



# TULSA PRESERVATION COMMISSION

## REGULAR MEETING MINUTES

**Thursday, April 13, 2023, 11:00 A.M.**

City Hall @ One Technology Center, 175 East 2<sup>nd</sup> Street  
10th Floor, North Conference Room

### A. Opening Matters

#### 1. Call to Order and Verification of Quorum

Commissioner Parker called the Regular Meeting to order at 11:02 A.M.

#### **Members Present**

Katelyn Parker, RA, Chair  
Mark D. G. Sanders, Vice-Chair  
Chris Bumgarner  
Geoffery Evans, PLA, ASLA  
Peter Grant, CGR, CAPS  
Susan McKee, MFA  
Mary Lee Townsend, Ph.D.

#### **Members Absent**

Royce Ellington, Secretary  
Shane Hood  
James Turner, AIA

#### **Staff Present**

Felicity Good, Audrey Blank, Jeremy Banes

#### **Others Present**

Todd Shust, Robert Finnell, Keith Martin, Adam Doverspike, Dallas Murr-Thompson, John Spillyards, Kevin Cox

#### 2. Approval of Minutes – Regular Meeting, March 9, 2023, and Regular Meeting, March 28, 2023

Commissioner Grant made a motion to approve the minutes of the regular meeting on March 9, 2023. The motion was seconded by Commissioner McKee and passed with a majority.

Vote: Minutes – Regular Meeting, March 9, 2023

#### **In Favor**

1. Parker
2. Sanders
3. Grant
4. McKee
5. Townsend

#### **Opposed**

#### **Abstaining**

Bumgarner  
Evans

#### **Not Present**

Ellington  
Hood  
Turner

Commissioner Grant made a motion to approve the minutes of the regular meeting on March 28, 2023. The motion was seconded by Commissioner Sanders and passed with a majority.

Vote: Minutes – Regular Meeting, March 28, 2023

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Sanders		Parker	Ellington
2. Grant		Bumgarner	Hood
3. McKee		Evans	Turner
4. Townsend			

3. Disclosure of Conflicts of Interest  
Commissioner Sanders disclosed that he had a conflict of interest in HP-0440-2023 at 1214 East 17<sup>th</sup> Place and would recuse himself from discussion and voting on that item.

B. Actionable Items

1. **HP-0440-2023 / 1214 E. 17<sup>th</sup> Pl.** (North Maple Ridge)  
*Historic Preservation Permit Subcommittee Review Date: March 21, 2023*  
Applicant: Adam Doverspike  
Proposal:
  1. Construction of addition on south side of residence

Staff directed commissioners' attention to Section 70.070-F of the Tulsa Zoning Code and afterwards presented its report and shared supplemental materials provided by the applicant—a new west elevation, photographs of existing windows with only interior muntins at the rear of the house, and a revised proposal for windows with interior muntins. The applicant, Adam Doverspike, and his contractor, Todd Shust, were present. Commissioner Grant asked when the sleeping porch addition on the east side had been constructed, and Felicity Good replied that she had been unable to find information about the addition. Mr. Doverspike also did not know but stated that the addition had been constructed by previous owners. Commissioner Townsend asked whether the proposal for interior muntins had been recommended for approval by the Historic Preservation Permit Subcommittee, and Ms. Good and Commissioner Parker clarified that the subcommittee had requested additional information about the existing muntins on the house and recommended that the applicant match what was present. Ms. Good added that, according to the applicant, some windows on the house had exterior muntins while others had only interior muntins. Commissioner Grant asked for clarification about the proposed muntin placement, and Mr. Shust replied that they proposed windows with interior muntins and described the proposed window divisions. Commissioner Grant asked how many windows have interior muntins, and Mr. Shust stated that three (3) existing windows had only interior muntins. Commissioner Townsend inquired about the windows visible on the west side of the house, and Ms. Good clarified that no original wood windows remained on the house but the visible windows on the west side were vinyl windows with exterior muntins. Commissioner McKee asked if the windows on the addition would be the only windows with interior muntins visible from the street, and Mr. Shust answered affirmatively. Commissioner Grant asked about the other windows on the façade, and Mr. Shust described them. Commissioner Evans noted that the staff report indicated that the subcommittee only requested the applicant to present more information on the existing windows as part of their recommendation. Mr. Doverspike gave a

rationale for the proposal, pointing out that there were various styles of windows in the house and that the proposed windows matched one of those existing styles.

Due to the addition's minimal visibility from the street and the evidence of windows with interior muntins present on the house, Commissioner Evans made a motion to approve the application with the proposed windows and supplemental materials provided by the applicant at the meeting. The motion was seconded by Commissioner Bumgarner and passed unanimously.

**Vote: 1214 E. 17<sup>th</sup> Pl. (North Maple Ridge)**

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Parker		Sanders*	Ellington
2. Bumgarner			Hood
3. Evans			Turner
4. Grant			
5. McKee			
6. Townsend			

\*Recused

2. **HP-0444-2023 / 1332 E. 18<sup>th</sup> St. (Swan Lake)**

*Historic Preservation Permit Subcommittee Review Date: April 6, 2023*

Applicants: Keith and Sasha Martin

Proposal:

1. Construction of fence

Staff presented its report, and the applicant, Keith Martin, was present. Commissioner Sanders reported that the Historic Preservation Permit Subcommittee had been familiar with the project and recommended approval of the application. Commissioner Sanders added that he preferred wrought iron over the proposed Ameristar fence, but the subcommittee had not recommended that as a condition of approval.

Commissioner Sanders further explained that the fence would connect to a neighbor's fence, which was not shown in the applicant's exhibit. Commissioner Evans asked if the rail would be placed atop or adjacent to the wall, and Mr. Martin replied that the fence would be attached to the top of the wall and that the stone cap on the retaining wall would be placed around the posts. Commissioner Bumgarner asked if the wall should be taller to meet building code requirements, but Commissioner Parker confirmed that the residential building code would only require the fence to be thirty-six inches (3'-0") tall. Commissioner Grant asked if the rail on the porch was included in the proposal, and Mr. Martin explained that it was an existing feature which he believed to be original to the house.

As there was no further discussion, Commissioner Grant made a motion to approve the application. The motion was seconded by Commissioner Townsend and passed unanimously.

**Vote: 1332 E. 18<sup>th</sup> St. (Swan Lake)**

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Parker			Ellington
2. Sanders			Hood
3. Bumgarner			Turner
4. Evans			
5. Grant			
6. McKee			
7. Townsend			

**3. HP-0436-2023 / 1127 S. Norfolk Ave. (Tracy Park)**

Applicant: Camaron Benjamin

Proposal:

1. Installation of solar panels

Staff presented its report, noting the applicant had revised the proposal so that the solar panels would be placed only on the east side of the house and on the detached garage. Commissioner Townsend commented that she was impressed that the applicant had followed the precise recommendation of the Commission. As there was no discussion, Commissioner Townsend made a motion to approve the application. The motion was seconded by Commissioner Grant and passed unanimously. Commissioner Townsend asked staff to extend thanks to the applicant for his cooperation and willingness to revise the proposal.

**Vote: 1127 S. Norfolk Ave. (Tracy Park)**

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Parker			Ellington
2. Sanders			Hood
3. Bumgarner			Turner
4. Evans			
5. Grant			
6. McKee			
7. Townsend			

**C. Public Information Session – Section 106 of the National Historic Preservation Act**

1. Demolition of 2748 East Admiral Court proposed by City of Tulsa with Community Development Block Grant (CDBG) funds
2. Demolition of 3337 East King Place proposed by City of Tulsa with CDBG funds
3. Demolition of 68 North Harvard Avenue proposed by City of Tulsa with CDBG funds

Staff presented a summary of Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800. Ms. Good explained that the property at 2748 East Admiral Court was considered a Contributing Resource to the Cherokee Hills Historic District, which had been determined to be eligible for inclusion in the National Register of Historic Places (National Register); the properties at 3337 East King Place and 68 North Harvard Avenue were considered Contributing Resources to the Harvard Hills Historic District, which had also been determined to be eligible for inclusion in the National Register; and all three (3) properties were located within the boundaries of the Cherokee Nation. Commissioner Sanders asked about the processes and standards for determining whether a property is historic during the Section 106 review. Ms. Good explained that the boundaries of historic districts are

usually identified through the Section 106 process either through a consensus determination on eligibility or through a formal determination on eligibility for the National Register. Ms. Good stated that the Cherokee Hills Historic District and Harvard Hills Historic District had previously been determined eligible for inclusion in the National Register, and that staff and the State Historic Preservation Office agreed that the three properties at 2748 East Admiral Court, 3337 East King Place, and 68 North Harvard Avenue were contributing resources in the respective districts during the Section 106 review process. Upon a request for additional information from Commissioner Sanders, Ms. Good stated that, if certain federal undertakings are proposed, then the Section 106 process is required, and goals of that process include the identification of properties that might be eligible for the National Register, determination of the undertaking's effect on historic properties, and mitigation of any adverse effects.

Commissioner Townsend asked about the ownership of the properties, and Ms. Good introduced Kevin Cox, supervisor in the City of Tulsa Working in Neighborhoods Department (WIN). Mr. Cox stated that all three properties had been identified as dilapidated structures and provided additional information about each property. Mr. Cox stated that the owner of 2748 East Admiral Court was deceased, and the property would be subject to a land sale in June. If the property is sold, Mr. Cox stated that WIN intended to work with the owner to try to get the house rehabilitated. Mr. Cox explained that the majority of inspectors' time is spent working with owners to rehabilitate properties and that the City of Tulsa saw demolition as a last resort. Mr. Cox stated that he was not aware of inspectors directly interacting with the property owner of 3337 East King Place but noted that WIN follows a process that includes legal notices, and if an owner were to step forward, WIN would aim to work with them to rehabilitate the building to a safe and habitable condition. Finally, Mr. Cox noted that a representative of the newly appointed executor of the estate for 68 North Harvard Avenue was present and that the property had not yet been declared a public nuisance. Mr. Cox emphasized that WIN has spent extensive time and efforts encouraging rehabilitation throughout the Kendall Whittier neighborhood and that he hoped to reach an agreement with the owners to rehabilitate the property and make it habitable. If that could not be achieved, Mr. Cox stated that the City may eventually move forward with demolition.

Dallas Murr-Thompson, inspector in WIN, stated that the previous executor of the estate for 68 North Harvard Avenue was removed and a new executor appointed the previous day. Mr. Murr-Thompson stated that the new executor's paralegal was present and that the executor would determine whether funds were available for rehabilitation of the property. Mr. Murr-Thompson indicated that the City would do its best to assist the owner in the rehabilitation if needed. Commissioner Sanders inquired how WIN assists in rehabilitation, and Mr. Cox explained that the owner must take several steps, including submitting a checklist of work to be done and a construction schedule. WIN works with the owner to ensure that work is completed within a set timeline, typically six (6) months, and ensures that the work is permitted and inspected by the City of Tulsa. Commissioner Sanders asked if WIN provides guidance on historically appropriate building methods and materials. Mr. Cox responded that if the property is in a Historic Preservation Overlay, it must go through the historic preservation permit process, but outside of the overlays WIN only requires what is relevant to the health and safety of the public. Commissioner Grant asked whether the preservation commission needed to take action on the agenda items, and Ms. Good stated they did not, but any public comments should be submitted to her via e-mail by May 5, 2023.

Commissioner McKee thanked Mr. Cox and Mr. Murr-Thompson for the work they do, and Commissioner Townsend agreed. Ms. Good outlined the next steps in the Section 106 process, which included contacting the Tribal Historic Preservation Officer of the Cherokee Nation to give a second opportunity to comment on the projects, sending documentation to the Advisory Council on Historic Preservation to give them an opportunity to comment, and then, if they decline to comment, preparing a Memorandum of Agreement in consultation with the State Historic Preservation Office outlining mitigation efforts.

Dallas Murr-Thompson asked if the amount of damage was a factor in determining whether a structure was considered historic. Ms. Good explained that eligibility for the National Register was based on both historic significance and integrity and that, if a property were so altered or destroyed that it was no longer a contributing resource, then it would not be considered historic. However, the State Historic Preservation Office determined that the three (3) properties in question were contributing resources to the respective districts and that there would be an adverse effect if they were demolished. Commissioner Parker asked if the properties would be eligible for historic tax credits if they were rehabilitated. Ms. Good stated she believed that the tax credit program required the property to be individually listed in the National Register or a contributing resource to a district listed in the National Register. Ms. Good added that the tax credit program is also limited to income producing properties.

D. Reports

1. Staff Report

Staff reported on Work initiated without an historic preservation permit at 1233 South Newport Avenue, 1514 South Gillette Avenue, and 1709 South Trenton Avenue. Commissioner Sanders asked about the need for a 10-day period between sending notification letters and requesting WIN to intervene, particularly when Work was in progress. Ms. Good said the 10-day response process is a courtesy to owners but that if work is in progress WIN could be asked to follow up immediately. Commissioner Grant stated that the City of Tulsa could issue a stop work order for projects that do not have a building permit, and he believed a similar process could be employed for historic preservation permits. Commissioner Sanders further pointed out that it is harder to tell an owner to undo completed work than to stop work and seek the input of the preservation commission. Ms. Good agreed to the approach for future cases but noted that in this case a letter of notification had already been sent to the owner allowing 10 days to respond.

Staff reported on a staff-approved historic preservation permit:

a. **1638 E. 17<sup>th</sup> PI. (HP-0438-2023)**

Replacement in-kind of damaged trim around eaves

Staff reported that the Window Restoration Workshop would take place April 15-16, that nominations for the 2023 Preservation Awards were open through April 30, and that the 2023 Preservation Awards ceremony would be held on May 24, 2023.

2. Chair Report

None

E. New Business

None

F. Announcements and Future Agenda Items  
None

G. Public Comment

John Spillyards, Neighborhood Representative for North Maple Ridge, asked Kevin Cox how a community member could communicate with the owner of a property for which demolition is proposed in order to purchase said property for rehabilitation. Mr. Cox said the City would have no involvement in a private demolition. Representative Spillyards said he was referring to a house near 17th Street and Newport Avenue, which the City of Tulsa was proposing for demolition. Ms. Good said that, in that case, CDBG funding was not involved and that the WIN inspector assigned to the case is aware that an historic preservation permit would be required since the property is located within the North Maple Ridge Historic Preservation Overlay.

H. Adjournment

Commissioner Sanders adjourned the Regular Meeting at 12:01 P.M.