

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**  
**December 4, 2017**

Members of the City of Muskogee Planning and Zoning Commission are hereby requested to attend a Regular Meeting to be held on December 4, 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 November 20, 2017 City of Muskogee Planning and Zoning Commission meeting.
3. Hold a Public Hearing and take action on the approval of an Ordinance to close the twenty (20) foot alley running North and South, located within Block 61, of the Muskogee Original Townsite (MOT), more particularly described in the Ordinance, or take other necessary action. (Gary D. Garvin)

**THE ALLEY RUNNING NORTH AND SOUTH, 12' ON THE NORTH END, EXTENDING TO 20' WIDE ON THE SOUTH END. LOCATED BETWEEN LOTS 1-15, LOT 61, IN THE ORIGINAL TOWNSITE OF MUSKOGEE (MOT), 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:** 12/04/2017

**Initiator:** Gary Garvin, Planning Director

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**Information**

**AGENDA ITEM TITLE:**

Approval of the Minutes of the November 20, 2017 City of Muskogee Planning and Zoning Commission meeting.

**LEGAL DESCRIPTION:**

**BACKGROUND:**

See attached minutes.

**RECOMMENDED STAFF ACTION:**

Approve the minutes.

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**Fiscal Impact**

**Attachments**

*No file(s) attached.*

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## Planning Commission

3.

**Meeting Date:** 12/04/2017

**Initiator:** Gary Garvin, Planning Director

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### Information

#### **AGENDA ITEM TITLE:**

Hold a Public Hearing and take action on the approval of an Ordinance to close the twenty (20) foot alley running North and South, located within Block 61, of the Muskogee Original Townsite (MOT), more particularly described in the Ordinance, or take other necessary action. (Gary D. Garvin)

#### **LEGAL DESCRIPTION:**

**THE ALLEY RUNNING NORTH AND SOUTH, 12' ON THE NORTH END, EXTENDING TO 20' WIDE ON THE SOUTH END. LOCATED BETWEEN LOTS 1-15, LOT 61, IN THE ORIGINAL TOWNSITE OF MUSKOGEE (MOT), 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, is requesting approval to close the alley located within Block 61 of the Muskogee Original Townsite (between South 2nd & 3rd Street and Fremont & Elgin Avenue). The City is requesting to close the alley to create a new public green space within the Depot District. The Subdivision Review Committee reviewed the request and recommended approval.

Notices have been sent to the abutting property owners, 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:

December 4, 2017 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

December 5, 2017 at 4:00 p.m.: City of Muskogee Public Works Committee

December 11, 2017 at 7:00 p.m.: City Council Meeting

#### **RECOMMENDED STAFF ACTION:**

Approve the Ordinance to close the North/South alley located within Block 61, Muskogee Original Townsite.

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### Fiscal Impact

### Attachments

Alley Closure Ordinance

Notice/Site Plan

Rendering - Depot District Green Space

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**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE CLOSING THE 20 FOOT ALLEY RUNNING NORTH AND SOUTH BETWEEN FREMONT AND ELGIN AVENUE. LOCATED BETWEEN LOTS 1-15 BLOCK 61, IN THE ORIGINAL TOWN SITE OF MUSKOGEE (MOT), LOCATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 26, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA; SUBJECT TO RETAINING UTILITY EASEMENT; AND PROVIDING FOR SEVERABILITY. (City of Muskogee, Petitioners)

WHEREAS, a petition has been filed by the property owner requesting said 20 foot alley be closed and discontinued from public use, and;

WHEREAS, the City of Muskogee Planning & Zoning Commission in a meeting held December 4, 2017, did approve the petition and did recommend approval of official action by closing a public utility easement Right of Way as stated;

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

Section 1: THAT THE 20 FOOT ALLEY RUNNING NORTH AND SOUTH BETWEEN FREMONT AND ELGIN AVENUE. LOCATED BETWEEN LOTS 1-15 BLOCK 61, IN THE ORIGINAL TOWN SITE OF MUSKOGEE (MOT), LOCATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 26, TOWNSHIP 15 NORTH, RANGE 18 EAST IN THE ORIGINAL TOWN SITE OF MUSKOGEE (MOT), MUSKOGEE COUNTY, STATE OF OKLAHOMA; SUBJECT TO RETAINING UTILITY EASEMENT; AND PROVIDING FOR SEVERABILITY is hereby closed, annulled and discontinued from public use.

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

Section 2: REPEALER. All other ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

Section 3: 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.

Section 4: EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after date of publication.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
MUSKOGEE, OKLAHOMA THIS 11th DAY OF DECEMBER, 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 close the alley running North and South between Lots 1 through 15 in Block 61, of the *Original Town Site of Muskogee (MOT)*. The property is located between Fremont and Elgin Avenue, being more particularly described as:

The alley running North and South, 12' on the North end, extending to 20' wide on the south end. The alley is located between Lots 1-15 Block 61, in the Original Town Site of Muskogee (MOT), located in the Southwest Quarter (SW1/4) of Section 26, Township 15 North, Range 18 East, Muskogee County, State of Oklahoma.

**Applicant:** City of Muskogee

This notice is provided to property owners lying adjacent to the above site to inform them of the following public hearings regarding the above proposal:

**December 4, 2017 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission**

**December 5, 2017 at 4:00 p.m.: City of Muskogee Public Works Committee**

**December 11, 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, 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, please contact the Planning Department at (918) 684-6232.



(City of Muskogee, Applicant)

### **PUBLIC NOTICE**

Notice is hereby given that on **December 4, 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 **December 5, 2017 at 4:00 p.m.** by the Public Works Committee, and on **December 11, 2017 at 7:00 p.m.** by the City Council to consider an application to close **the alley running North and South between Lots 1 through 15 in Block 61, of the *Original Town Site of Muskogee (MOT)***. The property is located between Fremont and Elgin Avenue, being more particularly described as follows:

**The alley running North and South, 12' on the North end, extending to 20' wide on the south end. The alley is located between Lots 1-15 Block 61, in the Original Town Site of Muskogee (MOT), located in the Southwest Quarter (SW1/4) of Section 26, Township 15 North, Range 18 East, Muskogee County, State of 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

