

**HISTORIC RESOURCES COMMISSION
AGENDA MEETING – FEBRUARY 15, 2007, 6:30 PM
ACTION SUMMARY**

Commissioners present: Antle, Marvin, Meyer, Sizemore, and Veatch
Staff present: Zollner, Wagner

ITEM NO. 1: ACTION SUMMARY

Motioned by Veatch, seconded by Marvin to approve the January 18, 2007 Action Summary with the following modifications:

- No corrections were noted.

Motion carried unanimously, 5-0.

ITEM NO. 2: COMMUNICATIONS

- a) Receive communications from other commissions, State Historic Preservation Officer, and the general public.

-Environs definition and map for 1646 Massachusetts Street

- b) Abstentions

-Commissioner Veatch recused from Items 4 and 9

ITEM NO. 3: ELECTION OF CHAIR AND VICE CHAIR

ACTION TAKEN

Motioned by Antle, seconded by Veatch to elect Mike Sizemore as the Chair of the Lawrence Historic Resources Commission.

Motioned carried unanimously 5-0.

Motioned by Veatch, seconded by Sizemore to elect Jay Antle as the Vice Chair of the Lawrence Historic Resources Commission.

Motioned carried unanimously 5-0.

ITEM NO. 4: L-12-04-06 Public hearing for consideration of placing the structure located at 1646 Massachusetts Street (the Edward House House) on the Lawrence Register of Historic Places. Submitted by Matt and Judy Veatch, the property owners of record. Adopt resolution recommending listing 1646 Massachusetts Street to the Lawrence Register of Historic Places and its associated environs definition, if appropriate.

STAFF PRESENTATION

Staff presented photographs of all elevations of the main structure and a photograph of the ancillary structure.

APPLICANT PRESENTATION

There was no applicant presentation

PUBLIC COMMENT

Dennis Brown, President of the Lawrence Preservation Alliance, said he was in favor of placing the House House on the Lawrence Register of Historic Places. He elaborated that the property occupies a prominent corner of the city and retains high degree of architectural integrity. Because the listing contains a garage, cistern and cellar, he believed the house has been taken care of and preserved over the years. Mr. Brown congratulated Matt and Judy Veatch on making such a good application. He concluded by saying he hoped it will be placed on both State and National Registers.

Albert Burgstahler said he had lived at 1620 Massachusetts Street since 1957. He noted the changes occurring on the entire 1600 Block of Massachusetts Street. His main concern was not that 1646 Massachusetts Street would be a historic site, but the possible implications for the sale of houses within the 250' feet environs. He asked if there would be severe restrictions placed on upgrading homes in the environs. He said all of the neighbors have done various things to their homes, including modernization.

Commissioner Sizemore responded there were no restrictions on the sale of historic structures or properties within their environs. For projects requiring a building permit, the project is also reviewed by the Historic Resources Administrator and/or the HRC to evaluate the changes, specifically possible negative impacts on the listed structure.

Ms. Zollner emphasized that any project that requires a building permit would be reviewed for its effects on the listed property. She differentiated between administrative review and full commission projects. She explained staff has proposed that only environs projects that involve demolition, new construction, and major additions would be reviewed by the HRC.

Commissioner Antle added that interior renovations were not reviewed by the HRC.

Mr. Burgsthaler said he was possibly misinformed as to the implications of environs review.

Ms. Zollner said research at the national level shows that historic designation stabilizes property values, at worst, and increases property values because of the honorific association, at best. She attributed increases in property values to the accountability for property modifications on the part of neighbors.

Mr. Burgsthaler expressed concern that taxes would increase because of possible increasing property values. He noted that some neighbors are having financial difficulties with raising property values. He said he was worried that staff was not thinking deeply about the people in these areas. He said historic sites are great, but not if there was a negative impact on people living near the site.

David Hamill, 1637 New Hampshire Street, asked if historic designation was meant to protect the neighborhood. Mr. Hamill said the homes in the area are undergoing improvements and that he understood that the designation of 1646 Massachusetts Street would require property owners to undergo an extra step when making improvements. He said he would never buy a house in a historic district because of the hassle it puts on the homeowner. In conclusion, Mr. Hamill said unless there is a real need for historic designation this is another step to burden homeowners.

K.T. Walsh, 732 Rhode Island, said she understands why people worry about the HRC process. She attributed misinformation to much of the worry. She noted that community members fought for a 30 day demolition delay because it allowed governmental transparency. Ms. Walsh felt the HRC meetings were not adversarial. She said the free architectural advice provided by the Historic Resources Review process was a major benefit. Finally, Ms. Walsh said she is privileged to live on such a historic street.

In order to differentiate between state/national and local review processes, Ms. Zollner gave the example of the Hobbs Taylor lofts, which met local environs guidelines, but did not meet state environs guidelines. This property went through the process, with the applicant altering the designs. However, the project eventually was appealed to the City Commission, which hears HRC appeals.

Mr. Burgsthaler asked if 1711 Massachusetts Street was declared a historic property before or after the Babcock Apartments were constructed. Commissioner Sizemore responded that 1711 Massachusetts Street was most likely designated after the apartment construction; he also said the apartments, as they appear today, would most likely not meet the *Standards and Guidelines for Evaluating the Effect of Projects on Environs*, which are used to evaluate environs projects.

Mr. Hamill asked if Dillon's as it is designed today would meet HRC approval. Mr. Brown emphasized that the current agenda item was the public hearing for 1646 Massachusetts Street.

Charlie Dominguez, 1611 Massachusetts Street, said he does not want the Edward House House to be listed because of environs review. The Commission informed Mr. Dominguez that his property is not located within the proposed local environs.

Mr. Burgsthaler asked if there are any financial inducements for people to list their homes. Ms. Zollner said yes and she would give him the information after the meeting.

COMMISSION DISCUSSION

Ms. Zollner reminded the Commission that there is an additional public hearing after their March meeting at the City Commission meeting. Additionally, minutes from this meeting will be forwarded to the City Commission.

Staff asked if there were any questions about the environs definition. Staff confirmed the two environs areas were based on a line of sight to the property.

Commissioner Sizemore said he knows there are always concerns with the environs. He felt fairly certain that a consensus about environs review could not be achieved during the HRC meeting. However, most of the adjacent property owners were already in the environs of a historic property, specifically the Goodrich House at 1711 Massachusetts Street. He concluded that he saw little detriment to listing the Edward House House to the Lawrence Register of Historic Places.

Commissioner Antle noted that due to the property's architectural integrity and prominent location he was in favor of forwarding the HRC recommendation to the City Commission.

ACTION TAKEN

Motioned by Antle, seconded by Marvin, to approve the resolution and associated environs definition and forward it to the City Commission recommending the structure at 1646 Massachusetts Street be nominated to the Lawrence Register of Historic Places.

Motioned carried 4-0-1, with Veatch recusing.

ITEM NO. 5: **DR-12-135-06** 641 Ohio Street; Demolition and New Construction of an Ancillary Structure; Certified Local Government Review. The property is listed as a contributing structure to the Old West Lawrence Historic District, National Register of Historic Places. Submitted by Jack Hope Design/Build for Jared and Aimee Dulich, the property owners of record.

STAFF PRESENTATION

Staff presented photographs of the main and ancillary structures, and an alley view of the ancillary structure.

APPLICANT PRESENTATION

Brian Kilgore of Jack Hope Design/Build said he was available to answer questions.

Staff confirmed that State Historic Preservation Office (SHPO) found the structure to be in such poor condition as to render it noncontributing. However, the SHPO would consider it an adverse effect to remove the structure unless a replacement structure was proposed, as is the case with the current proposal.

Mr. Kilgore said it would cost at least \$50,000 to rehabilitate the existing ancillary structure.

PUBLIC COMMENT

No member of public spoke on this item.

COMMISSION DISCUSSION

Commissioner Antle noted the possibility of tax credits if the structure was contributing to the Old West Lawrence Historic District. Because the SHPO found it to be noncontributing, a tax credit was no longer an option. He felt the applicant pursued reasonable alternatives to demolition. As a result of the state ruling, Commissioner Antle said he was in favor of the application.

Commissioner Sizemore said he felt able to approve the application knowing that the SHPO had made the determination that the structure was non contributing.

Commissioner Marvin noted the Commission received all the documentation they asked for from the applicant.

ACTION TAKEN

Motioned by Veatch, second by Antle, to approve the Certified Local Government Review for demolition and new construction of the ancillary structure located at 641 Ohio Street as presented, based on a determination that it will not encroach upon, damage or destroy any listed property or its environs with the following conditions:

1. The applicant provide complete construction documents with material notations and a cut sheet for the door on the east elevation to be reviewed and approved by the Historic Resources Administrator prior to release of a building permit;
2. The property owner will allow staff access to the property to photo document the project before construction begins;
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: **DR-12-136-06** 129 W. South Park Street; Demolition of an Ancillary Structure; Certified Local Government Review and Certificate of Appropriateness Review. The property is located in the environs of the John N. Roberts House (1307 Massachusetts), Lawrence's Downtown Historic District, National Register of Historic Places, and South Park (1141 Massachusetts), Lawrence Register of Historic Places. Submitted by Hobart and Janet Jackson, the property owners of record.

STAFF PRESENTATION

Staff presented photographs of the main and ancillary structures.

APPLICANT PRESENTATION

The applicant was not present.

PUBLIC COMMENT

No member of the public spoke on this item.

COMMISSION DISCUSSION

Commissioner Sizemore asked if there was a direct line of sight to the listed property. Ms. Wagner confirmed that there was a line of sight from the property itself, but a very minimal line of sight from the ancillary structure proposed to be demolished.

Commissioner Antle confirmed that the owner had been cited for environmental blight. Staff clarified that environmental blight was not a safety issue.

Commissioner Sizemore said the Commission does not typically approve these types of applications without a replacement structure and structural report. Commissioner Meyer said that she was not in favor of approval when a complete application was not made.

Commissioner Veatch said the Commission's standards do not allow for approval for the requests of this application.

Commissioner Antle said he would be comfortable deferring the project, while Commissioner Sizemore noted deferring the application for a month would not benefit the applicant.

ACTION TAKEN

Motioned by Sizemore, second by Veatch, to deny the Certified Local Government Review for demolition of the ancillary structure located at 129 W. South Street as presented, based on a determination that it will encroach upon, damage or destroy a listed property or its environs.

Motioned carried unanimously 5-0.

ITEM NO. 7: DR-01-05-07 317 Elm Street; Addition; Certified Local Government Review. The property is located in the environs of the Union Pacific Depot (402 N. 2nd), Register of Historic Kansas Places. Submitted by Amy Price, the property owner of record.

STAFF PRESENTATION

Staff presented photographs of the main structure and the current addition.

APPLICANT PRESENTATION

The applicant Amy Price said she and her fiancé recently purchased the property. She noted the addition was not part of the original home. She also said the ceiling height of the addition starts at 8 feet and ends at 5 feet, there was termite damage, and that overall it was not a livable structure.

PUBLIC COMMENT

No member of the public spoke on this item.

COMMISSION DISCUSSION

Commissioner Antle said he was in favor of staff recommendations.

ACTION TAKEN

Motioned by Antle, second by Marvin, to approve the Certified Local Government Review for an addition to the structure located at 317 Elm Street as presented, based on a determination that it will not encroach upon, damage or destroy any listed property or its environs with the following conditions:

1. The applicant provide complete construction documents, with material notations, including window and door details 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;
3. The property owner will allow staff access to the property to photo document the project.

Motioned carried unanimously 5-0.

ITEM NO. 8: DR-01-06-07 944 Kentucky Street; Special Use Permit; Certified Local Government Review. The property is listed as a non-contributing structure to the Oread Historic District, Register of Historic Kansas Places, and is located in the environs of the Charles and Adeline Duncan House (933 Tennessee), the Colonel James and Eliza Blood House (1015 Tennessee), the Benedict House (923 Tennessee), and Lawrence's Downtown Historic District, National Register of Historic Places. Submitted by James Dunn, the property owner of record.

STAFF PRESENTATION

Staff presented photographs of the main structure, the carport, and the fence surrounding the carport.

APPLICANT PRESENTATION

Loring Henderson, the Director of the Lawrence Community Shelter, was present. He said the addition of the carport was the result of City Commission's discussion with the Community Shelter. Both bodies were interested in developing the rear of the main structure in order to move the congregation area for Community Shelter patrons from the front of the property to the rear. The shelter bought the structures because they were a reasonable price; the Oread neighborhood donated \$250 toward the cost.

Mr. Henderson said he did mention the project a couple of times to Neighborhood Resources. Because the property was noncontributing to the historic district, Mr. Henderson felt it was difficult to determine how to build something "contributing" to the neighborhood. He concluded the carport has been a real asset since it was installed in May, especially in warm weather.

Commissioner Sizemore asked if the HRC discussed the carport and fence addition at the last Special Use Permit (SUP) application about one year ago. Mr. Henderson clarified the specific structures were not discussed. He also said the fence and carport were temporary structures because he is constantly looking for a newer, bigger, and better Shelter. When the shelter changes locations, the structure will move with the shelter, be discarded, or sold.

PUBLIC COMMENT

Betty Alderson said she realizes that this is a very difficult situation. She noted that while the structures do not meet the HRC guidelines, they accomplish an important need. She also reminded the Commission that the carport is not a permanent structure. While the neighborhood members do not find it ideal, said Ms. Alderson, it does serve a purpose.

COMMISSION DISCUSSION

Staff confirmed the current application will be a new SUP. In the existing SUP, staff approved the carport and fence as temporary structures. By definition, an SUP must be reviewed for its impact on the listed properties, which is why the property is now being considered by the HRC. Staff confirmed the structures were already in place before staff could work with applicant. The full Commission is reviewing the SUP application because the structures do not meet the guidelines. Staff noted the construction of a carport does require a building permit, while the fence does not.

Commissioner Antle said this was a situation in which a structure does not meet the intent of the *Secretary of the Interior's Standards*; however the property is in an area that has many structures that do not meet Standards. This structure does meet a neighborhood need, has been funded in part by the neighborhood, and has, in concept, been endorsed by the City Commission.

Commissioner Sizemore asked if the applicant had considered removing the carport and fence. Mr. Henderson replied he is not considering removing the structures and will not replace them if they have to be removed.

The Commission asked staff to clarify the basis for staff's recommendation that the fence be removed. Ms. Zollner explained the fence is not compatible in regard to materials and design.

Commissioner Sizemore said he does not see how the HRC has any option other than saying that these structures do not meet the intent of the Standards.

Commissioner Meyer said the purpose of the SUP is for the shelter itself. She also recalled other applications, specifically a residential application in which the applicant spent money and made alterations, but the Commission did not require the removal of the noncompliant structure. Commissioner Meyer was of the opinion that the SUP does not encroach upon the listed properties.

Staff confirmed that with an SUP application the use and site plan are both reviewed. Had the applicant applied for a building permit, staff would not have recommended approval.

Commissioner Antle said he could follow the argument that the carport and fence are part of the SUP application. Commissioner Veatch reminded the Commissioners that the carport and fence were constructed without a building permit.

Staff confirmed that the carport and fence were reviewed only after their installation. Staff approved the structures as temporary features until the UPR expired at the end of March.

Commissioner Sizemore said he would be in favor of approval per staff conditions, which would allow the applicant to appeal the decision to the City Commission.

ACTION TAKEN

Motioned by Sizemore, second by Veatch, to approve the Certified Local Government Review and Certificate of Appropriateness Review for a Special Use Permit at the property located at 944 Kentucky Street as presented, based on a determination that it will not encroach upon, damage or destroy any listed property or its environs with the following conditions:

1. The applicant remove the noncompliant fence and carport;
2. If a structure allowing for outside shelter is to be provided, the applicant submit drawings of a compliant structure(s) to the Historic Resources Commission prior to their installation for approval;
3. This recommendation is given with the understanding that the City Commission must approve the associated Special Use Permit. Approval of this request by staff or the HRC does not guarantee the City Commission will approve the associated Special Use Permit;
4. The applicant shall comply with all of the terms and conditions of the Special Use Permit as approved by the City Commission.

Motioned carried 3-2, with Antle and Meyer in opposition.

ITEM NO. 9: DR-01-07-07 1640 Massachusetts Street; Addition; Certified Local Government Review. The property is located in the environs of the Eugene F. Goodrich House (1711 Massachusetts), National Register of Historic Places. Submitted by Gregg Ventello and Jacqueline Stafford, the property owners of record.

STAFF PRESENTATION

Staff presented photographs of the structure including the existing addition.

APPLICANT PRESENTATION

Gregg Ventello, the applicant was present.

PUBLIC COMMENT

No member of the public spoke on this item.

COMMISSION DISCUSSION

The Commission asked for clarification about the location of the proposed addition compared to the original structure.

Commissioner Sizemore asked if a chimney was being added. The applicant responded that no new chimney was proposed.

Mr. Ventello said the proposed addition made use of existing attic space.

Commissioner Sizemore asked if there were site restrictions that necessitated the crossing stairs at the rear of the proposed addition. Mr. Ventello said the design of the stairs was an attempt to retain yard space.

Commissioner Marvin noted that the design of the addition was inappropriate for the structure, but this was irrelevant because the subject property was not a listed structure. Commissioner Sizemore noted that presence of unfinished space in the plans made it surprising that there was a need for bringing the roofline over the ridge.

Commissioner Antle said he would prefer for the addition to be smaller in size.

There was general discussion that this was an environs project and while the addition was not appropriate for the structure, it does meet the intent of the applicable standards.

ACTION TAKEN

Motioned by Meyer, second by Antle, to approve the Certified Local Government Review for an addition to the structure located at 1640 Massachusetts Street as presented,

based on a determination that it will not encroach upon, damage or destroy any listed property or its environs with the following conditions:

1. The applicant provide complete construction documents, with material notations, including window, door and skylight details 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.

Motioned carried unanimously 4-0-1, with Veatch recusing.

ITEM NO. 10: MISCELLANEOUS MATTERS

- A. No demolition permit applications were received since the January 18, 2007.
- B. Architectural Review Committee and Administrative Reviews since the January 18, 2007 regular meeting.
 - The ARC met to discuss 741 Tennessee Street; the committee approved of the applicant's new drawings. Commissioner Sizemore noted the following about the application:

The applicant significantly reduced the size of the dormers. The ARC did not agree with staff's recommendation of denial of the project. Thus, the ARC evaluated the Standards as they pertain to this project. First, the property is being used for its historic purpose, with minimal changes to the defining characteristics of the property. The ARC did not feel that the roofline of the structure was a defining characteristic. Second, the historic character is retained and preserved with minimal historic materials being removed. Third, the casement windows differentiate the new construction from the old. Fourth, the dormer additions are appropriate size, scale, massing, and materials. Finally, if the dormers were removed in the future, the historic integrity would be retained.

The ARC considered if the need for space could be achieved in other ways. However, they determined the garage was a more character-defining element of the house than the roofline. In regard to a rear addition and the size required to accommodate the needs of an additional room, the destruction of an interior bedroom would most likely be necessitated to allow for circulation. Commissioner Sizemore said he would rather see the proposed dormer additions than a large addition on the rear with the subsequent destruction of historic fabric. He also noted that the dormers were more financially feasible.

In conclusion, Sizemore said the applicant has minimized the impact of the dormers and met all of the Standards. Furthermore, had the applicant reduced the dormers to one, there would be harm to the front elevation by breaking its symmetry. He believes the current proposal was least damaging, most reversible, and did not require the loss of character-defining features.

Administrative Reviews

DR-12-137-06 1000-1010 Massachusetts Street; Awning; Certified Local Government Review. The property is located in the environs of the English Lutheran Church (1040 New Hampshire), Watkins Bank—Old City Hall (1047 Massachusetts), Lawrence's Downtown Historic District, 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

Connie Wilson of Illuminated Image for Berkeley Company LC, the property owner of record.

DR-01-01-07 315 E. 7th Street; Sign; Certified Local Government Review. The property is located in the environs of Lawrence's Downtown Historic District and the North Rhode Island Historic District, National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Richard Stevenson for Praise Temple Church of God in Christ Inc, the property owner of record.

DR-01-02-07 946 Vermont Street; Exterior Art; Certified Local Government Review and Certificate of Appropriateness Review. The property is located in the environs of the Carnegie Library (200 W. 9th), Lawrence's Downtown Historic District, National Register of Historic Places, the Hanna Building (933 Massachusetts), Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Tammy Moody of Luminous Neon for the First United Methodist Church of Lawrence, the property owner of record.

DR-01-03-07 940 New Hampshire; Sign; Certified Local Government Review and Certificate of Appropriateness Review. The property is located in the environs of Lawrence's Downtown Historic District, the North Rhode Island Historic District, National Register of Historic Places, the Shalor Eldridge Residence (945 Rhode Island), Register of Historic Kansas Places and Lawrence Register of Historic Places, the Mc Farland House (940 Rhode Island), the Hendry House (941 Rhode Island), and the Social Service League (905 Rhode Island), Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Star Signs and Graphics for the City of Lawrence, the property owner of record.

DR-01-04-07 940 New Hampshire; Exterior Modifications; Certified Local Government Review and Certificate of Appropriateness Review. The property is located in the environs of Lawrence's Downtown Historic District, the North Rhode Island Historic District, National Register of Historic Places, the Shalor Eldridge Residence (945 Rhode Island), Register of Historic Kansas Places and Lawrence Register of Historic Places, the Mc Farland House (940 Rhode Island), the Hendry House (941 Rhode Island), and the Social Service League (905 Rhode Island), Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by GLPM Architects for the City of Lawrence, the property owner of record.

Commissioner Veatch asked staff to provide further information about the exterior art at 946 Vermont Street. Staff showed a photo of the exterior art.

ACTION TAKEN

Motioned by Sizemore, seconded by Veatch to confirm all Administrative Reviews as presented by staff.

Motion carried unanimously, 5-0.

C. Provide comment on variance (BZA) requests received since January 18, 2007.

- No BZA requests were received since the January 18, 2007 meeting.

D. General public comment.

- Michael Johnson submitted a petition against the designation of 1646 Massachusetts Street to the Lawrence Register of Historic Places. Commissioner Antle confirmed that the HRC's recommendations will go before the City Commission, which will make the final determination regarding the listing.
- K.T. Walsh informed the Commission about a lecture at the Jewish Community Center at 7:15 p.m. on February 22. She also said a website was being created for the East Lawrence neighborhood.

E. Miscellaneous matters from City staff and Commission members

a) Review of Administrative Review Policy

It was determined that a "major addition" be defined as: an addition that in total square footage is equal to or greater than 20% of the existing total building footprint

Motioned by Sizemore seconded by Veatch to approve the new Administrative Review Policy.

Motion carried unanimously, 5-0.

ADJOURN – 8:25 p.m.