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Senate Committee on Ethics, Elections and Local Government

Testimony from Dennis J Brown
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HB2118

I am in my seventh year as LPA president, and have attended monthly meetings of our Historic Resources Commission (HRC), for eight, missing three in that time, so I have seen a lot of agenda items. Lawrence is a Certified Local Government (CLG), which allows us to do our reviews locally. I do think the "line of sight language" regarding environs could be strengthened to a "building to building" definition, as I have seen items come before HRC because the corner of a lot barely eclipses the 500' radius. But as I try to think of items coming before HRC that have been flat stopped by the process, I am struggling to remember any. Conversely, during that time I have seen many improvements made to projects, without compromising the applicant's goals, that have improved the livability of our city.

Discussion of recent major developments in Lawrence near downtown might be instructive in how the current law is working. Early in 2012 a proposed major infill on a vacant lot one block east of the center of downtown began going through historic review. Just to the west was our downtown historic district, obviously commercial. Directly to the east of the site was a residential historic district. The project, a Marriot extended stay hotel, was drawn at 7 stories in front facing the commercial area, and 6 in the back facing the residential. The back of the building was to come directly to the edge of the alley, 60' high and only the alley's width (13'6") away from homeowners' back yards. LPA analysis concluded that height and mass were acceptable for the most part as it related to the commercial district, but would encroach upon and damage the residential district.

We identified nine specific ways that this damage would occur. Other than height and mass, there were traffic pattern and life safety issues as well. We strongly addressed those in the review process. The developer worked with the HRC to make enough changes to gain approval. By May, all of LPA's issues had been favorably addressed. Although there were neighbors who wanted to stop the project entirely who were upset with us, we testified that the project, while not ideal, could no longer be said to damage the residential district. The revised project now stands shovel-ready. A few months later another, larger, apartment project one block north by the same developer passed review easily with virtually no testimony by LPA, because the residential housing nearby was further away than in the first instance.

At about the same time, LPA was contacted by the longtime owner of one of the city's most historic structures, the Turnhalle (1869), a community building originally used by this city's German-American founders. He had let the building go beyond his ability to bring it back, and was hoping LPA could buy it and determine a process of extensive rehab. Turnhalle is just one block to the east of the back edge of the proposed Marriot. We jumped at the chance to buy it, and are going through an extensive cataloguing of repairs needed to make the building functional again. We see ourselves as interim owners, and when we can resolve the structure's questions and perform emergency repairs, we plan to sell it to the right buyer who can undertake what may be a million dollar rehab. As it is zoned commercial, we hope whoever is running Turnhalle two years from now is enjoying customer visits from residents of the new hotel.

New high-rise infill, major historic rehab, and environs review is working within this microcosm near downtown Lawrence. Without environs review, in this particular instance, the developer would have been able to start his project a few months earlier, but the damage he would have caused to adjacent homeowners would have fractured their historic block and started a downward slide towards destabilization.

Sincerely
Dennis J Brown

President