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A question of history

Swan Lake neighbors oppose proposed construction of apartment building

While the swans of Swan Lake Park basked and preened peacefully in the summer sun, some of their human neighbors got their feathers ruffled recently.

Several area residents were upset over a proposed apartment building that the Tulsa Preservation Commission approved for the historic neighborhood.

In May, the Commission granted a Certificate of Appropriateness for a five-unit apartment building to be erected at the northwest corner of 17th Place and South Quincy Avenue in the Swan Lake neighborhood.

Swan Lake is a Historic Preservation Zoning District, which means the Preservation Commission must approve any proposed construction project, making su

[By Tim Stanley World Staff Writer](#)

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g sure it is "appropriate" to the neighborhood.

Some Swan Lake neighbors objected to the certificate, however, saying the proposed structure didn't follow the neighborhood's Historic Preservation Zoning guidelines. The developer subsequently decided to change the design.

"He wants to consult more closely with the neighborhood in making sure they're happy with it," said David Breed, vice chairman of the Preservation Commission.

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The purpose of Historic Preservation Zoning, which was established in 1988 along with the Preservation Commission itself, is to preserve the character and individual flavor of Tulsa's historic neighborhoods. There are currently five such neighborhoods in Tulsa.

Chip Atkins, president of the Swan Lake Neighborhood Association, said one of the neighborhood's main objections was to the size of the proposed structure, which at over 40 feet tall would dominate the area, he said.

"It would be the largest structure in a Historic Preservation Zoning District. You're building a huge structure where there aren't any like it. The surrounding houses would be dwarfed."

The neighbors objected not only because of the structure itself, but because of the long-term implications, Atkins said.

"We were prepared to fight," he said. "This would set a standard. This would've been the first apartment building to be built here under Historic Preservation guidelines. Any future ones built here could use this as an example. The Commission always looks at the neighborhood in making their decisions and if this structure was there, it would definitely influence them."

Breed said that with the developer's change of plans, the Commission will consider withdrawing its Certificate of Appropriateness. He defends the original decision, though, saying a knowledge of the property's history is helpful to understanding the Commission's point of view.

Arnold Schmidt, the developer, had applied for a previous Certificate of Appropriateness three years earlier for a proposed apartment building on the same property, which he owns, Breed said.

"The original design for the five units had five driveways coming directly off 17th place, one after another -- bang, bang, bang," said architect Michael E. Schmitz, who would redesign the project for Schmidt. "That left very little space for landscaping. There were some other issues, but that was the biggest one, I thought."

That style was not typical for the neighborhood, Breed said.

"The older neighborhood houses usually have a detached structure for parking, located behind the house," he said.

Even so, the Preservation Commission issued the requested certificate. Schmidt didn't commence with the project, however, and the certificate expired after two years, Breed said. Schmidt reapplied for a new certificate earlier this year.

"I imagine the Commission granted the certificate for the original design because they were anxious to promote infill development and they felt they'd come to a good compromise. I'll admit, though, we scratched our heads and wondered why they had; it was such a departure from the rest of the neighborhood," Breed said.

The Commission wasn't as receptive to the original design this time around, but Schmidt teamed up with Schmitz and returned with a revised design featuring parking behind and incorporating architectural details common to the area's other structures, as they say the Swan Lake guidelines recommend.

The Commission, after further review, declared the plan acceptable and issued another certificate.

"The Commission's decision to approve it was based on the fact that the new design was so much better than the original," Breed said. "It was a much more attractive project and more congruous to the neighborhood."

Schmitz said his design is pedestrian-oriented. Instead of driveways, anyone walking along 17th Place beside the redesigned structure would see steps leading up to porches, with more trees and landscaping.

"We also proposed similar materials for the structure," Schmitz added, speaking for his client. "We just used our artistic license and pulled from everything to create this. I thought it would be a vast improvement."

Atkins disagreed, however. In addition to the size of the structure, neighbors also objected to the materials being used, although Schmitz said he and Schmidt tried to follow the

neighborhood example.

Atkins said the guidelines recommend that any proposed apartment buildings follow the scale and style of other apartment buildings in the area. There are other apartment buildings nearby, built decades earlier; but this design fails to follow them, he added.

"The other structures have brick, rock and concrete; but no stucco. This building was going to be two-thirds stucco," Atkins said.

Breed said the argument boiled down to interpretation of the guidelines.

"Every piece of property in the city is subject to zoning laws that control what can or cannot be built there; but preservation zoning is only concerned with how it's built -- whether the project squares with each historic neighborhood's respective guidelines, which the neighborhood associations themselves determine."

The guidelines vary slightly among neighborhoods, he added. Swan Lake's, which are older, are less specific than others. The Brady Heights association, in fact, studied Swan Lake's in devising their own and as a result, Breed said, they're more specific.

"But Swan Lake's are not and so interpretations can vary," he said. "In some cases that's good because it gives us more leeway in what we can approve. But it cuts both ways."

"It's not been an easy process, but it's been very educational for us," he said.

"Swan Lake is not against infill; but this project just didn't meet our requirements," Atkins said. "It's about both visual impact and architectural impact -- it's about the spirit of the place," he said.

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