

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 [X] LOT SPLIT TYPE [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: SL DATE FILED: 1-20-21 TAC DATE: _____ HEARING DATE: 2-11-2021 CASE NUMBER _____

[] RES [] NON-RES [] MIXED USE [] BUILDING PERMIT APPLICATION NUMBER _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 3301 S. MILC TRACT SIZE: 27 ACRES

LEGAL DESCRIPTION FROM DEED, SURVEYOR OR ATTORNEY (ATTACHED COPY ALLOWED): _____

PRESENT USE: AUTO DEALERSHIP PRESENT ZONING: CAR FLOODPLAIN: [] Y [] N HISTORIC DESIGNATION: [] Y [] N

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED NEW ZONING: ATTACHED PUD DESIGNATION INCLUDED: [] Y [] N PUD PROPOSAL ATTACHED: [] Y [] N

PROPOSED USE: SAME - AUTO DEALERSHIP

NATURE OF PUD AMENDMENT: _____

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>SCOTT ROBERTS</u>	NAME <u>LEVEL UP PROPERTIES, LLC</u>
ADDRESS <u>35918 WALNUT RIDGE</u>	ADDRESS <u>SAME AS APPLICANT</u>
CITY, ST, ZIP <u>AFTON, OK 74331</u>	CITY, ST, ZIP <u>SAME</u>
DAYTIME PHONE <u>918-373-0635</u>	DAYTIME PHONE <u>SAME</u>
EMAIL <u>SR@SD1@GMAIL.COM</u>	EMAIL <u>SAME</u>
FAX <u>918-825-2541</u>	FAX <u>SAME</u>
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: <u>[Signature]</u> <u>1/20/21</u>	

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

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


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

DISPOSITION

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



Applicant's Signature

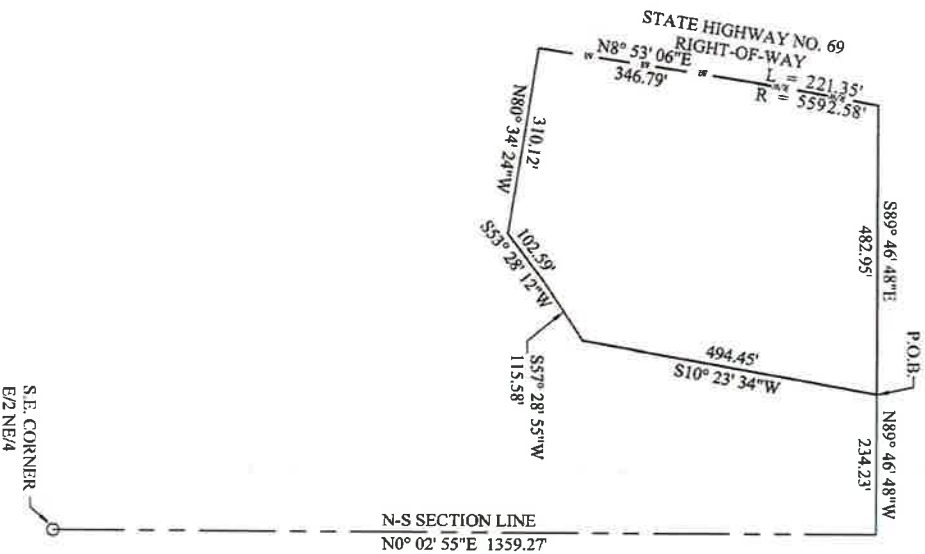


Date

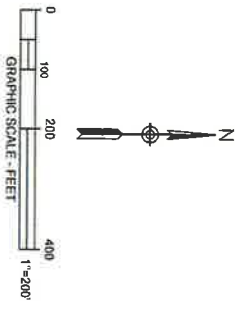
If your application is approved, you may need additional permits. Contact the City of Pryor Creek Community Development Department at 918-825-1679.

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

TRACT 1



NOTE:
 NO MONUMENTATION WAS SET AS PER THIS PLAT, ONLY A LEGAL DESCRIPTION WAS DEVELOPED.
 BASIS OF BEARING IS N0°02'55"E ALONG THE EAST LINE OF THE NE/4 OF SAID SECTION 25-21-18.



LEGAL DESCRIPTION
 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, Mayas 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°23'34"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 Fimmell, L.S. #11107, on 2/4/2021.

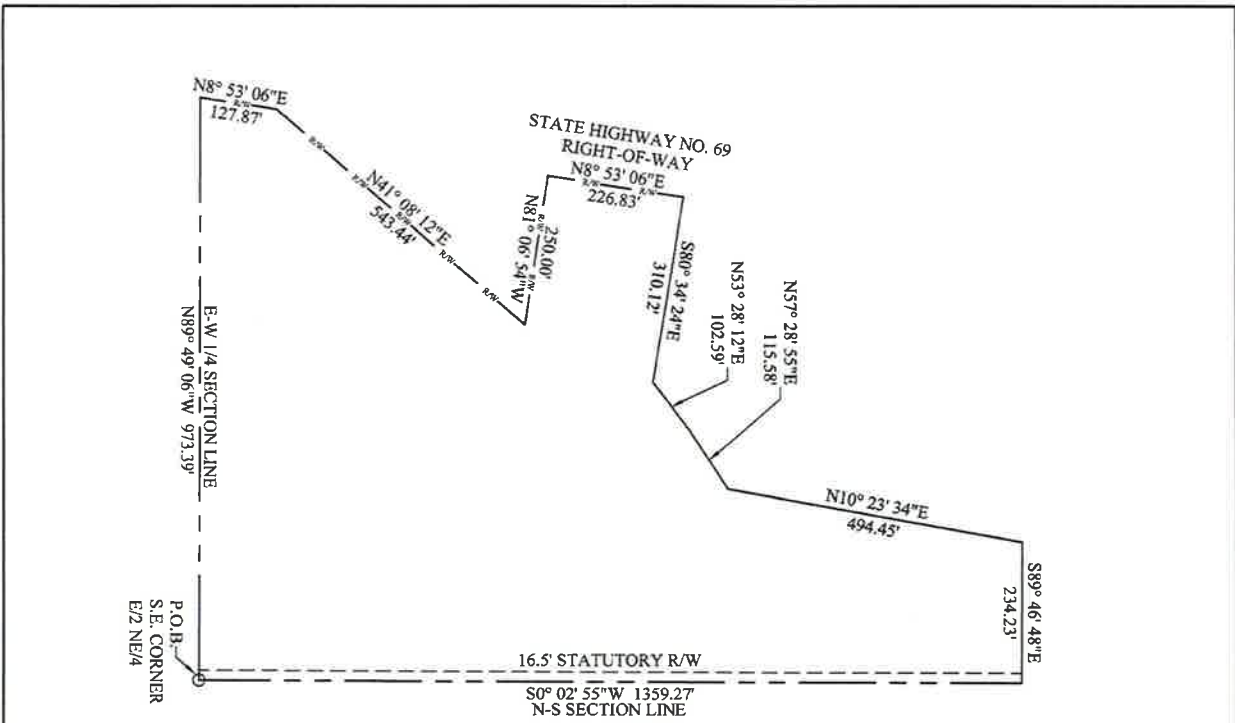
CERTIFICATION

I, G. Michael Fimmell, the undersigned, a duly Registered Professional Land Surveyor, R.P.L.S.#11107, in the State of Oklahoma do hereby certify that a careful and accurate survey of the described property was made under my supervision to the best of my knowledge and the accompanying plat is a true and accurate representation of the same. This plat survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.
 The word certify or certificate as shown and used hereon means an expression of professional opinion regarding facts of the survey and does not constitute a warranty or guarantee, expressed or implied.

Witness my hand and seal this 4th day of February, 2021.
 G. Michael Fimmell, R.P.L.S.#11107
 REVISED: 2/4/2021
 (Signature of G. Michael Fimmell)
 MICHAEL FIMMELL
 Registered Professional Land Surveyor
 Oklahoma State Board of Registration for Professional Engineers and Land Surveyors
 Okla. Stat. Title 10, § 1001
 6/30/22 Copyright 2021

GREEN COUNTRY SURVEYING		ROBERTS AUTO PROPERTY	
301 EAST GRAHAM AVENUE P.O. BOX 445 PRYOR, OKLAHOMA 74362 918-825-6575 OFFICE 918-825-3606 FAX		LEGAL DESCRIPTION PLAT	
DRAWN KRC	CHECKED GMF	DATE 2/3/2021	SCALE 1"=200'
		CRD. FILE - 25-21-19 DWG FILE - RBR-AT1	

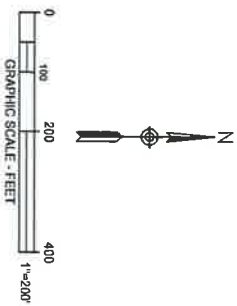
TRACT 2



LEGAL DESCRIPTION
 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 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.



NOTE:
 NO MONUMENTATION WAS SET AS PER THIS PLAT, ONLY A LEGAL DESCRIPTION WAS DEVELOPED.
 BASIS OF BEARING IS N0°02'55"E ALONG THE EAST LINE OF THE NE/4 OF SAID SECTION 25-21-18.

CERTIFICATION

I, G. Michael Finnell, the undersigned, a duly Registered Professional Land Surveyor, R.P.L.S.#1107, in the State of Oklahoma do hereby certify that a careful and accurate survey of the described property was made under my supervision to the best of my knowledge and the accompanying plat is a true and accurate representation of the same. This plat survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.

The word certify or certificate as shown and used hereon means an expression of professional opinion regarding facts of the survey and does not constitute a warranty or guarantee, depreciable by implied.

Witness my hand and seal this 4th day of February, 2021.

G. Michael Finnell
 G. MICHAEL FINNELL
 REGISTERED PROFESSIONAL LAND SURVEYOR
 OKLAHOMA, C.A.#1107
 Michael Finnell, R.P.L.S.#1107
 6/30/22 Copyright 2021

REVISED: 2/4/2021

<p>GREEN COUNTRY SURVEYING</p> <p>301 EAST GRAHAM AVENUE P.O. BOX 445 PRYOR, OKLAHOMA 74362 918-825-6575 OFFICE 918-825-3606 FAX</p>			<p>ROBERTS AUTO PROPERTY</p> <p>LEGAL DESCRIPTION PLAT</p>		
<p>DRAWN KRC</p>	<p>CHECKED CMF</p>	<p>DATE 2/3/2021</p>	<p>SCALE 1"=200'</p>	<p>CRD. FILE - 25-21-19</p>	<p>DWG FILE - RBRT-A17</p>



February 9, 2021

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

RE: **Roberts Property (Level V Properties) Lot Split**
S. Hwy 20 and South of S. 29th Street

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 regarding the above-entitled lot split with regard to compliance with the Unified Development Ordinance (UDO).

Lot Split Guidelines are contained in Section 10-15-5 of the UDO.

Applications for lot splits must comply with applicable sub sections A, B, and C prior to determination of Type of Lot Split for further review.

Your attention is called to the Attached Exhibit A provided by the applicant entitled Legal Description Plat as submitted by Green Country Surveying, Pryor Creek, OK.

A.1.a – The lot split does not result in the creation of more than 3 lots, including the parent tract. Therefore, this provision is met under the UDO.

A.2 – This action does not create 4 or more lots from the parent tract. Therefore, this provision is met under the UDO.

B. – A properly formatted and completed application has been submitted to the City of Pryor Creek through the Deputy Clerk of the Building Division for the City of Pryor Creek.

C.1 – As the City Engineer, I have reviewed the application and find it to be completed and compliant with these and other applicable regulations.

Based on the above criteria, the City Engineer has deemed the application to be complete and ready for assessment and further processing.

Section 10-15-05. D the City Engineer is to determine the Type of lot split that is the subject of this application. Once the type of lot split is determined, this dictates the further processing of the application. This section of the UDO sub section 1 – 4 and Section 10-15-05 E sub-sections 1-9 will be assessed herein.

1. The application and Exhibit as submitted do not require any modifications of these regulations.

1.a. – The City Engineer is the administrative review agent for this section.

1.b. –The City Engineer hereby states that the application complies with all applicable regulations of the UDO and approval criteria. The City Engineer hereby recommends approval of the lot split application as a Type I lot split and recommends no further action required of the Planning and Zoning Commission.

2. Due to findings of 1.b above, requirements of this sub section do not apply to this application and that no public meeting, comment period, or final review by the Planning and Zoning Board are required.

3. b – does not apply to this application

4 – section does not apply to this application

Section 10-15- 05. E Type 2 Lot Split criteria in this case do not apply and no further action is provided herein.

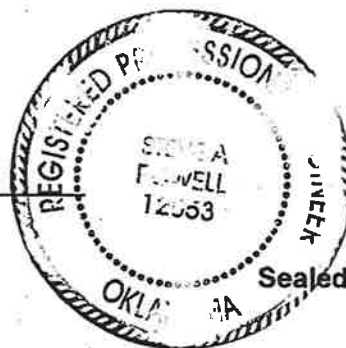
The two identified tracts do have portions of the property identified within the FEMA 100-year flood plain. Tract 1 containing the existing building has had a Certified Oklahoma Land Surveyor previously prepare and seal an Elevation Certificate noting the proposed structures are to be located outside and above the established 100-year flood plain elevation. Said Elevation Certificate has been reviewed and accepted by the City Engineer and the Local Flood Plain Manager.

Tract 2 contains no structures at the time of this review. Some portions of that tract lie within the FEMA 100-year flood plain. Should this tract develop, a full review of the FEMA flood program including elevation certificate for any proposed structures, encroachments and impacts on the flood plain must be completed as part of any development plan.

Submitted for Certification of Compliance

By Steve A Powell

This 9th day of Feb., 2021.



PROPERTY PHOTOGRAPHS

*Proposed
LOT
4841*

AERIAL PHOTOGRAPH (APPROXIMATE SUBJECT BOUNDARIES HIGHLIGHTED)

