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).

POSTING DATE:

AGENDA
PLANNING AND ZONING COMMISSION
DECEMBER 6, 2021

Official action can only be taken on items which appear on the agenda. The public body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item.

When more information is needed to act on an item, the public body may refer the matter to Staff or back to Committee or the recommending body.

Under certain circumstances, items are deferred to a specific date or stricken from the agenda entirely.

REGULAR SESSION - 9:00 A.M. 3RD FLOOR COUNCIL CHAMBERS, MUNICIPAL BUILDING, 229 W. OKMULGEE, MUSKOGEE, OKLAHOMA

ROLL CALL

1. Consider approval of Planning Commission Minutes of November 15, 2021, or take other necessary action.

2. Hold a Public Hearing and take action on the approval of Ordinance 4141-A to rezone approximately 23 acres, being more particularly described in the ordinance, from R-1, Single Family Residential to R-5, Mobile Home, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Tish Callahan)

3. Hold a Public Hearing and take action on the approval of Ordinance 4137-A to close the twenty (20) foot wide alley located within Block 276, Muskogee Original Townsite, more particularly described in the Ordinance, providing for severability and setting an effective date. (Tish Callahan)

ADJOURN

Planning Commission **1.**

Meeting Date: 12/06/2021

Initiator: Susan Ross, Office Admin I

Information

AGENDA ITEM TITLE:

Consider approval of Planning Commission Minutes of November 15, 2021, or take other necessary action.

LEGAL DESCRIPTION:

BACKGROUND:

Consider approval of Planning Commission Minutes of November 15, 2021, or take other necessary action.

RECOMMENDED STAFF ACTION:

Approve the Minutes.

Fiscal Impact

Attachments

Minutes

MINUTES

OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MUSKOGEE, OKLAHOMA
MET IN COUNCIL CHAMBERS OF CITY HALL
NOVEMBER 15, 2021

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on November 15, 2021, in the Council Chambers, Municpal Building, 229 W. Okmulgee Ave., Muskogee, Oklahoma.

The meeting was called to order and the roll was called as follows:

Present:	Stacy Alexander, Chair; Darrell Russell, Vice Chair; Patrick Reeder, Commissioner; D'Elbie Walker, Commissioner; Michelle Shirley, Commissioner
Absent:	Paige Frix, Commissioner; Leroy Walker Sr., Commissioner
Staff Present:	Tish Callahan, City Planner
	Susan Ross, Office Administrator

1 Chairperson Stacy Alexander presented the item to consider approval of Planning Commission Minutes of November 1, 2021, or take other necessary action.

Commissioner Patrick Reeder made a motion to approve the minutes from the November 1, 2021 Planning Commission meeting. Commissioner Michelle Shirley seconded the motion.

Motion was made by Commissioner Patrick Reeder, seconded by Commissioner Michelle Shirley

AYE: Chair Stacy Alexander, Vice Chair Darrell Russell, Commissioner Patrick Reeder, Commissioner D'Elbie Walker, Commissioner Michelle Shirley

Carried - Unanimously

2 Planning Director Tish Callahan presented the item to discuss and take necessary action on Resolution 2880 from the Planning and Zoning Commission regarding the medical marijuana zoning classifications.
The Planning Commission members stated that they all agree on the wording of the Resolution. Mrs. Callahan stated that once the Resolution is signed by the members of the Planning Commission, it would be presented to City Council. Commissioner Michelle Shirley stated that she would like to have the word medical removed to describe the marijuana in the Resolution. Ms. Shirley stated that she is concerned that if medical marijuana is legalized recreationally that the Resolution would not be effective.

After a short discussion Commissioner D'Elbie Walker made a motion to approve the Resolution with an amendment to remove the word medical from the Resolution. Commissioner Michelle Shirley seconded the motion.

Motion was made by Commissioner D'Elbie Walker, seconded by Commissioner Michelle Shirley

AYE: Chair Stacy Alexander, Vice Chair Darrell Russell, Commissioner Patrick Reeder, Commissioner D'Elbie Walker, Commissioner Michelle Shirley

Carried - Unanimously

There being no further business, the meeting was adjourned.

Planning Commission **2.**

Meeting Date: 12/06/2021

Initiator: Tish Callahan, Planning Director

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and take action on the approval of Ordinance 4141-A to rezone approximately 23 acres, being more particularly described in the ordinance, from R-1, Single Family Residential to R-5, Mobile Home, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Tish Callahan)

LEGAL DESCRIPTION:

THE EAST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN. LESS THE FOLLOWING TRACTS OF LAND: BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA/ THENCE SOUTH 1025.00 FEET; THENCE EAST AND PARALLEL WITH THE NORTH SECTION LINE A DISTANCE OF 425 FEET; THENCE NORTH 1025.00 FEET THENCE WEST 425 FEET TO THE POINT OF BEGINNING. AND LESS ALL OF THE AMENDED PLAT OF ORCHARD PARK FIRST ADDITION TO MUSKOGEE COUNTY, OKLAHOMA, BEING PLATTED OUT OF AND A PART OF THE NE/4 OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA. AND LESS ALL OF ORCHARD PARK SECOND ADDITION, AN ADDITION TO THE CITY OF MUSKOGEE, MUSKOGEE COUNTY, OKLAHOMA PLATTED OUT OF AND A PART OF THE E/2 OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.

BACKGROUND:

Ashley Campbell, applicant is requesting to rezone the property located south of the Orchard Park Subdivision, which is across the road from the Hilldale Middle and High School campus. The request is to go from R-1, Single Family Residential to R-5, Mobile Home. The request is to allow for one (1) mobile home to be located on the property. This request is to zone the entire 23 acres to R-5, Mobile Home but only allows for one dwelling.

Existing zoning and land use:

Site: R-1, Single Family Residential

North: R-1, Single Family Residential
South: Outside City Limits

East: R-1, Single Family Residential
West: Outside City Limits

The Comprehensive Plan/Land Use Map indicates residential zoning within this area. Therefore, the request to rezone to the R-5 Mobile Home residential zone complies with the Comprehensive Plan and Land Use Map.

Notices have been sent to the property owners within a 300 foot radius, as required, and a notice was published in the paper twenty (20) days prior to the Public Hearing.

A Public Hearing will be held on the following days:

December 6, 2021 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission
December 6, 2021 at 5:30 p.m.: Public Work Committee
December 13, 2021 at 5:30 p.m. Muskogee City Council Meeting

RECOMMENDED STAFF ACTION:

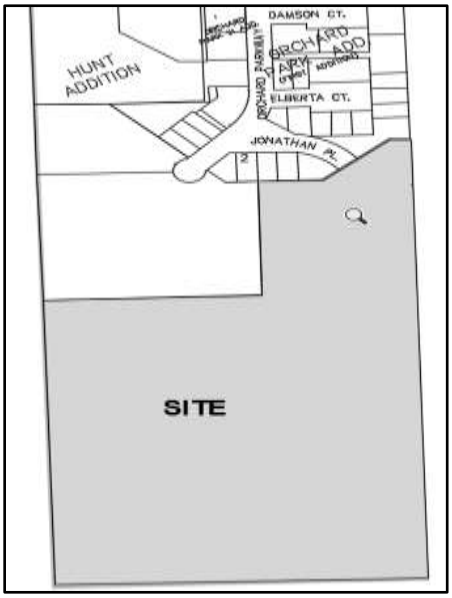
Approve Ordinance 4141-A rezoning the property from R-1, Single Family Residential to R-5, Mobile Home and authorize staff to revise the Official Zoning Map of the City to reflect said change.

Fiscal Impact

Attachments

Notice - Campbell Rezone
Ord 4141-A Rezone
Aerial Map - Campbell Rezone

Public Hearing Notice



Proposal: To rezone a parcel of land lying and being situated in Section 14, Township 14 North, Range 18 East of the Indian Meridian, Muskogee County, Oklahoma, from "R-1" Single-Family Residential to "R-5" Mobile Home.

The property is more particularly described as:

THE EAST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN.

LESS THE FOLLOWING TRACTS OF LAND:

BEGINNING AT THE THE NORTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA/ THENCE SOUTH 1025.00 FEET; THENCE EAST AND PARALLEL WITH THE NORTH SECTION LINE A DISTANCE OF 425 FEET; THENCE NORTH 1025.00 FEET THENCE WEST 425 FEET TO THE POINT OF BEGINNING.
AND LESS
ALL OF THE AMENDED PLAT OF ORCHARD PARK FIRST ADDITION TO MUSKOGEE COUNTY, OKLAHOMA, BEING PLATTED OUT OF AND A PART OF THE NE/4 OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.
AND LESS
ALL OF ORCHARD PARK SECOND ADDITION, AN ADDITION TO THE CITY OF MUSKOGEE, MUSKOGEE COUNTY, OKLAHOMA PLATTED OUT OF AND A PART OF THE E/2 OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.

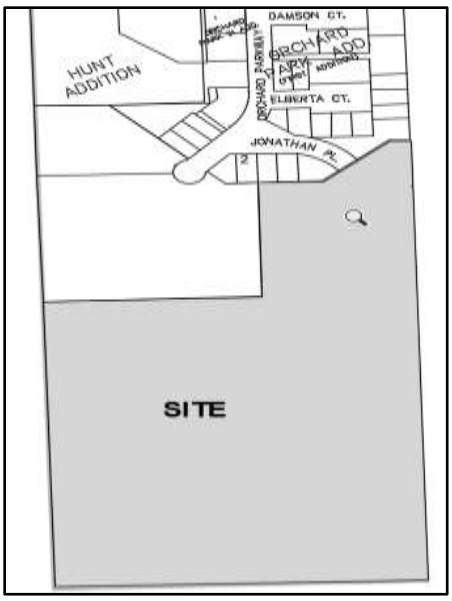
Applicant: Ashley Campbell, owner

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:

December 6, 2021 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission
December 6, 2021 at 5:30 p.m.: City of Muskogee Public Works Committee
December 13, 2021 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. You must sign up to speak 15 minutes prior to the Public Works Meeting and the City Council meeting. 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.



Applicant: Ashley Campbell, owner

PUBLIC NOTICE

Notice is hereby given that on December 6, 2021 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, and on December 6, 2021 at 5:30 p.m., by the Public Works Committee, and on December 13, 2021, at 5:30 p.m., by the City Council to consider an application to rezone a parcel of land lying and being situated in Section 14, Township 14 North, Range 18 East of the Indian Meridian, Muskogee County, Oklahoma, from "R-1" Single-Family Residential to "R-5" Mobile Home.

(Please note that if you wish to speak at the Public Works and/or City Council meeting you must sign up 15 minutes before the meeting starts)

The property is more particularly described as:

THE EAST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN.

LESS THE FOLLOWING TRACTS OF LAND:

BEGINNING AT THE THE NORTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA/ THENCE SOUTH 1025.00 FEET; THENCE EAST AND PARALLEL WITH THE NORTH SECTION LINE A DISTANCE OF 425 FEET; THENCE NORTH 1025.00 FEET THENCE WEST 425 FEET TO THE POINT OF BEGINNING.
AND LESS
ALL OF THE AMENDED PLAT OF ORCHARD PARK FIRST ADDITION TO

MUSKOGEE COUNTY, OKLAHOMA, BEING PLATTED OUT OF AND A PART OF THE NE/4 OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.
AND LESS
ALL OF ORCHARD PARK SECOND ADDITION, AN ADDITION TO THE CITY OF MUSKOGEE, MUSKOGEE COUNTY, OKLAHOMA PLATTED OUT OF AND A PART OF THE E/2 OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.

And for taking any other actions as authorized by law, of which all interested persons will take notice**.**

Stacy Alexander, Chairperson
City of Muskogee Planning & Zoning Commission

ORDINANCE NO. 4141-A

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 PROPERTY LOCATED IN THE EAST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.

THE PROPERTY IS MORE PARTICULARLY DESCRIBED AS:

THE EAST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN.

LESS THE FOLLOWING TRACTS OF LAND:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA/ THENCE SOUTH 1025.00 FEET; THENCE EAST AND PARALLEL WITH THE NORTH SECTION LINE A DISTANCE OF 425 FEET; THENCE NORTH 1025.00 FEET THENCE WEST 425 FEET TO THE POINT OF BEGINNING.
AND LESS
ALL OF THE AMENDED PLAT OF ORCHARD PARK FIRST ADDITION TO MUSKOGEE COUNTY, OKLAHOMA, BEING PLATTED OUT OF AND A PART OF THE NE/4 OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.
AND LESS
ALL OF ORCHARD PARK SECOND ADDITION, AN ADDITION TO THE CITY OF MUSKOGEE, MUSKOGEE COUNTY, OKLAHOMA PLATTED OUT OF AND A PART OF THE E/2 OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.

(Ashley Campbell, applicant)

FROM "R-1" SINGLE-FAMILY DISTRICT

TO

"R-5" MOBLE HOME DISTRICT

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held December 6, 2021, 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,

Ordinance No._____

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 EAST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 AND THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN.

LESS THE FOLLOWING TRACTS OF LAND:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE WEST HALF OF THE EAST HALF OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA/ THENCE SOUTH 1025.00 FEET; THENCE EAST AND PARALLEL WITH THE NORTH SECTION LINE A DISTANCE OF 425 FEET; THENCE NORTH 1025.00 FEET THENCE WEST 425 FEET TO THE POINT OF BEGINNING.
AND LESS
ALL OF THE AMENDED PLAT OF ORCHARD PARK FIRST ADDITION TO MUSKOGEE COUNTY, OKLAHOMA, BEING PLATTED OUT OF AND A PART OF THE NE/4 OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.
AND LESS
ALL OF ORCHARD PARK SECOND ADDITION, AN ADDITION TO THE CITY OF MUSKOGEE, MUSKOGEE COUNTY, OKLAHOMA PLATTED OUT OF AND A PART OF THE E/2 OF THE NW/4 OF SECTION 14, TOWNSHIP 14 NORTH RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.

(Ashley Campbell, applicant)

FROM "R-1" SINGLE-FAMILY DISTRICT

TO

"R-5" MOBILE HOME 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.

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, and THIS 13TH DAY OF DECEMBER 2021.

Ordinance No._____

_____
MARLON J. COLEMAN, MAYOR

ATTEST:

_____
TAMMY L. TRACY, CITY CLERK
(SEAL)

APPROVED as to form and legality this _____ day of _____, 2021.

_____
ROY D. TUCKER, CITY ATTORNEY


E SMITH FERRY RD
E SMITH FERRY RD
E SMITH FERRY RD
E SMITH FERRY RD
E SMITH FERRY RD
BRADFORD CT
ORCHARD PKWY
ORCHARD PKWY
DAMSON CT
ELBERTA CT
CHEROKEE DR
GULICK ST
GULICK ST
SHWY 64

Planning Commission **3.**

Meeting Date: 12/06/2021

Initiator: Tish Callahan, Planning Director

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and take action on the approval of Ordinance 4137-A to close the twenty (20) foot wide alley located within Block 276, Muskogee Original Townsite, more particularly described in the Ordinance, providing for severability and setting an effective date. (Tish Callahan)

LEGAL DESCRIPTION:

A 20' ALLEY RUNNING EAST AND WEST LOCATED BETWEEN LOTS 4, 5 AND 6 IN BLOCK 276, CITY OF MUSKOGEE, IN MUSKOGEE COUNTY, STATE OF OKLAHOMA.

BACKGROUND:

The applicant, Antonio Perrotta, is requesting approval to close the twenty (20) foot wide alley that is lying between Lots 4, 5 and 6 in Block 276, Muskogee Original Townsite. The alley is located between North 5th and Altamont Street, north of Tower Hill Boulevard. The alley closure is being requested to allow the property owner to vacate the alley and then consolidate a part of Lot 6 and Lot 4 in order to construct a garage building on Lot 4. There are no utilities located within the alley proposed to be closed. 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 6, 2021 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission
December 6, 2021 at 5:30 p.m.: City of Muskogee Public Works Committee
December 13, 2021 at 5:30 p.m.: City Council

RECOMMENDED STAFF ACTION:

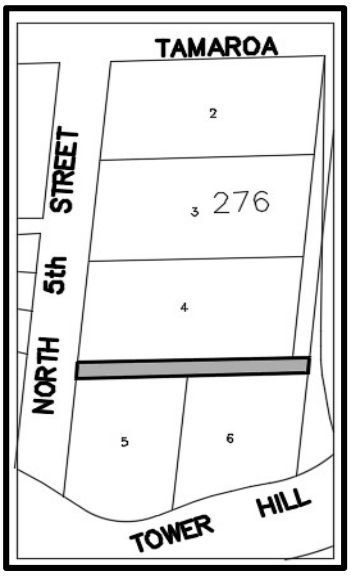
Approve Ordinance 4137-A to close the twenty (20) foot alley located between Lots 4, 5 and 6 in Block 276, Muskogee Original Townsite, City of Muskogee, Oklahoma.

Fiscal Impact

Attachments

Notice - Perrotta Alley Closure
Aerial Map - Perrotta Alley Closure
Ord 4137-A Perrotta Alley Closure

Public Hearing Notice



Proposal: **To close the twenty foot (20') Right-of-way/alley running east and west located in Block 276 between lots 4, 5 and 6. The property is more particularly described as:**

A 20' ALLEY RUNNING EAST AND WEST LOCATED BETWEEN LOT 4, LOT 5 AND LOT 6 IN BLOCK 276, CITY OF MUSKOGEE, IN MUSKOGEE COUNTY, STATE OF OKLAHOMA.

Applicant: **Antonio Perrotta**

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

December 6, 2021 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission
December 6, 2021 at 5:30 p.m.: City of Muskogee Public Works Committee
December 13, 2021 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.

City of Muskogee Planning & Zoning Commission


5TH ST
BROOKS ST
HIG
AMAROA ST
TAMAROA ST
TAMAROA ST
TAMAROA ST
N 5TH ST
HIGHTOWER
TERRACE PL
TOWERHILL BLVD
ALTAMONT ST
N 5TH ST

ORDINANCE NO. 4137-A

AN ORDINANCE CLOSING THE 20 FOOT RIGHT OF WAY/ALLEY LOCATED IN BLOCK 276 BETWEEN LOTS 4, 5, AND 6. LOCATED IN THE SW1/4 OF SECTION 23, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA; AND PROVIDING FOR SEVERABILITY. (Antonio Perrotta, Petitioners)

WHEREAS, a petition has been filed by the property owner requesting said 60 foot right-of-way to be closed and discontinued from public use, and;

WHEREAS, the City of Muskogee Planning & Zoning Commission in a meeting held December 6, 2021, 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: THE 20 FOOT RIGHT OF WAY/ALLEY LOCATED IN BLOCK 276 BETWEEN LOTS 4, 5, AND 6. LOCATED IN THE SW1/4 OF SECTION 23, TOWNSHIP 15 NORTH, RANGE 18 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA; 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 13th DAY OF DECEMBER, 2021.

_____
MARLON J. COLEMAN, MAYOR

ATTEST:

_____
TAMMY L. TRACY, CITY CLERK
(SEAL)

APPROVED as to form and legality this ____ day of _____, 2021.

_____
ROY D. TUCKER, CITY ATTORNEY