



TULSA PRESERVATION COMMISSION

REGULAR MEETING MINUTES

Thursday, May 14, 2015, 11:00 PM

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

A. Opening Matters

1. Call to Order and Verification of Quorum

Chairman Pounds called the Regular Meeting to order at 11:03 pm.

Members Present

David Pounds, Chair
David Schoell, Secretary
Charles Sottong
Susan McKee
Tom Neal
Jim Turner*

*Late

Members Absent

Robert Shears, Vice-Chair
EX-OF Pam Deatherage
John Snyder
Mike Craddock
EX-OF Ted Reeds

Staff Present

Jennifer Gates, Kristin Pack, Janine VanValkenburgh

Others Present

Preston Jones, Brent Snider, Phil Marshall, Randy Wagner, Jim Edwards, Molly Campbell, Chip Campbell, Ryan Treadway, Gary Hefner, Jerry Collard, Chip Atkins, Lindsay Perkins, Joan Crager, Lisa Williams, Diane Perkins, Mark Perkins

2. Approval of Minutes from April 28, 2015.

Commissioner Pounds made a motion to approve the request with condition record Commissioner Turner as absent. Commissioner Neal seconded the motion. The motion was approved unanimously.

Vote: Meeting Minutes April 28, 2015.

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Pounds			Shears
2. Schoell			Craddock
3. McKee			Snyder
4. Neal			Turner
5. Sottong			

4. Disclosure of Conflicts of Interest
Commissioner Neal stated he will recuse himself from COA-15-001 since he has worked with the homeowners in the past.

Commissioner McKee stated she has discussed with Yorktown Historic District President, Randy Wagner, regarding COA-15-019.

Chairman Pounds asked the Commission and audience for any objections to moving Actionable Item 8, COA-15-019, to Actionable Item 2. Applicant, Phil Marshall, requested Actionable Item 8 move to Actionable Item 3 since COA-15-014 and COA-15-019 are related. Chairman Pounds granted the request and moved Actionable Item 8, COA-15-019, to Actionable Item 3.

B. Actionable Items

- 1. Presentation and discussion of proposed Zoning Code Update by Mr. Kirk Bishop, the City's Zoning Code Consultant**

Kirk Bishop thanked the Commissioners for their comments and stated the comments have been entered into the log. Mr. Bishop stated he predicts the first phase of public review will end the first week of June. After the first phase ends, the consultants will prepare another draft which will go through the hearing and adoption process. Mr. Bishop stated the new draft is targeted to be available to the public around mid-July. Commissioner Pounds thanked Mr. Bishop for his time.

- 2. COA-15-14 / Barnard Trace/ 2324 E. 17th St. (Yorktown)**

Applicant: Lindsay Perkins and Phil Marshall for Barnard Trace LLC

COA Subcommittee Review Date: None

Request:

1. Install 5' ornamental steel fence along E. 17th Place
This would amend the previous December 11, 2014 TPC approval to install ornamental steel fence around east, west and south perimeter of property and between Block 1 and Block 2, with the condition that the fence be 4' in height along 17th Place, stepped down from 5' on the other sides.

Staff presented the application to the Commission and the applicant, Phil Marshall, was present at the meeting. The applicant stated he is a partner in the Barnard Trace LLC, and they submitted an application to INCOG to have a 5 foot perimeter fence and a 3.5 foot fence between Block 1 and Block 2. The request will be heard by TMAPC in the next week if Barnard Trace LLC has approval from the Preservation Commission. The applicant stated the 5 foot fence is a safety precaution for children living on the property in the future, and another reason for the request is for consistency. The applicant stated on the meeting held, April 28, 2015, a request was denied to construct a dry-stack retaining because it was not consistent, and the applicant wants the fence to be consistent in height.

Commissioner Pounds stated the original proposal from December 11, 2014 was to transition behind a kiosk. The applicant stated Barnard Trace LLC will not do the kiosk. Commissioner Neal stated he addressed the issue about consistency on the December 11, 2014 meeting since there are no fences in the rest of Yorktown Historic District. Phil Marshall and Barnard Trace LLC partner, Lindsay Perkins, restated the need for a 5 foot fence due to life safety. Commissioner McKee asked if there was a fence proposed on E. 17th Street. Applicant replied no since the ground is level, a fence is not necessary.

Commissioner Turner made a motion to approve the applicant's request. Commissioner Pounds seconded the motion. The motion was approved by majority. Guidelines cited: G.1.3, G.1.4.

Vote: 2324 E. 17th St. (Yorktown)

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Pounds	McKee		Shears
2. Schoell	Neal		Craddock
3. Sottong			Snyder
4. Turner			

3. COA-15-19 / 2144 E. 17th St. (Yorktown)

Applicant: Lindsay Perkins

COA Subcommittee Review Date: None

Requests:

1. Demolish contributing structure

Staff presented the application to the Commission and the applicant, Lindsay Perkins, was present at the meeting. Mr. Perkins stated the applicant is Lindsay Development LLC which is owned by himself and his wife, Diane. Mr. Perkins stated he previously lived on the corner of E.19th Street and S. Lewis Ave. and

attended Barnard School. Mr. Perkins stated he did not wish to address the merits of his application. Mr. Perkins stated he contacted the Gillette Historic District and Yorktown Historic District. Diane Perkins stated she and her husband were 3rd or 4th generation Tulsa families and made contributions to Tulsa, and she was taken aback by the reports she received regarding the Yorktown HD meeting.

Citizen, Randy Wagner at 2211E. 18th St stated he is the President of the Yorktown Neighborhood Association and retained a good relationship with Barnard Trace LLC, and Mr. Perkins was very communicative about all projects regarding Yorktown HD. Mr. Wagner stated his issue with the application regarded the statement the structure was dilapidated and deteriorating. Mr. Wagner stated the Yorktown HD citizens were unaware of any drug use within the building. Mr. Wagner stated the Barnard School had a chain link fence, and the property line is about 3 feet past the fence, but it is not a reason for demolition.

Citizen, Joan Crager at 1620 S. Lewis Ave. stated she knows the Perkins Family, and she has resided at her current address for several years. Ms. Crager stated she has a rental property in the area and has been before the Preservation Commission in the past. Ms. Crager stated the paint on proposed property is in good shape, and a young family could move there and fix it up.

Citizen, Lisa Williams at 2116 E. 18th St. stated she disagreed the structure is depilated. Ms. Williams stated her daughter is willing to buy the property and believed Mr. Perkins did not want to sell the property.

Citizen, Chip Atkins at 1638 E. 17th Pl. stated he bought a house in worse condition than the proposed property which suffered from holes in the roof and plaster separating from the walls. Mr. Atkins stated he respects Mr. Marshall and Mr. Perkins and had supported their projects over the years, but he was against demolition of the proposed property. Mr. Atkins stated he was before the Preservation Commission last year for a relocation of a property to the Swan Lake Historic District, and stated the relocated house was in worse condition than the proposed demolition property.

Citizen, Gary Hefner at 2140 E. 17th St. stated he has lived next door to the proposed property for seven years and is against the demolition of said property.

Citizen, Mark Perkins at 821 E. 3rd St. stated he was the son of the Diane and Lindsay Perkins and designed the Barnard Trace LLC logo. Mr. M. Perkins stated he would not characterize the house as rosy as others have stated, and there is confusion over the encroachment of the property line. Mr. M. Perkins stated the said property will not be part of Barnard Trace LLC development and the next house in succession will not be targeted for demolition.

Applicant, Lindsay Perkins, stated his intention was not to go through Yorktown HD and demolish structures. Mr. Perkins stated he found an issue with the property line between the Barnard Trace LLC property and the subject property. Mr. Perkins stated the property owner was his Certified Public Accountant [CPA] and friend, Jeff Burns. Mr. Perkins stated at the Yorktown HD meeting if someone wished to buy the property, he would be willing to sell said property, but no one has come forward with an offer. Mr. Perkins stated he does not have complete control over the property since he does not own it.

Commissioner Turner asked if the applicants would consider rehabilitation and resolve the encroachment issue. Mr. Perkins stated it was not economically feasible to do what he intended for a home, and it is Mr. Perkins belief the homeowner is supportive of demolition. In answer to a question by Commissioner Neal, legal staff said there may be a question of adverse possession or boundary by acquiescence and assumes that Mr. Perkins has talked to his attorney and that Mr. Perkins's attorney had told there is no adverse possession against a school district. Mr. Perkins stated there is not an issue with rehabilitation, but he does not currently own the house therefore does not have control because of his agreement with the homeowner. Mr. Perkins stated the homeowner has a profit incentive with the future of the lot.

Citizen, Mark Perkins, stated he walked the line of the property, and a stake was place in the ground. Mr. M. Perkins stated he believed the issue was the property line divided the detached rear garage. Mr. L. Perkins has talked to his attorney, Applicant stated he did not desire an adverse possession conflict with the current property owner due to their professional and personal relationship, and the homeowner retained the property for 20 years and thought he owned said property.

Commissioner Neal made a motion to deny the applicant's request. Commissioner McKee seconded the motion. The motion was approved unanimously. Guidelines cited: F.1.1.1, F.1.1.2, F.1.1.3.

Vote: 2144 E. 17th St. (Yorktown)

In Favor

1. Pounds
2. Schoell
3. McKee
4. Sottong
5. Turner
6. Neal

Opposed

Abstaining

Not Present

- Shears
Craddock
Snyder

4. COA-15-16 / 1145 E. 16th St. (N. Maple Ridge)

Applicant: Molly Campbell

COA Subcommittee Review Date: None

Request:

1. Replace non-original window with vinyl window submitted

Staff presented the application to the Commission and the applicant, Molly Campbell, was present at the meeting.

The applicant stated the proposed window is not original to the house, and she wants to replace it with a window similar to the rest of the building. Commissioner Neal asked why the applicant chose a nine-over-one window. Applicant's husband, Chip Campbell, stated the location of his window is in his office, and a nine-over-one window will allow extra light. Commissioner Neal stated he speculated the addition was originally an open porch, and the proposed window would need to match the existing character of the house. Applicant asked if Commissioner Neal meant nine-over-nine for all three windows or the two exterior windows. Commissioner Neal stated the applicant could do three or four double-hung, nine-over-nine, side by side windows. Commissioner Turner stated nine-over-nine matches the character of the house and would suggest a nine-over-nine on the two exterior windows and to be widened, and the row of panes along the central window to match the level of the panes in the exterior windows. Applicant asked if she could choose between four, nine-over-nine windows or two, nine-over-nine picture window with the middle window as proposed.

Commissioner Pounds asked why applicant chose vinyl. The applicant replied a vinyl window is long lasting. The applicant, Mr. Campbell, and the Commission discussed vinyl windows and alternatives. Commissioner Pounds suggested bringing a sample of vinyl window for the Commission to see. Commissioner Neal stated a transom above the middle window is not out of character for the neighborhood, but a transom is out of character for the house. The Commission required the applicant to provide an alternative design and a sample of the window.

Commissioner Pounds made a motion to continue the application with the applicant's approval pending an alternative design and sample as discussed in the meeting. Commissioner Turner seconded the motion. The motion was approved unanimously. Guidelines cited: A.4.1, A.4.3, A.4.5.

Vote: 1145 E. 16th St. (N. Maple Ridge)

In Favor

1. Pounds
2. Schoell
3. McKee
4. Sottong
5. Turner

Opposed

Abstaining

Not Present

Shears
Craddock
Snyder

6. Neal

5. **COA-15-18 / 2115 E. 19th St.** (Yorktown)

Applicant: Stephanie Colburn

COA Subcommittee Review Date: None

Requests:

1. Replace original, wood window with vinyl casement window

Staff presented the application to the Commission and the applicant, Stephanie Colburn, was absent from the meeting.

Commissioner Neal stated he is opposed to both design and materials.

Commissioner McKee made a motion to deny the applicant's request. Commissioner Sottong seconded the motion. The motion was approved unanimously. Guidelines cited: A.4.1, A.4.3, A.4.5.

Vote: 2115 E. 19th St. (Yorktown)

In Favor

1. Pounds
2. Schoell
3. McKee
4. Sottong
5. Turner
6. Neal

Opposed

Abstaining

Not Present

Shears
Craddock
Snyder

6. **COA-15-20 / 625 N. Cheyenne Ave.** (Brady Heights)

Applicant: Kimberly Panther and Jerry Collard

COA Subcommittee Review Date: None

Requests:

1. Construct picket fence in front yard according to site plan submitted

Staff presented the application to the Commission and the applicant, Jerry Collard, was present at the meeting. The applicant stated the house was built before statehood, and he and his wife, Kimberly Panther, like to sit on the porch, but they have to leash their small dog. The applicant stated the reason for the application is so he and his wife can enjoy the porch with their dog unleashed.

Commissioner Turner asked the applicant the reason for the gate on the right side of the property. The applicant stated the gate will allow access for their lawnmower and trash, and he stated the fence will be four feet to match their neighbor at 627 N. Cheyenne Ave. Commissioner Neal stated four feet would not match the character of the neighborhood, but 27-30 inches would match the character and be sufficient to keep the dog inside the fence. The applicant

corrected himself and stated the neighbor's fence is 3.5 feet, and his wife does not want to obstruct the view of the house.

Commissioner Neal made a motion to approve the applicant's request with condition the fence height is no more than 30 inches. Commissioner Schoell seconded the motion. The motion was approved unanimously. Guidelines cited: G.1.3, G.1.4.

Vote: 625 N. Cheyenne Ave. (Brady Heights)

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Pounds			Shears
2. Schoell			Craddock
3. McKee			Snyder
4. Sottong			
5. Turner			
6. Neal			

7. COA-15-21 / 2206 E. 19th St. (Yorktown)

Applicant: Ryan Treadway

COA Subcommittee Review Date: None

Requests:

1. Replace non-original aluminum windows with vinyl windows.
Work completed without Certificate of Appropriateness

Staff presented the application to the Commission and the applicant, Ryan Treadway, was present at the meeting. The applicant apologized for not coming through the Certificate of Appropriateness process, and said property is a rental, and the applicant was not aware a Certificate of Appropriateness was required. The applicant stated the property was vacant for four years, and he talked to neighbors who thanked him for fixing the property. The applicant stated they were working on the hardwood floors, saw a letter from the City of Tulsa on the door, and called Staff.

Commissioner Pounds read Guideline E.1.1 as it pertains to this house as a non-contributing structure. Commissioner Neal stated the house was badly remodeled in the past and could potentially be a contributing structure.

Commissioner Turner made a motion to approve the applicant's request. Commissioner Neal seconded the motion. The motion was approved unanimously. Guidelines cited: A.4.1, A.4.3, A.4.5.

Vote: 2206 E. 19th St. (Yorktown)

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Pounds			Shears
2. Schoell			Craddock
3. McKee			Snyder
4. Sottong			
5. Turner			
6. Neal			

8. **COA-15-01 / 1723 S. Madison Ave.** (N. Maple Ridge)
 Applicant: Jim Edwards for Bruce and Lizbeth Hudkins
COA Subcommittee Review Date: May 12, 2015
 Requests:
 1. Replace existing walkway with new walkway

Commissioner Neal recused himself. Staff presented the application to the Commission and the applicant’s representative, Jim Edwards, was present at the meeting. Commissioner Schoell presented the COA Subcommittee Report and stated the COA Subcommittee discussed with the applicant alternative brick options and designs.

Mr. Edwards presented a sample of the proposed brick and a depiction of two design options (A and B) stating that the homeowner was very interested in Option A. Commissioner Pounds asked the Commission if brick pattern was a concern. Commissioner Turner stated if inlaid brick was appropriate then the pattern would not matter but running bond would be consistent with the house brick. The Commission discussed the application and layout of the brick.

Commissioner Schoell made a motion to approve the applicant’s request for either design Option A or Option B. Commissioner Pounds seconded the motion. The motion was approved unanimously. Guidelines cited: G.2.1, G.2.2, G.2.3.

Vote: 1723 S. Madison Ave. (N. Maple Ridge)

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Pounds			Shears
2. Schoell			Craddock
3. McKee			Snyder
4. Sottong			
5. Turner			

C. Reports

A. Chair Report

Chairman Pounds reminded the Commission about the State Historic Preservation Conference, and Staff presented registration forms.

B. Committee Reports

Outreach Committee Chairman Turner stated the Outreach met to discuss the CLG Application and budget.

COA Subcommittee Chairman Neal stated the COA Subcommittee is doing a great job.

C. Staff Report

Staff presented Staff Approvals.

D. New Business

E. Announcement and Further Agenda Items

Staff stated the Passive Floor Restoration is scheduled for the end of May and registration is open. It is the last workshop for the fiscal year.

Staff submitted the CLG Application to the Oklahoma Historic Preservation Office for further review.

Commissioner McKee asked the precedence between Historic Preservation Zoning and private covenants. Staff clarified if an over layer is more restrictive than another overlay, the more restrictive governs, and how to determine which overlay is more restrictive is on a case-by-case basis.

Commissioner Pounds asked to place Barnard Trace development on a later meeting date when appropriate to Commission agendas and Barnard Trace LLC schedules.

F. Adjournment

Chairman Pounds adjourned the Regular Meeting at 1:06 pm.