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**MINUTES****HUTCHINSON LANDMARKS COMMISSION**

City of Hutchinson

Monday, October 14, 2019 – 4:00 p.m.  
City Council Chambers  
125 E. Avenue B, Hutchinson, Kansas

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**1. Roll Call**

The meeting was called to order at 4:00 PM.

Members present: Jo Higgins (6/6), Joel Haag (5/6), Wes Bartlett (6/6), Shannon Whetzel (5/6), and Gale Wall (5/6). Chelsey Dawson (3/6) and Greg Holmes (5/6) were absent.

Planning Staff present: Jim Seitnater, Housing and Downtown Coordinator, Aaron Barlow, Associate Planner; and Charlene Mosier, Planning Technician.

**2. Welcome by Chairperson****3. Approval of Minutes**

Haag made a motion to approve the minutes from August 8, 2019 seconded by Higgins, passed unanimously.

**4. Written Reports**

## a. Projects Approved Administratively

<b>Project #</b>	<b>Address</b>	<b>Description</b>	<b>Local Landmark</b>	<b>District and Contributing Status</b>
ADM19-000011	703 E Avenue A	Reinstall Wood Windows, reroof & add deck in rear	No	Houston Whiteside District (non-contributing), McKinney House

- b. Projects Approved by the SHPO – None
- c. Projects Approved by the City Council – None
- d. Other Reports – None

**5. NEW BUSINESS****a. LM19-000007 – 545 East Sherman Ave – Request to Install a Back Door**

Barlow reviewed the request. The applicants, Udean and Amy Pounds, are requesting historic review for the installation of a back door on the building located at 545 East Sherman Ave. The structure was constructed in 1930 and is a one story, cross-gable house with Tudor

Revival-influenced features and has non-original siding. The property is in the Houston Whiteside Historic District and is listed in the National and State Register. It is not listed on the Local Register. Photos of the building were presented showing the location of the proposed rear door.

Haag said it appears the addition where the door would be located is newer than the rest of the house. The back door would not change the appearance of the structure from the front façade and having a door to the back yard is an understandable request. The Commission has approved similar requests on other historic properties.

The applicants were not in attendance.

Staff is recommending approval of the request.

If the Landmarks Commission approves this request, staff will issue a certificate of appropriateness.

The Landmarks Commission must determine if the proposed project will damage or destroy the historic significance of the structure of the district based on the following factors:

**Analysis of Secretary of the Interior’s Standards for Rehabilitation Required for Landmarks Commission Approval:**

Factor	Analysis	Met   Not Met
<p><b>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.</b></p>	<p>Doors used to access a rear yard are customary for residential properties and this door is no different. Adding a door will only require minimal changes to a part of the structure that does not contain defining characteristics of the building that contribute to the Houston Whiteside Historic District.</p>	<p><input checked="" type="checkbox"/> Met</p>
<p><b>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.</b></p>	<p>The windows that are to be replaced do not characterize the property. Only the windows on the front elevation are mentioned in the property’s historic designation description. Removing the windows in the rear to install a door will not damage or destroy the historic features of the property or the district.</p>	<p><input checked="" type="checkbox"/> Met</p>
<p><b>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.</b></p>	<p>Adding a door to the rear of the house will not create a false sense of historical development. The rear windows to be replaced are not mentioned in the property’s historic designation description and the proposed door design does not contain any conjectural features or architectural elements from other buildings.</p>	<p><input checked="" type="checkbox"/> Met</p>
<p><b>4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.</b></p>	<p>There have been no changes to the structure that have acquired historic significance in their own right.</p>	<p><input checked="" type="checkbox"/> Met</p>
<p><b>5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.</b></p>	<p>As stated earlier, features on the property’s primary elevation will be preserved. The proposed door will be located on the rear of the structure.</p>	<p><input checked="" type="checkbox"/> Met</p>

<p><b>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.</b></p>	<p>No part of this project involves features that have deteriorated beyond repair.</p>	<p><input checked="" type="checkbox"/> Met</p>
<p><b>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.</b></p>	<p>The applicant does not plan to use any cleaning or abrasive treatments as part of the project.</p>	<p><input checked="" type="checkbox"/> Met</p>
<p><b>8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.</b></p>	<p>There are no known significant archeological resources at the project site.</p>	<p><input checked="" type="checkbox"/> Met</p>
<p><b>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.</b></p>	<p>Because the proposed door is on the rear elevation, it will not damage the historic integrity of the property and its environment. The doors that are proposed to be replaced are not mentioned in the property's historic designation description.</p>	<p><input checked="" type="checkbox"/> Met</p>
<p><b>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.</b></p>	<p>Since the proposed door is not located on a primary elevation, the essential form and integrity of the building and the surrounding environment will not be impaired.</p>	<p><input checked="" type="checkbox"/> Met</p>

Haag made a motion, seconded by Wall to approve the proposed installation of a door on the back of the house located at 545 E Sherman Ave, based on finding that the project meets the Secretary of the Interior's Standards for Rehabilitation and that the project will not damage or destroy the historic significance of the structure or the Houston Whiteside National

Historic District. The motion passed with the following vote: Yes – Higgins, Wall, Whetzel, Haag, Bartlett.

**b. LM19-000005 -524 East 1<sup>st</sup> Avenue – Request to Demolish Structure**

Barlow explained the request. The owner, Cynthia Wesley, has signed her property over to the Code Enforcement and Inspections Department for demolition of the house located at 524 East 1<sup>st</sup> Avenue. The Inspections Department is requesting historic review for the demolition. The structure was constructed in 1905. The house is located in the Houston Whiteside District and is a contributing structure. The property is not located on the Local register. Photos of the building were presented. The structure has multiple building inspection violations.

Cynthia Wesley said she was given the home a year ago as she has rehabbed other homes. She did not inspect the house before accepting it and now realizes it is not possible for her to repair.

Barlow said the options are to repair the structure within the timeline or sell and demolish it. The home would be demolished by a licensed contractor and the cost will be attached to the taxes.

Staff recommends denial of the request.

If the request to demolish is denied by the Landmarks Commission, the applicant will need to file an appeal to the City Council to consider all relevant factors and weigh the proposal against the standard of “no feasible and prudent alternative” to the project.

The Landmarks Commission must determine if the proposed project will damage or destroy the historic significance of the structure or the district based on the following factors:

**Analysis of Secretary of the Interior’s Standards for Rehabilitation Required for Landmarks Commission Approval:**

Factor	Analysis	Met   Not Met
<p>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.</p>	<p>Demolishing the building will significantly change the defining characteristics of the building, its site and environment.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p>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.</p>	<p>Demolishing this structure will completely remove all historic materials that characterize the property. The character of the property will not be retained or preserved.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p>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.</p>	<p>While demolition will not add any conjectural features or new architectural elements to the structure, it essentially erases the physical record of its time, place and use.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p>4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.</p>	<p>Any features that have acquired significance in their own right will be removed with demolition</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p>5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.</p>	<p>Demolition removes any distinctive feature, finish or construction technique. All examples of craftsmanship that characterize the property will be removed with demolition.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p>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.</p>	<p>The applicant has provided evidence that much of the home is beyond repair. However, the applicant has not shown a good-faith attempt at replacing damaged elements, instead intending to demolish the structure.</p>	<p><input checked="" type="checkbox"/> Not Met</p>

<p><b>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.</b></p>	<p>Demolition is a physical treatment that will ultimately damage historic materials.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p><b>8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.</b></p>	<p>There are no known significant archeological resources on the property.</p>	<p><input checked="" type="checkbox"/> Met</p>
<p><b>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.</b></p>	<p>The proposed project is not a new addition. Demolition will destroy the historic materials that characterize the property.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p><b>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.</b></p>	<p>The proposed project is not a new addition. However, demolition will impair the essential form and integrity of the property and its environment will be impaired with demolition.</p>	<p><input checked="" type="checkbox"/> Not Met</p>

Higgins made a motion, seconded by Haag, to deny the request to demolish the property located at 524 East 1<sup>st</sup> Avenue, based on finding that the project does not meet the Secretary of the Interior’s Standards for Rehabilitation and that the project will damage or destroy the historic significance of the structure and the Houston Whiteside District. They recommended that the applicant make the changes needed to bring the property up to property maintenance codes. The motion passed with the following vote: Yes - Higgins, Wall, Haag, Whetzel, Bartlett.

**c. LM19-000005 541 East Avenue A – Request to Demolish Structure**

Barlow said the applicant is requesting historic review for the demolition of the house located at 541 East Avenue A. The structure was constructed in 1928. It is located in the Houston Whiteside District and is a contributing structure. Brad Dillon, attorney, represented the applicants, Forest and Miriam Tennant. The request is for historic review for the demolition of the house because a fire has damaged a significant part of the structure. Photos of the building were presented.

Brad Dillon stated the home had a fire in May. Forest Tenant had estimates that the repairs would exceed the value of the home. Mr. Dillon said he has represented Forest for many years and Forest has purchased homes, fixed them up and resold numerous homes and has the knowledge to understand when a home is not repairable. The cost to repair plus the mortgage exceeds the value. The front door area is open to the sky and most of the roof is gone with a large amount of interior water damage.

Haag estimated sixty to seventy percent is beyond repair.

Higgins said she would contact someone who may be interested in repairing the property. If they are interested, they should contact Mr. Dillon.

Staff recommends denial of the request.

The Landmarks Commission must determine if the proposed project will damage or destroy the historic significance of the structure or the district based on the following factors:

Analysis of Secretary of the Interior's Standards for Rehabilitation Required for Landmarks Commission Approval:

Factor	Analysis	Met   Not Met
<p>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.</p>	<p>Demolishing the building will significantly change the defining characteristics of the building, its site and environment.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p><b>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.</b></p>	<p>Demolishing this structure will completely remove all historic materials that characterize the property. The character of the property will not be retained or preserved.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p><b>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.</b></p>	<p>While demolition will not add any conjectural features or new architectural elements to the structure, it essentially erases the physical record of its time, place and use.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p><b>4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.</b></p>	<p>Any features that have acquired significance in their own right will be removed with demolition</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p><b>5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.</b></p>	<p>Demolition removes any distinctive feature, finish or construction technique. All examples of craftsmanship that characterize the property will be removed with demolition.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p><b>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.</b></p>	<p>The applicant has provided evidence that much of the home is beyond repair. However, the applicant has not shown a good-faith attempt at replacing damaged elements, instead intending to demolish the structure.</p>	<p><input checked="" type="checkbox"/> Not Met</p>

<p><b>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.</b></p>	<p>Demolition is a physical treatment that will ultimately damage historic materials.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p><b>8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.</b></p>	<p>There are no known significant archeological resources on the property.</p>	<p><input checked="" type="checkbox"/> Met</p>
<p><b>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.</b></p>	<p>The proposed project is not a new addition. Demolition will destroy the historic materials that characterize the property.</p>	<p><input checked="" type="checkbox"/> Not Met</p>
<p><b>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.</b></p>	<p>The proposed project is not a new addition. However, demolition will impair the essential form and integrity of the property and its environment will be impaired with demolition.</p>	<p><input checked="" type="checkbox"/> Not Met</p>

Wall made a motion, seconded by Higgins, to deny the request to demolish the property located at 524 East 1<sup>st</sup> Avenue, based on finding that the project does not meet the Secretary of the Interior’s Standards for Rehabilitation and that the project will damage or destroy the historic significance of the structure and the Houston Whiteside District. They recommended the applicant sell the property. The motion passed with the following vote: Yes - Higgins, Wall, Haag, Whetzel, Bartlett.

The City Council will hear these cases on November 5.

## 6. OLD BUSINESS

- a. Recap – 2019 Kansas Preservation Conference

Barlow gave an update on the conference. There was a session on building codes for old buildings and getting a qualified contractor to make repairs. All towns are dealing with the same issues. Mid-century post war suburban life in the early 1960s is also a historic era that contains untold stories. Often it is huge stately homes that get the attention but there are many neighborhoods of small homes of the working class that are not being maintained. Confronting difficult stories such as segregation and ghost towns was also discussed.

Barlow reported the Houston Whiteside District contains 93 of 185 homes in the historic listing, making the percentage 50.2. We are within one home of the district being in jeopardy and will need to review if the boundaries can be redrawn or what the process is. Higgs said siding over historic siding can still be considered historic but not if the historic siding was removed. A grant and tax credits may be enough to save a home or two in the district.

## 7. Adjournment

The meeting adjourned at 4:50 p.m.

The next landmarks Commission meeting is set for 4:00 p.m., Thursday, November 14, 2019.

Respectfully Submitted,

Charlene Mosier  
Planning Technician  
Approved this 24th day of October 2019.

Attest:  \_\_\_\_\_