

EDMOND PLANNING COMMISSION MEETING

Tuesday, March 20, 2001

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson David Woods at 5:30 p.m., Tuesday, March 20, 2001, in the City Council Chambers at 20 South Littler. Other members present were Bill Moyer, Dyke Hoppe, and Elizabeth Waner. Commissioner Leroy Cartwright was not present. Present for the City were Robert L. Schiermeyer, City Planner; Marcy Hunt, Assistant City Planner; Jerry Smith, Assistant City Manager; Steve Manek, Director of Engineering; and Steve Murdock, City Attorney. The first item on the agenda was the approval of the March 6, 2001, Planning Commission Minutes.

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

AYES: Members: Waner, Moyer, Hoppe and Chairperson Woods
NAYS: None

The next item on the agenda was a **Public Hearing and Consideration of Ordinance to amend Edmond Plan III from Suburban Office Planned Unit Development to General Commercial Planned Unit Development Usage south of Danforth, east of Wal-Mart Supercenter and west of Park Lane Addition. (Frank Battle)**

Background Information

The request for office zoning on this parcel was first heard and approved by the Planning Commission on May 6, 1997. At the time Mr. Battle made application for "E-1" General Commercial zoning at the Southeast corner of Danforth and Santa Fe, the current Wal-Mart Supercenter site, he also requested that the subject parcel be rezoned to "D-O" in order to serve as a buffer between Park Lane Estates and the referenced general commercial.

The intent for the subject property to serve as a buffer to Park Lane Estates is expressed in the letter from Ernie Isch, the applicant's representative at the time, dated April 11, 1997. The letter states the applicant wishes to rezone the subject property "to office zoning to provide a buffer from our "E-1" project against the existing residential." The letter was carbon copied to Frank Battle.

The item was then heard and denied by the City Council on May 12, 1997. The minutes reflect that Ernie Isch stated that the proposed "D-O" zoning on the east (subject property) and south sides of the requested general commercial, which is now Wal-Mart, would be used as buffers for the single family residential areas. Mr. Isch further acknowledged the large amount of residential development in the area and stated that a properly designed office complex could be as compatible as single family homes in the area.

The Council denied the General Commercial request at the Southeast corner of Danforth and Santa Fe. The request for "D-O" zoning on the subject parcel adjacent to Park Lane Estates' Planning Commission March 20, 2001 t Council concern about potential adverse effects the general 42
 single family residential.

On July 8, 1997 the Planning Commission heard and approved rezoning the subject parcel to "D-O" PUD known as Bridgewater Office Park. The parcel was increased in size from 150 feet in width to 225 feet to serve as a more substantial buffer than the original submittal.

Further, as reflected in the Bridgewater Design Statement, the subject parcel was a companion zoning application for the "E-1" General Commercial, which is now the location of the Wal-Mart Supercenter. A second letter of justification was submitted by Ernie Isch and carbon copied to Frank Battle. The letter identifies the subject parcel as a buffer between Park Lane Estates and the general commercial zoning on the Southeast corner of Danforth and Santa Fe. On July 14, 1997 the rezoning request for the "D-O" PUD on the subject parcel was approved by the City Council.

The Edmond Plan

The Edmond Plan is a verbal and graphical guide for growth and development. Amendments to the Plan Map may be based on conditions that have changed affecting a particular parcel of land or its general vicinity. However, amendments to the map are to still comply with the goals and objectives in the Guide Text.

Chapter 9 in the Guide Text speaks to land uses. Policy SF1 states:

Single Family Residential areas will be protected from intense commercial uses by transition uses including, but not limited to, low density Multi-family, Suburban Office or Office Commercial, natural barriers, or additionally, in the case of industrial areas, open space. Variances may only be granted under special circumstances.

The City of Edmond has a long history of buffering Single Family Residential from commercial uses where possible with Suburban Office. Examples include Thunderhead Hills, Kicking Bird Estates, and Bavarian Forest. The most significant change that has occurred since July 14, 1997 when the subject property was rezoned to "D-O" PUD, is the construction of a Wal-Mart Supercenter at the Southeast corner of Danforth and Santa Fe. Large scale retail structures, such as Wal-Mart, are among the most intense general commercial land uses due to the immense size of the structure, the high volumes of traffic generated, the auto-oriented design, the large expanse of lighted parking, and the presence of a 24-hour operation.

The "E-1" PUD Design Statement

The developer is proposing a single story structure with a brick or "quick brick" veneer on three sides. The color of the brick is proposed to closely match the existing 8-foot brick wall along a portion of Park Lane Estates. The structure is proposed to have a minimum setback of 40 feet from the east and south property lines. The placement of the dumpster is proposed at least 200 feet west of the east property line.

A number of uses have been disallowed in the design statement. In addition to these disallowed uses, Mr. Battle has provided in the design statement that "the south fifty feet of the south end Planning Commission d by any restaurant use, and the hours of operation for any t 43 March 20, 2001 eet of the south end cap shall be limited to the hours of betw 8:00 a.m. and 9:00 p.m.

Whether the Commission approves or denies the request for "E-1" PUD, there are certain changes to the design statement that staff recommends be considered prior to City Council action.

1. Brick Veneer. The original Bridgewater Office Park Design Statement called for brick veneer. The "E-1" PUD Design Statement proposes brick or "quick brick". Brick, rather than "quick brick", will more closely match the architectural style of the Park Lane Estates neighborhood and the existing 8-foot brick wall.

is the place to record that standard.

6. Outdoor Speakers. The applicant states, "No outside loud speakers or exterior alarm sirens will be allowed." If the Commission wishes to permit outdoor speakers, the word "loud" may need to be clarified.
7. Size of Structure. The design statement describes a "single rectangular shaped building of approximately 40,000 square feet". However, two concept plans have been submitted to the city. The first reflects a structure that is 27,600 square feet with 181 spaces provided. That is 43 more than the parking standard requires. The second concept plan reflects a 40,000 square foot structure with 161 spaces. That is 39 fewer than the parking standard requires.

In each concept plan a 3,080 square foot easement appears to be acquired from Wal-Mart. The first concept identifies the area as future parking and dumpster location. The second concept shows it as parking.

8. Parking and Site Design. The Commission has engaged in lengthy discussion about excessive parking in site plans, identifying parking in excess of the requirement as potential landscaping. If the Commission wishes to limit the parking to not exceed the required number of spaces outline in the Edmond Municipal Code, the design statement is the appropriate place to record such standard.

The first concept plan exceeds the parking requirement by 43 spaces; not counting the area identified as future parking. The second concept plan does not meet the parking standard. Each concept plan provides very little landscaping in the front.

If the Commission finds that the second concept plan is unacceptable and chooses to apply the first concept plan, the design statement will need to be revised to reflect the proper square footage of the structure. If the Commission is not accepting to either concept, an alternative concept should be agreed upon between the Commission and the Developer.

Staff Recommendation Staff recommends denial due to noncompliance with the Edmond Plan.

Randel Shadid, representing Frank Battle, stated the 10 abutting residents, who he described as those most impacted, have signed a letter of support for the proposed "E-1" PUD. Mr. Shadid cited GoalNR1 of the Edmond Plan where it is stated, "Encourage the master planning Planning Commission emphasizes aesthetics and community compatibility. Include 45
March 20, 2001 , landscaping, open space, storm drainage, utilities, and
er plan." He felt this goal was served by the proposal as submitted.

Mr. Shadid also cited PolicyNR1 from the Edmond Plan. "Assure that site and building design guidelines create an effective transition between substantially different land uses and densities." He also felt that this objective was served by the proposal as submitted. Mr. Shadid stated that Plan Amendments may be based on changes in the area. He identified the development of the Wal-Mart Supercenter and the upcoming Kohl's development as reasons why the land should be rezoned to "E-1" PUD. He added that the number of uses omitted in the design statement make the development tantamount to a "D-1" Restricted Commercial PUD.

Mr. Shadid addressed the elements of the PUD that staff recommended the Commission consider for removal or amendment. Regarding the quick brick, Mr. Shadid stated that

that the HOA first learned of Mr. Battles' intentions from the 10 abutting property owners. He explained that they came to the HOA in opposition to the rezoning. Mr. See stated that while these 10 homeowners may be in support of the rezoning at this time, he explained that he represented more than 300 homeowners that made up the rest of Park Lane Estates who are opposed. He stated that "D-O" PUD was approved as a companion item to the "E-1" General Commercial where Wal-Mart has developed. He asked that the applicant be held to his agreement.

Nancy Warren of Pine Oak stated that the entire community will be affected by this decision. She stated the importance of commercial development providing land use buffers from Single Family Residential.

Charles Neal, President of the Home Owners Association for Homestead, stated that the Homestead neighborhood supports the Park Lane Neighborhood in opposing the rezoning.

Betty Jean Blue, President of the Edmond Neighborhood Association and former Planning Commission member, stated that in land use decisions, there are three parties: the applicant, the abutting homeowners, and the public in general. She stated that this decision had implications for the entire community, that the issue goes far beyond Park Lane Estates.

Bruce Andrews, a former Planning Commission member, stated that the Edmond Plan is clear regarding the provision of land use buffers between commercial and residential. He added that if compensation has been given to the abutting homeowners in exchange for their support of the rezoning, then land use planning will have reached a new low.

Commissioner Hoppe stated that he agreed with Mr. Vaughn and the Park Lane HOA more commercial is not an appropriate land use buffer between commercial and residential. He added that this rezoning would not set a good precedent, regardless of how many uses are eliminated.

Commissioner Waner agreed that rezoning to a higher use would set a bad precedent. She Planning Commission home ownership among these 10 abutting property owners 47
March 20, 2001) about the affects of commercial on residential.

Commission Waner requested that the design statement be amended before being sent to Council for consideration of approval. She stated that the design statement should provide for brick, not "quick brick", and it should be provided on all four sides. She added that Sanitation must be consulted before any restrictions on trash pick-up can be agreed upon. She requested that screening of the roof top be provided on all four sides. Last, Commissioner Waner added that landscaping is for the entire community, not just the 10 abutting property owners. For that reason, she requested that the parking lot be landscaped in addition to the proposed landscaping in the rear.

Commissioner Moyer expressed concern about the precedent that would be set. Further, Commissioner Moyer cited the Edmond Plan where buffers are defined as office, not commercial.

Chairman Woods felt the proposed rezoning was not in compliance with the Edmond Plan. He stated he could not support commercial, that it was not in the interest of Park Lane Estates or the general public.

Motion by Hoppe, seconded by Moyer, to approve this request. **Motion failed** as follows:

AYES: None

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

The next item on the agenda was a **Public Hearing and Consideration of Ordinance to rezone from “D-O” Suburban Office Planned Unit Development to “E-1” General Commercial Planned Unit Development Usage south of Danforth, east of Wal-Mart Supercenter and west of Park Lane Addition. (Frank Battle)**

Marcy Hunt, Assistant City Planner, asked the applicant if he were agreeable to Commissioner Waner’s requests regarding the design statement. Randel Shadid replied that the applicant is not agreeable the changes.

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

AYES: None

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

The next item on the agenda was a **Public Hearing and Consideration of Request by Alan Spencer to amend the current “A” Single Family Planned Unit Development Design Statement for property on the northwest corner of Jordan and Memorial to allow 32 units rather than 25 units and to amend the PUD Master Plan for this property.**

Commissioner Moyer was not present for this item.

Alan Spencer is no longer requesting a plan amendment to or rezoning to “C-1” Low Density Multifamily Planned Unit Development. He is currently requesting to amend the current design statement and master plan for the “A” PUD zoning at this site, which has passed the anniversary Planning Commission Community Connections meeting was held March 1, 2001. 48
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In September of 1999, the Lyford project 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 Memorial. That project is no longer planned by the applicant. The Furnish project provided for a maximum of 25 dwelling units.

The Proposed Design Statement

The current project proposes 32 units and is known as the Olde North Village project. This PUD would contain private streets with a controlled 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.

The property to the west, part of the Crossing Townhouse project, has developed at a density similar to the current proposal. The Leavitt’s North Park Addition contains a majority of rural lots approximately one acre in size although there is a variety of lot sizes with standard single family lots at the far north end of the Leavitt’s Addition. Septic tanks are still used in a portion of this area and on at least one of the less than acreage lots at the north end of the addition, the Health Department has required the aerobic system, approved at the Redmont Addition, since the soils did not perc satisfactorily for a septic tank. Some of the residents of Leavitt’s did vote a sewer assessment district but that serves a large portion of the development, but not all of it. The commercial lots along Memorial may remain undeveloped until water is extended from Oklahoma City. Oklahoma City surrounds the 80 acres of Leavitt’s North Park Addition on the west, south and east.

A significant creek is located along the southwest side of this property and drains to the south in Oklahoma City, but is in the Deep Fork (Arcadia Lake) watershed. Large trees are present in the creek area. The parcel has been undeveloped gently rolling terrain. The applicant has modified the configuration of the street layout. Mr. Spencer explained this was for the purpose of preserving some of the existing trees. No preservation easement is provided as part of the PUD.

The design statement should be modified to reflect certain infrastructure improvements. Staff recommends the design statement reflect that adequate utility easements and access for maintenance and operations will be provided as required by the city. Additional language should be included specifying that extension of a water line will be done as required by the City and Fire Marshal's Office. Also, the design statement should reflect that the developer will make improvements to Jordan as required by the city, including the construction of an additional south bound lane for right turn movements.

Staff recommends the following sentence be removed from the design statement:

In cases of conflict between the provisions of the City Code and Regulations of the City of Edmond and the provisions of this Planned Unit Development of Olde North Village, the provisions of this PUD shall be deemed to supersede.

The provision of storm water detention and drainage improvements is not addressed in the design statement.

The Edmond Plan

The Edmond Plan identifies the property as "A" PUD as currently zoned. This is a substantial difference in the density of the existing rural development. The proposed increase in density over the previous Lyford submittal is 7 additional units. This project has some similarities to the 49 Planning Commission are acreage lots adjacent to the location and the streets were March 20, 2001 development. The Keas Plaza Master Plan provided significantly

The newest growth, which in this case is in Oklahoma City, is at a higher density similar to what is proposed, but the adjacent development in the Edmond city limits is totally single family homes on larger lots.

Bob Schiermeyer, City Planner, added that the following changes be made to the design statement:

1. Omit from the PUD Design Statement, "In cases of conflict between the provisions of the City Code and Regulations of the City of Edmond and the provisions of this Planned Unit Development of Olde North Village, the provisions of this PUD shall be deemed to supercede."
2. Add to PUD Design Statement, "The box/pipe under Jordan Avenue should be replaced to meet current standards."
3. Add to PUD Design Statement, "Title 23, Drainage/Detention standards shall be met with this development."
4. Add to PUD Design Statement, "Jordan Avenue shall be resurfaced adjacent to this project, east and west sides of the road."
5. Add to PUD Design Statement, "A 12 foot right turn lane shall be added on Jordan Avenue for safe traffic movements at the intersection of Jordan and Memorial Road."
6. Sidewalks can be waived for this project (insufficient space and no existing sidewalk pattern)."

7. Add to PUD Design Statement, "Adequate right-of-way on Jordan Avenue for a bar ditch, and/or adequate storm sewer and/or curb and gutter shall be constructed in accordance with the drainage standards recommended in the owner's drainage detention study.
8. A 12 inch water line shall be extended to the north property line of this project.
9. Add to PUD Design Statement, "The 24 foot wide paved private street shall be marked as a fire lane or with no parking. Guest parking shall be provided separately, not parallel along the street."
10. Add to PUD Design Statement, "The access gate operation shall comply with all fire code standards."
11. Add to PUD Design Statement, "No more than two single owned units shall be attached along the side property line (duplex style structures).

Elisabeth Whitlock, representing the applicant, stated that they had participated in a Community Connections meeting since the last Planning Commission hearing. She stated that some changes had been made, including revision the request from "C-1" Low Density Multifamily PUD to "A" Single Family PUD. She stated the applicant is seeking approval for 32 units. She also noted that the street layout had been modified in attempt to preserve trees.

Ms. Whitlock stated that specific agreements for drainage and street improvements that follow normal code requirements could be added to the design statement if requested by the Commission. She stated that the applicant does not anticipate providing additional ROW. She added that the gate design concept had generally been accepted by the Fire Marshal. However, detailed designs have not yet been submitted and approved. She requested that the

Planning Commission request for approval.

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Whitlock with the 11 items staff recommended for inclusion or removal in the design statement. Ms. Whitlock clarified that item #4 regarding improvements to Jordan were to the north property line of the applicant's land. Bob Schiermeyer stated that improvements to Jordan are not requested beyond the applicant's north property line.

Ms. Whitlock asked Mr. Schiermeyer to explain item #7 in more detail. Mr. Schiermeyer explained that that more land on Jordan may be necessary to accommodate all the improvements that are necessary in the ROW. He explained that when more detail is submitted, the city might find that additional ROW is necessary. If item #7 is in the design statement, then it will be clear that the applicant had agreed to accommodate the need for additional land. Ms. Whitlock stated that the applicant is agreeable to adding the 11 restrictions to the design statement. She added that adequate drainage easement and/or ROW would be provided to accommodate item #7.

Commissioner Woods expressed concern about the availability of guest parking. He further expressed concern regarding the lack of information regarding the gated entrance and the need for ROW. He stated that it was unclear with the level of information submitted by the applicant whether or not 32 units could reasonably be accommodated on this site and the associated utilities, easements, ROW, and guest parking.

Elisabeth Whitlock stated she believed everything could be accommodated on the site. She stated that that level of detail could be submitted now. However, she felt it was appropriately addressed at the time of platting and site plan approval.

Tom Parkhurst, resident on Jordan, stated that Mr. Yentz owns land immediately north of the subject parcel. He stated that Mr. Yentz has concerns about the density, the traffic and drainage.

He described drainage problems that currently exist and stated that the proposed improvements will generate more run off. He explained that a preliminary drainage study has been requested, but the applicant has not provided that information.

Mr. Parkhurst added that if the trees are preserved, then only 3.75 acres is developable. He questioned if 3.75 acres will accommodate the 32 units, all the infrastructure improvements, and detention. Mr. Parkhurst described the road improvements that were proposed at the time the Lyford PUD was approved. He added that the city has not been receptive to resurfacing the roads in Leavitt's North Park. Mr. Parkhurst stated the Mr. Yentz would like to have an 8-foot sight proof fence along the north property line. He added that during the Community Connections meeting Mr. Spencer agreed to wrought iron along Jordan. Last, Mr. Parkhurst spoke on the drive alignment. He explained that it is positioned so that head lights will shine onto the neighbor's yard as cars leave. Mr. Parkhurst added that many of the residents were not there at the time the Lyford design was approved.

Bobby Carter of Jordan Avenue spoke in opposition to the proposal. He stated that the 25 units of the Lyford plan was not in compatible with the rural design of the neighborhood. He added that increasing to 32 would make the design even less compatible. He also stated he did not believe senior citizens would be attracted to that density. Mr. Carter also requested that the structures be limited to one story and that they not be attached. He also expressed concern that the ~~zoning would promote unwanted~~ activities such as loitering. Mr. Carter added that the main 51
Planning Commission se onto the property to the north. He requested that the drive be
March 20, 2001 using will separate the main drive form existing housing.

Bob Gazzon, Homeowner in the Crossings, stated that Mr. Spencer purchased the property knowing that the Lyford PUD allowed for a maximum of 25 units. He stated that if Mr. Spencer does not want to develop at that density, he suggested that an office zoning be considered. He added that he would like to see the development tie into OKC sewer at Memorial. He explained that there has been trouble with the lines settling, which has created high plumbing costs for the residents in the Crossings.

Irene Meadows expressed concern about the effect he proposal could have on her property values. She stated that conversations with Mr. Spencer indicated the units will cost between \$98,000 and \$136,000, which is less than the value of existing housing. She stated she preferred to see an acreage development in order to achieve a compatibility of design. She added that she was opposed to a duplex style development.

Mike Snyder, resident on Jordan, stated he opposed the project. He further added that there are too many unanswered questions regarding this proposal. He asked about guest parking and open space for children to play. He encouraged that OKC be contacted now regarding a possible approach off of Memorial. He also stated that more information should be provided on drainage before approval is considered. Last, he stated concern about the density, noting that it was not compatible with the rural design of the neighborhood.

Dan O'Neil of the ENA stated that the residents just don't know enough about what the applicant plans to do. He felt more detail was need to address much of infrastructure, drainage, and parking concerns.

Elisabeth Whitlock stated the applicant will follow the Edmond Municipal Code when providing for drainage. She explained if it is determined that 32 units will not fit given the constraints stated by the Commission and the public, then the applicant will develop fewer units. She stated that Mr.

Spencer lives in the neighborhood and is trying to develop a proper buffer for the existing single family. She said the zoning at one time allowed for office. However, the applicant feels residential is more appropriate. She addressed the concern regarding the gazebo. She stated that this will be an amenity for the residents, not the general public. The gazebo will be contained within the fenced area that will surround the entire development.

Commissioner Waner expressed concern about the density. She stated that many questions remain unanswered with the level of detail the applicant has submitted. She further added that residential next to more residential does not in itself mean it is compatible. Commissioner Waner stated the importance of a compatibility of design.

Commissioner Hoppe commented on the level of detail that was submitted with the Keas Plaza "A" PUD proposal. He felt Mr. Spencer is making progress, but the proposal is still denser than what would be appropriate. He further requested more detail.

Commissioner Woods stated that the submittal lacked the level of detail necessary to consider it for approval. He identified the request for 32 as not specific enough, particularly regarding the design. He stated that information submitted by the applicant does not show that Mr. Spencer can accomplish providing all the improvements necessary.

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

AYES: None

NAYS: Members: Waner, Hoppe and Chairperson Woods.

The next item on the agenda was a **Public Hearing and Consideration of Request to amend Edmond Plan III from Single Family Residential to Restricted Commercial Usage 14 East Eleventh Street. (Kenneth and Shirley Phillips)**

The applicant is requesting to amend the Edmond Plan to permit "D-1" Restricted Commercial zoning on the lot located at 14 East 11th. This lot is part of the Reynolds Neighborhood. The pattern of land use reflected on the plan map provides for commercial uses along the frontage of Broadway with a lot depth of approximately 190 feet. This pattern is very consistent along this stretch of roadway. The proposed request to amend the plan would allow for commercial zoning to reach deeper into the neighborhood. Conversations between the applicant and staff indicate the applicant's intent is to develop a parking lot on this site. Presumably, the parking would serve office park at the southeast corner of Broadway and 11th.

The subject parcel is developed residentially, with a single-family stone house. The referenced house faces another single-family structure on the north side of 11th. The Reynolds Neighborhood was largely developed in the 1940s and 50s and clearly provides for a stock of affordable and decent housing in Edmond. The Edmond Plan places high priority on protecting neighborhoods from possible adverse effects of adjacent commercial development. Chapter 9 addresses Land Use goals. Specifically, GoalRES1 states:

An essential goal is the protection and enhancement of Edmond's single-family and multifamily neighborhoods. The quality and integrity of Edmond's residential neighborhoods make the City special. Ensuring that these neighborhoods remain stable and vital is of primary concern.

Staff review finds three primary issues for the Planning Commission to consider regarding this request:

1. Precedent. The Planning Commission will need to determine if the request could set a precedent for additional commercial development deeper into the neighborhood, in particular, on 10th, 11th and 12th Street. In the case that a precedent may be set, the Planning Commission needs to further decide if that is desirable.
2. Redevelopment Standards. The Edmond Plan III is a guide for development in Edmond. The plan text and plan map jointly establish standards on how, when and where to build, rebuild and preserve.

The Edmond Plan is a tool by which to direct where commercial development occurs. Commercial expansion in areas of existing development can occur by redeveloping underutilized land already zoned commercial. Or, commercial expansion can be accommodated by rezoning and redeveloping land currently serving a different use.

Planning Commission March 20, 2001 will need to consider if commercial expansion along the ay should be encouraged through redevelopment of existing commercial land, the removal of housing, or a combination of the two. 53

3. Compliance with the Edmond Plan. The Planning Commission will need to determine if the goals and objectives of the Edmond Plan are served by the proposed amendment.

Staff Recommendation

If the Planning Commission wishes to approve rezoning of this lot, staff recommends the Planned Unit Development as the appropriate procedure in order to address issues regarding the sensitivity of this residential neighborhood.

Mr. Phillips explained that he had purchased the office building at 11th and Broadway, adjacent to the subject parcel, four yeas ago. He stated that he had done certain improvements to the structure. He informed the Commission that he purchased the subject parcel for the intent to construct parking.

Commissioner Hoppe stated that he visited this location and described the street to be a quiet residential street. He explained he could not support the request, stating he did not feel it was in the interest of the neighborhood. He further stated he did not see need for additional parking.

Commissioner Waner cited the Edmond Plan map and Edmond Plan Text. She felt the map was consistent with the placement of commercial along Broadway. Approving this request would give rise to commercial reaching deeper into this neighborhood, which she did not believe to be consistent with the Edmond Plan. She identified commercial along 9th as different in that 9th is a ½ section line road, providing for four lanes of traffic.

Motion by Hoppe, seconded by Moyer, to approve this request. **Motion failed** as follows:

AYES: None

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

The next item on the agenda was a **Public Hearing and Consideration of Request to rezone from “A” Single Family Residential to “D-1” Restricted Commercial Usage 14 East Eleventh Street. (Kenneth and Shirley Phillips)**

This is a companion item for the request to amend the Edmond Plan from Single Family Residential to Restricted Commercial. The staff report for the plan amendment request applies to this rezoning request.

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

AYES: None

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

The next item on the agenda was a **Public Hearing and Consideration of Commercial Site Plan approval for an office building located at 1501 Renaissance Boulevard south of 15th Street and west of Kelly. (Chris Harper)**

The property is zoned "E-3" Restricted Light Industrial District and the requested use is a Law Office Building. The property to the east, south and west is zoned "E-3" Restricted Light Industrial District. The property to the north, across West Fifteenth Street, is zoned "D-2" Neighborhood Residential District. The proposed building will be set back 55 feet from the north property line, 53 feet from the east property line and 15 feet from the south and west property lines. There is an existing ten foot wide utility easement across the west edge of the site. An existing ONG easement overlaps six feet of the north edge of the site. 54

The building will be a 93' 2" by 62' two story structure, 5,862 total square feet. The first floor will have 4,608 square feet, and the second floor will have 1,254 square feet. The building will have pitched roof and flat roof areas. The pitched roof will be constructed of nickel color standing seam metal. The exterior of the building will have a veneer of 8" by 8" by 16" block. Buff colored split faced block and brown colored split faced block will be used. Enameled Steel Architectural Panels are also proposed as an exterior veneer material for one area of each side elevation, and as the entire veneer for the front entry elevation. E.F.I.S. and cast stone elements will be used. The overall height of the building will be thirty feet.

The mechanical equipment will be located on the ground on the south side of the building. It will be screened by plant material. Parking lot lights are not proposed for the site. Ground mounted up-lighting will be provided around the perimeter of the building. Wall mounted metal sconces will be used at the entry, and Soffit mounted down-lights will be used for the at the back of the building for the patio and back drive area. Fencing will not be provided. A 6 foot tall by 7 foot long ground sign is proposed for location near the southeast drive. The sign will be constructed of 8" by 8" by 16" block to match the building veneer. The sign will have bronze raised letters. There will be a landscape bed around the sign base.

Seventeen parking spaces are proposed for the site. Nine parking spaces will be located on the north side of the building. Eight parking spaces will be located on the east side of the building. Two of these parking spaces will be handicap parking spaces. The applicant will provide a sidewalk with handicap ramps in the right of way adjacent to Fifteenth Street and Renaissance Boulevard. The lot area is 23,394 square feet. The ten percent required landscape area equals 2,339 square feet, of which 1,170 square feet must be in the front. A minimum of 187 plant units are required, of which 75 plant units are required to be evergreen. The applicant is proposing to provide 7,077 square feet of landscape and lawn area, of which 4,906 square feet will be in the front. The applicant is proposing to provide 203.5 plant units of landscaping, of which 171 plant units are evergreen. The applicant will provide edging and mulch for all planting beds. All trees shall be staked. All deciduous trees shall have tree wrap applied.

A twenty-three foot wide drive is proposed for location at the northwest corner of the site, the south side of 15th Street. Another twenty-three foot wide drive is located at the southeast corner of the site, the west side of Renaissance Boulevard. This drive will serve as a shared drive with the existing building to the south. The new drive on 15th Street meets the driveway separation policy. An existing screened dumpster near the southwest corner of the site will be utilized. Detention has been provided for in an existing detention facility.

Sewer service will extend from the west side of the building to an existing sewer riser at the southwest corner of the site. Water service will enter the southeast corner of the building from Renaissance Boulevard. Gas and electrical service will enter on the west side of the building. The electrical transformer will be located on the west side of the building. All new and existing utilities must meet code upon completion of the project.

Planning Commission presented renderings of the proposed structure. David Todd, the 55
March 20, 2001 ention is provided regionally with the entire development.

Commissioner Waner asked about the provision of cross access. Bob Schiermeyer stated that it is ideal to get cross access.

Motion by Moyer, seconded by Hoppe, to approve this request. **Motion carried** as follows:

AYES: Members: Moyer, Hoppe, Waner 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)**

Socrates Lazaridis is representing Satyam Enterprises in requesting a Special Use Permit to allow "C-2" Multi-Family apartments east of the Best Western and west of Smithcot Shopping Center on the southwest corner of East Second Street and Coltrane. The property is zoned "E-1" but that district does not allow multi-family without a Special Use Permit. A similar project is the Windrush Apartments on the south side of 15th Street west of the Railroad tracks and east of Fretz. That parcel is zoned "E-2" Open Display. The approval of multi-Family should not be considered a down zoning; it should be considered a mixed use with residential being developed along side the appropriate commercial uses.

The land to the south of this property is already zoned "E-1" Commercial and should continue to develop that way. Even with the apartments adjacent, the best use of the general area is for higher commercial uses and if that does include a mix of residential and commercial, that is appropriate in the staff's opinion. If the Planning Commission feels that approval of the apartments suggests limiting land uses in this area in the future, then this Special Use Permit is not appropriate.

The property is zoned "E-1" General Commercial District, current zoning requires a Special Use Permit. The proposed use is a forty-four unit apartment complex on 4.5 acres, approximately 10 units per acre. The Special Use will limit this project to 44 units. The property to the north of the site, across Second Street, is zoned "D-2" Neighborhood Commercial District and is undeveloped. The property to the east of the site is zoned "D-2". The property to the south of the site is undeveloped and is zoned "E-1" General Commercial District and is owned by Matt Wilson. The property to the west of the site is zoned "E-1" and Dr. Mear's operates a chiropractic clinic and

several rent houses on the property. The Best Western Motel is located to the west. The proposed apartment buildings will be set back 133 feet from the centerline of East Second Street, 20 feet from the east property line and 20 feet from the south property line.

The four apartment buildings and the cabana proposed for the site will have a total of 51, 484 square feet of floor space. All of the buildings will have pitched roofs of composition shingles. The height of the buildings will not exceed 34 feet 10 inches. Building A/1 will contain 1 one bedroom unit and 3 two bedroom units. The building will have three floors and a total of 4,584 square feet of floor space. The first floor will have an exterior veneer of stone. The second and third floors will have an exterior veneer of horizontal siding. Building B/2 will contain 4 one
Planning Commission units and 3 three bedroom units. The building will have three 56
March 20, 2001 re feet. The first floor will have an exterior veneer of brick and stone. The second and third floors will have an exterior veneer of tan horizontal siding. Building C/3 will contain 4 one bedroom units, 8 two bedroom units and 3 three bedroom units. The building will have three floors and a total of 16,186 square feet. The first floor will have an exterior veneer of brick. The second and third floors will have an exterior veneer of horizontal siding. Building D/4 will contain 3 one bedroom units, 7 two bedroom units and 2 three bedroom units. The building will have three floors and a total of 14,208 square feet. The first floor will have an exterior veneer of brick. The second and third floors will have an exterior veneer of horizontal siding. The cabana, Building E, will contain 320 square feet.

The mechanical equipment will be located on the ground based on the pitched roof construction. Light poles will not exceed 25 feet in height. Fencing will not be provided. One ground sign will be permitted not more than 42 square feet, 6 feet in height. One hundred one parking spaces are proposed for the site and will be located between the proposed buildings and the existing Best Western Motel. Two of the parking spaces will be handicap parking spaces.

The lot area is 121,458 square feet. The ten percent required landscape area equals 12,146 square feet. A minimum of 972 plant units are required, of which 389 plant units are required to be evergreen. The applicant is proposing to provide 45,860 square feet of landscape and lawn area. The applicant is proposing to provide 1,019.5 plant units of landscaping, of which 571 plant units are evergreen. The applicant will provide staking for all evergreen and deciduous trees. A twenty-two foot wide drive is proposed at the northeast corner of the site. The proposed drive will be 130 feet east of the existing drive for the Best Western. There will be cross access with the Best Western at the north and south ends of the project. A dumpster enclosure is proposed near the center of the site in the parking lot.

The minimum Fire Department requirements are as follows:

1. A 8 inch water line will be connected back to Second Street so that there are 2 connection points to supply the apartments and the Best Western in the event one water line is out of service.
2. The apartments will be served by a fire sprinkler system and fire lanes will be provided. (The sprinklers act as an option to fire lanes to the south and east of the buildings.)
3. Fire hydrants will be added to meet the distance separation between the buildings and the water line.

A detention pond at the back of the Best Western will be connected to a new 24 inch storm sewer under the parking lot of the apartments and this developer will also have to add a 30 inch portion of the pipe along Second Street connecting this project to the new storm sewer under construction at the 2nd and Coltrane intersection. A pond will be connected in the front of the

apartments, which is more decorative in purpose but was discussed with the original Best Western.

Commissioner Moyer questioned the parking. Specifically, he asked if the parking would be used by both the residents of the apartments and the customers of the hotel. He further questioned if the site plan provided an adequate number of handicapped parking. Bob Schiermeyer explained that the parking for the two uses would be separate. He added that the parking is adequate for each development. Mr. Schiermeyer also explained that given the number of units, the number of handicapped parking was acceptable. He stated that 120 units would trigger heightened handicapped concerns.

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the elevation difference. Bob Schiermeyer stated there would be that a retaining wall would be provided.

Commissioner Woods asked about left turn movements. He stated that the development will have cross access to the hotel. He further stated that one new drive would be constructed. He stated that the drive is similar to the drive at Home Depot, whereby left turn movements can be made into the development, but not out of the development. The proposed drive separation is 130 feet. The driveway separation policy calls for 135 feet.

Commissioner Waner asked about the provision of detention. Jerry Smith, Assistant City Manager, responded that the drainage is handled adequately. He added that the drive separation of 130 feet is acceptable because both drives are right out only.

Mark Thomas of Thunderhead Hills felt locating housing in this area was odd. He further stated that the lot was not suitable for the proposed design. He questioned where children would be able to play and expressed concern about the safe movement of traffic. He encouraged the Commission to deny the Special Use Permit.

Betty Vernastein expressed concern about increased water runoff. She described flooding problems that have been experienced downstream in the Willow Wood development. She stated the proposal would add to the amount of water running off the site and affecting homeowners downstream. She stated that more needs to be done to address the flooding in this area before additional development should be approved.

David Todd of Todd Engineering explained the function of the detention ponds. He stated that the project would provide for detention that will meet and exceed the historic rate requirement. He further explained that the front pond provides for some detention, but also serves as an amenity. This pond will retain a certain level of water, but is designed to detain additional waters during rains.

Dan O'Neil of the ENA expressed desire to see more brick on the project, much like that of the Best Western and Legacy Park. Mr. O'Neil also expressed concern about traffic circulation. He encouraged the Commission to require access to Coltrane, not just 2nd Street. He felt access restricted to this level will create problems.

Betty Jean Blue of the ENA stated that 2nd will not function like Broadway, noting that there was not adequate ROW. For that reason, Ms. Blue stated that design should be considerate of this restriction. She stated that people do try to turn left out of Best Western and that there is not enough width to make a u-turn at the intersection. She spoke of the undeveloped land in the area reaching ½ mile deep into the section. She explained that development in this area is being

designed in a manner that will channel traffic unnecessarily to Coltrane. She stated that development needs to be looked at comprehensively in order to achieve better connectivity.

Socrates, the applicant, spoke toward the number of trips created by multifamily compared to that of commercial. Ms. Blue followed, explaining that her concern is not the number of trips. Rather, her concern is the pattern of development that does not provided for adequate distribution of traffic.

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March 20, 2001 placing housing in the middle of commercially zoned land.

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Commissioner Woods stated that traffic management is a problem. He questioned how deep the proposed cut would be. David Todd stated a 30 foot cut is proposed. Commissioner Woods stated that the proposed site design effectively would eliminate connectivity to the south.

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

AYES: None

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

The next item on the agenda was a **Consideration of Preliminary Plat of Kelly Crossing Commercial Plat located on the southwest corner of Danforth and Kelly. (D.J. Christie)**

The applicant is seeking preliminary plat approval of a 38.17-acre tract of land divide into 10 lots. Lots 8 and 9 will accommodate anchor tenants. The remaining lots will accommodate various retail establishments. The Planning Commission heard and approved the extension of the "E-1" PUD and amendment to the design statement on December 19, 2000. The Planning Commission's approval required intersection improvements and signalization for the main drives on Danforth and Kelly. The City Council heard and approved this request on January 8, 2001 with the same intersection improvements.

The preliminary plat as submitted reflects the necessary ROW on both Danforth and Kelly to accommodate the required improvements. Also reflected are 25-foot sight triangles at these same intersections.

The preliminary plat is largely in order, requiring only modest modifications.

1. Additional Sight Triangles. 25-foot sight triangles are also needed at the southern most drive, south of Lot 7. Internal sight triangles are also necessary when the main drives intersect at Lots 4, 6, 8 and 9; and also Lots 8 and 7. Also, the sight triangles on Kelly and Danforth should be reflected as right-of-way (ROW).
2. Utility Easement along West Property Line. As submitted, the utility easement is placed within the 100-foot landscape buffer. It is preferable that this easement be place on the east side of the buffer. This will enable the city to access the utilities without disturbing the trees in the landscape buffer.
3. Utility Easement along the Main Drive. Adequate water and sewer easement must be dedicated for the utilities shown to service Lots 1-7 and Lot 10. Additionally, the minimum separation between water and sewer must be met.
4. The "Certificate of Approval: City Engineer" portion of the preliminary plat should be removed. Engineering does not sign preliminary plats.
5. The ownership of the ball fields immediately west of the proposed Kelly Crossing should be reflected as Edmond Public Works. The correction should also be made in the Perimeter Ownership list.

6. The southern most road in the Vicinity Map should be shown as 33rd, which is 150th in Oklahoma City.

Staff added that one call had been received by the Planning Office to consider allowing Drake Street to connect to the development. It was expressed by the caller that residents would like a Planning Commission progress for the Swan Lake Addition.

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_____ representing the applicant agreed to meet all the recommended modifications on the preliminary plat. He further agreed to remove the "limits of no access" from the Drake, allowing the Commission to address the issue of connectivity between the preliminary and final plats.

Kenneth G., resident of Swan Lake, requested notice of any Community Connection meeting that may occur regarding the site plan. He described flooding in the area, particularly across the entrance to the Swan Lake Addition.

Lance Mills stated he would recommend to his client that he address drainage and connectivity in a Community Connections Meeting at the time of final plat submittal. Commissioner Woods requested that staff study what the existing drainage situation is.

Motion by Moyer, seconded by Waner, to approve this request contingent on a Community Connections meeting at final plat. **Motion carried** as follows:

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

NAYS: None

The next item on the agenda was a **Consideration of a request for deed certification Federal Employees Credit Union on the west side of Kelly, north of Petra, south of 15th Street. (Clay Farha)**

This property is zoned "F-1" Light Industrial and is part of the Kelly Pointe Development. The applicant, Clay Farha, is requesting deed certification approval for 1.49-acre tract of land. The applicant is aware of the improvements planned for Kelly and has reflected the additional 20 feet of ROW. Further, the applicant has identified a 25-foot sight triangle along the new ROW line. The applicant has submitted the appropriate form for the dedication of the right-of-way.

Staff met with Clay Farha and representatives of the Federal Employees Credit Union on Monday, March 12, 2001. The applicant and the representatives of Federal Employees Credit Union are aware of and accept that when the median is constructed along Kelly Avenue, North bound left turn movements will only be possible at Kelly Pointe Parkway. Any other access to this lot from Kelly Avenue will be restricted to right in/right out maneuvers. At the time of site plan review, the applicant will be required to extend utilities to the site and dedicate all necessary easements to the city. The deed certification is in order.

Motion by Hoppe, seconded by Moyer, to approve this request. **Motion carried** as follows:

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

NAYS: None

The next item on the agenda was a **Public Hearing and Consideration of a Ordinance to close a portion of a utility at 1709 Boomer Trail, Olde Towne III Addition. (Ron and Kristin Squires)**

Continued to April 3 at the request of the applicant.

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. Bobb)**

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Request of the applicant.

Under **New Business** Steve Manek, the new Director of Engineering, was introduced to the Planning Commission. There was no other New Business. **Meeting adjourned at 8:45 p.m.**

David Woods, Chairman
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission