

## EDMOND PLANNING COMMISSION MEETING

**Tuesday, December 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, December 8, 2009, in the City Council Chambers at 20 South Littler. Other members present were Leroy Cartwright, Barry K. Moore, Mark Hoose and Lydia Lee. Present for the City were Robert L. Schiermeyer, City Planner; Kristi McCone, City Planner; Steve Manek, City Engineer; and Steve Murdock, City Attorney.

The first item on the agenda was **the approval of the November 17, 2009 Planning Commission minutes.**

Motion by Lee, seconded by Cartwright, to approve the minutes as written. **Motion carried** by a vote of 5-0 as follows:

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

ABSTAIN/NAYS: Members: Moore

The next item on the agenda was **Case #SP080011 Public Hearing and Consideration of Commercial Site Plan Extension for La Cime Office Park, located east of Edmond Specialty Hospital, on the south side of Ninth Street. (La Cime Office Park, LLC)**

Mr. Ed Lee, an attorney, has developed three previous phases of office buildings east of the subject location, beginning with Lee's Crossing, Le Coure, and Le Chene. La Cime will represent a final building site on the south side of Ninth Street. **Mr. Lee is requesting an 18 month extension of this site plan approved June 17, 2008.**

### Planning Department:

1. Existing zoning - "D-0" Suburban Office
2. Setbacks – The building nearest to Ninth Street is 28 feet from the property line. The setback on the south end of the property, which is undeveloped, is 75 feet. The setback on the east is 23 feet, and the setback on the west is 18 feet.
3. Height of buildings - 35 feet
4. Parking - 47 spaces are required; 48 spaces are shown. The landscaping plan provides for 11%, due to the extra parking. The buildings total 11,800 square feet.
5. Lot size – 1.72 acres; 63,729.00 sf
6. Lighting Plan – Wall pack lights will be used.

7. Signage – One ground sign will be used; six feet tall, 42 square feet.
8. General architectural appearance – The building exterior consists of brick and stone veneer on all sides of the building. The building is pitch roof construction. The roof materials are composition shingles. The architecture will be similar to the other projects to the east, constructed by Mr. Lee.
9. Sensitive borders – No sensitive border has been identified for this project. There is a significant nursing home structure to the west, and the land to the south is undeveloped.
10. Mechanical equipment – Air conditioning units will be located on the ground, due to the pitch roof construction.
11. Fencing/screening – No fencing or screening is planned. The dumpster enclosure is on the south side of the property and will actually be shared with the adjoining La Chene project.
12. Driveways – One drive approach is planned on Ninth Street and there are interconnecting drives with the building to the east.
13. Title 21 water and sanitary sewer plans – Water and sewer are available for service.
14. Street paving and access management – Ninth Street has recently been improved in front of this property. 50 feet of right-of-way is being provided.
15. Fire Prevention and Building Department – The buildings have been reviewed by the fire department and meet the standards necessary.

Community Image: The applicant has agreed to preserve trees, where feasible, along the western boundary.

<u>Landscape Plan:</u>	
<u>Landscaping - Lot area = 63,729.00 sf</u>	<u>Landscape provided on plans</u>
<u>submitted</u>	
11% of lot = 7,010.19 sf	8,312.00 sf landscaping/lawn area
Plant units required = 561 PU	604 plant units
Evergreen required = 224 PU	404 plant units
Requirements in front = 281 PU	292 plant units
= 3,505.10 sf	8,312.00 sf

17. Refuse facilities – A dumpster enclosure is not planned for this building, since there will be shared service to the east.
18. Electric – Electric is available for service.

Ed Lee was in attendance. Darrell Haney of 917 E. Tenth Street indicated he had lived in this area for 40 years and stated there were some sewer problems west of Pine Oak on the south side of Ninth. He stated he hoped that no additional development would continue west of Pine Oak. He indicated the neighbors were told this when Bryant Nursing Center was constructed. He opposed any additional zoning further west on Ninth Street. Commissioner Moore provided a map that was in his agenda packet to Mr. Haney describing where Mr. Lee's office is planned. Mr. Haney identified he understood the project better and he did not object to that office location.

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

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

NAYS: Members: None

The next item on the agenda was **Case #DD090023 Request for Deed Certification located north of the Wal-Mart driveway on the I-35 frontage road, approximately one quarter mile north of Fifteenth Street. (Frank Battle)**

The subdivision code provides that lots smaller than 5 acres can be approved for a deed certification or a lot split prior to the final plat being completed. The standards for a lot split would essentially be the same for the plat although a developer could have a deed created prior to the improvements being installed. The approval of the plat along with the site plan would document the full set of conditions for construction on the property. Based on the conceptual site plan that has been provided by Weokie Credit Union, the improvements that are required for this property are as follows:

1. Installation of the paved driveway along the north side of the property, off-site from the actual Lot 1, Block 1. This drive provides access to the Weokie site, and also allows for the required Fire Department access.
2. Improvements to the frontage road allowing for a left turn lane for northbound traffic and the installation of a deceleration or right turn lane for southbound traffic. Those improvements are constructed in the right-of-way of the existing frontage road. These have always been planned improvements but with a sale to the Weokie credit union, they will need to be installed with that construction.
3. Construction of a new water line and fire hydrant along the north edge of the lot. This will require a utility easement.

After seeing the conceptual site plan, the Engineering Department believes that the final grading for the building as well as the widening on the frontage road will require some additional drainage pipe extended into the frontage road right-of-way that will be tied into existing drainage structures. The approved site plans for Fox Lake Plaza show drainage pipes extending from this lot to the frontage road right-of-way. Weokie Credit Union may wish to have the drive on the west side of the property complete, which is off-site from their lot and would allow for circulation around their property, further connecting the shared Wal-Mart drive on the south of the lot with the new drive to be constructed on the north side of the lot.

Randel Shadid was in attendance representing the applicant. Commissioner Lee asked about the improvements that were required as listed in the staff report and whose responsibility they would be. Staff indicated Mr. Battle was submitting the plat so they were his responsibility to complete. Weokie Credit Union should become familiar with these requirements because they will also be stated as requirements of a site plan if they submit that prior to the plat being completed and no occupancy permit can be approved until the plat improvements are complete; this applies when a site plan and plat are being constructed simultaneously.

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

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

NAYS: Members: None

The next item on the agenda was **Case #PR090019 Consideration of Final Plat of Fox Lake Plaza Section I, located north of the Wal-Mart driveway on the I-35 frontage road, approximately one quarter mile north of Fifteenth Street. (Frank Battle)**

Frank Battle is proposing to sell a 1.82 acre (79,211 square feet) parcel which was on the front of the original Fox Lake Plaza, just north of the Wal-Mart driveway on the I-35 frontage road. A Weokie Credit Union is proposed. With the original plat, a water line and sanitary sewer line have been completed next to this lot. The water line has not been accepted at this time and that will be one of the requirements of this approval. A new water line will also be installed along the north side of the new lot for a fire hydrant required for the Weokie building. The one lot for this addition contains 259 feet of frontage but there will be no driveway along the frontage road in order to meet the separation standards. The Wal-Mart drive is at the south end of the lot and a shared drive into the shopping center will be used by Weokie for access. The drive-in lanes are located on the west side of the property. There is no change in the driveway locations from the original plat. The property is zoned "F-1" Light Industrial.

The improvements required for this new plat, which is a portion of the original Fox Lake plat include the following:

1. Installation of the paved driveway along the north side of the property, off-site from the actual Lot 1, Block 1. This drive provides access to the Weokie site, and also allows for the required Fire Department access.
2. Improvements to the frontage road allowing for a left turn lane for northbound traffic and the installation of a deceleration or right turn lane for southbound traffic. Those improvements are constructed in the right-of-way of the existing frontage road. These have always been planned improvements but with a sale to the Weokie Credit Union, they will need to be installed with that construction rather than be included in the overall frontage road, paving improvements and eventually traffic light improvements at Second Street and the I-35 frontage road.
3. Construction of a new water line and fire hydrant along the north edge of the lot. This will require a utility easement.

The submittal of this new plat will allow the Weokie Credit Union site plan to proceed on its own time line. All of the improvements for the larger 53 acre Fox Lake Plaza original plat would have to be completed and accepted in order to retain the original lot and block for this location without this separate plat.

Randel Shadid was in attendance representing the applicant. Ingrid Young, a resident of Fox Lake, asked if there were any plans as a part of this plat to correct the devastation of the current land condition that has existed for the last three years. Ed Moore with the Edmond Neighborhood Alliance suggested that the developer start with the sale of this property to improve the land that has been cleared and left to erode from Fox Lake Lane west to Fox Lake. Randel Shadid indicated that with the last extension of the site plan a couple weeks ago, the City Council was told that in the spring, when the site plan was discussed again progress would need to be made for vegetative ground cover. Commissioner Lee felt that the Fox Lake homeowner's had lived with this disgrace long enough and that the continued promises from the developer are not adequate. The Fox Lake homeowners are not being treated well and this continued extension with no work even started to eliminate the erosion and sediment being dumped into Fox Lake and Arcadia Lake. She indicated that nothing has been done, including the turnaround paving and she felt a better commitment to help solve these problems should be provided by the developer. Randel Shadid stated he understands the homeowner's issues, but the current economic problems put the developer in a situation where he cannot provide for the vegetation without some development of the property. Nothing is going to grow until next spring. Commissioner Hoose indicated he was glad progress was happening and likes to see the project move forward. He indicated he was aware of contracts pending for the development of the property from over three years ago but that window of opportunity had closed with the economic downturn. The slowdown of the project has had several effects to both the developer and the adjacent landowners.

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

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

NAYS: Members: None

The next item on the agenda was **Case #PR030030 Consideration of amended Final Plat of the Fox Lake Plaza addition, now to be known as Fox Lake Plaza, Section II, located west of I-35, north of the Wal-Mart at Fifteenth Street and I-35. (Frank Battle)**

Frank Battle is requesting an amendment to the original Fox Lake Plaza Final Plat to exclude one pad lot for sale to the Weokie Credit Union and to add two additional lots. The original plat was approved August 22, 2005 and a work order has been issued for the original plat but all of the improvements have not been completed at this time. The City does not accept the plats until all of the improvements are complete. This plat covers 53 acres which includes the lake. This plat extends from the north line of Wal-Mart to just north of Fox Lake Lane. The amendment of the plat allows the Weokie site to

be completed independently from the larger plat. Weokie Credit Union plans to submit a site plan in the near future. To complete and occupy the building, a plat would need to accompany the final occupancy requirements.

Mr. Battle plans a drive-through restaurant on Lot 2. The original plat included four lots along the west side of the frontage road, south of Fox Lake Lane. Five lots, including the Weokie lot will now be developed along that frontage. Lot 6 is a new lot on the interior of the development but will be accessed by one of the common driveways. There will still be no drive cuts on Fox Lake Lane. The water and sewer lines serving the frontage pad lots are located along the front of the property, next to the frontage road. Water lines do extend into the interior or western portion of the plat to serve the planned shopping center and the additional pad building, Lot 6. Sanitary sewer lines will be located in utility easements serving each of the lots. The three originally planned driveways along the frontage road remain the same for the amended Fox Lake Plaza Section II.

The improvements that are needed for this final plat are as follows:

1. The turning lane paving along the frontage road adjacent to the plat.
2. The turnaround paving completion on Fox Lake Lane.
3. Completion of drainage improvements.
4. Completion of water and sewer lines.
5. The addition of limits of no access along Fox Lake Lane, next to the green belt buffer.
6. Provision for any easements that are not shown on the plat, including cross access easements adjacent to all of the lots.

The traffic study originally submitted identifies the need for traffic light and paving improvements at Second Street and the frontage road to maintain the appropriate level of service. This is based on the shopping center site plan submitted. Those improvements are recommended to be a part of the plat requirements for the 53 acre plat.

Randel Shadid was in attendance representing the application. Commissioner Lee asked the staff to explain how the new lot was created, north of the Weokie site. It was indicated that there were 5 lots instead of 4 lots and the lots were re-drawn as narrower lots. She commented that this would be more like a strip shopping center now than the original site plan that was approved. She indicated she felt this changed the quality of the project. Mr. Shadid indicated that the additional turnaround paving would be completed at the same time as the Weokie widening on the frontage road.

Motion by Moore, seconded by Cartwright, to approve this request. **Motion carried** by a vote of 4-1 as follows:

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

NAYS: Members: Lee

New Business: Commissioner Cartwright thanked Tim Berringer and Ryan Ochsner for attending the meeting. Commissioner Lee commented that residents should pick up a 2010 City of Edmond calendar which she thought were very nicely done.

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

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

NAYS: Members: None

Meeting adjourned at 6:05 p.m.

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Bill Moyer, Chairperson  
Edmond Planning Commission

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Robert Schiermeyer, Secretary  
Edmond Planning Commission