SALLISAW PLANNING COMMISSION
SPECIAL MEETING

May 20, 2024

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. **Discussion and possible action of the minutes of the regular meeting of March 5, 2024**

4. **Discussion and possible action to elect a Vice Chairman**

5. **Discuss, consider, and take possible action on Case No. PC 2024-003; Preliminary plat presentation of Eastgate Shopping Center Lots 1 and 2, by Rhino Holdings Sallisaw, LLC**

6. **Discuss, consider, and take possible action on Case No. PC 2024-004; Preliminary plat presentation of Osiyo Addition, by Millison Casting Technology, LLC**

7. **Adjourn**

Posted: **May 14, 2024**
Time: **3:00 p.m.**
Lisa Gabbert

MINUTES

SALLISAW PLANNING COMMISSION

REGULAR MEETING

MARCH 5, 2024

The Sallisaw Planning Commission met in a regular meeting on March 5, 2024, 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 February 29, 2024 at 2:15 p.m.; by posting on the city's website; and, by giving notice to the City Clerk.

Members present:	Crystal Sides,	Secretary
	Ronnie Woodward,	Member
	Scott Looper,	Member
	Reece Bush	Member
Members absent:	Tim Brown	Chairman
	Brady Bauer	Member
	Matt Duke	Member
Staff present:	Keith Miller,	Building Development Director
	Chris Carter,	Senior Code Inspector
	Katie Horton	Recording Secretary
Others present:	Lynn Adams, Sequoyah County Times	
	Josh Bailey, JMBailey Properties	

Meeting called to order

Meeting was called to order at 5:41 p.m.

Declaration of a quorum

A quorum was declared.

Discussion and possible action of the minutes of the regular meeting of February 6, 2024.

Motion made by Woodward, seconded by Busch to accept the February 6, 2024 minutes as presented.
Vote: Looper aye, Sides aye, Woodard aye, Busch aye. Motion carried 4-0

Discussion and possible action to elect a Vice Chairman

Motion made by Woodward and seconded by Busch to table item due to not all members on the board being present.
Vote: Looper aye, Sides aye, Woodard aye, Busch aye. Motion carried 4-0.

Discuss, consider, and take possible action on the property layout of the High Density District multi-unit development of Lots 1,2,3,4,5,6 & 7, Block 15 Fairview Addition, owned by JMBailey Properties, LLC.

Carter explained to the board that Bailey wanted to acquire more property to accommodate the presented layout. Carter suggested building ten of the homes past the first two lots to have room for parking in case of not being able to get more property. Bailey said he could build eight of the homes as phase 1, and build the other four if property became available.
Motion made by Busch, seconded by Sides to approve phase 1 of 2 of property layout, with phase 1 having the first two lots pushed back to starting at lots three and four for parking, and to bring back phase 2 to be approved at a later date if property was acquired.
Vote: Looper aye, Sides aye, Woodard aye, Busch aye. Motion carried 4-0

Discuss, consider, and take possible action on Case No. PC 2024-001; Lots 1,2,3,4,5,6 & 7, Block 15 Fairview Addition rezoning request from Residence District (R-2) to High Density Housing District (RT-2) by JMBailey Properties, LLC.

Motion made by Busch, seconded by Wooward, to rezone Lots 1,2,3,4,5,6 & 7 Block 15 Fairview Addition from Residence District (R-2) fto High Density Housing District (RT-2).
Vote: Looper aye, Sides aye, Woodard aye, Busch aye. Motion carried 4-0

Adjourn

Motion made by Busch, seconded by Sides to adjourn the meeting.
Vote: Looper aye, Sides aye, Woodard aye, Busch aye. Motion carried 4-0.
Meeting adjourned at 5:57 p.m.

Approved this _____ day of _____, _____.

_____
Chairman

ATTEST:

_____
Crystal Sides, Secretary

AGENDA ITEM COMMENTARY

Meeting Date:	May 20, 2024
Board:	Sallisaw Planning Commission
Subject:	Plat Presentation of Eastgate Shopping Center Lots 1 and 2

ITEM TITLE: Discuss, consider, and take possible action on Case No. PC 2024-003; Preliminary plat presentation of Eastgate Shopping Center Lots 1 and 2, by Rhino Holdings Sallisaw, LLC

INITIATOR: Mickle Griffin, agent for Rhino Holdings Sallisaw, LLC

STAFF INFORMATION SOURCE: Building Development Staff

BACKGROUND: Mickle Griffin, agent for Rhino Holdings Sallisaw, LLC will present a preliminary plat for Eastgate Shopping Center Lots 1 and 2 for approval. The shopping center is located at 1900 E. Cherokee, and the proposed use of the property is retail as it is currently.

EXHIBITS:
1. PC2024-003 Sallisaw Plat app
2. 13681 - Final Plat, Eastgate Shopping Center, Lots 1 & 2 - 050624

KEY ISSUES: Parking-not enough for intended use of property.

FUNDING SOURCE: None

RECOMMENDATION:

CASE # _____

PLANNING COMMISSION

APPLICATION FOR PLAT APPROVAL

Application is hereby made to the Planning Commission of a recommendation to the City Council for rezoning of the following described property to a district

General Location 1900 E. Cherokee; Part E/2 Sec. 4, T11N, R24E; 10.6 Acres
(Street Address, Legal Description and Acreage: Attach additional sheets if necessary)

Present Use of Property Retail

Proposed Use of Property Retail

Record Owner of Property Rhino Holdings Sallisaw, LLC

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

☒ agent for, owner ☐ other _____

Are there any Private or Deed Restrictions controlling the use of this property? Yes – Noted on plat.

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

Signed Jeffrey Holmes Address _____

Phone (479) 649 8484 _____

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: _____ Date: _____

_____ Present Zoning _____

Fee Receipt:: _____ Requested: _____

PC Action: _____ Date: _____

City Action: _____ Date: _____

Ordinance No.: _____

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Rhino Holdings Sallisaw. LLC, being the (SOLE OWNER) of the fee simple and to the following described real estate situated in the County of Sequoyah, State of Oklahoma, to–wit:

Part of the East–Half of Section 4, and part of Lot 60, Country Club Estates, all in Township 11 North, Range 24 East, Indian Meridian, Sallisaw, Sequoyah County, Oklahoma. Being more particularly described as follows:

Beginning at the Southwest Corner of the Southwest Quarter of the Northeast Quarter of Section 4, Township 11 North, Range 24 East, Indian Meridian, Sallisaw, Sequoyah County, Oklahoma; Thence N01°58'58"W, 207.97 feet; Thence N51°04'27"W, 46.64 feet; Thence 42.13 feet along the arc of a curve to the left, said curve having a radius of 44.99 feet and being subtended by a chord having a bearing of N77°53'57"W and a distance of 40.61 feet; Thence 213.96 feet along the arc of a curve to the left, said curve having a radius of 295.36 feet and being subtended by a chord having a bearing of N18°54'28"E and a distance of 209.3 feet; Thence N01°58'58"W, 135.26 feet; Thence S78°20'04"E, 84.81 feet; Thence N31°01'47"E, 124.68 feet to a point on the southwesterly right–of–way line of Highway 64; Thence along said right–of–way line, S52°28'30"E, 623.10 feet; Thence leaving said right–of–way line, S37°38'47"W, 250.00 feet; Thence S52°26'08"E, 170.39 feet; Thence S37°41'46"W, 450.24 feet; Thence N52°21'15"W, 170.00 feet; Thence S37°44'18"W, 191.35 feet; Thence N53°39'27"W, 76.96 feet; Thence N02°17'07"W, 371.25 feet to the Point of Beginning. Containing 10.603 acres, more or less.

have caused the same to be surveyed, staked and platted and have caused the same to be named and designated "Eastgate Shopping Center – Lots 1 & 2", an addition to the City of Sallisaw, Oklahoma. I/we hereby dedicate to the City of Sallisaw, its successors and assigns, all easements and streets as shown on this plat and do hereby guarantee clear title to all land that is dedicated for the purpose of providing an orderly development of the entire tract.

_____
OWNER TITLE

STATE OF _____
SS
COUNTY OF _____

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2024, personally appeared _____, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he/she/they executed the same as his/her/their free and voluntary act and deed for the uses and purposes therein set forth.

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

_____
Notary

My Commission Expires:

_____

(SEAL)

SURVEYOR'S CERTIFICATE

I, Douglas R. Whitlock, R.L.S., a competent surveyor and a Registered Land Surveyor under Registration No. 1602, do hereby certify that I have carefully and accurately surveyed and staked the property located on a part of the East–Half of Section 4, and part of Lot 60, Country Club Estates, as described on the plat and that iron pins have been placed at all property corners and that the described plat is a true representation of said survey.

Certificate of Authorization: #9099; Expires 6–30–2025

Witness my hand this the _____ day of _____, 2024.

_____
SURVEYOR NAME, R.L.S.

STATE OF _____
SS
COUNTY OF _____

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2024, personally appeared Douglas R Whitlock, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

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

_____
Notary

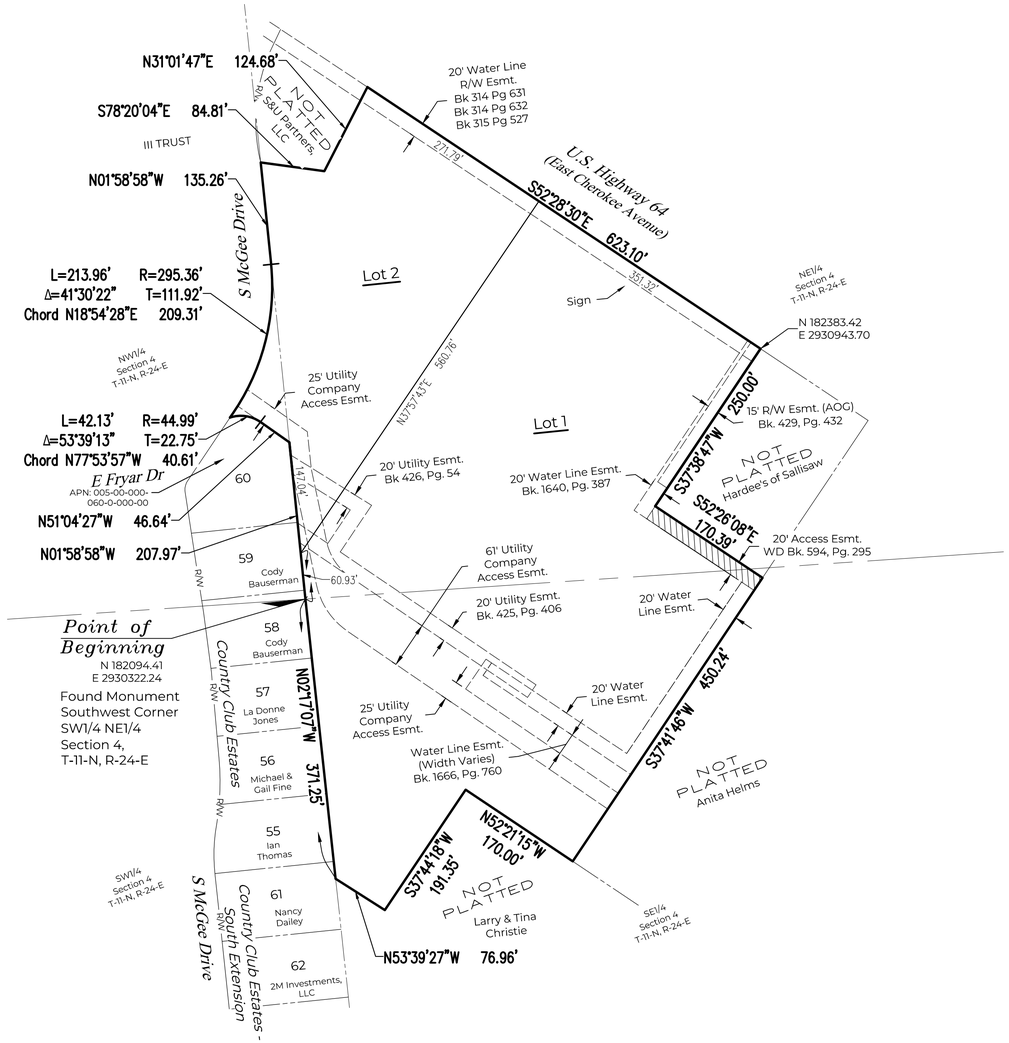
My Commission Expires:

_____

(SEAL)

LEGEND

Existing Easement	— — — — — — — —
Right–of–Way	——— R/W ———
Lot Line	———— — ————
Boundary Line	————————



Eastgate Shopping Center – Lots 1 & 2

An addition to the City of Sallisaw, being part of the East–Half of Section 4, and part of Lot 60, Country Club Estates, all in Township 11 North, Range 24 East, Indian Meridian, Sequoyah County, Oklahoma

Date: May 2024 Scale: 1" = 100'

MICKLE GRIFFIN
ENGINEERS - SURVEYORS
3434 Country Club Ave. (479) 649-8484
P.O. Box 8130 Fax: (479) 649-8486
Fort Smith, Arkansas info@micklegriffin.com

APPROVAL OF PLAT

The Board of City Commissioners of the City of Sallisaw, Oklahoma hereby approve this plat of "Eastgate Shopping Center – Lots 1 & 2", an addition to the City of Salllisaw, Oklahoma, and accepts the easements shown therein.

Dated this _____ day of _____, 2024.

CITY OF SALLISAW, OK

_____
MAYOR

ATTEST:

_____
CITY CLERK

(SEAL)

The Planning Commission of the City of Sallisaw, Oklahoma recommends approval of plat "Eastgate Shopping Center – Lots 1 & 2", an addition to the City of Sallisaw, Oklahoma and the easements as shown therein.

Dated this _____ day of _____, 2024.

_____
CHAIRMAN

_____
SECRETARY

TREASURER'S CERTIFICATE

I, Angela Gist, Treasurer of Sequoyah County, Oklahoma, do hereby certify that all taxes on the property hereon platted and described have been paid or cash bond placed to secure the same.

Dated the _____ day of _____, 2024.

_____
COUNTY TREASURER

NOTES:

Highway Right–of–Way information from ODOT.

Basis of Bearing is Grid, OK State Plane, North Zone, NAD83

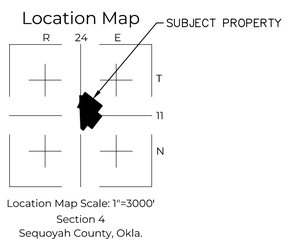
Elevation Reference: NAVD88

Temporary Bench Mark Reference: Found Monument; N 182094.41, E 2930322.24, EL 511.69

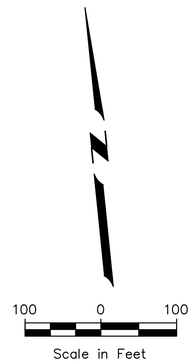
All Lot measurements are to Lot Corners.

All Lot measurements on Curves are Chord Distance

All Corner Radii equal 25.0 feet unless otherwise noted.



Location Map Scale: 1"=3000'
Section 4
Sequoyah County, Okla.



OWNER
Rhino Holdings Sallisaw, LLC
2200 Paseo Verde Parkway 260
Henderson NV, 89052

AGENDA ITEM COMMENTARY

Meeting Date:	May 20, 2024
Board:	Sallisaw Planning Commission
Subject:	Preliminary Plat Presentation of Osiyo Addition

ITEM TITLE: Discuss, consider, and take possible action on Case No. PC 2024-004; Preliminary plat presentation of Osiyo Addition, by Millison Casting Technology, LLC

INITIATOR: Osburn Land Surveyors, agent for Millison Casting Technology, LLC

STAFF INFORMATION SOURCE: Building Development Staff

BACKGROUND: Osburn Land Surveyors, agent for Millison Casting Technology, LLC will be presenting a preliminary plat for Osiyo Addition. The property is located at 1300 S. Buddy Spencer Ave., and its intended use is industrial. Millison Casting Technology, LLC is requesting the property be platted so they are able to resell.

EXHIBITS:
1. PC2024-004 Osiyo Application
2. 04-30-2024 Osiyo Addition

KEY ISSUES: None

FUNDING SOURCE: None

RECOMMENDATION: Approval

PC2024-004

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

Osigo Addition

General Location 3005 Buddy Spencer
(Street Address)

Present Use of Property Industrial

Proposed Use of Property Industrial

Record Owner of Property SLPT

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

☒ agent for, Osburn Land Surveyors ☐ other _____

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

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

Signed _____ Address 3615 W. Cherokee Ave
Sullivan, OR

Phone 918-775-9322

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: _____ Date: _____

_____ Present Zoning _____

Application No.: _____ Requested: _____

Fee Receipt: _____ P.C. Action _____

City Action: _____ Date: _____

Ordinance No.: _____

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That We, Millison Casting Technology LLC, being the sole owner of the fee simple and to the following described real estate situated in the County of Sequoyah, State of Oklahoma, recorded in Book 1671 at Page 536 in the Sequoyah County Clerks office, to–wit:

Part of the Northeast Quarter (NE/4) of Section Eight (8). Township Eleven (11) North, Range Twenty–Four (24) East, Sequoyah County, Oklahoma, being more particularly described as follows:
Beginning at the Southwest Corner of the Northeast Quarter (NE/4); thence N89°51'E 1319.0 feet to the Southeast Corner of the Southwest Quarter (SW/4) of the Northeast Quarter (NE/4); thence North 1212.4 feet along the East line of said Southwest Quarter (SW/4) of the Northeast Quarter (NE/4); thence N56°44'E 197.0 feet to t a point on the North line of the Southeast Quarter (SE/4) of the Northeast Quarter (NE/4); thence S89°51'W 164.7 feet to the Northwest corner of said Southeast Quarter (SW/4) of the Northeast Quarter (NE/4); thence North 538.73 feet along the East line of the Northwest Quarter of the Northeast Quarter (NE/4 to a point on the Southerly right of way of Interstate Highway I–40; Thence S76°27'W 526.0 feet along said right of way; thence N89°03'W 134.25 feet along said right of way; thence S85°07'W 676.15 feet along said right of way to a point on the West line of said Northeast Quarter (NE/4); thence South 1684.26 feet along said West line to the point of beginning.

owner–managing member Jason Zhang

STATE OF OKLAHOMA
SS
COUNTY OF SEQUOYAH

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2024, personally appeared_____ the owner–managing member of Millison Casting Technology LLC, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

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

Notary

My Commission Expires:

(SEAL)

SURVEYOR'S CERTIFICATE

I, Kelly Osburn, Oklahoma Registered Professional Land Surveyor, No. 1628, do hereby certify that I have carefully and accurately surveyed the property located in a part of Section 8, T11N, R24E, as described on this plat and that existing monuments have been found or #3 rebar with caps have been placed at all property corners and that the described plat is a true representation of said survey. This survey meets the requirements of the Oklahoma Minimum Standards.

Certificate of Authorization: #5391; Expires 6–30–2025

Witness my hand this the _____ day of _____, 2024.

Kelly Osburn, P.L.S. 1628

STATE OF OKLAHOMA
SS
COUNTY OF SEQUOYAH

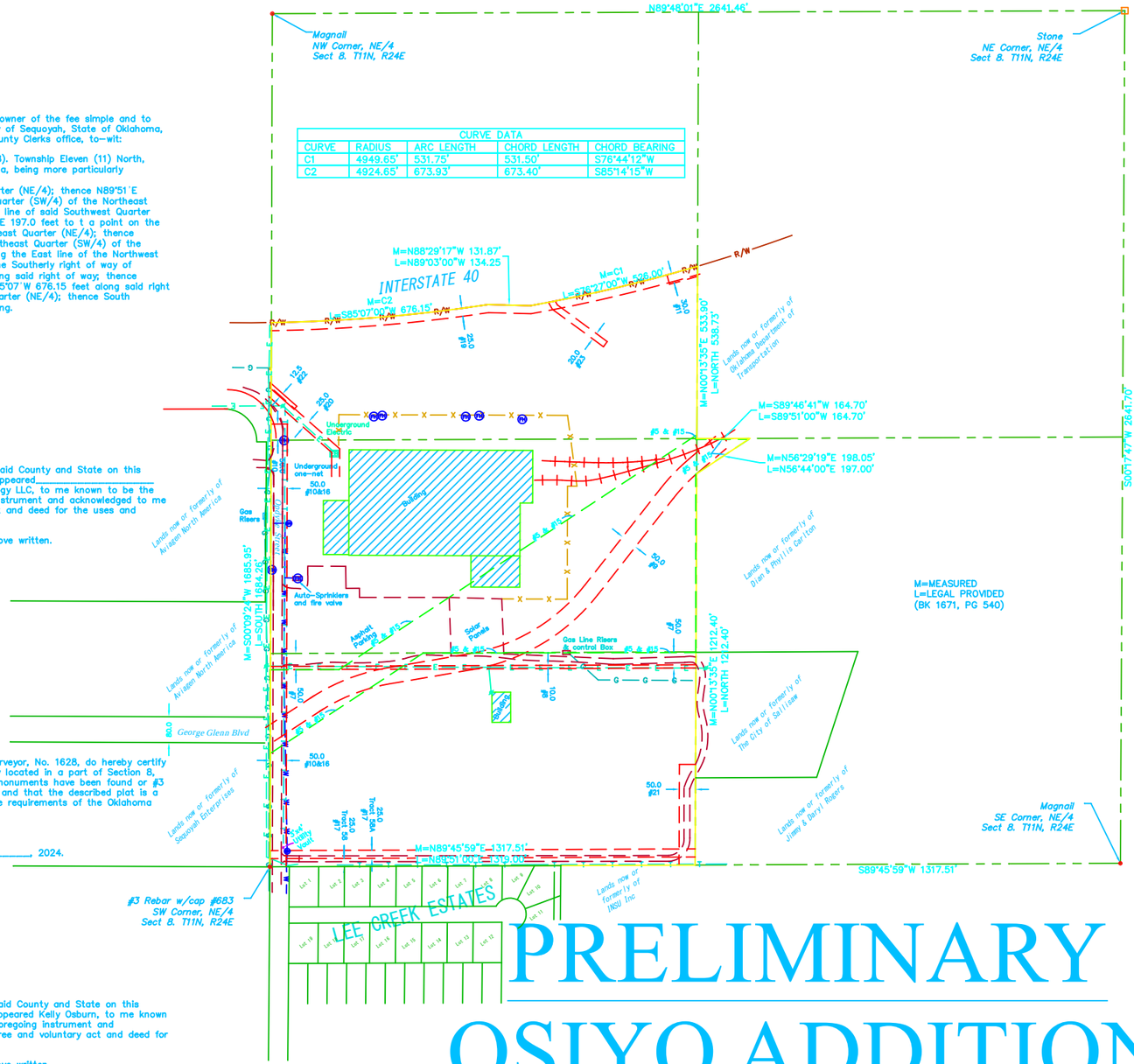
Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of _____, 2024, personally appeared Kelly Osburn, to me known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

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

Notary

My Commission Expires:

(SEAL)



M=MEASURED
L=LEGAL PROVIDED
(BK 1671, PG 540)

CURVE DATA				
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	4949.65'	531.75'	531.50'	S76°44'12"W
C2	4924.65'	673.93'	673.40'	S85°14'15"W

PRELIMINARY

OSIYO ADDITION

An addition to the City of Sallisaw, being a part of the NE/4 of Section 8, Township 11 North, Range 24 East, Sequoyah County, Oklahoma.

Date: 04–2024 Scale: 1"=300'

Owner/Developer: Millison Casting Technology LLC

Osburn Land Surveyors, LLC.

3615 West Cherokee P.O. Box 1406
Sallisaw, OK 74955
Office – (918) 775–9322

APPROVAL OF PLAT

The Board of Commissioners of the City of Sallisaw, Oklahoma hereby approve this plat of "Osiyo Addition", an addition to the City of Sallisaw, Oklahoma, and accept all streets and easements shown therein.

Dated this _____ day of _____, 2024.

CITY OF SALLISAW

_____
MAYOR

ATTEST:

_____
CITY CLERK

(SEAL)

The Planning Commission of the City of Sallisaw, Oklahoma recommends approval of plat "Osiyo Addition", an addition to the City of Sallisaw, Oklahoma and the streets and easements as shown therein.

Recommended Approval on _____day of _____ 2024

_____
CHAIRMAN

_____
SECRETARY

TREASURER'S CERTIFICATE

I, Angela Gist, as Treasurer of Sequoyah County, Oklahoma, do hereby certify that all taxes on the property hereon platted and described have been paid or cash bond placed to secure the same.

Dated the _____ day of _____, 2024.

_____
COUNTY TREASURER

Excrptions described on legal provided Book 1671 Page 536–543

#5. Bk 227 Pg 107 Warranty Deed file in Book 227 Page 107. This instruments describes a Railroad Spur through the NE/4 of Section 8, T11N, R24E. This spur tract is no longer existing and is no longer in use. The owners should satisfy themselves as to clear and marketable title to the property described in said filed instruments

#6. Bk 242 Pg 343 Decree of Incorporation. The purpose of this instrument is outlined on the face of the document and primarily deals with the Conservancy Act of the State of Oklahoma. The owners should satisfy themselves as to any burden this may import on the subject property described in this deed of dedication.

#7. Bk 204 Pg 139 Easement for Pipeline and Roadway in favor of the City of Sallisaw, Oklahoma. This easement is illustrated.

#8. Bk 320 Pg 215 Easement in favor of the City of Sallisaw for sewer line.
This easement is illustrated.

#9. Bk 336 Pg 216 Easement in favor of The Kansas City Southern Railway Company.
This instrument conveys a perpetual easement or right of way to the aforementioned company for railroad purposes upon, over and across a part of the NE/4 of Section 8, T11N, R24E and is illustrated.

#10 Bk 336 Pg 219 Easement in favor of the City of Sallisaw. This instrument convey a perpetual easement and right of way to said Sallisaw and is illustrated.

#11 Bk 282 Pg 486 Right of way in favor of Fort Smith Gas Corporation and is illustrated.

#12. Bk 282 Pg 488 Right of way in favor of Fort Smith Gas Corp.
This instrument gives no specific location but may affect the property described in the deed of dedication.

#13. Bk 253 Pg 391 Dedication Deed for Public Highway in favor of the State of Oklahoma. The south line of this deed is the North line of the property described in the deed of dedication.

#15. Bk 336 Pg 213 Assignment in favor of Sallisaw Industrial Corporation and is illustrated. This instrument between Kansas City Southern Railway Company and said Sallisaw Industrial Corporation conveys a parcel which is intended to be the same parcel filed in Book 227 Page 107 or Exception #5.This instruments describes a Railroad Spur through the NE/4 of Section 8, T11N, R24E. This spur tract is no longer existing and is no longer in use. The owners should satisfy themselves as to clear and marketable title to the property described in said filed instruments.

#16. Bk 336 Pg 221 Easement in favor City of Sallisaw is the same described easement as Exception #10 and is illustrated.

#17. Bk 347 Pg 157 This instrument is a Utility Easement in favor of the City of Sallisaw for the purpose of constructing a water transmission line and is illustrated.

#19. Bk 373 Pg 64 This instrument is a Utility Easement in favor of the City of Sallisaw for the purpose of constructing a water transmission line and is illustrated.

#20. Bk 383 Pg 92 A Utility Easement in favor of the City of Sallisaw for the purpose of constructing and maintaining an electric line and is illustrated.

#21 Bk 421 Pg 588 is an Easement for Street and Utilities if favor of the City of Sallisaw and is illustrated

#22 Bk 842 Pg 660 is an Easement in favor of the City of Sallisaw for the construction and maintenance of an electric transmission line and is illustrated.

#23 Bk 872 Pg 631 is an Easement in favor of the City of Sallisaw for the construction and maintenance of a electric, telephone, water, sewer or any other utility line. This easement is illustrated.

200 100 0 200 400 600
SCALE IN FEET

Location Map
R 24 E
T 11 N
Location Map Scale: 1"=3000'
Section 8
Sequoyah County, Okla.

LEGEND

E — E Electric Line	Section Line
Easement Line	SS — SS Sewer Line
X — X Fence Line	T — T Telephone Line
G — G Gas Line	W — W Water Line
R/W Right–of–Way Line	10 Acre/40 Acre Line
Brass Cap	Telephone Box
Electric Box	Water Meter
Firehydrant	Water Spigot
Gas Meter	Water Valve
Light Pole	Set Monument
Power Pole	Existing Monument
Sewer Manhole	Shrub
Sign	Tree
Stone Monument	

Basis of Bearing S00°09'24"W along the West line of the NE/4 of Sect 8, T11N, R24E