

EDMOND PLANNING COMMISSION MEETING**Tuesday, July 20, 2004****5:30 P.M.**

The Edmond Planning Commission Meeting was called to order by Chairperson David Woods at 5:30 p.m., Tuesday, July 20, 2004, in the City Council Chambers at 20 South Littler. Other members present were Leroy Cartwright, Allen Thomas, Elizabeth Waner and Suzy Thrash. Present for the City were Robert L. Schiermeyer, City Planner; Kristi McCone, Assistant City Planner; Steve Manek, City Engineer; and Paul Lakin, Assistant City Attorney.

The first item on the agenda was the approval of the July 6, 2004, Planning Commission Minutes. Motion by Waner, seconded by Thomas, to **approve** the minutes as written.

Motion carried by a vote of 5-0 as follows:

AYES: Members: Cartwright, Thrash, Thomas, Waner and Chairperson Woods

NAYS: None

The next item on the agenda was **Case #Z040015 Public Hearing and Consideration of amendment to Edmond Plan III from Restricted Commercial PUD, Suburban Office PUD, Restricted Light Industrial PUD to General Commercial PUD on property located on the southeast corner of Thomas Drive and Covell Road. (Pat Garrett)**

This item was continued to August 3, 2004 at the request of applicant

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

AYES: Members: Cartwright, Thrash, Thomas, Waner and Chairperson Woods

NAYS: None

The next item on the agenda **Case #Z040014 Public Hearing and Consideration of rezoning from "D-1" Restricted Commercial PUD, "D-0" Suburban Office PUD, "E-3" Restricted Light Industrial PUD to "E-1" General Commercial PUD on property located on the southeast corner of Thomas Drive and Covell Road. (Pat Garrett)**

This item was continued to August 3rd at request of the applicant

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

AYES: Members: Cartwright, Thrash, Thomas, Waner and Chairperson Woods

NAYS: None

The next item on the agenda was **Case #PR030030 Consideration of Preliminary Plat approval for Fox Lake Plaza located North of 15th west of I-35. (Frank Battle)**

This item was continued to August 17, 2004 at the request of applicant).

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

AYES: Members: Cartwright, Thrash, Thomas, Waner and Chairperson Woods

NAYS: None

The next item on the agenda was **Public Hearing and Consideration of Amendment to the Hampton Village Planned Unit Development to change the square footage of the shopping center from 55,344 to 69,500 square feet located on the northwest corner of 15th Street and Bryant. (West Spring Creek Plaza)**

Attorney Steven Metheny is representing the developer in requesting that the Hampton Village PUD be amended from the Design Statement requirement limiting buildings to 55,344 square feet (60,000 square feet) to allow a 69,500 square feet building. This property is zoned "D-1" Commercial PUD and a summary of the Hampton Village PUD is as follows:

1. The rezoning to "D-1" PUD occurred in 1996, but a five year extension for this PUD was approved in November of 2000 allowing more time for this project to develop. Minutes of the original discussion are attached. In the original City Council discussion in 1996, the following conditions were stated as consensus of the Council at that time to the PUD Design Statement:
 - a. Eliminate the following sentence regarding type of structures proposed, "While no specific architectural style or theme is proposed for the PUD, the photographs included in Exhibit C depict the general appearance of structures anticipated to be built in Hampton Village";
 - b. Eliminate stucco as a construction material except as building accents; and add the following: "Buildings built under this PUD should be substantially similar in color and type to the photographs submitted as Exhibit C pages 1 and 2. Applicant will use his best efforts to work with the developer of the northeast corner of 15th and Bryant in order to establish an architectural compatibility between the two projects";
 - c. Reduce the square footage of the property from 60,000 to 55,344 square feet subject to compliance with detention requirements;
 - d. Landscaping be equal to or exceed landscaping of the property on the northeast corner;
 - e. If Tract A is developed as a convenience store/gas station 20 percent landscaping be provided;
 - f. Parking lots and driveways will not be allowed on the north and west property lines;
 - g. All buildings will be brick with tile or stucco as building accents only.

The Design Statement for Hampton Village still identifies the 60,000 square foot standard. The above conditions were stated at the Council meeting; the item was not continued for a new Design Statement to be submitted. The only change proposed is the square 82 footage to allow 69,500 square feet.

A summary of the original Design Statement includes the following descriptive items:

- Uses – The following uses are prohibited:
 - A. Oil change/lubrication business
 - B. Automobile repairing or servicing
 - C. Hardware Store
 - D. Help-Yourself Laundry
 - E. Bar/Tavern
 - F. Free-standing 'Fast-Food' restaurants
 - G. Video arcades/game rooms
- Special Permit Uses Prohibited include the following:
 - A. Grocery Store/Supermarket
 - B. Auto Car Washes not constructed in conjunction with the development of a Convenience Store/Gas Station
 - C. Apartments
 - D. Indoor Theater
- The following restrictions apply to Special Permit Uses, If approved:
 - A. Only one liquor store permitted in project; maximum of 2,400 square feet.
- Maximum buildable area:

The maximum square footage of all buildings constructed within the development shall not exceed 60,000 square feet o Gross Leaseable Area.
- Limits of access:

Not more than four (4) access points shall be permitted to the development from Southeast 15th Street. The first access point West of Bryant shall be a minimum of 200 feet from the center line of the intersection. The precise location of all other access points will be approved upon the submission of a request for Site Plan Approval, but will be generally as shown on the Master Development Plan. One access point will be permitted from Bryant Avenue; it shall be located a minimum of 200 feet from the center line of the intersection. All drive approaches will be no wider than 36 feet, except the second access point west of Bryant may include a landscaped median 'island'.
- Minimum Landscaping regulations: A twenty-five (25) foot landscape buffer shall be provided along the South and East boundary of the Property. Efforts shall be utilized to preserve the specimen trees which exist within these areas; the landscaped areas shall be supplemented with plant units meeting the City of Edmond landscaping requirements. In no event shall the project landscaping within the Property (excluding areas dedicated as rights-of-way along 15th and Bryant Streets) be less than 14%. All landscaped areas shall be served by an irrigation system.
- Building setbacks: Tracts 1, 2 and 3 shall have a minimum 90' front building setback line as measured from the centerline of the adjacent street.
- Signage: All signs on Tracts 1, 2, and 3 shall be architecturally compatible with and complimentary to the building structures within the development. All signs shall be approved upon submission of a request for Site Plan Approval. Landscaping shall be provided at the base of ground signs within the Planned Unit Development.

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- Building heights: Building heights will be limited to 30 feet and no buildings shall exceed one story;
- Trash receptacles. All receptacles for disposal of trash shall be screened with sight-proof fencing or other enclosures constructed of wood, brick or masonry and shall be architecturally compatible with other structures on the site.
- General Developmental Regulations
 1. Private drainage ways shall be designed in accordance with the Standard Specifications of the City of Edmond and shall be maintained by the property owners.
 2. Lighting installed as a part of any commercial or office development within the Planned Unit Development shall be in compliance with respective zoning ordinances. All parking lot lighting will utilize "shoe-box" style fixtures adjusted so as to direct lighting down and away from surrounding residential areas. Security lights installed on the rear wall of any building will utilize baffling so that light is directed downward.
 3. Where trees are specified as a part of the landscaping requirements, they shall be a minimum height of 6' and a minimum 5" caliper. All tree types, sizes and locations shall be specified on the site plan or landscape plan at the time of development.
 4. Accepted erosion control methods shall be included in the development of the subject property for all areas of construction and shall be maintained by the developer as a part of this Planned Unit Development.
 5. Any parking stalls situated along the northern border of the project will be separated from adjacent areas by a sight-proof screen of evergreen trees, shrubs or fencing.

All West Spring Creek project items were discussed at once. Attorney Steve Metheny representing the applicant stated that this was a quality project that they were trying to develop on this site. In this development they are trying to equal or exceed the quality of the development on the northeast corner. Mr. Metheny stated that this project is a highly attractive neighborhood center and his team has worked with City staff to address all issues. He also stated that the third entrance into the development was needed for safety and sanitation issues. The building will be no more than 30 feet in height including the two clock towers that are planned. Mr. Metheny asked the Commission to waive the phased development, as current market conditions are right for just one phase. The project would not be economically feasible if the square footage was not raised. The Architect for the project stated that the brick would be similar to the Spring Creek development along with similar rock formations; signage and lighting that will be used. He felt that the two developments would benefit each other.

Commissioner Cartwright asked about moving the east driveway further north. The Architect stated that they were trying to line with the Spring Creek development across the street and if they moved the driveway to the north they would also lose several oak trees. Tim Reese stated that he felt the proposed project defeated the purpose of the 1996 PUD. He felt that the project was a strip mall proposal and would rather see separate buildings with different elevations. He also felt that more trees should be

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preserved and that the mechanical should not be located on the roof. Randal Shadid representing the Trammel family stated that his clients object to the PUD amendment, the site plan, the scale of the building and that there is only one building rather than three as originally planned. They would also like to see the design of the retaining wall along with the north side of the building and want both sides to be attractive. The architect for the applicant responded that the elevations were designed to look like several different buildings. Due to the restraints of the land, the mechanical will have to be located on the building however it will be screened so it is not seen from the ground.

Commissioner Woods stated that he was concerned about the north side of the building and the landscaping. He liked the elevation and design and felt that it added to the streetscape effect. He was also concerned about the retaining wall. Commissioner Waner was also concerned about the increase in building size, the increase in parking, reduction of landscaping, the loss of trees on the property and the retaining wall. She felt that the 1996 PUD had given requirements for what the property should look like and that this design did not meet that intention. Commissioner Cartwright stated that he didn't like to change the PUD because it had been written for a particular reason. However he did feel that the three building to one building issue was a matter of interpretation of the PUD. Commissioner Thrash also felt that the size was too large and the project should not be approved without knowing what the retaining wall would look like. Commissioner Woods suggested taking more time to evaluate the project as he felt that certain things could be done to make the development more compatible with the area. The applicant stated that he understood what they were saying and agreed to brick the entire building, brick the retaining wall and meet or exceed the landscaping that Spring Creek currently has.

Motion by Cartwright, seconded by Waner, to approve this request based on the applicant stating that all four sides of the building will be brick and the retaining wall will be brick.

Motion carried by a vote of 4-1 as follows:

AYES: Members: Cartwright, Thrash, Thomas and Chairperson Woods

NAYS: Waner

The next item on the agenda **Case #SP040025 Public Hearing and Consideration of Commercial Site Plan approval for a shopping center on the northwest corner of 15th Street and Bryant. (West Spring Creek Plaza)**

General Site Criteria:

Existing zoning – "D-1" Restricted Commercial Planned Unit Development

Setbacks – Front, 146 feet from the center line of Bryant; 90 feet from the center line of 15th Street.; rear yard will be 30 to 32 feet; side yard, 35 feet.

Height of buildings – Two towers will be 30 feet, the center tower will be 35 feet; (no signage shall be allowed on the towers;) 21 feet to 29.8 feet is the maximum height of the building based on the grading change that occurs from the east to the west end of the building. Thirty feet is the maximum height by the PUD Design Statement; the windows on the second floor do not represent a true second floor, just as the windows are designed at Spring Creek Plaza for architectural appearance.

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Parking – 210 parking spaces based on retail open to the public of 55,600 square feet

Building size – 69,500 square feet would be gross floor area,

Lot size – 271,149 square feet

1. Landscape Plan –

Landscaping - <u>Lot area = 271,149 sf</u>	<u>Landscape provided on plans submitted</u>
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Fourteen per cent of lot = 37,961 sf	107,960 sf landscaping/lawn area
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Plant units required = 2,169 plants	2,171 plant units
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Required in front yard = 18,980 sf	42,004 sf in front yard
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Evergreen required = 868 plants	868 plant units
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Types of plants required on plant schedule, add 14% landscape area, not including street right-of-way by PUD Design Statement.

Applicant intends to preserve some of the existing trees on the northwest corner.

2. Lighting Plan – 10 foot tall light poles are located in front of the building, 14 foot tall light poles are located in the parking lot. Plans for the light poles have been provided similar to the Spring Creek design.

3. Driveways – 4 driveways are planned, one on Bryant and three on 15th Street. The Engineering Department recommends that the drive on 15th nearest Bryant be moved west to align with the internal driveways on site. This will create somewhat of an offset with the drive on the south side of the street at the Bank of Oklahoma, but at this intersection this is a better design.

4. Mechanical equipment – Will be located on the roof and will be screened by the 82 parapet wall so as to not be seen from the person standing at ground level at the property line.

5. Fencing/screening – The property to the north and west is zoned “D-O” PUD. No sight proof screen is required.

6. Signage – Two ground signs are proposed, one on the northwest corner of 15th and Bryant; one well over 300 foot west on 15th Street, near the west entry. The sign standard is 54 square feet, 8 feet in height. The sign would be 7 feet in height and the letters mounted on a rock surface will be similar to the Spring Creek Plaza Center. The graphic of the sign submitted identifies that the exact materials as Spring Creek Plaza will be used.

7. Elevations and general architectural appearance – The building will be a combination of brick, cast stone and rock masonry and splitface block on the back of the building. The brick will wrap around the west and north sides of the building a short distance, then the splitface block will begin. All of the south and east elevations will be brick or stone. No fiber optic or neon is recommended as trim on the building.

8. Sensitive borders – There are no sensitive borders adjacent to the shopping center. The house to the west of this location is separately owned and is already zoned “D-1” PUD.

9. Street paving and access management – 15th Street and Bryant are already four laned. The traffic light controls traffic flow at the intersection.

10. Refuse facilities – Two dumpster locations are shown on the plans. A concrete pad needs to be added to the eastern dumpster enclosure.

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11. Drainage detention – Smith Roberts Engineering has submitted plans for drainage detention for the northwest corner of the property out of the flood plain. Plats have been submitted to document the drainage study.
12. Title 21 Water and Sanitary Sewer Plans – Water and sewer plans are being reviewed.

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

AYES: Members: Cartwright, Thrash, Thomas, and Chairperson Woods

NAYS: Waner

The next item on the agenda was **Case #PR040025 Consideration of Preliminary Plat of the West Spring Creek Plaza on the northwest corner of 15th Street and Bryant. (West Spring Creek Plaza)**

Smith Roberts Baldischwiler, representing Ballenger Brothers, is requesting Preliminary Plat approval of Spring Creek West. This property is zoned “D-1” PUD and is known as the Hampton Village PUD. The property contains 7.3 acres and excludes the split level house in the southwest corner of the vicinity of the plat. The main house on the northwest corner of Bryant and 15th and other accessory buildings will be removed. The A. G. Edwards and Brent Goodin Offices are located to the north. Bank of Oklahoma and Ron Ward Offices are location to the south. The Spring Creek Plaza project consists of 62,466 square feet, located on the northeast corner. Faith Church owns the property on the southeast corner.

The proposal is to build a 69,500 square foot shopping center on this corner. The PUD has established a 90-foot setback from the centerline of Bryant and 15th as a part of the PUD standards. The normal standard is 100 feet from the centerline. A 30-foot setback will be required along the north property line for a fire lane and service drive. The property dimensions are only; 275 feet measured north and south within the private property lines and 1,017 measured east and west. For a commercial parcel, this is a very shallow lot depth. Terryl Zerby owns the land to the north, currently zoned “D-0” Office PUD; the land to the west is zoned “D-0” PUD; the land to the south is zoned “D-0” PUD and the northeast corner is zoned “D-1” PUD. The southeast corner owned by the church is zoned “D-3” Office Commercial.

Public water mains will be extended onto the site to provide for fire hydrant placement. Sanitary sewer is located to the north. A portion of the flood plain extends through the north corner of the property. A detention area will be established adjacent to the flood plain, but not extending into the flood plain. The original PUD Design Statement is attached along with the minutes of the previous City Council discussion.

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

AYES: Members: Cartwright, Thrash, Thomas, and Chairperson Woods

NAYS: Waner

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The next item on the agenda was **Case #PR040025 Consideration of Final Plat of the Spring Creek West on the northwest corner of 15th Street and Bryant.**

Smith Roberts Baldischwiler has submitted the final plat of Spring Creek West. The addition consists of 1 lot and 1 block containing 7.30 acres. The right-of-way requirements of Bryant and East 15th Street, because of the arterial standard of street, is 50 feet from the center line of the street.

A 25 foot landscaping and setback area is set aside within the property line parallel to Bryant and 15th. City water and sanitary sewer are adjacent to the property. There is further extension of the water line for fire protection process with interior fire hydrants. Drainage detention will be located in the northwest corner of the property outside of the 100 year flood plain. That area needs to be marked "drainage detention" on the Final Plat. Easements have been identified on the plat for on-site utilities.

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

AYES: Members: Cartwright, Thrash, Thomas, and Chairperson Woods

NAYS: Waner

The next item on the agenda was **Case #PR040021 Consideration of Preliminary Plat approval for 28 acres on the northwest corner of 15th Street and I-35 Frontage Road for the Fox Lake Wal-Mart. (Wal-Mart Stores East, L.P.)**

Terry Haynes with Spear McCaleb Engineering is requesting Preliminary Plat approval for a plat for the proposed Wal-Mart store north of 15th Street west of I-35. The plat contains 28.97 acres and will be developed as one lot. The site plan approved by the City Council provides for 4 entry drives and a main drive on 15th Street in front of the store and one on the Frontage Road. The drive on 15th Street west of the Braum's will be widened and will access the Wal-Mart parking lot. Another driveway is located north of the Braum's and is a shared drive with Braum's. Current owners of the property are Tom Rogers, Dennis and Polly Porter and Wenona Marshal. Wal-Mart has identified that they will install a traffic light on 15th Street at one of the main entries. They will also install a traffic light at the west I-35 Frontage Road, the east I-35 Frontage Road and the 2nd Street and west I-35 Frontage Road. Wal-Mart will also install turn lanes at the 2nd Street and west Frontage Road intersection, on 15th Street at the traffic light and along the Frontage Road leading to the entrances or drive approaches. ODOT will be required to approve the plans for the traffic improvements. The conditions of the City Council approval of the site plan are as follows:

1. Posting of signs stating no overnight parking of recreational vehicles, semi-trucks, etc.
2. Move the building 10 feet to the east with 907 remaining parking spaces
3. Construction of Plan A – the "Main Street" plan
4. No open display on sidewalks or other outside display of any kind outside the building or structure

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5. Extend the widening on 15th Street by 40 feet and also the left turn lane for east bound traffic into Wal-Mart by 40 feet
6. Installation of video security cameras on the perimeter of the building
7. No metal containers
8. Quarterly monitoring of the storm sewer system for the first 24 months and semi-annually thereafter
9. Participation in the Homeowners Association to help with maintenance of Fox Lake in order to keep the lake at historic levels. Dues to be commensurate with residential participation at an estimated amount of \$3,000 annually.
10. 8 foot masonry wall constructed first along with the retaining wall on the west side of the property prior to any other construction
11. No delivery trucks from 10:00 pm to 6:00 am
12. Shield the parking lot lights
13. The Wal-Mart sign on the outside of the building will use white lettering rather than red.

Water lines will need to be lowered onto the site for adequate fire protection including the addition of fire hydrants. The 204,954 square foot building will also have a fire sprinkler system. Sanitary sewer lines will be extended to serve this site. Drainage/detention will be underground and there will be 2 locations for the underground detention and there is a clean-up system required as part of the site plan conditions before the water is released to the west into Fox Lake. The boundary of the property includes the "F-1" Light Industrial, "E-3" Restricted Light Industrial, "D-2" Neighborhood Commercial and "A" Single Family Dwelling. None of the "A" Single Family property is being developed for commercial purposes. The property line does extend into the lake area.

A map has been attached indicating the Trails system as adopted adjacent to the Wal-Mart site. In the past, property owners have dedication easements for this future trail. The easements are 15 to 20 feet in width depending on the topography in order to qualify for federal programs to help fund the sidewalk.

Commissioner Woods asked if the trail that will be built on the site should be built behind the building as planned or possibly in the right of way? Commissioner Waner responded that there is a trail master plan in place and that she felt that it should be followed rather than having a trail out in the right of way near traffic. Dennis Box stated that they were committed to the trail and would work with staff between the preliminary and final plats for the best placement of the trail. He also stated that he had met with Tom Langdon at the beginning of the meeting and that Mr. Langdon was just making sure that the plat reflected the 10' movement of the building away from the homes of Fox Lake. Terry Haynes stated that only the building would be moving 10' to the east and that the parking would not be. Carrie Thompson a resident in Fox Lake asked about additional trees being taken out of the extra 10' buffer for the trail. She stated that she just wanted to make sure Tom Langdon knew what he had agreed to and that there would still be a buffer.

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

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AYES: Members: Cartwright, Thrash, Thomas, Waner and Chairperson Woods

NAYS: None

The next item on the agenda was **Case #PR040024 Consideration of Preliminary Plat of Fisher Hall North located east of Boulevard, one-fourth mile south of 33rd Street. (Turner and Company)**

Earnest Isch is representing Derek Turner in requesting Preliminary Plat approval of "E-1" General Commercial zoned property north of Fisher Drive, east of Boulevard, leading to a future community park east of the subject property. Mr. Turner is developing the Stonebridge PUD on the west side of Boulevard across from this property and that project contains offices, multi-family and single family homes. The pond on the park land will lie immediately east of this plat. There is another office complex to the north of the subject property.

The plat covers 8.17 acres and will contain 5 building sites shown as individual block numbers on the plat. Boulevard is already four laned and there is a median adjacent to this property, which will prevent left turns from the property except from Fisher Drive where there is a median crossover. There are cross access easements between the lots on the interior of the plat. Some of the driveways and access and utility easements shown on the plat will also serve as locations for water lines and fire hydrant placement. Sewer is available and will be extended for service to each lot.

"Limits of No Access" need to be added along Boulevard except where the approved drive approaches will be placed to meet the access management standards.

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

AYES: Members: Cartwright, Thrash, Thomas, Waner and Chairperson Woods

NAYS: None

The next item on the agenda was **Consideration of Deed Certification south of Coffee Creek Road, north of Steeplechase Addition, one-half mile west of Coltrane. (Bryan Coon)**

This item was continued to August 3, 2004 at the request of the applicant.

Motion by Thomas, seconded by Thrash, to **continue** this request. **Motion carried** by a vote of 5-0 as follows:

AYES: Members: Cartwright, Thrash, Thomas, Waner and Chairperson Woods

NAYS: None

There was no **New Business**.

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

AYES: Members: Cartwright, Thrash, Thomas, Waner and Chairperson Woods

NAYS: None

Meeting adjourned at 7:50 p.m.

David Woods, Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission