



# STAFF REPORT

## Historic Preservation Commission

September 6, 2023

HPCA-2200171

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**Agenda Item:** VI.D.1

**Case Number:** HPCA-22-00171

**Property Address:** 419 NW 25th Street

**District:** Jefferson Park Historic District

**Applicant:** Fallon Brooks-Magnus  
100 N Broadway, Ste 100  
Edmond, OK 73034

**Owner:** David DeWitt  
940 NW 40th Street  
Oklahoma City, OK 73118

### A. CASE ITEMS FOR CONSIDERATION

Revise HPCA-22-00171 to

- 23) install brick veneer at accessory dwelling (elective);
- 24) Install door at exterior utility closets at accessory dwelling (elective);
- 25) Add two windows at rear of accessory building (elective);
- 26) Modify paving in front yard (elective); and
- 27) Split lot (elective).

### B. BACKGROUND

#### 1. Project Description

This project was reviewed and approved the by Historic Preservation Commission in December 2022. This property was also reviewed, and a recommendation provided on a SPUD to allow for the use of the accessory dwelling as a fourplex and for the lot to be split. The applicant proposes several revisions to the design of the existing, non-historic accessory dwelling, and requests approval of the lot split, as previously considered in review of the SPUD.

#### 2. Location

The project site is located on the north side of NW 25<sup>th</sup> Street, mid-block between Walker and Hudson.

#### 3. Site History

*Date of Construction:* 1905 (primary dwelling)

*Zoned Historic Preservation/Historical Landmark:* 1998

*National Register Listing: 1995*

*Description from National Register Nomination Intensive Level Survey:*

**419 NW 25th.** 1905. This is a one-story National Folk frame house with a steep roof and small boxed eaves. The porch roof is supported by three battered wood columns on brick piers. The porch floor is concrete. Original windows have been replaced with aluminum. The center entrance is flanked by single windows. There is a noncontributing apartment building in the rear.

*Additional Information:*

The National Register nomination for the Jefferson Park Historic District indicates that the earliest houses in the neighborhood were constructed circa 1905, with construction picking up speed after statehood, in 1907. This would make this property one of the oldest in the district and one of the oldest extant properties in Oklahoma City at large.

The 1922 Sanborn Map illustrates a one-story frame dwelling with a full-width front porch and a small back porch at the northeast corner. A small, one-story accessory building and a separate one-story “autohouse” are shown on the rear property line. The 1955 Sanborn shows the rear autohouse removed, with a small autohouse located on the east property line near the back corner of the dwelling. None of the accessory buildings remain.

**1. Existing Conditions**

At the dwelling, historic windows are no longer extant and original siding has been covered over with a different material. The rear portion of the house appears to have been altered, with the porch enclosed or replaced. A non-historic duplex is located in the rear yard, near the back property line. The applicant has provided information about its building materials and methods of construction that indicate it may have been constructed as recently as the 1980s. A significant amount of paving is present at the site, including in the front yard.

**2. Previous Actions**

Other than the reviews described above, no other actions appear to be on file for this property.

**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.\**

**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 23, Install brick veneer at accessory dwelling (elective); 24, Install door at exterior utility closets at accessory dwelling (elective); 25) Add windows at front and rear of accessory dwelling (elective).**

- a. Description: The applicant proposes to replace the existing, non-historic siding material, previously intended to be replaced with fiber cement lap siding, with brick. The applicant proposes to install additional windows above the front entrance, above the rear entrances, and to add exterior doors to utility closets on the side elevations of the accessory building.
- b. References: *Design and Sustainability Standards and Guidelines for Oklahoma City Historic Districts*

### **3.1 Maintenance, Preservation and Rehabilitation of Exterior Building Materials**

- 3.1.10: Oklahoma City's historic districts contain structures from a wide range of eras with varying degrees of historic significance and integrity. Changes to the exterior of any structure or site, regardless of its age, have the ability to contribute to, or to detract from, the overall character of the district and are subject to review. Changes to structures or additions built within the last 25 years or determined by the Commission to be non-historic shall be reviewed under the guidelines for New Construction.

### **3.5 Doors and Entries**

- 3.5.11: Alternative materials for doors and door frames such as composite wood and aluminum clad wood, may be considered for side and back door locations except for the Heritage Hills Historic and Architectural District for which only wood doors are permitted.

### **4.5 Accessory Buildings**

**Policy:** Accessory buildings could have been very modest, simple rectangular buildings such as barns, garages or outbuildings with one large opening for an overhead or sliding garage door or more ornate children's playhouse, workshops or carriage houses with materials and details that matched the main building. Garages are addressed separately in the preceding section within this chapter.

The retention of existing, accessory buildings is encouraged. Refurbishment and modifications to historic accessory buildings is preferred to demolition and replacement. New accessory buildings are permitted where necessary, and they should have their own form. However, they should appear as secondary structures and not visually overwhelm or compete with the property's other historic buildings.

**Design Justification:** The way in which new accessory buildings relate to other historic buildings of a property is important in historic districts. A new accessory building directly affects the integrity of the property as a whole. Therefore, a new accessory building should not detract from the historic character of the property.

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

- 4.5.6: If documentation of a historical accessory building at the site is not

available, the size, design and location of a new accessory building should be in keeping with other accessory buildings in the block and historic district.

- 4.5.8: Design of new accessory buildings shall be secondary to that of the main historic building and should be secondary to the design of the property's historic garage.
- 4.5.9: Accessory buildings more than six feet tall should be compatible in size, scale, proportion, spacing, texture, setbacks, height, materials, color and detail to the main residential building. Additionally, new accessory buildings may relate to similar accessory buildings within the historic district.
- 4.5.10: Materials used at accessory buildings should reflect the use and function of the accessory building, and not necessarily that of the primary building. Materials used at exterior facades of accessory buildings were often different (simpler and less costly) than material used for the main building.
- 4.5.12: Spacing and size of window and door openings should be similar to their historic counterparts within the block or historic district, as should the proportion of window to wall space.

#### 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.

##### 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.
- 4.6.9: 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.

### Doors

- 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.
- 4.6.22: 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.

- c. Considerations: The applicant previously established that the accessory dwelling is not historic. On this basis, changes to the accessory dwelling may be reviewed against the Guidelines for new construction. The proposed windows appear to be consistent with existing and previously approved windows on the structure and are minimally visible or not visible from the public right-of-way.

The proposed doors on the side elevations may be fully or partially visible from the alley to the east, which is open and a public right-of-way, and from the property to the west. The proposed doors are steel, which is neither explicitly permitted nor prohibited by the Guidelines. As they are located in a rear yard, on an accessory building, partially or fully screened from view by their location and by other structures and fences, the proposed doors may not adversely affect the character of the property and district.

The proposed brick is a color or texture not typical of the surrounding district and not present at the subject property, and is not the typical brick size used at historic structures. The Guidelines state that accessory buildings should be secondary to the primary dwelling, and that materials at new construction should be consistent with the materials at other buildings at the property, within the block, and throughout the district. The installation of the selected brick will be visible from NW 25<sup>th</sup> Street and

from the public alley to the east, and may more noticeably impact the character of the property.

d. Recommended Specific Findings:

1. That the proposed modifications to the windows meet applicable Guidelines, and are consistent with previously approved changes to the structure;
2. That the proposed doors meet applicable Guidelines and will have minimal impact upon the character of the property and district;
3. That the installation of brick veneer may be inconsistent with the character of the property and district.

2. **Item 26, Modify paving in front yard (elective).**

- a. Description: The applicant proposes to remove an existing parking pad in the front yard, leaving only a 10' wide driveway at the east side of the property. The applicant proposes to install a 4' front walkway extending from the front porch to the public sidewalk. The applicant proposes to install a second driveway at the west side of the property, extending to a point even with the front wall of the house, as previously indicated in the review of the rezoning application.
- 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 runoff.

- 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.

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- 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.
  - 2.3.10: Locate new driveways and sidewalks so that the topography of the building site and significant landscape features, such as mature trees, are retained. Protect mature trees and other significant landscape features from direct construction damage and from delayed damage such as destruction of root area or soil compaction by not permitting construction equipment access to the ground area under the tree canopy.
  - 2.3.11: Curb cuts, including those intended to comply with the Americans with Disabilities Act (ADA), should be installed to minimize damage to the original concrete sidewalks. The color and texture of the new concrete shall match and be consistent with the existing adjacent concrete color and texture.
  - 2.3.12: Driveways, eight feet or less in width, may be replaced by a driveway of up to ten feet in width; width may vary as the driveway approaches the garage to correspond to the width of the garage door openings. However, property owners are encouraged to limit the quantity of impervious concrete surfaces to assist in reducing storm water runoff.
  - 2.3.13: Ribbon driveways consisting of two parallel tracks, may also be considered. This type of driveway reduces storm water run-off across hard or impervious surfaces by minimizing the amount of concrete used.
  - 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.
  - 2.3.18: Removal of non-historic existing parking lots adjacent to streets and driveways is encouraged to create an unbroken blockface.
- c. Considerations: Removal of the parking spaces in the front yard, and installation of a typical concrete walkway, restores a more historically appropriate character to the property and reduces the area of the lot covered by impermeable surfaces. The proposed

second driveway is not a typical design feature, and undermines the impact of the removal of the front yard parking spaces on the permeability of the site. A unique circumstance exists in this instance, in that allowing the property to accommodate up to five dwellings, and to provide parking in this form, was previously recommended for approval by the Commission in review of SPUD-01466. In addition to the SPUD, the property has historically contained at least three dwellings, and providing parking in the form of a second driveway of an appropriate width is more appropriate than the existing condition.

d. Recommended Specific Findings:

1. That the removal of front yard parking, restoration of the driveway, and installation of a front walkway meet applicable Guidelines and are an appropriate enhancement of the historic character of the property and streetscape;
2. That the installation of a second curb-cut and driveway is not consistent with the Guidelines, and is not a typical method to address parking needs;
3. That the proposed second driveway and associated parking configuration was reviewed and recommended for approval by the Historic Preservation Commission previously as part of the property's rezoning to accommodate additional dwellings;
4. That the proposed second driveway meets relevant Guidelines for the size and configuration of driveways;
5. That the proposed driveway could easily be removed with no impact to the historic character of the property at such a time as it is no longer necessary.

3. **Item 27, Split lot (elective).**

- a. Description: The applicant proposes to split the property into two parcels. Lot One spans the western 40 feet of the southern portion of the lot, with a depth of 69 feet - except for a 5' wide "panhandle" extending to the rear property line, in order to accommodate utilities. Lot Two spans the eastern 45 feet of the rear of the property, extending forward 71 feet ,except for the 10- foot- wide driveway portion that extends to the street. This lot configuration was previously recommended for approval by the Historic Preservation Commission as part of the review of SPUD-01466 and subsequently approved by City Council.
- 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.
- 2.1.3: If new lots are created, they should have a width no less than 90 percent and no more than 110 percent of the average width of all lots in both the same blockface and the opposite blockface.

## 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.

- c. **Considerations:** The proposed lot split creates lot widths, configurations, and setbacks that are not typical of the historic district and that do not meet Guidelines for the creation of new lots. The Guidelines state that new lots should be no less than 90% of the average lot width on the block, which would be approximately 45 feet. At 40 feet for one lot and 5 feet (at the street) for the other, the lot configuration is not consistent with the historic configuration of the lot.

In this case, the division of the lot accommodates the existing development of the property; while the accessory building has been determined to be non-historic, it is an

established feature of the property and is not proposed to be replaced. The lot split is intended to facilitate the separation of the two structures and related utilities into separate ownership, and is not intended to facilitate a physical change to the property. If either or both structures were ever to be demolished, Guidelines for new construction would remain in place to ensure appropriate redevelopment.

d. Recommended Specific Findings:

1. That the proposed lot split is not consistent with the Guidelines for the lot size and setbacks;
2. That the proposed lot split is reflective of the existing, established development of the property, and is not intended to facilitate redevelopment of the site in a manner inconsistent with the surrounding district;
3. That the proposed lot split will facilitate the division of the property and its utilities for the eventual sale of the two structures separately, and does not impact the physical character of the property;
4. That any future redevelopment of the site would be subject to applicable Guidelines and regulations for alterations, demolition, or new construction;
5. That the Historic Preservation Commission previously recommended approval of the rezoning application intended to allow the proposed lot split.

**E. HPCA-22-00171 STAFF RECOMMENDATION:**

- 1. Approve Items 23, Install brick veneer at accessory dwelling (elective); 24, Install door at exterior utility closets at accessory dwelling (elective); 25) Add windows at front and rear of accessory dwelling (elective) 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 the proposed modifications to the windows meet applicable Guidelines and are consistent with previously approved changes to the structure;
2. That the proposed doors meet applicable Guidelines, and will have minimal impact upon the character of the property and district;
3. That the installation of brick veneer may be inconsistent with the character of the property and district.

**Condition:**

1. That if directed by the Commission, the applicant will submit an alternate cladding material prior to release of the Certificate of Appropriateness.
- 2. Approve Item 26, Modify paving in front yard, with Unique Circumstances** with the specific findings that the proposed work will not have an adverse effect on the historic

character of the district or property; that the following **unique circumstances** exist; that the items do not strictly comply with all relevant Standards and Guidelines or are not addressed by them, but are nonetheless consistent with the spirit and intent of the 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 removal of front yard parking, restoration of the driveway, and installation of a front walkway meet applicable Guidelines and are an appropriate enhancement of the historic character of the property and streetscape;
2. That the installation of a second curb-cut and driveway is not consistent with the Guidelines and is not a typical method to address parking needs;
3. That the proposed second driveway and associated parking configuration was reviewed and recommended for approval by the Historic Preservation Commission previously as part of the property's rezoning to accommodate additional dwellings;
4. That the proposed second driveway meets relevant Guidelines for the size and configuration of driveways;
5. That the proposed driveway could easily be removed with no impact to the historic character of the property at such a time as it is no longer necessary.

**Unique Circumstance:**

1. That the second driveway is not a typical historic condition, but is preferable to alternate configurations of paving necessary in order to accommodate the development of the site as previously determined to be appropriate.
3. **Approve Item 27, Split lot, with Unique Circumstances** with the specific findings that the proposed work will not have an adverse effect on the historic character of the district or property; that the following **unique circumstances** exist; that the items do not strictly comply with all relevant Standards and Guidelines or are not addressed by them, but are nonetheless consistent with the spirit and intent of the 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 lot split is not consistent with the Guidelines for the lot size and setbacks;
2. That the proposed lot split is reflective of the existing, established development of the property and is not intended to facilitate redevelopment of the site in a manner inconsistent with the surrounding district;
3. That the proposed lot split will facilitate the division of the property and its utilities for the eventual sale of the two structures separately, and does not impact the physical character of the property;
4. That any future redevelopment of the site would be subject to applicable Guidelines and regulations for alterations, demolition, or new construction;

5. That the Historic Preservation Commission previously recommended approval of the rezoning application intended to allow the proposed lot split.

**Unique Circumstance:**

1. That the subdivision of the lot is reflective of the existing development of the site and will not facilitate new development that is inconsistent with the historic character of the property and district.

*Note: Staff recommendation does not constitute Commission action.*

*\*Relevant Sections of Chapter 59 the Oklahoma City 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 Oklahoma City 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.*

*KMF*