

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
May 21, 2018

Members of the City of Muskogee Planning and Zoning Commission are hereby requested to attend a Regular Meeting to be held on May 21, 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 May 7, 2018 City of Muskogee Planning and Zoning Commission meeting.
3. Consider approval of a Preliminary and Final Plat of Wallingford Addition, consisting of two (2) lots on 2.28 acres, located at 11 Beckman Drive, or take other necessary action. (Tish Callahan)

A part of the NW1/4 of the NE1/4 of Section 19, T15N, R18E, Muskogee County, Oklahoma, more particularly described as follows: Commencing at the NE corner of the NW1/4 NE1/4 of Section 19, T15N, R18E, Muskogee County, Oklahoma; thence due South along the East boundary of said NW1/4 NE1/4 a distance of 1321.75 feet to a point; thence N89°48'00"W a distance of 300.94 feet to the Point of Beginning; thence N89°48'00"W a distance of 362.84 feet to a point; thence due North a distance of 195.99 feet to a point; thence N63°34'00"E a distance of 66.10 feet to a point of curvature; thence along a curve to the Right having a radius of 219.47 feet a distance of 101.43 feet to a point of tangency; thence S89°48'00"E a distance of 0.00; thence due South a distance of 40.0 feet to a point; thence S89°48'00"E a distance of 195.74 feet to a point; thence S00°12'00"E a distance of 0.00 feet to a point of curvature; thence along a curve to the left having a radius of 50 feet a distance of 32.35 feet to a point; thence S36°52'10"E a distance of 0.00 feet to the point of tangency; thence due South a distance of 178.75 feet to the Point of Beginning.

AND

A part of the NW1/4 of the NE1/4 in Section 19, T15N, R18E of the I.B.&M., Muskogee County, Oklahoma, more particularly described as follows, to wit: Commencing at the Northeast corner of said NW1/4 NE1/4 of Section 19, thence N89°48'W a distance of 726.00 feet to a point; thence South a distance of 660.87 feet to a point; thence S89°48'E a distance of 219.26 feet to a point; thence South a distance of 353.02 feet to the Point of Beginning; thence South a distance of 100.00 feet to a point; thence S89°48'E a distance of 215.74 feet to a point; thence North a distance of 100.00 feet to a point; thence N89°48'W a distance of 215.74 feet to the Point of Beginning.

Adjournment

Planning Commission

2.

Meeting Date: 05/21/2018

Initiator: Gary Garvin, Planning Director

Information

AGENDA ITEM TITLE:

Approval of the Minutes of the May 7, 2018 City of Muskogee 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
May 7, 2018

Members of the City of Muskogee Planning and Zoning Commission were called to order at a Regular Scheduled Meeting on Monday, May 7, 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 Mark Luttrull; Commissioner Shirley Hilton-Flanary; Commissioner Stella Derrick
Absent: Commissioner Justin Walker; Commissioner Patrick Cale
Staff Gary D. Garvin, Director of Planning and Economic Development; Tish Callahan, Assistant
Present: City Planner; Susan Ross, Office Administrator

1 Roll Call.

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

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

AYE: Commissioner Lathon Archie III, Commissioner Jack Bethany,
Commissioner Shirley Hilton-Flanary, Commissioner Stella Derrick

Other: Commissioner Mark Luttrull (ABSTAIN)

Carried

3 Chairman Mark Luttrull opened the Public Hearing

Gary D. Garvin, Planning Director, presented the staff report on the request from Deshuana Dewberry (Willis) for approval of an Ordinance rezoning the property located on the northwest corner of 3rd and Kalamazoo, more particularly described in the Ordinance, from "C-2" General Commercial District to "R-1" Single-Family Residential District, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change. The applicant is requesting the property be rezoned from "C-2" General Commercial District to "R-1" Single-Family Residential District to allow the property to be developed residentially in the future. According to the Land Use Map, the area west of Main Street and south of West Southside Boulevard is classified as residential. Therefore, the request to rezone to "R-1" Single-Family Residential complies with the Comprehensive Plan and Land Use Map adopted by the City of Muskogee and staff recommends approval.

There were no citizens present to address the Planning and Zoning Commission.

Chairman Mark Luttrull closed the Public Hearing.

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

AYE: Commissioner Lathon Archie III, Commissioner Jack Bethany,
Commissioner Mark Luttrull, Commissioner Shirley Hilton-Flanary,
Commissioner Stella Derrick

Carried - Unanimously

4 Chairman Mark Luttrull opened the Public Hearing.

Gary D. Garvin, Planning Director, presented the staff report on the request to review the Land Use Map and take action on the approval of a resolution amending the Land Use Map regarding property located within part of Sections 2 and 3, T14N, R18E, more particularly described in the resolution from Industrial to Transitional Residential, and if approved authorize staff to revise the Land Use Map of the City to reflect said change. Previously the City Council denied a request by Phillip and Penny Coppin to rezone the property located on South Cherokee Street, south of Cherokee Drive, from "C-1" Local Commercial to "I-1" Light Industrial to allow a rental business to be located on the property. The request complied with the Land Use Map adopted by the City of Muskogee on June 4, 2012. When the rezoning was denied (2/12/18), City Council requested that staff review the Land Use Map and consider changing the classification. Property that complies with the Land Use Map should be approved or the Land Use Map amended.

Since the request to rezone by Mr. and Mrs. Coppin was denied, staff has reviewed the Land Use Map and based on the following information has determined that amending the Land Use Map is not recommended for this large industrial area.

The center of the industrial area is located at the intersection of two highways (Highway 64 and Highway 165). The large industrial area also contains two railroad tracks running parallel with each other through the middle of the area. The area classified as industrial by the Land Use Map contains 1,718 acres (2.7 square miles) and consists of several existing industrial uses, large parcels, vacant land, floodplain and is isolated from established residential areas. There is approximately 60 residential structures within the 1,718 acres. The large majority of the area is currently zoned industrial. Additionally, the area where the rezoning was denied and being considered under the proposed resolution (Cherokee Street, Cherokee Drive, Missouri-Pacific Railroad, and Peak Blvd./Hwy 165) containing 58 +/- acres is all currently zoned commercial or industrial, there is no residential zoning within this area.

Amending the Land Use Map to Transitional Residential would allow new residential structures to be located within this area. Many industrial uses have outdoor storage, repair bays, and fuel whose appearance, light, noise, and odors make them incompatible with residential uses. This area is an ideal location for industrial uses, due to the existing zoning, large parcels, access to rail and the highway system, and isolation from

established residential.

Staff recommends denying the resolution amending the Land Use Map from Industrial to Transitional Residential.

There were no citizens present to address the Planning and Zoning Commission.

Chairman Mark Luttrull closed the Public Hearing.

Motion was made by Commissioner Jack Bethany to deny the resolution amending the Land Use Map, seconded by Mark Luttrull.

AYE: Commissioner Lathan Archie, Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Shirley Hilton- Flanary, 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 9:18 a.m.

Planning Commission**3.****Meeting Date:** 05/21/2018**Initiator:** Gary Garvin, Planning Director

Information**AGENDA ITEM TITLE:**

Consider approval of a Preliminary and Final Plat of Wallingford Addition, consisting of two (2) lots on 2.28 acres, located at 11 Beckman Drive, or take other necessary action. (Tish Callahan)

LEGAL DESCRIPTION:

A part of the NW1/4 of the NE1/4 of Section 19, T15N, R18E, Muskogee County, Oklahoma, more particularly described as follows: Commencing at the NE corner of the NW1/4 NE1/4 of Section 19, T15N, R18E, Muskogee County, Oklahoma; thence due South along the East boundary of said NW1/4 NE1/4 a distance of 1321.75 feet to a point; thence N89°48'00"W a distance of 300.94 feet to the Point of Beginning; thence N89°48'00"W a distance of 362.84 feet to a point; thence due North a distance of 195.99 feet to a point; thence N63°34'00"E a distance of 66.10 feet to a point of curvature; thence along a curve to the Right having a radius of 219.47 feet a distance of 101.43 feet to a point of tangency; thence S89°48'00"E a distance of 0.00; thence due South a distance of 40.0 feet to a point; thence S89°48'00"E a distance of 195.74 feet to a point; thence S00°12'00"E a distance of 0.00 feet to a point of curvature; thence along a curve to the left having a radius of 50 feet a distance of 32.35 feet to a point; thence S36°52'10"E a distance of 0.00 feet to the point of tangency; thence due South a distance of 178.75 feet to the Point of Beginning.

AND

A part of the NW1/4 of the NE1/4 in Section 19, T15N, R18E of the I.B.&M., Muskogee County, Oklahoma, more particularly described as follows, to wit: Commencing at the Northeast corner of said NW1/4 NE1/4 of Section 19, thence N89°48'W a distance of 726.00 feet to a point; thence South a distance of 660.87 feet to a point; thence S89°48"E a distance of 219.26 feet to a point; thence South a distance of 353.02 feet to the Point of Beginning; thence South a distance of 100.00 feet to a point; thence S89°48'E a distance of 215.74 feet to a point; thence North a distance of 100.00 feet to a point; thence N89°48'W a distance of 215.74 feet to the Point of Beginning.

BACKGROUND:

The applicants, James and Chelsi Wallingford, have indicated the property is being platted into two (2) lots on 2.28 acres to allow the property to be developed residentially. The applicant is proposing to build a new single-family dwelling on Lot 1. Lot 2 has an existing single-family dwelling. Additionally, there is an existing 60' Road Easement that will be vacated upon approval of the final plat. There are two existing single-family dwellings located within the easement. Subdivision Review Committee reviewed the Preliminary and Final Plats, and recommended approval with conditions (all conditions have been complied with).

RECOMMENDED STAFF ACTION:

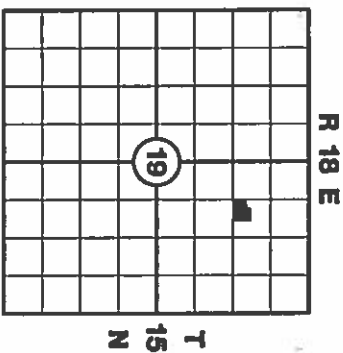
Approve the Preliminary and Final Plat of Wallingford Addition.

Fiscal Impact

Attachments

Wallingford Addition

DATE OF	DATE	3/23/18
EXCISE BY	IN	PL. MAG. 6679



LOCATION MAP

NOT TO SCALE

M=MEASURED O=DEED



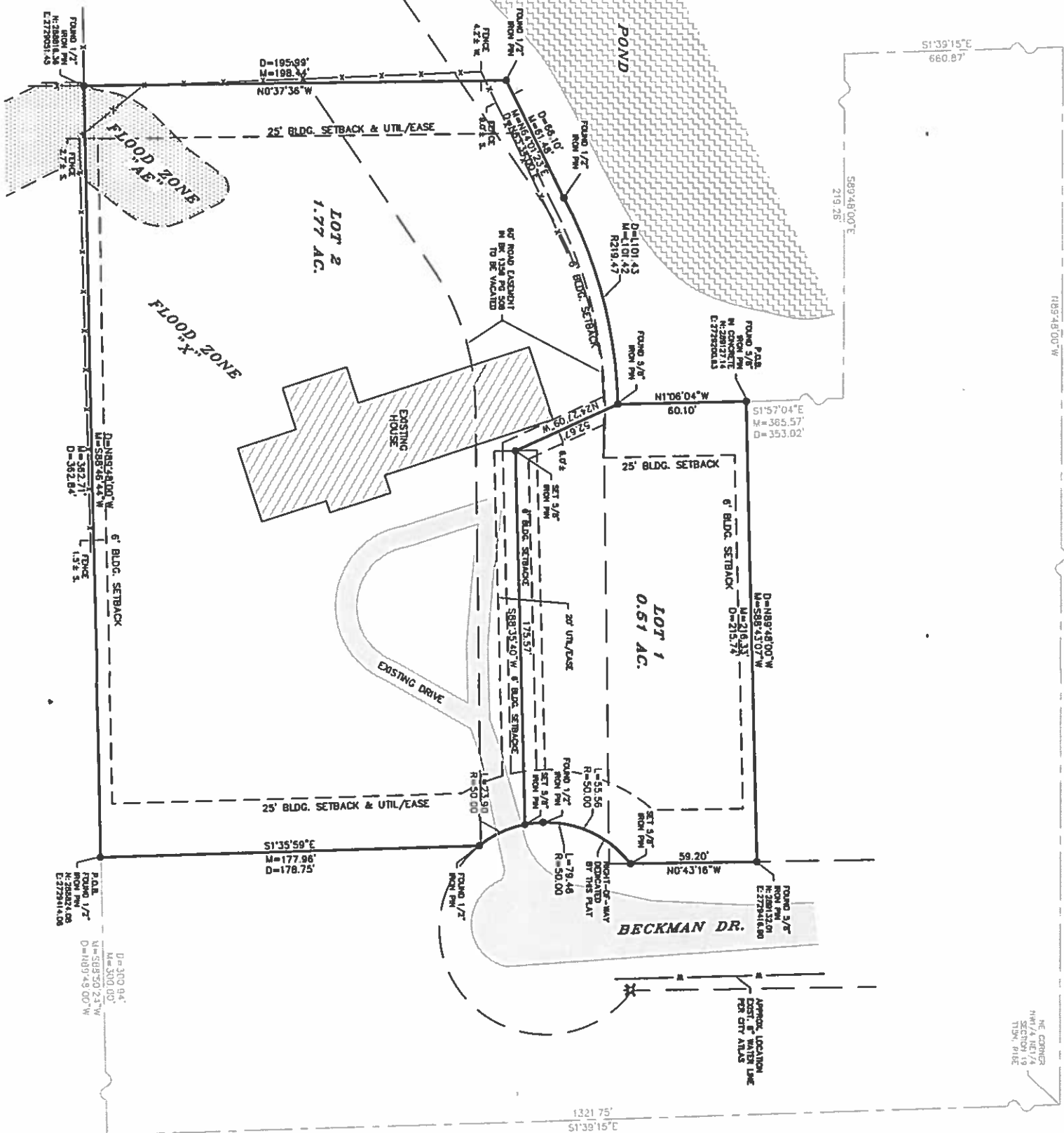
Heartland Surveying & Mapping, PLLC
CA #1448
600 Emporia St., Ste. 100
Muskogee, Oklahoma 74401
(918) 682-7798

PREPARED FOR: JAMES AND CHELSI WALLINGFORD
PREPARED BY:

OFFSITE CONTROL:
H-REV-35
N28017.777
E2731002.872
H-REV-37
N286628.173
E2731003.690

SANITARY SEWER MUST BE AEROBIC SYSTEM.
HORIZONTAL DATUM IS NAD 83(93) OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE.
VERTICAL DATUM IS NAVD 88.

PRELIMINARY PLAT OF
WALLINGFORD ADDITION
IN SECTION 19, T15N, R18E, 1.B.&M., CITY OF MUSKOGEE,
MUSKOGEE COUNTY, STATE OF OKLAHOMA



STATE OF OKLAHOMA
COUNTY OF MUSKOGEE

KNOW ALL MEN BY THESE PRESENTS, that we, JAMES AND CHELSI WALLINGFORD, 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 part of the NW 1/4 of the NE 1/4 of Section 19, T15N, R18E, Muskogee County, Oklahoma, more particularly described as follows: Commencing at the NE corner of the NW 1/4 NE 1/4 of Section 19, T15N, R18E, Muskogee County, Oklahoma; thence due South along the East boundary of said NW 1/4 NE 1/4 a distance of 1321.75 feet to a point; thence N89°48'00"W a distance of 300.94 feet to the Point of Beginning; thence N89°48'00"W a distance of 302.24 feet to a point; thence due North a distance of 195.99 feet to a point; thence N63°34'00"E a distance of 66.10 feet to a point of curvature; thence along a curve to the right having a radius of 219.47 feet a distance of 101.43 feet to a point of tangency; thence S89°48'00"E a distance of 0.00 feet to a point; thence S89°48'00"E a distance of 1321.75 feet to a point; thence S89°48'00"E a distance of 300.94 feet to a point; thence S89°48'00"E a distance of 302.24 feet to a point; thence due North a distance of 195.99 feet to a point; thence N63°34'00"E a distance of 66.10 feet to a point of curvature; thence along a curve to the right having a radius of 219.47 feet a distance of 101.43 feet to a point of tangency; thence S89°48'00"E a distance of 0.00 feet to the Point of Beginning.

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

JAMES WALLINGFORD
STATE OF OKLAHOMA
COUNTY OF MUSKOGEE

CHELSI WALLINGFORD

Being first, the undersigned, a notary public in and for the State of Oklahoma, personally appeared JAMES AND CHELSI WALLINGFORD, husband and wife, who being duly sworn, depose and acknowledge 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.

By Commission expires: _____
Notary Public

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 this lot and block 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.

Tony Robison, Land Surveyor 1886

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 identical 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.

By Commission expires: _____
Notary Public

MEASURER'S CERTIFICATE

I hereby certify that as to all real estate involved in this 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 taxes not as yet certified to me.

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 ____

APPROVED: City of Muskogee

Date

Mayor

City Clerk

JAMES WALLINGFORD

FLOOD CERTIFICATION
According to the U.S. Department of Housing & Urban Development Insurance Rate Map, Panel Number 40101C0093F, Effective Date February 4, 2011. The subject property is located in Zone "X". Special flood hazard areas subject to be inundation by the 1% annual chance flood, have flood elevations determined: and in Zone "X", Areas determined to be outside the 0.2% annual chance floodplain.