

PLANNING COMMISSION MEETING
Piedmont Civic Center – 314 Edmond Road Northwest
Monday, May 6, 2013, 6:30 PM

MEMBERS PRESENT:

Commissioner Ron Cardwell, Commissioner Eric Berger, Commissioner Steve Morris, and Commissioner Mike Bell

ABSENT:

Chairman Richard Felton

STAFF PRESENT:

Community Development Director Wade Harden, City Attorney Mathew Wheatley, City Manager Jim Crosby and Secretary Mary Ramsey

1. **CALL TO ORDER** – Commissioner Ron Cardwell called the Planning Commission meeting to order at 6:33 p.m.
2. **ROLL CALL** – Secretary Mary Ramsey
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 on April 1, 2013.**
 - b. **Approval of the Planning Commission Meeting Dates for 2013.**

Commissioner Mike Bell made a motion to approve the Consent Agenda. It was **seconded** by Commissioner Steve Morris.

The Vote was:

AYE: Commissioner Ron Cardwell, Commissioner Mike Bell, Commissioner Eric Berger and Commissioner Steve Morris

NAYE: None

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

None

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

6. **BUSINESS ITEM**

a. **PUBLIC HEARING ON A REQUEST TO REZONE**

Conduct a Public Hearing on a request to rezone property owned by Rafter H Operating LLC, Theresa Elaine Schulte, Mark Steven Simpson, Robert Thomas Simpson, Mary Nell Brueggen, John Michael Simpson, Toni L. Schwarz f/k/a Toni L. Simpson, William Donaldson II, a/k/a William Donaldson, Jr., Trustee, and Helms & Underwood, an Oklahoma Partnership. The properties are described as follows:

Commercial Tract 1 is currently zoned **A-1 (General Agriculture District)** and the owners are requesting this property be rezoned to **C-2 (General Commercial District) and RS-2 (Single-Family Residential District)** for the property described as:

Section 4, Township 13N, Range 5 WIM A tract or parcel of land lying in the Northwest Quarter (NW/4) and the North Half of the North Half of the Southwest Quarter (N/2 N/2 SW/4) of Section Four, Township Thirteen (13) North, Range Five (5) W.I.M., Canadian County, Oklahoma, more particularly described as follows: Commencing at the Northwest corner of said Section 4, Thence N 89°31'30" E along the north line of said section, a distance of 65.00 feet to a point on the east right-of-way line of State Highway 4, said point being the Point or Place of Beginning; Thence Southwesterly along said right-of-way, and along a curve to the right having a radius of 22,983.31 feet, a chord bearing of S 01°06'12" W, a chord distance of 728.93 feet, for an arc length of 728.96 feet to a point of reverse curvature; Thence Southwesterly continuing along said right-of-way, and along a curve to the left having a radius of 22,853.31 feet, a chord bearing of S 01°41'19" W, a chord distance of 257.01 feet, for an arc length of 257.01 feet; Thence S 89°48'17" E, a distance of 424.01 feet; Thence S 00°11'43" W, a distance of 506.00 feet; Thence N 89°48'17" W, a distance of 437.76 feet, to a point on the above mentioned right-of-way line; Thence S 00°11'43" W along said right-of-way line a distance of 1,182.05 feet to a point on the South line of the Northwest Quarter of Section 4; Thence continuing along said rightof-way line S 00°11'55" W, a distance of 653.69 feet to a point on the south line of the North Half of the North Half of the Southwest Quarter (N/2 N/2 SW/4); Thence S 89°49'10" E along the above said south line a distance of 2,623.58 feet, said point being the Southeast corner of the North Half of the North Half of the Southwest Quarter; Thence N 00°06'08" W along the east line of said North Half of the North Half of the Southwest Quarter a distance of 657.62 feet, said point being the Northeast corner of the North Half of the North Half of Section 4; Thence continuing N 00°06'08" W along the east line of the Northwest Quarter a distance of 1,314.12 feet, to a point being the Southeast corner of Government Lot 3; Thence S 89°56'37"W along the South line of said Government Lot 3 a distance of 661.58 feet; Thence N 00°01'42" W, a distance of 690.21 feet; Thence S 89°44'05"W a distance of 660.70 feet, to a point on the West line of said Government Lot 3; Thence N 00°02'44"E along said West line of Government Lot 3, a distance of 687.80 feet to the Northwest corner of Government Lot 3, said point being on the North line of said Section 4; Thence S 89°31'30" W, along said North line, a distance of 1,254.64 feet to the Point or Place of Beginning, and containing 7,124,089.60 square feet, or 163.547 acres of land more or less.

Commercial Property Tract 2 is currently zoned **A-1 (General Agriculture District)** and the owners are requesting this property be rezoned to **C-2 (General Commercial District)** for the property described as:

Section 4, Township 13N, Range 5 WIM A tract or parcel of land lying in Government Lot 1 of Section Four (4), Township Thirteen (13) North, Range Five (5) W.I.M., Canadian County, Oklahoma, and being more particularly described as follows: Beginning at the Northeast corner of said Government Lot 1, said point being the Point or Place of Beginning; Thence S 00°30'02" E, along the East line of Said Government Lot 1, a distance of 466.69 feet; Thence

S 89°31'45" W and parallel to the North Line of said Government Lot 1, a distance of 466.69 feet; Thence N 00°30'02" W, and parallel to the East line of said Government Lot 1, a distance of 466.69 feet to a point on the North line of said Government Lot 1; Thence N 89°31'45"E, along the North line of Government Lot 1, a distance of 466.69 feet to the Point or Place of Beginning, and containing 217,799.53 square feet, or 5.00 acres more or less.

Residential Tract is currently zoned **A-1 (General Agriculture District)** and the owners are requesting this property be rezoned to **RE-2 (Minimum-Size Rural Estates Residential District)** for the property described as:

Section 4, Township 13N, Range 5 WIM A tract or parcel of land lying in a part of the Northwest Quarter (NW/4), a part of the Northeast Quarter (NE/4), and a part of the North Half of the North Half of the Southeast Quarter (N/2 N/2 SE/4) of Section Four (4), Township Thirteen (13) North, Range Five (5) W.I.M. , Canadian County, Oklahoma, and more particularly described as follows: Commencing at the Northwest corner of said Section 4, Thence N 89°31'30" E along the north line of said section, a distance of 1,319.64 feet to the Northwest corner of Government Lot 3, said point being the Point or Place of Beginning; Thence S 00°02'44" W, along the West line of Government Lot 3, a distance of 687.80 feet; Thence N 89°44'05" E, a distance of 660.70 feet; Thence S 00°01'42" E a distance of 690.21 feet, to a point on the south line of said Government Lot 3; Thence N 89 °56'37" E along the South line of said Government lot 3, a distance of 661.58 feet to the Northwest corner of the South Half of the Northeast Quarter (S/2 NE/4); Thence S 00°06'08" E, along the west line of said South Half of the Northeast Quarter a distance of 1,314.12 feet to a point being the Northwest Corner of the North Half of the North Half of the Southeast Quarter; Thence S 00°06'08" E continuing along the west line of the North Half of the North Half of the Southeast Quarter, a distance of 657.62 feet; Thence S 89°49'15" E, along the South line of the North Half of the North Half of the Southeast Quarter, a distance of 1,572.40 feet; Thence N 00°14'12"W, a distance of 659.95 feet, to a point on the North line of the North Half of the North Half of the Southeast Quarter; Thence S 89°54'19" E, along said north line a distance of 1,089.04 feet, to the Northeast corner of the North Half of the North Half of the Southeast Quarter; Thence N 00°30'02" W, along the East line of the Northeast Quarter, a distance of 2,258.87 feet; Thence S 89°31'45" W, and parallel to the North line of the Northeast Quarter a distance of 466.69 feet; Thence N 00°30'02"W, and parallel to the East line of the Northeast Quarter a distance of 466.69 feet, to a point on the North line of the Northeast Quarter; Thence S 89°31'45" W, along the North line of the Northeast Quarter, a distance of 1,646.28 feet; Thence S 00°06'08" E, and parallel to the West line of the Northeast Quarter a distance of 351.00 feet; Thence S 89°31'45" W, and parallel to the North line of the Northeast Quarter, a distance of 267.00 feet; Thence N 00°06'08" W, and parallel to the West line of the Northeast Quarter a distance of 351.00 feet, to a point on the North line of the Northeast Quarter; Thence S 89°31'45" W, along the North line of the Northeast Quarter, a distance of 261.00 feet to the Northwest corner of the Northeast Quarter; Thence S 89°31'30" W along the North line of the Northwest Quarter a distance of 1,319.64 feet to the point or place of beginning, and containing 9,281,415.10 square feet, or 213.072 acres more or less;

Residential Tract is currently zoned **A-1 (General Agriculture District)** and the owners are requesting this property be rezoned to **RE-2 (Minimum-Size Rural Estates Residential District)** for the property described as:

Section 5, Township 13N, Range 5 WIM A tract or parcel of land lying in a part of Section Five (5), Township Thirteen (13) North, Range Five (5) W.I.M., Canadian County, Oklahoma, and more particularly described as follows: Commencing at the Northwest corner of Said Section 5, Thence S 00°20'00"E, along the West line of the Northwest Quarter a distance of 660.00 feet to the Point or Place of Beginning; Thence N 89°32'35" E and parallel to the North line of said Northwest Quarter a distance of 2,635.75 feet; Thence N 89°41'40" E, and parallel to the North line of the Northeast Quarter a distance of 1,975.32 feet; Thence S 00°11'43" W a distance of 2,019.22 feet to a point on the South line of the Northeast Quarter; Thence S 00°11'55' W a distance of 2,619.29 feet to a point on the South line of the

Southeast Quarter; thence S 88°45'00" W along the South line of the Southeast Quarter a distance of 1,944.43 feet to a point, said point being the Southwest corner of the Southeast Quarter; Thence S 88°45'00" W along the South line of the Southwest Quarter a distance of 1,302.32 feet to a point on the East line of Northwood Lake Estates Addition, said point being the Southeast corner of the West Half of the Southwest Quarter of Section 5, per the recorded plat thereof; Thence N 00°22'08" W along the East line of Northwood Lake Estates Addition a distance of 2,647.91 feet to a point, said point being the Northeast corner of the West Half of the Southwest Quarter of Section 5 per the recorded plat thereof; Thence S 89°24'26" W along the North line of Northwood Lake Estates Addition a distance of 1,320.17 feet to a point, said point being the Southwest corner of the Northwest Quarter of Section 5; Thence N 00°20'00" W, along the West line of the Northwest Quarter a distance of 2,043.60 feet to the Point or Place of Beginning, and containing 17,943,205.69 square feet or 411.919 acres more or less.

Commercial Tract is currently zoned **A-1 (General Agriculture District)** and the owners are requesting this property be rezoned to **C-2 (General Commercial District)** for the property described as:

Section 5, Township 13N, Range 5 WIM A tract or parcel of land lying in a part of Section Five (5), Township Thirteen (13) North, Range Five (5) W.I.M., Canadian County, Oklahoma, and more particularly described as follows: Commencing at the Northeast corner of Said Section 5, Thence S 89°41'40" W along the North line of said Section 5 a distance of 65.00 feet, to a point on the West right-of-way line of State Highway 4, and point also being the Point or Place of Beginning; Thence continuing along the said North line of Section 5, S 89°41'40" W a distance of 2,574.77 feet to the Northwest corner of the Northeast Quarter of said Section 5; Thence continuing along the North line of said Section 5, S 89°32'35"W, a distance of 2,637.42 feet to the Northwest corner of the Northwest Quarter of said Section 5; Thence S 00°20'00" E along the West line of the Northwest Quarter a distance of 660.00 feet; Thence N 89°32'35" E and parallel to the North line of the Northwest Quarter a distance of 2,635.75 feet; Thence N 89°41'40" E and parallel to the North line of the Northeast Quarter a distance of 1,975.32 feet; Thence S 00°11'43" W a distance of 2,019.22 feet to a point on the South line of the Northeast Quarter of Said Section 5; Thence S 00°11'55" W a distance of 2,619.29 feet to a point on the South line of the Southeast Quarter of said Section 5; Thence N 88°45'00" E along the South line of said Section 5 a distance of 572.20 feet to a point on the West right-of-way line of State Highway 4; Thence N 00°11'55"E along the West right-of-way line of State Highway 4 a distance of 2,615.18 feet to a point on the North line of the Southeast Quarter; Thence N 00°11'43" E continuing along said West right-of-way line of State Highway 4 a distance of 1222.82 feet to a point of curvature; Thence Northeasterly along said right-of-way, and along a curve to the right having a radius of 22,983.31 feet, a chord bearing of N 01°06'09" E, a chord distance of 728.09 feet for an arc length of 728.12 feet to a point of reverse curvature; Thence continuing Northeasterly along said right-of-way line, and along a curve to the left having a radius of 22,853.31 feet, a chord bearing of N 01°42'21" E a chord distance of 241.61 feet, for an arc length of 241.61 feet; Thence N 43°42'53" W along the said right-of-way line a distance of 28.24 feet to a point of curvature; Thence Northeasterly along the said right-of-way and along a curve to the left having a radius of 22,833.31 feet; a chord bearing of N 01°10'04" E, a chord length of 149.44 feet, for an arc length of 149.44 feet; Thence N 46°02'53" E, along said right-of-way line, a distance of 28.24 feet to a point of curvature; Thence continuing Northeasterly along said right-of-way line and along a curve to the left having a radius of 22,853.11 feet, a chord bearing of N 00°33'44" E, a chord length of 292.36 feet, for an arc length of 292.36 feet to the Point or Place of Beginning, and containing 6,086,751.71 square feet or 139.732 acres more or less.

Jason Booth spoke and explained that he lives on Candace Dr. in the Skyline addition. Purchased his home to enjoy the agriculture land across the street, he and his daughters enjoy seeing the cows in the morning. Grew up on a farm and would like to maintain that type of agriculture living. Also concerned that the area will not be able to fill up the streets. The streets will get paved and not sell the lots. It will become a waste land of unfilled streets.

Theresa Schulte – submitted request for the rezoning and is one of the owners of the land. Rezone from agricultural use to commercial use. Hopes to attract new businesses to the Piedmont area.

b. ACTION ON REQUEST TO REZONE.

Consideration and possible action on a request to rezone property owned by Rafter H Operating LLC, Theresa Elaine Schulte, Mark Steven Simpson, Robert Thomas Simpson, Mary Nell Brueggen, John Michael Simpson, Toni L. Schwarz f/k/a Toni L. Simpson, William Donaldson II, a/k/a William Donaldson, Jr., Trustee, and Helms & Underwood, an Oklahoma Partnership. Reference the above legal description.

Community Development Director Wade Harden went through the rezoning request in depth and answered questions from Commissioners. He made a recommendation to approve the rezoning. Plan does support Comp Plan. It is good development and planning of the land and does support the future growth of Piedmont.

Commissioner Ron Cardwell made a recommendation to change the plan to limit the commercial development on Washington to a ¼ mile near the intersection of Washington and Piedmont Rd.

Commissioner Steve Morris made a motion to accept plan with the exception of the intersection of Washington and Piedmont Rd limit commercial development to no further then 1320 feet from the corner of Piedmont Rd and Washington and remainder zoned residential. It was **seconded** by Commissioner Mike Bell.

The Vote was:

AYE: Commissioner Ron Cardwell, Commissioner Mike Bell, Commissioner Eric Berger and Commissioner Steve Morris

NAYE: None

c. CONSIDERATION AND POSSIBLE ACTION ON THE FINAL PLAT OF CIRCLE V RANCH ESTATES PHASE V.

Community Development Director Wade Harden provided a staff report and recommended approving the development.

Commissioner Mike Bell made a motion to approve item C contingent on completion of the concrete drainage work to be completed before item goes before the City Council next month. It was **seconded** by Commissioner Steve Morris.

The Vote was:

AYE: Commissioner Ron Cardwell, Commissioner Mike Bell, Commissioner Eric Berger and Commissioner Steve Morris

NAYE: None

d. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION CONCERNING ZONING DEFINITIONS.

Commissioner Eric Berger made a motion to table item. It was **seconded** by Commissioner Steve Morris.

The Vote was:

AYE: Commissioner Ron Cardwell, Commissioner Mike Bell, Commissioner Eric Berger and Commissioner Steve Morris

NAYE: None

7. NEW BUSINESS - Unplanned Items

None

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

Visual Preference survey is now available on the City web -site

9. COMMISSIONER’S COMMENTS –

Commissioner Mike Bell – Thank you to Wade for his hard work

Commissioner Steve Morris – Thank you to Wade good work on the Platt

Commissioner Eric Berger – Would like to see the City of Piedmont purchase and asphalt roller.

Commissioner Ron Cardwell – would like to see more organized parking around the baseball fields and 9 years old football.

10. ADJOURN- Chairman 7:25 p.m.

Vice Chair, Commission Ron Cardwell

Secretary, Mary Ramsey