



# STAFF REPORT

## Downtown Design Review Committee

08/15/2024

**Agenda Item** VI. B.  
**Case No.** DTCA-24-00039  
**Property Address** 804 SW 2<sup>nd</sup> St  
**Applicant Name** Roy Vinyard, Vinyard Vogler, LLC  
PO Box 2778  
Oklahoma City, OK 73101  
**District** DTD-2

### A. ITEMS FOR CONSIDERATION

#### 1. Demolition

- a. Demolish 14,150 sq. ft. building and site improvements.

### B. BACKGROUND

#### 1. Location

This site is located at the southwest corner of SW 2<sup>nd</sup> St and S Shartel Ave.

#### 2. Site History/Existing Conditions

According to the 2012 Historic Preservation Resource Identification Form, this building was constructed in 1940. The 1949 Sanborn Map labels the building "Beer W.Ho." (warehouse). The building is currently vacant.

#### 3. Surrounding Environment

To the north, across SW 2<sup>nd</sup> is a gravel parking lot. Further north is W Oklahoma City Blvd. To the east, across S Shartel Ave, is the Ozarka Water facility. To the south, across the alley, is vacant land owned by the same property owner as this application. Adjacent to the west are additional buildings and land owned by the same property owner as this application.

#### 4. Intended Use

The owner/applicant has not provided that information at this time.

### C. ITEMS IN COMPLIANCE

1. Unless noted below in Section D. Issues and Considerations, all other case items of this proposal comply with the Development Regulations and Guidelines of the Downtown Design District zoning ordinance as referenced below:

None

**Note:** All other Regulations and Guidelines of the Downtown Design District zoning ordinance not listed above are either not applicable to this case or apply to elements of this project to be considered as a separate case at a later date.

### D. ISSUES AND CONSIDERATIONS

#### 1. Development Guidelines

This proposal may not comply with the Development Guidelines of the Downtown Design District zoning ordinance as follows:

a. **RE: Demolition, Case Item 1.**

- 1) Description: The applicant proposes to demolish two houses.
- 2) Reference: §7200.1. Downtown Design Districts (DBD, DTD-1, DTD-2).

“A. *Purpose and Intent. This commercial district is intended to support diverse forms of business and residential activity, including mixed-uses in a single building, within the central area of the City. Development regulations and guidelines in this district are intended to:*”

“(6) *encourage preservation and restoration of the Historic Resources and Architectural Resources of the Downtown districts;*”

Reference: §7200.1.G., Development Guidelines

G. Development Guidelines.

*“These guidelines are intended to promote the development and redevelopment of the downtown area in a manner that is consistent and compatible with existing unique and diverse design elements of downtown Oklahoma City and that also encourages economic development and commerce. These guidelines are also intended to promote downtown as a vibrant, active destination with a variety of land uses, designed in context with the area in which they are located. The Downtown design review Committee and staff shall consider these guidelines as appropriate to the specific site and district, taking into account the character and context of the urban environment, and providing flexibility to incorporate new technology and techniques.*

(1) *Existing Buildings; Architectural Resources or Historic Resources.*

*In order to preserve the legacy of our past, developers are encouraged to rehabilitate structures and sites within the Downtown districts that are Architectural Resources or Historic Resources so that as much of the original fabric as is reasonable possible remains intact.*

(a) *Existing buildings and character-defining architectural features such as building mass, roofs, exterior walls, doors, windows, and architectural detailing should be retained, refurbished and remain in the original locations.”*

Reference: §7200.1.G.(9), Demolition

“(a) *General Provisions*

1. *A Certificate of Approval shall be required for the demolition or removal of any structure within any DBD, DTD-1, or DTD-2 District. Applications for demolition permits shall not be issued unless accompanied by a Certificate of Approval.*
2. *A Certificate of Approval shall not be required for the demolition or removal by the City of a structure that has been declared dilapidated by the City Council.*
3. *Burden of Proof. The applicant has the burden of proof to establish, by a preponderance of evidence, the necessary facts to warrant demolition.*

(b) *Purpose and Intent*

*Buildings and structures form the framework of special districts. The placement height, and materials of buildings and structures, as well as their history, form the character of a district; therefore, it is appropriate to evaluate the impact of the proposed demolition of a structure on the district as a whole. In some cases, demolition or removal of an existing structure may have an adverse affect on the quality and character of the district. However, in other cases, demolition or removal of an existing structure may be appropriate to provide for the continued growth and vitality of the district, and may facilitate economic development or otherwise improve a district's appearance or viability.*

(c) *Guidelines for Demolition*

*In considering a Certificate of Approval for the demolition or removal of a structure, the Downtown Design Review Committee (or staff, if applicable) may consider any of the following factors:*

1. *Design, Form, or Urban Character*
  - i. *Staff shall make a recommendation (or determination, if applicable) regarding whether removal of the structure will have an adverse impact on the design, form, or urban character of the district. For purposes of this section, the terms design, form, and urban character shall mean:*
    - a. *Design refers to the use of architectural components, building materials, or other distinct elements of structures that create a cohesive*

*theme and standard of quality within the urban environment.*

- b. Form refers to the physical layout and design of the built environment, taking into consideration building height, density and floor-area ratio, mass and scale, and the configuration and relationships formed between adjacent buildings, streets, pedestrian areas, and open spaces.*
- c. Urban character refers to the general atmosphere and experience created by an environment exhibiting heavy concentrations of entertainment, civic, residential, office, commercial, and cultural uses. Urban character may be physically expressed through:
  - i. Buildings defining corners and blocks and forming a sense of enclosure through a continuous street wall:*
  - ii. Landscaping within public rights-of-way, defining public spaces, and the pedestrian realm; and*
  - iii. A well-connected, accessible network of sidewalks, streets, and public spaces.**

*2. Significance*

- i. Staff shall make a recommendation (or determination, if applicable) regarding whether the structure is a Historic Resource or Architectural Resource, using information that may include, but not be limited to, the following.
  - a. Research, investigations, and historical or architectural surveys;*
  - b. Archival information from newspapers and libraries, which may include photographs, a review of Sanborn Fire Insurance Maps, and historic city directories such as Polk or Criss-Cross; or**





*redevelopment. "Independent" as used in this Paragraph means that the expert has no financial interest in the property, its renovation or redevelopment; is not an employee of the property owner; is not a City employee; is not a member of the Downtown Design Review Committee, and is not compensated for serving on the Economic Review Board.*

- b. The Economic Review Board shall have 60 days to hold a public hearing, review the submitted documentation (which may include appraisals, profit and loss statements, itemized expenses, listings of the property for sale, current fair market value, records depicting the current condition of the property and other relevant documentation, including the cost of demolition and financial information regarding stabilization, repair, rehabilitation, and/or re-use of the building or structure), consider all options for renovation, adaptive reuse and redevelopment, and forward a non-binding recommendation to the Downtown Design Review Committee.*
- c. After the Economic Review Board has made a written recommendation, the application shall be deemed complete and the Downtown Design Review Committee shall hold a public hearing within 65 days of receiving said recommendation for the purpose of considering the Certificate of Approval for demolition or removal. The Downtown Design Review Committee shall either approve or deny the application unless the applicant agrees to a continuance.*

5. *Demolition with Accompanying Proposal for Replacement*
  - i. *If demolition of an existing structure is requested and a new development is being proposed to replace the existing structure, the applicant is encouraged to submit information demonstrating that the proposed new development's contribution to the design, form, and urban character of the district would outweigh that of the building or structure proposed for demolition. Such information may include (but not be limited to) the following:*
    - a. *Information showing that the new development would conform with adopted plans, such as the City's comprehensive plan and special use plans. If such information is submitted, staff may review applicable plans and make a recommendation concerning the level of conformance that the proposed development demonstrates.*
    - b. *Information showing that the height, massing, architecture, and placement of the new development would complement the urban form and character of the district.*
    - c. *Information showing that the overall contribution of the new development would outweigh the loss of any building or structure that is determined to be a Historic Resource or an Architectural Resource."*

Reference: §7200.4. Downtown Transitional District, General (DTD-2)

A. Purpose and Intent.

*"The DTD-2 District is intended to promote a high quality mix of commercial, office, residential, and industrial uses, including mixed-uses in a single building, for areas adjacent (to) the DBD District. Development regulations in this district are intended to promote the development and redevelopment of areas adjacent to the DBD District in a manner consistent with the unique and diverse design elements of the area, ensure that areas adjacent to the DBD*

*District contain land uses compatible with commercial, residential, and cultural significance of the central City, create a network of pleasant public spaces and pedestrian amenities, enhance existing structures and circulation patterns, encourage preservation and restoration of historic features, encourage preservation of the cultural significance of the central city, and promote the areas adjacent to the downtown business-use district as dense, urban and mixed-use neighborhoods.”*

- 3) Considerations: The applicability of each criterion described in the guidelines will vary on a case-by-case basis; not all criteria may be applicable to all demolition proposals. The Committee may weigh each of the criteria as it deems appropriate for a particular proposal. For this proposal, the following criteria may be particularly applicable:

Design, Form, or Urban Character: The design quality of the existing structure is high, as it exhibits unique stylistic components, including brick arches at the windows, curving sign bands along the façade, cast stone ornament at the parapet and historic steel casement windows with transoms. The architectural characteristics of the building are particularly noteworthy given its utilitarian use.

In terms of form, the building is smaller than what would be permitted under current development regulations. The minimum height for structures in DTD-2 is 2 stories or 30 ft.; the existing building is 1 story and approximately 15 ft. high.

Significance: Staff believes that this building is both an Historic Resource, defined as “sites, districts, structures, buildings or monuments that represent important facets of history in the locality, State or nation; places where significant or historic events occurred; places associated with a significant personality or group important to the past;” and an Architectural Resource, defined in the Municipal Code as “districts, structures, buildings, monuments, sites and landscaping that possess significant local interest or significant artistic merit, or which are particularly representative of their class or period, or represent significant achievements in architecture, engineering technology, design, or scientific research and development.”

This building was included in Phase 4 of the Intensive Level Survey of Downtown (2012). The Survey documentation, including the Historic Preservation Resource Identification Form, includes the following information:

The industrial district relates to the development of the railroads and their impact on the growth and development of Oklahoma

City. This property is eligible as a contributing property to the Classen Industrial District for listing in the National Register under Criteria A Commerce, Transportation and Industry and C Architecture. The period of significance is from 1898 to 1955. This industrial area developed along the adjacent railroad tracks that provided access to the materials needed for manufacturing and transportation of their goods to other markets.”

“Historically, this building was a wholesale beer warehouse, 1 story brick building with arched windows, brick sills, cast concrete parapet and decorative brick work, metal front gable roof added, 2<sup>nd</sup> door is glass and aluminum, metal garage door in center.”

The Classen Industrial District centers on Classen, SW 2<sup>nd</sup> St and SW 3<sup>rd</sup> St. There are 12 properties in the district, 9 contributing and 3 non-contributing.

Structural Integrity: The applicant has provided a Structural Inspection Report dated 02/22/2022 prepared by Hall Engineering. The final recommendations from this report address repairs to the building, in addition to the need to monitor the external wall positions over time. A concern is expressed in the report about the condition of the original flat roof and states “the potential for collapse represents a human safety issue.” The final recommendations include an item to remove the original flat roof. Also included in this Report is an estimate for repairing the building for \$402,750.

Summary: The Committee may consider any of the demolition criteria, as well as the purpose and intent statements, in their decision. Staff believes that this building is an Historic and Architectural Resource, as described above.

## E. STAFF RECOMMENDATION

1. **If the Committee determines that this structure is an Historic Resource and an Architectural Resource, that the structure does not present an imminent threat to public health and safety, or that the proposed or anticipated future development does not outweigh the loss of these structures:**

**Deny the application** on the basis that the project does not comply with the regulations and guidelines of the Downtown Design District zoning ordinance as referenced in Section D of the Staff Report.

**OR**

2. **If the Committee determines that this structure is not an Historic Resource or an Architectural Resource, that the structure poses an imminent threat to public health and safety, or that the proposed or anticipated future development outweighs the loss of the structure:**

**Approve the application** on the basis that the project complies with the regulations and guidelines of the Downtown Design District zoning ordinance as referenced in Section C and D of the Staff Report.

*Note: Staff recommendations do not constitute Committee decisions.*

Attachments: Zoning Map, Application, Design Statement, Drawings, Photos.