

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: 09-15-22

AGENDA
PLANNING AND ZONING COMMISSION
SEPTEMBER 19, 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 September 6, 2022, or take other necessary action.
2. Hold a Public Hearing and take action on the application of Ashley Campbell to approve Ordinance 4170-A to rezone approximately 3.70 acres, being more particularly described in the ordinance, from R-1, Single Family Residential to R-5, Mobile Home Site, 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)

ADJOURN

Planning Commission

1.

Meeting Date: 09/19/2022

Initiator: Christina Ratterree, Planning Admin I

Information

AGENDA ITEM TITLE:

Consider approval of Planning Commission Minutes of September 6, 2022, or take other necessary action.

LEGAL DESCRIPTION:

BACKGROUND:

RECOMMENDED STAFF ACTION:

Fiscal Impact

Attachments

Planning Commission mins. 09-06-22

DRAFT

MINUTES

OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN COUNCIL CHAMBERS OF CITY HALL SEPTEMBER 6, 2022

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on September 6, 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; Judith Hoffmann, Commissioner; D'Elbie Walker, Commissioner; Betty Blackwell, Commissioner

Absent: Russell Sain, Commissioner; Leroy Walker Sr., 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 August 15, 2022, or take other necessary action.

Motion was made by Commissioner Patrick Reeder, seconded by Commissioner Betty Blackwell to approve Minutes of August 15, 2022

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Judith Hoffmann, Commissioner D'Elbie Walker, Commissioner Betty Blackwell

Carried - Unanimously

- 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).

Motion was made by Commissioner D'Elbie Walker, seconded by Commissioner Patrick Reeder to approve 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

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Judith Hoffmann, Commissioner D'Elbie Walker, Commissioner Betty Blackwell

Carried - Unanimously

- 3 Hold a Public Hearing and consider a request submitted by Troy 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)

Code Enforcement Division Head Jessica Zwirtz presented the request submitted by Troy Sanders and Daryl Anderson Logan (applicants).

Chair Stacy Alexnader opened a Public Hearing.

Commissioner Judith Hoffman voiced concerns on if the processing facility would store or use any toxic or flammable chemicals that could cause offensive odors or fire safety concerns.

Troy Sanders, 215 S. B Street Muskogee, OK 74401 (applicant) explained the products received will be prepackaged and processed and not require any furthers processing. He stated he will be selling" business to business".

Chair Stacy Alexander closed Public Hearing.

Motion was made by Commissioner D'Elbie Walker, seconded by Commissioner Patrick Reeder to approve a request submitted by Troy 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

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Judith Hoffmann, Commissioner D'Elbie Walker, Commissioner Betty Blackwell

Carried - Unanimously

- 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.

Code Enforcement Division Head presented request submitted by James Styres (applicant) for a Specific Use Permit.

Chair Stacy Alexander opened Public Hearing .

Commissioner D'Elbie Walker voiced questions on where the dispensary will be located and the timeline of the business opening.

James Styles, 402 W 32nd St. Muskogee, Ok 74401 (applicant) stated the business will open as soon as City Licensing process is complete and that the business will offer specialty products for consumers.

Chair Stacy Alexander closed Public Hearing.

Motion was made by Commissioner D'Elbie Walker, seconded by Commissioner Patrick Reeder to approve 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.

AYE: Chair Stacy Alexander, Commissioner Patrick Reeder, Commissioner Judith Hoffmann, Commissioner D'Elbie Walker, Commissioner Betty Blackwell

Carried - Unanimously

There being no further business, the meeting was adjourned.

Planning Commission

2.

Meeting Date: 09/19/2022

Initiator: Jessica Zwirtz, Code Enforcement Division Head

Information

AGENDA ITEM TITLE:

Hold a Public Hearing and take action on the application of Ashley Campbell to approve Ordinance 4170-A to rezone approximately 3.70 acres, being more particularly described in the ordinance, from R-1, Single Family Residential to R-5, Mobile Home Site, 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:

LOT 1 BLOCK 1 OF LETTIE MAE ADDITION, SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA.

BACKGROUND:

Ashley Campbell, applicant, is requesting to rezone 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 rezone 3.70 acres from R-1, Single Family Residential, to R-5, Mobile Home Site. The request is to allow for one (1) mobile home to be located on the property. This request only allows for one dwelling since it will be one lot and one block.

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 notice was published in the newspaper twenty (20) days prior to the Public Hearing.

RECOMMENDED STAFF ACTION:

Approve Ordinance 4170-A rezoning the property from R-1, Single Family Residential to R-5, Mobile Home Site, and authorize staff to revise the Official Zoning Map of the City to reflect said change.

Fiscal Impact

Attachments

Ord 4170-A

Notice

Location Map

ORDINANCE NO. 4170-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 SECTION 14, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA. THE PROPERTY IS MORE PARTICULARLY DESCRIBED AS:

LOT 1 IN BLOCK 1 OF LETTIE MAE ADDITION TO THE CITY OF MUSKOGEE, ACCORDING TO THE PLAT THEREOF, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

(Ashley Campbell, applicant)

FROM “R-1” SINGLE FAMILY RESIDENTIAL

TO

“R-5” MOBILE HOME SITE

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held September 19, 2022, did recommend the approval of the rezoning of the property set out above in the title of the Ordinance, and did authorize the director of the Commission to advise the Council of the City of Muskogee of this recommendation,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA,

Section 1. THAT, the official zoning map of the City of Muskogee as provided by Chapter 90, Section 01-03, of the Muskogee City Code, September 2014, is hereby amended by changing the District Classification by rezoning;

LOT 1 IN BLOCK 1 OF LETTIE MAE ADDITION TO THE CITY OF MUSKOGEE, ACCORDING TO THE PLAT THEREOF, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

(Ashley Campbell, applicant)

FROM “R-1” SINGLE FAMILY RESIDENTIAL

TO

“R-5” MOBILE HOME SITE

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.

Ordinance No: 4170-A

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE,
OKLAHOMA, and THIS 26th DAY OF SEPTEMBER 2022.

MARLON J. COLEMAN, MAYOR

ATTEST:

TAMMY L. TRACY, CITY CLERK

(SEAL)

APPROVED as to form and legality this ____ day of _____, 2022.

ROY D. TUCKER, CITY ATTORNEY

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:

**LOT 1, BLOCK 1 OF LETTIE MAE ADDITION, TO THE CITY OF MUSKOGEE,
MUSKOGEE COUNTY, STATE OF OKLAHOMA.**

Applicant: Ashley Campbell, owner

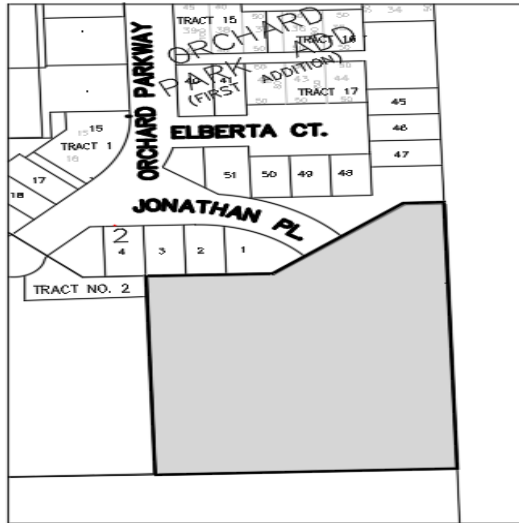
This notice is provided to property owners within 300 feet of the above site to inform them of the following public hearings regarding the above proposal:

September 19, 2022 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission

September 19, 2022 at 5:30 p.m.: City of Muskogee Public Works Committee

September 26, 2022 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 September 19th, 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, and on September 19th, 2022 at 5:30 p.m., by the Public Works Committee, and on September 26, 2022, 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.

The property is more particularly described as:

**LOT 1, BLOCK 1 OF LETTIE MAE ADDITION, TO THE CITY OF MUSKOGEE,
MUSKOGEE COUNTY, STATE OF OKLAHOMA.**

(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)

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**

ANDREW
LOGAN &
KALI ROMI
ANDREW

GARNER,
PHILLIP R. &
MICHELLE L.
TD

ROMINE,
NICHOLAS P &
DANAR

THOMAS,
RONALD W
& KYMBER
TRUST

Damson Ct

Elberta Ct

Orchard Pkwy

Jonathan Pl

EDGMON
ADDITION

HUNT
ADDITION

STORM LOVER
LLC

STORM LOVER

