

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**  
**February 5, 2018**

Members of the City of Muskogee Planning and Zoning Commission are hereby requested to attend a Regular Meeting to be held on February 5, 2018, 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 January 16, 2018 City of Muskogee Planning and Zoning Commission meeting.
3. Consider approval of the request from Catholic Charities, St. Joseph Church, to consolidate part of Lot 7 and 8, Block 193, City of Muskogee, into one tract, or take other necessary action. (Gary D. Garvin)

THE SOUTH 50.00 FEET OF LT 7 AND THE WEST 80.00 FEET OF LOT 8, BLOCK 193,  
CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

4. Hold a Public Hearing and take action on the approval of an Ordinance rezoning the property located at 2312 Augusta Street, more particularly described in the Ordinance, from "C-1" Local Commercial District to "R-1" Single-Family Residential, 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 20 THRU 26 IN BLOCK 12 IN CREAM RIDGE ADDITION TO THE CITY OF  
MUSKOGEE, LOCATED IN THE NORTHEAST QUARTER (NE1/4) OF SECTION 36,  
TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF  
OKLAHOMA.

5. Hold a Public Hearing and take action on the approval of an Ordinance rezoning the property located on North Country Club Road, between Chandler Road and Gibson Street, more particularly described in the Ordinance, from "A" Agriculture 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)

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29; THENCE SOUTH 01°34'11" EAST A DISTANCE OF 1982.79 FEET TO THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 88°38'16" EAST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 305.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88°38'16" EAST A DISTANCE OF 286.25 FEET; THENCE NORTH 01°34'11" WEST A DISTANCE OF 152.16 FEET; THENCE SOUTH 88°38'34" WEST A DISTANCE OF 286.25 FEET; THENCE SOUTH 01°34'11" EAST A DISTANCE OF 152.19 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES, MORE OR LESS.

6. Hold a Public Hearing and take action on the approval of an Ordinance rezoning the property located on North 54th Street, north of Shawnee Ave, more particularly described in the Ordinance, from "R-1" Single-Family Residential to "R-A" Agriculture Residential, 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 SOUTH HALF (S1/2) OF THE NORTH HALF (N1/2) OF THE SOUTHWEST QUARTER (SW1/4) SECTION 17, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

7. Hold a Public Hearing and take action on the approval of an Ordinance rezoning the property located on South Cherokee Street, south of Cherokee Drive, more particularly described in the Ordinance, from "C-1" Local Commercial 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)

COMMENCING AT THE NORTHEAST CORNER OF THE SE1/4 OF SECTION 3; THENCE S1°23'05"E A DISTANCE OF 142.85 FEET TO THE POINT OF BEGINNING; THENCE S89°08'48"W A DISTANCE OF 238 FEET; THENCE S1°22'53"E A DISTANCE OF 188.45 FEET; THENCE N88°37'07"E A DISTANCE OF 38.00 FEET; THENCE N1°22'53"W A DISTANCE OF 125.00 FEET; THENCE N88°37'07"E A DISTANCE OF 200.00 FEET; THENCE N1°23'05"W A DISTANCE OF 61.26 FEET TO THE POINT OF BEGINNING. CONTAINING 0.45 ACRES, MORE OR LESS.

Adjournment

**Planning Commission**

**2.**

**Meeting Date:** 02/05/2018

**Initiator:** Gary Garvin, Planning Director

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**Information**

**AGENDA ITEM TITLE:**

Approval of the Minutes of the January 16, 2018 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**

COMP&ZC Minutes - 1/16/18

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**MINUTES**  
**City of Muskogee Planning and Zoning Commission**  
**January 16, 2018**

Members of the City of Muskogee Planning and Zoning Commission were called to order at a Regular Scheduled Meeting on Monday, January 16, 2018 at 9:00 a.m., in the Council Chambers, 3rd Floor of the Municipal Building, 229 W. Okmulgee Ave., Muskogee, Oklahoma.

Present: Commissioner Lathon Archie III; Commissioner Jack Bethany; Commissioner Justin Walker; Commissioner Shirley Hilton-Flanary  
Absent: Commissioner Mark Luttrull; Commissioner Patrick Cale; Commissioner Stella Derrick  
Staff Gary D. Garvin, Director of Planning and Economic Development; Tish Callahan, Assistant  
Present: City Planner; Susan Ross, Office Administrator

1 Roll Call.

2 Co-Chairman Jack Bethany called for approval of the Minutes of the December 4, 2017 and January 2, 2018 City of Muskogee Planning and Zoning Commission meetings.

Motion was made by Commissioner Shirley Hilton-Flanary  
seconded by Commissioner Justin Walker

AYE: Commissioner Lathon Archie III, Commissioner Jack Bethany,  
Commissioner Justin Walker, Commissioner Shirley Hilton-Flanary  
Carried - Unanimously

3 Gary D. Garvin, Director of Planning, presented the staff report on the request from Kenneth and Leveta Goad to consolidate Lots 20 thru 26, Block 12 in Cream Ridge Addition, City of Muskogee, into two (2) tracts, or take other necessary action.

Mr. Garvin stated the applicants Kenneth and Leveta Goad, are requesting approval to consolidate Lots 20 thru 26, Block 12 in Cream Ridge Addition, into two (2) tracts. The Lot Consolidation is being requested to allow the property to be developed residentially (single-family dwellings). Both Tracts 1 and 2 will consist of 11,375 square feet. The properties comply with all of the area regulations within the Zoning Ordinance and staff recommends approval of the Lot Consolidation.

Motion was made by Commissioner Shirley Hilton-Flanary  
seconded by Commissioner Lathon Archie III

AYE: Commissioner Lathon Archie III, Commissioner Jack Bethany,  
Commissioner Justin Walker, Commissioner Shirley Hilton-Flanary  
Carried - Unanimously

- 4 Gary D. Garvin, Director of Planning informed the Planning and Zoning Commission that the applicants, Randy and Cindy Garrouette have withdrawn their request to consider approval of a Preliminary and Final Plat of Sooner Addition, consisting of one (1) lot on 2.83 acres, located on the north side of Harris Road, east of Country Club Road. Mr. Garvin stated that The Surveyor, called today and said the applicants would like to add a lot to their plat and will need to withdraw their request at this time.

There being no further business to come before the City of Muskogee Planning and Zoning Commission, Co-Chairman Jack Bethany adjourned the meeting at 9:10 a.m.

**Planning Commission**

**3.**

**Meeting Date:** 02/05/2018

**Initiator:** Gary Garvin, Planning Director

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**Information**

**AGENDA ITEM TITLE:**

Consider approval of the request from Catholic Charities, St. Joseph Church, to consolidate part of Lot 7 and 8, Block 193, City of Muskogee, into one tract, or take other necessary action. (Gary D. Garvin)

**LEGAL DESCRIPTION:**

THE SOUTH 50.00 FEET OF LT 7 AND THE WEST 80.00 FEET OF LOT 8, BLOCK 193, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

**BACKGROUND:**

The applicant is requesting approval to consolidate part of Lot 7 and 8, Block 193, into one tract. The Lot Consolidation is being requested to allow an addition onto the existing building. The existing building is being used as a Helping Center and the addition will be used for food storage, break-room, and office space. The new tract will consist of 15,838 square feet. The properties comply with all of the area regulations within the Zoning Ordinance.

**RECOMMENDED STAFF ACTION:**

Approve the Lot Consolidation.

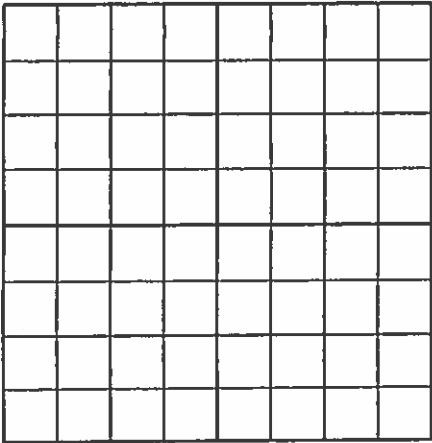
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**Fiscal Impact**

**Attachments**

Lot Consolidation - St. Joseph Catholic Church

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# LOT SPLIT & CONSOLIDATION

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

Planning Commission Chairman

Date

## LEGAL DESCRIPTION

THE SOUTH 50.00 FEET OF LOT 7 AND THE WEST 80.00 FEET OF LOT 8, BLOCK 193, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 0.36 ACRES OR 15,838 SQUARE FEET, MORE OR LESS.

## LOCATION MAP

SEC. \_\_\_\_\_ T \_\_\_\_\_ N, R \_\_\_\_\_ E

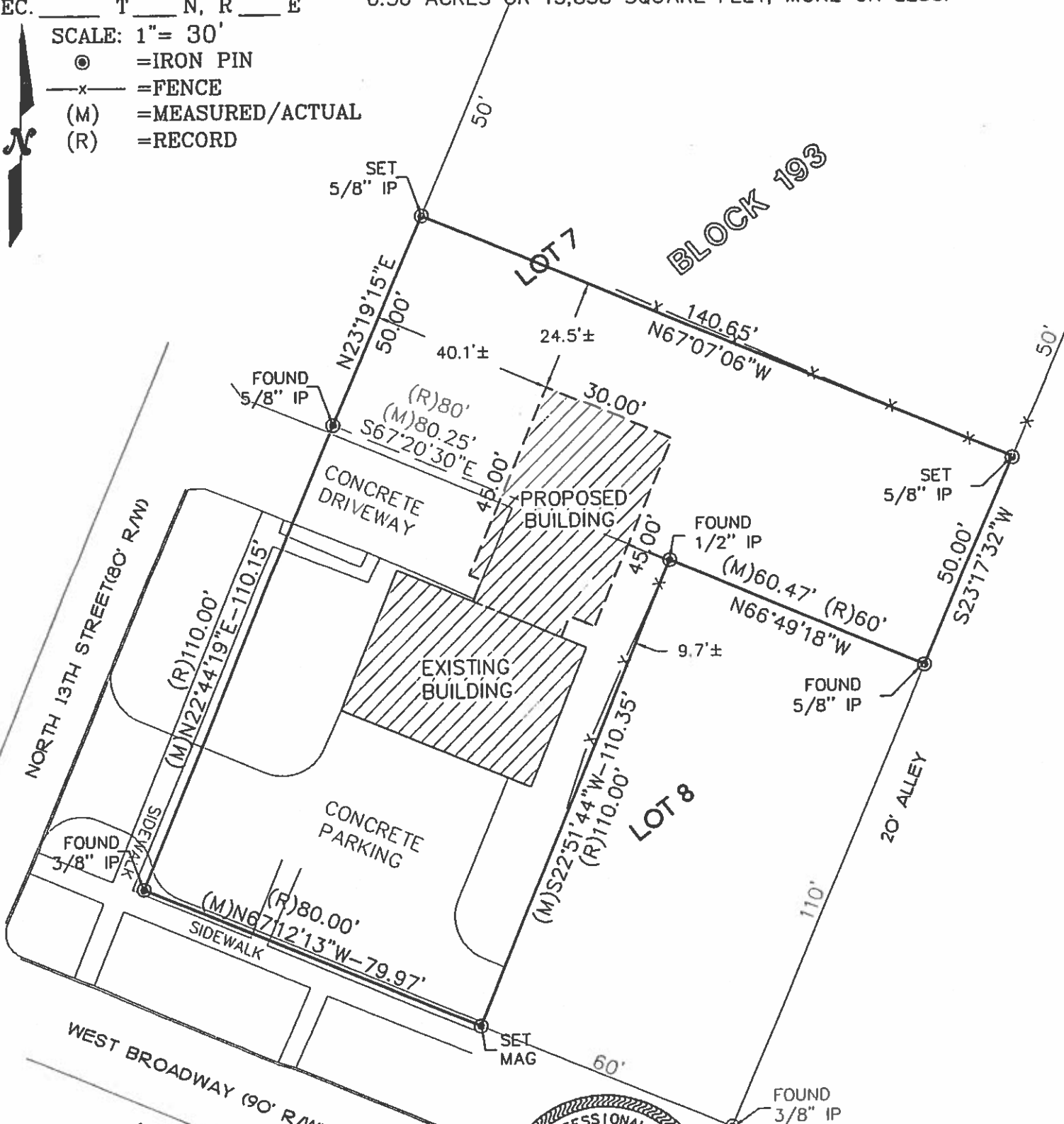
SCALE: 1" = 30'

● = IRON PIN

—x— = FENCE

(M) = MEASURED/ACTUAL

(R) = RECORD



1/15/2018  
*Tony Robison*  
TONY ROBISON, LAND SURVEYOR NO. 1686

**Heartland Surveying & Mapping, PLLC**

CA #4849

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

(918) 682-7796

FOR: ST. JOSEPH CATHOLIC CHURCH

DATE: 1/11/18

W.O.# 6566

SURVEYED BY: RT/CY

DRAWN BY: AM

Last Site Visit: 1/11/18

THIS SURVEY MEETS MINIMUM TECHNICAL SURVEY STANDARDS.

FILE NAME  
Jan 15, 2018 - 12:58pm  
S:\CAD - HEARTLAND-FILES\W06566.dwg

**Planning Commission****4.****Meeting Date:** 02/05/2018**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 rezoning the property located at 2312 Augusta Street, more particularly described in the Ordinance, from "C-1" Local Commercial District to "R-1" Single-Family Residential, 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 20 THRU 26 IN BLOCK 12 IN CREAM RIDGE ADDITION TO THE CITY OF MUSKOGEE, LOCATED IN THE NORTHEAST QUARTER (NE1/4) OF SECTION 36, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

**BACKGROUND:**

The applicant, Leveta Goad, is requesting the property located at 2312 Augusta Street to be rezoned from "C-1" Local Commercial District to "R-1" Single-Family Residential District to allow the property to be developed residentially (single-family dwellings).

The Comprehensive Plan/Land Use Map, adopted by the City of Muskogee, indicates single-family residential within this area. Therefore, the request to rezone to "R-1" Single-Family complies with the Comprehensive Plan and Land Use Map.

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:

February 5, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

February 5, 2018, 2017 at 5:30 p.m.: Public Works Committee

February 12, 2018 at 5:30 p.m. Muskogee City Council Meeting

**RECOMMENDED STAFF ACTION:**

Approve the Ordinance rezoning the property located at 2312 Augusta Street from "C-1" Local Commercial District to "R-1" Single-Family Residential, and authorize staff to revise the Official Zoning Map of the City to reflect said change.

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**Fiscal Impact****Attachments**

Ordinance - Goad

Site Plan/Notice





**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 20 THRU 26 IN BLOCK 12 IN CREAM RIDGE ADDITION TO THE CITY OF MUSKOGEE, LOCATED IN THE NORTHEAST QUARTER (NE1/4) OF SECTION 36, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL PLAT THEREOF, MUSKOGEE COUNTY, OKLAHOMA, CONTAINING 22,750 SQUARE FEET, MORE OR LESS, AND PROVIDING FOR SEVERABILITY. (LEVETA GOAD, Applicant)

FROM “C-1” LOCAL COMMERCIAL DISTRICT

TO

“R-1” SINGLE- FAMILY RESIDENTIAL DISTRICT

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held FEBRUARY 5, 2018, 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 20 THRU 26 IN BLOCK 12 IN CREAM RIDGE ADDITION TO THE CITY OF MUSKOGEE, LOCATED IN THE NORTHEAST QUARTER (NE1/4) OF SECTION 36, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA FROM “C-1” LOCAL COMMERCIAL DISTRICT TO “R-1” SINGLE-FAMILY RESIDENTIAL 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 12TH DAY OF FEBRUARY, 2018.

\_\_\_\_\_  
JOHN R. COBURN, MAYOR

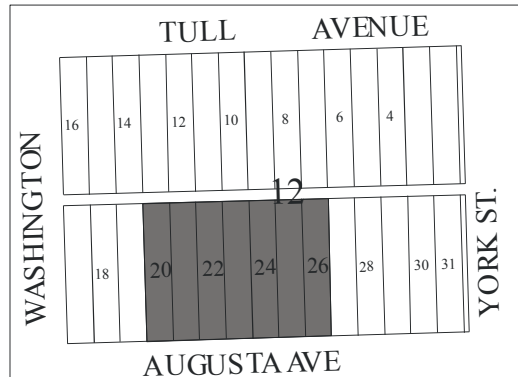
ATTEST:

\_\_\_\_\_  
TAMMY L. TRACY, CITY CLERK  
(SEAL)

APPROVED as to form and legality this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
ROY D. TUCKER, CITY ATTORNEY

## Public Hearing Notice



**Proposal:** To rezone property located at 2312 Augusta Street, from “C-1” Local Commercial District to “R-1” Single-Family Residential District. The property is more particularly described as:

**Lots 20 thru 26 in Block 12 in Cream Ridge Addition to the City of Muskogee, located in the Northeast Quarter (NE1/4) of Section 36, Township 15 North, Range 18 East, according to the official plat thereof, Muskogee County, Oklahoma. Containing 22,750 square feet, more or less.**

**Applicant:** Leveta Goad

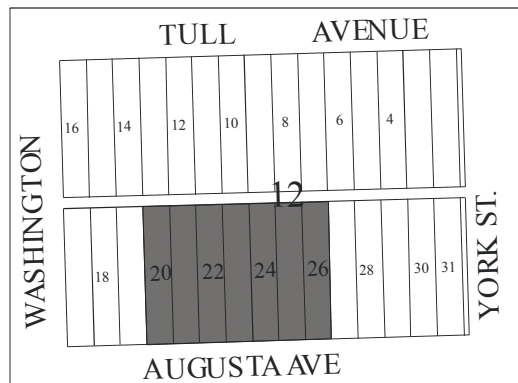
This notice is provided to property owners within 300 feet of the above site to inform them of the following public hearings regarding the above proposal:

**February 5, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission**

**February 5, 2018 at 5:30 p.m.: City of Muskogee Public Works Committee**

**February 12, 2018 at 5:30 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.



(Leveta Goad, Applicant)

## **PUBLIC NOTICE**

Notice is hereby given that on February 5, 2018, 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 February 5, 2018, at 5:30 p.m., by the Public Works Committee, and on February 12, 2018, at 5:30 p.m., by the City Council to consider an application to rezone property located at 2312 Augusta Street, from “C-1” *Local Commercial* District to “R-1” Single-Family Residential District. The property is more particularly described as:

Lots 20 thru 26 in Block 12 in Cream Ridge Addition to the City of Muskogee, located in the Northeast Quarter (NE1/4) of Section 36, Township 15 North, Range 18 East, according to the official plat thereof, Muskogee County, Oklahoma. Containing 22,750 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

5.

**Meeting Date:** 02/05/2018

**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 rezoning the property located on North Country Club Road, between Chandler Road and Gibson Street, more particularly described in the Ordinance, from "A" Agriculture 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:**

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29; THENCE SOUTH 01°34'11" EAST A DISTANCE OF 1982.79 FEET TO THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 88°38'16" EAST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 305.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88°38'16" EAST A DISTANCE OF 286.25 FEET; THENCE NORTH 01°34'11" WEST A DISTANCE OF 152.16 FEET; THENCE SOUTH 88°38'34" WEST A DISTANCE OF 286.25 FEET; THENCE SOUTH 01°34'11" EAST A DISTANCE OF 152.19 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES, MORE OR LESS.

#### **BACKGROUND:**

The applicants, David and Susan Vanderford, are requesting to rezone the property located on on North Country Club Road, between Chandler Road and Gibson Street, from "A" Agriculture District to "C-1" Local Commercial District to allow a banquet facility to be on the property.

The Comprehensive Plan/Land Use Map, adopted by the City of Muskogee, indicates Transitional Residential (transition between industrial/commercial and residential) within this area. Therefore, the request to rezone to "C-1" Local Commercial District complies with the Comprehensive Plan and Land Use Map.

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:

February 5, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

February 5, 2018, 2017 at 5:30 p.m.: Public Works Committee

February 12, 2018 at 5:30 p.m. Muskogee City Council Meeting

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

Approve the Ordinance rezoning the property from "A" Agriculture to "C-1" Local Commercial, and authorize staff to revise the Official Zoning Map of the City to reflect said change.

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**Fiscal Impact**

**Attachments**

Ordinance - Vanderford

Site Plan/Notice

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**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 A TRACT OF LAND SITUATED IN THE NORTH HALF (N1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 29, TOWNSHIP 15 NORTH, RANGE 19 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 1.00 ACRES, MORE OR LESS, AND PROVIDING FOR SEVERABILITY.

**MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 29; THENCE SOUTH 01°34'11" EAST A DISTANCE OF 1982.79 FEET TO THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 88°38'16" EAST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 305.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88°38'16" EAST A DISTANCE OF 286.25 FEET; THENCE NORTH 01°34'11" WEST A DISTANCE OF 152.16 FEET; THENCE SOUTH 88°38'34" WEST A DISTANCE OF 286.25 FEET; THENCE SOUTH 01°34'11" EAST A DISTANCE OF 152.19 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES, MORE OR LESS.**

. (DAVID AND SUSAN VANDERFORD, APPLICANT)

FROM "A" AGRICULTURE DISTRICT

TO

"C-1" LOCAL COMMERCIAL DISTRICT

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held FEBRUARY 5, 2018, 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; A TRACT OF LAND SITUATED IN THE NORTH HALF (N1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 29, TOWNSHIP 15 NORTH, RANGE 19 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, FROM "A" AGRICULTURE TO "C-1" LOCAL COMMERCIAL



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

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.

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 12TH DAY OF FEBRUARY 2018.

\_\_\_\_\_  
JOHN R. COBURN, MAYOR

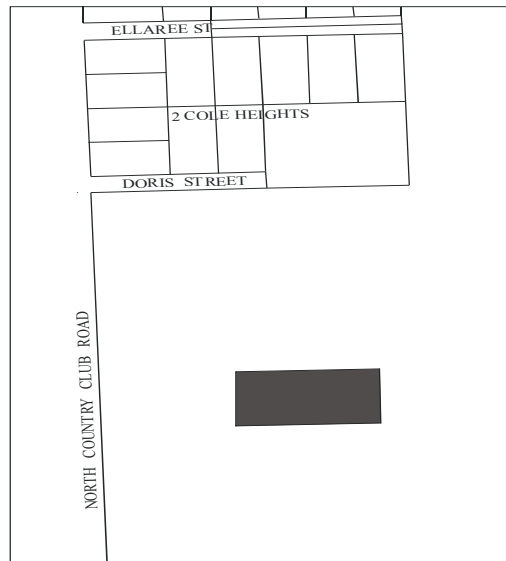
ATTEST:

\_\_\_\_\_  
TAMMY L. TRACY, CITY CLERK  
(SEAL)

APPROVED as to form and legality this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
ROY D. TUCKER, CITY ATTORNEY

## Public Hearing Notice



**Proposal:** To rezone a tract of land situated in the North Half (N1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 29, Township 15 North, Range 19 East of the Indian Base and Meridian, Muskogee County, State of Oklahoma, from “A” Agriculture to “C-1” Local Commercial.

The property is more particularly described by metes and bounds as follows: Commencing at the Northwest Corner of said Section 29; thence South 01°34'11” East a distance of 1982.79 feet to the Southwest Corner of the North Half of the Southwest Quarter of the Northwest Quarter of said Section 29; thence North 88°38'16” East along the South line thereof a distance of 305.00 feet to the Point of Beginning; thence continuing North 88°38'16” East a distance of 286.25 feet; thence North 01°34'11” West a distance of 152.16 feet; thence South 88°38'34” West a distance of 286.25 feet; thence South 01°34'11” East a distance of 152.19 feet to the Point of Beginning. Containing 1.00 acres, more or less.

**Applicants:** David and Susan Vanderford

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:

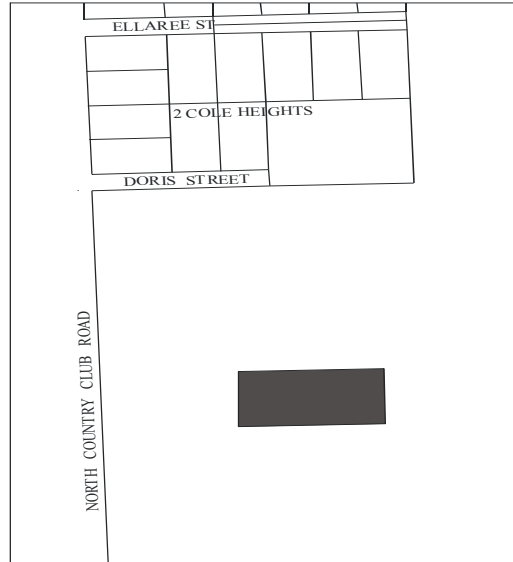
**February 5, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission**

**February 5, 2018 at 5:30 p.m.: City of Muskogee Public Works Committee**

**February 12, 2018 at 5:30 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.



(David and Susan Vanderford, Applicants)

## **PUBLIC NOTICE**

**Notice is hereby given that on February 5, 2018, 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 February 5, 2018, at 5:30 p.m., by the Public Works Committee, and on February 12, 2018, at 5:30 p.m., by the City Council to consider an application To rezone a tract of land situated in the North Half (N1/2) of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4) of Section 29, Township 15 North, Range 19 East of the Indian Base and Meridian, Muskogee County, State of Oklahoma, from “A” Agriculture to “C-1” Local Commercial.**

**The property is more particularly described by metes and bounds as follows:**

**The property is more particularly described by metes and bounds as follows: Commencing at the Northwest Corner of said Section 29; thence South 01°34’11” East a distance of 1982.79 feet to the Southwest Corner of the North Half of the Southwest Quarter of the Northwest Quarter of said Section 29; thence North 88°38’16” East along the South line thereof a distance of 305.00 feet to the Point of Beginning; thence continuing North 88°38’16” East a distance of 286.25 feet; thence North 01°34’11” West a distance of 152.16 feet; thence South 88°38’34” West a distance of 286.25 feet; thence South 01°34’11” East a distance of 152.19 feet to the Point of Beginning. Containing 1.00 acres, 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**

**6.**

**Meeting Date:** 02/05/2018

**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 rezoning the property located on North 54th Street, north of Shawnee Ave, more particularly described in the Ordinance, from "R-1" Single-Family Residential to "R-A" Agriculture Residential, 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 SOUTH HALF (S1/2) OF THE NORTH HALF (N1/2) OF THE SOUTHWEST QUARTER (SW1/4) SECTION 17, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

**BACKGROUND:**

The applicants, Don and Casey David, are requesting to rezone the property located on North 54th Street, north of Shawnee Ave, from "R-1" Single-Family Residential to "R-A" Agriculture Residential to allow a large garden, horses and a barn on the property.

The Comprehensive Plan/Land Use Map, adopted by the City of Muskogee, indicates agricultural within this area. Therefore, the request to rezone to "R-A" Agriculture Residential complies with the Comprehensive Plan and Land Use Map.

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:

February 5, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

February 5, 2018, 2017 at 5:30 p.m.: Public Works Committee

February 12, 2018 at 5:30 p.m. Muskogee City Council Meeting

**RECOMMENDED STAFF ACTION:**

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

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**Fiscal Impact**

**Attachments**

Ordinance - David

Site Plan/Notice

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**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 SOUTH HALF (S1/2) OF THE NORTH HALF (N1/2) OF THE SOUTHWEST QUARTER (SW1/4) SECTION 17, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL PLAT THEREOF, MUSKOGEE COUNTY, OKLAHOMA, CONTAINING 10.01 ACRES, MORE OR LESS, AND PROVIDING FOR SEVERABILITY. (DON R. AND CASEY L. DAVID, Applicant)

FROM "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT

TO

"R-A" AGRICULTURE RESIDENTIAL DISTRICT

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held FEBRUARY 5, 2018, 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 SOUTH HALF (S1/2) OF THE NORTH HALF (N1/2) OF THE SOUTHWEST QUARTER (SW1/4) SECTION 17, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA FROM "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "R-A" AGRICULTURE RESIDENTIAL 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 12TH DAY OF FEBRUARY, 2018.

\_\_\_\_\_  
JOHN R. COBURN, MAYOR

ATTEST:

\_\_\_\_\_  
TAMMY L. TRACY, CITY CLERK  
(SEAL)

APPROVED as to form and legality this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
ROY D. TUCKER, CITY ATTORNEY



## Public Hearing Notice



**Proposal:** To rezone property located at 2150 N. 54<sup>th</sup> St. W., Muskogee, Oklahoma, from “R-1” Single-Family Residential District to “R-A” Agriculture Residential District. The property is more particularly described as:

**The South Half (S1/2) of the North Half (N1/2) of the Southwest Quarter (SW1/4) Section 17, Township 15 North, Range 18 East of the Indian Base and Meridian, Muskogee County, State of Oklahoma. Containing 10.01 acres, more or less.**

**Applicants:** Don R. and Casey L. David

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:

**February 5, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission**

**February 5, 2018 at 5:30 p.m.: City of Muskogee Public Works Committee**

**February 12, 2018 at 5:30 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.



(Don R. and Casey L. David, Applicants)

## **PUBLIC NOTICE**

Notice is hereby given that on February 5, 2018, 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 February 5, 2018, at 5:30 p.m., by the Public Works Committee, and on February 12, 2018, at 5:30 p.m., by the City Council to consider an application to rezone property located at 2150 N 54<sup>th</sup> St. W., from “R-1” *Single-Family Residential* District to “R-A” Agriculture Residential District. The property is more particularly described as:

The South Half (S1/2) of the North Half (N1/2) of the Southwest Quarter (SW1/4) Section 17, Township 15 North, Range 18 East of the Indian Base and Meridian, Muskogee County, State of Oklahoma. Containing 10.01 acres, 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:** 02/05/2018

**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 rezoning the property located on South Cherokee Street, south of Cherokee Drive, more particularly described in the Ordinance, from "C-1" Local Commercial 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:**

COMMENCING AT THE NORTHEAST CORNER OF THE SE1/4 OF SECTION 3; THENCE S1°23'05"E A DISTANCE OF 142.85 FEET TO THE POINT OF BEGINNING; THENCE S89°08'48"W A DISTANCE OF 238 FEET; THENCE S1°22'53"E A DISTANCE OF 188.45 FEET; THENCE N88°37'07"E A DISTANCE OF 38.00 FEET; THENCE N1°22'53"W A DISTANCE OF 125.00 FEET; THENCE N88°37'07"E A DISTANCE OF 200.00 FEET; THENCE N1°23'05"W A DISTANCE OF 61.26 FEET TO THE POINT OF BEGINNING. CONTAINING 0.45 ACRES, MORE OR LESS.

#### **BACKGROUND:**

The applicants, Phillip and Penny Coppin, are requesting to rezone the property located on South Cherokee Street, south of Cherokee Drive, from "C-1" Local Commercial District to "I-1" Light Industrial District to allow a rental business to be located on the property. Existing storage buildings are located on the property, however due to the discontinued use of the storage structures (beyond 90 days) the applicants lost the existing non-conforming use. Therefore, the property is required to be rezoned to allow the rental business.

The Comprehensive Plan/Land Use Map, adopted by the City of Muskogee, indicates industrial within this area. Therefore, the request to rezone to "I-1" Light Industrial complies with the Comprehensive Plan and Land Use Map.

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:

February 5, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

February 5, 2018, 2017 at 5:30 p.m.: Public Works Committee

February 12, 2018 at 5:30 p.m. Muskogee City Council Meeting

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

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

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**Fiscal Impact**

**Attachments**

Ordinance - Coppin  
Site Plan/Notice

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**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 A TRACT OF LAND SITUATED IN THE SE/4 OF SECTION 3, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 0.45 ACRES, MORE OR LESS, AND PROVIDING FOR SEVERABILITY.

MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SE1/4 OF SECTION 3; THENCE S1°23'05"E A DISTANCE OF 142.85 FEET TO THE POINT OF BEGINNING; THENCE S89°08'48"W A DISTANCE OF 238 FEET; THENCE S1°22'53"E A DISTANCE OF 188.45 FEET; THENCE N88°37'07"E A DISTANCE OF 38.00 FEET; THENCE N1°22'53"W A DISTANCE OF 125.00 FEET; THENCE N88°37'07"E A DISTANCE OF 200.00 FEET; THENCE N1°23'05"W A DISTANCE OF 61.26 FEET TO THE POINT OF BEGINNING. CONTAINING 0.45 ACRES, MORE OR LESS.

(PHILLIP AND PENNY COPPIN, APPLICANT)

FROM "C-1" LOCAL COMMERCIAL DISTRICT

TO

"I-1" LIGHT INDUSTRIAL DISTRICT

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held FEBRUARY 5, 2018, 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: A TRACT OF LAND SITUATED IN THE SE/4 OF SECTION 3, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA. FROM "C-1" LOCAL COMMERCIAL 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 12TH DAY OF FEBRUARY 2018.

\_\_\_\_\_  
JOHN R. COBURN, MAYOR

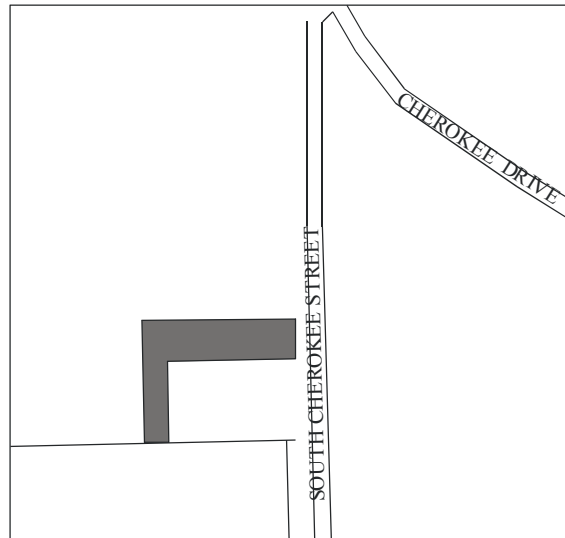
ATTEST:

\_\_\_\_\_  
TAMMY L. TRACY, CITY CLERK  
(SEAL)

APPROVED as to form and legality this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
ROY D. TUCKER, CITY ATTORNEY

## Public Hearing Notice



**Proposal:** To rezone a tract of land situated in the SE/4 of Section 3, Township 14 North, Range 18 East of the Indian Base and Meridian, Muskogee County, State of Oklahoma, from “C-1” Local Commercial to “I-1” Light Industrial,

The property is more particularly described by metes and bounds as follows: Commencing at the Northeast corner of the SE1/4 of Section 3; thence S1°23'05"E a distance of 142.85 feet to the Point of Beginning; thence S89°08'48"W a distance of 238 feet; thence S1°22'53"E a distance of 188.45 feet; thence N88°37'07"E a distance of 38.00 feet; thence N1°22'53"W a distance of 125.00 feet; thence N88°37'07"E a distance of 200.00 feet; thence N1°23'05"W a distance of 61.26 feet to the Point of Beginning. Containing 0.45 acres, more or less.

**Applicants:** Phillip and Penny Coppin

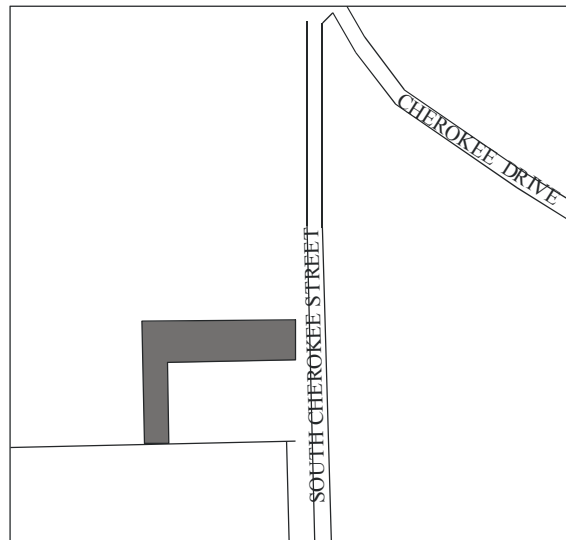
This notice is provided to property owners within 300 feet of the above site to inform them of the following public hearings regarding the above proposal:

**February 5, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission**

**February 5, 2018 at 5:30 p.m.: City of Muskogee Public Works Committee**

**February 12, 2018 at 5:30 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.



(Phillip and Penny Coppin, Applicants)

## **PUBLIC NOTICE**

Notice is hereby given that on February 5, 2018, 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 February 5, 2018, at 5:30 p.m., by the Public Works Committee, and on February 12, 2018, at 5:30 p.m., by the City Council to consider an application to rezone property situated at the SE/4 of Section 3, Township 14 North, Range 18 East of the Indian Base and Meridian, Muskogee County, State of Oklahoma, from “C-1” Local Commercial to “I-1” Light Industrial,

The property is more particularly described by metes and bounds as follows:

Commencing at the Northeast corner of the SE1/4 of Section 3; thence S1°23'05"E a distance of 142.85 feet to the Point of Beginning; thence S89°08'48"W a distance of 238 feet; thence S1°22'53"E a distance of 188.45 feet; thence N88°37'07"E a distance of 38.00 feet; thence N1°22'53"W a distance of 125.00 feet; thence N88°37'07"E a distance of 200.00 feet; thence N1°23'05"W a distance of 61.26 feet to the Point of Beginning. Containing 0.45 acres, 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