

*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: June 30,2022

**AGENDA**  
**PLANNING AND ZONING COMMISSION**  
**JULY 5, 2022**

*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 June 21, 2022 and Planning Commission Minutes June 24, 2022, or take other necessary action.
2. Hold a Public Hearing and take action on the request from Okmulgee Enterprises LLC for a Specific Use Permit for the cultivation and processing of Medical Marijuana, facility located at 800 W Okmulgee, or take other necessary action.
3. Hold a Public Hearing and take action on the approval of Ordinance No. 4165-A to rezone property located at 2900 S 24th St West, being more particularly described in the ordinance from C-1 Local Commercial to I-1 Light Industrial, and if approved, authorize Staff to revise the Official Zoning Map of the City to reflect said change, or take necessary action. (Katrina Bodenhamer)
4. Hold a Public Hearing and take action on the approval of Ordinance 4166-A to rezone property located at 2501 S York Street, being more particularly described in the ordinance from R-1 Single-Family to I-1 Light Industrial, and if approved, authorize Staff to revise the Official Zoning Map of the City to reflect said change, or take necessary action. (Katrina Bodenhamer)

5. Hold a Public Hearing and take action on the approval of Ordinance No. 4164-A to rezone property located at 2500 Gulick, being more particularly described in the ordinance from R-1 Single-Family to R-A Agricultural Residential, and if approved, authorize Staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Katrina Bodenhamer)
6. Hold a Public Hearing and take action on the approval of Ordinance No. 4167-A to rezone property located at 3300 Fern Mt. Road, being more particularly described in the ordinance from A Agricultural to C-3, Regional Commercial and if approved authorize Staff to revise the Official Zoning Map of the City to reflect said changes, or take necessary action. (Katrina Bodenhamer)
7. Hold a Public Hearing and consider approval of a lot split submitted and consolidation for the property located at 6th and Broadway by Gary Jobe (applicant) and if approved, authorize Staff to revise the Official Map of the City of Muskogee to reflect said changes, or take necessary action.
8. Hold a Public Hearing and take action on the approval of the request by Heartland Surveying to consolidate lots 4& 5 of Block 27 of Midland Valley Addition, or take necessary action.
9. Hold a Public Hearing and take action on the approval of Ordinance No. 4163A to close and vacate the fifty foot (50') right-of-way located within the Judson C. Fast Addition, known as Eddins Avenue, or take necessary action. (Katrina Bodenhamer)

ADJOURN

**Planning Commission**

**1.**

**Meeting Date:** 07/05/2022

**Initiator:** Christina Ratterree, Planning Admin I

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**Information**

**AGENDA ITEM TITLE:**

Consider approval of Planning Commission Minutes of June 21, 2022 and Planning Commission Minutes June 24, 2022, or take other necessary action.

**LEGAL DESCRIPTION:**

**BACKGROUND:**

**RECOMMENDED STAFF ACTION:**

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**Fiscal Impact**

**Attachments**

06-21-22 Minutes

06-24-2022 Minutes

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**MINUTES**  
**OF THE PLANNING AND ZONING COMMISSION**  
**OF THE CITY OF MUSKOGEE, OKLAHOMA**  
**MET IN COUNCIL CHAMBERS OF CITY HALL**  
**JUNE 21, 2022**

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on June 21, 2022, in the Council Chambers, Municipal 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; Leroy Walker Sr., Commissioner; Michelle Shirley, Commissioner

Absent: Paige Frix, Commissioner; D'Elbie Walker, Commissioner

Staff Present: Katrina Bodenhamer , Interim City Planner

Attendees: Christina Ratterree, Office Administrator

- 1 Consider approval of Planning Commission Minutes of June 06, 2022, or take other necessary action.

Motion was made by Chair Stacy Alexander, seconded by Commissioner Michelle Shirley

- 2 Discuss and take action on the request from Rickey Ballard for a Specific Use Permit for a Medical Marijuana Dispensary, located at 715 Eastside Blvd, or take other necessary action. (Katrina Bodenhamer)

Motion was made by Vice Chair Darrell Russell, seconded by Commissioner Michelle Shirley

There being no further business, the meeting was adjourned.

**SPECIAL CALL  
MINUTES**

**OF THE PLANNING AND ZONING COMMISSION  
OF THE CITY OF MUSKOGEE, OKLAHOMA  
MET IN COUNCIL CHAMBERS OF CITY HALL  
JUNE 24, 2022**

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on June 24, 2022, in the Council Chambers, Municipal 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: Katrina Bodenhamer , Interim City Planner

Attendees: Christina Ratterree, Office Administrator

- 1 Consider approval of a lot split submitted by Anthony Cox to divide 4.33 acres into two tracts, Tract 1 consisting of 2.02 acres and Tract 2 consisting of 2.31 acres, or take other necessary action. (Katrina Bodenhamer)

Motion was made by Vice Chair Darrell Russell, seconded by Commissioner Michelle Shirley

There being no further business, the meeting was adjourned.

**Planning Commission**

**2.**

**Meeting Date:** 07/05/2022

**Initiator:** Christina Ratterree, Planning Admin I

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**Information**

**AGENDA ITEM TITLE:**

Hold a Public Hearing and take action on the request from Okmulgee Enterprises LLC for a Specific Use Permit for the cultivation and processing of Medical Marijuana, facility located at 800 W Okmulgee, or take other necessary action.

**LEGAL DESCRIPTION:**

**THE SOUTH HALF OF LOT 3 AND THE WEST 60 FEET OF THE SOUTH HALF OF LOT 2 IN BLOCK 186 IN THE CITY OF MUSKOGEE, ACCORDING TO THE OFFICIAL PLAT THEROF, MUSKOGEE COUNTY, STATE OF OKLAHOMA**

**BACKGROUND:**

The specific use permit request was received by Okmulgee Enterprises LLC to open a medical marijuana cultivation and processing facility at 800 W Okmulgee, Muskogee, OK. The property is currently zoned C-2 General Commercial. The property is abutted on all sides by C-2 General Commercial zoned properties. The Planning Department has received two oral complaints and one written complaint against the opening of this business.

**RECOMMENDED STAFF ACTION:**

Staff recommends direction from the committee.

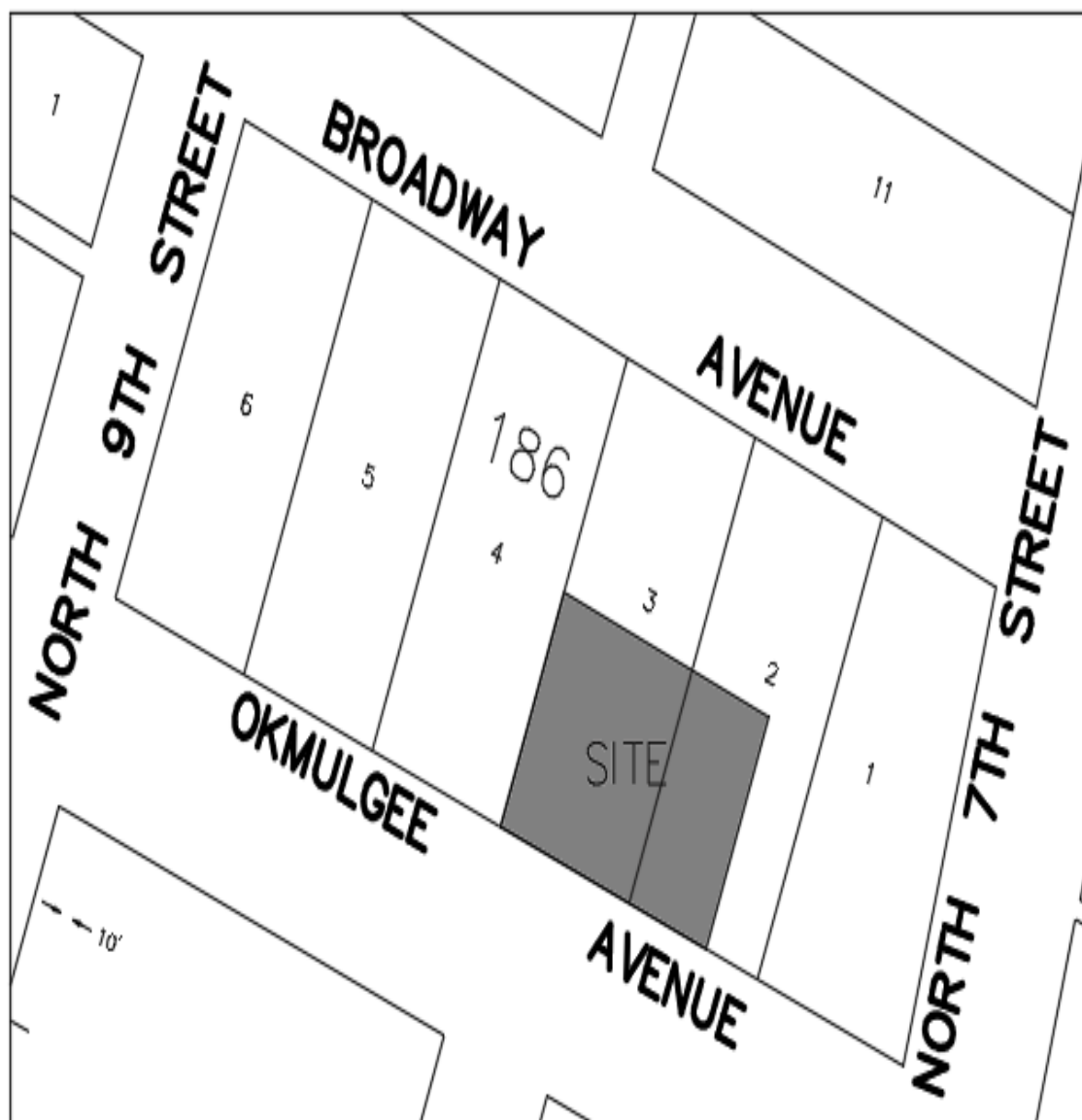
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**Fiscal Impact**

**Attachments**

Okmulgee Enterprises, LLC

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**Planning Commission**

**3.**

**Meeting Date:** 07/05/2022

**Initiator:** Christina Ratterree, Planning Admin I

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**Information**

**AGENDA ITEM TITLE:**

Hold a Public Hearing and take action on the approval of Ordinance No. 4165-A to rezone property located at 2900 S 24th St West, being more particularly described in the ordinance from C-1 Local Commercial to I-1 Light Industrial, and if approved, authorize Staff to revise the Official Zoning Map of the City to reflect said change, or take necessary action. (Katrina Bodenhamer)

**LEGAL DESCRIPTION:**

**T14N R18E S03 FARMLAND IN MUSKOGEE PART SW BEGINNING 947 E NW/C E373.71 TO NE/C S438.70 W930.21 N208.70 E557 N230 TO POINT OF BEGINNING AND T14N R18E S03 FARMLAND IN MUSKOGEE E340 W730 S230.6 N729.3 NW SW & S230.6 N729.3 NW SW AND T14N R18E S03 FARMLAND IN MUSKOGEE S230.6 N729.3 E350 W390 NW SW AND T14N R18E S03 FARMALND IN MUSKOGEE E119.49 W390 S208.70 N498.70 NW SW, ALL IN MUSKOGEE COUNTY, STATE OF OKLAHOMA**

**BACKGROUND:**

The area being requested for rezoning is currently housing the R&L Carriers Facility. The surrounding area to the North is (C-1) Local Commercial, South: (C-1) Local Commercial, East: (I-1) Light Industrial and West: (C-1) Local Commercial and (R-1) Single-Family

The application matches the Future Land Use Map of the City of Muskogee.

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 property owner notified of the rezoning request for R&L Carriers has made an oral complaint to the Planning Department regarding the noise level and intends to appear at the hearing.

**RECOMMENDED STAFF ACTION:**

Approve Ordinance 4165-A to rezone property located at 2900 S 24th St West , and authorize staff to revise the Official Zoning Map of the City to reflect said change.

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**Fiscal Impact**

**Attachments**

Pogue, Caylea

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**Planning Commission**

**4.**

**Meeting Date:** 07/05/2022

**Initiator:** Christina Ratterree, Planning Admin I

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**Information**

**AGENDA ITEM TITLE:**

Hold a Public Hearing and take action on the approval of Ordinance 4166-A to rezone property located at 2501 S York Street, being more particularly described in the ordinance from R-1 Single-Family to I-1 Light Industrial, and if approved, authorize Staff to revise the Official Zoning Map of the City to reflect said change, or take necessary action. (Katrina Bodenhamer)

**LEGAL DESCRIPTION:**

THE NORTH 352 FEET OF THE EAST 605 FEET OF GOVERNMENT LOT 5 (SE/4 NE/4) IN SECTION 1, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY STATE OF OKLAHOMA

**BACKGROUND:**

The area being requested for rezoning is a vacant lot and the applicant would like to build a proposed warehouse. The area the surrounding the rezoning request is R-1 in all directions.

The application does not match the Future Land Use Map of the City of Muskogee.

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.

**RECOMMENDED STAFF ACTION:**

Staff requests direction from the board.

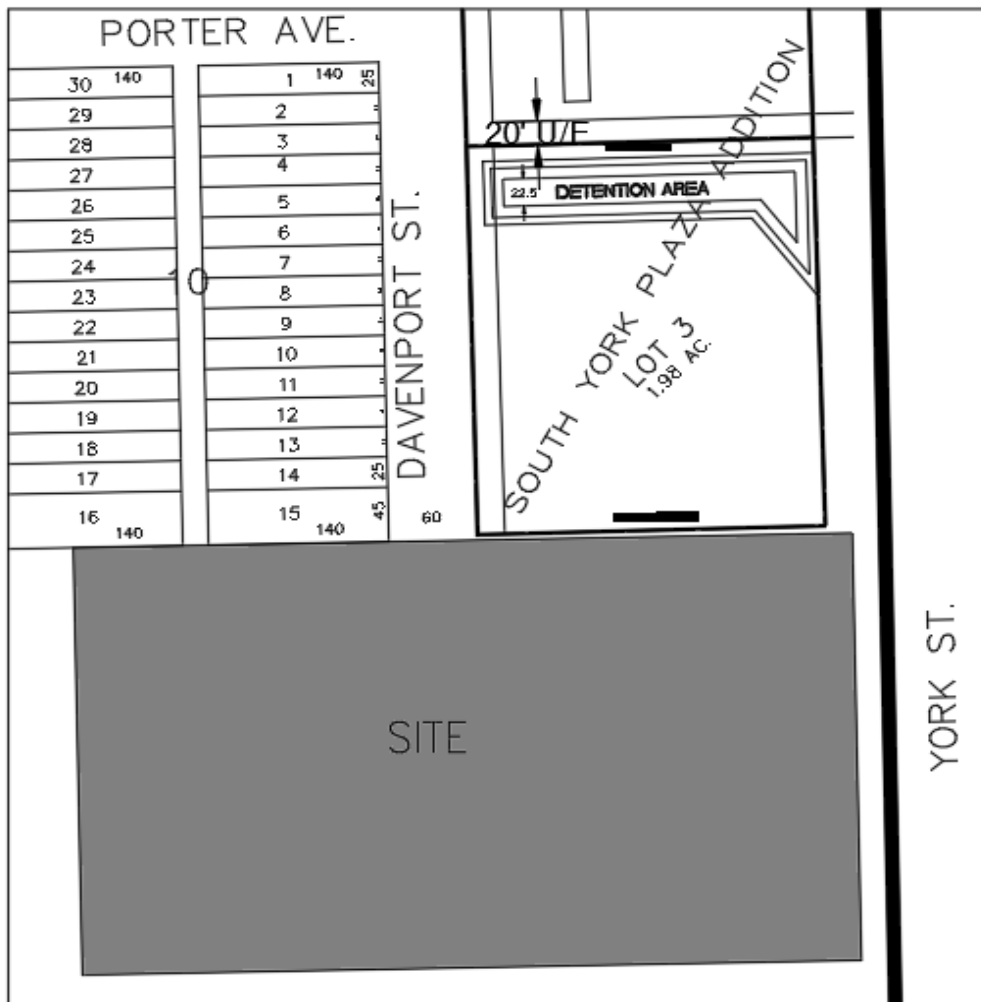
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**Fiscal Impact**

**Attachments**

Raper, Shawn

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**Planning Commission**

**5.**

**Meeting Date:** 07/05/2022

**Initiator:** Christina Ratterree, Planning Admin I

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**Information**

**AGENDA ITEM TITLE:**

Hold a Public Hearing and take action on the approval of Ordinance No. 4164-A to rezone property located at 2500 Gulick, being more particularly described in the ordinance from R-1 Single-Family to R-A Agricultural Residential, and if approved, authorize Staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. (Katrina Bodenhamer)

**LEGAL DESCRIPTION:**

THE WEST HALF OF LOT 4(NW/4 NW/4) LESS THE SOUTH 313 FEET OF SECTION 1, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY STATE OF OKLAHOMA

**BACKGROUND:**

The area being requested for rezoning has a proposed home and shop. The rezoning will allow for the applicant to have an extended garden and possible crops. The north-west corner of the property is in a flood zone.

The application matches the Future Land Use Map of the City of Muskogee.

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

**RECOMMENDED STAFF ACTION:**

Approve Ordinance 4164-A to rezone property located at 2500 Gulick, and authorize staff to revise the Official Zoning Map of the City to reflect said change.

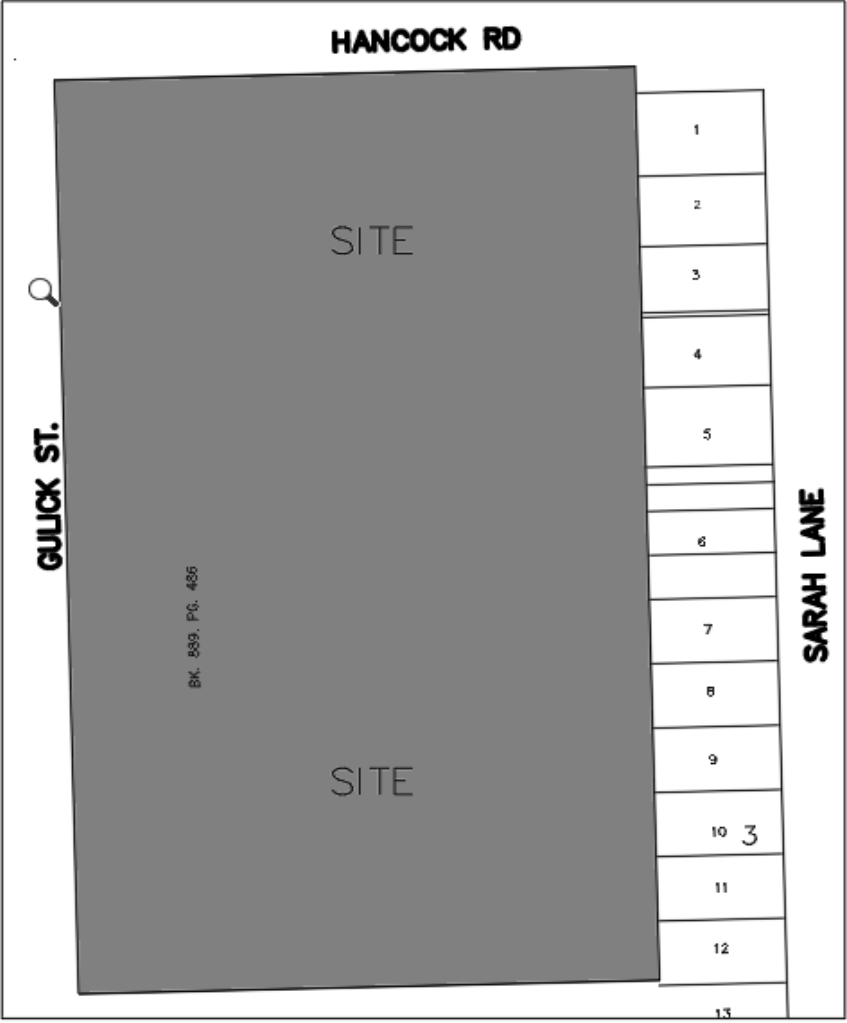
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**Fiscal Impact**

**Attachments**

Williams, Annette

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**Planning Commission**

**6.**

**Meeting Date:** 07/05/2022

**Initiator:** Christina Ratterree, Planning Admin I

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**Information**

**AGENDA ITEM TITLE:**

Hold a Public Hearing and take action on the approval of Ordinance No. 4167-A to rezone property located at 3300 Fern Mt. Road, being more particularly described in the ordinance from A Agricultural to C-3, Regional Commercial and if approved authorize Staff to revise the Official Zoning Map of the City to reflect said changes, or take necessary action. (Katrina Bodenhamer)

**LEGAL DESCRIPTION:**

THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER LESS HIGHWAY, SECTION 9, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIANA BASE AND MERIDIAN, TO THE CITY OF MUSKOGEE, ACCORDING TO THE PLAT THEREOF, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

**BACKGROUND:**

The area being requested for rezoning is currently zoned A Agriculture and the owners would like to rezone to C-3 Commercial to lease property for Commercial use on Hwy 69 frontage. The area to the North is C-2 General Commercial, South C-2 General Commercial and A Agricultural, East I-1 Light Industrial and C-3 Regional Commercial and West is out of City limits.

The application matches the Future Land Map of the City of Muskogee.

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.

**RECOMMENDED STAFF ACTION:**

Approve Ordinance 4167-A to rezone property located at 3300 Fern Mountain Road, and authorize staff to revise the Official Zoning Map of the City to reflect said change.

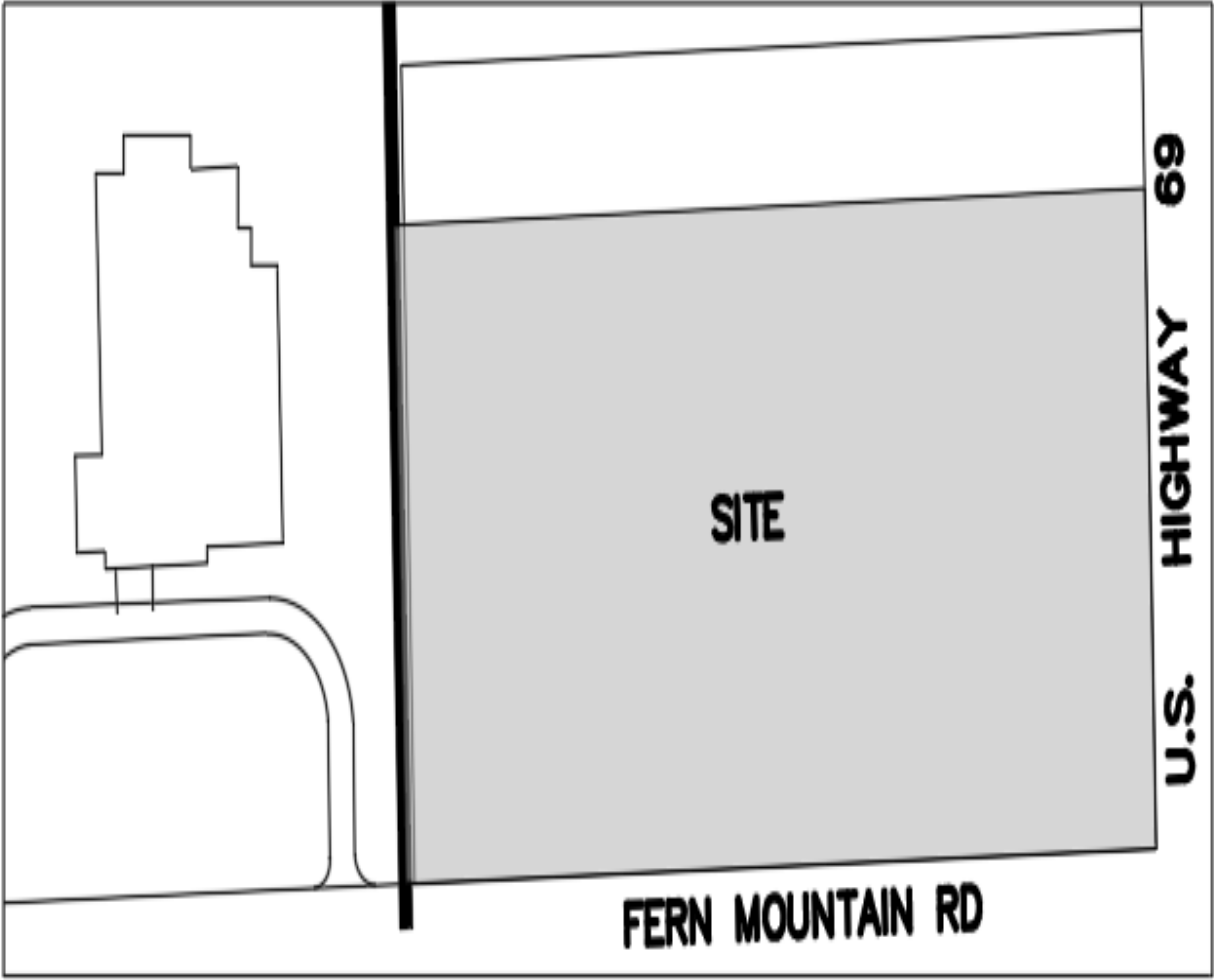
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**Fiscal Impact**

**Attachments**

Leeds Family Trust

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**Planning Commission**

7.

**Meeting Date:** 07/05/2022

**Initiator:** Christina Ratterree, Planning Admin I

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**Information**

**AGENDA ITEM TITLE:**

Hold a Public Hearing and consider approval of a lot split submitted and consolidation for the property located at 6th and Broadway by Gary Jobe (applicant) and if approved, authorize Staff to revise the Official Map of the City of Muskogee to reflect said changes, or take necessary action.

**LEGAL DESCRIPTION:**

LOTS 6 THRU 12 IN BLOCK 188, DARBYS SUBDIVISION, CITY OF MUSKOGEE

**BACKGROUND:**

The applicant, Gary Jobe, is requesting to consolidate lots 6-12 in Block 188 into 2 tracts of the Darby's Subdivision. The proposed split and final consolidation will meet the square feet minimum of a buildable lot per Ordinance.

**RECOMMENDED STAFF ACTION:**

Staff recommends approval.

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**Fiscal Impact**

**Attachments**

Jobe, Gary

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LOT SPLIT

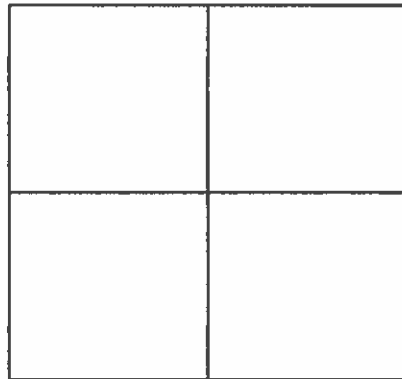
R E

LEGEND

IRON PIN	o
FENCE	X X
ELEVATION	100'
SECTION LINE	---
EASEMENT LINE	---
ELECTRIC LINE	— E —
WATER LINE	— W —
TELEPHONE LINE	— T —
GAS LINE	— G —
SANITARY SEWER	— SS —



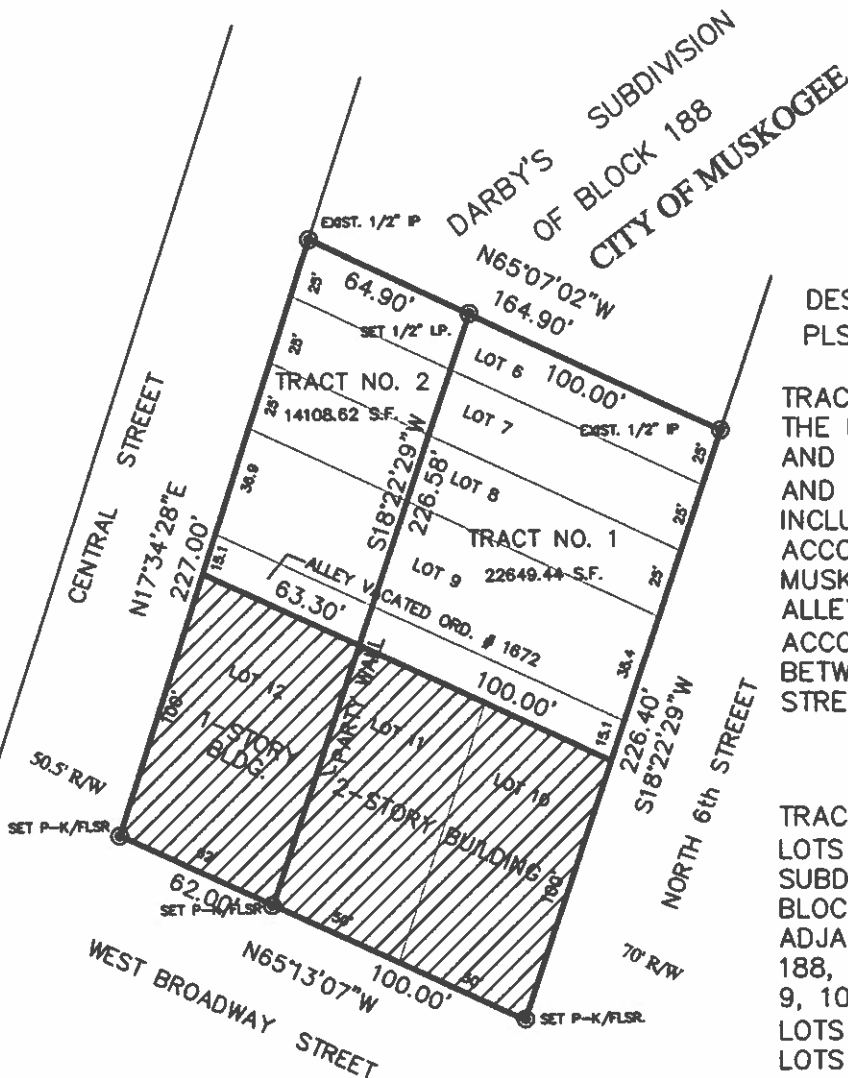
T  
N



SCALE 1"= 70'

BEARINGS ARE ASSUMED  
BASED ON THE WEST LINE OF  
CENTRAL STREET BEING S17°34'28"W

SECTION \_\_\_\_\_  
COUNTY \_\_\_\_\_



DESCRIPTION PREPARED BY LYNN COFFMAN  
PLS 1121 ON 5-20-22.

TRACT NO. 1  
THE EAST 100 FEET OF LOTS 6, 7, 8, 9, 10, & 11  
AND THE VACATED ALLEY BETWEEN LOTS 9, 11  
AND 12 OF DARBY'S SUBDIVISION OF LOTS 3 TO 11  
INCLUSIVE IN BLOCK 188, CITY OF MUSKOGEE ,  
ACCORDING TO THE OFFICAL PLAT THEREOF,  
MUSKOGEE COUNTY, OKLAHOMA AND ADJACENT  
ALLEY RUNNING THROUGH SAID BLOCK 188,  
ACCORDING TO PLAT OF SAID DARBY'S SUBDIVISION  
BETWEEN NORTH SIXTH STREET AND CENTRAL  
STREET.

TRACT NO. 2  
LOTS 6, 7, 8, 9, 10, 11, & 12 IN DARBY'S  
SUBDIVISION OF LOTS 3 THRU 11 INCLUSIVE IN  
BLOCK 188, CITY OF MUSKOGEE AND THE  
ADJACENT ALLEY RUNNING THROUGH SAID BLOCK  
188, LESS: THE EAST 100 FEET OF LOTS 6, 7, 8,  
9, 10, & 11 AND THE VACATED ALLEY BETWEEN  
LOTS 9, 11 AND 12 OF DARBY'S SUBDIVISION OF  
LOTS 3 TO 11 INCLUSIVE IN BLOCK 188, CITY OF  
MUSKOGEE , ACCORDING TO THE OFFICAL PLAT  
THEREOF, MUSKOGEE COUNTY, OKLAHOMA AND  
ADJACENT ALLEY RUNNING THROUGH SAID BLOCK  
188, ACCORDING TO THE OFFICAL PLAT OF SAID  
DARBY'S SUBDIVISION BETWEEN NORTH SIXTH  
STREET AND CENTRAL STREET.

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

Planning Commision Chairman \_\_\_\_\_ Date \_\_\_\_\_

THIS PLAT OF SURVEY MEETS THE  
OKLAHOMA MINIMUM STANDARDS FOR THE  
PRACTICE OF LAND SURVEYING  
AS ADOPTED BY THE OKLAHOMA  
STATE BOARD OF REGISTRATION FOR  
PROFESSIONAL ENGINEERS AND LAND  
SURVEYORS.

REGISTERED PROFESSIONAL LAND SURVEYOR LS#1121

DATE OF LAST SITE VISIT 5-20-22 DATE 5-20-22

W.O.# 15939A



**COFFMAN SURVEYING**  
**218 EASTSIDE BLVD.**  
**MUSKOGEE, OK 74403**  
**(918)-682-6144**  
**CA# 2100**

**Planning Commission**

**8.**

**Meeting Date:** 07/05/2022

**Initiator:** Christina Ratterree, Planning Admin I

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**Information**

**AGENDA ITEM TITLE:**

Hold a Public Hearing and take action on the approval of the request by Heartland Surveying to consolidate lots 4& 5 of Block 27 of Midland Valley Addition, or take necessary action.

**LEGAL DESCRIPTION:**

LOTS 4 AND 5 OF BLOCK 27, IN MIDLAND VALLEY ADDITION, CITY IF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

**BACKGROUND:**

The request was submitted by Heartland Surveying to consolidate Lots 4&5 in Block 27, of Midland Valley Addition. If the lot consolidation is approved the lot will meet all requirements as a buildable lot.

**RECOMMENDED STAFF ACTION:**

Staff recommends approval.

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**Fiscal Impact**

**Attachments**

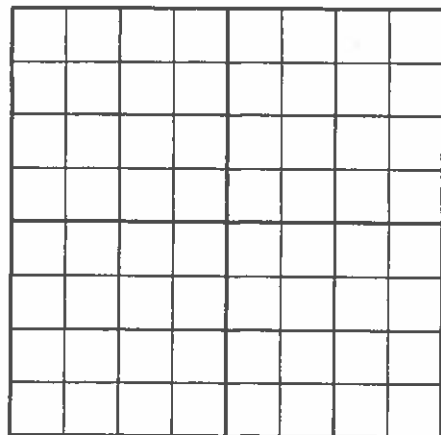
Heartland Surveying

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# LOT CONSOLIDATION

## LEGAL DESCRIPTION

LOTS 4 AND 5 OF BLOCK 27, IN MIDLAND VALLEY ADDITION,  
CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA.  
CONTAINING 0.30 ACRES, MORE OR LESS.



## LOCATION MAP

SEC. 35 T 15 N, R 18 E

SCALE: 1" = 30'

● = IRON PIN

—x— = FENCE

(M) = MEASURED

(R) = RECORD

Planning Commission Chairman

Date

APPROXIMATE LOCATION 6" WATER LINE  
PER CITY OF MUSKOGEE

SANITARY MH  
RIM EL=553.22  
FL EL=544.48

TURNER STREET (50' R/W)

APPROXIMATE LOCATION  
10" SANITARY LINE  
PER CITY OF MUSKOGEE

GV GAS VALVE

WATER METER

GRAVEL DRIVE

SET 5/8" IP

S88°59'58"W-(M)99.88'  
(R)100'

FND 3/8" IP  
IN CONCRETE

25' BLDG. SETBACK

18'X80' PROPOSED HOME

LOT 5

LOT 4

(R)130'  
S1°13'56"E-(M)131.17'

6' BLDG. SETBACK

6' BLDG. SETBACK

N1°19'03"W-(M)130.76'  
(R)130'

25' BLDG. SETBACK

CONCRETE  
SLAB

FENCE 2 3/4" W.

FENCE N88°46'04"E-(M)100.07'  
(R)100'

FND 3/8" IP

FENCE 10'± S.

SET 5/8" IP

15' ALLEY

6/23/2022



BEARINGS ARE BASED ON NAD83  
OKLAHOMA STATE PLANE  
COORDINATE SYSTEM.

TONY ROBISON, LAND SURVEYOR NO. 1686

**Heartland Surveying & Mapping, PLLC**

CA #4849

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

(918) 682-7796

FOR: Gerald Goad

DATE: 6/23/2022

W.O.# 10534

SURVEYED BY: JT/AC

DRAWN BY: AM

Last Site Visit: 6/21/2022

THIS SURVEY MEETS OKLAHOMA MINIMUM SURVEY STANDARDS.

FILE NAME  
Jun 23, 2022 - 12:23pm  
S:\CAD - HEARTLAND-FILES\W010534.dwg

**Planning Commission**

**9.**

**Meeting Date:** 07/05/2022

**Initiator:** Christina Ratterree, Planning Admin I

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**Information**

**AGENDA ITEM TITLE:**

Hold a Public Hearing and take action on the approval of Ordinance No. 4163A to close and vacate the fifty foot (50') right-of-way located within the Judson C. Fast Addition, known as Eddins Avenue, or take necessary action. (Katrina Bodenhamer)

**LEGAL DESCRIPTION:**

A FIFTY FOOT RIGHT-OF-WAY LYING BETWEEN AND ADJACENT TO LOTS 7-11 OF BLOCK 2 AND LOTS 10-11 AND LOTS A-B BLOCK 1 OF JUDSON C. FAST ADDITION ACCORDING TO THE OFFICIAL PLAT THEREOF, MUSKOGEE COUNTY, OKLAHOMA. LOCATED IN THE (NW) OF SECTION 19, TOWNSHIP 15 NORTH, RANGE 19 EAST, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

**BACKGROUND:**

The applicant, Jason Chupp, is requesting approval to close and vacate the fifty foot (50') right-of-way located within the Judson C. Fast Addition, known as Eddins Avenue. Mr. Chupp owns the two abutting properties and he would like to join them together under one legal description, and prevent commercial traffic driving through the alleyway between his two pieces of property.

This Application was approved by the Subdivision Review Committee on June 28th, 2022.

A notice was sent to all the abutting property owners, as required, and published in the paper twenty (20) days prior to the Public Hearing.

**RECOMMENDED STAFF ACTION:**

Staff recommends approval of Ordinance No. 4163A to close and vacate the fifty foot (50') right-of-way located within the Judson C. Fast Addition, known as Eddins Avenue, maintaining a utility easement.

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**Fiscal Impact**

**Attachments**

Chupp, Jason

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