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**LAWRENCE HISTORIC RESOURCES COMMISSION**  
**ITEM NO. 6: DR-07-93-07**  
**STAFF REPORT**

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**A. SUMMARY**

**DR-07-93-07:** 618 12<sup>th</sup> Street; Demolition and New Construction; Certified Local Government Review and Certificate of Appropriateness Review. The property is within the environs of the Hancock Historic District, National Register of Historic Places and the Oread Historic District, Register of Historic Kansas Places. The property is within the environs of the Jane A. Snow Residence, National Register of Historic Places and Lawrence Register of Historic Places. Submitted by Thomas Fritzell of Triple T, L.L.C., for himself and Robert Pottroff, the property owners of record.

**B. PROJECT DESCRIPTION**

The applicant is requesting to demolish five existing structures and construct a new multi story structure that will house a hotel, retail, restaurant and lounge. Some of the hotel space on floors 6 and 7 may be extended stay and/or condominiums. The approximate footprint of the proposed structure is 27,628 square feet with gross square footage approximately 92,864 sf with an additional 82,884 sf for parking and 12,862 sf in terrace space.

**C. STANDARD FOR REVIEW**

For Certified Local Government Review of projects within the environs of listed properties, the Historic Resources Commission has typically used the Standards and Guidelines for Evaluating the Effect of Projects on Environs to evaluate the proposed project. Therefore, the following standards apply to the proposed project:

- 1. The character of a historic property's environs should be retained and preserved. The removal or alteration of distinctive buildings, structures, landscape features, spatial relationships, etc. that characterize the environs should be avoided.*
- 2. The environs of a property should be used as it has historically been used or allow the inclusion of new uses that require minimal change to the environs' distinctive materials, features, and spatial relationships.*
- 3. The environs of each property will be recognized as a physical record of its time, place, and use. Changes to the environs that have acquired historic significance in their own right should be retained and preserved.*
- 4. Demolition of character-defining buildings, structures, landscape features, etc. in a historic property's environs should be avoided. When the severity of deterioration requires removal within the environs, compatible reconstruction shall occur.*
- 5. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.*

*6. New additions, exterior alterations, infill construction, or related new construction should not destroy character-defining features or spatial relationships that characterize the environs of a property. The new work shall be compatible with the historic materials, character-defining features, size, scale and proportion, and massing of the environs.*

*7. Moved historic properties that have not retained or acquired historic significance in their new environs shall be considered as artifacts without environs.*

For Certificate of Appropriateness Review, Section 22-505 of the Code of the City of Lawrence indicates that the least stringent standard of evaluation be applied to properties within the environs of listed properties:

*4. The least stringent evaluation is applied to noncontributory properties and the environs area of a landmark or historic district. There shall be a presumption that a certificate of appropriateness shall be approved in this category unless the proposed construction or demolition would significantly encroach on, damage, or destroy the landmark or historic district. If the Commission denies a certificate of appropriateness in this category, and the owner(s) appeals to the City Commission, the burden to affirm the denial shall be upon the commission, the City or other interested persons.*

For projects requiring a Certificate of Appropriateness, the Historic Resources Commission must use the general standards and design criteria listed in Section 22-505 of the Code of the City of Lawrence. Therefore, the following standards apply to the proposed project:

*1. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, site or object and its environment, or to use a property for its originally intended purpose;*

*2. The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible;*

*3. All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create an earlier appearance shall be discouraged;*

*4. Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected;*

*5. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity;*

*6. Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new materials should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence, rather than*

*on conceptual designs or the availability of different architectural elements from other buildings or structures;*

*7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material shall not be undertaken;*

*8. Every reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to, and project;*

*9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alteration and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environs.*

#### **D. STAFF ANALYSIS**

The applicant is requesting to demolish five existing structures and construct a new multi story structure that will house a hotel, retail, restaurant and lounge. Some of the hotel space on floors 6 and 7 may be extended stay and/or condominiums. The approximate footprint of the proposed structure is 27,628 square feet with gross square footage approximately 92,864 sf with an additional 82,884 sf for parking and 12,862 sf in terrace space.

##### Environs Review

Environs review begins with the identification of the character-defining features of the environs, its historic and current character, and what must be retained in order to preserve that character. The character for a listed property's environs may be defined by form, exterior materials, exterior features and elements, as well as size, scale and proportion, massing, spatial relationships and similar factors. Line of site to the listed property is a key consideration when evaluating projects for their effect on a listed property.

The character defining features of the environs of the Hancock Historic District and the Oread Historic District are very similar. While the Oread Historic District developed over a longer period of time, the development of the Hancock District in the "Quiet University Town" period as described by the Multiple Property Documentation Form echoes the final period of significance in the Oread District. Historically, both districts and their environs were mainly residential in structure type and spatial relationships. The Sanborn Fire Insurance Maps do not cover this entire area until 1927; however, the index maps show the overall street pattern of the area. It is interesting to note from the Sanborn Maps that other than the railroads, Oread Avenue is the only street that is designed on a diagonal. (See attached Sanborn Maps). While a portion of University land is included in the environs of the districts, it is a small portion of the overall environs.

##### Demolition

Demolition of structures, especially historic structures, is rarely positive for a neighborhood because it destroys the relationships between the structures, landscape features and open space and, as a result, the overall character of the area is diminished. When possible, staff prefers rehabilitation to retain structures and their relationship to the environs of the listed properties. Rehabilitation allows

for the retention of the relationship of structures and open space within the environs of the listed properties. When demolition is approved, it removes the opportunity for a future owner to rehabilitate the existing structure while maintaining the overall character of the environs of the listed properties. The proposed project includes the demolition of five structures; four of the structures are historic (1144 and 1142 Indiana Street and 618 and 620 W 12<sup>th</sup> Street). Of the four historic structures, only one – 1142 Indiana Street – appears to retain its architectural integrity. The other three historic structures have had significant alterations that have compromised their architectural integrity; however, they continue to have visibly significant features and do have some social significance.

	
1144 Indiana Street Historic structure with alterations	1142 Indiana Street Historic Structure that maintains architectural integrity
	
618 W 12 <sup>th</sup> Street Historic Structure with alterations	620 W 12 <sup>th</sup> Street Historic Structure with alterations showing remaining significant feature



#### New Construction

The proposed new structure is a multi-story structure that will house a hotel, restaurant and bar, and possible retail, extended stay, and condominiums. The applicant has worked diligently with the neighborhood to identify materials, forms, spaces, and massing that will help integrate the project into the neighborhood. Staff applauds this effort and acknowledges that the current proposal, while larger than previous proposals, reflects changes to address the concerns of the neighborhood. The proposed materials are compatible with the environs of the listed historic properties.

#### Off Site Public Improvements

As part of the overall development plan for the proposed project, the applicant has submitted plans for the realignment of Oread Avenue. The applicant proposes that the realignment will allow for improved vehicular movement from Indiana Street to Oread Avenue and improved pedestrian safety at the intersection of W. 12<sup>th</sup> Street and Oread Avenue. Staff has some concerns about the realignment of this street because it is the only street shown on the 1897 Sanborn Fire Insurance maps that is laid on the diagonal. Oread Avenue continues to be the only street on the diagonal until the mid Twentieth Century. The applicant has adjusted the realignment so that only approximately 150' of the road will be realigned to make the "T" intersection.

#### Project Analysis

Overall, staff is of the opinion that the project, as proposed does not meet the applicable standards and guidelines. Following is each identified standard and staff's analysis of how the proposed project does not meet the standard.

#### Standards and Guidelines for Evaluating the Effect of Projects on Environs

- 1. The character of a historic property's environs should be retained and preserved. The removal or alteration of distinctive buildings, structures, landscape features, spatial relationships, etc. that characterize the environs should be avoided.*

The proposed project includes the demolition of the structure located at 1142 Indiana Street. This historic structure is shown on the 1927 Sanborn Fire Insurance Maps. The structure maintains its architectural integrity and is a character defining feature of the environs of the listed properties.

The removal of the existing structures and the replacement of them with one large scale structure will significantly alter the landscape features – front and rear yards, and spatial relationships - spaces between structures that help to identify individual lots that were once residential - that characterize the environs. In

addition, the height of the proposed structure will alter the spatial relationship between the heights of the existing structures in the environs. (See attached 1949 Sanborn Map for historic spatial relationships.)

Overall, the environs of the listed properties will be significantly altered and diminished by the removal of the existing structures and the construction of the proposed structure. There is a direct line of site to the Hancock Historic District.

*2. The environs of a property should be used as it has historically been used or allow the inclusion of new uses that require minimal change to the environs' distinctive materials, features, and spatial relationships.*

The historic use of the environs of the listed properties was residential contained in structures from one to three stories in height. The structures located at 1144 Indiana and 618, 620 W 12<sup>th</sup> Street were converted to commercial use and have achieved significance as such. The proposed use does not appear to be incompatible with the environs of the listed properties. However, the proposed use as contained in the proposed structure will require significant changes to the environs' character defining features – structure size, scale, and massing, and spatial relationships between structures.

*4. Demolition of character-defining buildings, structures, landscape features, etc. in a historic property's environs should be avoided. When the severity of deterioration requires removal within the environs, compatible reconstruction shall occur.*

The demolition of the five structures for this project is not warranted by their condition. Demolition is a means to allow for the proposed new structure. While not all five buildings are character-defining (only 1144 Indiana is character-defining), the pattern of the existing structures is historic and is character-defining for the environs of the listed properties.

The proposed new construction is not compatible in size, scale and proportion, or massing with the environs of the listed properties.

*6. New additions, exterior alterations, infill construction, or related new construction should not destroy character-defining features or spatial relationships that characterize the environs of a property. The new work shall be compatible with the historic materials, character-defining features, size, scale and proportion, and massing of the environs.*

The proposed new construction destroys character-defining features and spatial relationships that characterize the environs of the listed properties. Specifically, the character-defining structure located at 1144 Indiana Street, the loss of identifiable historically plated lots, front yard setbacks, rear yards, heights of structures, existing trees, spatial relationships between adjacent structures as well as those that are offset across Indiana Street, loss of view-shed up the hill from the Hancock district, new spatial relationship that will diminish the "feel" of the height of the existing historic structures in the environs of the listed properties and the listed properties in the Hancock Historic District.

The proposed new construction is compatible with historic materials that are found in the environs of the listed properties; however, it is not compatible with the character-defining features, size, scale and proportion, and massing of the environs. The majority of the structures in the environs of the listed properties are less than four stories in height. In addition, very few – and all of those are non-historic – take up more than a double lot. Scale and proportion of the structures in the environs is equal to that in the historic district in that the majority of the structures do not exceed three stories in height. It should be noted, however, that this specific block where the new construction is proposed has lost the majority of historic structures and they have been replaced with inappropriate new construction. The proposed new construction has features and proportions relative to its approximately 100' plus height and the 21,000 sf footprint. While the massing of the proposed structure has been visually reduced by changes in the architectural style and materials, the overall massing of the structure because of its size is still incompatible

with the environs of the listed properties. The height of the proposed structure will create a direct line of site to the Oread Historic District. There is a direct line of site to the Hancock Historic District.

Certificate of Appropriateness Review, Section 22-505 of the Code of the City of Lawrence

4. *The least stringent evaluation is applied to noncontributory properties and the environs area of a landmark or historic district. There shall be a presumption that a certificate of appropriateness shall be approved in this category unless the proposed construction or demolition would significantly encroach on, damage, or destroy the landmark or historic district. If the Commission denies a certificate of appropriateness in this category, and the owner(s) appeals to the City Commission, the burden to affirm the denial shall be upon the commission, the City or other interested persons.*

Staff is of the opinion that the enormity of the proposed construction will significantly encroach on and damage the landmark Jane A. Snow House. There is a direct line of site from the project site to the Snow House.

General standards and design criteria listed in Section 22-505 of the Code of the City of Lawrence.

1. *Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, site or object and its environment, or to use a property for its originally intended purpose;*

There is no documentation in the application to show that reasonable efforts have been made to provide for a compatible use for the properties located in the environs of the Snow House.

9. *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alteration and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environs.*

The contemporary design is not compatible with the size, scale, and character of the environs of the Jane A. Snow house.

While the current proposal does not appear to meet the intent of the Standards and Guidelines for Evaluating the Effect of Projects on Environs and Chapter 22 of the Code of the City of Lawrence, staff is of the opinion that the overall project concept can work in this location with adjustments in the overall size of the footprint of the structure and the overall height and massing of the structure. Staff recommends the applicant work with the Architectural Review Committee to adjust the overall scale of the project to achieve the goals of the project while meeting the intent of the Standards and Guidelines for Evaluating the Effect of Projects on Environs and Chapter 22 of the Code of the City of Lawrence. This can be accomplished by reducing the height of the structure and designing the footprint and elevations of the structure so that they appear more residential and by including green space between sections of the building on the ground level.

**E. STAFF RECOMMENDATION**

In accordance with the Standards and Guidelines for Evaluating the Effect of Projects on Environs, and Chapter 22 of the Code of the City of Lawrence, the standards of evaluation, staff recommends the Commission deny the proposed project and make the determination that the proposed project does encroach upon, damage, or destroy the environs of the listed historic properties. As proposed,

the project does not meet the following standards:

Standards and Guidelines for Evaluating the Effect of Projects on Environs

- 1. The character of a historic property's environs should be retained and preserved. The removal or alteration of distinctive buildings, structures, landscape features, spatial relationships, etc. that characterize the environs should be avoided.*
- 2. The environs of a property should be used as it has historically been used or allow the inclusion of new uses that require minimal change to the environs' distinctive materials, features, and spatial relationships.*
- 4. Demolition of character-defining buildings, structures, landscape features, etc. in a historic property's environs should be avoided. When the severity of deterioration requires removal within the environs, compatible reconstruction shall occur.*
- 6. New additions, exterior alterations, infill construction, or related new construction should not destroy character-defining features or spatial relationships that characterize the environs of a property. The new work shall be compatible with the historic materials, character-defining features, size, scale and proportion, and massing of the environs.*

Chapter 22 Section 505

- 1. Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, site or object and its environment, or to use a property for its originally intended purpose;*
- 9. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alteration and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environs.*