

**LAWRENCE HISTORIC RESOURCES COMMISSION  
AGENDA MEETING FEBRUARY 16, 2017 6:30 PM  
ACTION SUMMARY**

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Commissioners present: Arp, Bailey, Buchanan, Hernly  
Staff present: Cargill, Simmons, Zollner

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**ITEM NO. 1: COMMUNICATIONS**

- A. Receive communications from other commissions, State Historic Preservation Officer, and the general public.

Ms. Zollner said staff received notification from the State Historic Preservation Office that the Mugan-Olmsted-Stanford House was listed in the Register of Historic Kansas Places.

- B. There were no ex-parte communications to report.  
C. There were no abstentions.  
D. Committee Reports  
1. ARC Report on DR-16-00454 1327 New Hampshire Street; New Accessory Structure (This item requires a vote from the HRC for final approval of the plan with the exact changes the HRC requested.)  
2. ARC Report on DR-16-00530 817 New York Street; New Residential Construction; (This item requires a vote from the HRC for final approval of the plan with the exact changes the HRC requested.)

**ACTION TAKEN**

Motioned by Commissioner Arp, seconded by Commissioner Fry, to approve project DR-16-00454.

Motion carried 5-1 with Commissioner Buchanan dissenting.

Motioned by Commissioner Arp, seconded by Commissioner Fry, to approve the project for 817 New York Street (DR-16-00530).

Unanimously approved 6-0.

**ITEM NO. 2: CONSENT AGENDA**

- A. December 15, 2016 & January 19, 2017 Action Summaries were deferred.  
B. Administrative Approvals  
1. DR-16-00533 1321 Massachusetts Street; Exterior Rehabilitation; Certificate of Appropriateness  
2. DR-16-00542 806 Massachusetts Street; Rental License; State Law Review  
3. DR-16-00540 918 Massachusetts Street; Sign Permit; Downtown Design Guidelines Review, State Law Review, and Certificate of Appropriateness

4. DR-16-00543 835 Maine Street; Residential Remodel; Certificate of Appropriateness
5. DR-16-00557 129 E. 10th Street; Sign Permit; Downtown Design Guidelines and Certificate of Appropriateness
6. DR-16-00559 645 Massachusetts Street; Mechanical Permit; Downtown Design Guidelines Review
7. DR-17-00006 745 Vermont Street; Sign Permit; State Law Review, Downtown Design Guidelines Review, and Certificate of Appropriateness

### **ACTION TAKEN**

Motioned by Commissioner Arp, seconded by Commissioner Bailey, to confirm the Administrative Approvals.

Unanimously approved 6-0.

### **ITEM NO. 3: PUBLIC COMMENT**

Mr. Dennis Brown, Lawrence Preservation Alliance (LPA) discussed the issue of attached garages vs. detached garages.

Ms. KT Walsh said she agrees with Mr. Brown's comments. She added that it's a discouraging time for preservation in Lawrence right now, citing several demolition permits issued recently. She feels there's a huge learning curve for new Historic Resources Commission (HRC) commissioners and stressed how important it is that they are educated enough to make sound preservation decisions.

**ITEM NO. 4:** DR-16-00534 909 Pennsylvania; New Residential Construction; Certificate of Appropriateness. The property is located in the environs of the Edmondson House (936 Pennsylvania Street), Lawrence Register of Historic Places. Submitted by Jason Romero on behalf of East Lawrence Partners, LLC, property owner of record.

### **STAFF PRESENTATION**

Ms. Zollner presented the item.

### **APPLICANT PRESENTATION**

Mr. Jason Romero, applicant, clarified the location of the photo in staff's presentation. He said a detached garage would make the project not viable. He said he intends to use a high quality vinyl window and asked for approval of the project as is.

### **PUBLIC COMMENT**

Mr. Dennis Brown, LPA, said LPA agrees with the staff recommendation to send it to the Architectural Review Committee (ARC).

Ms. KT Walsh agreed with Mr. Brown's comments. She said the Romero family is a longtime East Lawrence family and it means a lot that they are building and remaining on this street.

Mr. Brad Gibson said the house looks really nice and he reminded the Commission they have approved other projects with attached garages.

Mr. Bruce Eggers, 904 Pennsylvania Street, said he would be delighted to see this project across the street from his own home. He feels the attached garages are getting a bad reputation and feels we need to take into consideration how people are living today. He supports the project as is. He noted that most people in the area who have detached garages don't have enough room to turn and park a car in them.

Ms. Jean Romero, the applicant's aunt, clarified which lot the applicant plans to build upon. She also feels an attached garage is safer than a detached garage.

Mr. Eggers asked whether "damages" are a real thing and what constitutes damage.

Commissioner Bailey said they will discuss that further.

Mr. Romero added that in this particular area, a detached garage leaves less room for driveway space

### **COMMISSION DISCUSSION**

Commissioner Hernly asked for staff's opinion on casement windows for this project.

Ms. Zollner said casement windows aren't typical for historic structures, they're considered more modern. Due to the size, scale, and location of the property, staff doesn't feel the use of casement windows will damage or encroach upon the listed property.

Commissioner Bailey asked if staff could pull up the site plan and further explain location and placement.

Ms. Zollner explained current and future plans for the property.

Commissioner Fry asked if the proposed would be in the environs if the property was divided.

Ms. Zollner said no.

Commissioner Bailey asked if it's been platted.

Ms. Zollner said it's the original townsite plat.

Commissioner Fry said he doesn't see how this property negatively impacts the listed property.

Commissioner Buchanan said she sees an encroachment because there have been so many changes to that area that haven't been reviewed. She referenced the Oread Design Guidelines, and expressed concern about the attached garage.

Commissioner Evans said it would make sense to go to the ARC with this project. He feels they should be reviewing projects at an earlier phase in the development process.

Commissioner Arp said there are conflicting issues- the project seems to meet the Chapter 22 review but not the Certificate of Appropriateness. He mentioned the house next door has an attached garage as well. He feels putting a modern structure in a historic neighborhood is disrespectful; however, he reluctantly supports the project. He feels detached garages should be addressed and enforced in a conversation overlay.

Commissioner Hernly feels the language for a Certificate of Appropriateness should be stiffened.

Commissioner Bailey agreed with Commissioner Arp's comments. He said the actual platted lot is outside of the environs so he would support this project. He agreed they will have to address detached and attached garages in the code language.

### **ACTION TAKEN**

Motioned by Commissioner Baily, seconded by Commissioner Fry, to issue the Certificate of Appropriateness and make the determination that the project will not encroach on, damage, or destroy the listed property.

Motion carried 5-1 with Buchanan dissenting.

**ITEM NO. 5:** L-16-00535 Public hearing for consideration of placing the property located at 323 Illinois Street, the Issac N. VanHoesen Residence, on the Lawrence Register of Historic Places. Submitted by Lawrence Preservation Alliance on behalf of Brian W. Perkins, the property owner of record. Adopt Resolution 2017-01, if appropriate.

### **STAFF PRESENTATION**

Ms. Zollner presented the item.

### **APPLICANT PRESENTATION**

Mr. Dennis Brown, LPA, explained the nomination process and LPA's involvement in listing local properties.

### **PUBLIC COMMENT**

Mr. Paul Lithe, 315 Mississippi Street, said he has absolutely no objections to the nomination and said the Pinckney Neighborhood Association likes to identify these homes on the neighborhood plan.

Ms. Betty Colbert, 307 Illinois Street, has concerns about the impact of the properties to the north. She said the home closest to 323 Illinois Street does not yet have a garage, and asked if this will impact their ability to build one. She asked what kinds of project would be impacted.

Commissioner Bailey said all projects are on a case by case basis but generally projects that require a building permit might need to come before the Commission.

Ms. Colbert said she supports the nomination but was concerned about restrictions for neighboring properties.

Commissioner Bailey said if staff can't approve a project administratively then it will go to the HRC for review.

Ms. Zollner said properties will not be required to come into historic compliance due to the Landmark, only projects going forward would be subject to review.

Mr. Kent Allen Deeds, 310 Alabama Street, applauded the Commission in their complex work. He received the letter for the hearing three days ago but in that time he understands this is

expensive, complex, and complicated. He said the surrounding homeowners are paying for the preservation and they don't really have a say whether they're involved or not.

Mr. Bob Johnson, owner of the Medical Arts building, said he doesn't have an issue with preservation but is concerned about the environs impact. He noted an existing parking issue that might be further complicated by historic review requirements.

Mr. Gary Johnson said the staff report indicated an alley, but there's no alley it's just a vacated street overgrown with trees.

Mr. Bob Johnson said they don't want to be opposed to the nomination. He asked if the homeowner initiated the application.

Commissioner Bailey said the homeowner approved the application but it was initiated by the LPA.

Mr. Gary Johnson echoed concerns about parking in the area.

Mr. Deeds said there is an infill lot within the environs just south of the property that doesn't even meet City Code that was only built 6 years ago.

Ms. KT Walsh said the discussion happening tonight is good because it's laying out some real issues. She feels historic resources needs more funding from the City to be effective. She believes that the hospital will eventually have to implement a parking garage as a solution.

Mr. Bob Johnson asked what the next steps are in the process.

Commissioner Hernly said the HRC will make a recommendation to the City Commission.

### **COMMISSION DISCUSSION**

Commissioner Evans said it's an interesting dilemma because the east side is residential and the west side is highly developed. He asked staff to explain the impact environs will have on the west side.

Ms. Zollner said the alley (Alabama Street) creates a nice buffer between the property and the office to the west. The transition area will be reviewed based on the impact to the area of future redevelopment, not existing development.

Commissioner Evans asked if they can modify the environs area.

Ms. Zollner said the 250 ft boundary cannot be altered, but they can change how a portion of an environs area is reviewed.

Commissioner Buchanan said the environs definition indicates a separate review standard for the transition area.

Commissioner Fry asked if the Commission can adopt the resolution without adopting the environs definition.

Ms. Zollner said no, but the environs definition can be altered.

Commissioner Bailey said Area 2, as defined in the environs definition, is already the least stringent review possible.

Ms. Zollner said that's correct.

Commissioner Hernly said the environs definition for Area 2 maintains the land buffer (Alabama Street) and the right-of-way space would be the primary entrance for anything reviewed by the HRC.

Commissioner Bailey said the number of environs reviews they've actually denied is extremely minimal.

Commissioner Arp asked who owns the abandoned portion of Alabama Street.

Ms. Zollner said the City owns that property.

Commissioner Hernly said it's a public right-of-way.

Commissioner Arp asked if it is an original platted street and if it would be a problem to pave it.

Ms. Zollner said if that street is paved you still need a buffer between new construction and the listed property.

Commissioner Arp asked what the options are for the least stringent review of the commercial area.

Commissioner Hernly said in theory they could say anything in Area 2 will be administratively approved.

They discussed language for altering the environs definition.

### **ACTION TAKEN**

Motioned by Commissioner Bailey, seconded by Commissioner Hernly, to adopt Resolution 2017-01.

Motion carried 5-1 with Commissioner Evans dissenting.

Motioned by Commissioner Bailey, seconded by Commissioner Arp, to adopt the environs definition as provided with an amendment to the first sentence of the last paragraph to indicate that Area 2 will not be reviewed by the HRC and will be reviewed administratively.

Motion carried 4-2 with Commissioners Hernly and Evans dissenting.

**ITEM NO. 6:** L-16-00536 Public hearing for consideration of placing the property located at 1645 Louisiana Street, Benjamin F. Akers House, on the Lawrence Register of Historic Places. Submitted by Lawrence Preservation Alliance on behalf of Philip C. and Linda D. Wedge, property owners of record. Adopt Resolution 2017-02 if appropriate.

**STAFF PRESENTATION**

Ms. Zollner presented the item.

Commissioner Hernly said the street car used to come down Sunflower Road- he asked if it crossed this property.

**APPLICANT PRESENTATION**

Mr. Philip Wedge, property owner, said the trolley track cut down the driveway, and the local bus line even tried to use it before they were shot down by the Supreme Court. He said the nomination is a wonderful opportunity and he appreciates the LPA's work on this. The home has been in his family for a long time.

**NO PUBLIC COMMENT**

**ACTION TAKEN**

Motioned by Commissioner Buchanan, seconded by Commissioner Fry, to adopt Resolution 2017-02.

Unanimously approved 6-0.

Motioned by Commissioner Buchanan, seconded by Commissioner Evans, to adopt the environs definition as provided in the information packet.

Unanimously approved 6-0.

**ITEM NO. 7:** L-16-00537 Public hearing for consideration of placing the property located at 645 Mississippi Street, Robert E. House Residence, on the Lawrence Register of Historic Places. Submitted by Lawrence Preservation Alliance on behalf of John Frydman & Laurie Martin-Frydman, property owners of record. Adopt Resolution 2017-03, if appropriate.

**STAFF PRESENTATION**

Ms. Zollner presented the item.

**NO PUBLIC COMMENT**

**ACTION TAKEN**

Motioned by Commissioner Buchanan, seconded by Commissioner Bailey, to adopt Resolution 2017-03.

Unanimously approved 6-0.

Motioned by Commissioner Buchanan, seconded by Commissioner Bailey, to adopt the environs definition as provided in the information packet.

Unanimously approved 6-0.

**ITEM NO. 8:** DR-16-00528 707 Massachusetts Street; New Commercial Addition; State Law Review, Downtown Design Guidelines Review, and Certificate of Appropriateness. The vacant lot is adjacent to 701 Massachusetts Street and is located in Lawrence's Downtown Historic District and the Downtown Urban Conservation Overlay District. The property is also located in the environs of Millers Hall (725 Massachusetts) and the House Building (729 Massachusetts). Submitted by Paul Werner Architects on behalf of Eldridge Hotel LLC, property owner of record.

### **STAFF PRESENTATION**

Ms. Zollner presented the item.

Commissioner Hernly asked if they are reviewing for design guidelines.

Ms. Zollner said no.

Commissioner Hernly asked why.

Ms. Zollner explained that if staff can approve it administratively then that's the end of that review process.

Commissioner Hernly asked why this new construction is not being built up to the front property line.

Ms. Zollner said staff did not review this as new stand-alone construction but as an addition, which should go all the way to the rear of the property.

### **APPLICANT PRESENTATION**

Mr. Paul Werner, Paul Werner Architects, explained the proposed project.

Commissioner Buchanan asked if this addition can handle added stories later.

Mr. Werner said no.

### **COMMISSION DISCUSSION**

Commissioner Evans said this type of space downtown is dynamite and really enhances downtown.

### **ACTION TAKEN**

Motioned by Commissioner Bailey, seconded by Buchanan, to approve the approve the proposed project and make the determination that the proposed project does not encroach upon, damage, or destroy the environs of one or more listed historic properties.

Unanimously approved 6-0.



Motioned by Commissioner Bailey, seconded by Commissioner Buchanan, to approve the Certificate of Appropriateness.

Unanimously approved 6-0.

Motioned by Commissioner Bailey, seconded by Commissioner Buchanan, to direct staff to review any proposed changes to the project and evaluate if the changes are significant or do not substantially comply with the approved project and the applicable standards. If the changes are minor in nature and meet the applicable standards, staff can review the changes at an administrative level including the final brick selection.

Unanimously approved 6-0.

**ITEM NO. 9:** DR-16-00452 & DR-17-00018 125 E. 10<sup>th</sup> Street; Commercial Remodel and Rooftop Dining Addition Including Structure; Downtown Design Guidelines Review and Certificate of Appropriateness. The property is located in the Downtown Urban Conservation Overlay District and the environs of the Shalor Eldridge Residence (925 Rhode Island Street), Lawrence Register of Historic Places. Submitted by Adams Architects, LLC on behalf of Berkeley Plaza Inc., property owner of record.

**ITEM NO. 10: MISCELLANEOUS MATTERS**

- A. No Zoning Amendments, Special Use Permits, or Zoning Variances received since January 19, 2017.
- B. No demolition permits received since January 19, 2017.
- C. Miscellaneous matters from City staff and Commission members.

1. Certified Local Government Grants

Ms. Zollner said staff received approval to apply for a Certified Local Government Grant, which could be used for surveying, but staff is open to other suggestions.

Commission Buchanan asked if they can spend funds on public outreach and education.

Ms. Zollner said that public meetings are part of the survey process.

Commissioner Hernly said West Hills would be a good area to focus on as well as some bungalow neighborhoods that should be done before mid-century neighborhoods.

Commissioner Bailey asked how much money the grant will provide and if that money can pay for an intern.

Ms. Zollner said she hasn't been very successful in having interns approved, but the amount will depend on how much can be surveyed and the City match on funds.

**PUBLIC COMMENT**

Mr. Dennis Brown, LPA, said the Barker Neighborhood is a "listing desert" and really should be a district.

Commissioner Buchanan asked if the grant could help establish a conservation overlay in East Lawrence.

Ms. Zollner said they could apply for a grant for that purpose but they would have to choose either that or surveying.

Ms. KT Walsh said it would be amazing to have help with the conservation overlay because it is much needed. She is concerned it might not gain support at City Hall.

Commissioner Buchanan said she's all for surveys but a conservation overlay would provide a document to help clarify expectations in the East Lawrence neighborhood.

Commissioner Hernly asked when the grant applications are due.

Ms. Zollner said preliminary grant applications were due yesterday, final applications due March 1<sup>st</sup>.

Commissioner Hernly said they would need a lot in place to put together a successful application, and he agrees in the long run the best tool is a conservation overlay and design guidelines but it's not going to happen in the next two weeks.

Ms. Walsh said many groups and individuals have voiced support for a conservation overlay.

They agreed surveys for the grant this year and a conservation overlay next year will be the best game plan.

**2. Chapter 22 Review Subcommittee Selection**

They selected Commissioner Bailey, Commissioner Hernly, Commissioner Buchanan & an LPA designee for the Chapter 22 Review Subcommittee.

**ADJOURN 9:23 PM**