

MINUTES
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY OF PRYOR CREEK, OKLAHOMA
THURSDAY, NOVEMBER 3RD, 2022 AT 5:30 P.M.

AS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT THE PLANNING & ZONING COMMISSION MET IN REGULAR 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. Shryle Glancy called the meeting to order and declared a quorum.

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

Others in attendance: Ex-Officio Kenny Young.

2. DISCUSSION AND POSSIBLE ACTION TO APPROVE MINUTES OF AUGUST 4TH, 2022 REGULAR MEETING.

Motion was made by Mileur, second by Barnts to approve minutes of August 4th, 2022 Regular Meeting. Voting yes: Glancy, Mileur and Barnts. Voting no: none.

3. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION REGARDING APPROVAL OF 2023 PLANNING AND ZONING COMMITTEE MEETING SCHEDULE.

Motion was made by Mileur, second by Barnts to recommend Council action regarding approval of 2023 Planning and Zoning Committee Meeting Schedule. Voting yes: Glancy, Mileur and Barnts. Voting no: none.

4. UNFORESEEABLE BUSINESS.

There was no unforeseeable business.

5. ADJOURN.

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

MINUTES WRITTEN BY DEPUTY CLERK SHERYL LAUE

CITY OF PRYOR CREEK PLANNING AND ZONING COMMISSION

[] ZONING [] PREL. PLAT [] LOT SPLIT TYPE 2 [] 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: See DATE FILED: 10-17-2022 FAC DATE: _____ HEARING DATE: _____ CASE NUMBER: _____

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

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 511 N. Garfield St Pryor TRACT SIZE: _____

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

PRESENT USE: Residential PRESENT ZONING: Residential FLOODPLAIN: [] Y N HISTORIC DESIGNATION: [] Y N

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED NEW ZONING: Commercial / Residential IL PUD DESIGNATION INCLUDED: [] Y N PUD PROPOSAL ATTACHED: [] Y N

PROPOSED USE: Towing & Recovery lot / office / residence
(mixed use)

NATURE OF PUD AMENDMENT: _____

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>Katie Foreman</u>	NAME <u>Katie Foreman</u>
ADDRESS <u>512 W Garfield</u>	ADDRESS <u>512 W. Garfield</u>
CITY, ST, ZIP <u>Pryor OK 74361</u>	CITY, ST, ZIP <u>Pryor OK 74361</u>
DAYTIME PHONE <u>918-530-5299</u>	DAYTIME PHONE <u>918-530-5299</u>
EMAIL <u>Katie.foreman@grda.com</u>	EMAIL <u>Katie.foreman@grda.com</u>
FAX _____	FAX _____
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: <u>Katie Foreman</u> <u>10/17/22</u>	

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

APPLICATION FEES			
BASE APPLICATION FEE	\$10.00	APPLICATION SUBTOTAL	\$ <u>10.00</u>
NEWSPAPER PUBLICATION	\$		<u>185.00</u>
SIGNS	\$18.50		<u>18.50</u>
300' PROPERTY OWNERS LIST (MUST BE SUBMITTED WITH APPLICATION) **REQUIRED FOR ALL APPLICATIONS EXCEPT RG ZONING**			<u>175.00</u>
1320' PROPERTY OWNERS LIST (REQUIRED ONLY FOR RG ZONING - MUST BE SUBMITTED WITH APPLICATION)			<u>—</u>
300' PROPERTY OWNERS MAILING & POSTAGE <u>2.32</u> \$2.18-x = 18	\$		<u>41.76</u>
1320' PROPERTY OWNERS MAILING & POSTAGE \$2.18-x =	\$		
		NOTICE SUBTOTAL	\$
RECEIPT NUMBER:		TOTAL AMOUNT DUE	\$ <u>370.26</u>

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

+ 1.57
+ 1.75

PAID



December 6, 2022

Planning and Zoning Commission
City of Pryor Creek
Pryor, Oklahoma

RE: Rezoning Request 511 N. Garfield

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 regarding the above-entitled re-zoning request with regard to compliance with the Unified Development Ordinance (UDO).

The request has been made to re-zone property from RD to IL to allow a commercial towing and wrecker service to be located on the subject lot. As indicated on the zoning map, there is no IL zoned property either adjacent to or in the immediate vicinity of the property with the closest IL zoned property being immediately south of W. 3rd and N. Mill St. some 1,500 feet away.

The possible re-zoning of this lot would constitute "spot zoning" which is a prohibited practice. The election to allow this re-zoning even though several surrounding neighbors currently have provided written support for such practices in their neighborhood does not provide any protection to this Board or the City or future property owners that may come to own property in the immediate area from further legal, or other actions should conditions change.

As your staff, we cannot support such practice and recommend denial of this re-zoning request.

Respectfully submitted,

Steve A. Powell, PE
Contract City Engineer
Manager, Tulsa Office
Infrastructure Solutions Group, LLC



Mayer

Account Data And Map Image

Data provided by YOLANDA THOMPSON County Assessor

Date 10/10/2022

Time 09:35:13

Map Image



Assessment Data

Account 490019591
Parcel ID 1599-07-21N-19E-1-014-00
Cadastral ID 1599-21N-19E-07-1-014-00
Property Type REAL - Real Property
Property Class UR
Tax Area 14 - Pryor City I-1
Situs 72119114
Subdivision PRYOR ACREAGE
Lot/Block 0019E / 0021N
Sec/Twn/Rng / / /
Neighborhood 101599 - PRYOR ACREAGE RESIDENTIAL 1599 & 0000
 FOREMAN, KATIE

512 N GARFIELD ST
 PRYOR OK 74361-

Primary Image

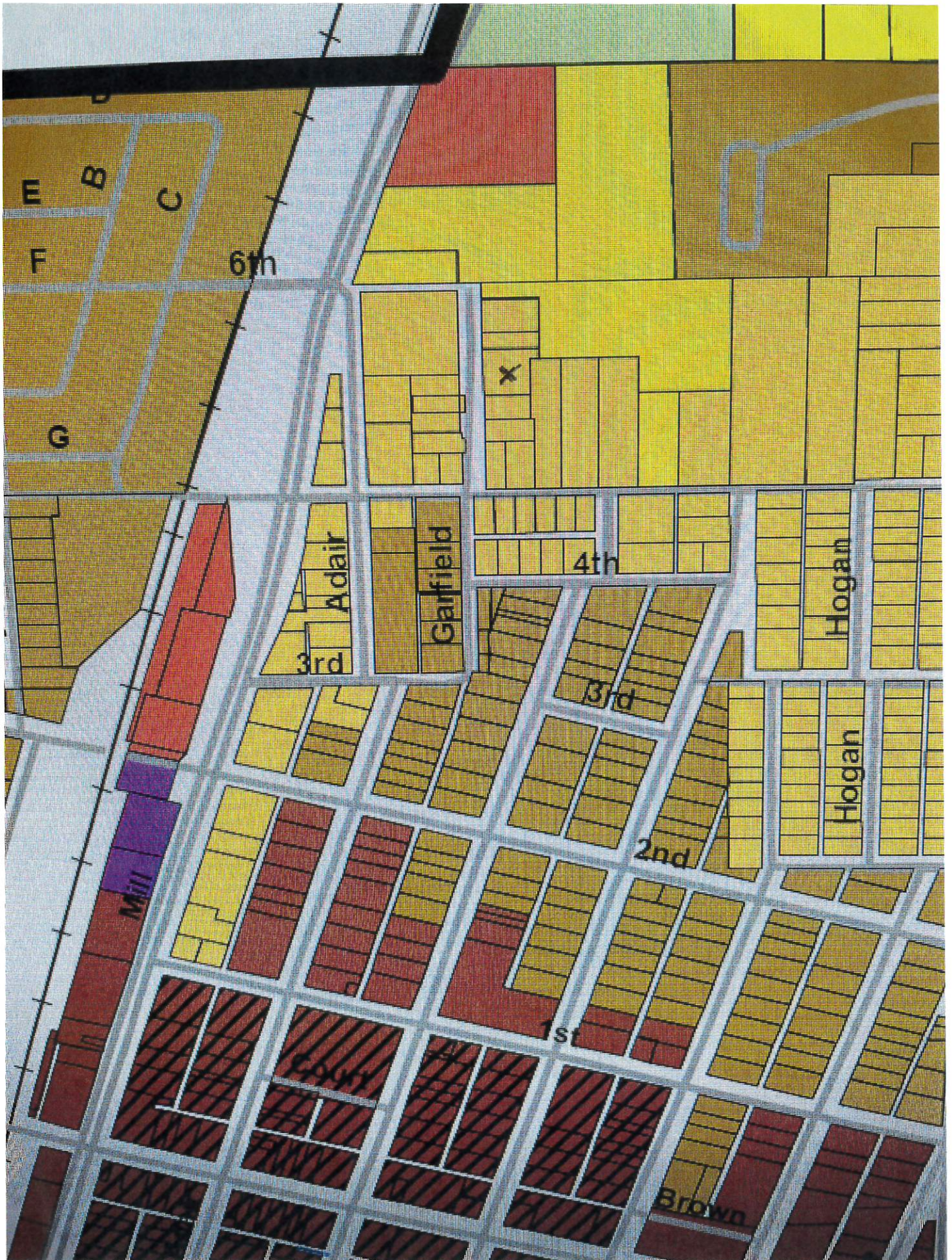



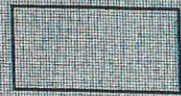


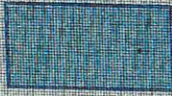

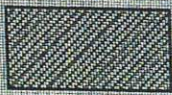
Legal Description

PRYOR ACREAGE SEC 7-21-19 BEG 305' N OF SW COR SWSENE
 E 125' N 113.8' E 25' N 36.2' W 150' S 150' TO POB

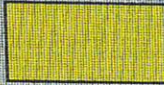
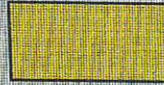






Assessed Valuation

Land Value	28,490	Assessed Value	79,577
Improvements	51,087	Assessment Level	11.2%
Mobile Home	0	Penalty Amount	0
Total Value	79,577	Exemption	0
		Total Taxable	8,913



-  Municipal Bound
-  Parcels
-  Roadways
-  Railroads
-  Lakes
-  Streams and Ri
-  Downtown Ove

Zoning_Code

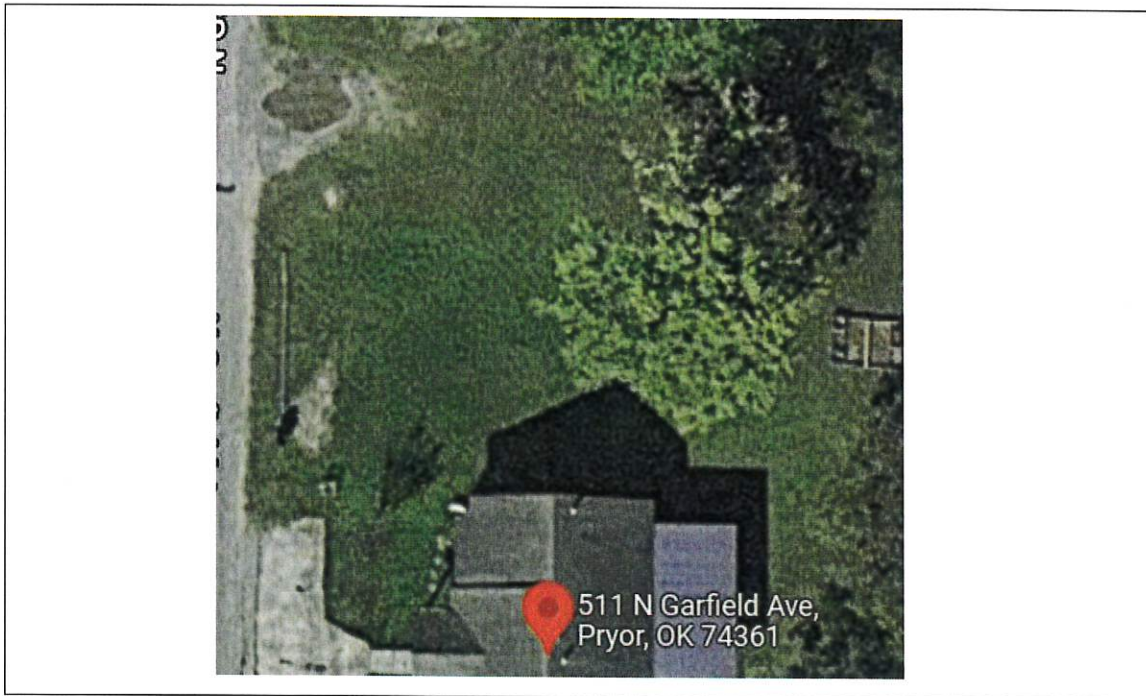
-  RS-70
-  RD
-  RM
-  RMH
-  CO
-  CC
-  CR
-  CAR

**BEFORE THE
CITY OF PRYOR CREEK PLANNING AND ZONING COMMISSION**

Notice is hereby given that on the 8th day of December 2022, at 5:30 P.M. in the City Hall Council Chamber, located at 12 North Rowe Street, 2nd floor, Pryor Creek, Mayes County, Oklahoma, the City of Pryor Creek Planning and Zoning Commission will consider rezoning of 511 N Garfield to from RD (Residential Duplex) to IL (Industrial Light) for the applicant to have a Towing and Recovery lot.

LEGAL DESCRIPTION

PRYOR ACREAGE SEC 7-21-19 BEG 305' N OF SW COR SWSENE-E 125' N 113.8' E 25' N 36.2' W 150' S 150' TO POB



Anyone requiring special accommodations pursuant to the Americans with Disabilities Act should notify City of Pryor Creek at 918-825-0888.



Pryor Creek Police Department

Incident #: 2210-0408

Reporting Officer: Trent Humphrey

Report Time: 10/10/2022 07:58:54

Incident

Incident Nature
Code Enforcement

Address
511 N GARFIELD AVE
Pryor, Oklahoma 74361

Occurred From
10/10/2022 07:58:49

Occurred To
10/10/2022 08:17:06

Received By
Marena Nides

How Received
Phone

Contact
HUMPHREY

Disposition
Active

Miscellaneous Entry

Disposition Date
10/10/2022

Cleared
N

Judicial Status

Cleared Date

Clearance
No Report

Cargo Theft Related

Responding Officer(s)
Trent Humphrey

Circumstances

No Bias

Persons

FOREMAN, CORY J Offender

Address
512 N GARFIELD AVE
Pryor Oklahoma 74361

Phone
(918)530-0887

DOB
12/08/1986

Race
White

Sex
M

Ethnicity

Height
5'10"

Weight
180

SOCIET-PUBLIC Victim

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight 0	

FOREMAN, CORY J

Address 512 N GARFIELD AVE Pryor Oklahoma 74361	Phone (918)530-0887	DOB 08/12/1986
Race White	Sex M	Ethnicity
Height 5'10"	Weight 0	

Narratives

Original Narrative

10/11/2022 08:57:34

On October the 10, 2022 at 0817 hours I, Sgt. Humphrey was working in the capacity as the Code Enforcement Officer for the City of Pryor Creek. I was following up on a city code and zoning violation that came to my attention a few months ago after Cory Foreman the owner of Foreman's Wrecker Service tried to get an application approved to open a wrecker service impound yard in the 511 block North Garfield Street on the east side of the street, in the city limits of Pryor Creek.

Sheryl Laue of the Community Development department of City Hall notified me of the application.

Steve Powell the City Engineer had also advised Cory Foreman that the residential lot that Mr. Foreman wanted to use for his wrecker service business was not properly zoned.

It was my understanding that Steve Powell had made it clear to Cory Foreman that the lot at 511 N. Garfield is clearly zoned residential.

Mr. Foreman continued with his work on the lot by placing a 8' or 10' chain link fence up around the property, with large locking gate, for storage of vehicles. The past couple of months there had been very little activity on the property, but this morning was different with 9 vehicles being parked on the lot. It is clear that Foreman's wrecker service is using the lot for storage.

Foreman's Wrecker service is in violation of city codes:

3-6-1: DEFINITIONS:

For the purpose of this Chapter, the following terms shall have the meanings respectively ascribed to them herein:

JUNK: All kinds of previously used or secondhand rags, sacks, bottles, cans, paper, metal and used or damaged automobiles or other vehicles or machinery not in running condition or not suitable economically to be repaired or restored to their original use, or used or damaged automobiles, vehicles or other machinery purchased, acquired or used for salvage purposes for the benefit of the metal, material or parts therein contained in whole or in part, and all other articles of whatsoever nature or kind, commonly purchased after primary use and kept or sold for subsequent use, consumption or traffic, and otherwise commonly known as "junk".

JUNK DEALER: Any person, firm or corporation, or agent, employee or servant thereof, engaged in the business of buying, selling or offering for sale or trade, or otherwise dealing in junk, including the storing or the displaying of junk or the dismantling, stripping or removal of parts from used automobiles or other vehicles or machinery in whole or in part for the benefit of the metal, materials or parts therein contained or stripped. Automobile and tire dealers who receive or accept used automobiles or tires as down payment or part payment upon commodities handled by them shall not be included within the terms of this Chapter, provided, however, in the case of automobile dealers, that such used automobiles are not dismantled or stripped in whole or in part by such automobile dealer for the purpose of obtaining the metal, material, salvage or parts therefrom.

JUNK MOTOR VEHICLE 1 : Means and includes all automobiles, trucks or other motor vehicles in such used or damaged condition as not to be economically suitable to be repaired and restored to their original intended use; all automobiles, trucks or other motor vehicles from which the metals, materials or parts have been or are being removed for other use and all automobiles, trucks or other motor vehicles which are not in operating condition, unless such latter automobiles, trucks or other motor vehicles are actually being repaired by or on behalf of the owner thereof within the time reasonably required for the repair of the same after they have ceased to operate. Any automobile, truck or other motor vehicle which is required by law to bear and display a license tag and which is not in safe operating condition and does not bear and display a current license tag as required by law shall be presumed to be a "junk motor vehicle".

JUNKYARD: Any place where "junk", as defined herein, is dismantled or stripped in whole or in part, bought, sold, stored, displayed or otherwise dealt with by a junk dealer. (1988 Code § 9-601)

Notes

3-6-2: APPLICATION TO JUNK MOTOR VEHICLES:

It is unlawful for any person to park and leave standing upon any public or private property within view of the public or persons living nearby, or to permit to be parked and left standing upon any private property under his possession or control within view of the public or persons living nearby, any junk motor vehicle, except for such time as may be reasonably required to cause the same to be removed. The provisions of this Chapter shall not apply to junk motor vehicles parked and left standing at any place of business authorized by law to deal with, store or repair such motor vehicles and which is operating in compliance with the zoning ordinances and other ordinances of the City. (1988 Code § 9-602)

3-6-3: RESTRICTION AND PROHIBITION ON ESTABLISHMENT:

No new junkyard shall be established within the corporate limits of the City. This prohibition shall not apply to junkyards existing in areas which may

subsequently be annexed within the Municipal boundaries. Such preexisting junkyards in annexed areas shall, upon annexation, secure the license for operation, and shall comply with the other provisions of this Chapter within the time limits from the date of such annexation as are granted to junkyards existing within the City upon the initial effective date hereof. (1988 Code § 9-605)

3-6-4: APPLICATION FOR LICENSE:

Application for a license to operate a junkyard shall be made to the City Clerk on forms provided by him. The application shall contain the name of the junk dealer, the location of the junkyard or business, and such other information as the Mayor and City Council may from time to time require. (1988 Code § 9-604)

3-6-5: FEE FOR LICENSE:

For the operation of a business of dealing in junk, the license fee for each junk dealer shall be as set by the City Council per year. The license shall expire on April 30 of each year and the license fee therefor, for the initial application, may be prorated upon a quarterly basis. (Refer to Appendix A following this Code.) (1988 Code § 9-603)

3-6-6: RULES AND REQUIREMENTS:

A. **Yard Wall:** In any case where a junkyard is operated in a yard or open space outside of any building, it shall be the duty of the operator or proprietor to erect and maintain a solid fence, not less than seven feet (7') high, entirely around the premises where junk is stored, displayed or visible. The fence shall be made of new, noncombustible materials, slightly in appearance. It shall be kept in good repair at all times. Junk shall be piled in such manner within the junkyard as not to be visible from the street or alley upon which such yard abuts, nor from the ground floor of residential or business property which may be adjacent thereto. Any junkyard which exists on the effective date hereof is given a period of thirty (30) days within which to comply with the yard wall requirements herein set forth. (1988 Code § 9-606)

B. **Register Of Property:** Each junkyard operator shall maintain a register, in which he shall enter the item or items which he acquires in the course of trading, for sale or trade, showing its true character, sufficient for purposes of identification, the person from whom acquired and the date on which acquired. He shall make such entry within two (2) hours of receiving or purchasing the property. Every entry shall be made in ink and shall not in any manner be obliterated or erased. (1988 Code § 9-607)

C. **Register Subject To Inspection:** The register herein required and any goods, wares and merchandise which such junk dealer may acquire in the course of his business and offers for sale or trade, shall be subject to the inspection of the Chief of Police, the City Attorney, the County Attorney and anyone authorized in writing by the Chief of Police, which authorization shall be exhibited to the junkyard.

10-1-7: COMPLIANCE REQUIRED:

A. Land may not be used for any purpose other than one that is allowed by the provisions of this UDO.

B. A building or structure may not be erected, located, moved, reconstructed, extended or structurally altered except as allowed by this UDO.

C. Buildings, structures and land may be used and occupied only in compliance with the provisions of this UDO.

D. All lots created or modified must comply with all applicable provisions of this UDO. (Ord. 2018-16, 12-4-2018)

Pictures will be attached:

Supplemental Narrative

10/11/2022 09:24:54 Trent Humphrey

On October the 10, 2022 at 0817 hours I, Sgt. Humphrey working in the compacity as the Code Enforcement Officer for the City of Pryor Creek. I was following up on a city code and zoning violation that came to my attention a few months ago after Cory Foreman the owner of Foreman's Wrecker Service tried to get an application approved to open a wrecker service impound yard in the 511 block North Garfield Street on the east side of the street, in the city limits of Pryor Creek. Sheryl Laue of the Community Development department of City Hall notified of the application. Steve Powell the City Engineer had also advised Cory Foreman that the residential lot that Mr. Foreman wanted to use for his wrecker service business was not properly zoned.

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Pictures will be attached:



Laue, Sheryl <laues@pryorcreek.org>

Cory Formans wrecker service

1 message

Trent Humphrey <humphreyt@pryorcreek.org>
To: nicholsd@pryorcreek.org, laues@pryorcreek.org

Fri, Nov 11, 2022 at 1:26 PM



More vehicles



Oct 10, 2022







