

February 2, 2015



**CITY OF DALLAS
LANDMARK COMMISSION MINUTES**

The Dallas Landmark Commission held a meeting on February 2, 2015 with a briefing at 10:37 a.m. in room 5ES and the public hearing at 1:02 p.m. in the Council Chambers of City Hall.

The following Commissioners were present for the meeting:

* Alternate

Michael Amonett
Mike Birrer
*Stephen Birch
Clint Bowers
*Sam Childers

Dustin Gadberry
Paul Fahrenbruch
John Johnson
Cris Jordan
Joel Maten

Katherine Seale, Chair
*Diane Sherman
Daron Tapscott
Kelli Thomas-Drake
Emily Williams

The following ex-officio member was present for the meeting: None

The following ex-officio member was absent for the meeting:

The following Commissioners were absent for the Meeting: **Mattia Flabiano**

The following Commissioners were absent for the briefing: **Mattia Flabiano**

The following Positions are vacant:

District 10 and District 12

The following Staff was present:

Neva Dean
Mark Doty
Jennifer Anderson

Casey Burgess
Bert Vandenberg
Trena Law

Staff briefed the Landmark Commission on each agenda item and a question and answer period followed each briefing.

A variety of dockets, requests and briefings were presented to the Commission during the open public hearing. The applicants or their representatives presented their arguments, citizen comments were heard, and using information and staff recommendations in the hearing dockets, the Commission took the following actions.

Briefings:

The Commissioners were briefed on the consent and individual discussion items.

Motion was made to rearrange the agenda and take D1, D4, D5, D6, D7, D2, D3, D8, D9 and D10.

Maker: Maten
Second: Tapscott
Results: 15/0

Ayes: - 15 Amonett, *Birch, Birrer, Bowers, *Childers
Fahrenbruch, Gadberry, Johnson, Jordan,
Maten, *Sherman, Tapscott, Seale, Thomas-
Drake, Williams
Against: - 0
Absent: - 1 Flabiano
Vacancies: - 2 Dist 10 and 12

Motion was made to approve Consent Items C1 through C4 following staff recommendation.

Maker: Maten
Second: Tapscott
Results: 15/0

Ayes: - 15 Amonett, *Birch, Birrer, Bowers, *Childers
Fahrenbruch, Gadberry, Johnson, Jordan,
Maten, *Sherman, Tapscott, Seale, Thomas-
Drake, Williams
Against: - 0
Absent: - 1 Flabiano
Vacancies: - 2 Dist 10 and 12

CONSENT ITEMS:

1. 5418 VICTOR ST

Junius Heights Historic District
CA145-130(JKA)
Jennifer Anderson

1. Install 6' wood fence in rear of the main structure. Approve site plan and specifications dated 1-12-15 with the finding that the proposed work is consistent with preservation criteria Section 3.6 and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
2. Install 4' wood and welded wire mesh fence in rear of the main structure. Approve site plan and specifications dated 1-12-15 with the finding that the proposed work is consistent with preservation criteria Section 3.6 and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

2. 4712 GASTON AVE

Peak's Suburban Addition Neighborhood Historic District
CA145-133(JKA)
Jennifer Anderson

1. Install 45"X73.3" metal sign on front facade of main structure. Approve with Conditions - Approve specifications dated 1-12-15 with conditions that the applicant obtains a sign permit from Building Inspection and submits detail regarding the method of attachment to the Landmark Commission. The proposed work is compatible with the historic overlay district, consistent with historic preservation criteria Section 7.3, and meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).
2. Install address numbers on front facade of main structure. Approve specifications dated 1-12-15 with the finding that the proposed work is compatible with the historic overlay district, consistent with historic preservation criteria Section 7.3, and meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).
3. Install sign on entry gate in front facade of main structure. Approve with conditions - Approved specifications dated 1-12-15 with Conditions that the applicant obtains a sign permit from Building Inspection and submits detail regarding the method of attachment to the Landmark Commission. The proposed work is compatible with the historic overlay district, consistent with historic preservation criteria Section 7.3, and meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).

3. 2409 SOUTH BLVD

South Blvd/Park Row Historic District
CA145-113(MD)
Mark Doty

1. Enclose rear porch. Work completed without a Certificate of Appropriateness. Approve drawings dated 1/14/15 with the finding that although the completed work does not comply with Section 3(b)(6)(A) that states facade material of additions or remodelings of redeveloped buildings shall be of the same prominent material used in the remainder of the building, it meets the criteria for landmark commission approval of work that does not strictly comply with the preservation criteria under City Code Section 51A-4.501(g)(6)(B), because the proposed work is historically accurate, it is consistent with the spirit and intent of the preservation criteria and it will not adversely affect the historic character of the property or the integrity of the historic overlay district.
2. Install front door. Approve image dated 1/14/15 with the finding the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

3. Install side door. Work completed without a Certificate of Appropriateness. Approve image dated 1/14/15 with the finding the completed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

4. 206 N CLINTON AVE

Winnetka Heights Historic District
CA145-115(MD)

Mark Doty

Paint accent color on main structure. Benjamin Moore 2125 'Black Panther'. Approve paint specification dated 1/14/15 with the finding the proposed work is consistent with the criteria for color in the preservation criteria Section 51P-87.111(a)(8)(C), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).

DISCUSSION ITEMS:

1. 1954 COMMERCE ST

Harwood Historic District
CA145-116(MD)

Mark Doty

Replace marble panels on north facade.

Speakers: For: Adam Jones, Ken Bownds

Against: No one

Motion:

Replace marble panels on north facade. **Approve with the condition that the applicant return with full anchorage details, expansion joints, and detailing** with the finding the proposed work is consistent with the criteria for facades in the preservation criteria Section 3.1(b), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Maker: Tapscott

Second: Amonett

Results: 15/0

Ayes:	- 15	Amonett, *Birch, Birrer, Bowers, *Childers Fahrenbruch, Gadberry, Johnson, Jordan, Maten, *Sherman, Tapscott, Seale, Thomas- Drake, Williams
Against:	- 0	
Absent:	- 1	Flabiano
Vacancies:	- 2	Dist 10 and 12

2. 5728 JUNIUS ST

Junius Heights Historic District
CA145-131(JKA)

Jennifer Anderson

1. Install 6' electronic wrought iron gate on side of main structure.
2. Relocate existing chain link fence to rear of main structure.

Speakers: For: No one

Against: No one

Motion:

1. Install 6' electronic wrought iron gate on side of main structure. **Approve with conditions** - Approve photograph with the condition that the gate is located in the rear 50% of the main structure and that only the gate with the flat top is approved per Section 3.6(c)(3). The work is consistent with preservation criteria Section 3.6 and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
2. Relocate existing chain link fence to rear of main structure. **Approve** site plan and photograph dated 1-12-15 with the finding that the work is consistent with preservation criteria Section 3.6 and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Maker: *Birch
Second: Jordan
Results: 15/0

Ayes: - 15 Amonett, *Birch, Birrer, Bowers, *Childers
Fahrenbruch, Gadberry, Johnson, Jordan,
Maten, *Sherman, Tapscott, Seale, Thomas-
Drake, Williams
Against: - 0
Absent: - 1 Flabiano
Vacancies: - 2 Dist 10 and 12

3. 5634 VICTOR ST

Junius Heights Historic District
CA145-127(JKA)
Jennifer Anderson

1. Construct one-story addition to the rear of main structure.
2. Remove 1/1 wood window on northeast side of main structure and replace with single light wood window.

Speakers: For: No one
Against: No one

Motion:

1. Construct one-story addition to the rear of main structure. **Approve** plans and specifications dated 1-12-15 with the finding that the work is consistent with preservation criteria Section 8.1, 8.3, 8.5, 8.6, 8.12, and 8.14 and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
2. Remove 1/1 wood window on northeast side of main structure and replace with single light wood window. **Deny without Prejudice** - The proposed work does not meet the standards in City Code Section 51A-4.501(g)(6)(C)(i) because it is inconsistent with preservation criteria Section 5.1 stating that historic windows must remain intact and their openings preserved on protected facades.

Maker: Johnson
Second: *Birch
Results: 15/0

Ayes: - 15 Amonett, *Birch, Birrer, Bowers, *Childers
5

Fahrenbruch, Gadberry, Johnson, Jordan,
Maten, *Sherman, Tapscott, Seale, Thomas-
Drake, Williams

Against: - 0
Absent: - 1 Flabiano
Vacancies: - 2 Dist 10 and 12

4. 5115 JUNIUS ST

Munger Place Historic District

CA145-132(JKA)

Jennifer Anderson

Install 8' board-on-board fence in rear of the main structure.

Speakers: For: Abel Verdi
Against: No one

Motion:

Install 8' board-on-board fence in rear of the main structure. **Approve with the Conditions** that the applicant keep the gap between the two fences clear of weeds and debris per City Code, that the fence is located in the rear 50% of the side yard, and that the applicant obtains a permit from Building Inspections prior to the start of work. The proposed work is consistent with preservation criteria Section 51P-97.111(c)(2)(B) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Maker: Amonett
Second: *Sherman
Results: 15/0

Ayes: - 15 Amonett, *Birch, Birrer, Bowers, *Childers
Fahrenbruch, Gadberry, Johnson, Jordan,
Maten, *Sherman, Tapscott, Seale, Thomas-
Drake, Williams

Against: - 0
Absent: - 1 Flabiano
Vacancies: - 2 Dist 10 and 12

5. 4516 JUNIUS ST

Peak's Suburban Addition Neighborhood Historic District

CA145-129(JKA)

Jennifer Anderson

Install 6'6" wood fence. Work completed without a Certificate of Appropriateness.

Speakers: For: Jay Terpstra
Against: No one

Motion:

Install 6'6" wood fence. Work completed without a Certificate of Appropriateness. **Approve with conditions per ordinance that fence height is 6 feet 6 inches, at least 70% open, is even with the front façade, and with upright growing vine material with the finding of fact that location of fence requirement of 5 feet setback be waived due to hardship of deck structure.**

Maker: *Birch
Second: Jordan
Results: 14/1

Ayes: - 14 Amonett, *Birch, Birrer, Bowers, *Childers
Fahrenbruch, Gadberry, Johnson, Jordan,
Maten, Tapscott, Seale, Thomas-Drake, Williams
Against: - 1 *Sherman
Absent: - 1 Flabiano
Vacancies: - 2 Dist 10 and 12

6. 2401 SOUTH BLVD

South Blvd/Park Row Historic District
CA145-112(MD)

Mark Doty

Remove existing slate roof and install composition roof. Owens Corning 'Merlot'. Work completed without a Certificate of Appropriateness.

Speakers: For: Tammy Johnston
Against: No one

Motion:

Remove existing slate roof and install composition roof. Owens Corning 'Merlot'. Work completed without a Certificate of Appropriateness. **Approve with the finding of fact that the applicant has a hardship and that this is not detrimental to future preservation efforts.**

Maker: Amonett
Second: Tapscott
Results: 15/0

Ayes: - 15 Amonett, *Birch, Birrer, Bowers, *Childers
Fahrenbruch, Gadberry, Johnson, Jordan,
Maten, *Sherman, Tapscott, Seale, Thomas-
Drake, Williams
Against: - 0
Absent: - 1 Flabiano
Vacancies: - 2 Dist 10 and 12

7. 5124 SWISS AVE

Swiss Avenue Historic District
CA145-117(JKA)

Jennifer Anderson

1. Install driveway in front yard of main structure.
2. Install gate on south side of main structure.
3. Remove gate on wall on north side of main structure and infill with material to match existing masonry wall.
4. Remove light fixtures on north side wall of main structure.

5. Remove driveway on north side of main structure and reconnect grass and curbing to match existing.

Speakers: For: Jonathan Booth
Against: No one

Motion:

1. Install driveway in front yard of main structure. **Approve with conditions** - Approve plans dated 1-12-15 with the conditions that the material for the driveway is **broom** finished concrete only and that the applicant obtains a permit from Public Works prior to the start of work. Applicant must submit specifications to Landmark Commission to replace proposed stamped concrete with brick. The proposed work is consistent with preservation criteria Section 51P-63.116(2)(G) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
2. Install gate on south side of main structure. **Approve with the finding that while not strictly complying with 51A-4.501(g)(6)(C)(i) it is the existing fence location requiring alteration of side fence.**
3. Remove gate on wall on north side of main structure and infill with material to match existing masonry wall. **Approve with condition** that the brick used to infill the existing wall is **Dallas Orange Common** and is matching in color, texture, material, and profile to the existing brick and that staff shall review such brick.
4. Remove light fixtures on north side wall of main structure. **Approve** the proposed work with the finding that it is consistent with preservation criteria Section 51P-63.116(2)(C) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
5. Remove driveway on north side of main structure and reconnect grass and curbing to match existing. **Approve with conditions - Approve plans dated 1-12-15** with the conditions that the materials used for the sidewalk and curbing is **broom** finish concrete only and that the applicant obtains a permit from Public Works prior to the start of work. The proposed work is consistent with preservation criteria Section 51P-63.116(2)(G) and meets the criteria in City Code Section 51A-4.501(g)(6)(C)(i).

Maker: Tapscott
Second: *Birch
Results: 15/0

Ayes: - 15 Amonett, *Birch, Birrer, Bowers, *Childers
Fahrenbruch, Gadberry, Johnson, Jordan,
Maten, *Sherman, Tapscott, Seale, Thomas-
Drake, Williams
Against: - 0
Absent: - 1 Flabiano
Vacancies: - 2 Dist 10 and 12

8. 2414 ROUTH ST

State Thomas Historic District
CA145-128(JKA)
Jennifer Anderson

1. Install 3' picket fence around perimeter of main structure. Work completed without a Certificate of Appropriateness.
2. Install landscaping in front yard of main structure. Work completed without a Certificate of Appropriateness.

3. Install outdoor furniture. Work completed without a Certificate of Appropriateness.
4. Install sign in front yard of main structure. Work completed without a Certificate of Appropriateness.

Speakers: For: No one
Against: No one

Motion:

1. Install 3' picket fence around perimeter of main structure. Work completed without a Certificate of Appropriateness. **Deny without Prejudice** - The completed work is not compatible with Section 51A-4.501(g)(6)(C)(i) because the removal of the previous fence is not consistent with preservation criteria Section 51A-4.501(g)(4)(E) stating that distinctive materials, features, finishes, and construction techniques that characterize a property will be preserved with the finding of fact that the applicant is aware of the overlay and the process that it entails and that the applicant has 60 days to reapply.
2. Install landscaping in front yard of main structure. Work completed without a Certificate of Appropriateness. **Deny without Prejudice** - The completed work does not meet the criteria in City Code Section 51A-4.501(g)(6)(C)(i) because staff does not believe that the bark mulch compliments the historic character of the main structure or the historic district per Section 51P-225.108(c)(5) with the finding of fact that the applicant is aware of the overlay and the process that it entails and that the applicant has 60 days to reapply.
3. Install outdoor furniture. Work completed without a Certificate of Appropriateness. **Deny without Prejudice** - The completed work does not meet the requirements in City Code Section 51A-4.501(g)(6)(C)(i) because the applicant has not verified that the additional added seating is compliant with the Certificate of Occupancy imposing a maximum seating of 31 persons for a coffee shop specified in City Code Section. 51P-225.106(q)(7)(A) with the finding of fact that the applicant is aware of the overlay and the process that it entails and that the applicant has 60 days to reapply.
4. Install sign in front yard of main structure. Work completed without a Certificate of Appropriateness. **Deny without Prejudice** - The completed work does not meet the requirements in City Code Section 51A-4.501(g)(6)(C)(i) because it is not consistent with preservation criteria Section 51P-225.107(h)(2)(A)(iii) stating that detached signs must not be illuminated with the finding of fact that the applicant is aware of the overlay and the process that it entails and that the applicant has 60 days to reapply.

Maker: *Sherman
Second: *Childers
Results: 15/0

Ayes: - 15 Amonett, *Birch, Birrer, Bowers, *Childers
Fahrenbruch, Gadberry, Johnson, Jordan,
Maten, *Sherman, Tapscott, Seale, Thomas-
Drake, Williams
Against: - 0
Absent: - 1 Flabiano
Vacancies: - 2 Dist 10 and 12

9. 1030 E 9TH ST

Tenth Street Historic District

CD145-007(MD)

Mark Doty

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code).

Speakers: For: Andrew Gilbert

Against: No one

***Commissioner *Birch was excused and left the meeting.**

Motion:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code). **Approve** - The proposed demolition meets the standards in City Code Section 51A-4.501(i)(7) because the City Attorney has received a court issued order for demolition and the suspension of the certificate of demolition is not a feasible option to alleviate the nuisance in a timely manner.

Maker: Maten

Second: Jordan

Results: 10/4

Ayes:	- 10	Birrer, Bowers, *Childers Fahrenbruch, Johnson, Jordan, Maten, Tapscott, Seale, Williams
Against:	- 4	Gadberry, Thomas-Drake, Amonett, Sherman
Absent:	- 2	*Birch, Flabiano
Vacancies:	- 2	Dist 10 and 12

10. 2835 TANNER ST

Wheatley Place Historic District

CD145-006(MD)

Mark Doty

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code).

Speakers: For: Andrew Gilbert

Against: No one

Motion:

Demolish a residential structure 3,000 square feet or less pursuant to a court order (51A-4.501(i) of the Dallas City Code). **Approve** -The proposed demolition meets the standards in City Code Section 51A-4.501(i)(7) because the City Attorney has received a court issued order for demolition and the suspension of the certificate of demolition is not a feasible option to alleviate the nuisance in a timely manner.

***Commissioner Johnson was excused and left the meeting.**

Maker: Tapscott
Second: Jordan
Results: 6/8

Ayes: - 6 *Childers, Jordan, Maten, Tapscott, Seale,
Thomas-Drake,
Against: - 8 *Sherman, Williams, Fahrenbruch, *Birch,
Amonett, Birrer, Gadberry, Bowers
Absent: - 2 Flabiano, Johnson
Vacancies: - 2 Dist 10 and 12

***Motion Failed. Since no other motions were made the application was denied.**

OTHER BUSINESS ITEMS:

Approval of Minutes from the January 5, 2015 Meeting.

Maker: Tapscott
Second: *Birch
Results: 14/0

Ayes: - 14 Amonett, *Birch, Birrer, Bowers, *Childers
Fahrenbruch, Gadberry, Jordan, Maten,
*Sherman, Tapscott, Seale, Thomas-Drake,
Williams
Against: - 0
Absent: - 1 Flabiano, Johnson
Vacancies: - 2 Dist 10 and 12

Appointment of Historic Preservation Tax Exemption Program Task Force.

Maker: *Birch
Second: *Sherman
Results: 14/0

Ayes: - 14 Amonett, *Birch, Birrer, Bowers, *Childers
Fahrenbruch, Gadberry, Jordan, Maten,
*Sherman, Tapscott, Seale, Thomas-Drake,
Williams
Against: - 0
Absent: - 1 Flabiano, Johnson
Vacancies: - 2 Dist 10 and 12

Approval of 2013-2014 Annual Report.

Maker: *Birch
Second: Thomas-
Drake
Results: 14/0

Ayes: - 14 Amonett, *Birch, Birrer, Bowers, *Childers
Fahrenbruch, Gadberry, Jordan, Maten,
*Sherman, Tapscott, Seale, Thomas-Drake,
Williams
Against: - 0
Absent: - 1 Flabiano, Johnson
Vacancies: - 2 Dist 10 and 12

ADJOURNMENT

Motion was made to adjourn at 3:34 P.M.

Katherine D. Seale

Date