

MINUTES  
HISTORICAL PRESERVATION COMMISSION  
NEW CITY HALL  
212 SW 9<sup>TH</sup> STREET  
LAWTON OKLAHOMA  
JULY 18, 2012

The meeting was called to order by Debra Jones, Vice-Chair, at 5:30 p.m. in the New City Hall. Notice of meeting and agenda were posted on the City Hall notice board as required by law.

**ROLL CALL:**

**PRESENT:** Crawford, Suzan; Denham, David; Jones, Debra; Jones, John;  
Newcombe, Steve; Phillips, Cherry.

**ABSENT:** Mitchner, Page.

**OTHERS PRESENT:** Richard Rogalski, Planning Department; Denise Ezell, Deputy City Clerk.

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3. Approve minutes of September 7, 2011.

**MOTION** by Denham, **SECOND** by Newcombe, to approve the minutes of September 7, 2011 as written. **AYE:** Denham; Jones D; Jones J; Newcombe; Phillips; Crawford. **NAYS:** None. **MOTION CARRIED.**

4. To review and consider the request for a change of zoning from R-1 (Single Family Dwelling District) to R-1 (Single Family Dwelling District) with an HP (Historical Preservation Overlay District) zoning classification on tracts as shown on maps filed in the Planning Division and described as follows: Lots 1-27, Block 1; Lots 1-25, Block 2, Lots 1-22, Block 3; Lots 1-24 Block 4; Lots 1-4, Block 10; Lots 1-5, Block 9; and Lots 1-10, Block 8, Morford Hills Addition, Parts I and II, located between NE 33<sup>rd</sup> Street and NW 38<sup>th</sup> Street, NW Cache Road and the alley north of NW Baltimore Avenue, to the City of Lawton, Oklahoma, and to take appropriate action if necessary.

Jones asked is this not NW 33<sup>rd</sup> Street.

Rogalski stated yes.

Jones stated would the Commission please make note it should read NW 33<sup>rd</sup> Street.

Rogalski stated we are dealing with the residential sub-division of Morford Hills Part I and II. Notice was sent to the ninety-two (92) property owners within the area and to the sixty (60) property owners outside the area. It is zoned R-1 except for a small area that is zoned PF (Public Facility Zoning). There is a lot of commercial zoning surrounding the property to the east, west and south. To the south is the commercialization of Cache Road. When originally developed as a residential sub-division it was away from town, but as the community developed the countryside moved in. Now there is severe commercial encroachment in the area. The proposed zoning is an overlay zone and it would not change the underlining zoning or the

underlining uses of that zoning. It simply adds a historic preservation overlay with its own requirements dealing with the residencies/buildings and the modification to the residencies/buildings. The Land Use Plan indicates the lots along Cache Road will transition to professional office or transitional and the rest of the properties remaining residential.

Rogalski stated HP zoning is semi new. It became a part of City Code in 2005. The Mattie Beal Home is the only HP overlay at this time. The community is looking at the overlay to preserve neighborhoods and structures. This is not the same as a Historic Designation which is done by the state. This overlay is a way communities identify properties as being historic and says something about Lawton's history. In your packets there was a section that discussed the historic nature of the sub-division. The property was originally developed in the early 1950's. The homes were built by the Porter brothers who were the most prestige builders at the time. These homes are an American ranch style home. This style of home was very prevalent in the United States. The neighborhood has remained in good condition with many of the same property owners or the children of the original property owner. Robert Morford III was the son of the developer and he still lives in the neighborhood. This is an area that once someone moved in they stayed.

Rogalski stated we are looking at preserving the area for the next generation. That is the purpose of the HP overlay and the guidelines. The city doesn't present the standards for the overlay the applicant does. A section of these standards were included in the application. They cover things such as the Certificate of Appropriateness, height, remodeling requirements, rebuilding requirements and demolition requirements. These standards are to keep the areas as it is now. To adding something it must fit the look of the original home. That is what historical preservation is all about. Some historical district may require you to have something special made to stay within the guidelines. These guidelines do not require that. They are not very onerous. One additional step when remodeling or rebuilding you must to acquire a Certificate of Appropriateness. Once an application is submitted to the city this body will decide if the change/changes match the home and the neighborhood. If it doesn't match the Commission will help you in finding a match.

Rogalski stated let me re-emphasize the HP overlay is just a rezoning. All properties within the city are zoned at some level. The HP overlay is being added by a zoning action and can be removed in the same manner. This isn't a permanent protection. The submitted guidelines do not include uses. They simple reference the allowable uses allowed by the underlining zoning. They have to do with the buildings and not the uses.

Rogalski stated again the Land Use Plans show the properties along Cache Road transitioning to professional offices or commercial. With this being said I do have some concerns. I do believe this HP district is a great idea and hope this will spur more neighborhoods to do the same. My concerns are with the homes on Cache Road. Cache Road currently has a traffic count of over 34,000 cars a day and is a noisy busy place. Sub-division requirements today would not allow these lots to front Cache Road. Fronting means where the front yards face Cache Road. That row of homes doesn't seem to be a part of the neighborhood. There doesn't seem to be pride of ownership with those homes. I believe there has been difficulty in keeping them occupied and it is difficult to get in and out of the properties. I agree with the Land Use

steering committee that these properties should be professional office/transitional. I would recommend the overlay without including the properties along Cache Road.

Jones D stated for clarification you are not suggesting that someone can build a professional office without rezoning.

Rogalski stated no. They would have to rezone the property.

Jones D stated before opening the Public Hearing does anyone have any questions. Seeing none we will open the Public Hearing. Anyone wishing to speak to this matter come forward and state your name and address.

## **PUBLIC HEARING OPENED**

Gibson stated my name is Morris Gibson and I live at 3303 Cache Road. I agree with Mr. Rogalski that the houses on Cache Road are not suitable as residences any longer. A couple of years ago my wife had a wreck trying to back out onto Cache Road. This is a busy road and you have to take your opportunity when it arises. We have put in a complete circle drive, at a substantial expense, so we can drive out onto Cache Road. I have had people drive through my front yard at 50 mph. It is no longer suitable for a residential area viable to raise a family. I raised my son there and it has been a wonderful neighborhood with very little crime. The historic zoning for Cache Road is not a bad thing, but it is time for something to change along this road.

Phillips asked so you don't want the HP overlay.

Gibson stated my wife and I don't want to be burdened with the requirements to keep up with the maintenance and repair of our home. I feel my home is in very good repair. We keep up with the paint, the roof, the yard and any maintenance. We have modernized our home considerably. These things would not have been allowed through this particular change. I have concerns with things such as roofing. We just put on an expensive roof. If it is damaged then I'm burdened with replacing it with a roof that cost three (3) to four (4) times more than what my insurance will pay. These things concern me.

Crawford asked are you a current resident in that home.

Gibson stated yes ma'am.

Crawford asked so you are actually are currently experiencing this.

Gibson stated yes ma'am.

Torbert stated I'm David Torbert and I live with my mother at 3316 Baltimore. My father and mother purchased the home and my father has since passed. I'm here representing my mother. They are one of the pharmacists that moved in around 1956. I'm not here for or against the overlay. I just have some questions after reading through the packet. There are some

projects I need to do to the house and one is building a handicap ramp. We have a front and back door and to build the ramp it will require a Certificate of Appropriateness. Will this certificate require a \$2500 ramp or a \$250 ramp? I also have windows that need replaced. If anyone has maintained the original integrity of the house it is 3316 Baltimore. I don't want to change anything on the house. Some of the homes in the neighborhood throughout the years have become run down and dilapidated. Recently they have been restored in such a way they are beautiful. I don't know if that could have been done under these guidelines. It is nice to see improvements being made, but some may have a budget. I hope being declared a historic district would not prohibit them from doing what they see fit without making major changes. Are we reading more into something that isn't there? That is what it says and I would like some clarification.

Rogalski stated the handicap ramp is a good example. I have seen metal ramps that have been attached to the stairway and that would not be allowed. You would have to build something out of concrete or bricks. It would need to be built more permanent. Retaining the original windows and frame is what is best in a historic neighborhood or building, however, reasonable substitutions are allowed. They will be looked at on a case by case basis. We are trying to maintain the look of the neighborhood. If the original can't be maintained then we will work on finding something that fits. We will not allow dramatic changes. The guidelines are trying to prohibit dramatic changes. This body and staff are trying to be reasonable. They are not trying to hurt anyone. The intent of the guidelines are to preserve the neighborhood. If we can do that and make substitutions that is a good thing. In terms of roofs if you have a traditional shingle and you want three tabs that is not a significant deviation. They look much the same. Going from a traditional shingle to metal will not work.

Crawford stated I built a ramp for my mother and it was wood not concrete. It was very attractive. I kept the same elevation with a slight grade. A home you will be familiar with is the Neal home. That would warrant a Certificate of Appropriateness. It was wood, but blended right in.

Jones D stated what the guidelines says is "a Certificate of Appropriateness would be required on accessibility aid such as ramps or lifts that require concrete, brick or other more permanent foundations". I think we would have to use the Executive Committee if it was a wood temporary ramp or if it were on the side.

Torbert stated it would be in the front of the house because there is no other entry.

Crawford stated isn't there a sidewalk that goes from your driveway to the front of the house.

Torbert stated yes.

Jones D stated I want to stress in our implementation of this ordinance we have discussed and drafted a three (3) tier process on Certificate of Appropriateness. If you are proposing replacing a window once you get a building permit it will be administratively approved. If there are questions as to whether it meets the guidelines or not then we will have an informal

committee of three (3) commissioners look at it. We will not move a Certificate of Appropriateness to this whole body unless it is a dramatic change. Changing the pitch of the roof or an addition is a dramatic change. General maintenance and replacement are not going to hold you up.

Rogalski stated they can call me from where you get your building permit and I can render a decision rather quickly on replacement items.

Torbert stated after reading through the material you have to decide to what degree you want to maintain the integrity of the neighborhood. To some degree you would want to leave it up to the homeowner to do to his property what he sees fit with the amount of money he has and he is burdened with depending on someone else's interpretation.

Jones D stated always remember on a Certificate of Appropriateness there is an economic hardship appeal. This is something you could bring forth based upon your individual situation. I would try and encourage every applicant to try and meet the guidelines. The purpose of the ordinance is to protect the neighborhood and structures. To homogeneous a neighborhood that is historic so everyone can enjoy it. This is important not just to the owners, but also the community. You'll have to bear with us on answering some of these questions because we do not have another district. We are working through this ordinance. We may have to make changes to the ordinance in the future. We are doing the best can. Rogalski has adequately stated that staff and this Commission are open to sitting down and chatting with anybody about problems with the ordinance and its application.

Jones J stated in regards to ramps on page three (3) section four (4) it talks about ramps being in the rear or on the side. Most homes are built with a 3' front door, 2'8" garage door and the same for the back door. Consequently you create a problem for wheel chairs. It also mentions we don't want alterations to the house. We are running into conflicts with what we are saying. I believe anytime you are doing a historical area you have to consider the fact that it may be an aging population in the district. Most ramps are built temporarily. Most home we sell with ramps are removed because they no longer need it. I understand we are concerned about preserving the looks of the front of the house, but we have to come up with some design for ramps at the front door. If the house is deep and you have to use the back door you have to have a sidewalk all the way around the house. I think the only feasible thing to do is find a way to amend the ordinance to where we can do ramps at the front door.

Rogalski stated it does allow ramps at the front door. These guidelines do not contain the notation of how you would handle a temporary ramp. That is a good point. We can modify that here on the floor. It will be up to the Commission on how to handle that. The guidelines can be modified as part of your recommendation.

Torbert stated does a historical preservation have a history of appreciating the home itself or a history of being more difficult to sell.

Jones J stated at this point Lawton has no history to determine what it will do to the value. Historically across the State and other areas of the country it depends on the area. The

concern I have in selling a house would be the time it takes for a Certificate of Appropriateness if there was a delay. If a home is fifty (50) years old typically the windows have seen their life. Sometimes painting the brick in some of the older homes really helps. I would not make a statement that it would improve your property value or deteriorate the value because we just don't have the experience here with a historic district.

Torbert asked can you sell a home that is not in compliance with the historical guidelines.

Jones stated certainly. If you have to do any remodeling to sell the home then you have to be in compliance.

Crawford stated let me say in the historical preservation neighborhoods in Oklahoma City it has enhanced and improved the value of the property. In terms of selling it would be a plus. When people purchase a home they don't just look at one house they look at the entire neighborhood and in that respect it would.

Torbert stated thank you.

Cagle stated I'm Fielding Cagle and my home is on Cache Road. I grew up on Cache Road. We were one of the first houses located at 3413 Cache Road. I own the house that use to belong to the Elrod's. When my parents moved into the house K-Mart was Heinz Dairy, Cache Road was an open field and there was nothing between us and Ft. Sill. I'm very familiar with the area. Some of these conditions bother me. The house on the corner no one has lived in for probably ten (10) years. The next house has been through owner after owner and renter after renter. The next house is totally unlivable. There are no walls or floors. There is no way this house could meet code. Next is my dad's house and for safety reasons he has a driveway that goes all the way through. It goes down the side of the house all the way through to the back. My house is next and there is gravel in the yard so we can back around and nose out onto Cache Road. The house next to me is also a rental. I know lots of people think this area is going to go commercial, but I don't see it happening anytime soon. I know that I'm going to have to make a lot of changes to my home. My dad is 89 and the reason I purchased this house was to help with my mother. She had some special problems and dad made changes to the house. I need to change my windows and the guidelines say we will maintain the same windows. You are right about traffic. It takes a couple of minutes to pull onto Cache Road. At 5 o'clock traffic is backed up to 34<sup>th</sup> Street. As your picture showed most of the houses on Cache Road are in ill repair. It will run into a lot of expense if we have to have another committee come in and tell us what we can do to our houses. This concerns me because I'm getting ready to make repairs to my house. My dad is also against this. Last night I saw a petition with about twenty (20) names on it that are against this. My wife is a cancer survivor with a chronic pain condition and I need to start thinking about handicap accessibility. To get to my backyard or somewhere other than the front drive makes it tough. Keeping the original lighting is other issues. I have a light in the front yard I want to replace with an old time street light. I don't believe that will be a problem except you have to go through another committee to make these changes. Some of these changes will add expenses to the house. It concerns me having this overlay on how it will affect us. I believe there will be a lot of expense. Look at Old Town North there is a lot of new project going on there. My question is does it stop at 4<sup>th</sup>, 6<sup>th</sup> or 7<sup>th</sup>. How are we preserving that area?

There are a lot of concerns the people have especially when reading the new covenants. Until we see something more permanent we are against it or at least against it covering Cache Road.

Walker stated my name is Ann Walker. I own the house at 3309 and 3301 Cache Road. Eight (8) or ten (10) years ago we had a foundation problem and it cost \$10,000 to repair it. Now 3301 has a foundation problem and we are looking at another \$10,000. I don't work now so I don't believe we can afford to repair it. We are remodeling the inside right now. I hope Lawton will do something to make Lawton better. Make Lawton look like Wichita Falls. They are almost the same size, but Wichita Falls looks more modern than Lawton. I hope the city will make Lawton look prettier and more modern.

Crawford asked thank you for talking to us. Do you currently live in Morford Hills? Is your home there?

Walker stated no ma'am. I live on 82<sup>nd</sup> Street.

Crawford stated thank you.

Gardner stated my name is James Gardner and I live at 3321 NW Cache Road. I agree with Mr. Rogalski's suggestion of excluding the properties on Cache Road. There are others that feel this way. These houses need to be removed or repaired. Future commercial or professional office buildings going in would do nothing but improve the looks along Cache Road. Thank you.

Marks stated I'm Michelle Marks and I live at 3414 Atlanta. I also support removing Cache Road. This directly affects me. The homes on Cache Road back up to my back yard. Whether or not a business goes in directly affects me and the value of my home. I don't think they should have to continue the way it is on Cache Road. I have seen the influx of renters and the things that go on back there. I have had to deal with fireworks, fires, and everything else that some of the renters are doing. I support the removal of Cache Road and I do not support the historical zoning. I purchased my home because I wanted to have individuality if I wanted. If I want to paint my trim blue or put on a modern door I believe I should be able to do so. With the guidelines set forth I can't do a lot of things to my home. A lot of this restricts me as a person, with making the biggest purchase as an adult you make, from being able to do what I want with my home. It knocks out a lot of modern things which will not make the neighborhood ugly. I think we should be able to do what we want. I want to say I'm against it for a lot of reasons.

Jones D asked is there anyone else.

Rogalski asked do you have the petition sir.

Jones D asked Dr. Morford as the applicant would you like to address the Commission.

Morford stated I'm Bob Morford. My dad started the development. All we are trying to do is preserve the neighborhood. I know you want to be able to change things, but when this was introduced we felt it was ideal for this neighborhood. I have driven the historical neighborhoods

in Norman and Oklahoma and it seems like those owners keep their properties up and take better care because they have the pride of a historical district. I have no monetary investment in any of this except my dental office. I thought it would make the neighborhood nicer and more attractive when selling homes. If you read the plat restrictions to do anything within the neighborhood you are suppose to see me. The problem with that is if I take them to court the neighbors do not want to testify. This provision puts the HP Commission in charge. We want to keep the value of our property up and make it a better place to live.

Jones D asked I assume you have heard the concerns about accessibility ramps. Would you look at the guidelines concerning ramps with Rogalski before the CPC meeting to see if there is any difference you might make in the neighborhood. I believe this is a valid concern.

Morford stated I'll be happy to. Honestly these were put together from guidelines of different communities. We don't have any experience with this either and we are trying to get a base to work with.

Jones D stated so you are not opposed to amending it.

Morford stated definitely not.

Jones D asked are there any other questions of Dr. Morford.

Denham asked are there any supporters for this?

Crawford stated I do believe there are.

Denham stated we are trying to be like other real cities. The one thing we hear is why can't Lawton be more like Wichita Falls or Oklahoma City. A lot of time and effort has gone into this Commission and this is our first real meeting with the public. Jones and myself have been here from the beginning and it is nice to see. We appreciate everyone coming out. Starting out we expressed a lot of the same concerns. We didn't want to be told how to handle our property. We wanted to be able to do what we wanted. On the other hand who is going to be the first person coming to the City when their neighbor puts up a metal building or aluminum carport or paints their house purple. I know Dr. Morford has tried to have meeting to get input from the neighborhood as to what is important to the community. This is a chance for you to preserve your neighborhood. Crawford is correct you should see an increase in your property value . I agree I don't believe the Cache Road properties belong on this. I think we all know the days are probably numbered for those houses. That is when those who live on Atlanta and Baltimore are going to be complaining because a fast food goes in and now all you smell is french fries. The Planning Commission has spent years trying to make sure that anything that abuts a residential neighborhood has limited use and they do what they way they are going to. We have learned from the carwash on Cache Road and the Hampton Inn that not just anything can butt up to a neighborhood. We are going to represent the neighbors. That is why I ask if there was anyone supporting this. I'm getting a lot of you here don't want it and we have to listen to the neighbors. I hope the neighbors realize this is a chance to improve your neighborhood. This is a chance to maintain a very historic place and I would hope it would be the start of a Fields and Dunning,

Old Town North and Sneed Acres. Those are some unique areas in this community. Lincoln log buildings and pre-fab homes are not a big deal unless they are put up next door to you. Then it is “oh the city doesn’t listen”. I hear what you are saying and we have to do what the neighborhood wants. We don’t want you to go in and break your savings to put in new windows. We are going to be realistic. I build ramps with my Ambuc brothers all the time so come talk to us and we will see what we can do to help you out.

Torbert stated I didn’t come down here to talk about ramps. I am in favor based on the fact that there are some provisions within that if there is an issue that you can bend the stipulations to accommodate a house.

Jones D asked are there any more comments from the public.

Phillips asked Mr. Tye these people that signed this petition do they live in the district.

Jones D stated looking at the addresses some of them live on Cache Road.

Denham stated if they don’t live there they own property there.

Phillips stated okay.

Rogalski asked is their opposition to the entire neighborhood or just Cache Road.

Tye stated just Cache Road.

Marks stated I understood it was the entire neighborhood.

Rogalski stated okay the whole neighborhood. There is a requirement the petition must have a percentage of the owners within the 300’ designated area or within the actual area. It also requires Council approval with 2/3 vote. This means six (6) of the eight (8) members must vote yes.

Morford stated there are those in favor of this. This was approved by the Morford Hills Association.

Denham state the neighborhood needs to have another meeting before coming to the Planning Commission and do some tweaking on the guidelines. There is a lot of unknown out there and if you could hold the meetings first and then come to the next level. If there are supporters it is time to get them out because the opposition has definitely spoken.

Jones J stated Denham and myself are (2) member on this committee you will see again on the Planning Commission. I’m concerned we don’t have more in attendance to represent the whole neighborhood. I appreciate those who have spoken and certainly value your comments. I feel we need to move forward with this and I agree that Cache Road doesn’t need to be a part of this.

Jones D stated are there any other comments. Seeing none we will close the public hearing.

## **PUBLIC HEARING CLOSED**

**MOTION** by Jones J, **SECOND** by Newcombe, to approve the request for a change of zoning from R-1 (Single Family Dwelling District) to R-1 (Single Family Dwelling District) with an HP (Historical Preservation Overlay District) zoning classification on tracts as shown on maps filed in the Planning Division and described as follows: Lots 13-27, Block 1; Lots 13-25, Block 2, Lots 1-22, Block 3; Lots 1-24 Block 4; Lots 1-4, Block 10; Lots 1-5, Block 9; and Lots 1-10, Block 8, Morford Hills Addition, Parts I and II, located between NW 33<sup>rd</sup> Street and NW 38<sup>th</sup> Street, NW Cache Road and the alley north of NW Baltimore Avenue, to the City of Lawton, Oklahoma, **AYE:** Jones D; Jones J; Newcombe; Phillips; Denham. **NAYS:** None. **ABSTAINED:** Crawford. **MOTION CARRIED.**

Jones D stated the motion has passed to endorse the staff recommendation to establish an HP District on all the requested lots with the exception of the lots fronting on Cache Road. This is simply a recommendation. It will now go to the Planning Commission and you will be served with another written notice. Written notice will be served again before going to the City Council. You can expect to receive another letter in the mail.

Jones J stated I would like to emphasize we would like to see a good turnout at the Planning Commission meeting. That is where representation comes in and this is what this is all about. We look to the citizens of the community and I hope you are successful in getting a lot to the CPC meeting.

Denham stated I would echo that. Don't think that it will go through just because we are moving it on today. Everyone needs to keep coming back. I don't believe those of you on Cache Road have to worry, but the Atlanta and Baltimore folks probably want to come back and express your concerns. Because we voted for it today doesn't mean that our minds are made up. Jones and I will see you again at the next meeting.

Jones D asked are there any other comments before I close this item.

5. Chairman and Committee Member report and comments.

Jones D stated Steve Barnes has resigned from the Commission so we need to look towards replacing him with somebody in the architectural/building area. Also I would like to say that I appreciate everyone coming out on a very hot evening. Thank you for doing so. Any other comments.

6. Adjournment.