

**HISTORIC RESOURCES COMMISSION  
AGENDA MEETING JUNE 20, 2013 6:30 PM  
ACTION SUMMARY**

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Historic Resources Commissioners present: Arp, Foster, Hernly, Tuttle, Williams

Historic Resources Commissioners excused: Quillin

Planning Commissioners present: Britton, Berger, Culver, Denney, Graham, Josserand, Lamer, Liese, von Achen

Staff present: Braddock Zollner, Buchanan Young, Cargill, Leininger, McCullough, Stogsdill

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**ITEM NO. 1: DOWNTOWN LAWRENCE REDEVELOPMENT**

Joint meeting with the Lawrence-Douglas County Planning Commission

**STAFF INTRODUCTION**

Mr. Scott McCullough briefly discussed how the joint meeting would be conducted.

All Historic Resources Commissioners and Planning Commissioners introduced themselves.

**STAFF PRESENTATION**

Ms. Michelle Leininger presented the item.

**JOINT COMMISSION DISCUSSION**

Historic Resources Commissioner Foster asked if Downtown Redevelopment Item 2 Options 1 and 2 are the same thing.

Mr. McCullough explained the difference between the options.

Historic Resources Commissioner Hernly said that downtown parking is more of a planning issue than a historic issue. He stated that increasing the number of angled parking spaces could greatly improve parking density.

Historic Resources Commissioner Foster expressed his concern with how angled parking has been accommodated by pushing back the façade of new buildings and cited the project at the northeast corner of 9<sup>th</sup> and New Hampshire Streets as an example.

Historic Resources Commissioner Hernly acknowledged Commissioner Foster's concern and said that the aforementioned issue is unique to downtown streets other than Massachusetts Street.

Historic Resources Commissioner Tuttle explained that in previous Historic Resources Commission (HRC) meetings they discussed whether Downtown Design Guidelines implied party walls between buildings on New Hampshire Street and Vermont Street without a clear consensus on the subject.

Historic Resources Commissioner Foster said that, in his opinion, if more development is desired downtown, New Hampshire Street and Vermont Street should begin to look more like Massachusetts Street.

Historic Resources Commissioners Hernly and Tuttle discussed how parking has changed in the downtown area throughout history.

Planning Commissioner Lamer asked if those changes over time are what is still desirable for downtown.

Historic Resources Commissioner Hernly reiterated his opinion that it's more of a planning issue than a historic issue, and stated that he is in favor of Option 3 for parking.

Historic Resources Commissioner Foster said he prefers Option 1, but would like to see some façade alignment and height consistency.

Historic Resources Commissioner Hernly asked if it is possible to align façades to the property lines.

Mr. McCullough said it is a challenge to accommodate a reasonable path for pedestrians in front of buildings when angled parking is used, as is the case on the northeast corner of 9<sup>th</sup> Street and New Hampshire Street, without pushing back the façade.

Historic Resources Commissioner Tuttle disagreed that the parking issue is not a concern from a historic standpoint. She stated the reason the HRC is involved is because the downtown area is a historic district and that any changes, including parking, will affect the look and feel of the neighborhood.

Planning Commissioner Liese asked if the historical aspects of the downtown issue could be discussed in more detail.

Historic Resources Commissioner Arp said that he leans toward Option 3 and believes there should be a more comprehensive plan for parking in place to accommodate future development in addition to current development.

Planning Commissioner Liese asked if there is an optimal proportion of parking lot parking to street parking.

Mr. McCullough stated there is no requirement for a proper proportion; however, the parking options and capacity downtown is constantly reviewed. He further stated that in Downtown Redevelopment Item 1, Option 1, in the event a city parking lot is developed, the developer would be responsible for maintaining the current number of public parking spaces.

Planning Commissioner Liese expressed his opinion that parking in front of shops is more of an aesthetic than a practical matter because a garage could handle more parking.

Historic Resources Commissioner Sean Williams expressed his interest in maintaining the historic values and character of the downtown area while still being flexible to change and development.

Planning Commissioner Liese stated that Option 3 seemed irresistible.

Historic Resources Commissioner Foster said he likes the current guidelines and doesn't feel that any changes need to be made.

Historic Resources Commissioner Hernly said he disagreed and sited parking configurations that would not work for New Hampshire Street and Vermont Street despite the fact that they would

follow the current guidelines.

Planning Commissioner Liese stated he generally likes the current guidelines and would choose Option 1 if it did not seem so open-ended.

Planning Commissioner von Achen asked Historic Resources Commissioner Hernly what he liked and disliked about Option 1.

Historic Resources Commissioner Hernly said it provides an option to create more parking density to accommodate more building density.

Historic Resources Commissioner Foster stated the solution to creating more density is ultimately more parking garages.

Planning Commissioner von Achen asked what the objection is to angled parking along the aforementioned side streets.

Historic Resources Commissioner Foster explained his objection is the impact of angled parking on the alignment of the buildings as in the case of the 9<sup>th</sup> & New Hampshire project.

Historic Resources Commissioner Hernly asked if the Hobbs-Taylor Lofts building is pushed back.

Ms. Zollner said it is.

Planning Commissioner Lamer suggested the center turning lane may be the issue on New Hampshire Street and Vermont Street as far as accommodating angled parking and aligning the building façades. He further proposed the idea of replicating the look and feel of Massachusetts Street on those parallel streets.

They discussed whether there is a real need for a center turn lane, as Massachusetts Street functions well without one continuous center turn lane.

Planning Commissioner Britton said that the long term solution to parking downtown is garages. He said the focus should be on providing the ultimate pedestrian experience, and alleviating the traffic by way of cutting down on street parking would enhance the pedestrian experience on all downtown streets.

Historic Resources Commissioner Arp wondered if the original intent of providing parallel parking on arterial streets was to alleviate traffic on Massachusetts Street. In addition, he stated the southbound river bridge was constructed with a seemingly similar intent to keep the flow of traffic off Massachusetts Street. He expressed concern that attempting to reconstruct that flow may cause unintentional traffic issues.

Mr. McCullough said Massachusetts Street was originally intended for slow moving traffic and parking while the side streets were meant to carry all of the traffic.

Historic Resources Commissioner Williams redirected discussion to Item 1 on the memo agenda for Downtown Redevelopment.

Planning Commissioner Denney asked for input from the HRC on finding an ideal balance

between maintaining historical character in the downtown area and accommodating continuing growth and development.

Historic Resources Commissioner Williams expressed his opinion that it seemed everyone shared the perspective that there should be a balance between maintaining the history of downtown Lawrence and accommodating growth; however, he believes the current guidelines are well studied and can provide that balance.

Planning Commissioner Liese commented that the HRC plays a key role in preserving the beloved historical properties and character of Downtown Lawrence.

Historic Resources Commissioner Tuttle said the current preservation guidelines set forth by the Secretary of the Interior are fairly well defined and those are the criteria used by the Historic Resources Commission.

Planning Commissioner Liese commented that there will always be a difference in opinion as to what looks aesthetically pleasing but it is good practice to remain objective.

Historic Resources Commissioner Williams reiterated his viewpoint that he would like to find a balance between accommodating the citizens of the Lawrence while preserving the beauty and character of the area. He then shifted focus back to Downtown Redevelopment Item 1.

Historic Resources Commissioner Foster said he favored Option 2 regarding building height.

Historic Resources Commissioner Tuttle stated the City Code and Downtown Design Guidelines conflict because they outline different building height rules, and would like to see uniformity in those two sets of guidelines.

Historic Resources Commissioner Foster said he believes taller buildings should be the exception, not the rule, and he would like to come to a consensus as to what the rule should be.

Historic Resources Commissioner Hernly used an aerial map to point out the challenges in developing certain parts of New Hampshire Street due to the close proximity to existing residential neighborhoods and historic environs, noting that addressing building height alone is not sufficient.

Historic Resources Commissioner Tuttle said she felt that ultimately they are being tasked with providing an opinion on whether the building height rule should be changed or if the existing rule should be firmly upheld.

Historic Resources Commissioner Hernly said he believed that some areas have, and still could, accommodate a taller building than current rules allow but only as an exception on a case-by-case basis. He also stated he would be in favor of setting different height rules for each block.

Historic Resources Commissioner Foster expressed his concern that setting different height limits for each block of downtown would be a time consuming process; he said he would rather come to a consensus on a set height for the entire area and exceptions could be made case-by-case.

Planning Commissioner Lamer suggested that if the ultimate goal is greater density downtown, the height limitations would inevitably be an issue.

Historic Resources Commissioners Tuttle and Foster discuss their opinion that greater density can be achieved but only until it begins to damage or destroy the character of downtown, citing an abundance of taller buildings as the example.

Planning Commissioner Liese talked about tall buildings in bigger cities and how they still manage to feel quaint, depending on perspective. He then asked at what point and perspective the height of buildings in Downtown Lawrence begin to matter.

Historic Resources Commissioner Tuttle reflected on a presentation by a State Preservation Officer who provided photos of cities where historically preserved buildings were surrounded by tall structures of various heights. She explained how silly those areas looked, and said her hope in being involved with the Historic Resources Commission was to prevent similar situations in Lawrence. She included the fact that the downtown area is neighbored by two historic residential districts, so any decisions made regarding Downtown redevelopment would directly impact those neighborhoods as well.

Planning Commissioner Liese thought Historic Resources Commissioner Tuttle's input was helpful, but was still unclear as to how to make decisions on the issues at hand when they are not blatantly right or wrong.

Historic Resources Commissioner Foster referred back to the example of larger cities having taller buildings, but also having consistency in height.

Ms. Zollner added that when the Development Code changed in 2006, the building height limit went from 75 feet to 90 feet.

Planning Commissioner von Achen asked if 75 feet was comparable to three stories.

The commissioners came to the conclusion that 75 feet was approximately six stories.

Historic Resources Commissioner Williams said that they need to come to a consensus as to whether the current guidelines are sufficient or recognize and resolve the discrepancy between the City Code and the Design Guidelines. He added that originally the downtown area was viewed as the economic center of Lawrence, but he has seen many prospective developers get discouraged with the inconsistencies in the code and guidelines and take their business elsewhere. He expressed his opinion that downtown development can move forward if a transition area and overall relativity is maintained.

Historic Resources Commissioner Tuttle asked if there was a discussion between the Planning Commission and Historic Resources Commission when the building height limit was changed in 2006 from 75 feet to 90 feet.

Ms. Sheila Stogsdill replied that there was not.

Historic Resources Commissioner Williams invited comment from staff to help direct the commissions in making their decisions.

Mr. McCullough directed commission members to refer to page two of the memo regarding the

guidelines, and suggested additional discussion regarding the opportunity for greater density on the peripheral streets as opposed to Massachusetts Street. Additionally, he thought clarity was much needed in interpreting the language of the guidelines which refers to the height of a building in reference to its surroundings.

Historic Resources Commissioner Hernly asked if the guidelines had diagrams for referencing buildings heights.

Mr. McCullough said yes, but the issue is when the development is on the edge of two districts and there is an unclear direction as to which district to serve. He stated that this portion of the guidelines has led to many hours of interpretation and it would be beneficial to clarify it.

*Planning Commissioner Bryan Culver arrived at 7:37 pm*

Historic Resources Commissioner Hernly asked if the language should be changed to specifically address how tall a building can be in reference to the adjacent building.

Mr. McCullough said yes, that is one possibility, or it could outline requirements for stepping the building itself down to meet height requirements, as was accomplished with the 9<sup>th</sup> and New Hampshire project.

Planning Commissioner Liese thought their discussion had been constructive and wondered if they could focus it on the agenda options at hand.

Historic Resources Commissioner Tuttle said she felt they had been introduced to an additional option. She agreed with the point made about the expectation that density should be greater along Massachusetts Street, and proposed a more equal density among Massachusetts Street and peripheral streets provided building density upward would not damage or destroy the character of the downtown area.

Historic Resources Commissioner Foster said he agreed completely. He said he believed that Mr. McCullough was actually referring to Option 2 which addressed code and the guidelines.

Historic Resources Commissioner Tuttle agreed.

Planning Commissioner Brian Culver apologized for being late to the meeting.

Historic Resources Commissioner Williams moved the discussion to Downtown Redevelopment Item 3 and reviewed the corresponding options.

Historic Resources Commissioner Foster explained the consensus from the previous HRC meeting that the current code and guidelines are not developer friendly. For this reason, he preferred Option 1.

Planning Commissioner Lara Berger said it was her understanding that the parking structure for the new library had indeed added more parking downtown but not enough to fill the deficit. She also commented that there should possibly be traffic impact studies associated with the vision of higher density.

Mr. McCullough said there are traffic studies conducted for projects such as the 9<sup>th</sup> and New Hampshire project, but it is something that is reviewed administratively, not by the Historic

Resources Commission.

Planning Commissioner Liese agreed that Option 2 seemed unattainable, and asked what concerns others might have about Option 1.

Historic Resources Commissioner Foster said he felt that Option 1 was just too strict.

Historic Resources Commissioner Tuttle said she felt it would be a positive thing to engage the public in the debate over what they want for the downtown area as new development projects are submitted.

Planning Commissioner Josserand said, assuming a greater density downtown is the goal, parking definitely will be an issue. He voiced his concern that the ultimate solution will be underground parking garages, an expense that will be passed onto downtown merchants, and how it will remain a public liability if the initial development providing the parking structure does not succeed.

Historic Resources Commissioner Williams asked Mr. McCullough to clarify whether there is a uniform commercial building code that requires parking for commercial uses.

Mr. McCullough explained that there is no requirement for on-site parking in the Downtown District or in the Poehler District. The businesses that do provide their own parking tend to be those that have a corporate model that demands it or simply out of convenience for their customers.

Historic Resources Commissioner Foster stated that hotels seem to be the exception in that they would certainly need parking to accommodate their guests.

Mr. McCullough added that the hotel, referring to the 9<sup>th</sup> and New Hampshire project, was not required to provide parking.

Historic Resources Commissioner Williams mentioned that existing city surface lots and garages were designed to handle new development, but going forward that will not be the case.

Mr. McCullough said that as new developments come in and additional parking is created, those additional structures and more will have to be maintained in order to accommodate an increase in density.

Historic Resources Commissioner Foster said that if a city owned parking lot were to be developed that could be an opportunity to require the developer to pay a fee to fund a new a city parking structure elsewhere.

Mr. McCullough explained that it's a common urban design concept that mixed use developments will not have parking directly in front of their establishment.

Historic Resources Commissioner Hernly felt, from a historic preservation standpoint, it would not be feasible to require every redeveloped city lot to provide parking. He mentioned that a parking requirement added to Option 1 would be an excellent opportunity for the city.

Historic Resources Commissioner Foster referred back to his previous idea that a developer could provide a cash payment in lieu of re-constructing parking spaces.

Mr. McCullough stated that, in accordance with the city's current process, if parking was identified as a needed requirement the developer would have to provide it.

Historic Resources Commissioner Williams said he personally would like to accommodate all of the code identified demand generated by all of the proposed uses.

Mr. McCullough said that's a sort of zero sum clause, where you're maintaining, not adding. He added that currently, many places are providing parking on-site for their users, not just in the downtown area.

Historic Resources Commissioner Williams opened the public hearing portion of the meeting.

### **PUBLIC HEARING**

Mr. Dick Heckler, member of the Brook Creek Neighborhood Association (BCNA) and Lawrence Association of Neighborhoods (LAN), said he and LAN do not support large development projects and prefer Lawrence as a small but vibrant community. He added that height restrictions should remain as they are, and that parallel parking is safer for bicyclists and doesn't reduce sidewalk space that could be used by existing merchants and pedestrians. Mr. Heckler said they would like to see Lawrence remain a walking-friendly community and are concerned about the loss of existing city parking to new development without reimbursement to the taxpayers.

Ms. Leslie Soden welcomed any questions commissioners might have regarding the decision-making process throughout the 9<sup>th</sup> and New Hampshire project. She said she dislikes the sidewalk in front of the Hobbs-Taylor Lofts because it is so narrow, a result of the angled parking. She expressed her desire to see more renewable energy atop buildings in the area and added how important the neighboring residential districts are to the character of the downtown area.

Ms. KT Walsh, member of the East Lawrence Neighborhood Association (ELNA), said she supports the memo provided by LAN. She added that, in regards to adding density downtown, the issue of large empty buildings in the area should first be addressed. She explained that buildings such as the old Allen Press facility, buildings currently owned but not in use by the Lawrence Journal World, and space in the Riverfront Mall that is currently unoccupied needs to be filled before new buildings are created.

Mr. Kurt McClure, president of the Old West Lawrence Neighborhood Association and member of LAN, suggested different building height guidelines are needed for areas directly next to residential neighborhoods. He proposed that the city should take on the responsibility of initiating the construction of new parking structures as opposed to waiting for developers to initiate the need for them.

Historic Resources Commissioner Williams invited Ms. Zollner to express her perspective on the discussion.

Ms. Zollner said she had not yet heard a consensus on any of the items, and some direction would be helpful in moving the items forward to the City Commission.

Historic Resources Commissioner Hernly asked how the current parking guidelines pertaining to parallel versus angled parking compare to National Park Service guidelines.



Ms. Zollner said it is a complicated subject. She stated the Downtown Design Guidelines were a community effort, and that the idea was to direct traffic to New Hampshire Street and Vermont Street. She further explained that the angled parking would slow traffic down on Massachusetts Street and parallel parking would facilitate thru traffic on side streets ensuring traffic stays out of the residential areas. Ms. Zollner brought up the previously considered idea of a roundabout at 9<sup>th</sup> and New Hampshire as opposed to the current four-way stop and suggested that concept in general could be discussed, as well as the overall Urban Concept Plan and whether it needs updating. From a state law review standpoint, she said, they are looking at just the Downtown District not the environs or overlay district, so the majority of review would be just for Massachusetts Street. Historically patterns have changed over time. It would not be against the guidelines to change the parking on any of the streets in question; they would just want thorough and thoughtful consideration before any changes are made.

Historic Resources Commissioner Hernly said Ms. Zollner's input was helpful.

Historic Resources Commissioner Williams asked what the importance of the historic district will be in the future, how it will change and how it can be maintained.

Ms. Zollner expressed her opinion that the Downtown District is one of the most important things in Lawrence to protect, not only due to its history but also because of its vibrancy. She stressed the importance of making decisions within the Downtown District thoughtfully and to take into account the whole package, not just specific issues individually.

Historic Resources Commissioner Hernly asked Ms. Zollner if there are areas on the side streets where different height limits would be appropriate.

Ms. Zollner said yes, the draft update to the Downtown Design Guidelines stated that no building could be over five stories tall; however, that guideline did not support the goal of greater density. She said the consensus of the HRC at that time was to base the height limitation on adjacent building height as opposed to setting a strict height limitation.

Planning Commissioner Liese motioned to approve Downtown Redevelopment Item 3, Option 1, with recommended changes.

Historic Resources Commissioner Foster seconded the motion.

They briefly discussed what modification to Downtown Redevelopment Item 3, Option 1 they would be approving.

Planning Commissioner von Achen referenced the memo from LAN and asked about their request to include privately owned parking lots and whether that is something they could impose.

Mr. McCullough said the scope of the review remains on the city owned lots.

Historic Resources Commissioner Hernly asked if the City Commission could add it at their discretion.

Mr. McCullough said yes, but the issue at hand only applies to city lots and the possibility of their development and what parking standards should be imposed. He said due to the fact that

there is no requirement for on-site parking downtown, privately owned lots are not a factor in their discussion.

Planning Commissioner Culver said he agreed with Mr. McClure in that the city's role and involvement should be clarified.

Historic Resources Commissioner Williams redirects discussion to Planning Commissioner Liese's original motion.

### **ACTION TAKEN**

Motioned by Planning Commissioner Liese, seconded by Historic Resources Commissioner Foster, to approve Downtown Redevelopment Item 3 Option 1 with modifications.

Unanimously approved 14-0.

Motioned by Planning Commissioner Liese, seconded by Historic Resources Commissioner Foster, for a vote on each of the Options under Downtown Redevelopment Item 2 since there are three choices, as well as a modification that forwards their consensus on the subject of traffic circles (roundabouts).

Unanimously approved 14-0.

The commissions voted as follows on the Options for Item 2:

- 9 commissioners in favor of Option 1.
- 1 commissioner in favor of Option 2.
- 4 commissioners in favor of Option 3.

They discussed the pros and cons of roundabouts in the downtown area.

Motioned by Planning Commissioner Liese, seconded by Historic Resources Commissioner Foster, to discourage the use of roundabouts in the Conservation Overlay District.

Motion carried 10-3 with one abstention.

### **JOINT COMMISSION DISCUSSION**

Planning Commissioner Josserand suggested that commissioners express why they are voting for a particular item, regarding Downtown Redevelopment Item 1.

Historic Resources Commissioner Foster and Tuttle said they were in favor of Option 2 because the current guidelines contain a discrepancy as demonstrated by the 9<sup>th</sup> and New Hampshire project.

Planning Commissioners Josserand, Liese, Lamer, and Denney, as well as Historic Resources Commissioner Hernly, said they favored Option 2 because they support higher density but believe a 90 foot height limitation is too high.

Planning Commissioner von Achen said she supports Option 2 because she doesn't feel taller buildings belong in a historic district.

Planning Commissioners Britton and Culver stated they support Option 2 and do not feel it

would be difficult to set different height limits for each block.

Historic Resources Commissioner Arp said he supports Option 2.

Planning Commissioner Berger said she was in favor of Option 2 and voiced her support for increasing density as long as it is done purposefully, specifically taking into account the large vacant buildings in the area.

Planning Commissioner Graham said she supports Option 2.

Historic Resources Commissioner Williams said he supports Option 2 but does not agree with imposing a height limitation on buildings.

### **ACTION TAKEN**

Motioned by Historic Resources Commissioner Hernly, seconded by Historic Resources Commissioner Arp, to approve Downtown Redevelopment Item 1 Option 2.

Unanimously approved 14-0.

### **COMMISSION DISCUSSION**

Planning Commissioner Josserand asked, in reference to the memo from LAN, for any thoughts or comments on the downtown corridor study.

Mr. McCullough explained the efforts that different commissions and city staff have made to address the downtown area and agreed that a more strategic level of planning would be welcome provided the resources are available.

Planning Commissioner Josserand said Mr. McCullough's comments were helpful.

*Joint Commission portion of the meeting adjourned at 9:02 pm*

### **ITEM NO. 2: ACTION SUMMARY**

Receive Action Summary from the May 16, 2013 meeting.

### **ACTION TAKEN**

Item deferred

### **ITEM NO. 3: COMMUNICATIONS**

Ms. Lynne Braddock Zollner advised a communication regarding the State Preservation Law change would be discussed toward the end of the meeting with miscellaneous matters.

There were no abstentions from specific agenda items by commissioners.

**ITEM NO.4:** University of Kansas Free Historic District

**Deferred**

**ITEM NO.5:** **L-2-3-10** Hold public hearing for consideration of placing the Stephen Fox House located at 739 Connecticut Street on the Lawrence Register of Historic Places.