

**LAWRENCE HISTORIC RESOURCES COMMISSION
AGENDA MEETING MAY 15, 2014 6:30 PM
ACTION SUMMARY**

Commissioners present: Arp, Bailey, Foster, Hernly, Quillin, Tuttle
Commissioners excused: Williams
Staff present: Braddock Zollner, Cargill, Halm, Thiel

ITEM NO. 1: ACTION SUMMARY

Receive Action Summary from the March 20, 2014 and April 17, 2014 meetings. Approve or revise and approve.

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Commissioner Tuttle, to approve the Action Summary from the March 20, 2014 meeting and defer approval of the Action Summary from the April 17, 2014 meeting.

Unanimously approved 6-0.

ITEM NO. 2: COMMUNICATIONS

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

Ms. Zollner said staff received communications regarding the Brick Streets project from the East Lawrence Neighborhood Association (ELNA) and correspondence from the State Historic Preservation Office regarding the Multiple Property Documentation Form. In addition, communications regarding Agenda Item No. 6, The Douglas County Courthouse, and Agenda Item No. 10, 826 Rhode Island St, were included in the Agenda Packet.

b) Commissioner Hernly declared his abstentions from Agenda Item No. 7.

ITEM NO.3: Brick Streets Presentation

STAFF PRESENTATION

Mr. Mark Thiel presented the item.

Commissioner Hernly asked if the streets he mentioned were the only three arterial and collector streets.

Mr. Thiel said no. He showed other arterial and collector streets on the map.

Mr. Thiel resumed his presentation.

Commissioner Foster asked if there is a mechanism in place to allow residents a preference as to whether the streets are overlaid or not.

Mr. Thiel said yes, a good example of such a situation happened in the 2100 block of Vermont St. He said the residents wanted the asphalt overlay removed from the bricks, which the city did, but the street continued to deteriorate to a PCI (Pavement Condition Index) of 13 and was even unsafe to walk on. At that point the residents realized the street was in bad condition but were afraid an asphalt overlay would ruin the street. He explained that this street was one of the top ten worst streets in the City, and eventually the brick was reconstructed.

Commissioner Hernly asked if residents and/or the Historic Resources Commission (HRC) is notified as part of their process before a brick street is overlaid.

Mr. Thiel said yes, there are two processes. The maintenance guidelines currently proposed would allow an internal crew to remove a degraded section of brick, fix the sub grade, and reset the section of brick. If the street was selected for an overlay it would be presented with the entire package as part of the annual maintenance program, a plan that goes to the Bicycle Advisory Committee, Utility Committee, and ultimately is presented to the City Commission. He said it would also be presented to the HRC going forward. He said the City Manager views and provides feedback on all of the streets proposed for maintenance as part of the annual package.

Commissioner Foster asked about the life of both a properly reconstructed brick street versus concrete, particularly regarding the costs for initial construction and maintenance.

Mr. Thiel said he doesn't have data to answer definitely, but his experience proves that any street- brick, concrete, or asphalt- will last forever with proper maintenance. The reason many streets are being replaced is because they weren't maintained, and although brick streets have different issues than other materials, they would like to be proactive in maintaining them. He said the City does not want to blindside residents by just showing up to overlay a brick street with asphalt.

Commissioner Tuttle asked if the Secretary of Interior Guidelines have any regulations for streets or curbs.

Ms. Zollner said it depends on the National Register nomination and if they are defined as character-defining elements of the Historic District. Currently, brick streets are considered character defining features and are to be repaired or replaced in-kind.

Commissioner Hernly asked if priority can or should be given to contributing streets in Historic Districts as opposed to the current top criteria historic environs. He also asked if the environs considered are State, Local, or National Environs.

Ms. Zollner said the old environs map, which does not reflect the change in State law, was used.

Commissioner Hernly clarified then that the current environs map, which includes only Local Register properties, should be used for street selection.

Ms. Zollner said they would need to discuss the current definition of those environs.

Commissioner Hernly asked for staff's opinion regarding his prior suggestion of giving priority to contributing streets in Historic Districts.

Ms. Zollner felt contributing streets should have a priority over properties that are just in the environs, but thought that the criteria for environs was chosen to avoid complicating the process by being too specific.

Mr. Thiel said the first criteria for maintenance is funding, and then based on an allocated amount for streets, the program pulls a mixture of all street types that need attention. He anticipates that, since brick streets will start showing a lower PCI, they will be pulled into that pool more frequently.

Commissioner Tuttle said she is concerned that many of the streets designated as collectors, which will be excluded from brick reconstruction, are residential streets in Historic Districts.

Mr. Thiel said the designation of a street as collector, arterial, or residential is not based on what the road is built from, but on traffic volume and length of the street. The designation doesn't rule out the possibility of reconstruction as brick, it just gets the planning and discussion process started as to the options that are available.

Commissioner Tuttle asked why a street would not be reconstructed as brick if the designation does not prevent that.

Mr. Thiel pulled up a list of arterial and collector streets, and counted 18 collectors and three arterials. He added that the streets around them have all been converted to asphalt. Their current focus has been on maintaining arterial streets, but when the time comes to make decisions about these particular brick streets, the community will most definitely be able to weigh in.

Commissioner Foster clarified then that no collector streets are exposed brick.

Mr. Thiel said that is correct; however, it doesn't mean those streets can't be reconstructed as brick. He mentioned that 9th St between Delaware St and Pennsylvania St was rebuilt as concrete because there were no guidelines in place pertaining to brick streets. In addition, the City doesn't have enough brick to reconstruct all of the brick streets, and only 60-70% of bricks can be reused, so they need all of the salvageable bricks under overlaid streets. Consequently, bricks must be custom made for reconstruction projects through a company in Endicott, Nebraska.

Commissioner Hernly said the guidelines won't work alone, and feels the HRC should review street projects annually.

Commissioner Foster asked if it would be safe to say that the residents on the 2100 block of Vermont St would not be getting a reconstruction if they had not spoken up.

Mr. Thiel said that's probably a fair statement. He said it's a street surrounded by modern paving, so he was perplexed as to how a brick street got way out there unless the residents asked for it. It doesn't fit other streets in historic environs, but if guidelines had been in place it would have made maintenance easier. He said although the residents have input on the projects, the overall safety of the community has to be considered, particularly if a street is in such disrepair it shouldn't be used.

Commissioner Tuttle asked if the hazard of a brick street with a low PCI decreases if a driver slows down.

Mr. Thiel said for that particular street no, it was in very bad shape. If you weren't aware of its condition it would have been very dangerous.

PUBLIC HEARING

Mr. Dennis Brown, Lawrence Preservation Alliance (LPA), said he appreciates Public Works' hard work and Mr. Thiel's leadership. LPA feels the guidelines need a little more work and hopes it is possible for Public Works to sit down with the Architectural Review Committee (ARC) and work on reconstruction criteria. LPA doesn't think the directional criteria should be included. Since preservation language is legal language, he explained, it needs to be more specific: Is the street within a registered historic district? Does the street have structures on Local, State, or National Registers? Does the street have structures with historic listing potential? There are historic structures in town that aren't listed on any register, such as the John Haskell House which was not listed until just recently. Does it have neighborhood support, either through an established association or the majority of homeowners? Are there brick sidewalks? He said it costs from a quarter of a million to a half of a million to reconstruct one brick street. He guessed that not many brick streets will be reconstructed over the next 10 years, and added that most brick streets are already covered in asphalt. Most importantly, he explained, the streets that have exposed brick are historic resources. The evaluation and maintenance of those streets is crucial because, once overlaid, it's not likely they will be returned to their original brick. According to Mr. Thiel, he said, there are about 35 exposed residential brick streets. He mentioned the process for addressing old windows in a historic property, which involves conducting a window survey, identifying problem areas, and deciding which can be repaired and which can be replaced. He said the same type of evaluation should be applied to brick streets, whereby each street is evaluated individually. He suggested the ARC could assist Public Works in creating a document for evaluation, possibly a map for every street where problem areas can be noted, which could also serve as a record of street conditions and deterioration. If and when that documentation is done, it can be shared with the HRC and would be an easy way to comment on future overlay projects.

Ms. Leslie Soden, East Lawrence Neighborhood Association (ELNA), said she is really excited about the brick maintenance plan and appreciates that Mr. Thiel softened some of the language, particularly regarding the east/west variable. She thanked Mr. Thiel.

Mr. Phil Collison, ELNA, said he has enjoyed all of Mr. Thiel's presentations regarding brick streets. He likes the idea that brick street projects will come before the HRC. He said he agrees with Dennis Brown that streets should be evaluated individually and, if only isolated areas are damaged, should be repaired. He noted that some areas on the map haven't been updated since they were reconstructed. Mr. Collison mentioned that several members of the public would be interested in collaborating and riding along with Public Works as they evaluate brick streets. He suggested designating a person within the city as an expert on brick streets and providing formal training, to ensure that maintenance and reconstruction is done perfectly. He applauded Public Works and appreciates their initiative.

Ms. KT Walsh, ELNA, said she concurs with the first two public members and thanked Mr. Thiel for his efforts. She feels that it should be City policy that brick street maintenance projects are reviewed by the HRC. She asked if non-city utility companies must pay for any damage to streets while working.

Mr. Thiel said other utility companies are required to reconstruct to current City standards, but that doesn't always happen. In the last year, the City has appointed a right-of-way coordinator and the City Manager has started discussing the need for right-of-way management with the City Commission. If an original brick street is damaged by a utility company, they would need to bring it up to the current brick street design criteria.

Ms. Walsh said the life cycle data is great and needs to be included, as well as the traffic calming benefits. She asked if brick streets and limestone curbs are currently considered contributing structures in historic districts.

Ms. Zollner said they are in some districts.

Ms. Walsh asked how they would include them in all of the historic districts.

Ms. Zollner said it would take an amendment to the nomination to include them as contributing structures or objects.

Ms. Walsh asked if a citywide survey could be done to identify them.

Ms. Zollner said yes.

Ms. Walsh said there is currently a sewer repair in the 1000 block alley of Connecticut St and are removing an old brick sewer, and suggested the bricks might be worth harvesting. She also suggested that Mr. Thiel address the new snow plow blade specifically designed for use on brick streets.

Ms. Lisa Harris, Barker Neighborhood Association, came to give full support to Mr. Thiel for his brick street policy. After listening to some discussion, she felt that more attention should be paid to historic areas. In response to the ELNA letter, the Barker Neighborhood Association does not agree that public input should overshadow policy, since it does take resources away from other things, unless there is a strong opinion from more than just one neighborhood. In regard to the suggestion of appointing a subject matter expert, she feels the Public Works department is very knowledgeable and responsive, and can speak from personal experience as she works with them frequently in her profession at KU.

COMMISSION DISCUSSION

Commissioner Foster asked if action is required to allow the HRC to review brick street projects.

Ms. Zollner said yes, it could be included in the proposed guidelines.

Commissioner Foster said any project involving the overlay or reconstruction from brick to another material should be reviewed. He said he appreciates Mr. Brown's comments and likes the idea of analyzing each block and the opportunity for the public to voice their opinion. He mentioned he resides on a poorly maintained brick street but prefers that over an overlay.

Commissioner Arp asked if there is a way to include Mr. Brown's suggestions in the proposed guidelines.

Mr. Thiel said more information is always better than less information. He said there is currently a process for all streets that is similar to what Mr. Brown suggested, which includes a physical

inventory of each roadway section once every four years- a quarter of the City per year- and they currently have 3 years of data. The data provides deterioration rates and the PCI number that everyone recognizes, which can then indicate whether the right amount of money is being spent. He said they welcome information that can be added or used to correct their inventory, such as the knowledge of certain streets containing two layers of brick instead of one.

Commissioner Foster said sharing the collected information and inviting further comment is good. He asked how it can be analyzed and discussed in a reasonable way.

Mr. Thiel said Public Works would be glad to take volunteers from the community if they wish to help collect the data and feels they can address that in the guidelines somehow.

Commissioner Hernly asked if the current analysis includes graphical documentation or just descriptive documentation of road conditions.

Mr. Thiel said it is descriptive and numerical. He mentioned that Google Earth is a great inventory tool because it has exceptional aerial photos.

Commissioner Bailey asked Mr. Thiel for his thoughts on how to incorporate an HRC review into the guidelines.

Mr. Thiel said it is their procedure to include groups, both internal and external, because it's good to get feedback and it prevents mistakes.

Commissioner Arp said there aren't many uncovered brick streets, and asked if there is a way to emphasize the goal of maintaining those already uncovered in the guidelines.

Mr. Thiel said it's best to keep streets in their original condition. He mentioned that the practice of laying asphalt over concrete is a quick and easy fix but isn't a good one. He said most of 23rd St is concrete, and the asphalt overlay is the reason for its poor condition.

Commissioner Arp said he feels it's a point that should be articulated if the City's goal is to keep streets in their original condition, particularly when weighing the cost of reconstruction and maintenance.

Commissioner Hernly said Section 2.1 of the draft guidelines states that major defects will require asphalt overlay.

Commissioner Tuttle suggested revising the language to say that the overall condition is a deciding factor but maintaining the exposed brick is preferential.

Commissioner Arp suggested articulating the preference for maintaining exposed brick under Section 1 in the draft guidelines.

Mr. Thiel said that is easy enough to add.

Commissioner Arp reiterated the importance of the intent of the additional language.

Commissioner Hernly asked if, under Section 2.2 of the draft guidelines, arterial and collector streets should be separated.

Commissioner Foster mentioned there are currently no exposed brick arterial or collector streets.

Commissioner Tuttle said if they aren't lumped together, it's possible if a street hasn't been overlaid it could be considered for reconstruction as brick.

Commissioner Foster said if the funding is there reconstruction to brick is possible.

Commissioner Hernly asked if the criteria for arterial and collectors should be defined separately.

Commissioner Tuttle said she is concerned that the current guideline would prevent a collector street from ever being reconstructed as brick.

Commissioner Foster suggested maybe softening that language.

Commissioner Hernly suggested separating arterial and collector street criteria, and adding language that under collectors that takes into account any association with historic properties or districts. He asked if the priority criteria under residential streets should be redefined.

Commissioner Arp said historic environs need to be redefined.

Commissioner Hernly asked if the criteria should reflect the list compiled by LPA.

Commissioner Bailey asked about the potential for historic listing.

Ms. Zollner said she thinks it's do-able, since preliminary predeterminations for properties are done frequently, it's similar to reviews conducted under Section 106.

Commissioner Hernly pondered if there would ever be a situation when there is not enough money to do stone curbs for an entire block, but perhaps only in front of a historically significant property.

Commissioner Foster said that might look a little weird.

Ms. Zollner said some blocks currently have partial stone curbs.

Mr. Thiel said it is possible to do only partial stone. He said if there isn't enough stone to do an entire street, but during the review process there are historic properties identified which require stone curbs, that's what will be done.

Commissioner Hernly said even if a brick street can't be accomplished on a block with a historic property, a stone curb in front could still be done.

Mr. Thiel said just as there is not enough bricks to rebuild arterial and collector streets, there is also not enough stone to rebuild all stone curbs. Nevertheless, if a block or property requires stone curbs his department would make that work.

Commissioner Foster asked if a motion is required.

Ms. Zollner said the Commission should give staff direction as to whether it should go to ARC or come back to the HRC.

Commissioner Foster suggested staff should review it for compliance and if there are issues it should come back to the HRC.

The commissioners agreed that would make sense.

Commissioner Tuttle said if the HRC's suggestions are incorporated in the next draft then it would have their full support.

Ms. Zollner asked if they still would like the guidelines to come back to the HRC so it can be approved.

Mr. Thiel said he would prefer to come back to the HRC given the amount of time spent on perfecting the guidelines.

Commissioner Tuttle thanked Mr. Thiel for the incredibly patient way he has taken all of their suggestions.

Mr. Thiel said they want to get this right.

ITEM NO. 4: DR-14-00036504 Louisiana Street; Demolition; State Preservation Law Review. The property is a contributing structure to the Pinckney I Historic District, National Register of Historic Places. Submitted by Carl Edwards for Nickel-Evan, LLC, the property owner of record.

ACTION TAKEN

Item deferred.

ITEM NO. 5: DR-14-00060 1001 Massachusetts Street; Sign; State Law Review and Downtown Urban Conservation Overlay District Review. The structure is listed as a key contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places and is located in the Downtown Urban Conservation Overlay District. Submitted by Jarod Scholz for The Greenhouse Culture Church on behalf of Consolidated Properties, Inc., the property owner of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

Commissioner Foster said the ARC discussed the project and some vertical banner ideas did not materialize because they lack permanency. He said they came up with a simple design that will rest on the ledge of the building that is well built, clean, and colorful.

Ms. Zollner said staff made recommendations in the memo for the applicant to submit a revised design to the ARC, and if it doesn't get approval, it will come back to the HRC.

No public comment

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Commissioner Foster, to approve the proposed project and make the determination that the proposed project does not encroach upon, damage, or destroy one or more listed historic properties based on the information in the staff memo and with the amendments noted in the staff memo.

Unanimously approved 6-0.

Motioned by Commissioner Bailey, seconded by Commissioner Arp, to approve the project based on the staff memo and per the Downtown Design Guidelines.

Unanimously approved 6-0.

ITEM NO.6: L-14-00130 Public hearing for consideration of placing the structure located at 1100 Massachusetts Street, the Douglas County Courthouse, on the Lawrence Register of Historic Places.

STAFF PRESENTATION

Ms. Zollner presented the item.

PUBLIC COMMENT

Ms. Leslie Soden, ELNA, commented that they just don't make them like the Douglas County Courthouse and Watkins building anymore. She noted the importance of caring for public buildings, and said the Courthouse is an iconic part of the downtown area which reminds her of Cottonwood Falls.

Mr. Dennis Brown, LPA, said it's interesting that the land for the Courthouse was donated by JB Watkins. He said he's very pleased that the County Commission has made the nomination.

Ms. Nancy Thellman, Chair of the Douglas County Commission, said it's pretty clear that this is a wonderful structure and worthy of designation. She said it is a privilege to walk into that building every day, and she thanked Ms. Zollner for her work in submitting the application and her roles in historic preservation for the community. She said the County Commission is in full support of the nomination.

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Commissioner Foster, to adopt the Resolution 2014-07 recommending the structure located at 1100 Massachusetts Street for designation as a Landmark on the Lawrence Register of Historic Places.

Unanimously approved 6-0.

Motioned by Commissioner Bailey, seconded by Commissioner Foster, to adopt the environs definition as provided by staff.

Unanimously approved 6-0.

Motioned by Commissioner Foster, seconded by Commissioner Quillin, to direct staff to draft the report to the City Commission recommending the nomination.

Unanimously approved 6-0.

ITEM NO.7: DR-14-00149 529 Tennessee Street; New Accessory Structure; State Law Review. The property is located in the Pinckney I Historic District, National Register of Historic Places. Submitted by Mike Myers of Hernly Associates for Donald Marquis, the property owner of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

APPLICANT PRESENTATION

Mr. Mike Myers, Hernly Architects, said the project is fairly self explanatory. He said it's set up to be a mirror image of the one across the alley. He offered to answer any questions about the project.

PUBLIC COMMENT

Mr. Dennis Brown, LPA, said it's a novel concept- the applicant needs a garage, so they built a garage. He said they are hopeful the Commission approves the project.

ACTION TAKEN

Motioned by Commissioner Arp, seconded by Commissioner Tuttle, to approve the project based on the information provided in the staff report and make the determination that the proposed project will not encroach upon, damage or destroy any historic property.

Unanimously approved 6-0.

ITEM NO.8: DR-14-00153 705 Massachusetts Street; New Construction; State Law Review, Certificate of Appropriateness Review and Downtown Urban Conservation Overlay District Review. The property is located in Lawrence's Downtown Historic District, National Register of Historic Places, the Downtown Urban Conservation Overlay District, and is located in the environs of Miller's Hall (723-725 Massachusetts) and the House Building (729 Massachusetts). Submitted by Paul Werner Architects for Eldridge Holding II LLC, the property owner of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

APPLICANT PRESENTATION

Mr. Paul Werner, Paul Werner Architects, said a smaller version of the project was approved a few years ago, but it was four stories and didn't provide enough hotel rooms, which is ultimately the reason why it wasn't constructed. The current proposal is technically six stories although it's a two-story building from the front and it steps up to the original building. The sixth floor, he said, is pulled back 34 feet from the property line. He said there are currently 48 rooms, mostly suites, which will not allow the Eldridge to remain competitive and accommodate the expected business brought by Rock Chalk Park. The proposed project will add 38 additional rooms. He said the service elevator was moved to the west so every floor will be connected, and a second elevator is off Massachusetts Street. Mr. Werner said all of the changes make this design better and functional. He said they plan to use real brick on the façade along Massachusetts Street, and thin brick only at the 4th and 5th floors. He added that their goal is to use all real materials and he would be happy to meet with the ARC to discuss materials.

PUBLIC HEARING

Mr. Dennis Brown, LPA, said they agree with the staff report and feel the project is ready to go to the ARC for fine tuning. They do not believe the design will damage the original hotel or Downtown District.

Ms. Leslie Soden said it's exciting that the Eldridge is expanding. She feels the top three stories look odd in the concept drawing and hopes the ARC can fix the façade.

COMMISSION DISCUSSION

Commissioner Foster remembered that the HRC struggled with the previous submittal, and commented that the current proposal looks like several additions, but it is improved. Previously, the elevator was really exposed. He said the expansion is exciting and he hopes the ARC can help with some details, such as the massing and the placement of the upper floor.

Commissioner Hernly said he likes the overall massing, keeping the taller part against the old Eldridge and stepping down and back. He said is concerned with the amount of glass on the second and third stories. He mentioned the amount of glass high on the structure and the narrow strips of brick between them could be alleviated if real brick is used, like the original Eldridge building, and suggested consulting the Downtown Design Guidelines.

Commissioner Foster commented that the low window sills pictured in the concept drawings would show the backs of furniture and he suggested using less glass on the east wall.

Commissioner Hernly suggested the windows could either be smaller and farther apart or have different material in between them.

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Commissioner Foster, to approve the proposed project and find that the project will not encroach upon, damage or destroy any listed property based on the information in the staff report and with amendments as outlined in the staff report.

Unanimously approved 6-0.

Motioned by Commissioner Tuttle, seconded by Commissioner Arp, to approve the proposed project under the Downtown Design Guidelines and Chapter 22 based on the staff report and with the amendments outlined in the staff report.

Unanimously approved 6-0.

ITEM NO.9: DR-14-00152 808 Rhode Island Street; Addition; State Law Review. The structure is listed as a contributing structure to the North Rhode Island Street Historic Residential District, National Register of Historic Places. Submitted by Paul Werner Architects for Peter Howell, the property owner of record.

Deferred

ITEM NO.10: DR-14-00151 826 Rhode Island Street; Demolition and New Construction; State Law Review. The structure is a non-contributing structure to the North Rhode Island Street Historic Residential District, National Register of Historic Places. Submitted by Paul Werner Architects for James and Doni Slough, the property owners of record.

STAFF PRESENTATION

Ms. Zollner presented the item. She also presented photos that were not included in the agenda packet. She said it does not appear there is historic significance left in the structure.

APPLICANT PRESENTATION

Mr. Paul Werner, Paul Werner Architects, said his client recently bought the property and is not responsible for its condition- there is nothing historic left in the house. They understand staff's concerns regarding the size and roof lines and expect to visit with the ARC about them. The structure is currently a duplex and the proposed plans include a unit above the garage, an aspect he feels is favorable since it looks like a single family home from the front. He said they would work on narrowing down the structure and would like feedback as to whether a two or three car garage is preferable. He said the rooflines for the unit above the garage need to be dropped. He said he's glad that staff approved demolition of the structure, and would like the Commission to keep the RM24 zoning in mind when considering the number of units. Mr. Werner stressed the fact that, regardless of whether it's a duplex or attached dwelling, there will not be two doors facing the street. He offered to answer any questions.

Commissioner Hernly asked about the concept behind the proposed outside entrance to the stairs to the basement.

Mr. Werner said the stairs are just a way to get outside from the basement. He mentioned his client may want to live down there someday. He said it is just a crawl space, but when you tear it down you have to fill it, so it's easier to just make a basement. He added that it also helps the front porch to be on a basement.

Commissioner Hernly said the downside to that outside stair, since it's zoned RM24 and would allow three units, is that it doesn't have an egress window.

Mr. Werner acknowledged that if someone wanted to, technically they could make that a third unit.

PUBLIC COMMENT

Ms. Leslie Soden, said ELNA wrote a letter regarding the project which is in the agenda packet. She said she used to own the house adjacent and her friends lived in the subject property which was a wreck then as well. The ELNA feels that the proposed is not a compatible replacement for the existing structure and is completely out of scale with the neighborhood. She mentioned there were seven small garages in that alley. Regarding the RM24 zoning, she said the neighborhood was zoned industrial and down-zoned in the 1980s. She added that the proposed project would overshadow the most densely populated property on the block, in terms of both size and number of possible occupants.

Ms. KT Walsh, ELNA, said she's been talking to the neighbors and feels the project is an Oread design that has been plopped into this historic district. The neighbors object to the mass, scale, and attached garage. She said there is also a big concern about the lack of a backyard and the

drainage affecting neighbors. She feels a third unit is likely and the outdoor stairway is a red flag. She concurs with the staff report and ELNA letter.

Mr. Dennis Brown, LPA, said they are struggling with the loss of the non-contributing structure. After inspecting the foundation lines and the roof lines, they think the original structure is probably in the middle of the house although they haven't been inside. He pondered whether a younger property owner might view the home as a good project. The replacement property, he said, is the big no. This would be the first modern infill structure on the block. There are a number of really small structures, lots of small detached garages, and big backyards. The front of the house is the least bothersome, but the sides are huge and very noticeable. He referred to an area in the staff report that speaks to his viewpoint. He doesn't think this project is appropriate for review by ARC because it cannot simply be tweaked to make it a compatible property. He suggested allowing the applicant a month to make adjustments to the project, including a significant decrease in mass, and return to the HRC. He added that, if denied and appealed to the City Commission, this project would still not meet approval.

COMMISSION DISCUSSION

Commissioner Foster said he agrees with Dennis Brown. He does not think it should go to the ARC and will not support approval.

Commissioner Hernly suggested they address the things that need to be changed. He said an attached garage would require a 20 ft setback and a detached garage cannot have any living space.

Commissioner Tuttle said the conception of the project is wrong for the location. Rather than being a question of size, the needs of the property owner should harmonize with the space that is provided and the surrounding area.

Commissioner Arp agreed that placing such a large structure in the middle of a block with detached garages and a lot of green space just doesn't fit. He said he would have a hard time recommending approval.

Commissioner Tuttle said allowing a building of that sort would materially impact the historic district and would change the feel of the area.

Commissioner Quillin said the fact that it is in the historic district makes the review that much more stringent.

Commissioner Foster was perplexed that the zoning would allow that much lot coverage.

Commissioner Tuttle said the things that are meant to be accomplished by zoning codes are completely different than the intent of historic districts.

Commissioner Hernly said the RM24 zoning is a transition from the commercial zoning across the street into the neighborhood.

Commissioner Bailey said the proposed structure is 2600 sq ft, up significantly from the 1100 sq ft existing structure. He asked the applicant if the idea was to propose something extravagant with the expectation that it would need to be scaled down to some extent.

Mr. Werner agreed that it's big and they need to work on it. He asked if they should bring a revised plan to the next HRC meeting or go to the ARC with it first. He said they are pleased with the demolition plan and should be able to get a new plan worked up.

Commissioner Hernly said he wouldn't mind looking at something as a review before coming back to the HRC.

Commissioner Foster said the front elevation is the most redeeming aspect of the project, but it still has a lot of work.

Commissioner Hernly pointed out an element on the front and rear elevation of the proposed structure is the main element that makes the existing structure non-contributing. He suggested they revise their plan to include some iconic pieces from contributing structures in the neighborhood.

Commissioner Foster said he is willing to review their revised plan at the next ARC meeting.

Commissioner Tuttle felt they all agreed about the current plan, particularly since there isn't a single attached garage in the area.

Commissioner Foster said he would love to give Mr. Werner the opportunity to go back to the drawing board with his client.

Commissioner Bailey said he doesn't want to deter a property owner who is willing to do something with the property and is willing to work with the ARC.

Commissioner Arp said a denial is appropriate because there is such a large amount of modification needed.

Commissioner Tuttle mentioned that, even though it is non-contributing, demolishing the structure and not replacing it would not be acceptable.

Commissioner Hernly feels that there is a design that could fit as a duplex. He said there is a fourplex up the street, a house that was divided on a double lot, but when you drive through the neighborhood it seems to fit. You could even make a 3-unit fit if it's done properly, but the parking will always be a big issue.

Commissioner Bailey asked if an outright denial would require staff to start from scratch.

Ms. Zollner said they could defer the item and ask the applicant to bring back the revised plan for the June agenda, or they applicant can go to the ARC with their revisions first. Alternatively, the Commission can deny the item and the applicant has the option to either submit a new application or appeal to the City Commission.

Commissioner Arp asked if one the deferral or rejection process is more cumbersome than the other.

Ms. Zollner said a denial would have to meet the submittal deadline which has passed for June, so a deferral would keep them open to the June agenda.

ACTION TAKEN

Motioned by Commissioner Foster, seconded by Commissioner Tuttle, to defer the item.

Unanimously approved 6-0.

ITEM NO. 11: MISCELLANEOUS MATTERS

A. There were no Board of Zoning Appeals applications received since April 17, 2014.

B. Review of any demolition permits received since the April 17, 2014 meeting.

Ms. Zollner said there was one demolition permit for a garage at 8th & Pennsylvania which will be on the June agenda.

C. Review of Administrative and Architectural Review Committee approvals since April 17, 2014.

Administrative Reviews

DR-14-00117 1047 Massachusetts Street; Mechanical Permit; State Law Review. The property is individually listed in the National Register of Historic Places and is a key contributing structure to Lawrence's Downtown Historic District, National Register of Historic Places. Submitted by Smith Service Company, Inc., for Douglas County Historical Society, Inc., the property owner of record.

DR-14-00119 2317 Massachusetts Street; Driveway Permit; State Law Review. The property is contributing to the Breezedale Historic District, National Register of Historic Places. Submitted by Prime Construction for Tina Conchola, the property owner of record.

DR-14-00126 918 Massachusetts Street; Interior Finish Demolition; State Law Review. The property is a contributing property to Lawrence's Downtown Historic District, National Register of Historic Places. Submitted by Benchmark Construction for Yuba City LLC, the property owner of record.

DR-14-00150 918 Massachusetts Street; Awning; State Law Review and Downtown Urban Conservation Overlay District Review. The property is a contributing property to Lawrence's Downtown Historic District, National Register of Historic Places and is located in the Downtown Urban Conservation Overlay District. Submitted by Full Bright Sign & Lighting for Yuba City LLC, the property owner of record.

ACTION TAKEN

Motioned by Commissioner Arp, seconded by Commissioner Foster, to confirm the Administrative Reviews.

Unanimously approved 6-0.

D. General public comment.

Ms. Leslie Soden said Penny Concrete trucks are constantly using Pennsylvania St between 8th and 9th, which was just rebuilt. She has repeatedly talked to Public Works about it and has talked with Chuck Soules about ways to reroute their traffic. She said the proper truck route is Connecticut Street and she would like to see them stay on the designated truck route. She asked for HRC support in resolving the matter.

Commissioner Foster agreed. He said not protecting a reconstructed brick street is silly. He asked if the residents should get together.

Ms. Zollner said they should write a letter.

Ms. Soden said they originally thought the truck route was Delaware St, and wrote a letter that provided no results because they didn't have the correct information.

Commissioner Hernly asked if Penny Concrete is located at the end of 8th Street.

Ms. Soden said yes, and they are very nice neighbors.

Commissioner Foster agreed that action should be taken.

Ms. Walsh said Chuck Soules said the new stretch of Delaware was not built to withstand truck traffic, nor was the new brick street.

Commissioner Foster said trucks should not use any residential streets, only collector and arterial streets.

Commissioner Hernly said they are supposed to go from Connecticut Street to 8th Street.

Commissioner Tuttle asked if it is an enforcement matter.

Ms. Soden said she is not sure.

Ms. Betty Alderson said there is a map which outlines the designated truck route in town.

Ms. Walsh said they would consult the Traffic Safety Commission.

E. Miscellaneous matters from City staff and Commission members.

Ms. Zollner said she sent an email to the Commission about the opportunity to attend NACP Forum for historic and design review commissions July 16-18. She said a grant is available for one commissioner and one staff member to attend, and asked if anyone was interested in attending.

Commissioner Foster said he can attend as a last resort.

Commissioner Hernly said he can attend.

Ms. Zollner said the July meeting would need to be moved.

Quillin said she'd prefer to do it on July 31st because she has an obligation the week before.

ACTION TAKEN

Motioned by Commissioner Quillin, seconded by Commissioner Arp, to move the July meeting date to July 31st, 2014.

Unanimously approved 6-0.

ADJOURN 9:36 PM