

**LAWRENCE HISTORIC RESOURCES COMMISSION  
AGENDA MEETING NOVEMBER 17, 2016 6:30 PM  
ACTION SUMMARY**

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

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**ITEM NO. 1: COMMUNICATIONS**

- A. There were no communications from other commissions, State Historic Preservation Officer, or the general public.
- B. No ex-parte communications.
- C. Commissioner Hernly abstained from Administrative Approval 2 and Regular Agenda Item 7.
- D. No Committee Reports

**ITEM NO. 2: CONSENT AGENDA**

- A. October 20, 2016 Action Summary
- B. Administrative Approvals
  - 1. DR-16-00394 714 Massachusetts Street; Rental License; State Law Review
  - 2. DR-16-00399 719 Massachusetts Street; Sidewalk Dining; State Law Review and Downtown Design Guidelines Review
  - 3. DR-16-00423 734 Vermont Street; Communication Equipment; Certificate of Appropriateness and Downtown Design Guidelines Review
  - 4. DR-16-00424 732 Massachusetts Street; Sign Permit; State Law Review and Downtown Design Guidelines
  - 5. DR-16-00430 1835 Massachusetts Street; Mechanical Permit; State Law Review
  - 6. DR-16-00434 733 Massachusetts Street; Rental License; State Law Review
  - 7. DR-16-00435 820 Massachusetts Street; Rental License; State Law Review
  - 8. DR-16-00436 845 Massachusetts Street; Rental License; State Law Review
  - 9. DR-16-00437 814 Massachusetts Street; Rental License; State Law Review
  - 10. DR-16-00438 814 ½ Massachusetts Street; Rental License; State Law Review
  - 11. DR-16-00446 916 Kentucky Street; Porch Repair and Structure Rehabilitation; State Law Review and Certificate of Appropriateness
  - 12. DR-16-00447 927 Massachusetts Street; Interior Remodel; State Law Review

**ACTION TAKEN**

Motioned by Commissioner Hernly, seconded by Commissioner Buchanan, to approve the October 20, 2016 Action Summary.

Motion carried 4-0-2.

Motioned by Commissioner Arp, seconded by Commissioner Hernly, to confirm Administrative Approvals with the exception of DR-16-00399, deferred until the December meeting.

Unanimously approved 6-0.

**ITEM NO. 3: DUE PROCESS, OPEN MEETINGS AND COMMISSIONERS' RESPONSIBILITIES**

Mr. Randy Larkin presented the item and answered questions about what constitutes a meeting and about quorum.

**ITEM NO. 4: PUBLIC COMMENT**

Mr. Dennis Brown, Lawrence Preservation Alliance (LPA), recapped the Oread Design Guidelines and Landmarks presented and passed at City Commission on Tuesday.

**ADDRESSING THE COMMISSION:** The public is allowed to speak to any items or issues that are not scheduled on the agenda after first being recognized by the Chair. As a general practice, the Commission will not discuss/debate these items, nor will the Commission make decisions on items presented during this time, rather they will refer the items to staff for follow up. Individuals are asked to come to the microphone, sign in, and state their name and address. Speakers should address all comments/questions to the Commission.

***AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AT THE COMMISSION'S DISCRETION***

**ITEM NO. 5:** DR-16-00431 627 Connecticut Street; New Accessory Structure; Certificate of Appropriateness. The structure is in the environs of the Otto Fischer House and the A. J. Griffin House. Submitted by Bowden Complete Construction, LLC, property owner of record.

**STAFF PRESENTATION**

Ms. Lynne Zollner presented the item.

**PUBLIC COMMENT**

Ms. KT Walsh, speaking on behalf of herself and Kristi & John Gary Brown, says they support the project and are happy the property owners want to build a garage.

**COMMISSION DISCUSSION**

Commissioner Arp asked about the window material.

Ms. Zollner said it wasn't specified in the plans.

Commissioner Arp asked if the material needs to be a condition of approval.

Ms. Zollner said it can be approved, denied, or deferred.

Commissioner Arp if staff is concerned about the material.

Ms. Zollner said no.

Commissioner Hernly asked staff to address the window shutters.

Ms. Zollner said staff would look into it and could easily do so if allowed to work with the applicant on minor alterations as recommended.

### **ACTION TAKEN**

Motioned by Commissioner Arp, seconded by Commissioner Quillin, to approve the project and issue the Certificate of Appropriateness noting that any significant revisions or modifications to the project shall be forwarded to the Historic Resources Commission for review and any minor alterations to the project will be reviewed administratively.

Unanimously approved 6-0.

**ITEM NO. 6:** DR-16-00454 1327 New Hampshire Street; New Accessory Structure; State Law Review. The primary structure is listed as a contributing structure to South Rhode Island and New Hampshire Streets Historic Residential District, National Register of Historic Places. Submitted by Kyle Weiland, the property owner of record.

### **STAFF PRESENTATION**

Ms. Zollner presented the item.

Commissioner Hernly asked when the addition on the back was completed- he decided to abstain and left the meeting.

Commissioner Buchanan asked if there are any two story garages on the block.

Ms. Zollner said no.

### **PUBLIC COMMENT**

Mr. Dennis Brown, LPA, said the staff report sounded conflicting. He read passages from the staff report that present some issues that the ARC might be able to address.

Ms. KT Walsh agreed with LPA's comments and concerns and appreciates staff's comment in the staff report about the size only working for this particular block. She feels the structure competes with the house.

### **COMMISSION DISCUSSION**

Commissioner Bailey asked if the 1918 Sanborn map shows a 1 ½ story structure.

Ms. Zollner said yes.

Commissioner Arp asked if the building or the methodology changed.

Ms. Zollner explained that it's often been a matter of opinion whether a structure has a story and a half or two.

Commissioner Buchanan said the roof changed at some point.

They discussed which criteria they were struggling with.

Ms. Zollner said staff's recommendation is definitely a result of a combination of factors specific to that area.

Commissioner Arp spoke in opposition to elevated decks in historic areas.

Commissioner Buchanan agreed they need to be wary of setting any precedent.

Ms. Zollner said this deck proposal is very similar to open air porches on rear additions that did exist in some historic areas. She feels decks don't fit into one category, it depends how and when they are used. She suggested a study session could address the gray area surrounding decks on historic properties.

Commissioner Buchanan explained that she does not support porches on accessory structures.

Commissioner Arp said the proposed doesn't read as a traditional porch.

Ms. Zollner cited other projects that have been approved by the HRC that are similar but feels a study session to define those elements would be beneficial.

Commissioner Buchanan asked the property owners how important the deck is to the project.

The property owners indicated the deck was a convenient access to storage.

Commissioner Buchanan asked if a traditional attic would work for their needs.

The property owners explained the reason for the current proposal.

Commissioners Buchanan and Arp suggested the ARC should get involved to come up with a more compatible solution for the deck and storage.

Commissioner Bailey said that if the deck is just a roof and the storage access is internal, that does nothing to reduce the size of the structure.

Commissioner Arp said his main concern is the stairs that stick out from the building.

Ms. Zollner said the door to the attic space is on that side, so if you remove the deck, you still have to get over the extension to the storage door somehow. She said they'll lose the entire north storage area if the stairs are moved to the interior.

Commissioner Arp asked why they need a walk-through door for a storage area. He feels the proposed could be used for a different purpose in the future and thinks a walk-through door is unnecessary.

Commissioner Buchanan agreed.

Ms. Zollner asked what the floor to ceiling height is on the second floor.

Mr. Kyle Weiland, property owner, said in the middle the height is eight feet.

Commissioner Arp asked about sending the applicant to the ARC.

Ms. Zollner explained their options for actions on the item.

Commissioner Arp asked what the applicant's timeline is for construction.

The property owners said they intend to pour concrete before it gets too cold but they don't plan to build until the spring.

Commissioner Bailey asked who is currently on the ARC.

Ms. Zollner said Commissioners Arp and Hernly.

### **COMMISSION DISCUSSION**

Commissioner Arp said he thinks the project needs work and he's not comfortable approving it due to the size and exterior entrance to the second floor. He said in general, he's skeptical of walk-through doors over garages.

Commissioner Quillin agrees that it's on the border and would probably have to come back to HRC.

Commissioner Fry said he would not be comfortable denying the project as it does not damage, destroy, or otherwise impact the area negatively. He also does not feel this needs to go to the ARC.

Commissioner Bailey agreed, but felt it might be beneficial to find an alternative to the exterior storage entrance.

Commissioners Quillin and Buchanan agreed.

### **ACTION TAKEN**

Motioned by Commissioner Arp, seconded by Commissioner Buchanan, to defer the item and refer it to the Architectural Review Committee to address the deck, overall issues of size, width, height, and to find alternatives to a walk-through entrance to the second floor, which includes reexamining the need for an exterior staircase.

Motion carried 4-1-1.

Ms. Zollner suggested Commissioner Fry join the ARC for the next meeting.

### **ACTION TAKEN**

Motioned by Commissioner Arp, seconded by Commissioner Buchanan, to nominate Commissioner Fry to the Architectural Review Committee for this project.

Motion carried 5-0-1.

**ITEM NO. 7:** DR-16-00444 804 Pennsylvania Street; Commercial Dining Canopy; State Law Review and Design Guidelines 8<sup>th</sup> and Penn Neighborhood Redevelopment Zone Review. The structure is a contributing structure to the East Lawrence Industrial Historic District and is located in the 8<sup>th</sup> & Pennsylvania Urban Conservation Overlay District. Submitted by Ohio Mortgage Investors, LLC, property owner of record.

## **STAFF PRESENTATION**

Ms. Zollner presented the item.

## **APPLICANT PRESENTATION**

Mr. Tom Larkin, on behalf of the building owners, said he appreciates staff working with them on this project. He mentioned that they revised the setbacks and clarified materials. He said the proposed will not impact the occupancy it will just protect them from the elements.

Mr. Patrick Watkins, attorney for Bon Bon, explained what a difference the canopy structure will make given the challenges of the building and the nature of the business.

## **PUBLIC COMMENT**

Ms. KT Walsh said she's glad the restaurant is doing well and said that even a billowing blue tarp would fit in with the neighborhood.

## **COMMISSION DISCUSSION**

Commissioner Arp said it seems like a good compromise.

Ms. Zollner said staff would continue to work with the applicant to find something that will meet the standards and meet their needs. She reminded them that for State Law Review, the amendment would need to be accepted or not before approval.

Mr. Larkin agreed to the amendment.

## **ACTION TAKEN**

Motioned by Commissioner Buchanan, seconded by Commissioner Bailey, to approve the revised project, dated 11/10/2016, and make the determination that the revised project does not damage or destroy any historic property included in the National Register of Historic Places or the State Register of Historic Places (Register of Historic Kansas Places) with the amendment of submitting a future application for any alteration, including doors or enclosure of the structure, for historic review by the City.

Motion carried 5-0-1.

Motioned by Commissioner Buchanan, seconded by Commissioner Arp, to approve the revised project, dated 11/10/2016, overturning staff's original recommendation and make the determination it meets the intent of the Design Guidelines 8<sup>th</sup> and Penn Neighborhood Redevelopment Zone Review, the development and design standards for the 8<sup>th</sup> and Pennsylvania Urban Conservation Overlay District (City Code Chapter 20-308(i)), and to direct staff to review any minor alterations that meet the applicable standards and guidelines administratively. Any other revisions or modifications to the project should be forwarded to the Historic Resources Commission for review.

Motion carried 5-0-1.

## **ITEM NO. 8: MISCELLANEOUS MATTERS**

- A. No comment on Zoning Amendments, Special Use Permits, and Zoning Variances received since October 20, 2016.

- B. No demolition permits received since October 20, 2016.
- C. Miscellaneous matters from City staff and Commission members.

Commissioner Arp thanked Mr. Dennis Brown and City staff for working to get the Johnson Block approved.

Ms. Zollner said it is the first historic district approved in the last 25 years.

**ADJOURN 7:52 pm**