

EDMOND PLANNING COMMISSION MEETING

Tuesday, August 21, 2001

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson David Woods at 5:30 p.m., Tuesday, August 21, 2001, 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; Steve Manek, City Engineer; Kristi Anthony, Planning Intern and Steve Murdock, City Attorney. The first item on the agenda was the approval of the August 7, 2001, Planning Commission Minutes.

Motion by Moyer, seconded by Hoppe, to approve the minutes as corrected. **Motion carried** as follows:

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

NAYS: None

The next item on the agenda was a **Public Hearing and Consideration of Commercial Site Plan approval for an of the Swedish Imports business at 201 W. 15th Street**

This item was continued to the September 4, 2001 meeting at the request of the applicant.

The next item on the agenda was a **Public Hearing and Consideration of Commercial Site Plan approval for a new building at 307 W. 2nd Street. (Ed Humes)**

The 2,520 square feet building would allow for two occupancies. The proposed use for this building is office/warehouse and locksmith. The land to the immediate north of the building is a single family detached home zoned "A" Single Family. The land to the northeast is zoned "E-1" General Commercial and has no structures. The land to the east is zoned "A" Single Family and contains a dilapidated house. The land to the south is "E-2" Open Display and is the Arnett Building Company. The land to the west is zoned "A" Single Family and contains a single family home.

Based on the PUD Design Statement, the exterior walls of the building will be masonry materials. Mr. Humes wants to modify that standard and has submitted plans for the south wall to be all masonry, but the east, west and north walls would be the metal panels. The building has a 1/12 pitch roofline. No variance is recommended for the masonry walls on the four sides of the building. The Arnett building to the south is over 20 years old and was not approved under any site plan criteria. The Deco Plumbing building to the north is a wood frame structure with brick veneer and a pitch roof design. The buildings to the east of Fretz also represent an industrial and heavier commercial area with older buildings and should not represent the character of construction adjacent to homes on 1st Street, Main Street and other dwellings to the west in the Surber's Addition and the Main Street Addition. As discussed with the zoning, the edge along Fretz Street is a transition area between heavier commercial to the east of Fretz and strip commercial along West Edmond Road; and the commercial structures west of Fretz should be compatible with the residential character extending west to Kelly. Unlike the residential east of Fretz, the additions west of Fretz are not deteriorating or even changing. This is the staff's view and objectives of the site plan review may be seen differently by the Planning commission

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No fencing has been shown on the plans and Section 22.16.040 Subsection 4 requires a sight proof fence adjacent to the residential structures to the north and the west.

Landscaping - Lot area = 10,500 s.f.
Ten per cent of lot = 1,050 s.f.
Required in front yard = 525 s.f.
Plant units required = 84 plants
Evergreen required = 34 plants

Landscape provided on plans submitted
2,846 s.f. landscaping/lawn area
1,172 s.f. in front yard (in front of the
84 plant units
54 plant units

The open space in the southeast corner of the property is a detention area. Landscaping needs to include trees in this area. The alley is planned for access and the developer wants to pave the south one-half. As previously discussed, alleys are not required to be paved by code, but all loading and driveway access areas are required to be paved, in this case the owner has volunteered to use the alley. A number of businesses have paved alleyways such as What-A-Burger, downtown businesses and Sonic on West Edmond Road. Mr. Gary Sadeghy has paid a fee in lieu of the alley paving but the amount was adequate for a concrete alley standard. It is true that Weathers Warehouse was approved to provide gravel for the alley in lieu of the alley paving.

Staff recommends that the policy for paving the 16 foot wide alley with 6 inch Portland cement concrete be the minimum approved for this site plan. A dumpster enclosure may not be important with the container set at the back of the building off the alley. Concrete paving on the driveway through the property could be important to allow the garbage truck to access the dumpster in the alley, with some flexibility as to the approach since it is narrow, and then exit through the property if continuing through the rest of the alley is not feasible due to its existing condition or narrowness.

Commissioner Moyer inquired about insufficient parking for retail. Engineer Mark Farris, representing the owner, stated that the parking met the requirement for the intended use. He also stated that since the business' access is from Second Street, he did not feel that they needed to pave the alley. Commissioner Hoppe stated the area needs to have masonry on all four walls, no metal buildings and that alley paving should be required; Moyer agreed with this. Commissioner Waner stated that the area should be protected and not set a precedent. Woods agreed that the alley should be paved. Mr. Farris agreed to use masonry on all four walls and to pave the alley, but not to put up a fence.

Motion by Hoppe, seconded by Waner, to approve this request as amended to include 1) masonry on all four walls, 2) to pave the 16 foot wide alley and 3) to locate the fence on the west and north. **Motion carried** as follows:

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

NAYS: None

The next item on the agenda was a **Public Hearing and Consideration of Ordinance closing a portion of a public utility easement at 6005 LaQuinta Drive. (Steve and Trish Gunter)**

Steve and Trish Gunter have a home in Oak Tree, Blocks 109–112 located approximately one-half mile east of Kelly, north of Sorghum Mill Road. They are hoping to build a swimming pool in the backyard. A portion of the golf course backs up to their house. There is a 20 foot utility easement on the back of their lot and they are requesting that 10 foot of that easement be closed for the pool. The sanitary sewer line in the easement is 8 feet deep and there are other utilities in the easement. City Engineer Steve Manek has reviewed this location and the staff cannot recommend approval because there is not adequate space to maintain the sanitary sewer line and meet the safety requirements to work on the sewer utility. The golf course is a substantial improvement and with the shoring that is required for the 8 foot deep sewer, there would be no

place to store dirt during the work time.

Staff does not recommend approval of this request. The following standards have been developed to evaluate all utility easement closings:

- (1) The city engineer shall investigate and report on the horizontal and vertical location of the existing utilities within the easement. If the closing of the easement or portion thereof requires the relocation of a utility, the city engineer shall determine if the desired three foot horizontal separation of utility lines can be maintained (avoid having one utility located on top of another or crossing over the top of another utility).
- (2) Sufficient space for heavy equipment, such as trenchers and excavators, to work on and around the utility and deliver materials and supplies to the work site.
- (3) The likelihood of other utilities being placed in the easement.
- (4) The adverse impact of maintenance activities to adjacent property if the easement request is approved.
- (5) Such other factors as may limit the ability of public utility companies to operate, maintain, repair, expand, construct, improve, and replace their utility as needed.
- (6) Is the applicant willing to pay for all relocation costs and secure additional easements if needed.

Due to the depth of the sewer pipe, construction difficulty, the size of specialized construction equipment and OSHA work safety rules and regulations for the protection of workers in confined spaces, special emphasis will be placed on easements which are or may be utilized by sanitary or storm sewers.

Mr. Gunter stated that he had not realized there was an easement in his backyard when he bought the house and asked if 20 feet was necessary to work on a sewer line. Chairperson Woods stated that the space was needed for the large equipment needed to repair the line. Commissioner Waner said that she appreciated the guidelines as stated in the staff report.

Motion by Cartwright, seconded by Moyer, to approve this request. **Motion denied** as follows:

AYES: None

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

The next item on the agenda was a **Consideration of Final Plat of Oaktree Park III Addition located on the west side of Kelly, 1,040 feet north of Coffee Creek Road. (Oaktree Park Development LLC)**

Lax Godhania with MGR Engineering is requesting Final Plat approval for 40 lots on 22.96 acres on property zoned "A" Single Family Dwelling, northwest of Kelly and Coffee Creek Road. The first two phases of Oaktree Park include 182 lots on a total of 71 acres. Oaktree Park 1st Addition has been issued 101 building permits out of 111 lots and Oaktree Park 2nd Addition has been issued 46 building permits out of 71 lots. The lot sizes in this addition range from 13,000 square feet to 137,000 square feet. The addition will be served with full city utilities and all streets will be paved. The addition was approved by the Planning Commission on August 21, 2001.

The project does include common areas involving at least six medians within the street. Those would be maintained by the homeowner's association since the surrounding land is part of the street. Limits of no access have been placed on the plat adjacent to those lots along Kelly to provide that there are no curb cuts along the arterial street. This project is not a PUD, so the setbacks fall within the standard "A" Single Family requirement. All homes will be single family detached. The staff identified that a six acre tract on the northwest corner of Kelly and Coffee Creek Road is zoned "D-1" Restricted Commercial. The Edmond Plan reflects the property to be

best used for single family. Commercial zoning was deemed not appropriate on the northeast corner or the southwest corner in past considerations. The Coffee Creek Golf Course Special Use Permit is located on the southeast corner. The staff indicated that with the "A" PUD parcel remaining south of Oak Tree Park 3rd, north of the commercial tract, was adequate in size for a separate single family addition with its own access to Kelly and Coffee Creek Road. It may be desirable to connect to Oak Tree Park 3rd, but that was not planned for in the Preliminary Plat. The "A" PUD has expired and it would be inappropriate to increase the "A" PUD to a higher density if the land use projected in the Plan for the entire intersection is "A" Single Family. The Edmond Plan III suggests that the area be left as Single Family with no mixed use, no commercial and no single family that is not compatible with what is being established in this neighborhood.

Tom Accardi, president of the Oaktree Park Homeowners Association, stated that he felt the Phase III project could have a positive impact for the area. He indicated that he had submitted a copy of a letter addressed to Mr. Tom White dated August 19, 2001 to the Planning Commission. This letter raised three areas of concern: (1) The new HOA needs a documented process for the transfer of common property from the developer (2) The developer and HOA should commit to a realistic annual budgetary plan with developer contribution for the existing common area maintenance (3) The proposed on-street parking at the pool area should be amended to an off-street parking area for safety reasons.

Jim Meyer agreed to work with the new HOA on the first two issues raised in the letter and he stated that the green belt area would be suitable for parking that would take cars off the parkway and that a change would be made.

Commissioner Waner asked if it would not be desirable to stub out a street from Oak Tree Park 3rd into the undeveloped area to the south zoned as "A" PUD. The staff indicated that such a street had not been projected on the Preliminary Plat, but that was a policy decision of the Commission.

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

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

NAYS: None

The next item on the agenda was a **Public Hearing and Consideration of a Request for a variance for sign height at 300 West 33rd Street. (Tower Crossing Center)**

Alan F. Brown representing Williams and Browns Properties requested a 15 foot tall sign for the center south of 33rd Street, immediately west of the railroad tracks, south of Hope Lumber. Mr.

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ing to raise the height of the existing sign for the Tower Crossing p
if the "commercial corridors" which consist of Broadway south of 2nd
Street, east 2nd Street to I-35, West Edmond Road to the city limits and 33rd Street east to
Boulevard. In those locations a 20 foot tall sign, 75 square foot, is allowed as the city standard.
On all other section line roads, the height is either 6 feet or 8 feet depending on the building with
some difference between a shopping center location and a free standing business. The square
footage is also limited to 42 or 54 square feet depending on the shopping center status, on all
arterial streets except Broadway, 33rd east Broadway to Boulevard, east 2nd and west Edmond
Road.

Other businesses in the area include Lorecom (previously LynTone belts), Unit Parts, U.S. Post Office, Hope Lumber, Edmond Electric and Vehicle Maintenance Center. The Texaco Station on the southwest corner of Kelly and 33rd Street is located in the city of Oklahoma City. While Mr.

Brown's justification relates to occupancy requirements of prospective tenants, that could be a common situation for almost every location in Edmond. The reason 33rd Street between Broadway and Boulevard was identified as part of the commercial corridor was the predominance of taller signs that were all non-conforming, such as Marketplace Shopping Center, Boulevard Square, Mardel's, the Lighting Center, Cottonwood Spa (previously doctor's office) and Johnnie's.

The applicant, Bob Williams, talked about the difficulty of getting tenants due to poor sign position and small size. Commissioner Cartwright stated that he has always been opposed to sign variances but that this area deserved a look at changing it, but not to set a precedent. Dave Coles spoke saying the area is more commercial than industrial and it would only go up to 15 feet which is not the full allowed height.. Commissioner Waner said she could see the businesses at this location and she was hesitant to increase the sign height.

Motion by Cartwright, seconded by Moyer, to approve this request. **Motion denied** as follows:

AYES: Members: Moyer

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

Commissioner Hoppe left the meeting at this point.

The next item on the agenda was a **Public Hearing and Consideration of Ordinance amending Title 22 regarding setbacks and height for Storm Shelters allowed as Accessory Structures.**

The Planning Commission discussed this on July 3 and asked for amendments to establish a height limit for shelters in the back yard and to maintain the existing height limit in the front yard. Residential accessory buildings are required a 3 foot setback from the side property line, so a like setback is suggested for the storm shelters. The ordinance provides for the following standards:

1. No storm shelter shall be placed in a utility, drainage or street easement.
2. Storm shelters may be placed in the rear yard but shall maintain a 3 foot side lot line setback and this includes on corner lots.
3. The maximum height of storm shelters in the rear yard shall be 5 feet.
4. Storm shelters are allowed in the front yard as a projection into the standard setback. The current standard that the storm shelter shall not exceed 12 inches in height applies to shelters placed in the front yard only.

Planning Commission be a 3 foot side yard setback for storm shelters placed in the front yard.
August 21, 2001 d that he thought this addressed everyone's issues.

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

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

NAYS: None

The next item on the agenda was a **Consideration of Request for deed certification 2.5 acre on property located on the west side of Coltrane, one-half mile north of Covell Road. (John Alexander)**

John Alexander is purchasing land from the Joanne Lytle Trust. This tract is south of Steeplechase, north of Asheforde Oaks, north of the oil well just less than one-half mile north of Covell Road. This tract is 82.38 feet wide and 1322 feet long. Mr. Alexander is going to add this to lots he's planning for the proposed Asheforde Oaks 10th Addition. There is a 130 foot wide OG&E easement to the north of this location. Mr. Alexander has submitted a sketch plan of

Asheforde Oaks 10th to illustrate how this property could be included in his plat. The city does not have records of how the 2.5 acres was originally approved, there does not appear to be a previous deed certification on this parcel. With the current tract being only 82 feet wide and 1322 feet deep, it is preferable that the parcel be included in a future addition.

Commissioner Moyer inquired about one parcel that was not included. Mr. Schiermeyer stated this is where the oil well is.

Motion by Waner, seconded by Cartwright, to approve this request. **Motion carried** as follows:

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

NAYS: None

The next item on the agenda was a **Consideration of Final Plat of Trails Commercial located west of Santa Fe, south of Danforth. (John Alexander)**

John Alexander is requesting approval of a Final Plat of the Trails Commercial. He is modifying his site plan submittal to identify the improvements as plat improvements. This plat covers the land south and west of the Seven-eleven and extends south to Puppy Love. The land south of Puppy Love that is undeveloped is owned by the Puppy Love owners. The subdivision is zoned "D-2" Neighborhood Commercial and will contain new water lines, sanitary sewer lines, storm sewer and a common access easement and common driveway improvement along Danforth and Santa Fe allowing the access management policy to be implemented. Mr. Alexander is going to pay for the completion of the traffic light across from Wal-Mart at 100% of his cost. This is not a subdivision requirement but has been done in the past by Wal-Mart, Kohl's, agreed to by ERC Properties at ChappelRidge, Home Depot, and Sooner Investments.

The plat will not complete all the drainage improvements required for the 12 acre plat but each property owner will complete the drainage/detention on the individual lots. Kwik Industries has already submitted a site plan and their engineer has already prepared drainage calculations on their 2 lots. There is no substantial change to the construction improvements in adjusting this project from an unplatted development plan to a commercial plat. The plat is submitted to replace the previous site plan submittal.

Planning Commission August 21, 2001 explained that this was basically the same as the site plan that was explained to the Planning Commission but that it is now a plat. David Pierce wanted to let the Commission know that the applicant has been cooperative, that the applicant agreed to plant 2" trees and a fence for shade from The Orchards. Chairperson Woods was concerned about the trees and fence being put in at separate times and Mr. Alexander stated they would be required to put them in. Mr. Pierce said he had no other objections. Chairperson Woods expressed concern over voting on a Final Plat with no Preliminary Plat. Mr. Murdock said that since this was a reconsideration of the previously deed certification and the plat was requested by the City Council, and there was no change in the construction plans from the time of the deed approval, that advancing to the final plat at this time was acceptable. 140

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

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

NAYS: None

There was no **New Business**.

Meeting adjourned at 7:05 p.m.

David Woods, Chairman
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission