

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: 07-28-2022

AGENDA
PLANNING AND ZONING COMMISSION
AUGUST 1, 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 July 5, 2022, July 18, 2022, and July 25, 2022, or take other necessary action.
2. Hold a Public Hearing and consider a request submitted by Tory Sanders and Daryl Anderson Logan (applicants) for a Specific Use Permit to allow for a Medical Marijuana cultivation/grow within the C-2, General Commercial District, more specifically a property located at 215 S. B Street, or take other necessary action. (Katrina Bodenhamer)
3. Hold a Public Hearing and consider a request submitted by Cindy McAdoo, owner to consolidate the North 100 Feet of Lot 1 and Lot 2 of Block 142, Town of Muskogee into 1 tract consisting of 0.23 acres, or take other necessary action. (Katrina Bodenhamer)
4. Hold a Public Hearing and consider a request from Heartland Surveying (applicant) to split part of Lot 9 and consolidate it with Lot 10, Block 189, Muskogee Original Townsite into 1 Tract, or take other necessary action. (Katrina Bodenhamer)
5. Hold a Public Hearing and consider approval of a Lot Split and/or Consolidation submitted by Sharla McDaniel to divide Lots 1, 2,3 and 4 of Block 9, Muskogee Townsite, Companies Second Addition into 2 tracts both consisting of 0.30 acres, or take other necessary action. (Katrina Bodenhamer)

ADJOURN

Planning Commission

1.

Meeting Date: 08/01/2022

Initiator: Christina Ratterree, Planning Admin I

Information

AGENDA ITEM TITLE:

Consider approval of Planning Commission Minutes of July 5, 2022, July 18, 2022, and July 25, 2022, or take other necessary action.

LEGAL DESCRIPTION:

BACKGROUND:

RECOMMENDED STAFF ACTION:

Fiscal Impact

Attachments

Amended Planning Commission Mins. 07-05-2022

Special Call Planning Commission Mins. 07-25-22

Planning Commission Mins. 07-18-2022

MINUTES
OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MUSKOGEE, OKLAHOMA
MET IN COUNCIL CHAMBERS OF CITY HALL
JULY 5, 2022

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on July 5, 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; Patrick Reeder, Commissioner; Paige Frix, Commissioner; Leroy Walker Sr., Commissioner; Michelle Shirley, Commissioner

Absent: Darrell Russell, Vice Chair; D'Elbie Walker, Commissioner

Staff Present: Katrina Bodenhamer , Interim City Planner

Attendees: Roy Tucker , City Attorney
Christina Ratterree, Office Administrator

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

Motion was made by Commissioner Patrick Reeder, seconded by Commissioner Leroy Walker Sr. to approve Planning Commission Minutes of June 21, 2022 and Planning Commission Minutes June 24, 2022.

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Paige Frix, Commissioner Leroy Walker Sr., Commissioner Michelle Shirley

Carried - Unanimously

- 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.

Chair Stacy Alexander opened a Public Hearing

Interim City Planning Director Katrina Bodenhamer presented item to consider a request from applicant Okmulgee Enterprises, LLC for a Special Use Permit to allow for the cultivation and processing of Medical Marijuana within the C-2 General Commercial District, more specifically for a property located at 800 W Okmulgee.

Gerald Miller, 229 W. Okmulgee, Muskogee, Oklahoma wrote a formal objection citing reasons as concerns for the re-vitalization of the Muskogee Downtown area and his opinion that the applicant has a lack of concern about the current appearance of the building. He also cited his concerns about the safety of butane tanks.

Dr. J'Dene Rogers, Integrity Pathways Behavioral Health Agency, 814 W. Okmulgee Muskogee, Oklahoma, sent in an objection stating she provides substance abuse and behavioral health counseling for the community and the smell coming from the surrounding marijuana businesses could be a trigger and hindrance to maintaining sobriety.

Kevin Chartney, First Baptist Church Pastor, 111 S. 7th Street, Muskogee, Oklahoma came with multiple members of his church who objected to the approval of the Specific Use Permit. Pastor Chartney stated his objection and cited his time in Africa where marijuana is legal and the negative effects on the people of that country. He also stated his concern for his church members safety, and the overwhelming smell.

Tony Kilgore, Bebb's Flowers, 701 W. Broadway, Muskogee, Oklahoma stated his objection and cited the smell for employees and customers is a nuisance. He explained how bad the smell of marijuana is for his flower business.

Mark Luttruil stated his objection and noted the proximity to the Loft Apartment building, First Baptist Church, Public Library and public safety concern from people illegally walking down the street smoking marijuana. He expressed concerns about the chemical used in growing marijuana and explosive qualities.

Jacob Blevins, applicant stated he apologized for not knowing that this upset the neighborhood.

Annette Williams, stated her objection and noted her concerns about the amount of marijuana grows and dispensary already in town and how many additional the City will allow. She also stated her dislike of the building's appearance and concern about restoring downtown Muskogee.

David Webb, applicant stated he was unaware of the concerns from the community and assured everyone that they are using new technology to help with the ventilation and odor control. He relayed that no chemicals or explosive gases are used in their process, and they have plans to update the outside of the building, once approved.

Lila Bell with Integrity Pathways Behavioral Health Agency, stated her objection and concerns on the negative effects it may have on her patients in treatment.

Chair Stacy Alexander closed the Public Hearing

City Attorney Roy Tucker reviewed the ordinance with the Planning Commission.

Motion was made by Commissioner Michelle Shirley, seconded by Commissioner Paige Frix to deny Okmulgee Enterprises LLC., for a Specific Use Permit for the cultivation and processing of Medical Marijuana, facility located at 800 W Okmulgee.

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Paige Frix, Commissioner Leroy Walker Sr., Commissioner Michelle Shirley

Carried - Unanimously

- 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)

Katrina Bodenhamer, Interim City Planning Director presented the item to consider the request to bring the property located at 2900 S 24th St W., into compliance and rezone from C-1, Local Commercial, to I-1, Light Industrial.

Chair Stacy Alexander opened a Public Hearing

Timothy Hunsinger, 2831 S 24th Street W. Muskogee, Oklahoma stated he didn't have any objections for the rezoning.

Chair Stacy Alexander closed the Public Hearing.

Motion was made by Commissioner Michelle Shirley, seconded by Commissioner Leroy Walker Sr. to approve 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.

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Paige Frix, Commissioner Leroy Walker Sr., Commissioner Michelle Shirley

Carried - Unanimously

- 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)

Chair Stacy Alexander opened Public Hearing

Interim City Planning Director Katrina Bodenhamer presented the item to consider a request by Shawn Raper to rezone property at 2501 S York Street from R-1, Single Family, to I-1, Light Industrial.

Shawn Raper, CS Raper & SONS, applicant, spoke and stated his approval for rezoning so that his client may lease the property to house a warehouse in the future.

Chair Stacy Alexander closed Public Hearing

Motion was made by Commissioner Leroy Walker Sr., seconded by Commissioner Michelle Shirley to approve 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.

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Paige Frix, Commissioner Leroy Walker Sr., Commissioner Michelle Shirley

Carried - Unanimously

- 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)

Chair Stacy Alexander opened Public Hearing

Katrina Bodenhamer, Interim City Planning Director, presented the item to consider the rezoning of property located at 2500 Gulick from R-1, Single-Family to R-A, Agricultural to allow for extensive garden and possible crops in the future.

Annette Williams, 2500 Gulick Muskogee, Oklahoma, applicant verbalized her agreement and was asked by Committee if she plans to have any animals on property. She stated she did not have any plans to, but would like to continue to bale the fields for hay.

Doug Walton spoke and stated how we needed farming in the area and gave information on the amount of animals appropriate for acreage.

Shawn Raper spoke and explained how the area on either side of the property was already used for ag and voiced his approval for rezoning.

Chair Stacy Alexander closed Public Hearing

Motion was made by Commissioner Michelle Shirley, seconded by Commissioner Patrick Reeder to approve 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.

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Paige Frix, Commissioner Michelle Shirley

NAY: Commissioner Leroy Walker Sr.

Carried

- 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)

Motion was made by Commissioner Michelle Shirley, seconded by Commissioner Leroy Walker Sr. to approve 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.

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Paige Frix, Commissioner Leroy Walker Sr., Commissioner Michelle Shirley

Carried - Unanimously

- 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.

Motion was made by Commissioner Leroy Walker Sr., seconded by Chair Stacy Alexander to approve 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.

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Paige Frix, Commissioner Leroy Walker Sr., Commissioner Michelle Shirley

Carried - Unanimously

- 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.

Motion was made by Commissioner Michelle Shirley, seconded by Commissioner Paige Frix to approve of the request by Heartland Surveying to consolidate lots 4& 5 of Block 27 of Midland Valley Addition.

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Paige Frix, Commissioner Leroy Walker Sr., Commissioner Michelle Shirley

Carried - Unanimously

- 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)

Chair Stacy Alexander opened Public Hearing

Committee Member Leroy Walker Sr. voiced his concerns about street being closed and objected to the street closure.

Chair Stacy Alexander closed Public Hearing

Motion was made by Commissioner Michelle Shirley, seconded by Commissioner Patrick Reeder to approve 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.

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Leroy Walker Sr., Commissioner Michelle Shirley

NAY: Commissioner Paige Frix

Carried

There being no further business, the meeting was adjourned.

DRAFT

MINUTES

OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN COUNCIL CHAMBERS OF CITY HALL JULY 25, 2022

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on July 25, 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: Darrell Russell, Vice Chair; Patrick Reeder, Commissioner; D'Elbie Walker, Commissioner; Michelle Shirley, Commissioner

Absent: Stacy Alexander, Chair; Paige Frix, Commissioner; Leroy Walker Sr., Commissioner

Staff Present: Katrina Bodenhamer , Interim City Planner

Attendees: Jessica Zwirtz , Code Enforcement Division Head
Christina Ratterree, Office Administrator

- 1 Hold a Public Hearing and consider a request from Brianne Mason, applicant, to issue a Specific Use Permit to allow a for a Medical Marijuana Dispensary within the C-2, General Commercial District, more specifically for a property located at 2604 Chandler Rd., or take other necessary action. (Katrina Bodenhamer)

Vice Chair Darrell Russell opened a Public Hearing.

Interim City Planning Director Katrina Bodenhamer presented item to consider a request from Brianne Mason, applicant to issue a Specific Use Permit to allow for a Medical Marijuana Dispensary within the C-2, General Commercial District, more specifically a property located at 2604 Chandler Rd.

Commissioner Patrick Reed stated the property location has a bunch of houses to the North. He asked when the OMMA moratorium will go in to effect.

Discussion followed.

Commissioner Michelle Shirley asked how many Medical Marijuana Dispensaries are located in the City of Muskogee.

Discussion followed.

Vice Chair Darrell Russell closed the Public Hearing.

Motion was made by Commissioner Patrick Reeder, seconded by Commissioner D'Elbie Walker to deny a request from Brianne Mason, applicant, to issue a Specific Use Permit to allow a for a Medical Marijuana Dispensary within the C-2, General Commercial District, more specifically for a property located at 2604 Chandler Rd.

AYE: Commissioner Patrick Reeder, Commissioner D'Elbie Walker

NAY: Vice Chair Darrell Russell, Commissioner Michelle Shirley

Failed

There being no further business, the meeting was adjourned.

DRAFT

MINUTES

OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN COUNCIL CHAMBERS OF CITY HALL JULY 18, 2022

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on July 18, 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; Leroy Walker Sr., Commissioner; Michelle Shirley, Commissioner

Absent: Paige Frix, Commissioner

Staff Present: Katrina Bodenhamer, Interim City Planner

Attendees: Jessica Zwirtz, Code Enforcement Division Head
Christina Ratterree, Office Administrator

- 1 Consider approval of Planning Commission Minutes of July 5, 2022, or take other necessary action.

Motion was made by Vice Chair Darrell Russell, seconded by Commissioner Patrick Reeder

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

Carried - Unanimously

to approve Minutes of July 5, 2022.

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

Carried - Unanimously

- 2 Hold a Public Hearing and take action on the approval of Ordinance No. 4168-A to close a 20-foot alleyway located in Block 10 of Harrison Place Addition for purpose of property consolidation, or take necessary action. (Katrina Bodenhamer)

Chair Stacy Alexander opened a Public Hearing.

Interim City Planning Director Katrina Bodenhamer presented to consider approval of Ordinance No. 4168-A to close a 20-foot alleyway located in Block 10 of Harrison Place Addition for purpose of property consolidation.

Chair Stacy Alexander asked if the alley is open to public traffic and if Jeff Carr (owner) plans to build over road if alleyway closure is approved.

Discussion followed.

Commissioner Leroy Walker Sr. asked if the location/alleyway had utility lines that ran through the property.

Discussion followed.

Chair Stacy Alexander closed the Public Hearing.

Motion was made by Vice Chair Darrell Russell, seconded by Commissioner Patrick Reeder to approve Ordinance No. 4168- A to close a 20-foot alleyway located in Block 10 of Harrison Place Addition for purpose of property consolidation.

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

Carried - Unanimously

- 3 Hold a Public Hearing and take action on the approval of the preliminary and final plat for Lettie Mae Addition, or take other necessary action.(Katrina Bodenhamer)

Chair Stacy Alexander opened a Public Hearing.

Interim Planning Director Katrina Bodenhamer presented item, for approval of the preliminary and final plat for Lettie Mae Addition.

Ashley Campbell, owner, 1712 Chandler Ave., stated she would like approval to plat 3.70 acres proposed Subdivision, and in the future she would like to possibly rezone the property to R-5, Mobile Home to put an economical house on the property for personal

use and add a garden.

Chair Stacy Alexander closed the Public Hearing

Motion was made by Commissioner D'Elbie Walker, seconded by Commissioner Michelle Shirley to approve the preliminary and final plat for Lettie Mae Addition.

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

Carried - Unanimously

- 4 Hold a Public Hearing and take action on a request by Hammons, Hamby and Price Attorney, applicant (Garrett Funeral Home, LLC owner) for a Specific Use Permit to allow a building housing a retort (crematory) to cremate human remains within the C-2, General Commercial District, more specifically for a property located at 1020 W. Okmulgee, or take necessary action (Katrina Bodenhamer)

Chair Stacy Alexander opened a Public Hearing.

Interim City Planning Director Katrina Bodenhamer presented item, a request by Hammons, Hamby and Price Attorney, applicant (Garrett Funeral Home, LLC owner) for a Specific Use Permit to allow a building housing a retort (crematory) to cremate human remains within the C-2, General Commercial District, more specifically for a property located at 1020 W. Okmulgee

Commissioner D'Elbie Walker asked if the use of the crematory would cause any offensive odors to be released into the surrounding air.

Discussion followed.

Commissioner Michelle Shirley asked if the use of the crematory would cause any offensive noise.

Discussion followed.

Chair Stacy Alexander closed the Public Hearing.

Motion was made by Commissioner D'Elbie Walker, seconded by Vice Chair Darrell Russell to approve a request by Hammons, Hamby and Price Attorney, applicant (Garrett Funeral Home, LLC owner) for a Specific Use Permit to allow a building housing a retort (crematory) to cremate human remains within the C-2, General Commercial District, more specifically for a property located at 1020 W. Okmulgee.

AYE: Chair Stacy Alexander, Vice Chair Darrell Russell, Commissioner D'Elbie Walker, Commissioner Leroy Walker Sr., Commissioner Michelle Shirley

Other: Commissioner Patrick Reeder (ABSTAIN)

Carried

- 5 Hold a Public Hearing and take action to consider approval of the request from Brady Ross to split Lots 1 & 2 of Ft. Davis 3rd Addition, into two tracts, or take any necessary action. (Katrina Bodenhamer)

Chair Stacy Alexander opened a Public Hearing

Interim City Planning Director Katrina Bodenhamer presented item, a request from Brady Ross to split Lots 1 & 2 of Ft. Davis 3rd Addition, into two tracts.

Chair Stacy Alexander closed the Public Hearing.

Motion was made by Commissioner Leroy Walker Sr., seconded by Vice Chair Darrell Russell to approve the request from Brady Ross to split Lots 1 & 2 of Ft. Davis 3rd Addition, into two tracts.

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

Carried - Unanimously

There being no further business, the meeting was adjourned.

Planning Commission

2.

Meeting Date: 08/01/2022

Initiator: Christina Ratterree, Planning Admin I

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and consider a request submitted by Tory Sanders and Daryl Anderson Logan (applicants) for a Specific Use Permit to allow for a Medical Marijuana cultivation/grow within the C-2, General Commercial District, more specifically a property located at 215 S. B Street, or take other necessary action. (Katrina Bodenhamer)

LEGAL DESCRIPTION:

MUSKOGEE OT N50 LOT 7 BLOCK 383, ACCORDING TO THE OFFICIAL PLAT THEROF, MUSKOGEE COUNTY, STATE OF OKLAHOMA

BACKGROUND:

The applicant is requesting a special exception to allow for a Medical Marijuana Cultivation Facility in the property located at 215 S. B Street. The property is currently zoned C-2, General Commercial and surrounded by various commercial businesses.

Existing zoning and land use:

Site: C-2, General Commercial

North: C-2, General Commercial

South : C-3, Regional Commercial

East: C-2, general Commercial

West: PP, Public Property

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 recommends approval of a Specific Use Permit for Medical Marijuana Cultivation.

Fiscal Impact

Attachments

215 S. B Street, Public Notice



Applicant: Troy Sanders and Daryl Anderson-Logan (owners)

PUBLIC NOTICE

Notice is hereby given that on August 1, 2022 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, by the Public Works Committee, on August 1, 2022, at 5:30 p.m., and on August 8, 2022, at 5:30 p.m. by the City Council to issue a specific use permit for property located at 215 S. B Street. City of Muskogee, Muskogee County, State of Oklahoma, to allow for medical marijuana cultivation , current zoning C-2 General Commercial

(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:

**MUSKOGEE OT N50 LOT 7 BLOCK 383, ACCORDING TO THE OFFICIAL PLAT THEROF,
MUSKOGEE COUNTY, STATE OF 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**

Planning Commission

3.

Meeting Date: 08/01/2022

Initiator: Christina Ratterree, Planning Admin I

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and consider a request submitted by Cindy McAdoo, owner to consolidate the North 100 Feet of Lot 1 and Lot 2 of Block 142, Town of Muskogee into 1 tract consisting of 0.23 acres, or take other necessary action. (Katrina Bodenhamer)

LEGAL DESCRIPTION:

THE NORTH 100.00 FEET OF LOT 1 AND LOT 2 OF BLOCK 142 OF THE TOWN OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 0.23 ACRES OR 9,981 SQUARE FEET, MORE OR LESS

BACKGROUND:

This request was submitted by Cindy McAdoo, owner, to consolidate part of lot 1 and part of lot 2 into 1 tract. If the consolidation is approved the lot will meet the 7,200 square foot requirement to be a buildable lot. Mrs. McAdoo has proposed plans to build a proposed granny flat on the property to care for an elderly family member as allowable by Ordinance 90-12-04 Section E. The current zoning is R1, single family residential.

RECOMMENDED STAFF ACTION:

Staff recommends approval of Lot Split and/or Lot Consolidation.

Fiscal Impact

Attachments

McAdoo, Cindy Survey for Lot Consolidation

LOT CONSOLIDATION

LEGAL DESCRIPTION TRACT 1

THE NORTH 100.00 FEET OF LOT 1 AND LOT 2 OF BLOCK 142 OF THE TOWN OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 0.23 ACRES OR 9,981 SQUARE FEET, MORE OR LESS.

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

LOCATION MAP

SEC. _____ T _____ N, R _____ E

SCALE: 1" = 30'

● = IRON PIN

—x— = FENCE

(M) = MEASURED

(R) = RECORD

Planning Commission Chairman

Date

BLOCK 142

S22°03'49"W
100.00'

AC UNIT

LOT 3

SET
5/8" IP

FND
1/2" IP

LOT 2 6'±

S68°00'29"E
(M)99.73'
(R)100'

20' ALLEY

LOT 1

FND
1/2" IP

Denver Ave. (80' R/W)

N67°59'11"W
(M)99.85'
(R)100'

N22°07'56"E
100.00'

South Fifteenth St. (80' R/W)

SET
5/8" IP

SIDEWALK

20'±

PORCH

HOUSE

GAS METER

CARPORT

BUILDING

BUILDING

TRACT 1

BUILDING

CONCRETE DRIVE

LOT 1

FND
1/2" IP

BEARINGS ARE BASED ON NAD83
OKLAHOMA STATE PLANE
COORDINATE SYSTEM.



7/13/2022

TONY ROBISON, LAND SURVEYOR NO. 1686

Heartland Surveying & Mapping, PLLC

CA #4849

600 Emporia St., Ste. "C"
Muskogee, Oklahoma 74401
(918) 682-7796

FOR: Cindy McAdoo
1507 Denver Ave., Muskogee
DATE: 6/30/2022

W.O.# 10503

SURVEYED BY: JT/AC

DRAWN BY: AM

Last Site Visit: 6/27/22

THIS SURVEY MEETS OKLAHOMA MINIMUM SURVEY STANDARDS.

FILE NAME
Jul 13, 2022 - 12:11pm
S:\CAO -HEARTLAND-FILES\wo10503.dwg

Planning Commission

4.

Meeting Date: 08/01/2022

Initiator: Christina Ratterree, Planning Admin I

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and consider a request from Heartland Surveying (applicant) to split part of Lot 9 and consolidate it with Lot 10, Block 189, Muskogee Original Townsite into 1 Tract, or take other necessary action. (Katrina Bodenhamer)

LEGAL DESCRIPTION:

Part of Lot 10 in Block 189 in the City of Muskogee, according to the official plat thereof, more particularly described as follows: Beginning at the Southeasterly corner of said Lot 10; Thence Westerly along the Southerly line of said Lot 10 to a point 142 feet Easterly from the Southwesterly corner of said Lot 10; Thence Northerly along a line parallel with the Westerly line of said Lot 10 a distance of 75.2 feet; Thence Easterly along a line parallel with the North line of Lot 9 to a point 141 feet Westerly from the Easterly line of said Lot 10; thence Southerly along a line parallel with the Westerly line of said Lot 10 a distance of 10 feet; Thence Easterly along a line parallel with the Northerly line of Lot 9 to a point in the Easterly line of said Lot 10 a distance of 34.3 feet Southerly from the Northeasterly corner of said Lot 10; Thence Southerly along the Easterly line of Lot 10 a distance of 66.5 feet to the point of beginning and the South 35.7 feet of the East 141 feet of Lot 9 and the North 34.3 feet of the East 141 feet of Lot 10 all in Block 189 in the City of Muskogee according to the official plat thereof, Muskogee County Oklahoma.

AND

A part of Lot 9 in Block 189 in the City of Muskogee, according to the official plat thereof, more particularly described as follows; Beginning at NE Corner of said Lot 9, Thence Southerly along the East line of said lot 65 feet; Thence West parallel with the North line of the said Lot 141 feet; thence West parallel with the North Line thereof 2 feet; Thence North parallel with the East line of said Lot 54.5 feet to the North line of said Lot; Thence East along the North line of said Lot to the Point of Beginning, Muskogee County, Oklahoma.

BACKGROUND:

The request was submitted by Heartland Surveying (applicant) to split part of Lot 9 and consolidating with Lot 10 of Block 189 Muskogee OT into 1 tract. The purpose is to allow the owner to develop the tract for commercial use.

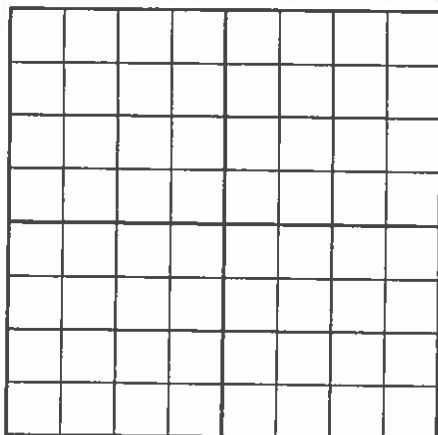
RECOMMENDED STAFF ACTION:

Staff recommends approval of Lot Split and/or Lot Consolidation.

Fiscal Impact

Attachments

Heartland Surveying Survey for Lot Consolidation



LOCATION MAP

SEC. _____ T _____ N, R _____ E

SCALE: 1"= 50'

● =IRON PIN

—x— =FENCE

(M) =MEASURED

(R) =RECORD

• =METAL POST

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

Planning Commission Chairman

Date

BUILDING SETBACKS

R-4:
FRONT 25
SIDE 15
CORNER 20
REAR 30

C-2:
FRONT 25
SIDE 6
CORNER 20
REAR 20

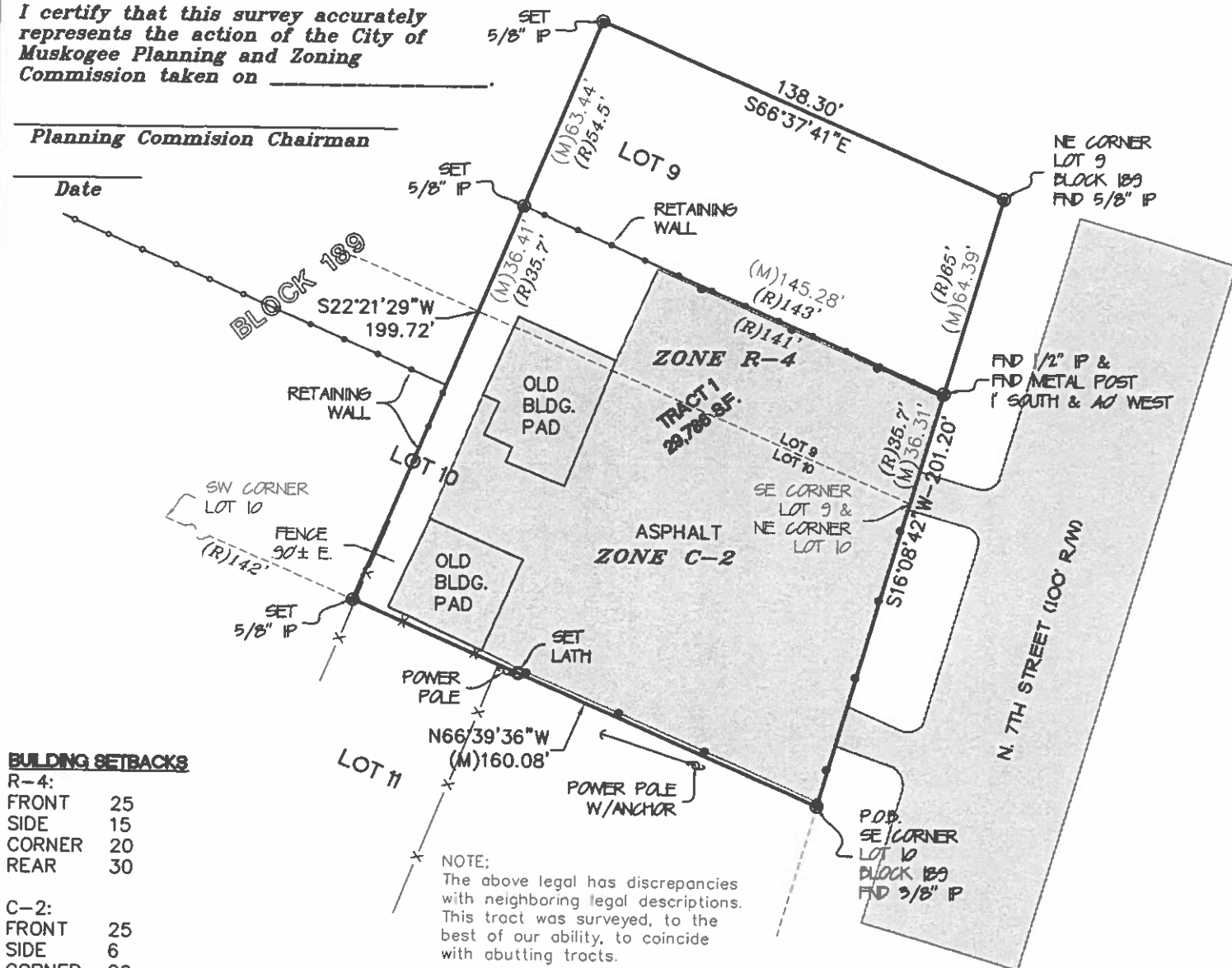
TRACT 1

LEGAL DESCRIPTION (AS PROVIDED)

Part of Lot 10 in Block 189 in the City of Muskogee, according to the official plat thereof, more particularly described as follows: Beginning at the Southeasterly corner of said Lot 10; Thence Westerly along the Southerly line of said Lot 10 to a point 142 feet Easterly from the Southwesterly corner of said Lot 10; Thence Northerly along a line parallel with the Westerly line of said Lot 10 a distance of 75.2 feet; Thence Easterly along a line parallel with the North line of Lot 9 to a point 141 feet Westerly from the Easterly line of said Lot 10; Thence Southerly along a line parallel with the Westerly line of said Lot 10 a distance of 10 feet; Thence Easterly along a line parallel with the Northerly line of Lot 9 to a point in the Easterly line of said Lot 10 a distance of 34.3 feet Southerly from the Northeasterly corner of said Lot 10; Thence Southerly along the Easterly line of Lot 10 a distance of 66.5 feet to the point of beginning and the South 35.7 feet of the East 141 feet of Lot 9 and the North 34.3 feet of the East 141 feet of Lot 10 all in Block 189 in the City of Muskogee according to the official plat thereof, Muskogee County, Oklahoma.

AND

A part of Lot 9 in Block 189 in the City of Muskogee, according to the official plat thereof, more particularly described as follows: Beginning at the NE Corner of said Lot 9, Thence Southerly along the East line of said lot 65 feet; Thence West parallel with the North line of said Lot 141 feet; thence West parallel with the North Line thereof 2 feet; Thence North parallel with the East line of said Lot 54.5 feet to the North line of said Lot; Thence East along the North line of said Lot to the Point of Beginning, Muskogee County, Oklahoma.



NOTE:
The above legal has discrepancies with neighboring legal descriptions. This tract was surveyed, to the best of our ability, to coincide with abutting tracts.



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: Iner Crowder
REV.DATE: 6/30/2022
DATE: 6/16/2022

W.O.# 10459

SURVEYED BY: RT/TT
DRAWN BY: AM

Last Site Visit: 6/15/2022

THIS SURVEY MEETS OKLAHOMA MINIMUM SURVEY STANDARDS.

FILE NAME
Jul 12, 2022 - 9:18am
S:\CAD - HEARTLAND-FILES\wo10459-2.dwg

Planning Commission

5.

Meeting Date: 08/01/2022

Initiator: Christina Ratterree, Planning Admin I

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and consider approval of a Lot Split and/or Consolidation submitted by Sharla McDaniel to divide Lots 1, 2,3 and 4 of Block 9, Muskogee Townsite, Companies Second Addition into 2 tracts both consisting of 0.30 acres, or take other necessary action. (Katrina Bodenhamer)

LEGAL DESCRIPTION:

TRACT 1, THE NORTH ONE HALF OF THE LOTS 1,2,3 AND 4 OF BLOCK 9 OF MUSKOGEE TOWNSITE COMPANIES SECOND ADDITION TO MUSKOGEE OKLAHOMA, MUSKOGEE COUNTY OKLAHOMA, CONTAINING 13,000 SQUARE FEET OR 0.30 ACRES

TRACT 2, THE SOUTH ONE HALF OF THE LOTS 1,2,3, AND 4 OF BLOCK 9 OF MUSKOGEE TOWNSITE COMPANIES SECOND ADDITION TO MUSKOGEE OKLAHOMA, MUSKOGEE COUNTY OKLAHOMA, CONTAINING 13,000 SQUARE FEET OR 0.30 ACRES

BACKGROUND:

The applicant, Sharla McDaniel's is requesting approval to split the North half of lots 1,2,3 and 4 and the South half of Lots 1,2,3, and 4 of Muskogee Township Companies Second Addition into 2 separate tracts. The purpose is to allow for an additional 1,200 S.F. building to be built for a proposed business. If the lot split and/or lot consolidation is approved both lots will meet the square feet minimum for buildable lots. The current zoning is C2, general commercial.

RECOMMENDED STAFF ACTION:

Staff recommends approval of Lot Split and/ or Lot Consolidation.

Fiscal Impact

Attachments

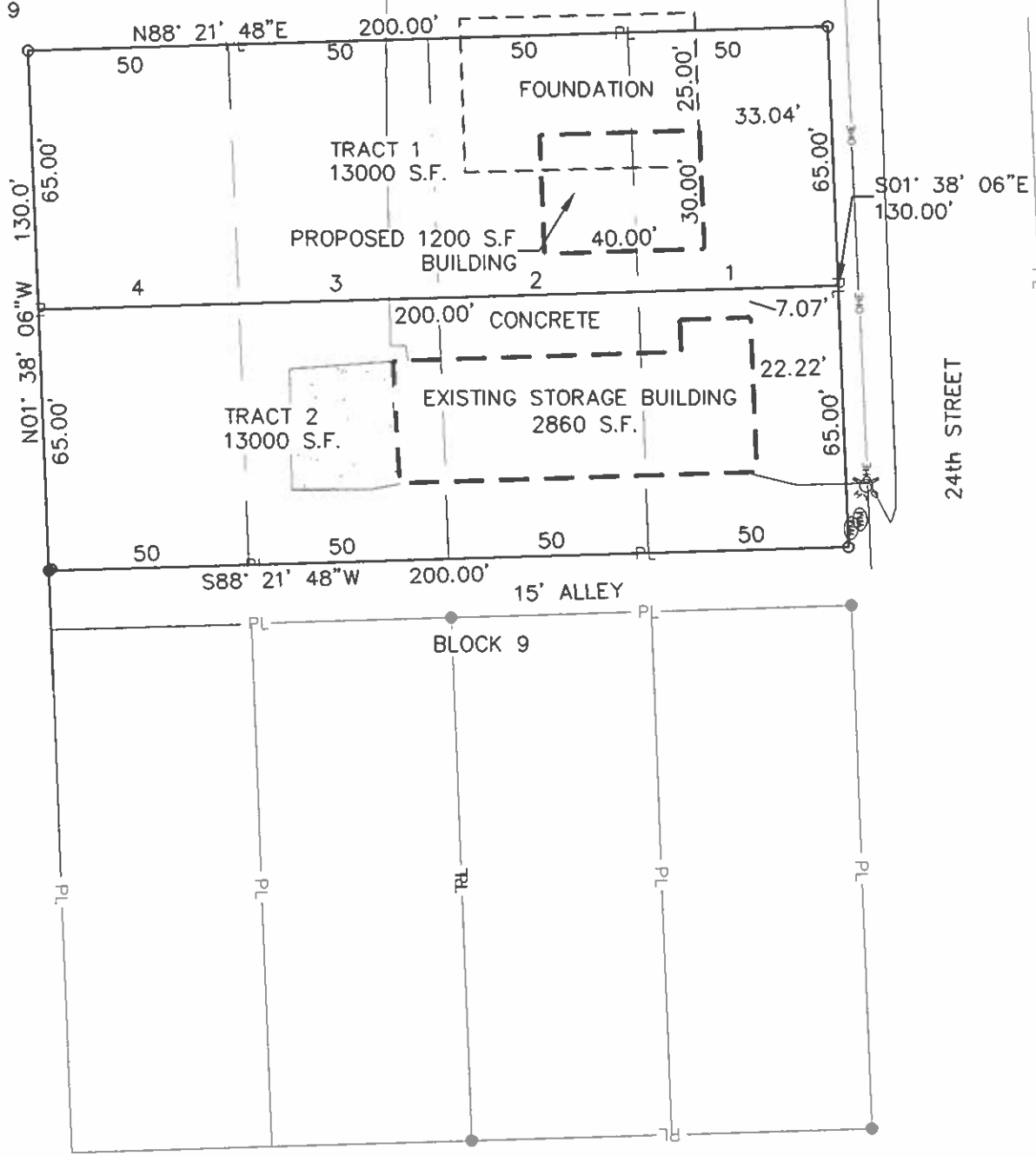
McDaniel, Sharla Survey for Lot Split-Consolidation

90' STREET

LOT SPLT/CONSOLIDATION SURVEY

ESTELLE ST

NW COR
BLK 9



LEGAL DESCRIPTION -TRACT 1

THE NORTH ONE HALF OF LOTS 1,2,3 AND 4 OF BLOCK 9 OF MUSKOGEE TOWNSITE COMPANIES SECOND ADDITION TO MUSKOGEE OKLAHOMA, MUSKOGEE COUNTY OKLAHOMA, CONTAINING 13000 SQUARE FEET OR 0.30 ACRES

TRACT 2, THE SOUTH ONE HALF OF LOTS 1,2,3 AND 4 OF BLOCK 9 OF MUSKOGEE TOWNSITE COMPANIES SECOND ADDITION TO MUSKOGEE OKLAHOMA, MUSKOGEE COUNTY OKLAHOMA, CONTAINING 13000 SQUARE FEET OR 0.30 ACRES



SCALE 1" = 40 FT.

BASIS OF BEARINGS

NAD83, OKLAHOMA STATE PLANE COORDINATE SYSTEM-NORTH ZONE

I CERTIFY THAT THIS SURVEY ACCURATELY REPRESENTS THE ACTION OF THE CITY OF MUSKOGEE PLANNING AND ZONING COMMISSION TAKEN ON _____

PLANNING COMMISSION
CHAIRMAN _____ DATE _____

I, CHARLES WARREN CHASTAIN, CERTIFY THAT THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING, AND THAT THE ABOVE DESCRIBED TRACT WAS SURVEYED UNDER MY DIRECT SUPERVISION

Charles W. Chastain
CHARLES W. CHASTAIN PLS 1352 DATE-7-12-22



THIS SURVEY MEETS OKLAHOMA MINIMUM SURVEY STANDARDS

FOR SHARLA MCDANIEL 2410 ELIZIBETH STREET
MUSKOGEE OKLAHOMA 74401

DATE OF FIELD SURVEY 07 /2022

HOLLOWAY UPDIKE AND BELLEN
MUSKOGEE OKLAHOMA

ENGINEERS OKLAHOMA C.A. NO. 219 PH 918 682 7811

LEGEND

- PROPERTY LINE
- RIGHT OF WAY LINE
- BARBED WIRE FENCE
- WOOD FENCE
- CHAINLINK FENCE
- OVERHEAD ELECTRIC
- FIRE HYDRANT
- WATER METER
- EXISTING CORNER PIN FOUND
- IRON PIN W/CAP SET