TULSA PRESERVATION COMMISSION

REGULAR MEETING MINUTES
Thursday, December 9, 2021, 11:00 A.M.
City Hall @ One Technology Center, 175 East 2nd 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 11:01 A.M.

Members Present
Mary Lee Townsend, Ph.D., Chair**
James E. Turner, AIA, Vice-Chair
Susan J. McKee, MFA, Secretary
Holly Becker**
Chris J. Bumgarner**
Royce Ellington
Katelyn C. Parker, RA*
Ted A. Reeds II, AIA
Mark D. G. Sanders

Members Absent
Peter Grant, CGR, CAPS
Robert L. Shears, ASLA

Staff Present
Audrey D. Blank, Roy M. (Jed) Porter, Jr., Felicity O. Good

Others Present
Clay Welch, Dani Widell, Margee Aycock, Josh Fidler, Jeremy Brennan, Tom Neal, Matthew D. McAfee

   *Late Arrival
   **Early Departure

2. Approval of Minutes – Special Meeting, November 23, 2021
   Commissioner Turner made a motion to approve the Minutes. The motion was seconded by Commissioner Sanders and approved with a majority.

   Vote: Minutes – Regular Meeting, November 23, 2021

   In Favor   Opposed   Abstaining   Not Present
   1. Townsend
   2. Turner
   3. McKee
   4. Becker
   5. Reeds
   6. Sanders
   Bumgarner
   Ellington
   Grant
   Parker
   Sanders
3. Disclosure of Conflicts of Interest
   None

4. Introduction – Royce Ellington, Realtor
   Commissioner Townsend introduced Royce Ellington, who has joined the Tulsa Preservation Commission in the role of Realtor.

B. Actionable Items
1. HP-0327-2021 / 1601 S. Detroit Ave. (North Maple Ridge)
   Applicant: Josh Fidler
   Proposals:
   1. Addition of trim to base of fence
   2. Increase in height of fence
   Application for amendment of Approved Proposal

   Staff recited Section 70.070-F of the Tulsa Zoning Code and afterwards presented its report, noting that the owners wished to amend the height of the fence to the height at which it was constructed and add trim along the base of the fence. Commissioner Sanders requested that the two items be considered separately. The applicant explained that the trim on the base of the fence would provide a cleaner edge along the top of the wall and that the height of the fence would remedy concerns about security and privacy. Commissioner Townsend directed discussion to Item 1: Addition of trim to base of fence. Commissioner Turner inquired whether the trim would be placed on the outside of the fence, and the applicant answered affirmatively. Commissioner Sanders inquired about the timing of the request to add trim to the base of the fence, and the applicant replied that the owners requested the trim be added as the project neared completion.

   Commissioner Townsend directed discussion to Item 2: Increase in height of fence. Commissioner Sanders requested that the Tulsa Preservation Commission first vote on Item 1, but Commissioner Townsend preferred to discuss both items before any voting. Commissioner Townsend then read aloud a letter that Commissioner Grant had submitted in his absence, urging the Tulsa Preservation Commission to approve the application. Commissioner Reeds agreed with the content of the letter and noted that an increase in the approved height of the fence would fulfill the owners’ needs without harming the historic integrity of the residence. Commissioner Sanders stated that he found two (2) problems with the application—the first being procedural and the second related to historic preservation. Commissioner Sanders described the history of the application for construction of the fence, noting that the fence was completed prior to approval by the Tulsa Preservation Commission and that the applicant has continually returned for the approval of the fence as constructed. Commissioner Sanders cited Guidelines G.1.1 and G.1.4 in the Unified Design Guidelines, which call for the retention of historic fencing and the use of fencing materials consistent with historic fencing found along the same street and within the district, and stated that either the original wire fence should have been retained or the new fence should have maintained a height of four feet (4'-0") to match the original fence. Commissioner Sanders stated that the mission of the Tulsa Preservation Commission is to balance the preservation of historic preservation. Commissioner Sanders described the history of the application for construction of the fence, noting that the fence was completed prior to approval by the Tulsa Preservation Commission and that the applicant has continually returned for the approval of the fence as constructed. Commissioner Sanders cited Guidelines G.1.1 and G.1.4 in the Unified Design Guidelines, which call for the retention of historic fencing and the use of fencing materials consistent with historic fencing found along the same street and within the district, and stated that either the original wire fence should have been retained or the new fence should have maintained a height of four feet (4'-0") to match the original fence. Commissioner Sanders stated that the mission of the Tulsa Preservation Commission is to balance the preservation of historic preservation. Commissioner Sanders recalled that the
applicant’s request for reconsideration of that approval had not passed and questioned why the applicant has returned with the same proposal, adding that he did not find the request to be an amendment of an approved proposal because the original proposal for the height of the fence had not changed. Commissioner Sanders expressed concern about the precedent that the Tulsa Preservation Commission could set by allowing applicants to return multiple times with the same proposal and suggested that it could be a way for applicants to secure a favorable forum for an approval.

Commissioner Townsend then called on other commissioners who wished to discuss the application. Commissioner Turner observed that the Tulsa Preservation Commission has not previously prevented applicants from returning multiple times with amendments to Approved Proposals and that the process is free of cost and carries no penalty. As the latest application contained alterations, Commissioner Turner found the request for an amendment of an Approved Proposal to be valid. Commissioner Turner explained that he previously voted to reconsider the application because he was sympathetic to the owners’ concerns about privacy and felt the approval of the fence as constructed with a height of six feet (6'-0") was an appropriate accommodation for the owners, who wished to construct an outdoor living space in their back yard. Commissioner Parker agreed with Commissioner Sanders, stating that the applicant had requested approval for the fence as constructed three times, but Commissioner Turner disagreed, noting that the changes made to the application constituted an amendment of an Approved Proposal. Commissioner Turner expressed support for the original approval of the fence at a height of five feet (5'-0") and stated that the height of the fence was a fair compromise. Commissioner Townsend stated that the Tulsa Preservation Commission frequently encounters proposals for Work completed without an Historic Preservation Permit, and Commissioner Parker agreed and underscored the importance of the commission remaining consistent in its decisions. Tom Neal, 2507 East 11th Place, also expressed concern about the consistency of the Tulsa Preservation Commission and about the impact that the approval of Work completed without an Historic Preservation Permit might have on owners and applicants who secure Historic Preservation Permits before commencing Work. Commissioner Sanders then commented on the residence as an excellent example of a Craftsman-Style Bungalow in North Maple Ridge and described the original wire and metal fence, which had previously been removed. Commissioner Sanders acknowledged that the residence’s location on a corner created constraints but emphasized that a six-foot (6'-0") fence would be an inappropriate scale for the residence but that decreasing its height to five feet (5'-0") would ease the impact of its appearance.

As there was no further discussion, Commissioner Reeds made a motion to approve the application as presented. The motion was seconded by Commissioner Turner and was approved with a majority.

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

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2. HP-0320-2021 / 2326 E. 17th St. (Yorktown)


Applicant: Clayton Custom Homes LLC

Proposals:

1. Increase in width of residence*
2. Removal of masonry on west façade*
3. Removal of window on west façade*

*Alteration of Approved Proposal completed without an Historic Preservation Permit Application for amendment of Approved Proposal*

Staff presented its report, noting that the alterations had been made to accommodate a change in the plan and that an amendment to the Approved Proposal had not been sought initially due to the incorrect information provided to the owner by his architect. Commissioner Turner reported that, after several reviews, the Historic Preservation Permit Subcommittee recommended approval of the application with the condition that a greenscreen or similar material extend past the windows in the bedroom and added that the screen would partially screen the residence from the street and mitigate the visual impact of the homogenous west facade. The applicant apologized for his failure to seek an Historic Preservation Permit prior to the alterations of the Approved Proposal. Matthew D. McAfee, Neighborhood Representative for the Yorktown Neighborhood Association, commented on the frequency of alterations to Approved Proposals in Barnard Trace and stated that the alteration was unfortunate due to the visibility of the west facade of the residence. Commissioner Reeds inquired about the distance between the greenscreen and the residence, and the applicant replied that, although he was unable to provide a Site Plan, the screen could be placed up to five feet (5'-0") from the residence. Commissioner Turner described the greenscreen’s structural system and suggested that the screen could be placed close to the residence or a portion of it could extend perpendicularly to the residence to conceal the portion of the west facade it would cover. Commissioner Ellington inquired about the required setback for the screen, and Commissioner Turner stated that the screen could be placed close to the property line. Commissioner McKee questioned the placement of the screen in the center of the west facade and its height and expressed disapproval of the greenscreen. The applicant explained that the height was chosen to match the line of the roof of the previously approved feature, and Commissioner Turner added that the greenscreen would be placed where the masonry had been removed on the west facade. Commissioner Sanders suggested that the greenscreen be high enough to reach the top of the windows it concealed, and the applicant indicated a readiness to adjust the height and length of the greenscreen to meet the preferences of the commissioners and added that additional vegetation would also be planted along the west facade of the residence. Commissioner Becker expressed approval of the greenscreen’s size because of its appearance as a green feature and thanked the applicant for his
cooperation during several reviews by the Historic Preservation Permit Subcom-
mittee. Commissioner Sanders agreed that the applicant proceeded appropriately
and honestly once he became aware of the requirement for an amendment to an
Approved Proposal and expressed acceptance of the greenscreen as an appropriate
means of mitigation of the alterations of the Approved Proposal. Neighborhood Rep-
resentative McAfee explained that the covenants of Barnard Trace require all fences
to be wrought-iron, and the applicant acknowledged the requirement and stated that,
although he classified the greenscreen as a landscape feature rather than a fence,
he could return to the Tulsa Preservation Commission for approval if he determined it
was not allowed by the covenant. Commissioner McKee cautioned the other com-
misioners that vegetation was not permanent and questioned whether the green-
screen was a fence or a landscape feature, and Commissioner Turner clarified the
comments on the greenscreen, noting that he considered the greenscreen to be a
landscape feature. Upon an inquiry from Commissioner Townsend, Commissioner
Parker stated that the greenscreen required approval by the Tulsa Preservation
Commission because it was a structure in the street yard. Commissioner Parker
recommended that the applicant plant vegetation in lieu of the greenscreen and
added that the other proposed treatments of the west facade would be less
acceptable.

As there was no further discussion, Commissioner Sanders made a motion to
approve the application with the condition that the greenscreen have a maximum
height of eight feet (8'-0`). The motion was seconded by Commissioner Turner but
failed due to a lack of majority.

Vote: 2326 E. 17th St. (Yorktown)

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The applicant promised to plant vegetation along the west facade, and afterwards
Commissioner Townsend made a motion to approve the project as constructed
without the greenscreen. The motion was seconded by Commissioner Ellington and
approved with a majority. Commissioner Turner indicated his disappointment in the
outcome, citing the Historic Preservation Permit Subcommittee’s lengthy review that
led to its recommendation of the greenscreen.

Guidelines cited: C.1.1, C.1.2, C.1.3, C.1.4, C.1.5, C.1.6, C.2.1, C.2.2, C.2.3, C.2.4,

Vote: 2326 E. 17th St. (Yorktown)

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3. HP-0332-2021 / 2008 S. Yorktown Ave. (Yorktown)
   Applicant: Yorktown House LLC
   Proposals:
   1. Installation of equipment by Public Service Company of Oklahoma
   2. Adjustment of alignment of walkway
   Project completed without an Historic Preservation Permit

Staff presented its report, noting that vegetation had been planted to mitigate the visual impact of the equipment. Commissioner Bumgarner, acting as the representative of Yorktown House LLC, apologized for the failure to obtain an Historic Preservation Permit for the installation of the equipment and offered a description of events that led to the Public Service Company of Oklahoma (PSO)’s installation of the equipment at 2008 South Yorktown Avenue. According to Commissioner Bumgarner, Yorktown House LLC granted PSO an easement on the property as part of an agreement to relocate overhead cables in the vicinity underground, and the equipment serves commercial developments nearby, including Utica Square, as well as Ascension St. John Medical Center. Commissioner Bumgarner also noted that his company owns all properties on the block bounded by East 20th Street on the North, East 21st Street on the South, South Xanthus Avenue on the West and South Yorktown Avenue on the East and added that only two sites are within the Historic Preservation Overlay District. Commissioner Bumgarner noted that the installation of equipment in that location was necessary because plans for redevelopment of the Bank of Oklahoma at the Northwest corner of 21st Street and Yorktown Avenue had not yet been established and added that PSO would not place the equipment underground. Commissioner Bumgarner then described the vegetation that had been planted around the equipment and announced that he would recuse himself during the vote on the application.

Neighborhood Representative McAfee reported that installation of multiple pieces of equipment both inside and on the edge of the Yorktown Historic District has caused serious concern in the neighborhood and, although he acknowledged that the background information provided by Commissioner Bumgarner was helpful, observed that the equipment was not residential in nature and was, therefore, inappropriate for the site. Commissioner McKee agreed that the equipment was inappropriate for a residential property and inquired whether the relocation of the equipment would be possible in the future. Commissioner Bumgarner replied that he was unsure whether this would be possible but that, if there were a feasible opportunity to relocate or conceal the equipment, he would do so and offered other suggestions to screen the equipment further from view, such as collaborating with residents to select additional vegetation or installing a windscreen. Commissioner Parker stated that PSO should not have placed the equipment in that location because it did not meet the standards of Guideline A.7.4 in the Unified Design Guidelines. Commissioner Bumgarner questioned whether PSO’s franchise agreement would take precedent over the requirements of the Historic Preservation Overlay, but Legal Staff replied that they were unsure whether that would be the case. Commissioner Turner observed other locations in the block that may have been more appropriate for the equipment and could have been subsequently accommodated in the redevelopment plans for the Bank of Oklahoma, but Commissioner Bumgarner disagreed that the plans could accommodate the equipment on the lot containing the Bank of Oklahoma. Commissioner Ellington stated that the equipment destroyed the character of the residence located at 2008 South Yorktown Avenue and should not have been placed on the lot. Commissioner Bumgarner provided context about the surrounding properties, noting that the inclusion of only two properties on the block within the
Yorktown Historic Preservation Overlay District proved a challenge for development plans on the rest of the block, and added that the two residences would not remain on the properties permanently. Commissioner Sanders suggested pursuing an amendment to the Zoning Map to remove the properties from the Historic Preservation Overlay District, but Commissioner Bumgarner did not consider that to be an option. Commissioner Sanders inquired whether PSO allowed flexibility in the location of the equipment, but Commissioner Bumgarner stated that others in his organization handled most of the project but that he understood the location to be a compromise between PSO and his organization due to the possible plans for redevelopment of the northwest corner of 21st Street and Yorktown Avenue. Neighborhood Representative McAfee expressed disappointment in the potential for future demolition of the residences and emphasized that the properties were in the Historic Preservation Overlay District and, as such, were inappropriate for commercial development. Commissioner Reeds stated that, in his experience, PSO does not make much effort to involve owners or neighbors in their placement of equipment and was not surprised that they placed the equipment on the property without an Historic Preservation Permit.

Commissioner Townsend then inquired about the consequences were the Tulsa Preservation Commission to disapprove the application, and Staff replied that the installation of equipment would then be a violation of the Tulsa Zoning Code but noted that the applicant would have a right to appeal the decision to the Board of Adjustment. Commissioner Townsend summarized the decisions that the Tulsa Preservation Commission could make on the application, but Commissioner Sanders suggested continuation of the review of the application in order to receive more information from PSO on their placement of the equipment. Commissioner Bumgarner indicated a preference for the Tulsa Preservation Commission to approve the application with an understanding that the equipment could eventually be relocated. Commissioner Turner inquired whether the equipment could be incorporated into the building, but Commissioner Bumgarner stated that PSO would not install the equipment in a vault outside of the downtown. Commissioner Turner questioned whether PSO was able to install the equipment without an Historic Preservation Permit and agreed with the suggestion to continue the review of the application at a future Regular Meeting to allow for further investigation of PSO’s responsibilities. The applicant agreed to extend the period of review and continue review at a future Regular Meeting when more information could be provided. Commissioner Sanders questioned whether Yorktown House LLC should have received the Tulsa Preservation Commission’s approval when the easement was granted, and Commissioner Reeds stated that the easement would have required review by the City of Tulsa Department of Development Services.

4. **HP-0330-2021 / 1135 N. Denver Ave. (Brady Heights/The Heights)**
   
   **Applicant:** Margaret A. Aycock
   
   **Proposal:**
   
   1. Replacement of wall

   Staff presented its report, noting that the wall would be constructed with reinforced concrete masonry units clad in masonry. The applicant added that the wall would be no more than three feet (3’-0”) in height at its highest point. Dani Widell, 1027 North Denver Avenue, expressed support for the proposal. Commissioner Parker noted the requirement for a Building Permit should the wall exceed three feet (3’-0”) in height. Upon inquiries from Commissioner Parker, the applicant stated that the wall would be placed approximately sixteen inches (1’-4”) from the edge of the sidewalk
and would not be taller than the bulkheads at the point where they were connected. Upon requests for additional information from Commissioner Turner, the applicant affirmed that the top course of masonry along the wall would be laid in a soldier course, that the pier with the concrete cap would be retained, and that the new wall would extend in front of the pier and connect to it. Commissioner Turner inquired about the treatment of the corner, and the applicant replied that no cap would be placed at the corner of the wall. Commissioner Parker suggested fixing the corner with a miter joint, and the applicant agreed. Commissioner Sanders thanked the applicant for her contributions to the preservation of the property and inquired whether the masonry would match that elsewhere on the site, and the applicant answered affirmatively. Commissioner Parker noted that an exact match of the masonry with rounded edges could be difficult but that masonry similar in size and color should be available.

As there was no further discussion, Commissioner Parker made a motion to approve the application with the condition that the corners be fixed with a miter joint. The motion was seconded by Commissioner Reeds and was approved unanimously.


Vote: 1135 N. Denver Ave. (Brady Heights/The Heights)

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5. HP-0319-2021 / 1027 N. Denver Ave. (Brady Heights/The Heights)

Historic Preservation Permit Subcommittee Review Dates: October 19, 2021, December 2, 2021

Applicant: Tom Neal Design
Proposal:
1. Construction of apartments

Staff presented its report, describing the revisions made after each review by the Historic Preservation Permit Subcommittee. The applicant thanked the Historic Preservation Permit Subcommittee members for their suggestions, described the most recent revisions to the proposal, and noted that a sample of the masonry was available. Commissioner Parker inquired about the size of the bricks, and the owner replied that, although a wire-cut texture was unavailable, the bricks would be a standard size. Commissioner Turner reported that the applicant completed the revisions requested by the Historic Preservation Permit Subcommittee. Upon an inquiry from Commissioner Turner, the applicant affirmed that a driveway and parking spaces would be placed between the proposed apartments and the existing apartments. Commissioner Parker requested clarification about the zoning setbacks, and the applicant replied that they would be met. In response to a comment from Commissioner Parker, the owner stated that the turning radius from the alley would allow for one car in each garage, although the garages would be wide enough to fit two cars
each. Commissioner Parker expressed support for the proposal, observing that the north facade emulated the other apartments adjacent to the site and would provide visual interest along Latimer Street. Commissioner Reeds noted that the apartment on the first floor may require ADA accommodations.

Commissioner Sanders thanked the applicant and owner for their cooperation, urged the commissioners to vote in favor of the application, and then made a motion to approve the application as presented. The motion was seconded by Commissioner Turner and was approved unanimously.


Vote: 1017 N. Denver Ave. (Brady Heights/The Heights)

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6. HP-0328-2021 / 656 N. Cheyenne Ave. (Brady Heights/The Heights)

*Historic Preservation Permit Subcommittee Review Date: December 2, 2021*

Applicant: Tom Neal Design

Proposals:
1. Construction of walls
2. Construction of terraces
3. Construction of steps
4. Installation of rails and fence
5. Replacement of columns

Staff presented its report, noting that the proposals would resolve issues related to safety caused by the steep slope of the yard. The applicant added that the wall would be constructed with either concrete block or poured concrete, directed the attention of the commissioners to the veneer that had been selected, and shared a detailed sketch showing a section of the wall. Commissioner Turner reported that the Historic Preservation Permit Subcommittee had posed several questions but agreed that the proposal would improve the site significantly. Jeremy Brennan, 1015 North Denver Avenue, expressed support for the application. Commissioners Parker and Reeds agreed that the proposal would greatly improve the residence and its site. Commissioner Turner questioned whether the proportions of the columns would be appropriate and inquired about the connection to the beam on the porch. The applicant explained that the tops of the columns would extend slightly beyond the beam and, although the bases would be shorter after the floor of the porch was raised, the other adjustments would improve the proportions of the columns overall. Upon the inquiries from Mr. Brennan and Commissioner Parker, the applicant stated that trim would be placed on either end of the upper portion of each column, and the base of each column would be cast stone. Commissioner Turner suggested that the applicant increase the height of the beam to give it a more prominent appearance, and
Commissioners Sanders, Parker, and McKee agreed. The applicant stated that he would consult the owner.

As there was no further discussion, Commissioner Turner made a motion to approve the application as submitted with a request to consider an increase in the height of the beam. The motion was seconded by Commissioner Ellington and was approved unanimously.


**Vote:** 656 N. Cheyenne Ave. *(Brady Heights/The Heights)*

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7. Nomination and Election of Officers - 2022 Calendar Year
Commissioner Townsend announced on behalf of the Nominating Committee the slate of candidates for officers for the 2022 Calendar Year. Commissioner Turner had accepted a nomination as Chair, Commissioner Becker as Vice-Chair, and Commissioner Parker as Secretary. Commissioner Townsend then invited nominations and, as no nominations were presented, called for a vote on the election of the officers for the 2022 Calendar Year.

**Vote:** Election of Officers - 2022 Calendar Year

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C. Reports
1. Chair Report
   Commissioner Townsend announced that the annual Holiday Party would be held at her residence immediately following the Regular Meeting.

2. Staff Report
   None
D. New Business
   None

E. Announcements and Future Agenda Items
   None

F. Public Comment
   None

G. Adjournment
   Acting as Chair, Commissioner Turner adjourned the Regular Meeting at 1:16 P.M.