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**LAWRENCE HISTORIC RESOURCES COMMISSION**  
**ITEM NO. 4: L-17-00061**  
**STAFF REPORT**

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**A. SUMMARY**

L-17-00061 Public hearing for consideration of placing the property located at 1509 Massachusetts Street, the Henry Buel (Bert) Ober House, on the Lawrence Register of Historic Places. Submitted by Lawrence Preservation Alliance on behalf of Victor Wallace, Trustee, the property owner of record.

This report includes the proposed environ definition for 1509 Massachusetts Street.

**Legal Description:**

NORTH 50 FEET LOT 13 & SOUTH 50 FEET LOT 14 100 X 125 BLOCK 10 IN BABCOCK'S ENLARGED ADDITION, AN ADDITION TO THE CITY OF LAWRENCE, IN DOUGLAS COUNTY, KANSAS, HAVING THE ADDRESS OF 1509 MASSACHUSETTS STREET, LAWRENCE, KANSAS

The public hearing for the nomination of the structure to the Lawrence Register of Historic Places will be held at 6:30 p.m., or thereafter, in the City Commission Room at Lawrence City Hall located at 6 E 6<sup>th</sup> Street.

**B. HISTORIC REGISTER STATUS**

1509 Massachusetts Street is not listed on the Register of Historic Kansas Places or the National Register of Historic Places.

**C. REVIEW CONSIDERATIONS**

**1) History Summary**

According to the nomination, the primary structure located at 1509 Massachusetts was constructed from 1913 to 1914. The accessory structure on the property was also constructed during this time or shortly after in 1915. The architect/builder of the structure is not known.

The structure at 1509 Massachusetts Street is architecturally significant as a good example of Mission Revival architecture. According to the Historic Resources of Lawrence, Douglas County, Kansas Multiple Property Documentation Form (MPDF), the 1913-1914 period in Lawrence's growth is identified as "Quiet University Town from 1900 – 1945." The Mission style of architecture was rare in Lawrence and is not identified as one of the specific styles of architecture during this 20<sup>th</sup> Century Revival and American House Movement as discussed in the MPDF. However, the Mission Revival style of architecture is identified in *A Field Guide to American Houses* by Virginia and Lee McAlester as an eclectic house that was generally constructed between 1905 and 1920 in residential areas across the country.

While the structure is being nominated for its architecture, the nomination provides some of the history for the property and identifies that the structure was constructed for H.B. Ober. Ober owned a clothing store in downtown Lawrence that he had purchased from Abe Levy in 1896. Ober had been in the department store business with his father in Salina prior to moving to Lawrence. The nomination states that Ober was associated with the National Retail Clothiers Association and served as president and vice president of the organization. Ober was also well-known for his association and leadership with the growth of the Lawrence Chamber of Commerce and was a charter member of the Lawrence Rotary Club. Other owners of the house include: Dolph Simons (Senior), publisher of the Lawrence Journal World; John Peters, an executive with the Lawrence National Bank; and Professor Victor Wallace and his wife Mary who both worked at the University of Kansas.

## **2) Architectural Integrity Summary**

The structure at 1509 Massachusetts Street is architecturally significant as a good example of the Mission Revival style of architecture. The nomination notes that the large two-story building is rectangular with a central entrance in a symmetrical three-bay façade. The exterior cladding is stucco (likely over wood frame construction). The hipped roof with front and rear hipped roof dormers is covered with red tile. The entrance of the structure has a one-story hipped-roof portico with stone steps, a stone railing, and ornamental limestone posts rising to an arched lintel and surmounted by a shaped parapet. This feature is the most dominate example of the structure's Mission Revival style.



The structure has a prominent porte-cochere extending from the center of the south elevation that continues the use of limestone and hipped roofs. An exterior chimney constructed of rough-cut stone blocks pierces the porte-cochere roof and extends to pierce through the wide eaves of the main roof structure. The fenestration pattern differs on each elevation but the primary/east elevation has a symmetrical fenestration pattern. The second story sleeping porch on the west elevation is enclosed with nine-light windows.

The applicant has submitted an undated historic photograph that shows there have been no significant changes to the property. The nomination application notes one known alteration to the interior of the structure.



There is a garage to the southwest of the primary structure. This is a rectangular one-story structure with a hipped roof and tile roofing is sheathed in stucco. Original windows in the south and north facades have 6/1 double-hung sash. The main entrance to the east has a contemporary overhead door and there is a contemporary entrance door in the north façade. The garage is a contributing structure to the property although the original doors have been replaced.



### 3) Historic and Current Context Description

Historic character information is based on historic photographs, Sanborn Fire Insurance Maps, *the nomination information, 1873 Douglas County Atlas, Living with History: A Historic Preservation Plan for Lawrence, Kansas*, by Dale Nimz, and Historic Resources of Lawrence, Douglas County, Kansas Multiple Property Documentation Form (MPDF), including the amendment Lawrence Modern, 1945 to 1975, and the Hernly and Associates South Mass Survey 2008. Existing context is based on personal observation, city zoning maps, and recent aerial photographs.

The Henry Buel Ober House is a rare example of the housing that was constructed in Lawrence during the "Quiet University Town" (1900 – 1945) as defined by the MPDF. While many eclectic architectural styles were constructed in Lawrence during this period, the Ober House is a good example of Mission Revival architecture that was not common in Lawrence. The area surrounding 1509 Massachusetts Street is primarily single family residential, with the exception of the religious building to the north. Building types and uses in the area developed over several decades from ca. 1880 to 1930 with modern infill construction after 1945. Babcock's Enlarged Addition was platted in 1865.

The following information was part of a historic resources survey completed by Hernly and Associates as part of a Historic Preservation Fund Grant.

The original town plat included the original eight and a half block portion of Massachusetts Street extending from its north end just north of Pinckney Street (6th) at the Kansas River southward to a point one-half block south of Adams Street (14th). In the nineteenth century, Massachusetts Street north of South Park became the primary commercial district and Massachusetts Street south of South Park was a sparsely developed residential area.

By 1866 two subdivisions, South Lawrence and Babcock's Enlarged Subdivision, extended lots along the east side of Massachusetts Street to 19th Street and the west side to 21st Street. By 1887, three additional subdivisions extended lots along both sides of Massachusetts Street to 23<sup>rd</sup> Street. These were all straight line extensions of the original northern portion of Massachusetts Street. The 1887 state Atlas shows that the south end of Massachusetts Street at the very end of the map. 15th, 19th, and 21st Streets were the primary east-west streets extending eastward away from Lawrence, while 22nd and 23rd are only short local 4-block street stubs. Lot sizes in the area vary, in part, because of the historical platting patterns.

Massachusetts Street is a minor arterial street and is an important gateway to the historic central business district of Lawrence. The primary uses in the area are single-family residential and the scale, massing, setback, and materials of these buildings define the fundamental architectural character of the area.

Development patterns in the area correlate with historic transportation modes and planning practices. Transportation, primarily the automobile, had a significant role in the historic context of the area and continues to affect the current context. The effects of available transportation and technology are evident in the development of the buildings and uses in the area as well as the development patterns.

Originally, transportation by individuals along Massachusetts Street would have been by foot, on horseback, or by horse drawn carriage/wagon. Over the years, horse drawn streetcars (1872-1903) and the electric trolley (1909-1933) were added to these choices, as was the automobile (widely available after 1915). With each of these changes in transportation modes, the character along the street changed. Transportation routes influenced the development of the commercial nodes and residential blocks on Massachusetts Street. Expansion of the use of 23<sup>rd</sup> Street as a major east/west arterial has created a major traffic circulation node at Massachusetts Street. However, all four corners of this intersection developed as residential rather than commercial properties.

Alleys were not incorporated into the subdivisions extending south along Massachusetts Street. As the automobile came into common use and construction of individual garages, and porte cocheres like the one at 1509 Massachusetts Street, became prevalent for each property, the number of driveway curb-cuts grew and their presence continues to impact traffic patterns on Massachusetts Street.

When the Ober House was constructed, this area had all of the available amenities like water, sewer, gas, and electricity. This area has continued to grow with the introduction of new city amenities.

The existing context of the area includes minimum pedestrian amenities. Sidewalks exist in the area but do not continue on both sides of the street from South Park to 23<sup>rd</sup> Street. The increased vehicle traffic on Massachusetts Street does not allow for easily crossing the street and there are few signal-controlled intersections.

The impact of automobile traffic has created a negative quality-of-life for residents in the area.

While the existing transportation network and use has increased the impacts of vehicle traffic, the overall residential character in the area around 1509 Massachusetts Street remains.

### **Conclusion**

The Environs for 1509 Massachusetts Street, the Henry Buel (Bert) Ober House have not significantly changed since the 1914 date of construction. The primary changes in the area are the increase in traffic, the continued installation of utilities and signs, and the construction of the church to the north in 1947. The historic and current character of the area is residential. The environs should be reviewed as one area in the following manner:

The area consists of residential structures and a church that is a historically compatible use in a residential area. The residential character of the environs is important. The area should maintain the overall residential character of the historic environs and the following should apply:

The proposed alteration or construction should meet the intent of the Criteria set forth in 22-505. Important design elements include scale, massing, site placement, height, directional expression, percentage of building coverage to site, setback, roof shapes, rhythm of



openings, and sense of entry. Main structure demolitions would be approved only if documentation was provided that indicated that the structure was unsound and/or a certificate of economic hardship was approved and compatible new construction is proposed. Maintaining views to the listed property and maintaining the rhythm and pattern within the environs are the primary focus of review.

All projects except for demolition of main structures, new infill construction, or large additions (25% or greater than the footprint of the existing structure) will be reviewed administratively by the Historic Resources Administrator. The proposed alteration or construction should meet the intent of the Criteria set forth in 22-505. The main issues in the review are the continuation of the residential character of the area and whether the project will encroach upon, damage or destroy the environs of the listed property. If the project does not meet the Criteria set forth in 22-505, the project will be forwarded to the Historic Resources Commission for review.

Major projects (demolition of main structures, new infill construction, and large additions greater than 25% of the footprint of the existing structure) will be reviewed by the Historic Resources Commission. The proposed alteration or construction should meet the intent of the Criteria set forth in 22-505. The main issues in the review are the continuation of the residential character of the area and if the project will encroach upon, damage or destroy the environs of the listed property.



#### **4) Planning and Zoning Considerations**

1509 Massachusetts Street is zoned RS7, Single-Dwelling Residential District. The primary purpose of the RS district is to accommodate predominantly single detached dwelling units on individual lots. The RS district is intended to create, maintain, and promote housing opportunities for individual households, although nonresidential uses that are compatible with residential neighborhoods are permitted.

#### **5) Fiscal Comments**

There are no monetary benefits directly associated with nomination of a structure to the Lawrence Register of Historic Places at this time. However, Chapter 22 of the Code of the City of Lawrence does identify mechanisms for financial incentives. If these programs become available in the future, structures listed on the Lawrence Register will be eligible for participation.

Listing on the local register does help preserve built resources important to Lawrence's history and helps to maintain streetscapes in older neighborhoods through environs reviews.

The original information submitted with nominations for properties to the Lawrence Register is kept on file in the City Planning office for public review and consultation with regard to development projects within the notification area. Copies of this information are also on file at the Kansas Collection in Spencer Research Library on the University of Kansas main campus and at the Watkin's Community Museum. This type of information is useful, for example, if present or future property owners seek nomination to the State or National Register of Historic Places.

#### **6) Positive/Negative Effects of the Designation**

The positive effect of designation is the creation of a permanent record of the historical significance of an individual property, for its architectural quality or its association with a significant local individual or event. This provides the local Historic Resources Commission, an advisory board, with pertinent historical data which can help to provide an 'historic' perspective to property owners when they desire to improve, add on, or redevelop a property within an older section of the City.

The public accessibility of this information is also a resource as it can be used by realtors, builders/developers, and others in the community prior to a property's resale, redevelopment or rehabilitation. In a more general sense, this information can be used by the Chamber of Commerce and existing businesses and industries to 'identify' one of the facets that makes up Lawrence's *Quality of Living*.

Additional effects of designation are the creation of an arbitrary, 250' environs notification and review area. Within this 250' circle, projects which require city permits, e.g., demolition, redevelopment, renovation or modification, require review by Historic Resources staff or the Commission. These environs reviews permit scrutiny of proposed development/redevelopment by individuals sensitive to historic preservation.

A *Certificate of Appropriateness* or a *Certificate of Economic Hardship* is required to be issued by the Historic Resources Commission before a City permit can be issued for the proposed project. If the Historic Resources Commission denies a *Certificate of Appropriateness* or a *Certificate of Economic Hardship*, the property owner can appeal to the City Commission for a new hearing. The City Commission can uphold the decision of the HRC or it can grant the proposed development over the Historic Resources Commission's action.

Examples of projects which would require review and approval are projects involving the exterior of a building, and demolitions or partial demolitions. Minor changes which require a city permit can be administratively approved by the Historic Resources Administrator.

## **7) Summary of Applicable Designation Criteria**

Chapter 22, of the City Code is the *Conservation of Historic Resources Code* for the City of Lawrence. Section 22-403 of this code establishes criteria for the evaluation of an application for nomination to the Local Register of Historic Places.

### **D. CRITERIA FOR EVALUATION AND DESIGNATION - Section 22-403**

Nine criteria are provided within this section for review and determination of qualification as a Landmark or Historic District. These criteria are set forth below with staff's recommendations as to which this application qualifies for:

- (1) Its character, interest, or value as part of the development, heritage or cultural characteristics of the community, county, state, or nation;*
- (2) Its location as a site of a significant local, county, state, or national event;*
- (3) Its identification with a person or persons who significantly contributed to the development of the community, county, state, or nation;*
- (4) Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*
- (5) Its identification as a work of a master builder, designer, architect, or landscape architect whose individual work has influenced the development of the community, county, state or nation;*
- (6) Its embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant;***

1509 Massachusetts Street is an excellent example of Mission Revival style architecture for Lawrence. It contains elements of design, detailing, materials, and craftsmanship that render it architecturally significant. Both the primary structure and the accessory structure represent this style and features.

- (7) Its embodiment of design elements that make it structurally or architecturally innovative;*



*(8) Its unique location or singular physical characteristics that make it an established or familiar visual feature;*

*(9) Its character as a particularly fine or unique example of a utilitarian structure; including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance.*

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The HISTORIC RESOURCES CODE establishes a procedure to follow in the forwarding of a recommendation to the City Commission on applications for listing on the local register.

*"Following the hearing the commission shall adopt by resolution a recommendation to be submitted to the city commission for either (a) designation as a landmark or historic district; (b) not to designate as a landmark or historic district; or, (c) not to make a recommendation. The resolution shall be accompanied by a report to the city commission containing the following information:*

The Historic Resources Commission needs to formulate its recommendation in response to the following subsections section 22-404.2 (b):

- (1) Explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation as set forth in section 22-403;*
- (2) Explanation of the integrity or lack of integrity of the nominated landmark or historic district;*
- (3) In the case of a nominated landmark found to meet the criteria for designation:
  - (A) The significant exterior architectural features of the nominated landmark that should be protected; and,*
  - (B) The types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit, that cannot be undertaken without obtaining a certificate of appropriateness.**
- (4) In the case of a nominated historic district found to meet the criteria for designation:
  - (A) The types of significant exterior architectural features of the structures within the nominated historic district that should be protected;*
  - (B) The types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit, that cannot be undertaken without obtaining a certificate of appropriateness.*
  - (C) A list of all key contributing, contributing and noncontributing sites, structures and objects within the historic district.**
- (5) Proposed design guidelines for applying the criteria for review of certificates of appropriateness to the nominated landmark or historic district.*
- (6) The relationship of the nominated landmark or historic district to the on-going effort of the commission to identify and nominate all potential areas and structures that meet the criteria for designation.*

- (7) *A map showing the location of the nominated landmark or the boundaries of the nominated historic district.*

#### **E. RECOMMENDATION:**

The Henry Buel Ober House at 1509 Massachusetts Street qualifies for designation as a Landmark on the Lawrence Register of Historic Places pursuant to Criterion #6, as described in Section 22-403.

If the Historic Resources Commission recommends this property for local nomination, the Commission should adopt a resolution for recommendation to be submitted to the City Commission for designation as a landmark. In addition to the resolution, the Commission should direct staff to prepare a report to accompany the resolution including the information set forth in Section 22-404.2(1)-(7) and the environs definition.

Staff recommends the following for the report to the City Commission:

- (1) *Explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation as set forth in section 22-403;*

The Henry Buel Ober House and accessory structure are significant for their architectural style.

- (2) *Explanation of the integrity or lack of integrity of the nominated landmark or historic district;*

The structures maintain sufficient integrity of location and design that make them worthy of preservation.

- (3) *In the case of a nominated landmark found to meet the criteria for designation:*

- (A) *The significant exterior architectural features of the nominated landmark that should be protected; and,*

Fenestration pattern and window and door openings, window types, roof shapes, the roof eave depths, design features and red clay tile material, the historic form of the structure, the chimney location and materials, and the design and materials of the portico on the east elevation including size and architectural detailing.

- (B) *The types of construction, alteration, demolition, and removal, other than those requiring a building or demolition permit that cannot be undertaken without obtaining a certificate of appropriateness.*

Changes to the fenestration pattern and window and door openings, window types, roof shapes, the roof eave depths, the roof design features and red clay tile material, the historic form of the structure, the chimney location and materials, and the design and materials of the portico on the east elevation

including size and architectural detailing should require a *Certificate of Appropriateness*.

*(E) Proposed design guidelines for applying the criteria for review of certificates of appropriateness to the nominated landmark or historic district.*

U.S. Secretary of the Interior's Standards for Rehabilitation, published in 1990, and any future amendments, in addition to any criteria specified by Chapter 22 of the Code of the City of Lawrence, Kansas.

The HRC has adopted an ***Environs Definition for 1509 Massachusetts Street*** to delineate how environs review will be conducted in relation to the listed property. (See above)

*(F) The relationship of the nominated landmark or historic district to the on-going effort of the commission to identify and nominate all potential areas and structures that meet the criteria for designation.*

A primary goal of the HRC is to build a Register of properties which show the diversity and growth of Lawrence since its inception. The nomination of this property is another step toward registering a wide variety of historic properties which together present a visual history of Lawrence's past. The goal of the Lawrence Register of Historic Places is to represent all socioeconomic strata; businesses and industries which illustrate the diversity that has been prevalent in Lawrence since its inception.

*(G) A map showing the location of the nominated landmark. (Attached)*