



STAFF REPORT

Historic Preservation Commission

October 5, 2022

HPCA-22-00114

Agenda Item: VI.D.2.

Case Number: HPCA-22-00114

Property Address: 439 NW 14th Street

District: Mesta Park Historic District

Applicant: Andrew C. Thomas Architect LLC
1000 W Wilshire Ste 206
Oklahoma City, OK 73116

Owner: David Ferris
439 NW 14th Street
Oklahoma City, OK 73103

A. CASE ITEMS FOR CONSIDERATION

3. Add a new curb-cut and parking area with retaining walls and gate (elective).

B. BACKGROUND

1. Project Description

Previously, the applicant proposed an addition to the primary dwelling, renovation to an existing carriage house, and installation of a new curb cut and drive to access the existing garage/carport. All items other than curb cut and drive were approved previously.

The description of the driveway has been altered to include a curb cut, permeable parking and retaining walls. A gate is proposed at the proposed driveway.

2. Location

Project site is located at the northeast corner of NW 14th and N Walker.

3. Site History

Date of Construction: 1906

Zoned Historic Preservation/Historical Landmark: 1969

National Register Listing: 1979

Additional Information:

The 1906 Sanborn map shows a two-story frame dwelling in the location and footprint of the existing dwelling. A one-story frame autohouse is indicated at the northeast corner of

the property. The 1922 edition of the map indicates an enlarged front porch. The 1955 Sanborn map indicates a brick veneered dwelling and two-story autohouse in the location of what the application refers to as the carriage house. This change to the property is supported by Bob Blackburn's *Heritage Hills*, which notes that the house was remodeled and clad in brick in 1930. Oklahoma County Assessor records indicate that the carport with garage door facing N Walker was constructed in 1979.

4. Existing Conditions

The structures appear to be in good condition.

5. Previous Actions

Previous CAs since 1980 include the installation of the pool, extension of the garage, roof replacement, removing shingles from walls, and replacement of non-historic windows on the primary dwelling.

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 3, Install curb cut, permeable paving, retaining walls and a gate (elective).

- a. Description: The applicant proposes to install a new curb cut on N Walker, between the rear of the primary dwelling and the carport structure. The proposed curb cut would access the back yard where the applicant proposes to install a permeable paver surface for parking. The proposed curb cut is approximately 17.5 feet wide, and the parking area is indicated to be approximately 788 square feet. Excavation of the site and installation of retaining walls at the paving area is proposed. Coverage is outlined in the new site plan.
- b. References: *Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts*

Sidewalks, Driveways, Parking Lots, Curbs and Vacant Sites

Policy: *Sidewalks, driveways and off-street parking should not interrupt the historic continuity of landscaped front or corner side yards. Historic concrete sidewalks and walkways should be preserved and repaired with concrete that is consistent in pattern, size, texture and color. Historic concrete driveways should be preserved and new driveways should be of concrete rather than asphalt.*

Design Justification: Historically, the consistency and repetition of sidewalk and driveway spacing, placement, dimension and materials create a rhythm to the street. Retaining the specific rhythm of a street is important to preserve historic

character. Oklahoma City's historic districts and properties have strong visual elements of grey colored concrete for sidewalks, walkways, some streets and curbs.

Sustainability Justification: Existing historic concrete sidewalks, steps and driveways represent embodied energy and should be preserved. Concrete is a long-lasting sustainable material, reflects solar heat and light and should be repaired or replaced as needed with new concrete to match. New driveways should be of similar design, pattern, texture, dimensions and color as the historic driveway. The use of permeable paving for non-historic and new driveways, sidewalks and parking areas is encouraged because it helps to reduce water run-off.

- 2.3.6: New concrete for sidewalks, driveways, curbs, and parking lots shall match the aged appearance in design details, color and texture of the existing concrete it replaces or adjacent concrete that will remain. If new concrete is not replacing existing concrete and is not adjacent to any existing concrete it should have an aged appearance in color and finish. New concrete visible from the public right-of-way shall not be bright white in color.
- 2.3.7: All sidewalks, driveways, and curbs visible from the public right-of-way shall be constructed to maintain the continuity of materials and character present in the district.
- 2.3.8: Private sidewalks and driveways must be constructed of concrete except where historical precedent demonstrates the previous existence of brick, stone or other materials, which may be considered appropriate for replacement.
- 2.3.9: Maintain the continuity of existing original or historic sidewalks and the curb cut radius or curved approach when replacing an existing driveway or introducing a new driveway.
- 2.3.10: Locate new driveways and sidewalks so that the topography of the building site and significant landscape features, such as mature trees, are retained. Protect mature trees and other significant landscape features from direct construction damage and from delayed damage such as destruction of root area or soil compaction by not permitting construction equipment access to the ground area under the tree canopy.
- 2.3.11: Curb cuts, including those intended to comply with the Americans with Disabilities Act (ADA), should be installed to minimize damage to the original concrete sidewalks. The color and texture of the new concrete shall match and be consistent with the existing adjacent concrete color and texture.
- 2.3.12: Driveways, eight feet or less in width, may be replaced by a driveway of up to ten feet in width; width may vary as the driveway approaches the garage to correspond to the width of the garage door openings. However, property owners are encouraged to limit the quantity of impervious concrete surfaces to assist in reducing storm water runoff.

- 2.3.15: New off-street parking for multi-family properties must be located so as to minimize the number and width of curb cuts on primary residential streets. Owners of adjacent apartment or commercial properties should consider shared driveways and shared parking agreements when appropriate to reduce the overall lot coverage of off-street parking.
- 2.3.16: New impermeable parking surfaces must be graded to drain toward the street and away from buildings.
- 2.3.17: Although the Municipal Code has specific requirements for surfaces to be used for driving and parking, consideration should be given to the use of permeable paving surfaces, such as unit pavers or recycled-plastic grid systems installed below grade, to reduce run-off and flooding. Crushed rock or pea gravel is not permitted by the Municipal Code as an individual parking surface. Parking directly on the ground (earth, dirt, or grass) is also not permitted. Various types of permeable paving may be appropriate in the back yard as long as the paving is not visible from the public right-of-way and the Municipal Code requirements are met.

2.5 Landscape & Landscape Elements

- 2.5.8: Maintain existing, successful drainage patterns to minimize run-off, which can contain herbicides and pesticides, introducing them into the waste water system.
- 2.5.10: Patios and other paved landscape elements in back yards should use permeable paving systems to minimize changes to drainage patterns and storm water run-off.
- 2.5.13 Landscape elements that are not visible from any public way and otherwise meet all relevant guidelines may be administratively approved.
- 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.

- 2.5.35: Significant alteration of the topography of a property through extensive grading, removal or alteration of rolled terraces and similar character-defining features, filling or excavating, is not permitted.
- 2.5.36: Relocating drainage features is discouraged, unless such actions seek to correct poor surface and storm water run-off drainage situations. Storm water harvesting is encouraged.
- 2.5.37: It is not appropriate to alter the overall character of historic districts by substantially reducing the ratio of open space to built space on any site through new construction, additions or introduction of surface paving or other hardscape features.

Chapter 59, §59-10250.8, of the Oklahoma City Municipal Code, 2020, as amended, Residential Parking Design and Regulation, provides as follows:

- A. Single-family, two-family, three-family and four-family residential structures located on one lot may use a paved driveway to fulfill the minimum parking requirements of this article. The space for each automobile on the paved area shall be a minimum of eight and one-half feet in width and 18 feet in length, and shall not be located within five feet of the street pavement. The residential driveway shall conform to the driveway design requirements as specified in this section.
- B. On lots less than one acre in size in the R-1, R-1ZL, R-2, R-3 and R-MH-1 Districts, and portions of PUD Districts with single-family, two-family, three-family or four-family residential uses, and on lots less than one acre in size with single-family, two-family, three-family or four-family residential uses located in non-residential zoning districts, vehicles shall be parked in the following manner:
 - (1) Vehicles shall be parked on a permanently hard-surfaced (paved) driveway or parking area, meeting the design requirements specified in this section. A minimum of 25 percent of the lot shall be maintained as open space with no buildings or parking.
 - (2) For residences with no access to the side or rear of their homes, vehicles may be parked on a gravel pad added to enlarge an existing single-lane paved driveway. The combined width of the gravel pad and the paved driveway shall be no more than 20 feet. The gravel shall be at least two inches in depth, and shall have a border of wood, brick, stone, concrete or similar material to keep the gravel in place. In addition, the driveway shall be perpendicular to the street right-of-way, or parallel to the existing paved driveway; provided, that such enlargement made from and after the effective date of this ordinance shall meet the design requirements specified in this section.
 - (3) However, any driveway that, as of October 1, 1988, did not meet the design requirements as specified in this section shall be deemed to be legally nonconforming for the purposes of this section. Vehicles may be parked on

legally nonconforming driveways. The width of such driveways shall be determined by the width of the driveway throat at the property line, to a maximum of 12 feet. The legally nonconforming driveway shall be rectangular in shape and perpendicular to the property line.

(4) This section addresses the proper parking of vehicles to protect neighborhood quality. It does not provide for the use of gravel driveways for new construction. For new construction, the standards as specified in this section shall be followed.

(5) The requirements contained in this section do not supersede those contained in the special regulations in the Urban Conservation Districts.

- c. Considerations: The carport structure is currently accessed via a curb cut and drive from N Walker running east into the carport. The distance between the carport and the public sidewalk is approximately seven (7) feet, and the distance to the street appears to be less than 18 feet, not enough for a car to park in the driveway without blocking the sidewalk and potentially extending out into the street.

The proposed curb cut would be a new feature, providing a secondary means of access and parking to the back yard, introducing a significant amount of additional but permeable paving. While the Guidelines support the use of permeable surfaces where feasible, hard surface parking is typically required for parking surfaces by the Municipal Code. It may be feasible to install a new curb cut and parking area in the rear yard with a reduced amount of paving and lot coverage, and with an alternate material allowed by the Code and the Guidelines.

The Standards and Guidelines state “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.” It appears that the grade abutting the pool is failing and retaining walls may assist in stabilizing the area. However, the criteria also indicate that significant alteration of the topography through excavation is not permitted. Stabilization of the area likely does not require excavation to the extent that the parking area requires. Excavation is proposed to avoid a climb in slope to the proposed parking area.

The design components and height of the proposed gate match that of the currently existing fence. The gate is approximately 1/3 of the length of the existing fence on the west.

- d. Recommended Specific Findings:

1. That the proposed curb cut is not consistent with Guidelines for the introduction of new parking and driveways;
2. That adding a significant amount of paving for parking in the year yard is not consistent with the Guidelines or the Municipal Code;
3. That the proposed permeable paving appears to substantially alter the built to open space ratio at the site;

4. That retaining walls to support an existing slope are permitted in back and side yards where not visible;
5. That excavation is not supported by the Standards and Guidelines;
6. That if the existing drive provides inadequate parking, it may be feasible to install a second drive and additional parking in the rear yard, with less impact than the proposed configuration.

A. HPCA-22-00114 STAFF RECOMMENDATION:

1. **Continue Item 3, Install curb cut, retaining walls, parking and gate**, 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 proposed curb cut is not consistent with Guidelines for the introduction of new parking and driveways;
2. That adding a significant amount of paving for parking in the rear yard is not consistent with the Guidelines or the Municipal Code;
3. That the proposed permeable paving appears to substantially alter the built to open space ratio at the site;
4. That retaining walls to support an existing slope are permitted in back and side yards where not visible;
5. That excavation is not supported by the Standards and Guidelines;
6. That if the existing drive provides inadequate parking, it may be feasible to install a second drive and additional parking in the rear yard, with less impact than the proposed configuration.

Additional information: revision to proposal as directed by the Historic Preservation Commission and noted in the Staff Report.

Note: Staff recommendation does not constitute Commission action.

**Relevant Sections of the Municipal Code, 2020, as amended, 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 at each HP Commission Meeting.

KMF