

**SALLISAW PLANNING COMMISSION
REGULAR MEETING**

October 6, 2020

5:30 P.M.

**Wheeler Event Center
103 N. Wheeler Ave
Sallisaw OK 74955**

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 September 1, 2020**
- 4. Discuss, consider, and take possible action on Case No. PC 2020-007;
Replat of Lots 1 and 2, Block 1 Argyle Addition by Big Ten Properties,
LLC**
- 5. Discuss, consider, and take possible action on Case No. PC 2020-008;
rezoning request from commercial (C-1) and residential (R-2) to all
residential (R-2) by Big Ten Properties, LLC.**
- 6. Discuss, consider, and take possible action to elect a secretary of the
Sallisaw Planning Commission.**
- 7. Adjourn**

Posted: OCTOBER 1, 2020

Time: 11:40 AM

KIM JAMISON

SALLISAW PLANNING COMMISSION

REGULAR MEETING SEPTEMBER 1, 2020

MINUTES

The Sallisaw Planning Commission met in a regular meeting on September 1, 2020, in the Wheeler Event Center, located at 103 N. Wheeler Ave, Sallisaw. Notice of the meeting was given by posting at city hall on August 28, 2020 at 11:45 a.m.; by posting on the City's website; by emailing Sequoyah County Times; and by giving notice to the City Clerk's Office.

MEMBERS PRESENT: Ronnie Woodward Joe Velasquez Scott Looper
 Brady Bauer

MEMEBERS ABSENT: Amanda Sullivan Matt Duke Tim Brown

OTHERS PRESENT: Brian Duke Matthew and Meagan Parks

STAFF PRESENT: Keith Miller Kim Jamison

Meeting was called to order at 5:31 p.m. and a Quorum was declared present.

MINUTES

The minutes of regular meeting of July 7, 2020, were presented for approval. Motion was made by Woodward, seconded by Looper, for approval of minutes as presented. Vote: Woodward aye, Velasquez aye, Looper aye, Bauer aye. Motion carried 4-0.

Discuss, consider, and take possible action on Case No. PC 2020-05; Rezoning Request from Residential (R-2) to neighborhood shopping district (C-2) by Apostolic Faith Church

John Speir, Trustee for Apostolic Faith Church, requested the property located at 101 North Washington Street be rezoned from residential (R-2) to neighborhood shopping district (C-2). The intent is to use the property as a screen print shop.

Motion was made by Looper, seconded by Woodward, for approval of rezoning request. Vote: Woodward aye, Velasquez aye, Looper aye, Bauer aye. Motion carried 4-0.

Discuss, consider, and take possible action on Case No. PC 2020-006; Rezoning Request from agriculture (A-1) to agriculture (A-2) by Diane Sanders and John Sanders

Mr. and Mrs. Sanders requested the property located at 310 East Taylor Drive be rezoned from agriculture (A-1) to agriculture (A-2). The intent is to construct a secondary home.

Motion was made by Looper, seconded by Bauer, for approval of rezoning request. Vote: Woodward aye, Velasquez aye, Looper aye, Bauer aye. Motion carried 4-0.

Motion was made by Woodward, seconded by Bauer, to adjourn the meeting there being no further business. Vote: Woodward aye, Velasquez aye, Looper aye, Bauer aye. Motion carried 4-0. Meeting ended at 5:45 p.m.

APPROVED this 6th day of October, 2020

Chairman, Sallisaw Planning Commission

ATTEST:

Secretary

AGENDA ITEM COMMENTARY

Meeting Date: October 6, 2020
Board: Sallisaw Planning Commission
Subject: Replat of Lots 1 and 2, Block 1 Argyle Addition

ITEM TITLE: Discuss, consider, and take possible action on Case No. PC 2020-007; Replat of Lots 1 and 2, Block 1 Argyle Addition by Big Ten Properties, LLC

INITIATOR: Kelly Osburn, Agent

STAFF INFORMATION SOURCE: Keith Miller

BACKGROUND: Kelly Osburn, agent for Big Ten Properties, LLC, is requesting a replat of Lots 1 and 2, Block 1 Argyle Addition, an addition to the City of Sallisaw for consideration. The intent is to construct duplexes on Lot 1 and 2. The existing structure on Lot 1 meets current code. The plan is to remodel.

EXHIBITS: 1. Application Case No. PC 2020-007
2. PC2020-007 revised Plat

KEY ISSUES: John Robert feels there may be an property encroachment of the ODOT easement, on Lot 1 that Kelly Osburn will have to explain in the meeting.

FUNDING SOURCE: N/A

RECOMMENDATION:

PLANNING COMMISSION

APPLICATION FOR REPLAT APPROVAL

Application is hereby made to the Planning Commission for consideration of a recommendation to the City Council for Replat of lots 1 & 2, Block 1

Argyle addition to City of Sallisaw

General Location HWY 59, north of Shelby ams

Present Use of Property C1/R2 Vacant / Single family home

Proposed Use of Property R2

Record Owner of Property : Big Ten Properties / Daniel Walker

If Applicant is other than owner, indicate interest: Purchaser, Lessee, Agent for, _____

Surveyor 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 Osborn Land Surveyor Address 3955 W. Cherokee

Phone 918-774-4458

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: Keith Miller

Date: 8-4-2020

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, Big Ten Properties, LLC, being the sole owners of the fee simple and to the following described real estate situated in the County of Sequoyah, State of Oklahoma, Lot 2 and the North 119.69 feet of Lot 1, Block 1 of Argyle Addition to the City of Sallisaw, Sequoyah County, Oklahoma.

Containing 4.55 acres, more or less, less public road right of ways and being subject to any easements of record.

have caused the same to be surveyed, staked and platted and have caused the same to be named and designated "Replat of Lots 1 & 2, Block 1 of Argyle Addition", an addition to the City of Sallisaw, Oklahoma. 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-Big Ten Properties, LLC, Daniel Walker-Managing Member

STATE OF OKLAHOMA
COUNTY OF SEQUOYAH SS

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of August, 2020, personally appeared Daniel Walker, 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 Argyle Addition to the City of Sallisaw, 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 plot is a true representation of said survey. This survey meets the requirements of the Oklahoma Minimum Standards.

Certificate of Authorization: #5391; Expires 6-30-2021

Witness my hand this the _____ day of August, 2020.

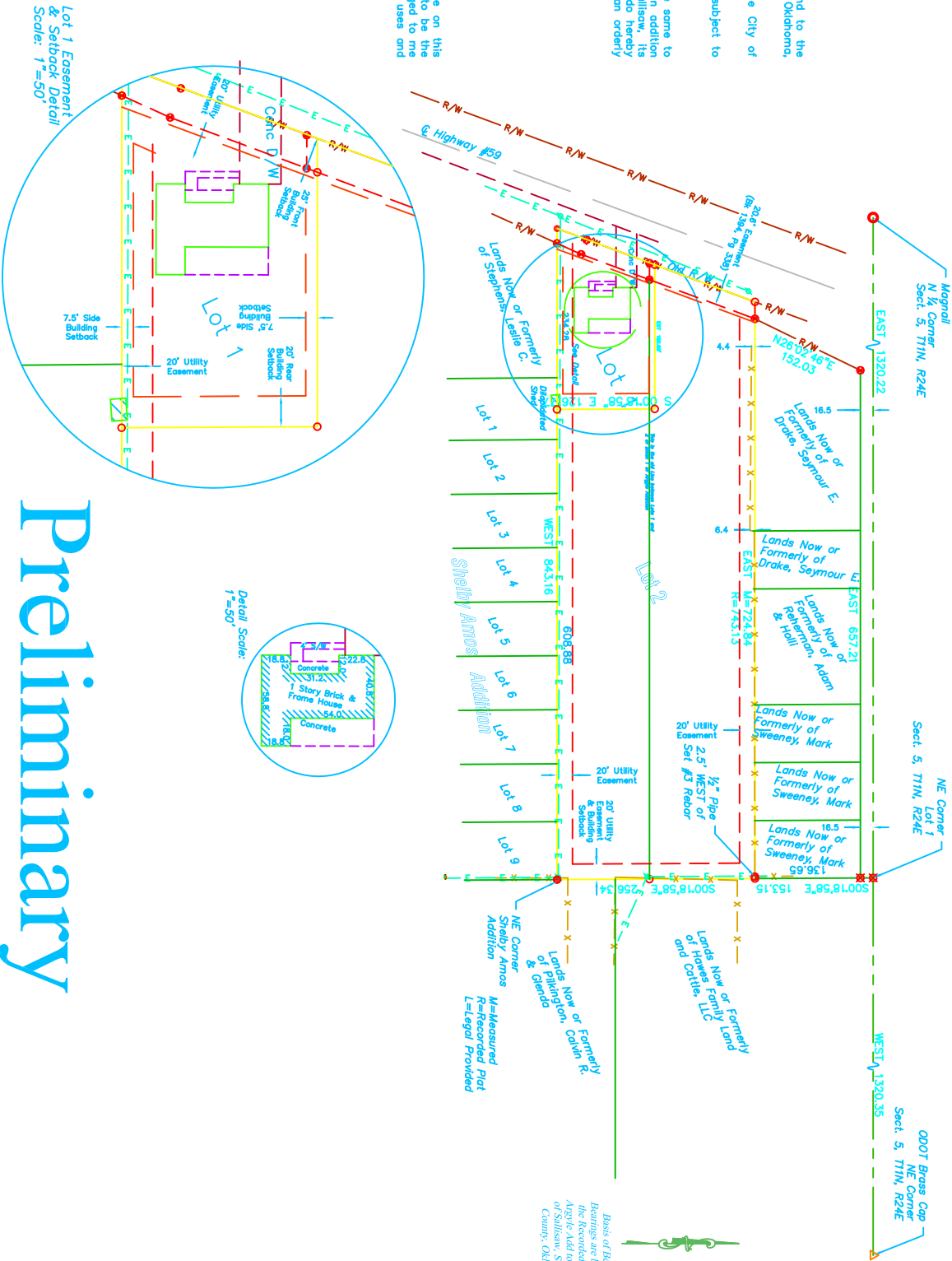
Kelly Osburn, P.L.S. 1628

STATE OF OKLAHOMA
COUNTY OF SEQUOYAH SS

Before me, the undersigned, a Notary Public in and for said County and State on this _____ day of August 2020, 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)



Preliminary Replat of Lots 1 & 2, Block 1 of Argyle Addition

An addition to the City of Sallisaw, being a part of Argyle Addition to the City of Sallisaw, Sequoyah County, Oklahoma.

Date: 08-2020 Scale: 1"=100'

Owner/Developer: Big Ten Properties, 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 "The Replat of Lots 1 and 2, Block 1 of Argyle Addition", an addition to the City of Sallisaw, Oklahoma, and accepts the easements shown therein.

Dated this _____ day of August, 2020.

CITY OF SALLISAW

MAYOR
ATTEST:

CITY CLERK
(SEAL)

The Planning Commission of the City of Sallisaw, Oklahoma, recommends approval of plat The Replat of Lots 1 and 2, Block 1 of Argyle Addition, an Addition to the City of Sallisaw, Oklahoma, and the easements as shown therein, on this _____ day of August, 2020.

Chairman of the Board
Attest:

Secretary

TREASURER'S CERTIFICATE

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

Dated the _____ day of August, 2020.

COUNTY TREASURER

NOTES:

Highway Right-of-Way information from 00017.

Easements affecting this property which may exist prior to the filing of this plat have not been shown.

The Section line passing through this plat is subject to a 330' statutory right-of-way (18.5' on each side) as created by Volume 32, U.S. Statutes at Large, Page 722.

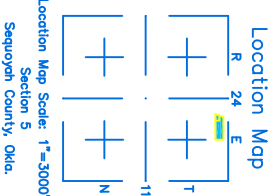
Bearings are based on the Recorded Plat of Argyle Add to the City of Sallisaw, Sequoyah County, Oklahoma

All Lot measurements are to Lot Corners.

Easement found in Book 1394, Page 338 has been related to Match the Basis of Bearing for this plot and has been illustrated as such.

Easement found in Book 565, Page 517 has been related to match the Basis of Bearing for this plot and has been illustrated as such.

- 604 Nail w/shiner
- Set #3 Rebar w/cap



AGENDA ITEM COMMENTARY

Meeting Date: October 6, 2020
Board: Sallisaw Planning Commission
Subject: Rezoning Request from Commercial (C-1) and Residential (R-2) to all Residential (R-2) by Big Ten Properties, LLC

ITEM TITLE: Discuss, consider, and take possible action on Case No. PC 2020-008; rezoning request from commercial (C-1) and residential (R-2) to all residential (R-2) by Big Ten Properties, LLC.

INITIATOR: Kelly Osburn, Agent

STAFF INFORMATION SOURCE: Keith Miller

BACKGROUND: Kelly Osburn, agent for Big Ten Properties, LLC, is requesting the property located at 408 N. Wheeler Avenue be rezoned from commercial (C-1) and residential (R-2) to all residential (R-2). The intent is to construct duplexes.

EXHIBITS:

1. Application Case No. PC 2020-008
2. MAP PC2020-008
3. Notice of Hearing - Case No. PC 2020-008

KEY ISSUES:

FUNDING SOURCE: N/A

RECOMMENDATION: Approval

CASE # PC2020-008

PLANNING COMMISSION

REQUEST TO REZONE

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 R2

- see attached

General Location 408. N. Wheeler Ave.

(Street Address)

Present Use of Property CV/R2 vacant/single family home

Proposed Use of Property R2

Record Owner of Property Big Ten Properties/ Daniel Walker

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

☐ agent for, ☒ other Surveyor

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 William J. Surmeier Address 3955 W. Cherokee
Phone 918-774-4458

APPLICANT - DO NOT WRITE BELOW THIS LINE

Application Received by: Keith Miller Date 8-4-2020

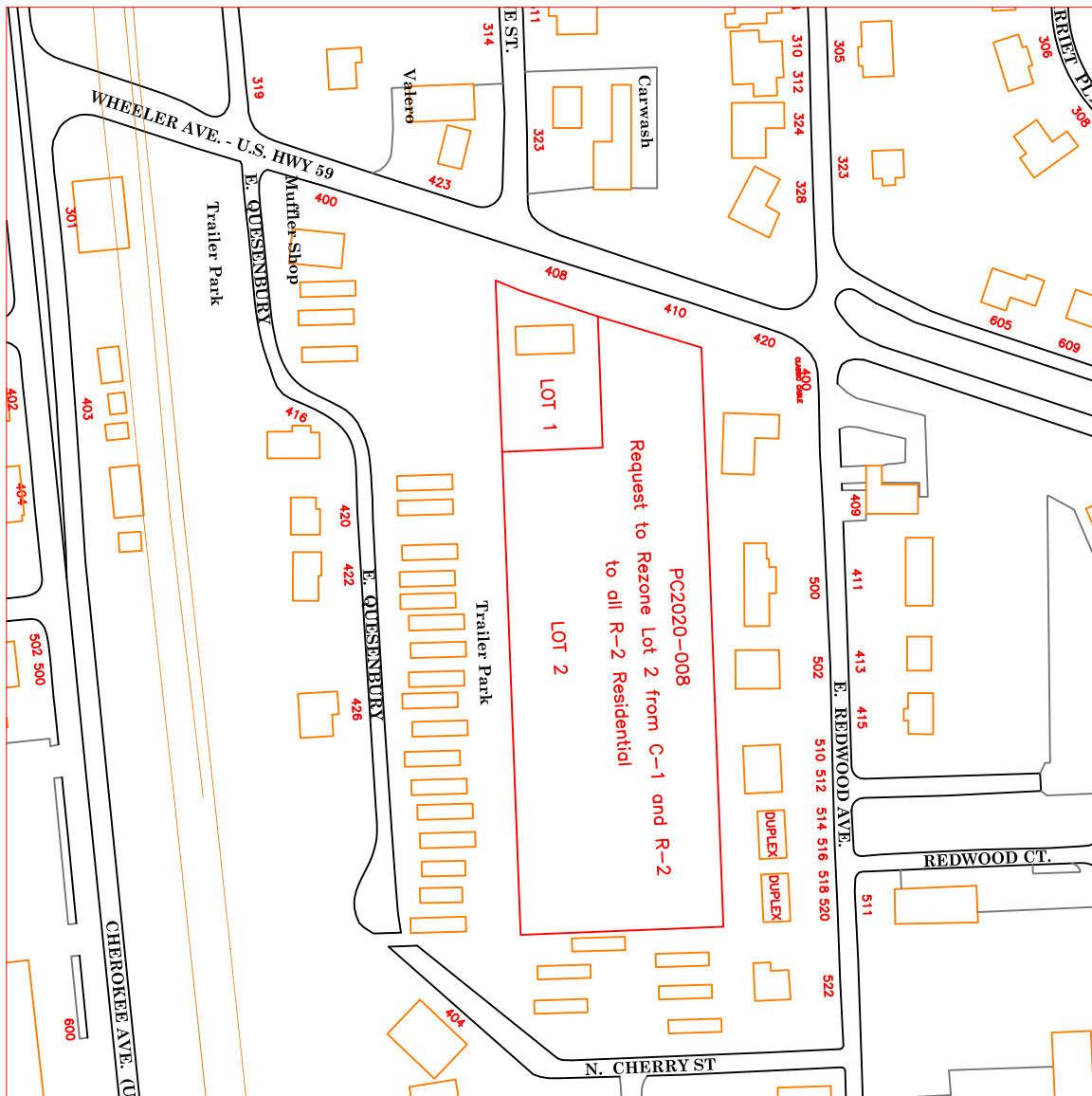
Application No.: _____ Requested: _____

Fee Receipt: _____ P.C Date: _____

City Council: _____

Date: _____

Ordinance No.: _____



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:**

Lot 2 and the North 119.69 feet of Lot 1, Block 1 of Argyle Addition to the City of Sallisaw, Sequoyah County, Oklahoma.

Containing 4.55 acres, more or less, less public road right of ways and being subject to any easements of record.

General Location: **408 N Wheeler Ave, Sallisaw**

has filed with the Sallisaw Planning Commission a written application # **PC 2020-008** pursuant to the Zoning Ordinance as adopted by the City of Sallisaw, Oklahoma, to **rezone from commercial (C-1) and residential (R-2 to all residential (R-2)**

The undersigned will present said application to the Sallisaw Planning Commission on **October 6, 2020**, at **103 North Wheeler Ave, 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 11th day of September, 2020.

By: **Big Ten Properties, LLC/Daniel Walker**
Owner(s)

or By: **Osburn Land Surveyors, Inc.**
Agent

By: **Joe Velasquez**
Chairman, Sallisaw Planning Commission

Bill To:

Osburn Land Surveyors
PO Box 1406
Sallisaw OK 74955
918-774-4458