

January 20, 2009

EDMOND PLANNING COMMISSION MEETING

Tuesday, January 20, 2009

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Chairperson Suzy Thrash at 5:30 p.m., Tuesday, January 20, 2009, 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 December 2, 2008 and January 6, 2009, Planning Commission minutes.

Motion by Moore, seconded by Moyer, to approve the minutes to show that Mike McCarthy was in attendance at the December 2, 2008 Planning Commission meeting.

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 **Consideration of variance from Title 15 regarding the use of electronic display for gasoline prices at the On Cue Express to be located on the east side of Broadway, north of Ninth Street. (One Cue Express)** *This item has been continued to February 3, 2009 at the request of the applicant.*

Motion by Cartwright, seconded by Young, to continue this item. **Motion carried** by a vote of 5-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #Z080061 Public Hearing and Consideration of Edmond Plan Amendment from Office usage to PUD usage for a memory care center located on the west side of Bryant at 2711 South Bryant. (Brosseau Development)** *This item has been withdrawn by the applicant.*

The next item on the agenda was **Case #Z080054 Public Hearing and Consideration of Rezoning from "D-O" Suburban Office to "PUD" Planned Unit Development for Cypress Springs Alzheimer's and Memory Care Residence on the west side of Bryant at 2711 South Bryant. (Brosseau Development)** *This item has been withdrawn by the applicant.*

The next item on the agenda was **Case #ES080004 Public Hearing and Consideration of request to close approximately 591 feet of the east side of Kickingbird Road, extending east from Bryant, west of the Huntwick II Addition. (BVP Arbor Place, L.L.C.)** *This item has been continued to February 3, 2009 at the*

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request of the applicant.

Motion by Cartwright, seconded by Young, to continue this item. **Motion carried** by a vote of 5-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #PR080033 Public Hearing and Consideration of Preliminary Plat of the Arbor Place Addition, located on the south side of Kickingbird Road, approximately one half mile east of Bryant Avenue. (BVP Arbor Place, L.L.C) This item has been continued to February 3, 2009 at the request of the applicant.**

Motion by Cartwright, seconded by Young, to continue this item. **Motion carried** by a vote of 5-0 as follows:

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

NAYS: None

The next item on the agenda was Consideration of Variance request from Citizen's Bank for a wall sign extending at right angles to the wall at 100 North Broadway. (Citizen's Bank)

Architect David Hornbeek is representing Citizen's Bank in requesting a wall sign that extends from the building owned by the bank on the southeast corner of Broadway and First Street. There are several variances with this request, one involves the fact that the sign extends over the right of way (Section 15.10.030 #6) and signs are not permitted to extend more than 15 inches from the wall and must be located on the vertical surface of the building (Section 15.25.020 # 4 & 5). The sign would extend over the sidewalk on Broadway, 10 feet above the sidewalk allowing more than adequate clearance and more than most canopies. It is not uncommon to have signs over the sidewalk in downtown Edmond, whether they are canopies or structures built over the sidewalk. The sign is lighted but has no flashing lights. The sign size is 65.79 square feet.

The sign is clearly in character with the core of the downtown district. The sign primarily indicates the word Edmond and the word C is much more subtle as a part of the overall design. Similar signs have been allowed at Hideaway Pizza and the Jazz Lab on 5th Street. Those signs were approved as a part of the Site Plan and also fit the architectural character of the building. This type of sign has also been permitted at the Spring Creek Plaza Shopping Center at 15th and Bryant on the interior of the center. The Code for sign variances does not require the Urban Board to review these exceptions; this matter will be sent to the City Council. Mr. Hornbeek voluntarily asked the Urban Board to review the sign to include them in the process. Chairman David Payne with the Urban Board plans to attend the Planning Commission meeting, describing the B

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review. The Planning staff supports this request as a design feature enhancing the character the building. Considerations include no signage on the north wall, addressing the 15.79 square foot sign size variance on Broadway and the preservation of the exterior wall treatment on this historical building as well as a sign design that is characteristic to the era in which the building was constructed and serves as an enhancement to the general area. All the requirements related to structural and electrical standards to support the sign would apply.

David Hornbeek presented a PowerPoint presentation illustrating how there are already blade type signs or signs extending at right angles to the building in downtown Edmond. He also presented a 3-D perspective showing how the sign would look in the block compared to the other building locations. He commented that he had heard some concerns about the size of the sign. A comparison of this type of sign in automobile alley was depicted in the PowerPoint to compare the size of the sign based on the front of the building. He indicated that in the 1998 Downtown Master Plan Study this type of signage and gateway identification was felt to be important. He indicated no wall signs will be placed on the north wall. Bill Moyer asked if the color scheme was accurate, he indicated he felt it would be a good match. No one appeared in objection.

Commissioner Barry K. Moore was out of the meeting room during the discussion of this item.

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

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

NAYS: None

The next item on the agenda was **Consideration of Variance request from Citizen's Bank to remodel a non conforming time, temperature, and business name sign at 1 North Broadway. (Citizen's Bank)**

Architect David Hornbeek is representing Citizen's Bank in requesting a modification of the sign that is legal non conforming on the roof of Citizen's Bank. One of the purposes of modification of the sign is to change the time and temperature display to LED standards. As long as the sign is not an electronic message center, LED lighting is allowed for the time, temperature and date. LED lighting is more efficient and less expensive to maintain. The existing Citizen's Bank sign is 48 square feet not including the time and temperature portion. This sign has been in existence since the late 1960's. The logo has changed for Citizen's Bank and the bank would like to consider a larger sign face or sign area which would be 54 square feet rather than the existing 30 square feet not including time and temperature. The overall sign size for the existing sign is 48 square feet and the overall size for the new sign is 72 square feet. Allowing non conforming signs, in this case a roof sign, to be made larger is a significant variance.

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Changing the 3 foot x 6 foot time and temperature portion of the sign for the LED lighting is not an issue and in fact can be changed on the existing 48 square foot sign without a variance. Mr. Hornbeek indicated the bank was changing the logo and if a change was proposed to a portion of the sign, it is probably the best time to consider changes to the total sign. The sign is not being made taller so it is not more non conforming for that reason but it is being made larger in area.

The City Council has considered a sign modification at 123 South Broadway for the Edmond Sun. The minutes of April 2003 are attached where the sign was changed for the Edmond Sun.

Mr. Hornbeek indicated the sign was 40 years old and even though it was larger than the existing sign because the sign is not taller his feeling is that there will be no noticeable difference between the two signs. The sign will have to be new to fit the LED lighting so the existing sign will have to be removed temporarily.

Commissioner Barry K. Moore was out of the meeting room during the discussion of this item.

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

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

NAYS: None

The next item on the agenda was **Case #ES080006 Public Hearing and Consideration of easement closing at 1745 west Thirty Third Street, Lot 1, Block 1 Bristol Office Park. (Danforth Development, L.L.C.)**

Russ Roberts with Danforth Development, L.L.C. has recently had a survey completed for the subject office building existing on the property. The building encroaches into the 10 foot easement but there are no electric improvements in the easement. Mr. Roberts has discussed this issue with the Edmond Electric department on site and all the improvements have been placed in the easements to the west as shown on the plat for Bristol Office Park. The subject easement was a separate instrument not used for Lot 1, Block 1 in the Bristol Office Park. Edmond Electric service was the only intended use for the easement so there is no objection to closing the entire 10 foot easement.

Ernest Isch was in attendance representing the owner. No one appeared in objection.

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

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

NAYS: None

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The next item on the agenda was **Case #PR070006 Consideration of Extension of the Final Plat Hidden Prairie at Kelley Pointe II located north of Thirty Third Street on Hidden Prairie Way. (Kelley Pointe Development Company, Inc.)**

Clay T. Farha is requesting that the Final Plat of Hidden Prairie at Kelley Pointe II be extended for two years. This single family project contains 61 lots on 16.67 acres. The lot size is generally 8,437 square feet or larger. The first phase of Hidden Prairie at Kelley Pointe contained 37 lots on 14 acres. The nearest addition to the west is Bristol Park. This addition will be served with full city utilities and public dedicated streets. Drainage detention has been completed on a project wide basis for this mixed used development of Kelley Pointe.

Terry McGuire was in attendance. No one appeared in objection.

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 #SP080038 Public Hearing and Consideration of Site Plan approval for Discount Tire Store, located on the southwest corner of Comfort Drive and South Broadway. (Discount Tire) This item was continued by a mutual agreement between Ricardo Ordonez, representing Discount Tire and Mark Stonecipher, representing Tractor Supply.**

Motion by Moyer, seconded by Cartwright, to continue this item until February 3, 2009.

Motion carried by a vote of 5-0 as follows:

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

NAYS: None

The next item on the agenda was **Case #PR080049 Consideration of Final Plat for Astoria Executive Park located south of Willowood Road, east of Coltrane. (Titan Development Partners, L.L.C)**

Martin Teuscher is requesting Final Plat approval of an 11.4 acre business park east and south of the 7 Eleven store, south of Willowood Road, east of Coltrane. This property is zoned "D-2" Neighborhood Commercial and was zoned in 1966. The streets in the addition will be public. Drainage detention will be accomplished on each lot. A new water line will be constructed connecting Coltrane and Willowood Road and will be able to serve all the lots and sanitary sewer will be extended to serve each lot. 70 foot of right of way is being provided along Coltrane and limits of no access are being placed along those lots adjacent to Coltrane. The buildings on Lot, 1 Block 1 and Lot 1, Block 2 will face north and south so the Coltrane side of the property is the side yard. The lots are

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relatively small and while retail uses are legally permitted, due to the increased parking requirements they may only work if lots are combined. Many of the lots will most likely be used for office buildings. Mr. Teuscher has built one office building north of Willowood Road and has approval for two more to the west of the new building.

Catina D'Achille was in attendance representing the owners. No one appeared in objection.

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

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

NAYS: None

The next item on the agenda was **Public Hearing and Consideration of Ordinance Amending Section 22.4.23, CBD, Central Business District, Section (E) Other District Provisions by adding New Subsection 22.4.23 (E) (3) Residential Conversions; Amending Section 22.4.24, DRD Downtown Residential District, Renaming Subsection (E) Other District Provisions and Adding New Subsection (2) Residential Conversions**

On December 8, 2008, the attached ordinance amending the “ Central Business District and the “ Downtown Residential District to allow residential conversions in those zoning districts was considered by the Edmond City Council. They briefly discussed the ordinance and then referred it back to the Edmond Planning Commission for a recommendation since it represents an amendment to Title 22. The Central Edmond Urban Development Board has previously considered this ordinance and recommends approval.

Prior to the current Title 22 which went into effect March, 2007, the only residential to commercial conversions that were allowed in the “CBD” and “DRD” involved the properties being listed on either the Federal Register of Historic Places (in the “CBD”) or the Oklahoma Landmark Inventory (in the “DRD”). The new Title 22 did not contain such wording and so there was the issue whether residences in these two zoning districts should be allowed to convert to commercial. The attached ordinance, including additional wording suggested by Councilman Charles Lamb, is submitted for your review.

Jan Fees presented the review and the previous City Council and Urban Board comments.

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

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

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NAYS: None

New Business: Commissioner Leroy Cartwright mentioned that he had recently received a letter from Randel Shadid regarding the Community Connections process and it was his opinion that the Community Connections program worked best if City Council members and other officials who might review applications not attend the meetings scheduled with the neighborhoods. He felt the opportunity for residents to talk with the developer was a good part of the process and that the Community Connections program was working well. Mr. Cartwright complimented Jan Ramseyer-Fees on her working with the Community Connections program since its beginning. Commissioner Barry Moore stated he had been invited to attend a Community Connections meeting by his neighbor and planned to attend but forgot about the meeting. He stated that in terms of education, the meeting might have been beneficial in his capacity as a member of the Planning Commission to attend to listen as an observer.

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

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

NAYS: None

Meeting adjourned at 6:15 p.m.

Suzy Thrash, Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission