

**HISTORIC RESOURCES COMMISSION
AGENDA MEETING- MAY 21ST 2009--6:45 PM
ACTION SUMMARY**

Commissioners present: Wiechert, Veatch, Meyer, Marvin
Commissioners excused: Sizemore, Antle, Williams
Staff present: Braddock Zollner, Parker

ITEM NO. 1: ACTION SUMMARY

Commissioner Veatch suggested one change to the March 26, 2009 Action Summary.

Motioned by Commissioner Veatch, seconded by Commissioner Marvin, to approve the March 26th, 2009 Action Summary with one correction noted.

Motion carried unanimously, 4-0

Motioned by Commissioner Veatch, seconded by Commissioner Meyer, to approve the April 16th, 2009 Action Summary.

Motion carried, 3-0-1 Commissioner Marvin abstained

ITEM NO. 2: COMMUNICATIONS

- a) Ms. Braddock Zollner stated the Oread Neighborhood Association had written a letter regarding additional Boarding Houses within the Oread Neighborhood, which was part of the packet the Commissioners received. She said additional information regarding 1037 Kentucky Street had been received and presented to the Commission.
- b) Commissioner Veatch stated he would abstain from Administrative Review DR-4-31-09 1740 Massachusetts street.

ITEM NO. 3: DR-3-27-09 1037 Kentucky Street; Remodel; Certified Local Government Review and Certificate of Appropriateness Review. The property is listed as a non-contributing structure to the Oread Historic District, National Register of Historic Places. The property is also located in the environs of the Col. James and Eliza Blood House (1015 Tennessee), Dr. Frederick D Morse House (1041 Tennessee), George and Annie Belle House (1008 Ohio), Lawrence's Downtown Historic District, National Register of Historic Places. Submitted by Dan Hermreck for Eric Oligschlaeger, the property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Dan Hermreck stated the structure at 1037 Kentucky Street was divided into four apartments for student housing. He said the owner would like to convert the structure back to a six unit congregate living home. Mr. Hermreck stated he would expand the basement for additional living space and rebuild the stair to the second floor. He said the door would be removed and the wood window would be replaced. He said the deck would be removed and paved parking would be added in the rear of the structure. Mr. Hermreck stated three egress windows would be installed in the basement and the foundation would be replaced. Mr. Hermreck said the metal roof would be replaced with a rubber roof and the cedar siding would be repaired. Mr. Hermreck stated the property owner had applied for Federal and State tax credits.

Commissioner Wiechert asked Mr. Hermreck what the foundation material was made of.

Mr. Hermreck stated the foundation consisted of concrete, brick, and stone. Mr. Hermreck showed photos and explained the basement plan. He said the basement was living quarters at one time. He said there would be two bedrooms a bath and game room in the basement of the structure.

Commissioner Wiechert asked Mr. Hermreck where the egress windows would be installed.

Mr. Hermreck stated egress windows would be installed in the basement on the north west corner, the far west side and the south east side of the basement.

PUBLIC COMMENT

No one from the public spoke to this item.

COMMISSION DISCUSSION

Commissioner Meyer recommended the property owner apply for tax credits.

ACTION TAKEN

Motioned by Commissioner Veatch, seconded by Commissioner Wiechert, to approve the approve the proposed project with the following conditions, and make the determination that the proposed project does not encroach upon, damage, or destroy any listed properties or the environs of listed historic properties.

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. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work;
3. The property owner will allow staff access to the property to photo document the project before, during, and upon completion of the project.

Motion carried unanimously, 4-0

ITEM NO. 4: DR-4-42-09 701 Ohio Street; Rehabilitation; 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 Mathew All, the property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Mark Russell, architect for the property owner stated the French door would be replaced along with repairing the lap siding. He said the double hung windows would be replaced to make the windows more energy efficient.

Commissioner Wiechert asked Mr. Russell if the materials being replaced were the originals.

Ms. Braddock Zollner asked Mr. Russell if all the windows in the structure would be replaced.

Mr. Russell stated all of the windows would be replaced.

Ms. Braddock Zollner stated she did not know if all the windows were the original windows.

Commissioner Veatch said windows were always a concern. He said the windows should be repaired if possible. Commissioner Veatch stated Staff suggested a window assessment be completed.

Commissioner Meyer asked Ms. Braddock Zollner if she had met with the property owner.

Ms. Braddock Zollner stated the project was in front of the Commission due to the property owner wanting to replace the windows rather than repair them.

Commissioner Wiechert asked Ms. Braddock Zollner to explain the construction of an aluminum clad window.

Ms. Braddock Zollner stated aluminum clad windows have wood interior.

Mark Russell said the windows were wood with aluminum clad.

Commissioner Meyer asked Mr. Russell if he agreed with the staff recommendation.

Mrs. All stated she was open to any decision made by Staff.

Commissioner Meyer asked Staff who would perform the window assessment.

Ms. Braddock Zollner stated the applicant could have someone of their choice conduct the analysis or Staff would be happy to meet with them. The Lawrence Preservation Alliance is also a good resource to assist with the window assessment.

PUBLIC COMMENT

No one from the public spoke to this item.

COMMISSION DISCUSSION

No discussion on the item.

ACTION TAKEN

Motioned by Commissioner Marvin, seconded by Commissioner Wiechert, to approve the rehabilitation for 701 Ohio Street with the following conditions, and make the determination that the proposed project does not encroach upon, damage, or destroy the listed property or the environs of the listed historic properties.

1. The applicant conducts a window assessment to evaluate the need to replace all of the windows. Only the windows that need replacement should be replaced with aluminum clad wood windows that match the existing profile and light configuration.
2. The applicant provide complete construction documents, with material notations, including window and door details, to be reviewed and approved by the Historic Resources Administrator prior to release of a building permit;
3. Any changes to the approved project 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 before work commences, during construction, and upon completion of the project.

Motion carried unanimously, 4-0

ITEM NO. 5: DR-4-44-09 1242 Massachusetts Street; Special Use Permit; Certified Local Government Review. The property is in the environs of South Park (1140 Massachusetts), Lawrence Register of Historic Places; the John N. Roberts House (1307 Massachusetts), Lawrence's Downtown Historic District, South Rhode Island Historic District, and the North Rhode Island Historic District, National Register of Historic Places. Submitted by Loring Henderson for Douglas County, the property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Loring Henderson, Lawrence Community Shelter stated the building would be used as a temporary night shelter. He said by the end of June 2009, the community shelter would assume responsibility for an additional forty-two families and individuals in addition to the thirty-one that are now housed at 214 west 10th Street. Mr. Henderson said the Shelter would sleep up to fifty people and be open from 8:00pm to 7:00am in the summer and until 8:00am in the winter. He said an evening meal would be brought in and there would be showers and mats to sleep on. Mr. Henderson said there would be an outside smoking area. He stated the shelter would not be an open shelter and was intended to be just a night facility. He said two new bathrooms would be installed, two exits and a ramp on the outside of the structure.

Commissioner Wiechert asked Mr. Henderson where clients would gather outside prior to the building opening.

Mr. Henderson stated clients would gather on the south side of the building.

Commissioner Wiechert asked Mr. Henderson if there would be families at the shelter and if they would be separated from the others.

Mr. Henderson stated there would be room for two families.

Commissioner Wiechert asked Mr. Henderson where the smoking area would be.

Mr. Henderson said there was a parking area that would be used as a smoking area. He said clients would be accompanied by a staff person while smoking.

Commissioner Meyer asked the applicant if he was familiar with the staff recommendation.

Mr. Henderson stated he was not familiar with the staff recommendation.

Ms. Braddock Zollner provided Mr. Henderson a copy of the staff recommendation.

Mr. Henderson stated he was agreeable with the staff recommendation.

Commissioner Wiechert asked the applicant if there was a plan for a permanent shelter.

Mr. Henderson stated the sites were narrowed down to three. He said the Special Use Permit would soon expire at the current Tenth Street location.

PUBLIC COMMENT

Ms. KT Walsh stated she lived five blocks from the proposed location and was happy with the temporary shelter. She said she did not think there would be an effect on the surrounding properties in terms of historic preservation.

COMMISSION DISCUSSION

Commissioner Veatch stated he found special use permits challenging.

Commissioner Wiechert said in terms of preservation he did not see a problem.

Commissioner Meyer stated there were currently homeless people in South Park which was not far from the proposed location. Commissioner Meyer stated the proposal was an environs review.

Ms. Braddock Zollner stated the property location was between two listed properties.

ACTION TAKEN

Motioned by Commissioner Veatch, seconded by Commissioner Wiechert, to approve the Special Use Permit for 1242 Massachusetts Street, with the following conditions, and make the determination that the proposed project does not encroach upon, damage, or destroy any listed properties or the environs of listed historic properties.

1. The applicant provides a designated area on the site for smoking that is not in the primary line of site to the Robert's House.
2. The applicant provide complete construction documents, with material notations, including ramp specifications 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;
4. The property owner will allow staff access to the property to photo document the project before, during, and upon completion of the project.
5. This recommendation is given with the understanding that the City Commission must approve the associated Special Use Permit. Approval of this request by staff or the HRC does not guarantee the City Commission will approve the associated Special Use Permit;

Motion carried unanimously, 4-0

ITEM NO. 6: DR-4-45-09 135 and 137 Pawnee Ave; Rezoning; Certified Local Government Review. The property is in the environs of Haskell – Pushmahata Hall, National Register of Historic Places. Submitted by Landplan Engineering, P.A. for Haskell Light Inc, the property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Stanley Sneegas, President of the Board of Directors of Haskell Light, Inc., gave a presentation explaining Haskell Light Inc. He said in 2007 Haskell Light, Inc. merged with a National Lutheran Association. He said the current usage was the same as the proposed usage. Mr. Sneegas stated currently there were worship services, counseling, and youth groups that use the location. He said some Haskell activities take place at the location. Mr. Sneegas stated the property was inside Haskell environs and close to the Breezedale area. He stated the structure would be used for the next four to six years. Mr. Sneegas stated the structure would then be demolished and a new structure would be built. Mr. Sneegas stated he concurred with the staff recommendations.

Commissioner Marvin asked what the current zoning of the Baptist center behind the property was.

Mr. C.L. Maurer stated the zoning of the Baptist Center was RS5.

Commissioner Wiechert asked to see a map of the area. He asked if the property was south of the Baptist Center and if there was anything to the west of the site.

Mr. Sneegas stated west of the site was 133 Pawnee Avenue which was a rental property.

PUBLIC COMMENT

Cheryl Percival stated she lived across the street from 137 Pawnee Avenue. She stated she was not opposed to the light house and had called Mr. Sneegas to meet with him and he had not returned her call. Ms. Percival said she had lived at 132 Pawnee Avenue for thirty-five years. She said she had called the City a month ago regarding the trash in the neighborhood but her phone call was not returned. Ms. Percival stated she owned 100 rental properties in Lawrence and wanted to keep Breezedale separate from Haskell. She said she was not a disgruntled neighbor but she should be. Ms. Percival stated 137 Pawnee Avenue was loaded with mold and the property owner was planning on renting it to a tenant. Ms. Percival stated she had asked if the persons staying at the property had been screened and if there had been sexual predators staying there. Ms. Percival said she had asked the property owner if there could be more interest in the neighborhood. She stated she had four houses in the Breezedale area and she kept the neighborhood clean. Ms. Percival stated she lived simply and wanted peace and quiet. She said the property was in the middle of the block and she was concerned with the mold and asked if there would be water run off problems.

Commissioner Meyer said the issue tonight was strictly the rezoning. She said the demolition and the plan to rebuild a new structure would come back to the Historic Resources Commission.

Ms. Percival stated if the site gained approval from the Historic Resources Commission then most likely the City Commission would approve the site also. She said if a rape occurred in the building she would hold someone accountable. Ms. Percival stated there needed to be some accountability. She said she had hired Mr. Ron Schneider to look into the situation.

Commissioner Veatch stated the Historic Resources Commissions job was to look at the Historic environs issue.

Ms. Percival asked if placing a building in the middle of the block would blend in with the neighborhood.

Commissioner Veatch stated the applicant proposed to rezone the area for a use that had gone on for thirty years. He said the use would not change.

Ms. Percival stated she knew about history in Lawrence. She said she did not understand the benefit of the building in the neighborhood.

Commissioner Veatch said the Historic Resources Commissions goal was to figure out if the rezoning would adversely impact the area.

Ms. Percival stated the use would encroach upon the neighbors.

Commissioner Veatch stated the use of the building had been the same for the past thirty years.

Ms. Percival stated the Historic Resources Commission had been misinformed. She said there had been people staying and sleeping in the structure. She said the building was being used as more than a fellowship hall.

Commissioner Meyer asked the applicant if the building was being used as temporary housing or a shelter.

Mr. Sneegas stated in the past year there had been twenty two days that people had stayed the night in the building but that was not the normal use. He said there was no intent to build bedrooms.

Commissioner Veatch said the application stated the structure would hold administrative and professional offices.

Ms. Percival stated a student had lived in the structure for six months. She said she had complained to City Hall but was getting no where with the complaints. She said the Breezedale area was a nice community and she did not want a shelter in the area. Ms. Percival stated the structure was filled with mold and she did not see the point of rezoning the property.

Neal Hart stated he owned the property on Winona Avenue. He said he saw the rezoning as a positive step.

Mr. Sneegas stated the property owner of 117 Pawnee Avenue was his mother and she supported the applicant's request.

COMMISSION DISCUSSION

Commissioner Veatch asked Staff to explain the staff recommendation.

Ms. Braddock Zollner stated the City of Lawrence can approve conditional zoning. She said there was nothing in the current code that would fit the exact use the applicant proposed. Ms. Braddock Zollner stated the code had been amended to allow social service agencies in the RSO district and that is where the 135 and 137 Pawnee Avenue fit the most logically. Ms. Braddock Zollner stated the use had fit with the neighborhood for approximately thirty years. She stated the Historic Resources Commission could recommend to the Planning Commission and the City Commission that by conditioning the zoning it would allow for the use to continue but would not open the door for those other uses that might not fit with the neighborhood.

Commissioner Marvin asked Ms. Braddock Zollner if it would be permanent if the stipulation was put into place by the City of Lawrence.

Ms. Braddock Zollner said the conditional zoning would remain until it was rezoned.

Commissioner Veatch asked Ms. Braddock Zollner why Staff did not propose a Special Use Permit.

Ms. Braddock Zollner stated the applicant was looking for something more permanent than a Special Use Permit.

Commissioner Veatch asked Ms. Braddock Zollner to explain social service agency use.

Ms. Braddock Zollner stated social service agency use was a new use that was just added to the development code which would allow for meeting space, an administrator, computer space and those type things.

Commissioner Veatch asked if social service agency use would allow bedrooms.

Ms. Braddock Zollner read the code to the Historic Resources Commission indicating a social service agency use would not allow bedrooms.

ACTION TAKEN

Motioned by Commissioner Veatch, seconded by Commissioner Wiechert, to approve the rezoning for 135 and 137 Pawnee Avenue, with the following conditions as listed in the staff recommendation:

1. Recommendation to the Planning Commission and the City Commission that the zoning be conditioned to allow only the uses allowed in RS5 and the student center/social service agency use.
2. Any changes to the approved project, including future demolition and new construction, will be submitted to the Historic Resources Commission for review and approval prior to the commencement of any related work;
3. The property owner will allow staff access to the property to photo document the project before, during, and upon completion of the project.

4. This recommendation is given with the understanding that the City Commission must approve the associated rezoning. Approval of this request by staff or the HRC does not guarantee the City Commission will approve the associated zoning.

Motion carried unanimously, 4-0

ITEM NO. 7: MISCELLANEOUS MATTERS

A. No demolition permit applications received since the April 16, 2009 regular meeting.

B. No Architectural Review Committee or Administrative Reviews since the April 16, 2009 regular meeting.

Administrative Reviews

- DR-4-28-09 1042 Tennessee Street; Remodel; Certified Local Government Review and Certificate of Appropriateness Review. The property is listed as a contributing structure to the Oread Historic District, National Register of Historic Places. The property is also located in the environs of the Col. James and Eliza Blood House (1015 Tennessee), Dr. Frederick D Morse House (1041 Tennessee), George and Annie Belle House (1008 Ohio), Lawrence's Downtown Historic District, National Register of Historic Places. Submitted by Paul Werner for Clay Brejcha, the property owner of record.
- DR-4-30-09 1900 Massachusetts Street; Resurface Sign; Certificate of Appropriateness Review. The property is located in the environs of Fire Station No. 2 (1839 Massachusetts), Lawrence Register of Historic Places. Submitted by Nathan Robinson for Jeffery Clark, the property owner of record.
- DR-4-31-09 1740 Massachusetts Street; Sign Resurface to Monument; Certified Local Government Review. The property is located in the environs of the Edwards House (1646 Massachusetts) and the Eugene F. Goodrich House (1711 Massachusetts), National Register of Historic Places. Submitted by Kip Slattery for Dillons Companies Inc, the property owner of record.
- DR-4-32-09 1645 Tennessee Street; Sign; Certified Local Government Review and Certificate of Appropriateness Review. The structure is in the environs of the Ludington/Thacher House (1613 Tennessee), National Register of Historic Places. Submitted by Sigma Phi Epsilon, the property owner of record.
- DR-4-33-09 1301 W Campus Road; Sign; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the Chi-Omega Sorority House (1345 W. Campus Road), Register of Historic Kansas Places, and the Fernand-Strong House (1515 University Drive), National Register of Historic Places. Submitted by Sigma Alpha Epsilon, the property owner of record.
- DR-4-34-09 1339 W Campus Road; Sign; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the Chi-Omega Sorority House (1345 W. Campus Road), Register of Historic Kansas Places, and the Fernand-Strong House (1515 University Drive), National Register of Historic Places. Submitted by Sigma Gamma Phi Beta, the property owner of record.
- DR-4-35-09 1245 W Campus Road; Sign; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the Chi-Omega Sorority House (1345 W. Campus Road), Register of Historic Kansas Places, and the Fernand-Strong House (1515 University Drive),

- National Register of Historic Places. Submitted by University of Kansas, Delta Phi Association, the property owner of record.
- DR-4-36-09 1325 W Campus Road; Sign; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the Chi-Omega Sorority House (1345 W. Campus Road), Register of Historic Kansas Places, and the Fernand-Strong House (1515 University Drive), National Register of Historic Places. Submitted by XI Chapter of Sigma Kappa, the property owner of record.
- DR-4-37-09 1439 Tennessee Street; Sign; Certified Local Government Review. The property is in the environs of the John Palmer and Margaret Usher House (1425 Tennessee); the Ludington/Thacher House (1613 Tennessee); and the William Priestly House (1505 Kentucky), National Register of Historic Places. Submitted by Adam McGonagle for Alpha XI Sigma Chi, the property owner of record.
- DR-4-38-09 720 E 9th Street; Site Plan; Certified Local Government Review. The property is located in the 8th and Pennsylvania Urban Conservation Overlay District. The property is also located in the environs of the East Lawrence Industrial District, National Register of Historic Places. Submitted by Michael E. Riling for Cinco Hombres LLC , the property owner of record.
- DR-4-39-09 734 Mississippi Street; Remodel; 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 Brian Kilgore for Judith Leibengood, the property owners of record.
- DR-4-40-09 1420 Crescent Drive; Special Event Permit; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the Chi-Omega Sorority House (1345 W. Campus Road), Register of Historic Kansas Places, and the Fernand-Strong House (1515 University Drive), National Register of Historic Places. Submitted by William Muggy, the property owners of record.
- DR-4-43-09 603 Tennessee Street; Special Use Permit; Certified Local Government Review. The property is listed as a contributing structure to the Old West Lawrence Historic District, National Register of Historic Places. The property is also located in the environs of the Pinkney I Historic District, National Register of Historic Places. Submitted by Rainbow Works LLC, the property owner of record.

Public comment

Commissioner Wiechert asked Ms. Braddock Zollner to explain 734 Mississippi Street.

Ms. Braddock Zollner stated 734 Mississippi Street was a kitchen remodel.

Commissioner Wiechert asked Ms. Braddock Zollner to explain 1420 Crescent Drive.

Ms. Braddock Zollner stated the Special Use Permit was for a book sale at 1420 Crescent Drive.

ACTION TAKEN

Motioned by Commissioner Meyer, seconded by Commissioner Wiechert to confirm administrative review DR-4-31-09; 1740 Massachusetts street.

Motion carried, 3-0-1 Commissioner Veatch abstained

ACTION TAKEN

Motioned by Commissioner Meyer, seconded by Commissioner Veatch to confirm the remaining administrative reviews.

Motion carried unanimously, 4-0

- C. No comment on variance (BZA) requests received since April 16, 2009.
- D. No General public comment.
- E. Miscellaneous matters from City staff and Commission members.

Ms. Braddock Zollner stated the State Preservation Conference was scheduled for June 3 – June 6, 2009.

ACTION TAKEN

Motioned by Commissioner Meyer, seconded by Commissioner Marvin, to adjourn the Historic Resources Commission meeting.

Motion carried unanimously, 4-0

ADJOURN – 8:20p.m.