



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 12/02/2024

**REQUESTER:** Edwin Amaya

**PRESENTER:** Anais Starr, Planner II/Historic District Preservation Officer

**ITEM TITLE:** CONSIDERATION OF APPROVAL OR REJECTION OF THE DEMOLITION OR RECOMMENDATION TO THE CITY COUNCIL FOR ADDITIONAL POSTPONEMENT OF THE DEMOLITION BE ORDERED FOR THE PROPERTY LOCATED AT 1320 OKLAHOMA AVENUE. (POSTPONED FROM THE NOVEMBER 4, 2024 MEETING)

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### **Background**

#### **Historical Information**

##### **2014 Southridge Historic District Nomination Survey Information:**

*1320 & 1320 ½ Oklahoma Ave. Circa 1959. No architectural style. Two-story, asbestos sided, garage apartment has a moderate pitched, asphalt covered, side gabled roof and a concrete foundation. Entire first floor converted to living space with double windows likely replacing garage doors. Large metal shed roofed carport extends over double car concrete drive. Side second floor entry porch is uncovered. Decorative wood shutters on second floor removed and building painted in recent years.*

#### **Sanborn Map Information**

This section of the Southridge Historic District does not appear on the Sanborn Insurance maps.

#### **Previous Actions**

**July 1, 2024** – A COA was granted for the demolition of the carport; demolition and replacement of an existing entry canopy on the first floor; installation of a new entry canopy on the second floor; replacement of the existing siding with alternative siding material; replacement of all existing windows; installation of a new storage shed; installation of a side yard fence; expansion of the existing walkways; addition of new windows and/or dormers to attic space; replacement of a retaining wall in rear yard; installation of a side yard fence; elimination of south entry door; replacement of the rear entry door; and installation of a parking pad off the alleyway.

**October 14, 2024** – The Historic Preservation Officer visited the site and found the structure had been removed. A Stop Work Order was issued by Code Compliance for violation of the Historic District Ordinance.

**November 4, 2024** – A COA request for demolition of the existing structure *ex post facto* was heard by the Commission. Commission postponed the item to the December 2, 2024 meeting to allow the applicant time to provide evidence of the structure's instability.

### **Background Information**

This property's current zoning designation is R-1, Single-Family Dwelling District. This zoning designation allows for a single-family dwelling or a single-family dwelling and an accessory dwelling unit. With the recent removal of the existing principal structure on the property, it must now be redeveloped to meet the R-1 zoning district regulations.

### **Reference - Historic District Ordinance**

**36-535.a.2(g):** *To safeguard the heritage of the City by preserving and regulating historic district structures in such a way that maintains or restores their historic integrity while allowing modern day uses and conveniences for their residents.*

**36.535.c.3: Reviewing non-contributing structures.** *Non-contributing structures should be controlled only to the degree necessary to make them compatible with the general atmosphere of any district with regard to exterior alteration, additions, signs, site work and related activities.*

### **36-535.h.**

**(1) General provisions.** *No structure or resource within any Historic District shall be demolished and/or removed unless such demolition has been reviewed by the Historic District Commission and a certificate of appropriateness for such demolition and/or removal has been granted.*

### **(2) Procedure and postponement orders.**

**a.** *The Historic District Commission shall hold a public hearing for the purpose of considering certificates of appropriateness for demolition or removal. After such hearing, the Historic District Commission may approve the certificate of appropriateness authorizing the demolition or may enter an order postponing demolition for up to 90 days.*

**b.** *At the conclusion of such period of postponement as specified in the Historic District Commission's order, the Commission shall within 45 days thereafter hold second public hearing to consider whether or not to recommend to the City Council that additional postponement of demolition be ordered.*

**c.** *In the event that the Historic District Commission recommends additional postponement to the City Council, the City Council shall hold a public hearing for the purpose of considering additional postponement of demolition.*

**d.** *After such public hearing, the City Council may enter an order approving the demolition or may enter an order postponing demolition for an additional period not to exceed 60 days from the date of such order. At the conclusion of this final postponement period, the City Council shall hold a public hearing and may either approve the requested demolition or may disapprove such requested demolition. In the event demolition is not approved, no demolition shall occur. For the purposes of this chapter, the term "demolition" shall include removal.*

**(3) Criteria for review of demolitions.** *The Historic District Commission and City Council shall be guided by the following criteria in considering certificates of appropriateness and authorizations for demolition or removal of structures or sites within the Historic District:*

**a.** *The purposes and intent of this chapter.*

- b. The degree to which the proposed removal of the historical resource would damage or destroy the integrity and continuity of the Historic District of which it is a part.*
- c. The nature of the resource as a representative type of style of architecture, a socio-economic development, a historical association, or other element of the original designation criteria applicable to such structure or site.*
- d. The condition of the resource from the standpoint of structural integrity and the extent of work necessary to stabilize the structure.*
- e. The alternatives available to the demolition applicant, including:*
  - 1. Donation of the subject structure or site to a public or benevolent agency.*
  - 2. Donation of a part of the value of the subject structure or site to a public or benevolent agency, including the conveyance of historical easements.*
  - 3. The possibility of sale of the structure or site, or any part thereof, to a prospective purchaser capable of preserving such structure or site.*
  - 4. The potential of such structure or site for renovation and its potential for continuing same.*
  - 5. The potential of the subject structure or site for rezoning in an effort to render such property more compatible with the physical potential of the structure.*
- f. The ability of the subject structure or site to produce a reasonable economic return on investment to its owner; provided, however, that it is specifically intended that this factor shall not have exclusive control and effect but shall be considered along with all other criteria contained in this section.*

## **Reference - Preservation Guidelines**

### **5.4 Guidelines for Demolitions**

*A review by the Historic District Commission will use the following criteria for the issuance of a Certificate of Appropriateness (COA):*

- .1 A Certificate of Appropriateness. A Certificate of Appropriateness is required to be issued prior to demolition.*
- .2 Criteria for Demolition. Demolition requests must meet Zoning Ordinance Section 429.3.9(c), Criteria for Demolition.*
- .3 Procedures and Process for Demolitions. Demolitions must meet the Zoning Ordinance Section 429.3.9(b), Procedure and Postponement Orders.*
- .4 Site Plan Required. Applicants shall provide the Historic District Commission with detailed site plans for proposed site features of the new parcel, including information any structures, driveways, site lighting, and parking areas.*
- .5 Document Thoroughly. Document original context of the historic structure prior to demolition.*

## **REQUEST**

### **Demolition of the existing principal structure.**

#### ***Project Description:***

At the November 4, 2024 Historic District meeting, the applicant requested an *ex post facto* review of the demolition of the principal structure. During the meeting, the applicant stated that his contractors were in the process of interior and exterior renovations to the structure when they became aware that the structure was unstable. After consultation with his contractors, the applicant determined the structure should be taken down immediately for safety reasons. The applicant did not provide evidence of the structure's instability with the submission of his request or at the meeting. The Commission postponed the request and required additional

documentation. The applicant is now returning with supporting documents including an engineer's report and photos showing the deteriorated state of the structure.

With the removal of the existing structure, the non-conforming use for a two unit dwelling structure was terminated. The applicant's request to rebuild a duplex structure identical to the demolished structure does not meet Zoning Ordinance for use and therefore cannot be reviewed by the Historic District Commission.

***Issues and Considerations:***

The *Preservation Guidelines* discourage the demolition of historic structures through numerous protections woven into the *Preservation Guidelines*. The Historic District Ordinance demolition criteria addresses historic structures. For non-contributing structures, there are fewer protections listed except that they are “to be controlled to the extent necessary to make them compatible with the general atmosphere of the district in regards to exterior alterations, additions, signs, site work, and related activities”.

The *Historic District Ordinance for Demolition* focuses upon historic structures and the importance of retaining the structure if possible. It also provides a list of criteria for demolition. Section 36-535.h.3.b of the Historic District Ordinance states Commissioners should consider the historic structure's importance to the District. Removal of this non-contributing 1950s structure, while changing the streetscape of Oklahoma Avenue, will not have an historical impact on the Southridge Historic District.

Section 36-535.h.3.d. of the Historic District Ordinance indicates the Commission should consider the structural integrity of the structure in their decision making. The applicant has now provided both pictures of the deteriorated state of the structure and a letter from a licensed engineer which states the structure requires demolition.

The Commission will need to determine whether the demolition of this non-contributing principal structure is impactful to the District.

The Commission has two options regarding the motion/vote for this request per Historic District Ordinance. The Commission may:

- a. Approve or reject the Certificate of Appropriateness authorizing the demolition, or
- b. Make a recommendation to the City Council that additional postponement of demolition be ordered.

Due to the unique governing ordinance for demolitions, the motion/vote regarding the demolition request must be separate from the approval of the new construction. Staff understands the Commission wants to ensure the replacement structure is compatible with the surrounding Historic District. However, the applicant needs time to develop a single-family dwelling that meets the R-1 Zoning District regulations.

***Commission Action:*** (HD 24-21) Consideration of approval or rejection of the demolition or recommendation to the City Council for additional postponement of the demolition be ordered for the property located at 1320 Oklahoma Avenue. (Postponed from the November 4, 2024 meeting)

