

MINUTES  
HISTORICAL PRESERVATION COMMISSION  
NEW CITY HALL  
212 SW 9<sup>TH</sup> STREET  
LAWTON OKLAHOMA  
NOVEMBER 7, 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; Michener, Page; Newcombe, Steve; Phillips, Cherry.

**ABSENT:** None.

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

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3. Approve minutes of July 18, 2012.

**MOTION** by Jones, **SECOND** by Phillips, to approve the minutes of July 18, 2012 as written. **AYE:** Denham; Jones D; Jones J; Newcombe; Phillips; Crawford. **NAYS:** None. **MOTION CARRIED.**

4. Hold a public hearing and consider a request for a change of zoning to place Historical Preservation Overlay District on property located at 7, 101 and 102 NW Fort Sill Blvd. and take action if necessary.

Dollarhite stated this request is for lots on both sides of Fort Sill Boulevard. It includes Lot 5, Block 56, North Addition, address of #7 NW Fort Sill Boulevard; Lots 7-8, Block 55, North Addition, address of #101 NW Fort Sill Boulevard; and Lots 1-4, Block 2, Mountain View Addition, address of #102 NW Fort Sill Boulevard. A letter was part of their application that describes the basis for designation. We will allow the applicants to address you on the merits of their property. The zoning of the surrounding area is R2 on the east side and R4 on the west side. The surrounding land use is single family residential. The 2030 land use plan designates all the lots as being residential low density. In addition to requesting the historical overlay they are requesting the lots be rezoned. The east side is requesting to go from R2 to R1 and the west side from R4 to R2. This Commission will only address the HP overlay. On October 12<sup>th</sup> a notice of public hearing was mailed to the three homeowners and fifty-one property owners with 300'. On October 21<sup>st</sup> noticed was published in the Lawton Constitution. As of this date we have not received any calls or letters either for or against this request. Section 18-10-1-1012 of the Lawton City Code lists the criteria for designation within three categories. These are historical/cultural, architectural engineering and archeological. The letters for basis of designation address how these homes meet the criteria. As a reminder this Commission makes a recommendation to the Planning Commission and the Planning Commission will make a recommendation to the City Council. City Council will make the final decision.

Jones J asked does it make a difference if the zoning comes first or not.

Dollarhite stated no.

Jones D asked is it your intention to process the down zoning at the same time you do the overlay.

Dollarhite stated yes. We also have pictures of each of these three homes.

Rogalski stated the actual overlay district is separate from the underling zoning, but it does reference the underlying zoning. If it is rezoned to R1 and R2 and in the future is up zoned it will still remain in the overlay district.

Jones D asked is there any other question of Dollarhite or Rogalski. Seeing none I'll open the public hearing. We will take each property separately for the purposes of comments. First in your packet is #102 NW Fort Sill Boulevard. Anyone wishing to speak please come to the microphone and state you name and address.

## **PUBLIC HEARING**

Michener stated we would like to place our home in a historic overlay to try and preserve the history of Lawton and what these three homes represent to Lawton. William Cornett bought the land in 1904 and built the home in 1905. He was the first Post Trader at Ft. Sill. Many meeting and decisions were made in the home. The architectural significance came when the Shepler's purchase the home and redesigned it into the neoclassical revival style. Our motivation for the overlay is just to make the home a part of the historical history of Lawton. We want to preserve the beauty.

Cherry asked was there a reason for requesting to go from R4 to R2 rather than R1.

Michener stated we have a carriage house. We don't rent it out, but we didn't want to prohibit anyone else from doing so. We just didn't want to restrict it.

Jones D stated the next property in your packet is 101 NW Ft. Sill Blvd.

Moses stated I'm George Moses at #101 NW Fort Sill Boulevard. My reasons for this overlay are to preserve the home and the history. I have always been impressed with the home every since I was a kid on E Street. I would go visit my late wife Judi in Fields and Dunning and I had to walk by the home. It was very impressive along with the other homes before you today. I was gone for twenty some odd years in the military and when I returned this home became available. We were preparing to retire and I was fortunate enough to be able to purchase the home. My late wife and I lived there for several years before she passed away. The home has major architectural contribution to Old Town North and Fort Sill Boulevard. The other homes have both historical and cultural contributions to warrant preservation. This home was owned by Mr. Trope an immigrant to our country. He came here in the early 30's and married a beautiful lady from Kansas. He owned a clothing store that many of the pioneers in our city bought cloths

from. He was a very strong civic contributor. He built the home in 1939 and finished in 1940. After his death Dawn and Wayne Littlefield purchased the home. Originally the home was yellow brick and the Littlefield's painted the house white. It appeared to make a major impact on its appearance and was pleasant to see. The inside of the home is fairly original. The original wood, fine pecan wood was imported from Arkansas to be used for the trim. The architectural significant is noted in the application by the brick work. It is very similar to the brick work on the Red Cross building on Gore. To me it is important to see those three homes. We tried to get Mr. Hester to join us in this effort, but for reasonable reasons he declined. Scott and Paige Michener, Yvonne and Steve Johnson and I proceeded in putting this application together trying to preserve our homes. There may be other on Fort Sill Boulevard that would warrant this. I have in my mind to use what I call the "ink spot strategy" to continue to grow this overlay through an addendum. There are many homes that were identified in Old Town North through an Oklahoma State Historical survey to be worthy to take on the project. We believe it is worthy to take on the project and to approach those owners encouraging them to join this preservation effort for particular homes that warrant it.

Moses stated Yvonne and Steve Johnson are in Maine so if I may I would like to comment a little about their home. As my memory serves me the home was owned by the Coca Cola plant owner Mr. Porter. He and his wife lived there for many years. In the early days they were a couple know for participating in the social life of Lawton, Of course we all remember the Coca Cola plant and Mr. Porter was a great donator of cokes to all kinds of civic functions around town. They were a well know couple and contributed a lot to this city. I would encourage you to give favorable consideration to the Johnson home as well.

Moses stated another remark I would make is as I listened to Morford Hills deliberations Suzan Jones gave an excellent overview of why it was warranted to preserve Morford Hills. Old Town North has had a very aggressive effort to preserve its integrity. The association has dwindled over the years and it is not as aggressive and I'm not sure it is still in existence. The problem is that most volunteer organizations it is hard to find volunteers to run things. Morford Hills was a post War World II community and I believe Old Town North was a pre War World II community. Many of the homes were built before War World II. Most of the homes are the smaller bungalow type home that have some pretty distinguishing architecture to them and are very well built homes. Many of them have been preserved well over the years and many have not. This is where we believe it is worth an effort to use the "ink spot strategy" to try and reach out to those owners and see if we can get those home into the overlay. Those are my views about my home, Old Town North and why I think it is a contribution to the City to preserve them.

Jones D stated thank you. Is there anyone else that would like to speak either in favor or in opposition to any of the three sites?

Hamilton stated I'm Noreen Hamilton at 1002 Bell. I have lived there for thirty-two years and have lived in Lawton since 1950. I now live in my third home. I love these homes. I'm just wondering if there are going to be any changes. Are you going to tell us we can't put up a fence or something like that? Will there be any changes like that.

Rogalski stated these guidelines are just for the three properties. They have agreed to the guidelines because they feel their homes are special and they are willing to follow the guidelines. They will not apply to any other structures. Your home will be under the standard rules.

Hamilton stated I'm very proud of Old Town North and just wanted to know ahead of time if we would be receiving any changes.

Denham stated as far as your "ink spot strategy" if we go that route we would only be targeting specific homes initially. There would not be blocks. We designated an entire neighborhood in Morford Hills. There was feedback from those who didn't want it and obviously majority ruled. This is just for the three homes and then down the road if someone else chooses to participate they would make an addendum to the overlay, but it would only apply to that specific home. If down the road we have blocks of homes then you may see an effort to do the neighborhood. There would be plenty of public hearings and input from all sides, but for now it would be per parcel or property.

Phillips asked is there a certain distance required if a home wants to join this overlay.

Rogalski stated no. There isn't a difference if they join this overlay or create their own. It is exactly the same. The idea behind this overlay is simply to create a commonality. I like the idea that everybody uses the same rules. It is easier for me to administer.

Jones D asked is there any more comments. Seeing none I'll close the public hearing.

## **PUBLIC HEARING CLOSED**

Jones D stated I would suggest to you that we handle each of these properties as a separate motion because Mrs. Michener will be abstaining from her application.

Newcombe stated so basically what we are doing is recommending a historical overlay to go to the Planning Commissions.

Jones D stated yes. You are also recommending that your review of the historical information submitted is in compliance with the ordinance. You're making a finding that what they submitted is in compliance with the ordinance whether it is architectural, social or cultural. That the design guidelines are sufficient and I think they are. The final recommendation is the appropriate permitted uses on review in the R1 or R2 are sufficient to support the preservation overlay. In other words the uses are limited in those districts.

Newcombe stated the current zoning supports the designation.

Jones D stated yes. There are three things that have been listed on the second page.

Newcombe asked which address is the Michener home.

Jones D stated 102.

**Motion** by Newcombe, **Second** by Phillips, that as to #7 and #101 NW Ft. Sill Blvd. we recommend to the Planning Commission to approve a change of zoning to be placed on these properties in a Historical Preservation Overlay District. That we recommend to the Planning Commission that the submittals provided to the Historical Preservation Commission are complete and support a change of zoning to Historical Preservation Overlay District. The design information is sufficient and in the opinion of the Historical Preservation Commission the zoning is sufficient to support placing these properties in a Historical Preservation Overlay District. **Aye:** Jones, D; Jones, J; Michener; Newcombe; Phillips; Crawford; Denham. **Nay:** None. **Motion Passed.**

**Motion** by Newcombe, **Second** by Phillips, that as to #102 NW Ft. Sill Blvd. we recommend to the Planning Commission to approve a change of zoning to be placed on this properties in a Historical Preservation Overlay District. That we recommend to the Planning Commission that the submittal provided to the Historical Preservation Commission are complete and they support a change of zoning to Historical Preservation Overlay District. The design information is sufficient and in the opinion of the Historical Preservation Commission the zoning is sufficient to support placing these properties in a Historical Preservation Overlay District. **Aye:** Jones, J; Newcombe; Phillips; Crawford; Denham; Jones D. **Abstained:** Michener. **Nay:** None. **Motion Passed.**

5. Discuss topics for the January 2013 meeting concerning the Historical Preservation Ordinance and take action if necessary.

Jones D stated I ask this be placed on your agenda for our quarterly meeting in January. You have had the opportunity to have this ordinance function twice and there have been a couple of questions from the Planning Division. They are sending all packets by certified mail and this is quite costly and I couldn't answer as to why we have them mailed that way. We need to discuss if this is really necessary. There are new methods of mailing that requires a signature but they are not as costly.

Newcombe stated from my perspective that is a complete and total waste of money. I'm required by law to send out certified restricted delivery and based on my experience the post office never requires anybody to comply. It is an unnecessary expense. I believe it should go by regular mail, post an Affidavit of Mailing and publish in the newspaper. That is sufficient.

Jones D stated okay that needs to be on the January agenda. Also we need to agenda discussing whether the districts need to form an association/committee that give us information on interpretations of guidelines and maybe recommendations on minor changes. There will be occasions where questions are minor in the interpretation of the guidelines that we may need help from the homeowners.

Rogalski stated I have noticed we have no provision as to how the guidelines might change in the future and we all know that code changes.

Jones D stated now that we have more districts how does this ordinance function in the real world.

Denham asked would it add another level to the process.

Jones D stated no. I think we have to start to realize the operative as compared to the theoretical.

Newcombe stated I'm not certain I understand. Are you talking about the homeowners association?

Jones D stated not the homeowners association, but a committee of homeowners within the district. This would be after they have adopted the guidelines. I think a committee from the district might be a benefit.

Denham stated they can steer Planning in what they their guidelines mean.

Rogalski stated if someone wants to do a major renovation it comes before this body for a Certificate of Appropriateness. This committee could have reviewed it and state whether they recommend approval or not. That doesn't mean it is approved, but if I were a Commissioner I would like the fact that the committees likes it. It makes your job easier.

Denham stated I would be concerned if the association didn't approve it, but it made all the other guidelines applicable. How is that going to influence the committee?

Crawford stated they can reject it.

Denham stated I understand.

Jones D stated if the homeowners in the district lose interest then you have lost what you need for an overlay. They have to continually participate and want the neighborhood to be maintained. We need to think of ways they can participate and give them some opportunities to talk about their neighborhood.

Rogalski stated I will be able to determine minor changes on a staff level. If the committee has approved the changes it will make my decision easier. I believe this is a good idea and it is extremely important in helping them feel vital in the community. A neighborhood is as strong as its association.

Phillips asked are we talking about this commission initiating this or it coming from the homeowners.

Rogalski stated the Commission would initiate a modification in code to allow for it.

Denham asked would it be optional or mandatory.

Jones D stated it is not obligatory.

Crawford stated coming into being would be up to the neighborhood. If they have no interest they shouldn't feel obligated to create something they can't sustain and are not interested in sustaining. I think if they are interested in sustaining there needs to be some kind of vehicle.

Jones J stated I have been involved in informing and attending three homeowners associations and residents losing interest is the biggest fear you have. You have to keep people involved. If you form some kind of committee or give them the ability to have a committee it will keep them active. You are going to have a change of ownership and unless there is a source the new owners won't know they are in a historic overlay. Realtors won't tell them because they won't know. You have to have a body where they can turn to have some consistency in maintaining the historic district. Without that it will fall apart in time.

Jones D stated those are the kind of topics I think we should talk about in January. Look at the ordinance and the by-laws and if you think they are haywire let's change them. Certainly be looking at the operational aspect. In January I would like to appoint the committee that will assist Rogalski on the CA's. We also need to elect a Chair.

Denham stated I think it would be nice if the residents that are a part of the historical overlay kept copies of their guidelines with their home documents. If they go to list their property they would be able to submit it to their realtor showing the home was in an overlay district. How do we address this for future owners?

Jones D stated it is easy for the three properties today because we could provide them with the ordinance and the guidelines.

Newcombe asked is there nothing filed at the County Clerk's office.

Jones D stated no.

Crawford stated in Morford Hills everyone got a copy.

Jones D Stated I understand, but I think we are trying to go beyond that. That is another question for our January meeting. Do we not have a link on the City's website? Is it a dead link?

Dollarhite stated (not at microphone...inaudible)

Rogalski stated it doesn't. We will call IT.

Jones D stated can we have some information on the website with regards to Morford Hills and our generic guidelines. Use your discretion.

Denham stated if a home is sold and you don't know that it is a historical overlay what happens if they want to convert the garage and are told they can't do that.

Newcombe asked why don't you prepare something to file in the County Clerk's Office. Every search on that property in the future has instructions on the abstract. Anyone reading the abstract will see the specific provision of an historic overlay district.

Jones D stated they need to talk to the City Attorney about this. Historically they haven't done that with zoning. I believe we are now at a point we need to speak with the City Attorney about some of these issues.

Rogalski stated we have been filing the binding site plans and some things so future owners will be aware.

Jones D stated we are open to any topic in January you want to talk about. Rogalski may have to chat with the City Attorney about some of these issues.

6. Chairman and Committee Member report and comments.

Jones D stated Michener welcome. We are delighted to have you.

7. Adjournment.

Jones D stated we are in adjournment and for those of you I don't see happy holidays.

Asparagus