

McAlester Planning and Zoning
Commission
NOTICE OF MEETING



Regular Meeting Agenda
Tuesday, July 21, 2026 - 6:30 PM
McAlester City Hall – Council Chambers
28 E. Washington

CALL TO ORDER

ROLL CALL

CONSENT AGENDA

1. Approval of Minutes for the Regular Meeting on June 16, 2026.

SCHEDULED BUSINESS

Staff Report on each item of scheduled business shall be presented by staff prior to applicant's discussion with Planning Commission.

1. Discussion and possible action to approve a Final Plat for the “Wallace Shops” Subdivision.
2. Public Hearing: Discussion and possible action on PC #457, a request to rezone the property located at 321 W Adams described as Part of Lot Five (5), Block Two Hundred Sixty-six (266) in the City of McAlester, formerly known as South McAlester, Pittsburg County, State of Oklahoma, from R-1B Single-Family Residential District to C-2 Neighborhood Convenience District.
3. Public Hearing: Discussion and possible action for an ordinance amending Chapter 62 Article II Division 3 Board of Adjustment.

NEW BUSINESS

STAFF REPORT

REMARKS & INQUIRIES BY THE COMMISSION

ADJOURNMENT

McAlester Planning Commission Minutes

Tuesday, June 16, 2026, Regular Meeting

City Council Chambers

6:30 PM

Call to Order

Chairman Emmons called the meeting to order at 6:30 p.m.

Roll Call

Patti Hobbs called the roll and a quorum was present.

Commissioners Present: 6

Mark Emmons

Dewayne Hampton

Levenia Carey

Michael Hull

Lynn Roberts

Karen Stobaugh

Commissioners Absent: 5

Merrie Brenner

Stephanie Giacomo

Jeremy Spiegel

Chris Taylor

Robby VanVekoven

Consent Agenda

Approval of minutes for the Regular Meeting on March 17, 2026.

A motion made by Commissioner Stobaugh was seconded by Commissioner Roberts to approve all items on the Consent Agenda.

The vote was: 6 – 0

AYE: Emmons, Hampton, Carey, Hull, Roberts, Stobaugh

NAY: None

The motion carried.

SCHEDULED BUSINESS:

1. Public Hearing: Discussion and possible action on VE #162, a request to close the public ways or easements for the following described area:

Community Development Director, Jayme Clifton explained the staff report and notices to the utilities. There was no objections from the ones that responded, with the exception from PSO/AEP needing to have unobstructed access to their easements (high voltage transmission line along platted 9th Street) with an email attached in the packet. Ms. Clifton went over the maps and the application specifics. It was discussed how the applicant does not own all sides of the streets but no ordinance or state statute to deny him closing. Staff recommends, conditionally, the closing as requested and to add it to the council's agenda that way if approved. The applicant, Lance Yeley of 218 W Jackson, was present to speak on behalf of his application. He spoke about his current and future plans for the parcels he owns and why he wishes for the closings plus he is hoping to purchase more surrounding properties (adjacent) in the future. A few questions from the Commissioners about items on drawings and fences. Mr. Yeley, briefly answered their questions. Next, Terry Fisher of 2500 N 7th Street (neighbor) stated he lives near the property and he has no problem with the closing but expressed displeasure if there was to be a trailer park near his home. He also expressed interest in the City closing the rest of 7th Street; he did not understand why the application did not include the entire area. Planning Commission Chairman, Mark Emmoms, explained that the applicant cannot apply to close an easement or street that does not abut their property. And encouraged Mr. Fisher and other adjacent property owners to apply together or separately because that is the proper process. Lastly, Lana Sanders, daughter of neighbor Myra Sanders of 711 E Park Avenue wanted to make known they did not object to the street closings but do not like the idea of any rezoning of the area to multi-family dwellings near her mother's home; they welcome single-family zoning. A bit of discussion from the Commissioners but mostly to decide what the motion would say.

Public Hearing began at 6:32 p.m. and commenced at 6:50 p.m.

A motion was made by Commissioner Hampton was seconded by Commissioner Carey to approve the application with the stipulations requested by PSO.

The vote was: 6 – 0

AYE: Emmons, Hampton, Carey, Hull, Roberts, Stobaugh

NAY: None

The motion carried.

**2. Public Hearing: Discussion and action on Ordinance Amendments of Chapter 62 Article II
Division 3 Board of Appeals**

Ms. Clifton explained attendance requirements and the need for an alternate to step in, specifically, for Building Codes and Fire Codes knowledge. She discussed the changes on the Ordinance Amendments and the example used from the City of Glenpool. Their ordinances and codes, as reference, appear legal and do not go against state statutes (handout was passed out as visual aid). Ms. Clifton stated the Fire Department would like at least an alternated knowledgeable of fire codes; appeals should not be unsafe and could provide alternated proposals. It was discussed, there are still changes needed in Chapter 18 & 50 but those will be seen by City Council. Also, an appeals application will need to be established. There were some questions and comments among the Commissioners.

Public Hearing began at 6:51 p.m. and commenced at 7:05 p.m.

A motion made by Commissioner Hull was seconded by Commissioner Hampton to table this item until the City Attorney had reviewed the requested Ordinance Amendments.

The vote was: 6 – 0

AYE: Emmons, Hampton, Carey, Hull, Roberts, Stobaugh

NAY: None

The motion carried.

**3. Public Hearing: Discussion and action on Ordinance Amendments of Sec. 62-1032 Filing of Petitions;
Required Information and of Sec. 62-1033 Fees and Expenses for Opening of Public Ways or Easements**

Ms. Clifton explained the changes needed for the Openings; worded similar to Subdivision Plat notification letters and similar to street closings. Commissioners had minimal discussion and did not see a need to ask City Attorney for clarification.

Public Hearing began at 7:05 p.m. and commenced at 7:07 p.m.

A motion made by Commissioner Stobaugh was seconded by Commissioner Roberts to approve the Ordinance Amendments as presented.

The vote was: 6 – 0

AYE: Emmons, Hampton, Carey, Hull, Roberts, Stobaugh

NAY: None

The motion carried.

NEW BUSINESS

Ms. Clifton discussed the six (6) properties the City acquired; all will be zoned Residential. The Economic Development Director, Billy Sumner and herself will be working together on an agreement of Urban Renewal

for the properties; they will not be surplussed. The point of these properties is to be used and all are large enough to built upon. Discussion of fees and previous properties. No action required.

STAFF REPORT

Director Clifton discussed the Land Development Code Kick-Off meeting from the previous week with Freese & Nichols. She explained what was discussed; instead of cleaning up Chapter 62, will just make a Chapter 64, for example. Ms. Clifton asked for recommendations for good Stakeholders, a good mix will get both positive and negative feedback. There will be meetings for the Planning Commissioners and City Council to review drafts. She briefly explained Public Engagement Plan but most meetings will be with the “users” of the codes. There will be a website developed and how that will help with engagement and education of the code updates. Some discussion about current permits and their progress reports; Commissioners mainly wanted to know what new businesses were coming to town.

REMARKS & INQUIRIES BY THE COMMISSION

Mr. Emmons discussed his notes from the TIF committee meeting (3rd meeting). Commissioners had a few questions about the development at the former OHP property, now owned by RaceTrac and the vacant gas stations. Ms. Clifton briefly spoke about report given to City Council.

Adjournment

Commissioner Hampton made the motion to adjourn. The motion was seconded by Commissioner Carey. Meeting adjourned at 7:33 p.m. Roll was taken.

The vote was: 6 – 0

AYE: Emmons, Hampton, Carey, Hull, Roberts, Stobaugh

NAY: None

The motion carried.

Approved:

Planning Commission Chairman

Date



PLANNING COMMISSION STAFF REPORT July 21, 2026

To: McAlester Planning Commission
From: Jayme Clifton, Community Development Director
Date: July 17, 2026

Case: "Wallace Shops" Subdivision

Applicant: William Properties (Page 600) LLC
and/or Wallace Family Properties LLC, represented by Curtis Woods

Location: 830 S George Nigh Expressway

Legal: Part of Lot 76 and Lot 77 of Townsite Addition #4 in the Northeast Quarter of the Southwest Quarter of Section 17, Township 5 North, Range 15 East, Pittsburg County, Oklahoma.

Current Zoning: C-5 Highway Commercial and Commercial Recreation District

General Description:

A request for a minor plat amendment to a previously approved 8.09-acre commercial subdivision to adjust internal lot and tract configurations to relocate a 30-foot internal roadway/access easement.

Attachments:

Wallace Shops Subdivision Plat originally dated August 13, 2025, with subsequent minor revisions dated June 15, 2026, June 18, 2026, and June 22, 2026.
McAlester City Council Regular Meeting Minutes for October 28, 2025, including Item 13.

Background Information:

The Final Plat for the "Wallace Shops" Subdivision, subdividing an 8.09-acre tract into commercial lots, was previously approved by the McAlester Planning Commission on October 21, 2025, and fully approved by the City Council on October 28, 2025. However, the final plat has not yet been formally recorded with the Pittsburg County Clerk. Due to commercial lease requirements, the applicant has requested a minor amendment to adjust the internal lot/tract configurations before final recording.

The previously proposed 30-foot roadway/access easement originally situated between Lot/Tract 2 and Lot/Tract 3 has been moved to the north side of Lot/Tract 2. Also, in compliance with recording standards and recent compliance reviews, the correct property owner name "William Properties (Page 600) LLC" has been updated on the plat text.

The property remains in conformance with the C-5 Highway Commercial district requirements. The minor adjustment of internal lot lines does not disrupt the minimum lot area or width requirements. All previously secured Oklahoma Department of Environmental Quality (ODEQ) public infrastructure permits, including

stormwater (OKR1036525), public water lines (WL000061250720), and sanitary sewer lines (SL000061250719) remain valid.

The applicant has provided updated plats signed and notarized by the property owner Willaim Properties (Page 600) LLC, signed by Curt Fintel president.

Recommendation:

Staff recommends approval of the minor amendment to the "Wallace Shops" Final Plat as presented, allowing the adjusted lot lines and relocated access easement to proceed to the City Council on July 28, 2026, for authorization and final recording.

All subdivision applicants must submit the finalized copies for filing in accordance with the County Clerk's guide and City retention needs, totaling: one (1) 11 × 17 paper copy, one (1) original-size mylar, and four (4) original-size paper copies; all bearing appropriate original signatures.

The McAlester City Council met in a Regular session on Tuesday, October 28, 2025, at 6:00 P.M. after proper notice and agenda was posted, October 27, 2025, at 11:00 A.M.

Michael Gentry, First Church of the Nazarene gave the invocation, and led the Pledge of Allegiance.

Call to Order

Mayor Few called the meeting to order at 6:00 P.M.

Roll Call

Council Roll Call was as follows:

Attending:	Levi Gilmore, Robin Woodley, Chris Stone, Randy Roden, Billy Jack Boatright & Justin Few
Absent:	Kevin Beaty
Presiding:	Justin Few, Mayor
Staff Present:	Ken Wimer, Interim City Manager; Adrian O'Hanlon, Public Information Officer; Sherri Swift, CFO; Jayme Clifton, Community Development Director; Billy Sumner, Economic Development Director; Tommy Hill, Public Works Director; Doug Basinger, Community Services Director; Johnny Reich, Utility Maintenance Supervisor; Justice Adair, IT Computer Support; John Tyler Hammons, City Attorney and Cora Middleton, City Clerk

Recognition and Awards

Mayor Few read the Land Acknowledgment statement.

Mayor Few commented on Director Clifton's project nominations.

Director Clifton informed the Council that the Strong Boulevard Sidewalk Project had received "Outstanding Public Project," the Hunter Park Project had received "Great Public Spaces" and Lacey Sudderth had received "First Citizen Planner." She expressed appreciation for the help that had been received on all of these projects.

Mayor Few stated that the McAlester Marching Band had earned third place at the State Marching Band Competition this past Saturday.

Citizens' Comments on Non-Agenda Items

There were no citizen comments.

Consent Agenda

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Approval of the Minutes from October 14, 2025, Special Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- B. Approval of the Minutes from October 14, 2025, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*
- C. Approval of Claims for October 08, 2025, through October 21, 2025. *(Sherri Swift, Chief Financial Officer)* in the following amounts: General Fund - \$138,366.43; Nutrition - \$3,182.35; Educational Fund - \$43,370.58; Tourism Fund - \$1,578.12; E-911 - \$6,180.04; Fleet Maintenance - \$20,461.40; Police Equipment Fund - \$1,045.00; CIP Fund - \$26,696.22; Child Abuse Response Fund - \$1,709.04; Stormwater Fund - \$6,256.86; Infrastructure Fund - \$44,986.00; MRHC-Cancer Center Fund - \$43,370.58 and MPWA – DWSRF Projects - \$61,200.00.
- D. Concur with Oklahoma Mutual Assurance Group (OMAG) recommendation to deny Tort Claim No. 217613-1LN filed by Anthony Buller. *(Cora Middleton, City Clerk)*
- E. Concur with the Mayor's appointment of Justin Few to the Charter Review Committee for a term to expire October 28, 2026. *(Cora Middleton, City Clerk)*
- F. Concur with the Mayor's appointment of Robin Woodley to the Charter Review Committee for a term to expire October 28, 2026. *(Cora Middleton, City Clerk)*
- G. Concur with the Mayor's appointment of Steve Harrison to the Charter Review Committee for a term to expire October 28, 2026. *(Cora Middleton, City Clerk)*
- H. Concur with the Mayor's appointment of Blake Lynch to the Charter Review Committee for a term to expire October 28, 2026. *(Cora Middleton, City Clerk)*
- I. Concur with the Mayor's appointment of Stacy Gorley to the McAlester Community Advisory Board Committee for a term to expire October 31, 2030, subject to approval of proposed ordinance creating community advisory board. *(Cora Middleton, City Clerk)*
- J. Concur with the Mayor's appointment of Sharron Hammers to the McAlester Community Advisory Board for a term to expire October 31, 2029, subject to the approval of the proposed ordinance creating the Community Advisory Board. *(Cora Middleton, City Clerk)*

- K. Concur with the Mayor's appointment of Rev. Janie Koch to the McAlester Community Advisory Board for a term to expire October 31, 2028, subject to the approval of proposed ordinance creating the Community Advisory Board. *(Cora Middleton, City Clerk)*
- L. Concur with the Mayor's appointment of Cully Stevens to the McAlester Community Advisory Board for a term to expire October 31, 2029, subject to approval of proposed ordinance creating community advisory board. *(Cora Middleton, City Clerk)*
- M. Concur with the Mayor's appointment of Kelsey Sexton to the McAlester Community Advisory Board for a term to expire October 31, 2028, subject to approval of proposed ordinance creating community advisory board. *(Cora Middleton, City Clerk)*
- N. Concur with the Mayor's appointment of Tina Adams to the McAlester Community Advisory Board for a term to expire October 31, 2030, subject to approval of proposed ordinance creating community advisory board. *(Cora Middleton, City Clerk)*
- O. Concur with the Mayor's appointment of Joey Clark to the McAlester Community Advisory Board for a term to expire October 31, 2028, subject to approval of proposed ordinance creating community advisory board. *(Cora Middleton, City Clerk)*
- P. Concur with the Mayor's appointment of Jack Pruitt to the McAlester Community Advisory Board for a term to expire October 31, 2027, subject to approval of proposed ordinance creating community advisory board. *(Cora Middleton, City Clerk)*
- Q. Concur with the Mayor's appointment of Kelly White to the McAlester Community Advisory Board for a term to expire October 31, 2027, subject to approval of proposed ordinance creating community advisory board. *(Cora Middleton, City Clerk)*
- R. Concur with the Mayor's appointment of Kaben Smallwood to the McAlester Community Advisory Board for a term to expire October 31, 2027, subject to approval of proposed ordinance creating community advisory board. *(Cora Middleton, City Clerk)*

Councilor Stone requested Items "D, P and R" be removed for individual consideration.

Councilor Gilmore moved to approve Consent items "A through C, E through O and Q." The motion was seconded by Councilor Boatright.

There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Boatright, Woodley, Stone, Roden, Beaty & Mayor Few

NAY: None

Mayor Few declared the motion carried.

Items Removed From Consent Agenda

- D. Concur with Oklahoma Mutual Assurance Group (OMAG) recommendation to deny Tort Claim No. 217613-1LN filed by Anthony Buller. *(Cora Middleton, City Clerk)*

Councilor Stone commented that if a citizen had lost their property like this, the City would have paid to replace that property.

CFO Swift informed the Council that this was going to be handled through the City's personnel office.

There was no further discussion, and a motion to concur with Oklahoma Mutual Assurance Group (OMAG) to deny Tort Claim No. 217613-1-LN was made by Councilor Woodley. The motion was seconded by Councilor Stone, and the vote was taken as follows:

AYE: Councilmembers Woodley, Stone, Roden, Boatright, Beaty, Gilmore & Mayor Few
NAY: None

Mayor Few declared the motion carried.

- P. Concur with the Mayor's appointment of Jack Pruitt to the McAlester Community Advisory Board for a term to expire October 31, 2027, subject to approval of proposed ordinance creating community advisory board. *(Cora Middleton, City Clerk)*

Councilor Stone stated that there was no bio.

After a brief discussion concerning Mr. Pruitt's bio, a motion to concur with the Mayor's appointment of Jack Pruitt to the McAlester Community Advisory Board for a term to expire October 31, 2027, subject to approval of proposed ordinance creating community advisory board was made by Councilor Gilmore. The motion was seconded by Councilor Stone, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Stone, Roden, Boatright, Beaty, Woodley & Mayor Few
NAY: None

Mayor Few declared the motion carried.

- R. Concur with the Mayor's appointment of Kaben Smallwood to the McAlester Community Advisory Board for a term to expire October 31, 2027, subject to approval of proposed ordinance creating community advisory board. *(Cora Middleton, City Clerk)*

This item was withdrawn.

Vice-Mayor Beaty moved to open a Public Hearing to address three (3) proposed ordinances. The motion was seconded by Councilor Boatright, and the vote was taken as follows:

AYE: Councilmembers Beaty, Boatright, Roden, Gilmore, Woodley, Stone & Mayor Few
NAY: None

Mayor Few declared the motion carried, and the Public Hearing was opened at 6:11 P.M.

Public Hearing

All persons interested in any ordinance listed under Scheduled Business shall have an opportunity to be heard in accordance with Article 2, Section 2.12(b) of the City Charter.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING THE MCALESTER CITY CODE, TITLE 2, ADMINISTRATION; BY ADDING DIVISION 8, COMMUNITY ADVISORY BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, REPEALER, AND DECLARING AN EMERGENCY.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING CHAPTER 30, COURTS AND JAIL; ARTICLE II, MUNICIPAL COURT NOT OF RECORD; DIVISION 1; GENERALLY; SECTION 30-32, COSTS UPON JUDGMENT OF CONVICTION, BY ADDING A INCARCERATION COST FEE TO BE PAID UPON CONVICTION, AND AMENDING CHAPTER 48, FEES, CHARGES AND SERVICE RATES, BY ADDING FEES FOR INCARCERATION COST FEE; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND DECLARING AN EMERGENCY.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING MCALESTER CITY CODE CHAPTER 106, SECTION 64, RATES ESTABLISHED, BY ADDING PARAGRAPH (d), LEAK ADJUSTMENTS, AND AMENDING SECTION 253 RATES ESTABLISHED; BY ADDING PARAGRAPH (e), POOL ADJUSTMENTS AND PARAGRAPH (f), LEAK ADJUSTMENTS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

There were no comments or inquiries, and a motion to close the Public Hearing was made by Councilor Boatright. The motion was seconded by Vice-Mayor Beaty, and the vote was taken as follows:

AYE: Councilmembers Boatright, Beaty, Gilmore, Woodley, Stone, Roden & Mayor Few
NAY: None

Mayor Few declared the motion carried, and the Public Hearing was closed at 6:12 P.M.

Scheduled Business

1. Discussion and possible action, to accept a Contract for Service agreement with CREOKS managing the Opioid Abatement Settlement Program. (*Ashley Ridge, Opioid Abatement Project Manager*)

Executive Summary.

Motion to approve and authorize the Mayor to sign the Contract for Service agreement with CREOKS managing the Opioid Abatement Settlement Program.

After a brief discussion concerning the discrepancies in the original contract and this contract, a motion to approve and authorize the Mayor to sign the Contract for Service agreement with CREOKS managing the Opioid Abatement Settlement Program was made by Councilor Boatright. The motion was seconded by Vice-Mayor Beaty, and the vote was taken as follows:

AYE: Councilmembers Boatright, Beaty, Gilmore, Woodley, Stone, Roden & Mayor Few

NAY: None

Mayor Few declared the motion carried.

2. Discussion and possible action to approve an ordinance of the City of McAlester, Oklahoma, amending the McAlester City Code, Title 2, Administration; by adding Division 8, Community Advisory Board; Providing for Codification, Severability, Repealer, and Declaring an Emergency. *(Cora Middleton, City Clerk)*

Executive Summary

Motion to approve an ordinance of the City of McAlester, Oklahoma, amending the McAlester City Code, Title 2, Administration; by adding Division 8, Community Advisory Board; Providing for Codification, Severability, Repealer, and Declaring an Emergency.

Attorney Hammons addressed the Council regarding the proposed ordinance and stated that a staff member needed to be selected to provide administrative support.

There was discussion concerning increasing the number of members to thirteen (13), revising the terms to accommodate the increase of the membership, naming the Community Services Director as the staff member to provide administrative support, this not becoming a hand out but helping to get people on their feet, this group being an advisory board so the Council could hear both sides of the communities needs and how this could be a positive thing.

ORDINANCE NO. 2856

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING THE MCALESTER CITY CODE, TITLE 2, ADMINISTRATION; BY ADDING DIVISION 8, COMMUNITY ADVISORY BOARD; PROVIDING FOR CODIFICATION, SEVERABILITY, REPEALER, AND DECLARING AN EMERGENCY.

There was no further discussion, and a motion to approve **ORDINANCE NO. 2856** as amended was made by Councilor Gilmore. The motion was seconded by Councilor Roden, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Roden, Woodley, Stone, Boatright, Beaty & Mayor Few

NAY: None

Mayor Few declared the motion carried.

A motion to approve the EMERGENCY CLAUSE was made by Councilor Gilmore and seconded by Councilor Boatright. There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Boatright, Roden, Beaty, Woodley, Stone & Mayor Few
NAY: None

Mayor Few declared the motion carried.

3. Discussion and possible action to approve an ordinance of the City of McAlester, Oklahoma, amending Chapter 30, Courts and Jail; Article II, Municipal Court not of Record; Division 1; Generally; Section 30-32, Costs upon Judgment of Conviction, by adding an incarceration cost fee to be paid upon conviction, and amending Chapter 48, Fees, Charges and Service Rates, by adding fees for incarceration cost fee; providing for codification, repealer, severability, and declaring an emergency. *(Sherri Swift, Chief Financial Officer)*

Executive Summary

Motion to approve the amended ordinance to include an Incarceration Cost Fee.

CFO Swift addressed the Council explaining that the City's Municipal Court currently did not have a way of charging individuals for the incarceration fees. She added that the County Detention Services Agreement had set the fee at fifty dollars (\$50.00) per day and this ordinance set the incarceration fee a fifty dollars (\$50.00) per day as well.

ORDINANCE NO. 2857

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING CHAPTER 30, COURTS AND JAIL; ARTICLE II, MUNICIPAL COURT NOT OF RECORD; DIVISION 1; GENERALLY; SECTION 30-32, COSTS UPON JUDGMENT OF CONVICTION, BY ADDING A INCARCERATION COST FEE TO BE PAID UPON CONVICTION, AND AMENDING CHAPTER 48, FEES, CHARGES AND SERVICE RATES, BY ADDING FEES FOR INCARCERATION COST FEE; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND DECLARING AN EMERGENCY.

There was no further discussion, and a motion to approve **ORDINANCE NO. 2857** was made by Councilor Boatright. The motion was seconded by Councilor Roden, and the vote was taken as follows:

AYE: Councilmembers Boatright, Roden, Gilmore, Woodley, Stone, Beaty & Mayor Few
NAY: None

Mayor Few declared the motion carried.

There was no discussion, and a motion to approve the EMERGENCY CLAUSE was made by Councilor Gilmore. The motion was seconded by Vice-Mayor Beaty, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Beaty, Woodley, Stone, Roden, Boatright & Mayor Few
NAY: None

Mayor Few declared the motion carried.

4. Discussion and possible action to approve an ordinance of the City of McAlester, Oklahoma, amending McAlester City Code Chapter 106, Section 64, rates established, by adding paragraph (d), leak adjustments, and amending Section 253 rates established; by adding paragraph (e), pool adjustments and paragraph (f), leak adjustments; providing for severability; and declaring an effective date. (*Sherri Swift, Chief Financial Officer*)

Executive Summary

Motion to approve an ordinance of the City of McAlester, Oklahoma, amending McAlester City Code Chapter 106, Section 64, Rates Established, by adding paragraph (d) for leak adjustments, and amending Section 253, Rates Established, by adding paragraph (e) for pool adjustments and paragraph (f) for leak adjustments; providing for severability; and declaring an effective date.

Chief Accountant Coy addressed the Council informing them that this proposed ordinance was to establish a formal process for granting leak adjustments to utility customers who have verified leaks on their property and would codify this into law. She briefly explained the difference in how the adjustments for the sewer portion of the bill would be calculated.

There was a brief discussion concerning what accounts this would effect, if there was an effective date, how a customer could have only sewer and when this ordinance would take effect.

ORDINANCE NO. 2858

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING MCALESTER CITY CODE CHAPTER 106, SECTION 64, RATES ESTABLISHED, BY ADDING PARAGRAPH (d), LEAK ADJUSTMENTS, AND AMENDING SECTION 253 RATES ESTABLISHED; BY ADDING PARAGRAPH (e), POOL ADJUSTMENTS AND PARAGRAPH (f), LEAK ADJUSTMENTS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE

There was no further discussion, and a motion to approve **ORDINANCE NO. 2858** was made by Vice-Mayor Beaty. The motion was seconded by Councilor Boatright, and the vote was taken as follows:

AYE: Councilmembers Beaty, Boatright, Stone, Roden, Gilmore, Woodley & Mayor Few

NAY: None

Mayor Few declared the motion carried.

5. Discussion and possible action authorizing the Public Works Director to submit a grant application to the Oklahoma Department of Transportation for road resurfacing at the Steven Taylor Industrial Park in the amount of \$3,268,260.00. The City of McAlester will not be providing matching funds for this grant. (*Tommy Hill, Director, Public Works*)

Executive Summary

Motion to authorize the Public Works Director to submit a grant application to the Oklahoma Department of Transportation for road resurfacing at the Steven Taylor Industrial Park in the amount of \$3,268,260.00. The City of McAlester will not be matching funds for this grant.

Director Hill addressed the Council explaining that staff had discussed how the condition of New Baker Road and the Steven Taylor Industrial Park Road had deteriorated. He stated that the Oklahoma Department of Transportation had a grant available that supported critical infrastructure and that if awarded there would be no matching of funds required.

There was no discussion and a motion to approve RESOLUTION NO. 25-16, authorizing the submission of a grant application to the Oklahoma Department of Transportation for road resurfacing at the Steven Taylor Industrial Park in the amount of \$3,268,260.00 was made by Councilor Gilmore. The motion was seconded by Councilor Roden, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Roden, Boatright, Beaty, Woodley, Stone & Mayor Few
NAY: None

Mayor Few declared the motion carried.

6. Discussion and possible action to approve a Resolution setting the election dates for Wards 2, 4, and 6. *(Cora Middleton, City Clerk)*

Executive Summary

Motion to approve a Resolution setting the election dates for Wards 2, 4, and 6.

City Clerk Middleton addressed the Council explaining that this resolution set the dates for the Wards 2, 4, and 6 elections in 2026. She stated that this information had been verified by the Pittsburg County Election Board Secretary that it followed the election dates allowed by the State of Oklahoma.

After a brief discussion regarding the filing dates, a motion to approve RESOLUTION NO. 25-17 was made by Councilor Boatright. The motion was seconded by Councilor Stone, and the vote was taken as follows:

AYE: Councilmembers Boatright, Stone, Beaty, Gilmore, Woodley, Roden & Mayor Few
NAY: None

Mayor Few declared the motion carried.

7. Discussion and possible action to approve and authorize the Mayor to sign a Consent to Collateral Assignment form for Wallace Family Properties, LLC, and Arvest Bank. *(Cora Middleton, City Clerk)*

Executive Summary

Motion to approve and authorize the Mayor to sign a Consent to Collateral Assignment form for Wallace Family Properties, LLC, and Arvest Bank.

Attorney Hammons addressed the Council explaining that this came from developer for the Wallace Family project. He stated that the developer was seeking a loan and Arvest Bank was seeking an assignment or lien on the TIF rights that were agreed upon in the Developer agreement.

After a brief discussion, concerning where this area was and what the bank was requesting, a motion to approve and authorize the Mayor to sign a Consent to Collateral Assignment form for Wallace Family Properties, LLC and Arvest Bank was made by Councilor Boatright. The motion was seconded by Vice-Mayor Beaty, and the vote was taken as follows:

AYE: Councilmembers Boatright, Beaty, Gilmore, Woodley, Stone, Roden & Mayor Few

NAY: None

Mayor Few declared the motion carried.

8. Discussion and possible action authorizing the Mayor to sign the Notice of Award and Contract for Pinnacle Construction Services, LLC DBA Pinnacle Underground in the amount of \$549,973.00 for DWSRF Project #13, Kinkead Water System Improvements. (*Lucky Huff, Director, Public Utilities*)

Executive Summary

Motion to authorize the Mayor to sign the Notice of Award and Contract for Pinnacle Construction Services, LLC DBA Pinnacle Underground in the amount of \$549,973.00 for DWSRF Project #13, Kinkead Water System Improvements.

Robert Vaughan, P.E. Branch Manager Infrastructure Solutions Group, LLC addressed the Council explaining that this was Project #13, the waterline from Peaceable Road to Kinkead Road. He informed the council that this project had been bid on October 20, 2025 and five (5) bids had been received. He added that Pinnacle Underground had been the apparent low bidder.

After a brief discussion regarding the age of the line, a motion to authorize the Mayor to sign the Notice of Award and Contract for Pinnacle Construction Services, LLC DBA Pinnacle Underground in the amount of \$549,973.00 for DWSRF Project #13, Kinkead Water System Improvements was made by Councilor Boatright. The motion was seconded by Councilor Woodley, and the vote was taken as follows:

AYE: Councilmembers Boatright, Woodley, Gilmore, Stone, Roden, Beaty & Mayor Few

NAY: None

Mayor Few declared the motion carried.

9. Discussion and possible action to authorize the Mayor to sign Change Order Number 4 for S3 Construction LLC in the amount of \$10,702.60 for DWSRF Project #10, Kiamichi and Carl Albert Water System Improvements. (*Lucky Huff, Director, Public Utilities*)

Executive Summary

Motion to authorize the Mayor to sign Change Order Number 4 for S3 Construction LLC in the amount of \$10,702.60 for DWSRF Project #10, Kiamichi and Carl Albert Water System Improvements.

Robert Vaughan, P.E. Branch Manager Infrastructure Solutions Group, LLC addressed the Council explaining that this Change Order added additional service connections that had been identified during the construction and thirty (30) days to the project time due to delays from existing system exploration.

A motion to authorize the Mayor to sign Change Order Number 4 for S3 Construction LLC in the amount of \$10,702.60 for DWSRF Project #10, Kiamichi and Carl Albert Water System

Improvements was made by Councilor Boatright and seconded by Councilor Stone. There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Boatright, Stone, Roden, Beaty, Gilmore, Woodley & Mayor Few
NAY: None

Mayor Few declared the motion carried.

10. Discussion on Monthly Financial update. (*Sherri Swift, Chief Financial Officer*)
Executive Summary
Discussion.

CFO Swift addressed the Council updating them on the City's financial status as of September 30, 2025. She commented that the new format had been due to the work of Chief Accountant Coy and she thanked Oklahoma City for helping with this improvement. She began her update stating that the fiscal year was twenty-five percent (25%) complete. She then reviewed the General Fund at a Glance, commenting that the General Fund showed an approximate deficit of \$100,000.00, the General Fund's Sales Tax breakdown, performance, and comparisons of its' sister cities, Ada and Durant.

Attorney Hammons suggested that the title "Taxes Rank" be changed to "Tax Collections Rank."

CFO Swift continued her update with a review of the two percent (2%) sales tax that the City operated on. She reviewed the Use Tax and the Sales Tax categories and the Use Tax categories. She reviewed the TIF district's sales tax performance adding that the second TIF would be kept separate from the first TIF. She then reviewed the Hotel Tax revenues stating that September's collections had exceeded projections by over \$45 thousand.

There was a brief discussion concerning if there might be an increase in Use Tax with the Amazon facility opening and what may have caused the increase in the Hotel tax, if the City received Sales Tax from the Industrial Park and if the two (2) businesses across the highway from the Industrial Park were in City limits.

CFO Swift continued her update by reviewing the MPWA at a Glance, the water sales revenue from the residential, commercial, wholesale and water districts. She completed her update with a review of the Treasury Report.

There was another brief discussion regarding a comparison of the sales tax that the state and county received compared to the amount of sales tax that the City received and including the amounts that other counties received.

CFO Swift commented that they would gather the requested information and have it at the next meeting.

No action was taken on this item.

11. Discussion and possible action to authorize the purchase of a new 2025 Vactor 2100 I w/2025 International HV607 (Flush Truck) for the Utilities Maintenance Department from J & R Equipment Environmental Truck Sales. (*Sherri Swift, Chief Financial Officer*)

Executive Summary

Staff recommends financing the truck with First National Bank based on the interest rates and the term of the loan. 84 Months at 4.85%. State Contract has this piece of equipment listed at \$574,450.64, J & R price is \$520,300.00.

CFO Swift addressed the Council explaining that she realized that this purchase was big for the City, but a lot of money has been spent on contractors and renting equipment due to the City's current flush truck being down so much of the time. She stated that quotes had been obtained for the truck and she had reached out to three (3) local banks regarding financing the purchase. She explained that First National Bank had the best interest rates and purchasing the truck from J & R would be less than the State Contract.

Councilor Woodley asked about the City purchasing the extended warranty.

There was no further discussion, and a motion to authorize the purchase of a new 2025 Vactor 2100 I w/2025 International HV607 (Flush Truck) for the Utilities Maintenance Department from J & R Equipment Environmental Truck Sales in the amount of \$520,300.00 and approve financing the purchase with First National Bank based on the interest rates or 4.85% and the term of eighty-four (84) months for the loan was made by Councilor Gilmore. The motion was seconded by Vice-Mayor Beaty, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Beaty, Woodley, Stone, Roden, Boatright & Mayor Few

NAY: None

Mayor Few declared the motion carried.

12. Discussion and possible action for the Mayor and City Council of the City of McAlester, Oklahoma, authorizing the Submission of a Planning Grant Proposal to the Oklahoma Tobacco Settlement Endowment Trust (TSET) Built Environment Program. (*Michael J Allen, Grants*)

Executive Summary

Motion to approve the resolution.

CFO Swift addressed the Council explaining that this resolution would authorize the submission of a Planning Grant Proposal to the Oklahoma Tobacco Settlement Endowment Trust (TSET) Built Environment Program.

Director Clifton added that this would extend the Waterways Trails across Strong Blvd. and into the property line for McAlester Public Schools.

There was a brief discussion concerning this grant including lights on Strong Blvd. and including a Story Walk geared more toward teenagers.

There was no further discussion, and a motion to approve RESOLUTION NO. 25-18, authorizing the Submission of a Planning Grant Proposal to the Oklahoma Tobacco Settlement Endowment Trust (TSET) Built Environment Program was made by Councilor Gilmore. The motion was seconded by Councilor Boatright, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Boatright, Woodley, Stone, Roden, Beaty & Mayor Few

NAY: None

Mayor Few declared the motion carried.

13. Discussion and possible action to approve a Final Plat for the “Wallace Shops” Subdivision and authorize the mayor to sign the documents. (*Jayme Clifton, Director, Community Development*)

Executive Summary

Motion to approve the Final Plat for the proposed “Wallace Shops” Subdivision and authorize the mayor to sign the documents.

Director Clifton addressed the Council explaining that the final plat would subdivide an 8.09-acre tract at 830 S. George Nigh Expressway into three (3) commercial lots. She stated that the project conforms to the C-5 Highway Commercial zoning and the City’s Comprehensive Plan, supporting development along U.S. Highway 69. She added that the plat meets subdivision and access regulations and included Utility Easements and a Lot 4 Roadway Easement that had been previously accepted by the City Council on May 27, 2025. She commented that the applicant had secured all required Oklahoma Department of Environmental Quality (ODEQ) permits and that the plat documents were complete and ready for filing. She informed the Council that the McAlester Planning Commission had met on October 21, 2025, and voted unanimously to recommend approval of the Final Plat.

There was no discussion, and a motion to approve a Final Plat for the “Wallace Shops” Subdivision and authorize the Mayor to sign the documents was made by Vice-Mayor Beaty. The motion was seconded by Councilor Boatright, and the vote was taken as follows:

AYE: Councilmembers Beaty, Boatright, Stone, Roden, Gilmore, Woodley & Mayor Few

NAY: None

Mayor Few declared the motion carried.

New Business

Any matter not known or which could not have been reasonably foreseen prior to the time of posting the Agenda in accordance with Sec. 311.9, Title 25, Oklahoma State Statutes

There was no new business.

Staff Reports

Director Basinger addressed the Council updating them on the activities of the Parks Department, and what the Nutrition Center was receiving from a donor. He stated that the City was getting a new playground at Rotary Park. He thanked the Fugitt Foundation for the new items at the Nutrition Center and the Choctaw Nation for the new playgrounds in the City.

There was a brief discussion concerning the old restroom at Mullen Park and if Public Service Company of Oklahoma (PSO) had added any lights.

No action was taken on this item.

Interim City Manager's Report

- Report on activities for the past two weeks.

Interim Manager Wimer commented that September had been a busy month. He thanked the Council for their support. He stated that Choctaw Nation Chief Gary Baton had been in the City twice, the bilingual street signs were being installed on Choctaw and the City would continue with that project and American Li-Ion had announced their intent to open a facility in the Steven Taylor Industrial Park. He informed the Council that on Thursday, November 6, 2025, at 6:00 P.M. there would be a public forum for anyone that had questions about the company. He stated that the Amazon facility had opened. He stated that October had been a good month as well. He commented that on November 12, 2025 at 12:00 P.M. to 2:00 P.M. the City would hold a Staff meeting. He stated that his intent was to recognize the employees that had been leaders in the City. He informed the Council that the rest of his report was in their agenda packets. He ended his report stating that there would be a closing ceremony for Sober October on Friday, October 31, 2025, at 3:00 P.M. at the Pittsburg County Courthouse.

Remarks and Inquiries by City Council

Councilor Gilmore commented on the success of Oktoberfest and commended the individuals that had put that together. He stated that the McAlester High School Marching Band had done a great job and he encouraged everyone to volunteer or donate, if they could, at the local food banks.

Councilor Woodley commented that she had attended Oktoberfest, which had been a fantastic event, and the Airport Terminal Grand Opening was very well put together. She expressed her appreciation for all the Choctaw Nation had done for the community. She then mentioned the Imagination Library program that furnished free books to children under sixty (60) months.

Councilor Stone commented on the Polar Bear store, in North Town, that had reopened as a deli and meet market and encouraged everyone to go check it out. He stated that anyone that thought there was nothing to do in McAlester needed to visit the McAlester Tourism website. He stated that the Dancing Rabbit Music Festival was coming in November, Ribtober in November, the Christmas Parade and the \$10K give away were all happening in the coming months.

Councilor Roden also commented on the Polar Bear Store. He then commented about the item he had asked to be placed on the agenda, but he would like it to be on the next agenda. He commented

about the fundraiser the Masons had done and added that they would be able to give the Prison a check for \$2,000.00 for their employees.

Councilor Boatright stated that he had attended the Grand Opening of the Polar Bear Store and stated that he would go back.

Vice-Mayor Beaty commended the work that the McAlester Activities Commission for all of the work they were doing in the McAlester area and commented on some of their plans for the future. He then inquired about something that addressed burned structures in the City.

Director Clifton informed the Council on her department's process regarding burned structures.

Vice-Mayor Beaty inquired if there was an ordinance that could address the burned structures and securing them. He then inquired about the status of the City Manager search.

Councilor Woodley commented on the Cemetery Tour that she had participated in and how interesting it had been.

Mayor's Comments and Committee Appointments

Mayor Few agreed that the Cemetery Tour had been amazing. He announced that the McAlester High School football game was away this Friday, Trick-or-Treat would be October 31, 2025, he congratulated the McAlester High School Marching Band, stated that Octoberfest had been a good event, and he stated that he had attended the ribbon cutting at the McAlester Regional Airport. He commented on the momentum in the community, that Leadership Oklahoma had their Justice Day in McAlester, that the pothole reporting through the McAlester Connect App was going well and that the City was making progress on its' streets.

Recess Council Meeting

Vice-Mayor Beaty moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilor Gilmore. There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Beaty, Gilmore, Roden, Boatright, Woodley, Stone & Mayor Few
NAY: None

Mayor Few declared the motion carried, and the meeting was recessed at 7:42 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:44 P.M.

New Business

Any matter not known or which could not have been reasonably foreseen prior to the time of posting the Agenda in accordance with Sec. 311.9, Title 25, Oklahoma State Statutes

There was no new business.

Councilor Woodley moved to recess the Regular Meeting for an Executive Session pursuant to 25 OS 307(B)(4), consider convening in executive session to receive confidential communication from the City Attorney concerning a pending claim against Rural Water District No. 7, and take appropriate action in open session. The motion was seconded by Councilor Stone, and the vote was taken as follows:

AYE: Councilmembers Woodley, Stone, Roden, Boatright, Beaty, Gilmore & Mayor Few

NAY: None

Mayor Few declared the motion carried, and the Regular Meeting was recessed at 7:45 P.M.

Executive Session

Recess into Executive Session in compliance with Section Title 25 Section 307.B.4, et.seq. Oklahoma Statutes, to wit:

1. Pursuant to 25 OS 307(B)(4), consider convening in executive session to receive confidential communication from the City Attorney concerning a pending claim against Rural Water District No. 7, and take appropriate action in open session.

Reconvene Council Meeting

Motions pertaining to the Executive Session

The Regular Meeting was reconvened at 8:46 P.M. Mayor Few reported that the Council had recessed the Regular Meeting for an Executive Session in accordance with Title 25, Sec. 307.B.4; for confidential communications between a public body and its attorney concerning a pending case against Rural Water District No. 7. Only that matter was discussed, no action was taken, and the Council returned to open session at 8:46 P.M., and this constitutes the Minutes of the Executive Session.

Attorney Hammons stated the appropriate motion would be to authorize the Interim City Manager to terminate water utility service to Pittsburg County Rural Water District #7 by 9:00 A.M., on Monday, November 3, 2025, unless the Interim City Manager had reached a satisfactory accord with Pittsburg County Rural Water District #7.

A motion was made by Vice-Mayor Beaty and seconded by Councilor Gilmorey to authorize the Interim City Manager to terminate water utility service to Pittsburg County Rural Water District #7 by 9:00 A.M., on Monday, November 3, 2025, unless the Interim City Manager had reached a satisfactory accord with Pittsburg County Rural Water District #7. There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Beaty, Gilmore, Boatright, Woodley, Stone, Roden & Mayor Few

NAY: None

Mayor Few declared the motion carried.

Adjournment

There being no further business before the Council, Mayor Few encouraged citizens to help control the pet population and have their pets spayed or neutered. He then declared the meeting adjourned at 8:47 P.M.

ATTEST:

Justin Few, Mayor

Cora Middleton, City Clerk

Record No: PC-457

Rezoning Application

Status: Active

Submitted On: 5/7/2026

Primary Location

34.936519, -95.773437

Owner

No owner information

Applicant
 Martha Mendoza

 972-974-5636

 oscmarth@yahoo.com

 5640 Mission Ct

Midlothian, TX 76065

Application to Rezone:

ARE ADDITIONAL APPLICANTS APPLYING FOR REZONING? (Please complete the "APPLICANTS INFORMATION" section for each additional applicant.)*

NO

PROPERTY INFORMATION : Please complete this section for the subject property you are requesting to rezone. If the subject property involves separate parcels, please include a description from a survey or abstractors certificate for one legally described property.

ADDRESS OR LOCATION OF PROPERTY

321 West Adams

LEGAL DESCRIPTION:*

PT OF LOT 5 BLK 266 SO MCALESTER DESC AS BEGIN AT A PT IN SLY LN 49' WLY FROM SE/C, WLY ALG SLY LN 56' TO SW/C, NLY ALG WLY LN 93.6 FT TO NW/C, ELY ALG NLY LN 81', SLY IN A STRGT LN TO POB

Attach extended legal description or survey (optional) 

No File Uploaded

Note: An affidavit of ownership is required. If the applicant is not the owner of the subject property then separate documentation must be provided showing capacity to file the application and agree to conditions of approval.

OWNERSHIP, AS RECORDED ON THE DEED, IS IN THE NAME OF:*

Martha Mendoza

MAILING ADDRESS OF PROPERTY OWNER(S) ?

5640 Mission Court, Midlothian, Texas 76065

E-MAIL FOR PROPERTY OWNER(S)

oscmarth@yahoo.com

PHONE NUMBER FOR PROPERTY OWNER(S)

972-974-5636

GENERAL PROPERTY DATA

Please note that some rezoning request requires a minimum of 25,000 square feet. Refer to the area regulations of the applicable district.

PRESENT ZONING* ?

R-1B Single-Family Residential

REQUESTED ZONING*

C-2 Neighborhood Convenience

FRONTAGE IN FEET* ?

56

DEPTH IN FEET

94

TOTAL SQUARE FEET FOR PARCEL*

6400

INTERNAL USE: CALCULATION FOR SQUARE FOOTAGE OF PROPERTY

Total sq footage of land area

+

×

↶

↷

STATEMENT OF APPLICANT

I (we) further acknowledge that I (we) have read the information pertaining to Land Development, Planning, and Zoning Regulations, the specific Zoning Districts and District Regulations, official Future Land Use map and/or Comprehensive Plan and have had sufficient opportunity to inquire with regard to matters set forth therein and, accordingly, understand all applicable procedures and matters relating to this application.

I (we) further acknowledge that submission of this application initiates a process and does not imply approval by City of McAlester or any of its boards, commissions, or staff. That the City of McAlester may not defend challenge(s) to my proposed application and related development authorizations, and that it may be my sole obligation to defend any and all actions and approvals that may authorize the use or development of the subject property.

I (we) understand that this application, attachments, and fees become part of the official records of the City of McAlester and are subject to use in Open Meetings and will be available for Open Records requests.

I (we) hereby agree to allow the placement of a public notice sign (placard), if required, on the subject property at a location to be determined by City staff, and that such sign is the property of the City of McAlester and shall be returned at the conclusion of my (our) application.

I (we) dispose and say that all of the information provided in this application, including information contained in all submittals, attachments, and exhibits, transmitted herewith are true to the best of my (our) knowledge.

I (we) hereby represent that I (we) have the lawful right and authority to file this application.

Digital Signature*

✓ Martha Mendoza
Apr 7, 2026

Application Reviewed and Accepted (Internal Use)

Has the Application been Reviewed and Accepted 🔒

Yes

Accepted By 🔒

Patti Hobbs

Publication Information

Date Published in Newspaper 🔒

06/27/2026

Publication fee 🔒

65.12

Certified Mailing Information

Total Number of mailed certified notifications 🔒

35

Date of Mailing 🔒

06/26/2026

CC: Planning Commission Chairperson 🔒

Mark Emmons, Planning Commission Chairman

CC: Mayor 🔒

Justin Few, Mayor

CC: Councilman: Please Choose one 🔒

Chris Stone, Third Ward Councilman

Regular Mailing

Number of regular mailed notifications	Date of regular mailed notifications
4	06/26/2026

Public Hearing Information

Planning Commission Hearing Date	Planning Commission Decision
07/21/2026	—
Subject to Appeal	
—	

Attachments

	PC-457_email with justification letter_06.19.2026.pdf PC-457_email with justification letter_06.19.2026.pdf Uploaded by Patti Hobbs on Jun 22, 2026 at 2:57 PM	
	PC - 457 Sign Photos_06.26.2026.pdf PC - 457 Sign Photos_06.26.2026.pdf Uploaded by Patti Hobbs on Jun 26, 2026 at 4:39 PM	
	PC-457 Notice to Property Owners_packet.pdf PC-457 Notice to Property Owners_packet.pdf Uploaded by Patti Hobbs on Jun 26, 2026 at 4:40 PM	
	AD200788_06.27.2026.pdf AD200788_06.27.2026.pdf Uploaded by Patti Hobbs on Jun 26, 2026 at 4:41 PM	
	PC - 457 Mailing Logs_06.26.2026.pdf PC - 457 Mailing Logs_06.26.2026.pdf Uploaded by Patti Hobbs on Jun 26, 2026 at 4:42 PM	
	Abstractor's Plat & Report Abstract_Adams.pdf Uploaded by Martha Mendoza on May 6, 2026 at 2:26 PM	REQUIRED
	Site Plan Adams_OutsideView.pptx Uploaded by Martha Mendoza on May 6, 2026 at 3:02 PM	REQUIRED
	Project Narrative Rezoning Request.docx Uploaded by Martha Mendoza on May 6, 2026 at 3:35 PM	REQUIRED
	Affidavit of Property Ownership PropAff.jpg Uploaded by Martha Mendoza on May 7, 2026 at 1:11 PM	REQUIRED

Rezoning Request – 321 W. Adams, McAlester, Oklahoma

Respectfully, I am requesting approval to rezone the property located at 321 W. Adams from Residential to Commercial.

Neighborhood Compatibility & Historical Use

Based on input from long-term residents, the property was previously used as a library. A neighbor who has resided on the street for over fifty years confirmed this past use. This indicates the property has historically supported a community-serving, non-residential function and is well-suited for limited commercial activity.

In addition, the surrounding area reflects an established pattern of commercial zoning. Properties along the corridor from Carl Albert Parkway to Washington Street—located just one block from the subject property—are zoned Commercial. Rezoning 321 W. Adams would be a logical extension of this existing commercial corridor and consistent with the area's ongoing development pattern.

Proposed Use (Low-Impact Commercial)

The property will be used for small-scale, low-impact business purposes that are compatible with the surrounding neighborhood. Potential uses include:

- Professional office space (primary use)
- Beauty salon or personal care services
- Pet grooming services
- Flexible workspace options including:
 - Three private office suites (existing bedrooms)
 - Shared cubicle or desk space (limited capacity)
 - Short-term office rentals (daily, weekly, monthly)

These uses are service-oriented, generate minimal noise, and are designed to integrate seamlessly within a residential-style structure.

Traffic & Parking Considerations

The proposed use is expected to generate **low to moderate traffic**, significantly less than typical retail or high-intensity commercial uses. Most tenants will operate by appointment or standard business hours, reducing peak traffic impacts.

- On-site parking will be provided and configured to accommodate tenants and visitors

- Parking layout will be designed to ensure safe entry and exit
- No large delivery vehicles or high-frequency traffic is anticipated

Property Maintenance & Neighborhood Impact

The structure will retain its residential appearance, preserving the character of the neighborhood while improving the property's upkeep and long-term viability.

- Exterior appearance will remain consistent with surrounding homes
- Landscaping and property maintenance will be enhanced
- Business operations will be limited to reasonable daytime hours

Economic & Community Benefit

Rezoning this property will provide positive benefits to the community by:

- Supporting small businesses and local entrepreneurs
- Activating an underutilized property in a productive way
- Increasing property value and neighborhood appeal
- Expanding professional services available within close proximity to residents

Conclusion

Given the property's historical non-residential use, proximity to existing commercial zoning, and the low-impact nature of the proposed use, rezoning 321 W. Adams to Commercial is both appropriate and beneficial to the surrounding area.

I respectfully request your approval of this rezoning application and appreciate your time and consideration.

REZONING JUSTIFICATION SUMMARY

Property: 321 W. Adams, McAlester, Oklahoma

Request: Rezoning to Small Office / Neighborhood Commercial (C-1 or similar)

Honorable Members of the Planning Commission,

I respectfully request approval to rezone 321 W. Adams from residential use to a small-scale commercial designation suitable for office and neighborhood-serving uses. This request reflects the property's unique characteristics and its alignment with the City's long-term planning goals.

The property is an existing, recently renovated historic structure proposed for **adaptive reuse**, not redevelopment. This approach preserves the building, maintains neighborhood character, and encourages continued private investment without introducing intensive new construction.

The site is a **corner lot with frontage on two public streets and rear alley access**, providing natural separation from surrounding residential properties. This configuration allows parking and service activity to be managed off-street, minimizing impacts on neighboring homes. Additionally, the surrounding street network, including W. Adams and Hickory, consists of wider and more connected corridors than typical interior residential streets, making the location suitable for low-intensity commercial transition use.

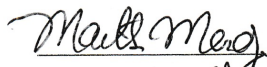
This request is consistent with the goals of the **McAlester Forward 2040 Comprehensive Plan**, which encourages reinvestment in existing structures, adaptive reuse, and strategic redevelopment that supports long-term economic stability while preserving established neighborhoods.

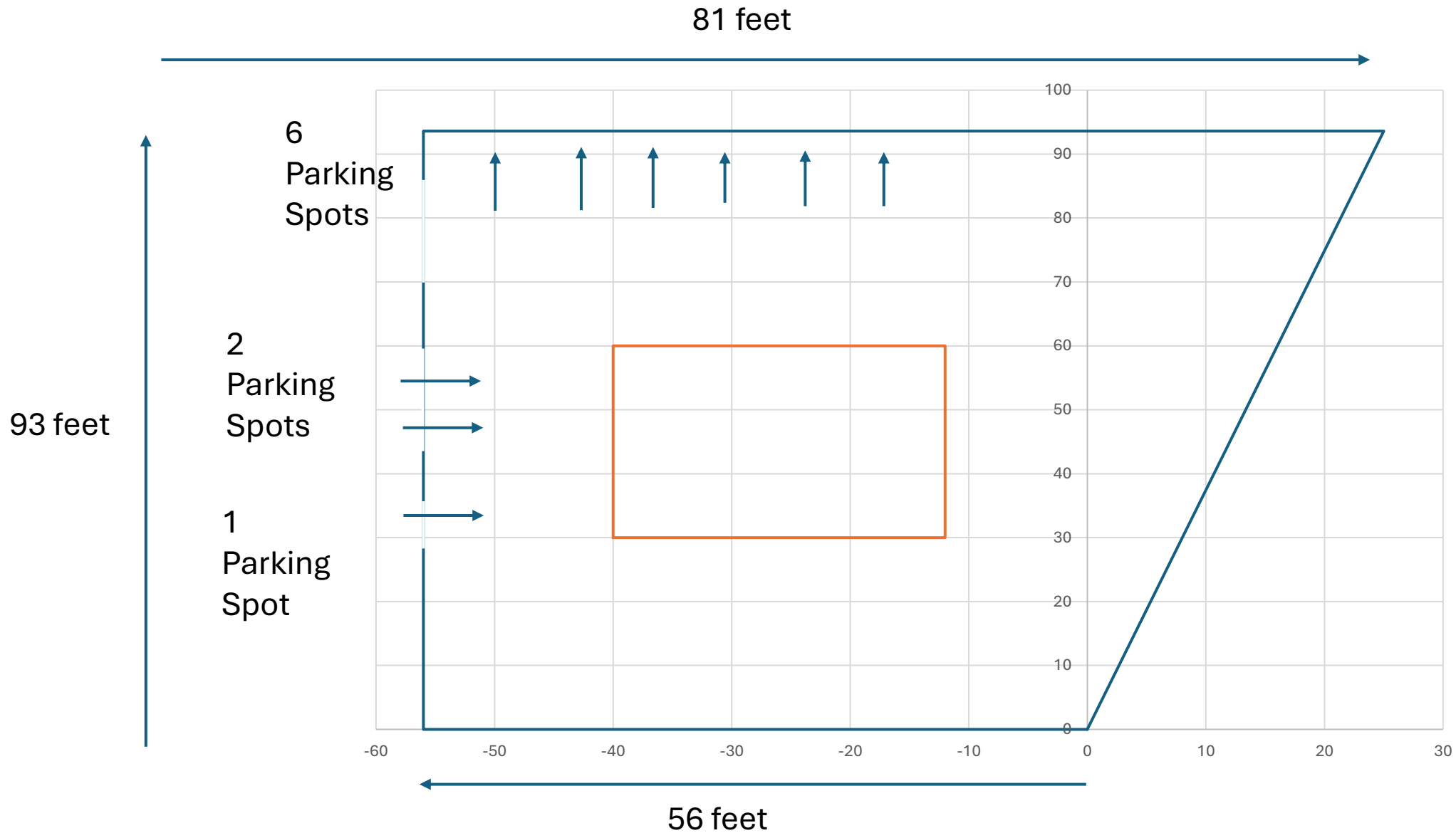
While the current minimum lot size requirement for commercial zoning is more restrictive than standards in comparable Oklahoma municipalities, small office and neighborhood commercial uses are often regulated through setbacks, parking, and compatibility rather than large lot thresholds. This property demonstrates that functional planning objectives can still be met despite dimensional limitations designed for larger-scale development.

The intended use is limited to **low-impact professional and office uses**, such as administrative offices or appointment-based services, which generate minimal traffic and remain compatible with surrounding residential uses.

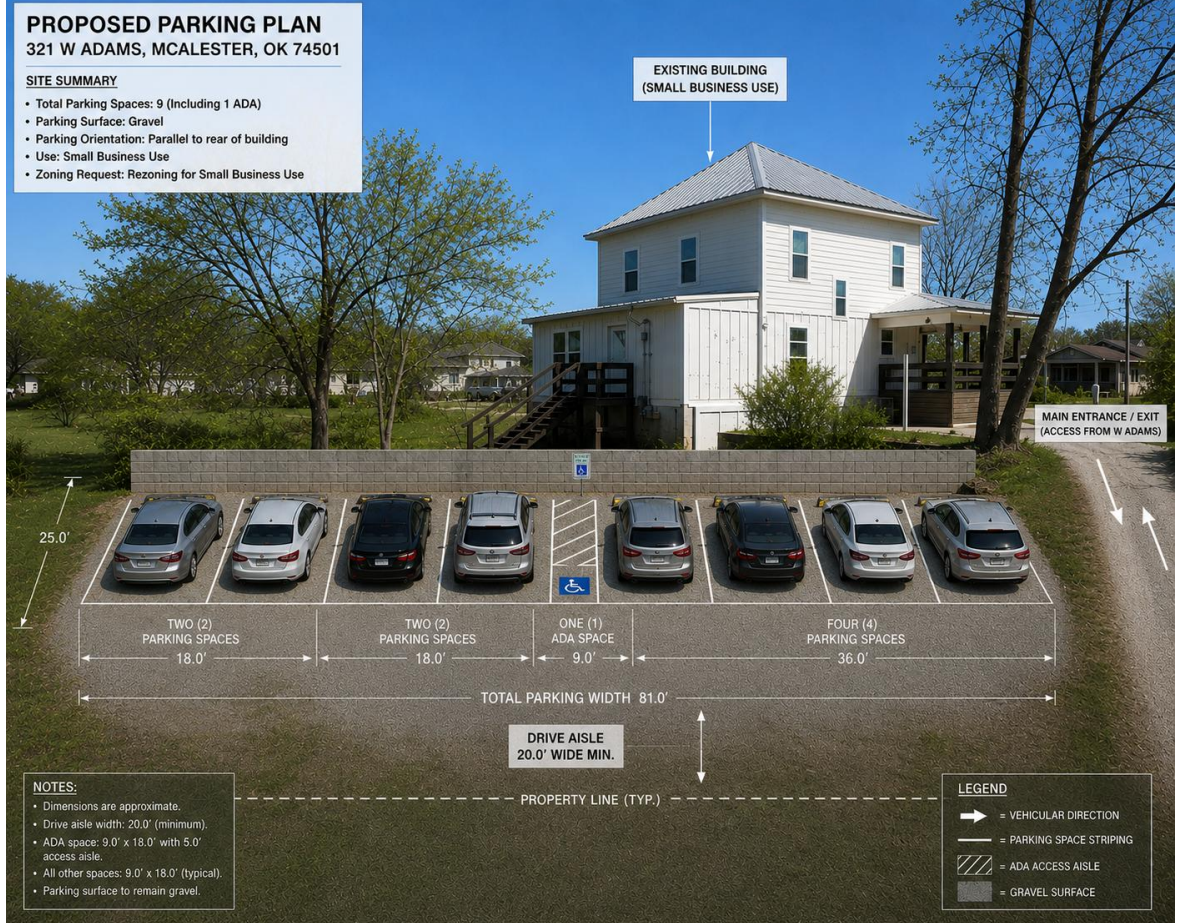
For these reasons, this request represents a responsible transition use that preserves an existing structure, supports thoughtful redevelopment, and aligns with the City's comprehensive planning objectives. I respectfully request approval of this rezoning application.

Respectfully submitted,


Property Owner - Martha Mendoza
321 W. Adams
McAlester, Oklahoma



Beginning at a Point in the Southerly Line 49 feet Westerly from the Southeast Corner; Thence Westerly along the Southerly Line a distance of 56 feet to the Southwest Corner; Thence Northerly along the Westerly Line a distance of 93.6 feet to the Northwest Corner; Thence Easterly along the Northerly Line a distance of 81 feet; Thence Southerly in a Straight Line to the Point of Beginning.





OWNERSHIP LIST CERTIFICATE

STATE OF OKLAHOMA

Order No.: 3072607470

COUNTY OF PITTSBURG

The undersigned bonded abstractor does hereby certify that the foregoing list of names represents the grantees shown in the most recent conveyances of record. The abstractor does not guarantee the validity of the title of such parties and this instrument is not intended to guarantee title thereto. These conveyances are shown of record in the office of the County Clerk, Pittsburg County, Oklahoma together with the legal description and mailing addresses as shown by the County Assessor and/or Treasurer of each of the following parcels of land:

A 300 foot radius of property owners surrounding the following described property, to wit:

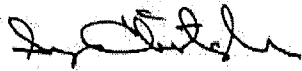
Part of Lot Five (5), Block Two Hundred Sixty-six (266) In the City of McAlester, formerly known as South McAlester, Pittsburg County, State of Oklahoma, more particularly described as follows:

Beginning at a Point in the Southerly Line 49 feet Westerly from the Southeast Corner; Thence Westerly along the Southerly Line a distance of 56 feet to the Southwest Corner; Thence Northerly along the Westerly Line a distance of 93.6 feet to the Northwest Corner; Thence Easterly along the Northerly Line a distance of 81 feet; Thence Southerly in a Straight Line to the Point of Beginning.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Countersigned:

Smith Brothers Abstract & Title Co., LLC



Sunnys Christopher
Abstractor License No.: 1317



Lucas Strawn, CEO

OWNERSHIP LIST

Order No.: 3072607470

Through: 04/22/2026

Page No.: 1

OWNER	LEGAL DESCRIPTION
Rick Roberts 1216 East Osage McAlester, Oklahoma 74501	Northerly 80 feet of Lot 3, in Block 233, South McAlester.
The Estate of Vance Q. Toole, deceased Gina R. Alexander Sonya Toole Sammie Johnson Sue Toole John Toole Joe Toole 329 West Adams Avenue McAlester, Oklahoma 74501	Part of Lot 3, in Block 233, South McAlester, described as: Beginning at a point which is 80 feet South and 58.94 feet West of the Northeast Corner of Lot 3; thence Southerly and approximately 112.85 feet to a point on the South property line of said Lot, which is 83 feet West of the Southeast Corner of said Lot; thence Westerly along and upon the South Line to the Southwest Corner; thence North along and upon the West Line a distance of 106 feet; thence Easterly in a Straight Line to the Point of Beginning.
Neamyra Riddle 210 West Adams Avenue McAlester, Oklahoma 74501	Part of Lot 3, in Block 233, South McAlester, described as: Beginning at the Southeast Corner of Lot 3, Block 233; thence Northerly along the East Line for a distance of 134.70 feet; thence Westerly perpendicular to the East Line a distance of 58.94 feet; thence Southerly on a Straight Line approximately 112.85 feet to a point on the South Line a distance of 83 feet West of the Southeast Corner of Lot 3; thence Easterly along the South Line for a distance of 83 feet to the Point of Beginning.
Rebecca Anne Frias 339 West Adams Avenue McAlester, Oklahoma 74501	Part of Lots 4 and 5, in Block 233, South McAlester, described as: Beginning at a point on the East Line of Lot 5 a distance of 10 feet South of the Northeast Corner; thence Southerly along the East Line of Lots 5 and 4 to the Southeast Corner of Lot 4; thence Northwesterly along the South Line of Lot 4 for a distance of 60.7 feet; thence Northerly and parallel with the East Line of Lots 4 and 5 to a point which is 10 feet South of the North Line of Lot 5; thence Easterly and parallel with the North Line of Lot 5 for a distance of 58.1 feet to the Point of Beginning.
Raven B. Allen 416 North "C" Street McAlester, Oklahoma 74501	Northerly 50 feet of the Westerly 160 feet of Lot 6; and the Southerly 50 feet of the Westerly 160 feet of Lot 7; in Block 233, South McAlester; LESS AND EXCEPT A triangular tract out of Lot 6, described as: Beginning at a point on the West Line of Lot 6 a

	distance of 50 feet North of the Southwest Corner; thence Easterly on a line parallel to the South Line of said Lot a distance of 160 feet; thence Northerly on a line parallel to the East Line of said Lot for a distance of 8.6 feet; thence Westerly for a distance of 159.998 feet more or less to the Point of Beginning.
Miller M. Newman 1107 East Pierce Avenue McAlester, Oklahoma 74501	Easterly 14.3 feet of Lot 7, in Block 233, South McAlester.
Felipe J. Gonzales Shelby Adkins 343 West Adams Avenue McAlester, Oklahoma 74501	A tract in Lots 4, 5 and 6, in Block 233, South McAlester, described as: Beginning at a point on the West Line of Lot 6, which point is 50 feet South of the North Line of Lot 6; thence Southerly along the West Line of Lots 6, 5 and 4 for a distance of 200.7 feet to the Southwest Corner of Lot 4; thence Southeasterly along the South Line of Lot 4 for a distance of 121.4 feet; thence Northerly parallel with the West Line of Lots 4 and 5 to a point which is 10 feet South of the North Line of Lot 5; thence Easterly parallel with the South Line of Lot 6 for a distance of 58.1 feet to the East Line of Lot 5; thence North along the East Line of Lots 5 and 6 for a distance of 58 feet; thence Southwesterly in a straight line to the Point of Beginning; and The Easterly 14.3 feet of the Southerly 58 feet of Lot 6, in Block 233, South McAlester.
City of McAlester P.O. Box 578 McAlester, Oklahoma 74502	Lots 6, 7, 8 and 9, in Block 234, South McAlester.
Luis Sebastian Machucho Reyes Rosa Hilda Flores Salas 4517 Pine Tree Circle E Fort Worth, Texas 76244	Lot 1, in Block 304, South McAlester.
Abelino Diaz 14993 State Highway No. 113 McAlester, Oklahoma 74501	Easterly 50 feet of the Westerly 100 feet of Lot 2, in Block 304, South McAlester.
Lamb Developers LLC P.O. Box 3894 McAlester, Oklahoma 74502	Easterly 50 feet of Lot 2, in Block 304, South McAlester.
The Estate of David V. Schardein, deceased 3124 Lamp Post Lane Oklahoma City, Oklahoma 73120	Westerly 50 feet of Lot, in Block 304, South McAlester.
Patricia Blevins c/o Donald E. Allen 324 West Adams Avenue	Westerly 50 feet of Lot 3, in Block 304, South McAlester; LESS AND EXCEPT

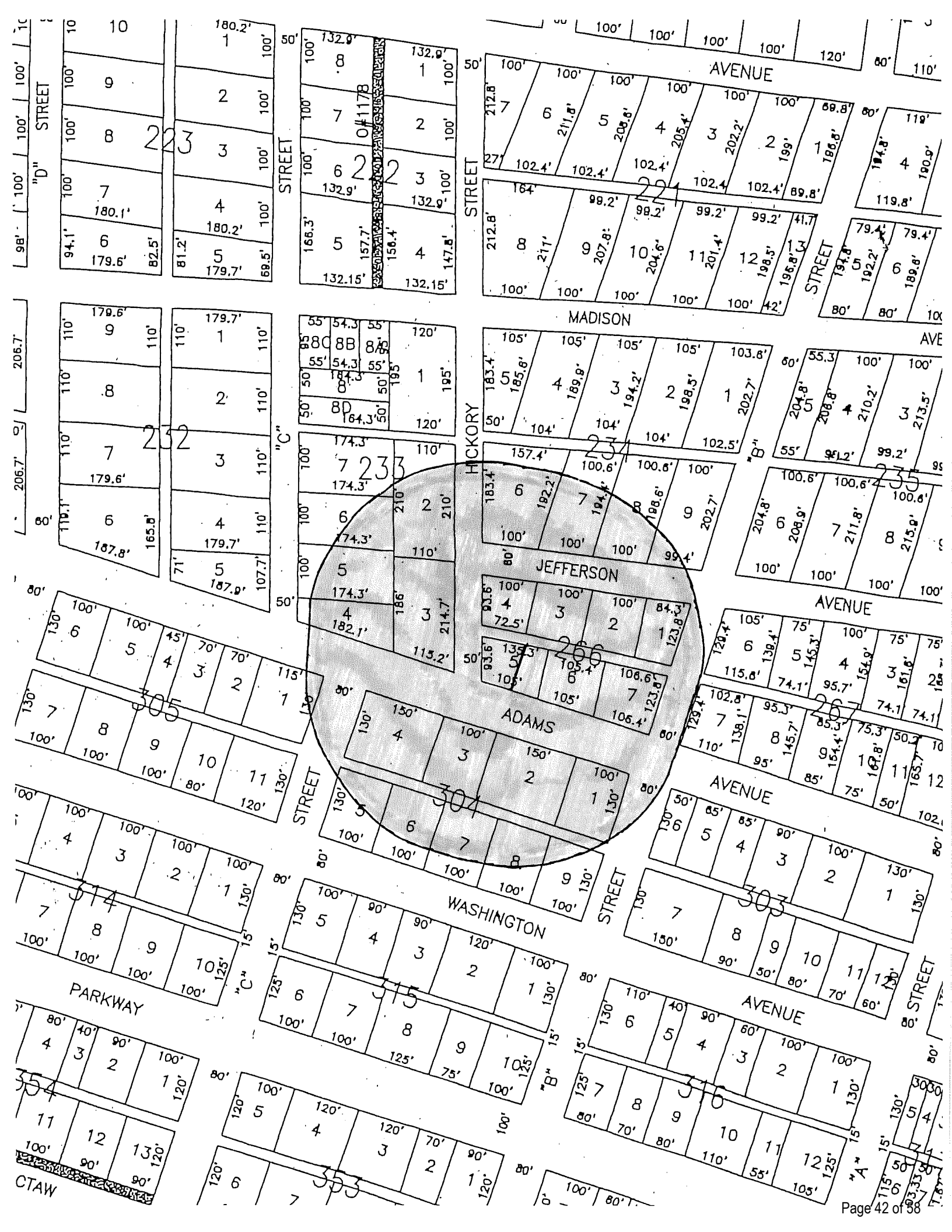
McAlester, Oklahoma 74501	A tract described as: Beginning at a point 50 feet East and 62 feet North of the Southwest Corner of Lot 3; thence West 22 feet parallel to the South Line; thence North 45 feet parallel to the West Line; thence East 22 feet parallel to the North Line; thence South to the Point of Beginning;
Victoria McKean 515 East "South" Avenue McAlester, Oklahoma 74501	Easterly 50 feet of Lot 3; and the Easterly 22 feet of the Westerly 50 feet of the Northerly 45 feet of the Southerly 107 feet of Lot 3, in Block 304, South McAlester.
Charles A. Griffin Kristine Griffin 332 West Adams Avenue McAlester, Oklahoma 74501	Westerly 50 feet of Lot 4, in Block 304, South McAlester.
Melissa Hollie Ford Joshua Wayne Ford 330 West Adams Avenue McAlester, Oklahoma 74501	Easterly 50 feet of the Westerly 100 feet of Lot 4, in Block 304, South McAlester.
Floyd J. Gann Phyllis A. Gann 4310 McAlester Lake Road McAlester, Oklahoma 74501	Easterly 50 feet of Lot 4, in Block 304, South McAlester.
Ryan Braswell Christina Braswell P.O. Box 254 McAlester, Oklahoma 74502	Lots 5 and 6, in Block 304, South McAlester.
Ardis Bowles 319 West Washington Avenue McAlester, Oklahoma 74501	Westerly 50 feet of Lot 7, in Block 304, South McAlester.
Cornelio Aparicio 512 East Comanche Avenue McAlester, Oklahoma 74501	Easterly 50 feet of Lot 7, in Block 304, South McAlester.
Arthur F. Woodmore Elaine Marie Woodmore 1310 East Wichita Avenue McAlester, Oklahoma 74501	Lot 8, in Block 304, South McAlester.
Miranda Coshatt 305 West Washington Avenue McAlester, Oklahoma 74501	Westerly 50 feet of Lot 9, in Block 304, South McAlester.
Brenda Cruz Jaime Macias 301 West Washington Avenue McAlester, Oklahoma 74501	Easterly 50 feet of Lot 9, in Block 304, South McAlester.
Dorothy Gail Crone 400 West Adams Avenue	Easterly 50 feet of Lot 1, in Block 305, South McAlester.

McAlester, Oklahoma 74501	
Firstbank P.O. Box 458 Antlers, Oklahoma 74523	Southerly 75 feet of Lot 2, in Block 233, South McAlester.
Shawn J. Lee Dawn M. Lee 423 North Hickory Street McAlester, Oklahoma 74501	Northerly 67.5 feet of Lot 2, in Block 233, South McAlester.
Hailey Hatton Shawn Free 421 North Hickory McAlester, Oklahoma 74501	Southerly 67.5 feet of the Northerly 135 feet of Lot 2, in Block 233, South McAlester.
Herman D. Parker Ewa J. Parker 415 North "B" Street McAlester, Oklahoma 74501	Lots 1 and 2, in Block 266, South McAlester.
Antonio Jaimes P.O. Box 174 Alderson, Oklahoma 74522	Lot 3, in Block 266, South McAlester.
Oralia Morales Rodriguez Manuel N. Pacheco 2858 College Boulevard Oceanside, California 92056	Lot 4, in Block 266, South McAlester.
Martha Martinez Mendoza 5640 Mission Court Midlothian, Texas 76065	Part of Lot 5, in Block 266, South McAlester, described as: Beginning at a point in the South Line a distance of 49 feet West from the Southeast Corner; thence Westerly along the South Line a distance of 56 feet to the Southwest Corner; thence Northerly along the West Line a distance of 93.6 feet to the Northwest Corner; thence Easterly along the North Line a distance of 81 feet; thence Southerly in a Straght Line to the Point of Beginning.
Dorothy E. Rabourn 319 West Adams Avenue McAlester, Oklahoma 74501	Easterly 49 feet Lot 5 and the Westerly 30 feet of Lot 6, in Block 266, South McAlester.
Don Smith P.O. Box 51 Wilburton, Oklahoma 74578	Part of Lots 6 and 7, in Block 266, South McAlester, described as: Beginning at the Northeast Corner of Lot 7; thence Westerly along the North Line of Lots 7 and 6 a distance of 159.3 feet; thence Southerly and parallel with the East Line of Lot 6 for a distance of 54.6 feet; thence Easterly in a Straight Line to a point on the East Line of Lot 7 which is 61.9 feet South from the Northeast Corner off Lot 7;

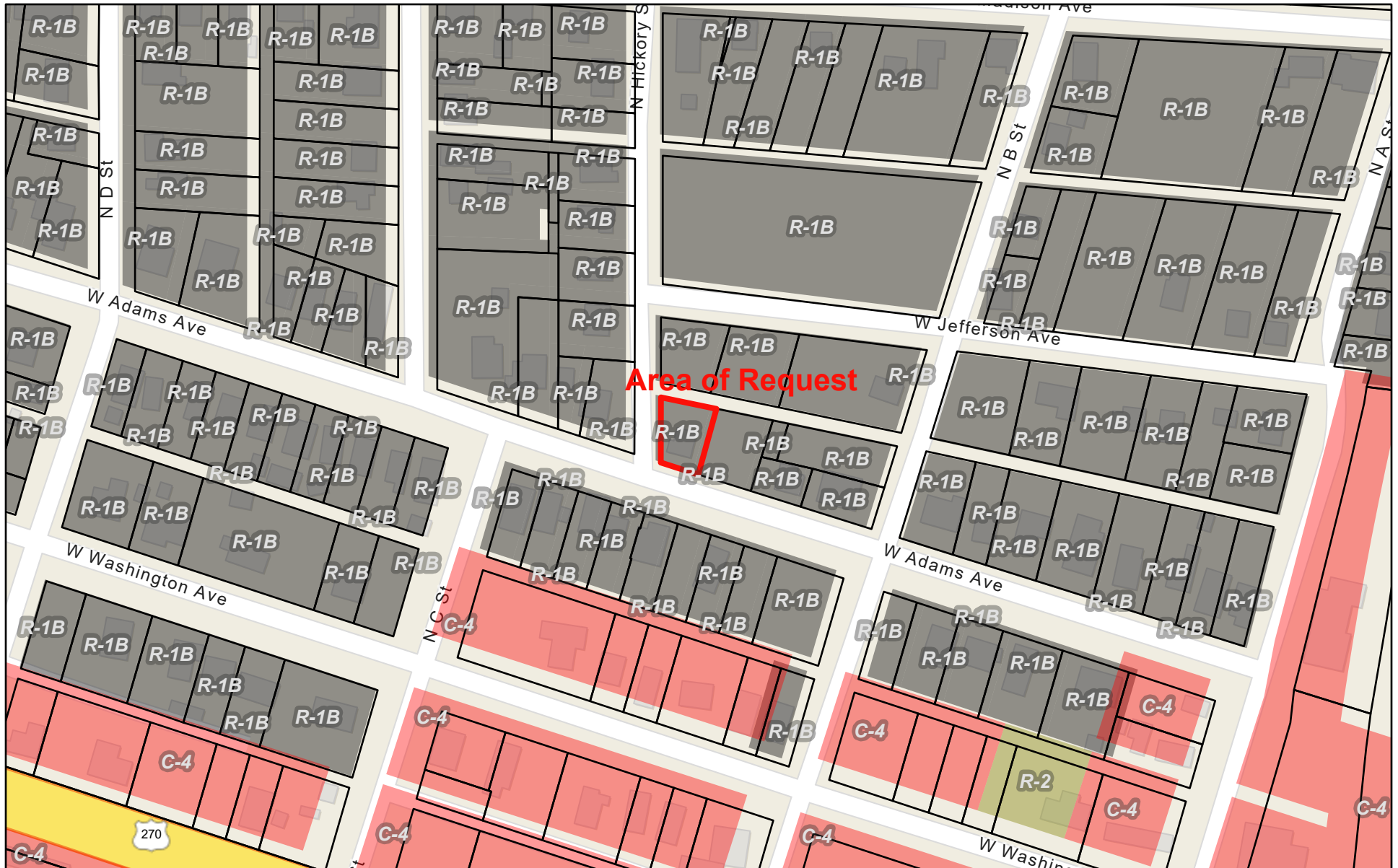
	thence Northerly along the East Line of Lot 7 to the Point of Beginning.
Evans F. Fields Jr. Cameron Fields 2016 North "A" Street McAlester, Oklahoma 74501	Part of Lot 6, in Block 266, South McAlester, described as: Beginning at a point on the North Line of Lot 6, which is 52.7 feet West of the Northeast Corner of Lot 6; thence Southerly parallel with the East Line a distance of 54.6 feet; thence Westerly in a Straight Line to a Point which is 30 feet West of the West Line; thence Northerly parallel with the said West Line to a point on the North Line; thence in an Easterly Direction for a distance of 22.7 feet along the North Line to the Point of Beginning.
William P. Cannon Patti L. Cannon 589 Firestone Road McAlester, Oklahoma 74501	Part of Lot 6, in Block 266, South McAlester, described as: Beginning at the Southeast Corner of Lot 6; thence Westerly along the South Line a distance of 52.5 feet; thence Northerly parallel to the East Line for a distance of 54.7 feet; thence Easterly to a point on the East Line of Lot 6, said point being 57 feet North of the Southeast Corner; thence Southerly along the East Line to the Point of Beginning; and Part of Lot 6, in Block 266, South McAlester, described as: Beginning at a point on the South Line a distance of 52.5 feet West of the Southeast Corner; thence Northerly parallel to the West Line a distance of 54.7 feet; thence Westerly parallel to the South Line a distance of 22.5 feet; thence Southerly parallel to the East Line a distance of 54.7 feet to a point on the South Line, which is 75 feet West of the Southeast Corner; thence Easterly along the South Line a distance of 22.5 feet to the Point of Beginning.
Santa Fe Rentals LLC P.O. Box 1948 McAlester, Oklahoma 74502	South-Half of Lot 7, in Block 266, South McAlester.
City of McAlester P.O. Box 578 McAlester, Oklahoma 74502	Easements, Alleys and Public Ways.
Pittsburg County Commissioners 115 East Carl Albert Parkway McAlester, Oklahoma 74501	Easements, Alleys and Public Ways.

EXHIBIT "A"
Legal Description

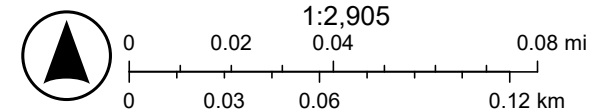
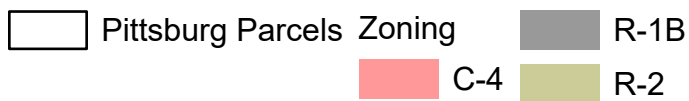
Part of Lot Five (5), Block Two Hundred Sixty-six (266) In the City of McAlester, formerly known as South McAlester, Pittsburg County, State of Oklahoma, more particularly described as follows:
Beginning at a Point in the Southerly Line 49 feet Westerly from the Southeast Corner; Thence Westerly along the Southerly Line a distance of 56 feet to the Southwest Corner; Thence Northerly along the Westerly Line a distance of 93.6 feet to the Northwest Corner; Thence Easterly along the Northerly Line a distance of 81 feet; Thence Southerly in a Straight Line to the Point of Beginning.



PC-457 Area of Request



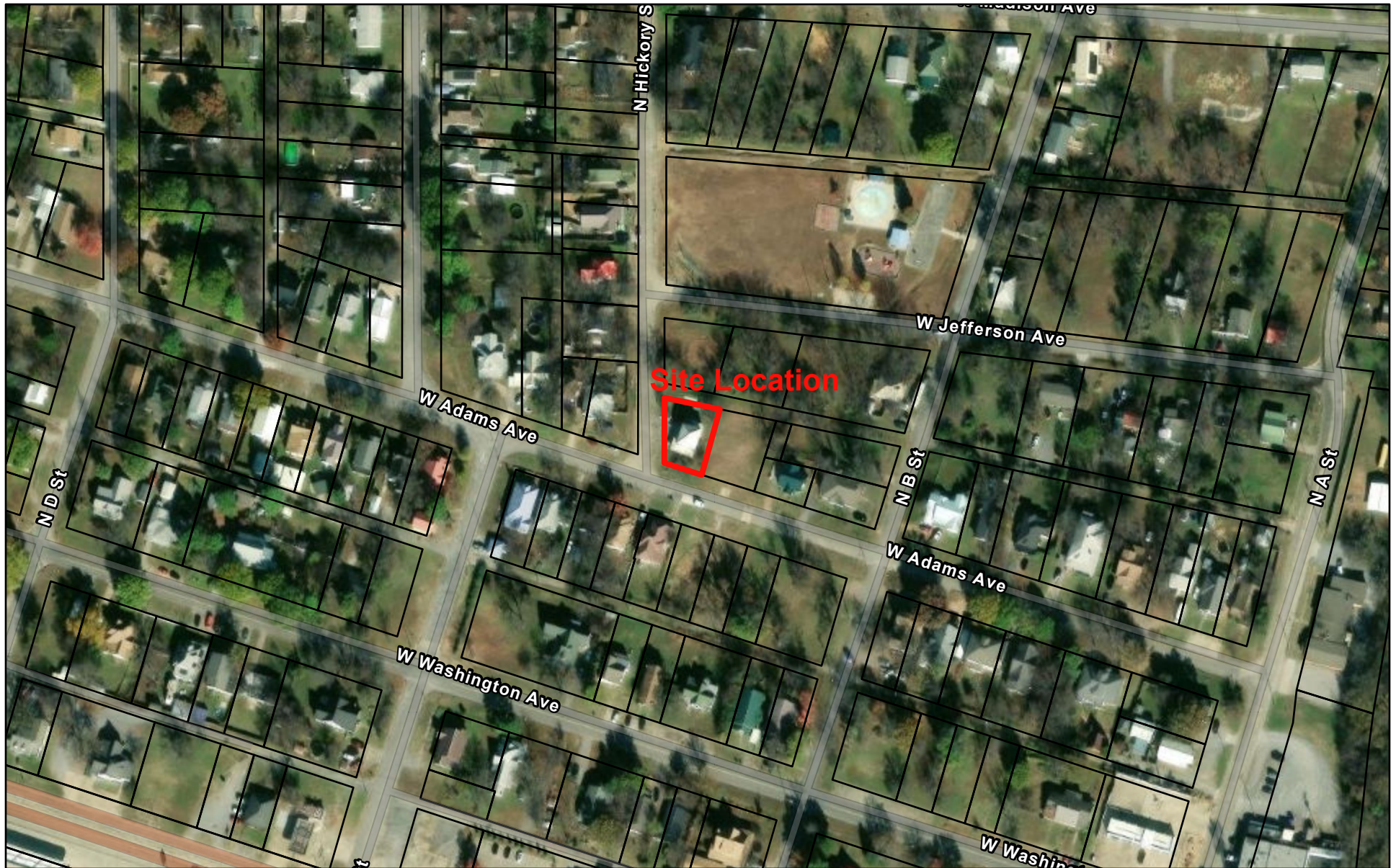
6/26/2026



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community

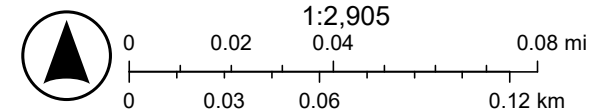
Conceptual Only

PC 457 - Site Location



6/26/2026

 Pittsburg Parcels



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, (c) OpenStreetMap contributors, and the GIS User Community, Microsoft, Vantor

Conceptual Only



July 9 - 2026

To: Mc Alester Mayor, Justin Hew Council
Chris Stone, Mark Emmons, Chairman
Planning Commission, All current
Council members, Hbts, Community
Development Department

RECEIVED
JUL 11 2026
Planning & Community
Development Department

Ref: PC Case #457

I Strongly oppose the request to
change the zoning from our present
R-1B Single-Family Residential District
Location 321 W. Adams Ave. to C-2
Neighborhood Convenience District.

I am Dorothy Gail Crone, property
owner and resident of 400 W. Adams
Ave. Since December 1965, (61
years!) I have been an active
Voter, records will show, tax payer,
responsible neighbor involved in our

Keep Mc Alester Beautiful as a leader
From beginning resulting in our ward's
outstanding recognition. I very highly
respect those who were here before us

Choose our present zoning. Just North
of this location is our ward's park which
through the years has been a favorite
of our children. A few blocks west is the
location of William Gay School and playground.
We have a bus route also on walk
Washington. Children and all ages
through out our neighborhood. Love our
small town. Thank you for your help!

Kind Regards -
Dorothy A. Crone

This is recycled paper
for several reasons, mostly
I'm on a budget! Hand
delivered to City Hall to
save my stamp!
Have a great day!

END: RX# 41000015

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Database Edition 25.1.3.009

Issue Date: February 26, 2025

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PLANNING COMMISSION STAFF REPORT July 21, 2026

To: McAlester Planning Commission
From: Patti Hobbs, Planning Technician
Jayme Clifton, Community Development Director
Date: July 15, 2026
Subject: Rezoning Application – PC-457

1. APPLICATION SUMMARY

Applicant: Martha Mendoza (Applicant/Owner)
Location: 321 W Adams Ave, McAlester, Oklahoma
Legal: Part of Lot Five (5), Block Two Hundred Sixty-six (266) In the City of McAlester, formerly known as South McAlester, Pittsburg County, State of Oklahoma
(Detailed metes and bounds description included in case file)
Current Zoning: R-1B Single-Family Residential District
Proposed Zoning: C-2 Neighborhood Convenience District
General Description: The applicant is requesting to rezone the property from residential to commercial with the intent to rent office spaces; currently remodeling the dwelling.

2. NOTIFICATIONS

All notification requirements have been met. Proof of publication, firm mailing book signed and postmarked by the postmaster, and photos of sign posted on the property are included in the case file and may be provided upon request.

Posting of Sign on Property	June 26, 2026
Publication in McAlester News Capital	June 27, 2026

Notification to Property Owners within 300 Feet:

Mailed Certified Return Receipt	June 26, 2026
Property Owners within 300 feet	35
Notification receipts received	21
Notification Returned Unclaimed	3
Notifications Still Out	11 (as of 07/15/2026)

3. ATTACHMENTS

Application with Project Narrative and Site Plan
Abstractors Ownership List Certificate
Area of Request Map with Area Zoning Shown
Site Location Map

Written Responses from Surrounding Property Owners

4. BACKGROUND INFORMATION

The property features an existing recently remodeled two-story residential structure. The applicant intends to transition the building into light commercial use and rent the space that will feature three private offices suites and shared flexible workspaces. This adaptive reuse would require the property to be rezoned to commercial. The proposed gravel parking layout indicates a plan to establish 9 off-street parking spaces that are 9 ft x 18 ft, including 1 designated ADA space. The plan submitted by the application shows using a parallel configuration to the rear property line with 6 spaces and then 3 more spaces along North Hickory Street. Vehicular ingress and egress are proposed by a 20-foot-wide minimum drive accessed directly from West Adams Avenue.

According to the property records the parcel is approximately 6,454 square feet. The property is depicted as having an estimated 56 feet of street frontage on the southerly line along West Adams Avenue and an estimated 93 feet of street frontage on the westerly line along North Hickory Street. All parcel measurements are approximated since there is not a survey attached to the application.

Immediate adjacent properties to the north, east, and west, as well as properties directly across West Adams Avenue to the south, are uniformly zoned R-1B Single-Family Residential. The nearest commercial zoning district corridor begins one-half block south along West Washington Avenue, where properties are predominantly zoned C-4 Restricted Commercial. The Future Land Use Map (FLUM) designation for this interior neighborhood area is Medium-Density Residential. That designation allows for multi-family housings or townhomes, but it excludes commercial retail or office uses.

Staff received a formal written objection from Dorothy Gail Crone, a property owner and resident at 400 W Adams Avenue, which is directly across the intersection. Ms. Crone strongly opposes changing the block's classification from R-1B to C-2, citing a 61-year residency in the neighborhood. Her objection highlights that the interior residential streets accommodate high pedestrian activity across all age groups, given the close proximity to the local ward park and the William Gay School and playground located a few blocks west. Her protest notes that commercial expansion into this segment threatens the safety and established identity of the neighborhood. Staff also received a telephone call from a surrounding property owner, Carlos Johnson the executor for the Estate of David Scharden, expressing general favor for the rezoning.

5. STAFF ANALYSIS

The subject property is heavily nonconforming to several of the dimensional and area regulations of the C-2 Neighborhood Convenience District. The minimum lot area for the district is 12,000 square feet, and 25,000 square feet to initiate a commercial rezoning amendment. The City recently enacted changes to the threshold for rezoning, lowering it from 50,000 square feet to 25,000 square feet, establishing a limit to protect transitional intensity, buffering, and compatibility. Additionally, the property provides only 56 feet of frontage along West Adams Avenue, failing the district's 100-foot minimum frontage requirement. Due to the lack of a certified property survey, compliance with commercial yard setbacks for the C-2 District cannot be verified. These deficiencies were clearly communicated to the applicant, and the rezoning application PC-457 was initially rejected by staff. The applicant updated her application with a summary of justification and requested to present her information to the Planning Commission.

The Off-Street parking and loading ordinance require parking dimensions of 9 feet x 19 feet, plus adequate area for ingress and egress. Additionally, areas should be paved with a sealed surface pavement or engineered permeable pavement. Both the adjoining West Adams Avenue and North Hickory Street are considered local streets intended to take in and distribute traffic between parcels of land and collector or arterial streets and provide access and serve neighborhoods.

The proposed development is non-conforming with the FLUM designation for this parcel. The Medium-Density Residential area is intended to protect the stability and character of established housing sectors. The subject property is adjacent to areas designated for residential preservation, situated north of the commercial transition corridor of West Washington Avenue that separates it from the higher intensity commercial area of Carl Albert Parkway.

The Moving McAlester Forward 2040 Comprehensive Plan also outlines clear goals regarding residential neighborhood stabilization. Specifically, recommendation HN-1 that guides the City to "maintain or improve the value of existing homes and neighborhoods, by minimizing encroachment of commercial development into neighborhoods that can erode or destabilize." Introducing a C-2 Neighborhood Convenience designation directly into an established, contiguous residential block acts as a spot-zoning encroachment that conflicts with the policy. While the applicant's narrative emphasizes "low-impact business uses", such as offices, salons, grooming, or personal services, a change to C-2 permanently allows a broader range of commercial operations by-right, which could compromise the long-term integrity of the residential block.

This request is a deviation from both the current zoning requirements and the city's 20-year look-ahead vision. Also, if the rezoning request to the C-2 district is approved, any future owner could by-right open any C-2 permitted use without coming back to the Planning Commission, permanently altering the neighborhood.

6. STAFF RECOMMENDATION

Based on the material provided in the application, analysis of information, mapping overlays, and guidance within the comprehensive plan, staff presents the following findings to the Planning Commission:

- The lot area of 6,454 square feet falls substantially short of the minimum lot area regulation, a 74% deficiency. The standard lot frontage minimums also can't be met on either side. The property does not appear to have the dimensional minimums typical for commercial development and would introduce immediate nonconformities to the C-2 Neighborhood Convenience District.
- The request to rezone C-2 Neighborhood Convenience constitutes spot zoning and is a commercial encroachment into an intact R-1B Single-family Residential neighborhood block. It directly conflicts with recommendations of neighborhood protection within the Moving McAlester Forward 2040 Comprehensive Plan.

Therefore, staff recommends denial of the rezoning request of the subject property from R-1B Single-Family Residential to C-2 Neighborhood Convenience.

A majority vote of the Planning Commission members that are present and voting is required to recommend approval to the council. The zoning map amendment request is tentatively scheduled for **Tuesday, August 11, 2026, council meeting**, pending the recommendation of the Planning Commission.

Appeal Language if Rezoning Request Not Approved by Planning Commission

Sec. 62-157 (g) If the planning commission fails to set up a petition for amendment for public hearing within 30 days after its proper filing with the planning commission at a regular scheduled meeting; or if after public hearing, the planning commission fails to recommend that this article be amended in accordance with such petition for amendment, such failure shall be deemed the final determination and decision of the planning commission. The final determination of the planning commission may be appealed to the city council provided a written request for a hearing before the city council is served on the chairman of the planning commission within 15 days after the final determination of the planning commission.



PLANNING COMMISSION STAFF REPORT July 21, 2026

To: McAlester Planning Commission
From: Jayme Clifton, Community Development Director
Date: June 17, 2026
Subject: Amending the Board of Adjustment for I-Code Requirements.

The Community Development Department staff is presenting the finalized text amendments for Chapter 62, Article II, Division 3 Board of Adjustment of the McAlester City Code. This initiative consolidates the functions of the historically inactive Fire Protection Board of Appeals and the Building Board of Appeals into the existing municipal Board of Adjustment (BOA).

At your previous meeting on June 16, 2026, this body reviewed the proposal in concept and was willing to consider recommendation following the City Attorney's review. We are pleased to report that on June 18, 2026, City Attorney John Hammons formally reviewed and approved the draft ordinance text as legally compliant with Oklahoma municipal law. With legal approval secured, staff are now requesting a formal recommendation for approval to move these amendments forward to the City Council.

In summary, the proposed amendments resolve administrative compliance gaps through a few mechanisms:

- **Membership & Alternates (Sec. 62-94):** Maintains exactly five (5) regular voting members to satisfy 11 O.S. § 44-101 but establishes two (2) alternate seats to provide specialized technical placeholders during an absence or recusal.
- **Technical Qualifications (Sec. 62-94(b)):** Retains the two (2) Planning Commission seats while clearly directing preference for the remaining citizen and alternate positions to individuals with trade experience in construction, engineering, or fire protection.
- **Jurisdictional Safeguards (Sec. 62-96):** Empowers the board to hear Chapter 18 and 50 appeals but explicitly removes the board of authority to waive technical safety standards.
- **Expedited Timelines (Sec. 62-98):** Moves along appeals, such as for building and fire code hearings, to a twenty (20) day window and eliminates the standard variance public notice requirements to better keep interpretations accessible and local commercial development projects moving.

Because these amendments eliminate long-standing administrative problems, protect citizen due process, and have been approved as legally sound by the City Attorney, staff recommend that the Planning Commission recommend approval of the ordinance amendments to the City Council.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 62, LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS, ARTICLE II, ADMINISTRATION AND ENFORCEMENT, DIVISION 3, BOARD OF ADJUSTMENT, OF THE MCALESTER CITY CODE; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA, that

SECTION 1. That Chapter 62, Land Development, Planning, Zoning and Subdivisions, Article II, Administration and Enforcement, Division 3, Board of Adjustment, of the McAlester City Code is hereby amended to read as follows:

Sec. 62-93. Created.

There is hereby created within and for the city a board of adjustment, with the powers and duties as set forth in this division.

Sec. 62-94. Membership.

(a) The board of adjustment shall be composed of five regular members, citizens of the city, each appointed by the mayor with the approval of the council for a term of three years; provided, however, that for the first appointment under the provisions of this division, one member shall be appointed for a term of one year; two members shall be appointed for a term of two years; and two members shall be appointed for a term of three years. Two alternate members shall be appointed for overlapping terms of two years. The city council may designate two (2) alternate members to serve as a board member in the absence or disqualification of any regular board member, provided that the alternate members meet the criteria of this section to serve on the board. All appointments thereafter for regular and alternate members shall be for a term of three years.

(1) For the purposes of this section, an "absence" or "disqualification" authorizing an alternate member to sit and vote shall be defined as:

a. A regular member's physical absence from a scheduled meeting;

b. A regular member's inability to attend due to medical, personal, or professional obligations, provided notice is given to the board chairperson prior to the call to order; or

c. A regular member's mandatory recusal or abstention due to a legal conflict of interest or ex parte communication under applicable municipal code or state law.

(2) The determination of an absence or disqualification shall be entered into the official minutes of the meeting. Once an alternate member is seated to hear a specific case or appeal, that alternate shall continue to serve as the voting member for the entirety of that case or appeal, including any continuances, regardless of the subsequent arrival of the regular member.

(3) Required Attendance; Exceptions for Alternate Seating.

a. During the term of membership, any regular board member who is physically absent for more than 50 percent of the scheduled meetings within a one-year period or three consecutive meetings, without good cause determined by the board, shall automatically cease to be a member and a replacement shall be appointed by the mayor upon confirmation by the city council.

b. A scheduled absence, voluntary recusal, or formal substitution by a regular member made under subsection (a)(1) of this section for the express purpose of allowing a qualified alternate member to hear a technical building code or fire code appeal shall be an excused absence with good cause. Such designated substitutions shall not count toward the consecutive or percentage thresholds for automatic membership termination established in this subsection, provided the regular member has filed notice with the board chairperson prior to the call to order.

(b) Not less than two regular members shall be appointed from the membership of the planning commission. To satisfy the municipal board of appeals requirements of the International Building Code and International Fire Code, preference for the remaining

regular or alternate seats shall be given to individuals qualified by experience and training in the construction, engineering, or fire protection trades.

- (c) The board shall elect a chairperson from its regular membership to serve a term of two years.

Sec. 62-95. Rules of Procedure.

The board of adjustment shall adopt rules in accordance with the provisions of this division. Meetings of the board shall be held at the call of the chairperson and at such other times as the board may determine. The chairperson, or in his absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent, of failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the city clerk, and shall be a public record. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance.

Sec. 62-96. General Powers.

The board of adjustment shall have the following powers:

- (1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the interpretation or enforcement of this division chapter.
- (2) Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, which condition is not generally prevalent in the area, the strict application of this division chapter would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the owner of such property, the board is hereby empowered to authorize upon an appeal relating to such property, a variation from such strict application so as to relieve such difficulties or hardship; but may establish such requirements relative to such property as would carry out the purpose and intent of this division.
- (3) To hear and decide appeals of orders, decisions, or determinations made by the code administrator, building official, or fire code official relative to the application and interpretation of the technical codes adopted within Chapter 18 and Chapter 50. An application for such appeal shall be based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the code do not fully apply, or an equally good or better form of construction, protection, or safety is proposed. The board shall have no authority to waive any safety or technical requirements of said codes.

Sec. 62-97. Powers relative to exceptions.

- (a) Upon appeal, the board of adjustment is hereby empowered to permit the following exceptions:
 - (1) To permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record.
 - (2) To interpret the provisions of this article where the street layout actually on the ground varies from the street layout as shown on the map fixing the several districts, which zoning map is attached to and made a part of this article.
 - (3) To grant exceptions to the off-street parking requirement when it is determined that the size and shape of the lot to be built on is such that off-street parking provisions could not be complied with, and that the proposed use will not create undue traffic congestion in the adjacent streets.
 - (4) To grant exceptions to the setback and area requirements herein established, where the slope of the land on 20 percent or more of the lot to be built on exceeds ten percent, and where such slope interferes with the reasonable development of the property for the uses permitted in the district in which the lot is located; provided, however, that whenever exceptions are granted to setback or to area requirements, new setback and area requirements for the lot covered by the exception shall be specifically set forth in a manner that will carry out the purpose and intent of these regulations.

- (5) The board of adjustment, as established by the zoning codes of the city, is hereby authorized, upon appeal, to hear and approve variances to requirements on sign setbacks, area, height and size requirements where a strict application of these requirements would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner/occupant of such property, provided and assuming that all other applicable provisions of the sign ordinance have been complied with. The board is also authorized to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the interpretation or enforcement of this article.
 - (6) In exercising the powers mentioned in subsections (a)(1) through (5) of this section, the board of adjustment shall have the concurring vote of at least four of its members in order that it may, in conformance with the provisions of this division, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.
 - (7) Notice of public hearing before the board of adjustment for an exception mentioned in subsections (a)(1) through (5) of this section shall be given by publication in a newspaper of general circulation in the municipality where the property is located and by mailing written notice by the clerk of the board of adjustment to all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property. A copy of the published notice may be mailed in lieu of written notice; however, the notice by publication and written notice shall be published and mailed at least ten (10) days prior to the hearing. The notice, whether by publication or mail, of a public hearing before the board of adjustment shall contain the legal description of the property and the street address or approximate location in the municipality; the present zoning classification of the property and the nature of the appeal, variance or exception requested; and the date, time and place of the hearing.
- (b) Upon appeal, minor variances or exceptions may be granted as an administrative adjustment only as expressly identified in this section:
- (1) To reduce the minimum required front setbacks by up to five feet (5').
 - (2) To reduce the minimum required side and rear setbacks in any R District by up to twenty percent (20%).
 - (3) To reduce the minimum lot width and lot frontage requirements by up to ten percent (10%).
 - (4) To reduce the off-street parking space requirements of parking spaces by up to ten percent (10%).
 - (5) To reduce the minimum lot area and use intensity requirements by up to five percent (5%).
 - (6) The administrative adjustment procedures for minor variances or exceptions may not be used to vary, modify or otherwise override a condition of approval or requirement imposed by an authorized decision-making body (e.g., Board of Adjustment, Planning Commission, City Council). Administrative adjustments are intended to provide a streamlined approval procedure for minor (de minimis) modifications of selected zoning regulations and are further intended to:
 - a. Allow development and construction that is in keeping with the general purpose and intent of zoning regulations and the established character of the area in which the development or construction is located; and
 - b. Provide flexibility that will help promote rehabilitation and reuse of existing buildings when such flexibility will not adversely affect nearby properties or neighborhood character; and
 - c. Provide flexibility for new construction when such flexibility is in keeping with the general purpose and intent of zoning regulations and will not adversely affect nearby properties or surrounding neighborhood character.
 - (7) In exercising the powers mentioned in subsections (b)(1) through (5) of this section, the Community Development Director is authorized to act on the requests. The action may be to approve the application, to deny the application, or to refer the application to the board of adjustment for consideration as a variance if the request exceeds the limits expressly identified. The decision to approve or deny an administrative adjustment must be accompanied by written

findings of fact and must be consistent with the general purpose and intent statements of this chapter, with the comprehensive plan, and will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

- (8) On hearings involving minor variances or exceptions mentioned in subsections (b)(1) through (5) of this section, notice of public hearing shall be given by mailing written notice to all owners of property adjacent to the subject property. The notice shall be mailed at least ten (10) days prior to the hearing and shall contain the legal description of the property and the street address or approximate location in the municipality; the present zoning classification of the property and the nature of the appeal, variance or exception requested; the deadline of at least eight (8) days for written comments; and the date, time and place of the hearing. The applicant or any interested party aggrieved by the decisions of a minor variance or exception by the Community Development Director may appeal the decision to the board of adjustment.
- (c) In considering all appeals from rulings made under this division, the board shall, in making its findings on any specific case, determine the effect of the proposed change upon the supply of light and air to adjacent property, upon the congestion in the public streets, upon the public safety from fire and other hazards, upon the established property values within the surrounding area, and upon other factors relating to the public health, safety, comfort, morals and general welfare of the people of the city. Every ruling made upon any appeal to the board shall be accompanied by a written finding of fact based upon the testimony received at the hearing afforded by the board, and shall specify the reason for granting or denying the appeal, variance or exception.

Sec. 62-98. Appeals.

- (a) Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the city affected by any decision based on Article II, Divisions 3, 4 and 5, and on all of Articles III, IV, V and VI, or by any decision, order, or determination made by an administrative official pursuant to Chapter 18 or Chapter 50. Such appeal shall be taken within 30 days from the date of the decision by filing with the officer from whom the appeal is taken and with the city clerk a notice of appeal specifying the grounds thereof, and by paying a filing fee as provided in chapter 48 at the office of the city clerk, at the time the notice is filed. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.
- (b) An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of adjustment, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application and notice to the officer from whom the appeal is taken and on the case shown.
- (c) The board of adjustment shall fix a reasonable time for the hearing of the appeal, giving public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent or by attorney.
- (d) Notice of the public hearing before the board of adjustment for zoning matters pursuant to subsection (a) shall be given by publication in a newspaper of general circulation in the city, and by mailing written notice by the city clerk to all property owners within a 300-foot radius of the exterior boundary of the subject property. The notice shall contain:
 - (1) Legal description of the property and the street address or approximate location in the city or town.
 - (2) Present zoning classification of the property and the nature of the variance or exception requested.
 - (3) Date, time and place of hearing.
- (e) A copy of the published notice and written notice for zoning matters pursuant to subsection (d) shall be published and mailed at least 14 days prior to the hearing.
- (f) For appeals concerning the interpretation or application of Chapter 18 (Buildings and Building Regulations) or Chapter 50 (Fire Prevention and Protection), a public

hearing shall be scheduled and held within twenty (20) days of the filing of the notice of appeal. Notice of the public hearing for building or fire code appeals shall be provided directly to the appellant and the affected city official at least ten (10) days prior to the hearing. Publication and 300-foot radius property owner notification are not required for technical building or fire code appeals unless a simultaneous zoning variance is requested.

Sec. 62-99. Appeal to district court.

- (a) An appeal from any action, decision, ruling, judgement or order of the board of adjustment, may be taken by any person or persons, jointly or severally, or any taxpayer, or any officer, department, board or bureau of the city to the district court by filing notice of appeal with the city clerk, and with the board of adjustment within ten days from the filing of the decision of the board, which notice shall specify the grounds of such appeal. Upon filing of the notice of appeal as herein provided, the board shall forthwith transmit to the court clerk of the original or certified copy of all the papers constituting the record in the case, together with the order, decision or ruling in the case, together with the order, decision or ruling of the board.
- (b) An appeal to the district court from the board of adjustment stays all proceedings in furtherance of the action appealed from, unless the chairperson of the board of adjustment, from which the appeal is taken, certifies to the court clerk, after the notice of appeal shall have been filed, that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the district court upon application or notice to the administrative officer in charge of the enforcement of the terms and provisions of this article, and upon notice to the chairperson of the board of adjustment for which the appeal is taken, and upon due cause being shown, the court may reverse or affirm, wholly or partly, or modify the decision brought up for review.

SECTION 3. That all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict or inconsistency and all other ordinances not in conflict herewith shall remain in full force and effect.

SECTION 4. The provisions of this Ordinance are severable, and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF McALESTER, OKLAHOMA on
THIS ____ DAY OF _____, 2026.

CITY OF McALESTER, OKLAHOMA
A Municipal Corporation

ATTEST:

By: _____
Justin Few, Mayor

Cora Middleton, City Clerk

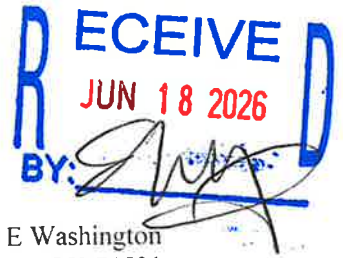
Approved as to form and legality this _____ day of _____ 2026.

By: _____
John Tyler Hammons, City Attorney



OFFICE of the CITY ATTORNEY
City of McAlester

John Tyler Hammons, City Attorney



28 E Washington
McAlester, OK 74501
918-423-9300

MEMORANDUM
Memorandum No. 2026-28

QUESTION BY: Jayme Clifton, Community Development

DATE: June 18, 2026

SUBJECT: Board of Adjustments

This office has received your request for a memorandum from the City Attorney in which you ask, in effect, the following question:

Do the amended proposals to Chapter 62 Division 3 Board of Adjustments legal for city's use?

Yes.

No opinion is expressed concerning the desirability or wisdom of the proposed action as the same represents a policy question which is beyond the scope of the City Attorney as the chief legal officer of the City.

Respectfully submitted,


JOHN TYLER HAMMONS
City Attorney

CC: Interim City Manager Ken Wimer
City Clerk Cora Middleton

REQUEST TO CITY ATTORNEY FOR LEGAL OPINION

SECTION I. REQUEST FOR INFORMATION

1. Date Request Made: 06/15/2026
2. Requestor Name: Jayme Clifton
3. Department Name: Community Development
4. Telephone Number(s) of Requestor: 918-423-9300 x4951
918-421-0017
5. Facsimile Number of Requestor: 918-421-4970

SECTION II. NATURE OF REQUEST

1. Describe, in detail, the nature of your request:

Requesting legal opinion on a proposed text amendment to Chapter 62 Division 3 Board of Adjustment, specifically regarding Sections 62-94 Membership, 62-96 General Powers, and 62-98 Appeals. The primary objective is to combine the long-vacant and inactive Fire Board of Appeal, and the board of appeals required by Chapter 1 of the state-enacted I-Codes, into the existing municipal Board of Adjustment (BOA). The consolidation aims to reduce board vacancy challenges while ensuring local code enforcement actions remain legally defensible by protecting a citizen's right to local administrative due process. We request your legal analysis and confirmation on the following two mechanisms within Oklahoma law:

- a. Alternate Members: Oklahoma State Statute (11 O.S. § 44-101) dictates that a municipal Board of Adjustment "shall consist of five (5) members." The City of McAlester Sec 62-94 allows two alternate members. Following a precedent set by the City of Glenpool (Glenpool City Code § 11-8-5, 2017), language specifying the two (2) alternate members has been drafted. These alternates will serve purely as non-voting placeholders who only step up to vote and sit in the direct event of a regular member's absence or operational disqualification. Does this structure satisfy the 5-member statutory limitation of 11 O.S. § 44-101?
- b. Preference and Qualification Framework: Our current ordinance requires at least two members of the BOA to be from the Planning Commission. The draft updates add a preference clause for the remaining citizen and alternate seats, prioritizing individuals with experience in construction, engineering, or fire protection trades. This matches the intent of the technical qualification requirements of IBC Section 113 and IFC Section 109. Is this preferential trade-qualification restriction permissible under Oklahoma municipal law?

2. Specify Reference (Ordinance, Resolution, City Code, Contract, etc.):

Chapter 62, Sections 62-94, 62-96, and 62-98 of the McAlester City Code; 11 O.S. § 44-101 (State Board of Adjustment Mandate); Chapter 1 of the 2018 IBC/IFC; and Glenpool, OK City Code Title 11, Chapter 8.

SECTION III. DOCUMENTS FOR REVIEW

1. Documents attached for review? ☒ YES ☐ NO

SECTION IV. FOR REVIEW BY

1. Name and telephone numbers of person and department to whom original response to request for opinion is to be made (if different from Requestor in Section I):
2. Name, telephone and facsimile of any person to receive a carbon copy of response to requested opinion:
3. The City Manager will automatically receive a copy of the opinion.

SECTION V. REQUESTED RESPONSE DATE

1. Requested time for response (if applicable):

SECTION VI. APPROVAL BY CITY MANAGER

1. Approval of request by City Manager: _____
Date