



**LEAVENWORTH PRESERVATION COMMISSION MINUTES**  
**COMMISSION CHAMBERS, CITY HALL**  
100 N 5<sup>th</sup> Street, Leavenworth, Kansas 66048  
**WEDNESDAY, MARCH 1, 2023, 6:00 PM**

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**CALL TO ORDER:**

**Board Members Present**

Rik Jackson  
Ed Otto  
Ken Bateman  
Dick Gibson

**Board Member(s) Absent**

Sherry Hines Whitson

**City Staff Present**

Michelle Baragary  
Bethany Falvey

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

**APPROVAL OF MINUTES:** January 4, 2023

Chairman Jackson asked for comments, changes or a motion on the January 4, 2023 minutes presented for approval. Commissioner Otto moved to approve the minutes as presented, seconded by Commissioner Gibson and approved by a vote of 4-0.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**1. 2023-05 LPC – 1000 3<sup>RD</sup> AVENUE**

A State Law review (K.S.A. 75-2724) for proposed modifications to the property located at 1000 3<sup>rd</sup> Avenue, a property located in the 3rd Avenue Historic District, to determine if the project meets the Standards for Rehabilitation as set forth by the Secretary of the Interior.

Chairman Jackson called for the staff report.

City Planner Bethany Falvey stated this is a State Law Review (KSA 75-2724) for proposed modifications to the property located at 1000 3<sup>rd</sup> Avenue, a property located in the 3<sup>rd</sup> Avenue Historic District, under the Secretary

of the Interior's Standards for Rehabilitation. The scope of work includes window replacement, HVAC upgrades, and interior acoustical ceilings and lights.

The property is the historic Leavenworth Junior High School, now the Nettie Hartnett Education Center, which was listed in the Register of Historic Kansas Places and National Register of Historic Places in 2002. Myron K. Feth of Leavenworth architectural firm, Feth & Feth, designed the brick 1923 Tutor Revival style school building. Aluminum windows replaced the original 9/9 wood windows. In the rear (west) elevation is a 1999 two-story addition.

The proposed work includes window replacement in the front and two side elevations, HVAC upgrades, and the addition of interior classroom acoustical ceiling tiles. Replacement windows would meet the SOI Standards since the windows to be replaced are already replacement windows. HVAC upgrades can be made to meet the Standards. The addition of the drop ceilings would change the character of the historic property and would encourage the applicant to consider keeping at least one classroom at the historic height as a representation of the historic character. However, the installation of acoustical tiles is limited to the classrooms and would retain historic character in the primary spaces of the corridors.

At this time, the USD 453 Board of Education is asking for an initial discussion with the board and has not submitted a complete application at this time. Staff recommends tabling the item to a future meeting once a complete application is submitted.

**ACTION /OPTIONS:**

- 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 open the public hearing.

Matt Dedeke, Director of Facilities for Leavenworth public schools, stated Nettie Hartnett is looking at spending some Esser dollars that still remain in their budget. It is his understanding that part of the Esser process is that there are some pre-approvals that need to be made at the State level. This project has not been brought before the school board at this time. His intention tonight is to gain some feedback from the Board.

Mr. Dedeke stated the scope of work would include replacement windows on the front and two sides with a potential change to the rear windows. Asked if bronze windows would be an option to match the new work that was done.

Commissioner Gibson asked if they want to keep the bronze color.

Mr. Dedeke responded in the affirmative stating the idea was to move forward with the bronze so it would match the back half of the addition.

Commissioner Gibson asked if all windows would be replaced.

Mr. Dedeke stated they are proposing to replace all remaining windows that have the aluminum finish. The intention of the windows is to make the classrooms more efficient. Continuing with the scope of work, Mr. Dedeke stated an option for the heating and cooling system is called a VRF. A VRF is basically multiple compressors that would sit outside and the line sets are piped into the building. Cassette cartridges would run in the ceiling in the classrooms, and would provide both your heating and cooling from a central location. The outside compressors would potentially be in a fenced enclosure near the dock entrance, which is on the north side of the building.

Mr. Dedeke further stated the cassette cartridges would sit in the ceiling. The ceilings in the classrooms are currently 12 ft. open type ceilings. The cassette units would need to be masked to look presentable. The proposal would be to bring the ceiling down to about a nine foot drop ceiling, and install LED lighting to improve the lighting environment. The windows would be boxed in to preserve the height of the windows from the exterior and still allow daylight to come in.

Referring to the classroom picture in the policy report, Commissioner Gibson asked where the drop ceiling would be.

Mr. Dedeke stated the proposed drop ceiling would be just below the current lights.

Ms. Falvey asked Mr. Dedeke to confirm that when he says “boxed-in windows” that means the drop ceiling will not dissect the window but would be pulled back.

Mr. Dedeke responded in the affirmative. Typically, if your ceiling is lower than the window, you would come in a foot or two and box-in the window creating kind of a window-well.

Mr. Dedeke further stated all of their historic documents and items from the district are housed in the old library located in the building. It is recommended to leave one space unfinished with the ceiling, and the old library would be the ideal place to have that considered.

Commissioner Otto asked if the old library is secure and fireproof for the historic documents to be stored.

Mr. Dedeke replied that it is not fireproof but the building is primarily brick and plaster, so it would be more smoke damage if something were to happen. A lot of effort has gone into protecting the artifacts, such as UV resistant lights, blinds are drawn to help prevent degrading, and it is kept air conditioned and moisture controlled the best they can in a 100-year old building with window units and steam heat.

Chairman Jackson asked if the building has a sprinkler system.

Mr. Dedeke responded there is not a sprinkler system but in the 1999 addition, which added the towers, that did add fire doors to all the classrooms, and it created safe exiting for the two towers.

Commissioner Gibson asked Mr. Dedeke if he has contacted the City about fire codes since the building will be renovated.

Mr. Dedeke responded in the negative stating once he submits plans, depending on the amount of renovation and the occupancy of that space are deciding factors the City would look at to determine whether they would have to improve to a sprinkler system or not. Mr. Dedeke further stated ideally they would like the renovations done all at once but realistically this may be a multi-year plan.

Commissioner Gibson asked if they have done a cost study on how much energy they would save with the proposed drop ceiling.

Mr. Dedeke responded they have not done a cost study at this time.

Commissioner Bateman asked if they plan to pursue state tax credits.

Mr. Dedeke stated they are unsure at this time, and would need to discuss it with their CFO to determine what benefits it would offer.

Commissioner Gibson stated there are two options: 1) state tax credits and 2) the Heritage Trust Fund, which provides additional credits. The applicant needs to contact the State to go through the approval process before any money is spent on the project(s). Any construction done prior to approval cannot be part of the tax credit. On average, this process takes approximately 45-60 days.

Commissioner Bateman stated the tax credit is 30% so for a two million dollar project, you would be looking at \$600,000 tax credit, which you could probably sell for \$.90 on the dollar, which is \$500,000 back.

Commissioner Bateman asked staff that if the applicant does proceed with state tax credits, would they need to submit documents per phase if the project is a multi-year project.

Ms. Falvey responded it would depend on how they would want the credits but they could also do an amendment.

With no one else wishing to speak, Chairman Jackson closed the public hearing and called for a motion. Commissioner Bateman moved to table the item for additional information, seconded by Commissioner Otto, and passed by a roll call vote 4-0.

### **OTHER BUSINESS/CORRESPONDENCE**

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

Chairman Jackson noted there are a few minor state law reviews included in the agenda packet, which do not require action from the commission.

Ms. Falvey stated there are items on the agenda for April.

With no further discussion, Chairman Jackson called for a motion to adjourn. Commissioner Gibson moved to adjourn, seconded by Commissioner Bateman and approved by a vote of 4-0.

Meeting adjourned at 6:26 p.m.

Minutes taken by Administrative Assistant Michelle Baragary.