

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
March 5, 2018

Members of the City of Muskogee Planning and Zoning Commission are hereby requested to attend a Regular Meeting to be held on March 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 February 5, 2018 Planning and Zoning Commission meeting.
3. Consider approval of a Preliminary and Final Plat of Sooner Addition, consisting of two (2) lots on 2.83 acres, located on the north side of Harris Road, east of Country Club Road, or take other necessary action. (Gary D. Garvin)

A tract of land in the SW/4 SE/4 SW/4 of Section 8, T15N, R19E of the I.B.&M., Muskogee County, State of Oklahoma, said tract of land being more particularly described by metes and bounds as follows: Commencing at the SW corner of Section 8, thence N88°48'09"E a distance of 1407.17 feet to the Point of Beginning; thence continuing N88°48'09"E a distance of 60.54 feet; thence N1°39'57"W a distance of 172.51 feet; thence N88°48'09"E a distance of 85.00 feet; thence N1°34'35"W a distance of 488.97 feet; thence S88°43'34"W a distance of 231.30 feet; thence S1°39'57"E a distance of 488.67 feet; thence N88°48'09"E a distance of 85.00 feet; thence S1°39'57"E a distance of 172.51 feet to the Point of Beginning. Containing 2.83 Acres, more or less.

Adjournment

Planning Commission

2.

Meeting Date: 03/05/2018

Initiator: Gary Garvin, Planning Director

Information

AGENDA ITEM TITLE:

Approval of the Minutes of the February 5, 2018 Planning and Zoning Commission meeting.

LEGAL DESCRIPTION:

BACKGROUND:

See attached minutes.

RECOMMENDED STAFF ACTION:

Approve the minutes.

Fiscal Impact

Attachments

2/5/2018 COMP&ZC Minutes

MINUTES
City of Muskogee Planning and Zoning Commission
February 5, 2018

Members of the City of Muskogee Planning and Zoning Commission were called to order at a Regular Scheduled Meeting on Monday, February 5, 2018 at 9:00 a.m., in the Council Chambers, 3rd Floor of the Municipal Building, 229 W. Okmulgee Ave., Muskogee, Oklahoma.

Present: Commissioner Jack Bethany; Commissioner Mark Luttrull; Commissioner Shirley Hilton-Flanary; Commissioner Patrick Cale

Absent: Commissioner Lathon Archie III; Commissioner Justin Walker; Commissioner Stella Derrick

Staff Present: Gary D. Garvin, Director of Planning and Economic Development; Tish Callahan, Assistant City Planner; Susan Ross, Office Administrator

1 Roll Call- Susan Ross

2 Chairman Mark Luttrull called for approval of the Minutes of the January 16, 2018 Planning and Zoning Commission meeting.

Motion was made by Commissioner Jack Bethany, seconded by Commissioner Patrick Cale

AYE: Commissioner Jack Bethany, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary

Other: Commissioner Mark Luttrull (ABSTAIN)

Carried

3 Gary D. Garvin, Planning Director, presented the staff report on 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. Mr. Garvin stated 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. Mr. Garvin stated that the properties comply with all of the area regulations within the Zoning Ordinance and staff recommends approval.

Motion was made by Commissioner Jack Bethany, seconded by Commissioner Shirley Hilton-Flanary

AYE: Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary

Carried - Unanimously

4 Chairman Mark Luttrull opened the Public Hearing.

Gary D. Garvin, Planning Director, presented the staff report on the request from Leveta Goad for 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. Mr. Garvin stated the applicant Leveta Goad, is requesting the property to be rezoned to allow the property to be developed residentially with 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 Residential complies with the Comprehensive Plan and Land Use Map and staff recommends approval.

Chairman Mark Luttrull closed the Public Hearing.

Motion was made by Commissioner Jack Bethany, seconded by Commissioner Shirley Hilton-Flanary

AYE: Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary

Carried - Unanimously

5 Chairman Mark Luttrull opened the Public Hearing

Gary D. Garvin, Planning Director, presented the staff report on the request from David and Susan Vanderford for 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. The applicants are requesting the property located on North Country Club Road be rezoned to allow for a banquet facility. 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 and staff recommends approval.

Chairman Mark Luttrull closed the Public Hearing.

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

AYE: Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary

Carried - Unanimously

6 Chairman Mark Luttrull opened the Public Hearing.

Gary D. Garvin, Planning Director, presented the staff report on the request from Don and Casey David for 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. Mr. Garvin stated that the applicants, Don and Casey David, are requesting to rezone the property 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 zoning within this area. Therefore, the request to rezone to "R-A" Agriculture Residential complies with the Comprehensive Plan and Land Use Map and staff recommends approval.

Chairman Mark Luttrull closed the Public Hearing.

Motion was made by Commissioner Patrick Cale, seconded by Commissioner Jack Bethany

AYE: Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary

Carried - Unanimously

7 Chairman Mark Luttrull opened the Public Hearing.

Gary D. Garvin, Planning Director, presented the staff report on the request from Phillip and Penny Coppin for 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. Mr. Garvin stated that the applicants, Phillip and Penny Coppin, are requesting the property to be rezoned to allow a rental business to be located on the property. Existing storage buildings are located on the property, however due to discontinued use of the storage structure (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 zoning within this area. Therefore, the request to rezone to "I-1" Light Industrial complies with the Comprehensive Plan and Land Use Map and staff recommends approval.

The applicants, Phillip and Penny Coppin were present to answer any questions from the Board.

Glenn and Sanchesca Mattison, 2813 S. Cherokee St., stated that they are against the rezoning and the opening of a rental storage facility. Mr. Mattison stated that he lives in the house right next to the storage buildings and that there is one shared driveway and that his deed does not disclose easement rights and that a survey was not done when

he purchased the house. Mr. Mattison stated he is concerned for his children that play outside and has safety concerns about people being so close to his house.

Veda Weaver, representing her parents, Bill and Betty Jestice, 2810 S. Cherokee St., stated that her parents have lived in their home since 1951 and that her parents are against the rezoning. Ms. Weaver stated that the storage building is in disrepair and people break into the building. Ms. Weaver stated that the rezoning and opening of the storage facility would interfere with her parents living conditions in the once quiet country area.

Phillip and Penny Coppin, applicants, addressed the issues with the Board. Mr. Coppin stated that the driveway is a shared driveway and it is stated in his deed. Mr. Coppin stated that the driveway is 20 ft. wide and that he purchased the property from the bank and would like to sell the property to allow for a rental storage facility. Mr. Coppin stated that he offered to sell the property to Mr. Mattison but could not come to an agreement.

Gary D. Garvin, Planning Director followed up with some of the concerns and stated that all building and Certificate of Occupancy regulations would have to be followed before opening the storage rental facility. These regulations include fencing, installing asphalt or concrete on any place a vehicle would travel at the storage facility. Mr. Garvin also stated that the driveway could not be fenced down the middle or be blocked at any time.

Chairman Mark Luttrull closed the Public Hearing.

Motion was made by Commissioner Patrick Cale, seconded by Commissioner Jack Bethany

AYE: Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary

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 9:50 a.m.

Planning Commission

3.

Meeting Date: 03/05/2018

Initiator: Gary Garvin, Planning Director

Information

AGENDA ITEM TITLE:

Consider approval of a Preliminary and Final Plat of Sooner Addition, consisting of two (2) lots on 2.83 acres, located on the north side of Harris Road, east of Country Club Road, or take other necessary action. (Gary D. Garvin)

LEGAL DESCRIPTION:

A tract of land in the SW/4 SE/4 SW/4 of Section 8, T15N, R19E of the I.B.&M., Muskogee County, State of Oklahoma, said tract of land being more particularly described by metes and bounds as follows: Commencing at the SW corner of Section 8, thence N88°48'09"E a distance of 1407.17 feet to the Point of Beginning; thence continuing N88°48'09"E a distance of 60.54 feet; thence N1°39'57"W a distance of 172.51 feet; thence N88°48'09"E a distance of 85.00 feet; thence N1°34'35"W a distance of 488.97 feet; thence S88°43'34"W a distance of 231.30 feet; thence S1°39'57"E a distance of 488.67 feet; thence N88°48'09"E a distance of 85.00 feet; thence S1°39'57"E a distance of 172.51 feet to the Point of Beginning. Containing 2.83 Acres, more or less.

BACKGROUND:

The applicants, Randy and Cindy Garrouette, have indicated the property is being platted into two (2) lots on 2.83 acres to allow the property to be developed residentially. The applicant is proposing to build two (2) single-family dwellings on the property. Subdivision Review Committee reviewed the Preliminary and Final Plats, and recommended approval with conditions (all conditions have been complied with).

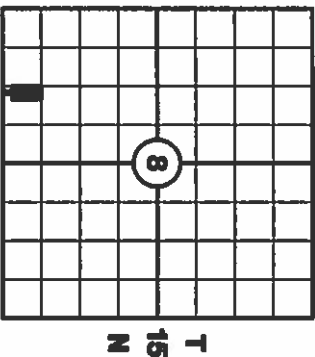
RECOMMENDED STAFF ACTION:

Approve the Preliminary and Final Plat of Sooner Addition.

Fiscal Impact

Attachments

Preliminary & Final Plat - Sooner Addition



LOCATION MAP
NOT TO SCALE

- LEGEND
- EASEMENT
 - U/E = UTILITY EASEMENT
 - S/B = BUILDING SETBACK
 - R/W = RIGHT-OF-WAY
 - SANITARY SEWER MANHOLE
 - SANITARY SEWER LINE
 - WATER LINE

PREPARED FOR: RANDY & CANDY GARROULTE
3708 COURTNEY CLUB CT
MUSKOGEE, OKLA. 74403

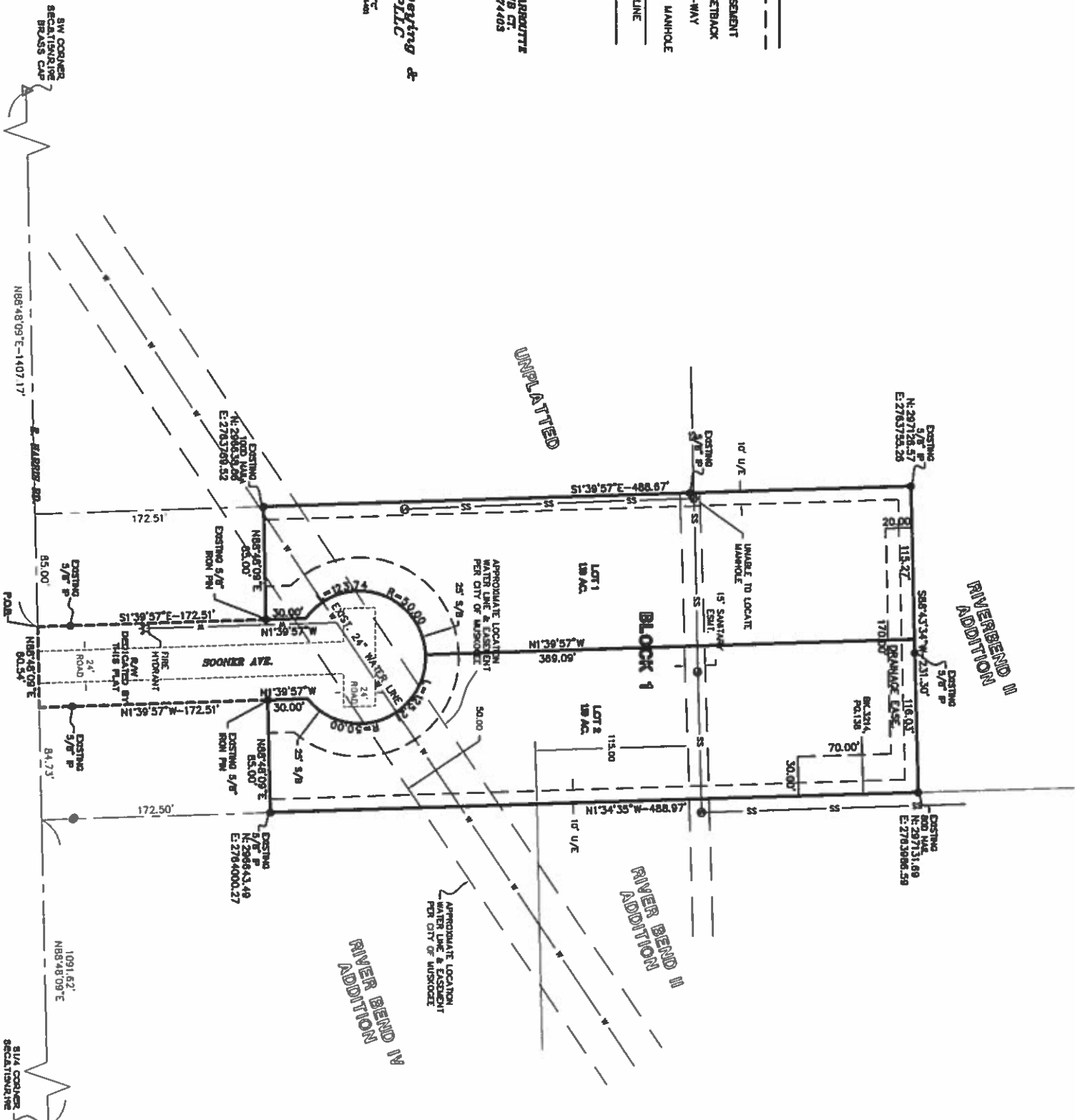
PREPARED BY:
Heartland Surveying &
Mapping, PLLC
314 West
4000 Southwest 2nd Ave. S.
Muskogee, Oklahoma 74403
(918) 685-1700

OFFSITE CONTROL:
N-40
N264735.850
E2786015.950

HORIZONTAL DATUM IS NAD 83(93)
OKLAHOMA STATE PLANE COORDINATE
SYSTEM, NORTH ZONE.
VERTICAL DATUM IS NAVD 86.

PRELIMINARY
PLAT
OF

SOONER ADDITION
IN THE SW/4 SECTION 8, T15N, R19E, 1B.&M., CITY OF MUSKOGEE,
MUSKOGEE COUNTY, STATE OF OKLAHOMA



SCALE IN FEET
0 50 100

STATE OF OKLAHOMA
COUNTY OF MUSKOGEE

KNOW ALL MEN BY THESE PRESENTS, that we, JOSHUA RANDALL GARROULTE AND RANDY & CANDY GARROULTE, husband and wife hereby certify that we are the Owners of the and the person or persons having any right, title or interest in the following described tract of land, to-wit:

A tract of land in the SW/4 SE/4 of Section 8, T15N, R19E of the 1B.&M., Muskogee County, State of Oklahoma, said tract of land being more particularly described by metes and bounds as follows: Commencing at the SW corner of Section 8, thence N88°48'09"E a distance of 1407.17 feet to the Point of Beginning; thence continuing N88°48'09"E a distance of 80.54 feet; thence N1°39'57"W a distance of 172.51 feet; thence N88°48'09"E a distance of 85.00 feet; thence N1°34'25"W a distance of 488.67 feet; thence S88°43'34"W a distance of 231.30 feet; thence S1°39'57"E a distance of 488.67 feet; thence N88°48'09"E a distance of 85.00 feet; thence S1°39'57"E a distance of 172.51 feet to the Point of Beginning. Containing 2.83 Acres, more or less.

We further certify that we have caused said tract of land to be platted into lots and have caused this plat to be made of said tract showing accurate dimension of lots and streets. We hereby designate said tract of land as SOONER ADDITION and dedicate to public use all utility easements and streets as shown hereon.

RANDY GARROULTE
CANDY GARROULTE

JOSHUA RANDALL GARROULTE

STATE OF OKLAHOMA
COUNTY OF MUSKOGEE

Before me, the undersigned, a notary public in and for the State of Oklahoma, personally appeared JOSHUA RANDALL GARROULTE AND RANDY & CANDY GARROULTE, to whom to be the said parties personally executed the foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the purpose set forth.

WITNESS my hand and seal this ____ day of ____ 2018.

Notary Public

My Commission expires: ____

CERTIFICATE OF SURVEY
KNOW ALL MEN BY THESE PRESENTS, that I, Tony Robison, a resident of the State of Oklahoma, do hereby certify that I have carefully and accurately surveyed and plotted into lots the above described property and that this plat is a true and correct representation thereof. I further certify that this plat meets the minimum standards for the practice of land surveying.

WITNESS my hand and seal this ____ day of ____ 2018.

PRELIMINARY

Tony Robison, Land Surveyor 1088



STATE OF OKLAHOMA
COUNTY OF MUSKOGEE

Before me, the undersigned, a notary public in and for the State of Oklahoma, personally appeared Tony Robison to me known to be the identified person who executed the foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed for the purpose therein set forth.

WITNESS my hand and seal this ____ day of ____ 2018.

Notary Public

My Commission expires: ____

TREASURER'S CERTIFICATE

I hereby certify that as to all real estate involved in the plat, all taxes have been paid for 2017 as reflected by the current tax roll and that there are no taxes due for prior years, and security has been provided for 2018 for taxes not as yet certified to me.

County Treasurer

CERTIFICATE OF COUNTY CLERK

This plat has been filed in the office of the County Clerk, Muskogee County, Oklahoma, this ____ day of ____ 2018. Book ____ Page ____

County Clerk

APPROVED: City of Muskogee

Date ____

Mayor

City Clerk

I, RANDY GARROULTE, hereby agree that no transfer of deed or building permit will be transacted until all streets and utility improvements have been completed and accepted by the City of Muskogee or appropriate financial guarantee as required by Section 19-113d of the Subdivision regulations have been submitted and accepted.

RANDY GARROULTE

PLANNED DEVELOPMENT

According to the U.S. Department of Housing & Urban Development Insurance Rate Map, Parcel Number 40101C0115C, Effective Date February 4, 2011. The subject property is located in Zone "X". Areas determined to be outside the 0.2% annual chance floodplain.

If ever an acre of land is disturbed on Oklahoma Department of Environmental Quality OQR10 permit will need to be obtained.

