



## United States Department of the Interior

NATIONAL PARK SERVICE  
1849 C Street, N.W.  
Washington, D.C. 20240



January 4, 2013

Re: **Bethel Clinic, Newton, Kansas**  
Project Number: **26596**

Dear

I have concluded my review of your appeal of the decision of Technical Preservation Services (TPS), National Park Service, denying certification of the rehabilitation of the property cited above. The appeal was initiated and conducted in accordance with Department of the Interior regulations (36 CFR Part 67) governing certifications for Federal income tax incentives for historic preservation as specified in the Internal Revenue Code. I thank you an:

for speaking with me via conference call on November 16, 2012, and for providing a detailed account of the project.

After careful review of the complete record for this project, including the materials you submitted before our meeting and [redacted]'s letter of November 30, 2012, I have determined that the rehabilitation of the Bethel Clinic, as now modified, is consistent with the historic character of the property, and that the project meets the Secretary of the Interior's Standards for Rehabilitation (the Standards). Therefore, the denial issued by TPS on August 14, 2012, is hereby reversed.

The Bethel Clinic was certified as contributing to the significance of the McKinley Residential Historic District on November 10, 2011. TPS, however, found the proposed rehabilitation of this former medical office building for residential use not to meet the Standards owing to the demolition of the corridors, treatment of the ceilings, and alterations to the Second Street (north) façade, a character-defining feature of the building.

The Bethel Clinic is a split-level building designed by architects Harrison Overend and Cecil Boucher, and was constructed circa 1952-53 to provide doctors' offices adjacent to the former

Bethel Hospital, across the street. The split-level configuration, common in residential construction, is less common in office buildings. However, its arrangement serves the same purpose, with a single entrance serving both an upper and lower level via short stair runs. This configuration defines the overall massing of the building, with the Pine Street façade appearing to be a single story while the longer Second Street façade is two stories, albeit with the lower level partially below grade. The resulting massing is asymmetrical, a characteristic feature of mid-century design. I have determined that this distinctive design is the primary character-defining feature of the building.

With regard to the Second Street façade, as TPS noted in its August 14, 2012, letter, the exterior of the building retains a high degree of integrity, including the original windows. Consequently, I agree with TPS that the proposed changes to the Second Street façade—including excavating areaways and replacing the original windows with new, larger windows—would significantly compromise the historic character of this façade, thereby contravening Standard 2. Standard 2 states that, *“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.”*

However, you have proposed changes to the original design submitted for the Second Street façade, eliminating the excavated areaways and retaining the historic windows. I find that these proposed changes are acceptable and comply with Standard 2. In addition, you are proposing to install a new window in the lower level, directly below the large window at the north end of the main lobby. Because of the split-level configuration of the building, the new window head will be at approximately the same elevation as grade, with the window itself in a shallow window well covered by a metal grate in the sidewalk. Consequently, the new window will provide light into that end of the lower level with little visual impact to the exterior of the building. I find that this proposed change also complies with the Standards.

With regard to your original proposal to remove the historically finished ceilings to expose the ceiling structure above, which TPS determined contravened Standard 2, cited above, you have agreed to retain finished ceilings throughout. Consequently, the ceiling treatments have not entered into my decision.

With regard to demolishing the partitions defining the historic room and corridor configurations in the two-story section of the building, I agree with TPS that such extensive alterations generally cause a project to contravene Standard 2, cited above. In this case, TPS noted “some deterioration and alteration to the lower level” and did not specifically object to the proposed changes to the lower level. However, TPS did note that “the upper level retains most of its character-defining elements, including the building’s [“O”-shaped] plan and features such as finished walls and ceilings.” TPS determined that the “removal of the corridors on the upper level is a major alteration of a significant interior feature.” In assessing the significance of the building’s configuration, I have determined that the circulation pattern associated with its split-level design—i.e. how people moved into the large volume of the main lobby, and through to the lower-ceilinged upper and lower levels of the building—is its most significant aspect. Although I agree that changing the upper level corridor configuration is a major alteration, the main lobby and the split-level circulation pattern will remain intact. Further, because you have eliminated the other principal causes for the denial determination—by modifications to the original submittal that you have proposed, as noted above—I have determined that reconfiguring the upper level corridors, by itself, is not sufficient to cause the overall impact of the rehabilitation on the historic character of the building to fail to comply with the Standards. And finally, I note that the overall

rehabilitation proposal, as now modified, respects the character-defining features of the Bethel Clinic in all other respects.

Although I am reversing the denial of certification, please remember that the project will not become a certified rehabilitation eligible for the tax incentives until it is completed and so designated by the National Park Service. Should you have any questions concerning procedures for final certification, please contact Mr. Michael Auer at 202-354-2031.

As Department of the Interior regulations state, my decision is the final administrative decision with respect to the August 14, 2012, denial that TPS issued regarding rehabilitation certification. A copy of this decision will be provided to the Internal Revenue Service. Questions concerning specific tax consequences of this decision or interpretations of the Internal Revenue Code should be addressed to the appropriate office of the Internal Revenue Service.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Burns". The signature is fluid and cursive, with a long horizontal stroke at the end.

John A. Burns, FAIA  
Chief Appeals Officer  
Cultural Resources

cc: SHPO-KS  
IRS