there are eight to nine acres of property that is not yet planned for any development, so the project will have considerable landscaping and buffering from I-35 traffic.

Mayor Naifeh asked if it would be possible to leave as Limited Light Industrial a small strip of land along the frontage of I-35 and rezone the back of the property to "F-1" in order to allow outdoor storage.

Mr. Jones stated that scenario would be technically possible but that he would not recommend it. He noted that "F-1" zoning worked well for this site but that future property may not have the same characteristics to accommodate this type of zoning which could cause future problems with denying an application.

Councilmembers Knox and Rice were opposed to dividing the property into two zoning categories.

Councilmember Knox stated the proposed project was the first project to be developed using the I-35 Site Plan Standards. He stated he felt the project fully complies with those standards and sets a good precedent.

Councilmember Rice stated he also felt the project was setting a good precedent for property along I-35 and has met the intent and purpose of the I-35 standards. He stated the engineers have made every effort to protect the view from I-35. He noted that future applicants for "F-1" zoning would be required to meet the standards set by the City.

Mayor Naifeh stated she was opposed to amending the Plan and zoning for this property. She noted that everyone has areas that they want to make a difference in and she was choosing I-35.

Motion by Knox, seconded by Rice, to approve Ordinance No. 2728 as read by title by City Planner. **Motion carried** as follows:

AYES: Councilmembers Rice, Knox and Lamb
NAYS: Mayor Naifeh and Councilmember Miller

Motion by Rice, seconded by Lamb, to attach Emergency Clause to Ordinance No. 2728. **Motion carried** as follows and Ordinance No. 2728 is in effect immediately:

AYES: Councilmembers Rice, Knox, Lamb and
Miller
NAYS: Mayor Naifeh

12. Public Hearing and Consideration of Ordinance No. 2729 rezoning from "F-0" Limited Light Industrial and General Office Corridor Planned Unit Development (PUD) to "F-1" Light Industrial Planned Unit Development District, generally located south of Covell Road, west of Air Depot Boulevard, east of I-35 (City of Edmond-Cross Timbers Municipal Complex, applicant) Case No. Z020063. This is a companion to the above item and was discussed at that time.

Motion by Lamb, seconded by Knox, to approve Ordinance No. 2729 as read by title by City Planner subject to amending the PUD Design Statement regarding Section 22.29D.060 to reflect that the individual projects will contain landscaping in compliance with the I-35 Corridor Standards. **Motion carried** as follows:

AYES: Councilmembers Rice, Knox and Lamb

NAYS: Mayor Naifeh and Councilmember Miller

13. **Public Hearing and Consideration of Preliminary Plat for The Edmond-Cross Timbers Municipal Complex, generally located south of Covell Road, west of Air Depot Boulevard, east of I-35 (City of Edmond-Cross Timbers Municipal Complex, applicant) Case PR020027.** This is a companion to the above two items. The Planning Commission recommended a 100 foot buffer be added adjacent to the Steve Douglas property in the southeast portion of the site and that the berm be incorporated into the Site Plan design adjacent to the Sleepy Hollow Addition.

Councilmember Miller requested that a 50 foot buffer be provided rather than the 25 foot provided for in the Preliminary Plat.

Councilmember Knox noted that the City paid a significant amount of money for the property and he did not think it was wise use of the taxpayers money to leave the property as undeveloped green space. He stated due to the heavy vegetation and the rural nature of the area that a 25 foot buffer would be sufficient.

Steve Douglas, property owner of 10 acres that borders the southeast corner of the City's property, addressed Council and requested a 165 foot buffer along his property. Mr. Douglas stated he should receive the same protection as the Sleepy Hollow residents and the Clayton Neimeyer property.

David Jones, The Orion Group, addressed Council and stated the reason they recommended a 25 foot buffer along Mr. Douglas's property is because his property is zoned "F-0" and Sleepy Hollow Addition and the Neimeyer property is zoned Single Family. Mr. Jones stated Mr. Douglas's home is set back from the property line a reasonably good distance and with the 25 foot buffer and the buffer already in place on Mr. Douglas's property, that equates to more than 165 feet.

Councilmember Lamb stated he felt the City had already made significant concessions to Mr. Douglas by moving the road alignment away from his property as part of his previous protest.

Motion by Rice, seconded by Knox, to approve Preliminary Plat subject to a 50 foot buffer to the north and west along Mr. Douglas's property. **Motion carried** as follows:

AYES: Councilmembers Rice, Knox, Lamb and

Miller
NAYS: Mayor Naifeh

14. NEW BUSINESS: None

15. Motion by Knox, seconded by Lamb, to adjourn meeting.
Motion carried as follows:

AYES: Mayor Naifeh, Councilmembers Rice,
Knox, Lamb and Miller
NAYS: None

City Clerk Mayor