

**HISTORIC RESOURCES COMMISSION  
AGENDA MEETING – JANUARY 18, 2007, 6:30 PM  
ACTION SUMMARY**

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

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**ITEM NO. 1: ACTION SUMMARY**

Motioned by Sizemore, seconded by Antle to approve the December 21, 2006 Action Summary with the following modifications:

- Commissioner Marvin noted three changes on page ten.

Motion carried unanimously, 5-0.

**ITEM NO. 2: COMMUNICATIONS**

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

1. 1646 Massachusetts Street, the Edwards House House on Kansas Sites Board of Review agenda
2. South Park gazebo showing proposed alterations for stairs
3. Administrative Review Policy Information

b) No abstentions were indicated.

**ITEM NO. 3:**     **DR-09-112-06** 1019 Kentucky Street; Demolition; Certified Local Government Review and Certificate of Appropriateness Review. The property is located in the environs of the Charles and Adeline Duncan House (933 Tennessee), the George and Annie Bell House (1008 Ohio), the Dr. Frederick D. Morse House (1044 Tennessee), Lawrence's Downtown Historic District, National Register of Historic Places, and the Colonel James and Eliza Blood House (1015 Tennessee) National Register of Historic Places and Lawrence Register of Historic Places. Submitted by Ellen LeCompte, the property owner of record.

*Item No. 3 was moved to the end of the agenda because the applicant was not immediately present*

### **STAFF PRESENTATION**

Staff presented photographs of the exterior and interior of the structure, and the streetscape of the 1000 Block of Kentucky Street.

### **APPLICANT PRESENTATION**

The applicant, Ellen LeCompte, was present and available to answer any questions. She noted two new documents: a report from Mike Goans and a structural engineer's report. Ms. LeCompte also said that she had three feet of the plaster removed in order to try to determine extent of termite damage.

Ms. LeCompte said she had talked to Katrina Ringler at the State Historic Preservation Office about tax credits for repair of the structure at 1019 Kentucky. Ms. Ringler specified reasons why the tax credits could be revoked if repair was chosen.

Commissioner Alstrom asked the applicant how long she has owned the property. Ms. LeCompte has owned the property for approximately six months.

Commissioner Veatch asked the applicant if she was interested in pursuing a replacement structure. Ms. LeCompte said that after watching another Commission item she would not want to go to the work. Ms. LeCompte said she knew the Commission would most likely deny her demolition request. Commissioner Veatch responded that they would be more likely to approve the request if a replacement was proposed.

### **PUBLIC COMMENT**

No member of the public spoke on this item.

### **COMMISSION DISCUSSION**

Ms. Zollner said that after making a staff inspection of the property following the removal of the siding and plaster, staff's recommendation would have been demolition if

a replacement structure was proposed. Ms. Zollner also noted repair work had been done that jeopardized the structural integrity of the structure, probably during the 1950's. She clarified concerns from State Historic Preservation Office about tax credits. The SHPO can only approve tax credits for rehabilitation, not wholesale replacement of historic materials. The extensive removal of materials can change a rehabilitation project to a replacement project.

Commissioner Antle asked how often revoking tax credit approval has occurred. Ms. Zollner responded that it is rare, but has happened.

Commissioner Antle emphasized that the problem presented by the current application for demolition stems to the Commission's long standing policy about not approving demolition without a replacement structure. He noted two options for the Commission: to change their long standing policy or to have the applicant appeal to the City Commission.

Commissioner Marvin said she advocates following the Environs Review Standards and Guidelines, which includes not recommending demolitions without a replacement structure. Commissioner Sizemore said it is very difficult to determine at what point a structure becomes non-salvageable.

Ms. Zollner said the Commission could forward a letter to the City Commission that outlined the reasons why they denied the application and that the applicant had provided complete information.

### **ACTION TAKEN**

Motioned by Sizemore, second by Antle, to deny the Certified Local Government Review and Certificate of Appropriateness Review for demolition to the structure located at 1019 Kentucky Street as presented, based on a determination that it will encroach upon, damage or destroy any listed property or its environs.

Motion carried unanimously, 5-0.

**ITEM NO. 4:**     **DR-10-119-06** 1140 South Park Massachusetts Street; Stair Modification; Certified Local Government Review and Certificate of Appropriateness Review. The property is listed individually on the Lawrence Register of Historic Places and as a contributing property to Lawrence's Downtown Historic District, National Register of Historic Places. The property is also located in the environs of the John N. Roberts House (1307 Massachusetts), the South Rhode Island Historic District, the North Rhode Island Historic District, the English Lutheran Church (1040 New Hampshire), Watkins Bank (1047 Massachusetts), and the Douglas County Courthouse (1100 Massachusetts), National Register of Historic Places. Submitted by Katie Nichols of Sabatini Architects for the City of Lawrence, the property owner of record.

### **STAFF PRESENTATION**

Staff presented photographs of all elevations of the structure.

### **APPLICANT PRESENTATION**

The applicant, Katie Nichols of Sabatini Architects was present and available to answer any questions. Ms. Nichols summarized the proposed new drawings given to the Commission at the beginning of the meeting. The current proposal is only for the stairs and does not include a rail system around the elevated structure.

### **PUBLIC COMMENT**

No member of the public spoke on this item.

### **COMMISSION DISCUSSION**

Commissioner Sizemore said the applicant has responded to suggestions made during the ARC meeting. Notably, the ARC asked that the stairway be as minimalist as possible, specifically requesting the removal of the brick and a minimal number of supports. Commissioner Sizemore also noted at the last ARC meeting the Committee discussed the width of the stair and moving it to north side.

Ms. Zollner said staff is working with the National Park Service for ways to meet code requirements for railing without having a strong visual impact on a historic structure.

### **ACTION TAKEN**

Motioned by Alstrom, seconded by Veatch, to approve the Certified Local Government Review and Certificate of Appropriateness Review for stair modifications to the property located at 1140 South Park Massachusetts Street as presented, 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. The applicant provide complete construction documents, with material notations and hand rail design to be reviewed and approved by the Architectural Review Committee 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 5-0.

**ITEM NO. 5: DR-12-134-06** 741 Tennessee Street; Dormer Additions; Certified Local Government Review. The property is listed as a contributing structure to the Old West Lawrence Historic District, National Register of Historic Places, and is located in the environs of Lawrence's Downtown Historic District, National Register of Historic Places. Submitted by David Carttar and Claudia Olea, the property owners of record.

### **STAFF PRESENTATION**

Staff presented photographs of all elevations of the property.

### **APPLICANT PRESENTATION**

The applicant and owner, David Carttar, gave a PowerPoint presentation. He said he would like to allow his family to grow in their house in a way that is as sensitive as possible to the historic structure. Mr. Carttar showed pictures of the home's interior. He and his wife have done everything they could to be sensitive to the historic qualities of the home and to preserve them. He showed the landing at the top of the stairs and the door into the space that they are proposing to finish. Mr. Carttar described the current attic space as a very large room with the potential to be more than an attic, which could be achieved by adding a floor and means of egress. The unfinished attic is unfinished only its capacity to serve as a bedroom; it needs a floor and egress.

The applicant said he believed the proposed alterations would cause the least damage to the structure. Because the size of lot is small, he said staff's recommendation for pursuing other alternatives would not be feasible.

Mr. Carttar said he had worked with Mike Myers to make minimal structural changes. He noted the windows proposed for the east elevation echo windows on the shed located on the rear of the property.

Mr. Carttar showed two other houses from Old West Lawrence with symmetrical dormers and other houses in Johnson County of a similar architectural style to his home. He emphasized the configuration of the subject property's floor plan is similar to other properties of its style. The applicant concluded his presentation by showing a mock up of what the finished project would look like.

Commissioner Sizemore commended the applicant on an excellent presentation.

Commissioner Alstrom said he did not have any strong objections to the project. However, he also said it is a contributing structure and as such he was trying to be mindful of making additions discernible from the historic resource. Commissioner Alstrom described this as "difficult."

The applicant included that Mr. Myers had proposed casement windows rather than the more historic-looking windows shown on the mockup in order to differentiate the new construction from the original structure.

Commissioner Alstrom said he would be more inclined to approve something that is four panes of glass.

Mr. Myers responded the windows were chosen based on size needed for egress and that casement windows work better for a smaller dormer.

Commissioner Sizemore asked the Commission to focus on any prudent alternatives to the proposed alterations, such as enclosing garage or using egress skylights.

Mr. Myers said the applicant is not interested in losing his garage and the house is set too far on the back of the lot to add onto the rear. In regard to egress skylights, he has not discussed that idea with the applicant.

### **PUBLIC COMMENT**

No member of public spoke on this item.

### **COMMISSION DISCUSSION**

Commissioner Sizemore said it was helpful to have a perspective view of the modifications. He directed to Commission to return to whether this addition to the primary façade is appropriate or not. He noted the two windows on the front of the house are appropriate to architectural type of the subject structure, but that the dormers themselves are still quite large for a small house.

Commissioner Marvin asked Commissioner Sizemore if it would be more acceptable for the proposed dormers to be scaled like the existing dormer. Commission Sizemore responding that scaling the dormers like the existing dormer would possibly eliminate the "flipped-up-roof" feeling.

The Commission asked if there were any historic photos of the house. The applicant said there was a historic photo and the house looked virtually the same.

Commissioner Veatch said he felt the applicant made a good case for their need for space and that the existing attic seemed to be designed for a bedroom. He also said he is trying to balance the applicant's need for space with the fact that this property is on the National Register and the applicant is proposing to change the main façade. He explained that even if the dormers fit the architectural style of the home they may still not match the standards.

Commissioner Alstrom reminded the Commission they previously approved changes to window openings in order to allow for French Doors. Commissioner Veatch interjected that the said alterations were on the rear façade of the house.

Commissioner Antle described this application as difficult to evaluate particularly because of the divergent goals of the need for space and preserving the historic integrity of the house. He noted he had no problem with the proposed new windows on the front elevation. He asked the applicant if he was willing to pursue the concept of skylights.

Mr. Carttar said skylights would significantly reduce the space and he felt a strong preference to still use dormers.

Commissioner Sizemore noted that built-in seats and storage proposed in the drawings are one foot outside of the limits of the room. Thus, the dormers could be smaller. He felt there were options for reducing impact of these dormers.

Mr. Myers said the dormers could be modestly reduced in scale, possible a foot in length and six inches in width. However, he did not want to design the new dormers like the other dormer because of the flat metal pan used for the existing dormer.

Commissioner Marvin said she finds this application difficult to deal with because of factors the applicant has pointed out, such as the likelihood that the attic was intended as living space and the variability in the design of this particular architectural type. She also said she would be opposed to the addition of skylights. She noted the proposed alterations would be reversible, but with some loss of the original material.

Commissioner Antle remarked about a consensus among the Commission to approve the overall application, but not the details.

Ms. Zollner asked if the Commission wanted the project to go to the ARC and come back to Commission or go directly to the ARC for approval or denial. Commissioner Sizemore said if the ARC had a statement from the Commission regarding their desires, the application need not come back to the HRC. He said he would like to see what types of options the applicant can come up with in order to minimize the impact on the historic structure.

Commissioner Veatch said if Commissioner Sizemore was suggesting different options than the proposed modification then the project needs to come back to the HRC. Commissioner Sizemore said it is his opinion that the dormer is an encroachment to the historic structure. He clarified that by saying "different options," he mean regarding the use of the room in question, not an addition on the rear.

## **ACTION TAKEN**

Motioned by Sizemore, second by Alstrom, to approve the Certified Local Government Review for dormer additions to the structure located at 741 Tennessee 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 work with the ARC to identify options to reduce the mass of dormers. The project will be returned to the HRC for final approval.

Motion carried unanimously, 5-0.

**ITEM NO. 6: 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.

### **APPLICANT PRESENTATION**

The applicant, Brian Kilgore of Jack Hope Design Build, showed new drawings, noting the size and scale of the proposed replacement structure was not different; only the orientation had changed.

Commissioner Sizemore inquired about the condition of the existing structure. Mr. Kilgore said it is still standing. Commissioner Sizemore then asked if repairing the structure is cost prohibitive. Mr. Kilgore replied that it was because the structure is in poor condition. He outlined repair would require lifting the structure, replacing its foundation, and replacing many materials. His price estimate does not include restoring the second floor.

Commissioner Alstrom asked if the existing garage had a basement. Mr. Kilgore said the garage did not have a basement. Commissioner Alstrom noted a typographical error in the structural engineer's report.

Commissioner Sizemore inquired about the current use of the second floor of the garage. Mr. Kilgore said the door to the second floor was inoperable due to shifting of the structure, but he knew there was a kitchenette.

The Commission discussed that the structural engineer said saving the structure is possible, but cost prohibitive. Commissioner Alstrom asked the applicant why the property owners were not repairing the existing structure. Mr. Kilgore said repair would require the replacement of nearly 100% of the historic materials.

### **PUBLIC COMMENT**

No member of the public spoke on this item.

### **COMMISSION DISCUSSION**

Commissioner Alstrom expressed that he did not wish to create difficulties for the applicant, but he would like to see more information about the costs for repair versus replacement and the possibility of tax credits. He said he was not in favor of

demolishing an ancillary structure when a structural engineer's report says it could be repaired. He felt that restoring the existing garage would be more compatible.

Ms. Zollner explained the first thing to do would be to determine if the structure was contributing to the Old West Lawrence Historic District. If it was contributing, the repair of the structure would be eligible for 25% state tax credits. Ms. Zollner also said the list of contributing and noncontributing structures for Old West Lawrence does not specify the status of ancillary structures. Typically, the Commission has handled issues regarding ancillary structures on a case-by-case basis.

Commissioner Sizemore added if the structure is contributing and applicant can receive tax credits, the cost would still be \$12,000 more than building a new structure, according to the structural engineer's estimate.

Commissioner Antle suggested the Commission defer the application in order to discuss contributing status of the structure and the possibility of tax credits with the State Historic Preservation Office.

Commissioner Sizemore noted the Commission required the properties owners to retain the ancillary structure at 2309 Massachusetts Street.

Commissioner Veatch reminded the Commission that staff said repair may not reserve original materials to an extent that the majority of the structure would remain.

Commissioner Marvin asked staff it was realistic to get a ruling from the state within a month. Ms. Zollner said it was realistic.

It was explained by Commissioner Antle that the HRC's criteria is based upon whether or not the structure is a contributing structure.

### **ACTION TAKEN**

Motioned by Antle, second by Sizemore, to defer the Certified Local Government Review for demolition and new construction of an ancillary structure to the property located at 641 Ohio Street pending a determination from the state on the status of the structure.

Motioned carried unanimously 5-0.

**ITEM NO. 7:**     **DR-12-136-06** 129 W. South Park; 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.

*This item was deferred prior to the meeting.*

## **ITEM NO. 8: MISCELLANEOUS MATTERS**

- A. No demolition permit applications were received since the December 21, 2006.
- B. Architectural Review Committee and Administrative Reviews since the December 21, 2006 regular meeting.
  - The ARC met to discuss 720 E. 9<sup>th</sup> Street and concluded that the application could be released to neighborhood resources.

### **Administrative Reviews**

**DR-11-131-06** 805-811 New Hampshire; Sign; Certified Local Government Review and Certificate of Appropriateness Review. 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 environs of the North Rhode Island Historic District, National Register of Historic Places, and the House Building (729-731 Massachusetts), Kansas Register of Historic Places and Lawrence Register of Historic Places. The property is located in the Downtown Conservation Overlay District. Submitted by Nancy Phariss of Full Bright Signs for the Kansas Seed House LLC, the property owner of record.

**DR-12-132-06** 609-611 Vermont; 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 Old West Lawrence Historic District, National Register of Historic Places, and the J.B. Shane Thompson Studio (615 Massachusetts Street), Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Jeff Showalter of Gene Fritzel Construction Company for First State Bank and Trust, the property owner of record.

**DR-12-133-06** 1111 E. 19<sup>th</sup> Street; Foundation, Wall, and Window Repairs; Certified Local Government Review and Certificate of Appropriateness Review. The property, the Robert H. Miller House, is listed individually on the National Register of Historic Places and the Lawrence Register of Historic Places. Submitted by Hernly Associates for Dennis and Judith Dailey, the property owners of record.

### **ACTION TAKEN**

Motioned by Veatch, seconded by Marvin to approve all Administrative Reviews as presented by staff.

Motion carried unanimously, 5-0.

C. Provide comment on variance (BZA) requests received since December 21, 2006.

- No BZA requests were received since the December 21, 2006 meeting.

D. General public comment.

- No public comment.

*The Commission took a five minute break at 8:50 p.m.*

E. Miscellaneous matters from City staff and Commission members

a) Review of Administrative Review Policy

Ms. Zollner said the City of Lawrence is exploring ways to streamline processes to make them more user and time friendly. Additionally, the State Historic Preservation Office is looking for a way to have state law review be more standardized across the state.

Staff's recommended changes to the Administrative Review Policy would mainly affect environs review. Additionally, sidewalk dining would also be included in the scope of staff's administrative review projects.

Commissioner Sizemore requested a month for the Commission to review the proposed changes to the Administrative Review Policy. He also said streamlining city processes was of the utmost importance.

Ms. Zollner explained that one of most common complaints staff receives is the amount of time that the review process takes. If applicant's project is not in the City of Lawrence, environs review is typically much quicker for the applicant.

Commissioner Veatch asked how staff would define "minor exterior building changes and additions." Ms. Zollner said if a project meets the standards and is simple, such as adding a window in a bathroom on the rear, changing the stair railing, or changing window and door openings, staff considers the alterations as "minor." Ms. Zollner suggested that the Commission could write a specific definition for what they considered "minor."

The Commission agreed to put the changes to the Administrative Review Policy on the February HRC agenda. The Commission also agreed to send the memo about the Administrative Review Policy to the state for their comments.

**ADJOURN – 9:15 p.m.**