

**EDMOND PLANNING COMMISSION MEETING****Tuesday, December 6, 2005****5:30 P.M.**

The Edmond Planning Commission Meeting was called to order by Chairperson Leroy Cartwright at 5:30 p.m., Tuesday, December 6, 2005, in the City Council Chambers at 20 South Littler. Other members present were Suzy Thrash, Barry K. Moore and Elizabeth Waner. Bill Moyer was absent. Present for the City were Robert L. Schiermeyer, City Planner; Kristi McCone, Assistant City Planner; Jan Ramseyer-Fees, Assistant City Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney. The first item on the agenda was the approval of the November 22, 2005, Planning Commission minutes.

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

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

NAYS: None

The next item on the agenda was **Consideration of a request for Deed Certification south of Edmond Road, west of Fretz. (Mike Courter)**

Motion by Moore, seconded by Waner, to continue this item since the applicant was not in attendance. **Motion carried** by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #Z050066 Public Hearing and Consideration of amendment to Edmond Plan III from Lake Residential Planned Unit Development to Private Street Dwelling located on the north side of East Second Street one-quarter mile west of Post Road, Sugar Hill Addition. (Barry Rice)**

Mr. Rice received "L-2" PUD zoning on the subject property specifically for the Sugar Hill single family addition. There are no water or sewer lines to serve this addition; each lot will be developed with private utilities. He has constructed the streets since the lots are 2 acres in size or greater and he feels he is compliant with state law in this situation. The City feels he still must comply with Title 23 Drainage for detention for the development of the full property. He has requested the "R-3" Private Street Dwelling District zoning since he feels this is a better description than the "L-2" PUD of what he is developing and is equivalent of the 2 acre lots allowed in "L-2". The City did not project any "R-3" District on the Edmond Plan; it would have been very arbitrary to have identified the areas for "R-3" without knowing the property owners specific plans at the time the Edmond Plan was developed. Even if some of the lots can be sold as 2 acre lots by deed approval because they are not immediately impacted by the most likely location for drainage improvements, all the lots cannot be approved for deed approval until a drainage study and detention standards are met under Title 23 requirements.

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No one appeared in objection to this request. Mr. Rice identified that he had provided a drainage study to the City to accompany the deed approval request prepared by MGR Engineering. City Engineer Steve Manek has had time to review the study and determine that it does replay with the City's Title 23 Drainage Standards. Mr. Rice felt the adjustment from "L-2" PUD to "R-3" was appropriate based on the manner in which the development is submitted following the state statute.

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

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

NAYS: None

The next item on the agenda was **Case #Z050067 Public Hearing and Consideration of rezoning from "L-2" Lake Residential PUD to "R-3" Private Street Dwelling District located on the north side of East Second Street one-quarter mile west of Post Road, Sugar Hill Addition. (Barry Rice)**

Owner and Attorney Barry Rice is requesting that the Sugar Hill unrecorded plat located north of East Second Street between Post Road and Douglas be rezoned to "R-3" Private Street Dwelling District. Mr. Rice prefers to change the "L-2" Lake Residential PUD to what he feels is another zoning district similar to the Lake Residential District. The Sugar Hill unrecorded plat produces 33 lots on 103 acres. All lots are 2 acres in size or larger. The streets are private. A water line is located to the south but that is a transmission line to the water towers on I-35 and is not suitable for connection to serve this addition. There is no sewer available to this property. Mr. Rice has proceeded with the paving of the private streets as he feels is permitted under State law for two acre lots more than one-quarter mile from City water and sewer services. He does not plan to have a subdivision plat; each of the lots will be divided with a metes and bounds survey just like other projects such as Pheasant Pointe east of I-35. Lots A and B are commercially zoned. The project will have common areas consisting of approximately 17 acres. The application is an amendment to the Edmond Plan since there is no "R-3" Private Street Dwelling District projected. The City anticipated the "L-2" Lake Residential for two acre lots with private utilities. Mr. Rice believes the "R-3" District is an equivalent district to the "L-2" District.

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

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

NAYS: None

The next item on the agenda was **Consideration of request for deed certification for 33 lots north of East Second Street one-quarter mile west of Post Road for a development to be known as Sugar Hill. (Barry Rice)**

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Mr. Barry Rice, the owner of the 103 acres known as Sugar Hill, is requesting deed approval for 33 single family lots located north of Arcadia Lake west of Post Road. All the lots are 2 acres or larger in size and will operate with private water wells and septic tanks or aerobic systems. Streets will be private and are planned to have a gated access which will need to be approved by the Fire Department in order to meet the Fire Code standards. A homeowners association is needed in order to maintain common areas, the private streets and the gate if installed. The more natural the common areas are left, the less maintenance would be required although the future property owners need to be sensitive to dry conditions due to the additional fire risk. The Title 23 standards regarding drainage/detention or floodplain protection still apply to this development. The standards in Title 21 Subdivisions may not be applicable for two acre lot developments more than one-quarter mile from City water and sewer, but Title 23 Drainage is still understood to be a requirement to be met. Staff recommends that this item be continued until the drainage study and detention standards are resolved.

Motion by Moore, seconded by Thrash, to approve this request subject to the rezoning being approved by the City Council. **Motion carried** by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #PR050030 Consideration of Preliminary Plat approval for Bridgewater Office Section III south of Christian Brothers Automotive, east of Santa Fe Avenue. (ERC Properties)**

Corey Timmons with Crafton, Tull and Associates is requesting Preliminary Plat approval for Bridgewater Office Section III located south of Christian Brothers Automotive on the east side of Santa Fe. This project is on the north and south sides of Bridgeview Boulevard leading into the Lakes at Bridgewater single family residential. This project plans for 15 office buildings with a common drive around the outside of the majority of the buildings. Three of the office buildings will back up to the private lake already developed with the Lakes at Bridgewater project. There are two curb cuts to the main grouping of office buildings and one for the southern three buildings.

A city water line will need to be extended around the perimeter of Block 1, Lots 4 – 12. As the plat has been prepared, a sewer line has been extended into this group of buildings planned for Block 1, Lots 4-12. A very narrow easement has been provided for permanent maintenance of the sewer line. The easement is only 5 foot or less; the minimum standard is 20 foot. When the sewer line has to be maintained, a backhoe may be needed and that requires at least 20 foot wide easements. There is not sufficient space on the interior arrangement of the 9 office buildings planned in this center court area to have utilities located between the buildings. A new plan is needed to provide for a sewer line around the outer boundary of this block just like the water line is planned so

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that each lot and each separate ownership can connect to a public water main and sewer main in a utility easement at the appropriate width and accessible for future maintenance. Mr. Timmons would have to provide a new plan for this request. Engineering Plan Review Specialist Mariah Halloran has also suggested another option where the easements are increased in width, but that may require removal of one or more building sites. The staff has requested revised plans or continuance for these modifications. Mr. Timmons may correct the plans in a sufficient time to allow review prior to the Planning Commission Meeting.

The close proximity of the buildings will require fire sprinkler systems. Landscaping plans will have to comply with the 10 percent standard and width of planting beds (5 feet). Depending on the size of the buildings, the owner wishes to consider for the proposed lots, this is also a particular issue for that center grouping of buildings where they are close together and there is not sufficient area for utility easements.

Commissioner Barry Moore indicated that he was disappointed that the owners did not amend the plans in a timely manner for the staff to review them prior to the meeting. He indicated that the Commission had numerous questions and felt the owner had sufficient time to address them prior to the meeting. Mr. Timmons asked for a continuance of this item.

Motion by Moore, seconded by Thrash, to continue this item to Jan 3, 2006 as requested by the applicant. **Motion carried** by a vote of 4-0 as follows:

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

NAYS: None

**Mike Courter arrived at the Planning Commission meeting.**

Motion by Moore, seconded by Waner, to rescind the previous vote on the continuance.

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

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

NAYS: None

The following item on the agenda was **Consideration of a request for Deed Certification south of Edmond Road, west of Fretz. (Mike Courter)**

Mike Courter is requesting deed certification on the existing project south of Edmond Road, west of Fretz, called the Fountains. The two retail buildings on the front would be divided into two tracts consisting of 1.06 acres (Tract 1) and 1.08 acres (Tract 2). The existing retail buildings consists of the Full Cup Coffee Shop, Thai Palace Restaurant, The Vault Clothing in the Tract 1 building and Tract 2 building includes City Bites, Warhall Clothing. The remaining parcel consists of the six office buildings on Fretz. All utilities, drainage, detention and driveways are complete since all of the buildings are

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constructed. Mr. Farris is providing the interconnecting cross access easements to insure that even with the different owners all properties will have access to existing driveways and any utilities. The south end of the property handles the detention for the project. The property meets the requirements for the deed approval.

Mike Couter amended the application to just two lots, one for the retail commercial in the front and one for the office on the south side of the property. He indicated he would provide the cross access easements needed to continue with the interconnecting driveways and access to the utilities.

Motion by Moore, seconded by Waner, to approve this request subject to the easements.

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

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

NAYS: None

There was no New Business.

Motion by Moore, seconded by Waner, to adjourn. **Motion carried** by a vote of 4-0 as follows:

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

NAYS: None

Meeting adjourned at 6:10 p.m.

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Leroy Cartwright, Chairperson  
Edmond Planning Commission

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Robert Schiermeyer, Secretary  
Edmond Planning Commission