

**MINUTES**  
**LANDMARK COMMISSION**  
September 25, 2018

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**MEMBERS PRESENT:**

Christy Graham, Chairperson  
Michele Derr, Vice-Chairperson  
Jackie William Lebow, Jr.  
John Dickinson  
Andy Lee  
Jim Johnson  
Rodney Martin

■ Members

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■ P&Z Liaison

Karen Gagné, Planning Administrator  
Amy Gardner, City Prosecuting Attorney

■ City Staff

■ Legal Dept.

**APPLICANTS/GUESTS:**

Anthony Inman, 600 6<sup>th</sup> Street  
Steve Mills, 106 Morningside  
Lynne Holiday, 117 Pembroke  
Jerry Tiemann, 117 Pembroke  
Susan Koch – West Floral Heights Historic District (WFH HD)

**ABSENT:**

Cindy Ramirez  
Stacie Flood  
Eric West

■ Members

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■ Council Liaison

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**I. Call to Order, and Introductions**

Chairperson Christy Graham welcomed and called the meeting to order at 12:04 p.m. The Chair asked everyone to introduce themselves. Welcomed guest Lynne Holiday residing at 113 Pembroke Lane and contractor Jerry Tiemann, Susan Koch WFH HD Design Review, Anthony Inman, contractor on behalf of owners at 600 6<sup>th</sup> Street, Steve Mills residing at 106 Morningside.

**II. Review & Approval of Minutes from August 28, 2018**

Chairperson Graham called for the review and approval of the August 28, 2018 Landmark Commission meeting minutes. Mr. Rodney Martin made a motion to approve minutes; Ms. Michele Derr seconded the motion. Minutes were unanimously approved.

**III. Action Item - Design Review Application *REVISIONS* – 600 6<sup>th</sup> Street (Jones Building) – Depot Square Historic District – Storefront Renovation, Two Additional Doors**

Chairperson Graham introduced the case. Ms. Gagné stated the Commission may remember this case as it was presented at their June 26<sup>th</sup> meeting. The owner Mr. Anderson, along with his contractor, Mr. Inman and agent, Andy Lee, whom signed a conflict of interest form with the City Clerk's office and will not be voting on this issue

presented their proposal to improve the store front and renovate that structure at 600 6<sup>th</sup> Street (Jones Building) in the Depot Square District. The items addressed were: new windows (tinted), new store front framing, a new door, and new lighting. The Commission also looked at having a new awning and entire interior remodel. Previous uses of that property were auto repair. Previously the Commission approved new tinted windows with the condition that the tint be of one that is not discernable. During the site plan review phase of the project, staff determined based on building code regulations, that a secondary egress was needed based on occupancy and buildable space. Therefore, creating the question of possibly needing to come back before the Landmark Commission if a second door had to be added or if that was something staff could administratively review. Standard procedure: whenever there is a question on how something is interpreted staff consult with the Chairperson of the Landmark Commission and also the design guidelines which state a door is a major alteration. Unless staff somehow has that review authority for a major alteration delegated to them the item must be brought back to the Commission. Staff worked with Mr. Inman and he put together a revised rendering to comply with the building code's minimum 2 points of egress for the unit being renovated.

Ms. Gagné stated she would defer to the agent and Mr. Inman to provide additional clarification but from her understanding they would like to proceed with the two door option shown in the sketches. Mr. Lee stated he would defer to Mr. Inman, asking him when they first came before the Commission how many doors were approved. Mr. Lee also stated Mr. Inman did all the work with building official staff (Mr. Horton and Mr. Teague) so he would not be the one to speak on this issue.

Mr. Inman stated a second door was verbally approved at the June Commission meeting while showing members sketches he pointed out to the right of the unit being renovated was a separate lease space. He stated staff advised the two egresses could be at opposite ends of the store front and meet egress/ fire code. Mr. Inman stated they need the doors where they are placed because in the future they hope to have two separate lease spaces. Mr. Martin asked if there were to be any other doors. Mr. Inman referred to the sketch and stated it would look identical to the first door. Mr. Martin asked if there would be other doors besides the two shown. Mr. Inman stated yes, they would be replacing a door currently in use for the abutting lease space so the work could be completed at the same time. Mr. Martin asked if the door was where the Naylor Auto Supply sign was situated. Mr. Inman stated yes that was correct. A commissioner asked if Mr. Inman was going to extend over the canopy. Mr. Inman replied no, they were only going to canopy over the two doors and front windows. Ms. Derr asked if there would be a door down at the other end of the building, looking for clarification on total number of doors. Mr. Inman stated there will be three doors at this time. They would like to replace the stucco with a new door and store front. It would not be in use until further development but this way the entire south side of the building would match and in the future they hope to tackle the east side (Ohio St) of the building as business picks up.

Ms. Derr commented she thought the revised façade looked nice and that it doesn't look much different than the initial rendering and if the doors are required by building code, they might as well do it all at the same time. Ms. Derr made a motion to approve the revision for additional doors and Mr. Johnson seconded it. Motion was unanimously approved.

Mr. Johnson asked Mr. Inman when he would start on this project. Mr. Inman responded when he had all the requirements in place for permitting. Mr. Johnson asked about next steps. Mr. Inman stated when case goes back upstairs he would need to finalize the awning encroachment agreement with Pat Hoffman prior to permitting and the owners are seeking 4B Improvement Grants.

**IV. Action Item - Design Review Application – 1507 Tilden – West Floral Heights Historic District – Side-Yard Fence, Driveway Widening/ Approach**

Chairperson Graham introduced the case. Ms. Gagné noted a correction - the project proposal for the new fence was actually out of the front yard setback. Traditionally, the front setback area is 25 ft. from the edge of property line; in this case, the proposed fence will be approximately 30 ft. from the edge of property so it would not be considered in the front yard setback. Staff indicated there is a specific note in the Design Guidelines regarding the West Floral Heights Historic District under landscape and amenities features that does not allow any new fences to be placed in the front-yard setback area. This is the third design review in the last month or two in the 1500 block of Tilden. Ms. Gagné stated Mr. Gonzalez is looking to improve his property with widening the existing single car drive (it is a double lot) and adding fencing in line with the house building line.

Ms. Gagné showed photos from 2013 to illustrate where they are proposing fence placement. This case was brought to us from Building Inspection on a "Stop Work Order" where work was stopped and Mr. Gonzalez appeared at last month's meeting thinking he would be on the agenda. Planning staff was made aware of this on August 21<sup>st</sup> and he missed the processing deadline. Mr. Gonzalez is the owner and contractor. He immediately stopped work when notified and contacted planning to work through the correct process. Ms. Gagné provided photos to demonstrate where work will be done. Mr. Gonzales also provided a survey showing where fencing would be 30 ft. back from the property line, the double drive in addition to sample photos of the finished product – a wooden fence with decorative metal framing. Ms. Gagné noted the Design Guidelines in the West Floral Heights Historic District state no new fences are to be added to the front yard setback, unless historically present and documented. This should have been noted as side yard as it will be at 30 ft. Ms. Gagné stated Mr. Gonzales was unfortunately not able to attend the meeting.

Mr. Lee stated he was in favor while Mr. Martin stated the only thing the fence would be blocking would be the detached carport which is not a historical structure. Mr. Dickinson made a motion to approve the side yard fencing, widened driveway and approach, Mr. Lebow seconded. Motion passed unanimously.

**V. Action Item - Design Review Application – 106 Morningside – Morningside Historic District – Demolish Rear Detached Garage, Potential Hazardous Accessory Structure**

Chairperson Graham introduced the case. Ms. Gagné stated Mr. Mills contacted staff in mid-July after Code Enforcement sent him a letter in late May 2018 about his detached garage. Ms. Gagné showed photos of the structure and stated it is in the very rear, northeast corner not fully visible from public ROW. Ms. Gagné referenced the photos taken by Code Enforcement and advised their letter gave a timeline on repair or demolition. Code was advised Mr. Mills had contacted Planning to initiate the process

through the Landmark Commission. Unfortunately the August deadline was missed by a few days so it was scheduled for September.

In a historic district demolition should not be considered the first option. However, this detached structure, as documented, appears beyond repair. Mr. Martin stated it is obvious this structure is beyond repair and Mr. Johnson questioned Mr. Mills as to why he signed the application for design review "Steve Mills - under duress." Asking if he had a plan for the structure. Mr. Johnson stated his property abuts 106 Morningside with a common property line. Mr. Mills stated as far as restoring this structure a private water drainage issue has caused the deterioration. Previous next door owner Jim Newsom did not fix drainage issues. Mr. Mills stated he would annually clean out the common drainage ditch but Mr. Newsom decided to have it filled in which has resulted in significant runoff to lower land which impacted the detached garage/shed. Mr. Mills stated Mr. Johnson has also done the same thing on the property causing standing water. Mr. Johnson asked if Mr. Mills was objecting to the demolition of the structure. Mr. Mills stated he had no issue with demolition but if they could solve the drainage issue the structure might be able to be restored. Mr. Johnson pointed to drainage flow which comes across his property at #3 Crestway and 106 Morningside. Mr. Mills showed where it drains north to a pond and down Pembroke. Mr. Lee stated this is a drainage swale and not an improvement. Mr. Mills stated years ago when it was cleaned out and a break in the curb it did drain. Mr. Martin stated they did not know about any drainage easements. Ms. Gagné advised Mr. Mills to contact engineering to see if they have a drainage easement or record of it with their stormwater drainage engineer. Mr. Mills stated he had talked to public works when Mr. Newsom started filling in dirt and was told it was a civil matter and private drainage. At that time Mr. Mills stated he went to the president of Morningside neighborhood and was told he should talk to Mr. Newsom and he stated he knew what Mr. Newsom would tell him that he was filling it in. Mr. Mills stated he did not want to sue his neighbor, he wanted to do what was right and that is why he was at the meeting. Ms. Gagné stated we have a new city engineer and significant time has passed since Jim Newsom was owner of that property.

Mr. Martin asked Ms. Amy Gardener if demolition was approved but before demolition if Mr. Mills could come up with a different solution to restore the structure, would they have to do the demolition if they could prove the structure could be restored. Ms. Gardner stated that it depends on the wording "may" versus "shall". "Shall be demolished" is a final wording versus saying "pending the outcome of a drainage review". Mr. Johnson asked Ms. Gardner hasn't code already said it is to be demolished? Isn't it on the list for pending demolition? Ms. Gardner responded saying code has not brought this to her, she is unaware of it at this time being set for public hearing for demolition. Mr. Johnson asked Mr. Mills if his intentions are to repair the structure or just demolition. Mr. Mills stated if the drainage issue is fixed he would repair it, he was not aware that was a viable option. Mr. Martin stated he didn't want to give the okay as a Landmark Commission member to demolish if Code offered an immediate plan of action – either remediate/renovate or demolish. Mr. Martin advised he is good with either choice he just didn't want to cut off any viable options.

Mr. Martin made the motion to approve that the rear, detached structure at 106 Morningside may be demolished, Mr. Lebow seconded. Motioned passed unanimously.

**VI. Action Item - Design Review Application – 117 Pembroke Lane (Reagan Watkins House) – Morningside Historic District – Replace Composition Roof with Metal Shingles, Replace Windows with Vinyl Windows, Replace Façade Covering with Vinyl Siding, Install Decorative Stone on Pembroke Façade & Two Dormers and Replace Metal Entry Columns with Cedar Pillars**

Chairperson Graham introduced the case. Ms. Gagné stated she worked with Ms. Holiday who has power of attorney for her mother's property – 117 Pembroke. Property is located north of Sturdevant Place, right at the T-intersection at Pembroke Lane and Sturdevant Place. Ms. Gagné showed photos from the 2013 inventory illustrating the home with composition shingles and numerous additions to the home over the years. Ms. Gagné pointed out the differences in the 2013 inventory photos and the current photos and changes to the facade.

Ms. Gagné stated they are requesting to replace the composition shingle with a metal style shingle. Also Ms. Holiday wants to replace siding and windows with new vinyl siding and vinyl windows adding stone façade along Pembroke side of the home. Also requesting to have cedar entry pillars replace the metal ones of present. Ms. Gagné directs the Commissions attention to a letter from Ms. Holiday along with close up photos in the packet. Ms. Gagné apologized that they were told this was not a designated structure as that was incorrect. Commissioner wanted to clarify that this home was in an historical district just not a contributing structure. Ms. Gagné advised that was correct, it is not a city designated district through City Council it is national. Ms. Gagné showed photos of the metal shingles Ms. Holiday is proposing to use. Commissioners made comments how attractive they were and similar to composition. Ms. Gagné turned over the floor to Ms. Holiday and her contractor to give the Commission more details.

Ms. Holiday advised she wants to replace the roof with metal shingles due to the property being located next to an adjacent 5-acre field with wild animals. They have many problems with raccoons and squirrels damaging the existing roof and previous roof over the last 30 years. Ms. Holiday stated she is hoping the metal roof will deter these animals from destroying the roof and tearing holes into it therefore gaining access to attic.

Ms. Holiday stated she wants to replace windows on the first floor with energy efficient windows. She stated these are currently single pane windows and if this could not be approved she would like the option to replace with Lincoln brand windows which have been utilized as replacement windows in Morningside.

Ms. Holiday requested to install decorative stone on the front of the house and two dormers. Ms. Holiday advised there is stone on the back of the house as well as her house to the south (113 Pembroke) and also on a neighboring home (109 Pembroke). The decorative stone will be small sections of in the front for curb appeal. Commissioners asked about sizing of stone to be installed. Mr. Martin asked what is currently under the aluminum siding to which Ms. Holiday advised wood. Mr. Johnson and Ms. Derr stated it was board & batten and some taken off for the aluminum siding. Ms. Holiday advised current siding on the home was approximately 50 years old. Her brother removed pieces and discovered original wood underneath was damaged.

Finally, Ms. Holiday stated the metal pillars on the front porch were very out of date and she wanted them replaced with cedar posts giving a better curb appeal. Mr. Johnson asked if stone was original on the back window. The applicant responded yes it was original. Commissioner Johnson asked if it was the same stone as the Lowder's house (109 Pembroke). Ms. Holiday replied yes it was the same.

Mr. Martin asked if partial approval on items could be done if Commission couldn't come to agreement. Ms. Holiday stated her main concern at the present time is water coming into the home from roof deterioration and the windows. Mr. Martin asked if they were aluminum windows in the home now. Ms. Holiday stated no, they were wood with aluminum screens but the wood around them rotted. Mr. Johnson asked about removing the metal awnings and retaining the metal columns. Ms. Holiday would remove metal awnings and if couldn't replace pillars would opt to paint. Mr. Martin stated he prefers to retain metal columns versus cedar columns to enhance historical value. Mr. Johnson asked what the objective is on a home like this in a historical district that is non-contributing. Is it to be reflective of the neighborhood? Ms. Gagné stated the goal is to have a non-contributing structure over time become more contributing to the district.

Mr. Martin asked about housing styles in the Morningside Historical District. Also stated he believed the Commission should go down the list, split up in 5 sections and vote on each item. Commissioners agreed. Mr. Martin made a motion to split up items, Mr. Dickinson seconded. Motion unanimously approved.

**A. Roof**

Allow composition shingles to be replaced with metal shingles (Decora).

Mr. Lee made a motion to approve, Mr. Martin seconded. Motion passed unanimously.

**B. Windows**

Allow to replace current windows with vinyl windows.

Mr. Johnson asked Ms. Holiday if she was open to the option of the Lincoln window instead of vinyl. Mr. Martin stated that Lincoln windows are vinyl clad wood windows. Mr. Lebow stated it is acceptable and used in the past with other Morningside structures and the current property is a non-contributing structure. Mr. Lebow made the motion to approve Lincoln windows (vinyl clad wood windows), Mr. Martin seconded. Motion passed unanimously.

**C. Vinyl Siding**

Mr. Dickinson stated under the old aluminum siding board & batten was most likely cedar. Would Ms. Holiday agree to put the board and battens back on or did she want the vinyl because it was maintenance free. Ms. Holiday responded the wood at the bottom almost all the way around structure was rotted and would like vinyl. Mr. Martin asked how much stone is she planning on using on the front facade. Ms. Holiday stated from the corner and up to the roof and stopping. Mr. Martin asked if it would be that front wall. Ms. Holiday stated yes, front façade and dormers. Mr. Martin stated he is not sure on dormers at this point but since they are allowing vinyl siding and the structure is a non-contributing structure and also not knowing what the original structure looked like he asked Mr. Lebow what he thought. Mr. Lebow asked how long the aluminum siding had been on

structure. Ms. Holiday stated close to 50 years and she is requesting to use thin stone on dormers. Mr. Lee stated he would make a motion to allow thin deco stone façade but must match what is on the rear of the home but not allowed on the dormers. Ms. Holiday stated the metal awnings would not be removed. Mr. Martin asked Mr. Lee what he thought for the style of house. Mr. Lee stated this is a unique case being non-contributing and owners simply trying to improve the structure. Ms. Graham stated aluminum siding has been on there 50 years and going to vinyl siding will give the same look. Mr. Martin and Mr. Lebow were in agreement. Mr. Martin motioned to allow vinyl siding since the house was previously covered in aluminum siding and the original board & batten was rotten. Ms. Derr seconded. Motion passed unanimously.

#### **D. Stone**

To allow thin stone on front facade and two dormers. Mr. Martin and Mr. Lee agree the dormers should be left off and not stoned. Ms. Holiday asked about using shingle style or fish scale design siding on dormers. Mr. Lee made a motion to approve stone façade on front of the house but not on the two dormers, Mr. Lebow seconded. Motion approved unanimously.

#### **E. Metal Columns**

Ms. Holiday would like to replace metal columns with cedar posts. Mr. Martin stated it needed to stay the decorative metal. Ms. Derr stated they could be taken off and powder coated and reinstalled. Mr. Martin made motion to approve, Ms. Derr seconded it. Motion failed unanimously. Ms. Gardner assisted in protocol. The cedar post replacement was not approved.

### **VII. Other Business:**

#### **Monthly Reports:**

##### **a) Depot Square and Historic District:**

Ms. Michele Derr gave an overview of activities coming up in the downtown core:

- September 28<sup>th</sup> - Wichita Theater production of North Texas Rising 2.0
- September 29<sup>th</sup> - Wine History Walk, 10 bldgs., Wichita Co. Heritage Society
- October 2<sup>nd</sup> - Farmer's Market Long Table Dinner
- October 4<sup>th</sup> - Last Art Walk for the season
- October 6<sup>th</sup> – Zavala Festival
- October 14<sup>th</sup> – Food Truck Festival
- October 20<sup>th</sup> – Masquerade Ball at the Kell House
- October 20<sup>th</sup> – Zombie Crawl
- October 5<sup>th</sup> – 19<sup>th</sup> – Backdoor Theater production of Night Mother
- September 21<sup>st</sup> – October 20<sup>th</sup> – Clue the Musical

Building on 7<sup>th</sup> Street that John and Danny purchased next to Hook and Ladder has exposed some brick on the façade and they are making progress with restoration and renovations.

##### **b) West Floral Heights District:**

Susan Koch attended the meeting with questions on status at 1501 Tilden. Ms. Graham stated had to stay on task with the agenda. Legal counsel, Ms. Gardner, advised the item was not on the posted agenda so would have to wait until after the meeting to ask staff.

**c) Morningside District:**

No new updates this month.

**VIII. Articles & Periodicals / THC Items:**

THC - CLG Grant – 2019 round of CLG Grants are due by November 5<sup>th</sup> to the state and letters of intent are due by Friday, September 28<sup>th</sup> to let them know if a community was going to apply. Currently, there are no city matching funds available to apply for this program but staff would like to consider for FY2020.

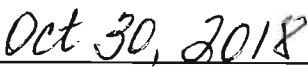
Ms. Gagné stated she appreciated moving the next meeting one week later to October 30<sup>th</sup> due to timing conflict with the Texas Chapter APA conference. Liaison Councilor West wanted to pass on his apology due to a change in his work schedule he can no longer attend the Tuesday meetings. This most likely will change towards the end of November, after elections, when the Mayor re-assesses board liaisons.

Next meeting is October 30, 2018 at 12:00pm.

**IX. Adjourn:**

Meeting adjourned at 1:19 p.m.

  
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Christy Graham, Chairperson

  
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Date