

WICHITA HISTORIC PRESERVATION BOARD MINUTES
13 AUGUST 2001
CITY HALL, 455 N. MAIN, 10TH FLOOR-MAPD CONFERENCE ROOM
3:00 P.M.

The regular meeting of the Historic Preservation Board was held Monday, August 13, 2001, at 3:00 P.M. in the Metropolitan Area Planning Department's Conference Room, City Hall-Tenth Floor, 455 N. Main, Wichita, Kansas.

Members Present: Bryan Barr
 Kim Edgington
 Claire Willenberg (in at 3:05)
 Jim Guy (Vice Chair)
 Keith Lawing (Chair)
 Stan Sheldon (in at 3:15)
 Sam Lentz (in at 3:05)

Staff Present: Kathy Morgan, Historic Preservation Planner
 Valerie Robinson, Recording Secretary
 Mike Gable, OCI Residential Permits
 Ex Officio, Heidi Dressler-Kelly, City Historian
 Dale Miller, Chief, Current Plans Division
 Jess McNeeley, Planner

Absent: None

ITEM NO. 1 ROLL CALL

The meeting was called to order and board members stated their name.

ITEM NO. 2 ADDITIONS OR ADJUSTMENTS TO THE AGENDA

MORGAN: We have two additions to the Agenda. I have two nominations to the Wichita register listings: 1711 N. Market, which would be the Edward Michael Kelly house, and 404-408 Backbay Boulevard, the Riverview Apartments.

LAWING: Before we go any, further we had two members enter, would you please state your name for the record.

(Willenberg, Lentz entered)

I would like to ask the board to approve the additional agenda items 1711 N Market, and 404-408 Backbay Boulevard as Historical designation and that they be added to the agenda.

MOTION #1 Motion (Guy: Motioned)
 (Willenberg 2nd) Motion carried unanimously (6-0) Approved

ITEM NO. 3 REVOLVING LOAN FUND UPDATE

<i>Revolving Loan Fund – Residential</i>	<i>\$ 60,000.00</i>
<i>Revolving Loan Fund – Non-residential</i>	<i>\$ 90,000.00</i>
<i>Deferred Loan Fund – Residential</i>	<i>\$100,000.00</i>

MORGAN: We have several applications, at least 2 that are in the process of packaging the loan, and this will impact the loan amount.

ITEM NO. 4 CORRESPONDENCE

MORGAN: You have a letter in your packet from Harry Gust and his wife at 1512 N Park Place, a letter thanking the board for their assistance with the loan to paint their house. I do have a picture of that to show

you later as to how that came out. It looks nice.

LAWING: We also had a letter from Dr. David Cullen.

MORGAN: Yes, thank you for reminding me of that. Dr. Cullen was before the board last month and the board voted to recommend that he receive a loan. We had such a problem getting these loans packaged because of the lead based paint. We had concerns that arose at how the risk assessment inspection was done and maybe how the board and the Historic Preservation staff could make this a little bit more a known quantity. That letter is being addressed, but yes that was in the packet also.

LAWING: Why don't you keep this on the agenda and bring this up at the next meeting and let us know what the status is; either the application and what steps maybe the board needs to take in terms of Mr. Cullen's concerns. Any board members have any concerns or questions about the correspondence?

Let's move on to item # 5.

ITEM NO. 5 APPROVAL OF MINUTES FROM THE 14 MAY 2001 MEETING AND 9 JULY 2001 MEETING

LAWING: In fact, I would suggest that we defer item #5, which is approval of the meeting minutes until after this meeting? We have to discuss, I think, a few issues and in parliamentary procedures and considering the folks here today and hearing other items I suggest that we defer this to the very end of the agenda.

I should have addressed this earlier, in terms of additions or adjustments to the agenda, I would suggest that we move the issue of the nomination of North Linwood Park from miscellaneous matters up to #6 under Old Business since we did discuss this at the last meeting. Do we need a motion for that?

MORGAN: Yes, please.

GUY: Guy so moves.

LAWING: Motion on the table, do we have a second.

BARR: Second

LAWING: We have a motion and a second, any further discussion? All in favor signify by saying aye. Opposed? The ayes have it.

MOTION #2 Motion (Guy: Motioned)
 (Barr 2nd) Motion carried unanimously (6-0) Approved

LAWING: We will put the nomination of North Linwood Park discussion up under Old Business and we will put it in after the issue pertaining to the Senator Long House. At this time for consideration before the board is HPC2001-00055, issue pertaining to the rezoning of the Senator Long House. Staff do you have a report for us.

MORGAN: Did you want to address how the time frame works?

LAWING: Due to the large number of folks here today I would like to ask the board to approve the process for hearing cases. It is modeled after the Metropolitan Area Planning Commission where we would allow the applicant 10 minutes, each person responding to the applicant either pro or con has 3 minutes to address the board and then after those are heard, give the applicant a 2 minute rebuttal. I would need a motion to approve that or would entertain any other suggestions from board members on today's procedures.

GUY: Guy so moves.

LAWING: Motion on the table, do we have a second.

under the B-Multifamily zoning. The protective overlay would be to limit any other use of that property back to what is allowed under TF-3, and nothing else. If for some reason that ceases to be a medical services and convalescent care business it would revert to the TF-3, the allowable uses under the TF-3. Staff recommends at this point denial of this application because of the transitional zoning into that neighborhood.

That is on the edge of Hillside and 2nd Street; we already have an encroachment of commercial properties in that area. This change in zoning, in staffs' opinion, could encourage that encroachment into the residential area. At this point, I am ready to answer any questions or to have the agent for the applicant to come. Let me go back and say this, the site plan had called for parking in this area, however that has been resolved. That was one of the issues that the board had, was putting six parking spaces in the side yard; that it did not meet the College Hill Design guidelines to have parking in a front yard area. That has been taken off the table. What needs to be discussed is the board's desire as to how to handle this recommendation for the zoning change to be presented to MAPC.

LAWING: Any questions from board members to staff on this issue? Let's turn it over to the applicant or the Agent.

EDGINGTON: As a point of order I am obviously recused from the board, from this case.

LAWING: Please let the records show that Ms. Edgington has recused herself from voting in board deliberations on this case.

EDGINGTON: Kim Edgington with Austin Miller, I am representing the applicant on this case, Dr. David Jernigan. When we began these proceedings back in March of this year I would not have guessed I would have been appointed to this board. In all the years of consulting, I have never been before you and this is quite unusual. I do appreciate your audience this afternoon. For the most part, I am up here representing Commercial Developers. This is a new and exciting project that I took on, it's been one that I dove into with a true belief that this is a beautiful home with a beautiful vision, a vision that Dr. Jernigan has, that I hope you will be able to join us in supporting. I am going to provide some detail as far as the actual request for rezoning. If I may clarify, we are asking for a change in zoning to the B-Multifamily zoning district. What we are proposing is to prohibit all other uses that are allowed in the B-Multifamily except for medical services and convalescent care. We had discussed this in the past and I think there was an oversight that convalescent care in the TF3 district only allows up to five patients. So in order to accommodate the 14 patients we would have to be allowed the convalescent care general, which is not a conditional use, it is apart of what is allowed in the B-zoning. Currently, as I said, the convalescent care would be allowed with up to five patients, so what we are asking for is merely an extension of that limitation up to 14. That would be included in the protective overlay that there are not to be more than 14 patients on site. We have also proposed to put in place some deed restrictions, some voluntary deed restrictions that would restrict the use of the home. If in fact Dr. Jernigan were operating in 10, 15, 20 years, he would place restriction on the deed that would not allow any other type of medical services to come in and operate on this site. In which case, it would automatically revert to the only things allowed in the TF3 current zoning category. We have had several meetings with City staff, planning staff, the neighbors, the Neighborhood Association Board, we hosted a meeting on May 14th, the College Hill Association, Board of Directors and I believe they are here today and I am sure they will want to address you also. And at that time there were concerns brought up about the parking, we are required by the zoning code to a minimum of eight parking stalls and what we have worked with Kathy is to provide five of the stalls on site without having any parking in the front yard or side yard. There is an area in the back of the house that is currently bricked and there is a fountain their that is not part of the original structure and it is in disrepair, as you can maybe see in the photos, it is somewhat difficult to see. This would satisfy parking for two of the stalls. There are still two spaces in front of the garage that would be used even if it were a single-family home. Again, on August 2, we hosted all of the neighbors within a 200' foot radius of the house, we had this again in the home, I see several familiar faces from that meeting, and I am sure they will want to address you. The main concern expressed at this meeting was parking. The neighbors already have a parking shortage and they want to be assured that this use is not going to be put any more parking along Rutan. We are in negotiations with the owner of a property at 1st and Rutan, a parking lot there, to lease a minimum of 10 stalls in that parking lot for a long-term transferable lease. Under the terms of any employees contract, they would be required to park at that location and would not be allowed to park along Rutan. We feel like that addressed many of the parking concerns. We need to have a balancing act that we must provide parking, yet we don't want to offend

anyone by having parking in the front yard and the setback on the side yard. We do want to maintain the integrity of the home, it is a beautiful home, as one drives by and we don't intend to damage or destroy that.

A lot of you have seen this house and have seen that it has been up for sale for a very long time. It is going about two and a half years now. The price has been reduced several times. Dr. Jernigan looked at this home when it first went on the market and it was out of his price range and it has now come down to a where the price of the home, coupled with the repairs that are going to be necessary, are becoming a little bit more manageable. We have had the home inspected and what that inspection has shown is that there is a minimum of about \$200,000.00 for just the immediate needs of the home. This is a very significant amount. Few individuals are willing and able to take on this task. The length of time this has been vacant is very telling in and of itself. We have seen other comparable structures to this one converted into non-residential uses very successfully that have had not detrimental effect on the neighborhood and on the community. I live nearby one of them, the Castle in Riverside that has been a very successful project and the castle has been a very good neighborhood and the Frank Lloyd house is sitting on some B-Multifamily zoning and has provided a good example for us to look to and to hold up as a model for this project. As most of you see the exterior of this house really is beautiful. Upon closer inspection, you will find there is a lot of work that needs to be done. I look forward for the HPB to tour this home and see for your self some for the things that are sourly in need at this house. I have Dr. Jernigan to explain the actual use they are proposing for the site, it is a beautiful fit with this neighborhood. It is a quiet use, not a lot of traffic generating use. The majority of the patients are out-of state, out of the country; they are shuttled into the site. They are not in Wichita to tour Wichita, sightsee, and have a lot of fun. They are here for three weeks intense medical treatment. This setting will lend itself to this kind of treatment. Dr. Jernigan knows a lot more about that than I do, I just know that this is a house that we have a potential buyer, a potential caretaker for this home and to keep it in the pristine condition that it deserves. I would be happy to answer any questions; I'll have Dr. Jernigan address more of the details of the business.

DR. DAVID JERNIGAN: Thank you for letting me addresses you today. What we are trying to do with this facility is change health care for chronic illness from a number system, impersonal system to bringing our patients into more of "part of our family". That is what our patients are already and to teach since the definition of "doctor" is not really healer but teacher, and use many different natural methods that we learned in Europe such as curative art therapy, music therapy, color therapy and movement therapies all different types of natural medicines. No treatments would take place in the house structure, because we do not want to be a hospital at all. We are just trying to take care of the chronically ill. Thank you very much. I see my time is up.

LAWING: Dr. Jernigan thank you for your briefness and issued remarks and we will very likely might have some questions to ask of you or Ms. Edgington. Let me ask the board; are there any questions for the agent on this issue that has been presented to us? One question I have, Kim I think you mentioned a dollar figure of \$200,000.00 for immediate needs of the home, if you could maybe just expound on that just a little bit.

EDGINGTON: I will start at the top of the list. We have some sever drainage issues of water being diverted around the house and instead of being diverted around at this point, it is leaking into the basement into several areas in the crawl space. All of the electrical work does need to be replaced. It is unsatisfactory, but at this point, also unsafe. The roof needs repaired; there are some foundation issues. There has been severe settling that has taken place. All of these pressing issues are non-cosmetic. The house itself needs painting, which is a several thousand-dollar project in and of itself. There are significant areas of wood rot and deterioration. There are a lot of storm windows that are inoperable, 90% of the windows in the house itself are inoperable that have either been painted shut or out of balance. Like I said, there is a significant amount of asbestos in the house. There is a large boiler in the basement, one of those scary looking things and it is totally covered in asbestos. We have a lot of lead bases issues; those are the immediate pressing needs. Then above and beyond that, there is an amazing amount of cosmetic work to be done.

LAWING: Any other questions of the applicant from board members at this time? Seeing none, thank you, we might call you back for a question or two. Let me put out a general question, how many people are here to address the board on this issue here today. We have a couple. I would ask that you come to the microphone and give us your name and address for the record and we want to make sure that you sign-in on the sign in sheet.

BETH KING: I did, I live at 4222 E English, I am here as the Vice President of the College Hill Neighborhood Association. Before we go very far there is one thing I would like to point out very clearly, this is not a residential use of a parcel of property that is currently used as single family. What is being proposed is a Commercial Use, despite the protective overlay, and despite the agent's very kind offer to put a Conditional Use on the use of the property. It is a Commercial Use in a residential core of College Hill neighborhood. Thank you for the cooperation you have always given us, thank you for citing us as your partner in the Historic Plan Draft in which you are currently working on, and thank you for recognizing the integrity of College Hill and its historic nature.

It is indeed true that the College Hill Neighborhood Association Board was hosted on site by the applicant some time ago and given the opportunity to tour the property and ask questions. Since that time we have shared information about this with our general Neighborhood Association partners, however Austin Miller has not requested an audience or presentation to the full group, but we did understand that they held an onsite meeting with residents as Ms. Edgington suggested. Perhaps we need not tell you that that is offensive to us, but by the same token it won't surprise any of us here that that was a conscious decision by the agent after learning the board's opposition to the proposed zone change. Without an official presentation to the Neighborhood Association and; however without an official vote I can only be here to share with you our concerns as a board and the general concerns that we have heard from our fellow residents. We believe the impact of this rezoning to the historic integrity of the Senator Long House is very significant. Let me talk to you a moment about the TF zoning in College Hill. As you may know, we have some 1900 properties or parcels of properties in College Hill. Of those 1900, 443 of those parcels are currently zoned TF-3, 336 of those 443 have a single-family use, even though they are zoned two-family. One of the things we are now working on and are attempting to be proactive and again protect the residential and historical integrity of College Hill is to change that zoning by a protective overlay. We started that process several months ago, we have an active steering committee and we will be working toward changing the zoning on all parcels zoned TF-3 that have a single-family use to a SF-6. Again we are very concerned about the commercial use of the home, what we acknowledge that the rezoning request be multi-family which is residential. This is again a commercial use of the property and as cited in the Wichita Business Journal on Friday there will be between 15 and 18 employees on site at this commercial parcel. I am here to speak on behalf of several folks so I would request before the thing dings, that perhaps you would consider allowing an extension of time.

LAWING: Let me ask the board if you will grant Ms. King an additional three minutes. Do I have a motion? So moved, all in favor signify by saying aye, opposed nay. Give Ms. King an additional three minutes.

KING: Thank you I appreciate it. The Wichita Business Journal further states and I am quoting this, Kim Edgington of Austin Miller states "that the Jernigan's are requesting a zoning change to the house as multi-family use because it will serve as a temporary residence for out-of-town patients. The reality however here is that B zoning is being requested and multi-family obviously is a residential typically; this B zoning request is being made because it is the least restrictive zoning district that allows medical services. Medical services again, is a Commercial Use. Allowing that we believe, or any other Commercial Use, in the residential corridor of College Hill flies in the face of our current work on our protective overlay and certainly flies in our face of our work to protect our historic integrity. As you know, we are surrounded by arterials; Central, Hillside, Oliver. We welcome Commercial Uses on our arterials. We believe, however, the historical nature of our residential area, and again the Senator Long house, is in the core of our residential area. We believe, again, that it deserves our utmost protection. It deserves specifically to have its single-family use protected and it will thereby protect the residential nature of our surrounding properties. Our other concerns about this rezoning, and I know you have heard this millions of times, includes parking, additional traffic. However, one thing I do want to point out to you is that along with Commercial Use comes Commercial disruption. When Dr. Jernigan was kind enough to host us on site, he very specifically told us that he would be hosting concerts by which Wichita State University in his attic for his patients and clients, it is a Commercial Use that will bring Commercial disruption to residences. Yes, the home has been vacant for some time; I dare say that economics should not be the only issue that you consider, particularly when you look at the value of historic integrity. We don't find this request to be in the best interest of the Senator Long House as a single-family home on all three registers nor do we find it to be in the best interest of College Hill or our efforts to rezone in order to re-integrate single-family use on parcels that are currently

zoned TF-3. We ask you to protect historic College Hill, protect the historic Senator Long house and vote no on this request. I will take any of your questions.

LAWING: Thank you Ms. King. Do any board members have any questions for Ms. King at this time?

GUY: Am I to understand Ms. King that this has never formally been voted upon by the Association?

KING: Correct, Mr. Guy, Austin Miller has not requested to make a presentation to the College Hill Association.

GUY: I see.

KING: I know there are other folks here from College Hill and hopefully they won't take too much of your time. Maybe you want a show of hands or something. Thank you.

LAWING: Next speaker please. Welcome to the Historic Preservation Board please state your name for the record.

RANDY RATHBUN: I live at 254 N Crestway, which is east of the project. Let me say that I share Ms. Edgington's vision in that indeed this is a beautiful house. I do not agree with her vision of this property. I strongly disagree with her vision of the property and I would ask you to give this your careful scrutiny. I think the most important thing as we look at this is that we have fought hard, I am speaking as the former President of the Neighborhood Association, and I would echo as Ms. Kings said. I think it is unfortunate that Austin Miller decided to not bring this before the board. I can tell you the reason they didn't do that is because in the past these sorts of efforts have not faired well in front of our neighborhood association because frankly we are very proud of our neighborhood and we fight to keep the residential quality of our neighborhood. This would clearly be an encroachment into the neighborhood of a non-residential use. I support the concept. Dr. Jernigan may have a wonderful idea, and I support that concept,. The problem is there is place for this concept and it is not in a residential area. Now as I understand it, it sounds to me like the reason that this is before, or we are at this location or place, is because this property has been on the market for two and a half years. I don't have the code with me, but I don't recall seeing that as one of the conditions. Frankly if that is an issue whether a piece of property stays on the market for a while in terms of whether that would encourage a change in the zoning I think we have some serious problems. The vision that I think Ms. Edgington talks about is a different vision. If the Business Journal is correct, and I don't always believe everything, I read in the paper, but if the Business Journal is correct, that is 18 to 20 employees. Where will those 18 to 20 employees park? Where will the patients park? And she says people won't be coming in touring the city, but I notice for a different audience there is talk about going out and eating and that sort of thing. I think we need to be consistent here. This will change the character of our neighborhood. This is probably a wonderful idea in a different area where it should be. This residential area is not a good use for this property and I would strongly ask you to look at this harshly.

LAWING: Thank you Mr. Rathbun. Thank you very much. Anyone else wishing to address the board about the issue before us at this time? Any comments board before I bring the applicant backup? Ms. Edgington, Dr. Jernigan if you would like to respond, we will start with giving you two minutes and we will consider giving you more time if you need it.

EDGINGTON: Thank you I appreciate the opportunity. I would like to clarify just a few points that were made. As far as 15 to 18 employees, those will not be 15 to 18 on site at the same time. Most of the employees will be therapists that will come for short periods of time, possible once, or twice a week. We do not intend to have more than four or five staff members on site at any given time. The nature of this is such that those employees will not be full-time employees. As far as concerts that Ms. King mentioned, those are not held for the public. Those will be in the form of possibly a quartet that would be hired by Wichita State and it would be strictly for the enjoyment of the patients who are staying on the site. The residential character of this use is prevalent throughout the country in facilities such as this, just not in Wichita. We find spa type settings, convalescent care settings that are appropriate, neighbors that are good neighbors that fit well into a neighborhood; again, they are not traffic intensive. They are not loud; they don't create a lot of disruptions. We understand the concerns of the neighborhood. However, this is such a unique

property in that it is such a large structure and it is such a task to take on for even a business that a business or profit making entity is the only feasible option to maintain this structure. In doing so, it is with a use that will fit well with the neighborhood. It is not going to look any different. The traffic - they are going to be parked down the street, it is not as though they will have a lot of cars parked outside and big signs. We don't want to try to pull traffic off 2nd street as people drive by. The situation, the site lends itself well, yes to Dr. Jernigan's business, but it also helps to preserve this jewel within this neighborhood. I would be glad to answer any questions that you might have.

LAWING: Does the board have any questions of the applicant at this time? Thank you very much. We will bring discussion back to the board. Any comments, any questions from staff? Kathy, let me get this correct: to make sure I have an understanding what we have before us here. There were questions being made for this board to support a zoning change.

MORGAN: That is correct.

LAWING: That is the limit of our scope today?

MORGAN: Right, the board can only vote to write a letter in support of this zoning change request or it can vote to write a letter requesting denial by the MAPC of this zoning request.

LAWING: So regardless what our decision is here today, this case is going before the Planning Commission?

MORGAN: That is correct.

LAWING: Any questions for staff, what is your pleasure?

GUY: I really think, Keith, that I have to say that this would not be I think a terrible thing to happen to this house if the house were being considered aside from the neighborhood. One worries about these things being turned into clinics. Because clinics, where there is generally plumbing and electrical needs, are terribly disruptive to old houses. This does sound like this would be the case here. However, I am concerned about the precedent. I don't believe we have ever had a residential property on all three registers, which we have ever voted in favor of changing to a commercial use by whatever name we call it. It is not on a major arterial, where it is in the depth of a neighborhood. I think that to recommend such a thing to MAPC would fly in the face of our duty in preserving this as a residential structure. Consequently, I am opposed to it, as much as I believe that Dr. Jernigan is trying to do the right thing. Therefore, I'm moving that our letter contain our concerns that, as I mention and request, that the MAPC deny the change of zoning to The Senator Chester Long House.

LAWING: We have a motion on the table to come out against the rezoning of the Senator Long House. Do we have any discussion or a second to that motion?

BARR: Seconds.

LAWING: We have a motion and a second, any discussion before we vote?

SHELDEN: What would make this appropriate: if you were saying, is if this was along Central, along Douglas, this sort of change would be in keeping with some of the things that have already been done.

GUY: This house, and I can't help but think that what Dr. Jernigan is proposing is a sort of a thing that strikes me as being much like a medical bed and breakfast, with people in residence for a purpose and we certainly have seen those favorably created, pleasantly derived along major arterials, like River Boulevard, like Douglas. I just think that in the core of the College Hill neighborhood, it is terribly inappropriate that this wonderful house, and it is, I had the pleasure of being in it many times, and I always worry about the people that have to wash the windows because there are so very many of them. I am just worried that it setting a very bad precedent for a national register. The closest we have ever really come is the Sternberg house, which we allowed to become a law office, with the lawyer and his family living in it and that was located on

FOR: 123 N. Main

Applicant proposes to close-in secondary entrance to match existing storefront.

8. **MINOR:** (HPC2001-00104) Environs Riverside Cottage
APPLICANT: Fisher Roofing
FOR: 1200 Riverside

Applicant proposes to replace composition roof shingles with laminate composition shingles on house.

9. **MINOR:** (HPC2001-00105) Environs Stackman Court Apts.
APPLICANT: Fisher Roofing
FOR: 837 N. Buffum

Applicant proposes to re-roof composition roof with laminate composition shingles on house.

10. **MAJOR:** (HPC2001-00106) North Topeka Ave.-10th Street District
APPLICANT: Via Christi St. Francis Regional Campus
FOR: 514 E. 9th St.

Applicant proposes to demolish laundry building.

11. **MINOR:** (HPC2001-00107) Environs Rock Island Depot
APPLICANT: Cox Business Services
FOR: 801 E. Douglas

Applicant proposes to change sign face from "Road Runner" on existing signs to "Cox Business Services".

12. **MINOR:** (HPC2001-00108) Environs Judge Wall House
APPLICANT: Gipson Pavins
FOR: 537 N. St. Francis

Applicant proposes to utilize vacant lot for concrete surface parking lot.

Staff reviewed and approved C of A's. Two major cases were reviewed by Design Review Committee and approved. These cases were for a two-story atrium/pedestrian walkway and demolition of building on the St. Francis campus. The laundry building was adjacent to the Education building which HPB approved demolition of or approximately 14 months ago. Board needs to make a motion to receive and file C of A's 2001-94, 96, 97, 98, 101, 102, 104, 105, 106, 107, and 108.

MORGAN: Staff would like to point out Item #10 which was the demolition of the laundry building on the Via Christi campus. That was addressed, as was the atrium addition Item #6 St Johns' Episcopal Church, were addressed by the Design Review Committee at a meeting we held on site and were approved and that is why they appear under the Minor C of A's. I have a picture to show you of that when we get down the road. They were on a deadline crunch for construction and that is why they were reviewed by the Design Review committee. Those are the only two unusual situations with the Minors.

LAWING: Any questions of staff on those items? If not, I would entertain a motion to approve the minors and the majors as identified by Kathy.

GUY: Therefore, Guy moves to approve Certificate of Appropriateness applications HPC2001-94, 96, 97, 98, 101, 102, 103, 104, 105, 106, 107, and 108.

LAWING: We have a motion.

SHELDEN: Second

LAWING: Thank you Stan.

LAWING: All those in favor, signify by saying aye. Opposed same sign. The ayes have it, moving right along, item #13.

MOTION #6 Motion (Guy: Motioned)
(Shelden 2nd) Motion carried unanimously (7-0) Accepted

13. **MAJOR:** (HPC2001-00110) Environs Inn at Riverside
APPLICANT: R. Howard Eastwood
FOR: 1147 Coolidge

Applicant proposes to install a wooden backyard storage structure – 16' x 24'. Attached to the application is a brochure for the structures. Mr. Eastwood wants to use the gambrel roof "America Supreme" for the additional lost space. He is using an existing pad. Staff recommends that the storage structure roof match the primary structure, which is a cross-gable bungalow.

MORGAN: Is Mr. Eastwood in the audience? This is the property in question on Coolidge. Mr. Eastwood wants to place a storage shed. This is the pad at the rear of the property. It was a garage, an old garage structure, and he wants to place a 16 x 24 storage shed. In and of itself, I don't have a problem with that. The only consideration that I would ask the board to think about is he wants to put a gambrel roof structure on this site. Before, we have looked at roof pitches etc., to match the primary structure. That would be the consideration. I believe I made a copy of that brochure and put it in your packet to look at. Staff recommends that it would be, or might be, more appropriate to use the Pioneer. There is a couple of other options. You have the site plan, and on the back of that site plan there is a copy of the structures. He wants to use the American Supreme. He wanted that gambrel roof with the loft space; he is closing down a business and wanting to move some of his inventory, or whatever, into that storage shed. There is not significant impact on the environs of Campbell Castle. However, if board follows its previous decisions, then they like to have the structures, the secondary structures, match the roof -line of primary structures.

LAWING: Is Mr. Eastwood or anyone in the audience here today that would like to address the board on this? Any questions from board members to staff?

SHELDEN: Were there any particular reasons for the type of roof he requested?

MORGAN: What he said, was, he wanted to do that because of the additional loft space that he could have. I believe in that, there was the capability of putting loft space in the other types.

SHELDEN: Did you discuss this?

MORGAN: I did discuss the problem that I saw with the storage unit was that it was a gable roof and would he consider using a different roof style. I think it says that you can or that there are optional features, loft sections for all four of the buildings. I did not copy that part and stick in the packets.

LENTZ: Can this be seen at all?

MORGAN: You have this carport here, so if that van weren't sitting there, the structure would be sitting right here. The other thing is, and I don't have that picture. The other thing is, you can see the secondary structures on the lot immediately behind which has gable roofs. There are no gambrel roofs within the immediate vicinity of that structure.

WILLENBERG: From the castle can you see this?

MORGAN: No, this site is not visible from the castle. The question is; is it going to look odd? It is a 16 x 24 foot storage building with a gambrel roof that has 8' sidewalls. There is an additional loft space, so you have a ridge peak that is somewhere around 20' on that roof structure; the top is like 20'. That would be the consideration. He has meet the setback requirements, the maximum amount of, what is it Mike? You have a site plan there. What about the rear yard half?

GABLE: It's in the rear half of the lot and it has to be 8' from the side, 10' from center line of the alley, so he can have it right in there near the property line. From what I see here, I don't think he has 10' off that south property line.

SHELDEN: I don't disagree with anything that you have said except I don't know, even in this picture, if you can see it or not according to the site plan that he has submitted.

GABLE: If I understand what Kathy says where that slab is right in front of that blue van that you saw in the picture, you might possible see it.

(Kathy shows slide presentation).

SHELDEN: But if you look at the site plan, he has the building right where the camper top is now, right Mike?

GABLE: Approximately what it looks like is about 10' from that south side.

SHELDEN: So the amount of slab that you see is still going to be open area, and the actual storage unit is going to be closer to where that camper is sitting, according to site plan.

GUY: According to site plan too, and I think we need to be a bit concerned about it. We are not talking about a simple little storage building. This is a significant size structure; we need to be thinking in term of about it being like a garage.

BARR: It says it is an easily moved structure.

GUY: It is not actually transitional, like the little metal sheds. So perhaps we should take this a bit more serious.

BARR: In that photo, is that the fence line, or property line right there?

MORGAN: That is a fence; I don't know if that is on his property or if that is on the adjacent property. I would presume whichever property it's for; it is on the property line.

SHELDEN: When you talked to them, did you raise the issue about the pitch? What was his reaction?

MORGAN: He just said he would prefer the gambrel roof because of the loft space.

SHELDEN: In terms of the loft space, the photo graphics are even closer to being accurate in scale and proportion and so forth, the Pioneer verses the American Supreme the head height of amount of space above those doors is not significantly different. Am I seeing something that I am not supposed to see? It does not look like the head height above those doors is significantly different between the American Supreme and the Pioneer. I agree there is going to be a little more in the sidewall in the American Supreme.

MORGAN: I could if the board would like me to call him back and see what we can negotiate and say that the board would prefer that you use any of these other three with the gable roof.

SHELDEN: The Eagle or the Patriot won't work. It has to be a site plan. It has to be the Pioneer because of the end doorway.

MORGAN: Lets see if we can negotiate with him on that. It is my understanding from reading the brochure that he could have the option of the loft space in the pioneer.

SHELDEN: Do we need a motion on that?

LAWING: Yes.

SHELDEN: Sheldon moves.

MORGAN: That...

SHELDEN: Just as Kathy said.

LAWING: Staff will communicate with Mr. Eastwood the sentiments of the board asking him to revise his plan.

WILLENBERG: Second.

LAWING: We have a motion and a second. Discussion? Let me add one thing, with respect to Mr. Eastwood and maybe his time frame, I noticed that he would like to have this completed September 1. Could the Design Review Committee consider this in advance of the regular scheduled board meeting if Mr. Eastwood would desire?

MORGAN: I can talk to him about it and see if he would go for that option and if not I will get in touch with the Design Review Committee and see what can be worked out. Again, it is a question of whether the appropriateness of the gamble roof style to the entire property. Other than that, it is not a significant impact to the environs.

LENTZ: If this is an environs only, we do not have the right to say, other than we would prefer that he would not use that style.

MORGAN: That is correct.

LENTZ: I would oppose any motion to say that he would approve it if he used that type of roof.

MORGAN: Maybe I misunderstood the motion. I understood the motion to say for staff to talk to him about it and see if we couldn't make the preference that the board cleared. That it is for this other, but if there is not a way we can work that out then...

LENTZ: Well, if we have to meet with the Design Review Committee and they are making it more or less contingent.

LAWING: That was a suggestion on my part to help Mr. Eastwood expedite the process, but I am more than willing to hold off on that if it is not appropriate.

LENTZ: I would rather we say that we would approve it, but we would really appreciate if he would strongly consider.

LAWING: Is that consistent with the motion and what you were saying Stan?

SHELDEN: Yes, that fits my intention in terms of the recommendation.

LAWING: I might of muddled things up with the Design Review Committee suggestion, I apologize.

SHELDEN: Sheldon moves that we approve the storage shed being located in the position in the site plan, but we would highly recommend that we use a roof more in keeping with the existing house roof pitch as opposed to the gamble roof as a recommendation, strongly recommended.

MORGAN: Staff will contact him and try to get that worked out.

LAWING: We still have the second to the motion.

WILLINBERG: Yes. Kathy said she would be willing to negotiate that, which is what I liked.

LAWING: All right, all in favor of the motion on the table signify by saying aye. Opposed the same sign. The ayes have it. Next item.

	MOTION #7	Motion (Shelden: Motioned) (Willenberg 2 nd) Motion carried unanimously (7-0) Accepted
14.	MAJOR: APPLICANT: FOR:	(HPC2001-00112) Environs of Senator Long House Ron Doty 3242 E. 2 nd St.

Applicant proposes to change usage of existing property without modification as a group residence, which requires a conditional use to filed with MAPC. The group residence is for up to eight, 12-17 year old children. Staff does not have enough information at this time to make a recommendation. Additional information will be presented at the board meeting.

MORGAN: This application, here again this is a Conditional Use. This property is zoned TF-3. It is a Conditional Use for a Group Residence, Group Home "general".

MCNEELY: I'm sorry it is group residence limited.

MORGAN: Which means they want to house more than five clients at this location. That requires a Conditional Use here. Again, the board is being asked to either support this Conditional Use or send a letter requesting denial to the MAPC. This property is located down the block, like maybe three houses west of the Senator Long house. If you will recall a year ago, there was a house that was demolished west of here, now we have a vacant lot, and they came in and wanted to put a surface lot parking there. It was demolished without proper review, so here again you would be introducing, I guess, a commercial use into the residential area and College Hill. There would be staff that stays on site with these clients. The clients are 12-17 years old. Possibly some pregnant teenagers will be located at this site. Here again, on the same basis of evaluation staff recommends that the board write a letter denying the requested Conditional Use for the reasons of introducing commercial use into the neighborhood.

LAWING: Does board have any questions for staff on this issue?

SHELDEN: Who is the owner?

MORGAN: The owner is Mr. Doty.

LAWING: Is the applicant here today? Would you like to address the board? Please make your way to the microphone. Be sure to sign in for minutes purposes.

MORGAN: Do you wish to have the same time frame for discussion?

LAWING: Before we get started here, how many folks in the audience would like to address the board on this issue? We will be fine. Please state your name.

ALMA JOHNSON: I rented this property from Mr. Ron Doty, my purpose for this home is I just want to help teenagers who have no place to go. It would be just like a foster home. There are people who live there 24-7 all day. These are not trouble teenagers that would destroy the neighborhood. I just want to help. So many teenagers need a place to stay. I am asking that you not deny this, I am using my own money, and I have been a foster parent for five years. I have four children and I cannot do it anymore at home. I know this home is approved for nine teenagers, however I am not going to put nine teenagers in that home. What I am looking at are four or five teenagers. They will be completely monitored. We have house rules that need to be followed. The teenagers are not allowed on the porch without supervisor. This is not an institution, but a home for teenagers with no place to go. I strongly feel that these kids need somebody to care for them. Thank you.

LAWING: Thank you, any questions of members? Who else would like to address the board on this issue? Would you please come to the microphone and state your name for the record.

CELIA GORLICH: Celia, 402 S. Crestway, I am here as the President of the College Hill Neighborhood Association. I want to thank all of my neighbors, I counted 21 at one point, and I am impressed. As Ms. King told you before, this house is being considered before this board because of its existence within the Senator Long environs. As Ms. King told you, the College Hill Association is working really hard and as one part of the protective overlay that we are trying to put over our neighborhood, we want to down zone those TF-3 buildings such as this structure that has single family use, we want to down zone them to single-family SF-6. This is a perfect example of what we are afraid of what is going to begin encroaching into our neighborhood. That house at 3242 E 2nd Street is surrounded by single-family homes. It sits within College Hills most endangered western corridor. Again, as Ms. King said, we feel that this is an inappropriate land use in our residential core and a threatening precedent to set for an embattled neighborhood that we are working very hard for preservation and maintenance of College Hill. I understand Ms. Johnson's stance and the fact that these kids need help. We believe this is an enterprise that sets a zoning precedent. It would domino effect and you all have seen it in inner city neighborhoods in Wichita now. We are going to really fight hard to downzone all of these homes. Yesterday one of our neighbors, Brian Baldray, and I canvassed the neighborhood around the Senator Long house and we were talking to neighbors about the Senator Long house and about this group home. We hit 50 homes, it took us four hours, and we were very tired at the end of it. We have to say that the neighbors were over whelming opposed to both issues, to those uses in the residential core. One neighbor was heartedly favorable, another waffled, and other than that, all the other people were opposed. Thanks for hearing us out.

LAWING: Anyone else wishing to address to the board please sign in. Please state your name for the record.

MERRILY PHELPS: I live at 257 N. Rutan, which is directly across from the Senator Long house and just cattycorner from this one. When I bough my home seven years ago I thought I would be able to remain there the rest of my life in a residential neighborhood. As did my neighbors. That is the same reason they bought their homes. If this house or the Long House is allowed to go commercial, our properties will be literally valueless for residential living and I beseech you, please not to let this go into commercial zoning. Thank you.

LAWING: Thank you Ms. Phelps. Ms. Johnson would you like to offer a rebuttal since you are acting as the applicant?

JOHNSON: I feel that this should not be considered commercial but I feel strongly that this home is not commercial. This is a home where children will live. I just want it considered this is not just a home with teenagers living with no supervision. Just like, I live in a residential neighborhood and I was a foster parent, what is the difference? I am not bringing those kids to destroy the property; I have not intent to make the neighborhood feel threatened or unsafe. I feel strongly that this is not a Commercial Use or should not be considered Commercial. This is a home.

LAWING: Any comments or questions of board members.

GUY: Oh I can't resist getting upon my usual soapbox. I was a member of Mid-town Citizens Association when it was founded, and I remembered 25 years or so ago, a down zoning initiative in Mid-town to try to keep some of those streets residential. At that time, there was a great propensity for using the lovely old houses that had a lot of space for group homes. There was always a good reason to convert a house into a group home. It was always children, or people with some disability, there were always hard luck stories attached with them, people who needed help and it was a very, very difficult thing to say "Well gosh. We are trying to keep this a neighborhood." However, to the extent, we did and we held our ground. We still have these houses and people still live in them. We have the historic districts and people still live in them. I think there is a certain feel in my mind that what is sauce for the goose is sauce for the gander in that this house is livable to me, it is not to big that a reasonable size family couldn't inhabit it pleasantly and enjoyable. It is not so big that you would really have to change the zoning for it to function. And if we are to

say that it is inappropriate for the Senator Long House to become a sort of medical bed and breakfast, then I feel it is much more inappropriate perhaps to say that this house should be converted into a group home. It has a very different future if possible for it. I feel that the residential character of the neighborhood is very important as environs for the Senator Long House and so, therefore, I move that we find that the conversion of zoning in this matter to allow the group would encroach upon, damage and destroy the environs of the Senator Long house and therefore opposed to it.

LAWING: We have motion on the table is there any discussion?

LENTZ: Seconded by Lentz.

LAWING: We have a second to the motion, Ms. Willenberg?

MCNEELEY: Planning staff. Group Residence "Limited" is a Conditional Use allowable in TF-3 is why the applicant is requesting a Conditional Use, which will of course go before the MAPC. Group Residence "Limited" as defined by the zoning ordinance is a group residence that is occupied by six to fifteen persons including staff members who reside in the facility. Therefore, that would be the limitations.

WILLENBERG: But without that change could they have up to five? That wouldn't take six to fifteen, would mean that you could have zero to five without a change.

MORGAN: It would still require the Conditional Use.

MCNEELEY: This is a Group Residence "Limited", which is the lowest level of group residence allowable by the zoning ordinance.

MORGAN: If it were a group home if it were for five people or less it would still require a Conditional Use though. Correct?

MCNEELEY: Yes.

WILLENBERG: I don't think so.

MCNEELEY: For a group residence: a group residence is defined here with limited in general and it is a Conditional Use, but within the FT-3 zoning which is the zoning at this location.

EDGINGTON: May I address that. The zoning code does not specifically speak to homes that have fewer than six persons so they are allowed by right within the TF-3 zoning district. Up to five unrelated people can live in a home in single-family without any restrictions being placed.

WILLENBERG: That was my understanding.

MORGAN: There might be an issue of home occupation.

LAWING: We have an inquiry in the audience. Sir I we will recognize you, please state your name.

HAU KEDIA: I live at 145 N Crestway; good intentions are the contrary notwithstanding there, as been an active movement in College Hill to maintain the residential single-family residential character of that Neighborhood. It is a large neighborhood. The vast majority of us brought our homes there because that's what it was, and that is what we want it to remain. In view of the fact that we have long-term financial commitments and social commitments, I would submit that there is a principle involved here. I don't think there is anybody here that doesn't want to help a child and particularly a child in trouble. However, I am not sure that we are compelled to find this residence, or any residence, in an area where people do not wish to have those things changed. I don't think we are compelled to go ahead and do that. Now I don't understand the difference between group residences, five, four, six, eight, ten, the principle to the contrary notwithstanding this is going to be, if we can do anything about it we are going to make it pertain to the whole neighborhood. I think you will have a difficult task, you have to make a lot of calls, but I think this is a call

that had been reiterated, and reiterated again today. I think there are a lot of us who would of like to have stood up, I have a tendency to speak a little too much and for that I apologize. I just felt that I would like to make that one point; the principle is the maintenance and the furtherance of this kind of a neighborhood for us and we want it to stay that way. Thank you.

LAWING: Brian you have a comment to make?

BARR: I think we are straying a little bit from the point of this. I don't know that zoning falls under our purview other than the recommendation part. Certainly, if it was the benefit of Historic Preservation of the environs, maybe then we would want to move from more zoning changes and make those recommendations all in all, and I almost want to refer that to staff.

MORGAN: The board's authority in this case is to make a recommendation to MAPC either in support of the Conditional Use or to request denial of the Conditional Use of this property. That is the only consideration in this case.

LAWING: We have a motion on the table and it has been seconded to request denial of this Conditional Use. Any further discussion, we have a question?

EDGINGTON: I would just like the record to reflect that I am going to recuse myself from the voting because of the obvious connections between this case and the Senator Long House Case.

LAWING: Ms. Edgington has declared a conflict and will not participate in the voting. Any further discussion on this item? Seeing none or hearing none, I will call for a vote. All in favor of the motion signifying by saying aye, opposed, the same sign. The ayes have it. A letter will be sent to the MAPC requesting denial of the Conditional Use permit for this residence.

MOTION #8 Motion (Shelden: Motioned)
(Willenberg 2nd) Motion carried unanimously (6-0)
Edgington abstained

LAWING: Next item on the agenda, #15.

15. **MAJOR:** (HPC2001-00113) Environs McCormick School
APPLICANT: Gary Stein
FOR: 844 S. Martinson

Applicant proposes to demolish frame residence. This site includes two structures, a concrete block garage and the frame residence. Mr. Stein has already begun removing lap siding from the structure and wants to retain the garage. Staff recommends that there is no significant negative impact to the environs of the McCormick School.

MORGAN: This house is directly across the street from the parking lot located at McCormick School. There is damage to the structural elements, through termite, and rot and things like that. The removal of this one structure, staff would recommend that it does not create a negative impact to the environs. However there is a concrete block garage structure that he would like to keep, in addition, he is going to do some landscaping on that lot. In light of other things that have gone on in the Environs of the McCormick School, staff recommends that no negative significant impact be found with the demolition of this structure.

LAWING: Any questions from staff or board members? Mr. Stein, would you like to address the board?

STEIN: I would like to say something.

MORGAN: Mr. Stein owns three lots here.

LAWING: Proceed to the microphone and we will give you the floor in just a second.

MORGAN: The property to the south is where the property is, this house, the other lot, and this lot to the north.

STEIN: I live at 852 N. Martinson. I was born December 1, 1950 and when I came home from the hospital my mom and dad took me to 852 S. Martinson which is just on the other side of this house. At the corner: a karate school, a four-plex and then my house. I managed to buy the house two doors over, that caught on fire back in 1981 or 1982 and I had that torn down. Then in the mean time, a few years ago, this house went up for sale. I think it was about 11 years ago. Therefore, I brought this property and what I wanted to do was to create it all into one yard. This made my yard and home lot 150 feet across, and McCormick School is straight across in front of my house which I really like cause that is were I went to kindergarten through high school. A piece of history is that my grandfather went to McCormick Elementary School and my dad's youngest brother went to McCormick School. My Dad, my brother and my three sisters all went to McCormick and my daughter who is 31 years old now also went to McCormick and if it is still open, my three grandsons will be going there. I have my roots here. What I want to do, I want to keep my home as original as 1920 as I can keep it. What I want to do with my yard, I want to tear down this house, where I have that mound, where the dirt and the stone is, I have that and I want to make it taper across and in the front part I want to plant more trees and some pampas grass and some other plants. I don't know a lot about plants and flowers, but I want my yard to be like a garden. I plan to have this hill is only this high? In front of my home and 50 feet in front of this property, I have stone across here. I placed all of that stone myself. I dug and placed each and every one of those stones. It is the same limestone as McCormick Elementary School is made of. From the very beginning, I was building my home in this direction. What I want to do is keep it neat and clean and 1920s looking. I also have a question for you guys. I am concerned about this. McCormick is decaying; it is a historical landmark; it was built in the 1890's. The building is decaying. The wood needs to be painted around all the windows. I noticed that one of the doors on the fire escape; the wood is actually rotting out of it. In front of McCormick School the entranceway leading to the boys restroom from the outside, which was there when I went to school, it is decaying and rotting. The mortar where the stone is, the mortar is coming out, that is enabling water to go inside, and eventually those walls are going to pop off McCormick school. Something needs to be done with that school now, not 10 years from now, because it is going to be major. However, I pray that you let me go with my yard the way I want to do it, I think it would be like nice for people when they come by the school, that they will also see a nice yard also. I think I am an asset to McCormick School and to the community. I love the way that downtown is going. I love the way you all build the bridges, and the way you redid downtown. I like the brass structures and all along the river. I think you are doing a good job. This is an attractive town, we don't have mountains or oceans, but we sure have a real artistic group of people putting this City together. I would like to be one of them. Any questions?

LAWING: Any questions of Mr. Stein? Thank you very much for your comment.

STEIN: I would like to brag about myself for a second. This angel here I went over to the Arkansas River in 1984 when I finished this. I sculptured this with hammer and chisels; I did not use any power tools or anything. I picked this limestone from the Arkansas River, brought it home and I drew it out, and hand sculptured it and cut the back of the stone so that it is functioning chimney cap on the back. In the back of my yard, I can look up and see my angel up there. I just wanted to tell you I'm showing off a little bit. Thanks.

WILLENBERG: Thank you for the report on the school.

LAWING: Anyone willing to make a motion on the request before us?

LENTZ: Major C of A 2001-000113 environs of McCormick School. I would move that demolition does not damage, destroy or encroach the environs of McCormick School, and therefore we accept the application to receive and file for demolition.

LAWING: We have a motion, do we have a second?

GUY: Second.

LAWING: We have a second, all in favor signify by saying aye, opposed, the same sign. Motion carried. I would further, in light of the comments pertaining to McCormick School, direct staff to look into that.

MOTION #9 Motion (Lentz: Motioned)
(Guy 2nd) Motion carried unanimously (7-0)

WILLENBERG: Write a letter to the school board.

LAWING: Why don't you, Kathy, look into that and possibly make some formal inquires and then we can talk about it at the next board and maybe take some kind of official action.

MORGAN: It might be appropriate to ask the neighborhood inspector person for that area to evaluate that building and maybe issue a letter of minor code violation might be the appropriate thing to do.

LENTZ: Wasn't it being used a museum of some sort?

WILLENBERG: It is.

MORGAN: It is the Retired Teachers Association that runs that museum.

STEIN: Can I tell you about that museum? It is not much of a museum. They have one room, which was my first grade room; they put the original seats back in it. That room is awesome, it is nice but the rest of the school; the museum rooms are like storage rooms and there is not a whole lot in it. My outlook on a museum it ought to be some place, not where somebody goes one time and they don't want to go back. A museum should be a place somebody goes; and tells everybody "you have to go see". Well McCormick School museum is not "you got to see that". You see one room and that is it.

LAWING: Kathy why don't you have the neighborhood inspector goes by, look at it, and brings us a report to the next meeting. We will take action, whatever the board deems appropriate. Moving to item #16.

16. **MAJOR:** (HPC2001-00114) Environs Davis Hall
APPLICANT: Don Folger Jr.
FOR: 628 S. Hiram

Applicant proposes to convert vacant lot into paved parking lot. Staff recommends that the board find no significant negative impact to the environs of Davis Hall.

MORGAN: This lot is directly across. This is looking east on that lot, this is the Presidents house on the north side of the lot, and there is Davis Hall where they want to put additional parking. The University, if you remember I think a year ago, the University came before the board and they did some rezoning: a University overlay because of their expanding student body and needing to provide housing and additional parking. This does fit into their plan. I think Mr. Folger brought us a site plan. They are going to hard surface this lot, and with everything else going on in that area they have plans to landscape it nicely. Staff recommends that it does not damage, destroy or encroach upon the environs of Davis Hall.

LAWING: Any questions for staff? Mr. Folger? I thank you for your patience; it has been kind of a long day.

FOLGER: I do have a couple of comments, I am Don Folger with Don Folger and Associates, and I am the Architect for Friends on all their projects. With the filing and I am not sure where the mess up is, but that is not the right lot in those pictures. It is just on the other side of the building. I brought a map to show you where it is.

MORGAN: This is the lot that I have.

FOLGER: I don't know if you can see this from here, but this is the campus map.

LAWING: Show us where the lot is in the picture.

FOLGER: The lot in the picture is right here. The President's house here and they just spent money to put sod on that lot.

LAWING: That is some good-looking grass.

FOLGER: (Discussion about the lot Kathy showed) We had a temporary parking lot on that with gravel, we have remodeled this parking here and some of the other things on campus, and they got ride of that.

MORGAN: I am so glad you brought that site plan in.

LAWING: Where is the lot in question

FOLGER: It is right here. This is Friends Village and it was an apartment complex that was built back in the early 80's I believe. They recently are turning that into housing for the students; say when they did or did the PUD or what ever they were trying to do. At one time, they were going to take this whole block and turn it into residence housing. They already own this and decided to leave this open for right now. We are turning that into residence housing. The parking is right along the back here. There is a house here that they own and rent to students. So this parking wraps down around here is what it does. There is parking here to that side. This house is not owned by the University, but it is part. This was plated back in the early 80's and I think this was built then.

LAWING: What is the current condition of the lot in question.

FOLGER: It is vacant.

MORGAN: Where is that lot located?

FOLGER: It is just about in that area. That is what was submitted to Central Inspection for the permit. That is what brought this whole thing about. This is Friends Village and over here is the lot we are talking about, Kellogg is right here, so as you are driving down Kellogg you can see there is a new building right here. This is the house and this is used to be the backyard to this house. I think there used to be another house right here. It is torn down back when this was build. When this was build the design, I designed, I designed this back in the early 80's, so they were just going to keep this going to make this a big apartment complex, but it never happened. That is the office, and they are still keeping this house here. You can see we just put a parking lot in there.

LAWING: Kathy does that change staff recommendation.

MORGAN: No it doesn't. It is even further away from the line of site of the University Hall. At one time, they were talking about doing something like that in that area and I guess that is where I got that.

FOLGER: They are saving that for something special.

MORGAN: I apologize.

FOLGER: I don't know what they want to do with that.

LAWING: Mr. Folger any other comments?

FOLGER: No other than just make sure we get a decision. They are ready to put this in before school starts.

LAWING: Board members, any questions for the applicant? Anyone want to entertain a motion?

SHELDEN: Shelden moves that we approve Certificate of Appropriateness HPC2001-00114 because it does not damage, destroy, or encroach the environs of the Friends Hall.

LAWING: We have a motion, do we have a second?

GUY: Guy seconds.

LAWING: We have a second, any discussion? Hearing none, lets call for a vote. All in favor signify by saying aye, opposed, the same sign. Motion carries.

MOTION #10 Motion (Shelden: Motioned)
(Guy 2nd) Motion carried unanimously (7-0)

MORGAN: Thanks Don.

FOLGER: Will that be passed on to Central Inspection?

MORGAN: I will try to get letters out tomorrow or at the end of this week to notify them that that was approved. I will try to do a phone call tomorrow.

LAWING: Moving down to miscellaneous matters. We knocked off the Linwood Park designation. We have the designation. We have the designation to the Registration of Historic Places for the Edward Kelly Residence at 1711 N. Market. We have an application that I believe was sent in our packets.

ITEM NO. 8 MISCELLANEOUS MATTERS

1. North Linwood Park designation

LAWING: Do you have a staff report on this?

MORGAN: What you have in your packet is the... I am trying to get to the photo.

LAWING: Kathy, while you are getting there, let me make a clarifying statement. After the last meeting, it was reported in the Wichita Eagle that this board had actually nominated North Linwood Park for historic designation. That was not the case at all. What this board did was direct its staff to work with the Friends of North Linwood Park and Mr. Paul Fortier on preparing an application for nomination, which is before us at this time. I apologize if anybody in the public or city staff got the wrong impression by the actions this board took last time.

MORGAN: North Linwood Park, staff did assist Paul and Willie Fortier and I am sure they had the support of the Friends of Linwood Park in the neighborhood and they did submit a completed application for Wichita Register of Historic Places inventory nomination form for listing. They cited under the criteria of evaluation five items: character, interest or value as part of the development, heritage, or cultural characteristics of the City of Wichita, State or United State; the identification with a person or persons who significantly contributed to the culture and development of the city; exemplification of the cultural, economic, social or historical heritage of the City; the embodiment of distinguishing characteristics of an architectural type or specimen; and the value as an aspect of community sentiment or public pride. Staff believes they fully covered those items in this nomination. To address this, the significance of the park in the development of that residential neighborhood that park has been in existence: it was dedicated in January of 1887, it was there before the majority, if not all, of the houses were built. The identification with the person: there was no doubt about the significance that Henry Schweiter has played in the development of Wichita. He was one of the founding fathers of the City. There again the simplification of cultural, economic social or historical heritage. The whole concept of dedicating parkland in urban settings in the late 1880s was a cutting-edge idea in city development. You find very few established parks that have this longevity as Linwood Park does. The embodiment of distinguishing characteristics: this specifically has to do with the specimens, the trees, the flora and fauna, that are located there I believe. There has been documentation by the state, the state forestry office, and I believe Paul can answer questions to this about documenting some of the species

of trees located in the Park. And then the last one, the value as an aspect of community sentiment or public pride, I think that also ties back to the exemplification of the cultural, economic social heritage to the city. Staff would recommend that nomination meet all those criteria and would recommend consider forwarding this on for consideration by MAPC and ultimately to City Council through the process to have it designated as a local landmark.

LAWING: This is the first step in the process that would involve a hearing by the Metropolitan Area Planning Commission and also a public hearing by the Wichita City Council. Correct?

MORGAN: Correct and I have the process written out on this sheet of paper, if you would pass around to board members. At this point, if the board decided to go forward with the nomination, they would have staff create a report to go to the Planning Commission; the applicant would provide staff with a certified property owners list for notification purposes of all property owners within 200 feet of the legal description of this property. The MAPC would publish that, they would have a public hearing like we do in this meeting, they would make recommendations. At that point, of the recommendation, if it is favorable to the listing of the property, there is a 14-day public protest. If there are no protests, it's then scheduled for the City Council agenda. That is the future process should the board decide to go forward with this.

LAWING: Any questions from staff at this time? How many people in the audience would like to address the board on this topic before us? If I could see a show of hands, let me ask at this time if Mr. Fortier or anyone in the audience would like to address the board at this time on the potential designation of Linwood Park?

FORTIER: I had not planned to speak only if there were questions that I needed to answer.

LAWING: Any question for Mr. Fortier or staff once again or any comments that the board would like to make on this issue?

WILLENBERG: Could we see a show of hands in the audience of who are in favor of the designation?

LAWING: The question that was asked of Ms. Willenberg was how many people here would be in favor of the designation of Linwood Park designation. Is there anyone opposed to the designation of the Linwood Park? Any comments by the board members on this? I have a few thoughts that I would like to share.

I think that based on what I have seen North Linwood Park would qualify for designation as Historic Landmark. One of the actions that were taken at the last meeting was to direct staff to take an inventory or to research the historic nature or the history of the Wichita Park Department to see if other parks or structures within parks deserve designation. That is an ongoing process; one that is not going to have an easy or quick remedy to it. Obviously there is a lot of information there. My thoughts are: the reason we are here today because of the proposal by the school district to locate the new Linwood Elementary School in North Linwood Park. I guess, personally, I do not feel because of the lengthy process involved that if we designate it today, or nominate it today, North Linwood Park that, that in itself would stop or create enough of a serious impediment to the location of the school at that site. In saying that again, I don't want to be talking out of both sides of my mouth. I do feel the site is worthy of designation and worthy of nomination. I want to propose to the board for consideration that at this time, we do not designate or we do not nominate North Linwood Park but rather communicate to both the school board and the City Council that we definitely feel strongly that North Linwood Park deserves nomination. That we would request that the school district reconsider any plan to put an Elementary School on North Linwood Park at this time. Further, that as staff research the park system in Wichita we then bring nomination for designation for a number of parks. I think there are probably a number of them that deserve nomination and present those nominations to the Planning Commission, City Council at one time, in mass, together and with the support and corporation of the Park Board. This is an issue that they have a preview on and I do not want to infringe on their authority at all and would like to, definitely like to, do this with their corporation. Again, I threw that out for consideration. I would like to get discussion from the board.

GUY: Well, by gosh, I always hate to disagree with the Chair. Because it is a good and balanced way to approach it and if all other things being equal it would be a delight to be able to think that we could sit down

and make a "the" nomination with the proper research and all that sort of thing. For the number of parks that certainly deserve it within the City of Wichita, I hope we shall come to that, but having served on this board for an indecent number of years, I find that I have difficulty in ignoring a properly completed nomination form that is lying in front of me. It is not very proactive of us. Perhaps it seems to me that when folks take the trouble to fill out a nomination form and then try to convince us that a park, or a structure, or a street, or heaven knows what, is worthy of nomination to the Wichita Registers of Historic Places, we must act on it appropriately and quickly and make a determination whether or not the thing which is being presented for nomination is worthy of it. I think there is no question, probably anywhere on this board, that what we find within the preview of this nomination form is not worthy or eligible for nomination and therefore I believe that we really need to make a determination if it is eligible for listing and that we pass that nomination along to the MAPC. To do otherwise would perhaps to be to negate in some way the effort that has gone in to bring this before us. I don't think I want to do that. That being the case, I move that for the sake of getting it on the table for further discussion, that we make a determination that this site is eligible for listing.

LAWING: We have a motion on the table, we have a discussion.

SHELDEN: Shelden seconds. I do have some discussion. I do think your comments initially, Mr. Chair, about this application for listing does not necessarily give this piece of property the protection that you hope that somehow ultimately it might. If there is a determination made that this is the site they are going to use there is probably some way they can get that to work out. I think that that statement that you made is very appropriate. It is one more hoop that the applicant would need to jump through to work around that sort of thing, but I think that is also a reality. I just want to reiterate that. This is not some sort of overlay that makes it impossible for them to move forward with these kinds of things with the school boards plan if that is what they plan to do.

GUY: Well, you know my feeling has always been that everybody has a job to do and that's the way the City functions best. Our job is to make the determination or fail to make it. It is somebody else's job to do other things and ultimately the council's job to make the decision with the benefit of this board. If we don't start the ball rolling down the street, we will never get to the end.

SHELDEN: Guy I do not disagree with that at all. I do think, though, we did have this discussion two months ago that we thought that parks will always be with us. I am just reiterating again that the fact that if we do this, still does not mean that the park would always be the way it is now, just because we make this step.

LAWING: We have a motion on the floor, it has been seconded, I am still open for discussion. Ms. Edgington?

EDGINGTON: Kathy you may be able to address this issue. I'm not sure, just for the point of order, when the applicant is not a property owner; I only know from my experiences with zoning cases, what is the process for review when an applicant for this listing is not the property owner.

MORGAN: In this case the property is currently owned by a public entity. A public entity has a right to comment. If we carried this on to National Register Listing, the National Historic Act, the 1966 legislation passed by Congress allows private individual to object to listing, but it does not allow any public entity to object for listing. The public entity has the right to comment, but could not stop the process or the property from being listed.

EDGINGTON: Okay, I just did not understand.

MORGAN: So what we are doing is extrapolating that to the local level.

LAWING: Again to follow-up what the process is: since they are not the folks in question, the Fortier's and Friends of North Linwood Park, since they are not the owners, they have come to the Historic Preservation Board and under our status we can nominate that property on their behalf or response to that request to nominate that property. Which that is what we are considering doing at this time.

LAWING: Brian?

BARR: I would like to look past the nomination portion of this to the result a little bit. I did a little bit of research and the precedent of designating green spaces probably being the best example is Botanic Gardens, Central Park in New York and really the hard part starts after the designation is put into effect. I think it would be best if we look a little ahead at that. Protecting the land in and of itself. Really, the historic part is not preserving the land so much as it is the cultural use of the park. I don't quite know where we would go with or what kind of parameters would be laid on the Parks Department and others. Kind of food-for-thought.

MORGAN: A comment to that is: should this get to the point that MAPC supports it, City Council supports it, it could be that the City Council directs the Historic Preservation Board and the Parks Department Park Board to come up with an agreement as to how things are reviewed. What items need to be reviewed, that type of thing so they would not have to come to us every time they needed to take out a diseased tree or put a new planting in, type of thing. That is not something we have to decide at this point. That is certainly something that can be addressed later with a memorandum of understanding between the Historic Preservation Board, the Parks Board and the Parks Department and the City Council.

LAWING: Any other questions or comments? Seeing none, we have a motion on the table; it has been seconded. That motion was to approve the nomination for North Linwood Park for Historical designation...

MORGAN: Could you please add, "and to direct staff to continue the process" to that.

LAWING: We have a suggested amendment to your motion.

GUY: We accept that.

LAWING: Do you care to second that? The motion has been amended to direct staff to follow-up on that request. Let's call for a vote. All in favor of the motion signify by saying aye, opposed, the same sign. It looks like the ayes have it.

MOTION #5 Motion (Guy: Motioned)
(Barr 2nd) Motion carried unanimously (6-0) Accepted

MORGAN: What about your recommendation to the letter?

LAWING: Let me ask: folks the school board is meeting tonight and according to the newspaper today they maybe considering this issue. Would the board recommend that communication be made to the school board on the action taken by the board today?

GUY: As quickly as possible.

LAWING: In anticipation that we would make some kind of decision on this, a letter has been drafted. It is on Kathy's laptop there. We will adjust the letter to reflect the action taken by this board and we will ask staff to make sure that that letter gets over to the school district in advance of tonight's board meeting. It will be addressed to the President of the School Board, Ms. Connie Dietz.

GUY: We need to always communicate as well as we can.

LAWING: We will do so. Unless there is anything else on this issue, I suggest we move back to the agenda and pick up the minor applications for the Certificate of Appropriateness.

2. *Edward Michael Kelly Residence, 1711 N. Market, Wichita Register of Historic Places nomination-staff recommends HPB approve nomination.*

MORGAN: The current owner has completed and provided information about this property. This is the property in question.

DARRELL STIPP: Yes.

LAWING: You must be the Stipps. Okay, thank you for coming today, appreciate your patience.

MORGAN: This is the detail, if you will look, this next detail shot is this area right here. This is the gable, pediment. There is name for that and I can't recall it right now. The next shot is the detail of the brackets under that eave and the shingle detailing. That is a detailing of the column on the front porch, monumental column. This is the detailing I believe you said was in your dining room. It is a little bump out. It has a window seat in it.

STIPP: The settee is built into that particular area in the dining room. Under the settee is where the radiator is. It is all built in.

MORGAN: It has pilasters on the corners that are fluted with just a simple Doric capital. That is the picture of the house.

GUY: What is wonderful about that house, too, is that the front windows are all double.

MORGAN: Yes, very nice, very nice. Mr. Stipp has done an excellent job in providing the background information on this property. We went through it and it does meet the items, the criteria for evaluation that were checked: character, interest or value as part of the development, heritage, or cultural characteristics of the City of Wichita, State or United States; the portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style; embodiment of elements of architectural design, detail, materials or craftsmanship, which represent a significant architectural innovation. Relationship to other distinctive building, sites, or areas, which are eligible for preservation according to a plan based on historic, cultural or architectural significance. This property is adjacent to the Park Place/Fairview Historic District. It abuts the alley on the east side of that District. The value as an aspect of the community sentiment or public pride. I think Wichita is very proud of these older homes of this magnitude. Staff would recommend that the board accept this nomination and send it through the proper channels with recommendation on to MAPC.

LAWING: Folks, the application was in your packets, any question for staff or Mr. Stipp or is there anything that you would like to add to the information to the application?

STIPP: I tried to write it as completely as I could.

LAWING: You did a good job.

MORGAN: I would add one thing that Mr. Stipp has gone one step further and has submitted a Preliminary Site Plan Information Questionnaire to the State Historic Preservation office for potential listing at the State or National level also. I have not received any notification yet from that office if they need additional information. I would presume that that would be coming within the allotted time. They have a 30-day turn around allowed. I imagine that we will be hearing something from them soon.

LAWING: Board, what is your pleasure?

GUY: I don't get to do this nearly as often as I want to, but with all due complements to Mr. Stipp and family, I certainly think we ought to pass this to the MAPC with our strongest recommendation for listing on the Wichita Register of Historic Places. This is a delightful house and a remarkable pristine condition. It meets all of the qualifications I think it should meet and is a delight to have something individually listed outside of the Historic District.

LAWING: We have a motion on the table, we now have a motion with a second. Any further discussion?

SHELDEN: Real quick, if I can ask, what motivated you to pursue this?

STIPP: This is the second Historic home that I have owned and I owned an U.G. Charles home that was on South Fern. When my wife and I first looked at this home, we went through the home in 1997, I was a student at WSU and I visited the library and actually looked in the directory and I did a lot of this research before we bought the home. What I found is that Edward Michael Kelly is in "Who's Who" in 1929 at that address is listed there. It actually we checked out that "Who's Who" and went down to have a professional copy made and it is hung in our home. He was educated at Notre Dame, a direct family descendant from Irish, Catholic blood stocked. He lived in the home from initially 1910 to through the 1936. The home has such pristine conditions it is in excellent shape. There is not mottling, there is not additions that have been added to. The pilasters are on all corners of the exterior of the house. The details she has shown continue around the entire parameter of the eaves. Our full intent is to continue with the restoration of the home on the exterior and the interior. There are elements that we have that Kathy has pointed out, that we have pocket door that slides and it is a single door. We have another pocket door that is a 6' wide door and it is a double door. We have a servant stairway. We would like to stay within the character of this home, in the 1910 era. The home was equipped with gas pipes. The light fixtures have the 3/8" pipe run to them. They have been disconnected some time, which is a good safety factor. That was the way the house was done, this Elmer Brodie that built the home actually lived at the address just north 1717. My neighbor tells me that the house north, his listing said his house was built in the 1925. So I do not know if the home was there at the time Mr. Brodie built our house had been destroyed, demolished or just a temporary home, or what, but his address is listed at 1717. When I traced Mr. Brodie, every two years he built a new house. He is listed as being in real estate, and in 1929 was the last listing for him in the Wichita directory, which makes me assume the crash in 1929 bankrupted the gentleman. He built this home and another home in almost the same hundred block south and then he started building homes in different areas in College Hill, Roosevelt that type of thing. However, the home has been owned by Walden for two years, and then that is when Mr. Kelly brought the home. We would like to stay with the character of the home and we would like to continue with the listing and if they can help preserve our investment in the house, to help with the neighborhood.

MORGAN: I believe there is another house just down the street on North Market; it might be in the 1500 block, that he is restoring a similar size house. There is some activity in that neighborhood for restoration.

LAWING: Well folks we have a motion that has a second that is awaiting a vote. Any further discussion; lets call for a vote. All in favor signify by saying aye, opposed, the same sign. The ayes have it.

MORGAN: Thank you for your time.

LAWING: Thanks for all the work you have put into that property, both of you. It is much appreciated by the board and thank you for your patience for today and this meeting.

MOTION #11 Motion (Guy: Motioned)
(Lentz 2nd) Motion carried unanimously (7-0) Accepted

LAWING: Lets do Backbay Boulevard next. The other addition to the agenda was the request to list 404- and 408 Backbay Boulevard to nominate it for Historic Designation. You should have gotten something in the mail from staff late last week on this.

3. *Riverview Apartments, 404-408 Back Bay Blvd., Wichita Register of Historic Places nomination.*

MORGAN: I had some late mail-outs last week. Some of these came in at the last minute. I apologize. This property actually had a National Register nomination prepared for it, in the shuffle they had to have additional information and the consultant that was working with us on this and the property owner, it just kind of fell by the wayside. With the new interest in the State Historic tax credit, this property owner has brought this issue back up. He has a consultant that is rewriting this nomination to get it listed. The state had determined that it is eligible and he wanted to go ahead with the local listing. As you can see this form was prepared in 1995 and for some reason, I don't know if it had to do with the State sending it back and wanting more information or whatever, but at that time the Historic Preservation planner took this out of the hopper for some reason.

GUY: This was by request.

MORGAN: The gentleman that owned it requested it.

GUY: Well yes, they wanted to do so that fence, they wanted to do the fountain right inside the gate and so on and they didn't want us fiddling around with it so they withdrew the application.

LAWING: This was the previous owner correct.

MORGAN: Greg Hecox is still the owner of the property. Even with that, those items could be removed and would not have any detriment to the original building. As you can see that nice brick detailing, it has nice cornice detailing with limestone features. This elevation faces Waco. It does have this monochromatic brick design with x's here and down at this end of the building. It does have some pan tile roof material on it. I read the application, the information is complete, and this is a garden apartment, which was a phenomenon throughout the United States. As a matter of fact I think that was the request that the State had was to please provide more information about the whole phenomenon about garden style apartments. That was the only request that they had before considering it. Mr. Hecox is in the process of getting these listed so that he can take advantage of the tax credits. I would recommend that the board accept this nomination and send it on to MAPC.

SHELDEN: Sheldon so moves.

WILLENBERG: Willenberg seconds.

LAWING: All in favor signify by saying aye, opposed, the same sign. The ayes have it. Moving on down to the De-listing of Burton Stock Car building.

MOTION #12 Motion (Sheldon: Motioned)
(Willenberg 2nd) Motion carried unanimously (7-0) Accepted

4. *De-listing of Burton Stock Car Building-Board needs to set a time to meet on-site to discuss request.*

MORGAN: What I need the board to do is we need to set a time to go to meet the property owner on site so that you can evaluate this structure and recommend it for de-listing. I think I had indicated to you that the original structure and was brick was stuccoed over because the brick was crumbling. They have had to do a couple of things to the building. The significance, the reason it was nominated, was because of its association and not because of the structure itself. Its architectural integrity was never high. The owners have indicated that they would be willing to document the building so that we would have record of it and possible put that documentation in the Air Museum and provide a copy for the State office for the National Park Survey. We need to set a time that we can go.

LAWING: Do you have any suggested days or times.

MORGAN: The last time we had done this we picked a Monday afternoon at 4:00, so we can certainly do that, I think it was like two weeks out. We can do this by e-mail, and then you all can go back to your offices and check your schedules two week out from today.

LAWING: That would be on the 27th.

BARR: Why don't you just e-mail us and then we will respond that way.

LAWING: Lets do it that away, and we can make sure there are sufficient number of us to go do that review and take care of it.

MORGAN: Is 4:00 good?

LAWING: I think that will be good, I think closer to the end of the day or the very beginning of the day is going to work best for me.

MORGAN: I will do that. I will get in touch with the gentleman out at York Industries, and we will get that set up.

LAWING: Moving on down the list, unless there is further comment on that, we have a question about the eligibility for the Carriage House for a revolving loan.

5. *Bill Crowley, 1516 Park Place, original carriage house structure eligibility for Revolving Loan Program- guidelines say only primary structures are eligible, but applicant requested Board to review.*

MORGAN: If you will remember, Linda and Michael Henry, Central Inspection, had issued them a notice to tear this house down. They had initially wanted the board to consider giving them a loan to tear it down, and we don't do this. This structure is original to that site, I explained to them that we don't do secondary structures but that I would bring it to the board that, our guidelines don't meet that. It is an original structure. The people that bought the house, the Henry's have sold it, and the people that have bought it want to undertake the restoration of that structure.

LAWING: Is there anyway we can help them?

MORGAN: The only thing I could recommend at this point is to have the board support; yes, we want to help them on a case-by-case basis just for this individual case. If the board wants to see if we can address the guidelines for a loan to allow them to do that and provide some financial assistance' I can talk to the housing staff and the financial people and see if we can do that.

LENTZ: Are they going to make a garage out of it?

MORGAN: Yes they are going to repair it and they are going to use it for storage. They are going to have to rebuild this whole roof truss system. I don't know what kind of implications there is in the remaining of this structure or whether or not it's stable. They seem to think they can repair it.

LAWING: Well folks, what is the pleasure?

WILLENBERG: If there were anyway to stretch the guidelines; there are so few original carriage houses left in Wichita I would propose that we support it.

LAWING: Staff, see if you can get creative and bring us back a way to do this...

MORGAN: If you would direct me to...

LAWING: Or if we need to somehow revise the criteria to include, like Claire said, if there are so few of them left maybe we need to revise the whole scope, or what kind of precedence we are going to set?

MORGAN: I am in the process of amending the memorandum of understanding because I had an loan application that went through for a contributing element in the Topeka/Emporia District and the grants staff determined that it was ineligible to receive anything more than a \$5,000.00 loan because it was not an individually listed property. Therefore, they have a problem in understanding the terminology that we use. A contributing in a listed district is automatically; it has the same status as an individually listed structure, so maybe we can go ahead and request that original outbuildings, that can be documented to be original to the site, could be potentially eligible on a case-by-case basis.

LENTZ: Are they intending to do anything on the house, does it need any remodeling?

MORGAN: No there is nothing to remodel on the house. The house is in excellent condition. There is

nothing to do; this is the only structure that needs any help.

WILLENBERG: There might be some painting on the exterior.

MORGAN: Maybe a little.

LAWING: Bring that back to us at the next meeting and let us figure out what we need to do. The last bit of business, unless there is any more discussion on that. We have deferred the approval of minutes, this is the reason I did it. I was not at attendance at the May meeting; Brian was not a member of the board at the May meeting. We were unable to approve those minutes at the June meeting but now there are four people who are present that were at the May meeting I would ask for a motion to approve the minutes at the May meeting.

SHELDEN: Shelden so approves.

GUY: Guy so seconds.

MOTION #13 Motion (Shelden: Motioned)
(Guy 2nd) Motion carried unanimously (7-0) Accepted
Lawing and Barr abstained

LAWING: Let the record show that Lawing and Barr abstained from this vote. Motion is seconded. All in favor signifying by saying aye. Opposed nay, or the same sign. Minutes approved. Secondly, we need to approve the minutes from the July meeting and I would like to make the following amendment or change. It appears on page 19 we took action on as many as five motions last week pertaining to the designation of the park, I would suggest that we remove amended motion number seven, and the language to amended motion number 8 from the minutes because what we actually did is cover it on motions nine and ten on page 21.

MORGAN: And renumber those motions.

LAWING: Upon those changes I would move to approve the minutes from the July 9 meeting.

WILLENBERG: Second.

LAWING: Got a second, any discussion? All in favor signifying by saying aye. Opposed, same sign. Sam abstains; he was absent from the July meeting. Again, we rather broke down parliamentary procedure but after 5:15, I get a little loopy folks.

MOTION #14 Motion (Lawing: Motioned)
(Willenberg 2nd) Motion carried unanimously (7-0) Accepted

MORGAN: Slide presentation on finished properties.

WILLENBERG: I have a few quick things: August 31 is when the reservation goes in on that Tax Credit Conference. Anybody going, I would like to go.

MORGAN: I am going, Sharon Fearey is going, Dave Burk is going, I am taking a city car and I can see if we have room. I can see if anybody else would like to go. I could see about getting a check cut for your registration. It is September 12, on Wednesday.

LAWING: I would like to go, but I will have to get back to you, I have an important meeting that following day that might cause me to be in town prior, but I'll know by the deadline date. If it weren't for that, I would definitely be going.

MORGAN: We can submit the registration and if nothing else, we can, if it takes longer than, if they get the payment of the registration after the meeting if it takes a while to get through finance. As long as we get it

in by the deadline date, I don't see a problem with that. Do you want me to add your name?

LENTZ: I think I would like to go to that also.

MORGN: As far as I am concerned, I have not had any indication, Sam, as to when Mr. Lambke might reappoint, and I think at this point if you have the time and would like to go, I see no problem in including you in on that list.

WILLENBERG: Another question, I had an appraiser call me and wanted to know if there were any other lots other than the one with the new house on it, or the new old house that have sold recently in Midtown. He is evaluating a lot for Sharon. He wondered if any other lots that had sold.

MORGAN: You might call John Philbrick in the property management office with the City, because when we were trying to find a site for the house at 520. We talked to several people with lots and asked them what they were listing. That would be the only thing because that is the only vacant lot that was sold.

WILLENBERG: Last question: did the folks, the Cullen's, get a response by August 13?

MORGAN: No, I am in the process of writing them a letter tomorrow. We had a meeting with Mike Holloman and Doug Moshier, City Attorney. Their instructions were: could we write a letter stating the situation; that risk assessment has been done. I don't know that the report has been written yet. What that means is the property owner would have to take care, or would have to abate or contain any hot spots that were in the house before we could package the loan. He does have the option of using the loan to help pay for the containment of the hotspots. There were a couple of spaces where varnish was worn on the hand railings that need to be addressed, there were many hotspots in the attic with lead and I don't know what that was about. Planning staff, Housing staff and I have said that we would not have a problem of writing a letter in support for him. The state has a grant for the lead based paint abatement of \$7,500.00. That is supposed to have an income guideline tied to it. We would not have a problem in writing a letter of support to request that he be given access to this grant money to help abate this problem. He could elect not to go any further, and if that were the case then this file would be closed. It would not be of public record so that report on the structure would not be public. If anybody wanted that they would have to pay for; we had to pay \$350.00 to have the inspector come in and since it is part of a loan application loan process it is not public record and this is from the City Attorney. We could stop it at this point.

WILLENBERG: If he were to list the property for sale...

MORGAN: He would have to say.

WILLENBERG: He would have to disclose that, he knows that it has lead based paint.

MORGAN: Right but he would not have any specifics.

WILLENBERG: Interesting position to be in, having to be the first in Wichita.

GUY: I would be uncomfortable.

WILLENBERG: I would be.

LAWING: It sounds like he is. We are ready to adjourn the meeting, so I will accept a motion to adjourn.

MOTION #15 Motion (Lawing: Motioned)
(Willenberg 2nd) Motion carried unanimously (7-0) Accepted

Meeting Adjourned at 5:25.