

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
June 4, 2018

Members of the City of Muskogee Planning and Zoning Commission are hereby requested to attend a Regular Meeting to be held on June 4, 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 21, 2018, Planning and Zoning Commission meeting.
3. Hold a Public Hearing and take action on the approval of an Ordinance rezoning the property located at 100 N. York Street, more particularly described in the Ordinance, from "C-1" Local Commercial District to "C-2" General 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)

LOT 1 BLOCK 1 ,YORK 1ST ADDITION, CITY OF MUSKOGEE, LOCATED IN THE
NORTHWEST QUARTER (NW1/4) OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 19
EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

Adjournment

Planning Commission

2.

Meeting Date: 06/04/2018

Initiator: Gary Garvin, Planning Director

Information

AGENDA ITEM TITLE:

Approval of the Minutes of the May 21, 2018, 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 21, 2018

Members of the City of Muskogee Planning and Zoning Commission were called to order at a Regular Scheduled Meeting on Monday, May 21, 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; Commissioner Stella Derrick

Absent: Commissioner Lathon Archie III; Commissioner Justin Walker

Staff Present: Tish Callahan, Assistant City Planner; Susan Ross, Office Administrator 1;

1 Roll Call.

2 Chairman Mark Luttrull called for approval of the Minutes of the May 7, 2018 City of Muskogee Planning and Zoning Commission meeting.

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, Commissioner Stella Derrick

Carried - Unanimously

3 Tish Callahan, Assistant City Planner, presented the staff report on the request from James and Chelsi Wallingford to 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. Mrs. Callahan stated that the applicants plan to develop the property residentially. The applicant is proposing to build a new single-family dwelling on Lot 1. Lot 2 has a 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 and all conditions have been complied with. Staff recommends approval of the preliminary and final plat of Wallingford Addition.

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

AYE: Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Patrick Cale, 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: 06/04/2018

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 100 N. York Street, more particularly described in the Ordinance, from "C-1" Local Commercial District to "C-2" General 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:

LOT 1 BLOCK 1 ,YORK 1ST ADDITION, CITY OF MUSKOGEE, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 19 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

BACKGROUND:

The applicants, Joe and Rosemary Seabolt, are requesting to rezone the property located 100 N. York Street, from "C-1" Local Commercial District to "C-2" General Commercial District to allow a restaurant to be on the property. The "C-2" zone is necessary to allow a restaurant with a drive-thru to be located on the site ("C-1" allows restaurants, but not a restaurant with a drive thru).

The Comprehensive Plan/Land Use Map, adopted by the City of Muskogee, indicates local and general commercial along the York Street corridor. Therefore, the request to rezone to "C-2" General 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:

June 4, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

June 4, 2018, 2017 at 5:30 p.m.: Public Works Committee

June 11, 2018 at 5:30 p.m. Muskogee City Council Meeting

RECOMMENDED STAFF ACTION:

Approve the Ordinance rezoning the property from "C-1" Local Commercial to "C-2" General Commercial, and authorize staff to revise the Official Zoning Map of the City to reflect said change.

Fiscal Impact

Attachments

Ordinance - Seabolt

Notice/Site Plan

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 LOT 1, BLOCK 1 IN THE YORK 1ST ADDITION, CITY OF MUSKOGEE, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 19 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL PLAT THEROF, MUSKOGEE COUNTY, OKLAHOMA, CONTAINING 1.32 ACRES MORE OR LESS, AND PROVIDING FOR SEVERABILITY. **(Joe and Rosemary Seabolt, Applicant)**

FROM “C-1” LOCAL COMMERCIAL DISTRICT

TO

“C-2” GENERAL COMMERCIAL DISTRICT

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held JUNE 4, 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; LOT 1 BLOCK1 , IN THE YORK 1ST ADDITION, CITY OF MUSKOGEE, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION 31, TOWNSHIP 15 NORTH, RANGE 19 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA FROM “C-1” LOCAL COMMERCIAL DISTRICT TO “C-2” GENERAL 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 11TH DAY OF JUNE, 2018.

JOHN R. COBURN, MAYOR

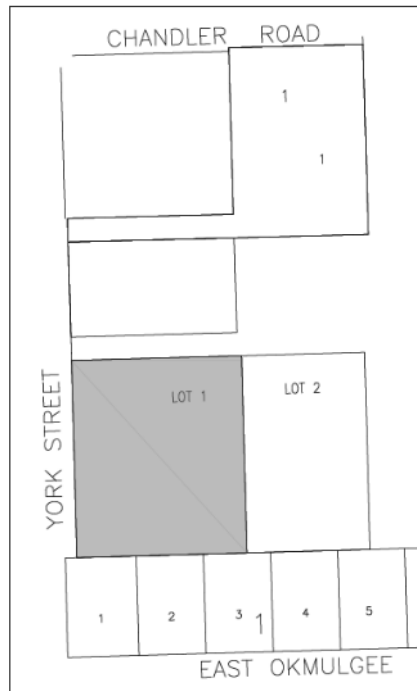
ATTEST:

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 100 N. York Street, from “C-1” Local Commercial District to “C-2” General Commercial District. The property is more particularly described as:

Lot 1 in Block 1 of York 1st Additon, City of Muskogee, located in the Northwest Quarter (NW1/4) of Section 31, Township 15 North, Range 19 East, according to the official plat therof, Muskogee Couty, Oklahoma. Containing 1.32 acres, more or less.

Applicant: Joe and Rosemary Seabolt

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:

June 4, 2018 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

June 4, 2018 at 5:30 p.m.: City of Muskogee Public Works Committee

June 11, 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.



(Joe and Rosemary Seabolt, Applicant)

PUBLIC NOTICE

Notice is hereby given that on June 4, 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 June 4, 2018, at 5:30 p.m., by the Public Works Committee, and on June 11, 2018, at 5:30 p.m., by the City Council to consider an application to rezone property located at 100 N. York Street, from “C-1” *Local Commercial* District to “C-2” General Commercial District. The property is more particularly described as:

Lot 1 in Block 1 of York 1st Additon, City of Muskogee, located in the Northwest Quarter (NW1/4) of Section 31, Township 15 North, Range 19 East, according to the official plat therof, Muskogee Couty, Oklahoma. Containing 1.32 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**