

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: THURSDAY, AUGUST 12, 2024

AGENDA
PLANNING AND ZONING COMMISSION
SEPTEMBER 16, 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 the Planning Commission meeting minutes of August 19, 2024, or take other necessary action.
2. Consider approval of the request for a lot consolidation from 3906 River Bend Road to the property located at 3608 North Country Club Circle, or take other necessary action.

ADJOURN

Planning Commission

1.

Meeting Date: 09/16/2024

Initiator: Josie Graves, Admin I

Information

AGENDA ITEM TITLE:

Consider approval of the Planning Commission meeting minutes of August 19, 2024, or take other necessary action.

LEGAL DESCRIPTION:

BACKGROUND:

RECOMMENDED STAFF ACTION:

Fiscal Impact

Attachments

24-0816 Minutes

MINUTES
OF THE PLANNING AND ZONING COMMISSION
OF THE CITY OF MUSKOGEE, OKLAHOMA
MET IN COUNCIL CHAMBERS OF CITY HALL
AUGUST 19, 2024

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on August 19, 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:

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 and Community Development
Sarah Winkle, Deputy Director of Planning and Community Development
Schuyler Carter, Associate Planner

Attendees: Wanda Brown , 11st Street property owner
Shelley Leckwee, Applicant Hancock and Folts Ln.
Traci McGee, Muskogee Citizen

- 1 Consider approval of the Planning Commission meeting minutes of August 5, 2024, or take necessary action.

Motion was made by Commissioner Cynthia Kennedy, seconded by Commissioner Lori Jefferson to approve the Planning Commission meeting minutes of August 5, 2024.

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

- 2 Consider approval of the request for a lot split from the Charles Pearson Trust located at 3906 River Bend Road into two (2) tracts, or take other necessary action. (Jody King)

Jody King gave a description and reason for the lot split. Stating the north lot will split off a triangular portion and convey it to the property owner to the south. Then, on September 4th, we will hold a Special Call Planning Commission meeting where they will be consolidating the smaller tract into the larger tract. Acknowledging, both property owners are related to one another and are simply wanting to straighten out the property line and recommends approving the request.

Motion was made by Commissioner Judith Hoffman, seconded by Commissioner Cynthia Kennedy to approve the request for a lot split from the Charles Pearson Trust located at 3906 River Bend Road into two (2) tracts.

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

- 3 Hold a public hearing and consider a recommendation to the City Council for approval of a request for a Specific Use Permit to allow for a kennel (pet boarding) in a C-2 General Commercial Zoning District located near Hancock Street and Foltz Lane, or take other necessary action. (Jody King)

Shelley Leckwee described her dream in taking care of pets and how Muskogee would benefit from her boarding availability.

Also stating that she is working to do things the right way with sanitation and insulation for noise. Her intent is not to upset the neighbors, she would like to be part of and work with the community and grow with Muskogee.

Jody King describes how this item has gone through the Board of Adjustment to get a Special Use exception due to our use chart stating for commercial businesses this is not a permitted use, its a Special Use. Meaning, the applicants' plans would be heard and meet the minimum requirements of Kennel Requirements found in Chapter 14-133 Kennel Requirements, of the City of Muskogee Code of Ordinances, to be allowed for this business to operate in the current zoning district, C-2, may be allowed to operate. Additionally, follow all requirements and conform to specific standards required and outlined by the City of Muskogee Code of Ordnaances before a Certificate of Occupancy can be issued.

Russel Sain asked as to how much property this be on?

Jody King stated the platted area is about 5 acres, with the Doggy facility on the front half, and would like to put her home on the back half.

Discussion follows.

Alexis Wallace arrived at 9:11AM

Motion was made by Vice Chair D'Elbie Walker, seconded by Commissioner Lori Jefferson to approve the Kennel Pet Boarding in a C-2 General Commercial zoning district as long as it meets the required recommendations.

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

Carried - Unanimously

- 4 Hold a public hearing and consider a recommendation to the City Council for approval of Ordinance No. 4240-A, a rezone request from R-1 Single Family, R-4 Multi-Family, R-5 Mobile Home, and C-1 Local Commercial to a Planned Unit Development (PUD) for property owned by the Urban Renewal Authority in the Factory and Reeves 2 Additions within Section 23, Township 15 North, Range 18 East, and if approved, authorize city staff to update the official city map, or take other necessary action. (Jody King)

Jody King stated this is an official public hearing notice for the Commission to make an official recommendation to City Council on the rezone and to hear any comments from the public.

D'Elbie Walker asks, with a PUD what would they do?

Jody King informs her that it will be a mixed-use residential/ commercial area, where most types of residential and commercial structures would be able to exist with this classification. With the commercial located in the northern part and the residential located in the southern part. The residential areas can range from single-family detached dwellings to large-scale multifamily apartments. The Planning and Community Development docket is extremely open to accommodate any type of development and architectural style to help promote the redevelopment of the area. This would not include mobile homes.

Alexis Wallace asked who the Urban Renewal Authority is?

Jody King clarified who the Urban Renewal Authority is and what parcels are owned by the city.

Jody King also states there is one commercial economic developer that is looking at block 5 of the factory addition, east of Five Below.

Wanda Brown voiced her concern over property that is not the City's, would be taken by the City, to be include in the PUD Planned Unit Development.

Jody King clarified that only property that is not privately owned would be included in the PUD Planned Unit Development.

Tracy McGee asked to have Jody King clarify what a PUD Planned Unit Development is.

Jody King Clarified what a PUD Planned Unit Development is.

Tracy McGee asked if this PUD would implement an HOA.

Jody explained how an HOA is typically an agreement between the city and a housing development. An HOA would not be prohibited but also not mandated.

Alexis Wallace asked if property owners around the PUD Planned Urban Development, would have the opportunity to do a rezone like this.

Jody King states this planning and development is being written and left open, any property owners surrounding the PUD Planned Urban Development are allowed to rezone their property to take advantage of the development opportunity.

Betty Blackwell arrived at 9:21AM

Motion was made by Vice Chair D'Elbie Walker, seconded by Commissioner Cynthia Kennedy recommend to the City Council for approval of Ordinance No. 4240-A, a rezone request from R-1 Single Family, R-4 Multi-Family, R-5 Mobile Home, and C-1 Local Commercial to a Planned Unit Development (PUD) for property owned by the Urban Renewal Authority in the Factory and Reeves 2 Additions within Section 23, Township 15 North, Range 18 East.

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

Carried - Unanimously

- 5 Hold a public hearing and consider a recommendation to the City Council for approval of Ordinance 4241-A, a request for Right-of-Way (ROW) closures within property owned by the Urban Renewal Authority, located in the Factory Addition within Section 23, Township 15 North, Range 18 East, and if approved, authorize city staff to update the official city map, or take other necessary action. (Jody King)

Russel Rain asks for clarification of the addition where the closures would be taking place.

Jody King clarifies the closure is only taking place in the factory addition.

Jody King also clarifies and identifies the location on a map he's provided to the Commission and public.

Alexis Wallace is asking for clarification as to why the closures need to take place.

Jody King states the commercial retailer that was discussed earlier would need to close these rights of ways for the business.

Also stating that Colton's had closed part of 5th Street and we would just be continuing the closure all the way down to Miller Street on 5th Street. Both AT&T and OG&E have agreed to relocate their utility lines if needed. We will be retaining utilities through 5th Street, because AT&T does have a conduit backbone there and cannot relocate.

Cindy Kennedy asked if this would impact a property owner to the east.

Jody King clarified No it will not impact them and 6th Street will remain open.

Motion was made by Commissioner Cynthia Kennedy, seconded by Commissioner Betty Blackwell recommend to the City Council for approval of Ordinance 4241-A, a request for Right-of-Way (ROW) closures within property owned by the Urban Renewal Authority, located in the Factory Addition within Section 23, Township 15 North, Range 18 East and to update the official city map.

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

Carried - Unanimously

There being no further business, the meeting was adjourned.

RUSSELL SAIN, CHAIRPERSON

JOSIE GRAVES, SECRETARY

Planning Commission

2.

Meeting Date: 09/16/2024

Initiator: Josie Graves, Admin I

Information

AGENDA ITEM TITLE:

Consider approval of the request for a lot consolidation from 3906 River Bend Road to the property located at 3608 North Country Club Circle, or take other necessary action.

LEGAL DESCRIPTION:

TRACT I A PARCEL OF LAND BEING ALL OF LOT 17 RIVER BEND II SUBDIVISION, MUSKOGEE COUNTY, OKLAHOMA AND A PART OF LOT 8 OF RIVER BEND III SUBDIVISION, MUSKOGEE COUNTY OKLAHOMA DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF SAID LOT 17 RIVER BEND II, THENCE N02° 01'24"W 165.28 FEET TO THE NW CORNER OF SAID LOT 17 ALSO BEING THE SW CORNER OF SAID LOT 8 RIVER BEND III, THENCE N88°28'45"E ALONG A STEEL FENCE 155.70 FEET TO A POINT ON THE EAST LINE OF SAID LOT 8, 20.52 FEET NORTH OF THE SE CORNER THEREOF, THENCE S01°39'20"E 165.91 FEET TO THE SE CORNER OF SAID LOT 17, THENCE S88°43'37"W 145.33 FEET TO A POINT OF CURVE, THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 280.00 FEET, A DISTANCE OF 9.31 FEET TO THE POINT OF BEGINNING. CONTAINING 25,699 S.F. OR 0.59 ACRES TRACT 2 A PART OF LOT 8, RIVER BEND SUBDIVISION, MUSKOGEE COUNTY OKLAHOMA, DESCRIBED AS BEGINNING AT THE SW CORNER OF SAID LOT 8, THENCE N02°01'24"W 165 FEET TO THE NW CORNER OF SAID LOT 8, THENCE N88°06'42"E 66.09 FEET, THENCE ON A CURVE RIGHT HAVING A RADIUS OF 290 FEET, A DISTANCE OF 92.15 FEET TO THE NE CORNER OF SAID LOT 8, THENCE S01°39'20"W 151.40 FEET TO A POINT THAT IS 20.52 FEET NORTH OF THE SE CORNER OF SAID LOT 8, THENCE S88°28'45"W 155.70 FEET TO THE POINT OF BEGINNING. CONTAINING 25,450.S.F.OR 0.58 ACRES

BACKGROUND:

Background: Mr. and Mrs. Bruce and Shirley Shropshire (Tract 1) are requesting the lot consolidation of a split portion of property owned by the Charles Pearson Trust at 3609 River Bend Rd. (Tract 2). The portion of Tract 2 to be added to Tract 1 was split and conveyed to the Shropshire's to make the platted parcels more uniform and even in size. The approximate size both tracts after the lot split and consolidation is roughly 24,000 square feet, more or less.

RECOMMENDED STAFF ACTION:

Approve the Lot Split and Consolidation.

Fiscal Impact

Attachments

24-0916 3608 N Country Club Cir Lot Split & Consolidation
Quit Claim Deed

Planning & Community Development Staff Report

Consider approval of the request for a lot consolidation from 3906 River Bend Road to the property located at 3608 North Country Club Circle, or take other necessary action.

Planning Department Analysis

- Current Zoning & Use: R-1 Single Family Residential, Residential Use
- Property Address:
 - Lot Split Address – 3608 North Country Club Circle (tract 1)
 - Lot Consolidation Address – 3609 River Bend Road (tract 2)
- SW quarter of Section 8, Township 15 North, Range 19 East

Meeting Information:

- City of Muskogee Planning & Zoning Commission on Monday, September, 16, 2024 at 9:00 A.M. in Council Chambers on the Third Floor of City Hall located at 229 West Okmulgee Street, Muskogee, Oklahoma 74401

Legal Description:

TRACT I

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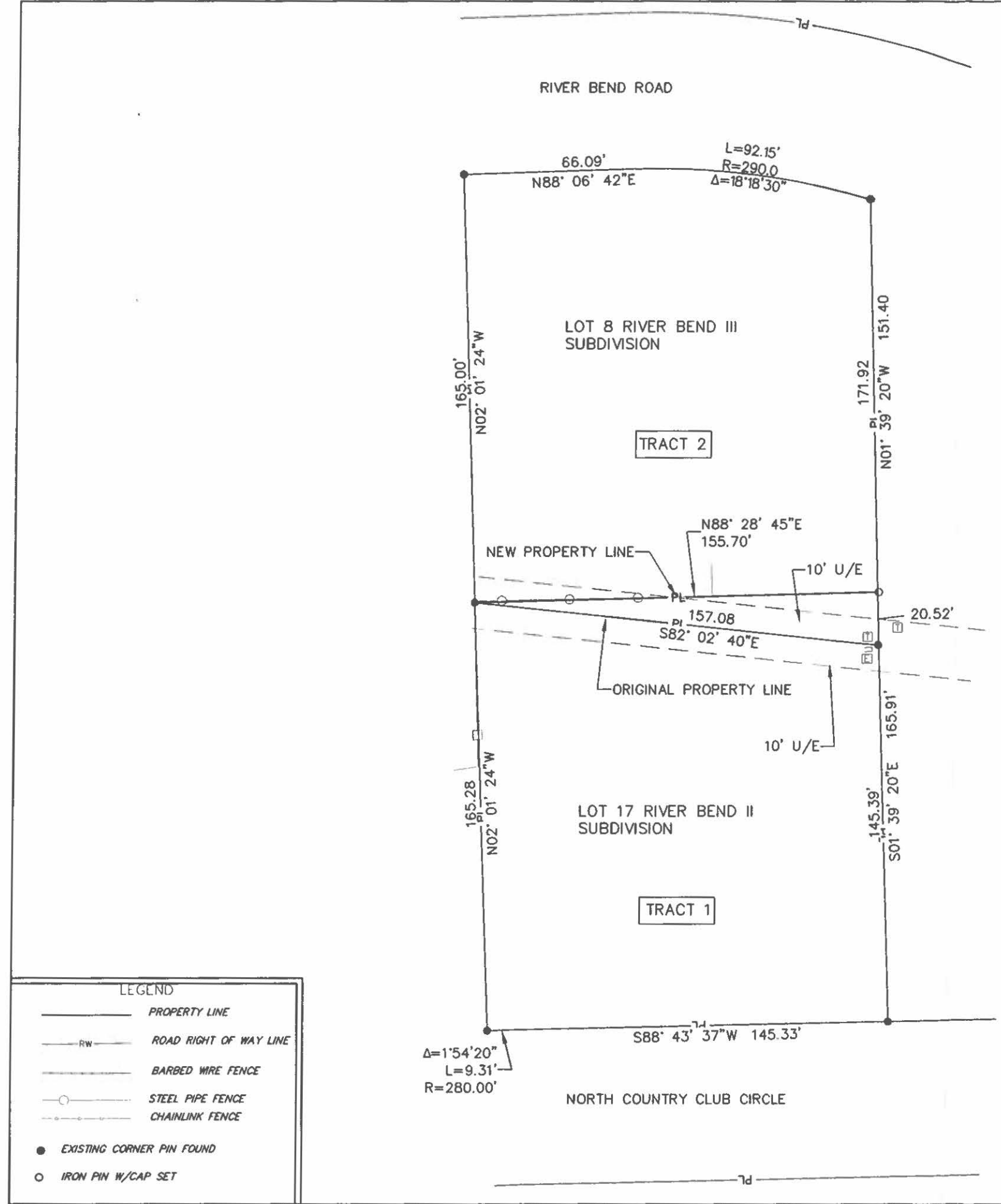
TRACT 2

A PART OF LOT 8, RIVER BEND SUBDIVISION, MUSKOGEE COUNTY OKLAHOMA, DESCRIBED AS BEGINNING AT THE SW CORNER OF SAID LOT 8, THENCE N02°01'24"W 165 FEET TO THE NW CORNER OF SAID LOT 8, THENCE N88°06'42"E 66.09 FEET, THENCE ON A CURVE RIGHT HAVING A RADIUS OF 290 FEET, A DISTANCE OF 92.15 FEET TO THE NE CORNER OF SAID LOT 8, THENCE S01°39'20"W 151.40 FEET TO A POINT THAT IS 20.52 FEET NORTH OF THE SE CORNER OF SAID LOT 8, THENCE S88°28'45"W 155.70 FEET TO THE POINT OF BEGINNING. CONTAINING 25,450.S.F.OR 0.58 ACRES

Background:

Mr. and Mrs. Bruce and Shirley Shropshire (Tract 1) are requesting the lot consolidation of a split portion of property owned by the Charles Pearson Trust at 3609 River Bend Rd. (Tract 2). The portion of Tract 2 to be added to Tract 1 was split and conveyed to the Shropshire's to make the platted parcels more uniform and even in size. The approximate size both tracts after the lot split and consolidation is roughly 24,000 square feet, more or less.

RECOMMENDATION: **Approve the Lot Split and Consolidation**



LOT CONSOLIDATION SURVEY

LEGAL DESCRIPTION

TRACT 1
A PARCEL OF LAND BEING ALL OF LOT 17 RIVER BEND II SUBDIVISION, MUSKOGEE COUNTY, OKLAHOMA AND A PART OF LOT 8 OF RIVER BEND III SUBDIVISION, MUSKOGEE COUNTY OKLAHOMA DESCRIBED AS FOLLOWS:
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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 CERTIFICATION

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 PLS 1352 DATE- 6/13/24

HOLLOWAY UPDIKE AND BELLEN

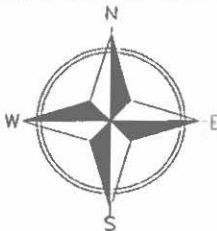


818 E. S. BLVD
MUSKOGEE OKLAHOMA 74402

OKLAHOMA C.A. NO. 219 EX-06/2023
PH 918 682 7811

LOT CONSOLIDATION
CLIENT: BRUCE AND SHIRLEY SHROPSHIRE
ADDRESS: 5730 ROLLING OAKS DR.
MUSKOGEE OK. 74401
PHONE

BASIS OF BEARINGS
RECORDED PLATS OF
RIVER BEND SUB. II AND
III



DRAWING INFO

DRAWN BY: SCALE 1" = 50'
REVISION DATE-
DATE OF FIELD SURVEY 6/2024





**Quit Claim Deed
Individual**

KNOW ALL MEN BY THESE PRESENTS:

THAT CHARLES D. PEARSON, TRUST

as Grantor(s), in the consideration of the sum of 0 dollars, and other valuable considerations, in hand paid, the receipt of which is hereby acknowledged, do/does hereby quitclaim, grant, bargain, sell, and convey unto:

BRUCE W. SHROPSHIRE & SHIRLEY K. SHROPSHIRE

as Grantee(s), the following described real property and premises situated in MUSKOGEE County, State of Oklahoma to wit:

SEE ATTACHED

together with all and singular the hereditaments and appurtenances thereunto belonging.

TO HAVE AND TO HOLD the above described premises unto the said Grantee(s) and to the heirs, successors and assigns forever.

Signed and delivered this 9th day of September, 2024.

Charles Pearson Bruce Shropshire
James D. Pearson Shirley Shropshire

Individual Acknowledgement

State of Oklahoma)

County of Muskogee, ss.

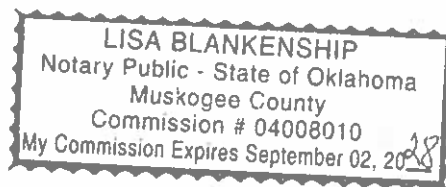
This document was acknowledged before me this 9th day of September, 2024.

personally appeared Charles Pearson James Pearson Bruce Shropshire Shirley Shropshire to me known to be the identical person(s) who executed the within and foregoing document, and acknowledged such as a free and voluntary act.

Given under my hand and seal the day and year last above written.

My commission expires: 9/2/2028

Lisa Blankenship
NOTARY PUBLIC



LOT CONSOLIDATION SURVEY

LEGAL DESCRIPTION

A PARCEL OF LAND BEING ALL OF LOT 17 RIVER BEND II SUBDIVISION, MUSKOGEE COUNTY, OKLAHOMA AND A PART OF LOT 8 OF RIVER BEND III SUBDIVISION, MUSKOGEE COUNTY OKLAHOMA DESCRIBED AS FOLLOWS:

BEING AN 1/8 AC. SW CORNER OF SAID LOT 17, MYRLE BEING A BEARING AND 101.24' AND 163.20 FEET TO THE NW CORNER OF SAID LOT 17 ALSO BEING THE SW CORNER OF SAID LOT 8, MYRLE BEING A BEARING AND 84.45' ALONG A STEEL TOWER 155.10 FEET TO A POINT ON THE EAST LINE OF SAID LOT 8, 205.52 FEET NORTH TO THE SE CORNER THEREOF, BEING S89.59' TO 165.91 FEET TO THE SE CORNER OF SAID LOT 17, BEING S68.33' TO 155.55 FEET TO A POINT OF CONTACT THERE, BEING S68.33' TO 155.55 FEET TO A POINT OF 260.00' BEING A BEARING AND 9.31 FEET TO A BEARING CONTAINING 32.89 S.E. OR 0.39 ACRES

PART OF LOT 8, RIVER BESS SUBDIVISION, MISSISSAUGA COUNTY, ONTARIO, DESCRIBED AS BEGINNING AT THE SW CORNER OF SAID LOT 8, THENCE N60°04'24" E 185 FEET TO THE NW CORNER OF SAID LOT 8, THENCE N60°04'24" E 86.08 FEET, THENCE ON A CURVE RIGHT HAVING A RADIUS OF 280 FEET, A DISTANCE OF 92.15 FEET TO THE NE CORNER OF SAID LOT 8, THENCE S01°39'20" E 151.40 FEET TO A POINT THAT IS 20.52 FEET NORTH OF THE SE CORNER OF SAID LOT 8, THENCE S88°28'45" E 153.70 FEET TO THE POINT OF BEGINNING, CONTAINING 23.460351 OR 0.36 ACRES

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 CERTIFICATION

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

CHARLES W. CHASTAIN JUL 1882 DATE

2/13/24

HOLLOWAY UPOIKE AND BULLEN



818 E. S. BLVD
MUSKOGEE OKLAHOMA 74402

ONTARIO C.A. NO. 219 EX-06/2023
PM 010 602 7811

LOT CONSOLIDATION

CLIENT: BRUCE AND SHIRLEY
SHROPSHIRE

ADDRESS: 5730 ROLLING OAKS DR.
MUSKOGEE OK. 74401

PHONE

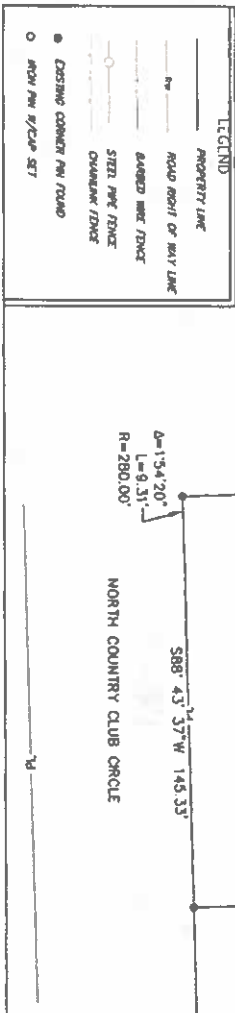
BASIS OF BEARINGS
RECORDED PLATS OF
RIVER BEND SUB. II AND
III



DRAWING INFO

DRAWN BY:	SCALE 1" = 30'
ATTENTION DATE-	

DATE OF FIELD SURVEY 6/2012

[illegible]