

EDMOND PLANNING COMMISSION MEETING

Tuesday, April 22, 2008

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson Suzy Thrash at 5:30 p.m., Tuesday, April 22, 2008 in the City Council Chambers at 20 South Littler. Other members present were Bill Moyer, Leroy Cartwright, Barry K. Moore and Ingrid Young. Present for the City were Robert L. Schiermeyer, City Planner; Jan Ramseyer-Fees, City Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney. The first item on the agenda was the approval of the April 8, 2008 Planning Commission minutes.

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

AYES: Members: Moyer, Cartwright, Young, Moore and Chairperson Thrash

NAYS: None

The next item on the agenda was: **Case #Z080016 Public Hearing and Consideration of Edmond Plan Amendment from Single Family PUD to Suburban Office on an 8.8 acre tract west of Kelly, north of Coffee Creek Road. (Oak Tree Park Development, LLC)**

This application requests amendment of the remaining portion (8.8 acres) of a residential PUD, situated between retail ("D-1" Restricted Commercial) on the immediate northwest corner of Kelly and Coffee Creek Road and the existing Oak Tree Park Addition. This land was zoned 24 years ago. Some of the PUD has developed as a part of the standard Oak Tree Park Addition, with no particular PUD design benefit attached to the development. An 8.8 acre tract has remained undeveloped, as well as the "D-1" Restricted Commercial. The PUD has expired. The ordinances zoning parcels "D-1" Restricted Commercial and "A" PUD are attached.

The following general planning considerations represent some of the factors evaluated in reviewing justifications for Plan Map Amendments.

1. Infrastructure: City of Edmond water and sewer lines are adjacent to this parcel and could be extended for service. There are larger water mains along Kelly and Coffee Creek.
2. Traffic: The north/south traffic on Kelly is approximately 12,000 vehicles per day.
3. Existing zoning pattern:
North – "A" Single Family PUD
South – "A" Single Family PUD
East – "A" Single Family
West – "A" Single Family PUD

4. Land Use:
North – Single Family homes
South – Single Family detached patio homes
East – Undeveloped and detention
West – Single Family homes
5. Density: N/A as proposed by this request.
6. Land ownership pattern:
North – Single Family ownership
South – Single Family ownership
East – Undeveloped
West – Single Family ownership
7. Physical features:
8. Special conditions: There is a stub out street to the north in one of the earlier phases of Oak Tree Park, anticipating interconnection to provide alternate entrances or exits.
9. Location of Schools and School Land: The nearest elementary school is to the north at Cross Timbers, approximately $\frac{3}{4}$ of a mile.
10. Compatibility to Edmond Plan: Not compatible with the Edmond Plan.
11. Site Plan Review: Site Plan Review would be required if approved for “D-0” Office.

Randel Shadid, representing the applicant, indicated that the “D-0” District is intended to be a buffer use in cases like this, with “D-1” Retail on the corner and Single Family to the north and west. At the time of site plan, the owner is willing to leave a 50 foot undisturbed buffer along the boundary of the property. He felt the residents would no longer want the stub out street connected from one of the phases of Oak Tree Park. Tom Accardi, at 1508 Echo Trail, spoke in opposition to the rezoning, indicating that the historical record has consistently denied any additional commercial of any time at this location. The stub out street from Oak Tree Park VI Addition was intended so this area could develop residentially and that there were thorough discussions in Edmond Plan IV, discussing compatible residential since the previous PUD had not developed and no development has occurred on the retail since the initial rezoning. The developers of Oak Tree Park indicated they were planning garden homes on the property. Karen Linsteadt, from Oak Tree Park, indicated there would be a 50 foot buffer and the garden homes in her most recent discussions with the developer. Brit Reese, 1513 Wild Plum Court, President of the Homeowner’s Association, indicated this could expand commercial in the area, such as on the Belmont Farms corner. There is adequate zoning to the north and south for all the commercial uses needed to serve developments along Kelly. Ed Moore, with the Edmond Neighborhood Alliance, indicated the developers are not offering a PUD or any design criteria that would be considered with the zoning. The application is not compatible with the Edmond Plan IV.

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

AYES: None

NAYS: Moore, Young, Moyer, Cartwright and Chairperson Thrash

The next item on the agenda was: **Case #Z080017 Public Hearing and Consideration of Rezoning from "A" Single Family Dwelling Planned Unit Development to "D-0" Suburban Office District on property generally located west of Kelly, north of Coffee Creek Road. (Oak Tree Park Development, LLC)**

The Edmond Plan has not recommended any changes from the present zoning at the intersection of Coffee Creek and Kelly. Development in the area includes the Oak Tree Park Addition, developing north of Coffee Creek, west of Kelly, the Hunter's Creek Addition, located on the southwest corner of Coffee Creek and Kelly, the Coffee Creek Golf Course and Subdivisions on the southeast corner of the intersection, and the Belmont Farms Addition, located on the northeast corner of the intersection. The Villas at Hunter's Creek is zoned "A" Single Family PUD and is immediately south of Coffee Creek, west of Kelly. This area is not zoned Multi-Family, and the gross density complies with Single Family standards. The intersection at Sorghum Mill and Kelly has contained a Commercial corner for approximately 30 years, and the intersection at Covell and Kelly is a major Commercial corner, continuing to develop. Additional land use changes to Commercial or Office was not projected for the Single Family area at Coffee Creek and Kelly.

The "D-1" Commercial parcel on the immediate corner of Coffee Creek and Kelly contains six acres. The Single Family PUD, adjacent to the corner and next to Oak Tree Park, originally contained 36.849 acres. Some of that land has been developed as part of the Oak Tree Park Addition. The original zoning occurred in 1984 and this PUD has expired, although the zoning has not been initiated to return to the standard Single Family district. This property is not located within a floodplain and is accessible to City water and sewer. When a phase of the Oak Tree Park Addition was developed just north of this property, a stub out street was required for the purpose of continuing access, which could provide another outlet to Kelly.

Consideration of Office zoning adjacent to the retail on the northwest corner of Coffee Creek and Kelly would indirectly indicate that an increase in the projected use on the northeast corner, next to Belmont Farms, may be appropriate to complete a reasonable land use pattern.

Bill Moyer indicated he recalled a lengthy discussion of Edmond Plan IV about this location and there was no proposal to expand the zoning. Mr. Cartwright indicated the property was not projected on the plan and he saw no reason to change it. Barry K. Moore indicated he appreciated Mr. Accardi's history of this application and thought the residents should expect to see what they were told as little as 60 days ago.

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

AYES: None

NAYS: Moore, Young, Moyer, Cartwright and Chairperson Thrash

The next item on the agenda was: **Case #Z080014 Public Hearing and Consideration of Edmond Plan Amendment from General Commercial to Medium Density Residential on property generally located south of Kickingbird Road, adjacent to Huntwick Addition. (Place Properties)**

Legacy Lakes, LLC and Place Properties are requesting four acres of rezoning from “E-1” General Commercial to “C-2” Multi-Family west of the Huntwick Addition, north of Second Street. It is not acceptable to use property zoned “E-1” for Multi-Family purposes, including the parking, landscaping, drainage, or any other improvements. The “E-1” General Commercial district does not allow any Residential use.

The following general planning considerations represent some of the factors evaluated in reviewing justifications for Plan Map Amendments.

1. Infrastructure: Water and sewer are adjacent to this location, south of Kickingbird Road, west of the Huntwick Addition, east of the Barrington Hills Apartments.
2. Traffic: Kickingbird Road is a dead end street adjacent to this property. Because the Huntwick Addition developed as Single Family and the property along Kickingbird Road is zoned Multi-Family, the interconnection of the streets was inappropriate. Kickingbird Road is adequate to carry additional traffic west to Bryant, at the traffic light.
3. North – “C-2” Multi-Family
South – “E-1” General Commercial
East – “A” Single Family
West – “E-1” Multi-Family
4. Land Use:
North – Woodcreek Town homes
South – Undeveloped
East – Single Family homes (Huntwick Addition)
West – Undeveloped
5. Density: 12 units per acre allowed. The owners indicate the housing will be oriented to students. The Kickingbird Place Apartments would consist of 168-170 units; however, those units are on the entire ownership of Place Properties, not just the subject four acres.
6. Land ownership pattern:
North – Town house type apartment units
South – Undeveloped
East – Single Family detached homes

West – Apartments

7. Physical features: This tract of land has remained vacant for some time. There are a series of pipelines through the project. This developer has purchased additional land in order to address issues of the building site.
8. Special conditions: Sensitive border standards adjacent to Huntwick.
9. Location of Schools and School Land: The nearest elementary school is Northern Hills to the northwest, west of Bryant, and Sequoyah Middle School north of Danforth.
10. Compatibility to Edmond Plan: Not projected for Multi-Family, due to the existing Commercial projection.
11. Site Plan Review: Site plan review required, due to General Commercial zoning.

Randel Shadid, representing the applicant, has met several times with the residents and indicated that the use of the “E-1” parcel would be for parking, landscaping and additional setbacks. The land was not needed for establishing the density of the project. Mary Ann Karns was concerned about additional traffic, based on the one way entrance and exit from Kickingbird Road. She asked if there would be any traffic studies planned. Mr. Shadid indicated a traffic study would be submitted with the site plan. City Engineer, Steve Manek, indicated that Kickingbird Road could handle the traffic from all of the multi-family projects developed or planned, since it was already four laned with a divided median. Mary Ann Karns indicated there may be as many as 1,500 people in the complex since it was being marketed to students. Ronnie Williams, 301 Saint James, representing Huntwick, indicated he was close to an agreement with the developers and they supported the application. Ed Moore, with the Edmond Neighborhood Alliance, was concerned about the traffic generated from two new student-oriented housing projects. Lee Jackson, on Timberwind, spoke in opposition, indicating there could be over 540 residents exiting to Bryant and Kickingbird Road. Nancy Cofer spoke in opposition, suggesting that this project did not consider existing residents and the continued back-up of traffic on Kickingbird Road, waiting to exit at Bryant.

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

AYES: Members: Moore, Moyer, Cartwright, Young and Chairperson Thrash
NAYS: None

The next item on the agenda was: **Case #Z080015 Public Hearing and Consideration of Rezoning from “E-1” General Commercial to “C-2” Medium Density Residential on property generally located south of Kickingbird Road, adjacent to Huntwick Addition. (Place Properties)**

Place Properties is planning an apartment complex at the far east end of Kickingbird Road, east of Bryant. Huntwick Addition is located to the east; Woodcreek town homes are located to the north and Barrington Hills Apartments are located to the west. The four

acre subject tract of land is to the south of the main portion of the property planned for the apartments, but it is a part of the overall site and needs to be zoned properly for the apartment usage. "E-1" General Commercial cannot be used for apartments because Multi-Family is not a use permitted in that district. Utilities are available to serve the proposed project. Access to the parcel will be from Kickingbird Road. The apartment project is planned as student-style housing where, for example, in a two bedroom unit four students may occupy the space. The additional four acres may be used for parking and open space when the site plan is submitted. Some of the land to the east, in the Huntwick Addition, is being considered for rezoning by the City of Edmond, from Multi-Family to Single Family. The subject parcel would fall within the sensitive border for dumpster location, height of lights, fencing, and window design even though there is not the extra setback required.

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

AYES: Members: Moore, Young, Cartwright, Moyer and Chairperson Thrash
NAYS: None

The next item on the agenda was: **Case #ES070005 Public Hearing and Consideration of Request for Easement Closing on Lots 3 and 4, Block 123 and Lots 5, 6, 7, 8 and 9, Block 124 at The Summit at Oak Tree, located south of Waterloo Road, ½ mile east of Kelly. (Oak Tree Partners, LLC)**

Brian Coon, with Coon Engineering, is representing Oak Tree Partners, LLC in requesting that a 30 foot wide utility easement be closed in The Summit at Oak Tree. This easement was inadvertently placed on the final plat that was recorded because no utilities were constructed in this easement and there was no intention to use this area for utilities. Utility companies have been notified of this request. Some of the homeowners plan to building swimming pools where the easement is now situated.

No one appeared in objection. Barry K. Moore left the room.

Motion by Moyer, seconded by Young, to approve this request. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Moyer, Young, Cartwright and Chairperson Thrash
NAYS: None

The next item on the agenda was: **Case #SP070004 Public Hearing and Consideration for an amended Site Plan for IBC Bank, located at 1812 E. 15th Street. (IBC Bank)**

Jose Castorena, architect, has submitted an amended Site Plan for the Commercial Site Plan for IBC Bank which was approved by the Edmond City Council on April 23, 2007. Last February, 2007, before the public hearings for the IBC site plan, the city facilitated a Community Connection meeting with the surrounding neighbors of the proposed IBC Bank site. One of the concerns was regarding lighting and the neighbors requested the lighting and poles blend in with the area. The representative for IBC said they would look

at the lighting fixtures and poles in the area of 15th and Bryant, and try too blend in with the surrounding developments. Attached are the Community Connection minutes of that meeting. It is our understanding that the representatives for IBC contacted Pelco about the surrounding light style and made efforts to accommodate those on their site.

The site plan for IBC Bank appeared before the Edmond City Council on April 23, 2007. The memo for the site plan stated there would only be 6 light poles on the site plus building lights. Additionally, the actual lighting plan, which shows foot candles so as to verify that excessive light does not spill over onto adjacent properties, only showed the 6 light poles. While IBC did respond to the neighbors request at the February 15, 2007 Community Connection meeting to match the lighting in the area, this information did not get put on their plans.

While reviewing the bank location in January, 2008, for compliance with their approval of April 23, 2007, we observed 17 light poles on the site as well as light spilling off the site onto the street and adjacent properties. Additionally, there are issues with the handicap parking signs being the wrong color, too short and having the IBC logo on them. However, the main issue for the amendment request concerns the 17 light poles currently existing versus the 6 light poles that were originally approved. We have been corresponding with IBC since early January regarding these issues and they are now requesting an amended Site Plan for additional lighting.

Architect for the bank, Joe Casada, indicated it was his responsibility to follow through on the lights that may have been different from the original plans. He talked with the commercial neighbors and they requested the Windsor style decorative lights. He indicated that it took more of these lights than the original taller lights spread throughout the site. It is important to light the area for safety, particularly adjacent to the ATM and night depository. He indicated that he should have visited with the City about this change prior to installation of the lights since only six were proposed initially, and now there are 17 lights. He indicated that six of the Windsor style lights would not be adequate. Ed Moore, with the ENA, indicated he had received complaints from neighbors about the amount of light, and it was very bright and changed the area when the bank opened. Joe Casada agreed that the light from the site was a substantial change, but previously there had been little or no light from uses in the area.

The staff noted the application was submitted prior to the new code, which does measure foot candles at the property line as a standard, as well as establishes a 24 foot height for light poles. Those standards were not in effect when the site plan was reviewed. The original lights were down directed shoebox style lights, but the business neighbors preferred the decorative lights. Jana Walls, with IBC Bank, indicated that the bank focused on illumination of the site during the discussions and it was their oversight that there were more lights.

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

AYES: Members: Cartwright, Moyer and Chairperson Thrash
NAYS: Moore and Young

The next item on the agenda was: **Case #SP070053 Public Hearing and Consideration of Commercial Site Plan on property located on the west side of Bryant Avenue, south of Danforth and Williams Grocery Store. (Arvest Bank)**

Stillwater Engineering has submitted for Commercial Site Plan approval for a 4,208 square foot bank with drive-in at 1133 S. Bryant, south of Williams Grocery Store and Danforth on the west side of Bryant.

Planning Department:

1. Existing zoning - "D-1" PUD Restricted Commercial Planned Unit Development
2. Setbacks – Front:: required 50', shown 88'
Side: required 0', shown 56' on north and 60' on south
Rear: required 0', shown 193'
3. Height of buildings - 35' maximum height
4. Parking – 21 spaces needed, 23 are shown which will trigger additional landscaping
5. Lot size – 44,866.8 square feet or 1.03 acres with a 4208 square foot bank
6. Lighting Plan – 8 light poles are proposed which are 25 ' tall and down-directed
7. Signage – 6' tall ground sign is proposed, 9' X 4'
8. General architectural appearance – Brick and EFIS colonial style appearance
9. Sensitive borders – There are no sensitive borders for this site.
10. Mechanical equipment – Will be located on the roof of the building and screened from view.
11. Fencing/screening – No sight proof fencing is required or proposed.
12. Engineering Department: This area is already platted and all of the detention has been completed, as well as the water and sewer lines.
13. Driveways– There will be no driveways to this site off Bryant, but instead, they will access the site through the Williams Grocery Store site and through the Kingston Office Park.
14. Title 21 water and sanitary sewer plans – Will connect to city water, sanitary sewer and Edmond Electric.

15. Street paving and access management – No street improvements are proposed with this site plan.
16. Fire Prevention and Building Department – The building is not proposed or required to be Fire Sprinkled.

Community Image:

17. <u>Landscape Plan:</u>	
Landscaping - <u>Lot area = 44,866.80 sf</u>	<u>Landscape provided on plans submitted</u>
11% of lot = 4,935.35 sf	12,804.00 sf landscaping/lawn area
Plant units required = 395 PU	399 plant units
Evergreen required = 158 PU	168 plant units
Requirements in front = 198 PU	241 plant units
= 2,467.68 sf	6,601.00 sf

18. Refuse facilities – The dumpster enclosure will be located near the northwest corner of the site and can be shared by a future building west of the drive-thru bank.
19. Electric – Will need easement for electric, separate from the platted easements.

The staff noted that there were no variances to this request. Ed Moore, with the ENA, indicated that they had only eight light poles on the site, rather than 17, although the lights were shoebox style.

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

AYES: Members: Moore, Moyer, Young, Cartwright and Chairperson Thrash
NAYS: None

The next item on the agenda was: **Case #PR080012 Consideration of Final Plat for Morning Woods Addition, a re-plat of Blakes Bluff, located east of Coltrane, north of Thunderhead Hills. (Matt Wilson)**

Engineer, David Jones, is representing Matt Wilson, as well as the other residents, in the current Blakes Bluff Addition, requesting that the Addition name be modified as a re-plat to be called Morning Woods, Section 1. Blakes Bluff Addition was approved September 13, 2004 by the City Council, accepting all of the improvements and establishing approval for building permits in the Addition. That Addition contained 37 lots on 19.5 acres. As of March 1, 2008, five building permits have been issued. Other owners in the Addition include Barbara and Robert Bailey, Edward and Susan Schaul, Dick and Judy Segress, Robert and Mary Sue Cline, and Joe and Kim Rolston. All are identified on the plat for signatures as current owners. The only change in the plat is the name. Street names and addresses do not change and the lots have not changed. The owner has proceeded to install a new sign on Coltrane. No permit was requested or approved for that ground sign. The right-of-way along Coltrane is shown as 50 feet, which was the standard in 2004. Since this is a re-plat of Blakes Bluff and some of the land may have been sold, it may not be practical to grant the additional 20 feet of right-of-way required by the new

transportation ordinances for 70 feet of right-of-way on this type of arterial street along Coltrane.

The adjoining Additions include Thunderhead Hills to the south. There will be no connection with Early Dawn. The streets within Blakes Bluff/Morning Woods are private streets, and there is gated access. No curb cuts would be allowed on Early Dawn. The Woody Creek Addition is located to the east, and Faith Bible Church is located to the west of this Addition. The owner's preference is to change the name of the Addition to Morning Woods.

Builder, Don Walters, appeared for Matt Wilson, requesting that the name change to allow a revised marketing of the Addition, which has been slow from the original acceptance of the plat.

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

AYES: Members: Moyer, Moore, Cartwright, Young and Chairperson Thrash

NAYS: None

The next item on the agenda was: **Consideration of Request by S & S Building Corporation for deed certification/lot split, located at 3400 South Boulevard, the Family Dollar Store.**

David Silver, with S & S Building Corporation is requesting deed approval for a 1.04 acre tract south of Mardel, on the southeast corner of 33rd and Boulevard. This property is now operated as a Family Dollar Store and was formerly Eckerd's. Family Dollar Store would like to have a ground sign. The code provides that one ground sign is permitted per ownership. In this case, the land division for the one acre parcel has not been previously approved. The land is platted as the Boulevard Mall Addition, but a re-division of the lot has not been previously approved. The ground sign permitted on Boulevard would be six feet in height, 42 square feet in area.

The subject lot is narrow, with only 91 feet of frontage on Boulevard and 495 feet of lot depth. City water is available along Boulevard and sanitary sewer is located on the east side of the property. There is no floodplain affecting the parcel. The division of land has occurred after the buildings were constructed as a shopping center. A drive approach would not be acceptable along Boulevard for the 91 feet of frontage, but the shopping center has operated since its initial construction with shared drives and parking. The deed is in order for approval.

No sign permit had been approved, since the property had not received deed approval.

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

AYES: Members: Moyer, Cartwright, Young, Moore and Chairperson Thrash

NAYS: None

There was no New Business.

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

AYES: Members: Moore, Cartwright, Moyer, Young and Chairperson Thrash

NAYS: None

Meeting adjourned at 7:15 p.m.

Suzy Thrash, Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission