

CITY OF LEAVENWORTH PRESERVATION COMMISSION

COMMISSION CHAMBERS, CITY HALL
100 N 5th Street, Leavenworth, Kansas 66048
Wednesday, April 6, 2022 6:00 PM

The Leavenworth Preservation Commission met Wednesday, April 6, 2022. Chairman Rik Jackson called the meeting to order at 6:00 p.m. Commissioners present were Rik Jackson, Ken Bower, Ed Otto, Dick Gibson and Sherry Hines Whitson. Also, present in the commission chambers 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 4, 2021 as presented. Commissioner Otto moved to accept the minutes as presented, seconded by Commissioner Whitson and approved by a vote of 5-0.

Chairman Jackson stated the order of the agenda will be changed with Case No. 2022-01 LPC as the first item to be heard.

OLD BUSINESS

None

NEW BUSINESS

1. 2022-01 LPC – 410 S. 2ND STREET

A State Law review under the US Secretary of the Interior's Standards for Rehabilitation for the proposed exterior renovations of the property located at 410 S. 2nd Street, a property located in the Leavenworth Industrial Historic District.

Chairman Jackson called for the staff report.

Planning Director Julie Hurley stated the property consists of a large brick warehouse structure with a fenced parking area, as well as a small connected retail space with direct access on 2nd Street. The structure was built in the late 1800's and has served multiple purposes, most recently housing C&H Supply. The nature of the warehouse portion of the building limits the type of uses which may reasonably be accommodated by the building without significant structural changes, to primarily industrial-type uses. The retail portion of the building is not suitable for industrial uses.

The LPC previously reviewed and approved a proposal by the applicant on August 4, 2021 to replace windows, doors and the existing chain link fence in order to convert the warehouse portion of the structure into a mini-storage facility. At that time, the applicant indicated plans to convert the adjoining retail space into a cigar lounge. Since the review on August 4, 2021, the applicant has solidified their plans for the design of the cigar lounge space to include the addition of an exterior balcony. The current review involves just the proposed balcony on 2nd Street.

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 primary structure was constructed as a warehouse. The proposed balcony addition does not alter the defining characteristics of the building.

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.

No removal of historic materials or alteration of defining features is proposed.

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.

No such changes are proposed.

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

No removal or alteration of historic features is proposed.

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

No removal or alteration of historic features is proposed. .

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 balcony addition does not impact any existing historic features of the building.

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 such 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 balcony shall be differentiated from the existing structure and will be compatible with the design characteristics of the building.

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 balcony shall be constructed in such a manner that the existing building would be unimpaired should the balcony be removed in the future.

ACTION /OPTIONS:

- Motion, to approve the proposed renovation project at 410 S. 2nd Street.
- Motion, to deny the proposed renovation project at 410 S. 2nd Street.
- Motion, to Table item until the next meeting for the purpose of further study.
- Motion, to forward to the SHPO for review.

Commissioner Gibson stated currently there is a window where access to the balcony would be. This would require installing a door where the window is, which may change some of the architecture of the outside of the building.

Jack Ross, applicant and co-owner, stated it is approximately 28" from the window sill to the second floor, which would need to be removed. The only cuts will be from the bottom of the window down to the second floor. The door will be a custom-built French door to fit within that footprint. The door will open to the exterior. Will have a grid design on the door to keep that same feature of the grid-style.

Commissioner Gibson asked if the door will be the entire width of the current window.

Ms. Ross responded in the affirmative.

Commissioner Whitson asked how many people the balcony will hold.

Mr. Ross responded the balcony will be all steel construction to include steel posts. He does not currently know a weight load or what the City allows for occupancy of a balcony.

Commissioner Whitson asked how far the balcony will stick out from the building.

Mr. Ross stated it is 108" from the building.

Commissioner Whitson asked if there will be a place for people to sit under the balcony on the sidewalk.

Mr. Ross responded in the negative; there will not be chairs on the sidewalk to sit on. The humidor will be on the first floor along with a smaller sitting area for ADA. An interior staircase will lead to the second floor.

Chairman Jackson asked how the balcony will be supported.

Mr. Ross stated the balcony will be anchored to the building with steel columns on the front of the balcony. It will be a very industrial looking deck to match the time period specific area.

Commissioner Bower asked what the square footage is inside the smoking lounge and how many people will the lounge hold.

Mr. Ross stated when construction is complete, the Fire Marshall will calculate an occupancy.

Commissioner Bower asked if there are any parking requirements.

Ms. Hurley responded the property is located in the Central Business District so there are no parking requirements.

Commissioner Gibson asked if there is any city prohibition for an overhang over a public sidewalk to protect pedestrians.

Ms. Hurley stated you can have an awning or balcony over a sidewalk but you cannot totally impede the sidewalk; there is a certain clearance that has to be there for people to pass through. The front posts for the balcony is out far enough that there is unimpeded area for people to walk past.

Commissioner Gibson asked if the applicant will need to have access to the second floor other than a stairwell.

Ms. Hurley responded that would be a building code question and the applicant would need to work through any issues with the Building Inspections Department.

Mr. Ross stated for egress purposes, on the backside of the building on the second story, there is already a doorway. They will have a fire escape installed to meet egress requirements.

Commissioner Gibson said a fire escape would be extremely difficult for a handicapped person on the second story.

Mr. Ross stated that is why there will be a smaller lounge on the main level to meet ADA compliance.

Commissioner Bower asked about restrooms.

Mr. Ross stated there is one restroom downstairs and there will be two restrooms upstairs.

Commissioner Bower asked if drinks will be allowed out on the balcony. His concern is someone dropping a glass when a public sidewalk is below the balcony.

Mr. Ross stated he does not know all those specifics yet but maybe only plastic ware would be allowed on the balcony and glassware inside.

Commissioner Bower asked when the project will begin if approved.

Mr. Ross responded the project is slow moving due to the cost of material and length of time to receive material.

Commissioner Whitson asked if the showers on the second floor will remain.

Mr. Ross stated the showers have not been there for quite some time but the drains are still on the floor. They may put a wet bar along that area.

Commissioner Bower asked if the three arch windows will be installed.

Mr. Ross stated that is something they may phase in at a later time.

Commissioner Bower asked what they plan on doing to the exterior to clean it up.

Mr. Ross stated he is looking at soda blasting because it is a gentle way of cleaning up the exterior without taking out any mortar with sand. An alternative would be power washing. Wants to keep the natural look much like the adjacent building.

Chairman Jackson closed the public hearing and asked if there are any questions/concerns from the commissioners.

Commissioner Bower stated his only concern is the opening of the door for the balcony and how it will look.

Commissioner Gibson stated since part of the brick will be cut-out to install the door, does this negate staff's earlier comment about the exterior being modified.

Ms. Hurley does not believe that is enough modification to negate that comment. Other projects have come through where an opening had to be made or widened in the exterior of a building. A new hole is not being made on the proposed project; it is expanding an existing opening a little bit. As the applicant mentioned, they will keep the glass door with the panes so it is a grid look like what they have now. It will not significantly alter the appearance of it.

Commissioner Bower stated if they ever reverted to what it looks like now they could rebuild it back up.

Mr. Ross stated it is a very large window. From the window sill down is approximately 28" and could be rebuilt if they did ever want to revert back to the original look.

Commissioner Whitson stated she likes to preserve as much as possible and asked the applicant if he thought about offering the removed bricks to Leavenworth Main Street or the Leavenworth County Historical Society to auction off or give to someone in the community to have because it is a piece of history.

Mr. Ross responded that if the commission could provide him with the information on where he can donate those bricks, he would be glad to do so.

Staff provided Mr. Ross the information to contact Leavenworth Main Street and Leavenworth County Historical Society.

With no further discussion, Chairman Jackson called for a motion. Commissioner Whitson moved to approve the proposed renovation project located at 410 S. 2nd Street, seconded by Commissioner Gibson and approved by a vote of 5-0.

2. ELECTION OF OFFICERS

Elect Chairperson and Vice Chairperson

Commissioner Bower moved that Rik Jackson stay as Chairperson, seconded by Commissioner Whitson and approved 5-0. Commissioner Whitson moved that Ed Otto stay as Vice Chairperson, seconded by Commissioner Bower and approved 5-0.

3. REVIEW BYLAWS

Review proposed revisions to Bylaws.

Ms. Hurley stated a redline copy has been provided to the commissioners in their packets.

Article II, #1 removed *but no later than the February* meeting because this board does not always meet before February.

Article II, #7 changed should a board member miss *three* regularly monthly meetings to miss *two* regularly monthly meetings.

Ms. Hurley stated they are a few wordsmithing changes after that.

Commissioner Bower moved to accept the proposed changes to the bylaws, seconded by Commissioner Whitson and approved by a vote of 5-0.

OTHER BUSINESS/CORRESPONDENCE

1. Other Business/Correspondence

Ms. Hurley noted there are 20 Minor Certificates of Appropriateness for the board's information.

On a separate note, Commissioner Gibson stated as a result of last year's training, he has some questions for staff that he will prepare and provide to staff to discuss at the next meeting.

With no further discussion, Chairman Jackson called for a motion to adjourn. Commissioner Gibson moved to adjourn, seconded by Commissioner Bower and approved by a vote of 5-0.

Meeting was adjourned at 6:39 p.m.

Minutes taken by Administrative Assistant Michelle Baragary.