

**City of Lawrence
Historic Resources Commission
August 16th, 2012 Minutes**

COMMISSIONERS PRESENT: Quillin, Arp, Williams, Wiechert, Foster, Rasmussen

COMMISSIONERS EXCUSED: Tuttle

STAFF PRESENT: Braddock Zollner, Parker

PUBLIC PRESENT: Ringler, Gant, Cunningham, Harris, Brown

**HISTORIC RESOURCES COMMISSION
AGENDA MEETING- AUGUST 16TH 2012--6:30 PM
ACTION SUMMARY**

Commissioners present: Quillin, Arp, Williams, Wiechert, Foster, Rasmussen

Commissioners excused: Tuttle

Staff present: Braddock Zollner, Parker

ITEM NO. 1: ACTION SUMMARY

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Arp, to approve the July 19th, 2012 Action Summary.

Motion carried, 3-0-2 Commissioners Wiechert and Rasmussen abstained.

ITEM NO. 2: COMMUNICATIONS

- a) Ms. Braddock Zollner stated Harbor Lights changed from noncontributing status to contributing.
- b) Commissioner Arp abstained from Administrative Review DR-12-00047. Commissioner Williams stated his mother in law was the property owner of 1846 Massachusetts Street, DR-12-00078.

ITEM NO. 3: Presentation from State Historic Preservation Office – Review of projects under K.S.A. 75-2724

Katrina Ringler, State Historic Preservation Office; Grants Manager, presented the Secretary of the Interior's Standards and State Preservation Statute. She said the Standards are used for Local, State and Federal Law Review. Ms. Ringler stated when certain features of a property change, the character defining features are maintained. She said Standards apply to the entire property site.

Secretary of the Interior's Standards (State Preservation Law Review)

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alterations of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Kim Gant presented review of projects in the environs under the State Preservation Law. She stated the intent of the Law was to ensure preservation is discussed and it is a process that is modeled after Federal Preservation Law. She said the State Preservation Law reviews do not allow for consideration of personal taste, financial consideration, or if the project would be good for the community.

Standards and Guidelines for Evaluating the Effect of Projects on Environs

1. The character of a historic property's environs should be retained and preserved. The removal or alteration of distinctive buildings, structures, landscape features, spatial relationships, etc. that characterize the environs should be avoided.
2. Environs should be used as it has been historically or allow the inclusion of new uses that require minimal change to the environs' distinctive materials, features, and spatial relationships.
3. The environs of each property will be recognized as a physical record of its time, place, and use. Changes to the environs that have acquired historic significance in their own right should be retained and preserved.

4. Demolition of character-defining buildings, structures, landscape features, etc. in a historic property's environs should be avoided. When the severity of deterioration requires removal within the environs, compatible reconstruction shall occur.
5. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
6. New additions, exterior alterations, infill construction, or related new construction should not destroy character-defining features or spatial relationships that characterize the environs of a property. The new work shall be compatible with the historic materials, character-defining features, size, scale and proportion, and massing of the environs.
7. Moved historic properties that have not retained or acquired historic significance in their new environs shall be considered as artifacts without environs.

State Preservation Law 75-2724:

1. Requires the State Historic Preservation Officer be given the opportunity to comment on projects affecting historic properties.
2. The State Historic Preservation Officer may enter into an agreement with a Local Government to allow their Historic Preservation Commission or Staff to conduct state level reviews.
3. Interior and exterior projects of all listed state or national registered listed properties shall be reviewed, including those contributing to Historic Districts.
4. Projects within 500' of a listed property shall be reviewed, which is an environs review.
5. Reviews will result in a motion of does encroach upon, damage or destroy, or does not encroach upon, damage or destroy the listed property or its' environ.
6. Appeals of encroach upon determinations are submitted to the local governing body for a final determination.

State Preservation Law Review:

- Step 1: Determine the character defining features of the listed property.
Step 2: Determine if any of the features will be affected by the project.
Step 3: Determine if the effect will be adverse (encroach upon).
Step 4: Move that the project will or will not encroach upon damage or destroy the listed property. If it is moved that the project will encroach upon the property, the particular standard must be referred to.

Commissioner Rasmussen asked if public comment was necessary if the determination was based on the standards.

Ms. Gant stated it was not in the Statue that public comment had to be taken into account.

Commissioner Rasmussen asked why public comment was allowed.

Ms. Gant said the Standards are subjective.

Commissioner Rasmussen asked Ms. Ringler if the Standards were listed on the State Historic Preservation Office website.

Ms. Ringler stated the Standards were listed on the State Historic Preservation Office website.

Environs Review:

Step 1: Determine if the project is new construction or if the project affects an existing structure.

Step 2: Determine if the existing structure is a character defining feature.

Step 3: Determine if the project meets the environs standards.

Step 4: Move that the project will or will not encroach upon damage or destroy the listed property's environs.

Commissioner Rasmussen asked if the environs were looked at as a whole.

Ms. Ringler stated the environs were looked at with integrity of the area.

Commissioner Williams said an example was Old West Lawrence where the history of the neighborhood was included.

ITEM NO. 4: DR-4-66-12 817 Massachusetts Street; Revisions to approved Rehabilitation and Addition; Certified Local Government Review and Downtown Urban Conservation Overlay District Review. The property is listed as a contributing structure in Lawrence's Downtown Historic District, National Register of Historic Places. It is in the environs of the Carnegie Library (200 W 9th) and the Lucy Hobbs Taylor House (809 Vermont), National Register of Historic Places, as well as the House Building (729 Massachusetts), Register of Historic Kansas Places. It is also located in the Downtown Urban Conservation Overlay District. Submitted by Chris Cunningham of Treanor Architects for 817 Mass LLC, property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Chris Cunningham, Treanor Architects, stated initially the project was to be built to the right of away. He said the current plan was a smaller footprint and the canopy would be maintained and the walk would be reconfigured.

Commissioner Wiechert asked Mr. Cunningham if the corridor would appear narrow.

Mr. Cunningham said the canopy had not been fully detailed. He said it could have small halogen lights or exterior lighting. Mr. Cunningham said there was a concern with security near the building. He said the windows would be bullet resistant and there would be a more decorative gate.

PUBLIC COMMENT

There was no public comment.

PUBLIC COMMENT CLOSED

COMMISSION DISCUSSION

There was no Commission discussion.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Arp, to approve the project at 817 Massachusetts Street, based on the supporting documentation and with the following conditions as listed in the staff report:

1. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work.
2. Complete construction documents with material notations will be submitted and approved by the HRA prior to the release of a building permit.

Motion carried unanimously, 6-0

ITEM NO. 5: DR-12-00083 739-741 Massachusetts Street; Rehabilitation and Sidewalk Dining; Certified Local Government Review, Certificate of Appropriateness Review, and Downtown Urban Conservation Overlay District Review. The property is listed as a non-contributing structure in Lawrence's Downtown Historic District, National Register of Historic Places. It is in the environs of the Eldridge Hotel (701 Massachusetts) and the Lucy Hobbs Taylor House (809 Vermont), National Register of Historic Places; Miller's Hall (723-725 Massachusetts), Lawrence Register of Historic Places; and the House Building (729 Massachusetts), Register of Historic Kansas Places and Lawrence Register of Historic Places. It is also within the Downtown Urban Conservation Overlay District. Submitted by Dan Hill of Crossland Construction Co. for Miller Building of Lawrence, LLC, property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Mike Harris, Crossland Construction Company, stated the patio area would be on the outside of the arches in front of the structure.

Commissioner Arp asked what the separate drawings represent.

Chris Cunningham explained the elevations to the Commission.

Commissioner Foster asked if the glazing and store front system would be removed from the arches.

Mr. Harris said the glazing would be removed.

Commissioner Williams asked if the current windows would be removed.

Mr. Harris stated the current windows in the arches would be removed.

Commissioner Wiechert asked staff to explain the sidewalk dining.

Ms. Braddock Zollner said the applicant would be required to submit a site plan for sidewalk dining.

PUBLIC COMMENT

There was no public comment.

PUBLIC COMMENT CLOSED

COMMISSION DISCUSSION

There was no Commissioner discussion.

ACTION TAKEN

Motioned by Commissioner Williams, seconded by Commissioner Foster, to approve the project at 739-741 Massachusetts Street, based on the supporting documentation and with the following conditions as listed in the staff report:

1. The applicant submit additional information pertaining to the sidewalk dining area to be reviewed and approved by staff.
2. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work.
3. The applicant complete the site plan review process for sidewalk dining as outlined in Chapter 20 of the Code of the City of Lawrence.

Motion carried unanimously, 6-0

ITEM NO. 6: MISCELLANEOUS MATTERS

- A. No Board of Zoning Appeals applications received since July 19, 2011.
- B. No demolition permits received since the July 19, 2011 meeting.
- C. Review of Administrative and Architectural Review Committee approvals since July 19, 2011:

Administrative Reviews

DR-12-00038 702 Louisiana Street; Window Replacement; Certified Local Government Review. The Shumway House is listed as a contributing structure in the Old West Lawrence Historic District, National Register of Historic Places. Submitted by Douglas M. McKean, property owner of record.

DR-12-00039 1000 Massachusetts Street; Sign Permit; Certified Local Government Review and Downtown Urban Conservation Overlay District Review. The property is in the environs of the English Lutheran Church (1040 New Hampshire), Lawrence's Downtown Historic District, the North Rhode Island Street Historic Residential District, and Watkins Bank (1047 Massachusetts), National Register of Historic Places. It is also in the environs of the Shalor Eldridge House (945 Rhode Island), Register of Historic Kansas Places. It is within the Downtown Urban Conservation Overlay District. Submitted by Ben Koehn of Lawrence Sign Up for Berkeley Company L C, property owner of record.

DR-12-00040 901 Massachusetts Street; Sign Permit; Certified Local Government Review, Certificate of Appropriateness Review, and Downtown Urban Conservation Overlay District Review. The property is listed as a non-contributing structure in Lawrence's Downtown Historic District, National Register of Historic Places. It is in the environs of Carnegie Library (200 W 9th) and the Oread Neighborhood Historic District, National Register of Historic Places. It

is also in the environs of the Plymouth Congregational Church (925 Vermont), National and Lawrence Registers of Historic Places. It is within the Downtown Urban Conservation Overlay District. Submitted by Tammy Moody of Luminous Neon, Inc. for Weavers Inc.

- DR-12-00042** 1901 Massachusetts Street; Sign Permit; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the George K. Mackie House (1941 Massachusetts), National Register of Historic Places and Fire Station #2 (1839 Massachusetts), Lawrence Register of Historic Places. Submitted by Nick Baumgartner of Fastsigns for Bahman and Shahin Raisdana, property owners of record.
- DR-12-00047** 1630 New Hampshire Street; Residential Driveway Permit; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the Edward House House (1646 Massachusetts), National and Lawrence Registers of Historic Places. Submitted by Michael Arp, Trustee, property owner of record.
- DR-12-00048** 746 Kentucky Street; Roof Repair; Certified Local Government Review. The Lawrence Fire Station is listed as a key contributing structure in Lawrence's Downtown Historic District, National Register of Historic Places. It is in the environs of Carnegie Library (200 W 9th), the Lucy Hobbs Taylor House (809 Vermont), and the Old West Lawrence Historic District, National Register of Historic Places. It is also in the environs of the House Building (729 Massachusetts), Register of Historic Kansas Places. Submitted by the City of Lawrence, property owner of record.
- DR-12-00049** 714 Massachusetts Street; Sign Permit; Certified Local Government Review, Certificate of Appropriateness Review, and Downtown Urban Conservation Overlay District Review. The property is listed as a contributing structure in Lawrence's Downtown Historic District, National Register of Historic Places. It is in the environs of the Eldridge Hotel (701 Massachusetts) and the United States Post Office (645 New Hampshire), National Register of Historic Places; the House Building (729 Massachusetts), Register of Historic Kansas Places and Lawrence Register of Historic Places; and Miller's Hall (723-725 Massachusetts), Lawrence Register of Historic Places. It is also within the Downtown Urban Conservation Overlay District. Submitted by Tammy Moody of Luminous Neon, Inc. for SJC VII LLC, property owner of record.
- DR-12-00070** 800 Pennsylvania Street; Special Event Permit; Certified Local Government Review. The property is in the environs of East Lawrence Industrial District, National Register of Historic Places. Submitted by Angela Longhurst on behalf of Ohio Mortgage Investors LLC, property owner of record.
- DR-12-00074** 845 Massachusetts Street; Interior Remodel; Certified Local Government Review. The property is listed as a contributing structure in Lawrence's

Downtown Historic District, National Register of Historic Places. It is in the environs of Carnegie Library (200 W 9th), the Lucy Hobbs Taylor House (809 Vermont), the Oread Neighborhood Historic District, and Plymouth Congregational Church (925 Vermont), National Register of Historic Places. Submitted by Don Penn Consulting Engineer on behalf of Gerling LLC, property owner of record.

DR-12-00077 4 E 7th Street; Sign Permit; Certified Local Government Review and Downtown Urban Conservation Overlay District Review. The Bowersock Opera House is listed as a key contributing structure in Lawrence's Downtown Historic District, National Register of Historic Places. It is in the environs of the Eldridge Hotel (701 Massachusetts), the North Rhode Island Street Historic Residential District, and the United States Post Office (645 New Hampshire), National Register of Historic Places. It is also in the environs of the House Building (729 Massachusetts), Register of Historic Kansas Places. And it is within the Downtown Urban Conservation Overlay District. Submitted by Ben Koehn of Lawrence Sign Up for Liberty Hall Associates, property owner of record.

DR-12-00078 1846 Massachusetts Street; Special Event Permit; Certified Local Government Review. The property is in the environs of the George K. Mackie House (1941 Massachusetts), National Register of Historic Places. Submitted by Steve Birchfield of Dillons/Kwik Shop for Jane C. Cooper, Trustee, property owner of record.

Commissioner Arp stated he would abstain from voting on DR-12-00047.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Williams, to affirm Administrative review DR-12-00047.

Motion carried, 5-0-1

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Quillin, to affirm the remaining Administrative reviews.

Motion carried unanimously, 6-0

Commissioner Williams stated his mother in law was the property owner of 1846 Massachusetts Street, DR-12-00078.

D. Dennis Brown stated the presentation given by the Kansas State Historic Preservation Department was excellent. He said he was concerned about the Mayors comment regarding the Historic Resources Commission being obstructionist. Mr. Brown stated there had been examples by the Mayor

that had gone back 8 to 10 years and his comment was referring to previous Commission as well. Mr. Brown stated he had been the Lawrence Preservation Alliance liaison for 8 years and he had never witnessed the Commission as obstructionist. He said as a whole the Commission should make well thought out and consistent decisions. Mr. Brown stated a quorum was very important to the Historic Resources Commission. He said Staffs reports were excellent and both sides were analyzed. He said Ms. Braddock Zollner had a great amount of knowledge. Mr. Brown stated the Guidelines and discussion were important for the Commission and more communication could help with proper decision making.

Commissioner Arp said he assumed the Mayors comments were in regard to the 9th and New Hampshire project. He said the process had made the project better.

- E. Commission Rasmussen stated he would be absent for the September and October meeting. Commission Quillin stated she would be absent from the October meeting.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Arp, to adjourn the Historic Resources Commission meeting.

Motion carried unanimously, 6-0

ADJOURN –8:00 p.m.