



REGULAR MEETING MINUTES OF THE  
**TULSA PRESERVATION  
COMMISSION**

Thursday, August 10, 2006, 11:00 A.M.  
111 South Greenwood, 2nd Floor - Conference Rooms A&B  
Tulsa, OK 74120-1820

1. **Roll Call** - Chairman Turner called the regular meeting to order at 11:12 a.m., and Mrs. Warrior announced the Roll Call.

**Members Present:**

Chairman, James Turner; Vice-Chairman, David Breed; Secretary, Breniss O'Neal; Rex Ball; Charles Gilmore; Jack Hodgson; Dusty Peck; Chip Ard; Mary Lee Townsend; Herb Fritz; & Bill Andoe;

**Member(s) Absent:**

Barbara Imel Smallwood;

**Others Present:**

Amanda DeCort, Fannie Warrior, Kurt Ackermann, Brian Hunt, Mark Rooney, Elizabeth Downing, Paul Wilson, Clint Laster, Jessica Judd, Brian Barr, Ryon Stirling, Ed Sharrer, Susan Neal, Gene Phillips, Marie Barnes, Jonathan Bijigga & Cherie Cook.

2. **Approval of Meeting Minutes: Regular Meeting Minutes from July 13, 2006**

Chairman Turner asked if there was a motion on the floor to approve the meeting minutes from last month.

Ms. Townsend made a motion to approve the Regular Meeting Minutes from July 13, 2006. Mr. Ball seconded.

**Roll Call Vote to Approve Meeting Minutes from July 13, 2006:**

Chairman Turner – Aye;

Vice-Chairman Breed – Aye;  
Secretary O’Neal – Aye;  
Herb Fritz – Was not present during this vote;  
Charles Gilmore – Aye;  
Jack Hodgson – Abstain;  
Mary Lee Townsend – Aye;  
Rex Ball – Abstain;  
Bill Andoe – Aye;  
Chip Ard – Aye; &  
Dusty Peck - Abstain.  
The motion was **Approved by Majority** by members present and voting.

**3. Unfinished Business**

**A. Historic Preservation Committee Report**

**i. Announcement of Conflict of Interest**

Chairman Turner asked the commission if anyone had a conflict of interest with any of the Certificate of Appropriateness (COA) Requests that would be brought before the board for review. Members were instructed that the commissioner’s name(s) would not be called when voting on the particular Certificate or Certificates of Appropriateness that he/she had a conflict of interest with. No one responded to having a conflict.

**ii. Applications for Certificate of Appropriateness**

Chairman Turner briefly informed the COA applicants of the COA processing procedures of how their proposals would be reviewed by the Tulsa Preservation Commission for a final determination.

Chairman Turner asked Ms. DeCort to please give her presentation on both parts of COA agenda item #1, Beth Downing at 1543 S. Norfolk.

- 1. 1543 S. Norfolk (N. Maple Ridge)**  
**Applicant: Beth Downing – Approved (both Parts)**  
**Request: Part I - Proposal to remove shutters from all windows; shutters are not original to the house, are not functional, and do not fit the original frames; & Part II - Proposal to remove fabric window awnings, which were added to the house in 1985.**  
**COA Complete Application Date: Aug**

Ms. DeCort presented Parts I & II of Ms. Downing's Certificate of Appropriateness application to the commission. Photographs and drawings were available for review and a slide presentation was shown of the c. 1920 American Foursquare historic home in North Maple Ridge.

Ms. DeCort stated that Ms. Downing was present and available to answer any questions that the commission may have for her after the presentation. Ms. DeCort stated that on Part I of Ms. Downing's application that she plans to remove the shutters from all the windows because they are not original to the house, they don't function and they do not fit the original frames. Ms. DeCort stated that this house is on a corner lot; and that the shutters are all on the street side of the structure; and it doesn't have any shutters on the rear or other two sides of the house.

Ms. DeCort stated that on Part II of Ms. Downing's application that she plans to remove the fabric window awnings from the structure, which were added to the house in 1985 by the previous owners. The awnings are located on the second floor of the front façade; and North façade of the house. Ms. DeCort read the appropriate design guidelines for this proposal under Rehabilitation of Existing Buildings for the North Maple Ridge District.

Chairman Turner asked Ms. Downing if she had any comments to make or anything to add; and Ms. Downing responded by stating that she did not unless the commission had questions for her.

Chairman Turner asked Vice-Chairman Breed to please announce the COA Subcommittee's recommendation(s) on Ms. Downing's proposal.

Vice-Chairman Breed stated that the COA Subcommittee considered Parts I & II of Ms. Downing's application to be complete. He stated that the subcommittee recommended a unanimous vote at the August 8, 2006 meeting to approve both parts of Ms. Downing's application.

Vice-Chairman Breed stated that the Subcommittee's decision to recommend approval of this proposal was based on the appropriate design guidelines for Rehabilitation in the North Maple Ridge district; and that he would like to move for an approval on both parts of Ms. Downing's application. Ms. O'Neal seconded.

Chairman Turner opened the floor to the commission for discussion. After a brief discussion took place, he asked Mrs. Warrior to please call roll.

**Roll Call Vote to Approve Parts I & II of Ms. Downing's application:**

Chairman Turner – Aye;  
Vice-Chairman Breed – Aye;  
Secretary O’Neal – Aye;  
Herb Fritz – Was not present during this vote;  
Charles Gilmore – Aye;  
Jack Hodgson – Aye;  
Mary Lee Townsend – Aye;  
Rex Ball – Aye;  
Bill Andoe – Aye;  
Chip Ard – Aye; &  
Dusty Peck – Aye.  
The motion was **Approved Unanimously** by members present and voting.

***The Tulsa Preservation Commission Approved Beth Downing’s proposal based on Section VIIIA, General Requirements, A.1.0.1, & A1.0.2; Windows & Doors, A.1.2.1 & 1.2.7 for Guidelines for Rehabilitation of Existing Buildings for the North Maple Ridge Historic District.***

Chairman Turner asked Ms. DeCort to please give her presentation on Parts I, II & III of COA agenda item #2, Tim Warlick at 2211 E. 18<sup>th</sup> Street in Yorktown.

**2. 2211 E. 18<sup>th</sup> Street (Yorktown)**

**Applicant: Tim Warlick – Approved (All 3 Parts)**

**Request: Part I - Proposal to replace water-damaged wooden porch ceilings and support beams with new wood, rectifying the sagging roof pitch and replacing roof covering with same materials;**

**Part II - Proposal to remove the *porte-cochère*, which is not original to the house, to allow driveway to accommodate modern vehicles. Porch roof would then match on both sides of central entrance; &**

**Part III - Proposal to replace metal porch railings and handrails with custom-built Craftsman-style railings to complement the existing porch columns and design.**

**COA Complete Application Date: Aug. 8, 2006**

Ms. DeCort presented Parts I, II & III of Tim Warlick’s Certificate of Appropriateness application to the commission. Photographs and drawings were available for review and a slide presentation was shown of the c. 1923 Bungalow in Yorktown.

Ms. DeCort stated that Mr. Warlick was present and available to answer any questions that the commission may have for him after the presentation. Ms. DeCort stated that on Part I of Mr. Warlick's application that he plans to replace the water-damaged wooden porch ceilings and support beams with new wood, rectifying the sagging roof pitch and replacing the roof covering with the same materials.

Ms. DeCort stated that on Part II of Mr. Warlick's application that he plans to remove the *porte-cochère*, which is not original to the structure, in order to allow the driveway to accommodate modern vehicles. She stated that the porch roof would then match on both sides of central entrance.

Ms. DeCort stated that on Part III of Mr. Warlick's application that he plans to replace the metal porch railings and handrails with custom-built Craftsman-style railings to complement the existing porch columns and design.

Ms. DeCort read the appropriate design guidelines for this proposal under Rehabilitation of Existing Residential Buildings for the Yorktown District. She added that the *porte-cochère* is definitely not wide enough to accommodate modern vehicles; and this is why Mr. Warlick would like to have it removed. Ms. DeCort stated that the *porte-cochère* columns are straight up and down and that they don't match the columns that are on the original porch.

Chairman Turner asked Mr. Warlick if he had any comments to make or anything to add; and Mr. Warlick responded by stating that he did not unless the commission had questions for him.

Chairman Turner asked Vice-Chairman Breed to please announce the COA Subcommittee's recommendation(s) on Mr. Warlick's proposal.

Vice-Chairman Breed stated that the COA Subcommittee considered Parts I, II & III of Mr. Warlick's application to be complete. He stated that the subcommittee recommended a unanimous vote at the August 8, 2006 meeting to approve all three (3) parts of Mr. Warlick's application.

Vice-Chairman Breed stated that the Subcommittee's decision to recommend approval of this proposal was based on the appropriate design guidelines for Rehabilitation in the Yorktown district; and that he would like to move for an approval on all three (3) parts of Mr. Warlick's application. Ms. O'Neal seconded.

Chairman Turner opened the floor to the commission for discussion. After a brief discussion took place, he asked Mrs. Warrior to please call roll.

**Roll Call Vote to Approve Parts I, II & III of Mr. Warlick's application:**

Chairman Turner – Aye;  
Vice-Chairman Breed – Aye;  
Secretary O'Neal – Aye;  
Herb Fritz – Aye;  
Charles Gilmore – Aye;  
Jack Hodgson – Aye;  
Mary Lee Townsend – Aye;  
Rex Ball – Aye;  
Bill Andoe – Aye;  
Chip Ard – Aye; &  
Dusty Peck – Aye.

The motion was **Approved Unanimously** by members present and voting.

***The Tulsa Preservation Commission Approved Tim Warlick's proposal based on Section VIIIA, General Requirements, A.1.0.1, A1.0.2; & A1.0.3; Roofs, A.1.3.1, & A.1.3.2; & Porches, Decks and Patios, A.1.4.1 & 1.4.2 for Guidelines for Rehabilitation of Existing Residential Buildings for the Yorktown Historic District.***

The commission members complimented Mr. Warlick for providing them with superb detailed drawings of this proposal.

Chairman Turner asked Ms. DeCort to please give her presentation on agenda item #3, Fairview & Denver in Brady Heights.

- 3. Fairview & Denver (Brady Heights)**  
**Applicant: Michelle Barnett for BHNA - Approved**  
**Request: Proposal to construct Brady Heights neighborhood entry monument, also known as Tulsa Spirit Monument, at the intersection of Fairview and Denver Avenues, as funded by Vision 2025 and approved by the Arts Commission.**

**The brick and limestone monument, 14 feet tall by 4 feet 8 inches wide, is intended to provide an attractive entry to the historic**

**neighborhood, function as a traffic calming device, and be a source of beautification and pride for North Tulsa.**

**COA Complete Application Date: Aug. 8, 2006**

Ms. DeCort presented the Fairview & Denver Certificate of Appropriateness application to the commission. Photographs and drawings were available for review and a slide presentation was shown of the historic site in Brady Heights.

Ms. DeCort stated that Michelle Barnett, President of the Brady Heights Neighborhood Association (BHNA) was present and available to answer any questions that the commission may have for her after the presentation.

Ms. DeCort stated that BHNA plans to construct a Brady Heights neighborhood entry monument, also known as the Tulsa Spirit Monument, at the intersection of Fairview and Denver Avenues. She added that this project is funded by Vision 2025 and approved by the Arts Commission.

Ms. DeCort stated that the monument will be made of brick and limestone that will be 14 feet tall by 4 feet 8 inches wide; and that the limestone will be donated by a Brady Heights church. She added that the intent to have this monument installed is to provide an attractive entry into the historic neighborhood, function as a traffic calming device, and create a source of beautification and pride for North Tulsa.

Chairman Turner asked Ms. Barnett if she had any comments to make or anything to add; and Ms. Barnett responded by stating that she did not unless the commission had questions for her.

Chairman Turner asked Vice-Chairman Breed to please announce the COA Subcommittee's recommendation(s) on Ms. Barnett's proposal of Fairview & Denver Avenues.

Vice-Chairman Breed stated that the COA Subcommittee considered Ms. Barnett's proposal of the Fairview & Denver Avenues to be complete. He stated that the subcommittee recommended a vote by majority at the August 8, 2006 meeting to approve Ms. Barnett's application.

Vice-Chairman Breed stated that the Subcommittee's decision to recommend approval of this proposal was based on the appropriate design guidelines for New Construction in the Brady Heights district; and that he would like to move for an approval on Ms. Barnett's application. Ms. O'Neal seconded.

Chairman Turner opened the floor to the commission for discussion. After a brief discussion took place, he asked Mrs. Warrior to please call roll.

**Roll Call Vote to Approve Ms. Barnett's application of the proposal on Fairview & Denver Avenues:**

Chairman Turner – Aye;  
Vice-Chairman Breed – Aye;  
Secretary O'Neal – Aye;  
Herb Fritz – Aye;  
Charles Gilmore – Aye;  
Jack Hodgson – Aye;  
Mary Lee Townsend – Aye;  
Rex Ball – Aye;  
Bill Andoe – Aye;  
Chip Ard – Aye; &  
Dusty Peck – Aye.

The motion was **Approved Unanimously** by members present and voting.

***The Tulsa Preservation Commission Approved Michelle Barnett's proposal based on General Requirements, Paragraphs #2 & #3; Building Site, Paragraph #6; & Building Materials, Paragraph #1 for Guidelines for New Construction or Moving Structures into the Brady Heights Historic District.***

4. **Marshall & Denver (Brady Heights)**  
**Applicant: Michelle Barnett for BHNA - Approved**  
**Request: Proposal of the concept of constructing a pedestal for sculpture to be located in the center of the traffic circle at Marshall and Denver Avenues as part of the City's "Arts Parkway" efforts to connect downtown with North Tulsa.**

**Pedestal will be constructed of cement stone facing. Landscaping will obscure most of the pedestal. Sculpture is to be determined, but will be of an appropriate scale and 360 degree design, and will be approved by the Arts Commission.**

**COA Complete Application Date: Aug. 8, 2006**

Ms. DeCort presented the Marshall & Denver Certificate of Appropriateness application to the commission. Photographs and

drawings were available for review and a slide presentation was shown of the historic site in Brady Heights.

Ms. DeCort stated that Ms. Barnett would like for the commission to approve the concept of this proposal. She stated that Ms. Barnett plans to construct a pedestal for sculpture to be located in the center of the traffic circle at Marshall and Denver Avenues as part of the City's "Arts Parkway" efforts to connect downtown with North Tulsa.

Ms. DeCort stated that the pedestal will be constructed of cement with gray rubblestone facing to match materials used throughout the Brady Heights neighborhood. She stated that the landscaping will obscure most of the pedestal; and that the sculpture is to be determined, but will be of an appropriate scale and 360 degree design, and will be approved by the Arts Commission.

Chairman Turner asked Ms. Barnett if she had any comments to make or anything to add; and Ms. Barnett responded by stating that she didn't at this time.

Chairman Turner asked Vice-Chairman Breed to please announce the COA Subcommittee's recommendation(s) on Ms. Barnett's proposal of Marshall & Denver Avenues.

Vice-Chairman Breed stated that the COA Subcommittee considered Ms. Barnett's proposal of the Marshall & Denver Avenues to be complete. He stated that the subcommittee recommended a vote by majority at the August 8, 2006 meeting to approve Ms. Barnett's application.

Vice-Chairman Breed stated that the Subcommittee's decision to recommend approval of this proposal was based on the appropriate design guidelines for New Construction in the Brady Heights district; and that he would like to move for an approval on the concept of Ms. Barnett's application. Secretary O'Neal seconded.

Chairman Turner opened the floor to the commission for discussion. Mr. Ball stated that having mounted work sculptured on bases to get it where no one could steal it or where you could have vandalism, that he certainly agree that having something at both ends is good and is a worthy objective; but that he believes until Ms. Barnett has finalized the sculpture; that he would prefer to leave it as it is; and then have it designed to go with the sculpture.

Chairman Turner agreed with Mr. Ball's comments about the sculpture. Chairman Turner stated that the sculpture may grow or shrink depending on how big the sculpture and the manhole will be. He stated that it sounds like the decision on the materials hasn't

been made either; and that he believes that the commission has been asked to approve something that is ambiguous at this point. Mr. Fritz stated that logic says that you don't design a base until you know what's going on it, because you might want to change it.

Chairman Turner stated that he would like the commission to consider this proposal as a "preliminary approval or conceptual approval" and place the condition on it that Ms. Barnett will come back when she has the actual size and materials of the base; and that the commission will review at that time. Chairman Turner stated that he believes after the conditions have been met on this proposal that the commission will hopefully approve it at that time. He added that he didn't believe that any of the members were objecting to the general idea, although the information that Ms. Barnett has submitted to the commission isn't enough information for the commission to make a final determination. Chairman Turner stated that the commission doesn't typically approve a proposal that doesn't have all the details.

Vice-Chairman Breed stated that he would like to amend his motion from making a motion to approve this proposal to preliminarily approving the concept of this proposal to construct a pedestal for sculpture at Marshall & Denver Avenues in Brady Heights under the conditions:

- ◇ That Ms. Barnett will submit detailed information on the actual size and materials of the base

Secretary O'Neal amended her second to the motion; and seconded the motion to preliminary approval of the concept of this proposal.

Chairman Turner stated that is a conceptual approval only, and full approval will require submission of complete drawings.

Chairman Turner asked if there were any further discussion on this issue. Hearing none, he asked Mrs. Warrior to please call roll.

**Roll Call Vote to Preliminarily Approve Ms. Barnett's application on Marshall & Denver Avenues with conditions:**

Chairman Turner – Aye;  
Vice-Chairman Breed – Aye;  
Secretary O'Neal – Aye;  
Herb Fritz – Aye;  
Charles Gilmore – Aye;  
Jack Hodgson – Aye;  
Mary Lee Townsend – Aye;  
Rex Ball – Aye;  
Bill Andoe – Aye;  
Chip Ard – Aye; &

Dusty Peck – Aye.

The motion was **Approved Unanimously** by members present and voting.

***The Tulsa Preservation Commission Preliminarily Approved Michelle Barnett's proposal based on General Requirements, Paragraphs #2 & #3; Building Site, Paragraph #6; & Building Materials, Paragraph #1 for Guidelines for New Construction or Moving Structures into the Brady Heights Historic District.***

**B. Rules & Regulations**

None.

**C. Program Planning & Neighborhood Conservation**

None.

**4. Chair Report**

**A. CORE Recommendations – Second Reading**

Chairman Turner stated that a copy of the second reading of the CORE Recommendations had been distributed to the members for review. He asked the members of the commission if anyone had any comments to make regarding to the second reading before they hear from their visitors.

Mr. Gilmore announced that he believes that there is a lot of work that went into preparing the CORE Recommendations that has required several revisions. Mr. Gilmore added that he believes that the recommendations are ready for acceptance to go to the next level.

Chairman Turner announced that he would like to add that this has been a very inclusive process; and that is the reason for having the multiple reviews of the recommendations at the Tulsa Preservation Commission meetings. He stated that that was the purpose of them mailing the recommendations out for them to receive them.

Chairman Turner asked the visitors if anyone had any input, comments to make, or opinions regarding to the second reading of the CORE Recommendations. He asked if they did, to please introduce themselves by stating their name(s) for the records.

Jim Norton, President of Downtown Unlimited, Inc., (DTU) addressed the commission by stating that they were not aware of the first time reading of the CORE

Recommendations that were submitted of some suggested language.

Mr. Norton stated that he hope that if TPC would move forward with this that TPC will ask the advice and seek the council of the real estate development community, in general and particularly, DTU because DTU represents the property owners and the majority employers downtown.

Mr. Norton stated that he has a great reluctance to support this ordinance in any shape, form or fashion. He stated that he thinks what he would like to tell the Tulsa Preservation Commission today that he thinks that this current ordinance has a number of fatal flaws; and that he would like to see the whole concept of this approach in a different way in an ordinance format.

Mr. Norton stated that he will submit a copy of his suggested revisions for the records. He asked the Chairman if he wanted him to go over his revisions individually; but that he assured the commission that they are quite lengthy. Chairman Turner asked Mr. Norton if he would summarize in general what his comments are.

Mr. Norton's comments were that:

He believes that there are a number of areas that need a lot of work;

A great deal of work needs to be done on the survey;

To specify exactly where the survey is to obtain;

If you're going to have ratings, if you're going to have categories, there needs to be some way to tell the community what exactly they're going to be looking at. He would like to add DTU's input into the survey as well as several other areas; DTU is not comfortable with the demolition panel or the demolition committee having the sole of authority that is being granted;

He has not been able to find in the zoning codes and he did not know whether the Tulsa Preservation Commission has the authority to make decisions with respect to land use; and that is what he feels the TPC) has assigned to itself.

Chairman Turner stated that he would like to clarify. He stated that these recommendations are things that could take a lot of different forms; and that they all, he believes have to be acted on by other entities within the City of Tulsa other than TPC. Chairman Turner stated that TPC is not able to enact ordinance or to change zoning. Mr. Norton asked Chairman Turner if the Tulsa Preservation Commission was only making a recommendation to the Mayor. Chairman Turner stated that the TPC was in the process of making their

recommendations known to the higher entity. Mr. Norton responded by stating that that was very troubling to the business property owners. He stated this was the only opportunity that they had when given some input.

Mr. Norton stated that they applauded the concept; and that they agreed with the concept of nobody wanting to see our historic buildings demolished and turned into surface parking lots; and him, least of all. He stated that he thinks the way that the TPC has proposed of doing that is injurious to the property owners and injurious to the Real Estate Development.

Paul Wilson introduced himself as President of 21<sup>st</sup> Properties. He stated that they are a locally owned real estate investment company with properties for state. He stated that their properties in Tulsa include office, warehouse, retail and development land and apartments. Mr. Wilson stated that they have office, retail, service center and land for development in the downtown area. He stated that he is strongly opposed to the recommendations of the Tulsa Preservation Commission final draft, second reading, August 10, 2006. Mr. Wilson stated that the actions proposed are extreme and are not justified. His view is that this report has sculpted the motion of soliciting input from property owners; but has in fact had the objective of creating a report which is based upon "don't confuse me with the facts, we know what we want to do here; and we're going to do it."

Mr. Wilson stated that he was part of two (2) viewings of the CORE presentation; and at both presentations there were substantial objections raised to it; but that he had not seen any of those objections expressed here in the second reading. Mr. Wilson stated that, in fact, he went back and looked at the original recommendations that were presented in the CORE Report; and they've been followed and enhanced here. He stated that no input was taken and adopted in the report in his opinion. Mr. Wilson stated, that the CORE video presentation was flawed; it was a bias presentation. The CORE video presentation portrays the Bank of America's building being built in a negative light. Mr. Wilson stated that CORE Tulsa showed the Bank of America building before whatever was there before; and then after, they portrayed the Bank of America building. He stated that, in fact, this is contradictory because the Bank of America building accomplishes just what you're talking about, the integration of a parking structure in its facilities. Mr. Wilson stated that TPC may not like the architecture; but the concept is, did it accomplish what you're trying to do here integrating its parking infrastructure? And yet, it was criticized in the CORE presentation. He stated that

the CORE video showed the main mall parking facility, again in a negative light, a before and now after, look what they've done. Mr. Wilson stated, but in fact, isn't public parking located in a central place, essential to your plan?

Mr. Wilson further stated that the CORE video presentation portrayed downtown as having been bulldozed by property owners; but omitted many other success stories in our downtown.

- ◇ The old City Hall building;
- ◇ 320 South Boston;
- ◇ The Kennedy Building;
- ◇ The Reunion Building; &
- ◇ The Noble Drilling Building.

Mr. Wilson stated that all of those buildings are success stories in this. He stated that he knows that we are here because TPC is irritated because of the three (3) structures that were torn down. Mr. Wilson said that he was sorry, but to please do not move forward with these aggressive regulations because he believes that they will have a negative impact on our downtown. Mr. Wilson said that the proposed regulations implied that they will offer incentives as they take away our property rights through increased regulations; but provide no way of funding such incentives. Mr. Wilson stated that the proposed regulations are (in his opinion) prepared from a "purely architectural stand\_point" without realistic input of economic viability from the property owners. Mr. Wilson further stated that the proposed regulations add additional layers of regulations with the offering that we can appeal to Board of Adjustment and District Court, if we don't like their decision. The proposed regulations make appointed Boards for its panel, bizarre for downtown development. Mr. Wilson stated that the proposed regulations want to increase the cost of parking in downtown, which will only serve to make office space less affordable downtown. He stated that downtown office space less affordable at a time when we should be going the other way. Mr. Wilson stated that the proposed recommendations criticize the abundance of low surface parking; and yet that is just going to get those parking rates increased. He stated that it's going to make it more difficult to lease office space because of the cost of parking. Mr. Wilson stated that the suburb don't charge it; downtown, you want to increase the cost by eliminating surface parking in order to accomplish some things that TPC have in your minds; but economically, it's a death spiral and it is contrary to everything we're trying to do. He stated that in the funding that they've gone through, they recently passed a tax for a garage in the third penny; and that they're moving forward in

those areas. Mr. Wilson stated that TPC is taking steps that are not warranted; and that the TPC hasn't considered the public's expenditures that have already been approved.

Mr. Wilson stated that the proposed recommendations will also increase the further cost of downtown development at a time when it's already very expensive to do so. He stated that the proposed regulations do not allow the property owner participation in the process; but instead requires submittals to a panel appointed by this Board. Mr. Wilson stated that the proposed regulations require owners to spend additional dollars to justify his actions, which are now "a use by right" all for the purpose of justifying and accomplishing some esoteric things. He stated that the word "cultural" is used in the CORE document. He stated that he looked in the phone book of the yellow pages; and that he doesn't know what a "cultural firm" is; but they're burdened with the responsibility of making some of these issues useful. Mr. Wilson stated that he thinks in summary, he would respectfully ask this public board not move forward with this poorly conceived plan; a new plan using real world funded and voluntary compliance should be developed with the real estate community's input.

Brian Hunt introduced himself as being with the National Association of Industrial & Office Properties (NAIOP) and is President of the Tulsa Chapter. He introduced Gene Phillips, Mark Rooney and Clint Laster to the commission.

Mr. Hunt stated that in January, 2006, that they had a presentation coordinated through Julie Miner and Bruce Bolzle at their Tulsa Chapter breakfast meeting. He stated that he would like to give the commission some of their feedback that he received from the members relating to them. Mr. Hunt stated that many of the members found the information very interesting, especially some of the slides. They agreed that historic preservation of *significant* structures, which is the wording that is used in this preamble on the recommendations, is certainly a worthy goal; and in fact, the buildings that have applied for and are on the National Registry clearly should be recognized as assets and abide by the rules they agreed to follow.

Mr. Hunt stated that the members specifically said:

- ◇ They felt that the report and subsequent recommendations appear to be a knee-jerk reaction as a result of the demolition of the former Tulsa Auto Hotel, the Skelly Building and the Frougs Building.

- ◇ They expressed that only a few Tulsans would really miss Horace Mann Junior High that was later a Department of Corrections facility. This is where the old “functionally obsolete Ford’s auto parts warehouse use to be on Boston. Mr. Hunt stated that it’s important that most of these buildings have been demolished by churches and educational institutions, and are clearly far more than all private sector demolition combined.
- ◇ And finally, who determines what is of historic significance? Mr. Hunt stated that from the National Trust for Historic Preservation website, one of the articles is that some of the older buildings are important, simply because they’re good to look at. He stated that the reaction from the members were that if the tax payers don’t want to pay for them, why should the private sector?

Mr. Hunt stated that walking through the recommendations that are before you today, once again, the preamble language in the recommendations refer to a survey. He stated that clearly, a survey is a good idea; and in fact, that he’s surprised that a survey hasn’t already been done. Mr. Hunt stated that if you’re looking for a public/private partnership, the most effective survey would be focused on significant structures, not every building in the Central Business District (CBD).

Mr. Hunt stated that they’re questioning the expertise and resources that such a survey could include a demolition analysis. He stated that this is typically best done by the owner; and requires a thorough understanding of commercial real estate statistics including:

- ◇ supply and demand;
- ◇ vacancy rates;
- ◇ net absorption;
- ◇ land values;
- ◇ rents; and
- ◇ most importantly, what the market will support.

Mr. Hunt stated, without the benefit of reviewing the survey findings, how can we then jump into the next recommendations that says that they should be incorporated into the Comprehensive Plan, much less evolve into a new demolition policy? He stated that a building survey and ownership report was done on the East Village about five (5) years ago through a contract with Tulsa Development Authority (TDA) through a firm called AEcom. Mr. Hunt stated that AEcom surveyed all the buildings in the East

Village; and that his question would be to the TPC today is that it's five years later, what direction did that survey provide to the City or its staff; or is it simply sitting on a shelf somewhere?

Mr. Hunt stated that he thinks *Parking* for the most part has been covered, however related to this idea of changing it from "a use by right" to a "special exception" is clearly another example of the City saying, we want development, but we want it on our terms. Mr. Hunt stated that he went to a meeting on Tuesday and that Mr. Norton was there as well, for small business owners to inform the Economic Development Commission that the City of Tulsa still has a stigma when it comes to the billing permit process and development; and we need to change that stigma.

Mr. Hunt stated that off on the *Comprehensive Plan*, obviously, before any amendments can be made to the comprehensive plan, we would like to see a better explanation and description of what it's meant by "District Standards for design review;" and especially how that compares to what is currently in place. He stated that, clearly TPC should coordinate with INCOG to include preservation in the comprehensive plan, especially if it relates to buildings that are on the National Register.

Mr. Hunt further stated that on the *Incentives & Promotions*, that this was certainly by far the TPC most encouraging recommendation and on behalf of NAIOP and NAIOP members, we would be glad to provide assistance and input related to that recommendation.

Mr. Hunt stated that on the *Demotion review* that they have emphasized it more than once that "time is money" and clearly the recommendation of a 120 day waiting period be implemented seems to go against what the private sector continues to try to education the public sector on. He stated that the first principal of economic that we learn is that *capital is mobile*. Mr. Hunt stated that their primary concern also related to the review panel on demolition is that it can sometimes in instances like this become very political and very unaccountable to elected officials. He stated that there is a thin line between the effective taking of a property and merely preserving an old historic structure. Mr. Hunt stated that at some point the public sector, with additional unfunded mandates, will have effectively taken the property by over-regulating it. He continued by stating that these types of unintended consequences clearly erode a property owner's rights and ignore market forces.

Mr. Hunt stated that from an article that was published in a magazine yesterday called *Expansion Management*, which is an economic development magazine, for our nation's mayors, attracting new businesses and supporting existing business is their number one priority. Why? Because successful economic development programs result in increased job opportunities for their constituents, as well as additional tax dollars to pay for basic government infrastructure and services.

Mr. Hunt stated that preservation is important; but it needs to be considered in its proper context; and that is one minor component of economic development. Mr. Hunt stated that he's never seen it on a site selection list. He stated that he's never seen it as a category on Expansion Magazine "Quality of Life Quotient." He stated that when they talk about quality of life, they are focus typically on education, health care, housing cost and crime rates, which are things that immediately impact employers. Mr. Hunt stated that in downtown Tulsa the majority of jobs are office users. He stated that it is important to recognize that some older buildings in Tulsa have floor plates that are simply too small to accommodate current requirements; and as a result these buildings have very limited redevelopment opportunities for office use.

Mr. Hunt stated that the preservation or community assets mindset must be balanced with an appreciation of the market and of economic facts. Three (3) points in conclusion:

- ◇ Preservation should work within the context of a vibrant environment;
- ◇ To have a vibrant environment research should determine what the market wants and more importantly what it will support; &
- ◇ Planners should execute plans that are desired, not plans that they would like to be desired.

Mr. Clint Laster stated that he did not have his comments in writing; although he would provide the written comments to the TPC after the meeting. Mr. Laster introduced himself as President of Building Owners Management Association (BOMA); and that he was also representing Helmerich & Payne. Mr. Laster stated that, we as a whole have a hundred and some odd members of the development and management communities; and owners of downtown suburbs are opposed to any of the proposed ordinances that you want to be sent to the Mayor. Mr. Laster stated that, one that he feels a

necessary that we admire and appreciate the desire to serve our history and our architectural value. He stated that he didn't think anybody would debate that. Mr. Laster stated that they are also fighting or dealing with adjusting to some code changes that are in the name of public safety. He stated that this is not an isolated organization that has no ripple affect to TPC decisions or to your recommendations to the Mayor or to the Fire Marshall or to anyone else.

Mr. Laster stated that they just find it a little bit frustrating to be imposed upon when there's no economic impact on the TPC directly. He stated that it affects them 100% and it affects their owners and their developers. Mr. Laster stated that every decision as these buildings that you are wanting to preserve were made based on the economics of that time and of the codes. Mr. Laster stated that, all they're saying is that we want today's economics and times, which are a little more challenging than they were back then to be taken in affect. Mr. Laster stated that you can not bring back the Mayo Hotel once after it's been closed. He stated that it hasn't been brought back; and it hasn't been revived; but that he believes the recommendations, both from the City and from the Tulsa Preservation Commission, are asking for Tulsa to turn into a bunch of vacant buildings that no one will touch; and then become an eyesoar or a detriment on the property taxes and everything like that. He stated that the owners are not going to be willing to do it because they're making code such that with some buildings, just inspection of sheer structure, they can't comply. Mr. Laster stated that you can't tell them that they can't tear them down. If you do that, you're going to end up with another Mayo Hotel with some of the other buildings being on the National Register. He stated that they feel like the buildings that are current members of the register; and those that may be gone are already governed by stricter requirements; and to add these or propose these are unnecessary.

Mr. Laster stated that CORE, by definition stands for Current Opportunities to Reinvent & Energize Downtown. He stated that they are of the opinion those opportunities exist already without these recommendations.

Chairman Turner announced that the commission appreciated all the comments that were made. He stated that he thinks in light of Mr. Norton comments about not being included in the process, that the Tulsa Preservation Commission should continue this and try to have a meeting with Downtown Tulsa Unlimited (DTU) and any other groups that Mr. Norton would like to include in order to get more feedback on the CORE Recommendations.

Chairman Turner stated that he would like the TPC/CORE Subcommittee that has already been formed, to meet with all the groups and stakeholders. He stated that after all the groups have met; that he would like to have the revised CORE Recommendations brought back before the Tulsa Preservation Commission for further review.

Mr. Ball stated that we need to work toward a common ground with these recommendations. Mr. Gilmore stated that we want to improve this document and make it to where we can improve our city.

No action was taken on the second reading of the CORE Recommendations of August 10, 2006.

## **5. Staff Report**

### **A. Proposed Preservation Easement – The Ward House 7007 S. Delaware Place – Marty Newman**

Ms. DeCort stated that Mr. Ackermann in City of Tulsa Legal has been reviewing the Ward House easement. Mr. Ackermann stated that he and the Legal Department had a few more details to review and complete regarding the easement at the Ward House; and that he didn't believe that there should be any further action taken by the Tulsa Preservation Commission on the issue.

### **B. Midtown Tulsa Redux – Presentation by OU Urban Design Studio**

Shawn Schaefer, Director of Urban Design Studio & The University of Oklahoma College of Architecture, introduced three of his students to present to the commission a slide show on the Midtown Tulsa Redux.

The students were, Ed Sharrer, Ryon Stirling and Jonathan Bijigga from the University of Oklahoma College of Architecture stated that a survey was performed last year. Mr. Stirling stated that the pilot area of the redux is 21<sup>st</sup> Street to the South; 11<sup>th</sup> Street to the North; Peoria to the West; and Lewis to the East. He named some local organizations that were supportive of the Midtown Tulsa Redux. Ed Sharrer stated that their idea was to come up with some ideas of recommendations to try to lesson some of the conquest of commercial redevelopments as proposed. He stated that they wanted to study the recent history of the neighborhood to try to gain and understand the area as a whole so that they could better conduct

public workshops. Mr. Sharrer stated that they did conduct and provide a total of four (4) workshops:

- ◇ 1) For neighborhood residents of the area;
- ◇ 2) For business and property owners;
- ◇ 3) For City Officials, planners, etc.; &
- ◇ 4) For bringing back everybody together (listed above).

Ryon Stirling stated that they performed a game board at the workshops to get their input and feedback. He stated that they've interpreted that for Midtown Tulsa, the commercial vision is very much in keeping with the historic pattern of the Purple districts from long ago. He stated that some of the parking strategies create a lot of conflict. Mr. Stirling stated that there were a lot of discussion about on-sight parking requirements. He stated that basically, they believed that structure parking would be fine for long term parking.

Some of the meeting findings were regarding:  
Minimal set backs; parking behind buildings; walkability; bury utilities; and mixed-use developments.

Some of the recommendations were:  
To create neighborhood plans; improve the process hand communications; advocate for the neighborhood; acquire properties; bury utilities; consider changing zoning; make street improvements; provide walkability; and devise property strategies.

Ed Sharrer stated that they feel an effort should be undertaken by the City of Tulsa that should make them apart of the comprehensive plan. He stated that the idea with the tool kits that these groups comes together to discuss their ideas and strategies of that a neighborhood association could use in developing a plan for their neighborhood; and how they would like to see commercial development. Mr. Scharrer stated that they would like to see a dialog as well for review and to be processed.

Mr. Schaefer announced that they don't have the resources to prepare the plan; and that they're in the process of researching what other cities have done. It was suggested by one of the commissioners that the Ruth & Allen Mayo Funds may be able to help them support the resources that they need for the plan. Mr. Schaefer stated that he would like to thank the Tulsa Preservation Commission for inviting them to share with the Commission about the Midtown Tulsa Redux study.

Chairman Turner asked if someone would like to make a motion about receiving a report on the Midtown Tulsa Redux study; and support it.

Mr. Ball made a motion to request a copy of the Midtown Tulsa Redux report and support it.

**Roll Call Vote to request a copy of the Midtown Tulsa Redux report and support it.**

Chairman Turner – Aye;  
Vice-Chairman Breed – Aye;  
Secretary O’Neal – Aye;  
Herb Fritz – Was not present during this vote;  
Charles Gilmore – Aye;  
Jack Hodgson – Aye;  
Mary Lee Townsend – Was not present during this vote;  
Rex Ball – Aye;  
Bill Andoe – Aye;  
Chip Ard – Aye; &  
Dusty Peck – Aye.  
The motion was **Approved Unanimously by members present and voting.**

Chairman Turner thanked Mr. Schaefer and his students for sharing their Midtown Tulsa Redux study with the commission.

**C. Camp – Commission Training through National Alliance of Preservation Commissions**

Ms. DeCort stated that the National Alliance of Preservation Commissions (NAPC) has asked if the Commission would share the cost of sending 30 people to camp @ about \$200.00 per person on a One-day camp. She stated that the camp is a customized curriculum focused on preservation commission fundamentals that every commission member should understand: the preservation framework, legal issues and meeting procedures, design review, and public support.

The Commission discussed this issued briefly; and did not take any action on this issue.

**6. Absence Report**

None.

**7. New Business**

Mr. Ball announced that the State Historic Preservation Office (SHPO) is sponsoring a meeting called “*Historic Window Workshop*” on Thursday, September 7, 2006 at 8:15 a.m. – 4:30p.m., at the State Capital Publishing Museum, 301 West Harrison in Guthrie, OK. Mr. Ball stated that if anyone

was interested to contact Catherine Montgomery, AIA, SHPO Historic Preservation Architect at 405-522-4479 or at [catherinem@okhistory.org](mailto:catherinem@okhistory.org)

Mr. Ball stated that since the Historic Window Workshop relates to the windows at our Tulsa Will Rogers High School that he would like to recommend the Commission to send someone from Tulsa Public Schools to the meeting. Ms. DeCort stated that the Mayor's Office is in the process of appointing Ms. Karen Aikens Rogers as a Tulsa Preservation Commission representative from Tulsa Public Schools; but that Ms. Rogers may not have been before the City Council yet.

## **8. Communications**

None.

## **9. Adjournment**

*There being no other business, Chairman Turner adjourned the meeting at 1:28 p.m. The Tulsa Preservation Commission Regular Meeting Minutes of August 10, 2006 were transcribed by Fannie Warrior.*

*K:/Planning/Fannie Warrior/MINS 08 10 2006R TPC  
Minutes Approved by TPC on 09 14 2006*