



City of Lawrence

PLANNING & DEVELOPMENT SERVICES

LAWRENCE HISTORIC RESOURCES COMMISSION
AGENDA FOR **MARCH 20, 2014**
CITY HALL, 6 E 6TH STREET
6:30 PM

SPECIAL NOTICE: THE CITY OF LAWRENCE HAS EXECUTED AN AGREEMENT WITH THE STATE HISTORIC PRESERVATION OFFICER TO CONDUCT STATE PRESERVATION LAW REVIEWS AT THE LOCAL LEVEL. THEREFORE, THE LAWRENCE HISTORIC RESOURCES COMMISSION WILL MAKE ALL DETERMINATIONS REGARDING PROJECTS THAT REQUIRE REVIEW UNDER K.S.A. 75-2724, AS AMENDED.

ITEM NO. 1: ACTION SUMMARY

Receive Action Summary from the December 19, 2013, January 16, 2014, and February 20, 2014 meetings. Approve or revise and approve.

ITEM NO. 2: COMMUNICATIONS

- a) Receive communications from other commissions, State Historic Preservation Officer, and the general public.
- b) Declaration of abstentions from specific agenda items by commissioners.

ITEM NO. 3: L-14-00028 Public hearing for consideration of placing the structure located at 1000 New York on the Lawrence Register of Historic Places.

ITEM NO. 4: DR-14-00036 504 Louisiana Street; Demolition; State Preservation Law Review. The property is a contributing structure to the Pinckney I Historic District, National Register of Historic Places. Submitted by Carl Edwards for Nickel-Evan, LLC, the property owner of record.

ITEM NO. 5: DR-14-00044 916 Massachusetts Street; Sign; Downtown Conservation Overlay District Review. The property is located in the Downtown Conservation Overlay District. Submitted by Lawrence Sign Up on behalf of Miller Meiers for Richard Stein, Trustee and Mary Howe, Trustee, the property owners of record.

ITEM NO. 6: Resolution 2014-04 A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, HISTORIC RESOURCES COMMISSION RECOMMENDING THAT THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS, DESIGNATE 1300 HASKELL AVENUE, LAWRENCE, DOUGLAS COUNTY, KANSAS, AS A LANDMARK ON THE LAWRENCE REGISTER OF HISTORIC PLACES.

ITEM NO. 7: 1340 Haskell Avenue

(A) Resolution 2014-05 A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, HISTORIC RESOURCES COMMISSION RECOMMENDING THAT THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS, DESIGNATE 1340 HASKELL AVENUE, LAWRENCE, DOUGLAS COUNTY, KANSAS, AS A LANDMARK ON THE LAWRENCE REGISTER OF HISTORIC PLACES.

(B) Revised Environs Definition

ITEM NO. 8: Chapter 22 of the Code of the City of Lawrence Review

ITEM NO. 9: MISCELLANEOUS MATTERS

- A. Provide comment on Board of Zoning Appeals applications received since February 20, 2014.
- B. Review of any demolition permits received since the February 20, 2014 meeting.
- C. Review of Administrative and Architectural Review Committee approvals since February 20, 2014.

Administrative Reviews

DR-13-00526 123 W 8th Street; Canopy Addition; State Preservation Law Review and Downtown Conservation Overlay District Review. The property is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places and is located in the Downtown Conservation Overlay District. Submitted by Paul Werner Architects for Onetwothree LLC, the property owner of record.

DR-14-00020 1900 Massachusetts Street; Exterior Alterations; Certificate of Appropriateness Review. The property is located in the environs of Fire Station #2 (1839 Massachusetts), Lawrence Register of Historic Places. Submitted by Hernly Associates for Sabrina Prewett, the property owner of record.

DR-14-00034 612 New Hampshire Street; Sign; Downtown Urban Conservation Overlay District Review. The property is located in the Downtown Urban Conservation Overlay District. Submitted by Luminous Neon on behalf of Northwestern Mutual for Postal Investors LC, the property owner of record.

DR-14-00043 831 Vermont Street; Sign; Downtown Urban Conservation Overlay District Review. The property is located in the Downtown Urban Conservation Overlay District. Submitted by Star Signs for BB&S LLC, the property owner of record.

D. General public comment.

E. Miscellaneous matters from City staff and Commission members.

**HISTORIC RESOURCES COMMISSION
AGENDA MEETING DECEMBER 19, 2013 6:30 PM
ACTION SUMMARY**

Commissioners present: Arp, Bailey, Foster, Hernly, Quillin, Tuttle
Commissioners excused: Williams
Staff present: Braddock Zollner, Cargill, Halm

ITEM NO. 1: ACTION SUMMARY

Receive Action Summary from the September 26, 2013, October 17, 2013 and November 21, 2013 meetings. Approve or revise and approve.

ACTION TAKEN

Motioned by Commissioner Tuttle, seconded by Commissioner Foster, to approve the Action Summary from the September 26, 2013 meeting and defer approval of the Action Summaries for the October and November meetings.

Unanimously approved 6-0.

ITEM NO. 2: COMMUNICATIONS

a) Receive communications from other commissions, State Historic Preservation Officer, and the general public.

Ms. Lynne Zollner said she received several letters from the State Historic Preservation Office notifying the commission of listings with the National Register of Historic Places.

b) Commissioner Hernly declared his abstention for Item 7A.

ITEM NO. 3: DR-13-00474 943 Ohio Street; Deck; State Preservation Law Review and Certificate of Appropriateness Review. The property is a non-contributing structure to the Oread Historic District, National Register of Historic Places and is located in the environs of the Oread Historic District, the George and Annie Bell House (1108 Ohio) and the Charles and Adeline Duncan House (933 Tennessee), Lawrence Register of Historic Places. Submitted by Lawrence Landscape for Martin D Quandt, the property owner of record.

ITEM NO. 4: DR-13-00475 1837 Vermont, Building Addition to Cordley Elementary; Certificate of Appropriateness Review. The property is located in the environs of Fire Station #2 (1839 Massachusetts), Lawrence Register of Historic Places. Submitted by Gould Evans for USD 497, the property owner of record.

Ms. Zollner introduced the item.

APPLICANT PRESENTATION

Mr. Denton Nichols and Ms. Marianne Meling with Gould Evans presented the item.

PUBLIC COMMENT

Ms. KT Walsh commented on how beautiful the design is. She said she is curious as to why the school district did not like the blue palette, and is interested in the life span of the fiber cement panels. Ms. Walsh mentioned how happy she is that they will be preserving David Lowenstein's mural. She added that the Cultural Arts Commission is considering a preservation fund that would support the preservation of similar works of art.

Mr. Nichols said the school district didn't have many color options but is trying to avoid any primary colors for fear they might date the addition. He said there will be more gray added, but the blue is clearly present in the brick on the original building so they want to incorporate the old with the new construction.

Commissioner Hernly pointed out that the reflection on the upper level windows on a clear day is the exact color of blue that they are putting on the addition.

Mr. Nichols said he does not have the product information with him for the fiber cement panels, but he said compared to masonry, it will require less maintenance because it doesn't have any mortar or caulking that is exposed.

Commissioner Hernly asked if it is a prefinished product.

Mr. Nichols said yes.

Mr. Dennis Brown commented that the proposed color of blue is a little too primary and suggested a lighter blue. He added that he appreciates the effort on the project.

Commissioner Hernly mentioned that there is a lot of blue in the mural, too.

COMMISSION DISCUSSION

Commissioners Foster and Tuttle commented that they like the blue.

Commissioner Hernly said he was pleased to see the original entrance being converted back to the main entrance and commended their efforts of going above and beyond by adding a separate elevator at that entrance so as not to compromise security. He said as far as he can remember, the south façade was always behind asphalt and a fence, so getting some grass in there will really enhance the original building. He said he is curious if anyone knows when the cornices were removed from the building.

Mr. Nichols said they were removed in 1951.

Commissioner Hernly mentioned they put a flat roof on at that time.

Commissioner Arp asked if they had any intentions of restoring the cornices.

Commissioner Hernly commented that there is some masonry work that needs to be done and asked if they would be completing any of it.

Mr. Nichols said they did have a professional look at it and the School District will be reviewing that work as a side item.

Commissioner Hernly asked how many buses would be coming to the school every day.

Mr. Nichols said five.

Commissioner Hernly asked if the top portion of windows to the east of the 1951 building is glass block.

Mr. Nichols said yes.

Commissioner Bailey asked if the environs radius is 250 feet or 500 feet.

Ms. Zollner said it is 250 feet.

Commissioner Bailey asked for clarification as to how things are included in the environs.

Ms. Zollner said if it reaches the parcel then anything on the parcel is reviewed.

ACTION TAKEN

Motioned by Commissioner Tuttle, seconded by Commissioner Arp, to approve the project with amendments as per the staff report.

Unanimously approved 6-0.

ITEM NO. 5: **DR-13-00485** 800 New Hampshire Street Changes to the Right-of-Way Site Plan; Downtown Urban Conservation Overlay District review. The property is located in the Downtown Urban Conservation Overlay District. Submitted by Stephen Keys for Kenneth C. Baker II LLC, the property owner of record.

Deferred

ITEM NO. 6: **Chapter 22 of the Code of the City of Lawrence**

STAFF PRESENTATION

Ms. Zollner presented the item.

Commissioner Hernly asked if Chapter 22 allows staff and the commission to initiate local listings.

Ms. Zollner said yes.

Commissioner Arp asked if the proposed subcommittee for Chapter 22 would make recommendations to the Historic Resources Committee (HRC) and then forward those to the City Commission for approval.

Ms. Zollner said yes.

Commissioner Bailey mentioned that he found things while reviewing Chapter 22 that don't make sense.

Commissioner Arp asked how many people should be on the subcommittee.

Commissioner Foster said he feels it needs three people.

Commissioner Tuttle said she would join the subcommittee.

Commissioner Arp asked how much time would be needed to review Chapter 22 changes.

Ms. Zollner said one good meeting should be sufficient as she has already identified items that need attention.

Commissioner Arp asked if two hours would be appropriate.

Ms. Zollner said it would.

Commissioner Arp asked when review comments needed to go to the City Commission.

Ms. Zollner replied as soon as possible.

Commissioner Bailey asked what kind of notice will be provided to the City Commission that the changes to Chapter 22 will be on their agenda.

Ms. Zollner said as soon as the HRC makes recommendations, staff will add it to the City Commission's Future Agenda Memo. She added that she would like there to be public comment on the changes before it goes to City Commission.

Commissioners Arp, Tuttle, and Bailey agreed to meet after the HRC meeting to discuss a time to hold their subcommittee meeting.

Commissioner Hernly asked how other commissioners should relay their proposed changes to staff.

Ms. Zollner said commissioners can email staff or provide a hard copy of proposed changes.

ACTION TAKEN

Motioned by Commissioner Arp, seconded by Commissioner Bailey, to appoint a subcommittee including Commissioner Arp, Commissioner Bailey, and Commissioner Tuttle, to draft changes to Chapter 22 of the Code of the City of Lawrence.

Unanimously approved 6-0.

ITEM NO. 7: MISCELLANEOUS MATTERS

- A. Provide comment on Board of Zoning Appeals applications received since November 21, 2013.

Ms. Zollner said there were several variance requests for 920 and 924 Delaware Street. She said the HRC heard a Design Review for the property a couple years ago and the applicants never went forward with a Building Permit at that time. She explained that the project is now moving forward and they are seeking setback and parking variances, and if the HRC has any comments, staff will forward those to the Board of Zoning Appeals.

- B. There were no demolition permits received since the November 21, 2013 meeting.
- C. Review of Administrative and Architectural Review Committee approvals since November 21, 2013:

Administrative Reviews

- DR-13-00468** 729 New Hampshire Street; Sign; State Preservation Law Review and Downtown Urban Conservation Overlay District Review. The property is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places and is located in the Downtown Urban Conservation Overlay District. Application submitted by Luminous Neon, Inc. for, Park Hetzel III Trustee and Jean S Hetzel Trustee, the property owners of record.
- DR-13-00469** 831 Vermont Street; Sign; Downtown Conservation Overlay District Review. The property is located in the Downtown Conservation Overlay District. Submitted by Star Signs LLC for B B & S LLC, the property owner of record.
- DR-13-00470** 905 Rhode Island Street; Rehabilitation; Certificate of Appropriateness Review and State Law Review. The property is listed in the Lawrence Register of Historic Places and is a contributing structure to the North Rhode Island Street Historic Residential District, National Register of Historic Places. Submitted by Treanor Architects for Social Service League of Lawrence, the property owner of record.
- DR-13-00487** 922 Massachusetts Street; Sidewalk Dining; State Preservation Law Review, and Downtown Urban Conservation Overlay District Review. The property is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places and is located in the Downtown Urban Conservation Overlay District. Application submitted by Chris Cooper for Terra Firma LTD, the property owner of record.

Commissioner Arp asked for an update regarding the Library garage issue.

Ms. Zollner said they are trying to stay with the original design, so it is the design that was approved by the HRC.

Commissioner Arp asked if they had resolved their window cleaning concerns.

Ms. Zollner said they will continue to address that concern.

ACTION TAKEN

Motioned by Commissioner Arp, seconded by Commissioner Tuttle, to confirm the Administrative Reviews.

Unanimously approved 6-0.

- D. General public comment.

Ms. KT Walsh mentioned that Mark Thiel has completed the Brick Streets Plan and is planning on taking it to City Commission this month, but she

was under the impression that he would be presenting it first to the HRC. She also stated that she has a passion for Quonset huts and suggested a nomination for all Quonset huts in the city. Ms. Walsh said that the mural on the north side of the Black Hills building, which involves the black cultural history of Kansas, is being threatened with demolition as part of a new development project. She said the developer has not been responsive to community concerns that destroying it would be disrespectful, and to suggestions of incorporating it into the new structure.

- E. No miscellaneous matters from City staff and Commission members.

ADJOURN 7:26 PM

**HISTORIC RESOURCES COMMISSION
AGENDA MEETING JANUARY 16TH, 2014 6:30 PM
ACTION SUMMARY**

Commissioners present: Bailey, Foster, Hernly, Williams
Commissioners excused: Arp, Quillin, Tuttle
Staff present: Braddock Zollner, Cargill, Halm

ITEM NO. 1: ACTION SUMMARY

Receive Action Summary from the October 17, 2013, November 21, 2013, and December 19, 2013 meetings. Approve or revise and approve.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Bailey, to approve the Action Summaries from the October 17, 2013 and November 21, 2013 meetings, and to defer approval of the Action Summary from the December 19, 2013 meeting.

Unanimously approved 4-0.

ITEM NO. 2: COMMUNICATIONS

a) Receive communications from other commissions, State Historic Preservation Officer, and the general public.

Ms. Lynne Zollner said staff received letters in support of Item No. 4 from both George Paley and Dennis Domer.

b) There were no declarations of abstentions from specific agenda items by commissioners.

ITEM NO. 3: L-13-00493 Public hearing for consideration of placing the structure located at 627 Ohio Street on the Lawrence Register of Historic Places. Submitted by the Dale Slusser, the property owner of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

PUBLIC COMMENT

Mr. Dale Slusser, property owner, said he recognizes the value in historic properties to the community and thanked the Commission for their consideration in placing his home on the Lawrence Register of Historic Places.

Mr. Dennis Brown, President of Lawrence Preservation Alliance, said they support all nominations, current and future, for the Local and National Registers. He added that he was in this home several years ago to estimate a repair and said the current owners have done a great job of fixing the house up and it is in great condition for listing.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Hernly, to recommend the structure located at 627 Ohio Street for designation as a Landmark on the Lawrence

Register of Historic Places.

Unanimously approved 4-0.

Motioned by Commissioner Foster, seconded by Commissioner Hernly, to adopt Resolution 2014-01 to recommend nomination to the City Commission.

Unanimously approved 4-0.

Motioned by Commissioner Foster, seconded by Commissioner Hernly, to adopt the environs definition as provided.

Unanimously approved 4-0.

ITEM NO. 4: L-13-00501 Public hearing for consideration of placing the structure located at 1040 New Hampshire Street on the Lawrence Register of Historic Places. Submitted by David J. Brown for Ashlar L. C., the property owner of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

PUBLIC COMMENT

Mr. Ron Schneider, attorney representing Ashlar L.C., said he has been involved with this property since the mid 1980's and once had an office in the clergy house next door. He said the property has been involved in some contentious litigation that received national attention but they were successful in preserving the property through court orders. He added that the building's legal history alone is significant, let alone its architectural history. Mr. Schneider recalled that, back in the mid 80's, people thought historic preservation was the death knell for Lawrence, but that has certainly not been the case as preservation efforts have fueled social development and economic growth. He said he would like to continue the tradition of preserving properties in Lawrence, and this is one the finest. Mr. Schneider mentioned a special article recently in the Lawrence Journal World regarding church buildings and this property was featured on the cover, in addition to a number of other publications in the community.

Mr. Dennis Brown added to Mr. Schneider's comments about the legal history of the property and mentioned there were two appeals involved. He said Olive Stanford, her daughter Mary, and Tripp Anderson all contributed to the adaptive re-use of the structure. He said that Dr. Dennis Domer was president of LPA at the time and also put a lot of effort into preserving the structure. Mr. Brown added that, at Turnhalle, they conducted services in German until the 1880s until they moved to the 800 block of Illinois, which is now a residence. He concluded that there are many stories and connections to this property and the history of Lawrence.

Commissioner Williams thanked Mr. Brown for his comments.

NO COMMISSION DISCUSSION

ACTION TAKEN

Motioned by Commissioner Hernly, seconded by Commissioner Foster, to recommend the

structure located at 1040 New Hampshire Street for designation as a Landmark on the Lawrence Register of Historic Places.

Unanimously approved 4-0.

Motioned by Commissioner Hernly, seconded by Commissioner Foster, to adopt Resolution 2014-02 to recommend nomination to the City Commission.

Unanimously approved 4-0.

Motioned by Commissioner Foster, seconded by Commissioner Hernly, to adopt the environs definition as provided.

Unanimously approved 4-0.

ITEM NO. 5: L-13-00502 Public hearing for consideration of placing the structure located at 1047 Massachusetts Street on the Lawrence Register of Historic Places. Submitted by the Lawrence Preservation Alliance for the Douglas County Historical Society, the property owner of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

PUBLIC COMMENT

Ann Gardner, President of the Douglas County Historical Society, said they support the nomination. She said they often refer to this building as their largest artifact and are very interested in protecting it.

Commissioner Williams asked if further details of the elements of the building should be added to the nomination, such as the red roof shingles, windows, marble, and wrought iron, adding that those details might prove beneficial in the future for insurance purposes. He said those significant elements were outlined in the records that J.B. Watkins kept, and asked if the records still exist.

Mr. Steve Novak, Executive Director of the Douglas County Historical Society, said that J.B. Watkins' records do exist and are housed at the University of Kansas in the Spencer Research Library.

Commissioner Williams asked if it was advisable to make reference to those records as part of the history of the building for the nomination.

Ms. Zollner said they typically wouldn't because it usually just pertains to the real property, but they can certainly note in the nomination report that the information is available at the Spencer Research Library.

Commissioner Hernly asked if HRC has ever listed interior features as part of a nomination.

Ms. Zollner said they had not but it is an option. She said typically, it would be up to the owner to list interior features as well as exterior features.

Commissioner Hernly said the front entrance stairs are pretty fantastic, with the iron, tile, and marble features.

Ms. Garner said they would not have any objection to listing interior features but they would want to review them first since it is still in active use.

Commissioner Williams asked if it makes a difference if the owner is a public entity versus a private entity.

Mr. Novak said the building is owned by the Douglas County Historical Society which is a private non-profit entity.

Mr. Dale Slusser, board member of LPA and Douglas County Historical Society, said it's an outstanding building and a real gem for the community so they are very excited about the listing.

Mr. Ron Schneider liked the description as the "community's largest artifact" and would encourage the Commission to consider some interior designation. He pointed out that the interior features are more significant when dealing with a building that is open to the public versus a private residence. Mr. Schneider mentioned that, while working with the English Lutheran Church, he was shocked to learn how close this building was to demolition before a couple of people stepped forward to save it.

Ms. KT Walsh, representing the East Lawrence Neighborhood Association, said they support the landmark nominations, most importantly because they abut the North Rhode Island Street Residential Historic District and because of the development occurring downtown, it is an important time to care about preservation. She said Dennis Domer wrote a chapter about the church in *Embattled Lawrence* if anyone is interested in digging deeper into its history.

Mr. Novak said since the building is functioning as a museum, they are able to educate residents and visitors on its architectural significance and the builder's role in the community, as well as the iconic role the building has played as a symbol of Lawrence's aspiration. He said they are eager to tell that story and feel the addition of this structure on the Lawrence Register will reinforce its importance in the community.

Commissioner Foster asked if the addition of the interior features to the nomination could be done at a later time.

Ms. Zollner said yes.

Commissioner Foster encouraged the owner to come back at a later time for consideration of those interior features.

Commissioner Hernly asked if the list would come back to the HRC or if the owner could work with staff on adding it to the nomination for approval by City Commission.

Ms. Zollner said it would need to come back before the HRC for approval.

ACTION TAKEN

Motioned by Commissioner Williams, seconded by Commissioner Foster, to recommend the

structure located at 1047 Massachusetts Street for designation as a Landmark on the Lawrence Register of Historic Places.

Unanimously approved 4-0.

Motioned by Commissioner Williams, seconded by Commissioner Foster, to adopt Resolution 2014-03 to recommend nomination to the City Commission.

Unanimously approved 4-0.

Motioned by Commissioner Foster, seconded by Commissioner Hernly, to adopt the environs definition as provided.

Unanimously approved 4-0.

ITEM NO. 6: Chapter 22 of the Code of the City of Lawrence

STAFF PRESENTATION

Ms. Zollner presented the item. She detailed the subcommittee meeting regarding changes to Chapter 22 that Commissioner Bailey attended.

COMMISSION DISCUSSION

Commissioner Bailey directed attention to Chapter 22, Article 5, regarding when a Certificate of Appropriateness is required. He said it uses clunky language, and they should consider listing the specific events that would trigger the need for a Certificate of Appropriateness. In the alternative, he said, they could adopt the more general language used by the state, which would cast a wider net. He added that some things in Article 5 might be contradictory.

Commissioner Foster asked if there is any risk in relying on specific situations to trigger a Certificate of Appropriateness, such as a building permit application.

Ms. Zollner explained not all things that should come before the HRC require a building permit. She said the State Law Review requires the review of many different types of permits, whereas Chapter 22 only requires a review of building or demolition permits.

Commissioner Foster said that even with the State's language it still would not prevent someone from removing windows, something that does not require any permit, to go through HRC for approval.

Ms. Zollner said staff could research what other communities have done.

Commissioner Hernly mentioned you also don't need a permit for siding.

Commissioner Bailey said even if they changed the language to a broader definition there still would not be a way to catch some important changes that don't require a permit.

Ms. Zollner agreed and added it would require someone to notice the change since there is no trigger.

Commissioner Foster said the broad definition would be the best they could do but it would not be perfect.

Commissioner Bailey liked the idea of researching other communities.

Commissioner Hernly asked if there is anything less than a building permit that could be required for projects such as windows and siding.

Ms. Zollner said if it requires a Certificate of Appropriateness they could educate the community on the appropriate reviews needed before making those changes.

Commissioner Bailey also mentioned the standards review in Section 22-505 contains a sliding scale for environs review in the first section, and the second section is modeled after the standards but is a little watered down.

Ms. Zollner said it is the Secretary of Interior's Standards. She suggested the commission should adopt the Secretary of Interior's Standards for that section of Chapter 22 and add the State's environs standards for review to it.

Commissioner Bailey said he feels it makes a lot of sense since there are many different interpretations. He also suggested they tweak the deadlines so as not to slow down the process.

Ms. Zollner said some of the difficulty for staff is the time limit of 45-60 days to get the item to public hearing. She suggested the HRC could look at revising the language to push that limit to 90 days. She explained the current time frame could make special meetings necessary if a Landmark Nomination isn't submitted in time for the closest meeting date.

Commissioner Bailey said Chapter 22 needs a lot of cleaning up. He said staff will prepare a draft of changes and present it to the HRC for approval.

Commissioner Hernly said in Section 22-406 there is a sentence that says there are no interim controls on noncontributory buildings, sites, structures, and objects within a nominated historic district. He asked if there has been any discussion to change that or if it would be possible to change it to allow environs reviews on nominated properties that haven't completed the process.

Ms. Zollner said that was not addressed at the subcommittee meeting.

Commissioner Hernly said they don't want to hold up projects, but right now there aren't many properties on the Local Register, so maybe the solution is to get more properties added.

Ms. Zollner said yes, staff is still working on a resolution that would initiate multiple nominations.

Commissioner Hernly asked about process for the HRC to initiate nominations.

Ms. Zollner said the HRC will first initiate the nomination, then staff can seek support from the property owner, and finally the nomination would come back to the HRC for public hearing.

Commissioner Hernly asked where the distance for environs is defined.

Commissioner Bailey said it is in the Environs Definition, Section 22-105.

Commissioner Hernly said once you add street right of ways into the 250 ft radius from a property you don't necessarily get a large coverage area. He said there can be properties outside the 250 ft that can be significantly impacted by projects, and suggested the HRC look into expanding the environs area.

Commissioner Foster can see some logic in looking at city blocks in their entirety.

Commissioner Hernly said an entire block would be about 600 feet.

Commissioner Williams asked if there are any national standards regarding environs area.

Ms. Zollner said environs review or context review was unique to Kansas, which is why it was adopted on the local level. She said staff can do more research to see if there are more context reviews out there on the local level, but historic districts are more common.

Commissioner Hernly asked if the commission changed the language from a 250 ft boundary to a 250 ft notification radius if that would be helpful.

Ms. Zollner said the difficulty for staff is the process of designating properties which is based on the 250 ft boundary in the Environs Definition.

Commissioner Hernly suggested keeping the 250 ft environs and creating an additional "impact zone" beyond that boundary.

Commissioner Foster said it doesn't necessarily need to be geographically defined. He said multiple blocks were included in the review of the Varsity House project due to the size and scale.

Commissioner Hernly added that the project still fell within 500 feet of the Oread Historic District.

Commissioner Foster said if it makes a significantly negative impact that far away then it's not an appropriate scale to begin with.

Commissioner Hernly said the way the code is written right now it still wouldn't trigger a review.

Commissioner Bailey said it seems that the spirit of the review is all about line of sight. He said he can understand why some people might have issues with the limitations on their own homes due to a historic property a couple blocks away.

Ms. Zollner said she can include in her staff report for next month to re-address the topic.

Commissioner Hernly said they wouldn't want to go back and try to re-define environs for every listed property as it would be too time consuming.

Ms. Zollner said it gets more difficult to define environs in larger areas because you must also look at historic maps and zoning and still find a common ground between the historic and current environs.

Commissioner Williams said the more complex the environs the more opposition which could eventually lead to doing away with the environs altogether. He agreed that the Secretary of Interior's standards should remain.

Commissioner Hernly emphasized the importance of environs review and said that many structures were probably saved or drastically improved because of it.

Commissioner Foster said maybe the solution is to just get more properties listed which in turn increases the footprint of registered places.

Commissioner Hernly mentioned South Park is on the Local Register, and although it seems very close the proposed development at 11th & Massachusetts, it is just outside of the 250 ft environs boundary.

Commissioner Foster added that the Douglas County Courthouse should be on the Local Register.

Ms. Zollner said the County has asked staff to draft an application for the County Courthouse.

Commissioner Hernly expressed interest in having a public discussion regarding the proper distance of environs.

They discussed possible changes to the environs areas.

Ms. Zollner suggested increasing the environs area for highly significant properties.

Commissioner Foster asked about the time frame for making the proposed changes.

Ms. Zollner said there is no deadline for their review of Chapter 22.

Commissioner Bailey said he is in favor of having a public discussion regarding their proposed changes.

Ms. Zollner said it will probably take a couple meetings to propose changes, hear public comment, and then review and approve.

PUBLIC COMMENT

Ms. KT Walsh asked if zoning changes trigger a review.

Ms. Zollner said not under Chapter 22.

Ms. Walsh said when zoning changes around a historically significant property it can have a big impact, and she suggested the HRC take that into consideration.

Commissioner Foster suggested different distances for environs based on the trigger, such as zoning or a building permit, since each could have a different impact.

Commissioner Bailey said he liked that idea.

Mr. Dennis Brown thanked Commissioner Bailey for his work on the Chapter 22 revisions. He said LPA is starting to guide certain property owners through the local listing process, including those with structures in historic districts, and a few have gone to City Commission for approval. He commented that there has yet to be any public inquiry regarding the loss of State Law Review, but is concerned that increasing the environs area to 500 feet will create opposition to the point of abolishing environs review altogether.

Commissioner Williams said there are some places in the US that have two distinctly separate downtown areas. He asked how long they should plan on keeping Massachusetts Street the primary downtown in Lawrence.

Commissioner Hernly said all of the written planning documents support downtown as the primary commercial district.

Commissioner Williams said there are examples of historic buildings that are in harmony with high rise buildings so there must be a way to make it work.

Ms. Zollner asked if there is any other direction for staff to include in the report next month.

Commissioner Hernly asked for clarification of Section 22-505(B)(4) regarding the review criteria for a certificate of appropriateness.

Ms. Zollner said the Commission can discuss changing the language in that section. She said the original idea of the review was to review anything within 250 feet without hindering development.

Commissioner Hernly said it gets subjective trying to define "significantly encroach".

Commissioner Bailey said, although the sliding scale is subjective, it also provides a lot of guidance.

Ms. Zollner thanked the commissioners for their input.

Commissioner Williams thanked Ms. Zollner for her work on the revisions.

ITEM NO. 7: MISCELLANEOUS MATTERS

- A. There were no Board of Zoning Appeals applications received since December 19, 2013.
- B. There were no demolition permits received since the December 19, 2013 meeting.
- C. Review of Administrative and Architectural Review Committee approvals since December 19, 2013:

Administrative Reviews

DR-13-00485

800 New Hampshire Street; Changes to the Right-of-Way Site Plan; Downtown Urban Conservation Overlay District review. The property is

Deferred

located in the Downtown Urban Conservation Overlay District. Submitted by Stephen Keys for Kenneth C. Baker II LLC, the property owner of record.

- DR-13-00491** 612 New Hampshire Street; Stabilization; Downtown Conservation Overlay District review. The property is located in the Downtown Urban Conservation Overlay District. Submitted by Chris Cunningham of Treanor Architects for Postal Investors LC, the property owner of record.
- DR-13-00503** 12 E 8th Street; Awnings; State Preservation Law Review and Downtown Conservation Overlay District review. The property is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places and is located in the Downtown Conservation Overlay District. Submitted by Lawrence Sign Up for Static Salon on behalf of Central Management LLC, the property owner of record.
- DR-13-00504** 7 E 7th Street; Rehabilitation; State Preservation Law Review and Downtown Conservation Overlay District review. The property is a non-contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places and is located in the Downtown Conservation Overlay District. Submitted by First Management Inc., for Consolidated Properties Inc. of Lawrence, the property owner of record.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Hernly, to confirm the Administrative Reviews.

Unanimously approved 4-0.

D. General public comment.

Mr. Dennis Brown asked if Bricks Streets would be on the City Commission agenda this upcoming Tuesday.

Ms. Zollner said yes, they will be presenting at City Commission and then will come back to the HRC.

Mr. Brown said LPA is still trying to understand what the Brick Streets memo means for them, but they're not in favor of the guidelines currently proposed.

Commissioner Foster also said he was not happy with the guidelines presented, but since it was only informative, he declined to comment at that time.

Ms. Zollner said there is a new section on stone curbs, so they did take comments from the HRC into consideration, but it says in the memo that they will be coming back before the HRC.

Mr. Dennis Brown said he looks forward to their presentation at the upcoming City Commission meeting and will plan on reserving comment for a later time.

Commissioner Williams encouraged Mr. Brown to write down specific questions in preparation for the future meeting involving public comment. He mentioned an article in the Lawrence Journal World about brick streets had dozens of negative comments about what a pain they are. He said it is amazing how influential only a few comments can be, and emphasized how important it is to make the real concerns known and why those streets should be preserved.

Ms. KT Walsh said the brick streets last much longer and require less maintenance than the rest of the city streets. She said she is interested in Commissioner Foster's thoughts regarding the preservation of the brick streets near 8th Street.

Commissioner Foster said he doesn't think the city should choose not to preserve them just because they aren't heavily traveled. He said the brick slows people down to a reasonable speed and don't appear to need a ton of maintenance.

Ms. Walsh said the percentage of city streets that are brick is so small it seems very reasonable to preserve them. She then asked if the Commission had received any new information regarding the Cordley project.

Ms. Zollner said it still must go to Architectural Review Committee.

Ms. Walsh thanked staff and the Commission.

E. Miscellaneous matters from City staff and Commission members.

Ms. Zollner said she is working on reports for the East Lawrence Neighborhood nominations and it is her goal that those go before the City Commission this first quarter. She also mentioned Certified Local Government Grants are due March 14th so expect discussion and public comment on those next month. She said staff is currently working with the County Heritage Commission on a grant to send staff and some commissioners to Forum in Philadelphia and then present what they learn at a community workshop later on. She said they will also take suggestions for other grants commissioners or the public would like considered.

Commissioner Hernly asked if this is the grant to fund surveys.

Ms. Zollner said yes.

Commissioner Hernly asked if there is a list of areas that were considered for survey.

Ms. Zollner said staff will recommend a next step with the surveys to identify areas of high priority.

Commissioner Williams asked if the County Heritage Commission had a priority.

Ms. Zollner said yes, they are surveying each township.

ADJOURN 8:00 PM

**HISTORIC RESOURCES COMMISSION
AGENDA MEETING FEBRUARY 20, 2014 6:30 PM
ACTION SUMMARY**

Commissioners present: Arp, Bailey, Foster, Hernly, Quillin, Williams
Commissioners excused: Tuttle
Staff present: Braddock Zollner, Cargill, Halm

ITEM NO. 1: ACTION SUMMARY

Receive Action Summary from the December 19, 2013 and January 16, 2014 meetings. Approve or revise and approve.

ACTION TAKEN

Item deferred.

ITEM NO. 2: COMMUNICATIONS

a) Receive communications from other commissions, State Historic Preservation Officer, and the general public.

Ms. Lynne Zollner said they had one communication regarding Agenda Items 3 & 4 and she will address it during the presentations of those items.

b) Commissioner Hernly declared his abstention from Agenda Item No. 5.

ITEM NO. 3: L-14-00032 Public hearing for consideration of placing the structure located at 1300 Haskell Avenue on the Lawrence Register of Historic Places.

STAFF PRESENTATION

Ms. Zollner presented the item.

PUBLIC COMMENT

Mr. Dennis Brown, President of Lawrence Preservation Alliance (LPA), said they had been focusing on the 1300 block of Haskell as a major concern, and when the Marables bought the property, they helped them list it on the State and National Registers. He said LPA is thrilled that they're nominating now on the Local Register.

ACTION TAKEN

Motioned by Commissioner Hernly, seconded by Commissioner Quillin, to recommend the structure located at 1300 Haskell Ave for designation as a Landmark on the Lawrence Register of Historic Places.

Unanimously approved 6-0.

Motioned by Commissioner Hernly, seconded by Commissioner Bailey, to direct staff to draft a resolution to recommend the property for designation.

Unanimously approved 6-0.

Motioned by Commissioner Hernly, seconded by Commissioner Bailey, to adopt the environs definition as provided.

Unanimously approved 6-0.

ITEM NO. 4: L-14-00033 Public hearing for consideration of placing the structure located at 1340 Haskell Avenue on the Lawrence Register of Historic Places.

STAFF PRESENTATION

Ms. Zollner presented the item. She asked for help from the Commission in solidifying the environs analysis.

COMMISSION DISCUSSION

Commissioner Hernly asked if East Heights would be part of just the one environs area.

Ms. Zollner said yes, major demolition or construction would be a full commission review, whereas other minor changes could be reviewed administratively.

Commissioner Bailey asked what the situation is with Mr. James Dunn, who has a contract for deed on the property.

Ms. Zollner said she received a letter from Mr. Dunn in support of the nomination, and had spoken with him on the phone to ensure he was aware of the nomination and meeting.

Commissioner Bailey asked the commissioners for their thoughts on the east side of the environs area.

Commissioner Foster asked for clarification of the proposed environs areas.

Ms. Zollner said the properties on the east side of Maple Lane don't have a direct line of sight and are in the farther portion of the 250 foot boundary.

Commissioner Foster mentioned, for example, the possibility of someone adding a second story in that area and what the ramifications could be.

Ms. Zollner said that it would still have to meet the standards for review, and if it didn't it must come back to the Historic Resources Commission (HRC).

Commissioner Hernly commented there is a significant grade change there.

Ms. Zollner agreed. She said she can take photos and bring them to the next meeting if that would be helpful.

Commissioner Foster asked if there is any concern they would be setting a precedent.

Ms. Zollner said she didn't think so because an environs analysis is done for each individual property, so it's based on the topography and line of sight. She mentioned the HRC may want to re-evaluate these types of environs for administrative-only review in an effort to improve efficiency.

Commissioner Williams asked if the exception was for properties in the environs without a line of sight.

Commissioner Hernly clarified the concern in terms of the current project. He said the question is whether the HRC is ok with properties east of Maple Lane being administratively reviewed unless they don't meet the guidelines. He said he is usually more in favor of a greater distance but in this case, since the property is so large the 250 foot environs boundary extends far off the property line. He added that the grade change also is a factor in the lack of a direct line of sight.

Commissioner Williams agreed.

PUBLIC COMMENT

Mr. Dennis Brown said he is in agreement with the environs discussion. He said this house is important for LPA because it was not on any historic register because the owner didn't want it listed. He added the owners are very nice people and have even done repairs to the porch that met guidelines but didn't get any state tax credits since the property isn't on the State Register. He applauded James Dunn for working with the owners and contracting for deed in an effort to preserve the property. Usually, he said, the HRC nominates structures for architecture, but this one is just as important for the people who lived there. Mr. Brown spoke briefly about the history of the Haskells. He mentioned several structures that John Haskell was involved with, including the Kansas State House, the Douglas County Courthouse, Plymouth Congregational Church, the English Lutheran Church, the Castle Tea Room, and select structures at Haskell Indian Nations University. He said overall this is a slam dunk nomination to the Lawrence Register of Historic Places!

ACTION TAKEN

Motioned by Commissioner Hernly, seconded by Commissioner Arp, to recommend the structure located at 1340 Haskell Avenue for designation as a Landmark on the Lawrence Register of Historic Places.

Unanimously approved 6-0.

Motioned by Commissioner Hernly, seconded by Commissioner Foster, to direct staff to draft a resolution to recommend the property for designation.

Unanimously approved 6-0.

Motioned by Commissioner Hernly, seconded by Commissioner Foster, to adopt the environs definition as provided with an amendment that provides administrative-only review for the properties east of Maple Lane to be reviewed administratively unless they do not meet the current guidelines for review.

Unanimously approved 6-0.

ITEM NO. 5: DR-14-00008 1333 New Hampshire Street; Addition; State Preservation Law 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 Mike Myers of Hernly Architects for Anton Rosenthal and Catherine Preston, the property owners of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

APPLICANT PRESENTATION

Mr. Mike Myers, Hernly Architects, said this project has been submitted and approved for state tax credits. He said he would be happy to answer any questions the Commission might have.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Arp, to approve the addition as per the staff report.

Unanimously approved 6-0.

ITEM NO. 6: Chapter 22 of the Code of the City of Lawrence

Item deferred.

ITEM NO. 7: MISCELLANEOUS MATTERS

- A. There were no Board of Zoning Appeals applications received since January 16, 2014.
- B. There were no demolition permits received since the January 16, 2014 meeting.
- C. There were no Administrative or Architectural Review Committee items since January 16, 2014.
- D. General public comment.

Mr. Dennis Brown, LPA, provided an update on the Turnhalle project. He said they are hoping to find a buyer for the property, and since the time it was purchased they have achieved their goals of cleaning up the structure, as well as completing the Historic Structures Report and a preservation easement. He explained that LPA will be the easement holder, and the character defining features are all protected under the easement. He said LPA received a \$125,000 grant from Douglas County for work on the rehabilitation, but said their request for funds from the City is pending. He said they are hopeful and optimistic about the project but they also need lots of help, since they know no one will buy it as is. Mr. Brown explained LPA's current expenses and how the County grant can be used. He concluded that LPA has created an opportunity for the community to step up to save the Turnhalle, and encouraged more people to join their efforts.

Commissioner Hernly asked if LPA has discussed contingency plans if they must carry the property longer than expected.

Mr. Brown said no, they are still hopeful about any offers they may get, but would need some kind of grant money to continue their efforts. He

said the heritage grant would be left to the future buyer for re-application.

Commissioner Hernly asked if LPA has discussed what dollar amounts are going to be an acceptable range for offers.

Mr. Brown said they are waiting to see what types of offers they get, but the mortgage and grants total \$300,000. He said the mortgage alone is \$112,500 so that would be as low as they could go.

Commissioner Hernly said the location is good and is in a neighborhood that will only increase in value with all of the surrounding developments and improvements. He recommended they raise funds to hold onto the property if they receive low offers.

Mr. Brown said he agreed, particularly because the property is in the Cultural District. He added that this is a particularly good time to buy and he hopes the City can provide some assistance.

Commissioner Williams asked if they had been working with a structural engineer.

Mr. Brown said the structural engineer helped compile their Historic Structures Report. He added they are also working with an architect on the project.

Commissioner Williams asked if it is feasible to redevelop the building; particularly, if a building that size can be finished at a reasonable cost.

Mr. Brown said he doesn't believe the building interior can or should be completely finished by LPA. He said their suggestion is to make it a multi-use facility, perhaps for a commercial and/or community organization. He explained that such a use would be ideal because it requires less finishing and less investment.

Commissioner Hernly asked how much the immediate repairs cost.

Mr. Brown said \$200,000, not including the cost to repair the front masonry.

Commissioner Williams asked about parking for the property.

Mr. Brown said parking might be an issue, although the downtown parking garage is not far.

Commissioner Foster asked if the lot across the street can be used.

Mr. Brown said the lot is owned by the bank.

Commissioner Williams commended Mr. Brown and LPA for their efforts.

Mr. Brown said to direct anyone interested to their website.

Commissioner Hernly asked if there has been an appraisal on the property.

Mr. Brown said other than the county appraisal, no.

Commissioner Williams suggested seeking funds from philanthropic benefactors to support the rehabilitation.

Mr. Brown said they did raise \$45,000 in donations last winter which has allowed them to hold onto the property.

Commissioner Hernly said it might be worth finding out the cost of an appraisal which could provide a better way to evaluate any future proposals as opposed to just meeting their debts.

Mr. Brown said the community use will be an important aspect of any offers the LPA receives. He said a low offer proposing a community use will be considered over a higher offer without intentions of a community use for the building.

Commissioner Williams asked if they would be eligible for another grant if LPA still owns the property next year.

Mr. Brown said that particular grant hasn't been around long enough for someone to receive it twice. He said he feels the City needs to provide funding to LPA or economic incentives to any potential buyers.

Ms. KT Walsh asked what happened to the \$50,000 that Thomas Fritzel was supposed to pay toward preservation efforts.

Ms. Zollner said it is on the City Commission agenda this coming Tuesday.

Ms. Walsh asked if the Turnhalle was being considered for any of the \$50,000.

Mr. Brown said they requested \$47,000 but are not being considered for those funds.

The commissioners thanked Mr. Brown.

E. Miscellaneous matters from City staff and Commission members.

Ms. Zollner said responses to the RFP will go before City Commission on Tuesday night to recommend funding for the Breezedale Monument Restoration, the Castle Tea Room, and window restoration at the Watkins Community Museum. She said they also have Historic Preservation Fund grants due March 15th, and staff is working on a grant application with the County Heritage Commission to send staff and hopefully one or two

commissioners to the forum held by the National Alliance of Preservation Commissions in Philadelphia this summer.

Commissioner Foster said the Oread Design Guidelines Review is still ongoing.

Ms. Zollner said she anticipates a joint meeting/study session with the Planning Commission as soon as they pass the committee level.

There was a brief discussion of the parking/density issue in the Oread Neighborhood.

ADJOURN 7:30 PM

From: [Boog Highberger](#)
To: [Lynne Zollner](#)
Subject: L-14-00028 1000 New York Street
Date: Tuesday, March 11, 2014 6:39:21 PM

Dear Lynne and members of the Human Resources Commission,

Thank you for all your efforts in preserving Lawrence's cultural and architectural heritage. I own and reside in the house at 1024 New York Street, within the 250-foot environs of the restored church at 1000 New York Street. I strongly support designating 1000 New York Street as a Landmark on the Lawrence Register of Historic Places.

Dennis "Boog" Highberger

LAWRENCE HISTORIC RESOURCES COMMISSION
ITEM NO.3: L-14-00028
STAFF REPORT

A. SUMMARY

L-14-00028 Public hearing for consideration of placing the structure located at 1000 New York Street on the Lawrence Register of Historic Places.

B. HISTORIC REGISTER STATUS

1000 New York Street is not listed in the National Register of Historic Places or the Register of Historic Kansas Places.

C. REVIEW CONSIDERATIONS

1) History Summary

According to the information supplied in the nomination application, the structure located at 1000 New York Street was constructed in 1872 at a cost of \$2500. The Sanborn Fire Insurance maps show a brick one story structure identified as the German Methodist Church in 1889 and 1897. This structure is shown to have a cupola on the front/west elevation. The 1905 map identifies the structure located at 1000 New York Street as the German Methodist Church built in 1872 with stove heat and gas lights. The cupola is not noted on the 1905 map, but the structure is shown as a one story brick structure.

The nomination information and the thesis written by Katja Rampelmann "Small Town Germans: The Germans of Lawrence, Kansas, from 1854 to 1918," note that six German Methodists settled in Lawrence in June 1859. According to Rampelmann, they came from Berea, Ohio and were placed into a circuit with other settlements in the area. The group remained with other settlements until 1893. Rampelmann notes that the Lawrence German Methodist Episcopal Church bought the old Turner Hall located on the southwest corner of New York Street and Berkeley Street (10th Street) in December of 1862 for \$500. In 1872 the church purchased the property across the street (1000 New York) from Frederick Bromelsick, a member of the church, to build a new church.

The German Methodist Episcopal Church retained ownership of the building until September 1917 according to the nomination. The Seventh Day Adventist Church occupied the building from c. 1918/1919 to sometime in the 1960's. The Full Gospel Christian Assembly occupied the building in the 1960's, but by the 1966 City Directory the Pentecostal Holiness Church was located in the structure. Faith Southern Baptist Church was the last religious use of the building ending in 1990. The building was converted to a residential structure in 1991.

2) Architectural Integrity Summary

The structure located at 1000 New York Street is a good example of a vernacular interpretation of a Gothic Revival religious building built in the City Building period as identified in Historic Resources of Lawrence, Douglas County, Kansas MPDF. The one story structure has a partial stone foundation, a gable roof, and is clad in stucco. The basic rectangular form has an addition to the east that makes the

overall size of the structure approximately 62' X 29'. Photos supplied by the applicant show that the structure is brick with stone lintels. The 1905 Sanborn map shows the structure as brick and by the 1927 map the structure notes identify "plastered wall". The west elevation is the primary elevation and has a centered gabled projection with a stepped arch opening that is partially filled and has a new door. Above the projection is a recessed decorative trefoil. Filled lancet arched windows are located on each side of the main door projection and buttresses accentuate the north and south ends of the façade. Both north and south elevations have a series of lancet arched windows. Some of the windows retain their 4/4 configuration while some have been filled to accommodate interior functions of the structure.

Known alterations to the structure include the addition of stucco (pre 1927), an addition to the east end of the structure (c. 1950), replacement roof materials, filled window openings, skylights, and the alteration of the interior to allow for the new residential use (c. 1991).

While there have been alterations to the structure, the overall form and 1927 appearance of the structure maintain integrity of design and craftsmanship. The structure maintains significant integrity of location, design, materials, and workmanship that make it worthy of preservation.

3) Context Description

The area surrounding 1000 New York Street is predominantly residential with a neighborhood elementary school, New York Elementary School, directly to the north. According to the school's web site, the original school was built on this site in 1869 and was removed for the current structure that dates to 1937. Historically, the area developed as a dense residential neighborhood east of the downtown commercial district. Part of the East Lawrence Neighborhood, the area developed as described in the MPDF Historic Resources of Lawrence, Douglas County, Kansas, with typical residential land use patterns from the nineteenth and early twentieth century. Community/neighborhood churches were part of the historic neighborhood. The area was platted as part of the Original Townsite.

4) Planning and Zoning Considerations

1000 New York Street is zoned RS 5, Single-Dwelling Residential District. The primary purpose of the RS districts is to accommodate predominantly single detached dwelling units on individual lots. The districts are intended to create, maintain and promote housing opportunities for individual households, although they do permit nonresidential uses that are compatible with residential neighborhoods. The RS Districts are differentiated on the basis of required minimum lot size – the RS5 requiring 5,000 square feet. The current use of the property is residential.

The majority of the area surrounding 1000 New York Street is zoned RS5 for residential use. The property to the north, New York Elementary School, is zoned GPI- General Public and Institutional Use District.

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. 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 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. Certificates of Appropriateness or Economic Hardship are required for a project within the 250' radius of a Local Register property.

Examples of projects which would require review and approval are: projects involving the exterior building which are considered 'structural' changes, demolitions or partial demolitions, rezonings, replats, site plans, variance requests or other items which require a city permit or are the direct result of an

action of the City Commission. 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 Lawrence 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;

1000 New York Street is a good example of a vernacular interpretation of a Gothic Revival religious building built in the City Building period as identified in Historic Resources of Lawrence, Douglas County, Kansas MPDF.

(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.

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:

Staff recommends the German Methodist Episcopal Church located at 1000 New York Street for designation as a Landmark on the Lawrence Register of Historic Places pursuant to Criteria #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 German Methodist Episcopal Church is significant for its architecture.
- (2) *Explanation of the integrity or lack of integrity of the nominated landmark or historic district;*
The structure maintains significant integrity of location, design, materials, and workmanship that make it 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,*
The wood windows, projecting gable entrance, and the trefoil detail on the west elevation 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.*
Alterations to the windows and siding should require a Certificate of Appropriateness.
- (5) *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 may also adopt **An Analysis of the Environs for 1000 New York Street** and delineate how environs review will be conducted in relation to the listed property. The analysis is attached with the delineation of environs areas.

- (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.*
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.
- (7) *A map showing the location of the nominated landmark.*
See attached
Environs Definition- See attached

Analysis of Environs of 1000 New York Street, German Methodist Episcopal Church

Step One

Historical Significance and Context

According to the application for Historic Landmark Designation, the property was constructed 1872. An addition was added to the structure in the 1950's. The property is being nominated to the Lawrence Register of Historic Places under local criteria six. Local criteria six is a building's embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant. 1000 New York Street is a good example of a vernacular interpretation of a Gothic Revival religious building built in the City Building period as identified in Historic Resources of Lawrence, Douglas County, Kansas MPDF.

The importance of this structure's visual and physical characteristics influences the environs definition process. The association with the German Methodist Episcopal Church does not appear to influence the environs definition process. The structure's architectural significance is important in the environs definition process because it is good example of a religious building and the vernacular interpretation of the Gothic Revival style of architecture. While the structure has been altered, it maintains a sufficient architectural integrity.

Because criterion six is based on architectural elements, there is no specific period of significance for this property. However, it should be noted that the visual appearance of the structure changed significantly between 1905 and 1927 when the stucco was added.

Step Two

Historical Character of the Area Surrounding the Property

Historical character is the primary issued considered in this section. 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) were the primary sources used to identify the historic character of the area.

Natural Features The property is located in the original townsite of Lawrence. The environs consist of platted lots on relatively flat ground. There were no significant natural features in the environs of the subject property.

Property Boundaries and Ownership Patterns The area surrounding 1000 New York Street platted into typical original townsite lots of 50 ft by 117 feet. The property ownership changed during the period of significance. However, the traditional pattern of multiple property owners within the environs has remained constant over the period of significance. The property to the

north is platted into residential lots and the 1889 Sanborn Fire Insurance maps show residential development on these lots. New York School and the AME Church were located at the north end of the 900 block. By 1927 some of the residential structures had been removed and by 1949 all of the residential structures in the 900 block of New York have been removed.

Land Use Patterns and Zoning Land use on in the surrounding area during the period of significance was primarily single family residential. Downtown Lawrence was not in the immediate environs of the property but within close proximity. As zoning ordinances were enacted, the area retained residential zoning but became designated for higher density.

Circulation Patterns The streets in the area reflect the traditional grid pattern of the original town site. During the period just after the construction of the structure the streets were not paved. With the introduction of the automobile at the turn of the century, streets began to be paved with brick. The brick-paved streets typically had stone curbs. Garages were located on the rear of the lot lines and accessed from the alley. Sidewalks were typically constructed of brick, with a few areas of stone slab paving.

Planned Vegetation Patterns The planned vegetation patterns were lawns around houses, schools and religious buildings. Street trees were common before the 1920s. Residential areas had flower beds, kitchen gardens, trees, shrubs, etc. The area also contained large open areas that may have been landscaped for recreational uses however there is little documentation on these landscape features.

Signs and Pedestrian amenities Typically the historic signs were street name signs. The only pedestrian amenities were stone and cast iron hitching posts and stone steps to provide assistance in getting in and out of carriages.

Primary Structures The primary structures in the environs of the property were primarily single-family residences. The majority of structures were oriented toward the state-named streets. The structures are primarily 1 ½ and 2 stories in height and constructed of wood or masonry materials. Various styles were represented in the area.

Secondary Structures. Secondary structures were nearly always carriage houses or garages, smoke houses, sheds, and garden structures. There may have been a few kitchen buildings. They would have been constructed of brick, stone, wood. They typically would have been 1 to 2 ½ stories in height. There were also retaining walls, wood and iron fences that generally marked property line boundaries.

Outdoor Activity Spaces There were no public parks in the immediate area. A number of residences had enough land to provide outdoor activity spaces on private grounds.

Utilities and mechanical Equipment Electrical and telephone lines were common by 1937. Water and sewer and natural gas lines were buried under ground.

Views The views to the listed property were typical of urban lots. Properties were visible through the small breaks between residential structures. With the removal of the residential

structures in the 900 block of New York prior to 1949, the views to and from the subject property changed significantly.

Step Three

Present Character of the Area Surrounding the Property

The primary source of information on this section is personal observation, city zoning maps, and recent aerial photographs.

Natural Features There are no major natural features.

Property Boundaries and Ownership Patterns Property boundaries and ownership patterns along New York Street still reflect the 50 ft by 117 ft original townsite lots under multiple ownerships. The exception is the large consolidated property for New York Elementary School.

Land Use Patterns and Zoning Land use on in the surrounding area is still predominantly residential with the exception of New York Elementary School to the north. The 9th street and 11th Street corridors have some commercial uses.

The Zoning in the area is primarily single and multi-family districts. New York Elementary School is zoned GPI- General Public and Institutional district. The larger area contains some commercial zoning in CS and CN2 districts.

Circulation Patterns The circulation patterns have not changed. Access to the properties is still primarily from the State-named street and alleyways. Some limestone curbs are still in existence. A portion of New York Street was recently restored to a brick street although many of the brick streets in the neighborhood have either been surfaced with asphalt or completely removed. The sidewalks in the area contain a mixture of brick and concrete.

Planned Vegetation Patterns The planned vegetation patterns are lawns, trees, shrubs, flower beds are common. The area includes large street trees lining the streets, foundation plantings. Landscaped areas, particularly in the rear yard, have been partially replaced with parking areas to accommodate the increased number of automobiles.

Signs and Pedestrian amenities The signs within the area are almost entirely street names and traffic control signs. Some hitching posts and stone steps are still in place on a few of the streets.

Primary Structures The primary structures south, west and east of the subject property are generally the same as were present during the period of significance. There have been a few modern residential buildings interjected into the area. The greatest change has been the evolution of New York Elementary School.

Secondary Structures Some of the secondary structures associated with the residential uses remain. The number of secondary structures has been reduced to provide for additional parking areas. Most of the front yard fences have been removed. New rear yard privacy fences have been constructed.

Outdoor Activity Spaces There is now a public park – Hobbs Park-- in the immediate area. In addition, the outdoor areas of New York Elementary School create outdoor activity spaces for the students attending school. The amount of private green outdoor activity space has been reduced. There are numerous private patios, and several decks at the rear of the residences.

Utilities and mechanical Equipment There are storm sewer inlets, traffic signs and street lighting along all of the streets in the area. Water meter and manhole covers are typical through the area. Fire hydrants are located along the streets. Electrical and telephone lines are both above ground and below ground in the area.

Views Views to and from the subject property have changed significantly from the north. The removal of residential structures along New York and New Jersey for New York Elementary School has opened up the view of to and from the subject property and created a large open space to the north.

Time Time of the day has an impact on the perception of the subject property. Nighttime appearance with lighted porches and interior lights through windows is also quite different from the normal day time appearance. Seasonal changes in vegetation are an important aspect of the experiential quality of the area.

Weather The full range of weather conditions common to this area influence the perception of this place.

Sounds, Smells, Tastes In general this area has the usual sounds of cars and conversation associated with residential areas. There are no unusual or distinct sounds, smells, or tastes that characterize the residential area.

Imagination and Expectation The area surrounding the subject property is considered part of the East Lawrence Neighborhood and is a historic residential area between the commercial uses of downtown and some industrial uses to the east.

Step Four

Comparison of the Historic and Present Character of the Area Surrounding the Property.

Natural Features The natural features remain the same.

Property Boundaries and Ownership Patterns The platting of the property has not

changed. The ownership patterns in the area have changed. There is the consolidation of parcels in the 900 block for New York Elementary School. The structures are less owner-occupied than they were historically, however this trend may be reversing.

Land Use Patterns and Zoning The land use and zoning patterns have not changed significantly from the historic period.

Circulation Patterns Street and sidewalk patterns have changed very little, but the paving materials have changed substantially.

Primary Structures The most significant change is the removal of the residential structures along east side of New York Street and on the west side of New Jersey Street in the 900 block.

The majority of the structures in the area retain many of their original features. A few modern structures have been constructed in the area which do not maintain the historic character of the residential dwellings.

Secondary Structures Overall, the number of secondary structures has been reduced. Some secondary structures have been replaced with new structures. New rear yard decks and patio areas have been constructed. The introduction of rear yard privacy fences is common in the area.

Outdoor Activity Spaces With the addition of Hobbs Park and the clearing of residential structures in the 900 block of New York/New Jersey, there is more green outdoor activity area space than was present during the historic period.

Utilities and Mechanical Equipment The character of the utilities and mechanical equipment in the area is not obviously different than in the historic period.

Views The differences in the views of the area have been caused by demolition of residential structures.

Time The amount of nighttime lighting has increased over time. The time when people were leaving and returning from work may have been characterized by more pedestrians and fewer automobiles.

Weather While the weather patterns are generally similar to the historic period, the advent of air conditioning has altered the way the residents may react to weather. Historically, people would have utilized open windows and porches to react to the heat and in the evenings would have slept on sleeping porches if they were available.

Sounds, Smells, Tastes The introduction of more traffic and higher density living has introduced more sounds and smells.

Imagination and Expectation The image of the area is considerably different than the historic period. Historically, the area was considered to be one of the main neighborhoods in

Lawrence. Today the area is considered part of the urban core and more associated with downtown than it was historically.

Conclusion

The Environs for 1000 New York Street, the German Methodist Episcopal Church, should be reviewed in the following manner. The Environs should be divided into two areas (see attached map) and the following standards applied to each of the areas:

Area 1: Maintaining the residential character, existing historic structures and visual appearance of the environs is the primary focus of review. Main structure demolitions of historic structures would be approved only if documentation was provided that indicated that the structure was unsound and/or a certificate of economic hardship was approved.

Minor projects (minor additions, porch remodeling, window and door changes, demolition of outbuildings, etc.) will be approved administratively by the Historic Resources Administrator. All design elements are important. The proposed alteration or construction should meet the intent of the Secretary of the Interior Standards for Rehabilitation and the Criteria set forth in 22-505.

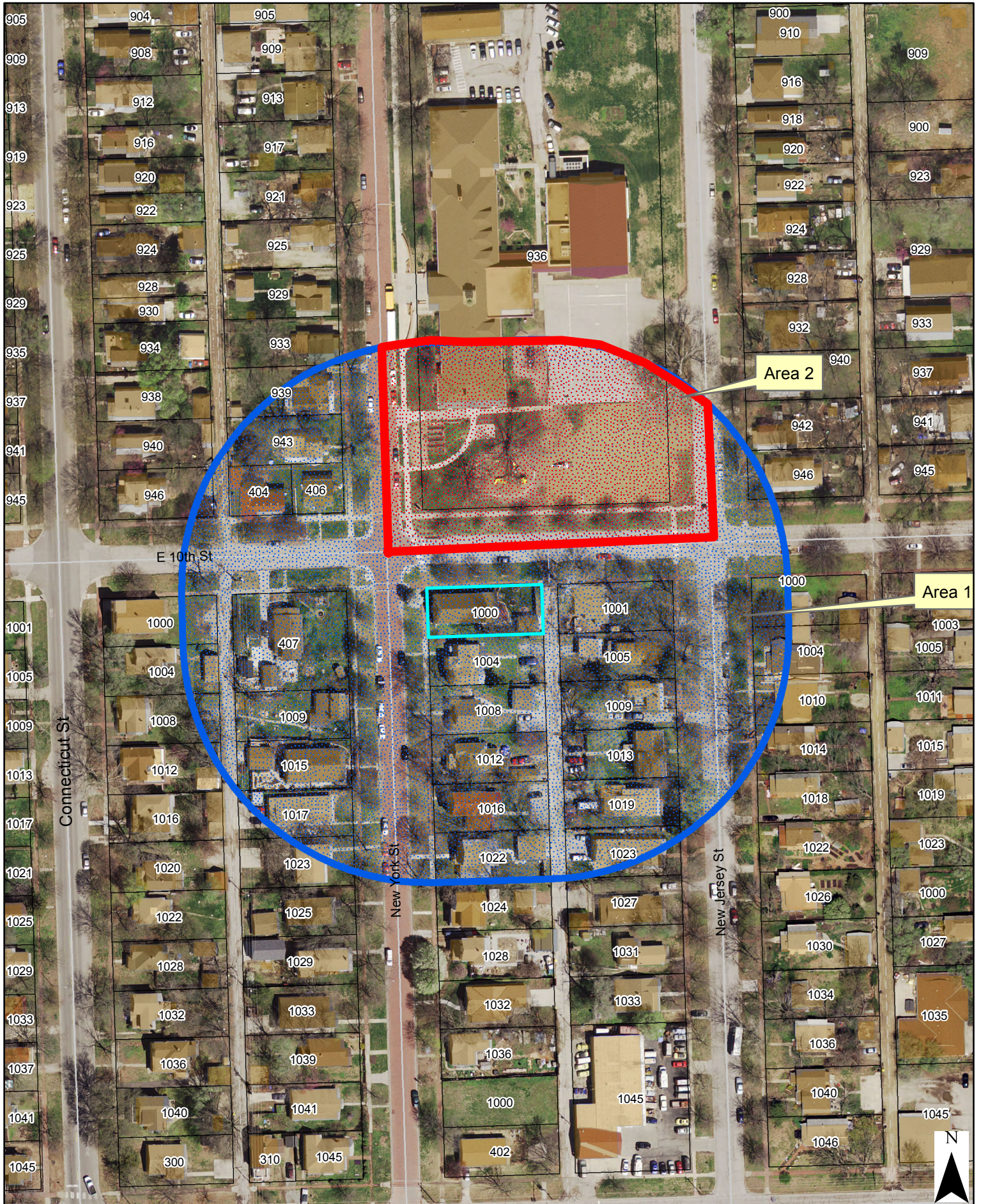
Major projects (major additions, new infill construction, major alterations, roof changes, etc.,) would be reviewed by the Historic Resources Commission. All design elements are important. The proposed alteration or construction should meet the intent of the Secretary of the Interior Standards for Rehabilitation and the Criteria set forth in 22-505.

Area 2: Because the area no longer reflects the residential character of the historic environs, the area should reflect the development pattern established for New York Elementary School. The proposed alteration or construction should meet the intent of the Criteria set forth in 22-505. Design elements that are important are scale, massing, site placement, height, directional expression, percentage of building coverage to site, setback, roof shapes, rhythm of openings and sense of entry. Demolition of properties shall be approved if a compatible structure is proposed on the site. Maintaining views to the listed property and maintaining the rhythm and pattern in the environs are the primary focus of review.

Minor projects will be approved administratively by the Historic Resources Administrator. The proposed alteration or construction should meet the intent of the Criteria set forth in 22-505.

Major projects (demolition of main structures, new infill construction, significant additions, etc.) 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.

Environs of 1000 New York Street





Pre-Application Meeting Required
 Planner _____
 Date _____
 Application Number _____
 L- _____
 Date Received _____

6 East 6th St.
 P.O. Box 708
 Lawrence, KS 66044

www.lawrenceks.org/pds

Phone 785-832-3150
 Tdd 785-832-3205
 Fax 785-832-3160

**APPLICATION FOR LANDMARK DESIGNATION IN
 THE LAWRENCE REGISTER OF HISTORIC PLACES**

1. Property Nomination Information

Historic Property Name:	German Methodist Episcopal Church
Property Address:	1000 New York Street
City, State, Zip Code:	Lawrence, Kansas 66044
Legal Description:	NEW YORK STREET LT 94

2. Applicant Information

Name:	Zachary N. Ingalls
Street Address:	1626 W. 21st Street
City, State, Zip Code:	Lawrence, Kansas 66046
Home Phone:	913-306-3424
Work Phone:	913-306-3424
Email Address:	Zachary.Ingalls@yahoo.com

3. Owner Information

Name:	Thomas Harper
Street Address:	2152 Owens Lane
City, State, Zip Code:	Lawrence, KS 66046
Home Phone:	785-218-6357
Work Phone:	785-841-4500
Email Address:	tomharper@stephensre.com

Is this an owner initiated nomination?: Yes No
 If not, has the owner been notified by the applicant of this nomination?: Yes No
 If sponsored by an organization:
 Organization Name:
 Organization Address:
 Organization City, State, Zip Code:

4. This property is being nominated for its:
 Historic Significance:
 Architectural Significance:
 Association with an Important Local, State or National individual or event:

5. Historic Background Information

Date Built: 1872	Estimated Documented <input checked="" type="checkbox"/>	Source: The German M.E. Church of Lawrence, KS 1851-1918	Comments: Books
Date of Building Alterations or Additions: 1950	Estimated Documented <input type="checkbox"/>	Source: Evidence of its construction	Comments: Not conforming to original structure

Description of Building Additions or Alterations:

Original Owner: German M.E. Church	Source: Douglas Cty Reg. of Deeds
Original Builder or Architect: UNKNOWN	Source:
Original Use: CHURCH	Source: "

6. Architectural Significance

The structure is built in the Gothic Revival Style and retains many of its original features.

7. Historic Significance

Built by the German Methodists, it was an important structure to the German community in the early decades in Lawrence, Kansas.

8. Authorization and Certification

I, the undersigned do hereby have the legal authority to submit this nomination and I certify that the information provided on this application is true and correct to the best of my knowledge.

Signature: Zachary M. [Signature] Date: 01/23/2014

Signature: [Signature] Date: 1/23/2014



JAMIE SHEW
DOUGLAS COUNTY CLERK

1100 Massachusetts
Lawrence, KS 66044
Phone: 785-832-5267
Fax: 785-832-5192

Marni Penrod
Chief Deputy Clerk

Benjamin Lampe
Deputy Clerk-Elections

January 22, 2014

A CERTIFIED PROPERTY OWNERSHIP LIST WITHIN 250 FT OF 1000 NEW YORK ST
(U00449-01). 01/22/2014. REQUESTED BY TOM HARPER.

JOHN R NICHOLS
ACCOUNT CLERK
PHONE 785-832-5147
FAX 785-832-5192
EMAIL jnichols@douglas-county.com

Douglas County Real Estate Division
County Clerks Office. I do hereby certify
The Real Estate Ownership listed hereto,
to be true and accurate.

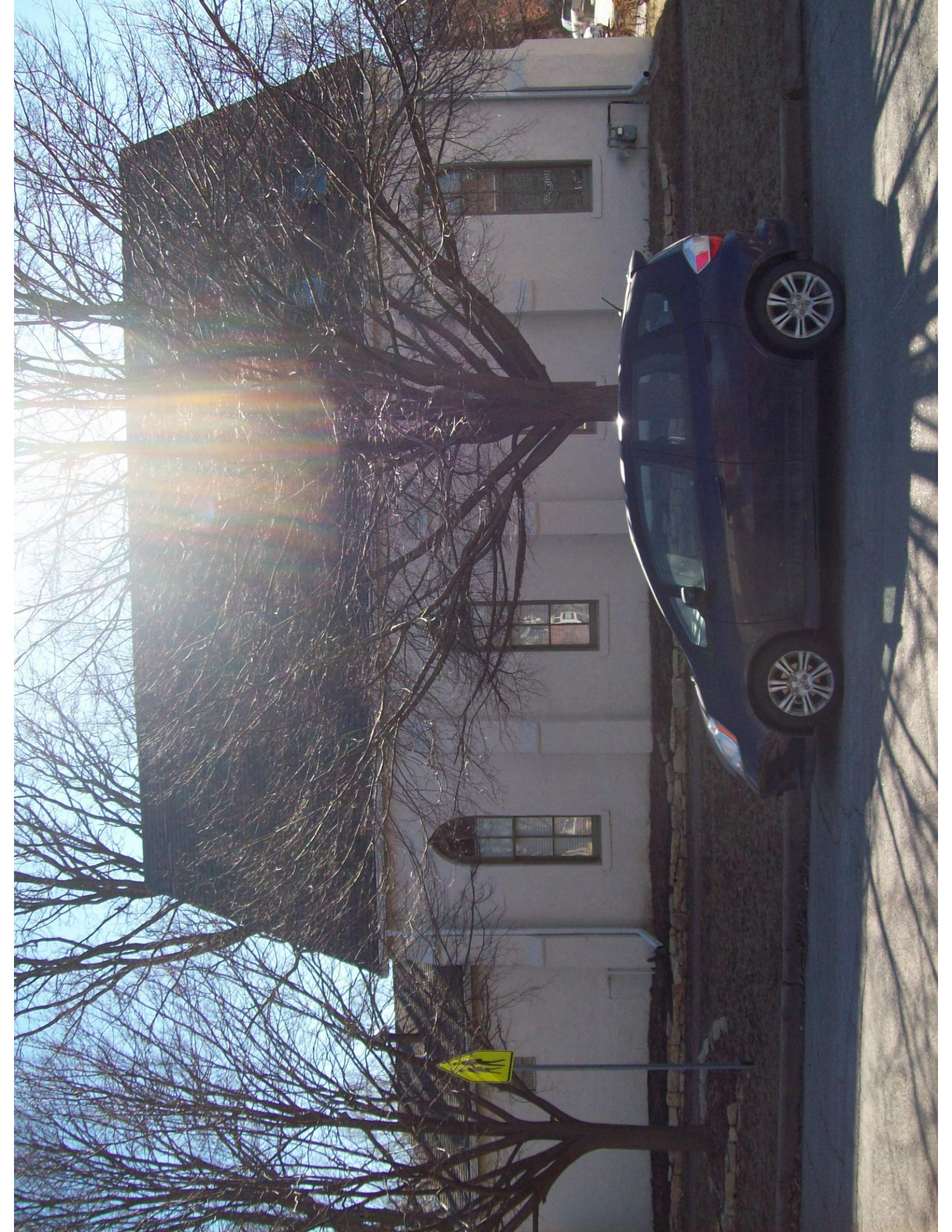


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Map produced 1/22/2014, GIS
 © Douglas County, Kansas 2013

JOINPIN	SYSALACRE	owner1	owner2	owner3	address	city	st at e zip	plate	PID	Quickrefid	situs
079-31-0-10-16-002.01-0	3.33149206	UNIFIED SCHOOL DIST #497			110 MCDONALD DR	LAWRENCE	6604 KS 4	U00278-01A	023-079-31-0-10-16-002.01-0	R15540	936 NEW YORK ST
079-31-0-10-15-019.00-0	0.13398413	HILL MARK S			PO BOX 1581	LAWRENCE	6604 KS 4	U000445	023-079-31-0-10-15-019.00-0	R15531	933 NEW YORK ST
079-31-0-10-15-011.00-0	0.13401784	EDWARDS WAYNE L			934 CONNECTICUT ST	LAWRENCE	6604 KS 4	U00628	023-079-31-0-10-15-011.00-0	R15523	934 CONNECTICUT ST
079-31-0-10-14-009.00-0	0.13406793	DYCHE BRYAN			935 CONNECTICUT ST UNIT 2	LAWRENCE	6604 KS 4	U00627	023-079-31-0-10-14-009.00-0	R15508	935 CONNECTICUT ST
079-31-0-10-15-018.00-0	0.13395174	HOLLADAY CLARA A			939 NEW YORK ST	LAWRENCE	6604 KS 4	U000446	023-079-31-0-10-15-018.00-0	R15530	939 NEW YORK ST
079-31-0-10-15-012.00-0	0.13398680	MCCOY MATTHEW J TRUSTEE			212 NEBRASKA ST	LAWRENCE	6604 KS 6	U00630	023-079-31-0-10-15-012.00-0	R15524	938 CONNECTICUT ST
079-31-0-10-14-010.00-0	0.13403745	CARLETON PETER	CARLETON DAYNA M		937 CONNECTICUT ST	LAWRENCE	6604 KS 4	U00629	023-079-31-0-10-14-010.00-0	R15509	937 CONNECTICUT ST
079-31-0-10-15-017.00-0	0.13392082	BLAINAY JOEL C	BLAINAY NEIL		31 ROSLYN RD	ROSLYN HEIGHTS	N 1157 Y 7	U000447	023-079-31-0-10-15-017.00-0	R15529	943 NEW YORK ST
079-31-0-10-15-013.00-0	0.13395440	GILL TYLER C			940 CONNECTICUT ST	LAWRENCE	6604 KS 4	U00632	023-079-31-0-10-15-013.00-0	R15525	940 CONNECTICUT ST
079-31-0-10-14-011.00-0	0.13400563	KRAL NICOLAS S			941 CONNECTICUT ST	LAWRENCE	6604 KS 4	U00631	023-079-31-0-10-14-011.00-0	R15510	941 CONNECTICUT ST
079-31-0-20-17-011.00-0	0.12040425	RALSTON JOHN P	RALSTON CHERIE W		940 RHODE ISLAND ST	LAWRENCE	6604 KS 4	U00829	023-079-31-0-20-17-011.00-0	R15943	940 RHODE ISLAND ST
079-31-0-10-15-016.00-0	0.06089489	POUSSON ADAM N			406 E 10TH ST	LAWRENCE	6604 KS 4	U00448-01	023-079-31-0-10-15-016.00-0	R15528	406 E 10TH ST
079-31-0-10-15-015.00-0	0.07299407	LAUFER PETER J	LAUFER ELIZABETH S		407 E 10TH ST	LAWRENCE	6604 KS 4	U00447-01A	023-079-31-0-10-15-015.00-0	R15527	404 E 10TH ST
079-31-0-10-15-014.00-0	0.13392425	FRYDMAN RICHARD A	LEE AMY J		701 TENNESSEE ST	LAWRENCE	6604 KS 4	U00634	023-079-31-0-10-15-014.00-0	R15526	946 CONNECTICUT ST
079-31-0-20-17-013.00-0	0.05954492	BACKUS OSWALD P IV	BACKUS LAURETTA H		1082 E 1157 RD	LAWRENCE	6604 KS 7	U00830A	023-079-31-0-20-17-013.00-0	R15945	946 1/2 RHODE ISLAND ST
079-31-0-10-14-012.00-0	0.13397404	HAMILL DAVID E			1735 LEARNARD AVE	LAWRENCE	6604 KS 4	U00633	023-079-31-0-10-14-012.00-0	R15511	945 CONNECTICUT ST
079-31-0-20-17-012.00-0	0.08809932	BLOOM ROBERT E TRUSTEE	BLOOM NORMA A TRUSTEE		4040 W 14TH ST	LAWRENCE	6604 KS 9	U00831A	023-079-31-0-20-17-012.00-0	R15944	946 RHODE ISLAND ST
079-31-0-10-22-003.00-0	0.13419911	HARPER TOM	ERICKSON-HARPER TERRI		2152 OWENS LN	LAWRENCE	6604 KS 6	U00449-01	023-079-31-0-10-22-003.00-0	R15633	1000 NEW YORK ST
079-31-0-10-23-001.00-0	0.26702765	LAUFER PETER	SEDITA MARY E		407 E 10TH ST	LAWRENCE	6604 KS 4	U00449A	023-079-31-0-10-23-001.00-0	R15654	407 E 10TH ST
079-31-0-10-23-002.00-0	0.13350226	KANSAS SEVENTH DAY ADVENTIST	CONFERENCE ASSN THE	C/O TOMPKINS JOEL	3440 SW URISH RD	TOPEKA	6661 KS 4	U00634-02	023-079-31-0-10-23-002.00-0	R15655	1000 CONNECTICUT ST
079-31-0-10-24-001.00-0	0.13346408	ECK ERNEST H	KARLIN PATRICIA S		726 OHIO ST	LAWRENCE	6604 KS 4	U00634-01	023-079-31-0-10-24-001.00-0	R15678	1001 CONNECTICUT ST
079-31-0-20-32-001.00-0	0.13343648	KENNEDY SANDRA J TRUSTEE	KAY PATRICE D TRUSTEE		21523 W 51ST PL	SHAWNEE	6622 KS 6	U00836	023-079-31-0-20-32-001.00-0	R16161	1000 RHODE ISLAND ST 1
079-31-0-10-22-004.00-0	0.13419954	SCHNEIDER LOIS R			3708 STETSON DR	LAWRENCE	6604 KS 9	U00451	023-079-31-0-10-22-004.00-0	R15634	1004 NEW YORK ST 1
079-31-0-10-23-003.00-0	0.13347076	KIMBALL PHILIP	BROWN JENNIFER A		1004 CONNECTICUT ST	LAWRENCE	6604 KS 4	U00636	023-079-31-0-10-23-003.00-0	R15656	1004 CONNECTICUT ST
079-31-0-10-24-002.00-0	0.13343148	RECTOR WILLIAM R	RECTOR DEBORAH A		1000 E 1000 RD	LAWRENCE	6604 KS 7	U00635	023-079-31-0-10-24-002.00-0	R15679	1005 CONNECTICUT ST
079-31-0-20-32-002.00-0	0.13340417	CALLAWAY RENTALS LLC			2008 JENNY WREN RD	LAWRENCE	6604 KS 7	U00838	023-079-31-0-20-32-002.00-0	R16162	1004 RHODE ISLAND ST
079-31-0-10-22-005.00-0	0.13419949	LEHMANN OWEN E			PO BOX 442200	LAWRENCE	6604 KS 4	U00453	023-079-31-0-10-22-005.00-0	R15635	1008 NEW YORK ST
079-31-0-10-23-019.00-0	0.13346638	HESS ADAM			1009 NEW YORK ST	LAWRENCE	6604 KS 4	U00452	023-079-31-0-10-23-019.00-0	R15677	1009 NEW YORK ST
079-31-0-10-23-004.00-0	0.13343985	ROSENFELD MICHELLE L			1008 CONNECTICUT ST	LAWRENCE	6604 KS 4	U00637	023-079-31-0-10-23-004.00-0	R15657	1008 CONNECTICUT ST
079-31-0-10-24-003.00-0	0.13339972	RECTOR WILLIAM R	RECTOR DEBORAH A		1000 E 1000 RD	LAWRENCE	6604 KS 7	U00636-01	023-079-31-0-10-24-003.00-0	R15680	1009 CONNECTICUT ST
079-31-0-20-32-003.00-0	0.13337294	AKIN MARK			1008 RHODE ISLAND ST	LAWRENCE	6604 KS 4	U00840	023-079-31-0-20-32-003.00-0	R16163	1008 RHODE ISLAND ST
079-31-0-10-22-006.00-0	0.13419909	WALKER RANDOLPH J			1012 NEW YORK ST	LAWRENCE	6604 KS 4	U00455	023-079-31-0-10-22-006.00-0	R15636	1012 NEW YORK ST
079-31-0-10-23-018.00-0	0.13343623	PRYOR MATT	KOSIROG CHRISTINE		1015 NEW YORK ST	LAWRENCE	6604 KS 4	U00454	023-079-31-0-10-23-018.00-0	R15676	1015 NEW YORK ST
079-31-0-10-23-005.00-0	0.13340812	KREBS LYDIA H			1012 CONNECTICUT ST	LAWRENCE	6604 KS 4	U00639	023-079-31-0-10-23-005.00-0	R15658	1012 CONNECTICUT ST
079-31-0-10-24-004.00-0	0.13336845	LAWSON JACK M TRUSTEE			1013 CONNECTICUT ST	LAWRENCE	6604 KS 4	U00638	023-079-31-0-10-24-004.00-0	R15681	1013 CONNECTICUT ST
079-31-0-20-32-004.00-0	0.13334285	JONES SYBIL E			1012 RHODE ISLAND ST	LAWRENCE	6604 KS 4	U00843	023-079-31-0-20-32-004.00-0	R16164	1012 RHODE ISLAND ST
079-31-0-10-22-007.00-0	0.13419981	BURR LANCE W TRUST			16 E 13TH ST	LAWRENCE	6604 KS 4	U00457	023-079-31-0-10-22-007.00-0	R15637	1016 NEW YORK ST
079-31-0-10-23-017.00-0	0.13340227	ERICKSON SUSAN S TRUSTEE	ERICKSON JONATHAN TRUSTEE		1118 NEW YORK ST	LAWRENCE	6604 KS 4	U00456	023-079-31-0-10-23-017.00-0	R15675	1017 NEW YORK ST
079-31-0-10-23-006.00-0	0.13337610	BACKUS OSWALD P IV	HENDRICKS-BACKUS LAURETTA		1082 E 1157 RD	LAWRENCE	6604 KS 7	U00641	023-079-31-0-10-23-006.00-0	R15659	1016 CONNECTICUT ST
079-31-0-10-24-005.00-0	0.13333810	SHIBLEY JEFFREY K			5128 S OSCEOLA ST	LITTLETON	C 8012 O 3	U00640	023-079-31-0-10-24-005.00-0	R15682	1017 CONNECTICUT ST
079-31-0-20-32-005.00-0	0.13330991	SCHMITT LOUIS P			1016 RHODE ISLAND ST	LAWRENCE	6604 KS 4	U00845	023-079-31-0-20-32-005.00-0	R16165	1016 RHODE ISLAND ST
079-31-0-10-23-016.00-0	0.13337246	POLK JO ANNE			1490 N 1000 RD	LAWRENCE	6604 KS 6	U00458	023-079-31-0-10-23-016.00-0	R15674	1023 NEW YORK ST
079-31-0-10-23-007.00-0	0.13334516	BACKUS OSWALD P IV	HENDRICKS-BACKUS LAURETTA		1082 E 1157 RD	LAWRENCE	6604 KS 7	U00643	023-079-31-0-10-23-007.00-0	R15660	1020 CONNECTICUT ST
079-31-0-10-24-006.00-0	0.13330583	DVORACHEK MARY A			1201 N KENTUCKY ST	IOLA	6674 KS 9	U00642	023-079-31-0-10-24-006.00-0	R15683	1021 CONNECTICUT ST
079-31-0-10-23-015.00-0	0.13333988	THOMAS SARAH			1025 NEW YORK ST	LAWRENCE	6604 KS 4	U00460	023-079-31-0-10-23-015.00-0	R15673	1025 NEW YORK ST
079-31-0-10-23-008.00-0	0.13331392	PATIENCE LLC	KELJON OF LAWRENCE LLC		PO BOX 505	LAWRENCE	6604 KS 4	U00645	023-079-31-0-10-23-008.00-0	R15661	1022 CONNECTICUT ST
079-31-0-10-24-007.00-0	0.13327382	HAREWOOD & ASSOCIATES LLC	RAYTON FREDA P	C/O SHEPARD CAROLINE B	678 E 1900 RD	BALDWIN	6600 KS 6	U00644	023-079-31-0-10-24-007.00-0	R15684	1025 CONNECTICUT ST













HRC RESOLUTION NO. 2014-06

A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, HISTORIC RESOURCES COMMISSION RECOMMENDING THAT THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS, DESIGNATE 1000 NEW YORK STREET, LAWRENCE, DOUGLAS COUNTY, KANSAS, AS A LANDMARK ON THE LAWRENCE REGISTER OF HISTORIC PLACES.

WHEREAS, Chapter 22, Conservation of Historic Resources Code, of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, establishes procedures for the City of Lawrence, Kansas, Historic Resources Commission to review and evaluate the nomination of sites, structures, and objects for designation as Landmarks on the Lawrence Register of Historic Places;

WHEREAS, Chapter 22 of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, also establishes procedures for the City of Lawrence, Kansas, Historic Resources Commission to forward to the Governing Body of the City of Lawrence, Kansas, its recommendation, together with a report, regarding the designation of sites, structures, and objects nominated for designation as Landmarks on the Lawrence Register of Historic Places;

WHEREAS, on January 27, 2014 an application was filed with the City of Lawrence, Kansas, Historic Resources Commission nominating 1000 New York Street, New York Street Lot 94, Lawrence, Douglas County, Kansas ("the subject property") for designation as a Landmark on the Lawrence Register of Historic Places;

WHEREAS, the current owners of record of the subject property support the nomination;

WHEREAS, on March 20, 2014, in accordance with Section 22-404.2(A) of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, the City of Lawrence, Kansas, Historic Resources Commission conducted a public hearing to consider the nomination of the subject property for designation as a Landmark on the Lawrence Register of Historic Places; and

WHEREAS, at the March 20, 2014, public hearing, the City of Lawrence, Kansas, Historic Resources Commission determined that, in accordance with criteria (6) of Section 22-403(A) of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, the subject property qualifies for designation as a Landmark on the Lawrence Register of Historic Places.

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF LAWRENCE, KANSAS, HISTORIC RESOURCES COMMISSION:

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if repeated verbatim.

SECTION 2. Pursuant to criteria (6) of Section 22-403(A) of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, the City of Lawrence, Kansas, Historic Resources Commission hereby recommends to the Governing Body of the City of Lawrence, Kansas, that 1000 New York Street, New York Street Lot 94, Lawrence, Douglas County, Kansas ("the subject property") City of Lawrence, Douglas County, Kansas, be designated as a Landmark on the Lawrence Register of Historic Places.

SECTION 3. The Historic Resources Administrator shall, in accordance with Section 22-404.2(B), submit to the Governing Body of the City of Lawrence, Kansas, this Resolution, which shall be the recommendation of the City of Lawrence, Kansas, Historic Resources Commission, accompanied by a report containing the information required by Section 22-404.2(B)-(G).

ADOPTED by the City of Lawrence, Kansas, Historic Resources Commission this 20th ____ day of March 2014.

APPROVED:

Chairperson
Lawrence Historic Resources Commission

ATTEST:

Lynne Braddock Zollner
Historic Resources Administrator

Small Town Germans: The Germans of Lawrence, Kansas, from 1854 to 1918

by Katja Rampelmann

Masters Thesis, University of Kansas

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D: The German Methodist Episcopal Church

The majority of German Protestants were raised under the Lutheran faith in their home states. Germans first encountered with Methodism after they crossed the ocean. The increasing numbers of German immigrants had alarmed the Methodist church in the late eighteenth century. Francis Asbury, one of Wesley's most important missionaries, felt the "acute need" to send Methodist missionaries to German settlements.[#48](#) Therefore, Methodists began to include Germans into their ministry.

In 1835, the Methodist Church found William Nast who began to introduce Methodism to Germans in a more intellectually sophisticated and successful way. Nast was born in Stuttgart, Germany in 1807. He received his education in German schools and then entered a theological seminar of the Lutheran Church. In 1828, he emigrated to the United States. Dissatisfied with the Lutheran faith, Nast attended a camp-meeting of the Methodist Church and converted to Methodism in 1835. He saw his mission in preaching the gospel to his countrymen in German. Therefore, he was sent as a missionary to the Germans of Cincinnati. There he started the first German Methodist Church and translated the General Rules of the Methodist Episcopal Church into German. From Cincinnati, the movement spread quickly into surrounding areas. By the late 1840s, German Methodism could be found in New York and Texas as well as in between. In 1838, Nast began to publish the first German Methodist newspaper called *Der Christliche Apologete*.[#49](#)

In doctrine, church policy and procedure, the German Methodist Church was indistinguishable from the English-speaking church. German Methodists had adopted the same hierarchy as their English brothers. According to Carl Wittke, "licensed exhorters" were on the bottom of the scale of the preaching hierarchy. Their authority derived from the supervising minister, and their appointment depended on recommendations from the local classis. "Exhorters were required to serve a probationary period, after which, upon examination by a conference of ministers in the district, they could be admitted to "full connexion." Meanwhile they could preach but not administer the sacraments." Next in line was the local preacher who was headed by the circuit rider.[#50](#) The Methodist Church conducted quarterly and annual meetings in local, district and general conferences. In these meetings, the members discussed and exchanged all kinds of businesses. The general conference was the law-making body of the church.

In 1858, Karl Stueckmann was the first German Methodist preacher to enter the Kansas Territory. He set out from Leavenworth on his pony to preach to German farmers and settlements in the area.[#51](#) He was one of many circuit riders who spent most of his days on horseback spreading the gospel. Besides their preaching, circuit riders usually offered printed material and subscriptions for such church publications, such as the *Methodist Magazine*, the *Ladies*

Repository, and also *Nast's Der Christliche Apologete*.[#52](#) | The riders received little pay. Their annual income rarely exceeded one hundred dollars a year.[#53](#) |

The first German Methodist presence in Lawrence can be traced back to June 1859, when six German Methodists settled in Lawrence. All of them came from Berea, Ohio, one of the centers of German Methodism. Since Lawrence's congregation was so small, Lawrence was placed into one circuit with other settlements in the area. From 1858 to 1861, Lawrence shared a circuit with Leroy, Howane and Tecumseh, from 1862 to 1875, it was connected to Franklin and Baldwin City, from 1880 to 1881 with Topeka, and from 1892 to 1893 with Eudora and Captains Creek. From 1893 until it was disbanded in 1918, Lawrence was by itself.[#54](#) | The circuits were served by one circuit rider who rode back and forth to be with all congregations.

In December 1862, the Lawrence German Methodist Episcopal Church bought the old Turner Hall which was located on the southwest corner of New York Street and Berkeley Street (Tenth Street). The members of the [Turnverein](#) sold their building because most of them had volunteered to serve in the Union Army during the Civil War. The old wooden structure was purchased by the church for \$ 500.00. The early purchase was probably made possible because the German Methodists received financial support from the American Methodists. In 1872, the German Methodists bought the lot across from their location on the southeast corner of New York and Berkeley Street (Tenth Street) from Frederick Bromelsick, one of their members, and built their brick and stone structure which is still standing today. Originally, the structure had a steeple and a belfry which were not rebuilt after the church was remodeled. In 1896, the property at 1045 New Jersey Street was also purchased for the preacher's home.[#55](#) |



The German Methodist Episcopal Church at 1001 New York Street

The membership of this church was always much lower than the membership of the Lutheran Church because more Germans were Lutherans than Methodist. In 1859, the church started out with six members. By 1880, the number had increased to twenty-five. In the early twentieth century, the membership had climbed to 70 and fluctuated between 65 and 75. [#56](#)

Until the early 1900s the services were conducted primarily in German, but soon after that both German and English were used in sermons and scripture. According to Edith Howard:

"there came a time when some in the congregation, namely children of immigrants and those Germans who adapted without difficulty to the English language. Therefore, the pastors began to use both languages in the service. One method was that the sermon being delivered in German, followed by the same sermon given in the English tongue in sermonette form. The scripture was quoted in both languages." [#57](#)

Besides the language, church life was similar to other churches at that time. Sunday school was usually held at 9:30 a.m. followed by the worship service at 10:30 a.m. On Wednesday nights, a prayer meeting was offered. One main social event during the year, was the annual picnic which was held at Bismarck Grove or one of the city parks. On this occasion, the church furnished lemonade and the members brought food. The meals were followed by games for children and a watermelon feed. [#58](#) The other major event was the annual Christmas celebration. As in the German Lutheran Church, the German Methodists decorated their church with a Christmas tree "with the traditional star on the uppermost branch. Christmas carols were sung by all, and the children participated with recitations and songs. The evening was climaxed by the appearance of Santa Claus with a bag of candy and nuts for each child." [#59](#)

In 1895, the church organized a *Frauenverein* (Ladies Aid Society). The club was formed to meet church connected expenses. The congregation often found it difficult to raise money to pay the minister's salary. Therefore, the women met once a week at a member's house to make quilts and other handcrafts which were sold in an annual bazaar. The money was also used for the upkeep of the parsonage or for the support of foreign missions. According to Edith Howard, the average attendance was from twelve to eighteen women. [#60](#)

During the period from 1859 to 1918, thirty pastors served the church at an average of little under two years each. Nearly all of them were natives of Germany who had converted to Methodism after they came to the United States. [#61](#) They were trained for their jobs by the West German Kansas-Nebraska Conference which sent them to the location of their service.

Four times a year, a Quarterly Conference was held where Lawrence's elected church delegates came together with other officials from the area to exchange news on Sunday school services, church attendance, and financial matters. The meetings also served to control the churches since they examined whether or not the congregations followed the rules of the Methodist Church. Certain disciplinary requirements were imposed upon all members of the church, and they were set down in detail in a book of discipline and regulations. Methodists regarded theater, dancing, card playing and ballet as un-Christian and, therefore, they were strictly opposed to these activities. These views collided with the general atmosphere most Germans had grown up in. Furthermore, most German immigrants regarded Sundays as a day for pleasure and recreation, at least after they had fulfilled their church responsibilities in the mornings. In the United States,

many of them found it difficult to adjust to the American celebration of Sundays which were "quite as tombs". In 1856, William Nast published a paper in which he outlined the proper way to celebrate the Sabbath. "He advertised getting up early and praying for the preacher so that his message might bring a blessing to the congregation. He warned against discussing politics, business, pleasure, or any worldly matter on Sunday, and urged good Methodists to refrain from even thinking worldly thoughts on the Sabbath." [#62](#) | Carl Wittke interpreted the fact that most German Methodists accepted the church regulations as "the most striking evidence of their wholehearted acceptance" of the Methodist teaching. [#63](#) |

The Lawrence congregation must have followed the strict rules of the General Church. The 1892-92 minutes of the Eudora, Deer Creek and Lawrence Circuit report several incidents of "misbehavior" among members. At the German Methodist Church Quarterly meeting in February 1893, two members of the Eudora congregation were singled out and their behavior was openly discussed. Both members had missed the Sunday service without excuse. The discussion was carried on until the May meeting when the minister could finally report that "Brother Lapple promised the minister to come to church and Father Kohler is to be asked what relationship he should assume toward the church". [#64](#) | One year later, the behavior of another church member was sharply criticized when the minister declared: "Fred Bartz joined the Deutsche Turnverein (Note - a beer drinking club)". [#65](#) | German Methodists believed in total abstinence and denounced German beer drinking customs. It is therefore, not surprising that among the members of the German Methodist church, none were members of the Lawrence [Turnverein](#) whose activities conflicted with the Methodist beliefs. At the time when America became involved in World War I, the German Methodist Church discontinued its services, and sold the building one year later to the Kansas Seventh Day Adventists Conference Association.

E: The Role of the Churches in Lawrence

Because the Germans who entered Lawrence came from different parts of Germany and the United States, the German religious landscape was very diverse. German Catholics as well as Jews settled in Lawrence along with a great number of Protestants. But only German Lutherans and Methodists established separate German language churches in town. Other believers had no choice since their numbers were relatively small, and they became members of English-speaking congregations. But even a greater number of German Protestants did not attend the ethnic churches but were members of the English Lutheran Church or the First Methodist Church in town. These churches were bigger and had more services to offer their members which went beyond the struggle of survival. Since many Germans were businessmen, they probably thought it wiser to attend English-speaking services along with American business-partners and customers to secure and preserve connections needed in business life. Others decided that they immigrated to the United States to become American citizens and, therefore, should attend English services. German parents realized that since their children grew up in the New World, their religious education should be in English.

Nevertheless, the German speaking churches played important roles in the lives of those who attended. Interestingly, both churches were connected to specific families. The German Methodist Episcopal Church was closely linked to the Bromelsick family, and the German Lutheran Church and its development was influenced by the Albert family. The Methodist

Church had purchased their second location from the Bromelsicks who were deeply involved in church activities. August Bromelsick was trustee, Sunday school teacher and representative of the church at quarterly circuit meetings for a number of years. Frederika Bromelsick was an active member of the *Frauenverein*.

Church activities and affairs of the German Lutheran Church were influenced by the Albert family. William Albert was treasurer of the church for nineteen years, his daughter Lena held the office for twenty-eight years, and a second daughter, Clara, was the church's organist for a number of years. At the time when the church was sold, Mrs. William Albert literally became the church since she was one out of the two members left. The family involvement became quite apparent by looking at the location of the church. Until 1889, the church did not have a building, but met in Turner Hall. When the congregation collected enough money, the church building was erected on Illinois Street, only two blocks from the Alberts' residence on the west side of town away from the locations of other German centers.

Both churches differed in organization and ideology. The Methodist Church was tied to a close network of the general German Methodist Church in the United States. They followed the rules and regulations set forth by an authority, and followed the hierarchical code of the Methodist Church. The advantage of a network was that the German Methodist Church of Lawrence was financially supported by the Synod and, therefore, had the chance to purchase and build a building at a very early time to serve the needs of the congregation. Methodist preachers were assigned to the church by the authorities and not picked by the members themselves, which saved time and disagreements. Sharing circuit riders with congregations in the area also meant that the church had a regular exchange with others, but also demanded uniformity. The church, therefore, seems more static and inflexible in ideas and ideology.

The Lutherans, on the other hand, enjoyed independence and freedom of ideology since they were not bound into a network. They were generally tied to the religious beliefs of the Lutheran Church to be classified as a Lutheran Church, but since they were not bound into a formal church network, they had greater flexibility to adapt to certain situations. One area of conflict which was faced by the church in the dealing with German immigrants was that most German families enjoyed their beer and the activities of the Turnverein, an organization usually not favorably looked upon by church administrations. But realizing that in a small town, the number of Germans was very limited, the church relaxed its views on Sunday laws and about drinking to meet the needs of its congregation. Members of the German Lutheran Church could also be members of the Turnverein without facing major conflicts. Traditionally, Turners and churchgoers were two different sets of people. In a small town like Lawrence, such distinctions became less clear.

Furthermore, German *Freidenker* (Freethinkers) realized that life in a town where church life was the center of many families, was not easy. In a town where the second question was, "What church do you go to?" there was not much room for rebellious ideas, especially not if you wanted to maintain a successful business in town. Being a member of a church signaled to others the respectability of a family. The German Lutheran Church in Lawrence recognized these pressures, and tolerated the doings of the Turnverein to secure its own congregation. Since Lutherans and Turners worked for the same end, namely the preservation of German culture and language,

cooperation could be expected. If the Lutheran Church would allow German immigrants to spend their Sunday afternoons in beer gardens and at card tables, then those immigrants were more willing to spend their Sunday mornings in the church's pews. In a small town, compromises were unavoidable.

The Methodist Church, on the other hand, opposed the doings of the Turnverein, because it did not have the flexibility to do otherwise. It lacked the chance for adjustment to the needs, and, therefore, was much smaller and faced a harder struggle for survival.

Both churches, nevertheless, were places to hold on to tradition and the German language. There, Germans met and exchanged news among people of the same ethnic background who shared similar values. As John Bodnar has pointed out, "immigrants participated in church communities not simply because they were drawn to particular forms of belief or ideology but because these communities continued to provide forms of mutual assistance... . In a strange land it was especially satisfying to listen to the gossip and information of congregations where newcomers knew most everyone by sight".^[#66] Furthermore, the practice of religious rites such as baptism, communion or marriage, gave a sense of security, and maybe lessened homesickness. Youth clubs and *Frauenvereine*, engaged in benevolent work and also provided support and friendship in times of trouble.

Nevertheless, both churches had different goals. The German Lutheran Church aimed to preserve German language and identity. It can, therefore, be seen as a vehicle for promoting German consciousness. The Methodist Church saw itself as instrument for the Americanization of its members. Lutherans were able to hold German language services for a longer period of time than the Methodists. The Methodist Church had abandoned its German services as soon as it was unnecessary, and children and church members demanded English services. William Nast himself, the father of German Methodism in the United States, understood the role of the church to help Germans become good citizens. According to Carl Wittke, Nast "was genuinely interested in the Americanization of the immigrant and always contended that preaching Methodism to the Germans would make them better citizens and help them to become Americanized".^[#67]

At the outbreak of World War I, the German Methodist Church saw its mission succeeded and was willing to be absorbed into the American Methodist Church. This did not cause too many problems because all along, the German Methodist Church had followed the Methodist ideology. The Lutheran Church, on the other hand, had to show its flexibility again by changing language and name, but managed to survive for thirty more years before it closed its doors.

HRC RESOLUTION NO. 2014-04

A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, HISTORIC RESOURCES COMMISSION RECOMMENDING THAT THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS, DESIGNATE 1300 HASKELL AVENUE, LAWRENCE, DOUGLAS COUNTY, KANSAS, AS A LANDMARK ON THE LAWRENCE REGISTER OF HISTORIC PLACES.

WHEREAS, Chapter 22, Conservation of Historic Resources Code, of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, establishes procedures for the City of Lawrence, Kansas, Historic Resources Commission to review and evaluate the nomination of sites, structures, and objects for designation as Landmarks on the Lawrence Register of Historic Places;

WHEREAS, Chapter 22 of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, also establishes procedures for the City of Lawrence, Kansas, Historic Resources Commission to forward to the Governing Body of the City of Lawrence, Kansas, its recommendation, together with a report, regarding the designation of sites, structures, and objects nominated for designation as Landmarks on the Lawrence Register of Historic Places;

WHEREAS, on January 3, 2014, an application was filed with the City of Lawrence, Kansas, Historic Resources Commission nominating 1300 Haskell Avenue, Brooks Addition Block 1 Lots 1 and 2, Lawrence, Douglas County, Kansas ("the subject property") for designation as a Landmark on the Lawrence Register of Historic Places;

WHEREAS, the current owners of record of the subject property support the nomination;

WHEREAS, on February 20, 2014, in accordance with Section 22-404.2(A) of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, the City of Lawrence, Kansas, Historic Resources Commission conducted a public hearing to consider the nomination of the subject property for designation as a Landmark on the Lawrence Register of Historic Places; and

WHEREAS, at the February 20, 2014, public hearing, the City of Lawrence, Kansas, Historic Resources Commission determined that, in accordance with criteria (6) of Section 22-403(A) of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, the subject property qualifies for designation as a Landmark on the Lawrence Register of Historic Places.

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF LAWRENCE, KANSAS, HISTORIC RESOURCES COMMISSION:

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if repeated verbatim.

SECTION 2. Pursuant to criteria (6) of Section 22-403(A) of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, the City of Lawrence, Kansas, Historic Resources Commission hereby recommends to the Governing Body of the City of Lawrence, Kansas, that 1300 Haskell Avenue, Brooks Addition Block 1 Lots 1 and 2, Lawrence, Douglas County, Kansas, be designated as a Landmark on the Lawrence Register of Historic Places.

SECTION 3. The Historic Resources Administrator shall, in accordance with Section 22-404.2(B), submit to the Governing Body of the City of Lawrence, Kansas, this Resolution, which shall be the recommendation of the City of Lawrence, Kansas, Historic Resources Commission, accompanied by a report containing the information required by Section 22-404.2(B)-(G).

ADOPTED by the City of Lawrence, Kansas, Historic Resources Commission this _20th ___ day of March 2014.

APPROVED:

Chairperson
Lawrence Historic Resources Commission

ATTEST:

Lynne Braddock Zollner
Historic Resources Administrator

HRC RESOLUTION NO. 2014-05

A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, HISTORIC RESOURCES COMMISSION RECOMMENDING THAT THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS, DESIGNATE 1340 HASKELL AVENUE, LAWRENCE, DOUGLAS COUNTY, KANSAS, AS A LANDMARK ON THE LAWRENCE REGISTER OF HISTORIC PLACES.

WHEREAS, Chapter 22, Conservation of Historic Resources Code, of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, establishes procedures for the City of Lawrence, Kansas, Historic Resources Commission to review and evaluate the nomination of sites, structures, and objects for designation as Landmarks on the Lawrence Register of Historic Places;

WHEREAS, Chapter 22 of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, also establishes procedures for the City of Lawrence, Kansas, Historic Resources Commission to forward to the Governing Body of the City of Lawrence, Kansas, its recommendation, together with a report, regarding the designation of sites, structures, and objects nominated for designation as Landmarks on the Lawrence Register of Historic Places;

WHEREAS, on January 3, 2014 an application was filed with the City of Lawrence, Kansas, Historic Resources Commission nominating 1340 Haskell Avenue,

Beginning at a point 379.45 feet North of the Southwest corner of the Southwest Quarter (SW ¼) of Section Thirty-two (S32), Township Twelve South (T12S), Range Twenty East (R20E) of the 6th P.M., thence East parallel with North line of School Grounds 475 feet; thence North 242.05 feet parallel with the West line of said Section; thence West 475 feet more or less to a point 242.05 feet North of the point of beginning; thence South 242.05 feet on said Section line to the point of beginning; LESS the West 40 feet thereof for a public street, all now in the City of Lawrence, Douglas County, Kansas ("the subject property")

for designation as a Landmark on the Lawrence Register of Historic Places;

WHEREAS, the current owners of record of the subject property support the nomination;

WHEREAS, on February 20, 2014, in accordance with Section 22-404.2(A) of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, the City of Lawrence, Kansas, Historic Resources Commission conducted a public hearing to consider the nomination of the subject property for designation as a Landmark on the Lawrence Register of Historic Places; and

WHEREAS, at the February 20, 2014, public hearing, the City of Lawrence, Kansas, Historic Resources Commission determined that, in accordance with criteria (3) and (6) of Section 22-403(A) of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, the subject property qualifies for designation as a Landmark on the Lawrence Register of Historic Places.

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF LAWRENCE, KANSAS, HISTORIC RESOURCES COMMISSION:

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if repeated verbatim.

SECTION 2. Pursuant to criteria (3) and (6) of Section 22-403(A) of the Code of the City of Lawrence, Kansas, 2012 Edition, and amendments thereto, the City of Lawrence, Kansas, Historic Resources Commission hereby recommends to the Governing Body of the City of Lawrence, Kansas, that 1340 Haskell Avenue,

Beginning at a point 379.45 feet North of the Southwest corner of the Southwest Quarter (SW ¼) of Section Thirty-two (S32), Township Twelve South (T12S), Range Twenty East (R20E) of the 6th P.M., thence East parallel with North line of School Grounds 475 feet; thence North 242.05 feet parallel with the West line of said Section; thence West 475 feet more or less to a point 242.05 feet North of the point of beginning; thence South 242.05 feet on said Section line to the point of beginning; LESS the West 40 feet thereof for a public street, all now in the City of Lawrence, Douglas County, Kansas,

be designated as a Landmark on the Lawrence Register of Historic Places.

SECTION 3. The Historic Resources Administrator shall, in accordance with Section 22-404.2(B), submit to the Governing Body of the City of Lawrence, Kansas, this Resolution, which shall be the recommendation of the City of Lawrence, Kansas, Historic Resources Commission, accompanied by a report containing the information required by Section 22-404.2(B)-(G).

ADOPTED by the City of Lawrence, Kansas, Historic Resources Commission this _20th ___ day of March 2014.

APPROVED:

Chairperson
Lawrence Historic Resources Commission

ATTEST:

Lynne Braddock Zollner
Historic Resources Administrator

Revised Analysis of Environs of 1340 Haskell Avenue, John G. Haskell House

Step One

Historical Significance and Context

According to the application for Historic Landmark Designation, the property was constructed c.1868. The property is being nominated to the Lawrence Register of Historic Places under local criteria three and six. Local criteria three is a structures identification with a person or persons who significantly contributed to the development of the community, county, state, or nation. Local criteria six is embodiment of elements of design, detailing, materials, or craftsmanship that render it architecturally significant.

The importance of this structure's visual and physical characteristics influences the environs definition process in that it is a vernacular residential structure. The structure's architectural significance is important in the environs definition process because it is good example of a brick Queen Anne style house. The structure also maintains a high degree of integrity.

The period of significance for the related nomination categories is as follows:

Local Register Criteria Three

Association with John G. Haskell 1868-1907

Local Register Criteria Six

Because this criterion is based on architectural elements there is no specific period of significance.

Step Two

Historical Character of the Area Surrounding the Property

Historical character is the primary issued considered in this section. 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) were the primary sources used to identify the historic character of the area.

Natural Features The environs consist of hilly ground. The Haskell house is located at the top of a slight ridge.

Property Boundaries and Ownership Patterns The property is located on unplatted ground. The area surrounding 1340 Haskell Avenue is a mix of platted and unplatted property. The lots vary in size and shape. The property ownership has changed since the period of construction and includes more parcels with different owners.

Land Use Patterns and Zoning Land use on in the surrounding area during the period of significance was primarily large agricultural tracts with residential components.

Circulation Patterns The main streets in the area reflect the traditional grid pattern of the original town site and early subdivisions.

Planned Vegetation Patterns During the period of significance, the planned vegetation patterns were agricultural in nature. Plantings reflected the individual property ownership and the rural character of the area, not a planned design.

Signs and Pedestrian amenities There is no evidence of signs or pedestrian amenities in this area during the period of construction.

Primary Structures The primary structures in the environs of the property were primarily single-family residences. The structures were oriented toward the primary streets- Haskell and 15th Street. The structures are primarily 1 ½ and 2 stories in height and constructed of wood. Various styles – almost all vernacular interpretations --were represented in the area.

Secondary Structures. Secondary structures were associated with rural living and were typically garages, barns, chicken houses, sheds, and out houses. They would have been constructed of wood. They typically would have been 1 to 2 ½ stories in height.

Outdoor Activity Spaces There were no public parks in the immediate area. This was a rural area that provided outdoor activity spaces on private grounds.

Utilities and mechanical Equipment Sewers were installed in the area in 1958.

Views The views to the listed property were typical of rural lots in close proximity to the city.

Step Three

Present Character of the Area Surrounding the Property

The primary source of information on this section is personal observation, city zoning maps, and recent aerial photographs.

Natural Features The environs consist of hilly ground. The Haskell house is located at the top of a slight ridge.

Property Boundaries and Ownership Patterns Property boundaries and ownership patterns have changed significantly. The large properties have been subdivided into smaller parcels of land with multiple owners.

Land Use Patterns and Zoning Land use on in the surrounding area has had the most dramatic change. The area is a mixture of residential and institutional uses. While the

residential uses existed in the period of significance, they have intensified in density.

The area contains a mixture of RS7, RS5, RM12, RM12D and GPI zoning districts.

Circulation Patterns The main circulation patterns have not changed. Access to the properties is still primarily from the east/west, north/south streets. Parking lots have been introduced into the area associated with the large land uses of the school.

Planned Vegetation Patterns The planned vegetation patterns have changed significantly. The residential development individual plantings associated with the multiple lots.

Signs and Pedestrian amenities The signs within the area are almost entirely street names and traffic control signs. There are also ground mounted signs associated with different uses.

Primary Structures The majority of the structures were built after the period of construction.

Secondary Structures Some of the secondary structures associated with the residential uses remain. The number of secondary structures has been reduced to provide for development. New rear yard privacy fences have been constructed.

Outdoor Activity Spaces There is a public park near the property. This neighborhood park provides outdoor activity spaces for the surrounding residential neighborhoods that have modern size lots with little space for outdoor recreation.

Utilities and mechanical Equipment There are storm sewer inlets, traffic signs and street lighting along all of the streets in the area. Water meter and manhole covers are typical through the area. Fire hydrants are located along the streets. Electrical and telephone lines are both above ground and below ground in the area.

Views Views to and from the subject property have changed significantly. Current views include multiple structures on multiple lots.

Time Time of the day has an impact on the perception of the subject property, especially during peak hour traffic on Haskell and 15th streets. Nighttime appearance with lighted porches and interior lights through windows is also quite different from the normal day time appearance. Seasonal changes in vegetation are an important aspect of the experiential quality of the area.

Weather The full range of weather conditions common to this area influence the perception of this place.

Sounds, Smells, Tastes In general this area has the usual sounds of cars and conversation associated with residential areas. There are no unusual or distinct sounds, smells, or tastes that characterize the area.

Imagination and Expectation The area surrounding the subject property is considered part of the Brook Creek Neighborhood and is a mixture of residential uses and those typically

associated with residential uses.

Step Four

Comparison of the Historic and Present Character of the Area Surrounding the Property.

Natural Features The natural features remain the same.

Property Boundaries and Ownership Patterns The platting of the property has changed. The majority of the properties are now platted and lots tend to be smaller than the original parcels of land. The ownership patterns in the area have changed because the number of properties that have been created by subdividing property for multiple owners.

Land Use Patterns and Zoning The land use and zoning patterns have changed from the period of significance. Historically, the majority of the area was agricultural with single-family residential. Today the area is primarily residential, but the institutional uses at the corner of 15th and Haskell Avenue create a different dynamic.

Circulation Patterns The main street grid pattern is still intact in this area; however, it is now paved. New types of suburban residential streets have been introduced into the area. Sidewalks have also been introduced into the area.

Primary Structures The most significant changes include the development of compact residential lots; the development of the property to the south as a neighborhood school.

Secondary Structures The number and type of secondary structures has changed. The rural farm structures have been removed and detached garages are not prevalent in the area. The majority of the new construction has attached garages.

Outdoor Activity Spaces Historically outdoor activity space was associated with the individual farm or parcel of land. Currently, most lots do not have a large area for outdoor activity. For this reason, Edgewood Park and Brook Creek Park were created to provide an outdoor activity area for all of the residential development in the area.

Utilities and Mechanical Equipment The character of the utilities and mechanical equipment in the area has changed since the period of significance.

Views The differences in the views of the area have been caused by the addition of residential and institutional structures.

Time The amount of nighttime lighting has increased over time. Traffic has increased and is particularly heavy during peak hours.

Weather While the weather patterns are generally similar to the historic period of significance, the advent of air conditioning has altered the way the residents may react to weather. Historically, people would have utilized open windows and porches to react to the heat.

Sounds, Smells, Tastes The introduction of more traffic and higher density living has introduced more sounds and smells.

Imagination and Expectation The image of the area is considerably different than the period of significance. During the period of significance the area was considered to be rural agricultural land on the edge of town. Today the area is considered part of the Brook Creek neighborhood and part of the City of Lawrence.

Revised Conclusion

The Environs for 1340 Haskell Avenue, the Haskell House, have changed since the period of significance. The environs should be divided into two areas and reviewed in the following manner.

Area One

The area primarily consists of multi-family residential and single-family residential structures. The residential character of the environs surrounding the Haskell House 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. Demolition of properties shall be approved if a compatible structure is proposed on the site. 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, significant additions, etc. 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 issue in the review is whether the project will encroach upon the listed property.

Major projects (demolition of main structures, new infill construction, significant additions-greater than 20% of the original structure, etc.) 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 issue in the review is whether the project will encroach upon the listed property.

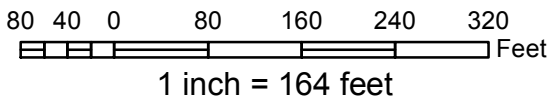
Area Two

The area primarily consists of single-family residential structures. The residential character of the environs is important. Because of the distance and topography, there is no direct line of sight to the Haskell House. The area should maintain the overall residential character of the historic environs and the following should apply:

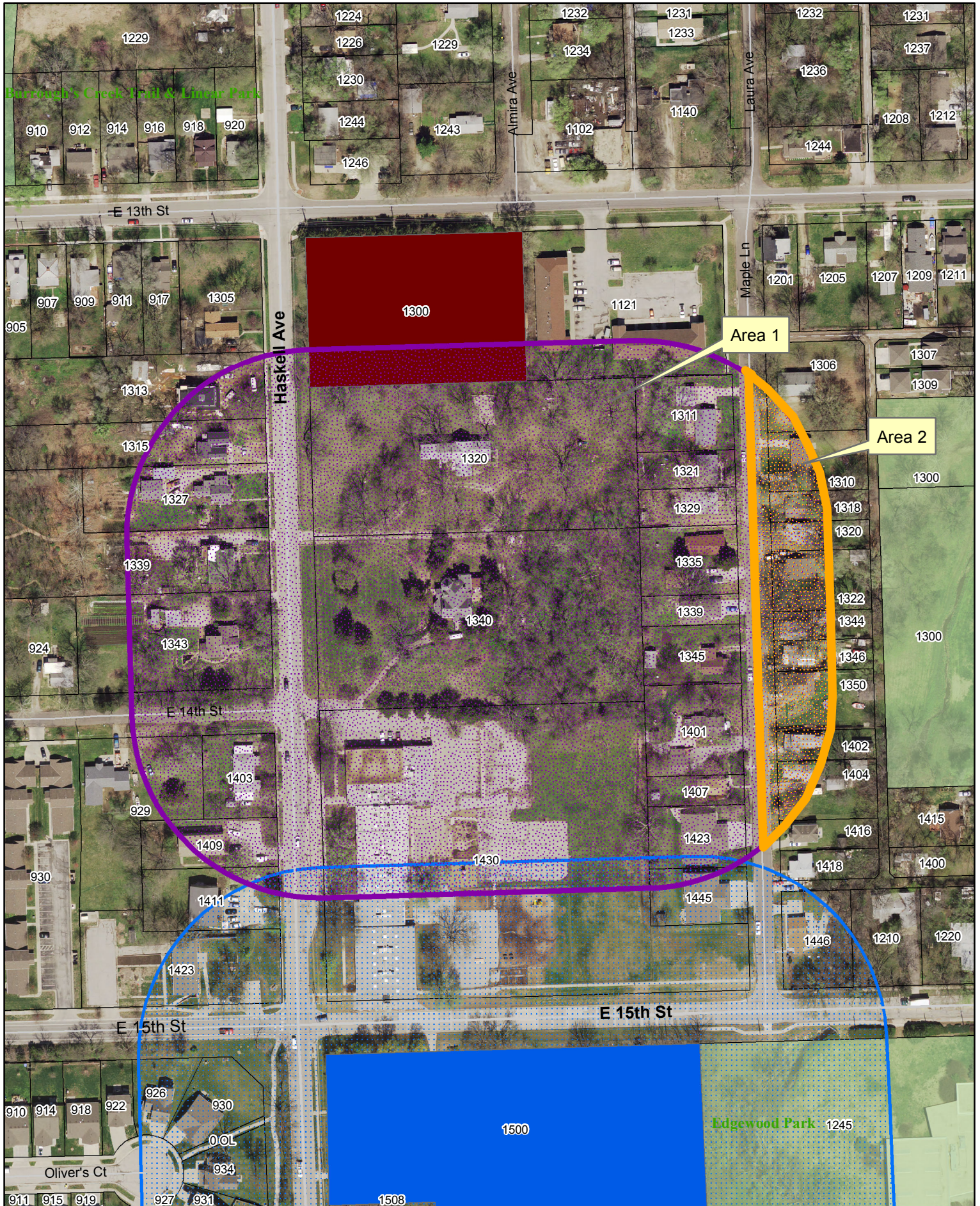
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All projects will be reviewed administratively by the Historic Resources Administrator. The proposed alteration or construction should meet the intent of the Criteria set forth in 22-505. The main issue in the review is whether the project will encroach upon 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.



Environs for 1340 Haskell Avenue



Memorandum

City of Lawrence

Planning & Development Services

TO: Historic Resources Commission

FROM: Lynne Braddock Zollner, Historic Resources Administrator

Date: March 19, 2014

RE: Subcommittee proposed revisions to Chapter 22

Introduction

In accordance with 22-205(B)(22) of the City Code, the Lawrence Historic Resources Commission (HRC) started a review process of Chapter 22 at their meeting on December 19, 2013. A subcommittee was formed to review and propose changes and to report back to the full HRC for discussion. The subcommittee met on January 13, 2014.

Discussion

The subcommittee proposes the attached changes and items for discussion. The subcommittee anticipates that the HRC will review and discuss the attached changes at the March 20, 2014 meeting. Once these items have been reviewed, it is anticipated that the HRC will make final recommendations for changes to the code. These proposed changes will be published on the Planning and Development Services web site to allow for public review prior to the HRC public hearing on the changes. The HRC should establish a date for the public hearing for the proposed changes. The HRC should also address the other items to be included in the report to the City Commission (see 22-205(B)(22)).

Recommendation/Action

Planning staff recommends the commission review and discuss the items identified in the attached document, set a public hearing date for the proposed changes to be considered by the HRC for recommendation to the City Commission, and identify a schedule to address the remaining items in 22-205(B)(22).

CHAPTER XXII. CONSERVATION OF HISTORIC RESOURCES CODE

Article 1.	General Provisions
Article 2.	Historic Resources Commission
Article 3.	Surveys and Inventory
Article 4.	Landmark and Historic District Regulations
Article 5.	Certificate of Appropriateness
Article 6.	Certificate of Economic Hardship
Article 7.	Public Hearings
Article 8.	Property Owned by Public Agencies
Article 9.	Preservation Specialist on Staff- Historic Resources Administrator
Article 10.	Incentives and Easements
Article 11.	Fees
Article 12.	Minimum Maintenance Requirement
Article 13.	Fines and Penalties

ARTICLE 1. GENERAL PROVISIONS

22-101 TITLE.

This Chapter shall be known as the Conservation of Historic Resources Code of the City of Lawrence, Kansas. (Ord. 5950, Sec. 1)

22-102 STATEMENT OF PURPOSE.

The purpose of this Chapter is to promote the educational, cultural, economic, and general welfare of the community by:

- (1) Providing a mechanism to identify and conserve the distinctive historic and architectural characteristics and other historic resources of the city which represent elements of the city's cultural, social, economic, political, and architectural history;
- (2) Fostering civic pride in the beauty and noble accomplishments of the past as represented in the City's landmarks, historic districts, and historic resources;
- (3) Conserving and improving the value of property in and around designated landmarks, historic districts, and within the community;
- (4) Enhancing the attractiveness of the city to residents, current and prospective home owners, visitors, and shoppers, and thereby supporting and promoting business, commerce, industry, and providing economic benefit to the City;
- (5) Fostering and encouraging preservation, restoration, and rehabilitation of structures, areas, and neighborhoods;
- (6) Fostering and encouraging the studying, interpreting, and publicizing of historic resources;
- (7) Fostering and encouraging the studying, interpreting, and publicizing of historical archeological work and information. (Ord. 5950, Sec. 1)

22-103 APPLICATION.

This Chapter shall apply to all designated historically and architecturally significant structures and properties and their environs which are located within the City limits. This Chapter also may apply to new construction within the City limits where such construction may affect designated historically and architecturally significant structures, properties and districts. (Ord.

22-104 DEFINITIONS.

For the purpose of this Chapter, certain words or terms are hereby defined. Unless specifically defined below, words or terms in this Chapter shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this chapter its most reasonable application. Words in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular. The word shall is mandatory and not directory. The following words or terms shall be used as defined below in the administration of this chapter. For further clarification of commonly used historic conservation terms, refer to the Kansas Historic Preservation Act (K.S.A. 75-2715 et seq.); The National Historic Preservation Act of 1966 and amendments of 1980; Nimz, Dale, Living with History: A Historic Preservation Plan for Lawrence, Kansas, Kansas Historic Preservation Dept./City of Lawrence, Kansas Planning Dept., Lawrence, KS. 1984 pp. 29-34; and the National Register Bulletin #16: Guidelines for Completing National Register of Historic Places Forms, NPS; National Register Bulletin #24: Guidelines for Local Surveys: A Basis for Preservation Planning, NPS; Local Historic Resources Survey Manual, Kansas Historic Preservation Department; Harris, Cyril M., Dictionary of Architecture and Construction, McGraw-Hill, New York 1975.

- (A) Accessory Structure - A subordinate structure or portion of the main structure, located on the same property and the use of which is clearly incidental to that of the main structure or to the use of the property on which it is located. Customary accessory structures include, but are not limited to, garages, carports, garden houses, small storage sheds, and children's playhouses.
- (B) Adaptive Use
 - (1) The process of changing the use of a structure or property to a use other than that for which the structure or property was originally designed.
 - (2) A use for a structure or property other than the use for which it was originally designed. (Sometimes called adaptive reuse.)
- (C) Adjacent - A structure or parcel having a common parcel boundary with or located immediately next to a structure or parcel.
- (D) Administrator - The designated individual assigned by the City Manager to administer, interpret and enforce this Article. Also known as the Historic Resources Administrator for the City.
- (E) Alley - A dedicated public right-of-way, other than a street, which provides only a secondary means of access to abutting property, the right-of-way of which generally is sixteen (16) feet or less in width.
- (F) Alteration - Any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.
- (G) Applicant - The person or group who initiates and signs the application to nominate a landmark or historic district; for a building permit; for a demolition permit; for a certificate of appropriateness; for a certificate of economic hardship; or for a preservation easement.
- (H) Application - One of several forms provided by the Commission to a person(s) who wishes to initiate a particular Commission action, including nomination of a landmark

or historic district; a building or demolition permit; a certificate of appropriateness; a certificate of economic hardship; a preservation easement; or, appeal.

- (I) Archeological Site - (See Site).
- (J) Area - Properties, near to or adjacent to one another, capable of being described with such definiteness that their collective location may be established and boundaries definitely ascertained.
- (K) Building - A structure, such as a house, barn, church, hotel, courthouse, city hall, social hall, commercial structure, library, factory, mill, train depot, theater, school, store or similar construction, created to shelter any form of human activity. The term also may refer to a small group of buildings consisting of a main building and subsidiary buildings which constitute an historically and functionally related unit such as a courthouse and jail, house and barn, mansion and carriage house, church and rectory, and farmhouse and related outbuildings.
- (L) Certificate of Appropriateness - A certificate issued by the Commission indicating its approval of plans for alteration, construction, removal, or demolition of a landmark or of a structure within an historic district or in the environs thereof, based primarily on design considerations.
- (M) Certificate of Economic Hardship - A certificate issued by the Commission indicating its approval of plans for alteration, construction, removal, or demolition of a landmark or of a structure within an historic district or in the environs thereof based primarily on economic considerations.
- (N) Certified Local Government (CLG) - A program of the National Park Service designed to promote the preservation of prehistoric and historic sites, structures, objects, buildings, and historic districts by establishing a partnership between the local government, the historic preservation department, a division of the Kansas State Historical Society, and the National Park Service. A certified local government carries out the purposes of the National Historic Preservation Act, as amended. Each certified local government is required to maintain a system of ongoing surveys compatible with the Kansas Historic Preservation Department process.
- (O) City - The municipal corporation named the City of Lawrence, Kansas.
- (P) City Commission - The Governing Body of the City of Lawrence, Kansas.
- (Q) City Limits - The established corporate boundary of the City of Lawrence, Kansas.
- (R) Commission - The Historic Resources Commission of the City of Lawrence, Kansas, unless otherwise indicated.
- (S) Commissioners - Members of the Historic Resources Commission, unless otherwise indicated.
- (T) Conservation (See Historic Preservation).
- (U) Construction
 - (1) The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.
 - (2) An addition to an existing structure or a new principal or accessory structure.

- (V) Context - A conceptual framework for determining the significant patterns that individual properties represent consisting of components that surround a resource and determine its meaning more clearly.
- (W) Contributing (or Contributory) - A significant building, site, structure, or object which adds to the architectural qualities, historic association, or archeological values of an historic district because:
 - (1) It was present during the pertinent historic time; or
 - (2) It possesses integrity and reflects its significant historic character or is capable of yielding important information about the pertinent historic period;
- (X) Demolition - Any act or process that destroys in part or in whole a landmark or a structure within an historic district, or the environs thereof.
- (Y) Design Criteria - A standard of appropriate activity that will preserve the historic and architectural character of a structure or area.
- (Z) Designation - Official recognition of an historic landmark or historic district by the Commission and the City Commission according to the procedures and provisions in this Chapter.
- (AA) Developer - Any person who:
 - (1) Causes real property to be used for development;
 - (2) Sells, leases or develops; offers to sell, lease, or develop; or advertises for sale, lease or development any lot, plot, parcel, site, unit of interest, or structure for development; or
 - (3) Engages directly or through an agent in the business or occupation of selling, leasing, developing, or offering for sale, lease or development, any lot, plot, parcel, site, unit of interest, or structure for development. (Ord. 5950, Sec. 1)

22-105 DEFINITIONS, CONTINUED.

- (A) Development - A subdivision; the construction or reconstruction of streets and utilities, the construction, expansion or remodeling of structures; a change in the use of a structure or parcel, or the clearing of land.
- (B) District - (See Historic District).
- (C) Easement - The written and recorded authorization by a property owner to allow specific uses of a designated part of a property by another individual(s), or entity. (For the purposes of administering this Chapter, may be called an historic or preservation easement.)
- (D) Endangered Resource - A resource under a known or anticipated threat of damage to the integrity or existence of the resource, such as:
 - (1) Immediate threat which will result in loss of or collapse of structure;
 - (2) Immediate threat or destruction by private action; and
 - (3) Condemnation for code violations. (Sometimes referred to as threatened resource.)

- (E) Environs - Any structure, object, or site that directly contributes to the architectural and/or historical significance of a landmark or historic district. The environs area shall ~~not include structures, objects, or sites which are not located in part, or in their entirety, within 250 feet of the boundaries of a landmark or historic district designated pursuant to this Chapter.~~

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Comment [LZ1]: For discussion: should this be 500 feet or the block?

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The environs is not an extension of the boundaries of an historic district or landmark. For this reason, an application for a certificate of appropriateness for a project within the environs area shall receive the least stringent scrutiny when the Commission applies its Standards for Review as set forth in section 22-504505, and there shall be a presumption that the application should be approved. "Interim control" shall not apply to the environs area of a nominated landmark or historic district.

Comment [LZ2]: Discussion: should interim controls apply to the environs area?

- (F) Exterior Architectural Appearance - The architectural character and general composition of the exterior of a structure, including but not limited to the kind, color, and texture of the building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.
- (G) Facade - The exterior face of a building which is the architectural front, sometimes distinguished by elaboration or architectural or ornamental details.
- (H) Highly Significant - A building, site, structure or object is highly significant when it is historically or architecturally significant, as defined hereafter, and its alteration, removal and demolition would cause irreparable injury to a unique and overriding public interest in maintaining the historical or architectural character of such building, site, structure, or its environment. The Commission may recommend, and the City Commission may designate a building, site, structure, or object as highly significant only upon the basis of relevant evidence presented at a public hearing, and findings as set forth in Section 22-405 of this Chapter.
- (I) Historic Conservation - (See Historic Preservation.)
- (J) Historic District - An area designated as an historic district by ordinance of the City Commission and which may contain within definable geographic boundaries one or more significant sites, structures or objects and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the significant sites, structures or objects located within the historic district.
- (K) Historic Preservation - The study, identification, protection, restoration and rehabilitation of buildings, structures, objects, districts, areas and sites significant in the history, architecture, archeology or culture of the city, state or nation.
- (L) Historic Preservation Department - Department within the Kansas State Historical Society which assists the State Historical Preservation Officer (SHPO) in promoting the identification and conservation of the state's historic resources, according to the Kansas Historic Preservation Act, as authorized by the Historical Preservation Act of 1966.
- (M) Historically or Architecturally Significant - Possessing that quality present in an area, site, structure, object or district because it:
- (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;

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- (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;
 - (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;
- (N) Improvement - Any physical change in a structure or property including the adding of exterior features, any change in landscape features, alteration of a structure, new construction, painting or repainting, reconstruction, restoration or remodeling, but excluding normal maintenance.
- (O) Kansas Register - The current ~~Kansas~~ Register of Historic Kansas Places as prepared, approved and amended by the Kansas Historic Sites Board of Review and authorized by K.S.A. 75-2715 et seq.
- (P) Key Contributing - A building, site, structure, or object of such an outstanding quality and state of conservation that it significantly adds to the architectural qualities, historic association, or archeological values of an historic district because:
- (1) It was present during the pertinent historic time;
 - (2) It possesses integrity and reflects its significant historic character or is capable of yielding important information about the pertinent historic period; and,
 - (3) It independently meets the standards and criteria of this Article.
- (Q) Land Surface - The solid part of the exterior of the earth.
- (R) Landmark - A site, structure or object designated as a landmark by ordinance of the City Commission, pursuant to procedures prescribed herein, that is worthy of rehabilitation, restoration, and preservation because of its historic and/or architectural significance to the City.
- (S) Landscape Feature - Any element or component of outdoor open space Including, but not limited to, fences, walls, retaining walls, gates, sidewalks, walkways, driveways, parking lots, patios, terraces, decks, ground cover, trees, plants, outdoor furniture, exterior light standards, fountains, statuary, detached signs and other such elements.

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- (T) Lawrence Register - The current Lawrence Register of Historic Places as prepared, approved and amended by the Historic Resources Commission and authorized by ordinance [of the Lawrence City Commission](#).
- (U) Lot - A portion of a subdivision or other parcel of land intended as a unit of ownership and occupied or intended to be occupied by one main structure and accessory structures or a complex of structures, including open spaces and parking. A lot may be more than one lot of record or may be a metes and bounds described tract having its principal frontage upon a street or officially approved place.
- (V) Lot of Record - A lot which is a part of a subdivision, the plat of which has been recorded in the Office of the Register of Deeds or a lot described by metes-and-bounds, the description of which has been recorded in the Office of the Register of Deeds.
- (W) Marker - A sign used to label or identify a designated landmark or historic district as an architecturally significant property.
- (X) National Register - The current National Register of Historic Places established by passage of the National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470 et seq., as amended.
- (Y) Nominated Landmark or Historic District - A neighborhood, area, site, structure or object shall be considered a nominated landmark or historic district upon determination by the Administrator that the application to nominate has been properly completed and the date/time has been set for the public hearing before the Commission.
- (Z) Noncontributing (or noncontributory) - A building, site, structure, or object that does not add to the architectural qualities, historic association, or archeological values of a landmark or historic district because:
 - (1) It was not present during the pertinent time; or
 - (2) Due to alterations, disturbances, additions, or other changes, it no longer possesses integrity nor reflects its significant historic character or is incapable of yielding important information about the pertinent historic period.

(Ord. 5950, Sec. 1; Ord. 6214, Sec. 1)

22-106 DEFINITIONS, CONTINUED.

- (A) Normal Maintenance and Repair - Any improvement or work for which a building permit is not required by city ordinance, designed to correct deterioration, decay or damage and restore, as may be practical, a structure or property to the condition that existed prior to the deterioration, decay or damage.
- (B) Nuisances - Physical conditions (affecting land, water, groundwater, the air, noise levels, or other elements of the environment) that endanger human health or safety, injure persons or property, or constitute a clear danger to property.
- (C) Object - Those physical items that have functional, aesthetic, cultural, historical or scientific value and are relatively small in scale and simply constructed. While an object may be, by nature or design, movable, it should be located in a specific setting or environment appropriate to its significant historic use, role or character. Objects include sculptures, monuments, street signs, fence posts, hitching posts, mileposts, boundary markers, statuary, and fountains.

- (D) Owner(s) - (See Owner(s) of Record.)
- (E) Owner(s) of Record - Those individuals, partnerships, firms, corporations, public agencies, or any other legal entity holding title to property but not including legal entities holding mere easements or leasehold interests. (May also be referred to as property owner(s).) Current owner(s) of record are those listed as owners on the records of the register of deeds.
- (E) Period - A chronological division identified in the analysis of the historical development to an area or region (i.e., Victorian, Modern).
- (G) Person - Any individual, firm, association, organization, partnership, business, trust, corporation, or company.
- (H) Preservation - (See Historic Preservation).
- (I) Preservation Easement - (See Easement).
- (J) Project - Activities involving the issuance of a lease, permit, license, certificate or other entitlements for use, to any party by the City.
- (K) Property - An area of land, undivided by any street, alley, railroad, stream, or similar physical feature, under common ownership or control, which is or will be occupied by one structure or land use, and any accessory structures and uses. A property could be made up of one or more lots of record, one or more portions of a lot or lots of record, or any combination thereof. The term shall include landscape features.
- (L) Proposed Designation - (See Nominated Landmark or Historic District).
- (M) Protection - The application of measures to defend, guard, cover or shield a building, site, structure, or object from deterioration, loss, attack, danger, or injury. In the case of buildings, structures or objects such measures generally are of a temporary nature and usually precede preservation measures. In the case of archeological sites, the protective measures may be temporary or permanent.
- (N) Reconstruction/Reconstruct - The reproduction of the exact form and detail of a vanished building, site, structure or object or a part thereof, as it appeared at a pertinent time using both original and modern materials and based on precise historical documentation and physical evidence.
- (O) Register - (See Lawrence Register.)
- (P) Rehabilitation/Rehabilitate - The act of returning a building, site, structure or object to a useful state through its repair and/or alteration while retaining the characteristic features of the property which are significant to its historical and architectural value.
- (Q) Remodeling - Modification and modernization of a structure or property without striving to return to or replicate the original historical and architectural character of the structure or property.
- (R) Removal - Any relocation of a structure in whole or in part on its site or to another site.
- (S) Repair - Any change to a structure or object that is not construction, removal or alteration.
- (T) Resource - Any building, site, structure, object or area that constitutes a source of present and future usefulness.

- (U) Restoration/Restore - The act of accurately recovering the form and details, based on precise historical documentation and physical evidence, of a building, site, structure or object as it appeared at a pertinent time including the removal of improvements that are not appropriate and the replacement of missing or deteriorated features.
- (V) Right-of-Way - A strip of land occupied or intended to be occupied by a street, crosswalk, footpath, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special use.
- (W) Sign - Any surface, fabric, device or display designed to visually convey information to the general public.
- (X) Significant - (See Historically or Architecturally Significant).
- (Y) Site - The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined or vanished, where the location itself possesses historic, cultural or archeological value regardless of the value of any existing structure. Examples of sites include habitation sites, burial sites, village sites, hunting and fishing sites, ceremonial sites, battlefields, ruins of historic buildings and structures, campsites, designed landscapes, natural features, springs, and landscapes having cultural significance.
- (Z) Stabilization - Taking measures to return an unsafe or deteriorated building, site, structure or object to a safe and secure condition while maintaining the existing form and detail of the building, site, structure or object. (Ord. 5950, Sec. 1)

22-107 DEFINITIONS, CONTINUED.

- (A) State or any Political Subdivision of the State - The State of Kansas; any office, department, agency, authority, bureau, commission, board, institution, hospital, college or university of the State; or any county, township, city, school district, special district, regional agency, redevelopment agency or any other political subdivision of the State.
- (B) Street - A right-of-way, other than an alley, dedicated to the public use, which provides principal access to adjacent properties.
- (C) Structure - Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground, including, but without limiting the generality of the foregoing: buildings, fences, gazebos, advertising signs, billboards, backstops for tennis courts, radio and television antennae, including supporting towers, and swimming pools.
- (D) Style - The specific identifying characteristics of a building both as it appears to the eye and as it is known to exist in design and structure.
- (E) Survey - An architectural and historical examination of historic resources to identify historic properties within an area.
- (F) Threatened Resource - (See Endangered Resource).
- (G) Use - The specific purpose for which a structure or property is utilized.
- (H) Utilitarian Structure - A category of structures intended primarily to serve a utilitarian or useful function rather than for beauty. Utilitarian structures may include, but are not limited to, structures used for agriculture, transportation and industry and certain moderate residential buildings. (Ord. 5950, Sec. 1)

ARTICLE 2. HISTORIC RESOURCES COMMISSION

22-201 COMPOSITION OF HISTORIC RESOURCES COMMISSION.

The Historic Resources Commission shall consist of seven (7) members, residents of the City, all of whom shall be appointed by the Mayor and approved by the City Commission. The Mayor shall make every reasonable effort to appoint persons with a demonstrated interest in historic preservation or architecture of the City. The Commission shall be composed of the following: Three (3) members shall be a diversity of preservation-related professionals, as recognized by the relevant standards of their respective profession, such as architect, architectural historian, archeologist, historian, landscape architect, and planner; four (4) members shall be a diversity of either professionals or lay persons with demonstrated interest, knowledge or training in fields closely related to historic preservation, such as history, architecture, landscape architecture, architectural history, archeology, planning, real estate, law, finance, building trades, urban design, and geography. At least one (1) preservation professional shall be on each subcommittee. (Ord. 5950, Sec. 1)

22-202 TERMS.

The term of office of the members of the Commission shall be for three (3) years, excepting the first Commission which shall consist of two (2) members serving for one (1) year, two (2) members serving for two (2) years, and three (3) members serving for three (3) years. A member may not serve more than two (2) consecutive terms. Vacancies shall be filled for the unexpired term only. (Ord. 5950, Sec. 1)

22-203 OFFICERS.

Officers shall consist of a Chair and Vice-Chair elected by the Commission who shall each serve a term of one (1) year and shall be eligible for re-election; but no member shall serve as Chair for more than two (2) consecutive years. The Chair shall preside over meetings. In the absence of the Chair, the Vice-Chair shall perform the duties of the Chair. If both are absent, a Temporary Chair shall be elected by those present. (Ord. 5950, Sec. 1)

22-204 MEETINGS.

- (A) A quorum shall consist of a majority of the members. Decisions or actions of the Commission shall be made by a majority vote, except when described otherwise in this Chapter, of those members present and voting at any meeting where a quorum exists. Meetings shall be held at regularly scheduled times to be established by resolution of the Commission at the beginning of each calendar year; additional meetings shall be on the call of the Chair. No member of the Commission shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member. No member of the Commission may vote by proxy. No action shall be taken by the Commission that could in any manner deprive or restrict the owner of a property in its use, modification, maintenance, disposition, or demolition until such owner shall first have had the opportunity to be heard at a public meeting of the Commission, as provided in this Chapter. Final decisions regarding property will be made by the City Commission. The Chair, and in his or her absence the Acting Chair, may request the attendance of witnesses.
- (B) All meetings of the Commission shall be open to the public. The Commission shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Commission and shall be a public record. (Ord. 5950, Sec. 1)

22-205 POWERS AND DUTIES.

- (A) All of the powers and duties enumerated herein are subject to the approval, denial, or modification by the City Commission. All decisions made by the City Commission are

subject to appeal to the District Court, pursuant to K.S.A. 60-2101. Further, all funds necessary to carry out the purpose of this Chapter shall be approved and appropriated only by the City Commission.

- (B) In addition to other responsibilities specified in this Chapter, the Commission may:
- (1) Adopt its own procedural regulations, subject to the laws of the State of Kansas and the City of Lawrence;
 - (2) Conduct an ongoing survey to identify historically and architecturally significant properties, structures, and areas that exemplify the cultural, social, economic, political, or architectural history of the nation, region, state, or city.
 - (3) Investigate and recommend to the City Commission the adoption of ordinances designating sites, structures and objects having special historical, community, or architectural value as landmarks.
 - (4) Investigate and recommend to the City Commission the adoption of ordinances designating areas having special historic, community, or architectural value as historic districts;
 - (5) Keep a register of all properties and structures that have been designated as landmarks or historic districts, including all information required for each designation;
 - (6) Determine an appropriate system of markers and make recommendations for the design and implementation of specific markings of the streets and routes leading from one landmark or historic district to another;
 - (7) Advise and assist owners of properties or structures within the City on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the Kansas and National Registers of Historic Places;
 - (8) Initiate the nomination of landmarks and historic districts to the Kansas and National Registers of Historic Places, and review and comment on any Kansas and National Register nominations submitted to the Commission upon request of the Mayor or City Commission;
 - (9) Inform and educate the citizens of the City concerning the historic and architectural heritage of the City by producing maps, newsletters, brochures, pamphlets, books, and/or other appropriate materials, and hold public programs at least twice a year available, and free of charge, to the general public;
 - (10) Hold public hearings and review applications for construction, alteration, removal, or demolition affecting proposed or designated landmarks or structures within historic districts or their environs and issue or deny certificates of appropriateness or economic hardship for such actions. Applicants may be requested to submit plans, drawings, elevations, specifications, and other information as may be necessary to make decisions;
 - (11) Develop specific design criteria for alteration, construction, or removal of landmarks or property and structures within historic districts with reasonable concern for both property or district and property owner;
 - (12) Review and comment upon proposed zoning amendments, applications for

special use permits, or applications for zoning variances that affect proposed or designated landmarks and historic districts. The Director of Planning shall cause copies of all applications for zoning amendments, and variances for sites designated as landmarks or within the area of a designated historic district, or the environs thereof, to be sent to the Commission no less than ten (10) days prior to the date of the hearing by the Lawrence-Douglas County Planning Commission or the Lawrence Board of Zoning Appeals;

- (13) Administer on behalf of the City any full or partial property interest in real property, including easements, that the City may have or accept as a gift or otherwise, upon authorization and approval of such administration by the City Commission;
- (14) Seek, accept, and administer on behalf of the City such gifts, grants, and money as may be appropriate for the purposes of this Chapter. Such money may be expended for publishing maps and brochures or for hiring a staff person(s) or consultants or performing other appropriate functions for the purpose of carrying out the duties and powers of the Commission and the purposes of this Chapter;
- (15) Call upon available City staff members, citizens and other experts for technical advice;
- (16) Recommend retaining such specialists or consultants or recommend the appointment of such ad hoc citizen advisory committees as may be required from time to time;
- (17) Testify before all boards and commissions, including the Lawrence-Douglas County Planning Commission and Board of Zoning Appeals, on any matter affecting historically and architecturally significant property, structures, and areas;
- (18) Confer recognition upon the owners of landmarks, property or structures within historic districts by means of certificates, plaques or markers;
- (19) Develop a preservation component for the comprehensive plan of the city and recommend it to the Lawrence- Douglas County Planning Commission and to the City Commission;
- (20) Periodically review the City's Zoning Code and recommend to the Lawrence-Douglas County Planning Commission and the City Commission any amendments appropriate for the protection and continued use of landmarks or property and structures within historic districts;
- (21) Attend an historic preservation-related workshop each year with the aid of City funds, if available;
- (22) Review this Chapter at least every five (5) years and make a report containing the following:
 - (A) An assessment of progress in preserving the architecturally and historically important structures of the City;
 - (B) An analysis of numbers, types, locations, and dispositions of applications for designation and certificates of appropriateness, appeals, and variances as provided for in this Chapter;

- (C) An assessment of the progress and performance in educating the citizenry about the value of historic preservation;
 - (D) An analysis of the validity of these regulations;
 - (E) Any recommended changes.
- (23) Undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or implementation of the purpose of this Chapter. (Ord. 5950, Sec. 1)

ARTICLE 3. SURVEYS AND INVENTORY

22-301 SURVEYS.

- (A) The Historic Resources Commission shall cause and commit to a good faith effort to be undertaken on behalf of the City to identify neighborhoods, areas, sites, structures and objects that have historic, community, or architectural importance, interest or value. Before the survey has been undertaken, the Commission may nominate for designation as landmarks or historic districts only those properties already listed on the National Register of Historic Places or the Kansas Register of Historic Places, and any property nominated on the initiative of the owner of that property. After a period of time to be determined by the Commission with the consent of the City Commission, but not less than six (6) months from the date of enactment of this Chapter, the Commission may also nominate any property on the Commission's own initiative or accept applications as defined in Section 22-402.
- (B) As part of the survey, the Historic Resources Commission shall review and evaluate any prior surveys and studies by any unit of government or private organization and compile appropriate descriptions, facts, and photographs. All new surveys and inventories shall use the Kansas Historic Resources Inventory Form and the Local Historic Resources Survey Manual prepared by the Kansas Historic Preservation Department. All survey efforts shall integrate with the Kansas historic preservation process.
- (C) The Commission shall then:
 - (1) Systematically identify potential landmarks and historic districts as interpreted from survey results.
 - (2) Categorize each individual site, structure, building or object identified as a potential landmark and recommend designation as either highly significant or significant.
 - (3) If the property owner wishes to object to either of these classifications, those concerns shall be heard as an agenda item at any Commission meeting and the Commission shall take the appropriate action as the situation warrants.
 - (4) Devise, adopt, and maintain procedures to nominate these potential landmarks and historic districts. (Ord. 5950, Sec. 1)

22-302 INVENTORY.

Once the designation process has begun, the Commission shall maintain a detailed Inventory of designated landmarks and historic districts. The inventory shall be maintained in a form compatible with the current Kansas Historic Resources Inventory Form and with the State comprehensive historic preservation planning process. All inventory material shall be available to the public and kept up-to-date. (Ord. 5950, Sec. 1)

ARTICLE 4. LANDMARK AND HISTORIC DISTRICT REGULATIONS

22-401 LAWRENCE REGISTER OF HISTORIC PLACES.

- (A) There is hereby established a Lawrence Register of Historic Places. The register shall include the following:
- (1) A list of all sites, structures and objects designated as landmarks pursuant to this chapter.
 - (2) A description of the boundaries of each area designated as an historic district pursuant to this Chapter.
 - (3) For each such landmark and historic district, the findings made by the Commission pursuant to Section 22-404.
- (B) The boundaries of landmarks, historic districts and their environs shall be recorded on a map or maps of landmark and historic districts. In case uncertainties arise regarding intended boundaries on the map, it shall be construed that boundaries follow the:
- (1) City limits, township, section, or quarter section;
 - (2) Center lines of streets, alleys, or public rights-of-ways;
 - (3) Lot lines, parcel boundaries or property lines;
 - (4) Center lines of the main tracts of railroad lines;
 - (5) Center lines of creeks, streams, rivers, or drainage channels; or
 - (6) Specific distances from a street line or other physical feature when so indicated on the map.
- (C) The Lawrence Register of Historic Places and the map(s) of landmarks and historic districts and all notations, symbols, dimensions, and references shown thereon shall be as much a part of this Chapter as if fully described herein and shall be filed with the City Clerk as part of this Chapter. The list and map shall be available for public inspection in the City Clerk's office and any later alterations of the list and map adopted by ordinance shall be filed and made available for public reference.
- (D) Landmarks and historic districts may include any:
- (1) Exterior of a structure or part thereof;
 - (2) Property or part thereof;
 - (3) Interior, or any portion thereof, of a structure, provided it is customarily open or accessible to the public, or to which the public is customarily invited, and the owner consents to such designation. Owners' protest of such designation cannot be overridden by the Commission or the City Commission;
 - (4) Abutting property or part thereof used as and constituting part of the premises on which another landmark is situated; or,

- (5) Landscape feature or aggregate of landscape features.
- (E) Historic districts may include two or more structures and/or properties. Individual buildings, sites, structures and objects within an historic district shall be classified and designated on the register. Individual buildings, sites, structures and objects shall be classified as:
 - (1) Key contributing;
 - (2) Contributing;
 - (3) Noncontributing.

Maps of each historic district shall be prepared identifying each building, site, structure and object with respective classification, and provided to property owners within the district, and filed with the Register of Deeds of Douglas County, Kansas. (Ord. 5950, Sec. 1)

22-401.1

LANDMARK DESIGNATIONS.

The following described real estate, and the improvements thereon, have been designated a landmark on the Lawrence Register of Historic Places as such designation is defined and prescribed in Chapter 22 of the City Code. The provisions, limitations, and requirements of ordinances making such designations are hereby incorporated by reference as if fully set forth herein.

- (A) The George and Anne Bell House, located at 1008 Ohio. (Ord. 6259)
- (B) The Benedict House, without the 1989 Addition, located at 923 Tennessee Street. (Ord. 6169)
- (C) The Dillard House, located at 520 Louisiana Street. (Ord. 6378)
- (D) The Duncan-Tucker House, located at 933 Tennessee. (Ord. 6163)
- (E) The E.H.S. Bailey Residence, located at 1101 Ohio. (Ord. 7233)
- (F) The Griffith House, located at 511 Ohio Street. (Ord. 6379)
- (G) The Hendry House, located at 941 Rhode Island. (Ord. 6537)
- (H) The House Building, located at 729-731 Massachusetts Street. (Ord. 6796)
- (I) The Octavius W. McAllaster Residence, located at 724 Rhode Island Street, which is legally described as Lot 34, Rhode Island Street, Original Townsite, Lawrence, Douglas County, Kansas. (Ord. 6894)
- (J) The McCurdy House, located at 909 W. 6th Street. (Ord. 6259)
- (K) The McFarland House, located at 940 Rhode Island. (Ord. 6538)
- (L) The Josiah Miller Building, Miller's Hall, located at 723/725 Massachusetts. (Ord. 6259)
- (M) The Robert H. Miller House, located at 1111 E. 19th Street. (Ord. 6163)
- (N) The Dr. Fredrick D. Morse House, located at 1041 Tennessee. (Ord. 6163)
- (O) The John N. Roberts House, located at 1307 Massachusetts. (Ord. 6163)

- (P) The Jane A. Snow Residence, located at 706 W. 12th Street. (Ord. 6627)
- (Q) The Shalor Eldridge House, located at 945 Rhode Island (Ord. 6536)
- (R) The J.B. Shane/Juno Bell Shane Thompson Photography Studio, located at 615 Massachusetts. (Ord. 6380)
- (S) Social Service League located at 905-907 Rhode Island Street, Lot 71, Original Townsite, Lawrence, Kansas. (Ord. 7234)
- (T) South Park, bounded by Vermont Street on the west, New Hampshire Street on the east and vacated New Hampshire Street, North Park Street on the north and South Park Street on the south. (Ord. 7232)
- (U) The Judge Nelson T. Stephens House, located at 340 N. Michigan Street. (Ord. 6163)

(V)

Comment [LZ3]: Add new landmarks and ordinances here

22-401.2

HISTORIC DISTRICTS.

The following described real estate, and the improvements thereon, have been designated an historic district on the Lawrence Register of Historic Places as such designation is defined and prescribed in Chapter 22 of the City Code. The provisions, limitations, and requirements of ordinances making such designations are hereby incorporated by reference as if fully set forth herein.

- (A) The 1000 block of Ohio Street (East Side Only) and the 1000 block of Tennessee Street (West Side Only) as Oread Neighborhood Historic District. (Ord. 6264)

22-402 NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS.

- (A) Nomination of a site, structure or object for designation as a landmark or of an area for designation as an historic district may be made only by application. Application may be made by resolution of the City Commission or Commission; or in the case of a landmark, by owner(s) of record of the nominated property or structure; or in the case of an historic district, by twenty percent (20%) or more of the owner(s) of record of property in a proposed historic district composed of twenty-five (25) or fewer properties; by fifteen percent (15%) or more of the owner(s) of record of property in a proposed historic district composed of 26 to 50 properties, and by ten percent (10%) or more of the owner(s) of record of property in a proposed historic district composed of 51 or more properties. The Commission shall make all reasonable efforts to secure the approval and written consent of the owner(s) before nominating a site, structure or object as a landmark. If the owner(s) does protest, the nomination for designation as a landmark or historic district may proceed only as set forth in Section 22-405.

- (B) The application shall contain, at the least:

- (1) The legal description and addresses of the pertinent structures and/or properties and a description of the environs thereof;
- (2) A certified property ownership list from the County Clerk's office shall be submitted with the application for nomination of an historic district or landmark.
(Ord. 5950, Sec. 1; Ord. 6241, Sec. II)

- (3) A completed application form prepared by the Commission.

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22-403 CRITERIA FOR DESIGNATION.

- (A) The Commission shall, after such investigation as it deems necessary, make a

determination as to whether a nominated site, structure, object or area qualifies for designation pursuant to one or more of the following criteria:

- (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;
 - (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;
- (B) Any site, structure, object, or area that meets one or more of the above criteria, shall also have sufficient integrity of location, design, materials, and workmanship to make it worthy of preservation or restoration. (Ord. 5950, Sec . 1)

22-404 DESIGNATION OF LANDMARKS AND HISTORIC DISTRICTS.

22-404.1 SAME; PROCEDURES AFTER APPLICATION SUBMISSION.

Upon receipt of an application nominating a site, structure or object for designation as a landmark, or nominating an area for designation as an historic district, the following procedures shall apply:

- (A) The Administrator shall set the date of a public hearing before the Commission concerning the application. The hearing shall be held no earlier than **forty-five (45), nor later than sixty (60) days following receipt of a completed application**. The hearing may be held during a regular meeting of the Commission or during a special meeting of the Commission called in part for that purpose.
- (B) The Administrator shall publish a notice of the public hearing in the official City newspaper. The notice shall specify the time and place of the hearing, the subject matter of the hearing, and invite all interested persons to appear and be heard. In addition to the foregoing, when the hearing concerns a proposed historic district, the notice shall further specify the time and place of an informational meeting to be held by the Administrator, and state as follows:
 - (1) Owners of property within the proposed historic district have sixty (60) days from the date of the first publication of the notice within which to file with the

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Comment [LZ4]: Discussion – should this be 90 days to allow for applications to be placed on a regular agenda instead of a special meeting and to allow time for Planning Commission comment.

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City Clerk a written consent or protest to the inclusion of their property within the proposed historic district. Any owner who fails to file a written consent or protest will be deemed to have consented to the inclusion of their property within the historic district.

- (2) A copy of the staff report regarding the proposed historic district will be available for public inspection at the office of the City Clerk at least seven (7) days prior to the hearing.
- (C) Within ten (10) days after publication of the public notice, the Administrator shall cause a copy of the public notice to be served as follows:
 - (1) By first class mail to all owners of property within an owner-nominated landmark or historic district;
 - (2) By certified mail to all owners of property within a non-owner nominated landmark or historic property;
 - (3) By first class mail to the owners of all property within two hundred fifty (250) feet of the boundaries of a proposed landmark or historic district; and,
 - (4) By first class mail or hand delivery to the Lawrence-Douglas County Metropolitan Planning Commission and all organizations that have submitted a written request to the Administrator within the last year to receive such notices.
- (D) When a landmark is nominated without the owner's consent, proof of receipt of actual notice of the hearing shall be required. Otherwise, failure of any other notice to actually be received by any other person shall not invalidate action on the nomination of a landmark or historic district.
- (E) The Administrator shall prepare a staff report. The staff report shall be completed and available to the public at the office of the City Clerk at least seven (7) days prior to the public hearing before the Commission and by the date of the informational meeting to be held by the Administrator. The staff report shall contain a legal description of the proposed landmark or historic district, public hearing date and location, name of the applicant and owner(s), requested action, history summary, architectural integrity summary, context description, planning and zoning considerations, positive or negative effects of the designation, fiscal comments, summary of applicable designation criteria, and any other information deemed pertinent by the Administrator.
- (F) The Administrator shall hold an informational meeting on any application to nominate an historic district at least seven (7) days prior to the public hearing before the Commission. At the informational meeting the Administrator shall present a summary of the staff report and such other information as the Administrator deems relevant.
- (G) Prior to the hearing before the Commission, the Administrator shall notify the Commission and the Planning Commission of the case and shall transmit to them copies of the application ~~and report,~~ copies of any associated correspondence, and such other reports and materials as are deemed pertinent by the Administrator. (Ord. 5950, Sec. 1; Ord. 6184, Sec. 1)

Comment [LZ5]: The Planning Commission meets the week after the HRC. If the report is due 7 days prior to the HRC public hearing, it will not be ready for the previous month's Planning Commission.

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22-404.2

SAME; PUBLIC HEARING BEFORE COMMISSION.

- (A) The public hearing before the Commission may be adjourned from time to time. The Administrator shall make what recommendations the Administrator deems appropriate. Comments shall also be received from the Lawrence-Douglas County

Planning Commission, owners of affected property, and all other persons who have an interest in the proceedings.

(B) 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:

- (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/interior 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.

(DC) In the case of a nominated historic district found to meet the criteria for designation: (1) The types of significant exterior architectural features of the structures within the nominated historic district that should be protected;

- (2) 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.
- (3) A list of all key contributing, contributing and noncontributing sites, structures and objects within the historic district.

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

(FE) The relationship of the nominated landmark or historic district to the ongoing effort of the Commission to identify and nominate all potential areas and structures that meet the criteria for designation.

(GF) A map showing the location of the nominated landmark or the boundaries of the nominated historic district. (Ord. 5950, Sec. 1)

22-404.3 SAME; PUBLIC HEARING BEFORE CITY COMMISSION.

(A) The City Commission shall consider the application at a public hearing. The public hearing may be during a regularly scheduled meeting. If the application concerns the designation of an historic district, the City Commission shall not consider the application until the period for the filing of written consents and protests has lapsed. Prior to that hearing, the City Commission shall be provided with the record of the proceedings before the Commission. The City Commission may approve an

ordinance designating a nominated site, structure or object as a landmark, or

designating an area as an historic district in accordance with the findings of the Commission. The City Commission may also authorize submittal of an application to nominate the proposed landmark or historic district for listing on the State or National Registers of Historic Places.

- (B) The Commission may recommend and the City Commission may designate a landmark or historic district which includes a portion of the structures and/or properties under consideration and described in any notice.
- (C) The Commission may recommend and the City Commission may amend or rescind designation of a landmark or historic district in the same manner and procedure as is followed in a designation of a landmark or historic district.
- (D) In the case of a denial of nomination, subsequent nomination attempts shall not occur within three years or without a change of ownership of the property, whichever occurs first. A subsequent nomination of an historic district may not be made within a year (365 days) unless there has been a substantial reconfiguration of the proposed nominated district. (Ord. 5950, Sec. 1)

Comment [LZ6]: Discussion: does this seem excessive? Compare to rezoning request that only requires 12 months from denial and 120 days if substantially different from the original application. Should this include a provision for new substantial information?

22-404.4

SAME; NOTICE OF DESIGNATION.

- (A) The Commission shall forward notice of designation of any landmark or historic district approved by the City Commission to be on the register to the Kansas State Historical Society.
- (B) Within seven (7) days after approval of such an ordinance, the Administrator shall notify in writing the owner of each structure or property designated as a landmark or included within an historic district. The notice shall outline the results of such designation. The Administrator, as soon as reasonably possible, shall notify the City Building Official and the City Director of Planning of the designation.
- (C) The Administrator shall cause to be recorded in a timely manner at the Douglas County Register of Deeds a record of any designation of a landmark, historic district, environs, amendment of such designation, or rescission of such a designation.
- (D) The designation of a landmark or historic district shall in no way after the uses permitted by the existing zoning classification or district of the properties so designated. A desire to change permitted uses shall require the filing of an application requesting a zoning change as provided by the zoning ordinance of the City. (Ord. 5950, Sec. 1)

22-405 DESIGNATION PROTEST PROCEDURES.

22-405.1

SAME; PROTEST OF LANDMARK DESIGNATION BY PROPERTY OWNER.

- (A) A protest of any landmark nomination may be submitted any time prior to completion of the Commission's public hearing on the nomination. The protest shall be executed in writing by the owner(s) of record of the nominated landmark. The Administrator shall provide a protest form on request. One of the following procedures will then occur:
 - (1) Should a properly executed and valid protest be submitted for a property classified as significant, the Commission shall immediately terminate the nomination process for that property. However, such action shall have no bearing on subsequent nominations of the same property; or,
 - (2) The Commission may recommend that the nomination be classified as highly significant only by a two-thirds favorable vote. To designate the nomination

as highly significant the Commission must make the following findings on the evidence presented at the public hearing on the nomination, to-wit:

- (a) That the nomination is highly significant, pursuant to the definition set forth in this Chapter;
 - (b) The structure or building is fifty (50) years old or older;
 - (c) The structure is of a significant or unique architectural style or characteristic, and few, if any, other such structures remain in the City; or the structure is associated with a major event which is a significant part of the history of the city, community, state, or nation and few, if any, other such associated structures remain; or the structure is substantially associated with a person or persons of major significance to the city, community, state, or nation, and that few, if any, other such structures remain which are primarily associated with the persons or persons;
 - (d) The structure or building has been surveyed by the Administrator or other preservation specialist, and recommended for designation as highly significant, which survey and a recommendation shall be made part of the public record;
 - (e) The building or structure shall have a reasonable use to the owner(s) and it is probable that the building or structure shall be physically maintained;
 - (f) The structural integrity and major architectural components have been substantially preserved;
 - (g) That the proposed property meets the spirit of the criteria for either the Kansas or National Register.
- (B) Upon recommendation of a nomination as highly significant by the Commission, the nomination shall be forwarded to the City Commission. Such property may be designated a landmark only by a two-thirds favorable vote by the City Commission affirming the findings and conclusions of the Historic Resources Commission. (Ord. 5950, Sec. 1)

22-405.2 SAME; PROTEST OF HISTORIC DISTRICT DESIGNATION BY PROPERTY OWNER WITHIN PROPOSED DISTRICT.

- (A) The consent of a majority of the owners and the owners of a majority of the total area within a proposed historic district shall be required for the City to designate an historic district. Owners of a property within a proposed district shall be given sixty (60) days within which to file written consents or objections to the inclusion of their property in the proposed district. The sixty (60) day period shall commence upon the publication of the notice of the public hearing before the Commission. Owners of property shall be entitled to one (1) vote for each taxable property of which they are the owner of record as acknowledged by the records of the Register of Deeds of Douglas County, Kansas. If any property owners fail to respond as set forth herein, they shall be deemed to have consented to the inclusion of their property in the proposed district.
- (B) If a majority (fifty-one percent (51%) or more) of the owners or the owners of a majority (fifty-one percent (51%) or more) of the total area within a proposed historic district file a written protest against the inclusion of their property in the proposed historic district then the City Commission shall deny the application nominating the

area as an historic district.

- (C) If thirty-five percent (35%) or more of the owners of property within a proposed historic district file a written protest against the inclusion of their property in the proposed historic district, then the City Commission may adopt an ordinance designating the proposed area as an historic district only upon the affirmative vote of two-thirds (2/3) of all the members of the City Commission. (Ord. 5950, Sec. 1)

22-406 INTERIM CONTROLS.

Action on building or demolition permit applications shall not be delayed if the building or demolition permit was submitted prior to the submittal of a pertinent landmark or historic district application. Action on a building or demolition permit application to the City for a nominated landmark shall be delayed until final action has been taken on such nomination. Action on a demolition permit application for a key contributing or contributing structure or object within a nominated historic district shall be delayed until final action has been taken on such nomination. There shall be no interim controls on noncontributory buildings, sites, structures, and objects within a nominated historic district; or on the environs of a nominated landmark or district. Interim controls shall not extend beyond one hundred twenty (120) days from date of filing the application in any situation. Exception shall be made when such alteration, removal or demolition is authorized by formal resolution of the City Commission as necessary for public health, welfare, or safety. (Ord. 5950, Sec. 1)

Comment [LZ7]: Discussion: should interim controls apply to the non-contributory buildings and the environs?

ARTICLE 5. CERTIFICATE OF APPROPRIATENESS

22-501 WHEN CERTIFICATE REQUIRED.

- (A) Nothing in this Chapter shall be construed to prevent the ordinary maintenance or repair of a structure or building.
- (B) A certificate of appropriateness shall be required before the following actions affecting ~~the exterior architectural appearance of~~ any landmark or property within an historic district or their environs:
 - (1) Any exterior construction, alteration, or removal requiring a building permit from the City.
 - (2) Any demolition in whole or in part requiring a demolition permit from the City.
 - (3) Any construction, alteration, demolition, or removal affecting a significant exterior architectural or historical feature as specified in the ordinance designating the landmark or historic district. However, such requirement shall not apply:
 - (a) To the environs of a designated landmark or historic area;
 - (b) To such repairs and preventive measures as are minimally required to prevent additional loss or harm to the structure resulting from damage to the structure by accident or natural causes. (Ord. 5950, Sec. 1)

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~~(4) Any project involving the lease, permit, license, certificate or other entitlement for use including the following:~~

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- ~~(a) Sign Permits~~
- ~~(b) Rezoning~~
- ~~(c) Special use or conditional use permits~~
- ~~(d) Subdivision of property~~
- ~~(e) Vacation of streets or alleys~~

~~(C) Exceptions~~

~~A Certificate of Appropriateness shall not be required for any lease, permit, license,~~

certificate or entitlement for interior projects in the environs of a landmark property.

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22-502 APPLICATIONS FOR CERTIFICATE OF APPROPRIATENESS.

A copy of every application for a demolition permit, ~~or a~~ building permit, sign permit, or any project involving the lease, permit, license, certificate or other entitlement for use, including any accompanying plans and specifications, affecting the exterior architectural appearance of a landmark or of a property within an historic district or the environs thereof, will be forwarded to the Commission who shall initiate an application for a certificate of appropriateness. Application for review of construction, alteration, demolition, or removal not requiring a permit for which a certificate of appropriateness is required shall be initiated on a form prepared by

the Commission. (Ord. 5950, Sec. 1; Ord. 6214, Sec. III)

22-503 DETERMINATION BY HISTORIC RESOURCES COMMISSION.

(A) Any applicant may request a meeting with the Commission before the application is sent by ~~the Building Inspection Department Development Services~~ to the Commission or during the review of the application. The Commission shall consider the completed application at its regular meeting.

(B) To prevent unnecessary delay in construction, the Administrator may issue certificates of appropriateness for the following if the project complies with the design criteria of this ordinance:

(1) repair or maintenance of any structure when such work substantially reproduces the existing design and is performed in the existing material or for alterations or construction which are clearly appropriate in the particular situation which follow the design criteria of this ordinance.

(2) Certificate of Appropriateness applications for Landmark properties for the following:

- a. Replacement of roofing materials with like-kind materials
- b. Repair of architectural elements such as porches, fascia, windows, doors, with like-kind replacement materials
- c. Installation of mechanical, plumbing, or electrical systems that require minimal changes
- d. Installations of awnings and signs on commercial properties
- e. Installation of fire safety equipment, or minor alterations to meet the Americans with Disabilities Act
- f. Public improvements including improvements to streets, curbs, sidewalks, parking areas, parks, and other amenities
- g. Rezoning, Special Use Permits, Conditional Use Permits, subdivision of property, or vacation of streets or alleys
- h. Minor exterior building changes
- i. Sidewalk dining
- j. Minor exterior building additions to accessory structures
- k. Similar projects.

(3) Certificate of Appropriateness applications for properties within 250 feet of a property listed on the Lawrence Register of Historic Places for the following:

- a. All projects except for demolition of primary structures, new construction of primary structures, and building additions that are equal to or greater than 20% of the existing building footprint.
- b. Demolition of outbuildings that are not significant to the environs of the listed property
- c. Demolition of outbuildings with appropriate replacement structures
- d. Rezoning, Special Use Permits, Conditional Use Permits, subdivision of property, or vacation of streets or alleys
- e. Similar projects.

(4) The Administrator shall approve ~~or deny~~ the request within ~~five (5)~~ten (10) working days, unless an extension is consented to by the applicant. ~~The Chair (or his or her designee) shall co-sign any certificates of appropriateness issued in this manner.~~The Commission will review any certificates of appropriateness issued in this manner and confirm the determination of the Administrator.

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(5) If the project does not meet the design criteria of this chapter, the project will be forwarded to the Commission for review. The Administrator shall not have the authority to deny a Certificate of Appropriateness.

~~(B) — The Chair of the Commission may appoint a subcommittee of a quorum of its members to review routine applications for a certificate of appropriateness when delay to the next regular meeting would create an unnecessary inconvenience to the applicant. A certificate of appropriateness may be issued prior to the next regular meeting upon the signatures of all but one of the members of that subcommittee.~~

(C) The Commission shall review the application for a certificate of appropriateness and ~~issue or deny~~ the certificate of appropriateness within forty-five (45) days of receipt of the ~~applicant~~ application. Written notice of the appropriateness shall be provided the applicant and ~~the building inspection department~~ Development Services within seven days following the determination and shall be accompanied by a certificate of appropriateness in the case of approval. (Ord. 5950, Sec. 1)

Comment [LZ8]: Discussion: What about approval with conditions?

Comment [LZ9]: Currently the CoA is a stamp on approved plans. A letter is sent to the applicant within 7 days that identifies approval with conditions and or denial and why.

22-504 DENIAL OF CERTIFICATE OF APPROPRIATENESS.

(A) A denial of a certificate of appropriateness shall be accompanied by a statement of the reasons for the denial. The Commission shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Commission to reconsider its denial and shall confer with the applicant and attempt to resolve as quickly as possible the differences between the owner and the Commission. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Commission.

(B) Any person dissatisfied with a determination by the Commission concerning a certificate of appropriateness may file an appeal to the City Commission within fifteen (15) days of the date of notification of that determination. The City Commission must act on this request within thirty (30) days of receipt and must hold a public hearing on the appeal. (Ord. 5950, Sec. 1)

22-505 STANDARDS FOR REVIEW.

(A) An application for a certificate of appropriateness shall be evaluated on a sliding scale, depending upon the designation of the building, structure, site or object in question. The certificate shall be evaluated on the following criteria:

- (1) Most careful scrutiny and consideration shall be given to applications for designated landmarks;
- (2) Slightly less scrutiny shall be applied to properties designated as key contributory within an historic district;

- (3) Properties designated contributory and non-contributory within an historic district shall receive a decreasing scale of evaluation upon application;
- (4) The least stringent evaluation is applied to the environs area of a landmark or historic district. There shall be a presumption that a certificate of appropriateness should be approved in this category unless the proposed construction or demolition would significantly encroach on, damage, or destroy the landmark or historic district. If the Commission denies a certificate of appropriateness in this category, and the owner(s) appeals to the City Commission, the burden to affirm the denial shall be upon the Commission, the City or other interested persons.

Comment [LZ10]: Discussion

(B) In considering an application for a certificate of appropriateness for a landmark or a property within an historic district, the Commission shall be guided by the following general standards in addition to any design criteria in this Chapter and in the ordinance designating the landmark or historic district:

Comment [LZ11]: Discussion: Should this be the Secretary of the Interior's Standards? 22-506 C1 refers to Secretary of the Interior's Standards for review.

- (1) Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, site or object and its environment, or to use a property for its originally intended purpose;
- (2) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible;
- (3) All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged;
- (4) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected;
- (5) Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure, or site shall be treated with sensitivity;
- (6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence, rather than on conjectural designs or the availability of different architectural elements from other buildings or structures;
- (7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken;
- (8) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project;
- (9) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property,

neighborhood, or environs. (Ord. 5950, Sec. 1)

(C) In considering an application for a certificate of appropriateness for a property within 250 feet of a landmark or historic district listed in the Lawrence Register of Historic Places, the Commission shall be guided by the following general standards:

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(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.

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(2) The environs of a property should be used as it has historically been used or allow the inclusion of new use that require minimal change to the environs' distinctive materials, features, and spatial relationships.

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(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.

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(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.

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(5) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.

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(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.

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(7) Moved historic properties that have not retained or acquired historic significance in their new environs shall be considered as artifacts without environs.

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22-506 DESIGN CRITERIA.

(A) The following are specific design criteria used to promote the standards set forth in Section 22-505. The purpose of these design criteria is to encourage preservation of intact significant properties; restoration of significant properties that have already undergone insensitive alterations; and new construction, as long as such complement the existing buildings and streetscapes. It is not the intention of these criteria to discourage new architectural styles.

(B) The Commission shall prepare and adopt specific design criteria as it deems

CODE OF THE CITY OF LAWRENCE, KANSAS

necessary to supplement the provisions of this ordinance for the review of certificates of appropriateness. The Commission shall prepare and adopt design criteria in accordance with the review standards set forth in Section 22-505. Within each of the designated categories, the design criteria will be applied more stringently to properties of greater significance than those with lesser significance as determined by their respective designation. The Commission may recommend amendments and supplements to the criteria used for review of applications for certificates of appropriateness to the City Commission. The City Commission must first approve additional design criteria not listed in this chapter, and any changes thereto, before the criteria or changes shall become effective.

(C) In considering any application for a certificate of appropriateness and in reviewing and commenting on matters before other bodies, the Commission shall consider the standards for review listed above and the following:

(1) Alterations. Specific design criteria for exterior alterations of landmarks and key contributing and contributing properties within historic districts shall be based on the U.S. Secretary of the Interior's Standards for Rehabilitation, as published in Section 36, Code of Federal Regulation, Part 67, and as revised from time to time; and by further reference to such specific design criteria as the Commission may require for the designation of the landmark or historic district.

(2) New Construction and Additions to Existing Buildings.

(a) The design for new construction shall be sensitive to and take into account the special characteristics that the district is established to protect. Such consideration may include, but should not be limited to, building scale, height, orientation, site coverage, spatial separation from other buildings, facade and window patterns, entrance and porch size and general design, materials, textures, color, architectural details, roof forms, emphasis on horizontal or vertical elements, walls, fences, landscaping, and other features deemed appropriate by the Commission.

(b) New buildings need not duplicate older styles of architecture but must be compatible with the architecture within the district. Styles of architecture will be controlled only to insure that their exterior design, materials, and color are in harmony with neighboring structures.

(c) ~~The following~~ specific design criteria in 22-506.1 shall be used to review all applications for certificates of appropriateness for new construction or additions to existing buildings. ~~;~~

(3) Demolition, Relocation, and Land Surface Change.

- (a) Demolition in whole or in part of individual landmarks or any key contributory or contributory structure within an historic district shall not be permitted. Exceptions are allowed only if a structure has been substantially damaged through fire or deterioration, and if there is reasonable proof that it would not be economically or physically feasible to rehabilitate. Other exceptions may be allowed if a structure does not possess the integrity, originality, craftsmanship, age or historical significance to merit preservation. However, demolition of past additions which have not gained historical significance and which have disguised or sheathed original elements or facades are encouraged, as long as the intention is to restore such elements or facades. Demolition under this chapter shall be subject to Ordinance 5810, as amended.
- (b) Structures should not be removed from their original site. Exceptions will be allowed only if there is substantial evidence that it would not be practical or economical to utilize the building on its present site. If a structure lies in the path of a public improvement project, involving the city and if the building is worthy of preservation by virtue of its integrity, originality, craftsmanship, age, or historical significance relocation may be considered as an alternative.
- (c) Major and substantial change of land surface within the boundaries of a landmark or historic district should not be permitted. Exceptions will be allowed only if there is substantial evidence that the change would not be detrimental to the historical and architectural character of surrounding structures or landscaping.

(4) Signage Guidelines. The Commission will receive copies of any sign permits or appeal or request for variance regarding a sign located, or to be located, on a landmark or within an historic district, or the environs thereof. The Commission ~~may~~ shall review sign permits and may comment upon such appeals or requests for variances subject to the following guidelines:

- (a) Signs should be designed and placed so as to appear an integral part of the building design, in proportion to the structure and environment, and to respect neighboring properties within historic districts;
- (b) Obscuring or disrupting important design elements is discouraged. Signs should be designed with appropriateness relative to the services of the establishment served;
- (c) Signs should be maintained if they are determined to be an original part of the building or if they have acquired significance by virtue of their age, design, materials, craftsmanship, or historical significance;
- (d) Illumination of signs should be properly shielded or diffused so as to eliminate glare and be of a low enough wattage to not detract from or set apart the structure;
- (e) Descriptive signs as an integral part of the structure are encouraged. Such signs could include building dates, historic descriptions, commemorations, etc.;
- (f) Free-standing signs may be considered, if appropriate and

necessary to preserve the character of the landmark or historic district.

(5) Accessory Structures and Landscaping.

- (a) Existing characteristic features such as trees, walls, stairs, paving materials, fencing, walkways and other similar structures or site features that reflect the landmark or historic district's history and development shall be retained.
- (b) Landscaping should be appropriate to the scale and the unique features of the landmark or historic district.
- (c) Accessory structures within the boundaries of a designated landmark site shall be appropriate to and compatible with the architectural features of the primary landmark structure. Structures accessory to noncontributory buildings within a designated historic district shall be so designated as to not detract from the historical or architectural character of the district. (Ord. 5950, Sec. 1)

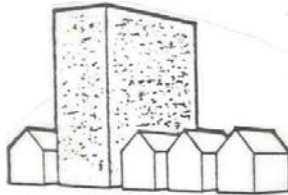
22-506.1 ILLUSTRATIVE DESIGN CRITERIA

HEIGHT

Consider - Relating the overall height of new construction to that of adjacent structures. As a general rule, construct new buildings to a height roughly equal to the average height of existing buildings from the historic period on and across the street.

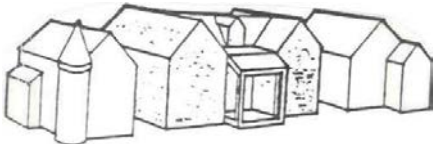


Avoid - New construction that greatly varies in height (too high or too low) from older buildings in the vicinity.

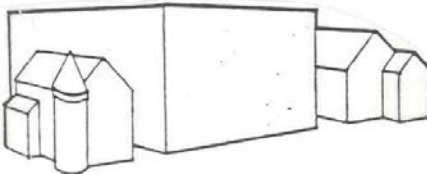


SCALE

Consider - Relating the size and proportions of new structures to the scale of adjacent buildings. Although much larger than its neighbors in terms of square footage, the building shown maintains the same scale and rhythm as the existing buildings.



Avoid - Buildings that in height, width, or massing violate the existing scale of the area. The new building shown here disrupts the scale and rhythm of the streetscape, although it might be appropriate in a different location.

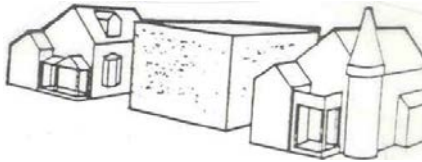


MASSING

Consider - Breaking up uninteresting boxlike forms into smaller, varied masses such as are common on most buildings from the historic period. Variety of form and massing are elements essential to the character of the streetscape in historic districts.



Avoid - Single, monolithic forms that are not relieved by variations in massing. Boxlike facades and forms are intrusive when placed in a streetscape of older buildings that have varied massing and facade articulation.



DIRECTIONAL EXPRESSION

Consider - Relating the vertical horizontal, or nondirectional facade character of new buildings to the predominant directional expression of nearby buildings. Horizontal buildings can be made to relate to the more vertical adjacent structures by breaking the facade into smaller masses that conform to the primary expression of the streetscape.



Avoid - Strongly horizontal or vertical facade expressions unless compatible with the character of structures in the immediate area. The new building shown does not relate well to either its neighbors or to the rhythm of the streetscape because of its unbroken horizontal facade.



SETBACK

Consider - Maintaining the historic facade lines of streetscapes by locating front walls of new buildings in the same plane as the facades of adjacent buildings. If exceptions are made, buildings should be set back into the lot rather than closer to the street. If existing setbacks vary, new buildings should conform to historic siting patterns.



Avoid - Violating the existing setback pattern by placing new buildings in front of or behind the historic facade line. Avoid placing buildings at odd angles to the street, unless in an area where diverse siting already exists, even if proper setback is maintained.



PLATFORMS

Consider - The use of a raised platform is a traditional siting characteristic of some of the older buildings in Lawrence. This visual 'pedestal' is created by retaining walls and stepped entries.

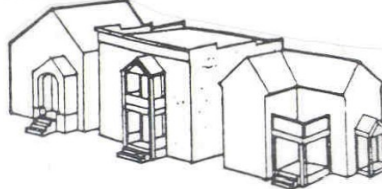


Avoid - Bringing walls of new buildings straight out of the ground without a sense of platform, i.e., without maintaining the same entry height as neighboring buildings. Such structures seem squat, visually incomplete, and do not relate well to their elevated neighbors. Also avoid leveling off terraced slopes or removing retained platforms.

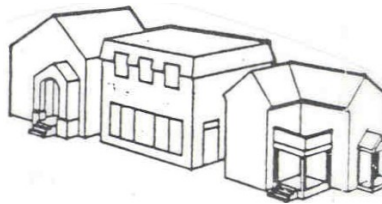


SENSE OF ENTRY

Consider - Articulating the main entrances to the building with covered porches, porticos, and other pronounced architectural forms. Entries were historically raised a few steps above the grade of the property and were a prominent visual feature of the street elevation of the building.

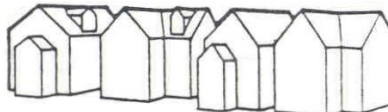


Avoid - Facades with no strong sense of entry. Side entries or entries not defined by a porch or similar transitional element result in an incompatible "flat" first-floor facade.



ROOF SHAPES

Consider - Relating the roof forms of the new buildings to those found in the area. Although not entirely necessary, duplication of the existing or traditional roof shapes, pitches, and materials on new construction is one way of making new structures more visually compatible.



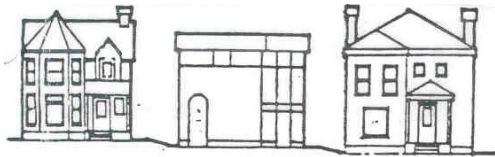
Avoid - Introducing roof shapes, pitches, or materials not traditionally used in the area.

RHYTHM OF OPENINGS

Consider- Respecting the recurrent alternation of wall areas with door and window elements in the facade. Also consider the width-to-height ratio of bays in the facade. The placement of openings with respect to the facade's overall composition, symmetry, or balanced asymmetry should be carefully studied.



Avoid - Introducing incompatible facade patterns that upset the rhythm of openings established in surrounding structures. Glass walls and window and door shapes and locations shown in the example are disrespectful to the adjoining buildings.

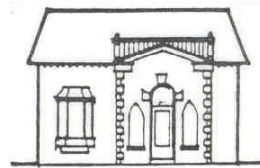


IMITATIONS

Consider - Accurate restoration of or visually compatible additions to existing buildings, and, for new construction, contemporary architecture that well represents our own time, yet enhances the nature and character of the historic district.



Avoid - Replicating or imitating the styles, motifs, or details of older periods. Such attempts are rarely successful and, even if done well, present a confusing picture of the true character of the historical area.



ARTICLE 6. CERTIFICATE OF ECONOMIC HARDSHIP

22-601 PURPOSE.

A certificate of economic hardship serves as an alternative to a certificate of appropriateness wherever a certificate of appropriateness would otherwise be required. The purpose of the certificate of economic hardship is to provide relief where the application of this Chapter would otherwise impose undue hardship. (Ord. 5950, Sec. 1)

22-602 APPLICATION FOR CERTIFICATE.

- (A) Application for a certificate of economic hardship shall be made on a form prepared by the Commission. Such application may be made in conjunction with, or separately from, an application for a certificate of appropriateness or upon the denial of a certificate of appropriateness. The Commission shall schedule a public hearing concerning such applications within ~~30-45~~ days of the receipt of a complete application.
- (B) The Administrator shall assist all applicants in the preparation of applications for certificates of economic hardship. Every reasonable effort shall be made to limit the costs to the applicant and to assure efficient processing of the application. The Commission shall require the submission of financial documents, professional reports, and expert testimony only when they are necessary to review an application.
- (C) The Commission may solicit expert testimony or request that the applicant for a certificate of economic hardship make submissions concerning any or all of the following information before it makes a determination on the application:
 - (1) Estimate of the cost of the proposed construction, alteration, demolition or removal, and an estimate of any additional cost that would be incurred to comply with the recommendations of the Commission for changes necessary for the issuance of a certificate of appropriateness;
 - (2) A report from a qualified or bonded person with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;
 - (3) Estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the Commission; and, in the case of a proposed demolition, after renovation of the existing property for continued use;
 - (4) In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;
 - (5) If the property is income-producing, the annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
 - (6) Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two years;
 - (7) All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing, or ownership of the property;

- (8) Any listing of the property for sale or rent, price asked and offers received, if any, within the previous two years;
- (9) Assessed value of the property according to the two most recent assessments;
- (10) Real estate taxes for the previous two years;
- (11) Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or other;
- (12) Any other information considered necessary by the Commission to a determination as to whether the property does yield or may yield a reasonable return to the owners. (Ord. 5950, Sec. 1)

22-603 DETERMINATION.

The Commission shall review all the evidence and information required of an applicant for a certificate of economic hardship and make a determination within forty-five (45) days of receipt of the **complete** application whether the denial of the application will deprive the owner of the property of reasonable use of, or reasonable economic return on, the property. Written notice of the determination shall be provided in the same manner as notification of a determination concerning a certificate of appropriateness. (Ord. 5950, Sec. 1)

22-604 APPEAL.

Any person dissatisfied with a determination by the Commission concerning a certificate of economic hardship may file an appeal to the City Commission within fifteen (15) days of the date of notification of that determination. The City Commission must act on this request within thirty (30) days of receipt and must hold a public hearing on the matter. (Ord. 5950, Sec. 1)

ARTICLE 7. PUBLIC HEARINGS

22-701 NOTICE.

Whenever a public hearing is required by this Chapter, and unless otherwise provided by this Chapter, notice of the time, place and subject of such public hearing shall be given as follows:

- (A) By publication in the official City newspaper at least once prior to the date of such public hearing.
- (B) If the hearing concerns an appeal, or an application for a certificate of economic hardship, notice of such hearing shall also be given by mail to the person(s) filing such appeal or application.

22-702 BURDEN OF PROOF.

- (A) In all hearings the burden of establishing that the requirements and criteria are met for any action shall be upon the party requesting that such action be taken.
- (B) A matter on appeal to the City Commission shall be heard de novo. (Ord. 5950, Sec. 1)

22-703 CONDUCT OF HEARINGS.

- (A) Public hearings shall be conducted in a manner which allows all interested persons an opportunity to present relevant and nonrepetitious information concerning the subject matter of the hearing. The body conducting the hearing may impose reasonable time limitation on comments by the general public.

- (B) Minutes shall be kept of such hearings and shall identify the subject matter of the hearing, the persons who testified at such hearing, and the determination made by the body conducting the hearing.
- (C) Applicants and appellants may be represented by counsel and shall be allowed a reasonable opportunity to rebut any information presented in opposition to their application or appeal. However, this shall not be construed to require that applicants or appellants be allowed to question opposing witnesses. (Ord. 5950, Sec. 1)

ARTICLE 8. PROPERTY OWNED BY PUBLIC AGENCIES

22-801 PROPERTY OWNED BY PUBLIC AGENCIES.

In the City, many of the historically and architecturally important buildings, sites, structures, and objects are owned by government entities. The preservation of buildings, sites, structures, objects, and districts significant in American history, architecture, archeology, engineering, and culture is established as national policy in the National Historic Preservation Act of 1966, as amended. The Kansas Historic Preservation Act, as amended, declares that the historical, architectural, archeological, and cultural heritage of Kansas is an important asset of the state and that its preservation and maintenance should be among the highest priorities of government. To accomplish the adopted policies of the federal and state governments and to accomplish the purposes of this chapter, the following regulations promote the preservation of publicly-owned historically and architecturally significant buildings, sites, structures, and objects.

- (A) For properties in the City, the Commission may recommend, and the City Commission may authorize, the submittal of an application to list a building, site, structure, object, or district, owned by a unit of government, on the Kansas Register or National Register. The authorization of the pertinent unit of government, if other than the City, should be obtained before submittal of such an application if required by applicable state or federal law and regulations.
- (B) To further the purposes of this Chapter, the City may enter into agreements with other units of government. The City shall specifically seek to negotiate an agreement with the State Historic Preservation Officer whereby the state delegates certain responsibilities to the City including, but not limited to, the review of building permit applications and demolition and/or clearance permit applications. The Commission may recommend and the City Commission shall authorize in behalf of the City, entering into such agreements. Such agreements may address:
 - (1) Designation of landmarks and historic districts;
 - (2) Administration of the use of preservation fund resources;
 - (3) Improvements to landmarks, properties in historic districts, and properties adjacent to landmarks or historic districts;
 - (4) Demolition and clearance of all or a portion of landmarks, properties in historic districts, and properties adjacent to landmarks or historic districts;
 - (5) Efforts to encourage the maintenance of landmarks and properties in historic districts;
 - (6) Other mutually acceptable provisions.
- (C) Proposed improvements to a building, site, structure, or object, owned by the City (designated as a landmark or located in an historic district), shall be approved

according to the procedures and regulations listed herein. Proposed demolition and/or clearance of a building, site, structure, or object, owned by the city (designated as a landmark or located in an historic district), shall be approved according to the procedures and regulations listed herein. (Ord. 5950, Sec. 1)

**ARTICLE 9. PRESERVATION SPECIALIST ON STAFF-HISTORIC
RESOURCE ADMINISTRATOR**

22-901 QUALIFICATIONS OF ADMINISTRATOR.

- (A) The City Manager shall be authorized to employ an Administrator to facilitate the mandates of this chapter. The Administrator should have a master's degree in either American architectural history; American history with an emphasis in architectural history; architecture with an emphasis in architectural history; historic preservation; historic preservation technology; or, have demonstrated extensive practical experience in historic preservation or historic preservation technology. In addition, the Administrator should have at least two years' working experience in the area of historic preservation or a related field. The title of this administrative position shall be Historic Resources Administrator for the City.
- (B) If at any time the position of Historic Resources Administrator is temporarily vacant, the City Manager shall designate a member of the City staff to serve as acting Administrator until such time as the position is filled. (Ord. 5950, Sec. 1)

22-902 DUTIES OF ADMINISTRATOR.

The Administrator shall have the following responsibilities:

- (A) Develop application forms and establish procedures consistent with this Chapter;
- (B) Be responsible for recording/taking minutes at each Commission meeting;
- (C) Be responsible for publication and distribution of copies of the minutes, reports and decisions of the Commission to the members of the Commission;
- (D) Give notice as provided in this Article or by law for all public hearings conducted by the Commission;
- (E) Advise the mayor of vacancies on the Commission and expiring terms of members;
- (F) Prepare and submit to the City Commission a complete record of the proceedings before the Commission on any matter requiring City Commission consideration.
- (G) Receive, review, process, prepare reports and recommendations and refer to the Commission and the City Commission applications for designation of landmarks and historic districts, certificates of appropriateness, building permits, demolition and clearance permits, certificates of economic hardship, preservation easements, and appeals provided for in this Chapter;
- (H) Record and file approved landmark and historic district designations, certificates of appropriateness, certificates of economic hardship, preservation easements, and decisions on appeal;
- (I) Make landmark and historic district recommendations to the Commission;
- (J) Maintain an up-to-date copy of the map of landmarks and historic districts, as necessary;

- (K) Maintain agenda, minutes, and records of all meetings of the Commission including voting records, attendance, resolutions, findings, determinations, and decisions;
- (L) Conduct and interpret architectural surveys and research necessary to support local, state, and national designations, upon approval of the Commission;
- (M) To educate, communicate and inform the residents of Lawrence pursuant to the purpose of this Chapter. (Ord. 5950, Sec. 1)

ARTICLE 10. INCENTIVES AND EASEMENTS

22-1001

SPECIAL USE PERMIT.

To make the preservation of historically significant structures more economically feasible, the Commission may recommend to the Lawrence-Douglas County Planning Commission that a special use permit be granted for landmark or historic districts as an alternative zoning category to permit appropriate functions such as bed and breakfast accommodations, house museums, art galleries, and other appropriate specialty uses. (Ord. 5950, Sec. 1)

22-1002

PRESERVATION EASEMENTS.

Preservation easements on the facades of buildings designated as landmarks or structures of merit may be acquired by the City or other appropriate groups of persons through purchase, donation or condemnation pursuant to the laws of the State of Kansas. A preservation easement would include any easement, restriction, covenant or condition running with the land designed to preserve or maintain the significant features of such landmarks or structures. (Ord. 5950, Sec. 1)

22-1003

EXCEPTIONS.

Exceptions to the Building Code of the City may be available to owners of landmarks and buildings within historic districts as set forth in Section 104 of the Building Code as amended by Chapter 5, Article 1, Section 5-102.1 (Ord. 5950, Sec. 1)

Comment [LZ12]: New Reference for Code?

22-1004

PRESERVATION FUND.

Comment [LZ13]: Discussion

- (A) There is hereby established a preservation fund. The fund shall be administered as directed by and according to any limitations and regulations imposed by the City Commission and according to state law. The City may apply for, receive, and place in the fund any federal, state, local, or private gifts, grants, fees, grants-in-aid or bequests. The City Commission may budget and incorporate City revenues into the fund. Fees and fines imposed according to this Chapter shall be placed in the fund.
- (B) The Commission may recommend and the City Commission may approve, on a case by case basis, that the resources of the Lawrence preservation fund be used for:
 - (1) The purchase of fee simple title to landmarks or properties located in an historic district;
 - (2) The purchase of preservation easements regarding landmarks or properties located in an historic district;
 - (3) The purchase of fee simple title to landmarks or properties located in an historic district with the eventual objective of property resale subject to a preservation easement;
 - (4) Payment of installments and fees according to a contract to purchase fee simple title to landmarks or properties located in an historic district or a preservation easement regarding a landmark or properties located in an historic district;

- (5) Grants and/or loans to owners, developers, and organizations for preservation and/or rehabilitation of landmarks and properties in an historic district;
 - (6) Grants and/or loans to organizations for programs and projects designed to achieve one or more of the purposes of this Chapter;
 - (7) The maintenance of landmarks and properties in historic districts or maintenance of preservation easements;
 - (8) The costs of conducting and preparing surveys of historically and architecturally important buildings, sites, structures and objects;
 - (9) The costs of preparing nominations of buildings, sites, structures or objects to the State Register or the National Register;
 - (10) The costs of the preparation and preservation of reports, instructions, brochures, meetings, maps, press releases, conferences, and other measures designed to acquaint citizens, owners, and developers of the purposes and provisions of this Chapter; and
 - (11) Reasonable administrative, planning, architectural, engineering, financial, real estate, appraisal, and/or legal costs associated with the purchase of property, the purchase and enforcement of preservation easements, the sale of property, the negotiation of contracts, the preparation of a grant application, and legal actions.
- (C) The Commission may recommend, and the City Commission may approve, criteria, standards, rules, limitations, and regulations for projects and programs established pursuant to the requirements of this section. (Ord. 5950, Sec. 1)

22-1005 HISTORIC CONSERVATION AWARD PROGRAM.

Preservation-related activities may be reviewed and awards given at appropriate times, but not less than once a year by the Commission. The awards shall be known as the Paul E. Wilson Awards and may be given in some or all of the following categories as the Commission deems appropriate:

- Adaptive Use
- Preservation Project
- Restoration/Renovation
 - (A) Residential
 - (B) Commercial
- Exterior Paint
- Architectural Design
- Contractor
- Real Estate Sales Person
- Significant Preservation Contributor

The Commission may add other appropriate categories to the award program. Winners of the awards may receive plaques and/or certificates. (Ord. 5950, Sec. 1)

Comment [LZ14]: Discussion – is this in conflict with goals of chapter? Should this be left to organizations Like LPA? Should the HRC resume this program? It has not been active for 10 years.

ARTICLE 11. FEES

22-1101 FEES.

- (A) There shall be a \$50 fee to be paid by the persons nominating an historic district, and a \$10 fee to be paid by persons nominating a landmark. These fees shall be paid at the time of filing the application for nomination. All fees received shall be placed in the preservation fund. Fees may be waived for good cause.
- (B) There shall be no fee for the application for a certificate of appropriateness of economic hardship. (Ord. 5950, Sec. 1)

ARTICLE 12. MINIMUM MAINTENANCE REQUIREMENT

22-1201

MINIMUM MAINTENANCE REQUIREMENT.

All real property, and any building, structure, or utility thereon designated as an historic landmark or located within an historic district, whether owned or controlled privately or by any public body, shall receive reasonable care, maintenance and upkeep appropriate or its protection, preservation, enhancement, perpetuation, or use in compliance with the terms of this Chapter and the applicable codes of the City. (Ord. 5950, Sec. 1)

Comment [LZ15]: Discussion: Does this need to include additional information/specifics to protect historic resources?

ARTICLE 13. FINES AND PENALTIES

22-1301

CRIMINAL ACTION.

Any person who undertakes or causes an alteration, construction, demolition, or removal of any nominated or designated landmark or property within a nominated or designated historic district in violation of this Chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$500. Every day each such violation shall continue to exist shall constitute a separate violation. The Commission may institute any appropriate action or proceeding in the name of the City to enjoin, correct, or abate any violation of this Chapter. The amount of the fine or penalty herein imposed is in addition to the following civil remedy. (Ord. 5950, Sec. 1)

Comment [LZ16]: Discussion: Are these still appropriate in scope and dollar amount?

22-1302

CIVIL ACTION.

Any person who willfully constructs, reconstructs, alters, restores, renovates, relocates, stabilizes, repairs or demolishes any building, object, site, or structure in violation of this Chapter shall be required to return the building, object, site, or structure to its appearance and setting prior to the violation. Any action to enforce this provision shall be brought by the City. In the event that the cost of returning the building, object, site or structure to its appearance or setting prior to the violation exceeds fifty percent (50%) of the value of the building, object, site or structure, the offender shall make restitution in the form of either reconstructing the building, object, site or structure to its appearance and setting prior to the violation or paying to the preservation fund a dollar amount equivalent to the cost of reconstruction. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty. (Ord. 5950, Sec. 1)

**LAWRENCE HISTORIC RESOURCES
ADMINISTRATIVE REVIEW
STAFF REPORT**

A. SUMMARY

DR-13-00526 123 W 8th Street; Canopy Addition; State Preservation Law Review and Downtown Conservation Overlay District Review. The property is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places and is located in the Downtown Conservation Overlay District. Submitted by Paul Werner Architects for Onetwothree LLC, the property owner of record.

B. PROJECT DESCRIPTION

The applicant is requesting to install a metal canopy on the south elevation of 123 W 8th Street.



C. STANDARDS FOR REVIEW

State Preservation Law Review - Secretary of the Interior's Standards
Downtown Urban Conservation Overlay District Review - *Downtown Design Guidelines*

D. ADMINISTRATIVE DETERMINATION

In accordance with the Secretary of the Interior's Standards and the *Downtown Design Guidelines*, the standards of evaluation, the Historic Resources Administrator approved the

proposed project and made the determination that the proposed project has no adverse effect on the listed historic properties or their environs.

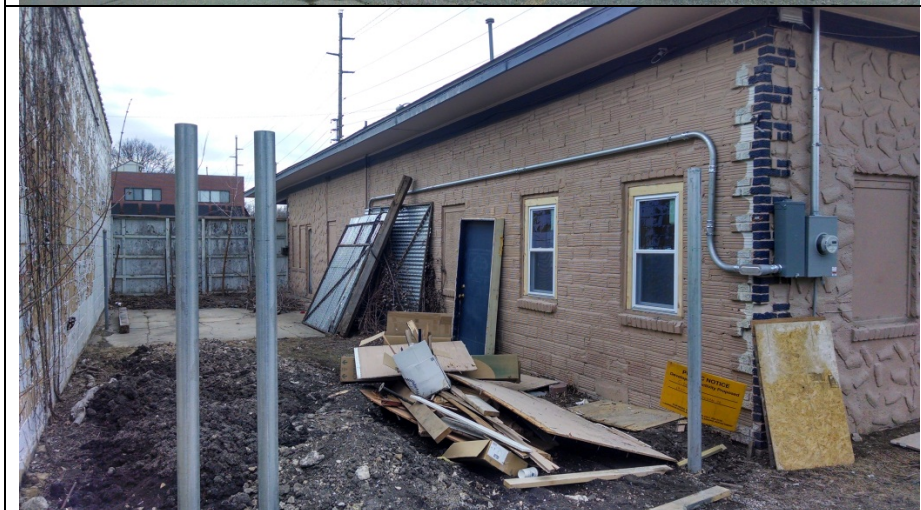
**LAWRENCE HISTORIC RESOURCES
ADMINISTRATIVE REVIEW
STAFF REPORT**

A. SUMMARY

DR-14-00020 1900 Massachusetts Street; Exterior Alterations; Certificate of Appropriateness Review. The property is located in the environs of Fire Station #2 (1839 Massachusetts), Lawrence Register of Historic Places. Submitted by Hernly Associates for Sabrina Prewett, the property owner of record.

B. PROJECT DESCRIPTION

The applicant is requesting to make exterior alterations to the structure located at 1900 Massachusetts Street. Alterations include restoring windows on the south elevation and blocking one window on the south elevation with solid masonry.



C. STANDARDS FOR REVIEW

Certificate of Appropriateness - Chapter 22 of the Code of the City of Lawrence

D. ADMINISTRATIVE DETERMINATION

In accordance with Chapter 22 of the Code of the City of Lawrence, the standards of evaluation, the Historic Resources Administrator approved the proposed project and made the determination that the proposed project has no adverse effect on the listed historic properties or their environs.

**LAWRENCE HISTORIC RESOURCES
ADMINISTRATIVE REVIEW
STAFF REPORT**

A. SUMMARY

DR-14-00034 612 New Hampshire Street; Sign; Downtown Urban Conservation Overlay District Review. The property is located in the Downtown Urban Conservation Overlay District. Submitted by Luminous Neon on behalf of Northwestern Mutual for Postal Investors LC, the property owner of record.

B. PROJECT DESCRIPTION

The applicant is requesting to install non-illuminated, flat cut-out aluminum letters as a new sign on the building located at 612 New Hampshire Street.



C. STANDARDS FOR REVIEW

Downtown Urban Conservation Overlay District - *Downtown Design Guidelines*

D. ADMINISTRATIVE DETERMINATION

In accordance with *Downtown Design Guidelines*, the standards of evaluation, the Historic Resources Administrator approved the proposed project and made the determination that the proposed project has no adverse effect on the listed historic properties or their environs.

**LAWRENCE HISTORIC RESOURCES
ADMINISTRATIVE REVIEW
STAFF REPORT**

A. SUMMARY

DR-14-00043 831 Vermont Street; Sign; Downtown Urban Conservation Overlay District Review. The property is located in the Downtown Urban Conservation Overlay District. Submitted by Star Signs for BB&S LLC, the property owner of record.

B. PROJECT DESCRIPTION

The applicant is requesting to install a non-illuminated sign on the building located at 831 Vermont Street.



C. STANDARDS FOR REVIEW

Downtown Urban Conservation Overlay District - *Downtown Design Guidelines*

D. ADMINISTRATIVE DETERMINATION

In accordance with *Downtown Design Guidelines*, the standards of evaluation, the Historic Resources Administrator approved the proposed project and made the determination that the proposed project has no adverse effect on the listed historic properties or their environs.