

CITY OF LEAVENWORTH PRESERVATION COMMISSION

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

The Leavenworth Preservation Commission met Wednesday, October 5, 2022. Chairman Rik Jackson called the meeting to order at 6:00 p.m. Commissioners present were Rik Jackson, Ed Otto, Dick Gibson and Ken Bateman. Commissioners absent were Ken Bower 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 September 7, 2022. Commissioner Gibson moved to approve the minutes as presented, seconded by Commissioner Otto and approved by a vote of 4-0.

OLD BUSINESS

None

NEW BUSINESS

1. 2022-21 LPC – 404 SHAWNEE

A State Law review (K.S.A. 75-2724) for the proposed installation of a new deck in the rear of the property located at 404 Shawnee, a property located in the Leavenworth Downtown Historic District and determine if the project meets the Secretary of the Interior Standards for Rehabilitation.

Chairman Jackson called for the staff report.

Planning Director Julie Hurley stated the subject property is located at 404 Shawnee in the Leavenworth Downtown Historic District. The property is a two-story brick commercial building with display windows facing a recessed entrance. The second story has three window bays. The original brick of the storefront has been previously covered with stucco finish, and there is evidence that the first floor display windows have been previously replaced.

The applicant is proposing to add a new deck at the rear of the building to access a new second story two-bedroom apartment. He also intends to construct a new first floor studio apartment at the rear of the building with installation of new windows.

REQUIRED REVIEWS:

The proposed project shall be reviewed utilizing the Standards for Rehabilitation as set forth by the Secretary of the Interior:

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.

There will be minimal change to the physical characteristics of the building, with no defining characteristics being altered.

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.

Much of the historic character of the property has previously been altered, with the replacement of windows and the application of stucco. No additional historic materials or features will be altered.

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 changes will be undertaken that create a false sense of historical development.

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

No features with historic significance will be altered.

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

No features with historic significance will be altered.

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.

New windows to be installed shall match existing windows in style and appearance.

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 treatments that cause damage to historic material are planned to be used.

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 will be altered.

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 deck at the rear of the building shall not destroy any historic materials, and will be compatible with the massing, size, scale, and architectural features of 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 deck at the rear of the building shall be installed in such a way that it may be removed in the future without damage to the integrity of the property and its environment.

ACTION /OPTIONS:

- Motion, to determine that the proposed changes to 404 Shawnee do not damage or destroy any historic property.
- Motion, to determine that the proposed changes to 404 Shawnee does damage or destroy a historic property.
- Motion, to Table item until the next meeting for the purpose of gathering additional information.
- Motion, to forward to the SHPO for review.

Chairman Jackson asked for questions about the staff report.

Commissioner Gibson asked what the ADA requirement is for a second floor that will have access from street level.

Ms. Hurley responded that would be an issue for Building Inspections. There are a number of these two-story buildings in the downtown area with residential units on the second floor. Ms. Hurley further stated because it will only have one or two units on the second floor this negates any ADA requirements. Any ADA issues will be taken up at the time of building permit.

Commissioner Bateman stated there would not be ADA requirements because it is not a place of public accommodation.

Chairman Jackson asked the property owner to discuss the construction of the stairwell.

Marshall Blount, partner of M&D 404 LLC, stated there will be wood on the stairs and decking with wrought iron rails.

Commissioner Bateman asked if the deck will be on the other side and not obstructing the exit door on the first floor.

Mr. Blount stated the deck comes out farther than what is depicted in the rendering. The parking lot behind the building is quite large, which gives more room for a nice sized deck.

Commissioner Otto asked for the completion date.

Mr. Blount stated they are shooting for 2023 but this is dependent upon the sprinkler system requirement and delivery of material.

With no further questions/discussion, Chairman Jackson called for a motion. Commissioner Otto moved that the proposed changes to 404 Shawnee does not damage or destroy any historic property, seconded by Commissioner Gibson and approved by roll call 4-0.

OTHER BUSINESS/CORRESPONDENCE

Ms. Hurley noted there are three Minor State Law Reviews and/or Minor Certificates of Appropriateness for the board's informational purposes only.

Ms. Hurley stated there are no items for November.

With no further discussion, Chairman Jackson called for a motion to adjourn. Commissioner Otto moved to adjourn, seconded by Commissioner Bateman and approved by a vote of 4-0.

Meeting adjourned at 6:15 p.m.

Minutes taken by Administrative Assistant Michelle Baragary.