

The City of Muskogee encourages participation from all its citizens in public meetings. If participation is not possible due to a disability, notify the Planning Department, in writing, at least forty-eight hours prior to the scheduled meeting and necessary accommodations will be made (ADA 28 CFR/36).

AGENDA
CITY OF MUSKOGEE PLANNING AND ZONING COMMISSION
November 6, 2017

Members of the City of Muskogee Planning and Zoning Commission are hereby requested to attend a Regular Meeting to be held on November 6, 2017, at 9:00 a.m. in the Council Chambers, 3rd Floor of the Municipal Building, Muskogee, Oklahoma, for the purpose of discussing the following items:

1. Roll Call.
2. Approval of the Minutes of the October, 2, 2017 Planning and Zoning Commission Meeting.
3. Consider approval of the request from George Collins, Sr. to consolidate Lots 20, 21, and part of Lot 22, Block "V" of the McKellop's Amended Addition, City of Muskogee, into two (2) tracts, or take other necessary action. (Gary D. Garvin)

TRACT 1; LOT 20 AND THE WEST 10.00 FEET OF LOT 21, BLOCK "V", MCKELLOP'S AMENDED ADDITION, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 7515 SQUARE FEET, MORE OR LESS

TRACT 2; LOT 21 LESS THE WEST 10.00 FEET AND LOT 22, LESS THE EAST 10.00 FEET, BLOCK "V", MCKELLOP'S AMENDED ADDITION. CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 7270 SQUARE FEET, MORE OR LESS.

4. Consider approval of the request from Macedonia Baptist Church to consolidate Lots 9 thru 14, Block 1 of the Pickens Addition, City of Muskogee, into one tract, or take other necessary action. (Gary D. Garvin)

LOTS 9-14, BLOCK 1 PICKENS ADDITION, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 39,600 SQUARE FEET, MORE OR LESS.

5. Consider approval of a Preliminary and Final Plat of Janie's Addition, consisting of one (1) lot on 4.33 acres, located on the south side of Gibson Street, west of Civitan Park, or take any other necessary action. (Gary D. Garvin)

A TRACT OF LAND SITUATED IN THE NW/4 NE/4 OF SECTION 30, T15N, R19E OF THE I.B.& M., MUSKOGEE COUNTY, STATE OF OKLAHOMA: WITH THE BASIS OF BEARING OF THIS DESCRIPTION BEING NAD83(93) OKLAHOMA STATE PLANE, NORTH ZONE AND PREPARED ON 9/20/2017 BY TONY ROBINSON, LS #1686: SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE NW CORNER OF THE NW/4 NE/4 OF SECTION 30, THENCE N88°20'49"E ALONG THE NORTH LINE OF SECTION 30 A DISTANCE OF 350.52 FEET; THENCE S5°00'51"W A DISTANCE OF 310.97 FEET; THENCE S89°00'47"W A DISTANCE OF 134.16 FEET; THENCE S0°39'19"E A DISTANCE OF 228.39 FEET; THENCE N89°00'47"E A DISTANCE OF 152.92 FEET TO A POINT ON A CURVE; THENCE ON A CURVE RIGHT WITH A RADIUS OF 2778.60 FEET AN ARC LENGTH OF 182.85 FEET AND A CHORD WHICH BEARS S1°22'14"W A DISTANCE OF 182.82 FEET; THENCE S88°20'49"W A DISTANCE OF 319.46 FEET; THENCE N1°39'11"W A DISTANCE OF 720.00 FEET TO THE POINT OF BEGINNING. CONTAINING 4.66 ACRES, MORE OR LESS.

6. Hold a Public Hearing and take action on the approval of an Ordinance rezoning the property located at 4421 Denison Street, more particularly described in the Ordinance, from "R-1" Single-Family Residential District to "C-1" Local Commercial District, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Gary D. Garvin)

LOTS 7 AND 8 IN BLOCK 19 IN CANARD ADDITION TO THE CITY OF MUSKOGEE, LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 14, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

7. Hold a Public Hearing and take action on the approval of an Ordinance rezoning the property located at 318 S. Cherokee Street, more particularly described in the Ordinance, from "R-1" Single-Family Residential District to "I-1" Light Industrial District, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Gary D. Garvin)

The NORTH 61.4 FEET OF LOT 4 IN BLOCK 367 MOT to the City of Muskogee, according to the official plat thereof, located in the Southwest Quarter (SW1/4) of Section 26, Township 15 North, Range 18 East, Muskogee County, State of Oklahoma.

Adjournment

Planning Commission

2.

Meeting Date: 11/06/2017

Initiator: Gary Garvin, Planning Director

Information

AGENDA ITEM TITLE:

Approval of the Minutes of the October, 2, 2017 Planning and Zoning Commission Meeting.

LEGAL DESCRIPTION:

BACKGROUND:

See attached minutes.

RECOMMENDED STAFF ACTION:

Approve the minutes.

Fiscal Impact

Attachments

COMP&ZC Minutes

MINUTES
City of Muskogee Planning and Zoning Commission
October 2, 2017

Members of the City of Muskogee Planning and Zoning Commission were called to order at a Regular Scheduled Meeting on Monday, October 2, 2017 at 9:00 a.m., in the Council Chambers, 3rd Floor of the Municipal Building, 229 W. Okmulgee Ave., Muskogee, Oklahoma.

Present: Lathon Archie III, Commissioner; Jack Bethany, Commissioner; Mark Luttrull, Commissioner; Justin Walker, Commissioner; Shirley Hilton, Commissioner; Patrick Cale, Commissioner; Stella Derrick, Commissioner

Staff Present: Gary D. Garvin, Director of Planning and Economic Development

Susan Ross, Office Administrator

1 Roll Call- Susan Ross

2 Chairman Mark Luttrull called for approval of the Minutes of the September 5, 2017 Planning and Zoning Commission meeting.

Motion was made by Commissioner Jack Bethany, seconded by Commissioner Justin Walker

AYE: Commissioner Lathon Archie III, Commissioner Jack Bethany, Commissioner Justin Walker, Commissioner Patrick Cale, Commissioner Shirley Hilton, Commissioner Stella Derrick

Other: Commissioner Mark Luttrull (ABSTAIN)

Carried

3 Gary D. Garvin, Planning Director, presented the staff report to consider approval of the request from CIMCO Properties to split Lot 1, Block 1, of the Meadowlane Subdivision, City of Muskogee, into two (2) tracts. Mr. Garvin stated that the applicant, CIMCO Properties (Lindsey Holloway, agent) is requesting approval to split Lot 1, Block 1 of Meadowlane Subdivision into two (2) tracts. The applicant is in the process of purchasing the property and is requesting the Lot Split to separate the existing apartments from the existing storage buildings. Tract 1 will consist of 7.59 acres, and Tract 2 will consist of .99 acres. The tracts comply with all of the area regulations within the Zoning Ordinance. Staff recommends approval of this Lot Split.

Motion was made by Commissioner Patrick Cale, seconded by Commissioner Shirley Hilton

AYE: Commissioner Lathon Archie III, Commissioner Jack Bethany,
Commissioner Mark Luttrull, Commissioner Justin Walker, Commissioner
Patrick Cale, Commissioner Shirley Hilton, Commissioner Stella Derrick
Carried - Unanimously

There being no further business to come before the City of Muskogee Planning and Zoning Commission,
Chairman Mark Luttrull adjourned the meeting at 9:06 a.m.

Planning Commission

3.

Meeting Date: 11/06/2017

Initiator: Gary Garvin, Planning Director

Information

AGENDA ITEM TITLE:

Consider approval of the request from George Collins, Sr. to consolidate Lots 20, 21, and part of Lot 22, Block "V" of the McKellop's Amended Addition, City of Muskogee, into two (2) tracts, or take other necessary action. (Gary D. Garvin)

LEGAL DESCRIPTION:

TRACT 1; LOT 20 AND THE WEST 10.00 FEET OF LOT 21, BLOCK "V", MCKELLOP'S AMENDED ADDITION, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 7515 SQUARE FEET, MORE OR LESS

TRACT 2; LOT 21 LESS THE WEST 10.00 FEET AND LOT 22, LESS THE EAST 10.00 FEET, BLOCK "V", MCKELLOP'S AMENDED ADDITION. CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 7270 SQUARE FEET, MORE OR LESS.

BACKGROUND:

The applicant, George Collins, Sr., is requesting approval to consolidate Lots 20, 21 and part of Lot 22, Block "V" of the McKellop's Amended Addition, into two (2) tracts. The Lot Consolidation is being requested to allow two (2) new single-family dwellings to be located on the new tracts. The new Tract 1 will consist of 7,515 square feet, and Tract 2 will consist of 7,270 square feet. The properties comply with all of the area regulations within the Zoning Ordinance.

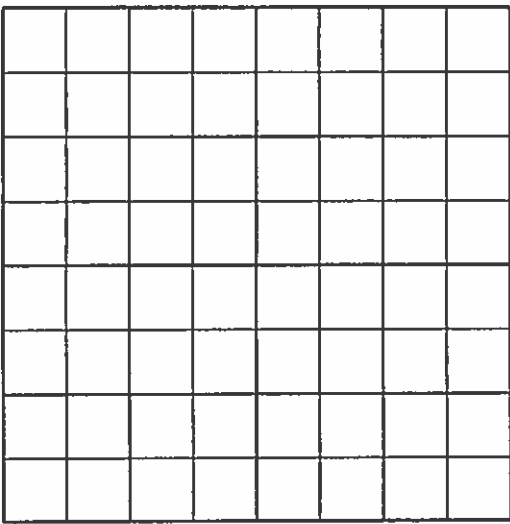
RECOMMENDED STAFF ACTION:

Approve the Lot Split.

Fiscal Impact

Attachments

Collin - Lot Consolidation



LOT SPILT & CONSOLIDATION

LEGAL DESCRIPTION

TRACT 1: LOT 20 AND THE WEST 10.00 FEET OF LOT 21, BLOCK "V", McKELLOP'S AMENDED ADDITION, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 7515 SQUARE FEET, MORE OR LESS.

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LOCATION MAP

SEC. 36 T 15 N, R 18 E

SCALE: 1" = 30'

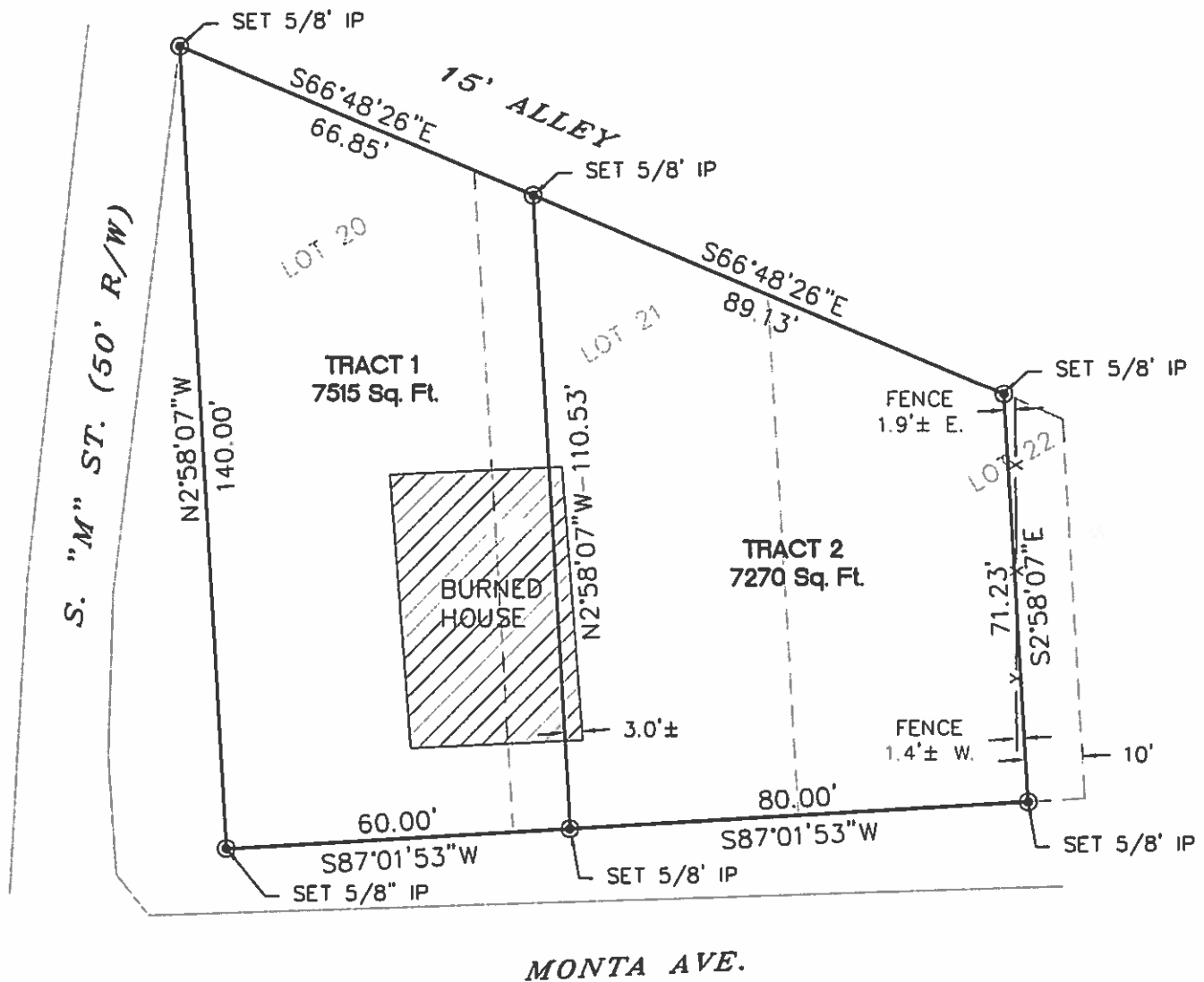
⊙ = IRON PIN

—x— = FENCE

I certify that this survey accurately represents the action of the City of Muskogee Planning and Zoning Commission taken on _____.

Planning Commision Chairman

Date



10/17/17

Tony Robison

TONY ROBISON, LAND SURVEYOR NO. 1686

Heartland Surveying & Mapping, PLLC

CA #4849

600 Emporia St., Ste. "C"
Muskogee, Oklahoma 74401

(918) 682-7786

THIS SURVEY MEETS MINIMUM TECHNICAL SURVEY STANDARDS.



BEARINGS ARE BASED ON
NAD83(93) OKLAHOMA
STATE PLANE COORDINATE
SYSTEM, NORTH ZONE.

W.O.# 6358

FOR: GEORGE COLLINS

1312 W.60TH ST N., Muskogee

DATE: 10/13/17

SURVEYED BY: RT/CS

DRAWN BY: CS/AM

Last Site Visit: 10/12/17

FILE NAME
Oct 17, 2017 - 9:27am
S:\CAD - HEARTLAND - FILES\W06358.dwg

Planning Commission

4.

Meeting Date: 11/06/2017

Initiator: Gary Garvin, Planning Director

Information

AGENDA ITEM TITLE:

Consider approval of the request from Macedonia Baptist Church to consolidate Lots 9 thru 14, Block 1 of the Pickens Addition, City of Muskogee, into one tract, or take other necessary action. (Gary D. Garvin)

LEGAL DESCRIPTION:

LOTS 9-14, BLOCK 1 PICKENS ADDITION, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 39,600 SQUARE FEET, MORE OR LESS.

BACKGROUND:

The applicant, Macedonia Baptist Church, is requesting approval to consolidate Lots 9 thru 14, Block 1 of Pickens Addition, into one tract. The Lot Consolidation is being requested to allow a new church to be located on the property. The new Tract 1 will consist of 39,600 square feet. The properties comply with all of the area regulations within the Zoning Ordinance.

RECOMMENDED STAFF ACTION:

Approve the Lot Consolidation.

Fiscal Impact

Attachments

Lot Consolidation - Macedonia Baptist Church



VICINITY MAP

SCALE: 1" = 50'

- = IRON PIN
- x— = FENCE
- (M) = MEASURE
- (P) = PLAT

LOT CONSOLIDATION

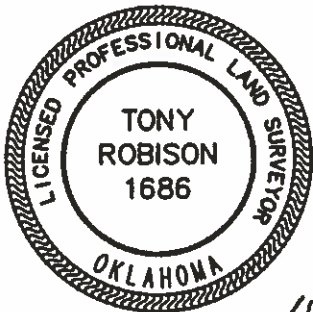
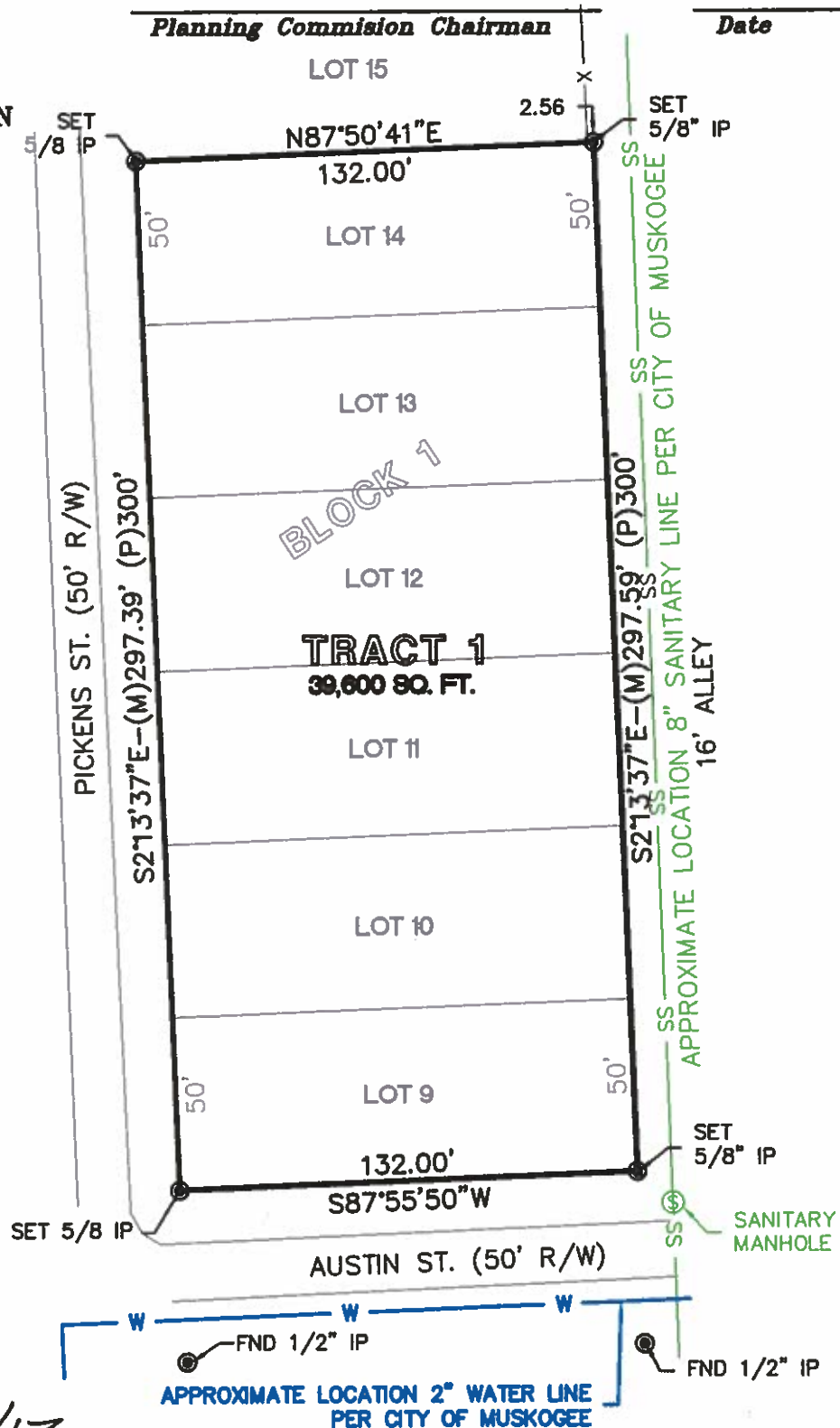
TRACT 1

LOTS 9-14, BLOCK 1, PICKENS ADDITION, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 39,600 SQUARE FEET, MORE OR LESS.

I certify that this survey accurately represents the action of the City of Muskogee Planning and Zoning Commission taken on _____.

Planning Commission Chairman

Date



10/24/17

Tony Robison
TONY ROBISON, LAND SURVEYOR NO. 1686

Heartland Surveying & Mapping, PLLC

CA #4848

600 Emporia St., Ste. "C"
Muskogee, Oklahoma 74401
(918) 682-7796

FOR:
MACEDONIA BAPTIST CHURCH
DATE: 10/2/2017

THIS SURVEY MEETS MINIMUM TECHNICAL SURVEY STANDARDS.

BEARINGS ARE BASED ON
NAD83(93) OKLAHOMA
STATE PLANE COORDINATE
SYSTEM, NORTH ZONE.

W.O.# 6345

SURVEYED BY: RT/RG

DRAWN BY: CS/AM

Last Site Visit: 9/26/17

FILE NAME
Oct 24, 2017 - 11:42am
S:\CAO - HEARTLAND-FILES\wo6345.dwg

Planning Commission

5.

Meeting Date: 11/06/2017

Initiator: Gary Garvin, Planning Director

Information

AGENDA ITEM TITLE:

Consider approval of a Preliminary and Final Plat of Janie's Addition, consisting of one (1) lot on 4.33 acres, located on the south side of Gibson Street, west of Civitan Park, or take any other necessary action. (Gary D. Garvin)

LEGAL DESCRIPTION:

A TRACT OF LAND SITUATED IN THE NW/4 NE/4 OF SECTION 30, T15N, R19E OF THE I.B.& M., MUSKOGEE COUNTY, STATE OF OKLAHOMA: WITH THE BASIS OF BEARING OF THIS DESCRIPTION BEING NAD83(93) OKLAHOMA STATE PLANE, NORTH ZONE AND PREPARED ON 9/20/2017 BY TONY ROBINSON, LS #1686: SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT THE NW CORNER OF THE NW/4 NE/4 OF SECTION 30, THENCE N88°20'49"E ALONG THE NORTH LINE OF SECTION 30 A DISTANCE OF 350.52 FEET; THENCE S5°00'51"W A DISTANCE OF 310.97 FEET; THENCE S89°00'47"W A DISTANCE OF 134.16 FEET; THENCE S0°39'19"E A DISTANCE OF 228.39 FEET; THENCE N89°00'47"E A DISTANCE OF 152.92 FEET TO A POINT ON A CURVE; THENCE ON A CURVE RIGHT WITH A RADIUS OF 2778.60 FEET AN ARC LENGTH OF 182.85 FEET AND A CHORD WHICH BEARS S1°22'14"W A DISTANCE OF 182.82 FEET; THENCE S88°20'49"W A DISTANCE OF 319.46 FEET; THENCE N1°39'11"W A DISTANCE OF 720.00 FEET TO THE POINT OF BEGINNING. CONTAINING 4.66 ACRES, MORE OR LESS.

BACKGROUND:

The applicant, Anthony Glen Cox, has indicated the property is being platted into one (1) lot on 4.33 acres to allow the property to be developed residentially. The applicant is proposing to build a new single-family dwelling on the property. Subdivision Review Committee reviewed the Preliminary and Final Plats, and recommended approval with conditions (all conditions have been complied with).

RECOMMENDED STAFF ACTION:

Approve the Preliminary and Final Plat of Janie's Addition.

Fiscal Impact

Attachments

Final Plat - Janie's Addition

P.O.B.
NW CORNER
NW/4 NE/4
SEC.30,T15N,R19E
N: 285759.05
E: 2760126.58

GIBSON STREET

N: 2857
E: 2760

N88°20'49"E--(M)350.43' (D)350.52'

N88°20'49"E--345.75'

25' BLDG. S/B

270.7'
S55°00'51"W--310.97'

BLOCK 1
LOT 1
4.33 AC.

20' U/E

S89°00'47"W--134.16'

KINGSTON STREET

N1°39'11"W--720.00'
680.00'

S0°39'19"E--228.39'

N89°00'47"E--152.92'

L=182.
R=277
CH=S1'
CH L=

S88°20'49"W--319.46'

N: 285039.35
E: 2760147.35

N: 285048.5
E: 2760466.

HORN'S
ADDITION

CIRCLE ACRES
ADDITION

Planning Commission

6.

Meeting Date: 11/06/2017

Initiator: Gary Garvin, Planning Director

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and take action on the approval of an Ordinance rezoning the property located at 4421 Denison Street, more particularly described in the Ordinance, from "R-1" Single-Family Residential District to "C-1" Local Commercial District, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Gary D. Garvin)

LEGAL DESCRIPTION:

LOTS 7 AND 8 IN BLOCK 19 IN CANARD ADDITION TO THE CITY OF MUSKOGEE, LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 14, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

BACKGROUND:

The applicant, Cassandra Logan, is requesting the property located at 4421 Denison Street be rezoned from "R-1" Single-Family Residential District to "C-1" Local Commercial District to allow a Day Care Center (8 or more persons) to be located on the property.

According to the Land Use Map, the area is classified as single-family residential. The request to rezone to "C-1" Local Commercial District would not comply with the Comprehensive Plan and Land Use Map adopted by the City of Muskogee. Additionally, allowing a commercial zoning within a residential area would be considered spot zoning.

Notices have been sent to the property owners within 300 foot radius, as required, and published in the paper twenty (20) days prior to the Public Hearing. A Public Hearing will be held on the following days:

November 6, 2017 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

November 7, 2017 at 4:00 p.m.: Public Works Committee

November 13, 2017 at 7:00 p.m. Muskogee City Council Meeting

RECOMMENDED STAFF ACTION:

Deny the Ordinance rezoning the property from "R-1" Single-Family Residential District to "C-1" Local Commercial District.

Fiscal Impact

Attachments

Logan Ordinance

Site Plan/Notice - Logan

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MUSKOGEE AS PROVIDED BY CHAPTER 90, SECTION 01-03, OF THE MUSKOGEE CITY CODE, SEPTEMBER 2014, BY RE-ZONING LOTS 7 AND 8 IN BLOCK 19 IN CANARD ADDITION TO THE CITY OF MUSKOGEE, LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 14, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL PLAT THEROF, MUSKOGEE COUNTY, OKLAHOMA, CONTAINING 13,200 SQUARE FEET, MORE OR LESS, AND PROVIDING FOR SEVERABILITY. (CASANDRA LOGAN, Applicant)

FROM "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT

TO

"C-1" LOCAL COMMERCIAL DISTRICT

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held November 6, 2017, did recommend the approval of the rezoning of the property set out above in the title of the Ordinance, and did authorize the director of the Commission to advise the Council of the City of Muskogee of this recommendation,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA,

Section 1. THAT, the official zoning map of the City of Muskogee as provided by Chapter 90, Section 01-03, of the Muskogee City Code, September 2014, is hereby amended by changing the District Classification by rezoning; LOTS 7 AND 8 IN BLOCK 19 IN CANARD ADDITION TO THE CITY OF MUSKOGEE, LOCATED IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 14, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA FROM "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "C-1" LOCAL COMMERCIAL DISTRICT.

AND that this change be so ordered and declared by the City Council.

Section 2. THAT, the City Clerk is authorized and directed to show such change on the zoning map record.

Section 3: REPEALER. All other ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

Ordinance No. _____

Section 4: SEVERABILITY. Should any part, section, subsection, sentence, provision, clause, or phrase hereof be held invalid, void, or unconstitutional for any reason, such holding shall not render invalid, void, or unconstitutional any other section, subsection, sentence, provision, clause, or phrase of this Ordinance, and the same are deemed severable for this purpose.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS 13TH DAY OF NOVEMBER, 2017.

JOHN R. COBURN, MAYOR

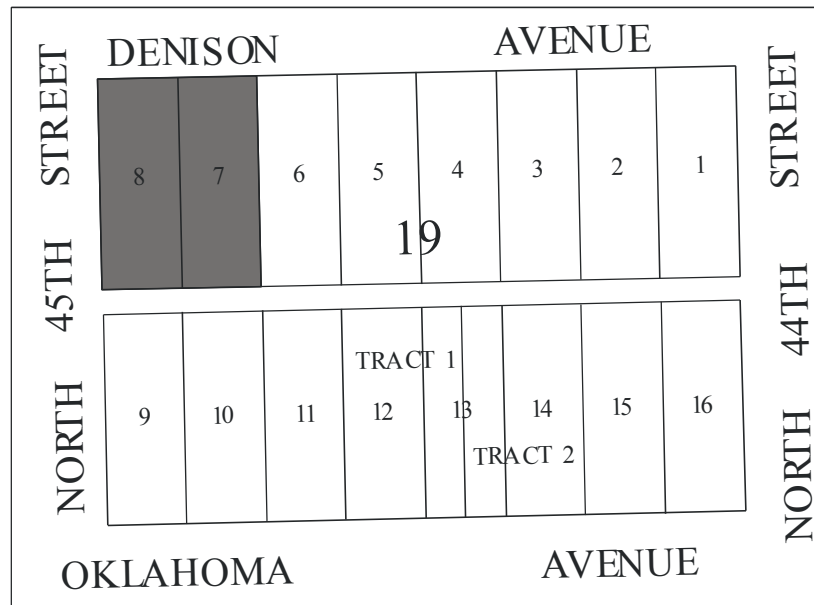
ATTEST:

TAMMY L. TRACY, CITY CLERK
(SEAL)

APPROVED as to form and legality this ____ day of _____, 2017.

ROY D. TUCKER, CITY ATTORNEY

Public Hearing Notice



Proposal: To rezone property located at 4421 Denison Street, from “R-1” Single Family Residential District to “C-1” Local Commercial District. The property is more particularly described as:

Lots 7 and 8 in Block 19 in Canard Addition to the City of Muskogee, located in the Southeast Quarter (SE1/4) of Section 14, Township 15 North, Range 18 East, according to the official plat thereof, Muskogee County, Oklahoma. Containing 13,200 square feet, more or less.

Applicant: Casandra Logan

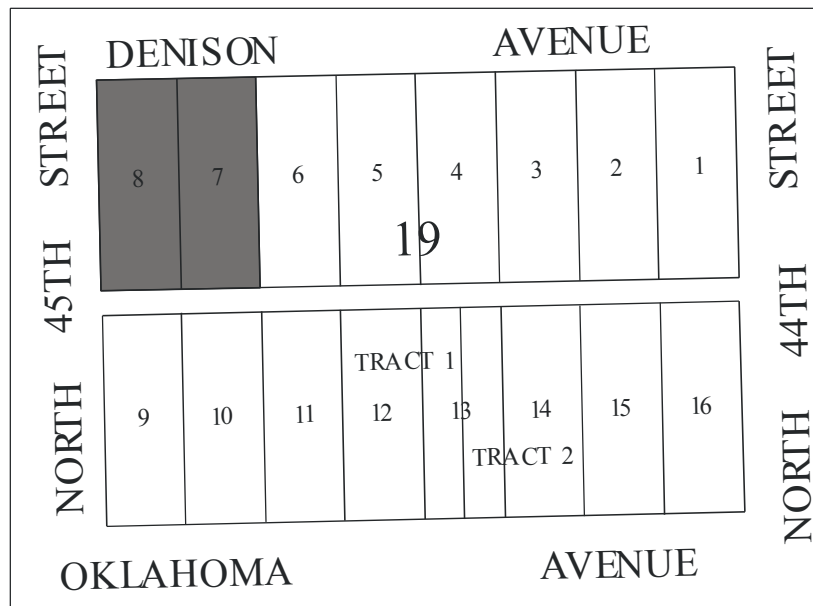
This notice is provided to property owners within 300 feet of the above site to inform them of the following public hearings regarding the above proposal:

November 6, 2017 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

November 7, 2017 at 4:00 p.m.: City of Muskogee Public Works Committee

November 13, 2017 at 7:00 p.m.: City Council

All of the public hearings will be held in the Council Chambers, 3rd Floor of the City Municipal Building, 3rd Street and Okmulgee, Muskogee, Oklahoma. The purpose of the public hearing is to discuss the above proposal. You are welcome to attend the meeting and express your opinion. If you have questions about the proposal, or need additional information prior to the public hearing, please contact the Planning Department at 918.684-6232.



(Casandra Logan, Applicant)

PUBLIC NOTICE

Notice is hereby given that on November 6, 2017, at 9:00 a.m., in the Council Chambers of the Municipal Building, Muskogee, Oklahoma, a public hearing will be conducted by the City of Muskogee Planning & Zoning Commission, on November 7, 2017, at 4:00 p.m., by the Public Works Committee, and on November 13, 2017, at 7:00 p.m., by the City Council to consider an application to rezone property located at 4421 Denison Street, from “*R-1*” *Single Family Residential* District to “*C-1*” Local Commercial District. The property is more particularly described as:

Lots 7 and 8 in Block 19 in Canard Addition to the City of Muskogee, located in the Southeast Quarter (SE1/4) of Section 14, Township 15 North, Range 18 East, according to the official plat thereof, Muskogee County, Oklahoma. Containing 13,200 square feet, more or less.

And for taking any other actions as authorized by law, of which all interested persons will take notice.

**Mark Luttrull, Chairman
City of Muskogee Planning & Zoning Commission**

Planning Commission

7.

Meeting Date: 11/06/2017

Initiator: Gary Garvin, Planning Director

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and take action on the approval of an Ordinance rezoning the property located at 318 S. Cherokee Street, more particularly described in the Ordinance, from "R-1" Single-Family Residential District to "I-1" Light Industrial District, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Gary D. Garvin)

LEGAL DESCRIPTION:

The NORTH 61.4 FEET OF LOT 4 IN BLOCK 367 MOT to the City of Muskogee, according to the official plat thereof, located in the Southwest Quarter (SW1/4) of Section 26, Township 15 North, Range 18 East, Muskogee County, State of Oklahoma.

BACKGROUND:

The applicant, City of Muskogee (Public Works), is requesting the property located at 318 S. Cherokee Street to be rezoned from "R-1" Single-Family Residential District to "I-1" Light Industrial District to allow a new Public Works (Maintenance Headquarters) building to be located on the property.

According to the Land Use Map, the Cherokee Street corridor (running parallel to the railroad) is classified as Light Industrial. The request to rezone to "I-1" Light Industrial complies with the Comprehensive Plan and Land Use Map adopted by the City of Muskogee.

Notices have been sent to the property owners within 300 foot radius, as required, and published in the paper twenty (20) days prior to the Public Hearing. A Public Hearing will be held on the following days:

November 6, 2017 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

November 7, 2017 at 4:00 p.m.: Public Works Committee

November 13, 2017 at 7:00 p.m. Muskogee City Council Meeting

RECOMMENDED STAFF ACTION:

Approve the Ordinance rezoning the property from "R-1" Single-Family Residential District to "I-1" Light Industrial District, and authorize staff to revise the Official Zoning Map of the City to reflect said change.

Fiscal Impact

Attachments

Ordinance - COM

Site Plan/Notice - COM

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MUSKOGEE AS PROVIDED BY CHAPTER 90, SECTION 01-03, OF THE MUSKOGEE CITY CODE, SEPTEMBER 2014, BY RE-ZONING THE NORTH 61.4 FEET OF LOT 4 IN BLOCK 367 MOT TO THE CITY OF MUSKOGEE, ACCORDING TO THE OFFICIAL PLAT THEREOF, LOCATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 26, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA; AND PROVIDING FOR SEVERABILITY. (City of Muskogee, Applicant)

FROM "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT

TO

"I-1" LIGHT INDUSTRIAL DISTRICT

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held November 6, 2017, did recommend the approval of the rezoning of the property set out above in the title of the Ordinance, and did authorize the director of the Commission to advise the Council of the City of Muskogee of this recommendation,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA,

Section 1. THAT, the official zoning map of the City of Muskogee as provided by Chapter 90, Section 01-03, of the Muskogee City Code, September 2014, is hereby amended by changing the District Classification by rezoning THE NORTH 61.4 FEET OF LOT 4 IN BLOCK 367 MOT TO THE CITY OF MUSKOGEE, ACCORDING TO THE OFFICIAL PLAT THEREOF, LOCATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 26, TOWNSHIP 15 NORTH, RANGE 18 EAST; MUSKOGEE COUNTY, STATE OF OKLAHOMA; FROM "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT TO "I-1" LIGHT INDUSTRIAL DISTRICT.

AND that this change be so ordered and declared by the City Council.

Section 2. THAT, the City Clerk is authorized and directed to show such change on the zoning map record.

Section 3: REPEALER. All other ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

Ordinance No. _____

Section 4: SEVERABILITY. Should any part, section, subsection, sentence, provision, clause, or phrase hereof be held invalid, void, or unconstitutional for any reason, such holding shall not render invalid, void, or unconstitutional any other section, subsection, sentence, provision, clause, or phrase of this Ordinance, and the same are deemed severable for this purpose.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS 13TH DAY OF NOVEMBER, 2017.

JOHN R. COBURN, MAYOR

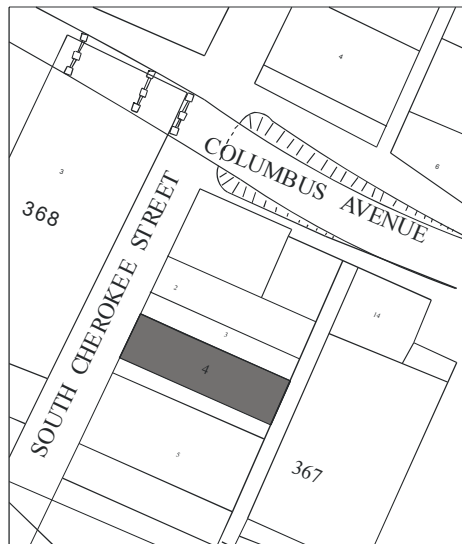
ATTEST:

TAMMY L. TRACY, CITY CLERK
(SEAL)

APPROVED as to form and legality this ____ day of _____, 2017.

ROY D. TUCKER, CITY ATTORNEY

Public Hearing Notice



Proposal: To rezone property located at 318 S Cherokee, from “R-1” Single Family Residential District to “I-1” Light Industrial District. The property is more particularly described as:

The North 61.4 feet of Lot 4 in Block 367 of the City of Muskogee, according to the official plat thereof, Muskogee County, Oklahoma.

Applicant: City of Muskogee

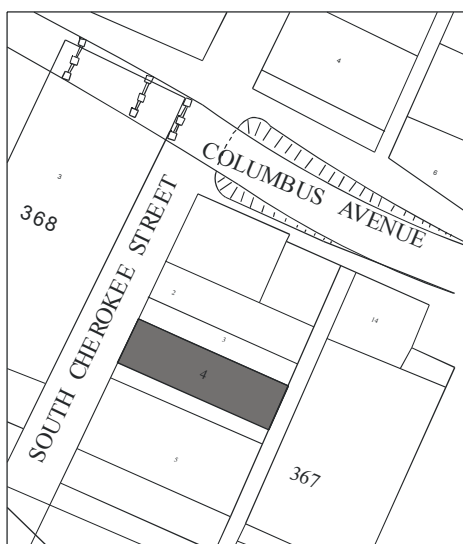
This notice is provided to property owners within 300 feet of the above site to inform them of the following public hearings regarding the above proposal:

November 6, 2017 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

November 7, 2017 at 4:00 p.m.: City of Muskogee Public Works Committee

November 13, 2017 at 7:00 p.m.: City Council

All of the public hearings will be held in the Council Chambers, 3rd Floor of the City Municipal Building, 3rd Street and Okmulgee, Muskogee, Oklahoma. The purpose of the public hearing is to discuss the above proposal. You are welcome to attend the meeting and express your opinion. If you have questions about the proposal, or need additional information prior to the public hearing, please contact the Planning Department at 918.684-6232.



(City of Muskogee, Applicant)

PUBLIC NOTICE

Notice is hereby given that on November 6, 2017, at 9:00 a.m., in the Council Chambers of the Municipal Building, Muskogee, Oklahoma, a public hearing will be conducted by the City of Muskogee Planning & Zoning Commission, on November 7, 2017, at 4:00 p.m., by the Public Works Committee, and on November 13, 2017, at 7:00 p.m., by the City Council to consider an application to rezone property located at 318 S. Cherokee, from “*R-1*” *Single Family Residential* District to “*I-1*” *Light Industrial* District. The property is more particularly described as:

The North 61.4 feet of Lot 4 in Block 367 of the City of Muskogee, according to the official plat thereof, Muskogee County, Oklahoma.

And for taking any other actions as authorized by law, of which all interested persons will take notice.

**Mark Luttrull, Chairman
City of Muskogee Planning & Zoning Commission**