



CITY OF
TOPEKA

A G E N D A

LANDMARKS COMMISSION

**Thursday, November 9, 2023
5:30 P.M.**

Zoom Video Conference

MEMBERS OF THE LANDMARKS COMMISSION

Melina Stewart (2023 Chair)
Dave Frederick (2023 Vice Chair)
Donna Rae Pearson
Mark Burenheide
David Heit
Grant Sourk
Christine Steinkuehler
Cassandra Taylor
Nic Irick

-
- The Topeka Landmarks Commission holds a public meeting on the 2nd Thursday of each month.
 - The following agenda identifies and describes each proposal to be considered by the Commission.
 - Each item to be considered by the Commission will be introduced by the Planning Division Staff. The Commission will then hear and consider arguments both for and against each proposal.
 - Individuals wishing to address the Commission are requested to state their name and address for the official record.
 - Motions on all matters which require a decision by the Commission, are made in the affirmative. On a roll call vote, Commission members then vote yes, no, or abstain based on the affirmative motion.
 - The owner of the local historic landmark or property owner within the local historic district may appeal the Commission's decision to the City Council by submitting a notice of appeal to the Planning Director within 10 calendar days of the decision.



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



CITY OF
TOPEKA

LANDMARKS COMMISSION

Agenda for Thursday November 9, 2023

A. Call to Order

B. Approval of Minutes from September 14, 2023

C. Announcement of Potential Conflicts

D. Action Items

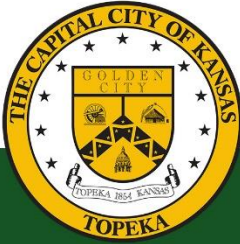
1. **CLGR23/19 by Greg Kearney**, requesting a review under Kansas State Preservation Law Review [K.S.A. 75-2724] for the placement of a fence in the front yard of 1335 SW College Avenue.

E. Other Items

F. Adjournment



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CITY OF
TOPEKA

MINUTES

Landmarks Commission

Thursday, September 14, 2023

5:30PM

Zoom Video Conference

Members present: Mark Burenheide, Dave Frederick (Acting Chair), David Heit, Nic Irick, Donna Rae Pearson Grant Sourk, Christine Steinkuehler, Cassandra Taylor (8)

Members Absent: Melina Stewart

Staff Present: Michael Hall, Landuse Planning Manager; William Sharp, Planner; Amanda Tituana-Feijoo, Administrative Officer

Roll Call – Commissioner Frederick called the meeting to order with 8 members present for a quorum.

Approval of Minutes from July 13, 2023 – Motion by Commissioner Heit; **Second** by Commissioner Sourk.
APPROVED (8-0-0)

Declaration of conflict of interest/ex parte communications –NA

CLGR 23/13 by AIM Strategies LLC, requesting a review under Kansas State Preservation Law Review [K.S.A. 75-2724] for the placement of an awning sign above the front entrance of the building at 913 S Kansas Ave.

Staff:

William Sharp presented the staff report and staff's recommendation for approval.

Owner's Representatives:

Seth Wagoner, CEO AIM Strategies

Dennis Baughman, Midtown Signs

Mr. Baughman: We did the Cyrus Hotel across the street. We did add Gold Leaf to it, and we plan to add 24 karat gold leaf to these as well. It will give them an upper-class letter, and look nice at night with ambient light. You wouldn't need other light with something like this.

Questions/Comments from Commissioners:

Commissioner Taylor asked if the canopy is existing today as a part of the review. Mr. Wagoner stated that it was not currently existing, but it is apart of the construction project.

Commissioner Taylor also inquired how the canopy would attach to the building. Mr. Wagoner stated that he was not able to answer that question. Commissioner Taylor asked if the existing marble would be damaged. Mr. Wagoner stated that the plan is to attach the sign directly to the building, and that his team would use care when attaching the sign. Mr. Wagoner also informed the commissioners that the construction of the canopy has already been approved by the city with the building permit.

Motion by Commissioner Burenheide, second by Commissioner Taylor: Concur with staff's findings that the proposed sign being placed at 913 S Kansas Avenue is consistent with the recommendations outlined in the Downtown Topeka Design Guideline, and will not damage or destroy the historical integrity of the structure.

Carried 8-0

Other Non - Action Items

- **Delisting of Docking Building**, the Historic Sites Board of Review (HSBR) is requesting comment from the Landmarks Commission for the removal of the Docking Building from the National Register of Historic Places. HSBR requests that the Landmarks Commission provide their recommendation by November 3, 2023.

Commissioner Taylor asked if a formal vote was needed to proceed. All commissioners agreed with SHPO, and will move forward with delisting.

- **Update of African American MPDF**, opportunity to read the first draft, MPD, currently being reviewed by Kansas Historical Society.

Commissioner Pearson stated that she would direct her concerns to Jaime Destefano.

- **Potwin Place Historic District Design Guidelines**

There was conversation about other neighborhoods, and if there were design guidelines for them. The question came up as to whether there would-be third-party involvement with the guidelines. Mr. Sharp stated that an RFP will eventually be put out for the district design guidelines.

With nothing more on the agenda, the meeting adjourned at 5:59pm.

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

CASE NO: CLGR23/19

by: Gregory M Kearney Trust

Project Address: 1335 SW College Avenue, Solomon A. Alt House

Property Classification: Designated as a *Contributing Property* to the historic integrity of the College Avenue Historic District. Individually listed in National Register of Historic Places and Register of Historic Kansas Places for its local architectural significance.

Standards: Secretary of the Interior's Standards for Rehabilitation

Attachments: Site Plan ☐ Elevations ☐ Arch./Const. Plans ☒ Pictures ☒

PROPOSAL:

The proposal is to erect a fence enclosing the front yard of 1335 SW College Ave. The fence will be made out of aluminum and painted black, and will have a height of 3 1/2 feet. It will follow the property line along north, east, and south and set back one foot from the property line for a total of 157' length of fence. The height and location of fencing complies with City of Topeka fence regulations. The proposed fence will connect to an existing wood fence with an estimated height of 5 feet.



The Solomon A. Alt House at 1335 SW College Ave is listed as a “contributing property” to the College Avenue National Historic District. The house is also individually registered on both the state and national register of historic places. No structural demolition is proposed with this project.

BACKGROUND:

The house was built in 1909. In addition to being listed as a contributing structure to the College Avenue National Historic District, the property is individually listed in the Register of Historic Kansas Places in 2004 and National Register of Historic Places in 2005. The house is listed under criterion C for its architectural significance. The building features classic examples of Queen Anne architecture style dating to 1909. Elements include a wrap-around porch, asymmetrical floor plan, and high-gabled roofs. Two non-contributing structures are also on the property, a detached garage behind the house and a swimming pool in the backyard.

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 effect 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. The proposed fence has no deleterious effect on the defining characteristics of the building and its site and does not detract from the defining characteristics of the College Hill National Historic District.

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 and no features will be altered in conjunction with this project.

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 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 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 in conjunction with this project. The proposed fence can 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 proposed fence is consistent with the appropriate style, materials, and configuration for the late 19th to early 20th Century period of significance for this historic district. No existing historic materials will be damaged or altered in conjunction with this project.

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 easily be removed in the future with no residual damage caused to the home or property.

STAFF RECOMMENDATION: In the performance of this review under KSA 75-2724, Staff is recommending a finding that the proposed fence to be placed on the property at 1335 SW College Avenue will **NOT damage or destroy the historical integrity of the structure, or the surrounding College Avenue National Historic District.**

Prepared by: William Sharp, Planner I

APPEAL TO THE GOVERNING BODY: If the Landmarks Commission determines that the proposed treatment 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 removal of interior features; and (2) that alternatives to the project include all possible planning to minimize harm to the property that may result from those alternatives.



**CITY OF
TOPEKA**

DEVELOPMENT SERVICES DIVISION

DEVELOPMENT SERVICES USE ONLY: DATE: 10/23/23 PERMIT FEE: \$ 33.00

APPLICATION # 202310236880

SUBMIT ALL REQUIRED DOCUMENTS TO:
DSDpermits@topeka.org

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

FENCE PERMIT APPLICATION

Owner of Property: GREGORY KEARNEY (TRUST) [Signature] 408-780-6535
Print Signature Phone

Fence Address: 1335 SW COLLEGE AVE, TOPEKA, KS 66604 Email: gkearney@gmail.com

Legal description: Lot: 411 Block: _____ Subdivision: COLLEGE PLACE

Address of owner (if different): _____

Contractor: KANSAS FENCING, INC. Phone: 785-836-3180

Contractor Address: 620 NW GORDON

Type of fence material: ☐ Wood ☐ Chain Link ☐ Plastic ☐ Split Rail

Other – description of fence: METAL

Proposed height of fence: Front 3.5 feet Side 1 3.5 feet Side 2 _____ Rear _____

Is this fence located on a corner lot? * ☒ Yes ☐ No Is the property in a designated floodplain? ☐ Yes ☒ No

Is the property located in a Designated Historic District or Neighborhood Conservation District (NCD)? ☒ Yes ☐ No

If yes, what Historic District / NCD? COLLEGE HILL HOME IS LISTED NHP US DEPT OF INTERIOR

Please provide a site plan on an 8.5 x 11 sheet of paper indicating property lines, dimensions and locations of fence, buildings, rights-of-way, utility, drainage or other easements, scale and north arrow.

- Maximum height limitation of fence – front – 4 feet & rear 8 feet
- Fence is to be placed on private property and may not be placed in the city's right-of-way, which is approximately 1 foot back of an existing public sidewalk.

* on corner lots, fences cannot be placed in the 40 foot sight distance triangle.

The City will require the immediate removal of any fence placed or located within drainage, utility or other easements, which materially interferes with the use of the easement. Upon notice by the City, the owner at the owner's expense shall remove the fence. If the owner fails to remove the fence, then the City shall cause its removal and the property owner shall be responsible for all removal costs.

The City shall not be responsible for any damage caused to a fence or its removal, which may result from the repair or maintenance of any drainage easement or the repair or maintenance of any utilities located in utility easement.

The property owner understands and agrees to indemnify and hold the City harmless for damage, claims, costs, suits, judgments and expenses specifically including attorneys' fees of any nature whatsoever arising out of or in connection with the construction, repair or maintenance of a fence. The city's failure to immediately enforce its rights in relation to its easements shall not constitute a waiver of its right to do so and shall not prevent the City from causing the removal of a fence, which materially interferes with the use of a City easement.

In consideration for the permission to construct the fence specified in the fence permit application, the undersigned property owner hereby agrees to be bound by all the terms and conditions contained in this fence application:

Signature of owner [Signature]

APPROVALS:

Traffic:	Approved _____	Date _____	Disapproved _____	Date _____
Engineer:	Approved _____	Date _____	Disapproved _____	Date _____
Planning:	Approved _____	Date _____	Disapproved _____	Date _____
Historical (if applicable):	Approved _____	Date _____	Disapproved _____	Date _____

PROPOSAL/CONTRACT

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10/23/2023

Customer Information:

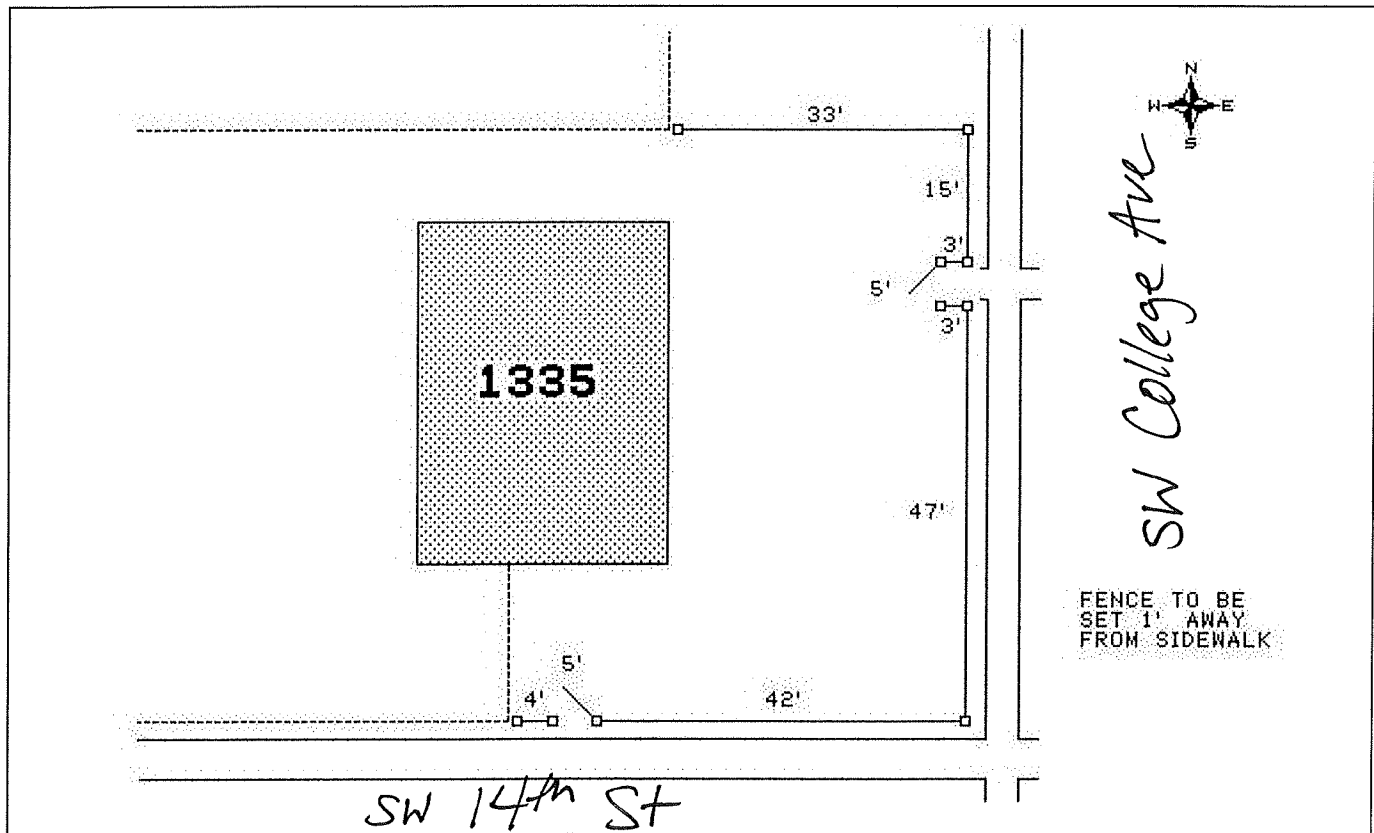
Greg Kearney
1335 SW College Ave
TOPEKA, KS 66604

Job Information:

408-780-6535
gkearney@gmail.com

Notes:

Install 157' of 42" Tall Black Ascot 3-Rail Alumi-Guard Fence with two 5'W single gates.



Approved & Accepted for Customer:

Contract Amount: \$ 6752.44

Down Payment: \$ 3376.22

Balance Due: \$ 3376.22

Accepted for KANSAS FENCING INC.:

Pedro Ortega

Salesperson

10-23-23

Date



1323

1327

1335

SW 14TH ST

SW 14TH ST

1815

1401

SW COLLEGE AVE COLLEGE AVE



Fence is set back 1ft from the edge of the sidewalks are required.



Ascot 3-Rail

71.375" PANEL SERIES-A
3-CH 42" RESIDENTIAL

ALUMINUM FENCE SUPPLY

DATE: 10/23/2023

PO/JOB NAME:

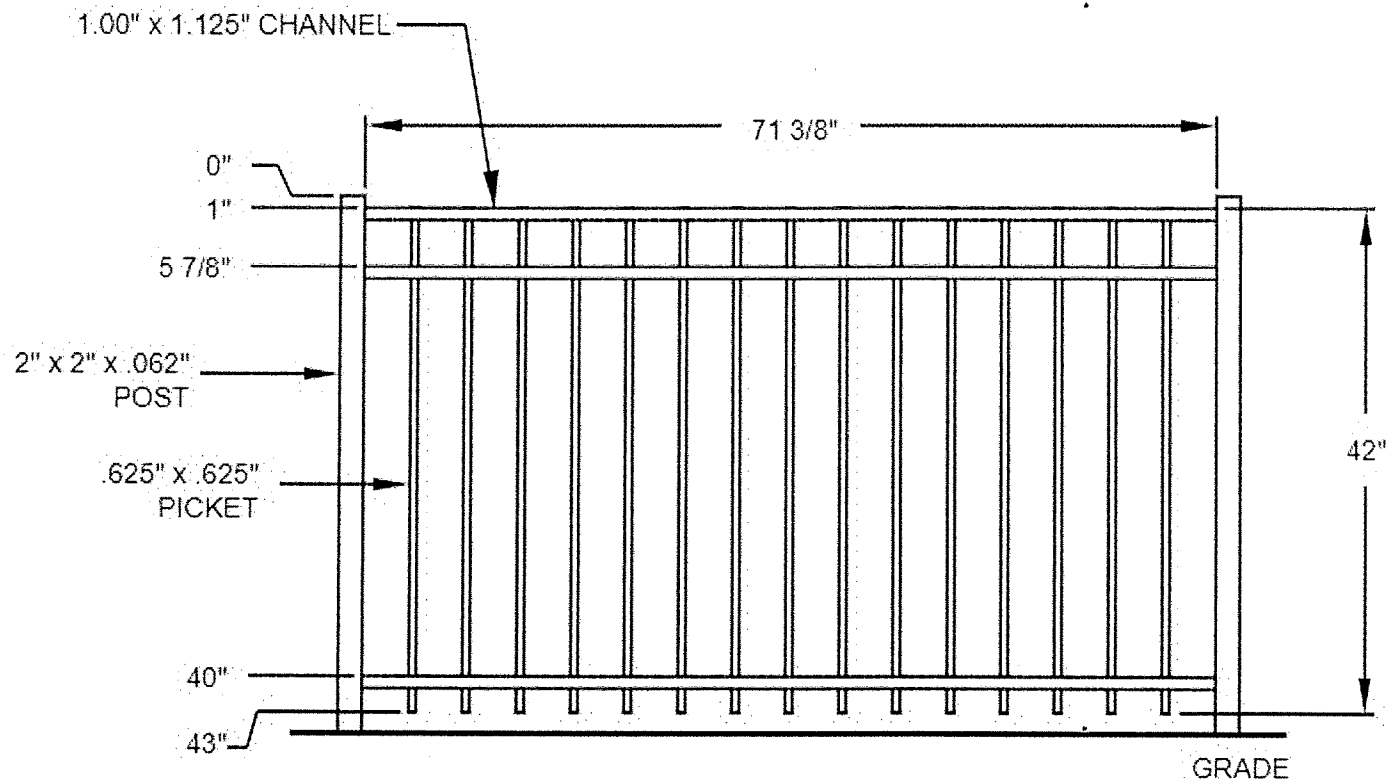
ITEM: PANEL

QUOTE NO:

HINGE TYPE: ---

COLOR: BLACK

DAYLIGHT OPENING: ---



Walk Gates

Arch 1



Arch 2



Arch 3

