

**PLANNING COMMISSION MEETING**  
**Piedmont Civic Center – 314 Edmond Road Northwest**  
**Monday, November 3, 2014, 6:30 PM**

**MEMBERS PRESENT:**

Chairman Richard Felton, Commissioner Ron Cardwell, Commissioner Steve Morris and Commissioner Eric Berger

**ABSENT:**

None

**STAFF PRESENT:**

Community Development Director Wade Harden, City Engineer Pat Garrett and City Attorney Mike Segler

1. **CALL TO ORDER** –Chair Richard Felton called Planning Commission meeting to order at 6:30p.m.
2. **ROLL CALL** – Community Development Director Wade Harden called roll. A quorum was present.
3. **CONSENT AGENDA** – All items on the consent agenda are non-controversial and may be approved by one motion for items.
  - a. **Approval of the Minutes for the Planning Commission meeting held on October 6, 2014.**

Commissioner Ron Cardwell made a motion to approve minutes from the October 6, 2014 Planning Commission meeting. Motion was **seconded** by Commissioner Eric Berger.

**The Vote was:**

**AYE:** Commissioner Ron Cardwell, Commissioner Eric Berger,  
Commissioner Steve Morris and Chairman Richard Felton.

**NAYE:** None

**b. Approval of 2015 Meeting Dates.**

Meeting dates do not require formal action. Dates adopted without formal vote.

4. **CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

None

5. **HEARING OF CITIZENS** -Topics to include those items **not listed in the agenda**

None

6. **BUSINESS ITEM**

a. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON A REQUEST TO REZONE PROPERTY OWNED BY VOLTERRA, LLC. THE PROPERTY IS CURRENTLY ZONED AS A-1 (GENERAL AGRICULTURE DISTRICT) THE OWNERS ARE REQUESTING IT BE REZONED TO RE-2 (LOW DENSITY RESIDENTIAL). THE PROPERTY IS DESCRIBED AS FOLLOWS:**

A tract of land lying in the Southeast Quarter (SE/4) of Section Thirty-three (33), Township Fourteen (14) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma, being described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence N89°56'25"W along the South line of said Southeast Quarter (SE/4) a distance of 914.09 feet to a set Mag Nail, said point is the Point of Beginning; thence continuing N89°56'25"W along said South line of said Southeast Quarter (SE/4) a distance of 379.00 feet to a set Mag Nail; thence N00°01'26"E a distance of 726.00 feet to a set 3/8" Iron Rod; thence N89°56'25"W and parallel with the said South line of said Southeast Quarter (SE/4) a distance of 300.00 feet to a set 3/8" Iron Rod; thence N00°01'26"E a distance of 235.09 feet to a set 3/8" Iron Rod; thence N00°03'31"E a distance of 662.82 feet to a set 3/8" Iron Rod; thence N89°56'25"W parallel with said South line of said Southeast Quarter (SE/4) a distance of 1034.93 feet to a point on the West line of said Southeast Quarter (SE/4); thence N00°29'43"E along said West line a distance of 1013.16 feet to the Northwest corner of said Southeast Quarter (SE/4) a found 3/8" Iron Rod; thence N89°51'29"E along the North line of said Southeast Quarter (SE/4) a distance of 1183.23 feet to a set 3/8" Iron Rod; thence S00°23'57"W a distance of 660.03 feet to a set 3/8" Iron Rod; thence N89°51'29"E parallel with the North line of said Southeast Quarter (SE/4) a distance of 132.00 feet to a set 3/8" Iron Rod; thence S00°26'24"W a distance of 659.79 feet to a set 3/8" Iron Rod; thence S89°58'26"E a distance of 659.66 feet to a set 3/8" Iron Rod; thence S00°20'04"W a distance of 357.38 feet to a set 3/8" Iron Rod; thence N89°56'25"W parallel with the South line of Southeast Quarter (SE/4) a distance of 253.38 feet to a set 3/8" Iron Rod; thence S00°20'10"W a distance of 963.28 feet to the Point of Beginning.

**This property is generally located on the north side of Washington Street East , 915' west of the intersection of Washington Street East and Mustang Road.**

Commissioner Steve Morris made a motion to deny application. Motion was **seconded** by Commissioner Ron Cardwell.

**The Vote was:**

**AYE:** Commissioner Ron Cardwell, Commissioner Eric Berger,  
and Commissioner Steve Morris

**NAYE:** Chairman Richard Felton

Motion passes.

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## MOTION TO OPEN PUBLIC HEARING

### **b. CONDUCT A PUBLIC HEARING ON A REQUEST TO CONSIDER A PRELIMINARY PLAT, ON HIDDEN HOLLOW, A PROPERTY OWNED BY VOLTERRA, LLC AND DESCRIBED AS FOLLOWS:**

A tract of land lying in the Southeast Quarter (SE/4) of Section Thirty-three (33), Township Fourteen (14) North, Range Five (5) West of the Indian Meridian, Canadian County, Oklahoma, being described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence N89°56'25"W along the South line of said Southeast Quarter (SE/4) a distance of 914.09 feet to a set Mag Nail, said point is the Point of Beginning; thence continuing N89°56'25"W along said South line of said Southeast Quarter (SE/4) a distance of 379.00 feet to a set Mag Nail; thence N00°01'26"E a distance of 726.00 feet to a set 3/8" Iron Rod; thence N89°56'25"W and parallel with the said South line of said Southeast Quarter (SE/4) a distance of 300.00 feet to a set 3/8" Iron Rod; thence N00°01'26"E a distance of 235.09 feet to a set 3/8" Iron Rod; thence N00°03'31"E a distance of 662.82 feet to a set 3/8" Iron Rod; thence N89°56'25"W parallel with said South line of said Southeast Quarter (SE/4) a distance of 1034.93 feet to a point on the West line of said Southeast Quarter (SE/4); thence N00°29'43"E along said West line a distance of 1013.16 feet to the Northwest corner of said Southeast Quarter (SE/4) a found 3/8" Iron Rod; thence N89°51'29"E along the North line of said Southeast Quarter (SE/4) a distance of 1183.23 feet to a set 3/8" Iron Rod; thence S00°23'57"W a distance of 660.03 feet to a set 3/8" Iron Rod; thence N89°51'29"E parallel with the North line of said Southeast Quarter (SE/4) a distance of 132.00 feet to a set 3/8" Iron Rod; thence S00°26'24"W a distance of 659.79 feet to a set 3/8" Iron Rod; thence S89°58'26"E a distance of 659.66 feet to a set 3/8" Iron Rod; thence S00°20'04"W a distance of 357.38 feet to a set 3/8" Iron Rod; thence N89°56'25"W parallel with the South line of Southeast Quarter (SE/4) a distance of 253.38 feet to a set 3/8" Iron Rod; thence S00°20'10"W a distance of 963.28 feet to the Point of Beginning.

**This property is generally located on the north side of Washington Street East , 915' west of the intersection of Washington Street East and Mustang Road.**

## MOTION TO CLOSE PUBLIC HEARING

Chairman Richard Felton asked Developer to provide information about the Plat. David Box on behalf of Volterra LLC, asked for item to be deferred until rezoning can go before City Council.

Commissioner Ron Cardwell made a motion to postpone item 6b indefinitely. Motion was **seconded** by Commissioner Eric Berger.

**The Vote was:**

**AYE:** Commissioner Ron Cardwell, Commissioner Eric Berger,  
Commissioner Steve Morris and Chairman Richard Felton.

**NAYE:** None

**c. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION ON THE PRELIMINARY PLAT FOR HIDDEN HOLLOW, A PROPERTY OWNED BY VOLTERRA, LLC AND DESCRIBED AS FOLLOWS:**

See above for the full legal description.

**MOTION TO OPEN PUBLIC HEARING**

Chairman Richard Felton opened public hearing.

Community Development Director Wade Harden provided details about the ordinance.

Staff recommends approval of item.

**d. CONDUCT A PUBLIC HEARING FOR THE ZONING ORDINANCE OF THE CITY OF PIEDMONT, OKLAHOMA CHAPTER 4 ESTABLISHING AUTOMOBILE REPAIR, MAJOR AS A PERMITTED USE IN INDUSTRIAL ZONING DISTRICTS AND AS A USE PERMITTED WITH SPECIAL CONDITIONS OR AS A USE PERMITTED UPON REVIEW WITHIN SPECIFIC COMMERCIAL ZONING DISTRICTS.**

**MOTION TO CLOSE PUBLIC HEARING**

Hearing no comments. Chairman Richard Felton closed public hearing.

**e. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON AMENDING THE CITY OF PIEDMONT, OKLAHOMA CHAPTER 4 ESTABLISHING AUTOMOBILE REPAIR, MAJOR AS A PERMITTED USE IN INDUSTRIAL ZONING DISTRICTS AND AS A USE PERMITTED WITH SPECIAL CONDITIONS OR AS A USE PERMITTED UPON REVIEW WITHIN SPECIFIC COMMERCIAL ZONING DISTRICTS.**

Commissioner Eric Berger made a motion to approve ordinance as drafted. Motion was **seconded** by Commissioner Ron Cardwell.

**The Vote was:**

**AYE:** Commissioner Ron Cardwell, Commissioner Eric Berger,  
Commissioner Steve Morris and Chairman Richard Felton.

**NAYE:** None

**MOTION TO OPEN PUBLIC HEARING**

Chairman Richard Felton opened the public hearing.

**f. CONDUCT A PUBLIC HEARING REGARDING CHAPTER 5, SECTION 5-10 PLANNED UNIT DEVELOPMENT OF THE CITY'S ZONING ORDINANCE TO ESTABLISH A DEVELOPMENT TIMELINE.**

Citizen Bill Long asked if the PUD sells or changes occur to the property boundaries does that require the developer to come back before the Planning Commission and represent a new PUD? He also commented that he thinks 3 years for development is too long.

**MOTION TO CLOSE PUBLIC HEARING**

Chairman Richard Felton closed the public hearing.

**g. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION AMENDING CHAPTER 5, SECTION 5-10 PLANNED UNIT DEVELOPMENT OF THE CITY'S ZONING ORDINANCE ESTABLISHING A DEVELOPMENT TIMELINE.**

Commissioner Ron Cardwell made a motion to postpone indefinitely until original language can be added. Motion was **seconded** by Commissioner Steve Morris.

**The Vote was:**

**AYE:** Commissioner Ron Cardwell, Commissioner Eric Berger,  
Commissioner Steve Morris and Chairman Richard Felton.

**NAYE:** None

**h. DISCUSSION REGARDING THE CITY OF PIEDMONT ZONING ORDINANCE.**

Community Development Director Wade Harden opened discussion about updating the zoning ordinance.

- Discussed having a professional engineer preparing landscape plans
- Clearing of more than ½ an acre of trees requires a permit from the City, 5 acres would require ODEQ. Additional research will need to be completed before item can move forward. Community Development Director Wade Harden will research and represent back to Commission.
- Drip irrigation for islands and medians current ordinances call for it on trees and shrubs. Also, requiring drip irrigation for small turf areas.

7. **NEW BUSINESS - Unplanned Items**

None

8. **ADMINISTRATION REPORT – (Oral) City Manager, Engineer, Community Development, and Attorney.**

None

9. **COMMISSIONER'S COMMENTS – Oral Comments**

Commissioners Ron Cardwell – Referred to Section 5.10 of the Zoning Ordinance, chapter 4 section 5.10 page 57. Modifications to PUD or SPUD project boundaries are not to be altered.

In reference to the Town Central PUD it was his understanding that the boundary changes were a gentlemen's agreement to allow for agricultural use at the time but would then be included in the PUD. In his opinion he feels the Commission made a mistake. Happy to see the sunset clause being added.

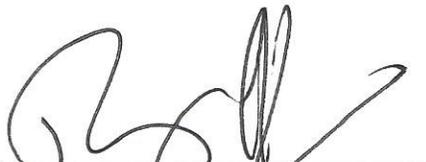
Commissioner Steve Morris – commented that the lack of trust from the citizens has to go away. Piedmont is the home of each of the Commissioner and they live here too. We will not always agree but the voice of the citizen is being heard. Thinks Piedmont is headed in the right direction. We need to let processes play out. The City Council is another place where voices can be heard. Thank you for being part of the process and having voices.

Commissioner Eric Berger – Asked Roy a citizen from the audience if he had a question. Roy commented that all of the residences in the area where the Volterra development is being considered have had to add to their septic systems. Why would you allow for a development to be considered without addressing the sewer system? Chairman Richard Felton stated he would address the issue in his comments. Commissioner Eric Berger thanked the citizens for being engaged in the process.

Chairman Richard Felton explained that there is a misunderstanding about sewage systems, they have no bearing on a rezoning decision. Landowners have the right to come before the Commission and ask for land to be rezoned without even telling the Commission what they plan to do with the land. If the rezoning is in accordance with the 2030 plan then it should be rezoned. The owner has the right to try. The Commission can deal with primarily plat issues once the plat is submitted. Glad citizens showed up but landowners have rights to request a rezoning. Item still has to go before City Council.

10. **ADJOURN- Chairman**

Chairman Richard Felton adjourned Planning Commission meeting at 7:23p.m.



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Chairman, Richard Felton



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Secretary, Mary Ramsey