

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:

AGENDA
PLANNING AND ZONING COMMISSION
DECEMBER 2, 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 and Zoning Commission Minutes from November 18, 2024, or take other necessary action.
2. Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee to approve ordinance 4244-A, a rezone request for the property located at 118 North K Street, Southwest Section 25, Township 15 North, Range 18 East rezoning the property from C-1 Local Commercial to R-2 Two Family, and if approved, authorize staff to update the official city map. (Jody King)
3. Consider the request for a lot consolidation for the property located at 321 North 15th Street, or take other necessary action. (Jody King)

ADJOURN

Planning Commission

1.

Meeting Date: 12/02/2024

Initiator: Jody King, Planning Director

Information

AGENDA ITEM TITLE:

Consider approval of the Planning and Zoning Commission Minutes from November 18, 2024, or take other necessary action.

LEGAL DESCRIPTION:

BACKGROUND:

Approve previous minutes

RECOMMENDED STAFF ACTION:

Approve minutes

Fiscal Impact

Attachments

Minutes 11/18/2024

MINUTES

OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN COUNCIL CHAMBERS OF CITY HALL NOVEMBER 18, 2024

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on November 18, 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: Schuyler Carter, Associate Planner
Seth Campbell, Assistant City Attorney

Attendees: Roy Lane, Property owner - agenda item 2

- 1 Consider approval of the minutes from the Planning & Zoning Commission Meeting on October 21, 2024, or take other necessary action. (Jody King)

Motion was made by Commissioner Cynthia Kennedy, seconded by Chair Russell Sain

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

- 2 Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee to approve ordinance 4245-A, a rezone request for the property located at 1314 E Okmulgee rezoning the property from C-1 Local Commercial to R-1 Single Family, and if approved, authorize staff to update the official city map, or take other necessary action. (Jody King)

Motion was made by Vice Chair D'Elbie Walker, seconded by Commissioner Judith Hoffman Roy Lane (property owner/applicant) discussed how the house used to be used for a residence, but is currently zoned C-1 and he will either rent the property or sell the property once the remodel is completed.

Chairman Sain asked Jody whether there were other commercial districts around this property. Jody responded in the affirmative explaining that this lot is near other commercially zoned lots. Still, the future land use plan suggests residences as the highest and best use for this area, confirming the applicant's request.

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

JOSIE GRAVES, SECRETARY

Planning Commission

2.

Meeting Date: 12/02/2024

Initiator: Jody King, Planning Director

Information

AGENDA ITEM TITLE:

Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee to approve ordinance 4244-A, a rezone request for the property located at 118 North K Street, Southwest Section 25, Township 15 North, Range 18 East rezoning the property from C-1 Local Commercial to R-2 Two Family, and if approved, authorize staff to update the official city map. (Jody King)

LEGAL DESCRIPTION:

South 50 feet of Lot 3 in Block 440, County of Muskogee, State of Oklahoma

BACKGROUND:

Miriam Ortega has requested a rezone of the property located at 118 North K Street in the City of Muskogee from C-1 Local Commercial to R-2 Two Family. The proposed use of the property will be for a residential duplex. The request conforms to the 2013 Muskogee Comprehensive Plan and Future Land use Plan.

Surrounding Zoning & Land Use

North: C-1 Local Commercial, Single family dwelling

East: C-2. General Commercial, Commercial

South: C-1 Local Commercial, Single family dwelling

West: C-1 Local Commercial, Single family dwelling

Public hearings will be held at the Muskogee City Hall, 3rd Floor Council Chambers, at 229 W Okmulgee, Muskogee, OK 74401 at the following meetings and times:

1. City of Muskogee Planning & Zoning Commission on Monday, December 2, 2024 at 9:00 A.M.

This notice was published in the Muskogee Phoenix for circulation no later than Friday, November 8, 2024 and all property owners within a 300 foot radius of the property were noticed.

RECOMMENDED STAFF ACTION:

Make recommendation to the Muskogee City Council

Fiscal Impact

Attachments

Staff Report

Ordinance No. 4244-A - Draft

Planning & Community Development Staff Report

**City of Muskogee Planning & Zoning Commission, Monday, December 2,
2024 at 9:00 A.M. at City of Muskogee City Hall, 229 W Okmulgee Ave., 3rd
Floor Council Chambers**

Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee to approve ordinance 4244-A, a rezone request for the property located at 118 North K Street, Southwest Section 25, Township 15 North, Range 18 East rezoning the property from C-1 Local Commercial to R-2 Two Family, and if approved, authorize staff to update the official city map.

Planning Department Analysis

- Current Zoning & Use
 - C-1 Local Commercial.
 - Single family dwelling
- Proposed Zoning & Use
 - R-2. Two-family
 - Duplex
- Section, Township, Range
 - Southwest Section 25, Township 15 North, Range 18 East of the Indian Meridian.
- Street Address: 118 North K Street

Legal Description

South 50 feet of Lot 3 in Block 440

Discussion

Miriam Ortega has requested a rezone of the property located at 118 North K Street from C-1 Local Commercial to R-2 Two Family. The proposed use of the property will be for a residential duplex. The request conforms to the 2013 Muskogee Comprehensive Plan and Future Land use Plan.

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RECOMMENDATION: Approve the Rezone Request







118 N K Zoning Map w/ Flood layer

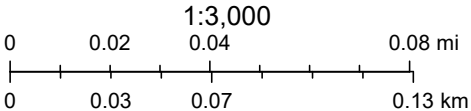


11/18/2024

- Qtr Sect Areas
- Muskogee County Parcels
- S FIRM PAN
- Zoning Districts

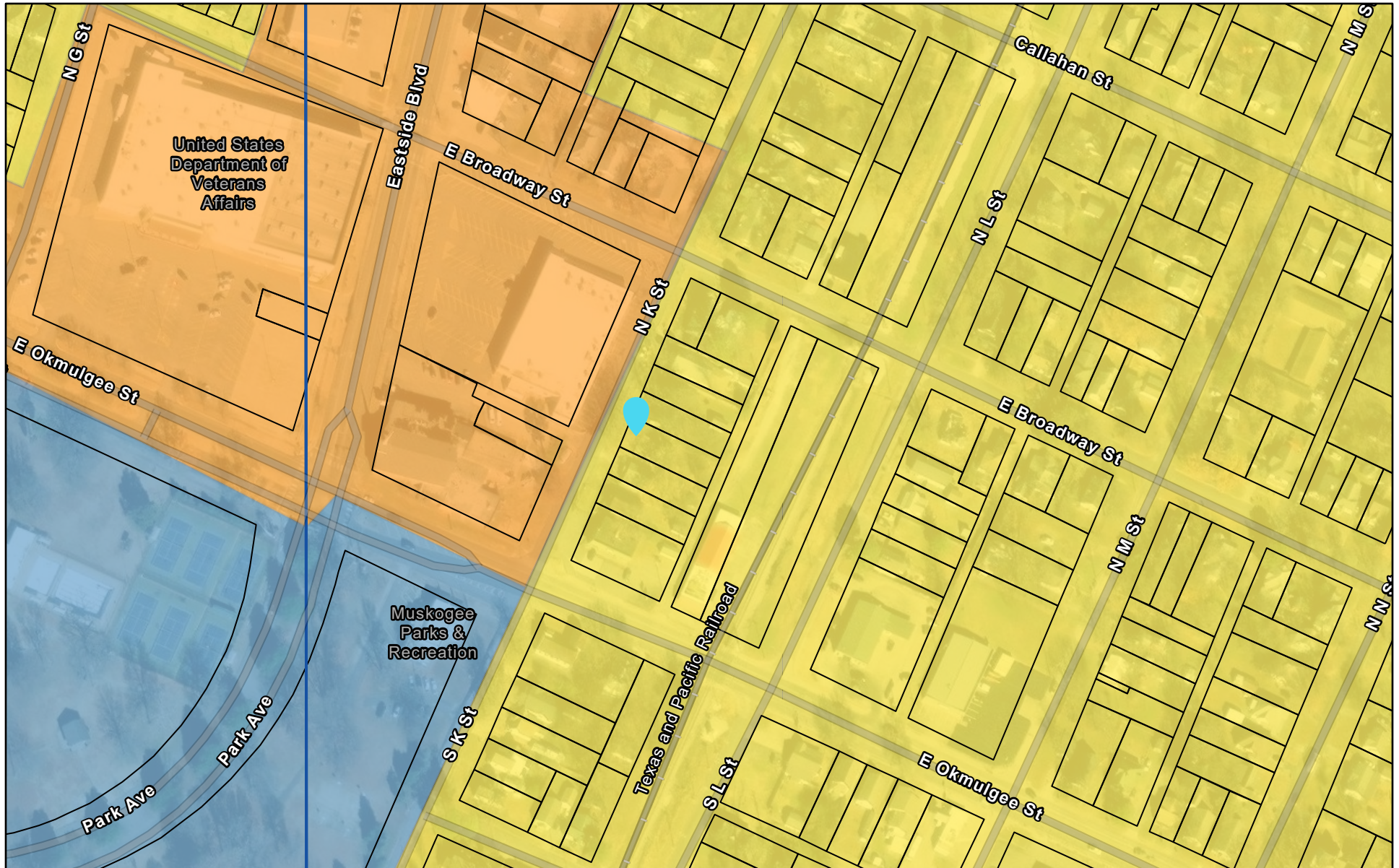
- R-2
- R-4
- C-1
- C-2
- POS
- World Imagery
- Low Resolution 15m Imagery
- High Resolution 60cm Imagery

High Resolution 30cm Imagery
Citations
60cm Resolution Metadata



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City of Muskogee Planning Department

118 N K Future Land Use Map



11/18/2024

Qtr Sect Areas

Muskogee County Parcels

S FIRM PAN

2012 Future Land Use Map

Public & Open Space

Local Commercial

Single Family Residential

World Imagery

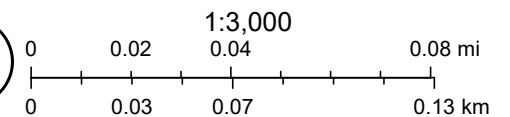
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

60cm Resolution Metadata



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Jody King, MPA
City of Muskogee Planning Department

ORDINANCE NO. 4244-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 AT 118 NORTH K STREET. THE TRACT OF LAND IS IN THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 6,815 SQUARE FEET MORE OR LESS, AND PROVIDING FOR SEVERABILITY. THE PROPERTY IS MORE PARTICULARLY DESCRIBED AS:

South 50 feet of Lot 3 in Block 440

(David Rodriguez, Applicant)

FROM C-1 Local Commercial

TO

R-2 Two-Family

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held Monday, December 2, 2024, 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;

South 50 feet of Lot 3 in Block 440

FROM C-1 Local Commercial

TO

R-2 Two-Family

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.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS _____ DAY OF DECEMBER 2024

W. PATRICK CALE, MAYOR

ATTEST:

TAMMY L. TRACY, CITY CLERK

(SEAL)

APPROVED as to form and legality this ____ day of _____, 20____.

KATRINA BODENHAMER, CITY ATTORNEY

Planning Commission

3.

Meeting Date: 12/02/2024

Initiator: Jody King, Planning Director

Information

AGENDA ITEM TITLE:

Consider the request for a lot consolidation for the property located at 321 North 15th Street, or take other necessary action. (Jody King)

LEGAL DESCRIPTION:

TRACT I

LOT 3, BLOCK 203, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA.
CONTAINING 0.32 ACRES or 114,032 SQUARE FEET, MORE OR LESS.

BACKGROUND:

- Current Zoning & Use: R-1 Single Family Residential, Residential Use
- Property Address:
 - Lot Consolidation Address – 321 North 15th Street (tract 1)
- Southwest quarter of Section 22, Township 15 North, Range 18 East

The applicant is requesting the lot consolidation of their adjacent lot. The proposed lot consolidation will rejoin the two parcels of lot 3 to its original plattedd lot.

For the proposed consolidated parcel, there is an additional proposed building to be built once consolidated. With the addition of the proposed building, the number of accessory structures will exceed the permitted allowance. Therefore a variance will be required prior to the issuance of a building permit and filing of the lot consolidation with the county. Additionally, there is an existing fence that separates the adjoining lots which will need to be moved to the outer boundary parallel to Denison Street. The approximate size both tracts after the lot consolidation is roughly 14,032 square feet, more or less.

RECOMMENDED STAFF ACTION:

Approval of Lot Consolidation. Filing to be conditional upon review and issuance of a building permit and inspection of the relocated fence.

Fiscal Impact

Attachments

Staff Report

Planning & Community Development Staff Report

Consider the request for a lot consolidation for the property located at 321 North 15th Street, or take other necessary action.

Planning Department Analysis

- Current Zoning & Use: R-1 Single Family Residential, Residential Use
- Property Address:
 - Lot Consolidation Address – 321 North 15th Street (tract 1)
- Southwest quarter of Section 22, Township 15 North, Range 18 East

Meeting Information:

- City of Muskogee Planning & Zoning Commission on Monday, December 2, 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

LOT 3, BLOCK 203, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA.
CONTAINING 0.32 ACRES or 114,032 SQUARE FEET, MORE OR LESS.

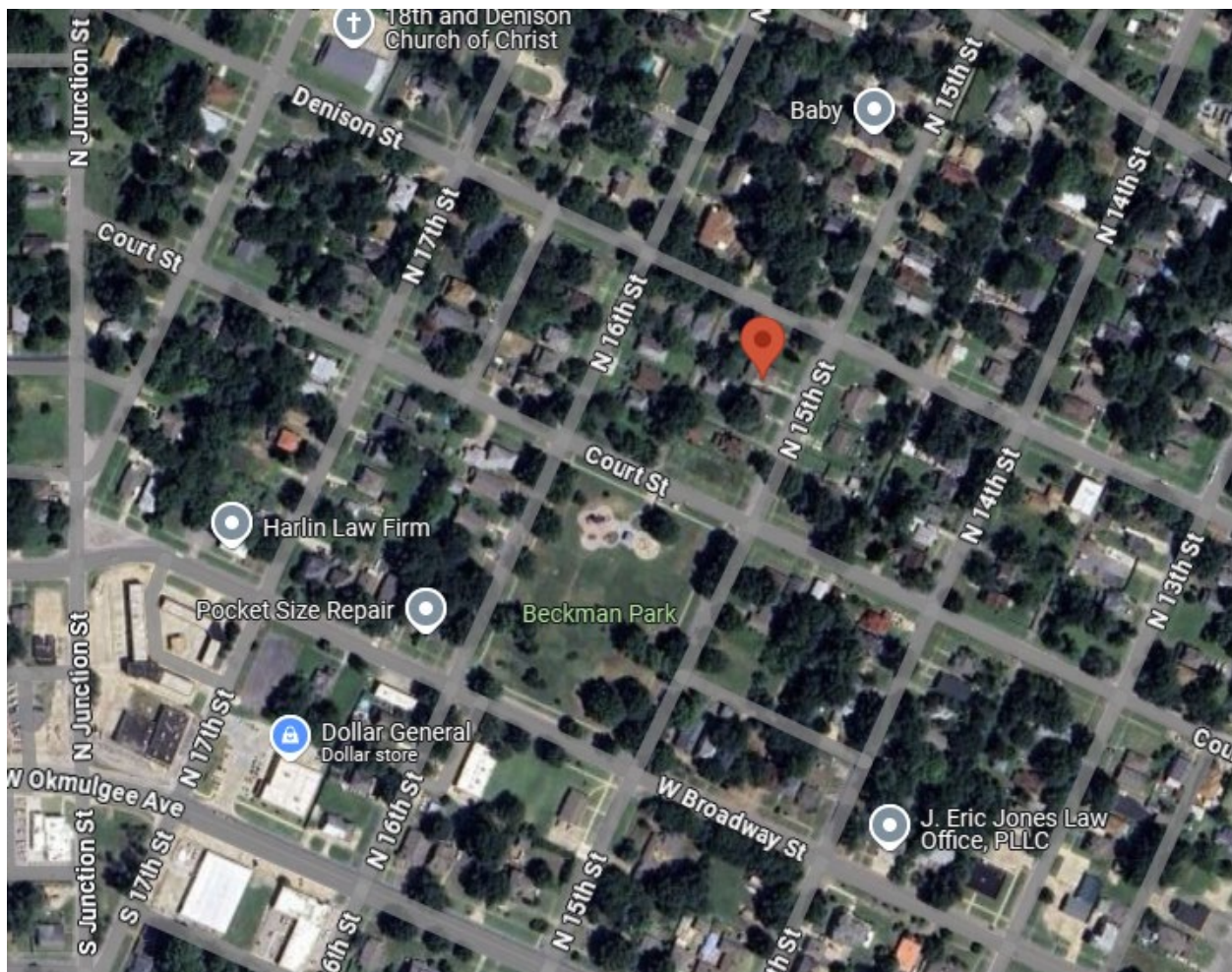
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For the proposed consolidated parcel, there is an additional proposed building to be built once consolidated. With the addition of the proposed building, the number of accessory structures will exceed the permitted allowance. Therefore a variance will be required prior to the issuance of a building permit and filing of the lot consolidation with the county.

Additionally, there is an existing fence that separates the adjoining lots which will need to be moved to the outer boundary parallel to Denison Street. The approximate size both tracts after the lot consolidation is roughly 14,032 square feet, more or less.

RECOMMENDATION: Approval of Lot Consolidation. Filing to be conditional upon review and issuance of a building permit and inspection of the relocated fence.





LOT CONSOLIDATION

LEGAL DESCRIPTION

TRACT 1

LOT 3, BLOCK 203, CITY OF MUSKOGEE, MUSKOGEE COUNTY, STATE OF OKLAHOMA.
CONTAINING 0.32 ACRES OR 14,032 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 _____.

Planning Commission Chairman

Date

LOCATION MAP

SEC. 22 T 15 N, R 18 E

SHEET SIZE 8.5x14

SCALE: 1" = 30'

● = Iron Pin

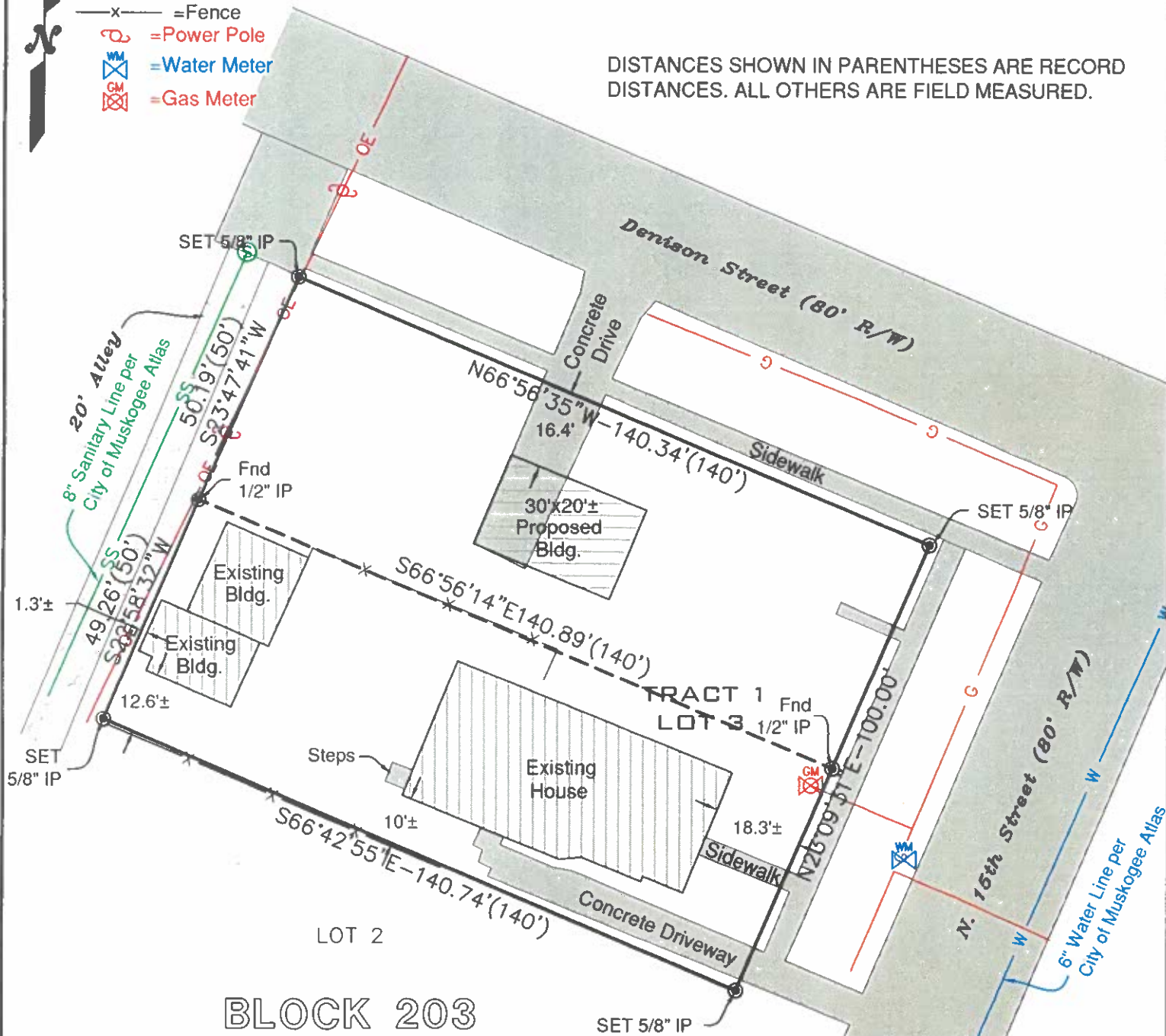
—x— = Fence

⊕ = Power Pole

⊕ = Water Meter

⊕ = Gas Meter

DISTANCES SHOWN IN PARENTHESES ARE RECORD
DISTANCES. ALL OTHERS ARE FIELD MEASURED.



BLOCK 203

11/8/2024

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

FOR: LESTER BEASLEY
321 N. 15th St., Muskogee
DATE: 10/30/2024

W.O.# 12608
SURVEYED BY: AC/BE
DRAWN BY: AM
Last Site Visit: 10/28/24



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.

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

FILE NAME
Nov 08, 2024 - 12:20pm
S:\CAD - HEARTLAND-FILES\W012608.dwg

Zoning & Parcel Map for 321 N 15th St.



11/21/2024

Historic Districts

- Founders' Place Historic District
- Qtr Sect Areas
- Muskogee County Parcels

Zoning Districts

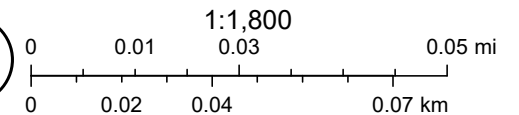
- R-1
- R-4
- PP

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City of Muskogee Planning Department