

# THE TOPEKA LANDMARKS COMMISSION MEETING

Meeting to be held via video conference

## A G E N D A

Thursday, May 13, 2021

5:30 PM

- I. **Roll Call**
- II. **Approval of Minutes – April 8, 2021**
- III. **Announcement of Potential Conflicts**
  
- IV. **CLGR21-08 by the Cyrus Hotel 926 S. Kansas Avenue**, requesting the review under Kansas State Preservation Law Review [K.S.A. 75-2724] for the placement of an enclosure surrounding the exterior dining patio of the adjacent restaurant, built within the Cyrus Hotel. This property and the adjacent building are listed as *non-contributing* to the historic integrity of the surrounding South Kansas Avenue Commercial Historic District.
  
- V. **Other Items (if any)**
- VI. **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**

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Thursday, April 8, 2021  
VIA ZOOM VIDEO CONFERENCE

**Roll Call**

**Members Present:** David Heit, Donna Rae Pearson, Melina Stewart, Mark Burenheide, Dave Frederick, Grant Sourk, Cassandra Taylor (7)

**Members Absent:** Christine Steinkuehler, Paul Post (2)

**Staff Present:** Tim Paris, Dan Warner, Kris Wagers

Chairperson David Heit called the meeting to order with 6 members logged into the video conference. [Ms. Pearson logged in after first 3 votes]

**Approval of Minutes from March 11, 2021**

**Motion to approve** - by Ms. Taylor, **Second** by Mr. Burenheide. **APPROVED 6-0-0**

**Announcement of potential conflicts** – Mr. Burenheide stated that he owns the property at 929 S Kansas Avenue so will abstain from voting on that project.

**CLGR21-09 by Top City Creative, 929 S. Kansas Avenue**, requesting the review under Kansas State Preservation Law Review [K.S.A. 75-2724] and Chapter 18,255,120 of the City of Topeka Development Code for the placement of 2 signs onto the exterior storefront façade of property located at **929 S. Kansas Avenue**. This building is listed as *contributing* structure within the South Kansas Avenue Commercial Historic District, and is a locally listed Historic Landmark.

Mr. Paris introduced the project and explained that it will require two votes because the property is listed both locally and nationally. He also noted that both signs are consistent with the Downtown Design Guideline criteria and are consistent with City code. Both can be removed without damaging the building. Staff's recommendation for both signs and both votes is that they will not damage or destroy the historical integrity of the structure, or the surrounding South Kansas Avenue Commercial Historic District.

Furthermore, staff recommends that a Certificate of Appropriateness be granted to the applicant for the placement of the two signs onto the front façade of 929 S. Kansas Avenue, as proposed, consistent with its listing as a local Historic Landmark.

With no questions from commissioners, Mr. Heit invited the applicant's representative to speak. Jon DeMao of TopCity Creative spoke representing the owner. He stated that their goal is to preserve history and keep things minimalistic and "clean".

**Motion** by Ms. Stewart for a finding that the placement of the two signs onto the front façade of the property located at 929 S. Kansas Avenue will NOT damage or destroy the historical integrity of the structure, or the surrounding South Kansas Avenue Commercial Historic District. Second by Ms. Taylor. **APPROVED 4/0/1** with Mr. Burenheide abstaining. (Mr. Sourk was unable to vote due to technical difficulties)

TOPEKA LANDMARKS COMMISSION  
MINUTES

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**Motion** by Ms. Stewart to recommend that a Certificate of Appropriateness be granted to the applicant for the placement of the two signs onto the front façade of 929 S. Kansas Avenue, as proposed, as this is consistent with its listing as a local Historic Landmark. **Second** by Mr. Frederick. **APPROVED** 4/0/1 with Mr. Burenheide abstaining. (Mr. Sourk was unable to vote due to technical difficulties)

**CLGR21-10 by Jennifer Ouelette, 1164 SW College Avenue**, requesting the review under Kansas State Preservation Law [K.S.A. 75-2724] for the placement of a fence along the north and east property lines of property located at 1264 SW College Avenue. This property is listed as a contributing structure within the College Avenue National Historic District.

Mr. Paris presented the staff report and recommendation for approval. Ms. Ouellette was logged in to speak and stated she had no additional comments other than to say that she has done a great deal of research on how to build the proposed fence.

Ms. Pearson logged in at 5:51PM.

**Motion** by Mr. Burenheide for a finding that the proposed fences to be placed onto the property located at 1264 SW College Avenue will NOT damage or destroy the historical integrity of the structure, or the surrounding College Avenue National Historic District. **Second** by Ms. Stewart. **APPROVED** (7/0/0)

**Dan Warner** presented on the Downtown Master Plan draft and stood for questions.

**Ms. Wagers** gave a brief overview of TopekaSpeaks.org.

**Mr. Paris** stated that he does anticipate at least one agenda item for a May meeting.

**With nothing more on the agenda, the meeting Adjourned at 6:29PM**

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

**CASE NO: CLGR21-08**

**by: Cyrus Hotel**

**Project Address:** 926 S. Kansas Avenue

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

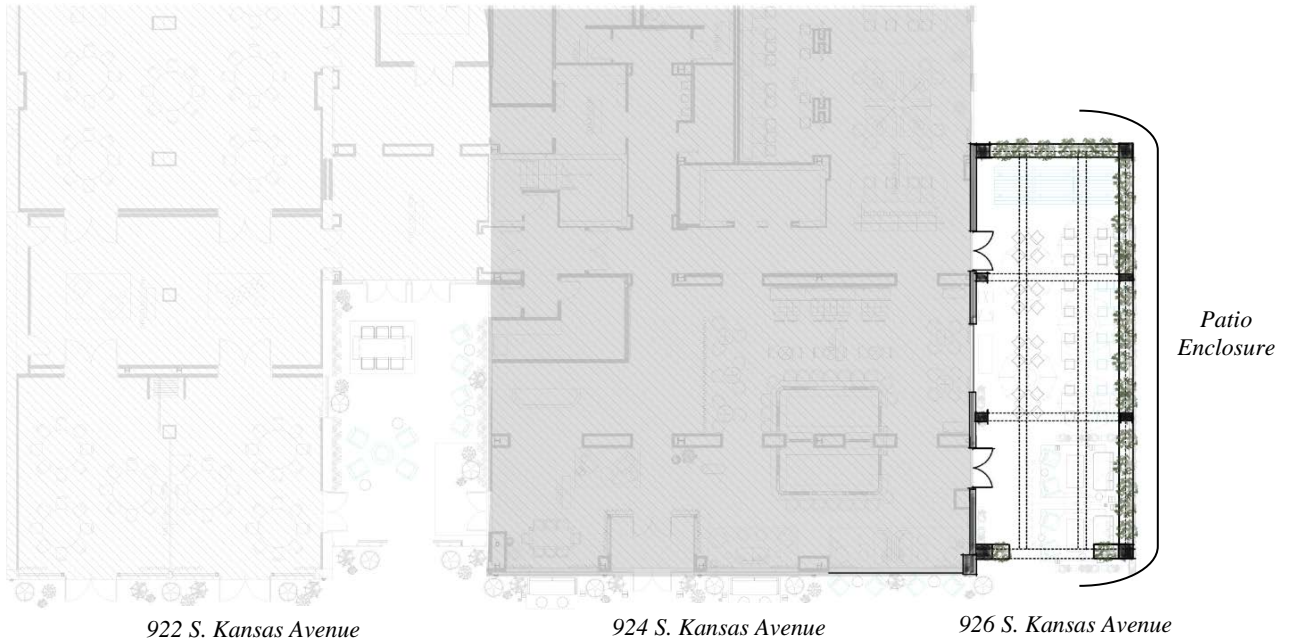
**Standards:** Secretary of the Interior's Standards for Rehabilitation; Downtown Topeka Design Guidelines

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

**PROPOSAL:** This proposal seeks to extend the street-wall along the property located at 926 S. Kansas Avenue to enclose an outdoor patio, further incorporating its presence within the context and design of the adjacent hotel and restaurant. This enclosure will appear as an extension of the street wall, south of the restaurant located on the adjacent property to the north. This street wall extension will consist of a baseboard that doubles as a planting box. The enclosure will also contain the appearance of display windows and a transom along the top of the enclosure, although these openings will be open, and will not contain glass. The material for all upper portions of the enclosure will be aluminum framing material, coated with a dark bronze glazed finish. These features will be consistent along all 3 sides of the patio enclosure.

**BACKGROUND:** This property is the exterior patio, located adjacent and on the south side of the building located at 924 S. Kansas Avenue. The building previously located on the premise of this patio was removed in conjunction with the construction of the Cyrus Hotel and accompanying restaurant in 2016. The Topeka Landmarks Commission approved the design of the exterior facades for the Cyrus Hotel consistent with its obligations under the Kansas State Historic Preservation Law, on the condition that those designs closely replicate the appearance and design of the previous storefront facades along S. Kansas Avenue.





*South side of patio enclosure, looking north*

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**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. The existing patio will continue in its present use as an outdoor dining area, although this use will be enhanced upon completion of 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. This project will, however, introduce a feature along S. Kansas Avenue that is not currently present. This feature will be consistent with traditional storefront design, thus enhancing the streetscape of the surrounding historic district. Furthermore, the overall design of this project is deemed to be consistent with the objectives and recommendations specified within the Downtown Topeka Design Guidelines.

**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 materials used within this project are not typical of historic storefront construction. In addition, the base planters, to be constructed of wood that will be built into the framework of each section of the patio enclosure, will distinguish this feature from that of surrounding historical development within the historic district. The design of this patio enclosure is deemed to be compatible and complimentary to the adjacent properties, and to the surrounding historic district.

**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 elements currently in place within this property have attained historic significance.

**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 destroyed in conjunction with this project proposal. All features proposed for placement around the perimeter of this patio are deemed of appropriate and compatible design, size, scale, and massing, and will not damage the integrity of the building or the surrounding historic district. Furthermore, the finishing of the aluminum framework will be anodized to be compatible and consistent with the colorization and finish of the windows and framework on the adjacent Cyrus Hotel. Although the Secretary's Standards recommend a glazed finish, Staff are recommending that the finish of the aluminum remain consistent with that of the adjacent 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:** All features proposed for construction in conjunction with this project can be removed without damage to the essential form and integrity of the adjacent structure, or the surrounding historic district.

**STAFF RECOMMENDATION:** In the performance of this review under KSA 75-2724, Staff recommends the following findings:

- 1) The placement of the proposed patio enclosure, located at 926 S. Kansas Avenue and adjacent to the Cyrus Hotel, **will NOT damage or destroy the historical integrity of the structure, nor the surrounding South Kansas Avenue Commercial Historic District.**

At the time the final engineered drawings are submitted to the Development Services Division of the Topeka Planning & Development Department for a building permit, those plans will be analyzed by Planning Division Staff for consistency with these conceptual drawings.

Prepared by:   
Timothy Paris, Planner II



**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 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.



Conceptual appearance of proposed patio enclosure. For reference ONLY.

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