

**HISTORIC RESOURCES COMMISSION
ACTION SUMMARY
AUGUST 18, 2005 – 7:00 P.M.**

**COMMISSIONERS PRESENT: Marvin, Sizemore, Hickam, Antle, Alstrom
STAFF PRESENT: Zollner, Miller and Saker**

ITEM NO. 1: ACTION SUMMARY

Motioned by Antle, seconded by Hickam to approve the July 21, 2005 action summary as presented.

Motion carried unanimously, 5-0

ITEM NO. 2: COMMUNICATIONS

- Letter from the SHPO giving notice that St. Luke A.M.E. Church will be on the Sites Board agenda for nomination to the National Register of Historic Places.
- No abstentions were indicated

ITEM NO. 3: DR-03-19-05: 1301 Jayhawk Boulevard; New Construction; Certified Local Government Review. Submitted by Design and Construction Management, The University of Kansas. The property is located in the environs of the Hancock Historic District, the Jane A. Snow Residence (706 W. 12th), Spooner Hall (1340 Jayhawk Boulevard), Old Green Hall (Lippincott Hall - 1410 Jayhawk Boulevard), and Dyche Hall (1335-1345 Jayhawk Boulevard), National Register of Historic Places.

STAFF PRESENTATION

Staff showed pictures of all elevations and of site lines between the subject property and the listed properties.

APPLICANT PRESENTATION

Jim Long, Chair of the University of Kansas Campus Historic Preservation Board, said the Board approved the project, finding it to be consistent and compatible with the environs. This project requires joint review by the CHPB and the Historic Resources Commission for the City.

Steve Scannell, Assistant Director of Design and Construction Management, described the design proposed for the addition to the existing Union building. He said there was only one limited line of sight from the project area to the Hancock District, and another minor line of sight to Spooner Hall.

Mr. Scannell said the claim that the project would have an insignificant impact on the listed properties was supported by the fact that the property was on the edge of the 500' notice limit from each listed property.

There was discussion with the applicant about further design details. Concern was expressed about blocking the view to the campanile. Mr. Long and Mr. Scannell explained revisions were made to reduce massing and visual obstruction, as well as increase compatibility to adjacent architecture.

PUBLIC COMMENT

No member of the public spoke on this item.

COMMISSION DISCUSSION

It was stated that the proposal appeared to have a limited impact on the environs.

ACTION TAKEN

Motioned by Antle, seconded by Alstrom to approve the Certified local Government Review for the project at 1301 Jayhawk Boulevard, based on a determination that the project will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following conditions:

1. 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.
2. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work.

Motion carried unanimously, 5-0.

ITEM NO. 4: **DR-07-55-05:** 1311 New Hampshire Street; Foundation Replacement and Addition; Certified Local Government Review and Certificate of Appropriateness Review. Submitted by Jack Hope for the property owners of record. The property is listed as a contributing structure to the South Rhode Island Street Historic District National Register of Historic Places. The property is also located in the environs of the John N. Roberts House (1307 Massachusetts), Lawrence Register of Historic Places.

STAFF PRESENTATION

Staff presented elevation photographs of the subject property, and it was noted that the Commission saw a proposal for this property at the July 21, 2005 meeting.

APPLICANT PRESENTATION

Jack Hope spoke on behalf of the property owners, explaining changes from the original proposal. He explained the applicant's intent to construct a new bedroom in the basement to accommodate a new child. The applicant also wished to reconfigure additional space to provide a stairway and office space.

Mr. Hope said the proposal was configured as shown to provide a study and solarium. The solarium area was chosen in order to maximize lighting while minimizing the loss of rear yard that is presently used for an above-ground garden. He explained the solarium and the rear yard would be visually blocked from the street by fencing and vegetation.

Mr. Hope spoke about stormwater runoff concerns, explaining the attempt to design the project to direct runoff away from the house.

Mr. Hope said the applicant had already made significant investments in the house, and would like to renovate the structure to accommodate their growing family.

There was discussion about the construction date, design of the original structure, and modifications that had taken place over time. The property is documented as a contributing structure to the district.

Alstrom said the solarium would not have a significant impact on the district because of its low-lying position, but he encouraged the applicant to consider staff's comments about possible relocation of the solarium element.

PUBLIC COMMENT

No member of the public spoke on this item.

COMMISSION DISCUSSION

It was noted that staff provided a split recommendation - approval of the Certificate of Appropriateness for local environs review and denial of the Certified Local Government review for a contributing structure to a district. This was reflected in Commission discussion, in which some felt the proposal was acceptable because it was virtually invisible from the listed properties and would allow reuse of the historic building.

Meanwhile, others expressed significant concern about the proposed changes to the integrity of the original structure (expansion of the footprint).

Alstrom asked if the use of different materials would lessen the impact of the proposed changes. Mr. Hope said requirements for alternate materials would not be a problem for the applicant.

Antle asked if the applicant would consider a stand-alone greenhouse that would provide the same use but would not compromise the integrity of the primary building. Mr. Hope said the applicant hoped to create a combined use area for the solarium, office and children's play area.

There was additional discussion about how the project would progress, and verified the current proposal would be limited to the height approved in previous considerations.

Hickam said he understood the concern expressed about maintaining the structure's integrity, but the importance of retaining these kinds of owners for historic properties must also be factored into the Commission's consideration. As a real estate agent, he said he dealt often with the difficulties of marketing historic homes that did not readily meet the needs of modern-day living.

Sizemore noted the property may someday change ownership and the visual blockades proposed today (fence, vegetation) might be cleared to leave a visual connection to the listed properties. He said the basement expansion might be reasonable to continue the functionality of the house, but the solarium did not appear to be as necessary.

It was suggested that a separate greenhouse would be an appropriate alternative. Mr. Hope noted that this would limit the amount of usable garden space in the backyard.

Staff and Commissioners on both sides of the integrity issue agreed the proposal was interesting and creative, but it was commented that "sometimes the best and most interesting design does not meet the criteria set for protecting resources."

There was more discussion with Mr. Hope about design alternatives to which the applicant may be amenable. It was questioned whether the Commission could support the proposal with design revisions that could be worked out by the ARC. Some felt sending the issue to the ARC would be unfair to the applicant, simply "delaying a difficult decision", because the concerns expressed by several Commissioners went beyond design.

Alstrom suggested a design alternative breaking the sunken patio and solarium into separate elements. He felt this reduced the impact of both elements and made them less anachronistic.

ACTION TAKEN

Motioned by Alstrom, seconded by Hickam to approve the Certified Local Government Review for the project at 1311 New Hampshire Street, based on the Secretary of the Interior's Standards and a determination that the project will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following conditions:

1. The sunken patio and solarium shall be divided into two separate additions.
2. The applicant will investigate the option of excavation so that the overall height of the structure is not increased. This information will be forwarded to the Historic Resources Administrator.
3. Window wells will be landscaped to minimize their impact on the historic structure and district.
4. The applicant provide complete construction documents, including window well locations and sizes, with material notations 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 and new construction begin.

Motion failed 2-3, with Alstrom and Hickam voting in favor. Marvin, Sizemore and Antle voted in opposition.

DISCUSSION ON THE ACTION

It was clarified for the applicant that the Commission's decision could be appealed to the City Commission within 30 days or, if an alternate design was created, there was no time limit on resubmittal to the HRC.

ACTION TAKEN

Motioned by Sizemore, seconded by Marvin to approve the Certificate of Appropriateness for the project at 1311 New Hampshire Street, based on Chapter 22 and the standard of evaluation, and a determination that the project will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following conditions:

1. The applicant will investigate the option of excavation so that the overall height of the structure is not increased. This information will be forwarded to the Historic Resources Administrator.

2. Window wells will be landscaped to minimize their impact on the historic structure and district.
3. The applicant provide complete construction documents, including window well locations and sizes, with material notations to be reviewed and approved by the Historic Resources Administrator prior to release of a building permit.
4. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work.
5. The property owner will allow staff access to the property to photo document the project before demolition and new construction begin.

Motion carried unanimously, 5-0.

ITEM NO. 5: DR-07-57-05: 901-905 Massachusetts Streets; Exterior Modifications; Certified Local Government Review. Submitted by Joe Flannery for the property owner of record. The property is listed as a non-contributing structure to Lawrence's Downtown Historic District, and is in the environs of the Carnegie Library (200 W. 9th Street), National Register of Historic Places. The property is also located in the Downtown Urban Conservation Overlay District.

STAFF PRESENTATION

Staff showed the Massachusetts and 9th Street elevations of the subject property. The subject property is considered a non-contributing structure to the Downtown Historic District, but is listed as part of the Downtown Urban Conservation District. Details of the aggregate stone and uncovered portions of the original façade were shown.

APPLICANT PRESENTATION

Joe Flannery, President of Weavers, Inc., explained the attempt to paint the stone veneer on the lower elevations. Power washing the east façade revealed a crumbling section, posing a significant safety issue. This section was removed and the applicant now requested approval to replace the façade with a synthetic stucco system to match the rest of the building.

It was noted there were actually two buildings: 901-903 Massachusetts was constructed in 1911, and 905 Massachusetts was constructed in 1865. The two were covered to give the visual appearance of a single structure in 1971, and the existing stone veneer was chosen to give the retail commercial use a more modern look. The original building(s) had many windows that were covered (exterior) and walled up (interior) in the 1971 renovations.

Returning the elevations, including interior renovations to uncover the windows, would be a significant expense the applicant had not been prepared for when the painting project began. The applicant said it was not economically feasible to return the entire structure to its original brick appearance at this time.

It was discussed that the original brick had been completely covered and (it was thought) protected from the elements by the 1971 veneer. However, joint expansion allowed water behind the veneer, creating extensive damage over time.

PUBLIC COMMENT

Dennis Brown, Lawrence Preservation Alliance, said the organization understood this proposal came forward as part of a project-in-process, and he would not like to be responsible for telling an applicant they had to take on such a significant extra expense. Mr. Brown said the LPA would be interested to know how much of the original façade was damaged in the 1971 renovations, and the walled-up interior windows was an interesting issue.

Mr. Brown said LPA considered the intersection of 9th & Massachusetts Streets the "weakest link" in the Downtown historic area. The Weaver's building is historic but no one can tell because its original appearance is hidden.

There was discussion about the department store's need to update its appearance to stay competitive with suburban stores. The stucco façade was considered appropriate at that time, and the historic architecture was seen as a competitive liability, but "now we know better."

Mr. Brown referenced several examples of buildings returning to their historic appearance and suggested tax credits and grant monies may be available to help this building do the same. He said LPA would like to discuss this possibility, but understood the time factor involved since this project was already underway.

LPA credited Weaver's with maintaining its use as a true department store as many other downtown uses converted character.

Betty Alderson, Lawrence resident, said she would love to see the building(s) returned to their original appearance but asked if there were intermediate measures that could be applied now with the understanding that the applicant would consider restoration efforts in the future.

COMMISSION DISCUSSION

The Commission agreed this was an exciting opportunity to consider returning the building to its original state, but that it would be an unfair burden to place on the applicant in this manner. A return to the original appearance would entail a renovation to the entire interior retail system when the request came forward out of what was supposed to have been a low-cost exterior repair.

It was noted that the system proposed for replacing the current façade was the most cost effective and the easiest to reverse.

The Commission stated confidence that the applicant would not cause additional damage to the resource, but they strongly encouraged the applicant to look into restoration options in the future.

ACTION TAKEN

Motioned by Hickam, seconded by Antle to approve the Certified Local Government Review for the project at 901-905 Massachusetts Street, based on the Secretary of the Interior's Standards, the *Downtown Design Guidelines* with a determination that the project will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following conditions:

1. The new work shall not damage or destroy the underlying original façade. All means necessary will be used to protect the historic façade against additional damage.
2. The applicant provide complete construction documents with material notations, including the method of protection for the existing historic storefront elements, to be reviewed and approved by the Historic Resources Administrator prior to release of a building permit.

3. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work.

Motion carried unanimously, 5-0.

ITEM NO. 6: MISCELLANEOUS MATTERS

A. Review of any demolition permit applications received since the July 21, 2005 regular meeting.

- 1029 New York
Staff explained the 30-day review period for this property would expire before the Commission's August meeting, but staff anticipated the request for demolition would be a full-review item on the next agenda. Staff showed pictures of all elevations and asked the Commission for comments to address in the Staff Report for the item.

It was verified that the request was for demolition of the back portion of the structure, not the entire building. The application also stated a request for reconstruction, but staff had not been given full details on this element of the proposal. Staff agreed with the applicant's statement that the rear of the building was in a state of significant disrepair, but did not have the authority to administratively approve the demolition of an environs property.

B. Architectural Review Committee and Administrative Reviews since the July 21, 2005 regular meeting.

There were no ARC reviews since the July meeting.

C. Administrative Reviews

DR-05-35-05: 201-209 W. 8th Street; Sidewalk Modifications; Certified Local Government Review. Submitted by Paul Werner Architects for the property owner of record. 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.

This item was deferred prior to the meeting.

DR-06-43-05: 1008 Massachusetts; Sign; Certified Local Government Review. Submitted by Sign-a-Rama for the property owner of record. The property is located in the environs of Lawrence's Downtown Historic District, the North Rhode Island Street Historic District, Watkins Bank (1047 Massachusetts), English Lutheran Church (1040 New Hampshire), National Register of Historic Places, and the Shalor Eldridge Residence (945 Rhode Island), Kansas Register of Historic Places. The property is also located in the Downtown Urban Conservation Overlay District.

This item was deferred prior to the meeting.

DR-07-48-05: 810 W. 6th Street; Exterior Lighting; Certified Local Government Review and Certificate of Appropriateness Review. Submitted by Unified School District 497, the property owner of record. The property is located in the environs of the Old West Lawrence Historic District, National Register of Historic Places and The Witter S. McCurdy House (909 W. 6th), National and Local Register of Historic Places.

DR-07-49-05: 730 New Hampshire Street; Sign; Certified Local Government Review and Certificate of Appropriateness Review. Submitted by Luminous Neon, Inc. for the property owner of record. The property is located in the environs of Lawrence's Downtown Historic District, the North Rhode Island Street Historic District, the Eldridge Hotel (701 Massachusetts), the United States Post Office (645 New Hampshire), National Register of Historic Places, and the House Building (729-31 Massachusetts), Kansas Register of Historic Places. The property is also located in the environs of the Octavius W. McAllaster Residence (724 Rhode Island), Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District.

DR-07-50-05: 730 New Hampshire Street; Exterior Modifications; Certified Local Government Review and Certificate of Appropriateness Review. Submitted by Sabatini Architects, Inc. for the property owner of record. The property is located in the environs of Lawrence's Downtown Historic District, the North Rhode Island Street Historic District, the Eldridge Hotel (701 Massachusetts), the United States Post Office (645 New Hampshire), National Register of Historic Places, and the House Building (729-31 Massachusetts), Kansas Register of Historic Places. The property is also located in the environs of the Octavius W. McAllaster Residence (724 Rhode Island), Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District.

DR-07-51-05: 1035 Massachusetts; Sign; Certified Local Government Review. Submitted by Gregory Keenan for the property owner of record. 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.

This item was deferred prior to the meeting.

DR-07-52-05: 211 E. 8th Street; Sign; Certified Local Government Review. Submitted by Allsigns for the property owner of record. The property is located in the environs of 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 Urban Conservation Overlay District.

DR-07-53-05: 1600 Kentucky Street; Exterior Modifications; Certified Local Government Review. Submitted by Jimmy Wilkins for the property owner of record. The property is located in the environs of the Ludington Thacher House (1613 Tennessee) and the William Priestly House (1505 Kentucky), National Register of Historic Places.

DR-07-54-05: 1602 Kentucky Street; Exterior Modifications; Certified Local Government Review. Submitted by Jimmy Wilkins for the property owner of record. The property is located in the environs of the Ludington Thacher House (1613 Tennessee), National Register of Historic Places.

DR-07-56-05: 714 Vermont Street; Exterior Modifications and Sidewalk Dining; Certified Local Government Review and Certificate of Appropriateness Review.

Submitted by Hilary Brown for the property owner of record. The property is located in the environs of Lawrence's Downtown Historic District, the Eldridge Hotel (701 Massachusetts), the United States Post Office Building (645 New Hampshire), National Register of Historic Places; the House Building (729-731 Massachusetts), Kansas and Lawrence Register of Historic Places; and Miller's Hall (723-725 Massachusetts), Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District.

It was clarified that Staff required wrought iron railings in this case because there were no other materials accepted by the existing downtown design guidelines. It was noted that current guidelines required a 6' sidewalk clearance and Staff agreed to make this revision. Staff said the applicant was considering delaying the sidewalk dining element until the new sidewalk dining guidelines were adopted that may allow materials other than wrought iron.

ACTION TAKEN

Motioned by Hickam, seconded by Sizemore to approve the Administrative Reviews as presented by staff.

Motion carried unanimously, 5-0.

D. Provide comment on variance (BZA) requests received since July 21, 2005.

There were no variance requests for comment.

E. General public comment.

No member of the public came forward with additional comments.

F. Miscellaneous matters from City staff and Commission members.

- Proposals for HPF Grants
 - Staff recommended reapplication for the grant that was denied last year for the Downtown Design Guideline updates.
 - Staff requested the Commission support reapplication for continuing the Historic Preservation Intern position.
 - The Commission discussed applying for funding to provide educational workshops or public meetings, perhaps as part of the Historic Preservation Conservation Conference that Lawrence would sponsor in 2006.

ADJOURN – 8:45 p.m.

Official minutes are on file in the Planning Department office.