

Minutes of the meeting of the
Historic Preservation Commission (HPC)
City of Belton
333 Water Street
Thursday, November 13, 2014

The Historic Preservation Commission met at 5:30 P.M. in the Wright Room at the Harris Community Center. The following members were present: Chair, Nelson Hutchinson, Larry Guess, Sheila Donahue, Randy Stumberg and Tammie Baggerly. The following Staff Members were present: Planning Director, Erin Newcomer, City Manager, Sam Listi and Planning Clerk, Laura Arevalovalle.

1. Call To Order.

The meeting was called to order at 5:30 P.M.

2. Minutes from the previous meetings.

Mr. Guess made a motion to approve the minutes as written. Mr. Stumberg seconded the motion and they were approved unanimously with 5 ayes, 0 nays.

3. H-14-41 Consider a request to repair and paint the exterior at 118 North Penelope Street, located in the Downtown Belton Commercial Historic District, on the northwest corner of North Penelope Street and East Central Avenue.

Ms. Newcomer presented the staff report.

Mr. Guess asked if the entire wall goes to Central Avenue and Ms. Newcomer stated that it does not. Ms. Donahue asked if the awning was depicted green on the example of the elevation. Ms. Newcomer stated that the applicant is not proposing to do anything to the awning at this point and stated that it is currently a wood shingled awning.

Mr. Guess made a motion to approve the request to repair and paint the exterior at 118 North Penelope Street, located in the Downtown Belton Commercial Historic District, on the northwest corner of North Penelope Street and East Central Avenue. Ms. Baggerly seconded the motion and it was approved unanimously, with 5 ayes, 0 nays.

4. H-14-43 Consider authorizing a Façade Improvement Grant to Leo Camden, 130 North Main Street.

Ms. Newcomer presented the staff report and pointed out that it was incorrectly stated that Staff recommends disapproval. She stated that it should read that Staff recommends approval.

Mr. Stumberg asked if the applicant will be using an existing opening for the door (on the western façade). The applicant, Leo Camden, 119 North East Street, stated that the 4' X 10' door will be constructed within the existing center opening. Ms. Newcomer stated that she spoke to Stephanie McDougal, the historic preservation consultant, and she did not have an issue with constructing a door within the existing opening. Mr. Camden stated that in the past there was a big locker type door there with a steel frame. Ms. Newcomer stated that it is difficult to tell what was there in the past. Mr. Camden stated he will pull out the aluminum frame and build a custom fit window in the other opening (on the western façade).

Mr. Guess asked if the applicant will be painting the vent pipe and Mr. Camden stated that he would. He stated that everything will be painted, along with new gutters. Mr. Hutchinson asked if it was known when the bars were installed over the arch windows (on the northern façade). Mr. Camden stated that it may have been sometime in the 1960's or 1970's. He stated the bars were not present in the original picture provided to the Commission. He also stated that he has the original arch windows for the building. He is proposing to replace the window glass and sand the wooden window frames. Mr. Hutchinson asked if there was a need to preserve the bars. Ms. Newcomer stated that the bars were not historic and also noted that the emblems on the northern facade of the building were not historical either, and were recommended to be removed by the historic preservation consultant. Ms. Newcomer asked the applicant if he planned to remove the emblems and he stated yes.

Mr. Hutchinson asked if the stucco in the front (eastern façade) will remain. Ms. Newcomer stated that it would. Mr. Camden stated that from the inside, it is visible that there were repairs done and that the original arch windows were closed. He stated that several repair jobs were done before the stucco was installed.

Ms. Baggerly made a motion to approve the authorization of a Façade Improvement Grant to Leo Camden, 130 North Main Street. Mr. Guess seconded the motion and it was approved unanimously with 5 ayes, 0 nays.

5. **H-14-42 Consider a request to install a steel stairway and connect it to the western exterior wall; construct a 4' X 4' concrete landing under the stairway; install steps on the roof; install a ground sign; construct an asphalt parking lot; and install a 20' X 20' chain link fence at 1003 North Main Street, located in the North Central Belton Historic District, on the northeast corner of East 10th Avenue and North Main Street.**

Ms. Newcomer presented the staff report.

Mr. Stumberg noted that in the example of the elevation, it is drawn as steel ladder. He asked if it would be a full 4 foot wide ladder with landing. Ms. Newcomer stated that the Fire Code requires a permanent steel stairway with handrails for access for the second means of egress. She stated that on the proposed elevation, the stairway is depicted as a ladder. The applicant drew a ladder to identify the location of the stairway. Mr. Stumberg stated the intermediate landing is proposed to take up the entire corner of the home and cover the side (western elevation) from the porch to the edge of the home. Mr. Stumberg asked if it was a true fire stair and where the door will be to access it. The applicant, Rick Graham, 1003 N. Main Street, stated the second means of egress will be accessed from the most northern window facing west (North Main Street). Mr. Stumberg stated that it will be window access to climb on a balcony and access the stairway.

Mr. Stumberg asked if the interior stair is facing East 10th Avenue. Mr. Graham stated that it is facing the rear of the house (eastern elevation). Mr. Stumberg asked why the applicant cannot utilize the north side as the second means of egress. Ms. Newcomer stated there is a driveway that provides access to the parking lot. Mr. Stumberg asked the distance of the setbacks. Ms. Newcomer stated that the driveway is about 10 feet to the northern property line. Mr. Graham stated that the distance from the house to edge of the driveway is 12 feet and 24 feet from the property line to the house. Mr. Stumberg stated that the applicant could install a single run down the side of the house without a landing and asked why the front (western elevation) was chosen instead of the side (northern elevation). Ms. Newcomer stated that the Fire Marshall, Bruce Pritchard, stated that a 20 foot clearance is required according to the Fire Code. Mr. Stumberg stated another option is the 300 foot hose pull. He stated that if they are doing a 10 foot driveway anyway, a fire truck would not be able to pull in there. Mr. Stumberg asked if this alternative location for the second means of egress was something that would have to go back to Fire Marshall for approval. Ms. Newcomer stated that it would.

Ms. Newcomer stated that there is an existing Oncor line extending to the northern elevation and she was told by Mr. Graham that Oncor stated the line can be removed. Mr. Graham stated that the Oncor line can be moved to free up the space. He stated that the Fire Marshall would have to look at it and if that is the case, he would be more than happy to move it. He stated that he does not want to do anything that will negatively impact the historical charm. Mr. Stumberg stated that to the best of his understanding, a 20 foot drive is required, with a caveat that a hose can be pulled within 300 feet. He stated that with the building site is small and open all around; therefore, a fire truck could park on North Main Street or 10th Avenue and pull the hose. He stated that in his judgment this meets the criteria; however, it would be the Fire Marshall's decision based on his rules. Mr. Graham stated that he will follow-up with the Fire Marshall, as it is a critical piece to the operation of the business. Mr. Listi inquired where the fire hydrant is located and the applicant stated that it was on the corner. He stated that there is fire lane on East 10th Avenue and there will be a 20 foot opening for fire truck access.

Ms. Donahue asked if the property owner was informed that the property was in the historic district prior to the purchase. Ms. Newcomer stated that they are leasing the house and the letter from the property owner is in the packet. Ms. Newcomer asked the Mr. Graham if he was aware the property is located in a historic district prior to signing a lease. Mr. Graham stated that he was aware that it is in a historic district, but was not aware of the restrictions and is willing to work with it. He stated that it is an amazing community and location. Ms. Donahue stated that was one of her concerns.

Ms. Baggerly asked in regard to other fence requests that have been presented to the Commission, why could the chain link fence on the side be approved? Ms. Newcomer stated that the chain link can be installed if it is appropriate to the area. She stated that if the applicant was recommending installation of a chicken wire fence, she would not recommend approval because it is a rural fence. She stated that she considered the chain link fence appropriate, but that it is ultimately the decision of the Commission. Ms. Baggerly asked the applicant what would be in the fenced area. Mr. Graham stated that it would have balls, a sandbox, and 3.5 foot tall playground equipment that the kids can slide on.

Mr. Hutchison asked if the chain link fence is proposed to contain vinyl slats or will it be open? Ms. Newcomer stated that vinyl slats are not allowed according to the City Design Standards.

Mr. Guess asked if property owner notification letters are sent out for Historic Preservation cases and Ms. Newcomer responded letters are not sent to property owners.

Ms. Donahue asked Ms. Newcomer to state her recommendation once again. Ms. Newcomer stated that since the proposed steel stairway will be permanently affixed to the main (western) façade she is recommending disapproval of the concrete landing and the steel stairway. She is also recommending disapproval of the proposed steps that will be installed on the roof because it could potentially damage the historic material.

Mr. Hutchinson asked if her recommendation is for any side of the building. Ms. Newcomer stated no, but when she looks at the properties she has to evaluate what minimal changes can be done to the primary facade of a building. If this request was for an addition, she would have recommended installation on the rear of the building. If the second means of egress could be accommodated on the northern side, it would be acceptable to her.

Ms. Donahue asked Ms. Newcomer to state the items she is recommending for approval. Ms. Newcomer stated that she is recommending approval of the fence, the asphalt parking lot, and the ground sign in the front yard (adjacent to North Main Street).

Ms. Baggerly asked if off-street parking was considered in the number of parking spaces. Ms. Newcomer stated that off-street parking cannot be considered. Parking is required to be provided on-site and pointed out on the site plan where the applicant is proposing to construct the parking lot.

Mr. Guess asked if a daycare is an approved use in the Zoning Ordinance. Ms. Newcomer stated that this property is zoned University Campus and a daycare is a permitted use. He asked if there were any restrictions on what can be in the yard and a further definition of usage. He stated that his concern is that while there are commercial businesses along Main Street, they still maintain a residential appearance. He stated that this proposal will change the character of the street with installation of a fence and playground equipment. He stated that although this is permitted in the Zoning Ordinance, he doesn't believe there are restrictions that can be applied. Ms. Newcomer stated that this requested is considered new construction and the Commission has the authority to approve these COA requests.

Mr. Hutchison asked the applicant if there could still be a business without the stair case. Mr. Graham stated that it would limit the amount of children and services they can provide, but doesn't preclude them from operating a daycare business. He stated that if the stair case can be placed on the northern facing side, it would be out of sight and out of mind and would work for the Commission, but would need to be approved by the Fire Marshall. He stated that the chain link fence and playground equipment are required items by the state for operation of their business. He stated that they are willing to accommodate as much as they can. He stated that their role is to provide Christian-based child care for the community. He stated that he believes he can meet the community's needs to maintain the existing building without changing it too much. The ground is 2.5 feet above the sidewalk, so the parking in the rear will not be visible, except for the far end of it, unless you are going down East 10th Avenue. He stated that the playground will be visible; however, they will be removing it at the end of each business day, which is 6:00 pm. The playground equipment will be placed in a storage shed in the back. Mr. Hutchison asked if the storage shed was an existing structure and Mr. Graham stated that it is. Mr. Graham stated that the fence would be the only visible item.

Mr. Guess stated that he is uncomfortable with how this will change the character of the neighborhood, but he stated that he does not know if there any legal means to restrict the request because he is meeting all the zoning requirements. Ms. Newcomer stated that the Historic Preservation Commission operates differently than the Planning and Zoning Commission. Mr. Guess asked if the Commission can take into consideration the fact this request will significantly alter the historic area. Ms. Newcomer stated the decision it is entirely up to the Commission.

Mr. Stumberg asked Mr. Guess to define significantly alter. He stated that alter means adding parking to change this property from residential to commercial. Mr. Stumberg stated that another business may decide to come in and that whether they like it or not, the street is becoming commercial. He stated that as far as keeping it historic, they are not interfering with the view from Main Street other than a fence. Mr. Guess noted that there will also be playground equipment. Mr. Stumberg stated he doesn't see the playground equipment as a large impact because a family could move in and install a trampoline. He stated that the large impact would be the stairway, unless it can be moved to the side (northern façade). He noted that this is the price of going from residence to commercial.

Mr. Hutchison stated that he would be interested in finding out from the Fire Marshall if the stairway could be moved before moving forward. He stated that he is looking toward the future and that SH317 may be widened, resulting in a loss of the front of their property. The location of the stairway in the front yard may then be too close to Main Street. Mr. Graham stated that installing the stairway in the front of the house is not their first option. He stated that he would need to meet with the Fire Marshall to confirm moving it to the northern side as a viable option.

Ms. Baggerly stated that we have to be very careful with the impact of traffic. She stated that it is something she may have to accept, but it is very close to her heart, as the way it should look and the way that we take care of the downtown areas. Mr. Graham stated that he is respectful of that. He stated that he will try to keep the traffic as streamlined as possible. He stated that the exit onto North Main Street will be a right turn only. The entrance from East 10th Avenue will be widened to 20 feet and can be utilized as an entrance and an exit. Ms. Baggerly stated that if that's the case, the majority of traffic will go onto Penelope Street, which can be dangerous with cars driving quickly.

Mr. Camden, audience member, inquired if a traffic study had been done. Mr. Guess responded that there has not been one. Mr. Guess asked the applicant if it would halt the plans for the daycare if the stair case cannot be moved. Mr. Graham stated that it would not; however, it would restrict the number of children that they can provide services for. It would also change the dynamics of the required parking from 15 spaces to 7 or 8, therefore changing the look of the parking lot and reducing the amount of traffic.

Ms. Newcomer noted that the Historic Preservation Commission has flexibility in what they recommend. Mr. Hutchinson stated that he would prefer to approve what is presented and would like to hear back from the Fire Marshall.

Mr. Guess made a motion to table the item until more research is done and some of the questions are answered. Ms. Newcomer asked what the questions were and Mr. Guess stated the staircase. Ms. Newcomer asked if it were in reference to moving the stair case to the north side and Mr. Hutchinson stated yes. Ms. Newcomer stated, for time purposes, the Commission could state approval of a staircase on the northern side pending Fire Marshall approval.

Mr. Guess stated that he is proposing to table this item until the next meeting. Mr. Stumberg asked what questions would need to be answered at the next meeting. Mr. Guess responded the staircase because this affects the appearance of the property.

Mr. Guess restated his motion to table the item and for it be presented again at the next meeting, but the motion died due to lack of a second motion. Mr. Stumberg made a motion to accept the project as presented with the caveat that the stairs can be moved as far away from the view of Main Street as possible with it still meeting code and with approval by the Fire Marshall. The motion died due to lack of a second motion,

Mr. Graham stated that he understands that the location of the stairway will impact parking and traffic. He stated that pending Fire Marshall approval; they will place the stairway on the (northern) side leading to the window on the second floor where it will be blocked from the tree and bushes. Mr. Hutchinson stated that if the stairs are moved, it will change the parking layout and he would like to see those plans before it happens.

Mr. Guess made a motion to table the item and that it be presented again at the next meeting with more information. Ms. Baggerly stated that if she were to vote on this request right now, without it being tabled for more information, she would vote against it. Ms. Baggerly seconded the motion to table the item until the next meeting and it was approved with 3 ayes and 2 nays.

Mr. Graham asked for clarification and if the fence had been approved. Ms. Newcomer stated that the item was tabled as the Commission would like to review request in a complete package. Mr. Hutchinson suggested holding an expedited meeting. Mr. Graham stated that he would like to address the concerns and can provide plans for what it would look like with the stairs on the (northern) side of the building and plans without a second story occupancy. He stated that he can speak with the Fire Marshall in reference to moving the stairway to the northern side and asked for consideration with the business aspect.

6. Ms. Newcomer updated the Historic Preservation Commission regarding the following:
 - Administrative approvals granted by the Historic Preservation Officer in October 2014.
 - Status of safety assessments completed by Tere O'Connell for existing second story residences in Downtown Belton to meet the minimum safety requirements established in the policy.

With no further business, the meeting was adjourned at 6:20 p.m.

Chair, Historic Preservation Commission