

**LAWRENCE HISTORIC RESOURCES COMMISSION  
AGENDA MEETING JUNE 16, 2016 6:30 PM  
ACTION SUMMARY**

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

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**ITEM NO. 1: COMMUNICATIONS**

- A. There were no communications from other commissions, State Historic Preservation Officer, and the general public.
- B. There were no ex-parte communications.
- C. Commissioner Hernly said he would abstain from Item 4.
- D. There were no Committee Reports.

**ITEM NO. 2: CONSENT AGENDA**

- A. May 19, 2016 Action Summary
- B. Administrative Approvals
  - 1. DR-16-00182 928 Rhode Island Street; Exterior Alteration and Deck; State Law Review and Certificate of Appropriateness
  - 2. DR-16-00183 643 Massachusetts Street; Sign; Certificate of Appropriateness and Downtown Design Guidelines Review
  - 3. DR-16-00184 1337 Rhode Island Street; Porch Enclosure; State Law Review
  - 4. DR-16-00185 946 Ohio Street; Interior Rehabilitation; State Law Review
  - 5. DR-16-00159 7 E 7<sup>th</sup> Street; Interior Rehabilitation; State Law Review
  - 6. DR-16-00160 1900 Haskell Avenue; Sign; Certificate of Appropriateness
  - 7. DR-16-00163 805 New Hampshire Street; Sign; State Law Review and Downtown Design Guidelines Review

**ACTION TAKEN**

Motioned by Commissioner Arp, seconded by Commissioner Buchanan, to approve the Consent Agenda.

Unanimously approved 5-0.

- ITEM NO. 3:** Public Hearing for the proposed Oread Neighborhood Urban Conservation Overlay District and associated Development/Design Standards.

**STAFF PRESENTATION**

Mr. Jeff Crick presented the item.

**ACTION TAKEN**

Motioned by Commissioner Bailey, seconded by Commissioner Hernly, to limit public comment to 3 minutes for an individual or 5 minutes for an organization.

Unanimously approved 5-0.

**PUBLIC COMMENT**

Mr. Phil Hemphill, 937 Kentucky Street, asked what brought about the changes to the guidelines and who is in favor of them.

Mr. Crick explained the history of the process to create the guidelines.

Commissioner Hernly said the current guidelines have been a joint effort between the Historic Resources Commission (HRC) and the Planning Commission (PC).

Mr. Hemphill said he believes Plymouth Congregational Church is on the register as is a house on Tennessee Street not far from his home. He asked if those properties don't already impose guidelines.

Commissioner Hernly said Plymouth is on the National Register. He explained that only properties that are listed have specific guidelines.

Mr. Hemphill asked what guidelines specify a 1200 foot radius and effect what he can do with his property.

Commissioner Hernly said there used to be an environs review within 500 feet of a listed property, which went away two years ago. He said the only environs regulations now are associated with the Local Register within 250 feet of a listed property.

Mr. Hemphill asked if this adds a layer of bureaucracy if he wants to add a deck to the back of his house.

Commissioner Hernly said these guidelines apply to the entire neighborhood, and any development within that area would have a layer of review, some administrative, some not.

Ms. Marci Francisco said she's lived in the neighborhood since 1979 and appreciates the idea of original town site zoning. She said the current zoning encouraged inappropriate development. She thanked staff for their hard work and feels the guidelines are helpful and will protect the historic fabric of the neighborhood. She supports the staff recommendation for approval.

Mr. Matthew Westall said he purchased several properties in the past nine months, including 1215 Tennessee Street. He expressed his concern that the guidelines will discourage rehabilitation because it's too expensive to adhere to historic reviews.

Mr. Monte Nicolay asked where these regulations were when the HERE project was built with no parking.

Commissioner Bailey said they don't have purview over parking and this Commission did not review the HERE project.

Mr. Nicolay also expressed concern that it might be too expensive to rehabilitate homes according to historic guidelines.

Mr. Dennis Brown, Lawrence Preservation Alliance (LPA), said the guidelines deal with permits already required, and any other work is not affected. This is a procedural issue not a material

one, noting that the public process has been ongoing since 2010. He urged the Commission to approve.

Ms. Candice Davis, Lawrence Association of Neighborhoods (LAN), said this process has been going on for a long time, and there have been plenty of opportunities to speak up. She said the concerns are exaggerated- you don't need permission to paint your house, and it will improve the value and livability of the area. She read a letter that was included in the agenda packet. She said these guidelines reflect the intention of the Oread Neighborhood Plan, noting that the ETC survey indicated that 83% of respondents agreed that the revitalization of older neighborhoods was important.

Mr. Jon Josserand thanked the Commission for looking at these guidelines again and for the work by the subcommittee. He thanked them for all their work and urged them to approve.

Mr. Kyle Thompson said most of the homes affected by the guidelines, including Mr. Hemphill's, are already in the Oread Historic District and covered by more stringent reviews.

Commissioner Hernly said that is correct.

Mr. Thompson said a number of the houses that have been mentioned are in the historic district.

### **COMMISSION DISCUSSION**

Commissioner Hernly said there was a communication from Lynann Chance and John Haase regarding 303 W 11<sup>th</sup> St, and requesting that the rezoning not occur. He clarified that they are not rezoning but adding an overlay, so the base zoning remains.

Commissioner Hernly said their property is commercial.

Mr. Crick said their zoning is RMO (Multi-Dwelling Residential Office District) so it's not a true commercial zoning.

Commissioner Hernly asked about the work in 1987 that was referenced in the letter.

Mr. Crick said the last time the zoning code was changed in 2006 the RMO designation was a precursor to something similar and not commercial.

Commissioner Hernly said this process doesn't change anything except add a layer of review. He agreed that this should have been done in the 80s but better late than never.

### **ACTION TAKEN**

Motioned by Commissioner Bailey, seconded by Commissioner Arp, to send their recommendation of approval to the Planning Commission and City Commission.

Unanimously approved 5-0.

Motioned by Commissioner Bailey, seconded by Commissioner Arp, to direct staff to prepare a report that accompanies the recommendation of approval to the Planning Commission and the City Commission.

Unanimously approved 5-0.

**ITEM NO. 4:** DR-16-00200 718 Indiana Street; Addition; State Law Review and Certificate of Appropriateness. The property is located in the Old West Lawrence Historic District, National Register of Historic Places. The property is also located in the environs of the Greenlees House (714 Mississippi Street), Lawrence Register of Historic Places.

**STAFF PRESENTATION**

Ms. Zollner presented the item.

**APPLICANT PRESENTATION**

Mr. Mike Myers, Hernly Associates, addressed the fenestration issue and offered to answer any questions about the project.

Commissioner Buchanan asked if they would be able to squeeze in a window between the stove and the pantry.

Mr. Myers said it would be awkward to squeeze in a window there. He feels they've proposed the best solution.

**No public comment**

**COMMISSION DISCUSSION**

Commissioner Arp said he understands the concern about the window but realizes it's difficult and agrees with staff's recommendation.

Commissioner Buchanan said she also understands the predicament.

Commissioner Bailey said he's inclined to approve the project.

Commissioner Buchanan asked if they could put the range in the island.

Mr. Myers explained why that is not an option.

**ACTION TAKEN**

Motioned by Commissioner Arp, seconded by Commissioner Fry, to approve the project and make the determination that it does not damage or destroy any historic property included in the National Register of Historic Places or the State Register of Historic Places.

Motion carried 4-0-1 with Commissioner Hernly abstaining.

Motioned by Commissioner Arp, seconded by Commissioner Bailey, to direct staff to review any minor alterations to the project, and any other revisions or modifications to the project shall be forwarded to the Historic Resources Commission for review

Motion carried 4-0-1 with Commissioner Hernly abstaining.

Motioned by Commissioner Arp, seconded by Commissioner Fry, to approve the Certificate of Appropriateness and make the determination that the proposed project will not significantly encroach on, damage, or destroy landmarks or their environs. Staff will administratively review any

minor alterations to the project and any other revisions or modifications to the project shall be forwarded to the Historic Resources Commission for review.

Motion carried 4-0-1.

**ITEM NO. 5:** DR-16-00205 946 Ohio Street; New Porch and New Accessory Structure; State Law Review and Certificate of Appropriateness. The property is a contributing structure to the Oread Historic District, National Register of Historic Places. The property is also located in the environs of the Oread Historic District (1000 Block of Ohio and Tennessee streets), the Bell House (1008 Ohio Street), the Benedict House (923 Tennessee Street), and the Duncan House (933 Tennessee Street), Lawrence Register of Historic Places.

### **STAFF PRESENTATION**

Ms. Zollner presented the item.

Commissioner Hernly asked why she was speaking with the State Historic Preservation Office (SHPO).

Ms. Zollner explained that applicants applying for tax credits require a review under the State Law and are coordinated with the SHPO typically by whoever gets the project first.

Commissioner Hernly said that hasn't always happened so conveniently, and asked if there's an internal way to avoid situations like that.

Ms. Zollner said staff is attempting to track projects better through communication with the SHPO office.

Commissioner Hernly suggested adding something to the application.

Ms. Zollner said that is possible. She explained that approval by the Commission does not guarantee approval for tax credits.

Commissioner Hernly asked for clarification regarding the metal roofing.

Ms. Zollner explained the roof proposal and staff's concerns.

Commissioner Buchanan asked if the SHPO commented on the amount of galvanized steel railings.

Ms. Zollner asked if she was referring to the front or back porch.

Commissioner Buchanan said the back porch.

Ms. Zollner said the staff report recommends the applicant work with staff to reduce the impact of that top rail.

### **APPLICANT PRESENTATION**

Mr. Travis Gunter, property owner, addressed some points of concern and confusion on the project.

### **PUBLIC COMMENT**

Ms. Marci Francisco, former resident of the property, said she's pleased to see a family taking over the house, and mentioned the "inappropriate addition" was even more inappropriate before she purchased it.

### **COMMISSION DISCUSSION**

Commissioner Buchanan asked if staff administratively approved a steel railing for DR-13-00451.

Ms. Zollner said the review is actually on this month's administrative approvals.

Commissioner Hernly asked about a shadow line on the front porch.

Ms. Zollner explained that it's more like a tar line.

Commissioner Hernly discussed the columns on the porch, and asked if the proposed is appropriate.

Ms. Zollner said it seems appropriate for the length of the porch and to differentiate from the old structure.

Commissioner Hernly said he would personally do away with the brackets. He feels someone should look at the roofing before approval.

Ms. Zollner advised commissioners of their options for action.

Commissioner Bailey asked if the applicant is willing to work with staff on the roof.

### **ACTION TAKEN**

Motioned by Commissioner Bailey, seconded by Commissioner Buchanan, to approve the project with the amendment that the applicant work with staff on the porch brackets and roof.

Unanimously approved 5-0.

Motioned by Commissioner Bailey, seconded by Commissioner Fry, to approve the Certificate of Appropriateness and make the determination that the project will not significantly encroach on, damage, or destroy landmarks or their environs.

Unanimously approved 5-0.

Motioned by Commissioner Bailey, seconded by Commissioner Arp, to direct staff to review any minor alterations to the project, and any other revisions or modifications to the project shall be forwarded to the Historic Resources Commission for review.

Unanimously approved 5-0.

### **ITEM NO. 6: MISCELLANEOUS MATTERS**

- A. Provide comment on Zoning Amendments, Special Use Permits, and Zoning Variances received since May 19, 2016.
- Oread Water Tanks – Zoning Amendment

Ms. Zollner presented the item.

Commissioner Arp asked how this relates to a change in zoning.

Ms. Zollner said the HRC has the opportunity to comment because the zoning is a part of the overall project.

Commissioner Hernly asked if the ECM and Snow House are on the Local Register.

Ms. Zollner said yes.

Commissioner Hernly asked if this is their only opportunity to review the project.

Ms. Zollner said yes.

Commissioner Hernly asked about the option to place the new tanks across the street.

Ms. Zollner explained that the alternative placement would have an adverse effect on the listed properties. She said the project cost is lower to keep the tanks at their current location.

Commissioner Buchanan asked whether they will take a suggestion for architectural treatment and actually do something with it.

Ms. Zollner said she doesn't feel Utilities is against any suggestions, it's more of a budget issue.

Commissioner Buchanan asked whether a mural would be appropriate.

Ms. Zollner said a mural could be even more intrusive as it wouldn't blend as well.

Commissioner Buchanan said she suggests a mural of architectural detail.

Ms. Zollner said time and space around the tanks are issues for that purpose.

Commissioner Hernly asked whether they could add some landscaping between the north tank and the ECM property.

Ms. Zollner said staff did discuss that but they need the full area to access the structure.

Commissioner Hernly asked if it's appropriate to recommend that they ask for bids which include an architectural treatment.

**PUBLIC COMMENT**

Ms. KT Walsh said she's interested in why they are trying to hide its function and history, and wondered when it will go to the Cultural Arts Commission.

Ms. Katherine Simmons said public utilities are excluded.

**COMMISSION DISCUSSION**

Commissioner Hernly said he's not sure if any treatment would look good.

**ACTION TAKEN**

Motioned by Commissioner Hernly, seconded by Commissioner Bailey, to direct staff to draft a letter that indicates the HRC is not opposed to rezoning the property to GPI.

Unanimously approved 5-0.

Motioned by Commissioner Hernly, seconded by Commissioner Buchanan, to recommend an architectural treatment that would reduce the visual massing of the tanks, and to work with ARC on options.

Unanimously approved 5-0.

- B. There were no demolition permits received since May 19, 2016.
- C. There was no general public comment.
- D. Miscellaneous matters from City staff and Commission members.

Ms. Zollner mentioned training should be at a time other than before the regularly scheduled meeting. She suggested a weekday afternoon or night would be ideal. She asked for feedback on what dates would work for everyone, most likely in August or September.

They discussed dates.

Commissioner Bailey asked if they can have a subcommittee (ARC) with just two people.

Ms. Zollner said yes.



Commissioner Hernly asked if staff has knowledge of an appointment to the Commission to fill the vacant position.

Ms. Zollner said she has no knowledge of any pending appointments.

The Commission directed staff to contact the Mayor about the status of an appointment.

**ADJOURN 8:26 PM**