



City of Lawrence

PLANNING & DEVELOPMENT SERVICES

LAWRENCE HISTORIC RESOURCES COMMISSION AGENDA MEETING APRIL 21, 2016 6:30 PM ACTION SUMMARY

Commissioners present: Bailey, Buchanan Young, Fry, Hernly, Quillin
Staff present: Braddock Zollner, Ewert, Simmons

ITEM NO. 1: COMMUNICATIONS

- A. Receive communications from other commissions, State Historic Preservation Officer, and the general public.
Received an email from the State Historic Preservation Office
Received Staff Memo regarding the Oread Neighborhood Design Guidelines
- B. No ex-parte communications.
- C. No abstentions for specific agenda items by commissioners.

ITEM NO. 2: CONSENT AGENDA

- A. Deferred - February 18 and March 24, 2016 Action Summaries
- B. Administrative Approvals
 - 1. DR-16-00034 702 Rhode Island Street; Porch Rehabilitation; State Law Review and Certificate of Appropriateness
 - 2. DR-16-00084 6 E 8th Street; Plumbing Permit; State Law Review, Certificate of Appropriateness, and Downtown Design Guidelines Review
 - 3. DR-16-00087 Intersection of New Jersey Street and 10th Street; Street Intersection Repair Art Project; Certificate of Appropriateness
 - 4. DR-16-00089 701 Massachusetts Street; Wall Art Project; State Law Review, Certificate of Appropriateness, and Downtown Design Guidelines Review
 - 5. DR-16-00086 637 Tennessee Street; Solar Addition; State Law Review and Certificate of Appropriateness

ACTION TAKEN

Motioned by Commissioner Hernly, seconded by Commissioner Fry, to confirm the Administrative Approvals and defer the February 18 and March 24, 2016 Action Summaries.

Unanimously approved 5-0.

- ITEM NO. 3:** L-16-00121 Public hearing for consideration of placing Oak Hill Cemetery located at 1605 Oak Hill Avenue on the Lawrence Register of Historic Places. Adopt Resolution 2016-07, if appropriate.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

PUBLIC COMMENT

Mr. Matthew Herbert said the property environs were very large for Oak Hill Cemetery. He asked that they further redefine the environs definition to allow for demolition and new construction to be approved at the administrative level.

Ms. KT Walsh supported this landmark nomination. She understood Mr. Herbert's concerns but felt it was fairly easy to get approval for improvements of homes. She encouraged Historic Resources Commission to pass this.

COMMISSION DISCUSSION

Commissioner Fry thought that a new structure could be built with staff approval.

Ms. Braddock Zollner said yes. She said the environs definition was written as 'significant new construction.' She said they could define the word 'significant' as new construction of a new structure and not as additions to existing structures. She said the cemetery was a unique situation since it was difficult to impact the cemetery.

Commissioner Hernly asked if the environs definition was included in the staff report.

Ms. Braddock Zollner nodded yes.

Commissioner Bailey said the difference between administrative review and coming before Historic Resources Commission would be time.

Ms. Braddock Zollner said that was correct.

Commissioner Hernly asked if new construction along with demolition of an existing structure would go through the demolition permitting process.

Ms. Braddock Zollner said that was correct, a 30 day wait.

Commissioner Hernly said he did not like to approve demolition without new construction that went with it. He said he would support it how it was written so that they don't start a trend of approaching this different than they do others.

Commissioner Quillin wondered if they should define significant.

Commissioner Buchanan Young said she hesitated to define significant because it could create a loophole for developers to leave a small portion of the building so that it would be considered an addition and not new construction.

Ms. Braddock Zollner asked Commissioner Hernly if he was recommending looking at the definition of environs as presented in the packet or the revised one.

Commissioner Hernly said he was referring to the definition from the packet.

Ms. Braddock Zollner said one of the alternatives that they could consider was to remove the 'significant' and that it would be primary structure demolition with new construction. She said another option was that it all could be administrative unless it did not meet the standards, in which case it would come to Historic Resources Commission.

Commissioner Buchanan Young said she was in favor of anything that didn't meet the standards coming to Historic Resources Commission. She said if it did meet the standards then it could be administratively approved.

Commissioner Hernly said significant demolition was hard to define but demolition of primary structure was more clear and should come to Historic Resources Commission. He wondered how new construction would tie in with that.

Ms. Braddock Zollner suggested that additions not come before Historic Resources Commission, but rather administrative review. She said an alternative could be demolition of primary structure and new construction of primary structure could come before Historic Resources Commission.

Commissioner Bailey said he was comfortable with everything being administratively approved except demolition of primary structure.

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Buchanan Young, to adopt Historic Resources Commission Resolution 2016-07 to nominate Oak Hill Cemetery, 1605 Oak Hill Avenue, as a Landmark on the Lawrence Register of Historic Places.

Unanimously approved 5-0.

Motioned by Commissioner Bailey, seconded by Commissioner Hernly, to adopt the environs review and allow all projects, with the exception of demolition of a primary structure, be reviewed administratively.

Unanimously approved 5-0.

ITEM NO. 4: L-16-00122 Public hearing for consideration of placing Clinton Park located at 901 W 5th Street on the Lawrence Register of Historic Places. Adopt Resolution 2016-08, if appropriate.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

PUBLIC COMMENT

Mr. Dennis Brown, Lawrence Preservation Alliance, was in favor of the landmark nomination. He said a lot of negotiating went into the land transfer agreement with the school board. He said part of the land transfer agreement was an oral agreement that the school board would be okay with listing the property when the time came. He thanked staff for moving this forward and was very pleased to see it.

Mr. Steve Braswell, encouraged Historic Resources Commission to adopt placing this on the historic register. He was in favor of maintaining the integrity of the park.

COMMISSION DISCUSSION

Commissioner Hernly asked if Historic Resources Commission or City Commission would move forward the nomination for State or National listing.

Ms. Braddock Zollner said that would be Historic Resources Commission directing staff to move forward with the nomination.

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Commissioner Quillin, to adopt resolution 2016-08 to nominate Clinton Park, located at 901 W 5th Street, for designation as a Landmark on the Lawrence Register of Historic Places.

Unanimously approved 5-0.

Motioned by Commissioner Bailey, seconded by Commissioner Buchanan Young, to adopt the environs definition as outlined in the staff report.

Unanimously approved 5-0.

Motioned by Commissioner Buchanan Young, seconded by Commissioner Hernly, to proceed with preparing the nomination of placing the historic area of Clinton Park on the Kansas State and National Register of Historic Places.

Unanimously approved 5-0.

ITEM NO. 5: DR-16-00091 715 New York Street; Addition and New Accessory Structure; Certificate of Appropriateness. The property is located in the environs of the R. W. Sparr House (742 Connecticut Street), Lawrence Register of Historic Places.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

APPLICANT PRESENTATION

Ms. Sacie Lambertson was present in the audience but had no comments.

PUBLIC COMMENT

Mr. Dennis Brown, Lawrence Preservation Alliance, said he did not have any issues with the work being done on the house. He said his problem was with the ancillary structure. He felt the ancillary structure was too close to the back addition of the house and seemed like a continuation of the house. He felt there should not be a connection there. He also expressed concern about the length of the ancillary structure. He suggested the item be deferred to allow time for the applicant to work with the Architectural Review Committee to improve the way the ancillary structure worked.

Ms. KT Walsh agreed with Mr. Brown's comments.

Mr. Brad Gibson said it would be a real shame to remove the porch from the house.

COMMISSION DISCUSSION

Commissioner Hernly inquired about the distance between the primary and ancillary structure. He said Historic Resources Commission discussed that with the Oread Design Guidelines. He said he did not recall what the required distance was.

Ms. Braddock Zollner said she did not recall.

Commissioner Hernly asked if there was anything in the Development Code that talked about the distance between the primary and ancillary structure.

Ms. Braddock Zollner said no.

Commissioner Bailey inquired about the screened porch.

Ms. Lamberston said the roof of the porch would go into the roof of the garage.

Commissioner Bailey said this was a Certificate of Appropriateness request that skirted the boundary. He said he would be inclined to approve it.

Commissioner Quillin said if they were looking at a contributing property to a historic district or a listed property the conversation would be different. She agreed with Commissioner Bailey.

Commissioner Hernly said it was a unique location, right behind the big commercial masonry building.

Commissioner Buchanan Young said she did not feel comfortable approving it.

Commissioner Fry did not see how it would negatively impact the listed property.

Commissioner Buchanan Young felt it would change the character of the alley significantly.

Commissioner Buchanan Young asked if the conversation would change if a property was not listed but was eligible.

Ms. Braddock Zollner said no, it would not change the conversation.

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Commissioner Fry, to approve the Certificate of Appropriateness for the project, as outlined in the staff report.

Motion carried 4-1, with Commissioner Buchanan Young voting in opposition.

ITEM NO. 6: DR-16-00092 623 Massachusetts Street; Exterior Rehabilitation; Certificate of Appropriateness and Downtown Design Guidelines Review. The property is located in the environs of the J. B. Shane Thompson Studio (615 Massachusetts Street), Lawrence Register of Historic Places. The property is also located in the Downtown Urban Conservation Overlay District.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

Commissioner Hernly inquired about the bulkhead. He said it did not continue across under the storefront.

Ms. Braddock Zollner said that was correct. She said the Downtown Design Guidelines talked about a three-part storefront. She said on this section of the street the buildings to the south have those similar systems so it was part of the environment. She said sometimes it was difficult to get picture/display window areas to have a modern bulkhead.

Commissioner Hernly said the building to the south looked like it had a little bit of stone that comes up.

Ms. Braddock Zollner said yes.

APPLICANT PRESENTATION

Mr. Chris Cunningham, Treanor Architects, said the owner was looking to update the look of the building to better market it to potential tenants.

PUBLIC COMMENT

Mr. John Naramore wondered if people would still be able to park at this site when they go to Free State brewery.

COMMISSION DISCUSSION

Commissioner Hernly wondered if any of the other Commissioners had concern about the lack of bulkhead at the storefront. He said the doors and windows being on the same plane created a more modern look. He said he did not know if this was a unique enough location that it wasn't a significant issue or if it was.

Commissioner Buchanan Young said if this was a Downtown Design Review she would be in favor of looking at it further but that it was a Certificate of Appropriateness.

Commissioner Bailey agreed.

Ms. Braddock Zollner said one of the options could be to ask the applicant to work with staff on potential design options that may help address the absence of a bulkhead. She said they could also defer to the Architectural Review Committee and have it come back.

Mr. Cunningham said part of the challenge with this project was not knowing what tenant would go into the space. He said there were a lot of 'what ifs' with the project. He stated the current design allowed for future flexibility.

Ms. Braddock Zollner said Historic Resources Commission had the options of approving, denying, or deferring. She said if the applicant was willing to accept an amendment to the project to work with staff on details of the project they could approve it. She also stated they could defer it to the Architectural Review Committee.

Mr. Cunningham said he thought he would be okay with looking at some options.

ACTION TAKEN

Motioned by Commissioner Hernly, seconded by Commissioner Buchanan Young, to approve the Certificate of Appropriateness for the amended project, that the applicant agreed to amend the design in working with staff for storefront revisions.

Unanimously approved 5-0.

ITEM NO. 7: Adopt Resolution 2016-06 to make application for Landmark designation for the Community Building located at 115 W 11th Street.

STAFF PRESENTATION

Ms. Braddock Zollner presented the item.

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Commissioner Quillin, to approve resolution 2016-06 to make application for Landmark designation for the Community Building located at 115 W 11th Street.

Unanimously approved 5-0.

ITEM NO. 8: MISCELLANEOUS MATTERS

- A. No Zoning Amendments, Special Use Permits, and Zoning Variances received since March 24, 2016.
- B. No demolition permits received since March 24, 2016.
- C. General public comment.
- D. Miscellaneous matters from City staff and Commission members.
 - 1. East 9th Street Project Concept Plan

PUBLIC COMMENT

Mr. Phil Collison, 933 Pennsylvania, said he was disappointed that Historic Resources Commission did not receive a formal presentation this evening. He did not feel the project encompassed the history of the neighborhood. He said the project was a slap in the face to the history of East Lawrence and disconnected that history from the neighborhood.

Ms. KT Walsh said the East 9th Street Project was a preliminary conceptual plan at this point. She said City Commission would be asked to commit millions to this project. She stated Historic Resources Commission represented the government in honoring and protecting historic resources. She asked Historic Resources Commission to hesitate and consider the significance of the places that East 9th Street serves. She discussed the many historic structures and districts in the area. She asked them to think carefully about large structural changes to the street.

Mr. Brad Gibson discussed the section of 9th Street between Massachusetts Street and New Hampshire and its historic significance. He said the current design would be removing all on-street parking on the south side and making it the only collector street in a historic district. He

felt the design of the street was out of context with the existing street and landscapes throughout the downtown district. He discussed Transportation 2030 and the design guidelines contained within it.

Mr. John Naramore Sr., 2043 E 1250 Rd, wondered what Historic Resources Commission's purpose was. He talked about the history of the area. He expressed opposition to the width of 9th Street being narrowed. He said the street was designed by two groups with the purpose of moving people from downtown to the warehouse arts district.

Mr. John Naramore Jr., lives on E 9th Street, said the plan never addressed a treatment for the preservation of 9th Street. He said it was a complete redevelopment of 9th Street. He said the design essentially lifted the street and moved it north of its original location. He felt the plan would do away with the integrity of the street. He expressed concern about parking being pushed into the neighborhoods. He felt street preservation was important and felt Historic Resources Commission should not give their approval.

Ms. Amber Hanson said the plan drastically changed the structural street design and would take away 50 parking spots. She asked Historic Resources Commission to reconsider the appropriateness of the shared use path. She felt the design did not do enough to preserve the historic nature of the neighborhood. She asked Historic Resources Commission not to support the design.

Mr. Josh Davis, 846 New York St, said this was a design development document. He said the plan in its current form had been out for two weeks but the development had taken place over a much longer time period. He said the East Lawrence Neighborhood Association was in support of the plan. He said historic considerations had been incorporated into the plan.

Ms. KT Walsh said the vote from the East Lawrence Neighborhood Association was a split vote of 6-7 and one abstention.

Mr. Davis said the vote was 7-6-1. He said straw polls were taken at two of the most recent East Lawrence Neighborhood Association meetings and that a majority were in favor. He said the split vote did not represent the neighborhood.

Mr. Naramore Jr. said the straw polls were unscientific. He asked Historic Resources Commission to address the plan with a historic perspective.

Mr. Gibson said what was being proposed was a complete makeover of the street.

COMMISSION DISCUSSION

Commissioner Fry asked if the plan would change over time.

Ms. Braddock Zollner said yes, it was a concept plan. She said the technical documents had not been produced yet and that it had not been approved by City Commission. She said Historic Resources Commission could consider the comments tonight and have staff draft some concerns they may have from a historical perspective to look at during the next meeting. She said Historic Resources Commission was a recommending body to City Commission.

Commissioner Hernly said he would like to look back at what the Historic Resources comments were when they last saw it. He said one of the difficult things was that the street itself was not

a listed property or feature. He said it had not had a historic structure report done on it to say the significant character defining features. He wondered if it was too late in the process to do that. He said Massachusetts Street was an example of how things change over time. He said 9th Street may have features that are historically significant but that it was not technically protected. He felt it put Historic Resources Commission in an odd position because essentially they would be reviewing it as a certificate of appropriateness for its impact on the listed historic properties along the street. He asked if Historic Resources Commission would be required to do that review.

Ms. Braddock Zollner said a certificate of appropriateness was only required for a building or demolition permit. She stated a section of the Code spoke to City owned properties that were listed. She said staff works with Planning and Public Works to review project types for their impact on historic resources. She gave the example of the trolley tracks between Tennessee and Kentucky Streets. She said Historic Resources Commission was a recommending body to City Commission.

Commissioner Buchanan Young felt they should use standards when they make their recommendations to be consistent.

Ms. Walsh inquired about demolition within the environs of the Turnhalle building and Saint Luke's church.

Ms. Braddock Zollner said roadwork did not require a building or demolition permit.

Ms. Braddock Zollner asked the Commissioners if it would be helpful for staff to document some of the character defining elements of the streetscape.

Historic Resources Commissioners nodded yes.

Commissioner Buchanan Young said a lot of the key defining features were already spelled out within the environs definition of pre-existing documents.

Commissioner Fry asked if this was the process with any streetscape project.

Ms. Braddock Zollner said yes.

Commissioner Hernly asked if during the many public meetings there were discussions about characteristics of the existing street.

Ms. Braddock Zollner said she believed there was. She said she had hoped to see some of this documentation from the historian involved with the project but that she would be happy to fill in some of that information.

Commissioner Buchanan Young expressed concern with the landscaping and felt some of the species were inappropriate.

Ms. Braddock Zollner said the Parks & Recreation Department was working with the design team on the specific species that would be planted. She said the plan could change once the technical documents were produced.

Commissioner Hernly asked how many blocks still had brick underneath them.

Ms. Braddock Zollner said she thought most of road still had brick underneath it.

Commissioner Buchanan Young expressed concern about reusing bricks that were pulled up.

Ms. Braddock Zollner said after the contractor pulls up the brick, Public Works picks the brick up and takes it to a storage site, and then the bricks get reused in future restoration projects.

Commissioner Hernly felt Sanborn maps could be helpful information to have.

NO ACTION TAKEN

The East 9th Street Project Concept Plan will be on next month's agenda.

2. Preservation Month and Interpreting the Standards

Ms. Braddock Zollner stated May was Historic Preservation month and that Landmarks would be going to City Commission. She said the National Trust for Historic Preservation was celebrating Preservation month by running a "this place matters" campaign for people to submit photos of places that matter the most to them.

Ms. Braddock Zollner reminded Historic Resources Commission to be mindful of making defensible decisions. She said they had an agreement with the State Historic Preservation Office (SHPO) to use the Secretary of the Interior Standards when they were reviewing projects listed on the State or National register, for the impact to the property under the State Preservation law. She asked the Commissioners to look at the standards and think of a date when SHPO could provide them training. She said SHPO would go through the standards one by one and talk about how each would apply.

Commissioner Quillin said training could be on a light Historic Resources Commission agenda or they could have a separate meeting.

Ms. Walsh asked if the public could attend the training.

Ms. Braddock Zollner said yes.

GENERAL PUBLIC COMMENT

Mr. Adam Mansfield, 1313 Rhode Island, said his residential addition project was approved at the local level by Historic Resources Commission but did not qualify for tax credits under the State Statute. He said the Statute stated if it was approved by a local board that it wasn't re-reviewed by the State with the same standards. He was frustrated by the process of the standards being interpreted differently at the State level versus the local level.

Commissioner Buchanan Young said when reviewing a project there was a variable degree to how strictly the standards were adhered to. She said an environs review was very different than

a State Law review. She said there needed to be more public education for homeowners and developers to understand the process and what does/does not qualify. She stated tax credits were a completely separate way of approaching how the standards were applied than from a Historic Resources review. She said it was the same standards but the degree to which it met the standards for a separate review purpose.

Ms. Braddock Zollner said one of the things they would talk about during the SHPO training was State Law review and using the standards to determine whether the project would encroach upon, damage, or destroy the listed property. She said when the State uses the standards for the tax credit review that is not the determination they are making. She said the State is looking at whether or not the standards are specifically achieved by the project. She said there was a different use of the standards by the State. She said the State looks at interior things more than Historic Resources Commission does.

Commissioner Quillin asked if it was common for people who have items approved by Historic Resources Commission to not be able to get tax credits from the State.

Ms. Braddock Zollner said it did not happen often.

Ms. Buchanan Young said the State tax credit was a completely separate approval.

Commissioner Hernly said the standards were not objective. He said they did not give definitive pieces of information in a quantitative way about meeting or not meeting the standards. He said it used subjective language, such as 'inconspicuous,' 'appropriate,' and 'compatible.' He said those types of words could be interpreted differently when looking at the exact same project. He said he was looking forward to the training presentation from SHPO.

Adjourn 9:41pm