

**EDMOND PLANNING COMMISSION MEETING****Tuesday, November 2, 2004****5:30 P.M.**

The Edmond Planning Commission Meeting was called to order by Chairperson David Woods at 5:30 p.m., Tuesday, November 2, 2004, in the City Council Chambers at 20 South Littler. Other members present were Elizabeth Waner, Suzy Thrash, Leroy Cartwright, and Allen Thomas. Present for the City were Robert L. Schiermeyer, City Planner; Kristi McCone, Assistant City Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney. The first item on the agenda was the approval of the October 19, 2004, Planning Commission Minutes.

Motion by Thrash, seconded by Waner to approve the minutes. Motion carried by a vote of 4-1 as follows:

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

NAYS: Thomas

The next item on the agenda was **Case #PR040030 Consideration of Preliminary Plat approval for Olde Edmond III located north of Danforth, east of Coltrane. (Paul Iser) (Continued to November 16, 2004 at the request of applicant).**

Motion by Cartwright, seconded by Waner, to continue this item. Motion carried by a vote of 5-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #Z040029 Public Hearing and Consideration of amendment to Edmond Plan III from High Density Residential and Commercial Services to Restricted Commercial District one-eighth mile south of 15<sup>th</sup> Street and east of Santa Fe. (S&L,LLC)**

Randel Shadid is representing the property owner in requesting 11 acres south of Crest east of Santa Fe change to "D-1" Restricted Commercial. "D-1" does not allow a grocery store, convenience store, car wash, variety store, service station, liquor store, indoor theater by right; they require Special Use Permits just as Crest was required to. The east side of the property is subject to a FEMA floodplain and detention area that could not change without substantial FEMA map amendments and re-working of the drainage channels through the area. This creek area also has substantial tree growth.

The existing Crest store contained 111,474 square feet and is open 24 hours a day. Since 1984, the Plan has reflected existing zoning of multi-family. The potential of 176 apartment units two or three story construction 30 feet from the residential property line is often seen as an incompatible use adjacent to single family homes. It is a policy decision to modify to retail.

Randel Shadid spoke representing the applicant indicating that "D-1" was a better use than "C-3" Multi-family. The site plan standards would protect the residential better than multi-family which does not require the sensitive border standards. He noted the changes in improvements to Santa Fe, the separation to the flood plain on the east of the property as features that fit commercial use of the property. Darrell Davis with the Ripple Creek Homeowners Association

indicated he was concerned about possible Special Use Permits later if the "D-1" request did not develop as a shopping center or a center with multiple pad sites. He was also concerned about the buffer on the south side of the property next to Ripple Creek. Previously a brick wall had been constructed next to Crest and he thought the brick wall should be added next to single family when the site plan is submitted. He was also concerned about traffic turning movements into the commercial center and the location of the drive approaches along Santa Fe. Mr. Davis indicated he did not oppose the "D-1" zoning. Ms. Waner indicated she thought there were other options than "D-1". She was concerned about the Special Use Permits in "D-1" and that "D-1" was being approved next to single family without a buffer. Cartwright indicated that fencing, trees, and setbacks could be required in "D-1" and may not be in "C-3". Ms. Waner indicated that an overall policy should be looked at with the Edmond Plan. Standards for adequate buffers should be considered. Randel Shadid indicated that he could not promise that a Special Use Permit would not be requested, but that was not thought to be how the property would develop. He indicated he may be willing to amend to a Planned Unit Development between the Planning Commission and the City Council, limiting some of the Special Use Permit. Chairman Woods indicated that taller structures are allowed in "C-3" Multi-family and he felt a better buffer could be established with the "D-1" which was not being protested. Ms. Thrash indicated she did not favor Special Use Permits, but did agree on the "D-1" district at this location.

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

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

NAYS: Waner

**The next item on the agenda was Case #Z040030 Public Hearing and Consideration of ordinance rezoning from "C-3" High Density Residential and Commercial Services District to "D-1" Restricted Commercial District located south of 15<sup>th</sup> Street and east of Santa Fe. (S&L, LLC)**

Randel Shadid, representing the property owner Ms. Assemi, is requesting to rezone property south of 15<sup>th</sup> Street, south of Crest, and east of Santa Fe from "C-3" High Density Residential and Commercial Services District to "D-1" Restricted Commercial District. The L-shaped property contains 11.5 acres and is undeveloped. The northeastern part of the property lies in the 100-year flood plain. Based on the "C-3" zoning, 176 apartment units are possible on this property.

The property was originally zoned in 1981 from "A" Single Family Dwelling District to the current "C-3". Traditionally a multi-family district is perceived as a buffer zoning district between commercial and residential zoning district. The property is projected for high density multi-family residential land use on the Edmond Plan III because it was zoned such prior to the 1984 Edmond Plan.

The property south and east of the site is zoned "A" Single Family Dwelling District and developed as the Ripple Creek and Whispering Creek neighborhoods. The property north is zoned "D-1" Restricted Commercial District and contains the Crest grocery store. The property west is in Oklahoma City and is part of the Fairfield South residential addition.

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

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

NAYS: Waner

The next item on the agenda was **Case #PR040039 Consideration of Preliminary Plat approval for Thomas Center Addition south of Covell Road and east of Thomas Drive. (Thomas Trails LLC)**

Randel Shadid representing Thomas Trails LLC is requesting Preliminary Plat approval of the Sonic and other commercial "D-1" Planned Unit Development property south of Covell east of Thomas Drive. This plat provides for 4 lots. The Sonic is proposed on Lot 1 on the immediate corner of Covell and Thomas and 3 additional lots to the east. One new public street is planned south of the 4 lots north of the Crown Ridge Apartments to be called Thomas Circle. The other access into the 4 lots is from Covell with right turn-in and right turn-out driveway approaches. Sonic is expected to have one drive approach on Thomas. Right-of-way along Covell is required at a minimum of 70 feet and possibly 90 feet or more on portions of the Covell frontage to accommodate the Covell parkway and the underpass and median and the owners have agreed to grant that easement. Water and sanitary sewer lines will be adjacent to each lot. The 3 curb cuts on Covell have been approved by Engineering as meeting the driveway policy. The Planning Commission may wish to request access to the apartments with this plat since the apartment project has been completed and there are no outstanding improvements.

Chairman Woods asked if the developer of this property would install the drive approach to match up with the end of paving in the Crown Ridge Apartments so there is the distribution of traffic needed in the event of emergencies or blocked access on Thomas to the Crown Ridge Apartments. Randel Shadid representing the applicant indicated he would provide for that addition with the Final Plat of Thomas Center.

Motion by Thomas, seconded by Waner, to approve this request subject to the connection with the Crown Ridge Apartments. Motion carried by a vote of 5-0 as follows:

AYES: Members: Thomas, Waner, Thrash, Cartwright and Chairperson Woods  
NAYS: None

The next item on agenda was **Case # PR040042 Public Hearing and Consideration of Preliminary Plat for Skyler's Court Addition north of Edmond Road just under one-half mile west of Kelly Avenue. (Kimberly Crossing, LLC)**

Barry Lodge, representing Kimberly Crossing, LLC, is asking for Preliminary Plat approval for Skyler's Court Addition north of Edmond Road and ½ mile west of Kelly Avenue. The 7.6448 acre addition is zoned "C-3" High Density Residential and Commercial Services District. Seventy-six lots are proposed for the addition. A gated entrance on the north side of Dooley Farms Lane will provide access. The addition will have private streets and public utilities. The lots will range in size from 2250 to 3000 square feet; the minimum lot size in "C-3" is 2700 square foot per unit. The minimum land area needed for 76 lots in "C-3" is 205,200 square feet or 4.7 acres.

The Robert Cassidy property is located to the north of the subject plat. The Cassidy property would have access through Chateau and that is the only access to a public street at this time. The Skyler's Court Addition is proposing gated access with private streets. Access to the Creekside Village Senior Housing was not required or provided to the Cassidy property partially because there was no traffic light planned on West Edmond Road at the Creekside Drive intersection at Edmond Road. If as many as 80 homes were built on the Cassidy property along with the 42 units of Creekside, that is too much traffic without a traffic signal.

Randel Shadid representing Robert Cassidy, a property owner to the north objected to the plat with the private streets since it was the best location for accessing the traffic light on Edmond Road because of the substantial volume of traffic generated from Kimberling Crossing and Skyler's Court when fully developed. Ms. Waner asked if the trail would be provided for along the creek along the west side of this project and it was indicated that was planned with the single family portion of Kimberling Crossing. The staff noted that the gate stacking space did not allow for 80 feet or 4 cars to be in front of the gate because the new street, Skyler's Court, is too short. Cartwright indicated the street was to be private and was concerned about requiring a public street through the project to serve another property owner. He noted that Mr. Cassidy had access through the Chateau Addition. Randel Shadid indicated over 100 homes could be built on Cassidy's property and that is too many to access through Chateau. Ron Lloyd, representing Coon Engineering, indicated they preferred no access since they had planned a gated development. He indicated he would rearrange the entry to get the required stacking distance. Mr. Shadid indicated the flood plain was a critical limitation to the Cassidy property restricting access to any other direction except through the Skyler's Court property. Chairman Woods asked Ron Lloyd if he would continue the item to discuss this issue and the options with the Cassidy representatives. He indicated he would request a continuance until November 16, 2004 to meet with the owner.

At the request of the applicant this matter was continued to the November 16, 2004 Planning Commission to continue to discuss the options of access to the Cassidy property.

Motion by Cartwright, seconded by Thrash, to continue this item. 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 #PR040040 Public Hearing and Consideration of Preliminary Plat for Quo Vadis II Addition north of Coffee Creek Road west of Westminster Road. (Westminster Development, LLC)**

J. W. Armstrong with Westminster Development LLC is proposing a new 136.24 acre single family development east of I-35. The addition will have a total of 13 lots ranging from 8.26 to 10.48 acres in size and is zoned "G-A" General Agricultural District. The addition will have private water wells and septic tanks or aerobic systems. An 8.16 acre common area with detention facilities will be located at the northeast corner of the addition. Under state law, it would not be a mandatory requirement to plat this "G-A" zoned 8 acre or larger development but Mr. Armstrong is submitting a plat. The first phase of Quo Vadis, to the north, contains 37 lots on 159.67 acres.

Bill Wallow, property owner to the east, was concerned about runoff from this property affecting his property. He said he already had a problem with too much water crossing this property during heavy rains. Mr. Armstrong indicated the lots average 10 acres and would not increase the existing drainage problems. All the improvements would be built to the current drainage code.

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

AYES: Members: Waner, Cartwright, Thomas, Thrash and Chairperson Woods  
NAYS: None

The next item on the agenda was **Case #PR040034 Consideration of Final Plat approval for Hampden Hollow Addition on the northeast corner of Covell Road and Air Depot Boulevard. (J. W. Armstrong)**

J. W. Armstrong is requesting Final Plat approval for Hampden Hollow Addition, located on the northeast corner of Covell Road and Air Depot Boulevard. The 25.754 acre addition is zoned "A" Single Family Dwelling District. Hampden Hollow will contain 61 lots. The average lot size will be 9,200 square feet.

The streets in this addition will be private and there will be a private gate access with one access point on Air Depot. The addition will be served with City of Edmond utilities.

Ms. Thrash asked if the oil well was on this phase. Mr. Armstrong indicated it was on the next phase of the development. He further indicated he agreed to give the additional 20 feet of right-of-way beyond the 17 foot standard along Air Depot at the request of the City Council, and due to the location at the Southern Star Pipe Line along Air Depot affecting improvements along that street. Ms. Waner asked if his project could provide for a public trail. Mr. Armstrong indicated that while the project was planned to be private, with private streets, a common swimming pool, and trails, in the common areas, he would agree to opening the trails to common access.

Motion by Cartwright, seconded by Thrash, 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 **Case #Z040027 Public Hearing and Consideration of rezoning from "R-3" Private Street Dwelling district to "R-2" Urban Estate District located on the northwest corner of Danforth and Douglas. (Bill Frankfurt)**

Bill Frankfurt with Frankfurt and Associates is requesting a rezoning from "R-3" Private Street Dwelling District to "R-2" Urban Estate Dwelling District for the property located on the northwest corner of Danforth and Douglas. The property is 160 acres. Redbud Canyon is located to the north and is currently zoned "R-2". The property to the west is zoned "G-A" and "F-1" PUD and is owned by the City of Edmond. The City currently operates the sewer treatment plant, a firing and explosives training facility, a communication tower and softball fields on the property. To the east and south the property is zoned "G-A"..

Andy Shane asked about how many houses would be built along Danforth since he owned land to the south. It was noted that there is a flood plain all along Danforth so the homes would not be permitted within that FEMA flood plain. Velia Rose, a property owner on the southeast corner, was concerned about flooding in the area. It was noted that with existing conditions, there is flooding and that may continue. New development of the Frankfurt property will be required to detain runoff water outside of the flood plain at the undeveloped rate. It was noted that people should take precautions when they are built very close to the historical flood plain.

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

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

NAYS: None

The next item on the agenda was **Case #PR040036 Consideration of the Final Plat of the Sterling Heights Addition located south of Thatcher west of the Burlington Northern and Santa Fe Railroad tracts. (Sterling Property Development)**

Engineer David Jones is requesting Final Plat approval for Sterling Heights located south of Thatcher west of the railroad. The property is zoned "A" Single Family, consists of one street, Sterling Heights Way and 16 single family lots on 3.29 acres. Coy's Wrecker Service is located to the east. The lots are generally 6500 square foot or larger. One lot at the south end of the addition will use a 15 foot front building line as approved on the Preliminary Plat. Lot B is a common area detention facility. Limits of no access have been placed along Sterling Heights Way on the south half of the addition since the land to the east is zoned "E-1" General Commercial. The plat is in order for approval.

Jim Clow asked if there would be a homeowners association with this property. It was indicated there would be to maintain the detention area. David Jones for the developer indicated the common area was a little smaller than on the preliminary plat in order to make the cul-de-sac larger for the fire trucks.

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

AYES: Members: Thomas, Thrash, Cartwright, Waner and Chairperson Woods  
NAYS: None

The next item on the agenda was **Case # SP040040 Public Hearing and Consideration of Site Plan approval for an industrial building addition to be located on the northeast corner of Sorghum Mill Road and I-35 Industrial Boulevard (5600 I-35 Industrial Boulevard). (Stephen W. Davis)**

The owner is requesting numerous variances to the site plan standards:

1. no landscaping is to be planted
2. no widening section would be constructed along Sorghum Mill Road (extreme slope change from cross over embankment of Sorghum Mill Road over I-35)
3. no sidewalks along Sorghum Mill Road (North I-35 Industrial Boulevard is not a public road)
4. no brick veneer on the building
5. no paving of the parking lot is proposed

Stephen W. Davis is the owner of the property and has an existing 60 foot by 100 foot (6000 square foot) building on the property. The new proposal is for a 12,000 square foot addition, 60 feet by 200 feet, to be located at the back or east side of the property. The Industrially zoned land is in the I-35 Corridor. The overall property is 120,000 square feet or 2.75 acres, 300 foot by 400 foot. The lot size is 120,000 square feet.

The representative for Mr. Davis indicated that the storage building would have no public occupancy. There would just be storage of items collected by Mr. Davis. There have been no plans to repave the parking lot, even though grass had grown over some of the asphalt and no additional landscaping or trees have been planned. Steve Bridges indicated additional landscaping would be suggested, but they shouldn't have to meet the code based on existing character of the area. Mr. Cartwright indicated that

some more landscaping could be added, but brick on the building, widening, should not be required. Ms. Waner indicated additional landscaping would be a good idea. She indicated that there is not a good place to start with the new standards since so many of the buildings in the area don't meet the standards.

Chairman Woods asked the applicant to consider a continuance to resubmit plans for trees or other parking lot improvements to improve the appearance of this building site. The applicant requested a continuance until November 16, 2004.

Motion by Waner, seconded by Thomas, to continue the item until November 16<sup>th</sup>.  
Motion carried by a vote of 5-0 as follows:

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

NAYS: None

### **The next item was Discussion of questionnaire and feedback regarding Planning Commission procedures, policies and terms**

Survey Question # 1 was as follows: **“Is the current term of office for your members appropriate or should it be changed, and if so, what is your recommendation? If the term of your members is not limited, do you have a recommendation on term limits of members?”** Members Cartwright, Thrash, Thomas and Waner agreed that the three year term was the best for the operation of the Planning Commission. There does not need to be term limits, some members could be reappointed. There is a rotation of membership based on City Council appointments. No change was felt necessary.

Survey Question #2 was as follows: **“If the term of office for your chairman is not limited, should there be a limit, and if so, what is your recommendation?”** Chairman Woods indicated that while there had not been elections recently, he felt the annual election suggested should take place for the Chair and Vice-Chair. It was noted that the Chairman also serves on the Board of Adjustment, which is scheduled to meet twice a month like the Planning Commission. He felt that any member could place an item on the agenda, so being the Chairman did not limit the discussion. The election dates were discussed in May, which is also the time of new appointments. All five members agreed that there may not need to be a term of office limited to the Chairman, but that the annual election should take place.

Survey Question #3 was as follows: **“Do you believe the current number of members of your Board leads to an efficient operation, if not, do you recommend more or less members?”** All members agreed that additional members, more than five, were not needed. It is only anticipated that this would change if the Council number changed based on the number of Wards. Ms. Thrash indicated that she thought it was appropriate for one Commissioner to be appointed per Ward with one member appointed by the Mayor.

Survey Question #4 was as follows: **“Does your Board have a current attendance policy, and if not, would you support a policy that if a member missed three consecutive meetings, they are automatically removed from office?”** It was noted that the Board did not have an attendance policy. There was not necessarily an

objection to a standard that if three consecutive meetings were missed, the member would be removed. However, they felt that a reasonable justification for circumstances would need to be determined to allow a member to remain. even if missing three meetings. There could be an illness, accident, or other justifiable circumstance where it would be inappropriate to remove someone because they missed three meetings. The Commissioners felt the three absences should be reviewed. It was noted that this circumstance had not occurred on the Planning Commission. The continuous activity and public hearing nature of the typical business makes missing several meetings difficult for the other members.

Survey Question #5 was as follows: **“Does your Board have an orientation process for new appointees, and if so, please describe the process?”** The Board does not have an orientation process for new appointees. Mr. Thomas felt that a background review would be important for new members. It was noted that members would have to be appointed in such a way that there was sufficient time for orientation prior to them taking office, which was not always the case. City Attorney Murdock indicated that the staff would be willing to create an orientation program if requested. It was noted that there are various training programs offered after being appointed a Planning Commissioner that have helped, but these do not come before the term is started. Chairman Woods indicated that two of the members might visit with the newly appointed Planning Commission member to provide an orientation prior to their first meeting. .

Survey Question #6 was as follows: **“Does your Board have any other recommendation regarding the structure and organization of your Board?”** No changes were suggested.

**There was no New Business.**

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

AYES: Members: Thrash, Cartwright, Thomas, Waner and Chairperson Woods  
NAYS: None

**Meeting adjourned at 7:48 p.m.**

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David Woods, Chairperson  
Edmond Planning Commission

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Robert Schiermeyer, Secretary  
Edmond Planning Commission