City of Lawrence Historic Resources Commission December 15th, 2011 Minutes

MEMBERS PRESENT: Tuttle, Arp, Wiechert, Meyer, Williams, Foster, Quillin

STAFF EXCUSED:

STAFF PRESENT: Braddock Zollner, Groves

PUBLIC PRESENT: Kimball, Hernly, Soden, Walsh, Peterson, Ralston, Harris, Pruitt, Schneider,

Brown, Klingenberg, Lowenstein, Schwabaer, Treanor, Francisco, Reiber

HISTORIC RESOURCES COMMISSION AGENDA MEETING- DECEMBER 15TH 2011--6:30 PM ACTION SUMMARY

Commissioners present: Tuttle, Arp, Wiechert, Meyer, Williams, Foster Quillin

Staff present: Braddock Zollner, Parker, Groves

ITEM NO. 1: ACTION SUMMARY

Commissioner Foster said he had questions regarding the October Action Summary.

Ms. Braddock Zollner stated the October Action Summary was reviewed by Staff and was accurate.

Commissioner Foster stated the applicant for 900 New Hampshire Street had stated there would not be changes made to the height of the structure. He said he would like to review the October Action Summary again.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Williams to approve the November 22nd, 2011 Action Summary.

Motion carried unanimously, 7-0

ITEM NO. 2: COMMUNICATIONS

- a) Ms. Braddock Zollner said two communications were received regarding 900 New Hampshire Street.
- b) Commissioner Williams abstained from Administrative Review DR-11-174-11.

Commissioner Meyer stated she had discussions in the past with Shelley Hickman Clark regarding Item 3 L-10-1-11.

ITEM NO. 3: L-10-1-11 1734 Kent Terrace; Lawrence Register of Historic Places Nomination. Nominated by Shelley Hickman Clark and James W. Clark, property owners of record.

STAFF PRESENTATION

Ms. Groves presented the item.

APPLICANT PRESENTATION

The applicant stated she was available for questions.

PUBLIC COMMENT

No public comment.

COMMISSION DISCUSSION

Commissioner Arp asked if there would be an impact on the adjacent property owners.

Ms. Braddock Zollner said Staff had sent notice to the surrounding property owners and had received four phone calls from neighbors. The callers were interested in how the designation would affect their property. She said in Chapter 22 the presumption was that the Certificate of Appropriateness would be approved unless it would harm the listed property.

Commissioner Meyer asked Ms. Braddock Zollner what Staff's recommendation was.

Ms. Braddock Zollner said the Commission would need to vote to recommend the nomination to the Lawrence City Commission, vote to approve the Resolution which would also go to the City Commission, and to approve the Environs Definition.

ACTION TAKEN

Motioned by Commissioner Williams, seconded by Commissioner Wiechert, to recommend 1734 Kent Terrace be designated as a Landmark on the Lawrence Register of Historic Places, based on the supporting documentation in the staff report.

Motion carried unanimously, 7-0

ACTION TAKEN

Motioned by Commissioner Williams, seconded by Commissioner Arp, to adopt the Resolution recommending the designation of the Joseph Savage House located at 1734 Kent Terrace to the Lawrence Register of Historic Places.

Motion carried unanimously, 7-0

ACTION TAKEN

Motioned by Commissioner Arp, seconded by Commissioner Williams, to approve the Environs Definition for 1734 Kent Terrace based on the supporting documentation in the staff report, and the Environs Definition.

Motion carried unanimously, 7-0

ITEM NO. 4: DR-11-175-11 1344 Tennessee Street; Bullwinkles Tent Addition;

Certified Local Government Review. The property is in the environs of the John Palmer and Margaret Usher House (1425 Tennessee) and the William

Priestly House (1505 Kentucky), National Register of Historic Places.

Submitted by Alex Abi-Mikhael of Bull MBA LLC for Lynn Investments LLC,

property owner of record.

STAFF PRESENTATION

Ms. Groves presented the item.

APPLICANT PRESENTATION

The applicant was not present.

PUBLIC COMMENT

There was no public comment.

COMMISSION DISCUSSION

Ms. Braddock Zollner said the project would go through the site plan process.

Commissioner Williams asked if the project was reviewed and renewed annually.

Ms. Braddock Zollner stated the project would not be renewed annually.

Commissioner Tuttle stated the project would be renewed every winter for four months.

Ms. Braddock Zollner said the applicant would go through the site plan process and there would not be a review process yearly.

Commissioner Tuttle asked if the neighbors had been informed of the project.

Ms. Braddock Zollner said the project was published in the Lawrence Journal World and it was on the Historic Resources Commission website.

Commissioner Tuttle said it was troublesome for it to be possible the Commission could approve something that was seasonal. She asked if there would be public comment during the site plan review process.

Ms. Braddock Zollner said site plan review process was administrative; however, notice was provided.

Commissioner Arp asked if there was an option to only approve the project for one year and repeat the approval process in following years.

Ms. Braddock Zollner said the project could be deferred or there could be a condition added.

ACTION TAKEN

Motioned by Commissioner Tuttle, seconded by Commissioner Foster, to defer the project at 1344 Tennessee Street, with the recommendation to notify the neighbors of the proposal, and a

language change from temporary to seasonal, based on the supporting documentation in the staff report.

Motion carried unanimously 7-0

ITEM NO. 5:

DR-12-185-11 900 New Hampshire Street; New Construction; Certified Local Government Review, Certificate of Appropriateness Review and Downtown Conservation Overlay District Review. The property is located in the environs of Lawrence's Downtown Historic District and the North Rhode Island Residential Historic District, National Register of Historic Places. The property is located in the environs of the Shalor Eldridge House, Register of Historic Kansas Places and the Social Service League building, Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District and subject to the Downtown Design Guidelines. Submitted by Treanor Architects for 9-10 LC, the property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner stated the applicant presented a new proposal and asked the Commission to give direction on the proposal.

APPLICANT PRESENTATION

Micah Kimball, Treanor Architects, said he would like for the Architectural Review Committee to review the project and he was willing to make changes to the project.

Commissioner Meyer asked Mr. Kimball what changes were made to the project.

Mr. Kimball stated there were enough changes to the project that it was now a new project. He said there were meetings with the East Lawrence Neighborhood Association and there had been a lot of feedback. He said revisions had been made to meet Staff's recommendation. Mr. Kimball stated the height of the structure had been reduced and the signage had been reworked. He said the rooms had been reduced by two and instead of a five story structure it would now be a four story structure. Mr. Kimball stated the stairs would be relocated. He said Hobbs Taylor Lofts were 73-77 feet tall and the lofts were in the same position on New Hampshire Street.

Commissioner Foster asked Mr. Kimball if there were homes behind the Hobbs Taylor Lofts.

Mr. Kimball stated there was a parking lot and homes behind Hobbs Taylor Lofts. Mr. Kimball stated the stair along 9th Street was moved to the courtyard side of the structure. He presented a photo of the courtyard where there could be art shows, Final Fridays and wedding receptions. He said vertical elements had been added to the structure to break down the massing and a glass rail was added for hotel drop off. Mr. Kimball stated signage had been reduced and lowered to face New Hampshire Street. He said there would be additional storefronts and that fabric awnings were added. Mr. Kimball stated the developer offered to rebuild the back portion of the Thrift Store east of the structure. He stated there was a concern with the neighbors, that their homes would be disturbed during the construction phase, and there would be documentation before and after construction and structural problems would be rectified. He said traffic would be contained on site through the hotel drop off and the parking garage, and the courtyard would be softened with added landscape.

Commissioner Meyer asked Mr. Kimball if Tenants to Homeowners had been contacted.

Mr. Kimball stated there was a meeting scheduled with Tenants to Homeowners to discuss low income units in the hotel.

PUBLIC COMMENT

Joni Hernly, Lawrence Preservation Alliance, displayed a photo of Hobbs Taylor Lofts and the parking area to the east of the building. She said the historic structures in the area were 30-35 feet high and the structure at 901 New Hampshire Street was 90 feet tall. She said the Social Service League entrance would be restricted. Ms. Hernly stated the Lawrence Arts Center was built to the alley line and the Salvation Army building was twenty feet from the alley.

Leslie Soden, President of the East Lawrence Neighborhood Association, stated the plans for the project continue to change. She said the height of the structure needed to come down further. Ms. Soden said the structure would be twenty feet from homes. She said the building could be adjoined to the Arts Center. Ms. Soden stated there needed to be more vertical articulation to the structure to break up the mass.

KT Walsh, East Lawrence Neighborhood Association, stated the headlights in the area would be intrusive. She said the driveway should be eliminated between the building and the Arts Center. She stated the construction process would cause structural damage to homes and there needed to be a legal contract stating the builder would cover the expense to neighbors. Ms. Walsh stated the height of the building needed to be reduced with a ten feet setback to the alley. She said the courtyard should be at grade. Ms. Walsh stated there were possibly soldiers buried at the lot and a State Archeologist should be contacted. Ms. Walsh stated Marriott Hotels love Historic Districts and they would agree to reduce the size of the building.

Town Peterson, 923 Rhode Island Street, said there were also problems to the west of the building. Mr. Peterson read portions of the Downtown Design Guidelines and the environs definition. He said the Architect presented comparisons with Hobbs Taylor Lofts and 901 New Hampshire Street. Mr. Peterson stated the best thing to do would be to massively reduce the height to only three stories tall. He said the developer needed to reduce the scope of the project.

John Ralston, 940 Rhode Island Street, stated the photos the architect presented did not represent reality. He said the Commission was being distracted and the developer had no regard for Historic Preservation. Mr. Ralston stated the comparison was distorted and the developer did not want the Commission to know what the actual proposal looked like. Mr. Ralston stated the proposal looked like a carnival cruise ship parked on Rhode Island Street and the design was ignorant and inappropriate for a historic neighborhood. He said the Historic Resources Commission should reject the proposal.

Kathryn Harris, 916 Rhode Island Street, stated Rhode Island Street is the most intact block in the area. She said there were twenty-two locally recognized homes in Lawrence and four of those were on Rhode Island Street. She displayed photos of homes on Rhode Island Street and the Arts Center.

Rick Pruitt, 909 Rhode Island Street, stated he had asked the Historic Resources Commission to add a 2nd story to his bungalow style home and the Commission denied his request. He said he wanted everyone treated with the same strictness.

Ron Schneider stated he represented the neighbors on Rhode Island Street and one month ago the Commission had unanimously voted that the project would encroach upon, damage or destroy the environs. He said the Commission was mandated by State Statue K.S.A 752724 and the Commission's charge was objective. Mr. Schneider said the applicant had realized the project would not fit the criteria and there appeared to a good faith effort from the developer to

work with the neighbors. He said the Commission should reference the law as they had at the previous meeting and it was not appropriate for the Commission to forward the project to the Architectural Review Committee without any comment or direction. Mr. Schneider stated the biggest debate was height and mass of the structure and said the developer only wanted to make a reasonable profit. He said the project was not right for the environs and the developer should reduce the height and mass. Mr. Schneider said he hoped the developer would work with the neighbors and it was not a question of taste or style; it was a question of historic preservation.

Dennis Brown, Lawrence Preservation Alliance, stated he agreed the project needed to be forwarded to the Architectural Review Committee. He said there had been a policy shift with no discussion made by the Commission. Mr. Brown said the Commission should direct the Architectural Review Committee on what needed to be accomplished. Mr. Brown suggested the Architectural Review Committee take minutes at their meeting and forward the minutes to the Historic Resources Commission and be made public. He said the mass and scale of the current proposal did not meet the guidelines for an environs review. Mr. Brown said the project would damage the historic neighborhood and there needed to be more than a two feet setback in the alley, the mass needed to be reduced and the courtyard should be at grade. Mr. Brown stated the roof top pool was taking up prime real estate where rooms could be added. He said the first story use would have a full service restaurant and it would take away from other downtown restaurants. Mr. Brown said a wine bar and bistro on New Hampshire Street side could serve the hotel patrons. Mr. Brown stated five years from now maybe there would be a need for more retail and office space but at this time there would be empty space that would damage the historic district. He said the north wall of the Arts Center was never designed to be a finished wall. He said there needed to be a stair step construction above the courtyard. Mr. Brown said the developer should have to show that downtown needed another hotel.

Gwen Klingenberg, President of the Lawrence Association of Neighborhoods, said the issue was to protect the North Rhode Island Street Residential Historic District. She read parts of the Downtown Design Guidelines. She said several neighbors had talked about previous damage to their homes from the Arts Center construction. Ms. Klingenberg stated the project did not fit the way it had been proposed. She said the Commission needed to give direction to the Architectural Review Committee.

Dave Lowenstein, Lawrence Percolator, stated the Percolator's role in the neighborhood was to respond to issues in the neighborhood. He said the proposal was ridiculous and there would be an exhibition in March with proposals for the space. Mr. Lowenstein said there would be contributions from architects, artists and neighbors.

Matt Schwabaer said the burden of proof should not be on the neighborhood but it should be on the developer. He said the project did not come close to the goal of not damaging the environs.

Mike Treanor stated the development team would like to move the dialog back to the Architectural Review Committee. He said through the process there could be alternatives and there could be a good solution.

Mr. Peterson said there were several structures to the north that could be more appropriated for retail and a food market. He said the city should convene a process where they plan the entire area.

Marci Francisco, 1101 Ohio Street & 928 Rhode Island Street, stated she reduced the size of 928 Rhode Island Street by half to bring it back to its original size and had spent a considerable amount of money to rebuild the front brick wall. She said the block was a treasure and asked the Commission to support the people who have made investments in the area.

COMMISSION DISCUSSION

Commissioner Meyer said if the project was forwarded to the Architectural Review Committee there needed to be direction. She said the Historic Resources Commission had not previously made a recommendation and it was not fair to the Architectural Review Committee to review the issues of the project.

Commissioner Wiechert said he could not deal with the project without direction.

Mr. Kimball said at the previous Historic Resources Commission meeting he did not state the project would not be changed. He said solutions were offered and he did not have the leverage to strip out the use of the building. Mr. Kimball said the limits were on the use and not on the height of the structure.

Commissioner Foster said he was not interested in anything larger than the Arts Center.

Mr. Kimball said the lot was empty and the project was contemporary. He said he wanted the project to meet the Downtown Design Guidelines.

Commissioner Meyer said the Historic Resources Commission was not asking for an 1800s replica.

Mr. Kimball stated the Downtown Design Guidelines were based on a historic pattern.

Commissioner Foster said the mass and scale was still far off from what the Commission would consider.

Commissioner Wiechert stated the project had to fit regarding mass and size prior to reviewing smaller details.

Commissioner Arp said the first meeting could not be why the mass and size could not be reduced.

Commissioner Williams said the plan was way out of line regarding size, height and mass. He said three stories would be more acceptable.

Mr. Kimball stated the two story step was within the Downtown Design Guidelines. He said removing two rooms was a big sacrifice. Mr. Kimball stated he wanted the project to be successful and he did not want to damage the environs.

Commissioner Foster said his direction would be to design the structure similar to the same scale as the Arts Center.

Mr. Kimball stated the design would be reviewed again.

Commissioner Meyer stated the structure did not have to be exactly the height of the Art Center.

Commissioner Wiechert said he would like to have a streetscape of the project.

Mr. Kimball stated he would present a model at the Architectural Review Committee meeting.

Commissioner Williams stated the guidelines did not allow the current proposal.

Commissioner Meyer said the massing and height were the issue with the structure.

Mr. Kimball stated the height of the Arts Center was forty feet.

Commissioner Wiechert stated the roof did not have to be flat.

Mr. Kimball stated the massing could be broken up more.

Commissioner Williams asked Ms. Braddock Zollner to comment on the transition of the slope of the structure.

Ms. Braddock Zollner said the Commission should determine what the transitional height should be.

Commissioner Williams said there was a case law that dealt with visibility.

Mr. Kimball said the Zoning Regulations allow a structure up to ninety feet in height but the structure would have to adhere to the Downtown Design Guidelines.

Commissioner Foster stated if the Commission found the structure to damage or destroy the environs, the allowable height did not matter.

Commissioner Williams said there was a concern for damage the construction would cause to structures in the area and the stress would need to be calculated and defined.

Mr. Kimball said the area structures would be documented for any damage that might occur.

Commissioner Foster said documenting area structures was beyond the Historic Resources Commissions realm.

Mr. Kimball said the contractor would proceed with caution regarding a mass burial that may or may not be in the area.

Commissioner Meyer said the Architectural Review Committee would address the height of the structure first.

Mr. Kimball said he would like to know the height parameters.

Commissioner Arp asked if the revised drawing would be comparable to the Arts Center.

Commissioner Wiechert stated he would like to see the streetscape.

Commissioner Arp stated the Architectural Review Committee meeting should be documented.

Commissioner Williams said the issues were height and massing and structural damage to surrounding properties and traffic patterns.

Commissioner Meyer said traffic patterns and structural damage to surrounding property was not an issue for the Historic Resources Commission.

Commissioner Foster said a solution would not be achieved in thirty days. He said the applicant should plan on attending each Architectural Review Committee meeting until the project is resolved and the Architectural Review Committee would update the Historic Resources Commission.

Commissioner Meyer said once the height and massing were resolved the remaining issues would not take three months to review.

Mr. Kimball asked when the date of the next Architectural Review Committee would be held.

Commissioner Arp asked Staff if Architectural Review Committee meetings would be open to the public.

Ms. Braddock Zollner said the benefit of Architectural Review Committee meeting was for the committee to have free dialogue with no public interaction. She said one of the members could take notes and forward the notes to the Historic Resources Commission. She said public participation was for the Historic Resources Commission meeting.

Mr. Kimball stated 901 New Hampshire was a seven story structure and there were also two story structures in the area. He said the Arts Center was somewhere in between. He asked the Commission for leeway to extend the height of the structure taller than the Arts Center. Mr. Kimball stated the lot was a downtown lot and the area needed to grow.

Commissioner Arp stated the presentation at the first Architectural Review Committee meeting should regard height and massing.

ACTION TAKEN

Motioned by Commissioner Williams, seconded by Commissioner Foster, to forward the project at 900 New Hampshire Street, to the Architectural Review Committee to review height, materials, window type, store front, vertical emphasis, and any other design issues the Commission identifies.

Motion carried unanimously, 7-0

5 MINUTE RECESS

ITEM NO. 6: MISCELLANEOUS MATTERS

- A. There was no Board of Zoning Appeals applications received since November 22, 2011.
- B. There was no demolition permits received since the November 22, 2011 meeting.
- C. There was no Architectural Review Committee approvals since November 22, 2011:

Administrative Reviews

- DR-10-162-11
- 1100 Massachusetts Street; Antenna; Certified Local Government Review, Certificate of Appropriateness Review and Downtown Urban Conservation Overlay District Review. The property (Douglas County Courthouse) is individually listed on the National Register of Historic Places, is a key contributing structure and its within the Downtown Urban Conservation Overlay District. It is in the environs of the English Lutheran Church (1040 New Hampshire), Watkins Bank Building (1047 Massachusetts) and the North Rhode Island Street Historic Residential District, National Register of Historic Places. It is also in the environs of South Park, Lawrence Register of Historic Places. Submitted by Pete Akers of NB&C for Sprint on behalf of Douglas County, property owner of record.
- DR-10-166-11
- 901 New Hampshire Street; Sign Permit; Certified Local Government Review, Certificate of Appropriateness Review and Downtown Urban Conservation Overlay District Review. The property is in the environs of the Social Service League (905 Rhode Island), Lawrence Register of Historic Places; the Shalor Eldridge Residence (945 Rhode Island), Register of Historic Kansas Places; and the North Rhode Island Historic District, National Register of Historic Places. It is also within the Downtown Urban Conservation Overlay District. Submitted by Matt Armstrong of BTDG, Inc. on behalf of Ninth & New Hampshire LLC, property owner of record.
- DR-10-168-11
- 821 Ohio Street; Porch Rebuild; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the Jacob House Residence (805 Ohio), Lawrence Register of Historic Places and the Old West Lawrence Historic District, National Register of Historic Places. Submitted by Daniel P. Poull, property owner of record.
- DR-10-169-11
- 1225 Kentucky Street; Renovation Congregate Living; Certified Local Government Review. The property is in the environs of Lawrence's Downtown Historic District and the Oread Historic District, National Register of Historic Places. Submitted by Ronald Hutchens of Paul Werner Architects for Wildhorse Properties LLC, property owner of record.
- DR-10-170-11
- 314 W 14th Street (1344 Tennessee Street); Egress Windows; Certified Local Government Review. The property is in the environs of the John Palmer and Margaret Usher House (1425 Tennessee) and the William Priestly House (1505 Kentucky), National Register of Historic Places. Submitted by Lynn Investments LLC, property owner of record.

- DR-10-171-11

 1324 Rhode Island Street; Driveway Resurface; Certified Local Government Review. The property is a contributing structure to the South Rhode Island and New Hampshire Streets Historic Residential District, National Register of Historic Places. Submitted by Owen Lehmann for Dale Seuferling the property owner of record.
- DR-11-172-11

 723 New York Street; New Roof on Barn; Certified Local Government Review.
 The property is in the environs of the North Rhode Island Historic Residential
 District, National Register of Historic Places. Submitted by Eric Jay of
 struct/restrict, LLC for Marci Francisco and Joe Bickford on behalf of Gene G.
 and Dessie P. Bickford, property owners of record.
- DR-11-173-11

 701 Massachusetts Street; Louvers for East Elevation MEP; Certified Local Government Review, Certificate of Appropriateness Review and Downtown Urban Conservation Overlay District Review. The property (Eldridge Hotel) is individually listed and is a key contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. It is also in the environs of Miller's Hall (723-725 Massachusetts), Lawrence Register of Historic Places; the House Building (729 Massachusetts), Lawrence Register of Historic Places and Register of Historic Kansas Places; and the United States Post Office (645 New Hampshire), National Register of Historic Places. This property is also within the Downtown Conservation Overlay District. Submitted by DFC Company for Thomas Fritzel of Eldridge Holding LLC, property owner of record.
- DR-11-174-11 1225 Tennessee Street; Congregate Living Rehabilitation; Certified Local Government Review. The property is in the environs of the Oread Historic District, National Register of Historic Places. Submitted by Brian Kemp of Paul Werner Architects for Gordon W. Sailors and Daniel G. Kellogg, property owners of record.
- DR-11-176-11

 1141 Massachusetts Street; Recreation Center Window; Certified Local Government Review and Certificate of Appropriateness Review. The property (South Park) is individually listed on the Lawrence Register of Historic Places and is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. It is also in the environs of the John N. Roberts House (1307 Massachusetts), the North Rhode Island Historic Residential District, the South Rhode Island and New Hampshire Streets Historic Residential District, the Douglas County Courthouse (1100 Massachusetts), the Oread Historic District, and the Watkins Bank Building (1047 Massachusetts), National Register of Historic Places. Submitted by City of Lawrence, property owner of record.
- DR-11-177-11 702 E 11th Street; Hobbs Park Field Lighting; Certificate of Appropriateness Review. The property (Hobbs Park) is listed on the Lawrence Register of Historic Places. Submitted by City of Lawrence, property owner of record.

Beth Reiber asked Staff to explain the review for 1225 Kentucky Street and 1225 Tennessee Street.

Commissioner Foster stated the proposal was for interior changes only.

Ms. Reiber said there was not parking in the area.

Ms. Braddock Zollner said the garage would be rebuilt with a parking tray.

Ms. Reiber asked how many parking spaces would be on the property.

Ms. Braddock Zollner said there would be five parking spaces plus the garage spaces. She said the rear porch at 1225 Kentucky Street would be enclosed with siding.

ACTION TAKEN

Motioned by Commissioner Meyer, seconded by Commissioner Wiechert, to affirm the Administrative Reviews.

Motion carried unanimously, 7-0

- D. No general public comment.
- E. Commissioner Meyer stated Commissioner Foster reviewed the October 27th, 2011 Action Summary and no longer had a concern.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Williams to approve the October 27th, 2011 Action Summary.

Motion carried unanimously, 7-0

ACTION TAKEN

Motioned by Commissioner Meyer, seconded by Commissioner Williams, to adjourn the Historic Resources Commission meeting.

Motion carried unanimously, 7-0

ADJOURN -9:35 p.m.

ITEM NO. 7: HISTORIC RESOURCES COMMISSION TRAINING