

**SALLISAW PLANNING COMMISSION  
REGULAR MEETING**

**December 6, 2022**

**5:30 P.M.**

**Council Chambers  
113 North Elm St  
Sallisaw, Oklahoma**

**A G E N D A**

- 1. Meeting Called to Order**
- 2. Declaration of a Quorum**
- 3. Consider Approval of Minutes of Regular Meeting of November 1, 2022**
- 4. Discuss, consider and take possible action on Case No. PC 2022-09;  
Preliminary plat presentation of Sallisaw Acres, an addition to the City of  
Sallisaw, by Cherokee Nation Housing Authority**
- 5. Discuss, consider and take possible action on Case No. PC 2022-013; Rezoning  
request from commercial office district (C-1) to to highway commercial and  
commercial recreation (C-4) by CREOKS Behavioral Health Services, Inc.**
- 6. Discuss, consider and take possible action concerning an amendment to the  
City of Sallisaw Code of Ordinances, Chapter 102, concerning agricultural  
yard requirements, Sections 102-224, 102-231 and addition of special use  
pen requirements for swine, Section 102-223-1.c.**
- 7. Adjourn**

**Posted: DECEMBER 2, 2022**

**Time: 11:00 AM**

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**Lisa Gabbert**

## **MINUTES**

### **SALLISAW PLANNING COMMISSION**

#### **REGULAR MEETING**

**NOVEMBER 1, 2022**

The Sallisaw Planning Commission met in a regular meeting on November 1, 2022, in the Council Chambers, 113 N. Elm Street, Sallisaw. Notice of the meeting was given by emailing to Sequoyah County Times; by posting at city hall on October 27, 2022 at 11:45 a.m.; by posting on the city's website; and, by giving notice to the City Clerk.

|                  |                                                                                                    |                                                                               |
|------------------|----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Members present: | Joe Velasquez,<br>Tim Brown,<br>Crystal Sides,<br>Ronnie Woodward,<br>Scott Looper,<br>Brady Bauer | Chairman<br>Vice-Chair<br>Secretary<br>Member<br>Member<br>Member             |
| Members absent:  | Matt Duke                                                                                          | Member                                                                        |
| Staff present:   | Keith Miller,<br>Chris Carter,<br>Lisa Gabbert                                                     | Building Development Director<br>Senior Code Inspector<br>Recording Secretary |
| Others present:  | Jeff Sparks<br>Lynn Adams                                                                          |                                                                               |

#### **Meeting Called to Order**

Meeting was called to order at 5:33 p.m.

#### **Declaration of a Quorum**

A quorum was declared present.

#### **Consider Approval of Minutes of Regular Meeting of August 2, 2022**

The minutes of the regular meeting of August 2, 2022, were presented for approval. Motion made by Looper, seconded by Brown, for approval of minutes as presented.

Vote: Velasquez aye, Brown aye, Sides aye, Woodward aye, Bauer aye, Looper aye. Motion

carried 6-0.

**Discuss, consider, and take possible action; 2023 regular meeting dates**

Meeting dates are scheduled for the first Tuesday of each month, with the exception of Thursday, July 6, 2023, due to the July 4th holiday, at 5:30 p.m..

Motion made by Brown, seconded by Bauer, for approval of the 2023 regular meeting dates as presented.

Vote: Velasquez aye, Brown aye, Sides aye, Woodward aye, Bauer aye, Looper aye. Motion carried 6-0.

**Discuss, consider and take possible action on Case No. PC 2022-09; Preliminary plat presentation of Sallisaw Acres, an addition to the City of Sallisaw, by Cherokee Nation Housing Authority**

The preliminary plat presentation for PC2022-09 Sallisaw Acres was previously in front of the board at the August 2, 2022 meeting, but tabled for approval due to changes needed. No changes to the drainage plan had been presented, and Valesquez read a statement from the city attorney who requested the necessary easements for sanitary sewer and drainage be obtained prior to approving the final plat, along with a drainage plan from the engineer to show drainage from increased run off from the property is handled appropriately.

Motion made by Brown, seconded by Woodward, to table plat finalization of PC2022-09 of Sallisaw Acres until recommended changes from the city attorney are obtained.

Vote: Velasquez aye, Brown aye, Sides aye, Woodward aye, Bauer aye, Looper aye. Motion carried 6-0.

**Discuss, consider and take possible action on Case No. PC 2022-011; Preliminary presentation of Drake Prairie Estates, an addition to the City of Sallisaw; by Richard Mosby and Jimmy Blanton.**

The preliminary plat of Drake Prairie Estates, was previously approved in the July 5, 2022 meeting, but was sold during the week prior to approval, which voided all action on the plat, causing the Board of City Commissioners to strike the item when presented in the council meeting. The physical map and information is unchanged except for the change of owner.

Motion was made by Brown, seconded by Bauer, for approval of the plat of Drake Prairie Estates.

Vote: Velasquez aye, Brown aye, Sides aye, Woodward aye, Bauer aye, Looper abstain. Motion carried 5-1.

**Discuss, consider and take possible action on Case No. PC 2022-012; Rezoning request from agriculture (A-1) to residential (R-1) by Richard Mosby and Jimmy Blanton.**

The rezoning of the Drake Prairie Estate was previously approved at the August 2, 2022 meeting, which was sold during the week prior to plat approval and voided all action on the plat as mentioned in the previous item. This property is located on Drake Rd. and Kelly Osburn, agent for Richard Mosby and Jimmy Blanton is requesting the rezoning from agriculture (A-1) to residential (R-1) for construction of single-family dwellings.

Motion made by Bauer, seconded by Sides, for approval of the rezoning request from agriculture (A-1) to residential (R-1).

Vote: Velasquez aye, Brown aye, Sides aye, Woodward aye, Bauer aye, Looper abstain. Motion carried 5-1.

### **Adjourn**

Motion made by Brown, seconded by Looper, to adjourn the meeting, there being no further business.

Vote: Velasquez aye, Brown aye, Sides aye, Woodward aye, Bauer aye, Looper aye. Motion carried 6-0.

Meeting ended at 5:40 p.m.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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**Joe Valesquez, Chairman**

**ATTEST:**

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**Crystal Side, Secretary**

## **AGENDA ITEM COMMENTARY**

**Meeting Date:** December 6, 2022  
**Board:** Sallisaw Planning Commission  
**Subject:** Plat Presentation

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**ITEM TITLE:** Discuss, consider and take possible action on Case No. PC 2022-09; Preliminary plat presentation of Sallisaw Acres, an addition to the City of Sallisaw, by Cherokee Nation Housing Authority

**INITIATOR:**

**STAFF INFORMATION SOURCE:** Building Development

**BACKGROUND:** Revisiting the presentation of a preliminary plat by JR Donelson for Cherokee Nation of Sallisaw Acres, an addition to the City of Sallisaw, for consideration and approval. The property is located West of JT Stites and Cherokee Ave. The intent is for two and three unit housing. Plat was previously not approved due to issues in staff report.

**EXHIBITS:**

1. Sallisaw Office Deed
2. PC2022-009 app
3. PC2022-009 plat
4. PC2022-009 drainage
5. PC2022-009 SS
6. PC2022-009 water
7. PC2022-009 Staff Report

**KEY ISSUES:**

**FUNDING SOURCE:** N/A

**RECOMMENDATION:**

## STATUTORY FORM

## WARRANTY DEED

(INDIVIDUAL FORM)

DOC NUMBER 2001-7493  
 Book 929  
 Page(s) 209 to 209  
 Time 1:12PM  
 Fee \$8.00  
 10-26-2001  
 Donna Jamison  
 Sequoyah County Clerk  
 RECORDED AND FILED

KNOW TO ALL MEN BY THESE PRESENTS:

THAT

D. A. STAFFORD AND JOANN STAFFORD,  
 HUSBAND AND WIFE

parties of the first part, in consideration of the sum of TEN AND NO/100 ----- dollars and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto

THE HOUSING AUTHORITY OF THE CHEROKEE  
 NATION OF OKLAHOMA  
 1500 HENSLEY DRIVE  
 TAHLEQUAH, OKLAHOMA 74465

Party of the second part, the following described real property and premises situated in SEQUOYAH County, State of OKLAHOMA, to wit:

A PART OF GOVERNMENT LOT 1 AND A PART OF THE NW 1/4 SE 1/4 NE 1/4, SECTION 1, TOWNSHIP 11 NORTH, RANGE 23 EAST, SEQUOYAH COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SE CORNER OF SAID GOVERNMENT LOT 1; THENCE S89°55'50"W ALONG SOUTH LINE OF SAID GOVERNMENT LOT 1, A DISTANCE OF 733.42 FEET TO A 3/8" IRON PIN WITH CAP; THENCE S17°23'16"W A DISTANCE OF 90.04 FEET TO A 3/8" IRON PIN WITH CAP; THENCE S34°45'14"W A DISTANCE OF 147.96 FEET TO A 3/8" IRON PIN WITH CAP; THENCE S55°04'25"W A DISTANCE OF 216.20 FEET TO A 3/8" IRON PIN WITH CAP; THENCE N00°00'00"E A DISTANCE OF 916.00 FEET TO A 3/8" IRON PIN WITH CAP, BEING ON THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY #64; THENCE S84°52'56"E ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 969.37 FEET TO A P.K. NAIL; THENCE S01°17'50"E ALONG THE CENTERLINE OF J.T. STITES STREET, A DISTANCE OF 330.87 FEET TO A P.K. NAIL; THENCE S89°55'50"W A DISTANCE OF 38.38 FEET TO A 3/8" IRON PIN WITH CAP; THENCE N72°22'11"W, A DISTANCE OF 159.11 FEET TO A 3/8" IRON PIN WITH CAP; THENCE S64°05'55"W A DISTANCE OF 146.73 FEET TO A 3/8" IRON PIN WITH CAP; THENCE S67°17'46"W A DISTANCE OF 392.85 FEET TO THE POINT OF BEGINNING.

LESS PUBLIC ROAD RIGHTS OF WAY AND SUBJECT TO EASEMENTS OF RECORD.

Together with all the improvements thereon and the appurtenances thereunto belonging and warrant the title to the same.

TO HAVE AND TO HOLD said described premises unto the said parties of the second part, their heirs and assigns forever free, clear and discharged of and from all former grants, charges, taxes judgments, mortgages and other liens and encumbrances of whatsoever nature.

Signed and delivered this 26<sup>th</sup>, day of June, 2001

STATE OF OKLAHOMA  
 SEQUOYAH COUNTY  
 COUNTY CLERK, 275.25

D. A. STAFFORD

JOANN STAFFORD

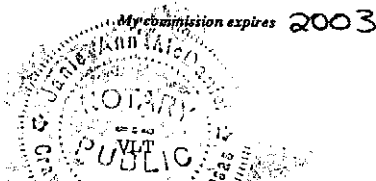
STATE OF OKLAHOMA  
 COUNTY OF SEQUOYAH

INDIVIDUAL ACKNOWLEDGMENT

Oklahoma Form

Before me, the undersigned, a Notary Public in and for said County and State on this 26<sup>th</sup> day of June 2001, personally appeared D. A. STAFFORD AND JOANN STAFFORD, who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes set forth.

Given under my hand and seal the day and year last above written.



Jamie McDaniel  
 NOTARY PUBLIC  
 L01-419

**PC2022-009**

**PLANNING COMMISSION**

**REQUEST FOR PRELIMINARY PLAT APPROVAL**

Application is hereby made to the Planning Commission for consideration of a recommendation to the City Council for

SALLISAW ACRES  
General Location WEST OF J.T. STITES ST & W. CHEROKEE AVE  
(Street Address)

Present Use of Property VACANT

Proposed Use of Property HOUSING

Record Owner of Property CHEROKEE NATION

If Applicant is other than owner, indicate interest: ☐ purchaser, ☐ lessee,

☒ agent for, CHEROKEE HOUSING AUTHORITY ☐ other \_\_\_\_\_

Are there any Private or Deed Restrictions controlling the use of this property? WHEN PLATTED

I do hereby certify that the information herein submitted is complete, true and accurate.

Signed [Signature] Address 12820 S. MEMORIAL DR., #100  
Phone 918-640-2041 BIXBY, OK 74008

**APPLICANT - DO NOT WRITE BELOW THIS LINE**

Application Received by: \_\_\_\_\_ Date: 5-25-2022

Present Zoning \_\_\_\_\_

Application No.: \_\_\_\_\_ Requested: \_\_\_\_\_

Fee Receipt: 3.060376 P.C. Action \_\_\_\_\_

City Action: \_\_\_\_\_ Date: \_\_\_\_\_

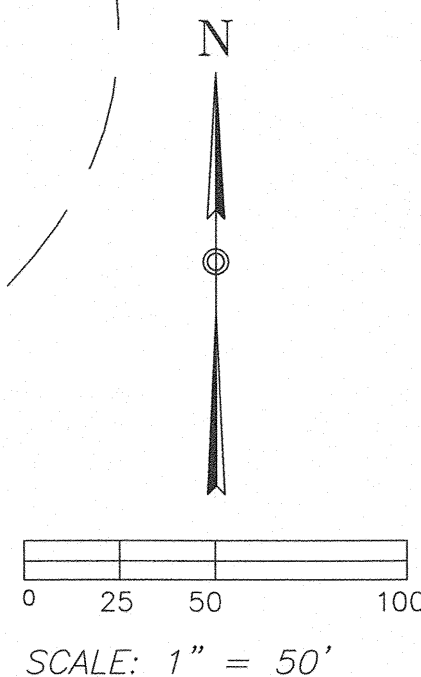
Ordinance No.: \_\_\_\_\_

OWNER:

CHEROKEE HOUSING AUTHORITY  
P.O. BOX 948  
TAHLEQUAH, OK. 74465-0948  
CONTACT PERSON: DAVID IGERT  
PHONE: 918-456-5482

SURVEYOR:

D. GOSS & ASSOCIATES  
12347 HEMLOCK HILL RD.  
SAPULPA, OK. 74066  
PHONE: 918-371-0096  
FAX: 918-224-4530  
CONTACT: DANIEL S. GOSS  
OKLAHOMA PLS: 1316  
C.A. NO. 3932 EXP. DATE: 6/30/2023



LEGEND

|         |                     |
|---------|---------------------|
| B/L     | BUILDING LINE       |
| U/E     | UTILITY EASEMENT    |
| W/E     | WATER LINE EASEMENT |
| M.H.    | MANHOLE             |
| A/O     | ACCESS OPENING      |
| TR      | TOP OF RIM          |
| FL      | FLOWLINE            |
| ELEV    | ELEVATION           |
| (LEGAL) | LEGAL DESCRIPTION   |
| (FIELD) | FIELD DIMENSIONS    |
| -520-   | EXISTING CONTOURS   |
| ⊕       | CENTERLINE          |
| NE/4    | NORTHEAST QUARTER   |

FIRM MAP No. 40135C0405F  
REVISED DATE: SEPTEMBER 29, 2010  
SEQUOYAH COUNTY, OKLAHOMA

NOTES:

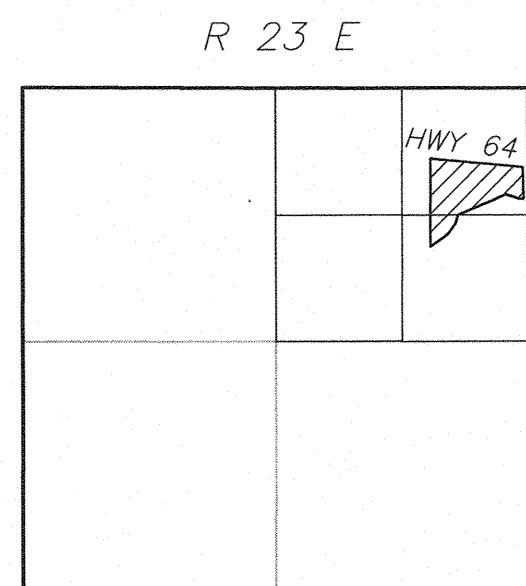
- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND SURVEYORS.
- THE BASIS OF BEARINGS FOR THE SURVEY SHOWN THEREON IS THE OKLAHOMA STATE PLAN COORDINATE SYSTEM NAD '83 (1993); THE EAST LINE OF SECTION 1 BEING: S01°07'29"E. (ASSUMED)
- 3/8" IRON PINS WERE FOUND TO EXIST OR SET AT PROPERTY CORNERS.

BENCH MARK:  
TOP OF RIM OF EXISTING SANITARY SEWER  
MANHOLE 'A'.  
ELEVATION: 513.38 USC & GS DATUM

PRELIMINARY PLAT  
SALLISAW ACRES

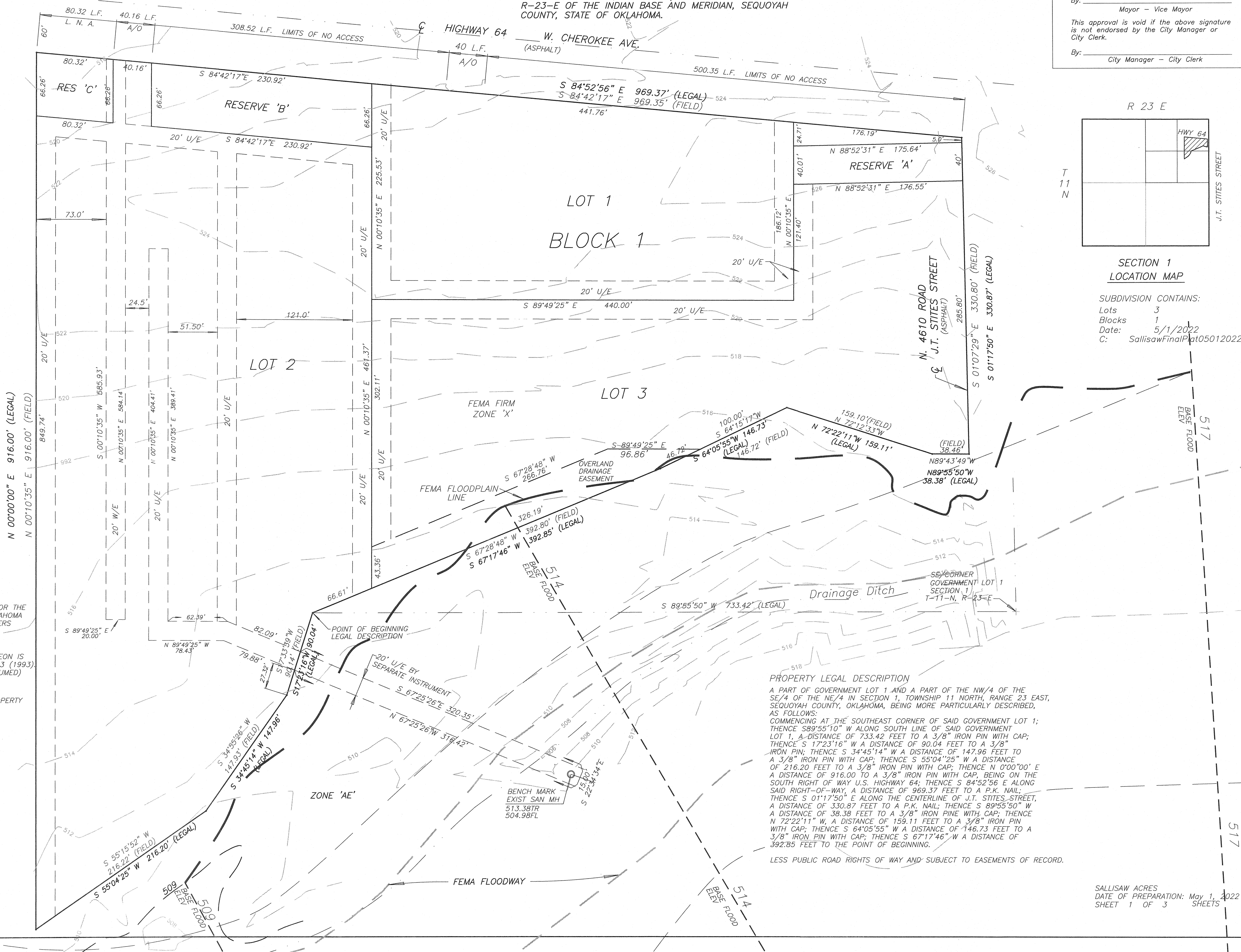
AN ADDITION TO THE CITY OF SALLISAW, SITUATED IN PART OF  
GOVERNMENT LOT 1, IN THE NE/4 OF SECTION 1, T-11-N,  
R-23-E OF THE INDIAN BASE AND MERIDIAN, SEQUOYAH  
COUNTY, STATE OF OKLAHOMA.

FINAL PLAT  
CERTIFICATE OF APPROVAL  
I hereby certify that this plat was approved  
by the City Council of the City of Sallisaw  
on \_\_\_\_\_  
By: \_\_\_\_\_ Mayor - Vice Mayor  
This approval is void if the above signature  
is not endorsed by the City Manager or  
City Clerk.  
By: \_\_\_\_\_ City Manager - City Clerk



SECTION 1  
LOCATION MAP

SUBDIVISION CONTAINS:  
Lots 3  
Blocks 1  
Date: 5/1/2022  
C: SallisawFinalPlat05012022

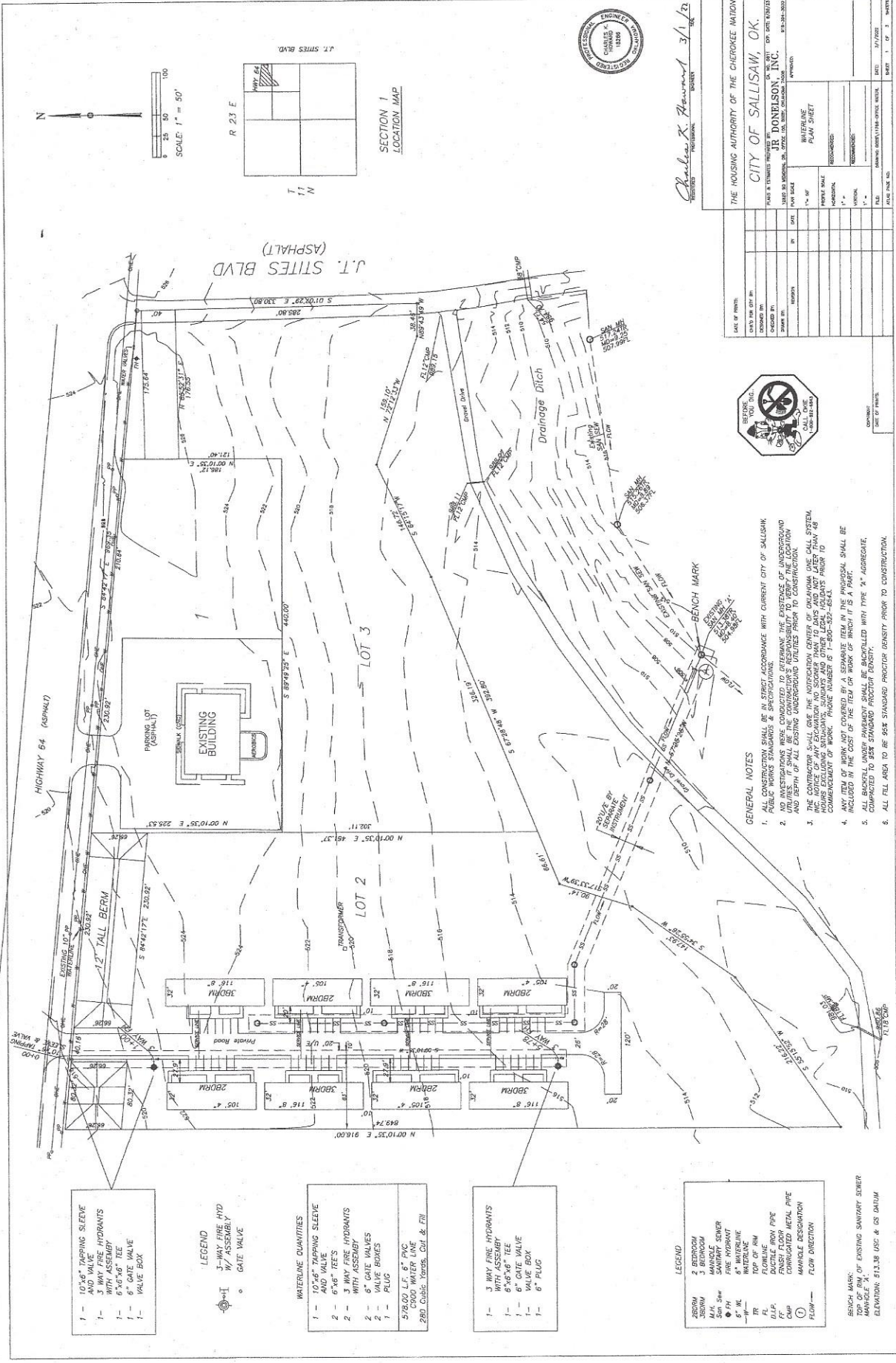


PROPERTY LEGAL DESCRIPTION

A PART OF GOVERNMENT LOT 1 AND A PART OF THE NW/4 OF THE  
SE/4 OF THE NE/4 IN SECTION 1, TOWNSHIP 11 NORTH, RANGE 23 EAST,  
SEQUOYAH COUNTY, OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED,  
AS FOLLOWS:  
COMMENCING AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 1;  
THENCE S89°55'10" W ALONG SOUTH LINE OF SAID GOVERNMENT  
LOT 1, A DISTANCE OF 733.42 FEET TO A 3/8" IRON PIN WITH CAP;  
THENCE S 17°23'16" W A DISTANCE OF 90.04 FEET TO A 3/8" IRON  
PIN; THENCE S 34°45'14" W A DISTANCE OF 147.96 FEET TO A  
3/8" IRON PIN WITH CAP; THENCE S 55°04'25" W A DISTANCE  
OF 216.20 FEET TO A 3/8" IRON PIN WITH CAP; THENCE N 0°00'00" E  
A DISTANCE OF 916.00 TO A 3/8" IRON PIN WITH CAP, BEING ON THE  
SOUTH RIGHT-OF-WAY, A DISTANCE OF 969.37 FEET TO A P.K. NAIL;  
THENCE S 01°17'50" E ALONG THE CENTERLINE OF J.T. STITES STREET,  
A DISTANCE OF 330.87 FEET TO A P.K. NAIL; THENCE S 89°55'50" W  
A DISTANCE OF 38.38 FEET TO A 3/8" IRON PIN WITH CAP; THENCE  
N 72°22'11" W, A DISTANCE OF 159.11 FEET TO A 3/8" IRON PIN  
WITH CAP; THENCE S 64°05'55" W A DISTANCE OF 146.73 FEET TO A  
3/8" IRON PIN WITH CAP; THENCE S 67°17'46" W A DISTANCE OF  
392.85 FEET TO THE POINT OF BEGINNING.

LESS PUBLIC ROAD RIGHTS OF WAY AND SUBJECT TO EASEMENTS OF RECORD.

SALLISAW ACRES  
DATE OF PREPARATION: May 1, 2022  
SHEET 1 OF 3 SHEETS



- 1 - 10"x6" TAPPING SLEEVE AND VALVE
- 1 - 3" WY FINE HYD
- 1 - 6"x6"x6" TEE
- 1 - 6" GATE VALVE
- 1 - VALVE BOX

LEGEND

3-WAY FINE HYD

GATE VALVE

- WATERLINE QUANTITIES
- 1 - 10"x6" TAPPING SLEEVE AND VALVE
  - 2 - 6" TEE
  - 2 - 3" WY FINE HYD
  - 2 - 6" GATE VALVES
  - 2 - VALVE BOXES
  - 1 - PLUG
  - 578.00 LF 6" PVC
  - 280 CUBIC YARDS CUT & FILL

- 1 - 3" WY FINE HYDRANTS WITH ASSEMBLY
- 1 - 8"x6"x6" TEE
- 1 - 6" GATE VALVE
- 1 - VALVE BOX
- 1 - 6" PLUG

- LEGEND
- 280RM 2 BEDROOM
  - M.H. MANHOLE
  - SAN SANITARY SINK
  - FF FIRE HYDRANT
  - WATERLINE
  - TR TOP OF RM
  - FL FLOOR
  - FF FINISH FLOOR
  - CMP CORRUGATED METAL PIPE
  - MANHOLE DESIGNATION
  - FLOW DIRECTION

BENCH MARK:  
MANHOLE RM OF EXISTING SANITARY SINK  
ELEVATION: 511.38 USC & CS DATUM

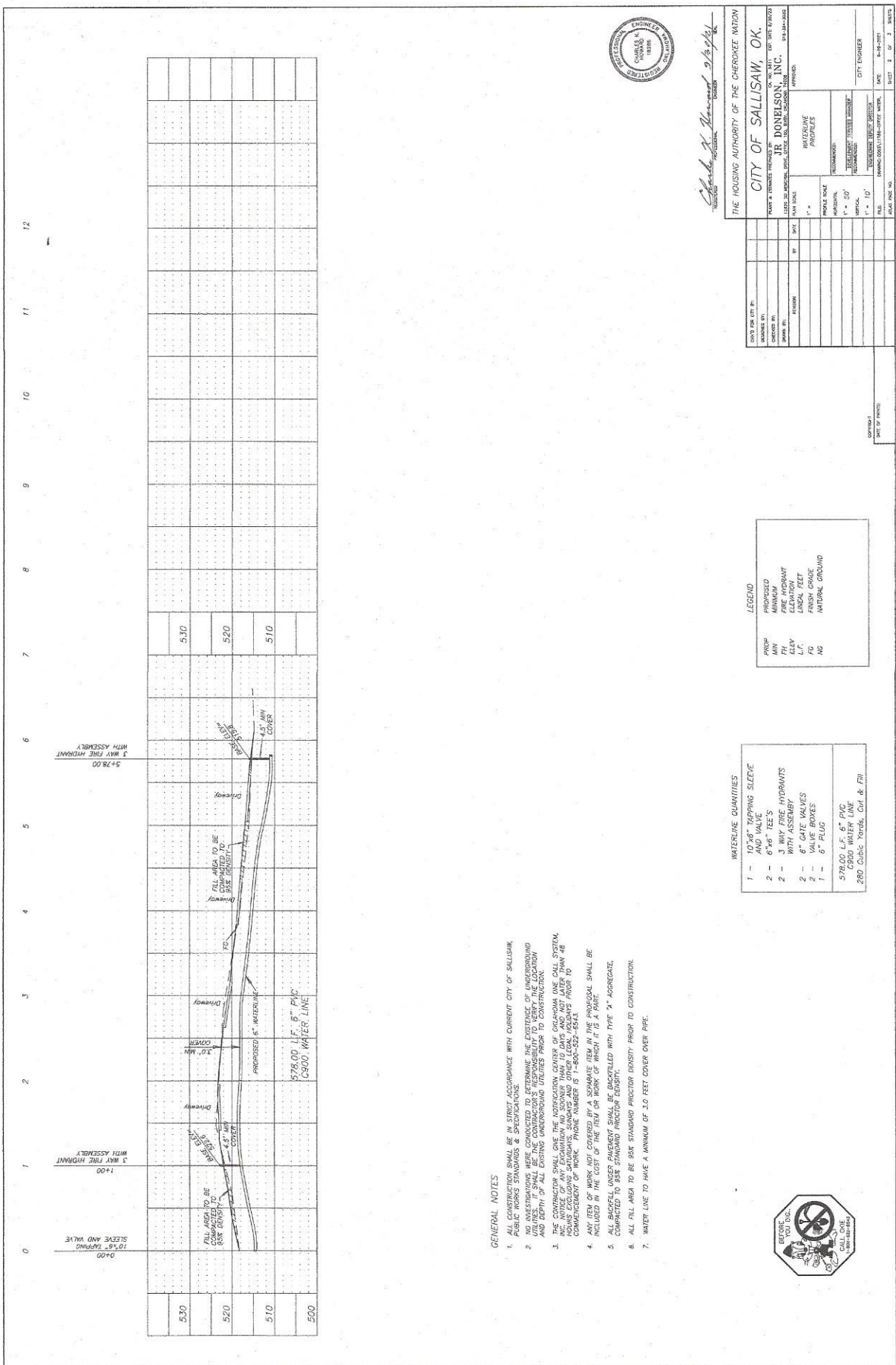
### GENERAL NOTES

1. ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH CURRENT CITY OF SALLISAW, OK, ORDINANCES, SPECIFICATIONS, AND REGULATIONS.
2. NO INVESTIGATIONS WERE CONDUCTED TO DETERMINE THE EXISTENCE OF UNDERGROUND UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION.
3. THE CONTRACTOR SHALL OBEY THE NOTIFICATION CENTER OF OKLAHOMA ONE CALL SYSTEM. THE NOTIFICATION SHALL BE MADE PRIOR TO ANY EXCAVATION NO DEEPER THAN 10 FEET AND NOT LATER THAN 48 HOURS PRIOR TO THE START OF EXCAVATION. PHONE NUMBER IS 1-800-525-6241.
4. ANY ITEM OF WORK NOT COVERED BY A SEPARATE ITEM IN THE PROPOSAL SHALL BE INCLUDED IN THE COST OF THE ITEM OR WORK OF WHICH IT IS A PART.
5. ALL BACKFILL UNDER PAVEMENT SHALL BE BACKFILLED WITH TYPE "A" AGGREGATE, COMPACTED TO 95% STANDARD PROCTOR DENSITY.
6. ALL FILL AREA TO BE 95% STANDARD PROCTOR DENSITY PRIOR TO CONSTRUCTION.



Charles K. Howard 3/1/22

|                                              |             |
|----------------------------------------------|-------------|
| THE HOUSING AUTHORITY OF THE CHEROKEE NATION |             |
| CITY OF SALLISAW, OK.                        |             |
| PLAN & ELEVATION PREPARED BY                 | DATE        |
| DR. J. W. NELSON, INC.                       | 03/01/22    |
| 1000 S. MAIN ST., SALLISAW, OK 74880         | APPROVED    |
| DATE                                         | DATE        |
| 03/01/22                                     | 03/01/22    |
| PROJECT NAME                                 | PROJECT NO. |
| WATERLINE                                    | 1000        |
| PLAN SHEET                                   | 1 OF 3      |
| DATE                                         | DATE        |
| 03/01/22                                     | 03/01/22    |
| FILED                                        | FILED       |
| 03/01/22                                     | 03/01/22    |



**GENERAL NOTES**

1. CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH CURRENT CITY OF SALLISAW, OK PUBLIC WORKS STANDARDS & SPECIFICATIONS.
2. NO INVESTIGATIONS WERE CONDUCTED TO DETERMINE THE EXISTENCE OF UNDERGROUND UTILITIES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL NECESSARY INFORMATION PRIOR TO CONSTRUCTION.
3. THE CONTRACTOR SHALL OBTAIN THE NOTIFICATION COPIES OF OKLAHOMA ONE CALL SYSTEM, INC. NOTICE OF ANY EXISTING UTILITIES PRIOR TO ANY EXCAVATION. THE NOTIFICATION SHALL BE OBTAINED PRIOR TO ANY EXCAVATION. PHONE NUMBER IS 1-800-522-6843.
4. ANY ITEM OF WORK NOT COVERED BY A SEPARATE ITEM IN THE PROPOSAL SHALL BE INCLUDED IN THE COST OF THE ITEM OR WORK OF WHICH IT IS A PART.
5. ALL BACKFILL UNDER PAVEMENT SHALL BE BACKFILLED WITH TYPE "A" AGGREGATE, COMPACTED TO 95% STANDARD PROCTOR DENSITY.
6. ALL FILL AREA TO BE 8% STANDARD PROCTOR DENSITY PRIOR TO CONSTRUCTION.
7. WATER LINE TO HAVE A MINIMUM OF 1.0 FEET COVER OVER PIPE.



**WATERLINE QUANTITIES**

|        |                                 |
|--------|---------------------------------|
| 1      | 10"x6" TAPPING SLEEVE AND VALVE |
| 2      | 5'x6" TEE'S                     |
| 2      | 2'x6" TEE'S                     |
| 2      | WITH ASSEMBLY                   |
| 2      | 8" GATE VALVES                  |
| 2      | VALVE BOXES                     |
| 1      | 6" PLUG                         |
| 579.00 | 1.5' x 4" PVC                   |
| 280    | Cubic Yards, Cut & Fill         |

**LEGEND**

|      |                |
|------|----------------|
| PROP | PROPOSED       |
| MIN  | MINIMUM        |
| FW   | FIRE HYDRANT   |
| FL   | LINEAL FEET    |
| L.C. | LINEAL FEET    |
| FG   | FINISH GRADE   |
| NG   | NATURAL GROUND |



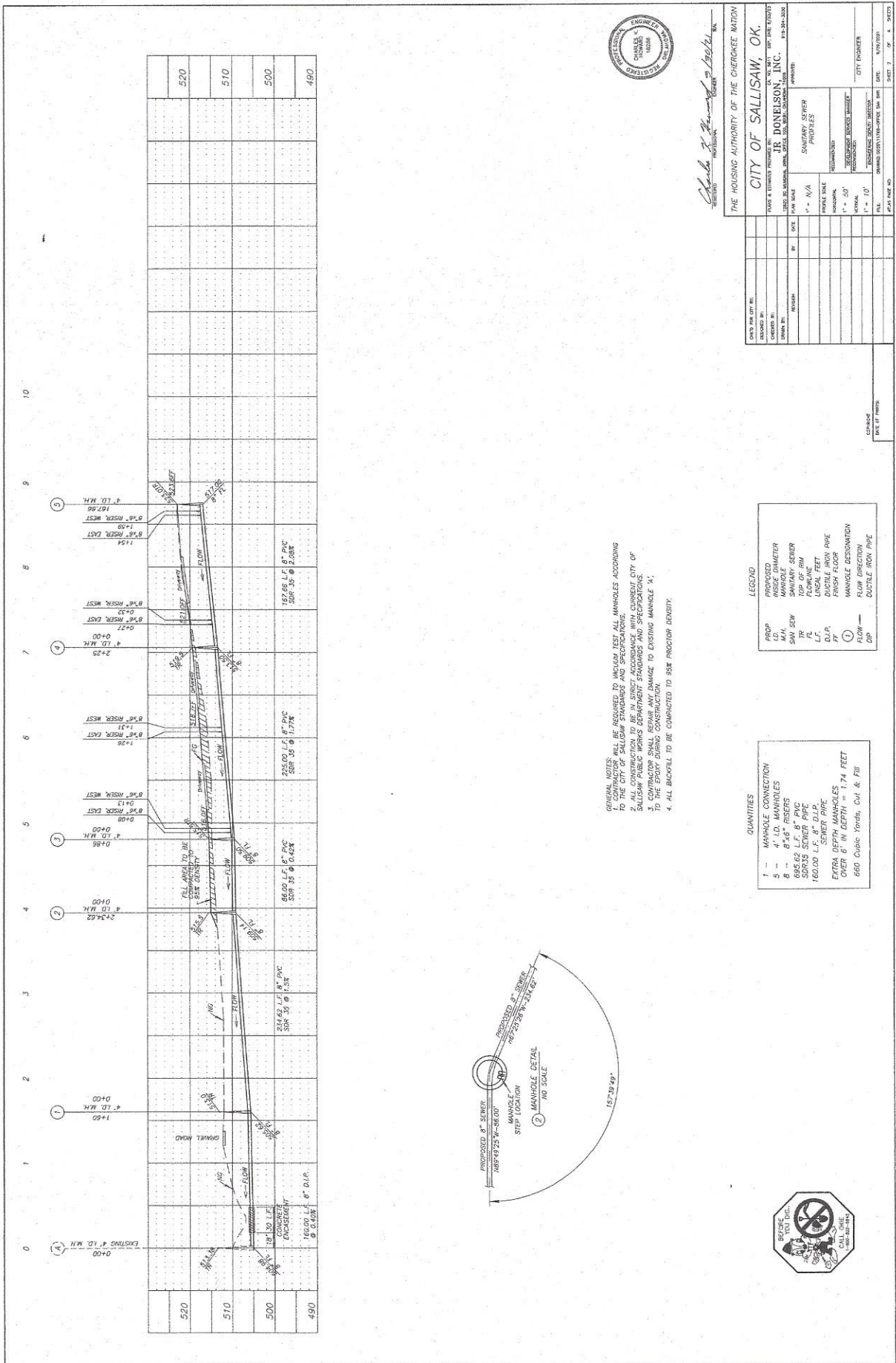
*Charles K. Donelson*  
Professional Engineer  
No. 10450

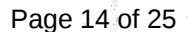
THE HOUSING AUTHORITY OF THE CHEROKEE NATION  
**CITY OF SALLISAW, OK.**  
J.R. DONELSON, INC.  
1000 S. MAIN ST. STE. 100, SALLISAW, OK 74465  
DATE: 8-15-2017  
SHEET: 2 OF 3 SHEETS

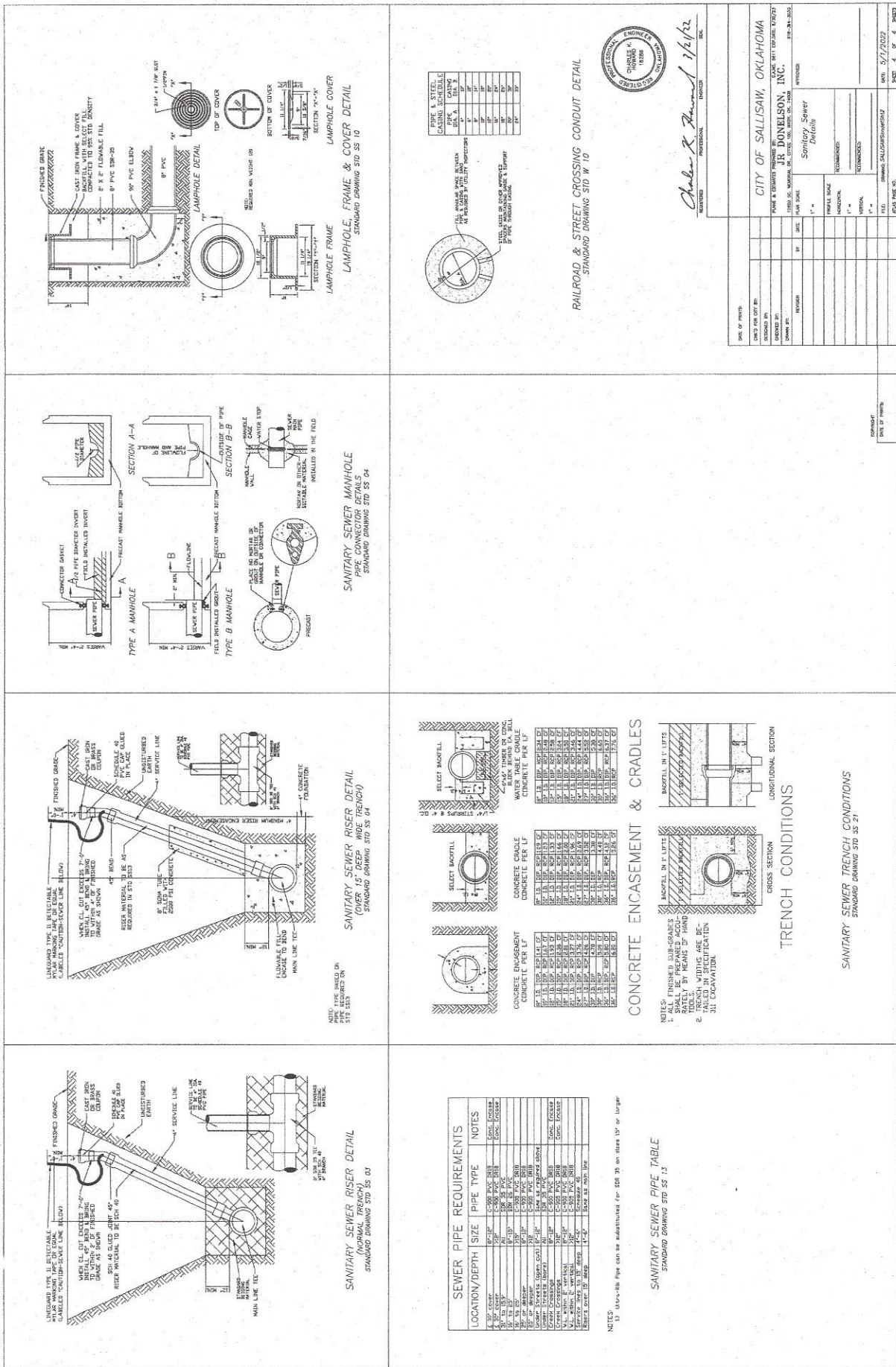
|                   |                   |
|-------------------|-------------------|
| DATE FOR CITY BY: | DATE FOR CITY BY: |
| DESIGNED BY:      | DESIGNED BY:      |
| DRAWN BY:         | DRAWN BY:         |
| CHECKED BY:       | CHECKED BY:       |
| APPROVED BY:      | APPROVED BY:      |
| PROJECT NO.:      | PROJECT NO.:      |
| DATE OF PRINT:    | DATE OF PRINT:    |

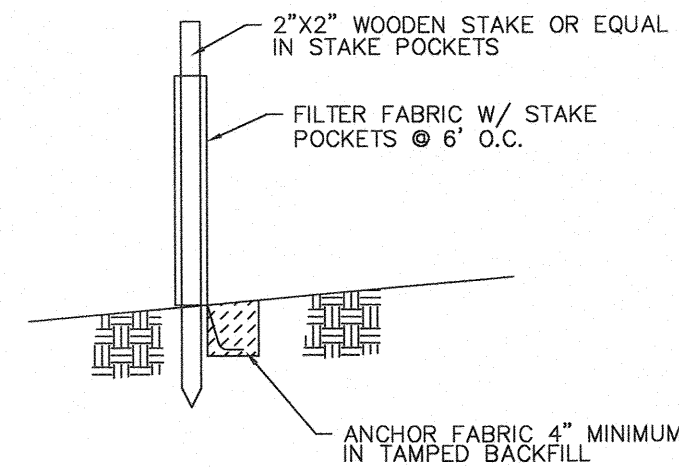




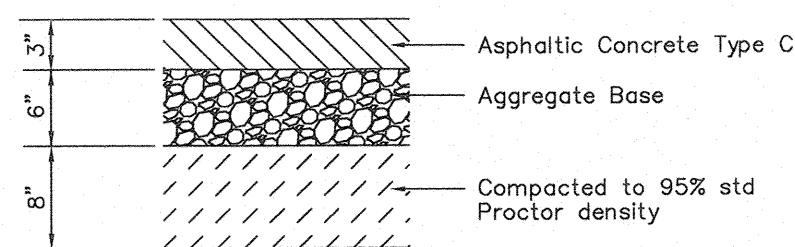








SILT FENCE DETAIL



LIGHT DUTY ASPHALT

NOTE:  
1. THE ROAD IS PRIVATE.  
2. NO GRADING WILL BE DONE IN THE FEMA FLOODPLAIN.

SILT FENCE TO BE MAINTAINED DURING THE CONSTRUCTION PHASE

| LEGEND  |                       |
|---------|-----------------------|
| 2BDRM   | 2 BEDROOM             |
| 3BDRM   | 3 BEDROOM             |
| M.H.    | MANHOLE               |
| San Sew | SANITARY SEWER        |
| FH      | FIRE HYDRANT          |
| 6" WL   | 6" WATERLINE          |
| W       | WATERLINE             |
| TR      | TOP OF RIM            |
| FL      | FLOWLINE              |
| D.I.P.  | DUCTILE IRON PIPE     |
| FF      | FINISH FLOOR          |
| CMP     | CORRUGATED METAL PIPE |
| 516     | FINISH CONTOUR LINE   |
| FLOW    | FLOW DIRECTION        |

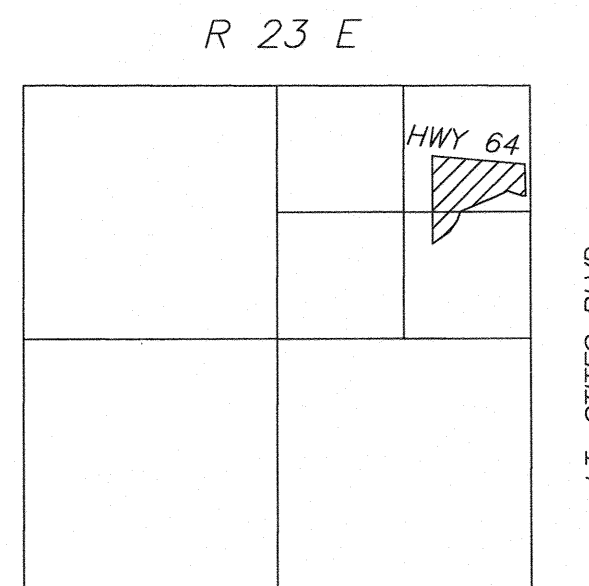
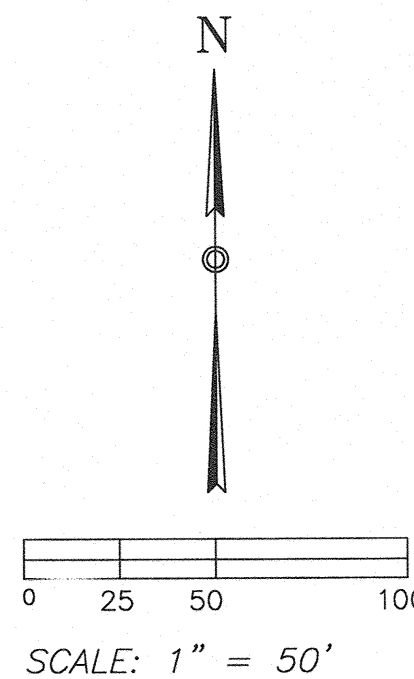
BENCH MARK:  
TOP OF RIM OF EXISTING SANITARY SEWER  
MANHOLE "A".  
ELEVATION: 513.38 USC & GS DATUM

#### GENERAL NOTES

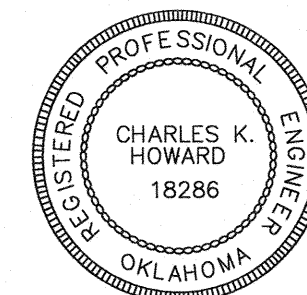
- ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH CURRENT CITY OF SALLISAW, PUBLIC WORKS STANDARDS & SPECIFICATIONS.
- NO INVESTIGATIONS WERE CONDUCTED TO DETERMINE THE EXISTENCE OF UNDERGROUND UTILITIES. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND DEPTH OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL GIVE THE NOTIFICATION CENTER OF OKLAHOMA ONE CALL SYSTEM, INC. NOTICE OF ANY EXCAVATION NO SOONER THAN 10 DAYS AND NOT LATER THAN 48 HOURS EXCLUDING SATURDAYS, SUNDAYS AND OTHER LEGAL HOLIDAYS PRIOR TO COMMENCEMENT OF WORK. PHONE NUMBER IS 1-800-522-6543.
- ANY ITEM OF WORK NOT COVERED BY A SEPARATE ITEM IN THE PROPOSAL SHALL BE INCLUDED IN THE COST OF THE ITEM OR WORK OF WHICH IT IS A PART.
- ALL BACKFILL UNDER PAVEMENT SHALL BE BACKFILLED WITH TYPE "A" AGGREGATE, COMPACTED TO 95% STANDARD PROCTOR DENSITY.
- ALL FILL AREA TO BE 95% STANDARD PROCTOR DENSITY PRIOR TO CONSTRUCTION.



COPYRIGHT  
DATE OF PRINTS:



SECTION 1  
LOCATION MAP



Charles K. Howard 3/1/22  
REGISTERED PROFESSIONAL ENGINEER SEAL

|                    |                                    |                                                                                  |               |
|--------------------|------------------------------------|----------------------------------------------------------------------------------|---------------|
| DATE OF PRINTS:    |                                    | THE HOUSING AUTHORITY OF THE CHEROKEE NATION                                     |               |
| CHK'D FOR CITY BY: |                                    | CITY OF SALLISAW, OK.                                                            |               |
| DESIGNED BY:       |                                    | PLANS & ESTIMATES PREPARED BY: JR DONELSON, INC. CA. NO. 5611 EXP. DATE: 6/30/23 |               |
| CHECKED BY:        |                                    | 12820 SO MEMORIAL DR., OFFICE 100, BIXBY, OKLAHOMA 74008 918-394-3030            |               |
| DRAWN BY:          |                                    | PLAN SCALE                                                                       | APPROVED:     |
| REVISION           | BY                                 | DATE                                                                             |               |
|                    |                                    | 1" = 50'                                                                         |               |
|                    |                                    | PROFILE SCALE                                                                    |               |
|                    |                                    | HORIZONTAL                                                                       | RECOMMENDED:  |
|                    |                                    | 1" =                                                                             |               |
|                    |                                    | VERTICAL                                                                         | RECOMMENDED:  |
|                    |                                    | 1" =                                                                             |               |
| FILE:              | DRAWING: GOSS\11766-OFFICE GRADING | DATE:                                                                            | 3/1/2022      |
| ATLAS PAGE NO:     |                                    | SHEET                                                                            | 1 OF 1 SHEETS |

# STAFF REPORT

## Sallisaw Planning and Zoning Board

August 2, 2022

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### ITEM

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PC2022-009 Preliminary Plat of Sallisaw Acres

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**Request:** Approval of preliminary layout

**Staff Narrative:** After review by staff and the city attorney, the following needs to be addressed by the developer and the owner's agent.

### Property History

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This property has been utilized by the Housing Authority in the past as a maintenance building. It is being repurposed for housing use.

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### Impact Potential

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As with any use, there are positive and/or negative considerations.

- Drainage is always a concern with the increased flow of water from impervious surfaces and roof run-off.
- There are no utilities to this location so all will have to be extended to this location. Some will require the acquisition of private easements dedicated to the City.

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### Resources

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HACN funds (private)

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### City Staff analysis and recommendation

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### Streets

1. There will need to be a drainage plan developed. This subdivision will need private drainage easements acquired and dedicated to the City of Sallisaw to allow for access to the drainage structure located to the South of this location.
2. Streets appear to be private, but verbiage in the restrictive convenience state the property can be sold. If so Additional lot sizes and street dedication will need to be done.
3. Lot 3: 30 feet of road right of way will need to be dedicated to JT Stites Road.

### Sewer

1. Sewer Utility easements crossing private adjacent property shall be dedicated to the City. The HACN shall acquire the easements from the adjacent property owner for access to the public sewer located to the South of this location.
2. Sewer utility design is sufficient, unless lot 2 changes.

### Water

1. Water utility design is sufficient, unless lot 2 changes.

### Electric

1. Electric is to be placed on the front street. Electric will need additional easement for separation of utilities along the right-of-way.

### Fiber

1. Will utilize the Electric easement.

### City Attorney

1. The deed of dedication must refer to the dedication of easements and streets to the City of Sallisaw. If need be, City Attorney can provide proper language.
2. The deed of dedication refers to the plat as "An Addition to Sequoyah County" this needs to be changed to reference "City of Sallisaw" as well as other location within the plat.
4. The 10 items in the deed of dedication are a restrictive convenience and will need to be labeled as such.
5. A reference to the Sallisaw Code of Ordinance to coincide and operate in tandem with the restrictive convenience.
6. The use of City Council and Planning Commission verbiage will need to be replaced with that of the approved City Attorney formatting.
7. Item 7 refers to the possible sale of these properties. The preliminary subdivision is not laid out for the sale of individual lots. The lots will need to be modified if this is the intent. They will need to be laid out in a fashion that meets the Sallisaw Code of Ordinances and future rezoning of the property.
8. If individual sale is the plan, the street and turnaround tee must be built and dedicated to the City of Sallisaw.
9. Part of Lot 2 will become land locked and potentially not usable. What is the intended use of this piece of property?

115 East Choctaw  
PO Box 525  
Sallisaw, OK 74955



**Building Development**  
Phone: (918) 775-6241  
Fax: (918) 775-9550  
[www.sallisawok.org](http://www.sallisawok.org)

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November 9, 2022

RE: Notice of Public Hearing – Rezoning Request

To Whom It May Concern:

In accordance with the City of Sallisaw Ordinance Sec. 102-105 and Oklahoma Municipal Code Sec. 43-106, this letter is to inform you that a rezoning request has been filed with the Sallisaw Planning Commission. A public hearing will be heard on said application as follows:

Date of Hearing: **Tuesday, December 6, 2022**

Time: **5:30 p.m.**

Place: **Council Chambers, 113 N. Elm; Sallisaw**

You are invited to attend the meeting, if you wish to do so. Additional information attached.

Respectfully,

Keith Miller, CFM, Director  
Building Development

## **NOTICE OF PUBLIC HEARING** **ON APPLICATION FOR REZONING**

Notice is hereby given that the undersigned, as owner(s) or agent for the owner(s) of the following described property in the Sallisaw City Limits, Sequoyah County, **Oklahoma, to wit:**

ALL THAT PT OF N2 NE NW SE LYING E OF HY 59 &; W 2 1/2 OF N2 NW NE SE 32-12-24 LESS PT OF N2 NE NW SE BEG @ PT OF EAST ROW OF US HWY 59 INTERSECTS THE NORTH LINE OF N2 NE NW SE 37.31' S88 03 07W OF THE NE COR; THENCE S02 04 07E 330.13'; THENCE N88 03 25E 25.00'; THENCE N02 04 07W 153.67'; THENCE N01 15 48E 176.74'; THENCE S88 03 07W 35.27 TO THE POB.

has filed with the Sallisaw Planning Commission a written application # **PC 2022-0013** pursuant to the Zoning Ordinance as adopted by the City of Sallisaw, Oklahoma, to **rezone from Commercial Office District (C-1) to Highway Commercial and Commercial Recreation District (C-4)**

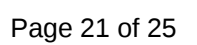
The undersigned will present said application to the Sallisaw Planning Commission on **December 6, 2022**, at **113 N. Elm, beginning at 5:30 pm**, at which time the Sallisaw Planning Commission will conduct a public hearing on said application. All interested persons are entitled to be heard and are invited to attend. Notice is published this 9th day of November, 2022.

By: **CREOKS Mental Health Services, Inc.**  
Owner(s)

or By: **Wallace Design Collective, PC**  
Agent

By: **Crystal Sides**  
Secretary, Sallisaw Planning Commission

**Bill To:**  
**Wallace Design Collective, PC**  
**410 N Walnut Ave., Ste. 200**  
**Oklahoma City, OK 7310**



## **AGENDA ITEM COMMENTARY**

**Meeting Date:** December 6, 2022  
**Board:** Sallisaw Planning Commission  
**Subject:** Ordinance

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**ITEM TITLE:** Discuss, consider and take possible action concerning an amendment to the City of Sallisaw Code of Ordinances, Chapter 102, concerning agricultural yard requirements, Sections 102-224, 102-231 and addition of special use pen requirements for swine, Section 102-223-1.c.

**INITIATOR:** City Manager

**STAFF INFORMATION SOURCE:** Building Development Director

**BACKGROUND:** The Board of City Commissioners recently passed an ordinance allowing students involved in FFA or other types of organizations that show swine to keep swine within the city limits. Prior to having swine inside the city limits, there are certain requirements that must be met and a special use permit obtained. If approved, this ordinance sets the minimum yard and pen requirements.

**EXHIBITS:** 1. 12.12.2022.Chapter 102 Ordinance\_\_DRAFT

**KEY ISSUES:** None.

**FUNDING SOURCE:** N/A

**RECOMMENDATION:** Approval.

**ORDINANCE 2022-\_\_\_\_\_**

**AN ORDINANCE REPEALING SECTIONS 102-224 AND 102-231 OF CHAPTER 102, ARTICLE IV OF THE SALLISAW CITY CODE OF ORDINANCES AND SUBSTITUTING A NEW SECTION 102-224 AND 102-231 OF CHAPTER 102, ARTICLE IV OF THE SALLISAW CITY CODE OF ORDINANCES AND ENACTING A NEW SECTION 102-223-1.c TO CHAPTER 102, ARTICLE IV AND DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF SALLISAW, OKLAHOMA.**

**SECTION 1. REPEAL AND ENACTING NEW SECTIONS**

That Sections 102-224 AND 102-231 of the Sallisaw City Code of Ordinances be amended by repealing and striking the same and enacting the following Sections, to-wit:

**Section 102-224. A1 Minimum Yard Requirements**

- a) The following minimum requirements for yards shall apply to any use that is constructed or commenced on any parcel of land the A-1 district.

| TABLE 102-224       |          |           |              |            |            |         |           |
|---------------------|----------|-----------|--------------|------------|------------|---------|-----------|
|                     | Lot Area | Lot Width | Max Coverage | Front Yard | Side Yards |         | Rear Yard |
|                     |          |           |              |            | Total      | Each    |           |
| Residential         | 3 acres  | 200 Feet  | 30%          | 35 Feet    | 50 Feet    | 25 Feet | 50 Feet   |
| Other Approved Uses | 5 acres  | 330 Feet  | 50%          | 50 Feet    | 150 Feet   | 75 Feet | 50 feet   |

- b) The side yard for corner lots in the A-1 district shall be a minimum of 50 feet on all interior intersections, commercial, collector and residential streets. Where adjacent to a major intersection and section line roads a primary or secondary thoroughfare the minimum shall be 65 feet. An expressway, bi-pass, state highway or interstate shall be 80 feet.
- c) See Chapter 10 Animals for further yard and use requirements.

**Section 102-231. A2 Minimum Yard Requirements**

- a) The following minimum requirements for yards shall apply to any use that is constructed or commenced on any parcel of land the A-2 district.

| TABLE 102-231       |                                              |           |              |            |            |         |           |
|---------------------|----------------------------------------------|-----------|--------------|------------|------------|---------|-----------|
|                     | Lot Area                                     | Lot Width | Max Coverage | Front Yard | Side Yards |         | Rear Yard |
|                     |                                              |           |              |            | Total      | Each    |           |
| Residential         | 2 acres                                      | 100 Feet  | 30%          | 35 Feet    | 50 Feet    | 25 Feet | 35 Feet   |
| Other Approved Uses | 5 acres                                      | 330 Feet  | 50%          | 50 Feet    | 100 Feet   | 50 Feet | 50 feet   |
| Urban Estate        | 3 acres + 2 acres per additional family home | 330 Feet  | 40%          | 50 Feet    | 100 Feet   | 50 Feet | 50 Feet   |

- b) The side yard for corner lots in the A-2 district will be a minimum of 35 feet on interior intersections and 50 feet where adjacent to a major intersection.
- c) The side yard of institutional uses when adjacent or abutting an R district, M district or any other residential uses shall be 75 feet on each abutting side yard. All other side yards apply when not abutting
- d) See Chapter 10 Animals for further yard and use requirements.

## SECTION 2. ENACTING NEW SECTION 102-223.1.c SPECIAL USE MINIMUM PEN REQUIREMENTS

- a) The following minimum requirements for pens shall apply to the special use permit in accordance with Ordinance No. 2022-13. Application shall be approved prior to the construction of pens and housing of swine. Construction shall not begin prior to approval of application.

| TABLE 102-223.1.c |                 |                           |              |                                                |                                             |
|-------------------|-----------------|---------------------------|--------------|------------------------------------------------|---------------------------------------------|
| Pen               | Number of Swine | Area                      | Pen Size     | Floor                                          | Residence Clearance                         |
| Individual        | Max 2           | 50 Square feet per swine. | 5 ft x 10 ft | Concrete with straw or wood shavings for cover | 100 feet from nearest neighboring residence |
| School            | Max 20          | 50 Square feet per swine  | 5ft x 10ft.  | Concrete with straw or wood shavings for cover | 100 feet from nearest neighboring residence |

- b) The pen shall be located as not to create a nuisance to adjacent property owners.
- c) If outside, the pen shall have a means for the animal to get out of inclement weather.
- d) Pens shall be kept clean of feces and urine as not to create odors to the surrounding area.
- e) Used straw and wood shavings shall be disposed of properly. Daily cleaning is recommended.
- f) Failure to meet the recommended requirements shall constitute revocation of the special use permit.
- g) The pen is subject to yearly inspection by the Animal Control Officer.
- h) The breeding of swine is strictly prohibited.

- i) See Chapter 10 Animals for further yard and use restrictions

### **SECTION 3**

If, regardless of cause, any section, subsection, paragraph, sentence, phrase, portion, or clause of this ordinance is held invalid or determined to be unconstitutional, the remaining sections, subsections, paragraphs, sentences, phrases, portions or clauses shall continue in full force and effect and shall be construed thereafter as being the entire provisions of this ordinance.

**WHEREAS**, an emergency and immediate necessity exists by reason of the health, safety and protection of the citizens of Sallisaw; therefore, an emergency is hereby declared to exist by reason whereof this Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED**, this 12<sup>th</sup> day of December, 2022.

**CITY OF SALLISAW, OKLAHOMA**

By: \_\_\_\_\_  
**ERNIE MARTENS, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**KIM JAMISION, CITY CLERK**  
**[SEAL]**