



LEAVENWORTH PRESERVATION COMMISSION MINUTES
COMMISSION CHAMBERS, CITY HALL
100 N 5th Street, Leavenworth, Kansas 66048
WEDNESDAY, June 7, 2023, 6:00 PM

CALL TO ORDER:

Board Members Present

Rik Jackson
Ed Otto
Ken Bateman
Dick Gibson
Sherry Hines Whitson

Board Member(s) Absent

City Staff Present

Michelle Baragary
Bethany Falvey

Chairman Jackson called the meeting to order at 6:00 p.m. and noted a quorum was present.

APPROVAL OF MINUTES: April 5, 2023

Chairman Jackson asked for comments, changes or a motion on the April 5, 2023 minutes presented for approval. Commissioner Bateman moved to approve the minutes as presented, seconded by Commissioner Gibson and approved by a vote of 5-0.

OLD BUSINESS:

None

NEW BUSINESS:

1. 2023-12 LPC – 222 PINE STREET

A State Law review (K.S.A. 75-2724) for proposed modifications to the property located at 222 Pine Street, a contributing property located in the Arch Street Historic District, to determine if the project meets the Standards for Rehabilitation as set forth by the Secretary of the Interior.

Chairman Jackson called for the staff report.

City Planner Bethany Falvey stated this is a State Law review (KSA 75-2724) for the proposed modifications to the property located at 222 Pine Street, a contributing property located in the Arch Street Historic District, under the Secretary of the Interior's Standards for Rehabilitation. The scope of work includes replacement of 11 windows.

The subject property is located in the Arch Street Historic District, which was listed in the Register of Historic Kansas Places and National Register of Historic Places in 2002. The wood framed building is a two-story National Folk style single-family house. The property is a Contributing structure to the district. The nomination notes that the front addition was a modification at some time, but retains original 4/2 wood windows.

The project scope of work includes replacement of 11 windows; 4 in the kitchen, 5 in the upstairs bedroom, and 2 in the basement with Renewal by Andersen Fibrex composite replacement 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.

No such change is proposed.

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.

Eleven of the original windows are proposed to be removed and replaced with Renewal by Andersen Fibrex windows on all elevations except the south (front) façade.

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.

Proposed windows 202 and 203 on the north (rear) side are changing pairs of double-hung windows with little to no lite divisions to Gliding windows that "will simulate pair double hungs". The muntin pattern on the top sash will mimic 204, 101, and 102, and will be the Colonial 3w x 2h with full divided lights.

Proposed window 204 on the east (side) façade is currently a four-over-four, and the proposed window is a double hung window with four-over-one with the grille pattern in-between the glass.

Proposed windows 101 and 102 are eight-over-one windows, and 201 is a two-over-two window. The proposed replacement windows are the Colonial grille pattern 3w x 2h.

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

No such change is proposed.

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

No such change 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 replacement windows replace historic wood windows, except windows 103 and 104 that are already replacement one-over-one windows. The replacement windows differ in configuration, but do fit the historic window size. The proposed replacement windows are all secondary elevations.

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 change is 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 ground disturbing work is proposed.

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 exterior alterations are all on secondary elevations, and do not 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.

No such work is proposed.

ACTION /OPTIONS:

- Motion, to determine that the proposed changes to 222 Pine Street do not damage or destroy the Arch Street Historic District.
- Motion, to determine that the proposed changes to 222 Pine Street does damage or destroy Arch Street Historic District.
- 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 called for questions about the staff report.

Commissioner Whitson asked the property owners what their expected timeframe is.

Joann Soderlund, property owner 222 Pine Street, responded installation should be in September.

Chairman Jackson asked if the windows will have any tint.

Mark Soderlund, property owner 222 Pine Street, stated the windows will have the standard tinting that comes with Andersen windows, and the windows will go from single pane to double pane.

With no further questions, Chairman Jackson opened the public hearing. With no one wishing to speak, Chairman Jackson closed the public hearing and called for a motion. Commissioner Bateman moved that the proposed changes to 222 Pine Street do not damage or destroy the Arch Street Historic District, seconded by Commissioner Whitson, and approved by a roll call vote 5-0.

2. 2023-13 LPC – 404 SHAWNEE

A State Law review (K.S.A. 75-2724) for proposed modifications to the property located at 404 Shawnee, a non-contributing property located in the Downtown Historic District, to determine if the project meets the Standards for Rehabilitation as set forth by the Secretary of the Interior.

Chairman Jackson called for the staff report.

City Planner Bethany Falvey stated this is a State Law review (KSA 75-2724) for the proposed modifications to the property located at 404 Shawnee, a non-contributing property located in the Downtown Historic District, under the Secretary of the Interior's Standards for Rehabilitation. The scope of work includes replacement of 3 windows in the front and installation of 2 windows in the back.

The subject property is located in the Downtown Historic District, which was listed in the Register of Historic Kansas Places and National Register of Historic Places in 2002. The brick building is a two-story commercial style building. The property is a non-contributing structure to the district. When reviewing requests for work to a non-contributing structure, the review is based on the impact to the surrounding contributing historic structures and environment and not as it relates to the building itself. The nomination that the "building has suffered irreversible alterations to its storefront and through the application of synthetic stucco...the only element that appears unaltered is the double-hung sash windows with two-over-two lights".

The project scope of work includes replacement of 3 windows in the front and installation of 2 windows in the back with Window World vinyl windows. The two rear windows will be one-over-one double hung windows, and the front will be a four-over-four double hung window with a half round four lite window on top of the double hung window.

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.

No such change is proposed.

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.

Three of the original four-over-four double-hung wood windows are proposed to be replaced with four-over-four double hung vinyl windows with a half round four light window. One window in the rear is reopening a blocked-in window and an additional new window, one-over-one double hung, in the rear.

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 addition of a new window opening in the rear is a secondary elevation. The proposed front window replacement changes the configuration of the windows.

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

No such change is proposed.

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

The front four-over-four windows are the only remaining historic materials.

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 replacement windows replace historic wood windows on the primary elevation with Window World vinyl windows with a different configuration that exists.

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 change is 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 ground disturbing work is proposed.

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 exterior alterations are on the front primary and rear secondary elevation. The new work is differentiated but not compatible.

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.

No such work is proposed.

ACTION /OPTIONS:

- Motion, to determine that the proposed changes to 404 Shawnee do not damage or destroy the Downtown Historic District.
- Motion, to determine that the proposed changes to 404 Shawnee Street does damage or destroy Downtown Historic District.
- 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 called for questions about the staff report.

Chairman Jackson asked the property owner if an additional window is being added.

Marshall Blount, property owner PO Box 9219 Kansas City, MO, responded an additional window is not being added. Referring to window #8 in the policy report, Mr. Blount stated that was the existing original window. Prior to his ownership of the building, cinder blocks were installed within a framed-in area around the inside of the window and stucco was installed on the outside covering the bottom half of the window. The proposed changes to that window are to cut the stucco from the outside and remove the cinder blocks from within the framed-in area on the inside so the entire length of the original window is exposed, and a double hung window will be installed. Window #7 will be identical to window #8, with dimensions of 34.25" x 77.25".

With no further questions about the staff report, Chairman Jackson opened the public meeting.

Commissioner Bateman asked if the current proposals are in addition to the changes that were brought before this board in October 2022.

Mr. Blount responded that while working on the project, it occurred to them that they needed to start the approval process for the rear facing windows.

With no further questions or discussion, Chairman Jackson closed the public hearing, and called for a motion. Commissioner Whitson moved to determine that the proposed changes to 404 Shawnee do not damage or destroy the Downtown Historic District, seconded by Commissioner Bateman, and approved by a roll call vote of 5-0.

OTHER BUSINESS/CORRESPONDENCE

1. MINOR STATE LAW REVIEW AND/OR MINOR CERTIFICATE OF APPROPRIATENESS

Ms. Falvey noted there are nine minor state law review included in the agenda packet, which does not require action from the commission.

2. DOWNTOWN SURVEY

Presentation by Brenda Spencer with Spencer Preservation. The survey area includes the Downtown Historic District and Industrial Historic District.

Ms. Falvey stated there are not items on the agenda for July.

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

Meeting adjourned at 6:49 p.m.

Minutes taken by Planning Assistant Michelle Baragary.