



# STAFF REPORT

## Historic Preservation Commission

April 5, 2023

HPCA-22-00049

**Agenda Item:** VI.D.2.

**Case Number:** HPCA-22-00049

**Property Address:** 120 NW 27th Street

**District:** Jefferson Park Historic District

**Owner:** Parwati Investment  
Mitesh Patel  
10420 NW 35th Street  
YUKON, OK 73099

### A. CASE ITEMS FOR CONSIDERATION

1. Construct a tri-plex (elective);
3. Install paving (elective);
4. Install mechanical equipment (elective); and
7. Install fencing (elective);
8. Request a recommendation to the Board of Adjustment regarding variances to Municipal Code as related to height, number of stories, lot width, and lot size.

### B. BACKGROUND

#### 1. Project Description

The proposal is to construct a 2-story tri-plex on a vacant lot previously occupied by a typical bungalow dwelling of approximately 1,150 square feet. and 28 feet wide. The proposal includes a public sidewalk, 8-foot driveway, private sidewalk to front entry, and a paved back yard.

#### 2. Location

Project site is located on the south side of NW 27<sup>th</sup> Street, mid-block between Robinson and I-235.

#### 3. Site History

*Date of Construction:* N/A

*Zoned Historic Preservation/Historical Landmark:* 1998

*National Register Listing:* 1995

*Description from National Register Nomination Intensive Level Survey:*

120 Northwest 27th, Circa 1919. This is a one-story Bungalow/Craftsman frame house with a moderate pitched roof and triangular brackets under the eaves. A porch gable

extends across the western two-thirds of the façade and is supported by two battered wood columns on brick piers. There is one low brick pier to the right of the porch stairs and the columns on brick piers. There is one low brick pier to the right of the porch stairs and the balustrade has been removed. The centered entrance is flanked by triplet windows. There is a metal roof ridge. The exterior is sheathed with weatherboard.

***Additional Information:***

The 1922 edition of the Sanborn Fire Insurance maps illustrates a 1-story frame dwelling with 1-story front porch extending the entire length of the front (north) façade. A small 1-story frame “autohouse” is indicated on the easternmost property line, with the front face back nearly  $\frac{3}{4}$  of the property depth from the front property line. All structures have shingle roofs. The 1949 edition of the maps indicates the roofs to be composition material. No changes are indicated on subsequent additions.

**4. Existing Conditions**

The property is zoned R-4 with UDC and HL overlays.

The dwelling and garage are no longer extant. Demolition occurred circa 2016. The site is largely flat with a slight rolling terrace, and comparable in size to abutting sites to the east and west, across NW 27<sup>th</sup> to the north and to the south at the rear. Lot sizes for properties addressed on this block of NW 27<sup>th</sup> Street are consistently 50 feet wide.

The most comparable nearby structures are multi-plex dwellings on Robinson.

**5. Previous Actions**

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

Case Number	Date	Owner	Decision
HPCA-16-00016	03/02/2016	Previous	Recommendation
Recommendation to City Council regarding dilapidated structure.			

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. 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 1, Construct a tri-plex (elective); and Item 4, Install mechanical equipment (elective).**

- a. Description: The applicant proposes a 2-story tri-plex with a footprint of 2,341 square

feet (4,702 feet of dwelling space), and 29 feet, four inches in height as measured from grade, or 27+ above finished floor height. A front porch spans the full width of the front (north) elevation. Finished floor height, porch height, and wall to window ratios are similar to surrounding properties. The width of the structure is 33 feet, similar to the width of surrounding dwellings *including* the porches or enclosures. The conditioned space is 76.5 feet deep, with the additional 8.5-foot front porch extending north beyond the build-to line. The porch, window and door openings, and roofs fall between the heights of those at the abutting properties to the east and west. The front elevation is symmetrical. Wall to window ratios are similar to and compatible with surrounding historic properties.

Materials include an architectural grade shingle, smooth HardiPlank lap siding upstairs, modular brick downstairs, and clad, insulated, simulated divided lite windows, and fiberglass doors. Metal railings are proposed at the rear porch, while front porch has a low brick wall.

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

## **2.1 Lot Size**

**Policy:** Each historic property consists of the site, or “lot,” and the buildings or structures placed within the site. The relationship of buildings and structures to their respective site, to adjacent sites and to the public rights-of-way are important character-defining features of historic properties and districts and should be an integral part of planning for every project.

**Design Justification:** The historic relationships between buildings, structures, sidewalks, streets, landscaping features and open space together create the character of a district and should be retained.

**Sustainability Justification:** Maintaining historic spatial arrangement ensures the preservation of component parts, sustaining their embodied energy and negating the need for replacement with new resources.

- 2.1.1: Historic districts generally have a uniform, and unifying, orientation of properties to their respective development and the development of adjacent properties. Typical lot sizes help define the district’s commonality and integrity.
- 2.1.2: Retain the historic lot size and configuration of the property.
- 2.1.4: Development or redevelopment of vacant lots must respect the historical development of the property and district in terms of lot size and relationship between public and private spaces.

## **2.2 Setbacks**

**Policy:** Maintaining historical patterns of development including front and corner side-yard setbacks is an important character-defining feature of a district.

**Design Justification:** Historic setback patterns are important for maintaining an

authentic streetscape and protecting vistas from, and views to, a historic property and district.

**Sustainability Justification:** Maintaining historic front and side-yard setbacks ensures the preservation of a district's components, sustaining their embodied energy and negating the need for replacement with new resources.

- 2.2.1: Along a streetscape in a historic district, there is often a uniform and unifying setback for buildings from the street. Maintain consistency with historical setbacks to preserve historic development and historic subdivision patterns.
- 2.2.2: Maintain building orientation patterns, for example, with front facades of primary buildings facing and parallel with the street.
- 2.2.3: Maintain established side-yard setbacks and spacing patterns between buildings to reinforce the sequence of individual structures along the streetscape.
- 2.2.4: Maintain established setbacks for accessory buildings.
- 2.2.5: Development of vacant lots must respect the historic development of the property and the district in terms of setbacks and relationship between public and private spaces.
- 2.2.6: Accessory buildings should follow the historic setback patterns of the property or other accessory buildings in the streetscape or district when replaced in kind.
- 2.2.7: New construction must be reviewed not only for architectural design, but also for historic back and side-yard setbacks.

#### **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: Historic relationships between buildings, structures, sidewalks, streets, landscaping, and open space create the character of a district and should be maintained. This includes consistent spatial arrangements, unified building orientation, respect for public and private spaces, and consistent front and side yard setbacks.

The Standards and Guidelines state that new construction must respect the architectural integrity and context of surrounding buildings, respecting existing historic structures and streetscapes. The streetscape historically was single family dwellings that largely remain, while abutting structures facing Robinson were developed as duplexes and multi-family residences. Development of vacant lots must respect the historic development of the property and the district in terms of setbacks and relationships between public and private spaces and must be reviewed not only for architectural design, but also for historic back and side yard setbacks. New buildings must fill the same proportion of lot area as other buildings on the streetscape, to continue the patterns created by spaces between buildings. Significant alteration of topography is not permitted.

The build-to line is observed consistently with abutting properties, and side setbacks are similar. Lots are 50 feet wide, and the average conditioned width at surrounding primary buildings is 28 feet (56% of the width of the lot), while the proposed structure is 35 feet (75% of the width of the lot). Building placement and width is similar, though the building proposal fills a larger proportion of the site as opposed to adjacent structures. The average conditioned length at surrounding buildings is 41 feet (approximately 30% of the lot), while the proposed is 75 feet (53% of the lot). Established side-yard setbacks and spacing patterns between buildings should reinforce the sequence of individual structures along the streetscape as viewed from the street. The applicant has compared width, depth, form, and setbacks of the proposed infill structure to the abutting single-family dwellings to the east and west. See sheets A104 and A203, attached.

Integration of new construction should be compatible with surrounding existing historic structures. Compatibility is dependent upon size, shape, massing, proportion, materials, color, texture, architectural integrity, patterns of development, and the

proportion of built space. Size, shape, depth, and massing of the proposal is more substantial than the surrounding structures on the streetscape.

The structure is significantly deeper than others on the block, though centrally located on the block and screened by properties addressed on Robinson to the west and overlooked by the highway to the east. The depth of the structure, contrary to existing historic patterns of development at nearly half the depth, directly effects abutting properties, while the massing has a more visible effect on the block and the district as viewed from the street.

New construction must respect the architectural integrity and context of surrounding buildings, and must fill the same proportion of the site as adjacent structures. Similar shapes that are repeated in many buildings within a streetscape are encouraged to be incorporated in the design of a new residential building. 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 pattern created by spaces between buildings should be continued. Existing adjacent historic structures and streetscapes should be taken into consideration while designing new construction.

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 proposed structure falls between the heights and widths of the structures to either side. Wall to window ratio is similar, as are finished floor heights, porch heights and window heights, falling between similar heights at primary structures abutting to the east and west. The massing and scale *may* be visibly reduced by the wall and roof breaks; however, the massing of the proposed structure may be significantly more pronounced than at the dwellings of the block or at historic multi-family structures in the immediate area.

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. The predominant building height is not known, but heights vary along the block.

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. Overall, the design of the proposed structure appears compatible with, yet distinct from, the surrounding historic buildings. New materials should be similar to those of the adjacent historic structures. Proposed materials are similar to surrounding buildings and appear to meet relevant Guidelines for materials at new construction.

d. Recommended Specific Findings:

1. That the historic structures are no longer extant but documented as 1-story dwelling and detached garage;
2. That the historic rolling terrace remains and should be maintained and addressed similarly to abutting sites with sidewalks and steps to the street;

3. That the proposed primary building is significantly larger in form than historic structures of the block. and less compact than those structures of similar use in the immediate area;
4. That the massing of the proposed structure may be significantly larger and more imposing than at the dwellings of the block or at historic multi-family structures in the immediate area;
5. That size, shape, scale, and massing of the proposed structure is more substantial than other primary buildings of the block and the district;
6. That wall to window ratios, porch heights, floor heights roof heights are comparable to abutting structures, falling between those heights at abutting structures to the east and west;
7. That setbacks and patterns of space between buildings appear similar as viewed from the front. but the proposed structure is approximately 20% wider and 25% deeper than existing historic structures;
8. That the pattern created by spaces between buildings should be continued;
9. The structure fills a greater proportion of the site than surrounding historic structures;
10. That the depth of the structure may be only minimally visible from the public rights of way;
11. That the depth of the structure directly effects the perception of private space at properties abutting to the east and west;
12. That similar forms of the block are repeated but not replicated at the proposed primary structure;
13. That the design components and materials are compatible with surrounding historic structures.

**2. Item 3, Install paving (elective).**

- a. Description: The applicant proposes an 8-foot-wide driveway that widens as it approaches the rear of the building to 18 feet wide to address parking for a three-family residential dwelling.

The proposal includes a walkway from the primary entry to the street and a walkway from the primary entry to the driveway. Additionally, a public sidewalk is proposed in the right- of- way at the street.

- 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.

- 2.3.5: 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.
- 2.3.6: 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.
- 2.3.15: 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.

- 2.3.20: 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 site is located within an Urban Conservation District which requires that off street parking for more intense density be located behind the building except that the driveway may be used to fulfill two required parking spaces.

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.

The block does not exhibit public sidewalks parallel to the street. The introduction of a sidewalk at one block may interrupt the unity and rhythm of the streetscape.

- d. Recommended Specific Findings:

1. That 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.
2. That the existing rolling terrace will be protected and maintained;
3. That 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.
4. That integral color does not provide an aged appearance; but topical treatments appear to be successful;
5. That new concrete visible from the public right-of-way shall not be bright white in color;
6. That parking for a 3-family residential dwelling must be located behind the house, except that two spaces may be acquired in the driveway;
7. That no public sidewalks are historically provided for this block, and a single introduction at this site may interrupt the historic continuity of the block.

### **3. Item 4, Install mechanical equipment (elective).**

- a. Description: Mechanical equipment is proposed and illustrated on the west side of the building. All mechanical equipment is proposed at the rear 60% of the side yard.

Condensers are located on the ground, while electric is located on the wall.

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

#### **2.4 Service and Mechanical Areas**

**Policy:** Mechanical equipment, such as HVAC units and satellite dishes, should be located out of public view. They should be screened with landscaping (best) or fencing (acceptable).

**Design Justification:** Most mechanical units and equipment are non-historic additions to buildings, and the effect of their visual impact on a property's or district's historic character should be minimized.

**Sustainability Justification:** Maintaining equipment ensures its continued use, which conserves materials required for replacement. Screening with landscaping is preferred over fencing and the plants absorb carbon dioxide. New fencing materials require new resources and energy to manufacture, transport and install.

- 2.4.1: Maintain mechanical equipment to operate efficiently and for continued use, which conserves energy and resources required to manufacture replacements.
- 2.4.2: Electrical, water, gas, security, telephone and cable equipment sometimes need to be upgraded. Replacement utility boxes and meters of various types, located in the back yard or mounted on the back wall of the primary building and less than six feet above the ground do not require review unless they will be visible from the public right-of-way.
- 2.4.3: Service and mechanical equipment are commonplace, but their presence must be minimized by appropriate placement and screening. A planted screen is preferred and a fence screen is also acceptable.
- 2.4.2: Mechanical equipment must not be located in public view. Equipment must be screened.
- 2.4.4: Service equipment (including ground mounted solar collectors), mechanical areas and trash receptacles, if proposed, must be screened from the street and other pedestrian areas. Loading areas should be located away from primary facades and be well maintained.
- 2.4.5: New window air-conditioning units may be used and must not be located on the front or corner side facade of a structure. Existing window units located on the front or corner side facade may be replaced in kind in the same location, although it is preferred that a less obtrusive location be selected.
- 2.4.6: New "through-the-wall" air conditioners, heaters, or combination units may be used in additions and new construction on back elevations or side wall locations that are screened and hidden from view by fences that meet the requirements and recommendations of the section of the Standards and Guidelines regarding Fences and Fence Walls.

- 2.4.7: Roof-mounted equipment is not allowed on front- or corner side yard-facing roof planes and must be set back from the edges of roofs and screened, so that it is not visible to pedestrians in the public right-of-way and does not detract from the historic character of buildings
- c. Considerations: Mechanical equipment must be screened. Proposed fencing may be insufficient to screen electrical equipment on the west wall. Landscape material that screens the equipment is an appropriate option.
- d. Recommended Specific Findings:
  1. That Mechanical equipment must not be located in public view and must be screened;
  2. That fencing may not be adequate to screen the electric meters on the wall and additional landscape that does screen is required where fencing is insufficient.

**4. Item 7) Install fencing (elective).**

- a. Description: The applicant proposes the installation of 6-foot-tall wood, site proof fencing. Proposed fencing is located on property lines and proposed to match locations of front facing fences abutting. Forty percent back, as indicated by the criteria, is approximately 30 feet.
- b. References: *Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts*

**Section 2.8          Fences and Walls**

**Policy:** Preserve original or historic fences and fence walls. New fences should be of renewable materials such as wood, woven wire or brick. Vinyl fences are not appropriate.

**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.

- 2.8.5: 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.
  - 2.8.16: 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. Considerations: The existing, abutting structures are not as deep as the proposed structure, thus, the side-yards are not as deep. Installation of a fence 40% back in the side-yard of the proposed structure would place the fence almost at the rear wall of abutting structures. Should the proposed structure be approved, consistency in fence placement may better maintain unity of the block face. Installation of a transparent fence could be accomplished administratively; however, the mechanical equipment on the west side of the structure would require additional screening.
- d. Recommended Specific Findings:
1. That the proposed size of the primary dwelling creates circumstances under which the side-yard is substantially larger than that of abutting properties, requiring the fence to be placed further back in the yard than at abutting fences;
  2. That, should the dwelling be approved as described, fencing located to match placement at abutting properties may better support unity as viewed from the

public rights of way;

3. That no documentation of fence placement or conditions at abutting properties has been provided to establish that they are historic or compliant;
  4. That documentation of abutting fencing is necessary to identify unique circumstances for fence placement;
  5. That a transparent fence is administratively approvable within six (6) feet of the rear wall of the front porch;
  6. That additional screening appears to be required for mechanical equipment.
- 5. Item 8) Recommendation for variances to Municipal Code as related to height, number of stories, lot width, and lot size.**
- a. Description: That the applicant seeks to acquire a recommendation to the Board of Adjustment from the Historic Preservation Commission that supports the request for a variance to the required minimum lot width, required minimum lot size, and the required maximum building height and number of stories.
  - b. References: *Oklahoma City Municipal Code, Chapter 59 §6100.2. Agricultural and Residential Zoning Districts Bulk Standards*

TABLE 6100.2: AGRICULTURAL AND RESIDENTIAL ZONING DISTRICTS BULK STANDARDS			
BULK STANDARDS	R-3M <sup>1</sup>	R-4M <sup>1</sup>	R-4 <sup>1</sup>
Minimum Lot Size	Single-family: 5,000 sf Two-Family: 5,000 sf or 1 du/2,500 sf Other: 7,000 sf	Single-family: 5,000 sf Two-Family: 5,000 sf or 1 du/2,500 sf Other: 7,500 sf	Single-Family: 5,000 sf Two-Family: 5,000 sf or 1 du/2,500 sf Other: 7,500 sf
Maximum Lot Coverage	—	100%	—
Density	Single-Family: [1]du/5,000 sf Two-Family: 1du/2,500 sf Other: 1 du/2,200 sf (max: 8du)	Single-Family: 1 du/5,000 sf Two-Family: 1du/2,500 sf Other: 1 du/1,750 sf	Single-Family: 1 du/5,000 sf Two-Family: 1du/2,500 sf Other: 1 du/1,250 sf
Minimum Lot Width	Single-Family: 50 ft Two-Family: 50 ft or 1 du/30 ft Other Uses: 100 ft	Single-Family: 50 ft Two-Family: 50 ft or 1 du/30 ft Other Uses: 100 ft	Single-Family: 50 ft Two-Family: 50 ft or 1 du/30 ft Other Uses: 100 ft
Maximum Height <sup>5, 6</sup>	35 ft and 2 stories; Where abutting AA, R-A, R-1, R-1ZL, R-2, R-MH-1, R-MH-2, HL or HP District or within 60 ft: 20 ft and 1 story	35 ft and 2 stories; Where abutting AA, R-A, R-1, R-1ZL, R-2, R-MH-1, R-MH-2, HL or HP District or within 60 ft: 20 ft and 1 story	Where abutting AA, R-A, R-1, R-1ZL, R-2, R-MH-1, R-MH-2, HL or HP District or within 60 ft: 20 ft and 1 story Between 60 ft and 75 ft of said Districts: shall not exceed a 45° bulk plane, measured from a point 35 ft above grade at the 75 ft mark Other: None
YARDS (Additional applicable yard regulations are found in Section 59-12100.3)			
Front Yard	25 ft <sup>8</sup>	25 ft <sup>8</sup>	25 ft <sup>8</sup>
Side Yard	Interior Side Yards: 5 ft Corner Side Yards: 15 ft Interior Lot Line of Individual Structures that Coincides with the Party Wall Separating the Units: 0 ft	Interior Side Yards: 5 ft Corner Side Yards: 15 ft Interior Lot Line of Individual Structures that Coincides with the Party Wall Separating the Units: 0 ft	Interior Side Yards: 5 ft Corner Side Yards: 15 ft Interior Lot Line of Individual Structures that Coincides with the Party Wall Separating the Units: 0 ft
Rear Yard	15 ft	15 ft	15 ft
Common Open Space	40%	40%	40%

- c. Considerations: The vacant site is zoned R-4, and a 3-family residential dwelling is permitted by bulk standards. However, the bulk standards require a minimum lot size of 7,500 square feet with a 100-foot minimum lot width, and requires a one (1) story structure with a maximum height of 20 feet. The standard for maximum height states that “Where abutting ... HL or HP Districts or within 60 ft: 20 ft and 1-story.” The allowed lot coverage is 100%. This combination of criteria does not support historic development forms or patterns for compact multi-family dwellings. As the Code may not be consistent with the intent of historic preservation practices in Oklahoma City which encourage infill that is harmonious, cohesive, consistent, and compatible with historic development patterns, forms, and architecture, variances to the base zoning standards may be necessary.

The incompatibility of the bulk regulations with the characteristics of the existing, historic neighborhood, and with the intent of the Standards and Guidelines to support harmonious and cohesive development patterns with similar forms, massing, scale and building coverage similar to that historically located in the district, may present a hardship.

This property is unique in that it is located within the boundaries of an historic landmark district, in which compact, multi-unit, dwellings under one roof are part of the historic development pattern. Though the site itself historically supported a single-family residence, there is a historic set of apartments with multiple units, measuring 4,038 square feet at the northwest corner of the block facing Robinson that is accommodated on 7,000 square feet. Existing two -story historic apartments are located throughout Oklahoma City’s historic districts, and are particularly common in Jefferson Park. Density on such a small lot does have challenges related to privacy, parking, and services that the proposed tri-plex would also face should it be approved.

d. Recommended Specific Findings:

- 1) That bulk standards, as interpreted, do not support repetition of similar, common, historic height, form, massing, and scale for compact multi-family as established within the boundaries of historic preservation and historic landmark districts by the *Oklahoma City Historic Preservation Design & Sustainability Standards and Guidelines*;
- 2) That as infill construction, the site cannot acquire additional width or square footage without undermining existing, historic development or development patterns.

**E. HPCA-22-00049 STAFF RECOMMENDATION:**

1. **Continue Item 1, construct tri-plex**, 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 historic structures are no longer extant, but are documented as 1-story dwelling and detached garage;
- 2) That the historic rolling terrace remains and should be maintained and addressed similarly to abutting sites with sidewalks and steps to the street;
- 3) That the proposed primary building is significantly larger in form than historic structures of the block, and less compact than those structures of similar use at Robinson;
- 4) That the massing of the proposed structure may be significantly larger and more pronounced than at the dwellings of the block or at historic multi-family structures in the immediate area;
- 5) That size, shape, scale, and massing is more substantial than other primary buildings of the block and the district;
- 6) That wall to window ratios, porch heights, floor heights roof heights are comparable to abutting structures, falling between those heights at abutting structures to the east and west;
- 7) That setbacks and patterns of space between buildings appear similar as viewed from the front but the proposed structure is approximately 20% wider and 25% deeper than existing historic structures;
- 8) That the pattern created by spaces between buildings should be continued;
- 9) The structure fills a greater proportion of the site than surrounding historic structures;
- 10) That the depth of the structure may be only minimally visible from the public rights of way;
- 11) That the depth of the structure directly effects the perception of private space at properties abutting to the east and west;
- 12) That similar forms of the block are repeated but not replicated at the proposed primary structure;
- 13) That the design components and materials are compatible with surrounding historic structures.

**Condition(s):**

- 1) That any agreed upon design changes must be fully illustrated and presented to staff prior to continued review;
- 2) That design changes may include but are not limited to more compact form and reduction in the width and/or depth of the proposed structure, particularly as viewed from the street rights of way.

**2. Approve Item 4, install mechanical equipment, with the following conditions, with**

the specific findings that the proposed work, with the **agreed-upon conditions**, 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 Mechanical equipment must not be located in public view and must be screened;
2. That fencing may not be adequate to screen the electric meters on the wall and additional landscape that does screen is required where fencing is insufficient.

**Condition:**

1. That the applicant must illustrate that mechanical equipment is screened by the proposed fence, and where 6-foot fencing is insufficient, landscape material that is sufficient will be illustrated for screening electric that may be in excess of six (6) feet tall.
3. **Approve Item 3, install paving, with the following conditions**, with the specific findings that the proposed work, with the **agreed-upon conditions**, 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 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;
2. That existing rolling terrace will be protected and maintained;
3. That 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.
4. That integral color does not provide an aged appearance; but topical treatments appear to be successful;
5. That new concrete visible from the public right-of-way shall not be bright white in color;
6. That parking for 3-family residential must be located behind the house except that two spaces may be acquired in the driveway;
7. That no public sidewalks are historically provided for this block and a single introduction at this site may interrupt the historic continuity of the block.

**Condition(s):**

- 1) That a topical treatment that provides an aged appearance to the paving is required;
- 2) That no public sidewalk will be installed parallel to the street.
4. **Continue Item 7, install fencing**, 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 size of the primary dwelling creates circumstances under which the side-yard is substantially larger than that of abutting properties, requiring the fence to be placed further back in the yard than at abutting fences;
  2. That, should the dwelling be approved as described, fencing located to match placement compliant at abutting properties may better support unity as viewed from the public rights of way;
  3. That no documentation of fence placement or conditions at abutting properties has been provided to establish that they are historic or compliant;
  4. That documentation of abutting fencing is necessary to identify unique circumstances for fence placement;
  5. That a transparent fence is administratively approvable within six feet of the rear wall of the front porch;
  6. That additional screening appears to be required for mechanical equipment.
- 5. Continue Item 8)** Acquire recommendation for variances to Municipal Code as related to height, number of stories, lot width, and lot size, with the specific findings that the proposed work will not have an adverse effect on the historic character of the district or property and complies with all relevant Standards and Guidelines as referenced in the Staff Report.

**Specific Findings:**

- 1) That bulk standards, as interpreted, do not support repetition of similar, common, historic heights, form, massing, and scale for compact multi-family as established within the boundaries of historic preservation and historic landmark districts by the *Oklahoma City Historic Preservation Design & Sustainability Standards and Guidelines*;
- 2) That as infill construction, the site cannot acquire additional width or square footage without undermining existing, historic development or development patterns;
- 3) That a recommendation to the Board of Adjustment for variances to the bulk standards should be contingent upon construction of a structure that is harmonious with existing, historic patterns of development and compatible in size, shape, scale, massing, and proportion with existing historic structures.

*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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