



STAFF REPORT

Historic Preservation Commission

February 22, 2021

HPCA-20-00143

Agenda Item: VI.D.4.

Case Number: HPCA-20-00143

Property Address: 701 NW 16th Street

District: Mesta Park Historic District

Applicant: Preservation & Design Studio
Kenneth Aunchman, AIA
616 NW 21st Street
Oklahoma City, OK 73103

Owner: Lindsey and Michael Deatsch
701 NW 16th Street
Oklahoma City, OK 73103

A. CASE ITEMS FOR CONSIDERATION

7. Construct retaining walls and relocate stairs (elective); and
9. Install fence (elective).

B. BACKGROUND

1. Project Description

The applicant proposes to reorient the yard via replacement of existing retaining walls and steps. A new fence is proposed on the retaining wall.

2. Location

Project site is located on the north side of NW 16th Street at the northwest corner of the intersection of N Lee and 16th.

3. Site History

Date of Construction: 1905

Zoned Historic Preservation/Historical Landmark: MP 1994

National Register Listing: MP 1983

Additional Information:

The 1922 edition of the Sanborn Fire Insurance maps illustrates a 2-story, brick-veneered, frame dwelling with 1-story front porch extending the entire length of the front (south) façade and a 1-story back porch at the NW corner. A 1-story frame “autohouse” is indicated centrally on the northern property line with the front face back nearly 4/5 of the property depth from the front property line. All structures have shingle roofs. The 1949 edition of

the maps indicates the dwelling and porch roofs to be composition material and 1-story addition on the west side of the garage with composition roofing. The 1955 edition indicates the garage roof to be composition materials.

4. Existing Conditions

The garage and addition span 2/3 of the rear property line abutting an alley. The driveway extends the remaining 1/3 of the distance to Lee Avenue. The basement of the garage structure acts as the autohouse, while the addition and the upper story of the garage appear to be living quarters. Stairs and a retaining wall are accessed from the garage and driveway to the back yard. The applicant has outlined challenges regarding the structural components of the building.

The site exists at the top of a rolling terrace that appears to be stable and in fair condition. Existing fencing was approved by the HP Commission in 2002 where no fence previously existed. Criteria at that time required specific fence types and Commission review at corner lots.

5. Previous Actions

None relevant to the garage or the slope of the site.

C. ITEMS IN COMPLIANCE

*Unless noted below in Section D., Issues and Considerations, all other case items of this proposal comply with the Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts, and with all relevant sections of the Oklahoma City Municipal Code, 2020.**

None.

D. ISSUES AND CONSIDERATIONS

This proposal may not comply with the Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts, and with all relevant sections of the Oklahoma City Municipal Code, 2020 as referenced below:*

1. Item 7, Construct retaining wall and new stairs (elective); and 9, Install fence (elective).

- a. Description: The applicant proposes to reconstruct a retaining wall further east toward the street. The existing stairs at the garage are proposed to be relocated south near the rear of the dwelling forming a retaining wall for the new yard back level. The topography within the yard will change with the slope built up to the new retaining wall inside, while the slope outside the retaining wall will remain approximately the same. The change in grade is approximately 2 feet. Six-foot tall fencing is proposed atop the new retaining wall. The proposed retaining wall and fence are located outside of the property line.
- b. References: *Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts*

2.6 Views and Vistas

Policy: Maintaining views and vistas helps preserve a historic setting as a whole. Maintenance of trees and shrubs with seasonal trimming allows for moisture

evaporation around a building and permits visibility of the district's historic setting from the street.

Design Justification: Many of the city's historic districts were designed with uniform setbacks creating continual views or vistas along the street. These historic patterns should be maintained and not interrupted with added features.

- 2.6.6: Avoid rearranging the site by moving or removing buildings and historic site features such as sidewalks, driveways and fences that help define views and vistas and create "public" and "private" spaces.

2.5 Landscape & Landscape Elements

- 2.5.14: New retaining walls may be approved to preserve a natural or existing historic slope in the front and side yards only if an earlier retaining wall on the property can be documented.
 - 2.5.15: New retaining walls not to exceed two feet in height may be approved to preserve a natural or existing slope in back yards not visible from the public right of way.
 - 2.5.16: The height of a new retaining wall may not exceed the height of the slope it retains.
 - 2.5.17: A retaining wall in front or side yards visible from the public right of way shall be constructed of unpainted natural stone, brick or finished concrete that is compatible in texture, color and style to the main building or adjacent paving materials.
 - 2.5.18: A retaining wall constructed in side or back yards not visible from the public right of way may be constructed of alternative materials; i.e., concrete block, landscape block, landscape timbers, etc.
- c. Considerations: The proposal is to replace a retaining wall at the south wall of the proposed garage similar to the historic condition at the north end of the property, and to extend a new retaining wall south to beyond the rear of the house that will extend east beyond the east property line toward the street. The retaining wall turns west at the southern-most location and new stairs and cheek walls are proposed in the side yard and support the south end of the new slope of the back yard. Portions of the stairs will be located outside the east property line. The retaining wall will be located approximately halfway down the current rolling terrace, and the yard will be back filled to the retaining wall. The change in grade will be approximately 2 feet across 3.5 feet. The slope east of the proposed retaining wall will be similar to the existing slope. The six-foot tall, wood, sight proof fence is proposed atop the retaining wall and will be at least 3 feet from the sidewalk. There is no indication that the retaining wall or fence locations are chosen for alignment with existing similar features and no indication that these changes are based on historic conditions at the site. Work outside of the property lines may require a revocable permit.

The retaining wall, steps and cheek walls will be concrete, but the finish has not been detailed; the finish is both visible from and located in the public rights of way. The

steps will align with the second corner of the dwelling (south end of back yard) rather than be replaced at the existing location on the south side of the garage (north end of the back yard.) This requires disruption and re-stabilization of the rolling terrace along the entire east side of the back yard and the south end of the back yard. The slope is in fair condition though recent disruption via new landscape features is evident. No previous retaining wall has been documented at this location. The proposed retaining wall creates a new slope to support rather than supporting an existing slope. The criteria state that new retaining walls in front or side yards may be installed to preserve existing historic slopes only if an earlier retaining wall can be documented. The criteria indicate that rearranging the site should be avoided.

As the yard at the retaining wall will be back filled to the proposed retaining wall, the yard appears to expand, bringing fencing closer to the sidewalk at what is a very open corner currently. Though sight proof fences are not prohibited, transparent fencing is recommended at corner lots. Conversion of the fence to sight proof, relocating it closer to the sidewalk, incorporating it atop a permanent retaining wall and placing the retaining wall only midway down the slope may combine to create the visual equivalent of a 10 foot wall encroaching onto the sidewalk location.

The height, permanence, and lack of transparency is not consistent with the historic character of this corner lot.

d. Specific Findings:

- 1) That the Standards and Guidelines support new retaining walls in front or side yards that support existing slopes only where earlier retaining walls can be documented;
- 2) That new retaining walls not to exceed two feet in height may be approved to preserve a natural or existing slope in back yards not visible from the public right of way;
- 3) That the proposed retaining wall is proposed to support a newly created slope and is visible from the public right of way;
- 4) That no retaining wall is documented in the east side of the yard;
- 5) That changes in topography that affect historic character are not supported;
- 6) That back filling the yard to create a slope that must be supported by a retaining wall and disrupting or altering the existing rolling terrace, a character defining feature of the site, the corner and the district, is not appropriate;
- 7) That the incorporation of a sight proof fence as a feature of the proposed retaining wall and location of the feature midway down the slope toward the sidewalk, creates the impression of a visually imposing feature at a historically open and transparent corner;
- 8) That placing the fence closer to the sidewalk and on top of a retaining wall increases the perceived height of the feature at the public right of way to approximately 10 feet;
- 9) That the proposed retaining wall and sight proof fence is located in the public right of way;

- 10) That the material and design components of the fence are consistent with criteria for approval other than placement on the retaining wall and in the public right of way;
- 11) That reconstruction of the existing retaining wall and stairs on the north end of the property to match the historic condition maintains the historic orientation of the site;
- 12) That installation of a new fence in the current location maintains existing transparency at this corner lot;
- 13) That a transition to sight proof fencing in the existing location does not appear to adversely affect the existing transparency at the corner.

E. HPCA-20-00143 STAFF RECOMMENDATION:

- 1. Continue Items 7 and 9, to construct new retaining wall and stairs and install fence,** with the specific finding that additional information is required from the applicant in order to determine whether the action requested is consistent with all relevant Standards and Guidelines and are in compliance with the relevant sections of the Municipal Code, 2020*, as referenced in the Staff Report.

Specific Findings:

- 1) That the Standards and Guidelines support new retaining walls in front or side yards that support existing slopes only where earlier retaining walls can be documented;
- 2) That new retaining walls not to exceed two feet in height may be approved to preserve a natural or existing slope in back yards not visible from the public right of way;
- 3) That the proposed retaining wall is proposed to support a newly created slope and is visible from the public right of way;
- 4) That no retaining wall is documented in the east side of the yard;
- 5) That changes in topography that affect historic character are not supported;
- 6) That back filling the yard to create a slope that must be supported by a retaining wall and disrupting or altering the existing rolling terrace, a character defining feature of the site, the corner and the district, is not appropriate;
- 7) That the incorporation of a sight proof fence as a feature of the proposed retaining wall and location of the feature midway down the slope toward the sidewalk, creates the impression of a visually imposing feature at a historically open and transparent corner;
- 8) That placing the fence closer to the sidewalk and on top of a retaining wall increases the perceived height of the feature at the public right of way to approximately 10 feet;
- 9) That the proposed retaining wall and sight proof fence is located in the public right of way;

- 10) That the material and design components of the fence are consistent with criteria for approval other than placement on the retaining wall and in the public right of way;
- 11) That reconstruction of the existing retaining wall and stairs on the north end of the property to match the historic condition maintains the historic orientation of the site;
- 12) That installation of a new fence in the current location maintains existing transparency at this corner lot;
- 13) That a transition to sight proof fencing in the existing location does not appear to adversely affect the existing transparency at the corner.

Considerations for Additional Documentation:

- 1) That plans to relocate the fence atop a new, visible, retaining wall within the rights of way are not consistent with the historic character of the site;
- 2) That plans illustrating placement of the stairs to maintain the historic orientation of the site are appropriate;
- 3) That plans maintaining the existing historic rolling terrace are appropriate;
- 4) That fencing meeting criteria for administrative approval is appropriate.

Note: Staff recommendation does not constitute Commission action.

**Relevant Sections of the Municipal Code governing HP/HL Districts are: §59.3300.1-5; §59.4150.4; §59.4250; §59.7250.1-4; §59.7300.1-7; §59.12200.1-4; §59.13300.1-6.*

Copies of the Standards/Guidelines and Relevant Sections of the Municipal Code, 2020 are available online at www.okc.gov/planning/hp/index.html ; at Planning Department offices located at 420 W. Main, 9th floor, and each HP Commission Meeting.

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