

**LAWRENCE HISTORIC RESOURCES COMMISSION**  
**AGENDA MEETING SEPTEMBER 21, 2017 6:30 PM**  
**ACTION SUMMARY**

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Commissioners present: Bailey, Erby, Evans, Fry, Hernly, Veatch

Staff present: Dolar, Weik, 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 explained a communication from staff that addresses the ability of the public to audio or video record meetings.
- B. Disclosure of ex parte communications.  
Commissioner Bailey said a communication regarding 1655 Mississippi Street was sent to the entire commission but it is also in the packet.
- C. Declaration of abstentions for specific agenda items by commissioners.  
Commissioner Hernly said he's a partial owner for the listed property that creates environs for the project on Item 10 but he will not abstain.  
Commissioner Bailey abstained from Administrative Approval DR-17-00371.
- D. An ARC report was provided for Item 8.

**ITEM NO. 2: CONSENT AGENDA**

- A. Action Summary August 17, 2017
- B. Administrative Approvals
  - 1. DR-17-00333 733 New Hampshire Street; Commercial Remodel; State Law Review, Downtown Design Guidelines Review and Certificate of Appropriateness
  - 2. DR-17-00325 533 Tennessee Street; Residential Remodel; State Law Review
  - 3. DR-17-00352 835 Massachusetts Street; Sign Permit; Downtown Design Guidelines Review, State Law Review, and Certificate of Appropriateness
  - 4. DR-17-00355 111 E. 11<sup>th</sup> Street; Commercial Remodel; Certificate of Appropriateness
  - 5. DR-17-00360 937 Kentucky Street; Mechanical Permit; State Law Review and Certificate of Appropriateness
  - 6. DR-17-00370 1045 Hilltop Avenue; Sign Permit; Certificate of Appropriateness
  - 7. DR-17-00371 1101 Indiana Street; Sign Permit; Oread Design Guidelines Review
  - 8. DR-17-00387 826 Pennsylvania Street; Sign Permit; State Law Review, 8<sup>th</sup> & Penn Design Guidelines Review and Certificate of Appropriateness
  - 9. DR-17-00388 1000 Massachusetts Street; Sign Permit; Downtown Design Guidelines Review
  - 10. DR-17-00403 1245 E. 15<sup>th</sup> Street; Site Plan; Certificate of Appropriateness

### **ACTION TAKEN**

Motioned by Commissioner Fry, seconded by Commissioner Veatch, to confirm the Administrative Approvals with the exception of Item B-7.

Motioned carried 5-0-1. Commissioner Bailey abstained.

Motioned by Commissioner Hernly, seconded by Commissioner Fry, to confirm Item B-7.

Unanimously approved 6-0.

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

Ms. KT Walsh said she originally brought up the topic of not being able to record the meetings, based on information from a reliable source; however, she was wrong. The same person also mentioned to her that the training manual should be on the website.

**ITEM NO. 4:** L-17-00062 Public Hearing for consideration of placing the property located at 801 Alabama Street, the Louis C. & Eva Poehler House, on the Lawrence Register of Historic Places. Submitted by Lawrence Preservation Alliance on behalf of James A. Slater II and Geraldine Slater, property owners of record.

### **STAFF PRESENTATION**

Ms. Lynne Zollner explained the importance of including a wide variety of homes on the Lawrence Register of Historic Places, including those not eligible for the State or National Registers. She also explained that there is an issue with the Landmark process because the Planning Commission, which must receive the nomination reports, and the Historic Resources Commission (HRC) have conflicting schedules in their respective codes. Due to that issue, the legal staff has recommended that the Commission open the public hearing for each Landmark but defer action on them until the October meeting.

Commissioner Bailey asked if the concern is adequate notice to the public.

Ms. Zollner said the concern is the current requirement of Chapter 22 to provide with Planning Commission with all correspondence on the Landmark before it is heard by the HRC.

Commissioner Bailey noted that Chapter 22 is currently under review.

Ms. Zollner said the process conflict has already been addressed in the proposed draft of Chapter 22.

Commissioner Veatch asked if the public will have an opportunity to comment on the Landmarks in October if they choose to hear public comment tonight as well.

Ms. Zollner said absolutely, and the Planning Commission will receive all correspondence and documentation on each nomination.

They decided to hear staff presentation and public comment on the Landmark nominations.

Ms. Zollner presented the item, 801 Alabama Street.

### **PUBLIC COMMENT**

Mr. Dennis Brown, Lawrence Preservation Alliance (LPA), said they are proud to bring these last four properties from their year-long project to be listed on the local register. He discussed environs review and stressed that it is the least stringent historic review. He noted that he's lived in his home, within environs, for 30 years and has never had an issue even with a building permit.

Mr. Maxwell Schue, 826 Alabama Street, said it seems they're releasing control of a property for abstract rules. He has one of the few carriage houses left in the city and doesn't think others should have a say as to what he does. He doesn't feel recourse for homeowners is reasonable. He did note that he wished some historic review had been in place long before many structures were built in his neighborhood because they are completely out of place.

Ms. Helen Moritz, 826 Alabama Street, said there's nothing historic about the home and she is opposed to the nomination. She feels the environs review will negatively impact her options.

### **ACTION TAKEN**

Motioned by Commissioner Evans, seconded by Commissioner Fry, to defer the item to the October meeting.

Unanimously approved 6-0.

**ITEM NO. 5:** L-17-00122 Public Hearing for consideration of placing the property located at 1645 Kentucky Street, the Thaddeus D. & Elizabeth K. Prentice House, on the Lawrence Register of Historic Places. Submitted by Lawrence Preservation Alliance on behalf of Robert Benton Peugh II, property owner of record.

### **STAFF PRESENTATION**

Ms. Zollner presented the item.

Commissioner Fry asked about the percentage allowed for a building addition.

Ms. Zollner explained that the increase to 25% building addition size is to accommodate larger lots.

Commissioner Bailey asked staff to explain "knee bracket".

Ms. Zollner showed a photo of a knee bracket.

No public comment.

### **ACTION TAKEN**

Motioned by Commissioner Fry, seconded by Commissioner Veatch, to defer the item to the October meeting.

Unanimously approved 6-0.

**ITEM NO. 6:** L-17-00123 Public Hearing for consideration of placing the property located at 1655 Mississippi Street, the Twenhofel-Eikenberry House, on the Lawrence

Register of Historic Places. Submitted by Lawrence Preservation Alliance on behalf of Mabel Rice, property owner of record.

#### **STAFF PRESENTATION**

Ms. Zollner presented the item.

Commissioner Fry asked if the Landmark would trigger a review for the HRC.

Ms. Zollner explained the administrative process that is concurrent with the building permit.

#### **PUBLIC COMMENT**

Mr. Scott Mitchell said he submitted a letter for the packet. He said there is no mechanism for environs homeowners to formally oppose a nomination and said Chapter 22 rules seem vague. The word "significant" hasn't been properly defined. He feels the nomination process is too fast and doesn't provide homeowners with adequate notice. He reviewed other concerns as outlined in his written communication.

Commissioner Bailey asked if this is nominated under Criteria 1 & 6.

Commissioner Veatch said the nomination is under just Criteria 6.

#### **ACTION TAKEN**

Motioned by Commissioner Veatch, seconded by Commissioner Fry, to defer the item to the October meeting.

Unanimously approved 6-0.

**ITEM NO. 7:** L-17-00147 Public Hearing for consideration of placing the property located at 2127 Barker Avenue, the Adam and Annie Rottman House, on the Lawrence Register of Historic Places. Submitted by Lawrence Preservation Alliance on behalf of Brian and Ursula Kuhn-Laird, property owners of record.

#### **STAFF PRESENTATION**

Ms. Lynne Zollner presented the item.

#### **PUBLIC COMMENT**

Mr. David Chutka, 2115 Barker Avenue, is concerned his rights are being forfeited, and feels if a house is sizable and old it will pass nomination. He feels Chapter 22 is vague and doesn't agree with environs review.

#### **ACTION TAKEN**

Motioned by Commissioner Evans, seconded by Commissioner Fry, to defer the item to the October meeting.

Unanimously approved 6-0.

**ITEM NO. 8:** DR-17-00297 1000 Block of 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. Katherine Weik presented the item.

Commissioner Hernly said the roof shapes and fenestration, materials, and porch elements were addressed and the design has come together well. He said the platform didn't work well due to a slope but they proposed a railing to feel more like a porch.

Commissioner Veatch asked if the ARC felt it was lacking a main entrance.

Commissioner Hernly said it felt more like a patio than a porch, so instead of vertical separation they're providing a horizontal barrier.

Commissioner Veatch asked if he could walk them through the roof shape.

Commissioner Hernly explained the roof and how it fits better with the area.

Commissioner Veatch asked if materials were agreeable.

Commissioner Hernly said yes.

### **APPLICANT PRESENTATION**

Mr. Eric Jay, Struct/Restruct, explained the changes that were made as a result of working with the ARC.

No public comment.

### **ACTION TAKEN**

Motioned by Commissioner Bailey, seconded by Commissioner Veatch, 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. 09:** DR-17-00401 505 Tennessee Street; Residential Remodel; State Law Review and Certificate of Appropriateness. The property is a contributing structure to the Pinckney I Historic District, National Register of Historic Places. The property is also located in the environs of the Griffith House, Lawrence Register of Historic Places. Submitted by Struct/Restruct, LLC on behalf of Robert A. Beck and Amy M. Pettle, property owners of record.

**ITEM NO. 10:** DR-17-00402 1124 Rhode Island Street; Residential Addition; State Law Review and Certificate of Appropriateness. The property is a contributing structure to the North Rhode Island Street Historic Residential District, National Register of Historic Places and is located in the environs of the Rhody Delehunty House, Lawrence Register of Historic Places. Submitted by

Struct/Restruct, LLC on behalf of Ben Caplan & Eileen Nutting, property owners of record.

### **STAFF PRESENTATION**

Ms. Weik presented the item.

Commissioner Bailey asked about the rain screen.

Ms. Weik said it's a horizontal element that reads as lap siding but it is a screening material.

### **APPLICANT PRESENTATION**

Mr. Eric Jay, Struct/Restruct, said this project has been challenging. It has been sitting vacant for six years. He explained details of the proposed project.

Commissioner Hernly asked what keeps the addition from moving to the north.

Mr. Jay said his client wants yard space and a more compact home.

Commissioner Bailey asked for the square footage of the house.

Mr. Jay said they're adding a total of 750 sq ft, and the existing house is 1400 sq ft.

### **PUBLIC COMMENT**

Mr. Dennis Brown, LPA, said they agree with the staff recommendation and hope the ARC can help the applicant work through their issues. Their main concern is the size of the addition which would unbalance the primary structure.

Ms. KT Walsh said she likes the abundance of windows and thinks it's a beautiful house.

Commissioner Bailey said it does seem massive but as staff points out, it's a Certificate of Appropriateness review and there isn't line of sight from the listed property.

Commissioner Evans doesn't have a problem with the massing- he feels the plans make it look bigger than it really is. He is comfortable referring to the ARC.

Mr. Jay said the small space is driving the height of the addition.

Ms. Weik clarified that staff concern is the height in proportion to what is seen from the right-of-way.

Mr. Jay discussed the proposed roof and possible options.

Commissioner Bailey said he is comfortable with referral to the ARC.

Ms. Zollner said her concern is whether the ARC is comfortable tackling the issues with the project.

Commissioner Bailey asked for others' thoughts on the rain screen material.

Mr. Jay reiterated that it's a modern material that simulates horizontal lap siding but allows the wall to breathe.

Commissioner Evans asked about the gap between the boards.

Mr. Jay explained the rain screen system. He said staff would prefer the material be painted, which would be an issue because it is typically finished naturally.

Commissioner Bailey noted that the standards suggest the addition should be differentiated from the old.

Ms. Zollner said it also needs to be compatible.

Ms. Weik said this is a listed property and the rain screen system wouldn't be found within the district.

Commissioner Hernly said that's correct, but there's nothing prohibiting the use of modern materials.

Commissioner Veatch said the new addition falls under Standard 9.

Commissioner Evans said there's a fine line when differentiating between the new and old making it too overwhelming.

Commissioner Veatch said he's find sending the project to ARC.

Commissioner Hernly agreed.

They talked about when the ARC would meet next and what they should address.

#### **ACTION TAKEN**

Motioned by Commissioner Bailey, seconded by Commissioner Fry, to refer the project to the Architectural Review Committee for all items mentioned in the staff report.

Unanimously approved 6-0.

#### **ITEM NO. 11: MISCELLANEOUS MATTERS**

- A. No comment on Zoning Amendments, Special Use Permits, and Zoning Variances received since August 17, 2017.
- B. No demolition permits received since August 17, 2017.
- C. Miscellaneous matters from City staff and Commission members.

Ms. Zollner explained that ordinances for previous nominations needed to be adopted.

#### **ACTION TAKEN**

Motioned by Commissioner Bailey, seconded by Commissioner Fry, to adopt Resolution 2017-04.

Unanimously approved 6-0.

Motioned by Commissioner Bailey, seconded by Commissioner Veatch, to adopt Resolution 2017-05.

Unanimously approved 6-0.

Motioned by Commissioner Bailey, seconded by Commissioner Veatch to adopt Resolution 2017-06.

Unanimously approved 6-0.

Commissioner Hernly asked if he could submit comments on items for next month's meeting since he cannot attend.

Ms. Zollner said there's no mechanism for including his comments if he is absent.

Commissioner Hernly discussed the landmark nominations. He explained that the properties are already subject to zoning regulations, and the level of review added for local listing is pretty minor compared to rules already in place. In terms of property rights, for the environs of a listed property, they are affected not eliminated.

They further discussed environs review.

**ADJOURN 8:51 pm**