

**City of Lawrence
Historic Resources Commission
January 19th, 2012 Minutes**

MEMBERS PRESENT: Foster, Meyer, Williams, Quillin, Tuttle
STAFF EXCUSED: Wiechert, Arp
STAFF PRESENT: Braddock Zollner, Groves, Parker
PUBLIC PRESENT: Abi-Mikhael, Kappelmann, Walsh, Brown, Moody, Soden

**HISTORIC RESOURCES COMMISSION
AGENDA MEETING- JANUARY 19TH 2012--6:30 PM
ACTION SUMMARY**

Commissioners present: Foster, Meyer, Williams, Quillin, Tuttle
Commissioners excused: Wiechert, Arp
Staff present: Braddock Zollner, Parker, Groves

ITEM NO. 1:

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Tuttle, to defer the December 15, 2011 Action Summary.

Motion carried unanimously, 5-0

ITEM NO. 2: COMMUNICATIONS

- a) No communications from other commissions, State Historic Preservation Officer, or the general public.
- b) No abstentions from specific agenda items by commissioners.

ITEM NO. 3: DR-11-175-11 1344 Tennessee Street; Bullwinkles Tent Addition; Certified Local Government Review. The property is in the environs of the John Palmer and Margaret Usher House (1425 Tennessee) and the William Priestly House (1505 Kentucky), National Register of Historic Places. Submitted by Alex Abi-Mikhael of Bull MBA LLC for Lynn Investments LLC, property owner of record.

STAFF PRESENTATION

Ms. Groves presented the item.

Ms. Braddock Zollner stated notice was sent to neighbors within 200 feet of the project.

Commissioner Williams asked if the project would be up for review on a yearly basis.

Ms. Braddock Zollner stated once the project was approved there would not be a yearly review.

Commissioner Meyer asked the applicant if the tent would be installed every year.

Mr. Abi-Mikhael stated the tent would be installed during cold weather when business slows.

Commissioner Tuttle asked Staff if other City bodies would review the project.

Ms. Braddock Zollner stated the Historic Resources Commission was the first body to review the project. She stated the applicant would proceed with a Site Plan process.

APPLICANT PRESENTATION

The applicant was available for questions.

PUBLIC COMMENT

Tom Kappelmann stated the project was across the street from his apartment complex. He stated the tent would get weathered over time and be an eye sore. Mr. Kappelmann said there was graffiti in the area and he feared the tent would be vandalized. He asked the applicant to install a more permanent fixture.

Ms. Kappelmann stated she had a concern the tent would look unattractive.

K.T. Walsh asked the applicant what type of heat would be used under the tent and if the Fire Department had been notified of the project.

Mr. Abi-Mikhael stated there would be no open flame. He said the Fire Department had been notified but he had no response back.

COMMISSION DISCUSSION

Commissioner Foster said the tent should be a more permanent fixture.

Commissioner Meyer stated the Commission had approved temporary tents in the past.

Commissioner Foster asked if the material used would wear well.

Ms. Braddock Zollner stated the Commission could approve the project with conditions.

Commissioner Williams stated the material was not compatible with the historic area. He said a more permanent fixture would less likely be damaged and would be more economical.

Commissioner Meyer said a permanent fixture would not be more economical. She said a permanent fixture would cost more and the tent would only be used four months a year. She said the project was an environs review only.

Commissioner Foster stated the applicant could install brick columns with a trellis.

Mr. Abi-Mikhael said the same type tents were used in Kansas City Missouri around historic districts. He said Bullwinkles was a beer bar and the property owner would like to have a more stable tenant. He said the cost of the tent was \$2,300.00 and would be replaced if it gets worn.

Ms. Walsh said that canvas would be easy to store and the type of material was what would have been used in past history.

Dennis Brown read a section of the *Standards and Guidelines for Evaluating the Effect of Projects on Environs*.

ACTION TAKEN

Motioned by Commissioner Williams, seconded by Commissioner Tuttle, to approve the project at 1344 Tennessee Street, based on the supporting documentation in the staff report, with an additional condition that the applicant maintain the seasonal structure in good condition to be reviewed by the Historic Resources Administrator on a yearly basis, with the following conditions as listed in the staff report:

1. The applicant will get approval by the Fire Department prior to the release of the building permit for the proposed project.
2. The applicant will go through the Site Plan Review process prior to the release of the building permit for the proposed project.
3. Any changes to the approved project will be submitted to the Historic Resources Administrator prior to the commencement of any related work.

Motion carried 4-1 Foster

ITEM NO. 4: DR-12-184-11 645-647 Massachusetts Street; Sign Permit; Certified Local Government Review and Downtown Urban Conservation Overlay District Review. The property is in the environs of the Eldridge Hotel (701 Massachusetts), the United States Post Office (645 New Hampshire), and Lawrence's Downtown Historic District, National Register of Historic Places. It also in the environs of the House Building (729 Massachusetts), Register of Historic Kansas Places. This property is located in the Downtown Urban Conservation Overlay District. Submitted by Tammy Moody on behalf of GCB Holdings LC, property owner of record.

STAFF PRESENTATION

Ms. Groves presented the item.

APPLICANT PRESENTATION

Tammy Moody stated she had no idea the sign would not be approved administratively. She said the sign was in the transom area and the height was under ten feet. She stated Staff had a concern the sign was off site advertising but she viewed the sign as a directory as a courtesy to pedestrians. Ms. Moody stated the sign was a locator not an advertisement and it would not be illuminated.

Commissioner Williams said there had been a similar sign proposal at Ninth Street and Massachusetts Street.

Commissioner Meyer stated the previous sign proposal was a map with business locations.

Commissioner Williams stated approving the sign could open it up to many signs in the downtown area.

Commissioner Foster said if the sign was approved there could be a different sign on every corner in the downtown area.

PUBLIC COMMENT

Ms. Walsh said signs downtown geared to pedestrians were a good thing. She said a black glass covered sign might be more appropriate.

COMMISSION DISCUSSION

Commissioner Tuttle stated it appeared pedestrians would have to look up to see the sign.

Ms. Moody stated the placement of the sign was to try to keep it out of line of possible graffiti.

Commissioner Meyer said other businesses on the block might want to also put signs on their building. She asked the applicant if the sign was pedestrian oriented.

Ms. Moody said the placement of the sign was to abide by the transom rule.

Commissioner Tuttle said the placement of the sign was not quite right for pedestrians.

Ms. Moody stated the Starbucks sign did not address pedestrians.

Commissioner Tuttle stated Starbucks was a logo and not a sign.

Ms. Braddock Zollner said the owner of the property was seeking a way to allow pedestrians to understand where businesses were in the area. She said the sign also indicated businesses on Vermont Street as well as on Massachusetts Street. She said the sign was not truly pedestrian scale but if it was lowered it could cause problems. She said the sign company was trying to find a fit for the sign which would also work within the Downtown Design Guidelines.

Commissioner Williams asked Staff what the sign at the Hobbs store looked like.

Commissioner Meyer stated the sign at the Hobbs store indicated the tenants in the building.

Commissioner Williams said he was an advocate for signage downtown and a combination of contemporary signs that people could interact with. He said the proposed sign was different from any other in the downtown area.

Commissioner Meyer said the proposed sign was for the same owner of the businesses it displayed.

Commissioner Tuttle said the sign was an advertisement.

Ms. Moody said there were numerous signs in the downtown area like the proposed sign. She said the Chamber of Commerce sign was aluminum with vinyl graphics.

Commissioner Meyer said the project could be denied and the City Commission could make a decision on the sign. She said the Historic Resources Commission could approve the sign and present feedback to the applicant on how to improve it.

Commissioner Williams said the sign was unique and not compatible with the Downtown Design Guidelines but it was not totally offensive. He said he would like to see a sign that was better and more consistent with the historic downtown area.

Commissioner Meyer said Downtown Inc. had also proposed a sign at Ninth Street and Massachusetts Street.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Quillin, to deny the project at 645-647 Massachusetts Street, based on the supporting documentation in the staff report and the discussion of the Commission.

Motion carried unanimously 5-0

ITEM NO. 5: DR-12-187-11 1325 Tennessee Street; Demolition and New Construction; Certified Local Government Review. The property is in the environs of the John Palmer and Margaret Joseph House (1425 Tennessee), National Register of Historic Places. Submitted by Fred Schneider of Schneider & Associates for Ashley J. Funderburk, property owner of record.

Deferred

ITEM NO. 6: MISCELLANEOUS MATTERS

- A. There was no Board of Zoning Appeals applications received since December 15, 2011.
- B. There was no demolition permits received since the December 15, 2011 meeting.
- C. Review of Administrative and Architectural Review Committee approvals since December 15, 2011:

Administrative Reviews

DR-11-178-11 920 & 920.5 Delaware Street; Rezoning, Platting & Variance; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the East Lawrence Industrial Historic District, National Register of Historic Places and Register of Historic Kansas Places. It is also in the environs of Hobbs Park (702 E 11th), Lawrence Register of Historic Places. Submitted by Eric Jay and Matt Jones of struct/restruct, LLC, property owner of record.

DR-11-179-11 716.5 Massachusetts Street; Sign Permit; Certified Local Government Review, Certificate of Appropriateness Review, and Downtown Urban Conservation Overlay District Review. The property is a contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. It is in the environs of the Eldridge Hotel (701 Massachusetts) and the United States Post Office (645 New Hampshire), National Register of Historic Places; the House Building (729 Massachusetts), Register of Historic Kansas Places and Lawrence Register of Historic Places; and Miller's Hall (723-725 Massachusetts), Lawrence Register of Historic Places. This property is also in the Downtown Urban Conservation Overlay District. Submitted by Bassem E. Chahine of Euphoria Inc., for 716 East LLC, property owner of record.

DR-11-180-11 947 New Hampshire Street; Sign Permit; Certified Local Government Review, Certificate of Appropriateness Review, and Downtown Urban Conservation

Overlay District Review. The property is in the environs of Lawrence's Downtown Historic District and the North Rhode Island Street Historic District, National Register of Historic Places; the Shalor Eldridge Residence (945 Rhode Island), Register of Historic Kansas Places and Lawrence Register of Historic Places; and the Hendry House (941 Rhode Island), Lawrence Register of Historic Places. It is also in the Downtown Urban Conservation Overlay District. Submitted by Tammy Moody of Luminous Neon, Inc. for the City of Lawrence, property owner of record.

- DR-11-181-11 1328 Vermont Street; Replace rear exterior stairway; Certified Local Government Review and Certificate of Appropriateness Review. The property is in the environs of the South Rhode Island and New Hampshire Streets Historic Residential District, National Register of Historic Places. The property is also within the environs of the John N. Roberts House (1307 Massachusetts Street), National and Lawrence Register of Historic Places. Submitted by James A. Schneider, property owner of record.
- DR-12-182-11 305 E 7th Street; Hume Tax Service Sign; Certified Local Government Review and Certificate of Appropriateness Review. The property is a non-contributing structure to the North Rhode Island Street Historic District, National Register of Historic Places. It is also in the environs of Lawrence's Downtown Historic District and the United States Post Office (645 New Hampshire), National Register of Historic Places and the Octavius W. McAllaster Residence (724 Rhode Island), Lawrence Register of Historic Places. Submitted by Star Signs for Aileen P. Else Trustee, property owner of record.
- DR-12-183-11 305 E 7th Street; Hume Tax Service Sign; Certified Local Government Review and Certificate of Appropriateness Review. The property is a non-contributing structure to the North Rhode Island Street Historic District, National Register of Historic Places. It is also in the environs of Lawrence's Downtown Historic District and the United States Post Office (645 New Hampshire), National Register of Historic Places and the Octavius W. McAllaster Residence (724 Rhode Island), Lawrence Register of Historic Places. Submitted by Star Signs for Aileen P. Else Trustee, property owner of record.
- DR-12-186-11 1741 Massachusetts Street; Sign Permit; Certified Local Government Review. The property is in the environs of the Eugene F. Goodrich House (1711 Massachusetts), National Register of Historic Places. Submitted by Tammy Moody of Luminous Neon, Inc. for Bruce W. and Charles W. Banning, property owners of record.

ACTION TAKEN

Motioned by Commissioner Meyer, seconded by Commissioner Williams, to affirm the Administrative Reviews.

Motion carried unanimously, 5-0

Ms. Braddock Zollner presented Staff minutes of the Architectural Review Committee meeting regarding 1043 Indiana Street and 900 New Hampshire Street. She said the Committee would meet again February 2nd 2012.

Commissioner Meyer asked Staff if the plans for 900 New Hampshire Street indicated the driveway proposal had changed to an outdoor dining area.

Ms. Braddock Zollner said the drop off area had been moved. She said the intention was for the project to return to the Historic Resources Commission in February 2012.

Commissioner Foster said it was challenging to look at each approval independently.

Mr. Brown asked Staff if the project was five or six stories high.

Mr. Braddock Zollner stated the structure would be five stories high with a pop up area on the corner of Ninth Street and New Hampshire Street.

Commissioner Williams said the proposal indicated an outdoor pool.

Ms. Walsh asked if the project was five full stories on New Hampshire Street and if the structure would stair step towards the alley.

Ms. Soden said the architect had stated she would mail plans to the East Lawrence Neighborhood Association and the plans had not been received.

Ms. Walsh stated she had a concern with the pop up area.

Commissioner Foster stated the applicant would meet with the Architectural Review Committee within two weeks.

Ms. Walsh said the neighbors would like to be informed with what was going on with the project.

Commissioner Williams asked if the current plan proposed two less rooms.

Commissioner Foster said some of the proposed apartment units had been removed.

Commissioner Williams said in the future if the Historic Resources Commission received a demolition request or request to move a historic structure, the Commission would give more detailed direction to an applicant.

Ms. Braddock Zollner stated the method used by the owner of 1043 Indiana Street was outlined and recommended by the Park Service.

General Public Comment

Ms. Soden asked how many Architectural Review Committee meetings had the applicant for 900 New Hampshire Street attended.

Commissioner Foster stated there had been two meetings and there would be one more meeting February 2nd, 2012.

Ms. Walsh asked Staff if a demolition request had been received for 1007 Rhode Island Street.

Ms. Braddock Zollner stated she had not received a demolition request for 1007 Rhode Island Street and she had received phone calls regarding the structure.

Mr. Brown stated the property had been for sale but the purchase had fallen through.

Ms. Soden said she had a list of properties she wanted to add to the Lawrence Register of Historic Places.

D. Miscellaneous matters from City staff and Commission members.
Revisions to DR-6-82-11 1535 University Drive.

Ms. Braddock Zollner stated the owner of 1535 University Drive had changed the plans from a two story addition to a one story addition. She presented plans and photos to the Commission.

Ms. Braddock Zollner stated the East Lawrence Neighborhood Association would like to list thirty three properties on the Lawrence Register of Historic Places. She asked the Commission if they would attend a special meeting to review the properties.

Commissioner Williams asked Staff if the entire area could be considered a Historic District.

Ms. Braddock Zollner stated the entire area could not be considered a Historic District. If a line was drawn around all of the properties, 51% of them would have to be contributing structures. Because it would be such a vast area, this would not be possible. She also said some of the homes had integrity issues.

Commissioner Williams asked Staff if all the properties had been properly surveyed.

Ms. Braddock Zollner stated the properties had been surveyed. She stated she would schedule a special meeting for the Commission to review the properties.

Commissioner Tuttle stated she would be absent from the Historic Resources Commission meetings from May 2012 to November 2012.

ACTION TAKEN

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

Motion carried unanimously, 5-0

ADJOURN –8:05 p.m.