

LAWRENCE HISTORIC RESOURCES COMMISSION
AGENDA MEETING AUGUST 17, 2017 6:30 PM
ACTION SUMMARY

Commissioners present: Bailey, Erby, Evans, Fry, Hernly, Veatch
Staff present: Cargill, Weik, Zollner

ITEM NO. 1: COMMUNICATIONS

- A. All communications were included in the agenda packet.
- B. No ex-parte communications.
- C. Commissioner Hernly and Commissioner Bailey abstained from Item 11.
- D. No Committee Reports

ITEM NO. 2: CONSENT AGENDA

- A. Action Summary July 20, 2017
- B. Administrative Approvals
 - 1. DR-17-00298 1344 Tennessee Street; Building Expansion; Oread Design Guidelines Review
 - 2. DR-17-00301 816 Massachusetts Street; Commercial Remodel; State Law Review
 - 3. DR-17-00306 804 Kentucky Street; Residential Deck; Certificate of Appropriateness
 - 4. DR-17-00309 1425 Tennessee Street; Commercial Remodel; State Law Review
 - 5. DR-17-00310 115 W. 11th Street; Commercial Remodel; State Law Review, Certificate of Appropriateness, and Downtown Design Guidelines Review
 - 6. DR-17-00317 835 Massachusetts Street; Sign Permit; Downtown Design Guidelines Review, State Law Review, and Certificate of Appropriateness
 - 7. DR-17-00323 846 Massachusetts Street; Mechanical Permit; State Law Review
 - 8. DR-17-00331 800 Ohio Street; Residential Remodel; Certificate of Appropriateness
 - 9. DR-17-00338 1311 Rhode Island Street; Mechanical Permit; State Law Review
 - 10. DR-17-00339 1541 Kentucky Street; Commercial Remodel; Oread Design Guidelines Review
 - 11. DR-17-00343 900 Massachusetts Street; Communication Equipment Upgrade; Downtown Design Guidelines Review and Certificate of Appropriateness
 - 12. DR-17-00354 845 Massachusetts Street; Sign Permit; Downtown Design Guidelines Review, State Law Review, and Certificate of Appropriateness

ACTION TAKEN

Motioned by Commissioner Fry, seconded by Commissioner Bailey, to approve the July 20, 2017 Action Summary.

Unanimously approved 6-0.

Motioned by Commissioner Fry, seconded by Commissioner Veatch, to confirm the Administrative Approvals.

Unanimously approved 6-0.

ITEM NO. 3: PUBLIC COMMENT

Ms. KT Walsh asked commissioners not to move Item 10, 700 New Hampshire Street, up on the agenda so as to allow other public members to be present.

ITEM NO. 4: DR-17-00296 1218 Mississippi Street; New Construction; Certificate of Appropriateness, and Oread Design Guidelines Review. The property is located in the environs of the Jane A Snow Residence (706 W 12th Street), and is located in the Conservation Overlay District – Hancock Historic District – UC4. Submitted by TreanorHL on behalf of Classical Developments LLC, property owner of record.

STAFF PRESENTATION

Ms. Lynne Zollner presented the item.

APPLICANT PRESENTATION

Mr. Walker Douglas, TreanorHL, was present for questions.

There was no public comment.

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Commissioner Fry, to issue the Certificate of Appropriateness and make the determination that the revised project does not encroach upon, damage, or destroy the environs of the listed historic property, and direct staff to review any minor alterations to the project.

Unanimously approved 6-0.

ITEM NO. 5: DR-17-00300 and DR-17-00308 524 Ohio Street; Residential Remodel and Variance; State Law Review and Certificate of Appropriateness. The property is located in the Pinckney II Historic District, National Register of Historic Places. The property is also located in the environs of the Griffith House (511 Ohio Street), and the Dillard House (520 Louisiana Street), Lawrence Register of Historic Places. Submitted by Rockhill & Associates on behalf of Kami Day and Michele A Eodice, property owners of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

Commissioner Hernly asked if the State Historic Preservation Office (SHPO) review process was explained to the applicant.

Ms. Zollner said it was discussed at the Architectural Review Committee (ARC) meeting.

Commissioner Hernly thought that the project would still come back to the HRC once the SHPO review was complete.

Ms. Zollner said staff is requesting that they do it with the tax credit review.

Commissioner Bailey said it's very unusual to do that.

Ms. Zollner said it is, but this is a unique situation and staff feels it's appropriate.

Commissioner Bailey asked what feedback would be provided from the SHPO.

Ms. Zollner said staff will still be involved with the review.

APPLICANT PRESENTATION

Mr. David Sain, Rockhill & Associates, said they are moving forward with tax credits.

There was no public comment.

COMMISSION DISCUSSION

Commissioner Bailey asked if a State Law Review has ever been delegated to the SHPO.

Ms. Zollner said not often, but the Commission has the authority to pass that review on to them.

Commissioner Bailey said he feels it's appropriate for the SHPO to review.

ACTION TAKEN

Motioned by Commissioner Hernly, seconded by Commissioner Fry, to request that the State Historic Preservation Officer conduct the State Preservation Law review for this project in conjunction with the tax credit review, and if the tax credit application doesn't move forward, the project will come back to the HRC and staff is authorized to conduct the Certificate of Appropriateness review.

Unanimously approved 6-0.

ITEM NO. 6: DR-17-00311 644 Mississippi Street; New Accessory Structure; Certificate of Appropriateness. The property is located in the environs of the Wilder Clark House (643 Indiana Street) and the John Robert Greenlees House (714 Mississippi Street), Lawrence Register of Historic Places. Submitted by Lance Adams of Adams Architects, LLC on behalf of Gregory Rupp and Jennifer Roth, property owners of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

APPLICANT PRESENTATION

Mr. Lance Adams, Adams Architects, thanked the Commission for the time to work with the ARC. He explained details of the revised project.

Mr. Greg Rupp, property owner, said they were looking forward to a two car garage but are happy to compromise to meet the design guidelines.

PUBLIC COMMENT

Mr. Dennis Brown, Lawrence Preservation Alliance (LPA), expressed concern with the rooftop deck on the proposed project. He said it is a nonexistent design from 1860-1945 for an ancillary structure. He feels they are solving their garage problem but creating new issues. He suggested some alternative design solutions.

Mr. Adams presented photos of other rooftop decks in the district. He believes what they've proposed is hidden by the way it's designed and it is not unique to the district.

COMMISSION DISCUSSION

Commissioner Hernly said he focused on the proximity of the existing garage to the listed property. He said it's not uncommon to see homes in the area with additions on the rear with low-pitched roofs and parapets. He noted that the lot configuration poses a unique challenge and he feels the proposed is well designed for that situation.

Commissioner Fry felt they addressed every concern that was expressed at the last meeting in a positive way.

Commissioner Bailey said his main issue with the original proposal was the massing and he feels the revised plan is a good compromise.

Commissioner Fry agreed.

Commissioner Hernly asked for other opinions on the rooftop deck, particularly the use.

Commissioner Veatch said they might have questions about the form but with a COA they just need to maintain the residential use.

Commissioner Evans was curious why the second story can't be moved to the south.

Commissioner Hernly said moving the second story to the south has a greater impact on the primary structure.

Commissioner Evans felt the placement and form of the current proposal is significantly better than the original proposal.

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Commissioner Hernly, to issue the Certificate of Appropriateness and make the determination that the proposed project does not encroach upon, damage, or destroy the environs of the listed historic property, and direct staff to review any minor alterations to the project.

Unanimously approved 6-0.

ITEM NO. 7: DR-17-00198 820 New Jersey Street; New Construction of Accessory Structure; Certificate of Appropriateness. The property is listed in the Lawrence Register of Historic Places as the Green and Sidney Lewis House. Submitted by Dan Hermreck on behalf of Maxwell E. & Sierra Y. Kautsch, property owners of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

APPLICANT PRESENTATION

Mr. Dan Hermreck, applicant, said the width of the existing structure is extremely tight and they've worked with staff on numerous occasions to create a compatible structure.

PUBLIC COMMENT

Mr. Eric Jay, neighbor south of the property, said he is in favor of the project and has no issues with it.

COMMISSION DISCUSSION

Commissioner Bailey asked if the width difference will be 2 ft.

Ms. Zollner said yes, on the front portion.

Commissioner Veatch said they narrowed it up and it gets wider toward the rear but it's still subordinate in height.

Ms. Zollner noted that the last paragraph in the staff report said this is a unique situation and is appropriate for this property but possibly inappropriate for others.

ACTION TAKEN

Motioned by Commissioner Fry, seconded by Commissioner Veatch, to issue the Certificate of Appropriateness and make the determination that the proposed project does not encroach upon, damage, or destroy the environs of the listed historic property.

Unanimously approved 6-0.

ITEM NO. 8: DR-17-00240 319 E. 7th Street; New Accessory Structure; Certificate of Appropriateness. The structure is located in the environs of the A. J. Griffin House (645 Connecticut), Lawrence Register of Historic Places. Submitted by Peter Shenouda on behalf of Shenouda Victor M. Trust, property owner of record.

STAFF PRESENTATION

Ms. Katherine Weik presented the item.

APPLICANT PRESENTATION

Mr. Peter Shenouda, property owner, said there is currently no parking so his addition of parking will be an improvement.

PUBLIC COMMENT

Mr. Dennis Brown, LPA, said the balcony is not a typical design form for the district or the environs. The barn that was taken down did not have a balcony. He feels the balcony and doors should be removed and replaced with windows, and the fenestration pattern needs some work. He felt the project could be referred to the ARC for design refinement.

Ms. KT Walsh agreed with Mr. Brown's comments. She said this home was used as a good example for a metal powder-coated stairway.

COMMISSION DISCUSSION

Commissioner Hernly asked if there will be a variance for the setback on the alley.

Ms. Weik said the accessory structure meets and exceeds the setback requirements.

Commissioner Bailey said he doesn't see any significant issues, particularly because this is a COA.

Commissioner Veatch said the east elevation bothers him a bit due to the lack of windows.

Commissioner Hernly said he's not enthralled with the balcony, it has a "tacked on" feel to it but he doesn't feel it's damaging.

Commissioner Fry agreed.

Commissioner Veatch said Area 2 for the environs includes rhythm of openings which would apply to fenestration. He noted a lack of fenestration on the main façade.

Commissioner Bailey said the environs just hits the property line.

Commissioner Evans agreed that the fenestration is not ideal but doesn't really bother him.

Commissioner Hernly asked if there is a floor plan.

Ms. Weik said there is not.

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Commissioner Fry, to issue the Certificate of Appropriateness and make the determination that the proposed project does not encroach upon, damage, or destroy the environs of the listed historic property.

Motion carried 5-0-1 with Commissioner Veatch in opposition.

ITEM NO. 9: DR-17-00297 1000 BLK Pennsylvania Street (1026 Pennsylvania Street); New Construction; Certificate of Appropriateness. The property is located in the environs of the Sargent S. Whitcomb House (1029 Delaware Street), and is located in the environs of Hobbs Park. Submitted by Struct/Restruct, LLC on behalf of Jason T. and Elizabeth T.A. Koepp, property owners of record.

STAFF PRESENTATION

Ms. Weik presented the item.

APPLICANT PRESENTATION

Mr. Eric Jay, Struct/Restruct, explained details of the project.

Commissioner Hernly asked about the siding.

Mr. Jay explained what types of siding they have considered.

Commissioner Bailey suggested that a balance between compatible materials and modern design seems appropriate.

Ms. Zollner stressed the importance of compatible materials.

There was no public comment on the item.

There was no additional Commission discussion.

ACTION TAKEN

Motioned by Commissioner Bailey, seconded by Commissioner Veatch, to refer the project to the Architectural Review Committee to work on:

1. Roof shape for the primary structure
2. Materials and location of materials
3. Fenestration patterns and sizes
4. Porch on primary elevation
5. Platform

Unanimously approved 6-0.

ITEM NO. 10: DR-17-00344 700 New Hampshire Street; Demolition and New Construction; Certificate of Appropriateness and Downtown Design Guidelines Review. The property is located in the environs of the Octavius W. McAllaster Residence (724 Rhode Island Street) and the A. J. Griffin House (645 Connecticut Street), Lawrence Register of Historic Places. The property is also located in the Downtown Urban Conservation Overlay District. Submitted by TreanorHL on behalf of Treanor Investments, LLC property owners of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

APPLICANT PRESENTATION

Ms. Lauren Davis, TreanorHL, explained details of the proposed project.

PUBLIC COMMENT

Ms. Marci Francisco, 1101 Ohio Street, said she is a member of Rhode Island Watch and owner of the property at 740 Rhode Island Street. She explained the history of the aforementioned property and stressed how historic Rhode Island Street is.

Mr. Tony Peterson, 724 Rhode Island Street, said the "drop dead" issue for the residents is the proposed curb cut and driveway onto Rhode Island Street. He referred the Commission to his communication and photos in the packet.

Mr. Todd Foster reiterated his concerns outlined in the written communication he submitted, including light pollution, air pollution, safety, building height and proximity to the neighborhood, construction damage to homes, privacy due to balconies, and proximity of trash and loading dock.

Ms. Liz Tolbert said the curb cut on Rhode Island Street is inappropriate. The design doesn't fit the neighborhood, and building to the property line is absurd- it's only 54 feet from residences. She feels the applicant took concerns from residents at Hobbs Taylor into consideration but not those from Rhode Island Street residents.

Ms. KT Walsh, East Lawrence Neighborhood Association (ELNA), said she hopes commissioners read their letter. She mentioned that the proposed grocer only agreed to be there for 5 years. The project is too big in mass and scale, is up to the property line on the east side, and it's embarrassing that the "back of the house" abuts the residential area. They feel the balconies are invasive and the project needs to be pulled back from Rhode Island Street. They feel this has more issues than the ARC can tackle.

Mr. Dennis Brown, LPA, said their main concern is how this project interacts with the Rhode Island Street neighborhood. The curb cut is an absolute no. They have concerns about maintaining the alley and how the project will transition to the neighborhood. He warned the commissioners to take their time and not take the review process too quick.

Ms. Phyllis Payne, owner of 702 Rhode Island Street, said she was born at 8th & Rhode Island Streets, moved to 701 Connecticut Street, her mother owned 705 Connecticut Street and her aunt lived in KT Walsh's current house. This area represents her childhood. She explained how she used to watch the temperature drop from a thermometer in the area of the Eldridge Hotel, which won't be visible with this development because the walls are massive. She agrees with all the other comments made by public members. Her house is made of soft brick and the brick isn't in good shape. She is worried that intensive construction will have a negative effect on the house.

Mr. Mark Olson, 716 Rhode Island Street, shared the concerns mentioned by other public members, most notably the curb cut and associated driveway. He said this project will not only affect the neighbors but the entire city.

Mr. Phil Collison, ELNA, said this seems to be a process issue- it's too massive, the curb cut is inappropriate, and overall this pits neighbors versus developers. They believe that when plans don't conform to obvious things, staff should reject the project and require they resubmit. He noted that the details aren't clear on the plans.

Mr. Ed Payne shared a story about coming to Lawrence in 1980. He said there were parking meters along one side of Rhode Island Street and not the other. He wrote a letter to the City and the meters disappeared. He feels that City staff are reasonable folks and trusts they're doing their best with what they get every day. He asked that the curb cut not be allowed, and thanked the Commission for their work.

Ms. Marci Francisco said she was present during the Borders project and the exterior walls were discussed, but most importantly, the HRC decided to keep the alley open, despite Borders' argument that they needed the extra space. She said the alley was a good thing to save.

COMMISSION DISCUSSION

Commissioner Hernly said he has several issues with the overall massing, transitions, and the height is not relative to the residential area. The project needs to be reviewed to the east for Downtown Design Guidelines. He noted that other projects have stepped down toward the residential area, but this is the first one jumping the alley. He feels it is way beyond the scope of the ARC.

Commissioner Evans agreed. He said there is a transition issue, and he's disturbed that they're looking at a project in this stage. They need to rethink the entire project.

Ms. Zollner explained the Commission's action options. She said they could possibly defer and ask the applicant to investigate transitions, models, impact with line of sight, elevation studies, or different design options, at a date certain to come back before the Commission.

Ms. Davis said they were able to work through a lot of similar items with the ARC for the Dillons on Mass project, although they would not be able to step down the massing for this project any further.

Commissioner Bailey said the biggest concerns are with Downtown Design Guidelines 7.3 and 7.5, noting the language "shall not be permitted" is pretty clear.

Commissioner Hernly mentioned future changes might bring more height to the west. He feels they should focus the height on New Hampshire Street and not on Rhode Island Street.

Commissioner Veatch asked if he's suggesting more than three stories along New Hampshire Street is appropriate.

Commissioner Hernly said yes, noting that Hobbs Taylor is six stories. He feels the project can be designed taller toward New Hampshire Street and the grocery aspect could be on two levels, taking up less overall lot width.

Commissioner Veatch asked about review process, specifically whether ARC can take this on.

Commissioner Hernly said the public can't speak at an ARC meeting, so he'd rather not put the bulk of the process on the ARC.

Commissioner Veatch asked if deferral with suggestions is more appropriate.

Commissioner Hernly said yes, they can defer to give the applicant time to address concerns that have been brought up by staff and the Commission.

Ms. Davis asked if it's worth coming back if the mass isn't going to change. She said the grocery use is driving the mass.

Commissioner Veatch thinks they need additional information; specifically, the relationship between the building and the neighborhood.

Commissioner Evans feels they need to challenge the applicant to come up with a design solution to transition the project toward the neighborhood.

Commissioner Bailey said it would be good to get more information back and see some other options and hopefully a shift in massing.

They asked about the traffic study.

Ms. Davis said she didn't know how long the traffic study would take, but would likely be complete in about a month.

Ms. Zollner asked about the site plan, and asked if they could time the traffic study with the site plan.

Ms. Davis said the site plan is waiting on the traffic study as well. She mentioned they can provide more detailed modeling.

Commissioner Veatch said he wants the public to be engaged and to see everything submitted.

Ms. Zollner feels it would be premature for the HRC to see the project again before the curb cut has been addressed with the site plan.

Commissioner Hernly is concerned that a site plan is being engineered based on the current proposed footprint.

Commissioner Fry asked if the applicant can appeal to the City Commission on a denial as well as a deferral.

Ms. Zollner said they can appeal a denial but a deferral would keep the project under review with the HRC.

Commissioner Bailey agreed the curb cut is a significant issue and maybe the ARC is a good option later down the line.

Commissioners agreed that additional information would be helpful in addressing several major concerns.

Ms. Davis asked if the project comes back to the HRC after working with the ARC.

Ms. Zollner said yes.

ACTION TAKEN

Motioned by Commissioner Evans, seconded by Commissioner Bailey, to defer the project and ask the applicant to work on addressing issues of transition, height, massing, curb cut, and continuation of the alley, and to provide a traffic study, modeling, and elevations at a date when the applicant is ready.

Unanimously approved 6-0.

ACTION TAKEN

Motioned by Commissioner Hernly, seconded by Fry, to appoint Commissioner Veatch chair pro tem for the final item.

Unanimously approved 6-0.

ITEM NO. 11: DR-17-00369 1346 Rhode Island Street; New Construction; State Law Review. The property is located in the South Rhode Island and New Hampshire Street Historic Residential District, National Register of Historic Places. Submitted by Tenants to Homeowners, Inc., property owner of record.

STAFF PRESENTATION

Ms. Zollner presented the item.

APPLICANT PRESENTATION

Mr. Mike Myers, Hernly Associates, explained details of the project.

PUBLIC COMMENT

Ms. KT Walsh, ELNA, said they think it's a lovely design and appreciate the affordability of the project.

COMMISSION DISCUSSION

Commissioner Fry said it's a good project.

Commissioners agreed they liked the platform.

ACTION TAKEN

Motioned by Commissioner Fry, seconded by Commissioner Evans, to approve the proposed project and make the determination that the proposed 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).

Motion carried 4-0-2. Commissioners Hernly and Bailey abstained.

ITEM NO. 12: MISCELLANEOUS MATTERS

- A. No comment on Zoning Amendments, Special Use Permits, and Zoning Variances received since July 20, 2017.
- B. No demolition permits received since July 20, 2017.
- C. Miscellaneous matters from City staff and Commission members.

Ms. Zollner mentioned the Douglas County Heritage Conservation Council meeting in September is joint with the State Historic Preservation Office. She also gave an estimated update on Chapter 22.

Commissioner Veatch asked if there will be any support for the Kansas Preservation Conference in September.

Ms. Zollner said there are scholarships available.

Commissioner Evans feels that the IT for the packet is not usable and the agenda packet is too long. He also expressed concern that a project such

as 700 New Hampshire Street could come before the Commission at its current stage.

Ms. Zollner said it's ultimately up to the applicant to submit a project based on staff's recommendations.

ADJOURN 10:30 PM