

**HISTORIC RESOURCES COMMISSION  
AGENDA MEETING- NOVEMBER 19TH 2009--6:30 PM  
ACTION SUMMARY**

---

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

---

**ITEM NO. 1: ACTION SUMMARY**

**ACTION TAKEN**

Commissioner Veatch noted one change to the October 15<sup>th</sup>, 2009 Action Summary.

Motioned by Commissioner Veatch, seconded by Commissioner Marvin, to approve the October 15, 2009 Action Summary.

Motion carried unanimously, 6-0

**ITEM NO. 2: COMMUNICATIONS**

- a) No communications from other commissions, State Historic Preservation Officer, or the general public.
- b) No abstentions from specific agenda items by commissioners.

**ITEM NO. 3: Oread Neighborhood Plan**

**STAFF PRESENTATION**

Michelle Leininger presented the item.

**COMMISSION DISCUSSION**

Commissioner Antle asked Ms. Leininger what the time frame was between the Historic Resources Commission meeting and the Planning Commission meeting.

Ms. Leininger stated the Historic Resources Commission would take action on the draft Oread Neighborhood Plan in December or January.

Commissioner Antle asked Ms. Leininger to explain the Planning Commissions objection to the one parking spot per bedroom issue.

Commissioner Marvin asked Ms. Leininger if other neighborhood plans had been revised recently.

Ms. Leininger said the most recent neighborhood plan that had been revised was the East Lawrence Plan. She said there was a plan that crossed various neighborhood association boundary's for the HOP District Plan which included Hillcrest, Old West Lawrence, and Pinckney Neighborhood intersections. She said this plan was the first single neighborhood plan that has been updated since the East Lawrence Plan.

Commissioner Marvin asked if the format for most neighborhood plans was kept the same.

Ms. Leininger said generally all the neighborhood plans were consistent.

### **PUBLIC COMMENT**

Candice Davis stated she lived in the neighborhood and was a member of the Oread Neighborhood Association. She said the Neighborhood Association had done a lot of work and had been disappointed at the results. Ms. Davis stated what needed to exist in the plan was something that would have an impact and make a difference. Ms. Davis said there needed to be amendments made to the draft that would impact boarding houses and oversized duplexes that were destroying the fabric of the historic buildings. She said boarding houses and duplexes were driving away home owners from the area. Ms. Davis stated she had been trying to save the neighborhood for over ten years. She said Boulder, Colorado had an ordinance for boarding houses which consisted of one parking space per bedroom. She said the litter was a problem in the area after game days. Ms. Davis said she supported an overlay district.

Dennis Brown, Lawrence Preservation Alliance, said the LPA board members were prepared to study the draft Oread Neighborhood plan. He said he was hoping the Historic Resources Commission would hear public comment and defer the action for another month to give the Lawrence Preservation Alliance time to come before the Board with a solid recommendation. He said the Urban Conservation Overlay Districts would be paired with Design Guidelines and they were not in the document.

Marci Francisco stated the Oread Neighborhood Association had sent the Historic Resources Commission a letter outlining the concerns of the history of the neighborhood. She stated she wanted to have an accurate history of the neighborhood included in the plan and would like to request a change to the boundary for District Two and District Three. Ms. Francisco said along Ohio Street there were three blocks the boundary change would affect. She said the property along the 1100 block of Ohio would be difficult to redevelop and to the south were a number of older structures with steep slopes. Ms. Francisco stated she would like to encourage land owners to renovate rather than reconstruct structures. She said it was important to indicate in the plan the Urban Conversation Overlay District should include the definition of the areas that were within the historic districts and provide some specific guidelines for those properties.

Ms. Walsh, Vice President of the East Lawrence Neighborhood Association, stated she strongly supported one parking spot per bedroom in regard to boarding houses. She said boarding houses were party houses.

Ms. Leininger stated in regards to the discussion of boarding houses, the Planning Commission stated one parking spot per bedroom was 'too specific for the plan at this time', and was something that could be addressed in the overlay districts. She said one Commissioner was against boarding houses all together.

Commissioner Antle asked what the precedent would be for one parking spot per bedroom.

Ms. Braddock Zollner said part of the Development Code addressed parking spots and use. She said parking requirements could be part of the overlay district. Ms. Braddock Zollner said the Planning Commission and the Historic Resources Commission should receive copies of each others' minutes of the discussions.

Commissioner Antle asked Ms. Leininger if the Planning Commission was supportive of one parking spot per one bedroom.

Ms. Leininger said the Planning Commission did not discuss being supportive or non supportive of the one parking spot per one bedroom issue.

### **COMMISSION DISCUSSION**

Commissioner Sizemore said the issue should be deferred one month.

Commissioner Veatch asked Staff who designed the section of the Urban Conservation Overlay district elements proposing three different districts.

Ms. Leininger presented a photo of the future land use map.

Commissioner Veatch asked if the plan would be general and if detailed design guidelines would be designed for each overlay district.

Ms. Leininger said the plan would be general.

Commissioner Antle asked if the Oread Neighborhood Plan would be completed in 2009.

Ms. Leininger said 2009 was rather ambitious.

Commissioner Veatch asked Staff if the Planning Commission was supportive of the concept.

Ms. Leininger said the Planning Commission was supportive of the concept.

Ms. Braddock Zollner said the challenge for creating an Overlay District in the area would be the National Register Historic Districts and the Local Ordinance Historic District. She said the guidelines would have to be based on State law. Ms. Braddock Zollner stated she agreed with the overlay district.

Motioned by Commissioner Veatch, seconded by Commissioner Antle to defer action on the draft Oread Neighborhood Plan until Staff deemed appropriate.

Motion carried unanimously, 6-0

**ITEM NO. 4:** DR-10-117-09 1205 Kentucky Street; Demolition of Garage; Certified Local Government Review. The property is located in the environs of Lawrence's Downtown Historic District and the Oread Historic District, National Register of Historic Places. Submitted by Theodore and Marcia McFarlane, the property owners of record.

### **STAFF PRESENTATION**

Ms. Braddock Zollner presented the item.

### **APPLICANT PRESENTATION**

Theodore McFarlane stated he has owned 1205 Kentucky Street for twelve years. He said he and his wife resided in Overland Park currently but had lived in Lawrence for 35 years. Mr. McFarlane stated he was not in the rental business and the structure at 1205 Kentucky was the only rental property he owned. He said he converted the home from a triplex to a duplex. He said the garage had deteriorated over the past four years and he was unable to continue the maintenance on the garage. He said three parking spaces were added to the property. Mr. McFarlane said there were thirteen houses in the neighborhood and only four of them had garages. He said garages were not character defining in the area. Mr. McFarlane said he had upgraded the property over the last few months with a new roof and guttering, and improved the heating and air systems. He said the condition of the garage was due to the positioning of the garage in the alley and the size of it. He said the corner had been struck numerous times which damaged the structure and the cost to bring the garage up to current code was significant. He said he did not know the age of the structure.

Commissioner Antle asked the applicant if the argument was there was no need to rebuild the garage because a number of homes in the area did not have garages.

Mr. McFarlane stated there were very few garages in the area.

Commissioner Meyer asked the applicant if he would install a new slab where the garage had been.

Mr. McFarlane stated he would either install a new slab or upgrade the current slab.

### **PUBLIC COMMENT**

Marci Francisco said the structure represented demolition by neglect. She said she had sympathy for property owners who were unable to repair their property but they could hire the work done or ask their children for help. She said she appreciated having things break up the alley landscape. She said alleys were a big part of the historic pattern. Ms. Francisco said garages in the area would encourage owner occupancy in the neighborhood.

### **COMMISSION DISCUSSION**

Commissioner Wiechert said he drove through the alley of the neighborhood and there were five garages. He said two of the garages were in the same condition as the garage at 1205 Kentucky Street.

Commissioner Veatch said character played an important role. He said it was the Commissions job to decide if they facilitate the new pattern or preserve the old.

Commissioner Meyer asked Ms. Braddock Zollner how staff's recommendations were affected.

Ms. Braddock Zollner said originally she was amazed the property owner was going to attempt to rehabilitate the structure. She said she would love to save all the garages but to repair this garage there would be approximately 90% new material.

Commissioner Veatch said the project was an environs review with no direct line of sight.

Commissioner Antle said he was convinced the garage was not salvageable.

Commissioner Meyer said the project was an environs review. She said this was a demolition by neglect issue.

Commissioner Sizemore said the garage was not a contributing structure. He said the garage looked like it could come down on its own and that was a safety issue.

### **ACTION TAKEN**

Motioned by Commissioner Antle, seconded by Commissioner Veatch, to approve the demolition project at 1205 Kentucky Street, with the following conditions, in accordance with the Standards and Guidelines for Evaluating the Effect of Projects on Environs, the standard of evaluation, and make the determination that the proposed project does not encroach upon, damage, or destroy the environs of the listed historic properties.

1. 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;
2. The property owner will allow staff access to the property to photo document the project before, during, and upon completion of the project.

Motion approved unanimously, 6-0

**ITEM NO. 5:** DR-10-118-09 944 Kentucky Street; Extension of Special Use Permit for Lawrence Community Shelter. The property is a noncontributing property to the Oread Historic District, National Register of Historic Places. Submitted by Loring Henderson on behalf of Lawrence Community Shelter for James and Nancy Dunn, the property owners of record.

### **STAFF PRESENTATION**

Ms. Braddock Zollner presented the item.

### **APPLICANT PRESENTATION**

Mr. Loring Henderson, director of the Lawrence Community Shelter, stated the request was for an extension of a Special Use Permit.

Commissioner Antle inquired about the long term plan for the shelter.

Mr. Henderson said the current Special Use Permit would expire soon. He said the shelter was currently in contract to buy the former Don's Steak House building.

Commissioner Wiechert asked the applicant if he had read the staff recommendations.

Mr. Henderson stated he had read the staff recommendations and certainly expected to be moved within two years.

Ms. Braddock Zollner said the Special Use Permit would need to be extended if the move went beyond the two years.

### **PUBLIC COMMENT**

Candice Davis stated she represented the Oread Neighborhood Association and they supported the Special Use Permit. She said the community needed to help Mr. Henderson and his group and she hoped that the Don's Steak House location would work out.

### **COMMISSION DISCUSSION**

There was no Commission discussion.

### **ACTION TAKEN**

Motioned by Commissioner Veatch, seconded by Commissioner Marvin, to approve the project at 944 Kentucky Street in accordance with the Secretary of the Interior's Standards, the standard of evaluation, and make the determination that the proposed project does not encroach upon, damage or destroy listed historic properties and their environs with the following conditions:

1. The applicant remove the noncompliant fence and carport when the SUP expires or when the Shelter moves to a new location;
2. If the Shelter does not move at the end of this two year extension, the non-compliant car-port and fence will be removed and a new structure allowing for outside shelter is to be provided. The applicant will submit drawings of a compliant structure(s) to the Historic Resources Commission prior to their installation for approval;

3. This recommendation is given with the understanding that the City Commission must approve the associated Special Use Permit. Approval of this request by staff or the HRC does not guarantee the City Commission will approve the associated Special Use Permit;
4. The applicant shall comply with all of the terms and conditions of the Special Use Permit as approved by the City Commission.

Motion approved unanimously, 6-0

**ITEM NO. 6:** DR-10-120-09 1901 Learnard Avenue; Garage Demolition and New Construction; Certificate of Appropriateness Review. The property is located in the environs of the Zinn-Burroughs House (1927 Learnard), Lawrence Register of Historic Places. Submitted by Scott Messler for Glen Sohl, the property owner of record.

**STAFF PRESENTATION**

Ms. Braddock Zollner presented the item.

**APPLICANT PRESENTATION**

The applicant was not present.

**PUBLIC COMMENT**

There was no public comment.

**COMMISSION DISCUSSION**

Commissioner Sizemore asked what the location for the garage would be if it were moved.

Ms. Braddock Zollner said the applicants' preference was demolition. She said the garage did not appear to be historic.

Commissioner Sizemore asked if the driveway to the new garage was from Learnard Street.

Ms. Braddock Zollner said the driveway would be from Learnard Street.

Commissioner Sizemore asked if there was a direct line of sight.

Ms. Braddock Zollner said the garage would be seen from the back yard of the Burroughs house.

Commissioner Wiechert said most of the detached garages in the area were single garages.

Ms. Braddock Zollner said the garage would not impact the Burroughs house.

Commissioner Marvin asked Staff if the applicant had seen the staff recommendation.

Ms. Braddock Zollner said the applicant had seen the staff recommendation.

**ACTION TAKEN**

Motioned by Commissioner Antle, seconded by Commissioner Marvin, to approve the project at 1901 Learnard Street in accordance with Chapter 22, the standard of evaluation, and make the determination that the proposed project does not encroach upon, damage or destroy listed historic properties and their environs with the following conditions:

1. The applicant provide complete construction documents with material notations to be reviewed and approved by the HRA prior to release of a building permit;

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 approved unanimously 6-0

**ITEM NO. 7:** DR-10-124-09 1100 Block #1; Rhode Island Roost; New Construction; Certified Local Government Review. The property is included in the North Rhode Island Street Residential Historic District, National Register of Historic Places. Submitted by Tenants to Homeowners, Inc., for Douglas County, the property owner of record.

**STAFF PRESENTATION**

Ms. Braddock Zollner presented the item.

**APPLICANT PRESENTATION**

Rebecca Buford said the neighborhood requested tenants to homeowners to produce residential homes. She said the County had neglected the structure at 1120 Rhode Island Street and her goal was to retain the character of the neighborhood and retain affordable housing. She said she had no solution as what to do with the parking pad.

Commissioner Wiechert asked Staff what the status of the house to the north of 1120 Rhode Island Street was.

K.T. Walsh said the home to the north was for sale for \$250,000.00. She said there were two lots.

Commissioner Wiechert asked if the price included the vacant lot behind it.

Ms. Braddock Zollner said there were cars stored on the vacant lot.

**PUBLIC COMMENT**

Dennis Brown said he was active with the first component of the project. He said the setbacks of the three houses were compatible with the rest of the street and one of the structures was a single family home. Mr. Brown said the north façade of the single family home needed a window.

Ms. Walsh stated Tenants to Homeowners and the Lawrence Preservation Alliance had stepped up and worked really hard on the projects.

**COMMISSION DISCUSSION**

Commissioner Antle said the project was fantastic and he was supportive.

Commissioner Sizemore said a small window in the bathroom or the utility room would help.

Commissioner Antle asked if there was a concern with the parking pads.

Ms. Braddock Zollner said she did not have a solution to the parking pads.

Commissioner Veatch said he was not concerned with the window.

Commissioner Wiechert said it would be helpful to let in natural light.

Commissioner Antle said the Historic Resources Commission was interested in the building materials used for the windows.

**ACTION TAKEN**

Motioned by Commissioner Antle, seconded by Commissioner Wiechert, to approve the project at 1100 Block #1; Rhode Island Roost, in accordance with the Secretary of the Interior's Standards, the standard of evaluation, and make the determination that the proposed project does not encroach upon, damage or destroy listed historic properties and their environs with the following conditions:

1. Any changes to the approved project will be submitted to the Historic Resources Administrator prior to the commencement of any related work.
2. Final construction documents with material notations will be submitted to and approved by the HRA before the release of the building permit.
3. The applicant will allow staff to photograph the project during and after construction.

Motion approved unanimously, 6-0

**ITEM NO. 8: MISCELLANEOUS MATTERS**

- A. No demolition permits received since the October 15, 2009 meeting.
- B. Review of Administrative and Architectural Review Committee approvals since October 15<sup>th</sup>, 2009.

Ms. Braddock Zollner introduced Ms. Andrea Kirchhoff, staff intern.

**Administrative Reviews**

- DR-10-113-09 1420 Crescent Road; Special Event Permit; Certified Local Government Review. The property is located in the environs of the Fernand Strong House, National Register of Historic Places and the Chi Omega House, Register of Historic Kansas Places. Submitted by William Muggy, the property owner of record.
- DR-10-114-09 637 Illinois Street; Setback Variance; Certified Local Government Review. The property is located in the environs of the Witter S. McCurdy House (909 W 6<sup>th</sup> Street), National Register of Historic Places. Submitted by Dan Hermreck for Louis Ohle, the property owner of record.
- DR-10-116-09 5 E 7<sup>th</sup> Street; Sign; Certified Local Government. The property is 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. Submitted by Star Signs for 700 Mass LC, the property owner of record.
- DR-10-119-09 701 Massachusetts Street; Interior Remodel; Certified Local Government Review. The structure is individually listed in the National Register of Historic Places and is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. The property is also located in the environs of the House Building (729-731 Massachusetts), Register of Historic Kansas Places, 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 Nancy Holmes of Full Bright Sign and Lighting for Louise's INC, the property owner of record.
- DR-10-121-09 1609 Rhode Island Street; Driveway; Certified Local Government Review. The property is located in the environs of the Edward House House (1646 Massachusetts), National Register of Historic Places. Submitted by Wallace Concrete for Brian Farley, the property owner of record.
- DR-10-122-09 805 Massachusetts Street; Sign; Certified Local Government Review. The property is contributing to Lawrence's Downtown Historic District, National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Star Signs for Consolidated Properties Inc of Lawrence, the property owner of record.
- DR-10-123-09 1130 Rhode Island Street; Existing Conditions Variance; Certified Local Government Review. The property is a noncontributing property to the North

Rhode Island Street Residential Historic District. Submitted by Aron Cromwell, the property owner of record.

**ACTION TAKEN**

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

Motion approved unanimously, 6-0

C. No variance (BZA) requests received since October 15, 2009.

D. General public comment.

Mr. Brown stated Tenants to Homeowners will be holding fund raiser events in November and December.

E. Miscellaneous matters from City staff and Commission members.

Ms. Braddock Zollner introduced the 2010 Historic Resources Commission Calendar.

**ACTION TAKEN**

Motioned by Commissioner Antle, seconded by Commissioner Veatch, to accept the 2010 Historic Resources Commission Calendar.

Motion approved unanimously, 6-0

**ACTION TAKEN**

Motioned by Commissioner Veatch, seconded by Commissioner Antle, to adjourn the Historic Resources Commission meeting.

Motion carried unanimously, 6-0

**ADJOURN –8:20p.m.**