

EDMOND PLANNING COMMISSION MEETING

Tuesday, April 5, 2011

5:30 P.M.

The Edmond Planning Commission Meeting was called to order by Vice Chairperson Barry K. Moore at 5:30 p.m., Tuesday, April 5, 2011, in the City Council Chambers at 20 South Littler. Other members present were Leroy Cartwright, Mark Hoose and Lydia Lee. Chairperson Bill Moyer was absent. 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 March 22, 2011 Planning Commission minutes.**

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

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

NAYS: Members: None

The next item on the agenda was **Case #Z060009 Public Hearing and Consideration of request for Arbor Creek Planned Unit Development, formerly The Summit Planned Unit Development, to be extended for 5 years, on property located north of East Second Street and south of Danforth, along Saints Boulevard. (Summit Property Development, LLC)**

Attorney Todd McKinnis, is representing the property owner in requesting a 5-year PUD extension. This project has started with the Arbor Creek at the Summit Single Family Additions. Phase I of that development contains 8.99 acres and 33 lots; 31 permits have been issued as of February 2011, and Phase II contains 11.42 acres and 45 lots. Arbor Creek Phase III was approved by the City Council on September 13, 2010 and contains 11.07 acres and 44 lots. This PUD also contains "C-3" High Density Multi-Family and "E-1" General Commercial. The Mountain View Park Addition and Kanaly's College Wood Acres Addition are located to the east of Arbor Creek. The "E-1" General Commercial properties are located east of I-35 and east and northeast of Ditch Witch and the two City of Edmond water towers on I-35. The PUD was approved in March 2006. The developer of the project extended the wastewater lines south, under Second Street and has also installed the traffic signal on East Second Street and Saints Boulevard at his expense. Saints Boulevard has also been constructed through the project as a new public street. The Switzer's Locker project is no longer active and was planned on the far northern part of this PUD. There are no changes from the original approval in 2006.

Attorney Todd McKinnis indicated there were no changes to the original PUD. Roy John Martin of 225 Bell Tolls Terrace asked if the owner knew the range of tenants planned in the "E-1" Commercial area. Mr. McKinnis indicated he did not know any specific businesses. The "E-1" district would not allow any open display and there would be a mix of retail and office. There was also a question if greenbelts would be preserved in the commercial area. Mr. McKinnis indicated that commercial areas would not remain open

space indefinitely. He indicated it will be necessary to remove many of the trees based on the shapes of the individual parcels. Norman David Bautsch of 4932 Sonny Blues Place asked what part of the development would be gated since that was shown on the original plan. Mr. McKinnis indicated that the PUD identified that the streets would be public or private and there could be new areas developed with gated access; at this time the choice has been to develop with public streets. Mike Fightmaster of 931 Brookforest Road indicated they were originally told there would be a gate. He wanted to know when that had changed and asked about a fence that he understood was required. Mr. McKinnis indicated that Caleb McCaleb has decided not to gate the existing Arbor Creek at the Summit projects which was an option in the PUD and that there had been no changes to the PUD description since 2006 and he is following the process for City projects. Commissioner Lee indicated this was a continuing problem with PUDs where the design statement or master plan maps do not reflect changes that have been made. The record becomes difficult to keep up with through the minutes and plat approvals where there is no overall document that reflects what is currently occurring in these developments, for example the gated areas referenced in the PUD master plan. Commissioner Lee indicated she will continue to request that the PUD master plan and design statement be brought up to date when extensions are granted. She felt this was the opportunity to clean up the PUD Design Statement to reflect what is actually occurring on the site. Commissioner Cartwright indicated that public streets are better for the neighborhood than private streets with gates where the residents would be required to maintain all of the improvements behind the gates at their cost. Vice Chairperson Moore agreed with Commissioner Lee and asked the applicant to address this issue as quickly as possible.

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

AYES: Members: Hoose, Cartwright and Vice Chairperson Moore

NAYS: Members: Lee

The next item on the agenda was **Case #SP110004 Public Hearing and Consideration of Site Plan approval for the Uptown Grocery Co. and shopping center located south of Covell Road, west of Prime Bank. (Esperanza Investments, L.L.C.)**

The adjoining uses to the new grocery store include Prime Bank to the east and 3 Girls Photography. There is also undeveloped commercial land to the south, east and west. Lowe's Home Improvement Center is located to the southeast. Damon Johnson dentistry is located further west. The Cheyenne Middle School and Mitch Park are located to the north across Covell. Covell is planned as a parkway and improvements to that street are planned in the immediate future. The building will be one ownership but actually contains 3 uses. The grocery store is approximately 48,000 square feet and the separate retail spaces connected to the grocery store total 23,000 square feet. The narrow portion of the property faces Covell Road and access to the businesses is from the north, west and south, all connected with a common sidewalk.

Planning Department comments:

1. Existing zoning – “E-2” Open Display Planned Unit Development
2. Setbacks – Front setback on Covell is 90 feet, setback to the east property line is 200 feet, setback to the south property line is 65 feet, setback to the west property line is 145 feet.
3. Height of buildings – 34-37 feet
4. Parking – 314 spaces are provided. Bicycle parking racks for 16 bikes will be provided.
5. Lot size – 6.646 acres. Building size=71,812 square feet, including grocery store and retail space.
6. Lighting Plan – The lighting plan provided indicates shoebox style lights 24 feet high
7. Signage – The grocery store is set back 90 feet from the property line on Covell. The grocery store portion of the building contains 275 feet of western elevation. The wall signs on the west side of the property could be 190 square feet for the grocery store. The signs for the retail on the west side of the building would also allow an additional 190 square feet based on the frontage and the setback standards in the code. The sign for the grocery store on the east side of the building could be 175 square feet based on the building wall length and the setback. The wall signs on the south side of the building could be an additional 190 square feet based on the wall length and setback. **A variance is requested to allow a sign above the highest point of the building with the words “Uptown Grocery Co.” The structure is built to resemble an older warehouse with windows on the upper portion of some of the walls. This east facing sign is planned at 471 square feet. The sign would be located on the southeast corner of the building in order to provide for a view along Kelly, northwest of the Lowe’s store. The east facing sign above the roofline is setback approximately 370 feet from the property line along Covell.**
8. General architectural appearance – The building will be red brick on all four sides with a flat roof construction. Mechanical equipment will be located on the roof and screened by the parapet walls.
9. Sensitive borders – This location is not adjacent to sensitive borders.
10. Mechanical equipment – Will be located on the roof
10. Fencing/screening – No fencing is required except for the dumpster enclosure
11. Major nonresidential retail building structure- The 71,812 square foot building is divided into 3 uses; the grocery store and two separate retail areas and has been designed to meet the Zoning Code for structures over 60,000 square feet to the greatest degree possible. The façade, or exterior walls provide the projections or

recesses in the wall plane to create a variation meeting the code standard. Many big box structures provide for a continuous wall with no variation. The ground floor facades include awnings and display windows or other entry features exceeding the 60% horizontal length standard listed in the code. The building structure does include the repeating pattern involving texture, color and material which coordinates the retail frontage with the principal tenant of the grocery store. The materials and colors on the building will be similar to what is established at Covell village with Walgreens, Prime Bank and 3 Girls Photography. The entire exterior is brick veneer with sandstone trim. No high intensity colors are used. The entry ways do include display windows, outdoor features near the grocery entry and canopies or awnings. This building is sighted closer to Covell than previous grocery stores and will encourage pedestrian access from the inter-connecting drives from all the commercial uses that have already been constructed. Bicycle parking racks are being added.

The one feature that does not follow the major nonresidential retail building structure to the full description in the code is the roof standard. The flat roof meets the screening required of all mechanical equipment. The ordinance requires two standards and this is the one that is met. There are no overhanging eaves based on the architectural style creating the warehouse appearance. The roof is not pitched so the slopes discussed in the code do not fit this building. Creating roof slope planes through towers or wall features would conflict with the building appearance and character attempting to be achieved.

Engineering Department comments:

12. Driveways, access management and paving– The driveway location has been verified with the Engineering Department to align with the crossover in the Covell Road project. No traffic light is planned at this location on Covell.
13. Water and wastewater plans – Water and sewer are adjacent to this site and will be connected for service. The 71,812 square foot building will be fire sprinkled. Additional fire hydrants will be added as needed.
14. Drainage detention and grading – Drainage detention has been done on an area wide basis along with the Covell Village project.

Building and Fire Code Services comments:

15. Applicable Building Code, Fire Code and ADA –

Urban Forestry comments: A landscape area has been left along Covell for much of the frontage although there is a pipeline in the area but based on the dimensional requirements of the retail portion of the building, 18 of the spaces do not provide for the 10 foot landscape area. An exception is requested for that standard.

16. Landscape Plan:

Total Site Area: 289,311 sq. ft.
10% - Required landscaped area

	<u>Required</u>	<u>Provided on Plan</u>
Landscape Area	28,931 sq. ft.	48,196 sq. ft.
Frontage Landscape Area	14,466 sq. ft.	8,958 sq. ft.
Total Plant Units	2,314 units	2,315 units
Frontage Plant Units	1,157 units	660 units
Evergreen Plant Units	926 units	1,693 units

The site plan, as proposed, will require variances for parking area landscaping, landscaped area within the frontage, and plant units within the frontage.

Requesting flexibility of landscaping where there are several suggested standards (the ordinance uses the word "should" instead of a mandatory standard for some of the following issues):

1. Allowance for no islands within the 15 parking spaces located immediately in front of the North retail shops. Please note that in lieu of the code, we have placed 2 additional landscape islands directly across from the subject row to allow for more greenery along Covell.
2. Allowance to not have 10' median landscape islands in the west parking lot between every third double parking rows. ref: 22.6.1(C)(8)(d). Please note that there are no more than 13 contiguous parking spaces within the double rows in the west parking lot. Also, each double row of parking is buffered to the West with a landscape island to ensure that the line of sight between the road and building includes landscaping.
3. **There are 18 parking spaces along Covell Road that are located less than 10 feet from the right-of-way line. A 10 foot landscape buffer is required and a variance to that standard for just the 18 spaces is requested. The landscaping plant units exceed the standard and the overall parking lot dimensions are the main reason this variance is requested. This variance is an exception to the code, the first two items are suggestions listed in the City code.**

Waste Management comments:

17. Refuse facilities – The locations of the solid waste enclosures are okay as long as the enclosures are built to The City of Edmond enclosure specifications.

Edmond Electric comments:

18. Electric – Edmond Electric will serve this location. Adequate space is being determined for the transformer in the southeast corner of the property near the building.

Susan Binkowski with Esperanza Developments, L.L.C. described the project and some of the unique design features which were reasonable explanations for the variances requested. She indicated that the sign on the southeast wall of the building would be neon as proposed. The sign will not be located near homes and was situated so the store location could be identified since it is surrounded by other commercial buildings including Lowe's. The sign was designed to fit with the architectural style of the building similar to historically preserved buildings. She indicated the grocery store would not be open 24 hours. The proposed 471 square foot sign above the wall of the building is larger than allowed but fits with other special features of the building that are not common to other grocery stores. All four sides of the store will be brick. She indicated not all of the landscaping could be located adjacent to Covell so much of it is located on the west. There is an entry on the north and west side of the building and there is 9% more landscaping than required, providing for the variation in the front of the building to follow the "big box" standards, some of the parking is pushed closer to Covell, affecting the 10 foot landscape buffer and the number of parking spaces without a landscaping break. Islands have been placed along Covell where the 10 foot buffer was reduced for only a portion of the parking spaces along Covell. Landscaping would occur around the oil well to buffer that pre-existing use, which is along the east side of the property also affecting the placement of landscaping.

There are awnings on the front of the building plus variations on the front wall with sidewalks, a landscaped area on the northwest corner of the building plus the ability to walk or ride bicycles to this business from within the Covell Village neighborhood. The building design does not lend itself to a pitch roof which is encouraged in the "big box" standards but all the mechanical equipment will be screened by the parapet walls. There are actually 3 sections of the 71,000+ square foot building, mixing retail with the 48,000 square foot grocery store in a convenient footprint for accessibility. Bob Austin asked about the traffic issues from the school to the north. City Engineer Steve Manek indicated the utility work is already taking place to prepare for the Covell Parkway which will provide for left turn movements with medians and should improve the safety of peak traffic volumes in the area. Mr. Austin indicated he was not opposed to the grocery store, just opposed to the traffic. Shanna Snyder of 1301 Glenmere Court asked about the type of grocery store. Susan Binkowski indicated the store would include prepared foods and a variety of products serving the particular market. She indicated this was a new product of the Buy For Less chain. Ed Moore with the Edmond Neighborhood Alliance asked about open display. Commissioner Lee also asked if there was a plan for open display. Clay Coldiron indicated that the property was zoned open display and there is already a limit to the amount permitted through this PUD which was the standard they wished to continue with. City Urban Forester Ryan Ochsner spoke indicating that variances were required in the landscaping as required in the code regarding the 10 foot buffer along a portion of Covell where one parking row is extended, the 50% landscaping required in the front or along Covell since the orientation is really to the west and to some of the parking islands in the parking lot area. Alternatives to these standards listed in the code were considered in the landscape plan.

Motion by Hoose, seconded by Cartwright, to approve this request as presented.

Motion carried by a vote of 4-0 as follows:

AYES: Members: Hoose, Cartwright, Lee and Vice Chairperson Moore
NAYS: Members: None

The next item on the agenda was **Case #PR110001 Consideration of Final Plat of Market Square II at Covell Village, located south of Covell Road, west of Prime Bank. (Covell and Kelly Group, LLC)**

Engineer Earnest Isch, is requesting final plat approval of a commercial plat. This Addition contains 13.26 acres and three lots. The property is zoned "E-2" Open Display Commercial Planned Unit Development. Adjoining uses include Prime Bank to the east, Lowe's Home Improvement Center, 3 Girls Photography to the southeast and Damon Johnson Dentistry located to the west. Cheyenne Middle School and Mitch Park are located to the north, across Covell Road. Undeveloped commercial property is located to the west and south. A site plan for the Uptown Market Grocery and Shopping Center is planned on Block 1. Seventy feet of right-of-way has been granted on Covell Road and driveways are aligned with driveways on the north side of Covell Road. City water and wastewater lines are in place on this property. Drainage improvements have been completed on an area-wide basis for the Covell Village Planned Unit Development. Common Area "A" is an access drive around the perimeter of the Uptown Market Shopping Center parcel and will allow for inter-connection with existing commercial development to the east, including the Lowe's Home Improvement Center. This plat is consistent with the PUD Master Plan. The ground sign on Danforth for the Uptown Grocery Co. is on private property but the utility easement for the sanitary sewer line is just now being dedicated. The sign would be located in the easement once it is granted but is not over the sewer line. There is a gas gathering line from the well in this general area and there is no encroachment in that easement. The owners would like to provide for an agreement to maintain the sign location.

Earnie Isch was in attendance requesting approval.

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

AYES: Members: Lee, Hoose, Cartwright and Vice Chairperson Moore
NAYS: Members: None

The next item on the agenda was **Case #SP110005 Public Hearing and Consideration of Site Plan approval for a Chicken Express restaurant located east of Hibdon Tires Plus on the south side of Danforth at 1000 W. Danforth. (NSC Properties, LP)**

NCS Properties, LP owns Lots 4 & 5 of the Edmond Towne Center addition. They are proposing a lot split or deed certification to sell of part of Lot 5. A portion of Lot 5 is being sold to McDonald's and there will be cross access with McDonald's who plans to add parking on their portion of Lot 5. The parcel to be sold contains 20,545 square feet and is irregular in shape.

Planning Department comments:

1. Existing zoning – “E-1” General Commercial Planned Unit Development
2. Setbacks – Front setback on Danforth is 55 feet, side yard setback to the east is 60 feet, setback to the west is 65 feet and the setback to the south is 103 feet. The building exceeds all required setbacks.
3. Height of building – 28 feet
4. Parking – 37 parking spaces are provided. Seating is provided for 72 patrons; building square footage is 3,454 square feet. Bicycle parking is being added near the outdoor seating area. The code provides for 1 parking space per 100 square feet or 34 parking spaces. The applicant is providing for additional landscaping to compensate for the three extra spaces.
5. Lot size – 50,523 square feet
6. Lighting Plan – 5 light poles are planned. Poles are identified at 23 feet which will need to include the base. High pressure sodium lights are being used with the shoebox style fixtures although the fixtures are located on adjustable mounting brackets than can be directed toward the building. McDonald’s owns the property to the east, Hibdon Tires Plus owns the property to the west, there is undeveloped commercial property to the south and the Edmond Public School District Administration Building is located to the north. Sherwin Williams is under construction to the southeast.
7. Signage – The sign standards for this location provide for one, 6 foot tall, 32.6 square foot ground sign and wall signs. The owner would like to do an electronic message center sign but understands the code has not been changed.
8. General architectural appearance – The building includes a brick and stone exterior on all four sides with red standing seam metal roof panels and trim. The roof is flat and there is a substantial parapet wall to screen mechanical equipment.
9. Sensitive borders – There are no sensitive borders for this location.
10. Mechanical equipment – Will be located on the roof.
11. Fencing/screening – No exterior fencing of the site is required. The dumpster will be screened on the east side of the property.

Engineering Department comments:

12. Driveways, access management and paving– No new driveway is planned on Danforth for Chicken Express. The driveway to the west is also used by Hibdon Tires Plus. In the future, a median will be installed along Danforth, allowing no left turns except at designated drive approaches. There is also a drive to the south which will allow a connection to Kelly. An additional drive may be installed by McDonald’s in the future.

13. Water and wastewater plans – This property is platted as part of the Edmond Towne Center and water and sewer lines are in place for service.
14. Drainage detention and grading – There is a privately owned and maintained detention pond to the southeast which was installed as a part of the plat and may require some modification.

Building and Fire Code Services comments:

15. Applicable Building Code, Fire Code and ADA –

Fire access Approved

Fire Sprinklers- Approved. The building occupancy calculations require a fire sprinkler system. Based on the size of the restaurant and the occupancy load, a fire sprinkler system is a minimum mandatory requirement. NSC Properties, L.L.C. is aware of this situation and are actually considering modifying the square footage to a smaller interior area regarding the fire sprinkler standard. That is an interior building issue that will not affect any appearance or exterior standard applying to the building or site. The owner is not questioning the Fire Department requirement; he is considering changing the occupancy.

Fire Flow- Approved. The building will be constructed from wood. The firefighter flow for the building is 1500 gallons per minute. This area will support this flow.

Fire Hydrant locations Approved.

Urban Forestry comments:

16. Landscape Plan:

Total Site Area: 50,523 sq. ft.
11% - Required landscaped area

	<u>Required</u>	<u>Provided on Plan</u>
Landscape Area	5,558 sq. ft.	7,036 sq. ft.
Total Plant Units	445 units	809 units
Frontage Plant Units	222 units	327 units
Evergreen Plant Units	178 units	497 units

Waste Management comments:

17. Refuse facilities – Will be located on the east side of the property and will be screened.

Edmond Electric comments:

18. Electric – Edmond Electric will serve this location.

Mark Farris was in attendance representing the applicant; he indicated there were no variances requested.

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

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

NAYS: Members: None

The next item on the agenda was **Case #DD110003 and DD110004 Consideration of Deed Certification south of Danforth, east of Hibdon Tire Center and west of Kelly. (NSC Properties, L.L.C.)**

NSC Properties, the owner of Chicken Express has discussed selling land to McDonald's east of their new location on Danforth. McDonald's would purchase approximately 20,545 square feet and be able to add on to their parking lot. The survey indicates a driveway but that would be a separate consideration from the deed certification and should not be considered approved as a part of the deed certification. McDonald's will access the internal driveway system as part of the entire Town Center plat which will connect Blockbuster and Sherwin Williams. There is also cross access allowing McDonald's traffic to access the Chicken Express property. Chicken Express will own 50,087 square feet. Both sites have utilities and are not located within a flood plain. The proposed median on Danforth west of Kelly which is a number of years in the future, will extend west of the new driveway to allow for safe and adequate turn bays; left turns will not be permitted from that driveway.

Mark Farris was in attendance representing the applicant.

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

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

NAYS: Members: None

The next item on the agenda was **Case #U110001 Public Hearing and Consideration of request for an Amended Specific Use Permit for the Rocket Car Wash located at 200 N. Brookfield, generally located on the northeast corner of Brookfield and West Edmond Road. (Ken Siekman)**

In June 1997, the Rocket Car Wash was approved at this location zoned "D-1" Restricted Commercial, including a Specific Use Permit at the time for a car wash. Mr. Siekman is now the owner of the property and would like to add an automatic wash to the southernmost bay involving the doors and a 255 square foot addition to the bay. The addition is 15 feet by 17 feet. This site is 1.2 acres. Since 1997 the car wash has operated with no ground sign. Mr. Siekman would like to add a ground sign that is 6 feet in height and 4 ½ feet by 6 feet (27 square feet) in area. He would like to do an electronic message sign but understands they are not permitted. Staff recommends that the base of the sign be constructed of brick or the same split face concrete block used for the

addition. No existing landscaping needs to be removed for the sign or the addition. There is no additional paving required so there is no additional impact to the detention. The standing seam metal roof is planned to be changed to red. Since this is a Specific Use Permit, an amendment is requested even though the addition is less than 20%.

Ken Siekman was in attendance.

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

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

NAYS: Members: None

There was no New Business.

Motion by Lee, seconded by Hoose, to adjourn. **Motion carried** by a vote of as follows:

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

NAYS: Members: None

Meeting adjourned at 6:50 p.m.

Barry K. Moore, Vice Chairperson
Edmond Planning Commission

Robert Schiermeyer, Secretary
Edmond Planning Commission