

## EDMOND PLANNING COMMISSION MEETING

**Tuesday, May 8, 2007**

**5:30 P.M.**

The Edmond Planning Commission Meeting was called to order by Chairperson Leroy Cartwright at 5:30 p.m., Tuesday, May 8, 2007, in the City Council Chambers at 20 South Littler. Other members present were Bill Moyer and Suzy Thrash. Barry K. Moore was absent. Present for the City were Robert L. Schiermeyer, City Planner; Kristi McCone, City Planner; Jan Ramseyer-Fees, City Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney. Chairman Leroy Cartwright introduced Ingrid Young who replaces Ward One appointment Elizabeth Waner. He noted that Ms. Young will be a valuable addition to the Planning Commission.

Chairperson Cartwright announced that the Kelly Lakes project and the Hilltop Plaza project would be continued.

The next item on the agenda was the approval of the April 17, 2007, Planning Commission minutes.

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

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

NAYS: None

The next item on the agenda was **Case #SP050057 Public Hearing and Consideration of approval of commercial site plan for a pad site building at Spring Creek Village on property located north of 15<sup>th</sup> and west of Bryant. (Charles Ballenger)**

General Site Criteria:

Existing zoning – “D-1” PUD Restricted Commercial Planned Unit Development

Setbacks – Front: 100’ required, 156’ shown; Side: 20’ required, 64’ shown; Rear: 30’ required, 162’ shown

Height of buildings – 29’ shown with 40’ maximum height

Parking – 17 parking spaces provided with 40 needed for the 1:200 ratio for retail

Lot size – 26,662 square feet with an 8000 square foot building

1. Landscape Plan

<u>Landscaping - Lot area =26,660 sf</u>	<u>Landscape provided on plans submitted</u>
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Ten per cent of lot = 2666 sf	9028 sf landscaping/lawn area
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Plant units required = 213 plant units	233.3plant units
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Required in front yard = 1333 sf	3393 sf in front yard
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Front yard plant units =106.5 plant units	233.3 plant units
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Evergreen required = 85 plant units	109.3 plant units
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2. Lighting Plan – There will be shepherd hook lights at the entry off of 15<sup>th</sup> Street and period lighting will be used for the parking lot and sidewalks.

3. Driveways/Parking – This site has one drive and it will interconnect with Spring Creek Village.

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4. Mechanical equipment – Will be located on the roof and screened from view.
5. Fencing/screening – Currently, there is black iron decorative fencing installed on top of the retaining wall next to this site. No additional fencing is proposed.
6. Signage – No new ground sign is proposed.
7. General architectural appearance – The building will be brick and match the Spring Creek Village.
8. Drainage Report and related Grading Report Plans – The drainage report is in compliance with Title 23.
9. Refuse facilities – A dumpster enclosure is proposed near the northeast corner of the building.
10. Sensitive borders – Property west is zoned “D-O” PUD Suburban Office Planned Unit Development and so there is no sensitive border for this property.
11. Street paving and access management – Fifteenth Street has recently been improved in this area, with a stop light and widening section just to the west of this site.
12. Title 21 Water and Sanitary Sewer Plans – A 12” waterline is along 15<sup>th</sup> Street and a sanitary sewer line will be extended from the building under construction east of the proposed building.

Charles Ballenger and Architect George Winter were in attendance for the item. Attorney Lydia Lee with the ENA indicated that the Design Statement for the PUD applicable to this property did not match the site plan criteria on the plans. Shoebox style lights were referenced versus the decorative lights. Parking variances were not referenced and compliance with the 1 to 200 standard was mentioned in the Design Statement but was not being followed. She felt that the public should be able to go by the Design Statement to determine what is expected and that is not possible in this case. She was not aware of any agreement to park on the other building sites.

Chairperson Cartwright asked if this was the same site plan approved by the City Council December 12, 2005 which included an exception to allow less parking even though there was only one owner for the entire plat with the interconnecting driveway. Staff indicated that was the case and that Mr. Ballenger owned the entire shopping center and that there were no divided lots for potential sale of this pad site building. Commissioner Thrash asked what the requirements would be if they updated the PUD Design Statement. Staff indicated that a new PUD would have to be submitted which would be treated like a zoning application with the notice, the sign, hearings before the Planning Commission and City Council and compliance with all the new PUD requirements including fees. Ms. Lee asked that this item be continued to update the PUD and to come back with the site plan and the request for variances. She indicated the record needs to be correct. Chairperson Cartwright asked if she would make this same argument to the City Council since the Council in the past has final approval of site plans and it is common for the City Council to add or change requirements discussed at the Planning Commission. Her questions may be better answered by the City Council since they approved

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the same site plan 2 years ago and had no objections to the parking variance or any of the other issues she has identified. The staff noted that the plat has been completed for this property to include detention, water and sewer lines, parking lot improvements, curbs, driveways and that there are several issues that likely would not be met with the new ordinance including adding parking spaces which would require a smaller building and meeting the 10 foot wide landscaping requirement along 15<sup>th</sup> Street because the curb line has already been set on the parking lot on site.

Mr. Ballenger indicated that the Sadeghy family owned this property when there was a house built very close to 15<sup>th</sup> Street situated on the property. He bought the house to improve the appearance of the shopping center which otherwise would have another owner with a building that would be much closer to 15<sup>th</sup> Street and would have changed the street view of the property substantially. He indicated there is adequate parking shared and that he reduced the parking in order to improve the landscaped areas. He noted that the lighting would be limited to 75 watt bulbs to produce less light for the new building. Filters were added to the light fixtures after the center was completed to reduce ambient light but fewer lights would be used on the new building. Commissioner Thrash asked if there was a technical problem to consider this request. It seemed that this was a good case to use common sense because of the overall conditions that have already been established for this site. Commissioner Moyer agreed that the facts pertaining to this site plan are unique to this location and all of the issues have been thoroughly discussed with the original site plan for the out parcel as well as the remainder of the shopping center a number of years ago. Ms. Thrash indicated it was counter productive to wait on considering the same site plan to have the few points of the 1998 PUD Design Statement that are different than the site plan which appears to exceed the Sadeghy Design Statement criteria. Commissioner Young indicated she was only concerned there might be a precedent set by not having all the documents corrected pertaining to this project. Chairperson Cartwright indicated the project represented the quality Edmond expected and that the parking variance had already been granted by the City Council.

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

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

NAYS: None

The next item on the agenda was **Case #SPSP070024 Public Hearing and Consideration of commercial site plan for Contemporary Cabinets Building #5 on property located east of Kelly on Railroad Drive in the Centennial Industrial Addition. (Contemporary Building, LLC)**

General Site Criteria:

Existing zoning – “F-1” Light Industrial

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Setbacks – 55 feet from the property line on Railroad Drive for the front yard setback, 14 feet to the south property line, 218 feet to the east property line, 57 feet from the building to the north also owned by Contemporary Cabinets.

This building, #5 will be a replica of Building #4 which received Site Plan Approval Feb. 26, 2007. There is a 22'5" area between the two buildings.

Height of buildings – 16 feet

Parking – 17 spaces, the building is 9,632 square feet

Lot size – the lot size is 36,400 square feet

1. Landscape Plan –

Landscaping - <u>Lot area = 36,400 sf</u>	<u>Landscape provided on plans submitted</u>
Five percent of lot = 1,820 sf	2,275 sf landscaping/lawn area
Plant units required = 146 PU	147 plant units
Evergreen required = 58 PU	132 plant units
Requirements in front = 73 PU	147 plant units
=910 sf	2,275 sf

The landscaping requirement for this site was approved with the last site plan February 26, 2007.

2. Lighting Plan – no light poles are planned in this industrial area, building wall pack lights will be used.
3. Driveways/Parking – the existing driveway on Railroad Drive will be used that serves the larger Contemporary Cabinets building to the north. No new drive approach is planned for this building.
4. Mechanical equipment – the mechanical equipment will be located on the ground, the roof is a 1/1 pitch. Mechanical would easily be observed on the roof.
5. Fencing/screening – No fencing or screening is required, none is proposed.
6. Signage – no ground signs are proposed for this project.
7. General architectural appearance – the building is metal and incorporates a 50% EFIS panel on the wall facing Railroad Drive. The other walls are metal. This is allowed in the Centennial Industrial Addition.
8. Drainage Report and related Grading Report Plans – the drainage for this addition is near the entry and serves all the lots.
9. Refuse facilities – There is no dumpster for this building. All the trash from the 3 buildings on the east side of Railroad Drive is taken to the main building, #1 on the west side of Railroad Drive. The two new twin buildings will be used for storage of cabinets and the raw material to construct cabinets. There will be no offices in these buildings.
10. Sensitive borders – there are no sensitive borders.
11. Street paving and access management – Railroad Drive meets city standards. Railroad Drive is proposed to be an extension of Fretz from 15<sup>th</sup> Street to 33<sup>rd</sup> Street. The fire department connection is currently located within the means of egress for the building. This office requests the fire department connection be relocated to the north wall, at the north east corner. The parking space directly in front of the FDC will need

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to be eliminated so it can be accessed. The T turn around shown is acceptable as drawn.

12. Title 21 Water and Sanitary Sewer Plans – water and sewer are available for service.

One of the managers for Contemporary Cabinets was in attendance at the meeting. There were no questions from the public. Commissioner Thrash asked for verification that the Fire Department comments in the memorandum had been met. Staff noted that the building permit plans would reflect all Fire Department requirements.

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

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

NAYS: None

The next items on the agenda were **Case #Z070013 Public Hearing and Consideration of amending Edmond Plan III from Single Family Planned Unit Development and High Density Multi-Family to Planned Unit Development for Single Family, Office Commercial and child care center located on the south side of Sorghum Mill Road, east of Kelly. (Dale Terrell/Kelly Lakes)**

**Case #Z070014 Public Hearing and Consideration of rezoning from “A” Single Family Planned Unit Development and “C-3” High Density Multi-Family Planned Unit Development to Planned Unit Development #Z070014 located on the south side of Sorghum Mill Road, east of Kelly. (Dale Terrell/Kelly Lakes)**

**Case #PR070016 Public Hearing and Consideration of Preliminary Plat for Kelly Lakes Addition located on the south side of Sorghum Mill Road, east of Kelly. (Dale Terrell/Kelly Lakes)**

Ernie Isch, representing the applicant, requested a two week continuance for the 3 above referenced Kelly Lake projects, Plan Amendment, Zoning Change and Preliminary Plat.

Motion by Thrash, seconded by Young, to continue this request to May 22, 2007. **Motion carried** by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was **Consideration of deed certification for two commercial lots, one for Carl’s Jr. and one for Brent Niles/Auto Spa located on the north side of Danforth, west of Kelly. (Brent Niles)**

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Brent Niles with Auto Spa Car Wash and Carl Archiniaco representing Carl's Jr. requested a deed certification for Auto Spa Car Wash, a 1.4698 acre tract at the immediate northwest corner of Kelly and Danforth, and for the Carl's Jr. site, a .8015 acre tract just west of the northwest corner of Danforth and Kelly. Brent Niles with Auto Spa Car Wash is the owner of the property that Carl's Jr. is proposing to purchase. The Final Plat for Auto Spa Car Wash and Carl's Jr. was approved for construction in 2006 but no improvements have been made to the site yet. Mr. Niles is proposing to sell the Carl's Jr. property before the final plat improvements are in place. It is Carl's Jr. intention to take title to the property prior to the plat being recorded, and so deed certification is needed for both tracts. The plat does have to be accepted by the City Council prior to occupancy of Carl's Jr. or Auto Spa Car Wash. The car wash and restaurant will share a drive off Danforth. Carl's Jr. will also share the common driveway that goes to the Edmond Public School property and Tinker Credit Union. Detention for both Auto Spa and Carl's Jr. is north of the Tinker Credit Union site. City water and sewer are available to the Carl's Jr. and Auto Spa sites.

Brent Niles was in attendance representing the application. There was no discussion from the public. The staff noted that the deed approval does not remove the standard for a final plat being filed for the entire property including two lots, with this deed approval, or the option to have two plats, one for Carl's Jr. and one for Auto Spa. All of the requirements of the original plat approval such as the shared drive will have to be met; otherwise, it would be considered as an amended final plat requiring a re-hearing.

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

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

NAYS: None

The next item on the agenda was **Case #SP070017 Public Hearing and Consideration of site plan approval for two commercial buildings on property located on the south side of 15<sup>th</sup> Street, east and north of Arrowhead Valley Addition, west of I-35. (Hilltop Plaza Joe Javadzadeh)**

This project was continued to June 5, 2007 at the request of the applicant.

Motion by Moyer, seconded by Young, to continue this request to June 5, 2007. **Motion carried** by a vote of 4-0 as follows:

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

NAYS: None

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Under New Business, Lydia Lee addressed the Commission regarding a previous item on the agenda. Ms. Lee said she is not opposed to the "D-1" PUD zoning and that Mr. Ballenger does have a nice development, but she represents citizens who review city files for what has been approved and often what is on record with city offices is not what is being considered. She said the design statement for Alpine is quite different from the Ballenger proposal and thinks the project is not in compliance with the design statement. Ms. Lee questioned the new Title 22 regarding site plans complying with PUDs, and said that inconsistency creates confusion.

Ms. Lee also stated she has questions about variances on site plans and was unsure if the Planning Commission made the final decisions on site plans with variances, since the new Title 22 says they go to City Council. Mr. Schiermeyer said the Ballenger request may have to go on to the City Council. Mr. Schiermeyer said he would write a report to the City Council regarding the Ballenger site plan.

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

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

NAYS: None

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Meeting adjourned at 6:45 p.m.

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Leroy Cartwright, Chairperson  
Edmond Planning Commission

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Robert Schiermeyer, Secretary  
Edmond Planning Commission