

Minutes
HISTORIC RESOURCES BOARD
City Commission Room, City Hall
1101 Poyntz Avenue
Monday, October 28, 2013
4:00 P.M.

Members Present: Patrick Schaub, Chair; Dixie West, Vice-Chair; Betty Mattingly; Dea Brokesh; Michael Krysko; Michael Mecseri.

Members Absent: Angie Danner.

Others Present: Linda Glasgow; Brent Bowman; Ward Morgan; Materie Strahm.

Staff Present: Kevin Credit, Planner; Lance Evans, Senior Planner; Bill Raymond, City Attorney.

1. Consider the minutes for the September 23, 2013 Historic Resources Board meeting.

Brokesh noted a correction to the minutes. West moved that the minutes be approved as amended. Brokesh seconded the motion, which passed on a vote of 6-0.

Schaub requested that items 2 & 3 on the agenda be swapped in order to accommodate City Attorney Bill Raymond's presentation on the City Ethics policy.

2. City Ethics Policy Review

City Attorney Bill Raymond presented on the Kansas Statutes relating to ethics as well as the City Ethics policy, and how those two guidelines are applied to advisory boards. In terms of the state statutes, Raymond explained that the conflict of interest standards often do not apply to advisory boards since they do not typically make legislation – however, in some instances the HRB may act as a quasi-judicial board when making final review decisions on designated properties, so in that case statutory restrictions on voting on matters in which a member has a “substantial financial interest” of over \$2000 could come into play. In those cases they would also have to adhere to the US Constitutional requirements for due process, including conducting open, fair, and equitable proceedings.

Raymond then said that the City of Manhattan's own locally-adopted ethics policy is what really typically applies to this Board. He reviewed the policy and said that it is really up to the individual Board member's judgment on whether their actions are ethical, and added that it is always a good idea to disclose whether or not someone has a personal interest of any kind in a voting matter in order to avoid the perception of unfairness. West described a past situation where she recused herself from an item because she lived across the street, and asked if, in the future, a Board member lived in a historic district where a project was being considered and they had an opinion on it, if they should ask the rest of the Board whether or not they should vote on

the item. Raymond said that it is not the Board's determination; it is up to each individual member to decide if they should recuse themselves due to the perception of unfairness. Raymond also said that it is always good to talk to the City Attorney's Office if a Board member has any questions about potential conflicts of interest.

Glasgow asked if Raymond had a list of the City boards that were quasi-judicial, and Raymond said that he did not, although the Board of Zoning Appeals was certainly one, and potentially the board which appeals building code rulings.

3. Conceptual Historic Review/Discussion:

- 320 Poyntz Avenue: Building Permit. *Within the Downtown Manhattan Historic District.*

Schaub recused himself from the discussion due to his association with the project. Bowman presented the design concept for 320 Poyntz and described some of the building's early history. He said that the plan was to keep the existing building intact but to create a new internal structure extending through the roof that would support two floors of apartments and lofts. He also presented an earlier concept with more glass and a different stairway structure.

The Board discussed the height of the proposed addition compared to the National Park Service guidelines provided by SHPO basically requiring the addition to not be visible from the street. West asked about the proposed materials on the upper story. Bowman replied that it was a hardy panel, available in a variety of colors, as well as the glass windows. He said they did not necessarily want the addition to be limestone or brick colored, and that it was illogical for the addition to be constructed with masonry due to the structural system.

Brokesh brought up the National Park Service guidelines again, saying that the rooftop addition should be subordinate to the historic building, and this proposal does not seem to meet that recommendation. Mecseri said that it is going to be hard to do any addition to the rooftop of this building based on the Secretary of the Interior's Standards and confirmed that the building had a flat roof. Bowman discussed the proposed roof overhang and possible use of sun shades, as well as the fact that proposed balconies cannot overhang the street due to building code requirements.

Mattingly asked about the height comparison between the addition and the existing structure; Bowman replied that the existing building was approximately 24 feet tall, and each of the proposed stories were 12 feet tall total, so that addition was about the same height as the existing building. Schaub said that the discussion surrounding this building is an important one to have as the city grows and increases in density, and that the building is something of an anomaly in terms of form downtown – what is most important is a building's façade and its relationship to the street. West said that the proposed addition just looks like it is stuck on top and doesn't blend in very well with the existing building. The Board discussed the earlier rendering and the effect of pulling the addition closer to the street as well as including more glass on the front façade. West said that if limestone were used on the addition, it might fit in better. Brokesh said that she saw a large contrast between the style of the existing building and the addition.

Bowman replied that he would never propose this kind of addition on a more traditional building with lots of fenestration, but that this design may be a better fit on this building because of its early modernist style. He suggested returning to the Board with updated concept designs in the future, taking into account some of the comments that had been made. Mecseri asked what the consequences would be if the applicant decided to tear the building down altogether and replace it rather than attempting to do this addition. Credit suggested having a discussion with SHPO to better understand what the recourse for incompatible development in the Historic District would be.

Glasgow said that she tends to agree with Brokesh on the idea that a 1-story addition would be more compatible. West said that in her opinion two stories is OK, but the materials need to blend in more. The Board then discussed the reasons for the building's contributing status. Bowman said the building demonstrates an architectural era change, which is important to preserve in the city and adds to its uniqueness and idiosyncrasy, but that for this building in particular the limestone façade is about the only architectural feature that is significant. Schaub added that it is important because it is one of the only buildings actually built in Manhattan in the early modern time period. Mecseri said that even though it is an early modern building, it just doesn't do that much for him for the town.

Morgan said that his vision was to do things downtown that are more urban and higher density. He said that having the Jo-Ann's building as a contributing structure is a struggle for him because he doesn't necessarily see the beauty in it. He said that he would like to see more definition on the street than just a flat department store, and that he wants to increase the options for living downtown. West said that she loved the idea of it being residential. Mattingly suggested producing a new rendering from the street level. Brokesh asked about the feasibility of doing a one-story addition rather than two. Morgan said that the cost of the internal support structure would necessitate at least two stories, and that views from the residential units were an important consideration.

The Board discussed its interest in investigating the possibility of "decommissioning" the building as a contributing structure and requested that staff invite SHPO to come to town and do a walkthrough of the building, explain its character-defining features, and discuss the possibilities with the Board. Glasgow asked what was planned for the ground floor. Morgan said that it would be a restaurant, possibly a brewpub, and retail space. West said that she thinks the project can turn into something really exciting.

4. Administrative Review Summary:

- 105 N.3rd Street: Sign Permit. *Within the Downtown Manhattan Historic District.*

Credit presented on the administrative reviews completed in the month of October.

5. Announcements and Updates.

- Community House charrette.
- Kansas Historic Sites Board of Review: Jesse Ingraham House (1724 Fairchild) & Bluemont Youth Cabin.

- Historic Preservation Fund (HPF) Grant opportunities for 2014 National Association of Preservation Commissions (NAPC) Conference.
- Comprehensive Plan Update

Schaub said that he had not yet contacted the AIA for anything definite, and that their calendar right now was pretty full. Evans updated the Board on the properties being reviewed at the November meeting of the Kansas Historic Sites Review Board. Credit explained the match requirements for the Historic Preservation Fund grant and its possible use for the National Association of Preservation Commissions (NAPC) conference. Evans briefed the Board on the upcoming Comprehensive plan Update for the City, and said that they would be involved in the process in regards to historic preservation as the plan was developed. Brokesh then provided a detailed summary of the Kansas Preservation Conference in Salina.

Mecseri asked for an update on the Marshall Theater building renovation. Schaub said that they currently had a structural engineer looking at the brick façade on the lower level – after removing the stucco, they had found that the bricks were not structurally connected to the frame, so they are evaluating options, including possibly doing replacement work in small pieces. He said that their goal was to retain the quoining and as much of the original stone work as possible.

6. Upcoming Meetings:

- Monday, November 18, 2013 (third Monday).
- Monday, December 16, 2013 (third Monday).

7. Adjourn.