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**LAWRENCE HISTORIC RESOURCES COMMISSION**  
**ITEM NO. 4: DR-5-77-12**  
**STAFF REPORT**

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**A. SUMMARY**

**DR-5-77-12** 100 E 9<sup>th</sup> Street; Demolition and New Construction; State Preservation Law 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 Residential District, National Register of Historic Places, and the Social Service League (905 Rhode Island), Lawrence Register of Historic Places. It is also within the Downtown Urban Conservation Overlay District. Submitted by Micah Kimball of Treanor Architects for Compton Rentals LLC, property owner of record.

**B. PROJECT DESCRIPTION**

The applicant is requesting to:

1. Demolish the existing structure located at 100 E 9<sup>th</sup> Street.
2. Construct a new mixed-use structure that will include commercial/office space on the ground floor and 121 apartment units on floors 2-7. The new 177,200 sf structure will be approximately 77' tall at its highest point and will be clad with brick, stone, EIFS, and metal panels.
3. Make alterations to the streetscape in the public right-of-way.



Due to the location of the proposed project, three separate reviews are required:

1. **Certificate of Appropriateness Review** because the property is located in the environs of the Social Service League (905-907 Rhode Island), Lawrence Register of Historic Places;

2. **State Preservation Law Review** because the property is located in the environs of Lawrence's Downtown Historic District and the North Rhode Island Street Historic Residential District, National Register of Historic Places; and
3. **Downtown Design Guidelines Review** because the property is located in the Downtown Urban Conservation Overlay District.

*The proposed alterations to the streetscape in the public right-of-way do not require a Certificate of Appropriateness.*

**C. STANDARD FOR REVIEW**

**1. Chapter 22 of the Code of the City of Lawrence (Certificate of Appropriateness)**

(A) An application for a certificate of appropriateness shall be evaluated on a sliding scale, depending upon the designation of the building, structure, site or object in question. The certificate shall be evaluated on the following criteria:

*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.*

(B) In considering an application for a certificate of appropriateness, the Commission shall be guided by the following general standards in addition to any design criteria in this Chapter and in the ordinance designating the landmark or historic district:

*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;*

*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 environs definition of the Social Service League adopted by the City Commission in 2000 is divided into two separate areas. 100 E 9th Street is located in Area 2 and should be reviewed in the following manner.

*Area 2: Because the area no longer reflects the residential character of the historic environs the area should reflect the development patterns established for the commercial areas of downtown.*

The proposed alteration or construction should meet the intent of the Secretary of the Interior Standards for Rehabilitation, the Standards and Guidelines for Evaluating the Effect on Project on Environs, and the Criteria set forth in 22-205. Design elements that are important are scale, massing, site placement, height, directional expression, percentage of building coverage to site, setback, roof shapes, rhythm of openings and sense of entry. Maintaining views to the listed property and maintaining the rhythm and pattern in the environs are the primary focus of review.

#### General Standards

For projects that require a Certificate of Appropriateness, the Historic Resources Commission is required to use the general standards and the design criteria listed in the Conservation of Historic Resources Code, Chapter 22 of the City of Lawrence Code.

Typically, the design criteria in section 22-506 are used in the review of projects. The following is the design criteria that apply to the project.

#### *NEW CONSTRUCTION AND ADDITIONS TO EXISTING BUILDINGS*

*(a) The design for new construction shall be sensitive to and take into account the special characteristics that the district is established to protect. Such consideration may include, but should not be limited to, building scale, height, orientation, site coverage, spatial separation from other buildings, façade and window patterns, entrance and porch size and general design, materials, textures, color, architectural details, roof forms, emphasis on horizontal or vertical elements, walls, fences, landscaping, and other features deemed appropriate by the Commission.*

*(b) New buildings need not duplicate older styles of architecture but must be compatible with the architecture within the district. Styles of architecture will be controlled only to insure that their exterior design, materials, and color are in harmony with neighboring structures.*

#### **Secretary of the Interior's Standards for Rehabilitation**

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alterations of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**2. Standards for Evaluating the Effect of Projects on Environs (State Preservation Law Review)**

- 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.*
- 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.*

## **Guidelines for Evaluating the Effect of Projects on Environs**

### **Introduction**

In an environs review the objective is to determine the impact of a proposed project on a listed property and its environs. While the issue of materials and design may be discussed in relationship to compatibility with the environs and impact on the listed property, personal opinions regarding the aesthetics of a proposed project are not germane.

### **Identify, Retain and Preserve**

Like the treatments for historic properties, guidance for 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 of a listed property's environs may be defined by form; exterior materials such as masonry, wood or metal; exterior features and elements such as roofs, porches, windows or construction details; as well as size, scale and proportion, massing, spatial relationships, etc.

### **Protect, Maintain, Repair and/or Replacement**

After identifying those materials and features that are important, the effect of the proposed work on the environs of a listed property must be determined. Work that generally involves the least degree of intervention is recommended. Protecting historic features and materials through cyclical maintenance and repair lessens the need for replacement, which is always the less-preferable alternative and is usually more costly. Substitute materials can be installed when the degree of deterioration requires replacement provided the substitution is compatible with the environs.

### **Alterations / Additions for the New Use**

Interior alterations of properties within the environs of a listed property have little, if any, impact on the listed property. Exterior alterations of properties in the environs of a listed property are generally needed to assure continued use, but it is important that such alterations do not change, obscure, or destroy any character-defining spaces, materials, features and/or relationships. Alterations may include demolition of structure(s) and/or features, providing additional parking, modification of entries, installation of signs, or cyclical maintenance involving repairs with incompatible materials.

The construction of additions is sometimes essential for the continued use of the property, but the addition should only be reviewed for its impact on the listed property and the environs. The line of sight between a listed property and a proposed project is often directly related to the impact of a project on the listed property.

### **DEMOLITION**

#### **Recommended**

Retain the features that define the character of a listed property when possible.

#### **Not Recommended**

Demolition of character-defining features or structures with no plans for compatible replacement features or structures.

When removal of a character-defining feature or structure is necessary, a new feature or structure that is compatible with the environs should be installed.

Demolition of character-defining structure(s) with the intent of creating open space, such as a parking lot or park

Demolition of a character-defining structure(s) and replacement of it with a historic building moved to the site.

## **PARKING**

### **Recommended**

When possible, maintain the parking patterns that characterize the environs of a listed property.

When new parking areas are required, design them to be consistent with the character of the environs and to intrude as little as possible.

### **Not Recommended**

Wholesale modification of traditional, character-defining parking patterns.

Creation of new parking areas that are incompatible and/or inconsistent with the parking patterns that characterize the environs.

## **SITE MODIFICATIONS**

### **Recommended**

Retain landscape features, such as trees on lot lines or along the street and open spaces, that characterize the environs of a listed property. When necessary, replace diseased or storm-damaged vegetation with similar new plants.

Retain existing character-defining fences, retaining walls, exterior lighting public utilities and amenities, etc. When necessary, repair or replace deterioration to match original.

When adding a fence, retaining wall, exterior lighting, public utilities and amenities, etc., use a design, materials and location that are compatible with and/or typical in the environs.

Retain existing streets and alleys, and their associated features such as curbs and curb cuts, when possible.

When existing streets, alleys and features must be repaired or replaced, use materials and design that are compatible and/or match the existing.

### **Not Recommended**

Removal of vegetation that characterizes the environs of a listed property.

Construction of new structures on planned or traditional open space that defines the environs of a listed property.

Removal of existing character-defining fences, retaining walls, exterior lighting, public utilities and amenities, etc. from the environs of a listed property.

Replacement of existing (or installation of new) character-defining fences, retaining walls, exterior lighting, public utilities and amenities, etc. with new features that are not compatible and/or consistent with the character of the environs.

Resurfacing, replacing, or adding new streets, alleys and/or their associated features with materials and designs that are incompatible and/or inconsistent with the environs.

## **NEW / INFILL CONSTRUCTION**

### **Recommended**

New construction should relate to the setback,

### **Not Recommended**

New construction that is inconsistent and/or

size, form, patterns, textures, materials and color of the features that characterize the environs of the listed property.

incompatible with the character of the environs of the listed property.

Where there are inconsistent setbacks or varied patterns, the new construction should fall within the range of typical setbacks and patterns in the environs of the listed property.

New construction that destroys existing relationships within the environs of a listed property.

New construction that dominates the environs.

New construction that obstructs views or vistas from or to the listed property.

### **3. Downtown Design Guidelines**

The City Commission and the Historic Resources Commission have adopted a set of *Downtown Design Guidelines* (2009) to review projects within the Downtown Urban Conservation Overlay District. The guidelines that relate to this project are:

## **PART TWO – PRINCIPLES, STANDARDS, AND CRITERIA**

### **4. General Urban Design Principles**

- 4.1 Promote pedestrian-oriented urban forms.
- 4.2 Maximize connectivity and access.
- 4.4 Encourage creativity, architectural diversity, and exceptional design.
- 4.5 Encourage the integration of public art into public and private development.
- 4.6 Emphasize strong, mixed-use core activity development along Massachusetts Street and east/west streets.
- 4.7 Maintain existing Downtown vehicular, streetscape, and pedestrian traffic patterns.
- 4.8 Promote safety and appeal through appropriate boundaries and transitions.

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### **5. Street and Landscape Elements**

- 5.1 Existing street patterns and layout shall be maintained. Closure of existing streets or alleyways shall not be permitted.
- 5.2 Alleyways shall be maintained for vehicular and/or pedestrian traffic.
- 5.3 Accent paving shall be used at intersections and mid-block crossings.
- 5.4 Street trees and pedestrian-scale lighting shall be an integral part of the streetscape.
- 5.5 Existing landscaping features such as raised planters and street trees shall be maintained.
- 5.6 A curbed or non-curbed landscape bed shall separate the street and the pedestrian sidewalk.
- 5.7 Landscape strips shall be centered around required street trees.
- 5.8 An irrigation system shall be provided for all plant materials in the landscape bed.
- 5.9 An agreement to participate in a benefit district for streetscape improvements may be executed in lieu of immediate improvements.

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### **6. Block Elements**

- 6.1 Buildings should have retail and commercial uses at street level.
- 6.2 The main or primary entrance to buildings shall be oriented toward the primary street. For instance, if a building fronts Massachusetts Street, the main entrance shall face Massachusetts Street. Likewise, if a building faces 7th Street, the main entrance shall face 7th Street.
- 6.3 Corner buildings may have entrance doors that face the intersection or both streets.
- 6.4 Buildings located on corner sites are considered anchor buildings and their building form should

- reflect this designation. Anchor buildings should be larger in scale and massing, and more ornate than adjacent infill buildings.
- 6.5 Buildings located on corner sites shall have a primary facade and a secondary facade. For instance, the building located at 8th and Vermont Street has a primary facade along 8th Street and a secondary facade along Vermont Street.
  - 6.6 Buildings that are adjacent to parking areas or structures shall have the main or primary entrance on the street-facing elevation. A secondary or minor entrance may be provided on the parking lot elevation.
  - 6.7 Buildings shall reflect the existing topography by providing "stepping down" of the facade. The "stepping down" of a facade helps maintain a sense of pedestrian scale.
  - 6.11 Buildings fronting Vermont and New Hampshire Streets should be constructed to zero front and side lot lines.
  - 6.12 Buildings fronting numbered streets (7th, 8th, etc.) shall be constructed to zero front and side lot lines. Exceptions may be made for architectural features such as recessed or projecting entries and balconies. Exceptions may be made for detached building forms which are traditionally set back from the property line.
  - 6.13 Storefronts should respect the 25-foot or 50-foot development pattern ratios that prevail. Upper story facades may vary from this pattern but must unify the building as a whole.
  - 6.14 Buildings shall maintain the pattern of multiple-story buildings throughout the downtown area. Existing one-story buildings should be considered for compatible redevelopment.
  - 6.15 Buildings shall maintain a distinction between upper stories and the street-level facade.
  - 6.16 For buildings that provide a separate upper-story entrance on the exterior facade, the street level use entrance should be the primary focus of the building facade while entrances for upper story uses shall be a secondary feature of the building facade.

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## **7. New Construction**

- 7.1 New infill buildings should be multistory in height, up to and within appropriate limits.
- 7.2 The height of a new building must be in acceptable proportion to its width, following patterns and proportions established by existing structures; likewise, story-to-story heights must be appropriate.
- 7.3 The height of new buildings and additions shall relate to the prevailing heights of nearby buildings. New construction that greatly varies in height from adjacent buildings shall not be permitted.
- 7.4 Buildings on the interior of a continuous block face must be no more than one story taller than adjacent structures. Buildings on corners must be larger in scale than adjacent structures.
- 7.5 A building's overall proportion (ratio of height to width) must be consistent with existing historic structures.
- 7.6 Storefront- and/or display-style windows must be included in all retail developments at the street level on the primary facade.
- 7.7 Corner buildings shall be a minimum of two-stories in height; taller buildings are encouraged at corner locations.
- 7.8 In cases of infill construction, the width of a building's facade should fill the entire available space.
- 7.9 Facade widths for new buildings and additions should correspond with other buildings widths in the same block. On Massachusetts Street, widths are typically built to increments of 25 feet.
- 7.10 If a site is large, the mass of a new building's facade should be broken into a number of smaller bays to maintain a rhythm similar to surrounding buildings. This is particularly true for storefront level facade elements.
- 7.11 The size and proportion of window and door openings on a new building should be similar to other buildings in the block.
- 7.12 The ratio of window area to solid wall for new construction shall be similar to other buildings in

- the block.
- 7.13 New construction shall be built with party-wall construction methods. Exceptions will be made for detached governmental, civic, or institutional buildings and when required by residential egress requirements.
  - 7.14 The composition of an infill facade (that is, the scale, massing, and organization of its constituent parts) shall be similar to the composition of surrounding facades in the block.
  - 7.15 The setback of a proposed building shall be consistent with the setback of adjacent buildings, and/or with nearby buildings fronting on the same street. Buildings must be placed with the express goal of continuing the overall building line of a streetscape.
  - 7.16 Rhythms that carry throughout a block (such as the patterns, placement, sizes, and spans of windows, doors, etc.) shall be sustained and incorporated into new facades.

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### **10. Building Materials**

- 10.2 Building materials shall be traditional building materials consistent with the existing traditional building stock. Brick, stone, terra cotta, stucco, etc., shall be the primary facade materials for buildings fronting along Massachusetts Street.
- 10.3 While traditional building materials such as brick, stone, terra cotta, stucco, etc., are the preferred building materials for buildings fronting New Hampshire, Vermont Street, or numbered streets, consideration will be given to other materials.
- 10.4 Materials should be compatible between storefronts or street-level facades, and upper levels.
- 10.6 While permanent materials should be considered for party-wall construction, other materials which meet associated building and fire code requirements will be considered.
- 10.7 Masonry walls, except in rare instances, shall not be clad with stucco, artificial stone, parging, or EIFS (Exterior Insulation and Finish Systems). This includes publicly visible party-walls constructed of brick or rubble limestone.

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### **11. Commercial Storefronts and Street Level Facades**

- 11.4 Buildings where multiple storefronts span a larger, wider façade should extend design compatibility from storefront to storefront.
- 11.5 Solid, non-traditional 'security-style' doors shall not be used in primary storefronts.
- 11.6 Storefronts shall be designed to reflect the traditional pattern of containment. The storefront shall be bounded by the enframing storefront cornice and piers on the side and the sidewalk on the bottom.
- 11.8 Storefronts may be recessed or extended slightly (typically, 3 to 9 inches) to emphasize the feeling of containment and provide architectural variety.
- 11.9 Storefronts should provide for a recessed entry.
- 11.10 Storefronts shall be pedestrian oriented and consist primarily of transparent glass. Most storefronts in Downtown Lawrence contain 65% to 80% glass. Storefront designs shall reflect this glass to other building material ratio.
- 11.11 Storefront designs should reflect the traditional three-part horizontal layer by providing for a transom area, display windows, and a bulkhead.
- 11.12 Storefront materials typically consist of wood, metal, steel, or brick. Renovations and/or new construction should reflect these materials. Use of unpainted rough cedar is an example of an inappropriate storefront material.

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### **12. Upper Story Façades**

- 12.4 Maintain the pattern created by upper-story windows and their vertical-horizontal alignment.
- 12.8 Upper-story facade elements should reflect existing window to wall surface ratios (typically 20% to 40% glass-to-wall).
- 12.9 Upper-story windows shall have only minimal tinting and should appear transparent from

- street level. Dark or reflective tinting is not allowed on upper story windows.
- 12.10 Metal screens or bars shall not cover upper-story window openings.

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### **13. Secondary and Rear Facades**

- 13.1 Secondary facades for corner buildings (i.e., facades that do not face the primary north/south street) shall contain secondary display windows and/or secondary storefronts.
- 13.2 Secondary facades shall contain upper story windows.
- 13.3 Secondary facades should be balanced in design and shall provide a distinction between lower and upper sections of the building.
- 13.4 Secondary facades should not directly compete with the primary facade.
- 13.5 While rear facades on older structures are more symmetrical in their design, more recent buildings may provide a more utilitarian design approach. In most cases, rear entrances and openings should occupy a relatively small part of the rear facade and exhibit more of a utilitarian character.
- 13.6 Rear facades should be maintained and developed to support the overall appearance of Downtown Lawrence.
- 13.7 Rear entrances on buildings that face public-parking areas are encouraged.
- 13.8 Rear facades should provide sufficient architectural features, such as window and door openings, to articulate the building facade.
- 13.9 Rear facades should not compete with the primary facade of the structure.
- 13.10 Pedestrian-level window and door openings may be covered with security features such as screens or bars. However, every effort should be made to maintain the visual appearance on rear facades which face surface parking areas.
- 13.11 Maintain the pattern created by upper-story windows and their alignment on rear facades that face surface-parking areas.

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### **14. Office, Institutional, Religious, Utility, and Other Non-Retail Buildings**

- 14.2 Non-retail buildings fronting numbered-streets, Vermont Street, or New Hampshire Street shall be pedestrian oriented. A ratio of 40% to 60% window area to wall surface shall be provided on street level facades at these locations.

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### **15. Architectural Details, Ornamentation, and Cornices**

- 15.7 New construction should provide for a variety of form, shape, and detailing in individual cornice lines.

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### **16. Rooflines and Parapets**

- 16.2 Mechanical equipment should not be visible from the pedestrian level and should be screened through the use of parapet walls or projecting cornices.

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### **17. Awnings, Canopies, and Marquees**

- 17.2 Awnings should be of the traditional sloped configuration rather than curved, vaulted, or semi-spherical.
- 17.3 Canopies and awnings shall reflect the door and window openings or structural bays of the building. An awning, canopy, or marquee that spans continuously across more than one structural bay or storefront is not appropriate.
- 17.4 Movable and stationary awnings should be made of cloth or other woven fabric such as canvas.
- 17.5 Metal awnings are generally not appropriate, but can be used in some instances if they are compatible with the historic character of the building.
- 17.6 Vinyl or plastic awnings are not appropriate.

- 17.7 While Downtown Lawrence once contained a number of pole- or post-supported awnings and canopies, this type of awning shall not be allowed because of pedestrian considerations.
- 17.8 Back-lit or illuminated awnings or canopies are not permitted. These awnings, because of their high visibility, function more as signs than a means of providing comfort and protection for pedestrians.
- 17.9 Awnings mounted at the storefront level should not extend into the second story of building facade.
- 17.10 Upper-floor awnings should be mounted within window openings.
- 17.11 Awnings shall be narrow in profile and shall not comprise residential design elements such as mansard roof forms or shake shingle cladding.
- 17.12 Awnings and canopies should not project more than 6 feet from the lot line and must be suspended from, or affixed to, the building.
- 17.13 If a building facade contains a transom area, awnings should be installed in such a way as not to obscure or damage it.
- 17.14 Awning fabric or material design should be striped or solid color, using colors appropriate to the period of the storefront.
- 17.15 Awnings should not obscure character-defining features such as arched transom windows, window hoods, cast-iron ornaments, etc.
- 17.16 Awning units should be mounted or affixed in such a way as to avoid damage to the building's distinctive architectural features.

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## **18. Signs and Signage**

- 18.1 All signs shall conform to the Sign Code provisions in Chapter 5 Article 18 of the Code of the City of Lawrence.
- 18.2 The primary focus of signs in Downtown Lawrence shall be pedestrian-oriented in size, scale, and placement, and shall not be designed primarily to attract the notice of vehicular traffic.
- 18.3 'Permanent' sign types that are allowed are: awning, hanging, projecting, wall, and window signs. Freestanding signs will not be considered except in cases where a detached building is set back from the street.
- 18.4 Temporary (i.e., sidewalk, easel-mounted or freestanding) signage is permitted as long as it is in compliance with other City codes, and does not obscure significant streetscape vistas or architectural features.
- 18.5 In no case shall a temporary sign substitute as a permanent sign.
- 18.6 Wall signs must be flush-mounted on flat surfaces and done in such a way that does not destroy or conceal architectural features or details.
- 18.7 Signs identifying the name of a building, the date of construction, or other historical information should be composed of materials similar to the building, or of bronze or brass. These building identification signs should be affixed flat against the building and should not obscure architectural details; they may be incorporated into the overall facade design or mounted below a storefront cornice.
- 18.8 Signs should be subordinate to the building's facade. The size and scale of the sign shall be in proportion to the size and scale of the street level facade
- 18.9 Storefront signs should not extend past the storefront upper cornice line. Storefront signs are typically located in the transom area and shall not extend into the storefront opening.
- 18.10 Signs for multiple storefronts within the same building should align with each other.
- 18.12 Wall-mounted signs on friezes, lintels, spandrels, and fascias over storefront windows must be of an appropriate size and fit within these surfaces. A rule of thumb is to allow twenty (20) square inches of sign area for every one foot of linear facade width.
- 18.13 A hanging sign installed under an awning or canopy should be a maximum of 50% of the awning or canopy's width and should be perpendicular to the building's facade.

- 18.14 A projecting sign shall provide a minimum clearance of eight feet between the sidewalk surface and the bottom of the sign.
- 18.15 A projecting sign shall be no more than fifteen square feet in size with a maximum sign height of five feet.
- 18.16 A larger projecting sign should be mounted higher, and centered on the facade or positioned at the corner of a building.
- 18.17 A projecting sign shall in no case project beyond 1/2 of the sidewalk width.
- 18.18 A window sign should cover no more than approximately thirty percent (30%) of the total window area.
- 18.19 Sign brackets and hardware should be compatible with the building and installed in a workman-like manner.
- 18.20 The light for a sign should be an indirect source, such as shielded, external lamps.
- 18.21 Whether they are wall-mounted, suspended, affixed to awnings, or projecting, signs must be placed in locations that do not obscure any historic architectural features of the building or obstruct any views or vistas of historic downtown.
- 18.22 Signs illuminated from within are generally not appropriate. Lighting for externally illuminated signs must be simple and unobtrusive and must not obscure the content of the sign or the building facade.

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### **19. Lighting**

- 19.1 New exterior lighting should be compatible with the historic nature of the structure, the property, and the district. Compatibility of exterior lighting and lighting fixtures is assessed in terms of design, material, use, size, scale, color, and brightness.
- 19.2 Lighting fixtures should be installed to be as unobtrusive as possible; they should be installed such that they will not damage or conceal any historic architectural features.
- 19.3 Lighting levels should provide adequate safety, but not detract from or overly emphasize the structure or property.
- 19.4 Landscape lighting should be located and directed such that there is no infringement on adjacent properties.
- 19.5 Exterior lighting in parking lots must be directed into the parking area itself, and not onto adjacent properties.

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### **20. Parking**

- 20.3 Parking structures fronting New Hampshire and Vermont Streets should be contained within the interior of the block. Exceptions will be made for parking structures that have commercial, retail or office uses on the ground floor.
- 20.4 Existing corner surface-parking areas fronting New Hampshire and Vermont Streets should be targeted for appropriate infill.
- 20.8 The materials and design of screening for parking areas should be compatible with the adjacent structures and the district.
- 20.18 Saw-tooth parking shall be maintained along Massachusetts Street. Otherwise, on-street parking shall be parallel in orientation. Special consideration will be given for existing angle parking in the 600 block of Vermont Street.

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### **21. Safety and Accessibility Features**

- 21.3 Where possible, locate fire exits, stairs, landings, and decks on rear or inconspicuous side elevations where they will not be visible from the street.

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## **22. Utilities and Energy Retrofit**

- 22.3 Locate roof ventilators, hardware, antennas, and solar collectors inconspicuously on roofs where they will not be visible from the street.
- 22.4 Install mechanical equipment, including heating and air conditioning units, in areas and spaces requiring the least amount of alteration to the appearance and the materials of the building such as roofs. Screen the equipment from view.
- 22.5 Locate exposed exterior pipes, raceways, wires, meters, conduit, and fuel tanks on rear elevations or along an inconspicuous side of the building. Screen them from view.
- 22.6 Locate window air-conditioning units on rear or inconspicuous elevations whenever possible.
- 22.7 It is not appropriate to install large antennas and satellite dishes on primary elevations. Small, digital satellite dishes must not be visible from a public street and must be screened from view.
- 22.8 Aerial antennae shall be screened, concealed or camouflaged.

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## **23. Demolition**

- 23.1 Any demolition request that is not related to public safety shall be accompanied by additional documentation indicating the existing condition of the building and the proposed, post-demolition use for the site. Documentation must include proposed elevations and an explanation of why it is not feasible to use the existing structure.
- 23.2 Demolition permits shall be reviewed by the Historic Resources Commission and the City Commission.
- 23.3 No structure within the Conservation Overlay District may be demolished or removed, in whole or in part, until after the application for a building and/or demolition permit has been reviewed by the Historic Resources Commission and approved by the City Council.

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## **D. STAFF ANALYSIS**

### **Project Overview**

The proposed project site combines Lots 60, 62, 64, 66, and 68. Currently lots 66 and 68 are used as a parking lot. Lots 60, 62, and 64 contain a single story structure with a footprint of approximately 15,000 sf. The site is zoned CD: Downtown Commercial District which allows zero lot line setbacks and no off street parking is required to be provided. Height maximum for the CD District is 90' subject to location and height limitations in Downtown Design Guidelines and Downtown Design Standards.

The proposed project calls for the demolition of the existing structure located on Lots 60, 62, and 64 and the new construction of a multi-story mixed use building that includes underground parking, a bank, a clubhouse, ground floor retail/ office space, and 121 one, two, and three bedroom apartments. The structure will be approximately 177,200 square feet. The proposed structure will be concrete and steel framed with materials that include stone, brick, EIFS, and metal panels. The height of the structure at the corner of 9<sup>th</sup> and New Hampshire Streets will be 77'. The proposed structure incorporates varying heights to reduce the overall height and mass of the building. A bank drive thru and access to the underground parking is taken from the alley on the east side of the proposed structure. Storefront systems are located on the north, south and west elevations. Ground floor fenestration also includes windows and fabric awnings on the east elevation. Art panels are proposed at the ground level on the north, east, and west elevations.

The proposed project also includes alterations to the public right of way and streetscape. These alterations include the introduction of a roundabout at the intersection of 9<sup>th</sup> and New Hampshire and the introduction of angled parking along New Hampshire Street at the project site.

### **Site History**

The 800 block of New Hampshire Street was originally a residential area. By the late 1860's, however, the Place Hotel was moved to the northeast corner of 9<sup>th</sup> and New Hampshire Streets (Lots 66 and 68). The hotel, moved to Lawrence from the community of Franklin, is shown on Beers 1873 Atlas as an "L" shaped building on the corner. The 1883 Sanborn Maps show the hotel as a two story structure with several additions. The hotel (by 1927 it was known as the Adams House) remained on the corner until ca. 1940s when it was demolished. The lot directly to the north of the hotel, Lot 64, appears to have remained vacant until 1918. Lots 60 and 62 originally had residential structures but Lot 62 was commercial by 1889. Lot 60 continued to be residential at least until 1949. In 1957, the existing structure was constructed for the Kroger Company. Lots 66 and 68 were used for parking. The structure continued use as a grocery store (later Waymeyers and Way-Co) until 1981 when it was remodeled for an office building. A 1981 site plan identifies the building as "Barrand & Eagan Office Building." Currently, the Lawrence Bank and Black Hills Energy occupy the structure.

### **Required Reviews (See Section C. Standard for Review for specific standards.)**

Due to the location of the proposed project, three separate reviews are required:

1. **Certificate of Appropriateness Review** because the property is located in the environs of the Social Service League (905-907 Rhode Island), Lawrence Register of Historic Places;
2. **State Preservation Law Review** because the property is located in the environs of Lawrence's Downtown Historic District and the North Rhode Island Street Historic Residential District, National Register of Historic Places; and
3. **Downtown Design Guidelines review** because the property is located in the Downtown Urban Conservation Overlay District.

#### **1. Certificate of Appropriateness Review**

##### **Demolition**

Chapter 22 of the Code of the City of Lawrence identifies that a Certificate of Appropriateness is required for projects that require a demolition permit within the environs of a property listed in the Lawrence Register of Historic Places. Environs are identified as 250 feet from the listed property.

The environs is not an extension of the boundaries of an historic district or landmark. For this reason, an application for a certificate of appropriateness for a project within the environs area shall receive the least stringent scrutiny when the Commission applies its Standards for Review as set forth in section 22-504, and there shall be a presumption that the application should be approved. (Chapter 22-105)

100 E 9<sup>th</sup> Street is located approximately 130 feet from the Social Service League Building, 905 Rhode Island Street.

The Social Service League building was listed in the Lawrence Register of Historic Places in 2000 under criteria 3, 4, 8, and 9.

*(3) Its identification with a person or persons who significantly contributed to the development of the community, county, state, or nation;*

*(4) Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;*

*(8) Its unique location or singular physical characteristics that make it an established or familiar visual feature;*

*(9) Its character as a particularly fine or unique example of a utilitarian structure; including, but not limited to farmhouses, gas stations, or other commercial structures, with a high level of integrity or architectural significance;*

When the Social Service League Building was listed in the Lawrence Register, the 250' environs was defined in two areas. 100 E 9<sup>th</sup> Street is located in Area 2. Area 2 is defined as no longer reflecting the residential character of the Social Service League Building. According to the environs definition for the Social Service League Building, Area 2 "should reflect the development patterns established for the commercial areas of downtown." The existing structure is not identified in the environs definition. This environs definition was adopted by the Historic Resources Commission and the Lawrence City Commission in 2000.

The proposed project includes the demolition of the existing structure located on Lots 60, 62, and 64. While demolition is typically not positive for a neighborhood because it destroys spatial relationships that characterize the environs of historic properties, this 1957 suburban development is not character defining for the environs of the Social Service League Building. The existing building and its associated parking create development patterns that are not compatible with the residential or commercial environs of the Social Service League Building. While the existing structure has reached an age (50 + years) where it could be considered historic, staff is of the opinion that the existing structure has not gained historic significance due to alterations to the building. Using the Design Criteria in Chapter 22-506, staff is of the opinion the structure "does not possess the integrity, originality, craftsmanship, age or historical significance to merit preservation." (22-206(C)(3)) However, staff is of the opinion that the existing structure and parking area should be documented with scaled photographs and/or simple scaled drawings to document the introduction of suburban grocery store form into the downtown commercial core.

#### New Construction

Chapter 22 also identifies design criteria for new construction. Because the environs definition for the Social Service League Building identifies that this area should reflect the development patterns established for the commercial areas of downtown, Staff has reviewed the new construction using the Design Criteria in 22-506 as it relates to commercial development in the area. New construction "shall be sensitive to and take into account the special characteristics that the district is established to protect." "New buildings need not duplicate older styles or architecture but must be compatible

with the architecture of the district.” Specific criteria include: height, scale, massing, directional expression, setback, sense of entry, platforms, roof shapes, rhythm of openings and imitations.

Height and massing appear to be the greatest challenges for this project because the proposed structure successfully articulates the directional expression and rhythm of openings for commercial structures. The structure is not an imitation of a historic style, and flat roofs are appropriate for commercial structures. Entrances are clearly defined and storefront systems are utilized for the majority of the ground floor fenestration. The division of the west elevation into sections with differing architectural details helps to break the mass of the structure. The “zero” setback is appropriate on 9<sup>th</sup> Street and should be repeated on New Hampshire Street. According to the design criteria in Chapter 22, the height should be judged as it relates to the overall height of adjacent structures. This is problematic for this site as it is mainly surrounded by parking lots with no scale and no height. Two story and one story altered structures exist to the west. Using these structures as a guide does not help establish height for the east side of the street. At the opposite end of the block (8<sup>th</sup> and New Hampshire) there is a one story building. The majority of structures in the Downtown area are one and two stories in height. With seven stories and 77’ in height, this structure appears to vary greatly from the established patterns of the area. However, new construction in this area has created new height of structures on New Hampshire Street. Hobbs Taylor Lofts and 901 New Hampshire are both above average height for downtown. The new development at 900 New Hampshire will also be above this average height. The height of the proposed structure at 100 E 9<sup>th</sup> Street is within the ranges of height for the commercial district and for New Hampshire Street.

There is a presumption that the Certificate of Appropriateness will be granted unless *the proposed construction or demolition would significantly encroach on, damage, or destroy the landmark or historic district.*

**Staff is of the opinion that the demolition will not *significantly encroach on, damage, or destroy the landmark.* Staff is also of the opinion that the proposed new construction meets the majority of the design criteria identified in Chapter 22 and that the question of height and setback on New Hampshire Street does not directly or significantly encroach on, damage or destroy the Social Service League Building.**

## **2. State Preservation Law 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.

Lawrence’s Downtown Historic District was listed in the National Register of Historic Places in 2004 under Criterion A in the areas of Commerce and Community Planning and Development, and under Criterion C in the area of Architecture. The district comprises the extant core of the historic central business district of Lawrence. Various buildings within this district are associated with one or more of all of the historic contexts outlined in the MPDF mentioned above. The period of significance for the district is identified as 1856-1953. (See [http://www.lawrenceks.org/pds/historic\\_resources](http://www.lawrenceks.org/pds/historic_resources) ). The majority of the district is composed of party wall structures that create a pattern of 25 and 50 foot storefronts. Buildings are typically one to three stories with one and two story structures in the majority. Exterior building material finishes include stone, brick, and stucco.

The North Rhode Island Street Historic Residential District was listed in the National Register of Historic Places in 2004 for its significance in Architecture and community planning and development. The identified period of significance for the district is identified as c.1857 to 1935, according to the nomination. The district illustrates typical residential land use from the last quarter of the nineteenth century and the first quarter of the twentieth century as building patterns in East Lawrence followed local population, social, economic, and architectural trends described in the multiple property context for Lawrence (Lawrence Thematic National Register Nomination [http://www.lawrenceks.org/pds/historic\\_resources](http://www.lawrenceks.org/pds/historic_resources) ). The majority of the district is comprised of individual structures on 50' X 117' lots. The rhythm created by the existing structures establishes a front yard, side yard and rear yards. The district has a cohesive mature streetscape that creates a strong residential boundary that contrasts dramatically to the commercial area to the west. Historically, residential structures were located on New Hampshire Street as part of this residential neighborhood. However, some of the residential structures also housed commercial enterprises. As this area of Lawrence continued to develop, the downtown commercial area pressed eastward and the clear residential neighborhood boundary began to shift and zigzag. The residential boundary for this neighborhood is Rhode Island Street in the 800 Block.

The proposed project includes both the demolition of an existing structure and the new construction of a multi-use building with a footprint of approximately 27,000 sf.

#### Demolition

The standard and guidelines for demolition in the environs is judged by whether the building, structure or landscape feature is "character defining."

*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.*

#### **DEMOLITION**

##### **Recommended**

Retain the features that define the character of a listed property when possible.

When removal of a character-defining feature or structure is necessary, a new feature or structure that is compatible with the environs should be installed.

##### **Not Recommended**

Demolition of character-defining features or structures with no plans for compatible replacement features or structures.

Demolition of character-defining structure(s) with the intent of creating open space, such as a parking lot or park

Demolition of a character-defining structure(s) and replacement of it with a historic building moved to the site.

As noted above, the existing structure was constructed in 1957 and while it is now over 50 years old, staff is of the opinion it has not achieved historic significance in its own right due to significant alterations to the structure. In addition, the date of construction places the structure outside the period of significance for both Lawrence's Downtown Historic District and the North Rhode Island Street Historic Residential District. Because of the alterations and the date of construction, the existing structure is not considered a character-defining structure for the environs of either district.

Because it is not a character-defining structure, it can be removed without harm to the environs of the districts. However, the structure should be documented before demolition to aid in the documentation of the evolution of the downtown area.

**Staff is of the opinion that the removal of the existing structure located at 100 E 9<sup>th</sup> Street will not encroach upon, damage or destroy any listed property or their environs.**

#### New Construction

The proposed new structure must be evaluated for its impact on Lawrence's Downtown Historic District and the North Rhode Island Street Historic Residential District. Infill construction *should not destroy character-defining features or spatial relationships that characterize the environs of a property.* (Standard 6)

The 800 block between New Hampshire Street and Rhode Island Street is somewhat unique for both the downtown neighborhood and the residential neighborhood to the east. There are only four structures on this block and the rest of the block is covered by surface parking areas. The existing structures are one and two story. The amount of surface parking area and the detached building forms create an overall feel of open space that is more typical for a suburban area than the density of the Downtown District or the North Rhode Island district. While the proposed infill development will significantly alter the spatial relationships that now exist between this block and the two historic districts, these relationships are not historic nor have they achieved historic significance. In addition, staff is of the opinion that the existing spatial relationships are not character-defining for either district as they are a result of demolition and new construction that has occurred outside the period of significance for both districts. (Of exception for this analysis is the structure located at the southeast corner of 8<sup>th</sup> and New Hampshire Street, 800 New Hampshire Street, ca. 1931 as Hudson Motor Company.) In addition, the proposed new construction will not destroy any character-defining features of the environs of either Lawrence's Downtown Historic District or the North Rhode Island Historic Residential District.

According to Standard 6 of Standards for Evaluating the Effect of Projects on Environs, *The new work shall be compatible with the historic materials, character-defining features, size, scale and proportion, and massing of the environs.* The guidelines for new/infill construction further identify recommendations for new construction.

#### **NEW / INFILL CONSTRUCTION**

##### **Recommended**

New construction should relate to the setback, size, form, patterns, textures, materials and color of the features that characterize the environs of the listed property.

Where there are inconsistent setbacks or varied patterns, the new construction should fall within the range of typical setbacks and patterns in the environs of the listed property.

##### **Not Recommended**

New construction that is inconsistent and/or incompatible with the character of the environs of the listed property.

New construction that destroys existing relationships within the environs of a listed property.

New construction that dominates the environs.  
New construction that obstructs views or vistas from or to the listed property.

While Lawrence's Downtown Historic District and the North Rhode Island Street Historic Residential District share this block of environs, each district has different character-defining elements that relate to setback, size, scale and proportion, form, patterns, textures, materials and color.

#### Lawrence's Downtown Historic District

Character-defining elements for this district include: zero setbacks on front and sides, party-wall construction, heights ranging historically from one to five stories with the majority one to two story buildings, 25' to 50' storefront articulation, high degree of architectural features, brick, stone, and stucco materials, and a variety of colors with natural colors dominant.

The proposed new structure has a zero setback on the north, south, and west. This is appropriate and in keeping with the character-defining element of zero setbacks for the downtown district. However, the proposed structure is pulled back from the property line on the west to create a large sidewalk with angled parking. The proposed project should utilize the public right of way as parallel parking, green space and sidewalk and the building should have a zero setback on the west. (Staff notes that the construction approved for the property to the south of the 9<sup>th</sup> and New Hampshire Street intersection reestablishes the parallel parking, green strip, and sidewalk next to the building.) While zero setback is a character-defining feature of the Lawrence's Downtown Historic District, the approximately 9' setback from the west property line is within a range of setbacks for buildings in the district that are detached structures.

Buildings with party-wall construction and storefronts that are typically 25' and 50' are character-defining in Lawrence's Downtown Historic District. There is some variation with larger buildings that have a unified upper building but have multiple storefronts that reflect this typology. The proposed new structure addresses this by articulating the west elevation with different materials and slightly recessing portions of the wall plane. The south elevation too, uses these architectural techniques to break the mass of the overall structure and reflect this rhythm. The north and east elevations are less successful as they do not appear to have the same amount of differentiation.

**Staff is of the opinion that the applicant should work with the Architectural Review Committee to refine the design elements of the structure so that each elevation is articulated in a way that will break up the massing while not destroying the cohesiveness of the current design.**

The proposed structure varies in height from 77' at the corner (9<sup>th</sup> and New Hampshire) to 68' at the northwest corner of the structure. While this height is within the range of heights for the district and its environs, it is not typical. The majority of the structures in the downtown area are one and two story structures. The existing structures adjacent to the proposed project site are one and two story structures. The 901 New Hampshire building with the adjacent US Bank Building (900 Massachusetts) are the tallest structures in the downtown area. The proposed structure will be one of the tallest buildings in the downtown area. While compatible with Hobbs Taylor Lofts and 901 New Hampshire, the proposed structure is not compatible in height with the majority of the structures in the downtown district. However, the guidelines identify that when there are inconsistent or varied patterns, the new construction can be within the range of typical patterns. If the range of pattern includes new construction after the period of significance, then the proposed

height is within the range of heights for the downtown area. The location of the proposed structure also plays a role in the determination of the compatibility of the height. If surface parking areas are not considered as part of the analysis, the proposed structure is located diagonally across from 901 New Hampshire, across the street from one and two story structures, and to the west of a two story structure. **Because of its proximity to 901 New Hampshire and its location in the environs of Lawrence's Downtown Historic District, staff is of the opinion the proposed height of the structure will not encroach upon, damage or destroy the listed property.** However, staff also is of the opinion that the architecture of the building can be refined to achieve greater transition from west to east. **The applicant should work with the Architectural Review Committee to achieve this goal.**

Building materials identified for the proposed structure are compatible with Lawrence's Downtown Historic District with the possible exception of EIFS. EIFS does, however, exist in the environs of the district and may be appropriate in a limited use on the upper portions of the structure where the distinction between EIFS and stucco is less obvious. Metal panels are also proposed on upper portions of the structure. To help with the overall scale of the building, the size of these panels should be carefully selected. The amount of architectural detail is not fully developed in the drawings submitted for review. **Staff recommends the applicant work with the Architectural Review Committee on the final building materials and architectural details to ensure compatibility with the district and environs.**

#### North Rhode Island Street Historic Residential District

Character-defining elements for this district include: individual buildings on individual lots that are 50 x 117; varied front yard setbacks but always set back from the property line; side yards and rear yards; height of one to three stories with the majority one and two stories; vernacular structures often simple gable front with additions to the rear or as an "L"; materials include brick, wood, stone and stucco; and a variety of colors.

Unlike the review for the commercial district, the environs review for the residential area is more complicated because the proposed structure is commercial in design and ground floor uses. The proposed patterns for the structure are consistent with those patterns found in the commercial area. The proposed structure has no reference to the patterns of the residential neighborhood to the east. It is a massive structure that combines five lots as opposed to small individual structures on individual lots. The zero or minimum setbacks for the proposed structure do not correlate with the front, side and rear yard green space of the setbacks for the residential district. The proposed structure is architect designed with multiple materials for one structure which is different from the vernacular, typically single material structures in the residential historic district. The size, height, massing and scale of the proposed structure are not compatible with the residential district.

For this review, it is important to distinguish that the proposed new construction is not to be located in the district, but rather in the environs of the district and on a parcel that is recognized as being commercial. Line of site is a consideration for this review and there is a direct line of site from the listed property to the project site. The standards and guidelines reference compatibility with the environs of the listed property. The environs of the North Rhode Island Street Historic Residential District have always included the commercial characteristics of the downtown neighborhood. The proposed project site is now considered part of the commercial area and was historically used as a

commercial enterprise (hotel) although the structure was residential in design. The proposed project site is not adjacent to the residential historic district. The alley and the property to the east separate the proposed building from the residential historic district. It is also important for this environs review to recognize that the residential characteristics that were historically found in this area (the 800 block between New Hampshire and Rhode Island) have been obliterated. In an environs review the objective is to determine the character-defining features of the environs, its historic and current character, and what must be retained in order to preserve that character. Staff is of the opinion the environs of the North Rhode Island Street Historic Residential District include building forms that are commercial in design. The current character of the environs includes commercial forms and patterns. What must be maintained then are the size, height, scale and mass of the environs. While the proposed structure is not typical for the environs of the residential district, it does fall within the range of structures that can now be found in the environs of the residential district. Because the proposed project utilizes architectural techniques to create a pedestrian scale and break up the size of the structure, the height and mass are the areas of concern for staff.

Standard 2 in the Standards and Guidelines for Evaluating the Effect of Projects on Environs states *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 proposed project is not a minimal change to the environs of the North Rhode Island Street Residential Historic District and will significantly change the environs spatial relationships due to the height and scale of the proposed structure. However, there is approximately 150 feet from the project site to the curb of Rhode Island Street. This area creates a buffer and offers opportunities for infill that will help transition the commercial area to the residential district. While the size and mass of the proposed building are issues, staff is of the opinion that the location of the property in relation to the district helps to mitigate these issues.

Standard 6 states: *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.* Standard 6 focuses on *character-defining* features and spatial relationships that *characterize* the environs of a property. As mentioned above, staff is of the opinion that there are no character-defining features or spatial relationships that characterize the environs in this block. The proposed new structure is compatible with the materials of the environs, but again the height and mass of the proposed structure are not compatible with the environs. It should be noted, however, that this height and mass currently exist in the environs (Hobbs Taylor Lofts).

**The environs of each district have been significantly altered in this area and it is difficult to establish to what patterns new construction should adhere. Staff is of the opinion the proposed new structure falls within a range of patterns for the area and with amendments including architectural details to be approved by the ARC, will not encroach upon, damage, or destroy the listed properties or their environs.**

The proposed new construction includes alterations to the streetscape adjacent to the project. A roundabout is proposed to be installed at the intersection of 9<sup>th</sup> and New Hampshire Streets and angled parking will be introduced into the 800 block east side of New Hampshire Street. Standards

and guidelines that apply to this portion of the project include:

- 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.*
- 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.*

**PARKING**

**Recommended**

When possible, maintain the parking patterns that characterize the environs of a listed property.

When new parking areas are required, design them to be consistent with the character of the environs and to intrude as little as possible.

**Not Recommended**

Wholesale modification of traditional, character-defining parking patterns.

Creation of new parking areas that are incompatible and/or inconsistent with the parking patterns that characterize the environs.

## **SITE MODIFICATIONS**

### **Recommended**

Retain landscape features, such as trees on lot lines or along the street and open spaces, that characterize the environs of a listed property. When necessary, replace diseased or storm-damaged vegetation with similar new plants.

Retain existing character-defining fences, retaining walls, exterior lighting public utilities and amenities, etc. When necessary, repair or replace deterioration to match original.

When adding a fence, retaining wall, exterior lighting, public utilities and amenities, etc., use a design, materials and location that are compatible with and/or typical in the environs.

Retain existing streets and alleys, and their associated features such as curbs and curb cuts, when possible.

When existing streets, alleys and features must be repaired or replaced, use materials and design that are compatible and/or match the existing.

### **Not Recommended**

Removal of vegetation that characterizes the environs of a listed property.

Construction of new structures on planned or traditional open space that defines the environs of a listed property.

Removal of existing character-defining fences, retaining walls, exterior lighting, public utilities and amenities, etc. from the environs of a listed property.

Replacement of existing (or installation of new) character-defining fences, retaining walls, exterior lighting, public utilities and amenities, etc. with new features that are not compatible and/or consistent with the character of the environs.

Resurfacing, replacing, or adding new streets, alleys and/or their associated features with materials and designs that are incompatible and/or inconsistent with the environs.

The proposed roundabout and angled parking do not appear to meet the intent of the above standards and guidelines. Roundabouts do not exist in the downtown commercial core nor did they exist historically. While there was a piece of sculpture (drinking fountain presented by the National Humane Alliance and dedicated by Theodore Roosevelt) was located in the middle of the intersection of 9<sup>th</sup> and New Hampshire Streets from 1910 to 1929, for most of the period of significance this intersection functioned as a typical grid intersection like the rest of downtown. (The "Roosevelt" fountain was moved first to Robinson Park in 1929, then to South park in 1965 where it was moved again in 2001-2 to its current location in the park.) The introduction of these streetscape elements to address traffic concerns does not alter the existing grid pattern that is significant to the environs.

**Staff is of the opinion that the proposed streetscape alterations will not encroach upon, damage or destroy the environs of the listed properties.**

### **3. Downtown Design Guidelines Review**

The Downtown Design Guidelines were originally adopted by the Lawrence City Commission in 2001 and revised in 2009. The Goals of Design Review on page 7 and 8 of the document identify that "the guidelines are not meant to dictate design choices or serve as a checklist for 'good' design." It is possible to achieve the intent of the guidelines without meeting every individual guideline. The guidelines identified in Section C above apply to the proposed project. Following are the applicable

guidelines that warrant further discussion.

### Demolition

As identified in the State Preservation Law Review, staff is of the opinion that the existing structure is not character defining for the downtown area. Page 91 of the Guidelines identifies non-contributing properties to the overlay district. There is no listing for 100 E 9<sup>th</sup>. 110 E 9<sup>th</sup> is identified as non-contributing. As a non-contributing building to the district, the structure should be altered or replaced with a structure that meets the intent of the Guidelines. (6.14) The structure should be documented before it is removed (23.1). Demolition must be approved by the Lawrence City Commission. (23.2 and 23.3)

### Proposed Structure

#### Block Elements

The proposed new structure will be located on the northeast corner of 9<sup>th</sup> and New Hampshire Street. As designed, it meets the Block Elements identified in Section 6 for corner buildings. It does not, however, meet guideline 6.11 that identifies "buildings fronting Vermont and New Hampshire Streets should be constructed to zero front and side lot lines." The building is recessed from the western property line to allow for the angled parking and sidewalk. Guideline 6.13 states that storefronts should respect the 25 foot or 50 foot development pattern ratios that prevail. The storefront area for the proposed structure is divided with architectural treatments that give reference to individual storefronts but it is difficult to tell if they reference the 25 to 50 foot pattern.

#### New Construction

The Guidelines preface the section on new construction with the statement that infill construction must adhere to the patterns that prevail among nearby or adjacent structures. Many of the guidelines for new construction reference the buildings in the block or the historic structures. As discussed in the State Preservation Law Review, the 800 block between New Hampshire and Rhode Island is somewhat unique for the downtown area in that there are four detached structures on the block with the remainder utilized as surface parking. This block, with the possible exception of the structure located at 800 New Hampshire Street (it too is listed as non-contributing to the district), does not conform to the established patterns of the rest of the district. The proposed new construction should meet the general patterns of the district but does not have the constraints of adjacent contributing structures to establish height and pattern within the block. When compared to the overall patterns of the district, the proposed structure is multistory in height (7.1), storefront-and/or display-style windows are included in the street level façade (7.6), the width of the building's façade fills the entire available space (7.8), and the mass of a building's facade is broken into a number of smaller bays to maintain a rhythm similar to the patterns of the district (7.10). While the proposed structure varies in height from north to south, the variations create a taller corner element with interior block rhythm that does not vary greatly from section to section (7.4). Corner buildings are encouraged to be taller (7.7) and the height of a new building must be in acceptable proportion to its width, following patterns and proportions established by existing structures; likewise, story-to-story heights must be appropriate (7.2). The proposed height is in proportion to the width of the building, but the story-to-story heights do not follow the established patterns of the district. The overall height of the building relates to the height of 901 New Hampshire Street, but it varies greatly from the one and two story structures on the block (7.3).

According to the Guidelines, the setback of a proposed building shall be consistent with the setback of adjacent buildings, and/or with nearby buildings fronting on the same street. Buildings must be placed with the express goal of continuing the overall building line of a streetscape. (7.15) The proposed structure meets this guideline for 9<sup>th</sup> Street, but not for New Hampshire Street. (The proposed new structure has a zero setback on the north, south, and west.) The majority of structures on New Hampshire Street have a zero setback. This is true for the structures directly to the west of the project site and the historic buildings at the north end of the block. This is appropriate and in keeping with the character-defining element of zero setbacks. However, the proposed structure is pulled back from the property line on the west to create a large sidewalk with angled parking. The angled parking uses the public right of way that should be utilized as a green strip and sidewalk as a continuation of the established streetscape. The large sidewalk is important for the pedestrian scale and comfort, but the loss of the visual line that is created at the north end of the block will be disturbed. Staff also notes that the construction approved for the property to the south of the 9<sup>th</sup> and New Hampshire Street intersection reestablishes the parallel parking, green strip, and sidewalk next to the building. The proposed project should utilize the public right of way as parallel parking, green space and sidewalk and the building should have a zero setback on the west to be compatible with the existing structures on New Hampshire Street and the majority of structures in the downtown district. **Staff recommends a zero setback for the building on New Hampshire Street.**

At this time, the information submitted to staff does not allow for the review of architectural details for the structure. Renderings and sketches identify general materials, cornice lines, and awnings, but the details of the design are not complete. The renderings and sketches appear to meet the guidelines, but **staff recommends that the applicant work with the Architectural Review Committee to finalize the overall design and materials of the new structure.** There appears to be a large projecting sign on the west elevation that does not meet the guidelines for signage. **The applicant should work with the Architectural Review Committee to finalize the size and placement of this proposed sign.**

#### Proposed Changes to the Streetscape

The Guidelines adopted the recommendations of the Downtown Concept Plan for Street and Landscape Elements and Block Elements. The Guidelines promote the continuation of Massachusetts Street as the main focus of the district. The guidelines are specific in that the existing street patterns shall be maintained. 20.18 identifies that "Saw-tooth parking shall be maintained along Massachusetts Street. Otherwise, on-street parking shall be parallel in orientation." **The proposed saw-tooth parking is not compliant with the guidelines.**

Roundabouts are not identified in the Downtown Design Guidelines nor do the Guidelines give direction on how to review the introduction of new elements into the streetscape. Street and Landscape Elements in section 5 identify that "Existing street patterns and layout shall be maintained." (5.1) While staff is of the opinion the proposed angled parking does not meet the intent of the Guidelines, **the roundabout should be reviewed by the Lawrence City Commission as a change to the adopted streetscape design for the downtown area.**

## **E. STAFF RECOMMENDATION**

### **Certificate of Appropriateness Review**

In accordance with Chapter 22 of the Code of the City of Lawrence, the standard of evaluation, staff recommends the Commission approve the Certificate of Appropriateness for the demolition and new structure and make the determination that the proposed project does not encroach upon, damage or destroy the listed historic property and its environs. This approval should be subject to the following conditions:

1. The applicant will work with Architectural Review Committee (ARC) to finalize the design and materials of the structure;
2. The applicant provide complete construction documents with material notations to be reviewed and approved by the HRA prior to release of a building permit;
3. The applicant will provide documentation of the existing structure prior to demolition;
4. Any substantial changes to the approved project will be submitted to the Historic Resources Commission for review and approval prior to the commencement of any related work;
5. The property owner will allow staff access to the property to photo document the project before, during, and upon completion of the project.

### **State Preservation Law Review**

In accordance with the Standards and Guidelines for Evaluating the Effect of Projects on Environs, the standard of evaluation, staff is of the opinion the proposed demolition and new structure do not encroach upon, damage, or destroy the environs of one or more listed historic properties with the following amendments:

1. The existing structure will be documented prior to demolition.
2. The applicant will work with Architectural Review Committee (ARC) to finalize the design of the structure, the transition of the structure from west to east, and materials of the structure ;
3. The applicant provide complete construction documents with material notations to be reviewed and approved by the HRA prior to release of a building permit;
4. Any substantial changes to the approved project will be submitted to the Historic Resources Commission for review and approval prior to the commencement of any related work;
5. The property owner will allow staff access to the property to photo document the project before, during, and upon completion of the project.

### **Downtown Design Guidelines Review**

In accordance with the *Downtown Design Guidelines*, the standard of evaluation, Staff recommends the Commission approve the proposed demolition and new structure construction and make the determination that the proposed meets the overall intent of the guidelines. This approval should be subject to the following conditions:

1. The building setback on the west will be reduced to zero. (6.11 and 7.15) Parallel parking will be located in the right-of-way (20.18) with a landscape bed to separate the street and the sidewalk (5.6, 5.7).
2. The existing structure will be documented prior to demolition. (23.1)
3. The applicant will work with Architectural Review Committee (ARC) to finalize the design and materials of the structure as well as the sign location and size;
4. The applicant provide complete construction documents with material notations to be reviewed and approved by the HRA prior to release of a building permit;
5. Any substantial changes to the approved project will be submitted to the Historic Resources Commission for review and approval 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, during, and upon completion of the project.

In accordance with the *Downtown Design Guidelines*, the standard of evaluation, Staff recommends the Commission deny the proposed streetscape alteration of the parallel parking as it does not meet the intent of Guidelines 4.7, 5.1, 5.6, and 20.18.