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EDMOND PLANNING COMMISSION MEETING

Tuesday, November 20, 2007

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson Suzy Thrash at 5:30 p.m., Tuesday, November 20, 2007, at 28 East Main, Downtown Community Center, Room 107. Other members present were Leroy Cartwright, Barry K. Moore and Ingrid Young. Bill Moyer was absent. Present for the City were Robert L. Schiermeyer, City Planner; Kristi McCone, Planner; Jan Ramseyer-Fees, Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney. The first item on the agenda was the approval of the November 6, 2007, Planning Commission minutes.

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

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

NAYS: None

The next item on the agenda was: Case #PR070043 Consideration of Final Plat for Kelly Lakes Estates I Addition, located south of Sorghum Mill Road, 660 feet east of Kelly Avenue. (Dale Terrell)

Engineer, Keith Beatty, is requesting approval on behalf of the property owner, developer, Dale Terrell of the final plat of another phase of Kelly Lakes Addition. This single family Addition contains 36.96 acres and 69 lots. The lots are generally 80 feet by 125 feet (10,000 square feet) and Mr. Terrell plans 2,000 to 3,000 square foot homes on the lots. The access to this phase of the development will be constructed with the first phase, Gardens I at Kelly Lakes, which includes the collector street, Kelly Lakes Drive, extending from Sorghum Mill Road. The plat extends south to the adjoining Belmont Farms Addition and also lies east of the Cross Timbers Elementary School.

This development will use full City services, City water, sanitary sewer, Edmond Electric, sanitation and police and fire services. The land on the southeast corner of Sorghum Mill and Kelly is zoned "D-2" PUD and was once part of the Oak Tree project. The street connectivity for this Addition has been previously discussed. A street is stubbed out to the south, which will connect to the Belmont Farms Addition. A collector street will connect with Kelly Lakes Pass and intersect with Kelly Lakes Drive and connect north to Sorghum Mill Road, providing two routes of travel through this Addition. Kelly Lakes Estates will extend east, connecting other streets as the development continues. This project is zoned as a PUD. The setbacks are shown as approved with 20 foot front building lines; the side and rear property lines will be the standard five foot for one story, eight foot for two- story and 20 foot for rear yards. The common areas need to be designated with lot or block numbers. The streets in this Addition are public.

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Earnie Isch was in attendance representing the applicant. It is understood that the first phase of the project will have to be complete in order to provide access to Sorghum Mill Road.

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

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

NAYS: None

The next item on the agenda was: Case #PR070039 Consideration of Final Plat for Damon R. Johnson, DDS Addition, located south of Covell Road, east of Covell Village Drive. (Damon Johnson)

Coon Engineering is representing Dr. Johnson in requesting final plat approval of one lot and block, consisting of 26,653 square feet or 0.61 acres. This property is zoned commercial and is a part the Covell Village PUD and Dr. Johnson plans a dental office on the property. 90 foot of right-of-way is being provided along Covell Road. This lot will be adjacent to full city utilities; water, sanitation, sewer, and electric. Since this is a PUD, the setbacks have been approved as indicated on the plat. The developer has granted the right-of-way as needed. There's no purpose for additional setback along Covell and the owner has also agreed to no driveways on Covell, meeting the access management standards.

Brian Coon was in attendance representing the applicant.

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

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

NAYS: None

The next item on the agenda was: Case #PR070042 Consideration of Final Plat for Centennial Plaza at Kelley Pointe, located on Kelley Pointe Parkway, west of Kelly, north of 33rd Street. (David Aduddell)

Mr. Aduddell is requesting approval of 3.501 acre Final Plat in the Kelley Pointe project. Site plan has already been approved, and a building permit issued for a 50,636 square foot office building. The Final Plat consists of Lot 1, Block 1. The property fronts on Kelley Pointe Parkway, and has approximately 282 feet of frontage on that street. The lot is served with full City utilities. Easements have been provided along the front of the

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lot, and along the front sides of the lot for utility service. The Plat is recommended for approval. The \$90.00 GIS fee has been paid.

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

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

The next item on the agenda was: Case #Z070030 Public Hearing and Consideration of Amendment of Edmond Plan IV from Medium Density Multi-Family to Planned Unit Development for two office buildings, totaling 20,315 square feet, located on the north side of Danforth, east of the North Place Convenience Store, west of the Hi-Pointe Addition, and south of the Timber Ridge Addition. (Martin Teuscher)

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

1. Infrastructure: This 1.59 acre tract is adjacent to a 12 inch public water main along Danforth and a sanitary sewer line, located on the east and north sides of the property. The land has been platted as part of the Timber Ridge Addition and has been zoned since July 20, 1970 by Ordinance #597.
2. Traffic: Danforth has been four-laned in front of this parcel and there is a traffic light at the intersection of Danforth and Boulevard. The proposal plans for one driveway on Danforth, which meets the access management standards.
3. Existing zoning pattern:
North – “A” Single Family
South – “C-2” Multiple Family
East – “A” Single Family Planned Unit Development
West – “D-2” Neighborhood Commercial
4. Land Use:
North – Single Family homes on acreage type lots.
South – Multi-Family, the Rolling Green Apartments
East – Hi-Pointe Addition, 34 patio home type lots.
West – North Place Convenience Store, to include car wash.
5. Density: N/A (If the land was constructed as multi-family, there could be 19 units).
6. Land ownership pattern:
North – Single family homes

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South –Multi-family, single ownership
East –Single family lots
West – Commercial developed property

7. Physical features: The land has already been graded as a part of the plat. It has no native tree cover.
8. Special conditions: None
9. Location of Schools and School Land: Edmond North High School is located a half mile to the west, John Ross Elementary is located north of the high school and Sequoyah Middle School is located $\frac{3}{4}$ mile to the east.
10. Compatibility to Edmond Plan III: The Edmond Plan did not anticipate a change in existing multi-family zoned locations since new locations must be very compatible with the surrounding area. This 1.59 acre tract would not be suitable for multi-family zoning, in the staff's opinion, in Edmond Plan IV because it is adjacent to single family. Standard single family use of this tract of land is not appropriate, due to the existing land use adjacent to the site. The land is already zoned for multi-family, allowing 19 units, which would result in two-story units based on the fire lanes required and the small size of the site. The ideal zoning category might be the less than a 10,000 square foot office building. The applicant would like to build a larger building (20,315 square feet) and he hopes that the design criteria that he has applied creates compatibility with the adjacent residential, not substantially different than if there were smaller office buildings. The Planning Commission will have to evaluate those standards that are a part of this request, submitted as a Planned Unit Development.
11. Site Plan Review: Commercial Site Plan Review would be required. Mr. Teuscher is ready to proceed to the construction phase of the project and has submitted a site plan, which is being reviewed, pending rezoning. Since the request is for office commercial and the size of the building is 20,315 square feet, this is the equivalent of a "D-3" zoning category. In the "D-3" zoning category, the sensitive border standards require a 70 foot rear yard and side yard setback on the east and north sides of the property. The standard setback in "D-3" is 0 feet for the side and rear, except adjacent to residential districts where the sensitive border applies. The setbacks do not meet the sensitive border standards, as proposed on the site plan and the setbacks are not mentioned in the PUD zoning request. The setback on the east side of the property is 13 feet. The setback on the north side of the property is 17 feet. A sight proof fence is required along the north and east sides of the property. There is a sight proof fence on the east. There is no access at the sides or the back of the property and there is no lighting planned, with the exception of wall packs. There will be no refuse facilities within 25 feet. The roof line on the back of the

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building has a slight pitch for drainage purposes, and the building is one story in height, adjacent to the residential property. There are no windows on the east or north sides of the building. The way the roof is constructed, with a one story portion and a steep pitch on the front of the building, the mechanical equipment will need to be located on the ground; otherwise it will be readily observable on the lower one story portion of the roof, even with the sight proof fence.

Approval of this request will require a variance to the sensitive border setbacks, as stated in 22.6.5 (D), rear and side yard = 70 feet when "D-3" district is within 300 feet of developed single family residential.

Mr. Teuscher requested a continuance to December 4th.

Motion by Moore, seconded by Young to continue this item to the next regular meeting on December 4th to modify the Design Statement. **Motion carried** by a vote of 4-0 as follows:

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

The next item on the agenda was: Case #Z070031 Public Hearing and Consideration of rezoning from "C-2" Medium Density Multi-Family to Planned Unit Development, for an office development, located on the north side of Danforth, east of the North Place Convenience Store, west of the Hi-Pointe Addition, and south of the Timber Ridge Addition. (Martin Teuscher)

Martin Teuscher, with Titan Development Partners, LLC, is requesting 1.59 acres of PUD zoning, which would allow for a 20,315 square foot office complex, constructed in two buildings. To the west of the site is an existing convenience store, including car wash and gasoline sales. To the east is the Hi-Pointe Addition, a single family Planned Unit Development, consisting of 34 units. To the south is the Rolling Green Apartments, consisting of 238 units. To the north is the Timber Ridge Addition, developed for single family homes. The 1.59 acre lot is adjacent to full City utilities. Detention will be required for the development of the property. Danforth is four-laned, adjacent to this location.

With the Planned Unit Development application, PUD design standards that would be applicable to the site plan review become mandatory requirements in addition to any site plan standards and apply to the property, regardless of ownership change or date of construction. Mr. Teuscher plans to begin construction if the zoning is approved, and has already submitted a site plan. This property was originally zoned in 1970. The level of office use is essentially "D-3", primarily due to the size of the buildings. The site plan reflects the following elements:

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1. Based on the fire sprinkler system required, there are no traffic lanes, driveways, parking or sanitation access around the north, east, or west side of the buildings. All of the traffic circulation is in the front of the building, accessed by the one driveway on Danforth. The area around the back of the building will be grass. There may be a building code requirement for sidewalks adjacent to the secondary exit doors, on the east and north sides of the building. The minimum landscaping requirement would be 10%.

2. The maximum building size will be 20,315 square feet. One building will be 6,895 square feet and the second building will be 13,420 square feet. The buildings will be connected with an archway. The building is one-story and there are no windows on the north, east or west sides. Based on the architectural style, there will be a steeply pitched roof for the front appearance of the building. This will be similar to the Starbucks construction and the Hampton Village construction for the Chipotle's restaurant at 15th and Broadway. The site plan reflects brick on all four sides of the building. There are some trim features that are stucco or EIFS; cast stone and cedar are also mentioned. With the multiple offices planned, there are numerous doors and windows, and roof line breaks the elevation to present an interesting appearance, as compared to a wall with just windows. The shape of the building is a partial "U". The area between the two buildings will be landscaped and there will be sidewalks. The dumpster location will have to be in the front parking area, based on the paving plans, which will place it away from the homes. A good location would be on the west side of the property, near the car wash, convenience store. The height at the building at the north and east sides is approximately 14 feet. Only half of the building contains the taller, pitched roof design. Overall height is approximately 26 feet for just the pitched portion of the roof line.

Approval of this request will require a variance to the sensitive border setbacks, as stated in 22.6.5 (D), rear and side yard = 70 feet when "D-3" district is within 300 feet of developed single family residential.

Lissa Ann Wohltmann, a resident of the High Pointe Addition, indicated that office buildings were preferred over apartments and that the 70 foot setback should be applied since the building was over 10,000 square feet.

Lydia Lee spoke indicating that there is no variance permitted for the sensitive border standard. She indicated this is a key part of Title 22 and that offices were more desirable. She indicated there is no justification to do away with the sensitive border.

Martin Teuscher spoke indicating that he could modify the design to limit the buildings to 10,000 square feet or less which would place the property in the "D-0" level where there is not a sensitive border, 70 foot setback required.

Mr. Murdock indicated the ordinance was very specific about the sensitive border

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standard and the Planning Commission could not consider a variance.

Mr. Teuscher requested a continuance to December 4th.

Motion by Moore, seconded by Young to continue this item to December 4th to allow for modification to the PUD. **Motion carried** by a vote of 4-0 as follows:

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

NAYS: None

The next item on the agenda was: Case #SP070022 Public Hearing and Consideration of Site Plan Approval for a Lowe’s Home Improvement Center, to be located on the west side of Kelly, south of Covell, south of the Walgreen’s Pharmacy. (Lowe’s)

Lance Mills, with Crafton Tull Sparks, has submitted a Site Plan for a 139,410 square foot Lowe’s Home Improvement Center to be located on the west side of Kelly, south of Covell Road. The property is zoned “E-2” PUD and developing as the Covell Village Mixed Use Planned Unit Development. The Design Statement for Covell Village does have some limitations of use not just the straight “E-2” Open Display Commercial District zoning, which is a very broad zoning category where retail sales and storage is permitted outside buildings. Staff is concerned regarding the Site Plan showing proposed utility trailer display area and proposed utility building display areas, as they appear to be in conflict with the design statement. Page 8 of the Covell Village PUD Design Statement, Section 14.1.2.1 SPECIAL DEVELOPMENT REGULATIONS says that trailers for hauling, rental, sales SHALL NOT be allowed, as well as Pre-Fabricated house sales, which the utility buildings may represent.

Planning Department:

1. Existing zoning – “E-2” PUD Open Display Commercial Planned Unit Development
Attached is the Covell Village PUD Design Statement

2. <u>Setbacks</u> – Required:	Shown:
Front- 50’	Front – 460’
Side - zero	Side – 50’
Rear – zero	Rear – 100’

The Site Plan exceeds all setback requirements.

3. Height of buildings – The majority of the Lowe’s building is 31’ 8” tall and the tallest peak on the Lowe’s building is 48’ 2”. While the maximum height in “E-2” is 45’ tall, the averaging of the elevations for the building makes the height in compliance with the zoning regulations.

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4. Parking – Based on the building size of 139,410 square feet, 697 spaces would be the maximum amount of parking for this site. The site plan shows 697 parking spaces, of which 14 meet ADA requirements and 14 are required.
5. Lot size – 685,839 square feet or 15.74 acres
6. Lighting Plan – The plan shows 20' and 24' tall parking lot lights and complies with the site plan standards.
7. Signage – They are proposing two ground signs at this location which would be 8' tall and 54 square feet per side. They are also proposing wall signs which will comply with the sign code.
8. Building Design Standards - The site plan has been evaluated based upon the new major nonresidential office or retail building structure standards. [Section 22.6.1 (I) Building Design Standards (3)]
9. General architectural appearance – The building is proposed with medium beige split face CMU's with brick accents, light beige EIFS around the entrance and portico, brick wainscot at the base of the building, reddish brick pilasters with split face CMU base and accent band including pre-finished white metal copings, white EIFS cornices along the top of the building and blue awnings.
10. Sensitive borders – There are no single family developments or plats within 300' of the site. There is an existing single family residence across Kelly to the east.
11. Mechanical equipment – The mechanical equipment will be roof mounted and screened from view with a parapet wall.
12. Fencing/screening – No sight-proof fencing is proposed. There is a black vinyl coated chain link fence around the staging area southwest of the building and a 20' tall tube steel fence with masonry piers of brick and split-face CMU's around the garden center to the north of the building.

Engineering Department:

13. Driveways/Parking – The number and locations of driveways conform to the PUD Design statement. Two driveways are proposed from Kelly, a full access, signalized driveway at the south end of the project on Kelly and a non-signalized driveway at the north end. A third access point will be a driveway to the site from Covell Village Drive. There will also be a cross access drive to Covell.

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- 14. Title 21 water and sanitary sewer plans – City water is adjacent to the site and a 12” water line will be extended to and through the site to provide domestic service and fire protection, including a fire suppression system within the building. An 8” water line will also be looped around the building.

Sanitary sewer has been extended adjacent to the site with the Enclave Apartment project. An 8” sanitary sewer will be further extended on site to provide service for the Lowes.

- 15. Drainage Report and related grading report plans – All the grading and drainage requirements of Title 23 are met by the proposed civil engineering development plans. Detention is provided as an area wide detention pond built during the construction of the residential plats of the Covell Village development and will provide detention for the commercial sites, as well.
- 16. Street paving and access management – The access for the Lowes site does comply with the access management principles followed by the Engineering Department. The two driveways also will conform to our future roadway design plans for the Kelly Parkway. The intersection of Covell Village Drive and Kelly Ave. will be a full-access, fully-signalized, intersection with protected north-bound left-turn movement entering the site at Covell Village Drive and protected east-bound left-turn movements exiting the site. Lowe’s will widen Kelly with an additional lane across their entire frontage pursuant to an agreement with the City of Edmond as the code requires consistent with the future Kelly Parkway plans.

Fire Protection:

- 17. Fire Prevention and Building Department –
 - a. The building will be fully fire sprinkled
 - b. A pre-construction meeting will be required
 - c. All hard surface fire lanes around the building will be down before combustibles go into the building
 - d. All fire hydrants shall be in operation, accepted and signed off by City engineering inspectors

Community Image:

- 18. Landscape Plan –

Landscaping - Lot area = 683,020 sf Ten percent of lot = 68,303 sf Plant units required = 5,465 PU Evergreen required = 2,186 PU Requirements in front = 2,733 PU	<u>Landscape provided on plans submitted</u> 119,317 sf landscaping/lawn area 5,467 plant units 2,944 plant units 4,891 plant units
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= 34,151 sf 62,037 sf

In addition, the applicant meets all parking area landscaping standards for interior, terminal, and median islands.

Sanitation Department:

19. Refuse facilities– Approved as located at the northwest corner of the building.

Electric Department:

20. Electric:

- Transformer needs to be accessible to Edmond Electric.
- Road bore near southeast corner of site, across Kelly to provide electric service.
- Electric easement needed along north property line.
- Coordinate electric service with adjacent properties.

Jan Fees, Planner, commented that there are two areas on the plat for outdoor storage which do involve the accessory buildings for storage and trailers for light hauling or home usage. The PUD Design Statement prohibits “trails” (meaning trailers) for hauling and discusses prefabricated homes. The owners believe those refer to mobile homes or full size prefabricated dwellings. Lowe’s needs to have a clear understanding of what is prohibited by the PUD Design Statement.

Todd McKinnis indicated he would act to submit a corrected Design Statement as soon as possible, but he would like action on the site plan as submitted since it complied with all City requirements. There is no longer a request for a variance on the ground signs.

Lance Mills represented JEM Site as the actual developer of the property.

Lydia Lee indicated that she felt the cart before the horse by approving the site plan until the PUD Design Statement has been corrected. Ms. Lee suggested the site plan be delayed until the PUD Design Statement is corrected.

Todd McKinnis indicated that if the Design Statement could not be corrected, Lowe’s would not be able to sell trailers displayed outdoors. He indicated the prefabricated homes were never intended to include back yard storage buildings and feels it is unfair to characterize storage buildings as prefabricated houses. There has always been an expectation in the PUD for the storage buildings to be displayed outside.

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Mr. Cartwright asked how much Lowe's participated in the road improvements. Mr. Manek indicated that they provided \$800,000 for the road and a signal light is being considered. Mr. Cartwright felt the Planning Commission should vote on this project since it is a detail that can be decided prior to construction.

Motion by Moore, seconded by Cartwright, to approve this site plan on condition that the Design Statement be amended. **Motion carried** by a vote of 4-0 as follows:

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

NAYS: None

There was no New Business.

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

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

NAYS: None

Meeting adjourned at 6:40 p.m.

Suzy Thrash, Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission