

MINUTES

Regular Meeting of the
Nichols Hills Planning Commission
Tuesday, December 6, 2022 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

Original agenda filed in the Office of the City Clerk at 9:56 AM on the 30th day of November, 2022.

1. Call to Order
2. Roll Call

Attendee Name	Title	Status	Arrived
Ron Byrne		Present	5:31 PM
Mike Biddinger		Present	
Doug Franklin		Present	
Tim Cheek		Present	
Barbara Gilbert		Present	
John McCaleb	Chairman	Present	

3. Citizens Desiring to be Heard

The purpose of this time is to allow members of the public to speak to the Planning Commission on any matter that is not otherwise set for consideration on this Agenda.

No one expressed a desire to be heard.

4. Minutes

- a. November 1, 2022 Minutes

MOTION: Cheek moved to approve the November 1, 2022 minutes as presented. Franklin seconded the motion.

RESULT:	APPROVED [4 TO 0]
MOVER:	Tim Cheek
SECONDER:	Doug Franklin
AYES:	Franklin, Cheek, Gilbert, McCaleb
ABSTAIN:	Byrne, Biddinger

5. Public Hearings

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. PUBLIC HEARING: The issuance of a special permit to Crown Castle USA, Inc., represented by Donna Davis, for the purpose of replacing and/or adding new antennas and other equipment on existing monopole tower located in the 6706 North Pennsylvania Avenue, Nichols Hills, Oklahoma.

Mr. Danny Carter with Crown Castle presented the application to the Planning Commission. Mr. Romel Ilagan, on behalf of T-Mobile, answered questions from the Commission.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the public hearing.

Mr. Steve Sherman expressed his concerns of the size of the tower once the new equipment was installed. Mr. Sherman would like to see an architectural rendering of what the tower would look like with the new equipment on the tower.

Mr. Michael O'Neal, attorney for the City, explained the Federal Communications Commission regulations concerning these antennas to the Planning Commission.

MOTION: Cheek moved to recommend the applicant present at the January 3, 2023 meeting a rendering of the tower with the added equipment and paint samples to paint the tower equipment. Franklin seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Cheek
SECONDER:	Doug Franklin
AYES:	Byrne, Biddinger, Franklin, Cheek, Gilbert, McCaleb

- b. PUBLIC HEARING: An Ordinance amending Chapter 50 and Chapter 44 of the Nichols Hills City Code regarding electric vehicle charging stations and electric vehicle parking spaces; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mrs. Carla Sharpe, attorney for the City, presented the proposed ordinance to the Planning Commission members.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the Public Hearing.

No one expressing a desire to be heard, the public hearing was closed.

MOTION: Cheek moved to recommend the City Council approve agenda item 5b as presented. Franklin seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Cheek
SECONDER:	Doug Franklin
AYES:	Byrne, Biddinger, Franklin, Cheek, Gilbert, McCaleb

- c. PUBLIC HEARING: An Ordinance amending Section 8-28 of the Nichols Hills City Code regarding the City's adoption of the International Residential Code; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring and emergency

Mrs. Carla Sharpe, attorney for the City, presented the proposed ordinance to the Planning Commission.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the Public Hearing.

Mr. Larry Herzel, Building Commission Chairman, discussed the changes in the ordinance.

Seeing no others expressing a desire to be heard, the public hearing was closed.

MOTION: Byrne moved to recommend the City Council approve agenda item 5c as presented. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ron Byrne
SECONDER:	Tim Cheek
AYES:	Byrne, Biddinger, Franklin, Cheek, Gilbert
ABSENT:	McCaleb

- d. PUBLIC HEARING: An Ordinance deleting Section 50-133 of the Nichols Hills City Code and replacing it with a new division of the code regarding landscaping; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring and emergency

Mrs. Carla Sharpe, attorney for the City, presented the proposed ordinance to the Planning Commission.

Mr. Jeff Oakley, Commissioner on the Building Commission, discussed changes with the Planning Commission members.

Following discussion among Planning Commission members and staff, Vice Chairman Gilbert opened the Public Hearing.

Mr. Curtis Wilson spoke to the Planning Commission of his concerns of the landscape point increase and the need of an explanation of a landscape designer.

No others expressing a desire to be heard, the public hearing was closed.

MOTION: Franklin moved to continue to the January 3, 2023 meeting. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Franklin
SECONDER:	Tim Cheek
AYES:	Byrne, Franklin, Cheek, Gilbert
ABSENT:	Biddinger, McCaleb

- e. PUBLIC HEARING: An Ordinance amending Article V of Chapter 50 of the Nichols Hills City Code regarding the Building Commission review process; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring and emergency

Mrs. Carla Sharpe, attorney for the City, presented the proposed ordinance to the Planning Commission.

Following discussion among Planning Commission members and staff, Vice Chairman Gilbert opened the Public Hearing.

No others expressing a desire to be heard, the public hearing was closed.

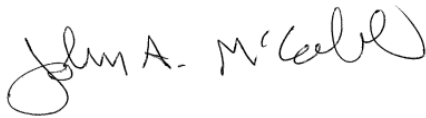
MOTION: Byrne moved to recommend the City council approve agenda item 5e as presented. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ron Byrne
SECONDER:	Tim Cheek
AYES:	Byrne, Franklin, Cheek, Gilbert
ABSENT:	Biddinger, McCaleb

6. Adjournment

MOTION: There being no further business, Franklin moved to adjourn the meeting. Cheek seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Franklin
SECONDER:	Tim Cheek
AYES:	Byrne, Franklin, Cheek, Gilbert
ABSENT:	Biddinger, McCaleb



Chairman
Planning Commission
City of Nichols Hills, Oklahoma



City Manager
Planning Commission
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma