



STAFF REPORT

Historic Preservation Commission

June 2, 2021
HPCA-21-00061

Agenda Item: VI. D. 5.
Case Number: HPCA-21-00061
Property Address: 436 NW 30th Street
District: Jefferson Park Historic District
Applicant: Robison & Assoc.
John Robison
2927 Paseo
Oklahoma City, OK 73103
Owner: Mumtaz Khan
17109 Wales Green Ave
Edmond, OK 703012

A. CASE ITEMS FOR CONSIDERATION

1. Construct parking lot (elective);
2. Install driveway (elective);
3. Construct accessible ramp and landing at rear entrance (elective);
4. Construct accessible ramp at rear entrance (elective);
5. Install raised planting beds at front elevation (elective);
6. Install landscape beds at driveway and parking lot (elective);
7. Install trash enclosure (elective); and
8. Install fence (elective).

B. BACKGROUND

1. Project Description

The applicant proposes to install a driveway and parking lot, accessible ramps at the front and rear entrances, and landscape beds at various locations.

2. Location

Project site is located on the south side of NW 30th Street, one property to the east of N Walker Avenue.

3. Site History

Date of Construction: 1924

Zoned Historic Preservation/Historical Landmark: 1998

National Register Listing: 1995

Description from National Register Nomination Intensive Level Survey:

436 NW 30th. 1917. This is a one-story converted house of no distinctive style, built as a bungalow with exposed rafter tails. The false aluminum front was added to indicate a commercial establishment (non-original). The two entrances are on the front. The false front has a concrete block foundation. This building is noncontributing due to alterations. *Note: While the National Register of Historic Places identifies contributing and non-contributing properties, the City of Oklahoma City's HP zoning does not make this distinction.*

Additional Information:

The 1922 Sanborn map indicates a one-story, frame dwelling with a front porch spanning the western 2/3s of the front (north) elevation and a small rear porch. A one-story, frame "autohouse" (garage) is indicated near the southeast corner of the property. No changes are shown on subsequent maps. By the time of the 1995 National Register nomination, a false commercial front had been constructed on the building. This was removed some time after 2015. There do not appear to have been any approvals for the removal of the storefront.

4. Existing Conditions

The commercial front has been removed, revealing a gable roof and what may be an enclosed porch with commercial style door and windows. Concrete steps and a ramp access a door on the east side of the structure.

5. Previous Actions

In February 2021, The Historic Preservation Commission approved portions of HPCA-21-00051 to remove a side entrance and to install a ramp to the rear entrance. Proposed alterations to the front elevation of the structure were denied.

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, 2010.**

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, 2010 as referenced below:*

- 1. Item 1, Construct parking lot (elective), 2, install driveway (elective), 3, Construct accessible ramp and landing at rear entrance; 4) Construct accessible ramp at front entrance (elective); 5) Install raised planting beds at front elevation (elective); and 6) Install landscape beds at driveway and parking lot (elective).**

- a. Description: The applicant proposes to remove much of the paving at the front of the structure to create a landscaped area between the street and sidewalk, an accessible ramp at the front entrance, and a raised landscape bed to the east. The height and material of the landscape bed is not indicated.

The raised landscape bed serves to address the slope down to the area where the applicant proposes a new 12' wide driveway, with a curb proposed to divide their portion of the shared drive and to divert water out to the street. Landscape beds are proposed down the east side of the structure, separating it from the driveway.

The applicant proposes to pave the entire rear portion of the site in order to create a parking lot. The proposed parking lot contains ten parking spaces plus bike racks. The applicant indicates that this is the required number of spaces for their intended use as an event space (8300.55 Participant Recreation and Entertainment: Indoor (Banquet Hall)). The property is zoned C-3 and functioned previously as a daycare facility. An accessible landing is proposed at the rear entrance to the building.

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

2.5 Landscape & Landscape Elements

Policy: The term “landscape” comprises the exterior environment of a historic property. Landscape elements can be natural or constructed features, including decks, patios, landforms, site furniture, pools, fountains, terraces, sculptures, planters, trellises, pergolas, outdoor lighting and other features, which generally should be located out of public view. Landscape features should be restrained on the fronts of buildings to allow viewing of the “public face” of the property and maintain historic streetscapes.

Design Justification: Just as the site, context and environment are critical to the character of a historic building, property and district, the landscape is also an important character-defining feature of a historic property. Original or historic landscape elements may be important character-defining features of a historic property and should be preserved. Added landscape features are more appropriate in back or side yards.

Sustainability Justification: Retain existing elements that represent embodied energy or impart some degree of energy efficiency to the building (e.g., a shading pergola). Address sustainability standards when installing new elements, such as light fixtures with solar cells. Screening with landscaping is preferred over fencing, as fencing requires new resources and energy to manufacture and transport. Landscaping with native and low-water plants conserves water.

- 2.5.1: Maintain existing historic landscape and landscape features to preserve the historic district setting.
- 2.5.2: Historic elements, such as retaining walls, should be retained and preserved.
- 2.5.3: Landscape elements in back yards, not visible from any street or adjacent property and less than six feet in height are not subject to review unless a building or other type of permit is required by the Municipal Code.
- 2.5.8: Maintain existing, successful drainage patterns to minimize run-off, which can contain herbicides and pesticides, introducing them into the waste

water system.

- 2.5.10: Patios and other paved landscape elements in back yards should use permeable paving systems to minimize changes to drainage patterns and storm water run-off.
- 2.5.11: Actions beyond maintenance have the potential to alter a site or building, which could affect their historic character.
- 2.5.12: The introduction of new materials visible from the public right-of-way will likely be sustainability considerations and require administrative review.
- 2.5.13 Landscape elements that are not visible from any public way and otherwise meet all relevant guidelines may be administratively approved.
- 2.5.14: New retaining walls may be approved to preserve a natural or existing historic slope in the front and side yards only if an earlier retaining wall on the property can be documented.
- 2.5.15: New retaining walls not to exceed two feet in height may be approved to preserve a natural or existing slope in back yards not visible from the public right of way.
- 2.5.16: The height of a new retaining wall may not exceed the height of the slope it retains.
- 2.5.17: A retaining wall in front or side yards visible from the public right of way shall be constructed of unpainted natural stone, brick or finished concrete that is compatible in texture, color and style to the main building or adjacent paving materials.
- 2.5.18: A retaining wall constructed in side or back yards not visible from the public right of way may be constructed of alternative materials; i.e., concrete block, landscape block, landscape timbers, etc.
- 2.5.35: Significant alteration of the topography of a property through extensive grading, removal or alteration of rolled terraces and similar character-defining features, filling or excavating, is not permitted.
- 2.5.36: Relocating drainage features is discouraged, unless such actions seek to correct poor surface and storm water run-off drainage situations. Storm water harvesting is encouraged.
- 2.5.37: It is not appropriate to alter the overall character of historic districts by substantially reducing the ratio of open space to built space on any site through new construction, additions or introduction of surface paving or other hardscape features.
- 2.5.38: Landscape elements such as stone or masonry edging materials for raised planting beds shall not exceed 18 inches in height in front or side yards and shall match or complement the design, scale and details of such elements historically found within the historic district.

- c. Considerations: The proposed width of the driveway exceeds the 10 feet allowed by the Guidelines under administrative approval. The driveway approach currently exists and is shared with the property to the east; the subject property's "approach" has no curb on the west and consists of continuous paving across the full width of the site. The impact of introducing a curb down the middle of the drive for the neighboring property owner should be evaluated, particularly if there is a shared access agreement between the two properties.

The width of the driveway may require a variance related to the requirements of the proposed use. If a variance is required, it may be more appropriate to pursue a 10 foot wide driveway consistent with the Guidelines.

The proposed changes to the front yard of the property appear to be a significant improvement to the visual character of the property and the block, removing paving and creating a landscaped yard. Details of the raised bed, including height and material, have not been specified. In addition, some of this work, including the installation of ramps, appears to fall in the public right of way and may trigger additional reviews and requirements.

The proposed work alters the topography of the site in order to create a more level driveway. The proposed work introduces a significant amount of paving in the rear yard, though some paving is removed and landscape added in the front yard. Color and finish of the proposed paving has not been specified.

- d. Recommended Specific Findings:

1. That the front yard of the property has been altered previously from the presumed historic condition;
2. That removal of paving and reinstallation of landscaping in the front yard appears to be an improvement to the appearance and historic integrity of the property and the block;
3. That details of the proposed work to the front yard remain undefined,
4. That some of the proposed work, including the installation of ramps in the right of way, may require additional review or revisions to meet City standards;
5. That the proposed driveway exceeds the allowed width and may require a variance;
6. That the proposed parking is largely screened from view due to location and is an improvement over parking in the front of the property;
7. That the proposed work alters the topography of the site and introduces more impermeable surface;
8. That the property is zoned for commercial use and has been used in a non-residential manner for some time.

1. Item 7, Install trash enclosure (elective) and Item 8, Install fence.

- a. Description: the applicant proposes the installation of a 6 foot tall wood fence and a 6 foot tall wood trash enclosure at the southeast corner of the property.

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

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.

Sustainability Justification: Preserving existing fences and fence walls saves resources. New wood fences constructed of lumber from managed forests represents use of a renewable resource. Petroleum-based vinyl fencing is not a sustainable material.

- 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.
- 2.8.12: 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.
 - 2.8.19: 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: It is not clear on the site plan where the fence stops on the east property line, but it appears to be forward of the 40% setback required in the Guidelines. All other aspects of the proposed fencing and enclosure appear to meet relevant Guidelines for administrative approval.
- d. Recommended Specific Findings:
1. That the proposed work appears to meet relevant Guidelines for height and material but has not been documented to meet the applicable setback requirements.

E. HPCA-21-00061 STAFF RECOMMENDATION:

1. **Approve Items 1-6 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 front yard of the property has been altered previously from the presumed historic condition;
- 2) That removal of paving and reinstallation of landscaping in the front yard appears to be an improvement to the appearance and historic integrity of the property and the block;
- 3) That details of the proposed work to the front yard remain undefined,
- 4) That some of the proposed work, including the installation of ramps in the right of way, may require additional review or revisions to meet City standards;
- 5) That the proposed driveway exceeds the allowed width and may require a variance;
- 6) That the proposed parking is largely screened from view due to location and is an

improvement over parking in the front of the property;

- 7) That the proposed work alters the topography of the site and introduces more impermeable surface;
- 8) That the property is zoned for commercial use and has been used in a non-residential manner for some time.

Conditions:

- 1) That the height of the raised landscape bed be specified;
 - 2) That a material for the landscape bed consistent with the Guidelines be selected and specified prior to release.
2. **Approve Items 7-8 with 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; 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 work appears to meet relevant Guidelines for height and material but has not been documented to meet the applicable setback requirements.

Conditions:

- 1) That a site plan illustrating the fence as stopping at least 40% of the length of the side yard back from the front wall of the structure be submitted to staff prior to release of the Certificate of Appropriateness.

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, 2010 are available online at www.okc.gov/planning/hp/index.html ; at Planning Department offices located at 420 W. Main, 9th floor, and each HP Commission Meeting.

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