

**HISTORIC RESOURCES COMMISSION
AGENDA MEETING—FEBRUARY 19, 2009--6:30 PM
ACTION SUMMARY**

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

ITEM NO. 1: ACTION SUMMARY

Commissioner Veatch suggested one change to the January 15th, 2009 Action Summary.

Motioned by Commissioner Veatch, seconded by Commissioner Marvin, to approve the January 15th, 2009 Action Summary.

Motion carried unanimously, 5-0

ITEM NO. 2: COMMUNICATIONS

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

Ms. Braddock Zollner stated the packet included two letters about the Ecumenical Christian Ministries nomination.

- b) No declaration of abstentions from specific agenda items by Commissioners.

ITEM NO. 3: L-12-03-08 1204 Oread Avenue, Ecumenical Christian Ministries Building. Submitted by Tom Harper for Ecumenical Christian Ministries at KU Inc., the property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Tom Harper stated he had been working on the nomination for the Ecumenical Christian Ministries Building for over a year. He said the building had a long rich history which included social history. Mr. Harper stated the building was an important place for people from Kansas University and the community to meet over the years.

Ms. Leslie Tuttle presented a slide show and explained the fifty year history of the Ecumenical Christian Ministries building.

Mr. Harper presented a slide show and photos of the fifty year history of the Ecumenical Christian Ministries building.

Commissioner Antle arrived.

Thad Holcomb stated he moved to the area in 1991. He said many community groups meet at the Ecumenical Christian Ministries building. He said currently there was a campaign to preserve the building.

PUBLIC COMMENT

Dennis Brown stated the Lawrence Preservation Alliance was in support of the local nomination for the Ecumenical Christian Ministries building and was supportive of the building being nominated to the State and National Registers. Mr. Brown stated the structure was an excellent local example of the modernist movement in post war architecture and an example of great construction by BA Green Construction Company. He said the building had retained a great deal of its architectural integrity, including the chairs in the building that were still used daily. Mr. Brown said modernist architecture, as it related to preservation; helped break the misperception that preservationist only focus on the past and long for the good old days. He said modern architecture was the virtual antithesis of Victorian architecture. He said as post war architecture passes the fifty year milestone for consideration to historic registers it was a great reminder that preservation is not static and that it challenged the buildings being built today to be lasting. He said preservation is community recognition of the built environment among us.

COMMISSION DISCUSSION

Commissioner Wiechert asked Mr. Holcomb to explain the preservation campaign.

Mr. Holcomb stated the goal was to keep the reconstruction as green as possible. He said the heating and air conditioning needed replaced. Mr. Holcomb stated a new kitchen, painting, and a parking lot was needed. He said the estimated cost for the repairs was \$850,000.00 to \$900,000.00.

Commissioner Antle stated some parts of campus history had been lost in the area of the Ecumenical Christian Ministries building.

Commissioner Sizemore stated the building could stand alone on its architecture. He said the letters received addressed the restrictions or additional burden the environs might cause on the surrounding property. Commissioner Sizemore stated the environs of the property was enclosed within already established environs.

Commissioner Meyer said some of the property owners in the area were not within the environs.

Ms. Braddock Zollner stated various homes in the area on Ohio Street and Louisiana Street were not within the environs. She said 1210 Ohio, 1212 Ohio, 1229 Ohio, 1231 Ohio, 1241 Ohio, 1247 Ohio, and 1244 Louisiana were not in the proposed local environs. She said the other letter that was received asked the Commission to take no action at tonight's Commission meeting.

Commissioner Meyer said the letters regarding the project mailed to the surrounding property owners were dated February 9th. She asked Ms. Braddock Zollner if it would have been possible to send notice sooner.

Ms. Braddock Zollner said the Code was written to notify the property owners within a certain period of the publishing in the newspaper. She said the notification was sent within a two week period of the publishing.

Commissioner Meyer asked if the letter indicated how many feet the radius surrounding the property consisted of.

Ms. Braddock Zollner stated the letter indicated the meeting date and time, and that the property owners within 250 feet of the property were receiving notification.

Commissioner Meyer stated the letter was mailed on February 9th, 2009. She said ten days from the date of the letter may not be enough time for a property owner to inquire regarding the notice.

Commissioner Veatch asked Ms. Braddock Zollner if Staff followed the Code.

Ms. Braddock Zollner stated Staff followed Chapter 22 of the City Code.

Commissioner Veatch stated there was no relationship between the Oread Neighborhood Plan and the Ecumenical Christian Ministries building.

Commissioner Meyer said it was unclear from the letter if the writer needed more time to find information. She asked Staff if there was further communication other than the two letters received.

Ms. Braddock Zollner stated she had telephone conversations with Mr. Munch.

Commissioner Veatch asked Ms. Braddock Zollner if she had explained to Mr. Munch the procedures of notifying property owners within 250 feet of the property.

Commissioner Antle said half the properties listed on the property ownership list were owned by only two people.

Commissioner Marvin asked Ms. Braddock Zollner if Mr. Munch was aware that the building had to be fifty years old to be considered for the register.

Ms. Braddock Zollner stated she had not had a telephone conversation with Mr. Holroyd.

Commissioner Veatch said the letter claimed the building had not been maintained for years.

Ms. Braddock Zollner said the administrator set the public hearing date and within ten days after publication of the public notice the notice was sent to property owners within 250 feet of the property.

Commissioner Veatch asked Commissioner Meyer if the surrounding property owners needed two weeks notice to inquire about the property.

Commissioner Meyer said she had a concern with the short time frame of the notice.

Commissioner Veatch said the letter writer wanted to postpone the decision until there was a new Oread Neighborhood Plan. He said the Commission had already endorsed the property for State and National recognition.

Commissioner Antle asked if there should be a consideration for a policy change.

Commissioner Veatch said the letter writer did not say there was no time to study the proposal.

Commissioner Sizemore said the listing would have no impact on any of the property owners.

ACTION TAKEN

Motioned by Commissioner Marvin, seconded by Commissioner Antle, to adopt a resolution for recommendation to be submitted to the City Commission for designation as a landmark.

Motion carried unanimously, 6-0

ITEM NO. 4: DR-01-02-09 716 Massachusetts Street; Remodel/Loft Conversion; Certified Local Government Review and Certificate of Appropriateness Review. The property is listed as a contributing structure to the Lawrence Downtown Historic District, National Register of Historic Places. The property is also in the environs of the Eldridge Hotel (701 Massachusetts), the United States Post Office (645 New Hampshire), National Register of Historic Places, the House Building (729 Massachusetts), Register of Historic Kansas Places, and Miller's Hall (723-725 Massachusetts), Lawrence Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Bob Santee for East LLC, the property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

The applicant was not present.

PUBLIC COMMENT

No one from the public spoke to this item.

COMMISSION DISCUSSION

Commissioner Wiechert asked Staff if there was a date on the brick addition of the structure.

Ms. Braddock Zollner stated she could not find a date on the addition. She said most of the building appeared to be from the original date.

Commissioner Sizemore said every year there was a studio project that had infill. He asked Staff if there was a mural on the property. He said the window in the alley bothered him.

ACTION TAKEN

Motioned by Commissioner Veatch, seconded by Commissioner Meyer, to approve the proposed remodel at 716 Massachusetts Street in accordance with the Secretary of the Interior's Standards, Chapter 22 of the Code of the City of Lawrence and the *Downtown Design Guidelines*, the standards of evaluation, and make the determination that the proposed project does not encroach upon, damage, or destroy listed historic properties and their environs with the following conditions:

1. The applicant provide complete construction documents, with material notations, including window details, 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 work commences, during construction, and upon completion of the project.

Motion carried unanimously, 6-0

ITEM NO. 5: DR-01-05-09 903 Alabama Street; Remodel/Addition; Certified Local Government Review. The structure is in the environs of the Ralph and Cloyd Achning House (846 Missouri), National Register of Historic Places. Submitted by Dan Hermreck for James Slough, the property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Dan Hermreck said the property line bisects the house and the garage. He said he proposed to move the house over to the ten foot setback level on the north side. He said one foot needed to be gained and the bay window needed to be three feet from the south property line. Mr. Hermreck said he proposed to move the garage so the owner could develop lot two of the property. He said the house had been chopped up a number of times and there were two apartments. He said the interior stair had been closed off and there was now an outside entrance to the second apartment. He said the house would be turned back into a three bedroom house with an addition added to the west of the house. He said the addition would be a one bedroom apartment. Mr. Hermreck said the property was zoned as a duplex.

Commissioner Meyer asked Mr. Hermreck if trees would be removed from the property.

Mr. Hermreck said some of the trees had been removed.

Commissioner Wiechert asked the applicant if the siding was asbestos and if there was immediate plans for the lot south of the property.

Mr. Hermreck stated the existing siding was asbestos and there were no immediate plans for the lot south of the property.

Commissioner Sizemore asked if the single lots to the south were developed.

Ms. Braddock Zollner said there was a mix of homes in the area. She said some homes had been built on double lots and some were built on single lots.

PUBLIC COMMENT

Betty Alderson said she had lived in the area of 903 Alabama Street sixty years ago and there was a mix of large and small homes in the area. She said some of the homes had been torn down and incompatible homes were built to replace them. She said she was sorry the area was zoned duplex and asked if there was commercial zoning in the area.

Ms. Braddock Zollner stated a large portion of Ninth Street was zoned commercial.

COMMISSION DISCUSSION

Commissioner Sizemore asked the applicant how far the structure would be moved to the north.

Mr. Hermreck said the structure would be moved 11.29 feet.

Commissioner Sizemore asked the applicant what the distance was from the property line to the curb line.

Mr. Hermreck said the commercial structure to the west was right up to the property line.

Ms. Braddock Zollner stated she had advised the applicant that moving the structure could preclude future listing with the associated financial incentives.

ACTION TAKEN

Motioned by Commissioner Meyer, seconded by Commissioner Antle, to approve the proposed remodel and addition at 903 Alabama Street in accordance with the Standards and Guidelines for Evaluating the Effect of Projects on Environs, the standard of evaluation, and make the determination that the proposed project does not encroach upon, damage, or destroy the environs of the listed historic properties with the following conditions.

1. 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;
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 demolition, during construction, and upon completion of the project.

Motion carried unanimously, 6-0

ITEM NO. 6: DR-01-06-09 712 Rhode Island Street; Remodel/Addition; Certified Local Government Review and Certificate of Appropriateness Review. The property is listed as a contributing structure to the North Rhode Island Historic District, National Register of Historic Places. The property is also in the environs of the Octavius W. McAllaster Residence (724 Rhode Island), Lawrence Register of Historic Places, the United States Post Office (645 New Hampshire), and the Lawrence Downtown Historic District, National Register of Historic Places. Submitted by Tony Backus for Rainbow Works LLC, the property owner of record.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Tony Backus said the home at 712 Rhode Island Street was rental property fifty years ago and had been vacant for the past six years. He said he wanted to convert the home back to a single family home. Mr. Backus presented photos of the home and stated the structure was completely gutted. He said the home was across from the Hobbs Taylor Lofts and he would like to reconstruct the home into a three bedroom starter home for a professional couple. He said the windows would be replaced on the north elevation with what once existed. Mr. Backus stated the plumbing would be replaced, a new roof would be installed and he would restore the front door. He said he would move a window on the back side of the structure and add a carport leading from the kitchen area.

Commissioner Sizemore asked the applicant what type of repairs would be completed on the front of the house.

Mr. Backus stated the roof of the front porch of the house was pulling away from the frame and he would repair it.

PUBLIC COMMENT

KT Walsh, 732 Rhode Island Street, said she was very happy Mr. Backus was proposing to repair the neighboring home. She said her only concern was that the neighbors were not able to review the plans. She said the area was a working class neighborhood and there was a fear if the home became too fancy that the neighbors property taxes would raise.

Mr. Backus stated the exterior of the home would not change.

Tony Peterson, 724 Rhode Island Street, said he would like to see the applicant's plans for the property. He said the proposed carport did not fit in with the outbuildings in the area.

Mr. Backus stated he was not opposed to changing the shape of the carport.

Commissioner Meyer asked Ms. Walsh if she was asking for the meeting to be continued.

Ms. Walsh stated she was not asking for the meeting to be continued.

COMMISSION DISCUSSION

Commissioner Meyer asked Ms. Braddock Zollner what Staffs position was regarding the carport.

Ms. Braddock Zollner said staff had not reviewed the carport as it was just presented tonight. She would like to leave the carport decision for the Historic Resources Commission to make a decision.

Commissioner Sizemore said the Architectural Review Committee would be reluctant to agree to a carport in the area. He said an enclosed structure would be more appropriate.

Ms. Braddock Zollner said the applicant could submit the carport portion of the plan to be reviewed at the next months meeting.

Commissioner Sizemore said he would survey the area to decide what type of structure would be appropriate for the neighborhood.

ACTION TAKEN

Motioned by Commissioner Meyer, seconded by Commissioner Antle, to approve the proposed project in accordance with the Secretary of the Interior's Standards, the standard of evaluation, with the conditions listed and with the understanding the carport would be submitted separately and at a later date and make the determination that the proposed project does not encroach upon, damage, or destroy the environs of the listed historic properties.

4. 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;
5. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work;
6. The property owner will allow staff access to the property to photo document the project before demolition, during construction, and upon completion of the project.

Motion carried unanimously, 6-0

ITEM NO. 7: MISCELLANEOUS MATTERS

A. No demolition permit applications received since the January 15, 2009 regular meeting.

B. No Architectural Review Committee or Administrative Reviews since the January 15, 2009 regular meeting.

Administrative Reviews

DR-12-131-08 839 Mississippi Street; Porch Rehabilitation; 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 John Crawford, the property owner of record.

DR-01-01-09 125 E 10th Street (1001 New Hampshire Street); Sign; Certified Local Government Review. The property is in the environs of the Shalor Eldridge Residence (945 Rhode Island Street), Register of Historic Kansas Places, the English Lutheran Church (1040 New Hampshire), Watkins Bank (1047 Massachusetts), North Rhode Island Historic District, and the Lawrence Downtown Historic District, National Register of Historic Places. The property is located in the Downtown Conservation Overlay District. Submitted by Nghia T. Nguyen for Jerome T. Langdon, the property owner of record.

DR-01-03-09 201 West 8th Street; Site Plan; Certified Local Government Review. The property is listed as a contributing structure to the Lawrence Downtown Historic District, National Register of Historic Places. The property is in the environs of the House Building (729 Massachusetts), Register of Historic Kansas Places, the Lucy Hobbs Taylor House (809 Vermont), and Carnegie Library (200 West 9th), National Register of Historic Places. The property is also located in the Downtown Conservation Overlay District. Submitted by Paul Werner Architects for Tim Fritzel, the property owner of record.

DR-01-04-09 1740 Massachusetts Street; Rezoning; Certified Local Government Review. The property is in the environs of the Edwards House (1646 Massachusetts), and the Eugene F. Goodrich House (1711 Massachusetts), National Register of Historic Places. Submitted by Wally Storey Associates for Dillon Companies Inc, the property owner of record.

Commissioner Wiechert asked Ms. Braddock Zollner to explain 839 Mississippi Street.

Ms. Braddock Zollner stated the porch at 839 Mississippi Street was being rebuilt due to structural problems.

Commissioner Sizemore said multiply people were alarmed the porch would be removed.

Commissioner Meyer asked Ms. Braddock Zollner to explain 201 West 8th Street.

Ms. Braddock Zollner said stairs would be in the public right away within the grassy area of 201 West 8th Street.

Commissioner Veatch asked Ms. Braddock Zollner to explain the rezoning at 1740 Massachusetts Street.

Ms. Braddock Zollner stated the counterpart for 1740 Massachusetts Street would be heard at the March 26th, 2009 Historic Resources Commission meeting. She said the four-plex south of Babcock Towers was purchased by Dillon's Stores and the six-plex would be demolished to make room for nine parking spaces.

Commissioner Meyer asked Ms. Braddock Zollner if the Dillon's Store would be remodeled.

Commissioner Veatch stated there had been rumors of a remodel.

Ms. Walsh asked if the neighborhood was in support of demolishing the six-plex.

Commissioner Veatch said there was support for the Dillon's Store remaining at the site but there was a range of opinions for demolishing the six-plex.

ACTION TAKEN

Motioned by Commissioner Meyer, seconded by Commissioner Veatch, to confirm the Administrative Reviews, excluding DR-01-04-09.

Motion carried unanimously, 6-0

ACTION TAKEN

Motioned by Commissioner Meyer, seconded by Commissioner Antle, to confirm Administrative Review DR-01-04-09.

Motion carried, 5-0-1 Commissioner Veatch abstained

- C. No comment on variance (BZA) requests received since January 15, 2009.
- D. Ms. Alderson commented on the concern of the notification time frame. She stated there were complete notices of the agenda in the paper. She stated the public was well aware of the Historic Resources Commission meeting and she had no sympathy.
- E. Ms. Braddock Zollner stated House Bill 2083 was a Bill to eliminate the environs totally. She said the Bill had been forwarded to the Appropriations Committee and the Bill was not dead.

Commissioner Veatch said the Bill was referred out of local government to appropriations committee.

Ms. Braddock Zollner stated there was a representative from Lawrence who sat on the appropriations committee.

Commissioner Veatch said the appropriations committee did not have to take testimony to pass the Bill.

Commissioner Meyer asked Ms. Braddock Zollner to email the information to the Historic Resources Commission.

Ms. Braddock Zollner stated the information was online.

Commissioner Sizemore asked if there was a transcript of what had been presented.

Ms. Braddock Zollner stated the transcript would be online. She said the Association of Realtors from Wichita was sponsoring the Bill and had testified for the Bill. Ms. Braddock Zollner stated the current director of Kansas Preservation Alliance and the Preservation Committee Chair for the Kansas AIA testified against the Bill.

Commissioner Veatch asked Dennis Brown if he had considered testifying.

Mr. Brown stated he had made a telephone call and there was one opponent and five people in favor of keeping the environs.

Commissioner Antle asked Ms. Braddock Zollner to comment on the city budget.

Ms. Braddock Zollner stated one of the items that the Planning Director had outlined as not a core program and could be cut was the Historic Resources program. She said it was not one of the recommended cuts but it was still on the table. She said if the Historic Resources program ended, Chapter 22 would have to be repealed. Ms. Braddock Zollner stated the Historic Resources Commission, the Lawrence Register, and the Local Survey Program, would all end if the program was cut. She said the State Law Review would stay in place.

Commissioner Sizemore asked Ms. Braddock Zollner if there would be an advanced notice if the issue was scheduled on the City Commission Agenda.

Ms. Braddock Zollner stated there would be no advanced notice.

ACTION TAKEN

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

Motion carried unanimously, 6-0

ADJOURN – 8:25p.m.