

LANDMARK COMMISSION MINUTES

September 24, 2024

MEMBERS PRESENT:

Marcela Medellin

Chairperson

Christy Graham

Vice-Chair

John Yates

Member

Janel Ponder Smith

Member

John Dickinson

Member

Michael Smith

Council Liaison

Terry Floyd, Development Services Director

City Staff

Karen Montgomery-Gagné, Principal Planner/HPO

City Staff

Monica Aguon, Assistant City Attorney

City Staff

Robin Marshall, Administrative Assistant

City Staff

ABSENT:

Noros Martin

P&Z Liaison

Michele Derr

Member

Joel Hartmangruber

Member

Andy Lee

Member

GUESTS:

George and Jan Banta, 1703 Hayes

Applicants

Kevin Neal, 1701 Grant

Applicant

Robbie Rhodes

West Floral Heights

I. Call to Order, Introductions and Welcome:

Chairperson Marcela Medellin called the meeting to order at 12:01p.m. Ms. Medellin had Commission members, staff and guests introduce themselves.

II. Review & Approval of Minutes from: August 27, 2024:

Chairperson Medellin called for review and approval of the August 2024 Landmark Commission meeting minutes. Ms. Janel Ponder Smith made a motion to approve the minutes as presented, Mr. John Dickinson seconded the motion. Minutes were unanimously approved 5-0.

III. Regular Agenda:

1) Action Item: Design Review – 1703 Hayes

Request authorization for extensive improvements/renovations to the house and garage including:

- 1) Roof replacement/reconstruct rear flat roof with new pitch and north/south orientation;

- 2) Carport – construct new metal replacement 21.5 X 12ft; maintain same roof profile as garage simply 1-2 ft lower for drainage;
- 3) Enclose Space Between Garage and House – construct 15 X 33.5ft utility room for utility equipment, washer/dryer;
- 4) Siding – repair/replace and add where missing due to raining rear roofline;
- 5) Windows – replace throughout house with wood (1 over 1); secondary option – aluminum clad;
- 6) Porch – construct an expanded porch 15 X 12ft; concrete landing with 2 ½ Doric columns set on stone or brick base;
- 7) System Upgrades – interior improvements to electrical mechanical and plumbing systems.

District – West Floral Heights HD
Owner – George and Janice Banta

Staff provided a basic overview of the case, noting there were seven items proposed for alteration. A roofing permit had originally been issued in July 2024 that was administratively approved however the work was beyond the scale of an administrative review. The Historic Preservation Officer received emails from residents in the West Floral Heights Historic District regarding changes to the roofline and raising the rear portion of the structure which was beyond the scope of a re-roofing permit. Building Inspections issued a stop work order and directed the owner to contact the Planning Division. The owner was unaware the original design review approval for the proposed alterations issued in 2012 expired within one year. Therefore after 2013 the approvals were void.

Ms. Montgomery-Gagné pointed out this structure was one of the non-contributing structures within the West Floral Heights Historic District, and she presented photos of the property. She stated, "It's very unique because normally there's a front house and there may be a rear apartment, garage, accessory structure. In this case, the residence is actually built in their rear yard. And so, the rear building line is essentially the rear yard of the property. So, it's a little bit of an unusual situation. Essentially the building remains unchanged from the 2004 photo inventory when the district was created (which she presented). There are a couple of key features though on this non-conforming house, including the front entry with a pedimented hood and triangular knee braces. The windows are double hung sash, one over one. One of the things we do want to point out that whenever we have alterations proposed to a non-contributing structure, the goal is to try to bring them closer to conformance, closer to what the house might have looked like originally and to improve the overall historic character of that block, and for the district. Photos from 2013 were presented, showing the buildings essentially unchanged with the exception of a carport that was situated in front of the detached garage in 2012 but by the 2019 inventory photos it was no longer there. The buildings have continued to deteriorate since the 2019 photos hence the reason for the significant renovations

Basically, the house was built into the rear property line. The owners usable yard space is in front of the house, not to the rear. It's a different orientation than the majority of homes in the district. Staff highlighted key points about the case noting the lower roof in the rear of the house and it was essentially flat and the current pictures after the stop work order the rear roof was raised approximately 5-6 feet and change in pitch. The owners (Mr & Mrs Banta) indicated they didn't realize the design review authorization had expired and if it was previously approved why did it have to be rereviewed by the Commission in 2024. Ms. Montgomery-Gagné pointed out the design guideline standards have remained the same since 2012. However, the expectation from the Texas Historical Commission (THC) for a certified local government on how the

commission and staff review and assess cases has continued to expand over the last 12 years. There's a greater requirement to look at the justification for determinations and whether they are appropriate and follow local and national standards. Initially, a city staff member administratively approved the roofing permit on July 23/24 when the Banta's contractor requested the roofing work be initiated unaware that the approval expired in 2013. For numerous reasons, trying to find contractors, timing, costs, various components involved in that decision, it was 2024 when the owners moved forward with the building permit. At the same time, there was also a request to replace all windows that was put on hold because it was deemed obvious that would trigger full Landmark Commission review. So, with the building permit in hand, the contractor started work. However, it resulted in changing the rear flat roof. The pitch was changed in orientation to a north/south direction and that's when there were emails with concerns that it wasn't just a roof replacement, it was a significant alteration to the rear of the house. When the building inspector went out, assessed the situation, and issued a stop work order on August 5, the photos clearly depict the alterations were significant. Staff indicated they began working with the Banta's to start the process for a new design review application. The Banta's were very willing to work with staff, and it was explained to them that even though they had an active permit, the work was on hold until it obtained design review approval. Mr. and Mrs. Banta had worked to try and put together some drawings and designs and submitted numerous photos of each of the seven items that they were requesting to alter to this non-contributing house and garage. The biggest item was the roof alterations, having been raised and the roof orientation is significantly changed from the flat roof. Staff explained that design guidelines state maintaining the shape and the slope of the original roof, as seen from the street is needed, and to try and utilize the same materials and duplicating the appearance and profile. The changes made to the roof were questioned as to whether it helped, or maintained, or contributed to enhancing the historic character, or if it detracted from what had originally been at the rear of the house.

Carport - Second item requested was to reconstruct the former carport that had been in disrepair. Ms. Montgomery-Gagné highlighted photos of some of the former carport materials still in the yard. The applicant requested a large carport, 21.5ft by 12ft. It would be 100% non-combustible metal roof with steel square support posts. The posts could be within three feet of the side property line, but the overhang of that carport could be no closer than 2ft from the property line. Based on the lot dimensions and photos, staff noted it would be a very tight fit for the proposed carport placement in the side yard. The spacing would be very close to the setback. From what staff had been told, owners would replicate the garage roofline just be 1-2ft lower with a slight slope so that the water would drain away from the connection to the garage.

Utility Room - Third item was to create a utility room of 3.5ft by 15ft. Staff referred Commission members to photos of a small area with a window, some siding between the detached garage and house. Staff stated the owners wanted to enclose the utility panel, move the water heater out of the bathroom into this space and have an area for a washer and dryer. There was some siding covering the area from view from Hayes that but this would formalize the covered area into an actual room and result in an attached garage utilizing the same siding. However, the owners have had trouble trying to find replacement siding with the same profile, texture and groove pattern. An alternate option that they're proposing is considering the use of the hardy plank fiber siding material. The owners will need to find a replacement siding that fits the guidelines in order to retain/repair what is in existence while ensuring any new components retain the same character, appearance, orientation and material.

Siding - Fourth item is a request to place new façade material – siding. Staff showed pictures of the siding on some facades and the original wood siding on the north façade was in very poor

condition; façade materials were not consistent on the four facades. The goal is to repair where possible (if the owners can find replacement siding that matches) and replace as needed with new siding. Staff pointed out that in the new façade areas where the roof is being raised will require new materials. Discussion among Commission members regarding more appropriate materials, they ending up considering a type of hardy plank board with a similar groove pattern and dimensions with the ultimate goal of improving the conformity while following the design guidelines.

Windows – Fifth item was consideration to replace all windows in the house with wood (1 over 1), staff provided photos of the existing windows and highlighted the proposed replacement option would comply with design review standards for window replacement. However, discussion ensued regarding consideration for restoration of existing windows and whether a craftsman was consulted to determined if the condition of the windows was beyond repair vs replacement with new wood windows.

Front Entry Porch - Sixth item was to expand original front entry porch to approximately 12ft by 15ft. Currently it's 9.5 x 5.5ft. A key concern is the front entry porch was a character defining feature of the structure so by altering it without any drawings or site plans for the Commission to review is problematic. Staff indicated the owners want to install Doric style columns. The Banta's looked at various porches throughout the district, and their preferred design is 1711 Hayes, just a few houses down, which is a Craftsman style, not a colonial revival. That house also has triangular knee braces that support a pedimented hood, and has Craftsman style exposed rafters, rafter tails. A site plan on how the porch would connect with the existing roof line, and how it would change the front entry appearance was not provided by the owners. Staff had requested drawings and were not able to obtain any from the owners. The Banta's indicated they are proposing to use half columns with stone or brick for bottom portion.

Mechanical Systems - Seventh item is something that applies more to building inspection rather than the Landmark Commission for design review. Owners are looking at complete interior system upgrades – electrical, mechanical, and plumbing.

Mr. Banta then came forward and said he bought the property to fix it up, to try to resurrect it and to make it an enjoyable/usable home for someone else. He informed Commissioners that he is open to suggestions for the projects, adding that he has gone to multiple local stores and is having difficulty finding similar materials for replacement. Speaking of the back roof line, he said that the back wall was just about 6.5ft in height which made the ceiling low and feel tiny. The Landmark Commission asked some questions of Mr. Banta, and asked for more detailed information for the projects and the materials. At this point, Ms. Ponder Smith motioned to consider each item separately, as 1 through 7, instead of as a package. Chairperson Marcella Medellin seconded the motion. Chairperson Medellin stated there was a motion on the floor to vote on each alteration individually. Motion passed 5-0.

Council liaison Mr. Michael Smith asked Mr. Banta if he had a contractor for this project, and Mr. Banta stated that he has worked with a couple of contractors. Mr. Smith then asked if Mr. Banta felt that this is a financially viable project. Mr. Banta stated that he has fixed up a lot of homes in the area, and he is hoping this project is a financially viable one. He told Mr. Banta that he appreciates him trying to enhance the neighborhood.

Roof - Mr. Banta stated that the contractor advised him on how to construct the rear roof, so it was usable and there will be new rafters with exposed tails. It was stated that the work order was in place and Mr. Banta said he had to put the sheeting on the roof to get it in the dry but it was only temporary. Ms. Ponder Smith stated that she doesn't feel like she has enough information to move forward with approving the roof redesign. Chairperson Medellin stated that the pitch of the roof is lower. The Commission questioned the materials and construction that was shown in the pictures. Ms. Ponder Smith stated that there is a shiplap type of material on the north side that goes all the way to the roofline. She said if Mr. Banta proposes a pitch to the roofline in the back, then the siding will have to go all the way up like it does on the other wall. Mr. Banta stated he didn't think he could get that material anymore instead he proposed Hardy board. Chairperson Medellin said the finish just has to match what was there previously. She said that item number one discusses composition shingles and asked if he was going to put new on the new roof or replace the entire roof? He said he was going to use class four shingles. Mr. Smith stated this project seems difficult for the Commission to understand and suggested that an architect get involved with this project. Ms. Ponder Smith said she is having difficulty visualizing the pitch of the roof as well, and stated that she didn't feel she could make an informed decision without having more information. Mr. John Dickinson said the project is a patchwork of things right now, and what is proposed really doesn't pay tribute to the rest of the original structure. Adding that there is no clear picture of what they are aiming to achieve. Ms. Ponder Smith moved to table item #1 until better drawings are presented that depict the elevation of the back roof of 1703 Hayes and whether or not it will be visible from Hayes in addition to how the roof will attach to the house and garage. Mr. Dickinson seconded the motion which passed unanimously 5-0.

Carport - Chairperson Medellin had concerns with the proposed carport almost encroaching on the property line, which is something Building Inspections might have issue. Based on discussion and lack of drawings, Chairperson Medellin makes a motion to table item #2 until there is some commentary from Building Inspections about the possible encroachment of the property line, and to have better drawings provided to the panel so that they can make a more informed decision. Ms. Ponder Smith seconded the motion which passed 5-0.

Utility Enclosure – The commission would like to know which Hardy board will be chosen to fit the look of the original siding. Ms. Ponder Smith said it will be hard to vote on #3 because the pitch of the carport going to the house could be an issue with enclosing the space for a utility room. The pitch was discussed, and Mr. Dickinson stated the pitch needs to be similar to the main structure, but that it needs to be designed appropriately. It was explained to Mr. Banta that the Commission needs to know what the project is going to look like by presenting detailed drawings. Ms. Ponder Smith moved to table item #3 until additional drawings of what the utility enclosure will look like affecting the profile of the house and rip line, and a sample of the Hardy board is presented to the Commission. Chairperson Medellin seconded the motion which passed unanimously 5-0.

Siding - Chairperson Medellin presented item #4 and stated the Commission had already indicated they need to see a sample of what material the Banta's are proposing to use, adding that the project already has two different siding types. Ms. Ponder Smith moved to table item #4 until the Commission is shown a sample of what the property owners intend to install for siding and a clarification of where the siding will be applied to the house. Ms. Christy Graham seconded the motion, which passed unanimously 5-0.

Mr. Banta asked what if he cannot find the wood siding to match the existing design. Ms. Ponder Smith explained to him that they want him to bring samples of what might work to the

Commission. It was already reiterated to Mr. Banta that he needs to inform where he intends to put the siding, before they can approve or act on the item. Ms. Montgomery-Gagné also clarified that vinyl siding cannot be used for this project because vinyl siding was not used on the original structure.

Windows - Chairperson Medellin presented item #5, being the repair or replacement of the windows. Ms. Ponder Smith recommended Mr. James Palin, a local craftsman who has worked on homes/repaired windows in the West Floral Heights Historic District, to see if Mr. Banta's windows are salvageable. They may be able to repair those first, but if not, she would like to see a specification sheet for the proposed windows. Woodco has some windows as an option. It was stated that the windows used to replace the existing windows cannot be vinyl windows. Ms. Ponder Smith made the motion to table item #5 until we have a brochure or pamphlet that depicts the type of window proposed for replacement and/or if you have obtained an assessment from someone who may be able to repair the windows. Ms. Christy Graham seconded the motion, which passed unanimously 5-0.

Porch Expansion - Chairperson Medellin presented item #6 being the porch expansion. And stated that it seems the expansion is a different style than the house, and it should be in the craftsman style, stating the Commission would need to see a detailed drawing. There was some confusion on the length and width of the proposed porch, and the placement of the columns. Ms. Ponder Smith said she would like to see a front elevation of what it's going to look like with exactly what columns will be using and where they will be placed. Ms. Ponder Smith moved to table item number six until they see a front elevation drawing of the porch. The columns and the placement of the columns, and what/how it affects the roofline and the current overhang over the front door. Mr. John Yates seconded the motion which passed 5-0.

System Upgrades - Chairperson Medellin presented item #7, being mechanical, electrical and plumbing system upgrades. Ms. Montgomery-Gagné stated that item #7 was just presented for informational purposes and that it was more of a staff/Building code/inspection item.

As a final recap, after much discussion and consideration, each item proposed for alteration was requested to have additional information, drawings/elevations for the Commission to better understand and visualize the new design. The Commission reviewed six major alterations to the non-contributing house and garage and issued the following motions:

- 1) *Roof replacement/reconstruct rear flat roof with new pitch and north/south orientation.* Tabled 5-0 until detailed drawings of exterior elevations of rear roof alteration provided.
- 2) *Carport – reconstruct a new 21.5 x 12ft metal carport with roof pitch/design similar to garage.* Tabled 5-0 until better drawings/elevations and setbacks are addressed.
- 3) *Enclose space between the garage and house for a utility room 15 x 3.5ft.* Tabled 5-0 until additional drawings provided illustrating how the front profile and roof line will be impacted.
- 4) *Siding – repair, replace as needed and add where missing due to rear roof being raised.* Tabled 5-0, owner needs to provide sample/profile details of Hardie board replacement siding, where it will be placed and recommend removing non-original vinyl siding.
- 5) *Windows – replace all house windows with wood (1 over 1).* Tabled 5-0 until owner provides window specifications; encouraged to contact local craftsman James Paylor who has worked on WFH HD homes to consider repair vs replacement option.
- 6) *Porch expansion to 15 x 12ft.* Tabled 5-0 until owner provides more detailed front elevation drawings showing proposed placement for new columns, proposed roof pitch and connection to existing architecturally important pedimented hood/knee braces at front entrance.

2) Action Item: Design Review – 1701 Grant

Request authorization to modify rear detached garage/addition by installing: overhead doors (front & rear), a new dormer and gutters/ downspouts to address drainage concerns. (West Floral Heights HD)

District – West Floral Heights

Applicant – Kevin B. Neal

Staff presented the case and explained emails were received with questions about new construction and alterations visible from Grant Street. The Historic Preservation Officer contacted Building Inspections who investigated the work and issued a stop work order to the homeowner. Staff did make a point to note Mr. Neal has worked closely with staff since the stop work order was issued and has been very helpful submitting all necessary documentation. Ms. Montgomery-Gagné cited three key things that were involved in this case: 1) partial demolition of a non-original carport that was in the rear yard but had visibility from Grant Street, 2) the garage addition, and 3) roofing upgrade to class #4 shingles on the house, original garage and the garage addition.

Staff proceeded to provide an overview of the case using photos of the property with before and after visuals, including where the non-original carport was located, which was very visible from the public right of way when staff received the original complaint. It was noted that both the house and the original garage date back to the 1930s and showed what the property looked like when the district was created. Inventory photos highlighted changes in the rear garage over time starting with the original 1934 garage, photos from 2013 and in 2019 where deterioration of that carport was evident. When Building Inspections went out and inspected the site in September when they had concern for work without permits and new construction. Ms. Montgomery-Gagné pointed out that Mr. Neal was very willing to work with Building Inspections and staff. The dilapidated carport was considered legal non-conforming based on its historic placement approximately 30-40 years prior in the rear and side yard setback. However, even during its removal the owner maintained the same slab footprint and rear wall as to ensure he retained the same status with the addition. It was deemed in the end that because he retained the same footprint and there were still some components of that original carport that were not removed, that it was not in violation of the conformance with the setback. Staff explained there were multiple items to address before the case could be scheduled for Commission consideration followed by the lack of building permits and demolition permits. A key item Mr. Neal was able to provide was a survey from 2009 that showed the footprint of that carport being built into the rear property line and approximately 12-18 inches from the south property line which kept the same building line as the original 1934 garage. It existed before we had those setbacks in place and Mr. Neal documented his progress when he was making these modifications with photos of the existing carport. Staff referred members to the photo presentation where there were rocks or concrete on the rusted metal roof to weigh it down during a windstorm so pieces don't blow off. In addition, the wood structure, the support system, is in very poor condition, the original support posts were very close to the southern property line. The footprint of that carport was not expanded.

The addition is no longer attached in the same location to reduce brick impact. Visiting with building inspection, there were some concerns and questions after we established that this was not considered an expansion of a legal non-conforming structure. Staff indicated with the carport being closer than five feet to the property line, there's a concern that it needs to comply with fire building code. If the garage addition is able to remain in place, that south wall must have a minimum one-hour fire rating. So additional materials and construction will be necessary, and that will have to be coordinated with the building inspection office. Depending

on the Commission's determination today, staff would recommend some conditions to ensure that it's in compliance with Fire and Building code as a future step in this process.

The second item, design with the cornice return overhangs and/or barge boards were incorporated into the addition to match the north end of the original garage but they'll also have to be made 1 hour fire rated. Here is one of the items we wanted to point out, that in this process, the owner has tried to respect the architectural details of the original garage by trying to ensure he maintained the character and the orientation, the roof, the pitch, the details of the original garage. Mr. Neal didn't go about the process the right way but he respected the design and being in the district.

One of the things that he is requesting is to consider using a different material for the facades. Staff noted Mr. Neal was respecting the design guidelines in making sure that the new construction is differentiated from the original. It would be very difficult to find an exact match to 1934 brick and mortar. He suggested that he would like to use Hardy board and has provided examples. He has provided the specification sheet for the Hardy board that he would like to use for the exterior walls of the garage addition. He's looking at material that would be different, but also something that would be found in other areas within the historic district.

The final item for replacement is the roofing on the house, the original garage and addition with an upgrade from Class 3 to Class 4 architectural style shingle, which the owner provided a sample. All the details on the spec sheets are included the meeting packet. The new shingles will have a more textured appearance and provide a longer lifespan but is something similar and has been approved throughout the district, particularly on homes that used to have cedar shake shingle that were no longer able to remain insured. This was an option that was allowed and deemed appropriate.

Mr. Neal then presented additional information to the Panel, stating that when he started on this project, he was excited about getting rid of what he considered an old safety hazard, and was trying to make the neighborhood better. He stated that there is no plumbing and no wiring in the structure, no electricity in it as of right now. Ms. Graham asked if he would be putting up a garage door, and he replied that if he does, it will not be electric because the other two doors aren't electric. He said if he puts electricity out there, he will go through the right steps to do that by hiring an electrical contractor and obtaining permits.

Chairperson Medellin invited any public comments – there were no comments.

Ms. Montgomery-Gagné answered a question from Ms. Ponder Smith regarding if the work has been approved by the City Inspector, and it cannot go to the Building Inspector until the design issues are addressed through the Landmark Commission, because it is in the Historic District. Mr. Dickinson asked if Mr. Neal was aware that a permit would be required to do this, and he replied that since it was an existing structure. Mr. Dickinson then asked Ms. Montgomery-Gagné if the city is suggesting that they make that metal wall a firewall, and she stated that it would be a requirement because it is less than a five-foot setback. She added that the structure would have to have a sprinkler, or it would have to have a one-hour fire rating as a minimum. The firewall is a fire rated caulking and insulation, which building inspection will go over the specifics with the owner as an option for the addition to remain from a design perspective. If the Commission approves the addition to the original garage, the condition of a 1-hr fire rating should be incorporated into the motion. This helps to make sure Mr. Neal knows there will be some additional work on the south wall.

Mr. Neal said he will be putting a gutter on the front, with the water drainage down each side, and added that the shingles will match the shingles on the house.

The Commission discussed the gables with Mr. Neal and he informed them that the gable on the south side will be finished out with the same hardy board all the way up, using the same stucco/concrete element. It was suggested that he use the smooth hardy board, so he wouldn't be adding another design element to the garage.

Ms. Graham made a motion to authorize a rear garage addition at 1701 Grant maintaining same slab footprint as existed with exterior wall materials comprised of flat hardy-board that is similar to the original garage gable detail with stucco/concrete; the south garage addition wall and roof extensions shall comply with Building Code Section R302 (fire resistant construction specifications when a wall projects within 5ft of a lot line) so that it maintains a minimum fire-resistance rating of 1-hour, tested by ASTM E 199 or UL 263 with exposure from both sides; and replacement composition shingle roof upgraded to Class 4 (architectural shingles) on the original house, garage and garage addition. In addition, it was suggested to use the flat hardy board instead of the 7 1/2 inch clapboard hardy board, to make it look more like the flat surface in the pitch of the original garage.

Chairman Medellin clarified that the motion is to approve the design, making sure that the Commission still qualifies requirements for the sidewall and approving the shingled roof and Mr. Neal will have to return to the Commission for any future garage doors. Mr. Neal will need to ensure that the south wall and roof extensions of the addition will comply with fire rating codes, if the south addition wall is up against the property line, or within the five-foot property setback it meets fire codes. Mr. Yates seconded the motion which passed 5-0.

VI. Other Business:

Ms. Graham provided an update for the downtown Depot Square Historic District, noting TacoFest in the farmers market had a great turnout. She also highlighted the upcoming Art Walk for October and performances at both Backdoor and Wichita Theatres.

Ms. Ponder Smith updated West Floral Heights Historic District activities noting they will celebrate the 20th anniversary of being a historic district next year, and they are trying to plan some special events to bring some recognition to the neighborhood.

2908 10th Street – Carport Update:

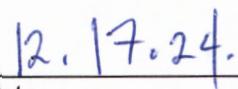
Ms. Montgomery-Gagné stated they've been working with Building Inspections to obtain a response from the property owner. The issue of the non-approved, non-permitted carport has been going on for almost two years working back and forth with the owner. Staff reached out via email about every two-three weeks since the June 2024 meeting. Staff noted it's been three months with no response from the owner and if there is no documentation, as requested by the Landmark Commission, submitted for the Oct 4 deadline we anticipate Building Inspection will begin processing paperwork for citations.

V. Adjourn:

Chairperson Medellin adjourned the meeting at 2:04pm.



Ms. Marcela Medellin, Chairperson



Date