

EDMOND PLANNING COMMISSION MEETING

Tuesday, February 6, 2001

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson David Woods at 5:30 p.m., Tuesday, February 6, 2000, in the City Council Chambers at 20 South Littler. Other members present were Leroy Cartwright, Bill Moyer, Dyke Hoppe and Elizabeth Waner. Present for the City were Robert L. Schiermeyer, City Planner; Marcy Hunt, Assistant City Planner; Rush Clinkscales, Civil Engineer; and Steve Murdock, City Attorney. The first item on the agenda was the approval of the January 16, 2000, Planning Commission minutes.

Motion by Cartwright, seconded by Moyer, to approve the minutes as written. **Motion carried** as follows:

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

NAYS: None

The next item on the agenda was a **Public Hearing and Consideration of an Ordinance Amending Edmond Plan III from Single Family Dwelling and Suburban Office to Restricted Commercial Planned Unit Development Usage on the northeast corner of 33rd and Bryant, 19 acres. (Winchester Development LLC)**

and

Public Hearing and Consideration of an Ordinance Rezoning from "A" Single Family Dwelling and "D-O" Suburban Office to "D-1" Restricted Commercial Planned Unit Development Usage on the northeast corner of 33rd and Bryant, 19 acres. (Winchester Development LLC)

Attorney Randel Shadid, representing Winchester Development LLC, requested a continuance of the Plan Amendment and Rezoning at 33rd Street and Bryant until March 6, 2001.

Motion by Cartwright, seconded by Moyer, to continue this item to March 6. **Motion carried** as follows:

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

NAYS: None

The next item on the agenda was a **Public Hearing and Consideration of a Special Use Permit in an "E-1" General Commercial District for a 44 unit apartment complex on the south side of Second Street, east of the Best Western on East Second Street and west of Smithcot Square Shopping Center. (Satyam Enterprises, LLC)**

Architect Socrates Lazaridis requested to continue of this item until February 20, 2001.

Motion by Cartwright, seconded by Moyer, to continue this item to February 20. **Motion carried** as follows:

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

NAYS: None

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ida was a **Public Hearing and Consideration of approval of movi** 11
and Littler to Twelfth Street. (St. John the Baptist Catholic Church)

Commissioner Waner was not present for discussion on this item. (Amended 2/20/01)

Bill Coyle, representing St. John the Baptist Catholic Church, is requesting approval to move five homes from the 9th and Littler area to 21 West 12th. The other five homes will be placed to the north and east of the existing house on the property. The church owns approximately 41,380 square feet at this location and each house will be placed on at least 6,000 square foot of land, meeting the minimum lot size in "A" Single Family. There will be only one driveway accessing all of the units east of the existing house. All of the houses will exceed the setbacks required for the side, rear and front yards and will have individual utilities. The smallest lot is 6,068 square feet.

Bill Coyle presented a plan showing where each house would be placed on the site. The site will be served by one main private drive. He explained that each house would be brought up to code. Sue Sampton, owner of property at 26 E 12th, expressed reservations about the number of units to be served by a single drive. She also question if the architectural style of the subject houses would blend with the existing houses. David Mobley owns the house to the east. He asked if fencing would be included. Bob Schiermeyer, City Planner, explained that a 4-foot chain link fence was currently at the site. He further explained that fencing is not required between single family residential lots. Bill Coyle stated he would visit with the neighborhood about their fencing concerns.

Motion by Cartwright, seconded by Hoppe, to approve this item. **Motion carried** as follows:

AYES: Members: Cartwright, Hoppe, Moyer and Chairperson Woods (Amended 2/20/01)

NAYS: None

The next item on the agenda was a **Consideration of Preliminary Plat of Chapel Ridge Commerce Center located north of Fifteenth Street, 300 feet west of Fretz Avenue. (ERC Properties)**

Bob Thorpe, representing ERC Properties, is requesting Preliminary Plat approval of a 14.31 acre project located west of Fretz Avenue, north of Fifteenth Street, north of Silver Star Imports and Swedish Motors. To develop the subject property, ERC has purchased land on Fifteenth Street, east of the China Express Restaurant, under construction. They will relocate the detention area from Silver Star to a new location just north of Edmond Trophy. Thirteen lots are proposed ranging in size from 30,600 square feet to 58,900 square feet for various retail and/or service/warehouse type businesses. A new street, Fretz Drive, will be constructed just west of Silver Star and connect to Fretz Avenue. The city has already designed and is preparing to bid a paving project on Fifteenth Street, from the railroad west to Santa Fe for raised medians and turn bays at various locations along on Fifteenth. There would be a turn bay for protected left turns at this intersection since it would be a full cross street.

The staff suggests that ERC Properties construct a traffic light at the new intersection of Fretz Drive and 15th Street at their expense since the city is improving the arterial street and adding a protected left turn bay at this location. Commissioner Woods questioned Mr. Thorpe about the installation of the traffic light. Mr. Thorpe agreed to install the traffic light.

Planning Commission expressed concern about the drives on Fretz. Glenn Smith identified 12 February 6, 2001 on the east side of Fretz. He stated that the goal is to provide for better turning movement at 15^m. He felt the light would attract vehicles to the controlled intersection for ease of movement. He stated that the realignment will the city and that staff had been discussing the need to signalize.

Motion by Moyer, seconded by Cartwright, to approve this item with the applicant providing signalization at 15th and Fretz. **Motion carried** as follows:

AYES: Members: Moyer, Cartwright, Hoppe and Chairperson Woods
NAYS: Waner (Amended: 2/20/01)

The next item on the agenda was a **Public Hearing and Consideration of an Edmond Plan III Amendment from Multi-Family to General Commercial Usage on the west side of Fretz, one-eighth mile south of West Edmond Road. (Fountains LLC)**

The Edmond Plan projects Low/Medium Density Multi-Family for this parcel as a transition between Commercial and Single Family. 5 acres would allow 60 units of apartments. Apartments are often not perceived as the best transition use, offices are almost always preferred. Since the developer, Mike Courter, is developing the Fountains to the immediate north, he believes he can create a compatible design that does not adversely impact the adjacent residential.

James Judkins, resident in the east side of Fretz, spoke of drainage concerns. He encouraged the Commission address drainage as part of this development. Mark Farris, representing the applicant, described his observations of the drainage problems in this area. Rush Clinkscales, Civil Engineer, stated that the city lacked adequate ROW to accommodate the storm sewer improvements that will be necessary.

Marcy Hunt, Assistant City Planner, spoke of the residential street connectivity studies conducted by staff and the Planning Commission. She spoke of the benefits half section line roads such as Fretz provide. She expressed concern that if half-section line roads lead to the introduction of commercial uses such as warehouse/office, as the applicant intends to build, reaching ¼ mile into a neighborhood, then such efficient residential street connectivity will be resisted in the future.

Commissioner Waner expressed concern about the truck traffic that would be brought into the neighborhood as a result of the development. She further expressed concern about the flooding. Commissioner Waner stated reservations about amending the Edmond Plan so quickly. She advised that a PUD would be the appropriate zoning given the amount of housing in the area.

Commissioner Cartwright clarified that the number of drives would not exceed two. There was further discussion of the side of the structures fronting Fretz. Commissioner Hoppe stated concern about the request. He identified planning concerns such as traffic, drainage, commercial land uses that would be appropriate in residential, and design. He stated need to slow down and evaluate the design issues.

Mike Courter, the developer, stated he was not interested in entering into a PUD. He acknowledged that a PUD makes the design of the site negotiable. He stated warehouse/office development and he is not interested in developing design concepts priced at \$13 per sq ft. Courter felt the warehouse/office development was more appropriate than medium density residential that is identified on the Edmond Plan. He stated that the existing plan designation could lead to government assisted housing. Mr. Courter assured the Commission that he was interested in protecting his \$5 million development to the north and would not construct something inappropriate.

Commissioner Woods stated the concern is land use. He stated that E-1 allows for a broad pallet of uses. He expressed desire to protect the interests of the neighborhood. Steve Murdock, City Attorney, stated that the PUD was mechanism by which it limit uses.

Motion by Hoppe, seconded by Waner, to approve this item. **Motion failed** as follows:

AYES: Cartwright

NAYS: Hoppe, Waner, Moyer and Chairperson Woods

The next item on the agenda was a **Public Hearing and Consideration of a Rezoning from “A” Single Family to “E-1” General Commercial on the west side of Fretz, one-eighth mile south of West Edmond Road. (Fountains LLC)**

Mike Courter is requesting that the zoning change on 5 acres west of Fretz, south of the Fountains project, south of West Edmond Road, from “A” Single Family to “E-1” General Commercial. The property is projected for Multi-Family, at a density that would allow 60 units. The land to the south is developed with single family homes. Utilities are generally available along Fretz (water line) and to the north at the south end of The Fountains office/warehouse project (sanitary sewer). The city has no plans to improve Fretz in any current funding or capital improvement project. Mr. Courter understands that with development on the east side of Fretz, there could be the need for some right-of-way along the west side to improve the safety for north and south traffic lanes.

Motion by Waner, seconded by Hoppe, to approve this item. **Motion failed** as follows:

AYES: Member: Cartwright

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

The next item on the agenda was a **Public Hearing and Consideration of Request by Barbara Vose to amend the Edmond Plan III from Single Family Planned Unit Development to Low Density Multi-Family Planned Unit Development on the northwest corner of Jordan and Memorial. (Olde North Village)**

Commissioner Moyer was not present for this item. (Amended: 2/20/01)

Commissioner Woods questioned why the PUD expressly states detention will not be provided. Elizabeth Whitlock, representing the developer, explained that the run-off goes into OKC and that OKC does not require detention. Commissioner Woods stated it was important to be good neighbors to OKC. Edmond requires detention. Therefore, Mr. Woods stated that he expects the developer to provide detention.

Bill Hesterwood of The Crossing HOA stated he welcomed development on that lot. However, he stated he had concerns about the increased density. He stated that very little pervious surface would be left with the proposed design. He stated that substantial trees in the creek have already been lost to in the increased volume and velocity of runoff water. He described 14 Planning Commission and the roots, leaving the trees the die. He encouraged that detentic February 6, 2001

Sandra McNabb, resident on Jordan, requested that the trees would be preserved as a condition of the PUD. She further stated concern about traffic volumes. Last, Mr. McNabb asked if the development would make city water more accessible to the neighborhood.

Karen Coleman, resident on Jordan, stated her main concern was density and the resulting traffic. She stated that OKC had been inconsiderate of the rural character of the neighborhood by allowing higher density adjacent to it. Ms. Coleman also expressed concern about the runoff water flowing across Jordan. She stated that ice forms and last for some time. She was concerned that the density of the development would worsen the problem. She asked for those in opposition to stand. Twenty people stood in opposition.

Ed Roberts of Fox Hollow expressed concern about drainage. He stated how much he enjoys the beauty of the natural drainage ditch. However, he argued that when development does not accommodate its runoff, the additional rush of water in the creek threatens the ditch remaining natural and the resulting erosion threatens nearby structures such as swimming pools. Mr. Roberts also spoke of the difficulty of left turn movements out of the neighborhood. He told the Commission that increasing density would worsen the problem. He suggested that a traffic light be required. He further requested that the drive be located at the far north end. Mr. Roberts felt that if the drive were located at the south end that increased traffic concerns at the intersection of Jordan and Memorial would be created.

Mike Snyder, resident on Jordan, described the character of the low-density neighborhood. He stated that 40 homes on the site would not be an appropriate transition of density. He further expressed concern about the structures being rentals. Mr. Snyder circulated a map identifying the location of the trees. He stated that the proposed development would result in the removal of the majority of the trees.

Julie Snyder, resident on Jordan, stated that the appropriate design would be one that preserved the integrity of the rural neighborhood. She stated that 38 homes on 5 acres was not in character with this rural setting that has 2 acre lots surrounding it. She asked the Commission to deny the C-1 PUD and request an A-PUD of a rural design.

Shawn Elliot expressed concern about the placement of the drive to the north. He stated that the cars' headlights would shine into his home. He further stated that 38 duplexes on 5 acres was not in keeping with the surrounding area. He stated he was not opposed to single family and that he understands the developer's desire to turn a profit. However, he argued that he, too, has an investment in his home and that development should be designed in a manner that is considerate of the neighborhood.

Glen Newchum stated concerns about left turn movements onto Memorial. He stated that this development would stack up cars on Jordan.

Nancy Spencer spoke in support the development. She stated that the developer lives in the area and, therefore, has a huge interest in its appearance. She stated that the proposed development will improve the appearance of the entrance with the placement of a gazebo. Ms. Spencer added that the increase in density will result in increased surveillance of the area as the homeowners drive in and out of the development. Regarding traffic, Ms. Spencer stated that the density of the proposed development was less than that of Fox Hollow. Also, Ms. Spencer Planning Commission that would be brought to the neighborhood that are not current 15 February 6, 2001 that the proposed development is better than commercial.

Ronnie Williams of the Edmond Neighborhood Alliance spoke of the importance of requiring detention, despite that OKC may not. He stated the development was in Edmond and, therefore, should develop in accordance with Edmond code and standards. Mr. Williams also spoke about the density. He stated that the existing development is low density, rural in character. The proposed density is not. He asked that a more compatible design be required.

Diane Sheely, resident on Ranch Drive, asked if the structures were actually duplexes or attached dwelling on separate lots. She further questioned if the units would be rentals. Bonnie Carson, resident of Ranch Drive, spoke in support of the development. She stated that she knew the developer. Charlotte Brachet, a realtor, encouraged this style of development, stating that the proposed style of housing is desired by many. Earl Swinger quoted language from the staff report, agreeing that "this project does represent a significant change in the area, especially at the 8 units per acre proposed."

Commissioner Elizabeth Whitlock stated that the developer would construct a right turn lane on Jordan. Alan Spencer stated that he will share the cost of a light with Fox Hollow if Fox Hollow is willing. Mr. Spencer further added that he would be willing to add curb and gutter to Jordan. However, he stated that those improvements would not increase the capacity of Jordan and would result in the removal of a large number of trees. He also added that he was willing to construct sight-proof fencing.

Commissioner Cartwright stated that he has not observed changes in the area that would justify an increase in density of 25 units. Commissioner Hoppe stated that he does not support cramming as many lots on the site as possible. He added that he could not support an increase in density over the 25 units previously approved. Commissioner Waner added that decision makers need to examine residential development next to residential development with the same level of consideration as commercial next to residential.

Alan Spence requested to continue the item to February 20th, 2001.

Motion by Cartwright, seconded by Hoppe, to continue this item to February 20th, 2001. **Motion carried** as follows:

AYES: Members: Cartwright, Hoppe, Waner and Chairperson Woods (Amended: 2/20/01)

NAYS: None

The next item on the agenda was a **Public Hearing and Consideration of Request by Barbara Vose to rezone from "A" Single Family Planned Unit Development to "C-1" Low Density Multi-Family Planned Unit Development on the northwest corner of Jordan and Memorial. (Olde North Village)**

Commissioner Moyer was not present for this item. (Amended: 2/20/01)

In September of 1995, Gene Furnish was approved for a single family Planned Unit Development known as the Lyford on this four and a half acre parcel on the northwest corner of Jordan and Planning Commission ; no longer planned and the PUD is being dropped. The Furnish project February 6, 2001 of 25 dwelling units. The current project proposes 40 units and is known as the Olde North Village project. This PUD would contain private streets with a controlled 16 access gate. Variances in setbacks, street paving width would be required in order to approve this PUD. In addition, agreements with Oklahoma City and Edmond will be required for water service and possibly an exception to detention since the run-off is to the south towards Oklahoma City.

Motion by Cartwright, seconded by Hoppe, to continue this item to February 20th, 2001. **Motion carried** as follows:

AYES: Members: Cartwright, Hoppe, Waner and Chairperson Woods (Amended: 2/20/01)

NAYS: None

The next item on the agenda was a **Consideration of a request for deed certification, south side of 18th Street, 250 feet east of Kelly. (Karri Jamison)**

Karri Jamison is planning a beauty shop on the south side of 18th Street, south of the Signal Ridge center and northeast of the Ballinger Dental Clinic. This tract of land is zoned "E-3"

Restricted Light Industrial and the Ballinger Clinic has already been deed approved from the original ownership on the southeast corner of 18th and Kelly. The total tract is 1.7 acres and Ms. Jamison plans to divide the property into two parcels, one 37,854 square feet and the other parcel 37,918.8 square feet. The parcel has 216 foot of frontage on 18th Street and only one drive will be approved, shared between the lots.

Commissioner Waner asked about cross access. Rush Clinkscales recommended cross access to adjoining properties with the easement reflected on the deeds. Kari Jamison agreed to the cross access easement identified.

Motion by Waner, seconded by Moyer, to approve this item with necessary cross access easements. **Motion carried** as follows:

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

NAYS: None

The next item on the agenda was a **Consideration of a request for deed certification south of 15th, west of railroad tracks, east of Wind Rush Apartments. (Glenn Ashmore)**

A continuance was requested by the applicant.

Motion by Cartwright, seconded by Hoppe, to continue this item. **Motion carried** as follows:

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

NAYS: None

The next item on the agenda was a **Public Hearing and Consideration of ordinance to close a portion of a utility easement 2709 Spyglass Hill Road, Fairfax Estates. (Gary Van and Janet E. Rabb)**

The staff explained that a pool has been constructed in an easement. A survey of the site is being developed to show the exact location of the sewer line. Mr. Schiermeyer stated the item needed to be continued until the survey can be reviewed.

Planning Commission moved by Waner, to continue this item to February 20th, 2001. **Motion**
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AYES: Members: Moyer, Waner, Cartwright, Hoppe and Chairperson Woods

NAYS: None

The next item on the agenda was a **Public Hearing and Consideration of a request to close a portion of a public utility easement on the west side of Boulevard between Marilyn Avenue and Myra Court. (Edmond First Church of the Nazarene)**

The Edmond First Church of the Nazarene, represented by Jerry LaVarnway, is proposing a parking lot expansion on the east side of the church. This property has been platted as the Elwood Heights 6th Addition but the entire block was purchased by the church. The church owns all the land south of Marilyn, north of Myra and west of Boulevard. The church has already been constructed over a utility easement in the western part of the block. The sanitary sewer line does extend through the entire easement east to Boulevard, but the sanitary sewer service line connects to the city main on the west side of the property and a majority of the city sewer line is not needed and does not serve any homes east of Boulevard. It is possible to clear title to this property by closing the east 260 feet of the easement and abandoning the sewer line in this portion of the easement.

David Woods, Chairman
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission