

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: MAY 30, 2024

AGENDA
PLANNING AND ZONING COMMISSION
JUNE 3, 2024

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 May 6, 2024 or take other necessary action.
2. Consider approval of the lot consolidation for the property located at 2544 South 32nd Street, or take other necessary action. (Jody King)
3. Consider a recommendation to the City Council on a specific use permit for the property located at 117 North Junction Street, or take other necessary action. (Jody King)
4. Consider a recommendation to the City Council on the specific use permit for the property located at 1617 B North York Street, or take other necessary action.

ADJOURN

Planning Commission

1.

Meeting Date: 06/03/2024

Initiator: Josie Graves, Admin I

Information

AGENDA ITEM TITLE:

Consider approval of Planning Commission Minutes of May 6, 2024 or take other necessary action.

LEGAL DESCRIPTION:

BACKGROUND:

RECOMMENDED STAFF ACTION:

Fiscal Impact

Attachments

24-0506 Minutes

MINUTES

OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN COUNCIL CHAMBERS OF CITY HALL MAY 6, 2024

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on May 6, 2024, 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:

Lori Jefferson arrived at 9:06 A.M.

Present: Russell Sain, Chair; D'Elbie Walker, Vice Chair; Judith Hoffman, Commissioner; Cynthia Kennedy, Commissioner; Lori Jefferson, Commissioner

Absent: Betty Blackwell, Commissioner; Alexis Wallace, Commissioner

Staff Present: Jody King, Director of Planning & Community Development

Attendees: Matt Prosser, ODFL Representative
Kyle Hoyt, ODFL Representative
Jason & Brandi Cook, Lot Split at 113/115 N R Street

- 1 Consider approval of the minutes from the Regular Sessions of the Planning & Zoning Commission held on February 5, 2024, and April 15, 2024, or take other necessary action.

Motion was made by Commissioner Cynthia Kennedy, seconded by Commissioner Judith Hoffman Motion to approve minutes from February 5, 2024

AYE: Commissioner Judith Hoffman, Commissioner Cynthia Kennedy
Other: Chair Russell Sain (ABSTAIN), Vice Chair D'Elbie Walker (ABSTAIN)
Carried

Motion was made by Commissioner Cynthia Kennedy, seconded by Commissioner Judith Hoffman Motion to approve minutes from April 15, 2024

AYE: Chair Russell Sain, Commissioner Judith Hoffman, Commissioner
Cynthia Kennedy

Other: Vice Chair D'Elbie Walker (ABSTAIN)

Carried

- 2 Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee regarding ordinance 4232-A, rezoning the property located at 2109 Ward Street, Southeast Section 24, Township 14 North, Range 18 East from R-1 Single Family to I-1 Light industrial, and if approved, authorize staff to update the official city map, or take other necessary action. (Jody King)

Jody King, Director of Planning, presented the item discussing how the request conforms with the future land use map amendment.

Commissioner Kennedy asked where the property was located and Chairperson Sain explained it was south of the Shawnee by pass near York.

Motion was made by Commissioner Cynthia Kennedy, seconded by Vice Chair D'Elbie Walker A motion was made to recommend approval of ordinance no. 4232-A to the city council.

AYE: Chair Russell Sain, Vice Chair D'Elbie Walker, Commissioner Judith Hoffman, Commissioner Lori Jefferson

Carried - Unanimously

- 3 Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee regarding Ordinance No. 4231-A, a rezone request for the property located at 2544 South 32nd Street, Southeast Section 4, Township 14 North, Range 18 East, to be rezoned from C-2 General Commercial and A-Agriculture to I-1 Light Industrial, and if approved, authorize staff to update the official city map, or take other necessary action. (Jody King)

Matt Prosser presented the item on behalf of Old Dominion Freight Line.

Jody King, Director of Planning, presented both items 3 and 4 at the same time explaining that a rezone could not occur unless the future land use map was amended. The city believes the future land use map for this area is outdated considering the growth of Highway 69/32nd Street and that the proper use for the land adjacent to the highway is commercial/industrial and not single family residential.

Motion was made by Vice Chair D'Elbie Walker, seconded by Commissioner Cynthia Kennedy A motion was made to recommend approval of ordinance no. 4231-A to the city council.

AYE: Chair Russell Sain, Vice Chair D'Elbie Walker, Commissioner Judith Hoffman, Commissioner Cynthia Kennedy, Commissioner Lori Jefferson

Carried - Unanimously

- 4 Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee for Resolution No. 2985 to approve a land use map amendment to allow for the property located at 2544 South 32nd Street, Southeast Section 4, Township 14 North, Range 18 East to be rezoned from C-2 General Commercial and A Agriculture to I-1 Light Industrial, or take other necessary action. (Jody King)

Jody King, Director of Planning, presented both items 3 and 4 at the same time explaining that a rezone could not occur unless the future land use map was amended. The city believes the future land use map for this area is outdated considering the growth of Highway 69/32nd Street and that the proper use for the land adjacent to the highway is commercial/industrial and not single family residential.

Motion was made by Commissioner Cynthia Kennedy, seconded by Commissioner Lori Jefferson A motion was made to recommend approval of resolution no. 2985 to the city council.

AYE: Chair Russell Sain, Vice Chair D'Elbie Walker, Commissioner Judith Hoffman, Commissioner Cynthia Kennedy, Commissioner Lori Jefferson
Carried - Unanimously

- 5 Consider approval of the lot split request for the property located at 113 & 115 N R Street, or take other necessary action. (Jody King)

During the presentation, Jody King, Director of Planning, presented the item and the history of block 2. The original platting occurred in 1906 of a single block and a single lot. Over time, the lot was split, and two dwellings were put on one lot and continued through time with such over single family use. The lot split upon approval will continue this legally nonconforming use and any change to the dwellings or use will result in a variance being required.

The property owners bought the property as an investment to rent, but upon assessment, decided to split the lots and rehabilitate the houses for sale.

Cindy asked if there were two separate water meters. The property owners answered yes.

Motion was made by Vice Chair D'Elbie Walker, seconded by Commissioner Lori Jefferson A motion was made to approve the lot split.

AYE: Chair Russell Sain, Vice Chair D'Elbie Walker, Commissioner Judith Hoffman, Commissioner Cynthia Kennedy, Commissioner Lori Jefferson
Carried - Unanimously

There being no further business, the meeting was adjourned.

RUSSELL SAIN, CHAIR

, SECRETARY

Meeting Date: 06/03/2024

Initiator: Jody King, Planning Director

Information

AGENDA ITEM TITLE:

Consider approval of the lot consolidation for the property located at 2544 South 32nd Street, or take other necessary action. (Jody King)

LEGAL DESCRIPTION:

A TRACT OF LAND BEING ALL OF LOT 1, BLOCK 1, OF THE SLEEPY TRAVELER ADDITION, FILED IN THE MUSKOGEE COUNTY CLERK'S OFFICE IN PLAT BOOK 4867, PAGE 503, AND A PORTION OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION FOUR (4), TOWNSHIP FOURTEEN NORTH (T14N), RANGE EIGHTEEN EAST (R18E) OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA, TOGETHER BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 1, MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE; THENCE N88°06'48"E, PASSING THROUGH A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE FOR THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1 AT A DISTANCE OF 749.94 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 1205.56 FEET TO A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE; THENCE S01°36'13"E A DISTANCE OF 329.93 FEET TO A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE; THENCE S88°06'00"W, PASSING THROUGH A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE FOR THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1 AT A DISTANCE OF 457.58 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 1207.50 FEET TO A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE, SAID POINT BEING ON THE PLATTED RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 64; THENCE ALONG SAID LINE N01°16'02"W A DISTANCE OF 330.22 FEET TO THE POINT OF BEGINNING SAID TRACT HAVING AN AREA OF 398,231.9 SQUARE FEET OR 9.142 ACRES, MORE OR LESS.

BACKGROUND:

Old Dominion Freight Line (ODFL) requests the consolidation of the two parcels located at 2544 South 32nd Street to combine the two lots into one with a combined area of 398,232 square feet. The frontage of the lot was originally platted as the Sleepy Traveler Addition for a proposed RV Park in 2023. The owner has since decided to sell the property to ODFL. The combined lots will serve as a drop yard for commercial trucking, making Muskogee a destination for further industrial and commercial expansion.

Current Zoning & Use: Vacant agricultural land, street frontage is zoned C-1 Local commercial, back half is zoned A Agriculture

Proposed Zoning & Use: I-1 Light Industrial for Commercial Trucking Drop yard for Old Dominion Freight Line.

SW quarter of the NE quarter of Section 4, Township 14 North, Range 18 East of the Indian Meridian.

RECOMMENDED STAFF ACTION:

Approve the lot consolidation.

Fiscal Impact

Attachments

Staff Report

Site Plan

Planning & Community Development Staff Report

**City of Muskogee Planning & Zoning Commission, Monday, May 6, 2024 at
9:00 A.M. at City of Muskogee City Hall, 229 W Okmulgee Ave., 3rd Floor
Council Chambers**

Consider approval of the lot consolidation for the property located at 2544 South 32nd Street.

Planning Department Analysis

Street Address: 2544 South 32nd Street

Legal Description:

A TRACT OF LAND BEING ALL OF LOT 1, BLOCK 1, OF THE SLEEPY TRAVELER ADDITION, FILED IN THE MUSKOGEE COUNTY CLERK'S OFFICE IN PLAT BOOK 4867, PAGE 503, AND A PORTION OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION FOUR (4), TOWNSHIP FOURTEEN NORTH (T14N), RANGE EIGHTEEN EAST (R18E) OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA, TOGETHER BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 1, MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE; THENCE N88°06'48"E, PASSING THROUGH A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE FOR THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1 AT A DISTANCE OF 749.94 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 1205.56 FEET TO A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE; THENCE S01°36'13"E A DISTANCE OF 329.93 FEET TO A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE; THENCE S88°06'00"W, PASSING THROUGH A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE FOR THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1 AT A DISTANCE OF 457.58 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 1207.50 FEET TO A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE, SAID POINT BEING ON THE PLATTED RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 64; THENCE ALONG SAID LINE N01°16'02"W A DISTANCE OF 330.22 FEET TO THE POINT OF BEGINNING SAID TRACT HAVING AN AREA OF 398,231.9 SQUARE FEET OR 9.142 ACRES, MORE OR LESS.

Discussion: Old Dominion Freight Line (ODFL) requests the consolidation of the two parcels located at 2544 South 32nd Street to combine the two lots into one with a combined area of 398,232 square feet. The frontage of the lot was originally platted as the Sleepy Traveler Addition for a proposed RV Park in 2023. The owner has since decided to sell the property to ODFL. The combined lots will serve as a drop yard for commercial trucking, making Muskogee a destination for further industrial and commercial expansion.

Current Zoning & Use: Vacant agricultural land, street frontage is zoned C-1 Local commercial, back half is zoned A Agriculture

Proposed Zoning & Use: I-1 Light Industrial for Commercial Trucking Drop yard for Old Dominion Freight Line.

SW quarter of the NE quarter of Section 4, Township 14 North, Range 18 East of the Indian Meridian.

RECOMMENDATION: Approve the Lot Consolidation



SITE INFORMATION

N/F: HOLMAN RECREATION LLC
2544 SOUTH 32ND STREET,
MUSKOGEE, OKLAHOMA 74401
APN: 510045050
398,232 ± SQUARE FEET, OR 9.142 ± ACRES

DEED DESCRIPTION

THE LAND IS DESCRIBED AS FOLLOWS:
FOR APN/PARCEL ID(S): 510045050
FOR TAX MAP ID(S): 45050 AND 58514
THE N/2 OF THE N/2 OF THE SW/4 OF THE NE/4 OF SECTION 4, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA

AS-SURVEYED DESCRIPTION

A TRACT OF LAND BEING ALL OF LOT 1, BLOCK 1, OF THE SLEEPY TRAVELER ADDITION, FILED IN THE MUSKOGEE COUNTY CLERK'S OFFICE IN PLAT BOOK 4867, PAGE 503, AND A PORTION OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION FOUR (4), TOWNSHIP FOURTEEN NORTH (T14N), RANGE EIGHTEEN EAST (R18E) OF THE INDIAN MERIDIAN, MUSKOGEE COUNTY, OKLAHOMA, TOGETHER BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 1, MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE, THENCE

N88°06'48"E, PASSING THROUGH A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE FOR THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 1 AT A DISTANCE OF 749.94 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 1205.56 FEET TO A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE, THENCE

S01°36'13"E A DISTANCE OF 329.93 FEET TO A POINT MARKED BY A 5/8" REBAR WITH CAP STAMPED "CA 4849" FOUND IN PLACE, THENCE

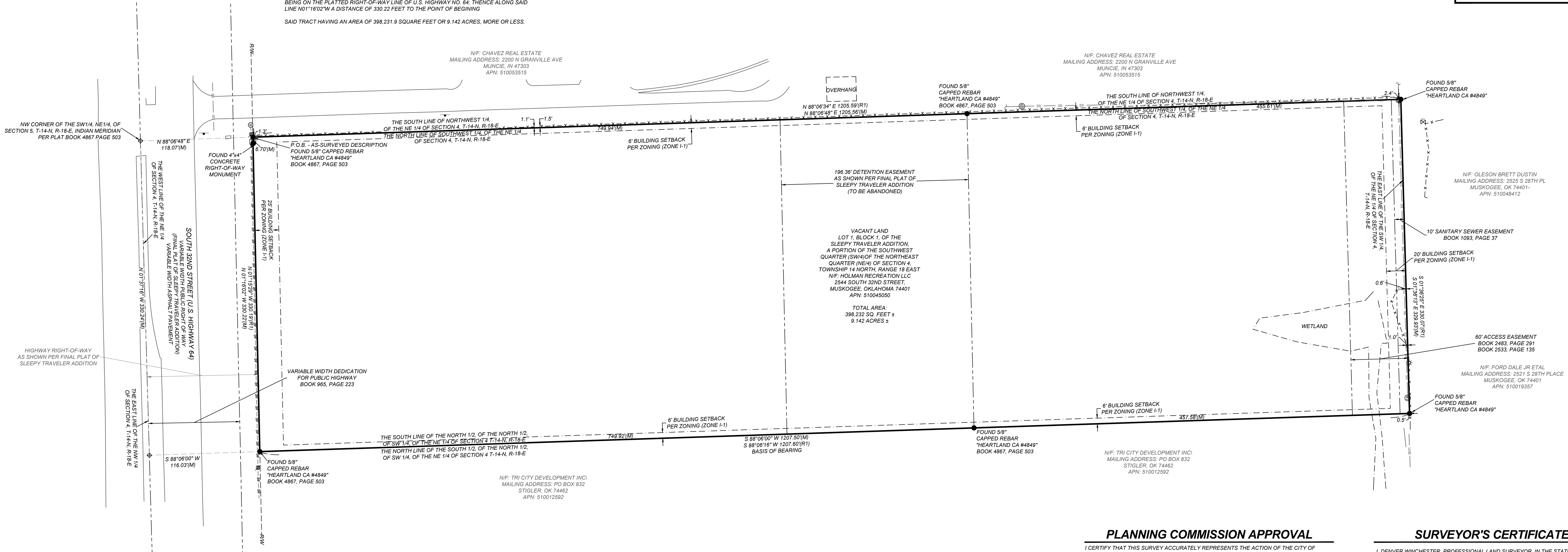
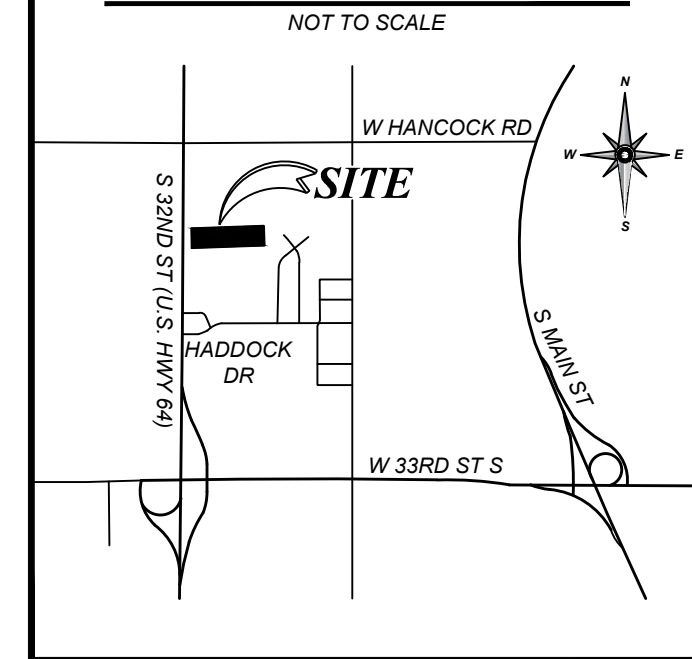
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SAID TRACT HAVING AN AREA OF 398,231.9 SQUARE FEET OR 9.142 ACRES, MORE OR LESS.

LOT CONSOLIDATION SURVEY

2544 SOUTH 32ND STREET,
MUSKOGEE, OKLAHOMA 74401
MUSKOGEE COUNTY

VICINITY MAP



GENERAL NOTES

- 1. SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY.
- 2. DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.
- 3. COMPLETED FIELD WORK WAS DECEMBER 26, 2023.
- 4. THE DISTANCES SHOWN HEREON ARE UNITS OF GROUND MEASUREMENT.
- 5. NAMES AND ADDRESSES OF ADJOINING PROPERTY OWNERS WERE TAKEN FROM MUSKOGEE COUNTY GIS.
- 6. THIS SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- 7. THIS PROJECT WAS COMPLETED UNDER MY DIRECT AND RESPONSIBLE CHARGE FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THIS GROUND SURVEY WAS PERFORMED AT THE 90% CONFIDENCE LEVEL TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS; THAT THIS SURVEY WAS PERFORMED TO MEET THE SPECIFICATIONS FOR TOPOGRAPHIC AND PLANIMETRIC MAPPING CONTAINED IN THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS; THE ORIGINAL DATA WAS OBTAINED AND THAT THE SURVEY WAS COMPLETED ON DECEMBER 26, 2023, AND ALL COORDINATES ARE BASED ON NAD83(2011) EPOCH 2010.0 AND ALL ELEVATIONS ARE BASED ON NAVD83.
- 8. PROPERTY TO BE REZONED TO I-1 - LIGHT INDUSTRIAL. THE I-1, LIGHT INDUSTRIAL DISTRICT IS INTENDED TO ACCOMMODATE MOST TYPES OF INDUSTRIAL DEVELOPMENT AS WELL AS BUSINESS PARKS. THIS DISTRICT IS DESIGNED TO PROTECT RESIDENTIAL AND LESS INTENSIVE COMMERCIAL USES BY LOCATING GENERAL INDUSTRIAL USES IN LOCATIONS REMOVED FROM SUCH RESIDENTIAL OR COMMERCIAL DEVELOPMENT. CERTAIN GENERAL INDUSTRIAL USES THAT MAY TEND TO BE OBJECTIONABLE DUE TO THEIR ODOR, VIBRATIONS, SMOKE, GLARE, HEAT, NOISE OR SIMILAR CHARACTERISTICS ARE PROVIDED AS SPECIAL USES IN THIS DISTRICT.

FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 40101C0235F, WHICH BEARS AN EFFECTIVE DATE OF 02/04/2011 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA
ZONE "X" - AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE "X" IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEE FROM 100-YEAR FLOOD.

BASIS OF BEARING

THE BASIS OF BEARING OF THIS SURVEY IS GRID NORTH (G) BASED ON THE SOUTH LINE OF THE SUBJECT PROPERTY. THE BEARING IS DENOTED AS S88°06'00"W PER GPS COORDINATE OBSERVATIONS OKLAHOMA STATE PLANE, NORTH ZONE NAD83(2011).
LATITUDE = 35°43'18.6047"
LONGITUDE = -95°24'08.1325"
CONVERGENCE ANGLE = -01°31'58.9772"

PLANNING COMMISSION APPROVAL

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

SURVEYOR'S CERTIFICATE

I, DENVER WINCHESTER, PROFESSIONAL LAND SURVEYOR, IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT A SURVEY WAS MADE UNDER MY DIRECT SUPERVISION OF THE HEREON DESCRIBED PROPERTY SITUATE WITHIN MUSKOGEE COUNTY. THE SURVEY WAS MADE ON THE GROUND USING AT LEAST THE MINIMUM STANDARDS OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND FURTHER CERTIFY THAT THIS PLAT MEETS SAID STANDARDS AND ACCURATELY REPRESENTS SAID SURVEY.

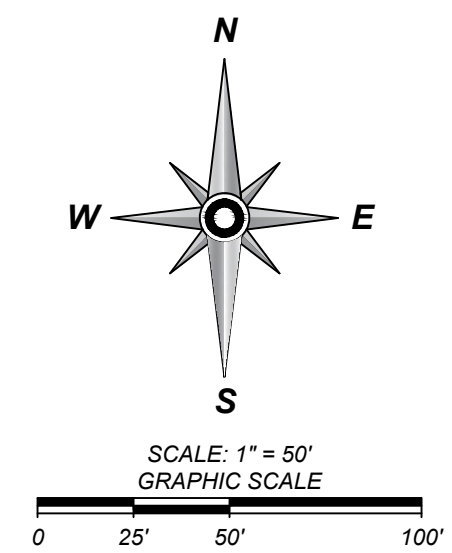
THE FIELD WORK WAS COMPLETED ON 12/26/2023.



DENVER WINCHESTER
PROFESSIONAL LAND SURVEYOR NO. 1952
STATE OF OKLAHOMA
OKLAHOMA COA 5387

LEGEND & SYMBOLS

- FOUND MONUMENT AS-NOTED
- COMPUTED POINT
- ⊕ SIGN
- FIBER OPTIC VAULT
- SANITARY MANHOLE(S/MH)
- ⊗ POWER POLE
- ⊙ WATER METER
- ⊕ IRRIGATION CONTROL VALVE
- ⊕ UTILITY VAULT
- (M) MEASURED/CALCULATED DIMENSION
- (RT) RECORD DIMENSION PER FINAL PLAT OF SLEEPY TRAVELER ADDITION, DATED JULY 17, 2023, FILE NAME: W010865
- N/F NOW OR FORMERLY
- P.O.B. POINT OF BEGINNING
- BOUNDARY LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE
- x-x-x- FENCE LINE
- OVERHEAD POWER LINE
- UNDERGROUND SANITARY SEWER LINE
- UNDERGROUND STORM DRAIN LINE
- EDGE OF WATER
- SETBACK LINE



DATE	REVISION HISTORY	BY

BLEW & ASSOCIATES, P.A.
3825 N. SHILOH DRIVE - FAYETTEVILLE, AR 72703
EMAIL: SURVEY@BLEWINC.COM
OFFICE: 479.443.4506 FAX: 479.582.1883
WWW.BLEWINC.COM

SURVEYOR JOB NUMBER: 23-8131.02
SURVEY DRAWN BY: CKL/ST - 03/19/2024
SURVEY REVIEWED BY: DW
SHEET: 1 OF 1

Planning Commission

3.

Meeting Date: 06/03/2024

Initiator: Jody King, Planning Director

Information

AGENDA ITEM TITLE:

Consider a recommendation to the City Council on a specific use permit for the property located at 117 North Junction Street, or take other necessary action. (Jody King)

LEGAL DESCRIPTION:

Lot 16, Block 1, Alta Vista Addition, City of Muskogee, Muskogee County, State of Oklahoma, containing 7005.5 square feet or 0.16 acres, more or less.

BACKGROUND:

Mr. Shawn Gandy has applied for a specific use permit for the location at 117 N Junction Street. His proposed use is a medical marijuana dispensary. Being in a properly zoned location, the use is allowed by the City of Muskogee City Code.

Current Zoning & Use: C-1 Local Commercial, Vacant (Old Barber Shop)

Proposed Zoning & Use: C-1 Local Commercial, Medical Marijuana Dispensary

SW quarter of the SW quarter of Section 22, Township 15 North, Range 18 West of the Indian Meridian.

RECOMMENDED STAFF ACTION:

Recommend Approval

Fiscal Impact

Attachments

Staff Report

Planning & Community Development Staff Report

- City of Muskogee Planning & Zoning Commission, Monday, June 3, 2024 at 9:00 A.M.
- City of Muskogee Public Works Committee, Monday, June 3, 2024 at 5:30 P.M.
- City of Muskogee City Council Meeting, Monday, June 3, 2024 at 5:30 P.M.

Location: City of Muskogee City Hall, 229 W Okmulgee Ave., 3rd Floor Council Chambers

Consider approval of the specific use permit for the property located at 117 N Junction.

Planning Department Analysis

- Current Zoning & Use: C-1 Local Commercial, Vacant (Old Barber Shop)
- Proposed Zoning & Use: C-1 Local Commercial, Medical Marijuana Dispensary
- SW quarter of the SW quarter of Section 22, Township 15 North, Range 18 West of the Indian Meridian.
- Street Address: 117 North Junction Street

Legal Description:

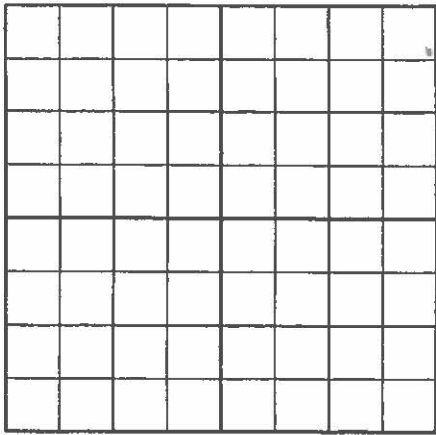
Lot 16, Block 1, Alta Vista Addition, City of Muskogee, Muskogee County, State of Oklahoma, containing 7005.5 square feet or 0.16 acres, more or less.

Discussion:

Mr. Shawn Gandy has applied for a specific use permit for the location at 117 N Junction Street. His proposed use is a medical marijuana dispensary. Being in a properly zoned locations, the use is allowed by the City of Muskogee City Code.

RECOMMENDATION: Approve the Specific Use Permit

SITE PLAN



LOCATION MAP

LEGAL DESCRIPTION

Lot 16, Block 1, Alta Vista Addition, City of Muskogee, Muskogee County, State of Oklahoma, containing 7005.5 square feet or 0.16 acres, more or less.

SEC. _____ T _____ N, R _____ E

SCALE: 1" = 30'

● = IRON PIN

—x— = FENCE

BROADWAY AVENUE

SET MAG NAIL WITH FLASHER

SET 5/8" IRON PIN

S88°33'12"W

50.00'

CONCRETE PARKING LOT

140.00'

S1°25'06"E

7005.5 SQ FT ±
0.16 ACRES ±

140.00'

SIDEWALK

140.00'

SIDEWALK

12.6'

12.5'

6.2'

1.0'

1.0'

1-STORY BRICK BLDG

JUNCTION STREET

FOUND 3/8" IRON PIN

ASPHALT ALLEYWAY

SET 5/8" IRON PIN

N88°33'12"E

50.00'

In compliance with state code, title 245-15-13-2-C-11 only easements and rights-of-way's provided to the surveyor are shown.

Bearings are based on NAD83 Oklahoma State Plane Coordinate System.

3/5/2024

Tony Robison

TONY ROBISON, LAND SURVEYOR NO. 1686

Heartland Surveying & Mapping, PLLC

CA #4849

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

(918) 682-7796

115 N JUNCTION ST, MUSKOGEE OK

DATE: 2/27/24

THIS SURVEY MEETS OKLAHOMA MINIMUM SURVEY STANDARDS.



This survey was performed without the benefit of a title commitment being furnished and may contain easements or rights of ways not shown.

W.O.# 11926

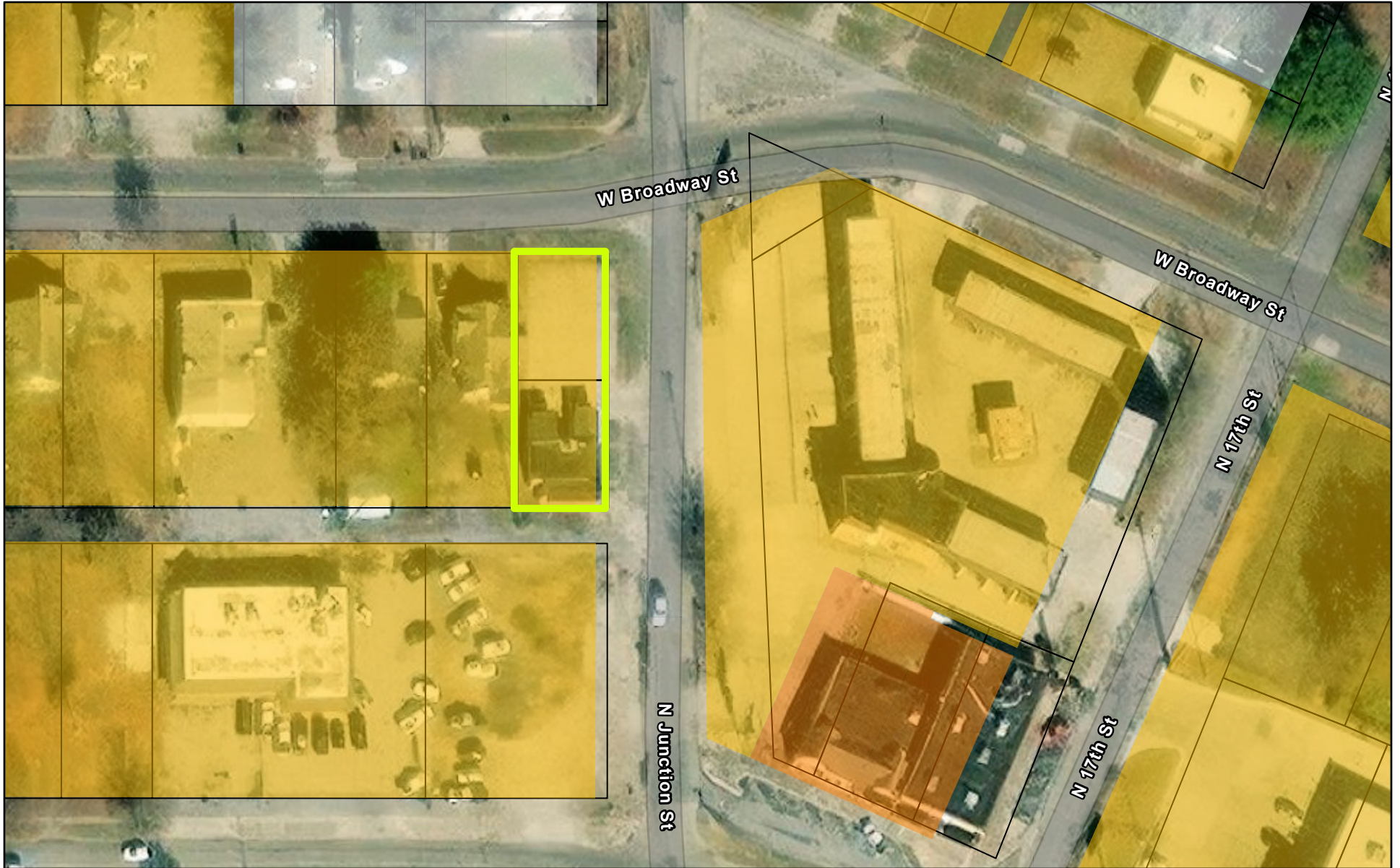
SURVEYED BY: JT/AC

DRAWN BY: JB

Last Site Visit: 2/16/24

FILE NAME
Mar 05, 2024 - 1:19pm
S:\CAD - HEARTLAND-FILES\W011926.dwg

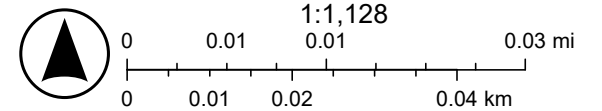
Specific Use Permit Site & Zoning Map-117 N Junction St.



5/28/2024

- Zoning Districts
- Muskogee County Parcels
 - R-1
 - C-1
 - C-2
 - World Imagery
 - Low Resolution 15m Imagery
 - High Resolution 60cm Imagery

- High Resolution 30cm Imagery
- Citations
- 30cm Resolution Metadata



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Jody King, MPA
City of Muskogee Planning & Community Development Department

Planning Commission

4.

Meeting Date: 06/03/2024

Initiator: Jody King, Planning Director

Information

AGENDA ITEM TITLE:

Consider a recommendation to the City Council on the specific use permit for the property located at 1617 B North York Street, or take other necessary action.

LEGAL DESCRIPTION:

Tract 1 and 2 in Bailey's Acreage Addition to the City of Muskogee, according to the official plat thereof, Muskogee County, State of Oklahoma, Less street thereof.

BACKGROUND:

Mr. Jason Bushlow has applied for a specific use permit for the location at 1617 B North York Street. His proposed (existing) use is a medical marijuana grow. This location is not properly zoned for the use. Being currently zoned I-1 Light Industrial does not allow for medical marijuana grows as a permitted or even a special use. However, this existing business was operating under different ownership prior to Ordinance No. 4179-A, § 1, 2-27-2023, that permitted medical marijuana grows to only be located in agricultural zoning districts. Since the use has continued on under new ownership, the use of the land as a medical marijuana grow is considered a legally nonconforming use (grandfathered) under the City of Muskogee Code of Ordinances. Even though the land use has remained the same, the new owner is required to obtain a specific use permit before a certificate of compliance can be issued (90-23-01(D)).

- Current Zoning & Use: I-1 Light Industrial, Medical Marijuana Grow, a legally conforming use.
- Proposed Zoning & Use: I-1 Light Industrial, Medical Marijuana Grow, a legally conforming use.
- NW quarter of the SE quarter of Section 24, Township 15 North, Range 18 West of the Indian Meridian.
- Street Address: 1617 B North York Street

RECOMMENDED STAFF ACTION:

Recommend Approval

Fiscal Impact

Attachments

Staff Report

Planning & Community Development Staff Report

- **City of Muskogee Planning & Zoning Commission, Monday, June 3, 2024 at 9:00 A.M.**
- **City of Muskogee Public Works Committee, Monday, June 3, 2024 at 5:30 P.M.**
- **City of Muskogee City Council Meeting, Monday, June 3, 2024 at 5:30 P.M.**

Location: City of Muskogee City Hall, 229 W Okmulgee Ave., 3rd Floor Council Chambers

Consider approval of the specific use permit for the property located at 1617 B North York Street.

Planning Department Analysis

- **Current Zoning & Use:** I-1 Light Industrial, Medical Marijuana Grow, a legally nonconforming use.
- **Proposed Zoning & Use:** I-1 Light Industrial, Medical Marijuana Grow, a legally nonconforming use.
- **NW quarter of the SE quarter of Section 24, Township 15 North, Range 18 West of the Indian Meridian.**
- **Street Address:** 1617 B North York Street

Legal Description:

Tract 1 and 2 in Bailey's Acreage Addition to the City of Muskogee, according to the official plat thereof, Muskogee County, State of Oklahoma, Less street thereof.

Discussion:

Mr. Jason Bushlow has applied for a specific use permit for the location at 1617 B North York Street. His proposed (existing) use is a medical marijuana grow. This location is not properly zone for the use. Being currently zoned I-1 Light Industrial does not allow for medical marijuana grows as a permitted or even a special use. However, this existing business was operating under different ownership prior to Ordinance No. 4179-A, § 1, 2-27-2023, that permitted medical marijuana grows to only be located in agriculture zoning districts. Since the use has continued on under new ownership, the use of the land as a medical marijuana grow is considered a legally nonconforming use (grandfathered) in under the City of Muskogee Code of Ordinances. Even though the land use has remained the same, the new owner is required to obtain a specific use permit before a certificate of compliance can be issued (90-23-01(D)).

RECOMMENDATION: Approve the Specific Use Permit

Specific Use Permit-Bushlow-1617 B N York Street

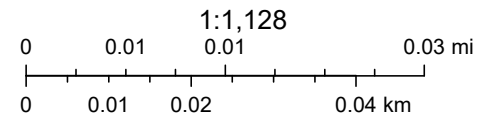


5/28/2024

- Zoning Districts
- PP
 - C-1
 - C-2
 - I-1
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