



# TULSA PRESERVATION COMMISSION

## REGULAR MEETING MINUTES

**Thursday, November 14, 2013, 11:00 am**

City Hall @ One Technology Center, 175 East 2<sup>nd</sup> Street  
10th Floor North Conference Room

### A. Opening Matters

#### 1. Call to Order and Verification of Quorum

Chairman Shears called the Regular Meeting to order at 11:00 a.m.

#### **Members Present**

Robert Shears, Chairman  
Jim Turner, Vice Chair  
David Blackburn  
Jack Hodgson  
Susan McKee  
Mary Lee Townsend

#### **Members Absent**

Kristen Bergman, Secretary  
David Pounds

#### **Staff Present**

Amanda DeCort, Bob Edmiston, Monty McElroy

#### **Others Present**

Aaron Sprik, Chip Atkins, Herb Fritz, Jim Thornton, Justin Thompson, Margaret Walton, Sue Scott, Lynda Ozan, Barbie Raney, Moura Robertson, Patti Sellers, Jeff Owens

#### 2. Approval of Minutes from October 22, 2013

Commissioner Townsend made a motion to approve Regular Meeting Minutes from October 22. Commissioner Hodgson seconded the motion. The motion was approved unanimously.

#### **Vote: Regular Meeting Minutes from August 27, 2013**

<b><u>In Favor</u></b>	<b><u>Opposed</u></b>	<b><u>Abstaining</u></b>	<b><u>Not Present</u></b>
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1. Blackburn	None	None	None
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2. Hodgson			
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- 3. McKee
- 4. Shears
- 5. Townsend
- 6. Turner

3. Disclosure of Conflicts of Interest

No one reported a conflict of interest with the proposals on the agenda.

B. Actionable Items

1. **Review and Recommendation of Woodward Park and Gardens National Register Nomination**

Lynda Ozan with the Oklahoma State Historic Preservation Office gave a PowerPoint presentation overview of Woodward Park and Gardens historic district at 2101 S. Peoria Avenue. It was listed under Criteria A and C for Landscape Architecture, Architecture and Entertainment/Recreation. CLG paid for and sponsored the nomination. It is one of the finest public gardens in the U.S. It is best known for the rock gardens and the Tulsa Rose Garden. It is also eligible for Criteria C for the Travis House. The honorific designation recognizes the importance of the garden and district. The area includes the arboretum.

Barbie Raney, Executive Director of the Tulsa Garden Center, said that she was pleased to have Woodward Park and the gardens nominated because it puts Tulsa on the map; it's one of Tulsa's crown jewels.

Commissioner Townsend made a motion to find the district eligible for listing in the National Register of Historic Places and forward the nomination to the State Historic Preservation Office for consideration. Commissioner Turner seconded the motion. Chairman Shears asked for a vote on the motion.

**Vote: Nomination of Woodward Park and Gardens to the National Register**

<b><u>In Favor</u></b>	<b><u>Opposed</u></b>	<b><u>Abstaining</u></b>	<b><u>Not Present</u></b>
	None	None	None

- 1. Blackburn
- 2. Hodgson
- 3. McKee
- 4. Shears
- 5. Townsend
- 6. Turner

The motion to approve was approved unanimously.

2. **COA-13-029 / 1730 S. Quincy Avenue** (Swan Lake)

Applicant: Jim Thornton

COA Subcommittee Review Date: September 17 and October 24, 2013

Request: Construct 5-unit townhouse project according to plans submitted.

Monty McElroy presented Mr. Thornton's Certificate of Appropriateness application to the Commission and read the applicable guidelines. Mr. Thornton was present to answer questions. Architect Herb Fritz was present on Mr. Thornton's behalf to answer questions.

Commissioner Turner offered comments and observations from the COA Subcommittee Reports. He went through a long list of issues that were addressed in Subcommittee and stated that he felt the applicant satisfied every alteration that he was asked to make. He mentioned that the TPC has a long history with the applicant for this property and that what is now submitted has been better received than previous submissions.

According to Commissioner Turner, some concerns expressed were the scale of the project and suitability to the neighborhood. It was discussed how the applicant made a good case for the height of the project relative to adjacent commercial buildings. Some of the commercial buildings were built in the 1920's, while others were built in the 1970's and are non-contributing. There were discussions concerning the size of the project and its appropriateness for the subject lot.

Commissioner Turner stated that the subcommittee moved for approval to move the application forward to the Commission. He then made the motion for approval. Commissioner Blackburn seconded the motion.

Chairman Shears stated that a motion had been made, and then opened it up for discussion. He commented that he thought the project was much improved and appropriate. He asked if the air conditioning units on roof would be visible. Mr. Fritz answered that you might see the safety rail, but not the units themselves.

Commissioner Turner stated that a lot of the character for the building was pulled from a six- or eight-plex building one block north at 17<sup>th</sup> and Quaker Avenue.

Commissioner McKee stated that she had a problem with the size of the structure compared to the lot size. All the multifamily that are historic have a single door, and this has multiple doors and balconies. She said this project is introducing an entirely new type and if this is approved, a precedent is being set and it shouldn't even be considered.

Commissioner Turner said it was kind of an anomaly. In most cases the commercial and multifamily is around the perimeter. He said it was unusual that it's in the middle of the neighborhood.

Commissioner McKee said it would be a big mistake to introduce this. If it were a six-plex or four-plex like others in the neighborhood, that would be fine, but this townhome development will be bringing in an element that's not historically present in the neighborhood.

Commissioner Townsend expressed concern over the height relative to other surrounding structures.

Commissioner Blackburn stated that he respectfully disagreed with Commissioner McKee's assessment of the project. He said according to the guidelines, each building should be different and this man's lot cannot be downzoned by the Commission.

Mr. Atkins, a member of the COA Subcommittee addressed the Commission. He said that in the eight to ten years we've gone through this process with the applicant, he has not known one neighbor who has liked or approved of the proposed project. He brought up the townhouse concept and said that in a townhouse development, each unit is considered a separate project on its own lot. He said that there has not been a zoning change or any lot splits, and the BOA or TMAPC will say that it was approved as a townhouse development. He stated that it is zoned Multifamily, not Townhouse, and that it is not an apartment building. He read some of the guidelines and stated why he thought the design was in conflict with them.

In summary, Mr. Atkins stated that if the project is five townhouses, we need to look at them separately. There are no townhouses present in the neighborhood. He said the use of poor materials devalues the neighborhood and will have a huge negative impact. He said the project does not meet the guidelines and any suggestions for compromise have been rejected. He asked the Commission to deny the proposal based on these issues.

Ms. Robertson addressed the Commission. She stated that she lives in the neighborhood a block away from the proposed project. She said the photos shown were not representative of the neighborhood. People are investing and fixing up the homes to be historically accurate. She said it is unfortunate that we've had infill that's not consistent in the past. She said she would like to ask the group to weigh heavily the more intrinsic values that have to do with the character of the district such as character, quality of life, etc. She stated that if this project is allowed, it's contrary to what people who live there are trying to preserve and it does not improve the neighborhood or increase values. She said it is just further encroachment of commercial development in the neighborhood.

Ms. Robertson went on to say that she didn't know if there was any environmental impact assessment, but this street is a bypass street for 15<sup>th</sup> Street with heavy traffic and lots of congestion of off street parking, with lots of close calls and no stop signs. She stated that this project adds too many people, decreases the nice family historic nature of the neighborhood and should not be approved.

Ms. Sellers, a neighborhood resident, stated that the project was too large for the lot and would cause a dangerous traffic situation. She said the scale of the project towers over the one story homes that are already there.

Mr. Fritz stated that the term “townhouses” is probably a misnomer; it’s an apartment building. He said they will not be on individual lots. It’s an apartment building and they will not be sold as individual units; they will be rented.

Mr. Atkins said that Mr. Fritz says they are townhouses and keeps calling them townhouses.

Commissioner Blackburn stated that the term “townhouse” is a generic term; one building on one lot. Commissioner Turner reiterated that the project is one structure on one lot.

Mr. Fritz stated that stylistically they are townhouses, but it’s one building.

Mr. Atkins made a comment about the address they are using for the project and how that doesn’t conform to the guidelines.

Commissioner Blackburn stated that the owner can call the address whichever street they want to on a corner lot.

Mr. Atkins argued that if they are going to be going back and forth on the address, then it needs to be voted down. He asked how going back and forth is fair to the guidelines.

Commissioner McKee said that she felt it still comes down to the other historic structures; none of them looks like this, and said that’s where we have to draw the line. If it was a four-plex or if it was a square in shape, it might be fine. She read the guidelines, C.1.4 referring to scale, proportion and historic pattern.

Commissioner Blackburn said it doesn’t have to be identical to respect the guidelines.

Chairman Shears stated there was a motion to approve the application and a second, and then asked for a vote on the motion.

**Vote: 1730 S. Quincy Avenue (Swan Lake)**

<b><u>In Favor</u></b>	<b><u>Opposed</u></b>	<b><u>Abstaining</u></b>	<b><u>Not Present</u></b>
1. Blackburn	1. McKee	None	None
2. Hodgson	2. Townsend		
3. Shears			
4. Turner			

The motion to approve was approved by majority. Guideline cited: C.1.1, C.1.2, C.1.4, C.1.5, C.2.1, C.2.2, C.2.3, C.2.4, C.2.6, C.3.1, C.4.1, C.4.2, C.4.3, C.5.1, C.5.2 and C.5.3.

3. **COA-13-030 / 1617 S. St. Louis Avenue (Swan Lake)**  
Applicant: Biltmore Homes, LLC

COA Subcommittee Review Date: October 29 and November 7, 2013

Request:

Construct new single-family residence according to plans submitted.

Monty McElroy presented Mr. Sprik's Certificate of Appropriateness application to the Commission and read the applicable guidelines. Mr. Sprik, representing Biltmore Homes, was present to answer questions.

Commissioner Turner offered comments and observations from the COA Subcommittee Reports. He went through a list of issues that were addressed in the Subcommittee Meetings and that the applicant complied with the details that he was asked to address.

The Subcommittee found the application to be complete and recommended approval.

Staff asked if the prairie style windows were fixed, casement or double hung. The renderings did not indicate sashes. The applicant responded that they would be single hung windows. He said his architect didn't draw that detail, but he would have him make the change to the drawings.

Mr. Atkins spoke in favor of the project. He said he would like to see tongue and groove soffits.

There was discussion about the length of the rafter tails, tongue and groove material on the exposed soffits and porch ceilings, open truss work on gable ends and articulated windows. Applicant agreed to have his architect show the changes in his renderings and send to staff for a final review by Commissioner Turner before granting the COA permit.

Commissioner Turner made a motion to approve the application with the conditions that renderings be revised to show nine over one prairie style windows, adding brackets on side elevations, tongue and groove soffit and porch ceilings and open truss work. Commissioner Hodgson seconded the motion. Chairman Shears asked for a vote on the motion.

**Vote: 1617 S. St. Louis Avenue (Swan Lake)**

<b><u>In Favor</u></b>	<b><u>Opposed</u></b>	<b><u>Abstaining</u></b>	<b><u>Not Present</u></b>
1. Blackburn	None	None	None
2. Hodgson			
3. McKee			
4. Shears			
5. Townsend			
6. Turner			

The motion to approve was approved unanimously. Guideline cited: C.1.1, C.1.2, C.1.4, C.1.5, C.2.1, C.2.2, C.2.3, C.2.4, C.2.6, C.3.1, C.4.1, C.4.2, C.4.3, C.5.1, C.5.2 and C.5.3.

4. **COA-13-031 / 1331 E. 19<sup>th</sup> Street** (Swan Lake)

Applicant: Sue Scott

COA Subcommittee Review Date: None

**Work started prior to COA application**

Request: Construct new concrete driveway and sidewalk in front yard of residence.

Monty McElroy presented Ms. Scott's Certificate of Appropriateness application to the Commission and read the applicable guidelines. Ms. Scott was present to answer questions.

Mrs. Scott apologized to the Commission for beginning the project without a permit. She said she just moved into the property and didn't realize that she needed the COA permit. She presented Commissioner with signatures from several neighbors supporting the restoration and remodeling of the property, including the drive and off street parking.

Mrs. Scott mentioned the retaining wall around the yard and said she plans to rebuild it at some point. She was told that she would need to make application and bring her COA request to another meeting.

Commissioner Townsend made a motion to approve the application.

Commissioner Blackburn seconded the motion. Chairman Shears asked for a vote on the motion.

**Vote: 1331 E. 19<sup>th</sup> Street** (Swan Lake)

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Blackburn	None	None	None
2. Hodgson			
3. McKee			
4. Shears			
5. Townsend			
6. Turner			

The motion to Approve was Approved Unanimously. Guidelines cited: B.2.3, B.2.5, G.2.2 and G.2.3.

5. **COA-13-032 / 2143 E. 17<sup>th</sup> Place** (Yorktown)

Applicant: Justin Thompson

COA Subcommittee Review Date: None

**Work started prior to COA application**

Request:

1. Replace original windows with new vinyl windows.
2. Replace non-original front door with new Craftsman style 6-lit, paneled fiberglass door.

Monty McElroy presented Mr. Thompson's Certificate of Appropriateness application to the Commission and read the applicable guidelines. Mr. Thompson was present to answer questions.

Mr. Thompson apologized to the Commissioners for most of the windows being replaced prior to receiving his COA permit. He was given permission by staff to replace only the rear windows, not visible from the street. He said he told his contractors to do just that, but when I got home from work the day previous to the TPC Regular Meeting, the contractor had already installed all except the front windows.

Mr. Thompson presented pictures of proposed door hardware to Commissioners for their approval, which they agreed was appropriate.

Commissioner Townsend made a motion to approve the application and door hardware as presented. Commissioner Blackburn seconded the motion. Chairman Shears asked for a vote on the motion.

**Vote: 2143 E. 17<sup>th</sup> Place (Yorktown)**

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Blackburn	None	None	None
2. Hodgson			
3. McKee			
4. Shears			
5. Townsend			
6. Turner			

The motion to Approve was Approved Unanimously. Guidelines cited: A.3.3, A.4.1 and A.4.5

**C. Reports**

**1. Staff**

Amanda DeCort reported that Commissioner Bergman has moved away and left the Commission though she has not yet resigned. She reported that there will not be a Redfork nomination due to property owners being opposed. She said those funds would be reprogrammed to Commissioners to CAMP the first week of June in Norman, OK. A window workshop will also be added. NAPC Camp will be at Statewide Preservation Conference, to be held the first week of June in Norman.

Attorney Edmiston reported that Mr. Morony has filed a motion to vacate the judgment awarded the City foreclosing the TSID liens against the Sinclair building. He also reported that there is nothing new in the McBirney Mansion litigation.

**2. Chair**

Chairman Shears brought up the TPC Holiday party. The party will be held after the December TPC meeting. He said he would host the party this year.

**3. Committees**



a) Rules and Regulations  
No report

b) Outreach  
No report

D. New Business  
None

E. Announcements and Future Agenda Items  
No report

F. Adjournment  
Meeting was adjourned at 1:01p.m. by Chairman Shears.