

**HISTORIC RESOURCES COMMISSION  
AGENDA MEETING- SEPTEMBER 17TH 2009--6:30 PM  
ACTION SUMMARY**

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

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**ITEM NO. 1: ACTION SUMMARY**

Ms. Braddock Zollner stated the August 20th, 2009 Action Summary would be on the October 15<sup>th</sup>, 2009 Agenda. She stated Paul Werner contacted Staff regarding his application and if there was an issue with his application or confusion.

**ITEM NO. 2: COMMUNICATIONS**

- a) Ms. Braddock Zollner stated one communication was received for Item number six which was in the packet.
- b) No declaration of abstentions from specific agenda items by Commissioners.

**ITEM NO. 3:** DR-7-81-09 729 New Hampshire Street; Hospitality Area and Façade Alterations; Certified Local Government Review and Certificate of Appropriateness Review. The structure 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 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), the United States Post Office (645 New Hampshire), and the North Rhode Island Historic District, National Register of Historic Places. The property is located in the Downtown Conservation Overlay District. Submitted by Paul Werner Architects for Park Hetzel III Trustees, the property owner of record.

**STAFF PRESENTATION**

Ms. Braddock Zollner presented the item.

**APPLICANT PRESENTATION**

Mr. Paul Werner, Paul Werner Architects stated the applicant wanted a separate door for entering and leaving the hospitality area. He said the proposed seven goose neck light fixtures would not produce much light.

Commissioner Sizemore asked Mr. Werner if the door could be moved as suggested in the staff report.

Mr. Werner stated the door could be moved as suggested.

**PUBLIC COMMENT**

No one from the public spoke to this item.

## **COMMISSION DISCUSSION**

Commissioner Sizemore asked Staff why only four lights were suggested instead of six or seven lights.

Ms. Braddock Zollner said there was existing lighting and she tried to find a good balance so that more lighting could be added to the sidewalk area.

Commissioner Meyer asked if the proposed lighting at Noodles on Massachusetts Street was larger than the proposed lighting for 729 New Hampshire Street.

Mr. Werner stated the awnings were shallow and 16 inches deep.

Commissioner Veatch asked Mr. Werner if the lights could be placed between the awnings.

Mr. Werner said the entrance needed to be lit and the awnings were not expanded out far.

Commissioner Veatch asked how far the lights would expand.

Mr. Werner said the lights were goose neck and they would come out about 16 inches.

Commissioner Sizemore said he was concerned with the placement of the door.

Commissioner Meyer said there had been discussion regarding the lights at Noodles. She asked Ms. Braddock Zollner if there was a difference between the two lighting.

Ms. Braddock Zollner said there was not much difference in the lighting. She said Noodles lighting was more ambient.

Commissioner Veatch asked Ms. Braddock Zollner if Noodles was trying to light a sidewalk with a dining area.

Ms. Braddock Zollner said Noodles would have sidewalk dining.

Commissioner Wiechert asked Mr. Werner where he proposed to place the lighting.

Mr. Werner stated there were no street lights in the area and the area was dark.

Commissioner Meyer stated there would be light from the Borders Books Store parking lot.

Commissioner Antle asked if Staff proposed four, five or six lights.

Commissioner Williams asked Ms. Braddock Zollner if there were code requirements for illumination.

Ms. Braddock Zollner said downtown was unique and there were street lights. She said it was hard to separate the building with what was happening in the street.

Commissioner Antle asked Mr. Werner if the awnings were close to the building.

Mr. Werner stated the lighting was the gooseneck type and they could be turned in different directions.

Commissioner Wiechert asked Mr. Werner how far out the lighting would expand.

Commissioner Williams asked Ms. Braddock Zollner what Staffs objectives were.

Ms. Braddock Zollner stated Staff did not want the awning illuminated.

Mr. Werner stated the section of the store front was fifty two feet long.

Commissioner Sizemore said the awning was black and there was no big logo. He said with the history of the area more lighting would be a good idea.

Commissioner Williams asked Mr. Werner if he objected to only four lights.

Mr. Werner stated four lights would not produce enough light for a fifty two feet store front. He said four very bright lights could possibly work.

Commissioner Veatch stated it did not matter how bright the lights would be. He said the purpose of the lighting is what was important.

Commissioner Antle stated illumination of the awning was a concern.

Commissioner Meyer stated the way the lights were laid out made sense.

### **ACTION TAKEN**

Motioned by Commissioner Antle, seconded by Commissioner Wiechert, to approve the project at 729 New Hampshire Street, in accordance with the Secretary of the Interior's Standards and the *Downtown Design Guidelines*, the standards of evaluation, and make the determination that the proposed project does not encroach upon, damage, or destroy the environs of the listed historic properties with the following conditions as listed in the staff recommendations with the exception of recommendation number 3, the number of lights installed will be six:

1. The non-compliant vinyl windows will be removed before or at the same time the hospitality area is installed.
2. The applicant alter the storefront design to utilize the existing/previous door opening for the hospitality area entrance/exit to the building.
3. The applicant alter the lighting to install a maximum of six fixtures in locations approved by the Historic Resources Administrator.
4. The applicant provide complete construction documents, with material notations, including light, window and door details, to be reviewed and approved by the Historic Resources Administrator prior to release of a building permit;
5. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work;
6. The property owner will allow staff access to the property to photo document the project before demolition, during construction, and upon

completion of the project.

7. The approval of the hospitality area by the Historic Resources Commission does not guarantee the City Commission will approve the hospitality license or the associated site plan.

Motion approved unanimously 6-0

**ITEM NO. 4:** DR-8-100-09 1406 Tennessee Street; Rehabilitation and Site Plan Review; Certified Local Government Review. The structure is located in the environs of the John Palmer and Margaret Usher House (1425 Tennessee) and the William Priestly House (1505 Kentucky), National Register of Historic Places. Submitted by Hernly Architects for KU Housing Association, Inc., the property owner of record.

### **STAFF PRESENTATION**

Ms. Braddock Zollner presented the item.

### **APPLICANT PRESENTATION**

Mike Myers, Hernly Architects said there were a variety of changes the applicant was proposing and they were mostly interior. He said the facade facing Tennessee street would be modified, egress windows would be added in the back of the structure and lap siding would be added. Mr. Myers stated a deck would be added on the back of the structure and would become the main back entrance into the structure. He said a fire escape would be added.

Commissioner Antle asked how long the structure had been a housing cooperative.

Mr. Myers said the structure had been a housing cooperative for over forty years.

Commissioner Sizemore asked Mr. Myers if the front porch was the only part of the structure that was in direct line of sight.

Mr. Myers said stated the front porch was the only part of the structure that was in the direct line of sight.

### **PUBLIC COMMENT**

No one from the public spoke to this item.

### **COMMISSION DISCUSSION**

Commissioner Sizemore said he had a concern with the large size of the window on the front porch area. He asked the applicant if the windows opened into the kitchen area.

Commissioner Meyer asked Staff if the windows were a concern.

Ms. Braddock Zollner stated the amount of window changing was a concern. She asked the applicant to give more attention to the windows and repair the wood windows instead of replacing them. She stated the front window and connector was not a concern.

Mr. Myers said each structure in the area had a large front window.

Commissioner Veatch asked the applicant if he was willing to complete a window survey that was suggested by Staff.

Mr. Myers said the wood windows that needed repaired would be repaired.

Commissioner Veatch asked Ms. Braddock Zollner if she had requested all windows be repaired.

Ms. Braddock Zollner stated all of the windows do not need to be repaired.

**ACTION TAKEN**

Motioned by Commissioner Veatch, seconded by Commissioner Antle, to approve the project at 1406 Tennessee Street 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 with the following conditions as listed in the staff recommendations:

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.
3. Final construction documents with material notations, including a window survey, will be reviewed and approved by the Historic Resources Administrator prior to the release of the building permit.

Motion approved unanimously 6-0

**ITEM NO. 5:** DR-8-98-09 423 E 19<sup>th</sup> Street; New Construction; Certificate of Appropriateness Review. The structure is located in the environs of the Zinn-Burroughs House (1927 Learnard), Lawrence Register of Historic Places. Submitted by Tim Windholz for Wendy Stauffer, Jennifer Hemphill, Jill Windholz and Carolyn Hemphill, the property owners of record.

Commissioner Meyers stated the Historic Resources Commission would hear both items 5 and 6 together.

### **STAFF PRESENTATION**

Ms. Braddock Zollner presented the item.

### **APPLICANT PRESENTATION**

Mr. Windholz said there had been a concern regarding the proposed parking lot. He said there was quite amount of green space and seven out of nine mature trees would be saved.

Commissioner Sizemore asked Mr. Windholz if there would be additional landscaping.

Mr. Windholz said the walnut trees would be saved and grasses would be planted. He said evergreens would be an option also.

Commissioner Sizemore asked Mr. Windholz if the pad would be built up four or five feet on lot one.

Mr. Windholz stated there would be cut and fill due to the floodway issue.

Commissioner Sizemore asked if there would be two to three feet fill on lot three.

Mr. Windholz said there would be three feet fill on lot three. He said the City redid the drainage channel a few years ago.

### **PUBLIC COMMENT**

James Grauerholz stated for twenty three years he was the companion and assistant of William S. Burroughs and he was now the executor of the property. He said in 2005 the city granted City Landmark Status to the Burroughs house. He stated the whole corner was historic and he was enthusiastic about Mr. Windholz project in general. Mr. Grauerholz stated he had attended the Board of Zoning Appeals meeting to show that the flood maps were out of date. He said there were thirty city land marks but none of them were visited at the rate of five to ten times a week as the Burroughs house. Mr. Grauerholz provided photos of Google search maps where the William S. Burroughs home popped up automatically. He said he would like to draw the attention to all of the eyes that see the property other than Lawrence residents. He said a single driveway would be used by six dwellings which could be as much as twelve people. Mr. Grauerholz stated he would like to see the project redesigned.

Commissioner Williams asked Mr. Grauerholz if he had approached Mr. Windholz about purchasing the property.

Mr. Grauerholz said he spoke with Richard Hemphil in 2006 and questioned him at that time. He said Mr. Windholz had sent him a courtesy letter in January explaining the rezoning of the property. He stated he did not oppose at the time but now wished he would have contacted

Mr. Windholz during the design phase of the project. He said when the rezoning was approved it did not change the already granted access from 19<sup>th</sup> street. Mr. Grauerholz stated he respected the family and did not believe historicity should severely cramp their ability to do what they want with their property. He said tonight's proceedings would be read by literary scholars in the future. He said Mr. Windholz was a wonderful builder but he was hoping there would be a higher standard for the project rather than what would be cheaper. He stated he would contribute \$5,000.00 to match Mr. Windholz fifty percent for additional cost to make major changes to the project so that it had less ugly parking and paving.

Commissioner Williams said he would be curious to see what Mr. Burroughs would think about the project and how it fit into the scale and massing and how it would provide affordable housing.

Mr. Grauerholtz stated Mr. Burroughs would have hated the project but he hated all development. He said the historicity rubs off on all of us. He said there was going to be a lot of parking in which was now a meadow.

Dennis Brown president of the Lawrence Preservation Alliance stated he struggled to understand the proposal. He said he was focused on the neighborhood as a whole. Mr. Brown said there was a small street access to 19th and Learnard Street. He said in older neighborhoods there were houses that had street frontage and there were not houses placed in areas where there was no street.

Mr. Windholz said there were two duplexes and one land locked lot behind lot three. He said there was a lot of green space in the area.

Commissioner Meyer asked the applicant how many parking spaces were required.

Mr. Windholz stated eight parking spaces were required but there were nine parking spaces.

### **COMMISSION DISCUSSION**

Commissioner Meyer said the project was a Certificate of Appropriateness review and the Commission was to apply the least stringent standard of evaluation. She said there was a presumption that the Certificate of Appropriateness should be approved.

Commissioner Sizemore said there was an opportunity on lot three to tuck the unit further back in the corner to preserve more of the green space.

Commissioner Williams asked if the duplex could be rotated to be perpendicular to Learnard street.

Commissioner Sizemore said it would take some adjustment to the driveway. He said the parking could be parallel to Learnard street. He said there was opportunity on the site to conceal than the final plan suggests.

Commissioner Antle said the staff recommendation stated the project should go through the Architectural Review Committee.

Commissioner Williams said the other duplex could be turned perpendicular.

Commissioner Sizemore said if the duplex on lot one could slide to the south it would reduce the amount of dirt being hauled to the site. He said the easy thing to do would be to put up retaining walls and level out the ground.

Commissioner Williams said the applicant should submit to the Architectural Review Committee and it should be encouraged by both parties to investigate other economic ends.

Commissioner Meyer asked Ms. Braddock Zollner if the Architectural Review Committee would give more guidance.

Ms. Braddock Zollner stated the Commission would direct the Architectural Review Committee.

Commissioner Meyer asked the applicant if he had seen the staff recommendations.

Mr. Windholz presented photos and explained where the driveway would be placed on the property.

Commissioner Meyer asked Mr. Windholz if he had objections to working with the Architectural Review Committee.

Commissioner Veatch stated it would be best for the project to go to the Architectural Review Committee.

#### **ACTION TAKEN**

Motioned by Commissioner Veatch, seconded by Commissioner Wiechert, to approve the proposed project in accordance with Chapter 22 of the Code of the City of Lawrence, 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 subject to the following conditions as listed in the staff recommendations:

1. The applicant will work with the Architectural Review Committee to finalize the design and placement of the structure;
2. The applicant provide complete construction documents with material notations to be reviewed and approved by the HRA prior to release of a building permit;
3. 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;
4. 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. 6:** DR-8-99-09 1926 Learnard Avenue; New Construction; Certificate of Appropriateness Review. The structure is located in the environs of the Zinn-Burroughs House (1927 Learnard), Lawrence Register of Historic Places. Submitted by Tim Windholz for Wendy Stauffer, Jennifer Hemphill, Jill Windholz and Carolyn Hemphill, the property owners of record.

**ACTION TAKEN**

Motioned by Commissioner Veatch, seconded by Commissioner Wiechert, to approve the proposed project in accordance with Chapter 22 of the Code of the City of Lawrence, 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 subject to the following conditions as listed in the staff recommendations:

1. The applicant will work with the Architectural Review Committee to finalize the design and placement of the structure;
2. The applicant provide complete construction documents with material notations to be reviewed and approved by the HRA prior to release of a building permit;
3. 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;
4. 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-8-96-09 1001 Delaware Street; Garage New Construction; Certificate of Appropriateness Review. The property is located in the environs of Hobbs Park, Lawrence Register of Historic Places. Submitted by Eric Jay for Robert and Molly Krause, the property owners of record.

**STAFF PRESENTATION**

Ms. Braddock Zollner presented the item.

**APPLICANT PRESENTATION**

Eric Jay stated the applicant wanted a two car garage. He said there would be a metal roof which would match the house addition and galvanized corrugated metal siding on all four sides of the garage. He stated the garage would have a steel over head garage door.

Commissioner Veatch asked the applicant if he had read the staff report.

Mr. Jay said the galvanized corrugated metal siding had been an issue. He said the material was the least expensive option but a standing seam metal siding could be used. He said the roof form was not atypical for the neighborhood but was more part of the contemporary addition.

Commissioner Williams asked the applicant if the project was consistent with other homes in the area.

Mr. Jay stated he had completed the project at 933 Delaware street which was similar.

**PUBLIC COMMENT**

KT Walsh stated architecturally garages in the area had a pitched roof but aesthetically pitched sheds were everywhere and come and go. She said it was a form that was very common and she liked the design.

**COMMISSION DISCUSSION**

Commissioner Sizemore said he liked the design with the exception of the north elevation.

Commissioner Williams asked if the garage would be attached to an existing building.

Mr. Jay said the structure would not be attached to an existing building.

Commissioner Veatch said he would like to see a distinction between the new structure and the old structure but he wanted it to be compatible.

Mr. Jay stated the roof height of the garage was in line with the south addition of the house.

Commissioner Veatch asked if the garage would be behind the house.

Mr. Jay said the garage would be thirty feet behind the house.

Commissioner Wiechert asked the applicant if he had colored pictures of the house.

Mr. Jay presented photos of the house.

KT Walsh asked the applicant if he had experience with galvanized corrugated metal siding.

Mr. Jay stated he had experience with galvanized corrugated metal siding.

Commissioner Sizemore said the galvanized corrugated metal siding used in small quantities had a textural feel to it but he was concerned about the size of the structure.

**ACTION TAKEN**

Motioned by Commissioner Meyer, seconded by Commissioner Antle, to approve the project at 1001 Delaware Street in accordance with Chapter 22 of the Code of the City of Lawrence, 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 subject to the following conditions as listed in the staff recommendations:

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. 8: MISCELLANEOUS MATTERS**

A. Ms. Braddock Zollner stated the demolition permit for the house on Forth Street was approved. She said the City had declared the structure as unsafe and dangerous. She stated Staff would document 1232 Louisiana Street structure prior to demolition.

B. No Architectural Review Committee Reviews since the August 20, 2009 regular meeting.

**Administrative Reviews**

- DR-7-89-09 828 Arkansas Street; Fence; Certified Local Government Review. The property is located in the environs of the Ralph and Cloyd Achning House (846 Missouri). Submitted by Michael E Arp, Trustee, the property owner of record.
- DR-8-90-09 1020 Massachusetts Street; Hospitality Area; Certified Local Government Review. The property is located in the environs of the Douglas County Courthouse (1100 Massachusetts), the English Lutheran Church (1040 New Hampshire), Watkins Bank Building (1047 Massachusetts), Lawrence's Downtown Historic District, and the North Rhode Island Historic District, National Register of Historic Places and the Shalor Eldridge Residence (945 Rhode Island), Register of Historic Kansas Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Paul Werner Architects for First Management, Inc., the property owner of record.
- DR-8-91-09 911 Massachusetts Street; Sign; Certified Local Government and Certificate of Appropriateness Review. The property is a non-contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places and is in the environs of the Hanna Building (933 Massachusetts), Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Lawrence Life Fellowship for TNAR Inc., the property owner of record.
- DR-8-92-09 616 W 9<sup>th</sup> Street; Awning; Certified Local Government Review. The property is located in the environs of the Old West Lawrence Historic District and the Oread Historic District, National Register of Historic Places. Submitted by Fulbright Sign Company for Ralph Smith, the property owner of record.
- DR-8-93-09 11 W 9<sup>th</sup> Street; Sign; Certified Local Government and Certificate of Appropriateness Review. The property is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places and is in the environs of Plymouth Congregational Church (925 Vermont), Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Sign-A-Rama for Watson, Rogich, Droneburg, O'Bryon, the property owners of record.
- DR-8-94-09 1812 Miller Drive; Front Porch Addition; Certified Local Government Review. The property is located in the environs of the Robert Miller House (1111 E 19<sup>th</sup>), National Register of Historic Places. Submitted by Marlene and Rosalinda Panergo, the property owners of record.

- DR-8-95-09 1912 Massachusetts Street; Sign; Certified Local Government Review. The property is located in the environs of the George Mackie House (1941 Massachusetts). Submitted by Leslie Dunham and Martin Camino, the property owners of record.
- DR-8-97-09 730 New Hampshire Street; Sign; Certified Local Government and Certificate of Appropriateness Review. The property is located in the environs of Lawrence's Downtown Historic District, the North Rhode Island Street Historic District, National Register of Historic Places and the Octavius W. McAllaster Residence, Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Luminous Neon for 8<sup>th</sup> & New Hampshire LLC, the property owner of record.
- DR-8-101-09 1200 Oread Avenue; Signs; Certified Local Government and Certificate of Appropriateness Review. The property is located in the environs of the Oread Historic District, the Hancock Historic District, the ECM (1204 Oread Ave), National Register of Historic Places, and the Jane A. Snow Residence, National Register of Historic Places and Lawrence Register of Historic Places. Submitted by Luminous Neon for Oread Inn LC, the property owner of record.

**ACTION TAKEN**

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

Motion approved unanimously 6-0

- C. No comment on variance (BZA) requests received since August 20, 2009.
- D. KT Walsh stated that a member had pointed out that Woody Park was officially the only park where any black child could play ball in Lawrence during Jim Crow time. She said the NAACP had written a letter honoring Mr. Woody. She said it was a little used park now but there was a great deal of history with the park.

Dennis Brown said the Lawrence Preservation Alliance had gone on record with its feeling regarding Woody Park. He said on October 4<sup>th</sup>, 2009 the Preservation Alliance would have their annual meeting from 2:30-4:00 outside of the Douglas County Courthouse.

- E. Miscellaneous matters from City staff and Commission members.

Commissioner Meyer asked Staff for an update regarding The Tap Room.

Ms. Braddock Zollner stated Development Services notified Staff two weeks ago that work was being done at The Tap Room with no building permit issued. She said the store front windows on New Hampshire Street were gone but at this time the windows on the 8<sup>th</sup> Street side and New Hampshire street side had been installed. She said the applicant had applied for a building permit and Staff released the project.

Commissioner Veatch stated he and Commissioner Marvin attended a study session with the Planning Commission regarding The Oread Neighborhood Plan and Ms. Braddock Zollner had done a terrific overview for the Planning Commission.

**ACTION TAKEN**

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

Motion carried unanimously, 6-0

**ADJOURN –8:45p.m.**