

**MINUTES
CITY OF OLATHE
STAFF REPORT**

Case # PR-11-016

The meeting was called to order by Chairman Jon Campbell, with the following members present: Mike Kohler, Nedra Locke, Mike Rinke, Jeremy Fry and John Almeida. Absent were Greg Harrelson and Paul Ling.

Chairman Campbell read the standard *ex parte* statement; no commissioners reported any *ex parte* communications.

Motion by Commissioner Locke, seconded by Commissioner Fry, to approve the Consent Agenda. Motion passed 6-0.

Case Planner:	Sean Pendley	Planning Commission:	July 11, 2011
Request:	Revised site development plan for Community Bible Church		
Location:	1304 N. Parker Street		
Owner:	Community Bible Church, Thomas Hardy		
Applicant:	Strickland Construction Co., Jacqueline Doherty		
Architect:	Hernly Associates, Mike Myers		
Acres:	<u>3.34±</u>	Proposed Use:	<u>Church addition</u>
Floor Area:		Current Zoning:	<u>R-1</u>
Existing:	<u>9,281 square feet</u>		
Proposed:	<u>9,349 square feet</u>		
Parking Spaces:	Required	<u>85</u>	Shown on Plan <u>86</u>

1. Comments

This is a request for a revised site development plan for Community Bible Church. A final site development plan (PR-11-002) for an addition to the church was approved on February 14, 2011 (see attached minutes). The proposed building addition included a new sanctuary and main entrance to the church. The owner is requesting a modification to some of the building materials on the new sanctuary and the proposed changes are considered a substantial change from the previously approved plans. Therefore, Planning Commission approval is required.

A building permit has been issued for the addition and it is currently under construction. If approved by the Planning Commission, the proposed changes for building materials will also require a building permit addendum. There are no other changes requested for the site plan, parking or landscaping.

2. Building Design/ Materials:

The primary change the applicant is requesting is to replace all the brick with stone on the proposed sanctuary and main entrance. The owner believes the change in building materials will provide a more modern look for the church addition. During the previous plan review, staff had recommended the use of brick along with stone on the new sanctuary to maintain consistency with the existing church. The existing church has a mixture of stack bond brick and vertical wood siding and the proposed addition includes a combination of stone veneer and EIFS. The applicant has submitted photos of the existing church and renderings of the proposed addition.

The applicant has submitted two sets of building elevations; Phase I showing the addition of the sanctuary and main entrance and a future phase with additional changes to the existing church. For Phase I, the applicant is proposing all stone veneer and stucco wall panel (EIFS) on the sanctuary and main building entrance. The previous plans showed a combination of stone, brick and stucco (see original plans). In addition, as part of Phase I, the applicant proposes to paint the existing concrete foundation walls on the north and west elevations to match the stone on the building addition. The brick on the west elevation of the existing church will be covered with EIFS to match the new sanctuary. The brick and wood siding on the other elevations of the existing church would remain with Phase I.

For the future phase, the owner proposes adding stone veneer over the concrete walls on the north and west elevations to match the stone on the new sanctuary. Some of the brick on the existing church would be replaced with either stone veneer or EIFS to match the new addition. The applicant has not provided a timeline for the future phase.

Although the proposed changes do not include brick to match the existing church, the replacement with all stone provides a decorative masonry for the new sanctuary and main entrance. The most visible portion of the building is the west elevation, facing Parker Street. This elevation will maintain a consistent look from the street at the time of completion for Phase I. The other sides of the building facing residential properties are not as visible since there is existing landscaping around the perimeter of the property. Additional renovations would be provided with the future phase to make the existing church more compatible with the new addition.

3. Staff Recommendation:

Staff recommends approval of PR-11-016 subject to the following stipulations:

- a. The building materials for the proposed addition and existing church shall follow the building elevations stamp dated June 24, 2011.

- b. A building permit addendum showing the proposed changes to the building materials shall be approved prior to certificate of occupancy.

Motion by Commissioner Locke, seconded by Commissioner Fry, to approve PR-11-016, subject to the following stipulations:

- a. The building materials for the proposed addition and existing church shall follow the building elevations stamp dated June 24, 2011.
- b. A building permit addendum showing the proposed changes to the building materials shall be approved prior to certificate of occupancy.

The motion was approved 6-0.

Platted: NORTHEAST ELEMENTARY SCHOOL ADDITION LT 2 WALNUT GROVE
ELEM OLC 94 2

CASE FILE INFORMATION

I. COMMENTS

The following is a request to for nomination to the Olathe Register of Historic Places. The purpose of the nomination is procedural in nature to recognize and honor Olathe's historic properties at a local level. The register assists local efforts to identify, promote and protect our historic resources.

Staff has verified that all property owners in a 200-foot perimeter of the residence have been properly notified through certified mail of the nomination application. Staff has not received any concerns or correspondence from any of the neighbors.

II. HISTORY

The subject area was platted as Northeast Elementary School Addition Lot 2 Walnut Grove Elementary OLC 94 2. The Walnut Grove one-room schoolhouse was built around 1878 near 116th and Pflumm Road, north of Olathe in Johnson County. The schoolhouse served at the heart of a rural Johnson County community in the late 19th and early 20th centuries.

III. ANALYSIS

Staff's analysis of the application is based on the findings of the Preservation Board, as well as the action items established within CRL 2-4 of the City's Comprehensive Plan.

The Historic Preservation Board's analysis of this application is based on the following historic landmark designation criteria for considering applications as listed in *Municipal Code Book Chapter 2.84.050* and staff findings for the listed criteria.

In the designation of buildings, structures and objects as historic landmarks certain criteria must be met. These properties must be fifty (50) years or older. In addition, the property must meet one or more of the following criteria:

- 1. Is associated with events that have made a significant contribution to the broad pattern of history of the City, county, state or nation;**
2. Is associated with a significant person or group of persons in the history of the City, county, state or nation;

3. **Embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master builder/architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction;**
4. Yields or is likely to yield information important in prehistory or history;
5. **Possesses integrity of location, design, setting, materials and workmanship.**

The Walnut Grove Schoolhouse meets the following criteria for inclusion to the Olathe Register of Historic Places:

- It is associated with events that have made a significant contribution to the broad pattern of history of Olathe and Johnson County. It reflects the lifestyle of rural Johnson County residents from 1878 with it was built through 1949 when it was closed as a result of statewide consolidation. During its years it served as a place of public education and social and cultural connectivity for its rural community.
- The property embodies the distinctive characteristics of a typical frame one-room schoolhouse in Johnson County.
- The property possess historic integrity in the majority of its construction. The building retains its original frame, siding, windows, floors 1924 porch, and blackboards.

IV. STAFF RECOMMENDATIONS

- A. Staff recommends approval of the proposed nomination to the Olathe Register of Historic Places.
- B. The Olathe Historic Preservation Board voted to approve the application (5-0) at the June 23, 2011 meeting.

Following staff presentation, the Chairman opened the meeting up to questions from commissioners:

Comm. Locke: You mentioned that this is the only one that is on the state registry. Do you know if the applicant has ever submitted for - ?

Ms. Kukal: To my knowledge, I do not believe that they have. There may be some eligibility issues for them at the state or national level just because of some of the alterations and/or materials used. I don't know how far they have explored that. I know that is one of the reasons that we really would like to get this on at least the local level. Also, one of our preservation members is employed by the school district and made a connection for us. They are currently looking to do some curriculum at this location, too, and this helps them apply for preservation grants that are available through the County's Heritage Trust Fund grant, and this

nomination will hopefully help them achieve some of that grant funding to do some of the improvements that they would like to do.

Comm. Locke: Thank you. The last line where it says so many of the one-room schoolhouses are gone – I grew up here in Olathe and went to a two-room schoolhouse, where one teacher was actually the principal, and that building is gone. So, I have a love for history and I think that's great. My question was just for information. Thank you.

Chairman Campbell: So we have it on the record, tell us how the applications come to you. These are all individually owned or have ownership somewhere, but explain to us a little bit of the process.

Ms. Kukul: Sure. First of all, there are seven properties in Olathe that are currently listed on the state and/or national registry. It was our goal to go after those properties first, approach them and see if they would be interested in being nominated for the national register. So, the board members actually approached the property owners, and if they were indeed interested, then kind of walked them through the application process, and then brought the applications back to us. So that's kind of how we started, and that's where we got this. So, we have five properties, and we have a few others that are interested or on our radar. We were just moving forward in a timeframe and these were the applications that we got within that timeframe. As we move forward with more applications in the future, we are going to be trying to pursue property owners and try to generate that interest, but we would anticipate that in the future, applicants will be submitting applications to us and approaching us for that nomination.

Chairman Campbell: So, in the future, anybody who is watching this can look at the City website and find the historic preservation board and actually submit the application? The application is available on line?

Ms. Kukul: Yes, the applications are available on line.

Chairman Campbell: Any other information that a homeowner or a property owner would need at this point?

Ms. Kukul: Not really at this point. Right now, it's more for recognition purposes. We're looking at doing some plaques for the property owners. As we get down the road, maybe some added incentives, whether it's some grant money or improvement money available, that sort of thing, or when they want to come in and do improvements, do we look at other incentives as far as building permit fees, anything that we would give them some incentive and some help. We are definitely exploring that.

Comm. Fry: I have a question. I know this schoolhouse was moved from its original location. As far as a precedent is concerned, is there anything about a building being moved from an original location to another location and their potential eligibility for being on the - ?

Ms. Kukul: To my knowledge, no. And I say "to my knowledge" because I'm still kind of learning all the preservation stuff. Obviously, we still operate through the state historic preservation office. To my knowledge, no. As long as the integrity of the property is maintained and the architecture is maintained, and as long as it's still relevant to the history of that building or that event, then it shouldn't affect the eligibility.

Comm. Fry: So the actual designation is of the building itself more so than the land.

Ms. Kukal: Correct. It's more for a deemed landmark, yes.

Chairman Campbell: Anything else? We have one gentleman signed up to speak.

William Warrington, 11720 South Pflumm Road, Olathe, appeared before the Planning Commission and made the following comments:

Mr. Warrington: I am two properties north of this particular property in question. I understand this is somewhat of a new process, so you may not have answers to some of the questions I have. But it may help you in the future to answer some of the questions adjacent property owners may have about what's going on here.

Of course, immediately after being notified, our major concern would be about what this actually means to my property, whether that means a change in tax stature, any encumbrances to my property, whether it can be sold or developed; what that status being placed on the Walnut Grove schoolhouse would mean to my property. I'm not sure where we could get that information.

Second, it's not really clear from the application and the summary about rezoning. Rezoning is mentioned several times but it does look like this is really just more of a status type of thing that doesn't really include any rezoning on this particular property. So, I would have questions about whether there really is any rezoning involved or not, and what that status would go to from the R-1 residential status that currently exists on the property.

I am also curious about the benefits of being an historic landmark. So, being so close to this property, the Walnut Grove schoolhouse. Also, there are three property owners on that same square part of the plat there and all three of us, doing our civic duty, keep pretty careful watch over these properties. So, if you've seen a police call on these properties, it's probably one of the three of us calling it in.

Over the years, I have noticed that this property is subject to some vandalism. I'm with you – I'm very big on history. I love the idea of this being a historic landmark, but I would like to see it protected as well. Particularly over the last couple of years, we have had several occurrences of windows being broken out, of breaking in the back door where the kitchen is and small fires were set inside, which I think all of which puts this property in danger. I would hate to see it actually burn down or be vandalized any further than what has already happened. So, I know in particular that the lighting in this area is extremely slim, so I think that probably lends to the nature of it being vandalized periodically. It also has a tendency to be inhabited by vermin, either foxes, skunks, things of that nature, because there are some portals that are very low to the ground, and once in a while those get kicked in, probably by kids or whatever, and then it will get infested with some kind of animal.

The last question I had was, I believe this property was up for consideration to be moved to Mahaffie Farmstead at one time. I was curious if you knew anything about that, about why that didn't actually go through. That's all of my questions. Thank you.

Chairman Campbell: Any questions? Ms. Kukal?

Ms. Kukal: In regards to the notification letter, I did receive a handful of phone calls from folks like Mr. Warrington with the same concerns. So, being that this is

a new process for us, basically what we did for the notification letters is we took a look at our rezoning notification letter and modified it to fit this nomination. It may be that we need to go back and look at that and massage that so it is more clear for those property owners. I think the property owners are more familiar with a rezoning case or those other sorts of planning cases that come through. But beings that this is something different and new, I think we're going to have to clarify that a little more.

Chairman Campbell: The sign posted on the property, it said "rezoning," I believe.

Ms. Kukul: There were no signs posted for these applications.

Chairman Campbell: Sorry about that.

Ms. Kukul: And that may speak to your second question about the rezoning, if that was mentioned in there. Nothing is being rezoned and the use is not changing. To my knowledge there are no plans for that use to change. So, again, probably cleaning up that letter and making that a little more clear.

The benefits. I would say the main thing outside of recognition, as I mentioned before, the main thing right now is it does have an added touch for these properties in the sense of, when a property that would be on the local register – and this one is different because it's not on any other register – this already applies for any property that is already on the state or national register. But anything that would come in for alterations, a building permit, a demolition, anything like that, the preservation board will review that for a certificate of appropriateness, in addition to the building permit process. We currently do that for any properties listed on the state or national register. We do not do the review. We have to send it to the state historic preservation officer. They do the review and then they send it back to us.

The final one about the move to Mahaffie. I'm not sure why, but I know they are no longer going to be making that move. It's a Parks Department issue and I'm not familiar with the reasoning behind that. To my knowledge, it is staying where it is at.

I will speak to some of the comments that were made regarding the security and vandalism. I think the hope is that with this recognition, possibly with some of the funding available, that some of the programming from the school district side will increase and the activity will increase, there will be more people there on a more regular basis, which will increase the visibility and the security for that property.

Chairman Campbell: Thank you. Any questions?

Comm. Fry: I think it does raise another question regarding the upkeep of these historical buildings. This one is obviously the responsibility of the school district and budgets go up and down just like all budgets do. Is there some board through the City that is going to be responsible for, whether it's owned by X, Y or Z party, having more of an interest for the City to maintain or keep these buildings up-to-date, or safe, or lit, or something like that?

Ms. Kukul: Sure. Absolutely. It is a priority, and I think this recognition will help with that. As I mentioned earlier, hopefully down the road we can add some incentives to those property owners to help them with maintenance and upkeep, lighting or safety, those sort of things.

Comm. Fry: It's on the horizon but nothing is in stone.

Ms. Kukul: Correct. There is nothing in place at this time, but it is definitely on our radar.

Dave Clements, Assistant Director/Planning Manager, appeared before the Planning Commission and made the following comments:

Mr. Clements: The designation does not provide any enforcement capabilities for the City that goes beyond our normal housing maintenance codes.

Chairman Campbell: And as such, because of that, there would be no direct impact on tangible property values at that point. Any other questions or comments? This is a public hearing. Is there anyone else wishing to speak in favor of this item? Is there anyone wishing to speak in opposition? Seeing or hearing none, we'll come back to the Planning Commission, either for comments or a motion to close the public hearing.

Motion by Commissioner Rinke, seconded by Commissioner Almeida, to close the public hearing.

The motion was approved 6-0.

Chairman Campbell: Any other comments on HL-11-001, or is there a motion?

Motion by Commissioner Fry, seconded by Commissioner Rinke, to recommend approval of HL-11-001, subject to the following staff recommendations:

- A.** Staff recommends approval of the proposed nomination to the Olathe Register of Historic Places.
- B.** The Olathe Historic Preservation Board voted to approve the application (5-0) at the June 23, 2011 meeting.

The motion was approved 6-0.

CASE FILE INFORMATION

I. COMMENTS

The following is a request to for nomination to the Olathe Register of Historic Places. The purpose of the nomination is procedural in nature to recognize and honor Olathe's historic properties at a local level. The register assists local efforts to identify, promote and protect our historic resources.

Staff has verified that all property owners in a 200-foot perimeter of the residence have been properly notified through certified mail of the nomination application. Staff has not received any concerns or correspondence from any of the neighbors.

II. HISTORY

The subject area was platted as Millbrooke Lot 16. The Albert Ott House was constructed in 1894 and is situated at the convergence of Harrison and Elm Streets.

It is an outstanding example of the early Queen Anne style in Olathe, and is one of the few remaining homes built by one of the prominent settling families. Furthermore, the Albert Ott House is the only remaining Ott house built on Ott Land. The other two structures, C.M. Ott and Charles Ott homes have been razed. The Albert Ott house was constructed on land that originally belonged to his father. The Original Ott family lands are now part of Central Elementary school grounds.

III. ANALYSIS

Staff's analysis of the application is based on the findings of the Preservation Board, as well as the action items established within CRL 2-4 of the City's Comprehensive Plan.

The Historic Preservation Board's analysis of this application is based on the following historic landmark designation criteria for considering applications as listed in *Municipal Code Book Chapter 2.84.050* and staff findings for the listed criteria.

In the designation of buildings, structures and objects as historic landmarks certain criteria must be met. These properties must be fifty (50) years or older. In addition, the property must meet one or more of the following criteria:

1. Is associated with events that have made a significant contribution to the broad pattern of history of the City, county, state or nation;
2. **Is associated with a significant person or group of persons in the history of the City, county, state or nation;**

3. **Embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master builder/architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction;**
4. Yields or is likely to yield information important in prehistory or history;
5. Possesses integrity of location, design, setting, materials and workmanship.

The Albert Ott House meets the following criteria for inclusion to the Olathe Register of Historic Places:

- It is associated with Albert Ott, son of German immigrant C.M.Ott who settled in Olathe in 1857. In 1868 the Otts opened the Olathe Flouring mills serving the entire area. The Ott family was the first and most successful miller in Olathe, and was the center of the milling industry in Johnson County for nearly 30 years.
- The property embodies an unusual example of a front-gabled Queen Anne style house and is an early example of the Queen Anne style in Olathe.

IV. STAFF RECOMMENDATIONS

- A. Staff recommends approval of the proposed nomination to the Olathe Register of Historic Places.
- B. The Olathe Historic Preservation Board voted to approve the application (5-0) at the June 23, 2011 meeting.

Following staff presentation, the Chairman opened the meeting up to questions from commissioners:

Chairman Campbell: Any questions for staff at this point? Again, this is a public hearing. Is there anyone wishing to speak in favor of this item? Is there anyone wishing to speak in opposition? Seeing or hearing none, we'll bring it back to the Planning Commission for comments or a motion –

Comm. Fry: I do have one other question about this. Does someone live in this house currently?

Ms. Kukal: Correct.

Comm. Fry: And is there any data on when a property that is being lived in, if it's given this distinction and you go to re-sell it, is there some data on whether the resale values of these properties go up or down? Do values fluctuate based on this distinction?

Ms. Kukul: It's definitely a benefit to the property. To my knowledge, I do believe it is something that is disclosed in a contract or in the documentation for the sale. We are contacted by the realtor if the potential buyer has any questions.

Chairman Campbell: Any other questions? A motion?

Motion by Commissioner Rinke, seconded by Commissioner Locke, to close the public hearing.

The motion was approved 6-0.

Chairman Campbell: Any further questions, or is there a motion on HL-11-002?

Motion by Commissioner Kohler, seconded by Commissioner Locke, to recommend approval of HL-11-002, subject to the following staff recommendations:

- A.** Staff recommends approval of the proposed nomination to the Olathe Register of Historic Places.
- B.** The Olathe Historic Preservation Board voted to approve the application (5-0) at the June 23, 2011 meeting.

The motion was approved 6-0.

West

Single-family Residential

R-1

Conventional
Neighborhood

Platted: STEPHENSON'S ADDITION TO OLATHE (STEVENSONS ADDITION) S 160' W 45' LT 3 & S 160' LT 4 EX W 30' BLK 1 OLC 3277

CASE FILE INFORMATION

I. COMMENTS

The following is a request to for nomination to the Olathe Register of Historic Places. The purpose of the nomination is procedural in nature to recognize and honor Olathe's historic properties at a local level. The register assists local efforts to identify, promote and protect our historic resources.

Staff has verified that all property owners in a 200-foot perimeter of the residence have been properly notified through certified mail of the nomination application. Staff has not received any concerns or correspondence from any of the neighbors.

II. HISTORY

The subject area was platted as Stephenson's Addition to Olathe, portions of Lots 3 and 4. The Frank R Lanter House was constructed in 1901 by renowned architect George P Washburn, in the transitional Queen Anne Free Classic style.

It is situated on the northeast corner of the intersection of Park and Logan Streets, and is one of the oldest homes in the neighborhood. A garage sits northeast of the house near the rear entrance, but is non-contributing due to exterior alterations.

The house was built for Frank R Lanter, a prominent Olathe lumber and coal merchant, who resided there until 1919. The variety of woods used throughout the home is a direct reflection of Lanter's ties to the lumber business.

III. ANALYSIS

Staff's analysis of the application is based on the findings of the Preservation Board, as well as the action items established within CRL 2-4 of the City's Comprehensive Plan.

The Historic Preservation Board's analysis of this application is based on the following historic landmark designation criteria for considering applications as listed in *Municipal Code Book Chapter 2.84.050* and staff findings for the listed criteria.

In the designation of buildings, structures and objects as historic landmarks certain criteria must be met. These properties must be fifty (50)

years or older. In addition, the property must meet one or more of the following criteria:

1. Is associated with events that have made a significant contribution to the broad pattern of history of the City, county, state or nation;
2. **Is associated with a significant person or group of persons in the history of the City, county, state or nation;**
3. **Embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master builder/architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction;**
4. Yields or is likely to yield information important in prehistory or history;
5. **Possesses integrity of location, design, setting, materials and workmanship.**

The Frank Lanter House meets the following criteria for inclusion to the Olathe Register of Historic Places:

- It is associated with Frank R Lanter, a prominent Olathe lumber and coal merchant, who resided there until 1919. The variety of woods used throughout the home is a direct reflection of Lanter's ties to the lumber business.
- It is also associated with George P Washburn, the prominent Kansas architect who specialized in in designing public and quasi-public buildings, and the occasional residence. He designed 13 county courthouses in Kansas (including the old Johnson County Courthouse, demolished), one in Oklahoma and one in Illinois. Washburn is perhaps best known for his ability to adapt to various architectural trends during the late 19th and early 20th centuries.
- The architectural significance not only reflects Washburn's influence, but also his traditional style. The exterior displays a unique blend of styles and influences including late Victorian, Colonial Revival, and the Free Classical.

IV. STAFF RECOMMENDATIONS

- A. Staff recommends approval of the proposed nomination to the Olathe Register of Historic Places.
- B. The Olathe Historic Preservation Board voted to approve the application (5-0) at the June 23, 2011 meeting.

Following staff presentation, the Chairman opened the meeting up to questions from commissioners:

Chairman Campbell: Any questions for staff? Is there anyone wishing to speak in favor of HL-11-003? Is there anyone wishing to speak in opposition? Are there comments, questions or a motion?

Motion by Commissioner Almeida, seconded by Commissioner Kohler, to close the public hearing.

The motion was approved 6-0.

Chairman Campbell: Any further questions, or is there a motion on HL-11-003?

Motion by Commissioner Rinke, seconded by Commissioner Locke, to recommend approval of HL-11-003, subject to the following staff recommendations:

- A.** Staff recommends approval of the proposed nomination to the Olathe Register of Historic Places.
- B.** The Olathe Historic Preservation Board voted to approve the application (5-0) at the June 23, 2011 meeting.

The motion was approved 6-0.

CASE FILE INFORMATION

I. COMMENTS

The following is a request to for nomination to the Olathe Register of Historic Places. The purpose of the nomination is procedural in nature to recognize and honor Olathe's historic properties at a local level. The register assists local efforts to identify, promote and protect our historic resources.

Staff has verified that all property owners in a 200-foot perimeter of the residence have been properly notified through certified mail of the nomination application. Staff has not received any concerns or correspondence from any of the neighbors.

II. HISTORY

The subject area was platted as Mahaffie House Addition, Tract A of Mahaffie House. The JB Mahaffie House sits approximately 500-600 feet north of Old Kansas City Road, the former route of the Santa Fe Trail. It is situated on a 13-acre tract and is a small working farmstead and museum. Originally the house was one mile east of Olathe, but eastward expansion has brought it within the city limits.

The Mahaffie House was built in 1857 at an unknown site in Olathe and moved to Mahaffie's claim in 1858. A 2-story native stone addition in the vernacular style was built to the south in 1865, and later connected to the original structure. The main façade, which is part of the 1865 stone addition, faces Kansas City Road.

The JB Mahhafie House was the first hotel and stagecoach station along the Santa Fe Trail in that part of Johnson County as well as the residence of one of the area's pioneer settlers.

III. ANALYSIS

Staff's analysis of the application is based on the findings of the Preservation Board, as well as the action items established within CRL 2-4 of the City's Comprehensive Plan.

The Historic Preservation Board's analysis of this application is based on the following historic landmark designation criteria for considering applications as listed in *Municipal Code Book Chapter 2.84.050* and staff findings for the listed criteria.

In the designation of buildings, structures and objects as historic landmarks certain criteria must be met. These properties must be fifty (50) years or older. In addition, the property must meet one or more of the following criteria:

1. **Is associated with events that have made a significant contribution to the broad pattern of history of the City, county, state or nation;**
2. Is associated with a significant person or group of persons in the history of the City, county, state or nation;
3. Embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master builder/architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction;
4. Yields or is likely to yield information important in prehistory or history;
5. Possesses integrity of location, design, setting, materials and workmanship.

The JB Mahaffie House meets the following criteria for inclusion to the Olathe Register of Historic Places:

- It is associated with events that have made a significant contribution to the broad pattern of history of Olathe and Johnson County, including its association with the Santa Fe Trail as one of the few remaining links to the pioneer heritage of the area.

The Mahaffie station became widely known for its hospitality. Three stage lines with passengers and mail stopped here; horses were changed and there were also meal stops at this location.
- It is significant to the role of James B Mahaffie and the development of the area. Mahaffie was one of the first settlers to the area, one of the leading farmers, and active in local political and social affairs.

IV. STAFF RECOMMENDATIONS

- A. Staff recommends approval of the proposed nomination to the Olathe Register of Historic Places.
- B. The Olathe Historic Preservation Board voted to approve the application (5-0) at the June 23, 2011 meeting.

Following staff presentation, the Chairman opened the meeting up to questions from commissioners:

Chairman Campbell: HL-11-005 is related. Go ahead and tell us about that.

Ms. Kukul: Covers staff report for HL-11-005.

Chairman Campbell: Any questions regarding HL-11-004?

Chairman Campbell: All right. On HL-11-004, Is there anyone here wishing to speak in favor? Please come forward.

William Warrington, 11720 South Pflumm, Olathe, appeared before the Planning Commission and made the following comments:

[Note from Transcriptionist: Mr. Warrington's comments pertained to HL-11-005, so those comments can be found in the associated staff report.]

Chairman Campbell: Thank you. Is there anyone wishing to speak in favor of HL-11-004? Is there anyone wishing to speak in opposition? If not, we'll have comments, questions or a motion to close the public hearing, please.

Motion by Commissioner Fry, seconded by Commissioner Almeida, to close the public hearing.

The motion was approved 6-0.

Chairman Campbell: Is there a motion on HL-11-004?

Motion by Commissioner Locke, seconded by Commissioner Kohler, to recommend approval of HL-11-004, subject to the following staff recommendations:

- A.** Staff recommends approval of the proposed nomination to the Olathe Register of Historic Places.
- B.** The Olathe Historic Preservation Board voted to approve the application (5-0) at the June 23, 2011 meeting.

The motion was approved 6-0.

**MINUTES
STAFF REPORT
CITY OF OLATHE
DEVELOPMENT SERVICES**

CASE # HL-11-005

Emily Kukal, Outreach Coordinator, Public Works Department, made the following staff presentation:

SUMMARY INFORMATION

Case Planner: Emily Kukal

Planning Commission Meeting Date: July 11, 2011

Request: Request for nomination to the Olathe Register of Historic Places for the Ensor Farm

Location: 18995 W 183rd Street

**Owner/
Applicant:** City of Olathe, KS

Acres:	<u>7.85</u>	Existing Use:	<u>Recreation/Museum</u>
Number of Lots:	<u>1</u>	Current Zoning:	<u>RUR - Olathe Growth Area</u>
Streets and Right of way:	<u>W 183rd Street</u>		
	Existing	<u>40' (total)</u>	

	Land Use	Zoning	Comp. Plan/Area Plan Designation
Site	<u>Recreation/Museum</u>	<u>RUR - Growth Area</u>	<u>Primary Greenway</u>
North	<u>Agriculture</u>	<u>RUR - Growth Area</u>	<u>Conventional Neighborhood/Secondary Greenway</u>
East	<u>Agriculture</u>	<u>RUR - Growth Area</u>	<u>Conventional Neighborhood/Secondary Greenway</u>
South	<u>Agriculture</u>	<u>RUR - Growth Area</u>	<u>Conservation/Cluster Neighborhood</u>

West

Residential

RUR -
Growth Area

Conservation/Cluster
Neighborhood

Unplatted: 36-14-23 BG NW CR NE 1/4 E 563' S 427' W 105' S 241' W 462' N 668'
TO BG 8.09 ACS M/L SP 55 1 BOTA 06 8605 TX

CASE FILE INFORMATION

I. COMMENTS

The following is a request to for nomination to the Olathe Register of Historic Places. The purpose of the nomination is procedural in nature to recognize and honor Olathe's historic properties at a local level. The register assists local efforts to identify, promote and protect our historic resources.

Staff has verified that all property owners in a 200-foot perimeter of the residence have been properly notified through certified mail of the nomination application. An adjoining property owner called and inquired about the public hearing. He questioned the need for the local designation, and stated a concern about any future activities at the property that may negatively impact his property.

II. HISTORY

The Marshall Ensor Farm (c.1929-1953) is located within Olathe's Growth Area in Johnson County, Kansas, part of a 40-acres piece of land from the remaining from the original farm of 120 acres. The farm is situated on a rise of land that rolls east down the Wolf Creek. The (11) structural resources that comprise the farm are all contributing with the exception of the metal trailer used as a visitor's center.

III. ANALYSIS

Staff's analysis of the application is based on the findings of the Preservation Board, as well as the action items established within CRL 2-4 of the City's Comprehensive Plan.

The Historic Preservation Board's analysis of this application is based on the following historic landmark designation criteria for considering applications as listed in *Municipal Code Book Chapter 2.84.050* and staff findings for the listed criteria.

In the designation of buildings, structures and objects as historic landmarks certain criteria must be met. These properties must be fifty (50) years or older. In addition, the property must meet one or more of the following criteria:

1. Is associated with events that have made a significant contribution to the broad pattern of history of the City, county, state or nation;

2. **Is associated with a significant person or group of persons in the history of the City, county, state or nation;**
3. Embodies distinctive characteristics of a type, period, or method of construction; represents the work of a master builder/architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction;
4. Yields or is likely to yield information important in prehistory or history;
5. Possesses integrity of location, design, setting, materials and workmanship.

The Marshall Ensor Farm meets the following criteria for inclusion to the Olathe Register of Historic Places:

- The Ensor Farm is associated with Marshal Hamilton Ensor and Loretta Ensor who established the Ensor Farmsite & Museum so that others might see how things used to be on a working farm and in the home of one family for 89 years.
- Marshall Ensor was pioneer in ham radio operations and instruction. Both he and Loretta were licensed radio operators. They operated a radio station from the house for 56 years (1917-1973).

IV. STAFF RECOMMENDATIONS

- A. Staff recommends approval of the proposed nomination to the Olathe Register of Historic Places.
- B. The Olathe Historic Preservation Board voted to approve the application (5-0) at the June 23, 2011 meeting.

Following staff presentation, the Chairman opened the meeting up to questions from commissioners:

Chairman Campbell: Any questions regarding HL-11-005?

Comm. Rinke: Yes. On the Ensor property, you mentioned that it's not actually in the city limits at this time, but it is in the growth area. What is the growth area? Just looking at the map, it's awfully close to Spring Hill.

Ms. Kukul: It is awfully close to Spring Hill but it is within our defined growth boundaries.

Comm. Rinke: So, do we basically go down to the north side of where Spring Hill is today?

Ms. Kukal: That is correct.

Comm. Locke: I have a question. Because it's not in Olathe, but because it is owned by Olathe, does that help qualify this piece of property?

Ms. Kukal: I don't know if it necessarily helps qualify it, per se, because both of them are already on the national register.

Chairman Campbell: But it's within our jurisdiction because that's part of our planning area?

Ms. Kukal: Correct. And any property improvements or anything would also be reviewed by the preservation board.

Comm. Rinke: So if this was a privately-owned property in an unincorporated area, but it was in our growth area, it could still potentially be qualified?

Ms. Kukal: That is correct.

Chairman Campbell: All right. On HL-11-005, Is there anyone here wishing to speak in favor? Please come forward.

William Warrington, 11720 South Pflumm, Olathe, appeared before the Planning Commission and made the following comments:

Mr. Warrington: The Ensor property has quite a history. As an amateur radio operator, this property is extremely important to us nationally. A lot of amateur radio operators in the early century were trained out of this house over the airways, being trained in Morse code and operations to help support our country's communication network. So, I speak in favor of this property being added to the historical registry.

Chairman Campbell: Thank you. Is there anyone else wishing to speak in favor of HL-11-005? Is there anyone wishing to speak in opposition? We'll bring it back here.

Motion by Commissioner Kohler, seconded by Commissioner Locke, to close the public hearing.

The motion was approved 6-0.

Chairman Campbell: Any other comments, questions, or a motion?

Motion by Commissioner Rinke, seconded by Commissioner Locke, to recommend approval of HL-11-005, subject to the following staff recommendations:

- A. Staff recommends approval of the proposed nomination to the Olathe Register of Historic Places.

- B.** The Olathe Historic Preservation Board voted to approve the application (5-0) at the June 23, 2011 meeting.

The motion was approved 6-0.

Other Matters – July 11, 2011

Chairman Campbell: Mr. Clements, is there anything else for us?

Mr. Clements: Just a reminder that our next meeting will be on Monday, August 8th.

Chairman Campbell: All right. Thank you to the preservation board for their input. We truly do appreciate your hard work. We are adjourned.