

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: 02/28/2025

AGENDA
PLANNING AND ZONING COMMISSION
MARCH 4, 2025

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 minutes from the Planning & Zoning Commission Meeting on December 2, 2024, or take necessary action.
2. Consider approval of the minutes from the Planning & Zoning Commission Meeting on February 4, 2025, or take other necessary action.
3. Consider approval of the minutes from the Planning & Zoning Commission Meeting on February 19, 2025, or take other necessary action. (Sarah Winkle)
4. Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee to approve ordinance 4246-A , a rezone request for the property located at 3800 South Cherokee Drive rezoning the property from R-1 Single Family to R-A. Agricultural Residential, and if approved, authorize staff to update the official city map.

5. Hold a public hearing and consider a recommendation to the City Council regarding Resolution No. 3023, Future Land Use Amendment, for the property located at 1305 South 32nd Street. (Sarah Winkle)
6. Hold a public hearing and consider a recommendation to the City Council regarding Ordinance 4252-A, a rezone request for the property located at 1305 South 32nd Street, rezoning the property from C-1 Local Commercial and C-2 General Commercial to C-2 General Commercial, and if approved, authorize staff to update the official city map. (Sarah Winkle)

ADJOURN

RUSSEL SAIN, CHAIRPERSON

CORINNE STOREY, SECRETARY

Planning Commission

1.

Meeting Date: 03/04/2025

Initiator: Corinne Storey, Admin I

Information

AGENDA ITEM TITLE:

Consider approval of the minutes from the Planning & Zoning Commission Meeting on December 2, 2024, or take necessary action.

LEGAL DESCRIPTION:

BACKGROUND:

Consider approval of the minutes from the Planning & Zoning Commission Meeting on December 2, 2024.

RECOMMENDED STAFF ACTION:

Approve minutes.

Fiscal Impact

Attachments

Minutes

MINUTES

OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN COUNCIL CHAMBERS OF CITY HALL DECEMBER 2, 2024

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on December 2, 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; Judith Hoffman, Commissioner; Cynthia Kennedy, Commissioner; Lori Jefferson, Commissioner

Absent: D'Elbie Walker, Vice Chair; Betty Blackwell, Commissioner; Alexis Wallace, Commissioner

Staff Present: Jody King, Director of Planning
Sarah Winkle, Deputy Director of Planning
Schuyler Carter, Associate Planner
Corrine Storey, Planning Office Administrator

Attendees: Tom Winters, 118 N K St. Rezone
Scott Winters, 118 N K St. Rezone
Lester Beasley, 321 N 15th St. Lot Consolidation

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

Motion was made by Commissioner Cynthia Kennedy, seconded by Commissioner Judith Hoffman

AYE: Chair Russell Sain, 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 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)

Motion was made by Commissioner Lori Jefferson, seconded by Commissioner Judith Hoffman Jody King, Director of Planning presented the item to the commission. The property owner Tom Winters spoke to the history of the property. The property was a single family residence that burnt down. Since then, the lot has set vacant and zoned commercial. The request for rezone is to build a duplex.

Commissioner Hoffman asked for clarity on the lot being vacant, and the property owner responded in the affirmative.

Chairman Sain asked Jody if this rezone would conform with the upcoming comprehensive plan in which Jody responded in the affirmative.

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

Carried - Unanimously

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

Motion was made by Commissioner Lori Jefferson, seconded by Commissioner Cynthia Kennedy Jody presented the item for the lot consolidation Specifying the need for the fence to be relocated to the expanded lot, also confirming the lot consolidation would revert the existing lots to the original platted lot.

Chairman Sain asked if this property was in the historic district, Jody answered in the affirmative. Chairman Sain asked if the building of the accessory structure would need a COA (Certificate of Appropriateness). Jody will look into the COA further, Jody directed Mr. Beasley to Deputy Director Sarah Winkle.

Commissioner Jefferson asked why the existing fence needs to be moved. Jody responded that the fence by code must be located along the property line.

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

Carried - Unanimously

There being no further business, the meeting was adjourned.

RUSSELL SAIN, CHAIR

CORINNE STOREY, SECRETARY

Planning Commission

2.

Meeting Date: 03/04/2025

Initiator: Corinne Storey, Admin I

Information

AGENDA ITEM TITLE:

Consider approval of the minutes from the Planning & Zoning Commission Meeting on February 4, 2025, or take other necessary action.

LEGAL DESCRIPTION:

BACKGROUND:

Consider approval of the minutes from the Planning & Zoning Commission Meeting on February 4, 2025.

RECOMMENDED STAFF ACTION:

Approve minutes.

Fiscal Impact

Attachments

02/04/2025 Minutes

MINUTES

OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN COUNCIL CHAMBERS OF CITY HALL FEBRUARY 4, 2025

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on February 4, 2025, 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; Betty Blackwell, Commissioner; Judith Hoffman, Commissioner; Cynthia Kennedy, Commissioner; Lori Jefferson, Commissioner

Absent: Alexis Wallace, Commissioner

Staff Present: Corinne Storey, Secretary
Schuyler Carter, Associate Planner
Sarah Winkle, Deputy Director of Planning

Attendees: Monica Yahuitl, 807 North C Street
George Collins, 805 Kershaw Dr.
Micheal Graham, 3800 S. Cherokee Dr.
Juliet Graham, 3800 S. Cherokee Dr.
Mark Draughon, 3800 S. Cherokee Dr.
Dale Boots, 3800 S. Cherokee Dr.

- 1 Consider the request for a lot consolidation for the property located at 807 North C Street, or take other necessary action. (Sarah Winkle)

Russell Sain opened the item to public hearing.

Monica Yahuitl, the property owner, was there to speak on the property located at 807 North C Street. She stated that she would like to put up a fence if the lot consolidation gets approved.

Russell Sain closed the item to public hearing.

Motion was made by Vice Chair D'Elbie Walker, seconded by Commissioner Cynthia Kennedy to approve lot consolidation for the property located at 807 North C Street.

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

Carried - Unanimously

- 2 Consider the request for a lot split for the property located at 805 Kershaw Drive, or take other necessary action. (Sarah Winkle)

Motion was made by Vice Chair D'Elbie Walker, seconded by Commissioner Betty Blackwell to approve a lot split for the property located at 805 Kershaw Drive.

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

Carried - Unanimously

- 3 (CONTINUED) Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee to approve ordinance 4246-A, a rezone request for the property located at 3800 South Cherokee Drive rezoning the property from R-1 Single Family to R-A. Agricultural Residential, and if approved, authorize staff to update the official city map.

Item was continued due to publication error. Official action on the item will take place March 4, 2025.

Russell Sain opened the item to public hearing.

Micheal Graham, property owner at 3800 S Cherokee, was there to speak on the property. He stated that he is a local beekeeper and currently has 14 hives. He stated he currently does not have anywhere to process his honey and has resorted to his garage for space. He would like to build a building to store his equipment and process his honey. He also stated his intent to eventually build housing on his property for his 2 children who are on the autism spectrum, indicating the rezone would be dual use.

Juilet Graham spoke on the property, asking the board for approval.

Mark Draughon was there to speak on the property. Mark and his wife are neighbors of 3800 S. Cherokee and live at 200 Carey Pl. Muskogee. He asked the Board for clarity on the purpose of the rezone.

Lori Jefferson came in at this time.

Shuyler Carter informed Mark Draughon about the requirements of animals in specific zones.

Mark Draughon asked if the property owner would only be keeping bees on the property.

Micheal Graham stated that only bees would be kept on the property.

Dale Boots, a neighbor of 3800 S. Cherokee, stated that he is a friend of Mr. and Mrs. Graham and is on board with the rezone request. He stated that he was aware that they are beekeepers and noted that they had cleaned up the property.

Russel Sain closed the item to public hearing.

There being no further business, the meeting was adjourned.

RUSSELL SAIN, CHAIR

CORINNE STOREY, SECRETARY

Planning Commission

3.

Meeting Date: 03/04/2025

Initiator: Corinne Storey, Admin I

Information

AGENDA ITEM TITLE:

Consider approval of the minutes from the Planning & Zoning Commission Meeting on February 19, 2025, or take other necessary action. (Sarah Winkle)

LEGAL DESCRIPTION:

BACKGROUND:

Consider approval of the minutes from the Planning & Zoning Commission Meeting on February 19, 2025.

RECOMMENDED STAFF ACTION:

Approve the minutes.

Fiscal Impact

Attachments

02/19/2025 Minutes

MINUTES

OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN COUNCIL CHAMBERS OF CITY HALL FEBRUARY 19, 2025

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in a Special Call Session at 9:00 a.m., on February 19, 2025, 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; Judith Hoffman, Commissioner; Cynthia Kennedy, Commissioner; Lori Jefferson, Commissioner

Absent: D'Elbie Walker, Vice Chair; Betty Blackwell, Commissioner; Alexis Wallace, Commissioner

Staff Present: Sarah Winkle, Acting Director of Planning & Community Development
Roger Kolman, Acting City Manager

Attendees: Taylor Ogilvie, Items 1-3

- 1 Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee to approve a rezone from R-1 Single Family Residential to I-1 Light Industrial, of the property located in SECTION 16, TOWNSHIP 14 NORTH, RANGE 18 EAST of the INDIAN BASE and MERIDIAN, Muskogee County, State of Oklahoma at West 53rd Street South, City of Muskogee, Muskogee County, State of Oklahoma and if approved, authorize staff to update the official city map. (Sarah Winkle)

Russell Sain opened the item to public hearing.

Taylor Ogilvie was present to speak on the property. He represents the property owner. He is requesting a rezone on the property so it may be annexed into the city and be used for industrial purposes.

Russell Sain closed the item to public hearing.

Motion was made by Commissioner Lori Jefferson, seconded by Commissioner Cynthia Kennedy to recommend approval to the City Council of the City of Muskogee to approve a rezone from R-1 Single Family Residential to I-1 Light Industrial, of the property located in SECTION 16, TOWNSHIP 14 NORTH, RANGE 18 EAST of the INDIAN BASE and MERIDIAN, Muskogee County, State of Oklahoma at West 53rd Street South, City of Muskogee, Muskogee County, State of Oklahoma.

AYE: Chair Russell Sain, 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 a rezone from R-1 Single Family Residential to I-1 Light Industrial, of the property located in the NW SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST of the INDIAN BASE and MERIDIAN and NE SECTION 16, TOWNSHIP 14 NORTH, RANGE 18 EAST of the INDIAN BASE MERIDIAN, MUSKOGEE COUNTY, STATE of OKLAHOMA, also known as 1801 & 2041 West Smith Ferry Road, City of Muskogee, Muskogee County, State of Oklahoma and if approved, authorize staff to update the official city map. (Sarah Winkle)

Motion was made by Commissioner Judith Hoffman, seconded by Commissioner Lori Jefferson to recommend approval to the City Council of the City of Muskogee to approve a rezone from R-1 Single Family Residential to I-1 Light Industrial, of the property located in the NW SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST of the INDIAN BASE and MERIDIAN and NE SECTION 16, TOWNSHIP 14 NORTH, RANGE 18 EAST of the INDIAN BASE MERIDIAN, MUSKOGEE COUNTY, STATE of OKLAHOMA, also known as 1801 & 2041 West Smith Ferry Road, City of Muskogee, Muskogee County, State of Oklahoma.

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

Carried - Unanimously

- 3 Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee to approve a rezone from R-1 Single Family Residential to I-1 Light Industrial, of the property located in the NW SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST of the INDIAN BASE and MERIDIAN, MUSKOGEE COUNTY, STATE of OKLAHOMA and if approved, authorize staff to update the official city map. (Sarah Winkle)

Motion was made by Commissioner Lori Jefferson, seconded by Commissioner Judith Hoffman to recommend approval to the City Council of the City of Muskogee to approve a rezone from R-1 Single Family Residential to I-1 Light Industrial, of the property located in the NW SECTION 15, TOWNSHIP 14 NORTH, RANGE 18 EAST of the INDIAN BASE and MERIDIAN, MUSKOGEE COUNTY, STATE of OKLAHOMA and if approved, authorize staff

to update the official city map.

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

Carried - Unanimously

- 4 Consider the appointment of a member of the Planning Commission to serve as a Representative on the Tax Incentive District Review committee, or take other necessary action. (Russell Sain)

Motion was made by Chair Russell Sain, seconded by Commissioner Judith Hoffman to appointment Cynthia Kennedy to serve as a Representative on the Tax Incentive District Review committee.

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

Carried - Unanimously

There being no further business, the meeting was adjourned.

RUSSELL SAIN, CHAIR

CORINNE STOREY, SECRETARY

Planning Commission

4.

Meeting Date: 03/04/2025

Initiator: Corinne Storey, Admin I

Information

AGENDA ITEM TITLE:

Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee to approve ordinance 4246-A , a rezone request for the property located at 3800 South Cherokee Drive rezoning the property from R-1 Single Family to R-A. Agricultural Residential, and if approved, authorize staff to update the official city map.

LEGAL DESCRIPTION:

THE SOUTH 125.00 FEET OF THE WEST 697.00 FEET OF THE S/2 N/2 NW/4 SW/4 OF SECTION 11, T14N, R18E OF THE I.B.M., MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 2.00 ACRES, MORE OR LESS.

BACKGROUND:

Planning Department Analysis

- Current Zoning & Use
 - R-1. Single Family
 - Single Family Dwelling
- Proposed Zoning & Use
 - R-A. Agricultural Residential.
 - Single Family Dwelling
- Street Address: 3800 South Cherokee Drive

Surrounding Zoning & Land Use

North: R-1. Single-family, Single family dwelling

East: R-1. Single-family, Single family dwelling

South: R-1. Single-family, Single family dwelling

West: Outside of zoning boundaries

Discussion

The applicants have requested a rezone of the property located at 3800 South Cherokee Drive from R-1 Single Family to R-A Residential Agricultural. The proposed use of the property will be for the erection of an accessory dwelling unit and apiary barn. The request conforms to the 2013 Muskogee Comprehensive Plan and Future Land use Plan.

RECOMMENDED STAFF ACTION:

Approve the Rezone Request

Fiscal Impact

Attachments

Planning & Community Development Staff Report

Agenda Item Title:

Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee to approve ordinance 4246-A , a rezone request for the property located at 3800 South Cherokee Drive rezoning the property from R-1 Single Family to R-A. Agricultural Residential, and if approved, authorize staff to update the official city map.

Meeting Information:

Meetings 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, February 4, 2025 at 9:00 A.M.**
- 2. City of Muskogee City Council on Monday, February 24, 2025 at 5:30 P.M.**

A public hearing will be conducted at the Planning & Zoning Commission meeting. The notice was published in the Muskogee Daily Phoenix no later than Wednesday, January 15, 2025 for a circulation period of 20 days, and all property owners within a 300 foot radius of the property were noticed.

Legal Description:

THE SOUTH 125.00 FEET OF THE WEST 697.00 FEET OF THE S/2 N/2 NW/4 SW/4 OF SECTION 11, T14N, R18E OF THE I.B.M., MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 2.00 ACRES, MORE OR LESS.

Background:

Planning Department Analysis

- Current Zoning & Use
 - R-1. Single Family
 - Single Family Dwelling
- Proposed Zoning & Use
 - R-A. Agricultural Residential.
 - Single Family Dwelling
- Street Address: 3800 South Cherokee Drive

Surrounding Zoning & Land Use

North: R-1. Single-family, Single family dwelling

East: R-1. Single-family, Single family dwelling

South: R-1. Single-family, Single family dwelling

West: Outside of zoning boundaries

Discussion

The applicants have requested a rezone of the property located at 3800 South Cherokee Drive from R-1 Single Family to R-A Residential Agricultural. The proposed use of the property will be for the erection of an accessory dwelling unit and apiary barn. The request conforms to the 2013 Muskogee Comprehensive Plan and Future Land use Plan.

RECOMMENDATION: Approve the Rezone Request



ORDINANCE NO. 4246-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 3800 SOUTH CHEROKEE DRIVE. THE TRACT OF LAND IS IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 14 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 81,190 SQUARE FEET MORE OR LESS, AND PROVIDING FOR SEVERABILITY. THE PROPERTY IS MORE PARTICULARLY DESCRIBED AS:

THE SOUTH 125.00 FEET OF THE WEST 697.00 FEET OF THE S/2 N/2 NW/4 SW/4 OF
SECTION 11, T14N, R18E OF THE I.B.M., MUSKOGEE COUNTY, STATE OF
OKLAHOMA. CONTAINING 2.00 ACRES, MORE OR LESS.

(Grasshopper Holdings Series 11, LLC, Applicant)

FROM R-1. Single Family

TO

R-A. Agricultural Residential

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held Monday, February 4, 2025 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;

THE SOUTH 125.00 FEET OF THE WEST 697.00 FEET OF THE S/2 N/2 NW/4 SW/4 OF
SECTION 11, T14N, R18E OF THE I.B.M., MUSKOGEE COUNTY, STATE OF OKLAHOMA.
CONTAINING 2.00 ACRES, MORE OR LESS.

FROM R-1. Single Family

TO

R-A. Agricultural Residential

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 _____ 2025.

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

5.

Meeting Date: 03/04/2025

Initiator: Corinne Storey, Admin I

Information

AGENDA ITEM TITLE:

Hold a public hearing and consider a recommendation to the City Council regarding Resolution No. 3023, Future Land Use Amendment, for the property located at 1305 South 32nd Street. (Sarah Winkle)

LEGAL DESCRIPTION:

The East Half of the Northeast Quarter of the Northwest Quarter LESS 1.05 acres for Highway in Section 33, Township 15 North, Range 18 East of the Indian Base and Meridian, Muskogee County, State of Oklahoma.

BACKGROUND:

Planning Department Analysis

- Current Zoning & Use
 - C-1 Local Commercial, C-2 General Commercial
 - Commercial Use, Vacant Land
- Proposed Zoning & Use
 - C-2 General Commercial
 - Commercial Use
- Street Address: 1305 South 32nd Street

Surrounding Zoning & Land Use

North: C-2. General Commercial, Commercial Use

East: R-5. Mobile Home, Single family dwelling

South: R-A. Agricultural Residential, Vacant Land

West: R-1. Single Family, Single Family Dwelling

RECOMMENDED STAFF ACTION:

Recommend approval to City Council of Resolution No. 3023.

Fiscal Impact

Attachments

Resolution No. 3023

RESOLUTION NO. 3023

A RESOLUTION APPROVING AN AMENDMENT TO THE FUTURE LAND USE MAP FOR THE CITY OF MUSKOGEE FROM A C-1 LOCAL COMMERCIAL AND C-2 GENERAL COMMERCIAL DISTRICT TO A REGIONAL COMMERCIAL DISTRICT.

WHEREAS, the City Planning Commission and the Muskogee City Council have adopted the Future Land Use Map; and

WHEREAS, the Future Land Use Map functions as the comprehensive plan in consideration of matters affecting the orderly urbanization of the community; and

WHEREAS, Title 11, Section 43-103, Oklahoma State Statutes, requires zoning districts to be in accordance with the comprehensive plan (Future Land Use Map); and

WHEREAS, the Future Land Use Map recognizes that changes may occur in the community which may cause the necessity of amending said plan; and, WHEREAS, a public hearing has been held on MARCH 4, 2025, before the City Planning Commission on the property described in Section 1 hereof; and

WHEREAS, in accordance with Title 11 Oklahoma Statutes, Section 43-105, the Muskogee City Council shall approve any amendment to the Land Use Plan. NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Muskogee, Oklahoma, that:

SECTION 1. An amendment to the Future Land Use Map from a C-1 LOCAL COMMERCIAL AND C-2 GENERAL COMMERCIAL DISTRICT TO A REGIONAL COMMERCIAL DISTRICT located on the tract of land described as:

The East Half of the Northeast Quarter of the Northwest Quarter LESS 1.05 acres for Highway in Section 33, Township 15 North, Range 18 East of the Indian Base and Meridian, Muskogee County, State of Oklahoma.

PASSED and APPROVED by the Mayor and Council of the City of Muskogee this _____ day of MARCH 2025.

W. PATRICK CALE, MAYOR

ATTEST:

TAMMY L. TRACY, CITY CLERK

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

KATRINA BODENHAMER, CITY ATTORNEY

Planning Commission

6.

Meeting Date: 03/04/2025

Initiator: Corinne Storey, Admin I

Information

AGENDA ITEM TITLE:

Hold a public hearing and consider a recommendation to the City Council regarding Ordinance 4252-A, a rezone request for the property located at 1305 South 32nd Street, rezoning the property from C-1 Local Commercial and C-2 General Commercial to C-2 General Commercial, and if approved, authorize staff to update the official city map. (Sarah Winkle)

LEGAL DESCRIPTION:

The East Half of the Northeast Quarter of the Northwest Quarter LESS 1.05 acres for Highway in Section 33, Township 15 North, Range 18 East of the Indian Base and Meridian, Muskogee County, State of Oklahoma.

BACKGROUND:

Planning Department Analysis:

The current zoning & use of the property is C-1 Local Commercial, C-2 General Commercial. Commercial Use, Vacant Land

The proposed zoning & use of the property is C-2 General Commercial. Commercial Use
Property Street Address: 1305 South 32nd Street.

Surrounding Zoning & Land Use

North: C-2. General Commercial, Commercial Use

East: R-5. Mobile Home, Single family dwelling

South: R-A. Agricultural Residential, Vacant Land

West: R-1. Single Family, Single Family Dwelling Discussion.

The applicant has requested a rezone of the property located 1305 South 32nd Street from C-1 Local Commercial and C-2 General Commercial to C-2 General Commercial. The proposed use of the property will be for the erection of a travel center. The contents of the travel center currently include but is not limited to the following: fueling and servicing, washing, restaurants, etc. The request conforms to the 2013 Muskogee Comprehensive Plan and Future Land use Plan.

RECOMMENDED STAFF ACTION:

Recommend approval to City Council of the rezone.

Fiscal Impact

Attachments

Staff Report

Ordinance

Planning & Community Development Staff Report

Agenda Item Title:

Hold a public hearing and consider a recommendation to the City Council of the City of Muskogee to approve ordinance 4252-A, a rezone request for the property located at 1305 South 32nd Street rezoning the property from C-1 Local Commercial and C-2 General Commercial to C-2 General Commercial, and if approved, authorize staff to update the official city map.

Meeting Information:

Meetings 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 March 4, 2025 at 9:00 A.M.**
- 2. City of Muskogee Public Works Meeting March 10, 2025 at 5:30 P.M.**
- 3. City of Muskogee City Council on March 24, 2025 at 5:30 P.M.**

A public hearing will be conducted at the Planning & Zoning Commission meeting. The notice was published in the Muskogee Daily Phoenix no later than Wednesday, February 11, 2025 for a circulation period of 20 days, and all property owners within a 300 foot radius of the property were noticed.

Legal Description:

The East Half of the Northeast Quarter of the Northwest Quarter LESS 1.05 acres for Highway in Section 33, Township 15 North, Range 18 East of the Indian Base and Meridian, Muskogee County, State of Oklahoma.

Background:

Planning Department Analysis

- Current Zoning & Use
 - C-1 Local Commercial, C-2 General Commercial
 - Commercial Use, Vacant Land
- Proposed Zoning & Use
 - C-2 General Commercial
 - Commercial Use

- Street Address: 1305 South 32nd Street

Surrounding Zoning & Land Use

North: C-2. General Commercial, Commercial Use

East: R-5. Mobile Home, Single family dwelling

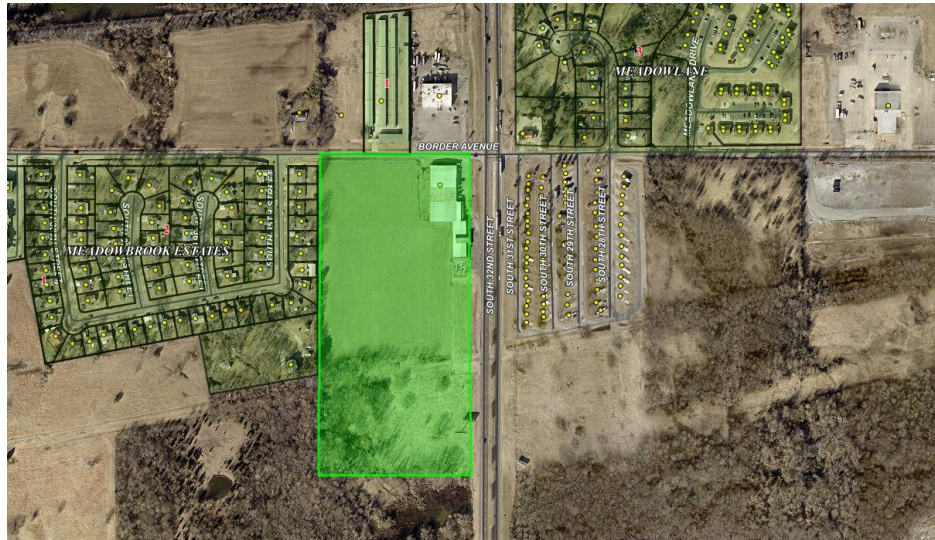
South: R-A. Agricultural Residential, Vacant Land

West: R-1. Single Family, Single Family Dwelling

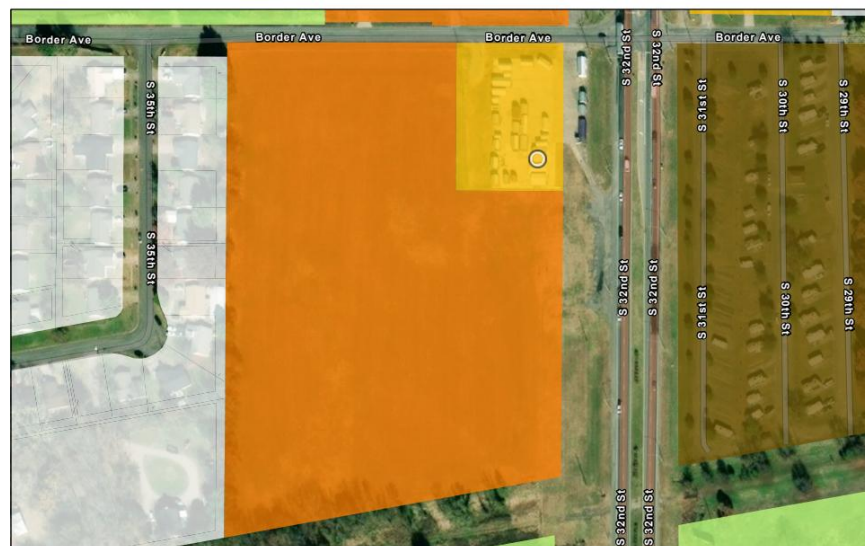
Discussion

The applicant has requested a rezone of the property located 1305 South 32nd Street from C-1 Local Commercial and C-2 General Commercial to C-2 General Commercial. The proposed use of the property will be for the erection of a travel center. The contents of the travel center currently includes but is not limited to the following: fueling and servicing, washing, restaurants, etc. The request conforms to the 2013 Muskogee Comprehensive Plan and Future Land use Plan.

RECOMMENDATION: Recommend Approval to City Council of the Rezone Request



City of Muskogee Zoning Map



1/23/2025

Zoning Districts
A
R-1

R-5
C-1
C-2

World Imagery

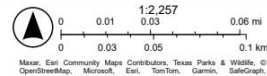
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

60cm Resolution Metadata



Maxar, Esri, Community Maps Contributors, Texas Parks & Wildlife, © OpenStreetMap contributors, Microsoft, Esri, TomTom, Garmin, SwatchGraph

ORDINANCE NO. 4252-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 1305 SOUTH 32ND STREET. THE TRACT OF LAND IS IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA. CONTAINING 819,464 SQUARE FEET MORE OR LESS, AND PROVIDING FOR SEVERABILITY. THE PROPERTY IS MORE PARTICULARLY DESCRIBED AS:

THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER LESS 1.05 ACRES FOR HIGHWAY IN SECTION 33, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

(Tanner Consulting, LLC, Applicant on behalf of the Property Owner Matthew McClain)

FROM C-1 Local Commercial and C-2 General Commercial

TO

C-2 General Commercial

WHEREAS, the City of Muskogee Planning and Zoning Commission, in a meeting held March 4, 2025 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;

THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER LESS 1.05 ACRES FOR HIGHWAY IN SECTION 33, TOWNSHIP 15 NORTH, RANGE 18 EAST OF THE INDIAN BASE AND MERIDIAN, MUSKOGEE COUNTY, STATE OF OKLAHOMA.

FROM C-1 Local Commercial and C-2 General Commercial

TO

C-2 General Commercial

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 MARCH 2025.

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