

Memorandum  
City of Lawrence  
Planning and Development Services Department

**TO: David L. Corliss, City Manager**

**FROM: Planning Staff**

**CC: Diane Stoddard, Assistant City Manager  
Cynthia Wagner, Assistant City Manager**

**DATE: November 13, 2012**

**RE: DR-10-164-11 – Varsity House Construction Update**

This memo serves as an update on various issues related to the construction of the Multi-Dwelling Structure project at 1043 Indiana, including the Varsity House.

At its October 23, 2012 regular meeting, the City Commission adopted the following findings related to the Varsity House part of the project:

1. Determine that the project is not in compliance with the conditions of approval at this time given the observations to date; monitor the progress from this point forward; and insist that the applicant use as much of the original structure as possible, especially on the exterior, as construction continues in order to bring the structure into compliance with the intent of the conditions of approval.
2. Determine that the project has not met the conditions of approval and cannot meet the conditions given the construction to date. Direct staff to negotiate a settlement with the owner with the intention of furthering the historic preservation efforts in the community.

**Construction Monitoring and Materials** - Since these findings were adopted, staff has completed weekly photo documentation of the construction of the house to monitor its progress and to ensure that as much of the original house as possible is used. Staff also inspected the house to ascertain the estimated percentages of former Varsity House materials to new materials. A material list was prepared that describes the relationship between original materials and new materials for the various components of the interior and exterior of the house. While it is difficult to provide an accurate estimate of what total percent of the structure will be original material, the material list reflects that a substantial amount of original material is

being used, including the architecturally important exterior components of the porch, dormers, stone and brick.

Staff and owner agree to the percentages reflected in the material list, as well as the employment of the materials to comply with the direction to “insist that the applicant use as much of the original structure as possible, especially on the exterior, as construction continues in order to bring the structure into compliance with the intent of the conditions of approval.” Staff will continue to monitor the construction through its completion to ensure adherence to this condition.<sup>1</sup>

**Site Plan Revisions** – Notes on the site plan related to the Varsity House are required to be revised given the finding that the structure cannot meet the originally approved site plan notes. The revised site plan will be submitted to the City Commission for review.

In addition, staff completed a preliminary site inspection on November 8, 2012 for the entire project and found that certain elements of the project do not meet the approved site plan.

1. Walls along the alley were found to be too tall (as much as three feet in most locations) and need to be revised to comply with the approved site plan in order to be able to comply with the height of the zoning district;
2. Retaining walls along 11<sup>th</sup> Street that were not reflected on the approved plan need to be shown and reviewed for compliance with setback; and
3. Minor items related to sidewalks and retaining walls at other site locations need to be shown on a revised site plan for staff review.

The materials of the new structure were found to be compliant with the HRC approval.

**Alley Bricks** – A requirement of public improvements where bricks are present is that the bricks will be removed, cleaned, sorted and palletized. For this project, King Construction performed the alley work and transported the bricks to the new Berry Plastics site to be cleaned, sorted and palletized. Public Works Staff is confirming this week that the bricks have been moved to the city's storage area.

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<sup>1</sup> The Final Development Plan reflected asphalt shingles as the roofing material. During a recent site visit, the contractor mentioned that they would likely use wood shingles. Staff and contractor discussed this further on November 13, 2012 and the contractor advised that, due to the construction methods being used, asphalt shingles would be used per the approved plans. Staff advised the contractor that the use of asphalt shingles would be compliant with the approved plans.

