

## **LAWRENCE HISTORIC RESOURCES COMMISSION**

Action Summary

July 20, 2006 – 7:05 p.m.

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Commissioners present: Meyer, Marvin, Veatch, Antle and Alstrom

Staff present: Zollner, Wagner and Olson

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*Both the Chair and Vice-Chair were absent. Motioned by Veatch, seconded by Antle to elect Marvin as the Chair pro tem for this meeting.*

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

No typographical errors were noted.

Motioned by Veatch, seconded by Marvin to approve the June 15, 2006 minutes as submitted.

Motion carried unanimously, 4-0.

*Alstrom arrived at 7:10 p.m.*

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

- Memo from staff regarding the nomination of Plymouth Congregational Church (925 Vermont Street) to the Register of Kansas Historic Places. Staff explained that if the property were listed, it would become eligible for tax credits that could be used for rehabilitation.
- Letter from Dennis Brown, LPA, outlining general concerns about allowing the wholesale removal of historic (wood) siding material and the durability of wood vs. replacement siding materials under similar environmental conditions.
- Memo from staff clarifying points made in the June 2006 Training Session about defining environs and the Commission's charge to protect the listed property and the character of the environs. This is accomplished by identifying the character defining features of the environs. Line of sight to the listed property was also an important factor in considering the impact of a proposed environs project.
- Alstrom explained he lived near the property owners of Item 6, but he would not be abstaining from the discussion or the vote.

**ITEM NO. 3: Design proposals for the Carnegie Library addition, 200 W. 9<sup>th</sup> Street.**  
The property is listed on the National Register of Historic Places.

### **APPLICANT PRESENTATION**

David Dunfield, GLPM Architects, said this was an unusual situation, since the City of Lawrence was the property owner, applicant, and the review body. He said it was important for everyone to acknowledge the importance of this project to the entire community.

Mr. Dunfield showed drawings of the current Carnegie Library building, pointing out the original structure and the addition constructed in 1937. He noted that the addition was obviously representative of the changes in architectural style made between the two time periods. The proposed new addition was designed to continue that intent; it was based on modern architectural styles while referencing both the original structure and the addition to the building. Mr. Dunfield said this contrast of styles appeared to be at the center of most review concerns.

Mr. Dunfield pointed out characteristics in the proposed new addition that had been borrowed from both the main structure and the existing addition. He said he felt this proposal met all of the Secretary of the Interior's Standards on New Additions. He said the addition was small and would be set back from the existing building. This addition would not change the primary façade of the original structure.

Mr. Dunfield explained the new addition was designed to provide bathrooms on both levels and full ADA accessibility without changing the main spaces on the existing structure. The SHPO supported this concept.

It was noted that when the structure was listed on the National Register, the 1937 addition was noted as having achieved historic significance, supporting the applicant's opinion that the new addition must reference both styles.

Mr. Dunfield explained modifications made to the first proposal to address concerns raised by the SHPO, the National Park Service, LPA and City staff. He noted common features throughout the entire structure (stone base, brick color, texture) and the relationship of solids to voids.

Based on comments received, a single window was added to the west elevation. However, the applicant would like to explore other design options to break up the solid wall face.

There was discussion about how the new addition would attach to the 1937 addition. Mr. Dunfield showed how this connection was designed to use existing openings to minimize the removal of historic materials.

There was discussion about the utilitarian window placement in the 1937 addition that is representative of Depression Era architecture.

### **PUBLIC COMMENT**

Marci Francisco read into the record a statement from the LPA. This statement outlined LPA's appreciation for the changes made to the original proposal and their desire to continue working with staff and the applicant on other elements. Specifically, LPA would like to see a strong horizontal element (possibly a brick pattern) on the west elevation and more corner emphasis.

**COMMISSION DISCUSSION**

Mr. Dunfield said he understood comments about the need to modify the west elevation, and the applicant would like to explore options for this element.

The Commission generally agreed that the new drawings were an improvement because they are more compatible with the original structure and the 1937 addition.

**ACTION TAKEN**

No action was required at this time.

**ITEM NO. 4: DR-06-52-06** 812 Indiana Street; Exterior Modifications; Certified Local Government Review. The property is located in the environs of the Old West Lawrence Historic District, National Register of Historic Places. Submitted by B. Gordon Fitzsimmons, the property owner of record.

### **STAFF PRESENTATION**

Staff showed pictures of the property elevations, pointing out where a two-story porch had been removed from the east elevation.

Ms. Zollner said the applicant made modifications after reading the staff report and would like to discuss these with the Commission.

### **APPLICANT PRESENTATION**

B. Gordon Fitzsimmons, applicant, said he had originally proposed a Juliet-style balcony, but staff had suggested that a covered porch would fit better with the neighborhood. He asked the Commission to consider approving a free-standing, covered, rear porch to emulate the existing front porch on this property.

It was established that the previous rear porch had been poorly constructed and in a state of disrepair before being blown off in the spring microburst. The applicant proposed to replace the porch as part of his renovations to return the structure to its original single-family use. It was established that the existing door above the porch area would be replaced with a window.

The applicant mentioned his intent to replace all remaining rear wood windows with vinyl double-hung windows to match others on the building.

### **PUBLIC COMMENT**

No member of the public spoke on this item.

### **COMMISSION DISCUSSION**

It was noted that staff had not been aware of the applicant's intent to replace the existing wood windows with vinyl clad windows and did not support this change. It was discussed that the Commission had approved the use of aluminum clad windows in other environs reviews, but had consistently upheld staff's opinion that vinyl clad windows were not appropriate in the environs.

It was suggested that the item could be approved with the condition that final materials and construction drawings would be subject to review by the HRA. Ms. Zollner said staff would appreciate the Commission's direction on the window issue if the item were approved with this condition.

The Commission agreed with staff that wood windows would be preferable, but aluminum clad windows would be an acceptable alternative. Vinyl windows were not considered an acceptable option for the environs.

**ACTION TAKEN**

Motioned by Antle, seconded by Alstrom to approve the certified Local Government Review for the project at 812 Indiana Street, based on a determination that it will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following conditions:

1. The applicant provide complete construction documents with material notations including window specifications to be reviewed and approved by the Historic Resources Administrator prior to release of a building permit.
2. The applicant provide drawings of the revised porch and changes to be made to the existing windows, including notations of materials, 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. 5: DR-06-54-06** 1112 Tennessee Street; Demolition of Ancillary Structure; Certified Local Government Review and Certificate of Appropriateness Review. The property is located in the environs of Lawrence's Downtown Historic District and the Dr. Frederick D. Morse House (1041 Tennessee), National Register of Historic Places. The property is also in the environs of the Oread Historic District, Lawrence Register of Historic Places. Submitted by Michael Randolph, the property owner of record.

*This item was withdrawn prior to the meeting.*

**ITEM NO. 6: DR-06-57-06** 1600 Block of Louisiana Street; New Construction; Certified Local Government Review. The property is in the environs of the Ludington Thacher House (1613 Tennessee), National Register of Historic Places. Submitted by Mark and Maria Holter, the property owners of record.

#### **STAFF PRESENTATION**

Staff showed pictures of the vacant subject property from all directions. Examples of existing homes in the area were presented, showing a wide variety of architectural styles.

#### **APPLICANT PRESENTATION**

Dan Rockhill spoke on behalf of the applicants. Mr. Rockhill said the proposed structure was modern in style and designed on a budget to maximize yard space, accommodate significant slopes, and preserve existing vegetation. He said the building was of modern design but could be readily assimilated into the obviously eclectic neighborhood.

It was noted that the proposed structure was significantly shorter than the 35' height restriction for this zoning district.

#### **PUBLIC COMMENT**

No member of the public spoke on this item.

#### **COMMISSION DISCUSSION**

The Commission expressed agreement with the applicant and staff that the neighborhood could accommodate this proposal, noting that this was an environs review. It was added that the building was small and used an appropriate setback to mitigate its impact.

#### **ACTION TAKEN**

Motioned by Veatch, seconded by Marvin to approve the Certified Local Government Review for the project in the 1600 Block of Louisiana Street, based on a determination that it would not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following conditions:

1. 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.7: DR-06-58-06** 2309 Massachusetts Street; Demolition and New Construction of Ancillary Structure; Certified Local Government Review. The property and its ancillary structure are contributing structures to the Breezedale Historic District, State Register of Historic Places. Submitted by Bo March for Erik Lundquist and Nancy Biles, the property owners of record.

### **STAFF PRESENTATION**

Staff showed pictures of the main and ancillary structures, which are both contributing structures to the Breezedale Historic District. Staff also showed pictures of the existing driveway.

Staff then showed slides of examples of other homes and garages in area.

### **APPLICANT PRESENTATION**

Bo March spoke on behalf of the applicant. He explained his familiarity with the property as he owned it several years ago. Mr. March elaborated that it was not fair to call the structure a garage. According to Mr. March, the lack of accessibility from the driveway and its small size render the structure a shed.

Mr. March said that the existing garage next door at Commissioner Sizemore's property was very similar to what he proposed.

When Mr. March owned the home, he explained, the existing ancillary structure was "dilapidated." He made some efforts to improve the structure, but most of his efforts were cosmetic in terms of longevity.

Mr. March further explained that because of its lack of accessibility, structural damage and inability to hold a modern vehicle, the cost of repair over replacement of the existing garage is prohibitively expensive. He further elaborated that the property owners would like to remove the oversized deck to reclaim the back yard.

The Commission asked the following questions regarding the garage in question: Was it ever large enough to accommodate any kind of car? Was it ever intended to be a garage on this property?

In response, Mr. March said there is a small accessory building on the lot to the north of the subject property in addition to their existing garage. Commissioner Marvin stated that the link to the property to the north was confusing the issue; the existing ancillary structure in question may have never been a garage.

In conclusion, Mr. March stated that what the property owners want is a garage with quality materials and details to match the Breezedale Historic District and the main structure.

### **PUBLIC COMMENT**

No member of the public spoke on this item.

## **COMMISSION DISCUSSION**

Several Commissioners expressed concern with the removal of this ancillary structure. They discussed the benefits of the proposed ancillary structure being located in an area other than the footprint of the existing ancillary structure. It was pointed out that two ancillary structures would significantly reduce yard space. It was then noted that the removal of the existing deck would add to the green space of the property owner's lot.

The Commission then referred to staff in reference to accessory structures under the new Code. Ms. Zollner explained that the accessory structure portion of the new Code is very different than the previous Code. She elaborated that at the present time, the size of an accessory unit must be smaller than the main structure's footprint or 20% of the lot area, whichever is greater.

Ms. Zollner then referenced the Acting Planning Director, Sheila Stogsdill, who said that the property owner could construct the proposed ancillary structure and still retain the existing ancillary structure. However, Ms. Zollner said the section of the new Code regarding accessory structures would likely change due to conflicts in wording.

It was then restated by several Commissioners that the property is listed as contributing to a Historic District, as is the ancillary structure.

Mr. March added that a structural engineer said the existing ancillary structure is not usable, probably not safe, and very expensive to repair.

Staff explained that the area of town where the property is located was never mapped on the Sanborn Fire Insurance Maps. Therefore, staff was unable to document its exact construction date. However, the ancillary structure is listed in the nomination of the property as contributing, which means that the structure is at least 50 years old. Commissioner Alstrom expressed surprise that the structure was listed as contributing because he doesn't see where the structure relates the main structure.

It was clarified that the proposed new garage is 24' X 24'. Other garages in the area are both single and double car garages.

The Commissioners had no comments on design or materials of the proposed new garage, mainly because of the wide range of garage styles and sizes in the area.

Staff informed the Commission that the property owners would be eligible for tax credits should they choose to rehabilitate rather than demolish the existing ancillary structure.

Mr. March asked if the existing ancillary structure could be retained, but moved to a different location on the lot. Staff clarified that this would require a new proposal.

## **ACTION TAKEN**

Motioned by Antle, seconded by Alstrom to approve the new construction only, as proposed, with the conditions noted in the staff report and deny the demolition of the existing ancillary structure, per staff's recommendation.

Motion carried unanimously, 5-0.

**ITEM NO.8: DR-06-59-06** 920 Louisiana Street; Exterior Modifications; Certified Local Government Review. The property is located in the environs of the Charles and Adeline Duncan House (933 Tennessee), the Benedict House (923 Tennessee), and the Michael D. Greenlee House (947 Louisiana), National Register of Historic Places. Submitted by Imran Wahla for Fadila Boumaza, the property owner of record.

### **STAFF PRESENTATION**

Staff showed pictures of the subject property, noting that it was in the environs of three nationally listed properties and also proposed as a contributing structure in a nomination now being written for a new Oread Historic District.

It was noted that the property had only limited sight lines to the listed properties when foliage was full, but sight lines were much clearer in winter months when trees were bare.

### **APPLICANT PRESENTATION**

The applicant was not present.

### **PUBLIC COMMENT**

Ernie Eck read a statement into the record from the Lawrence Preservation Alliance. He said the LPA could not support the wholesale removal of historic material proposed with this request. The letter specifically cited the siding and windows that defined the character of the structure and the status of the property as a contributing structure in the upcoming new district.

The LPA suggested that, while the applicant was making a good faith effort to rehabilitate the structure, this should become an educational experience. He should be made aware of the considerable loss of historic value and his ineligibility to obtain tax credits if a significant amount of historic material was removed.

Mr. Eck said the pictures of the property showed flaking paint, not rotting wood, and the structure was not in poor enough condition to require the drastic measures being proposed.

### **COMMISSION DISCUSSION**

The Commission expressed significant concern about the vagueness of the application, and generally agreed there was not enough information to make a determination at this time. It was noted that the Commission often deferred an item when no applicant or representative was present.

It was pointed out that this was currently an environs review, but the property was part of a new district nomination being written. There was some discussion about whether the Commission could take this into consideration before the nomination was approved.

### **ACTION TAKEN**

Motioned by Marvin, seconded by Veatch to defer the item until the applicant provided complete documentation to address concerns outlined in the staff report. Staff was directed to request the applicant to attend the next meeting and to be prepared to speak about the issues raised.

Motion carried unanimously, 5-0.

**ITEM NO.9: DR-06-60-06** 817 Alabama Street; Demolition and New Construction of Ancillary Structure; Certified Local Government Review. The property is located in the environs of the Ralph and Cloyd Achning House (846 Missouri), National Register of Historic Places. Submitted by Angela Nascimento, the property owner of record.

### **STAFF PRESENTATION**

Staff showed elevations of the existing ancillary structure proposed for demolition and views to and from the primary structure. Slides were also shown of other existing ancillary structures on the alley in this area.

Ms. Zollner explained that, in doing research for the applicant, it was found that the Commission rarely approved demolition of an ancillary structure when the building was found to be in suitable condition for repair. This had occurred only three times (all in 2003), and all cases involved special circumstances.

It was discussed that the new Code would allow for the construction of a second ancillary structure (retaining the existing one) in certain cases. This allowance was under discussion and might be amended in the future, but the Acting Planning Director said the new Code language could be appropriately applied at this time.

### **APPLICANT PRESENTATION**

Kent Smalter spoke on behalf of the applicant, showing more detailed drawings with revisions made after the packet was distributed. Mr. Smalter said the primary structure was constructed in 1946 and retained its original footprint. He said the garage appeared to have been built later, based on differences in lap siding reveal.

Mr. Smalter explained that the existing accessory building was too small to function as a modern garage, and the property owner wished to modify the building to house one car and serve as a work studio. The applicant felt the proposed new garage would complement the primary structure and the neighborhood.

Mr. Smalter said there were many existing garages in the environs closer to the listed property and larger than the building he proposed.

Commissioner Alstrom spoke about how there might be a spatial conflict with the siting of the proposed new garage's roof over the alley with the existing utility poles. It was verified that the Code allowed a 0' setback for accessory structures that abut an alley. Mr. Smalter said the new garage was intended to match the footprint of the existing accessory building, but he would be sure to look into encroachment issues and wanted to avoid a variance request if possible.

Commissioner Marvin spoke about the unique circumstances in the three demolition permits approved in 2003 for structures that were still in repairable condition. She said those conditions did not appear to be present in this case.

Mr. Smalter responded to questioning that the applicant had been renting space for her work studio. She now wished to provide that space on her own property, and building a new accessory building was substantially less expensive than adding onto the primary building.

#### **PUBLIC COMMENT**

No member of the public spoke on this item.

#### **COMMISSION DISCUSSION**

The Commission generally agreed that they understood the applicant's wish to have a functioning garage. There was discussion about the appropriateness of the proposed design. Although the proposed garage is two stories, it would still be smaller than and subservient to the primary structure.

The Commission discussed the implications of allowing demolition of a structure that was not in poor condition. It was noted that the subject property was located on the edge of the defined environs and suggested that properties this close to the boundary line were also further from the Commission's authority. By that standard, it was questioned how far inside the environs boundary a property must then be located to "matter."

There was discussion about the ability to have both the existing and new accessory buildings under the new Code. Several problems were noted with the two-building option, and staff agreed that just because this choice was possible, it was not necessarily desirable.

Commissioner Marvin said she felt strongly that the existing garage was a character defining feature, and that demolition would significantly alter the environs. Commissioner Alstrom said he understood these concerns, but he would support the proposed demolition and new construction over the two-building option. He explained that the loss of green space would be even more damaging to the character of the environs than removal of the existing garage.

Commissioner Veatch stated his concern that demolition would mean the wholesale removal of existing historic material.

Commissioner Alstrom noted the applicant's ability to appeal the Commission's decision.

#### **ACTION TAKEN**

Motioned by Veatch, seconded by Marvin to deny the project at 817 Alabama Street, based on a determination that it would encroach upon, damage or destroy a listed property or its environs.

Motion carried 3-2, with Veatch, Marvin and Alstrom in favor. Antle and Meyer voted in opposition.

**ITEM NO. 10: MISCELLANEOUS MATTERS**

- A. Review of any demolition permit applications received since the June 15, 2006 regular meeting.

There were no demolition permits for review.

- B. Architectural Review Committee and Administrative Reviews since the June 15, 2006 regular meeting.

There were no ARC meetings for discussion.

**Administrative Reviews**

**DR-06-53-06** 924 ½ Massachusetts Street; Awning; Certified Local Government Review and Certificate of Appropriateness Review. The property is 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, the Shalor Eldridge Residence (945 Rhode Island), State Register of Historic Places and Lawrence Register of Historic Places, and the Downtown Conservation Overlay District. Submitted by Suzanne McKinney for James Conner, the property owner of record.

**DR-06-56-06** 1041 Kentucky Street; Porch and Siding Repair; Certified Local Government Review. The property is in the environs of the Colonel James and Eliza Blood House (1015 Tennessee), the Dr. Frederick D. Morse House (1041 Tennessee), and Lawrence's Downtown Historic District, National Register of Historic Places. Submitted by Jack Hope for Robert Wilson, the property owner of record.

**DR-06-61-06** 1332 Massachusetts Street; New Deck Construction; Certified Local Government Review. The property is in the environs of the South Rhode Island Historic District and the John N. Roberts House (1307 Massachusetts), National Register of Historic Places. Submitted by Anthony Backus for Serina Hearn, the property owner of record.

**ACTION TAKEN**

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

Motion carried unanimously, 5-0.

- C. Provide comment on variance (BZA) requests received since June 15, 2006.

There were no BZA requests for consideration.

- D. General public comment.

- KT Walsh, 732 Rhode Island, gave the Commission a letter about the Santa Fe Amtrak depot, which had recently become 50 years old. She said the Commission would soon

begin looking at mid-century architecture for preservation and she asked them to keep the Depot in mind.

Ms. Zollner said staff had contacted the railroad several times in past years about possible nominations for the Depot but had received a negative response each time.

E. Miscellaneous matters from City staff and Commission members

- There was discussion about the 8<sup>th</sup> Street Taproom. Ms. Zollner said Code Enforcement was reviewing interior modifications being made, trying to determine if these changes required a permit. Environmental blight was being discussed in reference to this property as well.
- A meeting of the Garage Subcommittee was announced for Friday, July 21<sup>st</sup> at 4:00 p.m.
- It was established that the Nominations Subcommittee would meet one hour prior to monthly agenda meetings, beginning in September. It was likely that meetings would be held quarterly once the committee was underway.
- A meeting date was still to be determined for the Awards Subcommittee.

**ADJOURN – 10:05 p.m.**