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**EDMOND PLANNING COMMISSION MEETING**

**Tuesday, September 8, 2009**

**5:30 P.M.**

The Edmond Planning Commission Meeting was called to order by Chairperson Bill Moyer at 5:30 p.m., Tuesday, September 8, 2009, in the City Council Chambers at 20 South Littler. Other members present were Leroy Cartwright, Mark Hoose and Lydia Lee. Commissioner Barry K. Moore was absent. 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 August 18, 2009 Planning Commission minutes.**

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

AYES: Members: Lee, Cartwright, Hoose and Chairperson Moyer

NAYS: Members: None

The next item on the agenda was **Case #Z090022 Public Hearing and Consideration of an extension of the undeveloped portions of the Coffee Creek Planned Unit Development, located north of Covell Road, East of Kelly Avenue and west of Boulevard. (Covell Road Properties, L.L.C.)**

Covell Road Properties, L.L.C. is requesting an extension of the Coffee Creek PUD approved and started in 1996. While this development has progressed continually, the PUD Ordinances in effect at the time of approval provide that should only a portion of the PUD be completed within the five year time limit, the City Council with a hearing, can determine that the undeveloped portion of the property be considered for an extension of the PUD. A majority of this development is complete with homes, business buildings, a post office and Touchmark at Coffee Creek senior housing, which is currently expanding.

This extension does not involve rezoning any property, the extension is to continue the PUD master plan and there are several parcels of land that are undeveloped. The undeveloped parcels are zoned multi-family and single family PUD. Plats have been approved for the commercial parcels but some commercial lots are undeveloped and no permits are pending on locations east of Kelly, west of Village Parkway. Some of the properties in this PUD near Boulevard and Covell have been developed with single family units even though the zoning was "C-2" Medium Density Multi-Family and "C-3" High Density Multi-Family. There will be fewer multi-family units constructed than originally projected since this has happened. All persons in the south half of this section were notified as well as property owners within the 300 feet of this half-section. The

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undeveloped parcels are the ones that need to be addressed by the PUD extension.

Derek Turner indicated there had been a good Community Connections meeting. He stated he still planned to bring a new PUD forward for the entire 23 acre parcel. Some of the issues relating to site plan were continuing to be discussed with residents. He indicated the project had been approved since 1996 and he wished to proceed with the extension as the project was originally approved for this area. He indicated he felt the area was developed, containing roads and utilities. He disagreed that an extension was a minimum requirement but came forward with the request and would proceed with a new PUD in October. Matthew Winton spoke representing the property owner's of approximately 500 homes and several thousand residents. He indicated the Community Connections meeting was a start but there was still not the opportunity for details and there continues to be a need for a meaningful discussion of the standards compatible with the area. Steve Adams of 1313 Carriage Bluff Court moved from Houston two years ago and stated it was hard to believe apartments were planned for this neighborhood. He requested that the citizen's be protected from this type of development. Gary Gould of 417 Hollowdale indicated he had lived in the area for one year and asked that the request be denied. The original PUD was thirteen years old and the standards had changed for the surrounding land being developed as single family. He quoted the code in the old ordinance indicating it is time for the City to notify the developer of the 30 day notice referenced in the code to show why continued development was reasonable. Betty Cook of 3945 Tamarac Court indicated she had lived there for 10 years and stated residents were opposed to apartments and that there had been many new apartment projects built in the area recently. Ed Moore of 1721 Park Lane with the Edmond Neighborhood Alliance indicated that Title 22 talks about consistency and this application was not consistent with the neighborhood. The 1996 minutes reflect townhouses and condominiums as the proposed multi-family. Joseph Lacatus of 300 Carriage Bluff Court indicated that it is time to reconsider the multi-family portion of this PUD especially since there are other apartment projects nearby. Terri Smith of Savoy Circle indicated her sister lives in Coffee Creek and realtors have advised that they wait to sell their vacant lot until the discussion of the apartments takes place because it might affect the value.

Commissioner Hoose indicated he had done considerable research on this item and asked if the property meets the definition of developed even though there does not appear to be a definition in the code. Derek Turner commented that if development means vertical construction, that has not taken place and there are still vacant lots in Coffee Creek that could be considered not developed. He indicated he had added value to the property and constructed utilities and roads and in his opinion, the land was developed. Commissioner Cartwright asked a question about developing lesser uses in the multi-family zoning and staff indicated that was acceptable. Mr. Turner indicated the last plat was only nine months ago and this was one of the most active areas in Edmond in terms of active construction. Mr. Turner indicated the lot will be one large project when constructed, it is not planned to be broken into multiple tracts. Mr. Winton indicated that

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while there is no definition of developed; there are no roads or plats which would be different than the single family areas. The area is an undeveloped field. Commissioner Lee corrected the understanding that the original zoning prior to the PUD was "A" Single Family, not "G-A" General Agricultural. She indicated it was clear that the old Title 22 envisioned that when a portion did not develop there needed to be consideration of that property. There are no guidelines for the extensions. She felt the citizens had the right to voice their opinions and that reverting the property was the appropriate action. Chairperson Moyer indicated he had struggled with this issue and was concerned about the legalities of the word developed.

Motion by Hoose, seconded by Lee, to approve this request. **Motion denied** by a vote of 3-1 as follows:

AYES: Members: Hoose, Lee and Chairperson Moyer

NAYS: Members: Cartwright

Commissioner Hoose left the City Council Chambers for the discussion of the Rice Properties, Switzer's Locker and Teuscher items.

The next item on the agenda was **Case #Z090020 Public Hearing and Consideration of Plan Amendment from High Density Multiple-Family Residential and Community Services to Planned Unit Development to allow a multi-story hotel/motel and/or medical facility located north of Main Street, east of Smythe Street and west of Hortense Street. (Rice Properties, L.L.C.)**

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

1. Infrastructure: City water and sewer lines are adjacent to this property. If the project is developed, some new lines may be needed to serve a multi-story structure based on the age and/or size of the existing lines.
2. Traffic: There are no traffic counts available for this Main Street and Smythe location.
3. Existing zoning pattern:  
North – "C-3" High Density Multi-Family  
South – "E-2" Open Display  
East – "E-1" General Commercial  
West – "C-3" High Density Multi-Family and commercial
4. Land Use:  
North – Triplex and single family immediately north  
South – Wal-Mart Neighborhood Market  
East – Edmond Regional Medical Center

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West – Multi-family

5. Density: N/A, proposed use is hotel and/or medical facility
6. Land ownership pattern:  
North – Smaller lots individually owned for the single family and multi-family structures  
South – 6 acre tract for Wal-Mart  
East – 7 ½ acre tract for the hospital  
West – Smaller lots individually owned for multi-family
7. Physical features: The area was built as a mobile home park originally. Mobile homes have been removed. A lot of the utilities are available but would need upgrading for the proposed use. The plan also involves closing Main Street and Hortense so those areas can be used for parking.
8. Special conditions: None
9. Location of Schools and School Land: Not applicable to the proposed use. The nearest school is Northern Hills Elementary; UCO is three blocks to the west.
10. Compatibility to Edmond Plan: The property is projected for multi-family on the Edmond Plan, 15 units would be possible. Commercial uses were not projected for this location.

The Plan Amendment, Rezoning and Street Closing for Mr. Rice were all discussed together. City Engineer Steve Manek was asked what the traffic usage of Main Street was. He indicated he had no current traffic counts but it was a low usage. Chairperson Moyer indicated he was not in favor of closing streets since they are often needed in the future. Doug Plumley of 1216 E. Hurd owner of one of the single family homes to the north spoke in opposition to the rezoning. He indicated a multi-story building in his backyard was not appropriate. He indicated there are small children in the area and the traffic would be increased for this type of use. Commissioner Cartwright asked how many apartments could be built on the property. Mr. Schiermeyer indicated 15 units could be placed on the property. Mr. Rice indicated the hotel had agreed to orient the windows to the pool area, not to the residential area to the north. Mr. Rice also commented that this location had been a mobile home in the past and the area could be appropriate for re-development. Commissioner Lee indicated that with the new PUD Ordinance, all of the standards discussed are important to be in the PUD Design Statement and this request is a significant deviation from the Edmond Plan. This project would be taller than the surrounding buildings and she felt it would be a poor use of the property. Commissioner Moyer agreed that the large building is not right for the area.

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Motion by Lee, seconded by Cartwright, to approve this request. **Motion denied** by a vote of 3-0 as follows:

AYES: Members: None

NAYS: Members: Lee, Cartwright and Chairperson Moyer

The next item on the agenda was **Case #Z090021 Public Hearing and Consideration of Rezoning from "C-3" High Density Multiple-Family Residential and Community Services to Planned Unit Development to allow a multi-story hotel/motel and/or medical facility located north of Main Street, east of Smythe Street and west of Hortense Street. (Rice Properties, L.L.C.)**

Barry Rice, representing Rice Properties, L.L.C. is requesting that a 42,000 square foot parcel (0.9642 acres) north of Main Street between Smythe and Hortense be approved for a hotel or medical facility building as a part of a PUD. The land is currently zoned multi-family and projected to remain as such in the Edmond Plan; approximately 15 units could be built on the parcel. The land was previously part of a mobile home park. With the development of Wal-Mart Neighborhood Market to the south, the elevation between Main Street and the Wal-Mart site has substantially changed. Hortense Street was closed through the Wal-Mart property. Commercial zoning does not extend to Hortense, south of Campbell and west of the Edmond Regional Medical Center. There has been a trend to increase the zoning to high density multi-family from the lesser "C-2" District which allows only 12 units per acre.

The hotel proposed could be constructed as a multi-story building. A concept plan or PUD Master Plan has been submitted for a 98 unit hotel. One hundred parking spaces are shown on the concept plan for this structure. The concept plan does not reflect enough space on the private property for parking. All of the parking indicated is in the Main Street or Hortense Street right-of-way. Parking planned along Smythe would back into the right-of-way, although some of the spaces are on private property. The closing of the streets is an important design standard for the plan submitted. If the streets are not closed, all of the parking would need to be on private property and a substantially smaller number of rooms would be allowed. The proposed hotel is a Staybridge Suites which is an extended stay facility. Some site plan issues, such as the sensitive border variances depending on the height and final setback of the hotel would have to be determined with the site plan. The developer would pave the alley at his cost along the north side of the property. Even though the land to the north is zoned multi-family, there are four single family homes as a part of the Highland Park Addition immediately north of the site.

Motion by Lee, seconded by Cartwright, to approve this request. **Motion denied** by a vote of 3-0 as follows:

AYES: Members: None

NAYS: Members: Lee, Cartwright and Chairperson Moyer

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The next item on the agenda was **Case #ES090004 Public Hearing and Consideration of request to close a street easement along Main Street from Smythe to Hortense and a portion of Hortense, north of Main Street. (Rice Properties, L.L.C.)**

Barry Rice, representing this application is requesting that Main Street between Smythe and Hortense (60 feet or right-of-way) and Hortense north of Main (60 feet of right-of-way) be closed. The alley between Smythe and Hortense, which is not improved at this time and is 20 feet in width and would be improved. The developer has planned to use the street right-of-way for parking spaces associated with the hotel. Some of the street would be left as an alley or other public access such as a fire lane, which would be a minimum requirement of a multi-story hotel. The existing right-of-ways would need to be retained as utility easements. The property to the south is developed as the Wal-Mart Neighborhood Market and was constructed at a substantially lower elevation than Main Street. Edmond Regional Medical Center owns land to the east of Hortense. There are four single family homes to the north and one tri-plex to the north along Hurd Street. Curb, gutter and sidewalks were constructed with the Wal-Mart Neighborhood Market along the south side of Main Street. There is also a traffic barrier constructed on the south side of Main Street and a sight-proof fence required with Wal-Mart. Landscaping has also been installed along the south side of Main Street. There is no curb and gutter along the north side of Main Street or along Hortense. The size of the hotel planned does not leave sufficient space for on-site parking. If the streets are not closed there would be 25 foot setbacks required along Main and Hortense unless variances were approved along with the PUD.

Motion by Cartwright, seconded by Lee, to approve this request. **Motion denied** by a vote of 3-0 as follows:

AYES: Members: None

NAYS: Members: Cartwright, Lee and Chairperson Moyer

The next item on the agenda was **Case #SP090011 Public Hearing and Consideration of Site Plan approval for a Switzer's Locker storage facility located east of I-35, approximately three quarters of a mile north of Second Street at the end of North Saints Boulevard. (Switzer's Locker)**

Motion by Lee, seconded by Cartwright, to continue this request until the September 22, 2009 Planning Commission meeting at the request of the applicant. **Motion carried** by a vote of 3-0 as follows:

AYES: Members: Lee, Cartwright and Chairperson Moyer

NAYS: Members: None

The next item on the agenda was **Case #Z090023 Public Hearing and Consideration of Rezoning from " General Agricultural to " Suburban Estate Dwelling**

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**District on a 9.98 acre tract located on the northeast corner of Post Road and Danforth. (Martin Teuscher)**

Mr. Martin Teuscher is requesting that a 10 acre tract be rezoned to allow four lots for single family homes in east Edmond. Two of the lots are 60,000 square feet and two of the lots are larger at 2 ½ acres and almost 4 acres. There are not utilities in the area. Each lot will develop with an individual water well and septic tank. There is no floodplain across this property but all drainage requirements will have to be met for a building permit. There is adequate frontage for each lot to have its own driveway and meet the driveway separation standard. This quarter section has already been divided into a number of 10 acre or larger tracts, similar to the land on the west side of Post, north of Danforth.

Erhard Kruger property owner of the 10 acres to the east, was opposed to the rezoning. He felt the taxes would increase because of the smaller lots. He indicated he had cattle that could cause problems for the residential lots since they may be spooked by storms and stampede, damaging nearby fences. He was concerned about the pond on the property that overflows during heavy rains. Commissioner Lee asked to see the zoning surrounding this location.

Motion by Cartwright, seconded by Lee, to approve this request. **Motion denied** by a vote of 2-1 as follows:

AYES: Members: Chairperson Moyer

NAYS: Members: Cartwright and Lee

The next item on the agenda was **Case #DD090008, DD090009, DD090010 and DD090011 Consideration of Deed Certification for four residential building sites on the northeast corner of Post Road and Danforth. (Martin Teuscher)**

Motion by Lee, seconded by Cartwright, to continue this request until the October 6, 2009 Planning Commission meeting at the request of the applicant. **Motion carried** by a vote of 3-0 as follows:

AYES: Members: Lee, Cartwright and Chairperson Moyer

NAYS: Members: None

New Business: Commissioner Lee expressed that she wished Commissioner Moore a quick and speedy recovery.

Motion by Cartwright, seconded by Lee, to adjourn. **Motion carried** by a vote of 3-0 as follows:

AYES: Members: Cartwright, Lee and Chairperson Moyer

NAYS: Members: None

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Meeting adjourned at 6:45 p.m.

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Bill Moyer, Chairperson  
Edmond Planning Commission

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Robert Schiermeyer, Secretary  
Edmond Planning Commission