

## **HISTORIC RESOURCES COMMISSION**

Action Summary

April 20, 2006 – 7:00 p.m.

---

Commissioners present: Antle, Alstrom, Hickam, Marvin, Sizemore Veatch and new Commissioner Meyer  
Staff Present: Zollner

---

### **ITEM NO. 1: ACTION SUMMARY**

Motioned by Sizemore, seconded by Antle to approve the March 16, 2006 Action Summary as presented.

Motion carried 5-1, with Meyer abstaining because she was not at the March meeting.

### **ITEM NO. 2: COMMUNICATIONS**

Staff introduced new Commissioner Jody Meyer.

There were no additional communications for the Commission.

No abstentions were indicated.

### **ITEM NO. 3: ELECTION OF OFFICERS FOR 2006-2007**

Motioned by Antle, seconded by Sizemore to re-elect Hickam as the 2006-2007 Chair.

Motion carried 5-0-1, with Hickam abstaining.

Motioned by Hickam, seconded by Veatch to re-elect Sizemore as the 2006-2007 Vice-Chair.

Motion carried unanimously, 5-0-1, with Sizemore abstaining.

*HRC 4/20/2006*

**ITEM NO. 4: L-02-01-06:** Public hearing for consideration of placing the structure located at 820 New Jersey Street on the Lawrence Register of Historic Places. Submitted by Nicolette Proudfoot, the property owner of record. Adopt resolution recommending listing 820 New Jersey Street to the Lawrence Register of Historic Places and its associated environs definition, if appropriate.

#### **STAFF PRESENTATION**

Staff presented pictures of the subject property and all elevations of the existing structure.

*Alstrom arrived 7:05 p.m.*

Ms. Zollner referenced the staff report comment that the State Register nomination would be forthcoming. Unfortunately the building did not retain enough of its original integrity to qualify for the National Register.

#### **APPLICANT PRESENTATION**

Mickey Proudfoot spoke on behalf of her mother, the applicant. Miss Proudfoot explained her mother had found evidence that the property had strong historical significance both architecturally and socially. The original house was constructed by James Overton under one of the land grants given to newly freed slaves.

Dave Evans added that research was done through newspapers and deed records at the Kansas State Historical Society.

The Proudfoots explained an addition had been constructed before they bought the property, but it was in such poor condition they removed it. Reconstruction of the addition was chosen at that time in order to retain the value and use of the house.

Staff verified that the addition was one of the elements that kept the structure from qualifying for the National Register.

#### **PUBLIC COMMENT**

No member of the public spoke on this item.

#### **COMMISSION DISCUSSION**

The Commission agreed with staff's assessment of the structure's historic significance. It was generally agreed that the front view of the property was relatively unaltered and the building maintained adequate structural integrity.

It was noted homes of this architectural type are not often retained and the listing of a brick home of this quality was important. The social significance of the home was also noteworthy.

#### **ACTION TAKEN**

Motioned by Hickam, seconded to Sizemore to direct staff to draft a resolution recommending the structure be nominated to the Lawrence Register of Historic Places.

The resolution would be reviewed for possible adoption at the May 2006 meeting, along with an environs definition and map.

Motion carried unanimously, 7-0.

*HRC 4/20/2006*

**ITEM NO. 5: DR-01-13-06** 1040 Vermont Street; Rehabilitation; Certified Local Government Review. Submitted by Sabatini Architects Inc., for the property owners of record. The property is located in the environs of Lawrence's Downtown Historic District, Watkins Bank (1047 Massachusetts), and the Douglas County Courthouse (1100 Massachusetts), National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District.

*This item was deferred prior to the meeting.*

*HRC 4/20/2006*

**ITEM NO. 6: DR-03-25-06:** 242 Perry Street; Demolition and New Construction; Certified Local Government Review. Submitted by Glen Sohl and Randy Ham, the property owners of record. The property is located in the environs of the Union Pacific Depot (402 N. 2nd), Kansas Register of Historic Places.

**STAFF PRESENTATION**

Staff showed pictures of all elevations of the primary structure. Staff also presented pictures of the existing ancillary structure, with details of the interior.

**APPLICANT PRESENTATION**

Randy Ham, applicant, stated that the primary structure was in poor condition, with extensive termite and rot damage. He said attempts to bolter the leaning building were not adequate to make the structure safe or reasonable for rehabilitation.

Mr. Ham said a termite inspection would be done in the near future for the ancillary structure, but it was visually apparent that the building was not in very good condition. He said the roof appeared to be falling in and the concrete floor was quite thin and poured directly over a dirt floor. Mr. Ham also said the existing ancillary building was too small to serve as an actual garage and would more likely be used for storage or a workshop, if retained.

Mr. Ham said there had been some discussion about letting interested parties take reusable materials (i.e. hardwood floor) if they wanted to "spend the labor."

**PUBLIC COMMENT**

Dennis Brown, Lawrence Preservation Alliance, said the LPA did not contest the need for demolition of the existing primary and ancillary buildings. However, the LPA did not think the proposed new construction met any of the design guidelines discussed in the staff report.

Mr. Brown said the LPA felt the design of the proposed new construction was unsuitable for the neighborhood, which was generally characterized by small 2-story homes with detached garages. The proposal appeared to be more of a Ranch Style with an attached garage.

The LPA did appreciate that the applicant did not propose a large-scale structure and they found the front elevation generally acceptable. However, the proposed T1-11 siding was considered highly inappropriate for the neighborhood and the LPA suggested lap siding with specified reveal should be required.

Mr. Brown said if an attached garage was allowed, the LPA would encourage the use of materials more compatible with the area. Mr. Brown noted the direct view of the garage from the Union Pacific Depot and suggested the applicant work with the ARC to redesign the proposed sliding glass doors and a large single metal garage door.

## **COMMISSION DISCUSSION**

The applicant was allowed to respond to the public's comments. Mr. Ham said that when the property was originally purchased, it was zoned as commercial, but the applicant had "graciously agreed" to abandon commercial use and allow the property to be rezoned as residential along with the entire block, in response to significant neighborhood concern.

Mr. Ham said he was not opposed to a better plan if one was found, but he felt the current plan worked well for the property and the area.

The Commission generally agreed that the primary structure was in poor condition and that demolition was an appropriate course of action. It was also suggested that, without the primary structure for context, preservation of the ancillary building was not as important.

The Commission shared the concerns outlined by Mr. Brown, agreeing that T1-11 siding was inappropriate for this area and that the garage design should be re-thought, given its line of sight to the Depot.

It was discussed whether adequate direction could be provided for the applicant, staff and the ARC to allow the proposal to be approved upon ARC review. There was concern that the ARC would not be able to reach consensus and established that, if this happened, the proposal would automatically revert to full Commission review.

Alstrom stated for the record his continued wish that the City would adopt neighborhood design guidelines to assist in these types of reviews.

It was discussed that, although the Commission was prepared to approve demolition, it was their policy not to do so without an approved plan for new construction.

Ms. Zollner requested that, if the current proposal were sent back to the applicant for revision, the Commission provide very specific direction for what they (the Commission) wanted to see. The following changes were discussed:

- Change in siding material - definitely not T1-11. Lap siding was preferred, and hardy plank was considered acceptable.
- Reduce massing of side elevations, breaking the linear form.
- Inclusion of more typical fenestration and window patterns.
- Different design for garage doors and sliding glass doors – possibly French doors and two single garage doors (or a single garage door with the visual appearance of two).

Ms. Zollner asked the Commission to note that a large Ranch Style home existed in the immediate vicinity, so the environs character had already been significantly altered.

Mr. Ham commented that delaying the project 30-60 days (by deferral) would cut them out of the 2006 market

**ACTION TAKEN**

Motioned by Hickam, seconded by Antle to approve the Certified Local Government Review for demolition and new construction at 242 Perry Street, based on a determination that it will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following revised conditions:

1. The applicant provide complete construction documents, with material notations to be reviewed and approved by the Architectural Review Committee (ARC) prior to release of a building permit;
2. If the applicant chooses not to rehabilitate the existing ancillary structure, the applicant must provide a structural analysis and cost of rehabilitation estimate for the structure before a release for demolition will be issued;
3. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work; and
4. The property owner will allow staff access to the property to photo document the structure before construction begins.

Motion carried unanimously, 7-0.

*HRC 4/20/2006*

**ITEM NO. 7: DR-03-29-06:** 932 Rhode Island Street; Front Porch Addition; Certified Local Government Review and Certificate of Appropriateness Review. Submitted by Michael and Mary Pat Jacobson, property owners of record. The property is listed as a contributing structure to the North Rhode Island Street Historic District, National Register of Historic Places and is located in the environs of the McFarland House (940 Rhode Island), the Hendry House (941 Rhode Island), and the Shalor Eldridge Residence (945 Rhode Island), Lawrence Register of Historic Places.

*This item was deferred prior to the meeting.*

*HRC 4/20/2006*

**ITEM NO. 8: DR-03-30-06:** 711 Indiana Street; Demolition and New Construction of Ancillary Structure; Certified Local Government. Submitted by Dan Hermreck for Lynn and Sally Piller, property owners of record. The property is listed as a contributing structure to the Old West Lawrence Historic District, National Register of Historic Places.

### **STAFF PRESENTATION**

Ms. Zollner showed pictures of the primary structure in relation to the ancillary structure proposed for demolition and new construction. Staff noted that a small upper corner of the proposed new construction would be visible from the street.

It was confirmed that the existing garage was constructed of corrugated metal placed directly on a frame of 2 X 4's.

Staff explained the existing ancillary building was identified in the preliminary Garage Study as a contributing, pre-1930's structure. As neither of these statements seemed likely, Staff strongly recommended reviewing existing data in the unfinished Garage Study.

### **APPLICANT PRESENTATION**

Dan Hermreck spoke on behalf of the applicants, saying the existing garage was too small for them to use. It was poorly constructed and was quickly deteriorating.

Mr. Hermreck described the applicants' intent to construct a 1.5-story ancillary building for garden storage and an art studio. They felt the size of the new construction was appropriate for the large lot, noting it was considerably smaller (750 square feet) than would be allowed by code (900 square feet). The applicants had made an attempt to minimize the impact of the new building through reduced scale and all-wood construction.

It was verified that the new construction would not be attached to the primary structure.

It was noted that larger garages, both old and new, existed in the area.

### **PUBLIC COMMENT**

Dennis Brown, Lawrence Preservation Alliance, said this proposal was quite suitable for the area.

### **COMMISSION DISCUSSION**

The Commission agreed with Mr. Brown's comments that this was a good example of design made to fit the situation. The proposed building would not be an exact derivative of the primary structure (which it should not be), but it was quite compatible in material and design with the house and the neighborhood.

Ms. Zollner said Staff was commonly faced with the problem of achieving preservation goals while providing for modern needs that allowed the continuation of appropriate uses (Ex. allowing larger garages to accommodate single-family use).

**ACTION TAKEN**

Motioned by Antle, seconded by Veatch to approve the Certified Local Government Review for demolition and new construction at 711 Indiana Street, based on a determination that it will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following conditions:

1. Any changes to the approved project will be submitted to the Historic Resources Commission 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 construction begins; and
3. The applicant provide complete construction documents with material notations to be reviewed and approved by the Historic Resources Administrator prior to release of a building permit.

Motion carried unanimously, 7-0.

*HRC 4/20/2006*

**ITEM NO. 9: DR-03-31-06:** 731 Louisiana Street; Carport Addition; Certified Local Government. Submitted by Hernly Associates for David Greenamyre and Barbara Romzek, property owners of record. The property is listed as a contributing structure to the Old West Lawrence Historic District, National Register of Historic Places.

### **STAFF PRESENTATION**

Staff showed pictures of all elevations of the subject property, noting that the primary and ancillary buildings were both identified as contributing structures.

Ms. Zollner said the proposed carport would have minimal visibility from the street due to its location and existing mature landscaping.

### **APPLICANT PRESENTATION**

Mike Myers, Hernly Architects, spoke on behalf of the applicant. He said the applicant generally agreed with staff's recommendation, but would like to request permission to attach the carport to the primary building. He said a free-standing carport would not be sturdy enough and the applicant proposed methods and materials for attachment that would not damage the historic brick material of the garage structure.

The Commission discussed materials and design of the proposed carport, establishing the applicant's choice for sturdier materials and design that would have minimal physical and visual impact.

### **PUBLIC COMMENT**

No member of the public spoke on this item.

### **COMMISSION DISCUSSION**

It was suggested that this was another good example of designing a new ancillary structure to fit its environment.

The Commission agreed to modify condition 1e. to allow minimally invasive attachment methods as described by the applicant.

### **ACTION TAKEN**

Motioned by Veatch, seconded by Antle to approve the Certified Local Government Review for a carport addition at 731 Louisiana Street, based on a determination that it will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following revised conditions:

1. The applicant investigate minimally evasive attachment methods and report findings to the Historic Resources Administrator;
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 construction begins; and

4. The applicant provide complete construction documents with material notations to be reviewed and approved by the Historic Resources Administrator prior to release of a building permit.

Motion carried unanimously, 7-0.

*HRC 4/20/2006*

**ITEM NO. 10: DR-03-32-06:** 421 Mississippi Street; Addition; Certified Local Government Review. Submitted by Michael and Nancy Johnson, property owners of record. The property is located in the environs of the Pinckney II Historic District, National Register of Historic Places.

**STAFF PRESENTATION**

Staff showed pictures of the property elevations and showed where the proposed addition would be placed.

**APPLICANT PRESENTATION**

Nancy Johnson, applicant, stated she agreed with the staff recommendation. She noted that some of the elevation drawings made the addition appear to be in the same plane as the primary structure. She drew the Commission's attention to other drawings showing that this was not the case.

**PUBLIC COMMENT**

No member of the public spoke on this item.

**COMMISSION DISCUSSION**

The Commission had no additional comments or questions.

**ACTION TAKEN**

Motioned by Sizemore, seconded by Antle to approve the Certified Local Government Review for an addition at 421 Mississippi Street, based on a determination that it would not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following conditions:

1. Complete construction documents with material notations, window details and trim details to be approved by the Historic Resources Administrator;
2. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work; and
3. The property owner will allow staff access to the property to photo document the project.

Motion carried unanimously, 7-0.

*HRC 4/20/2006*

**ITEM NO. 11: DR-03-33-06:** 200 W. 9th Street; Addition; Certified Local Government Review. Submitted by the City of Lawrence, property owner of record. The property is listed on the National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District.

*This item was deferred prior to the meeting.*

**ITEM NO. 12: MISCELLANEOUS MATTERS**

- A. Review of any demolition permit applications received since the March 16, 2006 regular meeting.

There were no demolition permits for discussion.

- B. Architectural Review Committee and Administrative Reviews since the March 16, 2006 regular meeting.

There were no ARC reviews to discuss.

**Administrative Reviews**

**DR-03-24-06:** 100 Block of Indiana Street; Site Modifications; Certified Local Government Review. Submitted by KU Recreation Services for the City of Lawrence, property owners of record. The property is located in the environs of the Zimmerman House (304 Indiana) and the Pinckney II Historic District, National Register of Historic Places.

**DR-03-26-06:** 645 Alabama Street; Encroachment Agreement; Certified Local Government Review. Submitted by the City of Lawrence for the property owner of record. The property is located in the environs of the Witter S. McCurdy House (909 W. 6<sup>th</sup>), National Register of Historic Places.

**DR-03-27-06:** 842 Louisiana Street; Sign; Certified Local Government Review. Submitted by Luminous Neon Inc. for Louisiana at Ninth LLC, the property owner of record. The property is located in the environs of the Benedict House (923 Tennessee), and the Old West Lawrence Historic District, National Register of Historic Places.

**DR-03-28-06:** 10 E. 9th Street; Sign; Certified Local Government Review. Submitted by Luminous Neon Inc. for Innovative Pharmaceutical Services, the property owner of record. The property is located in the environs of the Lawrence's Downtown Historic District and the North Rhode Island Street Historic District, National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District.

**DR-03-34-06:** 1008 Massachusetts; Sidewalk Dining; Certified Local Government Review. Submitted by Mokedem Belete for Berkeley Plaza, Inc., the property owner of record. The property is in the environs of Lawrence's Downtown Historic District, the Watkins National Bank Building (1047 Massachusetts), and the English Lutheran Church (1040 New Hampshire), National Register of Historic Places, and the Shalor Eldridge Residence (945 Rhode Island), State Register of Historic Places. The property is also located in the Downtown Urban Conservation Overlay District.

**ACTION TAKEN**

Motioned by seconded Veatch by Alstrom to confirm all Administrative Reviews as presented.

Motion carried unanimously, 7-0.

C. Provide comment on variance (BZA) requests received since March 16, 2006.

There were no variance requests for comment.

D. General public comment.

Dennis Brown of the Lawrence Preservation Alliance, outlined a several items from the group's recent meeting:

- The current newsletter had just been mailed, including news on the upcoming Historic Preservation Conference and progress on the Black Jack Battlefield trust.
- The LPA was very interested in taking part with the HRC in several committees. They requested information about each committee, such as meeting dates and times, purpose, and length of commitment.
- Saturday, April 21<sup>st</sup> marked the 10-year anniversary of the Union Pacific Depot Visitor's Center. There would be speakers and presentations from 10am-2pm.

E. Miscellaneous matters from City staff and Commission members

- Ms. Zollner shared information about the upcoming 2006 Historic Preservation Conference:
  - The City of Lawrence would host the conference May 4-6.
  - The City would pay the registration fee for any Commissioner who wished to attend the conference.
  - A morning training session on Historic Resources Commissions would be given on Saturday, May 6<sup>th</sup>.
  - Keynote speaker Donovan Rypkema was an effective and dynamic speaker on the issue of financial reality in preservation.
- 2006-2007 Committee Discussion and Selection

Ms. Zollner suggested the Commission postpone this consideration until Staff provided information on each committee as discussed by the LPA.

- Letter from Alstrom about stone pier street elements.

Alstrom's letter summarized his concern about a new masonry element being more frequently added to fencing in various parts of the City. The large stone piers were not historic. He felt they should be reviewed when proposed in historic areas.

He explained that the same element might be less inappropriate when placed at or behind the property's build-to line.

There were several ideas about why the stone features were being used. It was suggested that the form began at the Jayhawk Bar as a crowd control feature,

but it was now being used to identify a particular land owner or to create a “fancy” (more expensive) appearance for rental properties.

Ms. Zollner clarified that the stone piers were considered a fencing element under Code and were not subject to review or inspection by any city department or body as long as the overall fence met the Fence Code. It was discussed when an element like this would be considered a wall – a structure requiring a building permit.

There was discussion about how this issue was dealt with in other communities. Ms. Zollner said many cities issued fence permits that allowed for review of the proposal. Lawrence was unusual in that it did not issue fence permits.

Staff was directed to investigate and report their findings at the June HRC Meeting regarding the following matters:

- Stone piers were not, in the Commission’s opinion, a fencing element. They should be given special attention when encroaching upon the environs.
- The Commission would like clarification about when, according to current code, a stone element became a “structure” (requiring a building permit and applicable reviews).
- The HRC would like the City Commission to consider amending the code to require HRC Review for new fences in the environs and other historic areas.

**ADJOURN – 9:00 p.m.**

*Official minutes are on file in the Planning Department office.*