

1. Agenda

Documents:

[2022-01-18 BUILDING COMMISSION - PUBLIC AGENDA-1690.PDF](#)

2. Meeting Materials

Documents:

[2022-01-18 BUILDING COMMISSION - FULL AGENDA-1690.PDF](#)

AGENDA

Regular Meeting of the
Nichols Hills Building Commission
Tuesday, January 18, 2022 at 4:00 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

If special assistance is needed for this meeting by any person wishing to attend, please contact the City Clerk's office no later than 48 hours prior to the meeting, and such assistance will be provided.

Official action may be taken by the Building Commission only on items that appear on this Agenda. The Building Commission may dispose of the business set out on this Agenda by accepting, approving, adopting, rejecting, amending, or postponing action as to each item, as determined by the Building Commission.

1. Call to Order

2. Roll Call

3. Citizens Desiring to be Heard

The purpose of this time is to allow members of the public to speak to the Building Commission on any matter that is not otherwise set for consideration on this Agenda.

4. Minutes

a. December 21, 2021

5. Public Hearings

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

a. Certificate of Approval Application - 1707 Randel Road, Nichols Hills, OK.

6. Items for Separate Vote

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. Criteria to be used to determine whether a building should be deemed an "Architectural Resource", as the term is defined in Section 50-342 of the Nichols Hills City Code.

7. Adjournment

I certify that the forgoing was filed in the Office of the City Clerk at 8:49 AM on the 14th day of January, 2022 and posted in prominent view on the window at City Hall, 6407 Avondale Drive, at 9:00 AM on the 14th day of January, 2022; posted to the City of Nichols Hills website at <http://www.nicholshills.net> at 5:00 PM on the 14th of January, 2022; and transmitted by email at 5:00 PM on the 14th day of January, 2022 to those persons who have requested to be included on such notices pursuant to the Open Meeting Act and to those who have requested such notice.



City Clerk
City of Nichols Hills, Oklahoma

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City Clerk
City of Nichols Hills, Oklahoma

MINUTES

Regular Meeting of the
Nichols Hills Building Commission
Tuesday, December 21, 2021 at 4:00 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the City Clerk at 10:22 AM
on the 17th day of December, 2021.**

1. Call to Order
2. Roll Call

Attendee Name	Title	Status	Arrived
Larry Herzel		Present	
John Lippert	Chairman	Absent	
Tori Raines		Present	
Rusty Caston		Present	
Jeff Oakley		Present	

3. Citizens Desiring to be Heard

The purpose of this time is to allow members of the public to speak to the Building Commission on any matter that is not otherwise set for consideration on this Agenda.

No one expressed a desire to be heard.

4. Minutes

- a. November 16, 2021

MOTION: Herzel moved to approve the November 16, 2021 minutes as presented. Oakley seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Herzel
SECONDER:	Jeff Oakley
AYES:	Herzel, Raines, Caston, Oakley
ABSENT:	Lippert

5. Public Hearings

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. Certificate of Approval Application - 7301 Waverly Avenue, Nichols Hills, OK.

Mr. Sam Gresham, architect with Sam Gresham Architecture, presented the application to the Building Commission.

Following discussion among the Building Commission members, staff, and the applicant, Vice-Chairman Caston opened the public hearing.

Hearing no others expressing a desire to be heard, the public hearing was closed.

MOTION: Oakley moved to approve agenda item 5a as presented. Raines seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Oakley
SECONDER:	Tori Raines
AYES:	Herzel, Raines, Caston, Oakley
ABSENT:	Lippert

- b. Certificate of Approval Application - 1801 Coventry Lane, Nichols Hills, OK.

Mr. Joseph Nielsen, contractor for the proposed property, presented the application to the Building Commission.

Following discussion among the Building Commission Members, staff, and applicant, Vice-Chairman Caston opened the public hearing.

Ms. Carol Goetzinger spoke to the Building Commission Members of her concerns for privacy in her backyard.

Hearing no others expressing a desire to be heard, the public

hearing was closed.

MOTION: Oakley moved to approve subject to the second-floor dormer window be inoperable with obscure glass. Raines seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeff Oakley
SECONDER:	Tori Raines
AYES:	Herzel, Raines, Caston, Oakley
ABSENT:	Lippert

- c. Certificate of Approval Application - 1834 Dorchester Place, Nichols Hills, OK.

Mr. Jimmy Motiei, builder with Majestic Construction, LLC, presented the application to the Building Commission.

Following discussion among the Building Commission Members, staff and the applicant, Vice-Chairman Caston opened the public hearing.

Ms. Mary Lutz spoke in favor of the proposed plan. Mrs. Lutz described the drainage issue in the backyard with Mr. Motiei and the Building Commission. Mrs. Lutz spoke of her concerns with the two-story home and the privacy issue in the backyard. Mr. Motiei assured her that there are no windows facing her backyard.

MOTION: Herzel moved to approve subject to eliminating the gables on the two side walls and reconfiguring to hip roofs on those two sides. Oakley seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Herzel
SECONDER:	Jeff Oakley
AYES:	Herzel, Raines, Caston, Oakley
ABSENT:	Lippert

6. Items for Separate Vote

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

a. Centroid determination requirements for Certificate of Approval applications.

Ms. Carla Sharpe, attorney for the City, presented the proposed ordinance.

Building Commission Members and staff discussed the changes to the ordinance concerning centroid. The Commission recommended to amend the proposed ordinance to require a licensed engineer or architect stamp the plans determining the centroid of the applications.

MOTION: Herzel recommended approval as amended. Oakley seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Herzel
SECONDER:	Jeff Oakley
AYES:	Herzel, Raines, Caston, Oakley
ABSENT:	Lippert

b. Building Commission review requirements for improvements involving significant changes to the facades of the street-facing side of dwellings.

Building Commission Members and staff discussed requirements for significant changes to the facades of the street-facing side of dwellings.

- c. Criteria to be used to determine whether a building should be deemed an "Architectural Resource", as the term is defined in Section 50-342 of the Nichols Hills City Code.

Ms. Carla Sharpe, attorney for the City, presented the proposed document explaining what an "Architectural Resource" property is and how that affects the owner of that property.

7. Adjournment

MOTION: There being no further business, Oakley moved to adjourn the meeting. Raines seconded the motion.

Chairman
Building Commission
City of Nichols Hills, Oklahoma

City Manager
Building Commission
City of Nichols Hills, Oklahoma

City Clerk
City of Nichols Hills, Oklahoma

See City Clerk's office.

Designation of Architectural Resources in Nichols Hills

The Nichols Hills City Council and the Nichols Hills Building Commission place special value on the Architectural Resources in Nichols Hills. The Nichols Hills City Code defines “Architectural Resources” as “buildings that possess significant local interest or significant artistic or architectural merit, that are particularly representative of their class or period, or that are particularly important to the City’s history.”¹ The City Council and the Building Commission believe that there are no more than 20 such important “crown jewels” in Nichols Hills.

At the City Council’s direction, the Building Commission is now undertaking the task of specifically identifying and listing the City’s Architectural Resources. This overview explains how the Building Commission determines whether a building is an Architectural Resource and the importance of officially designating and listing each Architectural Resource.

The Building Commission review process.² Created in 2019, the Building Commission reviews applications for Certificates of Approval which are required to move or demolish buildings and to construct main buildings, secondary buildings, and additions to main and secondary buildings. The purposes of the Building Commission review process are many, including protecting, preserving, and enhancing Nichols Hills as a place of timeless beauty with buildings constructed to the highest quality standards.³

The Building Commission gives increased scrutiny to Architectural Resources. Should an owner of an Architectural Resource wish to move or demolish it or to construct an addition to it, a Building Commission Certificate of Approval would be required. As to Architectural Resources, the Building Commission review process is intended to “encourage preservation, protection, renovation, and restoration of Architectural Resources whenever reasonably possible.”⁴ Therefore, the Building Commission gives increased scrutiny to applications for Certificates of Approval regarding Architectural Resources and to buildings near them.

Specifically, the *Nichols Hills Building Commission Building Demolition, Design, and Construction Guidelines* state:

- Architectural Resources should generally not be moved or demolished, but rather should be properly preserved, protected, renovated, and/or restored.⁵
- The potential impacts of new and remodeled buildings in the vicinity of Architectural Resources should be carefully considered in order to not detract from the site of the Architectural Resource.⁶

¹ Nichols Hills City Code Sec. 50-342.

² The Building Commission process is outlined in Chapter 50, Article V of the City Code.

³ Nichols Hills City Code Sec. 50-341. Certificates of Approval are not required for building repairs that do not require a Building Permit nor for minor additions to buildings.

⁴ Nichols Hills City Code Sec. 50-344.

⁵ Guideline A-1, *Architectural Resources*.

⁶ Guideline B-1.12, *Adjacency to Architectural Resources*.

Note that the fact that a building is an Architectural Resource does not mean that an Application for a Certificate of Approval to move or demolish it or to construct an addition to it would never be approved—but rather, an applicant would face an increased burden to establish valid reasons for doing so.

The Building Commission uses certain criteria to identify Architectural Resources. The Building Commission adopted the following criteria for consideration in determining whether a particular building should be designated as an Architectural Resource. Those are:

- The building possesses character, interest or value as a visible reminder of the development and heritage of Nichols Hills.
- The building was the location of a significant local or state event.
- The building is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of Nichols Hills.
- The building exemplifies a particular architectural style or building type important to Nichols Hills.
- The building is the best (or one of the best) remaining examples of an architectural style or building type in a neighborhood in Nichols Hills.
- The building is identified as the work of a person or group whose work has influenced the heritage of Nichols Hills.
- The building has value as a significant element of community sentiment or public pride.
- The building was constructed in the early stages of the development of Nichols Hills (1930s and 1940s), there have been minimal structural modifications to the building, and the building is in at least fair condition.

Having a list of designated Architectural Resources will benefit the Building Commission review process and owners of Architectural Resources. Having an official list of designated Architectural Resources will inform both the Building Commission and owners of Architectural Resources that an application for a Certificate of Approval will receive increased scrutiny. Even before going into the review process, those filing applications regarding Architectural Resources will know that they will face an increased burden of establishing why the Architectural Resource should be demolished or moved, or why an addition to it is appropriate. And the Building Commission would be able to immediately begin review of the application without having to first determine whether or not the building is an Architectural Resource, thus expediting the review process.

Further, owners of buildings in the vicinity of Architectural Resources would benefit as well because they would know to carefully consider the potential impact of removing a building or new construction near an Architectural Resource before filing an application for a Certificate of Approval to do so.

Officially designating a building as an Architectural Resource will not impose any additional requirements or obligations on its owner. The Nichols Hills City Code does not include “historic preservation” regulations as exist in some neighborhoods in Oklahoma City. The Building Commission’s efforts to officially designate and list the City’s Architectural Resources is not in any way an attempt to further regulate these important buildings.

An official designation of a building as an Architectural Resource will not increase the level of scrutiny now provided for by the City Code. Rather, as explained above, the designation would simply be a means of giving the Building Commission and building owners more clarity as to which buildings will receive such increased scrutiny in the review process in the event an owner wished to move or demolish an Architectural Resource or to construct an addition to it.

The official list of Architectural Resources will no doubt evolve over time, as owners agree to have their buildings listed. However, the fact that a building is not listed does not mean that any given building is not an Architectural Resource and as such, given increased scrutiny in the Building Commission review process. The Building Commission has the authority to determine that any building is or is not an Architectural Resource under the City Code’s definition.

If you have any questions, please feel free to contact _____.

Proposed Preliminary List of Architectural Resources in Nichols Hills, OK

- 1125 Bedford - First spec house built by Dr. Nichols
- 7199 Nichols Road - The "John A. Brown Mansion"
 - Constructed in 1929 by department store magnate John A. Brown
- 1606 W. Wilshire - The original Nichols Mansion
 - Constructed by GA Nichols in 1929
- 1800 W. Wilshire - Home of Oklahoma leaders John and Eleanor Kirkpatrick
- 7316 Nichols Rd. - Buttram Mansion, once housed the Oklahoma Museum of Art
 - Former home of Frank and Merle Buttram
 - Constructed in 1938
 - Listed in the National Register of Historic Places (NRHP) in 1990
 - Documented through Historic American Landscapes Survey (HALS), document store in the Library of Congress
- 1901 Bedford - First custom home built by GA Nichols
 - Constructed in 1929
- 1502 Camden Way - Historically significant architecture
 - Constructed in 1935
- 1606 Drury - Built by the Anderson family (APCO OIL) and still owned by the same family
- 1609 Drury - John Duncan Forsythe design built by the Rosenthal family
- 1500 Huntington - Includes "Fairy Land" gardens, unique to NH
- 1504 Huntington - Significant historical architecture