



CITY OF TOPEKA

Landmarks Commission
620 SE Madison Street, 3rd Floor
Topeka, Kansas 66607-1118

Phone (785) 368-3728
Fax # (785) 368-2535
www.topeka.org/landmarks_comm.shtml

Application Materials

Historic Landmark Designation

In the

City of Topeka, Kansas

Procedure for Designation of Historic Landmarks and Historic Districts

January 2006

The procedure for designating historic landmarks properties is codified in Chapter 80 of the Code of the City of Topeka (City of Topeka Ordinance #17292). The process is summarized below, and may take as much as 4 months to complete. Consequently, prior consultation with Landmarks Planning staff is strongly recommended before any action is taken, and owner consent is essential for consideration of any application.

- **A historic landmark or historic district nomination form, accompanying material, and historic district preservation guidelines as defined herein, shall be submitted to the Topeka Planning Department.** *These forms and specific assistance are available at the Topeka Planning Department.*
- **Upon receipt of such nomination, a hearing by the Landmarks Commission will be scheduled either at its regular meeting or at a special meeting, provided that notice of the meeting shall be published 20 days prior to the date of such hearing.** *The Landmarks Commission meets on the second Thursday of each month, and materials are mailed a week prior to the meeting. In order to meet the 20-day public notice requirements, please have completed materials in the Planning office on the second Monday of the month, in order to be included on the next month's agenda. A processing schedule is available in the Planning Department to verify deadlines.*
- **Seven members of the Landmarks Commission shall constitute a quorum for purposes of a public hearing to consider designation of a historic landmark or historic district.** *Nine volunteers comprise the Landmarks Commission, and seven members are required to consider any nomination.*
- **The owner(s) of record of any parcel on which a proposed historic landmark is situated or which is a part of a proposed historic district shall be mailed written notice at least 20 days prior to the hearing relating to the designation of such proposed historic landmark or historic district, the amendment to any designation thereof, or the proposed reduction of any designation or the amendment thereto.** *The owner of record may or may not be the applicant, but must consent to the designation, and will be provided notice of the public hearing.*
- **Owner(s) consent to the historic landmark or historic district designation is a requirement for such designation to occur.** *This consent should be in writing, and should ideally consist of the owner's signature on the application form.*
- **The Landmarks Commission shall afford a full and fair hearing to all interested persons. The Landmarks Commission may solicit expert testimony regarding the historic and architectural importance of the historic resource(s) under consideration for designation.** *Provision of complete information will assist the Landmarks Commission in its deliberations, and solicitations of additional information can result in delayed processing of an application.*
- **All interested persons may appear in person or by representative and present evidence or comment.** *The purpose of a public hearing is to enable citizens to voice their opinions, which is why 20 days advance notice is required.*
- **The Landmarks Commission shall make its decision regarding the designation within a reasonable time, no later than 15 days following the close of the hearing.** *The Landmarks Commission should be able to render a decision at the conclusion of the hearing, provided all relevant information is deemed to have been available. If the Landmarks Commission continues the hearing, the 15 day period would begin once the hearing is finally concluded.*

- **In the event a member of the Landmarks Commission shall make application, evidence shall be presented in the same manner as all other persons and the Commission member shall not vote on the matter contained in the application.** *No member of the Commission should be denied the opportunity to participate in the program, but a conflict of interest would arise if a Commissioner were to vote on the nomination.*
- **Five affirmative votes shall be required to constitute a recommendation of approval on any nomination application presented to the Landmarks Commission.** *A five vote minimum allows for a simple majority if all nine Commissioners are present, and also assures approval provided that a quorum of only seven Commissioners is present.*
- **After consideration and recommendation by the Landmarks Commission, the application shall be submitted to the Topeka Planning Department. The following is required as part of the designation application:**
 - a. **The Landmarks Commission recommendation** *(provided by staff),*
 - b. **Legal description and map of the boundaries of the proposed designation** *(provided by staff),*
 - c. **Completed historic landmark or historic district nomination form and accompanying materials** *(provided by applicant),*
 - d. **Applicable historic district preservation guidelines as defined herein** *(provided by applicant);*
and
 - e. **A list of property owner(s) of record** *(provided by applicant).*
- **The designation shall be placed on the next possible Topeka Planning Commission meeting agenda for public hearing to consider historic landmark or historic district designation.** *The Planning Commission meets on the third Monday of each month, in the City Council Chambers.*
- **The same public notices and public hearing as required by law in a zoning case shall be observed. The owner or owners of record of any parcel on which a proposed historic landmark is situated or within a proposed historic district as well as all property owners of record within a 200-foot radius in the city and within 1,000-foot radius in the county will be notified of the hearing.** *Notice for this public hearing is also twenty days, and complete and approved application packets will be noticed and scheduled for the Planning Commission to consider on the next possible agenda by staff.*
- **At the conclusion of its hearing, the Topeka Planning Commission shall set forth in writing its findings as to whether the designation is consistent with adopted plans and shall transmit such findings to the city council or county commissioners.** *The Zoning and Platting Committee of the Planning Commission will make a recommendation to the elected officials.*
- **After notice and public hearing as required by law in a zoning case, a historic landmark or historic district may be created by ordinance by the city council. Upon passage of such ordinance or resolution, a certified copy shall be filed with the Shawnee County Register of Deeds.** *As with a rezoning, the change in status of a piece of property required action by the elected officials in whose jurisdiction the property lies.*
- **Upon approval of a historic landmark or residential historic district designation ordinance by the city council, the Topeka Planning Department shall cause the official designation and delineation of the property or properties involved.** *The Planning Department staff will indicate the designated property on the appropriate zoning maps, and amend the official listing of designated properties.*

Landmark Designation Application Checklist (Individual Property)

- _____ Completed Application
- _____ Filing Fee (\$25)
- _____ Legal Description of property
- _____ Supporting Documents (if necessary)

12. In the designation of buildings, structures and objects as historic landmarks, certain criteria must be met. The property normally must be 50 or more years old. In addition, the historic resources must meet one or more of the following criteria.

Please indicate the category under which you are submitting this property for designation. (Check all that apply.)

- A. Property is fifty (50) years old or older, and meets one or more of the following criteria:

- _____ a. Property is associated with events that have made a significant contribution to the broad pattern of history of the city, county, state, or nation.
- _____ b. Property is associated with a significant person or group of persons in the history of the city, county, state, or nation.
- _____ c. Embodies distinctive characteristics of a type, period or method of construction; represents the work of a master builder/architect; possesses high artistic values; or represents a distinguishable entity whose components may lack individual distinction.
- _____ d. Yields or is likely to yield information important in prehistory or history.
- _____ e. Possesses integrity of location, design setting, materials and workmanship.

- B. Properties less than fifty (50) years old may be eligible provided that they are of extreme historical significance. All other criteria listed above also apply.

_____ If your nomination is based upon this provision, please check at left and attach supporting information.

13. Attach to this nomination inventory form the following supportive documents:

- A. Copy of the last deed filed for record in the office of the Register of Deeds of Shawnee County, Kansas.
- B. Photographs, at least one each of the front, rear, and each side.
- C. Additional information to describe historical significance (optional).

DECLARATION

I (We), the owner(s) of the property described herein request that the Topeka Landmarks Commission designate the above described property to be a parcel within a historic district as established by ordinance.

OWNER

OWNER

Signature: _____

Signature: _____

Print Name: _____

Print Name: _____

Date: _____

Date: _____

RETURN THIS FORM AND REQUESTED SUPPORTIVE DOCUMENTATION TO:

**Topeka Planning Department
Landmarks Commission
620 SE Madison Street, 3rd Floor
Topeka, KS 66607-1118**

QUESTIONS? Call: (785) 368-3728 Fax: (785) 368-2535