

**MINUTES
PLANNING & ZONING COMMISSION
SPECIAL MEETING
CITY OF PRYOR CREEK, OKLAHOMA
THURSDAY, FEBRUARY 11, 2021 AT 5:30 P.M.**

AS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT THE PLANNING & ZONING COMMISSION MET IN SPECIAL SESSION IN THE COUNCIL CHAMBER, 12 NORTH ROWE ON THE ABOVE DATE AND TIME.

BOARD MEMBERS: MIKE DUNHAM, DANNY RAGSDALE, SHRYLE GLANCY, GINA ALVIS-WATTS, TRAVIS MILEUR AND ALTERNATE JOE BARNTS

1. CALL MEETING TO ORDER, ROLL CALL AND DECLARE A QUORUM.

At 5:30 p.m. Danny Ragsdale called the meeting to order and declared a quorum.

Members present were: Danny Ragsdale, Travis Mileur and Joe Barnts. Members absent: Mike Dunham, Gina Alvis-Watts, Shryle Glancy.

Others in attendance: Mayor Larry Lees, Terry Aylward, Scott Roberts and Ex-Officio Kenny Young

2. DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES OF JANUARY 28, 2021 SPECIAL MEETING.

Motion was made by Mileur, second by Barnts to table the January 28, 2021 Special Meeting.

Voting yes: Ragsdale, Mileur, Barnts. Voting no: none.

3. DISCUSSION AND POSSIBLE ACTION TO APPROVE OR DISAPPROVE LOT SPLIT FOR APPLICANT SCOTT ROBERTS, LEVEL VI PROPERTIES, LLC. THE LOT SPLIT IS AS SUCH:

TRACT 1 – A TRACT OF LAND SITUATED IN THE EAST HALF OF THE NORTHEAST QUARTER (E/2 NE/4) OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MAYES COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

**COMMENCING AT THE SOUTHEAST CORNER OF SAID E/2 NE/4, THENCE N0°02'55"E FOR A DISTANCE OF 1359.27 FEET ALONG THE EAST LINE THEREOF;
THENCE N89°46'48"W FOR A DISTANCE OF 234.23 FEET TO THE POINT OF BEGINNING;
THENCE S10°23'44"W FOR A DISTANCE OF 494.45 FEET;
THENCE S57°28'55"W FOR A DISTANCE OF 115.58 FEET;
THENCE S53°28'12"W FOR A DISTANCE OF 102.59 FEET;**

**THENCE N80°34'24"W FOR A DISTANCE OF 310.12 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGHWAY NO. 69;
THENCE N8°53'06"E FOR A DISTANCE OF 346.79 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE;
THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 5592.58 FEET FOR A DISTANCE OF 221.35 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE;
THENCE S89°46'48"E FOR A DISTANCE OF 482.95 FEET TO THE POINT OF BEGINNING.**

TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD. CONTAINS 6.2967 ACRES, MORE OR LESS. THIS LEGAL DESCRIPTION WAS DEVELOPED BY G. MICHAEL FINNELL, L.S. #1107, ON 2/4/2021.

FROM

TRACT 2 – A TRACT OF LAND SITUATED IN THE EAST HALF OF THE NORTHEAST QUARTER (E/2 NE/4) OF SECTION 25, TOWNSHIP 21 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MAYES COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

**BEGINNING AT THE SOUTHEAST CORNER OF SAID E/2 NE/4;
THENCE N89°49'06"W FOR A DISTANCE OF 973.39 FEET ALONG THE SOUTH LINE OF SAID E/2 NE/4 TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGHWAY NO. 69;
THENCE N8°53'06" E FOR A DISTANCE OF 127.87 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE;
THENCE N41°08'12"E FOR A DISTANCE OF 543.44 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE;
THENCE N81°06'54"W FOR A DISTANCE OF 250.00 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE;
THENCE N8°53'06"E FOR A DISTANCE OF 226.83 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE;
THENCE S80°34'24"E FOR A DISTANCE OF 310.12 FEET;
THENCE N53°28'12"E FOR A DISTANCE OF 102.59 FEET;
THENCE N57°28'55"E FOR A DISTANCE OF 115.58 FEET;
THENCE N10°23'34"E FOR A DISTANCE OF 494.45 FEET;
THENCE S89°46'48"E FOR A DISTANCE OF 234.23 FEET TO A POINT ON THE EAST LINE OF SAID E/2 NE/4;
THENCE S0°02'55"W FOR A DISTANCE OF 1359.27 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING.**

TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD. CONTAINS 18.5223 ACRES, MORE OR LESS. THIS LEGAL DESCRIPTION WAS DEVELOPED BY G. MICHAEL FINNELL, L.S.#1107, ON 2/4/2021.

Motion was made by Mileur, second by Barnts to waiving the reading of the legal. Voting yes: Ragsdale, Mileur, Barnts. Voting no: none.

Motion was made by Mileur, second by Barnts to approve lot split for applicant Scott Roberts, Level VI Properties, LLC. The applicant explained the need for the lot split. The buyer did not want to purchase the entire property. Voting yes: Ragsdale, Mileur, Barnts. Voting no: none.

4. ADJOURN.

Motion was made by Mileur, second by Barnts to adjourn. Voting yes: Ragsdale, Mileur, Barnts. Voting no: none.

MINUTES WRITTEN BY DEPUTY CLERK SHERYL LAUE

MINUTES
PLANNING & ZONING COMMISSION
SPECIAL MEETING
CITY OF PRYOR CREEK, OKLAHOMA
THURSDAY, JANUARY 28, 2021 AT 5:30 P.M.

AS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT THE PLANNING & ZONING COMMISSION MET IN SPECIAL SESSION IN THE COUNCIL CHAMBER, 12 NORTH ROWE ON THE ABOVE DATE AND TIME.

BOARD MEMBERS: MIKE DUNHAM, DANNY RAGSDALE, SHRYLE GLANCY, GINA ALVIS-WATTS, TRAVIS MILEUR AND ALTERNATE JOE BARNTS

1. CALL MEETING TO ORDER, ROLL CALL AND DECLARE A QUORUM.

At 5:30 p.m. Gina Alvis-Watts called the meeting to order and declared a quorum. Members present were: Danny Ragsdale, Shryle Glancy, Gina Alvis-Watts, Travis Mileur. Members absent: Mike Dunham.

Others in attendance: Mayor Larry Lees, City Attorney Kim Ritchie and Ex-Officio Kenny Young

2. DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES OF JANUARY 7, 2021 REGULAR MEETING.

Motion was made by Ragsdale, second by Glancy to approve the January 7, 2021 Regular Meeting. Voting yes: Ragsdale, Glancy, Alvis-Watts, Mileur. Voting no: none.

3. DISCUSSION AND POSSIBLE ACTION REGARDING RECOMMENDATION TO BE MADE BY THE PLANNING AND ZONING BOARD TO THE CITY COUNCIL THAT SECTION 10-6-1, TABLE 6-1 BE AMENDED PROVIDING FOR THE INCLUSION OF "LOW-IMPACT MANUFACTURING AND INDUSTRY" USE OF PROPERTY IN THE (CAR) COMMERCIAL AUTOMOTIVE AND RECREATION AND (CG) COMMERCIAL GENERAL - ZONED DISTRICTS OF THE CITY OF PRYOR CREEK" AS AN ALLOWED USE BY WAY OF "SPECIAL EXCEPTION."

Motion was made by Glancy, second by Mileur to approve recommendation to be made by the Planning and Zoning Board to the City Council that section 10-6-1, Table 6-1 be amended providing for the inclusion of "Low-Impact Manufacturing and Industry" use of property in the (CAR) Commercial Automotive and Recreation, (CG) Commercial General and (CR) Commercial Restricted zoned districts of the City of Pryor Creek" as an allowed use by way of "Special Exception." Voting yes: Ragsdale, Glancy, Alvis-Watts, Mileur. Voting no: none. City

Attorney Kim Ritchie made note that there was a scrivener's error and the zone (CR) Commercial Restricted should be added. He explained the need for this change to the table and what the process for anyone needing the Special Exception would be.

4. ADJOURN.

Motion was made by Ragsdale, second by Mileur to adjourn. Voting yes: Ragsdale, Glancy, Alvis-Watts and Mileur. Voting no: none.

CITY OF PRYOR CREEK PLANNING AND ZONING COMMISSION

[] ZONING [] PREL. PLAT [] LOT SPLIT TYPE 2 [x] MODIFICATIONS [] DEVELOPMENT PLANS
 12 North Rowe Street, P.O. Box 1167, Pryor, Oklahoma 74362 - (918) 825-1679 - FAX (918) 825-6577 www.pryorcreek.org

APPLICATION INFORMATION

RECEIVED BY: _____ DATE FILED: _____ TAC DATE: _____ HEARING DATE: _____ CASE NUMBER _____
 [] RES [x] NON-RES [] MIXED USE [x] BUILDING PERMIT APPLICATION NUMBER _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 901 E. MILL STREET ROAD, PRYOR OK 74361 TRACT SIZE: 1.16 ACRES
 LEGAL DESCRIPTION FROM DEED, SURVEYOR OR ATTORNEY (ATTACHED COPY ALLOWED): SEE ATTACHED

PRESENT USE: CONVENIENCE STORE PRESENT ZONING: CAR FLOODPLAIN: [] Y [x] N HISTORIC DESIGNATION: [] Y [x] N

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED NEW ZONING: N/A PUD DESIGNATION INCLUDED: [] Y [x] N PUD PROPOSAL ATTACHED: [] Y [x] N
 PROPOSED USE: CONVENIENCE STORE

NATURE OF PUD AMENDMENT: N/A

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME OLSSON / WILL HOEY	NAME ROBSON/MILLER
ADDRESS 550 E. ST. LOUIS STREET	ADDRESS PO BOX 986
CITY, ST, ZIP SPRINGFIELD, MO 65807	CITY, ST, ZIP CLAREMORE, OK 74018
DAYTIME PHONE 417-890-8802	DAYTIME PHONE
EMAIL WHOEY@OLSSON.COM	EMAIL
FAX	FAX
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: <u>Will Hoey 2/19/21</u>	

DOES OWNER CONSENT TO THIS APPLICATION [x] Y [] N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? CONSULTANT


APPLICATION FEES			
BASE APPLICATION FEE	\$10.00	APPLICATION SUBTOTAL	\$10.00
NEWSPAPER PUBLICATION	\$ N/A		
SIGNS	\$18.50		
300' PROPERTY OWNERS LIST (MUST BE SUBMITTED WITH APPLICATION) **REQUIRED FOR ALL APPLICATIONS EXCEPT RG ZONING**	N/A		
1320' PROPERTY OWNERS LIST (REQUIRED ONLY FOR RG ZONING - MUST BE SUBMITTED WITH APPLICATION)	N/A		
300' PROPERTY OWNERS MAILING & POSTAGE	\$2.00 x =	\$ N/A	
1320' PROPERTY OWNERS MAILING & POSTAGE	\$2.00 x =	\$ N/A	
		NOTICE SUBTOTAL	\$ 0.00
RECEIPT NUMBER:		TOTAL AMOUNT DUE	\$ 10.00

APPLICATION FEES PART WILL NOT BE REFUNDED AFTER NOTIFICATION HAS BEEN GIVEN.

PAID

DISPOSITION

COMMISSION ACTION	DATE/VOTE
COUNCIL ACTION	DATE/VOTE
ORDINANCE NO.	DATE
PLAT NAME	PLAT WAIVER Y N



Applicant's Signature

2/9/21

Date

If your application is approved, you may need additional permits. Contact the City of Pryor Creek Community Development Department at 918-825-1679.

**City of Pryor Creek
Community Development Department
12 North Rowe Street, 2nd Floor
Pryor, Oklahoma 74361
(918) 825-1679**

ALL THAT PART OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) IN SECTION 19, TOWNSHIP 21 NORTH, RANGE 19 EAST, IN MAYES COUNTY, OKLAHOMA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19; THENCE N88°43'38"E ALONG THE NORTH LINE OF SAID SECTION 19, 1278.30 FEET; THENCE S01°30'00"E, 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SE 9TH STREET AND THE POINT OF BEGINNING; THENCE N88°43'38"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, 16.56 FEET; THENCE S00°59'36"E, 136.94 FEET; THENCE N89°00'08"E, 23.82 FEET; THENCE S00°59'52"E, 62.94 FEET; THENCE S89°00'08"W, 298.39 FEET TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY 69; THENCE N15°16'31"E ALONG SAID EAST RIGHT-OF-WAY, 207.14 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SE 9TH STREET; THENCE N88°43'38"E ALONG SAID SOUTH RIGHT-OF-WAY, 199.97 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.2 ACRES MORE OR LESS.



ROBSON PROPERTIES

Richard D. Mosier, President/General Counsel
Phone: (918) 341-3025
Fax: (918) 342-0473
E-mail: rmosier@robsonprop.com

310 South Missouri
P.O. Box 986
Claremore, OK 74018-0986

March 2, 2021

Sheryl Laue
Deputy Clerk
Community Development
PO Box 1167
Pryor Creek, OK 74362

Re: Kum & Go 3861 Plat Waiver Application

Dear Ms Laue:

Mr William Hoey, who is the engineer on this project, is authorized to represent the interest of Robson -Miller Partnership, owner of the above described property, in the presentation of the Kum & Go 3861 Plat Waiver Application before the Planning and Zoning Commission on March 4, 2021.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard D. Mosier', written over a horizontal line.

Richard D. Mosier



February 28, 2021

**Planning and Zoning Commission
City of Pryor Creek
Pryor, Oklahoma**

**RE: Kum N Go Modification to Site Plan
Recommendation for Waiver of Plat**

Dear Chairman and Members of the Board

In my capacity as Contract City Engineer, and at the request of the Mayor, I am offering my recommendations and Certificate of Compliance with regard to the need to waive the filing of a Plat for the parcel of property, herein generally described as:

ALL THAT PART OF THE NORTHEAST QUARTER (NE1/4) OF THE NORTHWEST QUARTER (NW1/4) OF THE NORTHWEST QUARTER (NW1/4) IN SECTION 19, TOWNSHIP 21 NORTH, RANGE 19 EAST, IN MAYES COUNTY

Plat Guidelines are contained in Section 10-15-07 of the UDO.

The current property is occupied by a Kum N Go convenience store and that store will be razed and replaced with a similar Kum N Go facility offering the same items for retail trade. A fueling island exists currently, and a new fueling island will be installed on the premise. The resulting facility will in all respects conduct business both in quantity and quality as the existing facility.

No additional easements are needed for this tract of land as existing utilities, access, and setbacks will be maintained.

The site will actually contain less impervious area than the existing site as identified in the original stormwater detention report for the multi-building shopping center. This increase in pervious area will serve to reduce the overall run off from the property.

Access points will be maintained both on the Arterial S. 9th Street and along Highway 69 (S. Mill St.) The driveway onto Highway 69 will be enlarged to accept fueling long wheelbase vehicles onto the property for re-fueling purposes. This facility will not be a designated truck stop or truck overnight parking facility. Minor modifications to the drain system at the south driveway are to be conducted by the Developer and approved by ODOT.

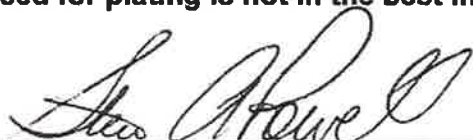
As the City Engineer, I have reviewed the application and find it to be completed and compliant with these and other applicable regulations.

As the City Engineer, I have reviewed the detailed plans and find them in general conformance with IBC and City of Pryor criteria. Final assessment of the detailed plans are pending.

As the City Engineer, representing the Planning and Zoning Board in the capacity of Technical Advisor and in the absence of a Community Development Director, I have recommended that waiving of the need to file a plat for property already developed, containing sufficient easements or right of way for utilities and street access, and not changing land use characteristics.

Although not identified by the term "Plat Waiver" in the UDO, this is essentially what Section 10-15-07 Section 1 Minor Amendments is set up to allow staff to evaluate. When plans are modified and if the Plat processes will be needed to secure easements, rights of way, or setback guidelines. If land uses are changed or zoning criteria also may require such changes. This project modification event has none of the above municipal provisions impacted by the development (modification) plan, it is the responsibility of the staff to state that the need for plating is not in the best interest of the community.

by



This 1 day of March, 2021.