

Minutes
Historic Resources Board
City Commission Room, City Hall
1101 Poyntz Avenue
November 23, 2009
4:00 p.m.

Members Present: Ray Weisenburger, Chair; George Lauppe; Tracy Anderson; Patrick Schaub; Michael Krysko.

Members Absent: Tom Roberts, Vice Chair; Brooke Norman-Tapp.

Others Present: Sara Fisher; Debbie Sarhoff; Kathy Dzewaltowski; Dixie West; Melvin Watson.

Staff Present: Cam Moeller, Planner II; Lance Evans, Senior Planner; Brad Claussen, Building Official.

1. Consider the minutes of the October 26, 2009, Historic Resources Board meeting.

Anderson moved that the Board approve the minutes. Lauppe seconded the motion, which passed on a vote of 5-0.

2. Proposed Demolition of Residential Structure at 831 Leavenworth: Update

The Board was updated about the status of 831 Leavenworth. The State Historic Preservation Officer (SHPO) concurred with the Historic Resources Board's recommendation and made the determination that the proposed demolition does not meet the *Standards and Guidelines for Evaluating the Effects of Projects on Environs*, which means that a demolition permit cannot be issued unless the City Commission were to determine that there is no feasible alternative. First Presbyterian Church has not yet decided whether it intends to have the City Commission consider the proposal.

3. Discussion of "Demolition by Neglect"

Krysko updated the Board about the initial research he and Roberts have found related to the Demolition by Neglect issue.

Moeller said that most Demolition by Neglect ordinances are contained within preservation ordinances and are applicable to recognized historic properties or districts.

Brad Claussen, Building Official, provided the Board with an overview of the Property Maintenance & Housing Code as well as the newly adopted Rental Inspection program. Claussen said the Property Maintenance & Housing Code has been in place for over 35 years and is a way for Code Services to address buildings falling into decline. Claussen described the Code as a good, usable system that could be supplemented if it doesn't address everything the Board is looking for.

Debbie Sarhoff, Manhattan/Riley County Preservation Alliance, mentioned specific examples of homes in Manhattan that have fallen into disrepair in recent years. Claussen cited one of those homes as an example of the difficulties inherent when dealing with absentee owners who live out of town. Claussen said that if members of the public let Code Services know about specific

structures that are at risk, that they can watch those properties a little closer and will be better able to address problems before structures fall into such poor condition.

Sara Fisher, East Park Neighborhood Association and Manhattan/Riley County Preservation Alliance, referred to another problem property. Claussen reiterated that Code Services can place more emphasis once it's aware of a specific property.

Melvin Watson asked if neighborhoods can set higher standards for themselves. Claussen said private covenants would be one way of doing that but those are most typically found in newer subdivisions. Evans said, in his experience, he's not aware of covenants being applied to already established neighborhoods. Moeller mentioned conservation districts as one tool that could be explored as an option for creating standards for individual neighborhoods.

Claussen said, in considering any new type of code or enforcement mechanism, one needs to make sure there are enough resources and staff available for it to be implemented.

Dixie West, Riley County Historical Society, expressed her support for more effective utilization of the Property Maintenance & Housing Code to proactively address cases of demolition by neglect.

Claussen said he would be glad to come back at a future meeting and talk more about the issue.

4. **Environs Review**

Fence Requiring Exception from Zoning Regulations, 901 Leavenworth Street, (within environs of Robert Ulrich House and Woman's Club House)

Moeller provided an overview of the proposal.

Melvin Watson, the applicant, explained why he is proposing to place a privacy fence within the front yard, alongside the sidewalk facing 9th Street. Watson said there are safety concerns within the neighborhood and the fence will provide greater security for his tenants. Watson said there have been police reports filed, including an incident for a brick being thrown through a window at 901 Leavenworth.

Addressing the character of the environs, Anderson said he had driven around the neighborhood and did not see many examples of fences that protrude into the front yard, other than several short picket fences that are not as visually-obscuring. Anderson said he has concerns with the placement of a solid wall fence next to the sidewalk.

Watson said there is a similar type of fence located within the environs on the southeast corner of 8th and Leavenworth.

Schaub said there are other ways of addressing security other than a sight-obscuring fence in the front yard.

Anderson, in reviewing *The Standards and Guidelines for Evaluating the Effect of Projects on Environs*, said the proposal does not meet Standard # 6 and does not meet the Guidelines for Site Modifications.

Schaub said the placement of the fence interrupts the spatial patterns within the environs and will have a detrimental impact.

Lauppe suggested alternating pickets, using 5-foot gothic-style pickets, as a style that would be more in character with the environs and which would lessen the visual impact.

Weisenburger said he agreed with Anderson's statement that the proposal does not meet Standard # 6, and said he did not see how the Board could recommend approval.

Anderson said the applicant was obviously a compassionate landlord but the project does not meet the Standards and Guidelines.

Schaub moved that the Board find that the proposal does not meet *The Standards and Guidelines for Evaluating the Effect of Projects on Environs* and will encroach upon, damage or destroy the environs of the historic properties. Specifically, the proposal does not meet Standard # 6.

Anderson seconded the motion.

Anderson said he would personally recommend that the fence be painted white to better match other fences in the environs, but he still would still have an issue with its current placement. Anderson said he could be supportive of a fence that was pushed back to line up with the setback of the house and the back entry porch.

On a vote, the motion passed 5-0.

5. Historic Summit: Recap and Follow-Up

The Board was provided with draft notes of the Historic Summit meeting.

In reference to one of the items included in the notes, Dixie West noted that she had spoken with Brad Claussen about having Code Inspectors go through training with the State Historic Preservation Office (SHPO) and Claussen was supportive of the idea.

By acclamation, the Board agreed to continue its discussion of the Summit at the next Board meeting.

6. Announcements and Updates

Weisenburger updated the Board about a November 19th meeting with the Downtown Manhattan Inc. (DMI) Board to discuss design guidelines for the Downtown Historic District. Weisenburger, Evans and Moeller attended the meeting to provide an update to DMI regarding the City's plans to apply for a Historic Preservation Fund grant to hire a consultant to prepare design guidelines. Weisenburger said DMI seems receptive but expressed some skepticism. DMI indicated interest in working further with the Historic Resources Board as the process goes forward.

7. Future Items

The Board identified the Historic Summit Recap & Follow-Up and Downtown Design Guidelines as future items of discussion.

8. Upcoming Meetings:

- Monday, December 14, 2009
- Monday, January 25, 2010

There being no other business, the meeting was adjourned.

Respectfully submitted,

Cam Moeller, AICP, Planner II

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