

Minutes of the meeting of the  
**Historic Preservation Commission (HPC)**  
City of Belton  
333 Water Street  
Thursday, July 14, 2014

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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-13-25 Consider a request to install a 24' x 12' stainless steel freezer addition with a masonry wall along the exposed sides at 520 East 6<sup>th</sup> Avenue, located in the North Central Belton Historic District, on the northwest corner of East 6<sup>th</sup> Avenue and North Blair Street.**

Ms. Newcomer presented the staff report.

Mr. Stumberg asked if it will replace the existing freezer. Ms. Newcomer responded that the new freezer will extend into the parking spaces due to the longer width.

Mr. Guess asked if the existing storage room was made of metal siding or wood. Ms. Newcomer responded that is wood siding and there are no plans for it to change at this time. Ms. Newcomer stated that they talked about different locations, such as on the east side of the restaurant; however, the kitchen is on the west side and they will need to access the freezer internally from the kitchen. Mr. Guess asked what type of material the freezer is. Ms. Newcomer stated that it is stainless steel and the applicant, Amy Li, 520 E. 6<sup>th</sup> Avenue, confirmed that it is as well.

Ms. Baggerly asked if the freezer access was through the storage unit. Ms. Newcomer stated it was not through the storage unit, the access is through the restaurant from the kitchen.

Mr. Hutchinson asked if the additional length protruding into the parking spaces will cause any congestion issues. Ms. Newcomer stated that they have more than enough parking. She also noted that the applicant owns the house that is next to the restaurant.

Ms. Donahue asked if the masonry wall will be straight or enclose the freezer. Ms. Newcomer stated that they will enclose it as high as it needs to go, so that it will screen the freezer. Ms. Li and Ms. Newcomer stated that the wall will be 8 feet tall.

Ms. Baggerly asked if there were future plans for the storage building. Ms. Li stated that they have not made a decision due to budget. She stated that the current plans are to extend the stainless steel freezer, and do the masonry around the sides and the rear to make it look better. She also stated they would like to put a steel roof to cover the top of the freezer and prevent heat from the sun. She stated that they have no plans to remove the storage room. Ms. Newcomer stated that the roof must be compliant with City of Belton Design Standards, which requires a baked on, muted color for metal roofs. Ms. Newcomer also stated that the plans will need to be approved before the applicant installs the roof.

Ms. Baggerly made a motion to approve the request to install a 24' x 12' stainless steel freezer addition with a masonry wall along the exposed sides at 520 East 6<sup>th</sup> Avenue, located in the North Central Belton Historic District, on the northwest corner of East 6<sup>th</sup> Avenue and North Blair Street. Mr. Guess seconded the motion and it was approved unanimously, with 5 ayes, 0 nays.

**4. H-13-26 Consider a request to dismantle the stone, pour the footings, and re-construct the 1874 Church at 438 North Wall Street, located in the Central Belton Historic District, on the southwest corner of East 5<sup>th</sup> Avenue and North Wall Street.**

Mr. Guess abstained from the case.

Ms. Newcomer presented the staff report.

Larry Guess spoke on behalf of the Better Belton Foundation. He noted that the church foundation has shifted after 140 years, but it is a grand building worthy of preservation. The 1874 Church Committee has started and stopped due to lack of encouragement and motivation. So, on behalf of the Better Belton Foundation, he met with the Committee to try to help, with the result being to restore or demolition. He stated currently there is no foundation under the church, it is just laid rock. In order to stabilize the rock, they need to take it down to determine whether or not it can actually be stabilized. Mr. Guess stated that fortunately, there is no pattern to the rock, except for the arches over the windows, which they will have to take down in numbers to put them back up in the same order. The rest of the rock is randomly laid and will not be a problem. Mr. Guess stated that there is currently a stabilizing wall on the south side and some bracing on the north side. They will need to add a stabilizing wall on the north side and one in the center to cross brace from the inside. He stated that the stone is holding the roof in place and once the stone comes down, it will need to be stabilized. He also stated that the floor will eventually need to be replaced because it is sitting on dirt. Mr. Guess noted that there is funding to remove the stone. Once the stone is removed, they will know how much it will cost to reconstruct, depending on the type of foundation needed, which there may or may not be funding for. Mr. Guess stated that he is not on the 1874 Church Committee, but is acting on behalf of the Better Belton Foundation in trying to encourage them to move forward and offering sources to do so.

Mr. Stumberg noted that there is no pattern for the stone. He stated that it would require storage because there are so many rocks. Mr. Stumberg asked if it was a possibility to haul off the numbered arches and secure them. He stated that once the masonry starts to get removed, it may flake away because it is 140 years old. He stated that new stone may have to be used for infill. He also stated that somebody may want to steal the rock because they would like a piece of the Church, but he cannot see people backing trailers up to church to steal the rock.

Mr. Guess stated that the City has given permission to extend the fence to the curb on the north and east side. He also stated that the addition in the back is on foundation. Mr. Stumberg asked if it was free standing and Mr. Guess confirmed that it was free standing and built onto the church. He stated that it will be the guiding principle as they come back with the new foundation. He also stated that in addition to extending the fence, they have permission to use the vacant lot that is next to the Fine Arts Association building, where they have consent to fence a storage area that will remain locked. He stated that the suggestion to carry the lentils and store somewhere else is a good idea.

Ms. Baggerly stated that the school that is in close vicinity will be turning into a Pre-K school and is concerned for the safety of the families that walk around the area because the rocks will be stacked alongside of the street. She stated that the fence is not secure and kids may pull on it. Mr. Guess stated that he believes there is a sidewalk on the other side of North Wall Street, but asked for verification. Ms. Newcomer stated there is a sidewalk on the other side of North Wall Street. Mr. Guess stated that the fence will come out to the curb, so he can stack rock on the sidewalk, which will be a couple feet away from the walk itself. He envisions that it will be a six to eight foot wide stack of stone around the building. He stated that the danger of it falling on somebody would be minimal. Ms. Baggerly noted that there's always a chance of kids playing on it. Mr. Guess stated that they have faithfully kept the fence locked.

Mr. Guess stated that this request is an effort to move forward. Mr. Hutchison stated that he fears that this could result in a demolition due to a lack of funds. Mr. Guess said that he shares the concern, but the 1874 Church Committee will have to make up their mind and if the result is a demolition, then it will already be half done.

Ms. Donahue asked how long the statutes of limitations were for keeping the stone stacked there and how long before they would have to stop the project. Mr. Guess stated that they have been reporting to City Council every six months. He stated that his thought would be that if there is not significant process within the next six months, such as new foundation and stone, then it could be assumed that it is over. Ms. Donahue stated that property owners in the vicinity of the church could have objections as well. Mr. Guess asked how long the building has been sitting there. Ms. Newcomer responded that it was deemed a dangerous structure in 2008 by the Building Official. With that being said, Mr. Guess stated that the building has been sitting there for over 6 years.

Mr. Stumberg stated that nobody wants the building to go away. He stated that it is there and repairs need to happen sometime. He noted that the second step cannot be done until the first one is done. Mr. Guess stated that they cannot do anything until the stone is down and they assess the liability of constructing a new foundation. Mr. Hutchinson said that if they take the stone down and cannot afford to put it back up, they are left with a church that has a foundation on the ground with nothing to put on it. He stated that it would all been done for nothing. Mr. Guess responded that if the City steps in, it would result in a demolition. Mr. Hutchinson stated that it would be a demolition of a freshly poured foundation and Mr. Guess agreed.

Mr. Stumberg stated that if the foundation moves forward, it will be because the Committee believes they have the funding. They will not pour a little foundation each time they get \$1,000. He stated that they will try to get the interest of the public to get the money raised. Ms. Newcomer asked Mr. Guess if he will know with certainty how much work will need to be done once the church is taken apart and before the foundation is poured. Mr. Guess stated that they will indeed know how much work will be done, and also where the funds will be coming from.

Ms. Baggerly asked if the building was still part of the Fiscal Diocese of Texas. Mr. Guess stated that it was and that Mr. Cooper, Committee chairman, has made contact with them and to date there has been no money offered. He stated that he doesn't believe anyone has actually gone to them to ask if they want the structure to stand. He stated that it is a significant building, as it is oldest church in Bell County that is still on its original site. Ms. Baggerly stated that historically, it is a big deal. Mr. Guess agreed and said that it is the oldest building we have. He stated that it is worth looking into, but it cannot continue to sit in the condition that it is.

Ms. Donahue asked if it was possible that the space be used to construct a structure with the same stone, if the funding is not there to rebuild it. She noted that getting some of the Church back is better than none of it. She stated that she hopes it is not a prime corner piece of real estate that somebody has their eye on. Mr. Guess stated that being a developer, he believes it is not because it is too small. He stated that the back part is intact, as well as the foundation underneath it, so it could become a number of different things, even a memorial to the oldest church in Bell County. Ms. Donahue said that it would be a good alternative to a demolition. Mr. Guess said that is not accurate to call this a demolition because it is really a phase of construction that has to be done in order to see if we can move forward.

Ms. Baggerly asked if the City of Belton was interested in taking the project over at any point. Mr. Guess stated that he doesn't believe so, as the City has many projects already. He stated that the City has been very patient. Ms. Baggerly asked if the City would be interested in pursuing this project based on historic significance. Mr. Listi responded that the City Council has had number of discussions about the project. He stated that their concern was the type of condition the City would get the property in and its possible uses. He stated that many grant requests have been attempted. One possibility was moving the Genealogy Center from the library to this location, if it were rehabbed. He stated that the City has interest, but not in the current condition. A few more steps need to be taken toward a resolution. A historical ruin or a remnant of what was there before was something that was also discussed, if it could not be restored. He stated that this is an essential step to see what's next. Once the situation is known, the City is open for consideration to determine what type of realistic City use it could be.

Ms. Donahue mentioned the Bowie Hospital reconstruction done in Marlin. She stated in the area of the middle springs, they kept an arched portico that was part of the original springs. New construction was put in place and that is where the Marlin Chamber of Commerce is now located. She would feel better knowing that if it were approved, it could be an option to use a portion of it for weddings or another purpose, to serve as a memorial.

Mr. Guess stated what the process would be. Once the stone comes down, it will be determined whether or not they can pour foundation to support the existing walls. If they can, it would look like a reconstructed church; however, the inside remains a different question. At that point, if they get the walls back up and roof replaced, it would be time to talk about a uses for the building. Then, he assumes the City would entertain more discussion. He also stated that it would come back to the Historic Preservation Commission for review of any future use. He stated that is simply a step to get things going, rather than waiting another 4-5 years.

Mr. Hutchinson remarked that is not just putting the stone up because there has to be a roof that has to be placed on it. He stated that the final amount for the cost of construction would have to be in before it gets rebuilt. He stated that Mr. Guess is asking the Historic Preservation Commission to allow the destruction or tear down of one of the City's most historical pieces, which is a tough decision.

Mr. Stumberg noted that it's better to bring it down, before it falls down. Mr. Guess suggested that we bring it down before it falls down or it turns to the City and they bring it down, which wouldn't require any permission to do so. He stated that is the situation they are in because the City has waited a long time for something to happen. He said that it doesn't get better as each day passes, it gets worse. Mr. Guess stated that he doesn't see an alternative other than demolition, if this first step cannot be taken.

Mr. Stumberg stated that the proposed step is the only step to take and that he doesn't see another option. Mr. Guess stated that if there was another option, we would be looking at it. He stated that he has wrestled with the situation for 4 months, trying to figure out how it can be done. He stated that if it cannot be done, then it's time for a bulldozer.

Ms. Donahue asked if it is approved, would the Historic Preservation Commission (HPC) have further input once the decision is made to haul away the stones. Mr. Guess asked Ms. Newcomer for clarification on demolition cases. Ms. Newcomer stated that the request is to dismantle the stone, pour the footing, and re-construct the 1874 Church. If a different request came forward, it would be required to go before the HPC. Mr. Guess stated that if it falls in the hands of the City and it is condemned, then it would not come back to the HPC.

Ms. Donahue asked if the stacks of stones are still protected. Mr. Guess stated they are not protected in any significant way. Mr. Stumberg stated that if the funding wasn't raised for reconstruction, then the stones are fair game. Mr. Guess agreed.

Ms. Donahue asked if the HPC doesn't approve it, will they have run out of rope with the City. Mr. Listi stated that the Building Official and the City Council have been very lenient. Mr. Listi stated in the last presentation, they were expected to see something happen in the near future and he feels like this is the next logical step. Mr. Listi stated that he can see the reservation from HPC because it is an important structure to Bell County and all of us. He stated that Mr. Guess is asking

for an opportunity to take the stone down. He stated that Ms. Newcomer has presented it in the context that it may fall down or may end up resulting in a demolition; however, there are plans to brace it. He stated that if there's an opportunity for future review of the use then it would be desirable to come back to HPC, but we are trying to be open and honest with the Commission because the effect of taking down the rock is unknown and it may essentially become a demolition.

Mr. Stumberg noted that in 6 years, they have raised \$25,000 of the \$100,000 required. He stated that it won't go another 18 years for them to raise the money. He stated that with the security fence around it, it is not the prettiest structure. He stated that it is time to move one way or the other. Mr. Listi stated that A&M architects have looked at it and it has had different analyses done. The uncertainty is how much we really need in order to fix it. With the rock down and the analysis in place, it may be a better opportunity to raise money because they will know the exact cost of repair. He stated that it would be more realistic with a known condition, rather than the uncertainty they have now.

Ms. Donahue asked Mr. Listi about the possibility of a historical ruin, if the Church could not be reconstructed as it now exists. Mr. Listi stated that it has been one of the topics discussed when the group has come forward, as well as the other options such as reconstruction, historical ruin or taking it down and moving it to another location. The alternatives have been discussed over the last 6 years. The Council would like to have it reserved, but do not have the funding to do so. He stated that grants have not been successful. His sense is that the Council would be receptive to the possibility of a ruin or another use, recognizing the hope for some outside funding to support it.

Mr. Stumberg, speaking from the construction aspect, stated that if it costs \$100,000 to put up, it would cost \$75,000-\$95,000 to build a ruin. He stated that it would still be a construction project, and not much less expensive than rebuilding it. Mr. Guess stated it is not an option at this time because taking it down and moving it would be more expensive than constructing it on the site. He stated that the real factor is that until the rock comes down and situation underneath is assessed, nothing can be done.

Ms. Baggerly stated she is torn because it is an important building. Mr. Guess stated that the building, as it stands right now is more of a danger to students. Ms. Baggerly clarified and stated that the community has a huge feeling of regret from tearing down the original Tyler Elementary to make room for HEB and it is no longer there. She remembers the building and wants to make sure they do the right thing with this one. She stated that looking back now, the right decision wasn't made with the original Tyler Elementary School. She wants to make sure that we are aware that these are special places. She stated that the community may not be aware of how much help the building needs.

Mr. Guess stated that the current plan supports her position to restore the building. He stated that they do not know if it is achievable until they discover what's underneath it and how to reconstruct it. The significance of the building lays in the stone and the way the windows and doors are done. It is not the height, length, width, the inside, or the roof. The defining characteristic of that building is the rock and the way that it was placed around the windows. The proposal is to put it back.

Ms. Donahue stated that she suspects that the first act of dismantling will raise community awareness. Mr. Guess and Ms. Donahue stated that they hope that it does. Mr. Guess stated that the project is on high center, and has been for 6-8 years. This is an attempt to get it off high center.

Mr. Stumberg made a motion to request to dismantle the stone, pour the footings, and re-construct the 1874 Church at 438 North Wall Street, located in the Central Belton Historic District, on the southwest corner of East 5<sup>th</sup> Avenue and North Wall Street.

Ms. Baggerly seconded the motion and it was approved unanimously with 4 ayes, 0 nays.

- H-13-28** Consider a request to enclose the pier and beam foundation, install a ground sign, paint the exterior, widen the front door opening, construct a parking lot, install a wood ramp, and install stacked stone along the sides of the front porch at 301 North Pearl Street, located in the Lower West Belton Historic District, on the northeast corner of the West 2<sup>nd</sup> Avenue and North Pearl Street.

Ms. Newcomer presented the staff report.

Mr. Stumberg stated that ADA requires that the door has to clear 32 inches. If the door truly has a 180 degree swing, they can get it to clear 32 inches without changing the door width; however, a residential threshold may have a two inch threshold. The porch height may need to be raised because it can only have a half inch maximum vertical change. Also, being that it will be used commercially, guard rails will be required around the porch. ADA will also require hand rails if there are more than two steps, and handrails on both sides of the ramp. One hand rail will have to be mounted to the wall because ADA requires it to be on both sides. Ms. Newcomer asked if the handrail could be attached to the ramp instead of the wall. Mr. Stumberg said that it would have to be mounted to the wall. Mr. Stumberg stated that from looking at the layout, it appears there is enough room for five feet landings on the bottom, but railings for the stairs and ramp will be required.

Ms. Newcomer stated that it could be less of a concern because it is not original porch. She asked the HPC for any suggestions on how to place the ramp with minimal impact, since it has to be installed on both sides.

Mr. Stumberg stated that an inch and half diameter pipe would need to be drilled and screwed in the wall at eight feet, so it may need to be attached at three places. He stated another option is that the ramp could be built away from the house and the rails would be free-standing, which may set precedence. If the drop off on the right side reaches eighteen inches, the codes will require a forty-two inch rail.

The co-applicant, Angela Brown, 301 North Pearl, stated that she believes the porch drop off is 12 inches and doesn't reach 18 inches. Mr. Stumberg stated that the guard rail placement, ramp, and steps will also need to be compliant with City codes.

Ms. Newcomer stated that she would recommend that the ramp be centered, so it will not require drilling. Mr. Stumberg also noted that some of the drilling required to attach it to the house would be at the window. Mr. Guess stated that he was concerned that the rail could not be placed there because of the window. He stated that the simplest method would be move it away from house with two rails.

Ms. Brown asked if it was a possibility to set it off to the side the house where it doesn't affix to the house, instead of center. Ms. Newcomer, Mr. Guess and Mr. Stumberg all agreed that it could. Mr. Guess stated that they would need enough room to put another railing on that side, without attaching it to the house. Mr. Stumberg stated that it is better to keep it as close as possible for maintenance. He also stated that if they did offset hinges on the door, it could be left as it is, but the threshold needs to be checked. He asked the applicants if it had the larger lip on the door and they said yes. Mr. Stumberg asked if the porch was concrete and the applicants responded that it was. Mr. Stumberg mentioned that if they are doing a plastic or wood ramp, they may be able to put a level of that over the concrete where the threshold is, so that it can work together. If they sand down the threshold or take it down until its legal, the gap on the door will be an issue. Mr. Guess noted that the change of elevation is too severe.

Ms. Brown stated that she is concerned with being fined by ADA if the door is not 36 inches. Mr. Stumberg stated that the ADA rule is that the door is 32 inches clear. Ms. Brown asked how they propose that larger wheel chairs get in the building. Mr. Stumberg stated that the law only requires 32 inches in width. If their preference is 36 inches, it can be done, but it is not required. Ms. Brown stated that she was concerned that larger wheelchairs may not fit. She also stated that making the door 36 inches wide could be easily done to look like the door now. Mr. Stumberg stated that if they choose to do that, they should let the door swing out, so that it complies with that law.

Ms. Newcomer stated that it was their request for 36 inches in width; however, her recommendation is to keep it 32 inches wide with offset hinges.

Ms. Brown stated that she read in the information provided by Ms. Newcomer that the recommended offset hinges were used for residences. Ms. Newcomer stated that she was simply providing information and advice. She stated that the decision is up to HPC.

Ms. Brown stated her concern with meeting ADA rules and the fine for not complying. Ms. Newcomer stated that 32 inches would be ADA compliant. Ms. Brown stated that it is a fine line because somebody may come and not have the ability to get in the building. Ms. Brown stated that she was under the impression that the requirement was 36 inches. Mr. Stumberg stated the reason being that a 3 foot door opens up to 34 inches, and with embellishments on the door, 36 inches is safe; however, 32 inches is the minimum.

Mr. Stumberg stated that the recommendation on the staff report was to widen the opening. Ms. Newcomer apologized, stating it was incorrect in the recommendation. She stated that in the body of the report it stated that if the expandable offset door hinges do not meet ADA requirements, then it would be recommended to widen the door a minimal amount.

Mr. Guess asked Ms. Newcomer if the point is not to alter the exterior structure of the house, being that it is a historic structure and she stated yes. He stated that if 32 inches meets the law, then that's what the opening should be. He stated that if we allow the door to be widened, then we have opened the idea of changing the exterior appearance.

Ms. Baggerly asked if there was another exterior door on the back or side to expand to meet the applicant's concerns. Ms. Brown stated that there is one in the back of the building, but it would change the design of parking lot and delay construction. Ms. Newcomer asked why it would be delayed. Ms. Brown stated that the parking lot layout with handicapped spacing would be changed and the ramp would not be where it was originally requested. Ms. Newcomer stated that they are concreting the entire area, and it would simply be an issue of striping.

Mr. Guess asked about tabling the item for discussion because he was not sure what they would be voting on. Ms. Brown asked if they were positive that 32 inches would comply with ADA because they do not want to table the item. Ms. Newcomer stated that they could always proceed with what was submitted today and if there is more research done stating differently, they could always come back next month and request modifications to the door only. Mr. Stumberg confirmed that most modern wheelchairs are 24-27 inches wide. He believes that 32 inches should cover oversized wheelchairs and believes that the vast majority of people should be able to get into the building.

Ms. Baggerly asked if Ms. Newcomer needed to make changes to the request. Ms. Newcomer stated that she would restate the request that was just discussed. Ms. Newcomer stated that she is recommending stacked stone along the porch; the skirting replaced with in kind material; off-set hinges are placed on the door to meet with the ADA compliance of a 32 inch wide door opening; paint the exterior trim black and the front door red; install a concrete parking lot as shown with a 24 feet wide driveway and 5 parking spaces; install a wooden ramp with 2 handrails on either side that will not attach to the exterior wall; and installation of handrails along the stairs and the porch for ADA compliance.

Mr. Stumberg noted that the guard rail may not be required, but the hand rail is, and also to check codes for the porch height requirement. Mr. Guess also noted to check the sides and threshold as well.

Mr. Stumberg made a motion to approve the request, as Ms. Newcomer stated: stacked stone along the porch; the skirting replaced with in kind material; off-set hinges are placed on the door to meet with the ADA compliance of a 32 inch wide door opening; paint the exterior trim black and the front door red; install a concrete parking lot as shown with a 24 feet wide driveway and 5 parking spaces; install a wooden ramp with 2 handrails on either side that will not attach to the exterior wall; and installation of handrails along the stairs and the porch for ADA compliance at 301 North Pearl Street, located in the Lower West Belton Historic District, on the northeast corner of the West 2<sup>nd</sup> Avenue and North Pearl Street.

Mr. Guess seconded the motion and it was approved unanimously with 5 ayes, 0 nays.

With no further business, the meeting was adjourned at 6:35 p.m.

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Chair, Historic Preservation Commission