

**EDMOND PLANNING COMMISSION MEETING****Tuesday, December 21, 2004****5:30 P.M.**

The Edmond Planning Commission Meeting was called to order by Vice Chairperson Leroy Cartwright at 5:30 p.m., Tuesday, December 21, 2004, in the City Council Chambers at 20 South Littler. Other members present were Elizabeth Waner, Allen Thomas and Suzy Thrash. Chairperson David Woods was absent. 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 December 7, 2004, Planning Commission Minutes.

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

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

NAYS: None

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

This matter was continued from the last Planning Commission meeting. No particular progress has been made at this time. Information on the drainage study and the change in the floodplain on the west side of Skyler's Court next to Kimberly Crossing 1<sup>st</sup> is still not available and no decision should be made on the west side of Skyler's Court until the information on the floodplain is available. Mr. Coon has indicated that the owner may be agreeable to a road access on the east side of the development where Mr. Cassidy has discussed his historical private road extending north from Edmond Road to the Cassidy property. At this time, the Skyler's Court owner is not willing to provide the easement at no cost. All of the easement locations were discussed as being improved as a part of any development on the Cassidy property.

Title 21 Subdivision Code provides that the Planning Commission should evaluate the public requirements for access for each addition. The Cassidy property does have access through the existing Chateau Addition off of Kelly. Based on the potential number of lots, even for single-family homes, possible on the Cassidy property, there could be as many as a hundred homes accessing through Chateau. That would create congestion at the intersection of Dustin Lane/Pruett Drive and Kelly. It is unknown if there is potential for access through the former circus grounds property north of Chateau. The access proposed through the Dooley Farms PUD on Dooley Farms Lane is because of the proposed traffic light that is justified based on the number of units accessing a single street for the Kimberly Crossing projects as well as the surrounding office, commercial and multi-family zoned property in the Dooley Farms PUD. This is why access through the Creekside project for the Cassidy property was less desirable because there is no traffic light at Creekside Drive and Edmond Road. The maximum block length in Title 21 is 700 feet. The preliminary plat for Skyler's Court will need to

receive an exception or variance from this standard to not stub-out a street to the north into the Cassidy property. There is no statement in Title 21 that suggests that the development of private streets supercedes the need to meet public circulation requirements for purposes of health, safety and welfare. The Planning Commission could require a stub-out street to the north into Skyler's Court and request that the applicant not proceed with private streets. The streets in Skyler's Court may need to be public to meet the minimum public accessibility requirements for this addition and the reasonable projection of streets to diminish congestion and facilitate traffic movement.

Randal Shadid representing Mr. Cassidy stated that if this plat was approved it was violating the code by not requiring a stub out. If a variance was given on this plat, an easement should be required of this developer. Brian Coon felt that this was not an issue for the Planning Commission or the developer and that Mr. Cassidy would be able to purchase an easement to his property when he was ready to develop.

Motion by Thomas, seconded by Thrash, to approve this request. Motion denied by a vote of 3-1 as follows:

AYES: Thrash

NAYS: Members: Thomas, Waner and Vice Chairperson Cartwright

The Preliminary Plat failed for lack of sufficient vote.

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)**

This item was continued from the last Planning Commission meeting. Revised plans have been submitted by Coon Engineering regarding landscaping, revised detention and a lighting plan. In lieu of paving, the Church will grant the right-of-way needed for the Covell Parkway which is 100 foot from the center line of Covell. There will also be 50 foot of right-of-way granted from the center line of Pennsylvania along the entire church property, not just the first phase. The Church owns 35 acres at this location.

Acts 2 United 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 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.

General Site Criteria:

Existing zoning – "A" Single Family Dwelling

Setbacks – The church would be setback 560 feet from the centerline of Covell and 550 feet from the centerline of Pennsylvania. A future building is planned to the south and

east of the first phase so the new building is over 300 feet from the east property line and over 600 feet from the south property line. The church owns 35 acres at this location.

Height of buildings – 37 feet to the top of the cross; however, the church is considering a taller cross and would like to be approved at 50 foot of height for the tallest point of the cross. In the future, a building will be built to the southeast and that will be a taller building than the first phase of the sanctuary. (The land is zoned as “A” Single Family just as St. Monica Catholic church is on Western and it is through the Special Use Permit that exceptions to the height are approved beyond the 35 foot stated in the “A” Single Family District. St. Monica’s was approved with over 100 foot of height including the cross on their steeple.)

Parking – 106 parking spaces are provided; seating is proposed at 300 persons. The current attendance of the church is approximately 160 persons.

Lot size – 3.6 acres

Landscape Plan

<u>Landscaping - Lot area = 156,816 sf</u>	<u>Landscape provided on plans submitted</u>
Ten per cent of lot = 15,681 sf	15,861 sf landscaping/lawn area
Plant units required = 1,260 plants	1,260 plant units
Required in front yard = 7840 sf	10,000 sf in front yard
Evergreen required = 504 plants	504 plant units

Lighting Plan – The majority of lights will be wall packs on the building. The maximum height of light poles will be 20 feet.

Driveways/Parking – One drive approach is planned on Covell at this time. A future drive is planned on Pennsylvania. These drives are immediately east and west of the detention area. Covell is designated as a Parkway adjacent to this property and 100 foot of right-of-way is required for that road standard. Improvements will need to be moved out of this future right-of-way. No widening section is planned along Covell. The practice of the city has been to waive the widening section as long as the right-of-way is sufficient for the future parkway. The City Council approved such a right-of-way granting in lieu of paving for the Hampden Hollow Addition on Air Depot and Covell. The right-of-way for a parkway standard street especially near an intersection is important to the city because of all the utility locations needed for such a wide street.

Mechanical equipment – The building has a 12/3 pitch roof and all of the mechanical equipment is located on the ground.

Fencing/screening – No fencing or screening is required on “A” Single Family zoned land.

Signage – 2 signs are proposed, one near the corner 8 foot tall 54 square feet and one near the entrance on Covell to be set back out of the 100 foot right-of-way also 8 foot tall and 54 square feet. This complies with the Special Use Permit standard for signs applicable to churches in “A” Single Family.

General architectural appearance – The exterior of the building is a combination of split face block base, king size brick and EFIS. The roof will be composition shingles at a 12/3 pitch. The building will have a fire sprinkler system. Water is being supplied from the Deer Creek Water District at Covell and Pennsylvania.

Drainage Report and related Grading Report Plans and Calculations indicating compliance with Title 23 Stormwater Drainage – Drainage is proposed towards Covell

and in front of the church to the northwest towards the intersection of Penn and Covell. The corner portion of the church property is being set aside so the detention area does not extend to the actual corner at Penn and Covell which is desirable due to the future improvements planned for the parkway. Engineering has reviewed the plans from Coon Engineering.

Dumpster location – the dumpster is located on the east side of the property in a stockade fence enclosure. A stockade enclosure is recommended since the master plan for the church will require fire lanes as a continuation of the parking lot and the dumpster location will be relocated.

Street paving and access management – 100 foot of right-of-way from the centerline of Covell will be granted in lieu of paving or deceleration lanes for the development of the Covell Parkway.

Title 21 Water and Sanitary Sewer Plans – There is no city water or sewer adjacent to this property. The church has made arrangements with the Deer Creek Water District for service especially needed for the fire sprinkler system. There is an existing well on the property. The church plans an aerobic waste water treatment system rather than a septic tank to be located immediately south of the church. That location is selected since sanitary sewer lines for an addition west of Pennsylvania in the city of Oklahoma City, immediately west of the church property, is in the process of receiving approval to begin construction for several hundred homes south of Covell west of Penn. Eventually that sewer line could be extended to serve the church. The church has plans for more buildings to the south and east.

No one appeared in objection.

Motion by Waner, seconded by Thomas, to approve this request. Motion carried by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #PR040030 Public Hearing and Consideration of Final Plat of Olde Edmond III, located north of Danforth, east of Coltrane. (Paul Iser)**

Ernie Isch, representing the developer Paul Iser, President of Prime Development, has submitted the Final Plat of Olde Edmond III. This last phase of Olde Edmond is located on the south side of the existing development east of Coltrane, north of Danforth. The property is zoned "A" Single Family Dwelling District and is a controlled access private street development. Olde Edmond III contains 17 lots on 8 acres. The typical lot is 100' X 150' or 15,000 square feet. The development will be served with city water, sanitary sewer, Edmond electricity, sanitation, police and fire. The plat shows a 16' construction road coming east off Coltrane for the development of this addition. The street will connect to Conridge Drive and continue to be private. There is one access point serving Olde Edmond, which currently contains 69 lots, and with this new phase, the addition will contain 86 lots.

Previously in 2000 and 2003, Mr. Iser submitted the preliminary plat of this phase, Olde Edmond III, but did not have a construction entrance. Mr. Iser's previous intentions were to use the private streets in Olde Edmond to provide access for Olde Edmond III. The residents of Olde Edmond have continued to express concern over the access issue the last several times the plat was submitted. Recently, two Community Connections were held, October 14 and November 3 to work out an agreement between the residents and the developer. The agreement, along with the minutes of the Community Connections meetings, are attached.

Mr. Robert Spurrier spoke to verify that the agreement between the owner and the developer would be enforced as a requirement of the final plat. The Planning Commission agreed that would be the case.

Motion by Thrash, seconded by Waner, to approve this request. Motion carried by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #PR040046 Consideration of Preliminary Plat of Cascade of Covell Addition located south of Covell Road, west of Midwest Boulevard.**

Engineer John Bleckinstaf is representing the owners in requesting preliminary plat approval. This addition contains 52 lots on 74 acres. Each lot will operate with a private water well and septic tank or aerobic system. The land to the east of the plat is located in a FEMA floodplain; the land to the south has just been completed as the first phase of the Hidden Lake Addition. The land to the west is undeveloped. The owner is requesting a variance or exception from the 60,000 square foot lot standard to allow for lots that range from 41,371 square feet to 50,000 square feet. The streets will be public in this addition. Houses are planned between 2200 and 2600 square feet. There are 17 acres of open space in Common Areas A, B and C. The developer is continuing to talk to Rand Phipps regarding at least some of the common area being set aside for the Land Conservancy Trust, if not a mandatory homeowners association will be established to permanently maintain and preserve the open space area. A stub-out to the west has been provided as required by the Planning Commission.

No one appeared in opposition.

Mr. Cartwright recommended that the owners determine how they were going to handle the open space through the land conservation trust and homeowners association or mandatory homeowners association.

Motion by Thomas, seconded by Waner-, to approve this request. Motion carried by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #U040013 Public Hearing and Consideration of Special Use Permit for mining dirt and other select material located one-half mile north of Danforth, east of Douglas Boulevard, 1700 North Douglas Boulevard, Mason #1. (M & S Sand, LLC)**

This item was continued to the January 18<sup>th</sup> Planning Commission meeting at the request of the applicant.

Motion by Thomas, seconded by Thrash, to continue this request to January 18<sup>th</sup>.

Motion carried by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #U040014 Public Hearing and Consideration of Special Use Permit for mining dirt and other select material business located north of Danforth, west of Post Road, 9225 East Danforth. (Raymond Butler)**

This item was continued to the January 18<sup>th</sup> Planning Commission meeting at the request of the applicant.

Motion by Thrash, seconded by Thomas, to continue this request to January 18<sup>th</sup>.

Motion carried by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Case # U040001 Public Hearing and Consideration of Special Use Permit for an Assisted Living Center on property located at 530 North Fretz. (Fretz Group Home/Loy Puffinbarger)**

Lloyd Puffinbarger is requesting an extension. The project should have been completed and established by February 2005. Mr. Puffinbarger is ready for a building permit but will not be completed. The staff recommends an extension of this Special Use Permit. Larry Blackledge representing The Meadows is requesting approval of a group home west of the Mobile Home Park north of Pennick Park. The structure is 3,415 square feet and will house 6 residents and caregiver. The project plans for 9 parking spaces which will also involve one curb cut on Fretz; a parking space was added at the request of the Planning Commission. The building design is residential in character, one story with brick veneer and a 6/12 roof pitch. The building will be setback 62 feet from Fretz and 25 feet from the back property line next to the mobile home park where there is already a 6 foot tall stockade fence. Drainage detention will be constructed on the south side of the building just north of the park and the drainage way through the park. Residential container sanitation pick up is planned. The property will install the full 10% landscaping consisting of 2,310 square feet and 186 plant units. Trees selected include loblolly pine, Austrian pine and lace bark elm.

Mr. Puffinbarger indicated he had graded the site and placed an erosion control fence around the property and the building permit had been granted.

Motion by Waner, seconded by Thrash, to approve this request. Motion carried by a vote of 4-0 as follows:

AYES: Members: Waner, Thrash, Thomas and Vice Chairperson

NAYS: None

The next item on the agenda was **Public Hearing and Consideration of a sign variance for the Dental Depot Property located south of 15<sup>th</sup> Street and east of the B, N and S.F. Railroad tracks. (Dr. Ashmore).**

Dr. Ashmore would like to request a sign for his 15<sup>th</sup> Street Station development on the south side of 15<sup>th</sup> Street west of the railroad tracks. Dental Depot has been completed and they have been approved for 6 foot tall 42 square foot or less sign. The proposal is to allow for a 16 foot tall sign. The sign would identify 15<sup>th</sup> Street Station and would provide for 3 tenant spaces. This would be the only other ground sign permitted on this property. Dr. Ashmore plans for 5 additional buildings south and west of the Dental Depot on this 7 acre tract. The preliminary plat has identified 3 lots; one for Dental Depot, one for the lot to the west and one for the back lot or southern lot which would not have direct access onto 15<sup>th</sup> Street. The owner was considering dividing the parcels into 5 lots each with some frontage along 15<sup>th</sup> Street. In this instance, the owner might apply for 5 signs, each on a parcel having frontage along 15<sup>th</sup> Street. The preference would be to allow for one additional sign that is larger than allowed but the number of signs would be reduced.

There are non-conforming signs in the area, such as the Kwal Paint sign and the Edmond Pick up Cover sign east of this location. There are other signs west of this location such as Swedish Import, 520 W. 15<sup>th</sup>, a dance studio and dental office and the Edmond Ankle and Foot Clinic and further west the Westbrook Plaza shopping center. The Windrush sign was given a variance and is also taller than 6 feet. A variance is requested to allow a 16-foot tall sign, 78 square feet in lieu of additional signs for individual lots for this 950-foot deep property east of the apartments and west of the railroad tracks.

Phil Fitzgerald representing Dr. Ashmore presented a power-point presentation to the Planning Commission. Mr. Fitzgerald stated that he felt that this property was unique in the way that it is split into multiple tracts of land and located in a transitional area among several non-conforming signs. He also felt that the sign they are proposing matched the character of the development and gave the development it's own identity.

Motion by Waner, seconded by Thrash, to approve this request. Motion carried by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #SP040001 Public Hearing and Consideration of extension of Commercial Site Plan approval for Sam's Auto Wash Express south of East Second Street on the southwest corner of Second and Katie Michelle. (Sam Crosby IV)**

Terry Baumister has submitted a letter stating the status of this project, representing the applicant.

Motion by Thomas seconded by Waner, to approve this request. Motion carried by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Request by Mark Bilyeu for deed certification on 3 lots west of Sooner Road 528 feet south of Covell Road**

Mr. Mark Bilyeu is proposing 3 residential lots on the west side of Sooner Road north of the Shiloh Valley Addition and east of Augusta Farms Addition. This land is zoned "A" Single Family Dwelling and the 3 lots are as follows: Tract 1 – 1.68 acres, 73,460 square feet; Tract 2 – 1.49 acres, 65,000 square feet; Tract 3 – 1.83 acres, 80,000 square feet. These lots would operate with individual water wells and septic tanks or possibly aerobic systems and all meet the lot sizes for that service. There is no water line along Sooner Road at this time. A water distribution line is planned along Sooner Road, but that line cannot be tapped for individual service, it is needed as a part of the City's overall water supply system. Each parcel would have one curb cut on Sooner Road and there is adequate frontage for separation of driveways. There is a storage building on the southern parcel (Tract 3) and a small shed on Tract 2. There is adequate space for all front yard, rear yard, and side yard setbacks. There is no floodplain across these properties. Shiloh Valley is zoned "A" Single Family. This deed certification meets all city requirements.

Mike Courter appeared representing the applicant.

Motion by Thrash, seconded by Waner, to approve this request. Motion carried by a vote of 4-0 as follows:

AYES: Members: Thrash, Waner, Thomas and Vice Chairperson

NAYS: None

The next item on the agenda was **Case #SP040006 Public Hearing and Consideration of Amendment and Extension of Commercial Site Plan approval for a swim school on Enterprise Drive east of Kelly Avenue. (Yolanda Coronel)**

The business owner, Yolanda Cornell and her architect John Morrison, are requesting an amendment to allow metal side walls and a metal rear building wall instead of the tilt up concrete panels originally approved. There will be partial brick veneer on the front or

south elevation. There will be some brick on the entrance or west elevation of the building. An additional one year extension is also requested. Minutes of previous meetings are attached and an updated site plan.

Motion by Thomas, seconded by Waner, to approve this request. Motion carried by a vote of 4-0 as follows:

AYES: Members: Thomas, Waner, Thrash and Vice Chairperson

NAYS: None

There was no New Business.

Motion by Thomas, seconded by Thrash, to adjourn. Motion carried by a vote of 4-0 as follows:

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

NAYS: None

Meeting adjourned at 7:15 p.m.

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Leroy Cartwright, Vice Chairperson  
Edmond Planning Commission

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Robert Schiermeyer, Secretary  
Edmond Planning Commission