



## **LEAVENWORTH PRESERVATION COMMISSION MINUTES**

**COMMISSION CHAMBERS, CITY HALL**  
100 N 5<sup>th</sup> Street, Leavenworth, Kansas 66048  
**WEDNESDAY, May 7, 2025, 6:00 PM**

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### **CALL TO ORDER:**

#### **Board Members Present**

Rik Jackson  
Ed Otto  
Ken Bateman  
Dick Gibson  
Sherry Hines Hanson Whitson

#### **Board Member(s) Absent**

#### **City Staff Present**

Katherine Criscione  
Kim Portillo

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

### **APPROVAL OF MINUTES: March 5, 2025**

Chairman Jackson asked for comments, changes or a motion on the March 5, 2025 minutes presented for approval. Commissioner Gibson moved to approve the minutes, seconded by Commissioner Bateman, and approved by a vote of 5-0.

### **OLD BUSINESS:**

None

### **NEW BUSINESS:**

#### **1. 2025-09 LPC – 214 ARCH STREET**

A State Law review (KSA 75-2724) for proposed exterior modifications to property located at 214 Arch Street, a property located in the Arch Street Historic District, under the Secretary of the Interior's Standards for Rehabilitation.

Chairman Jackson called for the staff report.

Planning Director Kim Portillo stated the 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 property, known as the O'Donnell House, is a two-story Italianate and Queen Anne style, of brick construction. The front of the porch has a one-story wraparound porch. The windows on the front and rear of the property have segmental arches. The property is a contributing structure to the district. The nomination notes a first story-level back deck and a modern exterior wood stair at the back east corner.

The proposed new deck would be at the rear of the house, in the same location as the existing deck which is proposed to be removed.

**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.

*The enlarged deck will not be visible from the front of the house. No historic materials or features will be removed or covered.*

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 change is proposed.*

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 existing wood deck does not have unique construction techniques or examples of craftsmanship that characterize the historic property. It is of basic, contemporary design with no unique architectural features.*

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 deck is being replaced of similar construction.*

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 deck will not destroy historic materials of the property and will fit in scale and massing with the home.*

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 214 Arch Street do not damage or destroy the Arch Street Historic District.
- Motion, to determine that the proposed changes to 214 Arch Street does damage or destroy the 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.

With no questions on the staff report, Chairman Jackson opened the public hearing.

The applicant, Jack Flowers, stated he has been in the house 12 years now. The house was totally remodeled in 1995. Mr. Flowers feels the deck could have been built around that time. Denney's is the contractor that will be replacing the deck.

Mr. Flowers stated the deck is not attached to the house, that it sits against the house. He said it's very secure and that the contractor is going to remove the old posts and put new ones in. Chairman Jackson asked the applicant to state his name for the record and the applicant responded Jack Flowers.

Chairman Jackson asked if there were any further questions.

Commissioner Gibson asked if the deck was being expanded.

Mr. Flowers responded yes, it would give them another 8 feet. The contractor recommended using 16' stringers and the applicant also indicated it would allow them to park their car under the deck instead of in the small garage.

Commissioner Gibson asked if the posts supporting the deck would be 6x6 all the way up.

Mr. Flowers responded yes and referred Commissioner Gibson to the diagram.

Commissioner Gibson stated he looked at the diagram and there appears to be a 4x4 sitting on top of a 6x6. He referred to page 19 and indicated that it shows a 6x6 post and sitting on top of it is a beam that goes up to the deck. It's a 4x4. His concern is the 4x4 is not going to support the deck.

Mr. Flowers said he would get an answer from Ted (Denney's).

Commissioner Hines Hanson Whitman stated that if the deck were approved tonight, it would continue on to permits and would have reviews and inspections through the process for structural integrity. She noted she didn't see Denney's name on the estimate, only Menard's.

Mr. Flowers stated that all the designs are created by Denney's and that JF Denney is actually the contractor.

Chairman Jackson asked Commissioner Bateman if he had any other inquiries. Commissioner Bateman had no other inquiries and stated their scope was to ensure it was architecturally compatible with the district.

With no further discussion, Commissioner Hines Hanson Whitman made a motion to move forward with determining that the proposed changes to 214 Arch Street do not damage or destroy the Arch Street Historic District. Vice Chairman Otto seconded the motion to approve the proposed changes at 214 Arch Street and approved by a vote of 5-0.

#### **OTHER BUSINESS/CORRESPONDENCE:**

**1. MINOR STATE LAW REVIEW AND/OR MINOR CERTIFICATE OF APPROPRIATENESS (4) – No action required.**

- 624 Cherokee – add signage to existing awning and replace sign face on projecting sign
- 200 Arch St – replace existing furnace
- 404 Shawnee – replace roof
- 211 Pine St – replace/reconnect sanitary sewer

Chairman Jackson stated he had questions before adjourning and asked the Commissioners to give an overview of what they learned in Topeka.

Commissioner Bateman said his takeaway was "Are we doing what is necessary to make people aware of the permitting process and do they talk to anyone on the Preservation staff when their home is in the Historic District?"

Ms. Portillo stated that our permitting processes are set up so that all of the properties in the Historic District are flagged. A permit cannot be issued until someone from the Planning staff removes the hold.

Commissioner Gibson also asked if we are doing enough with the staff as far as educating our community about possible tax credits, educating homeowners if their home is in the Historic District, finding out if the realtors care that the house they are trying to sell is in the Historic District or if anyone is communicating to the new homeowner and the realtor on the other side that the house is in the Historic District. The usual method of finding out if a home is historic is if a neighbor tells the new homeowner, if they're trying to get permits for upgrades to the home, or if something is left by the previous owner.

Commissioner Hines Hanson Whitson asked if they were given any ideas about educating the community at their meeting in Topeka.

Commissioner Gibson said they talked about brochures that are provided to the realtors or the homeowners. He also stated it takes some coordination with the County because you don't always know when someone sells their home until a sign goes up. The information is available in the County records and if ownership has changed, a packet would be sent.

Commissioner Bateman asked if we had any marketing collateral that could be placed with realtors or at the Register of Deeds.

Ms. Portillo stated that there are some historic preservation grants available from the state, and education materials or a mailer may be something a grant might cover. She doesn't know if there is a grant for that purpose but we can look into it.

Commissioner Hines Hanson Whitson said it may be something to check into.

Commissioner Bateman felt like the education idea would be good, to send out mailers to all of the registered addresses and once a year have a class, where they bring someone from SHPO in to talk about what owning a historic home means and the benefits.

Chairman Jackson summed up that one of the benefits of going to the training is that it has identified a challenge where some action can be initiated. He suggested that if the staff/commissioners know someone in the realty business, to stop by their office and ask questions. It will generate communication.

Chairman Jackson asked Vice Chairman Otto if there was anything he'd like to add. Vice Chairman Otto suggested historic plaques be put up in the areas where there are historic properties.

Commissioner Hines Hanson Whitson agreed. She lives in a house that was owned by the 7<sup>th</sup> Governor of Kansas and there is no plaque indicating its historical value.

Ms. Portillo stated she's confident there is grant money for something like that.

Commissioner Bateman said there is Federal grant money on the state level that is available, all we need to do is apply for it. It may pay for the plaques and it could also pay for the educational materials. Wichita has an excellent program. Commissioner Hines Hanson Whitson suggested they may have a template we can borrow.

Chairman Jackson wants it to be understood that we are taking a fresh step forward and serving the community.

Ms. Portillo reminded the Commission that next Tuesday, 5/13, the City Commission is presenting a Historic Proclamation for Preservation month and she wanted to confirm that a representative would be there. It's being held in the Commission Chambers at 6:00 p.m.

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

Meeting adjourned at 6:25 p.m.

Minutes taken by Administrative Assistant Katherine Criscione.