MINUTES

OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF MUSKOGEE, OKLAHOMA MET IN COUNCIL CHAMBERS OF CITY HALL DECEMBER 6, 2021

The Planning and Zoning Commission of the City of Muskogee, Oklahoma, met in Regular Session at 9:00 a.m., on December 6, 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:

Present:	Stacy Alexander, Chair; Darrell Russell, Vice Chair; Patrick Reeder, Commissioner; Leroy Walker Sr., Commissioner
Absent:	Paige Frix, Commissioner; D'Elbie Walker, Commissioner; Michelle Shirley, Commissioner
Staff Present:	Jennifer Swezey, Assistant City Manager
	Matt Beese, Assistant City Attorney
	Susan Ross, Office Administrator

1 Chair Stacy Alexander presented the item to consider approval of Planning Commission Minutes of November 15, 2021, or take other necessary action.

Commissioner Leroy Walker Sr. made a motion to **approve** the minutes of the November 15, 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 Leroy Walker Sr.

Carried - Unanimously

2 Planning Office Administrator Susan Ross presented the item to hold a Public Hearing and take action on the approval of Ordinance 4141-A to rezone approximately 23 acres, being more particularly described in the ordinance, from R-1, Single Family Residential to R-5, Mobile Home, and if approved authorize staff to revise the Official Zoning Map of the City to reflect said change, or take other necessary action. Mrs. Ross stated that Ashley Campbell, the applicant is requesting to rezone the property located south of the Orchard Park Subdivision, which is across the road from the Hilldale Middle and High School campus. The request is to go from R-1, Single Family Residential to R-5, Mobile Home. The request is to allow for one (1) mobile home to be located on the property. This request is to zone the entire 23 acres to R-5, Mobile Home but only allows for one dwelling.

Existing zoning and land use:

Site: R-1, Single Family Residential

North: R-1, Single Family Residential
South: Outside City Limits
East: R-1, Single Family Residential
West: Outside City Limits

The Comprehensive Plan/Land Use Map indicates residential zoning within this area. Therefore, the request to rezone to the R-5 Mobile Home residential zone 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:

December 6, 2021 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission
December 6, 2021 at 5:30 p.m.: Public Work Committee
December 13, 2021 at 5:30 p.m. Muskogee City Council Meeting

Chair Stacy Alexander stated that she is concerned about property values and how it could open the door for more mobile homes in the future. Ms. Alexander stated that there are some mobile homes in Orchard Park but those have affected the value of other homes. Commissioner Leroy Walker Sr. stated that he doesn't like the idea of spot zoning but he does understand that she is just trying to put a home on her land. Mr. Walker stated that for possible future use he doesn't feel as though we should rezone it.

Chair Stacy Alexander opened the Public Hearing.

Ron Thomas, 4753 Gulick Street, stated that he has 60 acres directly to the East and he believes the property values will go down if the rezoning is allowed. Mr. Thomas stated that he would like to see it stay zoned for single family residential homes. Mr. Thomas also stated that there is a pond nearby and they have had issues with trespassers and have now installed cameras. Mr. Thomas asked that the zoning stay R-1 Single Family Residential.

Ashley Campbell, 1712 Chandler Rd., applicant, stated that she bought the property in hopes of building a home. Ms. Campbell stated that since prices have gone up she is not able to afford to build a house or a modular home. Ms. Campbell stated that she is not interested in building a mobile home park and that she wants to be able to put in a mobile home for her and her children. Ms. Campbell stated that her property is at the end of a dead end road and has a gate to access the land.

Tim Elam, 4999 Orchard Pkwy., stated that he has a two story house with 5 acres that directly joins Ms. Campbell's property. Mr. Elam stated that he has lived there for 15 years and that he is against a possible mobile home park being on the land. Mr. Elam also stated that the property value will go down.

Gary Poitevent, 601 Jonathan Place, stated that he has lived there for 36 years. Mr. Poitevent stated that the homes in Orchard Park are mobile homes that have brick around them and not skirting. Mr. Poitievent also stated that adding a mobile home or a possible mobile home park would cause the property values to go down and also cause a strain on the sewer system and traffic in the area.

Chair Stacy Alexander stated that the applicant is not asking to put in a mobile home park, but is asking to put in (1) one mobile home. Ms. Alexander also stated that any further addition of mobile homes would have to be approved by the City throught the platting process.

Applicant Ashley Campbell stated that it will be a nice mobile home and she will make it look identical to the current mobile homes in Orchard Park.

Kathy Rodden, 607 Elberta Court, stated that it's easy to say you are only putting in one unit but that we do not know about the future use of the property. Ms. Rodden stated that she believes low income people live in trailers and stated that she does not want the crime and added traffic to the area. Ms. Rodden stated that she believes the decision should be to deny the request.

Ron Thomas, 4753 Gulick, stated that he has valuable property on 60 acres and he is willing to do a cash offer for the property.

Chair Stacy Alexander stated that she would like it to be on record that this request is for one mobile home and that her goal is to look at what is best for the area which does not negatively affect property values. Ms. Alexander stated that the overall image should not be assumed that low income people live in mobile homes. Ms. Alexander stated that we need to consider the future use of the property and that life happens and what if the applicant is unable to stay on the property or decided to sell the property.

After a brief discussion among Planning Commission members, Chair Stacy Alexander closed the Public Hearing.

Commissioner Darrell Russell made a motion to **deny** the request to rezone the property from "R-1" Single-family residential to "R-5" Mobile Home. Commissioner Leroy Walker Sr. seconded the motion.

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

AYE: Chair Stacy Alexander, Vice Chair Darrell Russell, Commissioner Patrick Reeder, Commissioner Leroy Walker Sr.

Carried - Unanimously

3 Planning Office Administrator Susan Ross presented the item to hold a Public Hearing and take action on the approval of Ordinance 4137-A to close the twenty (20) foot wide alley located within Block 276, Muskogee Original Townsite, more particularly described in the Ordinance, providing for severability and setting an effective date. Mrs. Ross stated that the applicant, Antonio Perrotta, is requesting approval to close the twenty (20) foot wide alley that is lying between Lots 4, 5 and 6 in Block 276, Muskogee Original Townsite. The alley is located between North 5th and Altamont Street, north of Tower Hill Boulevard. The alley closure is being requested to allow the property owner to vacate the alley and then consolidate a part of Lot 6 and Lot 4 in order to construct a garage building on Lot 4. There are no utilities located within the alley proposed to be closed. The Subdivision Review Committee reviewed the request and recommended approval.

Notices have been sent to the abutting property owners, as required, and published in the paper twenty (20) days prior to the Public Hearing. A Public Hearing will be held on the following days:

December 6, 2021 at 9:00 a.m.: City of Muskogee Planning & Zoning Commission
December 6, 2021 at 5:30 p.m.: City of Muskogee Public Works Committee
December 13, 2021 at 5:30 p.m.: City Council

Chair Stacy Alexander opened the Public Hearing. No one was present to speak and Chair Stacy Alexander closed the Public Hearing.

Commissioner Leroy Walker Sr. made a motion to **approve** the alley closure. Commissioner Patrick Reeder seconded the motion.

Motion was made by Commissioner Leroy Walker Sr., seconded by Commissioner Patrick Reeder

AYE: Chair Stacy Alexander, Vice Chair Darrell Russell, Commissioner Patrick Reeder, Commissioner Leroy Walker Sr.

Carried - Unanimously

There being no further business, the meeting was adjourned.