

THE TOPEKA LANDMARKS COMMISSION MEETING

Meeting to be held via video conference

A G E N D A

Thursday, July 8, 2021

5:30 PM

- I. **Roll Call**
- II. **Approval of Minutes – June 10, 2021**
- III. **Announcement of Potential Conflicts**

- IV. **CLGR21-12 by Thomas Adams**, requesting a review under Kansas State Preservation Law Review [K.S.A. 75-2724] for the placement of a wooden fence, enclosing the side (front) and rear yard on property located at 333 SW Greenwood Avenue. This property is listed as a *contributor* to the historic integrity of the surrounding Potwin Place National Historic District.

- V. **CLGR21-15 by Aim Strategies**, requesting a review under Kansas State Preservation Law Review [K.S.A. 75-2724] for the interior and exterior alteration of property located at 724 S. Kansas Avenue. This property is listed as a *contributor* to the historic integrity of the surrounding South Kansas Avenue Commercial Historic District.

- VI. **CLGR21-16 by Gary Piland**, requesting review under Kansas State Preservation Law Review [K.S.A. 75-2724] for the placement of a sign on the front façade of property located at 923 S. Kansas Avenue. This property is listed as a *non-contributor* to the historic integrity of the surrounding South Kansas Avenue Commercial Historic District.

- VII. **Other Items (if any)**
- VIII. **Adjournment**



ADA Notice: For special accommodations for this event, please contact the Planning & Development Department at 785-368-3728 at least three working days in advance.

TOPEKA LANDMARKS COMMISSION
MINUTES

Thursday, June 10, 2021
VIA ZOOM VIDEO CONFERENCE

Roll Call

Members Present: David Heit, Melina Stewart, Mark Burenheide, Dave Frederick, Grant Sourk, Cassandra Taylor, Christine Steinkuehler, Paul Post (8)

Members Absent: Donna Rae Pearson (1)

Staff Present: Tim Paris, Dan Warner, Kris Wagers

Chairperson David Heit called the meeting to order with 8 members logged into the video conference.

Approval of Minutes from May 13, 2021

Motion to approve by Mr. Sourk, **Second** by Mr. Burenheide. **APPROVED 8-0-0**

Announcement of potential conflicts – Ms. Steinkuehler stated she lives in the Potwin area and has had several people speak to her regarding the fence at 333 SW Greenwood. She stated she is able to remain objective.

Mr. Burenheide stated that he too has had multiple people speak to him about the fence at 333 SW Greenwood but this will not affect his vote.

CLGR21-12 by Thomas Adams, requesting a review under Kansas State Preservation Law Review [K.S.A. 75-2724] for the placement of a wooden fence, enclosing the side (front) and rear yard on property located at 333 SW Greenwood Avenue. This property is listed as a *contributor* to the historic integrity of the surrounding Potwin Place National Historic District.

Mr. Paris presented the staff report and staff's recommendation for a finding that the fence constructed on the property does damage or destroy the historical integrity of the structure and the surrounding Potwin Place National Historic District.

Mr. Paris explained that the fence was put up without a permit. When Planning received a complaint, they contacted the owner, who subsequently applied for a permit.

Mr. Sourk asked whether the fence would have been allowed had the permitting process been completed prior to its being built. Mr. Paris stated that it would still receive Landmarks Commission review and approval, but that, as it is, it would not have been recommended for approval. Staff would have made suggestions as to how the design might be altered so it could meet the standards.

Mr. Sourk asked if there is sufficient space between the fence and the sidewalk. Mr. Paris stated that the placement is not an issue.

Mr. Burenheide asked if a permit request would have gone to the Design Review Committee (DRC) DRC for review and comment. Mr. Paris confirmed it would have. Options would have been discussed there.

TOPEKA LANDMARKS COMMISSION
MINUTES

Doug and Shari Barrington were logged in representing the owners. The Barringtons are realtors and worked with the owners to purchase the property. Mr. Barrington explained that the property owners had gotten back in town late last night and were unable to attend this evening's meeting. He explained that the property owners knew a permit was required and that the contract they signed with Davis Fence made it clear it was the responsibility of the owners to apply for the permit. However, the owners were going out of town and state they had verbal discussions with Davis Fence; they believed Davis Fence was applying for the permit for them and were unaware that this had not been done.

Mr. Barrington explained reason the owners want the fence the way it is; they have small dogs and wish to use the fence to keep them in the yard. Mr. Paris stated that removing every other board and attaching chicken wire might be an option that would allow them to keep the fence and still keep their dogs within the fenced area.

Mr. Barrington stated that the owners had put a lot of money into having the fence put up and they are happy with its appearance.

Mr. Paris stated that a significant issue with the fence is that the owners intend to leave it natural wood. Historically the fence should be painted to match the house so that it is complimentary rather than a feature unto itself; it draws too much attention to itself. The property should maintain its historic character and the fence as it is built detracts from the character of the house and that of the neighborhood.

Ms. Taylor stated she feels for the owners but understands that by law, the Landmarks Commission's responsibility is to determine whether the fence damages or destroys the historical integrity of the structure and the surrounding Potwin Place National Historic District. Mr. Paris confirmed that the owners can appeal to the Governing Body.

There was discussion about ways the fence might be changed to make it more in keeping with its surroundings. If the owners are willing, they can apply for a permit that reflects those changes. Members of the DRC would work with them to try to assist, but ultimately it would need to come back to the Landmarks Commission for approval. Staff confirmed that there is no absolute guarantee the permit would be approved.

Mr. Barrington was asked if he thought it would be helpful for the commission to table the vote until the July meeting so he would have an opportunity to discuss the owners' options with them. He stated it would.

Mr. Heit asked if there were members of the public logged in who wished to speak.

Helen Crow stated that she lives kitty-corner from 333 SW Greenwood property. She stated that she and many of the neighbors she has spoken with agree that it is a beautiful fence, but it doesn't fit in where it is. It has drawn a lot of comment from neighbors and the fact that it does stand out and draw comments is

TOPEKA LANDMARKS COMMISSION
MINUTES

exactly the problem. Ms. Crow stated that this is, in her opinion, the landmark house in Potwin, having more architectural integrity than neighboring properties. The fence as it is built diminishes the appearance and the value.

With nobody else logged in to speak, Mr. Sourk called for discussion among commissioners.

Mr. Sourk expressed surprise that the fence company installed the fence without a permit. He is in favor of tabling the motion to allow the current permit application to be processed and the owner time to work with staff and the DRC to come up with a possible solution involving changes that could be made to the fence that would make it something the Landmarks Commission could approve.

Ms. Taylor asked Mr. Barrington to encourage the property owner to work with staff to come up with a reasonable alternative.

Motion by Mr. Sourk to table the item until the July meeting. **Second** by Mr. Post. **APPROVED** (8-0-0)

CLGR21-14 by Greg Laird, requesting a review under Kansas State Preservation Law Review [K.S.A. 75-2724] for the construction of an addition onto an existing detached garage located behind the principle structure located at 315 SW Woodlawn Avenue. This property is listed as a *contributor* to the historic integrity of the surrounding Potwin Place National Historic District.

Mr. Paris presented the staff report, including a review of the Secretary of the Interior's Standards for Rehabilitation. Mr. Paris's recommendation is for approval.

Neither the applicant nor a representative was present to speak, and commissioners expressed no concern about the proposed project.

Motion by Mr. Burenheide for a finding that the proposed construction of the proposed garage, located to the rear of the main structure on property at 315 SW Woodlawn Avenue, will NOT damage or destroy the historical integrity of the structure, or the surrounding Potwin Place National Historic District. **Second** by Ms. Steinkuehler. **APPROVED** 8-0-0

With nothing more on the agenda, the meeting Adjourned at 6:43PM

**TOPEKA LANDMARKS COMMISSION
CERTIFIED LOCAL GOVERNMENT
KANSAS HISTORIC PRESERVATION LAW
PROJECT REVIEW REPORT**

CASE NO: CLGR21-12

by: Thomas Adams

Project Address: 333 SW Greenwood Avenue

Property Classification: *Contributing Property* to the Potwin Place National Historic District.

Standards: Secretary of the Interior’s Standards for Rehabilitation; Downtown Topeka Design Guidelines

Attachments: **Site Plan** **Elevations** **Arch./Const. Plans** **Pictures**

PROPOSAL: This proposal is to allow a wood, French-Gothic vertical board fence, approximately 4’ in height, to remain standing within the front, side, and rear yard of property located at 333 SW Greenwood Ave. This property had no previous fencing within these areas. This structure is listed as a “contributing property” within the nomination of the Potwin Place National Historic District.

BACKGROUND: The National Register Nomination for the Potwin Place National Historic District dates this home’s original construction to 1886. It is described in the nomination as a *“Two and one-half story frame residence with an intersecting gable and hip roofs. Polygonal bay with ornamental gabled balcony angled to southeast. Shingle adorn gables. (Queen Anne/Stick Style) Above average integrity: porch alteration, addition on the south.”*

The Kansas Historic Resource Inventory for this property adds that this home *“Was divided up apartments at one time, also a note that it may have served as a private hospital when rented by Dr. Milo Buel Ward (later the first chief surgeon of Stormont Hospital). Served as a boarding house mid-20th century.”*

The current garage on the property dates to 2001 and is not historic, nor a contributing feature to the property’s historic integrity. The driveway/curb-cut from SW 3rd Street is not currently used for access to the garage.



Among the factors to consider when determining the appropriateness of this fence in this location are 1) style, 2) materials, 3) footprint on the property, and 4) the surrounding historic district. All of these factors are relevant considerations in protecting the historic integrity of this property and the historic integrity of adjacent properties.

Style: The fence currently in place on this property is constructed in the French Gothic Vertical Board style. “Board style” is a reference to the adjacent placement of individual wood pickets without spacing between. This treatment results in an opaque appearance. Although this fence is limited to only 4’ in height, this style is more typically reserved for privacy fencing to enclose rear yards where the visual implications of the massing, size, scale, and materials are less important. In this case, since the property is located on a corner lot, the entirety of this rear yard is visible from SW 3rd Street. Therefore, the style of the fence, and its massing, size, scale, and materials are elevated in their visual effect on this property.

As noted above, this style of fencing is typically reserved for placement in rear yards, as opposed to front or street-facing yards. This home is constructed in the Queen Anne Victorian style of architecture, and dates to 1886. Fencing for Victorian homes prior to the turn of the 20th Century were traditionally small and ornamental, and were constructed of wood or wrought iron. These fences also were more limited in height, measuring only about 2.5’ tall. These fences were used, primarily, to visually define the property boundary without visually detracting from the architecture of the house. The style and finish of this fence has resulted in a very prominent feature on this property that is not conducive to Victorian architecture.

Materials: Although wood fences within the front yard have been historically appropriate for use with Victorian homes, their appearance on the property was designed to be a complimentary and compatible addition to the property, rather than a defining characteristic of the property, in and of themselves. Where used, wooden fences were traditionally painted in matching colors to the house. This treatment tied the presence of the fence to the house as a complimentary feature, rather than a competing, secondary element of the property.

The spacing of the wood pickets is also an important consideration. At present, the wood pickets within the fence in question are all placed flush to the adjacent picket with no spacing in between. This spacing allows no transparency through the fence, and in essence transforms the appearance of the fence toward privacy, rather than defining the property line. Although only 4’ in height, the opaque aspect of this fence is not traditionally used, nor is appropriate for use within the front yard of Victorian homes. Additionally, wood picket fences have not been historically used within the front yards of other properties within the Potwin Place Historic District. For those homes, specifically on corner lots, where fencing along street frontages has been placed, the materials used for that fencing has been a metal fence, mimicking wrought iron in appearance. These fences are also highly transparent, and are complimentary to the property.

Placement on the Property: Although this fence is limited to 4’ in height, its opaque composition renders its function and appearance to that of a privacy fence. Wood privacy fencing is traditionally reserved for rear yards, and is placed behind the front faced of the house. Within front and side yards along street frontages where taller fences are allowed by ordinance, those fences in the Potwin Place Historic District are almost exclusively faux wrought iron, and in no cases are those fences a dominant feature of the property.

Surrounding Historic District: Fences within the Potwin Place Historic District are nearly exclusive to the side and rear yards of all homes. The exceptions to this general rule are usually found on corner lots, where a side and/or rear yard parallels a street, and thus becomes a “front” yard. On nearly all of these lots within Potwin, the portions less than 4’ in height are usually a

basic metal picket fence. Privacy fencing, and wooden fencing are placed behind the front face of the house, and also behind the front face of any adjacent house so that it does not obscure the view of that home's front yard.

A notable exception to this practice lies one block to the west of this property at 337 SW Woodlawn Avenue. A 6' privacy fence is placed along this property line, parallel and adjacent to the sidewalk along SW 3rd Street. The purpose of this fence is to provide privacy for an in-ground swimming pool that is placed between the home and the street frontage. It must be noted with this example, however, that neither the pool nor the fence received a permit prior to, or after their construction in 1985. The Potwin Place National Historic District was established in 1980. Therefore, the placement of the in-ground pool and the surrounding privacy fence were subject to the Kansas State Historic Preservation Law and its required review for compliance with the US Secretary of the Interiors Standards for Historic Preservation. However, no reviews were performed at this address for either of these amenities.

REVIEW SUMMARY: The Kansas State Historic Preservation Office requires that all projects occurring on any property listed on the Register of Historic Kansas Places be reviewed for their affect on the listed property and the surrounding district. State law (K.S.A. 75-2724) establishes that the Secretary of the Interior's Standards for Rehabilitation be used to evaluate changes proposed to any property that is individually listed, or is located within an historic district. The following is an analysis of the application of each Standard to the proposed project.

Standard 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.*

Analysis: No change in use of this property is proposed in conjunction with this project.

Standard 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.*

Analysis: No historic materials will be removed or altered in conjunction with this project. However, the placement of an opaque, unfinished wooden fence that extends from the home to the south property line adds a feature to the property that is neither complimentary nor compatible with the architectural character of the home, nor the character of the surrounding historic district.

Standard 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.*

Analysis: No aspects of this project are proposed that will create a false sense of historic significance.

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

Analysis: No historic features of this home or property are proposed for removal. The proposed fence can easily be removed in the future with no residual damage caused to the home or property.

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

Analysis: No distinctive features, finishes, or construction techniques will be removed or altered in conjunction with this project proposal.

Standard 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.*

Analysis: No features of this home or property are proposed for removal or physical alteration. The proposed fence can easily be removed in the future with no residual damage caused to the home or property.

Standard 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.*

Analysis: N/A

Standard 8. *Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.*

Analysis: N/A

Standard 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.*

Analysis: The construction and placement of this style of fence in this location presents a new character-defining feature to the property. In its current unfinished state, and with opaque appearance without any spacing of the individual wooden pickets, this feature is neither compatible nor complimentary to the architectural character of the principle structure.

Standard 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.*

Analysis: The proposed fence can be removed in the future with no residual damage caused to the home or property.

July 8, 2021

STAFF RECOMMENDATION: In the performance of this review under KSA 75-2724, Staff is recommending a finding that the fence constructed on the property located at 333 SW Greenwood Ave., **DOES damage or destroy the historical integrity of the structure, and the surrounding Potwin Place National Historic District.**

Prepared by: _____



Timothy Paris, Planner II

APPEAL TO THE GOVERNING BODY: If the Landmarks Commission determines that the proposed fence will damage or destroy the historic integrity of the property and/or the surrounding historic district, the applicant may appeal to the governing body. It will be incumbent upon the governing body to make a determination, after consideration of all relevant factors, that: (1) there are no feasible and prudent alternatives to the placement of the fence as proposed; and (2) that alternatives to the project include all possible planning to minimize harm to the property and the district that may result from those alternatives.







**CERTIFIED LOCAL GOVERNMENT
KANSAS HISTORIC PRESERVATION LAW
PROJECT REVIEW REPORT
TOPEKA LANDMARKS COMMISSION**

CASE NO: CLGR21-15

by: Aim Strategies, LLC

Project Address: 734 SW Kansas Avenue

Property Classification: *Contributing Structure to the South Kansas Avenue Commercial Historic District*

Standards: Secretary of the Interior's Standards for Rehabilitation

Attachments: Site Plan [] Elevations [X] Arch./Const. Plans [X] Pictures [X]

PROPOSAL: The applicant is proposing the renovation and rehabilitation of all three levels, and alteration of both exterior levels of the front facade on property located at 734 S. Kansas Avenue. This property is a contributing structure within the South Kansas Avenue Commercial Historic District.

BACKGROUND: Within the nomination form for the South Kansas Avenue Commercial Historic District, the subject property is identified as a *contributing* structure, meaning that it embodies the qualities and architectural character that exemplifies the historical significance of the District.

This building dates to 1905, with significant alterations occurring from 1917-1924, and again in 1964. Its present architectural style is listed as Minimal Commercial (Early-Mid 20th Century). The nomination for the South Kansas Avenue Commercial Historic District describes this structure as follows: *“This two-story two-part commercial block corner building has stucco cladding covering the earlier brick façade on the west and south elevations. The first-story storefront retains its historic recessed configuration with modified bulkhead and display materials. The storefront has polished granite panels and small aluminum and glass display windows. A flat metal canopy projects outward above the storefront and has a large brushed metal column at the southwest corner of the building. Four rectangular window openings pierce the second story on the south elevation. The rear (east) elevation is stucco and does not contain any windows. The stucco panels, window openings, and storefront date to a renovation completed in 1964 when Briman’s Leading Jewelry moved into the building.”*

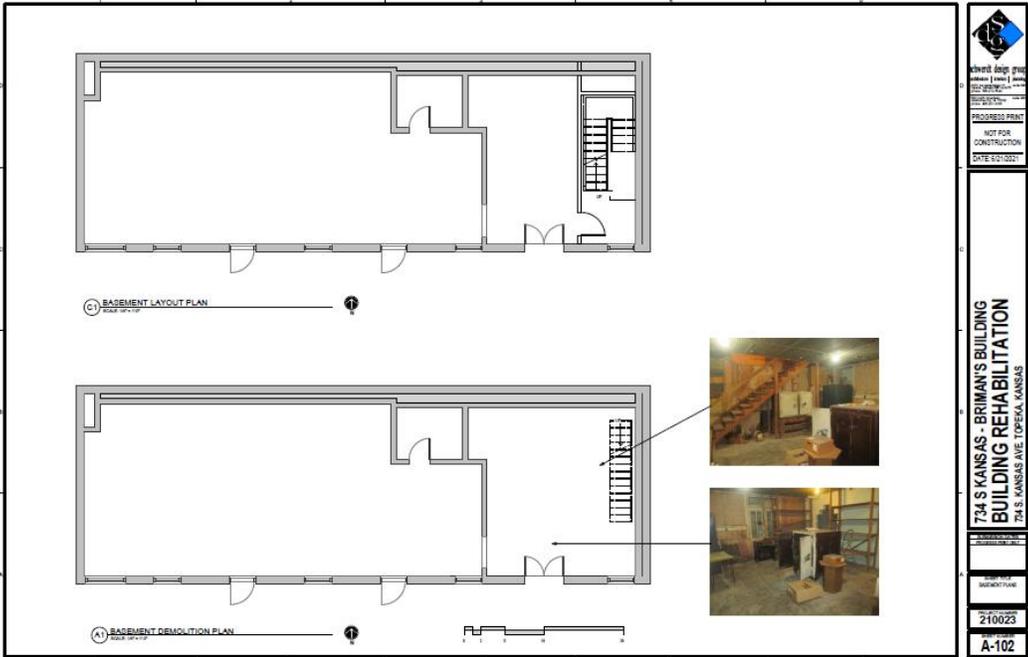




Proposed Exterior

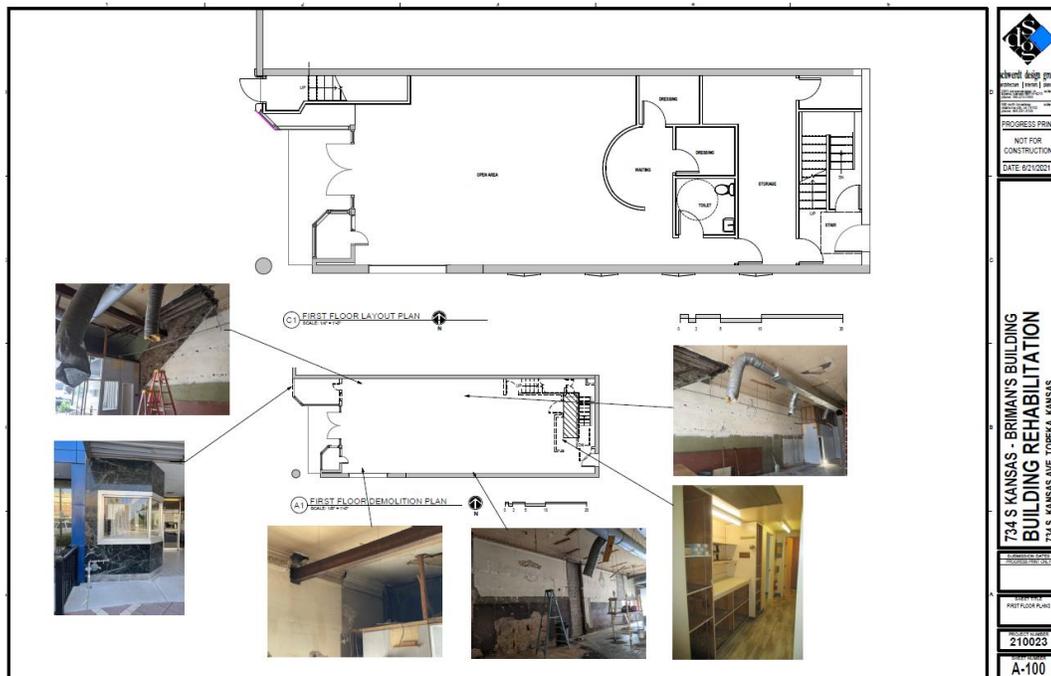
PROJECT DETAILS:

Basement – The basement of this building is essentially divided into three rooms with a uni-directional staircase located at the far-east end of the floor plan. Changes planned at this time are limited mainly to the reconfiguration of this internal stairway, located at the east end of the basement level to the first level. There are also seven windows and an external doorway located within the south wall, leading to a stairwell running parallel along the exterior of the building along SE 8th Avenue. The ground-level entrance to this stairwell starts toward the east end of the building, descending in a westward direction to the basement entrance. This entrance, the stairwell, and three of the windows are intended to be restored at a later date, but not in conjunction with this project.



- 1st Level** – The first level of this building was renovated in 1964 in conjunction with the beginning of its use by Briman’s Jewelers. That renovation removed the external entrance and staircase to the building’s 2nd level from the storefront along Kansas Avenue, and replaced that staircase to the interior, located currently along the north wall, ascending east toward the back of the building. This renovation also closed several windows along the south wall along SE 8th Avenue in favor of stucco cladding on the exterior, and display walls within the interior. Also within the 1st-level interior were non-load-bearing display cabinets and counters for use in conjunction of the jewelry business. All of these fixtures were non-character-defining features in their historic contributions to the property, and have been removed.

Proposed to replace the display cabinets and counters are a central dressing area and restroom. These rooms will effectively bisect the floorplan into front (public space) and back (storage and basement staircase). The floorplan will also restore the buildings 2nd-level entrance to its original location at the northwest corner of the building within the building’s storefront. A second 2nd level stairway and access is also proposed for the far east end of the 1st level.

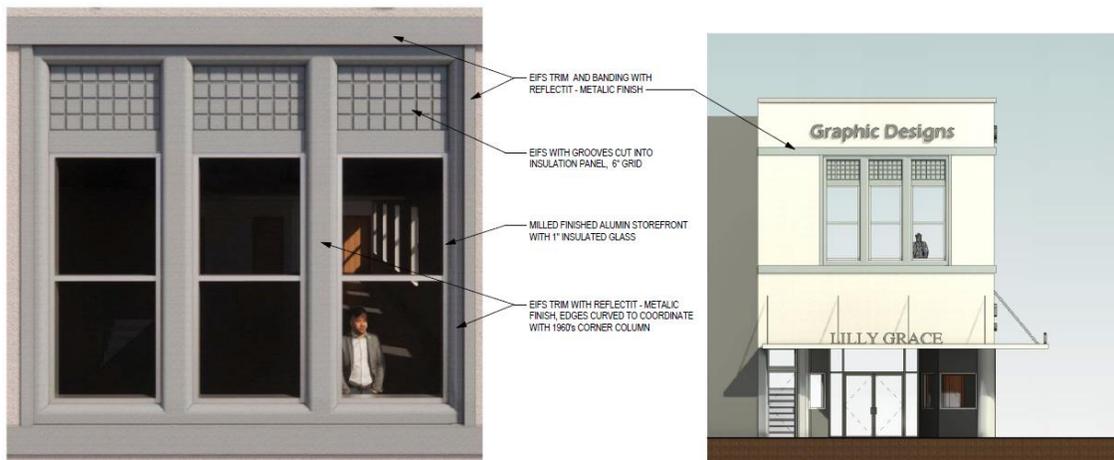


- 2nd-Level** - The second level of this building is divided into several rooms, absent the presence of a central hallway for access to each. Access to each room is gained through a separate room, complicating the level’s re-use for commercial or residential purposes. Some doorways and trim appear to be historic and likely date to an era prior to 1964. However, the décor, and the age of the interior walls is not universal which indicates that its present configuration results from a broader timeframe. Collectively, the interior walls are not deemed to be historic to the building’s original configuration. This project proposes the removal of all interior walls to create a single interior space. To be added are the reconstruction of the original staircase from the storefront entrance, the reconfigured staircase at the rear of the building parallel to the east wall, and three rooms, all located to the east end of the floorplan.



Windows along the south wall are a combination of two separate types. Two of the building's original windows are still in place, but have been covered from the exterior by the stucco cladding applied in 1964. The rest of the windows remain in their original locations, but have been re-sized to their smaller, present configuration. The original window openings, however, are still visible surrounding these smaller window openings, meaning that these windows can be restored to their original size in the future. Work to open two of these windows near the west end of the south wall is proposed with this project. These two windows will be sized to match the other 4 windows to the east along the south wall.

Of special note is the larger window opening located at the west end of the 2nd level, overlooking S. Kansas Avenue. This window opening originally consisted of 4 separate openings, each a 1-over-1 window with an incorporated transom above. All of these windows and their exterior trim were removed in 1964. Proposed with this project is the placement of three of these windows back into their original locations, but with different exterior trim. Each new window will replicate the 1-over-1 configuration of the original. An EIFS-grooved panel above each window will mimic the appearance of the original transoms. Materials for these windows will be glazed aluminum, as opposed to wood contained in the originals.



REVIEW SUMMARY: The Kansas State Historic Preservation Office requires that all projects occurring on any property listed on the Register of Historic Kansas Places be reviewed for their affect on the listed property and the surrounding district. State law (K.S.A. 75-2724) establishes that the Secretary of the Interior's Standards for Rehabilitation be used to evaluate changes proposed to any property that is individually listed, or is located within an historic district. The following is an analysis of the application of each Standard to the proposed project.

Standard 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.*

Analysis: The proposed tenant(s) within this building will be consistent with all historical uses.

Standard 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.*

Analysis: The historic character of this building was drastically altered in 1964 with the application of stucco cladding over original brick veneer. This alteration reduced the size of several windows, removed a series of 2nd-floor windows above the west storefront, removed a stairwell providing exterior access to the basement parallel to the south facade, and removed the storefront entrance to the building's 2nd level. This building is considered to be a "contributor" to the surrounding historic district due to its exterior alterations exceeding 50 years of age, and because of the high quality of the applied stucco and its associated design. This project will leave the majority of the stucco treatment covering to the majority of the west and south facades intact, but will also restore the 2nd-level windows in the west wall on the 2nd floor, two windows on the south wall.

Within the building's interior, only the 2nd level contains remnants of historical integrity. However, these remnants exist in an incomplete and non-historic orientation that is deemed cumbersome and incompatible with occupancy by future tenants. The proposed rehabilitation will remove some features that exceed 50 years of age, but will otherwise enable the future occupancy of this level for a broad array of future uses, thus enhancing the buildings historical use as a place of commerce.

Finishing treatments on the first level include the restoration of the original ceiling height, leaving intact as much of the original plaster crown molding as possible, while filling in the gaps with similarly placed sheetrock. The floorplan will be divided into two separate portions, front and back, with the placement of a restroom, dressing rooms, and a private seating area.

No significant alterations are proposed for the basement level.

Standard 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.*

Analysis: The proposed changes to this building will not portray a false sense of historical development, but will, in fact, restore earlier physical attributes to the west façade that were removed in 1964.

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

Analysis: The storefront of this property, and the 2nd-level façade above that storefront, were both permanently altered in 1964 with the removal of the ground-level entrance to the 2nd level, and the removal of the 2nd-level windows. This proposal will also alter the present treatment of these areas, but will restore the presence of these historical attributes of the property. Changes proposed within the interior will be substantial, but will not affect “character-defining” features characterize the building.

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

Analysis: This project does not propose the removal of any distinctive features, finishes, or examples of construction techniques or craftsmanship. All demolition within the interior are for non-character-defining features, while removal of a portion of the stucco cladding on the west façade above the storefront will restore a feature that existed within this space prior to 1964. Similarly, the removal of a portion of the marble-clad storefront will enable the replacement of an entrance to the building’s 2nd level that existed prior to 1964.

Standard 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.*

Analysis: N/A

Standard 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.*

Analysis: N/A

Standard 8. *Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.*

Analysis: N/A

Standard 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.*

Analysis: The proposed windows for the 2nd level are historically appropriate replacements that are of similar size and appearance as the originals. The materials, size, cladding, and profile of the proposed replacement windows meet the Secretary of

the Interior's Standards for Rehabilitation, and the Downtown Topeka Historic District Design Guidelines. All visible changes to the structure's exterior will preserve the historic integrity of the property.

Standard 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.*

Analysis: N/A

SUMMARY FINDINGS: Staff has reviewed the proposed alterations to this property in terms of their compatibility with the *US Secretary of the Interior's Standards for Rehabilitation* and the *Downtown Topeka Design Guidelines*. Staff has found the proposed treatments for this property to be in keeping with the goals and objectives of both required standards. Staff view the proposed exterior treatment, and the re-introduction of the ground-level entrance within the 1st-level storefront, and the re-introduction and placement of the 3 2nd-level window openings as appropriate alterations to blend both the original fabric of the building with the alterations made in the 1964 renovations. It is Staff's finding that the proposed alterations will enhance the fabric of the Downtown Topeka South Kansas Avenue Commercial Historic District.

STAFF RECOMMENDATION: In the performance of this review under KSA 75-2724, Staff is recommending a finding that the proposed renovation of this structure, located at 734 S. Kansas Avenue, **will NOT damage or destroy the historical integrity of the contributing structure, nor will damage or destroy the historic integrity of the surrounding South Kansas Avenue Commercial Historic District.**

Prepared by: _____


Timothy Paris, Planner II

APPEAL TO THE GOVERNING BODY: If the Landmarks Commission determines that the proposed renovation project will damage or destroy the historic integrity of the property and/or the surrounding historic district, the applicant may appeal to the governing body. It will be incumbent upon the governing body to make a determination, after consideration of all relevant factors, that: (1) there are no feasible and prudent alternatives to the proposed renovation; and (2) that alternatives to the project include all possible planning to minimize harm to the property and the district that may result from those alternatives.

Suitable grounds for appeal under the Kansas Preservation Act, and as outlined within the adopted Downtown Topeka Design Guidelines, include any project that:

- Is a substantial, contributing use of clear public benefit to the revitalization of Downtown Topeka, either as an anchor, or as a small project with minimal negative impact;
- Enhances vitality in the streetscape, and is of benefit to adjacent historic properties;
- Emphasizes historic character and adequately addresses the preservation and appropriate treatment of existing historic fabric;
- Is compatible with and enhances the overall character of the historic district;
- Exhibits exceptional design quality;
- Has no negative impacts to the historic district's primary contributing historic buildings of high integrity; and
- Mitigates any adverse effects on other contributing historic buildings.







**CERTIFIED LOCAL GOVERNMENT
KANSAS HISTORIC PRESERVATION LAW
& LOCAL HISTORIC LANDMARK
PROJECT REVIEW REPORT
TOPEKA LANDMARKS COMMISSION**

CASE NO: CLGR21-16

by: Gary Piland

Project Address: 923 S Kansas Avenue

Property Classification: *Non-Contributing Property* to the South Kansas Avenue Commercial Historic District

Standards: Secretary of the Interior’s Standards for Rehabilitation; Downtown Topeka Design Guidelines

Attachments: Site Plan [] Elevations [X] Arch./Const. Plans [X] Pictures []

PROPOSAL: This proposal is to place one sign onto the front face of the building located at 923 S. Kansas Avenue. The sign will consist of individual block letters, each measuring 14” in height, placed within the sign band that spans the entire width of the storefront. The material for each letter is aluminum, with an clear anodized finish. The sign will not be illuminated.

This structure is listed as a “non-contributing property” within the nomination of the South Kansas Avenue Commercial Historic District to the National Register of Historic Places.

BACKGROUND: This building dates to 1913, and is a two-story structure located in downtown Topeka, Kansas, near the middle of the west side of the 900-block of S. Kansas Avenue. It is listed as a “non-contributing property” within the South Kansas Avenue Commercial Historic District to the National Register of Historic Places.

The South Kansas Avenue National Register Nomination describes this property as a *“two-story two-part commercial building, clad entirely in EIFS panels. Non-historic aluminum and glass storefronts fill the first floor. The parapet is flat. The rear (west) elevation is stone with brick quoins at window and door openings. Concrete lintels span these openings. The exterior alterations compromise the integrity of the building, rendering it non-contributing.”*



This building has undergone an extensive renovation over the past 1-year period. The Topeka Landmarks Commission reviewed and approved the removal of the EIFS upper façade covering, as well as several interior renovations in October of 2020. An interior finish project for the north half of the lower level was also administratively approved after review by the Design Review Committee in February of 2021.

REVIEW SUMMARY: The Kansas State Historic Preservation Office requires that all projects occurring on any property listed on the Register of Historic Kansas Places be reviewed for their affect on the listed property and the surrounding district. State law (K.S.A. 75-2724) establishes that the Secretary of the Interior’s Standards for Rehabilitation be used to evaluate changes proposed to any property that is individually listed, or is located within an historic district. The following is an analysis of the application of each Standard to the proposed project.

Standard 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.*

Analysis: No change in current use is proposed in conjunction with this project.

Standard 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.*

Analysis: No historic materials will be removed in conjunction with this project. Proposed signage is minimal with respect to size, scale, and overall relationship to the appearance of the building. Placement of the sign on the sign band of this building will not damage its historic character or integrity.

Standard 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.*

Analysis: This project will not create a false sense of historical development. The proposed sign is deemed appropriate to the overall character of the front façade.

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

Analysis: The proposed project does not alter any character-defining aspect of this façade.

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

Analysis: No historic distinctive features, finishes, or construction techniques will be removed or altered in conjunction with this project.

Standard 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.*

Analysis: N/A

Standard 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.*

Analysis: N/A

Standard 8. *Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.*

Analysis: N/A

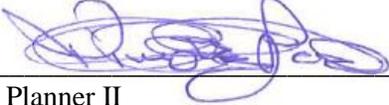
Standard 9. *New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

Analysis: No historic materials that characterize this property will be removed or altered in conjunction with this project proposal. The proposed sign is found to be consistent with the Downtown Topeka Historic District Design Guidelines, the D-1 Downtown Zoning District sign regulations, and the Secretary's Standards for Rehabilitation.

Standard 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.*

Analysis: The proposed signs may be removed at any time in the future without any detriment or damage to the front façade of this building.

STAFF RECOMMENDATION: In the performance of this review under KSA 75-2724, Staff is recommending a finding that the placement of the proposed sign onto the front façade of the property located at 923 S. Kansas Avenue **will NOT damage or destroy the historical integrity of the structure, or the surrounding South Kansas Avenue Commercial Historic District.**

Prepared by: 
Timothy Paris, Planner II

APPEAL TO THE GOVERNING BODY: If the Landmarks Commission determines that the proposed signage will damage or destroy the historic integrity of the property and/or the surrounding historic district, the applicant may appeal to the governing body. It will be incumbent upon the governing body to make a determination, after consideration of all relevant factors, that: (1) there are no feasible and prudent alternatives to the demolitions of the structures; and (2) that alternatives to the project include all possible planning to minimize harm to the property and the district that may result from those alternatives.

Suitable grounds for appeal under the Kansas Preservation Act, and as outlined within the adopted Downtown Topeka Design Guidelines, include any project that:

- Is a substantial, contributing use of clear public benefit to the revitalization of Downtown Topeka, either as an anchor, or as a small project with minimal negative impact;
- Enhances vitality in the streetscape, and is of benefit to adjacent historic properties;
- Emphasizes historic character and, though not in full compliance with the Secretary's Standards, adequately addresses the preservation and appropriate treatment of existing historic fabric;
- Is compatible with and enhances the overall character of the historic district;
- Exhibits exceptional design quality;
- Has no negative impacts to the historic district's primary contributing historic buildings of high integrity; and
- Mitigates any adverse effects on other contributing historic buildings.



CITY OF TOPEKA

DEVELOPMENT SERVICES DIVISION

RECEIVED JUN 30 2021

DEVELOPMENT SERVICES USE ONLY: DATE: 6/30/21 PERMIT FEE: \$ 33.00

APPLICATION # 202106304155

620 SE MADISON | 3RD FLOOR | TOPEKA KS 66607 | 785-368-3704

SUBMIT ALL MATERIALS TO: DSDpermits@topeka.org

SIGN PERMIT APPLICATION

LOCATION/ADDRESS: 923 S. Kansas Ave

NAME OF BUSINESS(es) MB Addis & Co. Legacy Jewelers

IS PROPERTY ON THE REGISTER OF HISTORIC PLACES? YES NO ? is process ?

The undersigned hereby makes application to erect 1 (total number) sign(s) as specified herein, and does agree that the provisions of the sign ordinance will be complied with whether the same are specified herein or not.

- TYPE OF SIGN(S): GROUND SIGN, WALL SIGN, POLE SIGN, TEMPORARY SIGN, ROOF SIGN, BALLOON SIGN, PORTABLE SIGN

WORK TO BE DONE: NEW SIGN, REWORK/REPLACE SIGN, FACE REPLACEMENT
IS SIGN ILLMINATED? YES NO IF YES, HOW?

APPLICATION SHALL INCLUDE THE FOLLOWING ATTACHEMENTS:

- 1. Aerial photo or site plan with location of sign(s) identified
2. Specification drawing (elevation view) including dimensions, materials, illumination method, colors and other relevant information.
3. Description on site plan or documentation that existing signs to remain or those signs to be removed.
4. For freestanding signs include proposed setback (distance) from nearest property line.
5. For wall signs, projecting signs and other signs attached to buildings include a photo or building elevation drawing showing placement of sign(s) on the building.
6. New, illuminated signs require an electrical inspection to be completed before installation.
7. Balloon signs may be placed four times a year for one week. Indicate date(s) the balloon sign will be flown:

Sign Company: Luminous Neon, Inc. Address: 1510 SW 41st Street, Topeka, KS 66609

Phone: 785-267-2625 Contact for permit & installation: Virginia Baumgartner Email: vbaumgartner@luminousneo

Requirements for sign installation & sign hangar contractor

- 1) Public liability insurance policy covering all operations of \$500,000 combined single limit for liability & property damage per Topeka Municipal Codebook Section 5.150.040
2) Plans & specifications including stress diagrams or tabulated stresses, dimensions, materials, & details of construction together with complete details showing methods of anchoring the proposed sign Topeka Municipal Codebook Section 18.15.050
3) Site plan showing location on property with dimensions to property lines

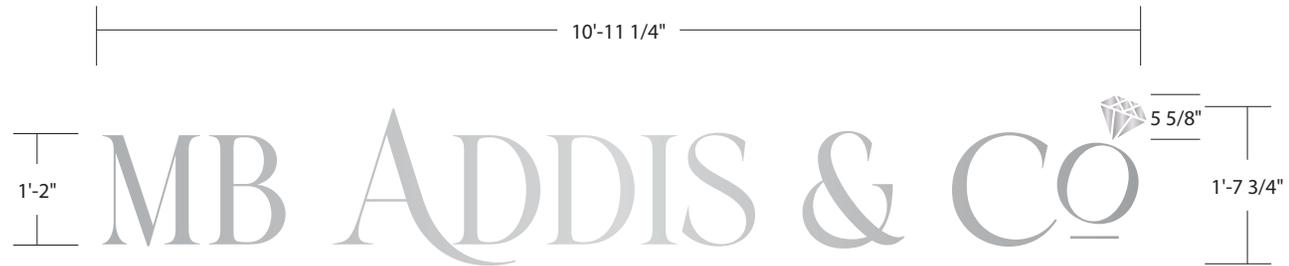
OWNER OF PROPERTY: Gary Piland & Martha Bartlett Piland

Address: Phone:

Table with columns for Site, Water, Traffic, Historical Review, Planning, Zoning of Property and rows for Approval/Disapproval and Date.

By the execution of this application I consent to have City of Topeka personnel enter onto the premises legally described herein for the purpose of inspecting the premises for compliance with applicable City codes, during business hours.

X [Signature] Owner or Sign Hangar Contractor Signature



ALL NOTED DIMENSIONS ARE APPROXIMATE AND MAY BE MODIFIED SLIGHTLY DURING MANUFACTURING TO ALLOW PROPER COMPONENT USAGE.

SPECIFICATIONS

- 3/8" THICK, FLAT, CUT-OUT METAL LETTERS.
- CLEAR ANODIZED FINISH/POLISHED ALUMINUM FINISH.
- STUD MOUNT ON FASCIA.

CUSTOMER: MB ADDIS & CO.
NAME: MICHELE BILLAM
LOCATION: 923 S. KANSAS AVENUE
 TOPEKA, KS 66612

DATE: 6/22/21
DESIGN NO: VB-37546-5
ARTIST: AW

SCALE: 1/2" = 1' • 3/32" = 1'

APPROVED:

DATE:



LUMINOUSNeonInc
 ART & SIGN SYSTEMS



10'-11 1/4"

5'10" windows exterior side

1'-2"
 MB ADDIS & CO
 5 5/8"
 1'-7 3/4"

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NAME: MICHELE BILLAM	DESIGN NO: VB-37546-5
LOCATION: 923 S. KANSAS AVENUE TOPEKA, KS 66612	ARTIST: AW
	SCALE: 1/2" = 1' • 3/32" = 1'

APPROVED: _____ **DATE:** _____



LUMINOUSneon
 ART & SIGN SYSTEMS