

**HISTORIC RESOURCES COMMISSION
AGENDA MEETING- JULY 21ST 2011--6:30 PM
ACTION SUMMARY**

Commissioners present: Arp, Foster, Wiechert, Meyer, Smith, Williams
Commissioners excused: Quillin
Staff present: Braddock Zollner, Parker

ITEM NO. 1: ACTION SUMMARY

Commissioner Arp requested one change to the June 16th, 2011 Historic Resources Commission Action Summary.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Smith, to approve the June 16th, 2011 Action Summary with one change.

Motion carried unanimously, 6-0

ITEM NO. 2: COMMUNICATIONS

- a) Staff presented the Commission with two communications.
- b) Commissioner Meyer stated the property owner of Item 6 was her husband's former law partner.

ITEM NO. 3: National Register Nomination and Environs Definition for the Lane-Duncan Stable located at 1132 W 11th Street. Submitted by the Campus Historic Preservation Board for the State of Kansas/University of Kansas, the property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

The applicant was available for questions.

PUBLIC COMMENT

There was no public comment.

COMMISSION DISCUSSION

Commissioner Meyer stated Shelly Hickman Clark wrote the nomination and was an attorney in her office.

ACTION TAKEN

Motioned by Commissioner Wiechert, seconded by Commissioner Foster, to approve the nomination for National Register for the Lane-Duncan Stable and the environs definition, as drafted by the Campus Historic Preservation Board for the State of Kansas/University of Kansas for the property located at 1132 W 11th Street.

Motion carried unanimously, 6-0

ITEM NO. 4: DR-06-79-11 2025 New Hampshire Street; New Garage Construction; Certified Local Government Review. The property is in the environs of the George Mackie House (1941 Massachusetts St), National Register of Historic Places. Submitted by Mike Myers of Hernly Associates for Chris and Joanna Earl, property owners of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Mike Myers, Hernly Associates, stated he made an attempt to match the architecture of the house and compliment the neighborhood.

PUBLIC COMMENT

There was no public comment.

COMMISSION DISCUSSION

Commissioner Wiechert asked Mr. Myers how the two bays would be used.

Mr. Myers stated the perspective buyer would like to have a shop in one bay.

Commissioner Wiechert said the driveway had a sharp turn into the garage.

Commissioner Foster asked Mr. Myers if he objected to the windows as Staff suggested.

Mr. Myers stated he did not object to the windows as Staff suggested.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Wiechert, to approve the project at 2025 New Hampshire Street, with the following conditions as listed in the staff report:

1. Windows should be wood or aluminum clad.
2. Final construction documents with material notations will be submitted and approved by the HRA prior to the release of the building permit.
3. Staff will be allowed to photograph before, during and upon completion of the project.
4. Any changes to the approved project will be submitted to the Historic Resources Administrator prior to the commencement of any related work.

Motion carried unanimously, 6-0

ITEM NO. 5: DR-06-81-11 619 E 8th Street; Redevelopment; Certified Local Government Review and Urban Conservation Overlay District Review. The property is a contributing structure to the East Lawrence Industrial District, National Register of Historic Places. It is also within the boundaries of the 8th and Pennsylvania Urban Conservation Overlay District. Submitted by Edward English of Rosemann & Associates for East Lawrence Historic Partners, LLC, property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Don Rosemann stated he was in agreement with the staff conditions except for number two and three. He said the original painting on the lower portion of the building would be replicated and new windows were needed to accommodate the lower forty nine units. Mr. Rosemann said the third floor windows could be a shorter height window and the structure would not be marketable without the windows.

PUBLIC COMMENT

KT Walsh stated she would like to see the ghost signs restored and listed.

COMMISSION DISCUSSION

Commissioner Meyer asked Staff if the recommendations would change.

Ms. Braddock Zollner stated her recommendation would not change. She stated the Commission could direct the applicant to work with the State Historic Preservation Office, Architectural Review Committee, and the National Park Service regarding the ghost signs.

Commissioner Foster asked if there was a plan to restore the remaining signs.

Mr. Rosemann stated the remaining signs would be restored. He said the north façade would not change.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Smith, to approve the project at 619 East 8th Street, with the following conditions as listed in the staff report, with staff conditions two and three to be reviewed by the State Historic Preservation Office and National Park Service, with the conclusion of the ghost signs and surrounding windows return to the Architectural Review Committee, and the remaining ghost signs be restored.

1. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work;
2. No new windows shall remove any of the historic ghost signs that are character defining and still visible on the east and north elevations.
3. The applicant shall investigate all the proposed new openings and evaluate the need for each opening versus the loss of historic fabric. The final plan shall be reviewed and approved by the HRA and the KHPO;
4. The applicant will work with the Architectural Review Committee to find a design solution for the front entry that will maintain the visual recess and void of the historic entrance.
5. The applicant will work with the Architectural Review Committee to identify appropriate freight door systems.
6. The existing roof system should be completely documented with photographs and drawings before the system is removed/alterd.
7. The applicant provide complete construction documents with material notations to be reviewed and approved by the Historic Resources Administrator and the Kansas Historic Preservation Office prior to release of a building permit.

Motion carried unanimously, 6-0

ITEM NO. 6: DR-06-82-11 1535 University Drive; Demolition and Addition; Certified Local Government Review and Certificate of Appropriateness Review. This property is in the environs of the Fernand-Strong House (1515 University Dr), National and Lawrence Register of Historic Places. It is also in the environs of the Chi Omega Sorority House (1345 W Campus Rd), Register of Historic Kansas Places. Submitted by Jeff Messick of HMA Architects for Mark and Anne Emert, property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

The applicant was not present.

PUBLIC COMMENT

KT Walsh asked if the applicant would consider donating the garage.

Ms. Braddock Zollner stated the garage was not a standalone building and it would be difficult to move to a different location.

COMMISSION DISCUSSION

Commissioner Wiechert asked Staff if there were side yard issues.

Ms. Braddock Zollner stated there were no side yard issues.

ACTION TAKEN

Motioned by Commissioner Williams, seconded by Commissioner Wiechert, to approve the project at 1535 University Drive, with the following conditions as listed in the staff report:

1. The applicant provide complete construction documents to be reviewed and approved by the Historic Resources Administrator prior to release of a building permit;
2. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work;
3. The property owner will allow staff access to the property to photo document the project before during construction and upon completion of the project.

Motion carried unanimously, 6-0

ITEM NO. 7: DR-6-90-11 1031 New Hampshire Street; Right of Way Alteration; Certified Local Government Review and Urban Conservation Overlay District Review. The property is in the environs of the Douglas County Courthouse (1100 Massachusetts), English Lutheran Church (1040 New Hampshire), Lawrence's Downtown Historic District, North Rhode Island Historic District and the Watkin's Bank Building (1047 Massachusetts), all National Register of Historic Places. It is also in the environs of the Shalor Eldridge House (945 Rhode Island) and within the boundaries of the Downtown Urban Conservation Overlay District. Submitted by Steve Maceli for the City of Lawrence, property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Steve Maceli stated he wanted to make the New Hampshire Street block look better and was working

with professional landscapers. He stated he cleaned up trash every morning in front of the structure and constantly had to maintain the area.

Commissioner Foster asked if the planters could be shorter with taller plants.

Ms. Braddock Zollner stated the building detail should not be covered up.

PUBLIC COMMENT

There was no public comment.

COMMISSION DISCUSSION

Commissioner Arp stated the proposed project would not mar the view of the building.

Ms. Braddock Zollner said the planters should tie in to the building and the proposed type planters were not in the downtown area.

Commissioner Foster stated the plants could enhance height.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Williams, to approve the project at 1031 New Hampshire Street, with the following conditions as listed in the staff report:

1. The height of the planter will be limited to 1'10" as measured from the sidewalk;
2. The materials used will be smooth faced brick or stone;
3. The applicant will submit a landscape and irrigation plan to be approved by the City Horticulture Manager;
4. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work;

Motion carried unanimously, 6-0

ITEM NO. 8: DR-4-49-11 1043 Indiana; Relocation and New Construction; Certified Local Government Review. The property is in the environs of the Oread Historic District, National and Kansas Register of Historic Places. Submitted by Paul Werner Architects for Triple T LLC, property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Paul Werner, Paul Werner Architects, thanked the Architectural Review Committee and Staff. He stated the project was an environs review with no line of site. He said he had first submitted a project to demolish the structure. Mr. Werner stated the property owner would not list the property with the State and the current project was a reasonable alternative to demolition. Mr. Werner stated the developer was trying to get a project built and it was wrong to suggest how the applicant should spend his money. He said area developers were not acting on projects as much as they had previously and the project should be approved. He said the project had made tremendous progress from where it had started and he was disappointed in Staff's recommendation. Mr. Werner stated the project was an environs review only and Sanborn maps displayed most of the historic property in the area had been demolished. He said the project would not destroy the environs. He said most of the historic structures were to the north and the structure should be moved to that area. Mr. Werner stated Kansas University owned the property when the property was auctioned and there was only one other bidder. He said anyone could have purchased the property, including the Lawrence Preservation Alliance. He stated boarding house owners that had bought property and renovated property did not want this building. Mr. Werner stated there was erroneous information sent to the state regarding how intact the environs had been in the area. He said the project would not damage or destroy the environs if the structure was moved. Mr. Werner stated there was a 1960's flat roof apartment building, a parking lot, and apartments near 1043 Indiana street. He said double hung windows should not be required but the stone could be reduced. Mr. Werner stated the north and front elevations were deceiving in the plans. He said the proposed plans could be altered to a small degree and he would work with Staff on minor details.

PUBLIC COMMENT

Stan Hernly, Hernly and Associates, stated if the structure was moved it would be the same as demolition. He said the structure defined the corner and helped anchor the Historic District. Mr. Hernly said to the east was a Dutch colonial style house and there was no need to move the structure. Mr. Hernly said the Lawrence Preservation Alliance's plans should be used as they would allow 106 parking spaces on site without moving the structure. He said if the structure was not moved it could be listed with the State with \$490,000.00 in tax credits. He said the developer was ignoring the tax credits. Mr. Hernly said the structure was significant enough that it could be the prime feature in the design of the property. He said if the structure was restored it would become a feature that would set the whole development apart from anything else in Lawrence.

Dennis Brown, Lawrence Preservation Alliance, introduced the Lawrence Preservation Alliance Board members to the Commission. He said the Oread Hotel was denied at the Historic Resource Commission meeting. Mr. Brown asked the Commission to analyze how the current proposal fit with the guidelines. He said the Commission was under the authority of the State Preservation Office and the Commission must use the Standards and Guidelines to make their evaluation. Mr. Brown said the Commission might be tempted to allow other factors to enter into a decision but it would be inappropriate. He said financial hardship was not noted in the guidelines and the effect of the proposed changes on the listed properties was the only thing the Historic Resources Commission was allowed to consider. He said the Commission's evaluation should come from the guidelines and not the Commission's personal opinion of a project. Mr. Brown said it was not the Historic Resources

Commission's call if there was no feasible design to the project. Mr. Brown said the project was an environs review. He said there were seven standards and at least three should apply to the review of the proposed project. He said 1043 Indiana Street was a character defining feature of the environs of the Oread National Historic District and the location and spatial relationship with what was around it was important. He said if the move was completed the structure would lose its prominent corner site. He said the proposal had more in common with existing apartment complexes and failed to meet the guidelines. He said the Commission should show in their discussion point by point why the project met the guidelines and if they could not, the Commission must agree with Staff.

Anne Marvin stated she was on the Historic Resources Commission for nine years and she agreed with Mr. Brown. She stated the Commission had to make sure they reviewed the guidelines thoroughly and a decision had to be well documented.

Virgil Dean stated he served on the Historic Resources Commission for six years. He said it was clear the Commission could not rule in favor of the project and encouraged the Commission to agree with Staff.

Mr. Werner stated the Lawrence Preservation Alliance proposal was in the rear yard of the alley, the apartments shown were seven feet too close to the alley, and the garages were all off the alley. He said there needed to be twenty four feet to back out of a garage and the Lawrence Preservation Alliance' proposal was three feet short and there were no columns shown. He said lining up four buildings in a single plane on Indiana Street was not a good plan. Mr. Werner stated with the current proposal there was no line of site and there were currently several large structures in the area. He said by breaking up the façade of the structures, it would not read as one building. Mr. Werner stated the balconies and materials would be discussed and refined.

COMMISSION DISCUSSION

Commissioner Arp asked Mr. Werner if the structure would be moved or replicated.

Mr. Werner stated the applicant's goal was to move the structure to the north.

Commissioner Foster asked Mr. Werner to display the drawing of the line of site.

Commissioner Arp asked Staff to explain the standards for line of site and asked which property the structure was in the line of site of.

Ms. Braddock Zollner said the guidelines were for evaluating the effect on the environs.

Commissioner Meyer stated in the past the Commission had not talked about environs greater than 500 ft.

Commissioner Williams said the drawings were unclear of the line of site but it was clear the structure was adjacent to the Hancock district. He said the size and massing was out of scale with the neighborhood.

Mr. Werner stated the environs had already been changed over time. He said there was a bad four-plex on the corner.

Commissioner Williams said the issue was the west elevation and how the structure was highly visible.

Mr. Werner stated there was a hope the west portion of Mississippi Street would be redeveloped in the near future.

Commissioner Meyer said there were two different environs and the structure affected them both equally.

Commissioner Foster stated that at the end of the Architectural Review Committee meeting in May the Committee felt the applicant achieved making the proposal more respectful to the environs.

Commissioner Meyer said the issue was if the structure was moved would it damage the environs. She said the Lawrence Preservation Alliance plans should be reviewed to see if they were a reasonable and prudent alternative.

Commissioner Wiechert stated there was not a design competition.

Commissioner Meyer said there were alternative plans for the Commission to review.

Ms. Braddock Zollner stated the issue was if the structure was moved would it damage the environs.

Commissioner Williams asked if the structure was not a historic property would that influence the integrity of the environs.

Commissioner Meyer stated the structure was part of the environs.

Commissioner Arp said the structure was appropriate to this environs as was moving the structure to the next historic district.

Commissioner Williams said he had an issue with the west elevation and the size and massing.

Ms. Braddock Zollner said the guidelines do not define which side the environs are viewed from. She said a decision had to be made based on the standards. She said the Commission's charge was to decide if the structure was character defining of the environs based on the standards.

Commissioner Wiechert stated there were not many homes left in the area. He said there were parking lots and apartments.

Commissioner Smith said if the structure was removed the view from the west would be destroyed.

Commissioner Williams stated there was one single family home at 1115 Indiana Street.

Commissioner Wiechert stated the structure was character defining of itself and not the environs.

Commissioner Smith said the structure fit within the environs of the area.

ACTION TAKEN

Motioned by Commissioner Smith to deny the project at 1043 Indiana Street, due to there being reasonable and prudent alternatives to the project and moving or destroying the structure would damage the environs.

Motion died due to lack of a second.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Wiechert, to approve the project at 1043 Indiana Street as submitted.

Motion failed, 3-3

Ms. Braddock Zollner stated if the project at 1043 Indiana street was approved, the Commission should add that the Architectural Review Committee should approve the final construction documents, staff should be allowed to photograph the project before, during and after construction, changes to the approved plans should be resubmitted to the Historic Resources Commission prior to the commencement of any related work.

Commissioner Williams stated he would like to see the structure stay in place and that it does affect the environs. He stated the project needed to go to the City Commission.

Commissioner Wiechert stated at a 360 degree angle from the front porch there was no view of the environs.

Commissioner Williams stated he would like to see the structure stay in place.

Mr. Werner stated he would provide photographs of the view from the west, and would agree to come back to the Historic Resources Commission for further review.

ACTION TAKEN

Motioned by Commissioner Meyer, seconded by Commissioner Smith, to defer the project at 1043 Indiana Street to the August 18, 2011 Historic Resources Commission meeting.

Motion carried unanimously, 6-0

ITEM NO. 9: MISCELLANEOUS MATTERS

- A. There was no comment on Board of Zoning Appeals applications received since June 16, 2011.
- B. There was no demolition permits received since the June 16, 2011 meeting.
- C. Review of Administrative and Architectural Review Committee approvals since June 16, 2011:

Administrative Reviews

DR-04-55-11 1733 Massachusetts Street; Drive-thru window; Certified Local Government Review. The property is in the environs of the Edward House House (1646 Massachusetts) and the Eugene Goodrich House (1711 Massachusetts) National Register of Historic Places. Submitted by Bishwa Sherchan for BMW Properties, property owner of record.

DR-05-67-11 1141 Vermont Street; Foundation Repair; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of South Park, Lawrence Register of Historic Places and the Lawrence Downtown Historic District, National Register of Historic Places. Submitted by Jessica Miescher-Lerner, property owner of record.

- DR-05-68-11** 1701 Massachusetts Street; Sign Permit; Certified Local Government Review. The property is in the environs of the Edward House House (1646 Massachusetts), National and Lawrence Register of Historic Places and the Eugene F. Goodrich House (1711 Massachusetts), National Register of Historic Places. Submitted by Full Bright Sign & Lighting for the Cat Clinic of Lawrence, property owner of record.
- DR-05-69-11** 728 Ohio Street; Remodel; Certified Local Government Review. The property is a contributing structure to the Old West Lawrence Historic District, National Register of Historic Places. Submitted by James Schneider, property owner of record.
- DR-05-70-11** 704-706 Connecticut Street; Site Plan for Banquet/Reception Use; Certified Local Government Review. The property is in the environs of the North Rhode Island Historic District, National Register of Historic Places. Submitted by Leticia Cole of Paul Werner Architects for Grant Lechtenburg, property owner of record.
- DR-05-71-11** 10th and 11th at Vermont Street; Farmer's Market Sign Permit; Certified Local Government Review and Urban Conservation Overlay District Review. The property is within the Downtown Urban Conservation Overlay District. It is in the environs of Lawrence's Downtown Historic District, Douglas County Courthouse (1100 Massachusetts) and Watkins Bank (1047 Massachusetts), National Register of Historic Places. It is also in the environs of the Oread Historic District and Plymouth Congregational Church (925 Vermont), National and Kansas Register of Historic Places. Submitted by Lawrence Sign Up on behalf of Lawrence Farmer's Market for City of Lawrence, property owner of record.
- DR-05-74-11** 1106 Rhode Island Street; Porch Addition; Certified Local Government Review. The property is a contributing structure to the North Rhode Island Historic District and in the environs of the English Lutheran Church (1040 New Hampshire) and Lawrence's Downtown Historic District, National Register of Historic Places. Submitted by the Barland Family, property owners of record.
- DR-06-75-11** 707 Tennessee Street; Remodel; Certified Local Government Review. The property is a contributing structure to the Old West Lawrence Historic District, National Register of Historic Places and within the environs of Lawrence's Downtown Historic District, National Register of Historic Places. Submitted by Kirk and Jeannie McClure, property owners of record.

- DR-06-76-11** 1616 New Hampshire Street; Solar Panel Installation; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the Edward House House (1646 Massachusetts), National and Lawrence Register of Historic Places. Submitted by Lynn Electric for Aron Cromwell, property owner of record.
- DR-06-77-11** 717 Massachusetts Street; A/C unit Installation; Certified Local Government Review, Certificate of Appropriateness Review and Downtown Urban Conservation Overlay Review. This property is a non-contributing structure to the Lawrence Downtown Historic District and is located in the Downtown Urban Conservation Overlay District and is in the environs of the Eldridge Hotel (701 Massachusetts St) and the United States Post Office (645 New Hampshire St), National Register of Historic Places. It is also in the environs of the House Building (729-731 Massachusetts), Kansas and Lawrence Registers of Historic Places and Millers Hall (723-725 Massachusetts), Lawrence Register of Historic Places. Submitted by Bob Schumm, property owner of record.
- DR-06-78-11** 531 Louisiana Street; Dormer Window; Certified Local Government Review, and Certificate of Appropriateness Review. The property is a contributing structure to the Pickney I Historic District and in the environs of the Old West Lawrence Historic District, National Register of Historic Places. It is also in the environs of the Dillard House (520 Louisiana), Lawrence Register of Historic Places. Submitted by Katie Nichols of Sabatini Architects for David Martin, property owner of record.
- DR-06-83-11** 1503 Stratford Drive; Driveway Permit; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the Fernand-Strong House (1515 University Dr), National and Lawrence Registers of Historic Places. Submitted by Greg Thrasher of Morgan Concrete for Daniel and Kimberly Hirmas, property owners of record.
- DR-06-84-11** 1613 Tennessee Street; Rehabilitation; Certified Local Government Review and Certificate of Appropriateness Review. This property is individually listed in the National and Lawrence Registers of Historic Places. Submitted by Terrance and Elaine Riordan, property owners of record.

ACTION TAKEN

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

Motion carried unanimously, 6-0

D. General Public Comment:

KT Walsh reminded the Commission they represent the preservation community and the Commission could be subpoenaed for decisions that were made. She urged the Commission to receive training and said the Commission had limited purview to deal with and asked them to stick to it. She asked the Commission to get educated.

Dennis Brown stated the procedure of the Architectural Review Committee meeting with an applicant prior to the approval or disapproval of the Historic Resources Commission was a major mistake. He said the Architectural Review

Committee requested the applicant make changes to plans which made the Commission beholden to the applicant when the changes were made. Mr. Brown said the Architectural Review Committee should meet with applicants after Historic Resources Commission meetings. He said the guidelines do not state a project can be approved if there was no alternative to a design.

- E. Miscellaneous matters from City staff and Commission members.
Ms. Braddock Zollner asked the Commission to vote on an agreement for "Performance of Project Reviews" Under K.S.A. 75-2724, as amended. She asked if the Historic Resources Commission should continue with State Law Review at a local level and submit to the City Commission for approval.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Wiechert, to approve the agreement for "Performance of Project Reviews" and submit to the City Commission for approval.

Motion carried unanimously, 6-0

Ms. Braddock Zollner asked the Commission to approve a revised calendar for the Historic Resources Commission meetings.

ACTION TAKEN

Motioned by Commissioner Wiechert, seconded by Commissioner Smith, to approve the revised calendar for the Historic Resources Commission meetings.

Motion carried unanimously, 6-0

Ms. Braddock Zollner stated the State Historic Preservation office will provide training for the Historic Resources Commission in 2011.

ACTION TAKEN

Motioned by Commissioner Smith, seconded by Commissioner Wiechert, to adjourn the Historic Resources Commission meeting.

Motion carried unanimously, 6-0

ADJOURN –9:45p.m.