



**TULSA PRESERVATION COMMISSION**

REGULAR MEETING MINUTES  
Thursday, September 28, 2021, 4:30 P.M.  
City Hall @ One Technology Center, 175 East 2<sup>nd</sup> Street  
10th Floor - South Conference Room

A. Opening Matters

1. Call to Order and Verification of Quorum

Commissioner Townsend called the Regular Meeting to order at 4:30 P.M.

**Members Present**

Mary Lee Townsend, Ph.D., Chair  
James E. Turner, AIA, Vice-Chair  
Holly Becker  
Peter Grant, CGR, CAPS  
Katelyn C. Parker, RA  
Ted A. Reeds II, AIA  
Mark D. G. Sanders  
Robert L. Shears, ASLA

**Members Absent**

Susan J. McKee, MFA, Secretary  
Chris J. Bumgarner

**Staff Present**

Audrey D. Blank\*, Roy M. (Jed) Porter, Jr., Felicity Good

**Others Present**

Brett L. Willis, Josh Fidler, Christopher P. Latvala, Thomas (Holt) Pagano

\*Late Arrival

2. Approval of Minutes – Regular Meeting, September 9, 2021

Commissioner Reeds made a motion to approve the Minutes. The motion was seconded by Commissioner Sanders and approved with a majority.

**Vote:** Minutes – Regular Meeting, September 9, 2021

**In Favor**

- 1. Townsend
- 2. Turner
- 3. Becker
- 4. Grant
- 5. Reeds
- 6. Sanders

**Opposed**

**Abstaining**

- Parker
- Shears

**Not Present**

- McKee
- Bumgarner

3. Disclosure of Conflicts of Interest

None

B. Public Information Session

1. Section 106 Process – Construction of Apartments – 3243 East Archer Street, 106 North Harvard Avenue, and 116 North Harvard Avenue

In accordance with Section 106 of the National Historic Preservation Act and its implementing regulations, 36 CFR Part 800, Staff presented information and invited public comment to address the mitigation of the adverse effect of the construction of apartments on the property located at the northwest corner of the intersection of East Archer Street and North Harvard Avenue. This property is located in the Harvard Hills Historic District, which has been determined to be eligible for inclusion in the National Register of Historic Places, and consists of three lots, which have recently been combined into a single parcel. According to staff, a building previously located at 106 North Harvard Avenue had been identified as a Contributing Resource but had been demolished prior to the execution of a Memorandum of Agreement: the site had been declared a public nuisance by the Working in Neighborhoods Department, which had relied on resources from the City of Tulsa's General Fund for the demolition after initiation of the Section 106 Process. The present Memorandum of Agreement seeks to resolve the unmitigated adverse effect of that demolition and to mitigate the adverse effect of the present project. A stipulation of the Memorandum of Agreement will be the completion of a survey of Harvard Hills. Commissioner Sanders requested clarification about the extent of the survey to be completed, and staff replied that some fieldwork had been completed and would continue until the entire district was surveyed. Commissioner Sanders inquired about the developer's responsibilities, and staff replied that Boomtown Development Company, which is affiliated with Green Country Habitat for Humanity, would be unable to proceed with the project until the Memorandum of Agreement was executed. Upon a request from Commissioner Turner, staff offered to create an entry on the website with comments and images of the site. Commissioner Reeds inquired about the timeline for the completion of the survey, and staff replied that the period of performance would be five (5) years and that among the objectives was the identification of Contributing Resources.

C. Actionable Items

1. **HP-0308-2021 / 1351 E. 19<sup>th</sup> St.** (Swan Lake)

*Historic Preservation Permit Subcommittee Review Date: September 21, 2021*

Applicant: Thomas H. Pagano

Proposal:

1. Construction of fence

Staff presented its report, noting that the applicant selected the three-rail fence with a simple profile due to a desire not to detract from the appearance of the residence. Commissioner Turner reported that the Historic Preservation Permit Subcommittee expressed concern about the height of the fence atop the retaining wall and that the applicant agreed to reduce the height of the fence from four feet (4'-0") to three feet and six inches (3'-6"). Commissioner Turner added that the Historic Preservation Permit Subcommittee questioned the applicant about the connection between the steps and the gate and believed that the applicant would ensure that the gate is functional at the top of the steps. The applicant added that the Historic Preservation Permit Subcommittee had requested that he consider a style with extended pickets rather than a flush top rail, and, after consideration of the request, the applicant had revised his proposal to select a Montage fence in the Classic, rather than Majestic Style, as shown in the Product Data. The applicant expressed a preference for the fence to be four feet (4'-0") in height, but Commissioner Townsend expressed her concern about the overall height of the fence and retaining wall.

As there was no further discussion, Commissioner Reeds made a motion to approve the application with the conditions that the fence have a height of three feet and six inches (3'-6") and that the three-rail fence in the Classic Style be installed. The motion was seconded by Commissioner Sanders and was approved unanimously.

Guidelines cited: A.1.1, A.1.2, A.1.3, G.1.1, G.1.2, G.1.3, G.1.4

**Vote: 1351 E. 19<sup>th</sup> St. (Swan Lake)**

<b><u>In Favor</u></b>	<b><u>Opposed</u></b>	<b><u>Abstaining</u></b>	<b><u>Not Present</u></b>
1. Townsend			McKee
2. Turner			Bumgarner
3. Becker			
4. Grant			
5. Parker			
6. Reeds			
7. Sanders			
8. Shears			

**2. HP-0309-2021 / 1539 S. Gillette Ave. (Gillette)**

*Historic Preservation Permit Subcommittee Review Date: September 21, 2021*

Applicant: Christopher P. Latvala

Proposal:

1. Demolition of residence

Staff presented its report and shared images and video footage of the damage to the residence caused by a fire. According to the applicant, insurance investigators had deemed the residence a total loss. Commissioner Reeds inquired about the material of the fireplace mantle, and the applicant stated that he was unsure of its material. Commissioner Turner reported that the Historic Preservation Permit Subcommittee questioned the applicant about the plan for the basement and recommended approval of the application after the applicant stated that he planned to fill the basement during demolition.

As there was no discussion, Commissioner Townsend made a motion to approve the application and cited Guideline F.1.1 in the Unified Design Guidelines. The motion was seconded by Commissioner Grant and was approved unanimously. Commissioner Sanders inquired about the plans for the property, and the applicant replied that drawings for the construction of a new residence would be submitted for a preliminary review by the Historic Preservation Permit Subcommittee.

Guidelines cited: A.1.1, A.1.2, A.1.3, A.1.4, F.1.1

**Vote:** 1539 S. Gillette Ave. (**Gillette**)

<u>In Favor</u>	<u>Opposed</u>	<u>Abstaining</u>	<u>Not Present</u>
1. Townsend			McKee
2. Turner			Bumgarner
3. Becker			
4. Grant			
5. Parker			
6. Reeds			
7. Sanders			
8. Shears			

3. **HP-0310-2021 / 221 E. 18<sup>th</sup> St.** (North Maple Ridge)  
*Historic Preservation Permit Subcommittee Review Date: September 21, 2021*  
Applicant: Brett L. Willis  
Proposals:  
1. Replacement of rail on porch  
2. Replacement of floor on porch

Staff presented its report, noting the applicant's desire to return the porch to an historically appropriate appearance. Staff reported that the Historic Preservation Permit Subcommittee's discussion focused on the intersection of the top rail and the piers and that the subcommittee recommended approval of the application with the condition that the rail be inserted under the capstone of each pier. Commissioner Turner reported that the applicant provided a sufficient explanation of plans to match the details of the rail on the porch across the street, which had served as a model, and added that the subcommittee encouraged the applicant to match the shape of the blocks which supported the bottom rail on that porch. Upon an inquiry from Commissioner Townsend, Commissioner Turner commented that the floor would be constructed with tongue-and-groove pine planks, and Commissioner Sanders noted that the planks would be narrower than the planks presently on the porch. Commissioner Shears proposed insertion of a gap between the top rail and the capstone on the piers to prevent moisture from being trapped. The applicant accepted the proposal.

As there was no further discussion, Commissioner Shears made a motion to approve the application with the condition that there be a gap of one-half inch (0'-1/2") to three quarters of an inch (0'-3/4") between the top of the top rail and the bottom of the cap on the piers. The motion was seconded by Commissioner Reeds and was approved unanimously.

Guidelines cited: A.1.1, A.1.2, A.1.3, A.1.4, A.6.1, A.6.2, A.6.3, A.6.4, E.1.1, E.1.2, E.1.3, E.1.4

**Vote: 221 E. 18<sup>th</sup> St. (North Maple Ridge)**

**In Favor**

1. Townsend
2. Turner
3. Becker
4. Grant
5. Parker
6. Reeds
7. Sanders
8. Shears

**Opposed**

**Abstaining**

**Not Present**

McKee  
Bumgarner

**4. HP-0311-2021 / 1601 S. Detroit Ave. (North Maple Ridge)**

*Historic Preservation Permit Subcommittee Review Date: September 21, 2021*

Applicant: Josh Fidler

Proposals:

1. Construction of fence
2. Replacement of steps and bulkheads

Staff presented its report, noting that the Historic Preservation Permit Subcommittee had forwarded the application for review with no recommendation and that Work had been completed after the Regular Meeting of the Historic Preservation Permit Subcommittee on September 21, 2021. Commissioner Turner reported that the Historic Preservation Permit Subcommittee had discussed the bulkheads and the height of the fence but generally found the submitted materials to be adequate. The applicant added that the owners had requested the fence to be completed due to the arrival of their dog. Commissioner Townsend requested clarification of the location of the bulkheads, which the applicant and staff provided. Commissioner Sanders noted the differences between the original and newly constructed bulkheads but expressed acceptance of the bulkheads and steps as constructed. Upon an inquiry from Commissioner Reeds, the applicant stated the distance between the two sets of steps was between twenty feet (20'-0") and twenty-five feet (25'-0"). Commissioner Townsend requested clarification of the appearance of the steps, and the applicant stated that the number of steps had not changed and added that the bulkheads would have obstructed the sidewalk had their slope continued until it reached the pavement. Commissioner Sanders noted his residence's proximity to this residence, expressed the opinion that the residence is an excellent example of the Craftsman Bungalow Style in the North Maple Ridge Historic Preservation Overlay District, and described the original fence constructed with a pipe rail and metal wire. Commissioner Sanders acknowledged the owners' wishes for privacy but expressed concern about the height of the fence, because it would obscure important architectural features, and proposed reduction of the height of the fence by one foot, which should still provide privacy due to the presence of the retaining wall. Upon requests for clarification from Commissioners Shears and Grant, the applicant stated that the height of the fence was six feet (6'-0") from the top of the retaining wall at its highest point and that the retaining wall was between one foot (1'-0") and one and a half feet (1'-6") in height. Commissioner Turner noted the change in grade as the wall and fence extended along the sidewalk. Commissioner Sanders expressed disapproval of the arbor above the gate, and Commissioners Townsend and Shears agreed. Commissioner Shears indicated a preference for the fence to be four feet (4'-0") in height, and the applicant noted the prevalence of fences six feet (6'-0") in height nearby. Commissioner Grant observed

that many of them could have been installed prior to the implementation of the overlay.

Commissioner Townsend directed discussion to review of the construction of the bulkheads and steps, expressing concern about the difference in appearance of the new bulkheads from the original bulkheads, but Commissioners Reeds and Parker indicated acceptance of the steps and bulkheads. Commissioner Grant agreed and emphasized that extension of the slope to the sidewalk would have obstructed the path. The applicant mentioned the consideration of the application of stain to the concrete, so that it would appear to have aged, but Commissioners Shears and Sanders explained that stained concrete would not be allowed. Commissioner Townsend directed discussion to the review of the fence. Commissioner Turner indicated his approval of the fence as proposed and found the owners' request for privacy understandable considering their transformation of the back yard into an outdoor living space. Commissioner Sanders again suggested reduction of the height of the fence by one foot (1'-0"), but Commissioner Shears preferred a reduction of two feet (2'-0") and stated that the back yard would not be visible by those passing by the residence on foot or in a vehicle. The applicant commented that the grade of the yard rises from west to east and that eliminating the visibility of the yard from the residence across 16<sup>th</sup> Street was another objective in the construction of the fence with a height of six feet (6'-0"). Commissioner Grant noted that the fence would be four and a half feet (4'-6") in height above the retaining wall at the rear of the property if its height were reduced by one foot overall. Upon a request for clarification from Commissioner Sanders, the applicant explained that the entire top of the fence was level.

Commissioner Sanders made a motion to approve the application with the conditions that the arbor not be built, that the fence be reduced to a height of five feet (5'-0") at the top of the retaining wall where the fence meets the bulkheads, and that the top of the fence be level as it extends parallel to 16<sup>th</sup> Street. The applicant stated that, if the height of the fence were reduced, the rear of the residence would be visible from the sidewalk. The motion was seconded by Commissioner Shears. Commissioners then clarified the height of the fence at the rear of the property. The vote was called, and the motion was approved with a majority. Commissioners offered suggestions for the reduction of the height of the fence and mitigation of the lack of privacy. The applicant inquired whether the Tulsa Preservation Commission would consider a modification to the design of the fence, and staff replied that an amendment to the approved proposal could be sought and explained the process. The applicant inquired about construction of other features, such as a pergola, in the rear of the yard, and staff stated that landscape features outside of the street yard would not require review and approval by the Tulsa Preservation Commission. Commissioners Grant and Turner commented on the visibility of the property due to its location on a corner lot.

Guidelines cited: A.1.1, A.1.2, A.1.3, A.1.4, E.1.1, E.1.2, E.1.3, E.1.4, G.1.1, G.1.2, G.1.3, G.1.4, G.2.1, G.2.2

**Vote: 1601 S. Detroit Ave. (North Maple Ridge)**

<b><u>In Favor</u></b>	<b><u>Opposed</u></b>	<b><u>Abstaining</u></b>	<b><u>Not Present</u></b>
1. Becker	Townsend		McKee
2. Parker	Turner		Bumgarner
3. Reeds	Grant		
4. Sanders			
5. Shears			

D. Reports

1. Chair Report

Commissioner Townsend inquired about the Meeting Schedule for the 2022 Calendar Year. Staff will circulate a draft for review prior to the next Regular Meeting. Commissioner Townsend noted that the Brady Heights Neighborhood Association voted to change the name of the district to The Heights and inquired whether the name of the Historic Preservation Overlay District should be changed. Commissioner Parker stated that the Neighborhood Association would need to pursue changes to the entry in the National Register of Historic Places.

2. Staff Report

Staff reported on an inquiry about the fence at the residence located at 305 East 20<sup>th</sup> Street. Staff requested information from Development Services and was informed that the installation of the fence would require a Zoning Clearance Permit from the City of Tulsa. Commissioner Turner inquired about the height of the wall, and staff replied that it appeared that the slope of the site was not reflected in the elevation submitted with the proposal for construction of the residence. Staff reported on the replacement of the door at a residence on East 18<sup>th</sup> Street. Staff will submit a Letter of Notification to the owner. Commissioner Townsend inquired about the installation of the floor on the porch of the residence located at 231 East 18<sup>th</sup> Street. Staff will continue to attempt to engage the owner about the Work completed without an Historic Preservation Permit.

Legal Staff reported that the Board of Adjustment had held an Executive Session regarding litigation related to the replacement of the roof at 1110 East 18<sup>th</sup> Street. Proposals for settlement were discussed during the session.

E. New Business

Commissioner Grant stated that commissioners were still encountering problems parking in the designated lot. Staff will distribute Parking Passes in advance of the next Regular Meeting. Commissioner Sanders requested that staff remove masks or use a microphone to aid commissioners' ability to hear their presentations.

F. Announcements and Future Agenda Items

None

G. Public Comment

None

H. Adjournment

Commissioner Townsend adjourned the Regular Meeting at 5:57 P.M.