

**HISTORIC RESOURCES COMMISSION  
AGENDA MEETING- JUNE 18TH 2009--6:30 PM  
ACTION SUMMARY**

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Commissioners present: Sizemore, Veatch, Meyer, Williams  
Commissioners excused: Antle, Wiechert, Marvin  
Staff present: Braddock Zollner, Parker, McKain, Leininger

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**ITEM NO. 1: ACTION SUMMARY**

Ms. Braddock Zollner stated the May 21, 2009 Historic Resources Action Summary would be included in the July 16, 2009 packet.

**ITEM NO. 2: COMMUNICATIONS**

a) Ms. Braddock Zollner stated she gave a revised staff report to the Commission for Item 3. She said she had received several letters regarding the draft Oread Neighborhood Plan.

b) No declaration of abstentions from agenda items by Commissioners.

**ITEM NO. 3:** CPA-2-1-09: Receive and give direction on the draft Oread Neighborhood Plan.

**STAFF PRESENTATION**

Michelle Leininger presented draft Oread Neighborhood Plan.

**PUBLIC COMMENT**

Marcie Francisco stated she had been involved in the Oread Neighborhood Plan in 1979. She said she was pleased the Historic Resources Commission was reviewing the current plan. Ms. Francisco stated historic districts encouraged people to preserve properties within the districts but the land use and zoning suggested a different density for the use and it created a conflict. Ms. Francisco stated she was surprised to see the proposal for the Urban Conservation District. She said the Urban Conversation Overlay District should be taken advantage of. Ms. Francisco stated there should be parking in alleys rather than curb cuts on the streets and proposals for ordinances that more reflect the original town site. Ms. Francisco stated she was particularly concerned that there were single family residences within the district that were listed individually on historic registers. She asked the Commission why they would expand the high density residential area to include those properties. She stated appropriate lot sizes needed to be determined. Ms. Francisco stated one of the actions proposed was to extend the historic survey and if historic resources were listed as a product of the survey the Oread Neighborhood Plan would be updated. She said the historic resources may be identified but additional action would still be needed. She said she was pleased with the part of the plan that encouraged more family's and owner occupants in the neighborhood. She stated it was a mixed use neighborhood.

Kyle Thompson stated his home was on the National Historic Register. He said a lot of homes in the area were being turned into boarding houses and his home was surrounded by them. Mr. Thompson stated he was concerned with what would happen when it was time for him to sell his home.

Robert Farha stated he was the owner of The Wheel at 507 west 14<sup>th</sup> Street. He said The Wheel dated back to 1955, and was a bookstore in 1906. He said this was the appropriate time to consider changing the zoning to mixed use zoning. He said there would be expanded use in the area when the Hotel was completed. Mr. Farha said there were commercial businesses on Massachusetts Street and other businesses up 14<sup>th</sup> Street. He stated he was a stake holder in the property at 502 west 14<sup>th</sup> Street and there were three parcels left that Kansas University had not acquired.

Ellie LeCompte stated she owned property at 1017 and 1023 Kentucky Street. She said she had previously lived in the Oread Neighborhood but moved out of the area when a friend's car had the windshield broken. Ms. LeCompte stated the people who live in the neighborhood were brave. She said although there were tax incentives for historic properties, owners would have to come up with the minimum of 75% of the money for rehabilitation after meeting the strict guidelines required to receive the tax incentive. She said there was no follow up on property tax reductions presumably given for repairs on the homes. She asked how the City could acquire stimulus money to rehabilitate old homes.

KT Walsh asked Ms. Francisco what she meant by a whole block working together.

Ms. Francisco stated she was expressing concern that people would plat their property together and be able to develop more densely. She said in 1966 the Planning Commission put forward a proposal to make Oread and Old West Lawrence high density residential. Ms. Francisco said there was an assumption there needed to be dormitories for the students at Kansas University. She said the block pattern should be established.

Ms. von Tersch stated Ms. Francisco mentioned a couple of structures and the Snow House should have been included. She said the draft of the future land use map was very high density and additional protection for the historic district should be adopted. Ms. von Tersch stated people who live in the block put up the money and did the research and was able to get the Hancock District listed and it would be a shame to lose it.

## **COMMISSION DISCUSSION**

Commissioner Meyer asked Ms. Braddock Zollner if she had analyzed the draft Oread Neighborhood Plan.

Ms. Braddock Zollner stated she had not analyzed the draft plan but the Commission could direct her to do so. She stated a study session could be held.

Commissioner Veatch stated the Commission would like to have Staffs' thoughts.

Ms. Braddock Zollner asked the Commission if they had concerns that needed to be addressed.

Commissioner Veatch said Staff should address the Urban Conservation overlay concept. He said there was a conflict between higher density and promoting regulating infill construction.

Commissioner Sizemore said because of the diversity of the neighborhood there was a diversity of comments within the document addressing the developers needs as well as preservationists. He asked Staff for a general overview and comments regarding the draft Oread Neighborhood Plan.

Commissioner Williams said he was interested in how the Oread Neighborhood Plan would dovetail with the Horizon 2020 Plan. He said it was wonderful Kansas University and multi family housing captured high density use. He asked if the guidelines model other cities.

Ms. Braddock Zollner stated Staff had researched other communities for background.

Ms. Leininger stated Staff had pulled information from sister big twelve cities. She stated they were not in the exact situation but they were similar.

Commissioner Williams asked if there were incentives in place to preserve historic structures and encourage the right action.

Ms. Braddock Zollner stated she would put together what other communities had done and submit it within a memo. She stated the historic preservation fund had never been funded. Ms. Braddock Zollner said low interest loans were a way of keeping single family homes in the neighborhood. She said there was a type of housing rehabilitation in the city but it was for windows, roofs, hot water heaters and doors and was very limited.

Commissioner Williams asked Ms. Braddock Zollner if there were grants for lighting.

Commissioner Veatch stated he did not want to down play the value of the tax credit program.

Commissioner Sizemore stated there were bigger incentives to turn homes into boarding houses.

Commissioner Veatch said there was a comment in the draft Oread Neighborhood Plan to streamline the historic preservation review process. He said the process was streamlined enough as it was. He asked Staff if the plan was crafted into something meaningful and coherent.

Ms. Leininger stated the plan was a combination of things. She stated she received direction from Planning Staff.

Commissioner Veatch said there were a lot of internal contradictions in the plan.

Ms. Braddock Zollner stated the process had been streamlined in the past two to three years. She said there was frustration within the development community about process.

Commissioner Meyer said the development process needed to be looked at as a whole between departments.

Ms. Leininger stated the educational part of the development process was being missed.

Commissioner Meyer said in the last year most projects had gone through the administrative review with Staff.

Commissioner Veatch said there was the right amount of process now. He stated the Commission allowed Staff to review projects administratively. He said there were property owners who wanted high density and property owners who wanted single family homes.

Ms. Braddock Zollner stated it was the job of the City Commission to look at land uses and come up with a final plan.

Commissioner Veatch said traditionally there was mixed use and mixed density in the area. He said there was a statement in the draft plan that stated some of the area was greater density than they have been historically. He asked Staff if it had been documented.

Ms. Braddock Zollner stated Staff reviewed the Polk directories and addresses from the county.

Commissioner Veatch said he did not want the Oread Neighborhood to become all single family dwellings.

Ms. Francisco stated there was a 700 square foot house on the plan to be increased in density. She said there were only 17 pre-Quantrill homes in the area. She said no one was saying they wanted it to be changed but they want it to stay the same and if the zoning was reduced the existing structures would become more valuable. Ms. Francisco said the high density properties should be non-conforming. Ms. Francisco stated the Historic Resources Commission should not encourage building to the highest density and the plan encouraged trash to be kept in front yards. She said the area should not be treated as it was disposable but an important part of the community history.

Ms. Leininger stated the existing land use was from the Douglas County Appraiser office and the density was more generalized.

Mr. Fahra stated there should be a happy median. He said 1334 Ohio Street had been seven apartments with two bedrooms each and the house was gutted and became a Boarding House. He said the structure now had twelve bedrooms, the density was lowered and there were parking spots. Mr. Fahra stated there were single family homes, historic homes, and investor homes. He said the house at 1232 Louisiana Street is still sitting being neglected.

Ms. Braddock Zollner stated she would come back to the Commission in July with a memo and at that time the Commission could set up a study session.

Commissioner Williams asked if a cost analysis could be prepared to look at how much it would cost to include lighting and more police patrol. He said the trash rules and standards should be monitored and enforced.

Ms. Braddock Zollner stated the City Commission was looking for the HRC to recommend how to protect and preserve the area.

Commissioner Veatch asked Staff to prepare a memo to be discussed in July.

Ms. Braddock Zollner stated the memo would be reviewed in July and more public comment could be taken. She stated if the Commission was comfortable without a study session the item would go to the City Commission.

**ITEM NO. 4:** DR-5-63-09 1020 Massachusetts Street; Storefront Alteration; Certified Local Government Review. The property is located in the environs of the Shalor Eldridge Building (945 Rhode Island), Register of Historic Kansas Places; the Douglas County Courthouse (1100 Massachusetts), the English Lutheran Church (1040 New Hampshire), Watkins Bank (1047 Massachusetts), Lawrence's Downtown Historic District, and the North Rhode Island Historic District, National Register of Historic Places. Submitted by Paul Werner for Granada LLC, the property owner of record.

### **STAFF PRESENTATION**

Ms. Braddock Zollner presented the item.

### **APPLICANT PRESENTATION**

Chris Harlow, Paul Werner Architects, stated the applicant would like to have a hospitality area outside of the Granada. He stated the area would be six feet from the planters on the sidewalk. Mr. Harlow said there would be an enclosed area that would be replaced with a nano wall system, would not be at full height and would have an open air feeling with natural light. He said two blue metal doors would be replaced with glass. He said bulbs would be replaced on the store front.

Commissioner Meyer asked the applicant if the doors of the structure would stay open.

Mr. Harlow said the nano wall system could be open or closed depending on the season.

Commissioner Meyer asked the applicant if the doors would be open during concerts.

Mr. Harlow said the doors could stay open but it would depend on the size of the concert. He said the sound would stay in the back area of the building.

Commissioner Sizemore asked if the area would comply with the City of Lawrence's smoking ordinance.

Ms. Braddock Zollner stated there would be no smoking in the interior of the building.

Commissioner Sizemore said the breeze could carry the smoke directly inside the building.

Ms. Braddock Zollner stated Genovese had an open store front system that combined an outside dining area.

Mr. Harlow stated Red Lyon also had an open smoking area.

Commissioner Sizemore asked if the window system would be two feet above the standing area.

Mr. Harlow stated the window system would be two feet above the standing area.

Commissioner Sizemore said he liked the new plan rather than what was in the packet. He said the scale of the new windows was similar to the old windows.

## **PUBLIC COMMENT**

Betty Alderson said second hand smoking was just as dangerous as being right there. She said the City Commission made a mistake of allowing smoking on sidewalks. She stated she did not want any smoke going into the building and it was something that needed to be looked into.

Ms. Braddock Zollner stated when the application was submitted it did not include the sidewalk hospitality area. She stated a date of the alteration could not be found.

Commissioner Williams stated the alteration occurred about 1964.

Commissioner Veatch asked if the building permit records indicated when the alterations occurred.

Ms. Braddock Zollner stated building permits records went back to the 1950's. She stated B.A. Green had pulled a building permit for 1020 Massachusetts Street in 1962.

## **COMMISSION DISCUSSION**

No Commission discussion.

## **ACTION TAKEN**

Motioned by Commissioner Veatch, seconded by Commissioner Williams, to approve the storefront alteration for 1020 Massachusetts Street in accordance with the Standards and Guidelines for Evaluating the Effect of Projects on Environs, and the Downtown Design Guidelines, the standards of evaluation, with the following conditions, and make the determination that the proposed project does not encroach upon, damage, or destroy the environs of the listed historic properties.

1. The final configuration of the Nana wall system and final construction documents will be reviewed and approved by the Historic Resources Administrator;
2. Any changes to the approved project will be submitted to the Historic Resources Commission for review and approval 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, and upon completion of the project.

Motion carried unanimously, 4-0

**ITEM NO. 5: MISCELLANEOUS MATTERS**

A. No demolition permit applications received since the May 21, 2009 regular meeting.

B. Ms. Braddock Zollner stated the building permit was released on 812 Maine Street for a demolition and replacement structure. She said there had been a concern with the size of the accessory structure. Ms. Braddock Zollner stated she was waiting on the elevations and site triangle for 700 Connecticut Street prior to the Architectural Review Committee meeting.

**Administrative Reviews**

DR-4-46-09 800 New Hampshire Street; Sign; Certified Local Government Review. The property is located in the environs of Lawrence's Downtown Historic District and the North Rhode Island Historic District, National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Tammy Moody for Kenneth C Baker II LLC, the property owner of record.

DR-4-47-09 1109 Massachusetts Street; Sign; Certified Local Government Review and Certificate of Appropriateness Review. The property is listed as a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. The property is also located in the environs of South Park (1140-1141 Massachusetts), Lawrence Register of Historic Places; the Douglas County Courthouse (1100 Massachusetts), Watkins Bank (1047 Massachusetts), National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Linda Baranski for Hazel Burgert, the property owner of record.

DR-4-48-09 9<sup>th</sup> and New Hampshire Street; Outside Film Festival; Certified Local Government Review and Certificate of Appropriateness Review. The property is located in the environs of the Social Service League (905 Rhode Island), Lawrence Register of Historic Places; the Shalor Eldridge Residence (945 Rhode Island), Register of Historic Kansas Places; Lawrence's Downtown Historic District, and the North Rhode Island Historic District, National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Jane Pennington for 9-10 LC, the property owner of record.

DR-4-49-09 1025 New York Street; Rehabilitation; Certified Local Government Review. The property is located in the environs of the North Rhode Island Historic District, National Register of Historic Places. Submitted by Sarah Thomas and Nancy Morning, the property owner of record.

DR-4-50-09 715 Massachusetts Street; Interior Renovation; Certified Local Government Review and Certificate of Appropriateness Review. The property is listed as a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. The property is in the environs of Miller's Hall (723-725 Massachusetts), Lawrence Register of Historic Places; the House building (729 Massachusetts), Register of Historic Kansas Places; the Eldridge

Hotel (701 Massachusetts), and the United States Post Office (645 New Hampshire), National Register of Historic Places. Submitted by Michelle Mueller for River City Holdings LLC, the property owner of record.

- DR-5-51-09 East Lawrence Sidewalk; Sidewalk Gap; Certified Local Government Review. The property is located in the environs of the Samuel Riggs House (1501 Pennsylvania), National Register of Historic Places. Submitted by for the City of Lawrence, the property owner of record.
- DR-5-52-09 1600 BLK Vermont Street; Sidewalk Gap; Certified Local Government Review and Certificate of Appropriateness Review. The property is located in the environs of the Edward House House (1646 Massachusetts), and the Eugene F. Goodrich House (1711 Massachusetts), National Register of Historic Places. Submitted by the City of Lawrence, the property owner of record.
- DR-5-53-09 645 Alabama Street; Sidewalk Gap; Certified Local Government Review. The property is located in the environs of the Witter S. McCurdy House (909 West 6<sup>th</sup>), National Register of Historic Places. Submitted by the City of Lawrence, the property owner of record.
- DR-5-54-09 1100 Mississippi Street; Sidewalk Gap; Certified Local Government Review and Certificate of Appropriateness Review. The property is located in the environs of the Jane A. Snow Residence (706 West 12<sup>th</sup>) and the Hancock Historic District, National Register of Historic Places. Submitted by the City of Lawrence, the property owner of record.
- DR-5-55-09 1835 Massachusetts Street; Remodel; Certificate of Appropriateness Review. The property is located in the environs of Fire Station #2 (1839 Massachusetts), Lawrence Register of Historic Places. Submitted by I.C. Walter Enterprises Inc, the property owner of record.
- DR-5-56-09 2<sup>nd</sup> & Indiana Street; KU Boathouse; Certified Local Government Review. The property is located in the environs of the Albert and S.T. Zimmerman House (304 Indiana), and the Pinckney II Historic District, National Register of Historic Places. Submitted by C.L. Maurer for the City of Lawrence, the property owner of record.
- DR-5-57-09 11<sup>th</sup> & Delaware Street; Sidewalk Gap; Certificate of Appropriateness Review. The property is located in the environs of Hobbs Park (702 East 11<sup>th</sup>), Lawrence Register of Historic Places. Submitted by the City of Lawrence, the property owner of record.
- DR-5-58-09 1222-1224 Rhode Island Street; Rehabilitation; Certified Local Government Review. The property is listed as a contributing structure to the South Rhode Island Historic District, National Register of Historic Places. The property is also located in the environs of Lawrence's Downtown Historic District and the North Rhode Island Historic District, National Register of Historic Places. Submitted by Free State Properties Inc, the property owner of record.
- DR-5-59-09 923 Rhode Island Street; Driveway Permit; Certified Local Government Review and Certificate of Appropriateness Review. The property is listed as a contributing structure to the North Rhode Island Historic District, National Register of Historic Places. The property is also located in the environs of the Social Service League (905 Rhode Island), the McFarland House (940 Rhode Island), the Hendry House (941 Rhode Island); Lawrence Register of Historic Places; the Shalor Eldridge Residence (945 Rhode Island), Register of Historic

Kansas Places; and Lawrence's Downtown Historic District, National Register of Historic Places. Submitted by Andrew Peterson, the property owner of record.

- DR-5-60-09 345 Indiana Street; Driveway Permit; Certified Local Government Review. The property is listed as a contributing structure to the Pinckney II Historic District, National Register of Historic Places. The property is also located in the environs of the Albert and S.T. Zimmerman House (304 Indiana), National Register of Historic Places. Submitted by Brenda and Michael Harrington, the property owner of record.
- DR-5-61-09 911 Massachusetts Street; Signs and Awning; Certified Local Government Review and Certificate of Appropriateness Review. The property is listed as a non-contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. The property is located in the environs of the Hanna Building (933 Massachusetts), Lawrence Register of Historic Places; Plymouth Congregational Church (925 Vermont), Carnegie Library (200 W 9<sup>th</sup>), and the Oread Historic District, National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Kipp Slattery for Tnar Inc, the property owner of record.
- DR-5-62-09 1516 University Drive; Garage Addition and Remodel; Certified Local Government Review. The property is also located in the environs of the Fernand-Strong House (1515 University), National Register of Historic Places. Submitted by Tim Windholz for Linda Bailey, the property owner of record.

**Public comment**

Ms. K.T Walsh asked Staff if the 11<sup>th</sup> and Delaware sidewalk gap was at Hobbs Stadium.

Ms. Braddock Zollner stated the sidewalk gap was at Hobbs Stadium.

**ACTION TAKEN**

Motioned by Commissioner Veatch, seconded by Commissioner Williams, to confirm the Administrative Reviews.

Motion carried unanimously, 4-0

- C. Ms. Braddock Zollner stated there was one Board of Zoning Appeals request at 1005 Alabama street for a duplex.
- D. Ms. K.T. Walsh said Topeka had a program that used prisoners to repair brick streets and paid a minimum wage.

Commissioner Meyer asked Staff to contact the Municipal Court to set up a Community Service.

Betty Alderson said she would like to speak about the Oread Neighborhood Plan. She said realtors moved into her centennial neighborhood and escalated the price of homes. She said the neighborhood school closed. She said the City Commission does not enforce ordinances. Ms. Alderson stated there were more than three people living in a home in her neighborhood and there were six cars parked on the street. She said the pattern had escalated housing

prices. She said there were no families living in the neighborhood. Ms. Alderson stated the student housing had piles of trash in front of their homes.

Commissioner Williams stated homes were sold because of market demand.

Ms. Alderson said realtors market the homes.

Commissioner Williams stated Lawrence had tripled in population and parents of the students purchase homes for their children to live in while attending Kansas University.

- E. Ms. Braddock Zollner stated she attended the preservation conference in Topeka. She said Commissioner Sizemore also attended the conference.

**ACTION TAKEN**

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

Motion carried unanimously, 4-0

**ADJOURN – 8:25p.m.**