

MINUTES
City of Muskogee Planning and Zoning Commission
February 5, 2018

Members of the City of Muskogee Planning and Zoning Commission were called to order at a Regular Scheduled Meeting on Monday, February 5, 2018 at 9:00 a.m., in the Council Chambers, 3rd Floor of the Municipal Building, 229 W. Okmulgee Ave., Muskogee, Oklahoma.

Present: Commissioner Jack Bethany; Commissioner Mark Luttrull; Commissioner Shirley Hilton-Flanary; Commissioner Patrick Cale

Absent: Commissioner Lathon Archie III; Commissioner Justin Walker; Commissioner Stella Derrick

Staff Present: Gary D. Garvin, Director of Planning and Economic Development; Tish Callahan, Assistant City Planner; Susan Ross, Office Administrator

1 Roll Call- Susan Ross

2 Chairman Mark Luttrull called for approval of the Minutes of the January 16, 2018 Planning and Zoning Commission meeting.

Motion was made by Commissioner Jack Bethany, seconded by Commissioner Patrick Cale

AYE: Commissioner Jack Bethany, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary

Other: Commissioner Mark Luttrull (ABSTAIN)

Carried

3 Gary D. Garvin, Planning Director, presented the staff report on the request from Catholic Charities, St. Joseph Church, to consolidate part of Lot 7 and 8, Block 193, City of Muskogee, into one tract, or take other necessary action. Mr. Garvin stated the Lot Consolidation is being requested to allow an addition onto the existing building. The existing building is being used as a Helping Center and the addition will be used for food storage, break-room, and office space. The new tract will consist of 15, 838 square feet. Mr. Garvin stated that the properties comply with all of the area regulations within the Zoning Ordinance and staff recommends approval.

Motion was made by Commissioner Jack Bethany, seconded by Commissioner Shirley Hilton-Flanary

AYE: Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary
Carried - Unanimously

4 Chairman Mark Luttrull opened the Public Hearing.

Gary D. Garvin, Planning Director, presented the staff report on the request from Leveta Goad for approval of an Ordinance rezoning the property located at 2312 Augusta Street, more particularly described in the Ordinance, from "C-1" Local Commercial District to "R-1" Single-Family Residential, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change. Mr. Garvin stated the applicant Leveta Goad, is requesting the property to be rezoned to allow the property to be developed residentially with single-family dwellings. The Comprehensive Plan/Land Use Map, adopted by the City of Muskogee, indicates single-family residential within this area. Therefore, the request to rezone to "R-1" Single-Family Residential complies with the Comprehensive Plan and Land Use Map and staff recommends approval.

There were no citizens present to address the Planning and Zoning Commission.

Chairman Mark Luttrull closed the Public Hearing.

Motion was made by Commissioner Jack Bethany, seconded by Commissioner Shirley Hilton-Flanary

AYE: Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary
Carried - Unanimously

5 Chairman Mark Luttrull opened the Public Hearing

Gary D. Garvin, Planning Director, presented the staff report on the request from David and Susan Vanderford for approval of an Ordinance rezoning the property located on North Country Club Road, between Chandler Road and Gibson Street, more particularly described in the Ordinance, from "A" Agriculture District to "C-1" Local Commercial District, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change. The applicants are requesting the property located on North Country Club Road be rezoned to allow for a banquet facility. The Comprehensive Plan/Land Use Map, adopted by the City of Muskogee, indicates Transitional Residential (transition between industrial/commercial and residential) within this area. Therefore, the request to rezone to "C-1" Local Commercial District complies with the Comprehensive Plan and Land Use Map and staff recommends approval.

There were no citizens present to address the Planning and Zoning Commission.

Chairman Mark Luttrull closed the Public Hearing.

Motion was made by Commissioner Patrick Cale, seconded by Commissioner Shirley Hilton-Flanary

AYE: Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary

Carried - Unanimously

6 Chairman Mark Luttrull opened the Public Hearing.

Gary D. Garvin, Planning Director, presented the staff report on the request from Don and Casey David for approval of an Ordinance rezoning the property located on North 54th Street, North of Shawnee Ave, more particularly described in the Ordinance, from "R-1" Single-Family Residential to "R-A" Agriculture Residential, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change. Mr. Garvin stated that the applicants, Don and Casey David, are requesting to rezone the property to allow a large garden, horses and a barn on the property. The Comprehensive Plan/Land Use Map, adopted by the City of Muskogee, indicates agricultural zoning within this area. Therefore, the request to rezone to "R-A" Agriculture Residential complies with the Comprehensive Plan and Land Use Map and staff recommends approval.

There were no citizens present to address the Planning and Zoning Commission.

Chairman Mark Luttrull closed the Public Hearing.

Motion was made by Commissioner Patrick Cale, seconded by Commissioner Jack Bethany

AYE: Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary

Carried - Unanimously

7 Chairman Mark Luttrull opened the Public Hearing.

Gary D. Garvin, Planning Director, presented the staff report on the request from Phillip and Penny Coppin for the approval of an Ordinance rezoning the property located on South Cherokee Street, South of Cherokee Drive, more particularly described in the Ordinance, from "C-1" Local Commercial District to "I-1" Light Industrial District, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change. Mr. Garvin stated that the applicants, Phillip and Penny Coppin, are requesting the property to be rezoned to allow a rental business to be located on the property. Existing storage buildings are located on the property, however due to discontinued use of the storage structure (beyond 90 days) the applicants lost the existing non-conforming use. Therefore, the property is required to be rezoned to allow the rental business. The Comprehensive Plan/Land Use Map, adopted by the City of Muskogee, indicates industrial zoning within this area. Therefore, the request to rezone to "I-1" Light Industrial complies with the Comprehensive Plan and Land Use Map and staff recommends approval.

The applicants, Phillip and Penny Coppin were present to answer any questions from the Board.

Glenn and Sanchesca Mattison, 2813 S. Cherokee St., stated that they are against the rezoning and the opening of a rental storage facility. Mr. Mattison stated that he lives in the house right next to the storage buildings and that there is one shared driveway and that his deed does not disclose easement rights and that a survey was not done when he purchased the house. Mr. Mattison stated he is concerned for his children that play outside and has safety concerns about people being so close to his house.

Veda Weaver, representing her parents, Bill and Betty Jestice, 2810 S. Cherokee St., stated that her parents have lived in their home since 1951 and that her parents are against the rezoning. Ms. Weaver stated that the storage building is in disrepair and people break into the building. Ms. Weaver stated that the rezoning and opening of the storage facility would interfere with her parents living conditions in the once quiet country area.

Phillip and Penny Coppin, applicants, addressed the issues with the Board. Mr. Coppin stated that the driveway is a shared driveway and it is stated in his deed. Mr. Coppin stated that the driveway is 20 ft. wide and that he purchased the property from the bank and would like to sell the property to allow for a rental storage facility. Mr. Coppin stated that he offered to sell the property to Mr. Mattison but could not come to an agreement.

Gary D. Garvin, Planning Director followed up with some of the concerns and stated that all building and Certificate of Occupancy regulations would have to be followed before opening the storage rental facility. These regulations include fencing, installing asphalt or concrete on any place a vehicle would travel at the storage facility. Mr. Garvin also stated that the driveway could not be fenced down the middle or be blocked at any time.

Chairman Mark Luttrull closed the Public Hearing.

Motion was made by Commissioner Patrick Cale, seconded by Commissioner Jack Bethany

AYE: Commissioner Jack Bethany, Commissioner Mark Luttrull, Commissioner Patrick Cale, Commissioner Shirley Hilton-Flanary

Carried - Unanimously

There being no further business to come before the City of Muskogee Planning and Zoning Commission, Chairman Mark Luttrull adjourned the meeting at 9:50 a.m.