

Leavenworth Preservation Commission

Wednesday, October 2, 2019, 6:00 PM

Commission Chambers

100 N 5th Street

Leavenworth, Kansas

AGENDA

1. Call to order, determine a quorum
2. September 4, 2019 Minutes - Motion
3. Old Business:

- **2018-12 LPC – 202 POTTAWATOMIE**

A State Law review for the proposed demolition of the property located at 202 Pottawatomie Street, a property listed on the Kansas State Register of Historic Places.

4. New Business:

None

5. Other Business/Correspondence:

- **FYI – MINOR CERTIFICATES OF APPROPRIATENESS (2)**

- 610 Cherokee – new awning & signage
- 130 Cherokee – new sign faces

6. Adjournment

CITY OF LEAVENWORTH PRESERVATION COMMISSION

COMMISSION CHAMBERS, CITY HALL

100 N 5th Street, Leavenworth, Kansas 66048

Wednesday, September 4, 2019 6:00 PM

The Leavenworth Preservation Commission met Wednesday, September 4, 2019. Chairman Rik Jackson called the meeting to order. Other commissioners present were: Ed Otto, Ken Bower, John Karrasch and Dick Gibson. Sherry Hines Whitson and Debi Denney were absent. Also present for the meeting were Planning Director Julie Hurley and Administrative Assistant Michelle Baragary.

Chairman Jackson noted a quorum was present and called for a motion to accept the minutes from August 14, 2019 as presented. Mr. Bower moved to accept the minutes with corrections, seconded by Mr. Karrasch and approved by a vote of 5-0.

INTRODUCTIONS were made for new board member Dick Gibson and new City Planner Jacquelyn Porter.

NEW BUSINESS

1. 2019-09 LPC – 223 S. 5TH STREET

A State Law review under the US Secretary of the Interior's Standards for Rehabilitation for the proposed exterior alteration of the property located at 416 Cherokee Street, a property listed on the National and State Register of Historic Places. A Major Certificate of Appropriateness is required for the proposed exterior renovation.

Chairman Jackson called for the staff report.

City Planner Jacquelyn Porter stated this is a State Law Review under the US Secretary of the Interior's Standards for Rehabilitation for the proposed exterior alteration of the property at 223 S. 5th Street, a property listed on the National and State Register of Historic Places. A Major Certificate of Appropriateness is required for the proposed exterior renovations.

The applicant is renovating the building located on the corner of 223 S. 5th Street and plans to relocate their Karma Cakes business to the location. Renovations to the exterior of the building includes painting and covering/replacing features with metal structures. The applicant provided a form of visual representation of the proposed revamp with painting the building grey with accent colors of red and black. Applicant is proposing to replace the current transom ledge with a similar material. Black corrugated/profiled sheet metal will be used to cover the old transom along the store front. The cornice will also be covered by black corrugated/profiled sheet metal leaving the ornamental architecture feature at the bottom of the cornice.

Envision Properties LLC is the company that owns the building. Renee Chaput-Lemons/Envision Properties are listed as the applicant for this project.

Attachment A shows images of the current building as of August 27, 2019. As portrayed in the images, there are geometric shaped features that repeatedly are used as an aesthetic feature to the building. Octagon features are used throughout the cornice, and is presented on the entry doors to the second floor. The prior paint on the building seems to have been a cream or light grey with a black/charcoal accent color. Over time, the natural wear and tear has faded and impacted the aesthetics and architectural features of the building.

REQUIRED REVIEWS:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

The existing structure will undergo physical changes by adding black corrugated/profiled sheet metal to cover and replace portions of the building's exterior. Replacement of the transom ledge with similar black material. The structure will undergo cosmetic changes, by painting the building grey with accent colors of red and black.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

With what is being proposed, instead of preserving and restoring existing features, the architectural detailing along the cornice will be covered by corrugated/profiled sheet metal, losing the historic significance of that prominent feature on the building.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Corrugated/profiled sheet metal is being proposed to cover and replace existing features.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

Any prior changes to the building do not have any known historic significance.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

Existing historic features will be altered. The cornice with geometric shapes on it will be covered by corrugated/profiled sheet metal.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities, and where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

The proposed changes involve the embellishment of the color of the historic feature of the wall, as well as establishing sheet metal to the aesthetics of the exterior. Additionally, deteriorated architectural features present along the cornice are proposed to be covered rather than repaired. Please review Attachment A for a visual comparison of current to proposed materials.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

No chemical or physical treatments are proposed.

8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

No known significant archeological resources exist for preservation.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the

massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The proposed changes significantly alter historic materials and details that characterize the property.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The proposed changes, including introduction of corrugated sheet metal to the façade, would be difficult to remove in the future, impairing the ability to restore the essential form and integrity of the building. In the area proposed to be covered by sheet metal along the transom, the deteriorated features could easily be repaired to its original state so that the essential form and integrity of the property would be unimpaired.

STAFF RECOMMENDATION:

The staff recommends **DISAPPROVAL** of this request based on the analysis and findings included in this report.

ACTION/OPTIONS:

- Approval, based upon a point by point review of Preservation Commission findings as stated.
- Disapproval, based upon a point by point review of Preservation Commission findings as stated (applicant may appeal to the City Commission).
- Motion, to Table item until the next meeting for the purpose of further study.
- Motion, to forward to the SHPO for review.

ATTACHMENT A









Chairman Jackson asked if anyone in the audience would like to speak.

Renee Chaput-Lemons, property owner, approached the board. Ms. Chaput-Lemons stated her plans are to bring the building back to life and expand her Karma Cake business. The proposal for the sheet metal is a quick fix to close it up and make it sound for the winter. Whoever had removed the transom windows, put a cheap fix up and did not even chalk the back, which is causing it to leak.

Furthermore, Ms. Chaput-Lemons found a picture of the building dated back to 2001 on the Kansas Historical Society website and the geometrical rectangles toward the top of the building were not showing in the picture. At some point plywood had been installed over the brick. She believes it was a quick fix to cover something up.

Currently, Ms. Chaput-Lemons does not have it in the budget to replace the transom windows. However, she suggested that instead of the corrugated sheet metal, the area could be framed in to look like windows. The transom windows currently there would stay. Ms. Chaput-Lemons stated several changes have previously been made to the building as quick fixes.

Mr. Otto asked staff if these repairs went through the city or the Preservation Commission.

Ms. Porter stated she did not find any records.

Planning Director Julie Hurley stated that in the past metal was put up in a lot of storefronts downtown. This happened during a time when the city was not reviewing historical structures. The goal now is to not have more introduced to properties in historic districts. In 2001, the metal siding on the subject property was removed, which is a great start. Staff would be open to some alternatives so the property owners can fix the building so it looks better and is not leaking. The owners may not be able to restore fully at this time but metal should also not be added to the building.

John Lemons, property owner's husband, is a contractor. He stated he could frame the area where the transom windows are missing, trim it out, and paint it a smoky-grey to look like windows are there. He is not against installing windows; however, it is not in the budget at this time and there are no windows behind the Masonite. He is more concerned about insulating behind it for the upcoming winter season.

Mr. Jackson recommends more research to get images of what the building looked like prior to 2001.

Mr. Lemons stated the only thing behind the Masonite are two by fours; there is not even a frame.

Mr. Bower asked if the applicant proceeded with framing-in the Masonite, how would the paint scheme look, particularly toward the top of the building.

Mr. Lemons responded the whole base of the building would be painted light grey. All accents would be painted black and the inside of the arches on the windows would be painted red. The border on the bottom of the building would also be painted red.

Mr. Bower asked if the rectangle design toward the top of the building would also be black.

Mr. Lemons responded in the affirmative.

Ms. Hurley asked what is behind the rectangle accents.

Mr. Lemons stated plywood. Furthermore, all the accents are wood, including the dental to mimic the original brick.

Mr. Gibson stated that if the rectangles are wood and if damaged brick is behind it then water will get behind there and continue to damage it.

Mr. Lemons responded this is why he wants to seal it up, so water does not get behind there to cause more damage.

Ms. Hurley asked if there is a different type of material that could be used other than metal.

Mr. Lemons asked about using flat metal, like soffit metal, instead of corrugated metal. Soffit metal is wide, the creases can be bent to lock it together, then j-channel it around the dentals and seal it all up.

Mr. Bower stated it does not meet the Secretary of Interior Standards by adding metal. He suggests chiseling off the accents and painting it as Mr. Lemons' had described.

Mr. Lemons stated there are holes in the building that need to be sealed up.

Ms. Hurley stated she would be more amenable with flat metal than corrugated metal. Even though flat metal is not a historical material, it would not change the appearance too much from what it is now.

Mr. Bower asked how soon they would like to start on the renovations.

Mr. Lemons stated they would like to start soon as winter will be here before we know it.

Mr. Karrasch stated from his perspective, the accents on top are not historical and the Masonite is not historical. The owners should be afforded some flexibility in those areas.

Mr. Bower asked if metal were used at the top and the rectangle accents were removed, what would be done with the door.

Mr. Lemons stated there is no way to secure the door without using a padlock; therefore, the double doors facing west will be replaced with glass doors.

Ms. Hurley stated she would not have a problem with that because visually all the doors will look the same.

Mr. Jackson recommended the applicants provide updated sketches of their concept to include the changes discussed today and it can be revisited.

Ms. Hurley stated if the board is in agreement with the changes presented and discussed today, the board can make a motion for approval with 'xyz' stipulations; therefore, the owners will not have to wait another month to meet with the board again.

Chairman Jackson called for a motion. Mr. Bower moved to approve the Major Certificate of Appropriateness with the following changes:

- Flat metal cap around cornice
- Remove Masonite and frame transom area to mimic windows
- Remove rectangles top of building
- Keep dental top of building
- The two west doors will be removed/replaced with doors of the same style as the other doors on the west side of the building and the transom window will remain.
- The presented paint scheme is acceptable: base of building will be grey, all accents will be black, the inside of the window arches will be red and the bottom of the building will be red.

The motion was seconded by Mr. Otto and approved by a vote of 5-0

Ms. Porter asked about the soffits under the transom windows.

Mr. Lemons stated the soffits will be replaced with like materials.

Ms. Hurley asked the owners when they plan to open.

Mr. Lemons responded sometime in October.

Mr. Gibson asked if the board should stipulate the applicants come back before the board as to when they plan on installing the new windows.

The board agreed to have the applicants back in a year for an update.

Ms. Hurley stated this is not a requirement that the applicants install windows.

Mr. Jackson called for the next time on the agenda – Minor Certificates of Appropriateness.

Ms. Hurley state a vote is not required; this is for informational purposes for the board.

Mr. Otto moved to adjourn the meeting, seconded by Mr. Bower and approved by a vote 5-0.

Ms. Hurley stated there is one item on the agenda for next month.

Meeting was adjourned at 6:45 p.m.

JH:mb

LEAVENWORTH PRESERVATION COMMISSION

State Law Review
202 Pottawatomie Street

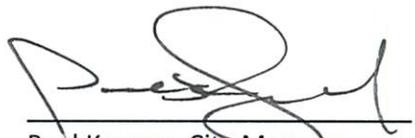
OCTOBER 2, 2019

PREPARED BY:



Julie Hurley,
Director of Planning and Community Development

APPROVED BY:



Paul Kramer, City Manager

APPLICANT:

City of Leavenworth

OWNER:

Rickey Giles, Jr.

SUBJECT:

A State Law review for the proposed demolition of the property located 202 Pottawatomie Street, a property listed on the Kansas State Register of Historic Places.

STAFF ANALYSIS:

Structures that are assessed to be in an unsafe and dangerous physical condition pose a threat to the public health, safety and welfare of the City. To address and abate these structures, the City Commission, through its powers under Chapter 22, Article X (Dangerous Structures) of the Code of Ordinances, has requested that City staff annually develop an inventory of unsafe and dangerous structures for review and potential removal through demolition.

Staff has compiled a list of dangerous structures, which have been evaluated by staff in accordance with KSA 17-4759, including the house located at 202 Pottawatomie. The property was constructed in 1860 and was listed in the Kansas State Register of Historic Places in February, 2017. It is not listed in the National Register of Historic Places.

The City Commission reviewed the structures at their regular meeting on June 26, 2018, and passed a resolution granting the property owner of 202 Pottawatomie an extension until October 9, 2018 to commence repair of the structure. The Leavenworth Preservation Commission reviewed the property at their July 11, 2018 meeting and instructed the applicant to commence repairs prior to their October 3, 2018 meeting.

The Leavenworth Preservation Commission again reviewed the property at their October 3, 2018 meeting. The owner was not present at that meeting and necessary repairs were not complete, so the Commission members requested that staff send a letter to the owner requesting a written plan for completing the repairs. A copy of that letter is included in this packet. The owner provided staff with an email outlining his repair plans on October 22, 2018, a copy of which has been included. The City Commission reviewed the property on October 9, 2018 and granted a 90 day extension for the completion of repairs.

The Leavenworth Preservation Commission again reviewed the property at their January 2, 2019 meeting. At that time, the property owner stated that he had made application to the State of Kansas for grant funds to be used in restoration efforts. The Commission voted to grant an extension to until after such time as the owner has been notified of his status as a grant fund recipient. The State Historic Preservation Office indicated to city staff that grants should be awarded in May, 2019. The Leavenworth Preservation Commission again reviewed the property at their June 12, 2019 meeting where the owner indicated that he had not been awarded a grant for the project, and that he would continue to work on it using his own funds. The Commission voted to grant an extension until the October 2, 2019 LPC meeting for the owner to complete repairs.

As of this date, the property owner has completed all repairs necessary to remove the property from the list of structures eligible for demolition. There still exist a number of minor property maintenance violations, which are being addressed through standard Code Enforcement activity.

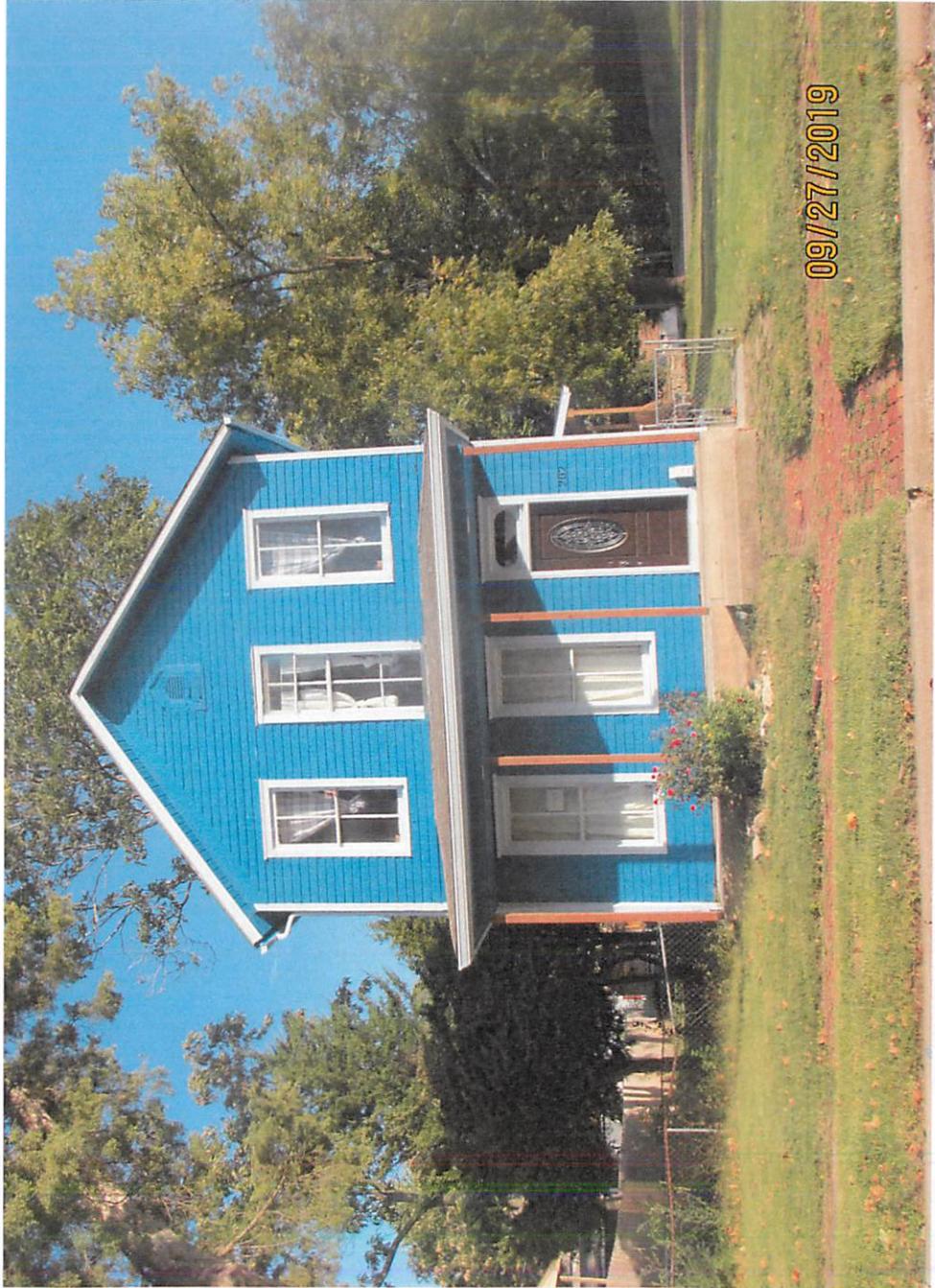
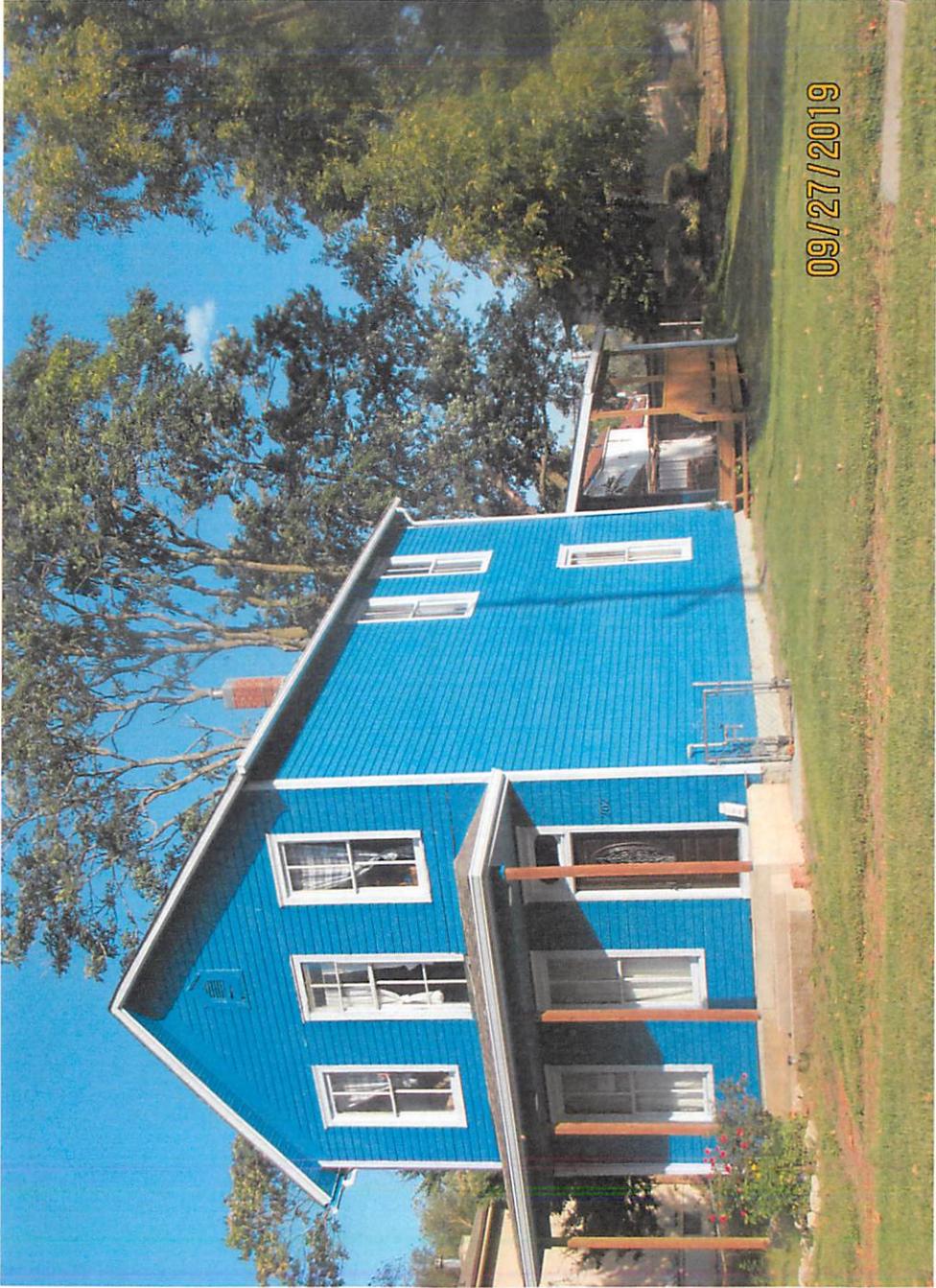
REQUIRED REVIEWS:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
The structure was constructed as a residential building, it is currently vacant.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
The entire structure is proposed to be demolished. It has previously been damaged by fire, and has not been fully restored. The historic clapboard siding present when the house was constructed was previously covered with asbestos siding in the mid-20th Century and has now been exposed by the removal of the asbestos siding.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
The building is proposed to be demolished, no changes or additions are proposed.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
The building is proposed to be demolished, however, there are no known changes to the original structure with historic significance.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
The building is proposed to be demolished, no portions of it are proposed to be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
There are a number of deteriorated or missing historic features, including the original clapboard siding, which have not been repaired or restored.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
The building is proposed to be demolished.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
No known significant archeological resources exist for preservation.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
The building is proposed to be demolished, no new construction is proposed at this time.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
The building is proposed to be demolished, no new construction is proposed at this time.

ACTION/OPTIONS:

- Motion, to approve the property located at 202 Pottawatomie as being eligible for potential demolition.
- Motion, to deny the property located at 202 Pottawatomie as being eligible for demolition.
- Motion, to Table item until the next meeting for the purpose of further study.
- Motion, to forward to the SHPO for review.









October 8, 2018

Rickey Giles Jr.

RE: 202 N. Pottawatomie, Leavenworth, KS

Mr. Giles,

As you are aware, your property located at 202 N. Pottawatomie has been assessed to be in a dangerous and unsafe state and was placed on a list for potential demolition by the Leavenworth City Commission on June 26, 2018. On July 11, 2018, the Leavenworth Preservation Commission reviewed the status of the property, and voted at that time to review progress made to the property at their regularly scheduled meeting on October 3, 2018.

The Leavenworth Preservation Commission reviewed the progress made to the property on October 3, 2018, at which meeting you were not present. At that time, the Preservation Commission requested that staff send you written communication requesting that a written strategy and timeframe for completion of the various necessary repairs be provided.

For your reference, I am including the Remediation Agreement prepared by staff which has previously been provided to you. That agreement outlines the specific repairs which must be made in order to bring the property into code compliance.

At your earliest convenience, please provide me with a written strategy and time for completion of such repairs, as requested by the Leavenworth Preservation Commission. Once this office has received such, the property will be scheduled to be reviewed by the Leavenworth Preservation Commission at their next regularly scheduled meeting.

If you have any questions, do not hesitate to contact me.

Sincerely,

Julie Hurley, AICP
City Planner
(913) 680-2616
jhurley@firstcity.org

Julie Hurley

From: rick giles <snakejrlvks@yahoo.com>
Sent: Monday, October 22, 2018 6:03 PM
To: Julie Hurley
Cc: Larry Dedeker - AOL; Myron Griswold; Nancy Bauder; Jermaine Wilson
Subject: 202 Pott
Attachments: IMG_4495.PNG; archive.zip

Hello, My plans for the historic home located at 202 Pottawatomie street are: In October, to repair/replace the gutters, soffits , eaves, and complete roofing (per the cities letter)- In November replace 2 doors. Siding work will begin when katlins (816-645-2886,William) demo completes removing the asbestos siding.

East side windows and transom glass have been replaced, brushes along the fence has been removed, the east side veranda and roof according to the city as a dangerous structure has been completed. Tree on south end of the home has been trimmed. Large tree limbs over the North end of the home has been trimmed. Other updates on the home has been removing the front porch and replacing 4x4 beams, attaching the electric wire connecting to the home up to code, replacing the cellar stairs, updating the down stairs plumbing, Spring projects are siding and paint (paint remover works better when the summer /spring temperatures)

The water/plumbing and electric has been turned on and is working for several months. The home has wifi.

Currently I am saving up for next years budget for completion of future projects and working on grants for the home.

In 2016 I was working on improvements to the home/ city task but the city wanted me to concentrate on the sidewalks. 2016 and 2017 I was working on the side walks and was in a car accident that restricted me.

06/22/18 the city's focus was not side walks, but improvements to the home, which I halted in 2016?

Progress in being done per what my budget allows. Please see the progress prior to the city letter 06/22/18 "tasks" in the before and after photos i am sending as well as the date on katlins demo letter. Major progress has been done from 1 person, me.

Topeka walked through the home after the fire and stated the home was historical. The city of Leavenworth looked at the outside and put the home on the demolition list. What is the criteria for a home to be on the demolition list?

The preservation committee stated that they wanted to see progress, please view the photos.

Thanks!

Rickey L. Giles JR.



Application No. 6384

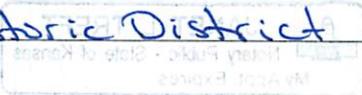
**MINOR CERTIFICATE OF APPROPRIATENESS
Historic Resource Preservation Ordinance
Leavenworth, Kansas**

Date of application 6/17/19. All information is subject to verification. Willful falsification may lead to issuance of a "stop work" order on your project.

1. Address of Property: 600 Cherokee

- National Register
- Kansas Register
- Landmarks Register
- Historic District

Name of District: Downtown Historic District



2. Project Type:

- Replacement of roofing materials with like-kind materials
- Repair of architectural elements such as porches, fascia, windows, doors, with like-kind replacement materials
- Installation of mechanical, plumbing, or electrical systems that require minimal changes
- Installations of awnings and signs on commercial properties
- Interior modifications that do not affect character-defining elements of the structure
- Installation of fire safety equipment, or minor alterations to meet the Americans with Disabilities Act
- Public improvements including improvements to streets, curbs, sidewalks, parking areas, parks, and other amenities
- Subdivision of property, or vacation of streets or alleys
- Minor exterior building changes
- Sidewalk dining
- Minor exterior building additions to accessory structures
- Other projects: _____

3. Describe improvements and give reason why such improvement does not detract from the historic character of a registered property or historic district (attach supporting materials as necessary): new awnings and signage will need to go up to meet the needs of the business. (New business entity)

4. Printed name of owner: Aree Proctor
Telephone Number: 760-792-0457
Email: areeproctor@yahoo.com

NOTE: All signatures must be in ink. Signature of owner(s) must be secured and notarized.

 6/17/19
Signature of property owner(s) Date

State of Kansas
County of Leavenworth

Signed and attested before me on 06-17-2019 by Aree Proctor

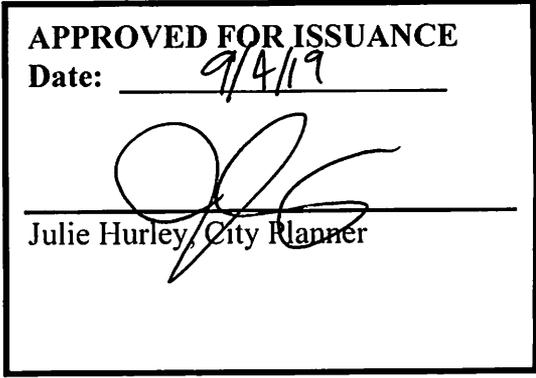
Notary Public Janet L. Trefl

My appointment expires 06-26-2019

(Seal)



cc: KS Historic Preservation Office
6425 SW 6th St
Topeka, KS 66615-1099





Application No. 6385

**MINOR CERTIFICATE OF APPROPRIATENESS
Historic Resource Preservation Ordinance
Leavenworth, Kansas**

Date of application 9/11/2019. All information is subject to verification. Willful falsification may lead to issuance of a “stop work” order on your project.

1. Address of Property: 130 Cherokee

- National Register
- Kansas Register
- Landmarks Register
- Historic District

Name of District: Industrial Historic District

2. Project Type:

- Replacement of roofing materials with like-kind materials
- Repair of architectural elements such as porches, fascia, windows, doors, with like-kind replacement materials
- Installation of mechanical, plumbing, or electrical systems that require minimal changes
- Installations of awnings and signs on commercial properties
- Interior modifications that do not affect character-defining elements of the structure
- Installation of fire safety equipment, or minor alterations to meet the Americans with Disabilities Act
- Public improvements including improvements to streets, curbs, sidewalks, parking areas, parks, and other amenities
- Subdivision of property, or vacation of streets or alleys
- Minor exterior building changes
- Sidewalk dining
- Minor exterior building additions to accessory structures
- Other projects: _____

3. Describe improvements and give reason why such improvement does not detract from the historic character of a registered property or historic district (attach supporting materials as necessary): installing new sign faces in existing sign cabinet.

4. Printed name of owner: Development, Inc.
Telephone Number: 913-828-4440
Email: jeremy@greenamyre.com

NOTE: All signatures must be in ink. Signature of owner(s) must be secured and notarized.

[Signature] _____ 09-11-2019
Signature of property owner(s) Date

State of Kansas)

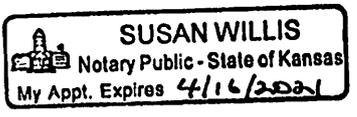
County of Leavenworth)

Signed and attested before me on September 11th 2019 by Jeremy Greenamyre

Notary Public Susan Willis

My Appointment Expires April 16, 2021

(Seal)



cc: KS Historic Preservation Office
6425 SW 6th St
Topeka, KS 66615-1099

