

MINUTES

Regular Meeting of the
Nichols Hills Planning Commission
Tuesday, April 5, 2016 at 5:30 PM
Public Works, 1009 NW 75th
Nichols Hills/OKC, OK 73116

**Original Agenda Filed in the Office of the Municipal Clerk at
10:20 AM on the 1st day of April, 2016.**

1. Call to Order

2. Roll Call

Attendee Name	Title	Status	Arrived
Barbara Gilbert		Present	
Michael A. Bickford	Chairman	Absent	
Tim Cheek		Present	
John McCaleb		Present	
Lynn Pringle		Present	
Larry Savage		Present	

Vice-Chairman Larry Savage led the meeting.

Hugo Williams, Life Scout Troop 4 was acknowledged for attending this meeting.

3. Citizens Desiring to be Heard

Except as noted in the Public Hearing(s) below, no one expressed a desire to be heard.

4. Minutes

a. March 1, 2016 Minutes

McCaleb moved to approve the March 1, 2016 minutes as presented. Gilbert seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John McCaleb
SECONDER:	Barbara Gilbert
AYES:	Gilbert, Cheek, McCaleb, Pringle, Savage
ABSENT:	Bickford

5. Public Hearings

- a. PUBLIC HEARING: Discussion, consideration and possible approval of the final plat for Cumberland Court, a tract of land containing 4.9 acres, more or less, being a part of the Southeast Quarter (SE/4) of Section Five (5), Township Twelve (12) North, Range Three (3) West of Indian Meridian, City of Nichols Hills, Oklahoma County, Oklahoma. All of lots One (1) through Eleven (11) Block Four (4) as shown on the recorded plat of business section of Nichols Hills. And all of lots Fourteen (14) through Twenty-Five (25) Block Five (5) as shown on the recorded plat of Nichols Hills.

Tim Johnson spoke on behalf of the applicant. Following discussion among Planning Commission members and applicant, Vice-Chairman Savage opened the public hearing. Seeing that no one present expressed a desire to speak, the public hearing was closed.

McCaleb moved to recommend to City Council the approval of the final plat, contingent on the installation and approval by City staff of all improvements (i.e. sidewalks, handicap accessibility on NE side of Cumberland & Avondale intersection) prior to the City Council approval of the final plat. Pringle seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John McCaleb
SECONDER:	Lynn Pringle
AYES:	Gilbert, Cheek, McCaleb, Pringle, Savage
ABSENT:	Bickford

- b. PUBLIC HEARING: Discussion, consideration and possible approval or disapproval of the issuance of a special permit to A T & T, represented by CRB Companies LLC (mistakenly referred to as "CBR Companies LLC" in the published notice), for the purpose of upgrading existing facilities and equipment, and installation of new facilities and equipment referred to as antennas, radios, TMA, RRUS, power lines and fiber on the water tower located at 1009 NW 75th Street, Nichols Hills, Oklahoma, and entering an agreement with respect to the same.

Commission Member McCaleb advised he will abstain from commenting due to a conflict of interest.

Ms. Christine Stanley spoke on behalf of applicant. Following discussion among Planning Commission members and applicant, Vice-Chairman Savage opened the public hearing. Seeing that no one present expressed a desire to speak, the public hearing was closed.

Pringle moved to approve item 5b, the issuance of a special permit to AT&T, represented by CRB companies, LLC (mistakenly referred to as "CBR Companies LLC" in the published notice), for the purpose of upgrading existing facilities and equipment, and installation of new facilities and equipment referred to as antennas, radios, TMA, RRS, power lines and fiber on the water tower located at 1009 NW 75th Street, Nichols Hills, Oklahoma. Cheek seconded the motion.

RESULT:	APPROVED [4 TO 0]
MOVER:	Lynn Pringle
SECONDER:	Tim Cheek
AYES:	Gilbert, Cheek, Pringle, Savage
ABSTAIN:	McCaleb
ABSENT:	Bickford

- c. PUBLIC HEARING: Discussion, consideration, and possible approval or disapproval of an ordinance regarding regulations for accessory structures in the “E-1” Estate Zoning District, the “E-2” Urban Estate Zoning District, the “R-1-75” Single-Family Residential Zoning District, the “R-1-60” Single-Family Residential Zoning District, the “R-2” Two-Family Residential Zoning District, and the “R-3” Multiple-Family Residential Zoning District; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Shane Pate, Attorney for the City, presented three versions of the proposed ordinance for consideration, which contained the following different approaches to regulating accessory structures in the residential zoning districts:

Version 3.11.16-8.1A provided:

- a. No accessory structure shall be located in front of the main building, except fences, walls, and flag poles as permitted in this chapter; provided, where a lot with a main building has been combined with an adjacent vacant lot, in no case shall any accessory structure on what was the vacant lot be located in front of the main building on any adjacent lot.

Version 3.14.16-9.1B provided:

- a. No accessory structure shall be located in front of the main building, except fences, walls, and flag poles as permitted in this chapter; provided, where a lot with a main building has been combined with an adjacent vacant lot, in no case shall any accessory structure on what was the vacant lot be located in front of the main building on any adjacent lot; provided further, any Playground Equipment, as defined in Section 8-488 of this Code, must be set back an additional distance at least equal to its height. The height of the Playground Equipment is measured from the highest point of the installed structure to the lowest point of the finished ground adjacent to the structure.

Version 3.14.16-9.1C provided:

- a. No accessory structure shall be located in front of the main building, except fences, walls, and flag poles as permitted in this chapter; provided, where a lot with a main building has been combined with an adjacent vacant lot, in no case shall any such accessory structure on what was the vacant lot be located nearer to the line established by the front wall of the main building than 25% of the distance from the furthest front wall of the main building to the furthest rear wall of the main building.

Following discussion among Planning Commission members and applicant, Vice-Chairman Savage opened the public hearing. Mr. Richard Pralle and Mr. Bradford, both residing in the 6700 block of Avondale, shared their concerns of a situation near their homes. No one else expressed a desire to be heard; therefore, the public hearing was closed.

McCaleb moved to recommend approval of version 3.14.16-9.1B of the ordinance, subject to revising the following clause wherever it appears in the ordinance to state as follows: "where a lot with a main building has been combined with an abutting or adjacent vacant lot, in no case shall any accessory structure on what was the vacant lot be located in front of the main building on any abutting or adjacent lot."

Gilbert seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John McCaleb
SECONDER:	Barbara Gilbert
AYES:	Gilbert, Cheek, McCaleb, Pringle, Savage
ABSENT:	Bickford

6. Adjournment

There being no further business, McCaleb moved to adjourn the meeting. Gilbert seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John McCaleb
SECONDER:	Barbara Gilbert
AYES:	Gilbert, Cheek, McCaleb, Pringle, Savage
ABSENT:	Bickford



Chairman
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma