

*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: 09/02/2022

**AGENDA**  
**PLANNING AND ZONING COMMISSION**  
**SEPTEMBER 6, 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 August 15, 2022, or take other necessary action.
2. Consider approval of a Lot Split/Consolidation request by South York Plaza LLC to split Lot 2 of South York Plaza Addition into two tracts, Tract 1 consisting of 11,700 square feet and Tract 2 consisting of 3.12 acres, or take other necessary action. (Katrina Bodenhamer).
3. 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 processing facility within the C-2, General Commercial District, more specifically a property located at 215 S. B Street, or take other necessary action. (Katrina Bodenhamer)
4. Hold a Public Hearing and consider a request submitted by James Styres (applicant) for a Specific Use Permit to allow for a Medical Marijuana Dispensary within the C-2, General Commercial District, more specifically a property located at 420 N 32nd St., or take other necessary action. (Katrina Bodenhamer)

**ADJOURN**

**Planning Commission**

**1.**

**Meeting Date:** 09/06/2022

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

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**Information**

**AGENDA ITEM TITLE:**

Consider approval of Planning Commission Minutes of August 15, 2022, or take other necessary action.

**LEGAL DESCRIPTION:**

**BACKGROUND:**

**RECOMMENDED STAFF ACTION:**

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**Fiscal Impact**

**Attachments**

Planning mins. 08-15-22

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# DRAFT

## MINUTES

### OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN COUNCIL CHAMBERS OF CITY HALL AUGUST 15, 2022

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on August 15, 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; Russell Sain , Commissioner; Patrick Reeder , Commissioner; Judith Hoffman, Commissioner; Paige Frix, Commissioner; Leroy Walker Sr., Commissioner

Absent: D'Elbie Walker, Commissioner; Betty Blackwell , Commissioner

Staff Present: Katrina Bodenhamer , Interim City Planner  
Jessica Zwirtz, Code Enforcement Department Head

Attendees: Christina Ratterree, Office Administrator

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

Motion was made by Commissioner Leroy Walker Sr., seconded by Commissioner Patrick Reeder to approve Planning Commission Minutes of August 1, 2022

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Judith Hoffman, Commissioner Paige Frix, Commissioner Leroy Walker Sr.

Other: Commissioner Russell Sain (ABSTAIN)

Carried

- 2 Consider approval of the preliminary and final plat of the Woodbine Addition, or take other necessary action. (Katrina Bodenhamer)

Motion was made by Commissioner Patrick Reeder, seconded by Commissioner Judith Hoffman to approve the preliminary and final plat of the Woodbine Addition

AYE: Chair Stacy Alexander, Commissioner Russell Sain, Commissioner Patrick Reeder, Commissioner Judith Hoffman, Commissioner Paige Frix, Commissioner Leroy Walker Sr.

Carried - Unanimously

- Consider approval of the preliminary and final plat of Plaza Street Partners Subdivision, or take other necessary action. (Katrina Bodenhamer)

Motion was made by Commissioner Leroy Walker Sr., seconded by Commissioner Patrick Reeder to approve the preliminary and final plat of Plaza Street Partners Subdivision

AYE: Chair Stacy Alexander, Commissioner Russell Sain, Commissioner Patrick Reeder, Commissioner Judith Hoffman, Commissioner Paige Frix, Commissioner Leroy Walker Sr.

Carried - Unanimously

- 4 Consider approval of a Lot Split/Consolidation request by Heartland Surveying on behalf of Jose Lopez (owner) to divide 4.62 acres into two tracts, Tract 1 consisting of 4.00 acres and Tract 2 consisting of 0.62 acres, or take other necessary action (Katrina Bodenhamer)

Motion was made by Commissioner Patrick Reeder, seconded by Commissioner Judith Hoffman to approve a Lot Split/Consolidation request by Heartland Surveying on behalf of Jose Lopez (owner) to divide 4.62 acres into two tracts, Tract 1 consisting of 4.00 acres and Tract 2 consisting of 0.62 acres.

AYE: Chair Stacy Alexander, Commissioner Russell Sain, Commissioner Patrick Reeder, Commissioner Judith Hoffman, Commissioner Paige Frix, Commissioner Leroy Walker Sr.

Carried - Unanimously

- 5 Consider approval of a request from Heartland Surveying on behalf of Daniel and Nathaniel Rodriguez to split part of Lots 6 & 7 in Block 415, Muskogee OT and consolidate it into 1 tract, or take other necessary action. (Katrina Bodenhamer)

Motion was made by Commissioner Russell Sain, seconded by Commissioner Judith Hoffman to approve a request from Heartland Surveying on behalf of Daniel and Nathaniel Rodriguez to split part of Lots 6 & 7 in Block 415, Muskogee OT and consolidate it into 1 tract.

AYE: Chair Stacy Alexander, Commissioner Russell Sain, Commissioner Patrick Reeder, Commissioner Judith Hoffman, Commissioner Paige Frix, Commissioner Leroy Walker Sr.

Carried - Unanimously

There being no further business, the meeting was adjourned.

**Meeting Date:** 09/06/2022

**Initiator:** Jessica Zwirtz, Drafter/CAD operator

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**Information**

**AGENDA ITEM TITLE:**

Consider approval of a Lot Split/Consolidation request by South York Plaza LLC to split Lot 2 of South York Plaza Addition into two tracts, Tract 1 consisting of 11,700 square feet and Tract 2 consisting of 3.12 acres, or take other necessary action. (Katrina Bodenhamer).

**LEGAL DESCRIPTION:**

TRACT 1: A TRACT OF LAND SITUATED IN LOT 2 OF SOUTH YORK PLAZA ADDITION, A REPLAT OF BLOCKS 1, 8, AND 9 OF HARRISON PLACE ADDITION, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA; WITH THE BASIS OF BEARING OF THIS DESCRIPTION BEING NAD83 OKLAHOMA STATE PLANE, AND PREPARED ON 8/11/2022 BY TONY ROBISON, LS #1686: SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT THE SW CORNER OF LOT 2, THENCE N1°33'07"W ALONG THE WEST LINE OF LOT 2 A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N1°33'07"W A DISTANCE OF 180.00 FEET; THENCE N88°26'53"E A DISTANCE OF 65.00 FEET; THENCE S1°33'07"E A DISTANCE OF 180.00 FEET; THENCE S88°26'53"W A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.27 ACRES OR 11,700 SQUARE FEET, MORE OR LESS.

TRACT 2: LOT 2 OF SOUTH YORK PLAZA ADDITION, REPLAT OF BLOCKS 1, 8, AND 9 OF HARRISON PLACE ADDITION, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA. LESS A TRACT OF LAND SITUATED IN LOT 2 OF SOUTH YORK PLAZA ADDITION, A REPLAT OF BLOCKS 1, 8, AND 9 OF HARRISON PLACE ADDITION, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA; WITH THE BASIS OF BEARING OF THIS DESCRIPTION BEING NAD83 OKLAHOMA STATE PLANE, AND PREPARED ON 8/11/2022 BY TONY ROBISON, LS #1686: SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT THE SW CORNER OF LOT 2, THENCE N1°33'07"W ALONG THE WEST LINE OF LOT 2 A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N1°33'07"W A DISTANCE OF 180.00 FEET; THENCE N88°26'53"E A DISTANCE OF 65.00 FEET; THENCE S1°33'07"E A DISTANCE OF 180.00 FEET; THENCE S88°26'53"W A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING. CONTAINING 3.12 ACRES OR 136,051 SQUARE FEET, MORE OR LESS.

**BACKGROUND:**

The property owner is selling his land but wants to keep what is on proposed "Tract 1". This will separate the land for the sale.

**RECOMMENDED STAFF ACTION:**

Staff recommends approval.

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**Attachments**

Lot split/cons

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**TRACT 1:** A TRACT OF LAND SITUATED IN LOT 2 OF SOUTH YORK PLAZA ADDITION, A REPLAT OF BLOCKS 1, 8 AND 9 OF HARRISON PLACE ADDITION, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA: WITH THE BASIS OF BEARING OF THIS DESCRIPTION BEING NAD83 OKLAHOMA STATE PLANE, AND PREPARED ON 8/11/2022 BY TONY ROBISON, LS #1686: SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT THE SW CORNER OF LOT 2, THENCE N1°33'07"W ALONG THE WEST LINE OF LOT 2 A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N1°33'07"W A DISTANCE OF 180.00 FEET; THENCE N88°26'53"E A DISTANCE OF 65.00 FEET; THENCE S1°33'07"E A DISTANCE OF 180.00 FEET; THENCE S88°26'53"W A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.27 ACRES OR 11,700 SQUARE FEET, MORE OR LESS.

### LOCATION MAP

SEC. 1 T 14 N, R 18 E

SCALE: 1" = 100'

● = IRON PIN

—x— = FENCE

### Planning Commission Chairman

**Date**

NE CORNER  
SEC. 17 14 NR 18 E

**TRACT 2** LOT 2 OF SOUTH YORK PLAZA ADDITION, REPLAT  
OF BLOCKS 1,8 AND 9 OF HARRISON PLACE ADDITION,  
CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF  
OKLAHOMA.

LESS

A TRACT OF LAND SITUATED IN LOT 2 OF SOUTH YORK PLAZA ADDITION, A REPLAT OF BLOCKS 1,8 AND 9 OF HARRISON PLACE ADDITION, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA: WITH THE BASIS OF BEARING OF THIS DESCRIPTION BEING NAD83 OKLAHOMA STATE PLANE, AND PREPARED ON 8/11/2022 BY TONY ROBISON, LS #1686: SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT THE SW CORNER OF LOT 2, THENCE N1°33'07"W ALONG THE WEST LINE OF LOT 2 A DISTANCE OF 80.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N1°33'07"W A DISTANCE OF 180.00 FEET; THENCE N88°26'53"E A DISTANCE OF 65.00 FEET; THENCE S1°33'07"E A DISTANCE OF 180.00 FEET; THENCE S88°26'53"W A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING.  
CONTAINING A TOTAL OF 3.12 ACRES OR 136,051 SQUARE FEET, MORE OR LESS.

WAUHILLA AVE. (40' R/W) NOT OPEN

EXISTING  
5/8" IP

NOTE: PINS WILL BE SET AFTER  
APPROVAL OF LOT SPLIT.



P.O.B.  
TRACT 1

N1°33'07"W  
80.00'

P.O.C.  
SW CORNER  
OF LOT 2  
EXISTING  
5/8" IP

LOT 3

E/4 CORNER  
SEC. 1, T14N R18E

W.O.# 10641-LS

SURVEYED BY:

DRAWN BY: AM

**Last Site Visit:**

FOR: WELDON STOUT

DATE: 8/15/2022

TONY ROBISON, LAND SURVEYOR NO. 1686

**Heartland Surveying & Mapping, PLLC**

CA -4840

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

FILE NAME  
Aug 15, 2022 - 11:41am  
S:\CAD -HEARTLAND-FILES\WO10641-LOT SPLT.dwg



**Planning Commission**

**3.**

**Meeting Date:** 09/06/2022

**Initiator:** Jessica Zwirtz, Drafter/CAD operator

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**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 processing facility 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 THEREOF, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA

**BACKGROUND:**

The applicant is requesting a special exception to allow for a Medical Marijuana Processing Facility on 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 Processing.

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**Fiscal Impact**

**Attachments**

location

Zoning

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**Planning Commission**

**4.**

**Meeting Date:** 09/06/2022

**Initiator:** Jessica Zwirtz, Drafter/CAD operator

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**Information**

**AGENDA ITEM TITLE:**

Hold a Public Hearing and consider a request submitted by James Styres (applicant) for a Specific Use Permit to allow for a Medical Marijuana Dispensary within the C-2, General Commercial District, more specifically a property located at 420 N 32nd St., or take other necessary action. (Katrina Bodenhamer)

**LEGAL DESCRIPTION:**

LOTS 5, 6, 7 AND 8 IN BLOCK 9 OF GIPSON HEIGHTS ADDITION TO THE CITY OF MUSKOGEE, 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 Dispensary on the property located at 420 N. 32nd 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: R-1, Single Family

West: C-1, Local Commercial

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 Dispensary.

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**Fiscal Impact**

**Attachments**

Location

Zoning

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WISEMAN,  
MIKE ETAL

WISEMAN,  
MIKE ETAL

Ransom St

PATEL,  
DINESH &  
KISHOR

WISEMAN  
FAMILY  
TRUST-6-30-99  
TYE, MICHAEL  
A

BEASLEY,  
TERESA K

MATICS,  
TRACY

POTHUISJE,  
LORI ANN

TASHA  
PROPERTIES  
LLC

JULES  
PROPERTY  
LLC

JULES  
PROPERTY  
LLC

N 32nd St

Court St

CURB  
MOMENT, LLC

Western

JAYAMBE INC

Denison St

STATE OF  
OKLAHOMA

INHOFE, BILL  
ETAL

BOSWELL,  
RONNIE ETAL

STATE OF  
OKLAHOMA

TA, NGOWAN  
ETAL

STATE OF  
OKLAHOMA

STATE OF  
OKLAHOMA

STATE OF  
OKLAHOMA

INHOFE, BILL  
INHOFE, BILL

N 31st St

Denison St

ALBERTY,  
MARGARETTE  
J. TRUST

MUNN,  
MARVIN  
ELIJAH

THOMPSON,  
MICHEL

RILEY,  
SHAWNNA  
INTERVIVOS  
TRUST

ADMIRE,  
JEANICE G.  
ETAL

TINKER,  
KARIN

DAVIS,  
WALTER L

JONES,  
LEONARD

HOPKINS,  
MORRIS

Court St

PROGGINS  
PROPERTIES  
LLC

PROGGINS  
PROPERTIES  
LLC

WILSON,  
ADRIAN

TARKS,  
SUSAN

KENWOOD  
Court St

[illegible]