# MINUTES

## OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN COUNCIL CHAMBERS OF CITY HALL OCTOBER 4, 2021

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on October 4, 2021, in the Council Chambers, Municpal Building, 229 W. Okmulgee Ave., Muskogee, Oklahoma.

The meeting was called to order and the roll was called as follows:

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| Present: | Chair Stacy Alexander; Vice Chair Darrell Russell; Commissioner Patrick Reeder; Commissioner D'Elbie Walker; Commissioner Leroy Walker Sr.; Commissioner Michelle Shirley |
| Absent: | Commissioner Paige Frix |
| Staff Present: | Tish Callahan, City Planner; Leon Davis Jr. , Economic Development Manager; Roy Tucker, City Attorney; Susan Ross, Office Administrator |

1 Chairperson Stacy Alexander presented the Planning Commission Minutes of September 20, 2021 for approval or take other necessary action.

Commissioner Leroy Walker Sr. made a motion to APPROVE the Minutes of the September 20, 2021 Planning Commission meeting. Commissioner Darrell Russell seconded the motion.

Motion was made by Commissioner Leroy Walker Sr., seconded by Vice Chair Darrell Russell

AYE: Chair Stacy Alexander, Vice Chair Darrell Russell, Commissioner Patrick Reeder, Commissioner Paige Frix, Commissioner D'Elbie Walker, Commissioner Leroy Walker Sr., Commissioner Michelle Shirley

Carried - Unanimously

2 City Attorney Roy Tucker presented the staff report to consider and take action with respect to Resolution No. 2873 recommending that the City of Muskogee through its City Council create a Tax Increment District and approve the Port of Muskogee Economic Development Project Plan.

Attorney for PL Finance Group Nate Ellis presented by phone the Port of Muskogee Economic Development Project Plan which had been approved by the TID Committee to the Planning Commission members. The Planning Commission members were given a printout of the presentation and it was reviewed in detail. Commissioner Leroy Walker Sr. expressed concerns about the public school system being affected by this project and the schools losing money. Nate Ellis replied that the school system would not have a substantial loss to their funding. Chairperson Stacy Alexander who is also a member of the TID Committee stated that the Muskogee Public School Superintendent was pleased with the idea of the project and not concerned about funding for the schools. Chairperson Stacy Alexander stated that after the 10 years there will be a benefit but the flooding issue at the Port must be addressed. Mrs. Alexander stated that if the flooding issue is not corrected we could lose businesses at the Port. Commissioner Leroy Walker expressed concerns that the company that is supposed to locate at the Port may not follow through and asked if it is a guarantee that they are locating in Muskogee. City Attorney Roy Tucker stated that it is not a guarantee that they are coming. Nate Ellis responded that everything goes in a step by step process and the Planning Commission is the first meeting and the project will also be presented to City Council on October 11th and October 25th.

After some discussion Commissioner D'Elbie Walker made a motion to APPROVE the Resolution and Project Plan. Commissioner Darrel Russell seconded the motion.

Motion was made by Commissioner D'Elbie Walker, seconded by Vice Chair Darrell Russell

AYE: Chair Stacy Alexander, Vice Chair Darrell Russell, Commissioner Patrick Reeder, Commissioner D'Elbie Walker, Commissioner Michelle Shirley

NAY: Commissioner Leroy Walker Sr.

Carried

3 Planning Director Tish Callahan presented the item to hold a Public Hearing and take action on the approval of Ordinance 4131-A to rezone property addressed as 5028 West Okmulgee, being more particularly described in the ordinance from C-1, Local Commercial to C-2, General Commercial, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action.

Mrs. Callahan stated that Ronnie Boswell, applicant (Inhofe Land & Cattle Company, owner) is requesting to rezone the property addressed as 5028 West Okmulgee from C-1, Local Commercial to C-2, General Commercial. Mr. Boswell stated the request is to allow for expanded leasing opportunities for the buildings.

Existing zoning and land use:

Site: C-1, Local Commercial District

North: R-1, Single Family Residential
South: West Okmulgee/Highway 16
East: C-1, Local Commercial and C-2, General Commercial
West: C-1, Local Commercial

The Comprehensive Plan/Land Use Map, adopted by the City of Muskogee, indicates commercial within this area. Therefore, the request to rezone to the C-2 General Commercial District complies with the Comprehensive Plan and Land Use Map.

Notices have been sent to the property owners within a 300 foot radius, as required, and a notice was published in the paper twenty (20) days prior to the Public Hearing. A Public Hearing will be held on the following days:

October 4, 2021 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission
October 4, 2021 at 5:30 p.m.: Public Work Committee
October 11, 2021 at 5:30 p.m. Muskogee City Council Meeting

Chairperson Stacy Alexander expressed concerns about the property becoming a medical marijuana grow facility so close to a residential area. Commissioner Leroy Walker asked if anything could be done to limit the amount of grow facilities close to neighborhoods. City Attorney Roy Tucker stated that there is a proposed Ordinance that is still in the discussion process that would change the City Ordinance to allow grows only in Industrial and Agriculture zoning. Chairperson Stacy Alexander expressed her concerns about the smell that would possibly come from the growing facility being located so close to a residential area.

Chairperson Stacy Alexander opened the Public Hearing.

Patricia Kaseca, 5003 Oklahoma Street, stated that the area is a tourist area because of Honor Heights Park. Ms Kaseca stated that there is already noise issues and semi truck parking issues in the area. Ms. Kaseca stated that she has made several code enforcement complaints and that the code enforcement and police department do not communicate and police are not aware of the city codes. Ms. Kaseca asked the Planning Commission to deny the request to rezone the property located at 5028 W. Okmulgee.

Chairperson Stacy Alexander closed the Public Hearing.

After some discussion Commissioner Darrell Russell made a motion to DENY the rezoning request for 5028 W. Okmulgee. Commissioner Patrick Reeder seconded the motion.

Motion was made by Vice Chair Darrell Russell, seconded by Commissioner Patrick Reeder

AYE: Chair Stacy Alexander, Vice Chair Darrell Russell, Commissioner Patrick Reeder, Commissioner D'Elbie Walker, Commissioner Leroy Walker Sr., Commissioner Michelle Shirley

Carried - Unanimously

There being no further business, the meeting was adjourned at 9:46 a.m.