

## EDMOND PLANNING COMMISSION MEETING

Tuesday, July 2, 2002

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson David Woods at 5:30 p.m., Tuesday, July 2, 2002, 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; Kristi Anthony, Assistant City Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney. The first item on the agenda was the approval of the June 18, 2002, Planning Commission Minutes.

Motion by Moyer, seconded by Hoppe, to approve the minutes as written. **Motion carried** by a vote of 4-0 as follows:

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

**NAYS:** None

**ABSTAIN:** Cartwright

The next item on the agenda was **Case #Z020003 Public Hearing and Consideration of amending Edmond Plan III from Suburban Office to Two Family Dwelling Planned Unit Development Usage west of Bryant, south of LaCour Office Park. (Bella Mira PUD-Larry Owsley)**

This item and the following three companion items were continued at the request of the applicant.

**Case #Z020004 Public Hearing and Consideration of rezoning from "D-O" Suburban Office to "B" Two Family Dwelling Planned Unit Development west of Bryant, south of LaCour Office Park. (Bella Mira PUD-Larry Owsley)**

**Case #Z020005 Public Hearing and Consideration of rezoning from "D-3" Office Commercial to "D-3" Office Commercial Planned Unit Development District west of Bryant, south of LaCour Office Park. (Bella Mira PUD-Larry Owsley)**

**Case #Z020039 Public Hearing and Consideration of amending Edmond Plan III from Suburban Office to Suburban Office Planned Unit Development Usage west of Bryant, south of LaCour Office Park. (Bella Mira PUD-Larry Owsley)**

Motion by Hoppe, seconded by Waner, to continue these four requests to July 16<sup>th</sup>. **Motion carried** by a vote of 5-0 as follows:

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

**NAYS:** None

The next item on the agenda was **Case #Z020037 Public Hearing and Consideration of an amendment to Edmond Plan III from Single Family to Restricted Commercial Usage located on the northeast corner of 6<sup>th</sup> and Boulevard, 506 S. Boulevard. (Mesuda Acimovic)**

Debbie Dobbs, representing Ms. Acimovic, stated that the residence was purchased for Ms. Acimovic's son as he attended UCO. The printing of the tee shirts is done in Ms. Acimovic's

existing home, but she would like to sell the shirts and display the different products in the house on Boulevard. Ms. Dobbs indicated she has contracts with the school district for some of the shirts and the home was purchased in 2001. Trees would need to be removed to install more parking. It was noted that the buildings are as much oriented to Boulevard as they are 6<sup>th</sup> Street. The owner felt that with the parking lot to the north, additional commercial adjacent was possible.

Kay Bickham, a property owner in the area, spoke in opposition citing the nearby school, the lack of adequate parking and nature of residential neighborhood. Julie Isel spoke stating she was concerned about the danger to children with the increased traffic. Ms. Dobbs stated she plans to have a parking entry off of 6<sup>th</sup> Street and will have about 6 parking spaces.

Commissioner Moyer stated his concern about plans to remove the trees and poor parking and access for a residential lot. Commissioner Cartwright stated he has lived in that neighborhood for 27 years and that it is one the oldest and most stable neighborhoods in Edmond; changing to commercial uses would be detrimental and store fronts have been prohibited by language in the covenants upheld through a previous district court decision. Commissioner Waner stated she is against changing this area. Commissioner Hoppe agreed.

Motion by Cartwright, seconded by Moyer, to approve this request. **Motion denied** by a vote of 0-5 as follows:

**AYES:** None.

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

The next item on the agenda was **Case #Z020036 Public Hearing and Consideration of rezoning from “A” Single Family Dwelling District to “D-1” Restricted Commercial District located on the northeast corner of 6<sup>th</sup> and Boulevard, 506 S. Boulevard. (Mesuda Acimovic)**

Ms. Acimovic is requesting “D-1” Restricted Commercial zoning on the northeast corner of 6<sup>th</sup> and Boulevard. The property contains 7594 square feet and a single family home zoned “A” Single Family. The land to the north is a parking lot also zoned Single Family as well as the land to the immediate east. The land to the west is zoned “D-2” Commercial. The land to the south is owned by the School District and is developed with the Clegern School. The owner is proposing a tee shirt business that would involve printing tee shirt designs and other specialty work with the shirts. The staff understands that retail sales is requested. If the home was used for a business, it would have to be brought up to commercial code and a site plan reviewed at the Planning Commission and City Council.

Ms. Dobbs had no additional comments.

Motion by Cartwright, seconded by Moyer, to approve this request. **Motion denied** by a vote of 0-5 as follows:

**AYES:** None.

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

The next item on the agenda was **Case # Z020040 Public Hearing and Consideration of a rezoning from “A” Single Family Dwelling to “D-O” Suburban Office District located on the south side of 15<sup>th</sup> Street, east of Turtlecreek Offices, northwest of the Turtlecreek Addition, 2020 SE 15<sup>th</sup>. (James Roberts)**

James Roberts, representing Jana Madison Ratliff, is requesting to rezone 1.8 acres of property located at 2020 SE 15<sup>th</sup> Street from "A" Single Family Dwelling to "D-O" Suburban Office District. A small house now sits on the land; it will be removed at a later date. The current plan for the site is to build an office building; the owner is an accountant. Brick exterior is representative of the character of the area. Lighting will also have to resemble the character of the area, 12 –15 feet of landscaping area will be required parallel to 15<sup>th</sup> street, and fiber optic lighting will not be recommended for this building. Jana Madison Ratliff has an accounting firm and will be using most of the space and plans to rent the rest. She plans to use traditional red brick or stone and to keep most of the trees. She has talked to the neighbors who are in favor of this change.

Motion by Hoppe, seconded by Waner, to approve this request. **Motion carried** by a vote of 5-0 as follows:

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

**NAYS:** None

The next item on the agenda was **Case # Z020038 Public Hearing and Consideration of rezoning from "A" Single Family Dwelling to "D-3" Office Commercial District located at 1801 SE 15<sup>th</sup> Street, on the north side of 15<sup>th</sup> Street, west of Bryant. (Preston Gillmore and Julie Evans)**

David Webb, representing Preston Gillmore and Julie Evans, requested to rezone a piece of property from "A" Single Family Dwelling to "D-3" Office Commercial District located at 1801 SE 15<sup>th</sup> street. The property includes 1.3 acres. The Edmond Plan III projects this property as "D-3" Office Commercial. There is a small house on the property with a septic tank currently servicing it. Water and sewer lines are available through the Turtlecreek Commons to service the property. Whether the house is converted to a business or removed, this property will need to connect to a sanitary sewer for commercial use. It will also be necessary to update fire protection through construction of hydrants or other code improvements; additional water lines will be needed. The property will need adequate parking, landscaping, and exterior finishing to meet the character of the area. Use of fiber optics on the walls will not be recommended for this property. Lighting will need to also be characteristic of the area and there will need to be 12-15 feet of landscaping area devoted to the front of the property parallel to 15<sup>th</sup> street.

Victoria Woods stated she appreciates the efforts to blend in with Spring Creek and Turtlecreek but is concerned with the use since it does allow hospitals and business colleges and higher uses than just offices. Ms. Woods stated she supports the development but wants to make sure it will fit in with the surrounding area. She stated she is against any type of medical facility or higher intensity of activity use as to traffic and noise. Mr. Webb stated it would be business offices, no medical at all. Commissioner Cartwright stated that since the intended use is compatible with Edmond Plan III and surrounding area, it is not possible to set the use, but there is still the site plan review process where objections can be voiced. Commissioner Hoppe agreed that any use problems can be addressed in the site plan stage.

A citizen from Turtlecreek Commons indicated that as much as possible should be known at the time of zoning so that an inappropriate use is not approved along this street.

Motion by Hoppe, seconded by Cartwright, to approve this request. **Motion carried** by a vote of 5-0 as follows:

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

**NAYS:** None

The next item on the agenda was **Case #U020004 Public Hearing and Consideration of a Special Use Permit for a church to be located south of East Second, west of Coltrane, 255 and 257 S. Coltrane. (Donald Hans)**

Donald Hans is requesting Special Use Permit for a church to be operated on the west side of Coltrane south of 2<sup>nd</sup> Street in the Smithcot Shopping Center. This corner building at the south end of the shopping center has been used as a barbeque restaurant and ice cream store in the past. This building is intended to be a temporary part of the church operation but no limit of time is requested through the Special Use Permit since fundraising is not completed for the permanent church. Mr. Hans indicates there are currently 51 church members in the approximate 2200 square foot building. He would like to qualify for as many as 100 people at this location. The church will operate on Sunday. Patricia Smith is record owner of the property. There are 95 parking spaces in the immediate area; 17 spaces are needed for this particular use. There is no new construction with this Special Use Permit. There is access around the building for fire protection.

Mr. Hans stated that the church is actively looking for a site in Edmond to build on and that there are no problems with the neighbors in this area due to the hours open. Commissioner Waner asked about operating a church within 300 feet of a tavern. It was indicated that is acceptable even though the converse is not.

Motion by Cartwright, seconded by Waner, to approve this request. **Motion carried** by a vote of 5-0 as follows:

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

**NAYS:** None

The next item on the agenda was **Case # Z020042 Public Hearing and Consideration of an amendment to Edmond Plan III from High Density Multi Family to Single Family Dwelling Usage located east of Vista Lane, north of Chimney Hills. (Tom Vorderlanderwehr)**

Brian Coon requested approval for the Plan Amendment from Multi-Family to Single Family so that the Plan will match the intended use. The Borgata PUD is no longer appropriate for the property and since the project will now be developed separately, only "A" Single Family zoning is needed.

Motion by Cartwright, seconded by Hoppe, to approve this request. **Motion carried** by a vote of 4-1 as follows:

**AYES:** Members: Cartwright, Hoppe, Moyer, and Waner

**NAYS:** Chairperson Woods

The next item on the agenda was **Case # Z020041 Public Hearing and Consideration of rezoning from "A" Single Family Dwelling District Planned Unit Development to "A" Single Family Dwelling District located east of Vista Lane, north of Chimney Hills. (Tom Vorderlanderwehr)**

Brian Coon requested rezoning the property located east of Vista Lane, north of Chimney Hills from "A" Single Family PUD to "A" Single Family Dwelling District. Mr. Vorderlanderwehr plans to put a 134-lot plat of single-family homes. This zoning will fit in with the surrounding area. The current owner is modifying the zoning to match his proposed development. His project will be separate from Borgata and have no street connections. The Tuscan project is at a substantially lower density than proposed with Borgata PUD. With the rezoning, the Edmond Plan III will be corrected and zoned to fit with what is intended to be built.

Motion by Hoppe, seconded by Moyer, to approve this request. **Motion carried** by a vote of 4-1 as follows:

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

**NAYS:** Chairperson Woods

The next item on the agenda was **Case # PR020011 Consideration of a Preliminary Plat for Tuscan Addition located east of Vista Lane, north of Chimney Hills. (Tom Vorderlanderwehr)**

Tom Vorderlanderwehr is submitting a preliminary plat of Tuscan, located east of Vista Lane, north of Chimney Hills. The current property is zoned A-PUD, but the owner is also requesting a rezoning to "A" single-family dwelling district. The Preliminary Plat contains 134 lots, all meeting the 25-foot building setback and will not require a variance. The lots sizes range from 7,500 to 12,000 sq. feet. The streets will be public and there will be two points of access. Both will connect through to Vista Lane. A common area is located to the south of the plat and includes a detention pond. There is a 15-foot trails easement to the southwest of the property and an oil well and tank battery in the center of the plat. Based on an agreement with the oil company, that area will remain undeveloped until they get close to finishing the development.

Mr. Coon stated there is no green belt and that they plan to keep as many trees as they can since that adds value to the lots. No fencing was planned as part of the addition but it was felt that many of the homeowners would install fences in their back yard next to Borgata and/or Chimney Hill. A fence was not planned adjacent to the detention area. A lot will back up to Borgata Way, so there will be no access to that addition possible and no need for a special landscaping or barricade. There would be no access from Borgata Way to the lot that backs up to the street in Tuscan.

Commissioner Moyer asked about the southern entrance by the mobile home park and the traffic flow. Mr. Andrews, one of the developers, stated he preferred not to line up with the mobile home park. It was noted that since Vista Lane is dead ended, Engineering did not object to the separation between the drives and streets and the potential turning movements. Chairperson Woods stated there appeared to be no good traffic distribution and not being able to connect to Borgata cut out a second desirable access.

John Gilbert, a resident of Chimney Hill, spoke regarding the detention/drainage pond and run-off along Tredington Creek in Chimney Hill. It was indicated that the detention was designed to meet Title 23 allowing only the historical run-off. A resident of Borgata asked if there would be a barrier next to Borgata Way or a green belt. It was indicated that a backyard would block any potential access to Borgata and that lot would be prohibited from having access to Borgata. It was expected that the homeowner would plant trees in the backyard since there were no trees existing at the end of Borgata Way now.

Karen Davis lives at the end of the dead end Stonehenge Street in Chimney Hill and asked if there would be a fence placed along that area. Brian Coon indicated there would be a lot directly abutting Stonehenge and so the homeowner may choose to install a fence. Commissioner Dyke Hoppe commented he preferred the lot arrangement with access to Borgata for purposes of circulation. Commissioner Waner agreed.

Motion by Hoppe, seconded by Cartwright, to approve this request. **Motion denied** by a vote of 2-3 as follows:

**AYES:** Members: Cartwright and Moyer

**NAYS:** Hoppe, Waner and Chairperson Woods

The next item on the agenda was **Case #Z020044 Public Hearing and Consideration of amendment to Edmond Plan III from General Agricultural to Lake Commercial Usage located south of Danforth, east of Hiwassee Road, 14030 E. Danforth Rd. (Cassie Jo Hamon)**

Charles Muse is representing Cassie Jo Hamon in requesting approval for 5 acres of "L-5" Commercial zoning at the far east edge of the city limits south of Danforth (Highway 66) west of Hiwassee Road. Mr. Muse selected the "L-5" Zoning since this is a Plan Amendment and since the property is only 2 ½ miles from Arcadia Lake, he selected the "L-5" Zoning District. Ms. Hamon plans a project called Cassie's Indian Trading Post and the location is specific to Route 66 and other points of interest in the area, such as the Arcadia Round Barn. Part of the owner's goal is to remodel the farmhouse to reflect the early architectural character of the area; constructing a new building with a different appearance is not planned.

There is no city water or sewer adjacent to this property. The nearest city water is at Post Road and 2<sup>nd</sup>. This property is not located within the basin served by the Edmond Wastewater Treatment Plant. A water well and septic tank are planned. The southern portion of the land is in a lower area as part of the Deep Fork original floodplain. The northern part of the property has been developed with a farmhouse dating back to statehood.

John Keely indicated he and his father had rebuilt the Round Barn and understood the interest in this use, but he thought the area was too dangerous an intersection for commercial traffic. He asked the City to look at accidents in the area. Bill McNatt indicated he lived north of Mr. Keely and he's seen the intersection get worse over the years. He indicated there had been at least 7 accidents in the last five years. He felt that if this business did not succeed, rezoning would perpetuate additional uses at this location. Mr. Muse indicated that Route 66 has always been busy and that he would hope that the Highway Department would study traffic lights or warning lights especially if people are speeding at this intersection.

Commissioner Waner expressed concern about uses in "L-5" including convenience store and service station. Chairperson Woods asked if the applicant would consider limiting the uses through the PUD approach. Mr. Muse indicated he would eliminate the uses suggested by the Commission. He noted that the driveways would be on Hiwassee to help with the trafficability on Route 66. Mr. Muse agreed to amend his rezoning application to service station, veterinary clinic and convenience store as an "L-5" PUD request and the Plan amendment if appropriate. Fewer uses would be allowed with this amendment than as stated in the minimum code.

Motion by Moyer, seconded by Cartwright, to approve this request subject to a PUD Design Statement omitting service station, veterinary clinic and convenience store. **Motion carried** by a vote of 5-0 as follows:

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

**NAYS:** None

The next item on the agenda was **Case #Z020045 Public Hearing and Consideration of rezoning from “G-A” General Agricultural to “L-5” Restricted Lake Commercial District located south of Danforth, east of Hiwassee Road, 14030 E. Danforth Rd. (Cassie Jo Hamon)**

Cassie Jo Hamon was requesting “L-5” Restricted Lake Commercial District on the southwest corner of Danforth (Highway 66) and Hiawassee. This property contains 5 acres and is at the far east edge of the city limits. The northeast and southeast corners are not in Edmond; the northwest corner of the intersection is in Edmond. Ms. Hamon would like to remodel a farmhouse on the property as Cassie’s Indian Trading Post. She feels this location is desirable due to the town of Arcadia and the Round Barn.

Motion by Moyer, seconded by Cartwright, to approve this request subject to a PUD Design Statement omitting service station, veterinary clinic and convenience store. **Motion carried** by a vote of 5-0 as follows:

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

**NAYS:** None

The next item on the agenda was **Case #020003 Public Hearing and Consideration of Final Plat of Bridgewater Section 1 Addition located east of Santa Fe, south of the Security Self Storage and the Wal-Mart Super Center. (ERC Properties)**

ERC Properties is requesting Final Plat approval of the Bridgewater Section 1 Addition located east of Santa Fe, south of the Security Self Storage and the Wal-Mart Super Center. The Park Lane Addition lies to the east, Christian Brothers Automotive is located immediately west, a future phase of Bridgewater will be developed to the south. The addition contains 16.22 acres including a large Common Area “B” a portion of which has been designated as Wetlands. There are 52 lots in this Addition and the lots are generally 6,600 (60 feet by 110 feet) square feet or larger. The property is zoned “A” Single Family. Setbacks are shown at 20 feet for the front building line. The Addition will be served with full City utilities as well as City fire and sanitation service. There have been no changes in the plat from the Preliminary.

The owner needs to submit the mandatory Homeowner’s Association document with the reference to the Wetlands requirements so that the Homeowner’s Association will understand their maintenance obligation for the entry Common Area “A” and the Common Area “B” which serves as detention and wetlands area. Bob Thorpe indicated that all the requirements of the Council will be met for this project. He also noted the gate will be on the north side and approved for emergency access only. Commissioner Waner asked about a homeowners association and Mr. Thorpe stated that there is a homeowners association planned which will care for the common area and maintain the wetlands. The second project will have a separate HOA. Commissioner Waner asked if the homes that back up will be fence and separated and the applicant stated they will be distinguished.

Motion by Hoppe, seconded by Moyer, to approve this request. **Motion carried** by a vote of 5-0 as follows:

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

**NAYS:** None

The next item on the agenda was **Public Hearing and Consideration of a Preliminary Plat for Redrock at Coffee Creek located north of Covell Road and west of Boulevard. (Bob Turner)**

Ernest Isch stated that the name should be changed to Carriage Park at Coffee Creek.

The preliminary plat for Carriage Park at Coffee Creek is located north of Covell Road and west of Boulevard. The plat contains 70 lots on 51.52 acres for a density of 1.36 lots per acre. The lots are approximately 12,500 square feet in size and will require a variance, as they are only showing 20-foot building line setbacks, in which the code requires 25 feet. It is currently zoned and projected by the Edmond Plan III as "A-PUD".

Motion by Waner, seconded by Hoppe, to approve this request. **Motion carried** by a vote of 5-0 as follows:

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

**NAYS:** None

The next item on the agenda was **Consideration of Re-Plat of Belmont Landing, formerly Belmont Gardens I, 600 feet north of Coffee Creek, east of Kelly. (Dorothy Sadeghy)**

Ernest Isch representing Dorothy Sadeghy/Vorderlanderwehr/Knight Properties/Burtco Homes is requesting a replat of Belmont Gardens now to be known as Belmont Landing. He's reducing the number of lots from 38 to 30. The lots will now be 80 feet by 115 feet, 9,200 square feet rather than 6,900 square feet or 60' by 115'. The plans are being reviewed as to changes in utilities. There are four owners rather than the original single owner of Gary Spencer. Fees were paid for electric connection and utilities in the amount of \$15,658.70. The owner is also requesting that the streets be dedicated on this plat rather than be private with a controlled access gate. If the City accepts the new plat, we would be accepting the streets. The drainage detention area along Kelly is private and will be privately maintained.

Engineer Ernie Isch, representing the applicant, stated they will work with the Electric and Engineering Departments on either the cost for relocating electric or new plans for water and sewer taps or capping existing service. Chairperson Woods asked about a homeowners association and Mr. Isch stated there would be one for the entire neighborhood.

Motion by Moyer, seconded by Cartwright, to approve this request. **Motion carried** by a vote of 5-0 as follows:

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

**NAYS:** None

There was no **New Business**.

Motion by Cartwright, seconded by Moyer, to adjourn. **Motion carried** by a vote of 5-0 as follows:

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

**NAYS:** None

**Meeting adjourned at 7:25 p.m.**

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David Woods, Chairperson  
Edmond Planning Commission

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Robert Schiermeyer, Secretary  
Edmond Planning Commission