

**EDMOND PLANNING COMMISSION MEETING****Tuesday, December 7, 2004****5:30 P.M.**

The Edmond Planning Commission Meeting was called to order by Chairperson David Woods at 5:30 p.m., Tuesday, December 7, 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 November 16, 2004, Planning Commission Minutes.

Motion by Waner, seconded by Thomas to approve the minutes. **Motion carried** by a vote of 5-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #PR030030 Consideration of Preliminary Plat of the Fox Lake Plaza Addition located west of I-35, one-quarter of a mile north of 15<sup>th</sup> Street, east of Fox Lake Addition. (Frank Battle)**

Frank Battle is requesting Preliminary Plat approval for the Fox Lake Plaza development. The plat consists of 48.04 acres. The proposal is for a commercial project consisting of five lots south of Fox Lake Lane, west of the Interstate and one lot north of Fox Lake Lane. The property is zoned partially "F-1" Light Industrial, partially "E-3" Restricted Light Industrial and partially "D-2" Neighborhood Commercial. Access to the property would be from two drive approaches west of the I-35 frontage road. There will be cross access to the south as identified on the Wal-Mart site plan. There is no access on the south side of Fox Lake Lane to this project. However, Lot 1, Block 2, north of Fox Lake Lane will need to have access from that street in order to meet the driveway and street separation policy.

Detention is now planned for Fox Lake. Street improvements, including those needed at Second Street and the frontage road, need to be required as part of the plat based on the traffic study that was submitted with the site plan. Fox Lake Lane has already been dedicated to the City connecting to the frontage road. An easement has been submitted for the turn-around or the partial cul-de-sac for the modification at Fox Lake Lane to allow for convenient turn-a-rounds for traffic not intended to drive through the Fox Lake Addition.

Tom Langdon spoke in opposition to the plat. He requested that the plat be delayed until the drainage plan could be determined to not cause any flooding of Fox Lake. He indicated that the permit held by the homeowners association's enjoyment of the lake allows for no more than 8 acre feet per year. He estimated that based on the Wal-Mart and the Fox Lake Plaza project 125 acre feet per year would be directed towards Fox Lake. Mr. Langdon identified photographs of the lake level at a flood elevation. He noted that the rain in August created this situation. Mr. Cartwright indicated that he understood

the residents wanted additional water in the lake to maintain the level. Mr. Langdon indicated not more than 8 acre feet per year. Mr. Langdon indicated there's been a leak in the dam which has not represented the design for handling floods originally provided for.

Randel Shadid representing Frank Battle indicated this is the same discussion that has occurred in the past. He noted that the water has been cleaned up prior to being released to the lake through a filter system. The City Engineer has reviewed the plans and there will be no flooding of the homes and that the design of the lake for handling detention which it was intended for, will stay at the same design level as developed in 1977 for the entire Fox Lake area.

Mrs. Waner indicated she was not comfortable with approving the Preliminary Plat without more details on the drainage issue and lake capacity based on existing conditions. Mr. Woods felt there was not a threat to life and property by the design proposed. Bill Haag with Fox Lake Homeowners indicated he objected to the plat.

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

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

NAYS: Waner

**The next item on the agenda was Case #PR040028 Consideration of amended Preliminary Plat of Copella Addition located east of the Winding Creek Addition, north of West Edmond Road. (Jim Young Kim)**

Attorney Randel Shadid is representing Jin Young Kim in requesting approval of an amended Preliminary Plat of Copella. The new addition consisting of 4.56 acres contains 13 single family lots. The street has been moved to the west to align with Country Side Trail in the Trails South Addition as required by Title 21 for street alignment. The lots run from 6,017 square feet to over 9,000 square feet. The lots are designed to back up to the drainage way on the east side of the property and there is a channel easement and buffer zone created east of the actual lots. This would need to be common area owned by all 13 property owners. The street would be publicly dedicated. There is a detention pond in the northwest portion of the plat adjacent to the Winding Creek detention area which was one of the last detention areas dedicated to the City of Edmond. An access easement has been provided across Lot 1, 25 foot in width, to reach the common lot in the creek area. Mr. Kim is aware that the playground equipment installed by the Winding Creek homeowners is on the area of this plat. It is the City's understanding that that equipment was intended to be placed in the public detention area.

Randel Shadid representing the applicant requested approval. He indicated they met all the city requirements and have adequately protected the area from any new flooding. He noted that the owner would work with the Winding Creek homeowners for removal of their playground equipment within a reasonable time. Tom Gooch with the Winding Creek homeowners association objected to the plat. He indicated that the playground

was on city owned land and that the current owner must have an incorrect survey of his property. Mr. Woods asked Mr. Shadid to takes steps to absolutely resolve the ownership and survey line to determine whether the equipment is on Mr. Kim's property or on the publicly owned detention area. Greg Dim spoke in opposition to the plat based on additional traffic on West Edmond Road. He noted the difficulty of making left turns on Edmond Road from the Winding Creek Addition. Les Wilkins from the Winding Creek Addition spoke in opposition to the plat. He disputed the owner's engineer's interpretation of the FEMA floodplain and felt like it extended onto the street and more onto the lots than shown by the developer. He provided the Commission a map of his research. Sean Brownlee spoke in opposition and indicated photographs of flooding east of this addition in Trails South. He felt the addition was not economically feasible due to the great cost that would be required to actually make the improvements to protect the floodplain and to build the addition as planned. City Engineer Steve Manek indicated that the very detailed drainage report would be submitted with the final plat and if the floodplain studied by the owners engineer was determined to be incorrect that could adversely affect the final plat. Additional time was taken in the review with the preliminary due to the concern about the flooding along the creek and erosion of soil. It appears that much of the soil lost in the Trails Addition was due to the original grading prior to the current Title 23 where soil was graded for lots but not stabilized or compacted with the use of retaining walls as is the current practice. Mrs. Waner indicated she would prefer more complete drainage analysis from the developer rather than waiting for the final plat to find out there could be some more significant problems than anticipated or explained with the preliminary plat.

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

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

**The next item on the agenda was Case #SP040047 Public Hearing and Consideration of Commercial Site Plan approval for a Sonic Drive-In Restaurant located on the southeast corner of Thomas and Covell. (Thomas Trails LLC)**

Existing zoning – "E-1" General Commercial District Planned Unit Development.

Height of buildings – 17 feet

Parking – 32 spaces including those for drive-in service. The building is 1,674 square feet and there is an outdoor dining area.

Lot size – 38,545 square feet

1. Landscape Plan

Landscaping - Lot area = 38,545 sf

Ten per cent of lot = 3,855 sf

Plant units required = 308 plants

Required in front yard = 1,928 sf

Evergreen required = 123 plants

Landscape provided on plans submitted

10,797 sf landscaping/lawn area

416 plant units

5,496 sf in front yard

208.5 plant units

2. Mechanical equipment – Roof top HVAC units will be screened from view by the height of the parapet wall as shown in the elevation photograph.

3. Signage – The maximum sign allowed is 6 foot tall, 42 square feet. A brick base is planned to match the building.
4. General architectural appearance – The proposed one story building will contain 1,674 square feet. The exterior of the building will have a brick veneer. The drive in parking spaces adjacent to the building on the east and west sides will be covered with a canopy. The drive in parking spaces near the east property line will be covered with a canopy also.
5. Refuse facilities – A dumpster enclosure will be located in the parking lot at the southeast corner of the site.

Motion by Thomas, seconded by Cartwright to approve this request subject to Morgan Drive on the south side of Sonic being completed along with the Sonic as well as the access to the Crown Ridge Apartments being resolved south of Morgan Drive. **Motion carried** by a vote of 5-0 as follows:

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

**The next item on the agenda was Case #PR040044 Consideration of Preliminary Plat for Hundred Oaks located south of Signal Ridge Addition, north of Enterprise Business Park, east of Kelly. (Dale Jackson)**

Lax Godhania, representing property owner Dale Jackson, has submitted the Preliminary Plat of Hundred Oaks Addition, located east of Kelly, and ¼ mile south of 15<sup>th</sup> Street. The plat contains 39 lots on 47.7 acres, with each lot being approximately 28,000 square feet in size. The property is zoned "F-1" Light Industrial District. A new public collector street with 60' right-of-way will be constructed east off Kelly, Hundred Oaks Drive, and will extend due east with three pairs of cul-de-sacs extending north and south off Hundred Oaks Drive. The plat proposes extending Fretz south since it stubs into this property from the Signal Ridge Addition, east of Pelco. A stub-out street has been planned to the south leading towards Enterprise Drive which is a public street. The detention for this addition will be on the far east side, next to the railroad, which extends south next to the Enterprise Industrial Addition. That detention area may serve other projects in Signal Ridge and Hundred Oaks as it is fully developed.

Mr. Jackson indicated he would grant the easement for Fretz Drive. He indicated he had not planned to build Fretz Drive until a second phase of the project which could be several years. He understood the City's proposal to establish Fretz Drive from 33<sup>rd</sup> to 15<sup>th</sup> Street and indicated the 50 foot wide easement through the property would be made available.

Motion by Thomas, seconded by Waner, to approve this request subject to the Fretz Street easement being provided so the City could continue their planning for Fretz Drive. **Motion carried** by a vote of 5-0 as follows:

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

**The next item on agenda was Case #SP040042 Public Hearing and Consideration of Commercial Site Plan approval for a new building at 1320 Fretz Drive. (John D. Alexander)**

Existing zoning - "E-3" Restricted Light Industrial District.

Height of buildings – twenty-two feet

Parking – 19 spaces provided for an 8,400 square feet building.

Lot size – 30,000 square feet

1. Landscape Plan

<u>Landscaping - Lot area = 30,000 sf</u>	<u>Landscape provided on plans submitted</u>
Ten per cent of lot = 3,000 sf	3, 000 sf landscaping/lawn area
Plant units required = 240 plants	313 plant units
Required in front yard = 1,500 sf	1,500 sf in front yard
Evergreen required = 96 plants	96 plant units

2. Lighting Plan – No light poles; only wall pac light on the building

3. Signage – No ground signs are proposed

4. General architectural appearance – The proposed one story building will contain 8,400 square feet. The exterior of the building will have a brick veneer. The front of the building will have a covered walkway with brick columns. The cover will have an EIFS veneer with a standing seam metal roof. An EIFS parapet wall will be located on the front and brick parapet walls on the sides. The 1 to 12 pitched roof of the building will be constructed of standing seam metal. Three overhead 12' by 12' garage doors will be located on the back of the building.

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

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

NAYS: None

**The next item on the agenda was Case # Z040033 Public Hearing and Consideration of rezoning from "G-A" General Agricultural to "R-2" Urban Estate Dwelling District located north of Covell Road, west of Douglas Boulevard. (William Frankfurt)**

Bill Frankfurt is requesting rezoning from General Agricultural to Urban Estate on a 21.56 acre tract of land north of Redbud Canyon, north of Covell Road, 1420 feet west of Douglas Road. The Edmond Plan suggests residential for this property. There are no utilities adjacent and none planned. The lot size of 60,000 square feet permitted in "R-2" is the minimum for septic tank and water well. Other additions in the area include Tanglevine and Coffee Creek Estates developed by Mr. Frankfurt. Redbud Canyon is located to the south and new homes are being built fronting onto Covell to the west of Redbud Canyon.

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

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

NAYS: None

**The next item on the agenda was Case #PR040035 Consideration of Final Plat for Fairfax Estates VI located north of Covell Road and east of Coltrane Road. (J. W. Armstrong)**

J. W. Armstrong is requesting Final Plat approval of Fairfax Estates VI Addition located as an extension of Balmoral Drive which connects with Fairfax Estates IV and Fairfax Estates III Addition. There are two major access points to this addition, one from Coltrane and one from Covell. The addition consists of 26 single family lots on approximately 15 acres. The lots are generally 130 by 100 foot or 13,000 square feet or larger. All the streets are private in this addition. Building lines are shown at 25 feet for the front; the side and rear setbacks will be the standard for single family.

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 #PR040035 Consideration of Final Plat approval for Fairfax Gardens III located north of Covell Road and east of Coltrane Road. (J. W. Armstrong)**

J. W. Armstrong is requesting Final Plat approval of Fairfax Gardens III Addition. This single family development will contain 35 lots on approximately 20 acres. The lots in this addition are 10,200 square foot or larger.

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

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

NAYS: None

**The next item on the agenda was Case #PR040019 Consideration of Final Plat of Kingsbury Ridge I located one-quarter mile west of Western on the south side of Covell Road. (MGR)**

Caleb McCaleb is requesting Final Plat approval for a single family addition consisting of 31.21 acres and 58 lots. The lots are generally 90 feet by 130 feet or 80 feet by 130 feet ranging from 10,400 square feet to 11,700 square feet. The addition will be served with city water, sanitary sewer, private drainage detention and public dedicated streets. Ninety feet to 100 feet of right-of-way is required from the center line of Covell for the future Covell Parkway. A stub-out street is planned to the west in another phase of the addition. There is a large creek and floodplain to the east of this first phase. This area will be Common Area B and will be in addition to the detention pond described as Common Area A.

The water for this addition will be supplied by Oklahoma City but the lines within the addition will be the City of Edmond's. Fire service will be supplied from Edmond. The sanitary sewer main on the east side of the addition is also being replaced as a part of the Oklahoma City system. An agreement with Oklahoma City and Edmond is required for this type of utility service. This was also done with the St. Monica Catholic Church on Western. The Preliminary Plat was recently amended to provide for smaller lots than originally planned and to provide for the 20 foot front setbacks shown at the building line.

Lydia Culver was concerned about flooding caused by detention ponds which hold water back during heavy rains causing the release of water to occur over a longer period of time from the detention areas. She commented she owned some land in Logan County where this occurred. Blair Roberts asked what the minimum square footage of the house was. It was noted the minimum would be 2100 square feet. Chairperson Woods indicated that the detention for this project met all the city requirements and the property did not drain towards Mrs. Culver's property.

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

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

NAYS: None

**The next item on the agenda was Case #U040012 Public Hearing and Consideration of a Special Use Permit and Site Plan approval for a new church building located on the southeast corner of Covell Road and Pennsylvania Avenue. (Acts 2 United Methodist Church)**

Acts 2 Methodist Church is proposing a new building on the southeast corner of Covell and Pennsylvania just inside the Edmond City Limits. The property to the west and northwest of Pennsylvania and Covell is in the city of Oklahoma City. The land to the north of Covell is in Edmond and the land east and south of the property is in the city of Edmond. The church owns approximately 35 acres at this location. The first phase of the project contains approximately 3.6 acres. The land is zoned "A" Single Family. The proposed church would contain approximately 10,000 square feet.

Barry Lodge with Coon Engineering representing the church indicated that the church had agreed to give the 200 foot right-of-way from the center line of Covell and the 50 foot of right-of-way from Pennsylvania in lieu of paving or deceleration lanes. He indicated that the corner parcel will be omitted from the 3.6 acre request and therefore the detention area has been moved back away from the corner from where it was originally planned. The church is located over 500 feet from the property lines on the entire 35 acre ownership. The aerobic system would be located to the south where eventually sewer lines could be tapped possibly extending from Oklahoma City on the west.

Commissioner Waner asked about the lighting plan. A list of plant units was provided but the landscaping plan was being redone based on the detention modification which was anticipated in the additional right-of-way not originally considered.

Blair Roberts objected to the church and wanted to know what criteria was used to approve this commercial type use. He commented that there had been some activities on the land such as a band that used electronic speakers which frightened horses he had on his property. He indicated there had been 2 or 3 other events on the property and he wanted to know what would be involved in the church operations. He was also concerned about the traffic and drainage on site. The church agreed to a continuance to December 21.

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

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

**The next item on the agenda was Case #SP040046 Public Hearing and Consideration of Commercial Site Plan approval for a new building on the northwest corner Fretz Avenue and West 18<sup>th</sup> Street. (Jade Properties)**

Existing zoning – “E-2” Open Display Commercial District.

Parking – eleven spaces provided for an 8,178 square feet building.

Lot size – 28,433 square feet

1. Landscape Plan

<u>Landscaping - Lot area = 28,433 sf</u>	<u>Landscape provided on plans submitted</u>
Ten per cent of lot = 2,843 sf	3,495 sf landscaping/lawn area
Plant units required = 227 plants	229 plant units
Required in front yard = 1,422 sf	1,608 sf in front yard
Evergreen required = 91 plants	169 plant units

2. Mechanical equipment – All air conditioners will be located on the ground just as they were in the other buildings in this project.

3. Signage – No ground signs are proposed, wall signs only.

4. General architectural appearance – The proposed one story building will contain 8,178 square feet. The exterior of the building will have a brick veneer. The roof will have a pitch of 1 to 12 and will be metal. A metal canopy will cover the sidewalk on the south side of the building. Eight overhead garage doors will be located on the south side of the building. The building will contain eight units.

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

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

**The next item on the agenda was Case #SP040045 Public Hearing and Consideration of Commercial Site Plan approval for a new building located on the south side of Enterprise Drive east of Kelly Avenue. (Red River Roofing)**

Existing zoning – “F-1” Light Industrial District.

Parking – 36 spaces provided for a 7,200 square foot building (one space for each 200 square foot of floor space in the building)

Lot size – 45,000 square feet

1. Landscape Plan

<u>Landscaping - Lot area = 45,000 sf</u>	<u>Landscape provided on plans submitted</u>
Ten per cent of lot = 4,500 sf	6,227 sf landscaping/lawn area
Plant units required = 360 plants	369.5 plant units
Required in front yard = 2,250 sf	3,694 sf in front yard
Evergreen required = 144 plants	218 plant units

2. Lighting Plan – Wall pack lights on the building; no pole lights are proposed.

3. Mechanical equipment – All air conditioner compressors or other large equipment would be located on the ground. The pitch of the roof at 12/4 is too steep for most equipment without special platforms being constructed.

4. Signage – One 6 foot tall 42 square foot ground sign is planned with a masonry base.

5. General architectural appearance – The 7,200 square foot building will have a brick veneer with a split face concrete block wainscot on the front of the building. The front will have a canopy constructed of standing seam metal panels. The wall above the canopy will be covered with painted cement fiber board. The side and rear elevations will have metal panel siding. The pitched roof will be covered with standing seam metal roofing. One overhead garage door will be located on the south side of the building and two on the east side.

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

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

NAYS: None

**The next item on the agenda was Request by Kay-Bee for deed certification on the south side of Kelley Pointe Drive 300 feet west of Kelly in the Kelley Pointe Addition. (Terry McGuire)**

Terry McGuire with Kay-Bee Investments is requesting Deed Certification on an 82,175 square foot parcel south of Kelley Pointe Drive, west of Kelly. The existing two story building is located to the northwest. The subject property is zoned “F-1” Light Industrial and is adjacent to a public dedicated street, water line and a sanitary sewer line. There is no flood plain crossing this property. A drainage area will be just to the southeast of this lot and that is why the shape is a little irregular to account for a future drainage improvement. The lot at 1.89 acres is adequate for different kinds of buildings and can meet all of the setbacks as well as meeting all of the requirements for Deed Certification.

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

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

NAYS: None

**Consideration of Deed Certification south of 40<sup>th</sup> Street and east of Coltrane.  
(Bryan Timberlake)**

**This item was listed on the internet agenda and on the agenda received by the Planning Commission members, but was not on the officially posted agenda as required by the Open Meeting Law; that is why this item is listed on the agenda a second time.**

Bryan Timberlake has submitted a request for deed certification on a 5-acre tract of land south of 40<sup>th</sup> Street and east of Coltrane. The property was recently rezoned from "G-A" General Agricultural District to "R-1" Rural Estate Dwelling District on October 25, 2004. The "R-1" District provides for a 90,000 square foot lots Mr. Timberlake is proposing to split the 5-acre tract into two tracts for two single family residences to be built. Each tract will contain 2.51 acres which exceeds the 60,000 square foot lot size for private utilities. Both properties front onto 40<sup>th</sup> Street and so access is provided.

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

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

NAYS: None

**Under New Business**, Mr. Cartwright objected to a letter sent to the Edmond Sun newspaper indicating that the Planning Commission members and City Council members made up their minds how to vote for an item before the meeting. He indicated that was completely untrue and that the public hearing discussions clearly point out all the differences of opinion that the Planning Commission members have and that the citizens express on any item, as well as the differences that occur between the Planning Commission and City Council hearings. The other members agreed that the letter did not represent a accurate conclusion of what persons actually attending the hearing would conclude.

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 8:00 p.m.**

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David Woods, Chairperson  
Edmond Planning Commission

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Robert Schiermeyer, Secretary  
Edmond Planning Commission