#### **Leavenworth Preservation Commission**

Wednesday, June 12, 2019, 6:00 PM
Commission Chambers
100 N 5<sup>th</sup> Street
Leavenworth, Kansas

#### **AGENDA**

- 1. Call to order, determine a quorum
- 2. April 3, 2019 Minutes Motion
- 3. Old Business:
  - 2018-12 LPC 202 POTTAWATOMIE

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.

- 4. New Business:
  - PRESERVATION OF DOWTOWN HISTORIC DISTRICT WENDY WITH LEAVENWORTH MAINSTREET
- 5. Other Business/Correspondence:
  - FYI MINOR CERTIFICATES OF APPROPRIATENESS (5)
    - o 100 S. 4<sup>th</sup> St sign reface
    - o 424 Cherokee wall sign
    - o 706 Cherokee wall sign
    - o 214 Arch 4' cedar fence
    - o 215 Pine St 6' privacy fence
    - o 403 N. Esplanade roof replacement
    - o 409 Delaware roof replacement
    - o 200 S. 5<sup>th</sup> St projecting sign
    - o 223 S. 5<sup>th</sup> St interior renovations; making into one unit
- 6. Adjournment

#### CITY OF LEAVENWORTH PRESERVATION COMMISSION

#### **COMMISSION CHAMBERS, CITY HALL**

100 N 5<sup>th</sup> Street, Leavenworth, Kansas 66048 Wednesday, April 3, 2019 6:00 PM

The Leavenworth Preservation Commission met Wednesday, April 3, 2019. Chairman Rik Jackson called the meeting to order. Other commissioners present were: Ed Otto, Sherry Hines Whitson and Debi Denney. Commissioners John Karrasch and Ken Bower were absent. Also present for the meeting were City Planner Julie Hurley and Administrative Assistant Michelle Baragary.

Chairman Jackson noted a quorum was present and called for a motion to accept the minutes from January 2, 2019 as presented. Mr. Otto moved to accept the minutes as presented, seconded by Ms. Whitson and approved by a vote of 4-0.

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

#### 1. 2019-05 LPC - 400 SHAWNEE STREET

A State Law review under the US Secretary of the Interior's Standards for rehabilitation for the proposed construction of a new structure on the property located at 400 Shawnee Street, a property located in the Leavenworth Downtown Historic District. A Major Certificate of Appropriateness is required for the proposed new construction.

Chairman Jackson called for the staff report.

City Planner Julie Hurley stated this is a State Law review under the US Secretary of the Interior's Standards for Rehabilitation for the proposed construction of a new structure on the property located at 400 Shawnee Street, a property located in the Leavenworth Downtown Historic District.

Ms. Hurley continued stating the applicant is proposing to construct an approximately 24'x24' square foot detached garage, with an attached 12'x24' carport with rooftop deck.

The existing building is a two-story brick commercial structure located in the Leavenworth Downtown Historic District, which was listed in the National Register of Historic Places in April, 2002. The property is zoned CBD, Central Business District, and the proposed addition meets all development requirements of the district.

The proposed addition will be constructed to the rear of the existing building, and will be visible from 4<sup>th</sup> Street. No part of the existing structure will be altered as part of the addition, except that stairs from the rooftop deck will connect to an existing second story door. The proposed garage is more residential in appearance and does not incorporate materials found in the existing building. The applicant had originally submitted a drawing of a detached garage that was more residential looking in nature. Since then, the applicant has submitted an updated rendering, which seems to fit better with the nature of downtown. Currently the rear of the building is painted a dark brown and the applicants are looking at repainting it to match the existing brick on the side of the building. The garage additions would the grey colors included in the packet.

#### **REQUIRED REVIEWS:**

- 1. A property shall be used for its historic purpose or be placed in a new use that required minimal change to the defining characteristics of the building and its site and environment.
  - The existing structure will undergo no physical changes. The proposed addition will be constructed in a way so as to disrupt the aesthetic of the property as minimally as possible.
- 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 features is proposed.
- 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a fase sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
  - No physical changes to the existing structure 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 prior changes to the existing structure will be removed or altered.
- 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
  - No existing historic features, finishes or construction techniques 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.
  - The proposed changes do not involve replacement of any historic features.
- 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 new design submitted is differentiated from the old and is compatible with the massing, size, scale and architectural features of the existing building and surrounding area.
- 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 addition will be constructed as a wholly separate structure, connected to the existing structure only by an exterior staircase. The essential form and integrity of the existing structure would be undisturbed should the addition be removed in the future.

#### **STAFF RECOMMENDATION:**

The staff recommends approval of the project as proposed with the revised design (see Attachment A).

Mr. Otto stated he has no concerns with the proposed project and wishes more business owners would build onto or improve their buildings.

Ms. Whitson asked if the property owners lives in the building and this will be their personal garage.

Debi Asher, property owner, responded that the second floor of the building has five apartments, one of which the property owners live in. This provides the tenants better access to the rear of the property where the dumpster is located. The garage will accommodate a dump truck and tool truck.

Ms. Whitson asked when they plan to begin construction.

Ms. Asher responded they would like to start construction within 60-90 days and be finished by mid-summer.

With no one else wishing to speak, Chairman Jackson called for a motion. Mr. Otto moved to accept the request for a Major Certificate of Appropriateness based on the findings of the review, seconded by Ms. Whitson and passed by a unanimous vote 4-0.

Ms. Asher asked for a moment to voice her concerns about the issues they are having with traffic on 4<sup>th</sup> Street. Ms. Asher stated the traffic on 4<sup>th</sup> Street and the rate of speed vehicles are going are causing damage to her property at 400 Shawnee. Destructive vibrations occur when vehicles drive by at a high rate of speed. Bricks and mortar are crumbling on the inside and outside of the building, pictures are falling off the walls, etc. Furthermore, there is only 8' between the building and 4<sup>th</sup> Street. A petition has been started to reinstate the truck route. Ms. Asher stated this is not a KDOT issue but rather a city issue. Ms. Asher asked for guidance from the Preservation Commission.

Mr. Otto asked the City Planner if this falls under the Preservation.

Ms. Hurley stated she is aware of the issue but is not sure what roll, if any, the Preservation Commission would have. Ms. Hurley will check with the State Historic Preservation Office (SHPO).

Ms. Asher stated Baan Thai on 4<sup>th</sup> Street and Mc Caffree-Short Title on Delaware are also being damaged.

Ms. Whitson asked why a truck route is not already in place.

Ms. Asher stated there was a truck route down 3<sup>rd</sup> Street but the City Commission eliminated the truck route several years ago. Fourth Street from Osage to Choctaw are dangerously narrow. Ms. Asher feels the downtown area of 4<sup>th</sup> Street should be one lane with a turn lane in between.

Ms. Hurley reiterated she will contact SHPO regarding this concern.

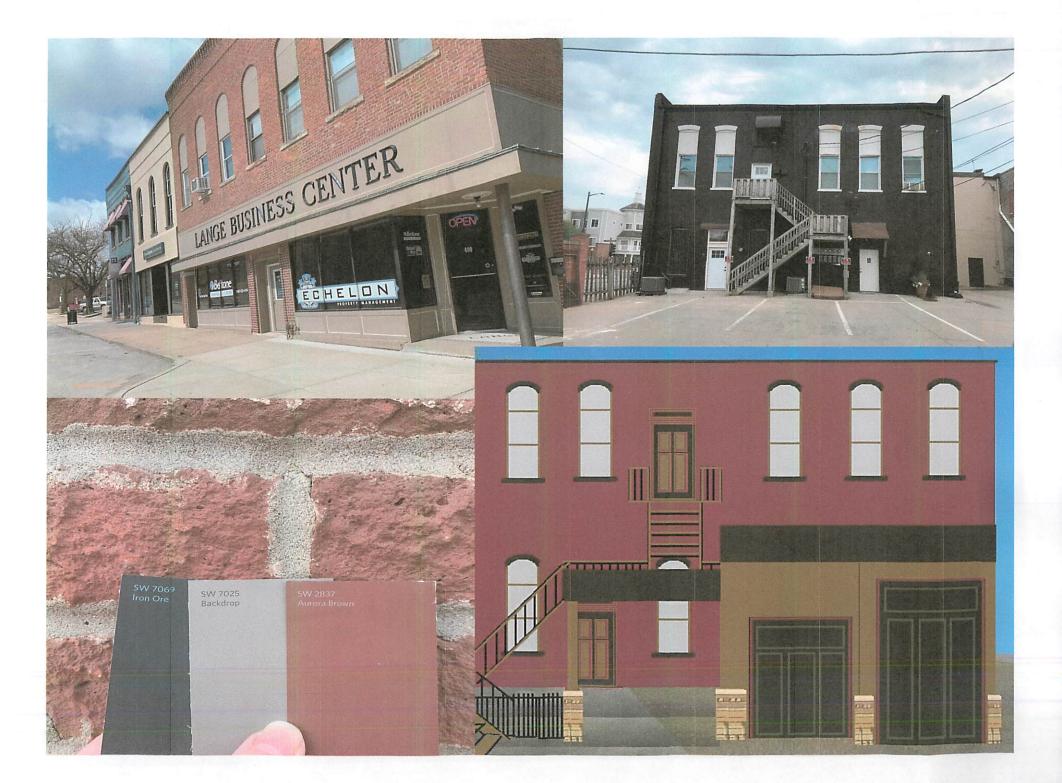
Chairman Jackson called for the next item on the agenda, Minor Certificates of Appropriateness.

Ms. Hurley stated these are minor projects within the historic districts. No action is required.
With no questions or comments, Mr. Otto moved to adjourn, seconded by Ms. Whitson and approved by a vote of 4-0.
Meeting was adjourned at 6:29 p.m.
JH:mb

### Attachment A









#### LEAVENWORTH PRESERVATION COMMISSION

#### State Law Review 202 Pottawatomie Street

JUNE 12, 2019

PREPARED BY:

APPROVED BY:

Julie Hurley, City Planner

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.

#### **REQUIRED REVIEWS:**

- 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-20<sup>th</sup> Century and has now been exposed by the removal of the asbestos siding.
- 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.
- 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.
- 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.

Determination of Unsafe or Dangerous Structure					
Address:	202 Pottawato	omie Stree	et		
Owner	Descript	ion	Taxes		Parcel Number
Rickey L. Giles Jr.	2 story wo structur				0772503103016000
Legal Description LEAVENWORTH,PLT		), R22E, BL	OCK 28, Lat 1	1-4	
Date of Insp	ection		Zonir	ng	Parcel Size
3/15/18	3		R1-6	3	11,841
# Code Viol	ations	La	ist Court Ap	pearance	Code Enforcement Officer
3			N/A	· · · · · · · · · · · · · · · · · · ·	Kathy L. Rodgers

In accordance with KSA 17-4759, structures are deemed unfit for human use or habitation if conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such buildings or other residents within the City of Leavenworth, or which have a blighting influence on properties in the area. Such conditions may include, but are not limited to the following, which are found to be present at the subject property:

	Defects increasing the hazards of fire, accident or other calamities
	Lack of adequate ventilation
	Air pollution
	Light or sanitary facilities
<b>V</b>	Dilapidation
V	Disrepair
	Structural defects
	Uncleanliness
	Overcrowding
	inadequate ingress and egress
V	Dead and dying trees, limbs or other unsightly natural growth or unsightly appearances
<b>V</b>	Walls, sidings or exterior of a quality and appearance not commensurate with the character of
_	the properties in the neighborhood
	Unsightly stored or parked material, equipment, supplies, machinery, trucks or automobiles or
_	parts thereof
Ш	Vermin infestation
	Inadequate drainage
	Any other violation of health, fire, building or zoning regulations
	Other:

No water service since November 12, 2015.



#### PROPERTY REMEDIATION AGREEMENT

Owner:

Rickey L. Giles Jr.

Site Address: 202 Pottawatomie Street Leavenworth, KS 66048

The owner(s) of the property located at 202 Pottawatomie Street recognize that the property is in violation of the City's Property maintenance ordinance(s). As such, they agree to bring the property in to compliance with City Ordinance standards, draw all necessary permits for the work to be performed, and meet the repair deadlines listed below. In return, the City agrees to stay the prosecution of any existing code violations, consider them abated after the property is found in compliance, and to work with the owners throughout this remediation process to help them resolve all code enforcement issues at the site.

	DEADLINE	TASK
1)	6/22/18	Roof – replace roof.
2)	6/22/18	Siding – replace/repair all exterior walls and sidings.  Soffits & eaves – replace/repair all soffits & eaves.  Guttering – replace/repair guttering
3)	6/22/18	Windows & doors - replace/repair all windows & doors.
4)	6/22/18	Paint – remove all peeling paint and repaint entire exterior structure.
		Remove ALL dead and dying trees, limbs or other unsightly natural growth or unsightly appearances.

the City of Leav I also agree to r	e and understand that failure to do so m	
		Notary Area
,		
Signature	Date	
	100 N. 5th Street • Leavenworth, Kansas 66	048
	www.lyks.org	

#### CITY OF LEAVENWORTH PRESERVATION COMMISSION

#### **COMMISSION CHAMBERS, CITY HALL**

100 N 5<sup>th</sup> Street, Leavenworth, Kansas 66048 Wednesday, January 2, 2019 6:00 PM

The Leavenworth Preservation Commission met Wednesday, January 2, 2019. Chairman Ken Bower called the meeting to order. Other commissioners present were: Rik Jackson, Ed Otto, John Karrasch, Sherry Hines Whitson and Debi Denney. Also present for the meeting were City Planner Julie Hurley and Administrative Assistant Michelle Baragary.

Chairman Bower noted a quorum was present and called for a motion to accept the minutes from October 3, 2018 as presented. Mr. Otto moved to accept the minutes as presented, seconded by Mr. Jackson and approved by a vote of 4-0. Mr. Bower and Ms. Whitson abstained due to being absent at the October 3, 2018 meeting.

#### **OLD BUSINESS**

#### 1. 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.

Chairman Bower called for the staff report.

City Planner Julie Hurley stated this is 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.

Ms. Hurley continued stating 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 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.

As of the writing of this report, the asbestos shingle siding has been removed from the house, leaving exposed tar paper revealing what appears to be original siding. No permit for replacement of siding has been requested.

#### **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-20<sup>th</sup> Century and has not 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.

#### **STAFF RECOMMENDATION:**

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

#### **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.

Chairman Bower opened the public hearing.

Mr. Rickey Giles Jr., property owner, approached the board. Mr. Giles stated he wants to register his house on the National Historic Register. He stated the State told him the asbestos siding must be removed so he had a contractor remove the asbestos siding. The tar paper was left to help insulate the house.

While fixing the soffits, Mr. Giles stated he ran into a problem with the front-center window on the second level leaking. He believes originally, there was a walkout from the center window. In order to fix the leak, he stated he will need to raise the porch roof or install another walkout.

Mr. Giles does not believe the house is a dangerous structure. The roof has been like that for sixty-three years. Several people had to get on the roof to fix the veranda in the rear. Mr. Giles does not believe the house meets the criteria to be on the demolition list. States the house has good bones.

Mr. Giles stated his next project is replacing the wooden doors. Has already replaced the soffits, gutters, replaced shingles, trimmed trees, and removed the asbestos siding. Mr. Giles has submitted a grant application. The hearing review is February 8, 2019. If the grant is denied, Mr. Giles stated he still has the finances to fix the house but not in a historic way. He further stated he replaced the glass in the veranda.

Mr. Bower asked if the house has plumbing, water, electricity and a working furnace.

Mr. Giles stated the house has everything but a working furnace.

Mr. Bower stated the appearance of the house is an eyesore. Just removing the tar paper and leaving the clapboard siding would make a huge difference in the appearance of the house. From the City's perspective, it is all about the view from the street. Mr. Bower further explained that vinyl siding does not qualify for a historic property.

Mr. Giles clarified the house does not have vinyl siding on it. Furthermore, he has estimates for repairing or replacing the siding, to include the cost of vinyl siding if he chooses to remove the house from the historic register. If the grant funds are denied, Mr. Giles stated he will most likely remove the property from the State Historic Register and then repair the house his own way.

Mr. Giles reiterated the problem he is having now is with the top center window is slightly below the porch roof. Stated he wants to put a deck coming from the top center window because he believes that is how the house originally was.

Ms. Whitson stated there was probably a widow's walk there.

Ms. Hurley stated installing a widow's walk would require a major certificate of appropriateness, which would come back to the Preservation Commission for review.

Ms. Whitson stated she is hoping Mr. Giles does get the grant money in order to preserve the house in its original state. She further asked if the reason Mr. Giles is leaving the tar paper on the house is because the walls are not insulated.

Mr. Giles responded the walls are insulated excluding the dining room area, which also does not have drywall.

Ms. Whitson asked why insulation could not be installed in the dining room since there is no drywall. Then the tar paper could be removed.

Mr. Giles stated he has put insulation in the dining room. His concern are the pipes going downstairs. But he just turns the water off from inside the house.

Ms. Whitson stated since the Commission's concern is the eyesore, especially with the tar paper, she suggests the pipes be insulated, install insulation in the dining area and remove the tar paper. This would greatly improve the look of the house.

Mr. Giles stated he could do that and that he would like to keep the property listed as historic. He further stated the city keeps pushing him to fix the house and makes him keep coming to the Preservation Commission that he feels like he is on parole.

Ms. Whitson stated that is her point. The black tar paper is an awful eyesore and needs to be removed quickly. This will help Mr. Giles with the city.

Mr. Giles stated he could remove the tar paper but there are several holes he would need to patch up. He would like to know the criteria for demolition.

Ms. Hurley stated the demolition criteria is based on state statute specifically regarding demolition of properties. Mr. Giles has been sent the checklist that is included in the packet.

Mr. Giles stated according to the checklist, the soffits and gutters need replacement. The soffits have been replaced so the only thing left are the gutters.

Ms. Hurley responded that one of the items listed on the checklist that needed to be addressed was the siding and that includes repair/replace all exterior walls and siding. This is the main item the city is currently waiting on. Removing the asbestos siding is one-step in repairing the siding but there are a few more steps to get through. Just leaving tar paper is not considered complete.

Mr. Giles does not think that siding should be the reason the house is on the demolition list. There are no holes, mice or roaches and the house is solid.

Ms. Hurley stated that once a property is on the demolition list, it is the City Commission's goal to bring properties up to a certain standard for the neighborhood so they are not becoming a blighting influence on the rest of the neighborhood. Once a property has met the criteria to be on the demolition list, the City Commission expects all the items on the list be checked off and have the property be brought up to code compliance standards.

Mr. Giles stated he feels like he is being picked on stating the house across the street has chipped paint on its siding.

Mr. Bower stated other houses are not going to be discussed during this meeting and he does not feel the city is picking on Mr. Giles. Mr. Bower further stated the problem with the property at 202 Pottawatomie is that it is a blighting influence on the neighborhood and unfortunately got to a point that it was listed on the demolition list. Mr. Bower further stated that Mr. Giles must go through the city to get permits when doing work on the house.

Mr. Giles stated he has a permit.

Ms. Hurley stated the permit is for interior work only.

Mr. Bower stated not to worry about the interior of the home. The pressing issue is to get the house so it looks better and is not a blighting influence on the neighborhood. This can be done by removing the tar paper. There must be continuous progress.

Ms. Denney asked if Mr. Giles is doing the work himself.

Mr. Giles stated he is but he also has a worker help him with major improvements.

Ms. Denney asked if he plans to hire a professional if he receives the grant money.

Mr. Giles stated he will do the simple tasks like drywall, painting, etc. However, will have someone else do major renovations. Mr. Giles further stated he wants to get a new front door because the front door is what brings the whole house together.

Mr. Bower stated although the front door may not be what Mr. Giles wants, if it is functional then he should leave it for now and replace it at a future time. Currently the house stands-out because of the tar paper and it just looks bad. The city's main concern is the blighting influence, the exterior of the house. It would look more favorably to the City Commission without the tar paper.

Mr. Giles responded that he agrees with the board. He is here today because he has made progress by working on the house 8 hours per day.

Mr. Bower stated that no one is saying progress hasn't been made; but the progress has been slow.

Mr. Jackson asked when the City Commission's 90 day extension for the property expires.

Ms. Hurley stated January 22, 2019.

Mr. Bower stated it would be his recommendation for Mr. Giles to remove the tar paper and fix the holes in the siding so the house looks presentable from the street. The board could then recommend to the City Commission an extension through February, which would allow Mr. Giles to find out if he will receive any grant money.

Mr. Giles stated he receives all kinds of compliments from people in the neighborhood for working on the house.

Mr. Karrasch reiterated how removing the tar paper will go a long way in Mr. Giles favor with the City Commission.

Chairman Bower called for a motion. Mr. Karrasch moves to recommend the tar paper be removed by January 22, 2019 and that Mr. Giles be given an extension to get through the hearing process in Topeka for the grant funds, seconded by Ms. Whitson and passed by a vote 6-0.

Mr. Bower strongly recommends Mr. Giles attend the City Commission meeting on January 22, 2019. Mr. Bower asked if removing the tar paper requires a permit.

Ms. Hurley stated a permit is not need for removal of the tar paper.

Chairman Bower called for the next item on the agenda, Election of Officers and revision to the bylaws. Chairman Bower asked staff to review the bylaws revision.

#### **Julie Hurley**

From: Sent: rick giles <snakejrlvks@yahoo.com> Monday, October 22, 2018 6:03 PM

To:

Julie Hurley

Cc:

Larry Dedeke - 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, sofits, 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.

#### 202 Pottawatomie:

- Some exterior work include:
  - o Some siding repair on the front of the house
  - o Roof repair on the rear portion of the house
  - o Addition of a covered porch (not an item necessary to bring into code compliance
- Items remaining to be completed include:
  - o Roof repairs
  - o Siding repair/replacement
  - o Soffit and eave repair/replacement
  - o Gutter repair/replacement

Property is on the Kansas Register of Historic Places. The Leavenworth Preservation Commission (LPC) reviewed the property on July 11, 2018 and instructed the property owner to commence repairs prior to October 9, 2018. The LPC reviewed the property again at their October 3, 2018 meeting. The property owner was not present to discuss his plans. The LPC instructed staff to send a letter requesting a written plan and timeline for completing repairs. Staff recommends the property remain on the demolition list with an extension to complete necessary repairs.

Rickey L Giles, Jr., Property owner addressed the Commission

- Built a new veranda
- Called someone about removing shingles (asbestos siding)
- The company has not been able to get to the job yet
- Does not want to put in new windows and doors until shingles have been replaced

Commissioner Bauder moved to keep 202 Pottawatomie Street on the demolition list and give an extension of 90 days. Commissioner Griswold seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

#### 209 Elm Street:

- A permit to replace the roof was obtained on September 18, 2018
- Owner in the process of rebuilding the roof structure
- Gutters repair/replacement, window repair, replacement and repainting still remain to be completed

Staff recommends the property remain on the demolition list with an extension to complete necessary repairs.

Shane Sampson was present to speak on behalf of the owner

- Began the work of replacing the roof and found 5 layers of shingles
- Has taken longer than expected
- Thinks work can be completed in 30-45 days

Commissioner Dedeke moved to keep 209 Elm Street on the demolition list and grant a 30 day extension. Commissioner Wilson seconded the motion and was unanimously approved. The Mayor then declared the motion carried 5-0.

Acceptance of Dedication of Land for Public Purpose – West Glen 2<sup>nd</sup> Plat – City Planner Julie Hurley presented for consideration the acceptance of the dedication of land for public purposes.



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

#### CITY OF LEAVENWORTH PRESERVATION COMMISSION

#### **COMMISSION CHAMBERS, CITY HALL**

100 N 5<sup>th</sup> Street, Leavenworth, Kansas 66048 Wednesday, October 3, 2018 6:00 PM

The Leavenworth Preservation Commission met Wednesday, October 3, 2018. Vice Chairman Ed Otto called the meeting to order. Other commissioners present were: Rik Jackson and John Karrasch. Ken Bower, Debi Denney and Sherry Hines Whitson were absent. Also present for the meeting were City Planner Julie Hurley and Administrative Assistant Michelle Baragary.

Vice Chairman Otto noted a quorum was not present; therefore, no action can be taken at tonight's meeting.

#### **OLD BUSINESS**

#### 1. 2018-12 LPC - 202 POTTAWATOMIE

A State law review under the US Secretary of the Interior's Standards for Rehabilitation for the proposed demolition of the property located at 202 Pottawatomie Street, a property listed on the Kansas State Register of Historic Places.

Mr. Otto stated the property owner, Mr. Giles, is not in attendance. Mr. Otto stated he would like to see a game plan on how Mr. Giles plans to proceed with repairs.

Mr. Otto asked if there is anyone wishing to speak.

Ms. Hurley stated that since the last meeting in July, Mr. Giles has repaired some of the siding under the front porch and on the east side of the house he has repaired the roof and added a covered porch. Ms. Hurley noted that adding a porch was not included in what needed to be complete to correct the code violations on the house. Ms. Hurley further stated the following is what was requested to be done in order to bring the property up to code: 1) replace the roof, 2) replace and repair all exterior walls and siding, 3) replace and repair all soffits and eaves, 4) replace and repair guttering, 5) replace and repair all windows and doors, and 6) remove all peeling paint and repaint the entire exterior of the structure. Mr. Giles has repaired a little bit of the paint and the siding on the front of the house and he has repaired the roof on the back porch.

Ms. Hurley stated staff has not received any communication from Mr. Giles regarding his plans moving forward. Mr. Giles had contacted Building Inspections staff to reactivate a building permit from 2016 for interior renovations and construction of the back porch. Building Inspections did reactivate the permit but Mr. Giles has not called to have the porch inspected yet, which is required as well.

Mr. Otto asked if a letter could be mailed to Mr. Giles requesting a written strategy and timeframe for completion of the various code violations.

Ms. Hurley stated she will send a letter to Mr. Giles.

Will no further discussion about 202 Pottawatomie, Mr. Jackson mention the recent Preservation Conference that he, Mr. Otto, Mr. Bower and Ms. Hurley attended. Mr. Jackson stated a focus of conversation was the Community Center in Leavenworth.

Ms. Hurley stated the bids for the next phase, stone restoration, went out today. Ms. Hurley also mentioned the possibility of Leavenworth hosting a future Preservation Conference.

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None

Meeting was adjourned at 6:14 p.m.

JH:mb



Date of application 3/26/2019 . All information is subject to verification. Willful falsification may lead to issuance of a "stop work" order on your project.
1. Address of Property: 100 S. 4th Skeet, Lew. KS Lole 048  [] National Register [] Kansas Register [] Landmarks Register [] Historic District Name of District: Downham Historic Orstrict
<ol> <li>Project Type:         <ul> <li>Replacement of roofing materials with like-kind materials</li> <li>Repair of architectural elements such as porches, fascia, windows, doors, with like-kind replacement materials</li> <li>Installation of mechanical, plumbing, or electrical systems that require minimal changes</li> <li>Installations of awnings and signs on commercial properties</li> <li>Interior modifications that do not affect character-defining elements of the structure</li> <li>Installation of fire safety equipment, or minor alterations to meet the Americans with Disabilities Act</li> <li>Public improvements including improvements to streets, curbs, sidewalks, parking areas, parks, and other amenities</li> <li>Subdivision of property, or vacation of streets or alleys</li> <li>Minor exterior building changes</li> <li>Sidewalk dining</li> <li>Minor exterior building additions to accessory structures</li> </ul> </li> <li>Other projects:</li> </ol>
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): Replacing the current sign faces with new sign faces.

4.	Printed name of owner: Mutual Savings Asso	ciation
	Telephone Number: 913-682-3491	
	Email: bills@mutualmail.com	
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NOT	E: All signatures must be in ink. Signature of owne	r(s) must be secured and notarized.
	4 Lilliam & Islace	3-27-19
	Signature of property owner(s)	Date
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	County of Locuvernorth	
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	My appointment expires 10/13/2020	Ď
	(Seal)	
	CHERYL J. LUKE	
	Notary Public-State of Kansas	
	My Appt. Expires 10/13/20	
		APPROVED FOR ISSUANCE
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cc:	KS Historic Preservation Office	
	6425 SW 6 <sup>th</sup> St	
	Topeka, KS 66615-1099	
		Julie Hurley, City Planner



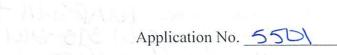
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		Historic District
	7	Name of District: Downtown Historic District
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	[]	Repair of architectural elements such as porches, fascia, windows, doors, with like-kind
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	[]	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):

4.	Printed name of owner: <u>James Diggs</u>	
	Telephone Number: 913-297-0015	
	Email: <u>JamesDiggs1906@yahoo.com</u>	· · · · · · · · · · · · · · · · · · ·
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	Signature of property owner(s)	Date
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	6425 SW 6 <sup>th</sup> St	$\bigcap$
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		historic character of a registered property or historic district (attach supporting materials as necessary):
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	Printed name of owner: Neal Findeisen	
	Telephone Number: 913-682-1110	
	Email: keepnitcool@sbcglobal.net	- Chales
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	organizate or property owner(s)	Date
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cc:	KS Historic Preservation Office 6425 SW 6 <sup>th</sup> St Topeka, KS 66615-1099	APPROVED FOR ISSUANCE Date:  Julie Hurley, City Planner





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	Email: Marshac Flowers ( gmail. Co	m
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cc:	KS Historic Preservation Office 6425 SW 6 <sup>th</sup> St Topeka, KS 66615-1099	APPROVED FOR ISSUANCE Date:  Julie Hurley, City Planner



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		Julie Hurley, City Planner
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	MICHELLE BARAGARY  Notary Public - State of Kancas
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	Telephone Number: 913 683 -0926	
	Email:	
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	Topeka, KS 66615-1099	Julie Hurley, City Planner
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		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
		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
		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
		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
		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
		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
		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:
		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

	Printed name of owner: <u>Rachel Meadows/ Meadow</u> Telephone Number: <u>757-813-4258</u>	
	Email: rachel K Meadows @gmail. com	
ОТ	E: All signatures must be in ink. Signature of owner(s) m	ust be secured and notarized.
	Rachel Heart	4-19-19
	Signature of property owner(s)	Date
	State of Kansas  County of Leavenwith )	
	Signed and attested before me on 4-19-19  Notary Public Ahly	A Section of the same of the s
	My appointment expires 0-20-2021	
	(Seal)	
	NOTARY PUBLIC - State of Kansas ASHLEY PERRIN My Appt. Expires 10-210-2021	
: ::	KS Historic Preservation Office 6425 SW 6 <sup>th</sup> St	PROVED FOR ISSUANCE te:
	Topeka, KS 66615-1099  Juli	e Hurley, City Planner



	application 5-6-19. All information is subject to verification. Willful
falsificat	ion may lead to issuance of a "stop work" order on your project.
1. Addre	ess of Property: 223 5.5th St., LOAD. KS 66648
	lational Register
[] K	ansas Register
[] L	andmarks Register
	listoric District
-	lame of District: Downtown Historic District
	MICHELLE BARAGARY
	My Appl. Expires
2. Projec	et Type: HOURS AGRESSA
[] R	eplacement of roofing materials with like-kind materials
	epair of architectural elements such as porches, fascia, windows, doors, with like-kind eplacement materials
[ ] Ir	installation of mechanical, plumbing, or electrical systems that require minimal changes
[ ] Ir	nstallations of awnings and signs on commercial properties
[ ] Ir	nterior modifications that do not affect character-defining elements of the structure
	nstallation of fire safety equipment, or minor alterations to meet the Americans with
	ublic improvements including improvements to streets, curbs, sidewalks, parking areas, arks, and other amenities
TT. III.	ubdivision of property, or vacation of streets or alleys
18 8. 0	1inor exterior building changes
	idewalk dining
	1 nor exterior building additions to accessory structures
	other projects: INTEREIOR RENAVATION / MAKE / UNIT
	The property of the property o
3. D	Describe improvements and give reason why such improvement does not detract from the
h	istoric character of a registered property or historic district (attach supporting materials as
ne	ecessary):

Printed name of owner: John Lemon Telephone Number: 913-563-8342	
Email: ByBBA LEMONS 12 @ 61M	AIL. COM
OTE: All signatures must be infink. Signature of a	owner(s) must be secured and notarized.
Signature of property owner(s)	Date'
State of Yorks  County of Lowerworth  Signed and attested before me on 5 6 16	que a formación de la liver comunidad de la liver de l
Notary Public Wichelle Baragery	Person limit field. [1]
My appointment expires 8.16.20	) Isabilitati egissei
My appointment expires 8.16-20 (Seal)	Marthinal regiment  Landmarks register  Landmarks register  M. Milwowe Domini