

LAWRENCE HISTORIC RESOURCES COMMISSION

Action Summary

June 15, 2006 – 7:00 p.m.

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

ITEM NO. 1: ACTION SUMMARY

Two typographical errors were noted.

Motioned by Hickam, seconded by Veatch to approve the May 18, 2006 Action Summary as revised.

Motion carried 6-1 with Antle abstaining.

ITEM NO. 2: COMMUNICATIONS

- Additional drawings were provided for Item 3
- No abstentions were indicated

ITEM NO. 3: DR-05-48-06 841 Arkansas Street; New Construction; 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 Bo March for Michael and Gay Doudoroff, property owners of record.

STAFF PRESENTATION

Staff presented pictures of the empty lot from multiple viewpoints, from the subject property toward the listed property, and streetscape views in both directions. Examples were also shown of existing area structures. Ms. Zollner responded to questioning that there was not a clear line of sight between the subject property and the listed property.

Staff provided an aerial and footprint map of the neighborhood, noting the environs' boundary line.

Staff recommended approval of the project, subject to conditions listed in the staff report.

APPLICANT PRESENTATION

Bo March spoke on behalf of the applicants, explaining that they intended to maintain their current residence across the street from the subject property. Mr. March said there had been discussions of using the property for a 6-plex residence, and the applicants had purchased the property to prevent a multi-family use from occurring. Mr. March explained that the property owners have a vested interest in maintaining the character of the neighborhood.

Mr. March said the applicants felt the proposed materials are acceptable and they hoped to eliminate any possible conditions requiring them to change the materials. There was discussion about changes to the proposal made after the Staff Report and shown in tonight's revised drawings, including:

- Use of one width of siding instead of various widths of siding
- Adding a pair of windows on the south elevation

There was discussion about changing the garage door design from one large door to two separate doors, or an alternate door design that gave the visual impression of two doors. Mr. March said the applicant would be amenable to this change if the Commission felt it was important. He noted that the neighborhood contained a variety of garage doors styles, with no one predominant style.

It was suggested that the subject property should honor the 18' build-to line set throughout the rest of the block. It was noted that this would require a variance because the front yard setback in this zoning district is 25'. Mr. March explained that the current design used extra setbacks and slightly skewed building orientation to minimize the impact of the busy intersection (on the residence).

Commissioner Alstrom spoke about the importance of fenestration patterns and window materials. He said the proposed aluminum clad windows were typically single-hung, which he did not find compatible with the environs. Mr. March said the aluminum clad windows had been chosen because they would not require aluminum storm windows. Ms. Zollner noted that the Commission had approved the use of aluminum clad windows in the environs in previous cases.

Mr. March explained how the fenestration pattern and roof line were designed to be a loose interpretation of unique elements found in the listed property. He responded to questioning that the applicant would be willing to apply a 25' setback on the east elevation of the property.

There was discussion about the proposed height of the structure, noting that the site had a significant grade, creating a deceptively high appearance. It was suggested that staff's assessment of the property's grade was incorrect, and that the proposal was not out of scale for the neighborhood.

PUBLIC COMMENT

No member of the public spoke on this item.

COMMISSION DISCUSSION

Commissioner Alstrom clarified his concerns about the windows, saying it was not the materials, but the shape, design and layout of the proposed windows that he did not feel were appropriate for this environs area.

Commissioner Meyer said she appreciated the use of the listed property in designing the proposal, but pointed out that the proposal included windows in atypical locations. It was questioned whether this same concern was applicable to the proposed front porch design.

It was noted that the subject property was located on the far edge of the environs boundary. There was discussion about how this location impacted the appropriate level of review. It was noted that, per the HRC training session held prior to tonight's agenda meeting, the Commission was charged only with protecting the listed property and the character defining features of the environs of a listed property. In light of this direction, several Commissioners felt this proposal had little to no impact on the listed property and that approval per staff's recommendation would be an appropriate action. Other Commissioners felt strongly that the review should be extended to protect the environs as a whole, specifically the character-defining elements of the area.

A discrepancy in the drawings was noted, and Mr. March verified that the drawing of the east elevation was the correct one and that a third window was no longer proposed on this side. He responded to questions that the square window shape was chosen to minimize the view to/from 9th Street while maximizing natural light.

Mr. March expressed the applicant's wish to use the garage door and single-hung windows as shown. He pointed out that bringing the structure closer to the four-square style might result in replication of a historic building, losing the intended "new structure" character.

Alstrom noted several other proposed elements and materials that were not historic in character. Commissioner Sizemore said these concerns were balanced, in his opinion, with the property's location at the very edge of the environs and the complete lack of any visual line between the subject and listed properties.

It was suggested that changing the garage doors would not make the design significantly more compatible. The structure would still "read" as a modern home, and this appearance was not of great concern to several Commissioners because of the property's location.

ACTION TAKEN

Motioned by Antle, seconded by Veatch to approve the Certified Local Government Review for the project at 841 Arkansas Street, based on a determination the project will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following revised conditions:

1. The Arkansas Street build-to line shall correspond to the 25' setback;
2. The applicant shall provide complete construction documents, with material notations to be reviewed and approved by the Historic Resources Administrator prior to release of a building permit; and
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 6-1, with Alstrom voting in opposition.

ITEM NO. 4: DR-05-49-06 805 Ohio Street; Use Permitted Upon Review; Apartments; Certified Local Government Review. The property is located in the Old West Lawrence Historic District, National Register of Historic Places. Submitted by Daniel Riedemann for Kenneth & Frances Riedemann, the property owners of record.

STAFF PRESENTATION

Staff showed pictures of the front and northern elevations.

APPLICANT PRESENTATION

Dan Riedemann, resident of the subject property, spoke on behalf of the property owners. Mr. Riedemann outlined the applicants' wish to continue the existing use of the property as a multi-family dwelling. He described the UPR that had been in place for 12 years, which was based on the original intent of using apartment rental fees to fund repair and renovation of the structure. The conditions of the original UPR included a series of milestones to ensure the renovations occurred in a timely manner, with the ultimate intent of phasing out the apartments and returning the structure to its historic single-family residential use.

Mr. Riedemann said the milestones were nearly complete, but the property owners were now more aware of what it would take (financially) to maintain the structure. They now felt it was unrealistic to expect a single-family use to be successful in such a large home and were pursuing another UPR to allow the continued use of the building as a multi-family dwelling.

It was verified with staff that all the milestones had been addressed (completed, in progress or removed). Ms. Zollner clarified that the proposal was not a continuation of the existing UPR. This request was for an entirely new, stand-alone UPR.

Mr. Riedemann said it would have been impossible to complete the renovations using only apartment rental fees; this source of income had covered only about half of the property owners' current investment in the property. He said that Price Banks, who was just leaving the post of Planning Director when the property was purchased in 1994, said there were no statutes at that time to deal with this "white elephant" property and the city's UPR regulations were developed as a result of this original proposal.

Mr. Riedemann said the structure retained "every bit of its historic integrity." He conveyed the applicants' eagerness to apply for a listing on the Lawrence Register of Historic Places. He also suggested that the main entry might become listed as a National Historic Place.

Commissioner Meyer expressed concern that so much effort had been made to create the apartment units, when the final intent was supposedly to return the building to a single-family use. Mr. Riedemann described a number of unforeseen circumstances that had forced the applicants to make renovations that were not originally anticipated (Ex. basement flooding resulted in a division of utilities).

It was noted that the uses surrounding the subject property (a mix of multi-family and civic uses) made it unlikely that a buyer who could afford to maintain the house as a single-family residence would actually choose to locate there.

Mr. Riedemann said the third floor remodel was no longer proposed because it would require installing a sprinkler system throughout the entire house.

PUBLIC COMMENT

No member of the public spoke on this item.

COMMISSION DISCUSSION

Commissioner Marvin pointed out that the only external element the proposed new UPR would modify was the parking area. She asked why the Commission was looking at a project that would typically require only an administrative review. Ms. Zollner explained that State Law requires the review of special use permits and adaptive reuse requires HRC Approval.

Commissioner Meyer said it seemed the proposal was more akin to a rezoning. She said the property owners must have had some idea what renovation would entail, and she questioned whether the applicants had been sincere in their stated "original intent."

It was discussed that the UPR process allowed for public comment and the application of conditions, including a cyclical review that would ensure continual maintenance of the structure. This was not so with a standard single-family use. It was also noted that a UPR may be revoked at any time if violations of the UPR's conditions are found by the City Commission.

Commissioner Hickam said adaptive re-use was a viable option for many structures of this size as property owners "got real" about how much it cost to maintain the structure.

It was established that a UPR may be tied to the property or the owner.

The majority of the Commission expressed general support for the proposal as a way to keep the structure maintained properly, but stated their concern that appropriate conditions be applied.

There was discussion about interior renovations included in the application. Although these were not technically within the review of the Commission, there was some concern that these interior changes would extend to the creation of even more apartment units.

ACTION TAKEN

Motioned by Alstrom to approve the proposal per staff's recommendation.

Motion withdrawn to allow additional discussion.

COMMISSION DISCUSSION

It was clarified that the applicants had no intent at this time to renovate the third floor space because this would require sprinkler installation throughout the house that would in turn require removal of existing historic material.

Mr. Riedemann said the applicants had no objection to conditioning an annual review of the structure, and that there was no intent to create more apartment units than currently shown on the submitted drawings.

Mr. Riedemann said the State Historic Preservation Office (SHPO) had congratulated the property owners on their preservation efforts, noting that all internal changes had been done in a manner that would allow an easy return to a single-family use if that were ever financially possible.

ACTION TAKEN

Motioned by Alstrom, seconded by Hickam to approve the Certified Local Government Review for the project at 805 Ohio Street, based on a determination that the project will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following revised conditions:

1. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work;
2. The applicant completes the Lawrence Register nomination for the property;
3. The structure shall be open to staff on an annual basis to ensure the structure is being maintained according to the Secretary of the Interiors' Standards; and
4. The UPR shall be valid for 10 years at which time the applicant will return to the HRC for renewal of the UPR.

Motion carried unanimously, 7-0.

ITEM NO. 5: DR-05-50-06 615 Tennessee Street; New Garage Construction; Certified Local Government Review. The property is located in the Old West Lawrence Historic District, National Register of Historic Places. Submitted by Dan Hermreck for Frances Ingemann, the property owner of record.

STAFF PRESENTATION

Staff showed pictures of all elevations, pointing out the rear area where the new garage was proposed for construction.

Staff recommended approval, subject to conditions listed in the staff report.

APPLICANT PRESENTATION

Dan Hermreck spoke on behalf of the applicant, explaining that the original garage was destroyed by a falling tree during recent storms. He described the original garage and the proposed replacement structure, noting that the new garage would have two doors facing the alley, cedar lap siding, and detailing to match the primary structure.

PUBLIC COMMENT

No member of the public spoke on this item.

COMMISSION DISCUSSION

The Commission agreed with staff that the materials and location seemed to be appropriate for the area. It was further noted that the large size of the lot mitigated some impact of the proposed larger garage.

ACTION TAKEN

Motioned by Hickam, seconded by Antle to approve the Certified Local Government Review for the project at 615 Tennessee Street, based on a determination that the project will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following conditions:

1. The applicant provide complete construction documents with material notations and specifications to be reviewed and approved by the Historic Resources Administrator prior to release of a building permit; and
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, 7-0.

ITEM NO.6: DR-05-51-06 830 Massachusetts Street; Exterior modifications for loft apartment. The property is located in Lawrence’s Downtown Historic District, National Register of Historic Places and the Downtown Conservation Overlay District. Submitted by Bo March for LGB Properties, the property owner of record.

STAFF PRESENTATION

Staff showed pictures of the storefront view on Massachusetts Street and the southeastern rear view of the area where the applicant proposed a loft apartment for personal/family use.

APPLICANT PRESENTATION

Bo March spoke on behalf of the applicants, explaining the intent to use the underutilized space above the family-owned businesses for living quarters. Mr. March responded to questions from the Commission with the following answers:

- There is little to no visibility of the subject portion of the building from any direction on public property.
- The applicant would like to have six windows as proposed, although only two to three would be needed to meet the City’s egress requirements.
- Existing windows on the south elevation are in the freight elevator shaft, not the area proposed for living space.
- Access to the living space would be inside the storefront; no external access was proposed.

PUBLIC COMMENT

No member of the public spoke on this item.

COMMISSION DISCUSSION

Commissioner Alstrom stated support for allowing the additional windows (beyond the egress requirements), based on the building code requirements for adequate light and ventilation.

It was agreed that changes in the number and location of windows could be reviewed by staff and did not have to go through ARC or Full Commission review.

ACTION TAKEN

Motioned by Sizemore, seconded by Alstrom to approve the Certified Local Government Review for the project at 830 Massachusetts Street, based on a determination that the project will not encroach upon, damage or destroy any listed property or its environs. Approval was subject to the following revised 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. Changes in the number and location of windows must be reviewed and approved by the Historic Resources Administrator;
3. Any changes to the approved project (other than windows as cited above) will be submitted to the Historic Resources Commission prior to the commencement of any related work;

4. The property owner will allow staff access to the property to photo document the project;
5. The applicant sufficiently complete the site plan process pursuant to Chapter 20, Article 14 of the Code of the City of Lawrence, if required by the Director of Planning, as well as obtain any necessary variances from the Board of Zoning Appeals; and
6. This recommendation is given with the understanding that the City Commission must approve the associated site plan. Approval of this request by staff or the HRC does not guarantee the City Commission will approve the associated site plan.

Motion carried unanimously, 7-0.

ITEM NO. 7: MISCELLANEOUS MATTERS

- A. Review of any demolition permit applications received since the May 18, 2006 regular meeting.

There were no demolition permit requests for review.

- B. Architectural Review Committee and Administrative Reviews since the May 18, 2006 regular meeting.

There were no ARC issues to discuss.

Administrative Reviews

DR-05-43-06 900 block alleyway between Vermont & Kentucky Streets; Site modifications; Certified Local Government Review. The property is located in the environs of Lawrence's Downtown Historic District and the Carnegie Library (200 W. 9th), National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by the City of Lawrence, the property owner of record.

DR-05-44-06 220 W. 6th; Pump station improvements; Certified Local Government Review. The property is located in the environs of the Old West Lawrence Historic District and the Pinckney I Historic District, National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by the City of Lawrence, the property owner of record.

DR-05-45-06 918 Massachusetts Street; Sign; 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 Hanna Building (933 Massachusetts), Lawrence Register of Historic Places and the Downtown Conservation Overlay District. Submitted by Full Bright Sign & Lighting for Norris Holdings LC, the property owner of record.

DR-05-46-06 1613 Tennessee Street, Ludington Thacher House; Roof repair; Certified Local Government Review and Certificate of Appropriateness Review. The property is listed in the National Register of Historic Places and the Lawrence Register of Historic Places. Submitted by Terry Riordan, the property owner of record.

It was verified that the replacement roofing material would match the existing, although the exact type of material was not noted in the application.

DR-05-47-06 838 Louisiana Street; Presto Convenience Store Remediation; 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 Larsen & Associates, Inc. for Lelon Capps and Kandis Taylor Capps, the property owners of record.

ACTION TAKEN

Motioned by Hickam, seconded by Sizemore to approve all Administrative Reviews per Staff.

Motion carried unanimously, 7-0.

C. Provide comment on variance (BZA) requests received since May 18, 2006.

There were no BZA items to discuss.

D. General public comment.

There was no additional comment from any member of the public

E. Miscellaneous matters from City staff and Commission members

a. 2006-2007 Committee Discussion and Selection

Staff explained the purpose of each Committee and Commissioners made volunteer commitments:

Nomination Committee

This Committee was intended to identify properties that qualify for the Lawrence, State, or National Registers of Historic Places. The property owners could then be contacted for their consent. Commissioners Antle, Hickam, Veatch, and Meyer volunteered for the Nomination Committee.

Garage Study Committee

This Committee was intended to finalize the work done on the study and establish a set of guidelines and a checklist for the rehabilitation and demolition of garages in historic areas and the environs.

Commissioner Alstrom suggested these guidelines be expanded to include other kinds of accessory buildings. Staff suggested restricting the guidelines to garage structures to begin with, so the study could be finalized in a timely manner. The guidelines could then be expanded with further study. It was clarified that these were intended only as guidelines, not regulations, but the Commission may choose to request the guidelines be codified at a later date.

It was agreed that it would be appropriate to have more than two Commissioners on this Committee, in addition to representatives from LPA and other neighborhood groups. This would require public notice for all meetings, and Staff was directed to publish a Committee meeting on a monthly basis. Commissioner Alstrom volunteered for the Garage Study Committee. Mike Goans and Virgil Dean were suggested as possible community representatives.

Paul Wilson Awards Committee

This Committee will be responsible for developing criteria for selecting and reviewing nominees, choosing award winners and setting a date for the annual award ceremony. It was discussed that this might be appropriately held in May, which is National Historic Preservation month, or in September, to be linked with the annual LPA meeting. Commissioners Marvin and Hickam volunteered for the Paul Wilson Awards Committee.

Architectural Review Committee

Commissioner Hickam nominated Commissioners Alstrom and Sizemore to continue serving on the ARC.

Liaison to Kansas University

Commissioner Meyer volunteered to act as the Commission's liaison to KU.

b. Other Miscellaneous Matters

Staff responded to questioning that the structure at 8th & New Hampshire Streets (8th Street Taproom) had been cited by Neighborhood Resources for hazardous conditions, specifically noting stucco falling from the building onto the sidewalk. Neighborhood Resources had no additional information but planned to meet with the property owners to discuss plans for repair.

Ms. Zollner said the Sidewalk Dining Guidelines had been forwarded to the City Commission and were anticipated for approval.

ADJOURN – 9:10 pm

Official minutes are on file in the Planning Department office.