

1. Agenda

Documents:

[2021-05-04 PLANNING COMMISSION - PUBLIC AGENDA-1623.PDF](#)

2. Meeting Materials

Documents:

[2021-05-04 PLANNING COMMISSION - FULL AGENDA-1623.PDF](#)

AGENDA

Regular Meeting of the
Nichols Hills Planning Commission
Tuesday, May 4, 2021 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

If special assistance is needed for this meeting by any person wishing to attend, please contact the City Clerk's office no later than 48 hours prior to the meeting, and such assistance will be provided.

Official action may be taken by the Planning Commission only on items that appear on this Agenda. The Planning Commission may dispose of the business set out on this Agenda by adopting, approving, denying, continuing, or taking other action as to each item, as determined by the Planning Commission.

1. Call to Order

2. Roll Call

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.

4. Minutes

a. February 2, 2021 Minutes

5. Public Hearings

Discussion, consideration, and possible recommendation of approval of the following:

- a. PUBLIC HEARING: An ordinance amending Section 50-372 of the Nichols Hills City Code regarding drainage information required for Building Commission Certificate of Approval applications; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

6. Items for Separate Vote

Items listed in this section of this Agenda are usually discussed, considered, and voted on individually by the Planning Commission.

Discussion, consideration, and possible approval of the following:

- a. Floor Area Ratio, Building Lot Coverage, and Setback requirements for properties in the residential zoning districts.

7. Adjournment



City Clerk
City of Nichols Hills, Oklahoma

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a. February 2, 2021 Minutes

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Discussion, consideration, and possible approval of the following:

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7. Adjournment



City Clerk
City of Nichols Hills, Oklahoma

MINUTES

Regular Meeting of the
Nichols Hills Planning Commission
Tuesday, February 2, 2021 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the City Clerk at 10:26 AM
on the 28th day of January, 2021.**

1. Call to Order
2. Roll Call

Attendee Name	Title	Status	Arrived
Ron Byrne		Present	
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. January 5, 2021 Minutes

MOTION: Biddinger moved to approve the January 5, 2021 minutes as presented. Cheek seconded the motion.

Attachment: February 2 2021 Minutes (5104 : February 2, 2021 Minutes)

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

5. Public Hearings

Discussion, consideration, and possible recommendation of approval of the following:

- a. **PUBLIC HEARING:** An ordinance amending Section 50-26 of the Nichols Hills City Code and the official zoning district map to rezone and redistrict the property located in Nichols Hills, Oklahoma at 6820 N.W. Grand Boulevard from the E-2 "Urban Estate" residential zoning district to the E-1 "Estate" residential zoning district; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

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

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

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

Published in _____ on _____, 2021

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 50-372 OF THE NICHOLS HILLS CITY CODE REGARDING DRAINAGE INFORMATION REQUIRED FOR BUILDING COMMISSION CERTIFICATE OF APPROVAL APPLICATIONS; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA:

Section 1. Section 50-372 is amended as follows, with new language underlined, to wit:

Sec. 50-372. Application for Certificate of Approval.

Applications for Certificates of Approval shall be filed with the City on forms provided by the City Clerk. Two originals and a digital version of the application and all required documents must be submitted. Applications must be certified by the owner(s) of the property. The following attachments (the details for which are stated in the application form), and all other information required by the application form, must accompany the application:

(b) For construction of a new main or secondary building, or construction of an addition to an existing main or secondary building:

- (1) A narrative describing the project.
- (2) A survey, prepared by a licensed surveyor registered in this state, of the boundaries of the lot on which the building or addition to an existing main or secondary building is to be located.
- (3) Floor plans, renderings, elevation drawings, and other pertinent drawings.
- (4) A plot plan, drawn to scale, showing the location of the proposed building or proposed addition to an existing main or secondary building on the lot, all easements, setbacks, curb cuts, and driveways.
- (5) A site plan of the project depicting all adjacent development.
- (6) Drainage information, including grading plans as detailed in subsection (e).
- (7) For new main or secondary buildings, a landscaping plan or planting plan as required by Section 50-133. For additions to main or secondary buildings, a landscaping plan or planting plan, as applicable, is required if changes to existing conditions are to be made.
- (8) For new main or secondary buildings, an exterior lighting plan. For additions to main or secondary buildings, an exterior lighting plan is required if changes to existing conditions are to be made.

- (9) For church, office, and commercial buildings, additional information may be required by the Building Commission.
- (10) For additions to buildings, pictures of the subject building(s).
- (11) Color and material samples, if available and if applicable to the proposed work.
- (12) Drawings, images, and plans showing details of the project, including information reflecting the impact on privacy of adjacent buildings.
- (13) The name and address of the proposed general contractor for the project.
- (14) Street-level front elevation for all street-facing sides, drawn to scale, showing buildings and yards on either side of the proposed project.

(e) For all applications, a certification from the engineer who prepared the required drainage plan that the proposed construction:

- (1) does not change the point of stormwater discharge; and
- (2) does not change the stormwater drainage from sheet flow to point discharge; and
- (3) does not increase the flow to exceed the capacity of existing underground drainage pipes to the street.

If such engineer cannot certify that (1) through (3) are true, written consent to such circumstances from all affected adjacent property owners must be attached to the application.

Further, the applicant must show the following, as applicable:

- (1) Zero increase in impervious surface area. If the increase in impervious surface area (defined below) from the existing lot configuration to the proposed lot configuration is equal to or less than zero square feet, the applicant must provide a site plan showing the impervious area square footage of both the current site and the proposed site, with clear dimensions such that the square footage of impervious surface area is verifiable. The site plan must also show grading contours and flow arrows indicating the lot's topography.
- (2) Increase in impervious surface area greater than zero square feet. If the increase in impervious surface area from the existing lot configuration to the proposed lot configuration is greater than zero square feet, the applicant must provide a site drainage plan, signed and sealed by a registered professional civil engineer, that delineates existing and proposed storm water runoff patterns. The site plan must also show grading contours and flow arrows indicating the lot's topography. If the site plan indicates an increase in stormwater runoff onto adjacent property, the applicant must also provide:
 - (a) site drainage calculations, signed and sealed by a registered professional civil engineer, showing the 100-year stormwater runoff for the historical and proposed layouts in all directions that affect adjacent properties; and

- (b) a site plan indicating the proposed efforts to be taken to direct stormwater to the street and/or storm sewer system and away from adjacent properties, such as yard drains and gutters. Any increase in point flows will not be permitted.

Impervious surface means a surface that is hard and impenetrable that does not allow stormwater infiltration into the underlying soil. Impervious surfaces include streets, roofs, parking areas, driveways, swimming pools, and walkways made of asphalt, concrete, brick, stone, or plastics.

For reference, pervious surface means a surface that allows the percolation of water into the underlying soil. Pervious surfaces include grass, mulched groundcover, planted areas, vegetated roofs, permeable paving, and porches and decks that are erected on pier foundations that maintain the covered lot surface's water permeability underneath.

Section 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. 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.

Section 4. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, and therefore an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the ____ day of _____, 2021.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the ____ day of _____, 2021.

ATTEST:

Mayor

City Clerk

Reviewed as to Form and Legality:

City Attorney