



# **STAFF REPORT**

## **Historic Preservation Commission**

**October 5, 2022**

**HPCA-22-00138**

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**Agenda Item:** VI.D.9.

**Case Number:** HPCA-22-00138

**Property Address:** 809 NW 22<sup>nd</sup> Street

**District:** Mesta Park Historic District

**Applicant:** Sam Gresham Architecture  
Hollie Hunt  
400 NW 23rd Street  
Oklahoma City, OK 73103

**Owner:** Sam Gresham  
400 NW 23rd Street  
Oklahoma City, OK 73103

### **A. CASE ITEMS FOR CONSIDERATION**

1. Construct three new 2-story duplexes (elective);
2. Expand new parking lots (elective);
3. Install two new parking lots at alley (elective);
4. Install 6-foot tall stockade fence (elective); and
5. Request a recommendation to the Board of Adjustment for a Special Exception to allow Multi-Family Residential in an HP District.

### **B. BACKGROUND**

#### **1. Project Description**

A Special Exception from the Board of Adjustment is required for the multi-family residential use in HP districts. Allowing this use does not alter the historic district status and related review requirements for the property.

The proposal includes construction of three new buildings with two units each, fencing the site, and expansion of existing parking lots. Site coverage is indicated at 61%. Buildings are designed to be compatible with existing structures on the lots.

#### **2. Location**

The project site is located on the north side of 22<sup>nd</sup> Street, between Francis and Shartel.

### **3. Site History**

*Date of Construction:* 1940

*Zoned Historic Preservation/Historical Landmark:* 1994

*National Register Listing:* 1983

*Description from National Register Nomination Intensive Level Survey:*

809-811 Northwest 22nd, 1960. Apartment building, 2 story, red brick.

815 Northwest 22nd, 1960. Apartment building, 2 story, red brick.

819-821 Northwest 22nd, 1960. Apartment building, 2 story, red brick.

*Additional Information:*

The 1949 edition of the Sanborn Fire Insurance maps is the first available edition in which development is illustrated on these lots. The 1949 edition illustrates 2-story flats with brick veneers at each location. Lots 18 and 19 illustrate a 2-story flat that appear consistent with the current condition, with composition roofing. Lots 20, 21, and 22 illustrate 2 up and 2 down and the site appears consistent with the current conditions. Lots 23 and 24 likewise are consistent with the sites and buildings as they currently exist. No accessory structures are indicated.

### **4. Existing Conditions**

These lots currently contain three buildings fronting on to NW 22<sup>nd</sup> Street with lots that extend north to the alley. The structures are compact, leaving the back yards fairly large. No accessory structures exist. The center structure, located on lots 20, 21, and 22, is the wider, larger, structure containing four units and has a centrally located entry and Neoclassical, full height porch roof and columns. The buildings to the east and west at lots 18 and 19, and 23 and 24, respectively, are sister buildings or mirrors and “bookend” the central building. Each building contains two units. Two driveways serve the three units with one to each side of the central building. The driveways end in parking spaces toward the rear of each building, with recent small expansions.

All three structures have neoclassical or colonial revival design accents. Each building has a well-defined entry way. The center building has a central entry, and the sister buildings have entries offset toward the center building. Each has a rear projection and rear stairs, though recently modified. Each has similar massing, roof forms, heights, and roof pitch. All three structures have matching brick, mortar, and concrete components, round features at the front façade of either vents or windows, square columns or pilasters, symmetrical rows of windows with soldier course lintels and keystones, and decorative (non-functional) shutters.

### **5. Previous Actions**

Previous applications for Historic Preservation Certificate of Appropriateness (HPCA) filed for this property include:

<b>Case Number</b>	<b>Date</b>	<b>Owner</b>	<b>Decision</b>
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HPCA-22-00048	05/09/2022	Sam Gresham	Approved
Expand rear parking			

Other actions, such as variances, other approvals, citations could also be described here.

### **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.\**

#### **1. Item 4, Install 6-foot tall stockade fence (elective).**

- a. Description: The applicant proposes the installation of a 6-foot tall, wood, sight-proof, stockade fence along the east and west property lines from the rear wall of the historic structures to the alley at the north. The applicant further proposes matching fencing extending along the north property lines at yard areas. Proposed fencing will separate the parking at the alley from the centrally located parking.
- b. References: *Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts*

#### **2.8 Fences and Walls**

**Design Justification:** Fence walls and fences historically marked property boundaries and may have shielded private areas from public view. Historic materials such as wire, wood and brick are compatible materials; vinyl materials introduce an incompatible artificial appearance.

- 2.8.4: Fences and fence walls in back yards have more flexible requirements than those in side yards or those that are front yard facing because they are less visible from the public right-of-way.
- 2.8.5: Fences and fence walls are generally permitted in side, corner side, and back yards. Interior side and corner side yard fences and fence walls must be set back from the historic front building line by a distance not less than six feet. Depending on the materials and details of a fence and fence wall, additional requirements of this section may apply.
- 2.8.8: Fences shall be located behind any open front porch of the main building AND the open front porch of the main building of any adjacent property.
- 2.8.9: Fences and fence walls shall be located at or behind the front 40% of the side yard of the main building unless the fence or fence wall is 75% transparent not including posts or columns spaced a minimum of eight feet apart. Depending on the design and architecture of the main building, additional requirements of this section may apply.
- 2.8.10: Opaque fences and fence walls , those that are less than 75% transparent not including posts or columns space a minimum of eight feet apart, shall not obscure view of significant architectural features of the

primary building on the property, such as a bay window, porte-cochere, or other significant character defining building projection or feature.

- 2.8.12: Fences and fence walls shall not exceed eight feet in height at the back property line or alley.
- 2.8.13: Fences and fence walls shall not exceed six feet in height on side or front facing locations.
- 2.8.15: Where residential properties are adjacent to commercial or other incompatible uses, alternative fence heights may be considered for appropriateness and with respect to other City ordinances related to fences and fence walls.
- 2.8.16: Acceptable materials for fences and fence walls are wood, brick, stone, cast iron, iron, chain link, twisted wire, painted aluminum that mimics the appearance of cast iron or iron fences, or a combination of these materials. Materials for fences and fence walls should be consistent with materials historically used at each individual property or within the historic district during the period of significance.
- 2.8.17: Wood fences may be left unfinished or painted or stained in colors appropriate to the style and period of the property or the district. The exterior flat fence or fence wall surface, if painted, should be compatible with the color of the main building.
- 2.8.18: Decorative painting and murals shall not be applied to fence or fence wall surfaces visible from the public right-of-way.
- 2.8.19: Tops of new fences or fence walls may be horizontal, stepped, scooped, arched or parallel with the grade, as appropriate to the style and period of the main building or the historic district.
- 2.8.21: The side of a fence or wall facing the street or alley shall be the “finished” side.

c. Recommended Specific Findings:

1. That the proposed fence appears to meet all relevant Standards and Guidelines for fences;
2. That the finished side of the proposed fence must face the street and alley.

**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 1, Construct three new 2-story duplexes (elective).**

- a. Description: The applicant proposes the construction of three duplexes to the rear of three existing structures on NW 22<sup>nd</sup> Street, that currently provide eight housing units. The proposal provides for six new units that increase slightly in size from the historic

units. The center building provided 835 square feet per unit (2), while the end buildings provide 1,122 square feet for each unit (4).

Form, massing, scale, proportion, and materials are based on the existing structures and design details are intended to approximate those of the existing structures. This includes soldier course lintels, pedimented entries, high window to wall ratios, and similar materials.

The locations of the new structures are directly behind the existing buildings. The proposed structures are set on grade and roof forms are chosen both for compatibility at the front facades, and to keep the overall height of the new structures below that of the original buildings. The structures abide by the established side yard setback. The rear wall of the northernmost building is 10 feet off the rear property line.

Materials include architectural grade shingles, smooth finish “HardiPlank” or “SmartSide” components (depending on availability) at the siding with 6-inch reveal, soffits, and trim. Red brick and similar mortar to match the historic buildings is proposed for the veneers with soldier courses. No capstones are proposed at windows, simplifying and differentiating the design. Round, wood, vents are proposed in gable ends similar to round windows and vents at the historic buildings. Rectangular pilasters and square columns are proposed at the entries and porches.

Wood doors are proposed at all entries other than the sliding patio doors. Windows are proposed with six over six and four over four hung windows. Porch floors are concrete. Lantern style light fixtures prevail, though individual, six-inch can lights are proposed at Building E. Aluminum clad sliding glass doors are located at the balconies of Building E.

Buildings D and F incorporate the more complex roofs to keep the heights of the structures down due to the larger form. The overall height of each building is 25’10” while the heights of the historic buildings are in excess of 28 feet tall. Building E is the smallest of the proposed buildings and is set directly behind the larger of the existing buildings at the center. Buildings D and F face into the center of the site with the narrow ends located north and south. At approximately 32 feet wide at the entries, and barring the porches, the building width is comparable to the smaller buildings, at approximately 30 feet wide.

Design of the site does consider the visibility of the proposed structures, offering the smallest of profiles to the streets and alley. The proposed new buildings are visible via the driveways off 22<sup>nd</sup> Street, beyond the historic buildings, via Francis across the open lot to the west, and from the alley to the north. Proposed fiberglass doors are minimally visible from each direction.

- b. References: *Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts*

#### **4.1 General Requirements for New Construction and Additions**

**Policy:** New construction and additions should not destroy historic materials or general features that characterize a historic building, property or district. New work should be differentiated from existing, historic structures and protect the

historic integrity of the property and the historic district. Additions to historic structures should be done so that the historic character of the structure is retained and, if removed in the future, the essential form and integrity of the original structure and site would be unimpaired.

**Design Justification:** New construction and its integration with an existing building, property or district should be compatible with surrounding existing historic architecture. Compatibility may include the size, shape, massing and materials of new construction. The relationship of new construction form to the historic context in which it is located is critical for maintaining visual character of a historic building, property or district.

**Sustainability Justification:** Effective resource conservation includes consideration of the renewability of resources, the manufacturing processes used to create the materials and the recycled construction materials, energy costs associated in the manufacture and shipping of construction materials, and the ways selected materials can help make the new building, as a whole, energy efficient.

- 4.1.1: Over the next decade it is expected that 25% of new commercial and institutional buildings and 20% of new residences will qualify as "green." Green buildings may be certified under the Leadership in Energy and Environmental Design (LEED) program, a trademarked system under which buildings are awarded points in five categories: 1) sustainable sites, 2) water efficiency, 3) energy and atmosphere, 4) indoor environmental quality, and 5) innovation and design process.
- 4.1.2: New construction, which may include a new, stand-alone primary or accessory building, a new garage, an addition to an existing building or a substantial renovation to an existing building, should be designed to take the five LEED categories into consideration.
- 4.1.3: 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.
- 4.1.4: Refer to Chapter 3, "Alterations to Building Fabric and Components of Historic Building," for items, components, features or materials planned for new construction or additions that may not be addressed by this Chapter.

## **4.2 Stand-Alone New Construction**

**Policy:** New stand-alone construction should complement and not detract from the overall historic character of the historic property or district.

**Design Justification:** The way in which existing and new buildings relate is important in maintaining the overall historic character of a historic property and district. Architectural design directly affects the integrity of the property and district as a whole. For this reason, new, stand-alone buildings should maintain the continuity of the character of a historic property and district.

**Sustainability Justification:** New construction should adhere to principles of sustainability in design, materials, and energy efficiency.

- 4.2.1: New buildings must follow historic setback patterns of the street.
- 4.2.2: New stand-alone and infill buildings should be consistent with historical patterns of development for the property, block and district.
- 4.2.3: Construction of stand-alone and infill buildings should be compatible in size, scale, proportion, spacing, texture, setbacks, height, materials, color and detail to adjacent or nearby buildings and streetscapes.
- 4.2.4: New buildings must fill the same proportion of lot area as other buildings on the streetscape. The pattern created by spaces between buildings should be continued.
- 4.2.5: New construction must respect the architectural integrity and context of surrounding buildings. Existing adjacent historic structures and streetscapes should be taken into consideration before designing new construction. Incorporating existing architectural features with new design elements can add interest and enhance the compatibility of the new building in the district or other new infill buildings on a property.
- 4.2.6: The height of new buildings should relate to the heights, roof-forms and cornice lines of adjacent structures and to those of other buildings on the streetscape. The height of new buildings should conform to the following unless historical development patterns are documented otherwise:
  - 4.2.6.1: In streetscapes with uniform building heights, new buildings should match this height. For example, on a streetscape of all one-story residential structures, any new building should also be one story in height.
  - 4.2.6.2: In streetscapes with varied building heights, the height of new buildings should align with the existing buildings on the streetscape, with particular attention paid to the predominant height of the adjacent structures and other structures on the streetscape.
  - 4.2.6.3: The floor-to-floor heights of new buildings should closely align with the floor-to-floor heights of the adjacent or nearby historic structures.
  - 4.2.6.4: The height of porches of new buildings should closely align with the porch heights of the historic buildings on the same streetscape, with particular attention paid to porch heights of adjacent structures.
- 4.2.7: The design of new construction should be compatible with historic styles within the district yet not imitate them so as to provide distinction between the historic buildings and new construction.
- 4.2.8: In new construction, the use of materials similar to those of the adjacent historic structures is encouraged. Actual replication of these materials is not encouraged. This approach ensures the design compatibility of the historic structures while clearly differentiating between old and new.

- 4.2.9: Similar shapes that are repeated in many buildings within a streetscape are encouraged to be incorporated in the design of a new residential building. Replication of historic detailing is discouraged; however, the repetition of similar shapes and elements can help provide continuity and enhance compatibility between new and old structures.
- 4.2.10: Spacing and size of window and door openings must be similar to their historic counterparts within the streetscape or district, or be typical of structures of the same type, age and location. The proportion of window to wall space should also be similar to their historic counterparts, without duplicating them.
- 4.2.11: Ramps or other accessibility-related installations should be located on the back or side elevation of the new construction and in as unobtrusive a location as possible. If locating a ramp on the primary facade is required, it should be installed in a way that is as unobtrusive as possible and blends with the adjacent historic properties.
- 4.2.12: Only when a previously demolished historic building can be accurately replicated may a reproduction be considered at that site.
- 4.2.13: Facades of new construction facing an alley may be simplified and secondary in design to that of primary facades. The same materials should be used for alley facing building elevations as those of the primary facade, unless this varies from the typical historic condition within the district.

#### **4.6 Exterior Materials at New Construction**

**Policy:** Materials used in the construction of new buildings, additions, garages and other accessory buildings should be compatible in appearance and design with common building materials in the district, or typical of structures of the proposed style, type, age and location.

**Design Justification:** The form, materials and details of exterior walls and embellishments, as well as their scale, texture and variety, contribute to the overall character of the historic district.

**Sustainability Justification:** Materials for new exterior wall construction should be as sustainable as possible. Appropriate siding materials may include stucco, wood, brick, or cementitious siding. Vinyl and metal siding materials are not sustainable and should not be used.

- 4.6.1: Alterations to existing, non-historic buildings (see “Alterations to Building Fabric and Components of Historic Buildings,” 3.1.10) that meet the criteria in this section may be administratively approved.

##### **Wall Materials**

- 4.6.2: Materials for new construction should be consistent with those at other buildings within the property, block and historic district. Consideration should be given to the pattern of development of the specific property and lot.



- 4.6.3: Wood siding may be tongue and groove, shiplap, novelty or other compatible type. Board and batten may also be appropriate for use on accessory buildings; it is rarely used on primary buildings.
- 4.6.4: Brick is a common material in Oklahoma City historic districts and is appropriate for use on new construction.
- 4.6.5: Stone, particularly the earth-colored sandstone found in many of the historic districts, in an appropriate material that can be incorporated into new construction.
- 4.6.6: Cementitious siding (smooth finish) of an appropriate profile may be used at new construction of stand-alone primary buildings, garages and other accessory buildings. It may also be used for additions to historic structures.
- 4.6.7: Exterior insulation finish systems (also known as EIFS or Dryvit), metal and vinyl siding, concrete block, imitative brick or stone or gravel aggregate materials are not permitted as wall materials. However, ornamental, rock-faced, mold-formed or rusticated concrete block may be used for foundation walls if previously used for other buildings on the property or in the district.
- 4.6.8: Stone patterns, sizes and color of individual stones should be similar to those found at the property or in historic buildings in the historic district and typical of structures of the same style, type, age and location.
- 4.6.9: Masonry bonding patterns, sizes and color should be similar to those found at the property or used for historic buildings in the historic district and typical of structures of the same style, type, age and location.

#### **Windows**

- 4.6.10: Windows in additions to existing buildings must match or complement the proportion, shape, pattern, size, details and profile of the windows in the historic building. If the historic or existing windows are wood, the windows of the addition may be wood, vinyl-clad wood or aluminum-clad wood. If the historic windows or existing are steel, the windows of the addition should be steel or other compatible metal. All windows in new additions should be of a profile similar to the windows in the historic building.
- 4.6.11: Windows in new stand-alone construction must be similar to their counterparts within the property, block or historic district. These windows may be wood, vinyl clad wood, metal clad wood, or metal with a profile similar to the windows of other buildings on the property. For new infill construction the profile must be similar to the windows used on other properties in the block or historic district.
- 4.6.12: New windows may have a simpler window pane pattern than their historic counterparts; for example, if the historic windows are 6/1 (read “six over one”), then 1/1 windows of the same overall size may be used.

- 4.6.13: Windows constructed entirely of aluminum or vinyl are not permitted, and aluminum surfaces cannot have a clear, mill or anodized finish unless supported by historic documentation for a specific property or structure.
- 4.6.14: Clear glass must be used in all windows. Reflective, tinted, patterned or sandblasted glass in windows is generally not appropriate. Patterned, leaded or colored glass can be used in transoms and sidelights when established by the architectural style of the building or when supported by historical documentation for a specific property or structure.
- 4.6.15: Thermal pane (also known as insulated glass) windows are acceptable for additions or new construction. When muntins are proposed for a divided light appearance they should be “true divided lights” meaning that the thin wood framing (called ‘muntins’) completely frames and separates each piece of glass from the others.
- 4.6.16: Simulated muntins sandwiched between layers of glass in thermal windows, snap-on muntins, and surface-applied muntins may not be used except when internal muntins are used in conjunction with permanently fixed surface-applied muntins on the interior and the exterior of the glass.
- 4.6.17: Security bars may be used only on the interior side of windows and not sandwiched in between the layers of insulated glass.
- 4.6.18: Storm windows and window screens are permitted and should meet the recommendations and requirements of the applicable sections in the “Alterations to the Building Fabric and Components of Historic Buildings” chapter.

### **Doors**

- 4.6.19: Recommendations and requirements for garage type doors are described in the “Garage” section of this chapter.
- 4.6.20: Recommendations and requirements for primary entrance doors, screen doors and storm doors, and doors that are visible from the public right-of-way are the same as described for the “Alterations to the Building Fabric and Components of Historic Buildings” chapter.
- 4.6.21: Swinging (French) or sliding patio doors used for new construction in the back of a new infill primary building, or new garages, accessory buildings, or new additions in the back yard and used in conjunction with sidelights may use the recommendations and requirements associated with the previous subsection of this section, “Windows,” provided that the patio doors and sidelights will match.
- 4.6.22: Pedestrian doors that are not visible from the public right-of-way may be made of alternate materials including aluminum clad wood, composite wood, and fiberglass. Doors in Heritage Hills must be of solid wood.

### **Roof and Roofing Materials**

- 4.6.23: Wood shingles, composition shingles, slate tiles, terra cotta or clay tiles are permitted for use on roofs. Recommendations and requirements for these materials are found in the “Alterations to the Building Fabric and Components of Historic Buildings” chapter.
  - 4.6.24: Metal roofs are permitted only as supported by historical documentation of such material for the property.
  - 4.6.25: Synthetic slate and clay tiles may be able to be used if the appearance matches authentic slate and clay tiles in all aspects. These materials may be considered on a case by case basis.
  - 4.6.26: Composition roofs should be of higher quality and are often referred to as Architectural Grade or Dimensional Grade. These shingles are usually rated as 30-, 40-, or 50-year shingles and have a thicker profile.
  - 4.6.27: Built-up roofs, single-ply membranes should not be used on sloped roofs.
  - 4.6.28: Multi-colored asphalt shingles and synthetic wood shingles should not be used on sloped roofs.
  - 4.6.29: Historic eaves, copings, cornices, dormers and roof trim should be retained and preserved.
- c. Considerations: The proposed construction does not destroy historic materials that characterize historic buildings. Though the new construction does increase density, the buildings themselves appear to respect side yard setbacks and lot coverage as compared to other primary dwellings with additions and garages. The space between buildings appears to respect similar building placement within the districts. Integration with existing buildings appears to be compatible with surrounding historic properties and the architecture and context of the existing buildings on site. The relationship between the new forms and the historic context is critical for maintaining visual character of an historic building, property or district.

Though different from the existing structures, the proposed buildings incorporate numerous similar design components, and appear to complement rather than detract from the historic structures. The primary deviations are the possibly bulkier columns of Building E and the sliding, clad, balcony doors on a front-facing elevation. These features are visible from the right of way at NW 22<sup>nd</sup> Street via the wide driveways.

Materials of the proposal are generally consistent with the Standards and Guidelines. Aluminum clad, insulated windows with simulated divided lite are allowed contingent upon both interior and exterior, permanently attached muntin bars, and the inclusion of a matching shadow bar between the glass. Aluminum clad sliding doors are not specifically prohibited, though the Standards and Guidelines more directly address French doors (see 4.6.21 above). The Standards and Guidelines indicate that primary entrance doors and doors visible from the public right of way at new construction should be wood, as indicated in “Alterations to Building Fabric and Components of

Historic Buildings” (see 4.6.20 of the Guidelines).

Balcony railings are wood and painted. Though taller than similar historic features, Building Code requires a height of 42 inches for railings. The proposed railings are minimally visible.

The heights of the proposed buildings relate to the heights of existing structures on site. Roof forms are similar to existing, except where designed to restrain heights. Floor to floor heights are sacrificed in lieu of reduced building heights. As all porches face into the site, lack of alignment with porch heights at the existing and new structures does not detract from the property.

Spacing and size of window and door openings must be similar to their historic counterparts. The proportion of window to wall space should also be similar to historic counterparts. The proposal provides significant glass area in each wall that deviates from the single symmetrical openings of the existing structures. The effect appears to be compatible, while not replicating the historic arrangements.

d. Recommended Specific Findings:

1. That the proposed buildings are compatible with the existing historic buildings on site and utilize similar, but different, design components to accomplish compatibility and differentiation;
2. That the proposed building locations respect side yard setbacks and present the least dominant profile to the street, where possible;
3. That the proposed building heights do not compete with the historic buildings on site;
4. That materials are largely consistent with the Standards and Guidelines and compatible with the historic structures;
5. That aluminum clad sliding doors are not specifically prohibited, and are minimally visible from the street at the driveways, due to location behind the largest existing building;
6. That aluminum clad windows with simulated divided lite are allowed, contingent upon permanent interior and exterior muntins and shadow bars between the glass.

**2. Item 2, Expand new parking lots (elective); and 3, Install two new parking lots at alley (elective).**

- a. Description: The applicant proposes expansion of parking at the rear of the existing historic buildings and the creation of two sets of parking spaces at the alley for a total of 24 parking spaces.
- b. References: *Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts*

**2.3 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.
- 2.3.15: 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.

- 2.3.20: Screen parking from streets and pedestrian areas by placing parking areas at the back of a property and behind primary structures. New parking areas for corner lots shall be located behind primary structures, set back as far as possible from side streets, and placed so as to be as inconspicuous as possible.
  - 2.3.21: In addition to being located at the back of the lot, new parking areas for commercial properties must be screened from adjacent residential property by sight-proof screening with fences, walls or dense vegetation at least six feet tall. Landscape screens are preferred, because they absorb carbon dioxide.
- c. Considerations: The proposed parking covers most of the open space beyond the existing structures, with limited landscaping at or between each building. Added parking spaces at the alley have green space to either side. The significant increase in impermeable paving will require careful redirection of water.

Parking requirements are 1.5 spaces per each studio or 1 bedroom unit and 2 parking spaces per each unit with 2 or more bedrooms. Twenty-three total parking spaces are required. Bike spaces and landscape points can reduce the number of required parking spaces. Historic Preservation districts are not exempt from required minimum off-street parking.

The overall coverage of the site is calculated by the applicant at 61% of the combined site. Residential coverage is used as a reference for the basis of impermeable surface coverage in the HP districts. The proposal exceeds site coverage recommendations for residential districts by 11 percent.

- d. Recommended Specific Findings:
1. That the site coverage is indicated at 61%;
  2. That 24 parking spaces are proposed while 23 are the minimum requirement;
  3. That extensive coverage of the site will require careful water management planning to protect the historic building to the east and west of the site, and those at the south end of the site.

**3. Item 5, Provide a recommendation to the Board of Adjustment for a Special Exception to allow Multi-Family Residential in an HP district.**

- a. Description: The applicant requests a recommendation from the Historic Preservation Commission to the Board of Adjustment supporting a change (expansion) of use to multi-family residential.
- b. References: *Oklahoma City Municipal Code, Chapter 59*  
*59-8200. Residential Use Unit Classifications.*

*59-8200.14 Single-Family Residential.* One dwelling unit, other than a manufactured (mobile) home, that is a freestanding and structurally separate building used for residential purposes. It is located on a lot or building site that is

unoccupied by any other dwelling unit or main building. A typical use is a single detached dwelling.

*4250.1. Special Exception Uses.*

- A. *Establishment and Purpose.* The City of Oklahoma City has previously established the process for granting special exception uses. The special exception allows the location of certain uses while maintaining adequate protection of the surrounding area. If consideration is given to setting, physical features, compatibility with surrounding land uses, and traffic and aesthetics, certain uses may locate in an area where they will be compatible with existing or planned land uses, even though they generally do not conform with traditional use groupings in specific zoning districts.
- B. *Parties Entitled to Request Special Exception Uses.* Applications for special exception uses may be filed by the owner of, or any person having a right of ownership in, any property in the City.
- C. *Authority and Execution.* The Board of Adjustment shall review each case on its own merits, apply the criteria established herein and, if appropriate, authorize said use by granting a special exception for it.
- D. *Procedure.*
  - (1) *Applications.* Applications for special exception uses shall be filed in accordance with the requirements of this section on forms provided by the City.
  - (2) *Site Plan to Be Filed.* A complete site plan shall be filed with each application for a special exception. The site plan shall show location of all structures and shall give graphic evidence of compliance with all development regulations of the zoning district in which the special exception is to be located and compliance with the general standards for the specific use.
  - (3) *Acceptance of Application.* Staff shall review the application for completeness. Upon receipt of a complete application, Staff shall schedule the application for an upcoming Board of Adjustment agenda for consideration and shall distribute the application to other appropriate departments for review.
  - (4) *Action by the Board of Adjustment.* The Board of Adjustment shall consider the application in accordance with adopted deadlines. The Board may take action in the form of approval, approval with conditions or denial of applications for special exceptions.
- E. *Standards for Special Exception Approval.* Prior to approval of an application for special exception, the Board of Adjustment shall make a determination that the following standards have been met:
  - (1) The proposed use shall be in harmony with the policies of the adopted Comprehensive Plan.

- (2) The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
- (3) The proposed use shall not adversely affect the use of neighboring properties in accordance with the applicable zoning district regulations.
- (4) The proposed use shall not generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood.
- (5) Adequate utility, drainage, parking, loading, access, signs and other necessary public facilities to serve the proposed use shall meet all standards and provisions of City codes applicable to the zoning district classification of the property.
- (6) The Board of Adjustment shall ensure that all reasonable precautions are taken to protect nearby existing and anticipated development from hazardous and obnoxious conditions. The Board of Adjustment can impose specific conditions regarding location, design and operation to assure safety and to prevent a nuisance.
- (7) If necessary to protect the general public and to protect the use of neighboring property from potential loss of use or decrease in land value, the Board of Adjustment may require additional sight-proof screening and landscaping according to standards contained in Article XI, Landscaping and Screening Regulations, of this chapter.

**F. Conditions.**

- (1) *Site Plan Must Be Followed.* All uses approved by a special exception shall commence and be maintained in accordance with the approved site plan.
- (2) *Failure to Comply.* Whenever Staff finds that any proposed construction or occupancy does not, in its opinion, substantially comply with the terms of the special exception, it shall refer the question to the Board of Adjustment for its review at a public hearing.
- (3) *Amendment.* When the holder of a special exception determines that an extension of time or modification of a site plan, or other requirements, is necessary, he/she shall apply in the same manner as the original application.
- (4) *Expiration.* All approvals of a special exception shall expire by default if either:
  - (a) If the use is not established or construction is not initiated within 12 months;  
or
  - (b) If the use once established has been discontinued or abandoned for a period of 12 months.

**59-12100.1 Lot Regulations.**

**A. Limitation of Structures per Lot.**



- (1) There shall be no more than one structure per lot for a single-family, two-family, three-family and four -family dwellings, except as may be permitted in the planned unit development, or special exception provisions of this chapter.

*59-10600 Off-street Parking Requirements*

TABLE 10600.1: PARKING REQUIREMENTS		
USE UNIT		PARKING STANDARD <sup>1,2</sup>
<a href="#">59-8200</a>	RESIDENTIAL USE UNITS	
8200.12	Multiple-Family Residential	
	Per Efficiency and One Bedroom Unit	1.5/du
	Per Two or More Bedroom Unit	2/du

- c. Considerations: The base zoning for these lots is Historic Preservation (HP), with no underlying zoning classification. Permitted uses in HP are limited to Single-family Residential and Community Recreational: General (despite numerous non-conforming uses throughout). Multi-Family Residential is allowed with a Special Exception, and is required for the expansion of the existing, non-conforming multi-family residential use. Required parking spaces, driveway widths, parking lot lighting, and dumpster and parking lot screening, as applicable to this use, may require further consideration.

The National Register of Historic Places description listed these properties as apartments in 1983. The site appears to have operated as multi-family for at least 40 years. Allowing the construction of additional buildings and units where compatible with, and not detracting from, the historic character of the property and district is appropriate and warrants the approval of the Special Exception.

- d. Recommended Specific Findings:
1. That the proposed Special Exception is consistent with the existing use of the property as a multi-family residential development;
  2. That the proposed use increases density at the site but as proposed does not appear to detract from the historic character of the property or district.

**E. HPCA-22-00138 STAFF RECOMMENDATION:**

1. **Approve Item 4, construct fence, with the following condition**, with the specific findings that the proposed work, with the **agreed-upon condition**, will not have an adverse effect on the historic character of the district or property; and the items comply with all relevant Standards and Guidelines and sections of the Municipal Code, 2020\*, as referenced in the Staff Report.

**Specific Findings:**

- 1) That the proposed fence will meet all relevant Standards and Guidelines for fences;
- 2) That the finished side of the proposed fence must face the street and alley.

**Condition:** That the applicant verify that the finished side of the fence will face the street and/or alley.

2. **Approve Item 1, construct three new buildings,** with the specific findings that the proposed work will not have an adverse effect on the historic character of the district or property; the items comply with all relevant Standards and Guidelines and sections of the Municipal Code, 2020\*, as referenced in the Staff Report.

**Specific Findings:**

1. That the proposed buildings are compatible with the existing historic buildings on site and utilize similar, but different, design components to accomplish compatibility and differentiation;
  2. That the proposed building locations respect side yard setbacks and present the least dominant profile to the street where possible;
  3. That the proposed building heights do not compete with the historic buildings on site;
  4. That materials are largely consistent with the Standards and Guidelines and compatible with the historic structures;
  5. That aluminum clad sliding doors are not specifically prohibited, and are minimally visible from the street at the driveways due to location behind the largest existing building;
  6. That aluminum clad windows with simulated divided lite are allowed contingent upon permanent interior and exterior muntins and shadow bars between the glass.
3. **Continue Items 2 and 3, expand parking and install new parking lots,** 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 site coverage is indicated at 61%;
2. That 24 parking spaces are proposed while 23 parking spaces are the minimum requirement;
3. That extensive coverage of the site will require careful water management planning to protect the historic building to the east and west of the site and those at the south end of the site.

**Additional information:** Revision to proposed parking to reduce the number of spaces and increase impermeable surface.

- 4. Provide a recommendation of approval to the Board of Adjustment** on a Special Exception to allow Multi-Family Residential in an HP District and forward the following findings:
1. That the proposed Special Exception is consistent with the existing use of the property as a multi-family residential development;
  2. That the proposed use increases density at the site but as proposed does not appear to detract from the historic character of the property or district.

*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](http://www.okc.gov/planning/hp/index.html) ; at Planning Department offices located at 420 W. Main, 9<sup>th</sup> floor, and each HP Commission Meeting.*

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