

**HISTORIC RESOURCES COMMISSION  
ACTION SUMMARY DRAFT  
DECEMBER 15, 2005, 7:00 P.M.**

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Commissioners Present: Alstrom, Antle, Hickam, Marvin, Sizemore, and Veatch  
Staff present: Zollner, Miller, and Smith

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SPECIAL NOTICE: THE CITY OF LAWRENCE HAS EXECUTED AN AGREEMENT WITH THE STATE HISTORIC PRESERVATION OFFICER TO CONDUCT CERTIFIED LOCAL GOVERNMENT REVIEWS AT THE LOCAL LEVEL. THEREFORE, THE LAWRENCE HISTORIC RESOURCES COMMISSION WILL MAKE ALL DETERMINATIONS REGARDING PROJECTS THAT ARE CERTIFIED LOCAL GOVERNMENT REVIEWS.

**ITEM NO. 1: ACTION SUMMARY**

Comm. Antle clarified that on pg. 2 under staff presentation that the word "for" in the last sentence should be removed and "with this change" should be added to the end of the sentence.

Motioned by Comm. Veatch, seconded by Comm. Marvin to approve the Action Summary with this correction.

Motion carried unanimously, 5-0, with Comm. Hickam abstaining because he was not present at the November 17<sup>th</sup> meeting.

**ITEM NO. 2: COMMUNICATIONS**

- a) Receive communications from other commissions, State Historic Preservation Officer, and the general public.
  - Commissioners received two items not in their packet: a calendar in reference to item 6E and a memorandum in reference to item 5.
- b) There were no declarations of abstentions from specific agenda items by commissioners.

**ITEM NO. 3: DR-11-94-05:** 200 Maple Street; Demolition; Certified Local Government Review. Submitted by John A. Krum, the property owner 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 presented photographs of all building elevations.

Staff commented that the applicant does not have plans to replace the structure. The applicant has been cited by Neighborhood Resources for environmental blight, and has decided to demolish the structure because it was no longer financially feasible to try to bring it up to code. Staff noted that the age of the structure cannot be established and

the structure has not been noticed for safety concerns. If the applicant were to bring the existing structure up to code it would be a substantially new structure.

#### **APPLICANT PRESENTATION**

The applicant was not present.

#### **PUBLIC COMMENT**

Dennis Brown, representing the Lawrence Preservation Alliance, displayed a photograph of the depot in 1984 with the building in question in the back of the photograph. Mr. Brown noted that the depot was opened in 1889 and an effort was launched to save it in 1984. The depot was the center of a cluster of structures that are all gone now. Thus, the former utilitarian environs are not represented by any building other than the Maple Street barn. However, Mr. Brown commented that the LPA is uncomfortable requiring the owner to restore the barn. Mr. Brown concluded that, in light of the lack of the original environs, the LPA is comfortable with the barn's removal if the ground is subsequently left bare, but if the owner wanted new construction on the site, the LPA may have concerns.

#### **COMMISSION DISCUSSION**

Comm. Alstrom noted that because the principle building is no longer there, he has a hard time protecting the ancillary structure. Comm. Hickam agreed.

#### **ACTION TAKEN**

Motioned by Comm. Hickam, seconded by Comm. Antle to approve the proposed project in accordance with the Standards and Guidelines for Evaluating the Effect of Projects on Environs (1998) and Staff's conditions outlined in the Staff Report, and to make the determination that the project does not encroach upon, damage, or destroy any listed historic property or its environs.

Motion carried unanimously, 6-0.

**ITEM NO. 4:**      **DR-11-95-05:** 1325 New York Street; Demolition; Certified Local Government Review. Submitted by Jesse del Campo, the property owner of record. The property is located in the environs of the North Rhode Island Street Historic District, National Register of Historic Places.

#### **STAFF PRESENTATION**

Staff presented photographs of all building elevations and foundation details.

#### **APPLICANT PRESENTATION**

Jesse del Campo, the owner of the property, was present to answer questions. Mr. del Campo bought the house a few years ago with the intention of fixing it, but fixing it proved to be too difficult.

## **PUBLIC COMMENT**

Dennis Brown, representing the Lawrence Preservation Alliance, commented that the LPA cannot, and nor should it try, save all structures. He noted that the more critical issue is what will replace this property.

## **COMMISSION DISCUSSION**

Comm. Sizemore asked if there is a plan in the works to replace the house, or is it only a demolition project. The applicant noted that there is no current plan to rebuild, but that he would like to build on the property in the future. Mr. del Campo noted the problem of vagrancy in the building. Comm. Sizemore did not think that the demolition would have an adverse effect on the listed property.

## **ACTION TAKEN**

Motioned by Comm. Sizemore, seconded by Comm. Veatch to approve the proposed project in accordance with the Standards and Guidelines for Evaluating the Effect of Projects on Environs (1998), and to make the determination that the project does not encroach upon, damage, or destroy any listed historic property or its environs according to the conditions outlined in the Staff Report.

Motion carried 5-1, with Comm. Alstrom in opposition.

**ITEM NO. 5: DR-11-98-05:** Conduct a public hearing for consideration of proposed Conservation Overlay District and associated Design Guidelines for 8<sup>th</sup> and Pennsylvania Neighborhood Redevelopment Area.

## **STAFF PRESENTATION**

Staff presented photographs of all building elevations and streetscapes.

## **APPLICANT PRESENTATION**

Korb Maxwell, from the law firm of Polsinelli, Shalton, Welte, and Suelthaus was present, along with Hunter Harris of Harris Construction and Sally and Anne Shwenk, of Historic Preservation Services.

Mr. Maxwell noted that Big Prairie Development Company and Harris Construction desire to create a mixed-use development on the property. Mr. Maxwell discussed a problem with the Lawrence zoning code, in that the zoning code is based on buffering and separating different land uses and primarily serving an automobile. However, Mr. Maxwell commented that the applicant wants a specifically mixed-use development while creating a critical mass of land uses in the area. The zoning code regulations such as setbacks, lot lines and area regulations, and buffers are antithetical to create mixed-use development areas.

Mr. Maxwell outlined two changes that need to occur for the applicant to create a mixed-use development:

1. The base zoning district (currently M-1 and M-2) needs to be changed to C-5 to allow residential development and other different land uses.

2. An overlay district needs to be created to control all items such as setbacks, densities, etc., allowing the applicant to set out guidelines and develop in the manner that they want.

Mr. Maxwell noted that the applicant also wants to develop in a historically sensitive manner. The applicant submitted for a historic district nomination.

Sally Shwenk presented on the historic guidelines to the project. Ms. Shwenk noted a few errors: p.12 the height issue was changed from last time – the intent was to have the Poehler building remain the tallest, and the penthouse exception should not apply to any other building. The intent is that no building in the overlay district will be as tall as the existing Poehler building.

Ms. Shwenk commented that the draft nomination for historic designation has been submitted to the state office for review, and that there is usually a 60-day period of review. She has not received state or city comments on the draft at the time.

Staff noted that the intent of the Secretary of the Interior's Guidelines were never to be regulatory, but have become regulatory standards in Kansas, as a basis for tax credits and State Law Review. Staff commented that there is a great deal of interpretation for the standards. Staff sat down with the developer to flush out how the design guidelines meet the standards as interpreted by staff and the SHPO.

Ms. Shwenk noted that everything that has been recommended is already in accordance with the Secretary of the Interior's Standards.

Comm. Sizemore commented that he does not feel that the guidelines are as detailed as the Downtown Design Guidelines and that more detail could be flushed out.

Ms. Shwenk noted, as a reason for the lack of detail raised by Comm. Sizemore, that every building in Zone 1 is a different type of building so there are no blanket rules covering all of the buildings. Also, there are limited options for these buildings for new construction because of the importance of open space.

Comm. Antle asked if any models have been used in putting this project together. Hunter Harris, with Big Prairie Development and Harris Construction, commented that Harris Construction does a number of historical projects in the Crossroads area of Kansas City, and that they looked at that area and many of those buildings to lend themselves to this project. However, there is no specific project that this is modeled after, because this is so unique. Mr. Harris commented that the Secretary of the Interior's Standards are the primary guidance to projects such as these.

Comm. Antle wondered if the agricultural and industrial history of the neighborhood would be a part of the project. Mr. Harris thought that would be an excellent idea. Ms. Shwenk commented that there are multiple ways to have interpretive educational materials incorporated into the project.

Comm. Hickam asked about the overall timetable of the project. Mr. Harris responded that currently they are working through a schematic design of the Poehler building and now have a construction budget. The applicant is working through a design

development process for several projects, and is hoping to commence construction this spring on some projects.

Mr. Harris clarified that the residential units on the first level are residential flats with two floors above divided into two-story units.

Comm. Sizemore commented on his light pollution concerns, and the references to exterior lighting that highlights the building. Ms. Shwenk commented that their approach is conservative, and that the applicant will make that more obvious in the language. Comm. Sizemore drew Ms. Shwenk's attention to p.41 language about lighting to highlight buildings. Mr. Harris proposed to remove language lighting "the building" and replace it with "the building's entrance and parking," to stress that the lighting is not to decoratively highlight the building itself. Mr. Harris pointed to the 4<sup>th</sup> line down under Lighting on p.41 "attract the pedestrian traffic" to address the lighting drawing attention to the new building uses. Comm. Alstrom noted LED lighting draws attention to buildings but has less light pollution, and conceals the sources.

Comm. Sizemore asked about the reference to canvas awnings on p.41. Ms. Shwenk noted that it was not unusual on first floors that had offices facing the west to allow awnings within the windows, in keeping with the time period.

Comm. Alstrom was encouraged by the initial presentation and continued to be happy about the project. He noted that he hopes that an element of the fantasy of what may have been developed in the area were it to have continued to prosper will be a part of the project. He commented that it would be interesting to try to recruit high-tech industries that have small space requirements into this area.

Ms. Shwenk clarified that Zone 4 is not in the overlay district. Construction would be reviewed because of the environs, but the guidelines are not attached to this overlay. Comm. Sizemore drew attention to p.47 and how the graphic indicates that Zone 2 extends out into the Zone 4 area. Mr. Maxwell commented that the graphic is additional information and still reflects the intent of the original project. The graphics will be updated.

#### **PUBLIC COMMENT**

No member of the public spoke on this item.

#### **COMMISSION DISCUSSION**

Comm. Marvin expressed concern about the buffering of the project, commenting that the residential side of the street feels more monolithic than the industrial side of the street. Ms. Shwenk responded that the need to transition rapidly from single family to industrial presents a challenge. She commented that this is not a smooth transition, it is more buffer, and that with only this small land area to deal with, it is a challenge. Ms. Shwenk noted that the Secretary's standards require that there be a differentiation between old and new, but there is debate about how extreme that differentiation should be, and that this difference is seen as a positive.

Mr. Maxwell addressed the density issue, noting that it is a sensitive subject not wanting the area too dense, but also wanting to create a critical mass needed for the development to be successful.

Comm. Alstrom commented that he does not know if the style was going to be a vernacular style that doesn't present a barrier feel.

Comm. Sizemore noted that most of the open space in the proposal is behind the buildings, so there is some separation between the buildings of the projects and the houses of East Lawrence.

Mr. Harris noted that the buildings of Zone 3 are the result of 2 years of conversation with East Lawrence residents. He noted that the plan is to use materials consistent with those in East Lawrence homes and complimentary to the historic district.

Ms. Shwenk drew attention to the footprint of the rooftops on p.50 and their correspondence with the existing buildings, as well as the lot lines lining up.

Comm. Alstrom noted that the residential streetscape has not been addressed and could serve as a solution to Comm. Marvin's concerns.

#### **ACTION TAKEN**

Motioned by Comm. Sizemore to accept that the 4 conditions of Chapter 20, Article 14c were met by this project and that the Commission recommend the overlay district.

Motion carried unanimously, 6-0.

Motioned by Comm. Hickam, seconded by Comm. Marvin that the Commission forward this set of guidelines to the Architectural Review Committee.

Motion carried unanimously, 6-0.

#### **ITEM NO. 6: MISCELLANEOUS MATTERS**

A. Review of any demolition permit applications received since the November 17, 2005 regular meeting.

- 429 Indiana Street (Demolition) will be on the City Commission agenda this Tuesday, December 20, 2005.

B. There were no comments for the Architectural Review Committee.

#### **Administrative Reviews**

**DR-10-89-05:** 200 Block Perry Street, South Side; Rezoning; Certified Local Government Review. Initiated by the Lawrence Douglas County Metropolitan Planning Commission. The property is located in the environs of the Union Pacific Depot (402 N. 2nd), Kansas Register of Historic Places.

**DR-11-90-05:** 1104 Connecticut Street; Garage Remodel; Certified Local Government Review. Submitted by Spencer Goertz-Griffen,

the property owner of record. The property is located in the environs of the North Rhode Island Street Historic District, National Register of Historic Places.

**DR-11-91-05:** 1131-1135 Ohio Street; Site Modifications; Certified Local Government Review. Submitted by Keller Properties LLC, the property owner of record. The property is located in the environs of the Hancock Historic District, National Register of Historic Places.

**DR-11-92-05:** 1020 Tennessee Street; Window Replacement; Certified Local Government Review and Certificate of Appropriateness Review. Submitted by John Davis for the property owner of record. The property is located in the environs of the Charles and Adeline Duncan House (933-35 Tennessee), National Register of Historic Places and the George and Annie Bell House (1008 Ohio), the Dr. Frederick D. Morse House (1041 Tennessee), and the Col. James and Eliza Blood House (1015 Tennessee), National and Lawrence Register of Historic Places. The property is also located in the environs of the Oread Historic District, Lawrence Register of Historic Places.

**DR-11-93-05:** 917 Maine Street; Minor Exterior Building Addition; Certified Local Government Review. Submitted by Jonathan Groene for the property owner of record. The property is located in the environs of the Ralph and Cloyd Achning House (846 Missouri), National Register of Historic Places.

**DR-11-96-05:** 808 Massachusetts; Sign; Certified Local Government Review. Submitted by Luminous Neon, Inc. for the property owner of record. The property is listed as a non-contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. The property is also located in the Downtown Urban Conservation Overlay District.

**DR-11-99-05:** 907 Massachusetts; Sidewalk Dining; Certified Local Government Review. Submitted by Landplan Engineering 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 Urban Conservation Overlay District.

**DR-11-100-05:** 1439 Tennessee Street; Site Modifications; Certified Local Government Review. Submitted by Landplan Engineering for the property owner of record. The property is located in the environs of the John Palmer and Margaret Usher House (1425 Tennessee), the William Priestly House (1505 Kentucky), and the Ludington/Thacher House (1613 Tennessee), National Register of Historic Places.

**DR-11-101-05:** 800 Block of 6<sup>th</sup> Street, South Side; Pedestrian Tunnel Railing Repair; Certified Local Government Review and Certificate of Appropriateness Review. Submitted by the City of Lawrence, property owner of record. The property is located in the environs of the Witter S. McCurdy House (909 W. 6<sup>th</sup>), Lawrence and National Register of Historic Places, and the Old West Lawrence Historic District, National Register of Historic Places.

### **COMMISSION DISCUSSION**

Comm. Sizemore asked for clarification on item DR-11-92-05, 1020 Tennessee Street. Staff clarified that the state approves vinyl windows in the environs as a compatible material. This property is not in a district, it is an environs project. The windows are basement windows.

### **ACTION TAKEN**

Motion by Comm. Hickam, seconded by Comm. Marvin to approve administrative reviews as presented.

Motion carried unanimously, 6-0.

C. Provide comment on variance (BZA) requests received since November 17, 2005.

- 1106 Ohio Street

Staff explained that this is a parking variance. If the use were to remain the same it would be required the applicant to have 9 parking spaces, and currently there are 4 spaces. The applicant has not finalized their plans, but believes that the project will only involve interior renovation, and therefore needs this variance to meet code while making improvements. Staff has requested that a condition be placed on the request that anything that requires a building permit be reviewed by the HRC.

Staff's request was affirmed by Comms. Hickam and Alstrom.

D. General public comment.

Dennis Brown noted that the LPA is holding a seminar on window replacement in old homes. The date is January 25, 2006 and the LPA newsletter will hold details.

E. Miscellaneous matters from City staff and Commission members

- Adopt meeting calendar for 2006.

Motioned by Comm. Hickam, seconded by Comm. Sizemore to adopt the calendar.  
Motion carried unanimously, 6-0.

Motioned by Comm. Hickam, seconded by Comm. Sizemore to adjourn.  
Motion carried unanimously, 6-0.

**ADJOURN – 9:15 p.m.**

Official minutes are on file in the Planning Department office.