

## EDMOND PLANNING COMMISSION MEETING

**Tuesday, August 21, 2012**

**5:30 P.M.**

The Edmond Planning Commission Meeting was called to order by Vice Chairperson Mark Hoose at 5:30 p.m., Tuesday, August 21, 2012, in the City Council Chambers at 20 South Littler. Other members present were Robert Rainey, Bill Moyer and Kenneth Wohl. Chairperson Barry K. Moore 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 August 7, 2012 Planning Commission minutes.**

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

AYES: Members: Rainey, Moyer, Wohl and Vice Chairperson Hoose

NAYS: Members: None

The next item on the agenda was Case #U12-00002 and Case #SP12-00011 Public Hearing and Consideration of Specific Use Permit to include a Site Plan for a Reasor's grocery store on "D-1" Restricted Commercial PUD, located just over 1,000 feet east of Bryant Avenue and just over 750 feet north of 15<sup>th</sup> Street. (Sooner Land Company, LLC) **This item has been continued until the September 4, 2012 Planning Commission meeting at the request of the applicant.**

Motion by Moyer, seconded by Rainey, to continue this request until the September 4, 2012 Planning Commission meeting. **Motion carried** by a vote of 4-0 as follows:

AYES: Members: Moyer, Rainey, Wohl and Vice Chairperson Hoose

NAYS: Members: None

The next item on the agenda was **Case #PR12-00014 Public Hearing and Consideration of Preliminary Plat of Living Well at Spring Creek addition located north of 15<sup>th</sup> Street, west of the Spring Creek Village shopping center, approximately 180 feet east of Pine Oak Drive. (Fisource Incorporated)**

Earnest Isch is representing the developers in requesting that a 3.54 acre parcel be divided in to 3 lots as a part of the Planned Unit Development approved at this location. The City Council took action on July 23, 2012 to approve the Living Well at Spring Creek PUD. City water is adjacent to the property on 15<sup>th</sup> Street. Sanitary sewer extends through the property on the west side next to the Oaks Lawn Addition. The parcel has 186.97 feet of frontage along 15<sup>th</sup> and there would be one drive opening on 15<sup>th</sup> Street. Seventy feet of right-of-way is being provided along the 15<sup>th</sup> Street. When the City Council approved the PUD, the understanding was that the driveway would be a right turn in, right turn out design. There was a traffic safety concern regarding left turns in to this project based on the existing traffic lights and designated left turn lanes for adjacent commercial.

The parking and driveway will need to be common area owned by all of the property owners. The floodplain would also be common area to be owned by all of the property owners. The floodplain will not be touched, including grading, filling, tree removal or retaining wall construction. The developer Jim Harlan agreed to a brick wall on the west side of the property adjacent to the Oaks Lawn Addition, however, one of the property owners wanted the fence stopped near the northern building to maintain a view in to the floodplain and heavy tree cover along the creek. The restaurant building on the front of the property provides for a 93 foot setback from the west property line exceeding the 70 foot Sensitive Border Standard. The restaurant is the only retail use permitted in this PUD. Sidewalks are required along 15<sup>th</sup> Street. In reviewing the Edmond Trails and Sidewalk Master Plan, no trail is shown through this area. Based on the extent of the floodplain, any trail consideration would be extraordinarily costly.

Earnest Isch was in attendance representing the application. Mr. Isch indicated that the brick wall would be installed and he was working on the design for the driveway with the City Engineering Department. Rob Garrett of 1416 Pine Oak asked that the fence go the full length across his property along the back property line. He noted there was a discussion about leaving a view of the trees but he does want the brick fence to go all the way across his lot now. Stephen Breece of 1424 Pine Oak commented he still did not want the restaurant to be approved. He felt that was a major change to what was expected in the area. He asked if the restaurant would be limited to the following conditions: no other restaurant will be operated at this location, the restaurant is to be connected to the medical practice of Dr. Michele Menzel, the closing of the restaurant will be at 9:00 p.m. City Attorney Steve Murdock agreed these were the conditions of the City Council. Earnest Isch agreed that the restaurant was tied to Dr. Menzel's practice. Commissioner Rainey asked if the restaurant issue had been decided. Mr. Isch commented that it was part of the rezoning, which had already been approved. He indicated the conditions apply to the restaurant, limiting its impact and the driveway design will be approved as required by the City Council.

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

AYES: Members: Rainey, Wohl, Moyer and Vice Chairperson Hoose

NAYS: Members: None

The next item on the agenda was **Case #ES12-00004 Public Hearing and Consideration of Partial Easement Closing at 3125 York Drive, Lot 3, Block 14 Fairfax Estates VII. (J.W. Armstrong)**

Earnest Isch is representing J.W. Armstrong and builder Tom Jones in requesting that 3 feet of a 10 foot wide utility easement be closed on Lot 3, Block 14 Fairfax Estates VII. The eave of the roof and a portion of the wall encroach into the three feet. There is a total 15 foot wide utility easement between Lots 2 & 3, Block 14 with 10 feet of the easement being on Lot 3. A seven foot easement will remain if the north three feet is closed. This is needed to clear the encroachment for the property record. There is a sanitary sewer line in the remaining part of the easement but there will be enough space to maintain the line

even with a three foot closure. Mr. Isch started the review of this matter with the Engineering Department to determine if closing a portion of the easement was possible. The Engineering Department has no objections. Edmond Electric has also reviewed this request and has no objections. The City has received no objections from telephone, Oklahoma Natural Gas or other private utilities about this closing.

Earnest Isch was in attendance representing the application. He indicated he would provide the additional easement as required by the City to accommodate the closing. No one appeared in objection.

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

AYES: Members: Moyer, Rainey, Wohl and Vice Chairperson Hoose

NAYS: Members: None

The next item on the agenda was **Case #Z12-00018 Public Hearing and Consideration of Rezoning from "G-A" General Agricultural to "R-1" Rural Estate Dwelling District located on the west side of Brook Forest Road, approximately one-half mile south of Danforth Avenue. (Barry Burks)**

Barry Burks is requesting that a five acre parcel be rezoned to allow two, 2 ½ acre lots at this location east of I-35, south of Danforth. There is currently one house on the 5 acre parcel; only one new house would be constructed. The property to the east was recently rezoned to "R-1" Rural Estate. Utilities will be private water wells and septic tanks or aerobic systems. A second approval will require deed certification or lot split to divide the parcels in to two lots. One location in the general area (Kanaly's Collegewood Acres) is zoned "R-2" Urban Estate, but that has not been the majority of the rezoning practice in the area. Approximately \_ lots are zoned "R-1" Rural Estate in this area. Some of the reasons 2 acre or 2 ½ acre lots are best for this area are roads, private utilities and existing drainage conditions.

Mr. Burks was in attendance. No one appeared in objection.

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

AYES: Members: Wohl, Rainey, Moyer and Vice Chairperson Hoose

NAYS: Members: None

The next item on the agenda was **Case #Z12-00017 Public Hearing and Consideration of Rezoning from "G-A" General Agricultural to "R-1" Rural Estate Dwelling District at 1100 Wild Rose Trail. (Rick and Debi Rosecrans)**

Rick and Debi Rosecrans are requesting that their 5 acre tract be approved to be divided in to two, 2 ½ acre tracts. Previous rezoning has been approved in the area for "R-1" immediately north of the subject property. Two acre lots would be the smallest lot suitable. There is no City water or sewer available in this area. Two streets have developed near this location, Dr. Tom Drive to the north and Wild Rose Trail to the south

of Dr. Tom Drive where 5 acre and 2 ½ acre tracts have been approved. The streets are private in this area. This location meets all the Edmond requirements. A deed certification will be requested if the zoning is approved by the City Council.

Mr. Rosecrans was in attendance. No one appeared in objection.

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

AYES: Members: Moyer, Rainey, Wohl and Vice Chairperson Hoose

NAYS: Members: None

There was no New Business.

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

AYES: Members: Wohl, Moyer, Rainey and Vice Chairperson Hoose

NAYS: Members: None

Meeting adjourned at 5:50 p.m.

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Mark Hoose, Vice Chairperson  
Edmond Planning Commission

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Robert Schiermeyer, Secretary  
Edmond Planning Commission